

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda - AMENDED
March 22, 2022 - 6:00 p.m.
Virtual via Zoom
(also FB Livestream)

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



West Hants
something inspiring awaits

1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard Action Items – Dangerous/Unsightly
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2022-02-22 Council Meeting Minutes
7. Public Hearings
 - i. ~~Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797~~
ADJOURNED UNTL JUNE 28, 2022
8. Second Readings
 - i. ~~Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797~~
ADJOURNED UNTIL JUNE 28, 2022
9. Unfinished Business/Postponed Motions
10. Mayor's Report
11. Committee(s) of Council Excerpts/Recommendations
 - a) Committee of the Whole Excerpts (March 8, 2022)
 - i. Audit Committee Member Appointment
 - ii. Equipment Purchase for New Pumper Tanker Brooklyn Fire Dept
 - iii. Mobile Canteens Vending By-law
 - iv. Quint Fire Apparatus Purchase Hantsport Fire Dept
 - b) Planning and Heritage Recommendations (March 10, 2022)
 - i. Mobile Canteen Vending By-Law Amendment
 - ii. Wentworth Road Gateway District: WMPS and WLUB Text Amendment

12. Councillor Municipal Business/Activity Reports
13. Correspondence
 - a) Information
 1. Avon Causeway Activity Log
 - i. Current Avon River Correspondence up to March 17, 2022
 2. Current Correspondence Received Log
 3. Fort Edward Activity Log
 - i. Fort Edward Current Correspondence as of March 17, 2022
 4. Storm Wastewater Activity Log
 - i. Storm Wastewater Correspondence as of March 17, 2022
 - ii. Verbal discussion on sporadic odours specifically in the Albert, Cedar and Gray Street areas.
 - b) Requests – None
 - c) Outgoing
 1. Current Correspondence Sent as of March 17, 2022
 - i. 2022-03-10 Valley REN re: partnership and formal withdrawal notice
14. New Business
 - a) MFC Spring 2022 Debenture – Recommendation Report – Dir. Rochon
 - ~~b) Avon River – Mayor Zebian~~
 - c) Budget Workshop Information -Recommendation Report - Councillor Ivey
 - d) Tax Sale Notifications – Recommendation Report - Councillor Ivey
 - e) West Hants Avon River Region – Tourism/Economic Development – Report Summary - Councillor Ivey
15. In-Camera
16. Next Meeting Date / Adjournment

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda
March 22, 2022 - 6:00 p.m.
Virtual via Zoom (also FB Livestream)



1. Call to Order – Mayor Zebian called the meeting to order at 6:00 pm.
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
Shelleena Thornton, Mun. Operations Super.
Deanna Snair, Exec. Asst/ Mun. Clerk

Carlee Rochon, Dir. Financial Services
Todd Richard, Dir. Public Works
Madelyn LeMay, Dir. Planning and
Development

Two residents via ZOOM and 7 residents were in the Gallery

3. Announcements
 - Acknowledgement by Mayor Zebian that we are 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. West Hants Regional Municipality also recognizes that we are all treaty people and have responsibilities to each other and this land.
 - Local resident, Mary McGuigan is gathering personal care items to put together welcome bags in anticipation of Ukrainian refugees arriving in Nova Scotia. A box will be set up at the Sports Complex beginning this Sunday for anyone wishing to donate.
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard Action Items – Dangerous/Unsightly

Additions to the agenda:

- Informational update from the Dir. Public Works re: the sporadic odour in various areas, specifically Albert, Cedar and Gray Street. This will be discussed during correspondence.

Deletions to the Dashboard:

Remove item 14(b) Avon River. Item will return to Committee of the Whole.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT THE AGENDA BE APPROVED AS AMENDED. MOTION CARRIED.

5. Declaration(s) of Conflict of Interest- None
6. Approval of Previous Meeting Minutes
 - a) 2022-02-22 Council Meeting Minutes

MOVED BY COUNCILLOR MURLEY AND DEPUTY MAYOR P. MORTON THAT THE 2022-02-22 COUNCIL MEETING MINUTES BE APPROVED. MOTION CARRIED

MOVED BY DEPUTY MAYOR P. MORTON AND CONCILLOR FRANCIS TO MOVE INTO PUBLIC HEARINGS.

