

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Agenda

March 26, 2024 - 6:00 p.m.

In-person, Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also FB Livestream)



West Hants
something inspiring awaits

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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) 2024-02-27 Council Meeting Minutes
 - b) 2024-02-27 Public Hearing Minutes WHLUB Map Amendment: PID 45218658, Armstrong Lake East Road
 - c) 2024-02-27 Public Hearing Minutes Bog Road Boundary Review WH-MPS/LUB and H-MPS/LUB Amendment
 - d) 2024-02-27 Public Hearing Minutes Wagners Court Development Agreement
 7. Presentations
 - a) Ardoise Community Hall Funding Request - Susan Wright
 8. Public Hearings
 - a) WHMPS and WHLUB Amendments to the Hamlet Designation - Planner Fredericks
 - b) Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382 – Planner Dunphy
 9. Second Readings
 - a) WHMPS/WHLUB Amendments to the Hamlet Designation - Planner Fredericks
 - b) Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382 – Planner Dunphy
 10. Unfinished Business/Postponed Motions
 - a) One (1) 5500 Series Truck Purchase for Summerville Fire Department Supplementary Report
 - b) Belmont Hall Heat Pumps Recommendation Report – Councillor S. McLean

- c) Avon River Heritage Museum Flooding Recommendation Report – Councillor S. McLean
- d) Water Utility and Sewer Rates Report – Councillor Ivey
- e) Rescind Stormwater Management RFP Motion – Clerk Snair

11. Mayor’s Report

12. Committee(s) of Council Excerpts/Recommendations

- a) Committee of the Whole Excerpts (March 12, 2024)
 - i. Canyon Point Resort (HCC#1)
 - ii. Home Flood Resiliency Program
 - iii. Mills Lake Watershed Advisory Committee Landowner Appointment
 - iv. Parks & Grounds Equipment Pre-approval
 - v. Procurement Policy Update
 - vi. Temporary Borrowing Resolutions (total of five recommendations)
 - vii. Third (3rd) Process Train Windsor WTP Detailed Design
 - viii. Two (2) 5500 Series Truck Purchases
- b) Planning and Heritage Advisory Committee Recommendations (March 14, 2024) (as it relates to First Readings)
 - i. Willow Street, Hantsport HLUB Map Amendment PID 45045879 - Planner Dunphy
 - ii. Pesaquid Comprehensive Development District WMPS and WLUB Amendments - Planner Dunphy
 - iii. Hwy 215, Summerville, PID 45180635 Development Agreement – Planner Fredericks
 - iv. 4236 Hwy 14 Windsor Forks WHLUB Map Amendment – Planner Fredericks
 - v. Wentworth Road, Windsor, PID 45059631 Non-Substantive Development Agreement Amendment – Director Poirier

13. Councillor Municipal Business/Activity Reports

- a) Councillor Ivey, District 11 Activity Report

14. Correspondence

- a) Information
 - 1. Avon Causeway Activity Log - None
 - 2. Correspondence Received Activity Log
 - i. Avon River Heritage Society Re Flooding March 11th, 2024
 - ii. Jennifer Moore Information Report Home Flood Protection program
 - iii. Dorothy Read Re Opposition to Willow Street rezoning application
 - iv. Maryann Norbury Re Payzant Drive Extension
 - v. Joe Alcorn and Donna Smith Re Payzant Road - Roundabout or Extension
 - vi. MLA Sheehy-Richard’s Response to Mr. Hussey Re Underwood Road Traffic (WHRM copied)

- vii. Judi Wilson Re Payzant Connector Road
- viii. Cathy and Dave Pemberton Re New builds - roads
- ix. Jamie Leopold Re Safety Concern at the West Hants Sportsplex
- x. Emme Manuel Re Open Arms New Outreach Program
- xi. Kim and John Olejnik Re Payzant Drive extension over to Hwy 1, (sometimes referred to Hwy 14)
- xii. Jeanette Poirier Re Payzant Drive Extension
- xiii. Avon River Heritage Society, Newport Landing Flooding Letter

b) Requests

- i. Royal Canadian Legion, Hants County Branch No. 9 Re Grant for Veteran Banner Program
- ii. Hantsport Residents Re: Defeat Willow Street Motion

c) Outgoing Correspondence Log – None

15. New Business

- a) Industrial/Commercial lands Recommendation Report - Mayor Zebian
- b) Letter to Provincial Public Works and MLA Re Roadwork from Windsor to St. Croix Recommendation Report – Mayor Zebian
- c) Rural Advisory Committee Recommendation Report – Mayor Zebian

16. In-Camera

- a) MGA 22(2) (a) Personnel Matter

17. Next Meeting Date / Adjournment – April 9th, 2024 Committee of the Whole Meeting 6 p.m.

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Minutes

March 26, 2024 - 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. As Call to Order - Mayor Zebian called the meeting to order at 6:03 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

Deanna Snair, Municipal Clerk

Sara Poirier, Dir. Planning & Development

Mark Fredericks, Senior Planner

Shelleena Thornton, Municipal Ops Sup.

Regrets:

Kathy Kehoe, Director Community Development

Presenter and Gallery

Susan Wright, Ardoise Community Hall

Chris Spencer, Summerville Fire Chief

96 in the Gallery

3. Announcements (6:04 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 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.

A reminder that all meetings are recorded and livestreamed on Facebook for viewing purposes, as per policy and out of respect of those in attendance in the gallery video/audio recordings are not permitted.

Fire alarm protocol was reviewed.

Reminder of the upcoming District/Town Hall meetings (District 4 – March 27, 2024 at the Ardoise Hall, District 5 – April 2, 2024 at the Three Mile Plains Hall and District 7 -April 3, 2024 at the Southwest Fire Station in Vaughans).

Reminder of the upcoming public engagement session regarding the Plan Review being held at the Falmouth Community Hall on April 2, 2024.

Congratulations were extended to Community Development department and staff on hosting another successful East event in Brooklyn this past weekend. Easter wishes were extended to all. Appreciation was expressed to Mervin and Margo Freeman with their ongoing efforts to clean up litter along Cole Drive.

4. Approval of the Agenda, including additions or deletions (6:09 p.m.)

Voting occurred by a show of hands.

Discussion Points:

- Payzant/King Street extension update would be provided prior to Public Hearing.
- Dashboard - Zwicker Lake Judicial Review costs will be amended to reflect the matter was on-going. Information will be provided at an upcoming meeting.
- Clarity would be provide on the In-Camera item to determine if the matter was an In-Camera discussion or if the discussion should occur during the regular meeting.

MOVED BY COUNCILLORS B. MORTON AND SMITH THAT THE 2024-03-26 COUNCIL AGENDA BE APPROVED. MOTION CARRIED

5. Declaration of Conflict of Interest (6:16 pm)

Item 8 (b) and Item 9(b) – Mayor Zebian and Councillor Francis due to owning land.

