



WEST HANTS REGIONAL MUNICIPALITY
Regular Meeting of Council Agenda **AMENDED**

October 27, 2020 - 6:00 p.m.

In-Person at Sanford Council Chambers, 76 Morison Drive, Windsor, NS
Also held Via Zoom and Facebook Livestreamed

1. Call to Order
2. Roll Call
3. Announcements
 - a) Carnegie Medal Presentation to Mr. Mike Barkhouse
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard – Action Items
5. Declaration of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2020-09-22 Council Meeting minutes
 - b) 2020-09-22 Public Hearing minutes – Building Code By-law RB-001
 - c) 2020-09-22 Public Hearing minutes – Repeal of Minimum Standards By-law REPEAL-001
 - d) 2020-09-22 Public Hearing minutes – Ski Martock Land Use By-law Amendment PID 45038510
 - e) 2020-10-13 Special Council Meeting minutes
7. Presentations - None
8. Unfinished Business/Postponed Motions - None
9. Public Hearings
 - a) 2020-10-27 File 20-02C Cannabis in Hantsport Second Reading Report – Public Hearing and Second Reading
 - b) **File # 20-08 Civic Addressing By-law - REMOVED**
10. Mayor's Report
11. Committees of Council Recommendations
 - a) Committee of the Whole Excerpts – October 13, 2020
 - i. Debt Refinancing
 - ii. Easement Lease with Rogers Wireless
 - iii. Fire Rescue Truck (SWH) Tender Award
 - iv. Meeting and Committee Procedural Policy Amendments
 - v. MFC Fall Debenture

- vi. Rezoning Application, 20 Main Street, Hantsport
- vii. Temporary Borrowing Resolutions (Hantsport Fire Dept. Station and West Hants Sports Complex)
- viii. Waste Collection Contract

b) Planning Advisory Committee

- i. 2020-10-27 File 20-20B Development Agreement - 426 Ashdale Rd First Reading - Recommendation Report
- ii. 2020-10-27 File 20-03B Development Agreement - 583 Hwy 236 First Reading - Recommendation Report
- iii. 2020-10-27 File 20-17C – Land Use By-law Amendment - 543 O'Brien St First Reading – Recommendation Report

c) Audit Committee Excerpts – October 22, 2020

- i. District of West Hants Consolidated Financial Statements on March 31, 2020
- ii. Town of Windsor Consolidated Financial Statements on March 31, 2020
- iii. Region of Windsor and West Hants Municipality Consolidated Financial Statements on March 31, 2020

12. Councillor Municipal Activity Reports – Verbal Updates

13. Correspondence

- a) Avon River Aboiteau/Hwy 101 Twinning Correspondence Log
- b) Dept Mun Affairs & Housing (Oct. 21, 2020) - Change of Name of Mun Approval
- c) Carol Bradley (Oct. 22, 2020) - Glyphosohate Spraying

14. New Business

- a) 2020 Cardlock Fuel Dispenser - Recommendation Report
- b) W.B Stephens Building Design Project Management - Recommendation Report
- c) Western Regional Housing Authority Appointment - Recommendation Report
- d) J-Class Roads Update

15. In-Camera

- a) MGA 22 (2)(c) – Personnel Matters
- b) MGA 22 (2)(e) – Contract Negotiations

16. Next Meeting Date / Adjournment

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
Land Matter	COTW (IC)	D	2020-04-14			CAO
Internet Access Business Plan - CAO to initiate process for dev of a business plan to present to Council (may req. consultation with market/industry experts for the delivery of high-speed internet access for WHRM residents. (Cross-ref with 2020-09-08 COTW direction)	Council	M	2020-04-28			CAO
Sewer Billing Review - Staff explore what the sewer rates would be if sewer util. fees were put back on the taxes. (Tabled until after budget) (Also at 2020-04-14 COTW mtg)	COTW	M	2020-05-12	2020-12		CAO/Fin
Asset Mgmt (Strategic Sustainability) - Strategic Sustainability Plan is needed	COTW	D	2020-05-12	On-going until approx. Oct. 2022		PW
Avon River Causeway (Aboiteau/Hwy. 101 Twinning) - CAO to initiate process for financial evaluation which may include feasibility study on potential economic opportunities that exist with each of the causeway/aboiteau options being considered with Hwy. 101 twinning proj. (Table motion until after Community Liaison Committee (CLC) meets)	COTW	M	2020-05-12	2020-10 COTW		CAO
Branding for Region - proceed with Branding project	Council	M	2020-05-26	2021-01		CAO
RCMP (Policing) - Staff explore other policing models to determine best cost per officer including all overhead costs. A review will be needed and if changing models, one-year notice would need to be given	COTW	D	2020-06-01	2021-02		CAO

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
Blended Rates (restructuring of existing tax rate) - Staff and council to review over the next year.	COTW	D	2020-06-01	2020-12		CAO/Fin
PID 45245578 and portions of 45182797, 45245560, 45245552, 45184025, and 45182904 (Cogmagun Lands) - purchase as per Letter of Offer presented at 2020-06-09 COTW in-camera	Council	M	2020-06-23			CAO
Hantsport Fire Station Design - staff explore a space in Hantsport for a community space and warming centre	Council	M	2020-07-28			PW/Comm. Dev
Rural Internet - Send 'heatmap' survey to WHRM residents asking if they have internet	COTW	D	2020-09-08	2020-11		CAO
Internet Access Business Plan - Keep as standing COTW agenda item and monitor Develop NS projects to see if WHRM needs to establish its own strategy/plan (Also see 2020-04-28 Council motion)	COTW	D	2020-09-08	On-going		CAO
Hantsport Food Bank (Part of the Hantsport Fire Station Design Services Tender Award) - Explore relocation of Hantsport Foodbank to 10 Foundry Rd.	Council	M	2020-09-22	2020-11 COTW		CAO/PW
Post-consolidation Funding - CAO to write Prov. With captial proj. list totaling \$12,842,922.00 (which incl \$3 million for rural internet)	Council	M	2020-09-22	2020-09		CAO
Windsor Curling Club (Funding Req) - (Council didn't proceed with anything but it was a request; staff should reply with letter)	Council		2020-09-22			CAO

M - Motion
D - Direction/Discussion

**West Hants Regional Municipality
Dashboard (Action List) 2020/21**

Green - Complete
Yellow - In-progress
Red - Not started

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
James Salter (Funding Req) - Resurrection of wooden statue. Staff to meet with Mr. Salter re proposed project cost(s) and meet with Hantsport Fire Dept. to discuss potential preservation options & report back.	Council	M	2020-09-22	2020-11-10 COTW		CAO
Restaurants/Mobile Canteens - Staff review existing by-laws/policies/fees (incl sidewalk cafes and mobile vending units). Report to include info on location permissions as well as comparable fees in our region for similar services along with any recommended changes.	Council	M	2020-09-22	2020-12		CAO
Racial Profiling Assertion - Staff write letter to local RCMP re recent assertion of racial profiling in our community (see motion)	Council	M	2020-09-22	2020-10		CAO
Racial Profiling Assertion - Refer complainant to RCMP Complaint Form.	Council	M	2020-09-22	2020-10		CAO
Pedestrian Signage and Barriers - Have consistent and align with Branding outcomes. Staff prepare report for 2021/22 Capital & Operating budgets. (These items should be incorporated into our growth centres). Staff report back.	Council	M	2020-09-22	2021-01-12 COTW		PW/Comm. Dev
Sam Slick Monikors - Staff write a letter of apology (see motion)	Council	M	2020-09-22	2020-10		CAO

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
Speed Radar Signs - staff let RCMP know concerns re speeding enforcement (see motion)	Council	M	2020-09-22	2020-09		CAO
Speed Radar Signs - Write NSTIR to review speeding in densely populated communities (see motion)	Council	M	2020-09-22	2020-09		CAO
Comms Plan/Process for Staff-Council	Council	D	2020-09-22	2020-10		CAO
Property Owners Assoc - Fees Review (if requested by POA)	Sp COTW	D	2020-09-23	2020-12		Fin
Police Advisory Board (from Belinda Bezanson Correspondence) - Advertise and mobilize the Police Advisory Board Committee	COTW	D	2020-10-13	2020-11		CAO
Diversity & Inclusion Committee (from Meeting & Committee Procedural Policy Amendments) - Advertise for Committee members and mobilize the committee	COTW	M	2020-10-13	2020-11		CAO
Waste Collection Contract - Draft and put out to tender (to expire 2023)	COTW	M	2020-10-13	2020-12		PW
Easement Lease Agreement with Rogers Wireless - Sign lease	COTW	M	2020-10-13	2020-10		CAO
Rezoning Application (20 Main St, Hantsport PIDs 45043312 & 45043304) - Work with Planning Dept for Rezoning	COTW	M	2020-10-13	2020-11		CAO/ Planning
Financial Status Updates - Staff to look at new structure to include more frequent reporting	COTW	D	2020-10-13	2020-11		CAO/Fin

M - Motion
D - Direction/Discussion

West Hants Regional Municipality Dashboard (Action List) 2020/21

Green - Complete
Yellow - In-progress
Red - Not started

[illegible]



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Mayor Zebian and Members of West Hants Regional
Municipality Council

Submitted by: _____
Saira Shah, Planner

Date: 2020-10-27

Subject: File # 20-02C Cannabis in Hantsport

Background

On October 8, 2019 West Hants Council approved amendments to permit a variety of cannabis licenses in West Hants. On November 13th the Hantsport Area Advisory Committee (HAAC) asked staff to provide an overview on cannabis licenses and discuss similar amendments for Hantsport. On March 11, 2020 staff gave a presentation outlining the amendment options for cannabis. The HAAC agreed with the options proposed by staff. Staff recommended permitting all cannabis licenses in the Industrial (M) zone and permitting Cannabis Analytical Testing and Research in the Institutional (I) zone in Hantsport (Attachment A).

A Public Information Meeting (PIM) was held virtually on July 7, 2020 and broadcast live on the Municipal Facebook page to consider the amendments to permit the cannabis licenses (Attachment B)

Council held First Reading on September 22, 2020.

Hantsport Area Advisory Committee Recommendation

HAAC recommended in favour of the proposed cannabis amendments on September 1, 2020.

Planning Advisory Committee Recommendation

PAC recommended in favour of the proposed cannabis amendments on September 10, 2020.

Potential Motion

Should Council wish to approve the cannabis amendments, after the public hearing is complete, the following motion is in order:

that Council gives Second Reading to and approves the amendments to the Hantsport Municipal Planning Strategy and Land Use By-law to enable a variety of cannabis licenses in Hantsport, in a manner substantially the same as attached to the staff report to HAAC dated September 1, 2020 as Appendix A.

Attachments

Attachment A	2020-09-01 File #20-02 Cannabis in Hantsport Recommendation Report
Attachment B	2020-09-01 File#20-02 Public Information Meeting Notes July 7, 2020

Report Reviewed by:

Madelyn LeMay, Director of Planning and Development

Report Approved by:



Mark Phillips, Chief Administrative Officer

Attachment A
2020-09-01 File #20-02 Cannabis in Hantsport Recommendation Report



**WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of Hantsport Area Advisory Committee

Submitted by: _____
Saira Shah, Planner

Date: 2020-09-01

Subject: Cannabis in Hantsport Recommendation Report

File 20-02

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

Should HAAC wish to forward a positive recommendation, the following motion would be in order:

HAAC recommends that PAC recommend that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy and Land Use By-law to enable a variety of cannabis licenses in Hantsport, in a manner substantially the same as attached to the staff report to HAAC dated September 1, 2020 as Appendix A.

BACKGROUND

On October 8, 2019 West Hants Council approved amendments to permit a variety of cannabis licenses in West Hants. On November 13th the Hantsport Area Advisory Committee (HAAC) asked staff to provide an overview on cannabis licenses and discuss similar amendments for Hantsport. On March 11, 2020 staff gave a

presentation outlining the amendment options for cannabis. HAAC agreed, by consensus, with the staff suggestions however HAAC did not want a separation distance to apply for cannabis land uses. Staff have drafted amendments to the Hantsport Municipal Planning Strategy (HMPS) and Land Use By-law (HLUB) based on feedback received.

DISCUSSION

Based on the amendments, each license will be permitted in the following zones:

License	Zones
<i>Standard Cultivation and Processing</i> <i>Micro-Cultivation and Micro-Processing</i> Cannabis Nursery	Industrial (M)
Cannabis Analytical Testing and Research	Institutional (I)

The detailed amendments are attached as Appendix A

Analytical Testing and Research licenses will be permitted as uses accessory to cannabis operations in any zone that permits cannabis cultivation or processing. In Hantsport this would only be in the Industrial (M) zone.

HMPS General Criteria

Policy IM-3 of the HMPS states general criteria for any HLUB amendment. These criteria are examined in detail in Appendix B.

In summary, this is a text amendment and most of the considerations will depend on individual lots at the time of application for a specific use.

Municipal Climate Change Action Plan

This amendment has not been examined in relation to the Municipal Climate Change Action Plan (MCCAP).

NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the HMPS and are consistent with the intent, objectives and policies of the HMPS. The amendments meet the general criteria for amendment to the HLUB. As a result, it is reasonable to consider approving the Hantsport Municipal Planning Strategy and Land Use By-Law amendments to allow a variety of cannabis licenses in Hantsport.



FINANCIAL IMPLICATIONS

There are no financial implications associated with this application

ALTERNATIVES

In response to the HAAC recommendation, PAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the HMPS amendments as drafted or as specifically revised by direction of HAAC; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Appendix A Draft Amendments

Appendix B General Criteria for Hantsport Land Use-By-law Amendment

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Appendix A Draft Amendments

Text Amendments to the Hantsport Municipal Planning Strategy and Land Use By-law to allow for a variety of Federal cannabis licenses in Hantsport.

- 1. Amend Part 3 of the Hantsport Municipal Planning Strategy, *General Land Use Policies*, by inserting section “3.2.5 Licensed Cannabis Uses” following Section 3.2.4 so that Section 3.2.5 reads as follows:**

3.2.5 Licensed Cannabis Uses

On October 17, 2018 the Federal government legalized the use of recreational cannabis in Canada. As of that date, in addition to the ability to produce cannabis for personal use, property owners can apply to Health Canada to obtain licenses to cultivate, produce and perform testing on cannabis for commercial and academic purposes. Currently there are seven (7) licenses available through Health Canada:

- Standard Cultivation license
- Standard Processing license
- Micro-Cultivation license
- Micro-Processing license
- Nursery license
- Analytical Testing license
- Research license

For the purposes of the Hantsport Municipal Planning Strategy and Land Use By-law, these licenses will be discussed as “*licensed cannabis land uses*”.

Council wishes to encourage legal cannabis cultivation and processing in Hantsport. Council considers Standard Cultivation and Processing to be industrial in nature due to the size of facilities, the amount of power necessary for production and the security requirements established by Health Canada. Council considers Micro-Cultivation, Micro-Processing and Cannabis Nurseries to be compatible with industrial and agricultural uses. However, as there is no agricultural designation in Hantsport these licenses will only be permitted in industrial areas.

As a result, it shall be the policy of Council to:

Policy GP-8 Permit Analytical Testing and Research of cannabis in all zones as a use accessory to any licensed cannabis land use.

Policy GP-9 Permit Analytical Testing and Research of cannabis in the Institutional (I) Zone.

Policy GP-10 Consider Standard Cultivation and Processing of cannabis, Micro-Cultivation, Micro-Processing and Cannabis Nurseries as industrial land uses.

2. **Amend Part 5 of the Hantsport Land Use By-law, *General Provisions for all Zones*, by inserting section “5.22 Licensed Cannabis Uses” following Section 5.21 so that Section 5.22 reads as follows:**

5.22 Licensed Cannabis Uses

Permit Analytical Testing and Research of cannabis in all zones as a use accessory to any licensed cannabis use

3. **Amend the list of permitted uses in Part 10 of the Hantsport Land Use By-law, *Industrial (M) Zone*, by inserting the phrases “Licensed Cannabis Nurseries”, “Licensed Micro-Cultivation of cannabis”, “Licensed Micro-Processing of cannabis”, and “Licensed Standard Cultivation and Processing of cannabis” so that Section 10.1 reads as follows:**

Part 10 Industrial (M) Zone

10.1 Permitted Uses

The following uses are permitted in this zone:

- Any manufacturing, industrial, assembly or warehousing operation
- Any activity connected with the automotive trade, excluding salvage yards
- Boat and Marine Supplies and Sales
- Building supply and equipment depots including the bulk storage of sand or gravel
- Licensed Cannabis Nurseries
- Licensed Micro-Cultivation of cannabis
- Licensed Micro-Processing of cannabis
- Licensed Standard Cultivation and Processing of cannabis
- Railway Uses
- Recycling Collection and Storage Facilities, excluding salvage yards
- Retail and office uses incidental to the main industrial use

7. **Amend the list of permitted uses in Part 11 of the Hantsport Land Use By-law, *Institutional (I) Zone*, by inserting the phrases “Licensed Analytical Testing of cannabis” and “Licensed Research of cannabis” so that Section 11.1 reads as follows:**

Part 11 Institutional (I) Zone

11.1 Permitted Uses

The following uses are permitted in this zone:

- all institutional uses
- non residential daycare centre
- [Licensed Analytical Testing of cannabis](#)
- [Licensed Research of cannabis](#)

Appendix C

General Criteria for Hantsport Land Use By-Law Amendment

Policy IM-3 of the MPS *"In considering amendments to the Town of Hantsport Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider"*:

	Cannabis Land Uses
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	As this is a text amendment, this consideration will depend on individual lots.
(ii) the adequacy of school facilities;	No impact on school facilities is anticipated.
(iii) the adequacy of fire protection;	As this is a text amendment, this consideration will depend on individual lots.
(iv) the impact on adjacent uses	As this is a text amendment, this consideration will depend on individual lots.
(v) the adequacy of road networks adjacent to, or leading to the development; and	This consideration is not applicable to this amendment.
(vi) the financial capacity of the Town to absorb any costs relating to the development.	No municipal costs related to this amendment are anticipated.
(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	This consideration is not applicable to this amendment.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	As this is a text amendment, this consideration will depend on individual lots.
(d) the pattern of development which the proposal might create;	The uses permitted will not create a pattern of development that is unusual for the area.
(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;	As this is a text amendment, the criterion does not apply.
(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other	The proposed amendment meets all relevant municipal, provincial and federal regulations.

relevant municipal by laws and regulations; and	
(g) the impact of not only the use being proposed but all uses permitted in the zone	As this is a text amendment, the criterion does not apply.
(h) the site meets all of the zone requirements for the zone sought;	As this is a text amendment, the criterion does not apply.
(h) any other matter required by relevant policies of this Strategy.	There is no other matter to address.

Attachment B
2020-09-01 File# 20-02 Public Information Meeting Notes July 7, 2020

Public Information Meeting Notes
July 7, 2020
Cannabis in Hantsport

Meeting date and time	A public information meeting was held on July 7, 2020 beginning at 6:30p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: Deputy Mayor Morton Seven (7) Committee members: Angela Carver, Resident Member Greg Pace, Resident Member (Vice Chair) Bill Preston, Resident Member (Chair) Jane Davis, Resident Member Glenn Deering, Resident Member Elaine Warner, Resident Member Rob Frederick, Resident Member Director LeMay Planner Shah Planner Poirier Meeting Secretary Vanessa Lake As this meeting was held virtually there were no members of the public present.
Cannabis in Hantsport	Planner Shah outlined the request from the Hantsport Area Advisory Committee to amend the Hantsport Municipal Planning Strategy and Land Use By-law to permit a variety of cannabis licenses in Hantsport.
File Number	20-02
Comments	Comments from the public could be submitted by mail, drop-off at the Municipal Office, e-mail and telephone to Planner Shah. No written comments were received from the public. One (1) verbal comment was made by the public via telephone. The one (1) member of the public that made a comment had a concern with odour associated with cannabis production. Staff directed them to the Federal comment system to report an odour issue from any existing facility and informed them cannabis production would be permitted predominately in the industrial areas of Hantsport. The resident did not have an issue with permitting cannabis production in industrial areas.
Adjournment	The presentation portion of the PIM ended at 6:38 p.m.; comments could be submitted by the public by mail, drop-

	off at the Municipal Office, e-mail and telephone to Planner Shah until July 21, 2020.
--	--



WEST HANTS REGIONAL MUNICIPALITY
Mayors Report

To: **West Hants Regional Municipality Council**
Submitted by: **Mayor Zebian**
Date: **October 27, 2020**

Another busy month on Mayor's Duty.

I had the honour of watching Brooklyn, Hantsport, and Windsor Fire Departments train live on fire rescue. It is quite amazing to watch the organization, calmness, professionalism, and coordinated approach the various units undertake to extinguish any situation. I could not be more pleased with the unity, teamwork, and leadership being exhibited by the departments. A great service we are very proud of!

As reported at the last COTW, I was part of the CLC meeting discussing the twinning of Highway 101 from Three Mile Plains to Falmouth including the causeway section and proposed upgrade of the aboiteau. It was a very detailed, informative, and well laid out presentation from NS Transportation and Infrastructure Renewal (NSTIR) and CBCL representatives. Councillor Ivey, CAO Phillips, Director Kehoe, Director Richard, and Admin Supervisor Thornton were also in attendance. This has been a topic of great interest for our residents with varying opinions. My understanding is the project scope is vast with trying to satisfy many needs in our diverse communities. I am very confident the proposal, once put forward, will be a balanced compromise to allow for a safer highway, flood protection, fish passage, recreational activities, fire protection, and scenery. There is no comparable example to what is being pieced together here, in my opinion. Again, I will ask all our residents to respect the opinions of others as nobody is right or wrong. Respectful dialogue leads to great things and I ask residents to always seek as much information as they can to inform themselves.

The Audit committee has met again, and I will be speaking to that later in the agenda.

I have been having some interesting conversations with individuals who are looking to relocate here and invest in business start ups and new builds. A lot of interest in our communities and I know by the time our term is over we will have a vastly different looking Municipality as compared to today.

The sports complex is nearing completion and I have been in a few times to take a look. What an incredible building! I would like to take a moment to thank the Federal Government of Canada, the

Provincial Government of Nova Scotia, and all of you, our residents, for funding such a beautiful asset that will benefit the overwhelming majority of our residents in one way, shape, or form. It is not often you can have a project of this magnitude come to you at \$0.25 dollars. There has been some speculation in the community that it is over budget, that there are major issues, and the common misinformation that is spread by a very small handful of individuals. This project, from its beginning when the former West Hants Council took it on, has been transparent 100% with detailed public reports on costs, projections, procurement, additions, contingencies, and acceleration costs. All the information is very easily accessible on WestHants.ca; in addition to any other information on any important topic, endeavour, or piece of business West Hants Regional Municipality takes on. For the very small handful of naysayers, I ask you to reach out to the various groups who will be using this facility and ask them how it will improve their lives. Ask them what it means to them. You may just see things differently and have a different outlook on this great County.

To the individuals who had a "BLAST" tearing up the Three Mile Plains Elementary School fields...Shame on you! Children deserve to have a safe place to play and be active and you have taken that away from hundreds of innocent children. I trust you will be caught and prosecuted fully! SHAME ON YOU!

I want to also address any resident who feels like they are not being heard or are unhappy about something. Respect, understanding, and patience go a long way in resolving any problem. To try to correct what you may perceive as a wrong by committing another wrong will not make it right! There are rules and laws in our Great Country and our great County, and these rules and laws are there for a reason- to maintain peace and order. When you feel it is right to break the rules or laws then you should be prepared to face consequences. A level head, pausing and stepping back to reflect on the situation, and reaching out to the appropriate people will go a long way in making sure any problem gets corrected and will keep you from getting into trouble. There is zero tolerance for ignorance, disrespect, or crossing boundaries. As elected officials, we are entrusted to make good, solid decisions, be protectors of the public purse, and to represent and assist our residents. There are some who believe that it is ok to personally attack an elected official, to approach and attack their family members, and to cross boundaries. It is unacceptable and it will not be tolerated.

I have been very pleased with this Council to-date. It is nice to see the respectful debate, the level of detail, and the interest and participation of everyone. I believe our residents are very well served.

God Bless.



Committee of the Whole Excerpts
October 13, 2020

Debt Refinancing

On November 20, 2020, the outstanding balance of \$1,424,000 for the Brooklyn Fire Hall and Civic Centre will be due in full, unless it is refinanced through a lending source. To meet the necessary lending requirements a Temporary Borrowing Resolution (TBR) is required, which needs Council's approval.

The recommended motions were:

... that Council approves a temporary borrowing resolution in the amount of \$1,335,000 to refinance the loan for the Brooklyn Fire Department and Civic Centre.

...that Council approves the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.5%, to enable the West Hants Regional Municipality to issue a 15-year debenture of \$1,335,000.



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Committee of the Whole

Submitted by: _____
Diana Gibson, Manager, Accounting & Financial Reporting

Date: October 13, 2020

Subject: Debt Refinancing

LEGISLATIVE AUTHORITY

Municipal Government Act, Part VI, Power to Spend Money 65 (A) & Power to Borrow Money 66.

RECOMMENDATION

Committee of the Whole recommends that . . .

- . . . Council approves a temporary borrowing resolution in the amount of \$1,335,000 to refinance the loan for the Brooklyn Fire Department and Civic Centre.
- . . . Council approves the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.5%, to enable the West Hants Regional Municipality to issue a 15-year debenture of \$1,335,000.

BACKGROUND

In 2005, the former Municipality of the District of West Hants received a loan from the Municipal Finance Corporation (MFC) to finance the building of the Brooklyn Fire Department and Civic Centre. This loan was taken out over a 15-year period and the intention was to refinance as the debenture matures in 2020.

DISCUSSION

On November 20, 2020, the outstanding balance of \$1,424,000 will be due in full, unless it is refinanced through a lending source. To meet the necessary lending requirements a Temporary Borrowing Resolution (TBR) is required, which needs Council's approval.

To be able to participate in the upcoming MFC semi-annual debenture call, a 'Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate' must be approved by

Council. Approving this now, would qualify the Municipality to take part in the Fall debenture call. It should be noted that the Minister approval date of the TBR in the resolution document has been left blank. The resolution document is an MFC procedural step and it has been made clear by them on numerous occasions that it is okay to leave this blank and they will fill it in should the Minister approve the TBR.

FINANCIAL IMPLICATIONS

The full financing charges of \$89,000 are included in the 2020-21 budget. As a result, the overall borrowing request is lowered from \$1,424,000 to \$1,335,000.

TBR is a necessary step to allow the Municipality to maintain its current payment schedule and refinance the loan. The Municipal Finance Corporation offers favourable fixed lending rates for municipal capital purchases.

ALTERNATIVES

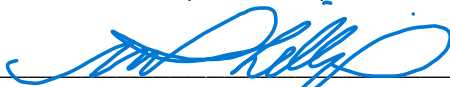
1. Council could choose to not refinance the loan and direct staff on how to cover the financial shortfall.
2. Council could approve the TBR and not the resolution, and an alternative funding source to MFC would have to be found.

ATTACHMENTS

- Notification of Balloon Payment due Fiscal 2020-2021
- Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate
- Temporary Borrowing Resolution

Report Prepared by: _____
Diana Gibson, Manager, Accounting and Financial Reporting

Report Reviewed by: _____
Carlee Rochon, Director, Financial Services

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Mailing address

PO Box 850
Station M
Halifax, NS
B3J 2V2



NOVA SCOTIA
**MUNICIPAL FINANCE
CORPORATION**

Office location

Maritime Centre
1505 Barrington Street
Halifax, NS
B3J 3K5

Telephone

(902) 424-6333

Fax

(902) 424-0525

Website

www.nsmfc.ca

January 17, 2020

Martin Laycock
Chief Administrative Officer
District of Hants West
76 Morrison Drive
Box 3000
Windsor, N.S. B0N 2T0

Dear Mr. Laycock:

RE: Notification of Balloon Payment Due in Fiscal 2020-2021

This letter is a reminder that the District of Hants West has a balloon payment due in the upcoming fiscal year. Balloon payments may be paid in full upon the maturity date as indicated in the table below, or they may be refinanced in full or part through the Nova Scotia Municipal Finance Corporation (MFC) for the remaining life of the term of the original debenture. If you are interested in refinancing balloon payment, the MFC must receive confirmation that you wish to do so prior to the maturity date of the debentures.

The MFC typically issues debentures in the spring (May or June) and then again in the fall (October or November). For those units seeking refinancing and whose balloon payment maturity date may be in advance of the debenture issue date, the MFC has a short-term bridge financing program that may be used to bridge the loan until such time that a debenture financing can be secured.

Balloon Payment Options

Payment of Debenture:

Original Loan Date	Payment Due Date	Total Balloon Payment Required
November 20, 2015	November 20, 2020	\$1,424,000.00

Refinancing of Balloon Payment:

Original Loan Date	Loan Outstanding	Payment Required in 2020-2021	Amount Eligible for Refinancing	Term
November 20, 2015	1,424,000.00	89,000.00	1,335,000.00	15

* Payments required in 2020-21 are for the balloon payments only and do not include any other outstanding principal and interest payments due to the MFC in fiscal 2020-21.

Name of Unit: Region of Windsor and West Hants Municipality

Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

WHEREAS Section 91 of the *Municipal Government Act* provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (hereinafter “the Minister);

AND WHEREAS the resolution of council to borrow for Brooklyn Fire Department & Civic Centre was approved by the Minister _____;

AND WHEREAS clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the *Municipal Government Act*, the

Region of Windsor and West Hants Municipality
(Name of Unit)

borrow by the issue and sale of debentures a sum or sums not exceeding \$1,335,000, for a period not to exceed 15 years, subject to the approval of the Minister;

THAT the sum be borrowed by the issue and sale of debentures of the

Region of Windsor and West Hants Municipality
(Name of Unit)

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of **5.5%**;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the

Region of Windsor and West Hants Municipality
(Name of Unit)

held on the day of 20

GIVEN under the hands of the Mayor and the Clerk of the

West Hants Regional Municipality
(Name of Unit)

this day of 20

Mayor

Clerk

MUNICIPAL COUNCIL OF THE
West Hants Regional Municipality
TEMPORARY BORROWING RESOLUTION

Amount: \$ 1,335,000

Refinancing Project: Brooklyn Fire Department & Civic Centre

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the Region of Windsor and West Hants Municipic; subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute; and,

WHEREAS clause 66 (4)(b) of the Municipal Government Act authorizes the Municipality to expend funds for the purpose of paying or retiring debentures;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the Region of Windsor and West Hants Municipic; borrow a sum or sums not exceeding one million three hundred thirty-five thousand Dollars (\$ 1,335,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the Region of Windsor and West Hants Municipic; to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Town borrow from time to time a sum or sums not exceeding one million three hundred thirty-five thousand Dollars (\$ 1,335,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the Region of Windsor and West Hants Municipic; held on the 27 day of October, 2020.

GIVEN under the hands of the Clerk and under the seal of the Council of the Region of Windsor and West Hants Municipic; this _____ day of _____, 2020.

Clerk



Committee of the Whole Excerpts
October 13, 2020

Easement Lease Agreement with Rogers Wireless

The attached report from Committee of the Whole outlines the request to extend the current easement agreement with Rogers Wireless for three 5-year terms. The easement crosses lands in Hantsport owned by the Municipality where the Hantsport water standpipe is located.

The rent for each 5-year period will be adjusted by the variation of the consumer price index over the previous 5-years.

The recommended motion was:

... that Council approve the Roger's Wireless Telecommunication Site Lease Agreement Extension, for three 5-year terms starting April 1, 2021 as presented in their letter dated September 9, 2020.



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Mayor Zebian and Member of Council

Submitted by: *Rhonda Brown*
Rhonda Brown, Municipal Clerk

Date: September 22, 2020

Subject: Easement Lease Agreement with Rogers Wireless

LEGISLATIVE AUTHORITY

Municipal Government Act,
50 (5) A municipality may....
(c) lease property owned by the municipality at market value;

RECOMMENDATION

... Committee of the Whole recommends that Council approve the Roger's Wireless Telecommunication Site Lease Agreement Extension, for three 5-year terms starting April 1, 2021 as presented in their letter dated September 9, 2020.

BACKGROUND

In May 2001, the former Town of Hantsport entered into a 20-year lease agreement with Rogers Wireless for an easement access on to their land containing a telecommunication tower. The easement is on lands owned by the Municipality which contains the Water Standpipe used by the community of Hantsport. The Lease was re-confirmed and registered in an agreement dated January 17, 2003.

DISCUSSION

Rogers is seeking a lease extension of three 5-year terms, totalling 15 years, for the continued access to their land containing the telecommunication tower. Should all three terms be used the extension agreement would terminate March 31, 2036.

Staff do not foresee disposing of the land during the next 15 years due to the use by the Water Utility. In addition, the Municipality has Co-Location Agreement with Rogers to use the tower for Hantsport Fire communication equipment, making the arrangement mutually beneficial.

NEXT STEPS

Should Council approve the lease extension, the Mayor and Municipal Clerk will sign the agreement letter and arrange to meet all other legal requirements.

FINANCIAL IMPLICATIONS

The original lease agreement provided for a rent payment of \$500 per annually for a total of \$10,000 over the 20-year agreement. The extension agreement is proposed to be the last rent paid adjusted by the variation in percentage of the past five years of the Consumer Price Index. The approximate rent for the first 5-year extension would be \$2700.

ALTERNATIVES

Council could choose not to extend the agreement; this is not recommended as it would also affect communications for the Hantsport Fire Department.

ATTACHMENTS

1. Rogers Telecommunication Site Lease Agreement Extension Letter
2. Rogers Wireless 2003 Notice of Lease Agreement and 2001 Lease Agreement

Report Prepared by: 
Rhonda Brown, Municipal Clerk

Report Reviewed by: _____
Carlee Rochon, Director of Finance

Report Approved by: 
Mark Phillips, Chief Administrative Officer

September 9th, 2020

Registered mail and e-mail

Region of Windsor and West Hants Municipality
C/o Mr. Mark Phillips
Chief Administrator Officer
76 Morison Drive
Windsor, NS, B0N2T0

**Re: Telecommunication Site Lease Agreement extension (ROW)
Rogers's site: Hantsport (A0280A / 80112002)
Located at Pleasant Street, West Hants Municipality (NS), P.I.D. 45060340 and 45033925**

Mr. Phillips,

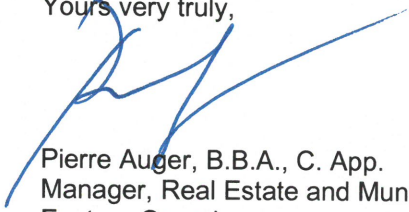
In conformity with the Telecommunication Site Lease Agreement (ROW) which began on April 1st, 2001 (the "**Lease**") between the Town of Hantsport, now the Region of Windsor and West Hants Municipality (the "**Landlord**") and Rogers Wireless Inc., now Rogers Communications Inc. (the "**Tenant**"), and following your discussion with Mr. Serge Lavigne from Rogers, herein are the conditions discussed by the Landlord and the Tenant to extend the Lease.

The Landlord grants to the Tenant three (3) additional terms of five (5) years each, said terms to begin respectively on April 1st, 2021, April 1st, 2026 and April 1st, 2031. The rent for each of these terms will be the last rent paid, adjusted by the variation in percentage for the past five (5) years, of the Consumer Price Index for the Province of Nova Scotia.

At the exception of the terms and conditions provided in this letter, all other terms and conditions of the Lease continue in full force and effect and without any change.

If you agree to these conditions, please acknowledge your agreement by signing this letter and returning a copy via e-mail (two originals to follow by mail). Should you have any question or concerns, please do not hesitate to contact Serge Lavigne at 514-927-8677 or at sergea.lavigne@rci.rogers.com.

Yours very truly,



Pierre Auger, B.B.A., C. App.
Manager, Real Estate and Municipal Affairs
Eastern Canada

We accept to extend and modify the Lease under the terms and conditions stipulated in the present letter.

REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

By: _____ Date: _____

Name and title:

(Duly authorized to act on behalf of the Landlord).

By: _____ Date: _____

Name and title:

(Duly authorized to act on behalf of the Landlord).



New Site Development

Rogers AT&T Wireless
911-6080 Young Street
Halifax, NS B3K 5L2
Telephone : 902-493-7175
Fax : 902-493-7173

January 23, 2003

Jeffrey Lawrence
Town of Hantsport
20 Main Street
Hantsport, NS B0P 1N0

Dear Mr. Lawrence,

Re: Hantsport*Town (A0280A)

Please find enclosed, for your files, an original signed copy of the Lease Agreement between the Town of Hantsport and Rogers Wireless Inc. and a registered copy of the Notice of Lease relating to the same matter.

If you have further questions regarding our Agreement, please contact Ginette Collin at 514-734-7393.

Thank you for your co-operation on this project.

Sincerely,

A handwritten signature in blue ink that reads "Phung Ngo".

Phung Ngo (Ms)
NSD Coordinator

Enclosures

THIS NOTICE OF LEASE made this 1st day of January 2003.

BETWEEN:

TOWN OF HANTSPORT

hereinafter called the "Landlord"

OF THE ONE PART

- and -

ROGERS WIRELESS INC., a body corporate

hereinafter called the "Tenant"

OF THE OTHER PART

WHEREAS:

(a) The Landlord is the owner of the lands situate at or near Pleasant Street, Hants Border, N.S. being PID # 45060340 (the "Property") and being the land more particularly described in the Deed registered in the Hants County Registry Office in Book 336 at Page 192;

(b) By a telecommunications site lease agreement executed by the Landlord on May 24, 2001 and executed by the Tenant on August 22, 2001 (the "Lease"), the Landlord did lease to the Tenant a portion of the Property and grant easements to the Tenant for utility service and access purposes on, over and through the Property, all of which are more particularly depicted in the Lease (collectively the "Demised Premises");

(c) The Landlord and Tenant have agreed to execute this Notice of Lease for registration purposes;

WITNESSES in consideration of the sum of One Dollar (\$1.00) paid by the Tenant to the Landlord, the receipt of which is hereby acknowledged, and other good and valuable consideration as more fully described and set forth in the Lease, the Landlord has agreed to demise, lease and grant and does hereby confirm its demise, lease and grant to the Tenant and the Tenant has agreed to lease and take and does hereby confirm its lease and take (according to the terms of the Lease and governed by the limitations, restrictions and covenants therein contained) the Demised Premises, subject to the obligations and covenants of the Tenant as contained in the Lease.

1. The initial term of the Lease is twenty (20) years commencing on April 1, 2001, unless such lease term shall terminate sooner under the provisions of the Lease.

2. The Lease provides that the Tenant shall have the exclusive right to operate telecommunications facilities and equipment at the Property during the term and all extensions.

3. The Lease provides that all equipment, including but not limited to towers, poles, shelters, cabinets, pedestals, antennas and mounts shall remain the personal property of the Tenant.

4. The Lease provides the right to the Tenant of unimpeded access to the Demised Premises at any time during the term of the Lease and all extensions thereof.

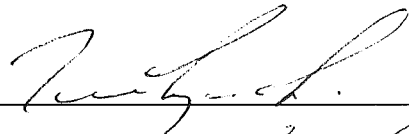
5. The Lease provides that the Landlord shall ensure the Tenant with peaceful and quiet use of the Demised Premises during the entire term of the Lease and any extensions thereof and shall not permit others or cause any interference to any telecommunications services being rendered by the Tenant from the Demised Premises.

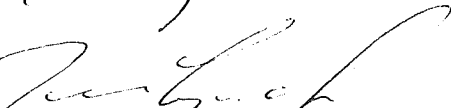
6. It is understood that this Notice of Lease and the Lease referred to herein together constitute the entire Agreement between the parties and all terms of the Lease are

incorporated herein by reference. This Notice of Lease and the Lease shall bind the heirs, successors and assigns of the Landlord and Tenant.

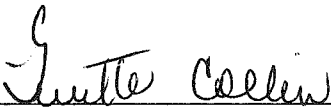
IN WITNESS WHEREOF the parties hereto have properly executed these presents on the day and year first above written.

Executed in the presence of:



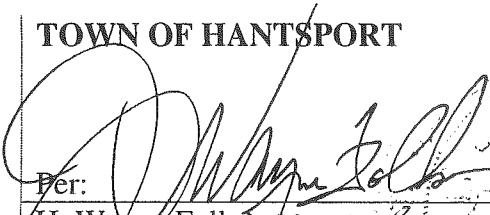


(Witness)

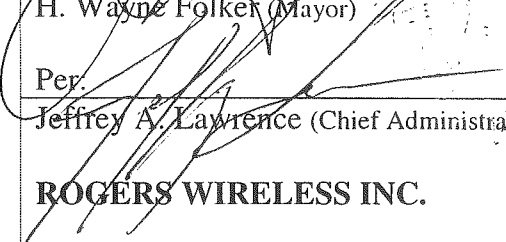


(Witness)

TOWN OF HANTSPORT

Per: 

H. Wayne Folker (Mayor)

Per: 

Jeffrey A. Lawrence (Chief Administrative Officer)

ROGERS WIRELESS INC.

Per: 

A2804

GUYLAINE N. CORMIER
Regional Manager, Real Estate
Eastern Canada

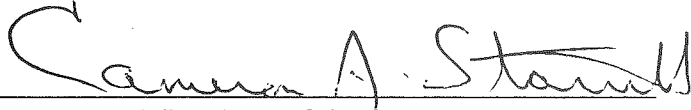
::ODMA\PCDOCS\MCRLIB\507573\1

HANTS COUNTY REGISTRY OF DEEDS		322	987	66-68
	certify that this document	Document #	Book	Page
	was registered as shown here.	JAN 17 2003		2:59PM
	Tina Landzeat Registrar	MM DD YYYY	Time	

68

PROVINCE OF NOVA SCOTIA

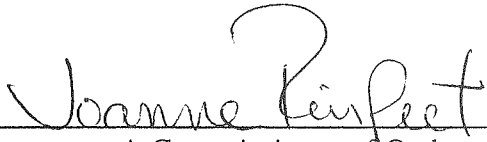
ON THIS 17th day of January, 2003, before me the subscriber personally came and appeared, Tim Lynch, a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that the **TOWN OF HANTSPOORT**, one of the parties thereto, caused the same in to be executed in its name and on its behalf by its proper officer(s) duly authorized in that behalf, his/her presence.


A Commissioner ~~A Barrister~~ of the Supreme
Court of Nova Scotia

CAMERON A. STARRITT
A Commissioner of the Supreme
Court of Nova Scotia

PROVINCE OF QUEBEC

ON THIS 11th day of JANUARY, 2003, before me the subscriber personally came and appeared, B. WETTE COLLIN, a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that **ROGERS WIRELESS INC.**, one of the parties thereto, caused the same to be executed in its name and on its behalf by its proper officer(s) duly authorized in that behalf, in his/her presence.


A Commissioner of Oaths
for the Province of Quebec



DATED:

2003

BETWEEN:

TOWN OF HANTSPORT

Landlord

- and -

ROGERS WIRELESS INC.

Tenant

NOTICE OF LEASE

David T.S. Fraser
McInnes Cooper
1601 Lower Water Street
P.O. Box 730
Halifax, NS B3J 2V1

TELECOMMUNICATION SITE LEASE AGREEMENT

Property (legally described on Schedule "A"): **HANTSPORK Town: Pleasant St. (PID 45060340 & 45033925), Hants Border, NS**Location Code : **A0280A**

1. IN CONSIDERATION of \$ 2.00, the receipt of which Landlord acknowledges, Landlord leases to Tenant the premises and access rights shown on Schedule "B" at the property described above as follows: *(check appropriate box(es))*

- ☒ Land comprising **Parcel R-ANC on Schedule B**
☐ Building interior space comprised of approximately _____ X _____ feet
☐ Building exterior space for attachment of antennas
☐ Building interior space for attachment of antennas
☐ Space required for cables and wires
☐ Rooftop space
☒ Access road to be constructed by Tenant
☐ Other _____

together with the non-exclusive right of unrestricted access thereto and connections to the appropriate utilities, fibre optic and telephone facilities. See Schedule C, Clauses C-1 thru C-5.

2. TERM. The term of this Agreement shall be for a period of Twenty (20) years beginning on April 1, 2001, ("Commencement Date").

3. RENT. The rent shall be paid annually in advance in the amount of Five Hundred dollars (\$500.00) plus applicable HST, starting on the first day of the month following the beginning of construction. ~~The first rent payment will be adjusted proportionally to the number of months left until the anniversary date of the agreement.~~ Landlord's HST number is R106985784 and the DUNS number is 254978132. Realty taxes attributed directly to the premises shall be payable by the Tenant and Tenant shall pay only the taxes which may from time to time be levied or assessed on the business of the Tenant conducted on the premises or taxes which are related to such business. See Schedule C, Clause C-2.

~~4. RIGHT TO RENEW. The Tenant shall have the right to renew the term of this agreement for three (3) additional five (5) year periods. The monthly rent shall be set at market rate for similar premises as agreed by the parties, or failing agreement, by a single arbitrator appointed under provincial arbitration legislation. If Tenant elects not to renew the Lease, it shall so notify Landlord by written notice to this effect at least 60 days prior to the expiration of the initial lease term or the current extension period.~~

5. USE of the premises and access rights by Tenant shall be for the purpose of installing, removing, replacing, relocating, maintaining, supplementing and operating, at its sole expense, telecommunications facilities and equipment and the provision of telecommunication services, and where applicable, Tenant may connect its equipment and provide telecommunication services by cables and wires to the equipment of other occupants at the property.

6. UTILITIES required for the operation of the telecommunications facilities and equipment shall be the sole responsibility of Tenant, and electrical consumption shall be determined by: *(check appropriate box(es))*

- ☐ included in rent or not applicable
☒ separate meter invoiced directly from local utility, if available
☐ check meter installed by Tenant, with invoices from Landlord
☐ annual consumption estimates provided by Tenant based on verifiable charges paid by Tenant for similar Telecommunications facilities and equipment.

7. ALL EQUIPMENT, including, but not limited to, towers, poles, shelters, cabinets, pedestals, antennas and mounts shall remain the personal property of Tenant and shall be removed by Tenant upon expiration or termination of this agreement and the premises will be restored to its original condition, reasonable wear and tear excepted. Tenant is not required to remove concrete foundations or roof piers at the end of the term.

8. NOTICES shall be in writing and sent by mail, postage prepaid, deemed received 3 days after mailing or by facsimile transmission, deemed received on date transmitted, to the address or telecopy number of the party set forth below.

9. ASSIGNMENT of this agreement or subletting all or part of the premises by Tenant may be made to any corporate affiliate, principal lenders or a purchaser of most or all of Tenant's assets. All other assignments require Landlord's consent, acting reasonably. Tenant may permit use of all or any portion of the premises by other entities consistent with the uses permitted herein.

10. TERMINATION. This agreement may be terminated by Tenant at any time on thirty (30) days notice to Landlord, without further liability, if Tenant cannot obtain all necessary rights and approvals required from any government authority and/or any third party to operate the telecommunication facilities and equipment, or if any such right or approval is cancelled, terminated or expired, or if Tenant determines that it will not be able to use the premises for their intended purpose (e.g. interference with Tenant's signals, damage or destruction, non construction of the site, commercial impracticality, technical reasons or for any other *bona fide* reason). Upon termination, all prepaid rent shall be adjusted to the date of termination. Should Tenant default under this agreement and not have begun to diligently remedy such default within thirty (30) days of a written notice from Landlord (Acts of God excepted), Landlord may terminate this agreement on thirty (30) days written notice by registered mail.

11. INDEMNITY: Tenant and Landlord indemnify and hold the other harmless against any and all costs (including legal costs) and claims of liability or loss which arise out of the use and/or occupancy of the premises by such indemnifying party. Tenant shall maintain during the term and any extensions, public liability and property damage insurance coverage of not less than \$2,000,000 and upon notice Landlord shall be added as an additional insured and provided with evidence of coverage.

12. HAZARDOUS SUBSTANCES: Landlord represents that it has no knowledge of any substance on the property that is identified as hazardous, toxic or dangerous in any applicable federal, provincial or local law or regulation. Landlord and Tenant shall not introduce or use any such substance on the property in violation of any applicable law.

13. MISCELLANEOUS

a) The Landlord shall ensure Tenant with peaceful and quiet use of the premises during the entire term and extensions of the lease. Landlord shall not cause or permit others to interfere with or impair the quality of the telecommunication services being rendered by Tenant from the property. Tenant shall have 24 hour a day and 7 day a week access to the premises subject to Landlord's reasonable security requirements and

shall be issued 3 access cards and/or keys by Landlord at Tenant's expense.

b) Prior to original installation, Tenant shall supply Landlord with plans and/or surveys as applicable (collectively the "plans"). Landlord shall, at Tenant's expense, assist and co-operate with Tenant in obtaining governmental approvals for Tenant's permitted uses. Tenant shall use the premises in accordance with the laws and regulations applicable in the jurisdiction where the property is located.

c) Tenant shall have the option to purchase the property (subject to planning legislation compliance) for \$ _____ at any time during the term and all extensions, as provided on Schedule "E" attached. Notwithstanding the above, Landlord grants to Tenant a right of first refusal for the duration of the lease in the event that the former receives an offer to purchase the property in whole or in part.

Tenant shall have a period of 30 days from receipt of a copy of such an offer in which to notify Landlord of its intention to purchase the property in whole or in part. The contract of sale shall be signed before the lawyers of the Tenant within the next 30 days. In the event that the Tenant shall not have delivered an acceptance as aforesaid, then the Landlord shall be entitled to proceed with the sale within the next (60) days in accordance with the terms of the offer, and if not, the right of first refusal granted to the Tenant shall be reinforced.

d) Tenant shall have exclusive right to operate a telecommunications facilities and the equipment at the property during the term and all extensions.

e) Landlord and/or property manager represents and warrants that Landlord and/or property manager has full authority to enter into and sign this agreement and bind Landlord accordingly. They hereby agree to provide, upon request, any documents to this effect.

f) This agreement contains all agreements, promises and understandings between Landlord and Tenant. All schedules and plans are incorporated by reference.

g) The terms and conditions of this agreement shall extend to and bind the heirs, personal representatives, successors and assigns of Landlord and Tenant.

h) Landlord will permit Tenant or its contractors full access to the property and premises, in advance, for the purpose of satisfying itself, at its own expense, as to the appropriate conditions for the intended use of the premises. Tenant shall repair any damage caused by any tests or inspections.

i) If Tenant remains in possession at end of term(s), Tenant shall be monthly tenant at the then current rent.

j) This agreement shall be governed by the laws of the province in which the property is located. Invalid provisions are severable and do not impair the validity of the balance of this agreement.

k) A Short Form Lease, Notice of Lease or caveat may be registered on title at Tenant's expense. In the event of a discrepancy between the lease and the telecommunication site agreement, the telecommunication site agreement will govern.

~~l) If a matrimonial home is located at the property, Landlord's spouse hereby consents to the agreement.~~

14. ADDITIONAL PROVISIONS: See Schedule C attached.

DATED this 24th day of May, 2001.

Landlord :

Town of Hantsport
20 Main Street
Hantsport, NS B0P 1N0

Telephone No. : 902-684-3211

Telecopy No. :

Attention: Jeffrey Lawrence

Per : Jeffrey Lawrence
Name : Jeffrey Lawrence
Title : Town Manager

Per : Guy N. Cormier
Name : Guy N. Cormier
Title : Mayor

Spouse Consent: _____

Name: _____

DATED this 22nd day of August, 2001.

Tenant

ROGERS WIRELESS INC. (A-0280A)
One Mount Pleasant Road
Toronto, Ontario M4Y 2Y5
c/o Real Estate Services (Toronto) Fax : (416) 935-7799 (original)
c/o Real Estate Services (Montreal) Fax : (514) 345-6896 (copy)

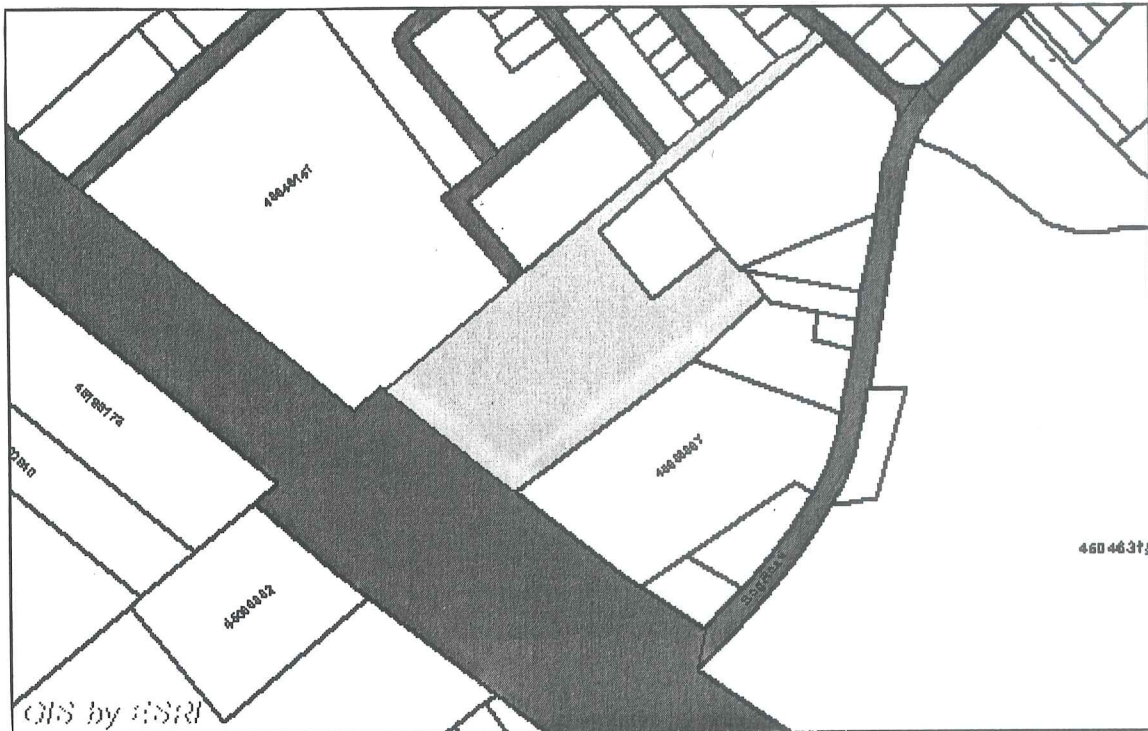
Par : Guy N. Cormier
Nom : Guy N. CORMIER
Title : Real Estate Manager, Eastern Canada

SCHEDULE "A"

LEGAL DESCRIPTION OF LANDLORD'S PROPERTY ("A0280A")

Following description may be replaced, if necessary at Tenant's option, by a legal description of the property, after examination of title by the Tenant.

Located At: (PID 45060340 & 45033925), Pleasant St., Hants Border, NS



JMC

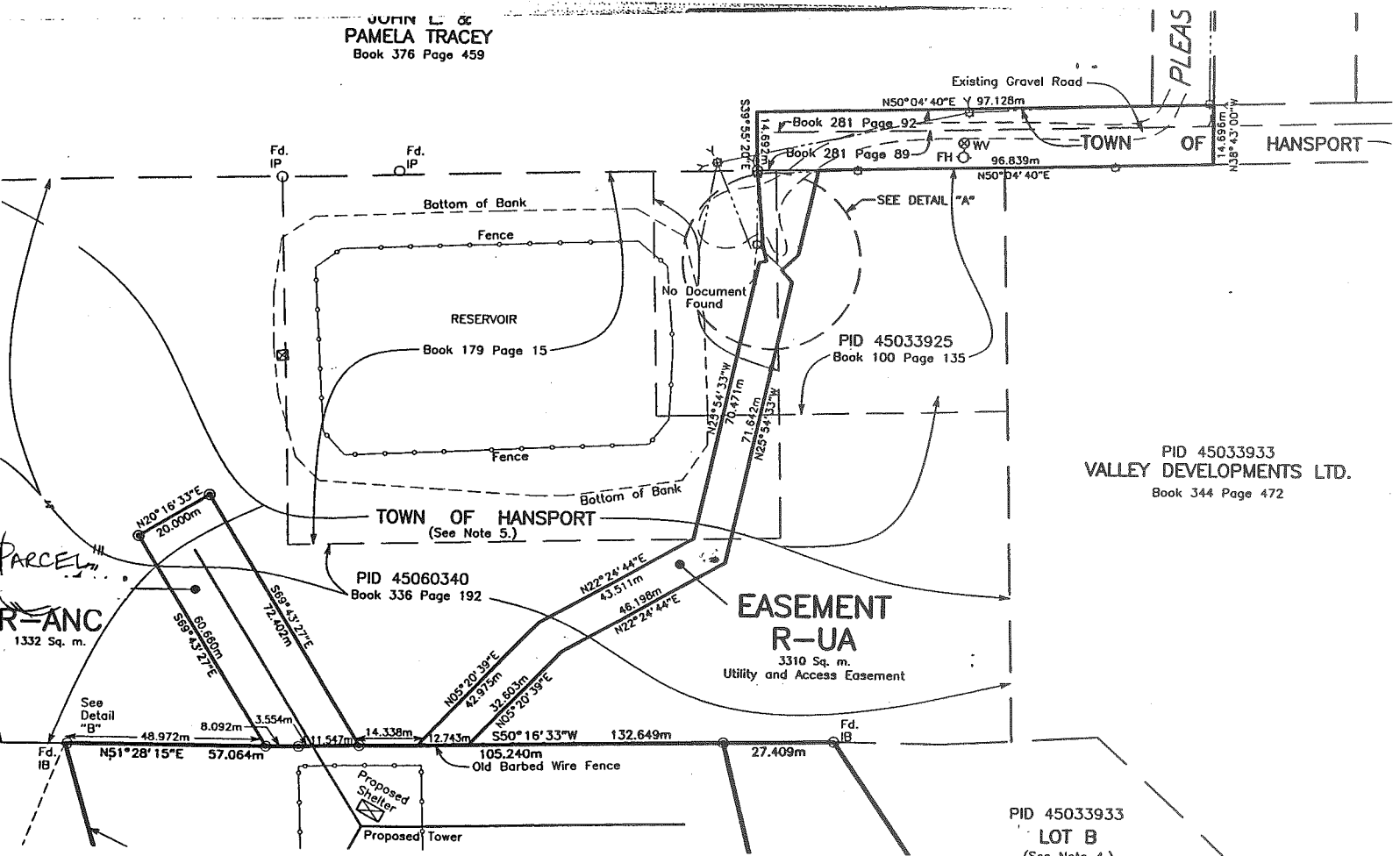
SCHEDULE "B"

DESCRIPTION OF PREMISES (including access rights)

Subject to the Tenant's right to make changes, as provided for in the agreement, such as the modification or addition of equipment.

Located at: (PID 45060340 & 45033925), Pleasant St., Hants Border, NS

Concept plan, may be cancelled and replaced by plans "As Built".



SCHEDULE " C "

ADDITIONAL PROVISIONS

C-1 The Landlord acknowledges that the Tenant intends to purchase a parcel of land from John G. Faulkner and Mary E. Faulkner, being a portion of PID No. 45033867, which property is adjacent to property owned by the Landlord. The Landlord hereby covenants and agrees to grant an easement to the Tenant for access and utility purposes in order for the Tenant and others to have access to and from the property being purchased from Mr. and Mrs. Faulkner. The easement, referenced as Easement R-UA on Schedule "B" shall extend from Pleasant Street over and through the lands of the Landlord to the northern boundary of the Faulkner property, without interference to the reservoir located on the Landlord's property.

200 10,000
C-2. In exchange for the above-mentioned easement, the Tenant shall pay to the Landlord the sum of \$8,000 (inclusive of any applicable HST) and shall also grant to the Landlord a right of first refusal with respect to the parcel of land the Tenant will be purchasing from the Faulkners. In the event the right of first refusal is exercised by the Landlord, there shall also be a reconveyance of the easement to the Landlord such that the easement will be extinguished.

C-3. With respect to the easement to be granted by the Landlord to the Tenant, the Tenant acknowledges and confirms that the Landlord shall have the right to repair, maintain and replace the waterline located in or under the lands subject to the easement provided:

- (a) whenever reasonably possible, the Landlord will provide the Tenant with at least one month advance written notice prior to undertaking any repairs, maintenance or replacement;
- (b) in emergency situations, the Landlord shall notify the Tenant immediately;
- (c) all repairs, maintenance and replacement shall be undertaken with a view to minimizing the interruption and interference with the Tenant's use of the easement and, the Tenant shall be provided with a similar alternate means of access, if reasonably required, in order that the Tenant shall have continual access to and from the leased premises for vehicles and persons; and
- (d) upon completion of the work relating to any such repairs, maintenance and replacement, the Landlord shall return the lands to the same condition as they were prior to any such work.

C-4. The obligations contained in sections 1 and 2 above are conditional upon the Tenant completing the purchase of the Faulkner property.

C-5. The Landlord and Tenant covenant and agree to execute such legal documents reasonably requested by the other party to effect the grant of easement and right of first refusal referred to herein.

200

SCHEDULE "E"
RIGHT TO PURCHASE

The Landlord hereby grants to the Tenant the right to purchase (the "Right") upon the following terms:

1. Description of Premises

The lands and premises subject to the Right are:

- (a) the lands described on Schedule "A" ("Lands"); or
- (b) the premises, together with easements for access and utilities enjoyed pursuant to the telecommunication site lease agreement and to be surveyed by the Tenant upon exercise of this Right.

[Delete (a) or (b) as may be appropriate]

(the "Property")

2. Purchase Price

The purchase price shall be (\$) Dollars payable by way of certified cheque on closing, subject to usual adjustments, including an adjustment for prepaid rent in favour of the Tenant.

3. Exercise of

The Right may be exercised by the Tenant any time during the Term of the telecommunication site lease agreement or any renewal term thereof and shall be exercised by notice in writing by the Tenant to the Landlord.

4. Agreement of Purchase and Sale

Upon the exercise of the Right by the Tenant, an agreement of purchase and sale shall be executed by the Landlord and the Tenant on the terms herein set forth including:

- (a)
 - (i) the title to the Property shall be good and marketable free from all encumbrances, restrictive covenants, except for minor easements for electrical, gas, telephone, or like services and shall be in compliance with all governmental laws, by-laws and regulations; and

- (ii) the Tenant shall be allowed sixty (60) days from the date of exercise of the Right to examine title and determine compliance of the Property as aforesaid at its own expense. If any valid objection to title or in respect to the compliance of the Property is made to the Landlord which the Landlord is unable to remove or remedy and which the Tenant will not waive, the agreement resulting from the exercise of the shall, notwithstanding any action or negotiations with respect to such objections, be null and void, without prejudice to the Tenant's other rights and recourses.

(b) Landlord's Undertaking

Upon the exercise of the Right the Landlord shall execute and deliver at the request of the Tenant any authorisations that may be required by the Tenant addressed to any relevant government authority, agency or department (the "Authority") allowing the inspection of the Property by the Authority and permitting the release by the Authority of any relevant information concerning the Property to the Tenant or its solicitors.

(c) Adjacent Land Servitude or Rights of Way

In the event that the Tenant shall be utilising servitude or rights of way over abutting lands for the purposes of access or egress or for any of the purposes set out in the Lease (the "Adjacent Servitude or Rights of Way"), the agreement arising from the exercise of this Right shall be conditional on the Tenant obtaining good title to the Adjacent within the time limit set out in subparagraph (c) above, failing which the Tenant may, at its sole option, terminate this agreement.

(d) Residency

The Landlord shall comply with the provisions of Section 116 of the Income Tax Act.

(e) Time Of The Essence

Time shall be of the essence of the Right and the agreement resulting from the exercise thereof.

(f) Closing

The agreement of purchase and sale arising from the exercise of the Right shall be completed on the date which is the first business day 90 days following the date upon which the is exercised.

(g) Enurement

The Right and the Agreement resulting from the exercise thereof shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

(h) Tender

Any tender of documents or money hereunder may be made upon the Landlord or Tenant or upon the solicitor acting for the party on whom tender is desired.

goc

Extract from *the minutes of a meeting of the Board of Directors of the*

Corporation: Town of Hantsport

held at its corporate headquarters on town office May 15th, 2001

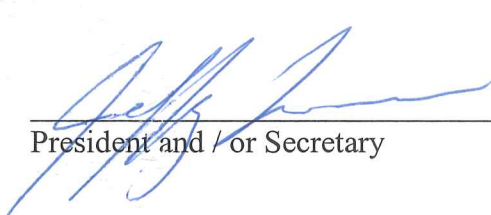
ON A MOTION DULY PRESENTED AND SECONDED, IT IS HEREBY RESOLVED:

1. THAT the proposed lease to ROGERS WIRELESS INC., having been submitted to the Board, be and is hereby duly approved;
2. THAT mayor H. Wayne Folker and chief
Administrative Officer Jeffrey A. Lawrence
be and is (are) authorised to sign the said lease for and in the name of the Corporation in substantially the same form and terms as the proposed lease submitted to the Directors, as well as any appropriate document necessary to give effect to this resolution or to the provisions of the said lease.

I, the undersigned, certify hereby that the foregoing is a true copy of a resolution duly adopted by the directors of the Corporation at a meeting held on May 15th, 2001, and subsequently approved, ratified and confirmed at a special general meeting of the shareholders of the Corporation duly convened and held for this purpose on May 15th, 2001, by a vote of at least two-thirds in value and in number of the shares represented by shareholders present in person or represented by proxy at the said meeting.

Hantsport
City

May 24th, 2001
Date



President and / or Secretary

Jeffrey A. Lawrence
Print Name

Chief Administrative Officer
Print Title

gnc



Rogers Cell Tower

Highway 101-WB
Highway 101-EB

Pleasant St

Bog Rd

Bog Rd

Holmes Hill Rd



Committee of the Whole Excerpts
October 13, 2020

Fire Rescue Truck Tender Award

The attached report from Committee of the Whole outlines the request to award a tender for a new fire rescue truck for Southwest Hants Fire (Hantsport Station2) to replace the 19-year old 2001 Ford F450.

All bidders were Canadian companies and most replacement parts for the recommended fire rescue truck can be sourced locally.

The recommended motions were:

... that Council the award of Tender WHRMAD20-04 for a Fire Rescue Truck to Rocky Mountain Phoenix at a cost of \$252,299.68 plus applicable taxes.

... that Council approves a temporary borrowing resolution in the amount of \$263,123, for Fire Rescue Truck for the Southwest Hants Fire Department.



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Committee of the Whole

Submitted by: 
Peter Johnston, Fire Chief Southwest Hants Fire
Shelleena Thornton, Administrative Supervisor

Date: October 13, 2020

Subject: Fire Rescue Truck – Tender Award and TBR

LEGISLATIVE AUTHORITY

Municipal Government Act, Section 65A - Authorized municipal expenditures.

RECOMMENDATIONS

...that Committee of the Whole recommends to Council the award of Tender WHRMAD20-04 for a Fire Rescue Truck to Rocky Mountain Phoenix at a cost of \$252,299.68 plus applicable taxes.

...that Committee of the Whole recommends to Council to approve a temporary borrowing resolution in the amount of \$263,123, for Fire Rescue Truck for the Southwest Hants Fire Department.

BACKGROUND

In 2019, Goudreault Associates was hired for a Regional Fire Services Review.

The November 2019 report prepared by Goudreault Associates is an accumulation of local information measured against current legislation, regulations, recognized standards, and guidelines. Included was a compiled 'table of recommendations' that identified suggested responsibilities and timeframes.

At the January 27, 2020 Co-ordinating Committee Meeting, the consultants report was adopted including the attached recommendations which included Recommendation # 145 – Scheduled Fire Apparatus Replacements (p. 290 of the Regional Fire Services Review).

DISCUSSION

Tenders were called on the Provincial Procurement site and closed on September 17, 2020.

Three proponents responded to the public tender, as follows:

Proponent Name	Item	Unit Price (before tax)
Rocky Mountain Phoenix	New Fire Rescue Truck	\$ 252,299.68
Metalfab Ltd	New Fire Rescue Truck	\$ 343,190.00
Carl Thibault	New Fire Rescue Truck	\$ 306,434.77

The tender was reviewed by Chief Peter Johnston and 1st Deputy Chief Paul Maynard to confirm compliance with our requested specifications and the tender meets our operational requirements.

The truck being replaced is a 2001 Ford F450 (19 years old) and there have been on-going maintenance issues. It is solely a rescue truck and has been on the replacement schedule since 2015.

The replacement truck will be a dual-purpose truck, a rescue truck and a mini pumper. This will compliment Station 2 (Southwest) with the ability to have a trained member without the proper license to drive the larger pumper to calls. They will be able to respond with the new truck and begin an exterior attack on the fire. This truck will be able to draft from the lakes or dry hydrants to supply the larger pumper. With this truck being a 4x4 it will be useful in Cottage county during bad weather events.

Purchase cost of this tender exceeds the spending authority of the CAO.

FINANCIAL IMPLICATIONS

For the 2020/2021 fiscal period, the amount of \$259,000 was approved under the Southwest Fire Department in the capital budget for the procurement of a replacement light rescue truck. The incurred cost of the proposed vehicle would be \$263,123.33 including applicable taxes (non-recoverable portion), to be funded by Municipal Finance Corporation (MFC). The additional \$4,123.33 will add \$253.12 to 2020/2021 debt servicing costs.

ALTERNATIVES

1. Council may choose not to fund or award this contract.

This alternative is not being recommended to Council.

ATTACHMENTS

- Recommendations approved at the January 27, 2020 Co-ordinating Committee Meeting
- TBR Fire Rescue Truck SWHFD

Report Prepared by:


Shelleena Thornton, Administrative Supervisor

Report Reviewed by:

Peter Johnston, Fire Chief Southwest Hants Fire

Report Reviewed by:

Carlee Rochon, Director of Finance

Report Approved by:



Mark Phillips, Chief Administrative Officer

WWH Fire Study Recommendations

2020-01-23

CC = Coordinating Committee or Council Responsibility FS = Fire Service Responsibility Joint = CC or Council and FS Responsibility	PRIORITY		ACTION
	Immediate (I)	CC Responsibility	RECOMMEND ADOPTION
	Short-term (S)	0 to 1 year	RECOMMEND ADOPTION WITH REVISIONS
	Long-term (L)	1 year +	RECOMMEND ADOPTION IN PRINCIPLE
			NOT RECOMMENDING

The following table references only 25 of 151 recommendations identified in the fire study.

