

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda **AMENDED**
November 22, 2022 - 5:00 p.m.
Virtual via Zoom (also FB Livestream)



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 and Unsightly Premises
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2022-10-25 Council Meeting Minutes
 - b) 2022-10-25 Public Hearing Meeting Minutes, 65 Fort Edward Street, PID 45059797
 - c) 2022-10-25 Public Hearing Meeting Minutes, Property Assessed Clean Energy (PACE) By-Law RP-001
7. Presentations
8. Public Hearings
 - i. Hantsport, West Hants and Windsor MPS and LUB Amendments: Secondary Suites in Accessory Buildings (three reports, one presentation, three motions) – Planner Poirier
 - ii. WHLUB Amendments: Wentworth Road PID 45190386 and Cole Drive PID 45366457 (one report, one motion) – Planner Poirier
 - iii. 697 Greenhill Road, Greenhill, PID 45026010, WHLUB Map Amendment (one report, one motion) - Planner Dunphy
 - iv. 4245 Hwy 14, PID 45038361, WHLUB Amendment (one report, one motion) - Planner Dunphy
 - v. 4701 Hwy 1, Three Mile Plains, Development Agreement (one report, two motions) – Planner Poirier
 - vi. Hantsport, West Hants, Windsor MPS and LUB Amendments: Small Options Housing (three reports, three motions) - Director LeMay
 - vii. Outdoor Fires By-Law RO-001 (one report, one motion) – Supervisor Thornton
9. Second Readings

- i. Hantsport, West Hants and Windsor MPS and LUB Amendments: Secondary Suites in Accessory Buildings (three reports, one presentation, three motions) – Planner Poirier
- ii. WHLUB Amendments: Wentworth Road PID 45190386 and Cole Drive PID 45366457 (one report, one motion) – Planner Poirier
- iii. 697 Greenhill Road, Greenhill, PID 45026010, WHLUB Map Amendment (one report, one motion) - Planner Dunphy
- iv. 4245 Hwy 14, PID 45038361, WHLUB Amendment (one report, one motion) - Planner Dunphy
- v. 4701 Hwy 1, Three Mile Plains, Development Agreement (one report, two motions) – Planner Poirier
- vi. Hantsport, West Hants, Windsor MPS and LUB Amendments: Small Options Housing (three reports, three motions) - Director LeMay
- viii. Outdoor Fires By-Law RO-001 (one report, one motion) – Supervisor Thornton

- 10. Unfinished Business/Postponed Motions
 - a) Debt Reconciliation Information Report -Director Gibson

~~11. Mayor's Report~~

- 12. Committee(s) of Council Excerpts/Recommendations
 - a) Committee of the Whole Excerpts (November 8, 2022)
 - i. December Meeting Dates
 - ii. Falmouth Family Dog Park
 - iii. REMO Mutual Aid Agreement
 - iv. Security Camera
 - v. Streetlights in the Crossing
 - vi. Thermal Imaging Camera Capital Purchase
 - vii. Updating the 2022-23 Tax Resolution
 - b) Planning and Heritage Recommendations (November 10th, 2022) (First Readings)
 - i. Cole Drive, PID 45366432 West Hants and Windsor MPS and LUB Amendments (two reports, two motions) - Planner Dunphy
 - ii. 394 Greenhill Road, Greenhill, PID 45118502 Development Agreement (one report, two motions) - Planner Dunphy
 - iii. Hantsport Coastal Protection and Flood Planning Policy (one report, one motion) – Planner Dunphy
 - iv. West Hants Coastal Protection and Flood Planning Policy (one report, one motion) – Planner Dunphy
 - v. Windsor Coastal Protection and Flood Planning Policy (one report, one motion) – Planner Dunphy

13. Councillor Municipal Business/Activity Reports
 - a) Councillor Ivey, District 11 Activity Report

14. Correspondence
 - a) Information
 1. Avon Causeway Activity Log as of November 17, 2022- No new correspondence

 2. Correspondence Received Activity Log as of November 17, 2022
 - i. 2022-11-06 Andrea Parker Re Road repair work needed
 - ii. 2022-11-07 WAEFA Recipient Confirmation - 2022 (Awards sponsored by the West Hants Regional Municipality)
 - iii. 2022-11-10 CAO Letter - Comfort Centre Designation - Garden of Eden Community Centre
 - iv. 2022-11-10 David Old, President Hantsport Seniors and Elders Club re Community Generator Program
 - v. 2022-11-12 Juanita Wilcox re Expression of Thanks
 - vi. 2022-11-14 Emily McNeil re Renewal of the Operating Approval for the Avon Hydro System
 - vii. 2022-11-16 Paul Beazley re Boundary Review Questions

