

WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda - AMENDED
May 10, 2022 - 6:00 p.m.
(also held via virtual via Zoom and Facebook livestreamed)



1. Call to Order
2. Attendance
3. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - Dashboard Action Items – Dangerous/Unsightly
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
 - a) 2022-04-12 Committee of the Whole minutes
7. Presentations
 - a) Chimney Swifts - Rielle Hoeg and Graham Sorenson
 - b) Causeway Presentation – Devin Lake and Rob Leblanc
 - c) Tax Sale Presentation – Clerk Brown
8. Unfinished Business/Postponed Motions
 - a) Status Update – Bowman Road -CAO Phillips
9. Reports
 - a) CAO Activity Update – Information Report
 - b) Financial Update – Information Report - Dir. Rochon
 - c) Municipal Climate Change Action Plan (MCCAP) Committee Updates – Information Report- Councillor Francis
10. Correspondence
 - a) Information
 1. Avon Causeway Activity Log
 - i. Current correspondence received as of May 4, 2022 – None
 2. Correspondence received ledger as of May 5, 2022
 - i. Current Correspondence received as of May 5, 2022
 3. Fort Edward Activity Log
 - i. Current correspondence received as of May 4, 2022

4. Storm Wastewater Activity Log
 - i. Current Correspondence received as of May 4, 2022 - None
- b. Requests - None
- c. Out-going Correspondence Ledger
 1. Correspondence sent as of May 9, 2022
11. New Business
 - a) Boundary Review – CAO Phillips
 - b) Committees of Council – Request for Decision – CAO Phillips
 - c) New Provincial Non Residential Deed Transfer Taxation Report– Information Report – CAO Phillips
 - d) 2022-23 Grants and Contribution Recommendation Report - Dir. Kehoe
 - e) Upstream Avon River (Lake Pisiquid) Sedimentation Report – Councillor Ivey
 - ~~f) Cunnable Creek – Summary of Information Report – Councillor Ivey~~
 - ~~g) Flood and Storm Water Capacity – Culverts – Pipes – Lagoons – Information Report – Councillor Ivey~~
 - h) Notice to Amend Sidewalk Café Fees in the Fees Policy RCONF-013.00 – Councillor Ivey
 - i) Notice to Amend the Mobile Canteen Fees in the Fees Policy RCONF-013.00 – Councillor Ivey
 - j) Sewer Rates – Councillor Francis
 - k) Sidewalk Needs Assessment – Request for Decision – Councillor Smith
 - ~~l) Water and Sewer Laterals – Councillor S. McLean~~
12. Public Participation Period
13. In-Camera
14. Next Meeting Date / Adjournment

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</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)	2020-05-12		In progress	CAO/Fin
Asset Mgmt (Strategic Sustainability) - Strategic Sustainability Plan is needed	2020-05-12	On-going until approx. Oct. 2022	Staff training all Public Works and Community Development Staff	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.	2020-09-22	Align with Branding outcomes 2021-07, On-going	Pending Beautification Strategy. Street and Community sign options currently being explored	PW/Comm. Dev
Diversity & Inclusion Committee (from Meeting & Committee Procedural Policy Amendments) - Advertise for Committee	2020-10-13	2022 (also with Rad Consulting)	Bi-weekly mtgs of a two-person initial working group have begun. Very in initial stages.	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)	2020-10-27	2022-on going	Ongoing, working group has met twice. Recommendation coming to Council soon. Waiting on structural review	CAO
Panuke Rd Event - Event to be arranged by Mayor	2021-03-09	2021-06	Unknown	Mayor
Noise By-law - Staff revise by-law (Peace and Good Order)	2021-03-23	2022-on going	Ongoing review	Planning/ CAO
Cheverie Land Exchange - Agree	2021-03-23	2022 on going	Pending site visit	CAO
WHRM Land Dispute Policy - CAO Office to establish a practice to keep council informed	2021-04-27	2022-04	Currently reviewing. Policy to follow	CAO
Dog Park - Staff review historical information related to dog park feasibility	2021-06-08	2022-04	Outstanding. Information gathered	Comm. Dev
Glooscap First Nation & WHRM Council Meeting - Send formal invite for a meeting to discuss many topics including reconciliation	2021-06-22		Met on March 15, 2022	Mayor

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
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	2021-06-22		Ongoing informal communication continues through the Mayor	Mayor/CAO
Review former By-Laws RV-001 (Mobile Canteen) - Review former By-Laws and create a new all encompassing By-Law with public input.	2021-09-28	2022-06	Approved on April 26, 2022	CAO/Plan
Outdoor Fires By-Law - Staff review existing Fire-related by-laws and have an all encompassing Regional By-Law	2021-09-28	2022-06	Ongoing review. Approved by Fire Chiefs with Public input received, approved by Fire Chiefs. Retiring for Council consideration at a later date in 2022	CAO
Capped Assessment - Staff provide a new aggregated report that will coincide with PVSC's presentation in January/February.	2021-09-28	2022	Outstanding	Finance
Panuke Road Booster Station - Provide ongoing updates to Council	2022-02-22	ongoing	Roof is 95% roof tight, minor siding and trim work required. Major equipment installation beginning first week of May. Connection on water main and bypass planned for the second-third week of May.	PW
Hantsport Fire Station - Provide ongoing progress updates to Council	2022-02-22	ongoing	Building is 95 % roof tight, siding and trim work required. Electrical and plumbing rough-ins nearly complete. HVAC and drywall being installed first week of May.	PW
Front End Wheel Loaders - Provide ongoing progress reports to Council	2022-02-22	ongoing	Loader is complete. Finalizing paperwork and payment, once complete the loader will be delivered.	PW
Fort Edward - Return to the March 22, 2022 with details re: Phase 2 to Archaeological Assessment on 36 and 65 Fort Edward Lands	2022-03-16	2022-03-22	Adjourned until June 28, 2022. Second Reading postponed in order to complete and consider the results of the phase 2 Archaeological Resource Impact Assessment.	CAO
36 and 65 Fort Edward - Set up a site visit for Council	2022-03-16	2022-03-22	Poll sent out to Council. Awaiting a date.	CAO

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
Tax Sale Notification- Request legal Council review the tax sale conditions to determine the appropriateness of using the print and sale dates as part of the 30 day process. Further that Council receive a presentation on the tax sale process through the Finance Dept.	2022-03-22	2022-05-10	Presentation on May COTW agenda	Fin
Noise By-Law - Provide an update and confirm if former By-Laws remain in place	2022-04-12	2022-04-26	Former Noise By-Laws remain in place until repealed. Former Town of Hantsport By-law #101-2 Noise By-law, Former Town of Windsor By-Law # 33 Prevention of Excessive Noise	CAO
Dog Tags and Fees By-Law - Council approve the Dog By-law for the Region of West Hants attached as Appendix B to the report entitled Dog Tags and Fees (3rd Report) dated February 10, 2022. Also, Council replace all fees related to dog tags within the Fees policy with the fee schedule shown in Appendix C of the report entitled Dog Tags and Fees (3rd Report) dated February 10, 2022, with the change in fees being effective on the date the Regional By-law is effective.	2022-04-12	2022-06	Approved on April 26, 2022. Fees will be effective on the date the Regional By-Law is effective.	Plan
Accessibility Plan - approves and adopts the West Hants Regional Municipality Accessibility Plan developed by CBCL Ltd.	2022-04-12	2022-04-26	Approved	Comm. Dev.
Bowman Road - Inquire to Rews Developments to determine actual services provided for the costs billed to WHRM and then billed to the property owner for demolition and report back to Council no later than April 26, 2022.	2022-04-12	2022-04-26	Approved, Complete update being provided at the May COTW mtg	CAO

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
Foundry Field - approves the conditional donation of the Foundry Sports Field property inclusive of PID #'s 45044948, 45044930 and 45044971 and directs the Chief Administrative Officer carry out the necessary step to accept the land donation.	2022-04-12	2022-04-26	Approved	Comm. Dev/CAO
Meeting and Committee Procedural policy - amend the WHRM's "Meeting and Committee Procedural Policy" Section 9 to align with the historical practices of the former Town of Windsor and former Municipality of the District of West Hants West, to include the use of audio recording equipment for all in-camera discussions such that section 9.3 will include 'in-camera meetings'.	2022-04-12	2022-04-26	Approval, staff amending policy	CAO
Partnership Opportunity (The Station Food Hub) - meet with the Station Food Hub and provide an update to Council for consideration. Further, If Council wishes to support the application with the Station Food Hub, that staff be directed to write a letter of support for the Station Food Hub's application to Farm Credit Canada.	2022-04-12	2022-04-26	Staff met and a letter was provided on April 27, 2022.	CD/CAO

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
West Hants Avon River Region Tourism/Economic Development - Craft a letter to our MLA, Premier, Provincial Minister of Tourism and Valley REN and include a copy of the report to show the value we see in what has been identified in the report and look forward to an opportunity to discuss potential further development along the Avon	2022-04-12	2022-04-26	Sent May 2, 2022	CAO, CD
Avon River Discussion - Write a letter to Federal Minister of Fisheries acknowledging the letter sent a year ago re: not renewing the Ministerial Order and explain that in hindsight it was not appropriate to send this letter and we wish to withdraw the request made within this letter.	2022-04-12	2022-04-26	Approved, sent May 9, 2022	CAO
Avon River Discussion - Write to the assembly of Mikma Chiefs in NS acknowledging the letter previously sent and recognize that this was an error and we have written the minister of fisheries withdrawing the request and wish to apologize for the oversight.	2022-04-12	2022-04-26	Approved, sent May 9, 2022	CAO
#1792 Project Request for Proclamation or Recognition for 230th Anniversary - the proclamation made by Kathrin Winkler be brought forward to the next Council meeting to be declared.	2022-04-12	2022-04-26	Proclaimed on April 26, 2022	Mayor/Council

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
Revisit Exit 6 Closure - write a letter to MLA Melissa Sheehy-Richard, Minister of Transportation regarding the 2 yr closure of exit 6 and encourage a revisit of using exit 7 as the off point for traffic coming into the downtown Windsor and exit 5A could be used as a catch point for anybody who misses the first one.	2022-04-12	2022-04-26	Sent May 2, 2022	CAO
Land Matter 13(a) - CAO negotiate the potential sale of PID 45321841.	2022-04-12	2022-04-26	Approved	CAO
Newport Rink Commission - Council support the application with the Newport Rink Commission and if needed write a letter of support for the application to Farm Credit Canada.	2022-04-26	2022-04-26	Approved, letter not needed at this time	CD
Walking Trails - Staff to report back on progress and initiative related to walking trails within WHRM.	2022-04-26	2022-04-26	Awaiting information	CD
Former Town of Windsor Debt Refinancing – Use the town of Windsor Operating Reserve to fund the Municipal portion of the balloon payment of debenture #27-A-1 due June 1, 2022	2022-04-28	2022-04-28	Approved	Fin
Provincial Representative Volunteer - Approve the nomination of Juanita Wilcox for the 2022 Provincial Representative volunteer award for WHRM.	2022-04-26	2022-04-26	Approved	CD

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
May 4, 2022

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>



Photo: Roger Hangarter

Chimney Swifts and Municipal Planning



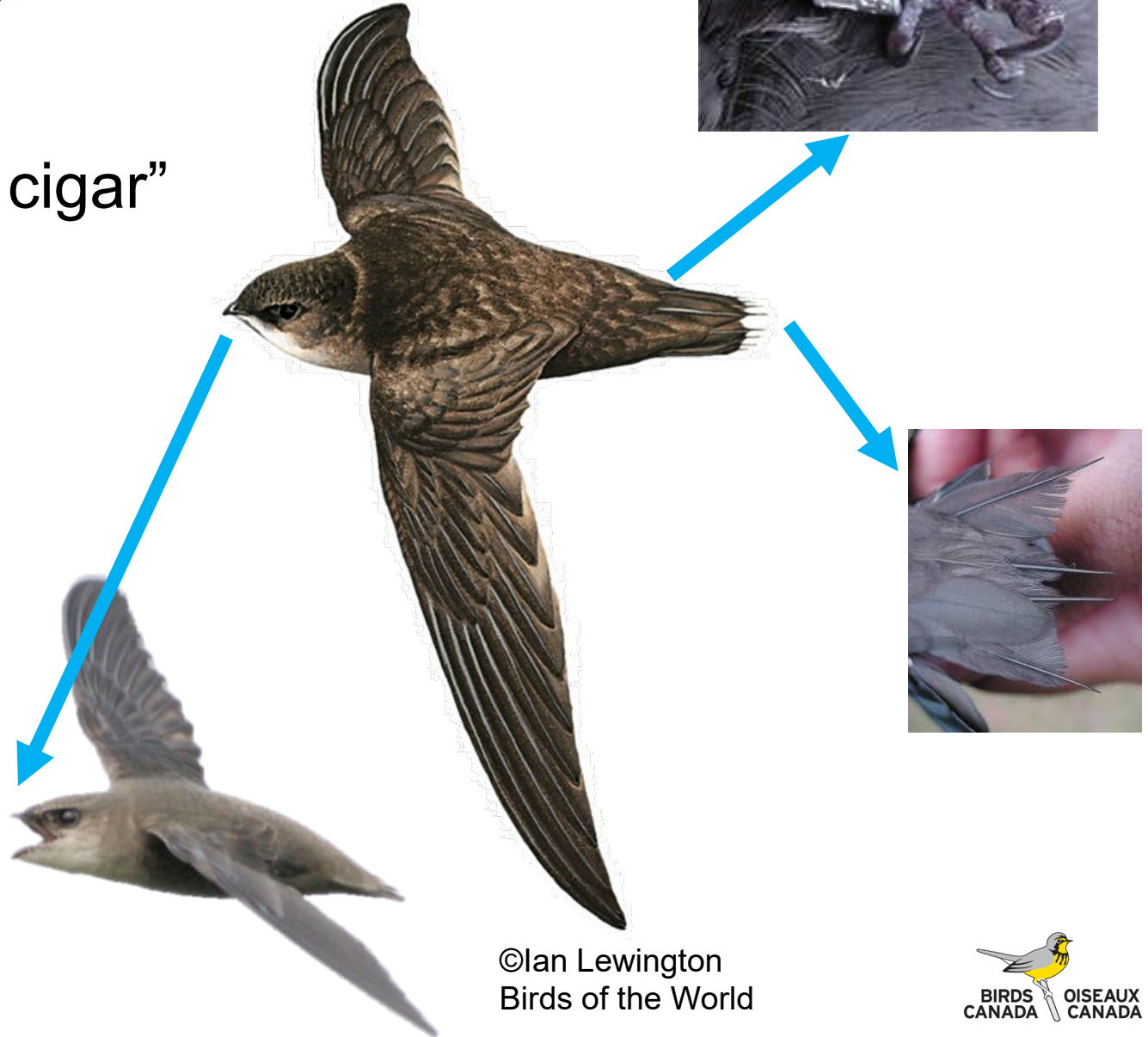
Who We Are – Birds Canada

- Our mission is to drive action to increase the understanding, appreciation, and conservation of birds in Canada.
 - Scientific research
 - Innovative partnerships
 - Public engagement
 - Science-based advocacy
 - On-the-ground actions

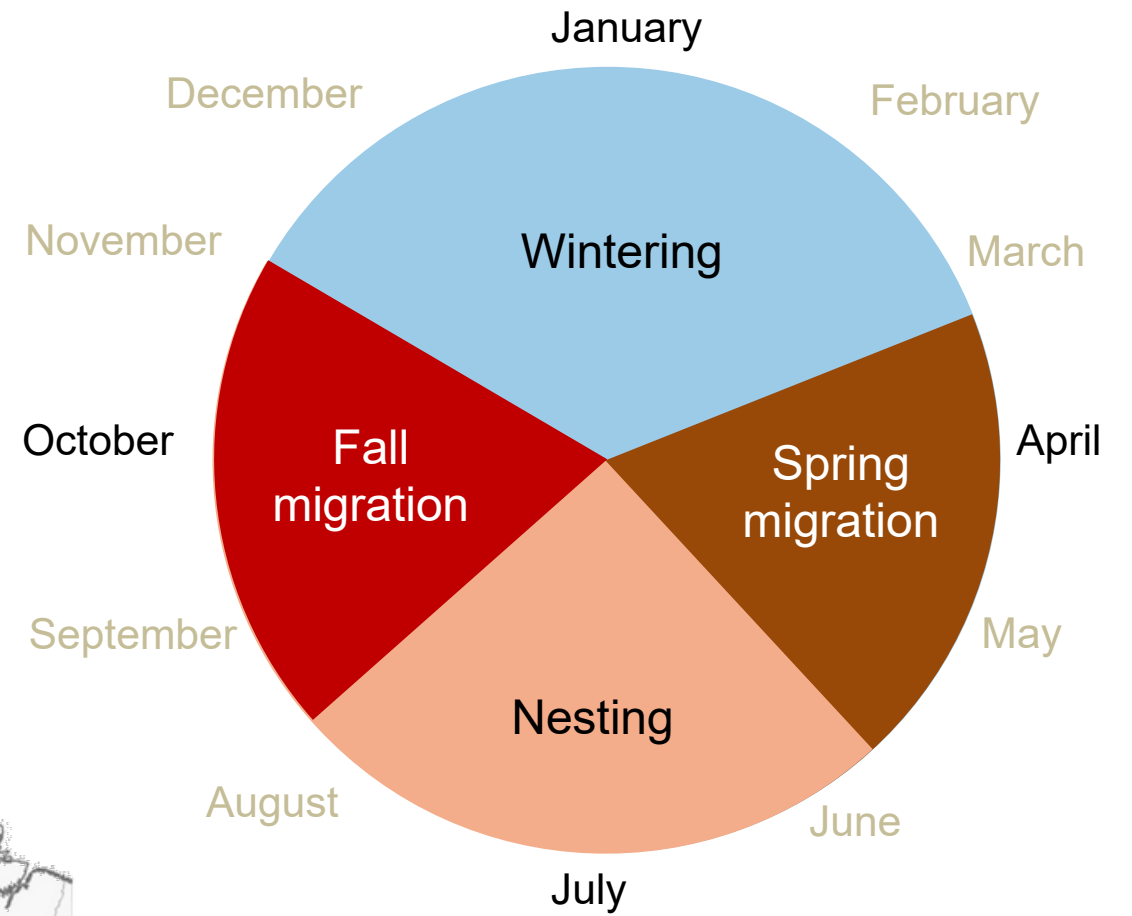


What are Chimney Swifts?

- Long, narrow wings – “flying cigar”
- Mostly aerial lifestyle
- Large feet, short legs
- Spiny tail
- Tiny bill, but huge mouth!
- Eats 1000+ insects/day



©Ian Lewington
Birds of the World



Life History

- Nest and roost in cavities
- Historically used large, hollow trees and caves
- Adapted to brick chimneys when settlers arrived and mature forest lost

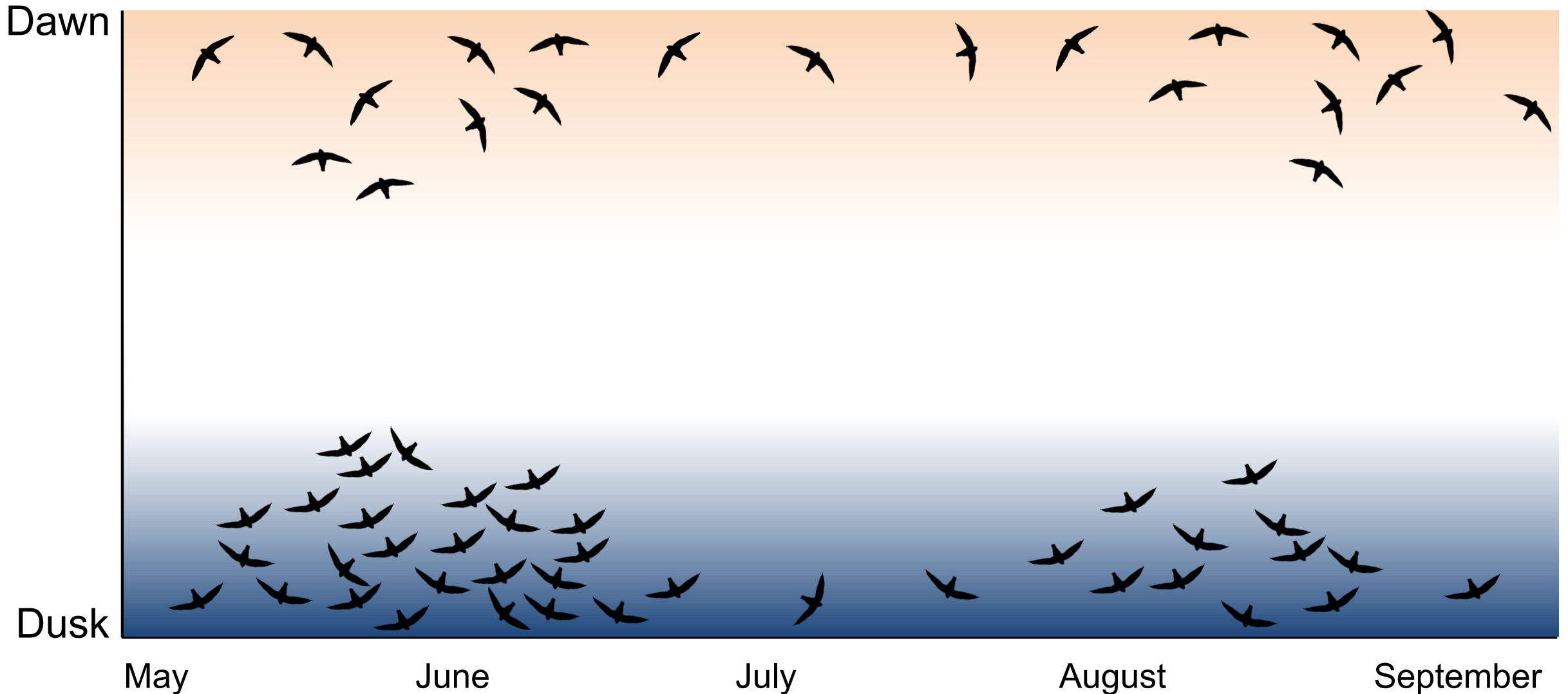


Nesting vs Roosting



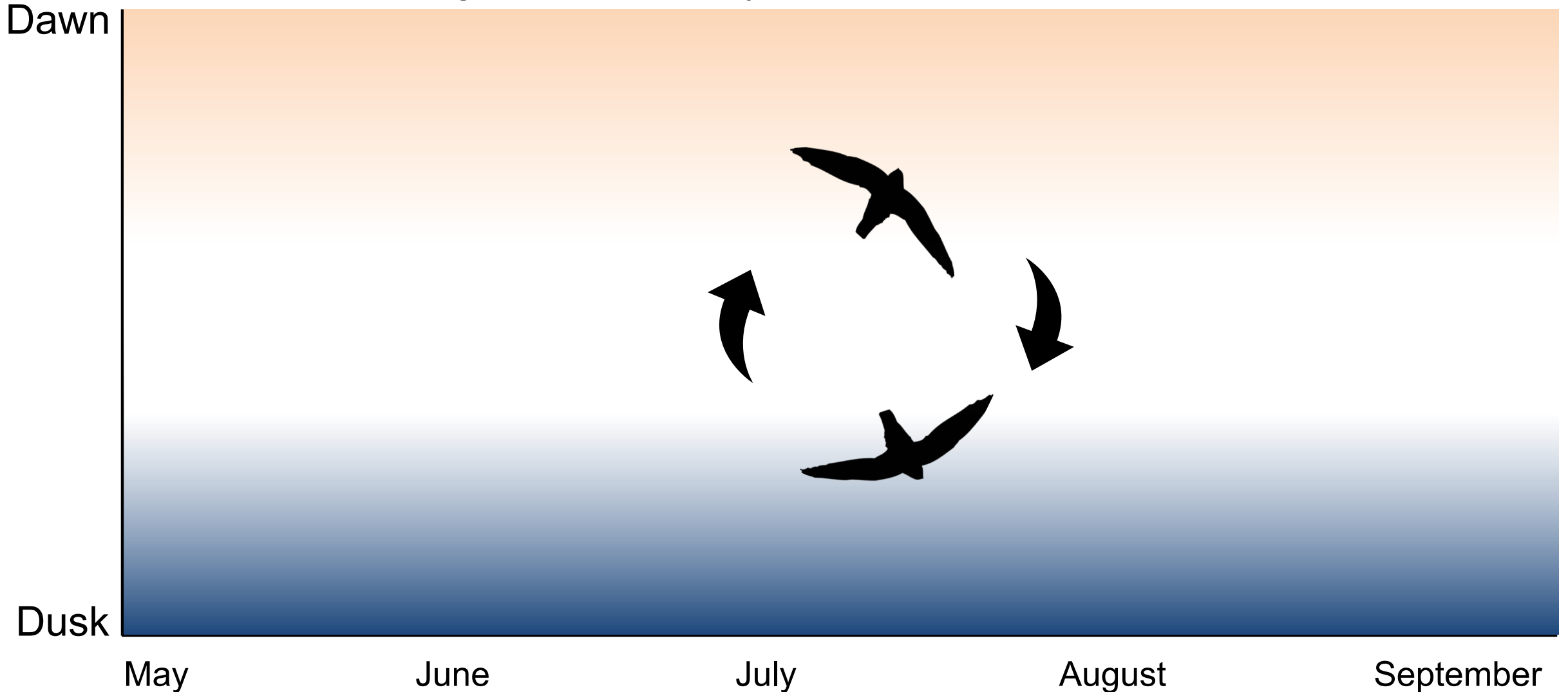
Roost activity

Swifts gather at roosts in May-June, leaving the chimney in the morning, and returning together at dusk. Roost chimneys may be used by thousands of swifts. Roosts may be used throughout the season, but the largest numbers of birds occur just after spring migration, and again prior to fall migration.

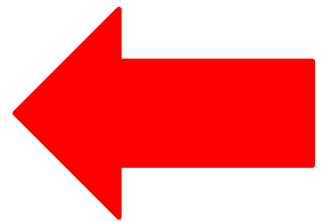
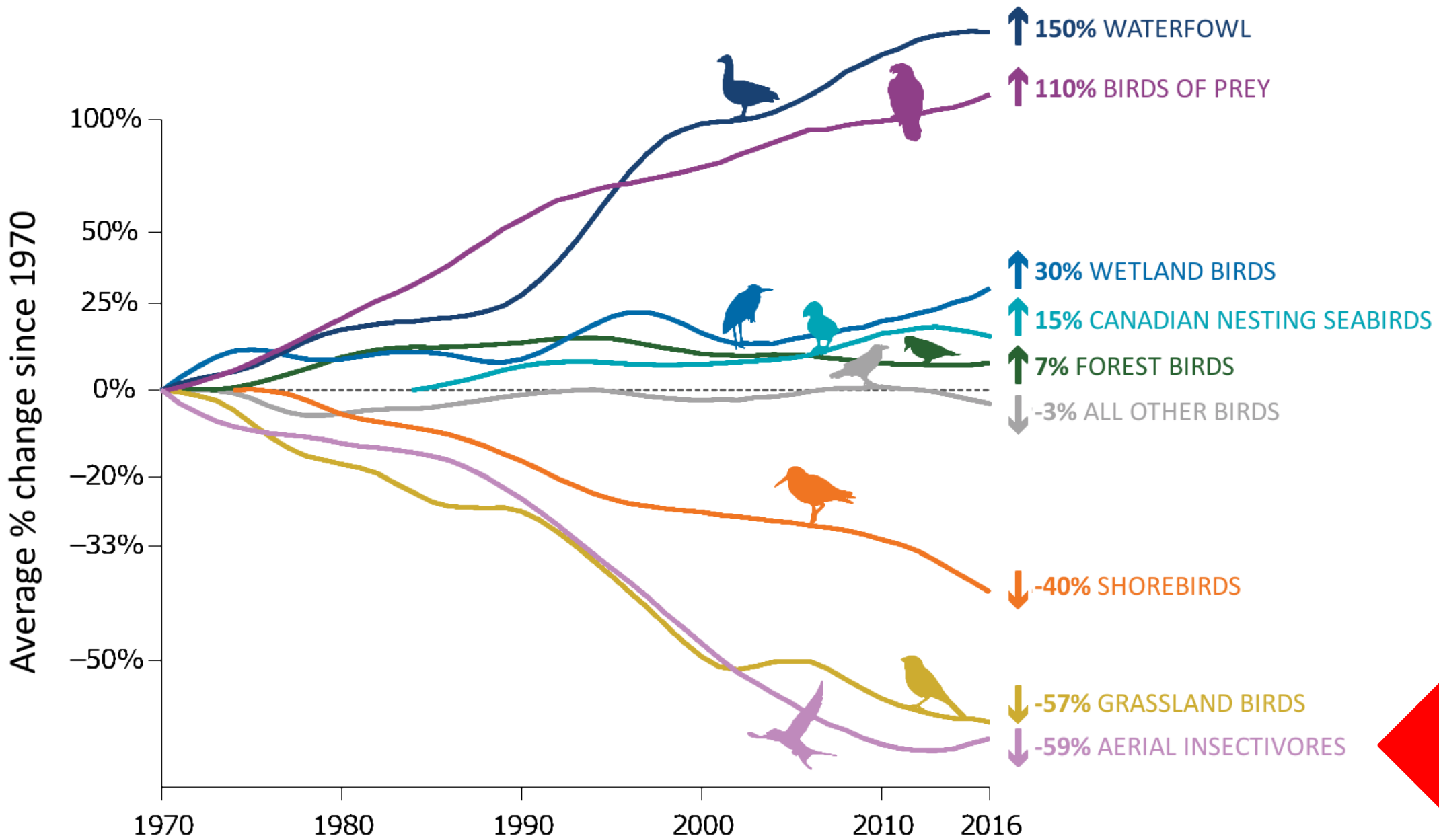


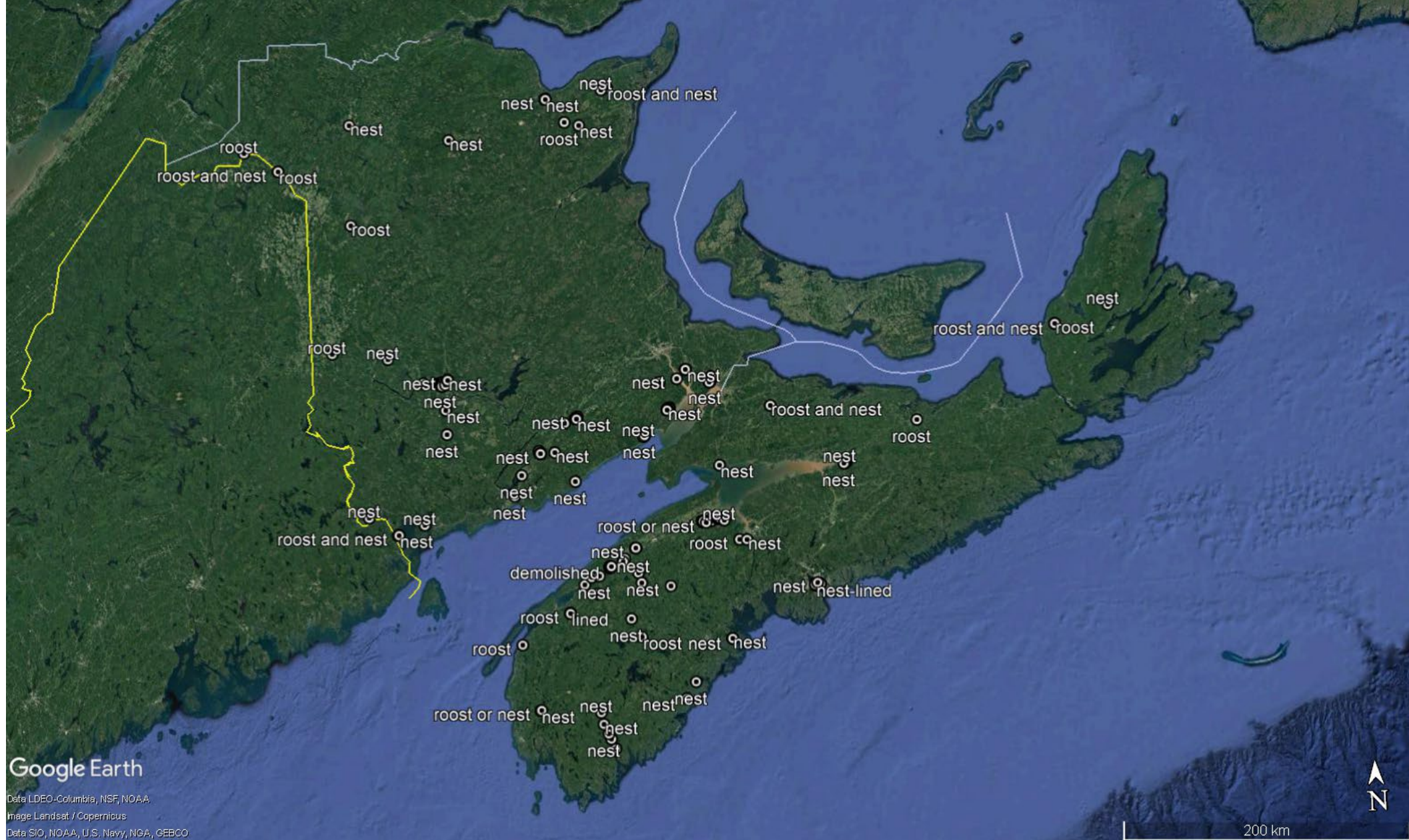
Nest activity

Swifts nest in July, going to and from the nest chimney several times a day to catch insects for their young. Like roosting, they spend their nights and poor weather days inside the chimney, but usually, you will only see one pair using a nest chimney.





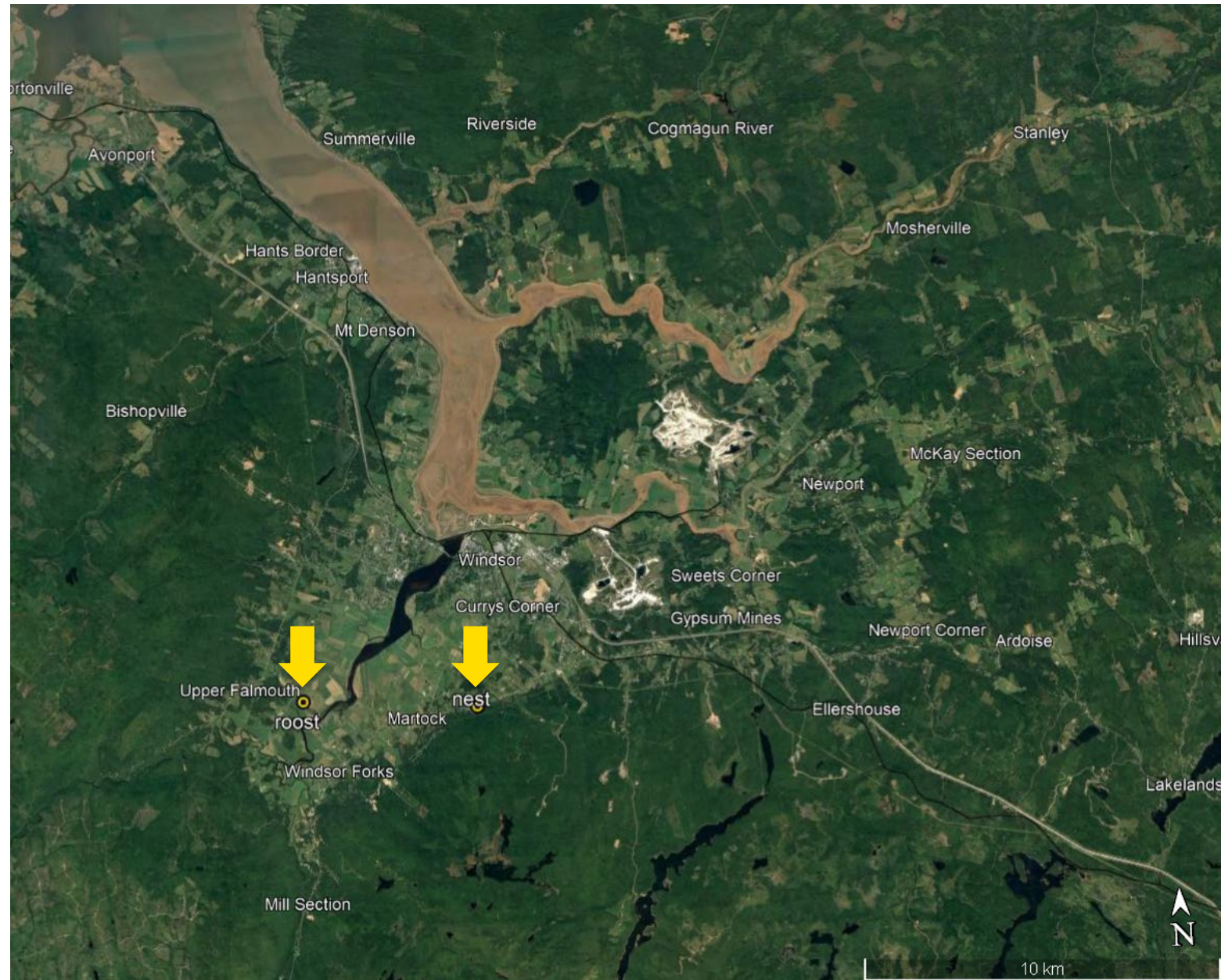




Known Roost and Nest Sites

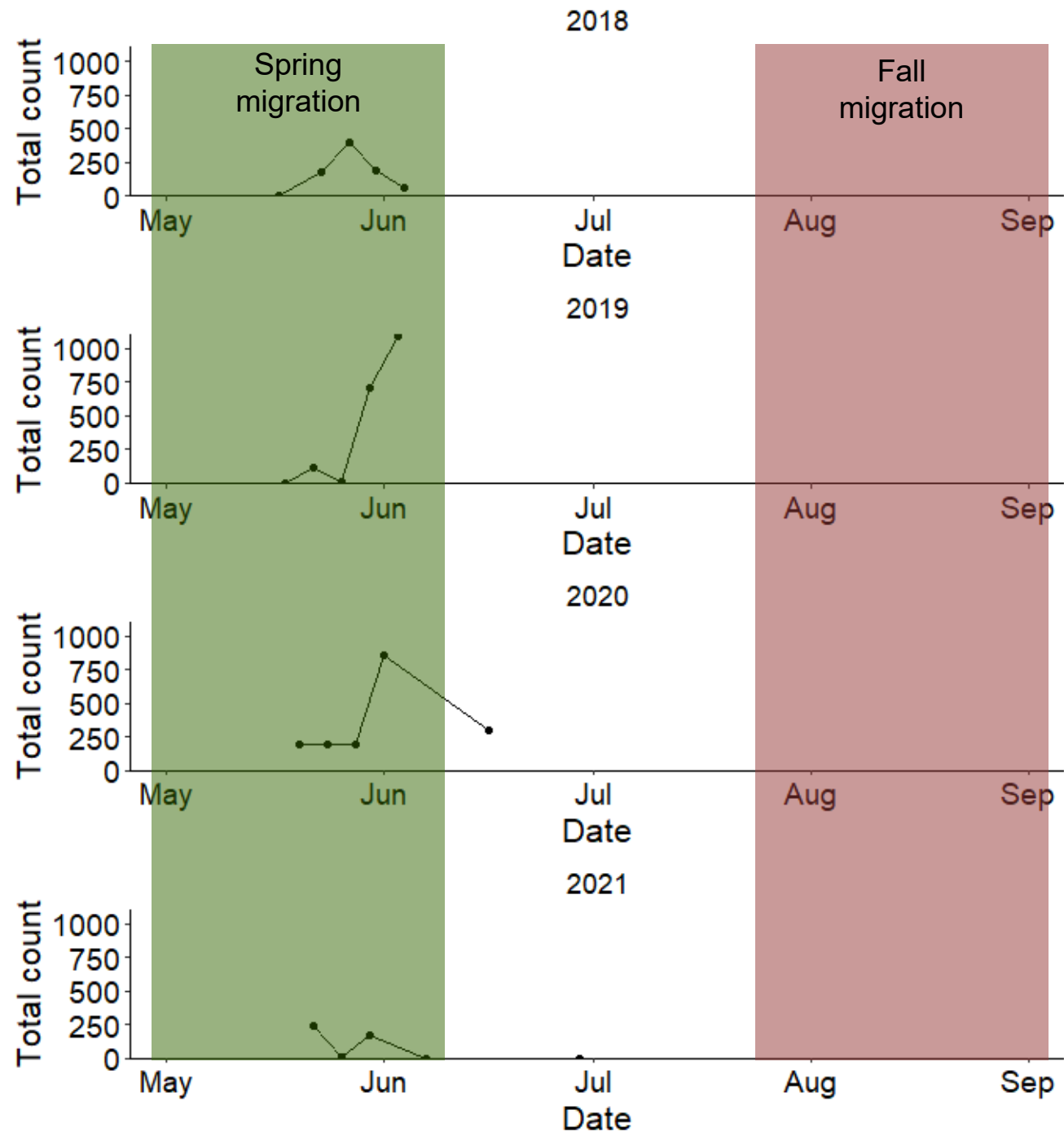
Sites in West Hants

- 2 in our database
 - likely more present
- One active roost
- One nest site



Falmouth Roost: 444 Sangster Bridge Rd

- Most of these counts come from the National Roost Monitoring Survey
- Maximum number of Chimney Swifts seen entering the chimney = 1094



Stewardship Opportunities

- Existing program to encourage landowner stewardship
- Ensure known nest/roost chimneys aren't destroyed
- Chimney Restoration Fund



BIRDS CANADA OISEAUX CANADA

SWIFT-FRIENDLY PROPERTY



This property is recognized for providing important nesting and roosting habitat for the **Chimney Swift**, a rare and threatened bird.

LEARN MORE AND PARTICIPATE

[BIRDS CANADA.ORG/AI](https://birdscanada.org/ai) MARSWIFTS@BIRDS CANADA.ORG (506) 364-5196

This project was undertaken with the financial support of:
Ce projet a été réalisé avec l'appui financier de:



Environment and
Climate Change Canada



Environnement et
Changement climatique Canada



NOVA SCOTIA
HABITAT
CONSERVATION
FUND



NS Wildlife
Trust Fund
www.nswildlife.ca



Fonds de l'habitat pour la faune
du Nouveau-Brunswick
www.fhf.ca



CHIMNEY SWIFT FUND

Photo: Ron d'Entremont

- Fund matching up to 1:1 with applicant for repair
- Must be used by swifts & repairs may not alter swift-friendly characteristics
- Priority given to projects likely to have greatest conservation impact, but rejection doesn't mean ineligible for future rounds of funding
- 2022 deadline has passed, but keep an eye out for future rounds!
- Permitting may be required for work to be completed

<https://www.birdscanada.org/about-us/funding-opportunities/chimney-swift-fund/>



Municipal Planning – Birds Canada can provide:

Up-to-date info on active Chimney Swift locations before alteration/demolition of structures

Information to landowners reporting swifts (e.g., Chimney Swift Host brochures)

Advice on chimney alteration best practices

Working with West Hants

Could residents applying for permits to alter chimneys or barns be connected with Birds Canada to check for nest/roost sites and share stewardship information?

Do you see opportunities for West Hants and Birds Canada to exchange further information about swifts, interested landowners, and conservation?

Contact and Resources

Graham Sorenson

gsorenson@birdscanada.org

Maritimes SwiftWatch email

marswifts@birdscanada.org

<https://www.birdscanada.org/bird-science/swiftwatch/>





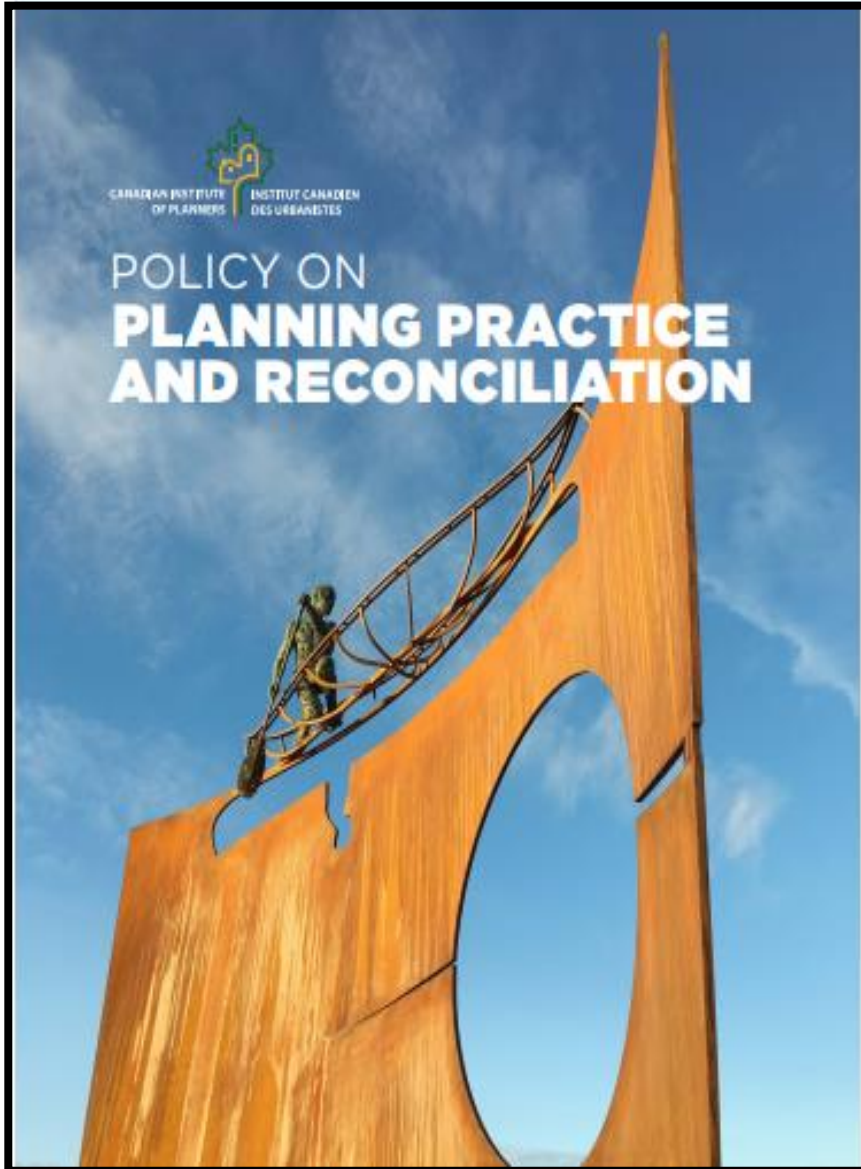
Windsor Causeway

Coastal Restoration + Development Plan

Devin Lake, LPP MCIP BComm M Plan (Town of Wolfville – Director of Planning + Economic Development)

Rob LeBlanc, MLArch BSC BDEP FCSLA CIP LEED AP LPPANS ULI (Fathom Studio – President and Director of Planning)

We live in Mi'kma'ki

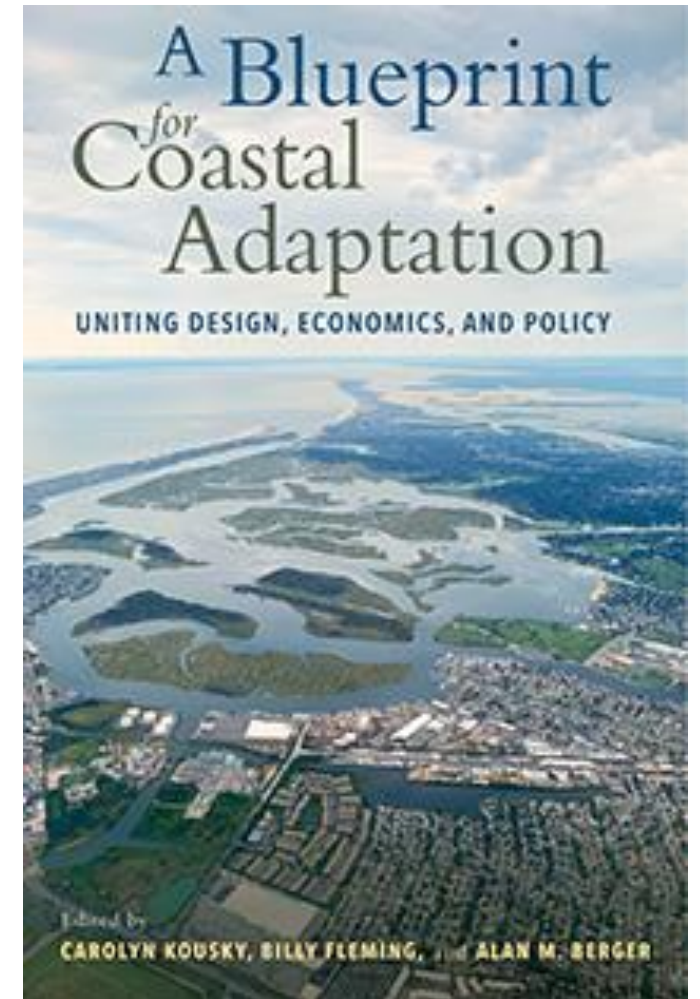


“While the **colonial systems** that remain in place can preclude the **recognition of rights**, planners have a responsibility to critically **examine this status quo** and to **pursue better planning outcomes for all.**”

“The TRC’s final report identified the need for **truth telling**, as an essential element of **justice and healing in reconciliation**. Thus, it is critical that the planning profession in Canada **acknowledges the detrimental impact that discriminatory planning practices have had**, in order to build future respectful relationships with Indigenous peoples that are honest and constructive.”

Why are we here?

- **Offer an alternative vision**
- **Inspire leadership**
- **Advocate for free tidal flow, ecosystem restoration and new coastal development**



Nova Scotia is growing!

In 2021, Premier Tim Houston:

- Set a population goal of 2,000,000 by 2060; to double our population in the next 40 years.
- Target a minimum of 10,000 to 15,000 new migrants each year from across Canada.
- How do we encourage growth in unique coastal settings like downtown Windsor?

NOW OR NEVER:
AN **URGENT** CALL TO
ACTION
FOR **NOVA SCOTIANS**



NOVA SCOTIANS need to understand and embrace the significant opportunities we now have to build a better future — ‘daunting’ in the sense that to succeed in this effort we will need to **DO THINGS DIFFERENTLY** and to change old attitudes that limit our capacities to **COME TOGETHER** in common cause.

Questions to consider as we go through this...

- **Tourism Potential and Economic Development?**
- **Climate Change** (carbon sequestration, climate adaptation and flood risk)?
- **Experimental structures in dynamic coastal environments.** Do we want 'dampened' tidal? What will monitoring achieve once this is built?
- What are the **costs** (life cycle costs, maintenance, opportunity costs, short and long-term, environmental, reputational)?
- **Reconciliation** and the wisdom of our first peoples? Think 7 generations from now.
- What are the **Public Benefits** from this massive infrastructure investment?
- Who is left with the outcomes? Whose providing **leadership**? How did we get here?

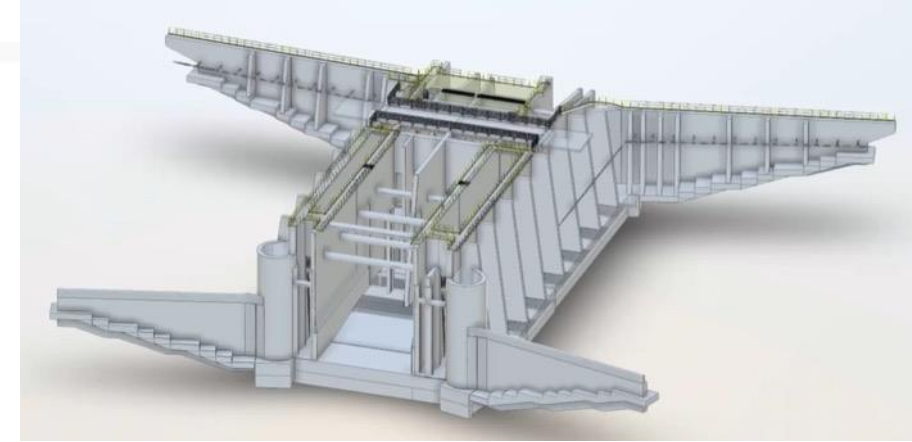
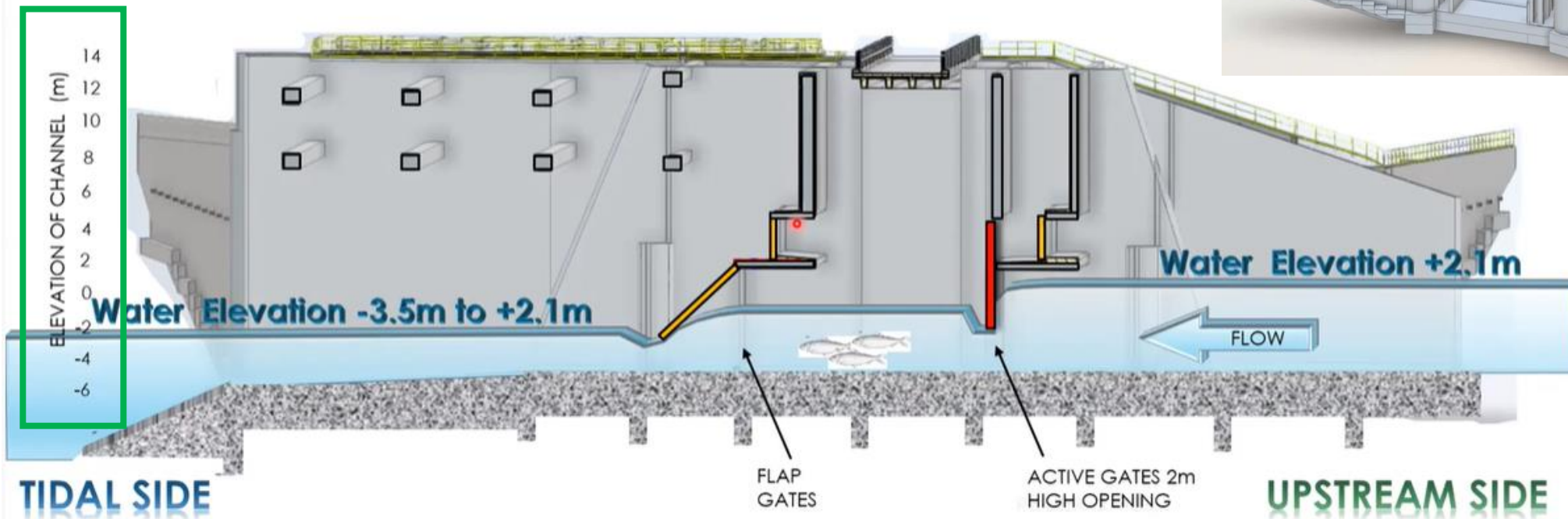
What is proposed?



What is proposed?

Brackish Lake Scenario

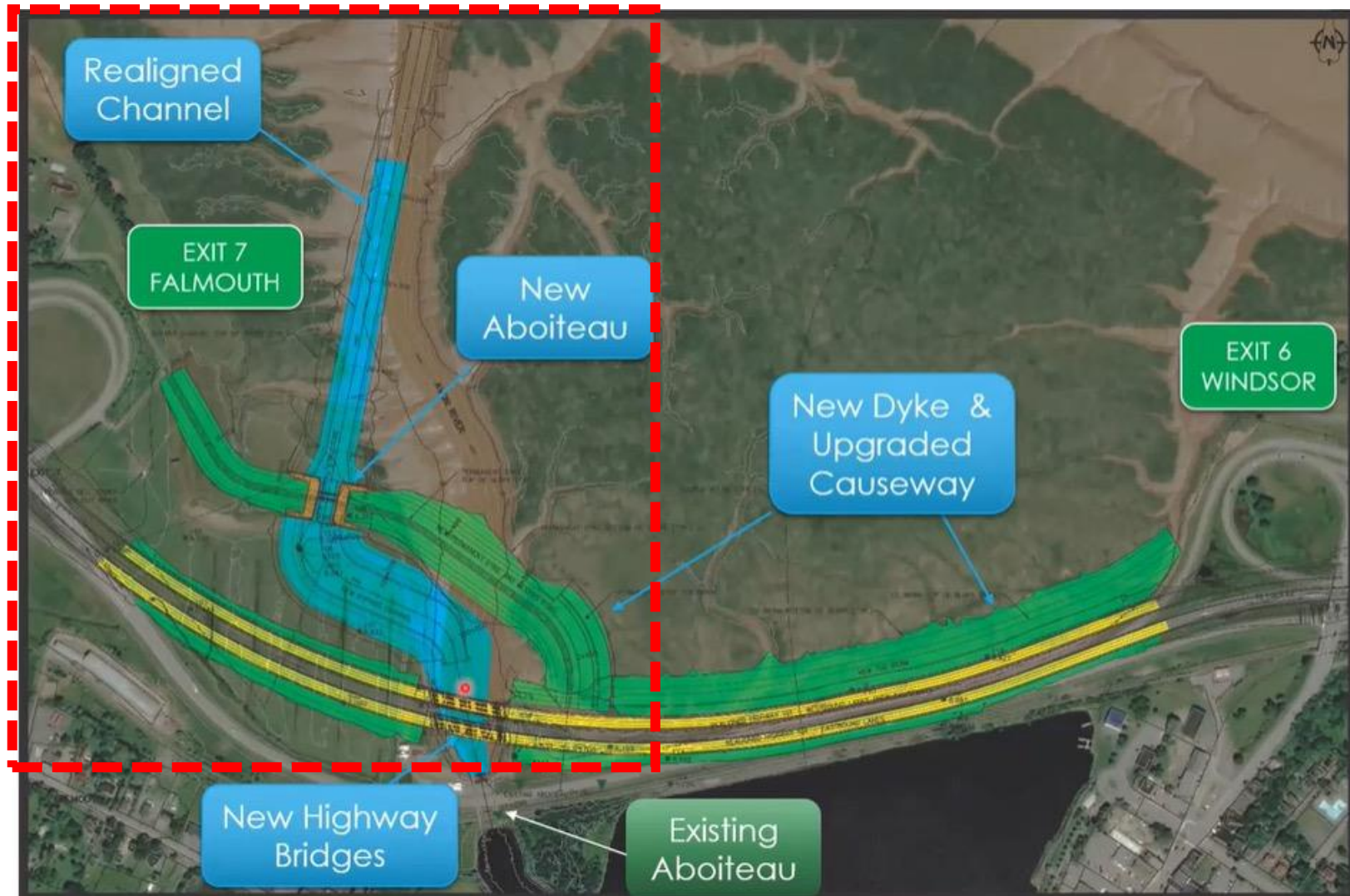
2.3 Channel 1 or 2 - Low Rising Tide



What is proposed?

Should we support investment in this area?

Why not invest in our waterfront and dykes instead?



What is proposed?

Project Recap

Design Approach:

- ▶ Flexible and adaptable solution that meets the needs of today, and the future
- ▶ Offers a wide range of functionality for both flood protection and fish passage, including a range of potential operating scenarios:

Freshwater Lake Not approved by DFO

- ▶ Freshwater lake was initially proposed to DFO in November 2020, but was deemed inadequate for fish passage

Brackish Lake Scenario Likely not approved by DFO?

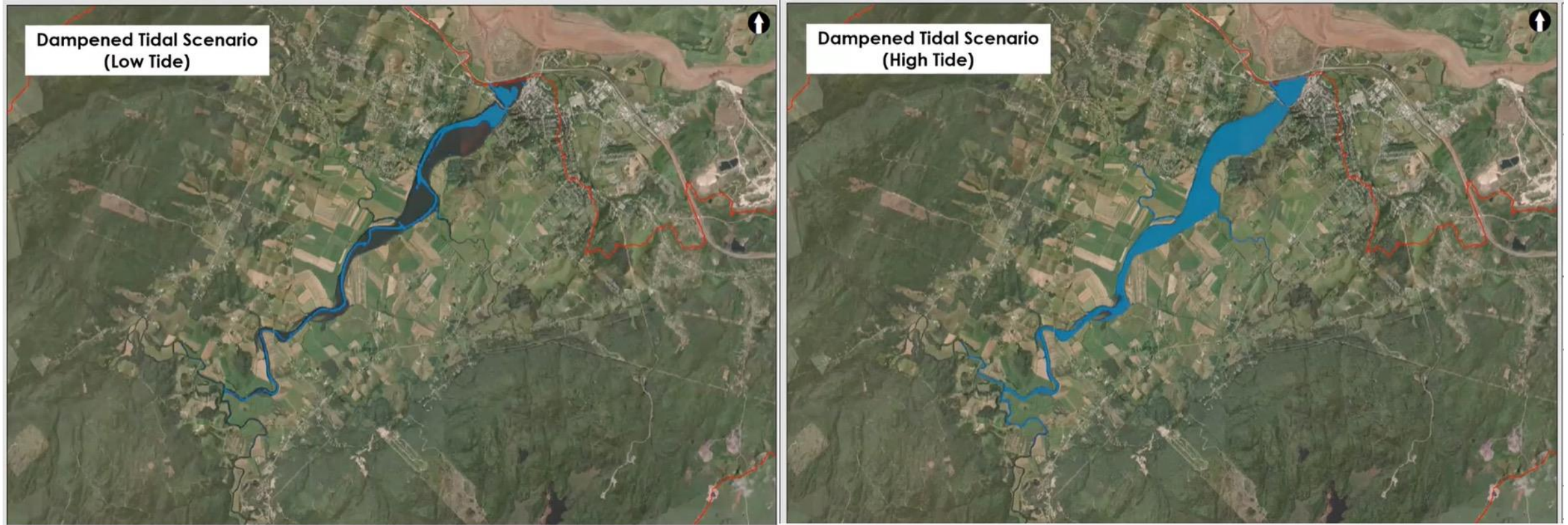
- ▶ Allows some tidal exchange while maintaining a consistent water level

Dampened Tidal Scenario

- ▶ Allows greater tidal exchange and more estuarine environment

Likely what we will get?

What is proposed?



1.5m of water and more siltation issues?
Impacts on tidal side and long-term connectivity
of waterways and ecosystem.

TOURISM



'Super bore' attracts thousands to Petitcodiac River

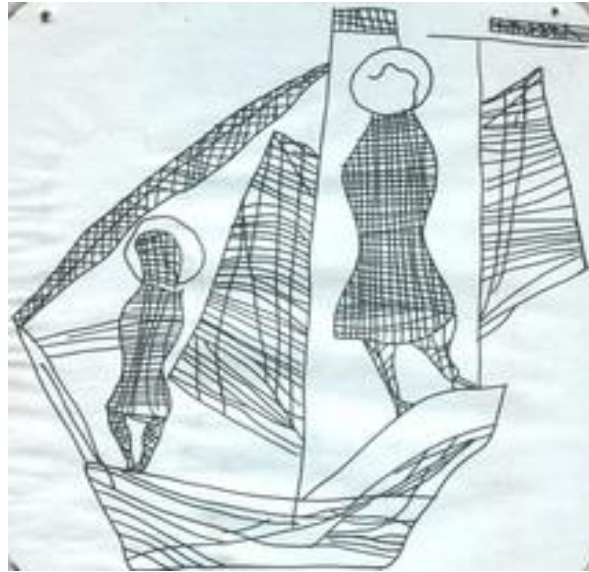


Tidal phenomenon expected to boost tourism in Moncton area

CBC News - Posted: Jun 26, 2013 6:00 AM AT | Last Updated: June 26, 2013



West Hants has a powerful **Natural** and **Cultural** sense of place, shaped by the highest tides in the world



Previous Tourism Recommendations



WEST HANTS
NOVA SCOTIA



Destination Management Organizations
Best Practices

March 12, 2020



- Seacoast Experiences (Lacking).
- Sightseeing and Scenic Viewing Experiences (Lacking).
- Heritage and Cultural Experiences (Lacking).
- Themed Outdoor Adventure Experiences (Lacking).
- Themed Culinary Experiences (Lacking/Meeting).
- Themed Accommodations Experiences (Lacking).
- Major and International Events (Lacking).

West Hants Travel Motivators Report Card

Avon

Follow Us to the Fundy Experience

Destination Assessment Highlights

Purely Hypothetical Positioning Statement:

- Avon and the Avon River Confluence will be competitively positioned as one of Atlantic Canada's outstanding ecological and cultural treasures, linking unique aspects of natural and human history to one of the marine wonders of the world – the Bay of Fundy.

Destination Assessment Highlights

Ongoing Tourism Process



**Strategic Tourism for Areas and
Regions (STAR)
Project Launch
Dec 6, 7, 2021**

BRAIN TRUST



Atlantic Canada
Opportunities
Agency

Agence de
promotion économique
du Canada atlantique



1

Regenerative Tourism

“It is a commitment to tourism as a tool to create thriving destination communities and to regenerate and heal damaged resources.”

www.adventurecanada.com

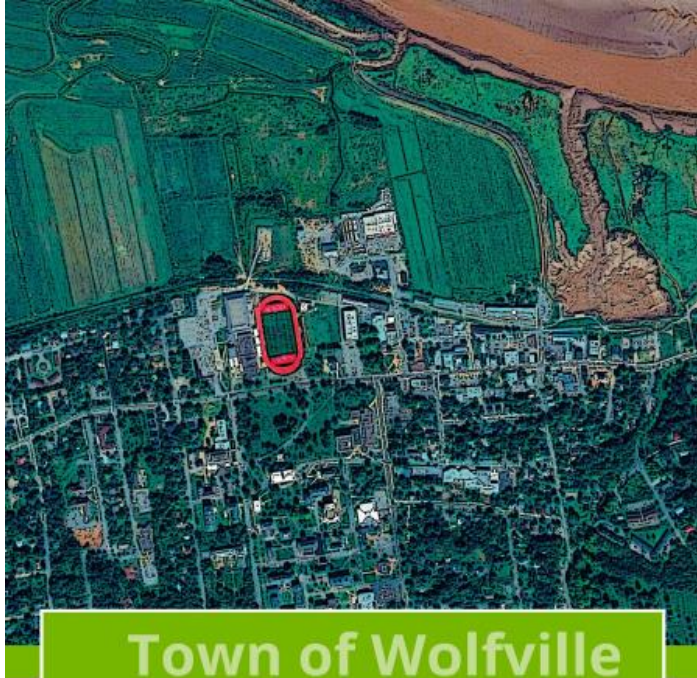
CLIMATE CHANGE

West Hants Regional Municipality GHG Emission Local Action Plan

Report created for Milestone 3 of the
Partners for Climate Change Protection
(PCP) Program



Climate Adaptation

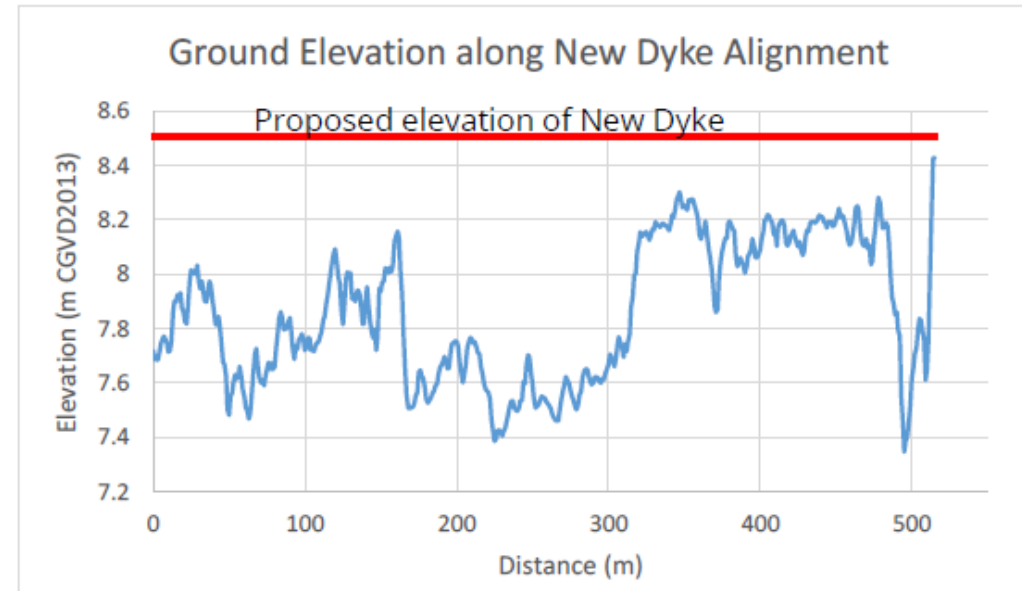


Town of Wolfville Flood Risk Mitigation Plan

Draft Report Ver.3



201101.00 • Draft Report Ver.3 • November 2020



Summary of Recommendations for Raising the Dykes, and New Dyke Construction

This analysis shows that without the construction of a new dyke or raising of the existing dykes, the system would be overtopped, leading to saltwater flooding in Wolfville an average of twice a year by:

- ▶ 2035 (in 15 years), if the intermediate SLR scenario occurs, and
- ▶ 2028 (in 8 years) if the high SLR scenario occurs.

Constructing a new dyke (raising the existing ground) to an elevation of 8.5m CGVD2013, and raising the existing dykes by 500mm on average in the next 3 to 5 years, will provide a suitable level of safety for the next 45 to 65 years, depending on the rate of SLR.

Climate Adaptation

Peak Coastal Total Water Levels for Existing and Future (2100) Conditions

Peak Water Level	1-in-2-year (m CVGD 2013)	1-in-100-year (m CVGD 2013)
Existing (2020)	7.57	7.76
Future (2100)	9.15	9.35

Sea Level Rise and Storm Surge Flooding

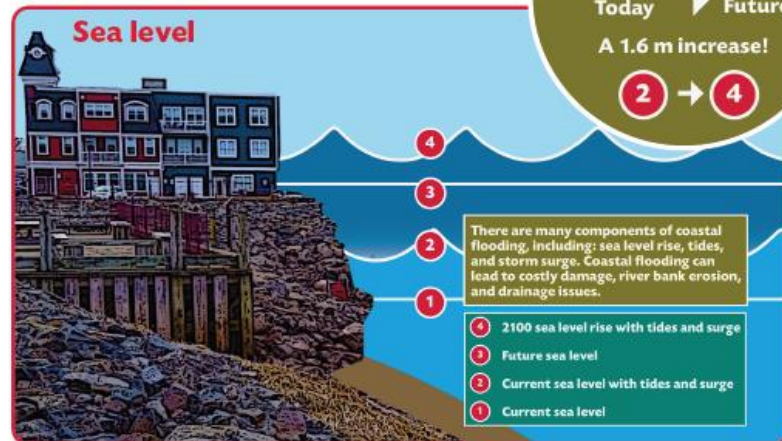
Sea levels have been rising in the Maritimes since the end of the last ice age 10,000 years ago. This trend is expected to accelerate with climate change, notably from melting of the polar ice caps. Sea level is expected to rise to 1.46 m by 2100 at the Town of Wolfville.

How is sea level rise calculated?

Fisheries and Oceans Canada projects a 0.83m sea level for the year 2100 (under RCP 8.5). An additional 0.65m is added to account for potential accelerated ice sheet melt, and a 0.1m increase accounts for tidal amplification:

$$0.83\text{m} + 0.65\text{m} + 0.1\text{m} = 1.58\text{m}$$

Wolfville is located on the Minas Basin which is part of the Bay of Fundy, hosting the highest tides in the world. With climate change, it is expected that more intense storms will hit the Nova Scotia coastline.

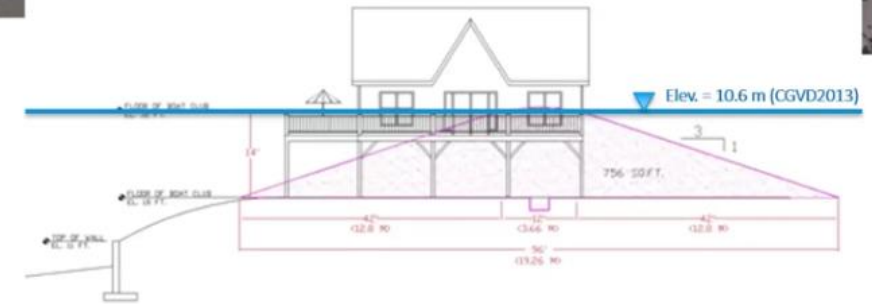
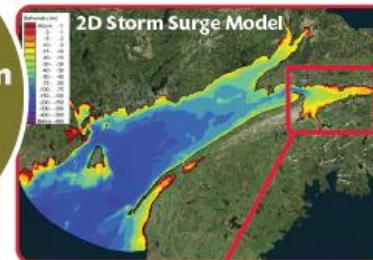


*All elevations represented in CGVD28

Assessing Flood Risk

Historically, flooding has not been a common occurrence within the Town of Wolfville; this is due to the dyke system that acts as a wall of protection against tides and storm surge flooding. However, the risk of flooding increases over time as sea levels rise, rainfall becomes more intense, and storm surge events increase.

CBCL analyzed the risk of the dyke overtopping using a model of the Bay of Fundy to run future flooding scenarios with rising sea levels.



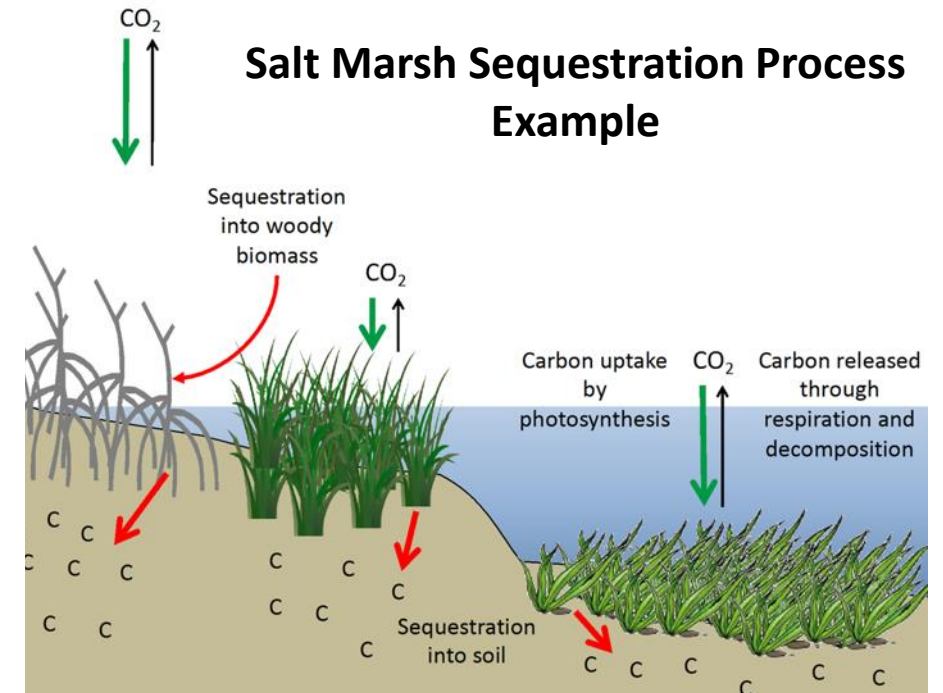
Windsor Skateboard park is at ~7.5m

Carbon Sequestration

Sources of West Hants GHG Emissions

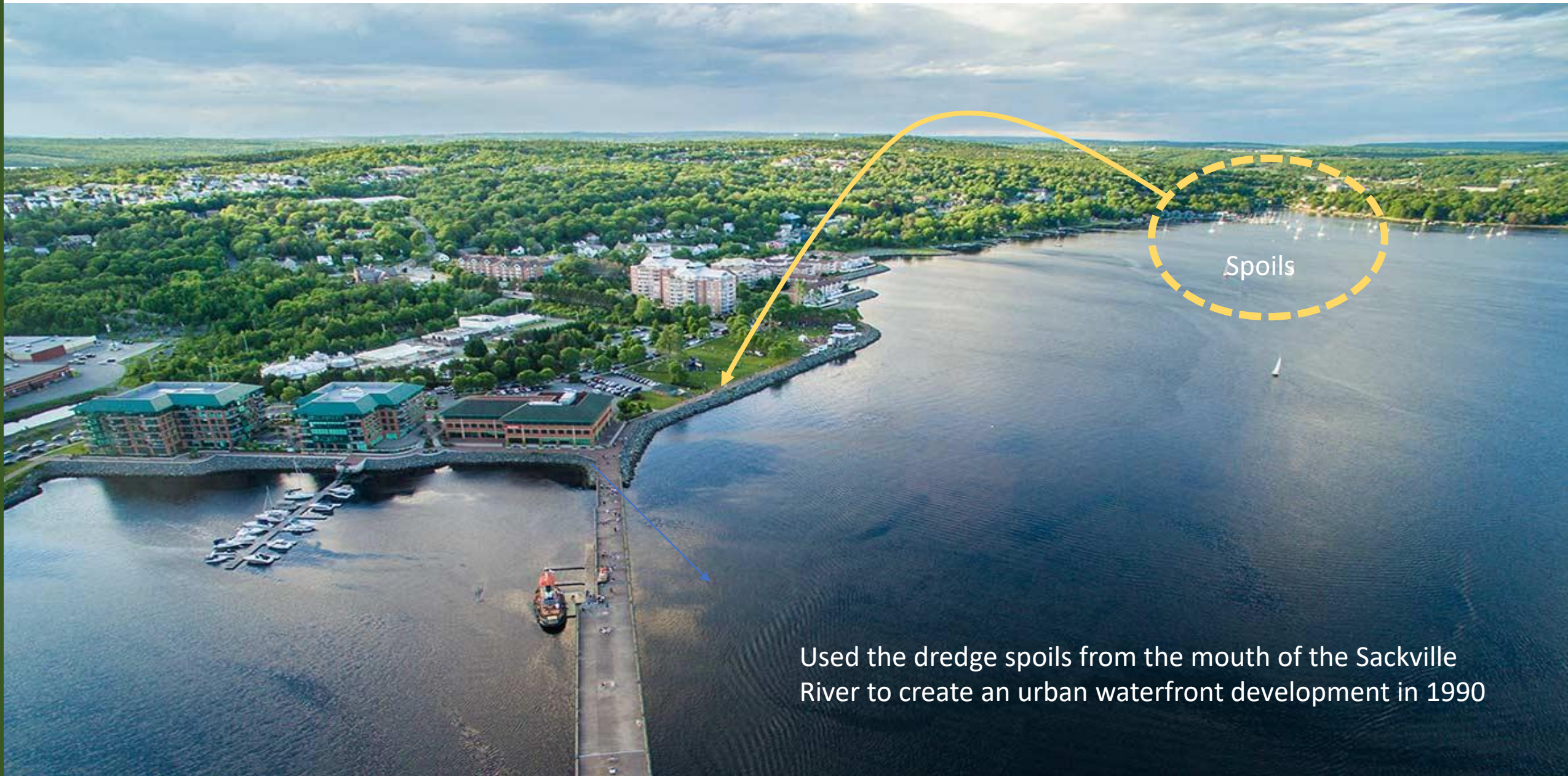
Table 1 - Summary of Emissions from the Corporate and Community Inventory

REGIONAL CORPORATE INVENTORY (2018/2019)		REGIONAL COMMUNITY INVENTORY (2016)	
Activity Sector	GHG Emissions (tCO ₂ eq.)	Activity Sector	GHG Emissions (tCO ₂ eq.)
Water & Wastewater Treatment	1,772	Residential	90,502
Buildings	1,387	Transportation	87,189
Vehicle Fleet	192	Commercial & Institutional	59,562
Lighting	100	Industrial	32,657
Solid Waste	53	Agricultural	12,782
Staff Business Travel	26	Solid Waste	3,787
Total	3,530	Total	286,480



Reclamation of Salt Marsh (~ 125 Hectares) presents a huge opportunity to offset emissions and meet West Hants' climate goals with additional benefits of enhanced biodiversity (birds, fish, etc) through an ecosystem restoration approach.

