



WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Minutes
July 27, 2021 - 6:00 p.m.
Sanford Council Chambers, 76 Morison Dr, Windsor, NS
Agenda is subject to changes up to and including during the meeting

1. Call to Order – Mayor Zebian called the meeting to order at 6:00pm.

2. Attendance

Council:

Abraham Zebian, Mayor
Rupert Jannasch, Councillor Dist. 1
Scott McLean, Councillor Dist. 2
Mark McLean, Councillor Dist. 3
Jeff Hartt, Councillor Dist. 4
Debbie Francis, Councillor Dist. 5
Bob Morton, Councillor Dist. 6
Ed Sherman, Councillor Dist. 7
Paul Morton, Deputy Mayor, Dist. 8
Laurie Murley, Councillor Dist. 10
Jim Ivey, Councillor Dist. 11

Staff & Guests:

Mark Phillips, CAO
Shelleena Thornton, Admin. Supervisor
Madelyn LeMay, Dir. Planning and Development
Todd Richard, Dir. Public Works
Sara Poirier, Planner
Vanessa Lake, Meeting Secretary
Jennifer Daniels, Hantsport Fire Department
Tim Leslie, Senior Building Official

3. Announcements

Public Works is busy repairing damage caused by flooding. Residents are asked to have patience as they investigate and work on repairs.

4. Approval of the Agenda, including additions or deletions

Councillor Ivey would like to add a discussion about an Independent Review regarding comments from a previous Lake meeting.

MOVED BY COUNCILLORS SHERMAN AND IVEY THAT THE AGENDA BE APPROVED AS AMENDED. MOTION CARRIED.

5. Declaration of Conflict of Interest

Mayor Zebian and Councillor Francis declared conflicts with items 12 (a)(vi) and 12 (b)

due to owning land. Councillor S. McLean declared conflict with item 12(a)(iv) due to owning land. They will not be a part of these discussions.

6. Approval of Previous Meeting Minutes

MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT THE MINUTES OF THE 2021-06-22 COUNCIL MEETING BE APPROVED. MOTION CARRIED.

7. Presentations

Mayor Zebian informed council that the second presentation of the night will be rescheduled.

a) Jennifer Daniels, Hantsport Fire Dept. – FireSmart

Ms. Daniels gave a presentation about FireSmart Awareness, the National standard in wildfire safety, risk management and mitigation. The program has many benefits, incentives and rewards for communities that take part. Ms. Daniels explained many potential risks, pointing out that the majority of West Hants is at wildfire risk, the different zones, and how a wildfire can spread. She outlined 18 factors that contribute to combustion, fire spread, and how to better protect your home. An Emergency Preparedness event in Vaughan and at Southwest Hants Fire Station is being held on August 28. Her presentation concluded at 6:47pm and she left the meeting.

8. Unfinished Business/Postponed Motions

a) Former Textile Mill Dangerous or Unightly Update (standing item)

Building Official Leslie reviewed the information report. The building has had several permits over the years, since 2006. Some were completed and some were not. There have also been several demolition permits. A Dangerous or Unightly complaint was received when the roof collapsed last year. Building Official Leslie has been in contact with the property owners. They have put up a fence to prevent trespassing and are quick to respond and repair if the fence is damaged. The owners have had a geotechnical report done, but the Building Official has not seen it. They also have draft drawings of their next steps, but these have not been shared yet. Hopefully, within the next month, information will be provided.

Official Leslie requested a written plan of action be submitted by September 28 by the property owners regarding their intentions for the property and the existing structure. There is currently no plan to proceed with demolition or construction before December 2021. Building Official Leslie also requires a written report from a structural engineer to ensure there will be no more damage to the structure, and what must be done to prevent further deterioration.

Tim Leslie concluded his report at 6:53pm and left the meeting.

9. Public Hearings

- a) 233 Gray Street (PID #45354065) Development Agreement (Opening)**
- b) 101 Three Mile Plains Cross Road (PID #45197456) Development Agreement (Opening)**
- c) 20 Empire Lane (PID #45055746) Development Agreement (Opening)**
- d) Hantsport, MPS and LUB Text Amendment, Secondary Suites (Closing)**
- e) West Hants, WHMPS and LUB Text Amendment, Secondary Suites (Closing)**

- f) Windsor, WMPS and LUB Text Amendment, Secondary Suites (Closing)
- g) Mobile Canteen Vending By-law (Opening & Closing)

MOVED BY DEPUTY MAYOR MORTON AND COUNCILLOR FRANCIS TO MOVE INTO PUBLIC HEARINGS FOR SEVEN MATTERS AT 6:54PM. MOTION CARRIED.

The public hearings adjourned, and council reconvened at 7:27pm.

