

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda Amended
Tuesday, September 28, 2021 - 6:00 p.m.
Sanford Council Chambers 76 Morison Dr, Windsor, NS
(also held via virtual via Zoom and Facebook livestreamed)
Agenda is subject to changes up to and including during the meeting



1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
 - (a) Dashboard Action Items
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - (a) 2021-07-27 Council Meeting Minutes
 - (b) 2021-08-10 Special Council Meeting Minutes
 - (c) 2021-07-27 Public Hearing Minutes – 20 Empire Lane, PID# 45055746 D.A (opening)
 - (d) 2021-07-27 Public Hearing Minutes – 233 Gray St, PID# 45354065 D.A (opening)
 - (e) 2021-07-27 Public Hearing Minutes – Hantsport, Windsor, and West Hants Secondary Suites, MPS & LUB (closing)
 - (f) 2021-07-27 Public Hearing Minutes – Mobile Canteen Vending By-law (opening & closing)
 - (g) 2021-07-27 Public Hearing Minutes – 101 Three Mile Plains Cross Rd, PID# 45197456 D.A (opening)
7. Public Hearings
 - (a) 101 Three Mile Plains Cross Rd, PID# 45197456 Dev Agreement (closing)
 - (b) 20 Empire Lane, PID# 45055746 Dev Agreement (closing)
 - (c) 233 Grey & abutting lot, PID# 45354965 Dev Agreement (closing)
 - (d) Payzant Dr PID #s 45358314, 45366986, 45055167, 45276441, 45190493, and 45364775 Windsor Land Use By-law Amendment: Reduced lot specification requirements (opening)
8. Second Readings (related to Item #7 public hearings)
 - (a) 101 Three Mile Plains Cross Rd, PID# 45197456 Dev Agreement – Recommendation Report
 - (b) 20 Empire Lane, PID# 45055746 Dev Agreement – Recommendation Report
 - (c) 233 Grey & abutting lot, PID# 45354065 Dev Agreement - Recommendation Report
9. Unfinished Business/Postponed Motions
 - (a) Former Textile Mill Dangerous or Unsightly updates (standing item)
10. Mayor's Report
11. Committee(s) of Council Excerpts/Recommendations

- (a) Committee of the Whole Excerpts (Sept. 14, 2021)
 - i. Advocacy for Active Transit – Bog Road
 - ii. Brooklyn Civic Centre Expense Write-off
 - iii. MFC Fall 2021 Debenture
 - iv. Mobile Canteen By-law re. amending
 - v. NSFM Caucus
 - vi. Outdoor Fires By-law
 - vii. PCP Milestone 3 Local Action Plan
 - a) 2021-09-08 Action Plan Report to MCCAP (informational)
 - b) 2021-09-28 Supplementary Report re: EV Chargers
 - viii. Temporary Opening of Edward and Underwood
 - ix. Traffic Calming Measures
 - x. WHRM Emergency Management Plan
 - xi. Windsor Drainage Issues
 - xii. Land Matter MGA 22 (2)(a) (following in-camera item 12(a))
 - xiii. Land Matter MGA 22 (2)(a) (following in-camera item 12(b))
 - xiv. Land Matter MGA 22 (2)(a) (following in-camera item 12(c))
 - (b) Planning/Heritage Advisory Committee Recommendations (Sept. 9, 2021)
 - i. Hwy 14 Vaughan, PID# 45288750 WHLUB amendments - First Reading
 - ii. Farm Markets in Fair Ground Zone – First Reading
 - iii. Civic Address By-law amendment – First Reading
 - iv. 744 Hwy. 236, Dimock House – Heritage permit application
 - v. Processes for Planning – Information Report
12. Councillor Municipal Business/Activity Reports
13. Correspondence
- (a) Information
 - i. Avon River Causeway/Hwy. 101 Twinning Project Log
 - a. Current Avon Causeway/Hwy 101 Correspondence (rec'd as of Aug. 13, 2021)
 - ii. Royal Canadian Legion Br. 9 (2021-09-16) – Thank you
 - (b) Requests – None
 - (c) Out-going (as it relates to motions of Council to other Provincial agencies/depts)
 - i. Letter to the Honourable Llyod Hines, Department of Transportation and Active Transport.
14. New Business
- (a) Capped Assessment Program (CAP) – Decision Request Report (Ivey)
 - (b) Flood Impact Photo – Decision Request Report (Ivey)
 - (c) Lake-like Appearance – Decision Request Report (Ivey)
 - (d) Truth and Reconciliation Report – Decision Request Report (Ivey)

(e) Cheque Requisition Recommendation – Hants Agricultural Beef Show
(f) 65 Fort Edward Street (Former Windsor Pool)