Coastal Development in Nova Scotia

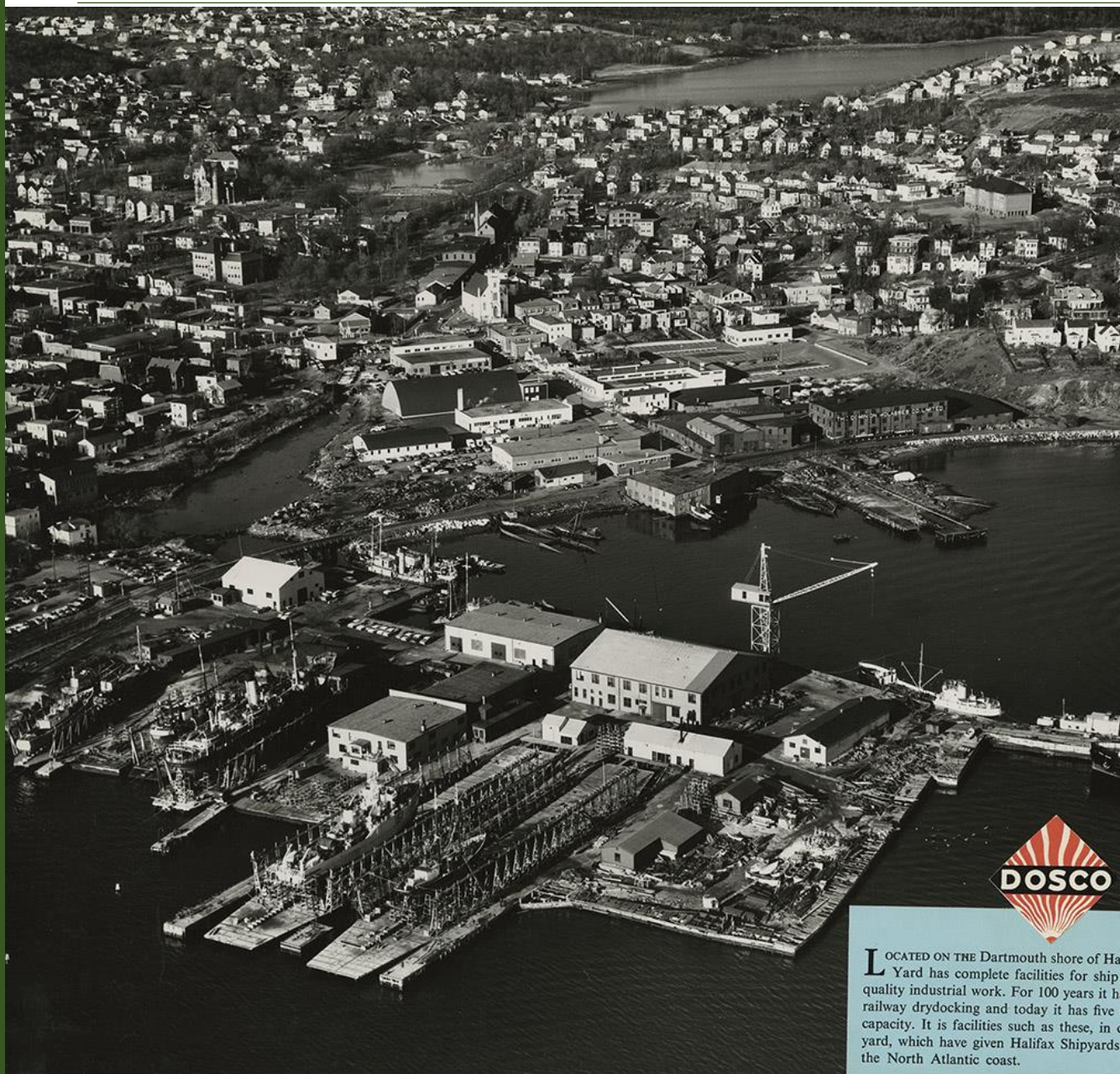


The image is a composite of two photographs. The left photograph is an aerial view of the Bedford Waterfront development, showing a mix of modern residential buildings, commercial structures, and green spaces along the waterfront. The right photograph shows a red buoy with the number '14' on it, floating in the water. In the background, a city skyline is visible under a blue sky with white clouds.

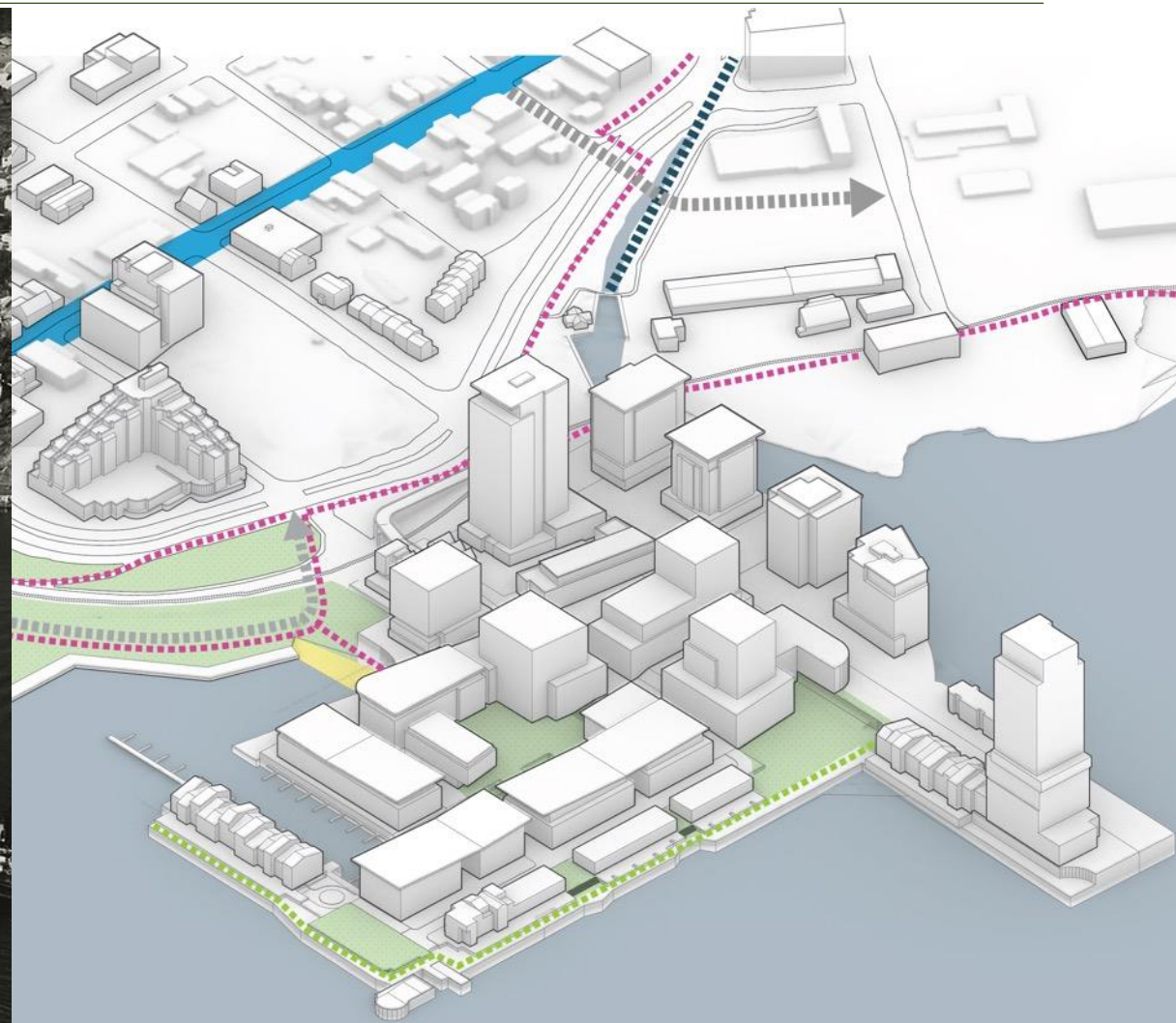


Plans for Phase 2
started in 2012
led by WDCL
(DNS) and HRM

Kings Wharf



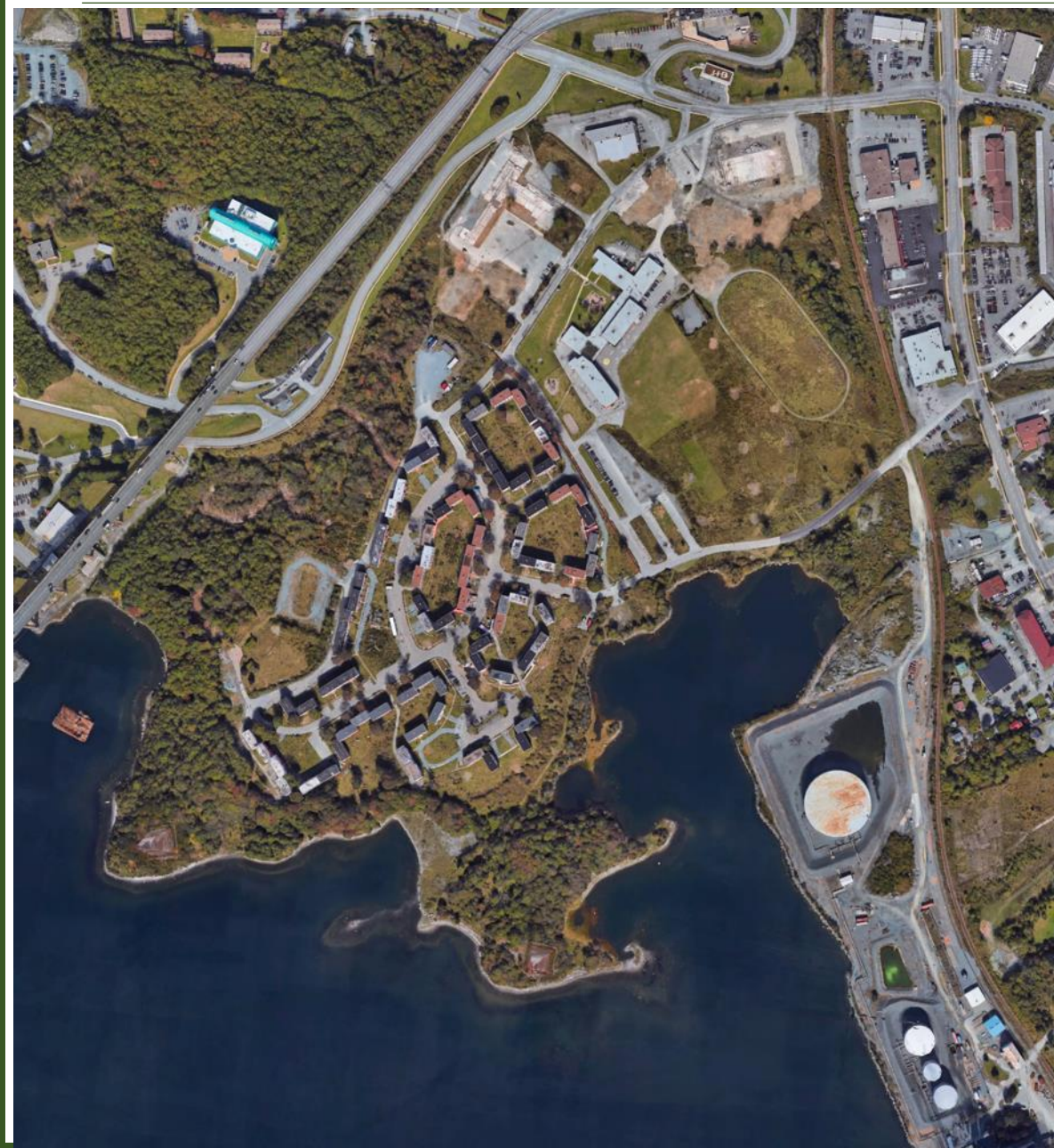
LOCATED ON THE Dartmouth shore of Halifax, the Kings Wharf has complete facilities for ship repair and quality industrial work. For 100 years it has been a center for railway drydocking and today it has five ship repair bays. It is facilities such as these, in combination with the shipyard, which have given Halifax Shipyards its reputation as the North Atlantic coast.



Kings Wharf



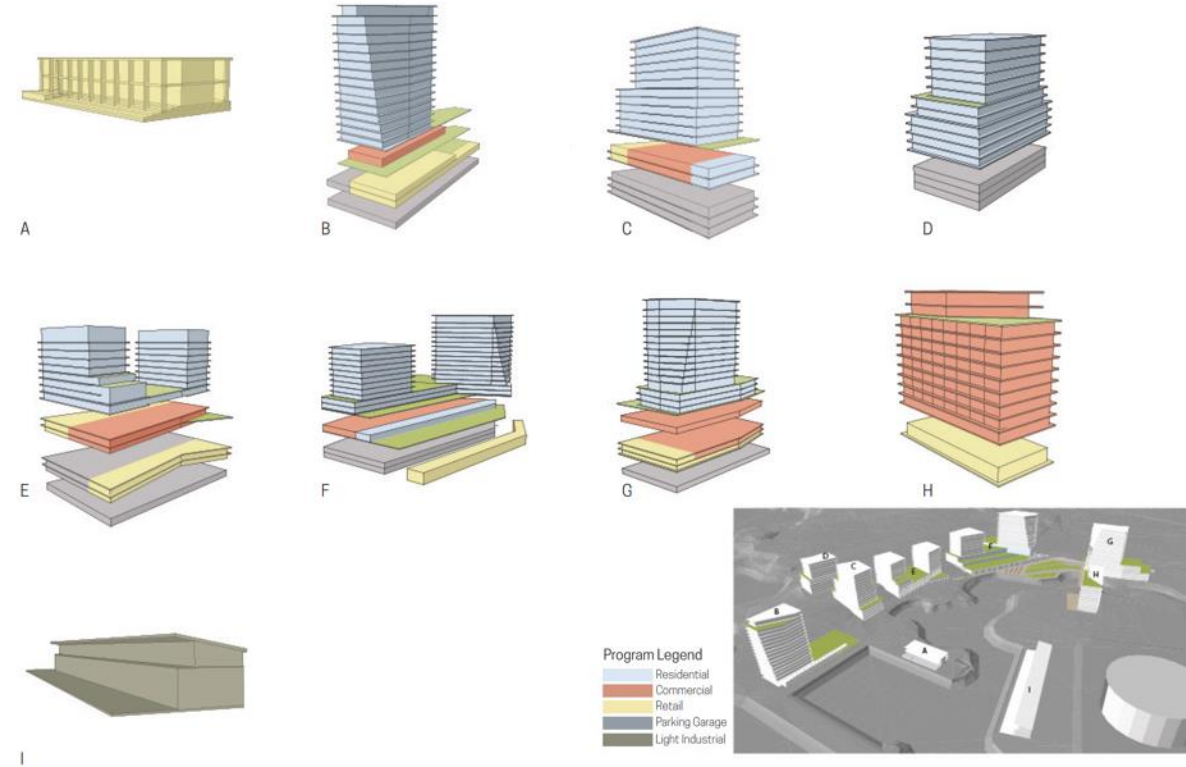
Turtle Cove Dartmouth (Shannon Park - Millbrook)



Turtle Cove Dartmouth (Shannon Park - Millbrook)

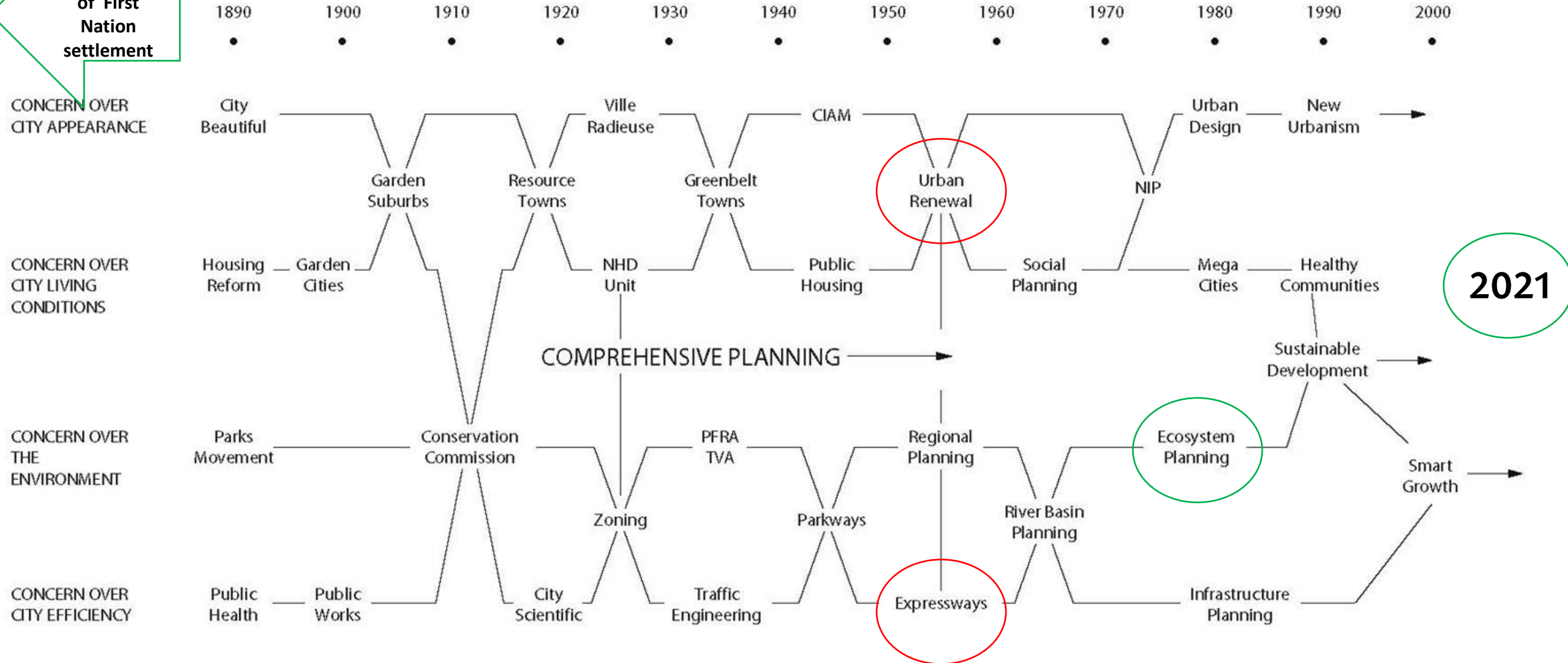


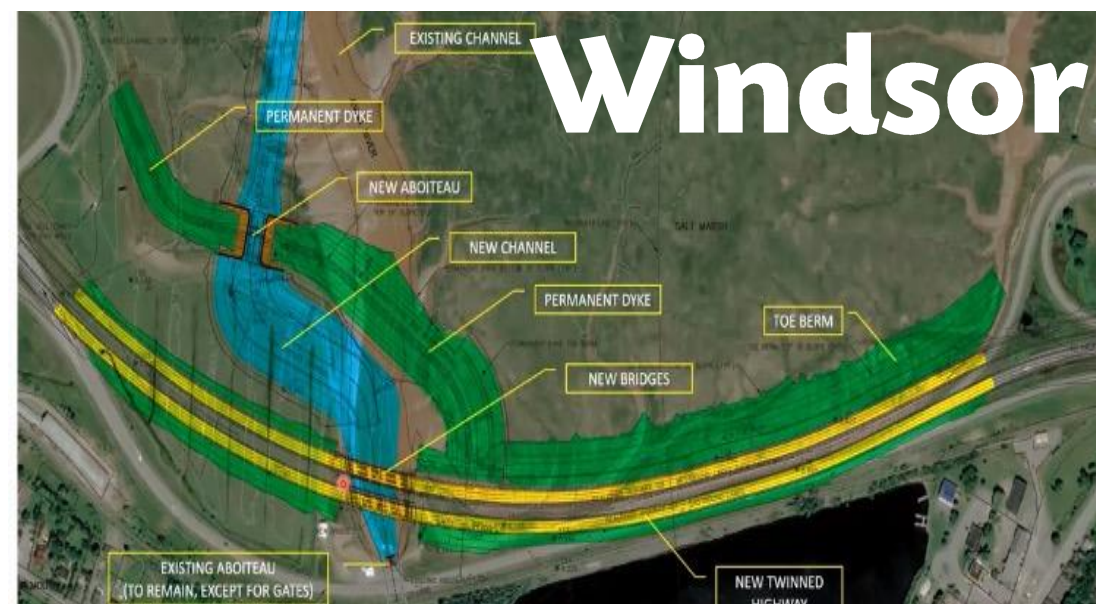
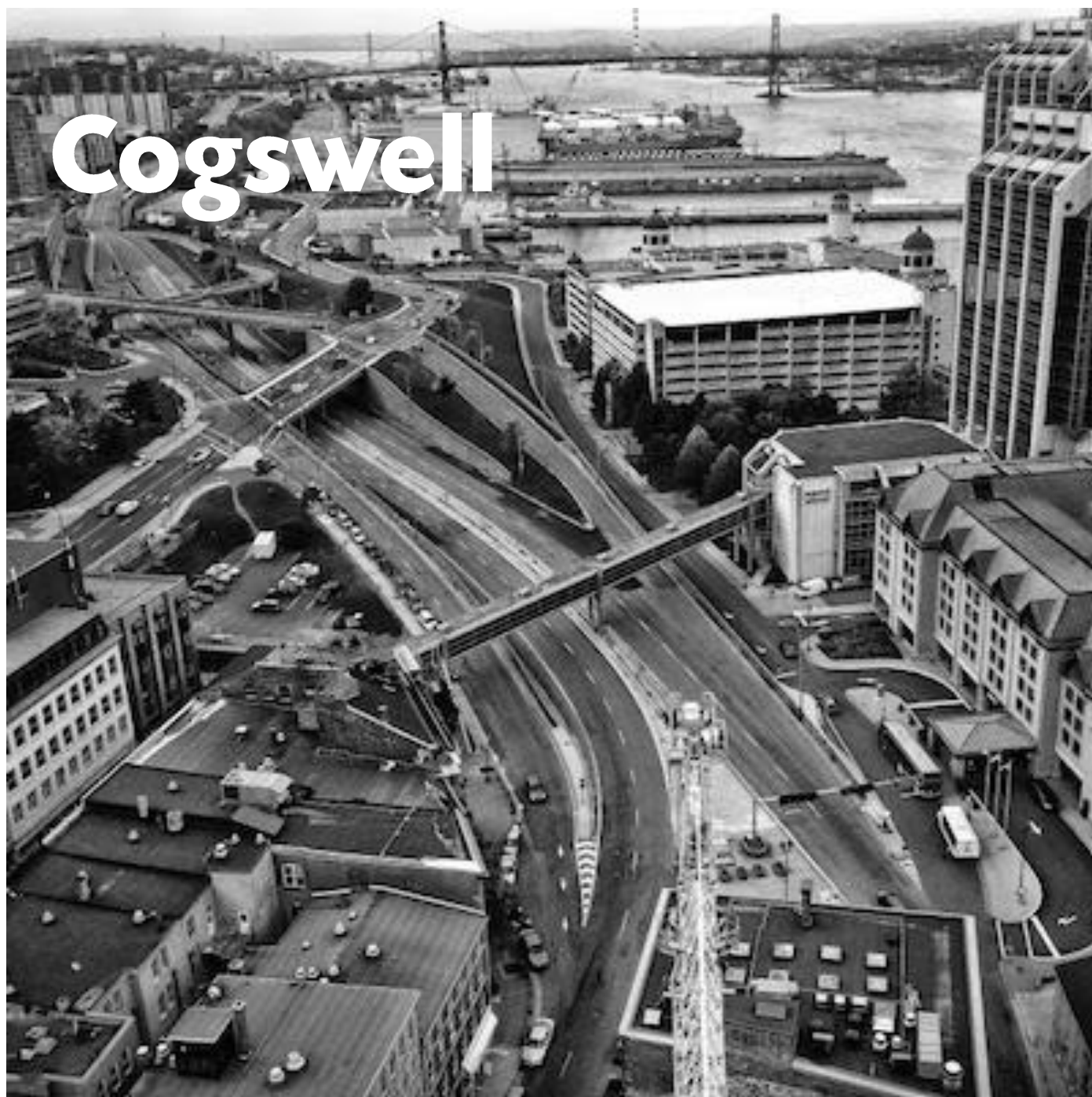
PROGRAM DIAGRAM



How did we get here?

14000+ years
of First
Nation
settlement





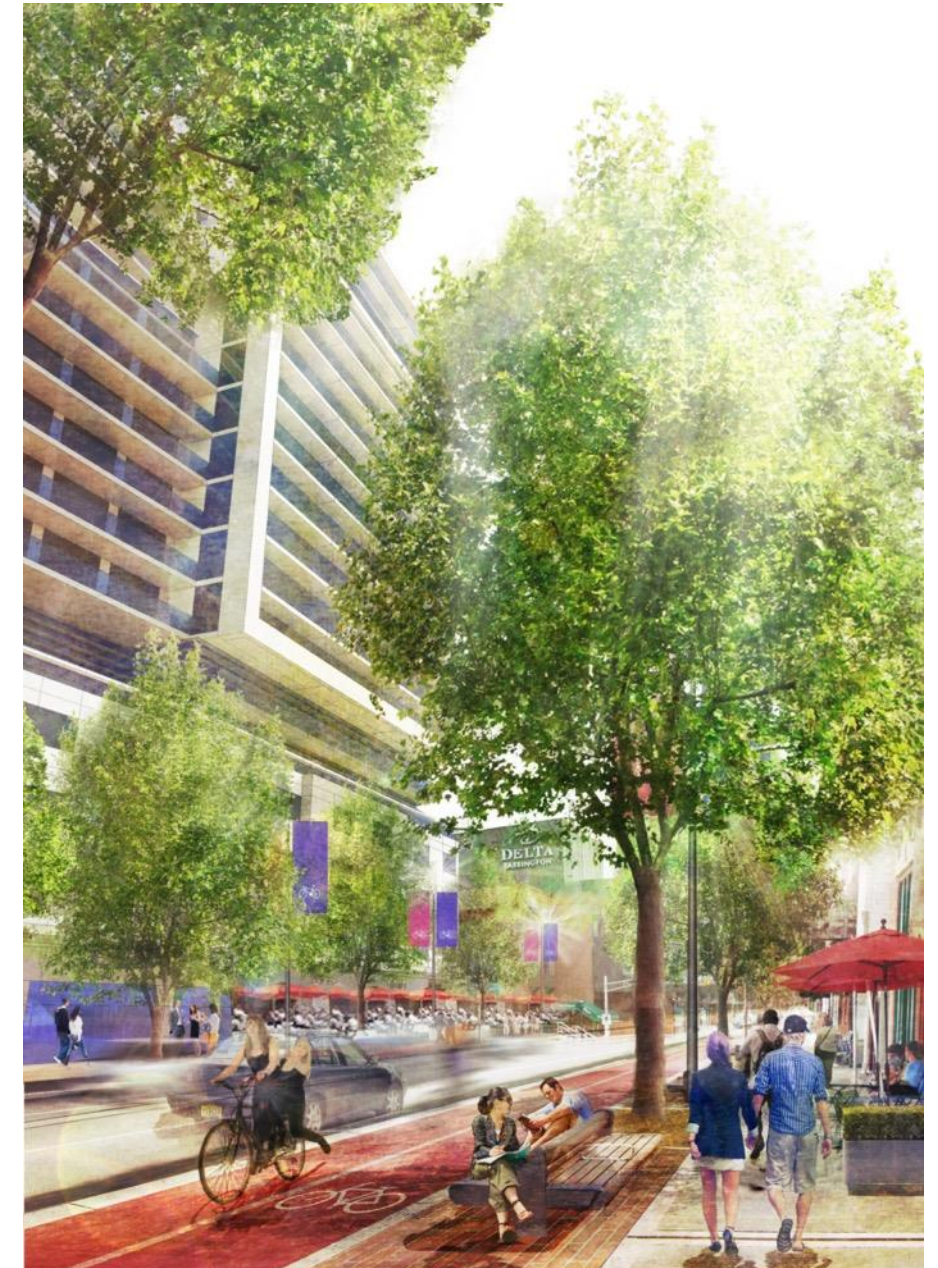
Cogswell Transformed – righting the wrongs of 1960's Urban Renewal



Future (Human Scale) Cogswell

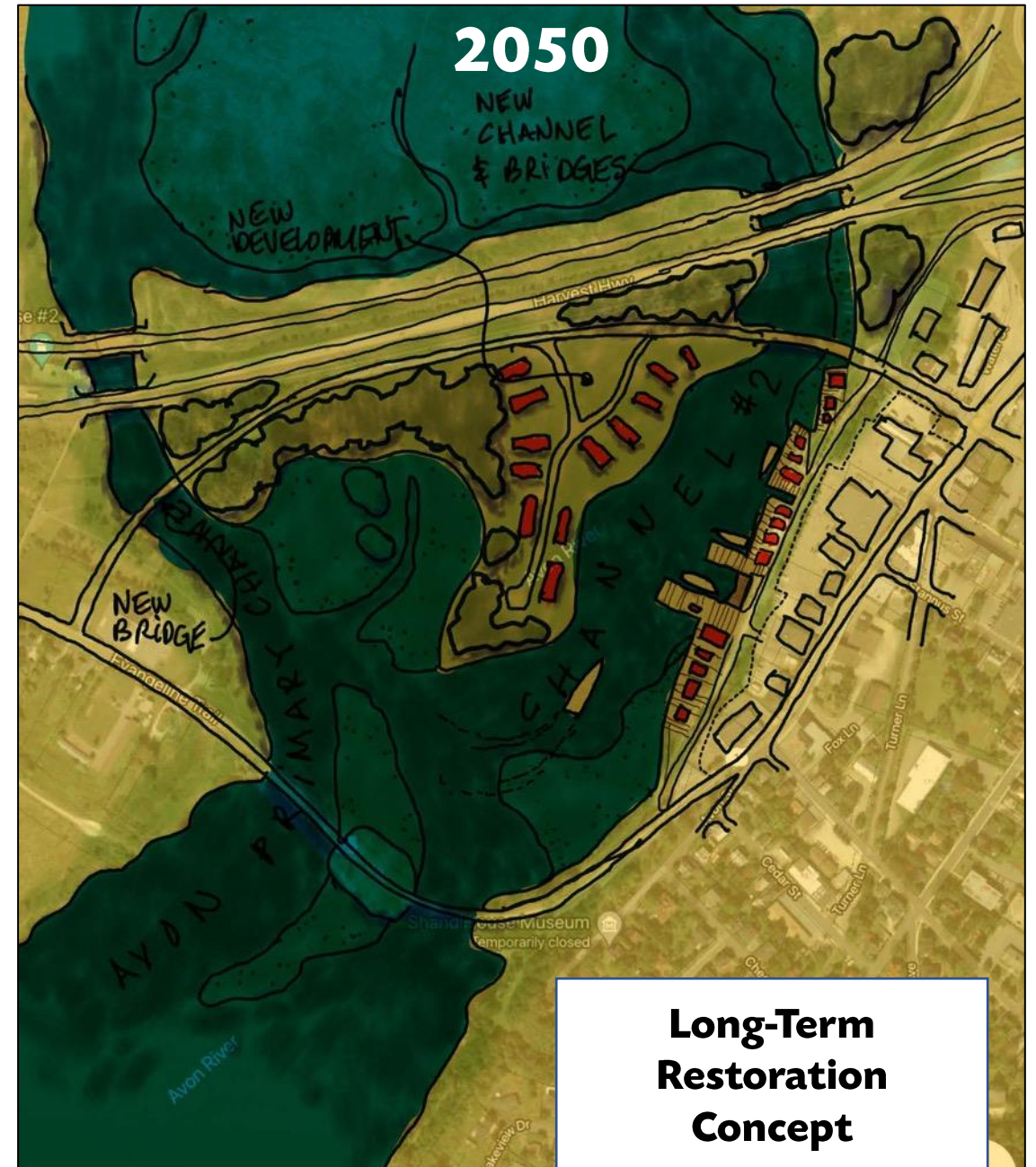


**“It’s a relic of a different time, an outdated
idea of cities,”
Mike Savage, Mayor HRM**

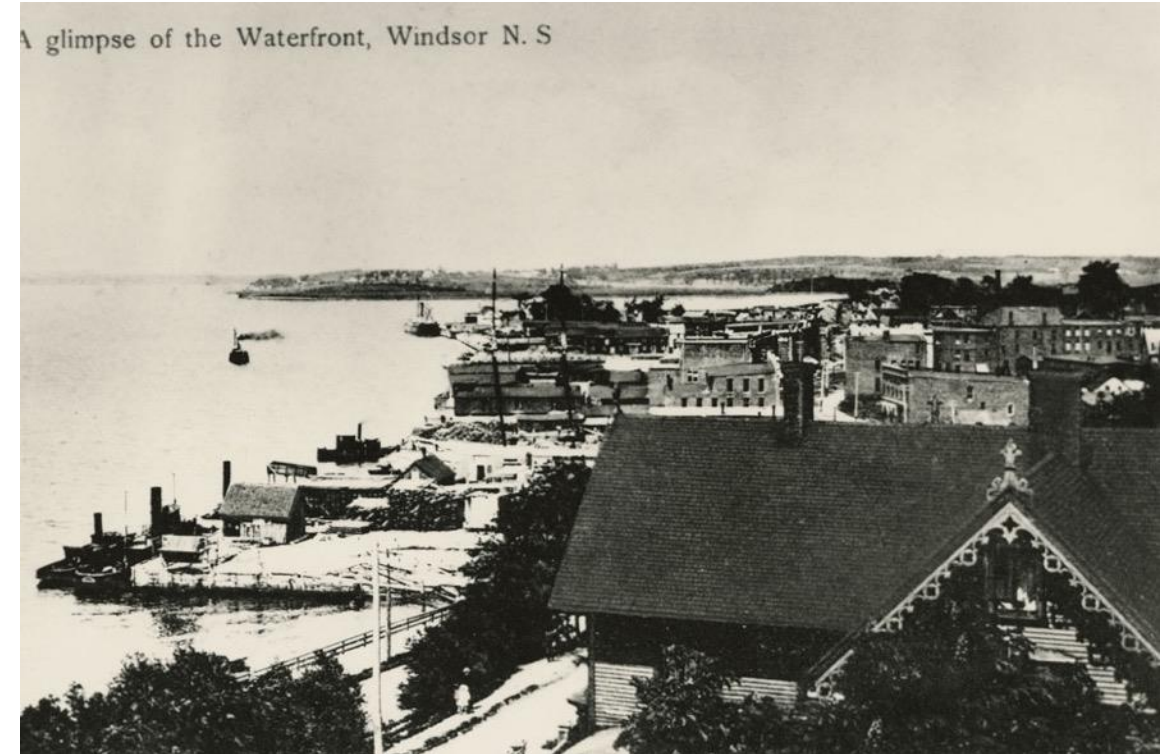




Windsor Coastal Restoration



Future Windsor



'Super bore' attracts thousands to Petitcodiac River



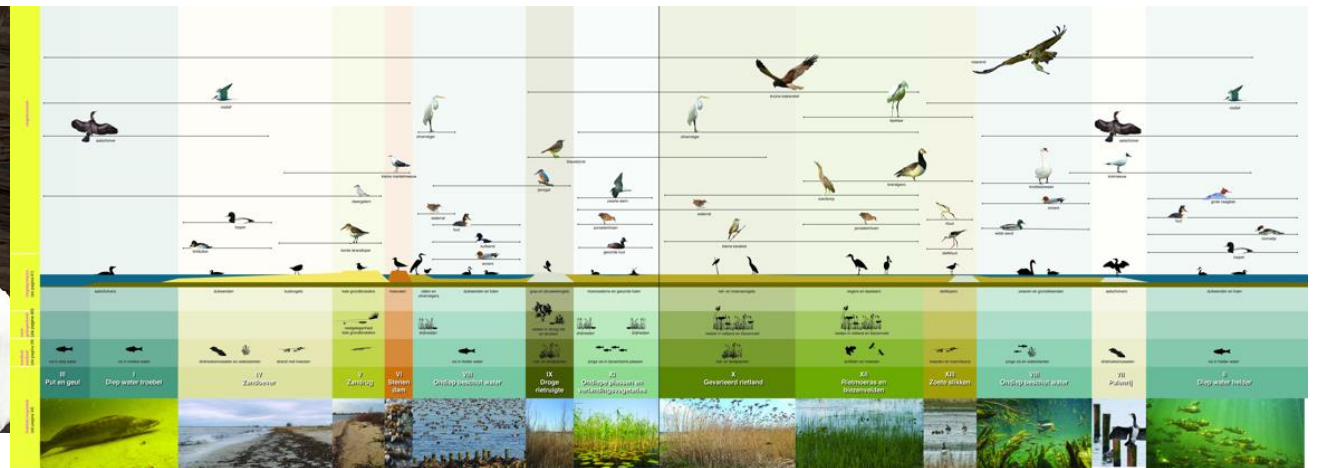
Tidal phenomenon expected to boost tourism in Moncton area

CBC News - Posted: Jun 26, 2013 6:00 AM AT | Last Updated: June 26, 2013





Future Windsor





Coastal Restoration + Development Concept (High Tide)

- Shoreline Restoration and Flood Control
- New Urban beach
- Nature trails and boardwalks
- New urban development using dredge spoils for land creation
- Something to look at from downtown Windsor
- Urban boardwalk and kiosks
- Dense urban mixed-use development with 400-600 residential units

Coastal Restoration and Downtown Development at Windsor.

This is the right thing to do.

Why?

Far more and greater Public Benefits.

Positive Legal and Constitutional legacy.

**The return of positive nutrient loads feeding the
overall ecosystem.**

Reconciliation opportunity.

Restoring a High Value Ecosystem.

Tourism and Economic Development.

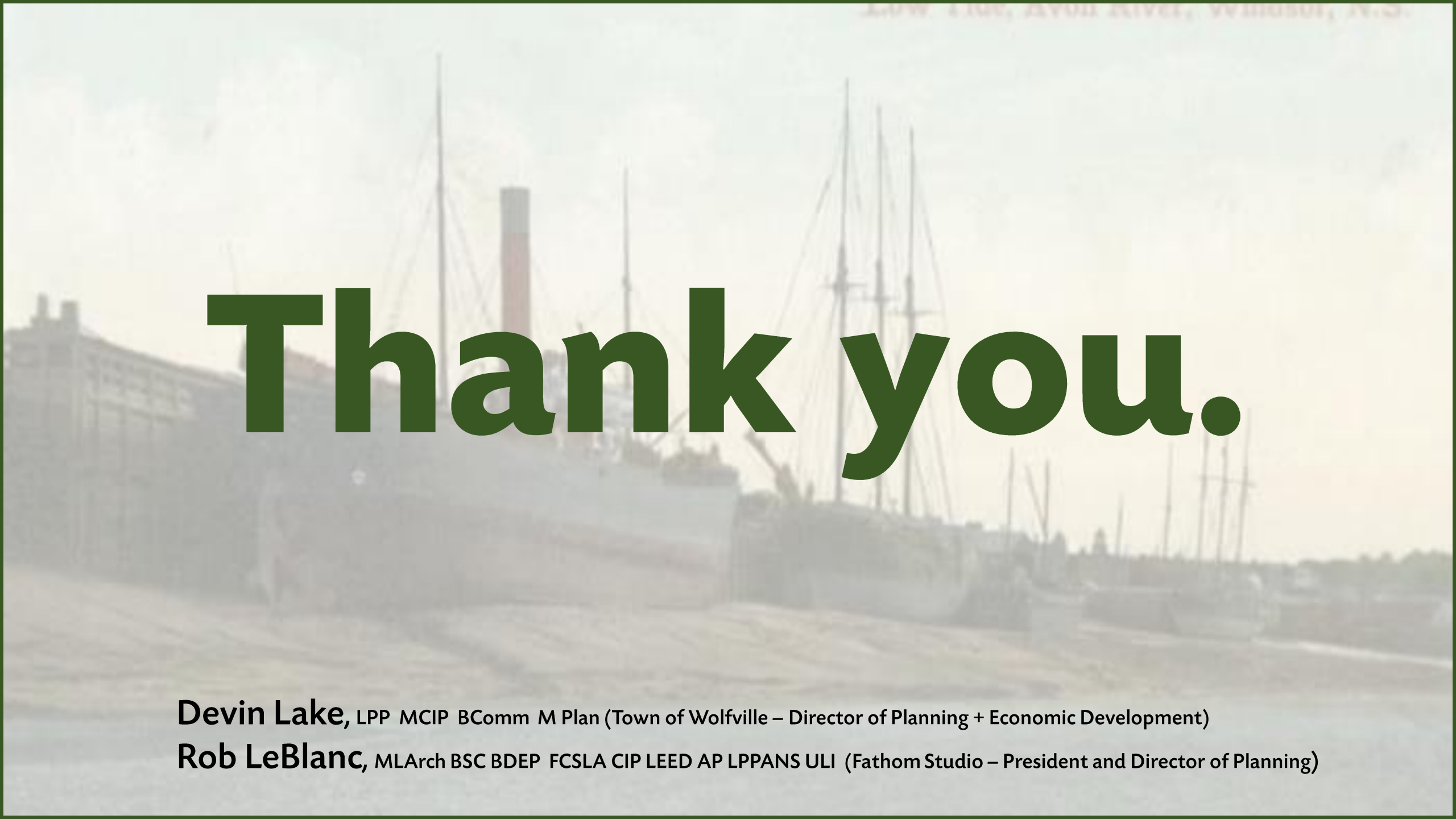
Rebuilding high carbon absorption salt marsh.

**Taking the conservation and protection of fish habitat
seriously.**

Allows us to better eat with our ecosystem.

**Embraces Climate Adaptation and leads to authentic
placemaking.**

... and more.



Thank you.

Devin Lake, LPP MCIP BComm M Plan (Town of Wolfville – Director of Planning + Economic Development)

Rob LeBlanc, MLArch BSC BDEP FCCLA CIP LEED AP LPPANS ULI (Fathom Studio – President and Director of Planning)



West Hants
something inspiring awaits

1

Property Tax Collection

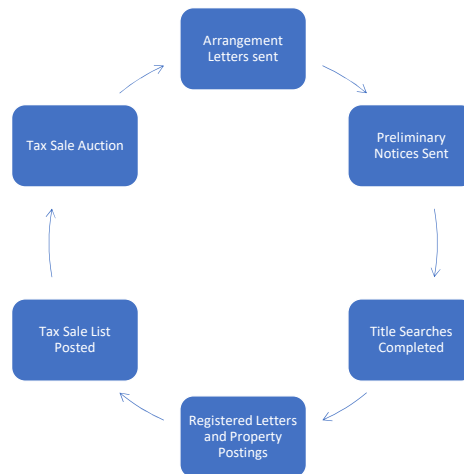
Tax Sale Process

something inspiring awaits



2

Tax Sale Timeline



something inspiring awaits



3

Arrangement Letters

- Arrangement letters are not mandated as part of the MGA process.
- The Municipality sends these letters out in April to any account holder that shows two (2) or more years of arrears.
- The purpose of the arrangement is to prevent the property from moving into the first stage of the tax sale process.

something inspiring awaits



4

Preliminary Notices

- Preliminary Notices are the first stage of the tax sale process. These notices are sent in early October.
- The property owner is required to clear all arrears within 30 days.

something inspiring awaits



5

Title Search

- Title search is the second stage of the tax sale process. The list of eligible tax sale properties is sent to our legal advisor to have title searches completed.
- Costs start accruing on the tax accounts at this point.

something inspiring awaits



6

60 Day Notices

- This is the third stage of the tax sale process. The Notice of Intent to Sell gives 60 days prior to the tax sale date to pay all arrears, interest and expenses.
- The contacts for these notices are determined using a report provided through the title search. This report lists all interested parties and includes their recorded contact information.
- These notices are sent by registered mail and associated costs are placed on the property tax account.

something inspiring awaits



7

Property Posting

- The fourth stage of the tax sale process involves physically posting the 60 Day Notice on the property.
- The Municipality engages a bailiff to post these notices. The bailiff will provide photos and a signed affidavit as proof of posting.
- Costs associated with the posting process are added to the property tax account.

something inspiring awaits



8

Advertised

- Advertising the tax sale listing is the fifth stage of the tax sale process.
- The first ad must be published 30 days prior to the day of the tax sale.
- The cost of the advertisement is added to the property tax account.
- This list is also posted on our Municipal website and at the Municipal office.

something inspiring awaits



9

Day of Tax Sale

- The annual tax sale is held on the second Tuesday of March.
- We count back from this date to ensure that the tax sale timeline requirements are met.
- The Treasurer (Municipal Director of Financial Services), opens the tax sale with a speech explaining the process and outlining bidder requirements.
- The starting bid for each property is the amount required to cover taxes, interest, tax sale costs, HST (if applicable), and fees for the deed and Certificate of Sale.

something inspiring awaits



10

Letters to Owner and Successful Bidders Following the Tax Sale

- A letter is sent to the owner of the property advising that the property was sold. The letter also explains the owner's rights of redemption.
- A letter is sent to the purchaser explaining their rights of redemption. This letter will include a Certificate of Sale once it is recorded at Registry of Deeds.

something inspiring awaits



11

Redemption Period

- If a property is six (6) years or less in arrears, it is redeemable.
- The property owner has six (6) months from the day of the tax sale to recover the property by paying all arrears with interest and any approved costs, under the purchaser's rights.
- The purchaser is not able to alter or change the land during this period but is able to secure their asset.
- When the redemption period is up the Municipality issues a deed to the purchasers.

something inspiring awaits



12





WEST HANTS REGIONAL MUNICIPALITY REPORT

Information x	Recommendation ☐	Decision Request ☐	Councillor Activity ☐
---------------	---	---	--

To: Mayor Zebian and Members of West Hants Regional Municipality Council
Submitted by: Ryan Parker, By-law Enforcement
Date: May 10, 2022
Subject: 74 Bowman Rd., Garlands Crossing - Demolition

LEGISLATIVE AUTHORITY

Dangerous or Unsightly Premises By-law

BACKGROUND

Property x	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
------------	--	--------------------------------------	---------------------------------	-----------------------------------	---

At the April 12 Committee of the Whole meeting, staff were asked to prepare information for Council regarding a demolition at 74 Bowman Road. The timeline and events were:

Date	Event
Early August 2020	residential building burned
October 28, 2020	Insurance company contacted the Municipality regarding any orders for site clean up. Insurance Company needed to be contacted as the fire was still under investigation.
January 5, 2021	The Municipality received a complaint on the property as a Dangerous or Unsightly property
January 7, 2021	By-Law investigated & took photos.
March 12, 2021	First letter of intent sent as the first step in the process to gain approval for demolition from COTW on April 13, 2021, if the property was not cleaned up.

April 13, 2021	Council was requested to approve demolition of the dwelling if the owner had not demolished it within 45 days.
April 13, 2021	Email from CAO advising that the request to Council requesting demolition was being removed from the agenda as he was working with the owner to clean up the property. Administrator approved request.
April 13, 2021	The Administrator, Tim Leslie, spoke with the owner, who requested an additional month to find the means to clean up the property themselves. Request approved by Tim Leslie with the requirement that the building on the main floor was to be boarded up to prevent access.
April 26, 2021	Photos taken by By-Law of property boarded up.
May 18, 2021	New letter to owners as the first step in the process of proceeding to Council for approval of the demolition on June 8, 2021. The work was not completed.
May 28, 2021	May 28, 2021, By-Law Officer, Shawn Levy, spoke to, Julie Miller, who indicated she was selling the property and the potential buyer was aware the structure had to be demolished. Julie further said they did reach out to a couple people to take down the house and the cost would be between \$10000-\$20000 but could not afford to do so.
June 8, 2021	Order to Demolish approved by Council
June 9, 2021	Email from By-Law to Manager, Tim Leslie, on proceedings at June 8 COTW meeting. (Ian Armor was present to discuss property)
June 10, 2021	Posted the order on the property
July 29, 2021	Site meeting with contractors and By-law to review property for bid purpose.
August 6, 2021	Tenders for Demolition received.
August 9, 2021	Contract for Demolition awarded to REWS Contracting Tim Ambrose, C.E. G.S.C.
August 10, 2021	Contractor advised staff he is planning to start on Monday Aug. 16, 2021
August 12, 2021	Letter from REWS Dev. Inc. confirming asbestos in dwelling.

August 17, 2021 Lab test received from AGAT Labs confirming lead paint on dwelling.

August 20, 2021 Letter from Ryan Parker, By-Law Officer to Tim Ambrose requesting a quote to remove asbestos, lead & dwelling.

August 23, 2021 Quote received from Tim Ambrose

August 23, 2021 Email from Shelleena Thornton advising of Council motion for Demolition. (No set fee specified)

August 24, 2021 Email from Carlee Rochon, noting that there is no cost to the Municipality and the CAO can sign off on the charges

August 30, 2021 Contractor was advised to proceed with removal of asbestos, lead & dwelling.

September 27, 2021 Contractor advised By-law that he is getting letter from a Structural Engineer on requirements to enter building safely to do removal of asbestos.

September 29, 2021 Bylaw Received letter on requirements from Engineer and forwarded to Tim Leslie, Administrator.

November 3, 2021 Municipality received bill for Demolition from REWS Contracting.

January 10, 2022 Email to Tim Leslie from owner stating that he is not paying the bill and will be contesting it due to how the building was removed.

The following quotes were received:

DATE	VENDOR / Contractor	QUOTE	COST	DISPOSAL SITE	NOTES
Aug. 6, 2021 Tenders Received	Tim Ambrose REWS Cont.	Demolish Dwelling	\$10,800.00 + HST		Plus tipping fees (Approximate \$10,000.00 to \$15,000.00)
	W.K Sharp	Demolish Dwelling	\$13,500.00 + HST		Plus tipping fees (Approximate \$10,000.00 to \$15,000.00)
Aug. 23, 2021	Tim Ambrose REWS Cont.	Asbestos Removal	\$22,300.00 + HST	Torbrook C&D Disposal Site	Includes tipping fees

	Tim Ambrose REWS Cont.	Lead Paint removal	\$15,700.00 + HST	Dartmouth, then sent to Alberta	Includes tipping fees
Nov. 1, 2021	Tim Ambrose REWS Cont.	Tipping fees	\$4,083.93	Torbrook C&D Disposal Site	REWS paid tipping fees for contaminated material & WHRM paid for vinyl siding & foundation tipping
Nov. 1, 2021	Tim Ambrose REWS Cont.		\$60,816.52		Final Bill

Quote and Cost Summary

	Quote		Actual	
Demolition	\$ 10,800.00	service quote	\$ 10,800.00	
Estimated tipping fees	\$ 10,000.00	extra (tipping)	\$ 4,083.93	
HAZ MAT Assessment	\$ -	contractor cost	\$ -	
Asbestos Removal	\$ 22,300.00	lump sum	\$ 22,300.00	
Estimated tipping fees	\$0			
Lead Paint Remediation	\$ 15,700.00	lump sum	\$ 15,700.00	
Estimated tipping fees	\$0			
Structural Assessment	\$ -	contractor cost	\$ -	
		\$58,800 before taxes	\$52,888.93 before taxes	

DISCUSSION

Throughout the process, all of the required processes and procedures were followed and recorded in detail, as is usual.

The tender process and vendor selection was carried out in accordance with Municipal requirements.

The Administrator, Tim Leslie, accepted the quote for removal of the asbestos and lead paint as well as the demolition. The process involved quotes, reports and emails (Attachment A).

Materials containing high levels of lead paint, as in the case nearly 100 times the acceptable limit, must be properly disposed of at an approved disposal site and then shipped to Alberta for final disposal.

REWS paid the tipping fees and trucking for the removal of the structure including asbestos, above the foundation. WHRM paid the tipping fees for the vinyl siding and foundation.

Within the original quote of the removal of the asbestos was shoring up the structure to access and removing the asbestos only. Then the cost of the removal of the rest of the structure was within the first quote. The cost of tipping fees would have been higher to WHRM if done this way. Lower tipping fees were incurred with removing the entire structure as a whole and transported to an approved hazard waste facility.

Information confirming proper disposal of the lead materials has been requested but has not yet been received from the contractor as of the date of the written report.

As with any demolition, the Municipality does not have an employee sit at the site during demolition to see what or how it is demolished. We have two contractors that bid on our tender process, and the lowest bid gets the work. The Municipality does not receive any funding related to demolitions. The contractor that was awarded the contract has provided documentation that they are an approved removal company for asbestos and lead. The Municipality received a quote for the additional work, which was approved, and the contractor proceeded. If it was not done in accordance with the requirements of the Department of Environment for removal and disposal, it may cause issues with their license for removal of dangerous waste. Perhaps the complaint should be discussed with Department of Environment? The By-Law Officers or Manager of Building and Inspection Services are not qualified in this type of removal, which is why a qualified contractor was hired.

NEXT STEPS

N/A

FINANCIAL IMPLICATIONS

N/A

ALTERNATIVES

N/A

ATTACHMENT

Attachment A	REWS Demolition quote, Aug. 6, 2021
	Design 1 Lead Analysis Results Aug. 12, 2021
	AGAT Laboratories test reports, Aug. 17, 2021

REWS asbestos quote, Aug. 23, 2021
REWS lead paint quote, Aug. 23, 2021
Emails back and forth between Ryan & Tim Ambrose. Sept. 23, 2021
BMR structural requirements to work in the building. Sept. 29, 2021
Tipping slip REWS 3360 kg of waste paid for by REWS Oct 18. 2021
Tipping slip, McAdoo's Oct. 12, 2021
Tipping slip EFR Environmental Oct. 29, 2021
Invoice Nov. 1, 2021

Bowman Road Demolition – Status Report. Submitted by Jim Ivey, Windsor South, District 11 on April 12, 2021/ COTW

CHIEF ADMINISTRATIVE OFFICER REVIEW

As staff embarked on writing a report for Council, the following three points were asked to be addressed within the report:

1. That policy and process were followed by municipal staff in relation to Dangerous and Unsightly legislation.
2. That the contractor followed the correct process and complied with Provincial Environment regulations.
3. That the municipality was charged a reasonable cost for the work performed (comparing quotes to actual charges).

The following concerns were forwarded by the property owner and / or Councillor Ivey in his April 12, 2022 report to COTW.

1. The overall cost of the demolition was unfair.
2. They were not informed of the added cost of removing the hazardous materials from the site.
3. There was a lack of response and follow-up from municipal staff after February 25, 2022 regarding the property owners complaint about the invoice for the overall demolition costs.
4. Everything was taken down with a mini-excavator and hauled away in mixed bins. Implied improper disposal and charges for costs not incurred.
5. No protective clothing was worn, no masks, no separation of hazardous materials was undertaken, no protection of neighboring properties from hazardous airborne materials.

Through staff's review of this file and through the details noted in the report I am confident in the process followed by staff. Requesting the approval from Council to carry out the demolition of a property is a last resort and a decision not taken lightly.

The report notes the level of communication between the municipality and the property owner. Communication to and from the property owner was standard with the exception of matters pertaining to the hazardous materials. Should the municipality discover that a standard demolition is changing into something more complex than anticipated, a courtesy call / contact should be made to the homeowner moving forward. However, it needs to be noted that this is not currently a requirement, nor will the courtesy provide the property owner the right to renegotiate their desire to deal with the demolition of the property after the fact. This right is forfeited when the property owner does not take the action as requested by the municipality, prior to the approval of Council, directing the demolition of the property. It is further noted that the follow-up communication to the complainant directly from the CAO's office was not as timely as it should have been. This too needs to be approved upon.

With regards to the proper disposal of the materials by the contractor to an approved C&D (construction and demolition) site, the municipality is satisfied with the evidence provided regarding the disposal of the asbestos materials. Staff is further satisfied with the process that the contractor carried out in demolishing and disposing of the asbestos materials. An approved alternate disposal method was provided to the contractor resulting in an overall reduced cost. At the time the report was submitted staff have not been provided with the proof of disposal of the lead paint materials in the report. It is noted that the actual cost reflects the quoted cost for this work. Once evidence is provided it will be added to the report.

Determining reasonable costs for the various components of the demolition is guided by the procurement process undertaken by the municipality. The initial quotations provided for the demolition, not including tipping fees, are comparable between the two quotes obtained by the municipality and the noted quote received by the property owner. Quotations and actual costs associated with the removal of the hazardous materials are also comparable to industry costs. It should be further noted that both the asbestos and lead paint disposal included the tipping fees in the quote and actual invoice. Finally, markup percentages or profit margins in favor of or against the vendor are unknown and not something easily dissected. Pending the proof of the lead paint disposal staff are satisfied reasonable costs were charged for the work carried out.

Other matters regarding site safety do not fall under the jurisdiction of the municipality but most likely the department of labour or environment. The municipality will maintain or improve their standards for workplace safety requirements in the bid process prior to the award of such work moving forward.

In conclusion, as noted in the report there are areas of improvement and steps the municipality will take to keep the property owners better informed from a customer service perspective. This will not change the responsibilities the municipality will inherit once the decision to demolish the property is made but will provide better notice in advance to the property owner before seeing an inflated invoice that was not anticipated.

Report Prepared by: _____
Ryan Parker, By-law Officer

Report Approved by: _____
Tim Leslie – Manager of Building & Fire Inspection Services

Reviewed by:  _____
Mark Phillips, Chief Administrative Officer



QUOTE

To: West Hants Regional Municipality

From: Tim Ambrose, C.E, G.S.C

Date: August 6, 2021

Project Name: US2021-001 74 Bowman Road Windsor, NS

We are pleased to provide you with a lump sum price to complete the demolition of the above mentioned property as per your scope of work.

- Provide site safety requirements for your staff and pedestrians.
- Complete all work in accordance with the authorities having jurisdiction.
- Complete all work to the satisfaction of By-Law Enforcement Officer.
- Disposal of all products in accordance with the authorities having jurisdiction (tipping fees paid by West Hants Regional Municipality)
- Provide a minimum \$5,000,000 general liability insurance
- Provide a Workplace Clearance and in good standing letter

Provide all labour resources, tools, equipment and materials required for demolition.

Project schedule start date would be within one week of award

The estimated time line to complete this demolition is 10 business days

All power and communication disconnects are by West Hants Regional Municipality

Our lump sum price to complete this work is \$10,800.00 plus HST

Thank you,

Tim Ambrose, C.E, G.S.C
Co-Owner
902-410-8636



August 12, 2021

Adam Spencer, Logan Doucet
REWS Development Inc.

E-Mail: adam@rickysews.com; logandoucet@gmail.com

Re: Sample Analysis Results

Here are test data for sample(s) that you collected from 74 Bowman Rd and then sent to me for analysis for asbestos content by light microscopy method EPA 600/R-93/116.

Sample Label	Description	Friable	Asbestos Content
74 Bowman	plaster	yes	0.5-2% chrysotile asbestos

1. Limit of detection – 0.1%. Reported concentrations based upon microscopical examination.
2. As per Nova Scotia Department of Labour and Advanced Education – “Asbestos containing material” means a material identified by an appropriate laboratory analytical method (e.g. EPA 600/R-93/116, NIOSH 9000, or NIOSH 9002) to contain at least 0.5% of any type of asbestos, and vermiculite that is identified to contain **any amount of asbestos** using EPA method 600/R-04/004 if other analytical methods do not identify the presence of asbestos.
3. Note that plaster (which was normally mixed on-site) tends to be non-homogenous with respect to asbestos concentration. Samples collected adjacent to each other may be of different composition in terms of asbestos content. Plaster basecoat in the same building originating from the same mix may have asbestos content of 0.5-2%, to just above the limit of detection but not above 0.5%, to none being detected; as well, more than one type of plaster may be present in a given building.

We trust the enclosed report is to your satisfaction. If, however, additional information should be required, please communicate with the undersigned.

Design1 Indoor Environmental Inspections

Kim W. Strong, M.Sc.
kim@design1environments.ca

Design1 Indoor Environmental Inspections

20B – 780 Windmill Rd, Dartmouth, NS, B3B 1T3
902-599-0606 • www.design1environments.ca

CERTIFICATE OF ANALYSIS

AGAT WORK ORDER: 21X787044

PROJECT:

CLIENT NAME:

ATTENTION TO:

DATE RECEIVED:

DATE SAMPLED:

DATE REPORTED:

21X787044

DESIGN1 INDOOR ENVIRONMENTAL INSPEC

KIM STRONG

Aug 12, 2021

Aug 17, 2021

Aug 17, 2021

PACKAGE INFORMATION:

Work Sheet Name

X01

Sample Ty Guideline / Standard

Water

Package Name

TCLP Metals - Lead



Laboratories

Laboratory Use Only

Arrival Condition: ☐ Good ☐ Poor (see notes)
 Arrival Temperature: 27.9
 Hold Time: _____

webearth.agatlabs.com • www.agatlabs.com

P: 902.468.8718 • F: 902.468.8924

Company: Design 1

Company: Vesqu
Contact: _____
Address: _____

Phone: _____ Fax: _____

Client Project #: _____

AGAT Quotation: _____
Please Note: If quotation number is not provided client will be billed full price for analysis.

Please Note: If quotation number is not provided client will be billed full price for analysis.

Same Yes ☐ / No ☐

Company: _____
Contact: _____
Address: _____

Phone: _____ Fax: _____
PO/Credit Card#: _____

Report Information (Please print):

1. Name: Kyle McKay
Email: _____

2. Name: _____
Email: _____

Regulatory Requirements (Check):

☐ List Guidelines on Report

☐ Do not list Guidelines on Report

☐ PIRI

☐ Tier 1 ☐ Res ☐ Pot ☐ Coarse
☐ Tier 2 ☐ Com ☐ N/Pot ☐ Fine
☐ Gas ☐ Fuel ☐ Lube

☐ CCME

☐ Industrial

☐ Commercial

☐ Res/Park

☐ Agricultural

☐ F/WAL

☐ Sewal

☐ Other

☐ CDWQ

☐ NSEQS-Cont Sites

☐ HRM 101

☐ Storm Water

☐ Waste Water

☐ Other

Containers	Comments - Site/Sample Info. Sample Containment
------------	--

51.73

Samples Requested By (Print Name)

Complex Requisitioned By (Print Name) KIM STRONG

Date/Time

Carta/Time
1305

Sampling Requisition by Sign

Date/Time 12 Aug

Samples Received By (Post Name)

Submitting Research Papers

Date/Time

Date/Time

Pink Copy - Client
Yellow Copy - AGAT
White Copy- AGAT

101

2027

Document ID: 0161331200

Date revised: May 19, 2016

Page 5 of 5

CLIENT NAME: DESIGN1 INDOOR ENVIRONMENTAL INSPEC

PO BOX 176
CANNING, NS B0P1H0
(902) 599-0606

ATTENTION TO: KIM STRONG

PROJECT:

AGAT WORK ORDER: 21X787044

SOIL ANALYSIS REVIEWED BY: Ashley Dussault, Report Writer

DATE REPORTED: Aug 17, 2021

PAGES (INCLUDING COVER): 5

VERSION*: 1

Should you require any information regarding this analysis please contact your client services representative at (902) 468-8718

*Notes

Disclaimer:

- All work conducted herein has been done using accepted standard protocols, and generally accepted practices and methods. AGAT test methods may incorporate modifications from the specified reference methods to improve performance.
- All samples will be disposed of within 30 days after receipt unless a Long Term Storage Agreement is signed and returned. Some specialty analysis may be exempt, please contact your Client Project Manager for details.
- AGAT's liability in connection with any delay, performance or non-performance of these services is only to the Client and does not extend to any other third party. Unless expressly agreed otherwise in writing, AGAT's liability is limited to the actual cost of the specific analysis or analyses included in the services.
- This Certificate shall not be reproduced except in full, without the written approval of the laboratory.
- The test results reported herewith relate only to the samples as received by the laboratory.
- Application of guidelines is provided "as is" without warranty of any kind, either expressed or implied, including, but not limited to, warranties of merchantability, fitness for a particular purpose, or non-infringement. AGAT assumes no responsibility for any errors or omissions in the guidelines contained in this document.
- All reportable information as specified by ISO/IEC 17025:2017 is available from AGAT Laboratories upon request.

**AGAT**

Laboratories

Certificate of Analysis

AGAT WORK ORDER: 21X787044

PROJECT:

CLIENT NAME: DESIGN1 INDOOR ENVIRONMENTAL INSPEC

SAMPLING SITE:

ATTENTION TO: KIM STRONG

SAMPLED BY:

11 Morris Drive, Unit 122
Dartmouth, Nova Scotia
CANADA B3B 1M2
TEL (902)468-8718
FAX (902)468-8924
<http://www.agatlabs.com>

TCLP Metals - Lead

DATE RECEIVED: 2021-08-12

DATE REPORTED: 2021-08-17

SAMPLE DESCRIPTION:				REWS
SAMPLE TYPE:		DATE SAMPLED:		Water
Parameter	Unit	G / S	RDL	2843183
Lead Leachate	mg/L	0.005		51.2

Comments: RDL - Reported Detection Limit: G / S - Guideline / Standard

Analysis performed at AGAT Halifax (unless marked by *)

Certified By:

Quality Assurance

CLIENT NAME: DESIGN1 INDOOR ENVIRONMENTAL INSPEC

AGAT WORK ORDER: 21X787044

PROJECT:

ATTENTION TO: KIM STRONG

SAMPLING SITE:

SAMPLED BY:

Soil Analysis

RPT Date: Aug 17, 2021			DUPLICATE			Method Blank	REFERENCE MATERIAL			METHOD BLANK SPIKE			MATRIX SPIKE		
PARAMETER	Batch	Sample Id	Dup #1	Dup #2	RPD		Measured Value	Acceptable Limits		Recovery	Acceptable Limits		Recovery	Acceptable Limits	
								Lower	Upper		Lower	Upper		Lower	Upper

TCLP Metals - Lead

Lead Leachate	2843183	2843183	51.2	51.0	0.4%	< 0.005	105%	80%	120%	109%	80%	120%	85%	70%	130%
---------------	---------	---------	------	------	------	---------	------	-----	------	------	-----	------	-----	-----	------

Certified By:




AGAT Laboratories

11 Morris Drive, Unit 122
Dartmouth, Nova Scotia
CANADA B3B 1M2
TEL (902)468-8718
FAX (902)468-8924
<http://www.agatlabs.com>

Method Summary

CLIENT NAME: DESIGN1 INDOOR ENVIRONMENTAL INSPEC

AGAT WORK ORDER: 21X787044

PROJECT:

ATTENTION TO: KIM STRONG

SAMPLING SITE:

SAMPLED BY:

PARAMETER	AGAT S.O.P	LITERATURE REFERENCE	ANALYTICAL TECHNIQUE
Soil Analysis			
Lead Leachate	MET-121-6108, MET-121-6105	EPA SW-846 6020A/SM1325 In-house leachate	ICP-MS



QUOTE

To: West Hants Regional Municipality

From: Tim Ambrose, C.E, G.S.C

Date: August 23, 2021

Project Name: Asbestos containing plaster, 74 Bowman Road Windsor, NS

We are pleased to provide you with a lump sum price to complete the asbestos remediation of the above mentioned property.

- Provide site safety requirements for your staff and pedestrians.
- All staff shall be fully trained in asbestos remediation
- Final air sample once complete
- Complete all work in accordance with the authorities having jurisdiction.
- Complete all work to the satisfaction of By-Law Enforcement Officer.
- Disposal of all products in accordance with the authorities having jurisdiction (tipping fees paid by REWS Development)
- Provide a minimum \$5,000,000 general liability and environmental insurance
- Provide a Workplace Clearance and in good standing letter

Provide all labour resources, tools, equipment and materials required for the asbestos remediation

The estimated time line to complete the lead remediation is 10 business days

All power will be provided by REWS

Our lump sum price to complete this work is \$22,300.00 plus HST. This price is based on the approval of our structural engineer saying it's safe for people to work inside of the building.

Thank you,

Tim Ambrose, C.E, G.S.C
Co-Owner
902-410-8636



QUOTE

To: West Hants Regional Municipality

From: Tim Ambrose, C.E, G.S.C

Date: August 23, 2021

Project Name: Leachate Toxic Lead Paint 74 Bowman Road Windsor, NS

We are pleased to provide you with a lump sum price to complete the lead paint remediation of the above mentioned property as per your scope of work.

- Provide site safety requirements for your staff and pedestrians.
- Complete all work in accordance with the authorities having jurisdiction.
- Complete all work to the satisfaction of By-Law Enforcement Officer.
- Disposal of all products in accordance with the authorities having jurisdiction (tipping fees paid by REWS Development)
- Provide a minimum \$5,000,000 general liability and environmental insurance
- Provide a Workplace Clearance and in good standing letter

Provide all labour resources, tools, equipment and materials required for the lead remediation

The estimated time line to complete the lead remediation is 10 business days

All power and communication disconnects are by West Hants Regional Municipality

Our lump sum price to complete this work is \$15,700.00 plus HST

Thank you,

Tim Ambrose, C.E, G.S.C
Co-Owner
902-410-8636

Ryan Parker

From: Tim Ambrose <tim@rickysews.com>
Sent: September 23, 2021 5:08 PM
To: Ryan Parker
Cc: Adam Spencer
Subject: Re: 74 Bowman

Caution

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

Hi Ryan, sorry for the late reply I'm on vacation. The lead abatement finished today and our structural engineer went into the building today to make sure the building is safe for our employees. I'm back Sunday and we should have a letter Monday from the engineer. If all is good we are ready to start the same day. Sorry for the headache this is causing you.

On Wed, Sep 22, 2021 at 9:31 AM Ryan Parker <RParker@westhants.ca> wrote:

Good morning Tim,

Could you please provide an update on the progress of demolishing this structure and the anticipated date of completion. Your original quote, prior to the discovery of lead and asbestos, was 10 days to complete. We have gotten calls from Council as they are getting complaints from residents.

Regards,

Ryan

From: WHRM By-law Enforcement
Sent: August 30, 2021 12:54 PM
To: Tim Ambrose <tim@rickysews.com>
Cc: Adam Spencer <adam@rickysews.com>; Y Town Mini Hoe <Logandoucet@gmail.com>; Tim Leslie <TLeslie@westhants.ca>; Shawn Levy <SLevy@westhants.ca>
Subject: RE: 74 Bowman

Hi Tim,

Please proceed with the removal of the asbestos, lead and the demolition. Will there be a sub-contractor involved with the remediation work? If so, we will require some information from them before proceeding, ie: WCB letter, Insurance information etc. Let me know and I will send the list of what we require. (It would be the same certificate's, insurance we require you to submit)

Also, a demolition permit is required through the Municipality, there will be no charge.
Let me know if you have any questions.

Ryan

From: Tim Ambrose <tim@rickysews.com>
Sent: August 23, 2021 1:32 PM
To: WHRM By-law Enforcement <bylawenforcement@westhants.ca>
Cc: Adam Spencer <adam@rickysews.com>; Y Town Mini Hoe <Logandoucet@gmail.com>
Subject: 74 Bowman

Caution

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

Please see the attached 2 quotes, one is for the asbestos and one is for the lead.

Thank you,

Tim Ambrose, C.E, G.S.C

Co-Owner

Cell - 902-410-8636

tim@rickysews.com

--

Tim Ambrose, C.E, G.S.C

Co-Owner

REWS Development Inc.

Ricky's Environmental Waste Solutions

902-410-8636



September 29th, 2021

REWS Developments
162 Hallmark Ave,
Lower Sackville
B4C 3R5

ATTENTION: MR.ADAM SPENCER

RE: 74 BOWMAN ROAD STRUCTURAL EVALUATION

As requested, a review was undertaken at the residence of 74 Bowman Road, Windsor, which experienced a fire in August of 2020. The purpose of the review was to determine if the building is structurally sound and safe to perform asbestos abatement. The building has smoke and fire damage throughout the main floor, second floor, and roof, however most of the severe fire damage is concentrated at the back half of the structure adjacent to the kitchen. Since the fire, the house has been exposed to the elements with large openings in the roof. These openings are allowing water inside, increasing the decay of the damaged structure and further compromising the structural integrity. In its current condition the house is not safe for work to be performed.

In order to safely perform the asbestos abatement in the house the addition of temporary 2x6 shoring walls will be required to re-instate a safe working condition, see *SSK-1*, *SSK-2*, for exact location and extent of walls. The shoring walls will have to be installed tight to the existing 2nd level floor joists, and on the back wall the shoring must extend to the roof ceiling joist. Once the main level shoring walls are installed localized abatement can be completed on 2nd level and then the level 2 shoring can be installed. The main level joist, which remain in relatively good condition, will support the shoring walls. It should be confirmed prior to commencing work that the concealed floor joist of level 2 have not rotted through from the damp condition over the past year.

