

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda **AMENDED**
March 28, 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. Presentations
 - a) Avon Street Erosion Committee – Hantsport
 - b) Core Committee of Zwicker Lake Property Owners
7. Approval of Previous Meeting Minutes
 - a) 2023-02-28 Council Meeting Minutes
 - b) 2023-02-28 PH Minutes, West Hants, Bog Road, Hantsport/Hants Border PIDs 45366473, 45366481, 45366499, 45366507, and 45366515, Rezoning
 - c) 2023-02-28 PH Minutes, Burgess Crescent, Windsor PID 45338688, Development Agreement
 - d) 2023-02-28 PH Minutes, Hwy 215, Cheverie PID 45178944, Development Agreement
 - e) 2023-02-28 PH Minutes, 4190 Hwy 1, Garlands Crossing PID 45003357, Development Agreement
 - f) 2023-02-28 PH Minutes, Hantsport, West Hants and Windsor: Linking the Public Participation Program Policy to the Municipal Planning Strategy
 - g) 2023-03-14 Special Council Meeting
8. Public Hearings - None
9. Second Readings (Includes information requested at the February 28, 2023 meeting)
 - i. West Hants, Bog Road, Hantsport/Hants Border PIDs 45366473, 45366481, 45366499, 45366507, and 45366515, Rezoning – Planner Dunphy) (2 reports and 2 recommendations)
10. Unfinished Business/Postponed Motions
 - a) Waste Collection By-Law Amendment – Councillor Ivey

11. Mayor's Report
12. Committee(s) of Council Excerpts/Recommendations
 - a) Committee of the Whole Excerpts (March 14, 2023)
 - i. Albert Street Services & Street Renewal Tender Award
 - ii. Alternate Development Officer Appointment
 - iii. Avondale Hall Re Floor Repair and Renovation
 - iv. Brooklyn Fire Station Roof Replacement (WHRMPW22-05)
 - v. French Mill Brook Watershed Committee
 - vi. Mill Lakes Watershed Road Renewal Tender Award
 - vii. Parking Regulations and Enforcement
 - viii. Property Assessed Clean Energy (PACE) Policy
 - ix. Regional High School Bursary
 - x. Spring Debenture (6 excerpts)
 - xi. Tourist Bureau Park Request
 - xii. Waste Collection Services (Private Roads)
 - xiii. **Inclusion of Capital to Budgeted Amounts, Tendered Amounts to Actuals and Fundraising Amounts on a quarterly basis in the Financial updates (From January COTW meeting)**
 - b) Planning and Heritage Advisory Excerpts (March 9, 2023)
 - i. Public Participation Program Policy Excerpt
 - ii. College Road, PID 45336203 Development Agreement Amendment (First Reading)
–Director Poirier
 - c) Audit Committee Update Information Report – Acting Director Gibson
13. Councillor Municipal Business/Activity Reports
 - a) Councillor Ivey, District 11 Activity Report
14. Correspondence
 - a) Information
 1. Avon Causeway Activity Log as of March 24th, 2023
 2. Correspondence Received Activity Log as of March 24th, 2023
 - i. 2023-03-14 Core Committee - Zwicker Lake Property Owners Re Permit Clarification
 - ii. 2023-03-14 Response Letter from Hon. Greg Morrow Re Fencing expenses
 - iii. 2023-03-14 Sarah Reddington Re Hantsport Memorial Community Center and Pickleball Facility
 - iv. 2023-03-15 MLA Sheehy-Richard Re Nomination for the Order of Nova Scotia
 - v. 2023-03-16 VREN Response Letter to West Hants
 - vi. 2023-03-20 Letter Re Avon Hydro System Relicensing
 - vii. 2023-03-20 Public Health Re New alcohol guidance on harms and risks for residents
 - viii. 2023-03-21 Kody Blois Letter to the Hon. Kim Masland
 - ix. 2023-03-23 Shawna Nichols Re: Lego program

