

**WEST HANTS REGIONAL MUNICIPALITY**

**Council Meeting Agenda **AMENDED****

**October 24, 2023 - 6:00 p.m.**

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also FB Livestream)

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

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**West Hants**  
something inspiring awaits

1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
  - a) Dashboard Action Items – Information Log
  - b) Dashboard Action Items – Dangerous or Unsightly Premises
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
  - a) 2023-09-11 Special Council Meeting Minutes
  - b) 2023-09-26 Council Meeting Minutes
  - c) 2023-09-26 Public Hearing Minutes 35 William Street, Hantsport PID 45044419
  - d) 2023-09-26 Public Hearing Minutes Pemberton Avenue, Garlands Crossing PID45003563
7. Presentations
  - a) Short Term Rentals – Susan Sanford
8. Public Hearings
  - a) 8 Upper Water St., Windsor – Planner Dunphy
  - b) 65 Fort Edward St. (Municipal Lands), Windsor Rezoning – Planner Dunphy
  - c) Cole Dr., Windsor PID 45366432 – Planner Dunphy
  - d) 187 Payzant Dr., Windsor – Senior Planner Fredericks
9. Second Readings
  - a) 8 Upper Water St., Windsor – Planner Dunphy
  - b) 65 Fort Edward St. (Municipal Lands), Windsor Rezoning – Planner Dunphy
  - c) Cole Dr., Windsor PID 45366432 – Planner Dunphy
  - d) 187 Payzant Dr., Windsor – Senior Planner Fredericks
10. Unfinished Business/Postponed Motions
  - a) Public Participation Program Amendment Recommendation Report – Councillor Ivey

11. Mayor's Report
12. Committee(s) of Council Excerpts/Recommendations
  - a) Committee of the Whole Excerpts (October 10<sup>th</sup>, 2023)
    - i. 2022-23 HMCC Financial Statements
    - ii. Carpool Parking Lot
    - iii. Fire Apparatus Consultant Tender Award
    - iv. Fire Apparatus Pre-approval
    - v. Fresh Water Resource – Explore Pond Ownership
    - vi. Purchase of an AWD Electric SUV (WHRMPD23-03)
    - vii. Sewer Odours
    - viii. Road Construction- Communication Policy Supporting Businesses
  - b) Planning and Heritage Advisory Excerpts (October 12<sup>th</sup>, 2023)
    - i. 411 King Street, Windsor – Planner Dunphy
    - ii. MacLeod Court, Three Mile Plains PID 45006947 and 45415668 – Senior Planner Fredericks
  - c) Audit Committee Excerpts (October 16, 2023)
    - i. West Hants Regional Municipality's Audited Consolidated Financial Statements ending March 31, 2023
13. Councillor Municipal Business/Activity Reports
  - a) Councillor Ivey, District 11 Activity Report
14. Correspondence
  - a) Information
    1. Avon Causeway Activity Log
    2. Correspondence Received Activity Log
      - i. Peter Moore Re Municipality of West Hants A Study or Plan, and why it matters.
      - ii. 2023-10-11 NS Public Works Response to Reimagine Windsor and Falmouth waterfront area.
      - iii. 2023-10-11 Letter to NSFM Re Cellphone Coverage (WHRM copied)
      - iv. 2023-10-13 Glen LeBlanc, Vice Chair Bell Atlantic Canada Re Poor Cellular Service (WHRM Letter sent)
      - v. 2023-10-16 Letter Mailed to WHRM
      - vi. 2023-10-17 Response from Maria Medioli Re King's Meadows (WHRM copied)
      - vii. 2023-10-20 Service Exchange Letter from DMAH to NSFM
      - viii. 2023-10-22 Letter from Minister Lohr - Mun-Prov MOU and Bill 340
    3. Fort Edward Activity Log – None

- b) Requests - None
  - c) Outgoing Correspondence Log - None
15. New Business
- a) Affordable Housing/ More Housing Discussion – Mayor Zebian
  - b) PACHAC Member Appointment
  - c) **Bramber New Horizons Motion Amendment Proposal**
16. In-Camera
- a) Legal Matter MGA 22(2)(a)
  - b) **Land Matter MGA 22(2)(a)**
  - c) Personnel Matter MGA 22(2)(a)
17. Next Meeting Date / Adjournment – November 8<sup>th</sup>, 2023 Committee of the Whole Meeting 6 p.m.

**WEST HANTS REGIONAL MUNICIPALITY**

**Council Meeting Minutes – Continuation of the 2023-10-24 Council Meeting**

October 25, 2023 - 6:00 p.m.