15. In-Camera
16. Next Meeting Date / Adjournment



1. Call to Order - Mayor Zebian called the meeting to order at 6:00 p.m.

2. Attendance

Council:

Abraham Zebian, Mayor
Rupert Jannasch, Councillor, District 1
Scott McLean, Councillor, District 2
Mark McLean, Councillor, District 3
Jeff Hartt, Councillor, District 4
Debbie Francis, Councillor, District 5

Paul Morton, Deputy Mayor, District 8
Bob Morton, Councillor, District 6
Ed Sherman, Councillor, District 7
John A. Smith, Councillor, District 9
Laurie Murley, Councillor, District 10
Jim Ivey, Councillor, District 11

Staff & Guests:

Mark Phillips, Chief Administrative Officer
Carlee Rochon, Dir. Financial Services
Todd Richard, Dir. Public Works
Shelleena Thornton, Mun. Admin Supervisor
Deanna Snair, Exec. Asst/Mun. Clerk

Madelyn LeMay, Dir. Planning & Development
Troy Burgess, Manager Public Works
Sara Poirier, Sr. Planner
Alex Dunphy, Planner

Regrets:

Kathy Kehoe, Dir. Community Development

3. Announcements

- WHRM is in Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People and that this land is governed by the treaties of peace and friendship signed in 1726. WHRM also recognizes we are all treaty people, and we have a responsibility to help each other and to this land.
- Hants County Exhibition celebrated its 256th year. It is recognized as the oldest Agricultural Fair in North America that has continuously run as it pivoted last year to a partial fair.
- World Rivers Day was celebrated over the weekend. Everyone was encouraged to view the local video circulating online featuring the Mi'kmaq Conservation Group, local fisher Darren Porter and Acadia University.
- "Right to Know" week from September 27th- October 3rd.
- Congratulations were extended to all the WHRM staff that were acknowledged for their years of dedicated service.

4. Approval of the Agenda, including additions or deletions

a) Dashboard – Action Items

Discussion Points

- CAO Phillips gave a verbal explanation regarding the coloured blocks on the Dashboard.

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN
THAT THE AGENDA BE APPROVED. MOTION CARRIED**

5. Declaration of Conflict of Interest

- Mayor Zebian and Councillor Francis - Agenda Items 7(d) and 11(a)(viii) (both own land).
- Councillor Smith - Agenda Item 11(b)(v) (personal conflict due to family owning property)
- Councillor S. McLean - Agenda Item 14(c); he owns land.

6. Approval of Previous Meeting Minutes

- 2021-07-27 Council Meeting Minutes
- 2021-08-10 Special Council Meeting Minutes
- 2021-07-27 Public Hearing Minutes – 20 Empire Lane, PID# 45055746 D.A (opening)
- 2021-07-27 Public Hearing Minutes – 233 Gray St, PID# 45354065 D.A (opening)
- 2021-07-27 Public Hearing Minutes – Hantsport, Windsor, and West Hants Secondary Suites, MPS & LUB (closing)
- 2021-07-27 Public Hearing Minutes – Mobile Canteen Vending By-law (opening & closing)
- 2021-07-27 Public Hearing Minutes – 101 Three Mile Plains Cross Rd, PID# 45197456 D.A (opening)

Discussion Points:

- Independent review. In the July 27th minutes it acknowledges the generality of the request. It was agreed to add the item to the agenda. The vote indicated that it was a failure on the motion. It is the decision of Council with respects to all content added to minutes.
- There is no accounting for CAO's comments on the research undertaken on his behalf.
- Typically the reports submitted get amended back into the package and this report did not. It is described as being a verbal matter in the minutes. Supervisor Thornton said usually if a report is to be added, there is a motion from Council to do so; there was no motion made, only support to discuss it. Therefore, the report did not get amended into the package. Only the topic was added.

**MOVED BY COUNCILLORS MURLEY AND DEPUTY MAYOR P. MORTON TO
APPROVE THE FOLLOWING MINUTES:**

- **2021-07-27 Council Meeting Minutes**
- **2021-08-10 Special Council Meeting Minutes**
- **2021-07-27 Public Hearing Minutes – 20 Empire Lane, PID# 45055746 D.A (opening)**
- **2021-07-27 Public Hearing Minutes – 233 Gray St, PID# 45354065 D.A (opening)**

- **2021-07-27 Public Hearing Minutes – Hantsport, Windsor, and West Hants Secondary Suites, MPS & LUB (closing)**
- **2021-07-27 Public Hearing Minutes – Mobile Canteen Vending By-law (opening & closing)**
- **2021-07-27 Public Hearing Minutes – 101 Three Mile Plains Cross Rd, PID# 45197456 D.A (opening)**

MOTION CARRIED Nays: Councillor Hartt and Ivey.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS TO GO IN TO PUBLIC HEARING AT 6:14 P.M. MOTION CARRIED

The meeting moved into Public Hearing at 6:14 p.m

7. Public Hearings

- 101 Three Mile Plains Cross Rd, PID# 45197456 Dev. Agreement (closing)**
- 20 Empire Lane, PID #45055746 Dev. Agreement (closing)**
- 233 Grey & abutting lot, PID # 45354965 Dev. Agreement (closing)**

Mayor Zebian and Councillor Francis declared Conflict of Interest and left chambers at 6:24 p.m. Deputy Mayor P. Morton assumed the chair.

