



WEST HANTS REGIONAL MUNICIPALITY
Regular Meeting of Council Agenda
July 27, 2021 - 6:00 p.m. - Amended Nov. 8, 2021
Sanford Council Chambers, 76 Morison Dr, Windsor, NS
Agenda is subject to changes up to and including during the meeting

1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard – Action Items

Additions: Item 15 New Business c) Independent Review – Lake-related Meeting March 24, 2021
5. Declaration of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2021-06-22 Council Meeting minutes
7. Presentations
 - a) Jennifer Daniels, Hantsport Fire Dept. – Fire Smart
 - b) Matt Dunfield, Resident – Falmouth Dog Park
8. Unfinished Business/Postponed Motions
 - a) Former Textile Mill Dangerous or Unsightly Update (standing item)
 - i. Former Textile Mill – Information Report
9. Public Hearings
 - a) 233 Gray Street (PID #45354065) Development Agreement (Opening)
 - b) 101 Three Mile Plains Cross Road (PID #45197456) Development Agreement (Opening)
 - c) 20 Empire Lane (PID #45055746) Development Agreement (Opening)
 - d) Hantsport, MPS and LUB Text Amendment, Secondary Suites (Closing)
 - e) West Hants, WHMPS and LUB Text Amendment, Secondary Suites (Closing)
 - f) Windsor, WMPS and LUB Text Amendment, Secondary Suites (Closing)
 - g) Mobile Canteen Vending By-law (Opening & Closing)
10. Second Readings for the Public Hearing Matters in Agenda Matter #9
 - a) Hantsport, MPS and LUB Text Amendment, Secondary Suites
 - b) West Hants, WHMPS and LUB Text Amendment, Secondary Suites
 - c) Windsor, WMPS and LUB Text Amendment, Secondary Suites
 - d) Mobile Canteen Vending By-law (Opening & Closing)
11. Mayor's Information Report
12. Committees of Council Recommendations

- a) Committee of the Whole Excerpts – July 13, 2021
 - i. 2021 Panuke Road Booster Pump Package
 - ii. Ardoise Hall – Canada Community Building Fund
 - iii. First Nation Memorial
 - iv. Highway 101 Twinning over Avon River
 - v. HMCC 2020-21 Financial Statements
 - vi. Temporary Opening of Edward & Underwood
 - vii. Traffic Calming Measures
 - viii. Contract Negotiations (from In-camera)
- b) Planning / Heritage Advisory Committee – July 08, 2021
 - i. Payzant Drive, Windsor Land Use By-law Amendment (PIDs 45358314, 45366986, 45055167, 45276441, 45190493, & 45364775) – First Reading
- 13. Councillor Municipal Activity Reports – Verbal Committee Updates
- 14. Correspondence
 - a) Information
 - i. Avon River Causeway/Hwy 101 Twinning Project Correspondence Log
 - 1) Current Avon Causeway correspondence received as of July 22, 2021
 - ii. Avon View High School (July 5, 2021) – Thank you
 - b) Requests - None
- 15. New Business
 - a) Wheel Loader Purchase – Recommendation Report
 - b) Fees Policy – Recommendation Report
 - c) Independent Review – Lake -related Meeting
- 16. In-Camera
 - a) 2021-05-25 In-camera Council Meeting Minutes Approval
 - b) 2021-06-22 In-camera Council Meeting Minutes Approval
 - c) Land Matter (Windsor Back Road)
 - d) Legal Matter
- 17. Next Meeting Date / Adjournment

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
July 23, 2021

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>
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 (M) 2020-09-08 (D)	Changed to green due to the Prov/Develop NS Initiative		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			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			CAO
Branding for Region - proceed with Branding project	Council	M	2020-05-26	2021-07		CAO
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

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
July 23, 2021

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	2021-05 (Mr. Salter has advised this isn't immediate)		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	Align with Branding outcomes 2021-07		PW/Comm. Dev
Diversity & Inclusion Committee (from Meeting & Committee Procedural Policy Amendments) - Advertise for Committee members and mobilize the committee	COTW	M	2020-10-13	2021-05 (also with Rad Consulting Engagement Sessions)		Comm Dev
Burning Permit/Outdoor Fires - Staff review existing Fire-related by-laws	COTW	D	2020-11-10	2021-09 Council		CAO/Fire Chiefs
In-Camera (b) - MGA 22(2)(a) - Acquisition, sale, lease and security of Mun property - Land Sale - proceed with next steps/presentation	COTW	D	2021-11-10	2021-01		CAO
In-camera Land Matter (2021-02-23 Item 16(c)) - Expend funds for property evaluation on Mun-owned properties	Council	M	2021-02-23	2021-06		CAO
Service Contracts (discussed under Item 15(a)) - That staff forward a list (provide access) of all service contracts to Council so Council is aware and can look for potential cost-savings	Council	M	2021-01-26 2021-05-25	2021-07		CAO
Corres (NS Firefighters Benevolent Fund) - Review if capacity during budget meetings	COTW	D	2021-03-09	2021-07		CAO

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
July 23, 2021

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>
Panuke Rd Event - Event to be arranged by Mayor	COTW	D	2021-03-09	2021-06		Mayor
Noise By-law - Staff revise by-law (Peace and Good Order)	Council	M	2021-03-23	2021-07		Planning/ CAO
Cheverie Land Exchange - Agree	Council	M	2021-03-23	2021-05		CAO
Sewer Billing - Staff prepare education material for utility users	Council	D	2021-03-23	2021-06		CAO/Fin
Dangerous or Unightly (old Textile Mill) - Staff to follow-up with property owners re. insurance. Owners granted a couple of months to address issues.	COTW	D	2021-04-13	2021-07		CAO
Newport Station Food Hub Paving Driveway & Lease - Staff review if existing lease pertains to Newport Station Food Hub or previous owners. Establish new lease if need be.	COTW	D	2021-05-11	2021-07		CAO
65 Fort Edward St Properties - Deem surplus and list for sale	Council	M	2021-05-05	2021-06		CAO
Avon River Causeway Aboiteau Gates - Staff to get clarity from DFO/Dept. Agr if the gates opening is for 10 minutes or a minimum of 10 minutes.	Council	D	2021-05-25	2021-06		CAO
Dog Park - Staff review historical information related to dog park feasibility	COTW	D	2021-06-08	2021-08		Comm. Dev
Rural internet - Staff look into Walker Rd status	COTW	D	2021-06-08	2021-07		CAO
Regional Caucus - Clr Murley to present information on possibilities	COTW	D	2021-06-08	2021-06-22		Murley
Glooscap First Nation & WHRM Council Meeting - Send formal invite for a meeting to discuss many topics including reconciliation	Council	M	2021-06-22			Mayor