6. Approval of the Previous Meeting Minutes (6:16 p.m.)

- a) 2024-01-23 Council Meeting Minutes 2024-02-27 Council Meeting Minutes
- b) 2024-02-27 Public Hearing Minutes WHLUB Map Amendment: PID 45218658, Armstrong Lake East Road
- c) 2024-02-27 Public Hearing Minutes Bog Road Boundary Review WH-MPS/LUB and H-MPS/LUB Amendment
- d) 2024-02-27 Public Hearing Minutes Wagners Court Development Agreement

MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT THE 2024-02-27 COUNCIL MEETING MINUTES, 2024-02-27 PUBLIC HEARING MINUTES WHLUB MAP AMENDMENT: PID 45218658, ARMSTRONG LAKE EAST ROAD, 2024-02-27 PUBLIC HEARING MINUTES BOG ROAD BOUNDARY REVIEW WH-MPS/LUB AND H-MPS/LUB AMENDMENT AND 2024-02-27 PUBLIC HEARING MINUTES WAGNERS COURT DEVELOPMENT AGREEMENT MINUTES BE APPROVED. MOTION CARRIED.

7. Presentations

a) Ardoise Community Recreation Centre Funding Request (6:17 p.m.)

Ardoise hall volunteers, Susan Wright and Mary Smith provided an overview of the community activities hosted at the hall. The presentation highlighted upgrades totally over \$150,000 that have been completed over the years and request for financial assistance in the amount of \$25,000

to purchase a Generac generator that would enable the Ardoise Community Recreation Centre to function as a community comfort centre during emergencies.

Discussion Points:

- During the July 2023 floods the community was cut off from the rest of the region and the ability to access the Brooklyn Civic Centre as bridges were destroyed during the event. The location was ideal for anyone who may face being displaced in the future.
- The high elevation would make a good spot for a comfort centre.
- Item would be discussed during budget deliberations through the grant process.

MOVED BY COUNCILLORS HARTT AND M. MCLEAN THAT COUNCIL DIRECT THE CAO TO DIRECT STAFF TO INVESTIGATE ANY GRANTS AVAILABLE AND WHETHER THIS PROJECT COULD BE FUNDED THROUGH THE CANADA COMMUNITY BUILDING FUND (CCBF). MOTION CARRIED UNANIMOUSLY

The presentation concluded at 6:27 p.m. and the presenters left the meeting.

8. Public Hearings (6:27 p.m.)

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

The meeting moved into Public Hearing at 6:27 p.m. Further information on the Public Hearing is available in the 2024-03-26 Public Hearing Minutes.

MOVED BY COUNCILLORS SHERMAN AND MURLEY THAT COUNCIL MOVE INTO PUBLIC HEARING AT 6:27 P.M. MOTION CARRIED

a) WHMPS and WHLUB Text Amendments Repurposing Churches in Hamlets (6:27 p.m.)

At 6:45 p.m. the Public Hearing adjourned until such time Council had no further questions and wished to make a motion.

9. Second Readings

a) WHMPS and WHLUB Text Amendments Repurposing Churches (6:45 p.m.)

Discussion Points:

- Appreciation and well wishes were expressed to the developers for addressing concerns pertaining to rental options for seniors residing on the Hants Shore.
- Aiming for all five (5) units to be affordable. Canada Mortgage and Housing Corporation (CMHC) and Department of Municipal Affairs and Housing (DMAH) were engaged to achieve this goal.

MOVED BY COUNCILLORS JANNASCH AND S. MCLEAN THAT COUNCIL GIVES SECOND READING TO AND APPROVES THE TEXT AMENDMENTS TO THE WEST HANTS MUNICIPAL PLANNING STRATEGY AND WEST HANTS LAND USE BY-LAW AS SHOWN IN ATTACHMENT B OF THE REPORT #23-45 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED FEBRUARY 8, 2024. MOTION CARRIED UNANIMOUSLY.

Five members of the gallery left the meeting at 6:49 p.m.

Mayor Zebian and Councillor Francis declared conflict at 6:49 p.m. and left the meeting. Councillor Murley assumed the chair.

Prior to moving into Public Hearing, Director Richard provided an update regarding the proposed Payzant/100 King Street connection. A revised drawing for the proposed connection was received, staff were reviewing the details. The proposed connection was defined as two (2) pieces, phase 1 was Payzant Drive extension – from the beginning of the Avon View High School driveway to the end of the proposed development and phase 2 was Payzant/King connection – from the end of the extension to King Street to complete the connection. Design and cost updates would be provided at the April Committee of the Whole meeting.

8. Public Hearings (6:49 p.m.)

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

The meeting moved into the Public Hearing at 6:52 p.m. Further information on the Public Hearing is available in the 2024-03-26 Public Hearing Minutes.

**MOVED BY COUNCILLORS B. MORTON AND SHERMAN THAT COUNCIL
MOVE INTO PUBLIC HEARING AT 6:52 P.M. MOTION CARRIED.** Nays:
Smith

At 7:13 p.m. the Public Hearing was postponed until April 23, 2024.

Mayor Zebian and Councillor Francis returned to the meeting at 7:14 p.m. Councillor Murley left the chair, Mayor Zebian assumed the chair at this time.

10. Unfinished Business/Postponed Motions

a) One (1) 5500 Series Truck Purchase for Summerville Fire Department Supplementary Report (7:15 p.m.)

Operations Supervisor Thornton provided a brief history in relation to the report as it has been 2.5 years since the matter was discussed. Due to supply chain issues securing a 5500 chassis has been extremely challenging. On February 16, 2024, Pothier Motors advised WHRM staff, and Chief Spencer there was zero allocation for Canada, and it was unknown when one would become available.

Rocky Mountain Phoenix pursued other options to get the project on track by seeking out suitable alternatives. A chassis that met Summerville Fire's needs (also confirmed by Chief Spencer) was available at Kentville Chrysler. The plan was that Rocky Mountain Phoenix would take on that work at the Bridgewater facility and complete the minor modifications required to get the proposed build as close to the original build proposed by Tri Star Industries. The total build of this truck was expected to take approximately seven (months) from the time of order (PO is issued and chassis is in Rocky Mountain's possession)

Discussion Points:

- The only difference was the length. From cab to axel, it was 22 inches longer, everything else was exactly the same as the previous specs and met all the requirements needed for Summerville Fire.

- Chief Spence advised that given the recent supply chain concerns departments were now experiencing a three (3) year wait time for delivery of apparatuses. There was a need to have apparatuses approved three (3) years in advance of the actual need and would require special considerations from Council.

MOVED BY COUNCILLORS JANNASCH AND S. MCLEAN THAT COUNCIL APPROVES THE PURCHASE OF THE 2024 5500 RAM CHASSIS TRADESMAN 4X4 CREW CAB FROM KENTVILLE CHRYSLER DODGE JEEP (2005 INC) AT THE TOTAL QUOTED PRICE OF \$97,932.72. MOTION CARRIED UNANIMOUSLY.