 3. Fort Edward Activity Log as of November 17, 2022

 4. Storm Wastewater Activity Log as of November 17, 2022 - No new correspondence
 - b) Requests – None
 - c) Outgoing Correspondence Log as of November 17, 2022

15. New Business

16. In-Camera

17. Next Meeting Date / Adjournment

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Minutes
November 22, 2022 - 5:00 p.m.
Sanford Council Chambers, 76 Morison Dr, Windsor, NS
And virtually via Zoom (also Facebook Livestreamed)



1. Call to Order - Deputy Mayor P. Morton called the meeting to order at 5:00 p.m.

2. Attendance

Council:

Rupert Jannasch, Councillor, District 1
Scott McLean, Councillor, District 2
Mark McLean, Councillor, District 3 (ZOOM)
Jeff Hartt, Councillor, District 4
Debbie Francis, Councillor, District 5

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

Regrets:

Abraham Zebian, Mayor
Ed Sherman, Councillor, District 7

Staff & Guests:

Mark Phillips, Chief Administrative Officer
Shelleena Thornton, Mun. Admin Supervisor
Diana Gibson, Acting Dir. Financial Services
Todd Richard, Dir. Public Works
Sara Poirier, Sr. Planner
Four (4) residents in the Gallery

Kathy Kehoe, Dir. Community Development
Madelyn LeMay, Dir. Planning & Development
Alex Dunphy, Planner
Deanna Snair, Municipal Clerk
Crystal Fuller, Planner for Brighter Community Planning & Consulting

3. Announcements (5:00 p.m.)

- Deputy Mayor P. Morton advised that voting would occur by a show of hands.

4. Approval of the Agenda, including additions or deletions (5:01 p.m.)

MOVED BY COUNCILLORS JANNASCH AND FRANCIS THAT THE 2022-11-22 COUNCIL AGENDA BE APPROVED. MOTION CARRIED

5. Declaration of Conflict of Interest
There were no declarations made.

6. Approval of Previous Meeting Minutes (5:02 p.m.)

- 2022-10-25 Council Meeting Minutes
- 2022-10-25 Public Hearing Minutes – 65 Fort Edward Street, PID 45059797

- 2022-10-25 Public Hearing Meeting Minutes – Property Assessed Clean Energy (PACE) By-Law RP-001

MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT THE FOLLOWING MINUTES; 2022-10-25 COUNCIL MEETING MINUTES, 2022-10-25 PUBLIC HEARING MINUTES – 65 FORT EDWARD STREET, PID 45059797 AND 2022-10-25 PUBLIC HEARING MEETING MINUTES – PROPERTY ASSESSED CLEAN ENERGY (PACE) BY-LAW RP-001 BE APPROVED. MOTION CARRIED

7. Presentations – There were no presentations at this meeting.
8. Public Hearings (5:04 p.m.)
 - i. Hantsport, West Hants and Windsor MPS and LUB Amendments: Secondary Suites in Accessory Buildings.
 - ii. WHLUB Amendments: Wentworth Road PID 45190386 and Cole Drive PID 45366457
 - iii. 697 Greenhill Road, Greenhill, PID 45026010, WHLUB Map Amendment
 - iv. 4245 HWY 14, PID 45038361, WHLUB Amendment
 - v. 4701 Hwy 1, Three Mile Plains, Development Agreement
 - vi. Hantsport, West Hants, Windsor MPS and LUB Amendments: Small Options Housing

MOVED BY COUNCILLORS FRANCIS AND IVEY TO GO IN TO PUBLIC HEARING AT 5:04 P.M. MOTION CARRIED

The meeting moved into Public Hearing at 5:04 pm. Further information on the Public Hearing is available in the 2022-11-22 Public Hearing Minutes – Hantsport, West Hants and Windsor MPS and LUB Amendments: Secondary Suites in Accessory Buildings, WHLUB Amendments: Wentworth Road PID 45190386 and Cole Drive PID 45366457, 697 Greenhill Road, Greenhill, PID 45026010, WHLUB Map Amendment, 4245 Hwy 14, PID 45038361, WHLUB Amendment, 4701 Hwy 1, Three Mile Plains, Development Agreement, Hantsport, West Hants, Windsor MPS and LUB Amendments: Small Options Housing and Outdoor Fires By-Law RO-001.

At 5:41 p.m. two (2) members of the Gallery left.

At 5:43 p.m. Planner Fuller arrived in the Gallery.

MOVED BY COUNCILLORS IVEY AND B. MORTON TO MOVE OUT OF PUBLIC HEARING AT 6:03 P.M. MOTION CARRIED

Deputy Mayor P. Morton reminded Council that they must be present for all presentations on matters related to Public Hearings in order to vote. Mayor Zebian, Councillors Sherman and S. McLean were not present during the presentations resulting in them being unable to vote on the matters during Second Reading.