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
July 23, 2021

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>
Request to Meet with Avon Causeway Gate Stakeholders - Send revised letter to Hon Jordan (DFO) requesting meeting re Causeway/Aboiteau Gate System and Ministerial Order.	Council	M	2021-06-22	2021-07		CAO/Mayor
Request to Meet with Avon Causeway Gate Stakeholders - Send letter to Kwilmu'kw Maw-Klusuaqn (KMK) requesting immediate in-person meeting to discuss Avon River Causeway/Aboiteau Gate System and Ministerial Order	Council	M	2021-06-22	2021-08		CAO/Mayor
Request to Meet with Avon Causeway Gate Stakeholders - Send letter to Glooscap First Nation requesting immediate joint council mtg. to discuss Avon River Causeway/Aboiteau Gate System and Ministerial Order	Council	M	2021-06-22			Mayor/CAO
Request for Assistance from the Minister of Municipal Affairs and the Premier of Nova Scotia - Send letter to Minister of DMA and Premier asking for assistance re Ministerial Order re Avon River Causeway Aboiteau Gate Structure	Council	M	2021-06-22	2021-07		CAO/Mayor
Dang or Unsightly (old textile mill) - Staff to provide updated report.	COTW	D	2021-07-13	2021-07-27 Council		Planning
Contracts & Agreements Listing - circulate list with financial figures via email to council (and also provide hard-copy)	COTW	D	2021-07-13	2021-08		CAO
Water bi-monthly billing - Promote payment options to customers.	COTW	D	2021-07-13	2021-07		Fin.
Traffic Calming Measures - Staff identify and report back on potential solutions for problematic Municipally-owned roads	COTW	M	2021-07-13	2021-09		PW

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
July 23, 2021

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>
Temporary opening of Edward & Underwood - Staff review possibility of temporarily opening as well as request timeline from developer.	COTW	M	2021-07-13	2021-09		CAO/PW
Highway Twinning over the Avon River - Send letter to Lloyd Hines, Minister of NSTAT, proj. should not be delayed due to uncertainty relating to causeway aboiteau design.	COTW	M	2021-07-13			
Contract Negotiations (Item 13(a))- CAO proceed pending review by legal counsel. (Intermun with Kings re. Hantsport Fire)	COTW	M	2021-07-13	2021-08		CAO



WEST HANTS REGIONAL MUNICIPALITY

Presenter/Presentation Overview

Date: July 27, 2021 Council Meeting

Name of Presenters & Organization: Jennifer Daniels FPO/FireSmart LFR Hantsport Fire Dept.

Presentation Outline/Summary (Matter): FireSmart Canada program which is designed to empower the public and increase community resilience to wildfire across Canada. The goal of the FireSmart Canada program is to reduce the wildfire risk to property, infrastructure and public safety in the Canadian wildland/urban interface by helping communities and municipalities become fire adapted.

Many communities through Nova Scotia are situated and currently developed within the wildland/urban areas however as spring and summer seasons become drier, the risk of forest fires is increasing putting these communities at risk. The FireSmart program will play an important role in the mitigation of fire risk to our communities.

The presentation this evening will briefly highlight the program and provide valuable information for communities to help mitigate fire risk and also provide information for municipalities to consider when planning and developing within wildland urban areas.

Jennifer is also qualified Local FireSmart Representative who can provide residents free FireSmart Home Assessments which is a voluntary property assessment program that helps residents identify specific actions they can take on their property to reduce wildfire risks.

For more information visit: [FireSmart Canada.ca](https://firesmartcanada.ca) and you are welcome to contact me for more information:

Jennifer Daniels FPO/FireSmart LFR
902-792-8253/ j.daniels71@live.ca

Request of WHRM Council: none.

*Thank you for providing this information & a full copy of your presentation one full week **BEFORE** the date you are scheduled to present to West Hants Regional Council to sthornton@westhants.ca !*

FireSmart Awareness

1-1



July 20, 2021

Regional Municipality of West Hants

Learn how to:

- Assess your home's wildfire risk.
- Reduce your home's wildfire hazard

Presenter: Jennifer Daniels, Local FireSmart Representative

Hantsport Fire Department, FPO/FireSmart LFR

What is FireSmart?



FireSmart is about living with wildfire and managing for it on our landscapes

- FireSmart is the Canadian standard recognized by all provinces and territories.
- It's based on National Fire Protection Association (NFPA) standards and has evolved over 40 years.
- It's backed by a vast amount of field, laboratory and modelling research.
- FireSmart guidelines have proven their legitimacy as measures of hazard.
- FireSmart methods have been demonstrated time and time again to reduce the risk of losses, under even the most extreme fire conditions.



FireSmart Neighbourhood Recognition Program - Benefits

1-3

What's in it for us?



-#1 Benefit - Reduced Wildfire Risk
but also...

- Wildfire Community Preparedness Day Awards
- FireSmart Rebate - Incentive Programs
- FireSmart Neighbourhood Committee - 'organized' status

