



WEST HANTS REGIONAL MUNICIPALITY
Regular Meeting of Council Agenda **AMENDED**
January 26, 2021 - 6:00 p.m.
In-Person at Sanford Council Chambers, 76 Morison Drive, Windsor, NS
Also held Via Zoom and Facebook Livestreamed

1. Call to Order
2. Attendance
3. Announcements
 - a) Introductions
 - a. S/Sgt David Ferguson, RCMP
 - b. Cpl Matt Tucker (also Acting Operations Sergeant), RCMP
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard – Action Items
5. Declaration of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2020-11-24 Council Meeting minutes
 - b) 2020-11-24 Public Hearing Minutes - 426 Ashdale Road (opening)
 - c) 2020-11-24 Public Hearing Minutes - 543 O'Brien Street (opening)
 - d) 2020-11-24 Public Hearing Minutes - 583 Highway 236 (opening)
 - e) 2020-11-24 Public Hearing Minutes - Cannabis in Hantsport (conclusion)
 - f) 2020-11-24 Public Hearing Minutes - Civic Addressing By-law (conclusion)
7. Presentations - None
8. Unfinished Business/Postponed Motions – None
9. Public Hearings
 - a) Repeal of Police Advisory Board By-law Public Hearing (conclusion)
 - b) Heritage Property By-law Public Hearing (conclusion)
 - c) 426 Ashdale Rd Dev. Agreement Public Hearing (conclusion)
 - d) 543 O'Brien Street Rezoning Public Hearing (conclusion)
 - e) 583 Highway 236 Dev. Agreement Public Hearing (conclusion)
10. Second Readings for the Public Hearing Matters in 9(a)
 - a) Repeal of Police Advisory Board By-law Second Reading - Recommendation Report
 - b) Heritage Property By-law Second Reading – Recommendation Report
 - c) 426 Ashdale Rd Dev. Agreement Second Reading - Recommendation Report
 - d) 543 O'Brien Street Rezoning Second Reading – Recommendation Report
 - e) 583 Highway 236 Dev. Agreement Second Reading – Recommendation Report
11. Mayor's Report

12. Committees of Council Recommendations
 - a) Committee of the Whole Excerpts – January 12, 2021
 - i. Parking Enforcement
 - ii. Hantsport Fire Station Design Build
 - iii. Family Resource Centre of West Hants
 - iv. Property Owners Association
 - v. Creation of RCMP Operating Reserve
 - vi. Region 6 2021/22 Budget
 - vii. Fire Services Temporary Borrowing Resolutions
 - viii. MCCAP 2021 Work Plan
 - ix. West Hants Ground Search & Rescue Funding
 - x. Planning Process Review
 - b) Planning Advisory Committee
 - i. 20 Main Street Rezoning First Reading – Recommendation Report
 - ii. Food Security and Sustainability in Hantsport – Recommendation Report
13. Councillor Municipal Activity Reports – Verbal Committee Updates
14. Correspondence
 - a) Hantsport & Area Historical Society (Jan. 15, 2021) – Thank you letter.
 - b) Attorney General Justice (Jan. 19, 2021) - 1-yr extension for WHRM Accessibility Plan to be established.
 - c) NSTIR Corres (Jan. 12, 2021) - Re. WHRM Letter of Nov 30, 2020 re Speed Zones on Hwy 14
 - d) NSTIR Corres (Jan. 13, 2021) - Re WHRM Letter of Aug 14, 2020 re Avon River Aboiteau & Causeway Upgrading
15. New Business
 - a) Windsor Area Solid Waste Contract - Recommendation Report
 - b) Police Advisory Board, Resident-member Appointment – Recommendation Report
 - c) **Future Meeting - Hybrid Model**
16. In-Camera
 - a) 2020-10-27 Council In-camera Minutes
 - b) Labour Relations/Contract Negotiations - MGA Section 22(2)(d & e)
17. Next Meeting Date / Adjournment



WEST HANTS REGIONAL MUNICIPALITY

Regular Council Minutes

January 26, 2021 6:00 pm

Held via Zoom and Facebook Livestreamed

1) Call to Order

Mayor Zebian called the meeting to order at 6:00 p.m.