- vii. Outdoor Fires By-Law RO-001 (6:10 p.m.)

Supervisor Thornton reviewed the report highlighting the proposed Regional Outdoor Fires By-Law R0-001.

At the November 10, 2020, Committee of the Whole meeting direction was provided for staff to review the three (3) current fire related by-laws and establish a Regional By-Law. In consultation with municipal staff, RCMP, Fire Chiefs and By-Law enforcement a draft by-law was created and presented at the September 14, 2021, meeting. Direction provided at the September meeting was to postpone the recommendation and seek public input. The draft By-Law was published in the Municipal Newsletter in December 2021 and on the Municipal social media pages (Facebook and Twitter). One (1) phone call and four (4) emails were received in response to the publications.

In reviewing the public input some common themes were:

- Definition of urban doesn't include areas that have agricultural uses. The solution proposed was the definition of urban was redefined to exclude areas serviced with municipal water/sewer with existing agricultural or resource designation.
- Provide clear definitions of what can be burned and in what type of appliance. Also identify what the penalty(ies) are for non-compliance. The solution proposed definitions be provided. Defining 'what' can be burned is clearer and a much shorter list than what 'cannot' be burned. Enforcement and penalty information is provided within the proposed by-law.
- Chiminea and Fire-pit were used interchangeably. The solution proposed was that Chiminea is defined, and fire-pit removed from the by-law.
- The spelling of 'chiminea' was corrected.
- Did the proposed by-law follow Provincial laws? Municipal by-laws must comply at minimum with Provincial and Federal regulations and legislation.
- If someone cannot burn to reduce tick infestation within the region, would the Municipality provide a solution to rid of ticks. Tick infestation was not addressed in the proposed by-law as it is a separate issue.
- Concerned with noise from fans and odours/fumes from restaurants. These are not addressed in the proposed by-law as noise, odours and fumes related to a restaurant business is not associated with outdoor fires (although there is a request of council for staff to consider a Peace and Good Order By-law (that may address these).
- The By-Law aligns with the Province in that "permits" are not required.
- Is not based on 'community boundaries' as most are not familiar with where those are. This proposed regional by-law defines urban and rural and reflects distances to particular structures, dwellings, woods, etc. for consistency.
- Defines what can be burned (smaller list) versus what cannot (much-longer complex list)
- Complies with Provincial/Federal legislation. Links to legislation and the "Check Before You Burn" website are provided within the proposed by-law for quick and easy reference.
- Outdoor Furnaces –permitted while adhering to other legislation and manufacturer's installation instructions (which would be required for property

insurance as well) Smoke from outdoor furnaces used as a heat source for a home will not be enforced.

- Campfires –permittable as defined.
- This proposed by-law would repeal the following by-laws:
 - Former Town of Hantsport –By-law 1-93 Fire and Burning of Materials
 - Former Town of Windsor –By-law #39 Outdoor Fires By-law
 - Former Municipality of the District of West Hants –Fire Protection By-law dated September 14, 2004.
- Education would be a vital and key component when an Outdoor Fires By-Law was approved.
- It was noted that enforcement may be challenging
- wind velocity and smoke due to fluctuation
- neighbourhood disputes (often a civil matter rather than enforcement). Calling 911 was not permissible for this.
- For Non-Emergency Complainants contact Municipal By-law Enforcement at bylawenforcement@westhants.ca or at 902-798-8391 Ext. 7 **OR** the local RCMP Detachment’s non-emergency # at 902-798-2207.
- Responder (By-law Enforcement or the RCMP) -Contact the local Fire Department to put the fire out IF required.
- The Fire Department is **NOT** the initial point of contact unless the fire is or is getting out of control.
- 911 is only used in emergency cases when the fire is or getting out of control.
- Once the By-law is advertised in the local newspaper it will be in effect. The department of Justice would be contacted to ensure that the former fire related By-Laws for Hantsport, West Hants and Windsor were repealed and updating the Summary Offence ticket information.
- Industrial burn permits are separate from the By-Law, The Department of Lands and Forrest would deal with this. The Department of Lands and Forrest supersedes a Municipal By-Law.

All Public Hearings including the Outdoor Fires By-Law R0-001 concluded at 6:22 p.m.