The Big Questions

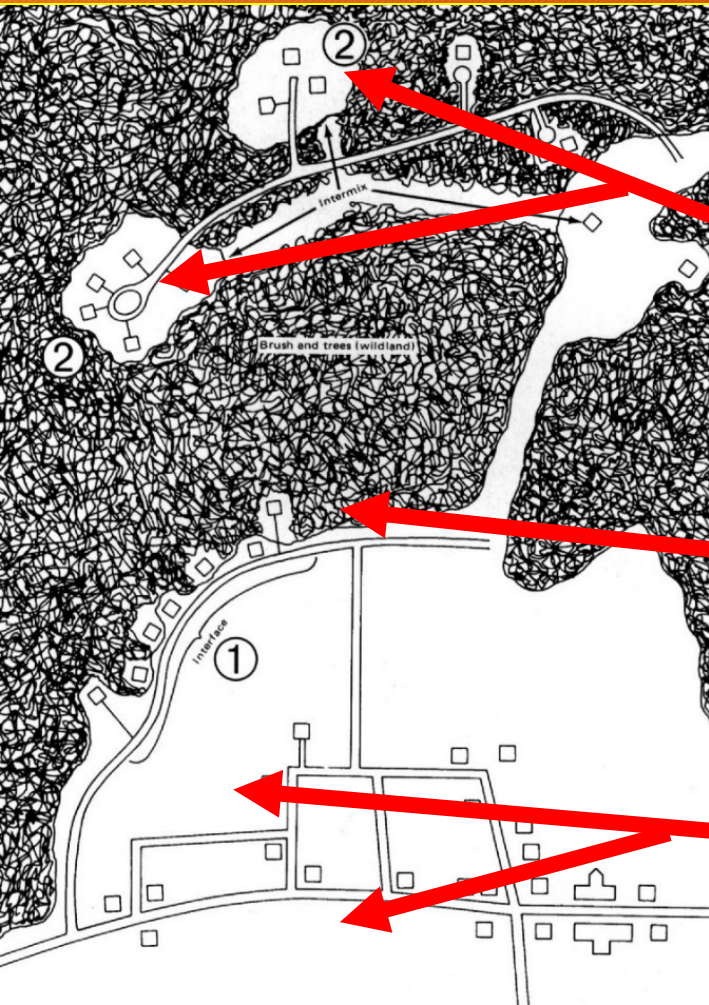
1-4



- 1. Does West Hants have a wildfire risk ?*
- 2. Does my house have a wildfire risk ?*

Risk of Wildfire in the Interface

Interface - 'Forest meets Community'



Intermix

Interface

Spot Fire Risk

What does it look like?

Am I at risk?

Interface Fire Suppression Challenges

1-6



Structure fires are normally suppressed by firefighting resources...



Interface Fire Suppression Challenges

1-7



Interface fires frequently overwhelm all available firefighting resources...

Kelowna

Aug 16, 2003

240 homes \$150 M loss

Interface Fire Suppression Challenges

1-8



Slave Lake

May 14, 2011

354 homes

\$800 M loss

Firefighters overwhelmed = structure to structure spread

Interface Fire Suppression Challenges

1-9



Ft. McMurray

May 4, 2016

2,400 homes

\$3.6 B loss

Urban Conflagration = structure to structure spread

The Big Questions

1-10

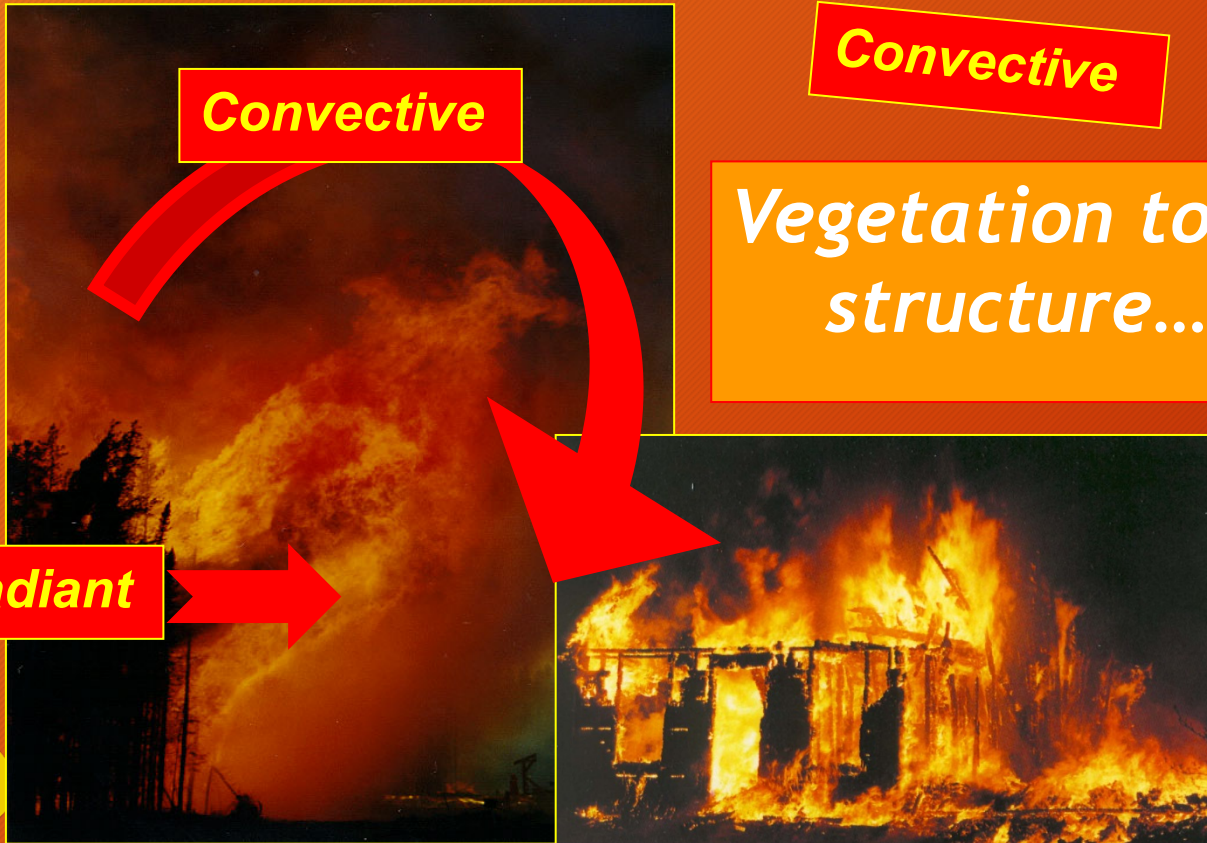


How are buildings ignited?

How are Buildings Ignited by Wildfire?

1-11

1. *Radiant heat or flame contact:*



or



How are Buildings Ignited by Wildfire?

1-12

2. *Firebrand caused ignitions:*

aka embers...



Fort McMurray, Beacon Hill - 2 pm May 4, 2016

1-13

Our neighbourhoods
are at risk from
wildfire...