REC #	Recommendations	Priority	Report Page	Joint CAO(s) and Fire Chief(s) Position
10	GA recommends that the current 1.5 FTE fire-inspectors in Planning and Development be reassigned to the regional fire service.	I	xv	NOT RECOMMENDING
61	GA recommends the hiring of a full-time Assistant Fire Chief.	I	127	NOT RECOMMENDING
62	GA recommends the hiring of a part-time Divisional Chief.	I	127	NOT RECOMMENDING
65	GA recommends the transfer of 1.5 FTE Fire-Inspectors from Planning & Development, Building, to the regional fire services.	I	127	NOT RECOMMENDING
63	GA recommends the hiring of a full-time Administrative Assistant.	I	127	NOT RECOMMENDING (CAPACITY WITHIN EXISTING WWH STAFFING)
64	GA recommends the hiring of four part-time paid on call fire-investigators.	I	127	NOT RECOMMENDING (TRAINING SCHEDULE TO BE DEVELOPED)
7	GA recommends that all purchasing of significant-cost items be coordinated.	I	xiv	RECOMMEND ADOPTION
99	GA recommends, based on the travel-time predictions, the following fire station response districts. {detail on page}	I	197	RECOMMEND ADOPTION
1	GA recommends the hybrid organizational model because it is the best compromise in providing regional coordination and efficiencies yet maintains the local volunteer character of the fire department.	I	xiv	RECOMMEND ADOPTION
3	GA recommends a District Fire Chief management committee as a key recommendation, to bring together all the local fire district management personnel; so that plans and decisions on common issues of concern and service delivery can be made.	I	xiv	RECOMMEND ADOPTION
13	GA recommends that when the new regional municipality officially comes into being April 1, 2020, that all the fire departments, municipal or otherwise, providing fire and rescue services within the region, including those that are contracted by the municipality, register with the new municipality on an annual basis.	I	11	RECOMMEND ADOPTION
15	GA recommends that a review of the current registration form used by the Municipality of West Hants be used as the base registration document, and that it be amended to reflect the new regional municipality and its needs.	I	12	RECOMMEND ADOPTION
122	GA recommends that these Minor Capital expenditures be treated differently in future budgets and will address this recommendation in the benchmark portion of this analysis.	I	254	RECOMMEND ADOPTION
140	GA recommends that Windsor's other aerial (ALF) be scrapped without direct replacement and an unsuitable wildland/urban interface pumper be sold.	I	284	RECOMMEND ADOPTION
6	GA recommends the proposed 20-year capitalization plan, primarily for fire apparatus replacements, using a standardized approach to specification and group purchasing.	I	xiv	RECOMMEND ADOPTION IN PRINCIPLE
39	GA recommends that the Regional municipality register their volunteer firefighters with WCB before the eventual requirement for such registration occurs.	I	38	RECOMMEND ADOPTION IN PRINCIPLE
107	GA recommends that the following replacement schedule be adopted for the purposes of determining fire apparatus suitability for continued service. {detail on page}	I	215	RECOMMEND ADOPTION IN PRINCIPLE
110	GA recommends a standardized vehicle specification be used Region-wide. Standardized apparatus descriptions are included in Appendix IX; Standardized Fire Apparatus Features starting on page 377.	I	216	RECOMMEND ADOPTION IN PRINCIPLE
111	GA recommends that specifications for the major classes of fire apparatus be standardized across all stations in the new regional municipality. This will generate savings in total cost of ownership for the municipality.	I	219	RECOMMEND ADOPTION IN PRINCIPLE
139	GA recommends that the following fire apparatus replacement schedule be adopted for the purposes of determining fire apparatus suitability for continued service and as a budget planning tool for fire apparatus replacement. {detail on page}	I	283	RECOMMEND ADOPTION IN PRINCIPLE
145	GA recommends the following table of scheduled fire apparatus replacements. {detail on page}	I	290	RECOMMEND ADOPTION IN PRINCIPLE
9	GA recommends that all fire prevention activities, including fire-inspection, fire-investigation, and fire-safety education be brought inhouse. These are mandated services and require coordination, proper execution, and prioritizing in order to meet legislative mandates.	I	xv	RECOMMEND ADOPTION WITH REVISIONS
2	GA recommends providing centralized administration support, management and leadership. A full-time Director Manager of Public Safety Services – Regional Fire Chief, and a full-time Assistant Fire Chief with primary responsibilities for fire prevention are recommended. A part-time Divisional Chief is also recommended to take responsibility for developing and coordinating of firefighter qualifications and training.	I	xiv	RECOMMEND ADOPTION WITH REVISIONS
59	GA recommends the implementation of Model 3; Hybrid Regional Fire Service, for all of the reasons discussed starting on page 120.	I	127	RECOMMEND ADOPTION WITH REVISIONS
60	GA recommends the hiring of a full-time Director-MANAGER of Protective Services/Fire Chief.	I	127	RECOMMEND ADOPTION WITH REVISIONS

MUNICIPAL COUNCIL OF THE

TEMPORARY BORROWING RESOLUTION

Amount: \$ 1,335,000

Purpose: Fire Rescue Truck - SWHFD

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the Region of Windsor and West Har, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the Region of Windsor and West Har has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHEREAS the Council of the Region of Windsor and West Har has determined to borrow the aggregate principal amount of one million three hundred thirty-five thousand Dollars (\$ 1,335,000) for the purposes of Fire Rescue Truck - SWHFD;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the Region of Windsor and West Har borrow a sum or sums not exceeding one million three hundred thirty-five thousand Dollars (\$ 1,335,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the Region of Windsor and West Har to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding one million three hundred thirty-five thousand Dollars (\$ 1,335,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the Region of Windsor and West Har held on the 27 day of October, 2020.

GIVEN under the hands of the Clerk and under the seal of the Region of Windsor and West Har this ____ day of _____, 2020.

Clerk



Committee of the Whole Excerpts
October 13, 2020

Meeting and Committee Procedural Policy Amendments

The attached report from Committee of the Whole outlines the proposed changes to the policy including a revised timeline for reports, report format, and addition of the Diversity and Inclusion Committee.

Concern was noted about having meeting material prepared 10 days before a meeting; this goal is to allow time to prepare additional information for consideration. Not all agenda items may require formal reports; agenda items may be added up to and at the meeting.

The recommended motion was:

... that Council approve the First Amendment to the Meeting and Committee Procedural Policy, RCOGE-003.00 as presented to Committee of the Whole on October 13, 2020.



WEST HANTS REGIONAL

MUNICIPALITY

RECOMMENDATION REPORT

To: Mayor Zebian and Members of Committee of the Whole

Submitted by: Rhonda Brown
Rhonda Brown, Municipal Clerk

Date: October 13, 2020

Subject: First Amendment to the Meeting and Committee Procedural Policy, RCOGE-003.00

LEGISLATIVE AUTHORITY

Municipal Government Act, Sections 23, 24 and 48

RECOMMENDATION

...Committee of the Whole recommends, that Council approve the First Amendment to the Meeting and Committee Procedural Policy, RCOGE-003.00 as presented to Committee of the Whole on October 13, 2020.

BACKGROUND

On March 9, 2020 the Co-ordinating Committee approved the Meeting and Committee Procedural Policy, RCOGE-003.00, to be used by the Region. This Policy outlines the administration and procedures to be used during Council and Committee of Council meetings. The Policy also establishes permanent Committees of Council and rescinded various policies of the former Town of Windsor and Municipality of the District of West Hants.

At the Council meeting on July 28, 2020 Council approved the creation of a Diversity and Inclusion Committee of Council and directed a terms of reference be created.

DISCUSSION

Over the last few months, there has been some changes in the administration of meetings and a new committee of council requested. The First Amendment to the Meeting and Committee Procedural Policy reflects the implemented and suggested changes to the Policy to facilitate better administration of meetings.

In the Policy the significant changes are as follows:

- Revised the Municipal name and template
- Amended the standing agendas for COTW and Council
- Required all agenda material to be submitted 10 business days before the meeting, not just topic

- Have meeting package to Council/resident reps “at least” three (3) business days before (allowing the posting of material earlier but still sets deadline)
- Allows material shown or read at meetings that was not in package to be automatically received, circulated and amended to public package
- Removes requirement to keep live-streamed videos on our website for two (2) years (we are not currently doing this, but can do it later if able without having it to be a requirement)
- Have presentations limited to 15 min each plus questions, but set a goal to limit three (3) presentations to a meeting
- Revised name of Planning Advisory Committee to Planning Advisory/Heritage Advisory Committee or PAC/HAC
- Clarify process for 7-day notice for policies from PAC/HAC
- Adds Diversity and Inclusion Committee
- Adds repeal of former Municipality of West Hants Hantsport Area Advisory Committee Policy (missed during original approval)
- Creates a universal report form for use in all situations
- Correction of typographical errors

As Committees of Council are created by policy of Council, the Diversity and Inclusion Committee has been added to RCOGE-003.00 as APPENDIX M. The Appendix outlines the main purpose and composition of the Committee. A draft Terms of Reference has been created to outline the specific details and goals of the Committee, a Terms of Reference is an Administrative document which will be approved by the Committee itself.

NEXT STEPS

Should Council adopt the amendments, the revised procedures and report form will be made available for use. Then a public call for members of the Diversity and Inclusion Committee will be announced and the first meeting of the new Committee organized. At the first meeting of the Diversity and Inclusion Committee the Terms of Reference will be reviewed for approval.

FINANCIAL IMPLICATIONS

In accordance with the Council Remuneration Policy, resident members of Committees are provided \$50.00 per meeting. With the suggested composition of the Diversity and Inclusion Committee and the suggested quarterly meeting schedule, an additional \$600 for Committee members during this fiscal year is anticipated.

Any projects proposed by the Diversity and Inclusion Committee that require funding may require Council approval for the funding, which may be included in the annual budget.

ALTERNATIVES

Committee of the Whole could choose additional changes to Policy RCOGE-003.00 or reject suggested changes.

ATTACHMENTS

- First Amendment to Meeting and Committee Procedural Policy – showing changes
- First Amendment to Meeting and Committee Procedural Policy – with changes accepted
- Draft Diversity and Inclusion Committee Terms of Reference

Report Prepared by: 
Rhonda Brown, Municipal Clerk

Report Reviewed by: _____
Shelleena Thornton, Administrative Supervisor

Report Approved by: 
Mark Phillips, Chief Administrative Officer

MEETING AND COMMITTEE PROCEDURAL POLICY

Table of Contents

1. General.....	2
2. Mandate of Council and Committee of the Whole	3
3. Time, Place, Date and Notice of Meetings.....	4
4. Communications	6
5. Meeting Attendance and Quorum	7
6. Election Process for Deputy Mayor, Chair or Vice-Chair	9
7. Meeting Agendas and Packages	11
8. Council and Committee Chair Duties.....	13
10. Meeting Decorum and Rules of Debate	16
11. Conflict of Interest.....	18
12. Motions and Voting	19
13. Points of Order (also refer to Code of Conduct Policy).....	24
14. In-Camera Meetings.....	26
15. Setting Direction.....	27
16. Receiving Public Input.....	28
17. Committees	29
19. Repeal.....	32
20. Related Legislation, Policies, Procedures	33
APPENDIX A Report Form	34
APPENDIX B Rules of Common Motions.....	40
APPENDIX C Decision Making by Council and Committee of Council	41
APPENDIX D Accessibility Advisory Committee.....	42
APPENDIX E Audit Committee.....	45
APPENDIX F Davidson Lake Watershed Advisory Committee.....	47
APPENDIX G French Mill Brook Watershed Advisory Committee.....	50
APPENDIX H Fences Arbitration Committee	53
APPENDIX I Windsor and Hantsport Area Advisory Committees	56
APPENDIX J Mill Lakes Watershed Advisory Committee.....	58

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX K	Planning Advisory/Heritage Advisory Committee.....	61
APPENDIX L	Municipal Climate Change Action Plan Committee	62
APPENDIX M	Diversity and Inclusion Committee	64

1. General

- 1.1. This Policy will be known and cited as the "Meeting and Committee Procedural Policy".
- 1.2. The purpose of this Procedural Policy is to:
 - a) provide direction to Council and Staff members on conducting Council and Committees of Council meetings. This Policy does not apply to boards, commissions and committees of which the Municipality may be a ~~member~~member, but which was not established solely by the Municipality;
 - b) establish the Committee of the Whole as a Committee of Council; and
 - c) establish various other Committees of Council.
- 1.3. In this Policy:
 - a) "Act" means the Municipal Government Act, Stats. N.S. 1998, C. 18
 - b) "Business day(s)" means a day which the administrative offices of the Municipality are open for business;
 - c) "Chair" means the presiding officer of Council or a Committee of Council;
 - d) "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Municipality;
 - e) "Clerk" means the Clerk of the Municipality;
 - f) "Closed Meeting" means a meeting which is not open to the public and may be known as in-camera.
 - g) "Committee of Council" means a committee formed pursuant to a resolution or policy of Council;
 - h) "Council" means all Council members of the Municipality;
 - i) "Councillor" means a Council member and includes the Mayor and Deputy Mayor unless the context indicates otherwise;
 - j) "Majority" means more than one-half of those present
 - k) "Meeting Package" means the package prepared for a meeting consisting of the agenda and associated agenda item material;
 - l) "Motion" means the formal mode in which a Council member submits a proposed measure or resolve for the consideration and action of Council or Committee of Council;

MEETING AND COMMITTEE PROCEDURAL POLICY

- m) "Municipal or Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.
- n) "Pecuniary interest" means a situation where there is a reasonable likelihood or expectation of appreciable financial loss or gain to the person, or to other persons;
- o) "Planning document" means a Municipal Planning Strategy, Land Use By-law, or Subdivision By-law;
- p) "Question" means the subject matter of a motion; when the question is called, the motion is put to a vote without further debate;
- q) "Quorum" means the majority of members required to hold a meeting.
- r) "Resolution" means a formal expression of the opinion or the will of the Council or a Committee of Council adopted by vote, and is a result of an approved motion;
- s) "Staff" means a person employed by the Municipality;
- t) "Two-thirds vote" means a vote where at least two-thirds of the members present and entitled to vote at the meeting vote in favor of the motion.

2. Mandate of Council and Committee of the Whole

2.1. The mandate of Council is:

- a) to exercise the powers of the Municipality as set out in the *Act* through the approval of motions, policies and by-laws;
- b) to provide strategic planning for the Municipality with the goals:
 - i. to provide good government;
 - ii. to provide services, facilities and other things that in the opinion of Council are necessary or desirable for all parts of the Municipality;
 - iii. to develop and maintain safe and viable communities;
 - iv. to work with other municipal units for the best interests of the Municipality within the province;
 - v. to provide active programs of training and upgrading of staff and Council; and
 - vi. such other goals as from time to time are determined;
- c) to conduct the official business of the Municipality;
- d) to carry out any statutory public hearings as required by the *Act* and other legislation;
- e) to provide strategic direction to the CAO through resolutions, policies and by-laws.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 2.2. The mandate of the Committee of the Whole is:
- a) to discuss, consider, advise and make recommendation to Council for approval concerning the affairs of the Municipality in advance of Council making decisions or taking actions on such matters, except where Council has determined that consideration by Committee of the Whole is unnecessary or inadvisable, and except that the following matters will normally be dealt with by Council without having to be forwarded to the Committee of the Whole for its recommendations:
 - i. first and second readings of a by-law enactment, amendment or repeal; and
 - ii. matters which are the subject of statutory hearing of Council;
 - b) to carry out the duties and responsibilities of Council set forth in Part XV Dangerous and Unsightly Premises of the *Act*;
 - c) to carry out the duties of the Regional Emergency Management Advisory Committee as set forth the Regional Emergency Management By-law of the Municipality;
 - d) to take such steps not inconsistent with this Policy that the Committee of the Whole reasonably deems necessary to carry out this mandate;
 - e) except for an Order under the Act for Dangerous and Unsightly Premises and specific tasks or matters assigned by Council from time to time to the Committee, all resolutions of the Committee of the Whole will be recommendations to Council for Council's approval.

3. Time, Place, Date and Notice of Meetings

- 3.1. All meetings of Council and Committees of Council will be public meetings, except as provided for under Sections 22 (2) and 203(1) of the Act and Section 14 of this Policy.
- 3.2. Unless otherwise specified pursuant to Section 3.5 of this Policy a regular meeting of the Committee of the Whole will be held:
- a) at the location set by the Committee of the Whole,
 - b) on the second Tuesday of each month, except for August and December,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.
- 3.3. Unless otherwise specified pursuant to Section 3.5 of this Policy, a regular meeting of Council will be held:
- a) at the location set by Council,
 - b) on the fourth Tuesday of each month except for August and December,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 3.4. Unless otherwise specified pursuant to Section 3.5 of this Policy, regular meetings of other Committees of Council will be determined in the Administrative Terms of Reference for the Committee.
- 3.5. Meetings may be rescheduled, relocated or cancelled:
- a) by resolution or consensus, including a contingent resolution or consensus of Council or a Committee of Council at a previous meeting three (3) or more business days in advance of the meeting;
 - b) at the request of majority of the members of Council or Committee of Council;
 - c) by the ~~Clerk or CAO~~ CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to inclement weather or unforeseen circumstances provided the Mayor, Deputy Mayor, or Chair believes the majority of members would support such a step.
- 3.6. Additional or special meetings of Council or a Committee of Council may be convened:
- a) by resolution or consensus, including contingent resolution or consensus of Council or Committee of Council at a meeting three (3) or more business days in advance of the additional or special meeting;
 - b) at the request of the Chair;
 - c) at the request of the majority of members;
 - d) by the ~~Clerk or CAO~~ CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to unforeseen circumstances, provided the Mayor, Deputy Mayor or Chair believes that the majority of members would support such a step; or
 - e) where the Mayor determines there is an emergency, Council may meet without notice or with such notice as is possible in the circumstances.
- 3.7. Notice to Councillors and the Public of meetings:
- a) subject to any statutory relaxation of the notice requirements, at least three (3) business days' notice to Councillors will be provided for additional or special meetings by telephone, the email address provided by the Municipality or other email address, fax number or messaging service;
 - b) subject to any statutory relaxation of the notice requirements, at least two (2) business days' notice to the public will be provided for additional or special meetings by posting a notice of the meeting on the Municipal website and social media pages;

MEETING AND COMMITTEE PROCEDURAL POLICY

- c) Councillors and the public will be deemed to have received any notice within one (1) day of being notified pursuant to this section;
 - d) meeting notice need not be provided of:
 - i. regular meetings held pursuant to Sections 3.2 and 3.3 of this Policy;
 - ii. regular meetings of a Committee of Council whose regular meeting date is contained in a policy or by-law of Council or posted on the Municipal website; or
 - iii. meetings held pursuant to Sections 3.5 (a) and Section 3.6 (a) of this Policy;
 - e) notice of meeting cancellations will be provided to Council and the public as soon as possible in the same manner;
- 3.8. In accordance with Section 19 (7)(a)(b) of the Act no meeting of Council or Committee of Council is illegal or invalid by failure to give notice or by meeting elsewhere than provided in this Policy or the notice of meeting.
- 3.9. Within thirty (30) days following the first meeting of Council after an election or by-election each Councillor will provide the Clerk the following:
- a) a telephone number with answering machine/voicemail which the Councillor has and will maintain and will check at least once per day;
 - b) the unique email address provided by the Municipality, where all municipal notices and correspondence will be forwarded and which the Councillor will check at least once per day;
 - c) any other email address, fax number, or messaging service which the Councillor has and will maintain and will check at least once per day.

4. Communications

- 4.1. The Mayor is the official spokesperson of Council and the CAO is the official spokesperson of staff.
- 4.2. Council communication to the public is:
- a) through the Mayor, as the official spokesperson for the Municipality regarding decisions approved by Council unless another Councillor is designated;
 - b) through Councillors as chief spokespersons for explaining policies, priorities and decisions; and
 - c) through Committee Chairs as chief spokesperson for matters dealt with under the authority of their committee, unless another Councillor is designated;

MEETING AND COMMITTEE PROCEDURAL POLICY

- d) media interview requests will be referred to the Mayor or the CAO to determine who is the most appropriate spokesperson for the interview.
- 4.3. Council communication to staff is:
 - a) through a resolution of Council or Committee of Council for advice, information or recommendations on matters which require thoughtful research and review. Staff will normally provide their response through a written information ~~and-or~~ recommendation reports like that in Appendix A;
 - b) through resolutions from Council to the CAO.
- 4.4. Committees will communicate to Council:
 - a) through a written information ~~and-or~~ recommendation reports by Chairs to Committee of the Whole like that found in Appendix A.
 - b) where all Councillors are members; may communicate using excerpts sheets of the motions being recommended to go straight to Council with the previous committee report (referred to in the excerpt), attached as a supporting document.
- 4.5. All Councillors are expected to provide a monthly report to Council stating the Municipal business they were involved in over the previous month, using the report form in. ~~A template for such reports may be found in~~ Appendix A.
- 4.6. The ~~CAO or Clerk~~CAO or designate may, on behalf of Council or Committee of Council, receive correspondence from the public and deliver a copy of the correspondence to all Councillors within a reasonable time provided:
 - a) the correspondence is directed to a Councillor or Committee of Council member;
 - b) is in writing and received by mail or email;
 - c) is legible;
 - d) is not libelous, irrelevant, offensive or improper; and
 - e) is signed by the writer's name.
- 5. Meeting Attendance and Quorum
 - 5.1. Councillors are expected to attend all meetings of Council and Committees of Council to which they are appointed.
 - 5.2. Subject to changes of the Act Section 17 (4), Councillors who without leave of Council are absent from three (3) consecutive regular meetings of Council ceases to be qualified to serve as a Councillor.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 5.3. Councillors who without leave of a Committee of Council and are absent from three (3) consecutive regular meetings of a Committee of Council to which they are appointed, may be removed from the Committee. This also applies to resident members appointed to a Committee of Council.
- 5.4. Council or a Committee of Council will not refuse the leave of a Councillor if such leave is due to employment issues, illness, other Municipal business, or an unforeseen event needing immediate attention.
- 5.5. Sections 5.1, 5.2 and 5.3 do not apply to Councillors on a parental accommodation leave of absence in accordance with Section 17 (4A) of the Act.
- 5.6. Quorum for meetings of Council and Committee of the Whole will be the majority of elected Councillors, or seven (7) Councillors.
- 5.7. Quorum of other Committees of Council will be the majority of the voting members unless otherwise stated in a policy or by-law of Council or administrative terms of reference.
- 5.8. Councillors or resident members of Committees of Council may participate in meetings by electronic means such as teleconference or video conference and will be considered present for purposes of quorum and voting, provided:
- a) the Councillor or resident members physically present at the meeting location are at minimum one less than quorum;
 - b) a maximum of two Councillors, resident members or combination may use electronic means during a meeting at one time;
 - c) the Chair will be physically present at the meeting location;
 - d) the Councillor or resident member notifies the Chair and appropriate staff at least 24-hours in advance of their intent to use electronic means, to ensure provision of the electronic means at the meeting location;
 - e) it is the responsibility of the Councillor or resident member to ensure provision of electronic means at their location;
 - f) if used during a closed meeting, the member will ensure confidentiality is maintained at all times;
 - g) no Councillor or resident member will participate by electronic means in more than four (4) meetings of any kind per year;

MEETING AND COMMITTEE PROCEDURAL POLICY

- h) the Councillor or resident member does not interfere and/or disrupt the meeting, and if such occurs the Chair has the right to end the electronic participation;
- i) the Chair will ensure those participating by electronic means have an opportunity to verbally declare any conflicts of interest;
- j) the Councillor or resident member will notify the Chair of their intended departure (either temporary or permanent) from the meeting before leaving the meeting;
- k) the Councillor or resident member will be marked as absent if electronic connection is not made or if it is lost and is unable to be reconnected.

5.9. All Councillors or resident members of Committees of Council may participate by electronic means as described in 5.8 during a local and/or world-wide crisis. This would not count towards the four (4) electronic meetings per year as identified in 5.8(g).

5.10. If a quorum is not present fifteen (15) minutes following the scheduled start time of a meeting and it is not reasonable that quorum will be present within a reasonable time, the meeting will be deemed cancelled and a record of the cancellation along with the names of the members present will be recorded in the minutes.

5.11. Where there is a permanent vacancy on Council or a Committee of Council, Councillors may make a decision if a quorum is present at the meeting.

5.12. If the number of Council members is reduced to below the number required for a quorum due to vacancies in Council, Council may not pass a by-law or policy, borrow money, set a tax rate, acquire or sell property, for make any other decision that has an effect after or for a term extending beyond the date of the election to fill a vacancy on Council

6. Election Process for Deputy Mayor, Chair or Vice-Chair

- 6.1. At the first meeting of Council after an ordinary election, all Councillors will be sworn in and the Deputy Mayor will be elected as follows:
- a) the Mayor will call the meeting to order and call for nominations for the position of Deputy Mayor three times;
 - b) Councillors may nominate a fellow Councillor for the position of Deputy Mayor, but may not nominate themselves; nominations do not have to be seconded;

MEETING AND COMMITTEE PROCEDURAL POLICY

- c) after the third and final call for nominations, the Mayor will declare nominations closed;
 - d) the Mayor will ask each nominee if they accept the nomination for Deputy Mayor;
 - e) if only one Councillor was nominated and accepted the nomination, that Councillor is declared the Deputy Mayor;
 - f) if there is more than one nominee, the Mayor will provide each of the nominees an opportunity to speak and Councillors will elect the Deputy Mayor by secret ballot;
 - g) two volunteers are asked to be scrutineers, one of which must be a staff member. Ballots are distributed to Councillors, votes will be cast, then the scrutineers will collect and count the ballots;
 - h) the scrutineers announce the overall result of the election (not the number of votes for each Councillor). The Deputy Mayor is determined by majority of the number of Councillors present;
 - i) if there is not a winner by majority and there are three (3) or more nominees, another vote will occur by dropping the nominee with the lowest votes and voting again until only two (2) nominees remain. If there is not a winner by majority and there are only two (2) nominees, the Deputy Mayor will be determined by a draw by the Clerk or designated staff member.
 - j) once the Deputy Mayor has been declared elected, a motion will be made to destroy the ballots.
- 6.2. The term of office for the Deputy Mayor will be two (2) years; the very first term being April 1, 2020 - October 31, 2022 and the nomination process be held again for a term of November 2022 – October 2024, at which time it will re-align with municipal elections in Nova Scotia
- 6.3. The election of a Chair for a Committee of Council will be completed in a similar manner to the election of the Deputy Mayor except that a staff member will perform the duties of the Chair until the Chair of the Committee of Council is elected. Nominees for Chair will be given an opportunity to speak to the members of the Committee of Council before the vote is held.
- 6.4. Once a Chair of a Committee of Council is ~~elected~~elected, they may perform the election in the same manner for a Vice-Chair.
- 6.5. The term of office for a Chair or Vice Chair will be two years unless otherwise stated in a policy of Council or administrative terms of reference.

MEETING AND COMMITTEE PROCEDURAL POLICY

7. Meeting Agendas and Packages

- 7.1. At Council meetings, unless a majority consents to a different order for that meeting, business will be conducted in the following order:
- a) Call to Order
 - b) Roll Call
 - c) Approval of Agenda, including additions or deletions
 - ~~e)d)~~ Declaration(s) of Conflict of Interest
 - ~~d)e)~~ Announcements
 - ~~e) Approval of Agenda, including additions or deletions~~
 - f) Approval of previous meeting's minutes
 - ~~g) Public Hearings~~
 - ~~g)~~
 - ~~h) Unfinished Business/Postponed Motions~~
 - ~~h)~~
 - ~~i) Public Hearings~~
 - ~~j) Unfinished Business/Postponed Motions~~
 - ~~k)i)~~ Mayor's Report
 - ~~l)j)~~ Committees of Council Recommendations
 - ~~m)k)~~ Councillor Municipal Business Reports
 - ~~n) Reconsiderations or Rescission of Resolutions of which notice has been given a previous day~~
 - l) Correspondence
 - ~~o)m)~~ New Business
 - ~~p) Correspondence~~
 - ~~q)n)~~ In-Camera
 - ~~r)o)~~ Next Meeting Date / Adjournment
- 7.2. At Committee of the Whole, unless a majority consents to a different order for that meeting, business will be conducted in the following order:
- a) Call to Order
 - b) Roll Call
 - ~~e) Declaration(s) of Conflict of Interest~~
 - ~~d)c)~~ Announcements
 - e)d) Approval of Agenda, including additions and deletions
 - e) Declaration(s) of Conflict of Interest
 - f) Approval of the Minutes
 - g) Presentations
 - h) Unfinished Business/Postponed Motions
 - ~~i) Reports of the CAO~~
 - ~~j)i) Reports Other Committees~~
 - j) Correspondence

MEETING AND COMMITTEE PROCEDURAL POLICY

- k) New Business
- ~~l) Correspondence~~
- ~~m) Public Participation Period~~
- ~~n) In-Camera~~
- ~~o) Next Meeting Date / Adjournment~~

- 7.3. Agendas of other Committees of Council and Public Hearings will be determined as needed or detailed in the Committee's Administrative terms of reference.
- 7.4. All ~~items to be~~ topics and supporting material for an a placed on the agenda will be submitted to the staff member preparing the agenda by 12:00 noon ~~five ten~~ (510) business days before a regular scheduled meeting. Councillors will be required to submit a "Agenda Request Form~~Report Form~~" (Appendix AM) to be included in the agenda package.
- 7.5. All agendas will be approved by the Mayor or Chair of the Committee of Council and the CAO or designate.
- 7.6. All ~~items on the agenda~~ agenda items should have an associated report, excerpt sheet, and/or other material outlining the purpose and background of the agenda item put together in one PDF document. ~~All associated items will be submitted to the staff member preparing the agenda four (4) business days before a regular scheduled meeting. Councillors are required to submit a "Agenda Request Form" as noted in 7.4.~~
- 7.7. Meeting packages will be provided to Councillors and resident members of Committees of Council by 12:00 noon at least three (3) business days before the meeting by internal communication systems or email.
- 7.8. Meeting packages will be provided to the public by 4:00 pm two (2) business days before a meeting by posting the meeting package to the Municipal website.
- 7.9. Meeting packages for a special meeting of Council or a Committee of Council will be provided to Councillors, resident members and the public in accordance with Sections 7.7 and 7.8 should time permit, or by 12:00 noon one (1) business day before the special meeting.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 7.10. If an agenda item's associated material is not distributed in the meeting package it will be ~~added distributed by electronically or by hard copy during or after the meeting. and received at the meeting.~~
- 7.11. Late additions to the agenda will be accepted for consideration until 12:00 noon two (2) business days before the meeting. No late additions will be accepted for special meetings.
- 7.12. Agenda items may also be added at the meeting if it is time sensitive or concerning a matter where life, property or the environment is at immediate risk and cannot be dealt with at a later meeting. All meeting package material for these items will be distributed ~~by electronically or in by~~ hard copy ~~at during or after the meeting., received by motion at the meeting and added to the electronic meeting package after the meeting.~~
- 7.13. For instances when a requested agenda item may be outside the jurisdiction of the Municipality, require more research, or should be dealt with in a different forum or meeting, the Mayor or Chair will have the authority to delete, defer, or refer the agenda item. The Mayor or Chair will advise the person requesting the agenda item of the action taken.
- 7.14. All material in a meeting package which is posted ~~on the Municipal website to the public~~ will be deemed received at the time of agenda approval during the meeting. All material ~~not publicly posted that is or added agenda items received read or visually presented during the meeting will be deemed received and amended to the posted meeting package posted on the Municipal website after the meeting package was posted to the public will required a motion from Council or the Committee of Council to add the agenda item and receive the material.~~
- 7.15. Once an agenda item has been dealt with it should not be put on the agenda again for at least six (6) months unless there is a follow up report on actions taken, or a proper motion is made to reconsider, rescind or amend something previously adopted.

8. Council and Committee Chair Duties

- 8.1. The Chair of Council and Committee of the Whole will be the Mayor except:
- a) in the absence of the Mayor, the Deputy Mayor will be the Chair
 - b) in the temporary absence of both the Mayor and Deputy Mayor, a Chair will be appointed from the Councillors present at the meeting.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 8.2. The Chair of a Committee of Council will be the Councillor or resident member elected and, in their absence, the Vice-Chair elected.
- 8.3. It will be the duty of the Chair to:
- a) open the meeting by taking the chair and calling the members to order and announcing the business before Council or the Committee of Council;
 - b) ask members to declare any Conflicts of Interest;
 - c) receive and put to a vote all motions presented and announce the results;
 - d) decline to put to a vote a motion which infringes upon rules of procedure established by this Policy;
 - e) restrain Councillors when engaged in debate, within the rules of conduct established by this Policy or Robert's Rules of Order;
 - f) protect the rights of those attending the meeting and enforce the rules of order; preserve order, and decide on point of order;
 - g) call by name any Councillor or resident member persisting in a breach of this Policy, and thereby ordering them to vacate the meeting room;
 - h) permit the CAO to speak on any point upon request;
 - i) permit staff and invited guests to speak when appropriate on the agenda and at the request of Councillors and/or CAO;
 - j) permit proper questions to be asked through the Chair of any Councillor, CAO, staff member, or invited guest in attendance relevant to the issue under discussion in order to provide information to assist debate;
 - k) declare a meeting dissolved if no quorum has been achieved;
 - l) adjourn to another place and/or time without ending the meeting with the consent of Council;
 - m) adjourn the meeting when the business is concluded and a motion to adjourn has been approved by the majority vote; or
 - i. adjourn the meeting when an adjournment time has been set and approved by majority vote or consensus, when the time has been reached except when it is extended by unanimous consent; or
 - ii. adjourn the meeting at the Chair's sole discretion due to inclement weather conditions to a time and date set by the Chair.

9. Minutes and Recordings

MEETING AND COMMITTEE PROCEDURAL POLICY

-
- 9.1. Written minutes of Council and all Committee of Council meetings, including in-camera meetings, will be kept providing a permanent and historical record of the Municipality's business. When required, these minutes may be recognized in court as evidence of decisions made and actions taken.
- 9.2. Written minutes kept will:
- a) record the names of the members or participants and the time when any member joins or leaves a meeting which is in progress;
 - b) contain all motions and decisions by consensus and will record the outcome of each vote;
 - c) record the names of all Councillors or resident members who voted "Nay" to a motion put to a vote;
 - d) summarize key points of a discussion and mention reports, petitions, correspondence, presentations and other papers submitted only by their respective title, or a brief description of the content;
 - e) be clear, accurate, concise, and formatted to be readable;
 - f) be written in past-tense;
 - g) flow logically in accordance with the agenda, even if the meeting itself had been fragmented and confusing.
- 9.3. To assist with accurate composition of draft minutes, public meetings of Council or Committees of Council will be recorded using audio recording equipment. Once minutes are approved, the audio recording will be kept for at least seven (7) years after which it may be destroyed in accordance with the Records Management Policy of the Municipality.
- 9.4. Draft minutes of Council and Committee of the Whole will be reviewed by the Clerk and CAO.
- 9.5. Draft minutes of other Committees of Council will be reviewed in accordance with the Committee of Council's Administrative Terms of Reference.
- 9.6. Minutes of all meetings will be posted in draft electronic form on the Municipality's website for the public and to the internal communication system for Councillors and staff for information.
- 9.7. The minutes of the last preceding regular meeting and subsequent special meetings will be reviewed at the next meeting of Council or Committee of Council and after all necessary corrections and amendments have been noted, be approved and signed by the Mayor or Chair.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 9.8. To correct the minutes at the time of approval, the word or words will be crossed out and the corrections written in and initialed before being signed by the Chair. The digital form of the minutes posted to the Municipality's website and internal communication system will be changed accordingly in red font and a footnote of the changes will be added to the electronic minutes stating "Amended".
- 9.9. The press will be allowed to only use audio recording equipment during public meetings.
- 9.10. A request for copies of the audio recordings of public meetings may be submitted in writing or electronic mail to the Clerk of the Municipality and will be provided, if available, for a prescribed fee.
- 9.11. Council and Committees of Council may choose to live-stream video on the internet of any or all meetings, with no obligation to live-stream video of a meeting. There will be no audience participation using the live-streamed video, but residents may leave messages; however, staff will be unable to address said messages. ~~All live-streamed videos will be available on the Municipality's website for two (2) years.~~
- 9.12. Except for Section 9.3, 9.9 and 9.11 of this Policy, audio and video recordings and the taking of photos by any device will not be allowed during meetings except by permission of the Chair.

10. Meeting Decorum and Rules of Debate

- 10.1. Robert's Rules of Order will govern the proceedings of Council and Committees of Council in all cases not provided for in this Policy or an Administrative Terms of Reference.
- 10.2. Members of the public present in the meeting room will maintain order and quiet and will not address the Council or Committee of Council except with permission of the Chair.
- 10.3. All cellular phones and electronic devices which emits a sound will be set to silent or turned off during a meeting, with the exception of equipment required for specific use related to the matter (i.e. issued tablets that would contain the agenda and related documents).

MEETING AND COMMITTEE PROCEDURAL POLICY

-
- 10.4. No one may bring any sign, poster, placard, banner or other like device into a meeting place without the prior permission of the Chair, subject to an objection by a majority of the members of Council or Committee of Council present.
- 10.5. All Councillors, resident members, or other persons presenting to Council or a Committee of Council will not:
- a) speak disrespectfully of any person;
 - b) use offensive language
 - c) speak on any subject other than the subject for which they received approval to speak;
 - d) disobey any decision of the Chair;
 - e) enter a cross debate with another member; or
 - f) willfully distract the member speaking, unless it is regarding a point of order or to raise a question of privilege.
- 10.6. A Council or a Committee of Council member or other persons may speak to a subject or motion at a meeting only if that member first addresses the Chair.
- 10.7. The Chair may ask questions and speak on a matter in the same manner as all Council or Committee of Council members without leaving the seat of the Chair.
- 10.8. Every Council or Committee of Council member or other person, prior to speaking on any question or motion, will signal their desire to speak by raising their hand or other acceptable manner and wait to be recognized by the Chair. When two or more members signal to speak, the Chair will designate who has the floor based on the opinion of the Chair as to who signaled first.
- 10.9. No Council or Committee of Council member or other person will speak more than twice (and the second time only to raise new information), for a maximum of five (5) minutes each time, without permission of Council on any motion except to explain misconception of his remarks. When a member wishes to explain a misconception, the member will signal to the Chair and ask permission of the Chair, without further comment, and if permitted by the Chair, will explain only an actual misunderstanding of language.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 10.10. A Council or Committee of Council member may request the motion under consideration be read at any time during debate but may not interrupt while another member is speaking.
- 10.11. The mover of a motion will have the right to reply and sum up in closing the debate.
- 10.12. The Chair, after having called attention of Council or Committee of Council to the conduct of a member who persists in irrelevant or repetition of an argument during debate, may direct a member to discontinue speaking.
- 10.13. A Council or Committee of Council member, member of the public or other person willfully disregarding the meeting decorum or rules of debate or obstructing the business of the Council or Committee of Council meeting, may be ordered by majority vote of the members present, to leave the meeting, which for clarity means leaving the property of the meeting location.
- 10.14. Formal presentations will be made at any meeting of Council or Committee of Council meeting, with no individual presentation exceeding ~~ten~~ fifteen (~~10~~15) minutes ~~including plus~~ a period for questions. For purposes of efficiency and time management it will be the goal when setting an agenda to limit a maximum of three (3) formal presentations at any one meeting.
- 10.15. When a report, by-law, petition or other document is read or received, including those deemed received upon approval of the agenda, the Clerk or appropriate staff member will endorse upon it:
- a) a note of the reading;
 - b) the date;
 - c) the way it was dealt with.
- 10.16. A meeting of Council or a Committee of Council will adjourn at 10:00 pm unless otherwise determined by a majority vote of the members present. If the meeting agenda is not completed as of 10:00 pm, the members may vote to adjourn to another date and time to complete the meeting.

11. Conflict of Interest

- 11.1. In accordance with the Municipal Conflict of Interest Act each Councillor and resident member must self-identify and disclose any pecuniary interest in any item before Council, Committee of Council or external committee or board.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 11.2. Where a Councillor or resident member, either on their own behalf or while acting for, by or with and/or through, another person has any pecuniary interest, direct or indirect on a subject they will:
- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - b) leave their seat and sit in the gallery or exit the meeting room for the duration of the discussions pertaining to the matter;
 - c) not take part in the discussion of or vote on any question with respect to the matter;
 - d) not in any way before, during and/or after the meeting influence the voting on any question pertaining to the matter.
- 11.3. If the meeting is a closed meeting, in addition to complying with the requirements in Section 11.2, the Councillor or resident member will leave the meeting place for the part of the meeting during which the matter is under consideration.
- 11.4. Where the interest of a member has not been disclosed by reason of their absence from the particular meeting, the member will disclose the interest and otherwise comply at the next meeting they attend of Council, Committee of Council or external committee or board where the matter was discussed.
- 11.5. The Clerk or responsible staff member will record the name of the member, the meeting, the time they left their seat and returned, and the nature of the conflict of interest in the minutes of the meeting and a central registry of disclosure.

12. Motions and Voting

- 12.1. The types of motions which may be made at a Council or Committee of Council meeting are:
- a) Main motions – reflects the proposed decision or action to be taken regarding a subject;
 - b) Subsidiary motions – facilitates or modifies the main motion;
 - c) Incidental motions – relates to a question of procedure regarding a main motion;
 - d) Privileged Motions – a motion which does not relate to the main motion but takes immediate priority.
- 12.2. The following are common but not all Subsidiary motions:

MEETING AND COMMITTEE PROCEDURAL POLICY

- a) Postpone indefinitely – if approved this motion stops the main motion without a vote;
- b) Amend – changes something within the main motion;
- c) Postpone definitely – sets the main motion aside until a specified time;
- d) Refer – sends the main motion to a specific committee or staff for further investigation and report back;
- e) Limit or extend debate – shortens or lengthens the time for debate;
- f) Previous Question – closes debate and brings the main motion to a vote;
- g) Lay on the Table – puts the main motion aside temporarily for more urgent business and is taken up after the urgent business is dealt with.

12.3. The following are common but not all incidental motions:

- a) Point of Order – asked the Chair to enforce the rules; more details in Section 13;
- b) Appeal – takes the decision of the Chair away and gives it to members of Council or Committee of Council;
- c) Suspend the rules – allow Council or Committee of Council to do something it normally cannot do without breaking the rules;
- d) Objection to consideration of the question – avoids the main motion if Council or Committee of Council thinks the motion should never have been made or is outside its mandate;
- e) Division of a question – separate parts of a main motion into separate motions that can stand on their own for consideration.

12.4. The following are common but not all privilege motions:

- a) Raising a question of privilege – is an emergency motion which deals with the rights and privileges of members;
- b) Recess – provides a short break in the meeting;
- c) Fix the time to adjourn – sets a time to adjourn the meeting;
- d) Adjourn – closes the meeting.

12.5. All business before Council or Committee of Council for consideration will be made in the form of main motions which proposes specific action be taken.

12.6. All main motions will be provided to the Chair or Clerk in writing before being debated.

12.7. A motion must be seconded, and when requested read by the Chair or Clerk, before it is debated; except a motion raising a question of privilege or point of order.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 12.8. Council or a Committee of Council may have informal discussions on a subject prior to making a main motion for consideration.
- 12.9. A motion may at any time after it is seconded and before the Council or Committee of Council has voted on it, be withdrawn or modified by the mover with consent of Council or Committee of Council.
- 12.10. When any main motion is being considered, the only motions in order will be:
- a) to amend;
 - b) to refer;
 - c) to postpone either definitely or indefinitely; or
 - d) to limit or extend debate;
 - e) the previous question.
- 12.11. Amendments will be put in the reverse order of which they are made. Only one amendment will be allowed at a time and one sub-amendment will be allowed to an amendment. Every amendment submitted will be decided on or withdrawn before the main question is put to a vote.
- 12.12. A motion to adjourn will always be in order except in the following cases:
- a) when a Council or Committee of Council member is in possession of the floor;
 - b) when the “yeas” and “nays” are being called;
 - c) while the Council or Committee of Council members are voting; or
 - d) when the motion to adjourn was the last preceding motion.
- 12.13. The following motions will be decided without debate:
- a) a motion to reconsider;
 - b) all motions as to priority of business or as the suspension of the order of the day;
 - c) applications to speak more than the prescribed number of times;
 - d) a motion to allow any person other than a Council member to address the Council;
 - e) a motion to postpone definitely;
 - f) a motion to lay on the table when claiming a privilege over another person; and
 - g) a motion to adjourn.
- 12.14. Before putting the motion to a vote, the Chair will ask “Are you ready for the question” and if no member offers to speak on the motion or they make a

MEETING AND COMMITTEE PROCEDURAL POLICY

motion for the Previous Question, the Chair will put the question, after which no member will be permitted to speak upon it.

- 12.15. The usual form of voting on any motion will be by the Chair calling for “yeas” and “nays”, and members indicating their choice by show of hands or, if provided, by electronic means; but any Council or Committee of Council member, before or after the vote can call for, a recorded vote with each members vote entered into the minutes.
- 12.16. No motion committing the Municipality to the expenditure of funds will be accepted by the Chair for the consideration of Council, unless there is unanimous consent of Council members present, except for matters arising from correspondence, Committee of Council or other reports, agenda items, notices of motions or other material circulated to Council members on or before the day before the meeting, and except for matters arising from a closed meeting.
- 12.17. A majority vote of those present will determine all questions arising in Council and a Committee of Council, except motions to approve a planning document and those requiring a two-thirds (2/3) vote.
- 12.18. The adoption of planning documents or amendment thereof by Council at Second Reading requires a majority vote of number of Council members elected, regardless of number present to achieve quorum. And only those members present during a public hearing are permitted to vote on the matter at which a public hearing was held.
- 12.19. The following motions require a two-thirds vote:
 - a) to suspend the rules;
 - b) to limit or extend debate;
 - c) to amend or rescind something previously adopted;
 - d) to object to the consideration of the question; or
 - e) to close nominations.
- 12.20. Subject to the *Municipal Conflict of Interest Act*, all Council or Committee of Council members present including the Chair will vote on a motion and may not abstain.
- 12.21. A member of Council or Committee of Council who fails or refuses to vote on a motion is deemed to have voted in the positive.

MEETING AND COMMITTEE PROCEDURAL POLICY

-
- 12.22. In the event of a tie in a vote on a motion, the motion is determined in the negative.
- 12.23. Any notice of motion given by a Council or Committee of Council member for a subsequent meeting may, in the absence of the member giving such notice, be taken up by another member.
- 12.24. The following motions may bring a motion for consideration again:
- a) Take from the table – takes up the motion previously laid on the table;
 - b) Rescind – takes back a motion or policy; for a by-law this is called a repeal, a notice to rescind must be given at a previous meeting;
 - c) Amend something previously adopted – modifies a motion previously presented and adopted;
 - d) Discharge a committee – takes a matter sent to a committee back before a report has been presented;
 - e) Reconsider – allows reconsideration due to new information or situation so the true will of the members is acted on.
- 12.25. No motion can be reconsidered if the actions cannot be undone.
- 12.26. After any main motion has been decided, any Council or Committee of Council member who voted on the winning side may, after the decision has been announced from the Chair, but before adjournment of the meeting may give notice of an intention to move reconsideration at the next meeting. The giving of such a notice operates as a stay or suspension of the decision.
- 12.27. In the event that Council or a Committee of Council member fails to give notice of reconsideration at the same meeting, the member will give notice in writing to the Clerk least 14 days prior to the next meeting but not thereafter, of Notice of Motion to reconsider the motion of a previous meeting, stating the reasons therefore, and if the motion for reconsideration is seconded, the same will be put to a vote after debate (unless it is an undebatable motion) and if carried, the question for reconsideration will then be read and disposed of.
- 12.28. No discussion of the main question will be allowed during the motion for reconsideration.
- 12.29. The following matters are not eligible for reconsideration:
- a) a motion approving the first or second reading of a by-law enactment, amendment or repeal;

MEETING AND COMMITTEE PROCEDURAL POLICY

- b) a motion to decide on a matter which was the subject of a statutory hearing by Council;
 - c) a motion which is or was considered by the Committee of the Whole or the Planning Advisory Committee in substantially the same form in which it is being or will be considered by Council, irrespective of whether Council has adopted or rejected or may adopt or reject, the recommendation;
 - d) a matter which has already been reconsidered once;
 - e) a vote to reconsider; and
 - f) a motion to reconsider or rescind a motion approving the annual budget of the Municipality or a motion authorizing any legal proceedings.
- 12.30. Any rule concerning motions and voting may be suspended for a specific matter with a motion, passed by two-thirds (2/3) vote of Council or Committee of Council members present, stating the specific rule to suspend and the matter for which it is suspended.
- 12.31. A summary of the rules for common motions can be found in Appendix B.

13. Points of Order (also refer to Code of Conduct Policy)

- 13.1. A point of order asks the Chair to rule on or enforce the rules if a Council or Committee of Council member thinks the rules of this Policy have been broken.
- 13.2. A point of order does not need to be seconded but must specify which rule is being broken and must be decided upon before the subject under consideration is proceeded with.
- 13.3. When a Council or Committee of Council member is called to order, the member will be seated and remain silent until the point is determined or until called upon by the Chair to be heard on the point of order.
- 13.4. A point of order is not debatable amongst other Council or Committee of Council members, unless the Chair invites discussion to assist in making a ruling. Where the Chair permits discussion on a point of order, no member will speak more than once.
- 13.5. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the meeting room pursuant to Sections 13.6 and 13.8, are not debatable but are appealable to Council or Committee

MEETING AND COMMITTEE PROCEDURAL POLICY

of Council by any member. When an appeal is made of the decision of the Chair, the Chair will simply put the question, "Will the decision of the Chair be sustained?"

- 13.6. If a Council or Committee of Council member resists:
- a) the rules contained in this Policy;
 - b) willfully obstructs the business of Council or the Committee of Council;
 - c) disobeys the decision of the Chair, or of Council or Committee of Council on appeal, on any question of order or practice or upon the interpretation of the rules after being called to order by the Chair; or otherwise disrupts the meeting proceedings;
- the member may be ordered by the Chair to leave their seat.
- 13.7. If the Council or Committee of Council member refuses to leave the Council members seat, the Chair may, after majority vote is made to support the expulsion, order the member to be expelled and removed from the meeting room.
- 13.8. Such Council or Committee of Council member may, by vote of the members, later in the meeting or at a subsequent meeting be permitted to re-enter the meeting room and to resume participation in Council or Committee of Council business with or without conditions.
- 13.9. Persons who are not Council or Committee of Council members, staff, or invited guests of the Municipality will observe silence and order in the meeting room, unless given permission to speak. Any such persons disturbing the proceedings of Council or Committee of Council will be called to order by the Chair and, if they fail to comply, will be expelled and excluded from the meeting room by the Chair, provided that a majority vote will be required to sustain the expulsion.
- 13.10. Such members of the public, by vote of the members, later in the meeting or at a subsequent meeting, may be permitted to re-enter the Council Chambers with or without conditions.
- 13.11. An order of the Chair to expel a person from the meeting room pursuant to Sections 13.6 and 13.8 of this Policy constitutes a direction from the Municipality to leave the premises for the purpose of the Protection of Property Act and other applicable laws.

MEETING AND COMMITTEE PROCEDURAL POLICY

14. In-Camera Meetings

- 14.1. Notwithstanding Section 3.1, Council or a Committee of Council may meet in-camera as per Section 22(2) of the Act, for the following reasons:
- a) acquisitions, sale, lease and security of municipal property;
 - b) setting minimum price to be accepted by the municipality at a tax sale;
 - c) personnel matters;
 - d) labour relations;
 - e) contract negotiations;
 - f) litigation or potential litigation;
 - g) legal advice eligible for solicitor-client privilege;
 - h) public security.
- 14.2. No decision will be made while in-camera except decisions on matters of procedure or to give direction to the CAO or Solicitor. All other decisions will be made during a public meeting.
- 14.3. The meeting decorum and rules of debate of Section 10 apply during an in-camera meeting.
- 14.4. A record which is open to the public will be made, noting the fact that Council or Committee of Council had met in-camera, the type of matter as set out in Section 22(2) of the Act, and the date, but no other information.
- 14.5. Discussions held by those in attendance of an in-camera meeting are confidential unless required for Municipal, legal purposes pursuant to other regulatory requirements or released by motion of Council or the Committee of Council.
- 14.6. An agenda and documentation for the in-camera meeting will be provided to Council or Committee of Council members only, in a manner similar to Section 7 of this Policy or may be handed out during the in-camera meeting. Such material will be deleted from the internal communication system or collected after the meeting.
- 14.7. Minutes of the in-camera meeting will be taken by the Clerk, or other responsible staff member, and approved at the next in-camera meeting of Council or Committee of Council. Such minutes and meeting packages will be securely kept and will not be subject to mandatory public disclosure unless required for Municipal, legal purposes pursuant to other regulatory requirements, or released by motion of Council or the Committee of Council.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 14.8. The Mayor, Deputy Mayor, Chair, Solicitor, CAO or designate, or Clerk will have authority to brief one another or any member of Council or Committee of Council who is absent from the closed session.

15. Setting Direction

- 15.1. To practice good governance and ensure that decisions are made in the best interest of the Municipality, businesses and residents; decisions should be assessed through the lenses of property, environment, economics, social and public opinion before recommending an action or making a decision. Appendix C has further details on the decision-making lenses.
- 15.2. Council may set direction and make decisions through resolutions, policies and by-laws. Committees of Council may make motions recommending a direction, policy, or by-law to Council.
- 15.3. The process to approve a resolution at a Council meeting does not require notice or public consultation. A motion becomes a resolution upon approval.
- 15.4. Approval of Policies:
- a) The process for Council to approve a policy requires seven (7) days notice to all Council members but does not require public consultation. Notice may be given in one of the following manners:
 - i. Through a notice of motion regarding the policy at a Council meeting for approval at the next Council meeting, provided there are at least seven (7) days between meetings;
 - ii. Through a recommendation from Committee of the Whole ~~or Planning Advisory Committee~~ to Council, provided there is at least seven (7) days between the meetings;
 - ~~ii.~~ iii. Through a recommendation from Planning Advisory /Heritage Advisory Committee to Council, where such notice will be emailed to Councillors at least seven (7) days before the meeting. -
- 15.5. Approval of By-laws and Planning Documents:
- a) The process for Council to approve a by-law, other than a planning document, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 168 (2) of the Act.

MEETING AND COMMITTEE PROCEDURAL POLICY

- b) The process for Council to approve a planning document or amendment there of, after the requirements of the public participation program for planning documents have been met, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 206 of the Act.
 - c) Council will receive no new information regarding the by-law or planning matter once a public hearing is complete.
 - d) Only the Council members present at the Public Hearing may vote on the Second Reading of the by-law and planning document.
- 15.6. Public Hearings are separate meetings which are held immediately before the Council meeting at which the Second Reading of the by-law or planning document is held. The agenda for the Public Hearing will be similar to the following:
- a) Overview of by-law or planning document to be approved – by staff
 - b) Owner or Developer Presentations (if applicable)
 - c) Written Submissions in Favour or Against
 - d) Questions or Comments from the Public in Favour or Against
 - e) Concluding Remarks
- 15.7. Council may reverse a resolution or policy through a motion to rescind or repeal in the same manner it was created. The process to reverse a by-law is to create a new by-law stating the repeal.
- 15.8. The resolution, policy or by-law to be rescinded or repealed:
- a) will have been approved at a previous Council meeting, and
 - b) will not have been carried out to the extend that it is too late to undo for the future.

16. Receiving Public Input

- 16.1. Council and Committees of Council members may obtain public input and opinions from residents in the following manner:
- a) speaking with a resident directly;
 - b) at public consultation and information meetings;
 - c) during Public Hearings;
 - d) through formal presentation during meetings, requests which have been received by staff may be placed on the meeting agenda and approved by the Chair, prior to the meeting;

MEETING AND COMMITTEE PROCEDURAL POLICY

- e) during the allotted twenty (20) minutes of Public Participation on the Committee of the Whole Agenda. A member of the public may speak for a maximum of five (5) minutes each during this period;
- f) through formal petitions and written applications to Council.

16.2. Petitions and applications to Council will be:

- a) legibly written or printed on paper;
- b) will have endorsed upon it the name, address and signature of one or more petitioners, applicants or required persons, and the substance of the matter contained in it.
- c) be presented by a Council member or staff member who will inform Council of the contents and ask permission of Council for it to be read on behalf of petitioners;
- d) Council may decide to hear a summary of a petition or written application in lieu of hearing the reading of the entire petition or written application.

17. Committees

- 17.1. The Council of the Municipality may establish Committees of Council for various matters.
- 17.2. Committees of Council are advisory in purpose and may only make recommendations to Council for final approval and action; unless otherwise enabled under this Policy or by Provincial Legislation.
- 17.3. In addition to the Committee of the Whole, the following Committees of Council are hereby established and details of the establishment can be found in the respective appendix to this Policy:
 - a) Accessibility Advisory Committee – Appendix D
 - b) Audit Committee – Appendix E
 - c) Davidson Lake Watershed Committee - F
 - d) French Mill Brook Watershed Advisory Committee – Appendix G
 - e) Fences Arbitration Committee – Appendix H
 - f) Hantsport Area Advisory Committee – Appendix I
 - g) Windsor Area Advisory Committee – Appendix I
 - h) Mill Lakes Watershed Advisory Committee – Appendix J
 - i) Planning Advisory ~~Committee~~ Heritage Advisory Committee – Appendix K
 - j) _____ Municipal Climate Change Action Plan Committee – Appendix L

MEETING AND COMMITTEE PROCEDURAL POLICY

~~j)k)~~ Diversity and Inclusion Committee – Appendix M

- 17.4. Council may also form Committees of Council as required under a by-law or agreement approved by Council.
- 17.5. Council may agree to participate in external boards and committees which are established by the Province, legal agreement or is of significant interest to the Municipality.
- 17.6. Council will not be bound by the by-laws or articles of incorporation adopted by an external committee or board providing for the appointment of a member to the committee or board.
- 17.7. Council agrees to participate in the following external boards and committees:
- a) Annapolis Valley Regional Library Board
 - b) Hants County Residence for Senior Citizens Board
 - c) Landfill Liaison Committee
 - d) Region 6 Solid Waste Management Board
 - e) Valley Communication Fibre Network
 - f) Valley Regional Enterprise Network
- 17.8. Councillors are elected to various committees and boards every two (2) years, or as required by other legislation, policies or agreement, at the November Council meeting. For clarification, the first appointment after April 1, 2020 will be in November 2022. The number of Councillors to be elected:
- a) for Committees of Council one (1) or more Councillors may be elected in accordance with the Committee structure set by Council;
 - b) for external boards and committees, one (1) Councillor and one (1) alternate Councillor may be elected.
- 17.9. The election of Councillors to various committees and boards will be conducted in similar manner as the election of Deputy Mayor in Section 6.
- 17.10. Councillors not elected to a Committee of Council or external committee or board will not be permitted to participate in the committee debate or the vote; but are authorized to make comments, presentations, and participate in the committee meeting, to the extent authorized by the Chair.
- 17.11. A Councillor ceases to be a member of a Committee of Council or external committee or board when they cease to be a Councillor or as per poor conduct as per the Code of Conduct Policy.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 17.12. Council may appoint residents to serve on Committees of Council or to represent the Municipality on external board and committees.
- 17.13. All resident appointments will be advertised publicly with a request for those interested to submit a letter of interest and application for a committee. The letter of interest will be reviewed by the CAO or designate and staff who will then submit a recommendation to Council for appointment.
- 17.14. Committees of Council will be governed in accordance with this Policy, unless this Policy states that an alternate arrangement may be provided in the Administrative Terms of Reference of the Committee of Council.
- 17.15. Each member of a Committee of Council is to receive a copy of this Policy and the Committee of Council's Administrative Terms of Reference at the first duly called meeting of the Committee of Council after the regular election or appointment of members.
- 17.16. The Clerk will keep a record of all Councillor and resident appointments to Committees of Council and external committees and boards.
- 17.17. Councillors and resident members who sit on an external committee and board that has not been a result of an appointment by Council, will disclose the name of the external committee or board to the Clerk. The Clerk will keep a public record and will update the information in November of each year.
- 17.18. Council may by majority vote remove any Councillor or resident member of a Committee of Council or external committee or board who was elected or appointed by Council.
- 17.19. Council will fill any vacancy on a Committee of Council or external committee or board as soon as practicable after the vacancy occurs.

18. Conferences and Training

- 18.1. Up to six (6) Council members plus Mayor (and their spouses), and the CAO (or delegate) may attend the Spring conference held by the Nova Scotia Federation of Municipalities (NSFM). And, up to six (6) Council members plus Mayor (and their spouses), and the CAO (or delegate) may attend the Fall conference held by the NSFM; however, will be based on opportunity. The schedule of attendance will be revisited annually to promote fairness.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 18.2. Annually, Council will approve participation in a conference held by the Federation of Canadian Municipalities (FCM), including the number of Council and staff members to participate through the provision of funding during budget deliberations.
- 18.3. Councillors may attend and be reimbursed for other related training opportunities with prior approval of Council.
- 18.4. Remuneration for conferences and training will be in accordance with the Remuneration Policy.
- 18.5. There will be an annual budgeted amount for Committees of Council members to attend conferences relevant to the committee in which they are appointed. This may include up to one resident member per Committee of Council.
- 18.6. The CAO will be responsible for promoting conference and professional development opportunities and for devising a system ensuring overall fairness for the opportunity to attend.

19. Repeal

- 19.1. The following policies of the former Municipality of the District of West Hants are hereby repealed effective April 1, 2020:
 - a) The Council Procedural Policy, COGE-003.00, dated February 14, 2017 as amended to September 10, 2019;
 - b) Audit Committee Policy, COFN-007.00, dated May 8, 2018;
 - c) Policy Establishing Davidson Lake Watershed Advisory Committee, COPW-003.00, dated December 8, 2015 as amended to June 12, 2018;
 - d) Establishment of the Falmouth Watershed Advisory Committee Policy COPW-002.00, dated February 13, 2018 as amended to June 12, 2018;
 - e) Policy to Establish the Fences Arbitration Committee, COGE-008.00, dated June 12, 2018; ~~and~~
 - f) Policy Establishing West Hants Planning Advisory Committee, COPL-006.00, dated December 11, 2018; and -
 - f)g) Policy Establishing the Hantsport Area Advisory Committee, COPL-005.00.
- 19.2. The following policies of the former Town of Windsor are hereby repealed effective April 1, 2020:
 - a) Meeting Attendance via Video/Virtual Policy dated September 26, 2017;

MEETING AND COMMITTEE PROCEDURAL POLICY

- b) Appointment of Deputy Mayor Policy dated November 25, 2014; and
- c) Audit Committee Policy dated November 28, 2017.

20. Related Legislation, Policies, Procedures

20.1. The following is a list of related legislation, policies and procedures:

- a) Municipal Government Act
- b) Municipal Conflict of Interest Act
- c) Freedom of Information and Protection of Privacy Act
- d) Protection of Property Act
- e) Robert's Rules of Order

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX A
~~Samples of~~ Report Forms

WEST HANTS REGIONAL MUNICIPALITY REPORT

<u>Information</u> ☐	<u>Recommendation</u> ☐	<u>Decision Request</u> ☐	<u>Councillor Activity</u> ☐
---	--	--	---

To: _____ (Name of Committee)

Submitted by: _____

(Name and Title)

Date: _____ (Date)

Subject: _____ (Title or Subject of Report)

LEGISLATIVE AUTHORITY

(State where ability for consideration comes from if applicable)

RECOMMENDATION or DECISION REQUEST

(State the recommendation or decision request in the form of a motion, if not applicable because it is an Information Report or Councillor Activity Report, state so)

BACKGROUND

<u>Property</u> ☐	<u>Public Opinion</u> ☐	<u>Environment</u> ☐	<u>Social</u> ☐	<u>Economic</u> ☐	<u>Councillor Activity</u> ☐
--	--	---	--	--	---

(Provide the Who, What, When, Where and Why. If a Councillor Activity Report check "Councillor Activity" and provide your update/info below in the "Discussion" section.)

DISCUSSION

(Provide new information about the subject, Councillor activity, strategic implications, desired outcome.)

NEXT STEPS

(State what will be done next if anything.)

FINANCIAL IMPLICATIONS

MEETING AND COMMITTEE PROCEDURAL POLICY

(Inform of any financial implications it may have on current or future budgets of the Municipality, or to residents, if anything.)

ALTERNATIVES

(State any option to the recommendation and implication of the options, if anything)

ATTACHMENTS

(List any attachment to the report, if anything.)

CHIEF ADMINISTRATIVE OFFICER REVIEW

(For use if report is from a Councillor. CAO to provide additional comments on background, department/staff responsible and workload, budget, options, preferred strategy. State "Not Applicable" if report is from staff which already incorporates CAO review.)

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

1. Councillor Municipal Business Report

Name: _____

Date: _____

Date of Last Council Meeting Attended: _____

Committee Meeting Attendance

Date	Committee	Summary
------	-----------	---------

MEETING AND COMMITTEE PROCEDURAL POLICY

Event or Conference Attendance

Date	Event or Conference	Summary

Committee's Chair or Designate Detailed Committee Meeting Summary

Detail	Summary		
Committee Name		Meeting Date	
Meeting Highlights:			
Budget:			
New Projects:			
Policy Changes:			

2. Information Report

**REGION OF WINDSOR AND WEST HANTS MUNICIPALITY
INFORMATION REPORT**

To: _____ (Name of Committee)

Submitted by: _____
(Name and Title)

Date: _____ (Date)

Subject: _____ (Title or Subject of Report)

MEETING AND COMMITTEE PROCEDURAL POLICY

LEGISLATIVE AUTHORITY

(State where ability for consideration comes from if applicable)

BACKGROUND

(Provide some background information on the subject including why the subject is bringing the matter before Council or a Committee of Council)

DISCUSSION

(Provide new information about the subject or answer the reason for the report)

NEXT STEPS

(State what will be done next if anything)

FINANCIAL IMPLICATIONS

(Inform of any financial implications it may have on current or future budgets of the Municipality, or to residents)

ATTACHMENTS

(List any attachment to the report)

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

3. Recommendation Report

**~~REGION OF WINDSOR AND WEST HANTS MUNICIPALITY~~
RECOMMENDATION REPORT**

To: _____ (Name of Committee)

Submitted by: _____
(Name and Title)

Date: _____ (Date)

MEETING AND COMMITTEE PROCEDURAL POLICY

Subject: _____ (Title or Subject of Report)

LEGISLATIVE AUTHORITY

(State where authority for consideration come from if applicable)

RECOMMENDATION

(State the recommendation in the form of a motion)

BACKGROUND

(Provide some background information on the subject including why the subject is bringing the matter before Council or a Committee of Council)

DISCUSSION

(Provide new information about the subject or answer the reason for the report)

NEXT STEPS

(State what will be done next if anything)

FINANCIAL IMPLICATIONS

(Inform of any financial implications it may have on current or future budgets of the Municipality, or to residents)

ALTERNATIVES

(State any option to the recommendation and implication of the options)

ATTACHMENTS

(List any attachment to the report)

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

MEETING AND COMMITTEE PROCEDURAL POLICY

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX B

Rules of Common Motions

Privilege and Subsidiary motions are listed in the order of their precedence, with the highest ranking at the top. After the Chair states a motion, higher ranking motions are in order but not lower ranking motions, except to Amend and Previous Question can be applied to amendable and debateable motions of higher rank than themselves. Incidental Motions have no ranking order. These are the general rules relating to motions, special rules may apply in accordance with Roberts Rules of Order.

Type Of Motion	Motion in Order of Precedence	Seconded Needed?	Amendable?	Debatable?	Decided by?	Reconsider?	Interrupt?
Incidental Motions	Point of Order	No	No	No (unless Chair Permits)	Chair	No	Yes
	Appeal	Yes	No	Yes	Majority (Nays)	Yes	Yes (at time of ruling)
	Suspend the Rules	Yes	No	No	2/3	No	No
	Objection to the Consideration of the Question	No	No	No	2/3 (Nays)	Yes (Nays Only)	Yes (unless debate has begun)
	Division of the Question	Yes	Yes	No	Majority	No	No
Privilege Motions	Fixing the Time to Adjourn	Yes	Yes	No	Majority	Yes	No
	Adjourn	Yes	No	No	Majority	No	No
	Recess	Yes	Yes	No	Majority	No	No
	Raise a question of Privilege	No	No	No	Chair	No	Yes
Subsidiary Motion	Lay on the Table	Yes	No	No	Majority	No	No
	Previous Question	Yes	No	No	2/3	Yes	No
	Limit or Extend Debate	Yes	Yes	No	2/3	Yes	No
	Postpone to a Definite Time	Yes	Yes	Yes	Majority	Yes	No
	Refer	Yes	Yes	Yes	Majority	Yes	No
	Amend	Yes	Yes	Yes	Majority	Yes	No
	Postpone Indefinitely	Yes	No	Yes	Majority	Yes	No

MEETING AND COMMITTEE PROCEDURAL POLICY

Main	Original Motion	Yes	Yes	Yes	Majority	Yes	No
-------------	-----------------	-----	-----	-----	----------	-----	----

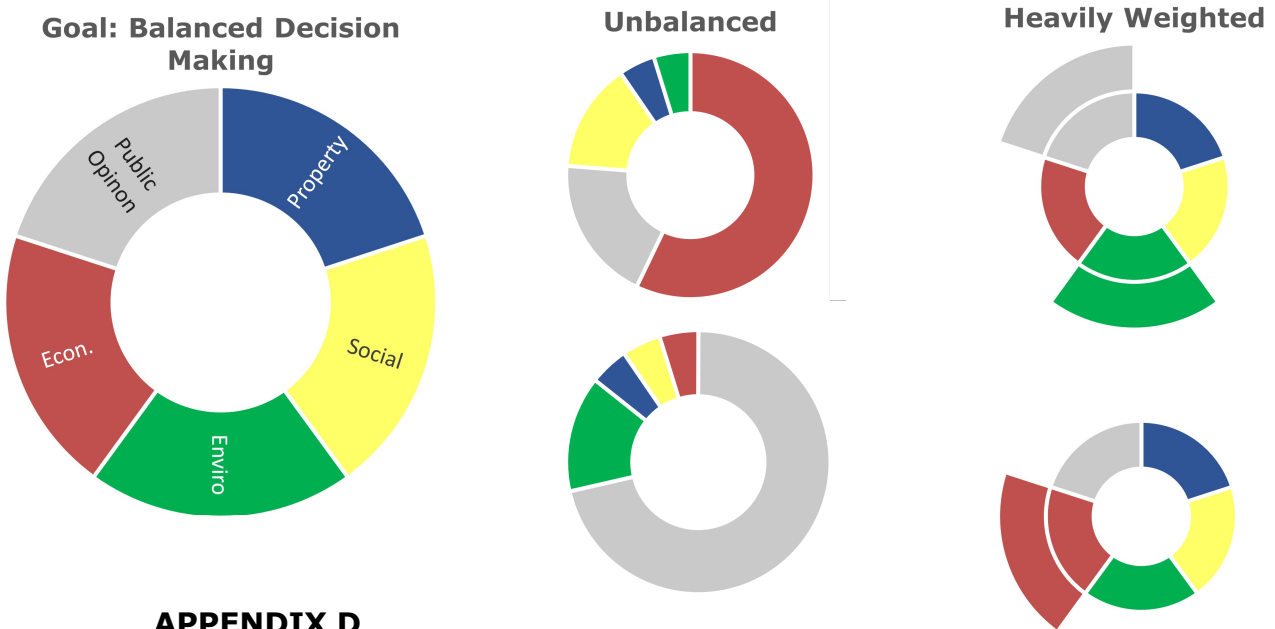
APPENDIX C

Decision Making by Council and Committee of Council

Council and resident members should assess every issue presented through the lenses of property, environment, economics, social, and public opinion before making a decision or recommendation for action. Council and residents have the responsibility to research all lenses in order to make a balanced and respectful decision. Information on an issue can become heavily weighted around a single lens, leaving out other factors that will influence the community as a whole. Council and resident members strive to make recommendations that are balanced and unbiased, without emotion, which reflect all lenses, to protect the best interests of the Municipality and the people it serves.