3. Fort Edward Activity Log as of March 24th, 2023
4. Storm Wastewater Activity Log as of March 24, 2023

b) Requests

- i. 2023-03-15 Hantsport Community Rep for the Apple Blossom Festival Sponsorship Request
- ii. 2023-03-21 Margot Bureaux Re Cancellation of ABF Leadership Competition
- iii. 2023-03-23 Proclamation Request from the West Hants Historical Society
- iv. 2023-03-24 Pisiqid Canoe Club Funding Request

c) Outgoing Correspondence Log as of March 24th, 2023

- i. 2023-03-14 John Paris Jr Letter of Support
- ii. 2023-03-24 NS Premier, Honourable Tim Houston Re Reimagine Lake Pisiqid, Windsor, Nova Scotia
- iii. 2023-03-24 Honourable Joyce Murray, Federal Minister of Fisheries Oceans and Canadian Coast Guard Re Reimagine Lake Pisiqid, Windsor, Nova Scotia
- iv. 2023-03-24 Honourable Steve Craig, Nova Scotia Minister of Fisheries and Aquaculture Re Reimagine Lake Pisiqid, Windsor, Nova Scotia
- v. 2023-03-24 Honourable Tim Halman, Nova Scotia Minister of Environment and Climate Change Re Reimagine Lake Pisiqid, Windsor, Nova Scotia
- vi. 2023-03-24 Honourable Susan Corkum-Greek, Nova Scotia Minister of Economic Development Re Reimagine Lake Pisiqid, Windsor, Nova Scotia
- vii. 2023-03-24 Honourable Kim Masland, Nova Scotia Minister of Public Works Re Reimagine Lake Pisiqid, Windsor, Nova Scotia
- viii. 2023-03-24 MP Blois Re Reimagine Lake Pisiqid, Windsor, Nova Scotia
- ix. 2023-03-24 MLA Sheehy-Richard Re Reimagine Lake Pisiqid, Windsor, Nova Scotia

15. New Business

- a) 2023 Provincial Representative Volunteer Recommendation Report – Director Kehoe

16. In-Camera

- a) MGA 22(2)(a) Land Matter
- b) MGA 22(2)(a) Land Matter
- c) MGA 22(2)(a) Land Matter

17. Next Meeting Date / Adjournment – April 11, 2023 Committee of the Whole 6 p.m.

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Minutes
March 28, 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	Paul Morton, Deputy Mayor, District 8
Rupert Jannasch, Councillor, District 1	Ed Sherman, Councillor, District 7
Scott McLean, Councillor, District 2	John A. Smith, Councillor, District 9
Mark McLean, Councillor, District 3	Laurie Murley, Councillor, District 10
Jeff Hartt, Councillor, District 4	Jim Ivey, Councillor, District 11
Debbie Francis, Councillor, District 5	

Regrets:

Bob Morton, Councillor, District 6

Staff:

Mark Phillips, Chief Administrative Officer	Deanna Snair, Municipal Clerk
Kathy Kehoe, Dir. Community Development	Sara Poirier, Dir. Planning & Development
Diana Gibson, Acting Dir. Financial Services	Alex Dunphy, Planner
Todd Richard, Dir. Public Works	

Regrets:

Shelleena Thornton, Mun. Admin Supervisor

Presenters/Public

Twenty-two (22) in the Gallery including presenters Garrett Johnston, Ron MacDonald, Andrew Hardman and Mark Kehoe.

3. Announcements (6:01 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.
- Fire alarm protocol was reviewed.
- Meeting was being livestreamed; comments welcomed but not responded to.
- Mr. Jeff Redden was presented with a certificate in recognition of over 30 years of service (Home Hardware) and his retirement. To commemorate/celebrate his work within the

community, an Ash tree would be planted and a plaque placed in Victoria Park as part of the parks Beautification and Revitalization plan.

- Easter Egg community hunt, Saturday, Apr. 1 at the Brooklyn Trail (Brooklyn Elementary School).

4. Approval of the Agenda, including additions or deletions (6:07 p.m.)

Additions to the Agenda:

- Item 16 In-Camera MGA 22(2)(a) Three Land Matters, two of which were previously discussed matters requiring updates.

Dashboard:

- The sewer rate study report was not completed, it was not available prior to budget discussions.
- Walter Stephen's Building RFP will be a future in-camera discussion.
- Noise By-Law appeared at the Committee of the Whole (COTW) to provide further discussion based on Council's direction.
- Mr. Fowler has been engaged and was donating his services (RFP not needed) to complete the Phase 2 A.R.I.A. for the property at 65 Fort Edward. A plan will need to be presented to Dept. of Community, Culture and Heritage prior to the survey beginning.
- During the January Committee of the Whole meeting a motion was not carried forward to Council relating to Budget to Actual Capital Expenditures (incl. Sports Complex fundraising efforts). This was being addressed during the COTW excerpts.
- WFD Rescue Engine was placed back in the Capital budget for consideration. A redesigned RFP was not carried out, as the primary components of the vehicle were likely not to change. A third party was being considered to assist with drafting the RFP and assist with evaluating the technical aspects of the RFP.