2) Attendance

Council Present:

Abraham Zebian, Mayor
Rupert Jannasch, Councillor, District 1
Scott McLean, Councillor, District 2
Mark McLean, Councillor, District 3
Debbie Francis, District 5
Bob Morton, Councillor, District 6

Paul Morton, Deputy Mayor, District 8
Ed Sherman, Councillor, District 7
Richard Murphy, Councillor, District 9
Laurie Murley, Councillor, District 10
Jim Ivey, Councillor, District 11

Staff and Guests Present:

Mark Phillips, Chief Administrative Officer

Todd Richard, Dir. Public Works
Carlee Rochon, Dir. Financial Services

Saira Shah, Planner
S/Sgt David Ferguson

Shelleena Thornton, Administrative Supervisor
Rhonda Brown, Municipal Clerk
Madelyn LeMay, Dir. Planning & Development
Sara Poirier, Planner

Regrets:

Jeff Hartt, Councillor, District 4

Cpl. Matthew Tucker

Members of the public watched the meeting using Facebook Live.

3) Announcements

- a) Mayor Zebian introduced Staff Sergeant (S/Sgt) David Ferguson the new District Commander of the RCMP. S/Sgt Ferguson spoke of his history with Lunenburg County, noting this was first time working under a Municipal Police Service Agreement. S/Sgt Ferguson went on to speak of the report presented to the Police Advisory Committee on January 25, 2021 which included project costs and savings of approximately \$500,000 for policing service due to vacant positions and reduced overtime. He stated he was looking forward to serving the Municipality at the level expected.

- b) Mayor Zebian informed Corporal (Cpl) Tucker, the RCMP Acting Operations Sergeant, was unable to attend the meeting.

S/Sgt Ferguson left the meeting at 6:08 pm.

Other Announcements:

- Councillor Hartt was wished a speedy recovery from his foot surgery.
- Meeting are being held online due to current Provincial Health Guidelines, as restrictions are lifted in-person meetings will resume.
- As of Jan. 26, 2021, there are 11 active case of COVID-19 in the Province.

4) Approval of Agenda, including additions or deletions

a) Dashboard – Action Items

Discussion Points:

- The racial profiling letter to RCMP this was to be address at the Police Advisory Board.
- The Property Owners Association could be complete after this Council meeting.
- Some aspects of the Internet Business Plan should be started such as determining the cost of service from others.

MOVED by Deputy Mayor Morton and Councillor Murley that the agenda be approved with the following amendment:

- **Add 15.c) Future Meeting - Hybrid Model**
- Motion Carried.**

5) Declarations of Conflict of Interest

Councillor Murphy declared a conflict of interest for Agenda Item 12. a) ix) – West Hants Ground Search & Rescue Funding.

6) Approval of Previous Meeting Minutes

MOVED by Councillors Sherman and Ivey to approve the following minutes:

- **2020-11-24 Council Minutes**
- **2020-11-24 Public Hearing Minutes – 426 Ashdale Road (opening)**
- **2020-11-24 Public Hearing Minutes – 543 O’Brien Street (opening)**
- **2020-11-24 Public Hearing Minutes – 583 Highway 236 (opening)**
- **2020-11-24 Public Hearing Minutes – Cannabis in Hantsport (conclusion)**
- **2020-11-24 Public Hearing Minutes – Civic Addressing By-law (conclusion)**

Motion Carried.

7) Presentations – There were no presentations.

8) Unfinished Business/Postponed Motions – There was no unfinished business.

9) Public Hearing

- a) Repeal of Police Advisory Board By-laws Public Hearing (opening and conclusion)**
- b) Heritage Property By-law Public Hearing (opening and conclusion)**
- c) 426 Ashdale Rd Development Agreement Public Hearing (conclusion)**
- d) 543 O'Brien Street Rezoning Public Hearing (conclusion)**
- e) 583 Highway 236 Development Agreement (conclusion)**

**MOVED by Councillors Sherman and Murphy to go into Public Hearing.
Motion Carried.**

The meeting moved into Public Hearing at 6:15 pm. Further information on the Public Hearings are available in the respective Public Hearing Minutes.

Mayor Zebian declared the Public Hearings closed.

Council Meeting reconvened at 7:07 pm.

10) Second Readings for the Public Hearing Matters in 9

- a) Repeal of Police Advisory Board By-laws Public Hearing (opening and conclusion)**

MOVED by Councillors Murley and Sherman that Council give Second Reading and approves the Repeal of Police Advisory Board By-laws, REPEAL-002, substantively the same as that presented to Council on November 24, 2020.

Motion Carried.

- b) Heritage Property By-law Public Hearing (opening and conclusion)**

MOVED by Councillors Murphy and Ivey that Council rescind any existing Heritage Property By-laws for the former Town of Windsor and Municipality of West Hants and replace them with the Heritage Property By-law (RH-001) contained in Appendix C of the November 5, 2020 report to the Windsor Area Advisory Committee.

Motion Carried.