<https://www.youtube.com/watch?v=PCc1FvZ3g0Q>



Fort McMurray, Beacon Hill - 2 pm May 4, 2016

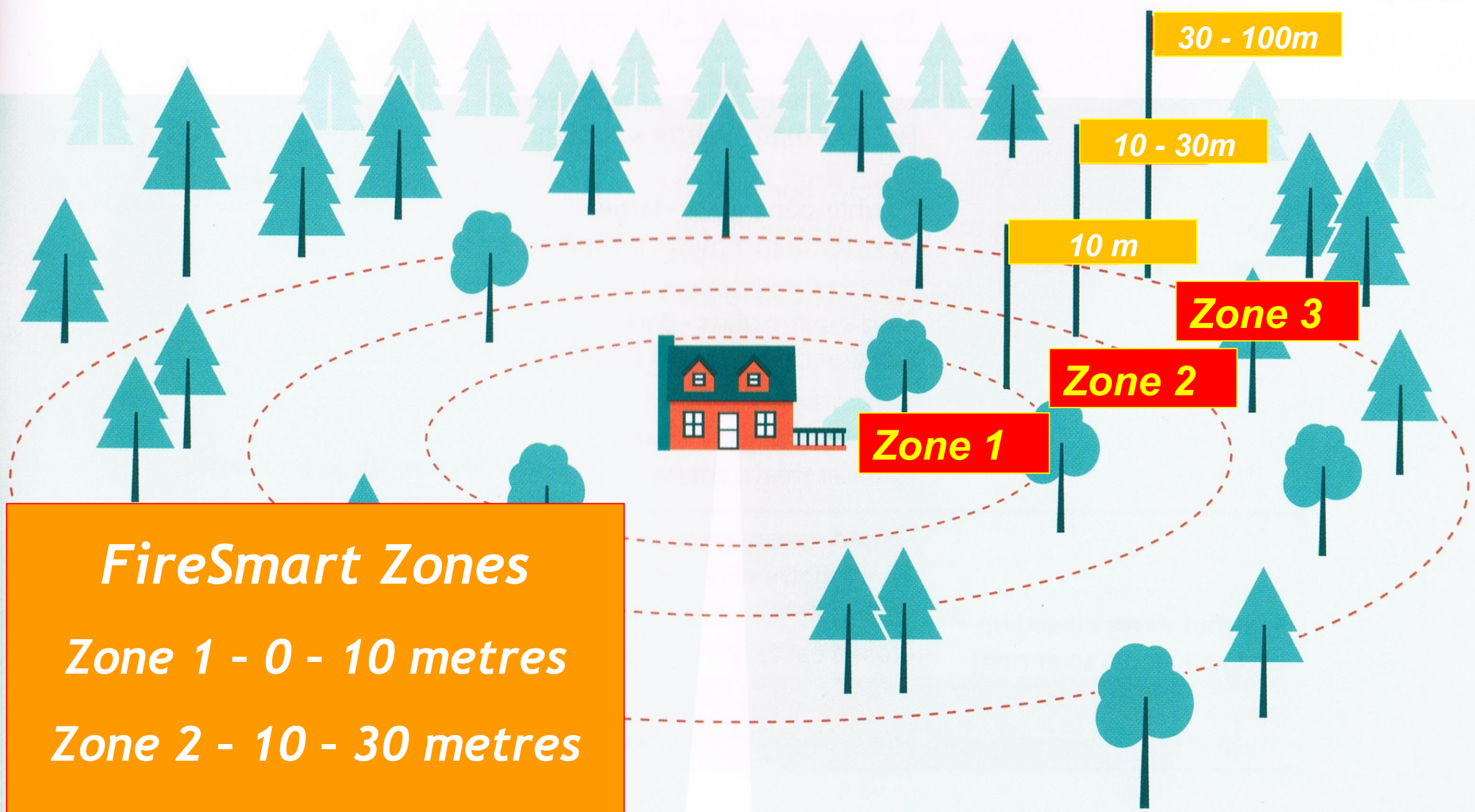
1-15

-Interesting video - what happened there?



How did these
houses ignite...

From that fire...



FireSmart Zones

Zone 1 - 0 - 10 metres

Zone 2 - 10 - 30 metres

Zone 3 - 30 - 100 metres

What Ignited the Beacon Hill Homes?

No significant fire inside

Zone 1 + 2...

What will ignite structures?

-Radiant Heat?

-Convective Heat?

-Embers - Firebrands?



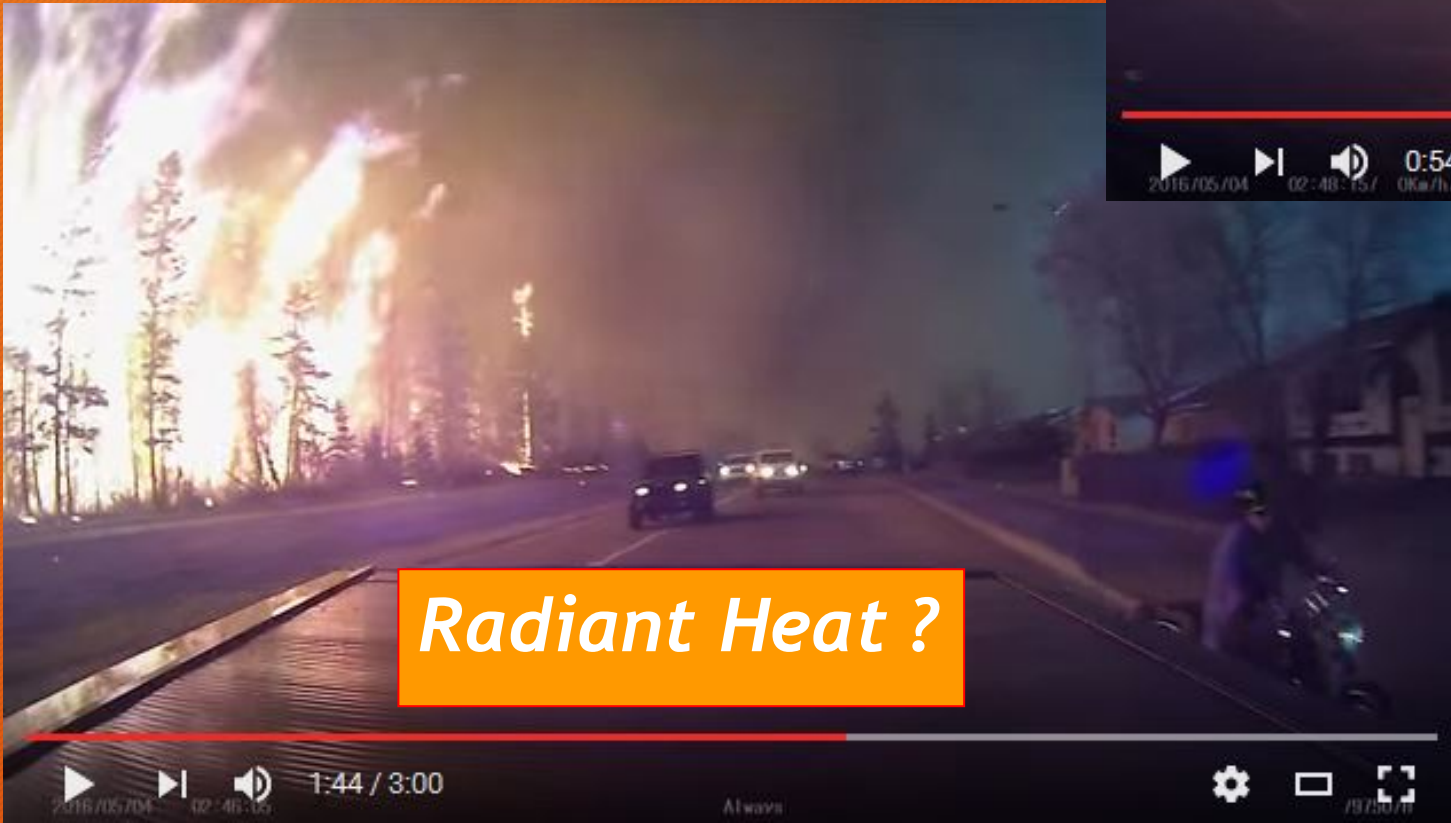
What Ignited the Beacon Hill Homes?