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN
THAT THE 2023-03-18 COUNCIL AGENDA BE APPROVED AS AMENDED.
MOTION CARRIED**

Voting occurred by a show of hands.

5. Declaration of Conflict of Interest (6:19: pm)

Councillor Sherman - item 12 b(ii) College Road PID 45336203 Development Agreement Amendment due to being the applicant.

6. Presentations (6:20 p.m.)

a) Avon Street, Hantsport Erosion Committee (Garrett Johnston and Ron MacDonald)

The committee provided a brief presentation describing the current state of the Avon Street properties along the Avon River. Due to tidal erosion, immediate repairs were needed to the existing bank protection infrastructure to slow down/stop tidal erosion and protect the approximate 42 affected properties along Avon Street.

Discussion Points:

- Requests: (1) a letter of support for the project, (2) pursue available funding for hiring a project resource to assist in the application process for the Federal Disaster Mitigation

Fund, (3). perform an Environmental Impact Assessment, and (4) for a collaborative effort with the County of Kings, Provincial and Federal entities to form a working synergy to implement a project to replace and repair infrastructure to last future generations.

- Meeting with Kings County Council on April 18th, 2023.
- Federal Disaster Mitigation Fund applications close July 2023. An application was started, but there was value in having Municipal and Provincial assistance in completing the process.
- Invited Council to meet at 118 Avon Street and view the properties along Avon Street on April 26, 2023 at 6 p.m.

The presentation concluded at 6:32 p.m.

Mayor Zebian stepped down and Deputy Mayor P. Morton assumed the chair at 6:32 p.m.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT STAFF TO LIAISE WITH THE COUNTY OF KINGS STAFF TO EXPLORE THIS FUNDING PROGRAM AND OTHERS AND REPORT BACK TO COUNCIL IN A MONTH'S TIME TO GIVE FURTHER DIRECTION. MOTION CARRIED

Mayor Zebian assumed the chair at 6:33 p.m.

Three (3) members of the gallery left the meeting at 6:34 p.m.

- a) Core Committee of Zwicker Lake Property Owners (Andrew Hardman and Mark Kehoe) (6:34 p.m.)

Mr. Hardman and Mr. Kehoe provided a brief presentation requesting assistance to get due process back on track to ensure compliance with municipal By-Laws. The community group represented permanent property owners on Zwicker Lake and expressed concerns (this was a large project impacting a sensitive area with protected wildlife and ecosystems) re: the Pisiqid Canoe Club (properties at Zwicker Lake), the Planning process, and funding received to purchase the properties.

Discussion Points:

- Did not agree with the permit or the definition of Community Centre.
- The permit issued was for a single use dwelling and storage, but the property was used as a rec center.
- A letter was sent advising the club they were in violation, but a few days later the club was up and running again.
- The community group felt the permit was not valid, resulting in the group independently engaging a lawyer and municipal planner for an opinion.

Requesting:

- Development Agreement that would provide guidelines for operating in a rural community.
- Compliance with municipal and provincial regulations.
- Respect for Residents' rights, local eco systems, environment, preservation of wildlife, and health and safety for all.

There was confidence in the decision of the Development Officer (has the authority and felt there was a level of compliance). Legal advice was sought as part of his consideration.

Discussion Points:

- There were noncompliance issues and a delay with the applicant applying for the initial development permit. Compliance levels vary.
- Other delays speak to enforcement, the Municipality tries to work with groups (based on general public safety level).
- Building Inspector was closely monitoring any outstanding issues with the building permit/changes to the building.
- References made within the emails were reflective of the information received at that specific time.
- Development Agreement was not warranted and cannot be forced on the property owner.
- Legal Opinion (confidential/ solicitor client privilege) will be shared with Council.

The presentation concluded at 7:06 p.m. Mr. Hardman and Mr. Kehoe left the meeting. All members of the gallery left at 7:07 p.m. except one person.

