

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Agenda

June 25, 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

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) 2024-05-28 Council Meeting Minutes
 - b) 2024-05-29 Council Meeting Minutes (Continuation of 2023-05-28 meeting)
 - c) 2024-05-28 PH Minutes Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382
 - d) 2024-05-28 PH Minutes 586 O'Brien Street, Windsor PID 45054350 Development Agreement
 - e) 2024-05-28 PH Minutes Willow Street, Hantsport HLUB Map Amendment PID 45045879
 - f) 2024-05-28 PH Minutes Albert Street, Portion of PID 45058872 (August House)
 - g) 2024-05-28 PH Minutes West Hants LUB 1781 King Street, Windsor PID 45162005
 - h) 2024-05-28 PH Minutes Hwy 215, Summerville, PID 45180635 Development Agreement
7. Public Hearings
 - a) Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382 – Senior Planner Dunphy
 - b) WMPS Text Amendments: Policy 5.4.6 Criteria for Development Agreements – Director Poirier
8. Second Readings (as it pertains to Public Hearings)
 - a) Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382– Senior Planner Dunphy
 - b) WMPS Text Amendments: Policy 5.4.6 Criteria for Development Agreements – Director Poirier

9. Unfinished Business/Postponed Motions
 - a) Home Flood Protection Pilot Program Policy – Coordinator Ogilvie
 - b) Rename Cottage Street to Paris Street (Deferred from June 11th COTW meeting)
 - c) Purchase of Combination Vacuum Truck Decision Request – Mayor Zebian
 - d) Updated Falls Lake West Owners Association Uniform Charge 2024-2025 Resolution
 - e) 2024 Grants and Contributions Decision Request Report – Director Kehoe
10. Mayor’s Report
11. Committee(s) of Council Excerpts/Recommendations
 - a) Committee of the Whole Excerpts (June 11, 2024)
 - i. Deer Management Report
 - ii. Flood Risk Infrastructure Investment Program Application
 - iii. Letter of support to hire a fulltime equity coordinator in both the WHMS and AVHS
 - iv. Nesbitt Street Renewal
 - v. Operations Building
 - vi. PCAP Funding and FRIPP Funding for Windsor Flood Study Phase 2
 - vii. Explore residential property buyout information/options
 - viii. WHRMPW24-05 Supply of Treatment Chemicals Recommendation
 - b) Planning and Heritage Advisory Committee Recommendations (June 13, 2024) (as it relates to First Readings)
 - i. Windsor Back Road, Three Mile Plains Development Agreement, PID 45402831 – Senior Planner Dunphy
 - ii. West Hants Municipal Planning Strategy Amendments: Large scale wind turbine setbacks – Director Poirier
 - iii. West Hants Municipal Planning Strategy Amendments and Windsor Land Use By-law Amendments: 368 Nesbitt Street, PID 45056447 and PID 45227279, Colonial Road – Director Poirier
12. Councillor Municipal Business/Activity Reports
 - a) Councillor Ivey, District 11 Information/Activity Report
13. Correspondence
 - a) Information
 - i. Avon Causeway Activity Log – None
 - ii. Ever Wind/Bear Lake Wind Farm - None
 - iii. Correspondence Received Activity Log

- i. Jennifer Moore Re Stannus Street
- ii. K. Zwicker Re DAR Rail
- iii. K. Zwicker Re Surplus equipment/Tractors
- iv. K. Zwicker Re Municipal Vehicles
- v. Kim Lake, ARHS Re Berm Thank You

b) Requests

- i. Hants North Legion Letter requesting funding
- ii. Amanda Dunfield WHRM Utility account request

c) Outgoing Correspondence Log

- i. 2024-06-19 WHRM letter Re Dyke maintenance along the St. Croix River beside Highway 14, the Kennetcook River off route 236 in Scotch Village and the Herbert River

15. New Business - None

16. In-Camera

- a) 2024-05-29 In-Camera Meeting Minutes
- b) MGA 22(2)(a) Legal Matter

17. Next Meeting Date / Adjournment – July 9th, 2024 Council Meeting 6 p.m.

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Minutes **AMENDED**

June 25, 2024 - 6:00 p.m.

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

And virtually via Zoom (also Facebook Livestreamed)



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1. As Call to Order – Deputy Mayor P. Morton called the meeting to order at 6:00 p.m.

2. Attendance

Council:

Abraham Zebian, Mayor (7:14 p.m.)
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

Paul Morton, Deputy Mayor, District 8
Bob Morton, Councillor, District 6 (6:15 p.m.)
Ed Sherman, Councillor, District 7
John Smith, Councillor, District 9
Laurie Murley, Councillor, District 10
Jim Ivey, Councillor, District 11

Staff:

Mark Phillips, Chief Administrative Officer
Carlee Rochon, Director of Financial Services
Todd Richard, Dir. Public Works
Development
Alex Dunphy, Planner

Deanna Snair, Municipal Clerk
Sara Poirier, Dir. Planning & Development
Kathy Kehoe, Director Community

Regrets:

Shelleena Thornton, Municipal Ops Sup

Presenter and Gallery

17 in the Gallery

3. Announcements (6:01 p.m.)

Deputy Mayor P. Morton acknowledged West Hants Regional Municipality is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. This land is governed by the treaties of Peace and Friendship signed in 1726. West Hants Regional Municipality recognizes 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 Family Fun Day being held at the Ardoise Hall on July 6th from 8:30 a.m. – 2:30 p.m. All were encouraged to attend.

Reminder of the upcoming events planned in Hantsport for the July 1st festivities. All were encouraged to attend.

Congratulations were extended to Roger Taylor and the Four Seasons Orchestra on another successful concert. Appreciation and thanks were extended to Irvin Leopold for recording the event for all.

4. Approval of the Agenda, including additions or deletions (6:03 p.m.)

Voting occurred by a show of hands.

Questions were raised as to why item 9(c) was on the agenda as it was defeated at the last Committee of the Whole meeting. CAO advised that Committee of the Whole was an advisory committee to Council, items defeated at Committee of the Whole were legally permitted (solicitor confirmed) to be brought forward for Council to consider. If an item was defeated at a Council meeting (decision making body); the item was not permitted to return for future discussions until six (6) months had lapsed.

MOVED BY COUNCILLORS SHERMAN AND FRANCIS THAT THE 2024-06-25 COUNCIL AGENDA BE APPROVED. MOTION CARRIED. Nays: Jannasch and S. McLean

5. Declaration of Conflict of Interest (6:05 pm)

Item 6(c), 7(a) and (b) and Item 8(a) and (b) – Councillor Francis due to owning land.

Item 9(e) – Councillors Hartt and Sherman due to affiliation with the Masonic Society.

