

**WEST HANTS REGIONAL MUNICIPALITY**

**Council Meeting Minutes**

June 27, 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, Councillor, District 8

Staff:

Mark Phillips, Chief Administrative Officer

Diana Gibson, Acting Dir. Financial Services

Sara Poirier, Dir. Planning & Development (ZOOM)

Kevin Bennett, Manager of Parks and Rec. Facilities

Sara Poirier, Dir. Planning & Development (ZOOM)

Deanna Snair, Municipal Clerk

Todd Richard, Dir. Public Works

Alex Dunphy, Planner

Regrets:

Shelleena Thornton, Mun. Admin Supervisor

Kathy Kehoe, Dir. Community Development

Presenters/Public

Twelve (12) in the Gallery

Mark Peck, CEO for the Joint Regional Transportation Agency (JTRA)

Tanya Davis, Senior Director for the Joint Regional Transportation Agency (JTRA)

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.

Congratulations were extended to the Avonview High School Graduates.

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

Voting occurred by a show of hands.

Move items up on the agenda:

- MGG 22(2)(a) both Legal Matters moved to 6(c)

- Ice Resurfer Recommendation Report moved from 15(c) to 6 (d)

Additions to the agenda:

- Item 15(c) Question regarding the weekly update sent out to Council.
- Item 10(b) Update on the Avondale Boat launch.

**MOVED BY COUNCILLORS MURLEY AND IVEY THAT THE 2023-06-27  
COUNCIL AGENDA BE APPROVED AS AMENDED. MOTION CARRIED**

5. Declaration of Conflict of Interest (6:04 pm)

Mayor Zebian and Councillor Francis - item 14(b)(iii) due to owning land in the vicinity.

Councillor Hartt advised of a perceived conflict with item 12(a)(iv.), his son had completed part of his unpaid work experience with one of the vendors for the excavator. He did not declare conflict.

6. Presentations (6:06 p.m.)

a) Joint Regional Transportation Agency, CEO Mark Peck and Senior Director. Tanya Davis

The presentation focused on a regional transportation plan in collaboration with the 15 Municipalities with the expected date of delivery model being November 2024. Mr. Peck provided a brief introduction of the team, the history of the JTRA, the framework, next steps and answered questions.

The JTRA was created in the Fall of 2021 (Bill 61) to address transportation issues associated with rapid growth in Halifax and surrounding communities (a 1 hr radius around Halifax).

The population target was to have 2 million people by 2060 and for Nova Scotia to be net-zero by 2050.

Discussion Points:

- The survey was available at jrta.ca.
- The master plan will look beyond the 100 series highways and consultants will identify options to move people and goods in the rural community.
- Introducing the JTRA and looking at high level visions and goals was Phase 1. Phase 2 in the Fall will include more in-depth discussions on what needs to happen and also include an on-line survey, virtual sessions and public engagements. Having accessible community options for the public engagement sessions and a paper survey was valuable for residents who could not access the information online.
- The dense population in the corridor was driving the need for the study. Part of the strategy would be looking at various scenarios to plan for the future population growth.
- Concerns were raised with recent electrical outages during the cold winter months. Electricity was only one component in terms of reducing a carbon footprint.
- The strategy would be a regional multi-modal approach to move people and goods efficiently within Nova Scotia.
- It was important to work with municipalities to create a route that worked in moving people and goods throughout the area.
- The regional plan will involve some type of commitment from Municipal Governments. At this point it was unknown what the financial asks would be.

The presentation concluded at 6:45 p.m.

**MOVED BY COUNCILLORS SHERMAN AND FRANCIS THAT THE MEETING  
MOVE IN-CAMERA AT 6:45 P.M. MOTION CARRIED**

b) MGA 22(2)(a) Legal Matter (6:45 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT THE MEETING  
MOVE OUT OF IN-CAMERA AT 7:43 P.M. MOTION CARRIED**

A break occurred after the In-Camera meeting. The regular meeting resumed at 7:54 p.m.

c) Ice Resurfacer Recommendation Report (7:54 p.m.)

Manger Bennett reviewed the recommendation report concerning the EV ice resurfacer tender including a wall unit (charging unit) that requires installation. Through the Procurement Policy a public tender was issued resulting in three bid submissions. All submissions were reviewed resulting in the recommendation before Council.

Discussion Points:

- The life span of an ice resurfacer was 10 years. After 10 years staff evaluate costs and potential breakdowns to determine if it should be repaired or replaced.
- The lithium battery life cycle was 8–10-years.
- Annual charging costs were expected to be \$1,200 - \$1,500 (ten-minute fast charge).
- An EV machine was recommended through the Capital budget process.