- Payzant Dr. PID # 45358314, 45366986, 45055167, 45276441, 45190493 and 4536775 Windsor Land Use By-Law Amendment: Reduced lot specification requirements (opening)**

Mayor Zebian and Councillor Francis returned at 6:37 p.m. Mayor Zebian assumed the chair.

Further information on the public hearings are available in their respective set of public hearing minutes.

Council Meeting reconvened at 7: 37 p.m

8. Second Readings (related to Item # 7 Public Hearings)

- 101 Three Mile Plains Cross Rd, PID # 45197456 Dev. Agreement – Recommendation Report**

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MOTON THAT COUNCIL GIVES SECOND READING AND TO APPROVE ENTERING INTO A DEVELOPMENT AGREEMENT TO ALLOW AN AUTOMOBILE REPAIR SHOP AT 101 THREE MILE PLAINS CROSS RD, THREE MILE PLAINS (PID 45197456) WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT C OF THE REPORT TO THE PLANNING AND ADVOSORY COMMITTEE DATED JUNE 10, 2021. MOTION CARRIED

b) 20 Empire Lane, PID # 45055746 Dev. Agreement – Recommendation Report

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL GIVES SECOND READING AND TO APPROVE ENTERING INTO A DEVELOPMENT AGREEMENT WHICH REPLACES THE ORIGINAL DEVELOPMENT AGREEMENTS AT 20 EMPIRE LANE, PID #45055747, AND ALLOWS INTERIOR CHANGES TO THE EXISTING BUILDING TO ACCOMMODATE AN ADDITIONAL THREE (3) DWELLING UNITS IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN THE ATTACHMENT C OF THE REPORT #21-05 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED JUNE 10, 2021, TAKING NOTE THAT THIS DEVELOPMENT AGREEMENT WILL DISCHARGE AND REPLACE THE DEVELOPMENT AGREEMENTS RECORDED AT THE REGISTRY OF DEEDS ON MARCH 10, 1998 AND JUNE 24, 1998 AS DOCUMENTS 900 AND 2485. MOTION CARRIED

c) 233 Grey & abutting lot, PID #45354065 Dev. Agreement – Recommendation Report

MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUCIL DIRECT STAFF TO ENTER INTO A DEVELOPMENT AGREEMENT TO PERMIT THE REQUIRED PARKING FOR TWO FIFTEEN-UNIT APARTMENT BUILDINGS LOCATED AT 233 GREY STREET, PID #45059938 AND THE ABUTTING LOT, PID #45354065, TO BE LOCATED IN A MANNER SUBSTANTIVELY THE SAME AS DESCRIBED IN THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REGARDING FILE 21-08 DATED JUNE 10, 2021. MOTION CARRIED

9. Unfinished Business/Postponed Motions

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

CAO Phillips reminded Council that a December 21, 2021 date remains in place to have either a confirmation of an engineer's report to ensure the building will be structurally safe during the winter months should the owners elect to demolish or partially demolish as was previously indicated.

10. Mayor's Information Report –

Discussion Points

- No new updates from the Fisheries Minister or their staff. The election may have triggered that.
- Reference to equalization grants are having a positive impact locally.

11. Committees of Council Recommendations

- a) **Committee of the Whole Excerpts – 2120-09-14**
 - i. **Advocacy for Active Transportation**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT COUNCIL DIRECT STAFF OR A COUNCIL MEMBER TO WRITE A LETTER OF REQUEST TO THE HANTS COUNTY AREA MANAGER WHO WILL CONDUCT A SITE VISIT AND A BICYCLING ROUTE ASSESSMENT-AS PER POLICY: PO1072 DIRECTIVES 1.3 - TO FORWARD ONTO THE ACTIVE TRANSPORTATION COORDINATOR WHO WILL PROVIDE A RECOMMENDATION BASED ON THE ASSESSMENT AND COMPLIANCE WITH OTHER DEPARTMENT OF PUBLIC WORKS POLICIES. MOTION CARRIED

- ii. **Brooklyn Civic Centre Expense Write -off**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR M. MCLEAN THAT \$6,531.41 INVOICED TO THE BROOKLYN CIVIC CENTRE FOR SEPTEMBER 2020 THROUGH MARCH 2021 FISCAL YEAR BE FUNDED THROUGH THE SAFE RESTART OR IF UNSUCCESSFUL THROUGH THE OPERATING RESERVES. MOTION CARRIED.