7. Approval of Previous Meeting Minutes (7:06 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT THE:

- A) 2023-02-28 Council Meeting Minutes
- B) 2023-02-28 PH MINUTES, WEST HANTS, BOG ROAD, HANTSPORT/HANTS BORDER PIDS 45366473, 45366481, 45366499, 45366507, AND 45366515, REZONING
- C) 2023-02-28 PH MINUTES, BURGESS CRESCENT, WINDSOR PID 45338688, DEVELOPMENT AGREEMENT
- D) 2023-02-28 PH MINUTES, HWY 215, CHEVERIE PID 45178944, DEVELOPMENT AGREEMENT
- E) 2023-02-28 PH MINUTES, HANTSPORT, WEST HANTS AND WINDSOR: LINKING THE PUBLIC PARTICIPATION PROGRAM POLICY TO THE MUNICIPAL PLANNING STRATEGY
- F) 2023-03-14 SPECIAL COUNCIL MEETING MINUTES BE APPROVED.

Due to Mayor Zebian and Councillor Francis declaring conflict with the Tregothic Marsh Body agenda item at the 2023-02-28 meeting, both left chambers at 7:08 p.m. and did not partake in discussions. Deputy Mayor assumed the chair.

Discussion Points:

- 2023-02-28 minutes reflecting the Marsh body put through the changes to regulations to keep the province out of the process were inaccurate. The 2023-02-28 minutes will be amended and return to the next meeting for consideration and approval.

MOVED BY COUNCILLORS IVEY AND JANNASCH THAT COUNCIL REMOVE THE FEBRUARY 28TH COUNCIL MEETING MINUTES . MOTION CARRIED.

Mayor Zebian and Councillor Francis returned at 7:11 p.m. Mayor Zebian assumed the chair.

DEPUTY MAYOR P. MORTON AND COUNCILLOR IVEY THAT THE:

- B) 2023-02-28 PH MINUTES, WEST HANTS, BOG ROAD, HANTSPORT/HANTS BORDER PIDS 45366473, 45366481, 45366499, 45366507, AND 45366515, REZONING**
- C) 2023-02-28 PH MINUTES, BURGESS CRESCENT, WINDSOR PID 45338688, DEVELOPMENT AGREEMENT**
- D) 2023-02-28 PH MINUTES, HWY 215, CHEVERIE PID 45178944, DEVELOPMENT AGREEMENT**
- E) 2023-02-28 PH MINUTES, HANTSPORT, WEST HANTS AND WINDSOR: LINKING THE PUBLIC PARTICIPATION PROGRAM POLICY TO THE MUNICIPAL PLANNING STRATEGY**
- F) 2023-03-14 SPECIAL COUNCIL MEETING MINUTES BE APPROVED. MOTION CARRIED**

8. Public Hearings - None

9. Second Readings

- i. West Hants, Bog Road, Hantsport/Hants Border PIDs 45366473, 45366481, 45366499, 45366507, and 45366515, Rezoning (7:13 p.m.)

Planner Dunphy reviewed the recommendation report including the supplementary information requested at the February meeting.

Discussion Points:

- The 2010 plan review showed a number of properties within the former town designated as future development opportunities; these were presented to be rezoned to R-2. PID 45046315 was one of those properties.
- Department of Municipal Affairs (DMA) correspondence from the early 80s until 1992 was interpreted to mean that the changes (zoning and boundary line) took place after 1992.
- DMA identified that the Municipality was responsible in determining the boundary location and suggested seeking a legal opinion.
- Municipal solicitor advised it was best to ensure all mapping produced by the Municipality was consistent and provided two options for consideration (both require the usual public process). (1) Alter the WHMPS and LUB maps to reflect the former towns' boundary line as per the 2006 Subdivision Plan, or (2) Change the statement of interest in the Hantsport LUB, removing the reference to the former Town boundary and state that the planning area was bound by the line as indicated on the zoning map.
- As of right, the four lots (PID's 45366473, 45366481, 45366499, 45366507) were zoned R-1, resulting in the ability to apply for a building permit to construct a single unit residential unit.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL GIVES SECOND READING AND APPROVES 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, Hartt, P. Morton and Zebian

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL GIVES SECOND READING AND APPROVES 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-BY-LAW 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, S. McLean, Hartt, P. Morton

Planner Dunphy and the remaining residents in the gallery left the meeting at 7:28 p.m.

10. Unfinished Business/Postponed Motions (7:28 p.m.)

a) Waste Collection By-Law Recommendation

Councillor Ivey reviewed the report requesting the waste collection by-law be amended to be consistent throughout the region. Windsor and West Hants have two separate solid waste collection by-laws resulting in differing collections for each based on bag limits and weights. There were areas where properties (across the street from each other) were permitted to put out a larger number of garbage bags than the neighbouring property across the street, despite being serviced by the same vendor.

Director Richard provided supplementary information for clarity.