MOVED BY COUNCILLORS JANNASCH AND S. MCLEAN THAT COUNCIL APPROVES ROCKY MOUNTAIN PHOENIX DOING THE BUILD FOR THIS CHASSIS AT A TOTAL QUOTED PRICE OF \$146,799.00 PLUS APPLICABLE TAXES. MOTION CARRIED UNANIMOUSLY.

b) Belmont Hall Heat Pumps Recommendation Report (7:26 p.m.)

Councillor S. McLean reviewed the report. Belmont Hall was requesting \$7,023.49 to cover the cost of installing heat pumps (total of \$14,099). Efficiency Nova Scotia will provide a rebate in the amount of \$7,075.51, however, that grant will expire May 9, 2024.

MOVED BY COUNCILLORS S. MCLEAN AND JANNASCH THAT COUNCIL APPROVE A 2024-25 GRANT TO BELMONT HALL, IN THE AMOUNT OF \$7,023.49, PROVIDING THAT ALL GRANT SUBMISSION REQUIREMENTS ARE MET UNDER THE GRANTS AND CONTRIBUTIONS POLICY RCOFN-012.00. MOTION CARRIED UNANIMOUSLY

c) Avon River Heritage Museum Flooding Recommendation Report (7:30 p.m.)

Councillor S. McLean reviewed the report. The report highlighted the flooding experienced by the Avon River Museum and boathouse and the critical infrastructure in the same area in hopes of addressing the issues with both short term (raise the berms) and long-term solutions. During high tides, water infills and floods the museum and surrounding infrastructure in the area.

Discussion Points:

- Municipal staff have previously completed work on the berm nearest the museum, this was the only berm where the water did overtop the berm. Short-term mitigation measures would be to elevate the rest of the berm (approximately 2 ') towards the boat launch; most of this work could be completed in house (using municipal resources and staff).
- Costs were expected to be in the \$20,000 range to import the aggregate needed, this cost did not include municipal staff time/wages, fuel or municipal equipment. It was estimated that it would take approximately a week to complete the work, using 3-4 personnel, a loader, excavator, ++and tandem dump truck. With direction from Council the project would be prioritized but unlikely to be completed before April 8, 2024.
- A long-term solution would involve an in-depth study and discussions on options (potentially moving/raising the museum or raising the road) and also involved the province as the lower part of the road would need to be raised.

- There was risk associated with raising berms and having water trapped which may result in increased flooding either through incoming tides or overland flooding. An in-depth review would need to occur so other issues were not created.
- The funding source was traditionally the Operating reserve, where this was not a budgeted item the consensus was that staff would report back on the funding source.

MOVED BY COUNCILLORS S. MCLEAN AND M. MCLEAN THAT COUNCIL DIRECTS CAO TO DIRECT STAFF TO REPAIR/RAISE BERMS AT THE AVON RIVER HERITAGE SOCIETY PROPERTY. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS S. MCLEAN AND M. MCLEAN THAT COUNCIL DIRECTS CAO TO DIRECT STAFF TO WRITE A LETTER OF CONCERN ABOUT FLOODING ISSUES OF THE BELMONT AND NEW TOWN ROAD INFRASTRUCTURE TO THE DEPARTMENT OF PUBLIC WORKS AREA MANAGER, WEST HANTS MLA, MINISTER OF PUBLIC WORKS AND PREMIER OF NOVA SCOTIA. MOTION CARRIED UNANIMOUSLY

d) Water Utility and Sewer Rate Report (7:42 p.m.)

Councillor Ivey reviewed the report highlighting key points within the report that were the driving force in determining if the current consolidation process was being correctly done. The report highlighted concerns regarding the UARB advertisement being inaccurate (it states all customers rates were decreasing and that was not the case), the proposed rate increase was significantly higher than what was advertised, Capital costs driving the increases were in the current year, not the year they were being deployed, only 15 new connections/year were forecasted, rates were pro-rated in 2020/21 and 2021/22, it was asserted to the UARB that there was no change in the rates and concerns that Council based their decision to proceed with consolidation based on incorrect information.

It was better to have the conversation prior to the hearing so determine what/if anything needed to be fixed.

Director Rochon provided feedback regarding the report.

With respect to item 2, it spoke specifically about the averages within table D1 of the study. The numbers related to averages for customers and had potential to change based on usage/consumption. Some of the variance was associated with using the same average use from the previous year in the predictions for the first year of consolidation.

One of the items noted by the consultants was that they saw a decline across a lot of the water utilities and customers and how the customers were made up. A number of developments are fed off of one (1) meter and they would be considered one (1) customer.

Discussion Points:

- While the ad was noted to be incorrect, the figures in the table were correct.
- Projects that were not on board or coming onboard in future years still needed to be captured within the rate as they will be coming onboard at some point. The Capital plan used by the consultants was based on the approved five (5) year Capital budgets. The study also included the potential for grant funding for the water tower.

- The role of the UARB was to look at the end user and determine what was fair and best for the customer.
- There was a duty to ensure utilities were sustainable and well-funded.
- The UARB used table D1 within the study to create the ad that was placed in the paper and they mandate the dates and how often advertising occurs. It was a UARB advertisement.
- Point B within the ad was based on the consolidated average customer, where the other tables were based on individual utility average customer rates. The first year the board compared the two (2) former utilities to the new consolidated utility and the second year they compared the first year of the consolidated utility to the second year of the consolidated utility.
- Capital construction costs that have yet to start were recognized within the year the Capital budget was approved (based on the approved Capital plan).
- The motion to consolidate the water utilities has been acted upon, to move forward with the current motion (revisit rates and propose a new application to the UARB) on the table, the previous motion would need to be rescinded. It was noted that the UARB reviews all the information provided and looks to provide the best results in the interest of the utility customers. If the UARB feels the rates need to be smoothed in more they will provide that direction. If there was support to redo the process there would be additional costs incurred by the utility users.
- The Public Hearing was being held in Council Chambers, residents and members of Council had the ability to attend and voice any concerns.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL APPROVES REVISITING THE WATER UTILITY RATES WITH THE CONSULTANTS TO SEE WHAT ELSE MIGHT BE DONE BY WAY OF SMOOTHING OUT THE RATE CURVE THAT WAS IN PLACE. MOTION DEFEATED. Nays: Jannasch, M. McLean, Francis, B. Morton, Sherman and Zebian

A break occurred at 8:13 p.m., the regular meeting resumed at 8:25 p.m.

e) Rescind Stormwater Management RFP Motion (8:25 p.m.)

Notice was provided at the last meeting to rescind the Stormwater management motion.