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

And virtually via Zoom (also Facebook Livestreamed)



**West Hants**  
something inspiring awaits

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

2. Attendance

Council:

Abraham Zebian, Mayor

Rupert Jannasch, Councillor, District 1

Scott McLean, Councillor, District 2

Jeff Hartt, Councillor, District 4

Debbie Francis, Councillor, District 5

Bob Morton, Councillor, District 6

John Smith, Councillor, District 9

Jim Ivey, Councillor, District 11

Regrets:

Mark McLean, Councillor, District 3

Ed Sherman, Councillor, District 7

Paul Morton, Deputy Mayor, District 8

Bob Morton, Councillor, District 6

Laurie Murley, Councillor, District 10

Staff:

Mark Phillips, Chief Administrative Officer

Carlee Rochon, Dir. Financial Services (ZOOM)

Vanessa Lake, Clerk

Todd Richard, Dir. Public Works

Sara Poirier, Dir. Planning & Development

Regrets:

Deanna Snair, Municipal Clerk

Kathy Kehoe, Director Community Development

Shelleena Thornton, Municipal Ops Sup.

Presenters/Public

Susan Sanford, Presenter

Shriley Pineo, Presenter

17 residents in the Gallery

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. West Hants Regional Municipality also recognizes that we are all treaty people and have responsibilities to this land and each other. West Hants Regional Municipality also recognizes African Nova Scotians are a distinct people whose history, legacies, and contributions have enriched that part of Mi'kma'ki known as Nova Scotia for over 400 years.

12.

c) **Audit Committee Excerpts** (October 16, 2023) (6:01 p.m.)

i. West Hants Regional Municipality's Audited Consolidated Financial Statements ending March 31, 2023

Director Rochon reviewed the report highlighting that the Auditors have offered unqualified opinion, no errors or omissions. Significant improvements were seen partly due to having full staff complement again. Three accounting standard changes; the first two were not significant to WHRM, the other standard was around asset retirement obligation. Auditors were comfortable with the results. The consolidated surplus was 7.2 million; this was mostly due to grants and funding received (\$3.4 million came from consolidation and CCBF transfers during the year).

Reserves remain healthy and long-term debt numbers are low. Auditors say the financial picture of Municipality remains "vibrant and very healthy" with no signs of intentional misstatement.

General operating has a surplus of \$1.2 million.

Overall results are consistent with the previous year, expenditures were consistent; however, costs were controlled better than what was anticipated (related to inflation - approximate 5% increase).

The Windsor Water Utility was flagged showing deficit. The auditor stated this is nothing to be alarmed about, just keep an eye on it, may indicate a rate study is required, which is already underway.

It was suggested that the municipality will have a strong performance in this year's Financial Indicator Report (FIR).

Discussion Points:

- The Water Utility deficit of \$426,000, was accurate based on what was looked at on closing. The trends have been progressing in this manner. The last rate study and approved rates for Windsor Water Utility was done in 2017. Some revenues were lower than projected, some debt lower than budgeted. Administration line has "a little more in there." Transmission distribution was a little higher. Most significant variance is water treatment.
- In relation to the West Hants Water Utility surplus, administration costs were down, distribution and transmissions were also a little lower than budgeted. Any delay in assets purchased may be capital related and not shown in the operating statement.

**MOVED BY COUNCILLORS HARTT AND FRANCIS THAT COUNCIL APPROVE THE WEST HANTS REGIONAL MUNICIPALITY'S AUDITED CONSOLIDATED FINANCIAL STATEMENTS ENDING MARCH 31, 2023, AS PRESENTED TO THE AUDIT COMMITTEE. MOTION CARRIED.** Nays: Ivey

13. Councillor Municipal Business/Activity Reports (6:16 p.m.)

a) **Councillor Ivey, District 11 Activity Report**

Highlights included:

- Valley Community Fibre Network is in the process of scheduling their AGM.

- Continue to have discussions related to flooding for Stannus and Tremain. At the last planning meeting the cost estimate for separating the combined sewer system was much higher than originally estimated (\$35 to \$40 million range). Concern was raised re: CBCL being behind schedule in the delivery of their report and those still struggling in the flood zone areas.
- Attended the Volunteer banquet to celebrate local volunteers.
- Received calls about traffic speeding and burnouts within Windsor area, Payzant, Water St, Waterfront parking lot. Manager Burgess and RCMP are collaborating, and a plan is being looked at last spring.
- Attended Truth and Reconciliation flag raising.
- Judicial review re: Zwicker Lake scheduled for November 3 in Kentville.
- Attended the event hosted by the Hockey Heritage Society and presentation by David Carter at the Birthplace of Hockey Museum. The oldest carved Mi'kmaq hockey stick, the Carrick Stick was presented.
- Attended the 4H Provincial Show, congratulations were extended to Bradley Pemberton of Falmouth and his calf Clover for placing first in his class and Grand Champion Other Breeds and placing 4<sup>th</sup> in Canada as part of the Canadian Milking Shorthorn Society.

14. Correspondence (6:21 p.m.)

a. Information

i. Avon Causeway Activity Log - None

ii. Correspondence Received Activity Log

1. Correspondence Received Activity Log

- From Peter Moore Re Municipality of West Hants A Study or Plan, and why it matters.
- October 11, 2023 from NS Public Works Re Response to Reimagine Windsor and Falmouth waterfront area.
- October 11, 2023 Letter to NSFM Re Cellphone Coverage (WHRM copied)
- October 13, 2023 from Glen LeBlanc, Vice Chair Bell Atlantic Canada Re Poor Cellular Service (WHRM Letter sent)
- October 16, 2023 Unanimous Letter Mailed to WHRM
- October 17, 2023 Response from Maria Medioli Re King's Meadows (WHRM copied)
- October 20, 2023 Service Exchange Letter from DMAH to NSFM
- October 22, 2023 Letter from Minister Lohr - Mun-Prov MOU and Bill 340 (possible addition)

Discussion Points:

- Disappointment was expressed re: NS Public Works's response to reimagining the waterfront area.
- Mr. Moore's letter identified concerns, issues, contradictions, concerns related to flooding and Stannus Street. Frustration was evident in his letter. A response needs to be provided.
- Something else needs to be done to bring about a change in the service level.
- The letter was interpreted as looking for a public investment. It was unclear if other municipal units were in cellphone infrastructure.

- iii. Fort Edward Activity Log - None
  - b. Requests - None
  - c. Outgoing Correspondence Log - None

Mayor Zebian stepped down from the chair. Councillor Ivey assumed the chair at 6:26 p.m.

15. New Business

a) **Affordable Housing/ More Housing Discussion** (6:26 p.m.)

Mayor Zebian reviewed the report highlighting the thought that he believed there was more work that could be done at the municipal level to support affordable housing in the region. Discussions centred around the definition of “affordable” and the importance of understanding what that really meant, as it appears there is no clear definition of affordable, the potential of having tiny homes in an area (it was important to understand the base tax rate that would sustain each dwelling).

Consensus was the municipality was not interested in being a “landlord”. A suggestion was for staff to bring a list of surplus lands to Council to review and then an RFP could be issued for offered lands. Concerns were raised re: potential land conflicts with an RFP; however, it would still go through the normal Planning process. Staff could provide information on what “affordable housing” looks like.

CAO clarified land is sold at market value to individuals and can be sold below market value to groups.

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT STAFF TO BRING BACK A LIST OF SURPLUS LANDS FOR THE NOVEMBER COMMITTEE OF THE WHOLE MEETING FOR COUNCIL TO REVIEW AND HAVE FURTHER DISCUSSION**

Councillor Jannasch proposed a friendly amendment be made to include buildings in the motion. The Mover and Seconder agreed.

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT STAFF TO BRING BACK A LIST OF SURPLUS LANDS AND BUILDINGS FOR THE NOVEMBER COMMITTEE OF THE WHOLE MEETING FOR COUNCIL TO REVIEW AND HAVE FURTHER DISCUSSION. MOTION CARRIED UNANIMOUSLY**

Mayor Zebian assumed the chair at 6:50 p.m.

b) **PACHAC Member Appointment** (6:50 p.m.)

Mayor Zebian presented the report recommending Paul Beazley be appointed to the Planning and Heritage Advisory Committee as a Windsor representative.

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL APPOINT PAUL BEAZLEY TO THE PLANNING AND HERITAGE ADVISORY**

**COMMITTEE FOR THE REMAINDER OF THE 2022-2024 TERM WHICH  
WILL FULFIL THE WINDSOR REPRESENTATIVE MEMBER VACANCY.  
MOTION CARRIED UNANIMOUSLY.**

**c) Bramber New Horizons Motion Amendment Proposal (6:51 p.m.)**

Councillor Jannasch reviewed the report highlighting that he was providing notice of motion to amend a previously approved motion. The request was to look at the grants approved through the Canada Community Building Fund (CCBF). A request was approved for the Bramber Community Hall for funding for a drilled well. After further consideration, the group determined that \$10,000 was too costly and were looking to reduce the costs by installing a cistern instead. In order to meet the CCBF requirements an amendment was required to replace a drilled well with a cistern.