- c) 426 Ashdale Rd Development Agreement Public Hearing (conclusion)**

MOVED by Councillors Ivey and Murley that Council gives Second Reading to and approves entering into a development agreement to allow an automotive repair shop at 426 Ashdale Rd., Ashdale which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated October 8, 2020.

Motion Carried.

d) 543 O'Brien Street Rezoning Public Hearing (conclusion)

MOVED by Councillors Murley and Ivey that Council gives Second Reading to and approves amending the zoning map of the Windsor Land Use By-law to enable the lot located at 543 O'Brien Street, Windsor, PID 45055928 to be rezoned from the General Commercial (GC) Zone to the Highway Commercial (HC) Zone, as shown on Figure 2 and amending the text of the Windsor Land Use By-law to ensure adequate separation and buffering is provided for residential uses abutting commercial uses in commercial zones, in a manner substantively the same as Attachment A, all as attached to the Windsor Area Advisory Committee report #20-17 dated October 1, 2020.

Motion Carried.

Councillor Francis voted nay.

(Discussion was held before voting.)

Discussion Points:

- Staff are not aware of a strategic plan to not have service stations in the Windsor downtown area. It was previously noted that having service stations downtown may improve the area.
- A small portion of the property is in the Tregothic Marsh, so an environmental report stating the building would meet the environmental requirements is needed, but it is not a significant concern.
- The application for approval by Nova Scotia Environment (NSE) requires a letter of zoning confirmation, therefore the zoning change is required as a first step. If NSE approval is not received for the service station, there are a variety of other uses permitted in the Highway Commercial Zone.
- An increase in the minimum side buffer would require an amendment to the Land Use By-law, such amendments are being explored through the Plan Review.
- Any development on the property would increase traffic flow in the area.

e) 583 Highway 236 Development Agreement (conclusion)

MOVED by Councillor Ivey and Deputy Mayor Morton that Council gives Second Reading to and approves entering into a development agreement to allow a licensed day care at 583 Hwy#236, Scotch Village, which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated October 8, 2020.

Motion Carried.

Mayor Zebian voted nay.

(Discussion was held before voting.)

Discussion Points:

- The ages of the children attending the day care were not included with the application, likely the intent is for school aged children.
- A day care must be licensed if having over six (6) children.
- The community wants the day care but are concerned with the speed and traffic.
- The bus-stop is the responsibility of the Annapolis Valley Regional Center for Education and Nova Scotia Transportation and Infrastructure Renewal (NSTIR). At the time of the initial assessment by NSTIR for the development, the bus-stop was not located in front of the property. It is possible the bus stop was moved due to the potential day care.
- An increase in parking spots or wider driveway would require an agrologist report, the applicant has not requested more than the five (5) parking spots.
- If staggered drop-off times do not help with traffic issues, NSTIR would need to be contacted.

11) Mayor's Report

Mayor Zebian read his report, clarifying that the Municipality is fortunate to be growing therefore a variety of housing options is needed from developers. The Mayor informed \$8 Million was added to Develop Nova Scotia internet projects to increase coverage from 97% to 99% of Nova Scotia.

Discussion Points:

- Final branding approval will be through the community lead Branding Committee as stated in the Branding Report which was approved by Council.
- The data regarding the CAP Program may have errors, a presentation of the CAP Program and effects on the Municipality should be given so Council can take a position regarding the program. Property Valuation Services Corporation (PVSC) can be scheduled to present before budgets and future discussion of the CAP.

12) Committees of Council Recommendations

a) Committee of the Whole Excerpts – January 12, 2021

i) Parking Enforcement

MOVED by Deputy Mayor Morton and Councillor Murley that Council require parking regulations to be enforced as deemed necessary by the Traffic Authority, primarily in the communities of Hantsport and Windsor, and any other Municipal owned roads outside of Windsor and Hantsport when deemed necessary and that paper parking tickets continue to be used.

Motion Carried.

ii) Hantsport Fire Station Design Build

MOVED by Deputy Mayor Morton and Councillor Sherman that Council gives direction to staff to proceed with Option 1, general design for the new replacement Hantsport Fire Station, as provided by HarveyARCHITECTURE Limited;

And,

Council provides direction for staff to proceed with the release of a 2-Part public Request for Proposal for the evaluation and selection of the project general contractor, in accordance with the approved Municipal procurement process. Motion Carried.

MOVED by Deputy Mayor Morton and Councillor Sherman that Council approves the creation of capital reserve fund for Hantsport Fire Department fundraising and donations. Motion Carried.

iii) Family Resource Centre of West Hants

MOVED by Councillor B. Morton and M. McLean that the application fees be waived for the Family Resource Centre of West Hants. Motion Carried.

iv) Property Owners Association

MOVED by Councillor Sherman and Deputy Mayor Morton that Council approves the method of billing set out in Property Owner Association Services for Private Road Agreements to Committee of the Whole on January 12, 2021, for services provided under R-002 Maintenance and Improvement of Private Roads By-Law, including a 71.5% reduction from base charge or \$5.00 per lot fee. Motion Carried.

