

**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

October 24, 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

Mark McLean, Councillor, District 3

Jeff Hartt, Councillor, District 4

Debbie Francis, Councillor, District 5

Bob Morton, Councillor, District 6

Ed Sherman, Councillor, District 7

John Smith, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Regrets:

Paul Morton, Deputy Mayor, District 8

Staff:

Mark Phillips, Chief Administrative Officer

Carlee Rochon, Director of Financial Services

Todd Richard, Dir. Public Works

Alex Dunphy, Planner

Shelleena Thornton, Municipal Ops Sup.

Sara Poirier, Dir. Planning & Development

Mark Fredericks, Senior Planner

Regrets:

Deanna Snair, Municipal Clerk

Kathy Kehoe, Director Community Development

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.

The Newport Titans, a new hockey team has started playing at the Brooklyn Rink on Sundays at 3 p.m.

Congratulations were extended to the West Hants Coyotes who were named Team of the Year.

Reminder that the West Hants Spectacular will occur this Saturday from 11- Noon.

Halloween Market is this Sunday at Noon.

Voting will occur by a show of hands and not electronic for this meeting.

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

Voting occurred by a show of hands.

Additions to the Agenda:

- 10(a) Public Participation Program
- 14(a) viii – Minister Lohr
- 15(c) – Bramber New Horizons

**MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT THE 2023-10-24 COUNCIL AGENDA BE APPROVED AS AMENDED. MOTION CARRIED**

5. Declaration of Conflict of Interest (6:06 pm) – None

6. Approval of the Previous Meeting Minutes (6:08 p.m.)

- 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

Discussion Points:

Change Planner Poirier to Director Poirier in September Council minutes.

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT THE MINUTES OF:**

**2023-09-11 SPECIAL COUNCIL MEETING MINUTES**

**2023-09-26 COUNCIL MEETING MINUTES**

**2023-09-26 PUBLIC HEARING MINUTES 35 WILLIAM STREET, HANTSPORT PID 45044419**

**2023-09-26 PUBLIC HEARING MINUTES PEMBERTON AVENUE, GARLANDS CROSSING PID 45003563 BE APPROVED AS AMENDED.**

**MOTION CARRIED.**

7. Presentations (6:10 p.m.)

- a) Short Term Rentals (STR's)

Ms. Sanford reviewed the presentation highlighting Short Term Rental information (who they were, facts and benefits about STR's, and affordable housing and who is responsible for this).

Discussions focused on STR's not taking away from Provincial/Federal responsibility for affordable housing. Of the 222 affordable/new housing announced, none were slated for West Hants. The new Bill is HRM specific with little focus on rural communities. Seasonal property owners should not have to sacrifice to help meet Provincial and Federal responsibilities for affordable housing options. The presentation concluded with two recommendations for Council

to consider; gather more information relative to STRs in the West Hants Region. Understand the actual benefits and challenges and make informed decisions on information specific to our communities and not introduce regulations for short term rentals currently. Monitor and reassess.

Discussion Points:

- It was felt that STR's were still within the Planning realm.
- The presentation was very informative.
- Important to acknowledge that short-term rentals have many definitions. Must ensure definitions match municipality intent. Intent is not to ban short-term rentals.

b) West Hants Historical Society – Fort Edward Hill (6:26pm)

Shirley Pineo reviewed the presentation highlighting the work done by the Historical Society's. The ask was for Council to support the initiative and the lands to be donated to the Historical Society and utilized for the creation of a Heritage and Cultural Centre. They have been actively engaging with the community to preserve rich history, culture and arts, while enhancing it. A Heritage and Cultural Centre would be a destination. Chloe and Gretchen worked as summer students at the West Hants Historical Society. They presented their experience during their work term.

8. **Public Hearings (6:37 p.m.)**

Public Hearings and Second Readings (Second reading was held immediately following Public Hearing)

The meeting moved into Public Hearing at 6:37 p.m. Second Reading followed. Further information on the Public Hearing is available in the 2023-10-24 Public Hearing Minutes.