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL  
APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF AN ELECTRIC  
ICE RESURFACER TO SAUNDERS EQUIPMENT AT A COST OF \$152,175  
BEFORE APPLICABLE TAXES. MOTION CARRIED**

7. Approval of Previous Meeting Minutes (7:58 p.m.)

a) 2023-05-23 Council Meeting Minutes

b) 2023-05-23 Public Hearing Minutes Benjamins Mill Wind Project Development Agreement

c) 2023-05-23 Public Hearing Minutes Scotch Village, Station Road, PID 45166915 Development Agreement

d) 2023-05-23 Public Hearing Minutes Payzant Drive, Windsor PID 45276441 and PID 45366986 Development Agreement

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT THE: A) 2023-05-  
23 COUNCIL MEETING MINUTES**

**B) 2023-05-23 PUBLIC HEARING MINUTES - BENJAMINS MILL WIND  
PROJECT DEVELOPMENT AGREEMENT**

**C) 2023-05-23 PUBLIC HEARING MINUTES - SCOTCH VILLAGE, STATION  
ROAD, PID 45166915 DEVELOPMENT AGREEMENT**

**D) 2023-05-23 PUBLIC HEARING MINUTES - PAYZANT DRIVE, WINDSOR  
PID 45276441 AND PID 45366986 DEVELOPMENT AGREEMENT BE  
APPROVED. MOTION CARRIED**

**MOVED BY COUNCILLOR JANNASCH AND M. MCLEAN TO MOVE INTO  
PUBLIC HEARING AT 7:59 P.M. MOTION CARRIED**

8. Public Hearings and Second Readings (Second reading was held immediately following Public Hearing) (7:59 p.m.)

The meeting moved into Public Hearing at 7:59 p.m. Second Reading followed. Further information on the Public Hearing is available in the 2023-06-27 Public Hearing Minutes.

b) Cole Drive Development Agreement - Planner Dunphy

The Public Hearing concluded at 8:09 p.m.

Second Readings

b) Cole Drive Development Agreement - Planner Dunphy

**MOVED BY COUNCILLORS MURLEY AND SHERMAN THAT COUNCIL GIVES SECOND READING AND APPROVES ENTERING INTO A DEVELOPMENT AGREEMENT TO PERMIT A FOUR STOREY, MIXED-USE APARTMENT BUILDING ON PID 45411808 ON COLE DRIVE IN WINDSOR WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN APPENDIX A OF THE REPORT FILE #23-05B TO COUNCIL DATED JUNE 27, 2023. MOTION CARRIED**

**MOVED BY COUNCILLORS MURLEY AND SHERMAN THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH SHAWN FOOTE & MARK HARTLIN WHICH PERMITS A FOUR STOREY, MIXED-USE APARTMENT BUILDING ON PID 45411808 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**

10. Unfinished Business/Postponed Motions

a) Capital Update up to March 31, 2023 (8:11 p.m.)

Acting Director Gibson provided a brief overview of the Capital update. Printed copies of the report will be provided to review, any questions will be brought forward at the next meeting.

Discussion Points:

- Part of the Asset Management software was paid for in the previous year, the report reflected the carryover amount owed. The annual licensing fees would be an operational expense.
- The report reflects Hantsport Fire station expenses paid in 2022-23. Council would like to see the final amount for this item.
- \$150,000 for trail opportunities was for the purchase of the land including legal fees and appraisals (funded through the loan). The additional \$100,000 was for the development of the trail and funded through CCBF (some development has occurred). CAO will share the purchase price with Council.
- \$105,000 for the rubberized track at the Sports Complex was spent in 2023. The spend from previous years was not included in the report.

- There was value in seeing the full cost of projects or a note identifying that the full project costs were not included and the reasoning (due to spending occurring in a previous year).

b) Avondale Boat Launch Update (8:19 p.m.)

Director Richard advised no activity was occurring on site. The Province indicated there may be wetland of significance that may be impacted in the process. Staff are working through the approval process. It is possible that the boat launch may need to be narrowed (to stay away from the identified area) or the municipality may need to communicate /send in requirements as to why the boat launch is needed.

A completion timeline was unknown as the province determines what information is required and their response time.

Geotechnical work has been completed. The plan is to have the extension (past the existing wharf structure).

8. Public Hearings and Second Readings

a) Benjamins Mill Wind Project (8:22 p.m.)

**MOVED BY COUNCILLORS IVEY AND FRANCIS THAT COUNCIL ADJOURNS THE PUBLIC HEARING AND POSTPONES THE SECOND READING UNTIL FURTHER NOTICE, SO THAT THE MUNICIPAL SOLICITOR MAY REACH AN AGREEMENT ON THE DRAFT DEVELOPMENT AGREEMENT. MOTION CARRIED**

11. Mayor's Report (8:24 p.m.)

Mayor Zebian provided a verbal report.

Summary points:

- Attended the VREN and Windsor Township AGM's, the Senior's games closing ceremony, the Hantsport Fire Station Grand Opening, the Teddy Bear Jamboree and the WHHS ceremony for the unveiling of the World War II plane crash monument.
- Attended the Audit Committee meeting.
- Participated in a meeting with East Hants (along with Director Kehoe, CAO Phillips).
- Participated in Public Information Meetings (PIM's) through the Planning Department.
- Met with the Hants County Federation of Agriculture regarding their concerns.
- Attended the John Paris Jr renaming dedication ceremony at the West Hants Sports Complex.
- Participated in the second annual Pride parade in Windsor and in a video with Manager Johnson-Isenor for Tourism Nova Scotia to help promote the region.
- Attended and spoke at the Church of Nazarene's 80<sup>th</sup> General Assembly meeting.
- Met with an internet service provider who will be coming to present on future opportunities for the region.
- Attended the 60<sup>th</sup> anniversary celebration for the Summerville Fire Department. Appreciation was extended to Councillor Hartt for all the work done on the dry hydrant system.