7. Public Hearings - Redesignation and Concurrent Rezoning of 65 Fort Edward Street, Windsor, PID 45059797
The meeting moved into Public Hearing at 6:05 p.m. Further information on the Public Hearing is available in the 2022-03-22 Public Hearing Minutes – Redesignation and Concurrent Rezoning of 65 Fort Edward Street, Windsor, PID 45059797.
8. Second Readings – Postponed until the June 28, 2022 Council Meeting.

The Public Hearing was declared adjourned until a decision of Council and the regular Council meeting reconvened at 6:32 p.m.

Discussion Points:

- The Planning committee gave direction to defer/delay the matter pending more information be gathered.
- Council has been gathering information to make an informed decision.
- We have not received confirmation from the Province if a Phase 2 assessment is required, what it entails or the costs associated with it, but it is anticipated that direction will be given on proceeding forward.
- Preliminary discussions with vendors suggest earlier indicator costs could range from \$10,000 - \$20,000. Part 1 would include a site excavation under the guidance of an archaeologist. A potential second part would include an archaeologist on site if a development of any nature proceeds.
- A Phase 2 assessment is the direction given by this Council for due diligence and awareness.
- The Procurement process would need to be followed for proceeding with a Phase 2 assessment and who would perform this.

MOVED BY COUNCILLORS IVEY AND FRANCIS THAT COUNCIL ADJOURNS THE PUBLIC HEARING UNTIL 6:00 PM ON JUNE 28 AND POSTPONES THE

SECOND READING UNTIL JUNE 28TH, 2022 IN ORDER TO COMPLETE AND CONSIDER THE RESULTS OF THE PHASE 2 ARCHAEOLOGICAL RESOURCE IMPACT ASSESSMENT FOR 65 FORT EDWARD STREET, WINDSOR (PID 45059797). MOTION CARRIED. Nays Councillor S. Mclean

All members of the Gallery except for one person left the meeting at 6:39 p.m. Two members of the public remained present virtually (ZOOM) during the meeting.

9. Unfinished Business/Postponed Motions - None

10. Mayor's Report – Mayor Zebian gave a verbal report

Discussion Points:

- Met with the 106 Air Cadet Squadron to inform and educate on the practices and roles of Council and Councillors.
- Winter carnival was well attended and deemed a great success.
- Working closely with Glooscap on a final project for a memorial.
- Numerous discussions continue with residents, developers and interested parties within our region
- Congratulations extended to Minor Hockey on the successful year.
- Canada Community Building Fund (CCBF) announced increase flexibility for eligibility requirements and is retroactive to April 1, 2021.
- Avon view boys' hockey team will host Provincials at the Sports Complex while the Avon view Girls team are participating in Provincials at the Newport GFL rink. Schedules will be posted on the municipal site.

11. Committee(s) of Council Excerpts/Recommendations

- a) Committee of the Whole Excerpts (March 8, 2022)
- i. Audit Committee Member Appointment

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT COUNCIL APPROVES THE APPOINTMENT OF KATHRYN DUFFY TO THE AUDIT COMMITTEE FOR THE PERIOD OF APRIL 1, 2022 TO DECEMBER 31, 2022. MOTION CARRIED

- ii. Equipment Purchase for New Pumper Tanker Brooklyn Fire Dept.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL APPROVE \$74,794.18 PLUS HST FOR EQUIPMENT AS IDENTIFIED IN THE ATTACHED LIST TO OUTFIT BROOKLYN FIRE DEPARTMENT'S 2000 IMPERIAL GALLON PUMPER-TANKER FIRE APPARATUS. MOTION CARRIED

- iii. Mobile Canteens Vending By-Law

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL GIVES FIRST READING AND HOLDS A PUBLIC HEARING TO CONSIDER AMENDING CLAUSE 4.1 (F) TO STATE THE FOLLOWING: "NO LICENCE SHALL BE ISSUED IF THE APPLICATION IS FOR A LOCATION WHERE THE RELEVANT LAND USE BY-LAW DOES NOT PERMIT RESTAURANTS, WITH THE EXCEPTION OF COMMUNITY CENTRE AND CHURCH PROPERTIES." MOTION CARRIED