10. Second Readings for the Public Hearing Matters in Agenda Matter #9

a) Hantsport, MPS and LUB Text Amendment, Secondary Suites

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL AMEND THE HANTSPORT MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO PERMIT SECONDARY SUITES IN SINGLE AND TWO-UNIT DWELLINGS, IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT D OF THE SECOND READING REPORT TO COUNCIL DATED JUNE 22, 2021. MOTION CARRIED.

b) West Hants, WHMPS and LUB Text Amendment, Secondary Suites

MOVED BY COUNCILLORS FRANCIS SHERMAN THAT COUNCIL AMEND THE WEST HANTS MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO PERMIT SECONDARY SUITES IN SINGLE AND TWO-UNIT DWELLINGS, IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT D OF THE SECOND READING REPORT TO COUNCIL DATED JUNE 22, 2021. MOTION CARRIED.

c) Windsor, WMPS and LUB Text Amendment, Secondary Suites

MOVED BY COUNCILLORS FRANCIS SHERMAN THAT COUNCIL AMEND THE WINDSOR MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO PERMIT SECONDARY SUITES IN SINGLE AND TWO-UNIT DWELLINGS, IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT D OF THE SECOND READING REPORT TO COUNCIL DATED JUNE 22, 2021. MOTION CARRIED.

d) Mobile Canteen Vending By-law (Opening & Closing)

MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE MOBILE CANTEEN VENDING BY-LAW, RV-001, IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT #20-26 TO THE COMMITTEE OF THE WHOLE DATED JUNE 6, 2021, WHICH WILL REPEAL THE HAWKERS, TRADERS AND PEDDLERS BYLAW, BYLAW #15, DATED MAY 6, 1998, AND THE TEMPORARY VENDOR BYLAW, BYLAW #40, DATED MARCH 12, 2012, OF THE FORMER TOWN OF WINDSOR. MOTION CARRIED. Mayor Zebian voted nay.

11. Mayor's Information Report

The report was circulated with the Agenda Package. Councillor Ivey had a question regarding both this and previous reports about water supply and dry hydrants, and if there was any information on this matter. Mayor Zebian said that the CAO has been in touch with the Fire Chief, and the Chief is satisfied with his plan.

12. Committees of Council Recommendations

a) Committee of the Whole Excerpts – July 13, 2021

i. 2021 Panuke Road Booster Pump Package

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL AUTHORIZES STAFF TO PURCHASE GRUNDFOS DOMESTIC AND FIRE WATER PUMP PACKAGES DIRECTLY FROM FLOWSTAR INDUSTRIES, IN THE AMOUNT UP TO \$160,000 PLUS APPLICABLE TAXES. MOTION CARRIED.

ii. Ardoise Hall – Canada Community Building Fund

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR HARTT THAT COUNCIL APPROVES THE ADDITIONAL USE OF \$16,275 OF CANADA COMMUNITY BUILDING FUND TO FUND THE REMAINING AMOUNT OF SIGNAGE UPGRADES TO THE ARDOISE COMMUNITY RECREATION CENTER TO IMPROVE RECREATION SERVICES.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT IT BE AMENDED WITH THE ADDITIONAL WORDS, TO READ, "...IMPROVE RECREATION SERVICES, AND THAT THE FUNDING BE CONTINGENT ON UNSUCCESSFUL FUNDING FROM THE CCRF. MOTION CARRIED.

Full motion as amended:

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COUNCIL APPROVES THE ADDITIONAL USE OF \$16,275 OF CANADA COMMUNITY BUILDING FUND TO FUND THE REMAINING AMOUNT OF SIGNAGE UPGRADES TO THE ARDOISE COMMUNITY RECREATION CENTER TO IMPROVE RECREATION SERVICES, AND THAT FUNDING BE CONTINGENT ON UNSUCCESSFUL FUNDING FROM THE CCRF. MOTION CARRIED.

iii. First Nation Memorial

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL DIRECTS THE MAYOR AND STAFF TO IDENTIFY A LOCATION AND BEGIN WORK ON A PROPER, PERMANENT MEMORIAL FOR FIRST NATIONS CHILDREN AND INDIVIDUALS WHOSE UNMARKED GRAVES HAVE BEEN DISCOVERED. MOTION CARRIED.

- iv. **Highway 101 Twinning over Avon River** (Councillor S. McLean declared conflict of interest and was not present for this discussion/vote)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT COUNCIL RECOMMENDS THAT CORRESPONDENCE BE SENT TO LLOYD HINES, MLA, MINISTER TRANSPORTATION AND ACTIVE TRANSIT, REQUESTING THAT WITH PUBLIC SAFETY AS A PRIORITY, THE 101-HIGHWAY TWINNING PROJECT (THREE MILE PLAINS TO FALMOUTH) SHOULD NOT BE DELAYED DUE TO UNCERTAINTY RELATING TO THE CAUSEWAY ABOITEAU DESIGN. MOTION CARRIED.