- iii. **MFC Fall 2021 Debenture**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE AUTHORIZATION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 5.5% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 25 -YEAR DEBENTURE OF \$2,091.896, FOR DESIGN AND BUILD OF THE WEST HANTS SPORTS COMPLEX. MOTION CARRIED. Nay: Councillor Hartt

- iv. **Mobile Canteen By-law re: amending**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR B. MORTON THAT COUNCIL REQUEST A STAFF REPORT ON AMENDING THE MOBILE CANTEEN BY-LAW RV-001 TO ALLOW MOBILE CANTEENS TO OPERATE ON COMMUNITY HALL PROPERTIES. MOTION CARRIED

- v. **NSFM Caucus**

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT WEST HANTS REGIONAL MUNICIPALITY CONTINUES ITS MEMBERSHIP IN THE NSFM REGIONAL CAUCUS TO ENSURE THAT THE REGION'S DIVERSITY IS FULLY RECOGNIZED, AND FURTHER: SO THAT WEST HANTS MAY GAIN INSIGHT INTO THE UNIQUE OPPORTUNITIES

AND CHALLENGES FACED BY IT'S REGIONAL CAUCUS COLLEAGUES IN HALIFAX AND CAPE BRETON THAT ALSO REPRESENT RURAL AND GROWTH CENTRES. MOTION CARRIED. Nay: Councillor Hartt

vi. Outdoor Fires By-law

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR B. MORTON THAT COUNCIL POSTPONE THE MOTION UNTIL JANUARY TO ALLOW FOR PUBLIC ENGAGEMENT AND INPUT. MOTION CARRIED

vii. PCP Milestone: 3 Local Action Plan

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL COMPLETE MILESTONE 3 OF THE PCP PROGRAM BY SUBMITTING THE REPORT ATTACHED AS APPENDIX A TO THE MCCAP COMMITTEE REPORT DATED SEPTEMBER 8, 2021 TO THE PCP PROGRAM. MOTION CARRIED

Mayor Zebian and Councillor Francis declared conflict of interest (own land) and left chambers at 6:51 p.m. Deputy Mayor P. Morton assumed the chair.

viii. Temporary Opening Edward and Underwood

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR IVEY THAT COUNCIL PROCEED WITH THE ATTACHED POLICY WITH THE CONDITION THAT THE GATE REMAIN IN PLACE UNTIL THE TRAFFIC AUTHORITY PRESENTS A REPORT TO COUNCIL ADDRESSING TRAFFIC CONCERNS, PEDESTRIAN CONCERNS INFRASTRUCTURE UPGRADE AND ANYTHING ELSE THAT MAY PERTAIN IN A REPORT TO BE RETURNED TO COUNCIL AT THE NOVEMBER COMMITTEE OF THE WHOLE MEETING.

Discussion Points:

- Several residents reached out and voiced concerns about the safety of the roadways. Some comments were positive. Concerns were around the amount of people and homes that are currently there, people out walking and having no sidewalks or streetlights present on either side of the gate.
- This is a retirement community and they are concerned about their safety.
- Connectivity and another road are needed, but unsure if this the answer.
- Residents appear satisfied to wait until the other road is developed.

MOVED BY COUNCILLORS B. MORTON AND SHERMAN THAT COUNCIL POSTPONE UNTIL DECEMBER AND THAT COUNCIL DIRECT STAFF TO RETURN WITH A REPORT DETAILING THE BROADER ROAD NETWORK OVERVIEW, ALONG WITH TIME FRAMES FOR WHEN THE NEW ROAD STRUCTURE WILL BE OPEN AND FURTHERMORE, TO INCLUDE PEDESTRIAN CONCERNS, INFRASTRUCTURE UPGRADES AND ANYTHING ELSE NEEDED TO LOOK AT THAT ROAD. MOTION CARRIED

Full motion as amended:

MOVED BY COUNCILLORS B. MORTON AND SHERMAN TO POSTPONE UNTIL DECEMBER AND THAT COUCIL DIRECT STAFF TO RETURN WITH A REPORT DETAILING THE BROADER ROAD NETWORK OVERVIEW, ALONG WITH TIME FRAMES FOR WHEN THE NEW ROAD STRUCTURE WILL BE OPEN AND FURTHERMORE, TO INCLUDE PEDESTRIAN CONCERNS, INFRASTRUCTURE UPGRADES AND ANYTHING ELSE NEEDED TO LOOK AT THAT ROAD. MOTION CARRIED