- **Property:** "something at the disposal of a person, a group of persons, or the community or public". Examples: single use, shared use, noise, beautification, traffic, zoning, regulations
- **Environment:** "the air, water, minerals, organisms, and all other external factors surrounding and affecting a given organism at any time". Examples include regulatory requirements and land use.
- **Economic:** "pertaining to the production, distribution, and use of income, wealth, and commodities". Examples: cost savings or expense with decision, property taxation, spending in community, tourism, assessments, market impacts
- **Social:** "of or relating to human society". Examples: Acceptance, limited available or benefit, values
- **Public Opinion:** "the collective opinion of many people on some issue, problem, etc., especially as a guide to action, decision, or the like". Examples: feedback, communication, media, other municipal units
- **Other:** In some cases, other lenses may be required to fully understand an issue. Examples: chance of success, innovation.

MEETING AND COMMITTEE PROCEDURAL POLICY



APPENDIX D

Accessibility Advisory Committee

1. PURPOSE

- 1.1. The Accessibility Advisory Committee provides advice to Council on identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping the Region of Windsor and West Hants Municipality become a barrier-free community and ensuring obligations under "An Act Respecting Accessibility in Nova Scotia (2017)" are met.

2. SCOPE

- 2.1. This Policy is applicable to all members appointed to the Municipality's Accessibility Advisory Committee.

3. DEFINITIONS

- 3.1. In Appendix D,
- a) "AAC" means the Accessibility Advisory Committee of the Municipality;
 - b) "Act" means the *Accessibility Act*;
 - c) "Barrier" means anything that hinders or challenges the full and effective participation in society of persons with disabilities including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice;
 - d) "Council" means the Council for the Municipality;

MEETING AND COMMITTEE PROCEDURAL POLICY

- e) "Disability" includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability; that, in interaction with a barrier, hinders an individual's full and effective participation in society;
- f) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

4. COMMITTEE COMPOSITION

- 4.1. The AAC will consist of seven (7) members as follows:
 - To a two-year term – One (1) members of Council
 - To a two-year term – four (4) Resident members
 - To a three-year term – two (2) Resident members.
- 4.2. Resident members will not be members of Council or employees of the Municipality.
- 4.3. At least one half of the members of the AAC must be persons with disabilities or representatives from organizations representing persons with disabilities.
- 4.4. If a member vacates AAC for any reason at any time before that member's term would normally expire, Council will promptly appoint a new member to the Committee to hold office for the unexpired term.
- 4.5. The Chair and Vice-Chair will be appointed annually by the members of AAC.

5. MANDATE AND RESPONSIBILITIES

- 5.1. AAC has the following responsibilities:
 - a) Advise Council in the preparation, implementation and effectiveness of its accessibility plan. In accordance with the Act, the plan must include:
 - A report on measures the Municipality has taken and intends to take to identify, remove and prevent barriers;
 - Information on procedures the Municipality has in place to assess the following for their effect on accessibility for persons with disabilities:
 - i. Any of its proposed policies, programs, practices and services, and
 - ii. Any proposed enactments or bylaws it will be administering; and
 - Any other prescribed information.
 - b) Advise Council on the impact of the Municipality's policies, programs and services on persons with disabilities;

MEETING AND COMMITTEE PROCEDURAL POLICY

- c) Review and monitor existing and proposed Municipal by-laws to promote full participation of persons with disabilities, in accordance with the Act;
- d) Identify and advise on the accessibility of existing and proposed municipal services and facilities;
- e) Advise and make recommendations about strategies designed to achieve the objectives of the Municipality's Accessibility Plan;
- f) Receive and review information directed to it by Council and its committees, and to make recommendations as requested;
- g) Monitor Federal and Provincial government directives and regulations; and,
- h) Host community consultations related to accessibility in the Municipality.

6. ADMINISTRATION

- 6.1. AAC will meet no less than six times per year, or otherwise as required to fulfill the duties as outlined.
- 6.2. A quorum for AAC will be a majority, four (4) members.
- 6.3. The AAC may receive presentations from the public upon approval of the Chair.
- 6.4. The AAC may establish Working Groups to explore specific issues related to the accessibility plan and/or to other responsibilities. Members of the Working Group may consist of additional members of the community. A member of the AAC shall chair the Working Group.

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX E

Audit Committee

1. PURPOSE

- 1.1. The primary purpose of the Audit Committee (the "Committee") is to provide advice to Council on all matters relating to audit and finance. The objective of the Committee is to:
- a) fulfil the requirements outlined in Section 44 of the *Municipal Government Act*; and
 - b) assist Council in meeting its oversight responsibilities by ensuring the adequacy and effectiveness of financial report, risk management and internal controls.

2. SCOPE

- 2.1. This Policy is applicable to all serving members Audit Committee.

3. DEFINITIONS

- 3.1. In Appendix E,
- a) "Auditor" means the External Auditor conducting the audit of the Municipality;
 - b) "CAO" means the Chief Administrative Officer for the Municipality;
 - c) "Director of Finance" means the Director of Financial Services for the Municipality;
 - d) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section

MEETING AND COMMITTEE PROCEDURAL POLICY

11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

4. COMMITTEE COMPOSITION

- 4.1. Council will annually appoint members to an Audit Committee.
- 4.2. The Audit Committee will consist of five (5) members: the Mayor, two Council members, and two resident members who are not members of Council or Municipal Staff.
 - a) Resident members should be sufficiently versed in financial matters to understand the Municipality's account practices and policies and the major judgements involved in preparing the financial statements.
 - b) Where an audit committee does not include any resident members, the audit committee will continue to meet and perform its duties and may exercise its powers. The Municipality will advertise to recruit resident members at least once every six months until the requirement is met.
 - c) The Mayor will chair the Audit Committee meetings, and in their absence, another appointed Council member will chair.
 - d) The CAO and/or Director of Financial Services will provide staff support to the Committee. They are not voting members of the Committee.
 - e) The Council Remuneration Policy will be followed regarding any remuneration for the two resident members.
 - f) All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by CAO.

5. DUTIES AND RESPONSIBILITIES

- 5.1. Audit:
 - a) Review the qualifications, independence, quality of service, performance, and fees of the auditors and recommend the appointment of an auditor to Council.
 - b) Carry out the responsibilities of the Audit Committee contained in Section 44 of the *Municipal Government Act*, in consultation with Management.
- 5.2. Finance and Risk Management
 - a) Review with Management the quarterly financial updates and recommend to Council to be received.
 - b) Management will give a presentation on all financial policies used in the preparation of the external financial statements; at the first annually meeting of the year.
 - c) Review with Management the adequacy of internal controls.

MEETING AND COMMITTEE PROCEDURAL POLICY

- d) Review with Management annually risk management practices including insurance coverage.

6. ADMINISTRATION

- 6.1. Meetings of the Audit Committee will be held at least quarterly. Additional meetings may be necessary to review items relating to the audit and will be called by the Chair.

APPENDIX F

Davidson Lake Watershed Advisory Committee

1. PREAMBLE

- 1.1. The Davidson Lake Watershed Advisory Committee was established in 2007 in response to the requirement of Nova Scotia Environment (NSE) to develop and prescribe regulations for the Protected Water Area, as well as a Source Water Protection Plan (SWPP). The SWPP was adopted by the former Hantsport Town Council on July 4, 2013. The draft Regulations were submitted to Nova Scotia Environment and at this time awaits Provincial review and approval.

2. DEFINITIONS

- 2.1. In Appendix F,
 - a) "Committee" means the Davidson Lake Watershed Advisory Committee;
 - b) "Councillor" means an elected member of the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. PURPOSE

- 3.1. The primary objective of the Davidson Lake Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other stakeholders to work cooperatively to maintain the water quality and quantity in the Davidson Lake Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 3.2. The mandate of the Davidson Lake Watershed Advisory Committee is to advise and make recommendations to Council concerning issues of the management and protection of the Davidson Lake Watershed.

4. ROLE OF THE DAVIDSON WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Davidson Lake Watershed.
- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the Davidson Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Davidson Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
 - k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

- 5.1. The Committee members will be comprised of:

MEETING AND COMMITTEE PROCEDURAL POLICY

- One (1) Landowner Representative
- One (1) Councillor and one alternates
- One (1) [Nova Scotia](#) Department of [Natural Resources](#)[Lands and Forestry](#) Representative
- One (1) Water Utility Representative
- One (1) Planning [and Development](#) Department Representative
- One (1) Nova Scotia Environment Representative

5.2. The Landowner Representative must own land in the Davidson Lake Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be four (4) members; of which one (1) must be a Councillor.
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Davidson Lake Watershed Advisory Committee to Committee of the Whole.
- 6.3. The Committee will meet semi-annually. The Chair may call additional meetings as required.
- 6.4. Administrative services for the Committee will be provided by the Municipality.
- 6.5. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX G

French Mill Brook Watershed Advisory Committee

1. PREAMBLE

- 1.1. In 1983, the area surrounding French Mill Brook, Hants County was designated as a Protected Water Area at the request of the former Municipality of the District of West Hants. Regulations were also enacted for the designated area to protect the water supply. The French Mill Brook Watershed Protected Area supplies potable water to the community of Falmouth and covers approximately 2814 acres of land (1139 hectares), according to the plan prepared in 1974.
- 1.2. The former Falmouth Watershed Advisory Committee was established in 1992 to manage the French Mill Brook Watershed through the involvement of all stakeholders, including landowners, municipal staff and government representatives.

2. DEFINITIONS

- 2.1. In Appendix G,
 - a) "Committee" means the Falmouth Watershed Advisory Committee;
 - b) "Councillor" means an elected member of the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. PURPOSE

MEETING AND COMMITTEE PROCEDURAL POLICY

-
- 3.1. The primary objective of the French Mill Brook Watershed Committee is to provide a forum for the Landowners, the Municipality, and other stakeholders to work cooperatively to maintain the water quality and quantity in the French Mill Brook Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.
- 3.2. The mandate of the Committee is to advise and make recommendations to Council concerning issues of the management and protection of the French Mill Brook Watershed.
4. ROLE OF THE FRENCH MILL BROOK WATERSHED ADVISORY COMMITTEE
- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the French Mill Brook Watershed.
- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the French Mill Brook Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the French Mill Brook Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).

MEETING AND COMMITTEE PROCEDURAL POLICY

- k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

5.1. The Committee members will be comprised of:

- Three (3) Landowners Representatives
- One (1) Councillor and one (1) alternate
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Natural Resources-Nova Scotia Department of Lands and Forestry Representative
- One (1) Nova Scotia Transportation and Infrastructure Renewal Representative
- One (1) Nova Scotia Environment Representative

5.2. The Landowner Representatives must own land in the French Mill Brook Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be six (6) members; of which one (1) must be Councillor and two (2) Landowner Representatives.
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Falmouth Watershed Advisory Committee to the Committee of the Whole.
- 6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.
- 6.4. Administrative services for the Committee will be provided by the Municipality.
- 6.5. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX H

Fences Arbitration Committee

1. PURPOSE

- 1.1. The purpose is to establish the Fences Arbitration Committee in accordance with the Fences and Detention of Stray Livestock Act.

2. DEFINITIONS

- 2.1. In Appendix H,
- a) "Act" means the Fences and Detention of Stray Livestock Act, as amended from time to time;
 - b) "Clerk" means the Municipal Clerk of the Municipality;
 - c) "Committee" means the Fences Arbitration Committee of the Municipality;
 - d) "Council" means the Council of the Municipality;
 - e) "Livestock" means cattle, sheep, swine, goats, horses, ponies, mules, ratites, farmed deer and game farm animals and other livestock designated by the Minister;
 - f) "Minister" means the Minister of Agriculture;
 - g) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - h) "Non-livestock farm" means land upon which no livestock is maintained.
 - i) "Owner" includes

MEETING AND COMMITTEE PROCEDURAL POLICY

- i. With respect to livestock, any person who has lawful custody of the livestock
- ii. With respect to a farm, the person occupying or operating a farm.

3. FORMATION OF THE FENCES ARBITRATION COMMITTEE

- 3.1. The Committee will consist of two (2) members, of which one member is appointed by Council and one member of the Municipality appointed by the Nova Scotia Federation of Agriculture.
- 3.2. The member appointed by Council will be the Chair of the Committee and may be an employee of the Municipality.
- 3.3. Alternate members of the Committee may be appointed at the request of the member appointed by the Municipality or the Nova Scotia Federation of Agriculture.
- 3.4. All members or alternates will be residents of the Municipality.
- 3.5. Non-Council members will be paid remuneration in accordance with the Council Remuneration Policy.
- 3.6. The Committee will meet on an as needed basis.
- 3.7. Two (2) members of the Committee will form a quorum.
- 3.8. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

4. DUTIES

- 4.1. The Committee will perform the duties as required by and in accordance with the Act, which include but not limited to:
 - a) Hearing fencing disputes between the owners of a livestock farm(s) or between the owner of a livestock farm and a non-livestock farm; who have notified the Clerk in writing and paid the accompanied fee. With respect to the matter referred to the Committee, the Committee may, by written order,
 - i. Determine the location, height and material of construction of any fence;
 - ii. Determine the manner of maintenance of a fence;

MEETING AND COMMITTEE PROCEDURAL POLICY

- iii. Direct the owner of a farm to construct or maintain any fence in accordance with the Act;
- iv. Determine the proportion of costs of building and maintaining any fences and common boundaries to be borne by each of the adjoining livestock farm owners pursuant to the Act;
- v. Take any immediate action necessary including, but not limited to, the removal and boarding of livestock if it is determined there is a risk to the public, the livestock or property.
- b) Directing a sale or other disposition of stray livestock, provided subsections (2), (3), and (4) of Section 9 of the Act have been complied with.
- c) Disposing of stray livestock in such a manner as it deems fit, should no offer or reasonable offer be made at sale.
- d) Distributing the proceeds of the sale or disposal of stray livestock in accordance with the Act.
- e) Settling disputes regarding ownership and expenses of stray livestock that arise between the owner of the livestock, the person detaining it or the Municipality.

5. CONFLICT

- 5.1. Where there is a conflict between this Policy and the Act, the Act will prevail.

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX I

Windsor and Hantsport Area Advisory Committees

1. PURPOSE

- 1.1. To establish area advisory committees for the communities of Windsor and Hantsport in accordance with Sections 201 and 202 of the *Municipal Government Act*.
- 1.2. The Windsor Area Advisory Committee and Hantsport Area Advisory Committee will advise the Planning Advisory Committee of the Municipality on planning matters affecting its respective community including the preparation and amendment of planning documents and planning matters generally.

2. DEFINITIONS

- 2.1. In Appendix I,
 - a) "HAAC" means Hantsport Area Advisory Committee;
 - b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - c) "WAAC" means Windsor Area Advisory Committee.

3. COMMITTEE COMPOSITION

- 3.1. WAAC and HAAC will each consist of a maximum of eight (8) members and a minimum of four (4) members of which one (1) is a Council member (representing the relevant community), and seven (7) are resident members who are not members of Council.

MEETING AND COMMITTEE PROCEDURAL POLICY

- 3.2. Resident members will be appointed to the Committee for a term of two (2) years, with the term expiring following the October meeting of the second year, and the Council member will be appointed for a term of four (4) years, with the term expiring following the October meeting.

4. ADMINISTRATION

- 4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.
- 4.2. All non-Council members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.
- 4.3. The duties and procedures of the Area Advisory Committees will be as set out in the relevant Terms of Reference for the Advisory Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX J

Mill Lakes Watershed Advisory Committee

1. PREAMBLE

- 1.1. The Mill Lakes Watershed supplies the reservoir from which the Windsor Water Utility, operated by the Municipality, withdraws water. The Windsor Water Utility currently supplies water to the community of Windsor and the Three Mile Plains Water Utility. The Three Mile Plains Water Utility services communities of Three Mile Plains, Currys Corner, Garlands Crossing, and Wentworth Creek.

In 1964, the area surrounding Mill Lakes, Hants County, was designated a Protected Water Area. Regulations were also enacted for the designated area to protect the water supply. The regulations were updated in 1986 under the Water Act. The Mill Lakes Watershed Protected Water Area contains four thousand three hundred ninety-four and a half (4394.5) acres of land (1778.4ha).

The Mill Lakes Watershed Committee was first established in 2005 by the former Town of Windsor in response to the need to develop a Source Water Protection Plan.

2. DEFINITIONS

- 2.1. In Appendix J,
- a) "Committee" means the Mills Lakes Watershed Advisory Committee;
 - b) "Councillor" means an elected member the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - d) "Staff" means a person employed by the Municipality.

3. PURPOSE

MEETING AND COMMITTEE PROCEDURAL POLICY

- 3.1. The primary objective of the Mill Lakes Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other Stakeholders to work cooperatively to maintain the water quality and quantity in the Mill Lakes Watershed. The Committee recognizes that the protection of source water is the first step in the multi-barrier approach to clean, safe drinking water.

4. ROLE OF THE MILL LAKES WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Mill Lakes Watershed.
- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the Mill Lakes Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Mill Lakes Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
 - k) provide information on the Committee's activities to landowners in the Protected Water Area.

MEETING AND COMMITTEE PROCEDURAL POLICY

5. COMMITTEE COMPOSITION

- 5.1. The Committee members will be comprised of:
- Four (4) Landowner Representatives
 - One (1) Councillor and one (1) alternate
 - One (1) [Nova Scotia](#) Department of [Natural Resources](#) [Lands and Forestry](#) Representative
 - One (1) Water Utility Representative
 - One (1) Planning [and Development](#) Department Representative
 - One (1) Nova Scotia Environment Representative (voting)
- 5.2. The Landowner Representatives must own land in the Mill Lakes Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be five (5) members; of which two (2) must be a Landowner Representatives and one (1) must be a Councillor. .
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Committee to the Committee of the Whole. The Committee Chair will be elected every two years on even numbered years by the Committee.
- 6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.
- 6.4. All Landowners are welcome to attend Committee meetings as observers.
- 6.5. A General Meeting of landowners may be called every two (2) years at the discretion of the Committee.
- 6.6. Administrative services for the Committee will be provided by the Municipality.
- 6.7. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX K

Planning Advisory/Heritage Advisory Committee

1. PURPOSE

- 1.1. To establish an advisory committee in accordance with Sections 200 and 202 of the *Municipal Government Act*.

The Planning Advisory/Heritage Advisory -Committee will advise the Council of the Municipality on planning and heritage matters requiring a decision of Council affecting the Municipality, including the preparation and amendment of planning documents.

2. DEFINITIONS

- 2.1. In Appendix K,
- a) "HAAC" means Hantsport Area Advisory Committee;
 - b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;

MEETING AND COMMITTEE PROCEDURAL POLICY

- c) "PAC/HAC" means the Planning Advisory/Heritage Advisory Committee of the Municipality;
- d) "WAAC" means Windsor Area Advisory Committee.

3. COMMITTEE COMPOSITION

- 3.1. The PAC/HAC will be established under the following terms:
 - a) The Committee will consist of seven (7) members as follows:
 - four (4) members of Council of which one is the Mayor
 - one (1) member of WAAC
 - one (1) member of HAAC, and
 - one (1) Resident member who is not a member of Council or a Municipal employee.
 - b) Non-Council members will be appointed to the Committee in November for a term of two (2) years and expire the following the October meeting of the second year.

4. ADMINISTRATION

- 4.1. The PAC/HAC will appoint a Chair and Vice-Chair annually from among its members at the November meeting.
- 4.2. All non-Council members of the Committee will be remunerated for attendance at meetings of the Committee in accordance with the Remuneration Policy.
- 4.3. The PAC/HAC will present recommendations directly to the Council of the Municipality.

APPENDIX L

Municipal Climate Change Action Plan Committee

1. PURPOSE

- 1.1. The Municipal Climate Change Action Plan Committee provides a forum for all municipal departments and Council representatives to work co-operatively on implementing and evaluating the adaptation and mitigation actions outlined in the Municipal Climate Change Action Plans of the Municipality hereafter referred to as "the MCCAP". These policy and adaptation procedures help protect people, properties, special places, and municipal infrastructure from the negative impact of climate change.

2. DEFINITIONS

- 2.1. In Appendix L,

MEETING AND COMMITTEE PROCEDURAL POLICY

- a) "MCCAP Committee" means the Municipal Climate Change Action Plan Committee;
- b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. COMMITTEE COMPOSITION

- 3.1. The Committee consists of ~~a minimum of eight~~ten (10) members:
 - Three (3) Councillors;
 - Two (2) resident members, who are not members of Council
 - Chief Administrative Officer or designate;
 - Director of Public Works or designate;
 - Director of Planning and Development or designate;
 - Director of Community Development or designate;
 - Protective Services Manager or designate.
- 3.2. Each Councillor, appointed by Council, serves on the Committee for a designated term. Members are eligible for reappointment.
- 3.3. ~~Staff appointments~~Designates and alternates are at the discretion of the Chief Administrative Officer.

4. ADMINISTRATION

- 4.1. The Chair and the Vice-Chair are elected by a majority of the members. Those persons elected hold office for a one-year term.
- 4.2. The Chair of the Committee acts as the liaison in providing recommendations to Council, as required from time to time.
- 4.3. The duties and procedures of the MCCAP Committee will be as set out in the relevant Terms of Reference for the MCCAP Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX M

Diversity and Inclusion Committee

1. PURPOSE

- 1.1. The purpose of the Diversity and Inclusion Committee is to engaged the community and formulate action plans to address issues concerning social marginalization, equity, racism, and discrimination within the Municipality. The Committee will also examine issues and barriers in creating a community that is inclusive and welcoming to all.

2. DEFINITIONS

- 2.1. In Appendix M,
a) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section

MEETING AND COMMITTEE PROCEDURAL POLICY

11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. COMPOSITION

3.1. The Committee will consist of ten(10) voting members and two (2) non-voting members as follows:

- 2 Councillors
- 4 resident members of diverse race and ethnicity
- 1 resident over the age of 60
- 1 resident between the ages of 15-19
- RCMP Representative
- Provincial Government Representative
- 2 non-voting staff members appointed by the Chief Administrative Officer

4. ADMINISTRATION

4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.

4.2. All non-Council and non-staff members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.

4.3. Administrative services for the Committee will be provided by the Municipality.

4.4. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX M
Agenda Request Form

<u>Name:</u>			
<u>Date:</u>		<u>Date Submitted to CAO:</u>	

Agenda Request Initial to be completed by Council Member

MEETING AND COMMITTEE PROCEDURAL POLICY

Detail	Synopsis				
Decision Requested:					
Background: What? Who? How? When?	Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐
Strategic Implication: with Dashboard	Current ☐	Short Term ☐	Long Term ☐		
Budget:	Yes ☐ — No ☐	Policy: MGA section	Yes ☐ — No ☐		
Desired Outcome:					
Recommendation:	Report/Document: Attached ☐ — Available ☐ — Nil ☐				

Agenda Request — CAO Initial Review

Detail	Synopsis
Department: select all that apply	Governance/Legislative ☐ — Protective Services ☐ — Administration ☐ Planning ☐ — Engineering Public Works ☐ Parks and Recreation ☐ — Finance ☐ — Economic Development ☐

MEETING AND COMMITTEE PROCEDURAL POLICY

Decision Requested:	Operational Matter ☐ — Decision of Council Required ☐ Policy Change ☐ — Other ☐
Background:	
Budget:	
Staff Workload:	
Policy:	
Response Options:	
Preferred Strategy:	
CAO Comments:	

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the Region

MEETING AND COMMITTEE PROCEDURAL POLICY

of the Windsor and West Hants Municipality at a meeting duly called and held on the **23rd** day of **March, 2020**.

R. N. Brown
Municipal Clerk

<i>Adoption</i>	
<i>Notice to Council:</i>	March 9, 2020
<i>Approval:</i>	March 23, 2020
<i>Description:</i> Initial approval of the Meeting and Committee Procedural Policy, RCOGE-003.00. Approved by the Co-ordinating Committee of the Region of Windsor and West Hants Municipality.	
<i>First Amendment</i>	
<i>Notice to Council:</i>	
<i>Approval:</i>	
<i>Description:</i>	

Table of Contents

1. General.....	2
2. Mandate of Council and Committee of the Whole	3
3. Time, Place, Date and Notice of Meetings.....	4
4. Communications	6
5. Meeting Attendance and Quorum	7
6. Election Process for Deputy Mayor, Chair or Vice-Chair	9
7. Meeting Agendas and Packages	10
8. Council and Committee Chair Duties.....	13
10. Meeting Decorum and Rules of Debate	16
11. Conflict of Interest.....	18
12. Motions and Voting	19
13. Points of Order (also refer to Code of Conduct Policy).....	23
14. In-Camera Meetings.....	25
15. Setting Direction.....	26
16. Receiving Public Input.....	28
17. Committees	28
19. Repeal.....	31
20. Related Legislation, Policies, Procedures.....	32
APPENDIX A Report Form	33
APPENDIX B Rules of Common Motions.....	35
APPENDIX C Decision Making by Council and Committee of Council	36
APPENDIX D Accessibility Advisory Committee.....	37
APPENDIX E Audit Committee.....	40
APPENDIX F Davidson Lake Watershed Advisory Committee.....	42
APPENDIX G French Mill Brook Watershed Advisory Committee.....	45
APPENDIX H Fences Arbitration Committee	48
APPENDIX I Windsor and Hantsport Area Advisory Committees	51
APPENDIX J Mill Lakes Watershed Advisory Committee.....	53
APPENDIX K Planning Advisory/Heritage Advisory Committee.....	56

APPENDIX L Municipal Climate Change Action Plan Committee.....	57
APPENDIX M Diversity and Inclusion Committee	59

1. General

- 1.1. This Policy will be known and cited as the "Meeting and Committee Procedural Policy".
- 1.2. The purpose of this Procedural Policy is to:
 - a) provide direction to Council and Staff members on conducting Council and Committees of Council meetings. This Policy does not apply to boards, commissions and committees of which the Municipality may be a member, but which was not established solely by the Municipality;
 - b) establish the Committee of the Whole as a Committee of Council; and
 - c) establish various other Committees of Council.
- 1.3. In this Policy:
 - a) "Act" means the Municipal Government Act, Stats. N.S. 1998, C. 18
 - b) "Business day(s)" means a day which the administrative offices of the Municipality are open for business;
 - c) "Chair" means the presiding officer of Council or a Committee of Council;
 - d) "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Municipality;
 - e) "Clerk" means the Clerk of the Municipality;
 - f) "Closed Meeting" means a meeting which is not open to the public and may be known as in-camera.
 - g) "Committee of Council" means a committee formed pursuant to a resolution or policy of Council;
 - h) "Council" means all Council members of the Municipality;
 - i) "Councillor" means a Council member and includes the Mayor and Deputy Mayor unless the context indicates otherwise;
 - j) "Majority" means more than one-half of those present
 - k) "Meeting Package" means the package prepared for a meeting consisting of the agenda and associated agenda item material;
 - l) "Motion" means the formal mode in which a Council member submits a proposed measure or resolve for the consideration and action of Council or Committee of Council;
 - m) "Municipal or Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per

Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

- n) "Pecuniary interest" means a situation where there is a reasonable likelihood or expectation of appreciable financial loss or gain to the person, or to other persons;
- o) "Planning document" means a Municipal Planning Strategy, Land Use By-law, or Subdivision By-law;
- p) "Question" means the subject matter of a motion; when the question is called, the motion is put to a vote without further debate;
- q) "Quorum" means the majority of members required to hold a meeting.
- r) "Resolution" means a formal expression of the opinion or the will of the Council or a Committee of Council adopted by vote, and is a result of an approved motion;
- s) "Staff" means a person employed by the Municipality;
- t) "Two-thirds vote" means a vote where at least two-thirds of the members present and entitled to vote at the meeting vote in favor of the motion.

2. Mandate of Council and Committee of the Whole

2.1. The mandate of Council is:

- a) to exercise the powers of the Municipality as set out in the *Act* through the approval of motions, policies and by-laws;
- b) to provide strategic planning for the Municipality with the goals:
 - i. to provide good government;
 - ii. to provide services, facilities and other things that in the opinion of Council are necessary or desirable for all parts of the Municipality;
 - iii. to develop and maintain safe and viable communities;
 - iv. to work with other municipal units for the best interests of the Municipality within the province;
 - v. to provide active programs of training and upgrading of staff and Council; and
 - vi. such other goals as from time to time are determined;
- c) to conduct the official business of the Municipality;
- d) to carry out any statutory public hearings as required by the *Act* and other legislation;
- e) to provide strategic direction to the CAO through resolutions, policies and by-laws.

2.2. The mandate of the Committee of the Whole is:

- a) to discuss, consider, advise and make recommendation to Council for approval concerning the affairs of the Municipality in advance of Council making decisions or taking actions on such matters, except where Council has determined that consideration by Committee of the Whole is unnecessary or inadvisable, and except that the following matters will normally be dealt with by Council without having to be forwarded to the Committee of the Whole for its recommendations:
 - i. first and second readings of a by-law enactment, amendment or repeal; and
 - ii. matters which are the subject of statutory hearing of Council;
- b) to carry out the duties and responsibilities of Council set forth in Part XV Dangerous and Unsightly Premises of the *Act*;
- c) to carry out the duties of the Regional Emergency Management Advisory Committee as set forth the Regional Emergency Management By-law of the Municipality;
- d) to take such steps not inconsistent with this Policy that the Committee of the Whole reasonably deems necessary to carry out this mandate;
- e) except for an Order under the Act for Dangerous and Unsightly Premises and specific tasks or matters assigned by Council from time to time to the Committee, all resolutions of the Committee of the Whole will be recommendations to Council for Council's approval.

3. Time, Place, Date and Notice of Meetings

- 3.1. All meetings of Council and Committees of Council will be public meetings, except as provided for under Sections 22 (2) and 203(1) of the Act and Section 14 of this Policy.
- 3.2. Unless otherwise specified pursuant to Section 3.5 of this Policy a regular meeting of the Committee of the Whole will be held:
 - a) at the location set by the Committee of the Whole,
 - b) on the second Tuesday of each month, except for August and December,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.
- 3.3. Unless otherwise specified pursuant to Section 3.5 of this Policy, a regular meeting of Council will be held:
 - a) at the location set by Council,
 - b) on the fourth Tuesday of each month except for August and December,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.

-
- 3.4. Unless otherwise specified pursuant to Section 3.5 of this Policy, regular meetings of other Committees of Council will be determined in the Administrative Terms of Reference for the Committee.
- 3.5. Meetings may be rescheduled, relocated or cancelled:
- a) by resolution or consensus, including a contingent resolution or consensus of Council or a Committee of Council at a previous meeting three (3) or more business days in advance of the meeting;
 - b) at the request of majority of the members of Council or Committee of Council;
 - c) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to inclement weather or unforeseen circumstances provided the Mayor, Deputy Mayor, or Chair believes the majority of members would support such a step.
- 3.6. Additional or special meetings of Council or a Committee of Council may be convened:
- a) by resolution or consensus, including contingent resolution or consensus of Council or Committee of Council at a meeting three (3) or more business days in advance of the additional or special meeting;
 - b) at the request of the Chair;
 - c) at the request of the majority of members;
 - d) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to unforeseen circumstances, provided the Mayor, Deputy Mayor or Chair believes that the majority of members would support such a step; or
 - e) where the Mayor determines there is an emergency, Council may meet without notice or with such notice as is possible in the circumstances.
- 3.7. Notice to Councillors and the Public of meetings:
- a) subject to any statutory relaxation of the notice requirements, at least three (3) business days' notice to Councillors will be provided for additional or special meetings by telephone, the email address provided by the Municipality or other email address, fax number or messaging service;
 - b) subject to any statutory relaxation of the notice requirements, at least two (2) business days' notice to the public will be provided for additional or special meetings by posting a notice of the meeting on the Municipal website and social media pages;
 - c) Councillors and the public will be deemed to have received any notice within one (1) day of being notified pursuant to this section;

- d) meeting notice need not be provided of:
 - i. regular meetings held pursuant to Sections 3.2 and 3.3 of this Policy;
 - ii. regular meetings of a Committee of Council whose regular meeting date is contained in a policy or by-law of Council or posted on the Municipal website; or
 - iii. meetings held pursuant to Sections 3.5 (a) and Section 3.6 (a) of this Policy;
- e) notice of meeting cancellations will be provided to Council and the public as soon as possible in the same manner;

3.8. In accordance with Section 19 (7)(a)(b) of the Act no meeting of Council or Committee of Council is illegal or invalid by failure to give notice or by meeting elsewhere than provided in this Policy or the notice of meeting.

3.9. Within thirty (30) days following the first meeting of Council after an election or by-election each Councillor will provide the Clerk the following:

- a) a telephone number with answering machine/voicemail which the Councillor has and will maintain and will check at least once per day;
- b) the unique email address provided by the Municipality, where all municipal notices and correspondence will be forwarded and which the Councillor will check at least once per day;
- c) any other email address, fax number, or messaging service which the Councillor has and will maintain and will check at least once per day.

4. Communications

4.1. The Mayor is the official spokesperson of Council and the CAO is the official spokesperson of staff.

4.2. Council communication to the public is:

- a) through the Mayor, as the official spokesperson for the Municipality regarding decisions approved by Council unless another Councillor is designated;
- b) through Councillors as chief spokespersons for explaining policies, priorities and decisions; and
- c) through Committee Chairs as chief spokesperson for matters dealt with under the authority of their committee, unless another Councillor is designated;
- d) media interview requests will be referred to the Mayor or the CAO to determine who is the most appropriate spokesperson for the interview.

-
- 4.3. Council communication to staff is:
- a) through a resolution of Council or Committee of Council for advice, information or recommendations on matters which require thoughtful research and review. Staff will normally provide their response through a written information or recommendation report like that in Appendix A;
 - b) through resolutions from Council to the CAO.
- 4.4. Committees will communicate to Council:
- a) through a written information or recommendation report by Chairs to Committee of the Whole like that found in Appendix A.
 - b) where all Councillors are members; may communicate using excerpts sheets of the motions being recommended to go straight to Council with the previous committee report (referred to in the excerpt), attached as a supporting document.
- 4.5. All Councillors are expected to provide a monthly report to Council stating the Municipal business they were involved in over the previous month, using the report form in Appendix A.
- 4.6. The CAO or designate may, on behalf of Council or Committee of Council, receive correspondence from the public and deliver a copy of the correspondence to all Councillors within a reasonable time provided:
- a) the correspondence is directed to a Councillor or Committee of Council member;
 - b) is in writing and received by mail or email;
 - c) is legible;
 - d) is not libelous, irrelevant, offensive or improper; and
 - e) is signed by the writer's name.

5. Meeting Attendance and Quorum

- 5.1. Councillors are expected to attend all meetings of Council and Committees of Council to which they are appointed.
- 5.2. Subject to changes of the Act Section 17 (4), Councillors who without leave of Council are absent from three (3) consecutive regular meetings of Council ceases to be qualified to serve as a Councillor.
- 5.3. Councillors who without leave of a Committee of Council and are absent from three (3) consecutive regular meetings of a Committee of Council to which

they are appointed, may be removed from the Committee. This also applies to resident members appointed to a Committee of Council.

- 5.4. Council or a Committee of Council will not refuse the leave of a Councillor if such leave is due to employment issues, illness, other Municipal business, or an unforeseen event needing immediate attention.
- 5.5. Sections 5.1, 5.2 and 5.3 do not apply to Councillors on a parental accommodation leave of absence in accordance with Section 17 (4A) of the Act.
- 5.6. Quorum for meetings of Council and Committee of the Whole will be the majority of elected Councillors, or seven (7) Councillors.
- 5.7. Quorum of other Committees of Council will be the majority of the voting members unless otherwise stated in a policy or by-law of Council or administrative terms of reference.
- 5.8. Councillors or resident members of Committees of Council may participate in meetings by electronic means such as teleconference or video conference and will be considered present for purposes of quorum and voting, provided:
 - a) the Councillor or resident members physically present at the meeting location are at minimum one less than quorum;
 - b) a maximum of two Councillors, resident members or combination may use electronic means during a meeting at one time;
 - c) the Chair will be physically present at the meeting location;
 - d) the Councillor or resident member notifies the Chair and appropriate staff at least 24-hours in advance of their intent to use electronic means, to ensure provision of the electronic means at the meeting location;
 - e) it is the responsibility of the Councillor or resident member to ensure provision of electronic means at their location;
 - f) if used during a closed meeting, the member will ensure confidentiality is maintained at all times;
 - g) no Councillor or resident member will participate by electronic means in more than four (4) meetings of any kind per year;
 - h) the Councillor or resident member does not interfere and/or disrupt the meeting, and if such occurs the Chair has the right to end the electronic participation;
 - i) the Chair will ensure those participating by electronic means have an opportunity to verbally declare any conflicts of interest;

-
- j) the Councillor or resident member will notify the Chair of their intended departure (either temporary or permanent) from the meeting before leaving the meeting;
 - k) the Councillor or resident member will be marked as absent if electronic connection is not made or if it is lost and is unable to be reconnected.
- 5.9. All Councillors or resident members of Committees of Council may participate by electronic means as described in 5.8 during a local and/or world-wide crisis. This would not count towards the four (4) electronic meetings per year as identified in 5.8(g).
- 5.10. If a quorum is not present fifteen (15) minutes following the scheduled start time of a meeting and it is not reasonable that quorum will be present within a reasonable time, the meeting will be deemed cancelled and a record of the cancellation along with the names of the members present will be recorded in the minutes.
- 5.11. Where there is a permanent vacancy on Council or a Committee of Council, Councillors may make a decision if a quorum is present at the meeting.
- 5.12. If the number of Council members is reduced to below the number required for a quorum due to vacancies in Council, Council may not pass a by-law or policy, borrow money, set a tax rate, acquire or sell property, for make any other decision that has an effect after or for a term extending beyond the date of the election to fill a vacancy on Council
6. Election Process for Deputy Mayor, Chair or Vice-Chair
- 6.1. At the first meeting of Council after an ordinary election, all Councillors will be sworn in and the Deputy Mayor will be elected as follows:
- a) the Mayor will call the meeting to order and call for nominations for the position of Deputy Mayor three times;
 - b) Councillors may nominate a fellow Councillor for the position of Deputy Mayor, but may not nominate themselves; nominations do not have to be seconded;
 - c) after the third and final call for nominations, the Mayor will declare nominations closed;
 - d) the Mayor will ask each nominee if they accept the nomination for Deputy Mayor;
 - e) if only one Councillor was nominated and accepted the nomination, that Councillor is declared the Deputy Mayor;

- f) if there is more than one nominee, the Mayor will provide each of the nominees an opportunity to speak and Councillors will elect the Deputy Mayor by secret ballot;
- g) two volunteers are asked to be scrutineers, one of which must be a staff member. Ballots are distributed to Councillors, votes will be cast, then the scrutineers will collect and count the ballots;
- h) the scrutineers announce the overall result of the election (not the number of votes for each Councillor). The Deputy Mayor is determined by majority of the number of Councillors present;
- i) if there is not a winner by majority and there are three (3) or more nominees, another vote will occur by dropping the nominee with the lowest votes and voting again until only two (2) nominees remain. If there is not a winner by majority and there are only two (2) nominees, the Deputy Mayor will be determined by a draw by the Clerk or designated staff member.
- j) once the Deputy Mayor has been declared elected, a motion will be made to destroy the ballots.

6.2. The term of office for the Deputy Mayor will be two (2) years; the very first term being April 1, 2020 - October 31, 2022 and the nomination process be held again for a term of November 2022 – October 2024, at which time it will re-align with municipal elections in Nova Scotia

6.3. The election of a Chair for a Committee of Council will be completed in a similar manner to the election of the Deputy Mayor except that a staff member will perform the duties of the Chair until the Chair of the Committee of Council is elected. Nominees for Chair will be given an opportunity to speak to the members of the Committee of Council before the vote is held.

6.4. Once a Chair of a Committee of Council is elected, they may perform the election in the same manner for a Vice-Chair.

6.5. The term of office for a Chair or Vice Chair will be two years unless otherwise stated in a policy of Council or administrative terms of reference.

7. Meeting Agendas and Packages

7.1. At Council meetings, unless a majority consents to a different order for that meeting, business will be conducted in the following order:

- a) Call to Order
- b) Roll Call

- c) Approval of Agenda, including additions or deletions
- d) Declaration(s) of Conflict of Interest
- e) Announcements
- f) Approval of previous meeting's minutes
- g) Public Hearings
- h) Unfinished Business/Postponed Motions
- i) Mayor's Report
- j) Committees of Council Recommendations
- k) Councillor Municipal Business Reports
- l) Correspondence
- m) New Business
- n) In-Camera
- o) Next Meeting Date / Adjournment

7.2. At Committee of the Whole, unless a majority consents to a different order for that meeting, business will be conducted in the following order:

- a) Call to Order
- b) Roll Call
- c) Announcements
- d) Approval of Agenda, including additions and deletions
- e) Declaration(s) of Conflict of Interest
- f) Approval of the Minutes
- g) Presentations
- h) Unfinished Business/Postponed Motions
- i) Reports
- j) Correspondence
- k) New Business
- l) Public Participation Period
- m) In-Camera
- n) Next Meeting Date / Adjournment

7.3. Agendas of other Committees of Council and Public Hearings will be determined as needed or detailed in the Committee's Administrative terms of reference.

7.4. All topics and supporting material for an agenda will be submitted to the staff member preparing the agenda by 12:00 noon ten (10) business days before a regular scheduled meeting. Councillors will be required to submit a "Report Form " (Appendix A) to be included in the agenda package.

-
- 7.5. All agendas will be approved by the Mayor or Chair of the Committee of Council and the CAO or designate.
- 7.6. All agenda items should have an associated report, excerpt sheet, and/or other material outlining the purpose and background of the agenda item put together in one PDF document.
- 7.7. Meeting packages will be provided to Councillors and resident members of Committees of Council by 12:00 noon at least three (3) business days before the meeting by internal communication systems or email.
- 7.8. Meeting packages will be provided to the public by 4:00 pm two (2) business days before a meeting by posting the meeting package to the Municipal website.
- 7.9. Meeting packages for a special meeting of Council or a Committee of Council will be provided to Councillors, resident members and the public in accordance with Sections 7.7 and 7.8 should time permit, or by 12:00 noon one (1) business day before the special meeting.
- 7.10. If an agenda item's associated material is not distributed in the meeting package it will be distributed electronically or by hard copy during or after the meeting.
- 7.11. Late additions to the agenda will be accepted for consideration until 12:00 noon two (2) business days before the meeting. No late additions will be accepted for special meetings.
- 7.12. Agenda items may also be added at the meeting if it is time sensitive or concerning a matter where life, property or the environment is at immediate risk and cannot be dealt with at a later meeting. All meeting package material for these items will be distributed electronically or by hard copy during or after the meeting.
- 7.13. For instances when a requested agenda item may be outside the jurisdiction of the Municipality, require more research, or should be dealt with in a different forum or meeting, the Mayor or Chair will have the authority to delete, defer, or refer the agenda item. The Mayor or Chair will advise the person requesting the agenda item of the action taken.

- 7.14. All material in a meeting package which is posted on the Municipal website will be deemed received at the time of agenda approval during the meeting. All material not publicly posted that is read or visually presented during the meeting will be deemed received and amended to the posted meeting package posted on the Municipal website
- 7.15. Once an agenda item has been dealt with it should not be put on the agenda again for at least six (6) months unless there is a follow up report on actions taken, or a proper motion is made to reconsider, rescind or amend something previously adopted.

8. Council and Committee Chair Duties

- 8.1. The Chair of Council and Committee of the Whole will be the Mayor except:
- a) in the absence of the Mayor, the Deputy Mayor will be the Chair
 - b) in the temporary absence of both the Mayor and Deputy Mayor, a Chair will be appointed from the Councillors present at the meeting.
- 8.2. The Chair of a Committee of Council will be the Councillor or resident member elected and, in their absence, the Vice-Chair elected.
- 8.3. It will be the duty of the Chair to:
- a) open the meeting by taking the chair and calling the members to order and announcing the business before Council or the Committee of Council;
 - b) ask members to declare any Conflicts of Interest;
 - c) receive and put to a vote all motions presented and announce the results;
 - d) decline to put to a vote a motion which infringes upon rules of procedure established by this Policy;
 - e) restrain Councillors when engaged in debate, within the rules of conduct established by this Policy or Robert's Rules of Order;
 - f) protect the rights of those attending the meeting and enforce the rules of order; preserve order, and decide on point of order;
 - g) call by name any Councillor or resident member persisting in a breach of this Policy, and thereby ordering them to vacate the meeting room;
 - h) permit the CAO to speak on any point upon request;
 - i) permit staff and invited guests to speak when appropriate on the agenda and at the request of Councillors and/or CAO;
 - j) permit proper questions to be asked through the Chair of any Councillor, CAO, staff member, or invited guest in attendance relevant

- to the issue under discussion in order to provide information to assist debate;
- k) declare a meeting dissolved if no quorum has been achieved;
 - l) adjourn to another place and/or time without ending the meeting with the consent of Council;
 - m) adjourn the meeting when the business is concluded and a motion to adjourn has been approved by the majority vote; or
 - i. adjourn the meeting when an adjournment time has been set and approved by majority vote or consensus, when the time has been reached except when it is extended by unanimous consent; or
 - ii. adjourn the meeting at the Chair's sole discretion due to inclement weather conditions to a time and date set by the Chair.

9. Minutes and Recordings

- 9.1. Written minutes of Council and all Committee of Council meetings, including in-camera meetings, will be kept providing a permanent and historical record of the Municipality's business. When required, these minutes may be recognized in court as evidence of decisions made and actions taken.
- 9.2. Written minutes kept will:
- a) record the names of the members or participants and the time when any member joins or leaves a meeting which is in progress;
 - b) contain all motions and decisions by consensus and will record the outcome of each vote;
 - c) record the names of all Councillors or resident members who voted "Nay" to a motion put to a vote;
 - d) summarize key points of a discussion and mention reports, petitions, correspondence, presentations and other papers submitted only by their respective title, or a brief description of the content;
 - e) be clear, accurate, concise, and formatted to be readable;
 - f) be written in past-tense;
 - g) flow logically in accordance with the agenda, even if the meeting itself had been fragmented and confusing.
- 9.3. To assist with accurate composition of draft minutes, public meetings of Council or Committees of Council will be recorded using audio recording equipment. Once minutes are approved, the audio recording will be kept for at least seven (7) years after which it may be destroyed in accordance with the Records Management Policy of the Municipality.

-
- 9.4. Draft minutes of Council and Committee of the Whole will be reviewed by the Clerk and CAO.
- 9.5. Draft minutes of other Committees of Council will be reviewed in accordance with the Committee of Council's Administrative Terms of Reference.
- 9.6. Minutes of all meetings will be posted in draft electronic form on the Municipality's website for the public and to the internal communication system for Councillors and staff for information.
- 9.7. The minutes of the last preceding regular meeting and subsequent special meetings will be reviewed at the next meeting of Council or Committee of Council and after all necessary corrections and amendments have been noted, be approved and signed by the Mayor or Chair.
- 9.8. To correct the minutes at the time of approval, the word or words will be crossed out and the corrections written in and initialed before being signed by the Chair. The digital form of the minutes posted to the Municipality's website and internal communication system will be changed accordingly in red font and a footnote of the changes will be added to the electronic minutes stating "Amended".
- 9.9. The press will be allowed to only use audio recording equipment during public meetings.
- 9.10. A request for copies of the audio recordings of public meetings may be submitted in writing or electronic mail to the Clerk of the Municipality and will be provided, if available, for a prescribed fee.
- 9.11. Council and Committees of Council may choose to live-stream video on the internet of any or all meetings, with no obligation to live-stream video of a meeting. There will be no audience participation using the live-streamed video, but residents may leave messages; however, staff will be unable to address said messages.
- 9.12. Except for Section 9.3, 9.9 and 9.11 of this Policy, audio and video recordings and the taking of photos by any device will not be allowed during meetings except by permission of the Chair.

10. Meeting Decorum and Rules of Debate

- 10.1. Robert's Rules of Order will govern the proceedings of Council and Committees of Council in all cases not provided for in this Policy or an Administrative Terms of Reference.
- 10.2. Members of the public present in the meeting room will maintain order and quiet and will not address the Council or Committee of Council except with permission of the Chair.
- 10.3. All cellular phones and electronic devices which emits a sound will be set to silent or turned off during a meeting, with the exception of equipment required for specific use related to the matter (i.e. issued tablets that would contain the agenda and related documents).
- 10.4. No one may bring any sign, poster, placard, banner or other like device into a meeting place without the prior permission of the Chair, subject to an objection by a majority of the members of Council or Committee of Council present.
- 10.5. All Councillors, resident members, or other persons presenting to Council or a Committee of Council will not:
 - a) speak disrespectfully of any person;
 - b) use offensive language
 - c) speak on any subject other than the subject for which they received approval to speak;
 - d) disobey any decision of the Chair;
 - e) enter a cross debate with another member; or
 - f) willfully distract the member speaking, unless it is regarding a point of order or to raise a question of privilege.
- 10.6. A Council or a Committee of Council member or other persons may speak to a subject or motion at a meeting only if that member first addresses the Chair.
- 10.7. The Chair may ask questions and speak on a matter in the same manner as all Council or Committee of Council members without leaving the seat of the Chair.
- 10.8. Every Council or Committee of Council member or other person, prior to speaking on any question or motion, will signal their desire to speak by raising their hand or other acceptable manner and wait to be recognized by the Chair. When two or more members signal to speak, the Chair will

designate who has the floor based on the opinion of the Chair as to who signaled first.

- 10.9. No Council or Committee of Council member or other person will speak more than twice (and the second time only to raise new information), for a maximum of five (5) minutes each time, without permission of Council on any motion except to explain misconception of his remarks. When a member wishes to explain a misconception, the member will signal to the Chair and ask permission of the Chair, without further comment, and if permitted by the Chair, will explain only an actual misunderstanding of language.
- 10.10. A Council or Committee of Council member may request the motion under consideration be read at any time during debate but may not interrupt while another member is speaking.
- 10.11. The mover of a motion will have the right to reply and sum up in closing the debate.
- 10.12. The Chair, after having called attention of Council or Committee of Council to the conduct of a member who persists in irrelevant or repetition of an argument during debate, may direct a member to discontinue speaking.
- 10.13. A Council or Committee of Council member, member of the public or other person willfully disregarding the meeting decorum or rules of debate or obstructing the business of the Council or Committee of Council meeting, may be ordered by majority vote of the members present, to leave the meeting, which for clarity means leaving the property of the meeting location.
- 10.14. Formal presentations will be made at any meeting of Council or Committee of Council meeting, with no individual presentation exceeding fifteen (15) minutes plus a period for questions. For purposes of efficiency and time management it will be the goal when setting an agenda to limit a maximum of three (3) formal presentations at any one meeting.
- 10.15. When a report, by-law, petition or other document is read or received, including those deemed received upon approval of the agenda, the Clerk or appropriate staff member will endorse upon it:
 - a) a note of the reading;
 - b) the date;
 - c) the way it was dealt with.

- 10.16. A meeting of Council or a Committee of Council will adjourn at 10:00 pm unless otherwise determined by a majority vote of the members present. If the meeting agenda is not completed as of 10:00 pm, the members may vote to adjourn to another date and time to complete the meeting.

11. Conflict of Interest

- 11.1. In accordance with the Municipal Conflict of Interest Act each Councillor and resident member must self-identify and disclose any pecuniary interest in any item before Council, Committee of Council or external committee or board.
- 11.2. Where a Councillor or resident member, either on their own behalf or while acting for, by or with and/or through, another person has any pecuniary interest, direct or indirect on a subject they will:
- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - b) leave their seat and sit in the gallery or exit the meeting room for the duration of the discussions pertaining to the matter;
 - c) not take part in the discussion of or vote on any question with respect to the matter;
 - d) not in any way before, during and/or after the meeting influence the voting on any question pertaining to the matter.
- 11.3. If the meeting is a closed meeting, in addition to complying with the requirements in Section 11.2, the Councillor or resident member will leave the meeting place for the part of the meeting during which the matter is under consideration.
- 11.4. Where the interest of a member has not been disclosed by reason of their absence from the particular meeting, the member will disclose the interest and otherwise comply at the next meeting they attend of Council, Committee of Council or external committee or board where the matter was discussed.
- 11.5. The Clerk or responsible staff member will record the name of the member, the meeting, the time they left their seat and returned, and the nature of the conflict of interest in the minutes of the meeting and a central registry of disclosure.

12. Motions and Voting

- 12.1. The types of motions which may be made at a Council or Committee of Council meeting are:
- a) Main motions – reflects the proposed decision or action to be taken regarding a subject;
 - b) Subsidiary motions – facilitates or modifies the main motion;
 - c) Incidental motions – relates to a question of procedure regarding a main motion;
 - d) Privileged Motions – a motion which does not relate to the main motion but takes immediate priority.
- 12.2. The following are common but not all Subsidiary motions:
- a) Postpone indefinitely – if approved this motion stops the main motion without a vote;
 - b) Amend – changes something within the main motion;
 - c) Postpone definitely – sets the main motion aside until a specified time;
 - d) Refer – sends the main motion to a specific committee or staff for further investigation and report back;
 - e) Limit or extend debate – shortens or lengthens the time for debate;
 - f) Previous Question – closes debate and brings the main motion to a vote;
 - g) Lay on the Table – puts the main motion aside temporarily for more urgent business and is taken up after the urgent business is dealt with.
- 12.3. The following are common but not all incidental motions:
- a) Point of Order – asked the Chair to enforce the rules; more details in Section 13;
 - b) Appeal – takes the decision of the Chair away and gives it to members of Council or Committee of Council;
 - c) Suspend the rules – allow Council or Committee of Council to do something it normally cannot do without breaking the rules;
 - d) Objection to consideration of the question – avoids the main motion if Council or Committee of Council thinks the motion should never have been made or is outside the its mandate;
 - e) Division of a question – separate parts of a main motion into separate motions that can stand on their own for consideration.
- 12.4. The following are common but not all privilege motions:
- a) Raising a question of privilege – is an emergency motion which deals with the rights and privileges of members;
 - b) Recess – provides a short break in the meeting;

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

-
- c) Fix the time to adjourn – sets a time to adjourn the meeting;
 - d) Adjourn – closes the meeting.
- 12.5. All business before Council or Committee of Council for consideration will be made in the form of main motions which proposes specific action be taken.
- 12.6. All main motions will be provided to the Chair or Clerk in writing before being debated.
- 12.7. A motion must be seconded, and when requested read by the Chair or Clerk, before it is debated; except a motion raising a question of privilege or point of order.
- 12.8. Council or a Committee of Council may have informal discussions on a subject prior to making a main motion for consideration.
- 12.9. A motion may at any time after it is seconded and before the Council or Committee of Council has voted on it, be withdrawn or modified by the mover with consent of Council or Committee of Council.
- 12.10. When any main motion is being considered, the only motions in order will be:
- a) to amend;
 - b) to refer;
 - c) to postpone either definitely or indefinitely; or
 - d) to limit or extend debate;
 - e) the previous question.
- 12.11. Amendments will be put in the reverse order of which they are made. Only one amendment will be allowed at a time and one sub-amendment will be allowed to an amendment. Every amendment submitted will be decided on or withdrawn before the main question is put to a vote.
- 12.12. A motion to adjourn will always be in order except in the following cases:
- a) when a Council or Committee of Council member is in possession of the floor;
 - b) when the “yeas” and “nays” are being called;
 - c) while the Council or Committee of Council members are voting; or
 - d) when the motion to adjourn was the last preceding motion.
- 12.13. The following motions will be decided without debate:
- a) a motion to reconsider;

-
- b) all motions as to priority of business or as the suspension of the order of the day;
 - c) applications to speak more than the prescribed number of times;
 - d) a motion to allow any person other than a Council member to address the Council;
 - e) a motion to postpone definitely;
 - f) a motion to lay on the table when claiming a privilege over another person; and
 - g) a motion to adjourn.
- 12.14. Before putting the motion to a vote, the Chair will ask "Are you ready for the question" and if no member offers to speak on the motion or they make a motion for the Previous Question, the Chair will put the question, after which no member will be permitted to speak upon it.
- 12.15. The usual form of voting on any motion will be by the Chair calling for "yeas" and "nays", and members indicating their choice by show of hands or, if provided, by electronic means; but any Council or Committee of Council member, before or after the vote can call for, a recorded vote with each members vote entered into the minutes.
- 12.16. No motion committing the Municipality to the expenditure of funds will be accepted by the Chair for the consideration of Council, unless there is unanimous consent of Council members present, except for matters arising from correspondence, Committee of Council or other reports, agenda items, notices of motions or other material circulated to Council members on or before the day before the meeting, and except for matters arising from a closed meeting.
- 12.17. A majority vote of those present will determine all questions arising in Council and a Committee of Council, except motions to approve a planning document and those requiring a two-thirds (2/3) vote.
- 12.18. The adoption of planning documents or amendment thereof by Council at Second Reading requires a majority vote of number of Council members elected, regardless of number present to achieve quorum. And only those members present during a public hearing are permitted to vote on the matter at which a public hearing was held.
- 12.19. The following motions require a two-thirds vote:
- a) to suspend the rules;

-
- b) to limit or extend debate;
 - c) to amend or rescind something previously adopted;
 - d) to object to the consideration of the question; or
 - e) to close nominations.
- 12.20. Subject to the *Municipal Conflict of Interest Act*, all Council or Committee of Council members present including the Chair will vote on a motion and may not abstain.
- 12.21. A member of Council or Committee of Council who fails or refuses to vote on a motion is deemed to have voted in the positive.
- 12.22. In the event of a tie in a vote on a motion, the motion is determined in the negative.
- 12.23. Any notice of motion given by a Council or Committee of Council member for a subsequent meeting may, in the absence of the member giving such notice, be taken up by another member.
- 12.24. The following motions may bring a motion for consideration again:
- a) Take from the table – takes up the motion previously laid on the table;
 - b) Rescind – takes back a motion or policy; for a by-law this is called a repeal, a notice to rescind must be given at a previous meeting;
 - c) Amend something previously adopted – modifies a motion previously presented and adopted;
 - d) Discharge a committee – takes a matter sent to a committee back before a report has been presented;
 - e) Reconsider – allows reconsideration due to new information or situation so the true will of the members is acted on.
- 12.25. No motion can be reconsidered if the actions cannot be undone.
- 12.26. After any main motion has been decided, any Council or Committee of Council member who voted on the winning side may, after the decision has been announced from the Chair, but before adjournment of the meeting may give notice of an intention to move reconsideration at the next meeting. The giving of such a notice operates as a stay or suspension of the decision.
- 12.27. In the event that Council or a Committee of Council member fails to give notice of reconsideration at the same meeting, the member will give notice in writing to the Clerk least 14 days prior to the next meeting but not thereafter,

of Notice of Motion to reconsider the motion of a previous meeting, stating the reasons therefore, and if the motion for reconsideration is seconded, the same will be put to a vote after debate (unless it is an undebatable motion) and if carried, the question for reconsideration will then be read and disposed of.

- 12.28. No discussion of the main question will be allowed during the motion for reconsideration.
- 12.29. The following matters are not eligible for reconsideration:
- a) a motion approving the first or second reading of a by-law enactment, amendment or repeal;
 - b) a motion to decide on a matter which was the subject of a statutory hearing by Council;
 - c) a motion which is or was considered by the Committee of the Whole or the Planning Advisory Committee in substantially the same form in which it is being or will be considered by Council, irrespective of whether Council has adopted or rejected or may adopt or reject, the recommendation;
 - d) a matter which has already been reconsidered once;
 - e) a vote to reconsider; and
 - f) a motion to reconsider or rescind a motion approving the annual budget of the Municipality or a motion authorizing any legal proceedings.
- 12.30. Any rule concerning motions and voting may be suspended for a specific matter with a motion, passed by two-thirds (2/3) vote of Council or Committee of Council members present, stating the specific rule to suspend and the matter for which it is suspended.
- 12.31. A summary of the rules for common motions can be found in Appendix B.

13. Points of Order (also refer to Code of Conduct Policy)

- 13.1. A point of order asks the Chair to rule on or enforce the rules if a Council or Committee of Council member thinks the rules of this Policy have been broken.
- 13.2. A point of order does not need to be seconded but must specify which rule is being broken and must be decided upon before the subject under consideration is proceeded with.

-
- 13.3. When a Council or Committee of Council member is called to order, the member will be seated and remain silent until the point is determined or until called upon by the Chair to be heard on the point of order.
- 13.4. A point of order is not debatable amongst other Council or Committee of Council members, unless the Chair invites discussion to assist in making a ruling. Where the Chair permits discussion on a point of order, no member will speak more than once.
- 13.5. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the meeting room pursuant to Sections 13.6 and 13.8, are not debatable but are appealable to Council or Committee of Council by any member. When an appeal is made of the decision of the Chair, the Chair will simply put the question, "Will the decision of the Chair be sustained?"
- 13.6. If a Council or Committee of Council member resists:
- a) the rules contained in this Policy;
 - b) willfully obstructs the business of Council or the Committee of Council;
 - c) disobeys the decision of the Chair, or of Council or Committee of Council on appeal, on any question of order or practice or upon the interpretation of the rules after being called to order by the Chair; or otherwise disrupts the meeting proceedings;
- the member may be ordered by the Chair to leave their seat.
- 13.7. If the Council or Committee of Council member refuses to leave the Council members seat, the Chair may, after majority vote is made to support the expulsion, order the member to be expelled and removed from the meeting room.
- 13.8. Such Council or Committee of Council member may, by vote of the members, later in the meeting or at a subsequent meeting be permitted to re-enter the meeting room and to resume participation in Council or Committee of Council business with or without conditions.
- 13.9. Persons who are not Council or Committee of Council members, staff, or invited guests of the Municipality will observe silence and order in the meeting room, unless given permission to speak. Any such persons disturbing the proceedings of Council or Committee of Council will be called to order by the Chair and, if they fail to comply, will be expelled and excluded from the

meeting room by the Chair, provided that a majority vote will be required to sustain the expulsion.

- 13.10. Such members of the public, by vote of the members, later in the meeting or at a subsequent meeting, may be permitted to re-enter the Council Chambers with or without conditions.
- 13.11. An order of the Chair to expel a person from the meeting room pursuant to Sections 13.6 and 13.8 of this Policy constitutes a direction from the Municipality to leave the premises for the purpose of the Protection of Property Act and other applicable laws.

14. In-Camera Meetings

- 14.1. Notwithstanding Section 3.1, Council or a Committee of Council may meet in-camera as per Section 22(2) of the Act, for the following reasons:
- a) acquisitions, sale, lease and security of municipal property;
 - b) setting minimum price to be accepted by the municipality at a tax sale;
 - c) personnel matters;
 - d) labour relations;
 - e) contract negotiations;
 - f) litigation or potential litigation;
 - g) legal advice eligible for solicitor-client privilege;
 - h) public security.
- 14.2. No decision will be made while in-camera except decisions on matters of procedure or to give direction to the CAO or Solicitor. All other decisions will be made during a public meeting.
- 14.3. The meeting decorum and rules of debate of Section 10 apply during an in-camera meeting.
- 14.4. A record which is open to the public will be made, noting the fact that Council or Committee of Council had met in-camera, the type of matter as set out in Section 22(2) of the Act, and the date, but no other information.
- 14.5. Discussions held by those in attendance of an in-camera meeting are confidential unless required for Municipal, legal purposes pursuant to other regulatory requirements or released by motion of Council or the Committee of Council.

-
- 14.6. An agenda and documentation for the in-camera meeting will be provided to Council or Committee of Council members only, in a manner similar to Section 7 of this Policy or may be handed out during the in-camera meeting. Such material will be deleted from the internal communication system or collected after the meeting.
- 14.7. Minutes of the in-camera meeting will be taken by the Clerk, or other responsible staff member, and approved at the next in-camera meeting of Council or Committee of Council. Such minutes and meeting packages will be securely kept and will not be subject to mandatory public disclosure unless required for Municipal, legal purposes pursuant to other regulatory requirements, or released by motion of Council or the Committee of Council.
- 14.8. The Mayor, Deputy Mayor, Chair, Solicitor, CAO or designate, or Clerk will have authority to brief one another or any member of Council or Committee of Council who is absent from the closed session.

15. Setting Direction

- 15.1. To practice good governance and ensure that decisions are made in the best interest of the Municipality, businesses and residents; decisions should be assessed through the lenses of property, environment, economics, social and public opinion before recommending an action or making a decision. Appendix C has further details on the decision-making lenses.
- 15.2. Council may set direction and make decisions through resolutions, policies and by-laws. Committees of Council may make motions recommending a direction, policy, or by-law to Council.
- 15.3. The process to approve a resolution at a Council meeting does not require notice or public consultation. A motion becomes a resolution upon approval.
- 15.4. Approval of Policies:
- a) The process for Council to approve a policy requires seven (7) days notice to all Council members but does not require public consultation. Notice may be given in one of the following manners:
 - i. Through a notice of motion regarding the policy at a Council meeting for approval at the next Council meeting, provided there are at least seven (7) days between meetings;

-
- ii. Through a recommendation from Committee of the Whole to Council, provided there is at least seven (7) days between the meetings;
 - iii. Through a recommendation from Planning Advisory /Heritage Advisory Committee to Council, where such notice will be emailed to Councillors at least seven (7) days before the meeting.
- 15.5. Approval of By-laws and Planning Documents:
- a) The process for Council to approve a by-law, other than a planning document, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 168 (2) of the Act.
 - b) The process for Council to approve a planning document or amendment there of, after the requirements of the public participation program for planning documents have been met, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 206 of the Act.
 - c) Council will receive no new information regarding the by-law or planning matter once a public hearing is complete.
 - d) Only the Council members present at the Public Hearing may vote on the Second Reading of the by-law and planning document.
- 15.6. Public Hearings are separate meetings which are held immediately before the Council meeting at which the Second Reading of the by-law or planning document is held. The agenda for the Public Hearing will be similar to the following:
- a) Overview of by-law or planning document to be approved – by staff
 - b) Owner or Developer Presentations (if applicable)
 - c) Written Submissions in Favour or Against
 - d) Questions or Comments from the Public in Favour or Against
 - e) Concluding Remarks
- 15.7. Council may reverse a resolution or policy through a motion to rescind or repeal in the same manner it was created. The process to reverse a by-law is to create a new by-law stating the repeal.
- 15.8. The resolution, policy or by-law to be rescinded or repealed:
- a) will have been approved at a previous Council meeting, and

- b) will not have been carried out to the extent that it is too late to undo for the future.

16. Receiving Public Input

- 16.1. Council and Committees of Council members may obtain public input and opinions from residents in the following manner:
 - a) speaking with a resident directly;
 - b) at public consultation and information meetings;
 - c) during Public Hearings;
 - d) through formal presentation during meetings, requests which have been received by staff may be placed on the meeting agenda and approved by the Chair, prior to the meeting;
 - e) during the allotted twenty (20) minutes of Public Participation on the Committee of the Whole Agenda. A member of the public may speak for a maximum of five (5) minutes each during this period;
 - f) through formal petitions and written applications to Council.
- 16.2. Petitions and applications to Council will be:
 - a) legibly written or printed on paper;
 - b) will have endorsed upon it the name, address and signature of one or more petitioners, applicants or required persons, and the substance of the matter contained in it.
 - c) be presented by a Council member or staff member who will inform Council of the contents and ask permission of Council for it to be read on behalf of petitioners;
 - d) Council may decide to hear a summary of a petition or written application in lieu of hearing the reading of the entire petition or written application.

17. Committees

- 17.1. The Council of the Municipality may establish Committees of Council for various matters.
- 17.2. Committees of Council are advisory in purpose and may only make recommendations to Council for final approval and action; unless otherwise enabled under this Policy or by Provincial Legislation.

-
- 17.3. In addition to the Committee of the Whole, the following Committees of Council are here by established and details of the establishment can be found in the respective appendix to this Policy:
- a) Accessibility Advisory Committee – Appendix D
 - b) Audit Committee – Appendix E
 - c) Davidson Lake Watershed Committee - F
 - d) French Mill Brook Watershed Advisory Committee – Appendix G
 - e) Fences Arbitration Committee – Appendix H
 - f) Hantsport Area Advisory Committee – Appendix I
 - g) Windsor Area Advisory Committee – Appendix I
 - h) Mill Lakes Watershed Advisory Committee – Appendix J
 - i) Planning Advisory/Heritage Advisory Committee – Appendix K
 - j) Municipal Climate Change Action Plan Committee – Appendix L
 - k) Diversity and Inclusion Committee – Appendix M
- 17.4. Council may also form Committees of Council as required under a by-law or agreement approved by Council.
- 17.5. Council may agree to participate in external boards and committees which are established by the Province, legal agreement or is of significant interest to the Municipality.
- 17.6. Council will not be bound by the by-laws or articles of incorporation adopted by an external committee or board providing for the appointment of a member to the committee or board.
- 17.7. Council agrees to participate in the following external boards and committees:
- a) Annapolis Valley Regional Library Board
 - b) Hants County Residence for Senior Citizens Board
 - c) Landfill Liaison Committee
 - d) Region 6 Solid Waste Management Board
 - e) Valley Communication Fibre Network
 - f) Valley Regional Enterprise Network
- 17.8. Councillors are elected to various committees and boards every two (2) years, or as required by other legislation, policies or agreement, at the November Council meeting. For clarification, the first appointment after April 1, 2020 will be in November 2022. The number of Councillors to be elected:
- a) for Committees of Council one (1) or more Councillors may be elected in accordance with the Committee structure set by Council;

-
- b) for external boards and committees, one (1) Councillor and one (1) alternate Councillor may be elected.
- 17.9. The election of Councillors to various committees and boards will be conducted in similar manner as the election of Deputy Mayor in Section 6.
- 17.10. Councillors not elected to a Committee of Council or external committee or board will not be permitted to participate in the committee debate or the vote; but are authorized to make comments, presentations, and participate in the committee meeting, to the extent authorized by the Chair.
- 17.11. A Councillor ceases to be a member of a Committee of Council or external committee or board when they cease to be a Councillor or as per poor conduct as per the Code of Conduct Policy.
- 17.12. Council may appoint residents to serve on Committees of Council or to represent the Municipality on external board and committees.
- 17.13. All resident appointments will be advertised publicly with a request for those interested to submit a letter of interest and application for a committee. The letter of interest will be reviewed by the CAO or designate and staff who will then submit a recommendation to Council for appointment.
- 17.14. Committees of Council will be governed in accordance with this Policy, unless this Policy states that an alternate arrangement may be provided in the Administrative Terms of Reference of the Committee of Council.
- 17.15. Each member of a Committee of Council is to receive a copy of this Policy and the Committee of Council's Administrative Terms of Reference at the first duly called meeting of the Committee of Council after the regular election or appointment of members.
- 17.16. The Clerk will keep a record of all Councillor and resident appointments to Committees of Council and external committees and boards.
- 17.17. Councillors and resident members who sit on an external committee and board that has not been a result of an appointment by Council, will disclose the name of the external committee or board to the Clerk. The Clerk will keep a public record and will update the information in November of each year.