9. Second Readings (related to Item # 8 Public Hearings) (6:24 p.m.)

- i. Hantsport, West Hants and Windsor MPS and LUB Amendments: Secondary Suites in Accessory Buildings

MOVED BY COUNCILLORS IVEY AND B. MORTON THAT COUNCIL GIVES SECOND READING TO AND APPROVES AMENDING THE HANTSPORT MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO PERMIT DETACHED SECONDARY SUITES ACCESSORY TO SINGLE AND TWO-UNIT DWELLINGS, IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT A OF THE STAFF REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE #22-12 DATED OCTOBER 13, 2022. MOTION CARRIED

MOVED BY COUNCILLORS IVEY AND FRANCIS THAT COUNCIL GIVES SECOND READING TO AND APPROVES AMENDING THE WEST HANTS MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO PERMIT DETACHED SECONDARY SUITES ACCESSORY TO SINGLE AND TWO-UNIT DWELLINGS, IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT A OF THE STAFF REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE #22-13 DATED OCTOBER 13, 2022. MOTION CARRIED

MOVED BY COUNCILLORS IVEY AND JANNASCH THAT COUNCIL GIVES SECOND READING TO AND APPROVES AMENDING THE WINDSOR MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO PERMIT DETACHED SECONDARY SUITES ACCESSORY TO SINGLE AND TWO-UNIT DWELLINGS, IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT A OF THE STAFF REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE #22-14 DATED OCTOBER 13, 2022. MOTION CARRIED

- ii. WHLUB Amendments: Wentworth Road PID 45190386 and Cole Drive PID 45366457 (6:26 p.m.)

MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL GIVES SECOND READING TO AND APPROVES AMENDING THE ZONING MAP OF THE WEST HANTS LAND USE BY-LAW TO REZONE A PORTION OF THE LOT LOCATED AT PID 45190386, WENTWORTH ROAD, GARLANDS CROSSING FROM THE AGRICULTURAL PRIORITY THREE (AR-3) ZONE TO THE MULTIPLE RESIDENTIAL (R-3) ZONE AND REZONE A PORTION OF THE LOT LOCATED AT PID 45366457, COLE DRIVE, GARLANDS CROSSING FROM THE JOINT INDUSTRIAL TYPE THREE (LI-3) ZONE TO THE MULTIPLE RESIDENTIAL (R-3) ZONE, AS SHOWN ON FIGURE 3, AND AMENDS THE TEXT OF THE WEST HANTS LAND USE BY-LAW TO REDUCE THE MINIMUM LOT SPECIFICATION REQUIREMENTS FOR PID 45190386 AND 45366457 OWNED BY J. D. IRVING LIMITED ON WENTWORTH ROAD AND COLE DRIVE, IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT FILE #22-17 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED OCTOBER 13, 2022. MOTION CARRIED

- iii. 697 Green Hill Road, Green Hill, PID 45026010, WHLUB Amendment (6:28 p.m.)

MOVED BY COUNCILLORS JANNASCH AND FRANCIS THAT COUNCIL GIVES SECOND READING AND APPROVES AMENDING SCHEDULE A OF THE WEST HANTS LAND USE BY-LAW BY REZONING 697 GREENHILL ROAD, GREENHILL (PID 45026010) FROM THE AGRICULTURAL PRIORITY TWO (AR-2) ZONE TO THE RURAL RESIDENTIAL (R-4) ZONE. MOTION CARRIED

- iv. 4245 Hwy 14, PID 45038361, WHLUB Amendment (6:29 p.m.)

MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL GIVES SECOND READING AND APPROVES AMENDING SCHEDULE A OF THE WEST HANTS LAND USE BY-LAW BY REZONING 4245 HIGHWAY 14, WINDSOR FORKS (PID 45038361) FROM THE RURAL COMMERCIAL (RC) ZONE TO THE GENERAL RESOURCE (GR) ZONE. MOTION CARRIED

Two members of the Gallery left at 6:30 p.m.

- v. 4701 Hwy 1, Three Mile Plains, Development Agreement (6:30 p.m.)

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL GIVES SECOND READING TO AND APPROVES ENTERING INTO A DEVELOPMENT AGREEMENT TO ALLOW AN AUTOMOTIVE REPAIR SHOP, EXCLUDING THE USE OF DYNO MACHINES, AT 4701 HIGHWAY 1, THREE MILE PLAINS (PID 45005733) WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT C OF THE REPORT FILE #22-10 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED OCTOBER 13, 2022. MOTION CARRIED

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH PHIL MARRYATT FOR 4701 HIGHWAY 1, THREE MILE PLAINS PID 45005733 BE SIGNED WITHIN 120 DAYS FROM THE DATE OF FINAL APPROVAL BY COUNCIL OR THE DATE THAT ANY APPEALS HAVE BEEN DISPOSED OF; OTHERWISE THIS APPROVAL WILL BE VOID AND OBLIGATIONS ARISING HEREUNDER SHALL BE AT AN END. MOTION CARRIED

- vi. Hantsport, West Hants, Windsor MPS and LUB Amendments: Small Options Housing (6:32 p.m.)