*Flame Contact ?
(Convective Heating...)*

1-18



Radiant Heat ?



*If not radiant heat or
flame contact what was it?
Must be...
Embers - Firebrands?*

Embers or Firebrands

1-19



*Fort McMurray - ember
burns on seat cushion
 $604 / m^2 = 6,040,000$
embers per hectare*

1-20



Ember accumulators...

- inside corners - base of walls*
- wood chip mulch beds*
- nooks and crannies,*
- wind eddies - 'dead' zones*

1-21



Firebrand caused ignitions



The result...



Observe Ember Ignition Timeline - 60 seconds

1-22

Embers - Airborne Firebrands



Beacon Hill
2 pm May 4 2016
Front Dashcam footage



Ember Ignition Timeline

1-23

T minus zero - start your watches...

This is a pre-green up deciduous hedge with dead leaves and winter debris in it...



*Ember Ignition #1
Hedge 1:44*

*Ember Ignition #2
Small pine 1:44 - not ignited*



Ember Ignition Timeline

1-24

30 seconds later...

Watch this one...



Ember Ignition #1 - Hedge
2:19

Ember Ignition #2 - Small pine
2:19



Ember Ignition Timeline

1-25

30 seconds later...

*Small pine = big fire
House ignited...*



*Ember Ignition #1 - Hedge
2:46*

*Ember Ignition #2 - Small pine
2:46*



Ornamental Vegetation on Lawn Ignites Home

1-26



*Small pine - mugo pine
over bark mulch*



Fire 1:44 - peak intensity

Observe fire intensity at interface over 60 seconds....



Fire 2:19 - reduced intensity



Fire 2:46 - lowest intensity



Beacon Hill - before

*Dashcam
Video start here 0:00*

*Ember Ignition #1 -
Bus stop Hedge 1:44*

*Ember Ignition #2 -
Corner lot small pine 2:19*

*Dashcam
Video end here 2:50*





Beacon Hill - after

*Dashcam
Video start here 0:00*

*Ember Ignition #1 -
Bus stop Hedge 1:44*

*Ember Ignition #2 -
Corner lot small pine 2:19*

*Dashcam
Video end here 2:50*





Fort McMurray - FireSmart Takeaways?

1-30



*81% of surviving homes
had applied FireSmart
best practices...*

*2/3's of burned homes
were rated Extreme...*



Fort McMurray - FireSmart Takeaways?

1-31



What contributed to these ignitions ?



How do we reduce the risk of wildfire losses?

1-32

-Solving the problem depends on what happens before the fire...