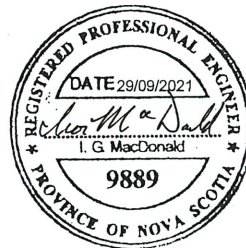
If we can be of any further assistance please advise,

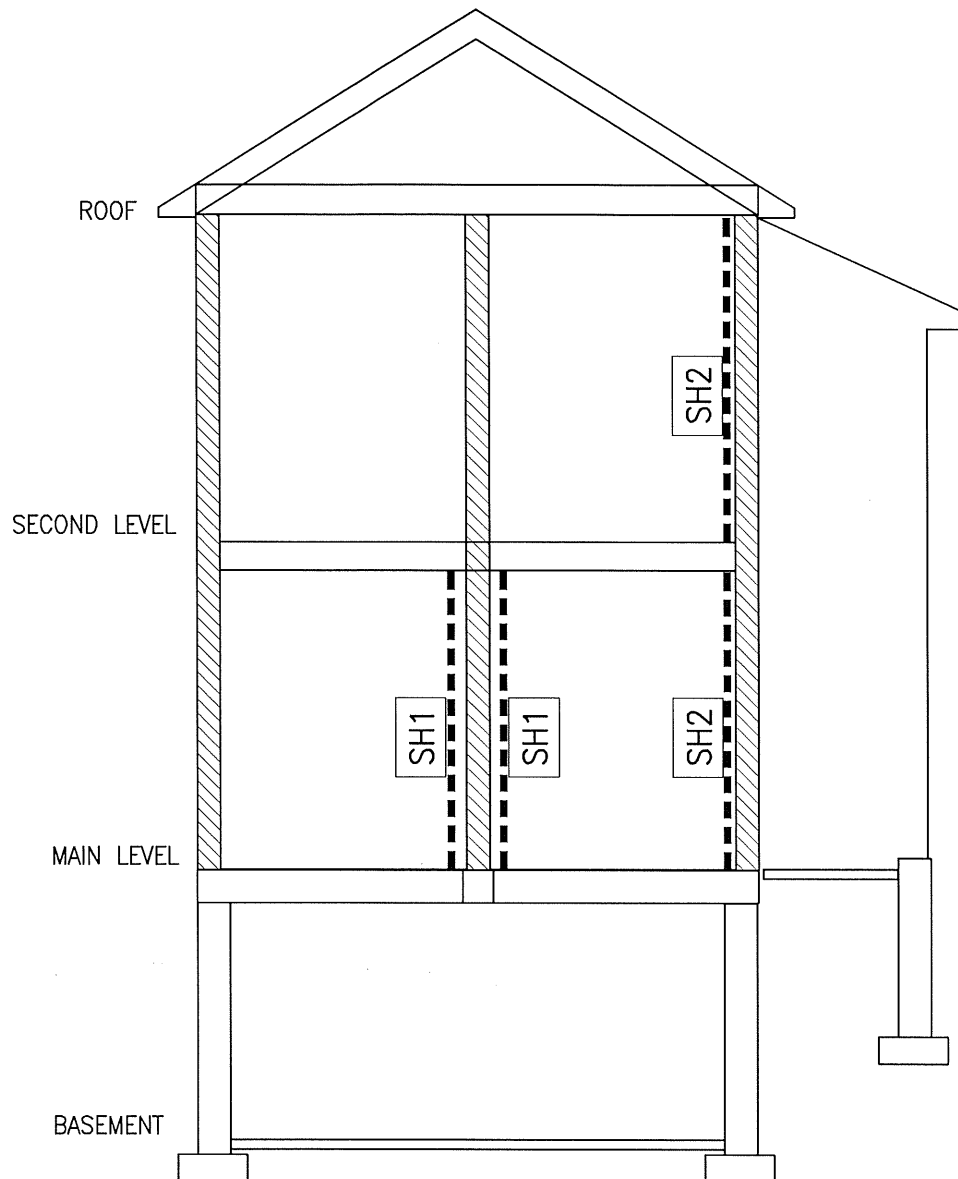
Regards,

BMR Structural Engineering Ltd.

Ivor MacDonald., P.Eng.

Nick Boudreault, EIT





TORBROOK C & D DISPOSAL AND RECOVERY SITE

WEIGH SLIP #: 59065

Torbrook, Annapolis County, Nova Scotia (owned and operated by 3033869 Nova Scotia Limited)

Date: Oct. 18. 21
Time: 12.50

PAYMENT METHOD:

CASH: _____ CHEQUE: _____

CHARGE: ☒ ACCOUNT NAME OR #: R F W S Development

Generator: Windsor

Carrier: _____ County: _____

Gross Weight: 9280

Tare Weight: 5920

Net Weight: 3360

(All Weights Metric)

Material Type*: asbestos

☐ 1 - MIX

☐ 2 - WOOD

☐ 3 - ASPHALT

☐ 4 - ASPHALT SHINGLES

☐ 5 - CONCRETE

☐ 6 - DRYWALL

☐ 7. OTHER _____ (SPECIFY)

S. Bezanon

Owner Operator (if applicable)

Carrier Driver (if applicable)

DISCLAIMER

I _____, (personally) representing the Carrier of the C & D materials) hereby declare the materials being disposed of as identified by this Weigh Slip do not contain materials prohibited from disposal at a construction and demolition debris disposal site as may be set out in the applicable laws and regulations of the Province of Nova Scotia governing same.

Signed: Emily Bezan

Date: Oct. 18. 2021

- 289.80 -

McAdoo's Lawn Care & Excavating Ltd

PO Box 2436
29 Park Drive
Windsor NS
B0N 2T0
902-798-7523
info@mcadoos.ca | www.mcadoos.ca
RECIPIENT:

REWS Developments

33 Fletcher Road
Ellershouse, Nova Scotia B0N 1L0

Phone: 902-410-8636

SERVICE ADDRESS:

74 Bowman Road
Windsor, Nova Scotia B0N 2T0

Asbestos Dumpsters and Fill

McAdoo's
Landscaping
&
Excavating

Invoice #5970

Issued	2021-10-12
Due	2021-10-12
Paid	2021-10-12

Total	\$6,111.53
--------------	-------------------

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
2021-10-05				
Drop off Bin	5 Bins total	5	\$50.00	\$250.00
30yd Bin	5 Bins Rental and trucking to Torbrook Disposal Site	5	\$425.00	\$2,125.00
Tipping Fees at Local Landfill	This is the pre tax price for all 5 dumpster disposal fees at Torbrook C&D Disposal and Recovery Site	1	\$2,489.37	\$2,489.37
Trucking	3 Loads of Fill	3	\$150.00	\$450.00

Thank you for your business.
We appreciate your prompt payment. 2.0% Interest charged on accounts over 30 days.
Payment options: E-Transfer to tyler@mcadoos.ca, Cash, Cheque, or Debit at our office at 29 Park Drive, Windsor. We will also accept Visa or MasterCard payment up to \$5000 per invoice.

Business No: 861996676 RT0002

Subtotal	\$5,314.37
HST NS (15.0%)	\$797.16
Total	\$6,111.53
Paid	-\$6,111.53
Invoice balance	\$0.00

**EFRenvironmental**

PO Box 5
15 Freeman Street
Middleton, NS B0S 1P0
Phone: (902) 825-3222
Fax: 902-825-1514
Questions: receivables@efrenvironmental.ca
Remit Advice: remittance@efrenvironmental.ca

INVOICE

INVOICE NO.	0000199734
PAGE	1
DATE	Oct-29-21
CUSTOMER	4662
SITE	0
REFERENCE	

Rews Development
162 Hallmark Ave
Lwr Sackville, NS B4C3R5

Net Due: 30 days from Invoice date. Interest 2% PER Month, 24% Annum

H.S.T. # 101587665

DATE	DESCRIPTION	REFERENCE	RATE	QTY	AMOUNT
	(0001) Rews Development	74 Bowman Rd, Windsor NS			
	Serv #001 EFR RO Commercial Asbestos 30.00 YD				
05 - Oct	Delivery W.O# 24907			1.00	\$100.00
	Delivery				
05 - Oct	Delivery W.O# 24908			1.00	\$100.00
	Delivery				
05 - Oct	Regular Haul W.O# 24910			1.00	\$275.00
	Regular Haul				
05 - Oct	C&D Waste Disposal - Mixed	03-58878		3,510.00 KG	\$308.88
06 - Oct	Regular Haul W.O# 24975			1.00	\$295.00
	Regular Haul				
06 - Oct	C&D Waste Disposal - Mixed	03-58885		3,070.00 KG	\$270.16
07 - Oct	Regular Haul W.O# 24976			1.00	\$295.00
	Regular Haul				
07 - Oct	C&D Waste Disposal - Mixed	03-58903		4,840.00 KG	\$425.92
09 - Oct	Regular Haul W.O# 25017			1.00	\$295.00
	Regular Haul				
09 - Oct	C&D Waste Disposal - Mixed	03-58949		6,080.00 KG	\$535.04
22 - Oct	Final Haul W.O# 25185			1.00	\$295.00
	Final Haul				
22 - Oct	C&D Waste Disposal - Mixed	03-59127		620.00 KG	\$54.56
22 - Oct	Container Rental	RC106707		5.00	\$50.00
	Oct 17/21 - Oct 21/21				

Tipping
Tipping
Tipping
Tipping
Tipping

Are we meeting your expectations? If not, we want to hear from you -
info@efrdisposal.ca

THANKS FOR USING OUR SERVICE!

EFRenvironmental

PO Box 5
15 Freeman Street
Middleton, NS B0S 1P0
Phone: (902) 825-3222
Fax: 902-445-4419
E-mail: info@efrdisposal.com

Remitted

INVOICE NO.	0000199734
PAGE	1
DATE	Oct-29-21
CUSTOMER	4662
SITE	0
REFERENCE	

INTEREST 2% PER MONTH, 24% ANNUM
H.S.T. # 101587665

REWS DEVELOPMENT INC.

162 Hallmark Avenue b4c 3r5
Lower Sackville NS b4c 3r5
+1 9024413268
adam@rickysews.com
GST/HST Registration No.: 767231681nw0001

INVOICE

BILL TO
WHRM
76 Morison Drive
Windsor NS b0n2t0

INVOICE
DATE
TERMS
DUE DATE
US2021-001
01/11/2021
Due on receipt
01/11/2021

SERVICE	DESCRIPTION	TAX	QTY	RATE	AMOUNT
Asbestos abatement		HST NS	1	22,300.00	22,300.00
Lead paint removal	Removal of siding	HST NS	1	15,700.00	15,700.00
Demolition		HST NS	1	10,800.00	10,800.00
Disposal of Hazardous Waste		HST NS	1	4,083.93	4,083.93

74 Bowman
lead paint removal
asbestos / home demolition
break concrete and fill hole
first 4 tons of waste paid for by REWS Development

SUBTOTAL	52,883.93
HST (NS) @ 15%	7,932.59
TOTAL	60,816.52
BALANCE DUE	\$60,816.52

TAX SUMMARY

	RATE	TAX	NET
HST (NS) @ 15%		7,932.59	52,883.93



To: West Hants Regional Municipality

From: Tim Ambrose, C.E, G.S.C

Date: May 9. 2022

Project Name: 74 Bowman Road, Windsor NS

Mr. Levy, this letter is to confirm that the lead painted shingles have been properly removed from 74 Bowman Road in Windsor Nova Scotia. This work took place the first week of September 2021. All wasted was placed in metal drums and stored for disposal at our facility. Once we have a full trailer load of lead waste this will then be transported for disposal out of the Province.

Thank you,

Tim Ambrose, C.E, G.S.C
Co-Owner
REWS Development Inc.
Ricky's Environmental Waste Solutions
902-410-8636

West Hants Regional Municipality
May 10, 2022
Chief Administrative Officer Report



The following report captures activities and events between the April COTW and the date of the report.

Governance

- The Council meeting environment will continue to adjust pending changes from the Province, as it relates to in-person meetings. Currently, masks are being worn by meeting attendees.
- Council Meetings – April COTW and Council Meetings were conducted as per policy. A number of Special COTW Meetings were held to conduct budget deliberations.
- The Intermunicipal Service Agreement (IMSA) working group met on April 14th to discuss the progress of the agreements. Specifically, the VREN agreement was discussed. It is expected the working group and Liaison and Oversight (LOC) of the VREN will suggest amendments to the VREN partners agreement requiring 2 to 3 years notice of termination by a participating partner vs the 1-year notice currently within the agreement. This matter will appear before Council for consideration once the amendments are drafted.
- NSFM Mayors / Wardens CAOs Meeting April 27 - The meeting provided an opportunity to discuss implications around Bill 149 Financial Measures (2022) Act, Part IV Non-Resident Deed Transfer and Property Taxes Act.

Administration

- CUPE Labour Management Meeting – A meeting was held to discuss common topics such as safety, staff scheduling, equipment and technology, health and wellness and other matters. Staff and union relations remain positive thanks to a clear understanding of the collective agreement and open communication between management and the union members.

Finance

- 2022/23 Budget Deliberations – Four meetings for budget deliberations were held up to the time of the report. A fifth meeting is scheduled for May 11th.

Community Development

- VREN STAR Program Community Consultation – The VREN announced the launch of Tourism Atlantic's (ACOA) Strategic Tourism for Areas and Regions (STAR) program for the Annapolis Valley region. With the help of Richard Innes, tourism consultant, STAR will assist the Region in becoming a sustainable tourism destination through strategic, collaborative, community-based tourism development. Three public input sessions were held in West Hants. In addition, the recent motion of Council regarding the prioritization of the Avon River as an asset to tourism initiatives was forwarded to the VREN as added input.
- Hobarts Beach Boat Launch – The project remains in the design phase. Local resident engagement is providing suggestions that best suit the needs of the community as well as visiting recreational fishers looking to launch from the location. There is a carryover project in the Capital budget to carry out the work, this year.

Planning and Development

- The MCCAP Committee met on April 13, 2022. The committee continues to work through the goals in the plan. A more thorough report of the committee's activities is provided in the COTW meeting package.
- Municipal Lands on Fort Edward Street – As recent May 6th we have not received the revised version of the Phase 1 Archeological Report. Jonathan Fowler has communicated that he is also waiting. Once we receive the Phase one report, we will have a better understanding of what the next steps will be.
- Planning Advisory Committee / Heritage Advisory Committee (PAC/HAC) Meeting – The committee met on April 14th.
- PACE Program – A quick meeting was held with Julien Boyle from PACE Atlantic regarding the intermunicipal PACE program application. At the current time Kentville is confirmed, Wolfville remains interested and Kings is undecided. Julien will be providing Sara Poirier and I with a sample by-law that will be required for the program and application. MCCAP will be engaged for their review of the by-law and possible components to be included in the program before it is brought to Council for review.
- Hantsport Municipal Lands (Holmes Hill) – The following lots will be placed on the market as soon as the appraisal is completed.
 - PID 45387768 McCully Crescent (last lot on right side of road)
 - PID 45391554 Mariner's Drive (last lot on left side of road)

Economic Development

- Seasonal Street Banners – Street Banners in Hantsport and Windsor will soon be exchanged. Hantsport banners will be coordinated jointly with the Historic Society again this year.

Public Works and Infrastructure

Public works is transitioning from winter to spring seasonal tasks.

Protective Services

- Police Advisory Board – the Police Advisory Board met on April 25th. The Board welcomed Mandy Singleton as the new citizen representative.
- South West Hants Fire Society Meeting – In addition to the meeting that was held with the membership regarding the change of fire administration from Hantsport to the Windsor Fire Service, a meeting with the society was held. The purpose of the meeting was to review the budget of the society and the financial support provided from the municipality.
- Meeting of Fire Chiefs – The Fire Chiefs and Operations Supervisor Shelleena Thornton met on April 29th. Meetings continue to progress through operational standards as noted in the Regional Fire Study from December 2019.

Sincerely,

Mark Phillips

Mark Phillips
Chief Administrative Officer
West Hants Regional Municipality

2021-22 WEST HANTS REGIONAL OPERATING BUDGET UPDATE
TWELFTH MONTH ENDING MARCH 31, 2022

REVENUE	2021-22 BUDGET		% OF THE BUDGET	FORECAST MARCH 31, 2022	% OF FORECAST VARIANCE	VARIANCE (Budget Vs. Forecast)	Actuals March 31, 2022	% OF BUDGET REMAINING
TAXES	\$	19,447,857	71%	\$	19,309,846	-0.7%	\$ (138,011.00)	\$ 19,309,846 0.7%
SEWER	\$	2,123,977	8%	\$	2,147,564	1.1%	\$ 23,587.00	\$ 2,147,564 -1.1%
BUSINESS PROPERTY / DEED TRANSFER TAX	\$	1,823,157	7%	\$	3,074,007	68.6%	\$ 1,250,850.00	\$ 3,074,007 -68.6%
GRANTS	\$	85,521	0%	\$	249,464	191.7%	\$ 163,943.00	\$ 249,464 -191.7%
¹ SERVICES PROVIDED TO OTHER GOVERNMENTS	\$	1,289,847	5%	\$	1,319,605	2.3%	\$ 29,758.00	\$ 550,543 57.3%
SALES OF SERVICES	\$	892,617	3%	\$	604,247	-32.3%	\$ (288,370.00)	\$ 536,980 39.8%
² OTHER REVENUE	\$	662,484	2%	\$	842,838	27.2%	\$ 180,354.00	\$ 726,647 -9.7%
UNCONDITIONAL TRANSFERS	\$	558,915	2%	\$	1,220,855	118.4%	\$ 661,940.00	\$ 1,214,555 -117.3%
TRANSFERS FROM FED OR PROV GOVT.	\$	156,502	1%	\$	189,063	20.8%	\$ 32,561.00	\$ 195,063 -24.6%
TRANSFERS FROM OTHER LOCAL GOVERNMENTS	\$	180,036	1%	\$	104,201	-42.1%	\$ (75,835.40)	\$ 104,200 42.1%
TOTAL	\$	27,220,913	100%	\$	29,061,690	6.8%	\$ 1,840,776.60	\$ 28,108,869 -3.3%
EXPENSES								
³ GENERAL GOVERNMENT SERVICES	\$	3,443,035	13%	\$	3,494,482	1.5%	\$ 51,446.86	\$ 3,443,485 0.0%
⁴ PROTECTIVE SERVICES	\$	8,423,017	31%	\$	8,155,219	-3.2%	\$ (267,797.63)	\$ 6,906,848 18.0%
TRANSPORTATION	\$	1,803,835	7%	\$	1,626,333	-9.8%	\$ (177,502.00)	\$ 1,445,478 19.9%
⁵ ENVIRONMENTAL HEALTH SERVICES	\$	3,647,580	13%	\$	3,359,559	-7.9%	\$ (288,020.82)	\$ 3,060,804 16.1%
⁶ PUBLIC HEALTH SERVICES	\$	214,993	1%	\$	194,220	-9.7%	\$ (20,773.00)	\$ 128,139 40.4%
PLANNING	\$	799,375	3%	\$	726,261	-9.1%	\$ (73,114.00)	\$ 708,613 11.4%
RECREATION	\$	2,739,956	10%	\$	2,500,909	-8.7%	\$ (239,047.00)	\$ 2,458,108 10.3%
EDUCATION	\$	4,855,570	18%	\$	4,623,046	-4.8%	\$ (232,524.00)	\$ 4,623,048 4.8%
PRINCIPAL INSTALLMENTS	\$	1,673,452	6%	\$	1,688,117	0.9%	\$ 14,665.00	\$ 1,025,860 38.7%
NET TRANSFERS*	-\$	381,434	-1%	\$	298,836	-178.3%	\$ 680,270.00	\$ - 100.0%
TOTAL	\$	27,219,379	100%	\$	26,666,982	-2.0%	\$ (552,396.59)	\$ 23,800,383 12.6%
SURPLUS / DEFICIT	\$	1,534		\$	2,394,707		\$ 4,308,486	

Please note that if revenue and expenditures were incurred evenly over the year approximately 100% 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 \$2,394,707. 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



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☒	Recommendation ☐	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Councillor Debbie Francis, MCCAP Committee Chair

Sara Poirier, Senior Planner

Date: 2022-05-10

Subject: Municipal Climate Change Action Plan (MCCAP) Committee Updates

LEGISLATIVE AUTHORITY

MCCAP required within the 2010 - 2014 Gas Tax Agreement and the Municipal Funding Agreements

Section 17.3 (j) of Policy RCOGE-003.00 Meeting and Committee Procedural Policy establishes the MCCAP Committee

Policy RADPL-003.04 Municipal Climate Change Action Plan Committee Terms of Reference

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☒	Social ☐	Economic ☐	Councillor Activity ☐
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The MCCAP Committee would like to start to provide Council updates on the items the Committee is working on to ensure that Council and the community are aware of the individual steps the MCCAP Committee is taking to move climate action work forward.

DISCUSSION

The MCCAP Committee workplan was placed on file by Council on December 16, 2021. Project items in the workplan include:

Workplan Item 2022	Status
<i>Goal: Reduce Greenhouse Gas Emissions</i>	
Explore the potential for a small to medium scale solar energy project	Initial investigation is being conducted by Planning and Development and Public Works staff on the potential for solar power to be implemented to offset power usage on some of the larger municipally owned properties.
Implement an electric vehicle charging station	Planning and Development staff are awaiting the results of funding application to Clean Foundations EV Boost program made March 18. The application included a funding request for four (4) charging ports at two (2) charging stations to be located at the West Hants Sports Complex and Windsor Community Centre.
Participate in a feasibility study for electric vehicle fleet conversion	Planning and Development staff are awaiting the results of a funding application for an electric vehicle fleet conversion study for a subset of the overall Municipal fleet.
Hire a dedicated GHG emissions reduction employee	Planning and Development staff have applied to Eco Canada to fund up to 80% of the position; Eco Canada has waitlisted all projects for the fiscal year (2021-22); staff are awaiting the funding program to begin accepting applications for this fiscal year (2022-23). A dedicated Climate Change Coordinator position has been included in the 2022-23 West Hants budget; staff are awaiting the results of budget deliberations.

Work on Milestone 4 of the Partners for Climate Protection (PCP) program by implementing actions from the local action plan developed in Milestone 3	Planning and Development staff are working on action items as they have time.
<i>Goal: Increase awareness of local best practices</i>	
Clean Foundation summer student is expected to continue with this project for the summer of 2022	The Clean Foundation summer student is expected to continue with this project for the summer of 2022

Planning and Development staff are also working on:

- Coastal flood planning: drafting coastal flood planning regulations for the Municipal planning documents; and
- Supervising a Clean Foundation summer student starting May 19 to work on a few action plan items and some environmental community engagement for West Hants as required by the Clean Foundation.

The MCCAP Committee has also invited external knowledge holders to present to the Committee and gone on site visits to explore alternative energy. These presentations and site visits include:

- 2021-11-10 Presentation from Michael Peters, Glooscap First Nations and Glooscap Energy
- 2022-02-09 Solar Presentation from Aaron Long, Alternative Resource Energy Authority
- 2022-02-16 Electric vehicle test drive
- 2022-04-05 Site visit to Windsor Elms re: solar

NEXT STEPS

The MCCAP Committee will continue to work on the workplan and other related MCCAP projects. The MCCAP Committee Chair and Planning and Development staff will provide an update to Council twice a year in May and November.

FINANCIAL IMPLICATIONS

Funding for individual projects will be requested through individual reports to Council, if this has not been done already. External funding sources are typically sought by staff to aid in funding climate change and greenhouse gas emissions related projects. There are no anticipated costs to the Municipality in regard to this report.

CHIEF ADMINISTRATIVE OFFICER REVIEW

Report Prepared by: _____
Councillor Debbie Francis, MCCAP Committee Chair

Sara Poirier, Senior Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO

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

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Katherine	Mcleod, P.Eng, Dept. Environment and climate change	2021-10-28 (Received)	2022-01-11 COTW
Hants County Legion		2021-11-25	2021-12-07 COTW
Hon. Melissa	Sheehy-Richard	2021-11-30	2021-12-07 COTW
Hon. John	Lohr	2021-11-30	2021-12-07 COTW
Hon. Kim	Masland	2021-12-01	2021-12-16 Council
NSUARB		2021-12-10	2021-12-16 Council
Bennet	Mary Lou	2021-12-13	2021-12-16 Council
Hon. Kim	Masland	2021-12-17	2022-01-11 COTW
Bland	Lisa	2021-01-17	2022-01-11-COTW
Wilson	John	2021-12-21	2022-01-11 COTW
Pineo	Shirley	2021-12-17	2022-01-11 COTW
Nelson	Gary	2022-01-11	2022-01-25 Council
Hon. Kody	Blois	2022-01-13	2022-01-25 Council
Denise	Forrand	2022-01-19	2022-01-25 Council
Dawn	Allen	2022-01-18	2022-01-25 Council
Sarah	Brothers	2022-01-19	2022-01-25 Council
Roland	Newcombe	2022-01-20	2022-01-25 Council
Valerie	Newcombe	2022-01-20	2022-01-25 Council
Andrea	Moore	2022-01-21	2022-01-25 Council
Gary	Nelson	2022-01-26	2022-02-08 COTW
Hon. Minister	Johns	2022-01-27	2022-02-08 COTW
Hon. John	Lohr	2022-02-01	2022-02-08 COTW
Hon. Joyce	Murray	2022-02-02	2022-02-08 COTW
Kim	MacQuarrie	2022-02-06	2022-02-22 Council
Sheldon	Hope	2022-02-08	2022-02-22 Council
Brad	Carrigan	2022-01-24	2022-03-08 COTW
Dr. Gordon	Haliburton	2022-02-14	2022-03-08 COTW
Hon. Kim	Masland	2022-03-01	2022-03-08 COTW
East Hants		2022-03-01	2022-03-08 COTW
Hon. John	Lohr	2022-03-22	2022-04-12 COTW
Andrea	Parker	2022-03-28	2022-04-12 COTW
Bulk Water Haulers		2022-03-30	2022-04-12 COTW
Mark	Wainman	2022-04-04	2022-04-12 COTW
Jeff	Houser	2022-03-23	2022-04-12 COTW
Kathrin	Winkler	2022-04-05	2022-04-12 COTW
Joseph, PVSC	Feeney	2022-04-14	2022-04-26 Council

Correspondence Received

[illegible]



Municipal Affairs and Housing Office of the Minister

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • novascotia.ca

May 2, 2022

Mayor Amanda McDougall
President, Nova Scotia Federation of Municipalities
Suite 1106, 1809 Barrington Street
Halifax, NS B3J 2K8

Dear President McDougall:

Under the provisions of the *Municipal Government Act*, the Minister of Municipal Affairs & Housing must provide to the Nova Scotia Federation of Municipalities (NSFM) 12-months' notice of any provincial legislation, regulation, or administrative actions that could have the effect of decreasing revenues or increasing the required expenditures of municipalities. This letter is intended to provide notice for such changes for fiscal year 2023-24 and beyond.

The Department of Municipal Affairs & Housing canvassed all other provincial departments to seek information on plans for legislative, regulatory, and policy changes in the coming fiscal year. The following is a summary of the results of that process.

DEPARTMENT OF MUNICIPAL AFFAIRS & HOUSING (DMAH)

Renegotiating the Memorandum of Understanding with the Municipalities

The Minister of Municipal Affairs and Housing Mandate Letter of September 14, 2021, directs the Minister to *renegotiate the Memorandum of Understanding with municipalities*. The current Provincial-Municipal Service Exchange has been unchanged since 1995, and DMAH is reviewing all existing financial aspects associated with the provincial-municipal relationship, including: the Municipal Financial Capacity Grant, grants in lieu of municipal taxes, local roads, other departmental grants, education (including sewer and wastewater for schools), housing, policing, and mandatory contributions. It is difficult at this time to determine the potential financial impact on municipalities as future costs to municipalities will be dependent on the result of consultations and negotiations.

Municipal Financial Capacity Grant (MFCG)

The Minister of Municipal Affairs and Housing Mandate Letter of September 14, 2021, directs the Minister to *double the equalization payment [MFCG] for the first year, until a new Memorandum of Understanding can be reached*. Municipalities received this double payment in fiscal year 2021-2022. It is expected that the MFCG levels for 2022-23 will continue to reflect previous levels (\$30.4M) until a new MOU is negotiated.

Changes to Definition of Income for Housing Programs & Services

In 2021, DMAH completed a review of the income definition for public housing programs. Income definitions determine eligibility and rent levels for public housing, rent supplement, and home repair programs. As a result of the review, the Child Disability Benefit, the GST Tax Credit & Affordable Living Tax Credit, and the Veterans Disability Pension were all excluded from the definition of income for public housing programs and services effective December 2021.

Using calculations based on the Net Operating Losses (NOL) for public housing and services from 2021-22, as well as the number of current public housing clients that are in receipt of these excluded sources of income, it is estimated that the annual municipal share of NOL will be impacted by approximately \$8,000 beginning in 2022-23. It is important to note that the impact to the municipal share of NOL could experience minor annual changes depending on any changes to the number of public housing clients in receipt of the identified benefits. The summary of the 2023 impact is as follows:

Municipal Name	Impact to Municipality	2021-22 NOL	% of NOL
Cape Breton Regional Municipality	\$172	\$2,157,152	0.01%
County of Annapolis	\$201	\$132,593	0.09%
County of Cumberland	\$1081	\$222,121	0.49%
County of Kings	\$694	\$256,780	0.19%
County of Pictou	\$55	\$150,373	0.04%
District of East Hants	\$43	\$69,274	0.06%
District of Guysborough	\$198	\$85,101	0.23%
District of Shelburne	\$196	\$7,469	2.62%
Halifax Regional Municipality	\$2,920	\$4,003,185	0.03%
Region of Queens Municipality	\$281	\$142,247	0.20%
Town of Amherst	\$243	\$246,897	0.10%
Town of Annapolis Royal	\$176	\$23,695	0.74%
Town of Berwick	\$2	\$33,523	0.01%
Town of Bridgewater	\$537	\$63,564	0.84%
Town of Kentville	\$248	\$72,564	0.34%
Town of Middleton	\$13	\$75,428	0.02%
Town of New Glasgow	\$41	\$222,735	0.02%
Town of Pictou	\$433	\$115,797	0.37%
Town of Yarmouth	\$497	\$220,492	0.23%
TOTAL	\$8,032	\$8,300,989	0.10%

Code of Conduct

Consultations for improving the regulations associated with codes of conduct for elected officials will be taking place in fiscal 2022-23. The process for addressing code of conduct issues will be developed with input from the municipalities and the NSFM. It is difficult at this time to determine the potential financial impact on municipalities as future costs to municipalities will be dependent on the model regulations that are advanced as a result of consultations.

DEPARTMENT OF ENVIRONMENT & CLIMATE CHANGE (ECC)

Coastal Protection Act

It is possible that municipalities will incur incremental costs in implementing the Coastal Protection Act in the coming fiscal year. ECC is providing notice of changes that will be required in municipal building and development approval processes now that coastal protection legislation (Bill 106) has passed. The legislation will provide consistent province-wide legal protection for our coast by restricting development and related activity in areas where structures will be at risk of damage due to coastal flooding and erosion, or where it will damage sensitive coastal ecosystems.

Under this legislation municipalities will be enabled to approve a building permit or development permit for construction within a coastal protection zone to be defined by regulation if the proposed location of the construction is above a minimum building elevation specified in the regulations and is situated upland of a site-specific horizontal setback determined by a designated professional. This will require minor modifications to municipal administrative processes for these types of permits.

It is expected that the responsibility for competent, accurate and objective determination of the horizontal setback will rest with the designated professional, using a methodology and forms prescribed in the regulations. Minimum building elevations will be prescribed by the Province for each of approximately 82 sections of coastline.

Subject to the final form of the regulations, if the act applies to a permit application, the municipality will be required to determine whether the proposed construction location is above the minimum building elevation and upland of the site-specific setback determined by the designated professional in an erosion risk factor assessment report the landowner will be required to submit to the municipality with the permit application and confirm the designated professional was a member in good standing of a professional body designated in the regulations at the time the erosion assessment was signed.

Specifics of which professional groups will qualify to determine the setback, standards and forms to be used and other administrative details will be set out in the regulations. Additional detail on the delineation of the coastal protection zone, restrictions and exemptions that apply within it will also be set out in regulations.

DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS (IGA)

Procurement

Every two years, Global Affairs Canada updates its thresholds for covered procurements under the Canada-Europe Trade Agreement (CETA) and the Canada Free Trade Agreement (CFTA). Municipal procurements are covered under these obligations. All procurements above the thresholds must be tendered unless subject to an exemption. Thresholds were last updated on January 1, 2022, and are as follows:

	CETA Thresholds	CFTA Thresholds
Goods	\$366,800	\$121,200
Services	\$366,800	\$121,200
Construction	\$9.1M	\$302,900

It is anticipated there will be new thresholds for CETA and CFTA for 2024-25. These thresholds are calculated based on data that will not be available until the end of next year, so at this time, the scope for municipal involvement is not known. IGA will advise as soon as they receive updated information.

DEPARTMENT OF JUSTICE

Biological Casework Analysis Agreement

The Biological Casework Analysis Agreement provides Nova Scotia's municipalities with DNA analysis arising from criminal investigations. DNA analysis is an important and affordable service that helps solve crimes. The 2022-23 financial cost of this program is expected to stay the same at \$799,688 however the proration of the cost to municipalities will be reassessed upon DMAH's release of the "Uniform Assessment" for 2022-23.

RCMP Collective Bargaining Agreement

The RCMP National Police Federation's collective bargaining agreement with the Government of Canada was signed on August 6, 2021. It included economic increases and market adjustments for the period April 1, 2017 to March 31, 2023, which the RCMP implemented according to the timelines stipulated in "Appendix C" of the collective bargaining agreement. The average cost increase to municipalities under the Provincial Police Service Agreement in the 2022-23 fiscal year is 11%.

Amendments to the Part XX of the *Municipal Government Act*

The Attorney General and Minister of Justice's Mandate Letter of September 14, 2021, directs the Minister to *[a]mend the Freedom of Information and Protection of Privacy Act to give order-making ability to the Privacy Commissioner*. These amendments, as well as other amendments aimed at modernizing the act are anticipated to be brought forward by government at a future sitting of the House of Assembly. To ensure consistency in access and privacy, Part XX of the *Municipal Government Act* will be updated at the same time, which may include resource

implications or increased legal costs. However, the financial implications associated with changes to part XX of the *Municipal Government Act* to give order-making power to the privacy commissioner are unknown at this time.

DEPARTMENT OF LABOUR, SKILLS AND IMMIGRATION (LSI)

Expansion of Firefighter's Cancer Presumption under the *Workers' Compensation Act* (*Firefighters' Compensation Regulations*).

Following consultation with the firefighting community, organizations that represent firefighters, and municipalities, the Province of Nova Scotia has approved LSI's request to expand presumptive coverage for firefighters under the *Worker's Compensation Act*. This added coverage for paid and volunteer firefighters will increase the number of presumptive cancer coverage from 6 to 19 and cover heart attacks that occur within 24 hours of an emergency call.

The Province of Nova Scotia also approved LSI's request to extend financial support to help municipalities cover initial and annual liability costs for the next four fiscal years. Over this period, the Province of Nova Scotia will cover liability costs to a total of \$80.6 million. Municipalities will not incur any additional cost for the enhanced benefit until the fiscal year of 2025-26.

	2021-2022	2022-23	2023-24	2024-25
Province paid portion	\$67.4M	\$4.4M	\$4.4M	\$4.4M
Associated costs covered	Initial liability	Annual liability	Annual liability	Annual liability

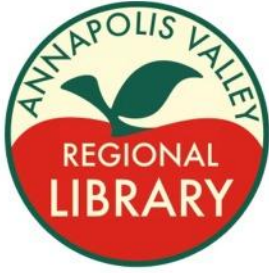
The Department acknowledges that several items included in this letter have financial impacts that are unknown at this time. The Department will attempt to clarify these impacts and alleviate any issues during the implementation of these items in 2023-24. If any of the above content is unclear or should you have any questions regarding the provided information, please do not hesitate to contact the Department for clarification.

Sincerely,



John Lohr
Minister of Municipal Affairs & Housing

corr063



Annapolis Valley Regional Library

P.O. Box 510 236 Commercial Street Berwick, NS B0P 1E0

Phone 1-866-922-0229

www.valleylibrary.ca email: administration@valleylibrary.ca

May 5, 2022

Mayor Abraham Zebian
West Hants Regional Municipality

Dear Mayor Zebian,

I am writing to inform you that I am retiring as the Chief Executive Officer with the Annapolis Valley Regional Library (AVRL), effective May 26, 2022. The AVRL Board has appointed Angela Reynolds as Acting Chief Executive Officer. She begins her term as of May 27, 2022 and will continue until December 31, 2022 while the Board completes the recruitment process. Angela's contact information is areynolds@valleylibrary.ca and 902-538-BOOK ext 1102.

Since arriving in Nova Scotia in August 2015, I have thoroughly enjoyed working with West Hants (and its previous iterations). Council and West Hants Staff have supported the AVRL in our efforts to provide quality services to our citizens, and been a highly valued partner in community development. The Windsor Regional Library, and the Isabel & Roy Jodrey Memorial Library (Hantsport) are beautiful facilities that are well enjoyed by the community.

Finally, thank you for appointing excellent representatives to the Library Board during my tenure! Their participation and wise counsel made the Library Board that much more effective.

Kindest Regards,

Ann-Marie Mathieu

Fort Edward Lands Correspondence

First Name	Last Name	Correspondence	Meeting/Logged
Theresa	Newcombe	11/23/2021	2022-03-22 Council
Gary	Nelson	12/17/2021	2022-01-11 COTW
Lisa	Bland	12/17/2021	2022-01-11 COTW
John	Wilson	12/21/2021	2022-01-11 COTW
Gary	Nelson	1/11/2022	2022-01-25 Council
Andrea	Moore	1/21/2022	2022-01-25 Council
Valerie	Newcombe	1/21/2022	2022-03-22 Council
Gary	Nelson	1/26/2022	2022-02-08 COTW
Sara	Brothers	1/19/2022	2022-01-25 Council
Dawn	Allen	1/17/2022	2022-01-25 Council
Marty	Fougarty	2/5/2022	2022-03-22 Council
Dr. Gordon	Haliburton	2/14/2022	2022-03-08 COTW
Theresa	Newcombe	3/11/2022	2022-03-22 Council
Marie	Claude-Roiux	3/9/2022	2022-03-22 Council
Barbara	Gallagher	No Date	2022-03-22 Council
Roland	Newcombe	1/20/2022	2022-01-25 Council
Liz	Galbraith	12/16/2021	2021-12-16 COTW
Mary Lou	Bennet	12/13/2021	2021-12-16 COTW
Jean	Scotney	2/25/2022	2022-03-22 Council
Denise	Forand	3/16/2022	2022-03-22 Council
Jonathan Fowler	Fowler	3/13/2022	2022-03-22 Council
Heather	Pick	3/17/2022	2022-03-22 Council
Wanda	Donelle	2/22/2022	2022-04-12 COTW
Teresa	Newcombe	3/22/2022	2022-04-12 COTW
Patti	Quinn	3/22/2022	2022-4-12 COTW
Martin	Theberge	4/6/2022	2022-04-12 COTW
Rene	Cormier	4/12/2022	2022-04-26 Council
Daphnee	de Lamirande	4/29/2022	2022-05-12 COTW

CONSEIL JEUNESSE PROVINCIAL DE LA NOUVELLE-ÉCOSSE (C.J.P.)

Un organisme PAR et POUR les jeunes

April 25th 2022
Dartmouth, NS

Mayor and West Hants Council
Chair and Members of West Hants Planning Committee
76 Morisson Dr
Windsor, NS
B0N 2T0

SUBJECT: Risks associated with the sale of the adjacent lots to Fort Edward

Mr. Mayor and the Members of the Council and of the Planning Committee,

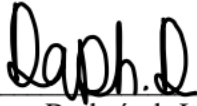
The Conseil jeunesse provincial de la Nouvelle-Écosse (CJP) is an organization that represents the rights of the Acadian youth and youth of French expression in Nova Scotia since 1980.

We are worried to hear about the potential sale of the adjacent lots to Fort Edward. This sale poses risks to the preservation of the Acadian heritage. As an important commercial territory between Mi'kmaw, Acadian and British peoples, as well as a location where Acadians were imprisoned during the Deportation. Fort Edward and its surrounding is rich in history and meaningful for our communities.

In addition, archeological studies are proving that a myriad of Acadian historical artefacts are still buried on Ford Edward's lot and the adjacent lots.

CJP is hoping you will reconsider the selling of those properties in order to preserve our history.

Sincerely,


Daphnée de Lamirande
President of CJP

  
[@boomdanstaface](https://www.instagram.com/boomdanstaface)



Conseil jeunesse provincial
de la Nouvelle-Écosse (C.J.P.)

54, rue Queen
Dartmouth, N-É, B2Y 1G3
direction@cjpne.ns.ca
(902) 433-2084
www.conseiljeunesse.ca

Combined Overflow System Correspondence

First Name	Last Name	Date Received	Meeting/Logged
Katherine	MacLeod	10/27/2021	2022-01-11 COTW
Katherine	MacLeod	10/28/2021	2022-01-11 COTW
Carrilee	Eddy	3/13/2022	2022-03-22 Council
Anna	DeNicola	3/12/2022	2022-03-22 Council
Darren	Porter	3/13/2022	2022-03-22 Council
Ellen	Hart	3/13/2022	2022-03-22 Council
Jennifer	Davidson	3/13/2022	2022-03-22 Council
Felicia	McNeil	3/14/2022	2022-03-22 Council
Darren	Porter	3/15/2022	2022-03-22 Council
Susie	Smith	3/15/2022	2022-03-22 Council
Carol	Bradley	3/17/2022	2022-03-22 Council
Felicia	McNeil	3/21/2022	2022-04-12 COTW
Felicia	McNeil	4/11/2022	2022-04-26 Council

Correspondence Sent

[illegible]



April 28, 2022

Farm Credit Canada
1800 Hamilton Street
Regina, SK
S4P 4L3

Attn: Farm Credit Canada,

Re: Letter of support for *The Station Learning Farm* application for the AgriSpirit Fund

In 2020, the Town of Windsor and West Hants Municipality amalgamated to create Nova Scotia's newest municipality, West Hants Regional Municipality. Our goal of coming together was to work towards common goals, shared aspirations, and a collective vision. It was about building strength, growth, and prosperity as we leave the people, the communities, and the region empowered.

The Station Learning Farm is a local non-profit whose vision includes empowering residents through knowledge, supporting our valued agricultural community, and addressing food insecurity. Our community & our residents become stronger with organizations like this.

On April 26th, 2022, West Hants Regional Municipal Council approved a partnership with *The Station Learning Farm* to support their AgriSpirit Fund application. We have reviewed the proposed project and are thrilled to support as it will positively affect our municipality and beyond. If approved to receive the AgriSpirit Fund, we will receive contributed money and release 75% of those funds to initiate the work and release the remaining 25% of those funds upon completion.

Sincerely,

Mark Phillips, CAO



April 28, 2022

Honourable Melissa Sheehy-Richard
58 Gerrish Street
P.O. Box 3201
Windsor, NS
B0N 2T0

Sent electronically to: melissa.mlaoffice@gmail.com

Dear Honourable Sheehy-Richard,

RE: 18 +/- month closure of the East bound offramp on Highway 101: Exit 6, to the Downtown Windsor core.

Please accept this letter on behalf of the West Hants Regional Municipal Council addressing the concerns related to the 18 +/- month closure of the East bound offramp on Highway 101: Exit 6, to the Downtown Windsor core and the negative short-term impact this may have on the local business area.

Although the long-term impact of twinning the 101 through the area will have many positive impacts on our region, the increased potential of the downtown businesses losing revenue due to the nature of the detour in place is of grave concern to Council.

The current detour in place has traffic utilizing exit 5A as the off point to the business district. While the detour itself works, it does bypass the former downtown core and diverts travelers to another business district. In doing so the fear is that the businesses in this area could potentially lose out on much needed revenue.

Looking ahead, the business community anticipates the need for construction on more ramps will be required on the Downtown Windsor exit, a west bound off ramp and a Mill Island exit will continue to have impacts on the local merchants in this area. This impact could potentially last longer than the original 18 months.

On April 26, 2022, Council *"DIRECT STAFF TO SEND A LETTER TO MLA MELISSA SHEEHY-RICHARD AS WELL AS THE HONOURABLE KIM MASLAND, NOVA SCOTIA'S PUBLIC WORKS MINISTER WITH REGARDS TO THE TWO(2) YEAR CLOSURE OF EXIT 6 ENCOURAGING A REVIEW AND USE OF EXIT 7 AS THE PRIMARY ACCESS ROUTE FOR TRAFFIC COMING INTO THE DOWNTOWN WINDSOR AND THERE AFTER UTILIZING EXIT 5A AS A BACK UP ALTERNATE ROUTE FOR ANYBODY WHO MISSES THE INITIAL ACCESS ROUTE VIA EXIT 7."*

With a collaborative approach from all levels of government, the impact felt by the local business community could be minimized and both business districts could see financial benefits.

West Hants Regional Municipality appreciates your attention to this matter, and we look forward to collectively working with you to facilitate an approach and support a solution that will be beneficial and minimize the impacts to both the Windsor business community and the Province.

Sincerely,



Mayor Abraham Zebian
Mayor of West Hants Regional Municipality

az/ds

CC.
Nova Scotia Minister of Public Works, Honourable Kim Masland
West Hants Regional Municipality Council
Chief Administrative Officer, Mark Phillips



April 28, 2022

Honourable Melissa Sheehy-Richard
58 Gerrish Street
P.O. Box 3201
Windsor, NS
B0N 2T0

Sent electronically to: melissa.mlaooffice@gmail.com

Dear Honourable Sheehy-Richard,

RE: West Hants Avon River Region Tourism/Economic Development

Please accept this letter on behalf of the West Hants Regional Municipal Council regarding potential Tourism and Economic Development opportunities associated with the West Hants Avon River System and Region.

On April 26, 2022, Council ***"STAFF TO WRITE A LETTER TO MLA MELISSA SHEEHY-RICHARD WITH COPIES TO PREMIER TIM HOUSTON, MLA PAT DUNN, MINISTER OF TOURISM NOVA SCOTIA AS WELL AS JENNIFER TUFTS, CEO OF THE VALLEY REGIONAL ENTERPRISE NETWORK INCLUDING A COPY OF THE iIMAGINE WEST HANTS DESTINATION ASSESSMENT REPORT BY HARVEY SAWLER FOR THE PURPOSE OF SHARING THE VALUE WE SEE IN THE TOURISM OPPORTUNITY THAT HAS BEEN IDENTIFIED THROUGH THE REPORTS ANALYSIS FOR BOTH WEST HANTS AND NOVA SCOTIA AND THAT WE WOULD LOOK FORWARD TO AN OPPORTUNITY TO DISCUSS THE POTENTIAL FOR FURTHER DEVELOPMENT ALONG THE AVON"***.

We are uniquely positioned on the map between Fundy and Annapolis Valley destination experiences and in close proximity to the Halifax Regional Municipality. Our rich culture, inspiring landscapes, engaging environment and variety of local establishments and artisans create a welcoming and inclusive environment.

In January 2020, Harvey Sawler presented the West Hants Destination Report (iImagine) outlining the strengths and values seen but underutilized in terms of their tourism potential within the Avon River

Region. The report also noted that the West Hants Region has not risen to its desired level of destination competitiveness enjoyed by numerous other competitor municipal jurisdictions. Enclosed you will find a copy of the ilmagine report for your review and further discussions on ways to actively increase interest and promote our region to visitors, businesses and parties interested in relocating here.

Tourism Nova Scotia announced in 2015 a goal for doubling the value of tourism in Nova Scotia from a value of \$2 billion to \$4 billion by 2024. The opportunity within West Hants, the Bay of Fundy and the Avon River Region exists to play a significant role in achieving that goal. We have the opportunity to align ourselves and play an active role in growing and developing our region to become a sustainable tourism destination.

Under the umbrella of the new brand, ***"Something Inspiring Awaits"***, there is potential to occupy significant 'destination territory' in relation to the Bay of Fundy, one of the natural / marine wonders of the world and one of the 7 wonders of North America. With a strategic, collaborative and community-based approach the potential for the Avon region is limitless.

West Hants Regional Municipality appreciates your attention to this matter. We look forward to discussing this matter in further detail and collaboratively working on a plan to market our region so that others can envision the potential and see the beauty in what we see every day. Please contact me at your convenience so we can discuss this matter further.

Sincerely,



Mayor Abraham Zebian
Mayor of West Hants Regional Municipality

az/ds

CC.

Premier Nova Scotia, Honourable Tim Houston
Nova Scotia Minister of Community Culture, Tourism and Heritage, Hon. Pat Dunn
Valley Regional Enterprise Network, Jennifer Tufts, CEO
West Hants Regional Council
Chief Administrative Officer, Mark Phillips



WEST HANTS
NOVA SCOTIA

West Hants Destination Assessment Report

January 2020



iImagine
Half a century of fresh ideas.
www.harveysawler.com

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1. Introduction

Overview

Tourism is now, more than ever before, a global industry which is increasingly competitive. In order to heighten competitiveness and to grow tourism in their communities, some leaders are becoming increasingly more interventionist and creative as they recognize the natural relationship between tourism and community and the built and experiential assets which can set them apart within regional, domestic-national and international marketplaces. One organization whose leaders are moving in the right direction is the Municipality of West Hants, Nova Scotia, which is determined to heighten its overall destination stature, to enhance individual destination experiences and to build greater capacity to be more competitive.

In the summer of 2019, the Municipality issued a formal Request for Proposals (RFP) seeking the services of a qualified consultant in the delivery of a three-phase project: a broad destination assessment; Accelerated Market Readiness (AMR) consultations with several tourism operations; and recommendations toward future capacity-building. Imagine, one of the leading tourism consulting firms in Canada and highly active in jurisdictions from Atlantic Canada to Alberta, was awarded this assignment.



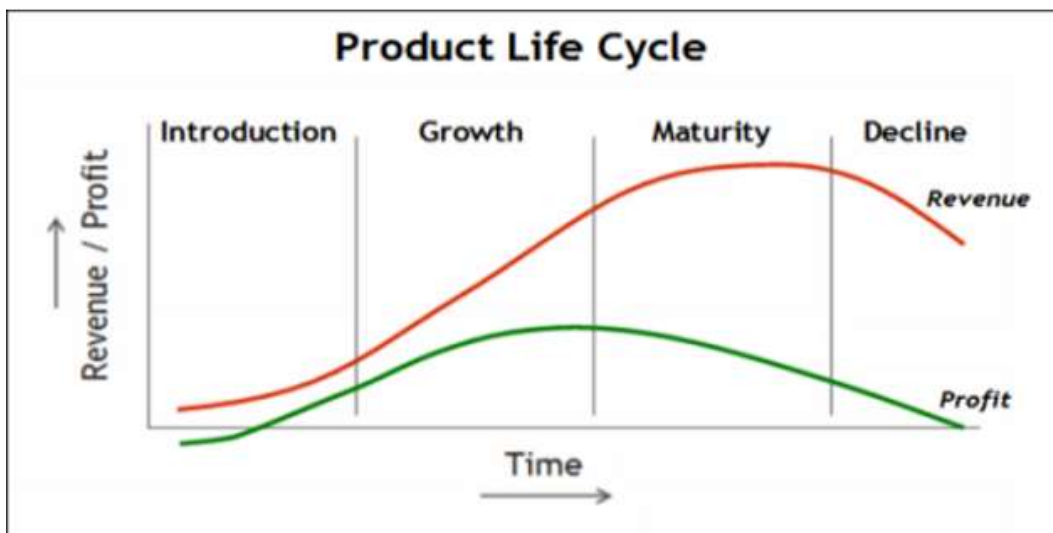
The Product Life Cycle

One of the recurring problems within the tourism sector is that it rarely sees itself for what it is – one of the countless consumable things within the domestic and international marketplaces – all of which as products share one thing in common – their respective need to generate demand and to constantly renew and re-invent themselves if they wish to remain competitive and *be* in-demand. This is the Product Life Cycle, the crossroad of longevity, sustainability and enduring or dying products. The cycle is a phenomenon which impacts all consumer products, services and experiences, an occurrence that is actually ‘supposed to happen’ as the result of the following factors:

- The passage of time.

- The arrival of competitors.
- Increasingly sophisticated and demanding consumers.
- Emerging media forms.
- New technologies.
- Partial displacement by alternative and new destinations, products and experiences.
- And other internal and external factors depending on local, national and international conditions.

Figure 1 – The Product Life Cycle Model



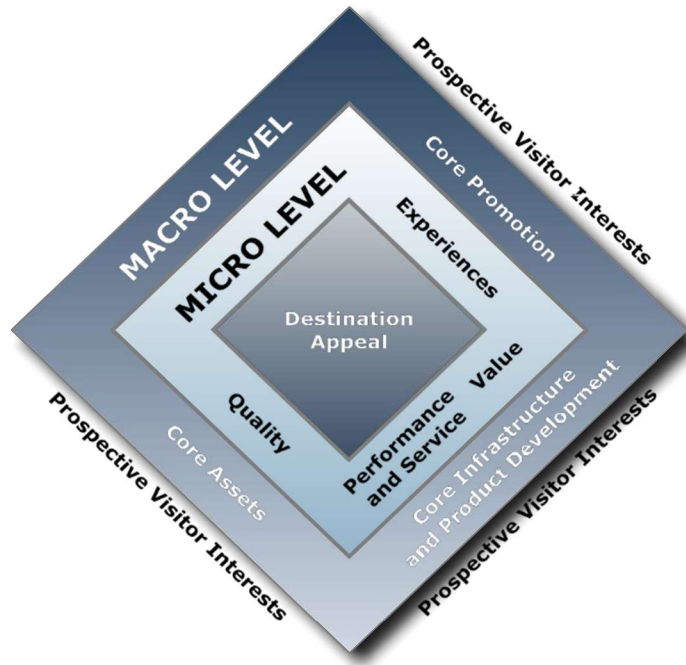
The Atlantic Canada Opportunities Agency (ACOA), has long recognized that much of Atlantic Canada's tourism product is tired or is tiring and is in need of rejuvenation. The Municipality of West Hants region is no exception in this regard. The region's natural Product Life Cycle has undoubtedly had an impact on the destination's products, services and experiences. The Municipality's efforts in support of this project demonstrates that its leadership recognizes the value of intervening to renew existing travel products, services and experiences, and of stimulating the development of new ones.

There are two ways to mitigate the perils of the Product Life Cycle: to renew or reinvigorate the destination area's products, services and experiences, thereby creating a return to the cycle's Introduction phase in an effort to stave off the ever-encroaching Decline phase; or to create wholly new products and experiences. iImagine has, for this assignment, focused on both streams of activity.

Macro and Micro Tourism

The value of enhancing existing experiences and creating new ones is exhibited in Figure 2 by way of iImagine's Macro/Micro destination development model. This model illustrates the fact that individual products and experiences combine to create overall destination stature; as goes the appeal of West hants' individual products, services and experiences, so goes the appeal of the overall destination.

Figure 2 – Macro and Micro Tourism



This is where the value of AMR, as one example, enters the destination-building equation – by intervening with individual products, services and experiences (in this case beginning with a total of five operations) to challenge, consult, mentor and advise regarding ways to improve the micro – and ultimately the macro – value of the Municipality as a true, in-demand destination area.

2. The Assignment

iImagine has worked with the Municipality's senior leadership and associated stakeholders toward meeting or surpassing market demand and to gain competitiveness in an increasingly competitive industry. As prescribed, iImagine has executed the assignment through the following phases:

Phase I – The Destination Assessment Phase

An initial community assessment of the region's tourism industry and its performance.

Phase II – The Accelerated Market Readiness (AMR) Phase

Conducting AMR processes to a total of five individual enterprises, including an AMR orientation, two on-site, one-on-one mentoring sessions, the provision of a draft AMR report and the provision of a final AMR report.

Phase III – The Capacity-Building Sessions Phase

Recommending a series (a campaign) of capacity building workshops/sessions to the Municipality for implementation, including the delivery of an initial workshop, the topic for which is to be determined.

3. Situation Analysis

Overview

The situation analysis is intended to take into account all internal and external elements impacting the Municipality of West Hants and its ability to mature and flourish as a travel destination area, including but not limited to: the Sustainable Tourism Community Screening Tool; a SWOT analysis; an environmental scan; desktop research, examination of web-based and other marketing supports; existing documentation and plans, inputs from stakeholders; site visitation and orientation, etc.

The ACOA Sustainable Tourism Community Screener Tool

By subjecting the destination area to the ACOA Sustainable Tourism Community Screener which analyzes tourism sector potential by examining the social, environmental and economic traits and characteristics of the community and surrounding environs, there is clear evidence that tourism is a strong relevant sector to the local economy. Through this screener process, the West Hants region achieved a score of 64.5 out of a maximum potential of 100 (scores in excess of 60 indicate that the region has acceptable potential for incremental touristic economic development). Because the screener has its origins at ACOA, this scoring outcome has set the stage for ACOA to listen to and consider investment in the destination area.

SUSTAINABLE TOURISM SCREENING TOOL			
Municipality of West Hants			
NAME:		TOURISM SNAPSHOT	
		West Hants – population 15,000	
		8% of visitors to the Bay of Fundy and Annapolis Valley region visited Windsor	
		Town of Windsor Various other Consolidation	
Social? Regional? Local?):		West Hants provincial - Windsor national	
ation to each:		Hants County Exhibition, Ski Martock, Pumpkin Regatta	
		Oldest agricultural fair in North America, Fort Edward, Acadian archeology	
for the proposed tourism leader/ development		Municipality with corporate and citizenry support	
op tourism in your area?		Regional Economic Development, ACOA, Tourism Nova Scotia, Tourism Atlantic, GMIST	
Reason 1:		Building the tourism economy and create jobs	
Reason 2:		quality, healthy active lifestyle, attract and retain diverse culture	
TOURISM SITUATION (BASELINE)			
UNIQUENESS/		DRAWING POWER	HIGHEST P
		ACTIVITIES	SCO

SWOT – Strengths, Weaknesses, Opportunities and Threats

Imagine undertook a SWOT analysis which was shared with and contributed to by the client.

Strengths
Within immediate striking distance of Nova Scotia's premier destination experience – Halifax.
The must-pass thoroughfare to increasingly in-demand Fundy and Annapolis Valley destination experiences.
Recent planning has taken West Hants to the threshold of a new brand (the potential of Avon or The Avon Peninsula has strong potential).
There is clear evidence of latent enthusiasm for a new generation of tourism development within the destination area.
Weaknesses
No clear identity or theme.
No clear unique selling proposition (USP).
No clear 100% Point(s).
Weaknesses in terms of quality, authentic attractions, products, services and experiences – particularly acute on the roofed accommodations front.
No established capacity for destination development and management.
Any linkage to 'the valley' is a market-submissive position.
Opportunities
West Hants has, under the umbrella of a new positioning and brand approach, the potential to occupy significant 'destination territory' in relation to the Bay of Fundy, one of the marine wonders of the world.
Everything about the destination area leads to the Bay of Fundy – everything flows to the sea – the area has experienced centuries of life on the Bay of Fundy.
The potential to convince the immediate urban market that the subject area can deliver on Bay of Fundy and other iconic experiences through research-based, sound, proven destination planning techniques.
Research ground zero demands that attention be paid to the seven Atlantic Canada Travel Motivators, led by Atlantic seacoast and scenic viewing experiences.
West Hants has the potential to capture every customer intent on other parts of the Fundy and Annapolis Valley experience.
The Municipality can play a leading role in building capacity to propel destination development and design.
The idea of choosing a cluster and leading with it as a form of destination stimulus or <i>ignition</i> is one primary consideration (e.g. a spatial plan which delivers on the introduction of 25 powerful scenic moments at strategic elevated and coastal sites throughout the Municipality).
Any place where tourism is flourishing, the public sector is leading the way toward investment and toward both tangible and intangible development.
Yes, the private sector needs to make its legitimate contribution – but the conditions need to be right.
It is proven that where governments (especially at the municipal level) invest heavily in tourism, communities will enjoy a rapid and substantial return on investment.
Where municipalities (e.g. Sydney, N.S.) do not make substantial investments in tourism, economies lag behind.
Threats
Continuing with any form of market-submissive position relative to the Valley.
Investing too little to launch any new destination concept under a new municipal name – it's all in or stay home – you only get to 'launch' once.

2018 Tourism Industry Review and Background Report (East Hants, West Hants and Windsor)

In 2018, the Municipality of East Hants, Municipality of West Hants, and The Town of Windsor partnered to conduct a tourism industry review, a joint effort which included:

- Creating a tourism asset inventory of their combined communities (referred to as the region).
- Conducting an analysis of the region's assets in the fixed roof accommodation, campground, food establishments, and attraction sub-sectors.

- Exploring opportunities that might advance the economic development of their respective communities

Undertaken by the combined consulting team of Customer Service Consulting and Creative Curve of Dartmouth and Halifax respectively, the July 2018 report provided:

- A starting document of tourism assets in the region to be used for future planning.
- An identification of the strengths, weaknesses, opportunities, and threats using a SWOT analysis of the region.
- A review of visitor statistics in the accommodation and campgrounds category and the identification any trends and opportunities.
- Identification of how tourism asset mix and visitor needs can be matched.
- Examples of municipalities collaborating on tourism projects.
- Suggested ways to differentiate the region.
- Recommendations for moving forward.

iImagine has reviewed the 2018 report and notes the following highlights:

- The report does an excellent job of inventorying the touristic assets of the study region and of cataloguing then-recent data, most of which was sourced through Tourism Nova Scotia.
- The report recommends a series of short-term and long terms actions focused on an overarching direction for East Hants, West Hants and Windsor to work together as a unified destination area (website development, marketing themes, festival and event enhancements, etc.).

iImagine's overarching recommended direction for West Hants is not to attempt destination development by focusing primarily on marketing-related activities (unified websites, marketing) and not to attempt destination development activities in tandem with East Hants. This is not a commentary on local politics or political jurisdictions or boundaries – rather the commentary is related solely to what is likely attainable from a sustainable tourism community planning approach, and how iImagine views the destination area through the eyes of the customer. iImagine contends that destination development needs to be focused first and foremost on research and serious product development initiatives, with websites and other aspects of marketing playing only a secondary, latter-stages role. It is complex enough focusing on destination development in Windsor and the multitude of communities within West Hants: adding East Hants to the mix would make matters impossibly complex. From a customers' perspective, there is little evidence that local residents or visitors are likely to pattern their travel based on a municipal boundaries-driven concept: simply put, the majority of potential visitors to West Hants are very simply going to pass through or originate in Halifax, with most of their dispersal occurring directly along Route 101. In this regard, West Hants' challenge is to establish a genuinely product-driven destination brand of its own, thereby carving out market share of people traditionally destined for the Annapolis Valley and the Bay of Fundy, and by attracting new audiences with wholly new products, services and experiences which support the West Hants brand (see report Recommendation #3).

Top 12 West Hants Experiences (Source: Municipality of West Hants Website)

West Hants' primary tourism assets are highlighted within a top 12 list of experiences which is showcased on the Municipality's website:

- Ski Martock and the Ontree Fun and Adventure Park
- Avondale Ski Winery.
- Sainte-Famille Wines.
- Schoolhouse Brewery.
- Flying Apron Inn and Cookery.
- Meander River Farm and Brewery. Acoustic Maritime Music Festival.
- Castle Fredrick Farms.
- Acoustic Maritime Music Festival.
- Hantsport Music Fest Society.
- Avon River Heritage Society Museum & Avondale Gallery.
- Avon River Golf and Country Club.
- Windsor-West Hants Pumpkin Festival.

This top 12 list does not include a range of other known and hidden assets that exist within the destination area. The full and complete inventory of top tier, second tier and third tier assets should be comprehensively investigated and documented for future planning and investment reference.

Recreational Assets

The Municipality's website also lists a wide and varied inventory of recreational assets:

- Armstrong Lake Park
- Avondale Wharf and Waterfront
- Brooklyn Fire Hall Trail
- Cheverie Salt Marsh Restoration Trail
- Chittick Park
- Dr. Silas Rand Park
- Eldridge Road Recreation Site
- Falls Lake Municipal Land Trail
- Falmouth Mini Park and Causeway Trail
- Fundy Centennial Park
- Hobarts Beach
- Irishmans Road Recreation Site
- Kempt Quarry Recreation Site
- McDade Park
- Shamrock Ball Field
- St. Croix Recreation Site
- Upper Burlington Planters Trail

The Municipality's recreational assets are likely under-utilized in terms of their touristic potential. Each of the assets should be comprehensively examined through a touristic lens for future planning and investment reference. These assets should serve as part of an excellent front line of attack on identifying iconic places and spaces within the destination area which are worthy of investment.

Visitor Data and Other Situation Factors

iImagine's additional situation analysis of the West Hants destination area has also revealed the following:

- As evidenced in the latest (2017) Nova Scotia visitor Exit Survey, the Bay of Fundy and Annapolis Valley Tourism Region enjoyed the following statistical outcomes:

Statistic	What this means to West Hants
28% of overall visitors to Nova Scotia visited the region for at least 30 minutes but not overnight, compared to 31% for Halifax and 28% for the South Shore region.	Within the high-demand Fundy and Annapolis Valley tourism region, West Hants could take advantage of the fact it is at the closest point of potential capture from the key point of visitor arrival/origin – Halifax.
38% over overall visitors to Nova Scotia visited the region for 30 minutes or overnight, compared with 74% for Halifax and 32% for the South Shore	West Hants will not be able to fulfill its potential of growing a true tourism economy without the development of high quality, well-themed accommodations.
22% of overall visitors to Nova Scotia visited the region for at least one night, compared to 65% for Halifax and 14% for the South Shore.	The region within which West Hants is associated (Fundy and the Annapolis Valley) has proven that it can perform at a higher level of overnight visitation than the South Shore region.
24% of Pleasure Travelers to Nova Scotia visited the region for at least 30 minutes but not overnight, compared with 32% for Halifax and 40% for the South Shore	West Hants can contribute to increasing visitation to the Fundy and Annapolis Valley region if it creates a new product-driven brand proposition that does not mirror or submit to the existing ‘Valley’ or ‘Fundy’ propositions.
27% of Pleasure Travelers to Nova Scotia visited the region for at least 30 minutes or overnight, compared with 65% for Halifax and 20% for the South Shore	West Hants will not be able to fulfill its potential of growing a true tourism economy without the development of high quality, well-themed accommodations.
42% of Pleasure Travelers to Nova Scotia visited the region for at least one night, compared with 73% for Halifax and 45% for the South Shore	The region within which West Hants is associated (Fundy and the Annapolis Valley) has proven that it can perform at a higher level of overnight visitation than the South Shore region.
Of overall travelers to Nova Scotia who visited the region, the community capture rate for Windsor was 8% (the highest community capture rate in West Hants), compared with 42% for Truro, 23% for Wolfville and 18% for Digby	A new, well funded, exclusive product-driven brand proposition that does not mirror or submit to the existing ‘Valley’ or ‘Fundy’ propositions is essential to building tourism in West Hants.
Visits by trip purpose to the region were 42% Pleasure Travelers, 38% Visiting Friends and Relatives (VFR) and 24% Business Travelers	West Hants has the potential to build tourism across all three of the primary visitor types impacting Nova Scotia.
Points of origin for overall travelers to the region were 37% from Canada, 44% from the United States and 47% from overseas	West Hants has equal to or greater proximity to key markets than most other regions in Nova Scotia (e.g. accessible to Canada, the United States and Halifax International Airport).
Percentage by Canadian market of origin who visited the region were 33% from Atlantic Canada, 34% from Quebec, 40% from Ontario and 53 from Western Canada	West Hants should begin concentrating the 33% Atlantic Canada visitation factor by introducing and creating awareness about a new, exclusive, product-driven brand that does not mirror or submit to the existing ‘Valley’ or ‘Fundy’ propositions.
Percentage by U.S. market of origin who visited the region were 44% from New England, 32% from Mid-Atlantic and 48% from Other U.S.	West Hants should ride on the coattails of Tourism Nova Scotia with regard to the U.S. market by assuming responsibility for and providing Tourism Nova Scotia with a new, exclusive, product-driven brand that does not mirror or submit to the existing ‘Valley’ or ‘Fundy’ propositions.
45% of visitors to the region were first time visitors	West Hants should strategically align with Tourism Nova Scotia in concentrating on first-time visitors to

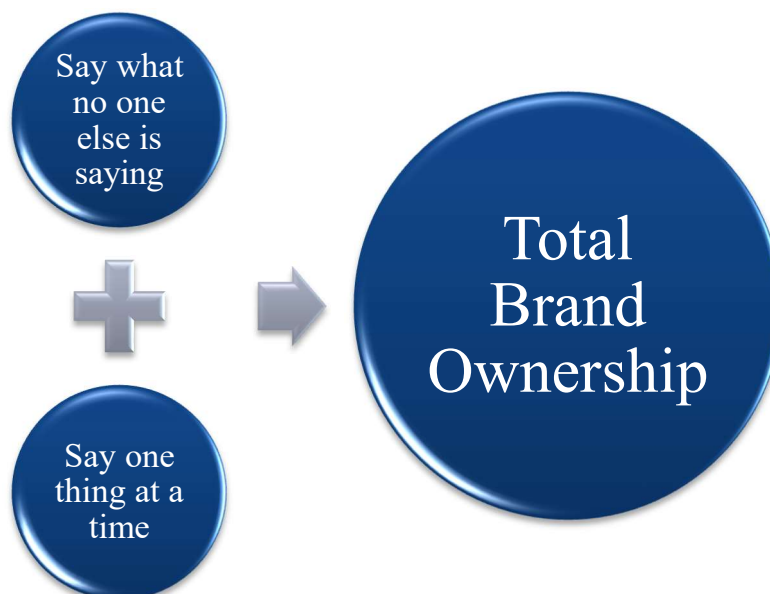
	the province. West Hants can instill a positive new, exclusive, product-driven brand proposition into first time visitors with less concern over having to compete with actual previous experiences enjoyed by repeat visitors.
Approximately 50% of parties visiting the region were two people traveling together staying 1-3 nights of average length of stay in Nova Scotia of 5.1 nights	The nature and cultural-based attributes of West Hants are a good product match for at least half of the party types overnighing Nova Scotia.
The majority of visitors to the region were age 25-64 years of age with the highest percentage 55-64 years of age	The nature and cultural-based attributes of West Hants are a good product match for the majority of visitors to Nova Scotia.
54% of visitors to Nova Scotia are university educated	The nature and cultural-based attributes of West Hants are a good match for the education levels of the majority of visitors to Nova Scotia.
56% of visitors to Nova Scotia earning \$80,000 + HHI	The proposed new, exclusive products and experiences planned for West Hants should be made affordable to the majority of visitors to Nova Scotia.
Average spending per party for overall visitors to Nova Scotia was \$1,447	West Hants should strategically align with Tourism Nova Scotia in concentrating on first-time visitors to the province (see below).
Average spending per party for first-time visitors to Nova Scotia was \$2,182	West Hants should strategically align with Tourism Nova Scotia in concentrating on first-time visitors to the province.
Trip purpose by activity for overall visitors to Nova Scotia was 59% for Outdoor, 36% for Coastal experiences, 34% for beach, 24% for hiking and 13% for tidal experiences	The nature and cultural-based attributes of West Hants are an excellent product match for the primary trip activities aspired to by visitors to Nova Scotia.

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- There exists sufficient statistical and anecdotal evidence to understand that the West Hants region lacks competitiveness, visitation and awareness when compared with other destination areas within striking distance of Halifax. For example, Nova Scotia's 2017 Visitor Exit Survey shows that the community capture rate for the Town of Windsor (at 8%) ranks 8th within the Bay of Fundy and Annapolis Valley region, compared for example to Truro at 42%, Wolfville at 23% and Digby, by no means in close proximity to the primary market of Halifax, at 18%.
- The West Hants region, therefore, has not risen to its desired level of destination competitiveness enjoyed by numerous other competitor municipal jurisdictions. The problem, as always, is not marketing-related – rather the problem is derived from a lack of in-demand products, services and experiences. While West Hants falls within the Bay of Fundy and Annapolis Valley touring region, the Municipality does not fare well against neighbouring communities which have increasingly emerged as some of the 'destination darlings' of Nova Scotia's tourism sector (Wolfville, Lunenburg, Mahone Bay, Chester).
- West Hants lacks destination stature it can call its own – the area brand lacks ownership, failing to deliver on a clear and unequivocal product and experiential-supported unique selling proposition (USP) which can drive consumer interest locally, provincially regionally, domestically within Canada and internationally (see Figures 3 and 4).

Figure 3 – The USP Model



Figure 4 – Principles of Total Brand Ownership



- With clear room for growth (as indicated by the Sustainable Tourism Community Screener and existing occupancy data), there would appear to be an urgent need to identify the destination area's USP or USP's and to build a new, product-driven brand that is predicated on that USP or USP's.
- In order to be relevant, the longstanding Key Travel Motivators to Atlantic Canada need to serve as a focus for West Hants and its stakeholders:
 - Atlantic Canada's Seacoast Experiences – highly relevant to the West Hants destination area.
 - Sightseeing and Scenic Viewing Experiences – highly relevant to the West Hants destination area.
 - Heritage and Cultural Experiences – highly relevant to the West Hants destination area.
 - Themed Outdoor Adventure Experiences – highly relevant to the West Hants destination area.
 - Themed Culinary Experiences – highly relevant to the West Hants destination area.
 - Themed Accommodations Experiences – having high potential in the West Hants destination area.
 - Major and International Events – having high potential in the West Hants destination area.
- West Hants needs to understand and adhere to the Tourism Nova Scotia strategy – Driving Export Revenue, the four key pillars of which are:
 - Attracting first-time visitors to Nova Scotia.
 - Investing in markets of highest return.
 - Focusing on world class experiences.
 - Building Nova Scotia's tourism confidence.

Explorer Quotient (EQ)

West Hants needs to be strategically aligned with Tourism Nova Scotia's three key market types as identified by the Explorer Quotient (EQ) formula. EQ is a form of market segmentation technique that groups customers into segments based on common criteria such as demographics, geography, interests and travel behaviours...better understanding about what drives a person's travel selection and purchasing decisions. The Explorer Quotient (EQ) Market Segmentation Tool.

Market segmentation is a marketing analysis technique that groups customers into segments based on common criteria such as demographics, geography, interests and travel behaviours. Market segmentation helps tourism businesses and organizations identify and understand the people most likely to be interested in their product or service. The Explorer Quotient or 'EQ' as it is referred to in tourism industry terminology, builds on the classic segmentation criteria and incorporates psychographics - people's social values and world views - to arrive at an exceptionally comprehensive picture of what drives a person's travel selection and purchasing decisions. EQ was developed specifically for Destination Canada by Environics Research Group, based on years of international travel motivation research.

Tourism Nova Scotia began using EQ as the province's lead market segmentation tool in 2015. Using EQ has helped Nova Scotia to identify who is most drawn to the province's unique landscapes, cultures and experiences, and to tailor their marketing approach to appeal to these potential visitors. The three EQ types that offer the best fit with what Nova Scotia has to offer as a tourism destination are:

1. Authentic Experiencers – With a foot in both worlds, they appreciate the understated beauty of natural and cultural environments. They enjoy using all of their senses when they explore and really get to know the places they visit. They quickly adapt to personal challenges and risks, easily figuring out how to make the most of every situation. They want to be fully immersed in their travel experience and tend to stay away from group tours and rigid plans. They are: spontaneous; discrete; ethical; eco-conscious; independent; open-minded; and curious. They are seeking: nature reserves; world heritage sites; hiking trails; museums; home-stays; and campsites. Their values include: learning travel – like to learn everything about a place, time, or culture; nature – enjoy vast natural settings and wonders; cultural immersion – prefer integrating into the local culture; personal development – seek self-improvement through understanding others.
2. Cultural Explorers – They seek constant opportunities to embrace, discover, and immerse themselves in the entire experience of the culture, people and settings of the places they visit. Not content to just visit historic sites and watch from the sidelines, they want to participate in the modern-day culture as well. They often attempt to converse with locals, attend local festivals, or go off the beaten path to discover how people truly live. They are: positive; open-minded; curious; risk-takers; flexible; easy-going; energetic; and creative. They are seeking: heritage sites; cultural events; museums; festivals; B&Bs; and hostels. Their travel values include: companion experiences – prefer traveling with like-minded people; living history/culture – enjoy ancient history and modern culture; learning travel – seek to learn everything about a place, time, or culture; constant exploration; and they always plan for the next outing.
3. Free Spirits – Something of a thrill-seeking hedonist, travel satisfies their insatiable need for the exciting and the exotic. They like the best of everything and want to be surrounded by others who feel the same way. They have a lot of energy and want to see and do everything. Young, or young-at-heart, they travel for the thrill and emotional charge of doing things. They just can't stay at home. They are: open-minded; ambitious; enthusiastic; fun-loving; adventurous; curious; and social. They are seeking: luxury hotels; tourism hot spots; top restaurants; night club; and group tours. Their travel values include: sampling travel – like to see and experience a bit of everything; constant exploration – always plan for the next trip; companion experiences – prefer traveling with like-minded people; indulgence – seek the best they can afford.

Consultations should be held with EQ-knowledgeable resource people at Tourism Nova Scotia in order to determine which of the three strategic EQ types aligns most emphatically with West Hants' unique selling propositions and existing and potential travel products, services and experiences.

- West Hants also needs to be strategically aligned with the new ACOA tourism innovation action plan, as depicted in Figure 5. The plan begins with the ACOA Tourism Innovation Continuum and cascades into a series of sequential thrusts involving both Product Innovations and Marketing Innovations.

Figure 5 – The ACOA Tourism Innovation Action Plan



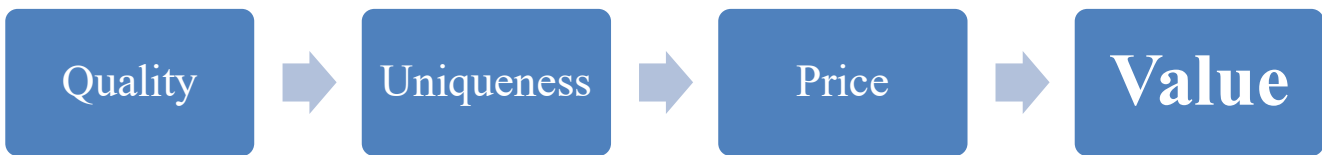
Product Innovations strongly emphasize the concepts of Value-Added Products, Product Clustering and Plant Maximization. ACOA will be actively engaged in the identification of existing and potential businesses whose products, services and experiences exhibit the highest potential for: Extracting the highest yield from visitors; operating over the longest periods of time; operating uniquely outside of the traditional core high season; emotive reasons to travel which have minimal bearing from weather, accessibility or cost There are the three key thrusts within the Product Innovation approach:



Value-Added Products will contribute to a competitive new Atlantic Tourism Value Equation. This approach is predicated on the development and growth of high quality, highly unique and higher return products, services and experiences. It is anticipated that destinations such as West Hants which are able to deliver on this equation will command ACOA's attention.