MOVED BY COUNCILLORS B. MORTON AND FRANCIS THAT COUNCIL AMENDS THE HANTSPORT LAND USE BY-LAW BY REDEFINING INSTITUTIONAL USE, HOME FOR SPECIAL CARE AND DWELLING UNIT, DELETING THE TERMS AND DEFINITIONS GROUP HOME AND RESIDENTIAL CARE FACILITY; AND ADDING HOME FOR SPECIAL CARE TO THE LIST OF PERMITTED USES IN THE INSTITUTIONAL (I) ZONE, ALL AS SHOWN IN APPENDIX F OF THE SEPTEMBER 8, 2022 REPORT #22-06 HANTSPORT LAND USE BY-LAW AMENDMENT: SMALL OPTIONS HOUSING. MOTION CARRIED

MOVED BY COUNCILLORS HARTT AND FRANCIS THAT COUNCIL AMENDS THE WEST HANTS LAND USE BY-LAW BY REDEFINING THE TERMS HOME FOR SPECIAL CARE, INSTITUTIONAL USE, AND DWELLING UNIT, DELETING THE TERMS AND DEFINITIONS RESIDENTIAL CARE FACILITY AND SENIOR

CITIZEN HOUSING AND IN THE INSTITUTIONAL (I) ZONE REPLACING THE PHRASE ANY INSTITUTIONAL USE WHICH IS INCORPORATED UNDER THE SOCIETIES ACT WITH THE PHRASE ANY INSTITUTIONAL USE IN THE LIST OF PERMITTED USES IN THE INSTITUTIONAL (I) ZONE ALL AS SHOWN IN APPENDIX F OF THE SEPTEMBER 8, 2022 REPORT 22-07 WEST HANTS LAND USE BY-LAW AMENDMENT: SMALL OPTIONS HOUSING. MOTION CARRIED

MOVED BY COUNCILLORS SMITH AND B. MORTON THAT COUNCIL AMENDS THE WINDSOR LAND USE BY-LAW BY DELETING THE TERMS AND DEFINITIONS RESIDENTIAL CARE FACILITY, RETIREMENT HOME AND SENIOR CITIZEN HOUSING; REDEFINING THE TERMS HOME FOR SPECIAL CARE, INSTITUTIONAL USE AND DWELLING UNIT; AND REPLACING THE PERMITTED USE RESIDENTIAL CARE FACILITY IN THE HIGH DENSITY RESIDENTIAL (R-4) ZONE WITH THE PERMITTED USE HOME FOR SPECIAL CARE, ALL AS SHOWN IN APPENDIX F OF THE SEPTEMBER 8, 2022 REPORT FILE #22-08 WINDSOR LAND USE BY-LAW AMENDMENT: SMALL OPTIONS HOUSING. MOTION CARRIED

- vii. Outdoors Fires By-Law RO-001 (6:36 p.m.)

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL GIVE SECOND READING TO AND APPROVES THE OUTDOOR FIRES BY-LAW RO-001, AS ATTACHED TO THE STAFF REPORT DATED OCTOBER 11, 2022 PRESENTED AT THE COMMITTEE OF THE WHOLE MEETING, WHICH WOULD INCLUDE THE REPEAL OF THE OUTDOOR FIRES BY-LAW #39 FOR THE FORMER TOWN OF WINDSOR DATED DECEMBER 2, 2010; THE FIRE AND BURNING MATERIALS BY-LAW 1-93 FOR THE FORMER TOWN OF HANTSPORT DATED OCTOBER 29, 1993; AND THE FIRE PROTECTION BY-LAW FOR THE FORMER MUNICIPALITY OF WEST HANTS DATED MAY 12, 1994. MOTION CARRIED. Nays: Francis and B. Morton

The remaining members in the Gallery left the meeting at 6:37 p.m.

Planners Poirier and Dunphy left chambers at 6:38 p.m.

Councillor S. McLean joined the meeting at 6:39 p.m.

10. Unfinished Business/Postponed Motions (7:08 p.m.)

- a) Debt and Debt Servicing Report

Acting Director Gibson reviewed the report showing the total debt for West Hants Regional Municipality and the debt financing amounts broken out by department, with the percentages of debt showing.

Key Points:

- The figures were based on our March 31, 2022, year end remaining debt, as not all projects or debt financing has been completed for the 2022-23 fiscal year.

- Included in the summary was the date of maturity for each loan, the March 31, 2022 value, 2022-23 debt servicing costs, the entity the debt originated, and the department the debt results from.
- The \$2.6 million is the cost of the debt for the year, it is a combination of interest and a small principal payment.

11. Mayor's Report (6:39 p.m.)

Mayor Zebian sent regrets. No report was provided.