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE TEXT OF THE DEFINITION OF COMMUNITY CENTRE IN THE WEST HANTS LAND USE BY-LAW TO READ AS FOLLOWS: "COMMUNITY CENTRE MEANS ANY TRACT OF LAND AND THE BUILDINGS THEREON, THE CONTROL OF WHICH IS VESTED IN THE MUNICIPALITY OR LOCAL BOARD OR AGENT WHICH IS USED FOR COMMUNITY ACTIVITIES AND NOT USED FOR COMMERCIAL PURPOSES WITH THE EXCEPTION OF MOBILE CANTEENS". MOTION CARRIED

iv. Quint Fire Apparatus Purchase Hantsport Fire Department

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL APPROVES THE PURCHASE OF THE QUINT FIRE APPARATUS FOR THE WEST HANTS REGIONAL FIRE SERVICE STATION 6, HANTSPORT FIRE DEPARTMENT, BE FROM ROCKY MOUNTAIN PHOENIX AT A COST OF \$1,646,131 BEFORE APPLICABLE TAXES, AS QUOTED AND OBTAINED THROUGH THE CANOE PROCUREMENT PROCESS WHICH IS RECOGNIZED IN NOVA SCOTIA AS MEETING THE PROCUREMENT REQUIREMENTS FOR THIS PURCHASE. MOTION CARRIED

b) Planning and Heritage Recommendations (March 10, 2022)

i. Mobile Canteens Vending By-Law Amendment

Planner Dunphy reviewed the report. There were no questions.

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE TEXT OF CLAUSE 4.1 (F) OF THE MOBILE CANTEEN VENDING BY-LAW TO READ AS FOLLOWS: "NO LICENCE SHALL BE ISSUED IF THE APPLICATION IS FOR A LOCATION WHERE THE RELEVANT LAND USE BY-LAW DOES NOT PERMIT RESTAURANTS, WITH THE EXCEPTION OF COMMUNITY CENTRE AND CHURCH PROPERTIES." MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE TEXT OF THE DEFINITION OF COMMUNITY CENTRE IN THE WEST HANTS LAND USE BY-LAW TO READ AS FOLLOWS: "COMMUNITY CENTRE MEANS ANY TRACT OF LAND AND THE BUILDINGS THEREON, THE CONTROL OF WHICH IS VESTED IN THE MUNICIPALITY OR LOCAL BOARD OR AGENT WHICH IS USED FOR COMMUNITY ACTIVITIES AND NOT USED FOR COMMERCIAL PURPOSES WITH THE EXCEPTION OF MOBILE CANTEENS". MOTION CARRIED

- ii. Wentworth Road Gateway District: WMPS and WLUB Text Amendment
Planner Poirier reviewed the report.

Discussion Points:

- Concerns surrounding building heights and impacts on the helipad would be reviewed through the development agreement process.

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE TEXT OF THE WINDSOR MUNICIPAL PLANNING STRATEGY AND THE WINDSOR LAND USE BY-LAW TO ALLOW COUNCIL TO CONSIDER GROUPED DWELLINGS WITH THREE OR MORE DWELLING UNITS WHICH MAY INCLUDE TOWNHOUSE DWELLINGS, TRIPLEX DWELLINGS AND MIXED USE APARTMENT DWELLINGS, BY DEVELOPMENT AGREEMENT IN THE WENTWORTH ROAD GATEWAY DISTRICT IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHEMENTS A AND B OF THE PLANNING AND HERITAGE ADVISORY COMMITTEE REPORT #2 2-01 DATED MARCH 10, 2022. MOTION CARRIED

12. Councillor Municipal Business/Activity Reports - None
13. Correspondence
- a) Information
1. Avon Causeway Activity Log
 - i. Current Correspondence as of March 17, 2022
 2. Current Correspondence Received
 - i. 2022-02-06 Kim MacQuarrie re: 2021-22 Tax year
 3. Fort Edward Activity Log
 - i. Fort Edward Current Correspondence as of March 17, 2022
 4. Storm Wastewater Activity Log
 - i. Storm Wastewater Correspondence as of March 17, 2022

Discussion Points:

- Public works have been investigating. Samples have been taken and on-going communication with consultants continue to better understand the cause and narrow down potential areas of concern.
- Presently at the data collection stage. Once data is completed, consultants will be engaged to formulate a solution. Anticipate this will take approximately a couple of weeks.
- All data (when, amount and frequency of an overflow) is collected through the Supervisory control and data acquisition (Scada) system in place.
- Notification is sent to the regulatory officials and Nova Scotia Department of Environment. The Regulatory board is the Department of Environment and WSER
- In 2016 the reporting structure changed. There was an error and the record for the Combined Sewer Overflow was eliminated. WSER are fully aware there is a CSO. All data is being submitted and will be logged into the data base within the next few weeks.
- There are many CSO's across Canada. Maintaining an existing CSO as long as there is no increase due to development or expansion of our systems is not wrong. No new CSO'S are permitted. A CSO is not considered a toxic substance and is not an illegal connection.
- This is an approved system in both design and operation. It is in compliance with the Department of Environment.

b) Requests – None

c) Outgoing

- i. 2022-03-10 Valley REN re: Partnership and Formal withdrawal notice

14. New Business

a) MFC Spring 2022 Debenture

Dir. Rochon Reviewed the report. There were no questions.