-
- 17.18. Council may by majority vote remove any Councillor or resident member of a Committee of Council or external committee or board who was elected or appointed by Council.
- 17.19. Council will fill any vacancy on a Committee of Council or external committee or board as soon as practicable after the vacancy occurs.

18. Conferences and Training

- 18.1. Up to six (6) Council members plus Mayor (and their spouses), and the CAO (or delegate) may attend the Spring conference held by the Nova Scotia Federation of Municipalities (NSFM). And, up to six (6) Council members plus Mayor (and their spouses), and the CAO (or delegate) may attend the Fall conference held by the NSFM; however, will be based on opportunity. The schedule of attendance will be revisited annually to promote fairness.
- 18.2. Annually, Council will approve participation in a conference held by the Federation of Canadian Municipalities (FCM), including the number of Council and staff members to participate through the provision of funding during budget deliberations.
- 18.3. Councillors may attend and be reimbursed for other related training opportunities with prior approval of Council.
- 18.4. Remuneration for conferences and training will be in accordance with the Remuneration Policy.
- 18.5. There will be an annual budgeted amount for Committees of Council members to attend conferences relevant to the committee in which they are appointed. This may include up to one resident member per Committee of Council.
- 18.6. The CAO will be responsible for promoting conference and professional development opportunities and for devising a system ensuring overall fairness for the opportunity to attend.

19. Repeal

- 19.1. The following policies of the former Municipality of the District of West Hants are hereby repealed effective April 1, 2020:
- a) The Council Procedural Policy, COGE-003.00, dated February 14, 2017 as amended to September 10, 2019;

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

- b) Audit Committee Policy, COFN-007.00, dated May 8, 2018;
- c) Policy Establishing Davidson Lake Watershed Advisory Committee, COPW-003.00, dated December 8, 2015 as amended to June 12, 2018;
- d) Establishment of the Falmouth Watershed Advisory Committee Policy COPW-002.00, dated February 13, 2018 as amended to June 12, 2018;
- e) Policy to Establish the Fences Arbitration Committee, COGE-008.00, dated June 12, 2018;
- f) Policy Establishing West Hants Planning Advisory Committee, COPL-006.00, dated December 11, 2018; and
- g) Policy Establishing the Hantsport Area Advisory Committee, COPL-005.00.

19.2. The following policies of the former Town of Windsor are hereby repealed effective April 1, 2020:

- a) Meeting Attendance via Video/Virtual Policy dated September 26, 2017;
- b) Appointment of Deputy Mayor Policy dated November 25, 2014; and
- c) Audit Committee Policy dated November 28, 2017.

20. Related Legislation, Policies, Procedures

20.1. The following is a list of related legislation, policies and procedures:

- a) Municipal Government Act
- b) Municipal Conflict of Interest Act
- c) Freedom of Information and Protection of Privacy Act
- d) Protection of Property Act
- e) Robert's Rules of Order

APPENDIX A

Report Form

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐
--------------------------------------	---	---	--

To: (Name of Committee)**Submitted by:** _____
(Name and Title)**Date:** (Date)**Subject:** (Title or Subject of Report)

LEGISLATIVE AUTHORITY

(State where ability for consideration comes from if applicable)

RECOMMENDATION or DECISION REQUEST

(State the recommendation or decision request in the form of a motion, if not applicable because it is an Information Report or Councillor Activity Report, state so)

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
-----------------------------------	--	--------------------------------------	---------------------------------	-----------------------------------	---

(Provide the Who, What, When, Where and Why. If a Councillor Activity Report check "Councillor Activity" and provide your update/info below in the "Discussion" section.)

DISCUSSION

(Provide new information about the subject, Councillor activity, strategic implications, desired outcome.)

NEXT STEPS

(State what will be done next if anything.)

FINANCIAL IMPLICATIONS

(Inform of any financial implications it may have on current or future budgets of the Municipality, or to residents, if anything.)

ALTERNATIVES

(State any option to the recommendation and implication of the options, if anything)

ATTACHMENTS

(List any attachment to the report, if anything.)

CHIEF ADMINISTRATIVE OFFICER REVIEW

(For use if report is from a Councillor. CAO to provide additional comments on background, department/staff responsible and workload, budget, options, preferred strategy. State "Not Applicable" if report is from staff which already incorporates CAO review.)

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX B

Rules of Common Motions

Privilege and Subsidiary motions are listed in the order of their precedence, with the highest ranking at the top. After the Chair states a motion, higher ranking motions are in order but not lower ranking motions, except to Amend and Previous Question can be applied to amendable and debateable motions of higher rank than themselves. Incidental Motions have no ranking order. These are the general rules relating to motions, special rules may apply in accordance with Roberts Rules of Order.

Type Of Motion	Motion in Order of Precedence	Seconded Needed?	Amendable?	Debatable?	Decided by?	Reconsider?	Interrupt?
Incidental Motions	Point of Order	No	No	No (unless Chair Permits)	Chair	No	Yes
	Appeal	Yes	No	Yes	Majority (Nays)	Yes	Yes (at time of ruling)
	Suspend the Rules	Yes	No	No	2/3	No	No
	Objection to the Consideration of the Question	No	No	No	2/3 (Nays)	Yes (Nays Only)	Yes (unless debate has begun)
	Division of the Question	Yes	Yes	No	Majority	No	No
Privilege Motions	Fixing the Time to Adjourn	Yes	Yes	No	Majority	Yes	No
	Adjourn	Yes	No	No	Majority	No	No
	Recess	Yes	Yes	No	Majority	No	No
	Raise a question of Privilege	No	No	No	Chair	No	Yes
Subsidiary Motions	Lay on the Table	Yes	No	No	Majority	No	No
	Previous Question	Yes	No	No	2/3	Yes	No

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

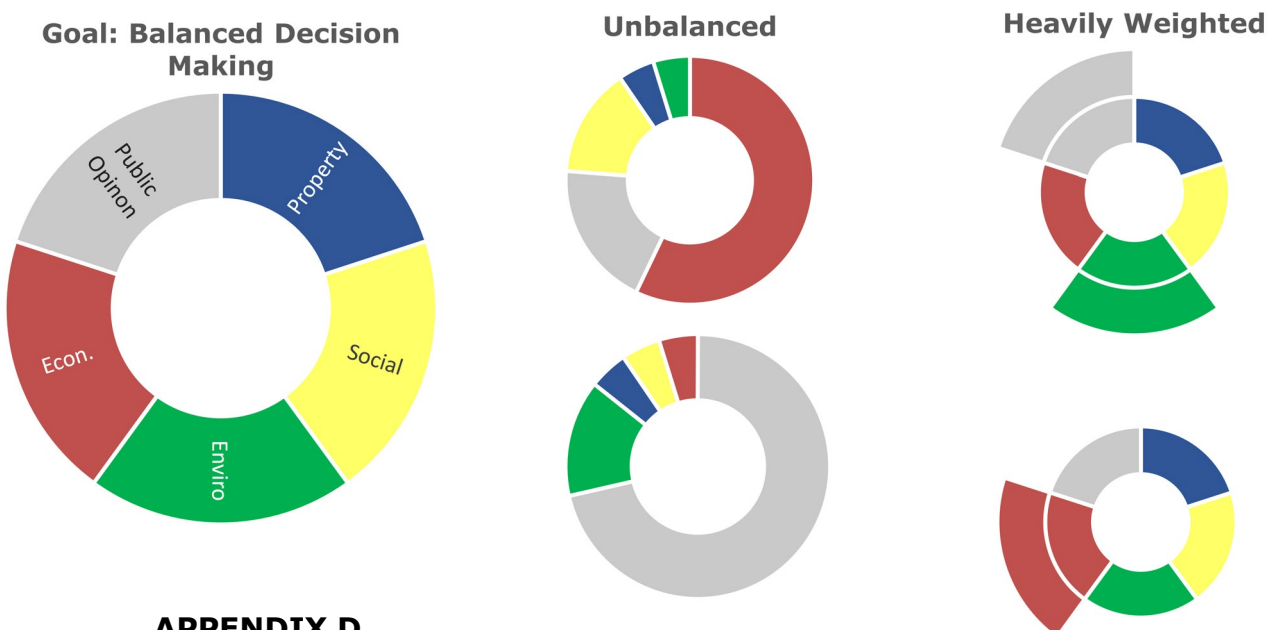
	Limit or Extend Debate	Yes	Yes	No	2/3	Yes	No
	Postpone to a Definite Time	Yes	Yes	Yes	Majority	Yes	No
	Refer	Yes	Yes	Yes	Majority	Yes	No
	Amend	Yes	Yes	Yes	Majority	Yes	No
	Postpone Indefinitely	Yes	No	Yes	Majority	Yes	No
Main	Original Motion	Yes	Yes	Yes	Majority	Yes	No

APPENDIX C

Decision Making by Council and Committee of Council

Council and resident members should assess every issue presented through the lenses of property, environment, economics, social, and public opinion before making a decision or recommendation for action. Council and residents have the responsibility to research all lenses in order to make a balanced and respectful decision. Information on an issue can become heavily weighted around a single lens, leaving out other factors that will influence the community as a whole. Council and resident members strive to make recommendations that are balanced and unbiased, without emotion, which reflect all lenses, to protect the best interests of the Municipality and the people it serves.

- **Property:** "something at the disposal of a person, a group of persons, or the community or public". Examples: single use, shared use, noise, beautification, traffic, zoning, regulations
- **Environment:** "the air, water, minerals, organisms, and all other external factors surrounding and affecting a given organism at any time". Examples include regulatory requirements and land use.
- **Economic:** "pertaining to the production, distribution, and use of income, wealth, and commodities". Examples: cost savings or expense with decision, property taxation, spending in community, tourism, assessments, market impacts
- **Social:** "of or relating to human society". Examples: Acceptance, limited available or benefit, values
- **Public Opinion:** "the collective opinion of many people on some issue, problem, etc., especially as a guide to action, decision, or the like". Examples: feedback, communication, media, other municipal units
- **Other:** In some cases, other lenses may be required to fully understand an issue. Examples: chance of success, innovation.



APPENDIX D

Accessibility Advisory Committee

1. PURPOSE

- 1.1. The Accessibility Advisory Committee provides advice to Council on identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping the Region of Windsor and West Hants Municipality become a barrier-free community and ensuring obligations under "An Act Respecting Accessibility in Nova Scotia (2017)" are met.

2. SCOPE

- 2.1. This Policy is applicable to all members appointed to the Municipality's Accessibility Advisory Committee.

3. DEFINITIONS

- 3.1. In Appendix D,
- a) "AAC" means the Accessibility Advisory Committee of the Municipality;
 - b) "Act" means the *Accessibility Act*;
 - c) "Barrier" means anything that hinders or challenges the full and effective participation in society of persons with disabilities including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice;
 - d) "Council" means the Council for the Municipality;

- e) "Disability" includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability; that, in interaction with a barrier, hinders an individual's full and effective participation in society;
- f) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

4. COMMITTEE COMPOSITION

- 4.1. The AAC will consist of seven (7) members as follows:
 - To a two-year term – One (1) members of Council
 - To a two-year term – four (4) Resident members
 - To a three-year term – two (2) Resident members.
- 4.2. Resident members will not be members of Council or employees of the Municipality.
- 4.3. At least one half of the members of the AAC must be persons with disabilities or representatives from organizations representing persons with disabilities.
- 4.4. If a member vacates AAC for any reason at any time before that member's term would normally expire, Council will promptly appoint a new member to the Committee to hold office for the unexpired term.
- 4.5. The Chair and Vice-Chair will be appointed annually by the members of AAC.

5. MANDATE AND RESPONSIBILITIES

- 5.1. AAC has the following responsibilities:
 - a) Advise Council in the preparation, implementation and effectiveness of its accessibility plan. In accordance with the Act, the plan must include:
 - A report on measures the Municipality has taken and intends to take to identify, remove and prevent barriers;
 - Information on procedures the Municipality has in place to assess the following for their effect on accessibility for persons with disabilities:
 - i. Any of its proposed policies, programs, practices and services, and
 - ii. Any proposed enactments or bylaws it will be administering; and
 - Any other prescribed information.
 - b) Advise Council on the impact of the Municipality's policies, programs and services on persons with disabilities;
 - c) Review and monitor existing and proposed Municipal by-laws to promote full

-
- participation of persons with disabilities, in accordance with the Act;
 - d) Identify and advise on the accessibility of existing and proposed municipal services and facilities;
 - e) Advise and make recommendations about strategies designed to achieve the objectives of the Municipality's Accessibility Plan;
 - f) Receive and review information directed to it by Council and its committees, and to make recommendations as requested;
 - g) Monitor Federal and Provincial government directives and regulations; and,
 - h) Host community consultations related to accessibility in the Municipality.

6. ADMINISTRATION

- 6.1. AAC will meet no less than six times per year, or otherwise as required to fulfill the duties as outlined.
- 6.2. A quorum for AAC will be a majority, four (4) members.
- 6.3. The AAC may receive presentations from the public upon approval of the Chair.
- 6.4. The AAC may establish Working Groups to explore specific issues related to the accessibility plan and/or to other responsibilities. Members of the Working Group may consist of additional members of the community. A member of the AAC shall chair the Working Group.

APPENDIX E

Audit Committee

1. PURPOSE

- 1.1. The primary purpose of the Audit Committee (the "Committee") is to provide advice to Council on all matters relating to audit and finance. The objective of the Committee is to:
- a) fulfil the requirements outlined in Section 44 of the *Municipal Government Act*; and
 - b) assist Council in meeting its oversight responsibilities by ensuring the adequacy and effectiveness of financial report, risk management and internal controls.

2. SCOPE

- 2.1. This Policy is applicable to all serving members Audit Committee.

3. DEFINITIONS

- 3.1. In Appendix E,
- a) "Auditor" means the External Auditor conducting the audit of the Municipality;
 - b) "CAO" means the Chief Administrative Officer for the Municipality;
 - c) "Director of Finance" means the Director of Financial Services for the Municipality;
 - d) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section

11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

4. COMMITTEE COMPOSITION

- 4.1. Council will annually appoint members to an Audit Committee.
- 4.2. The Audit Committee will consist of five (5) members: the Mayor, two Council members, and two resident members who are not members of Council or Municipal Staff.
 - a) Resident members should be sufficiently versed in financial matters to understand the Municipality's account practices and policies and the major judgements involved in preparing the financial statements.
 - b) Where an audit committee does not include any resident members, the audit committee will continue to meet and perform its duties and may exercise its powers. The Municipality will advertise to recruit resident members at least once every six months until the requirement is met.
 - c) The Mayor will chair the Audit Committee meetings, and in their absence, another appointed Council member will chair.
 - d) The CAO and/or Director of Financial Services will provide staff support to the Committee. They are not voting members of the Committee.
 - e) The Council Remuneration Policy will be followed regarding any remuneration for the two resident members.
 - f) All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by CAO.

5. DUTIES AND RESPONSIBILITIES

- 5.1. Audit:
 - a) Review the qualifications, independence, quality of service, performance, and fees of the auditors and recommend the appointment of an auditor to Council.
 - b) Carry out the responsibilities of the Audit Committee contained in Section 44 of the *Municipal Government Act*, in consultation with Management.
- 5.2. Finance and Risk Management
 - a) Review with Management the quarterly financial updates and recommend to Council to be received.
 - b) Management will give a presentation on all financial policies used in the preparation of the external financial statements; at the first annually meeting of the year.
 - c) Review with Management the adequacy of internal controls.

- d) Review with Management annually risk management practices including insurance coverage.

6. ADMINISTRATION

- 6.1. Meetings of the Audit Committee will be held at least quarterly. Additional meetings may be necessary to review items relating to the audit and will be called by the Chair.

APPENDIX F

Davidson Lake Watershed Advisory Committee

1. PREAMBLE

- 1.1. The Davidson Lake Watershed Advisory Committee was established in 2007 in response to the requirement of Nova Scotia Environment (NSE) to develop and prescribe regulations for the Protected Water Area, as well as a Source Water Protection Plan (SWPP). The SWPP was adopted by the former Hantsport Town Council on July 4, 2013. The draft Regulations were submitted to Nova Scotia Environment and at this time awaits Provincial review and approval.

2. DEFINITIONS

- 2.1. In Appendix F,
 - a) "Committee" means the Davidson Lake Watershed Advisory Committee;
 - b) "Councillor" means an elected member of the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. PURPOSE

- 3.1. The primary objective of the Davidson Lake Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other stakeholders to work cooperatively to maintain the water quality and quantity in the Davidson Lake Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.

- 3.2. The mandate of the Davidson Lake Watershed Advisory Committee is to advise and make recommendations to Council concerning issues of the management and protection of the Davidson Lake Watershed.

4. ROLE OF THE DAVIDSON WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Davidson Lake Watershed.
- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the Davidson Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Davidson Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
 - k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

- 5.1. The Committee members will be comprised of:

- One (1) Landowner Representative
- One (1) Councillor and one alternate
- One (1) Nova Scotia Department of Lands and Forestry Representative
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Environment Representative

5.2. The Landowner Representative must own land in the Davidson Lake Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be four (4) members; of which one (1) must be a Councillor.
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Davidson Lake Watershed Advisory Committee to Committee of the Whole.
- 6.3. The Committee will meet semi-annually. The Chair may call additional meetings as required.
- 6.4. Administrative services for the Committee will be provided by the Municipality.
- 6.5. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX G

French Mill Brook Watershed Advisory Committee

1. PREAMBLE

- 1.1. In 1983, the area surrounding French Mill Brook, Hants County was designated as a Protected Water Area at the request of the former Municipality of the District of West Hants. Regulations were also enacted for the designated area to protect the water supply. The French Mill Brook Watershed Protected Area supplies potable water to the community of Falmouth and covers approximately 2814 acres of land (1139 hectares), according to the plan prepared in 1974.
- 1.2. The former Falmouth Watershed Advisory Committee was established in 1992 to manage the French Mill Brook Watershed through the involvement of all stakeholders, including landowners, municipal staff and government representatives.

2. DEFINITIONS

- 2.1. In Appendix G,
 - a) "Committee" means the Falmouth Watershed Advisory Committee;
 - b) "Councillor" means an elected member of the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. PURPOSE

- 3.1. The primary objective of the French Mill Brook Watershed Committee is to provide a forum for the Landowners, the Municipality, and other stakeholders to work cooperatively to maintain the water quality and quantity in the French

Mill Brook Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.

- 3.2. The mandate of the Committee is to advise and make recommendations to Council concerning issues of the management and protection of the French Mill Brook Watershed.

4. ROLE OF THE FRENCH MILL BROOK WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the French Mill Brook Watershed.
- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the French Mill Brook Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the French Mill Brook Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
 - k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

- 5.1. The Committee members will be comprised of:
- Three (3) Landowners Representatives
 - One (1) Councillor and one (1) alternate
 - One (1) Water Utility Representative
 - One (1) Planning and Development Department Representative
 - One (1) Nova Scotia Department of Lands and Forestry Representative
 - One (1) Nova Scotia Transportation and Infrastructure Renewal Representative
 - One (1) Nova Scotia Environment Representative
- 5.2. The Landowner Representatives must own land in the French Mill Brook Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be six (6) members; of which one (1) must be Councillor and two (2) Landowner Representatives.
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Falmouth Watershed Advisory Committee to the Committee of the Whole.
- 6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.
- 6.4. Administrative services for the Committee will be provided by the Municipality.
- 6.5. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX H

Fences Arbitration Committee

1. PURPOSE

- 1.1. The purpose is to establish the Fences Arbitration Committee in accordance with the Fences and Detention of Stray Livestock Act.

2. DEFINITIONS

- 2.1. In Appendix H,
- a) "Act" means the Fences and Detention of Stray Livestock Act, as amended from time to time;
 - b) "Clerk" means the Municipal Clerk of the Municipality;
 - c) "Committee" means the Fences Arbitration Committee of the Municipality;
 - d) "Council" means the Council of the Municipality;
 - e) "Livestock" means cattle, sheep, swine, goats, horses, ponies, mules, ratites, farmed deer and game farm animals and other livestock designated by the Minister;
 - f) "Minister" means the Minister of Agriculture;
 - g) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - h) "Non-livestock farm" means land upon which no livestock is maintained.
 - i) "Owner" includes
 - i. With respect to livestock, any person who has lawful custody of the livestock
 - ii. With respect to a farm, the person occupying or operating a farm.

3. FORMATION OF THE FENCES ARBITRATION COMMITTEE

- 3.1. The Committee will consist of two (2) members, of which one member is appointed by Council and one member of the Municipality appointed by the Nova Scotia Federation of Agriculture.
- 3.2. The member appointed by Council will be the Chair of the Committee and may be an employee of the Municipality.
- 3.3. Alternate members of the Committee may be appointed at the request of the member appointed by the Municipality or the Nova Scotia Federation of Agriculture.
- 3.4. All members or alternates will be residents of the Municipality.
- 3.5. Non-Council members will be paid remuneration in accordance with the Council Remuneration Policy.
- 3.6. The Committee will meet on an as needed basis.
- 3.7. Two (2) members of the Committee will form a quorum.
- 3.8. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

4. DUTIES

- 4.1. The Committee will perform the duties as required by and in accordance with the Act, which include but not limited to:
 - a) Hearing fencing disputes between the owners of a livestock farm(s) or between the owner of a livestock farm and a non-livestock farm; who have notified the Clerk in writing and paid the accompanied fee. With respect to the matter referred to the Committee, the Committee may, by written order,
 - i. Determine the location, height and material of construction of any fence;
 - ii. Determine the manner of maintenance of a fence;
 - iii. Direct the owner of a farm to construct or maintain any fence in accordance with the Act;
 - iv. Determine the proportion of costs of building and maintaining any fences and common boundaries to be borne by each of the adjoining livestock farm owners pursuant to the Act;

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

-
- v. Take any immediate action necessary including, but not limited to, the removal and boarding of livestock if it is determined there is a risk to the public, the livestock or property.
 - b) Directing a sale or other disposition of stray livestock, provided subsections (2), (3), and (4) of Section 9 of the Act have been complied with.
 - c) Disposing of stray livestock in such as manner as it deems fit, should no offer or reasonable offer be made at sale.
 - d) Distributing the proceeds of the sale or disposal of stray livestock in accordance with the Act.
 - e) Settling disputes regarding ownership and expenses of stray livestock that arise between the owner of the livestock, the person detaining it or the Municipality.

5. CONFLICT

- 5.1. Where there is a conflict between this Policy and the Act, the Act will prevail.

APPENDIX I

Windsor and Hantsport Area Advisory Committees

1. PURPOSE

- 1.1. To establish area advisory committees for the communities of Windsor and Hantsport in accordance with Sections 201 and 202 of the *Municipal Government Act*.
- 1.2. The Windsor Area Advisory Committee and Hantsport Area Advisory Committee will advise the Planning Advisory Committee of the Municipality on planning matters affecting its respective community including the preparation and amendment of planning documents and planning matters generally.

2. DEFINITIONS

- 2.1. In Appendix I,
 - a) "HAAC" means Hantsport Area Advisory Committee;
 - b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - c) "WAAC" means Windsor Area Advisory Committee.

3. COMMITTEE COMPOSITION

- 3.1. WAAC and HAAC will each consist of a maximum of eight (8) members and a minimum of four (4) members of which one (1) is a Council member (representing the relevant community), and seven (7) are resident members who are not members of Council.
- 3.2. Resident members will be appointed to the Committee for a term of two (2) years, with the term expiring following the October meeting of the second year, and the Council member will be appointed for a term of four (4) years, with the term expiring following the October meeting.

4. ADMINISTRATION

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

-
- 4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.
 - 4.2. All non-Council members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.
 - 4.3. The duties and procedures of the Area Advisory Committees will be as set out in the relevant Terms of Reference for the Advisory Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

APPENDIX J

Mill Lakes Watershed Advisory Committee

1. PREAMBLE

- 1.1. The Mill Lakes Watershed supplies the reservoir from which the Windsor Water Utility, operated by the Municipality, withdraws water. The Windsor Water Utility currently supplies water to the community of Windsor and the Three Mile Plains Water Utility. The Three Mile Plains Water Utility services communities of Three Mile Plains, Currys Corner, Garlands Crossing, and Wentworth Creek.

In 1964, the area surrounding Mill Lakes, Hants County, was designated a Protected Water Area. Regulations were also enacted for the designated area to protect the water supply. The regulations were updated in 1986 under the Water Act. The Mill Lakes Watershed Protected Water Area contains four thousand three hundred ninety-four and a half (4394.5) acres of land (1778.4ha).

The Mill Lakes Watershed Committee was first established in 2005 by the former Town of Windsor in response to the need to develop a Source Water Protection Plan.

2. DEFINITIONS

- 2.1. In Appendix J,
- a) "Committee" means the Mills Lakes Watershed Advisory Committee;
 - b) "Councillor" means an elected member the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - d) "Staff" means a person employed by the Municipality.

3. PURPOSE

- 3.1. The primary objective of the Mill Lakes Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other Stakeholders to work cooperatively to maintain the water quality and quantity in the Mill Lakes Watershed. The Committee recognizes that the protection of source water is the first step in the multi-barrier approach to clean, safe drinking water.

4. ROLE OF THE MILL LAKES WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Mill Lakes Watershed.
- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the Mill Lakes Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Mill Lakes Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
 - k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

- 5.1. The Committee members will be comprised of:
- Four (4) Landowner Representatives
 - One (1) Councillor and one (1) alternate
 - One (1) Nova Scotia Department of Lands and Forestry Representative
 - One (1) Water Utility Representative

- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Environment Representative (voting)

5.2. The Landowner Representatives must own land in the Mill Lakes Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be five (5) members; of which two (2) must be a Landowner Representatives and one (1) must be a Councillor. .
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Committee to the Committee of the Whole. The Committee Chair will be elected every two years on even numbered years by the Committee.
- 6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.
- 6.4. All Landowners are welcome to attend Committee meetings as observers.
- 6.5. A General Meeting of landowners may be called every two (2) years at the discretion of the Committee.
- 6.6. Administrative services for the Committee will be provided by the Municipality.
- 6.7. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX K

Planning Advisory/Heritage Advisory Committee

1. PURPOSE

- 1.1. To establish an advisory committee in accordance with Sections 200 and 202 of the *Municipal Government Act*.

The Planning Advisory/Heritage Advisory Committee will advise the Council of the Municipality on planning and heritage matters requiring a decision of Council affecting the Municipality, including the preparation and amendment of planning documents.

2. DEFINITIONS

- 2.1. In Appendix K,
- a) "HAAC" means Hantsport Area Advisory Committee;
 - b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - c) "PAC/HAC" means the Planning Advisory/Heritage Advisory Committee of the Municipality;
 - d) "WAAC" means Windsor Area Advisory Committee.

3. COMMITTEE COMPOSITION

- 3.1. The PAC/HAC will be established under the following terms:
- a) The Committee will consist of seven (7) members as follows:
 - four (4) members of Council of which one is the Mayor
 - one (1) member of WAAC
 - one (1) member of HAAC, and
 - one (1) Resident member who is not a member of Council or a Municipal employee.
 - b) Non-Council members will be appointed to the Committee in November for a term of two (2) years and expire the following the October meeting of the second year.

4. ADMINISTRATION

- 4.1. The PAC/HAC will appoint a Chair and Vice-Chair annually from among its members at the November meeting.
- 4.2. All non-Council members of the Committee will be remunerated for attendance at meetings of the Committee in accordance with the Remuneration Policy.
- 4.3. The PAC/HAC will present recommendations directly to the Council of the Municipality.

APPENDIX L

Municipal Climate Change Action Plan Committee

1. PURPOSE

- 1.1. The Municipal Climate Change Action Plan Committee provides a forum for all municipal departments and Council representatives to work co-operatively on implementing and evaluating the adaptation and mitigation actions outlined in the Municipal Climate Change Action Plans of the Municipality hereafter referred to as "the MCCAP". These policy and adaptation procedures help protect people, properties, special places, and municipal infrastructure from the negative impact of climate change.

2. DEFINITIONS

- 2.1. In Appendix L,
- a) "MCCAP Committee" means the Municipal Climate Change Action Plan Committee;
 - b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. COMMITTEE COMPOSITION

- 3.1. The Committee consists of ten (10) members:
- Three (3) Councillors;
 - Two (2) resident members, who are not members of Council
 - Chief Administrative Officer or designate;
 - Director of Public Works or designate;
 - Director of Planning and Development or designate;
 - Director of Community Development or designate;
 - Protective Services Manager or designate.
- 3.2. Each Councillor, appointed by Council, serves on the Committee for a designated term. Members are eligible for reappointment.
- 3.3. Designates and alternates are at the discretion of the Chief Administrative Officer.

4. ADMINISTRATION

- 4.1. The Chair and the Vice-Chair are elected by a majority of the members. Those persons elected hold office for a one-year term.

- 4.2. The Chair of the Committee acts as the liaison in providing recommendations to Council, as required from time to time.
- 4.3. The duties and procedures of the MCCAP Committee will be as set out in the relevant Terms of Reference for the MCCAP Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

APPENDIX M

Diversity and Inclusion Committee

1. PURPOSE

- 1.1. The purpose of the Diversity and Inclusion Committee is to engage the community and formulate action plans to address issues concerning social marginalization, equity, racism, and discrimination within the Municipality. The Committee will also examine issues and barriers in creating a community that is inclusive and welcoming to all.

2. DEFINITIONS

- 2.1. In Appendix M,
- a) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. COMPOSITION

- 3.1. The Committee will consist of ten(10) voting members and two (2) non-voting members as follows:
- 2 Councillors
 - 4 resident members of diverse race and ethnicity
 - 1 resident over the age of 60
 - 1 resident between the ages of 15-19
 - RCMP Representative
 - Provincial Government Representative
 - 2 non-voting staff members appointed by the Chief Administrative Officer

4. ADMINISTRATION

- 4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.
- 4.2. All non-Council and non-staff members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.
- 4.3. Administrative services for the Committee will be provided by the Municipality.
- 4.4. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the Region of the Windsor and West Hants Municipality at a meeting duly called and held on the **23rd** day of **March, 2020**.

R. N. Brown
Municipal Clerk

Adoption	
<i>Notice to Council:</i>	March 9, 2020
<i>Approval:</i>	March 23, 2020
<i>Description:</i> Initial approval of the Meeting and Committee Procedural Policy, RCOGE-003.00. Approved by the Co-ordinating Committee of the Region of Windsor and West Hants Municipality.	
First Amendment	
<i>Notice to Council:</i>	
<i>Approval:</i>	
<i>Description:</i>	

DIVERSITY AND INCLUSION COMMITTEE TERMS OF REFERENCE

1. Official Name

The Committee will be known as the Diversity and Inclusion Committee and may be referred to as the Diversity Committee.

2. Members/Composition

The Committee will consist of ten(10) voting members and two (2) non-voting members as follows:

- 2 Councillors
- 4 resident members of diverse race and ethnicity
- 1 resident over the age of 60
- 1 resident between the ages of 15-19
- RCMP Representative
- Provincial Government Representative
- 2 non-voting staff members appointed by the Chief Administrative Officer

All Councillors and resident members of the Committee are appointed by resolution of Council, and each member appointed serves the Committee for a term specified in the Policy establishing the Committee. Members are eligible for reappointment.

Resident members are chosen through a public process and recommendation to Council. Selection will include consideration of, but not exclusive to, gender, disabilities and geography.

All positions, whether or not an existing member has re-offered, will be reviewed through the evaluation process when the specified term is over.

In the case of any unexpected vacancy, Council may undertake the selection process to fill the position, with that new person appointed to serve the remainder of the term of the person replaced.

Committee members are expected to share information and consult with organizations and communities they are representing.

The Diversity Committee may recommend to Council that a Committee member who fails to attend three (3) consecutive meetings of the Committee, without good reason accepted by the Committee Chair be dismissed from the Committee.

3. Goals

The goal if the Diversity Committee is to engage the community and formulate action plans to address issues concerning social marginalization, equity, racism, and discrimination within the Municipality. The Committee will also examine issues and barriers in creating a community that is inclusive and welcoming to all.

4. Deliverables

DIVERSITY AND INCLUSION COMMITTEE TERMS OF REFERENCE

- Create and implement an action plan to eliminate racism, discrimination and social marginalization within the Municipality.
- Determine and educate the public about where and how racism, discrimination and social marginalization occurs within the Municipality.
- Recommend and monitor effectiveness of policies, programs and practices designed to eliminate racism, discrimination and social marginalization.
- Provide an annual report to Council of projects and their progress.

5. Jurisdiction

On July 28, 2020 Municipal Council approved the creation of a Diversity and Inclusion Committee as an advisory committee in accordance with Section XX of the Municipal Government Act. The Committee was included in the Meeting and Committee Procedural Policy as a Committee of Council.

The Committee's duration is indefinite, based on Council's continued support of the above Goals and Deliverables.

6. Resources/Budget

Diversity Committee resident members are remunerated in accordance with the Councillor Remuneration Policy and included in the annual operating budget.

The Committee will prepare an budget for consideration during the the annual budgeting process.

Municipal staff will provide administrative support to the Committee, such as but not limited to:

- arrange meeting times and venues and take Committee minutes;
- circulate meeting agendas and minutes; and
- provide reports or status updates on identified projects or applications.

7. Governance

The Diversity Committee meetings will generally take place **the morning of the second Wednesday of the month** in **February, April, September and November** but additional meetings may be called by the Chair on an as-needed basis or as directed by Council. Members will be informed of all meetings and supplied with an agenda prior to each scheduled meeting date.

A quorum is a majority of the number of appointed voting members at the time of the meeting.

The Chair and the Vice-Chair are elected by a majority of the members and hold office for a one-year term. The Chair acts as the liaison with Council.

Orders and rules of conduct for debate for the Diversity Committee meetings are the same as those for Council in the Meeting and Committee Procedural Policy.

DIVERSITY AND INCLUSION COMMITTEE TERMS OF REFERENCE

8. Communications

Committee members and staff will communicate with each other at meetings (in person or electronic), by telephone or by email.

Draft minutes of the Diversity Committee meetings are available to the public and will be approved at the next meeting.

All Diversity Committee meetings are open to the public, except as specified in Section 22 (2) of the Municipal Government Act.

9. Related Policies, Procedures and Legislation

- Meeting and Committee Procedural Policy, RCOGE-003.00
- Councillor Remuneration Policy, RCOHR-001.00
- Code of Conduct of Elected Municipal Officials Policy, RCOHR-002.00

Approved by: _____

Committee Chair

Adoption	
Notice to Council:	Not Applicable
Approval:	<i>Date</i>
Description:	



Committee of the Whole Excerpts
October 13, 2020

MFC Fall Debenture

The attached report from Committee of the Whole outlines the request to a temporary borrowing resolution and participate in the 2020 Fall Debenture with the Municipal Finance Corporation. The loan would be for the cost of radios purchased for Brooklyn Fire Department Stations 1 and 2

The recommended motions were:

... that Council approves a temporary borrowing resolution 20/21-01 in the amount of \$24,455, for radios for the Brooklyn Fire Department Stations 1 and 2.

... that Council approves the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.5%, to enable the West Hants Regional Municipality to issue a 10-year debenture of \$24,455.



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Committee of the Whole

Submitted by: _____
Carlee Rochon, Director, Financial Services

Date: October 13, 2020

Subject: MFC Fall 2020 Debenture

LEGISLATIVE AUTHORITY

Municipal Government Act, Part VI, Power to Spend Money 65 (A) & Power to Borrow Money 66.

RECOMMENDATION

Committee of the Whole recommends that . . .

...Council approves a temporary borrowing resolution 20/21-01 in the amount of \$24,455, for radios for the Brooklyn Fire Department station 1 and 2.

. . . Council approves the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.5%, to enable the West Hants Regional Municipality to issue a 10-year debenture of \$24,455.

BACKGROUND

The purchase of radios for Brooklyn Fire Station 1 and 2 was first presented during the 2019-20 budget deliberations in the Municipal Fire Services budgets to the former West Hants Council.

It was brought back to West Hants Council on May 14, 2019, after being removed. At that meeting West Hants Council approved the purchase of radios for a total of \$24,500.

Leading up to consolidation as per bill 55, all capital purchases needed Coordinating Committee approval. Once approval from the Coordinating Committee was received, the radios were purchased for Bell Mobility for \$24,455.07.

DISCUSSION

The Municipal Finance Corporation offers favorable fixed lending rates for municipal capital purchases. To meet the necessary lending requirements a Temporary Borrowing Resolution (TBR) is required, which needs Council's approval.

To be able to participate in the upcoming MFC semi-annual debenture call, a 'Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate' must be approved by Council. Approving this now, would qualify the Municipality to take part in the Fall debenture call.

It should be noted that the Minister approval date of the TBR in the resolution document has been left blank. The resolution document is an MFC procedural step and it has been made clear by them on numerous occasions that it is okay to leave this blank and they will fill it in should the Minister approve the TBR.

FINANCIAL IMPLICATIONS

The Municipal Finance Corporation offers favourable fixed lending rates for municipal capital purchases. Participating in the MFC debenture will allow the Municipality to clear its internal loan between the General Operating fund and the Capital fund.

ALTERNATIVES

1. Council could reject moving forward with the MFC fall debenture and to direct staff as to how the items are to be funded internally. This is not the recommended approach.
2. Council could approve the TBR and not the resolution, and an alternative funding source to MFC would have to be found.

ATTACHMENTS

- Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate
- TBR RESO – 20/21-01 BFD Station 1 & 2 Radios

Report Prepared by: _____
Carlee Rochon, Director, Financial Services

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Name of Unit: Region of Windsor and West Hants Municipality

Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

WHEREAS Section 91 of the *Municipal Government Act* provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (hereinafter “the Minister);

AND WHEREAS the resolution of council to borrow for Brooklyn Fire Department, Station 1 & 2 Radios was approved by the Minister _____;

AND WHEREAS clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the *Municipal Government Act*, the

Region of Windsor and West Hants Municipality
(Name of Unit)

borrow by the issue and sale of debentures a sum or sums not exceeding \$24,455, for a period not to exceed 10 years, subject to the approval of the Minister;

THAT the sum be borrowed by the issue and sale of debentures of the

Region of Windsor and West Hants Municipality
(Name of Unit)

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of **5.5%**;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the

Region of Windsor and West Hants Municipality
(Name of Unit)

held on the day of 20

GIVEN under the hands of the Mayor and the Clerk of the

West Hants Regional Municipality
(Name of Unit)

this day of 20

Mayor

Clerk

MUNICIPAL COUNCIL OF THE

TEMPORARY BORROWING RESOLUTION

Amount: \$ 1,335,000

Purpose: Fire Rescue Truck - SWHFD

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the Region of Windsor and West Har, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the Region of Windsor and West Har has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHEREAS the Council of the Region of Windsor and West Har has determined to borrow the aggregate principal amount of one million three hundred thirty-five thousand Dollars (\$ 1,335,000) for the purposes of Fire Rescue Truck - SWHFD;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the Region of Windsor and West Har borrow a sum or sums not exceeding one million three hundred thirty-five thousand Dollars (\$ 1,335,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the Region of Windsor and West Har to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding one million three hundred thirty-five thousand Dollars (\$ 1,335,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the Region of Windsor and West Har held on the 27 day of October, 2020.

GIVEN under the hands of the Clerk and under the seal of the Region of Windsor and West Har this ____ day of _____, 2020.

Clerk



Committee of the Whole Excerpts
October 13, 2020

Rezoning Application, 20 Main St., Hantsport (PIDs 45043312 & 45043304)

The attached report from Committee of the Whole outlines the recommendation to rezone the properties of the Municipal Office in Hantsport from Institutional to Mix Commercial/Residential. The rezoning would allow options for future uses of the property.

The recommended motion was:

...that the Chief Administrative Officer be directed to submit an application to the Planning and Development Department for the rezoning of the property formerly known as the Hantsport Town Hall, 20 Main Street, Hantsport NS (PIDS # 45043312 and 45043304), from the current zoning of Institutional (I) to Mixed Commercial /Residential (C-2).



**WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT**

To: Committee of the Whole

Submitted by: 
Mark Phillips, Chief Administrative Officer

Date: October 13, 2020

Subject: Rezoning Application – Former Hantsport Town Hall Property

LEGISLATION

MGA – Sections 219 and 220
Hantsport Municipal Planning Strategy - Policy IM-4

RECOMMENDATION

...that Committee of the Whole recommends to Council

That the Chief Administrative Officer be directed to submit an application to the Planning and Development Department for the rezoning of the property formerly known as the Hantsport Town Hall, 20 Main Street, Hantsport NS (PIDS # 45043312 and 45043304), from the current zoning of Institutional (I) to Mixed Commercial / Residential (C-2).

BACKGROUND

The former Hantsport Town Hall has transitioned from the primary municipal complex for the former Town to a satellite office used by the former West Hants Municipality, housing members of the Public Works Department, leading up to consolidation. As a result of consolidation staff no longer reside at the Hantsport location leaving the facility vacant. The building remains in good condition and is visited frequently to ensure security is maintained as well as the overall upkeep. The building still contains furniture and some historic files associated with administration and EMO that are being inventoried and moved to either the Windsor or West Hants facilities.

What might appear as a single property on the ground actually consists of 2 lots; 20 Main Street PID 45043312 and a second lot PID 45043304. For the convenience of both the municipality, as the current owner, as well as for the benefit of the property going forward the parcels are being consolidated. However, at this time they remain as two parcels until the property consolidation process is completed.

DISCUSSION

The future of the property and the building is unknown at this time, but it is anticipated that in the very near future staff will be forwarding a report to Council deeming the property as surplus. At that time we will explore the options of retaining the property and recommend the option to lease to a third-party or to recommend the property to be sold.

The purpose of this report in part is for staff to recommend to Council how to best transition the property for a new future use. Additionally, the recommendation to rezone the property to the Mixed Commercial / Residential (C-2) zone provides for a broad scope of opportunities for future use.

Next Steps

- | | |
|--|-------------|
| 1. Transition staff and municipal assets out of the building. | Complete |
| 2. Evaluate the overall condition of the building and property. | Complete |
| 3. Have an appraisal carried out on the property. | Complete |
| 4. Consolidate the two parcels of land. | Underway |
| 5. Request Council's approval to apply to have the property rezoned. | Pending |
| 6. A report to Council regarding the property being surplus. | Outstanding |

Current Zoning

Institutional (I) – Examples of allowable uses: Schools, government offices, hospitals, community centres.

Examples of uses that would not be permitted: Anything that is not identified as an institutional use. Generally, any residential, commercial, or general retail uses would not be permitted.

Future Land Use

Residential (R)

Within the existing Hantsport Municipal Planning Strategy (HMPS) the Generalized Future Land Use Map indicates that the overall intention for the property would be Residential (R). The designation is essentially a forecast for the property owner to consider. It is the choice of the property owner, in this case the Municipality, to consider whether they would like to rezone to a residential zone from the current Institutional (I) zone. This could be considered during the HMPS review process which is currently ongoing or could be considered as a separate amendment.

Requested Zoning Change

Mixed Commercial / Residential (C-2) – Examples of allowable uses: Any residential uses, commercial uses, retail, workshops, medical offices, and existing institutional uses.

As Chief Administrative Officer for the Municipality I am recommending that the property be rezoned to Mixed Commercial / Residential (C-2). The Mixed Commercial / Residential (C-2) zone will best position the property for a broader possibility of future uses including institutional should the municipality choose to retain the property for municipal purposes.

It is important to note that through this report the CAO is an agent of the Municipality and the Municipality is the property owner. Additionally, the Municipality and Council is the eventual decision maker as it relates to the rezoning process. In this case the CAO and Municipality must adhere to the same procedural process and policies regarding rezoning as a private property owner must. Council's role as a decision-maker will appear at the completion of the process as the rezoning application will be reviewed initially by the Hantsport Area Advisory Committee as well as the Planning Advisory Committee.

FINANCIAL IMPLICATIONS

N/A

ALTERNATIVES

- Council may elect to leave the property zoned Institutional (I).
- Council may elect to rezone the property to a different zone.

ATTACHMENTS

- 20 Main Street, Hantsport Aerial View
- 20 Main Street, Hantsport Street View

Report Prepared by:


Mark Phillips, Chief Administrative Officer

Report Reviewed by:

Shelleena Thornton, Administrative Supervisor

Report Reviewed by:


Sara Poirier, Planner

20 Main Street, Hantsport



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Municipality Planning Department September 2020

Orthophoto

0 10 20
Metres
Scale: 1:600

- Subject Properties
- Parcels
- Civics
- Roads

20 Main Street, Hantsport Street View





Committee of the Whole Excerpts
October 13, 2020

Temporary Borrowing Resolution

The attached report from Committee of the Whole outlines the request to renew temporary borrowing resolutions for the future Hantsport Fire Department and West Hants Sports Complex. Temporary borrowing resolutions are a required step to secure the borrowing of funds.

The recommended motions were:

... that Council approves the renewal of temporary borrowing resolution 19/20-02 in the amount of \$2,625,000, for the Hantsport Fire Department Station.

... that Council approves the renewal of temporary borrowing resolution 19/20-03 in the amount of \$5,135,000, for the West Hants Sports Complex.



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Committee of the Whole

Submitted by: _____
Carlee Rochon, Director, Financial Services

Date: October 13, 2020

Subject: Temporary Borrowing Resolutions Renewal

LEGISLATIVE AUTHORITY

Municipal Government Act, Part VI, Power to Spend Money 65 & Power to borrow money 66

RECOMMENDATION

Committee of the Whole recommends that...

...Council approves the renewal of temporary borrowing resolution 19/20-02 in the amount of \$2,625,000, for Hantsport Fire Department Station.

...Council approves the renewal of temporary borrowing resolution 19/20-03 in the amount of \$5,135,000, for the West Hants Sports Complex.

BACKGROUND

A Temporary Borrowing Resolution (TBR) is a required step in the process to secure the necessary borrowing to support the purchase of items of significant cost required by the Municipality. A TBR requires Council's approval to move forward.

West Hants Council approved the capital cost to build a new Hantsport Fire Station and new Sports Complex, during the 2019-20 budget deliberations following a presentation and discussion. The West Hants Regional Council approved continuing these projects in the 2020-2021 capital budget on June 3rd, 2020.

Both temporary borrowing resolutions are set to expire this month.

DISCUSSION

TBR 19/20-02

During the 2019-20 budget deliberations, Council approved the construction of a new fire station for the Hantsport Fire Department due to on-going capacity issues and safety concerns. In 2020-2021 budget deliberation, West Hants Regional Council

approved \$200,000 for pre-construction costs, such as design. Construction will be brought back to Council during 2021-22 budget deliberations.

Renewing the original TBR for the whole cost will put the West Hants Regional Municipality, and Hantsport Fire Department in a good position to start next year as this renewal will not expire till November 2021.

A temporary borrowing resolution does not impact the Municipality debt ratio until the actual borrowing occurs.

TBR 19/20-03

On April 9th, Council made a motion to award the for the design-build contract for the West Hants Sports Complex to Lindsay Construction Limited in the amount of \$14,601,794 plus applicable taxes and contingencies.

Further West Hants Regional Council approved additional costs added to the project, resulting in a new cost of \$17,523,384, with \$15.6 million has been contributed from operating reserve (\$2 million – WHM, \$1.5 million – TOW), consolidation (\$4 million), and Federal and Provincial government (\$8.1 million).

FINANCIAL IMPLICATIONS

The full financing charges for all the above already makes up part of the current fiscal year's budget, so they will have no impact on the budget.

ALTERNATIVES

- Council could reject the proposed TBR's, but in doing so would have to direct staff as to how the items are to be funded.

ATTACHMENTS

- TBR RESO - 1920-02 Hantsport Fire Station – RENEWAL
- TBR RESO - 1920-03 WH Sports Complex - RENEWAL

Report Prepared by: _____
Carlee Rochon, Director, Financial Services

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

MUNICIPAL COUNCIL OF THE

TEMPORARY BORROWING RESOLUTION RENEWAL

Amount: \$ 1,335,000

Renewal Project: 19/20-02 Hantsport Fire Station

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the Region of Windsor and West Hants Muni, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the Region of Windsor and West Hants Muni has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget;

WHEREAS pursuant to a resolution passed by the Municipal Council on the 9 day of July, 2019, the Council postponed the issue of debentures and with the approval of the Minister of Municipal Affairs and Housing dated the 2 day of October, 2019, did borrow from a chartered bank or trust company doing business in Nova Scotia a sum not exceeding two million six hundred twenty-five thous Dollars (\$ 1,335,000) for the purposes set out above and for a period not exceeding twelve months; and

WHEREAS Council has deemed it expedient that the period of borrowing be further extended;

BE IT THEREFORE RESOLVED

THAT subject to the approval of the Minister of Municipal Affairs and Housing, the authorized period of borrowing in the amount not exceeding two million six hundred twenty-five thous Dollars (\$ 1,335,000) be extended for a further period not exceeding Twelve (12) months from the date of the approval of the Minister of Municipal Affairs and Housing.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the Region of Windsor and West Hants Muni held on the 27 day of October, 2020.

GIVEN under the hands of the Clerk and under the seal of the Region of Windsor and West Hants Muni this _____ day of _____, 2020.

Clerk

MUNICIPAL COUNCIL OF THE

TEMPORARY BORROWING RESOLUTION RENEWAL

Amount: \$ 5,135,000

Renewal Project: 19/20-03 West Hants Sport Complex

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the Region of Windsor and West Hants Muni, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the Region of Windsor and West Hants Muni has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget;

WHEREAS pursuant to a resolution passed by the Municipal Council on the 9 day of July, 2019, the Council postponed the issue of debentures and with the approval of the Minister of Municipal Affairs and Housing dated the 2 day of October, 2019, did borrow from a chartered bank or trust company doing business in Nova Scotia a sum not exceeding five million one hundred thirty-five thousand Dollars (\$ 5,135,000) for the purposes set out above and for a period not exceeding twelve months; and

WHEREAS Council has deemed it expedient that the period of borrowing be further extended;

BE IT THEREFORE RESOLVED

THAT subject to the approval of the Minister of Municipal Affairs and Housing, the authorized period of borrowing in the amount not exceeding five million one hundred thirty-five thousand Dollars (\$ 5,135,000) be extended for a further period not exceeding Twelve (12) months from the date of the approval of the Minister of Municipal Affairs and Housing.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the Region of Windsor and West Hants Muni held on the 27 day of October, 2020.

GIVEN under the hands of the Clerk and under the seal of the Region of Windsor and West Hants Muni this _____ day of _____, 2020.

Clerk



Committee of the Whole Excerpts
October 13, 2020

Waste Collection Contract Extension Agreement

The attached report from Committee of the Whole outlines the proposed extension of the contract with High Tide Eco Management for waste collection and hauling within the former Town of Windsor.

Discussion at Committee of the Whole included the need to consolidate the waste collection contracts, noting the contract for the former West Hants does not end until 2023 and residents expected to find savings after Consolidation. Therefore, a request for proposal should be issued to ensure best pricing until the contracts can be consolidated.

The estimated value of the contract was unknown or if savings would be found due to the size of the former Town of Windsor contract alone. The current level of service is assumed, however a request for proposal could include options. Time may be needed to prepare by-laws, tendering documents and obtain equipment by the successful bidder.

The recommended motion was:

... that Council direct staff to pursue a request for proposal for the waste collection services provided to the former Town of Windsor until 2023.



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Municipal Council

Submitted by: 
Todd Richard, Director of Public Works

Date: Oct 13, 2020

Subject: Extension of Contract – Waste Collection and Hauling Services

ORIGIN

The original 2010 contract agreement with Hide Tide Eco Management for waste collection and hauling services for the former Town of Windsor was for five years and contained an extension option clause to allow, by mutual agreement, the extension of the contract for an additional five years. Windsor Town Council extended the agreement to September 30, 2020 as per Schedule A.

RECOMMENDATION

It is recommended that:

Staff be authorized to extend the current contract with High Tide Eco Management for the collection and hauling of solid waste, recyclables and organics as outlined in Schedule A and effective to March 31, 2022.

BACKGROUND

High Tide Eco Management has been providing solid waste collection and hauling services in the former Town of Windsor boundaries for the past 21 years. Staff have been very pleased with the level of service this firm has supplied.

In Windsor, garbage, recyclables and organics are collected every two weeks (alternating weeks), metal items twice a year, leaf and yard waste monthly April through October and an annual Christmas tree collection is provided. Garbage, metals and leaf & yard waste are taken to the GFL West Hants Landfill, recyclables are taken to Scotia Recycling in Kentville and organics are taken to Northridge Farms in Aylesford.

In West Hants, garbage, recyclables and organics are also collected every two weeks, metal once per year, leaf and yard waste does not have special collections but are collected along with organics year round and Christmas trees are collected only in the organics cart or community drop off locations. Any extra services are optional and at an additional cost. The materials are taken to the same facilities as noted above.

The cost basis for both waste collection agreements are a flat rate charge for the area to be covered and the services required. A fuel adjustment clause is included. There is no relationship between price for the service and how much waste is placed out each collection day.

The collection of waste is not tied to the relationship the Region has with the GFL West Hants landfill. While our waste materials will be taken to the landfill, the contractor providing our collection service is separate and independent from the landfill and may be awarded to the contractor that the municipality feels provides the best value.

The contract for the former Municipality of West Hants, runs until March 31, 2023 and includes 3 one-year extensions to March 31, 2026. As there is good value in this contract, it is reasonable to allow this contract to run its term and consider the options available to extend to 2026.

DISCUSSION

While it may seem reasonable to compare this contract with the municipal contract on a per unit (household/business) basis, the fundamental differences are the number of units to be provided the service and the total area to be covered. West Hants contains 7985 units and Windsor 1612. There are efficiencies and economies of scale that can be achieved in a larger contract that do not easily translate.

As noted, staff have been very pleased with the level of service delivery from this contractor over the past 21 years. Reliability, willingness to work with the municipality in helping to educate the residents on proper sorting along with support for staff to enforce the solid waste by-law, has been very successful.

The cost for the service continues to be competitive compared to the second low bidder in the last tender call (\$194,163 current pricing compared to \$207,625 next bid). This fact speaks to the value the former Town has and would continue to receive for this service. Due to competitive pricing and service provided, staff see no reason to not extend the contract to March 31, 2022.

The West Hants contract is in year 2 of the 5-year agreement. Pricing achieved in that agreement, illustrates the value in allowing it to run to term, including extensions, to March 31, 2026.

Extending the Windsor agreement to March 31, 2022, would allow staff time to review current levels of service, prepare a new Regional Waste Collection By-Law and plan for a few potential options for council to consider;

- Prepare a new tender for collection and hauling services for the former area of the Town of Windsor with a 4-year term to run April 1, 2022 through March 31 2026. This term would then align with the West Hants contract and a regional tender be prepared for 2026 forward.
- Prepare a new tender for the Region to begin April 1, 2022 forward and prematurely end the West Hants agreement.
- Continue with separate agreements for the former units.

FINANCIAL IMPLICATIONS

As noted in Schedule A, Hide Tide Eco has agreed to hold the current years pricing 2019/20 (year 10) with no price increase for the proposed extension agreement to March 31, 2022. The proposed extension for this service area is within budget for waste collection services. As new options are proposed to cover the period of April 1, 2022 onward, staff will reflect these estimated costs in the 2022/23 operating budget.

ALTERNATIVES

1. Council may choose not to extend this contract, and have staff prepare a new tender immediately.

This alternative is not being recommended to Council at this time.

ATTACHMENTS

Extension Agreement

Report Prepared by: 
Todd Richard, Director of Public Works

Report Reviewed by: 
Christine McClare, Waste Services Specialist

Report Approved by: 
Mark Phillips, Chief Administrative Officer

Extension Agreement for Waste Collection and Hauling Services

Between

West Hants Regional Municipality (former Town of Windsor)

And

Hide Tide Eco Management Limited

Term

October 1, 2020 to March 31, 2022

Approved - *****

**EXTENSION AGREEMENT FOR SOLID WASTE COLLECTION;
GARBAGE, RECYCLING AND ORGANIC CART COLLECTION
FOR THE WEST HANTS REGIONAL MUNICIPALITY (FORMER TOWN OF WINDSOR)**

This agreement is entered into this ____ day of _____, 2020 by and between

WEST HANTS REGIONAL MUNICIPALITY, 76 Morison Dr Wentworth Creek NS on behalf of the former Town of Windsor, 100 King St, Windsor NS ("**the Municipality**")

AND

HIGH TIDE ECO. MANAGEMENT LTD., 10 Havenwood Dr Shubenacadie NS ("**High Tide**").

Recitals

- A. The Town of Windsor and Hide Tide Eco entered into a contract effective October 5, 2010 to September 30, 2015 for waste collection and hauling services. This contract expired on September 30, 2015 (the Original Agreement).
- B. The Town of Windsor and Hide Tide Eco extended the term of the above contract for an additional 5 years beginning on October 1, 2015 through and including September 30, 2020 (First Extension Agreement).
- C. The Municipality and Hide Tide are both desirous of extending the term of the existing contract for an additional period beginning on October 1, 2020 through and including March 31, 2022 (Second Extension Agreement).

Now in consideration of the mutual covenants contained herein, both parties agree as follows:

- 1. All of the terms and provisions contained in the First Extension existing agreement shall remain in full force and effect unless specifically modified by the terms of this Second Extension Agreement.
- 2. Notwithstanding that the term of the First Extension Agreement was to run October 1, 2015 to September 30, 2020, this Second Extension Agreement and all of its terms, shall come into effect October 1, 2020 and shall continue until March 3, 2022.
- 3. That portion of the First Extension Agreement entitled "Schedule A 2015" is attached to this agreement.
- 4. All fees charged by High Tide under this Second Extension Agreement shall be in accordance with "Schedule A 2015" year 10 pricing less a \$100 cost offset from the Recyclables collection invoice. The \$100 cost offset represents half of the anticipated tipping fee increase and less mileage to reach the destination resulting from changing recyclables facilities from Colchester Recycling in Kemptown to Scotia Recycling in Kentville in July 2020.

5. This agreement is binding on the successors of the parties.
6. This Second Extension Agreement may not be assigned by High Tide without the written consent of the Municipality.
7. The signatories hereto represent that they have the authority to bind their respective parties.

Signed and sealed this ____ day of _____ 2020.

WEST HANTS REGIONAL MUNICIPALITY

Witness

Per: _____
Abraham Zebian, Mayor

Witness

Per: _____
Mark Phillips, CAO

HIGH TIDE ECO. MANAGEMENT LTD.

Witness

Per: _____
Kevin Murphy, President

SCHEDULE "A" 2015

High Tide Eco Management & The Town of Windsor

Waste Collection & Hauling Services

Schedule of Rates

YEAR	GARBAGE	ORGANICS	RECYCLING	LEAF & YARD MTHLY	ANN. FALL LEAF YARD	METAL SPRING	METAL FALL	ANNUAL XMAS TREE	TOTAL / YEAR
6	\$37,755.90	\$51,842.70	\$57,330.00	\$5,460.00	\$1,837.50	\$1,837.50	\$1,837.50	\$1,837.50	\$159,738.60
7	\$39,643.70	\$54,434.84	\$60,196.50	\$5,733.00	\$1,929.38	\$1,929.38	\$1,929.38	\$1,929.38	\$167,725.56
8	\$41,625.89	\$57,156.58	\$63,206.33	\$6,019.00	\$2,025.84	\$2,025.84	\$2,025.84	\$2,025.84	\$176,111.16
9	\$43,707.18	\$60,014.41	\$66,366.64	\$6,320.63	\$2,127.14	\$2,127.14	\$2,127.14	\$2,127.14	\$184,917.42
10	\$45,892.54	\$63,015.13	\$69,684.97	\$6,636.66	\$2,233.49	\$2,233.49	\$2,233.49	\$2,233.49	\$194,163.26
Total 60 Months =									\$882,656.00

Note (1) Fuel Adjustment will remain the same at \$706.00 per cent / litre with the benchmark set at 1.056 +/-

(2) House count for the increase of every 10 units will be as follows:

Year 6 - \$472.50 per stream x 3 = \$1417.50

Year 7 - \$496.13 per stream x 3 = \$1488.39

Year 8 - \$520.94 per stream x 3 = \$1562.82

Year 9 - \$546.99 per stream x 3 = \$1640.97

Year 10- \$574.34 per stream x 3 = \$1723.02

(3) Requested Holiday Working that was agreed upon after signing the contract and has been exercised in 2014 and forward. If the Municipality requests for High Tide to work on Holidays, rather than using alternative collection days (exception of Christmas Day which is nonnegotiable), a price of \$1723.02 plus HST as per year 10 pricing below, will be charged for working each requested Holiday..

Year 6 - \$1399.65 Year 7 - \$1469.63 Year 8 - \$1543.11 Year 9 - \$1620.27 Year 10 - \$1701.28

(4) High Tide is willing to negotiate an additional 2 one-year extensions beyond this contract using the year 10 prices listed above, with the mutual agreement of both parties and either party has the right to not enter into an extended contract. For any reason that the contract may be extended beyond the agreed term, year 10 pricing shall remain in effect.



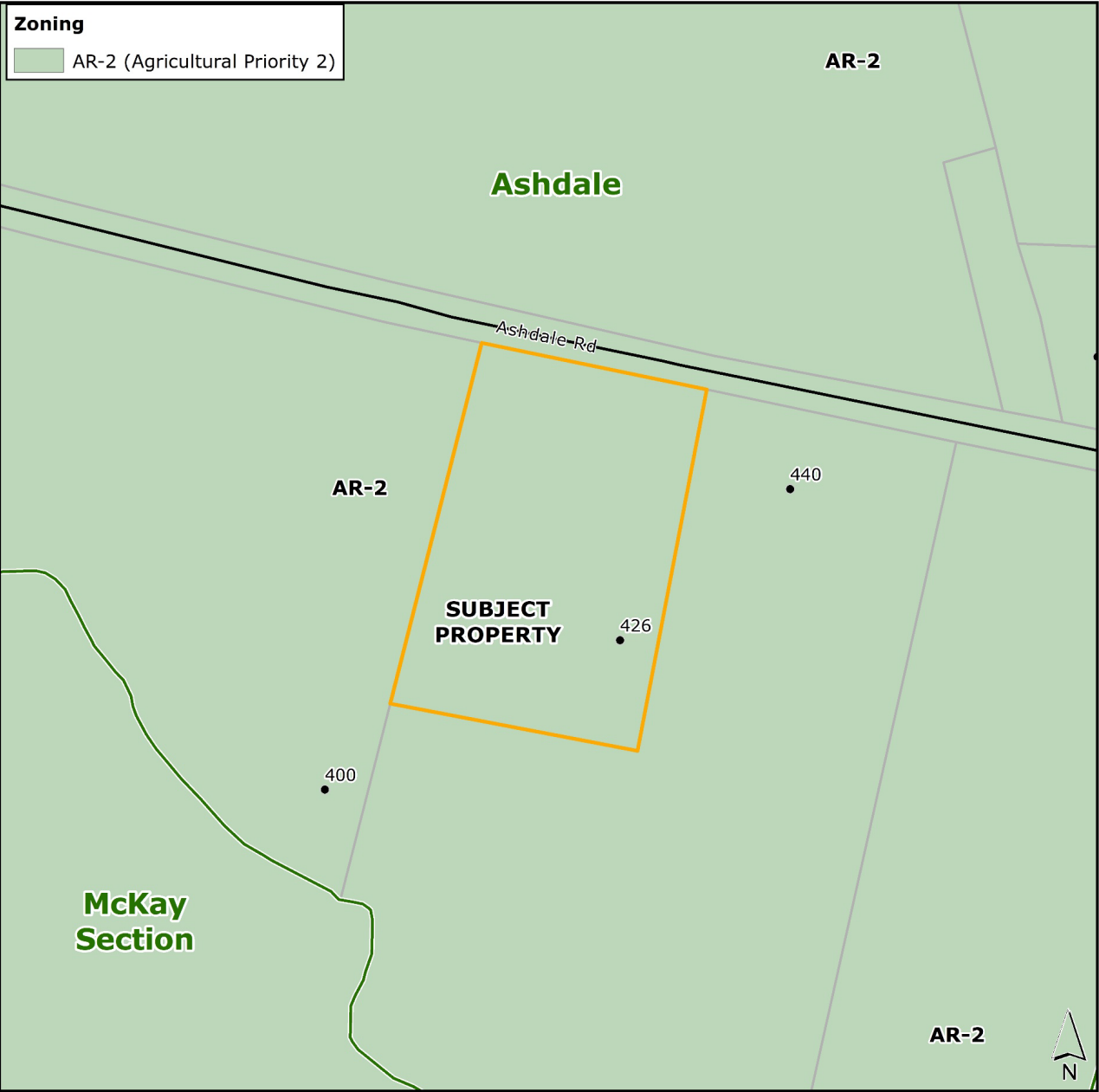


**426 Ashdale Rd.
Development Agreement**

October 27, 2020

Application

- ▶ On June 26 Adrian and Nicole Parker applied for a development agreement to permit an automotive repair shop at 426 Ashdale Rd., Ashdale.
- ▶ The property is approximately 5.5 acres and the automotive repair shop will be confined to within the existing garage. There will be up to five (5) parking spaces permitted on the site for the automotive repair shop.
- ▶ A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not permitted in the underlying zone



Policy

- ▶ **Policy 8.9.4** enables Council to consider new non-resource Rural Commercial (RC), Recreation Commercial (RecC), **Resource Industrial (M-1)** or Open Space (OS) uses by development agreement.
- ▶ **Policy 16.3.1** states general criteria in West Hants

PAC

- ▶ A Public Information Meeting was held on September 21st
- ▶ PAC recommended in favour of the proposed amendments on October 8th

Process

*anticipated dates
final dates will be
set by Council



Recommendation

Should Council wish to approve the development agreement to permit an automotive repair shop at 426 Ashdale Rd. the following motion is in order:

that Council gives First Reading and hold a Public Hearing to consider entering into a development agreement to allow a automotive repair shop at 426 Ashdale Rd., Ashdale which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated October 8, 2020.





WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Mayor Zebian and Members of West Hants Regional
Municipality Council

Submitted by: _____
Saira Shah, Planner

Date: 2020-10-27

Subject: File # 20-20B 426 Ashdale Rd

Background

An application was received on June 26, 2020 from Adrian and Nicole Parker to permit an automotive repair shop at 426 Ashdale Rd., Ashdale, West Hants. The West Hants Land Use By-law does not permit an autpomtoive repair shop on their property as it is zoned Agricultural Priority Two (AR-2).

Policy 8.9.4 of the West Hants Municipal Planning Strategy enables Council to consider permitting an automotive repair shop at 426 Ashdale Rd. by development agreement.

A Public Information Meeting (PIM) was held virtually on September 21, 2020 and broadcast live on the Municipal Facebook page to receive public feedback on the application (Attachment A).

On October 8, 2020 staff presented a recommendation report to the Planning Advisory Committee (Attachment B).

Planning Advisory Committee Recommendation

PAC/HAC recommended in favour of the development agreement to permit an automotive repair shop at 426 Ashdale Rd. on October 8, 2020.

Possible Motion

Should Council wish to approve the development agreement to permit an automotive repair shop at 426 Ashdale Rd., the following motion would be in order:

that Council gives First Reading and hold a Public Hearing to consider entering into a development agreement to allow an automotive repair shop at 426 Ashdale Rd., Ashdale which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated October 8, 2020

Attachments

Attachment A	2020-10-07 File#20-20A Public Information Meeting Notes September 21, 2020
Attachment B	2020-10-08 File #20-20 426 Ashdale Rd Recommendation Report

Report Reviewed by:

Madelyn LeMay, Director of Planning and Development

Report Approved by:



Mark Phillips, Chief Administrative Officer

Attachment A
2020-10-07 File#20-20A Public Information
Meeting Notes September 21, 2020

Public Information Meeting Notes
September 21, 2020
426 Ashdale Rd.

Meeting date and time	A public information meeting was held on September 23, 2020 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: Councillor McLean Director LeMay Planner Shah Planner Poirier As this meeting was held virtually there were no members of the public present.
Applicant name and address Site Location (Civic and PID)	Planner Shah outlined the request from Adrian and Nicole Parker to permit an automotive repair shop at 426 Ashdale Rd., Ashdale.
File Number	20-20
Comments	No written or verbal comments were received from the public.
Adjournment	The presentation portion of the PIM ended at 6:23 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Planner Shah until October 6, 2020.

**Attachment B
2020-10-08 File #20-20 426 Ashdale
Rd Recommendation Report**



**WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of Planning Advisory Committee

Submitted by: _____
Saira Shah, Planner

Date: 2020-10-08

Subject: 426 Ashdale Rd Automotive Repair Shop Development Agreement

File: 20-20

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230.

RECOMMENDATION

In order to allow the requested development, staff recommends that the Planning Advisory Committee (PAC) forward a positive recommendation by passing the following motion:

that PAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a automotive repair shop at 426 Ashdale Rd., Ashdale which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated October 8, 2020.

BACKGROUND

An application was received on June 26, 2020 from Adrian and Nicole Parker to permit an automotive repair shop at 426 Ashdale Rd., Ashdale, West Hants. All necessary material for the application was submitted July 16th.

The property is approximately 5.5 acres and the automotive repair shop will be confined to within the existing garage. There will be up to five (5) parking spaces permitted on the site for the automotive repair shop.

DISCUSSION

The property is designated Agriculture on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (WHMPS) (Figure 1) and zoned Agricultural Priority Two (AR-2) on the Zoning Map of the West Hants Land Use By-law (WHLUB) (Figure 2). The property is bound on all sides by properties zoned Agricultural Priority Two (AR-2).

An automotive repair shop is not permitted in the Agricultural Priority Two (AR-2) zone.

Section 6.1 of the WHLUB, *Development Agreements*, states that “*The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:*

(s) Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses in the Agricultural Priority Two (AR-2) zone and the Agricultural Priority Three (AR-3) zone outside the Growth Centre, Village and Hamlet designations in accordance with Policies 8.9.4 and 8.10.5 respectively of the Municipal Planning Strategy;

Although there is no specific definition for a Resource Industrial (M-1) use, the best basis for determining what is considered a Resource Industrial (M-1) use is the list of permitted uses in that zone in the WHLUB. An automotive repair shop is a listed permitted use in the Resource Industrial (M-1) zone.