MOVED BY COUNCILLORS IVEY AND SMITH THAT COUNCIL MOVES THAT THE DECEMBER 19TH 2023 SPECIAL COUNCIL MOTION “THAT COUNCIL DIRECTS STAFF TO COME BACK WITH MORE INFORMATION INCLUDING A SUGGESTED RFP FOR COUNCIL TO REVIEW UTILIZING THE CBCL REPORT AND THAT THE RFP TO DEVELOP A STORMWATER MITIGATION PLAN IDENTIFYING BOTH SHORT AND LONG TERM PHASED IN SOLUTIONS” BE RESCINDED. MOTION CARRIED UNANIMOUSLY

11. Mayor’s Report (8:27 p.m.)

Mayor Zebian provided a verbal report.

Highlights included:

- Appreciation and gratitude were expressed to all who came together to make the drop-in warming centre happen.
- Attended community needs and transit workshops, the Audit committee meeting, Public Information meetings (PIMs), District 6 Town Hall/Community meeting at the Three Mile Plains Community Hall and Planning and Heritage Advisory Committee meetings.
- Participated in the Easter egg hunt at the Brooklyn Elementary school, it was another huge success.
- Continuing to meet with interested developers throughout the region who are interested in all areas of West Hants.
- Attended meetings with the Hantsport Business community who were interested in forming their own Hantsport Advisory Business Association.
- Attended the Housing Accelerator funding announcement (\$1.08 million) for West Hants.
- Participating in meetings with individuals regarding provincial and federal matters.
- Continuing to meet and have conversations with many regarding flooding and the UARB application to consolidate the water utilities and provide information to residents on the matter.

12. Committee(s) of Council Excerpts/Recommendations (8:37 p.m.)

a) Committee of the Whole Excerpts (March 12th, 2024)

i. Canyon Point Resort (HCC#1)

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL DIRECT THE CAO TO WRITE A LETTER TO THE PROVINCE AND EMO MINISTER JOHN LOHR ADVOCATING THAT FULL PAYMENT OF THE \$200,000 IN DISASTER FINANCIAL ASSISTANCE BE ISSUED TO ASSIST CANYON POINT RESORT WITH BRIDGE REPAIRS. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL DIRECT THE CAO TO WAIVE ALL BUILDING/DEVELOPMENT FEES ASSOCIATED WITH CONSTRUCTING A NEW BRIDGE. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL DIRECT THE CAO TO CONTACT GFL AND REQUEST THAT ANY FEES ASSOCIATED WITH THE DEBRIS AND REMOVAL OF THE CANYON POINT RESORT BRIDGE REMNANTS BE WAIVED. MOTION CARRIED UNANIMOUSLY

ii. Home Flood Resiliency Program (8:39 p.m.)

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL DIRECT STAFF TO DEVELOP A HOME FLOOD RESILIENCY PROGRAM OFFERING BOTH FLOOD RISK ASSESSMENTS AND GRANTS FOR ELIGIBLE UPGRADES. MOTION CARRIED UNANIMOUSLY

Voting occurred by a show of hands for the remainder of the meeting.

- iii. Mills Lake Watershed Advisory Committee Landowner Appointment (8:40 p.m.)

MOVED BY COUNCILLORS FRANCIS AND SHERMAN THAT COUNCIL APPROVES THE FOLLOWING LANDOWNER BE APPOINTED TO THE MILLS LAKE WATERSHED ADVISORY COMMITTEE FOR THE TERM APRIL 1, 2024 TO OCTOBER 31, 2026: GREG O'LEARY. MOTION CARRIED UNANIMOUSLY

- iv. Parks & Grounds Equipment Pre-approval (8:41 p.m.)

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVES THAT AN ALLOCATION OF \$14,400 BE PRE-APPROVED FOR THE 2024/25 OPERATING BUDGET TO SUPPORT THE PROCUREMENT AND LEASE OF AN ARTICULATING MOWER AND FURTHER RECOMMENDS THAT AN ALLOCATION OF \$60,000 BE PRE-APPROVED FOR THE 2024/25 CAPITAL BUDGET TO SUPPORT THE PROCUREMENT AND PURCHASE OF THREE SUB COMPACT MOWERS (TRACTORS) TO BE TAKEN FROM THE OPERATING RESERVE. MOTION CARRIED UNANIMOUSLY

- v. Procurement Policy Update (8:42 p.m.)

Discussion Points:

- Two (2) amendments were proposed; in section 5, the dollar value threshold for requiring a purchase order remain unchanged (amount remain at \$500), it was noted there would be minimal impacts if the amount was changed and it was felt that it was better to keep the amount at \$500 and the second amendment proposed was to section 9, where Canoe Procurement was added as an alternative procurement. Concerns were raised regarding the process and lack of visibility with Canoe as the buying group and the inability to provide information on how Canoe makes money and if there were financial costs associated with it.

MOVED BY COUNCILLORS IVEY AND HARTT TO AMEND THE MOTION TO INCLUDE WITH THE EXCEPTION OF SECTION 9, REMOVING CANOE PROCUREMENT AND UNDER SECTION 5 REMOVING THE INCREASE IN THE ISSUANCE OF PURCHASE ORDERS FROM \$500 TO \$1000. MOTION DEFEATED. Nays: Francis, Sherman, Murley, B. Morton, Jannasch, Zebian and Smith.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVES THE UPDATED PROCUREMENT POLICY RCOFN-003.00 AS PRESENTED TO COMMITTEE OF THE WHOLE ON MARCH 12, 2024. MOTION CARRIED. Nays: M. McLean, S. McLean, Hartt and Ivey

- vi. Temporary Borrowing Resolutions (total of five recommendations) (8:45 p.m.)

MOVED BY COUNCILLORS FRANCIS AND MURLEY COUNCIL APPROVES THE RENEWAL OF A TEMPORARY BORROWING RESOLUTION IN THE

**AMOUNT OF \$57,467 FOR THE PURCHASE OF FIRE EQUIPMENT.
MOTION CARRIED UNANIMOUSLY**

MOVED BY COUNCILLORS FRANCIS AND M. MCLEAN THAT COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF \$564,068, FOR THE ROOF AT BROOKLYN FIRE DEPARTMENT STATION 1. MOTION CARRIED UNANIMOUSLY

Discussion Points:

- The Society was responsible for any costs associated with the kitchen despite the building being owned by the municipality. A grant application was being submitted to cover the costs of replacing the top 1/3 portion of the ventilation system. Council can choose to deal with the costs associated with the repair during the budget process (either pay for the repair entirely or offer a grant).
- When the roof was being replaced, it was estimated to cost in the range of \$80,000 to replace the entire ventilation system. At that time a decision was made (staff no longer work for WHRM) to partially replace the system (top half) and the remaining 2/3rds located below the roof be reinstalled for cost savings.