Councillor Jannasch voted nay.

MOVED by Councillor Sherman and Deputy Mayor Morton that Council directs staff to enter into new agreements with the current Property Owners Associations, based on the service billing model approved.

Further,

That Council approved the extension of the Property Owner Association reporting deadline from January 31, 2021 to March 15, 2021. Motion Carried.

v) Creation of RCMP Operating Reserve

MOVED by Deputy Mayor Morton and Councillor M. McLean that Council approve the creation of a "RCMP Operating Reserve," and transfer \$582,688 of the budgeted 2020/21 operating cost for RCMP services into the reserve.

Motion Carried.

(Discussion was held before voting.)

Discussion Points:

- There will be future cost increases but smaller amount which will be covered during budgets.
- Current reserve is for the retro active pay which will be payable upon completion of the Federal collective bargaining is complete.

vi) Region 6 2021/22 Budget

MOVED by Deputy Mayor Morton and Councillor Sherman that Council approves the 2021-22 budget for Region 6 as presented in the January 12, 2021 report.

Motion Carried.

(Discussion was held before voting.)

Discussion Points:

- The Province has diverted half of the waste produced to recycling.
- Region 6 is scheduled to present at the next Committee of the Whole meeting.

vii) Fire Temporary Borrowing Resolutions

MOVED by Deputy Mayor Morton and Councillor M. McLean that Council approves a temporary borrowing resolution in the amount of \$15, 444, for major repairs to pumper #4 for Brooklyn Fire Department Station 1.

Motion Carried.

MOVED by Deputy Mayor Morton and Councillor Ivey that Council approves a temporary borrowing resolution in the amount of \$27,506, for command scene lighting for Hantsport Fire Department.

Motion Carried.

viii) MCCAP 2021 Work Plan

MOVED by Deputy Mayor Morton and Councillor Sherman that the MCCAP 2021 Work Plan be placed on file in a manner substantively the same as Appendix A attached to the planning staff report dated January 6, 2021.

Motion Carried.

(Discussion was held before voting.)

Discussion Points:

- Council's environmental focus is reflective in the plan.

Councillor Murphy declared a conflict of interest and left the meeting.

ix) West Hants Ground Search & Rescue Funding

**MOVED by Deputy Mayor Morton and Councillor Sherman that Council direct staff prepare a report on how other Ground Search & Rescues (GSARs) are funded.
Motion Carried.**

Councillor Murphy rejoined the meeting.

x) Planning Process Review

**MOVED by Deputy Mayor Morton and Councillor M. McLean that Council direct staff to look at the pros and cons in shortening the Planning process.
Motion Carried.**

b) Planning Advisory Committee

i) 20 Main Street Rezoning First Reading – Recommendation Report

Planner Poirier reviewed the report through a presentation.

**MOVED by Councillors Murphy and B. Morton that that Council give First Reading and hold a Public Hearing to consider amending the Zoning Map of the Hantsport Land Use By-law to enable the lots located at 20 Main Street, Hantsport, now identified as PID 45043312 and 45043304 and after consolidation of the lots by their joint successor PID, to be rezoned from the Institutional (I) Zone to the Mixed Commercial / Residential (C-2) Zone, as shown on Figure 2, and to consider amending the text of the Hantsport Land Use By-law to add "20 Main Street, West Hants Regional Municipality, Government Office" to the list of permitted institutional uses existing as of May 1, 2018 in the Mixed Commercial / Residential (C-2) Zone, in a manner substantively the same as Attachment A, all as attached to the report to the Hantsport Area Advisory Committee dated January 5, 2021, conditional on consolidation of the lots.
Motion Carried.**

ii) Food Security and Sustainability in Hantsport– Recommendation Report

Planner Shah reviewed the report through a presentation.

**MOVED by Councillor Ivey and Deputy Mayor Morton that Council accepts the recommendation from PAC on January 13, 2021 for the Food Security and Sustainability Hantsport Municipal Planning Strategy amendment and not hold a Public Hearing.
Motion Carried.**

Councillors S. McLean and Murphy voted nay.

Planner Poirier and Planner Shah left the meeting at 8:31 pm.