**MOVED BY COUNCILLORS SHERMAN AND FRANCIS THAT COUNCIL  
MOVE INTO PUBLIC HEARING AT 6:37 P.M. MOTION CARRIED**

a) **8 Upper Water Street**

Planner Dunphy reviewed the presentation requesting consideration to permit a six (6) storey, mixed-use apartment building by development agreement.

The Public Hearing concluded at 6:53 p.m.

9. **Second Readings**

a) **8 Upper Water Street (6:53 p.m.)**

Discussion Points:

- Recommendation was different than in report. Staff advised using the recommendation within the presentation.
- 86 parking spots is adequate in working with the location, nearby uses, access, and in consultation with the Development Officer.
- Car Share spaces would be within the development and is not a requirement.
- Proposals are evaluated based on current policies and by-laws, there are no requirements within these to evaluate Fort Edward view plain studies or elevation levels; however, Council could request it.

- Consensus was there was value in knowing the elevation difference in relation to Fort Edward, having a traffic study completed, seeing a conceptual diagram to show how the building fits in the downtown core.
- Development Agreements can be amended to the number of parking spaces.
- As per policy, Council cannot accept any new information once Public Hearing has been concluded. The thought was to seek clarification. Staff will seek legal advice on the matter.

**MOVED BY COUNCILLORS IVEY AND HARTT THAT STAFF GET CLARITY ON NEW INFORMATION FOLLOWING PUBLIC HEARING AND DURING SECOND READING TO SECURE ADDITIONAL INFORMATION (PENDNG LEGAL CONFIRMATION); REQUEST THE SITE LINES AND HEIGHT OF THE PROPOSED BUILDING IN RELATION TO FORT EDWARD; POSTPONE SECOND READING UNTIL THE NOVEMBER 28, 2023 COUNCIL MEETING. MOTION CARRIED** Nays: Francis, Mayor, Sherman.

#### 8. **Public Hearings (7:26 p.m.)**

Public Hearings and Second Readings (Second reading was held immediately following Public Hearing)

The meeting moved into Public Hearing at 6:28 p.m. Second Reading followed. Further information on the Public Hearing is available in the 2023-10-24 Public Hearing Minutes.

**MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL MOVE INTO PUBLIC HEARING AT 7:26 P.M. MOTION CARRIED**

Councillor Hartt was not present for the vote.

#### b) **65 Fort Edward Street (Municipal Lands) Redesignation and Concurrent Rezoning PID 45059797 (7:26 p.m.)**

Planner Dunphy reviewed the presentation requesting consideration to rezone PID 45059797 from Open Space (OS) to Two Unit Residential (R-2).

##### Discussion Points:

- Discussion pertained to rezoning only, no decision was being made on what would occur on the land.
- The rezoning application should be separate from the Historical Society's proposal. A lot of effort has been put into the proposal and many discussions have occurred about it being an open space with a monument and not necessarily a specific development on the site(s). A cultural centre can mean ten different things and the Province doesn't have policies or guidelines on how to steer a cultural society (but it is different with Parks Canada). If Parks Canada were involved, they would need to follow the 2019 Framework for History and Commemoration document with 10 key principles.
- The process was begun with the objective of selling the surplus property, resulting in the undertaking to rezone the property. Since then, the Historical Society has presented what they would like to do with the property. With two parties interested in the land, maybe

Council should have looked at the rezoning with the proposal supported by Council. Rezoning is only necessary if Council supports going with the developer.

- Cultural centre would be permitted as-of-right on the current open space designation.
- It was felt that Council needs to get this decision right. WHRM would benefit from having the proposed cultural society.
- If the decision to rezone was defeated, the current zoning remains as-is. The current application would need to wait six months to revisit the discussion again.

The Public Hearing adjourned at 7:41 p.m.