- v. **HMCC 2020-21 Financial Statements**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL ACCEPTS THE FINANCIAL STATEMENT PROVIDED BY HMCC AND THAT ANY 2020-2021 HOLD BACKS AND ELIGIBLE 2021-2022 AREA RATE PAYMENTS BE PAID TO HMCC FOR THE PURPOSES OF PROVIDING THE SERVICES DEFINED IN THE 2021-2022 BUDGET. MOTION CARRIED.

- vi. **Temporary Opening of Edward & Underwood** (Mayor Zebian and Councillor Francis declared conflict of interest and were not present for this discussion/vote)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL DIRECT STAFF TO PROVIDE A REPORT AS TO HOW THE TWO RESIDENTIAL AREAS CAN BE CONNECTED INCLUDING THE REMOVAL OF THE GATE SYSTEM. MOTION CARRIED.

- vii. **Traffic Calming Measures**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT COUNCIL DIRECT STAFF TO IDENTIFY AND REPORT BACK ON POTENTIAL TRAFFIC CALMING MEASURES/SOLUTIONS FOR PROBLEMATIC ROADS THAT EXPERIENCE SPEEDING UNDER THE OWNERSHIP OF THE MUNICIPALITY. MOTION CARRIED.

- viii. **Contract Negotiations (from In-camera)**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT THE CAO TO PROCEED WITH THE JULY 13TH COTW AGENDA ITEM 13. A), AS DISCUSSED IN-CAMERA, PENDING REVIEW BY LEGAL COUNSEL. MOTION CARRIED.

- b) **Planning / Heritage Advisory Committee – July 08, 2021**

- i. **Payzant Drive, Windsor Land Use By-law Amendment (PIDs 45358314, 45366986, 45055167, 45276441, 45190493, & 45364775) – First Reading** (Mayor Zebian and Councillor Francis declared conflict of interest and were not part of the discussion/vote).

ii.

Planner Poirier gave a presentation about the proposed amendment. The By-law Amendment would reduce the minimum lot specifications for the listed PIDs. All general criteria is met. The application was received on May 6, 2021. A Public Information Meeting was held on June 10 and the deadline for comments was June 25. No comments were received.

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL GIVE FIRST READING AND HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE TEXT OF THE WINDSOR LAND USE BY-LAW TO REDUCE THE MINIMUM LOT SPECIFICATION REQUIREMENTS FOR PID 45358314, 45366986, 45055167, 45276441, 45190493 AND 45364775 OWNED BY BRISON DEVELOPMENTS LIMITED AND 3229190 NOVA SCOTIA LIMITED ON PAYZANT DRIVE IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE, REPORT #21-09 B DATED JULY 8, 2021, AND TO AMEND SECTION 5.34 (A) OF THE WINDSOR LAND USE BY-LAW, SETBACK FOR FLANKING YARD, TO ENSURE THAT REQUIRED FLANKAGE YARDS ARE THE SAME AS THE REQUIRED FRONT YARD IN ALL ZONES, UNLESS OTHERWISE SPECIFIED WITHIN THE ZONE REQUIREMENTS. MOTION PASSED.

13. Councillor Municipal Activity Reports – Verbal Committee Updates

Councillor M. McLean

- Movie Night at the Brooklyn Fire Hall.
- fiber lines have been activated.
- TIR is looking into potholes and trimming trees along the road.
- attended the Police Advisory Board meeting. Staff Sergeant said that the budget is on track. There are concerns with speeding in the area. He mentioned that the RCMP Station is not suited for a safe exchange zone.

Councillor Francis

- attended the MCCAP meeting and explained that Milestones 1 and 2 have been reached.
- She extended a thank-you to Council from the Station Food Hub in response to a fundraiser.

Councillor Ivey

- stepped down as chair for the VCFN. They have reduced their expenses.

Councillor Murley

- a lot happening in Windsor. The Township Business Association will be hosting live music at the waterfront gazebo from 6:30-8pm. Activities can be viewed and shared with the hashtag #WindsorBlockParty.

14. Correspondence

a) Information

i. Avon River Causeway/Hwy 101 Twinning Project Correspondence Log

1) Current Avon Causeway correspondence received as of July 22, 2021

ii. Avon View High School (July 5, 2021) – Thank you

Councillor Ivey suggested 'sent' correspondence be included on future agendas so that it is on the record. This would pertain to correspondence sent by way of motion of council. Council discussed it briefly before deciding on making a motion.