12. Committees of Council Recommendations (6:40 p.m.)

a) Committee of the Whole Excerpts (November 8, 2022)

i. December Meeting Dates

MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL MEET ON THE SIXTH (6TH) FOR COMMITTEE OF THE WHOLE AND THIRTEENTH (13TH) FOR COUNCIL. MOTION CARRIED

ii. Falmouth Family Dog Park (6:41 p.m.)

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL DIRECT STAFF TO MEET WITH MR. DUNFIELD AND VOLUNTEERS TO DETERMINE THE NEXT STEPS IF THE MUNICIPALITY WAS TO ASSUME OWNERSHIP OF THE PARK AND BRING FORWARD A REPORT TO COUNCIL FOR CONSIDERATION. MOTION CARRIED

iii. REMO Mutual Aid Agreement (6:42 p.m.)

MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL APPROVE THE MAYOR AND CLERK SIGN THE REMO – KINGS COUNTY-WEST HANTS MUTUAL AID AGREEMENT. MOTION CARRIED

iv. Security Cameras (6:41 p.m.)

Discussion Points:

- In 2019 the former Town of Windsor had made a motion and budgeted for a number of cameras, including Cole Drive to be purchased. As part of the review and initial investigation it was requested that the CAO confirm if the cameras were secured or are they in storage somewhere.

MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL DIRECT THE CAO TO UNDERTAKE AN INITIAL REVIEW AND INVESTIGATION OF SECURITY CAMERAS WITHIN WEST HANTS AND TO BRING A REPORT BACK TO COUNCIL FOR FURTHER DECISION MAKING AND FURTHER THAT THE REPORT BE IN CONSULTATION WITH TECHNOLOGY AND THE RCMP ON LOCATIONS. MOTION CARRIED

v. Streetlights in the Crossing (6:43 p.m.)

Discussion Points:

- There are many areas that would see the value in having streetlights. Would like to take a broader approach and have a Regional Street light policy for all growth centres within West Hants so that when this issue presented again the background work was completed.
- There was value in pursuing this motion as a phase one approach. The motion was on a smaller scale and directed for the Crossing. In working with the Crossing, this was something that they may want to help champion. The cost analysis for the Crossing may help determine costs associated with a regional approach.
- Streetlights are area rated, typically with the area rated area, but there was the ability to make that area smaller (subdivision or specific development).
- There was value in having a cost model.

MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL DIRECT STAFF TO INVESTIGATE WHAT THE COST OF STREET LIGHTS AT THE CROSSING WOULD BE AND FURTHER THAT STAFF WORK WITH THE OFFICE ON STRATEGIC LOCATIONS FOR THE LIGHTS. MOTION CARRIED

Nays: Jannasch

vi. Thermal Imaging Camera Capital Purchase (6:51 p.m.)

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVE THE PURCHASE OF TWO THERMAL IMAGING CAMERAS (TICS) FOR WINDSOR FIRE DEPARTMENT TO THE LOW COMPLIANT QUOTE FROM CUMING'S FIRE & SAFETY EQUIPMENT LTD, AT THE OVER-BUDGET QUOTED PRICE OF \$27,151.00 PLUS APPLICABLE TAXES. MOTION CARRIED

vii. Updating the 2022-23 Tax Resolution (6:52 p.m.)

MOVED BY CONCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVE THE UPDATED 2022-2023 TAXING RESOLUTION AS PRESENTED TO COMMITTEE OF THE WHOLE ON NOVEMBER 8, 2022. MOTION CARRIED.

Nays: Ivey and S. McLean

b) Planning / Heritage Advisory Committee – November 10, 2022

i. Cole Drive, PID 45366432 West Hants and Windsor MPS and LUB Amendments (First Reading) (6:53 p.m.)

Planner Dunphy reviewed the report highlighting that a completed application was received from Darren Shupe of Brighter Community Planning on behalf of the property owner, Mainland South Investments, on June 15th, 2022, to request two 4-storey, mixed-use apartment buildings containing a total of 84 dwelling units at PID 45366432 Cole Drive, Windsor. A Public Information Meeting was held on October 13th, 2022. The public comment

period ended on October 28th with no comments received. On November 10th, 2022, a recommendation report was presented to the Planning and Heritage Advisory Committee (PAC/HAC) to discuss the implications of the subject lot being removed from potential industrial development. During the November 10th meeting, PAC/HAC recommended in favour of the application.

Discussion Points:

- There was concern regarding the location of a residential apartment building being located between a commercial office complex and a shopping centre. This was not a residential component of the street.
- This dense area with a lot of services already in place would be more suited for commercial usage.
- By rezoning as residential it provided the ability for a Development Agreement to be considered through an additional policy. Under an additional policy, mixed uses may be considered.
- An inventory on residential and industrial land available in both the region as well as near growth centres and urban areas was completed. The general reflection was that it appeared that there was enough industrial zoned/designated land available similar to the current type of lot that would not negatively affect the regions capability for industrial development.
- Planner will acquire the information on similar lands that are similarly serviced and provide that information to Council and address it within the next report.