Discussion Points:

- Staff were working toward a consolidated By-law but had anticipated the Province would have provided an EPR segment resulting in drastic changes to the By-law.
- Consistent By-Law, bag size, weights and limits were needed.
- One bulky item equals one bag (ex. 6 bags = 5 bags plus the bulky item). Staff recommend remaining with the above wording. Increasing the number of bags may lead to additional costs. Staff recommend status quo or less for bag limits to deter cost increases.
- WH By-Law was written prior to the introduction of green bins.

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COUNCIL DIRECT STAFF TO INITIATE THE PROCESS FOR CONSOLIDATING THE WINDSOR SOLID WASTE BY-LAW WITH THE WEST HANTS SOLID WASTE BY-LAW FOR THE PURPOSE OF THE REMOVING THE DISPARITIES THAT EXIST BETWEEN THE TWO AS MUCH AS PRACTICABLY POSSIBLE. MOTION CARRIED

11. Mayor's Report (7:36 p.m.)

Mayor Zebian provided a verbal report.

Summary points:

- Met with VREN partners to review the Intermunicipal Services Agreement (IMSA) and the 2-year withdrawal clause.
- Met with potential developers and the developer for the former Windsor Wear Textile Mill site to see their plan.
- Attended the Audit Committee meeting.
- Attended the DAR Trail line public engagement meeting at the Brooklyn Civic Centre.
- Toured the Sports Complex with Emergency Service providers and Supervisor Thornton.
- Attended the OMA Mosque for the Ramadan Festival dinner in Dartmouth.
- Participated in the Pride skate at the Sports Complex.
- Attended the Science Fair as a judge, along with Councillor Francis.
- Reviewing the draft budget, looking forward to the upcoming discussions.

12. Committees of Council Recommendations

a) Committee of the Whole Excerpts (March 14, 2023)

i. Albert Street Services & Street Renewal Tender Award Recommendation (7:42 p.m.)

Discussion Points:

- Stormwater management plan remains on-going. The vendor has lost lead staff resulting in the delay. Albert Street's stormwater has been considered.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT COUNCIL APPROVE THE AWARD OF TENDER WHRMHPW22-06 FOR ALBERT STREET WINDSOR SERVICES & STREET RENEWAL TO THE LOW COMPLIANT BIDDER, GARY PARKER EXCAVATING LIMITED, FOR THE TENDERED PRICE OF \$1,063,920, PLUS A 15% CONSTRUCTION PROJECT CONTINGENCY OF \$159,588, PLUS APPLICABLE TAXES. MOTION CARRIED

ii. Alternate Development Officer Appointment Recommendation (7:43 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL REVOKE THE APPOINTMENT OF MADELYN LEMAY AS DEVELOPMENT OFFICER FOR WEST HANTS REGIONAL MUNICIPALITY. MOTION CARRIED

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPOINT CHRISTOPHER BURNS AS ALTERNATE DEVELOPMENT OFFICER IN THE ABSENCE OF THE DEVELOPMENT OFFICER EFFECTIVE MARCH 29, 2023 IN ACCORDANCE WITH SECTION 243 OF THE MUNICIPAL GOVERNMENT ACT. MOTION CARRIED

iii. Avondale Hall Financial Request Re: Floor Repair and Renovation Recommendation (7:45 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR S. MCLEAN THAT COUNCIL APPROVE \$21,000 IN EMERGENCY FUNDING TO BE TAKEN

FROM THE WEST HANTS CANADA COMMUNITY BEAUTIFICATION FUND (CCBF) IN ORDER TO COMPLETE REPAIRS TO THE AVONDALE HALL. MOTION CARRIED

- iv. Brooklyn Fire Station Roof Replacement Tender (WHRMPW22-05) Recommendation (7:46 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR M. MCLEAN THAT COUNCIL APPROVE THE AWARD OF TENDER WHRMPW22-05, BROOKLYN FIRE STATION ROOF REPLACEMENT TO THE LOW COMPLIANT BIDDER, ACADIA ROOFING & CONTRACTING LIMITED, FOR THE TENDERED PRICE OF \$482,187, PLUS A 10% CONSTRUCTION PROJECT CONTINGENCY OF \$48,218.70, PLUS APPLICABLE TAXES. MOTION CARRIED

- v. French Mill Brook Watershed Committee Appointment Recommendation (7:47 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPOINT LONNY CURRY AS A RESIDENT MEMBER TO THE FRENCH MILL BROOK WATERSHED COMMITTEE BEGINNING APRIL 1, 2023 AND ENDING OCTOBER 31, 2024. MOTION CARRIED