Imagine has approached the West Hants assignment through the lens of the value-added product equation, where new products, services and experiences are to be featured, merchandised and sold based on retail principles and the development of a customized value equation where Quality + Uniqueness + Price arrive at a clear Value point for visitors to Nova Scotia and Atlantic Canada and

influencers of travel to Nova Scotia and Atlantic Canada.



Product Clustering will contribute to a competitive new destination-building equation. **Like-Product Clusters** will enhance destination area values for visitors by underscoring a strong sense of place by ensuring a critical mass of activity. **Diverse Product Clusters** will enhance destination area values for visitors by underscoring convenience, `selection, diversity and multiple cultural exposures. Diverse Product Clusters `provide confidence for investors. **Composite Product Clusters** will enhance destination area values for visitors by combining both Like-Product Clusters and Diverse Product Clusters and by underscoring sense of place, convenience, selection, diversity and multiple cultural exposures. Destinations such as West Hants which perform well in product clustering will command ACOA’s attention.



Maximizing Plant Capacity will be pursued as ACOA will be actively engaged in the identification of existing and potential businesses whose products, services and experiences exhibit the highest potential for: extracting the highest yield from visitors (e.g. domestic and international golf enthusiasts playing golf at Cabot Links, Cape Breton Island, Nova Scotia); operating over the longest periods of time (e.g. domestic and international luxury-seekers staying at Fogo Island Inn, Newfoundland and Labrador); operating uniquely outside of the traditional core high season (e.g. foodies engaged in culinary and storytelling experiences with Uncorked Tours, New Brunswick); emotive reasons to travel which have minimal bearing from weather, accessibility or cost (e.g. Japanese ‘young office ladies’ and their families making their pilgrimage to Green Gables Heritage Place, Prince Edward Island).

Marketing Innovations strongly emphasizing Connectivity/Content, Communities of Interests and Artificial Intelligence. There are three key thrusts within the Marketing Innovations approach:



Destinations and destination properties will be more competitive as a result of heightened **Connectivity and Content** (e.g. enhanced website construction, domain acquisitions, optimization, mobile applications, app development, social media strategy development, digital marketing, use of and attentiveness to social media, exposure to E-Tools such as Learnsphere, etc.) and by the quality and market readiness of web and social media content (e.g. simplified messaging, high quality photos and

videos, interactivity, the profile of social media, etc.).

Communities of Interest (COI's) are set to drive much of the future tourism marketing support mechanisms and programming at ACOA. ACOA now has first-hand evidence concerning the wide-ranging interdependencies in the social media/social marketing milieu – the infinite number of things, activities or concepts which are shared and correlated, including such common variables as age, gender, marital status, hobbies, genealogy, chain of command, location, ideas, financial transactions, trade relationships, political affiliations, club memberships, occupations, education and economic status – people who are tied or linked together exchange ideas and thoughts about a given interest or passion, but may know (or care) little about each other outside of this area. In contrast to a spatial community, a COI is defined not by space, but by some common bond or feeling of attachment. The potential of COI's is likely to radically alter virtually all of ACOA's tourism partnerships and programming going forward.

Perhaps more than any other area of ACOA involvement and support to the Atlantic tourism sector, the Agency research can close capacity gaps concerning trends, opportunities and applications for **Artificial Intelligence** (AI). What is known is that AI is no longer just 'coming' – it is here! ACOA and its partners will recognize that technology is and will radically continue to alter the entire complexion of the tourism industry.

Product-Driven Branding and Market Positioning

As stated previously in this report, brands are not built on marketing. They are built upon the identification of one or more unequivocal USP's and the enhancement or development of tangible and intangible products, services and experiences.

Sustainable Tourism Community Planning Models

The two most oft-mentioned sustainable tourism community planning models in Atlantic Canada today are ACOA's STEP (Sustainable Tourism Expansion Program) and STAR (Strategic Tourism for Areas and Regions). As the architect of STEP and delivery agent for nine of the 15 STEP initiatives undertaken over the past 15 years in Atlantic Canada, Harvey Sawler (iImagine) is well-versed on the strengths and shortcomings of this innovative program. He also conceived in the 1990s of the original sustainable tourism community planning model – the Bouctouche Bay Eco-Tourism Inc. Lessons Learned program – from which STEP was originally derived. STAR, in turn therefore, is a derivative of both the Bouctouche program and STEP. Notwithstanding their value in certain circumstances, time and experience have identified clear shortcomings in both STEP and STAR (e.g. lengthy processes, volunteer burnout, overly-expansive geographic planning regions, trying to work with too many communities at once, repetition of already-completed studies and research). As a result, iImagine has been working on the creation of less complex, more agile and less costly hybrid planning models such as the recently completed, ACOA-funded, 100-day Accelerated Destination Development and Design (ADDD) pilot program in Stanley Bridge, P.E.I. The main point of this issue is that West Hants is a suitable candidate for a more customized or hybrid planning model versus the off-the-shelf, status quo programs (see report Recommendation #5).

Product-Driven Branding Best Practice – Kawarthas Northumberland

There are numerous best practices which demonstrate how a community or destination area can successfully seize on a single thematic which can be shared and built upon by wide and varied interests without trying to say a hundred things at once. This strategic ability to seize on the single theme

requires that destination leaders stay the course with respect to:

- Recognizing that a successful destination brand must be based on either a nature-based or cultural-based product theme or a nature and cultural-based theme that is naturally interwoven.
- Recognizing that a successful destination brand cannot be all things to all people.
- Recognizing that a successful brand can only say one thing at a time.
- Recognizing that a successful brand must demonstrate exclusivity and total brand ownership.
- Recognizing that a powerful destination brand can drive visitation to a community or region – once in the destination area visitors will disburse to quality in-demand other products, services and experiences.

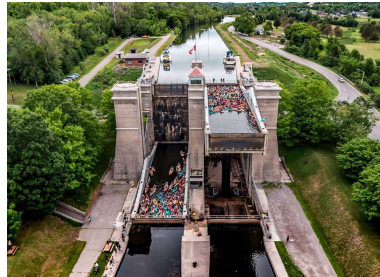
The Kawarthas Northumberland region (known as Regional Tourism Organization 8 or RTO8) of Ontario has destination complexity which is as significant or more so than the West Hants scenario. Kawarthas Northumberland covers a vast geographic area containing three separate destination management organizations – this presented RTO8 with a true destination positioning and branding dilemma. Each destination organization and community that each represented wanted to say something different. This problem was made worse by the fact that none of the three were exhibiting total brand ownership in any manner. However, all of the communities and destination organizations in RTO8 share one iconic thing in common: The Trent-Severn Waterway National Historic Site of Canada.

The Trent–Severn Waterway is a 386-kilometre-long canal route (240 miles) connecting Lake Ontario at Trenton to Georgian Bay, Lake Huron, at Port Severn. Its major natural waterways include the Trent River, Otonabee River, Kawartha Lakes, Lake Simcoe, Lake Couchiching and Severn River. Its scenic, meandering route has been called "one of the finest interconnected systems of navigation in the world".

Figure 6 – Routing of the Trent-Severn Waterway National Historic Site of Canada



The canal was surveyed as a military route, but the first lock was built in 1833 as a commercial venture. This connected a number of lakes and rivers near the centre of the waterway, opening a large area to navigation by steamship. The government had begun construction of three additional locks when the Upper Canada Rebellion of 1837 broke out. This led the government to re-examine the project, concluding that the route would have too many locks to allow rapid movement for military purposes. They decided that the locks under construction would be completed, but the rest could be turned into timber slides. This left the completed inland section with no outlet, which business interests addressed by connecting to the route with a number of new toll roads, plank roads, and later, railways.



Sir John A. Macdonald's government restarted construction in the 1880s, adding a number of new locks and pushing the route westward before construction once again halted. For many years after this, the canal was used as a political tool to garner votes from areas along the route, with little construction being carried out. It was not until just before the turn of the century that a number of political changes built up incredible pressure on Wilfrid Laurier's Liberals and serious work started once again. The canal reached Peterborough and Lake Simcoe in 1904. The final sections were greatly delayed by World War I, with the link to Trenton opening in 1918, followed by the link to Georgian Bay in early 1920. The first complete transit of the waterway was made in July of that year.

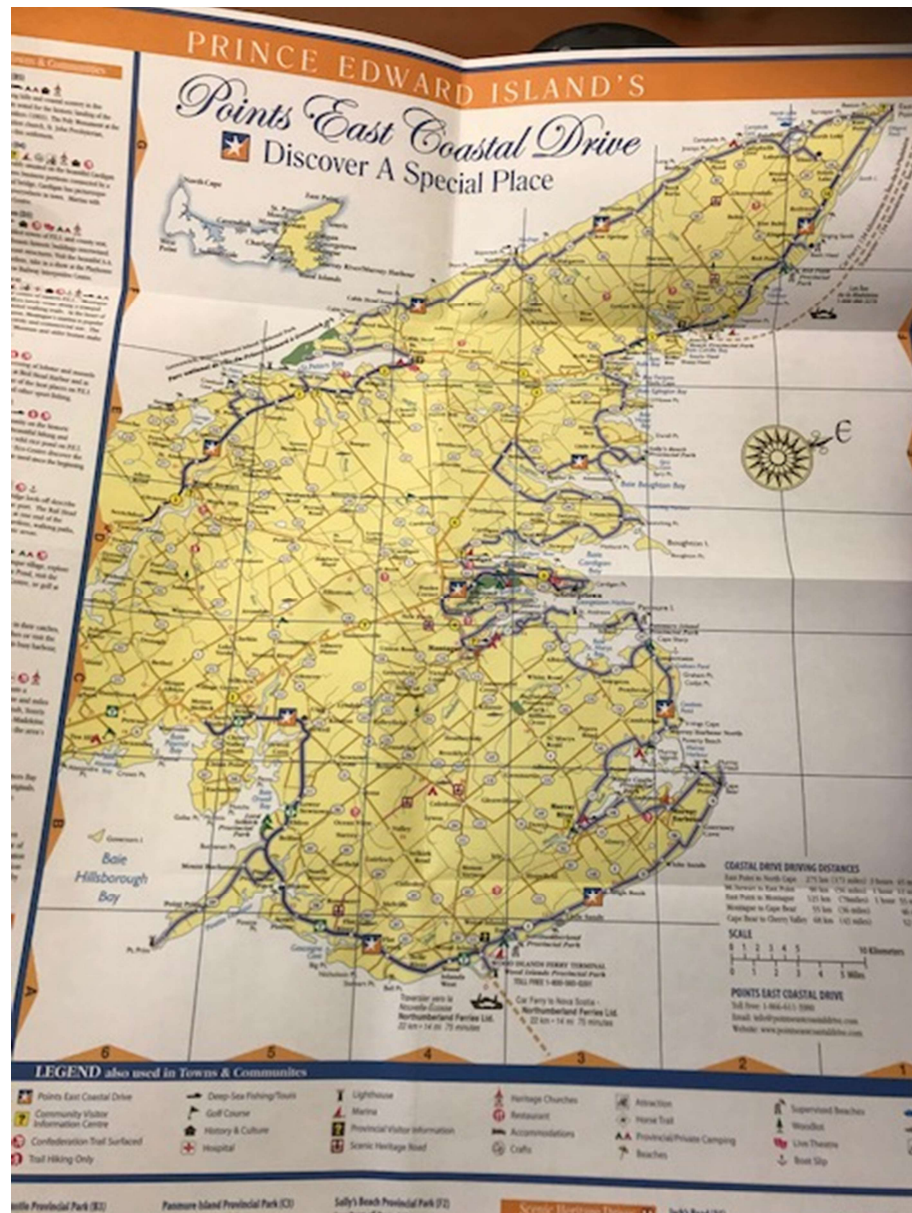
The Trent-Severn is pure, authentic and distinct both culturally and historically. It is also pure and authentic in nature terms, winding its way through numerous natural phenomena. There are also scores of communities and experiences linked to the canal. However, it took two years of analysis, persuasion and destination-building before RTO8's tourism strategy finally adopted the Trent-Severn as its primary, overarching destination theme.

It is iImagine's contention that the principle underlying the decision for RTO8 to adopt the Trent-Severn as its destination product-thematic thread is very similar to the underlying decision required by West Hants and the opportunity presented by the Avon River confluence.

Product-Driven Branding Best Practice – Points East Coastal Drive, Prince Edward Island

For years, the Points East Coastal Drive touring region on P.E.I. lacked a sense of identity and brand strength that the Island East Tourism Group Inc. (the governing body for tourism development in eastern P.E.I.) could bank on to increase awareness and increase visitation. With benign message such as 'Discover A Special Place', Points East had failed to identify a product-driven approach to destination brand development. This message exhibited zero ownership and failed to connect to any element of tangible or intangible product.

Figure 7 – Former East ‘Discover A Special Place’ Positioning



Through a destination revitalization strategy facilitated and authored by ilmagine, it became obvious that the Points East region’s primary asset was its beaches – 72 in all – each of which had a unique value or experience. This process also revealed that quality beach experiences were within close proximity to one another, as well as to the communities of eastern P.E.I. and that there are arguably more beach products within the relatively compact touring region of Points East than any other place in Canada. Finally, research revealed that at least two of the Points East beaches are considered among the top beach experiences in Canada: the Singing Sands beaches at Basin Head/South Lake/Kingsboro and Greenwich, which forms part of the P.E.I. National Park of Canada.

The marketing determination was to focus on the concept of ‘50 Beaches’. With this new product-driven brand strategy in hand, the Island East Tourism Group Inc. has never looked back, focusing

most of its energy and investment on the amazing diversity of its beach experiences.

Figure 8 – Points East Coastal Drive Brand Renewal



The Points East Coastal Drive brand family goes on to introduce a series of additional unique sub-brands, each of which showcases a unique experiential idea, bolstered by one of its primary promotional tools, Points East Cinema, which showcases a series of high-quality experiential videos.



West Hants's Core Product and USP – The Avon River Confluence Factor

The Avon watershed confluence includes: the Avon River, the St. Croix River, the Cogmagun River, the Kennetcook River, the Hebert River, the Meander River. Both the science (the nature-based story) and the historical (the culture-based story) attributes of West Hants stem from the watershed and its influences. In iImagine's view, the evidence is irrefutable. As described on the Avon River Heritage Society website:

For at least 10,500 years, and possibly longer, people have been attracted to this part of the world. The beauty of the land, the wonder of the tides and the plentiful resources have compelled people to call this place their home. People have altered the landscape and, of course, the land has altered the people...the Minas Basin, including the Avon River, is recognized internationally as an ecologically important area because of its importance to birds and marine life.

This area has been designated a "Western Hemispheric Shorebird Reserve" by Environment Canada and the Nova Department of Lands and Forests. Only 15 such sites exist in the Americas (Canada, U.S., Mexico, Central and South America). It is an important foraging and overwintering location for waterfowl like Canada Geese and Black Ducks and a wetlands of international importance.



This is also the final feeding grounds of many migratory birds, where they build up reserves of fat to burn as they fly south. Many can double their body weight in only a week of feeding. The mudflats of the region attract about half of the world's semipalmated sandpipers, which stop to feed here on their way south from breeding grounds in the Arctic. Disturbing these birds will force them to burn the energy they need for the trip. Bald eagles and peregrine falcons, among other birds, nest and feed in this area.

This area has also been declared an "Ecologically and Biologically Significant Area" by the Canadian Department of Fisheries and Oceans because of the unique marine life found here. The Minas Basin, where both fish and birds feed on mud shrimp, makes an ideal home for marine life. 70 species of fish live in the Minas Basin, many of which also travel up the Avon at

high tide. This includes Atlantic salmon, gaspereau, American eel, striped bass, and sturgeon, one of the oldest fish species on earth. The cloudy water sometimes hides predators such as dogfish and great white sharks. When the tide goes out, much of the river turns to dry land. Some animals survive by retreating into water pockets or holding their breath until the water returns.

Marine mammals such as seals, porpoises, dolphins, and historically, whales have all lived in the Minas Basin and travelled up the Avon. Harbour porpoises, one of the smallest marine mammals, feed on herring and other small fish and sometimes follow the gaspereau up the river to feed...the Avon Peninsula features a unique Karst environment, which is a distinctive topography in which the landscape is largely shaped by the dissolving action of water on carbonate bedrock like limestone, dolomite, or gypsum.

This geological process, which occurs over many thousands of years, results in unusual surface and subsurface features ranging from sinkholes, vertical shafts, disappearing streams, and springs, to complex underground drainage systems and caves.



As rain falls through the atmosphere, it picks up CO₂ which dissolves in the droplets. Once the rain hits the ground, it percolates through the soil, picking up more CO₂ to form a weak solution of carbonic acid: $H_2O + CO_2 = H_2CO_3$. The infiltrating water naturally exploits any cracks or crevices in the rock. Over long periods, with a continuous supply of CO₂ - enriched water, carbonate bedrock begins to dissolve. Openings in the bedrock increase in size and an underground drainage system begins to develop, allowing more water to pass, further accelerating the formation of Karst. Eventually this leads to the development of subsurface caves.

Karst landscapes comprise an important component of the Earth's geodiversity. Karst and its dependent ecosystems are sensitive and vulnerable to an array of human impacts, and require careful management. Caves frequently contain features that are fragile, like speleothems, sediments, and bones, as well as biota that are very sensitive to disturbance from human activities.

Located in the heart of the Avon Peninsula is the Wiscoq Valley. Wiscoq Cave, which means Black Ash in the native tongue of the Mi'kmaq people, is located in an area of mature Acadian forest dominated by Eastern Hemlock, White Ash and White Birch. Within the valley is the Wiscoq Cave, a natural dissolution cave formed in Mississippian age gypsum-anhydrite evaporites. In the immediate vicinity of the cave outcropping gypsum bedrock has eroded into an extremely rugged Karst terrain: referred to locally as "plaster land".

iImagine has included the foregoing Avon River Heritage Society website excerpt simply to reinforce the point that this is a very important place within the Bay of Fundy region and within Canada's natural history, ecological and cultural makeup. The Avon's significance is further exemplified by documented history focusing on the area's Mi'kmaq heritage (including settlement and records of the area and its rivers as vital travel corridors to Indigenous people), its Acadian heritage, its New England Planter heritage, African Nova Scotia heritage, shipbuilding and the golden age of sail, etc. The Avon nature and cultural-based experience is, in iImagine's view, a destination-in-waiting.

Secondary USP's

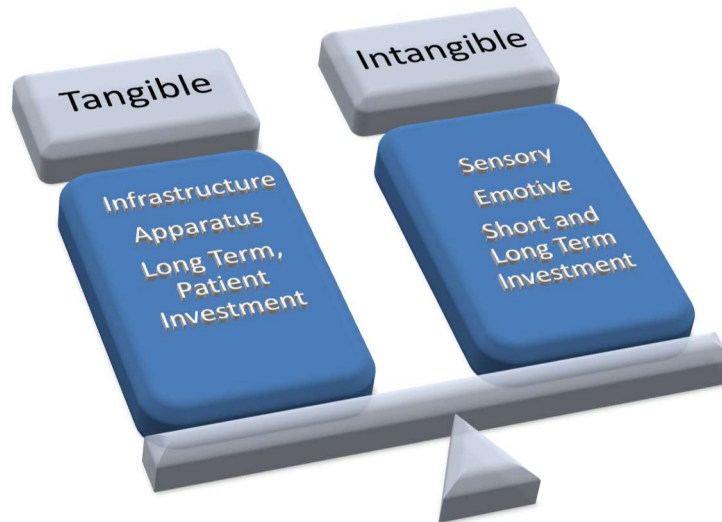
Undoubtedly West Hants stakeholders will argue for themes alternative to Avon. There will always be room for sub-themes to play a role in supporting the overarching/master Municipal and destination theme and brand. However, there is a hierarchy to the use of USP's, the use of themes and their relationship to the overarching/master brand. The Birthplace of Hockey theme is the most obvious example. The 'Birthplace' theme should definitely have a role within the hierarchy of describing why West Hants (Avon) has significance as a place to visit, reside in and invest in, but it is too limiting (too one-dimensional) to serve as the overarching/master theme and brand. Avon, on the other hand, presents an exhaustive range of places, products, services and experiences upon which to build a strong tourism economy as exemplified through the following (draft) market positioning statement:

Avon and the Avon River Confluence will be competitively positioned as one of Atlantic Canada's outstanding ecological and cultural treasures linking unique aspects of natural and human history to one of the marine wonders of the world – the Bay of Fundy.

Avon-Themed Product and Experiential Development

The tourism leadership of West Hants must recognize that tourism development must achieve a balance of both Tangible and Intangible products, services and experiences. Infrastructure, in the absence of accompanying pre-determined experiences, in an antiquated approach to development. Experiences, in the absence of supporting infrastructure, can also result in product weaknesses.

Figure 9 – Tangible and Intangible Tourism Development



Success in tourism, as in all sectors of the consumer economy, requires a formulaic approach to demand generation. Marketing is not the pivotal aspect of demand generation. As illustrated in the ACOA Tourism Innovation Continuum, the process requires significant patience, planning, analysis and investment which begins with research, which drives the identification and development of in-demand products, services and experiences, which drive the brand, which drives the marketing which ultimately drives consumer demand.

Figure 10 – The Demand Generator Model



Unveiling West Hants' Hidden Assets

Working from the knowledge and understanding of resident scientific and cultural experts, combined with knowledgeable destination development experts, West Hants should undertake to unveil the region's hidden or lesser known assets, including but not limited to:

- Using nature and culture to establish a master brand and experiential sub-brands which confront the current tendency to take a submissive market position to the better-known Annapolis Valley and Bay of Fundy destination points.
- 100% Points where both residents and visitors can congregate and enjoy a new generation of experiences.
- Accessible Avon River confluence and Bay of Fundy scenic vista points having development potential, as well as the potential of constituting a scenic touring network which confronts the current tendency to bypass West Hants in favour of better-known Annapolis Valley and Bay of Fundy destination points.
- Stories about people, events, places and phenomena which invite interpretation, monetization and overnight visitation which confront the current tendency to bypass West Hants in favour of better-known Annapolis Valley and Bay of Fundy destination points.

Patient Development

The tourism leadership of West Hants must recognize that product and experiential development does not happen overnight. It is important to think of investment in the tourism sector as requiring patience and to stay on strategy. One scenario contributing to staying on strategy involves the revealing or unveiling of a product-driven destination brand accompanied by a phased plan for building products over a period of perhaps eight years as illustrated in Figure 11.

Figure 11 – Avon Tourism Product Development Timeline Scenario



Proposed Windsor Township Brand Approach

Concurrent with this assignment, the Windsor Business Enhancement Society (WBES), representing the downtown merchants and businesses of the Town of Windsor, is finalizing a new brand approach for the town based on the concept 'Windsor Township' and the accompanying theme – Welcome to the

Valley. iImagine's consultation with the WBES leadership included exposure to this brand package with the conclusion that Windsor Township (including its graphic representation) is a simple, exemplary brand approach which evokes a strong heritage community sentiment. As per numerous other comments in this report, iImagine does not endorse any positioning or branding initiative which perpetuates the 'Welcome to the Valley' signature line, slogan or descriptor.

4. Assignment Phase I – The Destination Assessment Phase

Overview

Phase I began by subjecting the West Hants destination area to the ACOA Sustainable Tourism Community Screener, through which the area achieved a score of 64.5 out of a maximum potential of 100 (scores in excess of 60 indicate that the region has strong potential for incremental touristic economic development).

The destination assessment phase led to a stakeholder workshop and discussions focusing on strengths, weaknesses, opportunities and threats facing West Hants, highlighted by the lack of a competitive brand, a lack of product definition and a lack of destination awareness.

Working from all of the Phase I evidence and supported by the findings of the Phase II AMR activity, iImagine has gone on to create a series of key recommendations (see report Section 6).

5. Assignment Phase II – The Accelerated Market Readiness (AMR) Phase

Overview

The AMR Program has functioned for several years as an ACOA (Atlantic Canada Opportunities Agency) business improvement model that offers individual tourism operators and organizations the ability to: increase their standards of excellence; be more responsive to emerging tourism trends; and become more profitable. AMR program delivers effective, real-world, one-on-one business mentoring by providing existing tourism operators with the opportunity to engage with an independent qualified tourism expert on any and all issues specific to their own existing or envisioned operation – providing solutions to 'what keeps them awake at night', how to establish a business and gauging the degree to which they are or can become truly "market ready". Market readiness involves maximizing the provision of leading customer experiences for visitors to the West Hants touring region which provide profitability for the tourism operator.

AMR Process and Methodology

Resolving What Keeps You Awake at Night – AMR really is as simple as just that...it is not about abstract business theories...it is about confronting real-world tourism enterprise challenges which keep entrepreneur and organizational leaders awake at night!

Transforming Good into Great – Destination organizations such as DATA, as leaders and catalysts toward AMR through subsidized programming, are responsible for identifying and informing tourism operators with the most promise about the potential benefits of AMR.

Pre-AMR Telephone Interview – The assigned pre-certified AMR consultant will contact candidate operators by telephone to introduce himself/herself, to review the process and help the operator prepare for mentoring.

Intensive One-on-One Mentoring – Following a pre-consultation review of the AMR candidate (website and Facebook review, review of documentation, etc.), the certified AMR consultant and the candidate operator engage in a 24-hour process involving a site visit, a ‘kitchen-table-talk’ review of issues, the authorship of a draft AMR report and a second face-to-face consultation during which the draft report is reviewed and critiqued. The consultant then prepares a final report in the immediate days which follow. There are no boundaries to issues involved in the mentoring process: product and experiential development and delivery, business planning, operations, branding, marketing, etc.

Total Brand Ownership – One of the most common determinants of a successful AMR process involves the state of the positioning, theming and branding of the candidate operation. Consultants will work from the premise that until the operation’s brand is right – that it exhibits ‘total brand ownership’ – then nothing else can be successfully resolved.

Experiential Discovery – Experiential invention (or experiential discovery) is one of the other most common determinants of a successful AMR process. Through the application of proven formulas and by examining consumer demand and best practices – practical, attainable, new experiences will emerge.

Experiential Renewal – Experiential re-invention (or experiential renewal) is often a more logical and affordable pathway to during a AMR consultation. The AMR consultant will assist the operator in determining the balance between experiential renewal and experiential discovery.

Aftercare – AMR does not work if the consultant simply vanishes into thin air. The assigned AMR consultant continues to provide Aftercare, ensuring a continuing dialogue with clients to help ensure their success.

iImagine was assigned to conduct AMR consultations with a total of six candidate operations during the period December 2019 through to January 2020, including:

- The Schoolhouse Brewery.
- The Avon River Heritage Society.
- Meander River Farm and Brewery.
- Ski Martock.
- Wine and Beer Tours of Nova Scotia.
- Avondale Sky Winery.
- Bent Ridge Winery/Bent Nail Brewery.

The candidate operations could not have been more varied by tourism sub-sector. Notwithstanding their differences, the following issues were among the most common to emerge throughout the process:

- Lack of a cohesive West Hants region destination brand for operators to rally around.

- The need to enhance brand, positioning and thematic clarity and ownership.
- The need to enhance the physical state of the property.
- The need to enhance the experiential state of the property.
- The need to enhance the property website and associated social media activities and habits.
- Packaging.
- Partnerships.
- The need to increase traffic and profitability.
- A general lack of business planning.
- The need to identify practical solutions through entities such as Tourism Nova Scotia, ACOA, CBDC, the Gros Morne Institute of Sustainable Tourism (GMIST), etc.

The sixth candidate operation – Bent Ridge Winery/Bent Nail Brewery – was determined by iImagine to be too far advanced for the AMR process. This is a rare occurrence. However, the owners, brothers Steven and Glenn Dodge, offer a uniquely high level of hospitality experience. Steven Dodge, in particular, has worked in numerous operational and leadership roles across the national airline sector, the hotel sector, the food and beverage sector and destination development. It was decided between the consultant and Mr. Dodge (with the approval of the project manager) to instead focus the energies of the AMR-prompted discussion on efforts to help build capacity within the West Hants tourism sector. Because the three-part iImagine assignments happened to coincide with an upswell in destination development activism in West Hants, and because Mr. Dodge expressed an interest in playing a leadership role in support of this activism, it was decided to concentrate on how his industry expertise could aid and abet the destination development cause. This ongoing discussion leads into Assignment Phase III and the concept of mounting one of the first in a series of tourism sector capacity-building workshops, specifically one tentatively themed: *Let's Get Organized!* – an effort toward industry mobilization.

The five individual AMR reports which were completed have been delivered to the respective subject operators, as well as to West Hants' project coordinator.

6. Assignment Phase III – The Capacity-Building Sessions Phase

Overview

The final phase of the project called upon iImagine to identify a series of workshop themes which West Hants can use to stimulate operator interest, to build skills, knowledge and to build capacity.

In addition to recommending a series of themes, iImagine's proposal included the provision of the initial 2-3-hour workshop. Currently it is intended that the inaugural workshop in the series should be themed on *'Destination Management Organization (DMO) Best Practices'*.

This inaugural workshop, like all the others proposed for the series, would be marketed and hosted by

The Municipality of West Hants (or an alternative designated partner entity) to the Municipality's community of existing and latent tourism stakeholders.

iImagine is recommending that all of the capacity-building workshops be delivered as a package, allowing West Hants to wage a 'campaign' toward product and market readiness over a series of months or perhaps a year. The series would be announced and marketed all at once, allowing stakeholders to select subjects of interest which are most relevant to their individual businesses. The series could be called *Growing Tourism in West Hants: Interactive Workshops for Entrepreneurs and Community Leaders*.

Following are a series of recommended workshop themes, together with potential corresponding time frames, content and delivery agents.

Theme	Timing	Content/Delivery Agents
Destination Management Organization (DMO) Best Practices	February or March 2020	This inaugural workshop in the series would identify DMO best practices in Atlantic Canada, Canada and the U.S., helping to set the stage for the second proposed workshop – Let's Get Organized! Delivery Agent: iImagine
Let's Get Organized!	March 2020	A one-day symposium intended to stimulate gross-roots tourism development, identify tourism leaders and action destination development in West Hants Delivery Agent: TBD
The Perry Gotell Story	April 2020	A half-day interactive workshop guiding tourism operators to 'just be themselves' when delivering tourism products, services and experiences Delivery Agent: Gros Morne Institute of Sustainable Tourism (GMIST) and Perry Gotell, Tranquility Cove Adventures
Accelerated Market Readiness (AMR)	May 2020	A half--day interactive workshop aimed at identifying and recruiting future West Hants AMR candidates Delivery Agent: TBD
USP's and Total Brand Ownership	September 2020	A half-day interactive workshop guiding tourism operators in the identification of their Unique Selling Proposition(s) (USP's) and achieving total brand ownership Delivery Agent: TBD
Tangible and Intangible Tourism	October 2020	A half-day interactive workshop guiding tourism operators through the need to achieve a perfect balance between the tangible and intangible aspects of tourism Delivery Agent: TBD

The World is Flat – Marketing through Communities-of-Interest (COI's)	November 2020	A half-day interactive workshop designed to explain the trend toward social media-driven marketing using passionate communities-of-interest Delivery Agent: Tourism Atlantic/ACOA
How to Operate an Inn or B&B for Profit	January 2021	A half-day interactive workshop exposing best practices in the establishment of an inn or bed and breakfast Delivery Agent: TBD

The key to the success of the proposed capacity-building workshop campaign is in the delivery. In order to stimulate enthusiasm and to excite the tourism stakeholders, iImagine recommends that the best available/best affordable workshop leaders be engaged to deliver the series. The all-inclusive budget in support of the delivery of the series approximates \$25,000-\$30,000.

7. Recommendations

iImagine is pleased to make the following key recommendations toward the growth and competitiveness of tourism in the West Hants destination area.

Recommendation #1 – Guiding Principles and Tools

West Hants should adopt a set of Guiding Principles and Tools to assist destination planners in carrying out their strategic initiatives over the coming months and years.

Figure 12 – Recommended West Hants Tourism Development Guiding Principles and Tools



The Tourism Innovation Continuum

Pivotal to the ACOA tourism action plan – *Growth and Prosperity: The ACOA Tourism Innovation Action Plan – Advancing Atlantic Canada Tourism’s Competitiveness and Productive Capacity*, the continuum model is based on an ideology devised to strongly reinforce that tourism must be a customer-driven sector just like any other consumer product. The Continuum illustrates how research leads to new or renewed products and services, which lead to unique selling propositions (or brands), which lead to the opportunity to execute effective marketing campaigns.

Figure 13 – The ACOA Tourism Innovation Continuum



The 12 Essentials of Leading Travel Experiences

The *12 Essentials of Leading Travel Experiences* is a packaging and experiential development tool which has been effectively used in scores of strategic planning processes at the individual operator level, the community level, the touring route level, the provincial level and for national entities such as Parks Canada.

Figure 14 – The 12 Essentials of Leading Travel Experiences



Design Excellence

Every tangible element of the destination property – from graphic design (e.g. brand and web development) to the physical/spatial design and planning – should be subjected to the ideal of achieving design excellence.

Total Brand Ownership

A primary objective is to ensure – as is exemplified within the 12 Essentials assessment tool – that the experience pursues the principle: *if you can't own the brand, you don't want it!*

Know your customer intimately

One of the greatest challenges in destination-building today is finding the time to truly know and understand one's customers. It is imperative that DATA continues to work with Tourism Nova Scotia and other partners to develop a clear and unequivocal understanding concerning the question – *Who is the Customer?*

Partnership Strategic Alignment

DATA will continue to develop an enriched appreciation for their strategic alignment with key partners such as Tourism Atlantic (ACOA), ACOA Nova Scotia, Tourism Nova Scotia, and other influencers and partners.

Tangible and Intangible Development

The concepts and designs for all tourism products, services and experiences will be predicated on both the tangible and intangible elements of tourism product development. The tangible elements skew toward natural attributes and infrastructure while the intangible elements skew toward the experiential.

Recommendation #2 – Unique Selling Proposition (USP)

West Hants should ratify that its overarching USP is based on the nature and culture-based attributes of the Avon River confluence and its relationship to one of the marine wonders of the world, the Bay of Fundy.

Recommendation #3 – Brand Proposition

West Hants should pursue the development of 'Avon' as the central aspect of its tourism municipal and tourism brand (e.g. Destination Avon).

Recommendation #4 – Destination Development Planning Jurisdiction

West Hants should concentrate on West Hants and resist the temptation and external influences to complicate the destination development process by over-reaching the planning territory/jurisdiction as suggested in the 2018 tourism review and report by Customer Service Consulting and Creative Curve. Combining with East Hants, for example, will make the destination development process significantly more complex than focusing singularly on West Hants, which some would argue, is already sufficiently complex because of the large number of communities and interests within the Municipality.

Recommendation #5 – Destination Development Planning Process

West Hants should work with funding partners to identify an appropriate model for sustainable tourism community development that matches the destination's actual needs. Caution should be exercised

regarding the application of off-the-shelf sustainable tourism community planning models (e.g. STEP or STAR) versus a hybrid, less time-consumptive model which delves (for example) directly into the identification, spatial planning and monetization of West Hants' iconic places and spaces.

Recommendation #6 – Capacity-Building Workshop Series

West Hants should pursue partnership funding in order to wage a campaign in support of a multi-themed capacity-building workshop series over the next 18-24 months.

Recommendation #7 – Accelerated Market Readiness (AMR) Programming

Building on the five AMR interventions undertaken through this project, West Hants should pursue partnership funding to identify and complete a target of 20 additional business-based market readiness assessments over the next three years.



May 5, 2022

The Honourable Joyce Murray
Minister of Fisheries, Oceans and the Canadian Coast Guard

Sent electronically to: min@dfo-mpo.gc.ca

Dear Minister Murray,

RE: West Hants Regional Municipality's correspondence sent to the Honourable Bernadette Jordan on May 12, 2021 regarding the Ministerial Orders related to the Avon River Causeway Aboiteau Gate System.

Please accept this letter on behalf of the West Hants Regional Municipal Council regarding municipal correspondence sent on May 12, 2021 to the former Honourable Bernadette Jordan requesting that she not renew the ongoing Ministerial Orders related to the Avon River Causeway Aboiteau Gate System in the communities of Windsor and Falmouth, Nova Scotia.

The action of sending the May 21st 2021 correspondence has weighed heavily on Council. Upon further reflection, Council now acknowledges that this was an inappropriate approach to have taken at that time. The original intention was to highlight the concerns of the affected residents in our region as it relates to the orders. However, in hindsight we recognize and acknowledge that this motion of Council and corresponding letter may have infringed on First Nations Rights and for this we sincerely apologize to your office and the Department of Fisheries, Oceans and the Canadian Coast Guard.

Further, the West Hants Regional Council respects the values and priorities of the Mi'kmaw people and have also extended a formal apology to the First Nations' people through the Assembly of Nova Scotia Mi'kmaw Chiefs

It is important that our Council fully understands and respects the shared treaty responsibilities of all people. It is equally important to make connections with our neighbours and build Indigenous allyships. We hope to move more positively towards this peaceful relationship through this revised action and apologies.

To formally express the current position of the Council who met on April 26, 2022 to discuss this matter the following motion was ratified.

"COUNCIL DIRECT STAFF TO WRITE A LETTER TO THE HONOURABLE JOYCE MURRAY, MP, MINISTER OF FISHERIES AND OCEANS AND THE CANADIAN COAST GUARD REGARDING THE LETTER SENT A YEAR AGO REQUESTING THAT THE MINISTERIAL ORDER FOR THE AVON RIVER NOT BE RENEWED AND WITH THE VALUE OF HINDSIGHT WE REALIZE THAT IT WAS NOT APPROPRIATE FOR OUR COUNCIL TO SEND A LETTER REQUESTING SUCH ACTION AND THAT WITH REGRET WE HEREBY ASK TO WITHDRAW THE REQUEST THAT WAS MADE".

With this recognition the West Hants Regional Municipality requests that the letter sent on May 12, 2021 be formally withdrawn.

West Hants Regional Municipality appreciates your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Abraham Zebian', is written over a horizontal line.

Mayor Abraham Zebian
Mayor of West Hants Regional Municipality

az/ds

CC.

Prime Minister of Canada, The Right Honourable Justin Trudeau
Member of Parliament for Kings-Hants, Kody Blois
Nova Scotia Minister of Agriculture and Minister of Fisheries and Aquaculture, Steve Craig
MLA West Hants, Melissa Sheehy-Richard
West Hants Regional Council
Chief Administrative Officer, Mark Phillips



May 5, 2022

Assembly of Mi'kmaw Chiefs in Nova Scotia
Kwilmu'ku Maw-klusaqn
75 Treaty Trail
Millbrook, NS
B6L 1W3

Sent electronically to: info@mikmaqrights.com

Dear Assembly of Mi'kmaw Chiefs,

RE: West Hants Regional Municipality's correspondence sent to the Honourable Bernadette Jordan on May 12, 2021 regarding the Ministerial Orders related to the Avon River Causeway Aboiteau Gate System.

Please accept this letter on behalf of the West Hants Regional Municipal Council regarding municipal correspondence sent on May 12, 2021 to the former Honourable Bernadette Jordan requesting that she not renew the ongoing Ministerial Orders related to the Avon River Causeway Aboiteau Gate System in the communities of Windsor and Falmouth, Nova Scotia.

The action of sending the May 21st 2021 correspondence has weighed heavily on Council. Upon further reflection, Council now acknowledges that this was an inappropriate approach to have taken at that time. The original intention was to highlight the concerns of the affected residents in our region as it relates to the orders. However, in hindsight we recognize and acknowledge that this motion of Council and corresponding letter may have infringed on First Nations Rights and for this we sincerely apologize. Although we cannot change the fact that the letter was written we recognize an error was made and the mistake would be in not taking corrective action.

It is important that our Council fully understands and respects the shared treaty responsibilities of all people. It is equally important to make connections with our neighbours and build Indigenous allyships. We hope to move more positively towards this peaceful relationship through this revised action and apology.

To formally express the current position of the Council who met on April 26, 2022 to discuss this matter the following motion was ratified.

"COUNCIL DIRECT STAFF TO WRITE A LETTER TO THE HONOURABLE JOYCE MURRAY, MP, MINISTER OF FISHERIES AND OCEANS AND THE CANADIAN COAST GUARD REGARDING THE LETTER SENT A YEAR AGO REQUESTING THAT THE MINISTERIAL ORDER FOR THE AVON RIVER NOT BE RENEWED AND WITH THE VALUE OF HINDSIGHT WE REALIZE THAT IT WAS NOT APPROPRIATE FOR OUR COUNCIL TO SEND A LETTER REQUESTING SUCH ACTION AND THAT WITH REGRET WE HEREBY ASK TO WITHDRAW THE REQUEST THAT WAS MADE".

With this recognition the West Hants Regional Municipality has written to the Minister of Fisheries, Oceans and the Canadian Coast Guard requesting that the letter sent on May 12, 2021 be formally withdrawn. The West Hants Regional Municipality strives for a meaningful path forward by learning, listening, and collaborating with our Indigenous community. Please accept this letter as a means of apology and recognition of the error that was made.

Sincerely,



Mayor Abraham Zebian
Mayor of West Hants Regional Municipality

az/ds

CC.

Prime Minister of Canada, The Right Honourable Justin Trudeau
Member of Parliament for Kings-Hants, Kody Blois
Nova Scotia Minister of Agriculture and Minister of Fisheries and Aquaculture, Steve Craig
MLA West Hants, Melissa Sheehy-Richard
West Hants Regional Council
Chief Administrative Officer, Mark Phillips



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☒	Councillor Activity ☐
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To: Council

Submitted by: 
Mark Phillips, Chief Administrative Officer

Date: May 12, 2022

Subject: Boundary Review 2022

LEGISLATIVE AUTHORITY

Municipal Government Act sections 368 and 369
Nova Scotia Utility and Review Board Rules of Practice and Procedure Respecting Municipal Government Act Proceedings
Municipal Elections Act

RECOMMENDATION or DECISION REQUEST

That Council reflect on the current number of Councillors and boundaries of its polling districts and governance structure and determine if they choose to maintain the current structure or would like to consider an alternative Council make up.

Currently:

1 x Mayor elected at large

11 x Councillors in 11 Districts

The NSUARB recommend the following initial two steps be followed in this review process.

Step #1

That Council discuss the number of Councillors and polling districts (size of Council).

Step #2

Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social	Economic	Councillor Activity ☒
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Every eight (8) years in accordance with the Municipal Government Act, municipalities are required to review their electoral boundaries and sizes of Council. All municipalities in Nova Scotia do these reviews within the same year. Council's recommendation to maintain status quo or to initiate a change in the size of Council will be examined by the Nova Scotia Utility and Review Board (UARB), who will confirm or deny the recommendation.

The last review for the newly regionalized West Hants Regional Municipality was completed in 2019 by Stantec. The report was presented noting that public consultation is critical in this process and outlined the NSUARB process for Council size and boundary review.

At the February 25, 2019 Co-ordinating Committee meeting, Stantec submitted the report and recommendations on council size following consultation with the public. The surveys conducted were designed to give the Committee a feel for what the interested members of the community think. The surveys were completed on-line as well as paper copies were hand delivered or provided at a variety of locations.

Council at that time accepted the 2019-02-21 Stantec report and moved forward with the assessment of the scenarios for nine and/or eleven districts in Phase 2 of the Governance study.

At the 2019-05-06 meeting, the Co-ordinating Committee meeting a motion was made that the new region would consist of 11 Councillors elected from 11 districts and the Mayor would be elected at large.

Section 369 of the Municipal Government Act (Study of polling districts required) states:

(1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number of boundaries of polling districts and the number of councillors. Public Consultation "*The User Guide*," provided by the Nova Scotia Utility and Review Board ('Board' or 'NSUARB') emphasizes that Public Consultation is an inherent part of the required study. *The Guide* (Appendix A) states that the type and amount of consultation is within Council's discretion, but that it should give members of the public an opportunity to express their views on the size of their Council and the

location of boundaries for municipal polling districts. Giving the public an opportunity to provide its valuable input is a key part of the decision-making process leading to the application to the Board. Municipal Council has the authority to make the application to the Board but must complete a study. The study recommendation(s) should be evidence-based and must involve public consultation. Council may decide to engage a consultant (through a Request for Proposals (RFP), or direct Municipal staff to conduct the study in-house, or a combination of the two.

Discussion:

The West Hants Regional Municipality received correspondence from the Nova Scotia Utility and Review Board that councils of every town and municipality are required to apply to the Nova Scotia Utility and Review Board in 2022 to “confirm or to alter the number and boundaries of polling districts and the number of councillors.” All councils must reflect on the number of councillors and the distribution of polling districts before making the application to the Board.

As noted above, the last boundary review, which was completed in 2019.

Community Label				
Community Ellershouse: 159 Registered Voters				
Proposed District	Area (km ²)	Electors	Variation from Average	
			Number	%
1	215.38	1,216	-174	-12.5%
2	202.00	1,252	-138	-9.9%
3	65.70	1,382	-8	-0.6%
4	251.63	1,325	-65	-4.7%
5	58.81	1,409	19	1.4%
6	126.54	1,489	99	7.1%
7	353.63	1,500	110	7.9%
8	38.36	1,511	121	8.7%
9	12.97	1,337	-53	-3.8%
10	5.50	1,358	-32	-2.3%
11	5.25	1,511	121	8.7%
TOTAL	1,335.76	15,290		
Average		1,390		

The UARB recognizes that the West Hants Regional Municipality conducted an extensive consultative process for a municipal boundary review in 2019, leading to the Board's decisions in 2020 approving the size of the new Council and polling district boundaries. However, the board does not have the jurisdiction to waive the statutory requirement for a further study and application in 2022, as set out in the statute. Subject to the public or any intervenor raising the issue of the number of councillors, the application may be limited to a consideration of polling district boundaries.

Council has the benefit of a very detailed recent reports to potentially rely on for information:

(1) Stantec: Windsor West Hants Governance Review – Council size report dated February 19, 2019, including a report on Council size and polling districts for the Region of Windsor and West Hants Municipality.

It will be important for members of Council to understand the constraints as imposed by the MGA and the Board, as well as the implications of changes to the size of Council or District Boundaries (should any be proposed). Per MGA s. 368 (4), in determining the number and boundaries of polling districts, the Board must consider the number of electors, relative parity of voting power, population density, community of interest, and geographic size. The Board expects variances for relative parity between polling districts to be within +/- 10% of the average.

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (size of Council).
- Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)
- Public Consultation (Method TBD)
- Public Consultation Report
- Staff recommendation report to Committee of the Whole
- Council recommendation
- Council approval of application to Nova Scotia Utility and Review Board

FINANCIAL IMPLICATIONS

Depending on direction from Council the required method of research and public consultation will impact costs.

ALTERNATIVES

Option 1: Maintain current Council composition.

Option 2: Change the composition of Council.

ATTACHMENTS

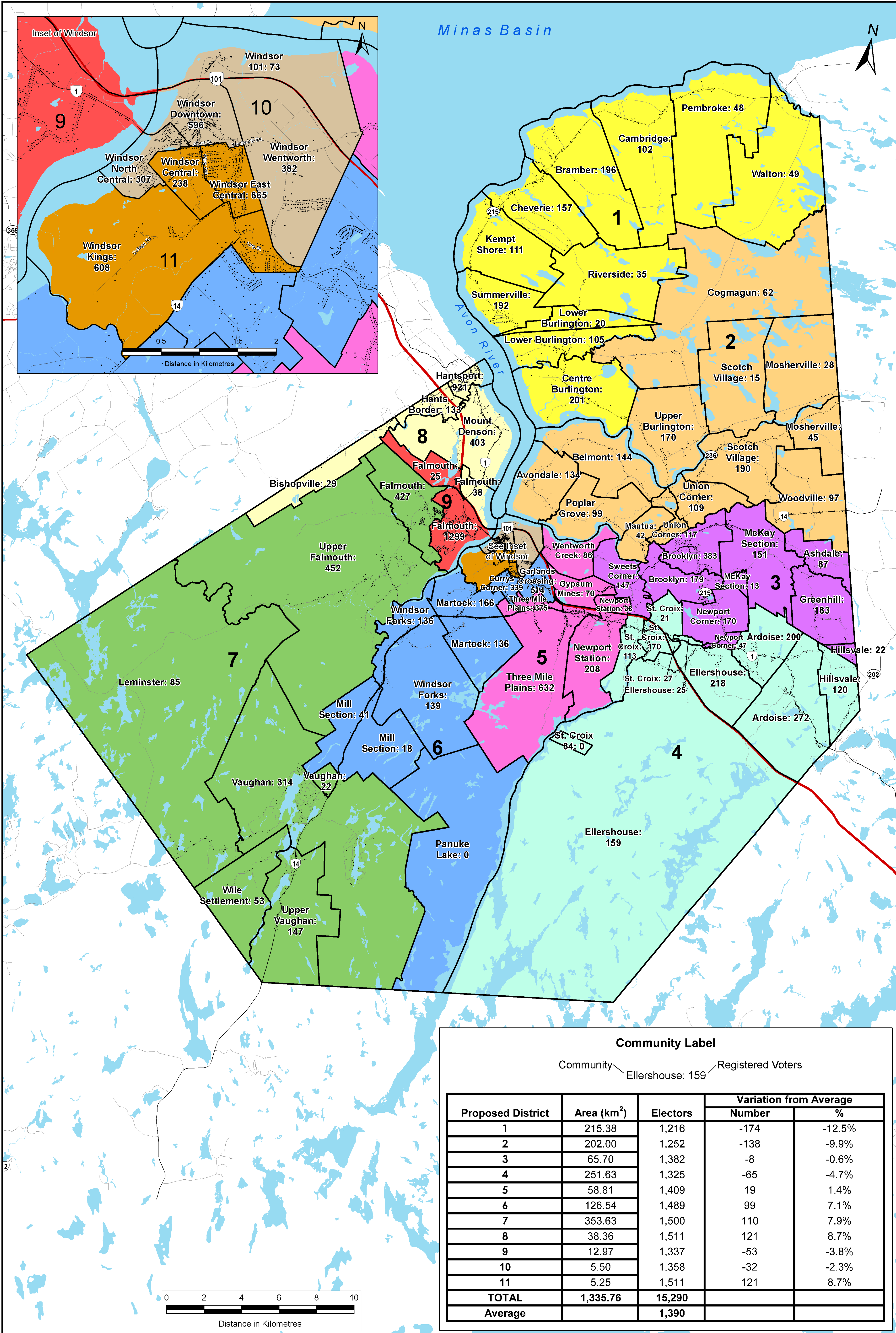
Appendix A: 2021-12-10 NSUARB Letter to West Hants Regional Municipality

Appendix B: Nova Scotia Utility and Review Board User Guide

Appendix C: MGA Rules

Appendix D: Stantec Report

Appendix E: Professor Jamie Baxter's Report



Sources: Base - Government of Nova Scotia
Project Data - Municipality of the District of West Hants, Town of Windsor

All spatial data contains varying levels of inherent inaccuracies. This product was produced for the sole purpose of supporting information specific to a stantec project and should not be used for other purposes.



Nova Scotia Utility and Review Board

Mailing address

PO Box 1692, Unit "M"
Halifax, Nova Scotia
B3J 3S3
board@novascotia.ca
<http://nsuarb.novascotia.ca>

Office

3rd Floor, 1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
1 855 442-4448 (toll-free)
902 424-4448 t
902 424-3919 f

December 10, 2021

mphilips@westhants.ca

District of West Hants
c/o Chief Administrative Officer
PO Box 3000
Windsor, NS B0N 2T0

Dear Mr. Philips:

S. 369 of the Municipal Government Act – 2022 Municipal Boundary Review

Section 369 of the *Municipal Government Act* requires councils of every town and municipality to apply to the Nova Scotia Utility and Review Board in 2022 to “confirm or to alter the number and boundaries of polling districts and the number of councillors.” All councils must conduct a study into the number of councillors and into the reasonableness and fairness of the number and boundaries of polling districts before making the application to the Board.

Enclosed is a copy of a User Guide prepared by the Board to provide guidance to towns and municipalities in the preparation of their applications. This information is also available on the Board’s website: <https://nsuarb.novascotia.ca/> under the Municipal Boundaries page.

Also, enclosed is a copy of Board’s *Municipal Government Act Rules (Rules)*. *Rule 27* sets out the information that is required to be filed by towns and municipalities which have polling districts or wards (to be completed on Form C). *Rule 28* sets out the requirements for towns which have no polling districts or wards (Form D).

It is recognized that the West Hants Regional Municipality conducted an extensive consultative process for a municipal boundary review in 2019, leading to the Board’s decisions in 2020 approving the size of the new Council and polling district boundaries. The Board does not have the jurisdiction to waive the statutory requirement for a further study and application in 2022, as set out in the statute. However, in the circumstances, assuming Council has satisfied itself through public consultation that there is general public acceptance of the current Council size, and to the configuration of the polling district boundaries, the Board is prepared to consider a simplified application with respect to the 2022 review.

Subject to the public or any intervenor raising the issue of the number of councillors, the application may be limited to a consideration of polling district boundaries. The application should include a

request for approval of the present number of councillors and polling districts, as well as approval of the polling district boundaries (or any minor revisions considered appropriate).

If required, the Board is available to discuss the form and nature of the next application. Please confirm receipt of this letter.

Yours very truly,



Bruce Kiley
Chief Clerk of the Board

Encl.

USER GUIDE

Statutory requirements for applications

Every eight years since 2006, the council of every municipality and town in the province must study the number and boundaries of its polling districts, their fairness and reasonableness and the number of councillors. After it completes the study, and before the end of the year, the council must apply to the Board to confirm or to change the number and boundaries of polling districts and the number of councillors. For towns that elect councillors at large, an application must be filed with the Board to confirm or change the number of councillors.¹

The Board must consider several factors to decide the number and boundaries of polling districts, including the number of electors, relative parity of voting power, population density, community of interest and geographic size.² To determine the number of councillors for a town, the Board must consider the population and geographic size of the town.³ The position of mayor is not included in the number of councillors and does not fall within the scope of the Board's review.⁴

Recommended two-step process for study

In past decisions, the Board provided specific guidance to municipalities and towns about municipal boundary applications.

Council may decide to hire a consultant or third party to do the required study, but it does not have to. Many councils direct senior municipal staff to conduct the study, in some cases aided by committees which include members from the public.

The Board recommends a two-step process. At the first stage, council should decide the desired number of councillors (i.e., the size of council). Questions about the distribution of polling districts should be addressed in a second stage.

Deciding the size of council involves considering the desired style of the council, the governance structure of the council, and a determination of an effective and efficient number of councillors. The style of government should not be decided until adequate public consultation has occurred. The size of council and its governance structure is a matter which can then be decided by council in an informed debate.

Once the number of councillors and polling districts is decided, the task becomes one of distributing the polling districts, balancing the number of electors, relative parity of voting power, population density, community of interest and geographic size.⁵ As with the number of polling districts, public consultation is essential to a successful boundary setting process.

¹ *Municipal Government Act*, S.N.S. 1998, c. 18, s. 369. Part XVI of the *Municipal Government Act* applies to the Halifax Regional Municipality (*Halifax Regional Municipal Charter*, S.N.S. 2008, c. 39, s. 364).

² *Municipal Government Act*, s. 368(4).

³ *Municipal Government Act*, s. 368(5).

⁴ The definition of "councillor" means a council member other than the mayor (*Municipal Government Act*, s. 3(p)).

⁵ *Municipal Government Act*, s. 368(4).

Ideally, the public consultation process should mirror the two-step process outlined above, but the Board recognizes that for smaller municipalities or towns (or in instances where the first round of consultation has shown a preference to substantively maintain the status quo, including its boundaries), a second round of public consultation may not be practical or necessary.

Public consultation

Public consultation is an inherent part of the required study. The type and amount of consultation is within council's discretion, but it should give members of the public an opportunity to express their views on the size of their council, upon the location of boundaries for town wards or municipal polling districts, or whether a town should be divided into wards, should that be applicable. Giving the public an opportunity to provide its valuable input is a key part of the decision-making process leading to an application by a municipality or town.

Relative parity of voting power

The target variance for relative parity of voting power should be $\pm 10\%$ from the average number of electors per polling district or ward. The municipality or town must justify any variance exceeding this target in its application to the Board. The larger the proposed variance, the greater the burden on the municipal unit to justify the higher variance from the average number of electors. Factors that may support higher variances include the need to accommodate population density, community of interest or geographic size.

Polling district boundary descriptions

The municipal unit must supply descriptions of the existing and proposed municipal polling districts (or the wards in the case of towns). In most cases, the descriptions are in written form, which is acceptable to the Board. However, in recent years, municipalities and towns have asked to provide the descriptions of their polling districts or wards using digital GIS technology.

The Board will accept digital mapping descriptions instead of text descriptions, but in addition to filing a large hard copy map showing all polling districts, the Board also requires individual digital mapping for each polling district or ward. The individual mapping is to be filed by way of hard copy (8.5 x 11-inch format) and electronically (JPEG). The Board is mindful that due to differences in the size of the respective polling districts, the relative scale on each of the maps may differ.

Regardless of the format adopted by a municipality or town, the description must be able to address any inquiry made by electors or municipal election staff during a municipal election. The scale of any digital mapping descriptions must be able to respond to any inquiry.

Hearing - general procedure

When an application is received, the Clerk of the Board will contact the municipality or town to schedule a public hearing. Once the hearing date is confirmed, a notice of hearing will be prepared by the Clerk of the Board and published twice in a local newspaper. The notice will invite members of the public to apply to participate in the hearing as a formal intervenor or to comment on the application by way of providing a letter of comment or registering to speak in person at the hearing. The Board will bill the municipality or town for the cost of these advertisements. The Board will also direct the municipality or town to post the notice of hearing on their social media accounts.

When no change to the number of polling districts and councillors is requested, and no member of the public has contacted the Board to oppose the application or to request to speak at the hearing, the Board may hold the public hearing by telephone or video conference. When the application requests a change to the number of polling districts and councillors, or if there is a material change proposed to the boundaries of the polling districts, the Board will likely conduct the public hearing in person. However, the Board reserves the right to decide the format of the hearing in each case.

The Board normally holds in-person public hearings in the municipality or town where the application arises. Outside HRM, Board hearings are usually held in municipal council chambers or other rooms within the municipal building.

Municipalities or towns do not have to be represented by legal counsel but may do so. Most do not, and their applications are presented by one or more of the following: Mayor, Warden, Chief Administrative Officer, Clerk, Chair of the local boundary review committee, etc.

At the public hearing itself, the Board member or panel chair opens the hearing by briefly describing the application and then asking the parties to identify themselves. The Board's hearings are all recorded electronically by a Board hearing clerk who is also responsible for handling the exhibits filed and discussed during the hearing.

During the public hearing, the town or municipality presents evidence through the examination of its witnesses. Each witness is first sworn in or affirmed (whichever their preference) to testify. In the case of municipal boundary hearings, the evidence is typically in the form of a presentation by a municipal official, including a discussion of the study or consultation undertaken by the municipal unit, any report prepared by the applicant, and details contained in the application. After the municipal unit has presented its application, the Board will usually ask questions related to the application. The Board may ask for more information or data to be filed as an undertaking after the hearing.

After the application is presented, the Board will open the hearing to any groups who have formally intervened in the matter and any members of the public who may have comments, either in support or opposed to the application. The Board or the municipal unit representative may ask questions to the intervenors or members of the public who have given comments. At the end of such comments, the town or municipality will be given an opportunity to respond to any concerns or issues raised by the public and to make any final submissions summarizing the key points of their application.

Most municipal boundary review hearings take one or two hours.

Board Decision

The Board normally issues a written decision within 60 days of the hearing. The Board will also issue an Order giving effect to the approved number of councillors and polling districts, and to the boundaries of the polling districts. Where text descriptions are used for the polling districts or wards, the Board may require the municipal unit to submit an electronic WORD or PDF version of the descriptions.

Powers of Board

- 368** (1) Upon application, the Board may, by order
- (a) divide or redivide a municipality into polling districts;
 - (b) amend the boundaries of any polling district;
 - (c) dissolve polling districts;
 - (d) determine that a town be divided into polling districts or cease to be divided into polling districts;
 - (e) determine the number of councillors for a municipality; and
 - (f) determine the date upon which the order takes effect.
- (2) An application may be made by
- (a) the Minister;
 - (b) a municipality; or
 - (c) at least fifty electors of a municipality.

(3) The Board may make an order granting the whole or part of an application, and may grant such further or other relief as the Board considers proper.

(4) In determining the number and boundaries of polling districts the Board shall consider number of electors, relative parity of voting power, population density, community of interest and geographic size.

(5) In determining the number of councillors for a town, the Board shall consider the population and geographic size of the town. 1998, c. 18, s. 368.

Study of polling districts required

369 (1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councillors.

1998, C.18, S. 369.



102-40 Highfield Park Drive, Dartmouth, NS B3A 0A3

Windsor-West Hants Governance Review

Council Size Report

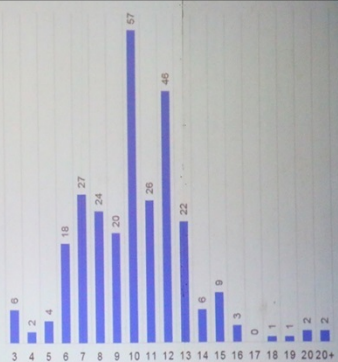
Windsor-West Hants Co-ordinating Committee

February 21, 2019

Council Members*

- Leading Responses:
• 10 – 20.7%
• 7 – 9.8%
• 12 – 16.7%
- Average Response: 10.2

* Results as of 2/5/2019





Windsor-West Hants Governance Review

Council Size Report

February 21, 2019

Prepared for:
Windsor-West Hants Co-ordinating
Committee

Prepared by:
Stantec Consulting Ltd.

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Windsor-West Hants Governance Review: Executive Summary

Introduction

Under Section 10(1) of the *Region of Windsor and West Hants Municipality Act*, the Co-ordinator is responsible to submit an application "to the Nova Scotia Utility and Review Board for a determination of ... the number of councillors and the boundaries of the polling districts in the Regional Municipality." This study has been undertaken to assist the Co-ordinator to fulfil that requirement.

The Board has well-established guidelines and priorities concerning the determination of council size and delineation of related boundaries. The Nova Scotia Utility and Review Board (NSUARB or the Board) User Guide for boundary reviews has prescribed a two-step process for the conduct of polling district boundary reviews. The phases and their scope, as outlined in the Board's user guide, are as follows:

- **Phase 1 – Number of Councillors**
- **Phase 2 – Boundaries and Polling Districts**

This Council Size Report completes Phase 1.

Background Review

The Town of Windsor has had a council of five including the Town's Mayor since it reduced from seven members in 1997. The Municipality of the District of West Hants had a council of nine from at least 1994 until the NSUARB determined in 2016 that its membership should be increased to ten to ensure proper representation of the Town of Hantsport, which became part of West Hants on its dissolution on July 1, 2015.

Rural and regional municipalities in Nova Scotia currently average one councillor per 240.8 km². West Hants council members each currently cover a relatively modest 124.4 km² on average. Population is usually more strongly emphasized when assessing council size but is distorted by the regional municipalities of Halifax and Cape Breton. Rural municipalities distinct from the regional municipalities have one council member per 1,695 residents, which West Hants approaches at 1,537 constituents per councillor.

Public Consultation

NSUARB guidelines and past Board decisions have reinforced the Board's emphasis on public consultation. Stantec investigated public opinion on council size through a program of consultation meetings distributed throughout Windsor and West Hants and an online survey. Hard copy survey questionnaires were also made available at Windsor Town Hall and the West Hants municipal office, as well as at the public meetings. In response to concerns expressed by public meeting participants, The Co-ordinating Committee decided to distribute hard copy questionnaires to rural areas presumed to have inferior Internet access.

Stantec undertook five public meetings with the assistance of municipal staff with Windsor and West Hants. Participants in the first two meetings in Avondale and Brooklyn expressed concerns with the access of rural residents to the online survey because of poor Internet connections in outlying communities. The Co-ordinating Committee decided to directly distribute hard copy surveys to areas of concern.

Close to 100 residents attended the meetings. The sessions publicized the study and provided opportunities for Stantec's consultant to explain the governance study and obtain the views of residents. The survey, however, provided more specific information from a wider range of residents. Eventually, 609 completed surveys were submitted online and another 139 hard copy surveys were collected directly from residents.

The key question asked respondents how many council members including the mayor they would prefer to represent residents of the new Regional Municipality. The most frequent response was ten, which was favoured by 23.2% of 740 respondents to the question who expressed a preference. The second choice was twelve, which was selected by 21.8%. Fully, 88.5% of responses fell between seven and 13, and 61.5% were accounted for by ten through twelve.

Respondents who chose very small council sizes (i.e., six or fewer) and provided comments on their choice emphasized efficient decision-making more than any other factor. Those preferring a council of 13 or more stressed representation, particularly representation of rural interests.

Among respondents espousing a council of ten to twelve, priority shifted more clearly to representation. Many recognized that a council of ten or more would provide two positions for Windsor and one for Hantsport, leaving six to eight positions for West Hants. Even within this group, a significant number of respondents expressed a desire for efficiency recognizing that even a council of twelve represents a reduction relative to the 15 political representatives currently serving Windsor and West Hants as separate municipal units.

Recommendation

Based on our assessment of all input from consultation to date, **we recommend the assessment of scenarios for nine and eleven districts in Phase 2 of this Governance Study.**

1. Introduction

Pursuant to the *Region of Windsor and West Hants Municipality Act* passed by the Province of Nova Scotia on October 11, 2018, the Town of Windsor and the Municipality of the District of West Hants have agreed to consolidate into a single municipality. Under the terms of the Act, which is also referred to as Bill 55, the two current municipal units become Nova Scotia's fourth regional municipality on April 1, 2020.

The Act requires the Province to appoint a Co-ordinator to chair a Co-ordinating Committee to oversee the consolidation of the two municipal units. The appointed Co-ordinator is Kevin Latimer, Q.C. Pursuant to the Act, the Committee consists of Mayor Anna Allen and Deputy Mayor Laurie Murley of the Town of Windsor and the Warden Abe Zebian and Deputy Warden Paul Morton of the Municipality of the District of West Hants.

1.1. Project Background

Under Section 10(1) of the *Region of Windsor and West Hants Municipality Act*, the Co-ordinator is responsible to submit an application "to the Nova Scotia Utility and Review Board for a determination of ... the number of councillors and the boundaries of the polling districts in the Regional Municipality." This study has been undertaken to assist the Co-ordinator to fulfil that requirement.

The determination of council size and boundaries is a critical early requirement of the municipal consolidation process. The Nova Scotia Utility and Review Board (NSUARB or the Board below) has set aside June 24 and 25 to hear an application from the Co-ordinator.

Review of governance arrangements is a well-established process for Nova Scotia municipalities. All municipal units are required under the *Municipal Government Act* (MGA) to review governance arrangements on an eight-year cycle, which began on the passage of the MGA in 1999. Subsequent reviews have been required for 2008 and 2016, and will be required again in 2024. Reviews are also normally required in the event of significant structural changes to municipalities. Several reviews were required over the past six years as five towns dissolved in the province, including the Town of Hantsport, which joined West Hants on its dissolution.

While the process and aspirations of municipal consolidation differ from dissolution, changes to governance requirements are similar. Two municipalities are becoming a single municipal government. The combined municipal populations require new governance arrangements to ensure fair and equitable representation of all residents on the council of the new entity. Consideration should also be given to the objectives of combining the two municipal units.

1.2. Project Process

While the consolidation of the Town of Windsor and the Municipality of the District of West Hants is being guided by special legislation rather than the MGA, Bill 55 requires the Co-ordinator to apply to the Nova Scotia Utility and Review Board in the same manner as councils must under the MGA.

The Board has well-established guidelines and priorities concerning the determination of council size and delineation of related boundaries. The NSUARB User Guide for boundary reviews has prescribed a two-step process for the conduct of polling district boundary reviews. The phases and their scope, as outlined in the Board's user guide, are as follows:

- **Phase 1 – Number of Councillors** – ... the desired style of Council, the governance structure of Council, and a determination of an effective and efficient number of councillors. The style of government is a question which should not be decided by council until adequate public consultation has occurred respecting the expectation of its constituents. The size of council and its governance structure is a matter which can then be determined by Council in an informed debate.
- **Phase 2 – Boundaries and Polling Districts** – ... the task becomes one of distributing the polling districts to satisfy the objectives listed in s. 368(4) of the Act. Just as with determining the desired number of polling districts, public consultation is essential to a successful process of setting boundaries.¹

Stantec's proposal submitted to the Municipality of the District of West Hants on November 29, 2018, committed to adhere to these specifications. This Council Size Report completes Phase 1. It summarizes the results of our research and extensive consultation concerning the most appropriate council size for the new Regional Municipality. It provides the foundation for the assessment of polling districts to be undertaken in Phase 2. Much of its content will be retained in the Boundary Review Report that will complete the governance review project at the close of the second phase.

1.3. Study Conduct

Stantec Consulting Ltd. was notified of our selection to carry out the governance study on December 17, 2018. Although a formal project initiation meeting could not be scheduled until January 7, 2019, we began research work immediately. In addition to making a presentation on the governance review process at the Co-ordinating Committee Meeting on January 10, Stantec prepared for consultation initiatives over the next two weeks.

On January 17, we initiated an online survey to investigate public opinion concerning council size. Our first public consultation meeting was scheduled for January 29 and four additional meetings were held over the course of two weeks concluding on February 7. Results of the survey were reported and updated at successive public meetings. Concerns with the availability of the survey to rural residents expressed at the first two public meetings led the Co-ordinating

¹ NSUARB, "Municipal Boundary User Guide," no date, p. 2,
https://nsuarb.novascotia.ca/sites/default/files/nsuarb-222634-v1-user_guide_-_mb_reviews_.pdf

Committee and the municipalities to distribute hard copy surveys directly through municipal councillors to households in Districts 1, 2, 3, 4, 5, and 7.

Following consideration of the current report by the Co-ordinating Committee, Stantec will proceed to the conduct of Phase 2. A second round of five public meetings has been scheduled and advertised to consider district boundary options for potential council sizes approved by the Co-ordinating Committee. The first meeting will take place on March 5. All meetings should be complete by March 14, although a snow date has been provided on March 19 if weather requires.

Stantec is expected to submit its final report summarizing Phase 2 research and consultation and recommending polling district framework for the new Regional Municipality by March 20. The report will be considered by the Co-ordinating Committee on April 1. Following the Committee's consideration of the report recommendation, the Co-ordinator will make application to the NSUARB for a council size and polling district boundary arrangement for the first election for the new Regional Municipality to be held in March 2020.

2. Background Review

The consolidation of Windsor and West Hants will create a new municipality in a different category. The regional municipality that will take the place of the current town and rural municipal district will have the same basic governance structure although legislation prescribes certain features that differ. While the new structure is an opportunity to rethink local governance, current council arrangements in Windsor and West Hants, as well as among municipal units across Nova Scotia provide the context for considering the direction for the new Regional Municipality.

2.1. Past and Current Council Size

All Nova Scotia municipalities are governed by a municipal council led by a mayor elected at large or a warden elected by councillors from among themselves following their election from a district framework. Under the MGA, councils must have a minimum of three members, exclusive of a mayor but inclusive of a warden. Towns and regional municipalities must elect a mayor. Rural municipalities have traditionally been led by a warden; however, the MGA in 1999 introduced the option of electing a mayor instead. Among 21 rural municipalities, the Counties of Colchester and Kings, and the Municipal District of Lunenburg are now led by mayors.

Rural and regional municipalities are required to elect councillors from districts, with only one councillor permitted per district. Towns may elect members at large or from wards. Only Truro, New Glasgow, and Stellarton among Nova Scotia's 26 towns elect councillors from wards, in each case choosing two councillors from each ward.

2.1.1. Town of Windsor

Windsor currently has a five-member Council consisting of a Mayor, Deputy Mayor, and three Councillors. All Town Councillors are elected at large.

The current council size was adopted in 1997 following the Town's application at that time to reduce its number of councillors from six to four.² The NSUARB approved applications by the Town in both 2007 and 2015 to maintain its Council at five members.

2.1.2. Municipality of the District of West Hants

West Hants residents are currently represented by a council of ten that has been in place since the Municipality took in Hantsport following the dissolution of the Town in 2015.

² Re: Town of Windsor, 2007 NSUARB 13, p. 3.

Stantec reviewed past decisions concerning governance arrangements in West Hants as part of our work for the 2014 governance study required by the Town of Hantsport's prospective dissolution. Before the addition of Hantsport to the Municipality, West Hants Council consisted of nine councillors from at least 1994, the earliest NSUARB decision concerning the Municipality that we reviewed.

Stantec's 2014 report, which was prepared before West Hants agreed to join with Hantsport, recommended that in the event the two units combined, the municipal council should continue to have nine members with Hantsport and Mount Denson forming a new district to be called District 8. The existing nine West Hants districts were to be replaced by eight new districts with reconfigured boundaries.

On the dissolution of the Town of Hantsport, the former Town's Mayor was added to West Hants Council to represent the community's interests. In preparation for the October 2016 municipal election, the Municipality applied to the NSUARB to reduce its council to nine and adjust its boundaries as recommended by Stantec. The Board heard the application on February 25, 2016.

The Think Hantsport Innovative Development Association (THIDA) argued at the NSUARB hearing that the Stantec study dealt with two potential destinies for the Town and did not fully consider the concerns of community in the context of union with West Hants. They contended that West Hants should have engaged the community in specific consultation related to its application as opposed to simply adopting Stantec's rationale and recommendation.³

The Board agreed with the sentiments THIDA expressed:

The Board finds, in the circumstances, that the Municipality should have given greater consideration to the former town of Hantsport as being a strong community of interest. This does not mean it should always be considered as such for future polling district boundary reviews. At the very least this should have been re-examined by the Council before submitting the Application. To inform Council's discussion, some form of an additional study should have been conducted.⁴

Given that the Board did not consider time was available to conduct the kind of engagement it saw as necessary, it determined that it should chose between the application made by the Municipality and THIDA's proposal "that there should be 10 councillors and that the former Town of Hantsport [should] have its own polling district" based on THIDA's contention "that the former Town is a community of interest."⁵

The Board determined that Hantsport was indeed a community of interest and chose to approve the Council of ten that currently governs West Hants. The prevailing districts in West Hants were retained and Hantsport became the tenth district, although the number of eligible voters or electors in the former town was -26% less than the average number of electors in each municipal polling district. The variance is far beyond the $\pm 10\%$ target sought by the NSUARB and slightly beyond the maximum variance that the Board general suggests as tolerable;

³ Re: Municipality of the District of West Hants, 2016 NSUARB 44, p. 5.

⁴ *Ibid.*, pp. 9-10.

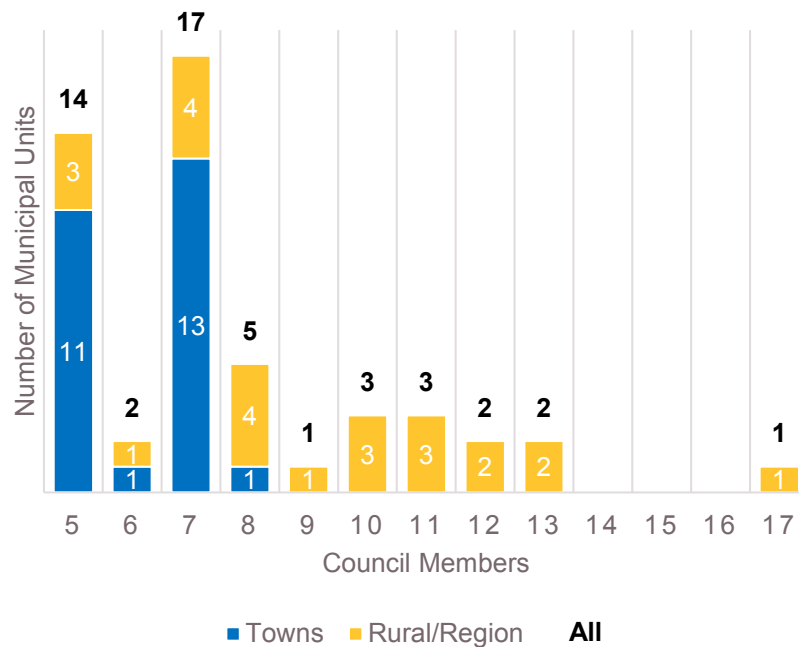
⁵ *Ibid.*, p. 11. Following submissions from both THIDA and the Municipality of the District of West Hants in March 2016, the Board rendered its decision on April 16, 2016, leaving just over four months before the standard deadline for nominations on the second Tuesday in September.

however, the Board deemed it to be “a reasonable variance” in consideration of the circumstances.⁶

2.2.Nova Scotia Council Sizes

Nova Scotia municipal councils range in size from five to 17 members, including the mayors in municipal units where one is elected. Halifax Regional Municipality (HRM) has the largest council. Many municipalities have councils of five including the municipal districts of Barrington and Digby, the County of Richmond, the Town of Windsor, and ten other towns. Towns, for the most part have councils of five or seven. The Town of Pictou has a six-member council and the Town of Bridgewater has eight, which is the largest town council in the province. With ten members, the Municipality of the District of West Hants Council is just above the median council size for rural and regional municipalities. Twelve municipalities in the group have councils with eight or fewer members, twelve have nine or more (Figure 2-1).