Mayor Zebian and Councillor Francis returned at 6:58 p.m. Mayor Zebian assumed the chair.

ix. Traffic Calming Measures

Discussion Points:

- What can be done in the short term while the long-term plan is being resolved? It is important to understand the issues and get the data. That is the point of the policy.
- Are there things that can be done now to alleviate the issue particularly in those zones?
- Mayor Zebian to set up a meeting with the Councillors involved in the problem areas and Manager Burgess in hopes of devising a plan based on feedback heard from these areas.
- Council spoke to the effect that one of the issues has been speed. Council has access to one of the speed radars. It works in the short-term vs long-term.
- People can call the RCMP at the non-emergency line 902-798-2207.
- There may be other jurisdictional issues as well, the noise factor, motor vehicle inspections and vehicle modifications may also factor into some of the complaints.

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL DIRECT THAT THE WEST HANTS REGIONAL MUNICIPALITY DEVELOP A TRAFFIC CALMING POLICY AND PROGRAM THAT INCLUDES PUBLIC PARTICIPATION TO ADDRESS TRAFFIC CONCERNS RELATING TO TRAFFIC SPEEDS AND NOISE ON RESIDENTIAL STREETS. MOTION CARRIED

x. WHRM Emergency Management Plan

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE WEST HANTS REGIONAL MUNICIPALITY'S EMERGENCY MANAGEMENT PLAN 2021. MOTION CARRIED

xi. Windsor Drainage Issues

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL REQUEST A STAFF REPORT ON THE HISTORICAL ISSUES OF WATER DRAINAGE ISSUES DURING HEAVY RAINS IN THE STANNUS/GREY AREAS AND OPTIONS TO HELP PREVENT FURTHER ISSUES.

Discussion Points:

- The Sept. 14th Committee of the Whole meeting recommendation included additional streets.
- Dir. Richard noted he received a different recommendation. Council requested the motion include the names of the streets named at the COTW meeting Sept. 14th. One report was almost complete but to have another report to address the concerns on Tremaine Crescent, an extension may be necessary. Dir. Richard advised that the first report could be presented and once the second report was complete it could be brought forward.
- Council agreed to proceed with the first report and await the second report once it was completed.
- Other streets identified at the Sept. 14th Committee of the Whole included: Gray, Stannus, Munroe, parts of Wiley, Victoria and Tremaine.

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT THE MOTION BE AMENDED TO INCLUDE ALL THE STREETS LISTED AT THE COMMITTEE OF THE WHOLE MEETING ON SEPTEMBER 14, 2021, MOTION CARRIED

Full motion as amended:

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COUNCIL REQUEST A STAFF REPORT ON THE HISTORICAL ISSUES OF WATER DRAINAGE DURING HEAVY RAIN FALLS ON ALL STREETS NAMED AT THE COMMITTEE OF THE WHOLE MEETING TO BE SUBMITTED. MOTION CARRIED

xii. Land Matter (following In-camera 12(a))

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT STAFF APPROACH MINAS BASIN PULP AND POWER COMPANY TO DISCUSS THE POTENTIAL DONATION OF FOUNDRY SPORTS FIELD PROPERTY INCLUSIVE OF PID#'S 45044948, 45044930, AND 45044971. MOTION CARRIED

xiii. Land Matter (following in-camera 12(b))

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL GRANT THE CHIEF ADMINISTRATIVE OFFICER THE AUTHORITY TO NEGOTIATE THE TERMS WITH THE WINDSOR AGRICULTURAL SOCIETY AS DISCUSSED IN-CAMERA.

AND FURTHER;

TO COMPLETE SPORTS COMPLEX ADDITIONAL PARKING UPGRADES, FOR THE AMOUNT OF \$174,500 PLUS APPLICABLE TAXES, AND 15% CONTINGENCY THROUGH THE STANDING OFFER AGREEMENT, TO BE

FUNDED THROUGH LONG-TERM BORROWING. MOTION CARRIED Nays:
Councillor Hartt.

xiv. Land Matter (following in-camera 12 (c))

MOVED BY COUNCILLORS FRANCIS AND DEPUTY MAYOR P. MORTON THAT PID # 45059631 BE SOLD AS PER TERMS DISCUSSED IN-CAMERA. MOTION CARRIED

b) Planning / Heritage Advisory Committee – September 14, 2021

i. Highway 14 Vaughan (PID #45288750) WHLUB amendments - First Reading

Planner Poirier reviewed the report.