- vi. Mill Lakes Watershed Road Renewal Tender Award Recommendation (7:47 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPROVE THE AWARD OF TENDER WHRMPW22-08 FOR THE MILL LAKES WATERSHED ROAD RENEWAL TO THE LOW COMPLIANT BIDDER, HOWARD E. LITTLE EXCAVATING LIMITED, FOR THE TENDERED PRICE OF \$413,013.96, PLUS A 15% UNIT PRICE BID CONTINGENCY OF \$61,952.09 FOR ESTIMATED QUANTITIES, PLUS APPLICABLE TAXES. MOTION CARRIED Nays: Hartt

- vii. Parking Regulations and Enforcement Recommendation (7:48 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL REQUEST STAFF UNDERTAKE A REVIEW OF THE DOWNTOWN WINDSOR BUSINESS DISTRICT TO DETERMINE IF SUFFICIENT PARKING CAPACITY EXISTS FOR RESIDENTS, BUSINESSES AND VISITORS TO THE AREA.

FURTHER THAT THE REVIEW DETERMINES IF THE REGULATIONS AND ENFORCEMENT THROUGH FINES DEFINED WITHIN THE MVA ARE SUFFICIENTLY EFFECTIVE TO MEET THE NEEDS OF THE BUSINESSES AND CONSUMERS IN OUR AREA. MOTION CARRIED

- viii. Property Assessed Clean Energy (PACE) Policy Recommendation (7:49 p.m.)

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVE THE PACE PROGRAM POLICY IN A MANNER

SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT TO THE COMMITTEE OF THE WHOLE TITLED “PACE POLICY”, DATED MARCH 14, 2023. MOTION CARRIED

- v. Regional High School Bursary Decision Request (7:50 p.m.)

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT APPROVE THE ATTACHED AMENDED REGIONAL HIGH SCHOOL BURSARY POLICY RCOFN-013.00 AS PRESENTED AT THE MARCH 14TH COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED

- vi. Spring Debenture Recommendation (6 excerpts) (7:51 p.m.)

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 20-YEAR DEBENTURE OF \$95,590, FOR THE PURCHASE OF TRAIL LAND. MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 20-YEAR DEBENTURE OF \$175,349, FOR BACK PARKING LOT PAVING AT THE WEST HANTS SPORTS COMPLEX. MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 5-YEAR DEBENTURE OF \$26,656, FOR THE 2023 FORD TRANSIT VAN USED BY THE WATER UTILITY. MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 15-YEAR DEBENTURE OF \$828,034, FOR THE BROOKLYN FIRE DEPARTMENT’S NEW PUMPER TANKER. MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 15-YEAR DEBENTURE OF \$1,225,351 FOR THE WINDSOR FIRE DEPARTMENT'S NEW SINGLE AXEL QUINT. MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 20-YEAR DEBENTURE OF \$1,774,924, PENDING MINISTER APPROVAL OF THE TEMPORARY BORROWING RESOLUTION, FOR THE HANTSPORT FIRE DEPARTMENT'S NEW STATION. MOTION CARRIED Nays: Hartt and S. McLean

- vii. Tourist Bureau Park Request Recommendation (7:56 p.m.)

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL RECEIVE AN INFORMATION REPORT FROM STAFF ON THE DETAILS NEEDED TO BE REVIEWED (COSTS, ETC) FOR MAINTAINING THE LAWN CARE AT THE FORMER TOURIST BUREAU. MOTION CARRIED

- viii. Waste Collection Services (Private Roads) Recommendation (7:57 p.m.)

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT STAFF PREPARE A REPORT ON THE WASTE COLLECTION REQUEST FOR DESTINATION WAY, COZY CRESCENT AND MOONSHADOW RUN INCLUDING INFORMATION ON PRIVATE ROAD COLLECTION AND WHAT THAT MAY LOOK LIKE GOING INTO THE FUTURE. MOTION CARRIED

- ix. Fundraising Updates, Sports Complex (Recommendation from January COTW mtg) (7:57 p.m.)

Discussion Points:

- With awareness that the previous quarter was missed, there was a desire to see the report for the previous month.
- Intent was to include all Capital projects.

MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COUNCIL REQUEST THAT FINANCE INCLUDE A CAPITAL, BUDGET TO ACTUAL REPORT WITH THE FINANCE REPORT THAT COMES TO COUNCIL ON A QUARTERLY BASIS AND THAT IT WOULD INCLUDE BUDGETED AMOUNTS FOR CAPITAL, TENDERED AMOUNT FOR CAPITAL, ACTUAL INCURRED AMOUNTS AND INCLUDE FUNDRAISING AMOUNTS. MOTION CARRIED

b) Planning and Heritage Advisory Excerpts (March 9, 2023) (8:00 p.m.)

i. Public Participation Program Policy (PPPP) Recommendation

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL HAVE STAFF EXPLORE AMENDING THE Public Participation Program Policy (PPPP) TO INCLUDE STRENGTHENED PUBLIC NOTICE OF INFORMATION MEETINGS. MOTION CARRIED

A break occurred at 8:01 p.m. The meeting resumed at 8:17 p.m. Councillor Sherman declared conflict and left the meeting at 8:17 p.m.

ii. College Road, PID 45336203 Development Agreement (DA) Amendment (First Reading)(8:17 p.m.)

Director Poirier reviewed the report highlighting the history of the application received on November 29, 2022. The amended application was to increase the maximum number of beds permitted in the home for special care.

Discussion Points:

- Property was approximately 24 acres with frontage on College Road and Kingsview Drive.
- DA was approved May 24, 2022 for a new home for special care with up to 128 beds plus 126 dwelling units on the same lot. Following approval, a request was made by the Province to construct a larger facility.
- Two (2) amendments proposed were to increase the number of beds to 160 and increase the minimum amount for recreation space.
- A Public Information Meeting (PIM) was held on January 12, 2023. Two members attended with no comments received.

MOVED BY COUNCILLOR MURLEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT WHICH REPLACES THE ORIGINAL DEVELOPMENT AGREEMENT ON PID 45336203 ON COLLEGE ROAD IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT D OF THE REPORT FILE #22-35 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REPORT DATED FEBRUARY 16, 2023, TAKING NOTE THAT THIS DEVELOPMENT AGREEMENT WILL DISCHARGE AND REPLACE THE DEVELOPMENT AGREEMENT RECORDED AT THE LAND REGISTRY OFFICE ON SEPTEMBER 14, 2022, AS DOCUMENT NUMBER 121300512. MOTION CARRIED

MOVED BY COUNCILLOR MURLEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT AMENDMENT WITH HANTS COUNTY RESIDENCE FOR SENIOR CITIZENS 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**

c) Audit Committee Update Report (8:27 p.m.)

Acting Director Gibson presented the information report pertaining to the Audit Committee meeting and mentorship provided by Kevin Matheson.

Discussion Points:

- Feedback has been positive. It was determined that the 34 entry concerns pertained to nine topics. Mr. Matheson will continue to explore, and a follow-up meeting has been scheduled with CAO and Director Gibson.
- 2020-21 Financial Indicator report was received. One indication was at moderate risk and pertained to uncollected taxes. Expected this will decrease as tax sales begin occurring. All other indicators were good. Municipality was rated as low risk for fiscal instability.

13. Councillor Municipal Activity Reports (8:29 p.m.)

Councillor Ivey provided a verbal report.

Summary Highlights:

- Attended commemorative hockey game (referred to as the Coloured Hockey League) championships in the Maritimes with John Paris Jr. and Percy Paris coaching.
- Attended the March 1 meeting (along with Councilor Francis) with MP Blois and Minister Mendicino.
- Participated in a virtual guidance session on the Disaster Mitigation and Adaptation Fund.
- March 9, 2023 PAC/HAC meeting.
- Attended the March 21st DAR Trail meeting at the Brooklyn Civic Centre.
- March 23, 2023 meeting of the Diverse and inclusive Communities Committee.
- Attended the Ellershouse Community Breakfast (first time since COVID). Had an informative conversation re: funding utilization.
- Expressed there was value for the public to have reports presented with executive summaries.

Councillor Jannasch (8:34 p.m.)

Attended Hants County Federation of Agriculture meeting where discussions occurred pertaining to farmland protection. The Federation was in support of sharing the following comments with Council.

Summary Points:

- Appreciative of the information provided by the Planning Department on Land Uses, planning, zoning, and farmland protection.
- Expressed satisfaction with the current practice for farmland protection.
- No consensus on the use of an Agrolgist.
- Were strongly in favour of farmland protection and wanted to be kept informed.
- Requested to be notified as a party of interest when an application to rezone agricultural land reached the public stage.

- Hopeful that Council would entertain a presentation from the Annapolis Valley Farmland Trust in the future. Mayor Zebian will contact them.

14. Correspondence (8:37 p.m.)

a) Information

1. Avon River Causeway/Hwy 101 Twinning Project Correspondence Log (as of March 24, 2023) - None
2. All correspondence received (as of March 24, 2023)
 - i. March 14, 2023 Core Committee Zwicker lake Property Owners Re: Permit Clarification.
 - ii. March 14, 2023 Response letter from Hon. Greg Morrow Re Fencing expenses.
 - iii. March 14, 2023 Sarah Reddington Re: Hantsport Memorial Community Center and Pickleball Facility.
 - iv. March 15, 2023 MLA Sheehy-Richard Re: Nomination for the Order of Nova Scotia.
 - v. March 16, 2023 VREN Response Letter to West Hants
 - vi. March 20, 2023 Letter Re Avon Hydro System Relicensing
 - vii. March 20, 2023 Public Health Re New alcohol guidance on harms and risks for residents.
 - viii. March 21, 2023 Kody Blois Letter to the Hon. Kim Masland.
 - ix. March 23, 2023 Shawna Nichols Re: Lego program.
3. Fort Edward Lands Correspondence Log (as of March 24, 2023) - None
3. Storm Wastewater Correspondence Log (as of March 24, 2023) - None

b) Requests

- i. March 15, 2023 from the Hantsport Community Rep for the Apple Blossom Festival Sponsorship Request
- ii. March 21, 2023 from Margot Bureaux Re: Cancellation of ABF Leadership Competition
- iii. March 23, 2023 from the West Hants Historical Society Re: Proclamation Request
- iv. March 24, 2023 from the Pisiqid Canoe Club Re: Funding Request

c) Out-going (as it relates to motions of Council to other Provincial agencies/depts) as of March 24, 2023

- i. March 14, 2023 to the Hockey Hall of Fame in support of John Paris Jr
- ii. March 24, 2023 to the NS Premier, Honourable Tim Houston, Honourable Joyce Murray, Honourable Steve Craig, Honourable Tim Halman, Honourable Susan Corkum-Greek, Honourable Kim Masland, MP Blois and MLA Sheehy-Richard Re: Reimagine Lake Pisiqid, Windsor, Nova Scotia.

Discussion Points:

- Individual correspondence to each minister was more impactful.
- Value in the Proclamation request from the West Hants Historical Society being brought back for the July Council meeting.
- The contact information related to animal distress and welfare will be confirmed and shared.
- Pisiquid Canoe Club submitted a grant application.

MOVED BY COUNCILLOR IVEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL BRING THE PROCLAMATION AS PROVIDED BY THE WEST HANTS HISTORICAL SOCIETY BACK TO COUNCIL ON THE 25TH OF JULY FOR OFFICIAL DECLARATION WITHIN THE CHAMBER. MOTION CARRIED

15. New Business

- a) 2023 Provincial Representative Volunteer Recommendation Report (8:42 p.m.)
 Director Kehoe reviewed the report. Nominations were received for deserving volunteers from community groups/councillors and the public.

MOVED BY COUNCILLORS IVEY AND M. MCLEAN THAT COUNCIL APPROVES THE NOMINATION OF DOMENIC PADULA FOR THE 2023 PROVINCIAL REPRESENTATIVE VOLUNTEER AWARD FOR THE WEST HANTS REGIONAL MUNICIPALITY. MOTION CARRIED

16. In-Camera (8:44 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR M. MCLEAN THAT AT 8:44 P.M. THE MEETING MOVE IN-CAMERA. MOTION CARRIED.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT THE MEETING MOVE OUT OF IN-CAMERA AT 9:24 P.M.. MOTION CARRIED.

MOVED BY COUNCILLORS MURLEY AND SMITH THAT COUNCIL DIRECT STAFF TO PROCEED AS DISCUSSED IN-CAMERA WITH OPTIONS 1 AND 2 REGARDING THE LAND PURCHASE AND TO EXPEND FUNDS UP TO \$6,900. MOTION CARRIED. Nays: Hartt

17. Next Meeting Date / Adjournment – April 11th, 2023, Committee of the Whole Meeting.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR IVEY THAT AT 9:25 P.M. THE MEETING ADJOURN. MOTION CARRIED.

Voting occurred by a show of hands.

Mayor Abraham Zebian (Chair)

Deanna Snair, Municipal Clerk