MOVED BY COUNCILLORS IVEY AND HARTT THAT COUNCIL MAKE NOTE OF THEIR SENT CORRESPONDENCE REGARDING MOTIONS ON FUTURE AGENDAS. MOTION CARRIED. Deputy Morton voted nay.

b) Requests - None

15. New Business

a) Wheel Loader Purchase – Recommendation Report

Director Richard reviewed the report. Council discussed the cost of the equipment, financing the new equipment, and the general cost of snow removal at length. Director Richard explained the use of Canoe Procurement, a new way to capitalize on competitive bidding. This is a test for this new method and meets all obligations. The difference in cost between purchasing and leasing the equipment was discussed, with owning the equipment being more financially viable.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL AUTHORIZES STAFF TO PURCHASE TWO (2) JOHN DEERE 444P WHEEL LOADERS, ATTACHMENTS, OPTIONS, AND EXTENDED WARRANTY ALONG WITH TRADE IN OF THE 1977 MICHIGAN-55-WHEEL LOADER AND THE 2008 JOHN DEERE BACKHOE FOR THE COMBINED AMOUNT OF \$477,397 PLUS APPLICABLE TAXES FROM BRANDT TRACTOR LIMITED.

FURTHER, COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF \$463,952, FOR THE TWO JOHN DEERE WHEEL LOADERS. MOTION CARRIED.

Councillors M. McLean, S. McLean, and Hartt voted nay.

b) Fees Policy – Recommendation Report

Director LeMay received four suggestions from the Former Clerk on the fees policy.

MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVE THE WEST HANTS REGIONAL MUNICIPALITY FEES POLICY IN A MANNER SUBSTANTIVELY THE SAME AS SHOWN IN APPENDIX C TO THE REPORT TO PAC/HAC DATED JULY 8, 2021 WITH THE EXCEPTION OF FEES RELATED TO DOG TAGS, WHICH ARE NOT TO CHANGE FOR NOW, AND MINOR CHANGES RELATED TO THE SEWERAGE AND STORMSEWER CONNECTION, DISCHARGE AND CHARGES BY-LAW AND THE TITLES OF SOME ITEMS, AND THAT COUNCIL HEREBY RESCINDS THE WEST HANTS FEES POLICY COFN-005.3 ADOPTED JULY 11, 2017 AND AMENDED TO DECEMBER 10, 2019, AND THE WINDSOR FEES POLICY 2019002 APPROVED NOVEMBER 26, 2019. MOTION CARRIED.

c) Independent Review

Councillor Ivey requested a discussion about an Independent Review, regarding some comments made from a previous Lake meeting. Council discussed the need to investigate these accusations. Councillor Ivey clarified there is no “target,” the investigation would “clear the air” around the situation. While there are concerns of misrepresentation, many found this to be a trivial matter that does not require any further action. Councillor Murley commented that there is recourse if they wish to pursue and CAO Phillips also suggested the Ombudsman.

MOVED BY COUNCILLORS IVEY AND HARTT THAT COUNCIL UNDERTAKE AN INDEPENDENT REVIEW TOWARDS THESE COMMENTS. MOTION DEFEATED. (Councillors Jannasch, Francis, B. Morton, Sherman, Murley, and Deputy Mayor P. Morton, Mayor Zebian opposed).

16. In-Camera

- a) **2021-05-25 In-camera Council Meeting Minutes Approval**
- b) **2021-06-22 In-camera Council Meeting Minutes Approval**
- c) **Land Matter (Windsor Back Road) – MGA S. 22(2)(a)**
- d) **Legal Matter – MGA S. 22(2)(g)**
- e) **Personnel Matter – MGA S. 22(2)(c)**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL MOVE IN-CAMERA MEETING AT 8:54PM. MOTION CARRIED.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL RMOVE OUT OF IN-CAMERA AT 9:33PM. MOTION CARRIED.

MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL APPROVE THE WEST HANTS REGIONAL MUNICIPALITY BEING THE APPLICANT FOR FUNDING OFFERED BY ACOA ON BEHALF OF SKI MARTOCK, AND THEIR APPLICATION TO OBTAIN FINANCIAL SUPPORT FOR INFRASTRUCTURE UPGRADES TO SUPPLY FRESH WATER FOR SNOW MAKING OPERATIONS.

FURTHER,

THAT THE APPLICATION AND SUPPORT EXPRESSED TO SKI MARTOCK DOES NOT REQUIRE ANY DIRECT FUNDING FROM THE MUNICIPALITY. MOTION CARRIED.

17. Next Meeting Date / Adjournment

The next Council meeting is scheduled for September 14 at 6:00pm.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THE MEETING ADJOURN AT 9:36PM. MOTION CARRIED.

Mayor Abraham Zebian

Acting Clerk Shelleena Thornton