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COUNCIL GIVE FIRST READING AND HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE ZONING MAP OF THE WEST HANTS LAND USE BY-LAW TO ENABLE THE LOT LOCATED AT PID 45288750 IN VAUGHAN TO BE REZONED FROM THE GENERAL RESOURCE (GR) ZONE TO RURAL COMMERCIAL (RC) ZONE; TO AMEND THE TEXT OF THE WEST HANTS LAND USE BY-LAW TO ADD “ARTS AND CRAFTS STUDIOS” TO THE LIST OF PERMITTED USES IN THE RURAL COMMERCIAL (RC) ZONE, AND TO ALLOW MORE THAN ONE MAIN BUILDING ON A LOT IN THR RURAL COMMERCIAL ZONE (RC), ALL AS SHOWN ON THE MAP ATTACHED AS FIGURE 3 AND IN ATTACHMENT TO THE REPORT #21-12 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED SEPTEMBER 9, 2021. MOTION CARRIED

ii. Farm Markets in Fair Ground Zone – First Reading

Dir. LeMay reviewed the report.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL GIVES FIRST READING AND HOLDS A PUBLIC HEARING TO CONSIDER AMENDING THE WINDSOR LAND USE BY-LAW TO CHANGE THE DEFINITION OF FARM MARKETS TO INCLUDE OUTDOOR SPACES AND TO ADD FARM MARKETS TO THE LIST OF PERMITTED USES IN THE FAIRGROUND (FG) ZONE IN A MANNER SUBSTANTIVELY THE SAME AS APPENDIX E OF THE STAFF REPORT TO PAC/HAC DATED SEPTEMBER 9, 2021. MOTION CARRIED

iii. Civic Addressing By-Law amendment – First Reading

Dir. LeMay reviewed this report.

MOVED BY COUNCILLORS IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVE FIRST READING AND WILL PROCEED TO A PUBLIC HEARING TO AMEND THE CIVIC ADDRESSING BY-LAW RC-001, BY ADDING A NEW CLAUSE TO ALLOW COUNCIL TO CHANGE A ROAD NAME WITHOUT SUPPORT OF THOSE OWNING LOTS ON THE STREET, IN A MANNER

SUBSTANTIVELY THE SAME AS THAT INCLUDED AS ATTACHMENT A TO THE REPORT ENTITLED CIVIC ADDRESSING BY-LAW AMENDMENT DATED SEPTEMBER 9, 2021. MOTION CARRIED.

Councillor Smith declared conflict of interest (family owns property) and left chambers at 7:47 p.m.

- iv. 744 Hwy. 236, Dimmock House – Heritage permit application**
Dir. LeMay reviewed the report

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL DETERMINE THAT THE PROPOSED ADDITION OF A GARAGE TO THE DESIGNATED LOT AT 744 HIGHWAY 236, SCOTCH VILLAGE, DOES NOT AFFECT THE CHARACTER-DEFINING ELEMENTS LISTED IN THE STATEMENT OF SIGNIFICANCE FOR THE PROPERTY, AND THAT AS A RESULT, COUNCIL DIRECT THAT A HERITAGE PERMIT BE ISSUED FOR THE CONSTRUCTION OF THE GARAGE. MOTION CARRIED

Councillor Smith returned to chambers at 7:47 p.m.

- v. Processes for Planning – Information Report**
Dir. LeMay reviewed the information report.

12. Councillor Municipal Activity Reports – Verbal Committee Updates

- The NSFM ZOOM meeting was held recently and pertained to the resolutions. The focus was on affordable housing, code of conduct, CAP, and the upcoming Mayor/Warden call on October 6, 2021.

13. Correspondence

- a) Information**
- i) Avon River Causeway/Hwy 101 Twinning Project Correspondence Log**
 - ii) Current Avon Causeway correspondence received as of Aug. 13, 2021**
 - iii) Royal Canadian Legion Br. 9 (2120-09-16) Expression of Thanks**
- b) Requests – None**
- c) Out-going (as it relates to motions of Council to other Provincial agencies/depts)**

14. New Business

- a) Capped Assessment Program (CAP) -Decision Request**

Councillor Ivey reviewed the report.

MOVED BY COUNCILLORS IVEY AND HARTT THAT COUNCIL DIRECT STAFF TO PROVIDE COUNCIL VIA EMAIL BY OCTOBER 12TH WITH PREVIOUS REPORTS UNDERTAKEN ON CAPPED ASSESSMENTS FOR THE FORMER MUNICIPALITY OF THE DISTRICT OF WEST HANTS AND THE FORMER TOWN

OF WINDSOR THAT IDENTIFY THE DETAIL OF THE POTENTIAL FINANCIAL OR OTHER IMPACTS ON RESIDENTS SHOULD THE CAPPED ASSESSMENTS ACT IN NOVA SCOTIA BE CHANGED OR REMOVED.