13) Councillor Municipal Business Reports - Verbal Committee Updates

The Mayor called upon members of each Committee of Council for updates. Many committees were planning to meet soon and currently had nothing to report. The following updates were noted:

- The staff at Dykeland Lodge are doing a good job responding to the COVID pandemic.
- The Landfill Liaison Committee has elected a new Chair.
- The Valley Regional Economic Network has been meeting regularly.
- The Valley Community Fibre Network (VCFN) was created in 2008 and extends from Dalhousie University to Middleton. The business plan for the VCFN is changing due to the grant being given for infrastructure. A future presentation to Council is being planned.

14) Correspondence

- a) Hantsport & Area Historical Society (Jan. 15, 2021) – Thank you letter**
- b) Attorney General Justice (Jan. 19, 2021) – 1 yr extension for WHRM Accessibility Plan to be established**
- c) NSTIR Corres (Jan. 12, 2021) – Re WHRM Letter of Nov. 30, 2020 re Speed Zones on Hwy 14**
- d) NSTIR Corres (Jan. 13, 2021) – Re WHRM Letter of Aug. 14, 2020 re Avon River Aboiteau & Causeway Upgrading**

Discussion Points:

- During discussion of speed zones at a previous meeting, the area of Upper Vaughan was also mentioned but it was not reflected in the letter to NSTIR.

MOVED by Councillors Sherman and M. McLean reissue the letter sent to NSTIR November 30, 2020 to regarding speeding to include a review of Vaugh and Upper Vaughan areas.

Motion Carried.

15) New Business

- a) Windsor Area Solid Waste Contract – Recommendation Report**

Director Richard reviewed the report.

MOVED by Councillors Ivey and Francis that Council approve the award of the Waste Collection and Transportation contract for the Windsor area to Green for Life Environmental (GFL Environmental) for the two-year period effective April 1, 2021 to March 31, 2023, as per the response provided to the request for proposal WWHPW20-19 received by the Department of Public Works on January 12, 2021;

And,

**Council give direction to staff to review the alternative collection schedule as proposed by GFL Environmental and implement, if feasible and conducive.
Motion Carried.**

(Discussion was held before voting.)

Discussion Points:

- Having collection completed by 4:00 pm is permitted in the By-law, using the alternate proposal would mean that collection would occur all day.
- Depending their place on the collection route, some resident may have flexibility as to when to put waste at curbside.
- Communication of the change is part of the contract, the Municipality would help with communication through all communication sources of the change which will start April 1, 2021.
- The current collection provider has been exceptional over last 21 years and the decision to change is a financial decision.

MOVED by Councillors Ivey and B. Morton to direct staff to provide access to a summary of the contracts and service arrangements in place with the West Hants Regional Municipality, it may be in table format that includes service provided, beginning dates, end date and value as appropriate.

Motion Carried.

(Discussion was held before voting.)

Discussion Points:

- Councillors should be aware of contracts with service providers for upcoming saving opportunities and impacts on the budget.
- Councillor may not be aware of all contracts, but staff are very aware of the contracts and their end dates.

b) Police Advisory Board, Resident-member appointment – Recommendation Report

Administrative Supervisor Thornton reviewed the report.

MOVED by Deputy Mayor Morton and Councillor M. McLean that Council approves the following resident member be appointed to the Police Advisory Board for the term April 01, 2020 to October 31, 2022, Ken Swan.

Motion Carried.

(Discussion was held before voting.)

Discussion Points:

- If the appointment is accepted by Council, just the Ministerial appointment to the Police Advisory Board remains vacant.

c) Future Meeting – Hybrid Model

Mayor Zebian informed current Provincial Health Guidelines restrict in-person meeting to 10 people. As there are 12 Councillors, meetings could be held completely on virtual using Zoom or be a hybrid of in-person and virtual. He inquired as to the preference of each Councillor; most preferred a hybrid.

A hybrid model for meetings will be used unless the Provincial Health Guidelines change.

16) In-Camera

a) Approval of 2020-10-27 Council In-Camera Minutes

b) Labour Relations/Contract Negotiations – MGA Section 22 (2)(d & e)

MOVED by Councillors Ivey and Sherman to move in-camera.

Motion Carried.

The meeting moved in-camera at 9:05 pm. Guests and staff left the meeting, except the CAO and Municipal Clerk.

MOVED by Councillors Ivey and Murley that the meeting move out of in-camera.

Motion Carried.

The meeting reconvened at 10:10 pm.

17) Next Meeting Date / Adjournment

The next regular meetings will be Committee of the Whole on February 9, 2021.

MOVED by Deputy Mayor Morton and Councillor M. McLean that the meeting adjourn.

Motion Carried.

The meeting ended at 10:15 pm.

Abraham Zebian, Mayor

Rhonda Brown, Municipal Clerk