Part 8 of the WHMPS contains the overall intention for areas designated Agriculture in West Hants; Section 8.9 indicates the intention of Council for non-agricultural development in areas zoned Agricultural Priority Two (AR-2).

Development Agreements

A development agreement is a legal contract between the Municipality and a property owner that describes the type of development permitted on a property. Development agreements provide an opportunity for Council to exercise a greater degree of control over aspects of a development proposal and allow Council to consider uses that would otherwise not be permitted in the underlying zone. A development agreement is binding upon a property until the agreement is discharged by Council.

The draft development agreement can be found in Appendix C.

Applicant Requests

In the WHLUB an automotive repair shop is defined as: a commercial establishment for the repair or replacement of parts in automotive, farm or forestry vehicles, machinery or equipment. The applicant has specifically stated they have no plans to include farm or forestry vehicles in their business. A definition for minor automotive

repair shop based on what the applicant has requested is included in the development agreement.

For the hours of operation, the applicant has stated they intend to operate the business on a part-time basis to start and hope to turn it into a full-time operation. To ensure the applicant has flexibility, the development agreement permits the automotive repair shop to operate between the hours of 8 a.m. and 9 p.m. daily.

Staff discussed parking needs with the applicant and determined that five (5) parking spots for the automotive repair shop would be sufficient. In terms of signage, the number of signs permitted in the WHLUB is adequate for the applicant.

WHMPS Specific Criteria

Policy 8.9.4 of the WHMPS establishes Council's intention to consider new non-resource Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses in the Agricultural Priority Two (AR-2) zone. The above policy establishes the criteria to be considered by Council, which are examined in detail in Appendix A.

Policy 8.9.4 (a) requires an agrologist report to determine that the development site has little or no agricultural capability in accordance with Policy 8.6.1. However, the automotive repair shop will only take place in an existing garage not resulting in any new buildings and the parking will only be up to a maximum of five (5) spaces on unpaved surface to reduce potential impact on soil. Staff considered the challenges in obtaining an agrologist and determined that an agrologist report is not necessary for this application. Although this criterion has not been met staff is making a positive recommendation due to the application meeting the overall intent of Council's policies.

In summary, the remaining criteria are met since:

- the automotive repair shop will be in an existing building and the parking will be unpaved and will therefore have no new impact on agricultural capability;
- the automotive repair shop and accessory parking is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet; and
- Department of Transportation and Infrastructure Renewal confirmed the existing access is acceptable for the automotive repair shop.

WHMPS General Criteria

Policy 16.3.1 of the WHMPS states general criteria for any development agreement considered in West Hants. These criteria are examined in detail in Appendix B. In summary:

- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and

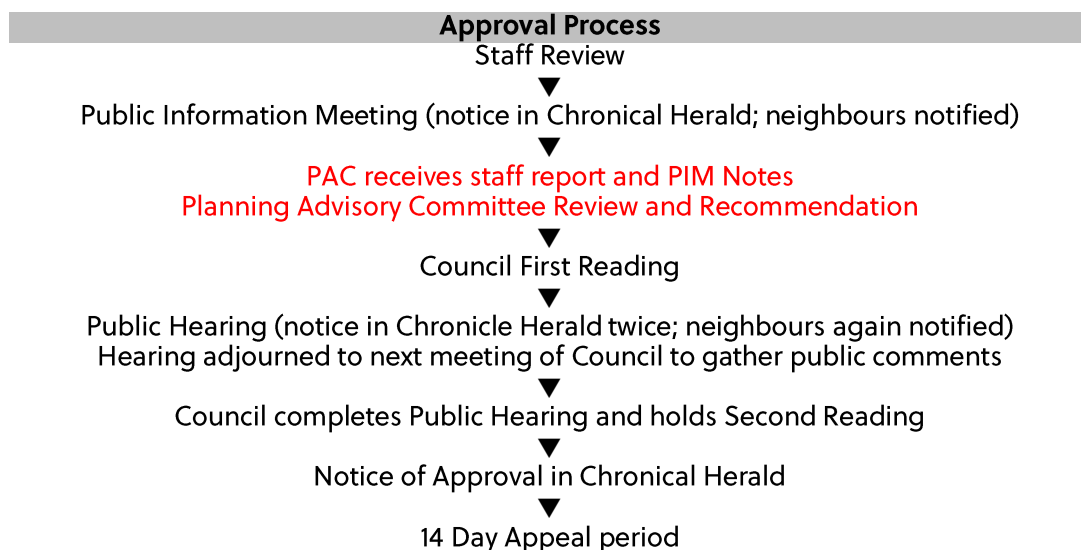
- the Fire Chief, Manager, Building and Fire Inspection, Director of Public Works and DTIR have no major concerns.

Municipal Climate Change Action Plan

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property.

Next Steps

As noted above, the proposed development has been considered within the context of both the specific and general policies of the WHMPS and is consistent with the intent, objectives and policies of the WHMPS. The development meets the intent of the specific and general criteria for development agreements as outlined in the WHMPS. As a result, it is reasonable to consider approving the development agreement to permit an automotive repair shop at 426 Ashdale Rd., Ashdale, West Hants.



FINANCIAL IMPLICATIONS

There are no financial implications associated with this application.

ALTERNATIVES

In response to the application, PAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the Development Agreement as drafted or as specifically revised by direction of PAC;
- provide alternative direction such as requesting further information on a specific topic.

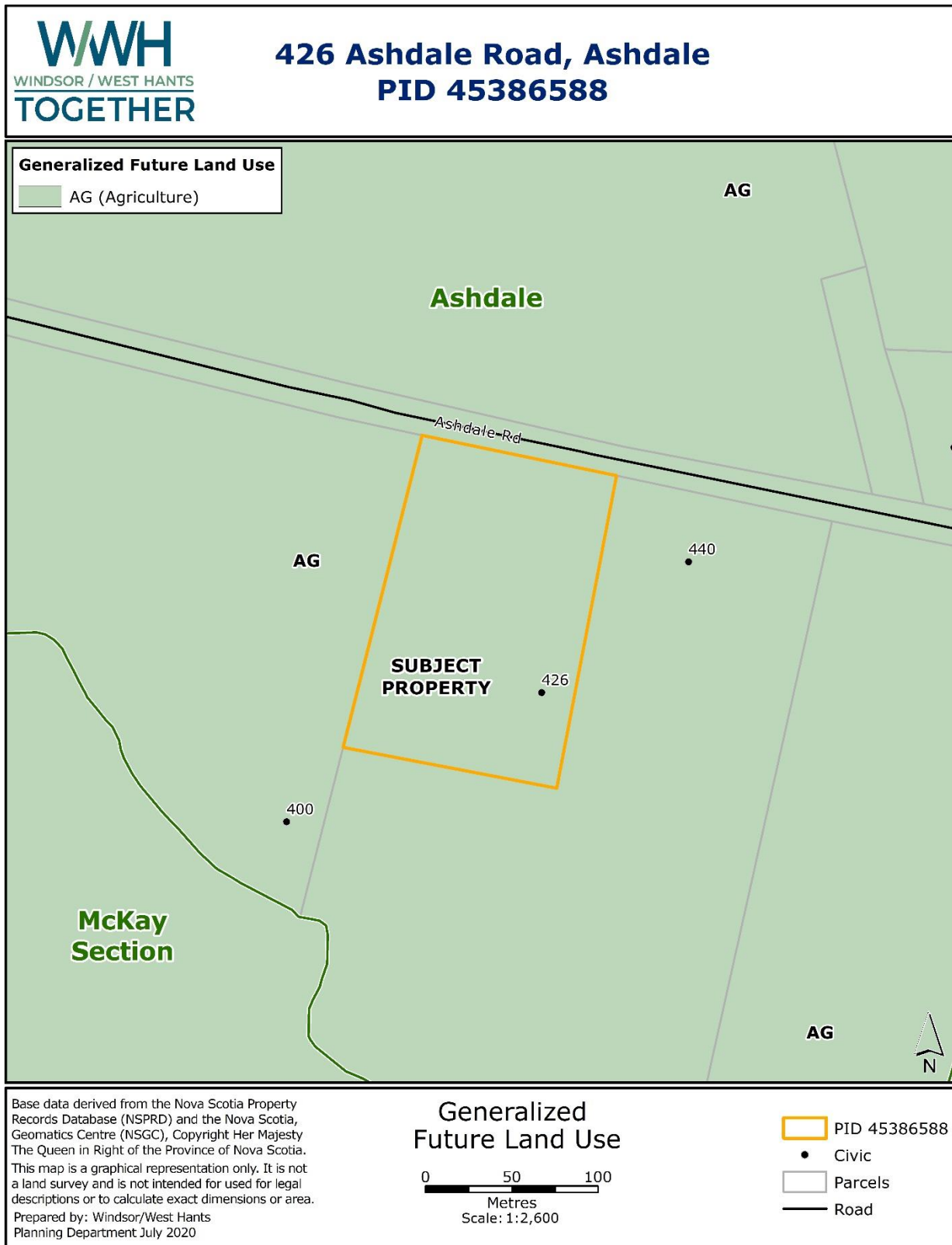
ATTACHMENTS

Figure 1 Generalized Future Land Use Map

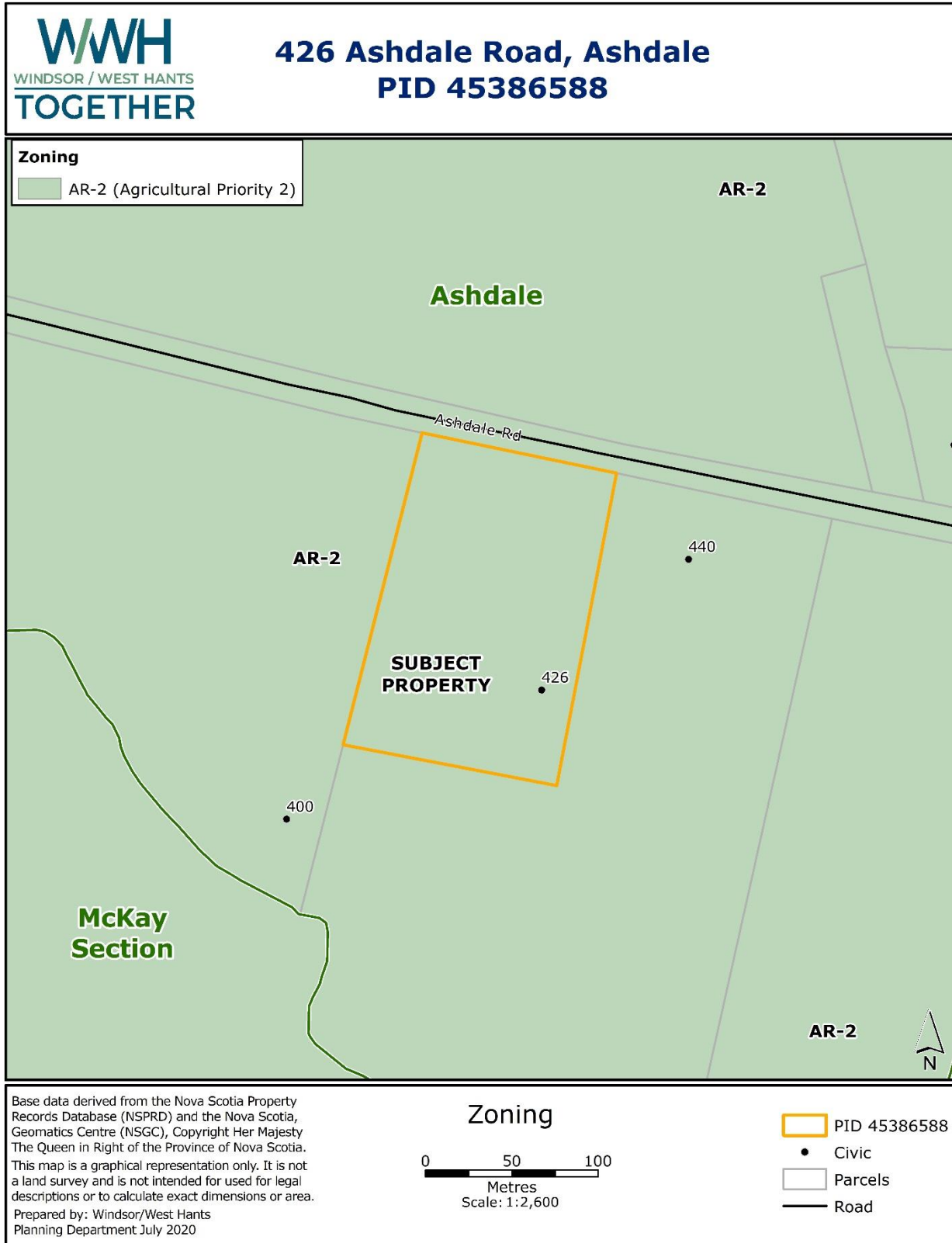
Figure 2 Existing Zoning Map
Appendix A Specific Criteria for Development Agreement
Appendix B General Criteria for Development Agreement
Appendix C Draft Development Agreement

Report Approved by: _____
Madelyn LeMay, Director of Planning and Development

**FIGURE 1
GENERALIZED FUTURE LAND USE MAP**



**FIGURE 2
EXISTING ZONING MAP**



APPENDIX A
SPECIFIC CRITERIA FOR DEVELOPMENT AGREEMENT

Policy 8.9.4 *It shall be the intention of Council to consider new non-resource Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses in the AR-2 zone by development agreement subject to the following:*

CRITERIA	COMMENT
<i>(a) the development site has been determined to have little or no agricultural capability in accordance with Policy 8.6.1;</i>	An agrologist report which is required by Policy 8.6.1 was not provided as the automotive repair shop will be in an existing building and the parking will be limited to five (5) spaces on an unpaved surface. Therefore, there will be no new impact on agricultural capability.
<i>(b) the proposed use will not compromise or adversely affect the operation or integrity of existing agricultural operations;</i>	The automotive repair shop will be contained in the existing garage and the parking will be limited to five (5) spaces on an unpaved surface. The uses will not compromise or adversely affect the operation or integrity of existing agricultural operations.
<i>(c) the predominant agricultural character of the area will not be adversely affected;</i>	The automotive repair shop will be contained in the existing garage and the parking will be limited to five (5) spaces on an unpaved surface. The uses will not impact the agricultural character of the area.
<i>(d) adequate separation distances and buffering between agricultural and non-agricultural uses can be provided;</i>	The automotive repair shop will be contained in the existing garage with the existing separation distances and the parking will be limited to five (5) spaces on an unpaved surface. The property is five and a half (5.5) acres and provides sufficient space between agricultural and non-agricultural uses.
<i>(e) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;</i>	The automotive repair shop is limited based on the size of the existing garage and the accessory parking is limited to a maximum of five (5) spaces.
<i>(f) safe and efficient roadway access is provided;</i>	Department of Transportation and Infrastructure Renewal confirmed the

	existing access is acceptable for the proposed future commercial use and a negative impact to the Provincial Road network is not anticipated.
<i>(g) adequate on-site parking is provided;</i>	Five (5) additional parking spaces are permitted in the development agreement for the automotive repair shop.
<i>(h) the development is compatible with adjacent land uses with respect to:</i>	
<i>(i) traffic generation and traffic safety;</i>	Please see 8.9.4 (f) for further details.
<i>(ii) hours of operation;</i>	The hours of operation are limited in the development agreement to 8 a.m. to 9 p.m. daily to ensure there are quiet hours for neighbours.
<i>(iii) size and design of building(s);</i>	The automotive repair shop will be in an existing garage.
<i>(iv) signage; and</i>	All signage must meet the requirements of the West Hants Land Use By-law.
<i>(v) pedestrian circulation and safety;</i>	No impact on pedestrian traffic or safety is anticipated.
<i>(i) any other matter which may be addressed in a development agreement;</i>	No other matters have been raised.
<i>(j) Policy 16.3.1.</i>	See Appendix B.

APPENDIX B
GENERAL CRITERIA FOR DEVELOPMENT AGREEMENT

Policy 16.3.1 *In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:*

CRITERIA	COMMENT
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Director of Public Works stated that the property does not currently have municipal water or sewer, nor are there plans to extend services to the site. As a result, the applicant is responsible for determining adequate services for the proposed use. The applicant has been informed.
<i>(ii) the adequacy of school facilities;</i>	No impact on school facilities is anticipated.
<i>(iii) the adequacy of fire protection and other emergency services;</i>	The Manager, Building and Fire Inspection and Fire Chief for the area have no concerns with regards to fire protection and emergency services. The Manager, Building and Fire Inspection has noted that the garage is only 20 feet from one property line. The Building Code requires that when the applicant applies for their permit for the automotive repair shop the exterior wall that is only 20 feet from the property line will be required to have a one (1) hour Fire Rating with non-combustible cladding. The applicant has been informed.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	Please see 8.9.4 (f) for further details.
<i>(v) the financial capacity of the Municipality to absorb any costs relating to the development.</i>	No municipal costs related to this amendment are anticipated.
<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply</i>	As noted above in 16.3.1 (a) (i), the applicant will be responsible for the

<i>and either central sewer or an approved on-site sewage disposal system;</i>	provision of water and on-site sewage disposal.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	Please see 8.9.4 (f) for further details.
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The property is five and a half (5.5) acres in area and has sufficient space for the intended use.
<i>(e) the pattern of development which the proposal might create;</i>	The use permitted by the development agreement will not create a pattern of development that is unusual for the area.
<i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;</i>	Based on a preliminary visual assessment there are no evident concerns in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding. The MCCAP Inland and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property. The applicant will be responsible if any issues arise in terms of the suitability of the area for the proposed uses.
<i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by laws and regulations; and</i>	The proposed amendment meets all relevant municipal, provincial and federal regulations.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	Please see Appendix A for further details.

**APPENDIX C
DRAFT DEVELOPMENT AGREEMENT**



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2020.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the Municipal Government Act, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

Adrian and Nicole Parker, of 426 Ashdale Rd., Ashdale, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Owners")

OF THE SECOND PART

WHEREAS the Owners are the registered owners of a parcel of land located at 426 Ashdale Rd., Ashdale, (PID 45386588), hereinafter referred to as the "Property", which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Property is designated Agriculture on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (June 26, 2008) (the "Municipal Planning Strategy") and zoned Agricultural Priority Two (AR-2) on the Zoning Map of the West Hants Land Use By-law (June 26, 2008) (the "Land Use By-law"); and

WHEREAS the Owners have requested that the Municipality enter into a development agreement to permit an Minor Automotive Repair Shop on the Property (the "Development") and Section 6.1 (s) of the Land Use By-law enables Council to consider an Automotive Repair Shop as it is a listed permitted use in the Resource Industrial (M-1) zone; and

WHEREAS the Council of the Municipality, at a meeting held on (DATE), approved this request and adopted this Agreement by policy;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

PART 1 AGREEMENT CONTEXT

1.1 Definitions

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use Bylaw, except those defined as follows:

“Minor Automotive Repair Shop” means a commercial establishment for the repair or replacement of parts in automotive machinery or equipment excluding farm and forestry vehicles.

1.2 Schedules

The following attached schedules shall form part of this agreement:

- Schedule A - Legal Description
- Schedule B –Site Layout

1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law

- (a) *Municipal Planning Strategy* means the West Hants Municipal Planning Strategy, approved on May 13, 2008, as amended, or successor By-laws;
- (b) *Land Use By-law* means the West Hants Land Use By-law, approved on May 13, 2008, as amended, or successor By-laws;
- (c) *Subdivision By-law* means the West Hants Subdivision By-law, approved on May 13, 2008, as amended, or successor By-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

The Parties agree that uses on the Property shall be limited to the following:

- (a) those uses permitted by the underlying zoning in the Land Use By-law; and
- (b) Minor Automotive Repair Shop.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

2.2 Development Location and Design

The proposed Minor Automotive Repair Shop use shall be located entirely within the existing garage located as shown on the Site Layout, Schedule B.

2.3 Access and Egress

The Owners shall maintain the existing driveway. The Development Officer, after consultation with the Municipal Engineer, may in their sole discretion approve minor incidental changes to the layout of the driveway.

2.4 Parking

A maximum of five (5) parking spaces may be used as part of the Minor Automotive Repair Shop. The parking shall not be constructed using a paved surface and is to be located approximately as shown on Schedule B.

2.5 Signs and Lighting

Signage and illumination shall be in accordance with sections 5.18 and 7.0 of the Land Use By-law which control lighting, size, location, and number of signs. Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to minimize light spilling, glare or light cast over neighbouring properties or the street.

2.8 Water and Sewer Services

The property is not serviced by municipal water and sewer. The Owners shall be responsible for ensuring adequate water and sewer services are available for the uses permitted.

2.9 Hours of Operation

The hours of operation for the Minor Automotive Repair Shop shall be limited to between 8 a.m. and 9 p.m. daily, Monday to Sunday, inclusive.

2.10 Maintenance

- (a) The Owners shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.
- (b) The Owners shall maintain the driveway to a level adequate to allow for access by emergency services vehicles.

PART 3 CHANGES and DISCHARGE

3.1 The Owners shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, Use, unless a new agreement is entered into with the Municipality or this agreement is amended.

3.2 Any matters in this agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without

a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.

3.3 The following matters are substantive matters:

- (a) the uses permitted on the property as listed in Section 2.1 *Use of this agreement*; and
- (b) the development location on the property as listed in Section 2.2 *Development Location and Design* and Schedule B of this agreement.

3.4 Notwithstanding the foregoing, discharge of this agreement is not a substantive matter and this agreement may be discharged by Council without a public hearing.

3.5 Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owners following a resolution of Council to give such Notice:

- (a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or
- (b) at the discretion of the Municipality, with or without the concurrence of the Owners, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or
- (c) at any time upon the written request of the Owners, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.

3.6 Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

- (a) The Owners may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.
- (b) Development as provided in Part 2 of this Agreement shall commence not later than 24 months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act 30 days after giving Notice of Intent to Discharge to the Owners. Upon the written request of the Owners, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.
- (c) If the Owners are bona fide delayed from commencing the development for reasons which are beyond the Owners' control, the determination of which

shall be at the sole discretion of the Development Officer, then performance by the Owners is excused for the period of the delay and the time period for the Owners to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

- (a) The Owners shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required, within ten days of completion of any work which requires the engineered design.
- (b) The Owners shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with Other Bylaws and Regulations

- (a) Nothing in this Agreement shall exempt the Owners from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.3 Interpretation

- (a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

5.4 Municipal Responsibility

- (a) The Municipality does not make any representations to the Owners about the suitability of the Property for the development proposed by this agreement. The Owners assume all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.

- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owners in writing. In the event that the Owners have not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

5.6 Costs

The Owners shall pay all costs associated with the advertising required for this Agreement, the costs of registering this Agreement, and all costs associated with any amendment thereof.

5.7 Development Agreement Bound to Land

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

5.8 Assignment of Agreement

The Owners may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

5.9 Written Notice

- (a) The Municipality may serve notice on the Owners personally or by ordinary mail which shall be deemed to have been received within three business days of mailing, addressed to Adrian and Nicole Parker, 426 Ashdale Road, Ashdale, Nova Scotia, B0N 2A0 or at any other address provided by the Owners.
- (b) The Owners may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0.

5.10 Full Agreement

This agreement constitutes the entire agreement and contract entered into by the Municipality and the Owners. No other agreement or representation, oral or written, shall be binding.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED

In the presence of:

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

)

Per: _____

Witness

) Abraham Zebian, Mayor

)

) Per: _____

Witness

) Rhonda Brown, Municipal Clerk

)

)

)

)

)

)

)

Per: _____

Witness

) Adrian Parker

)

)

Per: _____

Witness

) Nicole Parker

)

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h presence.

A Commissioner of the Supreme Court of Nova Scotia

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h presence.

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **ADRIAN PARKER**, one of the parties thereto, signed, sealed and delivered the same in h presence.

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **NICOLE PARKER**, one of the parties thereto, signed, sealed and delivered the same in h presence.

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK
THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

I, Rhonda Brown of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (The "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

Sworn before me at _____, Nova Scotia,
this _____, 2020.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

RHONDA BROWN

I CERTIFY that on this date Rhonda Brown personally came before me and swore under oath the foregoing Affidavit.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

CANADA
PROVINCE OF NOVA SCOTIA
HANTS COUNTY

AFFIDAVIT & PROOF OF EXECUTION (INDIVIDUAL)

We, Adrian Parker and Nicole Parker, the "Deponents", make oath and swear that:

1. **We acknowledge that we executed the foregoing instrument on the date of this affidavit; this acknowledgement is made for the purpose of registering such instrument pursuant to s.31(a) of the *Registry Act*, R.S.N.S. 1989, c.392 or s.79(1)(a) of the *Land Registration Act* as the case may be.**
2. We are nineteen years of age or older and are residents of Canada under the *Income Tax Act* (Canada).
3. For the purpose of this affidavit "spouse" means an individual who is married to another individual; is married to another individual by a marriage that is voidable and has not been voided by a declaration of nullity; has gone through a form of marriage with an individual, in good faith, that is void and they are cohabiting or have cohabited within the preceding year; or is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* as amended, but does not include an individual who becomes a former domestic partner pursuant to section 55(1) of the Act.
4. We are the spouses of each other. Neither of us has any other spouse nor, with respect to the within property, any former domestic partner with the rights contemplated by Section 55 of the *Vital Statistics Act*, or any former spouse with rights under the *Matrimonial Property Act*. We consent to this disposition.

I certify that on this _____, 2020
the Deponent came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

Adrian Parker

Nicole Parker

Schedule A
Legal Description – PID 45386588

Registration County: HANTS COUNTY
Street/Place Name: ASHDALE ROAD /ASHDALE
Title of Plan: PLAN OF S/D OF LOT P-1, LANDS CONVEYED TO ROSS EUGENE PARKER,
ASHDALE RD, ASHDALE
Designation of Parcel on Plan: LOT P-1
Registration Number of Plan: 98914501
Registration Date of Plan: 2011-08-15 14:57:03

Subject to a Nova Scotia Power Inc. Easement, more fully described in Document
#100457804, registered on April 12, 2012.

*** Municipal Government Act, Part IX Compliance ***

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry
Act or registered under the Land Registration Act

Registration District: HANTS COUNTY

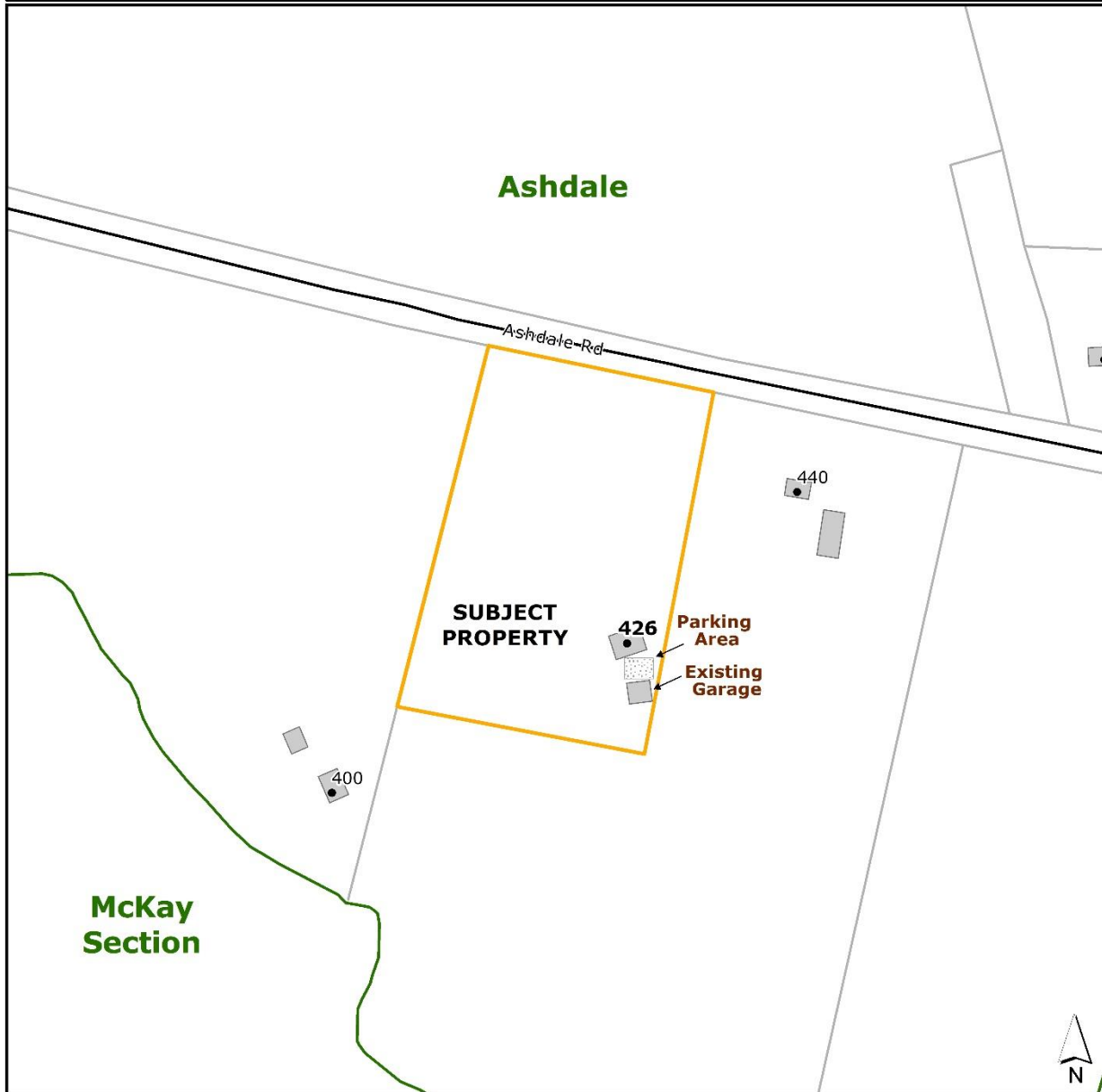
Registration Year: 2011

Plan or Document Number: 98914501

Schedule B
Site Layout

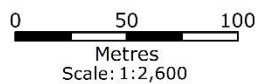


426 Ashdale Road, Ashdale
PID 45386588



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for use for legal descriptions or to calculate exact dimensions or area. Prepared by: Windsor/West Hants Planning Department August 2020

Site Layout



- PID 45386588
- Building Footprints
- Parking Area
- Civic
- Parcels
- Road



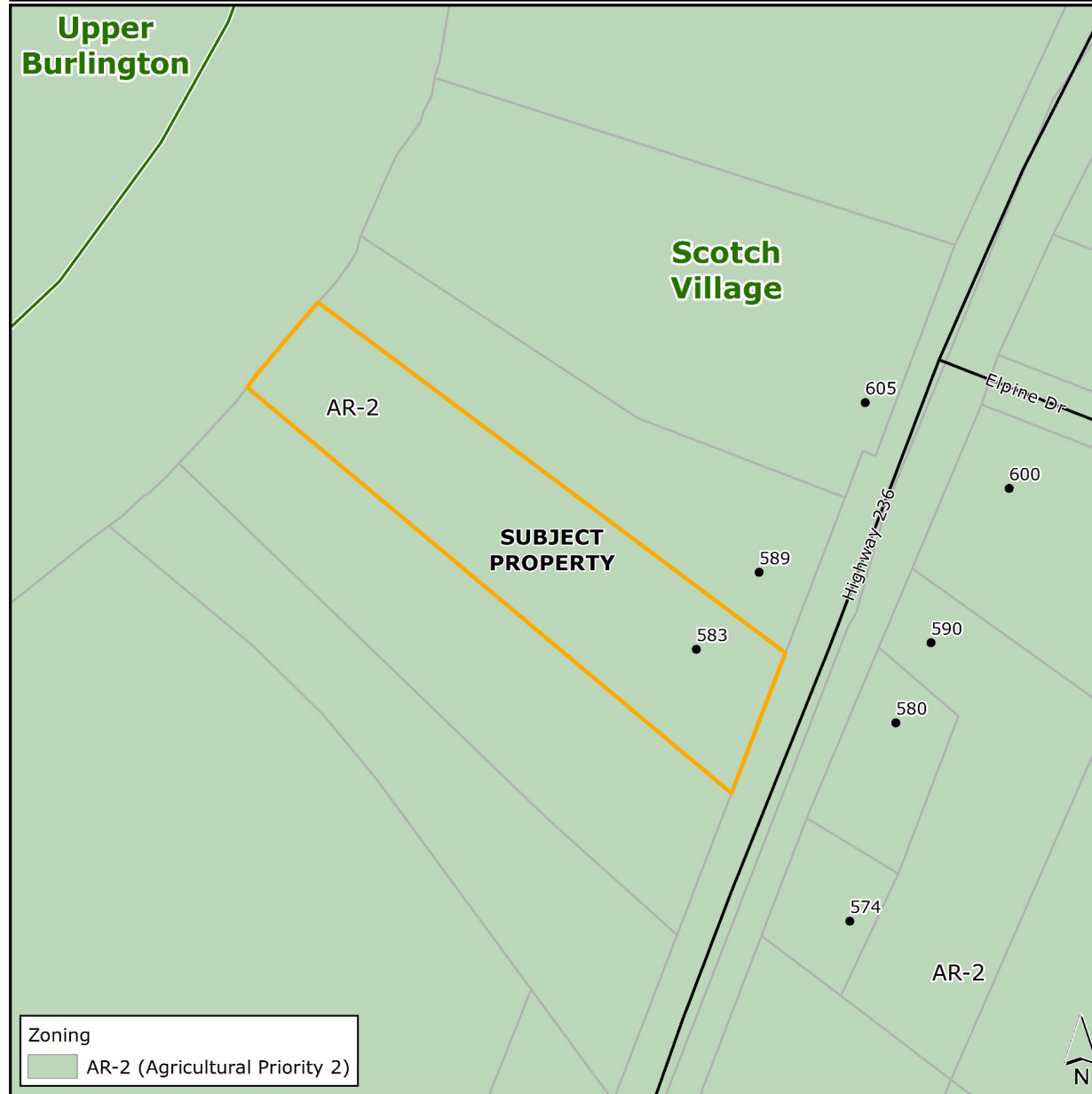


**583 Highway #236
Development Agreement**

October 27, 2020

Application

- ▶ On April 7th Sarah Hein applied for a development agreement to permit a licensed day care at 583 Hwy #236, Scotch Village.
- ▶ The property is approximately 2.8 acres and the day care will be confined to the existing building and 1,500 square feet of outdoor play space. There will also be a maximum of five (5) parking spaces for the day care.
- ▶ A development agreement is a legal contract between the Municipality and a property owner to permit a use that is not permitted in the underlying zone



Policy

- ▶ A non-licensed day care is permitted as a home-based business. However, a non-licensed day care is limited to six or fewer children and the applicant wishes to operate a licensed day care with approximately 20 children.
- ▶ **Policy 8.9.4** enables Council to consider new non-resource **Rural Commercial (RC)**, Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses by development agreement.
- ▶ **Policy 16.3.1** states general criteria in West Hants for amendments and development agreements.

PAC

- ▶ A Public Information Meeting was held on September 23rd
- ▶ PAC recommended in favour of the proposed amendments on October 8th

Process

*anticipated dates
final dates will be
set by Council



Recommendation

Should Council wish to approve the development agreement to permit a day care at 583 Hwy#236 the following motion is in order:

that Council gives First Reading and hold a Public Hearing to consider entering into a development agreement to allow a licensed day care at 583 Hwy#236, Scotch Village, which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated October 8, 2020.





WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Mayor Zebian and Members of West Hants Regional
Municipality Council

Submitted by: _____
Saira Shah, Planner

Date: 2020-10-27

Subject: File # 20-03B 583 Highway 236

Background

An application was received on April 7, 2020 from Sarah Hein to permit a licensed day care at 583 Hwy#236, Scotch Village, West Hants. A non-licensed day care is permitted as a home-based business in the West Hants Land Use By-law. However, a non-licensed day care is limited to six or fewer children and the applicant wishes to operate a licensed day care with approximately 20 children. Policy 8.9.4 of the West Hants Municipal Planning Strategy enables Council to consider permitting a licensed daycare by development agreement.

A Public Information Meeting (PIM) was held virtually on September 23, 2020 and broadcast live on the Municipal Facebook page to receive public feedback on the application (Attachment A).

On October 8, 2020 staff presented a recommendation report to the Planning Advisory Committee (Attachment B).

Planning Advisory Committee Recommendation

PAC/HAC recommended in favour of the development agreement to permit a licensed day care at 583 Hwy#236 on October 8, 2020.

Possible Motion

Should Council wish to approve the development agreement to permit a licensed day care at 583 Hwy#236, the following motion would be in order:

that Council gives First Reading and hold a Public Hearing to consider entering into a development agreement to allow a licensed day care at 583 Hwy#236, Scotch

Village, which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated October 8, 2020.

Attachments

Attachment A	2020-10-07 File#20-03A Public Information Meeting Notes September 23, 2020
Attachment B	2020-10-08 File #20-03 583 Highway 236 Recommendation Report

Report Reviewed by:

Madelyn LeMay, Director of Planning and Development

Report Approved by:



Mark Phillips, Chief Administrative Officer

Attachment A
2020-10-07 File#20-03A Public Information
Meeting Notes September 23, 2020

Public Information Meeting Notes
September 23, 2020
583 Highway 236

Meeting date and time	A public information meeting was held on September 23, 2020 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: Councillor McLean Director LeMay Planner Shah Planner Poirier As this meeting was held virtually there were no members of the public present.
Applicant name and address Site Location (Civic and PID)	Planner Shah outlined the request from Sarah Hein to permit a licensed day care at 583 Hwy#236, Scotch Village.
File Number	20-03A
Comments	Comments from the public could be submitted by mail, drop-off at the Municipal Office, e-mail and telephone to Planner Shah. Two (2) written comments were received from the public and no verbal comments were submitted. The comments from the public were related to a day care operated by the applicant in Brooklyn. Staff have considered the concerns raised and determined they do not relate to the West Hants Municipal Planning Strategy policy criteria.
Adjournment	The presentation portion of the PIM ended at 6:36 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Planner Shah until October 6, 2020.

Attachment B
2020-10-08 File #20-03 583 Highway 236
Recommendation Report



WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT

To: Members of Planning Advisory Committee

Submitted by: _____
Saira Shah, Planner

Date: 2020-10-08

Subject: 583 Hwy#236

File: 20-03

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230.

RECOMMENDATION

In order to allow the requested development, staff recommends that the Planning Advisory Committee (PAC) forward a positive recommendation by passing the following motion:

that PAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a licensed day care at 583 Hwy#236, Scotch Village, which is substantively the same as the draft set out in Appendix C of the report to the Planning Advisory Committee dated October 8, 2020.

BACKGROUND

An application was received on April 7, 2020 from Sarah Hein to permit a licensed day care at 583 Hwy#236, Scotch Village, West Hants. All necessary material for the application was submitted July 30, 2020.

The property is approximately 2.8 acres and the day care will be confined to the existing building and 1,500 square feet of outdoor play space. There will also be a maximum of five (5) parking spaces for the day care.

DISCUSSION

The property is designated Agriculture on the Generalized Future Land Use Map of the MPS (Figure 1) and zoned Agricultural Priority Two (AR-2) on the Zoning Map of the WHLUB (Figure 2). The property is bound on all sides by properties zoned Agricultural Priority Two (AR-2).

A non-licensed day care is permitted as a home-based business. However, a non-licensed day care is limited to six or fewer children and the applicant wishes to operate a licensed day care with approximately 20 children.

Section 6.1 of the WHLUB, *Development Agreements*, states that “*The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:*

(s) Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses in the Agricultural Priority Two (AR-2) zone and the Agricultural Priority Three (AR-3) zone outside the Growth Centre, Village and Hamlet designations in accordance with Policies 8.9.4 and 8.10.5 respectively of the Municipal Planning Strategy;

Although there is no specific definition for a Rural Commercial (RC) use, the best basis for determining what is considered a Rural Commercial (RC) use is the list of permitted uses in that zone in the WHLUB. A Licensed Day Care is a listed permitted use in the Rural Commercial (RC) zone.

Part 8 of the WHMPS contains the overall intention for areas designated Agriculture in West Hants; Section 8.9 indicates the intention of Council for non-agricultural development in areas zoned Agricultural Priority Two (AR-2).

Development Agreements

A development agreement is a legal contract between the Municipality and a property owner that describes the type of development permitted on a property. Development agreements provide an opportunity for Council to exercise a greater degree of control over aspects of a development proposal and allow Council to consider uses that would otherwise not be permitted in the underlying zone. A development agreement is binding upon a property until the agreement is discharged by Council.

The draft development agreement can be found in Appendix C.

Applicant Requests

The applicant requested the ability to have an outdoor play space for the day care up to 1,500 sq. feet. Outdoor play space is defined in the development agreement and must be located in the rear yard and not within 20 feet of a property line. An opaque fence is required to surround the outdoor play space to reduce noise for neighbours. A planting strip is typically required along the property line for a commercial business

and can be a combination of trees, bushes, and fences used as a buffer between commercial and residential uses. However, as the property is much larger than the outdoor play space and a fence is already required in the Nova Scotia Day Care Regulations (Section 22 (3) (c)) an opaque fence instead of a planting strip will be required around the outdoor play space. Several commercial zones in West Hants including Rural Commercial (RC) and Local Commercial (LC) have similar requirements for commercial businesses.

The applicant has stated they will not require a large amount of parking as they intend to have only two (2) staff and will stagger pick-up and drop-off times. A maximum of five (5) parking spaces are permitted in the development agreement and the parking area is outlined in Schedule B.

The applicant intends to operate the day care as an after-school facility during the school year and offer full-day service during summer, winter, and March break holidays. To ensure flexibility for the application the hours of operation shall be limited to 6:30 a.m. to 5:30 p.m. Monday to Friday daily.

WHMPS Specific Criteria

Policy 8.9.4 of the WHMPS establishes Council's intention to consider new non-resource Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses. Policy 8.9.4 establishes the criteria to be considered by Council, which are examined in detail in Appendix A.

Policy 8.9.4 (a) requires an agrologist report to determine that the development site has little or no agricultural capability in accordance with Policy 8.6.1. However, the day care will only take place in an existing garage not resulting in any new buildings. There will also be minimal parking consisting of up to five (5) spaces and an outdoor play space. The parking and the outdoor play space cannot be constructed of paved material to reduce potential impact on soil. Staff considered the challenges in obtaining an agrologist and determined that an agrologist report is not necessary for this application. Although this criterion has not been met staff is making a positive recommendation due to the application meeting the overall intent of Council.

In summary, the remaining criteria are met since:

- the day care will be in an existing building and the parking and outdoor play space will not be on a paved surface and will therefore have no new impact on agricultural capability;
- the day care and accessory parking and outdoor play space are not a use which, because of its size or nature would be more appropriately located in a Growth Centre, Village or Hamlet; and
- Department of Transportation and Infrastructure Renewal confirmed the existing access is acceptable for the day care.

WHMPS General Criteria

Policy 16.3.1 of the WHMPS states general criteria for any development agreement considered in West Hants. These criteria are examined in detail in Appendix B. In summary:

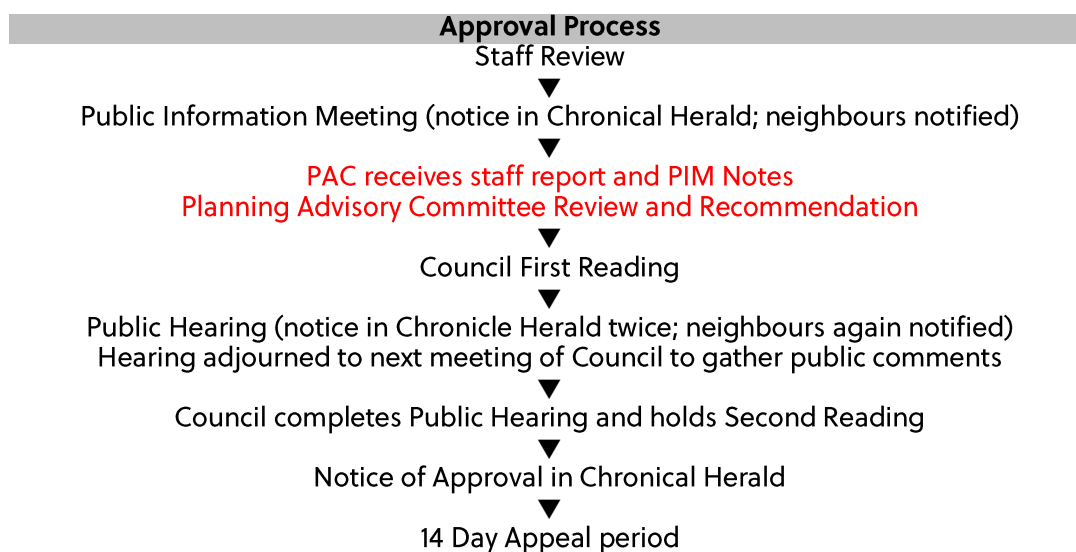
- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Senior Building Official, Director of Public Works and DTIR have no major concerns.

Municipal Climate Change Action Plan

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property.

Next Steps

As noted above, the proposed development has been considered within the context of both the specific and general policies of the WHMPS and is consistent with the intent, objectives and policies of the WHMPS. The development meets the intent of the specific and general criteria for development agreements as outlined in the WHMPS. As a result, it is reasonable to consider approving the development agreement to permit a licensed day care at 583 Hwy#236, Scotch Village, West Hants.



FINANCIAL IMPLICATIONS

There are no financial implications associated with this application.

ALTERNATIVES

In response to the application, PAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the Development Agreement as drafted or as specifically revised by direction of PAC;
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1 Generalized Future Land Use Map

Figure 2 Existing Zoning Map

Appendix A Specific Criteria for Development Agreement

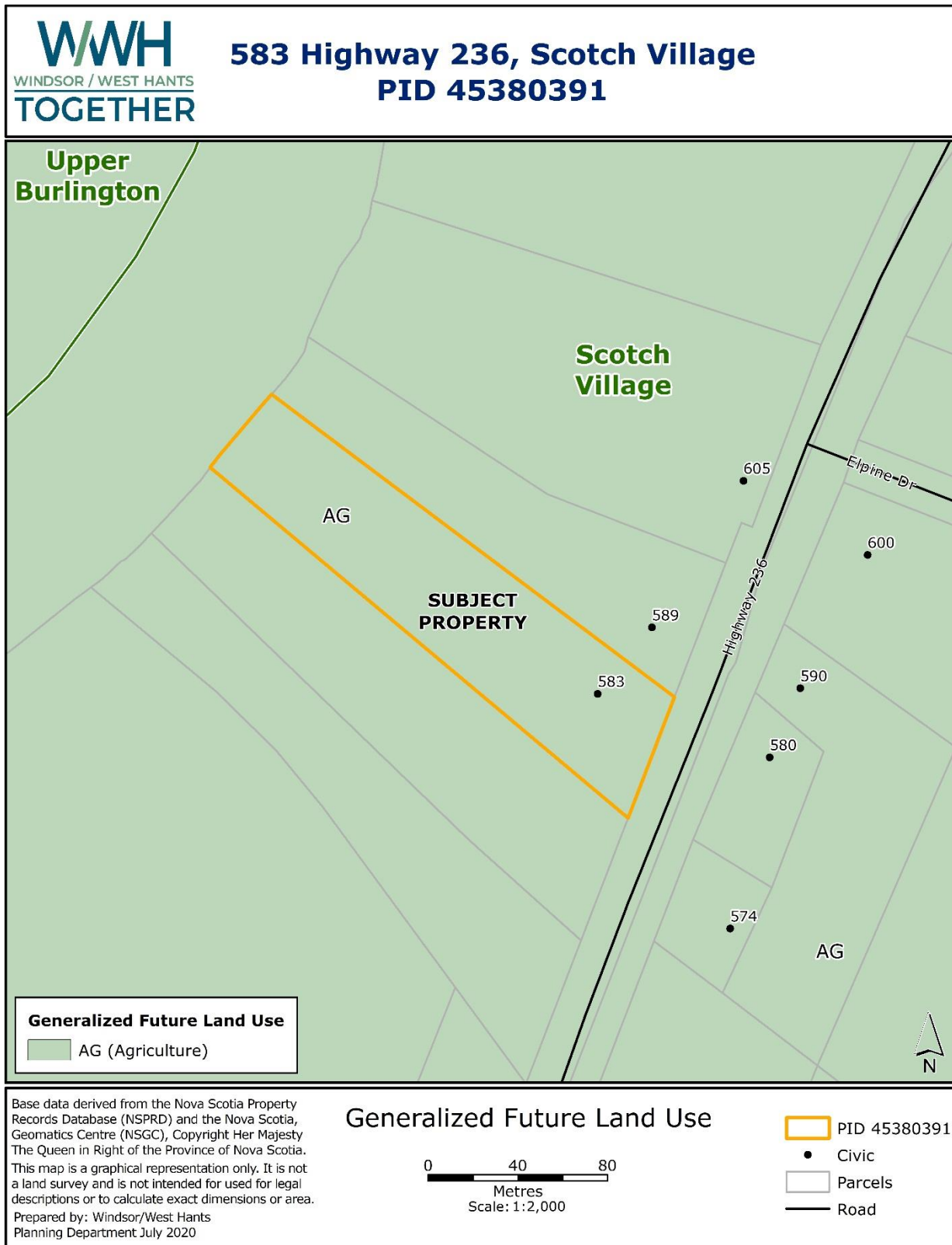
Appendix B General Criteria for Development Agreement

Appendix C Draft Development Agreement

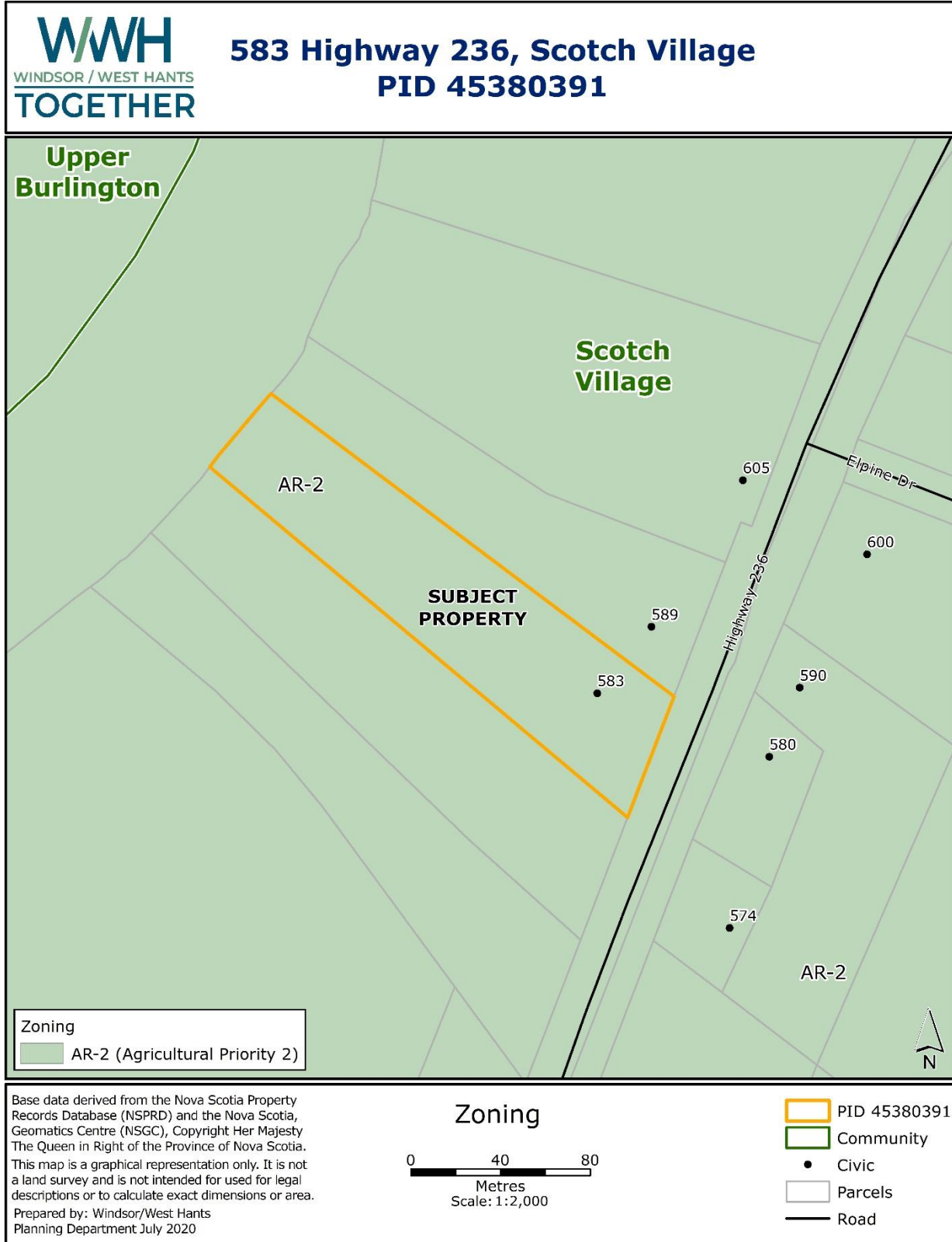
Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

**FIGURE 1
GENERALIZED FUTURE LAND USE MAP**



**FIGURE 2
EXISTING ZONING MAP**



APPENDIX A
SPECIFIC CRITERIA FOR DEVELOPMENT AGREEMENT

Policy 8.9.4 *It shall be the intention of Council to consider new non-resource Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses in the AR-2 zone by development agreement subject to the following:*

CRITERIA	COMMENT
<i>(a) the development site has been determined to have little or no agricultural capability in accordance with Policy 8.6.1;</i>	An agrologist report which is required by Policy 8.6.1 was not provided as the day care will be in an existing building and the parking and outdoor play space will be on an unpaved surface. The uses will therefore have no new impact on agricultural capability.
<i>(b) the proposed use will not compromise or adversely affect the operation or integrity of existing agricultural operations;</i>	The day care will be contained in the existing building and the parking and outdoor play space will be on an unpaved surface. The uses will not compromise or adversely affect the operation or integrity of existing agricultural operations.
<i>(c) the predominant agricultural character of the area will not be adversely affected;</i>	The day care will be contained in the existing building and the parking and outdoor play space will be on an unpaved surface. The uses will not impact the agricultural character of the area.
<i>(d) adequate separation distances and buffering between agricultural and non-agricultural uses can be provided;</i>	The day care will be contained in the existing building with the existing separation distances. The outdoor play space must be 20 feet from any property line and will be required to have an opaque fence surrounding the outdoor play space to ensure adequate separation.
<i>(e) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;</i>	The day care is limited based on the size of the existing building and the accessory parking is limited to five (5) spaces. The outdoor play space is limited to 1,500 sq. feet.
<i>(f) safe and efficient roadway access is provided;</i>	Department of Transportation and Infrastructure Renewal confirmed the

	existing access is acceptable for the proposed future commercial use and a negative impact to the Provincial Road network is not anticipated.
<i>(g) adequate on-site parking is provided;</i>	Five (5) parking spaces are permitted for the day care in the development agreement.
<i>(h) the development is compatible with adjacent land uses with respect to:</i>	
<i>(i) traffic generation and traffic safety;</i>	Please see 8.9.4 (f) for further details.
<i>(ii) hours of operation;</i>	The hours of operation are limited in the development agreement to 6:30 a.m to 5:30 p.m. Monday to Friday daily.
<i>(iii) size and design of building(s);</i>	The day care will be in an existing building.
<i>(iv) signage; and</i>	All signage must meet the requirements of the West Hants Land Use By-law.
<i>(v) pedestrian circulation and safety;</i>	No impact on pedestrian traffic or safety is anticipated.
<i>(i) any other matter which may be addressed in a development agreement;</i>	No other matters have been raised.
<i>(j) Policy 16.3.1.</i>	See Appendix B.

APPENDIX B
GENERAL CRITERIA FOR DEVELOPMENT AGREEMENT

Policy 16.3.1 *In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:*

CRITERIA	COMMENT
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Director of Public Works stated that the property does not currently have municipal water or sewer, nor are there plans to extend services to the site. As a result, the applicant is responsible for determining adequate services for the proposed use. The applicant has been informed.
<i>(ii) the adequacy of school facilities;</i>	No impact on school facilities is anticipated.
<i>(iii) the adequacy of fire protection and other emergency services;</i>	The Manager, Building and Fire Inspection and Fire Chief for the area have no concerns with regards to fire protection and emergency services. The Manager, Building and Fire Inspection has noted that if the day care includes infants a sprinkler system would be required by the Building Code. The applicant has been informed.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	Please see 8.9.4 (f) for further details.
<i>(v) the financial capacity of the Municipality to absorb any costs relating to the development.</i>	No municipal costs related to this amendment are anticipated.
<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;</i>	As noted above in 16.3.1 (a) (i), the applicant will be responsible for the provision of water and on-site sewage disposal.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	Please see 8.9.4 (f) for further details.

<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The property is almost three (3) acres in size and has sufficient space for the intended uses.
<i>(e) the pattern of development which the proposal might create;</i>	The uses permitted by the development agreement will not create a pattern of development that is unusual for the area.
<i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;</i>	Based on a preliminary visual assessment there are no evident concerns in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding. The MCCAP Inland and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property. The applicant will be responsible if any issues arise in terms of the suitability of the area for the proposed uses.
<i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by laws and regulations; and</i>	The proposed amendment meets all relevant municipal, provincial and federal regulations.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	Please see Appendix A for further details.

**APPENDIX C
DRAFT DEVELOPMENT AGREEMENT**



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2020.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the Municipal Government Act, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

Sarah, Judith, and Erik Hein, of Newport and Tantallon, in the County of Hants and Halifax, Province of Nova Scotia,

(Hereinafter referred to as the "Owners")

OF THE SECOND PART

WHEREAS the Owners are the registered owners of a parcel of land located at 583 Hwy#236, Scotch Village, (PID 45380391), hereinafter referred to as the "Property", which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Property is designated Agriculture on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (June 26, 2008) (the "Municipal Planning Strategy") and zoned Agricultural Priority Two (AR-2) on the Zoning Map of the West Hants Land Use By-law (June 26, 2008) (the "Land Use By-law"); and

WHEREAS the Owners have requested that the Municipality enter into a development agreement to permit a Licensed Day Care on the Property (the "Development") pursuant to Section 6.1 (s) of the Land Use By-law which enables Council to consider a licensed day care as it is a listed permitted use in the Rural Commercial (RC) zone; and

WHEREAS the Council of the Municipality, at a meeting held on (DATE), approved this request and adopted this Agreement by policy;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

PART 1 AGREEMENT CONTEXT

1.1 Definitions

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use Bylaw, except those defined as follows:

“Outdoor Play Space” means an area of land used for outdoor recreation accessory to a Licensed Day Care.

1.2 Schedules

The following attached schedules shall form part of this agreement:

- Schedule A - Legal Description
- Schedule B – Site Layout

1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law

- (a) *Municipal Planning Strategy* means the West Hants Municipal Planning Strategy, approved on May 13, 2008, as amended, or successor By-laws;
- (b) *Land Use By-law* means the West Hants Land Use By-law, approved on May 13, 2008, as amended, or successor By-laws;
- (c) *Subdivision By-law* means the West Hants Subdivision By-law, approved on May 13, 2008, as amended, or successor By-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

The Parties agree that uses on the Property shall be limited to the following:

- (a) those uses permitted by the underlying zoning in the Land Use By-law; and
- (b) Licensed Day Care.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

2.2 Development Location and Design

- (a) The proposed Licensed Day Care shall be located entirely within the existing building located as shown on the Site Layout, Schedule B.

- (b) Outdoor Play Space of up to approximately 1,500 sq. feet in area shall be permitted in the rear yard of the property as shown on Schedule B. The Outdoor Play Space shall not be within 20 feet of a property line. A fence with a minimum height of 4 ft. (1.2 m) shall surround the Outdoor Play Space and be opaque. The Outdoor Play Space shall not be constructed using a paved surface.

2.3 Access and Egress

The Owners shall maintain the existing driveway. The Development Officer, after consultation with the Municipal Engineer, may in his/her sole discretion approve minor incidental changes to the layout of the driveway.

2.4 Parking

A maximum of five (5) parking spaces may be used as part of the Licensed Day Care. The parking shall not be constructed using a paved surface and shall be located as shown on Schedule B.

2.5 Signs and Lighting

Signage and illumination shall be in accordance with sections 5.18 and 7.0 of the Land Use By-law which control lighting, size, location, and number of signs. Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to minimize light spilling, glare or light cast over neighbouring properties or the street.

2.6 Water and Sewer Services

The Owners shall be responsible for ensuring adequate water and sewer services are available for the uses permitted.

2.7 Hours of Operation

The hours of operation for the Licensed Day Care shall be limited to 6:30 a.m. to 5:30 p.m. daily, Monday to Friday.

2.8 Maintenance

- (a) The Owners shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.
- (b) The Owners shall maintain the driveway to a level adequate to allow for access by emergency service vehicles.

PART 3 CHANGES and DISCHARGE

- 3.1** The Owners shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this agreement is amended.

- 3.2** Any matters in this agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.
- 3.3** The following matters are substantive matters:
- (a) the uses permitted on the property as listed in Section 2.1 *Use of this agreement*; and
 - (b) the development location on the property as listed in Section 2.2 *Development Location and Design* and Schedule B of this agreement.
- 3.4** Notwithstanding the foregoing, discharge of this agreement is not a substantive matter and this agreement may be discharged by Council without a public hearing.
- 3.5** Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owners following a resolution of Council to give such Notice:
- (a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or
 - (b) at the discretion of the Municipality, with or without the concurrence of the Owners, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or
 - (c) at any time upon the written request of the Owners, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.
- 3.6** Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

- (a) The Owners may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.
- (b) Development as provided in Part 2 of this Agreement shall commence not later than 24 months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act 30 days after giving Notice of Intent to Discharge to the Owners. Upon the written request of the Owners, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.

- (c) If the Owners are bona fide delayed from commencing the development for reasons which are beyond the Owners' control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owners is excused for the period of the delay and the time period for the Owners to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

- (a) The Owners shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required, within ten days of completion of any work which requires the engineered design.
- (b) The Owners shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with Other Bylaws and Regulations

- (a) Nothing in this Agreement shall exempt the Owners from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.3 Interpretation

- (a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

5.4 Municipal Responsibility

- (a) The Municipality does not make any representations to the Owners about the suitability of the Property for the development proposed by this agreement. The Owners assume all risks and must ensure that any proposed development

complies with this Agreement and all other laws pertaining to the Development.

- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owners in writing. In the event that the Owners have not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

5.6 Costs

The Owners shall pay all costs associated with the advertising required for this Agreement, the costs of registering this Agreement, and all costs associated with any amendment thereof.

5.7 Development Agreement Bound to Land

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

5.8 Assignment of Agreement

The Owners may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

5.9 Written Notice

- (a) The Municipality may serve notice on the Owners personally or by ordinary mail which shall be deemed to have been received within three business days of mailing, addressed to Sarah Hein 98 Millard Court Newport, NS B0N 2A0 and Erik & Judith Hein 15 Inlet Drive Tantallon, NS B3Z 2L3, or at any other address provided by the Owners.

- (b) The Owners may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0.

5.10 Full Agreement

This agreement constitutes the entire agreement and contract entered into by the Municipality and the Owners. No other agreement or representation, oral or written, shall be binding.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED

In the presence of:

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

)

Per: _____

Witness

) Abraham Zebian, Mayor

)

) Per: _____

Witness

) Rhonda Brown, Municipal Clerk

)

)

)

)

)

)

)

)

)

Per: _____

Witness

) Sarah Hein

)

)

Per: _____

Witness

) Judith Hein

)

)

Per: _____

Witness

) Erik Hein

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h presence.

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h presence.

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **SARAH HEIN**, one of the parties thereto, signed, sealed and delivered the same in h presence.

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **JUDITH HEIN**, one of the parties thereto, signed, sealed and delivered the same in h presence.

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS**

ON THIS day of , A.D. 2020, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **ERIK HEIN**, one of the parties thereto, signed, sealed and delivered the same in h presence.

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK
WEST HANTS REGIONAL MUNICIPALITY

I, Rhonda Brown of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (The "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

Sworn before me at _____, Nova Scotia,
this _____, 2020.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

RHONDA BROWN

I CERTIFY that on this date Rhonda Brown personally came before me and swore under oath the foregoing Affidavit.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

CANADA
PROVINCE OF NOVA SCOTIA
HANTS COUNTY

AFFIDAVIT & PROOF OF EXECUTION (INDIVIDUAL)

I, Sarah Hein, the "Deponent", make oath and swear that:

1. **I acknowledge that I executed the foregoing instrument on the date of this affidavit; this acknowledgement is made for the purpose of registering such instrument pursuant to s.31(a) of the *Registry Act*, R.S.N.S. 1989, c.392 or s.79(1)(a) of the *Land Registration Act* as the case may be.**
2. I am nineteen years of age or older and am a resident of Canada under the *Income Tax Act* (Canada).
3. For the purpose of this affidavit "spouse" means an individual who is married to another individual; is married to another individual by a marriage that is voidable and has not been voided by a declaration of nullity; has gone through a form of marriage with an individual, in good faith, that is void and they are cohabiting or have cohabited within the preceding year; or is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* as amended, but does not include an individual who becomes a former domestic partner pursuant to section 55(1) of the Act.
4. I am not a spouse and, with respect to the within property, I have no former domestic partner with the rights contemplated by section 55 of the *Vital Statistics Act*, nor any former spouse with rights in the within property under the *Matrimonial Property Act*, as amended.

I certify that on this _____, 2020
the Deponent came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

Sarah Hein

CANADA
PROVINCE OF NOVA SCOTIA
HANTS COUNTY

AFFIDAVIT & PROOF OF EXECUTION (INDIVIDUAL)

We, Judith Hein and Erik Hein, the "Deponents", make oath and swear that:

1. **We acknowledge that we executed the foregoing instrument on the date of this affidavit; this acknowledgement is made for the purpose of registering such instrument pursuant to s.31(a) of the *Registry Act*, R.S.N.S. 1989, c.392 or s.79(1)(a) of the *Land Registration Act* as the case may be.**
2. We are nineteen years of age or older and are residents of Canada under the *Income Tax Act* (Canada).
3. For the purpose of this affidavit "spouse" means an individual who is married to another individual; is married to another individual by a marriage that is voidable and has not been voided by a declaration of nullity; has gone through a form of marriage with an individual, in good faith, that is void and they are cohabiting or have cohabited within the preceding year; or is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* as amended, but does not include an individual who becomes a former domestic partner pursuant to section 55(1) of the Act.
4. We are the spouses of each other. Neither of us has any other spouse nor, with respect to the within property, any former domestic partner with the rights contemplated by Section 55 of the *Vital Statistics Act*, or any former spouse with rights under the *Matrimonial Property Act*. We consent to this disposition.