AND FURTHER;

STAFF BE DIRECTED TO PRODUCE A NEW AGGREGATED REPORT(S) FOR COUNCILS REVIEW AT THE OCTOBER 12TH COMMITTEE OF THE WHOLE FOR; COUNCIL'S DETERMINATION ON THE COSTS OR BENEFITS OF THE CAPPED ASSESSMENT PROGRAM IN WEST HANTS FOR IT'S RESIDENTS AND; FOR COUNCIL'S DETERMINATION OF IT'S FUTURE INTENTIONS WITH REGARD TO POSSIBLE CHANGES IN THE CAPPED ASSESSMENT PROGRAM.
MOTION WITHDRAWN

Discussion Points:

- Who decides what is fair
- Should/could it be phased
- Staff will reach out to Property Valuation Services Corp (PVSC) on their timelines for information
- Council noted the date should be a different date and made note that it should state a later date.
- Director Rochon spoke about when the new assessment roll would come out in Dec. 2021 and the number of properties capped. PVSC can provide this data.

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COUNCIL DIRECT STAFF TO PRODUCE A NEW AGGREGATED REPORT(S) FOR COUNCIL'S REVIEW AT THE JANUARY COMMITTEE OF THE WHOLE FOR; COUNCIL'S DETERMINATION ON THE COSTS OR BENEFITS OF THE CAPPED ASSESSMENT PROGRAM IN WEST HANTS FOR IT'S RESIDENTS AND; FOR COUNCIL'S DETERMINATION OF ITS FUTURE INTENTIONS WITH REGARD TO POSSIBLE CHANGES IN THE CAPPED ASSESSMENT PROGRAM.

Discussion Points:

- The question was raised if it would be better to wait and have the report coincide with the presentation for PVSC in January. Dir. Rochon spoke to the ability to have questions answered directly by PVSC and that it could be beneficial.

MOVED BY COUNCILLORS MURLEY AND FRANCIS TO AMEND THE PREVIOUS MOTION TO HAVE THE REPORT COINCIDE WITH THE PRESENTATION FROM PVSC IN JANUARY. MOTION CARRIED Nays: Mayor Zebian

Full motion as amended:

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COUNCIL DIRECT STAFF TO PRODUCE A NEW AGGREGATED REPORT(S) FOR COUNCIL'S REVIEW THAT WILL COINCIDE WITH PVSC'S PRESENTATION IN JANUARY FOR COUNCIL'S DETERMINATION ON THE COSTS OR BENEFITS OF THE CAPPED AESSMENT PROGRAM IN WEST HANTS FOR IT'S RESIDENTS

AND; FOR COUNCIL'S DETERMINATION OF IT'S FUTURE INTENTIONS WITH REGARD TO POSSIBLE CHANGES IN THE CAPPED ASSESSMENT PROGRAM. MOTION CARRIED Nays: Councillor S. McLean

b) Flood Impact Photo – Decision Request

Councillor Ivey reviewed the report

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL DIRECT STAFF TO CREATE A FILE FOR DOCUMENTING FLOOD RELATED INCIDENTS IN AND AROUND WEST HANTS THAT WOULD INCLUDE DIGITAL PHOTOS AND VIDEO MEDIA FOR FUTURE REFERNECE AND DECISION-MAKING PURPOSES. MOTION CARRIED

Deputy Mayor P. Morton was not in the room for the discussion 14 (b), therefore he did not participate in this vote.

Councillor S. McLean declared conflict of interest with Agenda item 14 (c). He left Council Chamber at 8:17 p.m.

c) Lake-like Appearance – Decision Request

Councillor Ivey revied the report

MOVED BY COUNCILLORS IVEY AND HARTT THAT COUNCIL DIRECTS CAO TO INQUIRE WITH THE DEPARTMENT OF AGRICULTURE AND IT'S STAFF WHO MANAGE THE GATE OPERATIONS AT THE WINDSOR CAUSEWAY ON THE AVON RIVER, TO DETERMINE THE VOLUME OF ADDITIONAL TIDAL WATER THAT CAN BE SAFELY ADDED TO THE FORMER LAKE BED FOR THE PURPOSES OF CREATING THE APPEARANCE OF A TIDAL LAKE-LIKE CONDITION AS WELL AS SERVING TO BRING AN END TO THE CONTINUAL DUST STORMS WHICH CONTINUE TO WREAK HAVOCK UPON THE LIVES OF THE CITIZENS AND LIVELIHOOD OF THE BUSINESSES IN WINDSOR AND FALMOUTH IN WEST HANTS,

FURTHER,

COUNCIL DIRECT THE CAO TO WRITE MLA MINISTER OF PUBLIC WORKS WITH THE PROVINCE OF NOVA SCOTIA, TO FACILITATE THE REMOVAL OF THE OLD AUTOMOBILE BRIDGE FOOTINGS AND OTHER BRIDGE REMNANTS THAT HAVE REMAINED WITH HAZARD AND RISK TO LOCAL RESIDENTS USING THE LAKE SINCE THE NEW BRIDGE INSTALLATION IN 1983.