MOVED BY COUNCILLORS SMITH AND B. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE WEST HANTS MUNICIPAL PLANNING STRATEGY TO INCLUDE PIDS 45366432 AND 45366457 IN THE THREE MILE PLAINS GROWTH CENTRE AND THE RESIDENTIAL DESIGNATION, AS WELL AS AMENDING THE ZONING MAP OF THE WEST HANTS LAND USE BY-LAW TO INCLUDE PIDS 45366432 IN THE MULTIPLE UNIT RESIDENTIAL (R-3) ZONE. MOTION CARRIED. Nays: Murley and Ivey

MOVED BY COUNCILLORS SMITH AND B. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE WINDSOR MUNICIPAL PLANNING STRATEGY TO INCLUDE PIDS 45366432 AND 45366457 IN THE RESIDENTIAL DESIGNATION AND AMENDING THE ZONING MAP OF THE WINDSOR LAND USE BY-LAW TO INCLUDE PIDS 45366432 AND 45366457 IN THE TWO UNIT RESIDENTIAL (R-3) ZONE. MOTION CARRIED. Nays: Murley and Ivey

- ii. 394 Greenhill Road, Greenhill, PID45118502 Development Agreement - First Reading (7:12 p.m.)

Planner Dunphy reviewed the report. A completed application was submitted by Jeff Brown and Erika Rice on September 6th, 2022, to permit a heavy truck and equipment repair shop by

development agreement at 394 Greenhill Road, Greenhill (PID 45118502). A Public Information Meeting was held on October 13th, 2022. The public comment period ended on October 28th, 2022, with no comments received. On November 10th, 2022, a recommendation report was presented to the Planning and Heritage Advisory Committee (PAC/HAC) resulting in PAC/HAC recommending in favour of the application.

Discussion Points:

- There was nothing in the draft Development Agreement pertaining to Dyno machines. Dyno, however, it was noted within the CAO's comments.
- Consensus was to include the exclusion of a Dyno machine moving forward with respects to 394 Greenhill Road

MOVED BY COUNCILLORS FRANCIS AND S. MCLEAN THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT TO ALLOW A HEAVY TRUCK AND EQUIPMENT REPAIR SHOP AT 394 GREENHILL ROAD, GREENHILL (PID 45118502) WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B OF THE REPORT FILE #22-21 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED NOVEMBER 10, 2022. MOTION CARRIED

MOVED BY COUNCILLORS FRANCIS AND S. MCLEAN THAT COUNCIL WILL REQUIRE THAT THE DEVELOPMENT AGREEMENT WITH JEFF BROWN & ERIKA RICE FOR 394 GREENHILL ROAD, GREENHILL (PID 45118502) BE SIGNED WITHIN 120 DAYS FROM THE DATE OF FINAL APPROVAL BY COUNCIL OR THE DATE THAT ANY APPEALS HAVE BEEN DISPOSED OF; OTHERWISE THIS APPROVAL WILL BE VOID AND OBLIGATIONS ARISING HERE UNDER SHALL BE AT AN END. MOTION CARRIED

At 7:25 p.m. there was a break, the meeting resumed at 7:46 p.m.

- iii. West Hants Coastal Protection and Flood Planning Policy – First Reading (7:46 p.m.)
- Planner Dunphy reviewed the report highlighting that Coastal Flooding had been added to the 2021 MCCAP Workplan on January 21st, 2020. During the February 10th, 2021, MCCAP meeting, the Committee discussed a number of policy options for flood proofing and coastal flooding. At the September 14th, 2022, meeting an update was provided based on information received through a meeting with Climate Change and Planning staff from HRM. HRM faced various issues pertaining to the implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations given that these new regulations would render previous policies impossible to implement. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented. The committee recommended pursuing a more general set of policies which could be used until the Coastal Protection Act regulations were implemented. On November 9, 2022, MCCAP recommended in favour of the amendment resulting in the report being presented to the Planning and Heritage Advisory Committee. The presentation covered all three (3) Hantsport, West Hants and Windsor

Discussion Points:

- The regulations established by the province are not debatable. Municipal regulations will align with the provincial regulations.

MOVED BY COUNCILLORS SMITH AND FRANCIS THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE WEST HANTS MUNICIPAL PLANNING STRATEGY IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT FILE # 20-29 TO THE MUNICIPAL CLIMATE CHANGE ACTION PLAN COMMITTEE DATED NOVEMBER 9, 2022. MOTION CARRIED.

- iv. Windsor Coastal Protection and Flood Planning Policy – First Reading (7:48 p.m.)

MOVED BY COUNCILLORS SMITH AND FRANCIS THAT COUNCIL THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE WINDSOR MUNICIPAL PLANNING STRATEGY IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT FILE # 20-30 TO THE MUNICIPAL CLIMATE CHANGE ACTION PLAN COMMITTEE DATED NOVEMBER 9, 2022. MOTION CARRIED

- v. Hantsport Coastal Protection and Flood Planning Policy – First Reading (7:50 p.m.)

MOVED BY COUNCILLORS SMITH AND FRANCIS THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE HANTSPORT MUNICIPAL PLANNING STRATEGY IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT FILE # 20-31 TO THE MUNICIPAL CLIMATE CHANGE ACTION PLAN COMMITTEE DATED NOVEMBER 9, 2022. MOTION CARRIED

13. Councillor Municipal Activity Reports (7:53 p.m.)

Councillor Ivey reviewed the activity report for the months of October and November 2022 identifying the numerous local community and municipal events attended as well as resident interests and contributions to municipal files of the West Hants municipality and the NSFM. the following reflect a few of the highlights during this reporting period.

Key Points:

- Attended the West Hants Volunteer Awards Banquet held on September 28th at the Brooklyn Civic Center.
- Attended the Tree Planting and Canopy Expansion on September 29th in Victoria Park.
- Attended the Truth and Reconciliation Flag Raising on September 29th at the King Street extension near the Windsor waterfront.
- Attended a gathering of communities with Glooscap First Nation for the 2nd National Day of Truth and Reconciliation.

- Attended the Community Health Care Conversation on October 19th at the Hants County War Memorial Community Centre.
- Attended the Benjamin Mills Wind Farm Open house on October 26th at the South-West Hants Fire Station.
- Participated in the NSFM/Department of Municipal Affairs and Housing MGA Review.
- Attended the October 31, 2022 Valley Community Fiber Network (VCFN) meeting.
- Attended Public Engagement sessions regarding the Boundary Review in South-West Hants, Brooklyn and Summerville.
- Attended the Windsor Township Business Association Session with Councillor Murley on November 7th.
- Continue to have conversations with residents expressing concerns related to flood risks within Windsor and residents of Zwicker Lake regarding land use regulations in the Zwicker Lake community.

14. Correspondence (8:01 p.m.)

a) Information

1. Avon River Causeway/Hwy 101 Twinning Project Correspondence Log
No new correspondence was received.
2. All correspondence received (as of November 17, 2022)
 - i. Correspondence received November 6, 2022, from Andrea Parker on regarding Road repair work needing to be completed.
 - ii. Correspondence received November 7, 2022, from the Windsor and Area Education Fund Association (WAEFA) regarding 2022 recipient confirmation of awards sponsored by the West Hants Regional Municipality.
 - iii. Correspondence received November 10, 2022, from Garden of Eden Community Centre regarding Comfort Centre Designation.
 - iv. Correspondence received November 10, 2022, from David Old regarding a request for a letter of support for a community generator program.
 - v. Correspondence received November 12, 2022, from Juanita Wilcox expressing appreciation at being chosen as the representative for West Hants at the Nova Scotia Provincial Awards ceremony.
 - vi. Correspondence received November 14, 2022, from Emily McNeil regarding the renewal of the operating approval for the Avon Hydro System.
 - vii. Correspondence received November 16, 2022, from Paul Beazley regarding the Municipal Boundary Review and questions to consider.

Discussion Points regarding correspondence:

- CAO to seek clarity on the area/location referenced in the correspondence received from Andrea Parker. Councillor M. McLean will bring a request for an information report to the next Committee of the Whole meeting.
- The 2022-11-10 CAO Letter - Comfort Centre Designation - Garden of Eden Community Centre was perceived to have been sent to all municipalities for awareness purposes.

- Staff will provide a report for the next Committee of the Whole meeting on inventory of Comfort Centres, identifying what areas within West Hants are identified as Comfort Centres, etc.

3. Fort Edward Lands Correspondence Log (as of November 17, 2022)
No new correspondence was received

4. Storm Wastewater Correspondence Log (as of November 17, 2022)
No new correspondence was received.

b) Requests – No requests were received

c) Out-going (as it relates to motions of Council to other Provincial agencies/depts) as of November 17, 2022)
No new correspondence was sent.

15. New Business

There was no New Business discussed.

16. Next Meeting Date / Adjournment – November 23rd, 2022, Special Council Meeting.

MOVED BY COUNCILLORS HARTT AND IVEY THAT AT 8:17 P.M., THE MEETING ADJOURN. MOTION CARRIED.

Mayor Abraham Zebian (Chair)

Deanna Snair, Municipal Clerk