## 9. Second Readings

### b) 65 Fort Edward Street (Municipal Lands) Redesignation and Concurrent Rezoning PID 45059797 (7:41 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT THAT COUNCIL GIVES SECOND READING TO AND APPROVES THE REDESIGNATION AND CONCURRENT REZONING OF 65 FORT EDWARD STREET, WINDSOR (PID 45059797) FROM THE COMMUNITY USE DESIGNATION TO THE RESIDENTIAL DESIGNATION AND THE OPEN SPACE (OS) ZONE TO THE TWO UNIT RESIDENTIAL (R-2) ZONE. MOTION DEFEATED UNANIMOUSLY.**

A break occurred at 8:01 p.m. The regular meeting resumed at 8:16 p.m. Eight members of the public remained in the gallery.

## 8. Public Hearings (8:16 p.m.)

Public Hearings and Second Readings (Second reading was held immediately following Public Hearing)

The meeting moved into Public Hearing at 8:16 p.m. Second Reading followed. Further information on the Public Hearing is available in the 2023-10-24 Public Hearing Minutes.

**MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL MOVE INTO PUBLIC HEARING AT 8:16PM. MOTION CARRIED.**

### c) Cole Drive, Windsor PID 45366432 (8:16 p.m.)

Planner Dunphy reviewed the presentation requesting to consider permitting a four-storey mixed use apartment building by Development Agreement.

#### Discussion Points:

- There are no requirements in policy for electric vehicle charging stations to be incorporated into development agreements. Council could request this be added into policies so that staff can negotiate that into Development Agreements.

The Public Hearing concluded at 8:30 p.m.

## 9. Second Readings

### c) Cole Drive, Windsor PID 45366432 (8:30 p.m.)

**MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT COUNCIL GIVES SECOND READING TO AND APPROVES ENTERING INTO A DEVELOPMENT AGREEMENT TO PERMIT A FOUR STOREY, MIXED-USE APARTMENT BUILDING ON PID 45366432 ON COLE DRIVE IN WINDSOR WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B OF THE REPORT FILE #23-09 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED JULY 13, 2023. MOTION CARRIED**

**MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH SHAWN FOOTE & MARK HARTLIN WHICH PERMITS A FOUR STOREY, MIXED-USE APARTMENT BUILDING ON PID 45366432 ON COLE DRIVE IN WINDSOR 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.**

**8. Public Hearings (8:30 p.m.)**

Public Hearings and Second Readings (Second reading was held immediately following Public Hearing)

The meeting moved into Public Hearing at 8:30 p.m. Second Reading followed. Further information on the Public Hearing is available in the 2023-10-24 Public Hearing Minutes.

**MOVED BY COUNCILLORS B. MORTON AND FRANCIS THAT THE MEETING MOVE INTO PUBLIC HEARING AT 8:34PM. MOTION CARRIED.**

**d) 187 Payzant Drive, Windsor (8:30 p.m.)**

Senior Planner Fredericks reviewed the presentation to consider repurposing an existing single unit dwelling to establish a community/recreation centre on PID 45276441.

The Public Hearing concluded at 8:46 p.m.

**9. Second Readings**

**d) 187 Payzant Drive, Windsor (8:46 p.m.)**

**MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL GIVES SECOND READING TO AND ENTERS INTO A DEVELOPMENT AGREEMENT TO PERMIT A COMMUNITY/RECREATION CENTRE ON PIDS 45276441 AND 45366986 AND 45055167 ON PAYZANT DRIVE IN WINDSOR, IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B OF THE REPORT FILE # 23-13 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED SEPTEMBER 14, 2023. MOTION CARRIED.**

**MOVED BY COUNCILLORS MURLEY AND IVEY THAT THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH MITCH BRISON**

**WHICH PERMITS A COMMUNITY/RECREATION CENTRE ON PIDS 45276441 AND 45366986 AND 45055167 ON PAYZANT DRIVE IN WINDSOR 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.**

**10. Unfinished Business/Postponed Motions**

**a) Public Participation Program Amendment Recommendation Report (8:49pm)**

Councillor Ivey provided a high-level review of the recommendation report highlighting that at the previous meeting no motion was made with respect to the matter, resulting in the report being brought back as it was felt the report's recommendations were not 'dealt with'. Discussion centered around the potential costs to increase notices for properties within a 300' (increase of approximately \$20), 500' radius (increase of approximately \$15) and a 1000' radius (increase of approximately \$50).