6. Approval of the Previous Meeting Minutes (6:06 p.m.)

a) 2024-05-28 Council Meeting Minutes

b) 2024-05-29 Council Meeting Minutes (Continuation of 2023-05-28 meeting)

c) 2024-05-28 PH Minutes Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382

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f) 2024-05-28 PH Minutes Albert Street, Portion of PID 45058872 (August House)

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h) 2024-05-28 PH Minutes Hwy 215, Summerville, PID 45180635 Development Agreement

The 2024-05-29 Council Meeting Minutes will be amended noting Councillor Sherman's name will be changed to Councillor Hartt to reflect Councillor Hartt's monthly activity report.

MOVED BY COUNCILLORS SHERMAN AND FRANCIS THAT THE 2024-05-28 COUNCIL MEETING MINUTES AND 2024-05-29 COUNCIL MEETING MINUTES BE APPROVED. MOTION CARRIED

Councillor Francis declared conflict and left the meeting at 6:08 p.m.

MOVED BY COUNCILLORS SHERMAN AND MURLEY THAT THE 2024-05-28 PH MINUTES PAYZANT DRIVE, WINDSOR DEVELOPMENT AGREEMENT: PIDS 45053030, 45343878, 45343894, AND 45234382 BE APPROVED. MOTION CARRIED

Councillor Francis returned at 6:09 p.m.

MOVED BY COUNCILLORS IVEY AND SMITH THAT THE 2024-05-28 PH MINUTES 586 O'BRIEN STREET WINDSOR PID 45054350 DEVELOPMENT AGREEMENT BE APPROVED. MOTION CARRIED

MOVED BY COUNCILLORS IVEY AND SMITH THAT THE 2024-05-28 PH MINUTES WILLOW STREET, HANTSPORT HLUB MAP AMENDMENT PID 45045879 BE APPROVED. MOTION CARRIED

MOVED BY COUNCILLORS IVEY AND SMITH THAT THE 2024-05-28 PH MINUTES ALBERT STREET, PORTION OF PID 45058872 (AUGUST HOUSE) BE APPROVED. MOTION CARRIED

MOVED BY COUNCILLORS IVEY AND SMITH THAT THE 2024-05-28 PH MINUTES WEST HANTS LUB 1781 KING STREET, WINDSOR PID 45162005 BE APPROVED. MOTION CARRIED

MOVED BY COUNCILLORS M. MCLEAN AND MURLEY THAT THE 2024-05-28 PH MINUTES HWY 215, SUMMERVILLE, PID 45180635 DEVELOPMENT AGREEMENT BE APPROVED. MOTION CARRIED.

7. Public Hearings (6:10 p.m.)

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

Councillor Francis declared conflict and left the meeting at 6:11 p.m.

The meeting moved into Public Hearing at 6:11 p.m. Further information on the Public Hearing is available in the 2024-06-25 Public Hearing Minutes.

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL MOVE INTO PUBLIC HEARING AT 6:11 P.M. MOTION CARRIED

- a) Payzant Drive, Windsor Development Agreement PIDs 45053030, 45343878, 45343894 45234328 (6:11 p.m.)

MOVED BY COUNCILLORS SMITH AND B. MORTON THAT COUNCIL POSTPONES PUBLIC HEARING AND SECOND READING UNTIL THE JULY COUNCIL MEETING TO ALLOW COUNCIL TIME TO ASSESS THE INFORMATION REGARDING CONNECTIVITY IN THIS AREA. MOTION CARRIED. Nays: Jannasch, Sherman and P. Morton

8. Second Readings

- a) Payzant Drive, Windsor Development Agreement PIDs 45053030, 45343878, 45343894 45234328 – Second Reading did not occur.

7. Public Hearings (7:08 p.m.)

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

b) WMPS Text Amendments: Policy 5.4.6 Criteria for Development Agreements (7:08 p.m.)
The meeting moved into the Public Hearing at 7:08 p.m. Further information on the Public Hearing is available in the 2024-06-25 Public Hearing Minutes.

MOVED BY COUNCILLORS SHERMAN AND B. MORTON THAT COUNCIL MOVE INTO PUBLIC HEARING AT 7:08 P.M. MOTION CARRIED.

At 7:13 p.m. the Public Hearing was concluded, the meeting moved into the regular Council meeting.

8. Second Readings

b) WMPS Text Amendments: Policy 5.4.6 Criteria for Development Agreements (7:13 p.m.)

MOVED BY COUNCILLORS SHERMAN AND MURLEY THAT COUNCIL GIVES SECOND READING TO AND APPROVES THE TEXT AMENDMENTS TO THE WINDSOR MUNICIPAL PLANNING STRATEGY POLICY 5.4.6 AS SHOWN IN ATTACHMENT A OF THE REPORT #24-09 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED MAY 9, 2024. MOTION CARRIED

Councillor Francis returned and Mayor Zebian joined the meeting at 7:14 p.m. Mayor Zebian assumed the chair at this time.

10. Unfinished Business/Postponed Motions

a) Home Flood Protection Pilot Program Policy Recommendation Report (7:15 p.m.)

Coordinator Ogilvie provided a brief overview of updates made to the Home Flood Protection program based off feedback received to address concerns voiced and provide additional clarity. Section 6.3 was updated to better reflect maximum amount limits. A section was added (6.3.1) to clearly define the disbursement process. Legal review of the proposed policy was required before being finalized, if any substantial changes were done, a revised report would be presented for consideration.

Discussion Points:

- Retroactive grants for homeowners have been explored/requested (city of Toronto) but there was no information identifying locations where it has been included within the policy. It was noted the city of Toronto staff also did not recommend retroactive grants.
- A path forward was available if there was interest in pursuing this consideration.

MOVED BY COUNCILLOR MURLEY AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVES THE HOME FLOOD PROTECTION PILOT PROGRAM POLICY IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT A TO THE STAFF RECOMMENDATION REPORT ENTITLED "HOME FLOOD PROTECTION PILOT PROGRAM POLICY" DATED JUNE 25, 2024. MOTION CARRIED.

- b) Rename Cottage Street to Paris Street Decision Request - Deferred from June 11th meeting (7:21 p.m.)

Mayor Zebian stepped down from the chair and Deputy Mayor P. Morton assumed the chair. The item was deferred from the June 11th Committee of the Whole meeting to allow time to determine wording to ensure the name change coincided with a successful transition for Dykeland Lodge's facility on College Road and would not negatively interfere with their funding or create hardships for any residents.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR SMITH THAT COUNCIL RECOGNIZES THE PREVIOUSLY COMPLETED APPLICATION FROM MR. PERCY PARIS ON THE RENAMING OF COTTAGE STREET TO PARIS STREET IN WINDSOR, NOVA SCOTIA AND ACCEPT IT AS COMPLETE AND TO TAKE EFFECT UPON THE ISSUING OF A FINAL OCCUPANCY PERMIT FOR THE COMPLETED NEW DYKELAND LODGE BUILD.