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION 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 15-YEAR DEBENTURE OF \$231,323, FOR PURCHASE OF A FIRE RESCUE TRUCK FOR SOUTHWEST HANTS FIRE DEPARTMENT. MOTION CARRIED

b) Budget Workshop Information

Councillor Ivey reviewed the report.

Discussion Points:

- The workshops reflect this year's current budget.
- This was a workshop/educational session intended for Councillors. Workshops are not published.

MOVED BY COUNCILLORS IVEY AND M. MCLEAN THAT COUNCIL DIRECT THAT STAFF TO INCLUDE THE INFORMATION PACKAGES USED AS PART OF THE COUNCIL LUNCH 'N LEARN BUDGET WORKSHOPS PENDING BUDGET PACKAGES, OR EVEN EARLIER IF APPROPRIATE, PRIOR TO THE BUDGET SESSIONS IN THE COMING MONTHS. MOTION DEFEATED Nays: Councillors Jannasch, Francis, B. Morton, Sherman, Murley, Deputy Mayor P. Morton and Mayor Zebian

c) Tax Sale Notifications

Councillor Ivey reviewed the report

Discussion Points:

- The tax sale is legislated to give a 30-day grace period to the property owner through the MGA. The first day counted was the day the add was printed. The print date is rarely the day of the ad. This shortens the 30-day window afforded by the MGA The date of the sale is also counted as a day, which is also not a full day.
- Legal advice was sought by the solicitor. The solicitor is also present at the tax sale. A verbal conversation occurred prior to the sale. Awaiting a return call from the solicitor to obtain written confirmation of the conversation.
- Tax sales are a lengthy process, typically a three-year process. An individual can receive up to 12 notices from the Municipality.
- 544 preliminary notices were sent out. Title searches were completed on 87 Properties, these properties received 60-day notices. 75 properties were posted on. In the February published ad, only 29 properties were listed, of those only 13 properties were taken to the floor to be sold.
- Properties may be redeemable up to 6 months after the sale. This is dependent on the number of years the taxes are in arrears.

MOVED BY COUNCILLORS IVEY AND HARTT THAT COUNCIL DIRECT THAT STAFF REQUEST OUR LEGAL COUNSEL REVIEW THE TAX SALE CONDITION (MGA 142 (2B), WHICH REQUIRES THAT "THE FIRST ADVERTISEMENT APPEARING AT LEAST THIRTY DAYS PRIOR TO THE SALE OR WHEN TENDERS CLOSE" TO DETERMINE THE APPROPRIATENESS OF USING THE PRINT DATE AS THE FIRST DATE THE AD APPEARS. ADDITIONALLY, TO REQUEST THAT LEGAL REVIEW THE INCLUSION OF THE PARTIAL DATE OF THE ACTUAL TAX SALE AS A DAY IN THE 30-DAY PERIOD. MOTION CARRIED Nays: Mayor Zebian, Deputy P. Morton and Councillors Jannasch and Francis

Consensus of Council was to request through the CAO a presentation on the tax sale process through the Finance Department.

- d) West Hants Avon River Region Tourism/Economic Development
Councillor Ivey discussed the agenda item

Discussion Points:

- This item will return on the Committee of the Whole agenda.
- Intent is to circulate reports that were provided as part of the branding discussion previously by West Hants prior to consolidation.
- Discuss potential to market and promote the Avon region. The reports speak to the benefits and value that could exist.
- The purpose of the report will be to gauge Councils interest from a business economic development standpoint. Valley REN may be interested in exploring any opportunities pending Council approval.

15. In-Camera - None

16. Next Meeting Date / Adjournment – Next regular meeting will be 6 p.m. on April 12th for Committee of the Whole.

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MORTON
THAT AT 8:04 P.M, THE MEETING ADJOURN. MOTION CARRIED**

Mayor Abraham Zebian (Chair)

Deanna Snair, Exec. Asst/Municipal
Clerk