MOVED BY COUNCILLORS FRANCIS AND JANNASCH THAT COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF \$65,252, FOR THE REAR PARKING LOTS AT HANTSPORT FIRE DEPARTMENT. MOTION CARRIED. Nays: Hartt

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT \$285,062, FOR THE PURCHASE OF DUMP TRUCK – SALT/PLOW. MOTION CARRIED. Nays: Hartt

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT \$232,656, FOR THE PURCHASE OF SIDEWALK MACHINE W/FLAIL MOWER. MOTION CARRIED UNANIMOUSLY

vii. Third (3rd) Process Train Windsor WTP Detailed Design (8:52 p.m.)

Discussion Points:

- The process train did not increase the water withdrawal limit capacity, it provided the ability to meet regulatory obligations to meet peak daily demand if one (1) filter was out of service and operate at less risk.
- Design was likely to occur during Summer and into Fall of 2024, tender was expected to be released early Spring of 2025 and forecasted in the next budget cycle.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVE AWARDING THE DETAILED DESIGN PHASE 1, OF THE THIRD PROCESS TRAIN WINDSOR WTP PROJECT, AS IDENTIFIED IN THE 2023/24 CAPITAL BUDGET TO CBCL, FOR THE OVERBUDGET TOTAL

DESIGN COST OF \$208,707.00 PLUS APPLICABLE TAXES. MOTION CARRIED UNANIMOUSLY

viii. Two (2) 5500 Series Truck Purchases (8:57 p.m.)

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL AUTHORIZE STAFF TO PURCHASE TWO NEW ONE TON TRUCKS AND HAVE THEM UPFITTED UP TO THE BUDGETED AMOUNT OF \$260,000 INCLUSIVE OF HST, LESS THE ANY TRADE IN VALUE OF TRUCKS BEING REPLACED. MOTION CARRIED. Nays: S. McLean and Hartt

b) Planning and Heritage Advisory Committee Recommendations (as it relates to First Reading)

i. Willow Street, Hantsport HLUB Map Amendment PID 45045879 (8:59 p.m.)

Planner Dunphy reviewed the report. On January 8, 2024 a completed application was received from Tom Lavers to rezone the lot from Single Unit Residential (R-1) to Multiple Unit Residential (R-3) to permit the development of a 15-unit residential apartment building. The property was an unused forested lot, with nearby properties consisting of single unit residences. The property was designated Residential under the Generalized Future Land Use Map (GFLUM) for Hantsport and zoned Single Unit Residential (R-1).

Key points:

- The minimum lot frontage requirement wording within the Hantsport By-Law was ambiguous, it was clarified the requirements quoted wording would be changed from the word “and” to the word “or”.
- Policy RP-7 enabled rezoning from Residential designation to the Multiple Unit Residential (R-3) zone provided the proposed rezoning would not have a negative impact on adjacent residential uses.
- Policy IM-3 provided the general criteria for amendments, noting the criteria were met.

A Public Information Meeting (PIM) was held February 6th, 2024 and broadcasted live on the Municipal Facebook page. Nine (9) members of public attended and five (5) individuals spoke. Deadline for comments was February 20th with one (1) phone call and 15 pieces of correspondence received.

Concerns pertained to lack of information on the proposal (rezoning process did not require a site plan or specific building drawings as part of the application), traffic concerns (no concerns with Willow Street accommodating the increased level of traffic), setbacks and parking requirements (proposal would be required to meet all lot requirements for the Multiple Unit Residential (R-3) zone in the HLUB, including parking and minimum setbacks, concerns regarding the context and density of the neighbourhood (Policy RP-7 allows Council to consider the proposal to rezone to Multiple Unit Residential (R-3) in the Residential designation).

At the March 14, 2024 Planning and Heritage Advisory meeting the committee discussed zone requirements, other uses surrounding the subject lot, the criteria of Policy RP-7, the challenging conditions of the subject lot, the feedback received from neighbours, stormwater concerns, potential negative effects on residents and the lack of proposal information resulting in the committee recommending against the rezoning of PID 45045879 on Willow Street in Hantsport; however, they recommended in favour of the text amendments to the HLUB.

Discussion Points:

- The policy statement RP-7 enables Council to allow new multi-unit residential uses within the serviced residential designation by rezoning the property to the proposed R-3 zone provided the property will not have a negative impact on adjacent residential uses.
- Not following the planning process provided a level of risk for the municipality. A Public Hearing and Second Reading should occur and if consensus was to refuse the application with due cause (stating which criteria it does not meet) and would be done at this stage of the process.
- Time limits (within the MGA) were associated with the amendment. The applicant could appeal based on the fact that time limits (within the MGA) were not met. It was prudent the planning process was followed.
- If the application was not successful, the developer still had an option to develop a Single-unit dwelling or potentially subdividing the lot and developing those “as of right”.

MOVED BY COUNCILLORS MURLEY AND SMITH THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING SCHEDULE A OF THE HANTSPORT LAND USE BY-LAW TO REZONE PID 45045879 ON WILLOW STREET IN HANTSPORT, FROM THE SINGLE UNIT RESIDENTIAL (R-1) ZONE TO THE MULTIPLE UNIT RESIDENTIAL (R-3) ZONE AS SHOWN IN THE REPORT #24-01 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED MARCH 14, 2024. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS MURLEY AND SMITH THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE HANTSPORT LAND USE BY-LAW TO CLARIFY THE MINIMUM LOT FRONTAGE REQUIREMENT FOR THE MULTIPLE UNIT RESIDENTIAL (R-3) ZONE IN SECTION 8.4 IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT B OF THE STAFF REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REPORT DATED MARCH 14, 2024. MOTION CARRIED

The majority of the gallery left, only five (5) members remained.

- ii. Pesaquid Comprehensive Development District WMPS and WLUB Amendments (9:21 p.m.)

Planner Dunphy reviewed the report. A completed application was received from Chad and Mandy Singleton on October 19, 2023 to permit residential units behind commercial units on the ground floor.

Planner Dunphy provided a brief history of the file and reviewed the proposed amendments; a change to Policy 7.5.2 to add clause (e) residential uses behind commercial uses on the ground floor of existing buildings, addition to Policy 7.5.3 (c) to include “behind the commercial uses on the ground floor or” and insertion of a new Policy 7.5.5 (It shall be the intention of Council when evaluating a DA for residential uses behind commercial uses on the ground floor within the Pesaquid CDD, as enabled through Policy 7.5.2, to have regard to the following:

- (a) the residential uses on the ground floor of an existing building shall occupy no more than 50% of the ground floor area of the structure;
- (b) the residential uses must be located behind a commercial use. The commercial use must have frontage on the street;
- (c) the provisions of Policy 16.3.1 and the addition of “or residential uses behind commercial uses on the ground floor of existing buildings;” to clause (g) in Policy 6.1 within the Windsor Land Use By-Laws.