Figure 2-1 Council Sizes by Number of Municipal Units, Nova Scotia, 2019

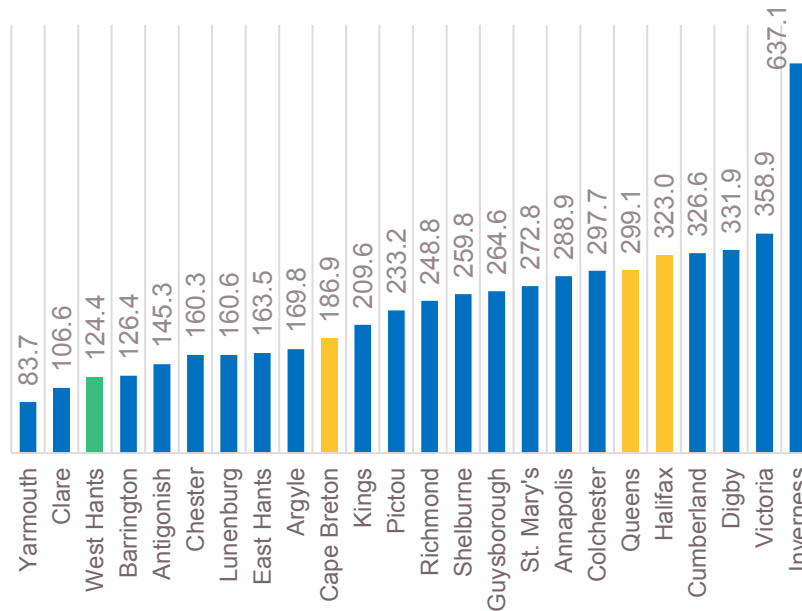


Source: Stantec Consulting Ltd.

The size of rural and regional municipal councils is often assessed in relation to the land area and the population to be served in each municipal unit. There is little variation in the land area of towns and, as the foregoing figure illustrates, modest variation in their sizes. Focusing on rural and regional municipalities, the average area served by regional and rural councillors in Nova Scotia is currently 240.8 km² per council member. Councillors in West Hants, which is currently a rural municipality, each represent 124.4 km² on average (Figure 2-2, which shows West Hants in green, other rural municipalities in blue, and the three current regional municipalities in yellow).

⁶ Ibid., 00. 12-13.

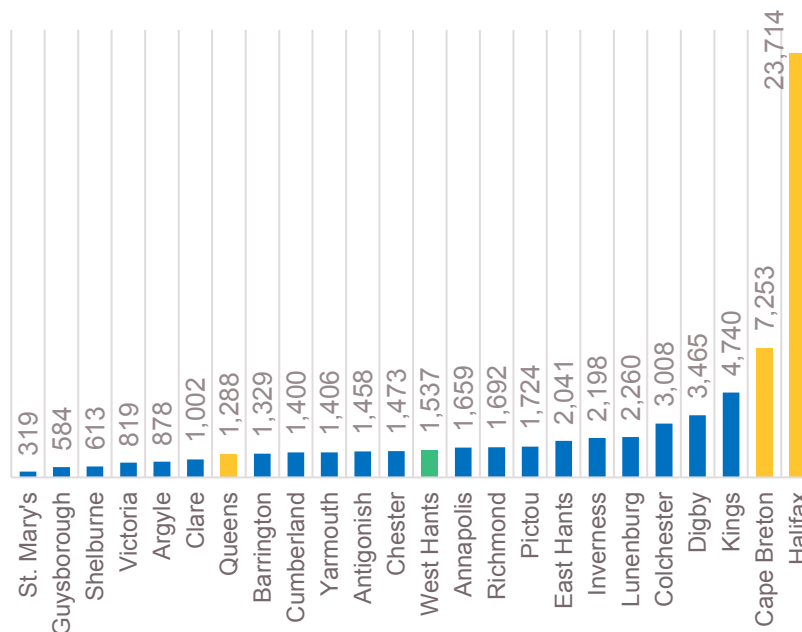
Figure 2-2 Council Members by Land Area (km²), Nova Scotia Rural and Regional Municipalities, 2016



Source: Stantec Consulting Ltd.

More emphasis is normally placed on the number of constituents served in any case. The average for rural and regional municipalities of 2,828 people per council member is heavily skewed by HRM, where the average councillor serves 23,714, or more than the combined population of Windsor and West Hants. The average for rural municipalities is 1,695, which West Hants approaches at 1,537 constituents per councillor (Figure 2-3).

Figure 2-3 Council Members per Capita, Nova Scotia Rural and Regional Municipalities, 2016



Source: Stantec Consulting Ltd.

3.Public Consultation

As noted above, the NSUARB guidelines and past Board decisions have reinforced the Board's emphasis on public consultation. Stantec investigated public opinion on council size through a program of consultation meetings distributed throughout Windsor and West Hants and an online survey. Hard copy survey questionnaires were also made available at Windsor Town Hall and the West Hants municipal office, as well as at the public meetings. In response to concerns expressed by public meeting participants, The Co-ordinating Committee decided to distribute hard copy questionnaires to rural areas presumed to have inferior Internet access.

3.1.Consultation Meetings

Stantec undertook five public meetings with the assistance of municipal staff with Windsor and West Hants. The municipalities arranged the necessary venues to meet Stantec's requirements. Locations and dates were as follows:

- Tuesday, January 29, Avondale Community Hall
- Wednesday, January 30, Brooklyn Civic Center
- Thursday, January 31, South West Hants Fire Hall, Vaughan
- Tuesday, February 5, Windsor Community Center
- Wednesday, February 6 (snow date for the first four meetings), West Hants Municipal Office, Windsor
- Thursday, February 7, Falmouth Community Hall
- Wednesday, February 13 (snow date for February 7), West Hants Municipal Office, Windsor.

Meetings were advertised on the strongerregion.ca website maintained by the Co-ordinating Committee, as well as on the web sites and social media pages of both municipalities. They were also listed at the end of the online survey questionnaire and a formal advertisement was placed in the Advertiser Journal on January 22 and 29, and February 5, and the Valley Harvester on January 31 and February 5.

The weather cooperated throughout. Meetings took place as scheduled and neither snow date was required. The meetings were reasonably well attended relative to our experience with other governance review processes, particularly processes in which multiple local meetings were provided. In some past cases, local meetings have drawn no attendance or too few attendees to allow group dialogue but all sessions for this review attracted enough to facilitate healthy discussions.

Venues were opened for all meetings at 6:00 pm as indicated in advertisements. Attendees were encouraged to read four posters prepared by Stantec to explain the governance review process and provide background concerning the council size review. Stantec's Project Manager was available during this period to talk with attendees and assist with their questions.

Stantec's Project Manager made a presentation at each session beginning at 7:00 pm, also as advertised. The presentation covered similar content to the posters, although material derived from the online survey was updated for each successive meeting as we received more responses. Given the manageable number of participants at each session, audience members were permitted to ask questions during the presentation. Generally, presentations including questions and answers took about one hour. Stantec's Project Manager solicited additional questions and comments after each presentation until all audience members declined to provide further input.

3.1.1. Avondale Meeting

While 16 people were present at the meeting in Avondale, we were told only six were members of the local community. Others included municipal staff helping Stantec's Project Manager and political representatives monitoring the process. Some municipal staff and representatives were present at each session to provide support and observe.

Questions during the presentation were diverse. While some inquiries concerned council size and boundary issues, one participant raised strong concerns about the effectiveness of only five meetings to reach rural residents. He expressed particular concern with the absence of a meeting in any community on the shore north and east of Summerville, although Stantec's Project Manager noted that a second phase meeting was scheduled to be held in the elementary school in Summerville.

Another respondent reinforced the concern with rural input from the perspective of the online survey. She said that Internet service is inferior in rural areas and in some locations such as the shore area above Summerville is not available at all. She suggested that the survey should have been mailed out to all residents. Stantec's Project Manager promised to relay her views to the Co-ordinating Committee, which he did the following morning.

3.1.2. Brooklyn Meeting

The meeting in Brooklyn was the best attended of the five sessions. Municipal staff said 37 residents were present in addition to about a dozen municipal staff and council members, including the Co-ordinator, who observed the meeting. The large group resulted in lively discussion.

For the second time, a great deal of the dialogue focused on the online survey and its availability. Although survey response up to that relatively early point was good (approximately 250), many participants contended it is insufficient from a population of roughly 19,000. Most of these participants asserted that the survey should have been mailed out to give all residents an equal chance to respond.

Many participants expressed concerns with rural input. Several reflected long-term concerns with the attention given to rural Nova Scotia and the representation of rural interests on the prospective regional council. They felt that administration of the survey online reflected this bias as rural residents do not have equivalent access to the Internet, which would bias the results of the survey. In the same light, several also suggested that there are not enough

meetings scheduled in the rural area, again noting the shore area to the north and east of Summerville lacks access to the Internet and other information sources. The Co-ordinator and municipal staff attending the session discussed the issues raised following the meeting and decided to respond to the concerns raised by looking into the possibility of distributing hard copy surveys to homes in key rural districts.

3.1.3. Vaughan Meeting

Nine residents attended the meeting in Vaughan. Attendance may have been influenced by an incident on Highway 101 during the evening rush hour, which disrupted the commute for many travelling home to West Hants. In contrast to the preceding two meetings, discussion was on point throughout. Participants asked a variety of questions concerning council size and explored the potential influence of the council size decision on boundary definition.

3.1.4. Windsor Meeting

According to Town staff assisting Stantec, 24 residents attended the Windsor meeting. Roughly ten municipal staff and council members attended, and the Co-ordinator was present again as an observer.

Input from the audience focused on council size issues. Former Town Mayor, Paul Beazley, inquired about potential approaches to boundary delineation, suggesting the possibility of creating polling districts that radiated from the town to include urban, suburban, and rural areas in each district or, at least, in several districts. Mr. Heseltine responded that a scenario based on a similar concept had been developed for the consideration of the public in CBRM when he did the boundary review there in 2011. It was not the approach selected in that situation, but Mr. Heseltine acknowledged that it was worthy of consideration and West Hants was generally well-configured to support the approach.

3.1.5. Falmouth Meeting

Roughly 15 people attended the final Phase 1 public consultation meeting in Falmouth. Ten appeared to be residents as opposed to municipal or political representatives. The group included some knowledgeable participants including Tom Calkin, who led the Avon Region Coalition, which made the initial application to consolidate Windsor and West Hants, and at least three other individuals who attended previous meetings.

Stantec's Project Manager had the opportunity to talk about council size issues before beginning his presentation. He asked several attendees the number of council members they would prefer and their reasons for favouring their choices, which provided some interesting insights. One suggested seven in the interest of efficiency; another felt ten would be appropriate as it is workable with the current West Hants Council; and one favoured twelve so as to incorporate two councillors from Windsor and one from Hantsport on the regional council.

Dialogue during the presentation continued to focus on council size and boundary issues. One of the repeat participants had pressed for mailing out the survey at the first meeting held in Avondale. She inquired about the approach to distributing hard copy surveys. Stantec's Project Manager said that hard copy questionnaires were being distributed through municipal councillors. In response to a request for more detail, Warden Zebian said that councillors were delivering questionnaires door-to-door themselves or through helpers. Although the participant still felt time should have been taken to formally mailout surveys

through Canada Post, she appeared to view the response to her original concern positively.

3.1.6. Written Submission

Stantec received only one written submission through the course of the five public sessions. The document came through Tom Calkin, Chair of the Avon Region Citizens Coalition (ARC), which was the original advocate of the consolidation of Windsor and West Hants. The report provided was ARC's application for consolidation, which we understand was prepared in 2016. On the subject of governance, the application includes a detailed critique of council leadership by a warden and advocacy of leadership by a mayor elected at large and voting on all council motions in keeping with the requirement of the MGA for regional municipalities.⁷

3.2. Online Survey

The online survey was posted on January 17 and was kept open until February 13, 2019. Although response was good from the outset of posting the survey online, concerns with online access in rural areas led the municipalities and the Co-ordinating Committee to distribute hard copy questionnaires door-to-door in Districts 1, 2, 3, 4, 5, and 7. Hard copies were also made available at the five consultation meetings and could be picked up at Windsor Town Hall or the West Hants Municipal Building.

3.2.1. Questionnaire Content

The questionnaire employed for the survey has been used for several previous boundary review projects conducted by Stantec. It is a simple questionnaire consisting of eight questions that most respondents complete within two minutes. **Appendix A** includes the hard copy version of the survey. The online survey included an initial question that asked whether respondents live in Windsor or West Hants for the purpose of screening out non-residents. The question was not necessary in hard copy surveys. References to question numbers below refer to the hard copy survey and are one number less than the numbering used online.

The next two questions are largely included to introduce the subject matter the survey addresses (i.e., municipal governance and council size) in preparation for Question 3, which asks for the respondent's council size preference. Question 1 inquiring about voting in recent municipal elections also gave us a gauge of the familiarity of respondents with municipal governance, particularly in Windsor and West Hants. Question 2 concerning expectations of a small versus a large council introduced factors that are often considered to be influenced by council size.

Question 2 provides context for considering the central question in the survey instrument – Question 3, which asks how many members including the mayor the respondent would prefer to have on the regional council. The question was compulsory in the online version of the survey. The following question asked the respondent to elaborate on their choice.

⁷ ARC - Avon Region Citizens, Application for a Preliminary Order of Amalgamation of the Municipality of the District of West Hants and the Town of Windsor, undated, pp. 8-9.

3.2.2. Survey Interpretation

The survey conducted is not a poll. The method of distributing the survey – online and by direct handout – cannot obtain a representative sample. Respondents, by definition, are individuals interested in the governance study and the issue of council size. Residents with less interest in these issues who do not want to take the time to access and complete the survey excluded themselves. The numbers summarized below do not reflect the views of this second, less interested group, who would be solicited through a properly conducted telephone sample and are clearly a significant proportion of the local population.

The results are better interpreted as a canvas of the population, similar to the results of a vote to elect a political representative. The survey allowed us to reach considerably more residents than were likely to attend our public consultation sessions regardless of the number and location of such meetings. It also obtained structured quantifiable information, which is difficult to draw in an orderly manner from audience members at a meeting.

We did not restrict the number of times the survey could be filled out from the same computer. While Survey Monkey, by default, limits each IP address to one response, we chose to remove the restriction to facilitate access to the survey, although we were aware that it would make it easier for a person to abuse the survey by making multiple responses.

To reduce this possibility, Stantec reviewed sorted survey responses by IP address and date/time to identify any bulk responses from the same address or in a close time period. Although our observation of data trends indicated a concentration of responses from one community over a two-day period, we did not find any evidence of the same response originating from one source. While the community in question produced more than 50 responses in a short period, the responses in question came from varied IP addresses.

3.2.3. Survey Response

Overall survey response was very good. At the close of the online survey at midnight on February 13, 2019, 609 completed surveys were received (including roughly 20 completed on print questionnaires received at the public sessions by Stantec), which exceeds the best overall response to a governance-related survey that we have conducted.⁸ Another 139 hard copy surveys were collected directly from residents who received them through the municipal offices of either Windsor or West Hants, or through their municipal councillors.

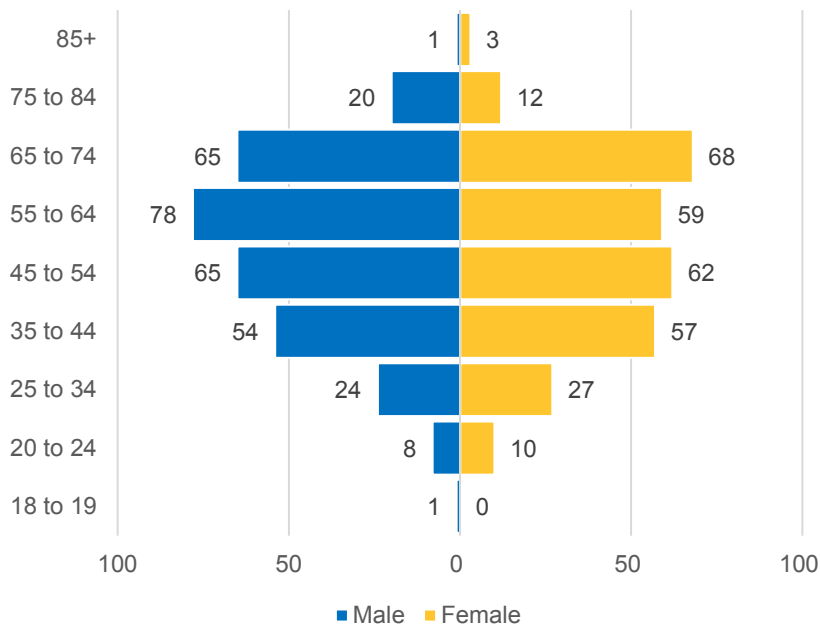
The majority of respondents were male (51.2% of those who identified their gender). All respondents were 18 years of age or over but, for the most part they were between 35 and 75 years of age (80.0%). Although **Figure 3-1**, shows only four respondents over 85 years, there were six as two did not identify their gender. They all responded to the print survey as opposed to online.

⁸ The survey URL was accessed 688 times. Some accesses were by Stantec in order to enter roughly 20 hard copy surveys received at public meetings. Of 79 surveys that were not completed, 11 were individuals who indicated they did not live in either Windsor or West Hants and were therefore excluded from the survey. The remaining 68 entered the survey but then left. Roughly half of these were apparently confused by the survey because they returned later (usually very soon after) and completed the questions. Another portion did not return.

Notwithstanding concerns with Internet access in rural areas expressed at public meetings, responses were also well-distributed. Of 51 named communities in West Hants, at least one online response was received from 50 based on responses to Question 5. Riverside in District 1 was the only community not identified and it is possible residents identified themselves with the abutting community of Summerville, which generated a disproportionate number of responses.

The hard copy surveys distributed by councillors went to rural districts that participants in consultation sessions contended did not have equivalent Internet access to “urban” areas such as Windsor, Falmouth, and Three Mile Plains. The communities that contributed the most responses through this outreach were Brooklyn (25), Summerville (18), Cambridge (9), Ellershouse (9), Centre Burlington (8), Cheverie (7), and Union Corner (5). Remaining responses covered a wide range of mostly rural communities. Three responses came from Windsor through the Town Hall and one came from Three Mile Plains.

Figure 3-1 Age-Sex Distribution of Respondents, Windsor-West Hants Council Size Survey, 2019



Source Stantec Consulting Ltd.

Stantec was not involved in developing the approach to this additional distribution. Based on results from all survey responses, the additional surveys addressed the concern expressed at the initial public meetings that the shore area in District 1 would be underrepresented because of Internet access concerns. Communities in District 1 and District 3 accounted for the bulk of responses received on print surveys distributed through the councillors.

Ultimately, these districts generated significantly more responses than we would have expected relative to their shares of electors as did several other districts. As **Table 3-1** illustrates, responses from Districts 1, 2, 3, 4, 8, and 9 exceeded the proportion of voters residing in those areas according to 2016 enumeration data. Falmouth, which is partially in District 8 but largely in District 9, produced by far the most responses of any community in the region.⁹ The share of responses from District 1 was more than double its share of electors and the share in District 9 also considerably exceeded the expected percentage.

3.2.4. Survey Results

The core questions in the survey were Questions 1 through 4, which solicited opinions concerning council size. Question 3 was unquestionably the central question and was compulsory for respondents who filled out the survey online. A “Don’t know/Not sure” option was provided for those who were not comfortable specifying a size but only four respondents took it. Question 4, which was open-ended, was also a valuable source of detailed opinions on council size preferences.

Question 1 – Participation in Municipal Elections

Survey respondents clearly had an established interest in municipal politics. Of 724 respondents to Question 1, 603 stated they voted in at least one previous election in Windsor or West Hants. Close to half (46.4%) voted in 2008, nearly two-thirds (61.3%) in 2012, and 81.2% in 2016.

Question 2 – Expectations of Council Size

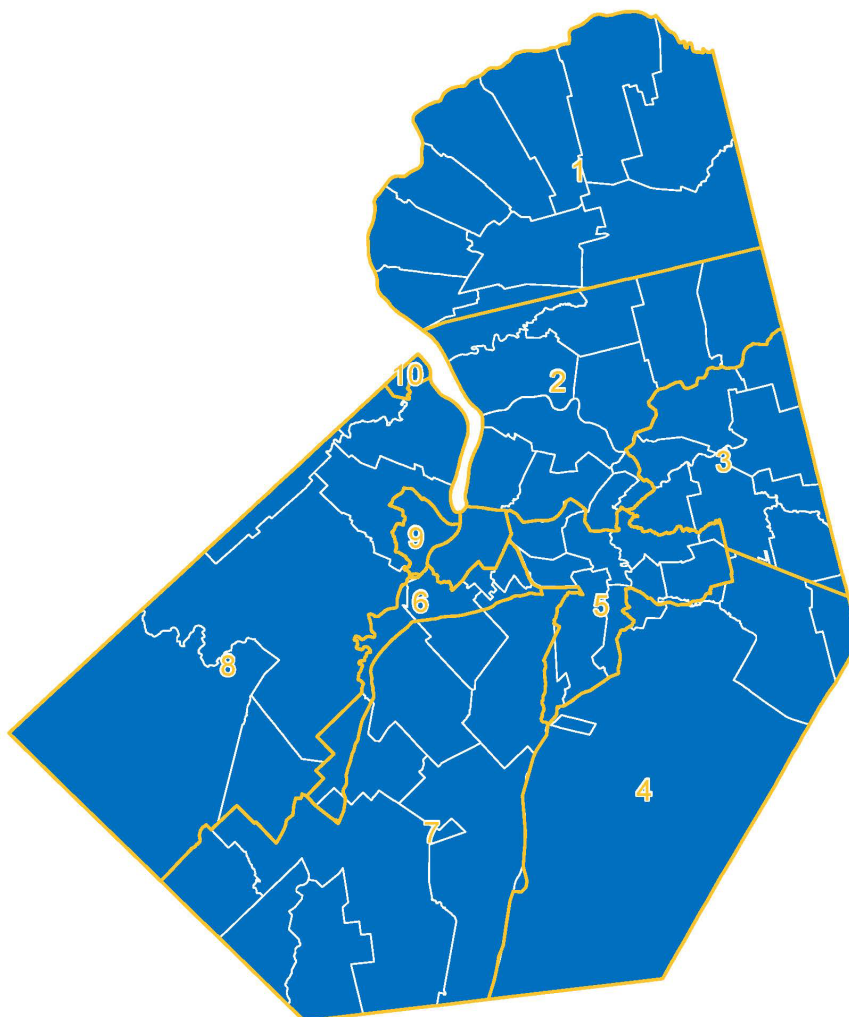
As noted, the key purpose of Question 2 was to introduce some of the leading factors that respondents might take into account when considering what council size to enter in response to following Question 3. The factors, which are raised in literature on council size as well as discussions we have had with members of this public in past consultations, are cost, service to residents, council interaction, and council effectiveness.

We have asked the question in previous surveys with the advantage of having an existing council size to provide a context to establish the meanings of “large” and “small.” In the case of the yet to be established regional council, we could not provide a benchmark, which some participants in the consultation sessions criticized.

With this reservation, respondents indicated more positive expectations of a “small” council with respect to three of the four factors. Respondents placed the strongest emphasis on cost savings, which 59.0% felt would be more likely with a small council (**Figure 3-2**). Past surveys have obtained similar results.

⁹ For communities that cross district boundaries such as Falmouth, Lower Burlington (Districts 1 and 2), Newport Corner (Districts 4 and 5), and Leminster (Districts 7 and 8), allocated survey responses to each district based on the share of electors in those districts. For example, 1,299 of 1,789 or 72.6% of electors within the NSCAF boundary for Falmouth are with District 9. Stantec, therefore, allocated 72.6% of 150 responses (i.e., 109) received from Falmouth to District 9. Some error may also be attributable to inaccurate identification of some communities by some respondents relative to NSCAF boundaries.

Table 3-1 Respondents by Town of Windsor and West Hants Polling Districts, Windsor-West Hants Council Size Survey, 2019

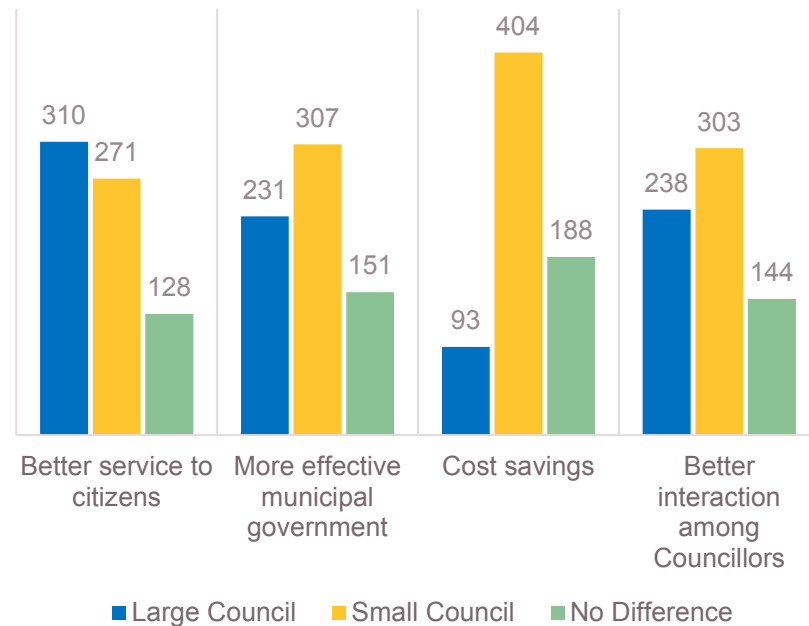


District	Responses			% of Responses			Electors
	Online	Print	All	Online	Print	All	
1	55	42	97	9.2%	35.3%	13.5%	6.0%
2	44	20	64	7.3%	16.8%	8.9%	7.3%
3	42	30	72	7.0%	25.2%	10.0%	8.3%
4	40	12	52	6.7%	10.1%	7.2%	7.9%
5	37	11	48	6.2%	9.2%	6.7%	7.0%
6	45	0	45	7.5%	0.0%	6.3%	10.4%
7	42	1	43	7.0%	0.8%	6.0%	10.0%
8	75	0	75	12.5%	0.0%	10.4%	9.9%
9	109	0	109	18.2%	0.0%	15.2%	8.5%
10	29	0	29	4.8%	0.0%	4.0%	6.0%
Windsor	81	3	84	13.5%	2.5%	11.7%	18.8%
TOTALS	599	119	718	100.0%	100.0%	100.0%	100.0%

Source: Town of Windsor and the Municipality of the District of West Hants

The margins in favour of a small council were close for effective municipal government (44.6%) and council interaction (44.2%). Respondents anticipated better council service to residents from a large council with 43.7% expecting more from a large council and 38.2% endorsing a small council. Later responses to the print survey, tended to favour a large council in response to this question. Those responses swung the response to a result more in-line with previous surveys of this type that we have conducted where respondents usually favoured a larger council with respect to expectations of service.

Figure 3-2 Expectations of Council Size, Windsor-West Hants Council Size Survey, 2019



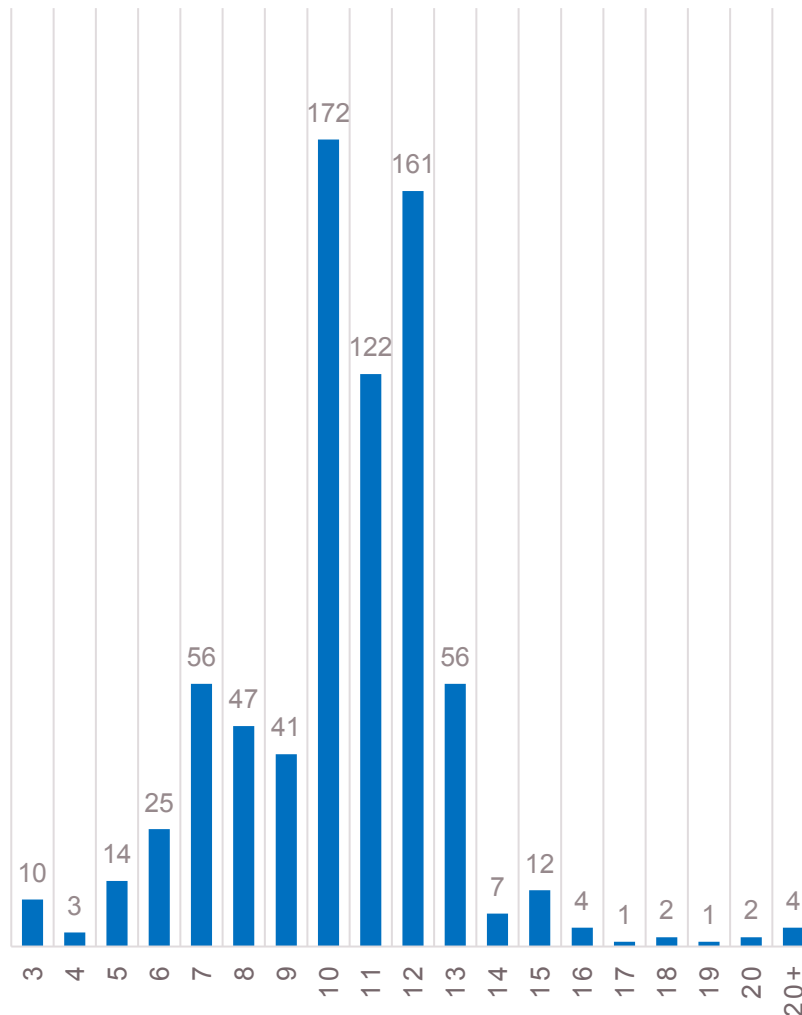
Source Stantec Consulting Ltd.

Question 3 – Preferred Council Size

The most preferred council size including the mayor was ten, which was favoured by 23.2% of 740 respondents to the question who expressed a preference. The second choice was twelve, which was selected by 21.8% (**Figure 3-3**). Councils of ten and twelve exchanged the lead position over the course of data collection for the survey. At the outset, ten was the most popular choice but later respondents tended to favour larger council sizes. Close to the end of the survey and immediately before the final public session, twelve briefly overtook ten, although later responses restored ten to the leading position. In the same context, eleven rose to become the third choice, overtaking seven.

Fully, 88.5% of responses fell between seven and 13, and 61.5% were accounted for by ten through twelve. Interestingly, eleven was the most popular answer among respondents to the print survey, accounting for 39.3% of that subset of respondents. In the overall survey, a significant group (19.5%) endorsed a council of seven to nine, although many more favoured the range of larger councils from eleven to thirteen (45.8%). The average of all responses was 10.4 council members including the mayor.

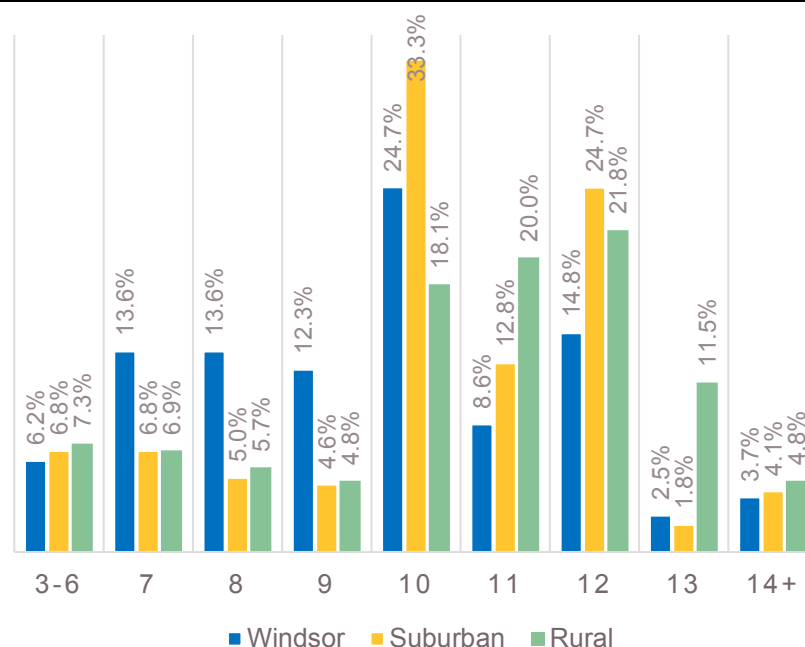
Figure 3-3 Preferred Council Size, Windsor-West Hants Council Size Survey, 2019



Source: Stantec Consulting Ltd.

Figure 3-4 illustrated the breakdown among the Town of Windsor, other serviced areas (i.e., Hantsport, Falmouth, Currys Corners, Garlands Crossing, and Wentworth Creek), and remaining rural areas of West Hants. The three distributions suggest a stronger preference for a larger council among rural residents than serviced area and Windsor residents, but not particularly pronounced. The average response of Windsor residents was 9.6 council members, for residents of other serviced areas 10.3. In rural areas the average was 10.6. Notable differences between the areas are the large proportion in Windsor who favour a council of seven to nine and a significant group of rural residents who would prefer a council of 13 (11.5%). While, the range from eleven through twelve accounted for just less than half of Windsor respondents (48.1%), clear majorities favoured it in the other serviced areas (70.8%) and rural areas (59.9%).

Figure 3-4 Council Size Preference by Area, Windsor-West Hants Council Size Survey, 2019



Source Stantec Consulting Ltd.

Question 4 – Rationale for Council Size Preference

Stantec examined all 478 comments in response to Question 5 taking into account the preferred council size chosen and the community of the respondent. Respondents who chose very small council sizes (i.e., six or fewer) emphasized efficient decision-making more than any other factor. Those preferring a council of 13 or more stressed representation, particularly representation of rural interests. Their comments tended to be negative toward consolidation, which most appeared to consider a threat to rural interests.

Some within the larger group who preferred a council of seven to twelve expressed similar concerns with efficiency and representation as well as support for and opposition to the consolidation initiative; however, many introduced more detailed breakdowns of how council seats should be distributed among the leading communities. Those favouring seven to nine council members emphasized efficient decision-making but also suggested that the ratio of population to council members was realistic and manageable. In this range, respondents suggested one councillor would be sufficient for Windsor and the remainder would serve West Hants.

Among respondents espousing a council of ten to twelve, priority shifted more clearly to representation. Many recognized that a council of ten or more would provide two positions for Windsor and one for Hantsport, leaving six to eight positions for West Hants. Even within this group, a significant number of respondents expressed a desire for efficiency recognizing that even a council of twelve represents a reduction relative to the 15 political representatives currently serving Windsor and West Hants as separate municipal units.

Question 8 – Final Comments

Only 142 respondents chose to add final comments at the end of the survey. Most reinforced views expressed in response to Question 5 and offered opinions concerning consolidation. Several addressed the representation of specific communities and two from Hantsport expressed their desire that Hantsport continue to be recognized in a separate district without Mount Denson.

4.Recommendation

Council sizes from ten through twelve were clearly favoured by respondents to our survey of residents. Even in the Town of Windsor, which clearly has the largest constituency preferring a smaller council, nearly half of residents expressed preferences between ten and twelve, and the majority (54.3%) favour a council of ten or more. While there are very clear shortcomings with the representativeness of the survey, all significant sub-groups that we have examined favoured a council in the same range. In areas outside of Windsor the majority generally favoured a larger council.

While direct consultation with residents at meetings cannot be expected to extract clear opinions concerning council numbers, the input of meeting participants was not at odds with survey results. Unquestionably, speakers who were most supportive of consolidation expressed the hope that a smaller council would be adopted to reflect their aspirations for a unified municipality; however, more expressed concern for representation of existing communities. Several, in fact, gave specific breakdowns of their expectations for Windsor, Hantsport, and West Hants that would typically require a council of ten or eleven members in addition to a mayor.

While the portion of the community most supportive of consolidation appears to favour a smaller council, they are clearly a minority. Only 20.9% of survey respondents expressed a preference for a council of nine or fewer. Input at the public sessions aligns with the survey result: select participants spoke for a smaller council in the interest of focused and efficient decision-making but they were outnumbered by speakers more concerned with representation.

A council of ten received the most support among survey respondents with 23.2% favouring the number. A council of twelve was however a close second with 21.8%. The third most popular response, eleven, fell between the two.

Question 4 asked respondents to indicate their preferred council size including the mayor. The responses ten and twelve, therefore, correspond to nine or eleven districts. Based on our assessment of all input from consultation to date, **we recommend the assessment of scenarios for nine and eleven districts in Phase 2 of this Governance Study.** Given the expressed concern for representation of established communities through the same consultation, we anticipate structuring district options around the current district structure with the addition of the Town of Windsor.

Appendix A Council Size Survey Questionnaire



Windsor-West Hants Governance Review

About this Survey

The Municipality of the District of West Hants and the Town of Windsor will be consolidating into a new Regional Municipality April 1, 2020.

Stantec Consulting Limited has been engaged by the Region of Windsor and West Hants Municipality Co-ordinating Committee to help determine the appropriate size of the new council and the electoral boundaries of the new Regional Municipality.

As part of this process, we are asking residents to take part in this short survey. These results, along with information obtained from residents at public meetings starting in late January, as well as consultation with the existing Councils and staff, will provide the basis for the recommendation that Stantec Consulting will be submitting to the Co-ordinating Committee for review.

The Co-ordinating Committee will then present the preferred council size and boundary arrangement to the Nova Scotia Utility and Review Board for consideration. This will be one of many factors that will determine the structure and governance of the new Regional Municipality.

We appreciate you taking the time to complete the survey and helping us to become a stronger region.

Please drop your completed survey off at either:

- Windsor Town Hall, 100 King St., Windsor
- West Hants Municipal Office, 76 Morison Drive, Windsor

For further information, please contact:

John Heseltine, LPP MCIP

Stantec Consulting Ltd.

102-40 Highfield Park Drive, Dartmouth NS B3A 0A3

Phone: (902) 481-1477

John.Heseltine@stantec.com

This survey is also available online through <https://strongerregion.ca/> and the websites maintained by the Town of Windsor and the Municipality of the District of West Hants.



Windsor-West Hants Governance Review

Consolidation and Council Size

1. Please indicate if you voted in any of the past three municipal council elections in either the Municipality of the District of West Hants or the Town of Windsor. [CHECK AS MANY AS APPLY]

☐ 2008

☐ 2012

☐ 2016

☐ I did not vote in any of these elections

2. Please indicate whether you would expect a large or small council to have the following benefits for the new Regional Municipality.

	Large Council	Small Council	Won't make any difference
Better service to citizens	☒	☒	☒
More effective municipal government	☐	☐	☐
Cost savings	☒	☒	☒
Better interaction among Councillors	☐	☐	☐

3. West Hants currently has ten council members serving 15,368 residents; Windsor has five council members serving 3,648. The new Regional Council will include a Mayor and will serve 19,016 residents.

Please indicate the number of Council members, including the Mayor, you feel should represent the residents of the new Regional Municipality (the minimum Council size is three members plus the Mayor).

4. Why did you choose that number as the number of council members you would prefer for the new Regional Municipality?



Windsor-West Hants Governance Review

Some Information About You

5. What community do you live in?

- | | | |
|---|--|---|
| ☐ Ardoise | ☐ Hantsport | ☐ St. Croix |
| ☐ Ashdale | ☐ Hillsvale | ☐ St. Croix 34 |
| ☐ Avondale | ☐ Kempt Shore | ☐ Summerville |
| ☐ Belmont | ☐ Leminster | ☐ Sweets Corner |
| ☐ Bishopville | ☐ Lower Burlington | ☐ Three Mile Plains |
| ☐ Bramber | ☐ Mantua | ☐ Union Corner |
| ☐ Brooklyn | ☐ Martock | ☐ Upper Burlington |
| ☐ Cambridge | ☐ McKay Section | ☐ Upper Falmouth |
| ☐ Centre Burlington | ☐ Mill Section | ☐ Upper Vaughan |
| ☐ Cheverie | ☐ Mosherville | ☐ Vaughan |
| ☐ Cogmagun | ☐ Mount Denson | ☐ Walton |
| ☐ Curry's Corner | ☐ Newport Corner | ☐ Wentworth Creek |
| ☐ Ellershous | ☐ Newport Station | ☐ Wile Settlement |
| ☐ Falmouth | ☐ Panuke Lake | ☐ Town of Windsor |
| ☐ Garlands Crossing | ☐ Pembroke | ☐ Windsor Forks |
| ☐ Greenhill | ☐ Poplar Grove | ☐ Woodville |
| ☐ Gypsum Mines | ☐ Riverside | |
| ☐ Hants Border | ☐ Scotch Village | |

Other community (please specify)



Windsor-West Hants Governance Review

6. What is your gender?

- ☐ Female ☐ Male ☐ Prefer not to answer

7. Which category below includes your age?

- | | | |
|--|--------------------------------------|--|
| ☐ 14 years or less | ☐ 25 to 34 years | ☐ 65 to 74 years |
| ☐ 15 to 17 years | ☐ 35 to 44 years | ☐ 75 to 84 years |
| ☐ 18 to 19 years | ☐ 45 to 54 years | ☐ 85 years or more |
| ☐ 20 to 24 years | ☐ 55 to 64 years | ☐ Prefer not to answer |

Upcoming Public Meetings

We appreciate your help with the Governance Review and encourage you to attend one of the following public meetings planned to discuss the size of the future Regional Council for Windsor and West Hants. Each meeting will begin with an open house from 6:00 to 7:00 pm followed by a presentation at 7:00 pm:

- **Tuesday, January 29** - Avondale Community Hall, 50 Avondale Cross Rd, Avondale
- **Wednesday, January 30** - Brooklyn Civic Center, 995 Hwy 215, Brooklyn
- **Thursday, January 31** - South West Hants Fire Hall, 1884 Hwy 14, Vaughan
- **Tuesday, February 5** - Windsor Community Center, 78 Thomas Street, Windsor
- **Wednesday, February 6** (snow date for the 1st 4 meetings) - West Hants Municipal Office, 76 Morison Road, Windsor
- **Thursday, February 7** - Falmouth Community Hall, 147 Falmouth Back Rd, Falmouth
- **Wednesday, February 13** (snow date for February 7) - West Hants Municipal Office, 76 Morison Road, Windsor

8. If you have any further thoughts about the size of the council for the new Regional Municipality or any related issue, please share them with us here.



Design with community in mind

Windsor-West Hants Governance Review
Council Size Report

Report to the Co-ordinating Committee
in relation to
Council Size and Polling Districts for
the Region of Windsor and West Hants Municipality

Submitted by
Dr. Jamie Baxter, , M.A., J.D., LL.M., J.S.D
Assistant Professor
Schulich School of Law, Dalhousie University
Halifax, Nova Scotia

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Executive Summary

On April 1, 2020, the Region of Windsor and West Hants Municipality (hereafter, “WWH”) will join the Cape Breton Regional Municipality, Halifax Regional Municipality and Region of Queens Municipality as the one of only four regional municipalities in Nova Scotia. It will also be the first such regional consolidation to take place in the province in over twenty years.

The purpose of this report is to provide background context and analysis on two key questions of institutional design for WWH. First, what is the optimal size for the new regional council? Second, what are the appropriate geographic boundaries for the municipality’s polling districts? How these two questions are approached and answered may have consequences for the functioning and long-term success of the new regional municipality—and, to the extent that WWH serves as a model for other regional consolidations, may influence future municipal reforms across the province.

In reaching a decision on these two issues for WWH, the Nova Scotia Utility and Review Board will have a deeper set of precedents to draw on than it did when determining council size and polling districts for earlier regional consolidations. By mapping the relevant statutory provisions and the Board’s emerging analytical framework for determining these issues, this report provides a basis to better understand the available choices between larger and small councils and the different approaches to establishing district boundaries. Both of these inquiries are described in this report as an exercise in balancing competing but legitimate sets of values and goals.

The report’s main recommendations can be summarized in three points. First, consistent with past cases of regional consolidation and with the need to balance effective representation and effective governance, the new regional council for WWH should likely be smaller in size than the combined councils of the Town of Windsor and the Municipality of the District of West Hants. Second, in establishing polling district boundaries, community of interest factors play an important role—but in the unique context of regional consolidation, those factors will also need to be weighed against demands to advance regional interests. Third, determinations of council size and polling districts should be based on a close consideration of how these two institutional features relate to one another and how they may or may not change and evolve over time in the dynamic context of municipal reform.

While Nova Scotia has a long history of studying municipal reforms, much has changed since calls for “modernization” emerged in the late 1960s and early 1970s and since the last round of regional consolidations in the mid-1990s. This report builds on those past studies by surveying the recent law and academic research on council size and polling districts. It then synthesizes the available material for application to WWH within the broader context of municipal reform in Nova Scotia.

1. Introduction

At the request of the Councils of the Town of Windsor and the Municipality of the District of West Hants, the Minister of Municipal Affairs introduced Bill 55 to the provincial legislature on September 25, 2018. The *Region of Windsor and West Hants Municipality Act* (the “Act”) received royal assent on October 11, 2018.¹ Section 3 of the Act consolidates the Town of Windsor and the Municipality of the District of West Hants into the new Region of Windsor and West Hants Municipality (“WWH”) effective April 1, 2020. WWH is only the fourth regional municipality created in Nova Scotia and the first such regional consolidation in the province in the past two decades.

The Co-ordinating Committee overseeing the consolidation is chaired by a Co-ordinator appointed under the Act by the Governor in Council. Section 10 of the Act requires the Co-ordinator to apply to the Nova Scotia Utility and Review Board [the “Board”] to determine the number of councillors and the geographic boundaries of the polling districts for the new regional municipality.

1.1. Mandate

On January 21, 2019, the Co-ordinator requested a written report to inform the Co-ordinating Committee about approaches to determining the council size and polling district boundaries for WWH. The report was to be conducted in parallel with a Governance Review, including public consultations, completed by Stantec. The Co-ordinator asked that the report:

- provide an understanding of approaches taken to determining council size and polling district boundaries in previous similar Nova Scotia cases before the Board, including approaches taken by associated studies submitted to the Board in support of those applications; and
- include an overview of the current literature on creating effective representation at the local government level.

This is the report submitted to the Co-ordinating Committee in fulfillment of the Co-ordinator’s request.

1.2. Scope of Report

This report is based on a review of the following materials:

- legislation relevant to the Board’s determination of council size and polling district boundaries in cases of regional consolidation; and
- the Board’s past decisions upon applications to establish or revise council size and polling district boundaries for the three pre-existing regional municipalities in Nova Scotia: Cape Breton Regional Municipality, Halifax Regional Municipality, and the Region of Queens Municipality;
- reports submitted to the Board in support of the above applications;

- relevant Canadian and comparative research literature on municipal council size and the distribution of polling districts.

By way of background, additional materials related to the broader context of municipal reform and restructuring in Nova Scotia were also reviewed. Apart from a few cases of particular relevance, the Board's decisions on council size and polling districts upon application by municipal councils under section 369 of the *Municipal Government Act* (the "MGA") were not reviewed for the purposes of this report.²

2. Regional Consolidation in Nova Scotia

Changes in the structure of municipal government in Nova Scotia have long shaped how local communities govern themselves and how those communities connect with and relate to one another. In the early colonial history of the province, these changes were driven by the global forces of war, international migration, and British imperialism, as Loyalist settlers from New England challenged the centralizing tendencies of municipal administration under the British and brought with them new ideas about the value of self-governance and local control.³ Since the mid-twentieth century, shifting demographics and economic conditions, the changing scope and complexity of local services, and the introduction of new technologies have all combined to create new pressures for municipal reform.⁴

How municipal governments should be restructured to respond to these pressures has been a much-studied topic in Nova Scotia over the last half-century or more. In 1967, the Pictou County Municipal Coordination Study considered several alternatives for structural reform across the six existing municipal units in Pictou County.⁵ Just four years later, the Royal Commission on Education, Public Services and Provincial-Municipal Relations (the Graham Commission) began an exhaustive review of municipal boundaries and financing. As recently as 2014, the Report of the Nova Scotia Commission on Building Our New Economy (the Ivany Report) recommended that the provincial government initiate a review of current municipal government structures to improve "efficiency, cost effectiveness and community engagement."⁶ The intervening years of the late twentieth and early twenty-first century produced several additional studies and reports on the topic.

These studies are perhaps most remarkable for their consistency in recommending a reduction in the number of municipal units through some form of amalgamation. Likely the most influential has been the report of the province's Task Force on Local Government in 1992, which identified five "critical regions" as a "first priority" for structural reform.⁷ Rejecting the two-tier model that had been taken up in parts of Ontario and the Western provinces, the Task Force recommended that Nova Scotia pursue single-tier, regional-level consolidations of existing city-county units—with the county-level serving as the preferred scale for reorganization.⁸

In the wake of the Task Force report, the provincial government initiated regional consolidations in the two most populous regions in the province by way of special legislation,⁹ creating the Cape Breton Regional Municipality ("CBRM") in 1995 and the Halifax Regional Municipality ("HRM") a year later. The Region of Queens Municipality ("Queens") was also created in 1996, consolidating the town of Liverpool and the Municipality of Queens County—although this restructuring was unique in that local officials initiated the consolidation rather than have it

imposed by the Province.¹⁰ Historians have noted that the primary motivations varied for each of these three regional consolidations. The changes in Cape Breton were an attempt to address the financial viability of the nine municipalities comprising the new regional government, while in Halifax the rationales included cost savings, unsustainable economic competition between the four former municipalities, and problems with a new provincial service exchange initiative. The Queens consolidation stood apart as an amalgamation of town and rural areas with a much smaller population, where economies of scale and a shared identification as a community of interest were central features.¹¹

Despite the introduction of new permanent legislation to create additional regional municipalities in 1996,¹² no further regional consolidations had been initiated until the *Region of Windsor and West Hants Municipality Act* was enacted in October 2018.

2.1. Functions of Local Government and Objectives for Reform

In part, what makes local governments unique from other levels of government in Canada is their dual identity as both service providers and vehicles for democratic expression. In its 1992 report, the Task Force on Local Government identified four key functions of local government in Nova Scotia that together capture this dual identity. Local governments are:¹³

- a provider of services based on local needs and desire;
- a forum for local citizens to make decisions on the way they want to live;
- a forum for the resolution of conflicting views within local communities;
- a representative of the community to lobby on its behalf.

In whatever way municipal government is structured or restructured, its institutional features should be designed to reflect these key functions. The Provincial-Municipal Fiscal Review, published in 2014, put forward the view that any structural reforms to municipal government should seek to achieve the following objectives:¹⁴

- democracy—reforms “should uphold transparent, accountable, accessible, and representative municipal government”;
- equity and fairness—reforms “should support a reasonably comparable standard of public services across Nova Scotia municipalities at reasonably comparable levels of taxation, and support a system where citizens receive best value and are taxed according to the services they have access to”;
- viability and capacity—reforms “should ensure that municipalities have sustainable resources to support their long-term viability”;
- efficiency and effectiveness—reforms “should encourage efficient and effective decision-making” by local government.

While each of these objectives is legitimate, they necessarily give rise to internal trade-offs that are made “real” at the level of institutional design. The balancing of those trade-offs is discussed in detail in Part 4, below.

2.2. Rationales for Regional Consolidation

The several reports on municipal restructuring in Nova Scotia that have emerged over the past half-century contain an extensive analysis of the rationales for regional consolidation and other forms of municipal amalgamation. Likewise, a considerable research literature exists, both in Canada and in comparative jurisdictions, on the topic of municipal government restructuring. This report focuses on just two aspects of institutional design within this broader context of reform—namely, council size and the distribution of polling districts in a new regional municipality. Nevertheless, a determination of these two issues will necessarily be influenced by those goals or rationales for regional consolidation that are deemed most important.

Four prominent rationales for regional consolidation emerge from the various studies and reports published on the topic in Nova Scotia:

- efficiency—restructuring at the regional level may help municipalities to reduce costs and capture economies of scale, resulting in the more efficient delivery of municipal services and more efficient decision-making;
- regional planning—reorienting planning aims and processes at the regional level can address problems of wasteful competition between municipalities for development, and may drive municipal decision-makers to adopt broader policy orientations that are more appropriate to scale of municipal challenges and opportunities;
- bargaining power—“scaling-up” local governance through consolidation can put regional municipalities in a stronger position to advocate for regional interests to senior levels of government, and to negotiate with potential investors or industry actors for economic development opportunities on more favourable terms;
- equity—combining service delivery across municipal governments may not only improve efficiency, but may also help to make service delivery more uniform and consistent, thereby improving equity among citizens within a region.

An evaluation of these rationales lies outside the scope of this report. Nor does the report engage with an assessment of alternatives to regional consolidation. But a clear understanding of the different goals above is crucial for analyzing how the issues of council size and polling district boundaries have been approached in past cases of regional consolidation. The report returns to these themes in Parts 3 and 4 below.

3. Statutory Framework and Case Law

The first goal of this report is to understand how the Board has determined council size and polling districts in past cases similar to WWH. This section introduces the relevant statutory framework and outlines the Board’s general analytical framework for determining the issues of council size and the boundaries of polling districts. The section concludes by summarizing how the Board determined these issues in the three prior cases of regional consolidation in Nova Scotia, including subsequent adjustments to council size and district boundaries in those regional municipalities over time.

3.1. Statutory Framework

Section 10(1) of the *Region of Windsor and West Hants Municipality Act* (the “Act”) requires the Co-ordinator to “apply to the Nova Scotia Utility and Review Board for a determination of ... the number of councillors and the boundaries of the polling districts in the Regional Municipality.”¹⁵ The Act, however, is silent on the criteria to be applied by the Board in making these determinations.

Special legislation in prior cases of regional consolidation in Nova Scotia also lacked specific criteria to guide the Board’s decisions about council size and polling districts.¹⁶ In both the HRM and Queens cases,¹⁷ the Board relied, by analogy, on the statutory provisions requiring periodic reviews of these issues in all local governments in Nova Scotia pursuant to the *Municipal Boundaries and Representation Act* (the “MBRA”).¹⁸ In 1998, the MBRA provisions—including the requirement for an octennial review of council size and polling districts and criteria to guide those determinations—were subsequently incorporated into the MGA.¹⁹

The Board’s reliance on the MBRA in its decisions in the HRM and Queens cases is significant for WWH for two reasons. First, it suggests that the criteria for determining council size and polling districts now set out in section 368 of the MGA will be persuasive factors for the Board. Second, it suggests that the more general analytical framework the Board has developed in its section 369 jurisprudence since the early 2000s will likely guide the Board in determining council size and polling districts for WWH.

Sections 16(2) and 17 of the MBRA, which were relied on by the Board in the HRM and Queens cases, read as follows:²⁰

16(2) In settling and determining the number and boundaries of wards and polling districts and the number of aldermen or councillors for each ward or polling district, the Board shall give consideration among other things to population density, community of interest and geographic size of wards and polling districts. [emphasis added]

[...]

17 During the year 1987 and during each sixth year thereafter the council of each municipality other than a city or town shall cause a study to be made of the number and boundaries of the then existing polling districts in the

municipality and the fairness and reasonableness of the number of polling districts and of the number of councillors to be elected from each, and before the end of the year in which the study is made shall make an application to the Board either for confirmation of or approval of changes in the number and boundaries of polling districts and the number of councillors to be elected from each polling district. [emphasis added]

When the new MGA was enacted in 1998, it incorporated the requirements for periodic review formerly found in the MBRA. Section 369 of the MGA now reads:

369(1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councillors.

Subsection 368(4) of the MGA establishes the general powers of the Board upon a municipality's application to determine council size and polling districts:

368(4) In determining the number and boundaries of polling districts the Board shall consider number of electors, relative parity of voting power, population density, community of interest and geographic size. [emphasis added]

The specific factors identified in this provision are discussed in more detail below.

3.2. The Board's Analytical Framework

In the course of reviewing municipal applications respecting changes in council size and polling district boundaries under section 369 of the MGA, the Board has developed a general analytical framework that incorporates—but is not limited to—the factors listed in subsection 368(4). Based on the precedent established in the HRM and Queens consolidation cases, it is likely that the Board will apply this general framework when determining the council size and polling districts for the Region of Windsor and West Hants.

In 2004, HRM applied to the Board under section 369(1) to confirm its preexisting council size and the boundaries of its polling districts.²¹ Following its decision on the municipality's application, the Board established a two-step framework to guide municipal applications addressing council size and polling districts in future cases. At the first stage, the Board instructed municipalities to address the appropriate size of the municipal council. At the second stage, once council size has been determined, the Board instructed applicants to address the appropriate distribution of polling districts.²²

3.2.1. Step One: Council Size

When determining the size of council at the first stage, the Board will consider the following factors:²³

- the desired style of council;
- the governance structure of council; and
- the effective and efficient number of councillors.

The first two of these factors—the desired style of council and its governance structure—are not mentioned in the MGA. Instead, these factors appear to precede, and establish the relevant context for, applying the section 368 factors in order to determine “the effective and efficient number of councillors” for a municipality.

In describing the “desired style of council”, the Board referred to citizens’ expectations about the manner in which they engage with councillors and the extent to which councillors are directly accessible to their constituents. The Board distinguished between two styles of council on these grounds: a “board of directors” style and a “board of management” style.²⁴ While the Board did not elaborate on these two models, it appeared to have in mind the contrast between a council that is delegated relative autonomy to act on behalf of—but at a step removed from—its constituents, and a council whose immediate decisions are informed by its constituents and whose members are therefore directly accessible to municipal citizens. Party submissions in subsequent Board decisions have compared these styles as, alternatively, “board of directors” versus “ombudsman” models,²⁵ and as “executive” versus “direct accessibility” models.²⁶ The choice between these styles of governance has been described as the “social compact” between council and its citizens.²⁷ The Board noted that the style of council was a factor that should be based directly on the expectations of constituents as expressed through consultation.²⁸

In describing the “governance structure of council” component of its framework, the Board referred to features of municipal governance that are likely to affect citizens’ representation by, and access to, their councillors. Here, the Board appeared mainly to have in mind features such as the community councils that play a “critical role” in the governance of a regional municipality like HRM and serve as an important conduit for citizen participation and input. Presumably, structural features specific to other municipalities that affect the nature of representation or the delivery of municipal services would also be relevant to this component of the analysis—such as mayoral versus warden systems,²⁹ or the number of councillors elected per ward.³⁰

Based on these first two components of the Board’s framework, it is clear that the application of the statutory criteria in subsection 368(4) of the MGA should be sensitive to the diverse contexts of local governance. Those contexts will legitimately be informed by both citizens’ expectations, by features required under statute (e.g., the mayoral system for regional municipalities), and by other institutional decisions properly made by council (or, in the present case, by the Co-ordinating Committee).³¹

There is, however, uncertainty about the extent to which these first two factors are binding on the Board. In *Richmond County (Municipality) v. Nova Scotia (Attorney General)*, the municipality

sought judicial review of the Board’s decision to reduce its council from 10 members to 5, arguing that the Board failed to consider the style of governance desired by the municipal council’s constituents.³² The Court of Appeal found that the Board’s “guidance” in describing this component of the framework did not act as a fetter on the Board’s jurisdiction to determine the size of council using the explicit statutory criteria found in subsection 368(4).³³

The final factor at the first step of the Board’s analysis—“the effective and efficient number of councillors”—presumably refers directly to the criteria listed in subsection 368(4) of the MGA, interpreted in light of the desired style of council and its governance structure. The statutory criteria primarily relevant to determining council size are: the number of electors, population density, and the geographic size of the municipality.

3.2.2. Step Two: Polling District Boundaries

In *Re (Halifax Regional Municipality)*, 2004 NSUAR 11, the Board addressed four factors listed in section 368(4) of the MGA relevant to determining polling districts at the second stage of analysis: relative parity in voting power, community of interest, geography, and population density.

The MGA does not describe how the four factors might interrelate to one another, but the Board has gone some distance toward clarifying this relationship in its case law. In its decisions on polling districts in both the HRM and Queens consolidation cases, the Board was careful to note the “paramount importance” of relative parity of voting power.³⁴ The central concern is that, when the voter-to-councillor ratio in one district exceeds that of any other district, each elector’s vote in the former will be proportionally less influential in determining electoral outcomes and in public decision making.

In *Reference re Provincial Electoral Boundaries*, Justice McLachlin described relative parity of voting power as one of the conditions for effective representation.³⁵ The importance of this principle as a baseline for determining polling boundaries was emphasized again in the final report of Nova Scotia’s Provincial Electoral Boundaries Commission in 1992, noting that “criteria such as geography or community interest may be used to temper the idea of the ‘relative parity of voting power’, but they do not supplant or eliminate that concept.”³⁶

In past cases of regional consolidation, the Board applied a threshold for variance from average voting power parity for each proposed district at ± 20 -25 percent. More recent Board decisions on polling district distribution pursuant to section 369 of the MGA have narrowed the expected baseline threshold for variance in relative voter power parity to ± 10 percent, requiring that variance in excess of this threshold “must be justified in terms of the criteria identified in section 368(4)” —namely, the number of electors, relative parity of voting power, population density, community of interest and geographic size.³⁷ Furthermore, “[t]he more the variance exceeds 10 percent the greater and more detailed the justification the Board will expect.”³⁸

At the same time, the Board has also been clear that polling district boundaries themselves cannot be established arbitrarily but should seek to encompass “common interests”—however this might be defined.³⁹ Communities of interest, likely in combination with geography and population density, therefore appear to form the basis for actually mapping district boundaries,

while relative parity in voting power sets a strong outside constraint on the degree to which districts can vary in population. Nevertheless, the broad interpretation given to “community of interest” by the Board lends this criterion considerable flexibility and ambiguity, leading to uncertainty about when certain interests might “trump” others if they come into conflict with one another.

3.2.3. Relationship Between Steps One and Two

While the Board has been clear that it wants municipalities to address steps 1 and 2 of its framework in serial order, the two inquiries are clearly interrelated. For example, the size of council (and therefore the number of polling districts in a system of single-district representation) will establish parameters for drawing district boundaries. In some cases, what appears to be an optimal council size will make it impossible to establish polling districts that fall within the variance thresholds for voting power parity or meet the other criteria established by the Board.⁴⁰ In these circumstances, the Board has demonstrated some degree of flexibility in adjusting council size at the margins on the basis of factors such as community of interest—while nevertheless continuing to demand that municipalities follow the general instruction to address these issues in discrete stages, at least as a first attempt.

3.3. Prior Cases of Regional Consolidation

Below is a summary of the Board’s reasons and conclusions on the issues of council size and polling districts in the three prior cases of regional consolidation in Nova Scotia (CBRM, HRM, and Queens). The summary includes both the Board’s initial determinations on these issues at consolidation, as well as subsequent revisions to council size and polling districts upon application by each of the regional municipalities under section 369 of the MGA. Table 1 shows how council size has changed in each of the regional municipalities over time since before consolidation in 1995-1996.

	CBRM	HRM	Queens
Before consolidation (total)	70	60	16
After consolidation (1995/96)	21	23	9
1999	16	23	9
2004	16	23	9
2011	12	16	7

Table 1: Council Size in Nova Scotia’s Regional Municipalities, Pre-consolidation to 2011

3.3.1. Cape Breton Regional Municipality (CBRM)

The consolidation of Cape Breton Regional Municipality (CBRM) encompassed the area of the former Cape Breton County, amalgamating eight separate municipal units that contained a mix of urban, suburban and rural populations. The region contained 13 percent of the total provincial

population at the time of consolidation, second in size only to the region of Halifax County. Since the mid-1960s, “industrial” Cape Breton had been experiencing declining economic prospects, out migration, and an aging population.⁴¹

Prior to consolidation, Cape Breton County’s eight municipalities included a total of 70 councillors, a total population of 120,098 and a voting population of 83,769. Voter-per-councillor ratios varied across these pre-existing municipalities from 155:1 to 2,222:1.

Charles Campbell, the regional Co-ordinator, issued his Interim Report on the consolidation to the Minister of Municipal Affairs in July 1993. Campbell proposed establishing a new regional council of 20 councillors. In proposing a council of this size, the Co-ordinator was primarily concerned to “balance the goals of effectiveness and representation.”⁴² Campbell’s view was that large councils tended to be unworkable, a problem which itself would impair effective representation of councillors’ constituents. He was also concerned that “there is a tendency ... for very large councils to be unduly concerned with neighbourhood issues, of importance to the individual councillors, and not sufficiently directed to the needs of the region as a whole.”⁴³ This conclusion was based in part on Campbell’s understanding of the experiences of other large cities in the Atlantic region and across Canada which, in his view, favoured “smaller, more workable councils.”⁴⁴

On the question of polling districts, the Co-ordinator noted that the geography of the new regional municipality and large variation in the geographic size of polling districts across the former municipal units created challenges in maintaining relative parity in voting power while ensuring that councillors on the new council could effectively represent their constituents.⁴⁵ Campbell was sensitive to the need not to divide communities of interest, but also recognized that reinforcing the boundaries of prior municipal units could divide communities of interest in some cases while protecting them in others. Accordingly, “[m]any living on the boundaries of cities and towns have more in common with the urban units than with those who shared the same councillor but were of a more rural bent.”⁴⁶ But Campbell also recognized that public perception played an important role, noting that simply creating polling districts to ensure that they each include some mix of urban, suburban and rural could divide these interests and pit them against one another, leading to political dysfunction. In Campbell’s view, the inevitable contest between these interests would be more appropriately played out within the council itself, rather than within particular polling districts.⁴⁷ Finally, the Co-ordinator noted that polling districts should not be split by major geographic barriers, which could impair access to elected officials.⁴⁸

After a preliminary hearing on these issues, the Board requested that the Co-ordinator file a revised application to address problems with one of the proposed districts. The Board ultimately settled on a council of 21 members, resulting in an average voter-per-councillor ratio of 3,989:1. While the Co-ordinator had set an ambitious goal for variance in voting power to within ± 10 percent of the average,⁴⁹ the Board ultimately rejected this proposal based on its concerns about geographic size and about reinforcing pre-existing divisions between rural and urban voters.⁵⁰ The Board allowed a number of districts to vary within ± 20.9 percent,⁵¹ noting that “[i]t would not be inappropriate if the small urban polling districts exceeded +10 percent while the large rural polling districts exceeded -10 percent.”⁵² In one “special circumstance”, the Board allowed a district to vary by -54.7 percent.

In 1999, just five years after the creation of the new CBRM, the regional council applied to the Board under section 369 of the MGA to reduce its size from 21 members to 16 members. That application was accepted by the Board. In 2011, the regional municipality applied to maintain its *status quo* size of 16 councillors, but the size of council was again reduced by the Board, creating a new council of 12 members. This most recent reduction resulted in a voter-per-councillor ratio of 6,936:1.⁵³ Following the reduction of council size to 12 councillors in 2011, the variation in voting power between districts was reduced considerably—to a range between -25.9 percent to +16.3 percent.⁵⁴

3.3.2. Halifax Regional Municipality (HRM)

The area formerly encompassed by Halifax County is the largest urbanized area in Nova Scotia. The former municipalities of Halifax City, Dartmouth, Bedford and Halifax County—an area covering nearly 1.5 million acres—were consolidated to create the Halifax Regional Municipality in 1996.

Prior to consolidation, the four former municipal units were governed by a total of 60 councillors and comprised of 45 different wards. The population of the new regional municipality when it was created was 330,846, with a total voting population of 249,510. Voter-per-councillor ratios in the former units varied from 1,936:1 (in Bedford) to 9,538:1 (in Halifax City).

C. William Hayward, the Co-ordinator for the HRM consolidation, submitted his Interim Report on the consolidation to the Minister of Municipal Affairs in July 1993. Echoing many of the same ideas and much of the same language as the Campbell report, Hayward's report recommended a new council size of 20 members and, in making this recommendation, sought to "balance the goals of effectiveness and representation."⁵⁵ Likewise, Hayward's report mirrored many of the considerations in the Cape Breton report—however, the former recommended a broader range for the variance in average in voting power of ± 20 percent (compared to ± 10 percent), noting that ± 30 percent may be justified in unusual cases.⁵⁶

The Board ultimately determined that the new regional council should be slightly larger, at 23 members, resulting in an average voter-per-councillor ratio of 10,337:1. In rejecting the smaller proposed council size, the Board emphasized that a municipal councillor, "particularly in a rural area, is expected to perform a wide variety of activities for his or her constituents. For many people in rural areas, this is their one contact with all levels of government."⁵⁷ The Board also expressed the concern that district sizes for the new regional municipality remain proportionally smaller in population than in federal or provincial ridings, and proportional to the voter-per-councillor ratios in other Nova Scotia municipalities.⁵⁸ In determining polling districts, the Board accepted a variance in average voting power of ± 25 across districts and the final districts approved by the Board all fell within this range (between -21.6 percent to +23.8 percent).

The size of HRM's council remained unchanged until 2011, when the Board ordered a reduction in the size of council to 16 members—notwithstanding the regional council's request to maintain the *status quo*. This resulted in an average voter-per-councillor ratio across the regional municipality of 20,664:1. Following this reduction in council size, the variation in voting power between districts narrowed to between -20.7 percent and 13.0 percent.⁵⁹

3.3.3. Region of Queens Municipality (Queens)

The consolidation of the Town of Liverpool and the Municipality of the County of Queens that produced the new Region of Queen Municipality in 1996 differed from the consolidations in Cape Breton and Halifax in a few important respects. First, the Queens consolidation did not include a major urban centre but was instead the product of amalgamating a town and rural area with a much smaller population.⁶⁰ This feature places the Queens case closer to the social, economic and demographic context of WWH. Second, the Queens consolidation was not mandated by the Province—as it had been for CBRM and HRM—but was initiated locally.⁶¹

Nevertheless, despite this context, the mayor, warden and the respective councils of the two pre-existing municipalities apparently ran “into difficulty in agreeing on how best to implement” the consolidation.⁶² As a result, two independent, local business persons—Harold Dobson and James Sapp—were asked to undertake a study of municipal reform for Queens and to provide a “blueprint” for the consolidation. The total voting population over the area of Queens County at consolidation was 9,404. The Town of Liverpool had 6 councillors and an average voter-per-councillor ratio of 385:1, while Queens County had 10 councillors an average ratio of 730:1.

In addressing the question of council size, Sapp and Dobson took their cue from the Task Force on Local Government’s emphasis on balancing “citizen accessibility” with “cost-effective service delivery”⁶³—although the report itself offers little insight into how the authors used this principle to arrive at their preferred council size. Sapp and Dobson argued that a ± 20 percent requirement should guide assessment of polling districts based on voting power parity.

Based on Sapp and Dobson’s study, the Co-ordinator for the Region of Queens recommended to the Board that the new regional municipality have a council size of 9—resulting in an average voter-per-councillor ratio of 1,044:1—a recommendation that was supported by a majority of councillors and citizens who gave evidence before the Board.⁶⁴ The Board approved a council of 9 councillors, as well as the recommended polling district boundaries based primarily on community of interest and geographic factors. The Board’s determination of 9 polling districts produced districts with variation in relative parity of voting power between -22 percent to +23 percent.

In 2011, the Region of Queens Municipality applied to reduce the number of councillors and polling districts to 7, based primarily on concerns about a projected decline in population in the region.⁶⁵ This application was accepted by the Board, yielding a new average voter-per-councillor ratio of 1,167:1.⁶⁶ Following the reduction in council size, the variation in voting power between districts narrowed dramatically, to between -2.66 percent to +3.51 percent.⁶⁷

4. Synthesis of Cases and Academic Research

The relevant statutory criteria for determining the optimal council size and distribution of polling districts are quite broad, and they offer precious little insight into how to address the trade-offs inherent in key decisions around the institutional design of municipal governance. While there are many factors that might bear on such decisions, this report proposes that, in the context of regional consolidation, determining council size and the distribution of polling districts can be addressed as an exercise in balancing two respective sets of competing but legitimate values or aims.

The “optimal” council size for WWH primarily engages the balance between what researchers have called *representation* and *governance*—that is, between council’s ability to provide effective political representation on the one hand and effective municipal governance or legislative functionality on the other. Likewise, the question of district boundaries engages the balance between *community* and *regional* interests—that is, between demands by existing communities of interest for political recognition on the one hand and imperatives for regional planning and policy making on the other. While these are certainly not the only questions of balance that might be relevant to the Board’s determinations, they are arguably the most salient and those best informed by the existing body of available research.

4.1. Council Size

As the Board’s analytical framework recognizes, any determination of an “optimal” council size for WWH will necessarily be context specific. As an early study on the question of council size observed, “there is neither an abstract optimal size for a national, state, or city legislature nor an accepted formula for establishing legislative size, because decisions on size involve fundamental matters of representation, governmental effectiveness, political accountability, and the competitiveness of the city’s political system.”⁶⁸

The optimal council size for WWH will turn on how best to navigate the several trade-offs between effective “representation” and effective “governance”. The Board recognized as much in its initial determination of council size for the new Region of Queens Municipality when it observed that its decision “must balance both the number of voters a councillor will represent and the maximum number of councillors who can effectively work as a council.”⁶⁹ As the Task Force on Local Government noted, “[t]he reorganization of any system of local government must always balance the requirements of accountability and accessibility with those of efficiency and economy.”⁷⁰

4.1.1. Representation

Effective political representation refers to a councillor’s ability to effectively represent the views and interests of their constituents. In 1992, the Task Force on Local Government included two important functions of local government as (1) a forum for decisions about how local citizens want to live and (2) a forum for the resolution of conflicting views.⁷¹ To fulfill the first of these functions, municipal councillors must be well-informed about their constituents’ views and accountable for representing those views accurately and zealously. To fulfill the second of these functions, the council as a whole must be comprised of a enough districts to capture a range of

constituencies that bring a sufficient diversity of views and interests to the council table. In general, larger councils will be more representative in terms of both of these functions.

It is important to note that the quality of democratic representation in any municipality will be defined, in part, by the expectations of its citizens—that is, what the Board has called the “desired style of council.”⁷² “Executive” or “board of directors” models of council representation are premised on the assumption that councillors enjoy relative autonomy to interpret and represent their constituents’ wishes once they have been elected. In this model, elections represent a kind of delegation of authority and discretion to councillors to act on their constituents’ behalf. Alternatively, “direct accessibility” models of council assume that councillors must continually seek input from, adapt to, and respond to their constituents’ views throughout the election cycle. The latter model will generally require that citizens have regular access to their councillors, and that councillors have the capacity to respond to their citizens concerns on an individualized basis. As the Board noted in its initial determination for HRM, “[a] municipal councillor, particularly in a rural area, is expected to perform a wide variety of activities for his or her constituents. For many people in rural areas, this is their one contact with all levels of government.”⁷³ To the extent that the “executive” and “direct accessibility” models are ideal types, any actual council will in practice likely operate somewhere on a spectrum between them.

Three of the statutory factors in section 368(4) of the *MGA* speak directly to the question of effective political representation: the number of electors in the municipality, its population density, and its geographic size. The greater the number of constituents each councillor represents, the less accessible they may be (in terms of time and workload) and the less “fine-grained” will be the views of each district represented at council. Geography may also play a significant role. In reviewing the council size of the Halifax Regional Municipality in 2011, the Board observed:⁷⁴

[T]he issue of geographic size, in addition to the other factors, is clearly a relevant point for the Board to consider. In this proceeding, HRM's geographic size, with large sparsely populated rural areas, is a factor which tempers, to some extent, the desirability of a small council size. If this factor had not been present in this proceeding, the Board would have seriously considered a much smaller council.”

While the density and geographic size of a councillor’s district may have a direct impact on that councillor’s ability to meet constituents face-to-face or to establish proximate constituency offices, some of that impact may be mitigated if technologies (e.g. email, social media) provide effective means of communication. Access to such technologies themselves, however, may turn on variables such as socio-economic status and demography.

The degree of a council’s “representativeness” is difficult to measure. As a result, relatively little empirical research is available to test the idea that larger councils are more representative compared to smaller councils. One approach has been to focus on citizens’ subjective experiences of access to councillors before and after municipal reforms. Kushner and Siegel (2003) gathered interview and survey data in three Ontario municipalities following regional consolidation.⁷⁵ The three consolidations ranged in context, from a voluntary merging of two

small village with a township to a large-scale, mandatory amalgamation of a central urban area with a county and its 21 municipal units. The researchers found that councillor workloads in each of the regional municipalities were either not affected or increased after amalgamation, but they also found that these changes did not negatively impact most councillors' perceived ability to be accessible to their constituents.⁷⁶ In all three regions studied, the majority of residents surveyed reported no difference in the accessibility of their councillors after amalgamation—although a “sizeable minority” (from 11 to 34 percent) thought that access had diminished.⁷⁷ While studies such as these offer a window into peoples' experiences of representation, any general lessons should be drawn with caution. As Kushner and Siegel (2003) note, citizens' responses on the issue of accessibility after consolidation appeared to be influenced by their prior beliefs about the benefits or drawbacks of consolidation in the first place.⁷⁸

Other studies have addressed the relationship between council size and representativeness by evaluating the diversity of council itself as a proxy for the diversity of interests or views that it represents. In their study using a large dataset from Danish municipal elections, Kjaer and Elklit (2014) find that larger councils have a positive effect on the number of women represented on council—but only to a point, as this effect largely disappears at council sizes over 11 individuals.⁷⁹ These findings suggest that setting council size “too low” in some circumstances may have adverse consequences for the representation of underrepresented or marginalized voices within the municipality.