I certify that on this _____, 2020
the Deponent came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

Judith Hein

Erik Hein

Schedule 'A'
Legal Description – PID 45380391

Registration County: HANTS COUNTY

Street/Place Name: NO 236 HIGHWAY /SCOTCH VILLAGE

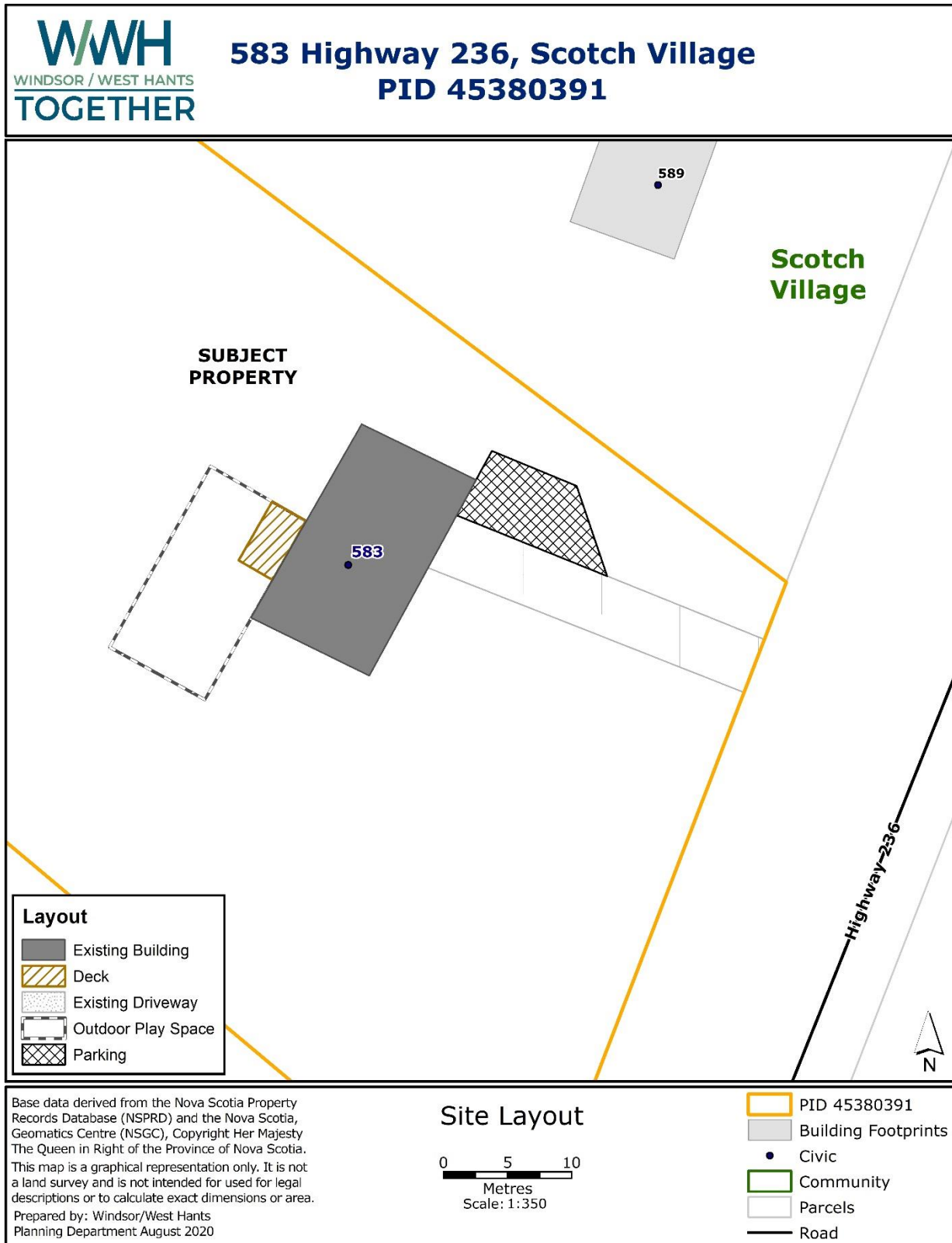
Title of Plan: PLAN OF S/D OF LOTS C-3, C-4 & C-5, LANDS OF ELIZABETH A CROCKETT, NO
236 HWY, SCOTCH VILLAGE

Designation of Parcel on Plan: LOT C-3

Registration Number of Plan: 95010766

Registration Date of Plan: 2009-12-29 13:09:29

Schedule 'B'
Site Layout





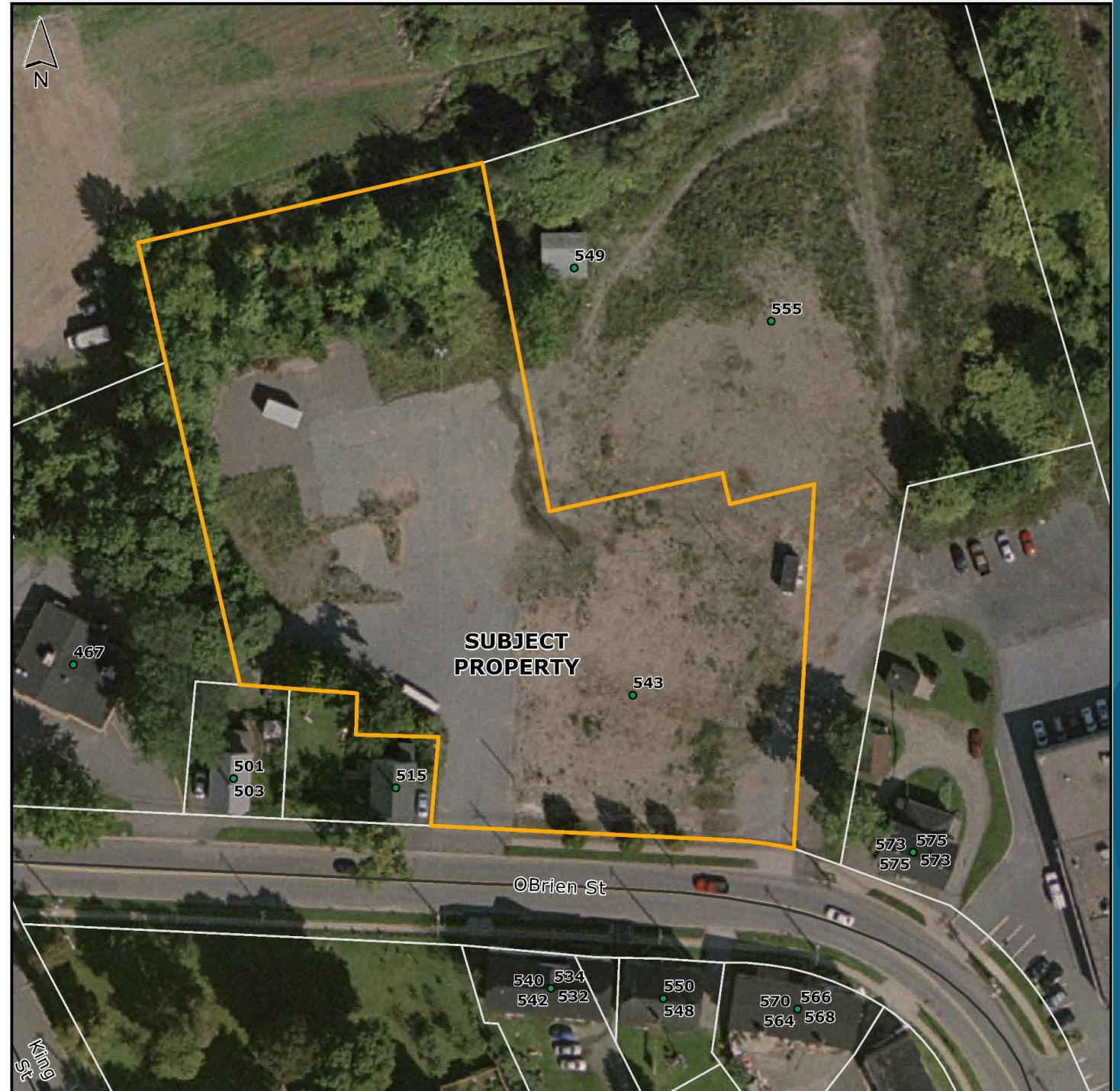


543 O'Brien Street, Windsor
Land Use By-law Amendment
Council First Reading
October 27, 2020

Application

- ▶ On June 3, Clark Wilkins applied for an amendment to rezone his property from General Commercial (GC) to Highway Commercial (HC) to permit an automobile service station and a drive-through restaurant
- ▶ The subject lot is currently vacant but was once the site of the Co-op Atlantic store and gas bar

543 O'Brien Street *Orthophoto*



Document Review

- ▶ Section 8.0 of the WMPS contains the commercial policies for Windsor
- ▶ **Policy 8.2.2** enables Council to *“consider the creation of new Highway Commercial zones in the Commercial and Industrial designations, excluding the Wentworth Road Gateway District and the designated Industrial Parks, by amendment to the Land Use By-law”*

Additional Amendments

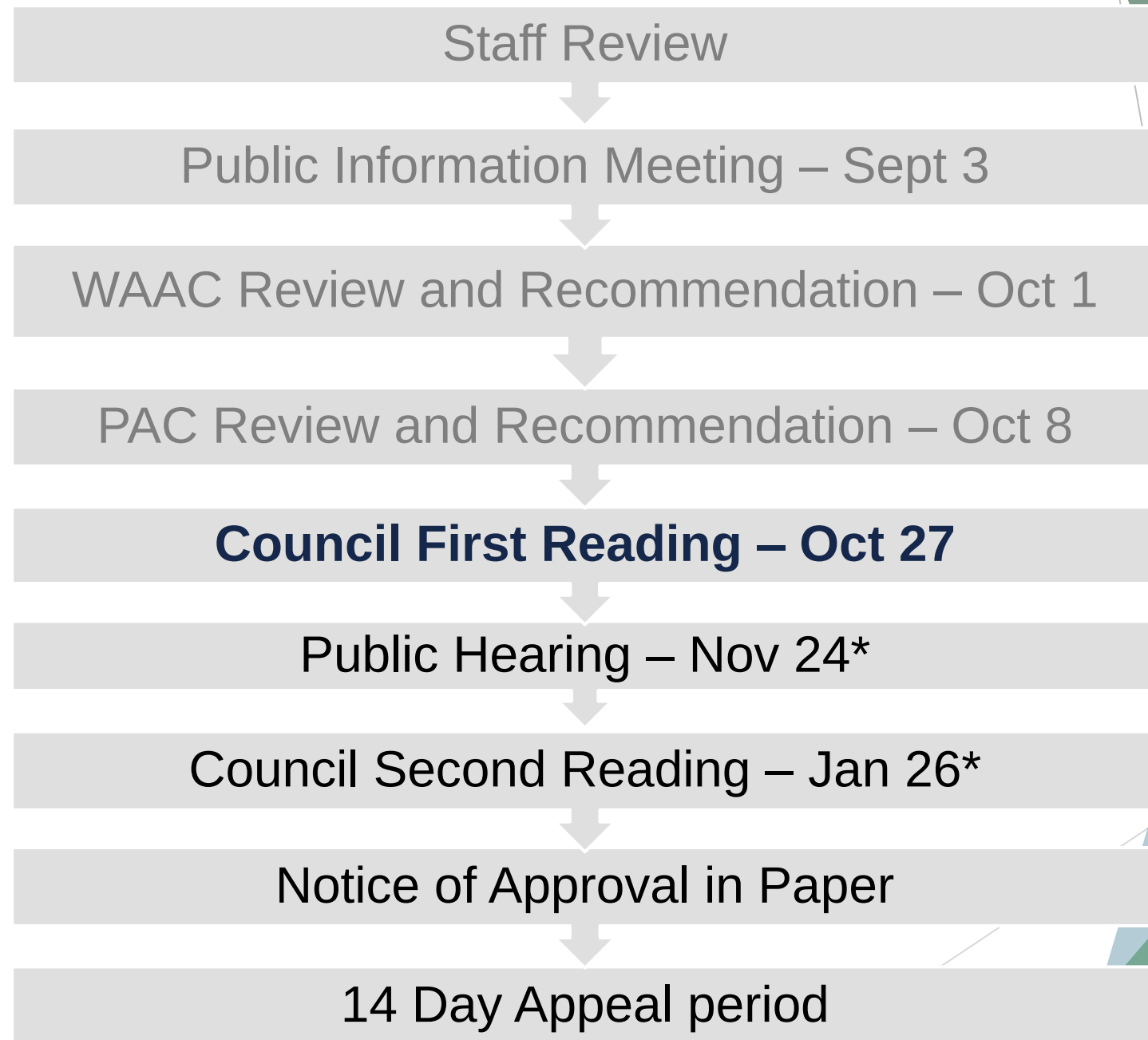
- ▶ **Policy 8.2.2 (b)** states *“the proposed use will not conflict with adjacent uses”*
- ▶ Section 13 of the WLUB, *General Provisions for Commercial Zones*, includes abutting zone and planting strip requirements to ensure there is adequate separation between commercial uses and properties with residential zoning
- ▶ Staff have recommended amendments to this Section to ensure it applies to the residential uses abutting this property that are zoned General Commercial (GC)

Process

- ▶ A Public Information Meeting was held on September 3
- ▶ WAAC recommended in favour of the proposed amendments on October 1
- ▶ PAC recommended in favour of the proposed amendments on October 8

Process

*anticipated dates
final dates will be
set by Council



Recommendation

► ...that Council give First Reading and hold a Public Hearing to consider amending the zoning map of the Windsor Land Use By-law to enable the lot located at 543 O'Brien Street, Windsor, PID 45055928 to be rezoned from the General Commercial (GC) Zone to the Highway Commercial (HC) Zone, as shown on Figure 2 and amending the text of the Windsor Land Use By-law to ensure adequate separation and buffering is provided for residential uses abutting commercial uses in commercial zones, in a manner substantively the same as Attachment A, all as attached to the Windsor Area Advisory Committee report #20-17 dated October 1, 2020.





WEST HANTS REGIONAL MUNICIPALITY

Recommendation Report

To: Members of Council

Submitted by: _____
Sara Poirier, Planner

Date: 2020-10-27

Subject: Land Use By-law Map Amendment: 543 O'Brien Street, Windsor;
PID 45055928

File: 20-17 C

Background

An application was received on June 3, 2020 from Clark Wilkins to rezone the property at 543 O'Brien Street, Windsor (PID 45055928) from General Commercial (GC) to Highway Commercial (HC) to permit an automobile service station and a drive-through restaurant. (Appendix A)

A Public Information Meeting (PIM) was held virtually and broadcast live on the Municipal Facebook page on September 3, 2020 to consider the requested amendment. (Appendix B)

Windsor Area Advisory Committee Recommendation

The Windsor Area Advisory Committee (WAAC) recommended in favour of the application on October 1, 2020.

Planning Advisory Committee Recommendation

The Planning Advisory Committee / Heritage Advisory Committee (PAC/HAC) recommended in favour of the application on October 8, 2020.

Possible Motion

Should Council wish to proceed to Public Hearing, the following motion would be in order:

...that Council give First Reading and hold a Public Hearing to consider amending the zoning map of the Windsor Land Use By-law to enable the lot located at 543 O'Brien Street, Windsor, PID 45055928 to be rezoned from the General Commercial (GC) Zone to the Highway Commercial (HC) Zone, as shown on Figure 2 and amending the text of the Windsor Land Use By-law to ensure adequate separation and buffering is provided for residential uses abutting commercial uses in commercial zones, in a manner substantively the same as Attachment A, all as attached to the Windsor Area Advisory Committee report #20-17 dated October 1, 2020.

Appendix

Appendix A 2020-10-01 Staff Report - Land Use By-law Map Amendment: 543 O'Brien Street, Windsor; PID 45055928 – File 20-17

Appendix B 2020-10-01 Public Information Meeting Notes – File 20-17 A

Report Reviewed by:

Madelyn LeMay, Director of Planning and Development

Report Approved by:



Mark Phillips, Chief Administrative Officer

Appendix A



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Members of Windsor Area Advisory Committee

Submitted by: _____
Sara Poirier, Planner

Date: 2020-10-01

Subject: Land Use By-law Map Amendment: 543 O'Brien Street,
Windsor; PID 45055928

File: 20-17

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

To allow the requested development, staff recommends that the WAAC forward a positive recommendation by passing the following motion:

WAAC recommends that PAC recommend that Council give First Reading and hold a Public Hearing to consider amending the zoning map of the Windsor Land Use By-law to enable the lot located at 543 O'Brien Street, Windsor, PID 45055928 to be rezoned from the General Commercial (GC) Zone to the Highway Commercial (HC) Zone, as shown on Figure 2 and amending the text of the Windsor Land Use By-law to ensure adequate separation and buffering is provided for residential uses abutting commercial uses in commercial zones, in a manner substantively the same as Attachment A, all as attached to the Windsor Area Advisory Committee report #20-17 dated October 1, 2020.

BACKGROUND

A completed application was received on June 3, 2020 from Clark Wilkins to rezone the property at 543 O'Brien Street, Windsor (PID 45055928) from General Commercial (GC) to Highway Commercial (HC) to permit an automobile service station and a drive-through restaurant. The property is owned by 3331814 Nova Scotia Limited; Mr. Wilkins is the Director.

This site was once the location of the Co-op Atlantic store and gas bar which were demolished in 2011 and 2009, respectively. A development agreement from 1992 permitted *"a retail gas bar for members of the developer only and all accessory uses normally associated with a retail gas bar, business and professional office, existing dwelling, garden centre, and grocery store"* and prohibited the development of uses permitted in the underlying zone. The current property owner requested this development agreement be discharged and the discharge was approved by Council on June 23, 2020 and recorded at the Land Registry Office on August 27, 2020.

DISCUSSION

The lot is designated Commercial (C) on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (WMPS). Part 8.0 of the WMPS contains the overall intention for properties designated Commercial (C) in Windsor.

The property is zoned General Commercial (GC) on the Zoning Map of the Windsor Land Use By-law (WLUB). Figure 1 shows the current zoning of the property. Automotive service stations and drive-through restaurants are not permitted in the General Commercial (GC) Zone.

The applicant requests that Council consider rezoning the property from General Commercial (GC) to Highway Commercial (HC) to permit the automobile service station and drive-through restaurant. If the application for rezoning is approved, any use permitted in the Highway Commercial (HC) Zone would be permitted on the lot as-of-right (Attachment B).

Previous Uses

The site is vacant but was once the site of the Co-op Atlantic store and gas bar. The gas bar was for members of the Co-op Atlantic only. The gas bar pump island and two associated underground storage tanks were decommissioned and removed in 2009 and the Co-op Atlantic building was demolished in 2011. The gas bar was permitted through a development agreement (1992) which has been discharged from the property.

Brownfield Development

In 2003, the National Roundtable on the Environment and the Economy published a report called *"Cleaning up the Past, Building the Future - A National Brownfield Redevelopment Strategy for Canada"*. This paper (2003) defines Brownfields as *"An abandoned, vacant, derelict or underutilized commercial or industrial property where past actions have resulted in actual or perceived contamination and where there is an active potential for redevelopment."* The report outlines that brownfield sites are the remnants of industrialization and the sites can *"pose threats to human health and environmental quality"*. Once brownfield sites are remediated to an acceptable standard which is suitable for the proposed use, they can generate economic, environmental and often social benefits.

Potential Site Remediation

Staff reviewed the existing file for the subject lot which was compiled by the previous Windsor Planning Department. The Planning Department's file includes a copy of a Remedial Action Plan from 2011 written by CBCL which details potential remediation to be completed on 543 O'Brien Street. This CBCL report specifies that *"in 1994 fuel oil was discovered leaking from an underground storage tank"*. The underground storage tank in question was removed from the property in 1994. The CBCL report discusses how the site should be remediated and the recommendations were accepted by the Nova Scotia Department of Environment in 2011. The letter from Department of Environment (2011) states that *"a final report must be prepared and submitted to the Department of Environment following the completion of the remedial program"*.

Upon review of this information, staff contacted an Inspector with the Department of Environment who advised that *"There are no entries following the receipt of the Remedial Action Plan. The file would not be considered closed, following a regulatory process."* The Inspector added that they were *"unable to tell if the remedial action plan was ever implemented, and/or whether remediation was successful in reducing contaminants to an acceptable level."*

The Inspector could not *"speak to any restrictions for the site"* as *"it will depend on the location and concentration of contaminants remaining on the site."* They stated that *"the next steps for the property owner would be to hire a site professional to determine if Notification under the Contaminated Sites Regulations is required. A site professional will have to determine if the work completed meets the current requirements."*

Contaminated Sites

The Nova Scotia Department of Environment states that *"contamination normally refers to concentrations of chemicals in the soil, water and air that have been determined to exceed acceptable standards for the particular land use"*. In Nova

Scotia, a property owner assumes the responsibility to ensure any contamination is cleaned up in accordance with the Contaminated Sites Regulations (2013). The Regulations outline the process to remediate a contaminated site. The Regulations specify that only site professionals, who are either a geologist or engineer with experience in the management and remediation of contaminated sites, are qualified to manage the cleanup of contaminated sites. Once a site is remediated by a site professional in accordance with the Regulations, the Department of Environment would supply the property owner with closure documentation which could be in the form of a Certificate of Compliance, Record of Site Condition or Declaration of Property Condition.

Section 220 (5) of the *Municipal Government Act* specifies that

"where a municipal planning strategy so provides, a land-use by-law may
(p) prohibit development on land that
(v) is known to be contaminated within the meaning of the
Environment Act"

The planning documents for the community of Windsor do not discuss or prohibit development of contaminated or brownfield sites.

The applicant, Mr. Wilkins, became the owner of the property in 2019. Mr. Wilkins is aware of the history of the site, the potential contaminants, and the Nova Scotia Department of Environment standards and process for remediation that would need to be followed. He is also aware that the Municipality would not be able to issue building permits for any development on the lot until there was confirmation from the Department of Environment that the site is remediated to a standard suitable for the proposed use. Mr. Wilkins is working with an environmental consultant through the process. Mr. Wilkins has stated that it was his *"understanding that 543 O'Brien was cleaned to commercial guidelines and the final piece was a summer and winter monitoring well inspection."*

Mr. Wilkins is also the owner of the abutting property 555 O'Brien Street where a development agreement was entered into by the Town of Windsor Council in 2010 for a mixed-use development consisting of dwelling units in addition to commercial space. The development agreement specifically requires the site be remediated and a Certificate of Compliance be provided to the Development Officer prior to the Municipality being able to issue development permits for the proposed uses. Regarding the current application for rezoning at 543 O'Brien Street, Mr. Wilkins has stated that *"if there is any further site cleanup, it will be done in conjunction with my residential build out on the neighbouring site."*

Proposed Uses

O'Brien Street is an arterial road as shown on the Transportation Map (Map 2) of the WMPs and is a main thoroughfare to and from downtown Windsor. The subject lot is currently vacant and has been vacant for almost a decade. Any new uses, whether permitted in the underlying General Commercial (GC) zone or permitted through rezoning to Highway Commercial (HC), will generate traffic to the property. The Municipal Traffic Authority stated they had no concerns in regards to traffic impact or the ability to provide safe and efficient roadway access to the lot.

The applicant, Mr. Wilkins, would like to develop an automobile service station and a drive-through restaurant on the subject lot. Facilities where a petroleum product is sold or kept for sale require approval by the Nova Scotia Department of Environment. To avoid traffic problems and ensure safe product delivery, Council created specific requirements in the WLUB for automotive service stations (Section 5.2). There are also special requirements regarding stacking space for drive-through restaurants in Section 5.9 of the WLUB.

The permitted signage as outlined in Section 7.18 of the WLUB for the Highway Commercial (HC) zone is the same as that permitted in the General Commercial (GC) zone. Additionally, Section 7.17 of the WLUB states that automobile service stations are also permitted one ground sign exceeding the size permitted in Section 7.18 up to a maximum of 120 ft² (11.15 m²) provided the sign is setback at least 15 ft from any property line. Signs are permitted to be illuminated as per Section 5.18 of the WLUB as long as the illumination is directed away from adjoining properties and any adjacent street.

The Development Officer has commented that due to the size of the subject lot there should be no problem in meeting the parking and loading space requirements in the WLUB.

Surrounding Neighbourhood

The subject lot directly abuts lots zoned General Commercial (GC) to the north, east and west, and lots zoned High Density Residential (R-4) to the south.

Table 1: Use Abutting Subject Lot by Direction

North	The former Windsor United Baptist Church which was recently rezoned to General Commercial (GC).
East	The lot directly abutting the subject lot to the east is owned by the applicant. It is currently vacant and has a development agreement (2010) for a mixed-use development consisting of dwelling units in addition to commercial space. The lot adjacent to that is the Lawtons Drugs and Medical Clinic.

South	The lots are zoned High Density Residential (R-4). Two of the buildings have four (4) dwelling units and the other building has two (2) dwelling units.
West	Two residential properties zoned General Commercial (GC) and the Baby Panda Chinese food restaurant.

Policy 8.2.2 allows Council to consider this request for rezoning to Highway Commercial based on specific criteria. Policy 8.2.2 (b) requires that the proposed use will not conflict with adjacent uses.

During the staff review, consideration was given to *Section 13 General Provisions for Commercial Zones* of the WLUB. Section 13 states that if a commercial use permitted in a commercial zone abuts a lot in a residential zone, the commercial use should provide a minimum 5 ft (1.52 m) planting strip along the part of the lot directly adjoining the residential zone. Additionally, if a commercial use permitted in the commercial zones abuts a lot in a residential or institutional zone, the commercial use must have a minimum 20 ft (6.10 m) side yard from the abutting lot line and no open storage or outdoor display is permitted in the abutting yard of the commercial use. These requirements decrease the potential for the commercial use to pose a conflict with the adjacent residential zones, however, do not currently benefit residential uses located outside of residential zones.

Staff recommend an amendment to the abutting zone and planting strip requirements to ensure they apply to commercial properties which abut any residential use as opposed to properties with residential zoning (Attachment A). This will ensure the application meets Policy 8.2.2 (b).

DOCUMENT REVIEW

Municipal Planning Strategy

For the lot to be used for the uses requested an amendment to the Zoning Map of the WLUB is required. Figure 2 shows the proposed changes to the Zoning Map.

Section 8.0 of the WMPS contains the commercial policies for Windsor. Policy 8.2.2 establishes Council's intention to "*consider the creation of new Highway Commercial zones in the Commercial and Industrial designations, excluding the Wentworth Road Gateway District and the designated Industrial Parks, by amendment to the Land Use By-law*". The subject lot is designated Commercial and is not within the Wentworth Road Gateway District or the Industrial Parks, therefore the rezoning to Highway Commercial (HC) can be considered under this policy.

WMPS Specific Criteria

Policy 8.2.2 establishes Council's intention to "*consider the creation of new Highway Commercial zones in the Commercial and Industrial designations, excluding the*

Wentworth Road Gateway District and the designated Industrial Parks, by amendment to the Land Use By-law” and establishes the criteria to be considered by Council. These criteria are examined in detail in Attachment C. In summary, the criteria are met since:

- the subject lot has direct access to an arterial road;
- the proposed uses will not conflict with adjacent existing uses; and
- the proposal meets the WMPS general criteria.

WMPS General Criteria

The proposal meets the general criteria for amendment set out in WMPS Policy 16.3.1. These criteria are examined in detail in Attachment D. In summary:

- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated;
- the Fire Chief, Development Officer, Senior Building and Fire Official, Director of Public Works and Traffic Authority have no concerns.

Land Use By-law

Text Amendment

The definitions of the WLUB, although not directly applicable to the WMPS, can be used as a guide to the intent of the WMPS. On the subject lot, the applicant proposes to develop an automobile service station and drive-through restaurant. Should the lot be amended from the General Commercial (GC) zone to the Highway Commercial (HC) zone, the proposed uses would be allowed “as-of-right”, as they are each listed as a permitted use in the Highway Commercial (HC) zone (Attachment B).

Staff are recommending that the text of Section 13 of the WLUB be amended as part of this application to ensure the abutting zone and planting strip requirements apply to commercial properties which abut any residential use as opposed to properties with residential zoning (Attachment A).

Map Amendment

The proposed uses are not permitted in the General Commercial (GC) zone. There is a policy option to allow Council to consider rezoning the subject lot to the Highway Commercial (HC) zone. The proposed uses are permitted in the Highway Commercial (HC) zone. An amendment to the WLUB Zoning Map is required for this application. The proposed map amendment is shown in Figure 2.

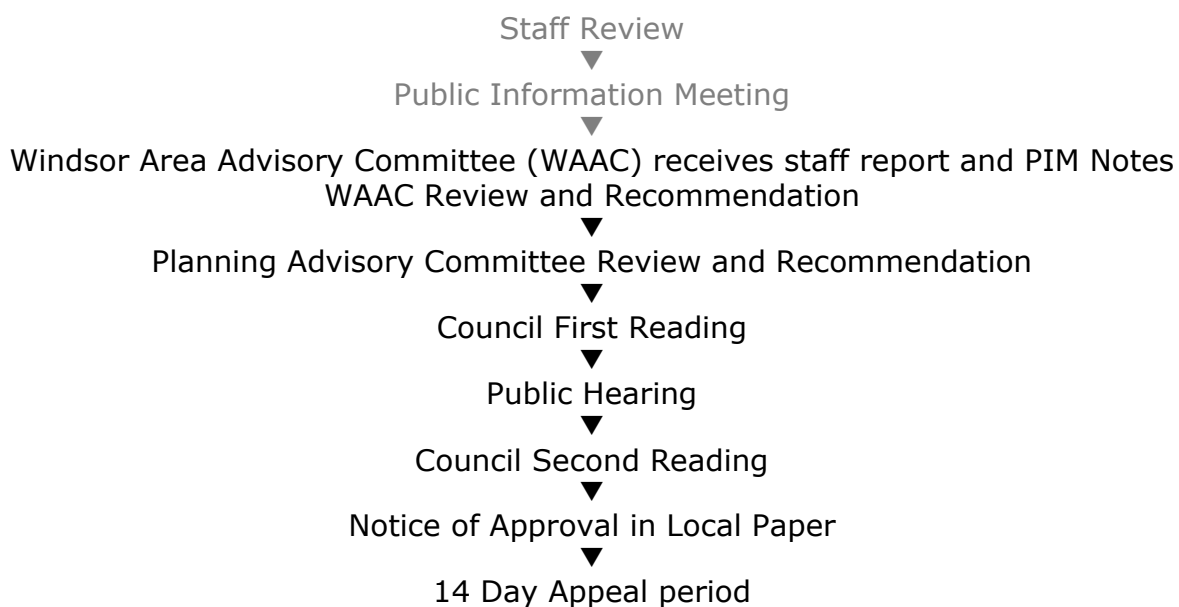
MCCAP

This amendment has not been examined in relation to the Municipal Climate Change Action Plan (MCCAP).

NEXT STEPS

As noted above, the proposed amendment has been considered within the context of both the specific and general policies of the WMPS and is consistent with the intent, objectives and policies of the WMPS. The amendment meets the specific and general criteria for amendment to the WLUB or WMPS. As a result, it is reasonable to amend the zoning of the lot located at 543 O'Brien Street, Windsor, PID 45055928 from the General Commercial (GC) Zone to the Highway Commercial (HC) Zone on the Zoning Map of the Windsor Land Use By-Law and the text of the WLUB to amend the abutting zone and planting strip requirements for the commercial zones.

Process



FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, WAAC may recommend that PAC:

- recommend that Council hold First Reading and authorize a Public Hearing to approve the WLUB amendment as drafted or as specifically revised by direction of WAAC;
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A	Draft Amendments to the Windsor Land Use By-law
Attachment B	Highway Commercial (HC) Zone
Attachment C	Specific Criteria for Amendment
Attachment D	General Criteria for Amendment
Figure 1	Windsor Zoning Map – Existing
Figure 2	Draft Windsor Zoning Map – Proposed Amendment

Report Prepared by: _____

Sara Poirier, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A
Draft Amendments to the Windsor Land Use By-law

Text amendments to the Windsor Land Use By-law to ensure the abutting zone and planting strip requirements in Section 13 *General Provisions for Commercial Zones* apply to abutting residential uses not solely abutting residential zones.

1. **Amend Section 13.1 *Lots Abutting Residential and Institutional Zones* in Part 13 of the Windsor Land Use By-law, *General Provisions for Commercial Zones*, by replacing:**
 - (a) the title “**Lots Abutting Residential and Institutional Zones**” with “**Lots Abutting Residential and Institutional Uses**”, and
 - (b) the phrase “**Except in the Local Commercial (LC) zone, where the yard of a lot located in a commercial zone abuts a lot in a residential or institutional zone, the following standards apply**” with “**Except in the Local Commercial (LC) zone, where the yard of a lot located in a commercial zone abuts a lot with residential uses or uses permitted in the Institutional (I) zone, the following standards apply**” so that it reads as follows:

13.0 GENERAL PROVISIONS FOR COMMERCIAL ZONES

Lots Abutting Residential and Institutional Uses

- 13.1 Except in the Local Commercial (LC) zone, where the yard of a lot located in a commercial zone abuts a lot with residential uses or uses permitted in the Institutional (I) zone, the following standards apply:
 - (a) the minimum side yard requirement for the commercial use from the abutting lot line shall be 20 ft (6.10 m); and
 - (b) no open storage or outdoor display shall be permitted in the abutting yard of the commercial use.
2. **Amend Section 13.2 *Planting Strip* in Part 13 of the Windsor Land Use By-law, *General Provisions for Commercial Zones*, by replacing: the phrase “**Where a commercial use in a commercial zone abuts a residential zone, the part of the lot directly adjoining the residential zone shall be used for no purpose other than a planting strip having a minimum width of 5 ft (1.52 m) measured perpendicular to said lot line.**” with “**Where a commercial use in a commercial zone abuts a residential use, the part of the lot directly adjoining the residential use shall be used for no purpose other than a planting strip having a****

minimum width of 5 ft (1.52 m) measured perpendicular to said lot line.”

Planting Strip

- 13.2 Where a commercial use in a commercial zone abuts a residential use, the part of the lot directly adjoining the residential use shall be used for no purpose other than a planting strip having a minimum width of 5 ft (1.52 m) measured perpendicular to said lot line.

Attachment B
Highway Commercial (HC) Zone

18.0 HIGHWAY COMMERCIAL (HC)

Permitted Uses

18.1 The following uses shall be permitted in the Highway Commercial (HC) zone:

- Arts and crafts studios including photography
- Automobile service stations, car washes and repair centres
- Automobile, truck and motorcycle sales, service, or rental establishments
- Building supply establishments
- Day care centres, licensed and non-licensed
- Dry cleaning and laundry establishments
- Entertainment, recreation and assembly uses within a wholly enclosed building
- Farm equipment sales and service
- Farm markets
- Funeral homes
- Garden and nursery sales and supplies
- Hotels and motels
- Kennels
- Licensed liquor establishments
- Manufactured home sales
- Microbrewery, Microdistillery, Winery (*Amended WLUB 18-01 Effective January 29, 2019*)
- Offices (not on the ground floor)
- Recreational vehicle sales, service and rental establishments
- Recycling depots
- Repair and rental establishments
- Residential uses (not on the ground floor)
- Restaurants, including drive-through and take-out establishments
- Retail stores
- Self storage operations (*Amendment WLUB 10-02 Effective February 25, 2011*)
- Service shops
- Taxi, train and bus stations
- Veterinary clinics and animal hospitals
- Wholesaling and wholesale sales
- Existing residential uses

HC Zone General Requirements

18.2 In the HC zone, no development permit shall be issued except in conformity with the following:

Minimum lot area	10,000 ft ² (929.00 m ²)
Minimum lot frontage	100 ft (30.48 m)
Minimum front yard	40 ft (12.19 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	15 ft (4.57 m)
Maximum height of main building	3 storeys
Maximum height of accessory building	15 ft (4.57 m)

Open Storage and Outdoor Display

18.3 In the HC zone, open storage and outdoor display shall:

- (a) be located at least 10 ft (3.05 m) from any lot line;
- (b) be accessory to a permitted commercial use; and
- (c) not be located in any required parking spaces or loading spaces.

Residential Uses

18.4 Residential uses as part of the same building as a commercial use are permitted provided the total floor area of the residential use does not exceed two-thirds (66 percent) of the total floor area of the building.

Access

18.5 Entrance to and exit from properties zoned HC shall be restricted to not more than two driveways on any street or road. On a corner lot, access shall be restricted to not more than three driveways to the lot.

Attachment C
Specific Criteria for Amendment

8.0 COMMERCIAL

8.2 Highway Commercial

Policy 8.2.2 *It shall be the policy of Council to consider the creation of new Highway Commercial zones in the Commercial and Industrial designations, excluding the Wentworth Road Gateway District and the designated Industrial Parks, by amendment to the Land Use By-law subject to the following criteria: (Amendment WMPS 09-02 Effective September 3, 2009)*

CRITERIA	COMMENT
<i>(a) the proposed use has direct access to an arterial road shown on the Transportation Map (Map 2);</i>	O'Brien Street is an arterial road as shown on the Transportation Map (Map 2) of the Windsor Municipal Planning Strategy.
<i>(b) the proposed use will not conflict with adjacent uses;</i>	The lot is currently vacant and was once the location of the Co-op Atlantic store and gas bar. Any new uses, whether permitted in the underlying General Commercial (GC) zone or permitted through rezoning to Highway Commercial (HC), will generate traffic to the property. The Municipal Traffic Authority stated they had no concerns in regard to traffic impact or the ability to provide safe and efficient roadway access to the lot. Council has specific requirements in the WLUB for automotive service stations (Section 5.2) to avoid traffic issues and ensure safe product delivery. There are also special requirements regarding stacking space for drive-through restaurants in Section 5.9 of the WLUB. The permitted signage as outlined in Section 7.18 of the WLUB for the Highway Commercial (HC) zone is the same as that permitted in the General Commercial (GC) zone. Section 7.17 states that automobile service stations are also permitted one ground sign

	exceeding the size permitted in Section 7.18 up to a maximum of 120 ft² (11.15 m²) provided the sign is setback at least 15 ft from any property line. Signs are permitted to be illuminated as per Section 5.18 of the WLUB as long as the illumination is directed away from adjoining properties and any adjacent street. The Development Officer does not have any concerns regarding any of the uses permitted in the Highway Commercial zone being located at this location. The lot is approximately two (2) acres in size and would meet the requirements of the Highway Commercial (HC) Zone. A planting strip and increased minimum side yard are required if the commercial use abuts a lot in a residential zone. However, this does not apply to residential uses in the General Commercial (GC) zone. Staff are recommending an amendment to ensure these requirements benefit all residential uses adjacent to the property regardless of the zone (Attachment A). The adjacent uses include the former Windsor United Baptist Church to the north, the vacant lot and Lawtons Drugs and Medical Clinic to the east, four (4) unit and two (2) unit dwellings on the south side of O'Brien Street, and two residential properties and the Baby Panda Chinese food restaurant to the west. Following the regulations in the WLUB for Highway Commercial (HC) uses, specifically automobile service stations and drive through restaurants, and the proposed amendments for planting strip and increased minimum side yards,
--	---

	potential areas of conflict with adjacent uses would be prevented.
<i>(c) adequate parking and loading areas can be provided;</i>	The Development Officer commented that this is a large lot of approximately two (2) acres and they do not anticipate any issues with regards to parking or a loading zone. They added that drive-through and take out restaurants require four (4) parking spaces for the first 200 sq. ft. of usable floor area plus one (1) parking space for each additional 200 sq. ft. of useable floor area and any other commercial use requires one (1) parking space for every 300 sq. ft. of commercial floor area. The Development Officer stated that a loading space is not required for any building less than 2,000 sq. ft. in floor area. Depending on the building size it may or may not require a loading space. If the commercial floor area is over 2,000 sq. ft. then one (1) loading space would be required of a minimum of 12' x 40' and minimum 14' height clearance. Loading spaces cannot be located in the required front yard or located within any yard which abuts a residential zone. Loading spaces must also have access to the street by means of a minimum 20' wide driveway.
<i>(d) traffic flow and pedestrian safety will not be adversely affected;</i>	The Municipal Traffic Authority stated they had no concerns in regard to traffic impact or the ability to provide safe and efficient roadway access to the lot.
<i>(e) limited access and exit points can be provided;</i>	The provisions of the Highway Commercial (HC) zone restricts the entrance to and exit from the lot to a maximum of two (2) driveways on any street. Section 5.2 of the Windsor Land Use By-law stipulates the driveway requirements for automobile service stations. The requirements state that the lot should have a minimum of 150

	ft (45.72 m) of frontage and be a minimum distance of 100 ft (30.48 m) from a street intersection. The subject lot has approximately 200 ft of frontage and driveway entrances would be further than 100 ft from the O'Brien Street and King Street intersection and the O'Brien Street and Wentworth Road intersection. Section 5.2 also states that the minimum distance between driveways shall be 30 ft (9.14 m) and the width of the driveways shall not be less than 25 ft (7.62 m). The Municipal Traffic Authority confirmed that the existing driveway is suitable as a commercial access for the property.
<i>(f) any other matter which may be addressed in a Land Use By-law; and</i>	All other matters have been addressed elsewhere in this report.
<i>(g) the provisions of Policy 16.3.1.</i>	See Attachment D.

Attachment D
General Criteria for Amendment

16.0 IMPLEMENTATION

16.3 Land Use By-law Amendments and Development Agreements

Policy 16.3.1 *In considering development agreements and amendments to the Town of Windsor Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:*

CRITERIA	COMMENT
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Director of Public Works confirmed that the lot has access to water and sewer services. They added that they do not have concerns regarding either the supply of water to the uses permitted in the Highway Commercial (HC) zone or effluent which may be discharged into the sewer service as long as all the rules and regulations and/or by-laws are followed.
<i>(ii) the adequacy of school facilities;</i>	Not applicable.
<i>(iii) the adequacy of fire protection;</i>	The local Fire Chief had no concerns with the possible future uses of the site. The Fire Chief mentioned that a site plan which takes into consideration items such as the location of bulk propane storage tanks and similar items, and apparatus access to the perimeter of the building(s) should be provided at the building permit stage to ensure any construction has adequate access for fire and emergency services.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	O'Brien Street is an arterial road as shown on the Transportation Map (Map 2) of the Windsor Municipal Planning Strategy. The Traffic Authority had no concerns in regard to the adequacy of

	road networks adjacent to, or leading to the development.
<i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i>	There are no anticipated costs to the Municipality regarding this development.
<i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	The Traffic Authority has confirmed that the existing driveway is suitable as a commercial access and has no concerns. There is a sidewalk along O'Brien street which abuts the front of the subject lot for pedestrian traffic. There is no rail transportation in this area.
<i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer commented that the lot is currently approximately two (2) acres and should be adequate in meeting the general requirements for Highway Commercial zone. The lot exceeds the minimum lot area of 10,000 sq. ft. and minimum lot frontage required in the Highway Commercial (HC) zone. The Development Officer would ensure any development on the lot met the minimum front yard, rear yard and side yard of the Highway Commercial (HC) zone when the property owner applies for development and building permits.
<i>(d) the pattern of development which the proposal might create;</i>	The Development Officer has no concerns as to the pattern of development which the proposal might create.
<i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i>	The subject lot is relatively flat and is already partially paved from the previous uses. There are no watercourses, marshes or bogs identified on the mapping for the site.

	A small portion of the north side of the lot is within the Environmental Constraints area. Any new buildings proposed on that portion of the site would be required to meet Section 27.0 of the Windsor Land Use By-law. It is the responsibility of the property owner to ensure the site is suitable for the proposed uses.
<i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i>	The property owner is working with an environmental consultant to ensure the remediation of the site meets the Department of Environment's requirements for the proposed uses. Facilities where a petroleum product is sold or kept for sale require approval by the Nova Scotia Department of Environment. The property owner will have to meet the Department of Environment's requirements prior to building and development permits being issued. All Municipal, Provincial and Federal regulations will have to be met.
<i>(g) any other matter required by relevant policies of this Strategy.</i>	All other matters have been addressed elsewhere in this report.

Figure 1
Windsor Zoning Map – Existing

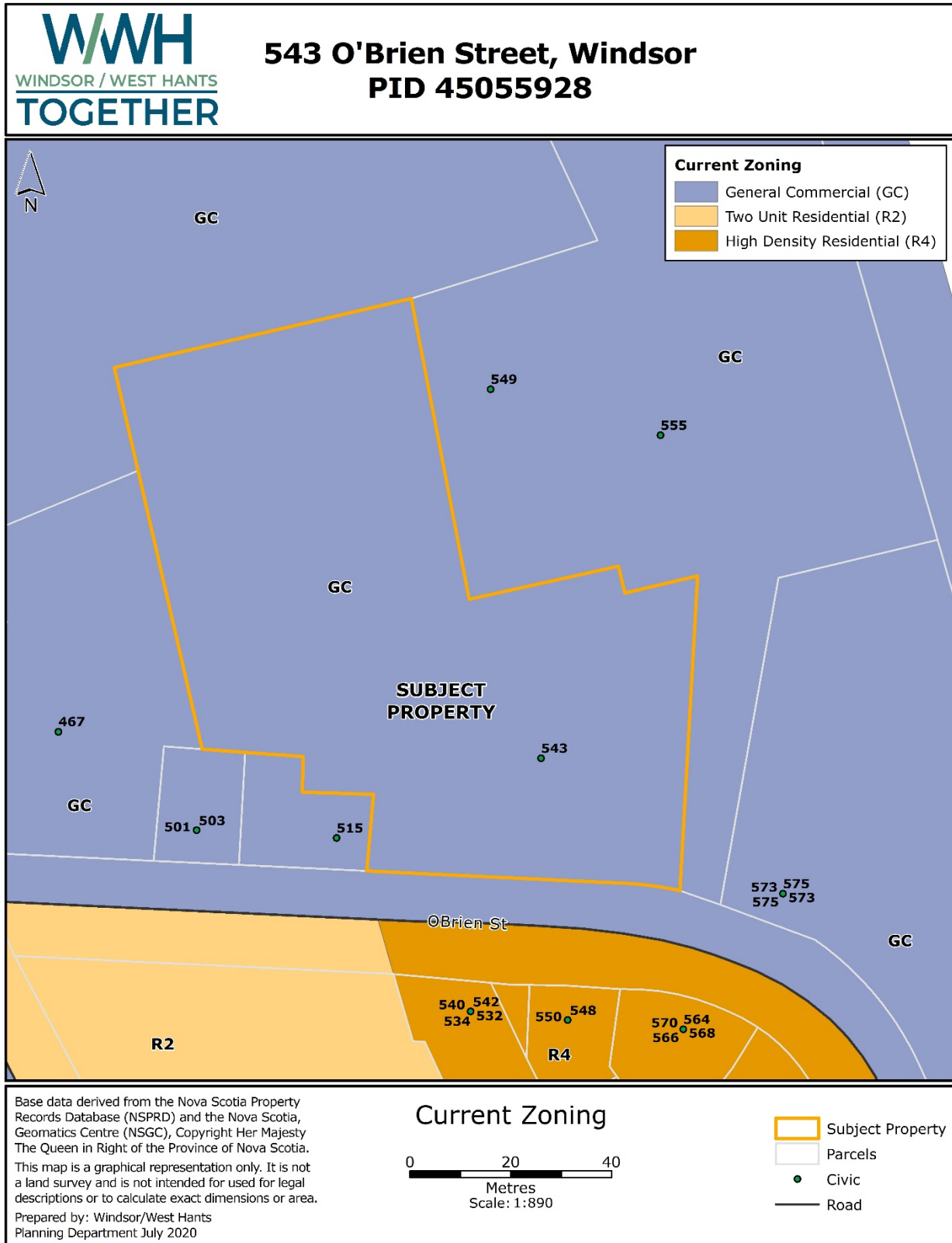
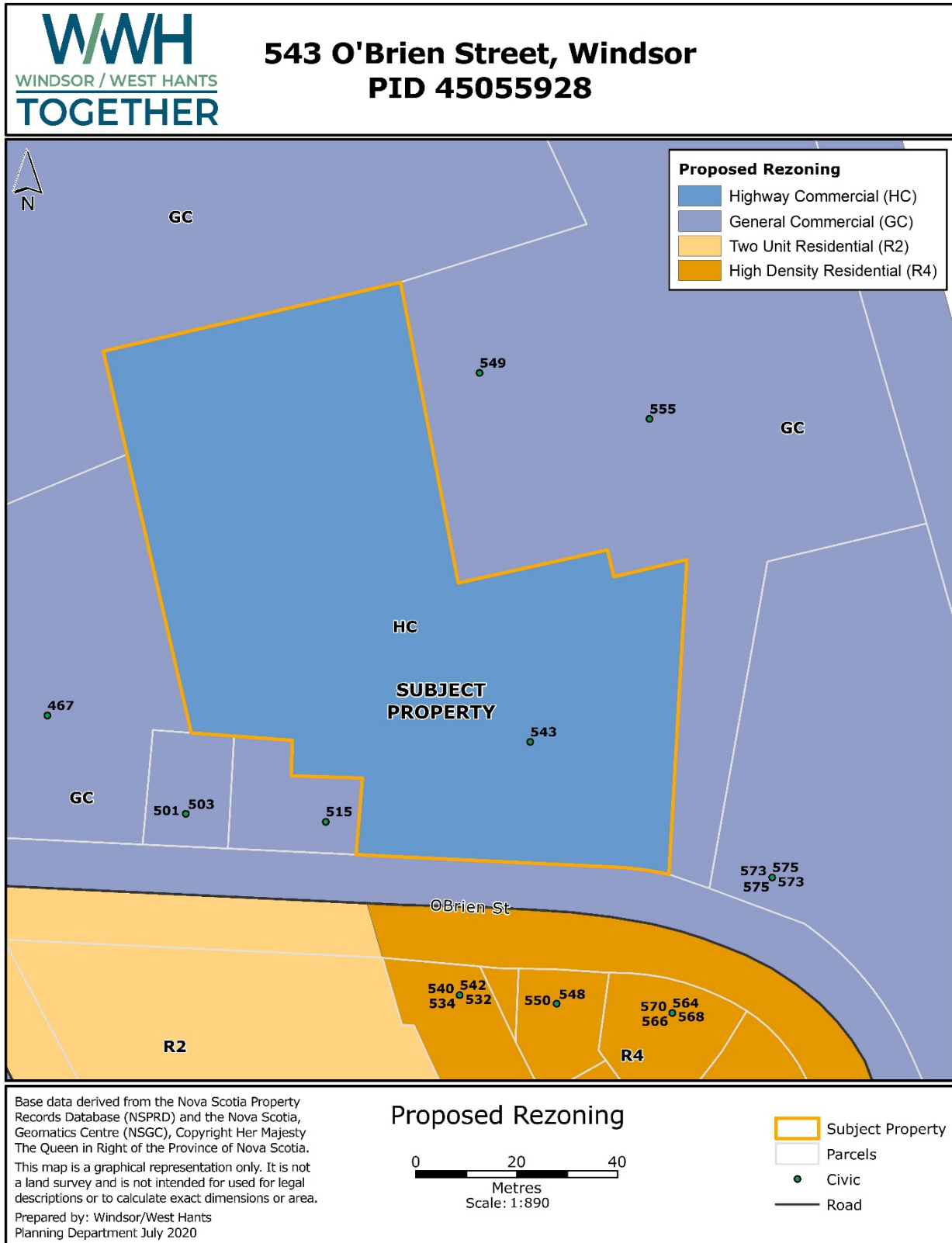


Figure 2
Draft Windsor Zoning Map – Proposed Amendment



Appendix B

Public Information Meeting Notes

September 3, 2020

File 20-17 A

543 O'Brien Street, Windsor; PID 45055928

Meeting date and time	A virtual Public Information Meeting was held on September 3, 2020 beginning at 6:00 p.m. The meeting was live broadcast on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: • Councillor Murley Four (4) Windsor Area Advisory Committee members: • Shelley Bibby • Denise Forand • Jamie O'Hanlon • John Wilson Three (3) members of staff: • Director LeMay • Planner Poirier • Meeting Secretary, Vanessa Lake As this meeting was held virtually there were no members of the public present.
Applicant: Clark Wilkins Site Location: 543 O'Brien Street, Windsor; PID 45055928	Planner Poirier outlined the request from Clark Wilkins to amend the Land Use By-law to rezone the property at 543 O'Brien Street from General Commercial (GC) to Highway Commercial (HC) to permit a proposed automobile service station and drive-through restaurant.
Comments	Comments from the public were submitted to Planner Poirier by mail, e-mail and telephone between August 22 and September 23, 2020. Three (3) written comments were received and one (1) verbal comment was made by phone. The questions and comments from the public are summarized below. The full written comments are attached to this report. Staff responses are included in purple.

	Questions from the public included: • Is this truly just a proposal, and we as a community have the ability to have our voices heard? Yes, the PIM is one of the first steps in the application process and is the first invitation to have residents' comment on the proposal. The comments received are considered by WAAC prior to a recommendation (in favour or against) being made. • If we are not happy with the outcome of the meeting, will we have the opportunity to further discuss and follow up regarding the proposal? Yes, Council will host a Public Hearing prior to making their final decision. • What assurance is the municipality and committee offering to ensure that the community are being taken seriously on this matter? As staff, we evaluate an application based on the criteria in the Municipal Planning Strategy policy. When we receive comments from residents, we also compare those to the criteria. All comments and questions from residents are provided to the Area Advisory Committee and Council to review, discuss and consider prior to any decision being made. • What will the hours of operation be? Staff cannot restrict hours of operation through rezoning. The applicant commented that it would be normal gas bar / restaurant / coffee shop hours. • Why a service station in that location? Staff do not evaluate the application based on the business plan or viability of the business in the proposed location, only what is being requested by the property owner against the criteria of the policies. • How will this effect the tax base or the assessed value of my property? The assessed value of the subject lot will change if development occurs. The assessed values of surrounding properties should not change unless they are renovating, etc.
--	--

	- Is the property owner / applicant also the developer or is a large retailer (Irving, Ultramar, etc.) going to be developing the proposed uses? The applicant responded that "all options are open, but as of now, I'm the owner and developer with no commitment or affiliation to any other company." Discussion points included: - Resale value of property adjacent to a gas station - Potential contamination on site from the previous uses - Increased noise, odors, damage to property, increased traffic and commercial lighting, and quality of life of surrounding residents - Potential health and environmental impacts of living next to a gas station - The already existing service stations in Windsor - Potential other uses that could be developed on the property instead (i.e. affordable housing) The applicant responded to some of the discussion points and questions raised with the following: - He is aware of the history of the property and is working with an environmental consultant to ensure the remediation of the site meets the Department of Environment's requirements for the proposed uses. Additionally, 47 comments were received on the Municipal Facebook post. The responses are summarized below: - Six (6) in favour of development of the lot - Nine (9) opposed (either citing the amount of gas stations or drive-throughs already available, or emphasizing the need for affordable housing) - Some listed alternative uses such as affordable housing / apartments, a competitive/cheaper grocery store, a Walmart, a Giant Tiger, a meat
--	--

	market or possibly a craft brewery as more accepted uses • A concern regarding traffic on the corner however another commented that the previous use (Co-op) did not have any issues
Adjournment	The meeting was adjourned at 6:23 p.m.

Sara Poirier

From: Adam Myles [REDACTED]
Sent: Friday, August 28, 2020 9:09 AM
To: Sara Poirier
Subject: 543 O'Brien Street - RE-Zoning
Attachments: 543 O'Brien Street Re-Zone Response.pdf

Caution

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Hello Sara,

I am writing to you, as a land owner within 500 feet, regarding the proposed rezoning and land use of 543 O'Brien Street. My household is in full opposition of this situation based on the suggested land use.

Please find our official letter in opposition attached, for review and discussion amongst the municipality and advisory committee.

I will be in virtual attendance of the September 3rd meeting, and want to ensure that the municipality and committee have understood our letter and opposition.

My questions to you, after you have read this letter, are as follows:

- 1) Is this truly just a proposal, and we as a community have the ability to have our voices heard? or is this a scenario where it is simply the committee doing its due diligence and "offering" to accept/receive concerns/questions and comments? I wish to ensure that this has not progressed beyond the stated stage.
- 2) If we are not happy with the outcome of the meeting, will we have the opportunity to further discuss and follow up regarding the proposal?
- 3) What assurance is the municipality and committee offering to ensure that the community and local residents are in fact being taken seriously on this matter?

Thank you for your time,
Adam Myles
515 O'Brien Street, Windsor.

Adam & Sally-Jo "Mick" Myles

August 27, 2020

██████████ 515 O'Brien Street
Windsor, NS B0N2T0

To Sara Poirier,

**RE: Public Information Meeting
543 O'Brien Street, Windsor (PID 45055928)**

We are writing this letter to you, and the municipality, in strong opposition to the re-zoning and proposed land use of the aforementioned property, located directly adjacent our own home and property.

The re-zoning, and its proposed use, came as quite a surprise to us as we read through the letter recently received. Due to the proposed use of the property, pending re-zoning, there are quite a few serious concerns that we require the municipality of Windsor / West Hants to understand.

First and foremost please understand the personal situation we face with this proposal. It is well documented and discussed in the Real Estate Market that housing which surrounds and or connects with Gas Stations / Automobile Service Stations, do not hold as much market value as they would otherwise. It is one situation if someone purchases or rents property surrounding a service station, knowing quite well that this is the case, however being forced into a change of property and new construction that creates this problem after settling into a home is hurtful towards those who have invested in their family home.

We did not purchase the property and home beside any form of existing or functioning Service Station, and would not have done so if one had already existed. We are also well aware of the history of the property, as we received a written guarantee that the damage and polluting of the soil on the property in question did not in any way shape or form contaminate the property of 515 O'Brien Street before our purchase.

The decrease in property value will most definitely hurt any potential future sale of our home, however the simple existence of the Service Station alone is not all that we must be concerned of. With the construction comes a myriad of further issues we must contend with, both in the short and long term, such as construction noise, and traffic hold ups.

With an increase of vehicular traffic around our property, and on our road specifically, both during construction and when the property is "open for business", we are guaranteed to experience increased Noise, increased odors & smells (ozone issues and potential health risks), damage to property as well as increased difficulty entering and exiting our own property / driveway. This development will also increase foot traffic surrounding our property and home causing a further increase of noise and chances of crime and or damage to our property & home. All of this forced upon us by an unwanted development.

Despite all the modern health and safety guidelines they must follow, automobile service stations can still pose significant hazards to neighbors, especially children. Some of the major issues include ground-level ozone caused in part by gasoline fumes, groundwater hazards from petroleum products leaking into the

ground, and exposure hazards from other chemicals that might be used at the station if it's also a repair shop.

Ozone pollution is caused by a mixture of volatile organic compounds, some of which are found in gasoline vapors, and others, like carbon monoxide, that come from car exhaust. Most gas pumps today must have government-regulated vapor-recovery boots on their nozzles, which limit the release of gas vapors while you're refueling your car. A similar system is used by the station when a tanker arrives to refill the underground tanks. But if those boots aren't working properly, the nearly odorless hydrocarbon fumes, which contain harmful chemicals like benzene, can be released into the air. According to a 2004 study, published by the Globe and Mail, exposure to the chemical Benzene has previously been linked to leukemia in adults, but the link has now been made to children.

While the developer may provide what some consider a good rebuttal against the environmental hazards alone discussed within this letter, there is no absolute guarantee that this situation will be problem and health risk free for anyone. We once again repeat that we did not openly purchase our property and home beside an existing Automobile Service Station, and would not have done so.

It is also interesting to note that there currently exists 5 operational Automobile Service Stations, most of which contain a form of food sales, within a 5 minute driving distance of the property in question. If this location is being considered to potentially load balance the traffic, then we implore the town to consider opposition to the re-zoning and allowing of such an establishment. We would also like to make clear that we are not in opposition of development occurring, as long as the proposed use of the land makes sense, and does not create or cause complications for established residents. Many times throughout the past few years there have been multiple "rumors" as to land use opportunities, which included items such as apartments / condos, etc. And for the most part we have not felt such a strong opposition to the development moving forward, if the rumors were in fact true, as that form of land use could potentially be beneficial to the location. The same feelings occurred when we were made aware of the re-zoning for the old Windsor United Baptist Church, on King Street. The proposed re-zoning and land use made sense, caused no alarms and we did not voice any form of concern.

We close this letter with a final reiteration of the fact that we are in entire opposition to the currently proposed re-zoning and use of land. We are not, in any way shape or form, looking to entertain the idea of owning property, and living, adjacent to an automobile service station.

Sincerely,

Adam & Sally-Jo "Mick" Myles

Sources:

<https://www.scientificamerican.com/article/is-it-safe-to-live-near-gas-station/>

<https://www.theglobeandmail.com/life/leukemia-rates-high-for-kids-living-near-gas-stations/article20434890/>

<https://www.lowestrates.ca/blog/homes/cemeteries-highways-gas-stations-can-decrease-property-value>

Sara Poirier

From: [REDACTED]
Sent: Tuesday, September 1, 2020 9:07 PM
To: Sara Poirier
Subject: 543 O'Brien Street, Windsor Rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

Caution

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Dear Ms Poirier
Re 543 O'Brien Street, Windsor

We are the owners of 531 King Street, Windsor and wish to inform you we are against the rezoning of 546 OBrien Street Windsor to highway commercial.

The area currently has a number of residential properties and a service station/drive through restaurant would impact the quality of life with an increase in noise, traffic and commercial lighting. The addition of a service station/restaurant will further erode the character of the neighbourhood.

In the Windsor area there currently are 3 service stations on Wentworth Road. Nearby in Falmouth and Garlands Crossing there are 2 additional service stations. Windsor does not need a sixth service station when the trend is towards electric vehicles.

We also want to mention that to the best of our knowledge 543 OBrien Street, Windsor is contaminated from a fuel spill from the Coop gas bar. The environmental issues on the property have not been corrected - a full environmental cleanup is required on the site.

If you wish to speak with us, we can be contacted at [REDACTED]

Sincerely,

Greg and Alla Helpard

Sara Poirier

From: Rachael Smith [REDACTED]
Sent: Thursday, September 3, 2020 10:27 AM
To: Sara Poirier
Subject: Former Co-OP site 543 O'Brien Street

Follow Up Flag: Follow up
Flag Status: Flagged

Caution

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Good morning Ms. Porrier,

I am writing to communicate my surprise at the proposed development at the former Co-OP site located at 543 O'Brien Street in Windsor. I do not believe we need another fast food restaurant and gas station in Windsor, especially at this near-central location.

I propose that the suggested plan be set aside in favor of affordable housing.

All through the province we are experiencing housing shortages as rental rates increase and need grows. I have been watching "For Rent" groups online for several years and people scramble and search to find adequate and affordable housing for themselves and/or their families for between 4 and 7 months, sometimes longer. Families are left with multiple people sharing bedrooms, members sleeping on couches in living rooms, having to "crash" with extended family and friends while putting belongings in storage or losing them completely. Single people on pensions who have no partner income to help support them are often left paying as much as 70% of their pension to have a roof over their heads. Medications and food at that point become neglected. Many single parent families are in the same situation.

I urge the Municipality to deny the application for development of the former Co-OP site and seek out a plan to provide housing options on the site instead.

Sincerely

Rachael Smith



Audit Committee Meeting Excerpts
October 22, 2020

Audited Financial Statements

In July of this year, the Audit Committee met with the Auditors (Kent & Duffett, and Grant Thornton), to discuss audit planning. In addition, committee members received training documentation from the Department of Municipal Affairs and Housing regarding the purpose of an audit committee, the role of an external auditor, financial reporting, risk and internal controls, and alleged wrongdoing functions.

Committee members received training from staff on the former municipal units' policies and by-laws that impact the financial statements and practices. They reviewed the cash handling and payable internal control procedures with staff. These reviews and training have prepared members to review and engage with the Auditors when Financial Statements are received.

Both Auditor groups presented the financial results to the Audit Committee on October 22, 2020. In all three sets of Financial Statements as of March 31, 2020, the auditing opinion is that they were prepared and presented, in all material respects, in accordance with Canadian Public Sector Accounting Standards.

Audit Committee recommends that:

Council approve the audited Municipality of the District of West Hants Consolidated Financial Statement on March 31, 2020, as presented to the Audit Committee.

Council approve the audited Town of Windsor Consolidated Financial Statement on March 31, 2020, as presented to the Audit Committee.

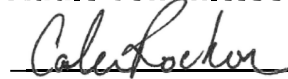
Council approve the audited Region of Windsor and West Hants Municipality Consolidated Financial Statement on March 31, 2020, as presented to the Audit Committee.



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: **Audit Committee Members**

Submitted by:



Carlee Rochon, Director, Financial Services

Date: **October 22, 2020**

Subject: 2019-2020 Audited Financial Statements

LEGISLATIVE AUTHORITY

Municipal Government Act, Section 42

RECOMMENDATION

Audit Committee recommends that:

Council approve the audited Municipality of the District of West Hants Consolidated Financial Statement on March 31, 2020 as presented to the Audit Committee.

Council approve the audited Town of Windsor Consolidated Financial Statement on March 31, 2020 as presented to the Audit Committee.

Council approve the audited Region of Windsor and West Hants Municipality Consolidated Financial Statement on March 31, 2020 as presented to the Audit Committee.

BACKGROUND

An official recommendation for approval is required by the Municipal Government Act, based on the presentation provided by Kent & Duffett and Grant Thornton on the Consolidated Financial Statements ending March 31, 2020.

NEXT STEPS

Approval by West Hants Regional Council, and submission to regulatory bodies.

ATTACHMENTS

- Draft Consolidated Financial Statements March 31, 2020 – Town of Windsor
- Draft Consolidated Financial Statements March 31, 2020 – Region of Windsor and West Hants Municipality, Coordinating Committee

- Draft Consolidated Financial Statements March 31, 2020 – Municipality of the District of West Hants

Report Reviewed by: 
Carlee Rochon, Director, Financial Services

Consolidated Financial Statements

Town of Windsor

Windsor, Nova Scotia

March 31, 2020



Contents

	Page
Independent auditor's report	1-3
Management's responsibility for the consolidated financial statements	4
Consolidated statement of operations	5
Consolidated statement of financial position	6
Consolidated statement of change in net debt	7
Consolidated statement of cash flows	8
Notes to the consolidated financial statements	9-20
Schedules to the consolidated statement of operations	21-28
Schedule of changes in reserve funds	29
Schedule of trust funds	30
Water Utility	
Statement of operations – operating fund	31
Statement of financial position – operating fund	32
Statement of financial position – capital fund	33
Utility plant in service	34
Statement of investment in capital assets	34

Independent auditors' report

Grant Thornton LLP
15 Webster Street
Kentville, NS
B4N 1H4
T +1 902 678 7307
F +1 902 679 1870
www.GrantThornton.ca

To the Mayor and Members of the Council of the West Hants Regional Municipality

Opinion

We have audited the consolidated financial statements of the Town of Windsor ("the Town"), which comprise the consolidated statement of financial position as at March 31, 2020, and the consolidated statements of operations, change in net debt and cash flow for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements present fairly in all material respects, the financial position of the Town of Windsor as at March 31, 2020, and its results of operations, its changes in its net debt, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Consolidated Financial Statements section of our report. We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other matters

Our audit was conducted for the purpose of forming an opinion on the consolidated financial statements taken as a whole. The supplementary information on pages 20 to 33 is presented for purposes of additional information and is not a required part of the consolidated financial statements. Such supplementary information has been subjected to the auditing procedures applied, only to the extent necessary to express an opinion, in the audit of the consolidated financial statements taken as a whole.

Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the Town's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the Town or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Town's financial reporting process.

Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Town's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Town to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Kentville, Canada
October 27, 2020

Chartered Professional Accountants

Management's responsibility for the consolidated financial statements

The consolidated financial statements have been prepared by management in accordance with Canadian Public Sector Accounting Standards, and the integrity and objectivity of these statements are management's responsibility. Management is also responsible for all of the notes to the consolidated financial statements and schedules, and for ensuring that this information is consistent, where appropriate, with the information contained in the consolidated financial statements. A summary of the significant accounting policies are described in Note 1 to the consolidated financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

Management is also responsible for implementing and maintaining a system of internal controls to provide reasonable assurance that reliable financial information is produced. The internal controls are designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the consolidated financial statements.

The Council is responsible for ensuring that management fulfills its responsibilities for financial reporting and internal control, and exercises these responsibilities through the Council. The Council reviews internal financial statements on a timely basis and external audited consolidated financial statements yearly. The Council also discusses any significant financial reporting or internal control matters prior to their approval of the consolidated financial statements.

The external auditors, Grant Thornton LLP, conduct an independent examination, in accordance with Canadian auditing standards, and express their opinion on the consolidated financial statements. The external auditors have full and free access to financial management of the Town of Windsor and meet when required. The accompanying Independent Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the consolidated financial statements.

On behalf of the Mayor and Members of the Council of the West Hants Regional Municipality

Mayor

CAO

Town of Windsor

Consolidated statement of operations

Year ended March 31

2020

2020

2019

		<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
	<u>Page</u>			
Revenue				
Taxes	20	\$ 5,679,560	\$ 5,824,063	\$ 5,571,103
Grants in lieu of taxes	20	120,460	120,592	138,797
Services provided to other governments	21	55,280	45,057	69,351
Sales of services	21	462,620	361,358	404,537
Other revenue from own sources	21	231,740	365,371	435,715
Unconditional transfers from other governments	21	432,650	432,700	432,654
Conditional transfers from Federal and Provincial governments	22	531,592	527,532	280,271
Conditional transfers from other local governments	22	112,630	72,602	107,526
Water fund revenue		<u>1,496,880</u>	<u>1,602,446</u>	<u>1,576,109</u>
		<u>9,123,412</u>	<u>9,351,721</u>	<u>9,016,063</u>
Expenditure				
General government services	23	1,364,270	1,584,515	1,298,203
Protective services	24	1,603,263	1,451,243	1,486,111
Transportation services	25	1,718,036	1,715,264	1,672,091
Environmental health services	25	1,552,139	1,491,466	1,467,959
Public health and welfare services	26	127,940	151,931	96,850
Environmental development services	26	236,001	236,132	251,559
Recreation and cultural services	27	1,012,887	1,010,461	945,956
Water fund expenses		<u>1,395,891</u>	<u>1,333,426</u>	<u>1,283,226</u>
		<u>9,010,427</u>	<u>8,974,438</u>	<u>8,501,955</u>
Annual surplus		\$ <u>112,985</u>	\$ <u>377,283</u>	\$ <u>514,108</u>
Accumulated surplus, beginning of year			<u>30,536,819</u>	<u>30,022,711</u>
Accumulated surplus, end of year			\$ <u>30,914,102</u>	\$ <u>30,536,819</u>

Town of Windsor

Consolidated statement of financial position

March 31

2020

2019

Financial Assets

Cash and cash equivalents	\$ 6,369,359	\$ 6,920,577
Receivables (Note 2)	1,040,666	955,786
Debenture discount	<u>44,637</u>	<u>48,702</u>
	<u>7,454,662</u>	<u>7,925,065</u>

Financial Liabilities

Payables and accruals	689,197	790,390
Retirement allowance (Note 5)	233,690	234,336
Deferred revenue (Note 6)	95,276	82,038
Temporary borrowings (Note 7)	-	216,239
Long term debt (Note 7)	<u>7,365,383</u>	<u>7,832,031</u>
	<u>8,383,546</u>	<u>9,155,034</u>

Net Debt

(928,884) (1,229,969)

Non-Financial Assets

Tangible capital assets (Note 3)	31,331,097	31,240,016
School land (Note 8)	433,795	433,795
Inventory	76,186	84,219
Prepays	<u>1,908</u>	<u>8,758</u>
	<u>31,842,986</u>	<u>31,766,788</u>

Accumulated surplus

\$ 30,914,102 \$ 30,536,819

On behalf of the Town

Mayor

CAO

Town of Windsor**Consolidated statement of change in net debt**

Year ended March 31

2020**2019**

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Annual surplus	\$ <u>112,985</u>	\$ <u>377,283</u>	\$ <u>514,108</u>
Changes in tangible capital assets			
Acquisition of tangible capital assets	(5,458,460)	(1,591,625)	(1,495,059)
Water capital adjustment	-	-	-
Loss on disposal	-	2,629	9,588
Amortization	<u>1,497,915</u>	<u>1,497,915</u>	<u>1,460,637</u>
	<u>(3,847,560)</u>	<u>(91,081)</u>	<u>(24,834)</u>
Acquisition of prepaids (net of usage)		8,033	(3,999)
Acquisition of inventory (net of usage)		<u>6,850</u>	<u>(18,231)</u>
Increase (decrease) in non-financial assets		<u>14,883</u>	<u>(22,230)</u>
(Increase) decrease in net debt	\$ <u>(3,847,560)</u>	\$ <u>301,085</u>	\$ <u>467,044</u>
Opening, net debt		<u>(1,229,969)</u>	<u>(1,697,013)</u>
Closing, net debt		\$ <u>(928,884)</u>	\$ <u>(1,229,969)</u>

Town of Windsor

Consolidated statement of cash flows

Year ended March 31

2020

2019

Operations

Annual surplus	\$ 377,283	\$ 514,108
Amortization	1,497,915	1,460,637
Loss on disposal	2,629	9,588
Changes in non-cash working capital		
Receivables	(84,880)	178,744
Debenture discount	4,065	7,243
Payables and accruals	(101,193)	(76,525)
Retirement allowance	(646)	5,926
Deferred revenue (deficit)	13,238	(18,509)
Inventory	8,033	(18,231)
Prepays	6,850	(3,999)

Cash from operating activities 1,723,294 2,058,982

Capital transactions

Acquisition of tangible capital assets (1,591,625) (1,495,059)

Cash from capital transactions (1,591,625) (1,495,059)

Financing

Long term debt, principal repayment	(684,398)	(684,398)
Proceeds from long term borrowing	217,750	-
Temporary borrowing, principal repayment	(216,239)	-
Proceeds from temporary borrowing	-	216,239

Cash from financing activities (682,887) (468,159)

Change in net cash and cash equivalents (551,218) 95,764

Opening, net cash and cash equivalents 6,920,577 6,824,813

Closing, net cash and cash equivalents \$ 6,369,359 \$ 6,920,577

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

1. Summary of significant accounting policies

Principles and basis of consolidation

The consolidated financial statements of the Town of Windsor are the representations of management prepared in accordance with Canadian public sector accounting standards as established by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada.

The focus of public sector accounting standards (PSAS) financial statements is on the financial position of the Town and the changes thereto. The consolidated statement of financial position includes all of the assets and liabilities of the Town operating fund, capital fund, water operating fund, water capital fund and reserves, excluding Trust assets and liabilities.

Reporting entity

The consolidated financial statements reflect the assets, liabilities, revenues, expenditures and changes in fund balances and in financial position of the reporting entity. The reporting entity is comprised of all resources controlled by the Town including all funds and reserves. Interdepartmental transactions and balances are eliminated upon consolidation.