Discussion Points:

- Concerns were raised about adding additional water and its effects as it may not be fresh water.
- Would like to amend the motion to state "without affecting freshwater users further up the river and this would be "

MOVED BY COUNCILLORS MURLEY AND IVEY TO AMEND THE MOTION TO ADD “WITHOUT AFFECTING FRESH WATER USERS FURTHER UP THE RIVER AND THIS WOULD BE” MOTION CARRIED. Nays: Mayor Zebian and Deputy Mayor P. Morton

Full motion as amended:

MOVED BY COUNCILLORS IVEY AND HARTT THAT COUNCIL DIRECT THE CAO IN INQUIRE WITH THE DEPARTMENT OF AGRICULTURE AND ITS STAFF WHO MANAGE THE GATE OPERATIONS AT THE WINDSOR CAUSEWAY ON THE AVON RIVER, TO DETERMINE THE VOLUME OF ADDITIONAL TIDAL WATER THAT CAN BE SAFELY ADDED TO THE FORMER LAKE BED WITHOUT AFFECTING FRESH WATER USERS FURTHER UP THE RIVER AND THIS WOULD BE FOR THE PURPOSE OF CREATING THE APPEARANCE OF A TIDAL LAKE-LIKE CONDITION AS WELL AS SERVING TO BRING AN END TO THE CONTINUAL DUST STORMS WHICH CONTINUE TO WREAK HAVOC UPON THE LIVES OF CITIZENS AND LIVELIHOOD OF THE BUSINESSES IN WINDSOR AND FALMOUTH IN WEST HANTS. MOTION CARRIED Nays: Councillor Francis and Deputy Mayor P. Morton.

CAO noted a copy of the letter will be sent to a blanket of jurisdictions to ensure all parties that should receive the letter, do.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL DIRECT CAO TO WRITE KIM MASLAND, MLA, MINISTER OF PUBLIC WORKS WITH THE PROVINCE OF NOVA SCOTIA, TO FACILITATE THE REMOVAL OF THE OLD AUTOMOBILE BRIDGE FOOTINGS AND THER BRIDGE REMNANTS THAT HAVE REMAINED WITH HAZARD AND RISK TO LOCAL RESIDENTS USING THE LAKE SINCE THE NEW BRIDGE INSTALLATION IN 1983. MOTION CARRIED

Councillor S. McLean returned to the meeting at 8:33 p.m.

d) Truth and Reconciliation Report

Councillor Ivey reviewed the report

Discussion Points:

- Council spoke to what can be done to give greater purpose and reflection to the meaning of the day (September 30th)
- Having a greater understanding to such items related to the Peace and Friendship Treaties and the 94 Calls to Action.
- WHRM is exploring opportunities for training and competency with some informative sessions with the Nova Scotia Human Rights for both Councillors and staff.

e) 65 Fort Edward Street (Former Windsor Pool)

CAO Phillips reviewed the report

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL DIRECT THE CHIEF ADMINISTRATIVE OFFICER TO SUBMIT AN APPLICATION TO THE PLANNING AND DEVELOPMENT DEPARTMENT FOR THE REDESIGNATION AND CONCURRENT REZONING OF THE PROPERTY FORMERLY KNOWN AS THE WINDSOR OUTDOOR POOL SITE, 65 FORT EDWARD STREET, WIDSOR NS (PID #45059797), FROM THE CURRENT DESIGNATION OF COMMUNITY USE TO RESIDENTIAL AND THE CUREENT ZONING OF OPEN SPACE (OS) TO TWO-UNIT RESIDENTIAL (R2), MOTION CARRIED

- f) Hants Agricultural Beef Show
CAO Phillips reviewed the report

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT STAFF TO FORWARD THE GRANT AMOUNT OF \$1500.00 TO SUPPORT THE 2021 CLASSIC HERITAGE BEEF SHOW TO THE WINDSOR AGRICULTURAL SOCIETY. MOTION CARRIED

15. In-Camera – None

Councillor Hartt inquired on updates regarding the working group/committee for the Municipal complexes and when they would meet. CAO Phillips advised a meeting may occur within the coming weeks.

16. Next Meeting Date / Adjournment – October 12, 2021 Committee of the Whole.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR S MCLEAN THAT AT 8:52 P.M., THE MEETING ADJOURN. MOTION CARRIED.

Mayor Abraham Zebian (Chair)

Deanna Snair, Exec. Asst/Municipal Clerk