Discussion Points:

- Concern was raised with the original motion and the amendment being all inclusive; if you didn't agree with one of the financial grants you had to vote against the motion despite supporting the remaining grants.
- Despite the lack of notice, consensus was to support the request.
- The entire motion would need to be amended as the Bramber New Horizon Association Hall was only a small part of the overall motion previously approved.

**MOVED BY COUNCILLORS JANNASCH AND FRANCIS THAT COUNCIL  
APPROVE THE FOLLOWING GRANTS FROM THE CANADA COMMUNITY  
BUILDING FUND:**

**a) CHEVERIE UNITED CHURCH (PENDING INCORPORATION STATUS) –  
FOR ROOF REPAIRS \$5,000**

**b) FALMOUTH COMMUNITY HALL ASSOCIATION – FOR HEAT PUMPS,  
ELECTRICAL, WINDOWS AND NEW LIGHTING - \$5,000.**

**c) MOUNT DENSON COMMUNITY HALL ASSOCIATION - \$2,500.**

**d) RCL HANTS COUNTY BRANCH 009 VETERANS BANNER PROJECT  
(PENDING INCORPORATION STATUS) - TO PURCHASE HANGERS TO BE  
MOUNTED ON UTILITY POLES TO DISPLAY THE VETERANS HONOUR  
BANNERS - \$5,000.**

**e) SOUTHWEST HANTS FIRE SOCIETY – TO CREATE A SPACE ON THE  
FIRE STATIONS UPPER LEVEL FOR FIREFIGHTERS TO EXERCISE AND FOR  
RECREATION SPACE PRE/POST CALLS OR TRAINING. INCLUDES  
INSTALLING A FIRE DOOR, ERECTING PARTITIONS ON STEEL FRAMING,  
SHEET ROCK INSTALL, ROUGH IN FOR WASHROOM, PAINTING ETC. -  
\$5,000.**

**f) THE CROSSING SENIOR SOCIAL SOCIETY – TO ASSIST WITH THE COST  
TO PURCHASE A STORAGE BUILDING/BANDSTAND FOR EVENTS AT  
THE CROSSING - \$5,000.**

**g) WEST HANTS GROUND SEARCH & RESCUE – TO ASSIST WITH COSTS ASSOCIATED WITH THE PURCHASE AND INSTALLATION OF NEW WINDOWS - \$5,000.**

**H) HANTSPORT MEMORIAL COMMUNITY CENTRE TO COVER THE COSTS OF PICKLE BALL COURT PROJECT TO COVER ALL THEIR PHASES FOR -\$350,000.**

**i) MERMAID THEATRE – MARQUEE & CHANNEL LETTERING SIGNAGE - \$13,051.50.**

**j) NEWPORT & DISTRICT RINK COMMISSION - TO ASSIST WITH COSTS FOR THE ICE PLANT COMPRESSOR OVERHAUL - \$12,472.33 X 2.**

**k) PISQUID CANOE CLUB – TO ASSIST WITH THE COSTS ASSOCIATED WITH THE INSTALLATION OF AN EXPANDED NSE APPROVED COMMERCIAL SEPTIC SYSTEM - \$17,500 PENDING THE RESULTS OF THE JUDICIAL REVIEW.**

**l) BRAMBER NEW HORIZONS ASSOCIATION – TO ASSIST WITH THE COST TO INSTALL A CISTERN - \$8,000.**

**m) WINDSOR AGRICULTURAL SOCIETY – TO ASSIST WITH THE COST ASSOCIATED WITH IMPROVING THE EXHIBITION ARENA BY REPLACING THE PANELS ON THE WEST SIDE OF THE ARENA, UPGRADING THE LIGHTING, WATER & HEATING AS WELL AS WASHROOM ACCESSIBILITY - \$50,000. MOTION CARRIED. Nays: Hartt, S. McLean**

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT THE MEETING MOVE IN-CAMERA AT 7:09 P.M. MOTION CARRIED**

16. In-Camera

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

**MOVED BY COUNCILLORS FRANCIS AND MAYOR ZEBIAN THAT THE MEETING MOVE OUT OF IN-CAMERA AT 8:38 P.M. MOTION CARRIED**

17. Next Meeting Date / Adjournment – November 14, 2023 Committee of the Whole Meeting at 6 p.m.

**MOVED BY COUNCILLORS FRANCIS AND SMITH THAT AT 8:38 P.M. THE MEETING ADJOURN. MOTION CARRIED.**

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Mayor Abraham Zebian (Chair)

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Deanna Snair, Municipal Clerk