Basis of accounting

The accrual basis of accounting recognizes revenues as they become available and measurable. Expenditures (including expenditures of a capital nature and inventory items) are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

Taxes collected on behalf of other organizations and the advances of the funds are not included in revenue or expenditures.

Cash and cash equivalents

Cash and cash equivalents include cash on hand and balances with banks, bank overdrafts and short term highly liquid investments that are readily convertible to known amounts of cash and that are subject to an insignificant risk of changes in value. Cash equivalents are held for the purpose of meeting short term cash commitments rather than for investing or other purposes.

Inventory

Inventory consists of supplies on hand and is recorded at invoice cost.

Tangible capital assets

Tangible capital assets are recorded at cost which includes all amounts that are directly attributable to the acquisition, construction, development or betterment of the asset. Donated assets are recorded at their estimated fair market value upon acquisition.

The cost, less residual value, of the tangible capital asset is amortized on a straight-line basis over its useful life. Assets under construction are not amortized until the asset is put into use. Amortization is recorded as an expense commencing in the year following acquisition.

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

1. Summary of significant accounting policies (continued)

Depreciation – General Capital Fund

Depreciation of capital assets recorded in the General Capital fund is calculated on a straight-line basis over their estimated useful lives.

The estimated useful lives are as follows:

<u>Asset</u>	<u>Year</u>
Land improvements	20 – 25 years
Buildings/plants (sewer)	20 – 25 years
Fibre optic network	5 – 10 years
Machinery and equipment	10 – 15 years
Municipal buildings	40 years
Sewage treatment lagoons	50 years
Sewer lines	50 years
Small equipment	5 years
Streets, roads, curbs and sidewalks	20 – 30 years
Traffic and street lights	25 – 30 years
Vehicles	5 years

Depreciation – Water Capital Fund

Depreciation of capital assets recorded in the Water Capital Fund is calculated on a straight-line basis over their estimated useful lives as prescribed by the Nova Scotia Utility and Review Board. Assets that are fully depreciated are removed from the Water Utility Capital Fund accounts.

The depreciation charge in the Water Operating Fund is transferred to a special bank account in the Water Capital Fund, which is used to help fund replacement of existing plant and equipment, or, subject to approval by the Nova Scotia Utility and Review Board, to repay principal of capital debt. Interest earned on the Depreciation Fund bank account is retained in the Water Utility Capital Fund.

Assets held for resale

Assets held for resale are held at the lower of cost and net realizable value.

Use of estimates

In preparing the Town's consolidated financial statements, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the consolidated financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates. Estimates include the expected useful life of assets and the defined pension obligations.

Budget

The budget figures contained in these consolidated financial statements were approved by Council on March 26, 2019, in its original fiscal plan. The budget figures contained in these consolidated financial statements have been adjusted to include amortization in accordance with Public Sector accounting requirements. Note 11 outlines the original fiscal plan and the adjustments made to come to the budget figures shown in these consolidated financial statements.

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

1. Summary of significant accounting policies (continued)

Revenue

- a) Tax revenue is property tax billings which are prepared by the Town based on assessment rolls issued by the Property Valuation Services Corporation (PVSC). Tax rates are established annually by Town Council. Taxation revenues are recorded at the time tax billings are issued. Assessments and the related property taxes are subject to appeal. Any supplementary billing adjustments made necessary by the determination of such changes will be recognized in the fiscal year they are determined. The Town is entitled to collect interest on overdue taxes and is recorded in the period the interest is levied.
- b) Grant revenue from other governments without eligibility criteria or stipulations is recognized as revenue by the Town when the transfer is authorized. Revenue with eligibility criteria is recognized as revenue by the Town when the transfer is authorized and all eligibility criteria have been met. Revenue with stipulations is recognized as revenue by the Town when the transfer is authorized and all stipulations have been met.
- c) Other revenue is recorded when it is earned and collection is reasonably expected.

Related party transactions

The Town follows Public Section Accounting section 2200, related party transactions, which establishes the disclosure requirements for the reporting of related party transactions. Management has determined that there are no transactions to disclose at this time.

Contractual rights

The Town follows Public Section Accounting section 3380, contractual rights, which establishes the disclosure requirements for contractual rights. Management has determined that there are no contractual rights to disclose at this time.

Inter-entity transactions

The Town follows Public Section Accounting section 3420, inter-entity transactions, which establishes how to account for and report transactions between public sector entities that comprise a government's reporting entity from both a provider and recipient perspective. Management has determined that there are no inter-entity transactions to disclose at this time.

Restructuring Transactions

Effective for the fiscal period beginning April 1, 2018, the Town was required to adopt Public Sector Accounting Standard 3430 Restructuring Transactions, which establishes how to account for and report restructuring transactions. Management has determined that there are no restructuring transactions to report in the current year.

Town of Windsor**Notes to the consolidated financial statements**March 31, 2020

2. Receivables			<u>2020</u>	<u>2019</u>
	<u>Current Year</u>	<u>Prior Years</u>	<u>Total</u>	<u>Total</u>
Taxes receivable				
Balance, beginning of year		\$ 214,245	\$ 214,245	\$ 318,621
Current levy	\$ 5,239,431		5,239,431	5,156,019
	5,239,431	214,245	5,453,676	5,474,640
Collections	5,020,100	167,947	5,188,047	5,260,395
	\$ 219,331	\$ 46,298	265,629	214,245
Valuation allowance			(26,255)	(26,255)
Balance, end of year			239,374	187,990
Water rates			425,622	352,045
Sewer receivable			263,729	214,323
Receivable (payable) from (to) Federal Government			(32,975)	69,943
Receivable from Provincial Government			6,717	11,216
Other receivables			138,199	120,269
			\$ 1,040,666	\$ 955,786

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

3. Tangible capital assets

	Beginning Cost	Additions	Disposals and Write-off of Fully Amortized Assets	WIP Transfers	Ending Cost	Opening Accumulated Amortization	Adjustments	Amortization	Ending Accumulated Amortization	2020 Net Book Value	2019 Net Book Value
Land	\$ 309,464	\$ -			\$ 309,464					\$ 309,464	\$ 309,464
Land improvements	339,666		\$ 4,201		335,465	\$ 103,420	\$ 4,201	\$ 18,227	\$ 117,446	218,019	236,246
Building/plants (sewer)	6,804,476	31,284			6,835,760	386,558		272,179	658,737	6,177,023	6,417,918
Machinery and equipment	1,396,743	611,240	201,239		1,806,744	716,246	201,239	137,124	652,131	1,154,613	680,497
Municipal buildings	3,567,107		9,718		3,557,389	2,235,548	9,718	136,077	2,361,907	1,195,482	1,331,559
Sewage treatment lagoons	3,325,430	34,518			3,359,948	732,547		66,518	799,065	2,560,883	2,592,883
Sewer lines	8,328,789	76,598		5,879	8,411,266	2,698,540		171,248	2,869,788	5,541,478	5,630,249
Small equipment	248,411	28,485	68,035	17,503	226,364	90,881	68,035	49,682	72,528	153,836	157,530
Streets, roads, curbs and sidewalks	9,969,760	552,635	28,843	13,614	10,507,166	4,107,659	28,843	398,805	4,477,621	6,029,545	5,862,101
Traffic and street lights	16,675				16,675	6,670		667	7,337	9,338	10,005
Vehicles	-				-	-	-	-	-	-	-
Work in progress	36,996	1,410		(36,996)	1,410					1,410	36,996
Subtotal General	34,343,517	1,336,170	312,036	-	35,367,651	11,078,069	312,036	1,250,527	12,016,560	23,351,091	23,265,448
Water utility	11,279,724	255,455	33,842	1,001	11,502,338	3,314,604	31,213	247,388	3,530,779	7,971,559	7,965,120
Water utility work in progress	9,448			(1,001)	8,447					8,447	9,448
Subtotal Water	11,289,172	255,455	33,842	-	11,510,785	3,314,604	31,213	247,388	3,530,779	7,980,006	7,974,568
	\$ 45,632,689	\$ 1,591,625	\$ 345,878	\$ -	\$ 46,878,436	\$ 14,392,673	\$ 343,249	\$ 1,497,915	\$ 15,547,339	\$ 31,331,097	\$ 31,240,016

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

4. Pension plan

The Town's employees are members of a defined contribution pension plan. The Town's obligation is to contribute 6% of employees' earnings to the pension plan. During the year, the Town contributed \$112,754 (2019 - \$113,651).

5. Retirement allowance

This retirement allowance represents the Town of Windsor's expected amount to be paid in regular instalments to a former employee of the Town. Payments commenced upon the individual's retirement, are funded through operations and are indexed annually with the Consumer Price Index to a maximum of 6%. Payments will continue at a reduced rate to the individuals surviving spouse. The Town estimates its obligation to the retired employee based on estimated life expectancy and consumer price index amounts, discounted by a rate of 3.35%.

	<u>2020</u>	<u>2019</u>
Retirement allowance obligation	\$ 234,336	\$ 228,410
Life expectancy adjustment	39,845	45,223
Annual cost	<u>(40,491)</u>	<u>(39,297)</u>
	<u>\$ 233,690</u>	<u>\$ 234,336</u>

6. Deferred revenue

Funds received with specific spending criteria and stipulations are recorded in deferred revenue until these funds are spent on eligible expenditures.

7. Long term debt

	<u>2020</u>	<u>2019</u>
Debenture debt, repayable in the amount of \$58,933 annually plus interest, bearing interest between 4.889% and 5.644%, maturing in 2025.	\$ 294,670	\$ 353,603
Debenture debt, repayable in the amount of \$98,595 annually plus interest, bearing interest between 2.06% and 2.884%, maturing in 2024.	394,380	492,975
Debenture debt, repayable in the amount of \$43,050 annually plus interest, bearing interest between 4.67% and 4.77%, maturing in 2023.	426,865	467,995
Debenture debt, repayable in the amount of \$4,315 annually plus interest, bearing interest between 5.11% and 5.21%, maturing in 2023.	<u>43,215</u>	<u>47,330</u>
Balance carried forward	<u>1,159,130</u>	<u>1,361,903</u>

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

7. Long-term debt (continued)	<u>2020</u>	<u>2019</u>
Balance carried forward	\$ 1,159,130	\$ 1,361,903
Debenture debt, repayable in the amount of \$63,187 annually plus interest, bearing interest between 4.67% and 4.77%, maturing in 2023.	505,496	568,683
Debenture debt, repaid during the year.	-	16,526
Debenture debt, repayable in the amount of \$9,507 annually plus interest, bearing interest between 4.914% and 5.088%, maturing in 2024.	38,023	47,530
Debenture debt, repayable in the amount of \$174,270 annually plus interest, bearing interest between 4.36% and 4.875%, maturing in 2026.	1,783,106	1,957,377
Debenture debt, repayable in the amount of \$20,513 annually plus interest, bearing interest between 4.36% and 4.875%, maturing in 2026.	225,658	246,171
Debenture debt, repayable in the amount of \$4,307 annually plus interest, bearing interest between 2.74% and 4.114%, maturing in 2029.	38,758	43,065
Debenture debt, repayable in the amount of \$11,740 annually plus interest, bearing interest between 1.632% and 3.449%, maturing in 2031.	129,140	140,880
Debenture debt, repayable in the amount of \$181,574 annually plus interest, bearing interest between 1.93% and 3.382%, maturing in 2033.	<u>3,486,072</u>	<u>3,449,896</u>
	\$ 7,365,383	\$ 7,832,031

Principal repayments required during the next five years are due as follows:

2020/21	\$680,880
2021/22	\$680,880
2022/23	\$680,880
2023/24	\$680,880
2024/25	\$582,285

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

7. Long term debt (continued)

In addition to the debt indicated above, the Town uses temporary borrowing loans authorized by the Department of Municipal Affairs to assist in financing capital projects. The funds for these borrowings are currently being drawn from the Royal Bank and the amounts will vary from year to year. As at March 31, 2020, the amount drawn was \$0 (2019 – \$216,239). The temporary borrowing bears interest as per agreement.

8. School land

The Annapolis Valley Regional School Board declared Windsor Regional High School surplus and control of the land and building reverted to the Town of Windsor and the Municipality of the District of West Hants who, until the 2005/2006 fiscal year, were joint owners of the property. During the 2004/2005 fiscal year, the building was demolished, and during the 2005/2006 year, the Town of Windsor purchased the Municipality of West Hants' portion of the property. The Town intends to sell the remaining land in the future for development.

9. Remuneration of elected officials and Chief Administrative Officer

All municipal units are required to set out total remuneration and expenses paid to each member of the Council and the Chief Administrative Officer.

<u>Name</u>	<u>Remuneration</u>	<u>Expenses</u>	<u>Total</u>
<u>Council</u>			
Mayor – Anna Allen	\$ 32,724	\$ 8,357	\$ 41,081
Deputy Mayor – Laurie Murley	21,564	2,121	23,685
Councillor John Bregante	18,720	-	18,720
Councillor Shelley Bibby	18,720	121	18,841
Councillor Jim Ivey	<u>18,720</u>	<u>321</u>	<u>19,041</u>
Total Council	110,448	10,920	121,368
Chief Administrative Officer (3 months unfilled)	<u>90,449</u>	<u>5,273</u>	<u>95,722</u>
	<u>\$ 200,897</u>	<u>\$ 16,193</u>	<u>\$ 217,090</u>

10. Comparative figures

Certain of the comparative figures have been reclassified to conform to the consolidated financial statement presentation adopted in the current year.

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

11. Budget figures

Public Sector Accounting Standards require a comparison of the results for the period with those originally planned on the same basis as that used for actual results. The fiscal plan in the consolidated statement of operations and consolidated statement of change in net debt has been adjusted to be on a consistent basis as actual results. Below is a reconciliation of the figures from the approved fiscal plan to the fiscal plan per the consolidated financial statements. Adjustments consist of budgeted capital funding and amortization of tangible capital assets:

	<u>Approved Fiscal Plan</u>	<u>Adjustments</u>	<u>Fiscal Plan per Consolidated Financial Statements</u>
Taxes	\$ 6,461,460	\$ (781,900)	\$ 5,679,560
Grants in lieu of taxes	120,460		120,460
Services provided to other governments	55,280		55,280
Sales of services	462,620		462,620
Other revenue from own sources	241,430	(9,690)	231,740
Unconditional transfers from other governments	432,650		432,650
Conditional transfers from Federal and Provincial governments	66,390	465,202	531,592
Conditional transfers from other local governments	112,630		112,630
Water fund revenue	<u>1,850,850</u>	<u>(353,970)</u>	<u>1,496,880</u>
	<u>9,803,770</u>	<u>(680,358)</u>	<u>9,123,412</u>
Expenditures			
General government services	2,119,630	(755,360)	1,364,270
Protective services	1,935,800	(332,537)	1,603,263
Transportation services	1,290,540	427,496	1,718,036
Environmental health services	1,270,730	281,409	1,552,139
Public health and welfare services	127,940		127,940
Environmental development services	234,980	1,021	236,001
Recreational and cultural services	973,300	39,587	1,012,887
Water fund expenses	<u>1,858,420</u>	<u>(462,529)</u>	<u>1,395,891</u>
	<u>9,811,340</u>	<u>(800,913)</u>	<u>9,010,427</u>
Annual surplus	\$ <u>(7,570)</u>	\$ <u>120,555</u>	\$ <u>112,985</u>

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

12. Subsequent Event - Amalgamation

By virtue of the Region of Windsor and West Hants Municipality Act passed by the Provincial Legislature, on April 1, 2020, the Province incorporated the Region of Windsor and West Hants Municipality ("Region"). Upon its incorporation, both the Town of Windsor and West Hants Municipality were dissolved and all of their assets and liabilities were vested into the new amalgamated Region of Windsor and West Hants Municipality. As a result of the restructuring transaction, the Town of Windsor transferred its entire operation, including all assets, liabilities into the newly formed entity.

As determined by Utility and Review Board, the Town's accumulated surplus represented by reserves as at March 31, 2020 must be use utilized for the future benefit of the Town's current boundaries and its debt must be repaid from resources from the same boundaries.

All restructuring costs were incurred by the newly formed Region.

13. Segmented information

The Town of Windsor is a diversified municipal unit that provides a wide range of services to its citizens. For management reporting purposes the Town's operations and activities are organized and reported by fund. Funds were created for the purpose of recording specific activities to attain certain objectives in accordance with special regulations, restrictions or limitations.

Municipal services are provided by departments and their activity is reported in these funds. The services provided by these departments are as follows.

General Government Services

This department is responsible for the overall financial and local government administration. Its tasks include tax, water and sewer billings and payments, payables and receivables, budgets and financial statements, Municipal Government Act administration and maintenance of bylaws.

Protective Services

This department is responsible for ensuring the safety of the residents. Its tasks include policing, bylaw enforcement, animal control, building inspection, emergency measures and fire protection.

Transport Services

This department is responsible for transportation services within the Town. Its tasks include maintaining roads and sidewalks, and street lighting.

Environmental Health Services

This department is responsible for the maintenance and operations of waste and sewer services provided to residents and other customers. Its tasks include recycling, composting and sewer treatment and disposal.

Public Health Services

This department is responsible for their portion of the Regional Housing Authority deficit and cemetery maintenance.

Environmental Development Services

This department is responsible for the planning and development within the Town. Its tasks include developing strategies and planning reports, issuing development permits and approving subdivision applications.

Recreation and Cultural Services

This department is responsible for promoting and offering recreation opportunities and activities to the Town's residents.

DRAFT

Town of Windsor

Notes to the consolidated financial statements

March 31, 2020

13. Segmented information (continued)

	General Government Services	Protective Services	Transportation Services	Environmental Health Services	Public Health and Welfare Services	Environmental Development Services	Recreation and Cultural Services	Water Utility	2020 Consolidated	2019 Consolidated
Revenue										
Taxes	\$ 868,999	\$ 1,021,229	\$ 1,094,336	\$ 1,962,502	\$ 81,494	\$ 150,325	\$ 645,178	\$ -	\$ 5,824,063	\$ 5,571,103
Grants in lieu of taxes	90,937	29,655							120,592	138,797
Services provided to other governments				45,057					45,057	69,351
Sales of services	2,121						359,237		361,358	404,537
Other revenue from own sources	365,371								365,371	435,715
Unconditional transfers from other governments	79,410	90,623	97,110	87,733	7,232	13,340	57,252		432,700	432,654
Conditional transfers from Federal and Provincial governments	8,518	1,187		505,202		-	12,625	-	527,532	280,271
Conditional transfers other local governments	12,432	-	3,000	-			57,170		72,602	107,526
Water fund revenue								1,602,446	1,602,446	1,576,109
Water amortization adjustment								-	-	-
	1,427,788	1,142,694	1,194,446	2,600,494	88,726	163,665	1,131,462	1,602,446	9,351,721	9,016,063
Expenses										
Salaries and benefits	690,172	204,187	563,618	266,329	44,279	126,093	531,844	459,682	2,886,204	2,819,934
Goods and services	324,745	1,177,656	559,587	587,375	107,651	108,754	395,115	562,817	3,823,700	3,434,920
Amortization	111,450	58,193	492,916	510,159	-	1,021	76,787	247,388	1,497,914	1,460,637
Interest	14,101	-	95,085	117,747	-	-	965	56,444	284,342	306,646
Other	444,128	11,133	4,056	9,854	-	265	5,749	7,093	482,278	479,818
	1,584,596	1,451,169	1,715,262	1,491,464	151,930	236,133	1,010,460	1,333,424	8,974,438	8,501,955
	\$ (156,808)	\$ (308,475)	\$ (520,816)	\$ 1,109,030	\$ (63,204)	\$ (72,468)	\$ 121,002	\$ 269,022	\$ 377,283	\$ 514,108

Schedules to the consolidated statement of operations

2019

2. Grants in lieu of taxes

21

Town of Windsor

Schedules to the consolidated statement of operations

Year ended March 31 2020 2020 2019

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
3. Services provided to other governments			
Local governments			
Environmental health services	\$ <u>55,280</u>	\$ <u>45,057</u>	\$ <u>69,351</u>
4. Sales of services			
General government services	\$ <u>720</u>	\$ <u>2,120</u>	\$ <u>720</u>
Recreation and cultural services	<u>461,900</u>	<u>359,238</u>	<u>403,817</u>
	\$ <u>462,620</u>	\$ <u>361,358</u>	\$ <u>404,537</u>
5. Other revenue from own sources			
Licenses and permits	\$ <u>10,930</u>	\$ <u>19,179</u>	\$ <u>9,125</u>
Fines	<u>23,080</u>	<u>31,232</u>	<u>24,387</u>
Rentals	<u>51,740</u>	<u>55,578</u>	<u>51,085</u>
Return on investments – general	<u>15,850</u>	<u>124,753</u>	<u>117,620</u>
Return on investments – trust funds	<u>5,470</u>	<u>5,612</u>	<u>5,614</u>
Penalties and interest on taxes	<u>61,130</u>	<u>60,738</u>	<u>59,867</u>
Miscellaneous	<u>63,540</u>	<u>68,279</u>	<u>168,017</u>
	\$ <u>231,740</u>	\$ <u>365,371</u>	\$ <u>435,715</u>
6. Unconditional transfers from other governments			
Provincial government			
Department of Municipal Affairs			
Municipal Grants Act	\$ <u>430,400</u>	\$ <u>430,404</u>	\$ <u>430,403</u>
Farm acreage	<u>2,250</u>	<u>2,296</u>	<u>2,251</u>
	\$ <u>432,650</u>	\$ <u>432,700</u>	\$ <u>432,654</u>

Town of Windsor

Schedules to the consolidated statement of operations

Year ended March 31 2020 2020 2019

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
7. Conditional transfers from Federal and Provincial governments			
Federal government			
Federal gas tax	\$ 505,202	\$ 505,203	\$ 257,081
Other federal	4,950	5,202	4,840
Provincial governments			
Provincial capital grants	-	-	-
Other provincial	21,440	17,127	18,350
Joint federal and provincial capital grants	-	-	-
	<u>\$ 531,592</u>	<u>\$ 527,532</u>	<u>\$ 280,271</u>
8. Conditional transfers from other local governments			
Municipality of West Hants			
Swimming pool grant	\$ 42,150	\$ 33,648	\$ 44,574
Cole Drive maintenance	5,000	-	5,628
Sidewalk plowing	3,000	3,000	3,000
Sewage operations service			-
Tourist Bureau	18,000	12,259	11,027
Street lights	1,800	-	1,765
IT service agreement	14,600	12,432	14,242
Library share agreement	12,000	7,465	10,932
Afterschool program	14,080	3,798	2,725
Inspection services	-	-	10,833
IT firewall funding	-	-	-
	<u>110,630</u>	<u>72,602</u>	<u>104,726</u>
Town of Berwick			
IT service agreement	1,000	-	1,500
Village of Kingston			
IT firewall funding	-	-	-
IT service agreement	1,000	-	1,300
	<u>2,000</u>	<u>-</u>	<u>2,800</u>
Total conditional transfers from other local governments	<u>\$ 112,630</u>	<u>\$ 72,602</u>	<u>\$ 107,526</u>

Schedules to the consolidated statement of operations

2019

Long term debt	15,100
General government services	32,200
Grants to other agencies	97,300
Other general services	129,900
Other	111,400
Total	\$ 1,364,400

Schedules to the consolidated statement of operations

2019

25

Schedules to the consolidated statement of operations

2019

26

Town of Windsor

Schedules to the consolidated statement of operations

Year ended March 31

2020

2020

2019

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
13. Public health and welfare services			
Regional Housing Authority	\$ 36,620	\$ 31,495	\$ 40,164
Cemetery	<u>91,320</u>	<u>120,436</u>	<u>56,686</u>
	<u>\$ 127,940</u>	<u>\$ 151,931</u>	<u>\$ 96,850</u>

14. Environmental development services

Environmental planning and zoning Planning services	\$ <u>80,580</u>	\$ <u>80,923</u>	\$ <u>117,270</u>
Community development			
Community Development	<u>70,920</u>	<u>84,263</u>	<u>62,244</u>
Valley Regional Enterprise Network	<u>17,750</u>	<u>16,524</u>	<u>17,372</u>
	<u>88,670</u>	<u>100,787</u>	<u>79,616</u>
Industrial Park	<u>3,550</u>	<u>3,598</u>	<u>3,530</u>
Other environmental development services			
Tourism	<u>62,180</u>	<u>49,803</u>	<u>50,122</u>
Amortization	<u>1,021</u>	<u>1,021</u>	<u>1,021</u>
	<u>\$ 236,001</u>	<u>\$ 236,132</u>	<u>\$ 251,559</u>

Town of Windsor

Schedule of changes in reserve funds

Year ended March 31	Capital Reserve	Rink Capital Reserve	Fire Capital Reserve	Public Works Capital Reserve	Operating Reserve	2020 Total	2019 Total
Revenue							
Interest	\$ 47,006	\$ 4,057			\$ 47,814	\$ 98,877	\$ 84,318
Proceeds on subdivision approvals	-	-			-	-	-
Gain (loss) on sale of assets	-	-			-	-	-
	<u>47,006</u>	<u>4,057</u>			<u>47,814</u>	<u>98,877</u>	<u>84,318</u>
Net transfers from other funds	<u>(319,681)</u>	<u>-</u>	\$ <u>2,810</u>	\$ <u>73,000</u>	<u>(106,066)</u>	<u>(349,937)</u>	<u>(160,750)</u>
Change in fund balances	(272,675)	4,057	2,810	73,000	(58,252)	(251,060)	(76,432)
Opening fund balances	<u>1,584,142</u>	<u>198,886</u>	<u>419,123</u>	<u>387,714</u>	<u>2,681,405</u>	<u>5,271,270</u>	<u>5,347,702</u>
Closing fund balances	\$ <u>1,311,467</u>	\$ <u>202,943</u>	\$ <u>421,933</u>	\$ <u>460,714</u>	\$ <u>2,623,153</u>	\$ <u>5,020,210</u>	\$ <u>5,271,270</u>

Town of Windsor Schedule of trust funds

March 31	Cemetery Perpetual Care Fund	B. MacLatchy Cemetery Fund	Grace B. Wallace Fund	Youth Recreation and Sport Fund	K. Anslow Old Parish Burying Ground Fund	2020 Total	2019 Total
Assets							
Cash	\$ 56,018	\$ 5,017		\$ 30,277	\$ 3,286	\$ 94,598	\$ 93,386
Investments, at cost	<u>232,870</u>	<u>10,000</u>	<u>5,000</u>	<u>-</u>	<u>-</u>	<u>247,870</u>	<u>247,870</u>
	<u>\$ 288,888</u>	<u>\$ 15,017</u>	<u>\$ 5,000</u>	<u>\$ 30,277</u>	<u>\$ 3,286</u>	<u>\$ 342,468</u>	<u>\$ 341,256</u>
Reserve							
Trust Funds Reserve							
Balance, beginning of year	\$ <u>288,567</u>	\$ <u>14,932</u>	\$ <u>5,000</u>	\$ <u>30,156</u>	\$ <u>3,230</u>	\$ <u>341,256</u>	\$ <u>340,590</u>
Add:							
Investment income received	6,416	85	145	521	56	7,224	6,805
Deposits received (transfer)	<u>-</u>	<u>-</u>	<u>-</u>	<u>(400)</u>	<u>-</u>	<u>(400)</u>	<u>2,290</u>
	<u>6,416</u>	<u>85</u>	<u>145</u>	<u>121</u>	<u>56</u>	<u>6,824</u>	<u>9,095</u>
Less:							
Investment cost adjustment	-	-	-	-	-	-	2,941
Transfer to General Operating Fund	<u>5,466</u>	<u>-</u>	<u>145</u>	<u>-</u>	<u>-</u>	<u>5,612</u>	<u>5,488</u>
	<u>5,466</u>	<u>-</u>	<u>145</u>	<u>-</u>	<u>-</u>	<u>8,429</u>	<u>8,429</u>
Balance, end of year	<u>\$ 288,887</u>	<u>\$ 15,017</u>	<u>\$ 5,000</u>	<u>\$ 30,277</u>	<u>\$ 3,286</u>	<u>\$ 342,468</u>	<u>\$ 341,256</u>

Town of Windsor**Water utility****Non-consolidated statement of operations – operating fund**

Year ended March 31

2020

2020

2019

	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Operating revenue			
Metered sales	\$ 1,002,120	\$ 1,044,074	\$ 1,023,907
Public fire protection	478,100	478,095	478,103
Sprinkler services	5,760	5,839	5,846
Sales to other utilities	318,120	400,578	409,723
Other	<u>13,900</u>	<u>14,191</u>	<u>10,516</u>
	<u>1,818,000</u>	<u>1,942,777</u>	<u>1,928,095</u>
Operating expenditure			
Source of supply	51,640	49,967	49,692
Water treatment	428,620	463,214	444,154
Transmission and distribution	469,480	449,901	413,858
Administrative and general	340,130	301,704	292,445
Depreciation	237,670	247,388	242,397
Taxes	<u>30,990</u>	<u>30,827</u>	<u>30,620</u>
	<u>1,558,530</u>	<u>1,543,001</u>	<u>1,473,166</u>
Operating profit	<u>259,470</u>	<u>399,776</u>	<u>454,929</u>
Non-operating revenue			
Interest	6,180	11,737	6,584
Other	<u>1,200</u>	<u>1,200</u>	<u>1,200</u>
	<u>7,380</u>	<u>12,937</u>	<u>7,784</u>
Non-operating expenditure			
Debt, interest, and other charges	<u>247,380</u>	<u>238,964</u>	<u>242,333</u>
Excess of revenue over expenditures	\$ <u>19,470</u>	\$ <u>173,749</u>	\$ <u>220,380</u>
Annualized rate of return		<u>5.01%</u>	<u>5.70%</u>

Surplus, beginning of year	610,434	502,146
Excess of revenue over expenditures	173,749	220,380
Transfer of prior year surplus	<u>(127,445)</u>	<u>(112,092)</u>
Surplus, end of year	\$ <u>656,738</u>	\$ <u>610,434</u>

Town of Windsor**Water utility****Statement of financial position – operating fund**

March 31 2020 2019

Assets

Cash and cash equivalents	\$ 283,900	\$ 402,838
Receivables		
Rates	425,622	352,045
Other	-	1,739
Depreciation Fund	135,542	8,142
Federal government	-	-
General Operating	-	-
Water Capital	<u>8,772</u>	<u>9,448</u>
	853,836	774,212
Inventories, at cost	<u>54,790</u>	<u>52,979</u>
	<u>\$ 908,626</u>	<u>\$ 827,191</u>

Liabilities

Payables and accruals	\$ 48,460	\$ 84,180
Prepaid water accounts	22,250	8,948
Payable to Town general Operating Fund	56,620	59,485
Payable to Depreciation Fund	<u>124,558</u>	<u>64,144</u>
	251,888	216,757

Surplus

<u>656,738</u>	<u>610,434</u>
<u>\$ 908,626</u>	<u>\$ 827,191</u>

On behalf of the Town

Mayor_____
CAO

Town of Windsor

Water utility

Statement of financial position – capital fund

March 31

2020

2019

Assets

Cash and cash equivalents		
Depreciation Fund	\$ 671,171	\$ 475,082
Paint Reserve Fund	-	-
Receivable – Provincial	-	-
Receivable – General Operating	1,017	-
Receivable – Water Operating	<u>124,558</u>	<u>64,144</u>
	796,746	539,226
Utility plant in service (page 33)	<u>11,510,785</u>	<u>11,289,172</u>
Unamortized debenture discount	<u>6,913</u>	<u>6,265</u>
	<u>\$ 12,314,444</u>	<u>\$ 11,834,663</u>

Liabilities

Temporary borrowings	\$ -	\$ 216,239
Long term debt	1,475,766	1,438,416
Accumulated allowance for depreciation	3,530,779	3,314,604
Payable to Water operating from depreciation	135,542	8,142
Payable to Water operating	<u>8,772</u>	<u>9,448</u>
	<u>5,150,859</u>	<u>4,986,849</u>

Equity

Paint Reserve Fund	-	-
Investment in capital assets (page 33)	<u>7,163,585</u>	<u>6,847,814</u>
	<u>7,163,585</u>	<u>6,847,814</u>
	<u>\$ 12,314,444</u>	<u>\$ 11,834,663</u>

On behalf of the Town

Mayor

CAO

Town of Windsor
Water utility
Utility plant in service

March 31	2020	2019
Tangible plant		
Land and land rights		
Source of supply	\$ 263,400	\$ 263,400
Reservoir	230,897	230,897
Water treatment	22,508	22,508
Transmission	4,888	4,888
Source of supply structure	601,244	601,244
Purification building	200,751	200,751
Water treatment structures and improvements	1,825,548	1,825,548
Other structures and improvements	804,157	804,157
Water treatment equipment	1,125,575	1,082,058
Transmission mains	2,535,978	2,535,978
Distribution mains	3,677,791	3,464,853
Services	9,029	9,029
Meters	140,175	174,016
Hydrants	60,397	60,397
Work in progress	8,447	9,448
	<u>\$ 11,510,785</u>	<u>\$ 11,289,172</u>

Town of Windsor
Water utility
Statement of investment in capital assets

March 31	2020	2019
Balance, beginning of year	\$ <u>6,847,814</u>	\$ <u>6,522,377</u>
Add: Debentures retired	180,400	180,400
Transfer of prior year operating surplus	127,445	112,092
Transfer of paint reserve	-	38,795
Interest earned on deposits	<u>9,114</u>	<u>6,268</u>
	<u>316,959</u>	<u>337,555</u>
	<u>7,164,773</u>	<u>6,859,932</u>
Less: Debenture discount	1,188	2,530
Loss on write-off	-	9,588
	<u>1,188</u>	<u>12,118</u>
Balance, end of year	<u>\$ 7,163,585</u>	<u>\$ 6,847,814</u>

DRAFT

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

FINANCIAL STATEMENTS

MARCH 31, 2020

DRAFT

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

FINANCIAL STATEMENTS

March 31, 2020

	<u>Page</u>
Management's Responsibility for the Financial Statements	1
Independent Auditor's Report	2
Statement of Financial Activities	3
Statement of Financial Position	4
Statement of Change in Net Assets	5
Statement of Cash Flows	6
Notes to Financial Statements	7-8
Schedule of Operations by Function	9

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY
FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2020

DRAFT

Management's Responsibility for the Financial Statements

The accompanying financial statements are the responsibility of the Municipality's management and have been prepared in compliance with legislation, and in accordance with Canadian public sector accounting standards established by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada ("CPA"). A summary of the significant accounting policies are described in Note 1 to the financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgement, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Municipality's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the financial statements. These systems are monitored and evaluated by management.

The audit committee meets with management and the external auditors to review the financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the financial statements.

The financial statements have been audited by Kent & Duffett, independent external auditors appointed by the Municipality. The accompanying Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Municipality's consolidated financial statements.

Mark Phillips
CAO
October 14, 2020

INDEPENDENT AUDITOR'S REPORT

Region of Windsor and West Hants Municipality

Opinion

We have audited the consolidated financial statements of the **Region of Windsor and West Hants Municipality** which comprise the statement of financial position as at March 31, 2020, statements of financial activities, change in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements of the Municipality are prepared, in all material respects, in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Municipality in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Municipality's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Municipality, or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Municipality's financial reporting process.

INDEPENDENT AUDITOR'S REPORT (continued)

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgement and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Municipality's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Municipality's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Municipality to cease to continue as a going concern.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Kent & Duffett

Kentville, Nova Scotia
October 14, 2020

Chartered Professional Accountants
Registered Municipal Auditor

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY**STATEMENT OF FINANCIAL ACTIVITIES****YEAR ENDED MARCH 31, 2020**

	<u>Budget</u> (unaudited)	<u>2020</u>	<u>2019</u>
REVENUES			
Grants	\$ -	\$ 50,000	\$ -
Interest	-	18,658	-
Revenue recognized from reserves - transition funding (note 4)	1,381,000	1,404,366	-
	<u>1,381,000</u>	<u>1,473,024</u>	<u>-</u>
EXPENSES			
General government services			
Administrative	\$ 270,000	\$ 125,281	\$ 2,903
Election	85,000	56,862	-
Professional fees	60,000	102,718	2,156
Transition professional services	536,000	526,040	76,739
Transition wages and expenses	240,000	245,013	112,575
Wages and benefits	190,000	161,470	2,525
	<u>1,381,000</u>	<u>1,217,384</u>	<u>196,898</u>
ANNUAL SURPLUS (DEFICIT)	-	255,640	(196,898)
ACCUMULATED SURPLUS AT BEGINNING OF		<u>(196,898)</u>	<u>-</u>
ACCUMULATED SURPLUS (DEFICIT) AT END OF YEAR		<u>\$ 58,742</u>	<u>\$ (196,898)</u>

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

STATEMENT OF FINANCIAL POSITION

AS AT MARCH 31, 2020

DRAFT

	<u>2020</u>	<u>2019</u>
FINANCIAL ASSETS		
Cash (note 1(e))	\$ 210,167	\$ -
Harmonized sales tax rebate	108,296	8,660
	<u>318,463</u>	<u>8,660</u>
LIABILITIES		
Accounts payable	146,555	107,333
Consolidation funding reserve	95,634	-
Due to Municipality of the District of West Hants	34,632	98,225
	<u>276,821</u>	<u>205,558</u>
NET ASSETS (DEBT) (page 5)	<u>41,642</u>	<u>(196,898)</u>
NON-FINANCIAL ASSETS		
Prepaid expenses	17,100	-
	<u>17,100</u>	<u>-</u>
ACCUMULATED SURPLUS (DEFICIT)	<u>\$ 58,742</u>	<u>\$ (196,898)</u>

On behalf of the Region of Windsor and West Hants Municipality

Transition Coordinator

Chief Administrative Officer

Chief Administrative Officer

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

STATEMENT OF CHANGE IN NET ASSETS

AS AT MARCH 31, 2020

DRAFT

	<u>2020</u>	<u>2019</u>
ANNUAL SURPLUS (DEFICIT) [page 3]	\$ 255,640	\$ (196,898)
Change in inventory and prepaid expenses	<u>(17,100)</u>	<u>-</u>
CHANGE IN NET ASSETS	238,540	(196,898)
Net assets at beginning of year	(196,898)	-
NET ASSETS (DEBT) AT END OF YEAR	<u>\$ 41,642</u>	<u>\$ (196,898)</u>

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY**STATEMENT OF CASH FLOWS****AS AT MARCH 31, 2020****DRAFT**

	<u>2020</u>	<u>2019</u>
OPERATING TRANSACTIONS		
Annual surplus (deficit)	\$ 255,640	\$ (196,898)
(Increase) decrease in harmonized sales tax rebate	(99,636)	(8,660)
Increase (decrease) in accounts payable	39,222	107,333
Increase (decrease) in amounts due to other local governments	(63,593)	98,225
Increase (decrease) in consolidation funding reserve	95,634	-
Increase (decrease) in non-financial assets	(17,100)	-
	<u>210,167</u>	<u>-</u>
INCREASE IN CASH AND CASH EQUIVALENTS	210,167	-
Cash and cash equivalents at beginning of year	<u>-</u>	<u>-</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$ 210,167</u>	<u>\$ -</u>

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

NOTES TO FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

1. SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Region of Windsor and West Hants Municipality are prepared by management in accordance with Canadian generally accepted accounting standards for local governments as recommended by the Public Sector Accounting Board of Chartered Professional Accountants of Canada. Significant aspects of the accounting policies adopted by the Municipality are as follows:

(a) Reporting entity

The financial statements reflect the assets, liabilities, revenues, expenditures and changes in fund balances and in financial position of the reporting entity. The reporting entity is comprised of all organizations and enterprises accountable to the Municipality for the administration of their financial affairs and resources and which are owned or controlled by the Municipality.

(b) Basis of accounting

The basis of accounting followed in the financial statement presentation includes revenues in the period in which the transactions or events occurred that gave rise to the revenues and expenditures in the period in which the goods and services are acquired and a liability is incurred or transfers are due.

(c) Fund accounting

Funds within the financial statements consist of the operating, capital and reserve funds. Transfers between funds are recorded as adjustments to the appropriate fund balance.

(d) Use of estimates

In preparing the Municipality's financial statements, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities and reported amounts of revenue and expenses. Actual amounts could differ from these estimates.

(e) Cash and cash equivalents

Cash and cash equivalents include cash on hand and balances with banks, bank overdrafts, and highly liquid temporary money instruments with original maturities of three months or less. Bank borrowings are considered to be financing activities.

(f) Revenue and expenditure

The accrual basis of accounting is used for all funds. The accrual basis of accounting recognizes revenues as they are earned and measurable; expenses are recognized as they are incurred and measurable as a result of a legal obligation to pay.

(g) Financial instruments

The Municipality's financial instruments include cash and cash equivalents, receivables, payables and accruals and other debt. Unless otherwise noted, it is management's opinion that the Municipality is not exposed to significant interest, currency or credit risks arising from financial instruments. The fair market value of these instruments approximate their carrying value.

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

NOTES TO FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

2. DISCLOSURE OF REMUNERATION

The total remuneration paid to those charged with oversight is as follows:

	Remuneration	Expenses
Transition Coordinator	\$ 237,725	\$ 7,287
	<u>\$ 237,725</u>	<u>\$ 7,287</u>

3. SEGMENTED INFORMATION

The Region of Windsor and West Hants Municipality is a municipal unit that provides a wide range of services to its residents. The Municipality's operations and activities are organized and reported by fund for the purpose of recording specific activities to meet objectives as outlined by legislation, special regulation, or other limitations and restrictions.

Services are provided by department and their activity is reported in these funds.

General government services

Administrative - This department is responsible for financial and local government administration. Functions include budget and financial statement preparation, tax collection, the Municipal Government Act administration, and accounts payable and receivable.

4. FUNDING AGREEMENT

As a part of the consolidation of West Hants and Windsor into one entity, the Province of Nova Scotia has agreed to provide the following funding:

- \$1,500,000 in pre-consolidation funding to cover costs associated with the transition.
- No less than \$2,152,015 in equalization funding over a five year period, beginning April 1, 2020.

THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY**NOTES TO FINANCIAL STATEMENTS****YEAR ENDED MARCH 31, 2020****DRAFT****SCHEDULE OF OPERATIONS BY FUNCTION**

	2020	2019
	General Government	General Government
REVENUE		
Grants	50,000	-
Interest	18,658	-
Other - revenue recognized from reserves	1,404,366	-
TOTAL REVENUE	1,473,024	-
EXPENDITURES		
Salaries, wages and benefits	\$ 399,196	\$ 112,308
Operating costs	818,188	84,590
TOTAL EXPENDITURES	1,217,384	196,898
SURPLUS (DEFICIT)	\$ 255,640	\$ (196,898)

DRAFT

**MUNICIPALITY OF THE DISTRICT OF
WEST HANTS**

CONSOLIDATED FINANCIAL STATEMENTS

MARCH 31, 2020

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

CONSOLIDATED FINANCIAL STATEMENTS

MARCH 31, 2020

DRAFT

	<u>Page</u>
Management's Responsibility for the Consolidated Financial Statements	1
Independent Auditor's Report	2(a)-2(b)
Consolidated Statement of Financial Activities	3
Consolidated Statement of Financial Position	4
Consolidated Statement of Change in Net Assets	5
Consolidated Statement of Cash Flows	6
Notes to Consolidated Financial Statements	7-22
Consolidated Schedule of Operations by Function	23
General Operating Fund	
Non-Consolidated Statement of Financial Position	24
Non-Consolidated Statement of Financial Activities	25
Non-Consolidated Schedule of General Operating Fund Revenues	26-28
Non-Consolidated Schedule of General Operating Fund Expenditures	29-31
Non-Consolidated Schedule of Financing and Transfers	32
General Capital Fund	
Non-Consolidated Statement of Financial Position	33
Non-Consolidated Statement of Financial Activities	34
Water Utility Operating Fund	
Non-Consolidated Statement of Financial Position	35
Non-Consolidated Statement of Financial Activities	36
Non-Consolidated Schedule of Expenditures	37
Water Utility Capital Fund	
Non-Consolidated Statement of Financial Position	38
Non-Consolidated Statement of Financial Activities	39
Non-Consolidated Statement of Financial Position of the Operating Reserve Funds	40
Non-Consolidated Statement of Financial Activities of the Operating Reserve Funds	41-42
Non-Consolidated Statement of Financial Position of the Special Reserve Funds	43
Non-Consolidated Statement of Financial Activities of the Special Reserve Funds	44-47
Non-Consolidated Statement of Financial Position of the Capital Reserve Funds	48
Non-Consolidated Statement of Financial Activities of the Capital Reserve Funds	49
Non-Consolidated Statement of Financial Position of the School Funds	50
Non-Consolidated Statement of Financial Position of the Cemetery Fund	51
Non-Consolidated Statement of Financial Activities of the Cemetery Fund	52
Non-Consolidated Statement of Financial Position of the Trust Funds	53

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

CONSOLIDATED FINANCIAL STATEMENTS

YEAR ENDED MARCH 31, 2020

DRAFT

Management's Responsibility for the Consolidated Financial Statements

The accompanying consolidated financial statements of the Municipality of the District of West Hants are the responsibility of the Municipality's management and have been prepared in compliance with legislation, and in accordance with Canadian public sector accounting standards established by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada ("CPA"). A summary of the significant accounting policies are described in Note 1 to the consolidated financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Municipality's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the consolidated financial statements. These systems are monitored and evaluated by management.

The audit committee meets with management and the external auditors to review the consolidated financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the consolidated financial statements.

The consolidated financial statements have been audited by Kent & Duffett, independent external auditors appointed by the Municipality. The accompanying Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Municipality's consolidated financial statements.

A. Zebian
Warden
October 22, 2020

M. Phillips
Chief Administrative Officer
October 22, 2020

INDEPENDENT AUDITOR'S REPORT

His Worship the Warden and Members of Council of the Municipality of the District of West Hants

Opinion

We have audited the consolidated financial statements of the **Municipality of the District of West Hants** which comprise the consolidated statement of financial position as at March 31, 2020, consolidated statement of financial activities, consolidated change in net assets and consolidated cash flow for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements of the Municipality are prepared, in all material respects, in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Municipality in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Municipality's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Municipality, or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Municipality's financial reporting process.

INDEPENDENT AUDITOR'S REPORT (continued)***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgement and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Municipality's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Municipality's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Municipality to cease to continue as a going concern.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Kentville, Nova Scotia
October 22, 2020Chartered Professional Accountants
Registered Municipal Auditor

MUNICIPALITY OF THE DISTRICT OF WEST HANTS**CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES****YEAR ENDED MARCH 31, 2020****DRAFT**

	<u>Budget</u> (unaudited)	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
REVENUES			
Taxes	\$ 11,525,588	\$ 11,892,336	\$ 10,989,562
Payments in lieu of taxes	119,726	128,044	129,019
Services provided to other governments	828,377	507,953	480,180
Sales of services	205,080	195,854	204,055
Other revenue from own sources	448,876	572,256	740,802
Unconditional transfers from other governments	222,566	223,164	222,493
Conditional transfers from Federal and Provincial governments and agencies	73,437	5,070,623	1,934,354
Conditional transfers from other local governments	315,386	214,062	125,208
Water rates	1,373,023	2,114,414	1,528,572
Interest	2,000	73,982	54,268
Proceeds on sale of school	-	-	-
	<u>15,114,059</u>	<u>20,992,688</u>	<u>16,408,513</u>
EXPENSES			
General government services	2,150,334	2,619,705	2,435,842
Protective services	4,341,274	4,291,728	4,319,706
Transportation services	658,296	669,242	639,733
Environmental health services	2,246,945	1,758,401	2,135,402
Public health services	60,000	68,192	53,799
Environmental development services	619,961	707,433	628,726
Recreation and cultural services	968,699	945,844	825,676
Other transfers	176,991	162,139	263,174
Water treatment and distribution	1,602,057	1,543,964	1,441,978
Write off of tangible capital assets	-	74,289	99,641
Amortization	379,526	2,043,512	2,034,654
	<u>13,204,083</u>	<u>14,884,449</u>	<u>14,878,331</u>
ANNUAL SURPLUS, BEFORE OTHER	1,909,976	6,108,239	1,530,182
OTHER - CONTRIBUTED TANGIBLE CAPITAL ASSETS		-	-
ANNUAL SURPLUS		6,108,239	1,530,182
ACCUMULATED SURPLUS AT BEGINNING OF YEAR		36,189,284	34,659,102
ACCUMULATED SURPLUS AT END OF YEAR		<u>\$ 42,297,523</u>	<u>\$ 36,189,284</u>

note 11

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

CONSOLIDATED STATEMENT OF FINANCIAL POSITION

AS AT MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
FINANCIAL ASSETS		
Cash (note 1(e))	\$ 8,424,967	\$ 10,936,167
Accounts receivable (net of valuation allowance) (note 3)	5,330,402	4,219,251
Land held for resale	144,713	144,713
Equity in Valley Waste Resource Management	152,558	152,558
	<u>14,052,640</u>	<u>15,452,689</u>
LIABILITIES		
Accounts payable	3,017,603	2,224,486
Deferred revenue (note 8)	5,857,318	4,888,057
Tax sales surplus	290,677	595,804
Long-term debt (note 4)	8,628,008	8,581,083
Accrued landfill closure cost	368,816	298,292
	<u>18,162,422</u>	<u>16,587,722</u>
NET ASSETS (DEBT) (page 5)	<u>(4,109,782)</u>	<u>(1,135,033)</u>
NON-FINANCIAL ASSETS		
Tangible capital assets (note 5)	46,292,257	37,155,002
Prepaid expenses	72,852	94,735
Inventory	42,196	74,580
	<u>46,407,305</u>	<u>37,324,317</u>
ACCUMULATED SURPLUS	<u>\$ 42,297,523</u>	<u>\$ 36,189,284</u>

note 11

On behalf of the Municipality of the District of West Hants

Warden

Chief Administrative Officer

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

CONSOLIDATED STATEMENT OF CHANGE IN NET ASSETS

AS AT MARCH 31, 2020

	<u>Budget</u> (unaudited)	<u>2020</u>	<u>2019</u>
ANNUAL SURPLUS (page 3)	\$ 1,909,976	\$ 6,108,239	\$ 1,530,182
Acquisition of tangible capital assets	(11,429,034)	(11,127,121)	(2,194,879)
Amortization of tangible capital assets	2,050,303	2,043,512	2,034,654
Other items affecting tangible capital assets	-	(53,646)	113,490
	<u>(7,468,755)</u>	<u>(3,029,016)</u>	<u>1,483,447</u>
Change in inventory and prepaid expenses		<u>54,267</u>	<u>46,509</u>
CHANGE IN NET ASSETS	(7,468,755)	(2,974,749)	1,529,956
Net assets at beginning of year		<u>(1,135,033)</u>	<u>(2,664,989)</u>
NET ASSETS (DEBT) AT END OF YEAR		<u>\$ (4,109,782)</u>	<u>\$ (1,135,033)</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS**CONSOLIDATED STATEMENT OF CASH FLOWS****AS AT MARCH 31, 2020****DRAFT**

	<u>2020</u>	<u>2019</u>
OPERATING TRANSACTIONS		
Annual surplus	\$ 6,108,239	\$ 1,530,182
Amortization of tangible capital assets	2,043,512	2,034,654
Other items affecting tangible capital assets	(53,646)	113,490
	<u>8,098,105</u>	<u>3,678,326</u>
 (Increase) decrease in accounts receivables	 (1,111,151)	 (922,282)
(Increase) decrease in land held for resale	-	(6,970)
Increase (decrease) in accounts payable	793,117	326,820
Increase (decrease) in deferred revenue	969,261	(447,476)
Increase (decrease) in tax sale surplus	(305,127)	417,168
Increase (decrease) in accrued landfill closure	70,524	(39,751)
(Increase) decrease in non-financial assets	54,267	46,510
	<u>8,568,996</u>	<u>3,052,345</u>
CAPITAL TRANSACTIONS		
Acquisition of tangible capital assets	<u>(11,127,121)</u>	<u>(2,194,879)</u>
 FINANCING ACTIVITIES		
Proceeds from issuance of new debt	759,350	1,331,105
Repayment of long term debt	(712,425)	(1,987,754)
	<u>46,925</u>	<u>(656,649)</u>
 INCREASE IN CASH AND CASH EQUIVALENTS	 (2,511,200)	 200,817
 Cash and cash equivalents at beginning of year	 <u>10,936,167</u>	 <u>10,735,350</u>
 CASH AND CASH EQUIVALENTS AT END OF YEAR	 <u>\$ 8,424,967</u>	 <u>\$ 10,936,167</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

1. SIGNIFICANT ACCOUNTING POLICIES

The consolidated financial statements of the Municipality of the District of West Hants are prepared by management in accordance with Canadian generally accepted accounting standards for local governments as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. Significant aspects of the accounting policies adopted by the Municipality are as follows:

(a) Reporting entity

The consolidated financial statements reflect the assets, liabilities, revenues, expenditures and changes in fund balances and in financial position of the reporting entity. The reporting entity is comprised of all organizations and enterprises accountable to the Municipality for the administration of their financial affairs and resources and which are owned or controlled by the Municipality.

Trust funds administered by the Municipality amounting to \$160,601 have not been included in the Consolidated Statement of Financial Position nor have these operations been included in the Consolidated Statement of Financial Activities.

Interdepartmental and organizational transactions and balances have been eliminated.

(b) Basis of accounting

The basis of accounting followed in the consolidated financial statement presentation includes revenues in the period in which the transactions or events occurred that gave rise to the revenues and expenditures in the period in which the goods and services are acquired and a liability is incurred or transfers are due.

(c) Fund accounting

Funds within the consolidated financial statements consist of the operating, capital and reserve funds. Transfers between funds are recorded as adjustments to the appropriate fund balance.

(d) Use of estimates

In preparing the Municipality's financial statements, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities and reported amounts of revenue and expenses. Actual amounts could differ from these estimates.

(e) Cash and cash equivalents

Cash and cash equivalents include cash on hand and balances with banks, bank overdrafts, and highly liquid temporary money instruments with original maturities of three months or less. Bank borrowings are considered to be financing activities.

(f) Accounts receivable

Uncollected taxes and rates

Accounts receivable are shown net of allowance for doubtful accounts. The Municipality provides a valuation allowance for estimated losses that will be incurred on collecting receivables outstanding.

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

1. SIGNIFICANT ACCOUNTING POLICIES (continued)

(g) Revenue and expenditure

The accrual basis of accounting is used for all funds. The accrual basis of accounting recognizes revenues as they are earned and measurable; expenses are recognized as they are incurred and measurable as a result of a legal obligation to pay.

Tax and related revenue

Property tax billings are prepared by the Municipality based on assessment rolls issued by the Property Valuation Services Corporation. Tax rates are established annually by Council during the budget approval process. Tax adjustments as a result of appeals and re-assessment are recorded when the result of the appeals process is known.

Government transfers

Federal and/or provincial transfers for operating and capital purposes are recognized in the period in which all eligibility criteria and/or stipulations have been met and the amounts are authorized. Any funding received prior to satisfying these conditions is deferred until conditions have been met. When revenue is received without any eligibility criteria or stipulations, it is recognized when the transfer(s) from the Federal government and/or the Province of Nova Scotia are authorized.

Interest revenue

Interest earned on investments in the depreciation fund or on any other fund is recorded within the respective funds, unless otherwise approved by the Nova Scotia Utility and Review Board.

Other revenues

Other revenues are recognized as services or goods are provided, the exchange amount is measurable and collectability of the amount is reasonably assured.

(h) Tangible capital assets

Capital assets are recorded at cost which includes all amounts that are directly attributed to acquisition, construction, development or betterment of the asset.

Amortization is recorded in the financial statements on a straight line basis over an asset's estimated useful life as noted below.

Tangible capital assets are written down when conditions indicate that they no longer contribute to the Municipality's ability to provide goods and services, or when the value of future economic benefits associated with the tangible capital assets are less than their net book value. The net write downs are accounted for as expenses in the consolidated statement of financial activities.

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and are also recorded as revenue.

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

1. SIGNIFICANT ACCOUNTING POLICIES (continued)

(h) Tangible capital assets (continued)

<u>Capital</u>	<u>Years</u>	<u>Water Utility</u>	<u>Years</u>
Land improvements		Structures, improvements,	
Buildings	40	and wells	50-77
Small equipment	5	Equipment	5-20
Vehicles	5	Transmission	77
Roads and streets	30-50	Distribution	77
Sidewalk	20	Meters	20
Sewer system	25-50	Hydrants	50-77
Fire department vehicles		Services	50
and equipment	10		
Parks	25		
Schools	40		

(i) Depreciation - water utility

In accordance with the Nova Scotia Utility and Review Board regulations, the depreciation expense in the Water Operating Fund are transferred to a special bank account in the Water Capital Fund which is used to help fund replacement of existing plant and equipment or, subject to approval by the Utility and Review Board, to repay the principal of capital debt.

(j) Financial instruments

The Municipality's financial instruments include cash and cash equivalents, temporary investments, receivables, payables and accruals and long-term debt. Unless otherwise noted, it is management's opinion that the Municipality is not exposed to significant interest, currency or credit risks arising from financial instruments. The fair market value of these instruments approximate their carrying value.

(k) Allocation of municipal costs to water utility funds

Where identifiable, costs incurred by the Municipality on behalf of the Water Utility are charged to the Utility funds. Salary and wage related costs are allocated in proportion to time spent performing functions on behalf of the Water Utility. Administration and general expenses incurred for the benefit of both the Municipality and Water Utility are partially allocated to the Water Utility.

(l) Deferred revenue

Deferred revenue includes government transfers received with eligibility criteria that have not been met. When criteria have been met, deferred revenue is recognized as revenue in the fiscal year in a manner consistent with the circumstances and evidence used to support the initial recognition of the contributions received as a liability as detailed in Note 1(g).

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

1. SIGNIFICANT ACCOUNTING POLICIES (continued)

(m) Asset retirement obligation

Liabilities are recognized for statutory, contractual or legal obligations, associated with the retirement of property, plant, and equipment when those obligations result from the acquisition, construction, development or normal operations of the assets. The obligations are measured initially at fair value, determined using the present value methodology and the resulting costs capitalized into the carrying amount of the related asset. In subsequent periods, the liability is adjusted for the accretion of discount and any changes in the amount or timing of the underlying cash flows. The capitalized asset retirement cost is amortized on the same basis as the related asset and the discount accretion is included in determining the results of the operations.

(n) Equity in Valley Waste Resource Management

The Valley Region Solid Waste-Resource Management Authority is a corporate body formed under an Inter-Municipal Services Agreement encompassing the Municipality of Annapolis County, the Municipality of the County of Kings, and the Towns of Annapolis Royal, Berwick, Kentville, Middleton, Wolfville and in prior years the former town of Hantsport, for the purpose of collaborative resource management in the region. The Municipality records the investment in Valley Regional Solid Waste-Resource Management under the modified equity method.

2. CONTRIBUTIONS TO BOARDS, REGIONAL AUTHORITIES, AND OTHER ENTITIES

The Municipality of the District of West Hants is required to finance the operations of various Boards and Regional Authorities, along with other municipalities in the Annapolis Valley, to the extent of its participation based upon assessment and/or population formula.

In addition to any budgeted contributions, the Municipality shares in the deficits or surpluses of some of these organizations based upon the relevant cost-sharing percentage. The Municipality's share of any deficit is to be paid in the next fiscal year and any surplus is to be taken into operations in the estimates of the organization in the next fiscal year.

Nova Scotia Housing Development Corporation

An amount of \$68,192 (2019 - \$53,799) was provided for as at March 31, 2020 as the Municipality's share of the deficit of the Nova Scotia Housing Development Corporation for the period April 1, 2019 to March 31, 2020.

Annapolis Valley Regional Library Board

During 2019-20, the Municipality paid \$95,764 (2019 - \$95,764) as its share of the operations of the Annapolis Valley Regional Library Board, which serves Annapolis, Kings, and West Hants.

Annapolis Valley Regional School Board

During 2019-20, the Municipality paid \$3,519,672 (2019 - \$3,423,169) as its share of the operations of the Annapolis Valley Regional School Board, which serves Annapolis, Kings, and West Hants.

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

3. ACCOUNTS RECEIVABLE			<u>2020</u>	<u>2019</u>
	Current year	Prior years	Total	Total
Taxes receivable				
Balance, net of prepaid taxes, beginning of year	\$ -	\$ 1,686,375	\$ 1,686,375	\$ 1,533,431
Current year tax levy	13,058,548	-	13,058,548	12,406,164
	<u>13,058,548</u>	<u>1,686,375</u>	<u>14,744,923</u>	<u>13,939,595</u>
Deduct:				
Current year collections	12,183,088	1,155,718	13,338,806	12,313,852
Reduced taxes	-	-	-	54,671
Collections for future taxes	(365,666)	-	(365,666)	(313,792)
	<u>11,817,422</u>	<u>1,155,718</u>	<u>12,973,140</u>	<u>12,054,731</u>
Total taxes receivable	<u>\$ 1,241,126</u>	<u>\$ 530,657</u>	<u>1,771,783</u>	<u>1,884,864</u>
Valuation allowance			<u>(35,796)</u>	<u>(37,962)</u>
Net taxes receivable			1,735,987	1,846,902
Water rates and Sewer charges			678,339	328,418
Due from federal government and its agencies			537,080	147,847
Due from Region 6 Waste Management			31,208	499,732
Due from Region of Windsor and West Hants Municipality			34,631	98,225
Due from province of Nova Scotia			597,881	656,769
Due from other local governments			1,715,276	641,358
			<u>\$ 5,330,402</u>	<u>\$ 4,219,251</u>
4. LONG-TERM DEBT			<u>2020</u>	<u>2019</u>
Royal Bank of Canada, Demand loan, bearing interest at 0.6% plus			\$ 759,350	\$ -
Municipal Finance Corporation debenture, bearing interest at a variable rate from 1.39% to 1.90%, with annual principal repayments of \$89,000 plus interest; maturing in 2020.			1,424,000	1,513,000
Municipal Finance Corporation debenture, bearing interest at a variable rate from 4.76% to 4.88%, with annual principal repayments of \$43,333 plus interest; maturing in 2020.			693,338	736,671
Municipal Finance Corporation debenture, bearing interest at a variable rate from 4.12% to 4.94%, repayable in annual instalments of \$54,000 plus interest; maturing in 2024.			270,000	324,000
Carried forward			<u>3,146,688</u>	<u>2,573,671</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

4. LONG TERM DEBT (continued)	2020	2019
Brought forward	3,146,688	2,573,671
Municipal Finance Corporation debenture, bearing interest at a variable rate from 2.99% to 4.03%, repayable in annual instalments of \$37,667 plus interest; maturing in 2026.	263,664	301,331
Municipal Finance Corporation debenture, bearing interest at a variable rate from 4.18% to 4.88%, with annual principal repayments of \$35,400 plus interest; maturing in 2025.	209,400	244,800
Municipal Finance Corporation debenture, bearing interest at a variable rate from 2.79% to 3.86%, with annual principal repayments of \$20,500 plus interest; maturing in 2027.	141,500	162,000
Municipal Finance Corporation debenture, bearing interest at a variable rate from 4.67% to 4.89%, with annual principal repayments of \$23,050 plus interest; maturing in 2019.	-	23,050
Municipal Finance Corporation debenture, bearing interest at a variable rate from 1.92% to 3.35%, with annual principal repayments of \$4,500 plus interest; maturing in 2024.	22,500	27,000
Municipal Finance Corporation debenture, bearing interest at a variable rate from 1.25% to 3.11%, with annual principal repayments of \$154,000 plus interest; maturing in 2031.	1,478,000	1,632,000
Municipal Finance Corporation debenture, bearing interest at a variable rate from 1.44% to 2.93%, with annual principal repayments of \$218,603 plus interest; maturing in 2026.	1,530,223	1,748,826
Municipal Finance Corporation debenture, bearing interest at a variable rate from 1.73% to 3.07%, with annual principal repayments of \$59,700 plus interest; maturing in 2027.	477,600	537,300
Municipal Finance Corporation debenture, bearing interest at a variable rate from 2.063% to 3.50%, with annual principal repayments of \$49,944 plus interest; maturing in 2033.	1,198,659	1,248,603
Municipal Finance Corporation debenture, bearing interest at a variable rate from 2.015% to 2.265%, with annual principal repayments of \$18,754 plus interest; maturing in 2024.	93,772	-
Carried forward	8,562,006	8,498,581

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

		<u>2020</u>	<u>2019</u>
4. LONG TERM DEBT (continued)			
Brought forward		8,562,006	8,498,581
Municipal Finance Corporation debenture, bearing interest at a variable rate from 0% to 3.05%, with annual principal repayments of \$16,500 plus interest; maturing in 2024.		66,002	82,502
		<u>\$ 8,628,008</u>	<u>\$ 8,581,083</u>

All long-term debt outstanding has been authorized by Nova Scotia Department of Municipal Affairs.

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

5. TANGIBLE CAPITAL ASSETS

General Capital Fund

	Cost 2019	Additions	Disposals	Cost 2020	Accumulated Amortization 2019	Adjustments	Amortization Expense	Accumulated Amortization 2020	Net Book Value 2020
Land	\$ 2,943,527	\$ 289,418	\$ -	\$ 3,232,945	\$ -	\$ -	\$ -	\$ -	\$ 3,232,945
Parks	536,139	229,234	-	765,373	202,024	-	30,426	232,450	532,923
Buildings	8,742,109	8,508,524	-	17,250,633	2,517,591	-	216,119	2,733,710	14,516,923
Motor vehicles	731,598	45,946	-	777,544	566,578	-	91,677	658,255	119,289
Sewer lagoon	159,293	-	-	159,293	39,273	-	3,186	42,459	116,834
Sewers	11,806,426	311,151	-	12,117,577	4,454,256	(6,301)	331,193	4,779,148	7,338,429
Roads	5,354,484	642,646	-	5,997,130	1,213,303	-	163,854	1,377,157	4,619,973
Equipment	8,682,081	82,486	-	8,764,567	4,161,818	-	787,845	4,949,663	3,814,904
Donated assets (sewer)	1,589,523	-	-	1,589,523	107,359	-	72,368	179,727	1,409,796
	<u>\$ 40,545,180</u>	<u>\$ 10,109,405</u>	<u>\$ -</u>	<u>\$ 50,654,585</u>	<u>\$ 13,262,202</u>	<u>-\$ 6,301</u>	<u>\$ 1,696,668</u>	<u>\$ 14,952,569</u>	<u>\$ 35,702,016</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

DRAFT

AS AT MARCH 31, 2020

5. TANGIBLE CAPITAL ASSETS (continued)

General Capital Fund

	Cost 2018	Additions	Disposals	Cost 2019	Accumulated Amortization 2018	Amortization Expense	Accumulated Amortization 2019	Net Book Value 2019
Land	\$ 2,943,527	\$ -	\$ -	\$ 2,943,527	\$ -	\$ -	\$ -	\$ 2,943,527
Parks	453,637	82,502	-	536,139	182,286	19,738	202,024	334,115
Buildings	8,697,901	44,208	-	8,742,109	2,300,356	217,235	2,517,591	6,224,518
Motor vehicles	702,097	29,501	-	731,598	467,187	99,391	566,578	165,020
Sewer lagoon	159,293	-	-	159,293	36,087	3,186	39,273	120,020
Sewers	11,485,343	321,083	-	11,806,426	4,129,286	324,970	4,454,256	7,352,170
Roads	4,889,011	465,473	-	5,354,484	1,013,918	199,385	1,213,303	4,141,181
Equipment	8,215,911	466,170	-	8,682,081	3,361,346	800,472	4,161,818	4,520,263
Donated assets (sewer)	1,589,523	-	-	1,589,523	80,077	27,282	107,359	1,482,164
	<u>\$ 39,136,243</u>	<u>\$ 1,408,937</u>	<u>\$ -</u>	<u>\$ 40,545,180</u>	<u>\$ 11,570,543</u>	<u>\$ 1,691,659</u>	<u>\$ 13,262,202</u>	<u>\$ 27,282,978</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

5. TANGIBLE CAPITAL ASSETS (continued)

Water Capital

	Cost 2019	Additions	Disposals	Cost 2020	Accumulated Amortization 2019	Adjustments	Amortization Expense	Accumulated Amortization 2020	Net Book Value 2020
Intangible assets	\$ 5,928	\$ -	\$ -	\$ 5,928	\$ -	\$ -	\$ -	\$ -	\$ 5,928
Land and land rights									
Land	257,055	-	-	257,055	-	-	-	-	257,055
Source of supply	256,840	-	-	256,840	95,225	-	3,339	98,564	158,276
Structures and improvements									
Water treatment structures	191,733	40,240	-	231,973	65,454	-	3,881	69,335	162,638
Falmouth water plant	1,020,298	-	-	1,020,298	270,583	-	20,406	290,989	729,309
Water treatment building	631,272	-	-	631,272	186,190	-	9,531	195,721	435,551
Reservoir	786,528	-	-	786,528	200,189	-	10,225	210,414	576,114
Sludge pond	63,088	-	-	63,088	9,906	-	820	10,726	52,362
Equipment									
Pumping	89,929	9,068	-	98,997	21,320	-	1,980	23,300	75,697
Water treatment	2,669,077	-	-	2,669,077	872,854	-	113,344	986,198	1,682,879
Mains	3,320,789	423,701	-	3,744,490	719,885	(51,004)	51,064	719,945	3,024,545
Meters	1,007,683	11,691	(152)	1,019,222	498,219	-	50,961	549,180	470,042
Transportation	88,887	44,265	-	133,152	92,083	-	18,921	111,004	22,148
Hydrants	395,096	15,000	-	410,096	166,560	-	5,822	172,382	237,714
Services	439,028	430,892	-	869,920	104,898	-	17,399	122,297	747,623
Other assets	133,643	4,255	-	137,898	122,117	1,205	7,460	130,782	7,116
Donated assets	2,083,711	38,604	-	2,122,315	187,971	-	31,691	219,662	1,902,653
	\$ 13,440,585	\$ 1,017,716	-\$ 152	\$ 14,458,149	\$ 3,613,454	-\$ 49,799	\$ 346,844	\$ 3,910,499	\$ 10,547,650

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

5. TANGIBLE CAPITAL ASSETS (continued)

Falmouth Water Capital

	Cost 2018	Additions	Disposals	Cost 2019	Accumulated Amortization 2018	Amortization Expense	Accumulated Amortization 2019	Net Book Value 2019
Intangible assets	\$ 1,292	\$ -	\$ -	\$ 1,292	\$ -	\$ -	\$ -	\$ 1,292
Land and land rights								
Land	151,060	-	-	151,060	-	-	-	151,060
Source of supply	173,135	-	-	173,135	46,444	2,251	48,695	124,440
Structures and improvements								
Water treatment structures	93,853	-	-	93,853	21,457	1,877	23,334	70,519
Falmouth water plant	477,689	542,609	-	1,020,298	250,177	20,406	270,583	749,715
Water treatment building	189,292	-	-	189,292	104,945	3,786	108,731	80,561
Reservoir	786,528	-	-	786,528	189,944	10,245	200,189	586,339
Sludge pond	63,088	-	-	63,088	9,086	820	9,906	53,182
Equipment								
Pumping	76,870	13,059	-	89,929	19,521	1,799	21,320	68,609
Water treatment	98,971	-	-	98,971	65,654	4,949	70,603	28,368
Mains								
Transmission	58,404	-	-	58,404	28,588	759	29,347	29,057
Distribution	472,089	-	-	472,089	216,574	6,137	222,711	249,378
Meters	486,192	15,632	1,837	499,987	231,625	24,456	256,081	243,906
Transportation	50,341	-	-	50,341	51,940	1,599	53,539	(3,198)
Hydrants	75,857	-	-	75,857	39,583	986	40,569	35,288
Services	163,430	-	2,180	161,250	33,828	3,269	37,097	124,153
Other assets	66,042	2,411	-	68,453	55,670	13,691	69,361	(908)
Donated assets	574,035	-	-	574,035	79,932	11,481	91,413	482,622
	\$ 4,058,168	\$ 573,711	\$ 4,017	\$ 4,627,862	\$ 1,444,968	\$ 108,511	\$ 1,553,479	\$ 3,074,383

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

5. TANGIBLE CAPITAL ASSETS (continued)

Hantsport Water Capital

	Cost 2018	Additions	Disposals	Cost 2019	Accumulated Amortization 2018	Amortization Expense	Adjustment	Accumulated Amortization 2019	Net Book Value 2019
Land and land rights									
Land	\$ 105,995	\$ -	\$ -	\$ 105,995	\$ -	\$ -	\$ -	\$ -	\$ 105,995
Source of supply	51,275	-	-	51,275	37,542	667	-	38,209	13,066
Structures and improvements									
Water pumping structures	37,323	-	-	37,323	21,365	571	-	21,936	15,387
Water treatment building	441,980	-	-	441,980	71,713	5,746	-	77,459	364,521
Water rate study	-	2,418	-	2,418	-	482		482	1,936
Equipment									
Water treatment equipment	2,558,462	-	-	2,558,462	684,647	105,960	-	790,607	1,767,855
Safety equipment	4,792	-	-	4,792	4,792	-	-	4,792	-
Mains	1,503,073	-	-	1,503,073	197,681	19,540	-	217,221	1,285,852
Meters	78,576	-	-	78,576	50,944	3,929	-	54,873	23,703
Hydrants	97,899	-	-	97,899	19,799	1,958	-	21,757	76,142
Services	75,031	-	-	75,031	24,190	1,501	-	25,691	49,340
	<u>\$4,954,406</u>	<u>\$ 2,418</u>	<u>\$ -</u>	<u>\$ 4,956,824</u>	<u>\$ 1,112,673</u>	<u>\$ 140,354</u>	<u>\$ -</u>	<u>\$ 1,253,027</u>	<u>\$ 3,703,797</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
AS AT MARCH 31, 2020

5. TANGIBLE CAPITAL ASSETS (continued)

Three Mile Plains Water Capital

	Cost 2018	Additions	Disposals	Cost 2019	Accumulated Amortization 2018	Amortization Expense	Adjustment	Accumulated Amortization 2019	Net Book Value 2019
Intangible assets	\$ 4,636	\$ -	\$ -	\$ 4,636	\$ -	\$ -	\$ -	\$ -	\$ 4,636
Land and land rights									
Source of supply	32,430	-	-	32,430	7,899	422	-	8,321	24,109
Structures and improvements									
Water pumping structures	53,057	11,188	3,688	60,557	18,973	1,211	-	20,184	40,373
Equipment									
Safety equipment	6,852	-	-	6,852	6,852	-	-	6,852	-
Mains	22,478	-	-	22,478	1,143	292	-	1,435	21,043
Transmission	276,067	-	-	276,067	109,077	3,589	-	112,666	163,401
Distribution	988,678	163,347	163,347	988,678	187,359	12,853	63,707	136,505	852,173
Meters	418,338	16,926	6,144	429,120	165,809	21,456	-	187,265	241,855
Transportation	38,546	-	-	38,546	38,544	-	-	38,544	2
Hydrants	221,340	-	-	221,340	101,447	2,877	-	104,324	117,016
Services	202,137	610	-	202,747	38,056	4,054	-	42,110	160,637
Other assets	45,030	17,742	-	62,772	41,720	10,554	-	52,274	10,498
Donated assets	1,509,676	-	-	1,509,676	76,848	19,710	-	96,558	1,413,118
	\$ 3,819,265	\$ 209,813	\$ 173,179	\$ 3,855,899	\$ 793,727	\$ 77,018	\$ 63,707	\$ 807,038	\$ 3,048,861

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

6. RATE OF RETURN ON RATE BASE

For the year ended March 31, 2020 the Water Utility had a rate of return on rate base of 2.29% (1.92% in 2019). The rate of return is calculated using the amortization approved by the Nova Scotia Utility and Review Board.