Discussion Points:

- The goal was to reach as many members of the public as possible for better awareness of the meetings and public participation. 300 feet did not seem adequate.
- Notice in the newspaper earlier could reach more people.
- Better use of the signage and space was seen as a benefit.
- Some people feel that the wrong newspaper is used, the Chronicle Herald was felt to be more popular.
- There was feeling that a lot of engagement occurs with the PIMs and PHs. A huge increase has been seen since 2016, with written comments, emails, questions, and/or attendance has increased a lot. There will always be a voice that states they were not aware of the meetings.

**MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COUNCIL RECOMMENDS THE ORIGINAL REPORT, PUBLIC PARTICIPATION PROGRAM BE REFERRED BACK TO STAFF TO ENHANCE AWARENESS OF PUBLIC INFORMATION MEETINGS AND COME BACK TO COUNCIL IN A REASONABLE AMOUNT OF TIME. MOTION CARRIED.** Nays: Francis, Zebian and Jannasch

**11. Mayor's Report (8:59 p.m.)**

Mayor Zebian provided a verbal report.

Highlights included attending the Volunteer Banquet, Truth and Reconciliation Day learning the history, attended the RCSS Minas Cadet evening session to learn about the changes undergone by the group in an attempt to grow their numbers, attended the AVRCE Crisis Intervention Meeting to better understand their protocols, met with individuals from British Columbia who were looking to invest in West Hants. Attended the Legion Banner unveiling with over 200 banners within the communities. Attended the Audit Committee meeting. Met with reps from DMAH and flood/storm events in West Hants. DMAH advised there is no official program in place

where the Province would purchase homes in flooding areas. Met with the individual from the Falmouth Family Park, they have raised about \$16,000 to-date and have done clearing and groundwork. They are working with ACOA about submitting billing to get reimbursed. Anticipate and hope the dog park will be completed by Christmas. Ownership discussion will be forthcoming at a later date.

Municipal Reform Act, Bill 340 changes are coming, and information is being received from the Province.

Continue to have conversations re: Provincial Road repairs, cell coverage. Compliments were extended to public works staff on addressing calls and members of planning staff.

Chief Juteau advised he was stepping aside as Chief, but he will remain active in the Fire Dept. Jamie Harvey step in as Interim Chief.

Discussion Points:

- The province has no formal program for acquisition of property that is in frequently flooded areas. A resident would have to approach municipal council and then council would have to make the request to the Province.

12. Committee(s) of Council Excerpts/Recommendations (9:14 p.m.)

a. Committee of the Whole Excerpts (October 10, 2023)

i. **2023-23 HMCC Financial Statements**

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL ACCEPTS THE FINANCIAL STATEMENTS PROVIDED BY HANTSPORT MEMORIAL COMMUNITY CENTRE (HMCC) AND THAT ANY 2022-23 HOLDBACKS AND ELIGIBLE 2023-24 AREA RATE PAYMENTS BE RELEASED TO HMCC FOR THE PURPOSES OF PROVIDING SERVICES DEFINED IN THE 2023-24 BUDGET. MOTION CARRIED**

ii. **Carpool Parking Lot (9:15 p.m.)**

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL DIRECT STAFF TO WRITE A LETTER TO MLA SHEEHY-RICHARD REQUESTING THAT THE PROVINCE EXPLORE OPTIONS AND CREATE AN ADDITIONAL CARPOOL PARKING LOT BETWEEN EXIT 7 (FALMOUTH) AND EXIT 5 (THREE MILE PLAINS). MOTION CARRIED**

iii. **Fire Apparatus Consultant Tender Award (9:16 p.m.)**

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL APPROVES THE AWARD OF STANDING OFFER CONTRACT TENDER WHRMRF23-01 FOR CONSULTING SERVICES AND WRITING OF REQUEST FOR PROPOSALS FOR FIRE APPARATUS SERVICES TO GOUDREAU ASSOCIATES, FOR THE TWO (2) YEAR TERM, ENDING MARCH 31ST, 2025.**

Discussion Points:

- Concern was raised that this item should wait and be discussed during the next budget.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN TO DELAY THIS DISCUSSION UNTIL 2024/25 BUDGET NEGOTIATIONS TO PERMIT MORE INDEPTH DISCUSSIONS. MOTION DEFEATED UNANIMOUSLY.

Discussion Points:

- If the consultant tender was delayed there would be impacts on the next recommendation for pre-approval to go out to an RFP as well as the apparatus already approved within this year's budget. If the consultant was not supported, RFPs would go back to the Fire Department truck committees as was the previous practice and then return to Council for final approval.
- The cost for a consultant was felt to be a manageable amount as there were only two (2) RFPs within the coming months being released before budget discussions would occur again.

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL APPROVES THE AWARD OF STANDING OFFER CONTRACT TENDER WHRMRF23-01 FOR CONSULTING SERVICES AND WRITING OF REQUEST FOR PROPOSALS FOR FIRE APPARATUS SERVICES TO GOUDREault ASSOCIATES, FOR THE TWO (2) YEAR TERM, ENDING MARCH 31ST, 2025. MOTION CARRIED.** Nays: Francis, Zebian, B. Morton and S. McLean

**iv. Fire Apparatus Pre-Approval (9:22 p.m.)**

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL APPROVES PRE-APPROVING THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR THE SUPPLY OF AN APPARATUS TO REPLACE WINDSOR FIRE DEPARTMENT'S ENGINE 4. MOTION CARRIED.**

**v. Fresh Water Resources Explore Pond Ownership (9:23 p.m.)**

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL DIRECTS THE CAO TO ENGAGE STAFF TO DETERMINE IF THE PROPERTY KNOWN AS TOWN POND IS OR WAS EVER A PUBLIC RESOURCE, FURTHER IF IT WAS A PUBLIC RESOURCE BUT IS NO LONGER, THEN WHEN AND HOW DID IT TRANSITION FROM PUBLIC TO PRIVATE OWNERSHIP. MOTION CARRIED.** Nays: S. McLean, Francis and Zebian

**vi. Purchase of an AWD Electric SUV (WHRMPD23-03) (9:24pm)**

Discussion Points:

- Anticipated delivery time was 6-8 months.

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF ONE AWD ELECTRIC SUV (WHRMPD23-03) FROM BRUCE LEASING FOR THE TENDERED PRICE OF \$50,067.48 PLUS APPLICABLE TAXES. MOTION CARRIED.** Nays: Sherman, Hartt and S. McLean

vii. Sewer Odours (9:26 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL DIRECT STAFF TO EXPLORE OPTIONS ON MASKING OR ELIMINATING THE SEWER ODOURS ARISING FROM THE COMBINED STORM/SEWER SYSTEM AND REPORT BACK TO COUNCIL WITH RECOMMENDATIONS. MOTIONS CARRIED**

viii. Road Construction- Communication Policy Supporting Businesses (9:26 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL DIRECT THE CAO TO ENGAGE STAFF FOR THE ENHANCEMENT OF THE COMMUNICATION POLICY FOR ROAD CLOSURES DUE TO CONSTRUCTION PROJECTS TO MITIGATE IMPACTS ON BUSINESSES OPERATIONS THAT COULD BE NEGATIVELY IMPACTED WITH THE PLACEMENT OF SIGNS SOLELY AS, 'ROADS CLOSED – LOCAL TRAFFIC ONLY'. MOTION CARRIED**

**b) Planning and Heritage Advisory Committee Excerpts (October 12<sup>th</sup>, 2023) (9:27 p.m.)**

i. 411 King Street, Windsor (9:27 p.m.)

Planner Dunphy reviewed the report highlighting on July 7, 2023 a completed application was received from Edward Edelstein of Ecogreen Homes to allow a stacked townhouse development, consisting of 18 dwelling units by development agreement. A Public Information Meeting was held on September 7, 2023. On October 14, 2023, a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) was presented. The Committee discussed the number of units, front yard setback, existing building footprint, and stormwater runoff. During the September 14 meeting, PAC/HAC recommended in favour of the application.

Discussion Points:

- The church has no Provincial or Federal heritage designation.
- Phase I is not in the environmental constraints section.
- The property has no former Development Agreement attached to it.
- A stormwater management plan is required; however, it is not required during the planning process but rather in the development process.
- Pre-development and post-development flows would be validated through the Stormwater Management Plan and engineer consultant. It could be added that WHRM validates post development flows does after the development as a qualitative check.

**MOVED BY COUNCILLORS IVEY AND SMITH THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT TO PERMIT A STACKED TOWNHOUSE DEVELOPMENT, CONSISTING OF 18 DWELLING UNITS ON PID 45059755 AT 411 KING STREET IN WINDSOR WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B**

**OF THE REPORT FILE #23-19 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED OCTOBER 12, 2023. MOTION CARRIED.**

Nays: Hartt

**MOVED BY COUNCILLORS IVEY AND SMITH THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH EDWARD EDELSTEIN WHICH PERMITS A STACKED TOWNHOUSE DEVELOPMENT, CONSISTING OF 18 DWELLING UNITS ON PID 45059755 AT 411 KING STREET IN WINDSOR 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.** Nays: Hartt

ii. **MacLeod Court, Three Mile Plains PID 45006947 and 45415668** (9:48 p.m.)

Senior Planner Fredericks reviewed the report highlighting that on June 19, 2023 a revised application was received from Darren Shupe of Brighter Community Planning & Consulting on behalf of the property owner Faisal Al-Hammadi of FH Development Group Inc. to permit 27 townhouse units grouped on the same lot. The current lots are proposed to be subdivided and include a mixture of one- and two-unit dwellings (as-of-right) on a new public street (Redfox Court). A Public Information Meeting (PIM) was held on September 7<sup>th</sup> and broadcasted live on the Municipal Facebook page. Seven (7) members of the public attended the PIM. Deadline for comments was September 21, 2023. Comments during the PIM included concerns re: traffic condition of MacLeod Court and regular truck traffic from quarries, flooding potential, water and sewer servicing, the lack of sidewalks, crosswalks and streetlights and other amenities.

Discussion Points:

- New streets require sidewalks, existing provincially owned streets are at the discretion of the province.
- The province indicated the entirety of MacLeod would need to be paved.
- To date Red and Gray Fox Street names have not been officially approved.
- An increase in the number of storeys would require a Development Agreement change.

**MOVED BY COUNCILLORS IVEY AND 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 27 TOWNHOUSE UNITS GROUPED ON PID 45006947 AND 45415668 IN THREE MILE PLAINS WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT C OF THE REPORT FILE #22-23 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED OCTOBER 12, 2023. MOTION CARRIED**

**MOVED BY COUNCILLORS SMITH AND FRANCIS THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH FAISAL AL-HAMMADI OF FH DEVELOPMENT GROUP INC. FOR PID 45006947 AND**

**45415668 IN THREE MILE PLAINS 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 advised it was after 10 p.m. As per policy a motion to proceed would need to be made.

MOVED BY COUNCILLORS JANNASCH AND HARTT THAT THE MEETING CONTINUE AFTER 10PM. MOTION DEFEATED. Nays: Francis, Sherman, Murley, M. McLean, Hartt, S. McLean and Ivey

The meeting adjourned at 10:08 p.m., as per policy the meeting will resume tomorrow evening at 6 p.m.

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Mayor Abraham Zebian (Chair)

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Deanna Snair, Municipal Clerk