- Participated in discussions with Minister Lohr and the Deputy Minister on the declaration of the State of Emergency. The next announcement (pertaining to the renewal or removal) will occur this coming Thursday.
- Continue to have multiple discussions with residents pertaining to agriculture, roads, Capital projects, recreational programs, the lake, fish. Mayor Zebian advised that he was seeing a large overlap amongst all levels of government. Appreciation was extended to the NS Department of Public Works; they are quick to respond to inquiries and liaise to expedite concerns from residents.

## 12. Committees of Council Recommendations

### a) Committee of the Whole Excerpts (June 13<sup>th</sup>, 2023)

#### i. 2023 J-Class Roads (8:35 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVE AND DIRECT THE MAYOR AND THE CLERK TO SIGN THE COST SHARE AGREEMENTS NO. 2023-022 AND 2023-023” RESOLUTION, AS PRESENTED AT THE JUNE 13TH COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED**

#### ii. Aberdeen Beach Road (Adequate Emergency Access) (8:36 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL DIRECT STAFF TO LOOK AT THE RESTRICTED VEHICULAR ACCESS TO ABERDEEN BEACH ROAD, MOUNT DENSON, THROUGH A SAFETY LENS IN REGARD TO EMERGENCY VEHICLES (FIRE APPARATUS, AMBULANCE, EMERGENCY VEHICLES). MOTION CARRIED**

#### iii. Brooklyn Fire Generator (8:37 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COUNCIL APPROVE THE AWARD OF INVITED TENDER FOR SUPPLY & INSTALL GENERATOR FOR THE BROOKLYN FIRE STATION BFD2 TO THE LOW COMPLIANT BIDDER, GEDDES AND MURPHY ELECTRIC, FOR THE TENDERED PRICE OF \$98,400 PLUS A 15% CONSTRUCTION PROJECT CONTINGENCY OF \$14,760 FOR A TOTAL OF \$113,160, PLUS APPLICABLE TAXES. MOTION CARRIED**

#### iv. Capital Equipment Vendor Approvals (Excavator, hot patch trailer, street sweeper and Bulk Water Truckfill System) (8:38 p.m.)

##### Hot Patch Trailer

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE 4-TON ASPHALT HOT BOX TRAILER (WHPW23-07) FROM ATLANTIC COASTAL EQUIPMENT FOR THE TENDERED PRICE OF \$64,945.00 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: S. McLean and Hartt**

##### Excavator and Trailer

MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF EXCAVATOR AND FLOAT TRAILER (WHPW23-10) FROM NOVA INTERNATIONAL FOR THE TENDERED PRICE OF \$236,835.00 PLUS APPLICABLE TAXES.

Discussion Points:

- Since COTW, the solicitor advised that the current recommendation was not in alignment with the Procurement Policy. Local was defined as within Nova Scotia. The solicitor recommended a stronger compliance with the existing policy noting that it may conflict with the current motion being considered.

**MOVED BY COUNCILLORS IVEY AND MURLEY TO AMEND THE MOTION TO SUBSTITUTE THE SUPPLIER TO WAJAX AT A PRICE OF \$219,190 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Francis and S. McLean**

Full Motion as amended:

**MOVED BY COUNCILLOR FRANCIS AND IVEY THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF EXCAVATOR AND FLOAT TRAILER (WHPW23-10) FROM WAJAX LIMITED FOR THE TENDERED PRICE OF \$219,190 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Francis, S. McLean and M. McLean**

Street Sweeper

Discussion Points:

- Councillor S. McLean advised he was not voting in favour of the item. Residents in his district questioned having to pay for the Street Sweeper and not seeing the benefits in their area.
- The item was funded through Reserves, resulting in no impact on taxpayers. There was value in looking at things through a regional lens.

**MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE STREET SWEEPER (WHPW23-11) FROM SAUNDERS EQUIPMENT LTD FOR THE TENDERED PRICE OF \$385,000 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Jannasch, Hartt and S. McLean**

Bulk Water Truckfill System

Discussion Points:

- Located at BFD Station 2 in Garland's Crossing.

**MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL APPROVE THE PURCHASE FOR PRE-SELECTED SOLE SOURCED BULK WATER TRUCKFILL SYSTEM FROM BIRKSCO FOR THE QUOTED PRICE OF \$67,850 INCLUDING A 15% CONTINGENCY PLUS APPLICABLE TAXES. CURRENT DELIVERY TIMES ARE FORECASTED AT 16 TO 20 WEEKS DUE TO SUPPLY AND DEMAND ISSUES. MOTION CARRIED**

Mayor Zebian and Councillor Francis declared conflict due to owning land in the area. They left the meeting at 8:50 p.m. Councillor Jannasch assumed the Chair.

- v. Edward Drive and Underwood Road Connection (8:50 p.m.)

**MOVED BY COUNCILLORS MURLEY AND B. MORTON THAT COUNCIL DIRECT STAFF TO PRESENT COUNCIL WITH A QUOTE (CLASS D ESTIMATE) ON CONNECTING PAYZANT TO KING STREET AND REPORT BACK TO COUNCIL WITHIN THREE (3) MONTHS. MOTION CARRIED**

Mayor Zebian and Councillor Francis returned to the meeting at 8:51 p.m. Mayor Zebian assumed the Chair.