Discussion Points:

- Concern was noted the time required would further delay an initiative that has been 20 years in the making. Some felt the family and community have waited long enough to see the name change occur. An amendment was proposed.

MOVED BY COUNCILLORS IVEY AND HARTT THAT THE MOTION BE AMENDED TO READ AS "COUNCIL RECOGNIZES THE PREVIOUSLY COMPLETED APPLICATION FROM MR. PERCY PARIS ON THE RENAMING OF COTTAGE STREET TO PARIS STREET IN WINDSOR, NOVA SCOTIA". MOTION DEFEATED. Nays: Jannasch, M. McLean, Francis, B. Morton, Sherman, P. Morton, Smith, Murley and Zebian

Based on correspondence received from Dykeland Lodge regarding the negative repercussions the name change would have on their organization, the amendment was not supported. **The reference of correspondence received was a mistake. No correspondence was received.**

MOVED BY MAYOR ZEBIAN AND COUNCILLOR SMITH THAT COUNCIL RECOGNIZES THE PREVIOUSLY COMPLETED APPLICATION FROM MR. PERCY PARIS ON THE RENAMING OF COTTAGE STREET TO PARIS STREET IN WINDSOR, NOVA SCOTIA AND ACCEPT IT AS COMPLETE AND TO TAKE EFFECT UPON THE ISSUING OF A FINAL OCCUPANCY PERMIT FOR THE COMPLETED NEW DYKELAND LODGE BUILD. MOTION CARRIED.

- c) Purchase of Combination Vacuum Truck Decision Request (7:36 p.m.)

Mayor Zebian reminded everyone that this recommendation report was previously presented to Committee of the Whole where the committee chose to not support the recommendation (item was defeated) despite being approved during the 2024/25 budget and being under budget. Although the item would not solve the issues on Stannus Street, it was felt it would help address some of the concerns raised about odours and improve infrastructure maintenance.

Discussion Points:

- The vendor confirmed they would hold the pricing.
- Roads were General rated, resulting in \$188,906.41 of the total cost being General rated.

- It was noted not all items approved during/in the budget proceeded forward and that was O.K. (the round a bout was used as an example).
- Opinions were the truck would be beneficial to the entire region (cleaning/maintenance in Windsor to hydro excavating in more rural areas).
- A vac truck would go a long way in achieving regular infrastructure maintenance without having to rent equipment from other companies and wait for them to be available.
- If the motion was not supported, it was suggested the money allocated for debt servicing (\$16,000) be put towards maintenance costs or vac truck rentals. Staff confirmed \$16,000 would not go far towards maintenance costs, general maintenance on the system was needed and this needs to be done on a regular basis.
- Costs allocated to renting a vac truck would be transferred and used for the operation and maintenance of the truck.
- It was noted if the vac truck was operated 40 hours/week, there would be an increased operating cost associated with it that has not been budgeted for.
- No special training was required to operate the truck. It would also be operational during winter months.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COUNCIL AUTHORIZE STAFF TO PURCHASE ONE COMBINATION VACUUM TRUCK FOR THE QUOTED CANOE PROCUREMENT PRICE OF \$724,542.75, FROM JOE JOHN EQUIPMENT, PLUS A \$15,000 CONTINGENCY FOR A TOTAL OF \$739, 542.75 PLUS NET HST. MOTION CARRIED. Nays: Jannasch, S. McLean, M. McLean, Hartt and Ivey

Mayor Zebian assumed the chair at 7:50 p.m.

d) Updated Fall Lake West Owners Association Uniform Charge Recommendation Report (7:51 p.m.)

Clerk Snair noted that upon finalizing the resolutions at the May 28th Council meeting a clerical error was found in the entry of the 2024- 2025 Falls Lake West Owners Association Uniform Charge. In the current approved resolution, the 2024-2025 Chalet Hamlet Property Owners Association Uniform Charge was included in this section, when it should have shown the 2024-2025 Falls Lake West Owners Association Uniform Charge.

Discussion Points:

- Concern was raised about the types of errors occurring when motions were not presented or provided to Council in advance. It was noted the approved budget had yet to be shared or published. It was confirmed that the approved 2024 budget will be shared and publicized this week.
- A suggestion was to have budget motions provided in advance prior to having them made on the fly.

MOVED BY COUNCILLOR MURLEY AND DEPUTY MAYOR P. MORTON THAT BE IT RESOLVED THAT PURSUANT TO SECTION 81 OF THE MUNICIPAL GOVERNMENT ACT, THE COUNCIL OF THE WEST HANTS REGIONAL MUNICIPALITY AUTHORIZES THE LEVYING AND COLLECTION, FOR PURPOSES OF PRIVATE ROAD MAINTENANCE, A UNIFORM CHARGE

OF \$395.00 PLUS HST EACH FOR 121 DEVELOPED LOT FOR THE YEAR ENDING MARCH 31, 2025, FOR TOTAL COLLECTION OF \$54,964.25 AND SUCH AMOUNT COLLECTED LESS \$5 PER LOT ADMINISTRATION FEE PLUS HST SHALL BE FORWARDED TO THE FALLS LAKE WEST OWNERS ASSOCIATION. MOTION CARRIED

A break occurred at 7:54 p.m., the regular meeting resumed at 8:07 p.m.

e) 2024 Grants and Contributions Decision Request (8:07 p.m.)

Director Kehoe presented the supplementary report to the grants and contributions recommendation report discussed at the June 11th Committee of the Whole meeting. The recommendations were updated based on direction provided at that meeting which resulted in a \$45,000 increase from the original recommendation.

In addition, staff were recommending last year's funding of \$25,000 for the Windsor Elementary school for playground equipment be approved again. As per Canada Community Building Fund (CCBF), this funding would need to be reapproved again during this budget process in order for the group to be able to use the funds.

The report also noted Council has approved \$1.51 million in support for the community.

Council had a lengthy discussion specifically around the Grants and Contributions policy, the ability for Council to consider and approve asks outside of the policy, the additional requests being considered, requests submitted late and what was done to accommodate those asks (half the requested amounts were approved). Questions and concerns were raised as to the rational of having a policy if it was not going to be followed. Further conversations were had regarding some organizations being granted their asks while others did not have a voice at the table and how do organizations get picked over others, they were all worthy causes.

Discussions:

- CCBF Funding has no impact on the budget; this funding could be used for the Ellershouse and Ardoise Halls and CCBF should be used throughout the entire region.
- It was noted CCBF was a funding sourced used for multiple projects; there was still an impact seen but it was not on the operating budget.
- The extra asks resulted in \$30,000 of additional funding through CCBF and an additional \$15,000 funded through the operating budget or the tax rate.
- Opinions varied, some felt it was not fair to pick and choose what organizations received additional funding based on their community.
- A suggestion was made that moving forward staff be granted the authority to oversee grants and Council have an allocated amount (within the total grant amount) for which they can choose to disperse based on different scenarios (late applications or a desire to increase grant amounts above what staff have recommended approving). There may be value in having this incorporated into the policy.
- It was noted the Pembroke Hall/Chapel was highlighted as it should have qualified due to having charitable status; it was felt it was not an addition. Accommodations should be made for organizations in similar circumstances.
- Most of the organizations were volunteer run and had limited budgets. Capital requests made generally resulted due to repairs/replacements needed due to leaks or concerns.

- \$13,000 for Three Mile Plains Hall was to install a ramp for improved accessibility and an LED sign. It was believed both items qualified for CCBF. Although this would not impact the operating budget, it would still make the total grants amount fall outside of the 1.5% noted in the policy. It was suggested this organization be added and considered.
- The total request amount for grants was \$716,000, there may be other groups who also qualify for funding through CCBF. If all the asks were to consider and approve all the asks in an effort to keep it fair, this would more than double the budget allocation as per policy.
- The Falmouth Hall was funded through the Operating budget and reflected in the updated motion.

MOVED BY COUNCILLORS IVEY AND M. MCLEAN THAT COUNCIL ADOPTS THE UPDATED SUMMARY RECOMMENDING GRANT FUNDING TO THE LISTED RECIPIENTS AND AUTHORIZE STAFF TO RELEASE FUNDS ONCE ALL REQUIREMENTS, AS OUTLINED UNDER THE GRANTS AND CONTRIBUTIONS POLICY, HAVE BEEN MET EXCLUDING THE MASONIC SOCIETY FUNDING IDENTIFIED AND FURTHER, IT IS RECOMMENDED THE FOLLOWING GRANTS BE APPROVED FROM THE CANADA COMMUNITY BUILDING FUND:

A) SWEETS CORNER COMMUNITY HALL – TO ASSIST WITH UPGRADING THE HEATING SYSTEM AND EXTERIOR DOORS- \$3,500.

B) ARDOISE COMMUNITY RECREATION CENTRE – TO ASSIST WITH THE COST OF INSTALLING A GENERIC GENERATOR SYSTEM - \$25,000.

A) BROOKLYN VOLUNTEER FIRE DEPARTMENT AUXILIARY – EXHAUST FAN PURCHASE AND INSTALLATION FOR THE CIVIC CENTRE - \$30,000.

C) ELLERSHOUSE COMMUNITY HALL – FOR A NEW ROOF FOR THE ST. LOUISE HALL ANNEX - \$25,000.

D) GORDON HUGHES TENNIS CLUB – TO ASSIST WITH THE REHABILITATION OF THE COURT SURFACE - \$35,000.

E) WINDSOR AGRICULTURAL SOCIETY – TO ASSIST WITH THE COST ASSOCIATED WITH IMPROVING THE EXHIBITION ARENA BY REPLACING THE PANELS ON THE WEST SIDE OF THE ARENA, UPGRADING THE LIGHTING, WATER & HEATING AS WELL AS WASHROOM ACCESSIBILITY - \$50,000.

F) WINDSOR ELEMENTARY SCHOOL – TO SUPPORT THE PURCHASE OF, AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR WINDSOR ELEMENTARY HOME AND SCHOOL COMMITTEE - \$25,000

FURTHER, IT BE RECOMMENDED TO COUNCIL TO APPROVE FROM THE 5% RESERVE FUND

G) THREE MILE PLAINS HALL – TO SUPPORT THE INSTALLATION OF A RAMP TO IMPROVE ACCESSIBILITY AND SUPPORT THE INSTALLATION OF AN LED SIGN - \$13,000

FURTHER, THAT COUNCIL APPROVE FROM THE 5% RESERVE FUND

A) BROOKLYN VOLUNTEER FIRE DEPARTMENT AUXILIARY TO FUND THE DEVELOPMENT OF A SMALL RELAXATION AREA ALONG THE TRAIL IN THE AMOUNT OF \$2,000

B) AVON SPORT & SOCIAL CLUB – TO ASSIST WITH THE INSTALLATION OF A DISC GOLF COURSE AT HMCC - \$6,000

C) BROOKLYN DISTRICT ELEMENTARY SCHOOL – TO ASSIST WITH THE COST OF CREATING 6 PICKLEBALL COURTS ON THE TENNIS COURTS - \$5,000. MOTION CARRIED. Nays: Francis, Sherman and P. Morton

Councillors Hartt, B. Morton and Sherman declared conflict and left the meeting at 8:29 p.m.

MOVED BY COUNCILLORS IVEY AND SMITH THAT COUNCIL ADOPTS THE RECOMMENDED GRANT FUNDING FOR THE MASONIC SOCIETY AS NOTED IN THE UPDATED REPORT FOR THE GRANTS AND CONTRIBUTION POLICY. MOTION CARRIED. Nays: Francis and P. Morton

Councillors Hartt, B. Morton and Sherman returned to the meeting at 8:30 p.m.

11. Mayor's Report (8:30 p.m.)

Mayor Zebian provided a verbal report.

Attended various events:

- Seniors Games closing ceremony (over 165 participants this year).
- Pride flag raising ceremony.
- Falmouth tug of war event.
- Meeting with the Avon Street Erosion group/residents. It was noted CAO Phillips was in the process of setting up a meeting between WHRM, Kings County and the residents.
- CKF warehouse expansion grand opening.
- Dykeland Lodge sod turning event.
- Pride Parade.
- Valley REN AGM at Bent Ridge Winery.
- Judged the Avon River Days Batte of the Bands Competition.

Participated in multiple resident meetings regarding various items (cycling routes, road projects, road work, capital budget, last year's July 23rd flooding and follow up events, decisions made at the last few meetings and the rationale behind the decisions made, generic email response. Some residents were displeased with a generic response but without clear direction on how to address correspondence, this was the proper response to provide, questions around the grant process and flood zone questions specifically around the policy.

Numerous discussions with provincial reps regarding DFA funding, a lot of residents have reached out as they were refused for funding.

Having conversations regarding the upcoming Fall elections and district layouts.

Congratulations were extended to all the graduates (elementary, middle, high school, university) and all students graduating.

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

- a) Committee of the Whole Excerpts (June 11th, 2024)

- i. Deer Management Report (8:40 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL DIRECT STAFF TO REPORT BACK TO COUNCIL ON A DEER MANAGEMENT STRATEGY IN THE FALL. MOTION CARRIED

WHRM submitted two (2) Flood Risk Investment Infrastructure Program (FRIIP) applications. Staff were advised late this afternoon that WHRM would need to prioritize their applications. The Home Flood protection program amount equated to \$26,000 and the Windsor Flood study equated to over \$100,000. Consensus was to prioritize the Windsor flood study as it was the larger amount, and the second application would still be submitted for consideration.

- ii. Nova Scotia Flood Risk Investment Infrastructure Program (FRIIP) Application (8:40 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SMITH THAT COUNCIL SUPPORT AN APPLICATION TO THE NOVA SCOTIA FLOOD RISK INFRASTRUCTURE INVESTMENT PROGRAM, TO ASSIST IN FUNDING THE HOME FLOOD PROTECTION PILOT PROGRAM, FOR WHICH COUNCIL HAS ALLOCATED \$400,000 IN THE 2024-25 OPERATING BUDGET. MOTION CARRIED

- iii. Letter of Support to hire a full-time equity coordinator in both the WHMS and AVHS (8:41 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL WRITE A LETTER TO THE ANNAPOLIS VALLEY REGIONAL CENTRE OF EDUCATION EXPRESSING OUR SUPPORT FOR SEEING THE SCHOOL BOARD HIRE A FULLTIME EQUITY NCOORDINATOR IN BOTH WEST HANTS MIDDLE SCHOOL AND THE AVON VIEW HIGH SCHOOL TO SUPPORT THE FUTURE GENERATIONS IN WEST HANTS. MOTION CARRIED

- iv. Nesbitt Street Renewal Recommendation Report (8:42 p.m.)

Discussion Points:

- Concern was raised that only one bid was received and the tender was over budget. It was suggested that roads should be tendered during winter months as it may be more cost effective for the municipality.
- Stormwater will be fully separated (flow along Nesbitt Street and then along Colonial Road towards the fill site (near the ditch). There is a system in the ditch area that will be connected. Sewage/sanitary will flow via gravity towards the lift station (former tourist bureau site) and then pumped to the newer sewage treatment plant.
- The lower, flatter end of Nesbitt Street is the area being completed. The upper portion of Nesbitt was completed in the mid-late 90's, that area has newer water and sanitary.
- ICIP funding from the province was for College Road and Nesbitt Street. The province provided \$1,284,512.00 to go towards this project. If it is not used before March 31, 2025, the funding will be gone.

- The pipe would be sized to meet climate change and for growth due to increased development.
- Part of the ICIP funding was allocated to College Road as well. It was likely that the province would look at funding up to a certain percent (usually 75%) of a project, it was more likely that if the funds were not used for Nesbitt Street that the money would be redistributed by the province.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL APPROVE THE AWARD OF TENDER WHRMPW24-04 FOR NESBITT STREET (WINDSOR) SERVICES & STREET RENEWAL TO THE LOW COMPLIANT BIDDER, DEXTER CONSTRUCTION COMPANY LTD., FOR THE TENDERED PRICE OF \$2,171,940.00 PLUS A 15% CONSTRUCTION PROJECT CONTINGENCY OF \$325,791.00 FOR A TOTAL OF \$2,497,731.00 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Hartt, S. Mclean and Jannasch

- v. Operations Building (8:55 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL APPROVE THE AWARD OF RFP WHRMPW24-01 FOR DESIGN SERVICES FOR THE OPERATIONS BUILDING CONTRACT TO TA SCOTT ARCHITECTURE FOR THE PRICE OF \$214,040.00 PLUS APPLICABLE TAXES. MOTION CARRIED. Nays: Hartt

- vi. PCAP Funding and FRIPP Funding for Windsor Flood Study Phase 2 (8:56 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL SUPPORT THE APPLICATION TO THE 2024 NOVA SCOTIA PROVINCIAL CAPITAL ASSISTANCE PROGRAM (PCAP), TO FUND UP TO 50% OF THE WINDSOR FLOOD STUDY PHASE 2 AND, THAT COUNCIL SUPPORT THE APPLICATION THE 2024 FLOOD RISK INFRASTRUCTURE INVESTMENT PROGRAM (FRIIP) TO FUND UP TO 50% OF A WINDSOR FLOOD STUDY PHASE 2 WITH THE APPLICATION BEING PRIORITIZED. MOTION CARRIED. MOTION CARRIED

- vii. Explore Property buyout information/options (8:57 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL DIRECTS A LETTER BE PREPARED TO GO TO DFA REQUESTING INFORMATION AND SUPPORT ON FUNDING FOR HOMES IMPACTED BY FLOODING AS A RESULT OF COMBINED SEWER OVERFLOWS WITHIN THE REGION. MOTION CARRIED

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT COUNCIL DIRECT STAFF PROVIDE A SUMMARY WRITTEN REPORT AS TO WHAT POTENTIAL BUYOUT OPTIONS MIGHT LOOK LIKE FOR HOMES THAT HAVE SUFFERED WITH THE COMBINED SEWER OVERFLOW EVENTS WITHIN THE REGION. MOTION CARRIED

- viii. WHRMPW24-05 Supply of Treatment Chemicals Recommendation Report (8:59 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL APPROVE THE AWARD OF TENDER WHRMPW24-05 SUPPLY OF TREATMENT CHEMICALS TO THE FOLLOWING BRENNTAG FOR THE MAJORITY OF CHEMICALS (SEE TABLE IN APPENDIX A), UNIVAR FOR CITRIC ACID, NORTHLAND CHEMICALS FOR SOLVE 210B POLYMER AND CHEMTRADE FOR ALUMINUM SULPHATE. MOTION CARRIED

- b) Planning and Heritage Advisory Committee Recommendations (May 9, 2024) (as it relates to First Reading)

- i. Windsor Back Road, Three Mile Plains Development Agreement (DA) PID 45402831 (8:59 p.m.)

Planner Dunphy advised a complete application was received on October 13, 2023 from Chrystal Fuller of Brighter Community Planning & Consulting on behalf of the property owner for a development agreement to permit grouped dwelling on a vacant lot. The proposal included 3 buildings, each containing 29 units (1- and 2-bedroom units with surface, underground and EV parking), for a total of 87 units. The buildings would not exceed three storeys in height.

The 3.9-acre property was recently subdivided and surrounded by a mix of low-density residential dwellings.

The property was designated Residential and zoned Two-unit Residential (R-2).

Planner Dunphy reviewed the enabling policy (Policy 5.3.10) that enables grouped dwellings of six or more units to be considered in Three Mile Plains Growth Centre and in summary were noted to be met.

Planner Dunphy reviewed the general policy (Policy 16.3.1) which states the general criteria for development agreements and in summary were noted to be met.

A brief review of the application process was provided. Initially the Development Officer indicated a watercourse was present on the lot mapping, normally this required a 50 ft setback. The applicant then submitted a Watercourse Assessment and Species at Risk Screening letter outlining mitigation options for potential impacts on wildlife and a professional opinion that the drainage ditch did not meet the provincial requirements of a watercourse. The Nova Scotia Department of Environment and Climate Change (NSECC) were contacted to confirm the findings with a letter. NSECC conducted a site visit and verbally confirmed the findings in the previously reported letter and indicated they would follow up with a written letter.

After months of waiting for written confirmation from NSECC, the applicant requested the application proceed based on the letter submitted by the qualified person. It was determined that based on the letter received from the qualified person and the verbal confirmation for NSECC was sufficient evidence to proceed with the application and concluded there was watercourse present on the lot.

Planner Dunphy reviewed some of the DA requirements (setback requirements were consistent with Two-Unit Residential (R-2) zone, up to 87 total dwellings among 3 buildings, a maximum height of 3 storeys, driveway access from Windsor Back Road – with access to be shared if

required by the NS Department of Public Works and a minimum ratio of 1.3 vehicle parking spaces per dwelling was to be provided).

Planner Dunphy reviewed some of the Substantive Matters within the draft DA included the permitted uses on the property, a reduction in minimum side yard setbacks or maximum height, fire safety requirements, the need for a stormwater management plan and water and sewer servicing infrastructure.

A Public Information Meeting (PIM) was held November 2nd, 2023 and broadcasted live on the Municipal Facebook page. Thirty (30) members of public attended. The deadline for comments was November 16th and 12 pieces of correspondence were received.

Concerns pertained to previous flooding on lot, value of the previous use, wildlife and species at risk, significant density change, road access and pedestrian safety, property value impacts, conflict with nearby farms, concerns with underground parking, cost of rent, inadequate servicing in the area, stormwater management concerns, limited nearby amenities, school capacity and being in a rural setting.

The following responses were provided:

- A Watercourse Assessment and Species at Risk Screening letter was prepared by a qualified person to address the concerns regarding potential watercourses and species at risk on the subject property.
- A Traffic Impact Study was approved by Nova Scotia Department of Public Works to address the road network and access concerns.
- Upgrades to municipal services have been agreed upon with the Municipal Public Works Department.
- A stormwater management plan is required at the permitting stage to ensure that pre- and post-development flows are neutral or better.
- The lot is located in the Growth Centre Designation, which incentivizes residential density.
- The Annapolis Valley Regional Centre for Education confirmed sufficient student capacity to accommodate the proposal

Planner Dunphy reviewed the process.

Discussion Points:

- To date written confirmation from the NSECC has yet to be received. Concern was raised that the NSECC had yet to provide a letter.
- Parking per unit was determined within the DA. The majority of DA's presented were within the former Town of Windsor and based on feedback received from the Development Officer it was a common practice to reduce the number of required parking spaces (one space per unit) in an urban area.
- The letter from a qualified person was from a third party hired by the developer. There was support to follow up with NSECC and wait to receive written correspondence from them to have on file before proceeding with the application.
- Consensus was to postpone first reading until the letter from the NSECC was provided.

**MOVED BY COUNCILLOR MURLEY AND DEPUTY MAYOR P. MORTON
THAT COUNCIL POSTPONES FIRST READING UNTIL SUCH TIME A**

CONFIRMATION LETTER FROM THE NOVA SCOTIA DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE IS RECEIVED. MOTION CARRIED

- ii. West Hants Municipal Planning Strategy Amendments: Large scale wind turbine setbacks 9:38 p.m.)

Director Poirier provided a brief history relating to the report. reviewed the report. A completed application was received in November 2023 from a Vaughan resident requesting amendments to Section 4.24 of the WHMPS to further evaluate wind farm development proposals within the Municipality resulting in investigations and discussions around appropriate setbacks. Following those discussions, a motion was approved on February 27, 2024 to direct staff to “follow the planning process to amend the planning documents to include a 4 km setback”. A Public Information Meeting was held on April 2, 2024, and staff drafted the proposed planning document amendments that would establish a minimum 4km setback requirement from large-scale wind turbines to dwelling units. At the May 9th PAC/HAC meeting, the committee did not recommend in favour of the amendments to establish 4 km setbacks.

The amendments went to First Reading on May 28, 2024 and after a lengthy discussion, staff were directed to “bring back a report which identified property lines as the designation for measurement from wind farms and that the distance be established at 2.5 km and with development agreement as part of the process.”

Director Poirier reviewed the current setbacks (1 km for the base of the turbine to a dwelling and the proposed setback of 2.5 km from the base of the turbine to any abutting lot line. Director Poirer reviewed the enabling policy (16.1.1) that permitted council to review and make amendments to the strategy ((c) when Council deems it necessary because of a change in policy intentions or the development environment).

The proposed amendments as drafted were reviewed. Director Poirier provided a map displaying what a 2.5 km setback looked like. If the setback was supported only a portion of Ellershouse would be left for windfarm development. The remainder of West Hnats would prohibit windfarm development.

Director Poirier advised that on June 13th CAO’s across the Province received an email from the Minister of Natural Resources and Renewables inviting Municipalities to participate in a survey to inform policy decisions related to the potential establishment of a common standard setback between commercial wind turbine development and dwellings. The email stated “A common setback would provide clarity and consistency to residents and project developers on what to expect. It would also prevent re-negotiation of setback regulations at the municipal level, freeing municipal staff and council time and removing delays from the development process.” All responses are due by July 5th and a survey was submitted on behalf of WHRM.

Director Poirier reviewed the process to date and noted staff did not recommend an increase in minimum setbacks.

Discussion Points:

- The survey was generic in nature, questions were related to what current setbacks were, how setbacks were currently regulated (municipal planning strategy or separate by-law), areas of concern regarding wind turbines (which were predetermined – ice throw noise, visual impacts, resident impact, how should the province regulate wind

farms (size of turbine or standard setback) and if there were any additional comments. WHRM's current setbacks and discussions occurring were included.

- Appendix A represented figure 1 in the agenda package.
- Current wind farms within WHRM were regulated through development agreements and were permitted a set number of turbines. Replacement of turbines within the same location would be permitted as long the number did not increase and environmental approvals were met. The amendment would impact expansion of future wind farms outside of the two (2) applications being considered. Any expansion of the windfarms currently being considered would not be able to expand unless they were in the small area (Ellershouse) that permitted wind farms moving forward.
- The 4 km setback mapping was similar to the 2.5 km setback map being presented. Concern was raised both a 4 km and 2.5 km setback may be too restrictive, both setbacks seem to almost eliminate wind farm development, except for a small section of West Hants (Ellershouse).
- Based on the survey, there was a thought the province may intervene and establish their own setback, it was believed that the municipality was the body better suited to make this decision regarding land and land usage in West Hants vs those decisions being made a provincial level.
- It was important to have information on what number of windfarm developments/turbines was the right amount for West Hants. The ability still existed for a mapping exercise to occur and for staff to bring back additional information to make an informed decision.
- Concern was noted the province may step in a declare what wind farms looked like in West Hants.
- An opinion was voiced that if the province were not happy with the setback limits, they will step in regardless of the decision made by West Hants Council, there was support to see a 2.5 km setback. It was felt this was the right setback for the region and for the residents.
- A buffer from a civic address would offer more opportunity for wind vs abutting lots.
- Any setback changes proposed were subject to Ministerial approval.

MOVED BY COUNCILLOR SHERMAN AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE TEXT OF THE WEST HANTS MUNICIPAL PLANNING STRATEGY AND WEST HANTS LAND USE BY-LAW TO INCREASE THE REQUIRED MINIMUM SETBACK FOR LARGE-SCALE WIND TURBINES TO 2.5 KM FROM ABUTTING LOTS WITH FRONTAGE ON A ROADWAY, IN A MANNER SUBSTANTIVELY THE SAME AS APPENDIX A OF THE REPORT #24-10 B TO COUNCIL DATED JUNE 25, 2024. MOTION CARRIED Nays: Jannasch

- iii. West Hants Municipal Planning Strategy Amendments and Windsor Land Use By-Law Amendments: 368 Nesbitt Street, PID 45056447 and PID 45227279 Colonial Road (9:36 p.m.)

Director Poirier reviewed the report. A completed application was received on April 13, 2023 from Jenifer Tsang of Sunrose Land Use Consulting on behalf of the property owner, 3321153 NOVA SCOTIA LIMITED / United Gulf Developments Ltd. The request was for a mixed-use, multi-unit building with ground floor commercial uses, 2 floors of office space and 16 residential floors, for a total of up to 19 floors and 164 residential units. The proposed commercial uses would include offices, museum, general retail and services, and café; with a restaurant in a separate building, outdoor commercial recreation space; and specific considerations for: signage and illumination, parking requirements, size and design of building, and buffering.

The application was considered in two parts (1. an amendment to the text of the Windsor Municipal Planning Strategy and Windsor Land Use By-law to create a new designation and zone for the property and creation of a policy to allow Council to consider this scale of mixed-use, multi-unit building by development agreement; and 2. a development agreement in accordance with the new policy of the WMPS); only part 1 was being discussed at this meeting. The property was designated Industrial and surrounded by properties designated Residential; with some properties designated Commercial and Community use as well. The property was currently zoned light Industrial with surrounding properties being zoned High Density Residential as well as Institutional, Open Space and Highway Commercial.

The amendments proposed were requesting Council consider map amendments to the WMPS and WLUB to change the designation and zone of the subject lot on both the Generalized Future Land Use Map and the Zoning Map; and then additional text amendments to the WMPS and WLUB to create a new designation and zone for the subject lot and create a policy to allow Council to consider this scale of mixed-use, multi-unit building by development agreement.

Director Poirier provided a high-level summary of the proposed amendments for the Windsor Municipal Planning Strategy (include a Nesbitt Island section and designation, allow the mixed Use (MU) zone to permit a variety of uses, create a policy to allow Council to consider rezoning to the Mixed Use (MU) zone based on specific criteria, create a policy to allow Council to consider proposals for mixed use, multiple unit residential development by development agreement, allow more than one building on a lot and roof signs in the Mixed Use (MU) zone; and will remove reference to the textile mill from the Industrial section of the document).

The proposed Generalized Future Land Use Map would be changed to create a new Nesbitt Island designation.

Director Poirier provided a high-level summary of the proposed amendments for the Windsor Land Use By-Law (create a specific Mixed Use (MU) zone which outlines permitted uses and zone requirements, allow Council to consider proposals for mixed use, multiple unit residential development by development agreement, and allow more than one building on a lot and outline signage provisions in the Mixed Use (MU) zone).

The proposed zoning would change from the Light industrial zone to a Mixed-Use zone.

In addition, a municipal property (PID 45227279) was being proposed for consideration as well. The 1.50-acre property was located east of the former textile mill site and currently occupied with an underground stormwater main and manhole on site. The property was currently designated Residential; zoned Highway Commercial (HC) and was within the Environmental Constraints area. The applicant has shown interest in this lot to provide extra land to assist with stormwater management for their overall development of the former textile mill site. There was a second recommendation to change the designation of the Municipally owned lot from

Residential to Nesbitt Island and zoning from Highway Commercial (HC) to Mixed Use (MU) to allow for future development opportunities.

The proposed Generalized Future Land Use Map would change the properties designation to the Nesbitt Island designation; as well the properties zoning would be changed to Mixed-Use zone.

Director Poirier reviewed the General criteria for amendments that were considered (Policy 16.3.1) and noted that in summary the criteria were deemed to have been met.

On June 13th, the Planning and Heritage Advisory Committee (PACHAC) reviewed the file. Director Poirier provided a high-level summary of some of the discussions that occurred at the meeting.

- There was support for Industrial to Mixed Use zoning change and appreciation that the proposed amendments take the historical significance of the building into consideration.
- There were also concerns for as-of-right height provisions as drafted by staff, compatibility of the proposal in relation to the surrounding area, impact on views from Fort Edward, and whether this proposal should be at the entrance to Windsor.
- There was support for optimizing growth in central areas, instead of urban sprawl, and more density as-of-right when in proximity to services.
- There were questions about the Fire Chief comments, water and sewer capacity, whether the new Highway 101 overpass included a sidewalk (it does), and permeable paving on the parking lots.

The Mixed Use (MU) zone as drafted by staff allowed up to 8 storeys in height as-of-right as this is a unique property within proximity of Highway 101 and other applications in low density residential areas in Windsor have been approved by Council with up to 8-storeys in recent years. The motion approved by PAC/HAC was to consider up to 4 storeys in height as-of-right in the new Mixed Use (MU) zone resulting in the proposed document amendments have been updated to reflect the motion made at PACHAC.

A Public Information Meeting (PIM) was held on June 19, 2023 and broadcasted live on the Municipal Facebook page.

The floor was opened for questions. A question was raised regarding the Fire Chiefs comments. Council was reminded the recommendation pertained to amendments to the planning strategy and land use by-law, it was not related to a DA application.

Director Poirier noted the Manger of Building and Fire Inspection services noted they needed comments from the Fire Chief on their ability to fight a fire in a high-rise building; a full plan review will be completed once an application is submitted. Comments from Public Works regarding adequate water supply for sprinkler and consumption and sewer for large development were also required. The local Fire Chief noted (in 2023) they would like as much access as possible across the front [pavilion for their aerial trucks, the other sides appeared to be accessible except for the left most side where they would like more access, if possible, to accommodate the larger aerial trucks. It was noted that amongst all the regional fore apparatus and neighbouring departments it was felt they were comfortable. The newly appointed Fire Chief in 2024 was also comfortable with the ability to fight a fire should there be a need.

It was suggested that signage be looked at from an overall perspective vs looking at roof signage on an individual basis. Director Poirier advised that within the proposed amendments the Mixed-Use zone was added to the same signage requirements in section 7 of the Land Use By-law (LUB) as the Fairground Light Industrial zone and then in the Municipal Planning Strategy in the DA policy there was wording stating that signage exceeding the LUB may be considered where the applicant provides an engineered design of the proposed signs detailing the method to secure signage if it exceeded the height requirement. This would be considered by Council at the development agreement stage.

MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE TEXT AND THE MAPS OF THE WINDSOR MUNICIPAL PLANNING STRATEGY AND WINDSOR LAND USE BY-LAW TO CREATE AND INCLUDE PID 45056447 IN THE NESBITT ISLAND DESIGNATION AND THE MIXED USE (MU) ZONE AND CREATE POLICIES TO ALLOW COUNCIL TO CONSIDER MULTIPLE UNIT, MIXED USE DEVELOPMENTS IN EXCESS OF FOUR STOREYS IN HEIGHT BY DEVELOPMENT AGREEMENT IN THE NESBITT ISLAND DESIGNATION IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN APPENDIX A OF THE COUNCIL REPORT #23-02C DATED JUNE 25, 2024. MOTION CARRIED.

MOVED BY COUNCILLORS MURLEY AND FRANCIS THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE MAPS OF THE WINDSOR MUNICIPAL PLANNING STRATEGY AND WINDSOR LAND USE BY-LAW TO INCLUDE PID 45227279 IN THE NESBITT ISLAND DESIGNATION AND THE MIXED USE (MU) ZONE IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN FIGURE 7 AND 8 OF THE PLANNING ADVISORY COMMITTEE REPORT #23-02B DATED JUNE 13, 2024. MOTION CARRIED

13. Councillor Municipal Business/Activity Reports (9:55 p.m.)
 - a) Councillor Ivey, District 11 Activity Report (Verbal Report)
Highlights included meetings with the Avon Street Erosion group/residents, the Diverse and Inclusive Communities Committee meeting, the Dykeland Lode groundbreaking event, PACHAC meeting, Pride flag raising, Pride parade, Avon View Grad parade, the Valley REN AGM, .
Continued conversations and emails regarding water rates, stormwater.

Continuing to work on summary notes from residents regarding storm water/Cunnabel creek events. A chronological timeline was provided from residents in the area dating back to September of 1999, November 7, 2010, October 6, 2011, November 2, 2014, June 21, 2019, July 27, 2021, September 2, 2021, September 9, 2021, October 17, 2021, November 1, 2021, November 23, 2021, January 17, 2022, February 18, 2022, January 26, 2023, July 21, 2023, July 27, 2023, August 18, 2023. It was noted this is why the issue continues to be discussed and frustrations exist for those living in the area. It was important to be conscious that small amounts of rainwater create anxiety for those in the area (for example yesterday after 10-12 minutes was

coming up out of the manhole cover and started to build up over the catch basin.

14. Correspondence (10:00 p.m.)

a. Information

- i. Avon Causeway Activity Log - None
- ii. Everwind/Bear Lake Wind Farm – None

- i. Correspondence Received Activity Log
- i. May 28, 2024 from Jennifer Moore Re Stannus Street

It was important to take special note of the correspondence from Jennifer Moore and the frustration experienced following the May meeting where residents felt nothing was going to be done to assist them. It was important to take note of the correspondence that spoke of the health and safety of those in the area and what needs to be done to address these concerns.

It was noted the after hours on call emergency number has been contracted out to Valley Comms. Once a call is received by Valley Comms, they will use the revised-on call list to contact a staff person to address the concern/emergency.

There was value in relocating the emergency on call phone number to be more visible and accessible on the website.

- ii. June 6, 2024 from K. Zwicker Re DAR Rail
- iii. June 8, 2024 from K. Zwicker Re Tractors

It was noted the correspondence was associated to an event that occurred in 2020/21. The Disposal of Surplus Goods and Materials Policy, RADGE-001.00 provides the authority to donate items deemed surplus and of no use to the Municipality to not for profit organizations.

- iv. June 11, 2024 from K. Zwicker Re Municipal Vehicles
- v. June 13, 2024 from Kim Lake Avon River Heritage Society Re Berm Thank You

Mayor Zebian advised it was after 10 p.m., in order to continue the meeting a motion was required.

MOVED BY COUNCILLORS SHERMAN AND FRANCIS THAT THE MEETING CONTINUE PAST 10 P.M. MPRTION CARRIED

b) Requests

- i. June 14, 2024 from the Hants North Legion Letter requesting funding.

There was value in noting the correspondence received from the Hants North Legion and seeing where Council stood regarding the request.

- ii. June 15, 2024 Amanda Dunfield Re WHRM Utility Account

There was value in noting the request from Ms. Dunfield with respect to the recreation credit and separately the request for residents in the flood zone to receive a retroactive credit for sewer charges. There was value in having additional information to determine if a credit could be applied for and if so, what would it look like and how would it occur. It was felt this issue was above the sewer rebate policy. Councillor Ivey will bring back a report at the next meeting

to see what it would look like if sewer was not charged to residents in this area until a solution is in place.

c) Outgoing Correspondence Log

- i. June 19, 2024 WHRM letter Re Dyke maintenance

15. New Business – None

16. In-Camera (10:13 p.m.)

- a) 2024-05-09 In-Camera Meeting Minutes
- b) MGA 22(2)(a) Legal Matter

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SMITH THAT THE MEETING MOVE IN-CAMERA AT 10:13 P.M. MOTION CARRIED

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR M. MCLEAN THAT THE MEETING MOVE OUT OF IN-CAMERA AT 10:36 P.M. MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL DIRECT THE CAO TO ENGAGE THE DIRECTOR OF PLANNING TO SEND CORRESPONDENCE TO MR. TOM LAVERS REGARDING THE REFUSAL OF YOUR REZONING APPLICATION FOR PID 45045879 ON WILLOW STREET IN HANTSPORT, STATING REASONS FOR COUNCILS' REFUSAL. MOTION CARRIED. Nays: Francis

17. Next Meeting Date / Adjournment – July 9th, 2024 Committee of the Whole Meeting 6 pm

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT THE MEETING ADJOURN AT 10:38 P.M. MOTION CARRIED

Mayor Abraham Zebian (Chair)

Deanna Snair, Municipal Clerk