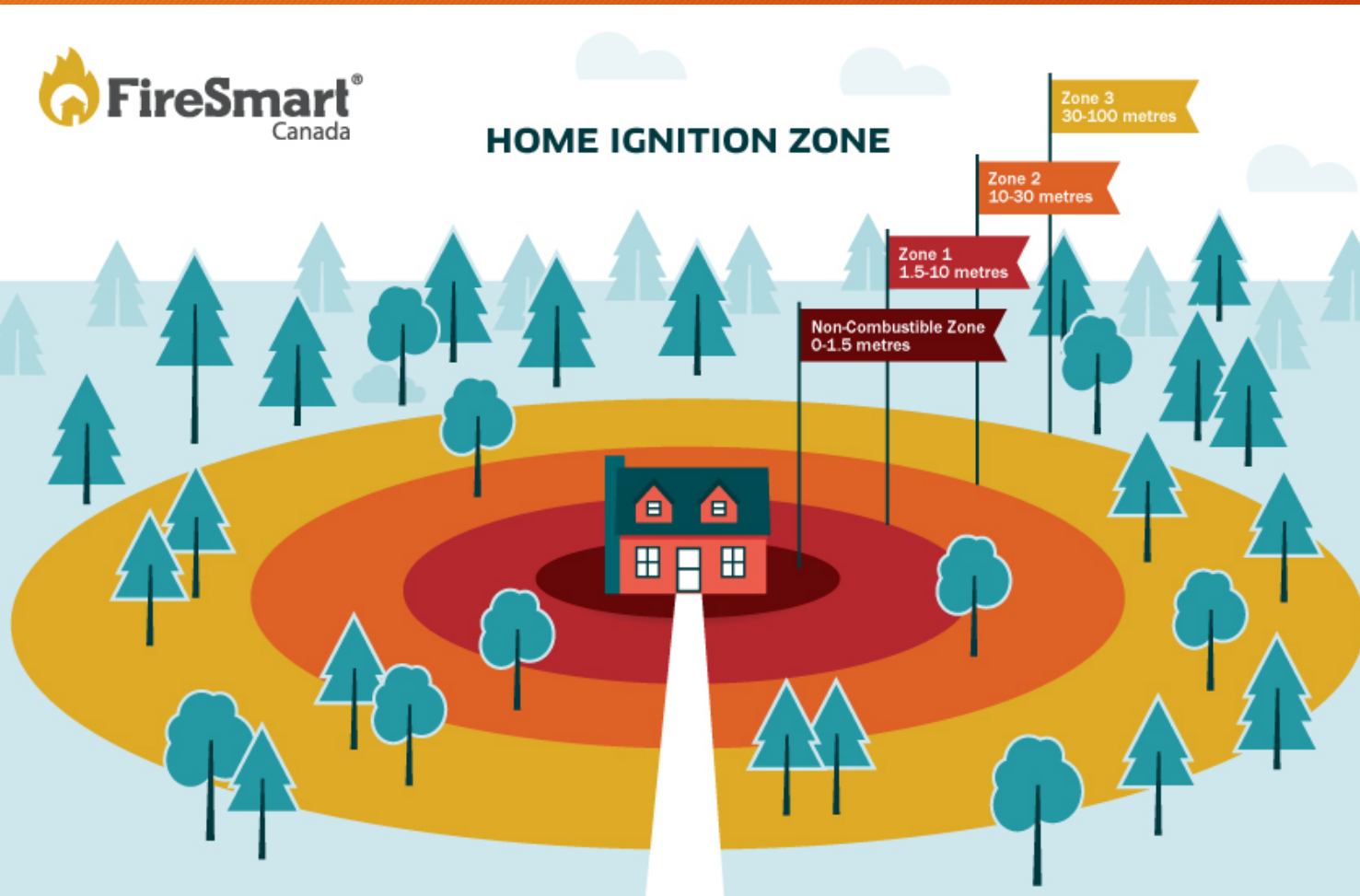


...on our homes and in the forest beside them...



The Home Ignition Zone Structure and 4 Zones

1-33



Ignition Potential is determined by:

- characteristics of structure
- surrounding flammable materials / vegetation

FireSmart Actions in the Home Ignition Zone

1-34

Little Flames - minimize ignition potential

*Non-combustible Zone and Zone 1
0 - 10m*

Big Flames - reduce intensity and slow advance

*Zone 2
10 - 30m*

*Zone 3
30 - 100m*

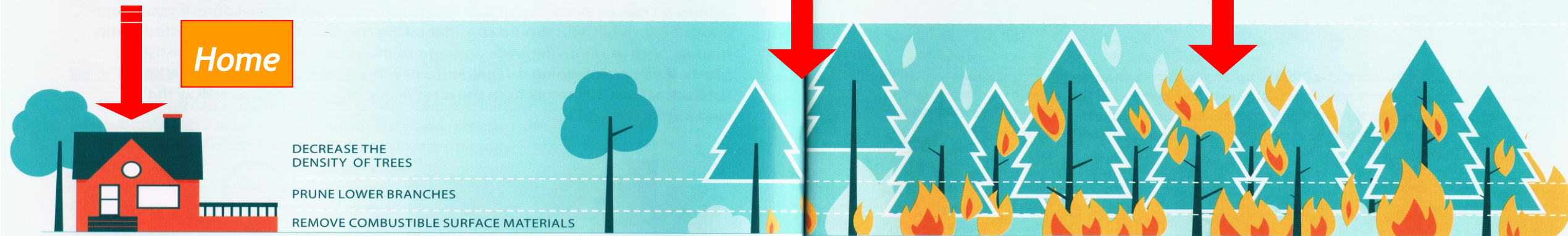
HOW FIRESMART TREATMENTS
INFLUENCE WILDFIRE SPREAD

Home

DECREASE THE
DENSITY OF TREES

PRUNE LOWER BRANCHES

REMOVE COMBUSTIBLE SURFACE MATERIALS



Hazard Factor 1: Roof Material

1-35



Roofs that catch fire are a significant factor contributing to building losses in the interface.

Hazard Factor 1: Roof Material

1-36



-Metal

-Clay / concrete tile

-Asphalt shingles

Fire-Rated

*-Unrated wood
shakes*

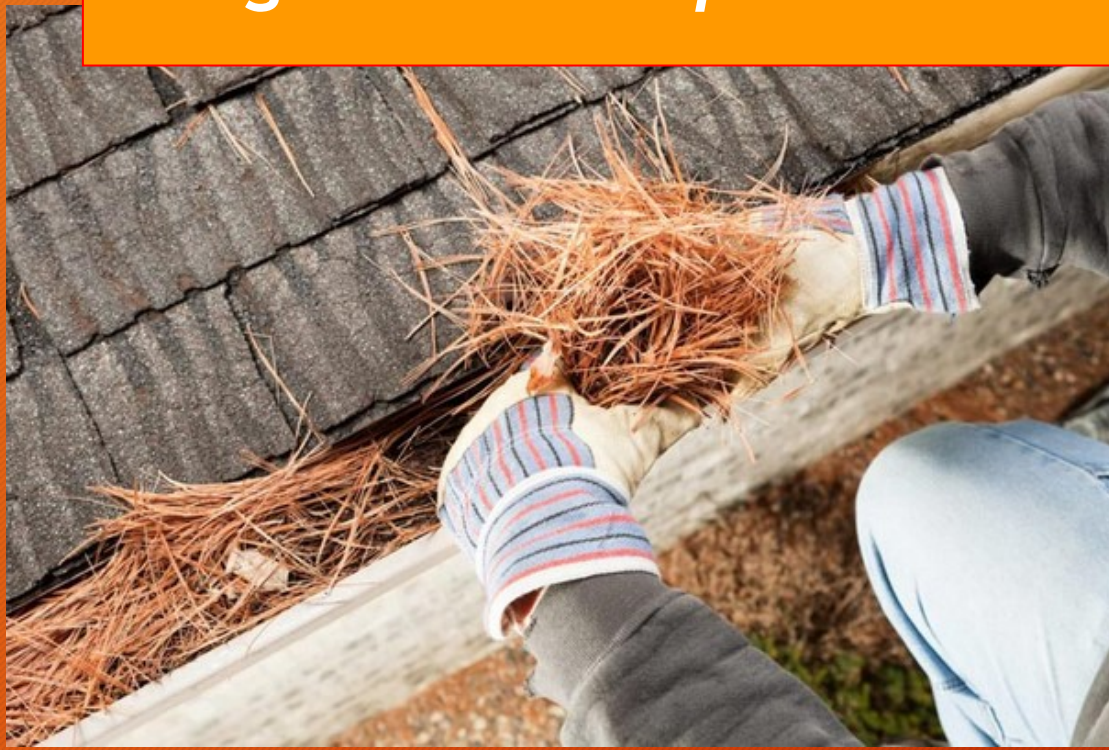
Unrated



Hazard Factor 2: Gutter Type/Roof Cleanliness

1-37

*Use non-combustible
gutters - keep clean*



*Clear tree needles
and debris from roof*

Hazard Factor 3: Vents and Openings

1-38

*All vents - Non-combustible, fire-rated
vents or vents with 3 mm screening*

Gable end vents



Box vents



*Cupola
vents*

Hazard Factor 5: Building Exterior or Siding

1-39



- Concrete/Brick/Stone
- Fiber cement / Stucco
- Metal
- Log construction

*Non-combustible or
ignition resistant*

- Wood
- Vinyl
- Acrylic Stucco

Combustible

Hazard Factor 6: Building Exterior Condition

1-40



Gaps, cracks or holes in siding can trap embers and ignite building exterior.

*Unrated wood shake exterior siding...
Wind-driven embers can 'stick' and ignite*



Hazard Factor 7: Ground-to-Siding Clearance

1-42



*-15 centimetres non-combustible
vertical ground to siding clearance*



Hazard Factor 8: Balcony, Deck, Porch

1-43



- Non-combustible surface - no gaps or cracks*
- Heavy timber or non-combustible, fire rated construction*
- No combustible debris under deck*

Hazard Factor 9: Position on Slope

1-44



*-Building located on
mid to upper portion
or crest of hill*



*-Building located on
bottom or lower
portion of hill*

Hazard Factor 10: Window Glass

1-45



Small windows = better protection

Larger windows = less protection

-Single-pane = poor

-Multi / Thermal pane = better

-Tempered glass = best

Hazard Factor 11: Non-Combustible Zone

1-46



1.5 metres from furthest extent of home (includes decks, overhangs)

Non-combustible surface, no combustible debris, materials, fences or plants present

Hazard Factor 11: Non-Combustible Zone

1-47



*1.5 metres
from home*

*Non-combustible surface,
no combustible debris,
materials, fences or plants*

Hazard Factor 12: Woodpiles and other combustible materials, vehicles

1-48

Zone 1 - 0 - 10 metres

Woodpiles or other combustible materials and vehicles must be in a FireSmart structure or located more than 10 metres from home.



Should be more than 10 metres from home

Hazard Factor 13: Outbuildings not meeting FireSmart guidelines

1-49



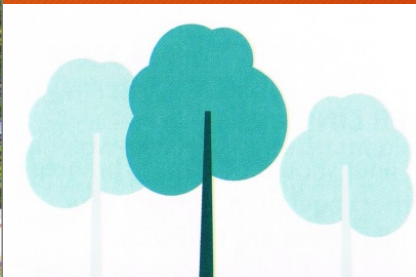
Zone 1 - 0 - 10 metres

Outbuildings not meeting FireSmart guidelines must be more than 10 metres from home.

Should be more than 10 metres from home

Hazard Factor 14: Forest Vegetation (trees) - Zone 1

1-50



Coniferous Trees
High Combustibility



Deciduous Trees
Low Combustibility



Hazard Factor 14: Forest Vegetation (trees) - Zone 1

1-51

*Deciduous fuels normally
don't support high
intensity crown fire...*

Deciduous Aspen stand



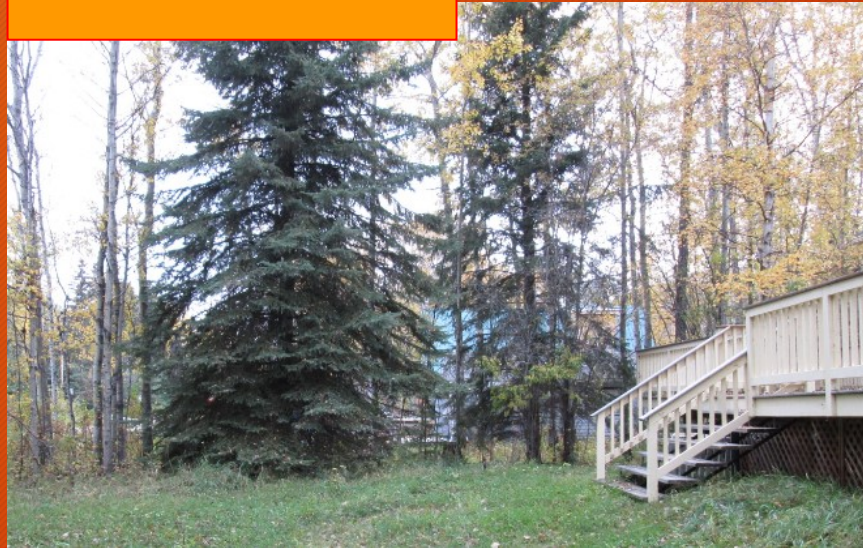
Hazard Factor 14: Forest Vegetation (trees) - Zone 1

1-52

Coniferous



Mixedwood



Deciduous



*Any coniferous or mixedwood located
1.5 - 10 m from home - higher hazard*

Hazard Factor 15: Surface vegetation and combustible materials

1-53

Zone 1 - 0 - 10 metres



*Grass >10 cm long or high flammability plants, accumulated needles, branches, logs
= Higher hazard*



*Grass <10 cm long or non-combustible surface, low flammability plants
= Lower hazard*