4.1.2. Governance

Effective governance refers to council's ability to function well in its legislative and administrative roles by reaching sound policy decisions and delivering municipal services in ways that minimizes costs. Two types of costs are most significant to the issue of governance: *decision costs* and *administrative costs*.

Decision costs are incurred by councillors in reaching decisions together about the governance of the municipality. Smaller councils are generally “considered more efficient internally as fewer people participate in the political discussion and fewer compromises are needed.”⁸⁰ Where council is comprised of many councillors, each representing different constituencies and interests, the time and resources needed to give voice to those different interests and to reach final decisions on matters of law and policy may be onerous or, in the extreme, debilitating if they impair decision-making and render council ineffective.⁸¹ Decision costs speak to the “balance between representing the voices of many while retaining the ability to govern.”⁸² As expert testimony in a recent section 369(1) application by the Cape Breton Regional Municipality put it, the prospect of higher decision costs in larger councils raises the question, “is the political system one in which the municipality can get the job done?”⁸³ As the authors of the 1967 Pictou County Municipal Consolidation Study recognized, to a certain extent and in some contexts, the ability to “get the job done” amounts to a prerequisite for effective representation.⁸⁴ In order for a municipal council to provide good representation to its citizens, it must be able to function effectively.

A second category of decision costs is related to the potential for collective action problems in deciding on council's appropriate level of public expenditures. Political scientists have suggested that larger councils—all else equal—may spend more on public works projects (such as parks)

for reasons that are not driven by citizens demands or an evaluation of the cost consequences of these projects.⁸⁵ According to this view, for any given municipality, an increase in electoral districts reduces each district's *relative* contribution to public projects. This, in turn, may cause each councillor to internalize a smaller share of the overall cost burden on their ward as a whole, causing them to advocate for larger projects and higher expenditures.

Administrative costs refer to the financial costs of council operations relative to its size. A number of specific administrative costs have, in theory, been linked to larger municipal councils. The first set of costs is straightforward: each councillor undoubtedly represents a fixed expenditure in terms of salary, office space, staff support, etc. Reducing the number of councillors may reduce some of these costs. Second, even if a portion of the cost savings from reducing council size is reallocated to higher salaries for the remaining councillors, the result may be more qualified candidates and consequently higher productivity in delivering good governance.⁸⁶

There are, however, also competing administrative costs potentially associated with smaller municipal councils.⁸⁷ Greater “professionalization” may occur in municipalities where the number of councillors is reduced, because the remaining councillors require proportionally more staff resources to support their work.⁸⁸ Moreover, councillors in municipalities with smaller councils may have proportionally higher campaign expenditures.⁸⁹

Like effective representation, it is difficult to measure the actual decision costs associated with smaller or larger councils. But the financial cost savings of reducing council size have received some limited attention in the context of research on Canadian local government. In their study of three municipal consolidations in Ontario, Kushner and Siegel (2003) find that the costs of council administration (councillor salaries plus expenditures), decreased in two of the three cases studied, while costs actually increased slightly in a third case in the period immediately following consolidation.⁹⁰ But the researchers also found that, where financial costs decreased, these savings represented less than 1 percent of total municipal expenditures.⁹¹

In a quantitative analysis of council expenditures after structural reforms in HRM, Toronto and Quebec City, Meloche and Kilfoil (2017) find evidence that council expenditures dropped when council size was reduced.⁹² At the same time, this study found that scale of cost reductions was proportionally less than the reduction in the number of councillors. In Halifax following the downsizing of council in 2011, council size decreased by approximately 20 percent, while council expenditures dropped by only 10 percent.⁹³ These results—corroborated by a large-sample analysis of fifty-one Quebec municipalities with populations over 20,000⁹⁴—suggest that cost savings tend to be offset, to a degree, by greater “professionalization” of municipal administration through the use of more staff resources. The research on this issue was apparently anticipated by the Board in its decision to reduce the size of HRM's council in 2011. The Board concluded that:⁹⁵

[P]otential cost savings are not a material factor in assessing the request by those seeking to reduce the size of HRM's council. Any reduction would likely cause support costs for the remaining councillors to rise and negate some of the savings occasioned by the reduction in council size.

While there is evidence to support the argument that reducing council size leads to administrative cost savings, municipalities should not expect to realize the full savings from downsizing. This appears to hold true even in the context of regional consolidations where, as a consequence of amalgamation, some aspects of municipal bureaucracy will presumably be combined and streamlined.

4.2. Polling District Boundaries

As with council size, the determination of polling district boundaries at the second stage of the Board's analysis engages a balance between competing values or outcomes—that is, between giving political recognition to existing and historical communities of interest on the one hand and imperatives for regional planning and policy making on the other. In addition, as the Board has made clear, this balance must be guided or circumscribed by the requirement that polling district boundaries maintain relative parity of voting power within acceptable limits.

4.2.1. Community of Interest

Community of interest is a factor set out explicitly in section 368(4) of the MGA. Community of interest has been described as a “sense of common purpose” that links municipal residents of a geographic area together.⁹⁶ The Board has identified several factors that could serve as a nexus for such common purposes: history; recreational issues; tax rates (including area rates); services (water and sewer); fire protection service areas; traffic infrastructure and patterns; planning boundaries; language; ethnic origin; school districts; and shopping patterns and business centres.⁹⁷

While section 368(4) addresses community of interest as just one among several factors, it is clear that this criterion plays a prominent role in establishing ward boundaries, especially at the outset of a regional restructuring. A report for the Royal Commission on Electoral Reform and Party Financing in 1991, cited by the Board in initial determination of polling districts for HRM, said the following:⁹⁸

The rationale of the principle of community of interest is that electoral districts should be more than arbitrary, random groupings of individuals. They should be, as far as possible, cohesive units, areas with common interests related to representation. Existing districts and municipal boundaries should be respected where possible. The outer borders of the district should not divide distinct communities and neighbourhoods. Unrelated and geographically isolated areas should not be artificially attached to districts with whose "core" population they share no significant links.

4.2.2. Regional Interests

The Royal Commission's commitment to preserving communities of interest and its perspective that district boundaries should not “artificially” combine “unrelated” areas and community populations exposes a significant tension with another goal of regional consideration—namely, to reduce inter-municipal competition and promote new forms of collective action and policy

making at the regional level. The determination of polling district boundaries therefore imports a crucial decision or balancing act around the question of what *scale* is most appropriate to define or measure the primary interest(s) represented in a new regional municipality.

In its decision establishing polling districts and council size for HRM, the Board observed: “[m]any people anticipated that a regional government in the Halifax metropolitan area would lead to a reduction in the parochial attitudes which have hindered co-operation between the four municipal units.”⁹⁹ Quoting from the Metro Halifax Chamber of Commerce, the Board noted:¹⁰⁰

A regional perspective offers a focused decision-making process based on cooperation. Cooperative coordination on regional issues such as transportation, water and sewer treatment, policing, economic development, industrial parks, and so on, enables decisions to be made that balance a range of considerations, rather than pitting one area against another. Also, a single decision-making body is capable of considering local concerns within a broad regional perspective. The status quo—protecting what we have at the expense of others must be replaced with the view that we will all do better if we work together ... a single decision-making body offers a single "point of entry" for decisions on regional issues. Municipal representation based on population distribution will deemphasize the former political boundaries and encourage communities to focus on the new regional vision.

Likewise, in determining the polling districts for the new CBRM, the Board made explicit its desire to set district boundaries that combined urban and rural electors formerly organized into separate municipal units. The Board expressed the view that “it is not necessary or desirable to have polling districts in urban areas which do not extend beyond the former town or city boundaries.”¹⁰¹ On this point:¹⁰²

The Co-ordinator expressed the view that the polling districts should be designed to encourage the new councillors to think regionally, rather than to treat their mandate as simply to advance the local interests of the former municipal units. By their very nature and history the existing communities will retain their present specific identities. However, for purposes of electing representatives to the new Council there is a deliberate attempt to have the polling districts extend beyond traditional municipal boundaries.

At the same time, the Board recognized that when creating new districts with the intention of capturing both rural and urban voters, it must be careful not to skew representation too far in favour of one constituency or the other. As the Board observed, “[t]his is a new form of government for the area. It is necessary that rural voters be fairly represented, particularly given their location in relation to where the offices of the new Municipality will likely be located. Rural voters must be assured a voice in this new form of municipal government.”¹⁰³

4.3. Linking Council Size and Polling Districts

In establishing its two-stage framework to first determine council size and then determine polling district boundaries, the Board has maintained something of a strict separation between balancing

“representation” with “governance” on one side, and “community” with “regional” interests on the other. But these two inquiries rarely, if ever, take place in strict isolation from one another.

For example, in its decision to downsize CBRM’s regional council in 2011, the Board linked the size of council directly to the goal of grouping together rural and suburban voters toward encouraging “regional thinking”.¹⁰⁴

The encouragement of a more regional perspective on CBRM Council is part of the maturation of the Municipality as a regional government. Some Councillors have suggested that it is time to reinforce regional identity over local communities. Reduction in the number of Council representatives will likely necessitate the combination of areas of former towns that have so far remained distinct within the Council District structure used in CBRM. As noted previously, it will also likely require the incorporation of some suburban lands into the two largely distinct rural districts within the municipality.

Likewise, Muzzio and Tompkins (1989) have noted that the goal to increase effective political representation by creating a larger council may be in tension with promoting regional interests:¹⁰⁵

Increasing the size of the council is likely to affect the balance between the legislator's district-service function and his or her larger policy-making role. If smaller districts result in a greater focus on local and parochial matters and interests and if homogeneity in district opinion offers members less room to compromise on the legislative floor, the development of a broader policy perspective in the council may be retarded.

The point here is that, from a holistic perspective, the value of promoting regional interests might be directly affected by the choice of council size. There are likely other examples illustrating how council size and polling districts are interrelated in complex ways. Although the two inquiries are largely isolated from one another under the Board’s current approach, it may be necessary to gain a better understanding of how council size and polling district determinations affect one another in order to achieve the best balance between—as well as within—these issues.

4.4. A Dynamic Perspective

A further challenge is to place the determination of council size and polling district boundaries for WWH in a dynamic, forward-looking perspective. The approach to balancing and weighing the factors described above assumes, to some extent, a static analysis of the relevant goals and interests. This approach might be appropriate if council size and polling boundaries are expected to remain fixed over the long-term. The three precedents for regional consolidation in Nova Scotia (CBRM, HRM and Queens), however, suggest that these structural aspects of local governance can, and often do, change and adapt over time.

From a dynamic perspective, the basic questions before the Board are therefore not only about the “optimal” size of council or distribution of polling districts, but also about (1) the best way to accomplish these goals and (2) the extent to which “optimality” can be identified from the outset,

under the conditions of uncertainty that inevitably attach to moments of significant institutional change.

For example, in its decision to reduce the size of regional council in CBRM in 2011, the Board was aware that the "[r]eduction of Council to 12 members will obviously continue a progression that has been underway since the formation of CBRM."¹⁰⁶ The Board went on to observe that encouraging "a more regional perspective on CBRM Council is part of the maturation of the Municipality as a regional government."¹⁰⁷ While the processes and goals of "maturation" in WWH may look different than they have in CBRM, the Board's approach to these issues recognizes that the institutional design of the new regional municipality is, inevitably, an ongoing and dynamic process. Below is a brief sketch of the main considerations that influence this dynamic perspective.

4.4.1. Lock-In

Researchers who study political institutions (e.g., legislative bodies) have come to recognize that "lock-in" or "path dependence" can help to explain why these institutions are "sticky" and difficult to change—even when better alternatives are available and well known.¹⁰⁸ The problem of lock-in arises because people who work within existing institutions—as well as those within broader institutional networks—gradually adapt to and gain a vested interest in the *status quo*, making it very costly to "switch" to a new structure. Even when a better alternative comes along, the costs of making this switch deter people from taking action.

But while lock-in can sustain institutional inertia over long periods of time, research has also shown that sometimes "windows of opportunity" open up where the costs of transition to a new institutional arrangement decrease and change becomes possible. That new arrangement will then generate its own sources of lock-in going forward.

The creation of a new regional municipality—possibly linked with changing economic and social conditions—may present one such window of opportunity, to the extent that it disrupts some of the normal costs and benefits of working under the *status quo*. This suggests that the moment of consolidation is a unique opportunity to make ambitious change before the window of opportunity closes. At the same time, there are risks involved because once the new structure is set it is likely to exert a heavy influence over future attempts to adjust and adapt.

4.4.2. Buy-In

One example of balancing opportune and incremental changes can be found in the Board's decision to reduce the size of CBRM's council in 2011. The Board's expert, Dr. Williams, observed that there is likely to be an important relationship between reducing council size and maintaining pre-existing communities of interest:¹⁰⁹

One of the hallmarks of amalgamated municipalities is a sharp reduction in the number of elected officials in the new unit; one of the less noticeable characteristics is the tendency to tolerate patterns of representation - at least at the outset - that accommodate the pre-amalgamation units in some way.

... [M]any amalgamated municipalities, for political and other reasons, keep some of those lines in place because it makes it a little more palatable to start with.

This example highlights the importance of securing “buy-in” from constituents and community leaders at the outset of consolidation—and of using buy-in as an additional factor in determining polling districts toward the goal of establishing a strong political foundation for future reforms down the road. Research has found that buy-in may be especially important in circumstances where a regional consolidation is driven wholly or in part by senior government and/or municipal officials. Rosenfeld and Reese (2005) note that lack of local support in some “top-down” amalgamations can lead to a more protracted transition process “because there is no political buy-in on a larger scale.”¹¹⁰ The fact that the consolidation of the Town of Windsor and the Municipality of the District of West Hants is a response by the provincial government to requests from both Councils forms an important part of this context for WWH.

4.4.3. *Uncertainty*

Not only might decision makers be prevented by lock-in from simply implementing what they perceive to be an optimal set of reforms, they might face considerable uncertainty about the end goal of reform and/or about the necessary components needed to achieve the end goal. According to Muzzio and Tompkins (1989):¹¹¹

[A]ny changes in basic governmental structures in a complex sociopolitical system will likely produce effects that are unforeseen or unintended by policy-makers. How changes in council size will ultimately affect both internal dynamics and constituent representation cannot be predicted with certainty. Alterations in the size of the body will have effects in combination with other changes. The core values will be influenced by myriad structural, political, economic, demographic, social, and other changes. Moreover, the consequences of changes in council size are unlikely to be immediately evident; for instance, incumbent leaders will probably continue to hold sway for a time, whatever the size of the body.

These aspects of uncertainty serve as another potential justification for determining institutional design features like council size and polling districts in an incremental fashion, to the extent that this is possible, by integrating new information and experience as time goes on.

4.5. Summary

The statutory factors listed in subsection 368(4) of the MGA for determining council size and polling district boundaries provide a starting for addressing these issues, but it is also necessary to understand the precise relationships between these different factors. Those relationships can be addressed as tensions or balancing between competing but legitimate values or aims. At the first step of the Board’s analytical framework, the “optimal” council size engages a balance between effective representation and effective governance. At the second stage, the allocation of polling districts requires a balance between community and regional interests. At the same time, these questions of balance must be approached from a dynamic perspective and with the expectation of

continued change and adaptation over time, taking into account the challenges and opportunities presented by institutional lock-in, constituent buy-in, and the inevitable uncertainty attached to moments of institutional change.

5. Recommendations

In light of the functions of local government, the general objectives for municipal reform, and the rationales for regional consolidation discussed above (see Sections 2.1 and 2.2), the following seven recommendations summarize the findings of this report.

- A regional council smaller in size than the combined councils of the Town of Windsor (5 councillors) and the Municipality of the District of West Hants (10 councillors) is consistent with prior cases of regional consolidation in Nova Scotia and is likely necessary to achieve the appropriate balance between representation and governance in the new regional municipality.
- An upper limit on the size of the regional council should be based on serious attention to the decision costs associated with larger councils. The evidence linking smaller council sizes to a reduction in administrative costs is mixed—although regions with smaller populations may be better placed to realize some administrative efficiencies from a smaller council.
- A lower limit on the size of the regional council should be sensitive to citizen expectations about the desired style of council, but also to the potential impacts of council size on underrepresented groups—especially when the anticipated size is at the smaller end of the spectrum.
- Using community of interest factors to draw polling district boundaries, while important, cannot avoid the fundamental question of *whose* interests are to be prioritized through consolidation (e.g. regional, community, rural, urban).
- Despite the merits of keeping the questions of council size and polling district boundaries separate from one another, the two inquiries are clearly interrelated and should be approached as such when balancing the different factors at play.
- While council size and the distribution of polling districts are key decisions that will shape a new regional municipality, there may be other features of institutional design (e.g., community councils or citizens advisory bodies) that play an important role in determining representation, effective governance, and the weight that different interests receive in public decision making. Consistent with the Board’s analytical framework, final determinations of council size and polling districts should take these features into account along with the other factors in play.
- A dynamic perspective is essential for recognizing the opportunities and constraints related to institutional change in the context of regional consolidation. While consolidation may open a window of opportunity for ambitious change in the short term, this must be weighed against the value of incremental change to attract buy-in and deal with uncertainty when appropriate.

6. Conclusion

This report has provided an understanding and synthesis of how the Board has approached the issues of council size and polling district boundaries in previous cases similar to WWH, and it has integrated insights from the current research literature on creating effective representation at the local government level. In doing so, the report builds on the several past studies and reports that have addressed these issues in the context of municipal reform in Nova Scotia.

The creation of WWH represents a unique moment in the history of municipal reform in the province. Being the first such regional consolidation in Nova Scotia in over two decades, WWH helps to draw into focus lessons learned from past experiences (in Nova Scotia and abroad) as well as persistent challenges around how to design “optimal” institutions for local governance.

A desk study of this kind of course has its own limitations, and the findings from this report will ultimately supplement information gathered through important public consultations being undertaken concurrently by Stantec with WWH citizens. While different people may take different views on the “optimal” size of council and the appropriate distribution of polling districts, there is little doubt that these issues will have a lasting impact on the success of WWH as a region. These issues—including how they are approached, as well as what is determined—may also have a lasting impact on the future trajectory of municipal reforms in Nova Scotia, making the regional consolidation of WWH a unique opportunity to lay groundwork for the future.

¹ SNS 2018, c 26.

² SNS 1998, c 18 at s 369(1).

³ Elizabeth Mancke, *The Fault Lines of Empire: Political Differentiation in Massachusetts and Nova Scotia, 1760-1830* (New York: Routledge, 2005)

⁴ Nova Scotia Federation of Municipalities, “The Provincial-Municipal Fiscal Review: Consultative Report” (2014) Province of Nova Scotia Draft Paper at 7.

⁵ Institute of Public Affairs, *Pictou County Municipal Coordination Study, Phase 2: Recommendations* (Halifax: Dalhousie University, 1996), vol 2 (Lawrence E Sandford).

⁶ Nova Scotia, The Nova Scotia Commission on Building Our New Economy, *Now or Never: An Urgent Call to Action for Nova Scotians* (Halifax: One Nova Scotia, 2014) (Ray Ivany) at 50.

⁷ Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 27-30. The five critical regions identified but the Task Force were: Cape Breton County, Pictou County, Halifax County, Colchester County, and Kings County.

⁸ *Ibid*, at 32-33.

⁹ *Cape Breton Regional Municipality Act*, SNS 1994, c 3; *Halifax Regional Municipality Act*, SNS 1995 c 3.

¹⁰ *Queens Regional Municipality Act*, SNS 1995 c 9; Dale Poel, “Municipal Reform in Nova Scotia: A Long-Standing Agenda for Change” (2005) in Joseph Garcea and Edward LeSage, eds, *Municipal Reform in Canada* (Oxford University Press, 2005) 174 at 177.

¹¹ Poel, “Municipal Reform”, *ibid* 177-78.

¹² *Regional Municipalities Act*, SNS 1995-96, c 16.

¹³ Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 7.

¹⁴ Nova Scotia, Steering Committee of the Provincial-Municipal Fiscal Review, *The Provincial-Municipal Fiscal Review, Part 1: The Current State of Municipal Governments in Nova Scotia* (Halifax: Service Nova Scotia and Municipal Relations, 2013) at 6.

¹⁵ *Region of Windsor and West Hants Municipality Act*, SNS 2018, c 26 at s 10(1).

¹⁶ See, e.g., *Halifax Regional Municipality Act*, SNS 1995 c 3. See also, *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 5.

¹⁷ *Re: Halifax (Regional Municipality)*, *ibid* at 5-6; *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7.

¹⁸ RSNS 1989, c 298. The Board noted its uncertainty in both cases as to whether the new regional municipalities would be subject to such period reviews going forward, but this did not deter the Board from relying on the cited provisions. These provisions were not relied on by the Board in the Cape Breton Regional Municipality cases: *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994; *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994.

¹⁹ *Municipal Government Act*, SNS 1998, c 18 at ss 368-369.

²⁰ *Municipal Boundaries and Representation Act*, RSNS 1989, c 298, ss 16(2), 17. *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 6; *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7.

²¹ *Re Halifax (Regional Municipality)*, 2000 NSUARB 44.

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- ²² *Ibid* at paras 106, 111.
- ²³ *Ibid* at para 108.
- ²⁴ *Ibid* at para 31.
- ²⁵ Re Cape Breton (Regional Municipality), 2011 NSUARB 110, 2011 CarswellNS 510 at para 72.
- ²⁶ *Richmond County (Municipality) v Nova Scotia (Attorney General)*, 2016 NSCA 11 at para 31.
- ²⁷ *Ibid* at paras 31, 33, 35.
- ²⁸ *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 109.
- ²⁹ *Municipal Government Act*, SNS 1998, c 18 at ss 11-12.
- ³⁰ *Ibid* at s 10.
- ³¹ *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at paras 109-110.
- ³² *Richmond County (Municipality) v Nova Scotia (Attorney General)*, 2016 NSCA 11 at para 31.
- ³³ *Ibid* at para 37.
- ³⁴ See e.g., *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 6-8.
- ³⁵ [1993] 1 SCR 319. For the Board's discussion of this case in the Queens decision, see *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7-8.
- ³⁶ *Re: Queens (Regional Municipality)*, *ibid* at 9, citing Provincial Electoral Boundaries Commission Report on Effective Political Representation in Nova Scotia at 16.
- ³⁷ *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 112.
- ³⁸ *Ibid*.
- ³⁹ *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 9-10.
- ⁴⁰ See, e.g., *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 and *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994.
- ⁴¹ Nova Scotia, *Interim Report of the Municipal Reform Commissioner: Cape Breton County (Industrial Cape Breton)* (Halifax: Department of Municipal Affairs, 1993) (Charles A Campbell) at 2-3.
- ⁴² *Ibid* at 49.
- ⁴³ *Ibid*.
- ⁴⁴ *Ibid* at 50.
- ⁴⁵ *Ibid* at 51.
- ⁴⁶ *Ibid* at 52.
- ⁴⁷ *Ibid*.
- ⁴⁸ *Ibid* at 53.
- ⁴⁹ *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 3, 9.
- ⁵⁰ *Ibid* at 15 and *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994 at 3.
- ⁵¹ *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994 at 5.
- ⁵² *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 16.
- ⁵³ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 5.
- ⁵⁴ *Re Cape Breton (Regional Municipality)*, 2015 NSUARB 69, 2015 CarswellNS 270 at 4.
- ⁵⁵ Nova Scotia, *Interim Report of the Municipal Reform Commissioner: Halifax Metro Region* (Halifax: Department of Municipal Affairs, 1993) (C. William Hayward) at 53.
- ⁵⁶ *Ibid* at 57.
- ⁵⁷ *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 11.

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- ⁵⁸ *Ibid.*
- ⁵⁹ *Re Halifax (Regional Municipality)*, 2015 NSUARB 148, 2015 CarswellNS 475 at 4.
- ⁶⁰ Dale Poel, “Municipal Reform in Nova Scotia: A Long-Standing Agenda for Change” (2005) in Joseph Garcea and Edward LeSage, eds, *Municipal Reform in Canada* (Oxford University Press, 2005) 174 at 178.
- ⁶¹ *Ibid* at 177; *Queens Regional Municipality Act*, SNS 1995 c 9.
- ⁶² Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson) at 3.
- ⁶³ *Ibid* at 15.
- ⁶⁴ *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 6.
- ⁶⁵ *Re: Queens (Regional Municipality)*, 2011 NSUARB 149, 2011 CarswellNS 655 at para 5.
- ⁶⁶ *Ibid* at para 7.
- ⁶⁷ *Ibid.*
- ⁶⁸ Douglas Muzzio, & Tim Tompkins, “On the Size of the City Council: Finding the Mean” (1989) 37 *Proceedings of the Academy of Political Science* 83 at 83.
- ⁶⁹ *Queens Regional Municipality*, NSUARB-MB-95-05, Page 10
- ⁷⁰ Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 31.
- ⁷¹ *Ibid* at 7.
- ⁷² *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 108.
- ⁷³ *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 11.
- ⁷⁴ *Re Halifax (Regional Municipality)*, 2011 NSUARB 119, 2011 CarswellNS 518 at 35.
- ⁷⁵ Joseph Kushner and David Siegel, “Effect of Municipal Amalgamations in Ontario on Political Representation and Accessibility” (2003) 36(5) *Canadian Journal of Political Science* 1035.
- ⁷⁶ *Ibid* at 1041-1043. Changes in council size ranged from -26 percent to -850 percent.
- ⁷⁷ *Ibid* at 1050.
- ⁷⁸ *Ibid.*
- ⁷⁹ Ulrik Kjaer and Jørgen Elklit, “The Impact of Assembly Size on Representativeness” (2014) 20(2) *Journal of Legislative Studies* 156.
- ⁸⁰ Jean-Phillip Meloche and Patrick Kilfoil, “A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada” (2017) 60 *Canadian Public Administration* 241 at 245. See also, Kjaer and Elklit, “Impact of Assembly Size on Representativeness” at 157.
- ⁸¹ Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson) at 15.
- ⁸² Leah Brooks, Justin Phillips and Maxim Sinitsyn, “The Cabals of a Few or the Confusion of a Multitude: The Institutional Trade-off Between Representation and Governance” (2011) 3(1) *American Economic Journal: Economic Policy* 1 at 1.
- ⁸³ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at para 64.
- ⁸⁴ Institute of Public Affairs, *Pictou County Municipal Coordination Study, Phase 2: Recommendations* (Halifax: Dalhousie University, 1996), vol 2 (Lawrence E Sandford) at 22-23. This sentiment was also reflect in Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 31-32: “The Task Force sought for a simple, readily understood system that would improve actual accessibility simply because it was more effective...”

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- ⁸⁵ Jean-Phillip Meloche and Patrick Kilfoil, “A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada” (2017) 60 *Canadian Public Administration* 241 at 242.
- ⁸⁶ *Ibid* at 246.
- ⁸⁷ *Ibid*.
- ⁸⁸ Robert Bish, *The Cost of Municipal Elected Officials in the Capital Region of British Columbia* (Victoria: Local Government Institute, School of Public Administration, University of Victoria, 1999).
- ⁸⁹ Jean-Phillip Meloche and Patrick Kilfoil, “A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada” (2017) 60 *Canadian Public Administration* 241 at 246, citing Robert Bish and Josef Filipowicz. *Governing Greater Victoria: The Role of Elected Officials and Shared Services* (Vancouver, BC: Fraser Institute, 2016).
- ⁹⁰ Joseph Kushner and David Siegel, “Effect of Municipal Amalgamations in Ontario on Political Representation and Accessibility” (2003) 36(5) *Canadian Journal of Political Science* 1035 at 1040-41.
- ⁹¹ *Ibid*.
- ⁹² Jean-Phillip Meloche and Patrick Kilfoil, “A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada” (2017) 60 *Canadian Public Administration* 241.
- ⁹³ *Ibid* at 261-2.
- ⁹⁴ A threshold of 20,000 population was selected by the researchers because, below this threshold, most councils showed little variation from the average number of 7 councillors: *ibid* at 249.
- ⁹⁵ *Re Halifax (Regional Municipality)*, 2011 NSUARB 119, 2011 CarswellNS 518 at 37.
- ⁹⁶ Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson).
- ⁹⁷ *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 113.
- ⁹⁸ *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 9-10.
- ⁹⁹ *Ibid* at 3.
- ¹⁰⁰ *Ibid*.
- ¹⁰¹ *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 12.
- ¹⁰² *Ibid* at 10.
- ¹⁰³ *Ibid* at 3.
- ¹⁰⁴ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 11.
- ¹⁰⁵ Douglas Muzzio, & Tim Tompkins, “On the Size of the City Council: Finding the Mean” (1989) 37(3) *Proceedings of the Academy of Political Science* 83 at 91.
- ¹⁰⁶ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 11.
- ¹⁰⁷ *Ibid*.
- ¹⁰⁸ Paul Pierson, “Increasing Returns, Path Dependence, and the Study of Politics” (2000) 94(2) *American Political Science Review* 251.
- ¹⁰⁹ *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 16.
- ¹¹⁰ Raymond Rosenfeld and Laura Reese, “Local Government Amalgamation From the Top Down” in Jered Carr and Richard Feiock, “City-County Consolidation and its Alternatives: Reshaping the Local Government Landscape” (New York: M.E. Sharpe, 2004) 219 at 224.
- ¹¹¹ Douglas Muzzio, & Tim Tompkins, “On the Size of the City Council: Finding the Mean” (1989) 37(3) *Proceedings of the Academy of Political Science* 83 at 90.

Dr. Jamie Baxter

☎ (902) 494-7113

✉ jamie.baxter@dal.ca

🏠 6061 University Ave, Halifax NS

CONTACT

Room 326, Weldon Law Building
Schulich School of Law
Dalhousie University
6061 University Avenue
Halifax, Nova Scotia B3H4R2
e: jamie.baxter@dal.ca
p: (902) 494-7113

AREAS OF EXPERTISE

PROPERTY & LAND USE
INSTITUTIONAL ANALYSIS
FOOD AND AGRICULTURAL LAW
ACCESS TO JUSTICE

EDUCATION

YALE LAW SCHOOL
Doctor of the Science of Laws
June 2013 – April 2018

YALE LAW SCHOOL
Master of Laws
September 2012 – May 2013

FACULTY OF LAW, UNIVERSITY OF TORONTO
Juris Doctor (Honours)
September 2007 – April 2010

DEPARTMENT OF ECONOMICS, MCMASTER UNIVERSITY
Master of Arts
September 2005 – August 2006

ARTS & SCIENCE PROGRAMME, MCMASTER UNIVERSITY
Bachelor of Arts & Science (Honours)
September 2001 – April 2005

EMPLOYMENT HISTORY

SCHULICH SCHOOL OF LAW, DALHOUSIE UNIVERSITY
Assistant Professor
July 2014 –

SCHULICH SCHOOL OF LAW, DALHOUSIE UNIVERSITY
Schulich Fellow
July 2013 – May 2014

FEDERAL COURT OF CANADA
Law Clerk
August 2011 – July 2012

DEPARTMENT OF FOOD, AGRICULTURE & RESOURCE ECONOMICS,
UNIVERSITY OF GUELPH
Lecturer
September 2010 – December 2010

EMPLOYMENT HISTORY (CONTINUED)

ZBOGAR ADVOCATE

Student at Law

July 2010 – August 2011

ENVIRONMENT AND LAND TRIBUNALS ONTARIO

Researcher

July 2010 – August 2011

ORKIN BARRISTERS

Summer Law Student

May 2009 – August 2009

FACULTY OF LAW, UNIVERSITY OF TORONTO

Borden Ladner Gervais LLP Research Fellow

May 2008 – August 2011

APPALACHIAN CENTER, UNIVERSITY OF KENTUCKY

Canada-U.S. Fulbright Scholar

September 2006 – May 2007

COURSES TAUGHT

SCHULICH SCHOOL OF LAW, DALHOUSIE UNIVERSITY

Property in its Historical Context

2013/14 –

Planning Law

2014/15 –

Legal Ethics and Professional Responsibility

2014/15 –

Dalhousie Law Journal Editorial Assistantship Course

2016 (Winter)

DEPARTMENT OF FOOD, AGRICULTURAL AND RESOURCE ECONOMICS, UNIVERSITY OF GUELPH

Land Economics

2010 (Fall)

PUBLICATION RECORD

[R] = Peer-reviewed

BOOK MANUSCRIPTS UNDER REVIEW

Inalienable: Leadership, Land and the Political Economy of Property
(University of British Columbia Press)

LAW JOURNAL ARTICLES

“Leadership, Law and Development” (2018) *Law and Development Review* (forthcoming) [R]

“Storytelling, Social Movements, and the ‘Evolution’ of Indigenous Land Tenure” (2015) 18(2) *Australian Indigenous Law Review* 64 [R]

“From Integrity Agency to Accountability Network: The Political Economy of Public Sector Oversight in Canada” (2015) 46(2) *Ottawa Law Review* 231 [R]

“No Lawyer for a Hundred Miles? Mapping the New Geography of Access to Justice in Canada” (2014) 52 *Osgoode Hall Law Journal* 9 (with Albert Yoon) [R]

“Property, Information and Institutional Design” (2013) 8(2) *Journal of Aboriginal Economic Development* 55 [R]

“Legal Institutions of Farmland Succession: Implications for Sustainable Food Systems” (2013) 65 *Maine Law Review* 382

“Ontario’s Administrative Tribunal Clusters: A Glass Half-Full or Half-Empty for Administrative Justice?” (2012) 12 *Oxford University Commonwealth Law Journal* 157 (with Lorne Sossin) [R]

“‘Formalizing’ Land Tenure in First Nations: Evaluating the Case for Reserve Tenure Reform” (2009) 7(2) *Indigenous Law Journal* 45 (with Michael Trebilcock); reprinted as “International Perspectives on First Nations Land Tenure Reform” in Jerry White, Dan Beavon, and Peter Dinsdale, eds, *Aboriginal Policy Research Volume 10: Voting, Governance and Research Methodology* (Toronto: Thompson Educational, 2011)

“Examining the Consequences and Character of Heir Property” (2009) 68 *Ecological Economics* 2344 (with B. James Deaton and Carolyn Bratt) [R]

BOOK CHAPTERS

“Cities in a Time of Uncertainty: Food and Canadian Municipal Law” in Heather McLeod-Kilmurray, Nathalie Chalifour & Angela Lee, eds., *Food Law in Canada* (Markham: Carswell, in press) (with Jessica Rose)

“Indigenous Land Rights and the Politics of Property” in Angela Cameron, Sari Graben, Val Napoleon, eds., *Indigenous Peoples and Real Property: Beyond Privatization* (Toronto: University of Toronto Press, in press) [R]

“Towards a Better Understanding of Heirs on Heirs Property” in Ann Carpenter and Cassandra Johnson Gaither eds., *Heirs' Property in the South: Fostering Stable Ownership to Prevent Land Loss and Abandonment* (Ashville, NC: Southern Research Station as a General Technical Report, in press) (with B. James Deaton)

“Recovering Farmland Commons” in Megan Bailey & Jessica Duncan, eds., *Sustainable Food Futures: Multidisciplinary Perspectives* (New York: Routledge, 2017)

“Access to Justice” in Woolley et al., eds., *Lawyers’ Ethics and Professional Regulation*, 3rd ed. (Markham: LexisNexis, 2017)

“The Ontario Civil Legal Needs Project: A Comparative Analysis of the 2009 Survey Data” in Michael Trebilcock, Tony Duggan and Lorne Sossin, eds., *Middle Income Access to Justice* (Toronto: University of Toronto Press, 2012) (with Michael Trebilcock & Albert Yoon)

COMMISSIONED REPORTS

The Geography of Civil Legal Services in Ontario: Report of the Mapping Phase of the Ontario Civil Legal Needs Project (Toronto: Law Society of Upper Canada, 2011) (with Albert Yoon)

RESEARCH GRANTS

GRANTS AWARDED

SOCIAL SCIENCES AND HUMANITIES RESEARCH COUNCIL, INSIGHT DEVELOPMENT GRANT (\$68,000)
Farmland Commons: An Institutional Analysis
2016 – 2018

CANADIAN INSTITUTES FOR HEALTH RESEARCH, CAFÉ SCIENTIFIQUE GRANT (\$3,000)
Access to Justice and Health
2012

CANADA-U.S. FULBRIGHT FELLOWSHIP (\$15,000)
Heirs Property in Appalachian Kentucky
2006 – 2007

GRANT APPLICATIONS - NOT AWARDED (INVITED CO-APPLICANT)

CITY | FOOD | WORK: A New Urban Cohort to Monitor the Health Impact of Emerging Policy Action on Food. Nominated Principal Applicant: Catherine L. Mah. Co-Principal Applicants: Leah Cahill, Julie Brimblecombe, Kent Mullinx. Co-Applicants: Jamie Baxter, Alison Blay-Palmer, Chris Buse, Donald Cole, Brian Cook, Rebecca Hasdell, Irena Knezevic, Charles Levkoe, Brian Lo, Emma McMahon, Leia Minaker, Anna Peeters, Nathan Taylor, Emile Tompa, Michael Widener, Jason Wu, Yanqing Yi. Collaborators: Linda Best, Sara Kirk, Leticia Smillie. CIHR Institute of Public and Population Health Institute Community Support—Planning and Dissemination Grants, Building Healthy Cities. Requested: \$10,000. February 1, 2018 - January 31, 2019.

CONFERENCES AND PRESENTATIONS

CONFERENCES, PANELS AND WORKSHOPS ORGANIZED

“Agricultural Law in Canada”, November 1, 2017, University of Ottawa Faculty of Law, Ottawa (with Genevieve Grossenbacher, USC Canada, in collaboration with *Taking Stock: the 2nd Annual Conference on Food Law & Policy in Canada*)

“Farms, Fisheries and Food: Canada’s Next Generation of Food Production” Policy Matters Speakers Series, MacEachen Institute for Public Policy and Governance, Dalhousie University, Halifax October 3, 2017

The Future of Food Law and Policy in Canada, November 3-4, 2016, Schulich School of Law, Dalhousie University, Halifax (with Glenford Jameson, G.S. Jameson and Co.)

Rebecca L. Sandefur, “Bridging the Gap: Rethinking Outreach for Greater Access”, F.B. Wickwire Memorial Lecture in Professional Responsibility and Legal Ethics, Schulich School of Law, Dalhousie University, March 10, 2015

“Does Your Health Depend on Your Access to Justice?” Canadian Institutes for Health Research Café Scientifique, Toronto, January 31, 2013 (with Aaron Orkin)

PRESENTATIONS

[I] = Invited

Closing Keynote Address, Food Law Innovations: 3rd Annual Canadian Food Law & Policy Conference, Laval University, Quebec City, September 27, 2018 [I]

“Leadership, Law and Development” Law and Development Course (podcast), Dalhousie University, Halifax, Summer 2018

“City Power and City Planning: Locating Canadian Municipal Law in ‘Local’ Food Systems Governance” Urban Food Systems and Policy: Connecting Research and Practice, Faculty of Law, McGill University, June 18, 2018 [I]

“Food Policy and Food Insecurity” Panel, Meal Exchange, Mount Saint Vincent University, Halifax, March 19, 2018 [I]

“Leadership, Law and Development” Faculty Seminar, Schulich School of Law, Dalhousie University, Halifax, November 16, 2017

“Building Food Law in Canada: Lessons from the History of Agricultural Law” Taking Stock: 2nd Annual Canadian Food Law & Policy Conference, Ottawa, November 1, 2017

Panel Commentator, “Look and See” Devour! Food Film Festival, Wolfville, Nova Scotia, October 27, 2017 [I]

“Governing Farmlands” Global Lands and Resources Colloquium, University of Oklahoma College of Law, Norman, Oklahoma, October 21, 2017 [I]

“Indigenous Land Rights and the Politics of Property” International Meeting on Law & Society, Mexico City, Mexico, June 22, 2017

“Governing Farmland Commons” Nova Scotia Institute of Agronomists Annual Meeting, Truro NS, April 26, 2017

“Knowledge Commons: Some Legal Groundwork for Open Science” Open Seas Symposium, Halifax, NS, March 20, 2017 [I]

“Governing Farmland Commons” The Future of Food Law in Canada, Halifax, November 3, 2016

“Regulating Uber for Innovation” Halifax Regional Municipality Legal Services, Halifax, October 28, 2015 [I]

“Indigenous Peoples and the Environment” Aboriginal Peoples and the Law: We are All Here to Stay, Canadian Institute for the Administration of Justice Annual Conference, Saskatoon, October 16, 2015 [I]

“Idle No More and Indigenous Land Rights”, Kwilmu'kw Maw-klusuaqn, Millbrook First Nation, October 5, 2015 [I]

“Legal Education and Ideas About Access to Justice” Panel, Canadian Association of Law Teacher, University of Ottawa, Ottawa, June 2, 2015

“Collective Actions: New Logics from the Digital Age of Property Transitions” Association of Law, Property and Society Annual Conference, University of Georgia, Athens GA, May 3, 2015

“The New Geography of Access to Justice in Canada: Implications for Legal Ethics” Canadian Association for Legal Ethics Annual Conference, University of Western Ontario Faculty of Law, London, October 24, 2014

“The New Politics of Property in Land”, Association of Law, Property and Society Annual Conference, University of British Columbia Faculty of Law, Vancouver, May 2, 2014

“The Geography of Access of Justice in Canada”, Access to Justice Committee, Law Society of Upper Canada, Toronto, January 8, 2014

“Some Skepticism About Bright-Line Rules”, Yale Law School 3rd Annual Doctoral Students Conference, New Haven, December 6, 2013

“Catastrophe and the Law”, Schulich School of Law Mini-Law Public Lecture Series, Halifax, Nova Scotia, November 20, 2013

“Implementing a Tribunal Excellence Framework: Comparative Lessons”, Canadian Council of Administrative Tribunals Annual Conference, Toronto, May 28, 2013 (Panel with Philip Bryden and Michael Gottheil)

“From Integrity Agency to Accountability Network”, Yale Law School Graduate Works in Progress Seminar, New Haven, April 25, 2013

“Farmland Succession and Sustainable Food Systems”, Food Law Colloquium, University of Maine Law School, Portland, Maine, February 23, 2013

“Culture, Institutions and Economic Development: Applications to Native Americans”, Property and Environment Research Center, Bozeman, Montana, December 9-11, 2012 (Invited roundtable participant)

“Access to Justice as a Social Determinant of Health”, Health Promotion Ontario Annual Conference, Ryerson University, Toronto, September 27, 2012 (with Aaron Orkin)

“A Comparative Analysis of the Ontario Civil Legal Needs Survey”, Middle Income Access to Justice Colloquium, University of Toronto, February 10, 2011 (with Albert Yoon and Michael Trebilcock)

“International Perspectives on First Nations Land Tenure Reform” Aboriginal Policy Research Conference, Ottawa, March 9, 2009

RESEARCH WORKSHOPS

Land Claims Agreement Coalition Research Planning Conference: Making Treaties Work for Future Generations, December 7-8, 2015, Ottawa

Workshop on Research Design for Causal Inference, Northwestern University School of Law, July 13-17, 2015, Chicago

TEACHING HONOURS

Dalhousie Award for Excellence in Education and Diversity (Nominee)
2017-2018

Hanna & Harold Barnett Award for Excellence in Teaching First Year Law (Nominee)
2016-2017

Hanna & Harold Barnett Award for Excellence in Teaching First Year Law (Nominee)
2015-2016

ACADEMIC HONOURS

Schulich Fellowship, Schulich School of Law
2013-2014

Social Sciences and Humanities Research Council Doctoral Fellowship, Yale Law School
2013

Social Sciences and Humanities Research Council Joseph-Armand Bombardier Graduate Scholarship (declined)
2013

Law Foundation of Ontario Award in Support of Public-Interest Law Career
2010-2011

Aboriginal Policy Research Conference, Best Graduate Student Paper
2010

Borden Ladner Gervais LLP Research Fellow, Faculty of Law, University of Toronto
2008

Laskin Prize in Constitutional Law, Faculty of Law, University of Toronto
2007

Canada-U.S. Fulbright Fellowship
2006-2007

PROFESSIONAL AND COMMUNITY SERVICE

PROFESSIONAL SERVICE WITHIN DALHOUSIE

Member, Research Committee, MacEachen Institute for Public Policy and Governance
2017 –

PROFESSIONAL & COMMUNITY SERVICE OUTSIDE DALHOUSIE

Scientific Committee Member, Food Law Innovations: 3rd Annual Canadian Food Law & Policy Conference,
Laval University, Quebec City
2018

Board Member, Ecology Action Centre
2017 -

Editorial Board Member, Journal of Rural Social Sciences
2016 –

Expert Advisor, Membertou First Nation Internal Watercourses Working Group
2017 –

Steering Committee Member, Halifax Food Policy Alliance
2016 –

Peer Reviewer

Queen's Law Journal (2014); Canadian Bar Review (2015); Osgoode Hall Law Journal (2016); University of New Brunswick Law Journal (2016); Canadian Journal of Social Policy (2016); Dalhousie Law Journal (2016); Indigenous Law Journal (2017); University of Ottawa Press (2017); Queen's Law Journal (2017); University of British Columbia Law Review (2017); Canadian Food Studies (2018); Canadian Journal of Law and Society (2018); Ottawa Law Review (2018)

Invited Expert, Agriculture and Agri-Food Canada Eastern Canada First Nation Outreach Session, Montreal
June 1, 2017

Invited Participant, Advisory Panel for Canada's Science Review Roundtable, Halifax
October 17, 2016

External Assessor, Social Sciences and Humanities Research Council Insight Grants Program
2015; 2016



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: _____
Chief Administrative Officer, Mark Phillips

Date: May 10, 2022

Subject: Committees of Council

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act (MGA) - Sections 24-27, Standing, special and advisory committees: Vacancy on Boards, Commissions and Committees: Citizen Advisory Committees: and Community Committees.

DECISION REQUEST

... that Council direct staff to create a Public Works Advisory Committee and draft a terms of reference for a Public Works Advisory Committee.

BACKGROUND

The West Hants Regional Municipality have a number of internal and external committees that actively advise Council on matters. Advisory committees have terms of reference to ensure their purpose is stated as well as their composition including both Council and citizen appointments. Committees of Council are advisory and may only make recommendations to Council for final approval and action; unless otherwise enabled under a Policy or by Provincial Legislation. The West Hants Meeting and Committee Procedural Policy provides direction on these matters.

COMMITTEE	COUNCIL REPRESENTATIVE	CITIZEN REPRESENTATIVE	FREQUENCY
COMMITTEE OF THE WHOLE	12	0	Monthly
COUNCIL	12	0	Monthly
ACCESSIBILITY ADVISORY	1	6	No less than 6 times/yr
AUDIT	3	2	Quarterly
DAVIDSON LAKE WATERSHED	2	1	Semi-annually
FRENCH MILL BROOK	2 (1 as alternate)	1	Semi-annually
MILL LAKES WATERSHED	2 (1 as alternate)	3	Semi-annually
MUNICIPAL CLIMATE CHANGE ACTION PLAN	3	2	Quarterly
PAC/HAC	6	7	Monthly
POLICE ADVISORY	2	2	Quarterly
VALLEY REN	2	0	
DIVERSITY AND INCLUSION - IN PROGRESS	TBD	TBD	TBD
FENCES ARBITRATION	1	0	As needed
REGION 6	2 (1 as alternate)	0	
HANTS COUNTY RESIDENCE FOR SENIOR CITIZENS	2 (1 as alternate)		
ANNAPOLIS VALLEY REGIONAL LIBRARY BOARD	2 (1 as alternate)		
VALLEY COMMUNITY FIBRE NETWORK	2 (1 as alternate)		
LANDFILL LIAISON	2 (1 as alternate)		
AVON RIVER COMMUNITY LIAISON	2		

Property	Public Opinion ☐	Environment	Social ☐	Economic ☐	Councillor Activity ☐
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DISCUSSION

An ongoing review of existing committees and their effectiveness is a healthy exercise for Council. Municipal related committees can be reviewed and amended if Council desires. In addition, new committees can also be added if Council wishes to do so.

Through this report staff are suggesting there may be a benefit to adding a new Public Works related advisory committee, to improve connection between operations and Council's decisions related to these services and infrastructure.

Public Works Related Committee

Specifically, there are reoccurring discussions at COTW and Council meetings regarding Public Works related matters such as the Water and Sewer Services, Storm Water Systems and Roads; their policies, rates, the relationship with the Utility and Review Board (UARB) and associated infrastructure needs. With the combination of these matters and the lack of time to have more thorough discussions at the COTW or Council meetings, it may be beneficial to consider the creation of a Public Works Advisory Committee.

Suggested Committee Oversight

Water Utilities	Sewer Services	Storm Water Management	Roads
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Potential Benefits

- Provides for a higher level of engagement and understanding between Council and Administration regarding general service delivery requirements, policies, regulations and infrastructure.
- Committee members in addition to staff can provide more concise comments and discussion points, pertaining to decisions before Council.

With regards to the Water Utilities, WHRM currently has Three (3) committees (Mill Lakes, French Brook and Davidson Lake Advisory Committees). The mandate for these committees is to provide a forum for the Landowners, the Municipality, and other stakeholders to work cooperatively to maintain the water quality and quantity in these areas. The addition of the Public Works Advisory Committee need not affect the function of the Water Shed Committees as their purpose is more environmental in nature however, this can be reviewed by Council and staff if warranted.

Staff performed a high-level scan of other Municipal units within the province to see what committees or commissions may exist that could provide a comparison. This plus additional research will assist with the Terms of Reference if the recommendation is supported.

Terms of Reference Considerations

- Composition - Citizen vs. Council appointments.
- Does there need to be citizen appointments?
- Representation of Councillors from serviced area districts?
- Meeting frequency and time.

- Clear delineation between operations and governance matters
- UARB connectivity if required.

NEXT STEPS

Should Council choose to support the recommendation the Meeting and Committees Procedural policy would require an amendment to reflect the addition of the new advisory committee.

FINANCIAL IMPLICATIONS

The financial implications are expected to be limited to citizen representative stipends, advertising, and additional staff support.

Resident members appointed to Committees of Council receive remuneration in accordance with West Hants Regional Municipality's Council Remuneration Policy, which is identified in the annual Operating Budget. Other costs include advertising in the newspaper associated with seeking representation. Further advertisements will be on the municipal website and social media pages which has no financial implication except staff resources.

Assuming that there is existing staff capacity to accommodate the day-to-day administrative support required for the committees, addition staff time and costs will be related to the time and frequency of meetings.

ALTERNATIVES

- Council can choose not to support the recommendation and proceed as status quo.

ATTACHMENTS

West Hants Regional Meeting and Committee Procedural Policy - RCOGE-003.00

CHIEF ADMINISTRATIVE OFFICER REVIEW

N/A

Report Prepared by:


Mark Phillips, Chief Administrative Officer

Report Reviewed by:

Carlee Rochon, Director, Financial Services

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1. General

- 1.1. This Policy will be known and cited as the "Meeting and Committee Procedural Policy".

- 1.2. The purpose of this Procedural Policy is to:
 - a) provide direction to Council and Staff members on conducting Council and Committees of Council meetings. This Policy does not apply to boards, commissions and committees of which the Municipality may be a member, but which was not established solely by the Municipality;
 - b) establish the Committee of the Whole as a Committee of Council; and
 - c) establish various other Committees of Council.

- 1.3. In this Policy:
 - a) "Act" means the Municipal Government Act, Stats. N.S. 1998, C. 18
 - b) "Business day(s)" means a day which the administrative offices of the Municipality are open for business;
 - c) "Chair" means the presiding officer of Council or a Committee of Council;
 - d) "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Municipality;
 - e) "Clerk" means the Clerk of the Municipality;
 - f) "Closed Meeting" means a meeting which is not open to the public and may be known as in-camera.
 - g) "Committee of Council" means a committee formed pursuant to a resolution or policy of Council;
 - h) "Council" means all Council members of the Municipality;
 - i) "Councillor" means a Council member and includes the Mayor and Deputy Mayor unless the context indicates otherwise;
 - j) "Majority" means more than one-half of those present
 - k) "Meeting Package" means the package prepared for a meeting consisting of the agenda and associated agenda item material;
 - l) "Motion" means the formal mode in which a Council member submits a proposed measure or resolve for the consideration and action of Council or Committee of Council;
 - m) "Municipal or Municipality" means the West Hants Regional Municipality;

- n) "Pecuniary interest" means a situation where there is a reasonable likelihood or expectation of appreciable financial loss or gain to the person, or to other persons;
- o) "Planning document" means a Municipal Planning Strategy, Land Use By-law, or Subdivision By-law;
- p) "Question" means the subject matter of a motion; when the question is called, the motion is put to a vote without further debate;
- q) "Quorum" means the majority of members required to hold a meeting.
- r) "Resolution" means a formal expression of the opinion or the will of the Council or a Committee of Council adopted by vote, and is a result of an approved motion;
- s) "Staff" means a person employed by the Municipality;
- t) "Two-thirds vote" means a vote where at least two-thirds of the members present and entitled to vote at the meeting vote in favor of the motion.

2. Mandate of Council and Committee of the Whole

2.1. The mandate of Council is:

- a) to exercise the powers of the Municipality as set out in the *Act* through the approval of motions, policies and by-laws;
- b) to provide strategic planning for the Municipality with the goals:
 - i. to provide good government;
 - ii. to provide services, facilities and other things that in the opinion of Council are necessary or desirable for all parts of the Municipality;
 - iii. to develop and maintain safe and viable communities;
 - iv. to work with other municipal units for the best interests of the Municipality within the province;
 - v. to provide active programs of training and upgrading of staff and Council; and
 - vi. such other goals as from time to time are determined;
- c) to conduct the official business of the Municipality;
- d) to carry out any statutory public hearings as required by the *Act* and other legislation;
- e) to provide strategic direction to the CAO through resolutions, policies and by-laws.

2.2. The mandate of the Committee of the Whole is:

- a) to discuss, consider, advise and make recommendation to Council for approval concerning the affairs of the Municipality in advance of Council making decisions or taking actions on such matters, except where

Council has determined that consideration by Committee of the Whole is unnecessary or inadvisable, and except that the following matters will normally be dealt with by Council without having to be forwarded to the Committee of the Whole for its recommendations:

- i. first and second readings of a by-law enactment, amendment or repeal; and
- ii. matters which are the subject of statutory hearing of Council;
- b) to carry out the duties and responsibilities of Council set forth in Part XV Dangerous and Unsightly Premises of the *Act*;
- c) to carry out the duties of the Regional Emergency Management Advisory Committee as set forth the Regional Emergency Management By-law of the Municipality;
- d) to take such steps not inconsistent with this Policy that the Committee of the Whole reasonably deems necessary to carry out this mandate;
- e) except for an Order under the Act for Dangerous and Unsightly Premises and specific tasks or matters assigned by Council from time to time to the Committee, all resolutions of the Committee of the Whole will be recommendations to Council for Council's approval.

3. Time, Place, Date and Notice of Meetings

- 3.1. All meetings of Council and Committees of Council will be public meetings, except as provided for under Sections 22 (2) and 203(1) of the Act and Section 14 of this Policy.
- 3.2. Unless otherwise specified pursuant to Section 3.5 of this Policy a regular meeting of the Committee of the Whole will be held:
 - a) at the location set by the Committee of the Whole,
 - b) on the second Tuesday of each month, except for August,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.
- 3.3. Unless otherwise specified pursuant to Section 3.5 of this Policy, a regular meeting of Council will be held:
 - a) at the location set by Council,
 - b) on the fourth Tuesday of each month except for August,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.
- 3.4. Unless otherwise specified pursuant to Section 3.5 of this Policy, regular meetings of other Committees of Council will be determined in the Administrative Terms of Reference for the Committee.

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- 3.5. Meetings may be rescheduled, relocated or cancelled:
- a) by resolution or consensus, including a contingent resolution or consensus of Council or a Committee of Council at a previous meeting three (3) or more business days in advance of the meeting;
 - b) at the request of majority of the members of Council or Committee of Council;
 - c) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to inclement weather or unforeseen circumstances provided the Mayor, Deputy Mayor, or Chair believes the majority of members would support such a step.
- 3.6. Additional or special meetings of Council or a Committee of Council may be convened:
- a) by resolution or consensus, including contingent resolution or consensus of Council or Committee of Council at a meeting three (3) or more business days in advance of the additional or special meeting;
 - b) at the request of the Chair;
 - c) at the request of the majority of members;
 - d) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to unforeseen circumstances, provided the Mayor, Deputy Mayor or Chair believes that the majority of members would support such a step; or
 - e) where the Mayor determines there is an emergency, Council may meet without notice or with such notice as is possible in the circumstances.
- 3.7. Notice to Councillors and the Public of meetings:
- a) subject to any statutory relaxation of the notice requirements, at least three (3) business days' notice to Councillors will be provided for additional or special meetings by telephone, the email address provided by the Municipality or other email address, fax number or messaging service;
 - b) subject to any statutory relaxation of the notice requirements, at least two (2) business days' notice to the public will be provided for additional or special meetings by posting a notice of the meeting on the Municipal website and social media pages;
 - c) Councillors and the public will be deemed to have received any notice within one (1) day of being notified pursuant to this section;
 - d) meeting notice need not be provided of:
 - i. regular meetings held pursuant to Sections 3.2 and 3.3 of this Policy;

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- ii. regular meetings of a Committee of Council whose regular meeting date is contained in a policy or by-law of Council or posted on the Municipal website; or
 - iii. meetings held pursuant to Sections 3.5 (a) and Section 3.6 (a) of this Policy;
 - e) notice of meeting cancellations will be provided to Council and the public as soon as possible in the same manner;
- 3.8. In accordance with Section 19 (7)(a)(b) of the Act no meeting of Council or Committee of Council is illegal or invalid by failure to give notice or by meeting elsewhere than provided in this Policy or the notice of meeting.
- 3.9. Within thirty (30) days following the first meeting of Council after an election or by-election each Councillor will provide the Clerk the following:
- a) a telephone number with answering machine/voicemail which the Councillor has and will maintain and will check at least once per day;
 - b) the unique email address provided by the Municipality, where all municipal notices and correspondence will be forwarded and which the Councillor will check at least once per day;
 - c) any other email address, fax number, or messaging service which the Councillor has and will maintain and will check at least once per day.

4. Communications

- 4.1. The Mayor is the official spokesperson of Council and the CAO is the official spokesperson of staff.
- 4.2. Council communication to the public is:
- a) through the Mayor, as the official spokesperson for the Municipality regarding decisions approved by Council unless another Councillor is designated;
 - b) through Councillors as chief spokespersons for explaining policies, priorities and decisions; and
 - c) through Committee Chairs as chief spokesperson for matters dealt with under the authority of their committee, unless another Councillor is designated;
 - d) media interview requests will be referred to the Mayor or the CAO to determine who is the most appropriate spokesperson for the interview.
- 4.3. Council communication to staff is:
- a) through a resolution of Council or Committee of Council for advice, information or recommendations on matters which require thoughtful

research and review. Staff will normally provide their response through a written information or recommendation report like that in Appendix A;

- b) through resolutions from Council to the CAO.

4.4. Committees will communicate to Council:

- a) through a written information or recommendation report by Chairs to Committee of the Whole like that found in Appendix A.
- b) where all Councillors are members; may communicate using excerpts sheets of the motions being recommended to go straight to Council with the previous committee report (referred to in the excerpt), attached as a supporting document.

4.5. All Councillors are expected to provide a monthly report to Council stating the Municipal business they were involved in over the previous month, using the report form in Appendix A.

4.6. The CAO or designate may, on behalf of Council or Committee of Council, receive correspondence from the public and deliver a copy of the correspondence to all Councillors within a reasonable time provided:

- a) the correspondence is directed to a Councillor or Committee of Council member;
- b) is in writing and received by mail or email;
- c) is legible;
- d) is not libelous, irrelevant, offensive or improper; and
- e) is signed by the writer's name.

5. Meeting Attendance and Quorum

5.1. Councillors are expected to attend all meetings of Council and Committees of Council to which they are appointed.

5.2. Subject to changes of the Act Section 17 (4), Councillors who without leave of Council are absent from three (3) consecutive regular meetings of Council ceases to be qualified to serve as a Councillor.

5.3. Councillors who without leave of a Committee of Council and are absent from three (3) consecutive regular meetings of a Committee of Council to which they are appointed, may be removed from the Committee. This also applies to resident members appointed to a Committee of Council.

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- 5.4. Council or a Committee of Council will not refuse the leave of a Councillor if such leave is due to employment issues, illness, other Municipal business, or an unforeseen event needing immediate attention.
- 5.5. Sections 5.1, 5.2 and 5.3 do not apply to Councillors on a parental accommodation leave of absence in accordance with Section 17 (4A) of the Act.
- 5.6. Quorum for meetings of Council and Committee of the Whole will be the majority of elected Councillors, or seven (7) Councillors.
- 5.7. Quorum of other Committees of Council will be the majority of the voting members unless otherwise stated in a policy or by-law of Council or administrative terms of reference.
- 5.8. Councillors or resident members of Committees of Council may participate in meetings by electronic means such as teleconference or video conference and will be considered present for purposes of quorum and voting, provided:
- a) the Councillor or resident members physically present at the meeting location are at minimum one less than quorum;
 - b) a maximum of two Councillors, resident members or combination may use electronic means during a meeting at one time;
 - c) the Chair will be physically present at the meeting location;
 - d) the Councillor or resident member notifies the Chair and appropriate staff at least 24-hours in advance of their intent to use electronic means, to ensure provision of the electronic means at the meeting location;
 - e) it is the responsibility of the Councillor or resident member to ensure provision of electronic means at their location;
 - f) if used during a closed meeting, the member will ensure confidentiality is maintained at all times;
 - g) no Councillor or resident member will participate by electronic means in more than four (4) meetings of any kind per year;
 - h) the Councillor or resident member does not interfere and/or disrupt the meeting, and if such occurs the Chair has the right to end the electronic participation;
 - i) the Chair will ensure those participating by electronic means have an opportunity to verbally declare any conflicts of interest;
 - j) the Councillor or resident member will notify the Chair of their intended departure (either temporary or permanent) from the meeting before leaving the meeting;

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- k) the Councillor or resident member will be marked as absent if electronic connection is not made or if it is lost and is unable to be reconnected.
- 5.9. All Councillors or resident members of Committees of Council may participate by electronic means as described in 5.8 during a local and/or world-wide crisis. This would not count towards the four (4) electronic meetings per year as identified in 5.8(g).
- 5.10. If a quorum is not present fifteen (15) minutes following the scheduled start time of a meeting and it is not reasonable that quorum will be present within a reasonable time, the meeting will be deemed cancelled and a record of the cancellation along with the names of the members present will be recorded in the minutes.
- 5.11. Where there is a permanent vacancy on Council or a Committee of Council, Councillors may make a decision if a quorum is present at the meeting.
- 5.12. If the number of Council members is reduced to below the number required for a quorum due to vacancies in Council, Council may not pass a by-law or policy, borrow money, set a tax rate, acquire or sell property, for make any other decision that has an effect after or for a term extending beyond the date of the election to fill a vacancy on Council
6. Election Process for Deputy Mayor, Chair or Vice-Chair
- 6.1. At the first meeting of Council after an ordinary election, all Councillors will be sworn in and the Deputy Mayor will be elected as follows:
- a) the Mayor will call the meeting to order and call for nominations for the position of Deputy Mayor three times;
 - b) Councillors may nominate a fellow Councillor for the position of Deputy Mayor, but may not nominate themselves; nominations do not have to be seconded;
 - c) after the third and final call for nominations, the Mayor will declare nominations closed;
 - d) the Mayor will ask each nominee if they accept the nomination for Deputy Mayor;
 - e) if only one Councillor was nominated and accepted the nomination, that Councillor is declared the Deputy Mayor;
 - f) if there is more than one nominee, the Mayor will provide each of the nominees an opportunity to speak and Councillors will elect the Deputy Mayor by secret ballot;

- g) two volunteers are asked to be scrutineers, one of which must be a staff member. Ballots are distributed to Councillors, votes will be cast, then the scrutineers will collect and count the ballots;
 - h) the scrutineers announce the overall result of the election (not the number of votes for each Councillor). The Deputy Mayor is determined by majority of the number of Councillors present;
 - i) if there is not a winner by majority and there are three (3) or more nominees, another vote will occur by dropping the nominee with the lowest votes and voting again until only two (2) nominees remain. If there is not a winner by majority and there are only two (2) nominees, the Deputy Mayor will be determined by a draw by the Clerk or designated staff member.
 - j) once the Deputy Mayor has been declared elected, a motion will be made to destroy the ballots.
- 6.2. The term of office for the Deputy Mayor will be two (2) years; the very first term being April 1, 2020 - October 31, 2022 and the nomination process be held again for a term of November 2022 – October 2024, at which time it will re-align with municipal elections in Nova Scotia
- 6.3. The election of a Chair for a Committee of Council will be completed in a similar manner to the election of the Deputy Mayor except that a staff member will perform the duties of the Chair until the Chair of the Committee of Council is elected. Nominees for Chair will be given an opportunity to speak to the members of the Committee of Council before the vote is held.
- 6.4. Once a Chair of a Committee of Council is elected, they may perform the election in the same manner for a Vice-Chair.
- 6.5. The term of office for a Chair or Vice Chair will be two years unless otherwise stated in a policy of Council or administrative terms of reference.

7. Meeting Agendas and Packages

- 7.1. At Council meetings, unless a majority consents to a different order for that meeting, business will be conducted in the following order:
- a) Call to Order
 - b) Attendance
 - c) Approval of Agenda, including additions or deletions
 - d) Declaration(s) of Conflict of Interest
 - e) Announcements

- f) Approval of previous meeting's minutes
- g) Public Hearings
- h) Unfinished Business/Postponed Motions
- i) Mayor's Report
- j) Committees of Council Recommendations
- k) Councillor Municipal Business Reports
- l) Correspondence
- m) New Business
- n) In-Camera
- o) Next Meeting Date / Adjournment

7.2. At Committee of the Whole, unless a majority consents to a different order for that meeting, business will be conducted in the following order:

- a) Call to Order
- b) Attendance
- c) Approval of Agenda, including additions and deletions
- d) Declaration(s) of Conflict of Interest
- e) Announcements
- f) Approval of the Minutes
- g) Presentations
- h) Unfinished Business/Postponed Motions
- i) Reports
- j) Correspondence
- k) New Business
- l) Public Participation Period
- m) In-Camera
- n) Next Meeting Date / Adjournment

7.3. Agendas of other Committees of Council and Public Hearings will be determined as needed or detailed in the Committee's Administrative terms of reference.

7.4. All topics and supporting material for an agenda will be submitted to the staff member preparing the agenda by 12:00 noon ten (10) business days before a regular scheduled meeting. Councillors will be required to submit a "Report Form" (Appendix A) to be included in the agenda package.

7.5. All agendas will be approved by the Mayor or Chair of the Committee of Council and the CAO or designate.

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

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- 7.6. All agenda items should have an associated report, excerpt sheet, and/or other material outlining the purpose and background of the agenda item put together in one PDF document.
- 7.7. Meeting packages will be provided to Councillors and resident members of Committees of Council by 12:00 noon at least three (3) business days before the meeting by internal communication systems or email.
- 7.8. Meeting packages will be provided to the public by 4:00 pm two (2) business days before a meeting by posting the meeting package to the Municipal website.
- 7.9. Meeting packages for a special meeting of Council or a Committee of Council will be provided to Councillors, resident members and the public in accordance with Sections 7.7 and 7.8 should time permit, or by 12:00 noon one (1) business day before the special meeting.
- 7.10. If an agenda item's associated material is not distributed in the meeting package it will be distributed electronically or by hard copy during or after the meeting.
- 7.11. Late additions to the agenda will be accepted for consideration until 12:00 noon two (2) business days before the meeting. No late additions will be accepted for special meetings.
- 7.12. Agenda items may also be added at the meeting if it is time sensitive or concerning a matter where life, property or the environment is at immediate risk and cannot be dealt with at a later meeting. All meeting package material for these items will be distributed electronically or by hard copy during or after the meeting.
- 7.13. For instances when a requested agenda item may be outside the jurisdiction of the Municipality, require more research, or should be dealt with in a different forum or meeting, the Mayor or Chair will have the authority to delete, defer, or refer the agenda item. The Mayor or Chair will advise the person requesting the agenda item of the action taken.
- 7.14. All material in a meeting package which is posted on the Municipal website will be deemed received at the time of agenda approval during the meeting. All material not publicly posted that is read or visually presented during the

meeting will be deemed received and amended to the posted meeting package posted on the Municipal website

- 7.15. Once an agenda item has been dealt with it should not be put on the agenda again for at least six (6) months unless there is a follow up report on actions taken, or a proper motion is made to reconsider, rescind or amend something previously adopted.

8. Council and Committee Chair Duties

- 8.1. The Chair of Council and Committee of the Whole will be the Mayor except:
- a) in the absence of the Mayor, the Deputy Mayor will be the Chair
 - b) in the temporary absence of both the Mayor and Deputy Mayor, a Chair will be appointed from the Councillors present at the meeting.
- 8.2. The Chair of a Committee of Council will be the Councillor or resident member elected and, in their absence, the Vice-Chair elected.
- 8.3. It will be the duty of the Chair to:
- a) open the meeting by taking the chair and calling the members to order and announcing the business before Council or the Committee of Council;
 - b) ask members to declare any Conflicts of Interest;
 - c) receive and put to a vote all motions presented and announce the results;
 - d) decline to put to a vote a motion which infringes upon rules of procedure established by this Policy;
 - e) restrain Councillors when engaged in debate, within the rules of conduct established by this Policy or Robert's Rules of Order;
 - f) protect the rights of those attending the meeting and enforce the rules of order; preserve order, and decide on point of order;
 - g) call by name any Councillor or resident member persisting in a breach of this Policy, and thereby ordering them to vacate the meeting room;
 - h) permit the CAO to speak on any point upon request;
 - i) permit staff and invited guests to speak when appropriate on the agenda and at the request of Councillors and/or CAO;
 - j) permit proper questions to be asked through the Chair of any Councillor, CAO, staff member, or invited guest in attendance relevant to the issue under discussion in order to provide information to assist debate;
 - k) declare a meeting dissolved if no quorum has been achieved;

- l) adjourn to another place and/or time without ending the meeting with the consent of Council;
- m) adjourn the meeting when the business is concluded and a motion to adjourn has been approved by the majority vote; or
 - i. adjourn the meeting when an adjournment time has been set and approved by majority vote or consensus, when the time has been reached except when it is extended by unanimous consent; or
 - ii. adjourn the meeting at the Chair's sole discretion due to inclement weather conditions to a time and date set by the Chair.

9. Minutes and Recordings

- 9.1. Written minutes of Council and all Committee of Council meetings, including in-camera meetings, will be kept providing a permanent and historical record of the Municipality's business. When required, these minutes may be recognized in court as evidence of decisions made and actions taken.
- 9.2. Written minutes kept will:
 - a) record the names of the members or participants and the time when any member joins or leaves a meeting which is in progress;
 - b) contain all motions and decisions by consensus and will record the outcome of each vote;
 - c) record the names of all Councillors or resident members who voted "Nay" to a motion put to a vote;
 - d) summarize key points of a discussion and mention reports, petitions, correspondence, presentations and other papers submitted only by their respective title, or a brief description of the content;
 - e) be clear, accurate, concise, and formatted to be readable;
 - f) be written in past-tense;
 - g) flow logically in accordance with the agenda, even if the meeting itself had been fragmented and confusing.
- 9.3. To assist with accurate composition of draft minutes, public meetings of Council or Committees of Council will be recorded using audio recording equipment. Once minutes are approved, the audio recording will be kept for at least seven (7) years after which it may be destroyed in accordance with the Records Management Policy of the Municipality.
- 9.4. Draft minutes of Council and Committee of the Whole will be reviewed by the Clerk and CAO.

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- 9.5. Draft minutes of other Committees of Council will be reviewed in accordance with the Committee of Council's Administrative Terms of Reference.
- 9.6. Minutes of all meetings will be posted in draft electronic form on the Municipality's website for the public and to the internal communication system for Councillors and staff for information.
- 9.7. The minutes of the last preceding regular meeting and subsequent special meetings will be reviewed at the next meeting of Council or Committee of Council and after all necessary corrections and amendments have been noted, be approved and signed by the Mayor or Chair.
- 9.8. To correct the minutes at the time of approval, the word or words will be crossed out and the corrections written in and initialed before being signed by the Chair. The digital form of the minutes posted to the Municipality's website and internal communication system will be changed accordingly in red font and a footnote of the changes will be added to the electronic minutes stating "Amended".
- 9.9. The press will be allowed to only use audio recording equipment during public meetings.
- 9.10. A request for copies of the audio recordings of public meetings may be submitted in writing or electronic mail to the Clerk of the Municipality and will be provided, if available, for a prescribed fee.
- 9.11. Council and Committees of Council may choose to live-stream video on the internet of any or all meetings, with no obligation to live-stream video of a meeting. There will be no audience participation using the live-streamed video, but residents may leave messages; however, staff will be unable to address said messages.
- 9.12. Except for Section 9.3, 9.9 and 9.11 of this Policy, audio and video recordings and the taking of photos by any device will not be allowed during meetings except by permission of the Chair.

10. Meeting Decorum and Rules of Debate

- 10.1. Robert's Rules of Order will govern the proceedings of Council and Committees of Council in all cases not provided for in this Policy or an Administrative Terms of Reference.

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- 10.2. Members of the public present in the meeting room will maintain order and quiet and will not address the Council or Committee of Council except with permission of the Chair.
- 10.3. All cellular phones and electronic devices which emits a sound will be set to silent or turned off during a meeting, with the exception of equipment required for specific use related to the matter (i.e. issued tablets that would contain the agenda and related documents).
- 10.4. No one may bring any sign, poster, placard, banner or other like device into a meeting place without the prior permission of the Chair, subject to an objection by a majority of the members of Council or Committee of Council present.
- 10.5. All Councillors, resident members, or other persons presenting to Council or a Committee of Council will not:
- a) speak disrespectfully of any person;
 - b) use offensive language
 - c) speak on any subject other than the subject for which they received approval to speak;
 - d) disobey any decision of the Chair;
 - e) enter a cross debate with another member; or
 - f) willfully distract the member speaking, unless it is regarding a point of order or to raise a question of privilege.
- 10.6. A Council or a Committee of Council member or other persons may speak to a subject or motion at a meeting only if that member first addresses the Chair.
- 10.7. The Chair may ask questions and speak on a matter in the same manner as all Council or Committee of Council members without leaving the seat of the Chair.
- 10.8. Every Council or Committee of Council member or other person, prior to speaking on any question or motion, will signal their desire to speak by raising their hand or other acceptable manner and wait to be recognized by the Chair. When two or more members signal to speak, the Chair will designate who has the floor based on the opinion of the Chair as to who signaled first.

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- 10.9. No Council or Committee of Council member or other person will speak more than twice (and the second time only to raise new information), for a maximum of five (5) minutes each time, without permission of Council on any motion except to explain misconception of his remarks. When a member wishes to explain a misconception, the member will signal to the Chair and ask permission of the Chair, without further comment, and if permitted by the Chair, will explain only an actual misunderstanding of language.
- 10.10. A Council or Committee of Council member may request the motion under consideration be read at any time during debate but may not interrupt while another member is speaking.
- 10.11. The mover of a motion will have the right to reply and sum up in closing the debate.
- 10.12. The Chair, after having called attention of Council or Committee of Council to the conduct of a member who persists in irrelevant or repetition of an argument during debate, may direct a member to discontinue speaking.
- 10.13. A Council or Committee of Council member, member of the public or other person willfully disregarding the meeting decorum or rules of debate or obstructing the business of the Council or Committee of Council meeting, may be ordered by majority vote of the members present, to leave the meeting, which for clarity means leaving the property of the meeting location.
- 10.14. Formal presentations will be made at any meeting of Council or Committee of Council meeting, with no individual presentation exceeding fifteen (15) minutes plus a period for questions. For purposes of efficiency and time management it will be the goal when setting an agenda to limit a maximum of three (3) formal presentations at any one meeting.
- 10.15. When a report, by-law, petition or other document is read or received, including those deemed received upon approval of the agenda, the Clerk or appropriate staff member will endorse upon it:
- a) a note of the reading;
 - b) the date;
 - c) the way it was dealt with.
- 10.16. A meeting of Council or a Committee of Council will adjourn at 10:00 pm unless otherwise determined by a majority vote of the members present. If

the meeting agenda is not completed as of 10:00 pm, the members may vote to adjourn to another date and time to complete the meeting.

11. Conflict of Interest

- 11.1. In accordance with the Municipal Conflict of Interest Act each Councillor and resident member must self-identify and disclose any pecuniary interest in any item before Council, Committee of Council or external committee or board.
- 11.2. Where a Councillor or resident member, either on their own behalf or while acting for, by or with and/or through, another person has any pecuniary interest, direct or indirect on a subject they will:
 - a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - b) leave their seat and sit in the gallery or exit the meeting room for the duration of the discussions pertaining to the matter;
 - c) not take part in the discussion of or vote on any question with respect to the matter;
 - d) not in any way before, during and/or after the meeting influence the voting on any question pertaining to the matter.
- 11.3. If the meeting is a closed meeting, in addition to complying with the requirements in Section 11.2, the Councillor or resident member will leave the meeting place for the part of the meeting during which the matter is under consideration.
- 11.4. Where the interest of a member has not been disclosed by reason of their absence from the particular meeting, the member will disclose the interest and otherwise comply at the next meeting they attend of Council, Committee of Council or external committee or board where the matter was discussed.
- 11.5. The Clerk or responsible staff member will record the name of the member, the meeting, the time they left their seat and returned, and the nature of the conflict of interest in the minutes of the meeting and a central registry of disclosure.