- vi. Glooscap First Nation Re Proposed Addition to (8:51 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL SEND CORRESPONDENCE BACK TO INDIGENOUS SERVICES CANADA INFORMING THEM THAT COUNCIL HAS NO CONCERNS WITH THE REQUEST FROM GLOOSCAP FIRST NATION. MOTION CARRIED.**

- vii. Half Ton Truck Purchase WHRMPW22-06 (10:02 p.m.)

Discussion Points:

- Concern was raised that this tender was like the excavator tender award and consideration may be warranted to explore awarding the tender based off the recommendation from staff at the June 13<sup>th</sup> Committee of the Whole meeting vs the current recommendation before Council.

**MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE 1/2 TON TRUCK (WHPW23-06) FROM POTHIER MOTORS LTD FOR THE TENDERED PRICE OF \$67,444.95 PLUS APPLICABLE TAXES.**

**MOVED BY COUNCILLORS IVEY AND SHERMAN TO AMEND THE MOTION TO REPLACE THE SUPPLIER TO MAKE IT BRUCE LEASING LTD. FOR THE PRICE OF \$66,584.14 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: S. McLean, Smith and Zebian**

Full motion as amended:

**MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE 1/2 TON TRUCK (WHPW23-06) FROM BRUCE LEASING LIMITED FOR THE TENDERED PRICE OF \$66,584.14 PLUS APPLICABLE TAXES. MOTION DEFEATED: S. McLean, M. McLean, Francis, B. Morton, Smith and Zebian**

**MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COUNCIL APPROVES THE AWARD OF TENDER FOR THE PURCHASE OF THE 1/2 TON TRUCK (WHPW23-06) FROM POTHIER MOTORS LTD FOR THE TENDERED PRICE OF \$67,444.95 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Jannasch, Hartt, Sherman, Murley and Ivey**

- viii. Hants County Federation of Agriculture (8:57 p.m.)

Discussion Points:

- Concern was raised with the wording of the motion. The letter referenced a request to have the remaining funds from the ACOA/Martock project to help mitigation measures. The motion was too broad, leaving it open to interpretation (some could interpret as a way of securing a freshwater lake), Council needs to know what they are voting on. By identifying who the recipient of the letter would be ensures meaning and purpose. It was important to get the letter to the proper decision makers.
- The motion was intended to be broad so as to not pick a side (fish passage vs lake), the municipality was not the expert in this area. Staff could determine who the appropriate ministers were.

**MOVED BY COUNCILLORS FRANCIS AND B. MOTON THAT COUNCIL ISSUE A LETTER TO THE APPROPRIATE MINISTERS FOR THE PROVINCE OF NOVA SCOTIA AND THE GOVERNMENT OF CANADA, THE PREMIER OF NOVA SCOTIA AND THE PRIME MINISTER OF CANADA STATING OUR FIRM SUPPORT FOR A PERMANENT LONG TERM FRESHWATER RESOURCE FOR THE COMMUNITY AS STATED BY THE HANTS COUNTY FEDERATION OF AGRICLUTURE. MOTION CARRIED.** Nays: Jannasch, S. McLean, M. McLean, Hartt and Ivey

ix. Independent Engineer (9:09 p.m.)

Discussion Points:

- An independent engineer's expertise could be relied on when addressing other concerns outside of Development Agreements (DA's), for instance Marsh body capacities.
- Concern was raised that the DA progress may be delayed due to waiting for engineer's reports.

**MOVED BY COUNCILLORS FRANCIS AND B. MORTON THAT COUNCIL DIRECT STAFF TO SOLICIT A REPORT FROM AN INDEPENDENT ENGINEER ON STORM WATER MANAGEMENT PLANS FOR REQUESTED DEVELOPMENT AGREEMENTS AS PART OF THE DEVELOPMENT AGREEMENT PROCESS. MOTION CARRIED.** Nays: Sherman, Smith, Murley and B. Morton

x. Letter of Support for the Avon Street Residents (9:11 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND M. MCLEAN THAT COUNCIL DIRECT STAFF TO WRITE A LETTER OF SUPPORT FOR THE RESIDENTS WHO LIVE ALONG AVON STREET FOR THE IMMEDIATE ACTION BY THE FEDERAL AND PROVINCIAL GOVERNMENTS TO ADDRESS THE ISSUES THAT ARE BEING EXPERIENCED AS REPORTED BY THE AVON STREET GROUP. THE LETTER WILL BE SENT TO THE PROPER FEDERAL AND PROVINCIAL DEPARTMENTS, MP BLOIS. MLA SHEEHY-RICHARD, MLA IRVING AND THE MUNICIPALITY OF THE COUNTY OF KINGS. MOTION CARRIED**

xi. Main Street North Hantsport Design Priority (9:12 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVE THE RELEASE OF REQUEST FOR PROPOSALS (RFP) FOR THE**

**ENGINEERING AND DESIGN WORK FOR MAIN STREET NORTH INFRASTRUCTURE RENEWAL FOR THE 2023/24 FISCAL PERIOD, WITH THE PLAN OF STARTING CONSTRUCTION OF THE MAIN STREET NORTH RENEWAL PROJECT FOR 2024/25.**

**AND,**

**COUNCIL DEFER THE ENGINEERING AND DESIGN WORK FOR RAND STREET INFRASTRUCTURE RENEWAL TO THE 2024/25 FISCAL PERIOD, WITH THE PLAN OF STARTING CONSTRUCTION OF THE RAND STREET NORTH RENEWAL PROJECT FOR 2025/26. MOTION CARRIED. Nays: S. McLean**

xii. Municipal Climate Change Action Plan (MCCAP) Appointment (9:13 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COUNCIL APPOINT JEREMY HIGGINS AS A RESIDENT REPRESENTATIVE ON THE MUNICIPAL CLIMATE CHANGE ACTION PLAN (MCCAP) COMMITTEE FOR THE CURRENT TERM EXPIRING OCTOBER 31, 2024. MOTION CARRIED**

xiii. Nova Scotia Low Carbon Communities Fund (9:14 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL APPROVE IN PRINCIPLE FUNDING 25% AS THE MUNICIPAL CONTRIBUTION OF AN APPLICATION TO THE NOVA SCOTIA LOW CARBON COMMUNITIES PROGRAM TO SUPPORT A SOLAR ENERGY FEASIBILITY STUDY, UP TO A MAXIMUM COUNCIL CONTRIBUTION OF \$25,000, TO BE FUNDED THROUGH THE REGIONAL OPERATING RESERVE. MOTION CARRIED**

xiv. N.S. Bill 236 (Railway Act (9:15 p.m.)

Councillor M. McLean was out of the room and did not participate in the vote.

**MOVED BY COUNCILLORS FRANCIS AND S. MCLEAN THAT COUNCIL DIRECT STAFF TO WRITE A LETTER TO THE HONOURABLE KIM MASLAND, MINISTER OF THE NOVA SCOTIA DEPARTMENT OF PUBLIC WORKS, EXPRESSING COUNCILS DESIRE FOR AN EXPEDITIOUS PROCLAMATION OF BILL 236 OR INTERVENTION BY THE PROVINCE DECLARING THE WINDSOR AND HANTSPORT RAILWAY NO LONGER HAVING CONTROLLING INTEREST IN THE TRACKS. MOTION CARRIED**

xv. Tourism Strategy with East Hants (9:16 p.m.)

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL AUTHORIZE STAFF TO BEGIN DISCUSSIONS AND WORK ON TOURISM STRATEGIES WITH THE STAFF AT EAST HANTS AND TO REPORT BACK TO COUNCIL ON UPDATES AND FUTURE RECOMMENDATIONS AS NEEDED. MOTION CARRIED**

xvi. Town Hall Meeting (9:16 p.m.)

Discussion Points:

- In order for the meeting to occur a lot of planning will need to happen (format, facilitator, a purpose for the meeting, a representative from Council, etc.). There will also be a cost associated with the meeting.
- As worded the motion committed Council to have a Town Hall meeting even if MLA Sheehy-Richard and/or MP Blois chose to not attend. It was important to identify the purpose/topic for the meeting and get clarity on what the end goal of the meeting looked like. Town Hall meetings require a purpose and need to be productive in order to see an outcome.
- Consensus was pause and reflect to provide better clarity and wording in the motion.

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT THE WEST HANTS COUNCIL HOLD A TOWN HALL MEETING AND EXTEND AN INVITATION TO MP BLOIS AND MLA SHEEHY-RICHARD TO ATTEND AND ANSWER QUESTIONS FROM THE PUBLIC.

Both the MOVER and SECONDER withdrew the motion at 9:25 p.m. The agenda item will return to Committee of the Whole for further discussion.

xvii. ~~West Hants~~ Windsor Agricultural Society (9:26 p.m.)

MOVED BY COUNCILLORS FRANCIS AND IVEY THAT THE COUNCIL DIRECT STAFF TO PREPARE A REPORT AND BRING BACK INFORMATION ON THE REQUEST MADE BY THE WEST HANTS AGRICULTURAL SOCIETY PERTAINING TO WATER USAGE AND SEWER AMOUNTS BILLED; AND FURTHER THAT STAFF PROVIDE A REFRESHER ON HOW RESIDENTIAL AND COMMERCIAL BUSINESSES ARE BILLED FOR WATER AND SEWER USAGES.

Councillor Ivey noted the motion should state Windsor Agricultural Society not West Hants and it be noted to reflect the change in the Committee of the Whole minutes.

**MOVED BY COUNCILLORS IVEY AND JANNASCH THAT THE MOTION BE AMENDED TO REFLECT WINDSOR AGRICULTURAL NOT WEST HANTS AGRICULTURAL SOCIETY. MOTION CARRIED**

Full motion as amended:

**MOVED BY COUNCILLORS FRANCIS AND IVEY THAT COUNCIL DIRECT STAFF TO PREPARE A REPORT AND BRING BACK INFORMATION ON THE REQUEST MADE BY THE WINDSOR AGRICULTURAL SOCIETY PERTAINING TO WATER USAGE AND SEWER AMOUNTS BILLED; AND FURTHER THAT STAFF PROVIDE A REFRESHER ON HOW RESIDENTIAL AND COMMERCIAL BUSINESSES ARE BILLED FOR WATER AND SEWER USAGES. MOTION CARRIED**

b) Planning and Heritage Advisory Excerpts (June 7, 2023) (9:29 p.m.)

i. Affordable Housing within Developments and Plan Review Consultant

Director Poirier provided a verbal report regarding the direction provided to explore options to encourage and require affordable housing within developments. Director Poirier highlighted the second motion pertaining to the Plan Review and the request to consider hiring a consultant to assist with reviewing the Planning documents in an effort to expedite the process.

### Discussion Points:

- Concern was raised that regulating affordable housing may limit developers and their visions.
- Halifax Regional Municipality and Bridgewater have explored what this may look like, i.e. density bonusing (if a developer provides affordable housing/units they receive addition height or reduced Parkland fees).
- The information report will provide details on provisions available around affordable housing and potential regulations that may be implemented within planning documents. The intent was to find out if the ability existed.
- The RFP would specify the expectations for the consultant. The consultant would be provided with a folder containing feedback from public engagement sessions, general criteria and policies that were reviewed by the Planning Advisory committee and feedback and notes from staff.
- The focus would be on consolidating all three sets of planning documents into one regional plan with secondary plans for Windsor and Hantsport. The intent was to move this process forward and have planning documents reflect the communities and the general vision for the future of what development could be in West Hants.
- Having staff explore affordable housing options within DA's was identified separately as it was expected it would take up to a year before the planning documents would be ready for public reviewing.

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL ENDORSES PAC/HAC AND PLANNING STAFF TO EXPLORE THE ABILITY TO REQUIRE AND REGULATE THE PROVISION OF AFFORDABLE HOUSING WITHIN DEVELOPMENTS. MOTION CARRIED.** Nays: M. McLean and Smith

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL PAC/HAC RECOMMENDS TO COUNCIL THAT PLANNING STAFF BE GIVEN THE CAPACITY TO ENGAGE CONSULTANTS FOR FURTHERING THE PROCESS OF THE PLAN REVIEW FOR THE WEST HANTS REGIONAL MUNICIPALITY. MOTION CARRIED**

ii. Pemberton Ave, Garland's Crossing PI 45003563 (9:44 p.m.)

Planner Dunphy reviewed the report highlighting that a completed application was received on March 14, 2023, from Gene and Annetta to allow two (2) duplex dwellings through rezoning to Two-Unit Residential (R-2) and subdividing the lot. The current designation was Commercial Core. The current designation was General Commercial. A PUBLIC Information meeting was held on May 11<sup>th</sup> and broadcasted live on the Municipal Facebook page. Twenty members of the public attended. Deadline for comments was May 25<sup>th</sup> with no comments received. Confirmation was provided that single access would be granted to Highway 1.

**MOVED BY COUNCILLOR FRANCIS AND MURLEY THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING SCHEDULE A OF THE WEST HANTS LAND USE BY-LAW TO REZONE PID 45003563 ON PEMBERTON AVENUE, GARLANDS CROSSING, FROM THE GENERAL COMMERCIAL (GC) ZONE TO THE TWO UNIT**

**RESIDENTIAL (R-2) ZONE IN A MANNER SUBSTANTIVELY THE SAME AS FIGURE 3 OF THE STAFF REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REPORT #23-03 DATED JUNE 7, 2023. MOTION CARRIED**

iii. William St, Hantsport PID 45044419 (9:51 p.m.) – Planner Dunphy

Planner Dunphy reviewed the report highlighting that a completed application was received on March 20, 2023 from Cornerstone Developments Ltd to amend the Hantsport Land Use By-Law (HLUB) to allow a 40 unit residential apartment building. The current designation was Commercial, and the current zoning was Mixed Commercial/Residential (C-2). Two amendments were being considered (increase the maximum number of units from 20 to 40 and increase the maximum height from 35 to 50 feet). A Public Information meeting was held on May 11, 2023 and broadcasted live on the Municipal Facebook page. Twenty members of the public attended. Deadline for comments was May 25, 2023, with 4 (four) written comments received concerning height and density, parking, traffic concerns, water supply, walkability, who would be able to rent the units and a request for a site plan).

Discussion Points:

- The Industrial zone has no maximum height. An addendum would be added to the HLUB to increase the maximum height from 35' to 55' for the C-2 zone.
- Geotechnical was not included in the language in the draft HLUB. It would be good to have this as a requirement due to the increased height.
- If a water course was identified within the area, there were other boxes that would need to be reviewed and signed off on to proceed.

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE HANTSPORT LAND USE BY-LAW TO INCREASE THE HEIGHT AND NUMBER OF DWELLING UNITS PERMITTED IN THE MIXED COMMERCIAL/RESIDENTIAL (C-2) ZONE IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT B OF THE STAFF REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REPORT #23-06 DATED JUNE 7, 2023. MOTION CARRIED.** Nays: Hartt

13. Councillor Municipal Activity Reports (10:04 p.m.)

Councillor Ivey provided a verbal report of the activities since the previous meeting.

Summary Points:

- Attended the John Paris Jr renaming event at the Sports Complex and the dinner.
- Attended the Pride parade and Avon View High School Prom parade in Windsor.
- Attended the Windsor Township Annual General Meeting (AGM).
- Attended the West Hants Historical Society's commemoration ceremony for the memorial unveiling in Summerville.
- Continue to have discussions around the highway twinning project and field concerns related to Zwicker Lake.

**MOVED BY COUNCILLORS FRANCIS AND SMITH THAT THE MEETING CONTINUE PAST 10:07 P.M. MOTION CARRIED.** Nays: S. McLean, M. McLean, Hartt, Murley and Ivey

14. Correspondence (10:08 p.m.)

a) Information

1. Avon River Causeway/Hwy 101 Twinning Project Correspondence Log (as of June 27, 2023)
2. Correspondence Received Activity Log (as of June 27, 2023)

Correspondence was reviewed in groups.

- i. June 13, 2023 Kimm Kent, POSSE Re Commitment to addressing housing insecurity and homelessness in the community.
- ii. June 15, 2023 Paul Pierce, WJAX Re Email to respond to award of tender.
- iii. 2023-06-26 Response from the Honourable Timothy Halman Re Coastal Protection Act
- iv. 2023-06-26 Committee of Zwicker Lake Property Owners Re Seeking Clarity

Discussion Points:

- Council has not made a decision regarding the definition of “Community Centres”.

3. Fort Edward Lands Correspondence Log (as of June 27, 2023) - None
4. Storm Wastewater Correspondence Log (as of June 27, 2023) - None

b) Requests as of June 27, 2023

- i. June 9, 2023 Nova Scotia Provincial Housing Agency Re Priority Access to Public Housing
- ii. June 14, 2023 Core Committee Zwicker Lake Property Owners Request Re CCBF Funding
- iii. June 20, 2023 Adriane Salah, Affordable Housing Association of Nova Scotia (AHANS) Re Tremain Crescent Funding Low Carbon Communities Application - Letter of Support
- iv. June 23, 2023 Barry Maxner Re No replies - Concerns with the Pisiquid Canoe Club

Discussion Points:

- Mr. Maxner had previously written requesting a 50% tax reduction for his property. No response was provided by staff as correspondence was left for Council to interpret and provide directions to staff on how to proceed.
- It was noted that correspondence had increase and it was felt that this was a result of Council’s increased engagement.
- Although the Mayor was responding, there was supported to find a more effective way to deal with correspondence and close the loop on communications for residents. A suggestion was that a Councillor may want to champion this role. If there was an item that a Councillor wanted to highlight, they would bring it forward and provide directions to staff.

**MOVED BY COUNCILLORS SHERMAN AND S. MCLEAN THAT COUNCIL DIRECT THE CAO TO REVIEW THE MATTER FURTHER TO DETERMINE IF MR. MAXNER MEETS THE CRITERIA FOR A TAX REDUCTION AND PROVIDE A RESPONSE SO COUNCILLOR SHERMAN CAN RELAY A RESPONSE TO MR. MAXNER. MOTION CARRIED**

- Mr. Marriott's notes that their group feels that CCBF for privately owned clubs was not intended to be used in this way and was looking for staff to write a letter to confirm that the CCBF can be used for this type of project. re: The Pisiquid Canoe Club meeting the

**MOVED BY COUNCILLORS IVEY AND SHERMAN THAT COUNCIL RECOMMEND STAFF WRITE A LETTER TO INQUIRE WITH CCBF TO DETERMINE IF THE APPLICATION FOR THE SEPTIC SYSTEM BEING CONSIDERED FOR THE ZWICKER LAKE LOCATION WOULD QUALIFY AS PART OF THEIR CRITERIA. MOTION CARRIED.** Nays: B. Morton

Acting Director Gibson advised that 2015 a Gas Tax agreement was created to enable different organizations within the community to receive CCBF funding through a third-party agreement should they meet specific requirements (who can get the funding, what the funding can be used for). As long as the organization meets the criteria, what they are doing is supported by the municipality and it is a Capital project, the organization was eligible.

June 20, 2023 Adriane Salah, Affordable Housing Association of Nova Scotia (AHANS) Re Tremain Crescent Funding Low Carbon Communities Application - Letter of Support Discussion:

At 10:23 p.m. Mayor Zebian and Councillor Francis declared conflict due to owning land in the vicinity of the area and left the meeting. Councillor Murley assumed the chair and Councillor Jannasch assumed Deputy Mayor's chair.

Correspondence from received from Affordable Housing Association of Nova Scotia (AHANS) noting that they were a successful applicant to Municipal Affairs and Housing Land for Housing Program for three sites in Windsor (PIDs 45053337, 45216983, and 45216991). The request was for a letter of support to assist in their application to the Department of Natural Resources and Renewables Low Carbon Communities program for funding to work with experts in the energy field. The letter did not speak to support for the housing project, it spoke to supporting the grant application.

**MOVED BY COUNCILLORS SHERMAN AND JANNASCH THAT COUNCIL WRITE A LETTER IN SUPPORT OF THE AFFORDABLE HOUSING ASSOCIATION OF NOVA SCOTIA'S APPLICATION TO THE DEPARTMENT OF NATURAL RESOURCES AND RENEWABLE LOW CARBON COMMUNITIES PROGRAM FOR FUNDING TO WORK WITH THE EXPERTS OF ENERGY FIELD. MOTION CARRIED.** Nays: Jannasch and Ivey

Councillor Francis and Mayor Zebian returned at 10:30 p.m. Mayor Zebian assumed the chair at this time. Council was advised that POSSE would be presenting at the July Committee of the Whole meeting.

- c) Out-going (as it relates to motions of Council to other Provincial agencies/depts) as of June 27, 2023 – None

15. New Business (10:31 p.m.)

a) Cell Phone Service (10:31 p.m.)

Councillor Mark McLean reviewed the decision request report highlighting a need to address poor cellular service residents in Brooklyn, Scotch Village and Ellerhouse area continue to experience since Hurricane Fiona which poses as a safety concern.

MOVED BY COUNCILLORS M. MCLEAN AND SMITH THAT COUNCIL DIRECT STAFF TO WRITE A LETTER TO ALL CELL PHONE CARRIERS PARTICULARLY BELL ABOUT THE POOR CELL SERVICE IN THE BROOKLYN, SCOTCH VILLAGE AND ELLERHOUSE AREA REQUESTING THAT PROVIDERS EXPLORE ALL OPTIONS THAT WOULD RESULT IN INCREASED CELLULAR SERVICE FOR THESE AREAS.

Discussion Points:

- Increased cellular service for all of West Hants was needed.
- There may be more value (greater strength) in writing to the province and or the minister in charge of Emergency Management organization or even the CRTC to ensure cell phone service functions everywhere. Need to look at the regulatory body and the governing body. It may even be considered that they should regulate that cell phone towers be shared to ensure that people have access to service no matter what carrier they choose to use. It was important to get the letter right and addressed to the right people to have an impact. There was in getting NSFAM involved and have the support of other municipalities.
- Bell Aliant has identified an area in Brooklyn – Ellershouse that they would like to put a tower and are looking for options (100' by 100') to lease at market value.

**MOVED BY COUNCILLORS SHERMAN AND M. MCLEAN THAT THE MOTION BE AMENDED TO INCLUDE DIRECTING THE LETTER TO THE PROPER ORGANIZATIONS AND THAT IT EXTENDS TO ALL OF WEST HANTS. MOTION CARRIED**

Full motion as amended:

**MOVED BY COUNCILLORS M. MCLEAN AND SMITH THAT COUNCIL DIRECT STAFF TO WRITE A LETTER TO THE PROPER ORGANIZATIONS ABOUT THE POOR CELL SERVICE IN WEST HANTS REQUESTING THAT PROVIDERS EXPLORE ALL OPTIONS THAT WOULD RESULT IN INCREASED CELLULAR SERVICE FOR WEST HANTS. MOTION CARRIED**

b) 2023/24 Provincial Capital Assistance Program (10:43 p.m.)

Director Richard advised that staff were attempting to get funding for the detailed design of the stormwater separation. In order to submit an application for the funding a resolution of Council was required. During the budget process \$200,000 was approved for stormwater, and this report was to secure potential funding. It was important to note that Council has not approved the project yet, they were only approving an application to secure funding.

Part of the detailed plan would consist of phased in approaches where to start, where to end, pipe sizes, locations, etc.). Part 1 of the preliminary report (showing potential locations and sizing for pipes) has been shared with Council. Staff are requesting weekly updates and pushing the consultants to finalize the second part of the report (Wentworth Road out towards Chester Road, College Road area). The delay was a result of equipment issues and engineering service delays.

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVE AND DIRECT THE MAYOR AND CLERK BE AUTHORIZED TO SIGN A PROVINCIAL CAPITAL ASSISTANCE PROGRAM (PCAP) COST SHARE AGREEMENT FOR THE WINDSOR MASTER SANITARY/STORMWATER INFRASTRUCTURE PROJECT. MOTION CARRIED.**

c) Ice Resurfacer Recommendation Report – item moved up to 6 (c) on the agenda.

c) Question Regarding the weekly update (10:55 p.m.)

Councillor Hartt requested clarity on a matter in the Public Works weekly update. Director Richard explained the information was related to water intake work being done at the Windsor Water Treatment Plant. A cut was made in the pipe to create a bypass to maintain ecological maintenance for when the dam was blocked off.

16. In-Camera (10:56 p.m.)

- a) 2023-05-23 In-Camera Minutes
- b) MGA 22(2)(a) Legal Matter – Item was moved up to 6(b)
- c) MGA 22(2)(a) Legal Matter – Item was oved up to 6 (b)
- d) MGA 22(2)(a) Personnel Matter

**MOVED BY COUNCILLORS SHERMAN AND B. MORTON THAT THE IN-CAMERA ITEM 11(D) BE DEFERRED TO COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED.**

17. Next Meeting Date / Adjournment – July 11<sup>th</sup>, 2023, Committee of the Whole Meeting.

**MOVED BY COUNCILLORS B. MORTON AND M MCLEAN THAT AT 10:56 P.M. THE MEETING ADJOURN. MOTION CARRIED.**

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Mayor Abraham Zebian (Chair)

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Deanna Snair, Municipal Clerk