Comments/concerns received from a member of the public and the applicant pertained to possibility for development agreement process; and how the wording for the text amendment would be determined. Planner Dunphy reviewed the processing.

Discussion Points:

- “As of right” development was separate from the planning side and more on the development side. The application would go to the Development Officer, who determines what is permitted. If allowed a permit is issued and construction begins.
- Both processes (Development Agreement or As of Right) were based on criteria set within each process. An opinion was the DA process added more time, costs and work.
- The Pesaquid CDD was a specifically designed planning policy put in place for primary commercial zone within the former Town of Windsor (and still the primary commercial centre within WHRM). Despite the increased time for the applicant, the right process was being followed in looking at these types of requests on an as needed basis.
- As long as the applicant met the criteria it was hard to not approve an application.

MOVED BY COUNCILLORS SMITH AND FRANCIS THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE WINDSOR MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO CONSIDER RESIDENTIAL USES BEHIND COMMERCIAL USES ON THE GROUND FLOOR OF EXISTING BUILDINGS IN THE PESAQUID COMPREHENSIVE DEVELOPMENT DISTRICT (P-CDD) ZONE BY DEVELOPMENT AGREEMENT IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT B OF THE STAFF REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REPORT DATED MARCH 14, 2024. Nays: Zebian

iii. Highway 215 Summerville, PID 45180635 Development Agreement (DA) (9:36 p.m.) Planner Fredericks reviewed the report. A completed application was received on March 21, 2023, from Patrick Hill to establish a paintball facility and playing areas located in the woods and a portion of an open field on PID 45180635 on Highway 215 in Summerville. The property was owned by Marlene Hill who authorized Patrick Hill to apply for a development agreement. The initially the application came with a letter of authorization from Marlene Hill, who was not the landowner at the time, but through a recent probate court decision (February of 2024), Marlene Hill was now the owner of the land and has appropriate authority to authorize Patrick Hill to apply for a development agreement to establish a paintball facility on PID 45180635 on Highway 215 in Summerville.

Planner Fredericks provided a brief history of the file, the property and reviewed the proposed DA. An application was originally received in March of 2023, followed by a Public Information Meeting (PIM) on June 6, 2023. The application has been on hold due to being in probate court to determine ownership as the will had to be probated. Ownership has been confirmed and the application can now be considered.

The property was in the Resource designation, zoned General Resource and abutted the Loyal Hill cemetery and across the street from an equestrian facility.

The PIM was held on June 6, 2023 and broadcasted live on the Municipal Facebook page. Deadline for comments was June 20, 2023. Several comments were received pertaining to proximity and impact on neighbouring graveyard (intent was to be respectful of events occurring in the graveyard), environmental impacts (applicant confirmed the capsules were biodegradable), noise and disruption, buffer and fencing ideas, parking concerns (all parking was contained on site) as well as support for the business and brining activities to Summerville. Planner Fredericks reviewed the West Hants Planning Strategy (Policy 9.0, 9.1, 9.1.7 and 13.3.2). Through the use of large setbacks and buffering requirements, noise impacts to neighbouring properties would be minimized.

The DA identified a 100' setback, established netting and buffering requirements, and also included parking, storage, playing courses, watching areas and any accessory structures associated with the development.

16.3.1 and was the General Criteria policy used to review the application. Planner Fredericks reviewed the process the application has undergone.

Discussion Points:

- The property was owned by Marlene Hill and Patrick Hill was the applicant. Marlene provided an authorization letter for Patrick to make the application.
- Concern was raised about the vegetation buffering strip requirement not being required if the paintball facility was moved from the field area to the woods not required if all the paint ball facilities was being removed resulting in there being no barrier between the paintball facility and the cemetery. If no vegetative buffering was required, it was suggested that at a minimum signage be a requirement identifying boundaries.
- Concern was raised with respect to noise and interference with internments and funerals. Conversations occurred between the planner, the funeral director and the applicant. The local funeral director noted cemetery usage varies from potentially once a month to maybe once every few months (not an everyday occurrence). The applicant also expressed his willingness to factor in times when the cemetery was used and make operational decisions based on when an event was occurring in the cemetery.
- Concern was raised the vegetative buffer strip only stated a 4'tree, if a 4'white spruce was being dug up and used vs purchasing at a greenhouse it would not have a large enough root ball to enable the tree to grow. Without dictating where the landowner sources the trees, it was suggested that the word "maintained" was not strong enough and the wording "maintained and growing" be used.
- Paint ball ranges were limited, approximately within a few hundred feet. Information was provided at the PIM.

- Netting was being used around the playing courses, buffering requirements were in addition to netting being used.

MOVED BY COUNCILLORS JANNASCH AND IVEY THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT TO PERMIT A PAINTBALL FACILITY ON PID 45180635 ON HIGHWAY 215 IN SUMMERVILLE, IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B OF THE REPORT TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REGARDING FILE # 23-07 DATED MARCH 14, 2024 TO INCLUDE AT A MINIMUM SIGNAGE DESIGNATING ADJACENT PROPERTY LINES AND TO INCLUDE THE WORD GROWING AFTER MAINTAINED IN THE REFERENCE TO VEGETATIVE BUFFER STRIPS. MOTION CARRIED

MOVED BY COUNCILLORS JANNASCH AND FRANCIS THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH MARLENE HILL 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

MOVED BY COUNCILLORS SHERMAN AND B. MORTON THAT THE MEETING CONTINUE PAST 10 P.M. MOTION CARRIED. Nays: M. McLean and Murley

- iv. 4236 Hwy 14 Windsor Forks WHLUB Map Amendment (10:03 p.m.)
Planner Fredericks reviewed the report. A completed application was received on January 8, 2024 from Sheldon Musseau requesting to rezone the property from Rural Commercial (RC) to General Resource (GR), which was consistent with surrounding properties. Planner Fredericks reviewed the General Criteria Policy (16.3.1) used to review the application and noted no concerns.
A Public Information Meeting (PIM) was held February 6, 2024, followed by a report to the Planning and Heritage Advisory Committee March 14, 2024 who supported the recommendation.

MOVED BY COUNCILLORS IVEY AND SMITH 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 45329851 AT 4236 HIGHWAY 14 IN WINDSOR FORKS FROM THE RURAL COMMERCIAL (RC) ZONE TO THE GENERAL RESOURCE (GR) ZONE AS SHOWN IN THE REPORT #23-41 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED MARCH 14, 2024. MOTION CARRIED UNANIMOUSLY

v. Wentworth Road, Windsor, PID 45059631 Non-Substantive Development Agreement Amendment (10:08 p.m.)

Director Poirier reviewed the report. The request was for non-substantive development agreement amendments on PID 45059631 on Wentworth Road. A completed application was received February 1, 2024, from Ahsan Khan of FH Development Group Inc. on behalf of FH Development Group Inc. requesting consideration be given to amend the recently approved development agreement with FH Development Group Inc. on PID 45059631, Wentworth Road, to increase the number of apartment units permitted in Building A from 40 to 43 and reduce the gross floor area on the ground floor for commercial uses from 10,000 sq. ft. to 5,000 sq. ft. due to financing considerations.

A revised application was received February 20, 2024 to consider allowing the commercial space be converted to residential apartment units if it was unable to be leased within one year of framing the commercial space as the developers are unsure of the demand for commercial space in Windsor.

On March 7, 2024 another revised application was received to consider removing the plaza and revising the site plan to show the driveway closer to Building A due to recommendations of a Geotechnical Engineer.

Director Poirier reviewed background information on the file as a refresher and provided an explanation on why the amendments were not considered substantive). Section 3.3 of the development agreement with FH Development Group Inc. stated the following matters were substantive matters:

- (a) the uses permitted on the Property as listed in Section 2.1, Use;
- (b) the order of building construction in Section 2.2, Development Location and Design, and the required recreation space for Buildings A, B and C in Section 2.8 (b), Recreation Space;
- (c) the fire safety requirements listed in Section 2.6, Fire Safety;
- (d) the landscaping requirements in Section 2.7, Landscaping; and
- (e) the requirements for a stormwater management plan to be submitted prior to a development permit being issued as listed in Section 2.9, Site Drainage.

The items requested to be amended did not impact on any of the matters listed under Section 3.3, resulting in them being considered non-substantive.

Director Poirier reviewed the four (4) proposed amendments:

There are four (4) amendments proposed to this agreement:

1. attach an updated site plan specifying the increased number of apartment units in Building A and the reduction of gross floor area for commercial uses;
2. increase the number of apartment units permitted in Building A from 40 to 43 and reduce the gross floor area on the ground floor for commercial uses from 10,000 sq. ft. to 5,000 sq. ft. in Section 2.2, Development Location and Design;
3. remove the requirement for the plaza or central garden in Section 2.8, Recreation Space; and
4. add a new Section 2.16, Building A Commercial Space, which will outline the parameters to be met by the Owner for the Development Officer to consider allowing the commercial space to be converted to residential apartment units.

All remaining terms and conditions of the development agreement will remain in full force and effect.

The report was presented to the Planning and Heritage Advisory Committee of March 14th. The committee discussed the non-substantive development agreement amendments in detail including concerns with the removal of commercial space on Wentworth Road and the current Windsor commercial market; removal of the plaza and recreation space requirements of the development agreement; the Geotechnical Engineer assessment, the history and challenges of the lot; commencement period for construction in the development agreement; and sidewalk requirements of the development agreement, resulting in PAC/HAC recommending in favour of the proposed non-substantive development agreement amendments.

Discussion Points:

- There was no requirement within the Wentworth Commercial District to have commercial spaces.
- Substantive matters are outlined when DA's are presented for consideration. The criteria/policies used for this consideration did not require the developer to provide commercial space, this was something the developer has wanted to do.
- The developer's commencement date was two (2) years from the date that the DA was signed (August 2022). The two (2) year period ends September 2024 but there was an option to request an extension or Council could also choose to discharge the application. Footings for the first building must be in place to satisfy the buy back clause within the purchase and sale agreement.

MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COUNCIL APPROVES THE NON-SUBSTANTIVE DEVELOPMENT AGREEMENT AMENDMENTS ON PID 45059631 ON WENTWORTH ROAD IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B OF THE REPORT FILE #24-06 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED MARCH 14, 2024. MOTION CARRIED. Nays: Sherman

MOVED BY COUNCILLORS FRANCIS AND SMITH THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT AMENDMENT WITH FH DEVELOPMENT GROUP INC. 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 UNANIMOUSLY

13. Councillor Municipal Business/Activity Reports (10:26 p.m.)
a) Councillor Ivey, District 11 Activity Report (Verbal Report)

Highlights included:

- Attended Transportation and Community Space Needs workshops.
- Attended District 6 Town Hall meeting hosted by Councillor B. Morton.
- Most of time has been invested in matters pertaining to the UARB, water rate increases (Rate study and UARB application), upcoming Public Hearing, reviewing historical data and responding to questions related to the matter.
- Attended the Quick as A Wink theatre performance "The Prom". All were encouraged

to attend upcoming performances from the talented group.

- Residents continue to experience flooding throughout the region, not just in the Windsor downtown core area. There was a desire to highlight and not lose sight that \$200,000 was allocated in the previous budget to identify the who, what, when and where for next steps of the study, and also what had become of the \$25 million dollars identified in the grant application and where that application stood. It was assumed the \$200,000 was still available and would be discussed further during the 2024/25 budget deliberations. The Federal government advised they were flooded with applications and were in the process of reprocessing and reprioritizing projects (still working their way through the process). Staff can follow up and inquire on an update. Reports will be presented at the April Committee of the Whole meeting for Tremaine Crescent for consideration.

14. Correspondence (10:33 p.m.)

a. Information

- i. Avon Causeway Activity Log - None
- ii. Correspondence Received Activity Log (reviewed in groups of three (3))
 - i. March 12, 2024 from Avon River Heritage Society Re Flooding March 11, 2024.
 - ii. March 12th and 13th from Jennifer Moore Re Information Report Home Flooding Protection Program.

The standard Emergency Response plan was presented at the last meeting. Clarity was sought on whether a specific response plan for residents in the downtown core area would be presented at a future meeting. No additional reports were expected. Should the desire be to put additional resources in place, it could be a discussion during budget deliberation as current resources were limited. Concern was raised that this issue has been almost 3 years in the making and no additional information was being presented, Council needs to determine what they want to bring forward that can/will be executed on by staff.

- iii. March 14, 2024 from Dorothy Read Re Opposition to Willow Street rezoning application.
- iv. March 12, 2024 from Maryann Norbury Re Payzant Drive Extension.
- v. March 18, 2024 from Joe Alcorn and Donna Smith Re Payzant Road - Roundabout or Extension.
- vi. March 19, 2024 Response to Mr. Hussey from MLA Sheehy-Richard Re Underwood Road Traffic (WHRM copied).
- vii. March 19, 2024 from Judi Wilson Re Payzant Connector Road.
- viii. March 20, 2024 from Cathy and Dave Pemberton Re New builds – roads.
- ix. March 21, 2024 from Jamie Leopold Re Safety Concern at the West Hants Sportsplex.

Discussion Points:

- Three (3) of the issues have been resolved, the remaining concerns and potential future concerns will be addressed during the off season.
- x. March 21, 2024 from Emme Manuel Re Open Arms New Outreach Program.

- xi. March 25, 2024 from Kim and John Olejnik Re Payzant Drive extension over to Hwy 1, (sometimes referred to Hwy 14).
- xii. March 25, 2024 from Jeanette Poirier Re Payzant Drive Extension.
- xiii. March 25, 2024 from ARHS Newport Landing Flooding Letter.

b) Requests

- i. March 14, 2024 from Royal Canadian Legion, Hants County Branch No. 9 Re Grant for Veteran Banner Program – Item came in late and will be discussed during the budget process.
- ii. March 15, 2024 from Hantsport Residents Re Defeat Willow Street Motion.

c) Outgoing Correspondence Log – None

Councillor S. Mclean noted he made an error on item 10 (b), it should have been the Poplar Grove Hall, not the Belmont Hall. Council were advised a motion to reconsider would need to be brought forward by a person who voted against the original motion. Since the motion was unanimously supported, a new motion would be need to be made and a follow-up motion would be made to direct staff not to act on the original motion made.

MOVED BY COUNCILLORS S. MCLEAN AND SMITH THAT COUNCIL APPROVE A 2024-25 GRANT TO THE POPOLAR GROVE HALL, IN THE AMOUNT OF \$7,023.49, PROVIDING THAT ALL GRANT SUBMISSION REQUIREMENTS ARE MET UNDER THE GRANTS AND CONTRIBUTIONS POLICY RCOFN-012.00. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS S. MCLEAN AND SMITH THAT COUNCIL DIRECTS STAFF NOT TO EXERCISE THE FOLLOWING MOTION RELATED TO AGENDA ITEM 10(B). MOTION CARRIED UNANIMOUSLY

15. New Business (10:45 p.m.)

Mayor Zebian stepped down from the chair. Councillor Murley assumed the chair at 10:45 p.m.

a) Industrial/Commercial Lands Recommendation Report (10:45 p.m.)

Mayor Zebian reviewed the report. Many discussions have occurred with previous Councils (former Towns of Windsor and Hantsport and the Municipality of West Hants) on future industrial/commercial lands resulting in reports and studies being completed; however, nothing resulted from the work completed.

With the increased growth seen in the region, there was value in Council leading an initiative in identifying potential industrial/commercial lands to help service the current and future growth of residential development to continue to grow and sustain the region.

Discussion Points:

- Consensus was the initiative was a great idea and needed to be started immediately, other municipalities were forward thinking and already doing this (East Hants was used as an example).
- Previous discussions involved land that was municipally owned.

- Look at getting some type of community beautification strategy identified with Industrial Park lands already owned by the Municipality and taking advantage of the highway views by planting trees to cover the less desirable areas and appeal to potential investors who may want an area already developed vs a new undeveloped area.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT STAFF TO REPORT BACK TO COUNCIL ON POTENTIAL FUTURE INDUSTRIAL/COMMERCIAL LANDS FOR FURTHER DISCUSSION / DIRECTION. MOTION CARRIED

- b) Letter to Provincial Public Works and MLA RE Roadwork from Windsor to St. Croix Recommendation Report (10:54 p.m.)

Mayor Zebian reviewed the report. Recently, residents, property owners and business owners raised concerns that the Provincial Dept. of Public Works plans to complete work on the Hwy 1 which entails paving, the creation of bike/pedestrian lanes for Blue Route, and installation of new curbs along some properties.

The proposed curb designs are being questioned by the concerned parties as they have voiced concerns with the lack of consultation and inability to provide feedback on the project affecting their properties. The concerned parties have attempted to reach out to the proper authorities, with little success. They have requested the help of Council to advocate for an opportunity for them to give their feedback before the project goes to tender.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR B. MORTON THAT COUNCIL DIRECT STAFF TO WRITE A LETTER WITHIN THE NEXT WEEK TO THE PROVINCIAL DEPARTMENT OF PUBLIC WORKS AND MLA SHEEHY RICHARD EXPRESSING THE CONCERNS, AS WELL THE DESIRE TO HAVE AN OPPORTUNITY TO DISCUSS THE WORK AT A TOWN HALL STYLE MEETING, OF PROPERTY AND BUSINESSES OWNERS WITHIN WEST HANTS REGIONAL MUNICIPALITY, ALONG THE ROUTE OF THE PLANNED PROVINCIAL WORK, IN REGARDS TO CHANGES BEING PROPOSED WITH PLANNED ROAD UPGRADES THIS SPRING/SUMMER. MOTION CARRIED UNANIMOUSLY

- c) Rural Advisory Committee Recommendation Report (10:58 p.m.)

Mayor Zebian reviewed the report. Prior to consolidation most discussions had by the West Hants Council centred on rural topics. During consolidation concerns were raised that discussions and dynamics may shift to more urban serviced area discussions and rural areas and there were concerns that this was what was occurring, specifically when looking at the last few agenda items (utilities and urban centre projects). The RAD report and residents expressed concerns that rural voices would be less likely to be discussed once consolidation occurred. It was felt a Rural Advisory committee may be a way to help address these concerns.

Discussion Points:

- As part of the consolidation process for the former West Hants a Rural Advisory committee was created; however. it was hard to keep momentum going. There were so many rural areas; each were distinct in their own way that it was hard to reach consensus on matters.

- It was felt that important rural issues were able to be addressed through Council and there wasn't a need to separate those issues and there was risk of marginalizing the outlying districts more instead of engaging them.
- It was felt that forming this committee would not reduce the length of Council meetings.
- A suggestion to reduce meeting lengths was to balance the agenda more (not overweight the agenda with issues affecting districts that were related to water services) by exploring the idea of creating a new committee or commission to deal specifically with issues surrounding water and water utilities. While water was a critical and important issue. rural residents who were not serviced by water and trying to follow the meetings/discussions may find it exhausting. There may also be an opportunity to reduce meeting lengths if the Audit committee was given a larger role in the workings of the municipality.
- Consensus was the topic warranted a larger discussion (merits of a rural committee and meeting lengths) and would be brought back to the Committee of the Whole for further discussion.

Councillor Murley stepped down as Chair and Mayor Zebian assumed the chair at 11:10 p.m.

16. In-Camera (11:10 p.m.)

a) MGA 22(2)(a) Personnel Matter

Council Ivey clarified the subject matter. Depending on the subject matter, there may be a need for some Councillors to declare conflict and leave the meeting. The subject was not related to content, more so around content that did not take place. It was decided the matter would proceed to In-Camera to determine if the discussion remained there or if the discussion was not an In-Camera matter.

**MOVED BY COUNCILLORS SHERMAN AND MURLEY THAT THE MEETING
MOVE IN-CAMERA AT 11:13 P.M. MOTION CARRIED**

**MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT THE MEETING
MOVE OUT OF IN-CAMERA AT 11:40 P.M. MOTION CARRIED**

17. Next Meeting Date / Adjournment – April 9th, 2023 Committee of the Whole Meeting 6 pm

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT THE MEETING
ADJOURN AT 11:40 P.M. MOTION CARRIED**

Mayor Abraham Zebian (Chair)

Deanna Snair, Municipal Clerk