12. Motions and Voting

- 12.1. The types of motions which may be made at a Council or Committee of Council meeting are:
 - a) Main motions – reflects the proposed decision or action to be taken regarding a subject;

- b) Subsidiary motions – facilitates or modifies the main motion;
- c) Incidental motions – relates to a question of procedure regarding a main motion;
- d) Privileged Motions – a motion which does not relate to the main motion but takes immediate priority.

12.2. The following are common but not all Subsidiary motions:

- a) Postpone indefinitely – if approved this motion stops the main motion without a vote;
- b) Amend – changes something within the main motion;
- c) Postpone definitely – sets the main motion aside until a specified time;
- d) Refer – sends the main motion to a specific committee or staff for further investigation and report back;
- e) Limit or extend debate – shortens or lengthens the time for debate;
- f) Previous Question – closes debate and brings the main motion to a vote;
- g) Lay on the Table – puts the main motion aside temporarily for more urgent business and is taken up after the urgent business is dealt with.

12.3. The following are common but not all incidental motions:

- a) Point of Order – asked the Chair to enforce the rules; more details in Section 13;
- b) Appeal – takes the decision of the Chair away and gives it to members of Council or Committee of Council;
- c) Suspend the rules – allow Council or Committee of Council to do something it normally cannot do without breaking the rules;
- d) Objection to consideration of the question – avoids the main motion if Council or Committee of Council thinks the motion should never have been made or is outside its mandate;
- e) Division of a question – separate parts of a main motion into separate motions that can stand on their own for consideration.

12.4. The following are common but not all privilege motions:

- a) Raising a question of privilege – is an emergency motion which deals with the rights and privileges of members;
- b) Recess – provides a short break in the meeting;
- c) Fix the time to adjourn – sets a time to adjourn the meeting;
- d) Adjourn – closes the meeting.

12.5. All business before Council or Committee of Council for consideration will be made in the form of main motions which proposes specific action be taken.

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- 12.6. All main motions will be provided to the Chair or Clerk in writing before being debated.
- 12.7. A motion must be seconded, and when requested read by the Chair or Clerk, before it is debated; except a motion raising a question of privilege or point of order.
- 12.8. Council or a Committee of Council may have informal discussions on a subject prior to making a main motion for consideration.
- 12.9. A motion may at any time after it is seconded and before the Council or Committee of Council has voted on it, be withdrawn or modified by the mover with consent of Council or Committee of Council.
- 12.10. When any main motion is being considered, the only motions in order will be:
- a) to amend;
 - b) to refer;
 - c) to postpone either definitely or indefinitely; or
 - d) to limit or extend debate;
 - e) the previous question.
- 12.11. Amendments will be put in the reverse order of which they are made. Only one amendment will be allowed at a time and one sub-amendment will be allowed to an amendment. Every amendment submitted will be decided on or withdrawn before the main question is put to a vote.
- 12.12. A motion to adjourn will always be in order except in the following cases:
- a) when a Council or Committee of Council member is in possession of the floor;
 - b) when the "yeas" and "nays" are being called;
 - c) while the Council or Committee of Council members are voting; or
 - d) when the motion to adjourn was the last preceding motion.
- 12.13. The following motions will be decided without debate:
- a) a motion to reconsider;
 - b) all motions as to priority of business or as the suspension of the order of the day;
 - c) applications to speak more than the prescribed number of times;
 - d) a motion to allow any person other than a Council member to address the Council;

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- e) a motion to postpone definitely;
 - f) a motion to lay on the table when claiming a privilege over another person; and
 - g) a motion to adjourn.
- 12.14. Before putting the motion to a vote, the Chair will ask "Are you ready for the question" and if no member offers to speak on the motion or they make a motion for the Previous Question, the Chair will put the question, after which no member will be permitted to speak upon it.
- 12.15. The usual form of voting on any motion will be by the Chair calling for "yeas" and "nays", and members indicating their choice by show of hands or, if provided, by electronic means; but any Council or Committee of Council member, before or after the vote can call for, a recorded vote with each members vote entered into the minutes.
- 12.16. No motion committing the Municipality to the expenditure of funds will be accepted by the Chair for the consideration of Council, unless there is unanimous consent of Council members present, except for matters arising from correspondence, Committee of Council or other reports, agenda items, notices of motions or other material circulated to Council members on or before the day before the meeting, and except for matters arising from a closed meeting.
- 12.17. A majority vote of those present will determine all questions arising in Council and a Committee of Council, except motions to approve a planning document and those requiring a two-thirds (2/3) vote.
- 12.18. The adoption of planning documents or amendment thereof by Council at Second Reading requires a majority vote of number of Council members elected, regardless of number present to achieve quorum. And only those members present during a public hearing are permitted to vote on the matter at which a public hearing was held.
- 12.19. The following motions require a two-thirds vote:
- a) to suspend the rules;
 - b) to limit or extend debate;
 - c) to amend or rescind something previously adopted;
 - d) to object to the consideration of the question; or
 - e) to close nominations.

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- 12.20. Subject to the *Municipal Conflict of Interest Act*, all Council or Committee of Council members present including the Chair will vote on a motion and may not abstain.
- 12.21. A member of Council or Committee of Council who fails or refuses to vote on a motion is deemed to have voted in the positive.
- 12.22. In the event of a tie in a vote on a motion, the motion is determined in the negative.
- 12.23. Any notice of motion given by a Council or Committee of Council member for a subsequent meeting may, in the absence of the member giving such notice, be taken up by another member.
- 12.24. The following motions may bring a motion for consideration again:
- a) Take from the table – takes up the motion previously laid on the table;
 - b) Rescind – takes back a motion or policy; for a by-law this is called a repeal, a notice to rescind must be given at a previous meeting;
 - c) Amend something previously adopted – modifies a motion previously presented and adopted;
 - d) Discharge a committee – takes a matter sent to a committee back before a report has been presented;
 - e) Reconsider – allows reconsideration due to new information or situation so the true will of the members is acted on.
- 12.25. No motion can be reconsidered if the actions cannot be undone.
- 12.26. After any main motion has been decided, any Council or Committee of Council member who voted on the winning side may, after the decision has been announced from the Chair, but before adjournment of the meeting may give notice of an intention to move reconsideration at the next meeting. The giving of such a notice operates as a stay or suspension of the decision.
- 12.27. In the event that Council or a Committee of Council member fails to give notice of reconsideration at the same meeting, the member will give notice in writing to the Clerk least 14 days prior to the next meeting but not thereafter, of Notice of Motion to reconsider the motion of a previous meeting, stating the reasons therefore, and if the motion for reconsideration is seconded, the same will be put to a vote after debate (unless it is an undebatable motion) and if carried, the question for reconsideration will then be read and disposed of.

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- 12.28. No discussion of the main question will be allowed during the motion for reconsideration.
- 12.29. The following matters are not eligible for reconsideration:
- a) a motion approving the first or second reading of a by-law enactment, amendment or repeal;
 - b) a motion to decide on a matter which was the subject of a statutory hearing by Council;
 - c) a motion which is or was considered by the Committee of the Whole or the Planning Advisory Committee in substantially the same form in which it is being or will be considered by Council, irrespective of whether Council has adopted or rejected or may adopt or reject, the recommendation;
 - d) a matter which has already been reconsidered once;
 - e) a vote to reconsider; and
 - f) a motion to reconsider or rescind a motion approving the annual budget of the Municipality or a motion authorizing any legal proceedings.
- 12.30. Any rule concerning motions and voting may be suspended for a specific matter with a motion, passed by two-thirds (2/3) vote of Council or Committee of Council members present, stating the specific rule to suspend and the matter for which it is suspended.
- 12.31. A summary of the rules for common motions can be found in Appendix B.
13. Points of Order (also refer to Code of Conduct Policy)
- 13.1. A point of order asks the Chair to rule on or enforce the rules if a Council or Committee of Council member thinks the rules of this Policy have been broken.
- 13.2. A point of order does not need to be seconded but must specify which rule is being broken and must be decided upon before the subject under consideration is proceeded with.
- 13.3. When a Council or Committee of Council member is called to order, the member will be seated and remain silent until the point is determined or until called upon by the Chair to be heard on the point of order.
- 13.4. A point of order is not debatable amongst other Council or Committee of Council members, unless the Chair invites discussion to assist in making a

ruling. Where the Chair permits discussion on a point of order, no member will speak more than once.

- 13.5. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the meeting room pursuant to Sections 13.6 and 13.8, are not debatable but are appealable to Council or Committee of Council by any member. When an appeal is made of the decision of the Chair, the Chair will simply put the question, "Will the decision of the Chair be sustained?"
- 13.6. If a Council or Committee of Council member resists:
- a) the rules contained in this Policy;
 - b) willfully obstructs the business of Council or the Committee of Council;
 - c) disobeys the decision of the Chair, or of Council or Committee of Council on appeal, on any question of order or practice or upon the interpretation of the rules after being called to order by the Chair; or otherwise disrupts the meeting proceedings;
- the member may be ordered by the Chair to leave their seat.
- 13.7. If the Council or Committee of Council member refuses to leave the Council members seat, the Chair may, after majority vote is made to support the expulsion, order the member to be expelled and removed from the meeting room.
- 13.8. Such Council or Committee of Council member may, by vote of the members, later in the meeting or at a subsequent meeting be permitted to re-enter the meeting room and to resume participation in Council or Committee of Council business with or without conditions.
- 13.9. Persons who are not Council or Committee of Council members, staff, or invited guests of the Municipality will observe silence and order in the meeting room, unless given permission to speak. Any such persons disturbing the proceedings of Council or Committee of Council will be called to order by the Chair and, if they fail to comply, will be expelled and excluded from the meeting room by the Chair, provided that a majority vote will be required to sustain the expulsion.
- 13.10. Such members of the public, by vote of the members, later in the meeting or at a subsequent meeting, may be permitted to re-enter the Council Chambers with or without conditions.

- 13.11. An order of the Chair to expel a person from the meeting room pursuant to Sections 13.6 and 13.8 of this Policy constitutes a direction from the Municipality to leave the premises for the purpose of the Protection of Property Act and other applicable laws.

14. In-Camera Meetings

- 14.1. Notwithstanding Section 3.1, Council or a Committee of Council may meet in-camera as per Section 22(2) of the Act, for the following reasons:
- a) acquisitions, sale, lease and security of municipal property;
 - b) setting minimum price to be accepted by the municipality at a tax sale;
 - c) personnel matters;
 - d) labour relations;
 - e) contract negotiations;
 - f) litigation or potential litigation;
 - g) legal advice eligible for solicitor-client privilege;
 - h) public security.
- 14.2. No decision will be made while in-camera except decisions on matters of procedure or to give direction to the CAO or Solicitor. All other decisions will be made during a public meeting.
- 14.3. The meeting decorum and rules of debate of Section 10 apply during an in-camera meeting.
- 14.4. A record which is open to the public will be made, noting the fact that Council or Committee of Council had met in-camera, the type of matter as set out in Section 22(2) of the Act, and the date, but no other information.
- 14.5. Discussions held by those in attendance of an in-camera meeting are confidential unless required for Municipal, legal purposes pursuant to other regulatory requirements or released by motion of Council or the Committee of Council.
- 14.6. An agenda and documentation for the in-camera meeting will be provided to Council or Committee of Council members only, in a manner similar to Section 7 of this Policy or may be handed out during the in-camera meeting. Such material will be deleted from the internal communication system or collected after the meeting.

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- 14.7. Minutes of the in-camera meeting will be taken by the Clerk, or other responsible staff member, and approved at the next in-camera meeting of Council or Committee of Council. Such minutes and meeting packages will be securely kept and will not be subject to mandatory public disclosure unless required for Municipal, legal purposes pursuant to other regulatory requirements, or released by motion of Council or the Committee of Council.
- 14.8. The Mayor, Deputy Mayor, Chair, Solicitor, CAO or designate, or Clerk will have authority to brief one another or any member of Council or Committee of Council who is absent from the closed session.

15. Setting Direction

- 15.1. To practice good governance and ensure that decisions are made in the best interest of the Municipality, businesses and residents; decisions should be assessed through the lenses of property, environment, economics, social and public opinion before recommending an action or making a decision. Appendix C has further details on the decision-making lenses.
- 15.2. Council may set direction and make decisions through resolutions, policies and by-laws. Committees of Council may make motions recommending a direction, policy, or by-law to Council.
- 15.3. The process to approve a resolution at a Council meeting does not require notice or public consultation. A motion becomes a resolution upon approval.
- 15.4. Approval of Policies:
- a) The process for Council to approve a policy requires seven (7) days notice to all Council members but does not require public consultation. Notice may be given in one of the following manners:
 - i. Through a notice of motion regarding the policy at a Council meeting for approval at the next Council meeting, provided there are at least seven (7) days between meetings;
 - ii. Through a recommendation from Committee of the Whole to Council, provided there is at least seven (7) days between the meetings;
 - iii. Through a recommendation from Planning Advisory /Heritage Advisory Committee to Council, where such notice will be emailed to Councillors at least seven (7) days before the meeting.

- 15.5. Approval of By-laws and Planning Documents:
- a) The process for Council to approve a by-law, other than a planning document, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 168 (2) of the Act.
 - b) The process for Council to approve a planning document or amendment there of, after the requirements of the public participation program for planning documents have been met, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 206 of the Act.
 - c) Council will receive no new information regarding the by-law or planning matter once a public hearing is complete.
 - d) Only the Council members present at the Public Hearing may vote on the Second Reading of the by-law and planning document.
- 15.6. Public Hearings are separate meetings which are held immediately before the Council meeting at which the Second Reading of the by-law or planning document is held. The agenda for the Public Hearing will be similar to the following:
- a) Overview of by-law or planning document to be approved – by staff
 - b) Owner or Developer Presentations (if applicable)
 - c) Written Submissions in Favour or Against
 - d) Questions or Comments from the Public in Favour or Against
 - e) Concluding Remarks
- 15.7. Council may reverse a resolution or policy through a motion to rescind or repeal in the same manner it was created. The process to reverse a by-law is to create a new by-law stating the repeal.
- 15.8. The resolution, policy or by-law to be rescinded or repealed:
- a) will have been approved at a previous Council meeting, and
 - b) will not have been carried out to the extent that it is too late to undo for the future.

16. Receiving Public Input

- 16.1. Council and Committees of Council members may obtain public input and opinions from residents in the following manner:
- a) speaking with a resident directly;

- b) at public consultation and information meetings;
- c) during Public Hearings;
- d) through formal presentation during meetings, requests which have been received by staff may be placed on the meeting agenda and approved by the Chair, prior to the meeting;
- e) during the allotted twenty (20) minutes of Public Participation on the Committee of the Whole Agenda. A member of the public may speak for a maximum of five (5) minutes each during this period;
- f) through formal petitions and written applications to Council.

16.2. Petitions and applications to Council will be:

- a) legibly written or printed on paper;
- b) will have endorsed upon it the name, address and signature of one or more petitioners, applicants or required persons, and the substance of the matter contained in it.
- c) be presented by a Council member or staff member who will inform Council of the contents and ask permission of Council for it to be read on behalf of petitioners;
- d) Council may decide to hear a summary of a petition or written application in lieu of hearing the reading of the entire petition or written application.

17. Committees

- 17.1. The Council of the Municipality may establish Committees of Council for various matters.
- 17.2. Committees of Council are advisory in purpose and may only make recommendations to Council for final approval and action; unless otherwise enabled under this Policy or by Provincial Legislation.
- 17.3. In addition to the Committee of the Whole, the following Committees of Council are hereby established and details of the establishment can be found in the respective appendix to this Policy:
 - a) Accessibility Advisory Committee – Appendix D
 - b) Audit Committee – Appendix E
 - c) Davidson Lake Watershed Committee - F
 - d) French Mill Brook Watershed Advisory Committee – Appendix G
 - e) Fences Arbitration Committee – Appendix H
 - f) Repealed
 - g) Repealed

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- h) Mill Lakes Watershed Advisory Committee – Appendix J
 - i) Planning Advisory/Heritage Advisory Committee – Appendix K
 - j) Municipal Climate Change Action Plan Committee – Appendix L
 - k) Diversity and Inclusion Committee – Appendix M
- 17.4. Council may also form Committees of Council as required under a by-law or agreement approved by Council.
- 17.5. Council may agree to participate in external boards and committees which are established by the Province, legal agreement or is of significant interest to the Municipality.
- 17.6. Council will not be bound by the by-laws or articles of incorporation adopted by an external committee or board providing for the appointment of a member to the committee or board.
- 17.7. Council agrees to participate in the following external boards and committees:
- a) Annapolis Valley Regional Library Board
 - b) Hants County Residence for Senior Citizens Board
 - c) Landfill Liaison Committee
 - d) Region 6 Solid Waste Management Board
 - e) Valley Communication Fibre Network
 - f) Valley Regional Enterprise Network
- 17.8. Councillors are elected to various committees and boards every two (2) years, or as required by other legislation, policies or agreement, at the November Council meeting. For clarification, the first appointment after April 1, 2020 will be in November 2022. The number of Councillors to be elected:
- a) for Committees of Council one (1) or more Councillors may be elected in accordance with the Committee structure set by Council;
 - b) for external boards and committees, one (1) Councillor and one (1) alternate Councillor may be elected.
- 17.9. The election of Councillors to various committees and boards will be conducted in similar manner as the election of Deputy Mayor in Section 6.
- 17.10. Councillors not elected to a Committee of Council or external committee or board will not be permitted to participate in the committee debate or the vote; but are authorized to make comments, presentations, and participate in the committee meeting, to the extent authorized by the Chair.

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- 17.11. A Councillor ceases to be a member of a Committee of Council or external committee or board when they cease to be a Councillor or as per poor conduct as per the Code of Conduct Policy.
- 17.12. Council may appoint residents to serve on Committees of Council or to represent the Municipality on external board and committees.
- 17.13. All resident appointments will be advertised publicly with a request for those interested to submit a letter of interest and application for a committee. The letter of interest will be reviewed by the CAO or designate and staff who will then submit a recommendation to Council for appointment.
- 17.14. Committees of Council will be governed in accordance with this Policy, unless this Policy states that an alternate arrangement may be provided in the Administrative Terms of Reference of the Committee of Council.
- 17.15. Each member of a Committee of Council is to receive a copy of this Policy and the Committee of Council's Administrative Terms of Reference at the first duly called meeting of the Committee of Council after the regular election or appointment of members.
- 17.16. The Clerk will keep a record of all Councillor and resident appointments to Committees of Council and external committees and boards.
- 17.17. Councillors and resident members who sit on an external committee and board that has not been a result of an appointment by Council, will disclose the name of the external committee or board to the Clerk. The Clerk will keep a public record and will update the information in November of each year.
- 17.18. Council may by majority vote remove any Councillor or resident member of a Committee of Council or external committee or board who was elected or appointed by Council.
- 17.19. Council will fill any vacancy on a Committee of Council or external committee or board as soon as practicable after the vacancy occurs.

18. Conferences and Training

- 18.1. Up to six (6) Council members plus Mayor (and their spouses), and the CAO (or delegate) may attend the Spring conference held by the Nova Scotia Federation of Municipalities (NSFM). And, up to six (6) Council members plus

Mayor (and their spouses), and the CAO (or delegate) may attend the Fall conference held by the NSFM; however, will be based on opportunity. The schedule of attendance will be revisited annually to promote fairness.

- 18.2. Annually, Council will approve participation in a conference held by the Federation of Canadian Municipalities (FCM), including the number of Council and staff members to participate through the provision of funding during budget deliberations.
- 18.3. Councillors may attend and be reimbursed for other related training opportunities with prior approval of Council.
- 18.4. Remuneration for conferences and training will be in accordance with the Remuneration Policy.
- 18.5. There will be an annual budgeted amount for Committees of Council members to attend conferences relevant to the committee in which they are appointed. This may include up to one resident member per Committee of Council.
- 18.6. The CAO will be responsible for promoting conference and professional development opportunities and for devising a system ensuring overall fairness for the opportunity to attend.

19. Repeal

- 19.1. The following policies of the former Municipality of the District of West Hants are hereby repealed effective April 1, 2020:
 - a) The Council Procedural Policy, COGE-003.00, dated February 14, 2017 as amended to September 10, 2019;
 - b) Audit Committee Policy, COFN-007.00, dated May 8, 2018;
 - c) Policy Establishing Davidson Lake Watershed Advisory Committee, COPW-003.00, dated December 8, 2015 as amended to June 12, 2018;
 - d) Establishment of the Falmouth Watershed Advisory Committee Policy COPW-002.00, dated February 13, 2018 as amended to June 12, 2018;
 - e) Policy to Establish the Fences Arbitration Committee, COGE-008.00, dated June 12, 2018;
 - f) Policy Establishing West Hants Planning Advisory Committee, COPL-006.00, dated December 11, 2018; and
 - g) Policy Establishing the Hantsport Area Advisory Committee, COPL-005.00.

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

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- 19.2. The following policies of the former Town of Windsor are hereby repealed effective April 1, 2020:
- a) Meeting Attendance via Video/Virtual Policy dated September 26, 2017;
 - b) Appointment of Deputy Mayor Policy dated November 25, 2014; and
 - c) Audit Committee Policy dated November 28, 2017.

20. Related Legislation, Policies, Procedures

- 20.1. The following is a list of related legislation, policies and procedures:
- a) Municipal Government Act
 - b) Municipal Conflict of Interest Act
 - c) Freedom of Information and Protection of Privacy Act
 - d) Protection of Property Act
 - e) Robert's Rules of Order

APPENDIX A

Report Form

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐
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To: _____ (Name of Committee)

Submitted by: _____
 (Name and Title)

Date: _____ (Date)

Subject: _____ (Title or Subject of Report)

LEGISLATIVE AUTHORITY

(State where ability for consideration comes from if applicable)

RECOMMENDATION or DECISION REQUEST

(State the recommendation or decision request in the form of a motion, if not applicable because it is an Information Report or Councillor Activity Report, state so)

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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(Provide the Who, What, When, Where and Why. If a Councillor Activity Report check "Councillor Activity" and provide your update/info below in the "Discussion" section.)

DISCUSSION

(Provide new information about the subject, Councillor activity, strategic implications, desired outcome.)

NEXT STEPS

(State what will be done next if anything.)

FINANCIAL IMPLICATIONS

(Inform of any financial implications it may have on current or future budgets of the Municipality, or to residents, if anything.)

ALTERNATIVES

(State any option to the recommendation and implication of the options, if anything)

ATTACHMENTS

(List any attachment to the report, if anything.)

CHIEF ADMINISTRATIVE OFFICER REVIEW

(For use if report is from a Councillor. CAO to provide additional comments on background, department/staff responsible and workload, budget, options, preferred strategy. State "Not Applicable" if report is from staff which already incorporates CAO review.)

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX B

Rules of Common Motions

Privilege and Subsidiary motions are listed in the order of their precedence, with the highest ranking at the top. After the Chair states a motion, higher ranking motions are in order but not lower ranking motions, except to Amend and Previous Question can be applied to amendable and debateable motions of higher rank than themselves. Incidental Motions have no ranking order. These are the general rules relating to motions, special rules may apply in accordance with Roberts Rules of Order.

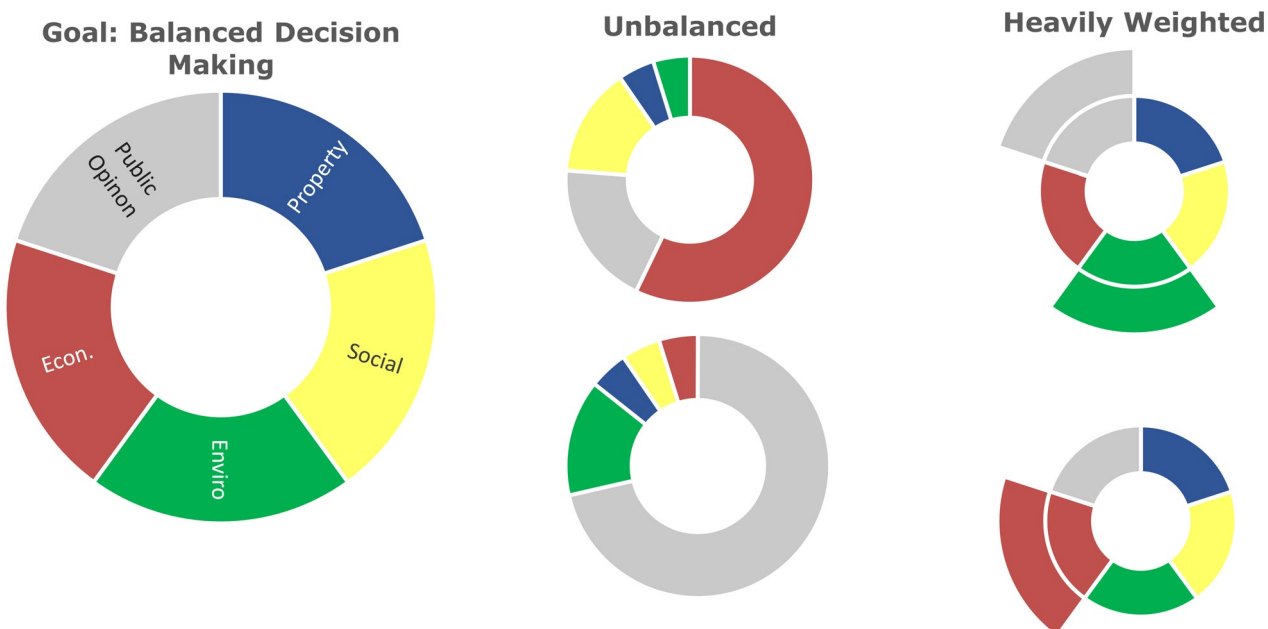
Type Of Motion	Motion in Order of Precedence	Seconded Needed?	Amendable?	Debatable?	Decided by?	Reconsider?	Interrupt?
Incidental Motions	Point of Order	No	No	No (unless Chair Permits)	Chair	No	Yes
	Appeal	Yes	No	Yes	Majority (Nays)	Yes	Yes (at time of ruling)
	Suspend the Rules	Yes	No	No	2/3	No	No
	Objection to the Consideration of the Question	No	No	No	2/3 (Nays)	Yes (Nays Only)	Yes (unless debate has begun)
	Division of the Question	Yes	Yes	No	Majority	No	No
Privilege Motions	Fixing the Time to Adjourn	Yes	Yes	No	Majority	Yes	No
	Adjourn	Yes	No	No	Majority	No	No
	Recess	Yes	Yes	No	Majority	No	No
	Raise a question of Privilege	No	No	No	Chair	No	Yes
Subsidiary Motion	Lay on the Table	Yes	No	No	Majority	No	No
	Previous Question	Yes	No	No	2/3	Yes	No
	Limit or Extend Debate	Yes	Yes	No	2/3	Yes	No
	Postpone to a Definite Time	Yes	Yes	Yes	Majority	Yes	No
	Refer	Yes	Yes	Yes	Majority	Yes	No
	Amend	Yes	Yes	Yes	Majority	Yes	No
	Postpone Indefinitely	Yes	No	Yes	Majority	Yes	No
Main	Original Motion	Yes	Yes	Yes	Majority	Yes	No

APPENDIX C

Decision Making by Council and Committee of Council

Council and resident members should assess every issue presented through the lenses of property, environment, economics, social, and public opinion before making a decision or recommendation for action. Council and residents have the responsibility to research all lenses in order to make a balanced and respectful decision. Information on an issue can become heavily weighted around a single lens, leaving out other factors that will influence the community as a whole. Council and resident members strive to make recommendations that are balanced and unbiased, without emotion, which reflect all lenses, to protect the best interests of the Municipality and the people it serves.

- **Property:** "something at the disposal of a person, a group of persons, or the community or public". Examples: single use, shared use, noise, beautification, traffic, zoning, regulations
- **Environment:** "the air, water, minerals, organisms, and all other external factors surrounding and affecting a given organism at any time". Examples include regulatory requirements and land use.
- **Economic:** "pertaining to the production, distribution, and use of income, wealth, and commodities". Examples: cost savings or expense with decision, property taxation, spending in community, tourism, assessments, market impacts
- **Social:** "of or relating to human society". Examples: Acceptance, limited available or benefit, values
- **Public Opinion:** "the collective opinion of many people on some issue, problem, etc., especially as a guide to action, decision, or the like". Examples: feedback, communication, media, other municipal units
- **Other:** In some cases, other lenses may be required to fully understand an issue. Examples: chance of success, innovation.



APPENDIX D

Accessibility Advisory Committee

1. PURPOSE

- 1.1. The Accessibility Advisory Committee provides advice to Council on identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping the West Regional Hants Municipality become a barrier-free community and ensuring obligations under "An Act Respecting Accessibility in Nova Scotia (2017)" are met.

2. SCOPE

- 2.1. This Policy is applicable to all members appointed to the Municipality's Accessibility Advisory Committee.

3. DEFINITIONS

- 3.1. In Appendix D,
- a) "AAC" means the Accessibility Advisory Committee of the Municipality;
 - b) "Act" means the *Accessibility Act*;
 - c) "Barrier" means anything that hinders or challenges the full and effective participation in society of persons with disabilities including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice;
 - d) "Council" means the Council for the Municipality;
 - e) "Disability" includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability; that, in interaction with a barrier, hinders an individual's full and effective participation in society;
 - f) "Municipality" means the West Hants Regional Municipality.

4. COMMITTEE COMPOSITION

- 4.1. The AAC will consist of seven (7) members as follows:
- To a two-year term – One (1) members of Council
 - To a two-year term – four (4) Resident members
 - To a three-year term – two (2) Resident members.
- 4.2. Resident members will not be members of Council or employees of the Municipality.
- 4.3. At least one half of the members of the AAC must be persons with disabilities or representatives from organizations representing persons with disabilities.

- 4.4. If a member vacates AAC for any reason at any time before that member's term would normally expire, Council will promptly appoint a new member to the Committee to hold office for the unexpired term.
- 4.5. The Chair and Vice-Chair will be appointed annually by the members of AAC.

5. MANDATE AND RESPONSIBILITIES

- 5.1. AAC has the following responsibilities:
- a) Advise Council in the preparation, implementation and effectiveness of its accessibility plan. In accordance with the Act, the plan must include:
 - A report on measures the Municipality has taken and intends to take to identify, remove and prevent barriers;
 - Information on procedures the Municipality has in place to assess the following for their effect on accessibility for persons with disabilities:
 - i. Any of its proposed policies, programs, practices and services, and
 - ii. Any proposed enactments or bylaws it will be administering; and
 - Any other prescribed information.
 - b) Advise Council on the impact of the Municipality's policies, programs and services on persons with disabilities;
 - c) Review and monitor existing and proposed Municipal by-laws to promote full participation of persons with disabilities, in accordance with the Act;
 - d) Identify and advise on the accessibility of existing and proposed municipal services and facilities;
 - e) Advise and make recommendations about strategies designed to achieve the objectives of the Municipality's Accessibility Plan;
 - f) Receive and review information directed to it by Council and its committees, and to make recommendations as requested;
 - g) Monitor Federal and Provincial government directives and regulations; and,
 - h) Host community consultations related to accessibility in the Municipality.

6. ADMINISTRATION

- 6.1. AAC will meet no less than six times per year, or otherwise as required to fulfill the duties as outlined.
- 6.2. A quorum for AAC will be a majority, four (4) members.
- 6.3. The AAC may receive presentations from the public upon approval of the Chair.

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- 6.4. The AAC may establish Working Groups to explore specific issues related to the accessibility plan and/or to other responsibilities. Members of the Working Group may consist of additional members of the community. A member of the AAC shall chair the Working Group.

APPENDIX E
Audit Committee

1. PURPOSE

- 1.1. The primary purpose of the Audit Committee (the "Committee") is to provide advice to Council on all matters relating to audit and finance. The objective of the Committee is to:
- a) fulfil the requirements outlined in Section 44 of the *Municipal Government Act*; and
 - b) assist Council in meeting its oversight responsibilities by ensuring the adequacy and effectiveness of financial report, risk management and internal controls.

2. SCOPE

- 2.1. This Policy is applicable to all serving members Audit Committee.

3. DEFINITIONS

- 3.1. In Appendix E,
- a) "Auditor" means the External Auditor conducting the audit of the Municipality;
 - b) "CAO" means the Chief Administrative Officer for the Municipality;
 - c) "Director of Finance" means the Director of Financial Services for the Municipality;
 - d) "Municipality" means the West Hants Regional Municipality.

4. COMMITTEE COMPOSITION

- 4.1. Council will annually appoint members to an Audit Committee.
- 4.2. The Audit Committee will consist of five (5) members: the Mayor, two Council members, and two resident members who are not members of Council or Municipal Staff.
- a) Resident members should be sufficiently versed in financial matters to understand the Municipality's account practices and policies and the major judgements involved in preparing the financial statements.
 - b) Where an audit committee does not include any resident members, the audit committee will continue to meet and perform its duties and may exercise its powers. The Municipality will advertise to recruit resident members at least once every six months until the requirement is met.
 - c) The Mayor will chair the Audit Committee meetings, and in their absence, another appointed Council member will chair.
 - d) The CAO and/or Director of Financial Services will provide staff support to the Committee. They are not voting members of the Committee.

- e) The Council Remuneration Policy will be followed regarding any remuneration for the two resident members.
- f) All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by CAO.

5. DUTIES AND RESPONSIBILITIES

5.1. Audit:

- a) Review the qualifications, independence, quality of service, performance, and fees of the auditors and recommend the appointment of an auditor to Council.
- b) Carry out the responsibilities of the Audit Committee contained in Section 44 of the *Municipal Government Act*, in consultation with Management.

5.2. Finance and Risk Management

- a) Review with Management the quarterly financial updates and recommend to Council to be received.
- b) Management will give a presentation on all financial policies used in the preparation of the external financial statements; at the first annually meeting of the year.
- c) Review with Management the adequacy of internal controls.
- d) Review with Management annually risk management practices including insurance coverage.

6. ADMINISTRATION

- 6.1. Meetings of the Audit Committee will be held at least quarterly. Additional meetings may be necessary to review items relating to the audit and will be called by the Chair.

APPENDIX F

Davidson Lake Watershed Advisory Committee

1. PREAMBLE

- 1.1. The Davidson Lake Watershed Advisory Committee was established in 2007 in response to the requirement of Nova Scotia Environment (NSE) to develop and prescribe regulations for the Protected Water Area, as well as a Source Water Protection Plan (SWPP). The SWPP was adopted by the former Hantsport Town Council on July 4, 2013. The draft Regulations were submitted to Nova Scotia Environment and at this time awaits Provincial review and approval.

2. DEFINITIONS

- 2.1. In Appendix F,
- a) "Committee" means the Davidson Lake Watershed Advisory Committee;
 - b) "Councillor" means an elected member of the Council of the Municipality;
 - c) "Municipality" means the West Hants Regional Municipality.

3. PURPOSE

- 3.1. The primary objective of the Davidson Lake Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other stakeholders to work cooperatively to maintain the water quality and quantity in the Davidson Lake Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.
- 3.2. The mandate of the Davidson Lake Watershed Advisory Committee is to advise and make recommendations to Council concerning issues of the management and protection of the Davidson Lake Watershed.

4. ROLE OF THE DAVIDSON WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Davidson Lake Watershed.
- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;

- d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
- e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
- f) advise on forest matters and other land use issues;
- g) develop Best Management Practices (BMP) for activities in the Davidson Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
- h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
- i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Davidson Watershed;
- j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
- k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

5.1. The Committee members will be comprised of:

- One (1) Landowner Representative
- One (1) Councillor and one alternate
- One (1) Nova Scotia Department of Lands and Forestry Representative
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Environment Representative

5.2. The Landowner Representative must own land in the Davidson Lake Watershed and will not include the Municipality.

6. ADMINISTRATION

6.1. A quorum for the Committee will be four (4) members; of which one (1) must be a Councillor.

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- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Davidson Lake Watershed Advisory Committee to Committee of the Whole.
 - 6.3. The Committee will meet semi-annually. The Chair may call additional meetings as required.
 - 6.4. Administrative services for the Committee will be provided by the Municipality.
 - 6.5. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX G

French Mill Brook Watershed Advisory Committee

1. PREAMBLE

- 1.1. In 1983, the area surrounding French Mill Brook, Hants County was designated as a Protected Water Area at the request of the former Municipality of the District of West Hants. Regulations were also enacted for the designated area to protect the water supply. The French Mill Brook Watershed Protected Area supplies potable water to the community of Falmouth and covers approximately 2814 acres of land (1139 hectares), according to the plan prepared in 1974.
- 1.2. The former Falmouth Watershed Advisory Committee was established in 1992 to manage the French Mill Brook Watershed through the involvement of all stakeholders, including landowners, municipal staff and government representatives.

2. DEFINITIONS

- 2.1. In Appendix G,
 - a) "Committee" means the Falmouth Watershed Advisory Committee;
 - b) "Councillor" means an elected member of the Council of the Municipality;
 - c) "Municipality" means the West Hants Regional Municipality.

3. PURPOSE

- 3.1. The primary objective of the French Mill Brook Watershed Committee is to provide a forum for the Landowners, the Municipality, and other stakeholders to work cooperatively to maintain the water quality and quantity in the French Mill Brook Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.
- 3.2. The mandate of the Committee is to advise and make recommendations to Council concerning issues of the management and protection of the French Mill Brook Watershed.

4. ROLE OF THE FRENCH MILL BROOK WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the French Mill Brook Watershed.
- 4.2. In addition, the Committee will:
 - a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;

- b) assist with revisions of the regulations for the Protected Water Area as required;
- c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
- d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
- e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
- f) advise on forest matters and other land use issues;
- g) develop Best Management Practices (BMP) for activities in the French Mill Brook Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
- h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
- i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the French Mill Brook Watershed;
- j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
- k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

5.1. The Committee members will be comprised of:

- Three (3) Landowners Representatives
- One (1) Councillor and one (1) alternate
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Department of Lands and Forestry Representative
- One (1) Nova Scotia Transportation and Infrastructure Renewal Representative
- One (1) Nova Scotia Environment Representative

5.2. The Landowner Representatives must own land in the French Mill Brook Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be six (6) members; of which one (1) must be Councillor and two (2) Landowner Representatives.
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Falmouth Watershed Advisory Committee to the Committee of the Whole.
- 6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.
- 6.4. Administrative services for the Committee will be provided by the Municipality.
- 6.5. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX H

Fences Arbitration Committee

1. PURPOSE

- 1.1. The purpose is to establish the Fences Arbitration Committee in accordance with the Fences and Detention of Stray Livestock Act.

2. DEFINITIONS

- 2.1. In Appendix H,
- a) "Act" means the Fences and Detention of Stray Livestock Act, as amended from time to time;
 - b) "Clerk" means the Municipal Clerk of the Municipality;
 - c) "Committee" means the Fences Arbitration Committee of the Municipality;
 - d) "Council" means the Council of the Municipality;
 - e) "Livestock" means cattle, sheep, swine, goats, horses, ponies, mules, ratites, farmed deer and game farm animals and other livestock designated by the Minister;
 - f) "Minister" means the Minister of Agriculture;
 - g) "Municipality" means the West Hants Regional Municipality;
 - h) "Non-livestock farm" means land upon which no livestock is maintained.
 - i) "Owner" includes
 - i. With respect to livestock, any person who has lawful custody of the livestock
 - ii. With respect to a farm, the person occupying or operating a farm.

3. FORMATION OF THE FENCES ARBITRATION COMMITTEE

- 3.1. The Committee will consist of two (2) members, of which one member is appointed by Council and one member of the Municipality appointed by the Nova Scotia Federation of Agriculture.
- 3.2. The member appointed by Council will be the Chair of the Committee and may be an employee of the Municipality.
- 3.3. Alternate members of the Committee may be appointed at the request of the member appointed by the Municipality or the Nova Scotia Federation of Agriculture.
- 3.4. All members or alternates will be residents of the Municipality.

- 3.5. Non-Council members will be paid remuneration in accordance with the Council Remuneration Policy.
- 3.6. The Committee will meet on an as needed basis.
- 3.7. Two (2) members of the Committee will form a quorum.
- 3.8. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

4. DUTIES

- 4.1. The Committee will perform the duties as required by and in accordance with the Act, which include but not limited to:
 - a) Hearing fencing disputes between the owners of a livestock farm(s) or between the owner of a livestock farm and a non-livestock farm; who have notified the Clerk in writing and paid the accompanied fee. With respect to the matter referred to the Committee, the Committee may, by written order,
 - i. Determine the location, height and material of construction of any fence;
 - ii. Determine the manner of maintenance of a fence;
 - iii. Direct the owner of a farm to construct or maintain any fence in accordance with the Act;
 - iv. Determine the proportion of costs of building and maintaining any fences and common boundaries to be borne by each of the adjoining livestock farm owners pursuant to the Act;
 - v. Take any immediate action necessary including, but not limited to, the removal and boarding of livestock if it is determined there is a risk to the public, the livestock or property.
 - b) Directing a sale or other disposition of stray livestock, provided subsections (2), (3), and (4) of Section 9 of the Act have been complied with.
 - c) Disposing of stray livestock in such as manner as it deems fit, should no offer or reasonable offer be made at sale.
 - d) Distributing the proceeds of the sale or disposal of stray livestock in accordance with the Act.
 - e) Settling disputes regarding ownership and expenses of stray livestock that arise between the owner of the livestock, the person detaining it or the Municipality.

5. CONFLICT

-
- 5.1. Where there is a conflict between this Policy and the Act, the Act will prevail.

APPENDIX I

Repealed

APPENDIX J

Mill Lakes Watershed Advisory Committee

1. PREAMBLE

- 1.1. The Mill Lakes Watershed supplies the reservoir from which the Windsor Water Utility, operated by the Municipality, withdraws water. The Windsor Water Utility currently supplies water to the community of Windsor and the Three Mill Plains Water Utility. The Three Mile Plains Water Utility services communities of Three Mile Plains, Currys Corner, Garlands Crossing, and Wentworth Creek.

In 1964, the area surrounding Mill Lakes, Hants County, was designated a Protected Water Area. Regulations were also enacted for the designated area to protect the water supply. The regulations were updated in 1986 under the Water Act. The Mill Lakes Watershed Protected Water Area contains four thousand three hundred ninety-four and a half (4394.5) acres of land (1778.4ha).

The Mill Lakes Watershed Committee was first established in 2005 by the former Town of Windsor in response to the need to develop a Source Water Protection Plan.

2. DEFINITIONS

- 2.1. In Appendix J,
- a) "Committee" means the Mills Lakes Watershed Advisory Committee;
 - b) "Councillor" means an elected member the Council of the Municipality;
 - c) "Municipality" means the West Hants Regional Municipality;
 - d) "Staff" means a person employed by the Municipality.

3. PURPOSE

- 3.1. The primary objective of the Mill Lakes Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other Stakeholders to work cooperatively to maintain the water quality and quantity in the Mill Lakes Watershed. The Committee recognizes that the protection of source water is the first step in the multi-barrier approach to clean, safe drinking water.

4. ROLE OF THE MILL LAKES WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Mill Lakes Watershed.
- 4.2. In addition, the Committee will:

-
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the Mill Lakes Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Mill Lakes Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
 - k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

5.1. The Committee members will be comprised of:

- Four (4) Landowner Representatives
- One (1) Councillor and one (1) alternate
- One (1) Nova Scotia Department of Lands and Forestry Representative
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Environment Representative (voting)

5.2. The Landowner Representatives must own land in the Mill Lakes Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be five (5) members; of which two (2) must be a Landowner Representatives and one (1) must be a Councillor. .
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Committee to the Committee of the Whole. The Committee Chair will be elected every two years on even numbered years by the Committee.
- 6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.
- 6.4. All Landowners are welcome to attend Committee meetings as observers.
- 6.5. A General Meeting of landowners may be called every two (2) years at the discretion of the Committee.
- 6.6. Administrative services for the Committee will be provided by the Municipality.
- 6.7. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX K

Planning Advisory/Heritage Advisory Committee

1. PURPOSE

- 1.1. To establish an advisory committee in accordance with Sections 200 and 202 of the *Municipal Government Act*.

The Planning Advisory/Heritage Advisory Committee will advise the Council of the Municipality on planning and heritage matters requiring a decision of Council affecting the Municipality, including the preparation and amendment of planning documents.

2. DEFINITIONS

- 2.1. In Appendix K,
- a) Repealed.
 - b) "Municipality" means the West Hants Regional Municipality;
 - c) "PAC/HAC" means the Planning Advisory/Heritage Advisory Committee of the Municipality;
 - d) Repealed.

3. COMMITTEE COMPOSITION

- 3.1. The PAC/HAC will be established under the following terms:
- a) The Committee will consist of thirteen (13) members as follows:
 - six (6) members of Council;
 - two (2) resident members of Windsor;
 - two (2) resident members of Hantsport; and
 - three (3) members resident in the remainder of the Region and who is not members of Council or Municipal employees.
 - b) Council members will be appointed to the Committee in November for a term of one (1) year and the term will expire following the October meeting the next year. The appointments made as of April 2021 will expire October 2022.
 - c) Non-Council members will be appointed to the Committee in November for a term of two (2) years and the term will expire following the October meeting of the second year. The appointments made as of April 2021 will expire October 2022.

4. ADMINISTRATION

- 4.1. The PAC/HAC will appoint a Chair and Vice-Chair annually from among its members at the November meeting.
- 4.2. All non-Council members of the Committee will be remunerated for attendance at meetings of the Committee in accordance with the Remuneration Policy.

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- 4.3. The PAC/HAC will present recommendations directly to the Council of the Municipality.

APPENDIX L

Municipal Climate Change Action Plan Committee

1. PURPOSE

- 1.1. The Municipal Climate Change Action Plan Committee provides a forum for all municipal departments and Council representatives to work co-operatively on implementing and evaluating the adaptation and mitigation actions outlined in the Municipal Climate Change Action Plans of the Municipality hereafter referred to as "the MCCAP". These policy and adaptation procedures help protect people, properties, special places, and municipal infrastructure from the negative impact of climate change.

2. DEFINITIONS

- 2.1. In Appendix L,
- a) "MCCAP Committee" means the Municipal Climate Change Action Plan Committee;
 - b) "Municipality" means the West Hants Regional Municipality.

3. COMMITTEE COMPOSITION

- 3.1. The Committee consists of ten (10) members:
- Three (3) Councillors;
 - Two (2) resident members, who are not members of Council
 - Chief Administrative Officer or designate;
 - Director of Public Works or designate;
 - Director of Planning and Development or designate;
 - Director of Community Development or designate;
 - Protective Services Manager or designate.
- 3.2. Each Councillor, appointed by Council, serves on the Committee for a designated term. Members are eligible for reappointment.
- 3.3. Designates and alternates are at the discretion of the Chief Administrative Officer.

4. ADMINISTRATION

- 4.1. The Chair and the Vice-Chair are elected by a majority of the members. Those persons elected hold office for a one-year term.
- 4.2. The Chair of the Committee acts as the liaison in providing recommendations to Council, as required from time to time.

- 4.3. The duties and procedures of the MCCAP Committee will be as set out in the relevant Terms of Reference for the MCCAP Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

APPENDIX M

Diversity and Inclusion Committee

1. PURPOSE

- 1.1. The purpose of the Diversity and Inclusion Committee is to engage the community and formulate action plans to address issues concerning social marginalization, equity, racism, and discrimination within the Municipality. The Committee will also examine issues and barriers in creating a community that is inclusive and welcoming to all.

2. DEFINITIONS

- 2.1. In Appendix M,
a) "Municipality" means the West Hants Regional Municipality.

3. COMPOSITION

- 3.1. The Committee will consist of ten (10) voting members and two (2) non-voting members as follows:
- 2 Councillors
 - 4 resident members of diverse race and ethnicity (from the Black Nova Scotian, Acadian, Glooscap First Nation, LGBTQ+ and newcomers communities)
 - 1 resident over the age of 60
 - 1 resident between the ages of 15-19
 - RCMP Representative
 - Provincial Government Representative
 - 2 non-voting staff members appointed by the Chief Administrative Officer

4. ADMINISTRATION

- 4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.
- 4.2. All non-Council and non-staff members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.
- 4.3. Administrative services for the Committee will be provided by the Municipality.
- 4.4. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

I, Rhonda Brown, Municipal Clerk of the West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **23rd** day of **March, 2020**.



R. N. Brown
Municipal Clerk

Adoption	
<i>Notice to Council:</i>	March 9, 2020
<i>Approval:</i>	March 23, 2020
<i>Description:</i> Initial approval of the Meeting and Committee Procedural Policy, RCOGE-003.00. Approved by the Co-ordinating Committee of the Region of Windsor and West Hants Municipality.	
First Amendment	
<i>Notice to Council:</i>	October 13, 2020
<i>Approval:</i>	October 27, 2020
<i>Description:</i> Amended Policy to add the Diversity and Inclusion Committee, changed the report form, terminology changes and amend agenda package procedures.	
Second Amendment	
<i>Notice to Council:</i>	February 9, 2021
<i>Approval:</i>	February 23, 2021
<i>Description:</i> Amended Policy to delete the words "and December" from Sections 3.2(b) and 3.3 (b), to enable meetings in December.	
Third Amendment	
<i>Notice to Council:</i>	March 9, 2021
<i>Approval:</i>	March 23, 2021
<i>Description:</i> Amended Policy to remove the Hantsport and Windsor Area Advisory Committee, change the membership of Planning Advisory / Heritage Advisory Committee, and change the definition of "Municipality" within the Appendices.	



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: 
Mark Philips, Chief Administrative Officer

Date: May 10, 2022

Subject: Non-Residential Deed Transfer Taxation

LEGISLATIVE AUTHORITY

N/A

RECOMMENDATION or DECISION REQUEST

TBD

BACKGROUND

Effective April 1, 2022, the Province of Nova Scotia announced that it will be implementing new property taxes impacting non-resident property owners. As a part of the 2022-2023 provincial budget, the Province of Nova Scotia is introducing the Non-Resident Provincial Deed Transfer Tax. Effective May 5, 2022 the Non-Resident Property Tax was withdrawn by the government.

The Department of Finance and Treasury Board has developed a web page with more information for each of these tax measures:

<https://novascotia.ca/finance/en/home/taxation/tax101/non-resident-deed-transfer-tax-and-property-tax.html>

Provincial Non-resident Deed Transfer Tax

The Provincial Deed Transfer Tax (PDTT) is effective for all purchase and sale agreements and other specific transfers starting 1 April 2022.

The PDTT applies to all residential properties or portion of property deemed residential with 3 dwelling units or less, including vacant land classified as residential.

The PDTT is a 5% tax levied on the purchase price or the assessed value of property (whichever is greater).

Exemptions

Some deed transfers are exempt from this tax. They include:

- transactions involving an Agreement of Purchase and Sale dated before 1 April 2022
- transactions only including residential property (or a portion of residential property) with more than 3 dwelling units
- residential property with 3 or less dwelling units being transferred to grantees where 50% or more of the ownership is by residents of Nova Scotia
- residential property with 3 or less dwelling units being transferred to grantees who are not residents of Nova Scotia, if they intend to move to Nova Scotia within 6 months of the property transfer
- property being transferred between spouses/common law partners (or former spouses or common law partners if the transfer is for the purpose of division of marital/jointly held assets)
- all of the statements in this bullet must be true for this exemption to qualify.
 - deeds being registered to simply confirm, correct, modify, or supplement a deed previously given,
 - there is no consideration beyond \$1 and
 - the deed does not include more property than the previous deed
- residential property being transferred to a foreclosing mortgagee
- residential property being transferred from an executor to an eligible beneficiary under a will. An eligible beneficiary is a spouse, common-law spouse, child, grandchild, parent or sibling of the testator or a child or grandchild of the testator's spouse or common-law spouse

- residential property being transferred from an administrator of an estate to a person entitled to the estate under the Intestate Succession Act or the intestacy laws of another jurisdiction
- transactions only including property classified as commercial/resource (no portion of the property is classified as residential)
- transactions where the grantee is a registered charity and the residential property in this transaction will not be used for commercial, industrial or other business purposes.

Property ☒	Public Opinion ☒	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☐
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DISCUSSION

Many municipalities have reviewed and weighed the effects that the proposed taxation will have on their regions. Many have communicated their support or lack thereof through letters directed to various levels of government.

This matter is before Council for their consideration as it is an active intergovernmental discussion. It is a discussion currently being pushed by NSFM (Nova Scotia Federation of Municipalities). Council may decide not to weigh in on the matter. It is most likely Council will play an advocacy role if Council decides to forward an opinion on the matter to the government or NSFM. As noted above the Non-Residential Tax rate has been withdrawn as of May 5, 2022.

NEXT STEPS

To be determined by Council.

FINANCIAL IMPLICATIONS

ALTERNATIVES

- Council can choose not to support the recommendation.

ATTACHMENTS

- The Municipality of Chester
- The Municipality of the District of Guysborough

From: Pam Myra (she/her) <pmyra@chester.ca>

Sent: April 8, 2022 12:06 PM

Subject: Copy of Correspondence to Premier Houston - Proposed Provincial Non-Resident Property Tax and Deed Transfer Tax.

Good afternoon,

Attached please find copy of correspondence forwarded to Premier Houston with regard to the proposed Provincial Non-Resident Property Tax and Deed Transfer Tax.

Forwarded on behalf of
Warden Allen Webber



Pam Myra (she/her)

Municipal Clerk

Corporate & Strategic Management
151 King Street, Chester, NS, B0J 1J0

Office: 902-275-4109
General Inquiries: 902-275-3554
Cell: 902-277-1872
Web: www.chester.ca



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Office of the Warden
The Municipality of Chester
151 King St, PO Box 369
Chester, NS B0J 1J0

Phone: (902) 275-3554
Fax: (902) 275-4771
www.chester.ca

[/ChesterMunicipality](#)
[@chestermun](#)

April 7, 2022

Honourable Tim Houston
One Government Place – 7th floor
1713 Barrington Street
Halifax, Nova Scotia B3J ZA4

Via Fax: 902-424-0667

Dear Premier Houston:

The Council of the Municipality of the District of Chester discussed the proposed non-resident Provincial property tax; and the proposed non-resident Provincial deed transfer tax announced as part of the Province's 22/23 budget. Council understands that the initiative's stated intent is to make housing more attainable and available. However, no information and data has been made publicly available that clearly defines the problem; or demonstrates how the initiative will solve it.

These proposed initiatives should be abandoned so that alternative and refined measures can be developed with insight provided by municipalities; relevant business sectors and associated business associations such as Real Estate and Tourism; and the community.

There are many other reasons why Council opposes the initiative:

1. The annual \$2.00 per \$100 rate is exorbitant. The Municipality has over 1,200 property tax accounts where tax bills are mailed out of province. The assessed value of the properties matched to these accounts could result in an increase up to \$5 million in property tax in our municipality – by far the single largest property tax increase ever levied for our communities.
2. The Province is encroaching into the municipal tax base with this form of direct provincial property taxation. Property tax room will be lost to municipalities that already rely heavily on property taxation and do not have authority to levy income or other more progressive taxes.
3. If the initiative is intended to address housing supply, then the funding raised should be directed to the creation of housing supply and should remain in the

NOVA SCOTIA'S TREASURE

municipality where it is collected to be invested in projects that will see an increase in attainable and affordable housing.

4. The Council does not anticipate that the properties impacted in our municipality are aligned with the stated attainable housing goals. In other words, most properties sold as a result of the new \$2.00 per \$100 tax rate are not likely to be properties relevant to the stated goal.
5. Seasonal property ownership by non-residents has been a long-standing activity in our communities including generational ownership of property. These community members contribute to social, recreational, cultural, and other activity which creates significant positive economic impacts in our Municipality and throughout rural Nova Scotia. Many of these community members contribute their time and money to community organizations and facilities. Council is particularly concerned that this has not been considered and may be lost. Council is also concerned that new construction activity being planned by non-residents will be cancelled.

The Council does support the goal of increasing the amount of attainable housing in our Municipality, and in the Province. Your government's increased focus on this core function is positive. Council is taking its own steps to support this goal in areas that are core to municipal responsibilities.

We intend to invest more in core infrastructure that supports new and expanded residential development. We recently doubled the budget for a progressive low-income property tax exemption program for homeowners. We have amended our Municipal Planning Strategy to support a variety of housing options. An enhanced regulatory framework to manage/dampen the rapid growth of the sharing economy (Air BnB) in our region is also being explored. Council has also approved \$100,000 in funding to a not-for-profit affordable housing initiative in New Ross and has agreed to waive development fees for this proposed project.

Council is supportive of solutions that solve problems. However, the current proposal has too many unanswered questions and will likely create negative consequences disproportionate to the positive consequences.

Please take the time necessary to develop solutions that will achieve government's goal of providing attainable and affordable housing for Nova Scotia residents.



Yours truly,



Allen Webber
Warden, Municipality of the District of Chester

Copy: Minister of Finance, Allan MacMaster
Minister of Municipal Affairs & Housing, John Lohr
MLA Chester-St. Margaret's, Danielle Barkhouse
President, Nova Scotia Federation of Municipalities, Amanda McDougall





Office of the Warden

April 11, 2022

Honourable Tim Houston, Premier
Office of the Premier
7th Floor, One Government Place
1700 Granville Street
Halifax, NS
B3J 1X5

Re: CFA TAXES

Dear Honourable Premier:

At a public meeting held April 6, 2022, Council expressed its unanimous opposition to both the non-resident property tax and the non-resident deed transfer tax that were announced as part of the 2022/2023 Provincial Budget. Although the Municipality supports the objective of making more affordable housing available to our residents, our Council believes that the method being used here by your Government is way off the mark, and will likely prove to be very costly to the Province, especially to Municipalities in rural areas on a go forward basis.

Council is asking that your Government abandon your **CFA TAX** initiative. If the real goal is making more affordable housing available for NS Residents, then we would ask you to bring all stakeholders together to come up key initiatives that do not unfairly attack our residents who live here for periods of the year, and happen to have a full-time residency elsewhere.

Here are some points to consider:

- 1) In Nova Scotia, Municipalities have very few tools that it can call its own when it comes to revenue generation. Two of those tools have been the deed transfer tax and property taxes. Now the Provincial Government is reaching into the municipal toolbox and using tools that are specific to municipalities to raise funds for the Province. If the Federal Government was reaching into the Provincial toolbox of revenue generators, your government wouldn't be too happy about it, and that should give you a sense of why our Municipality stands in opposition to this.

Cont'...



- 2) Our deed transfer tax is 1% of the purchase price. Our base tax rate is 77 cents per \$100 of assessment. We use every tool in our toolbox to keep those fees and taxes low, including generating less than 40% of our total revenues from taxation. We do this so we can attract more residents to our communities, to keep the cost of living as low as possible for all those who live here, and to stem the tide of outmigration. For a Municipality struggling to stabilize and grow our population, your CFA TAX likely killed all those efforts.
- 3) The annual \$2.00 per \$100.00 of assessment for an additional property tax is simply exorbitant! Compare this to our .77 tax rate and it is quite evident that these new taxes are unfair to our part time residents. For a \$250,000.00 assessment, the part time resident will pay us a base tax amount of \$1,925.00 and now will pay the Province an additional \$5,000.00 in property taxes. And it's not so much about the people that will come here, as they will make that decision with the knowledge about the new CFA TAXES that they will face. But it's patently unfair to those who have made that decision to have a secondary home in Nova Scotia prior to these new taxes being implemented. The deal for those when they made that purchase in Guysborough, was \$1,925.00 with potential marginal increases from the Municipality going forward, not the 'sledge hammer' new CFA Tax that you've implemented.
- 4) Out of Province home purchasers make investments in our communities! If they buy a vacation property or a secondary home, they pay taxes, they buy services, they buy goods, and they contribute to the community through their volunteer work and in other ways to help build our communities. Some make significant investments in business or they take properties that are run down, or have no development potential, and make them into something that everyone can be proud of. Let me give you two quick examples:
 - a) We have an investor from Ontario who happened upon Guysborough almost 30 years ago, fell in love with the place, bought a vacation property, and over time has invested more than \$20,000,000.00 into Guysborough, and the Province as a whole. The family is a wonderful addition to our community, has employed a large number of our residents over the years, and has become a producer and exporter of NS goods. Think about all of the Provincial and Municipal Taxes that this family has contributed to our economy, on top of the jobs and social investments into our communities. About two years ago, the same proprietor bought, what is likely a retirement home in

Cont'...



the center of Guysborough, and now with these two residential properties, will pay tens of thousands of dollars in additional taxes in the coming years. That wasn't the deal this family signed up for when they came here almost 30 years ago, and it is patently unfair, simply patently unfair!

- b) About 5 years ago, a couple from Ontario who had family connections to our Municipality decided to buy a retirement home in the Shiretown of Guysborough. They didn't buy a traditional home, they bought a post office building from Canada Post, a large towering structure on the main street of Guysborough that had a 'town square type of clock' that wasn't working. Likely the building wouldn't have found a purchaser and would eventually have encountered a wrecking ball. What did this family do? They hired local carpenters, plumbers, and electricians, bought buildings supplies from the local hardware store, spent hundreds of thousands of dollars to restore, including the clock, and today it is a beautifully restored residential home. Now their thank you, is an additional unwelcome bill from the Provincial Government, and more so it's the messaging that you're sending them. As a side note to this story, when we were looking to host a reception for 10 Resident Doctors from Dalhousie in January of this year, guess who stepped up to host them. Yes, this family did. They understand the importance of recruiting health professionals to rural communities, and are a partner in helping us do that.

- 5) Our Council are closest to the housing situation in the Municipality of the District of Guysborough. Our Councillors do not believe that the intention of the new CFA TAXES is going to fix the problem that the Provincial Government believes it's going to fix in a Municipality like Guysborough. We have more than 2100 square kms of land, with a population of 4600 people. We need more housing options for those who can least afford to buy or rent a home, and our Municipality is willing to contribute to those conversations with both the Federal and Provincial levels of government, the levels of government who have traditionally held the responsibility for affordable housing. Levying new taxes on those who invest in our communities, and who have previously invested under a different set of rules, will not solve the affordable housing problem, in rural communities like Guysborough.

Cont'...



Mr. Premier, sometimes what works in urban areas, have unintended negative consequences in rural areas like Guysborough. We are asking you to rescind your decision on the new CFA Tax model and to engage stakeholders in direct conversations that can positively impact the affordable housing file in all areas of the Province.

I look forward to hearing from you.

Sincerely,

Vernon Pitts

Warden

C. Honourable Allan MacMaster, Minister of Finance

Honourable Greg Morrow, Minister & MLA

Ms. Amanda MacDougall, President, NSFM

John MacKinnon, President AMANS

NSFM Municipalities



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: West Hants Regional Municipality Committee of the Whole
Submitted by: Kathy Kehoe, Director Community Development
Date: May 3, 2022
Subject: 2022 Grants and Contributions

LEGISLATIVE AUTHORITY

Municipal Government Act,

Power to expend money

65 The council may expend money required by the municipality for

(au) a grant or contribution to

- (i) a society within the meaning of the *Children and Family Services Act*,
- (ii) a mental health clinic in receipt of financial assistance from the province,
- (iii) an exhibition held by an educational institution in the municipality,
- (iv) a club, association, or exhibition within the meaning of the *Agriculture and Marketing Act*,
- (v) any charitable, nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting or social organization within the province,
- (va) a day care licensed under the *Day Care Act*,
- (vi) a registered Canadian charitable organization,
- (vii) a village,

and the municipality shall publish annually a list of the organizations and grants, or contributions made pursuant to this clause in a newspaper circulating in the municipality

RECOMMENDATION

Committee of the Whole recommends that:

Council adopts the attached summary, as presented, recommending grant funding to the listed recipients and authorize staff to release funds once all requirements, as outlined under the Grant and Contribution Policy, have been met.

Further

...it be recommended to Council, to approve the use of \$5,000 from the Canada Community Building Fund for the Newport and District Rink Commission to fund the purchase of an Ice Resurfacer, to improve recreational services.

Further

...it be recommended the following grants be approved from the 5% Reserve Fund:

- Brooklyn District Elementary School to fund the unspent portion of the Phase 1 of the Tennis Court Repairs that was approved in 2021 in the amount of \$4,827
- Brooklyn District Elementary School to fund Phase 2 of the Tennis Court Repairs in the amount of \$5,000
- West Hants Trails Association to fund the purchasing of an outdoor leisure structure for the Ardoise Community Park in the amount of \$2,500
- Brooklyn Volunteer Fire Department to fund trail maintenance for the Brooklyn Fire Department Trail in the amount of \$2,075
- Glooscap Heritage Archers Association to assist with the cost of installing a new deck and roof repairs in the amount of \$1,000

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☒	Economic ☒	Councillor Activity ☐
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Each year, the Municipality receives numerous requests for funding from worthwhile not-for-profit or charitable community organizations who, through volunteer efforts provide services to the community. Staff have reviewed the requests and coordinated the funding recommendations within the approved budgeted allotments and in keeping with the Grants and Contributions Policy. Funding requests were received from sixty-five different organizations and, of those applications three were received after the advertised deadline. Staff have not recommended funding the late applications from organizations based on the Grants and Contributions Policy.

Grants and contributions are recommended based on the understanding they are for services or activities which council has or is likely to deem required by the municipality and within the Municipality's legislative mandate.

According to the rules around expending Canada Community Building Fund monies to third parties, Council must, by separate motion, authorize each expenditure.

DISCUSSION

Grants are generally provided in the form of funds, while contributions may be through in-kind support using municipal resources, both tied to a specific outcome. Both sources of support must be reported annually by the Municipality, as is required by legislation.

Council has the authority to fund projects outside of the maximum approved funding allocations stated in this Policy.

The following annual grant types have been identified by the municipality:

1. Operating grant – Maximum contribution \$1,500
2. Community Capital Project grant Maximum contribution \$2,500
3. Public Safety Grants – Maximum contribution of \$7,500
4. Community Recreation Program grant – Maximum contribution \$1,000
5. Community Event grant – Maximum contribution \$1,000
6. Special Events Operations & Promotion grant – Maximum contribution \$5,000
7. Leadership grant – Maximum contribution - \$1,000
8. Sponsorship Advertising/Donation of Prizes Requests – Maximum contribution per organization per year \$100.
9. Youth Travel Assistance – Maximum Contribution Limits apply
10. Community Trail Funding Program – Maximum contribution - \$2,500
11. Major Capital Project grant - Depending on the funding source identified by staff, additional requirements may be necessary to maintain eligibility.
 - a. Gas Tax funding requirements:
 - a. Agreement to abide by the Municipal agreement with the Province of Nova Scotia
 - a. Community Energy Systems - \$2,500 limit
 - a. Cultural Infrastructure - \$5,000 limit
 - a. Tourism Infrastructure - \$5,000 limit
 - a. Recreational Infrastructure - \$5,000 limit
 - a. Broadband Connectivity - \$5,000 limit
 - a. Trails - \$2,500 limit
12. In-kind Contributions

Canada Community Building Fund, formerly Federal Gas Tax Grants: Throughout the year, council also receives requests for financial support from a variety of organizations for funding which far exceeds the budgeted grant values. These requests are referred to the grants and contributions process for validation and suitability for other sources of funding, such as Canada Community Building Fund. Changes to the qualifying criteria for use of the Canada Community Building Fund permits the Municipality to offer capital funding to third party, not-for profit organizations. But all contributions are still subject to the stacking limitations imposed by the federal government.

Council has received requests for funding of an eligible capital nature from:

1. Newport & District Rink Commission – funding the support the purchase of an Ice Resurfacer - \$5,000

As per Canada Community Building Fund agreement, should Council approve the motions stated above, the Municipality will enter into an agreement with the groups based on the terms and conditions required under the agreement. This includes ensuring the organizations continue to operate the facility for the same purpose as stated in the application for up to 10 years. Failing to do this will require the organizations to reimburse the Municipality for the funds at a prorated rate, based on years of use.

Attached you will find the Grants & Contributions requests and staff recommendations. Of which, two of the requests, the Windsor Lions Club and the Newport & District Rink Commission's applications far exceeded the maximum contribution limits as outlined in the Grants & Contribution Policy RCOFN-012.00. These requests are beyond our program design and capacity but before Council for your added consideration if Council chooses.

NEXT STEPS

If approved, staff will notify groups and organizations of the decision of Council and will process the grants as approved.

FINANCIAL IMPLICATIONS

Grants and Contribution funding is proposed in the 2022/23 budget, in the amount of \$115,000 and grants will be finalized upon Budget approval. Based on the proposed summary, there is \$127,892 being recommended, with \$107,490 being funding through the operating budget. The remaining is proposed from the 5% reserve and the Canada Community Building Fund. The remaining balance is the associated to Public Safety, and grants under this category are for non-profit organizations registered with the Municipality that provided or ensure public or community safety.

Sufficient Canada Community Building Funding exists for the eligible project. It should be noted that financial support from this fund must be approved by West Hants Regional Council annually for eligible projects.

RECOMMENDED	
Operating	\$44,500.00
Community Capital Project	\$14,050.00
Public Safety	\$7,500.00
Community Recreation Program	\$6,000.00
Community Event	\$2,500.00
Special Events Operations & Promotions	\$9,195.00
Leadership	\$3,000.00
Community Trail Fund	\$2,500.00
Major Capital	\$3,500.00
In-Kind	\$14,745.00
Canada Community Building Fund	\$5,000.00
5% Reserve Fund	\$15,402.00
Grand Total	\$127,892.00

ALTERNATIVES

Council can approve, amend, or change any recommendation presented by staff with the understanding these decisions may fall outside of the established policy. This is not the course of action recommended but is within Council's purview.

ATTACHMENTS

- West Hants Regional Municipality Grants and Contributions Policy RCOFN-012.00
- Grants & Contributions Application & Recommendation Summary

CHIEF ADMINISTRATIVE OFFICER REVIEW

The grant recommendations noted by the Director are in alignment with the existing grant policy and traditional level of spending. There are some amazing projects and programs that will benefit the community and some very active groups carrying them out. THANK YOU!

As noted, there are applications that exceed the eligible funding within the grant categories. These too, are valuable projects to the community. There is ample discretion for Council within the policy if Council chooses to consider supporting a group outside the policy. As this is the annual time of year that grants are considered it is suggested Council revisit the attached policy to ensure it reflects their wishes.

"2.0 POLICY OBJECTIVE The objective of this policy is to treat all organizations fairly, equitably and reasonably, within the parameters established by Council as follows: a) Youth development b) Senior support and services c) Public safety d) Provincial events e) Heritage and Culture On an annual basis Council will determine the amount of funding during the budget process. "

Having a consistent and clear grant policy is important for those applying annually.