7. DISCLOSURE OF REMUNERATION

The total remuneration paid to each member of Municipal Council and to the Chief Administrative Officer is as follows:

Council

Abraham Zebian Warden
Paul Morton Deputy Warden (District #8)
Rupert Jannasch Councillor (District # 1)
Kathy Monroe Councillor (District #2)
David Keith Councillor (District #3)
Tanya Leopold Councillor (District #4)
Debbie Francis Councillor (District #5)
Randy Hussey Councillor (District #6)
Jennifer Daniels Councillor (District #7)
Robbie Zwicker Councillor (District #10)

Elected Officials

	Salary	Allowance
	\$	\$
Abraham Zebian Warden	46,335	1,579
Paul Morton Deputy Warden (District #8)	27,260	-
Rupert Jannasch Councillor (District # 1)	22,617	1,994
Kathy Monroe Councillor (District #2)	22,667	1,233
David Keith Councillor (District #3)	22,617	60
Tanya Leopold Councillor (District #4)	22,617	410
Debbie Francis Councillor (District #5)	22,717	-
Randy Hussey Councillor (District #6)	22,317	-
Jennifer Daniels Councillor (District #7)	22,417	746
Robbie Zwicker Councillor (District #10)	22,467	-
	<u>\$ 254,031</u>	<u>\$ 6,022</u>
<u>Chief Administrative Officer</u>	<u>\$ 172,640</u>	<u>\$ 3,918</u>

8. DEFERRED REVENUE

Tax and user charges
Gas tax
Other

	<u>2020</u>	<u>2019</u>
	\$	\$
Tax and user charges	365,666	313,792
Gas tax	4,659,522	3,972,973
Other	832,130	601,292
	<u>\$ 5,857,318</u>	<u>\$ 4,888,057</u>

Tax and user charges represent funds collected for which the related services have yet to be performed.

Gas tax represents funds received from the Federal Government that have not yet been used to fund eligible projects under the terms of the Gas Tax Agreement. These funds remain in deferred revenue until the stipulations for their use have been met.

Tax Sale Surplus - the Municipal Government Act requires a twenty year holding period for maintaining these funds.

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

9. PENSION PLANS

Defined contribution plan

The Municipality provides its employees with a defined contribution pension plan. The Municipality will match the employees contribution up to a maximum of 6%. During the year the Municipality contributed \$114,028

Defined benefit plan

The Municipality provides a pension to the surviving spouse of a retired former Town of Hantsport clerk and uses the accrual method of accounting. The Municipality estimates its obligation based on the present value of the remaining term of the agreement.

Pension cost	\$ 17,439
Accrued benefit obligation	\$ 124,147

The Municipality provides a pension to a retired Municipal clerk and uses the accrual method of accounting. The Municipality estimates its obligation to the retired clerk based on estimated life expectancy and future inflation rate of 2%.

Pension cost	\$ 16,074
Accrued benefit obligation	\$ 99,108

10. SEGMENTED INFORMATION

The Municipality of the District of West Hants is a municipal unit that provides a wide range of services to its residents. The Municipality's operations and activities are organized and reported by fund for the purpose of recording specific activities to meet objectives as outlined by legislation, special regulation, or other limitations and restrictions.

Services are provided by department and their activity is reported in these funds.

General government services

Legislative - The council serves as elected representatives of the Municipality of the District of West Hants. It facilitates the decision-making process. In this role it formulates policy and provides strategic direction to guide the Chief Administrative Officer.

Administrative - This department is responsible for financial and local government administration. Functions include budget and financial statement preparation, tax collection, the Municipal Government Act administration, and accounts payable and receivable.

Protection services

The Municipality contracts with the Royal Canadian Mounted Police for police services. Fire protection is provided by grants to fire departments throughout the Municipality.

The Municipality supplies animal control services through this department.

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

AS AT MARCH 31, 2020

DRAFT

10. SEGMENTED INFORMATION (continued)

Transportation services

Transportation services provides the administration and provision of engineering and works, and street lighting.

Environmental health services

This department provides for sewage collection and treatment, solid waste collection and recycling.

Public health services

Public health services provides a transfer to the Regional Housing Authority.

Environmental development services

Environmental planning and zoning administers policy and enforces codes, by-laws, and regulations pertaining to the Municipal Planning Strategy.

Recreation and cultural services

This department is responsible for promoting and offering opportunities and activities to residents.

Water treatment and distribution

The water utilities provide the delivery of drinking water through supply, pumping, treatment, and distribution to its users.

11. COMPARATIVE FIGURES

In some instances, the comparative prior year figures have been reclassified to conform to the current year's financial statement presentation.

12. OTHER MATTERS

An April 1, 2020 the Municipality of the District of West Hants transferred all assets, liabilities and reserves to the Region of Windsor and West Hants Municipality. Reserves and debt balances held by the former Municipality shall be restricted to the responsibilities and benefit of the former Municipality boundaries as determined by the utility and Review Board, prior to April 1, 2020

The Transfer was due to the voluntary consolidation of the former Town of Windsor and Municipality of the District of West Hants, mandated by Provincial Legislation under Bill 55. All restructuring costs were incurred by the Region of Windsor and West Hants Municipality,

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS

YEAR ENDED MARCH 31, 2020

DRAFT

13. CONSOLIDATED SCHEDULE OF OPERATIONS BY FUNCTION

	General Gov't	Protective Services	Transportation Services	Env. Health Services	Public Health Services	Env. Development Services	Recreation and Cultural Services	Water Utility	2020
REVENUE									
TAXES	\$ 10,848,949	\$ -	\$ -	\$ 1,043,387	\$ -	\$ -	\$ -	\$ -	\$ 11,892,336
PAYMENTS IN LIEU OF TAXES	126,894	-	1,150	-	-	-	-	-	128,044
SERVICES PROVIDED TO OTHER LOCAL GOVERNMENTS	80,356	31,064	-	396,533	-	-	-	-	507,953
SALE OF SERVICES	169,694	-	-	-	-	-	26,160	-	195,854
OTHER REVENUE FROM OWN SOURCES	566,188	-	-	-	2,468	-	3,600	-	572,256
UNCONDITIONAL TRANSFERS FROM OTHER GOV'TS	218,031	5,133	-	-	-	-	-	-	223,164
CONDITIONAL TRANSFERS FROM FEDERAL OR PROVINCIAL GOVERNMENTS AND AGENCIES	9,083	116,623	31,200	-	-	-	57,156	-	214,062
CONDITIONAL TRANSFERS FROM OTHER LOCAL GOVERNMENTS	1,385,687	-	101,900	20,297	-	-	3,562,739	-	5,070,623
WATER RATES	-	-	-	-	-	-	-	2,114,414	2,114,414
INTEREST	64,066	-	-	2,574	-	-	-	7,342	73,982
TOTAL REVENUE	13,468,948	152,820	134,250	1,462,791	2,468	-	3,649,655	2,121,756	20,992,688
EXPENDITURES									
SALARIES, WAGES AND BENEFITS	1,153,344	315,400	167,688	293,185	-	583,469	395,469	-	2,908,555
OPERATING COSTS	1,266,245	3,976,328	501,554	1,452,071	68,192	123,964	550,375	1,501,408	9,440,137
AMORTIZATION	1,095,641	-	163,854	406,747	-	-	30,426	346,844	2,043,512
OTHER	162,139	-	-	-	-	-	-	74,289	236,428
INTEREST ON LONG-TERM DEBT	200,115	-	-	13,145	-	-	-	42,556	255,816
TOTAL EXPENDITURES	3,877,484	4,291,728	833,096	2,165,148	68,192	707,433	976,270	1,965,097	14,884,448
SURPLUS (DEFICIT)	\$ 9,591,464	\$ (4,138,908)	\$ (698,846)	\$ (702,357)	\$ (65,724)	\$ (707,433)	\$ 2,673,385	\$ 156,659	\$ 6,108,240

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
NON-CONSOLIDATED STATEMENT OF FINANCIAL POSITION
OF THE GENERAL OPERATING FUND
AS AT MARCH 31, 2020

DRAFT

	<u>2020</u>	<u>2019</u>
ASSETS		
Cash	\$ 736,550	\$ 1,715,251
Taxes receivable (net of valuation allowance \$35,796, 2019 - \$37,962)	1,735,986	1,849,683
Sewer rates receivable	305,079	6,120
Due from other local governments	1,236,308	372,630
Due from Province of Nova Scotia	597,881	656,769
Due from Regional 6 Waste Management	31,208	499,732
Due from Region of Windsor and West Hants Municipality	34,632	98,225
Harmonized sales tax	534,655	145,422
Due from		
General capital	5,557,517	1,895,192
Water operating	94,194	407,276
Water capital	-	19,446
Hantsport cemetery	2,817	1,882
Due from library reserve	2,571	-
Prepaid expenses	72,852	94,735
	<u>\$ 10,942,250</u>	<u>\$ 7,762,363</u>
LIABILITIES		
Accounts payable and accrued liabilities	\$ 2,517,996	\$ 1,841,643
Pension liability	124,147	141,586
Due to trust funds	2,540	2,510
Due to		
Capital reserve	1,769,658	1,522,642
Special reserves	1,670,678	463,156
Operating reserve	2,721,777	2,129,699
Water capital	201,177	375,764
	<u>9,007,973</u>	<u>6,477,000</u>
OTHER LIABILITIES		
Prepayment of taxes and sewer charges	365,666	316,569
Diversion credits	12,320	12,320
Deferred revenue	344,048	226,537
Tax sale surplus	290,677	595,804
	<u>1,012,711</u>	<u>1,151,230</u>
	<u>10,020,684</u>	<u>7,628,230</u>
ACCUMULATED SURPLUS (DEFICIT)	<u>921,566</u>	<u>134,133</u>
	<u>\$ 10,942,250</u>	<u>\$ 7,762,363</u>

On behalf of the Municipality of the District of West Hants

Warden

CAO

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE GENERAL OPERATING FUND

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> (unaudited)	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
REVENUE			
Assessable property taxes (page 26)	\$ 11,619,638	\$ 11,892,336	\$ 11,027,468
Grants in lieu of taxes (page 27)	119,726	128,044	129,018
Services provided to other governments (page 27)	828,377	786,352	757,472
Sales of services (page 27)	205,080	195,854	204,055
Other revenue from own sources (page 27)	448,876	566,073	716,661
Unconditional transfers from other governments (page 28)	222,566	223,164	222,493
Conditional transfers from federal and provincial governments and agencies (page 28)	73,437	71,606	50,087
Conditional transfers from other local governments (page 28)	315,386	169,062	125,207
	<u>13,833,086</u>	<u>14,032,491</u>	<u>13,232,461</u>
EXPENDITURES			
General government services (page 29)	2,205,784	2,633,097	2,455,191
Protective services (page 29)	5,103,389	4,298,428	4,773,527
Transportation services (page 30)	658,296	680,514	656,333
Environmental health services (page 30)	2,246,945	1,831,859	2,244,076
Public health services (page 31)	60,000	68,192	53,799
Environmental development services (page 31)	619,961	707,433	628,726
Recreation and cultural services (page 31)	968,699	912,105	800,458
Other transfers (page 31)	176,991	162,139	164,784
	<u>12,040,065</u>	<u>11,293,767</u>	<u>11,776,894</u>
NET REVENUE	<u>1,793,021</u>	<u>2,738,724</u>	<u>1,455,567</u>
FINANCING AND TRANSFERS			
Debenture principal instalments	(1,217,166)	(913,984)	(711,120)
Net transfer from (to) own reserves, funds and agencies	(575,855)	(903,051)	(610,584)
	<u>(1,793,021)</u>	<u>(1,817,035)</u>	<u>(1,321,704)</u>
Change in fund balance	-	921,689	133,863
Opening fund balance		134,133	1,072,860
Opening surplus transferred to operating reserve		134,256	1,072,590
Closing fund balance		<u><u>\$ 921,566</u></u>	<u><u>\$ 134,133</u></u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED SCHEDULE OF GENERAL OPERATING FUND REVENUES

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> (unaudited)	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
Taxes			
Assessable property			
Residential	\$ 10,727,503	\$ 10,710,175	\$ 10,090,734
Commercial	1,242,484	1,247,890	1,200,696
Resource			
Taxable assessments	399,033	397,536	374,199
Resource non-profit	5,655	5,653	5,653
Forest property tax (less than 50,000 acres)	22,955	22,838	22,921
Forest property tax (50,000 acres or more)	19,431	14,050	19,329
Area rates			
Hantsport Community Rate - Residential	388,291	387,800	389,031
Hantsport Community Rate - Commercial	283,255	272,181	303,176
Hantsport Community Rate - Resource	-	425	425
Business property			
Aliant	69,920	65,007	69,920
Nova Scotia Power - Grant in lieu	200,127	200,127	192,906
HST Rebate	50,000	46,335	71,846
Special assessments			
Sewer rates	1,012,100	1,043,387	842,260
Falmouth sewer		-	-
Falmouth sewer capital charge		-	118,275
Deed transfer tax	702,622	987,199	738,423
Subdivision by-law	16,000	11,405	10,843
	<u>15,139,376</u>	<u>15,412,008</u>	<u>14,450,637</u>
Less:			
Appropriation to Regional School Board	3,519,738	3,519,672	3,423,169
Total taxes	<u><u>\$ 11,619,638</u></u>	<u><u>\$ 11,892,336</u></u>	<u><u>\$ 11,027,468</u></u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED SCHEDULE OF GENERAL OPERATING FUND REVENUES (CONTINUED)

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> (unaudited)	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
Grants in lieu of taxes			
Federal government	\$ 61,579	\$ 59,105	\$ 58,842
Federal government agencies			
Canada Post	-	10,268	10,252
Provincial government			
Property of supported institutions	25,729	25,106	25,657
Crown land	32,418	32,415	32,569
Fire protection	-	-	-
Street lights	-	1,150	1,698
Total grants in lieu of taxes	<u>\$ 119,726</u>	<u>\$ 128,044</u>	<u>\$ 129,018</u>
Services provided to other governments			
Protective services - REMO	\$ 28,827	\$ 31,064	\$ 21,389
Environmental Health Services - recycling	66,500	7,207	19,848
Environmental Development Services - host fees	360,000	396,533	358,056
Closed landfill	72,360	57,846	65,078
Fiscal services courthouse	71,201	71,998	73,550
Administrative	229,489	221,704	219,551
Total services provided to other governments	<u>\$ 828,377</u>	<u>\$ 786,352</u>	<u>\$ 757,472</u>
Sales of services			
Wind farms	\$ 169,080	\$ 169,694	\$ 168,236
Summer programs and St. Croix rental	36,000	26,160	35,819
Total sales of services	<u>\$ 205,080</u>	<u>\$ 195,854</u>	<u>\$ 204,055</u>
Other revenue from own sources			
Licenses and permits	\$ 40,000	\$ 42,505	\$ 45,922
Fines and fees	21,000	21,687	22,671
Rentals	3,600	3,600	3,600
Return on investment	50,000	62,918	72,628
Penalties and interest on taxes	240,000	268,624	279,381
Interest on receivables	-	1,148	1,090
Other	94,276	165,591	91,369
Diversion credit revenue	-	-	200,000
Total other revenue from own sources	<u>\$ 448,876</u>	<u>\$ 566,073</u>	<u>\$ 716,661</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED SCHEDULE OF GENERAL OPERATING FUND REVENUES (CONTINUED)

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> <u>(unaudited)</u>	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
Unconditional transfers from other governments			
Provincial governments			
Equalization grant	\$ 132,305	\$ 132,305	\$ 132,305
Farm property acreage grant	85,151	85,151	84,494
911 cost recovery	5,110	5,133	5,119
Other	-	575	575
Total unconditional transfers from other governments	<u>\$ 222,566</u>	<u>\$ 223,164</u>	<u>\$ 222,493</u>
Conditional transfers from federal and provincial governments and agencies			
Provincial government	\$ 73,437	\$ 71,606	\$ 50,087
Total conditional transfers from federal and provincial governments and agencies	<u>\$ 73,437</u>	<u>\$ 71,606</u>	<u>\$ 50,087</u>
Conditional transfers from other local governments			
Based on special tax agreement	\$ 135,363	\$ -	\$ 10,338
Kings transit surplus	-	31,200	-
Kings County fire service	59,955	63,207	57,578
West Hants fire grant	-	25,000	-
Glooscap fire grant	7,065	7,064	7,064
Glooscap miscellaneous	30,000	9,083	18,110
Kings County capital fire grant	83,003	21,352	21,540
West Hants recreation grant	-	12,156	10,577
Total conditional transfers from other local governments	<u>\$ 315,386</u>	<u>\$ 169,062</u>	<u>\$ 125,207</u>
Total Revenues	<u>\$ 13,833,086</u>	<u>\$ 14,032,491</u>	<u>\$ 13,232,461</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED SCHEDULE OF GENERAL OPERATING FUND EXPENDITURES YEAR ENDED MARCH 31, 2020

	<u>Budget</u> <u>(unaudited)</u>	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
General government services			
Legislative			
Warden and Deputy Warden	\$ 49,080	\$ 47,913	\$ 44,422
Council	245,400	223,400	199,222
General administrative			
Administrative	508,846	537,992	583,850
Financial management	486,894	509,431	446,939
Other legislative services	93,797	248,583	17,640
Taxation	55,450	65,089	45,855
Assessment services contribution	285,741	286,455	279,847
Common services	1,050	176	2,275
Other general services			
Other general administrative services	444,529	383,443	511,629
General and public liability insurance	97,000	92,451	94,320
Grants to organizations	31,500	38,049	44,460
Debt charges			
Debenture interest	200,977	200,115	184,732
Total general government services	<u>\$ 2,205,784</u>	<u>\$ 2,633,097</u>	<u>\$ 2,455,191</u>
Protective services			
RCMP services	\$ 2,393,546	\$ 2,417,092	\$ 2,359,640
By-law enforcement	86,239	76,735	77,342
Fire protection			
Brooklyn fire department	322,729	305,735	372,374
Tonge Hill fire department	103,950	98,576	107,250
Summerville fire department	229,950	212,469	258,000
Walton fire department	42,165	42,165	38,850
Southwest Hants fire department	79,786	103,957	103,224
Mount Uniacke fire department	30,089	30,089	33,432
Hantsport fire department	188,908	246,605	194,337
Gardlands Crossing fire department	32,040	29,913	38,910
Municipal fire services	55,700	46,029	41,238
Falmouth water utility	594,710	-	103,763
Three Mile Plains/Wentworth water utility	-	-	215,039
Hantsport water utility	-	-	151,964
Windsor water utility	167,405	155,095	155,095
Emergency measures	87,354	55,506	58,566
Other protective services	315,692	274,740	261,507
Transfer to correction services	203,722	203,722	202,996
Other interest	169,404	-	-
Total protective services	<u>\$ 5,103,389</u>	<u>\$ 4,298,428</u>	<u>\$ 4,773,527</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED SCHEDULE OF GENERAL OPERATING FUND EXPENDITURES (CONTINUED)

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> <u>(unaudited)</u>	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
Transportation services			
Roads and streets	\$ 631,796	\$ 654,875	\$ 630,870
Street lighting	26,500	25,639	25,463
Total transportation services	<u>\$ 658,296</u>	<u>\$ 680,514</u>	<u>\$ 656,333</u>
 Environmental health services			
Three Mile Plains/Wentworth sewer			
Sewage collection system	\$ 23,500	\$ 1,147	\$ 5,489
Administration	833,726	192,570	114,777
Lift station	60,600	65,163	49,988
Sewage treatment and disposal	142,456	55,446	54,277
Falmouth sewer			
Sewage collection system	-	383	6,288
Administration	-	122,633	177,659
Lift station	-	26,603	26,931
Sewage treatment and disposal	-	119,424	104,058
Sewage treatment and disposal Kings County	-	94,853	41,224
Hantsport sewer			
Sewage collection system	-	548	1,727
Administration	-	23,020	42,558
Lift station	-	3,725	3,122
Garbage and waste collection	1,053,873	1,048,147	1,513,098
Landfill	59,300	57,845	66,645
Recycling	47,200	7,207	15,227
Debt charges			
Debenture interest	26,290	13,145	21,008
Total environmental health services	<u>\$ 2,246,945</u>	<u>\$ 1,831,859</u>	<u>\$ 2,244,076</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED SCHEDULE OF GENERAL OPERATING FUND EXPENDITURES (CONTINUED)

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> (unaudited)	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
Public health services			
Regional Housing Authority	\$ 60,000	\$ 68,192	\$ 53,799
Total public health services	<u>\$ 60,000</u>	<u>\$ 68,192</u>	<u>\$ 53,799</u>
Environmental development services			
Administration	\$ 545,445	\$ 623,959	\$ 510,517
Other	68,016	77,909	115,881
Industrial parks	6,500	5,565	2,328
Planning	-	-	-
Total environmental development services	<u>\$ 619,961</u>	<u>\$ 707,433</u>	<u>\$ 628,726</u>
Recreation and cultural services			
Administration	\$ 121,634	\$ 130,888	\$ 135,420
Active living coordinator	70,724	71,254	47,536
Recreation sites	131,095	124,781	152,030
Maintenance	168,469	153,739	158,338
Building and facilities	155,288	95,385	47,610
Day camp programs	110,455	129,073	99,107
After school programs	5,474	13,313	8,953
Recreation grants	121,000	109,797	94,664
Hantsport memorial community centre	84,560	83,875	56,800
Total recreation and cultural services	<u>\$ 968,699</u>	<u>\$ 912,105</u>	<u>\$ 800,458</u>
Other transfers			
Valley Regional Economic Network	\$ 48,891	\$ 48,891	\$ 50,262
Hantsport library	8,500	8,010	9,284
Regional library	107,600	95,764	95,764
Windsor library	12,000	9,474	9,474
Total other transfers	<u>\$ 176,991</u>	<u>\$ 162,139</u>	<u>\$ 164,784</u>
Total Expenditures	<u>\$ 12,040,065</u>	<u>\$ 11,293,767</u>	<u>\$ 11,776,894</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED SCHEDULE OF FINANCING AND TRANSFERS OF THE GENERAL OPERATING FUND

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> <u>(unaudited)</u>	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
Financing and transfers			
Principal instalments			
Debenture principal	\$ 1,117,556	\$ 814,374	\$ 582,970
Debenture principal - Hantsport	<u>99,610</u>	<u>99,610</u>	<u>128,150</u>
	<u>\$ 1,217,166</u>	<u>\$ 913,984</u>	<u>\$ 711,120</u>
Transfer to (from) own reserves funds and agencies			
Transfer from - Hantsport dissolution reserves	\$ (17,000)	\$ (78,026)	\$ (59,427)
Transfer (to) from - Water capital	-	-	-
Transfer from - Capital	-	-	(214,308)
Transfer to - Sewer capital reserves	-	351,244	222,021
Transfer to - Capital	(9,319)	21,411	89,211
Transfer to - General operating reserves	-	-	-
Transfer to - Cemetery fund	37,674	37,674	30,174
Transfer to - Capital reserves	548,500	570,748	542,913
Transfer to - 5% reserve	<u>16,000</u>	<u>-</u>	<u>-</u>
	<u>\$ 575,855</u>	<u>\$ 903,051</u>	<u>\$ 610,584</u>
Total Financing and Transfers	<u><u>\$ 1,793,021</u></u>	<u><u>\$ 1,817,035</u></u>	<u><u>\$ 1,321,704</u></u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS**NON-CONSOLIDATED STATEMENT OF FINANCIAL
POSITION OF THE GENERAL CAPITAL FUND****AS AT MARCH 31, 2020****DRAFT**

	<u>2020</u>	<u>2019</u>
ASSETS		
Cash	\$ 124,829	\$ 3,826
Receivables		
Third party gas tax	471,762	258,403
Due from		
Capital reserves	146,843	162,740
Operating reserves	1,388,703	18,052
Water capital	82,260	-
Special reserves	150,021	1,066,638
	<u>2,364,418</u>	<u>1,509,659</u>
Property and equipment, at cost	50,654,585	40,545,180
Accumulated amortization	(14,952,569)	(13,262,202)
Land held for resale	144,713	144,713
Investment in Valley Waste Resource Management	152,558	152,558
	<u>35,999,287</u>	<u>27,580,249</u>
	<u>\$ 38,363,705</u>	<u>\$ 29,089,908</u>
LIABILITIES		
Payables and accruals		
Trade accounts	\$ 847	\$ 847
Due to		
Municipal operating	5,557,516	1,895,192
Water operating	1,780	3,607
Water capital	-	5,823
Customer deposits	49,371	49,440
Deferred revenue	471,762	258,403
Debentures issued to provincial government or its agencies		
Nova Scotia Municipal Finance Corporation	6,974,520	7,626,812
Royal Bank of Canada	759,350	-
	<u>13,815,146</u>	<u>9,840,124</u>
FUND BALANCE	<u>24,548,559</u>	<u>19,249,784</u>
	<u>\$ 38,363,705</u>	<u>\$ 29,089,908</u>
On behalf of the Municipality of the District of West Hants		

Warden

CAO

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE GENERAL CAPITAL FUND

YEAR ENDED MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
REVENUE		
Province of Nova Scotia	\$ 3,517,739	\$ -
Other grants and contributions	65,297	-
Sewer deposits	3,714	12,374
Town of Windsor contribution to capital project	45,000	-
	<u>3,631,750</u>	<u>12,374</u>
EXPENDITURES		
Amortization	1,696,667	1,691,659
	<u>1,696,667</u>	<u>1,691,659</u>
NET EXPENDITURES	<u>1,935,083</u>	<u>(1,679,285)</u>
FINANCING AND TRANSFERS		
Transfers (to) from own reserves, funds & agencies		
Gas tax reserve	184,323	829,478
Capital reserve	154,259	110,670
Operating reserve	1,608,817	18,053
Hantsport transition roads capital reserve	566,045	189,016
Transfers to other reserves	-	37,661
Other transfers	264,606	86,399
Debt repayment	585,642	714,923
Total financing and transfers	<u>3,363,692</u>	<u>1,986,200</u>
Change in fund balance	5,298,775	306,915
Opening fund balance	<u>19,249,784</u>	<u>18,942,869</u>
Closing fund balance	<u>\$ 24,548,559</u>	<u>\$ 19,249,784</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL POSITION OF THE WATER UTILITY OPERATING FUND

AS AT MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
ASSETS		
Cash	\$ 175,834	\$ 168,804
Receivables		
Water rates (net of valuation allowance \$30,938)	370,963	328,418
Other	5,300	5,300
Inventory	-	74,581
Due from		
Municipal operating	-	-
Water capital	-	134,416
General capital	1,780	3,607
	<u>\$ 553,877</u>	<u>\$ 715,126</u>
LIABILITIES		
Payables and accruals	\$ 158,574	\$ 128,534
Deferred revenue	23,313	48,669
Customer deposits	30,185	57,352
Due to		
Municipal operating	94,194	407,275
Water capital	109,328	-
Reserve for future expenditures	62,362	42,361
	<u>477,956</u>	<u>684,191</u>
ACCUMULATED SURPLUS	<u>75,921</u>	<u>30,935</u>
	<u>\$ 553,877</u>	<u>\$ 715,126</u>

On behalf of the Municipality of the District of West Hants

Warden

CAO

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE WATER UTILITY OPERATING FUND

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> <u>(unaudited)</u>	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
OPERATING REVENUE			
Revenue from water rates	\$ 1,513,800	\$ 1,391,079	\$ 1,449,259
Water supply for fire protection	605,838	710,584	524,438
Other	11,000	11,850	15,476
Interest	2,000	3,844	3,427
Sprinkler service	1,000	900	2,860
	<u>2,133,638</u>	<u>2,118,257</u>	<u>1,995,460</u>
OPERATING EXPENDITURES			
Source of supply (page 37)	430,500	519,069	445,867
Power and pumping (page 37)	42,500	116,545	40,150
Water treatment (page 37)	311,379	310,736	282,287
Transmission and distribution (page 37)	640,378	479,669	580,391
Administration and general (page 37)	215,900	174,749	187,887
Depreciation	379,526	344,453	325,883
	<u>2,020,183</u>	<u>1,945,221</u>	<u>1,862,465</u>
NET OPERATING REVENUE (EXPENDITURES)	<u>113,455</u>	<u>173,036</u>	<u>132,995</u>
NON-OPERATING REVENUE			
Other	3,500	3,491	6,592
	<u>3,500</u>	<u>3,491</u>	<u>6,592</u>
NON-OPERATING EXPENDITURES			
Capital expenditures out of revenue	-	8,852	-
Transfer to reserves	10,000	20,000	
Debenture principal	60,133	60,133	
Interest repayment	46,822	42,556	
	<u>116,955</u>	<u>131,541</u>	<u>-</u>
Change in fund balance	-	44,986	139,587
Opening fund balance		<u>30,935</u>	<u>172,845</u>
Closing fund balance		<u>\$ 75,921</u>	<u>\$ 312,432</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED SCHEDULE OF EXPENDITURES OF THE WATER UTILITY OPERATING FUND

YEAR ENDED MARCH 31, 2020

	<u>Budget</u> <u>(unaudited)</u>	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
Source of supply			
Supervision and engineering	\$ 36,000	\$ 110,455	\$ 34,389
Supplies and other expenses	7,500	8,011	
Water purchased	385,500	400,467	409,723
Maintenance of plant	1,500	136	1,755
	<u>\$ 430,500</u>	<u>\$ 519,069</u>	<u>\$ 445,867</u>
Power and pumping			
Supervision and engineering	\$ 36,000	\$ 110,455	\$ 34,389
Power purchased	6,000	5,284	5,309
Maintenance	500	806	452
	<u>\$ 42,500</u>	<u>\$ 116,545</u>	<u>\$ 40,150</u>
Water treatment			
Supervision and engineering	\$ 105,000	\$ 110,455	\$ 97,371
Power purchased	60,000	18,044	59,599
Supplies and expenses	64,000	79,616	62,866
Insurance	-	-	2,953
Maintenance of structures and improvements	40,379	44,066	40,634
Maintenance of equipment	42,000	58,555	18,864
	<u>\$ 311,379</u>	<u>\$ 310,736</u>	<u>\$ 282,287</u>
Transmission and distribution			
Supervision and engineering	\$ 451,500	\$ 288,887	\$ 344,829
Maintenance	115,878	106,210	157,841
Rent	1,500	247	7,506
Transportation	53,500	38,915	31,687
Other	18,000	45,410	38,528
	<u>\$ 640,378</u>	<u>\$ 479,669</u>	<u>\$ 580,391</u>
Administration and general			
General office expenses	\$ 144,100	\$ 147,063	\$ 123,831
Professional fees	13,000	13,557	14,069
Regulatory fees	8,000	3,975	2,813
Insurance	9,200	9,859	7,720
Taxes	38,600	139	37,911
Other	3,000	156	1,543
	<u>\$ 215,900</u>	<u>\$ 174,749</u>	<u>\$ 187,887</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL POSITION OF THE WATER UTILITY CAPITAL FUND

AS AT MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
ASSETS		
Cash	\$ 386,012	\$ 425,566
Cash - depreciation	394,896	393,838
Receivables	4,204	4,204
Due from		
General operating	201,176	375,764
General capital	-	5,823
Water operating	109,328	-
Special reserves	170,762	475,722
	<u>1,266,378</u>	<u>1,680,917</u>
Capital assets at cost	14,458,149	13,440,579
Accumulated amortization	<u>(3,910,499)</u>	<u>(3,613,538)</u>
	<u>10,547,650</u>	<u>9,827,041</u>
	<u>\$ 11,814,028</u>	<u>\$ 11,507,958</u>
LIABILITIES		
Deposits	\$ 11,643	\$ 18,643
Payables and accruals	-	809
Deferred government assistance	1,085,179	1,075,371
Deferred capital contributions	508,331	508,331
Nova Scotia Municipal Finance Corporation	894,138	954,271
Due to		
General operating	-	19,446
General capital	82,260	-
Water operating	-	134,416
	<u>2,581,551</u>	<u>2,711,287</u>
FUND BALANCE	<u>9,232,477</u>	<u>8,796,671</u>
	<u>\$ 11,814,028</u>	<u>\$ 11,507,958</u>

On behalf of the Municipality of the District of West Hants

Warden

CAO

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE WATER UTILITY CAPITAL FUND

YEAR ENDED MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
REVENUE		
Interest income	\$ 16,155	\$ 18,098
Connection charge	-	-
	<u>16,155</u>	<u>18,098</u>
EXPENDITURES		
Write off of water assets	74,289	99,641
Amortization	<u>344,453</u>	<u>325,883</u>
	<u>418,742</u>	<u>425,524</u>
NET EXPENDITURES	<u>(402,587)</u>	<u>(407,426)</u>
FINANCING AND TRANSFERS		
Repayment of debt	60,133	60,133
Net transfers from own reserves, funds and agencies		
Gas tax reserve	411,360	427,500
Other funds	22,447	-
Water reserve (depreciation fund)	<u>344,453</u>	<u>325,883</u>
Total financing and net transfers	<u>838,393</u>	<u>813,516</u>
Change in fund balance	435,806	406,090
Opening fund balance	<u>8,796,671</u>	<u>8,390,581</u>
Closing fund balance	<u><u>\$ 9,232,477</u></u>	<u><u>\$ 8,796,671</u></u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL POSITION OF THE OPERATING RESERVE FUNDS

AS AT MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
ASSETS		
Cash	\$ 465,075	\$ 833,476
Due from		
Municipal operating	2,721,777	2,129,699
Special reserves	433,963	433,963
	<u>\$ 3,620,815</u>	<u>\$ 3,397,138</u>
 Due to		
General capital	\$ 1,388,703	\$ 18,052
RESERVE	<u>2,232,112</u>	<u>3,379,086</u>
	<u>\$ 3,620,815</u>	<u>\$ 3,397,138</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE OPERATING RESERVE FUNDS

YEAR ENDED MARCH 31, 2020

DRAFT

									Balance forward
	Operating	Equipment Operating Reserve	Landfill Reserve	TMP Sewer Reserve	Carryover Reserve	General Fund Snow Removal Reserve	Hantsport Snow Removal Reserve	2020	
REVENUE									
Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Conditional transfers	-	-	-	-	-	-	-	-	
	-	-	-	-	-	-	-	-	
EXPENDITURES									
	-	-	-	-	-	-	-	-	
	-	-	-	-	-	-	-	-	
NET REVENUE	-	-	-	-	-	-	-	-	
FINANCING AND TRANSFERS									
Transfer (to) from Municipal operating	134,133	-	-	-	139,825	-	-	273,958	
Transfer (to) from General capital	(1,408,549)	-	-	-	-	-	-	(1,408,549)	
Total financing and transfers	(1,274,416)	-	-	-	139,825	-	-	(1,134,591)	
Change in fund balance	(1,274,416)	-	-	-	139,825	-	-	(1,134,591)	
Opening fund balance	3,048,737	25,444	692	242	20,005	17,851	27,105	3,140,076	
Closing fund balance	\$ 1,774,321	\$ 25,444	\$ 692	\$ 242	\$ 159,830	\$ 17,851	\$ 27,105	\$ 2,005,485	

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE OPERATING RESERVE FUNDS (CONTINUED)

YEAR ENDED MARCH 31, 2020

DRAFT

	Acquisition of Land	5% Res Land and Improvement	Operating Reserve Surplus/Deficit	Election Reserve	Boundary Review	Balance brought forward	2020	2019
REVENUE								
Interest	\$ -	\$ -	\$ 10,370	\$ -	\$ -	\$ -	\$ 10,370	\$ 7,046
Conditional transfers	-	-	-	-	-	-	-	-
	-	-	10,370	-	-	-	10,370	7,046
EXPENDITURES								
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
NET REVENUE	-	-	10,370	-	-	-	10,370	7,046
FINANCING AND TRANSFERS								
Transfer (to) from Municipal operating	-	22,247	-	-	-	273,958	296,205	1,070,096
Transfer (to) from General capital	-	(45,000)	-	-	-	(1,408,549)	(1,453,549)	(232,358)
Total financing and transfers	-	(22,753)	-	-	-	(1,134,591)	(1,157,344)	837,738
Change in fund balance	-	(22,753)	10,370	-	-	(1,134,591)	(1,146,974)	844,784
Opening fund balance	120,815	62,540	15,790	13,785	26,080	3,140,076	3,379,086	2,534,302
Closing fund balance	\$ 120,815	\$ 39,787	\$ 26,160	\$ 13,785	\$ 26,080	\$ 2,005,485	\$ 2,232,112	\$ 3,379,086

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL POSITION OF THE SPECIAL RESERVE FUNDS

AS AT MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
ASSETS		
Cash	\$ 5,706,785	\$ 7,265,241
Accounts Receivable	2,425	2,425
Due from		
Municipal operating	1,670,677	463,156
General capital	-	-
	<u>\$ 7,379,887</u>	<u>\$ 7,730,822</u>
 Due to		
General capital	\$ 150,020	\$ 1,066,638
Water capital	170,763	7,499
Municipal operating	433,964	433,963
Falmouth water capital	-	468,223
	<u>754,747</u>	<u>1,976,323</u>
RESERVE	<u>6,625,140</u>	<u>5,754,499</u>
	<u>\$ 7,379,887</u>	<u>\$ 7,730,822</u>

DRAFT

	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612
--	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------

44

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE SPECIAL RESERVE FUNDS (CONTINUED)

YEAR ENDED MARCH 31, 2020

	Capital Reserve	Sale of Land Reserve	Tax Sale Surplus Reserve	Sports Complex Reserve	Special Reserve Surplus/Deficit	Balance brought forward	Balance forward
REVENUE							
Interest	\$ -	\$ -	\$ -	-	\$ 11,834	\$ 133,289	\$ 145,123
Conditional transfers	-	-	-	-	-	1,589,479	1,589,479
Proceeds from sale of school	-	-	-	-	-	-	-
Gain on disposal of asset	-	-	-	-	-	-	-
	-	-	-	-	11,834	1,722,768	1,734,602
EXPENDITURES							
Contributions to other organizations	-	-	-	-	-	-	-
NET REVENUE	-	-	-	-	11,834	1,722,768	1,734,602
FINANCING AND TRANSFERS							
Transfer (to) from Municipal operating	-	-	483	89,834	4,068	(58,749)	35,636
Transfer (to) from General capital	-	-	-	-	-	(1,030,306)	(1,030,306)
Total financing and transfers	-	-	483	89,834	4,068	(1,089,055)	(994,670)
Change in fund balance	-	-	483	89,834	15,902	633,713	739,932
Opening fund balance	56,802	1,479	26,705	-	22,279	4,375,526	4,482,791
Closing fund balance	\$ 56,802	\$ 1,479	\$ 27,188	\$ 89,834	\$ 38,181	\$ 5,009,239	\$ 5,222,723

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE SPECIAL RESERVE FUNDS (CONTINUED)

YEAR ENDED MARCH 31, 2020

DRAFT

							Balance forward
	Hantsport - Smoothing Reserve	Roads - Hantsport Dissolution Reserve	Roads - Operating Reserve	Post Transition - Hantsport Dissolution Reserve	Dissolution sale of asset Reserve	Balance brought forward	2020
REVENUE							
Interest	\$ -	\$ -	\$ -	\$ 11,834	\$ -	\$ 145,123	\$ 156,957
Conditional transfers	-	-	-	61,000	-	1,589,479	1,650,479
Proceeds from sale of school	-	-	-	-	-	-	-
Gain on disposal of asset	-	-	-	-	-	-	-
	-	-	-	72,834	-	1,734,602	1,807,436
EXPENDITURES							
Contributions to other organizations	-	-	-	-	-	-	-
NET REVENUE	-	-	-	72,834	-	1,734,602	1,807,436
FINANCING AND TRANSFERS							
Transfer (to) from Municipal operating	-	78,463	23,400	(69,041)	-	35,636	68,458
Transfer (to) from General capital	-	(171,563)	(23,400)	-	-	(1,030,306)	(1,225,269)
Total financing and transfers	-	(93,100)	-	(69,041)	-	(994,670)	(1,156,811)
Change in fund balance	-	(93,100)	-	3,793	-	739,932	650,625
Opening fund balance	300,150	93,100	-	376,857	29,757	4,482,791	5,282,655
Closing fund balance	\$ 300,150	\$ -	\$ -	\$ 380,650	\$ 29,757	\$ 5,222,723	\$ 5,933,280

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE SPECIAL RESERVE FUNDS (CONTINUED)

YEAR ENDED MARCH 31, 2020

	Infrastructure - Hantsport Dissolution Reserve	Hantsport Infrastructure Reserve	Balance brought forward	2020	2019
REVENUE					
Interest	\$ -	\$ -	\$ 156,957	\$ 156,957	\$ 124,627
Conditional transfers	366,000	-	1,650,479	2,016,479	1,120,633
Proceeds from sale of school	-	-	-	-	-
Gain on disposal of asset	-	-	-	-	26,507
	366,000	-	1,807,436	2,173,436	1,271,767
EXPENDITURES					
Contributions to other organizations	-	-	-	-	98,388
NET REVENUE	366,000	-	1,807,436	2,173,436	1,173,379
FINANCING AND TRANSFERS					
Transfer (to) from Municipal operating	-	-	68,458	68,458	83,965
Transfer (to) from General capital	(394,484)	248,500	(1,225,269)	(1,371,253)	(1,291,410)
Total financing and transfers	(394,484)	248,500	(1,156,811)	(1,302,795)	(1,207,445)
Change in fund balance	(28,484)	248,500	650,625	870,641	(34,066)
Opening fund balance	277,844	194,000	5,282,655	5,754,499	5,788,565
Closing fund balance	\$ 249,360	\$ 442,500	\$ 5,933,280	\$ 6,625,140	\$ 5,754,499

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL POSITION OF THE CAPITAL RESERVE FUNDS

AS AT MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
ASSETS		
Cash	\$ 433,178	\$ 128,392
Due from		
Municipal operating	<u>1,769,657</u>	<u>1,522,642</u>
	<u>\$ 2,202,835</u>	<u>\$ 1,651,034</u>
 Due to		
General capital	\$ 93,467	\$ 162,740
RESERVE	<u>2,109,368</u>	<u>1,488,294</u>
	<u>\$ 2,202,835</u>	<u>\$ 1,651,034</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE CAPITAL RESERVE FUNDS

YEAR ENDED MARCH 31, 2020

DRAFT

	Building Reserve	Transportation Reserve	Vehicle Reserve	TMP Sewer Reserve	Falmouth Sewer Reserve	Hantsport Sewer Reserve	Interest Earned Reserve	2020	2019
REVENUE									
Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,948	\$ 9,948	\$ 2,755
Conditional transfers	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	9,948	9,948	2,755
EXPENDITURES									
Contributions to other organizations	-	-	-	-	-	-	-	-	-
NET REVENUE	-	-	-	-	-	-	9,948	9,948	2,755
FINANCING AND TRANSFERS									
Transfer (to) from Municipal operating	160,161	125,372	10,525	110,741	219,935	20,566	-	647,300	519,681
Transfer (to) from General capital	(8,656)	(24,388)					-	(33,044)	(132,314)
Transfer (to) from Transportation reserve	-	-	-	-	-	-	-	-	-
Transfer (to) from TMP Sewer reserve	-	-	-	(1,565)	(1,565)	-	-	(3,130)	-
Transfer (to) from Falmouth Sewer reserve	-	-	-	-	-	-	-	-	-
Total financing and transfers	151,505	100,984	10,525	109,176	218,370	20,566	-	611,126	387,367
Change in fund balance	151,505	100,984	10,525	109,176	218,370	20,566	9,948	621,074	390,122
Opening fund balance	528,948	137,873	37,830	293,876	452,605	31,400	5,762	1,488,294	1,098,172
Closing fund balance	\$ 680,453	\$ 238,857	\$ 48,355	\$ 403,052	\$ 670,975	\$ 51,966	\$ 15,710	\$ 2,109,368	\$ 1,488,294

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL POSITION OF THE SCHOOL FUNDS

AS AT MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
ASSETS		
Falmouth District School	\$ 277,199	\$ 277,199
School Bus garage	407,273	407,273
	<u>684,472</u>	<u>684,472</u>
Accumulated amortization	<u>(684,472)</u>	<u>(682,080)</u>
	<u>\$ -</u>	<u>\$ 2,392</u>
SURPLUS	<u>\$ -</u>	<u>\$ 2,392</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE SCHOOL FUNDS

YEAR ENDED MARCH 31, 2020

	<u>2020</u>	<u>2019</u>
Expense		
Amortization	\$ 2,392	\$ 17,112
Change in fund balance	<u>(2,392)</u>	<u>(17,112)</u>
Opening fund balance	<u>2,392</u>	<u>19,504</u>
Closing fund balance	<u>\$ -</u>	<u>\$ 2,392</u>

On behalf of the Municipality of the District of West Hants

Warden

CAO

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL POSITION OF THE CEMETERY FUND

AS AT MARCH 31, 2020

DRAFT

	<u>2020</u>	<u>2019</u>
ASSETS		
Cash	\$ 1,808	\$ 1,772
Land	<u>42,591</u>	<u>42,591</u>
	<u>\$ 44,399</u>	<u>\$ 44,363</u>
 Due to		
Municipal operating	\$ 2,817	\$ 1,882
Deferred revenue	<u>1,000</u>	<u>1,000</u>
	<u>3,817</u>	<u>2,882</u>
ACCUMULATED SURPLUS	<u>40,582</u>	<u>41,481</u>
	<u>\$ 44,399</u>	<u>\$ 44,363</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE CEMETERY FUND

YEAR ENDED MARCH 31, 2020

	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>
REVENUE		
Operating grant	\$ 37,674	\$ 30,175
Interest income	37	46
Sale of lots	1,023	878
Care of lots	1,445	1,445
	<u>40,179</u>	<u>32,544</u>
EXPENDITURES		
Wages	36,870	22,800
Ground maintenance	1,446	1,056
Equipment maintenance	1,772	353
General projects	-	4,468
Tree planting	-	-
Miscellaneous	990	1,287
	<u>41,078</u>	<u>29,964</u>
Change in fund balance	(899)	2,580
Opening fund balance	<u>41,481</u>	<u>38,901</u>
Closing fund balance	<u>\$ 40,582</u>	<u>\$ 41,481</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS**NON-CONSOLIDATED STATEMENT OF FINANCIAL
POSITION OF THE TRUST FUNDS****AS AT MARCH 31, 2020****DRAFT**

	Perpetual Care Cemetery	Grace Oulton	Ellen Beazley Scholarship	<u>2020</u>	<u>2019</u>
ASSETS					
Cash	\$ 79,493		\$ (14)	\$ 79,479	\$ 72,819
Investment	62,058	19,033	-	81,091	79,442
Due from					
Municipal operating	-	-	8,370	8,370	8,370
Land	-	1	-	1	1
	<u>\$ 141,551</u>	<u>\$ 19,034</u>	<u>\$ 8,356</u>	<u>\$ 168,941</u>	<u>\$ 160,632</u>
Due to					
Municipal operating	\$ 7,315	\$ 1,025	\$ -	\$ 8,340	\$ 3,291
TRUST BALANCE	<u>134,236</u>	<u>18,009</u>	<u>8,356</u>	<u>160,601</u>	<u>157,341</u>
	<u>\$ 141,551</u>	<u>\$ 19,034</u>	<u>\$ 8,356</u>	<u>\$ 168,941</u>	<u>\$ 160,632</u>

MUNICIPALITY OF THE DISTRICT OF WEST HANTS**NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES
OF THE TRUST FUNDS****YEAR ENDED MARCH 31, 2020**

	Perpetual Care Cemetery	Grace Oulton	Ellen Beazley Scholarship	<u>2020</u>	<u>2019</u>
REVENUE					
Interest earned	\$ -	\$ -	\$ -	\$ -	\$ -
Investment income	3,260	-	-	3,260	2,754
Donations	-	-	-	-	-
	<u>3,260</u>	<u>-</u>	<u>-</u>	<u>3,260</u>	<u>2,754</u>
NET REVENUE	<u>3,260</u>	<u>-</u>	<u>-</u>	<u>3,260</u>	<u>2,754</u>
Change in fund balance	<u>3,260</u>	<u>-</u>	<u>-</u>	<u>3,260</u>	<u>2,754</u>
Opening fund balance	<u>130,976</u>	<u>18,009</u>	<u>8,356</u>	<u>157,341</u>	<u>154,587</u>
Closing fund balance	<u>\$ 134,236</u>	<u>\$ 18,009</u>	<u>\$ 8,356</u>	<u>\$ 160,601</u>	<u>\$ 157,341</u>

On behalf of the Municipality of the District of West Hants

Warden

CAO

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting or Just logged</u>
Danny	Dill	30-Jun-20	2020-07-14 COTW
Quentin	Davison	6-Jul-20	2020-07-14 COTW
Alyson	Bremner	7-Jul-20	2020-07-14 COTW
Cecil	Rolfe	13-Jul-20	2020-07-14 COTW
Pat	Porter	13-Jul-20	2020-07-14 COTW
Nikki-Marie	Lloyd	2-Aug-20	2020-09-08 COTW
Heather	Boylan (Martock)	1-Sep-20	2020-09-08 COTW
Greg	O'Leary	3-Sep-20	2020-09-08 COTW
Dr. Abby	Kirumira	2-Sep-20	2020-09-08 COTW
Dean	Manning	8-Sep-20	2020-09-08 COTW
David & Michelle	Rideout	8-Sep-20	2020-09-08 COTW
Colleen	Walsh-Bouman	8-Sep-20	2020-09-08 COTW
Nicholas & Alyson	Juurlink/Bremner (Linked Farms)	8-Sep-20	2020-09-22 Council
Tasha	Rogers	8-Sep-20	2020-09-22 Council
Brad	Carrigan	23-Sep-20	2020-10-13 COTW
Karen	Carrigan	23-Sep-20	2020-10-13 COTW
Elaine	Morehouse	24-Sep-20	2020-10-13 COTW
Gary	Morehouse	24-Sep-20	2020-10-13 COTW
Dr. A	Kirumira	24-Sep-20	2020-10-13 COTW
Blake	Sarsfield	Undated	2020-10-13 COTW
Greg	Webster	1-Oct-20	2020-10-13 COTW
Bobby	Kidston	2-Oct-20	2020-10-13 COTW



**Municipal Affairs and Housing
Office of the Minister**

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • novascotia.ca

October 21, 2020

Shelleena Thornton
Administrative Supervisor
Region of Windsor and West Hants Municipality
VIA EMAIL: sthornton@westhants.ca

Dear Ms. Thornton:

Thank you for your letter dated July 13, 2020, regarding the legal name change of your newly formed regional municipality.

I am pleased to advise that on October 6, 2020, Governor in Council approved your request to change the Region of Windsor and West Hants Municipality's name to "West Hants Regional Municipality".

The order can be found here:

https://novascotia.ca/exec_council/oic/view.asp?oicID=19295. I trust this will support the Municipality's post-consolidation work.

I look forward to working with West Hants Regional Municipality and seeing the benefits of this new regional government to your residents.

Sincerely,

Chuck Porter
Minister of Municipal Affairs and Housing

c: Mark Phillips, CAO, Region of Windsor and West Hants Municipality

Ref M397/aj

Shelleena Thornton

Subject: FW: Glyphosate Spraying within Munic West Hants.

From: Carol Bradley

Date: Oct. 20, 2020 1:29 p.m.

Subject: Glyphosate Spraying within Munic West Hants.

To: Bob Morton <bmorton@westhants.ca>

>Hi, Bob,

>I understand there was a letter concerning this in Council's package

>recently, and that Councillor Ivey is planning to give a report soon.

>I am going on the record as being very opposed to glyphosate

>spraying, either aerial or land-based, for major vegetative control.

>For health and ecological reasons!!

>It is particularly undesirable when this is used on clearcut lands

>as a form of hardwood control in order to sustain industrial

>softwood stands, in themselves ecologically unhealthy.

>Thank you.

>121 Dill Road Ext.

--

Carol Bradley

carolbrad@bellaliant.net



**WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT**

To: Municipal Council

Submitted by:

Todd Richard, Director of Public Works

Date: October 26, 2020

Subject: Tender Award – 2020 Cardlock Fuel Dispenser, Public Works Shop

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION

It is recommended to Council that:

Council approve the award of tender WHPW20-17 for the supply, installation, and commissioning of a new twin-product (gasoline & diesel) pump c/w Cardlock Fuel Dispensing hardware to Redden Petroleum Enterprises Ltd., at a cost of \$94,592.00 plus applicable taxes and a 15% contingency.

BACKGROUND

During the 2020/21 capital budget it was recommended by staff to purchase a new gasoline & diesel fuel pump complete with pedestal and a Cardlock device. The purchase and installation of these electronic pumps will replace the current aging mechanical pumps, and the Cardlock fuel dispenser will more efficiently track and record fuel usage and help maintain tighter control of inventory. Tenders were called on the Provincial Procurement site and closed on October 1, 2020.

DISCUSSION

Four proponents responded to the public tender, as follows:

Proponent Name	Lump Sum Price (Submitted by Proponent)	Extras (Outlined in Appendix A)	Total Price
Redden Petroleum Enterprises Ltd.	\$60,635.00	\$33,957.00	\$94,592.00
ITS Construction	\$75,000.00	\$33,957.00	\$108,957.00
IronMaple Constructors Inc.	\$68,750.00	\$33,957.00	\$102,707.00
Q-Drilling & Remediation Inc.	\$64,788.00	\$33,957.00	\$98,745.00

Tenders were reviewed by Public Works staff to confirm compliance with our requested specifications. Based on these specifications, it is being recommended by staff to proceed with the Fuel Dispenser & Cardlock Hardware/Software provided by *Redden Petroleum Enterprises Ltd.*, the low bidder.

The scope of this project includes the removal and disposal of the existing mechanical fuel pumps, to be replaced with new electronic pumps. The installation will include commissioning of hardware and staff training of software. The new electronic pumps will include a Cardlock mechanism to track which employee is fuelling which vehicle or equipment. Once installed and commissioned, the new fuel pumps will have back-up power available via a generator at the Public Works shop, in case of a power outage or an emergency.

Maintaining fuel storage and dispensing inhouse is important for several reasons such as:

- allows fleet to be fueled at the Public Works Depo in a safe manner as required without the need to travel or use private systems - 24/7
- having a fuel supply separate from private systems allows fuel security during times of supply chain interruption, power outages, major storms, preventing our crews and equipment waiting for pump availability
- maintaining essential service during a potential bulk fuel service delivery or delay

Purchase cost of this tender exceeds the spending authority of the CAO.

FINANCIAL IMPLICATIONS

Allowance for the purchase of this equipment has been approved in our 2020/21 capital budget in the amount of \$125,000. Total expense with contingency after the rebated portion of HST \$113,447.50. Funding for these purchases will be from Building Reserve.

ALTERNATIVES

1. Council may choose not to fund or award this contract,
2. Council may choose to award this contract to an alternative vendor.

These alternatives are not being recommended to Council.

APPENDIX A – EXTRA COSTS (As noted in the “Discussion” section table)

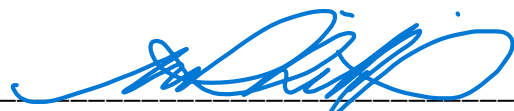
New fill boxes, c/w Risers, Collars, and Caps	\$5,463.00
Overfill Valves & Drop Tubes	\$3,410.00
Additional Concrete Slab over tanks to encompass Fill Boxes & Service Boxes around Interstitial Riser Pipes	\$3,886.00
Monitor System (3 Sumps + 2 Interstitial Sensors c/w all explosion-proof electrical)	\$10,276.00
Drive-on Slab (12' x 24' x 8" c/w Double Row 10mm Rebar @ 12" Spacing both ways)	\$10,640.00
Vent Whistles	\$282.00
TOTAL	\$33,957.00

APPENDIX B – OTHER COSTS TO BE INCURRED

Electrical upgrade at the Public Works Maintenance Facility to accommodate the new electronic fuel pumps. (Currently being priced)	TBD
Temporary fuelling service during the installation of the new pumps. (Currently being priced)	TBD

Report Prepared by: _____
Rob Butler – Engineering Technologist, Public Works

Report Reviewed by:  _____
Todd Richard – Director of Public Works

Report Approved by:  _____
Mark Phillips – Chief Administrative Officer



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Municipal Council

Submitted by: 
Todd Richard, Director of Public Works

Date: October 27, 2020

Subject: W.B. Stephens Building Design & Project Management

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION

It is recommended to Council that:

Council approve the award of tender WWHPW20-15 for the W.B. Stephens Building Design & Project Management contract to HarveyARCHITECTURE Limited, for the tendered price of \$198,500 plus 10 % design contingency, plus applicable taxes.

BACKGROUND

The existing WB Stephens building at 100 King Street in Windsor was constructed in 1960, is a three-level building consisting of a first floor, basement level consisting of assembly hall and offices for the Windsor Fire Department (WFD). The second floor, ground level consists of four double-deep fire apparatus bays as well as previous Town of Windsor administrative offices. The third floor consists of previous Town of Windsor administrative offices, and is currently occupied by the Public Works management and administrative staff for the West Hants Regional Municipality. The WB Stephens Building gross area is approximately 2839 sq. m. A December 2019 report was performed by Hatch consulting group that details the capitalization/renovation history and major maintenance renovation history of the building, which has been classified to be in Fair to Good overall condition.

The following criteria were scored in the 2019 Hatch report, with clear results recommending renovations of the W.B. Stephens Building: nearby amenities, accessibility, site facilities, structure flexibility and adaptability, and energy efficiency. The W.B. Stephens Building is centrally located, is of ample size, has flexibility for modifications, and owing to the presence of an elevator, is accessible to those with physical disabilities.

Table 5 – Options Scorecard		
<i>Factor</i>	<i>Windsor</i>	<i>West Hants</i>
Parking (for staff and customers)	5	4
Access to amenities (rural vs urban)	5	3
Accessibility (elevators, ramps, bathrooms, etc.)	4	3
New feel	2	4
Available facilities (gym, showers, etc.)	3	0
Room to grow (no investment)	4	3
Adaptability of the structure	3	3
Energy Efficiency	2	4
Marketability (-)	-1	-5
Total	27	19

W.B. Stephens Building Upgrade Projected Costs:

Table 3 – Windsor (W.B. Stephens) Building	
<i>Item</i>	<i>Cost</i>
Demo	\$182,300
Architectural Interior	* \$946,000 – \$1,606,000
Mechanical Systems upgrades	\$661,000
Electrical Systems upgrades	\$201,000
Total	* \$1,990,300 – \$2,650,300

** This range depicts the reuse of existing furniture vs new replacement furniture of fair quality.*

On March 6, 2020, the Windsor / West Hants Co-Ordinating Committee passed a motion to support the WB Stephens Building, 100 King Street being the Municipal Complex to house the administrative branches for the Regional Municipality.

In May 2020, the new Regional Council passed the Capital Budget including the renovation overall project budget of \$2.8M.

In July 2020, a directive was received by the Public Works department to proceed with the development of a Request For Proposal (RFP) to perform the Design-Bid-Build

Services for renovation of the WB Stephens Building to accommodate the consolidated administrative staff and council of the West Hants Regional Municipality (approximately 50 persons). Preliminary concept plans have been recommended to allocate the first floor of the building for general reception and new Council Chambers, and the second floor of the building allocated for customer service space and offices for the administrative staff.

DISCUSSION

On September 1, 2020, a public request for proposals (RFP) was released for the building design and project management for renovation of the W.B. Stephens Building at 100 King Street in Windsor. This contract would include multiple phases of work by the successful design and project management proponent.

- Review Existing Site Conditions and Design & Technical Requirements
- Prepare Schematic Design
- Design Development
- Preparation of Tender Contract Documents
- Pre-Tender Review of Drawings
- Administer the Tender Phase for Construction Proponents
- Project Management, Contract Administration and Commissioning
- Close-Out and Record Documents, including Warranty

There was a total of five proposals received for this contract. The two-part tender defined the bid scoring process to be used; that combined both a weighted technical criteria component as well as weighted financial component. Proposals were received based on the specified in the scope of work. Tenders were reviewed and evaluated independently by the members of the working group, with the average of the evaluation scores shown below.

Proponent Name	Technical Score	Financial Score	Total Score	Tender Cost
Harvey Architecture Limited	64.5 / 75	25.0 / 25	89.5	\$198,500.
Stantec	64.7 / 75	23.0 / 25	87.7	\$215,745.
Architecture 49	63.3 / 75	19.7 / 25	83.0	\$252,000.
Hatch	58.8 / 75	14.2 / 25	73.0	\$349,561.
SGH	55.8 / 75	13.0 / 25	68.8	\$382,995.

The scoring components consisted of the following:

- Proposed Approach and Project Plan
- Demonstrated Corporate Expertise
- Technical Ability / Staff Resources
- Project Team / Experience
- Quality of Proposal

- Relevant Experience
- Cost/Price of Engineering / Design Services

Methodology & Approach:

harveyARCHITECTURE (hA) will facilitate the initial design 'sketch paper' workshop meeting with the West Hants Regional Municipality (WHRM) and key members of the Design Team in order to determine the full parameters for the WB Stephens Building Renovation. This workshop session will take advantage of the collective experience and depth of knowledge around the table to provide input on the concept design. hA will intently listen to all the individuals to understand and guide the determination of the best solution for the Administrative Building, resulting in a holistic approach to design.

The Design Team Leader will take a proactive role in ensuring effective communication on this project; he will co-ordinate and manage the flow of information to all members of the team, clearly defining each and everyone's role within the project. We develop a critical understanding of the various implications and issues raised by other disciplines and their impact on design, project schedule(s) and budget. These meetings provide the basis for each consultant's understanding of the scope – eliminating the potential risks of errors being caused due to badly defined project scope.

*- Michael Harvey, Design Team Leader
harveyARCHITECTURE (hA)*

Pending approval of Council; the intended project scope has planned to start activities immediately. Awarding the construction tender will have further budget implications and is planned for award in conjunction with the 2021/2022 fiscal budget.

FINANCIAL IMPLICATIONS

This is being funded through borrowing, the total budget for this project is \$2.8 million. The expense after the rebated portion of taxes is \$227,717.21. Debt servicing cost of \$5,030.64 for this portion of the project is within the 2020-21 budget debt servicing cost of \$61,856.52. This is one of the proposed capital projects we have requested funding from the Province through Consolidation Infrastructure, and may not require borrowing if approved.

This report is before Council as it follows to the procurement policy. The value of award exceeds the CAO's signing authority.

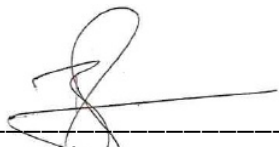
ALTERNATIVE

1. Council may choose to award this contract to an alternative proponent.
This alternative is not being recommended to Council.

ATTACHMENTS

- TBR RESO - 100 King Street, Municipal Complex

Report Prepared by:



Brad Carrigan, P.Eng., Manager, Capital Projects

Report Prepared & Reviewed by:



Todd Richard, Director of Public Works

Report Approved by:



Mark Phillips, Chief Administrative Officer

MUNICIPAL COUNCIL OF THE

TEMPORARY BORROWING RESOLUTION

Amount: \$ 2,800,000

Purpose: 100 King Street, Municipal Complex R

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHEREAS the Council of the West Hants Regional Municipality has determined to borrow the aggregate principal amount of two million eight hundred thousand Dollars (\$ 2,800,000) for the purposes of 100 King Street, Municipal Complex Renovations;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding two million eight hundred thousand Dollars (\$ 2,800,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding two million eight hundred thousand Dollars (\$ 2,800,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the 27 day of October, 2020.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this _____ day of _____, 2020.

Clerk



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Mayor Zebian and Members of Council

Submitted by: _____
Rhonda Brown, Municipal Clerk

Date: October 27, 2020

Subject: Recommendation to the Western Regional Housing Authority

LEGISLATIVE AUTHORITY

Housing Act

22 (1) The Governor in Council may constitute a body corporate to be a regional housing authority, having the name prescribed by the order constituting it, and may prescribe its membership and the manner of their appointment.

RECOMMENDATION

...That Council recommend to the Minister of Municipal Affairs and Housing that Cindy Shupe's appointment as the West Hants Regional Municipality representative on the Western Regional Housing Authority be extended for a second term ending in 2023.

BACKGROUND

The Deputy Minister of Municipal Affairs and Housing sent a letter on September 14, 2020 informing that the term of Cindy Shupe as West Hants Regional Municipality's representative on the Board of the Western Regional Housing Authority (Housing Authority) would expire on October 15, 2020 .

The Housing Authority was originally created in 1991 and has been re-organized overtime. Currently each participating Municipality within the jurisdiction of the Housing Authority are required to a representative on the Board of the Housing Authority. Some residents are not eligible for appointments including elected officials, employees of the Municipality and employees of specific provincial entities.

DISCUSSION

In accordance with current practice when seeking resident representation, an advertisement seeking expressions of interest to serve on the Housing Authority was

place on the Municipal website and Facebook on October 6th and in the Chronicle Herald on October 10th. Residents interested in being a representative on the Board of the Western Regional Housing Authority were to submit the Board Member Expression of Interest by Noon October 15th for consideration.

There were two expression of interest received for consideration. Ms. Cindy Shupe is the current Municipal representative and is currently the Board Chair. She has demonstrated the ability to be impartial, fair, objective and courteous, and wishes to represent the Municipality a second term.

NEXT STEPS

Once a representative has been recommended to the Minister of Minister Affairs and Housing, the Minister will review the recommendation for official appointment to the Board of the Housing Authority.

FINANCIAL IMPLICATIONS

In accordance with the Council Remuneration Policy, the representative would be entitled to \$50 per meeting attended. Should they wish to receive this stipend, they would need to provide information of meeting attendance to the Municipality.

Based on the typical meeting frequency of the Board of the Housing Authority, this would mean a cost of \$350.00 to be included in annual budgets.

ALTERNATIVES

Council could choose not to recommend Ms. Shupe.

ATTACHMENTS

None.

Report Prepared by: _____
Rhonda Brown, Municipal Clerk

Report Reviewed by: _____
Shelleena Thornton, Administrative Supervisor

Report Reviewed by: _____
Carlee Rochon, Director of Finance

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer.