

**WEST HANTS REGIONAL MUNICIPALITY**  
**Council Meeting Agenda **AMENDED****  
**January 24, 2023 - 6:00 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 or Unsightly Premises
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
  - a) 2022-12-13 Council Meeting Minutes
7. Presentations
  - a) Valley Regional Enterprise Network (VREN) – Jennifer Tufts, Chief Executive Officer and Paul Dixon, Board Chair
8. Public Hearings
  - i. Cole Drive Windsor MPS and LUB Amendments, PID 45366432 – Planner Dunphy
  - ii. Cole Drive West Hants MPS and LUB Amendments, PID 45366432 – Planner Dunphy
  - iii. 394 Greenhill Road, Greenhill PID 45118502, Development Agreement - Planner Dunphy
  - iv. Coastal Protection Plan Policy Updates West Hants, Windsor and Hantsport – (3 Reports, 3 Motions) Planner Dunphy
  - v. West Hants Land Use By-law Housekeeping Amendments – Director LeMay
9. Second Readings
  - i. Cole Drive Windsor MPS and LUB Amendments, PID 45366432 – Planner Dunphy
  - ii. Cole Drive West Hants MPS and LUB Amendments, PID 45366432 – Planner Dunphy
  - iii. 394 Greenhill Road, PID 45118502, Development Agreement - Planner Dunphy
  - iv. Coastal Protection Plan Policy Updates West Hants, Windsor and Hantsport (3 Reports, 3 Motions) – Planner Dunphy
  - v. West Hants Land Use By-law Housekeeping Amendments – Director LeMay
10. Unfinished Business/Postponed Motions

- a) Public Participation Program Policy Amendment - Director LeMay
- b) Supplementary Report for the WFD Rescue Engine Tender Award – Supervisor Thornton
- c) Municipal Boundary Review/Mapping Discussion on Next Steps

11. Mayor’s Report

12. Committee(s) of Council Excerpts/Recommendations

- a) Committee of the Whole Excerpts (January 10/11<sup>th</sup> , 2023)
  - i. BFD Pumper Tanker Over Budget Equipment, including all invoices
  - ii. Electronic Sign
  - iii. Grants and Contributions Policy RCOFN-0012.00
  - iv. Meeting and Committee Procedural Policy RCOGE-003.00 Amendment
  - v. Region 6 Budget
  - vi. Regional High School Bursary Policy
  - vii. Subdivision Street Lighting
  - viii. West Hants Sports Complex Acoustics
- b) Planning and Heritage Recommendations (January 12, 2023) (First Readings)
  - i. Bog Road, Hantsport/Hants Border PIDs 45366473, 45366481, 45366499, 45366507, and 45366515 – Rezoning (Hantsport) and Rezoning (West Hants) – Planner Dunphy
  - ii. Highway 215 Cheverie, PID 45178944 (Campground) Development Agreement – Planner Dunphy
  - iii. Burgess Crescent, Windsor, PID 45338688 Development Agreement Multi-Unit – Planner Dunphy
  - iv. 4190 Highway 1, Garlands Crossing, PID 45003357 Development Agreement – Planner Poirier
  - v. Hantsport MPS Amendment Related to Public Participation Program Policy RCOPL-006.00 – Director LeMay
  - vi. West Hants MPS Amendment Related to Public Participation Program Policy RCOPL-006.00 – Director LeMay
  - vii. Windsor MPS Amendment Related to Public Participation Program Policy RCOPL-006.00 – Director LeMay
  - viii. Heritage Plaque Presentations – Director LeMay

13. Councillor Municipal Business/Activity Reports

- a) Councillor Ivey, District 11 Activity Report

14. Correspondence

- a) Information
  - 1. Avon Causeway Activity Log as of January 19th, 2023 - No new correspondence
  - 2. Correspondence Received Activity Log as of January 24th, 2023
    - i. 2023-01-24 Graham Sanford re File to Rezone Lots along Bog Road

3. Fort Edward Activity Log as of January 19th, 2023 – No new correspondence
4. Storm Wastewater Activity Log as of January 19th, 2023 - No new correspondence
- b) Requests – None
- c) Outgoing Correspondence Log as of January 19th, 2023 - No new correspondence
15. New Business
16. In-Camera
  - a) ~~MGA 22(2)(a) Contract Matter~~ b) MGA 22(2)(a) Contract Matter
  - b) ~~MGA 22(2)(a) Contract Matter~~ a) MGA 22(2)(a) Contract Matter
17. Next Meeting Date / Adjournment – February 14, 2023 Committee of the Whole 6 p.m.

**WEST HANTS REGIONAL MUNICIPALITY**  
**Council Meeting Minutes**  
**January 24, 2023 - 6:00 p.m.**  
**Sanford Council Chambers, 76 Morison Dr, Windsor, NS**  
And virtually via Zoom (also Facebook Livestreamed)



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 (ZOOM)  
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. Admin Supervisor  
Diana Gibson, Acting Dir. Financial Services  
Todd Richard, Dir. Public Works  
Kathy Kehoe, Dir. Community Development  
Chief Richard, BFD  
Deputy Chief Daniel Lavers and Jamie Harvey, WFD

Deanna Snair, Municipal Clerk  
Madelyn LeMay, Dir. Planning & Development (ZOOM)  
Sara Poirier, Sr. Planner (ZOOM)  
Alex Dunphy, Planner  
Jennifer Tufts (CEO) and Paul Dixon, VREN

3. Announcements (6:00 p.m.)

- Mayor Zebian acknowledged 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 this land and each other.
- Mayor Zebian reviewed the emergency exits should the need arise.
- Voting would occur by a show of hands or a green or red card from those participating via ZOOM.
- Public comments were welcomed. They would be read at a later time.
- Reminder that Winter Carnival was scheduled for February 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup>.

4. Approval of the Agenda, including additions or deletions (6:02 p.m.)

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS  
THAT THE 2023-01-24 COUNCIL AGENDA BE APPROVED. MOTION  
CARRIED**

5. Declaration of Conflict of Interest (6:03 pm)

There were no declarations made.

6. Approval of Previous Meeting Minutes (6:04 p.m.)

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS  
THAT THE 2022-12-13 COUNCIL MEETING MINUTES BE APPROVED.  
MOTION CARRIED**

7. Presentations (6:04 p.m.)

a) Valley Regional Enterprise Network (VREN)

Jennifer Tufts (Chief Executive Officer) and Paul Dixon (Board Chair) from the Valley Regional Enterprise Network (VREN) provided a presentation and reviewed what the VREN does and does not do, defined economic development and reviewed the value of leveraging provincial funding based off municipal contributions.

Summary Points:

- They remove barriers for business success, create a long-term approach to competitiveness and harness the power of region while creating conditions and strategies.
- They are business led and mission focused and engage with businesses and support sectors.
- Municipal contributions are doubled, without the VREN these provincially matched dollars would be left on the table.
- The IMSA was a working group established in April of 2020, that consists of Mayors, Wardens and senior staff at Glooscap First Nation. The recent changes within the IMSA reflect a need for the VREN to have security within the funding they receive. Strategies are long term and require investments, securing such investments provides the stability needed for the VREN.
- The VREN has supported 76 businesses through the Business NOW program and had a total of 469 business engagements across all activities.
- The VREN was the first region in NS to complete the STAR program. 16 sessions have been held to date resulting in 220 engagements. Three representatives from West Hants sit on the working group for the STAR program.
- Five themes were identified: Bay of Fundy, Heritage, Culture and Arts, Outdoor Recreation, Culinary and Rural landscapes, small towns and villages.
- The VREN team came up with a project to create an agricultural technology accelerator and eventual creation of a provincial agricultural technology corridor.
- Provincial and Federal funders look more towards providing contributions to regions that partner together.
- West Hants contributes \$67,501.40. Total contribution of all partners was \$295,183.00 which was 100% matched from the province. Total funding leveraged over the past three (3) years was \$1.160,271.00 which was applied to the entire region.
- The letter to withdrawal from the VREN provides the municipality with their contribution and potentially the ability to hire one (1) person, with no matched

contributions from the province or Council could rescind the letter and remain a partner within the VREN.

- Questions were posed pertaining to Councils engagement level with the VREN, the programs offered, read the monthly newsletters and offered opinions to the VREN to determine if expectation levels were able to be achieved.

Discussion Points:

- There had been multiple talks regarding hotel studies. Through the STAR process, one of the recommendations was to take a holistic approach to a hotel study and do a complete tourism infrastructure inventory and asset gap analysis. It was important to ensure that along with accommodations the appropriate number of public washrooms, parking, transportation, telecommunications were also in place. The timeline was three years based off the recommendations from the STAR strategy.
- It was felt that in years past the VREN concentrated more on areas further down the Valley. The focus on the agricultural sector and the STAR program were seen as great value and benefit.
- There was a secondary component that occurs as a result of the work that the VREN does do, job creation may not be the driver but is occurs as an end result. There was almost 8,000 businesses in the catchment area for 4-5 staff, a number of different ways (communications through different mechanisms) are utilized to reach those businesses as opposed to “knocking on doors”.
- With respect to the terms of the IMSA agreement, there were some stakeholders that preferred to have five-year agreement but understood that there was some apprehension so agreed to a three-year term. The reason for the three-year commitment was that economic development was along game and required commitment. There was also the fact that to attract the people that were skilled and needed to do the work a longer commitment was needed. A plan was needed that was longer than a year.
- The only feedback received by the VREN was a letter from West Hants.
- Council was appreciative for the presentation. There were some that saw the value within the VREN.

The presentation concluded at 6:44 p.m. Ms. Tufts and Mr. Dixon and left the meeting at 6:44 p.m.

8. Public Hearings (6:44 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND DEPUTY MAYOR P. MORTON  
THAT COUNCIL MOVE IN TO PUBLIC HEARING AT 6:44 P.M. MOTION  
CARRIED**

The meeting moved into Public Hearing at 6:44 pm. Second Reading was held following each Public Hearing. Further information on the Public Hearing is available in the 2023-01-24 Public Hearing Minutes – Cole Drive Windsor and West Hants MPS and LUB Amendments, PID 45366432, 394 Greenhill Road, Greenhill PID 45118502, Development Agreement, Coastal Protection Plan Policy Updates West Hants, Windsor and Hantsport and West Hants Land Use By-law Housekeeping Amendments.

- i. Cole Drive Windsor and West Hants MPS and LUB Amendments, PID 45366432 – Planner Dunphy

Mayor Zebian declared the public Hearing concluded at 7:19 p.m.

- ii. 394 Greenhill Road, Greenhill PID 45118502, Development Agreement - Planner Dunphy

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT THE MEETING MOVE INTO PUBLIC HEARING AT 7:24 P.M MOTION CARRIED**

Mayor Zebian declared the Public Hearing concluded at 7:32 p.m.

- iii. Coastal Protection Plan Policy Updates West Hants, Windsor and Hantsport – (3 Reports, 3 Motions) Planner Dunphy

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT THE MEETING MOVE INTO PUBLIC HEARING AT 7:38 P.M. MOTION CARRIED**

Mayor Zebian declared the Public Hearing concluded at 7:41 p.m.

- iv. West Hants Land Use By-law Housekeeping Amendments – Director LeMay

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT THE MEETING MOVE INTO PUBLIC HEARING AT 7:47 P.M. MOTION CARRIED**

The Public Hearing concluded at 7:50 p.m.

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

- i. Cole Drive Windsor and West Hants MPS and LUB Amendments, PID 45366432 (7:19 p.m.)

**MOVED BY COUNCILLOR MURLEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES SECOND READING AND APPROVES 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-2) ZONE. MOTION CARRIED Nays: Ivey**

Discussion Points:

- If approved, the subject and would move to the residential designation within the Three Mile Plains Growth Centre and the rezoning on one

portion would be residential two-unit and the other portion would be it would be residential multi-unit. If the land was sold prior to a development agreement being pursued and the new owners wanted to do something different another development agreement application would need to be made.

**MOVED BY COUNCILORS MURLEY AND FRANCIS THAT COUNCIL GIVES SECOND READING AND APPROVES 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: Ivey**

- ii. 394 Greenhill Road, Greenhill PID 45118502, Development Agreement (7:32 p.m.)

**MOVED BY COUNCILLORS MURLEY AND M. MCLEAN THAT COUNCIL GIVES SECOND READING AND APPROVES 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 AGREEMENT SET OUT IN APPENDIX B OF THE REPORT FILE #22-21B DATED JANUARY 24, 2023. MOTION CARRIED**

**MOVED BY COUNCILLORS MURLEY AND M. MCLEAN THAT COUNCIL REQUIRES 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 HEREUNDER SHALL BE AT AN END. MOTION CARRIED**

- iii. Coastal Protection Plan Policy Updates West Hants, Windsor and Hantsport (7:41 p.m.)

**MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES SECOND READING AND APPROVES 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**

**MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES SECOND READING AND APPROVES 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**

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL GIVES SECOND READING AND APPROVES 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**

- iv. West Hants Land Use By-law Housekeeping Amendments (7:50 p.m.)

**MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL AMENDS THE TEXT OF THE WEST HANTS LAND USE BY-LAW TO CORRECT ERRORS IN THE METRIC EQUIVALENT OF FRONT YARD REQUIREMENTS IN THE TWO-UNIT RESIDENTIAL (R-2) ZONE AND THE MULTIPLE RESIDENTIAL (R-3) ZONE AND CORRECT THE REFERENCE TO THE WEST HANTS MUNICIPAL PLANNING STRATEGY POLICY FOR USES IN EXISTING NON-RESIDENTIAL BUILDINGS WHICH EXCEED THE COMMERCIAL FLOOR AREA LIMIT IN THE HAMLET AND RESOURCE DESIGNATIONS, ALL AS SHOWN IN APPENDIX D OF THE OCTOBER 13, 2022, REPORT #22-16, WEST HANTS LAND USE BY-LAW HOUSEKEEPING AMENDMENTS. MOTION CARRIED**

10. Unfinished Business/Postponed Motions

- a) Public Participation Program Policy Amendment (7:53 p.m.)

Director LeMay reviewed the report highlighting that the MGA requires every Municipalities to have a Public Participation Program Policy.

Summary Points:

- Hantsport, West Hants and Windsor each had Public Participation Program Policies (PPPP).
- Immediately following consolidation, the region adopted a PPPP which reflects those of the earlier individual municipal units.
- Nova Scotia Engagement Programs Content Regulations lists the mandatory content of an engagement policy and added a new required content. Public Participation Program Policies must now have content regarding engagement with abutting municipalities, how municipalities consider comments received from abutting municipalities and Statements of Provincial Interests.

- The draft policy (included in the email on January 13<sup>th</sup>) was considered and recommended by PAC/HAC and included moving the section regarding “Comprehensive Review of the Planning Documents” to within Development Agreements and Amendments to Development Agreements; Adoption of Revised Planning Documents, Amendments to Planning Documents and Amendments to the Land Use By-Law”.
- Other amendments included: adding a minimum distance of notification for neighbours of a site specific amendment or a development agreement or amendment; a requirement that Council solicit comments from abutting municipalities on the proposed adoption of a MPS or an amendment related to the Statements of Provincial Interest, a limitation on when abutting municipalities need to be notified of the location of the site specific amendments and the method and timing of soliciting comments from abutting municipalities.
- The municipal units involved in the notification process would be East Hants, Kings, Chester and Halifax Regional Municipality.
- With the awareness that this was a Policy vs a By-law, PAC/HAC reviewed and recommended the policy on January 12<sup>th</sup>. Council was provided notice via email on January 13<sup>th</sup> (7-day notice) and the policy was before Council for approval.

**MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE PUBLIC PARTICIPATION PROGRAM POLICY IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHED AS APPENDIX D TO THE JANUARY 12, 2023 REPORT “PUBLIC PARTICIPATION PROGRAM POLICY REVISIONS” FILE #22-36. MOTION CARRIED**

A break occurred at 7:58 p.m. The regular meeting resumed at 8:10 p.m.

- b) WFD Rescue Engine Tender Award-Supplementary Information Report (8:10 p.m.)

Supervisor Thornton provided additional information related to the WFD Rescue Engine Tender Award. The additional information report highlighted the additional information requested, drawings or photos (since no drawings or photos of the proposed Rescue Engine were available, examples from the Town of Kentville were provided), the Regional Fire Service apparatus replacement schedule and the number of calls for the two-apparatus that was requested to be replaced (1993 Rescue Four and 1991 Tac Four) was available within the report.

Summary Points:

- Kentville’s Fire Apparatus was a 2020 Enclosed Top Mount Pumper, it was issued in 2019/20 with only one proposal received and awarded for \$955,337.44 plus taxes in 2020.
- WFD clarified that the person that assisted with the tender does work for Techno Fu but was also involved with Kentville Fire Department, it was through this capacity (affiliation with Kentville Fire Department) that the individual offered their service to assist with writing the tender. The individual was not representing the company at the time the tender was written.
- The apparatus was \$310,689.80 over the estimated budgeted price. Council pre-approved the process to go to RFP during the last budget deliberations with the

understanding that the funds would not be expended until confirmation was provided on when WFD could get the apparatus. The price that was in the budget was an estimate.

- The current RFP was good for 60 days and will expire January 29, 2023. If postponed the price would change.

Discussion Points:

- It may be challenging to accumulate the Capital Reserve required to allocate funds on a yearly basis towards apparatus replacement.
- With the awareness that WHRM was transitioning to a more regional approach within the Fire Services, discussions have occurred with the Chiefs pertaining to having more technical expertise in assisting with and evaluating the tender/RFP processes.
- From a procurement point, Supervisor Thornton has been able to move that process along. The next steps may be the technical aspect (assistance with creating the RFP), which would result in the standardization of the apparatus moving forward.
- It was felt that the current process used was not right where volunteers have the responsibility to create and review tenders was not right. This should be done in consultation with the departments. This was an area of expertise that required someone who specialized in this area and there may be confidence in having a third party.
- It was suggested that Council take a deeper look into the Regional Fire Service. It was felt that this was an important service but needed to be looked at from a regional lens and it may be time to look at an outside coordinator. It was important to right size the service and make good decisions for both the fire departments and residents.
- WHRM has a procurement policy, and it needs to be followed.
- Concerns were related to the RFP detailed specifications that resulted in disqualifying the other vendors, the scoring and the engagement of an individual who assisted in creating the RFP that was affiliated with Techno Fu.
- WFD identified that both apparatuses were at the end of their live expectancies, significant issues were presenting and would result in costly repairs (pump and electrical issues).
- There were other rescues within the other departments. The proposed apparatus doubled as an engine as well, it was not strictly a rescue.
- Apparatus replacement schedule discussions occur at the chiefs table with all chiefs present and involve reviewing each apparatus.
- Applicants are responsible to submit tenders in the order as requested. The responsibility remains with the applicant. Reasons why single bids were received for tenders was unknown, there may be a number of variables.
- Due to the timing, there was not the opportunity to defer discussions until budget deliberations, although the vendor could be asked if they would consider the option to hold the price.

MOVED BY COUNCILLORS B. MORTON AND SMITH THAT COUNCIL DEFER TO BUDGET DELIBERATIONS AND REQUEST THE VENDOR HOLD THE PRICE.

Discussion Points:

- The RFP would have to substantially change. As per the NS Procurement Office if the RFP was to remain the same or in close aspects of what was initially tendered the tender would have to wait 9-12 months before reissuing.
- WFD identified that the tender was not what was wanted, it was what was needed by the department to fulfill the duties to perform and combine the duties of the two trucks. The detailed RFP was a result that it had to meet the needs and dual response of two (2) existing trucks. WFD felt it would be extremely challenging to drastically change the RFP and still meet the needs that were being sought.
- It was felt that it was difficult to substantially change the RFP and would likely not meet the definition of a substantial change.
- If there was support to reissue the RFP, Council could provide direction that the expectation was that a third party be engaged to assist with creating the RFP or it could be part of the condition.

**MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL AMEND THE MOTION TO READ AS TO DEFER THE AWARDING OF THE TENDER TO REISSUE A NEW TENDER FOR THE APPARATUS AS PROPOSED. MOTION CARRIED** Nays: Murley, B. Morton, M. McLean and S. McLean

Full motion as amended:

**MOVED BY COUNCILLORS B. MORTON AND SMITH THAT COUNCIL DEFER THE AWARDING OF THE TENDER TO REISSUE A NEW TENDER FOR THE APPARATUS AS PROPOSED. MOTION CARRIED** Nays: Murley, B. Morton, M. McLean and S. McLean

c) Municipal Boundary Review Mapping Discussion on Next Steps (8:41 p.m.)

Supervisor Thornton provided a brief overview of the discussion that led up to this point. The revised maps had been circulated with what was thought to be the suggested changes as per Councils direction.

Discussion Points:

- With respects to the changes requested from Dawson Road to Collier Road, it was believed that Highway 101 was used when creating boundary divisions.
- The adjustment made to the Falmouth boundary was seen as an improvement.
- With the awareness that Communities of Interest were the primary concern for the newest revisions, the revised maps appear similar to what Council originally had two (2) years ago. Although the revise maps still have districts outside the preferred the voter parity, the newest maps do identify improvements within each district and keep communities together.
- Through independent research a Councillor was made aware that up to 25 % voter parity was permitted by the UARB, it was unknown where this information resulted from. The guidelines provided by the UARB reference the +/-10%.
- With respects to residents coming and going from communities and shifting throughout the municipality, this was true. Populations and the number of Eligible electors was different.

- There was thought that in the event that there was a community that was split, there may be benefits to having more than one councillor in an area that can champion concerns/issues. The district boundaries were the boundaries for voting.
- The concern was not related to the councillor for the district, it was related to the residents. Sweets Corner and Gypsum Mines was used as an example. When voting, residents are used to voting in one district, so when changes are made and communities are split, now residents who were used to voting in one area have to vote in a different area.
- With awareness that there was some appetite for Council size to remain status quo, could an application be sent to state that Council wished to remain status quo, but if this was not acceptable then council requested the revised boundaries as presented in the most recent maps from Stantec. It was felt that the application would be returned from the UARB stating that more work was required. The application was very specific with the questions asked and what was required for information, and it was felt the UARB wanted a clear application.

**MOVED BY COUNCILLORS SHERMAN AND IVEY THAT COUNCIL PROCEED WITH THE LATEST VERSION OF THE DISTRICT MAPPING REFLECTING THE CHANGES REQUESTED AT THE LAST MEETING. MOTION CARRIED** Nays: P. Morton, Francis, M. McLean and S. McLean

11. Mayor's Report (9:06 p.m.)

Mayor Zebian provided a verbal report highlighting the events and activities from the past month.

Summary points:

- Attended the New Year's Day levies in Windsor and Hantsport. Comments raised were that there was a lot of optimism within the communities related to Councils decisions.
- Attended the recent Township meeting. Discussed the Executive Assistant position, events, the Garlic Festival and the potential of them taking it over. They are a very active group who need a bit of assistance.
- Attended the Historical Society meeting/stakeholder engagement session.
- Budget workshops continue for Council.
- Another physician tour was conducted. The physician was specifically looking at Hantsport. It was hoped that the physician chose this area to establish practice.
- Glooscap First Nations tour of the Sports Complex was postponed. It will be rescheduled.
- NSFM By-Law changes in-person meeting was scheduled for this coming Thursday, January 26, 2023 at the Weston Hotel from 10a.m. – 4 p.m.
- Code of Conduct changes virtual meeting was scheduled for February 13, 2023.
- The STAR program three-year tourism strategy session was scheduled for Thursday from 10 a.m. – 2 p.m. at the Super 8 hotel.
- Attended the Queens Platinum Jubilee Awards hosted by MLA Sheehy-Richard. Congratulations to all the recipients.

- Shout out and appreciation extended to Robyn Hommans, local Public Works Area Manager. Some issues arose regarding streets and snow clearing. The decision made addressed a concern from a resident who was caught in a difficult situation.
- Shout out to Lisa Bland on her advocacy for Pannuke Road. Lisa proves that advocating for what you believe in works.
- Continue to have a lot of discussions with residents related to health care, roads, crosswalks, and lighting. As municipal representatives for the area, it is the duty to liaise and connect residents to the appropriate individuals or departments.

12. Committees of Council Recommendations

a) Committee of the Whole Excerpts (January 10, 2023)

i. BFD Pumper Tanker Over Budget Equipment (9:12 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR M. MCLEAN THAT COUNCIL APPROVE ALL REQUESTED REIMBURSEMENTS AND BUDGET OVERRUNS ASSOCIATED WITH THE BROOKLYN FIRE DEPARTMENT'S PUMPER/TANKER APPARATUS ALTERATIONS/ADDITIONS AND EQUIPMENT PURCHASES, AT A VALUE OF \$24,356.88 (WHICH INCLUDES NET TAX). MOTION DEFEATED Nays: Zebian, P. Morton, Jannasch, Francis, Sherman and Smith.

Discussion Points:

- The decision was a challenging one, it came down to accountability and the policy needing to be followed.
- Although there was support for the Fire Departments, there was also concern that the procurement policy was not followed resulting in some not being able to support the recommendation. There was concern that a precedence would be set, resulting in others not following the policy. Policies are in place for a reason.
- As a point to consider, it was noted that depending on the organization, if a mistake was made the organization as a whole assumed the responsibility, not the employee.
- Although the policy was not followed and it was recognized that this was not right, there was some that felt Council should support the fire departments.

ii. Electronic Sign (9:16 p.m.)

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPROVE A FUNDING ALLOCATION IN THE AMOUNT OF \$70,000 FOR A DOUBLE-SIDED LED DISPLAY BOARD BE INCLUDED IN THE 2023/24 CAPITAL BUDGET TO SUPPORT THE PROCUREMENT, PURCHASE, AND INSTALLATION OF AN ELECTRONIC SIGN FOR THE WEST HANTS SPORTS COMPLEX. MOTION CARRIED** Nays: M. McLean and Hartt

iii. Grants and Contributions Policy RCOFN-0012.00 (9:16 p.m.)

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL ADOPT THE AMENDED WEST HANTS REGIONAL MUNICIPALITY GRANTS AND CONTRIBUTIONS POLICY RCOFN-012.00. MOTION CARRIED**

- iv. Meeting and Committee Procedural Policy Amendment (9:18 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT COUNCIL APPROVE THE STAFF RECOMMENDATIONS AS PUT FORWARD BY CLERK SNAIR WITH THE EXCEPTION TO THE CHANGE TO SECTION 17.8.

**MOVED BY COUNCILLORS IVEY AND MURLEY THAT THE MOTION BE AMENDED TO READ AS "COUNCIL APPROVE THE STAFF RECOMMENDATIONS AS PUT FORWARD BY CLERK SNAIR INCLUDING THE BLUE CLERICAL AMENDMENTS INCLUDED IN THE REPORT AS WELL AS ENSURING THAT THE RECORDING FOR IN-CAMERA BE RECORDING ELECTRONICALLY WITH THE EXCEPTION TO THE CHANGE TO SECTION 17.8". MOTION CARRIED**

Full motion as amended:

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT COUNCIL APPROVE THE STAFF RECOMMENDATIONS AS PUT FORWARD BY CLERK SNAIR INCLUDING THE BLUE CLERICAL AMENDMENTS INCLUDED IN THE REPORT AS WELL AS ENSURING THAT THE RECORDING FOR IN-CAMERA BE RECORDING ELECTRONICALLY WITH THE EXCEPTION TO THE CHANGE TO SECTION 17.8. MOTION CARRIED**

Discussion Points:

- The motion as read referred to the changes made by the clerk. The policy presented identifies items noted within the policy (in blue) that were put forward by Council for clerical purposes resulting in an amendment being required.
- Within the policy, changes were made to section 5.8 that addressed participating in meetings through electronic meetings as well as the number of meetings permitted to attend via ZOOM.
- As long as new information was being presented or a new question was being asked, more discussions would be allowed. Repeated discussions or questions would not be allowed.

- v. Region 6 Budget (9:27 p.m.)

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR S. MCLEAN THAT COUNCIL APPROVES THE 2023-24 OPERATING BUDGET FOR**

**REGION 6 SOLID WASTE MANAGEMENT FOR THE AMOUNT OF \$861,578,  
AS PRESENTED ON JANUARY 11, 2023. MOTION CARRIED**

- vi. Regional High School Bursary Policy (9:28 p.m.)

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL ADOPTS THE REGIONAL HIGH SCHOOL BURSARY POLICY, OPTION 2 AS PRESENTED AT THE JANUARY 10TH, 2023 COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED**

- vii. Subdivision Street Lighting. (9:29 p.m.)

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR B. MORTON THAT COUNCIL DIRECT STAFF TO CREATE A POLICY TO COME BACK TO COUNCIL FOR REVIEW. MOTION CARRIED**

- viii. West Hants Sports Complex Acoustics (9:29 p.m.)

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SMITH THAT COUNCIL APPROVE THE \$52,500 ORIGINALLY APPROVED TO INCREASE PARKING CAPACITY IN THE 2022/23 CAPITAL BUDGET BE RE-DIRECTED TO IMPROVE ACCESSIBILITY WITHIN THE WEST HANTS SPORTS COMPLEX BY IMPROVING THE SOUND QUALITY WITHIN THE RINK FACILITY SIDE OF THE COMPLEX. MOTION CARRIED**

- b) Planning and Heritage Recommendation (January 12, 2023 First Readings) (9:29 p.m.)

- i. Bog Road, Hantsport/Hants Border PID 453666473, 45366481, 45366499, 45366507 and 45366515 Rezoning Hantsport and Rezoning West Hants.

Planner Dunphy reviewed the report noting that a completed application was originally received by Claude O'Hara on October 23, 2022 (the applicant had changed to Sheldon Chisholm) to permit the building of multiple semi-detached dwellings by rezoning to Two-unit Residential (R-2) zone.

Summary Points:

- The subject lots were primarily open field and cleared land abutting Bog Road. There were a number of residential uses located abutting and directly across Bog Road from the subject lot, as well as the former agricultural use behind the subject lot.
- One of the PID'S was partially in the Hantsport are and partially in the West Hants area.
- The Hantsport portion of the lots was designated residential. The West Hants designation was agricultural. The proposed West Hants designation was to transition to residential to match the Hantsport designation.
- The current zoning for the Hantsport portion was single-unit residential and the current zoning for the West Hants portion was agricultural priority two (AR-2)
- The proposed zone was two-unit residential. There was a difference between permitted uses between the two areas. Hantsport permits single and two-unit dwellings, guest

houses, bed and breakfast, boarding rooms and residential day cares while West Hants permits single and two-unit dwellings and mini homes.

- Within the Hantsport MPS, Policy RP-2A provided Council with the ability to consider rezoning land with residential designation. Policy IM-3 provides the general criteria for Land Use By-Laws.
- Within the West Hants MPS, Policy 8.6.1 stated the criteria for the agrologist report required to determine the agricultural capability for the subject lot and were met.
- Policy 16.1 allows Council to review and make amendments to the MPS including the Generalized Future Land Use Map. Policy 16.3.1 provides the general criteria for amendments to the Land Use By-Law, which have been met.
- The Statement of Provincial Interest regarding Housing, Infrastructure and Agricultural Land were reviewed.
- A public information Meeting was held November 10th, 2022 where ten (10) residents attended. During the meeting three (3) members of the public spoke about concerns with the removal of agricultural land for residential development, the development of lots behind the subject lots, a request for further explanation of the agrologist's report, and a request for stipulations within any potential development agreements regarding access to the lot behind the subject lots. In addition to this, a member of the public presented concerns with the rezoning, a complaint with the Nova Scotia Department of Environment and Climate Change, and a potential violation of the Land Use By-law.
- The public comment period ended on November 25th resulting in one (1) phone call and three (3) emails being received. The comments included concerns with the existing access to the subject lots, pedestrian safety, support for the member of the public who presented at the Public Information Meeting, and a list of additional questions.
- A request was made by a resident for additional time to present.
- A document containing 26 questions and comments regarding the rezoning purpose, access, property development, road safety, developer portfolio, developer contact, financing, a commitment matrix, watercourses and contamination, agrologist report determination, removal of PID 45366515 from the application, water supply, request for detailed metrics of development and pricing, wildlife study, additional property ownership, economic modeling, alternative development models and scenarios, landowner engagement, comparable building forms, project construction, artist renderings of views, concept planning, access to an abutting property, agricultural uses for sloped land, and request for an additional agrologist report was submitted and was responded to during the December 8<sup>th</sup> PAC/HAC meeting.
- An additional opportunity for public comment will be provided at the Public Hearing.
- If approved the next steps for the Hantsport portion was to hold a Public Hearing and Second Reading, followed by notice being placed in the local paper. For the West Hants portion instead of a notice of appeal it would be submitted to the minister for review, if approved a notice would be placed in the local paper.

Mayor Zebian reviewed the email (within the agenda package) from Mr. Sanford. The following responses were provided in relation to the email:

- With respects to rezoning the lots along Bog Road, there remains an active complaint with the Nova Scotia Department of Environment and Climate Change related to no

issuing of a permit to alter a water course. This was escalated to the Kentville area manager. Director LeMay confirmed that the concern was not relevant to the amendment application. Planner Dunphy had responded to a number of questions from Mr. Sanford during the Public Information meeting stage. Mr. Sanford was advised that the concern was not within municipal jurisdiction and as such was not part of the process.

- With respect to violation of the topsoil removal, there was an on-going inquiry with the owner of the land, but no response has been received to date. It was relevant to the immediate application, but it was being looked into.
- The agrologist was confirmed to be accredited as a qualified agrologist by the head of the Nova Scotia Institute of Agrologists
- The error in the report pertaining to the former Town of Hantsport's boundary line. Both the GIS and Planning technician were consulted, who in turn consulted with the province. The province confirmed that the boundary was correct as they understood it to be. The Municipality took the same stance as the province.
- The process with rezoning the land from agricultural to R-2. The records (paper and digital) date back to 2010. Since this time there has been no change in the designation or amendment of the property. If this was considered relevant a request would need to be made to the Minister of Housing and Affairs to do a search of their records for all the old Hantsport documents and have copies sent to the municipality.

Discussion Points:

- Perhaps agrologist reports deserve a second look. There may be a need to determine of the value these reports provide or if they created a barrier in the planning process. Councils' policy was to require an agrologist report, should Council feel there was no value in the reports the planning strategy or the requirements of an agrologist report within the planning strategy could be amended..
- An email received on August 22, 2022 confirmed information pertaining to the agrologist.

**MOVED BY COUNCILLORS IVEY AND SMITH 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 PID 45366515 IN THE RESIDENTIAL DESIGNATION AND AMENDING SCHEDULE A OF THE WEST HANTS LAND USE- BYLAW BY REZONING PID 45366515 ON BOG ROAD, HANTS BORDER FROM THE AGRICULTURAL PRIORITY TWO (AR-2) ZONE TO THE TWO UNIT RESIDENTIAL (R-2) ZONE. MOTION CARRIED. Nays: M. McLean, P. Morton and Jannasch**

**MOVED BY COUNCILLORS IVEY AND SMITH THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING SCHEDULE A OF THE HANTSPORT LAND USE BY-LAW BY REZONING PIDS 45366473, 45366481, 45366499, 45366507, AND A PORTION OF 45366515 ON BOG ROAD, HANTSPORT FROM THE SINGLE UNIT**

## **RESIDENTIAL (R-1) ZONE TO THE TWO UNIT RESIDENTIAL (R-2) ZONE.**

**MOTION CARRIED** Nays: M. McLean, P. Morton and Jannasch

ii. Highway 215 Cheverie, PID 45178944 Development Agreement (9:55 p.m.)  
Planner Dunphy reviewed the report highlighting that a completed application was received from Kristen, Jeffery, and Cody Ross on September 6<sup>th</sup>, 2022 to permit a campground by development agreement.

### Summary Points:

- The Development Agreement would permit 10 Serviced Sites (max), 15 unserviced Sites (max), 15 Tenting Sites (max), Washroom Facilities and Accessory Buildings.
- The subject lot is primarily cleared field with a forested area and dirt path with a number of residential uses surrounding the subject lot.
- The current designation was Resource, and the current zoning was General Resource. Under Policy 9.1.7 permits new recreation commercial (RecC) zone uses in the General Resource zone by development agreement.
- Policy 13.3.2 states the criteria for new Recreation Commercial uses and consider them to be met.
- A Public Information meeting was held on November 10 and broadcast live on the municipal website and Facebook page. Ten (10) members of the public attended. Deadline for comments was November 25.
- During the meeting, Mr. Peterson spoke to the need for additional places to stay during the Kempt Shore festivals and due to the scale of the proposed campground, there would be no conflict with the existing campground.
- One (1) phone call and eight (8) written comments were received during the comment period. The comments related to an error in the title/access of the property as well an error with the comment submission date, questions regarding the number and type of campsites, allowance for music festivals, applicant, buffering, campground need, concerns regarding impacts on property values, noise, trespassers, and litter, support for new local business and additional questions regarding development agreement availability, operator presence, quiet hours, bunk houses, zoning change, parkland use, provisions for development agreements being broken, wider use of the property, development agreement availability and information on the local history of the area and a graveyard abutting the subject lot.
- Questions/concerns were addressed at the December 8<sup>th</sup> PAC/HAC meeting and an additional opportunity for public comment will be provided during the Public Hearing.

### Discussion Points:

- The concern pertaining to the graveyard was that it was spilling over onto the subject property, confirmation was received that this was not the case. The graveyard is separate from the subject lot.
- If there was an appetite to expand or reorganize the layout of the campground, the owners would need to proceed through the whole process again as an amendment to an existing development agreement.

**MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT TO ALLOW A CAMPGROUND AT HIGHWAY 215, CHEVERIE (PID 45178944) WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B OF THE REPORT FILE #22-22 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED DECEMBER 8, 2022. MOTION CARRIED**

**MOVED BY COUNCILLORS MURLEY AND SHERMAN THAT COUNCIL WILL REQUIRE THAT THE DEVELOPMENT AGREEMENT WITH KRISTEN, JEFFERY, AND CODY ROSS FOR HIGHWAY 215, CHEVERIE (PID 45178944) 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**

Mayor Zebian announced that the time was 10:05 p.m. As per policy a motion of Council was required to continue the meeting.

**MOVED BY COUNCILLORS SHERMAN AND SMITH THAT THE MEETING CONTINUE PAST 10:05 P.M. MOTION CARRIED Nays: M. McLean**

iii. Burgess Crescent, Windsor PID 45338688 Multi-unit Development Agreement (10:05 p.m.)

Planner Dunphy reviewed the report highlighting that a completed application was received from Mark Higgins of OT Developments LTD on behalf of Florian Lambie on October 4<sup>th</sup>, 2022 to permit an 8-unit townhouse with attached 20-unit apartment building by development agreement.

Summary Points:

- The total unit count was 28, that was divided between eight (8) three (3) bedroom townhouse units on the lower level. There were sixteen (16) two (2) bedroom units and four (4) one (1) bedroom units.
- There was a total of fifty-one (51) parking spaces divided by sixteen (16) on grade spaces and thirty-five (35) underground spaces.
- The subject lot was primarily forest, with a small, cleared area abutting the end of Burgess Crescent and an existing apartment building at the end of Burgess Crescent, municipal park land to the east, as well as single and two-unit dwellings north and further east of the subject lots.
- The lots have since been consolidated to PID 45338688.
- The current designation was Residential and was zoned High Density Residential which permits dwellings with more than six units. Policy 5.4.6 provides Council with the ability to consider new multiple unit residential developments consisting of three or more units, in the Residential designation by development agreement.
- Policy 5.5.1 provides Council with the ability to consider permitting dwellings in excess of three storeys, in any residential zone by development agreement.

- Policy 16.3.1 states general criteria for development agreements and supports that the criteria were met.
- Policy 5.4.5 states the criteria for multiple unit residential development to require adequate recreational space and supports that the criteria were met.
- A request was made by the applicant to extend the commencement period from 24 months to 48 months. PAC/HAC recommended to include the 48-month commencement period in the development agreement.
- A Public Information Meeting was held on December 8th, 2022. The public comment period ended on December 22nd with no comments received from the public.
- At the January 12<sup>th</sup> meeting PAC/HAC recommended in favour of the application with an addition to permit a 48-month commencement period in the development agreement.

**MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT TO ALLOW AN 8-UNIT TOWNHOUSE AND ATTACHED 20-UNIT APARTMENT BUILDING ON BURGESS CRESCENT, WINDSOR (PID 45338688) WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B OF THE REPORT FILE #22-20 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED JANUARY 12, 2023. MOTION CARRIED**

**MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT COUNCIL WILL REQUIRE THAT THE DEVELOPMENT AGREEMENT WITH FLORAN LAMBIE FOR BURGESS CRESCENT, WINDSOR (PID 45338688) 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**

iv. 4190 Highway 1, Garlands Crossing PID 45003357 Development Agreement (10:18 p.m.) Planner Poirier reviewed the report highlighting that a completed application was received on November 7, 2022, from Monica Sweetapple of Nuvo Architecture and Interiors on behalf of the property owner Jean Alphonse of Jovana Construction Limited to consider permitting a four (4) storey apartment building containing up to 21 apartment units, roof top recreation space and up to 3,000 sq. ft. (278.71 sq. m.) of commercial space on PID 45003357 in Garlands Crossing.

Summary Points:

- The lot is currently occupied by the Gold House Chinese Restaurant and is owned by Jovana Construction Limited; Mr. Alphonse is the President of that company.
- The existing building would be demolished to accommodate the proposed development.
- There would be a restricted access to Highway 1. Parking spaces surround the property on three (3) sides with a buffer between the highway and proposed building.

- The property was within the Three Mile Plains Growth Centre (TMP) and the Three Mile Plains Commercial Development District. The proposed land was designated Commercial Core and was surrounded by properties designated Commercial Core, with some properties to the Northeast designated Residential.
- The current zoning was Highway Commercial and was surrounded by properties also zoned Highway Commercial, General Commercial and Two (2) unit Residential.
- Multiple unit residential development greater than three storeys in height was considered in the Three Mile Plains Growth Centre only by development agreement.
- Part 6.0 of the WHLUB states that developments may be considered only by development agreement in accordance with the Municipal Government Act (MGA) and the Municipal Planning Strategy (MPS).
- Section 5.5 of the WHMPS contains the intention for properties designated Commercial Core in the Three Mile Plains Growth Centre.
- Section 5.3 describes the residential policies for the TMP Growth Centre.
- Section 5.3.8 establishes Councils intention to consider multiple unit residential development greater than three storeys in height in the TMP Growth Centre by development agreement.
- There was a municipal easement that crossed the subject lot. There was an existing 10-inch sewer main which runs from Tonge Hill to Highway 1. Section 2.2 (c) states that no buildings shall be located on the area of the lot identified within the easement. Section 2.2 (c) also states that no balconies or other building features may project into the area of the lot subject to the easement unless written consent was received from the Municipal Department of Public Works.
- The development agreement requirements were reviewed. A Public Information Meeting was held on December 8, 2022 and broadcasted on the Municipal Facebook page. Only one member spoke at the meeting, requesting the size of the units, parking spaces, total height of the building and who the proposed clientele were. Deadline for comments was December 22<sup>nd</sup>, with no comments received.
- On January 12, 2023 PAC/HAC discussed the application and site plan resulting in a request made to add an additional clause to the draft development agreement to ensure the parking spaces surrounding the new building was constructed in a way to prohibit through traffic to abutting properties.

Discussion Points:

- The hours of operation within the development agreement were listed as 7 a.m. - 9 p.m. The owner has expressed their hopes that the owner of the Chinese Restaurant would move into the building as the commercial component and their current hours are within this time. The hours were also compatible with other businesses/restaurants located in the area. If there was an appetite to change the uses listed within the development agreement, the owners would need to proceed through a formal amendment process.
- Two clauses were included within the development agreement to address the sewer main.

At 10:31 p.m. Councillor B .Morton declared conflict due to owning land surrounding and abutting the restaurant.

- Including recreation space within or on top of buildings was new and the first that was seen in the area. The subdivision by-law requires 5% of the space to be used as outdoor/recreation. In this case the Land Use By-Law was used based on the size of the unit and the number of units within the building. Roof top recreation and balcony space for each unit would be considered.
- The roof top recreation space was listed as a requirement within the development agreement and the property owned would need to uphold it on their end as a requirement. The roof top does not need to be grass, it needs to be a common space.
- Anything within the development agreement could be amended, it would be required to go through the formal amendment process.

**MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT TO PERMIT A FOUR (4) STOREY APARTMENT BUILDING CONTAINING 21 APARTMENT UNITS, ROOF TOP RECREATION SPACE AND UP TO 3,000 SQ. FT. OF COMMERCIAL SPACE ON PID 45003357 IN GARLANDS CROSSING IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN APPENDIX A OF THE REPORT FILE #22-30 B TO COUNCIL DATED JANUARY 24, 2023. MOTION CARRIED**

**MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH JEAN ALPHONSE OF JOVANA CONSTRUCTION LIMITED FOR PID 45003357 IN GARLANDS CROSSING 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**

Councillor B. Morton resumed the meeting at 10:36 p.m.

- v. Hantsport, West Hants and Windsor MPS Amendments related to Public Participation Policy RCOPL-006.00 (10:36 p.m.)

Director LeMay reviewed the report highlighting that the Nova Scotia Minimum Planning Requirements Regulations require that “ In addition to the requirements prescribed in subsection 214(1) of the Act, a Municipal Planning Strategy (MPS) must contain all of the following:

- (d) a statement of the policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.

Summary Points:

- WHRM established a Regional Public Participation Policy in April 2020 and amendments to that policy were considered in an earlier report presented to Council.
- WHRM has three (3) sets of planning documents, all meet the Nova Scotia Minimum Planning Requirements Regulations with the exception that each were missing a

policy referring to the Public Participation Policy. The proposed amendments (included within the agenda package) were considered by PAC/HAC and were intended to meet this requirement.

- Within each of the MPS's, two amendments were proposed; a background statement which provided the rationale for the policy and a policy that Council intends to "establish and maintain a Public Participation Program Policy".
- A Public Information meeting was held December 8, 2022. The comment period closed December 22, 2022, with no comments received. PAC/HAC reviewed and recommended the policy on January 12, 2023 resulting in First Reading occurring.

**MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE HANTSPORT MUNICIPAL PLANNING STRATEGY BY ADDING BACKGROUND AND A POLICY TO THE MUNICIPAL PLANNING STRATEGY REFERRING TO THE PUBLIC PARTICIPATION PROGRAM POLICY, AS SHOWN IN APPENDIX D OF THE JANUARY 12, 2023 REPORT MINIMUM PLANNING REQUIREMENTS REGULATIONS: HANTSPORT, FILE # 22-31. MOTION CARRIED**

**MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE WEST HANTS MUNICIPAL PLANNING STRATEGY BY ADDING BACKGROUND AND A POLICY REFERRING TO THE PUBLIC PARTICIPATION PROGRAM POLICY, AS SHOWN IN APPENDIX D OF THE JANUARY 12, 2023 REPORT MINIMUM PLANNING REQUIREMENTS REGULATIONS: WEST HANTS, FILE # 22-32. MOTION CARRIED**

**MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT PAC/HAC RECOMMENDS THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE WINDSOR MUNICIPAL PLANNING STRATEGY BY ADDING BACKGROUND AND A POLICY REFERRING TO THE PUBLIC PARTICIPATION PROGRAM POLICY, AS SHOWN IN APPENDIX D OF THE JANUARY 12, 2023 REPORT MINIMUM PLANNING REQUIREMENTS REGULATIONS: WINDSOR, FILE #22-33. MOTION CARRIED**

vi. Heritage Plaque Presentations (10:41 p.m.)

Director LeMay reviewed the report highlighting that Council approved the design of the plaque that would be used for heritage properties registered by the Region. At the December 8<sup>th</sup> PAC/HAC meeting a recommendation was made to offer the owner of any newly registered heritage property the option of holding a ceremony at the property or having a plaque presented during a council meeting.

**MOVED BY COUNCILLOR MURLEY AND DEPUTY MAYOR P. MORTON  
THAT COUNCIL OFFER THE OWNER OF ANY NEWLY-REGISTERED  
HERITAGE PROPERTY THE OPTION OF HOLDING A CEREMONY AT THE  
PROPERTY OR HAVING THE PLAQUE PRESENTED DURING A COUNCIL  
MEETING. MOTION CARRIED**

Mayor Zebian expressed appreciation to Director LeMay for the years of service provided to the municipality.

13. Councillor Municipal Activity Reports (10:45 p.m.)

Councillor Ivey reviewed the activity report for the period from the mid December through January to date. Involvement continued in numerous local community and Municipal events. Continue to receive inquiries from residents on various service- related items (snow and ice calls as well as waste collection along with concerns raised about the PVSC tax roll assessments just released this month).

Summary Highlights:

- Participated in the municipal strategy workshop sessions as a beginning process for determining the priorities and focus of the region in the short, medium and longer term.
- Currently participating in the budget preparation workshops with a review of prior budgets in beginning the thought process for considering the priorities and for the coming years budget cycle.
- Attended the audit committee meeting on December 9th as a non-sitting member.
- Viewed the virtual NSFM session (hosted by NSFM and President Brenda Chisholm-Beaton) on January 11th regarding the proposed NSFM by-law changes at next week's meeting on Jan 26th, the meeting was recorded and posted on YouTube. As just noted the Special Meeting of the members is being held on January 26th from 10 am – 4 pm at the Westin Hotel in Halifax. Pre-registration is required.
- Provided notice that the Valley REN was hosting 3 in-person presentations in various locations throughout the region, and one virtual presentation on its regional tourism STAR program. The sessions would highlight the input received from the public over the past year as well as the draft implementation plan being put forward.

14. Correspondence (10:51 p.m.)

a) Information

1. Avon River Causeway/Hwy 101 Twinning Project Correspondence Log (as of January 19, 2023)  
No new correspondence was received.
2. All correspondence received (as of January 24, 2023)
  - i. Correspondence received January 24, 2023 from the Graham Sanford re: File to rezone lots along Bog Road
3. Fort Edward Lands Correspondence Log (as of January 19, 2023)  
No new correspondence was received.
4. Storm Wastewater Correspondence Log (as of January 19, 2023)

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 January 19, 2023)

No new correspondence was sent.

15. New Business – There was no new business discussed.

16. In-Camera

a) MGA 22 (2)(a) Contract Matter

b) MGA 22 (2)(a) Contract Matter

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS  
THAT MEETING MOVE IN-CAMERA AT 10:52 P.M. MOTION CARRIED.**

No motions resulted from In-Camera discussions.

17. Next Meeting Date / Adjournment – February 14, 2023, Committee of the Whole Meeting.

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN  
THAT AT 11:15 P.M., THE MEETING ADJOURN. MOTION CARRIED.**

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Mayor Abraham Zebian (Chair)

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Deanna Snair, Municipal Clerk