Report Prepared by: _____
Kathy Kehoe, Director Community Development

Report Reviewed by: _____
Carlee Rochon, Director, Financial Services

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

West Hants Regional Municipality Grants and Contributions Recommendations 2022

Organization	Project	Recommended											5% Reserve	Variance	Restrictions
		Operating	Community Capital Project	Public Safety	Community Recreation Program	Community Event	Special Events Operations & Promotions	Leadership	Community Trail Fund	Major Capital Project	In-Kind	Canada Community Building Fund			
9-Lives Cat Rescue Society Total Request - \$1,500	Operating Grant - \$1,500 To assist with costs of the spay/neuter program for feral, barn and stray cats.	1,500.00												-	
Annapolis Valley Chapter of Autism NS Total Request - \$2,500	Operating Grant - \$1,500 - To assist with costs associated with the rental space and pool fees in Windsor for the Respite and Recreation Summer Camp. Community Recreation Program - \$1,000 -To assist with costs associated with accessing a variety of community outings such as Aylesford Zoo, community swimming pools, outdoor summer recreation supplies, and other various local opportunities.				nil						1,250.00			1,250.00	to access WHRM facilities where there is a facility booking fee
Annapolis Valley Farm to School Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated to support the contract position (and mileage) of the Farm to School Coordinator.	1,000.00												500.00	
Ardoise Community Recreation Center Total Request - \$2,500	Operating Grant - \$1,500 - To assist with costs associated to help with maintenance and day to day operating expenses such as heating, insurance, power. Community Event Grant - \$1,000- To assist with costs associated with the Annual Family Fun Day and Car Show.	1,500.00				750.00								250.00	
Avon Community Farmers Market Total Request - \$5,000	Operating Grant - \$1,500 - To assist with costs associated with CGL insurance, Farmers Market of Nova Scotia membership. Special Events Grant - \$3,500 - To assist with costs associated to have multiple larger market events during the regular season and expand the holiday market.	750.00									750.00			3,500.00	
Avon River Heritage Society Total Request - \$5,000	Operating Grant - \$1,500 - To assist with costs associated with regular operating expenses. Special Events Operations & Promotion Grant - \$3,500 - To assist with costs associated with the Avon River Heritage Museum and community and cultural events, activities that take place in the Avon Spirit Shipyard (Artisans in Action, The Great Little Art Show, Open Studio, Paint Avondale, Wharf Day, Mosher Family Reunion, Sofa Sunday's. Total Request - \$5,000	1,500.00					2,000.00							1,500.00	
Avon River Rollers Society Total Request - \$2,500	Operating Grant - \$1,500 - To assist with costs associated with general operating expenses such as facility rentals and team gear maintenance. Community Recreation Program - \$1,000 - To assist with costs associated with expanding and improving ARR's recreational program for the West Hants community and secure team skates, protective equipment to further goal of reducing barriers to accessibility.				500.00						1,250.00			750.00	
Avon Sport and Social Community Total Request - \$4,000	Operating Grant - \$1,500 - To assist with costs associated with facilities and equipment at events which include ball hockey, soccer, baseball, broom ball etc. Community Capital Project Grant - \$2,500 - To assist with costs associated to refurbish goalie nets with upgraded paint to add longevity and establishing a putting basket for the disc golf which would be accessible to the public. Total Request - \$4,000		750.00								1,500.00			1,750.00	
Avon View High School Boys Hockey Total Request - \$5,000	Special Events Operations & Promotion Grant - \$5,000- To assist with costs associated with the Annual Birthplace of Hockey High School Tournament. Total Request - \$5,000 (Nil incorporated)										2,000.00			3,000.00	incorporation required before grant is processed
Avondale Community Club Total Request - \$7,500	Community Capital Project Grant - \$2,500 - To assist with costs associated with interior upgrades, gutters, fascia, foundation repair, picnic tables, covered porch/outdoor stage, general maintenance/fixing upgrades. Special Events Operations & Promotion - \$5,000 To assist with costs associated with the Annual Avondale Wharf Day.		2,000.00			750.00								4,750.00	
Belmont Hall Association Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with minor projects, wheelchair ramp repair, sealing of Windows, varnishing floors, septic upgrade and minor painting and labour.		1,500.00											-	
Bramber New Horizons Hall Total Request - \$2,500	Community Capital Project Grant - \$2,500 - To assist with costs associated with hall expenditures, specifically to purchase a new bingo machine.	1,000.00												1,500.00	specifically to offset operating expenses
Brooklyn District Elementary School Total Request - \$8,000	Community Trail Funding Program - \$1,500 - To assist with costs associated with mowing the trail system behind BDES. Major Capital Project grant- \$6,500 - To assist with costs associated with the second phase of restoration of old tennis court area, remove old net posts, patch the pavement cracks and holes, install 1 new set of posts and install a net, cover the path with gravel, purchase outdoor hockey nets for the other side of the courts. Total Request - \$8,000								1,500.00				5,000.00	1,500.00	will issue once the 2021/22 grant funds are expended
Brooklyn District Elementary School Total Carry Over Request - \$4,827	Have made a request to approve the use of the unspent funds of their 2021 municipal grant \$4827. (tennis court repairs) Total Carry Over Request - \$4,827												4,827.00	-	
Brooklyn Volunteer Fire Department Auxiliary Total Request - \$4,575	Community Trail Funding Program - \$2,075 - To assist with costs associated with additional gravel, railing added to bridge crossing brook, materials to control grass growth in summer and salt for winter, and additional signage for the trail. Community Capital Project Grant - \$2,500 - To assist with costs associated with purchasing new tables and coffee pot. Total Request - \$4,575		nil										2,075.00	2,500.00	

Organization	Project	Recommended													
		Operating	Community Capital Project	Public Safety	Community Recreation Program	Community Event	Special Events Operations & Promotions	Leadership	Community Trail Fund	Major Capital Project	In-Kind	Canada Community Building Fund	5% Reserve	Variance	Restrictions
Burlington and District Club Total Request - \$4,000	Operating Grant - \$1,500 - To assist with costs associated with operating expenses to remain accessible to the community. Community Capital Project Grant - \$2,500 - To assist with costs associated with painting the exterior wood paneling and trim in the main gathering area of the hall.	1,500.00	2,000.00											500.00	
Dragonfly Haven Therapeutic Farm Total Request - \$1,000	Community Event Grant - \$1,000 - To assist with costs associated to make the farm safe in different ways such as a fence around the property to protect people and the animals from harm, and hosting culture activities.	1,000.00												-	
Ellershous Community Hall Total Request - \$1,500	Operating Grant - \$1,500 - To assist with operating costs for the hall.	1,500.00												-	
Falmouth Community Association Total Request - \$1,500	Operating Grant - \$1,500 - To assist with operating costs. In Kind - Municipal staff to assist with Teddy Bear Jamhoree	1,500.00									400.00			-	
Full Circle Festival Society Total Request - \$6,500	Operating Grant - \$1,500 - To assist with operating costs. Special Events Operations & Promotions Grant - \$5,000 - To assist with costs associated to support local artist fees for the "Sofa Sundays" series as well as promotion and marketing costs for all events.	nil					1,500.00							5,000.00	
Glooscap Heritage Archers Association Total Request - \$4,000	Operating Grant - \$1,500 - To assist operating costs. Community Event Grant - \$1,000 - To assist with costs associated with completing the new deck and roof started last year.	1,500.00											1,000.00	-	
Gordon Hughes Tennis Club-Windsor	Operating Grant - \$1,500 - To assist with costs associated with operating costs. Community Capital Project Grant - \$2,500 - To assist with costs associated with resurfacing the courts.	1,000.00	2,000.00											1,000.00	
Hants County 4-H Leaders Council Total Request - \$2,500	Operating Grant - \$1,500 - To assist with operating costs. Community Event Grant - \$1,000 - To assist with costs associated with Hants County Exhibition prizes for members and special awards for achievements, junior and senior member tours, 4-H Family skate event.	1,500.00									250.00			750.00	
Hants County Christmas Angels Society Total Request - \$3,000	In Kind Contributions - For the use of the Community Center for the annual webathon/telethon. Requesting use of the Aquatics building for operation headquarters in the month of December.										3,000.00			-	
Hants County Senior Safety Association Total Request - \$7,500	Public Safety Grant - \$7,500 - To assist with costs associated to promote health and safety services, free of charge to every senior in Hants County. To support the well-being, independence, health and safety of seniors in their homes and in their community.			7,500.00										-	
Hants Learning Network Association Total Request - \$1,500	Operating Grant - \$1,500 - To assist with operating costs associated with food, transportation, school supplies, and specialized supports.	1,500.00												-	
Hants Shore Health Association Total Request - \$2,000	Community Recreation Program Grant - \$1,000 - To assist with costs associated with instructors, facility usage, gift certificates for March Moving Challenges with a TWIST, and presenters or organizations. Community Event Grant - \$1,000 - To assist with costs associated to offer a Friendly Visitor Program along the Hants Shore Community, where volunteers will visit seniors in the community.				1,000.00			1,000.00						-	
Hants West Food Action Council Total Request - \$1,650	Operating Grant - \$850 - To assist with costs associated to help with the soup kitchen. Community Event Grant - \$800 - To assist with costs associated with holding two community event meals a year, in July at Victoria Park and another during the holiday season.	750.00									500.00			400.00	
Hants West Wildlife Association Total Request - \$3,500	Community Recreation Grant - \$1,000 - To assist with costs associated with outdoor programs for all ages, abilities, genders, etc. Special Events - \$2,500 - To assist with costs associated with the Hunters Education Program/Learn to Shoot (ongoing event that engages people from 12-adult to foster an environment where families, couples and people regardless of abilities, genders will be welcome.)				1,000.00		nil							2,500.00	
Hantsport & Area Historical Society Total Request - \$10,675	Operating Grant - \$1,500 - To assist with operating costs. Major Capital Project Grant - \$9,175 - To assist with costs associated with Flagpole installation, directional highway metal post, exterior brick wall repair, and purchase of 3 new computers.	1,500.00	2,500.00											6,675.00	
Hantsport Music Fest Society (HMF) Total Request - \$2,500	Special Events Operations & Promotion Grant - \$2,500 - To assist with costs associated with the Hantsport Music Festival.						1,500.00							1,000.00	
Hillview Cemetery Association Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with maintenance and upgrades to the cemetery, mowing on a regular basis, and level ground off with tonsil.	750.00												750.00	
Kempt Shore Preservation Society Total Request - \$4,000	Operating Grant - \$1,500 - To assist with costs associated with the maintenance of the cemetery. Capital Project Grant - \$2,500 - To assist with costs associated with interior repairs of church to prevent further deterioration.	750.00	500.00											2,750.00	
Mermaid Theatre of Nova Scotia Total Request - \$1,000	Community Recreation Program Grant - \$1,000 - To assist with costs associated to continue digital production of Story Box Theatre to encourage youth to participate in the arts through online offerings via the company's Mermaid TV portal and social media.				1,000.00									-	
Mount Denson Community Hall Total Request - \$4,000	Operating Expense - \$1,500 - To assist with costs associated with general hall maintenance of the hall and expenses. Community Capital Project Grant - \$2,500 - To assist with costs associated with larger repairs, new front door, roof painted, etc.	1,500.00	1,000.00											1,500.00	

Organization	Project	Recommended											5% Reserve	Variance	Restrictions
		Operating	Community Capital Project	Public Safety	Community Recreation Program	Community Event	Special Events Operations & Promotions	Leadership	Community Trail Fund	Major Capital Project	In-Kind	Canada Community Building Fund			
Nova Scotia Association of Garden Clubs c/o Mount Denson Garden Club Total Request - \$6,500	Operating Grant - \$1,500 - To assist with costs associated with rent, office supplies, used garden tiller. Special Events Operations & Promotion Grant - \$5,000 - To assist with costs associated with promotional signs, coroplast A-frame signs, aprons for advertising/promotional purposes, business cards, promotional tags, fundraising prizes, speakers and travel, workshops, supplies, tours.	750.00					750.00							5,000.00	
Music in Communities Total Request - \$2,500	Operating Grant - \$1,500 - To assist with operating costs. Community Event Grant - \$1,000 - To assist with costs associated to provide established programming to the West Hants area including summer music at the Windsor Waterfront, Music Summer camps for teens.	nil				nil								2,500.00	no financials provided
New Boundaries Total Request - \$1,500	Operating Grant- \$1,500 - To assist with costs associated with general operating expenses in running the programs.	1,500.00												-	
Newport & District Rink Commission Total Request - \$150,000	Operating Grant - \$50,000 - To assist with operating expenses to provide a cost-effective facility for users from West Hants. Major Capital Project Grant - \$100,000 - To assist with costs associated with several projects to be completed over the coming years such as the replacement of an ice resurfacer, ice plant overhaul, lighting fixture replacements, additional dressing rooms. Grant funding is being requested for the Ice Resurfacer (replacement cost \$165,000 & ice plant compressor overhaul spring 2022-23 \$70,000)	1,500.00										5,000.00		143,500.00	
North Pro Wrestling Canadian Wrestling (New Brunswick group) Total Request - \$4,000	Community Event Grant - \$1,000 - To assist with costs associated with promotion of the recreational event that promotes health and team work. Special Events Operations & Promotion- \$3,000- To assist with cost of events. (Not incorporated)	nil												4,000.00	
Pisiquid Canoe Club Total Request - \$9,000	Operating Grant - \$1,500 - To assist with costs associated with coaching and operating costs, to reduce user/membership fees. Public Safety Grant - \$7,500 - To assist with costs associated to purchase an AED for the club/community use, along with associated Emergency First Aid and CPR training costs for all staff.	1,500.00			1,500.00									6,000.00	
Poplar Grove Community Hall Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with upgrading the wheelchair ramp, replacement of the kitchen sink and faucets.	1,500.00												-	
Quick As A Wink Theatre Society Total Request - \$2,000	Quick As A Wink Theatre Society - Community Recreation Program Grant - \$1,000 - To assist with costs associated to fund the summer theatre camp programs. Leadership Grant-\$1,000 - To assist with costs associated with hiring 4 summer students to facilitate the teaching and supervision of the campers.				1,000.00			1,000.00						-	
Scotia XC Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with grooming ski trails on the Dill farm and trails at the Haliburton House for Multi purpose use.	1,500.00												-	
Square Roots Enactus Saint Mary's Windsor Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with operations of the social enterprise program that aims to help relieve food insecurity, support local farmers and reduce food waste.	750.00												750.00	
Sweets Corner Community Hall Total Request - \$1,500	Operating - \$1,500 - To assist with costs associated with operations and miniatous of the facility to maintain its availability to the general public.	1,500.00												-	
Upper Burlington Community Hall Association Total Request - \$1,800	Community Capital Project Grant - \$1,800 - To assist with costs associated with siding on the east end of the hall, and new electrical panel.		1,800.00											-	
Upper Vaughan Community Hall Total Request - \$1,500	Operating Grant - \$1,500- To assist with costs associated with operating and regular maintenance.	1,500.00												-	
Valley Child Development Association Total Request - \$1,500	Operating Grant - \$1,500 - To assist with operating costs for the Behavior Intervention Program in the West Hants Regional Municipality and Kings County for children at risk emotionally and socially.	750.00												750.00	
Valley Doulas & Kings County Family Resource Centre Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs to provide support for the facilitation of regularly scheduled prenatal classes and workshops throughout the year, as well as postpartum support for new families.	750.00												750.00	
Valley Maple Leafs Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with operations to offset the expenses in lieu of not being able to have yearly golf tournament for the past two years due to Covid restrictions. (Not incorporated)	nil												1,500.00	not incorporated
West Hants Dial A Ride Total Request - \$30,000	Community Capital Project Grant - \$2,500 - Major Capital Project Grant - \$27,500- To assist with costs associated to subsidize drives for those residing in the West Hants Region.	nil												30,000.00	funded through the operating budget
West Hants Historical Society Total Request - \$2,500	Operating Grant - \$1,500 - To assist with costs associated with day to day operations, payment towards insurance, power bills, and other costs for the maintenance of the building. Community Event Grant - \$1,000 - To assist with costs associated to hold monthly events with guest speakers and a summer event in partnership with Haliburton Museum.	1,500.00				1,000.00								-	
West Hants Minor Baseball Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with general operating costs - field maintenance, fuel costs, building upkeep, equipment etc.	1,500.00												-	

Organization	Project	Recommended											5% Reserve	Variance	Restrictions
		Operating	Community Capital Project	Public Safety	Community Recreation Program	Community Event	Special Events Operations & Promotions	Leadership	Community Trail Fund	Major Capital Project	In-Kind	Canada Community Building Fund			
West Hants Trails Association Total Request - \$3,500	Community Capital Project Grant - \$2,500 -To assist with costs associated with purchasing materials for an outdoor leisure structure for shelter from elements and gathering place for community events and activities for the Ardoise Park. Community Trail Funding - \$1,000 - To assist with costs associated with general maintenance and insurance for trails.								1,000.00				2,500.00	-	
Windsor and District Lions Club Total Request - \$20,297.79	Major Capital Project - \$12,477.50 - To assist with costs associated to install a NFPA 96 hood vent in the kitchen area at the community center. In-Kind - \$7820.29 To cover the rent for the use of the room and kitchen area in the Windsor Community Centre. (In Default)									3,500.00	nil			16,797.79	Pending active status with the Registry of Joint Stock Companies
Windsor Bluefins Parent Association Total Request - \$2,500	Operating Grant - \$1,500 - To assist with the cost of operating the program. Leadership Grant - \$1,000 - To assist with costs associated with training new coaches for youth and to help with the cost of the coaches.	nil						1,000.00			1,500.00			-	
Windsor Day Care Centre Total Request - \$1,145	In-Kind - \$1,145 Donation of a 1 hour swim time for school age children and 1/2 hour swim time for toddler/preschool children each day during the summer months.										1,145.00			-	
Windsor Karate Parents Association Total Request - \$1,500	Operating Grant - \$1,500- To assist with costs associated with upgrading electrical in building to meet with standards, repair roof to fix leak.	1,500.00												-	
Windsor Masonic Society Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with operating expenses, utilities, insurance.	1,500.00												-	
Windsor Region Events Society Total Request - \$4,645	Special Events Operations & Promotion Grant - \$3,445 - To assist with costs associated with hosting the Windsor Kids Triathlon. In-Kind \$1,200 - Use of the pool, community centre, staff, street cleaning, barricade used.						3,445.00				1,200.00			-	
Windsor Senior Citizen Bus Society Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with operating.	1,500.00												-	
Windsor Agricultural Society Total Request - \$1,250	Operating Grant - \$1,250 - To assist with costs associated with operating the grounds.	nil												1,250.00	application received after the advertised deadline
Bramber Cemetery Organization Total Request - \$1,500	Operating Grant - \$1,500 -To assist with costs associated with headstone repairs.	nil												1,500.00	application received after the advertised deadline
Pembroke Chapel and Cemetery Assoc. Total Request - \$1,500	Operating Grant - \$1,500 - To assist with costs associated with operating costs.	nil												1,500.00	application received after the advertised deadline
Total		65	44,500.00	14,050.00	7,500.00	6,000.00	2,500.00	9,195.00	3,000.00	2,500.00	3,500.00	14,745.00	5,000.00	15,402.00	258,372.79

2022	Budgeted Funds Proposed
Grants & Contributions	\$97,500.00
Public Safety	\$15,000.00
Comm. Trail Fund	\$2,500.00
Grand Total	\$115,000.00

RECOMMENDED	
Operating	\$44,500.00
Community Capital Project	\$14,050.00
Public Safety	\$7,500.00
Community Recreation Program	\$6,000.00
Community Event	\$2,500.00
Special Events Operations & Promotions	\$9,195.00
Leadership	\$3,000.00
Community Trail Fund	\$2,500.00
Major Capital	\$3,500.00
In-Kind	\$14,745.00
Canada Community Building Fund	\$5,000.00
5% Reserve Fund	\$15,402.00
Grand Total	\$127,892.00



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ✓	Recommendation ☐	Decision Request ☐	Councillor Activity ✓
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To: Committee of the Whole, West Hants Regional Municipality

Submitted by: Jim Ivey, Councillor Windsor South District 11

Date: May 10, 2022

Subject: Upstream Avon River (Lake Pisiqid) Sedimentation Report

N/A

RECOMMENDATION or DECISION REQUEST

TBD

BACKGROUND

Property ✓	Public Opinion ✓	Environment ✓	Social ✓	Economic ✓	Councillor Activity ☐
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The attached report, “Examination of the Morphodynamics of the Upstream Portion of the Avon River” was compiled by Dr. Danika van Proosdij, Greg Baker and Emma Poirier, Saint Mary’s University and Tony Bowron, CBWES Inc.

The project as noted in the report, it “was solicited by the Confederacy of Mainland Mi’kmaw (CMM) and provides an opportunity to examine the morphodynamic changes in the Avon River system upstream since completion of the Windsor causeway in 1970”.

From the report’s introduction morphodynamics refers to the “change in morphology (form) of coastal features such as salt marshes, tidal creeks and mudflats over time as sediment is re-distributed. Additional points highlighted include natural and anthropogenic driving forces such

as causeway construction, dredging, dyking and sewage outflow modifications, (van Proosdij and Baker, 2007; van Proosdij and Bowron, 2017)".

The authors identify that the "Avon estuary is a dynamic, coastal system that has a long history of morphodynamic change in response to natural and anthropogenic driving forces. It is pointed out that while downstream impacts on the river and its environment have been relatively well documented, limited analysis has been conducted upstream of the causeway", (which is the area we have typically focused upon).

DISCUSSION

The purpose of placing the report before Council is to provide us all with the currently available information from this study for the purposes of informing Council on the changes that have been identified within the river beyond our personal preferences and visual assessments.

It is important for us to understand the changes that are taking place and to also determine what these changes mean for the future of Windsor and West Hants. This report might serve as a starting point for that discussion.

As part of the discussion, we may each want to consider the impacts that increased sedimentation (loss of depth in the river as noted in the "Results" Cross Sectional Profiles) has on our region and the downtown view, possibly including the impacts environmentally, socially, economically, aesthetically and physically.

While the report should be viewed and considered in its entirety, one area identified as a concern is the segment of the river which has experienced the greatest infill of sedimentation. This area is located within the first 630m of the causeway. With impacts on the entire width of the river, the depth within this segment has been reduced by 3.75 m, 3.9 m and ~ 5 m (12 ft, 13 ft and 16 ft). These areas can be visually identified at lines B, C and E respectively (Figure 1 report page # 6 / pdf page #7). (The information is depicted graphically within the report on its paged #13 in Figure 6 a-c).

The possible concern to consider with a reduction in the rivers depth due to sedimentation might be viewed through the lens of the river's diminished capacity to hold downstream flowing river water, as well as any increased demand it may need to handle for containing inland flood waters.

Depending on the discussion we may wish to seek more information or perhaps we may wish to have a presentation from Dr. Danika van Proosdij with Council and staff.

NEXT STEPS

TBD based on discussion.

FINANCIAL IMPLICATIONS

TBD

ALTERNATIVES

TBD

ATTACHMENTS

“Examination of the Morphodynamics of the Upstream Portion of the Avon River”

CHIEF ADMINISTRATIVE OFFICER REVIEW - Pending CAO's comments

(Name and Title)

Report Prepared by: Jim Ivey, Councillor West Hants Regional Municipality

Report Approved by: _____

Report Reviewed by: _____ (Name and Title)

Examination of the Morphodynamics of the Upstream Portion of the Avon River



Final Draft Report Submitted to:

Lachlan Riehl
Mi'kmaw Conservation Group, Confederacy of Mainland Mi'kmaq

Prepared by:

Dr. Danika van Proosdij, Greg Baker and Emma Poirier, Saint Mary's University and Tony Bowron, CBWES Inc.

March 27, 2022

Acknowledgements

This work would not have been able to be completed without the assistance of the In_CoaST and MP_SpARC research teams within TransCoastal Adaptations: Centre for Nature-Based Solutions at Saint Mary's University and the CBWES staff. This includes field support from Samantha Lewis, Jocelyn Kickbush, Ross Henteleff, Caden Hebb and Kristen Tymoshuk. We would like to acknowledge and thank Dr. Tim Webster from the Applied Geomatics Research Group at the Center of Geographic Sciences for flying and processing the original 2007 lidar aerial survey. Previous funding from NS Department of Transportation and Infrastructure Renewal, NS Department of Agriculture, Land Protection Section and Natural Resources Canada permitted the historical analysis used within this report. In addition, we acknowledge the Canadian Foundation for Innovation for infrastructure and the Department of Fisheries and Oceans Coastal Restoration Fund for funding of equipment essential for this analysis.

Questions and inquiries can be directed to Dr. Danika van Proosdij, Department of Geography and Environmental Studies, Saint Mary's University 923 Robie St. Halifax, NS B3H 3C3, dvanproo@smu.ca.

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Introduction

The Avon River estuary is a very dynamic system and has a long history of morphodynamic change in response to natural and anthropogenic driving forces such as causeway construction, dredging, dyking and sewage outflow modifications (van Proosdij and Baker, 2007; van Proosdij and Bowron, 2017). It is well known that the construction of causeways across tidal estuaries causes significant, often negative, impacts to the physical and biological conditions of the system (van Proosdij et al., 2009; Gerwing et al., 2016; Gerwing et al., 2020). Salt marshes and mudflat complexes tend to experience the most dramatic and observable effects of the resulting change in the movement of water and sediment. The Avon estuary is a dynamic, coastal system that has a long history of morphodynamic change in response to natural and anthropogenic driving forces. Morphodynamics refers to the change in morphology (form) of coastal features such as salt marshes, tidal creeks and mudflats over time as sediment is re-distributed. The change in morphology then alters the hydrodynamics and sediment transport processes within the coastal system (van Proosdij et al., 2020). Ecomorphodynamics incorporates the interaction and feedback of vegetation establishment on morphodynamic change.

The former tidal river and wetland system upstream of the Avon River Causeway has been highly modified as a result of historical agricultural dyking (wetland loss), changing land use practices, hydroelectric dams and the original causeway construction (i.e., converted to a freshwater lake and river). While the historical downstream impacts of the construction of the causeway and associated ecomorphodynamic adjustments in salt marsh habitat, tidal flats and river channel are relatively well documented (van Proosdij et al., 2006; van Proosdij and Baker, 2007; van Proosdij et al., 2009; van Proosdij and Bowron, 2017; Graham et al., 2018; van Proosdij et al., 2020.), limited data are available, therefore, minimal analyses have been conducted upstream of the causeway structure. Understanding the ecomorphodynamics and evolution of the Avon River system in response to associated changes in human activities has been a core research program for Dr. van Proosdij since 2002. At the time of the 2005 study, Dr. van Proosdij was able to collect all available data for both upstream (for research purposes) and downstream historical surveys however analysis of the upstream section was outside of the scope of the original NSPW (formerly NSTAT) morphodynamic analysis and data upstream remained raw and unprocessed. In order to begin to understand how the river system upstream of the causeway has changed over time, the historical data would need to be processed, analyzed and compared to the current conditions. This project, solicited by the Confederacy of Mainland Mi'kmaw (CMM) provides an opportunity to examine the morphodynamic changes in the Avon River system upstream since completion of the Windsor causeway in 1970. This will serve as a baseline for further manipulations of the gate structure and return of partial or full tidal exchange.

Scope

The scope of this analysis is limited to processing and analysis of available historical data and comparing it to a contemporary survey conducted in 2020 to determine the degree of bed elevation change at cross sectional profiles. This analysis will be able to determine the extent of change and where sediment has been deposited upstream of the causeway.

Limitations

This analysis is limited to changes that have occurred at pre-established cross sections where the historical posts have been able to be accurately re-located and for the time periods in which data are available. The analysis was not able to accurately infer changes between profiles or determine an accurate sediment budget (e.g., input and output of sediment). Nor was this study comparing recorded changes in cross sectional area with frequency of gate openings (tidal inputs), variations in suspended sediment concentrations and freshwater discharge (seasonal precipitation). Those analyses are recommended for future studies.

Study Area and Methods

The study area extends approximately 7.2 km upstream from the existing causeway on the Avon River to Sangster's bridge (Figure 1). Since the causeway was completed in 1970, freshwater discharge on the Avon River has been controlled by hydroelectric and storage dams in its upper reaches and by tide gates located in the Windsor causeway. The Windsor Tide Gate was run on demand from its inception until 1981. This involved manually opening the gates fully on the outgoing tide when the lake level and river were equal. Since 1981, the gates have operated as an automatic system (with manual override) and is designed to maintain Pesiquid Lake at a set elevation. Lake levels would be reduced typically in March to allow for maintenance of gate infrastructure (van Proosdij and Baker, 2007). Gates would also be opened periodically for short periods to accommodate spring movement of gaspereau otherwise known as alewife (NSTIR, 2017). Sediment laden tidal waters would move upstream during these periods as well. Between 2016 (pers. Comm. Graeme Matheson, NSDA Feb. 28, 2022) and March 2021 the frequency of gate openings and tidal waters flowing upstream for short durations increased as a result of ongoing gate manipulations. A Ministerial order was issued by Minister Bernadette Jordan on March 19, 2021 dictating that the gates must be fully open during outgoing tides and for a minimum of 10 min on the incoming tides to allow salt water upstream. Detailed analysis of gate openings, sediment transport and freshwater discharge is outside of the scope of the current study however will be required to fully understand any changes in the morphology of the river system upstream of the current causeway.

Sediment samples (n=49) collected in 2019 to inform CBCL Ltd. modelling of aboiteau design options indicate that bed sediments closest to the causeway were classified as medium to coarse silt and sandy coarse silt and silty fine sand further upstream (van Proosdij et al., 2020).

A combined total of 19 historical and contemporary cross-sectional surveys were found within the available records. Accurate comparison between years requires confidence in the historical and contemporary positions of start and end posts. These were assessed using field logs, historical and contemporary imagery, and historical notes. Twelve of the transects were deemed to be well (or somewhat well) estimated (Figure 1). Coordinates are provided in Table 1.

The earliest surveys available were collected by the Maritime Marshland Rehabilitation Administration (MMRA) in 1970 as the causeway was near completion. One transect (G aka US1) was also measured during construction in July and November 1969, similar to those collected downstream (van Proosdij and Baker, 2007). Surveys were conducted by MMRA survey technicians between two posts set on either side of the river. Bathymetry was recorded using an echosounder on a small open boat guided between posts

at high tide. A detailed record of tide water levels during the survey was maintained to assist in interpretation of water levels. Profiles were extended on land using standard rod and level surveying techniques. These echo sounding profiles were drafted to scale on paper charts by the survey engineers and tied to geodetic datum (CGVD28). These paper charts were digitized at the Maritime Provinces Spatial Analysis Research Centre (MP_SpARC) at Saint Mary's University and brought into ArcGIS. Profiles were transformed into X,Y,Z coordinates using a customized script. Detailed procedures are provided in van Proosdij and Baker (2007). Elevations were converted to CGVD2013 using the National Conversion Model available through Natural Resources Canada, GPS-H¹ which calculates $H_{CGVD2013}$ as $H_{CGVD28} + N_{HTv2.0} - N_{CGG2013a}$ (NRCAN, 2020).

¹ <https://webapp.geod.nrcan.gc.ca/geod/tools-outils/gpsh.php>

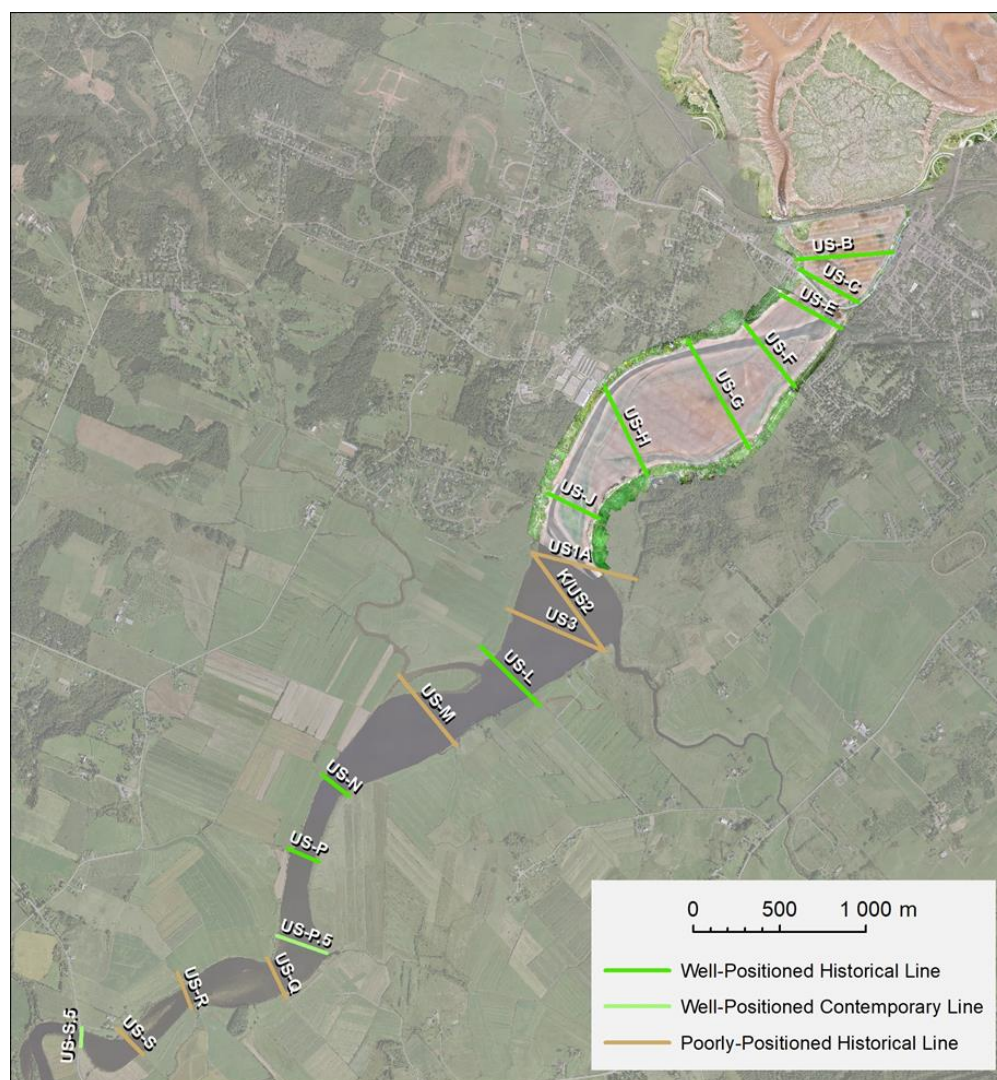


FIGURE 1: HISTORICAL AND CONTEMPORARY CROSS SECTIONS USED FOR UPSTREAM MORPHODYNAMIC ANALYSIS

TABLE 1: COORDINATES OF HISTORICAL AND CONTEMPORARY SURVEY LINES

Line ID	Post A (easting/northing) (m)	Post A' (easting/northing) (m)	Dist. from causeway (m)	MMRA (echo, terrestrial)	NSDA (2005) (terrestrial)	2007 lidar	May 2019 (RPAS/ sonar)	Dec 2020 (sonar)
B	409541.27274 E 4982944.9663 N	410101.73131 E 4982986.9383 N	260	1970	-	Y	Y	Y
C	409571.5061 E 4982872.3080 N	409910.2891 E 4982702.4399 N	450	1970	-	Y	Y	Y
E	409450.9714 E 4982741.6234 N	409807.9347 E 4982543.0797 N	630	1970	-	Y	Y	Y
F	409250.1644 E 4982566.4844 N	409533.7101 E 4982210.1208 N	950	1970	-	Y	Y	Y

G (US1)	408908.5362 E 4982476.4008 N	409271.0610 E 4981851.9870 N	1320	1969,1970	-	Y	Y	Y
H	408434.3128 E 4982205.7529 N	408677.4654 E 4981700.9004 N	1900	1970	-	Y	Y	Y
J	408106.3607 E 4981591.5388 N	408401.5868 E 4981446.7646 N	2450	1970	-	Y	Y	Y
L	407717.2805 E 4980705.6517 N	408059.1882 E 4980365.3750 N	3560	1970	Y	Y	Y	Y
N	406799.4023 E 4979961.0117 N	406952.0217 E 4979840.0576 N	4690	1970	Y	Y	Y	Y
P	406599.9813 E 4979534.6547 N	406778.5225 E 4979458.4545 N	5130	1970	Y	Y	Y	Y
P.5	406534.0165 E 4979031.2804 N	406821.8837 E 4978928.6219 N	5660	-	-	Y	-	Y
S.5	405406.9443 E 4978497.2179 N	405399.7344 E 4978390.9742 N	7140	-	Y	Y	Y	Y

A topographic survey was conducted on 4 lines (L,M,P and S.5) at the furthest upstream end of the river in 2005 (Figure 1). The survey was conducted by Darryl Hingley (NSDA) using a differential GPS system. The survey was conducted by foot therefore presumably would have been conducted in early spring when the water levels were typically drawn down for gate maintenance. Additional details are not available. Vertical elevations were originally referenced to CGVD28 and converted in this study to CGVD2013 using GPS-H (NRCAN, 2020).

Lidar data were collected at low tide in May 2007 by the Advanced Geomatics Research Group (AGRG) at the College of Geographical Sciences, as a collaborative initiative with Saint Mary's University (SMU), NS Department of Transportation and Infrastructure Renewal (NSTIR) and NS Department of Agriculture (NSAg). Lidar data were processed by AGRG into a 1m resolution digital elevation model (DEM) with a vertical accuracy of 0.15 m referenced to CGVD28 (Webster et al., 2011). Elevations were converted to CGVD2013 using GPS-H (NRCAN, 2020). Cross sectional profiles were extracted from the DEM as per van Proosdij et al., 2020. All lines were manually edited to remove areas of standing water.

On May 23, 2019, four flights were completed with the DJI Phantom 4 RTK (60 m altitude), and on May 27, 2019, three flights were completed with the WingtraOne PPK (120 m altitude) as part of the bathymetric model grid development for CBCL (van Proosdij et al., 2020). Flights were completed when the water levels were drawn down. Pilots for these flights were Greg Baker and Samantha Lewis, who both hold an RPAS Pilot Certificate – Advanced Operations from Transport Canada. Canadian Aviation Regulations were followed at all times during RPAS operations (Transport Canada, 2019).

All Phantom 4 surveys were completed using the Real-Time Kinetic (RTK) GNSS feature, providing survey-grade GNSS corrections to photo locations during each flight. During the collection, RTK connection was lost several times, but this was noted in the flight software and identified by the aircraft operator. All sections of the flight plans that were affected by the RTK connection loss were re-surveyed to ensure full coverage of the site with survey-grade geolocations for each image.

WingtraOne surveys were completed using the Post-Processed Kinematic (PPK) GNSS feature, providing survey-grade GNSS corrections to photo locations during processing in the lab, post-flight. Three

processing projects were created in Pix4D, one for each RPAS flight day. Default settings were used for processing both the Phantom 4 and WingtraOne datasets. After initial processing, Ground Control Points (GCPs) were added and the “Re-optimize” step was run to georeference the data. A digital surface model (DSM), orthomosaic, and set of las tiles were created for each project.

The Phantom 4 orthomosaic has a 2 cm resolution, is in coordinate system NAD83 (CSRS) UTM Zone 20N, had significant issues with sun glint in areas of water coverage and wet mud, and a lack of photo alignment due to water coverage in the southern portion of the dataset resulted in a data gap (Figure 2). The WingtraOne orthomosaics have a 2.5 cm resolution, in the NAD83 (CSRS) UTM Zone 20N coordinate system. These orthomosaics had no sun glint issues, but some striping is present due to variable light levels during collection, particularly in the orthomosaic created for the upstream section (Figure 3).



FIGURE 2: PHANTOM 4 ORTHOMOSAICS OF UPSTREAM SURVEY



FIGURE 3: WINGTRAONE ORTHOMOSAIC OF UPSTREAM SURVEY

Accuracy assessments for the RPAS DSMs were conducted by comparing DSM elevations to elevations collected with a Leica RTK GNSS antenna across the site. The accuracy assessment for the Phantom 4 DSM for the upstream survey reported a Root Mean Square Error (RMSE) of 0.03 m and a Mean Absolute Error (MAE) of 0.03 m. For the WintraOne DSM of the upstream, the RMSE was 0.09 m and the MAE was 0.08 m. Oblique images were also captured and are reported in van Proosdij et al., 2020.

Bathymetric data were collected on August 8, 2019 using a 16 ft. shallow water fishing boat (Carolina Skiff J16) in portions of the channel that had water, with a Sontek M9. The Sontek M9, which has five acoustic beams recording depth, operated with its HydroSurveyor functionality, and the Hypack software was used to collect that data. The M9 HydroSurveyor was paired with a Leica RTK GNSS for positioning. Portions of the channel that had water generally coincided with -0.5 m CGVD2013 (Figure 4). Cross channel surveys were conducted along each predetermined line, with a forward speed of approximately 7-8 km·hr⁻¹. In regions where RPAS flights resulted in the creation of a DSM, the DSM data was utilized due to the increased accuracy of the DSM model over M9 data.

To create the profiles, a Geographic Information System (GIS) was first used to create a polyline from the western bank to the eastern bank of the river between each historical post. The polyline vertices were densified to ensure a vertex interval of 50 cm along the line. The vertices of the polylines were then converted to a point feature class, and the elevation value of pixels coincident with each vertex were assigned as an attribute to those points. Regions of standing water were manually digitized and used to exclude elevation data from the RPAS DSMs. All profiles were examined individually, and elevation artifacts caused by trees, shrubs or woody debris were removed manually. Where the exclusion of

standing water created a gap in the transect, nearby points from M9 data were added to the dataset to fill the gap. The XYZ coordinate for all lines were then exported from the GIS and entered into a custom spreadsheet designed to convert the XYZ coordinates to MZ coordinates for plotting as a vertical cross-section (van Proosdij and Baker, 2007).

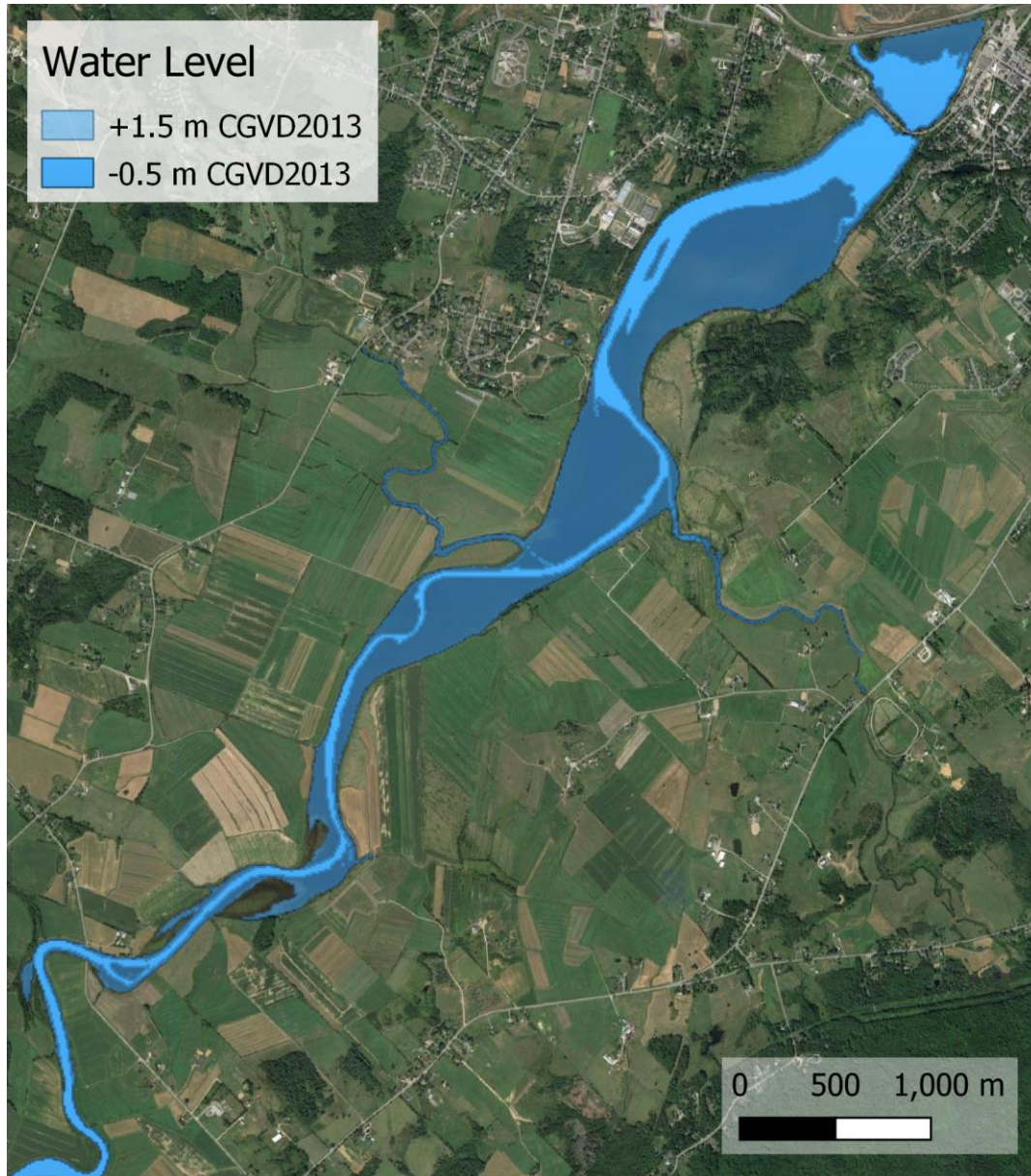


FIGURE 4: DELINEATION OF EXPOSED FLATS AND WATER FILLED MAIN RIVER THALWEG BASED ON RPAS IMAGERY IN MAY 2019.

The 2020 survey was conducted on Dec 11 by CBWES Inc. using a 16 ft. shallow water fishing boat (Carolina skiff J16), and Sontek M9 (Figure 5) at high water levels. Surveys were conducted cross shore along pre-established profile lines using posts and compass bearings for reference. The boat travelled between 7-8 $\text{km}\cdot\text{hr}^{-1}$ with data continuously recording resulting in data points spaced approximately 0.5-1 m apart. M9 elevation files were imported into an Excel spreadsheet template as Easting (x), Northing (y) coordinates

with elevation (z) values and converted to a distance an elevation value suitable for comparison with the historical surveys. An additional distance filter was applied to the data which excluded any point which was more than 120m offline and points were 'snapped' to the established profile line. A resultant straight-line distance and associated elevation value were generated for each vertex. Data were filtered using a 5-sample running mean to smooth the data.



FIGURE 5: SONTEK M9 ON HYDROBOARD FOR BATHYMETRIC SURVEYING, DEC 11, 2020.

Results

Cross-sectional Profiles

Construction of the causeway, and removal of the upstream section of the Avon River from natural estuarine tidal circulation, significantly impacted the morphodynamics of the river system. In all cases, sedimentation and infilling was recorded between 1970 and 2005/2007. The most significant infilling

occurred within the first 630 m upstream of the causeway and affected the entire width of the river, creating extensive flats and decreasing the depth of the main river thalwegs by 3.75 m, 3.9 m and ~ 5 m at lines B, C and E respectively (Figure 6a-c). The natural multi-channel tidal riverbed was reduced to one main river thalweg (Figure 4, Figure 6). Additional infilling of approximately 1 m was recorded between 2019 and 2020 (Figure 4a,b) expanding the flat near the boat club (Figure 9a). By Line F, 950 m upstream, a large central flat has emerged by 2007 with a lateral shift ~ 63 m east in the deepest river thalweg, shallowing by 1.1 m. The original western channel has almost completely infilled by 1.4 m of sediment by 2007 (Figure 6d). It should be noted that the maximum bed elevation of the central flat has not changed since 1970 and no discernable changes in bed elevation were recorded between 2019 and 2020 at Line E and further upstream.

Line G, 1320 m above the causeway (Figure 1, Table 1), provides a rare glimpse into the seasonal fluctuations in bed elevations that would be observed as construction progressed, while still permitting tidal flow upstream. The elevation of the main tidal flat decreased by approximately 0.70 m between July and Nov 1969 yet rebounded to the same elevation of approximately 0.8 m CGVD2013 that remains consistent between Jul 1969, Nov 1970 and all contemporary dates (2007, 2019 and 2020) suggesting some upper equilibrium elevation (Figure 7). The main river thalweg displayed approximately 0.6 m seasonal change in bed elevation between July 1969, Nov 1969 and 1970. However, between 1970 and 2007 the main channel narrowed by 150 m and infilled by 1.8 m and this position has remained consistent over time (Figure 7a).

The pattern of a consistent bed elevation of the main flat since 1970 continues further upstream. At Line H this is approximately 1.2 m CGVD2013 (Figure 7b). The main channel thalweg becomes narrower, but depth remains consistent at -2.3 m CGVD2013 (Figure 7b). At line J, 2450 m upstream, the river eroded laterally by approximately 40 m on the eastern bank and lowers the bed elevation of the main flat by 0.77 m between 1970 and 2007. The main river thalweg narrows significantly by ~ 30 m, remaining 34 m wide post 2007 and a consistent depth of -2.5 CGVD2013 (Figure 7c). Similarly, to Line L, the difference in the starting elevation of the transect may suggest removal of historical dyke infrastructure or errors in transect alignment however this hypothesis has not been thoroughly assessed at this time.

Line N recorded 1.54 m decrease in depth of the main thalweg between 1970 and 2005 and the emergence of a secondary shallow channel, less than 1 m deep along the eastern bank (Figure 8i, Figure 9b). After 2005, the profile remains unchanged. At Line P, the river narrows between 1970 and 2005 with the development of a 40 m wide, 1.05 m high bed deposit along the eastern shore and deepening of the channel by 0.6 m between 1970 and 2005 (Figure 8j). The appearance of a bar on the western shore recorded in 2019 coincides with lateral erosion on the western side and re-establishment of the 2007 position by 2020 suggesting natural shift in intertidal bar features commonly observed in river systems (Figure 8j). This bar feature is also visible in Figure 9d. At the furthest reliable line upstream, approximately 0.15 m of accumulation and slight shift to the east was recorded at Line S.5 (Figure 8l). No 1970 profile was available for comparison at Line P.5. Limited changes were recorded at lines P.5 and S.5 from 2005 onwards (Figure 8k,l).

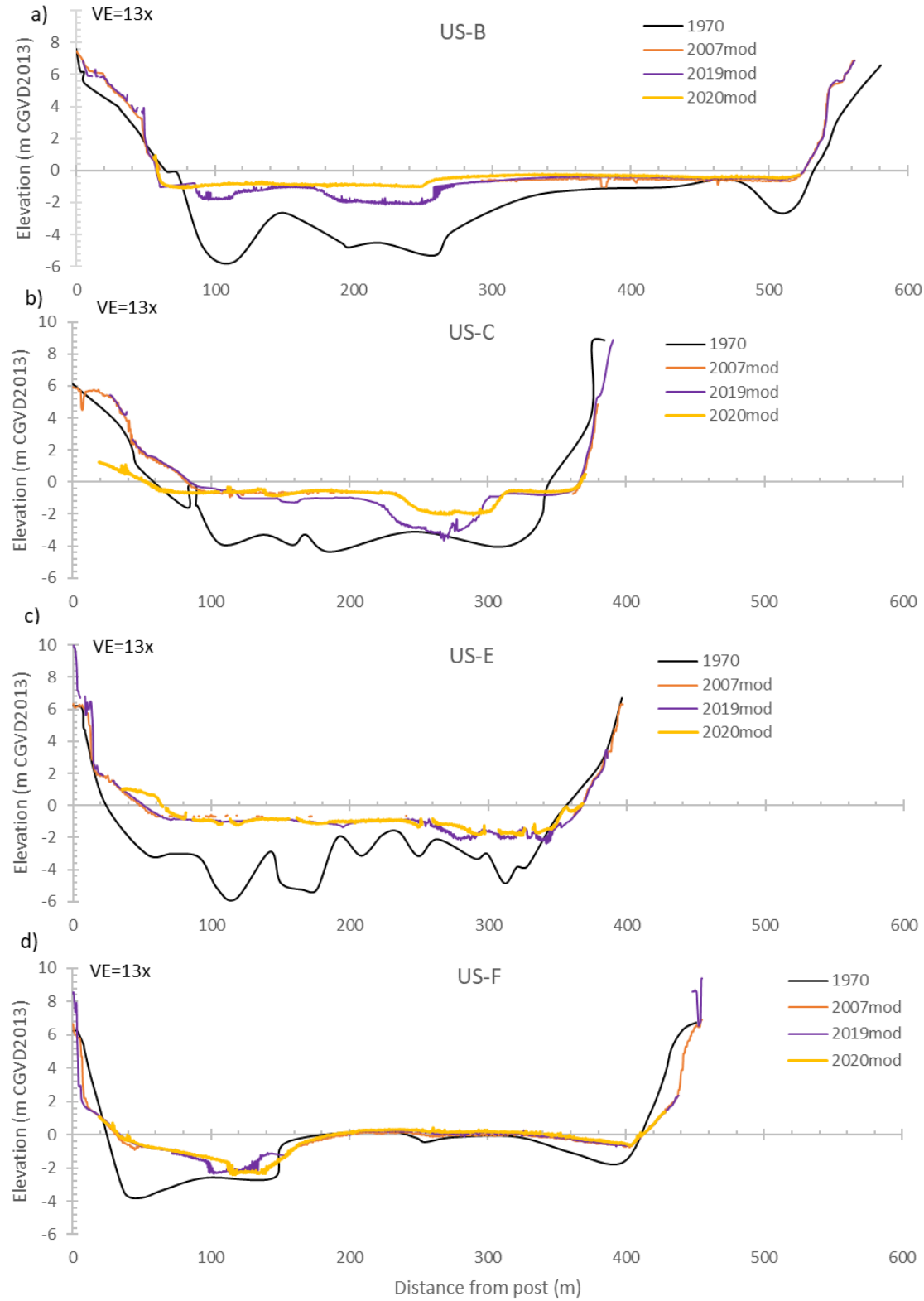


FIGURE 6: CHANGES IN CROSS SECTIONAL PROFILES AT A) LINE E - 260 M FROM CAUSEWAY, B) LINE C- 450M, C) LINE 3 – 630M AND D) LINE F- 950 M FROM CAUSEWAY

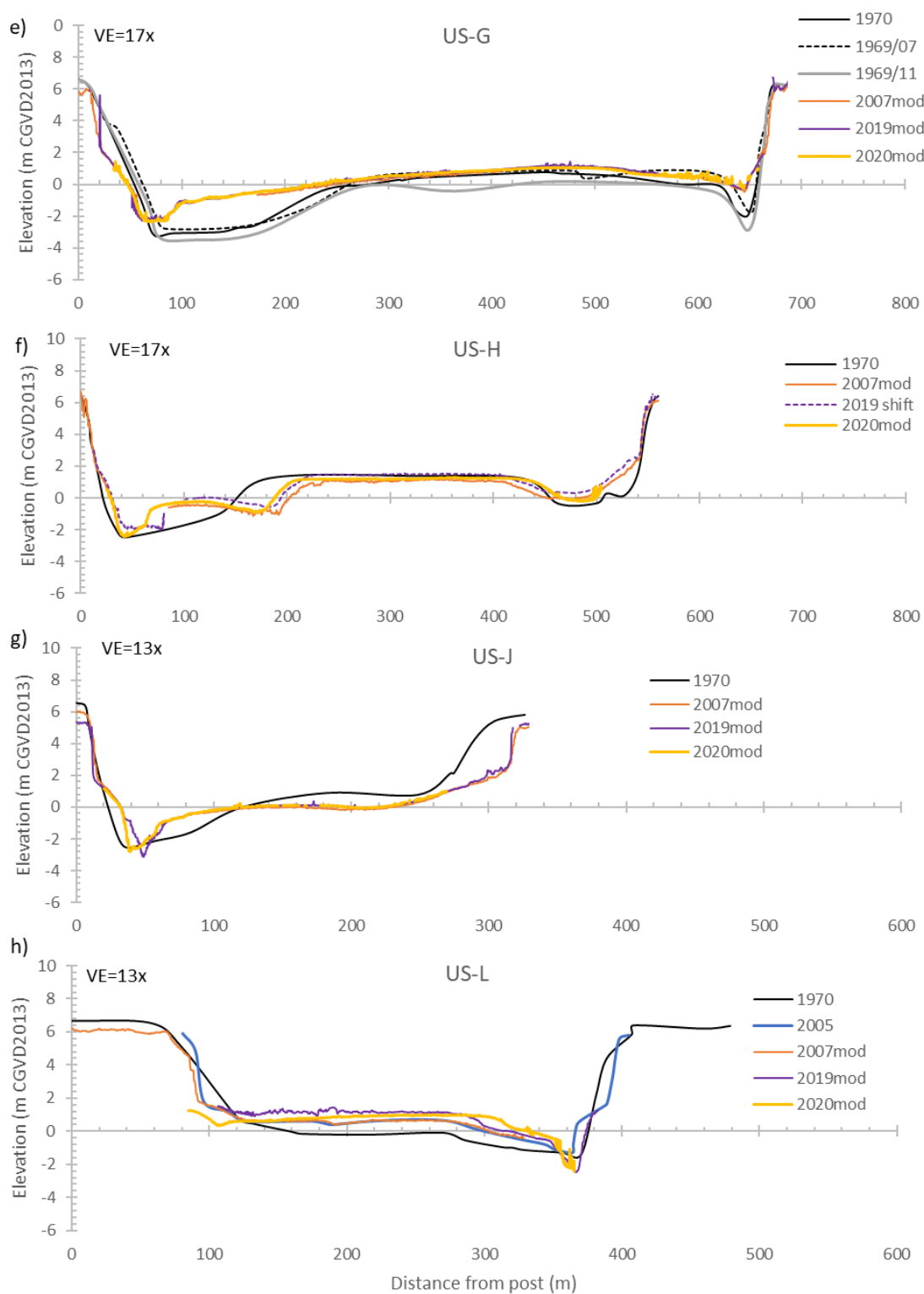


FIGURE 7: CHANGES IN CROSS SECTIONAL PROFILES FOR E) LINE G (ALSO US1) - 1320 M FROM CAUSEWAY, F) LINE H - 1900 M, G) LINE J - 2450 M AND H) LINE L - 3560 M UPSTREAM OF THE CAUSEWAY.

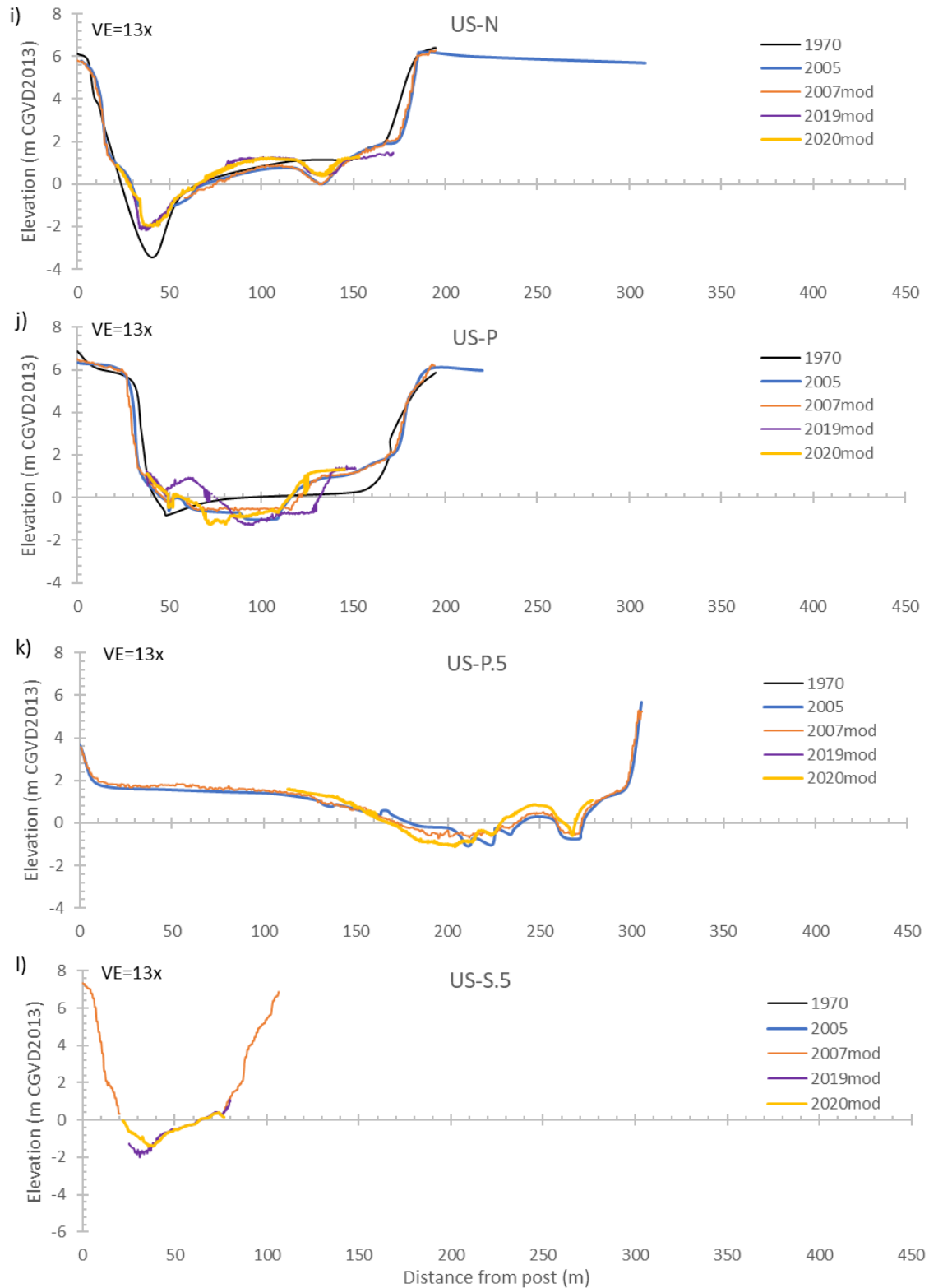


FIGURE 8: CHANGES IN CROSS SECTIONAL PROFILES FOR I) LINE N - 4690 M, J) LINE P - 5130 M, K) LINE P.5 - 5660 M AND L) LINE S.5 - 7140 M ABOVE THE CAUSEWAY.

Field and Satellite Observations

Limited data exist on upstream sediment characteristics prior to samples collected for the CBCL aboiteau modelling study in 2019. Details are provided in van Proosdij et al., 2020 and results are summarized here. Upstream of the causeway, sediment grain sizes range from silty fine sand to coarse silt. In the southern half of the upstream portion of the river, the three sediment samples were categorized as sandy coarse silt. In the middle section of the upstream portion of the river, samples varied from coarse silt to silty fine sand, with the coarse silt generally being closer to the banks and the sandy coarse silt generally being more in the middle of the river. In Lake Pisiquid, closer to the causeway, there were some finer samples, categorized as medium silt, most pronounced close to the Windsor Waterfront area, on the east side of the lake. The mean of all median diameter (d_{50}) values for sediment samples upstream of the causeway was $41\ \mu\text{m}$, the finest sample having a d_{50} of $9\ \mu\text{m}$ and the coarsest sample having a d_{50} of $266\ \mu\text{m}$ (van Proosdij et al., 2020).



FIGURE 9: LOW ALTITUDE OBLIQUE AERIAL IMAGERY TAKEN ON MAY 23, 2019 BY GREG BAKER WITH DJI PHANTOM 4 RTK RPAS, A) CAUSEWAY AND TIDE GATE; B) LOOKING NORTH (DOWNSTREAM) FROM ALLEN BROOK; PHOTOS TAKEN MAY 27, 2019 AT C) LOOKING NORTH FROM HV TRANSMISSION LINES AND D) LOOKING NORTH (DOWNSTREAM FROM SANGSTER'S BRIDGE).

Low altitude aerial imagery collected on May 27, 2019 illustrate the presence of persistent bar features within the upstream river system and infilling adjacent to the causeway (Figure 9). In order to roughly correlate sedimentation and intertidal bar formation associated with gate openings, publicly available

satellite imagery was examined between 2018 and 2021. The Copernicus Sentinel 2 provides high resolution (10 m) images in the visible and infrared wavelengths and is used to monitor soil, vegetation, water cover and coastal areas. Images are generally available every 5 days and images were filtered to select those with less than 10% cloud cover within the EO Browser (apps.sentinel-hub.com).



FIGURE 10: COPERNICUS SENTINEL-2 SATELLITE IMAGERY ILLUSTRATING OPEN GATES AND TIDAL EXCHANGE IN MAY 2020. ARROW INDICATES INTERTIDAL BAR.

The only period captured with less than 10% cloud cover between 2019-2020 where tidal waters are flowing upstream were May 3 and May 23, 2020 (Figure 10). Based on the bathymetric analysis, the intertidal bar indicated by the yellow arrow in Figure 10, has remained at the same elevation relative to datum since 1970. Using the measure tool within the EO Brower, the area of this deposited was estimated

as 0.34 km^2 . Sediment laden waters are visible upstream and deposition in lake Pisiquid is visible on May 23, 2020 which is supported by the profile changes recorded during the bathymetric analysis (Figure 6a,b). In addition, a plume of sediment is observed within the Lake on Oct. 10, 2020 when gates appear to be closed (as evidenced by low tide and exposed saltmarsh downstream of the causeway). This plume is observed further upstream on Oct 15, 2020 (Figure 11).



FIGURE 11: SEDIMENT PLUME IN LAKE PISQUID ON OCT 10, 2020, AND FURTHER UPSTREAM OCT 15, 2020.

Based on the interpretation of satellite imagery from April to Dec 2021, with re-introduction of partial tidal flow, intertidal flats are clearly being established with one narrow main river thalweg at low tide (Figure 12). A false color composite of the Sentinel-2 imagery using near infrared, red and green bands can be used to assess plant density since plants reflect near infrared and green light while they absorb red. Therefore, areas in red indicate vegetation growth but not the type of vegetation. Figure 13 illustrates the sequence of colonization by vegetation from June to Nov 2021 on many of the flats. The persistent intertidal bar present since 1970 illustrated in Figure 10 remains unvegetated. A rough estimate of the surface area of exposed bar sediments ranged from 0.25 km^2 June 2, 2021, to 0.32 km^2 on Oct 10, 2021 (Figure 13). Elevation of the bar cannot be estimated for 2021 without a bathymetric survey. Based on sediment analysis from 2019, these sediments are classified as silty fine sand.

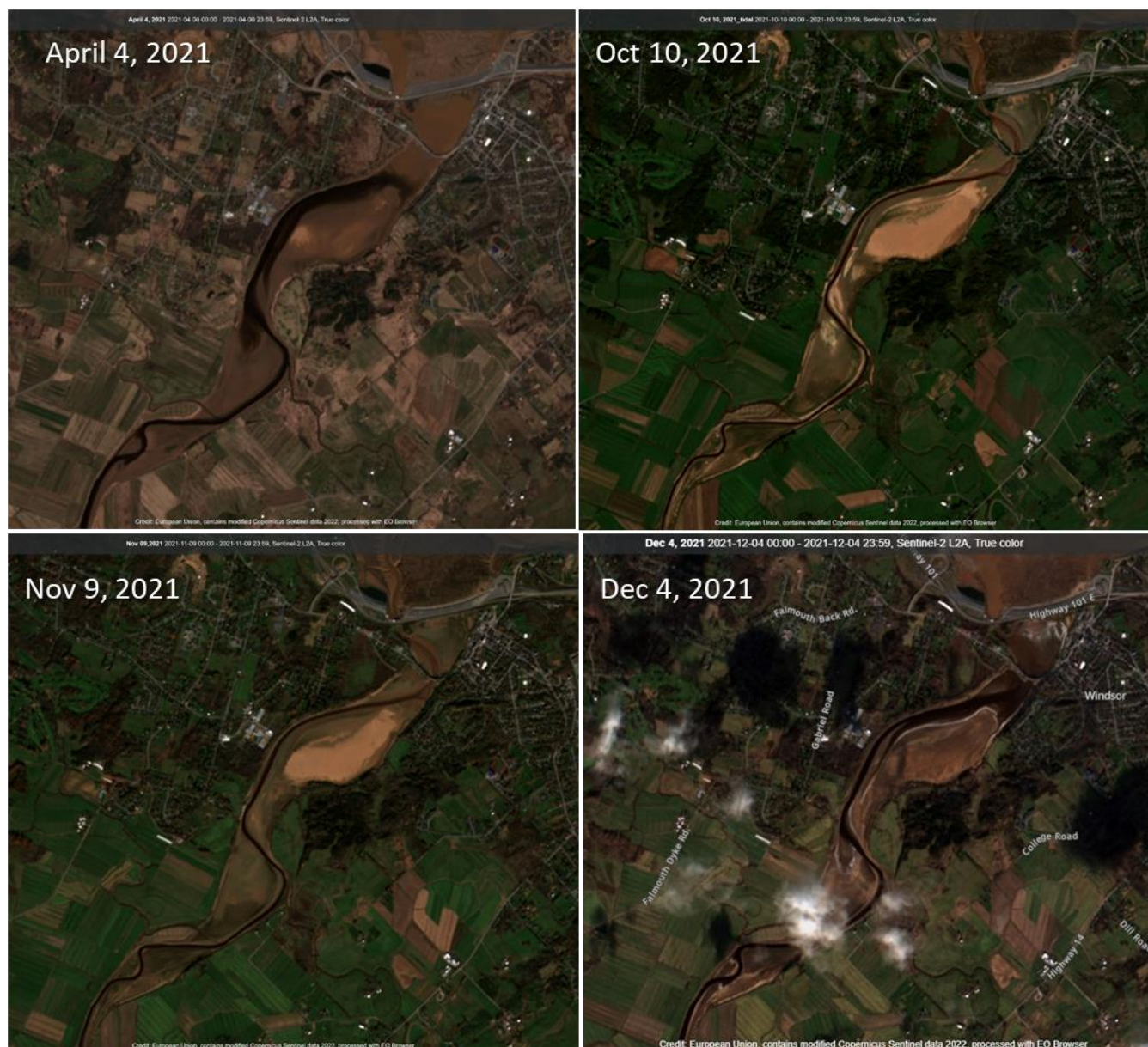


FIGURE 12: EVOLUTION OF TIDAL FLATS AND BEDFORM FEATURES UPSTREAM OF THE CAUSEWAY WITH GATES OPERATING ACCORDING TO MINISTERIAL MANDATE FOR FISH PASSAGE.

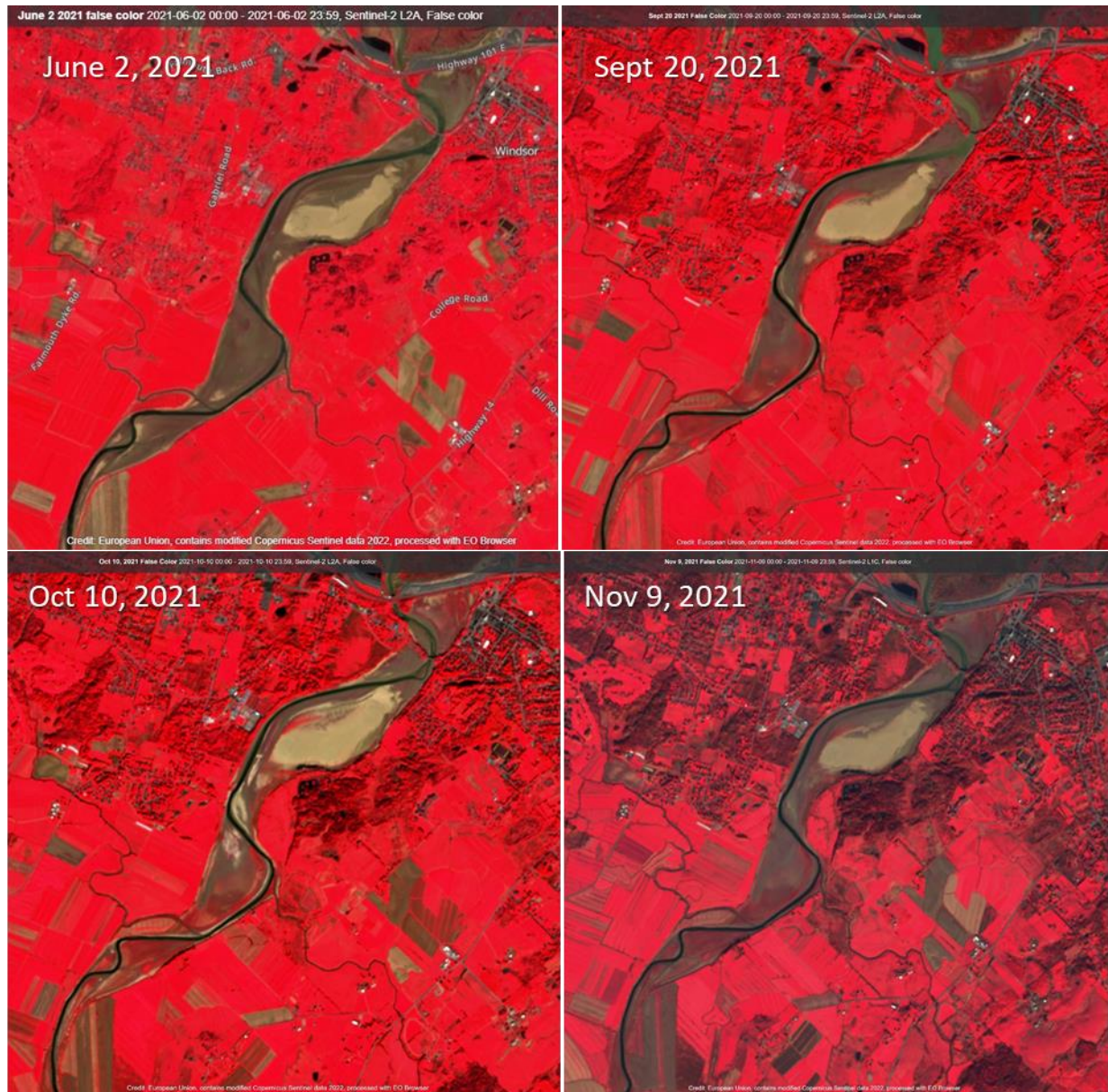


FIGURE 13: COPERNICUS SENTINEL-2 SATELITE IMAGERY DISPLAYED AS FALSE COLOR BANDS 8,4,3 ILLUSTRATING VEGETATION GROWTH ON INTERTIDAL FLATS UPSTREAM OF CAUSEWAY FROM JUNE 2, 2021 TO NOV 9, 2021

Discussion and Conclusions

The most significant changes to the Avon River were recorded between 1970 and 2005/2007 after the causeway was completed. The river infilled in most areas, however, the greatest changes were recorded along transects within the first 1.3 km upstream of the structure. Between Line G and furthest Line S.5 7.5 km upstream, the main river channel narrows and the bed elevation of the thalweg increases between 0.5 to 1 m (Figure 7, Figure 8). However, the elevation of the large sandy bars relative to datum remained relatively constant from 1970 to 2020 and are clearly visible in satellite imagery. Limited introduction of tidal flow upstream in May 2020 allowed sediments to be deposited upstream as anticipated (van Proosdij

et al., 2020). Based on the comparison of transect profiles between 2019 and 2020, the impact of re-introduction of tides was limited to line B and C, 450 m upstream of the causeway with most sedimentation concentrated within Pisiquid Lake.

In March 2021 the Federal Department of Fisheries and Oceans issued a ministerial order requiring the aboiteau gates to be fully opened on the ebb tide and for a minimum of 10 minutes on the flood tide which was renewed throughout the year. Under the new gate management regime, water levels upstream of the causeway now fluctuate significantly, depending particularly upon how long the gates are open on the flood tide and the amount of tidal water that is allowed to enter the upstream system. The operation of the gates in this manner is intended to allow for the improvement of fish passage. It has also resulted in the restoration of limited tidal influence to the upstream of the causeway portion of the river. Comparison of intertidal flats and position of the main thalweg between May 2020 and Oct 2021 from sentinel satellite imagery does not indicate the formation of new flats, however, the elevation of the flats are likely rising in response to sedimentation with every tide. The upstream extent of this impact is currently unknown without field observations. The grain size composition will likely also be changing and there is evidence of colonization by halophytic vegetation and algae as seen on satellite imagery. The approximately 0.32 km² section of intertidal bar that remains unvegetated has the potential to be a source of airborne sediment when fully dry, however, updated grain size analyses are required to determine aeolian transport thresholds (e.g., strength of wind required to entrain sediment). Cohesive sediments such as silts, if regularly flooded by tides, are unlikely to be a source of concern, particularly as these become increasingly colonized by vegetation. Continued tidal exchange upstream will facilitate the development of tidal wetland habitat upstream of the causeway. Continued monitoring of upstream conditions including salinity, water levels, grain size, suspended sediment concentrations and vegetation establishment is recommended.

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WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: Councillor Francis, District 5

Date: Tuesday May 10, 2022

Subject: Sewer Rate Increase

LEGISLATIVE AUTHORITY

Sewer Rates are approved by Council

RECOMMENDATION or DECISION REQUEST

That Council recommends to staff that the sewer rates for 2022/2023 remain the same as the 2021/2022 rates.

BACKGROUND

Property x	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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DISCUSSION

A resident reached out regarding the notice they received in their quarterly water bill last week. They received notice that effective April 1, 2022 their sewer rate would increase for 2022/2023.

The former West Hants Council combined their water utilities in June of 2019 discussions started in 2018. In December of 2018 a motion was made By Council....that Council approve the rates for sewer service for customers in Three Mile Plains/Wentworth, Falmouth, and

Hantsport, as set out in the sewer rate study prepared by G.A. Isenor Consulting Limited in association with Blaine S. Rooney Consulting Limited dated November 1, 2018 be adopted and that staff prepare the necessary changes to related by-laws and policies.

The notice given to residents after the URAB board ruling on the water rates and sewer rates is attached. There was no mention of the sewer rates for 2022/2023.

I respect and appreciate that staff has informed us in email documentation May 3 and 4, 2022 of the process especially for the councillors who were not part of the process. Staff also informed us that the notice was on our website under Utilities.

However residents were not notified of the 2022/2023 increase in the notice sent to them in 2019 at the time of the water and sewer water rates announced.

Staff have been asked to look at other options for sewer rates and it has been on the dash board since our first meeting under a Consolidated unit. This should not have a great impact on the budget for 2022/2023.

NEXT STEPS

FINANCIAL IMPLICATIONS

As we are still in the budget process for 2022/2023 adjustments can be made accordingly.

ALTERNATIVES

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

(For use if report is from a Councillor. CAO to provide additional comments on background, department/staff responsible and workload, budget, options, preferred strategy. State "Not Applicable" if report is from staff which already incorporates CAO review.)

Report Prepared by: Debbie Francis,
Councillor District 5

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)



WEST HANTS NOVA SCOTIA

Dear Resident,

We want to inform you of some important changes to your water and sewer bills.

Municipal Water Services

The Nova Scotia Utility and Review Board (UARB) approved the amalgamation of the Three Mile Plains, Falmouth, and Hantsport Water Utilities into the West Hants Water Utility. In doing so, they also approved new water rates. Changes in the water rates will be phased in over two years leading to a standardized charge for all water customers.

UARB Approved Adjusted Water Rates, **effective July 1st, 2019**:

West Hants Water Utility						
Hantsport			Three Mile Plains		Falmouth	
Year	Water Rate	5/8 Meter Base Charge	Water Rate	5/8 Meter Base Charge	Water Rate	5/8 Meter Base Charge
2019-2020	\$2.17/m ³	\$72.90/quarter	\$2.45/m ³	\$46.06/quarter	\$1.80/m ³	\$42.82/quarter
2020-2021	\$2.36/m ³	\$62.69/quarter	\$2.45/m ³	\$48.83/quarter	\$2.15/m ³	\$50.96/quarter
2021-2022	\$2.45/m ³	\$62.25/quarter	\$2.45/m ³	\$62.25/quarter	\$2.45/m ³	\$62.25/quarter

Municipal Sewer Services

West Hants Council approved the amalgamation of the Three Mile Plains, Falmouth, and Hantsport sewer services. Sewer charges for residents in Falmouth and Three Mile Plains will now be shown on your water bill and will no longer be on your tax bill. The sewer charge will also change from a flat rate to one that is based on water consumption plus a base charge. If you have Municipal sewer service, you will see this change on your enclosed bill. Hantsport residents will now see a base charge for their sewer service in addition to their usual consumption charge.

The rate schedule for municipal sewer charges, **effective April 1st, 2019** is shown below.

Year	Sewer Rate	5/8 base charge
2019-2020	\$1.60/m ³	\$60.01/quarter
2020-2021	\$1.65/m ³	\$61.20/quarter
2021-2022	\$1.70/m ³	\$62.33/quarter

Please contact your Councillor or the our Water Utility Clerk, Cathy Curry, at 902-798-8391 extension 107, should you have any questions about the changes.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation x ☒	Decision Request ☐	Councillor Activity ☐
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To: COTW

Submitted by: John Smith Councilor District 9

Date: May 5, 2022

Subject: Sidewalk Needs Assessment

LEGISLATIVE AUTHORITY

MGA 14, Powers of Council

RECOMMENDATION or DECISION REQUEST

Recommend Council direct staff to complete a Sidewalk Needs Assessment in the growth centres of Falmouth and Three Mile Plains that outlines: the exact location of needed sidewalks and associated crosswalks, the width and composition, the estimated capital costs, operating costs, the impact on property tax rates as well as expected cost share agreement that could be in place with the province, a priority ranking along with a reasonable construction cycle, a public engagement tool and an explanation of the methodology used to do the assessment.

BACKGROUND

West Hants Regional Municipality population has been increasing for many years and we are at a stage where this trend is rapidly accelerating. All areas of the municipality are experiencing growth. The topic of lack of sidewalks has come up many times from residents and this issue was recently discussed at the council table.

The Sidewalk Needs Assessment shouldn't be viewed as a definitive work, more of an information base to support decisions including supporting the public engagement process.

The Sidewalk Needs Assessment is in strategic alignment with many of the goals of the West Hants Regional Strategic Plan. Areas in the Strategic Plan that sidewalks positively impact are Community Mobility and Connectivity, community beautification, employee attraction and retention. The WHRM Accessibility Plan, MCCAP and Active Transportation are also positively impacted.

Property x ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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(Provide the Who, What, When, Where and Why. If a Councillor Activity Report check “Councillor Activity” and provide your update/info below in the “Discussion” section.)

DISCUSSION

NEXT STEPS

Review report at the Sept 13, 2022 COTW meeting.

FINANCIAL IMPLICATIONS

Use of staff time.

ALTERNATIVES

Council could decide not to have the assessment completed.

Council could decide to have a consultant complete a Sidewalk Needs Assessment.

Council could request a different recommendation.

ATTACHMENTS

(List any attachment to the report, if anything.)

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation in principle.

However, staff would request the opportunity to provide a response to Councillor Smith regarding the staff capacity to conduct this work. A high-level assessment may be achievable within the requested timeframe, but a more thorough report including cost details, intermunicipal jurisdictional considerations, storm water modifications (ditch infilling or alterations), etc... may require the dedication of an engineer or consultant. There are no known studies or reports originating from the former West Hants environment to support this request.

It is requested that staff prepare a report for the June COTW meeting providing Council with options to consider.

Report Reviewed by: 
Mark Phillips, Chief Administrative Officer