Hazard Factor 16: Forest Vegetation (trees) - Zone 2

1-54



Continuous = Higher hazard



Separated = Lower hazard

Hazard Factor 17: Flammable Shrub Spacing - Zone 2

1-55

Flammable shrubs = small conifers



Abundant = Higher hazard



Scattered = Lower hazard

Hazard Factor 18: Surface Vegetation - Zone 2

1-56

Accumulated needles, branches, logs



Abundant = Higher hazard

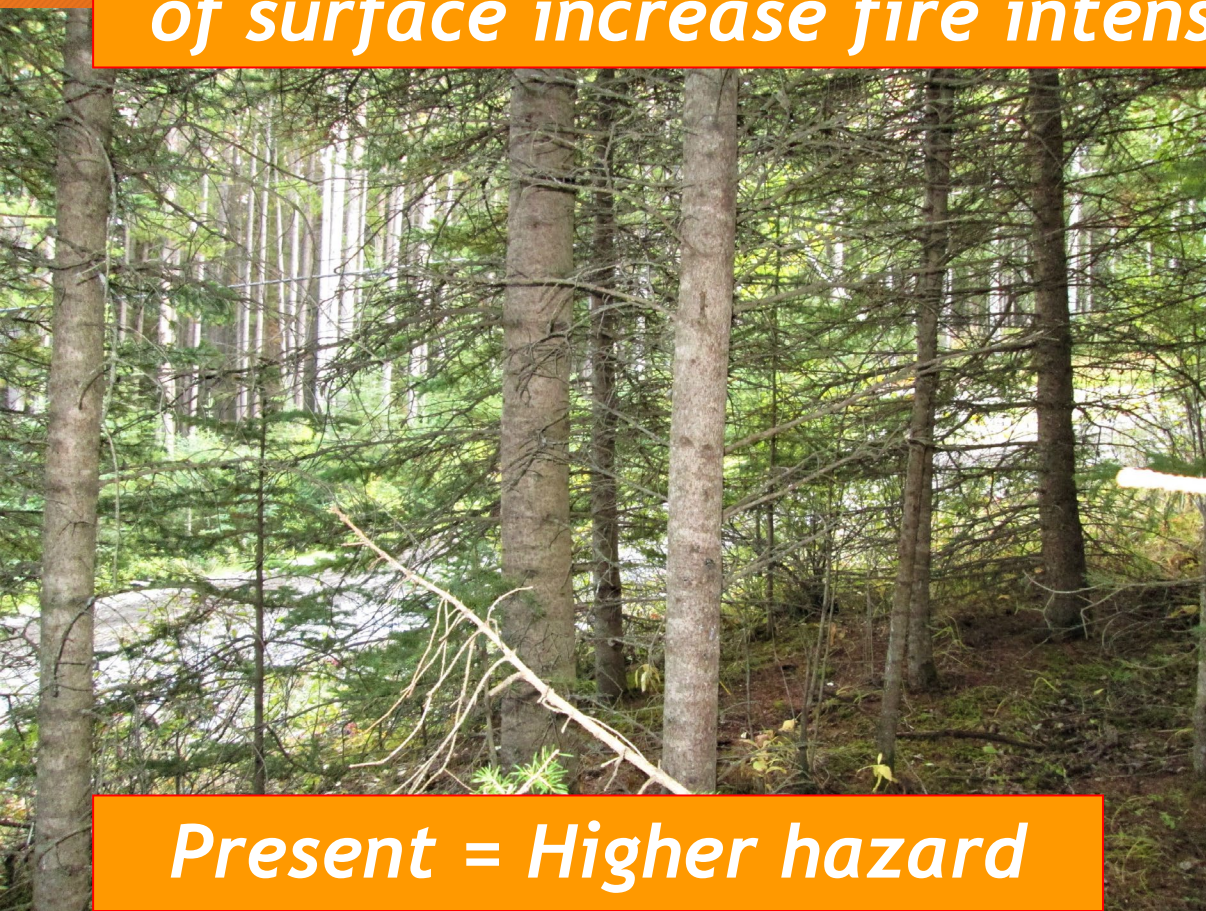


Scattered = Lower hazard

Hazard Factor 19: Low-lying tree branches - Zone 2

1-57

*Conifer branches within 2 metres
of surface increase fire intensity*



Present = Higher hazard



None = Lower hazard

Questions ?

1-58



Contact - West Hants FireSmart Program

1-59



*Jennifer Daniels- Local FireSmart
Representative*

j.daniels71@live.ca

HANTSPORT Fire Department. -

www.firesmartcanada.ca

FIRESMART® CRITICAL INFRASTRUCTURE ASSESSMENT



Facility Name		Date	
Operator		Email	
Geographic Location		Lat/Long	
Assessor		Email	
Photos? (Y/N)		Photo #'s:	
Comments:			

A. CRITICAL BUILDING				SCORE
1	What type of roofing material and construction does the building have?	Class A UL/ASTM fire rated roof covering (e.g. Metal, rated hot lay, clay tile or asphalt shingles)	0	
		Unrated roof covering (including wood shakes and wood shingle roofs)	30	
2	Does the roof covering have any gaps or openings, exposing combustible building components, or enclosed spaces where embers could accumulate, lodge or penetrate?	No gaps, openings that expose combustible building components or enclosed spaces where embers could accumulate, lodge or penetrate	0	
		Gaps, openings that expose combustible building components or enclosed spaces where embers could accumulate, lodge or penetrate	30	
3	Are the gutters combustible or non- combustible?	Non- combustible gutters, and no exposed combustible fascia/roof covering above gutters (metal or aluminum) or no gutters	0	
		Combustible (plastic, vinyl, wood) and/or exposed combustible fascia/roof covering above gutter	6	
			6	
4	How clean is the roof and gutters?	No needles, leaves or other combustible material	0	
		Needles, leaves or other combustible material present	10	
5	Are eaves closed and are eaves/roofs free of any gaps, holes, or areas where embers could accumulate, lodge or penetrate? Are all vents and openings protected?	Closed or no eaves/no gaps or holes/no unprotected areas to attic /interior of building, vents with 3 mm (1/8") non-combustible screening, operational louvres and flaps/ASTM ember resistant rated vents.	0	
		Open eaves/roof gaps or unprotected openings to attic/interior of building, vents not 3 mm (1/8") non-combustible screened or ember resistant rated; louvres/ flaps not operational with accumulated combustible debris	30	

6	Are all HVAC/active ventilation systems capable of being shut down?	HVAC/active ventilation system with 24 hr onsite operator, or remote shut-down capability	0	
		HVAC with no caretaker or remote shut-down capability/cannot shut-down	30	
7	What type of exterior siding does the building have?	Ignition resistant (cement fibre board, log) or non-combustible (stucco, metals, concrete, brick/stone)	0	
		Combustible siding or non-ignition resistant siding (vinyl, wood, acrylic stucco); treatment to Non-combustible Zone and Priority Zone 1	6	
		Combustible siding or non-ignition resistant siding (vinyl, wood, acrylic stucco); no treatment to Non-combustible Zone and Priority Zone 1	30	
8	Is exterior siding free of gaps, holes, or other areas where embers could accumulate, lodge, or penetrate?	No gaps or cracks, missing siding or holes	0	
		Gaps, cracks or holes	10	
9	Are walls protected with a minimum 15 centimetres (6 inches) of non-combustible ground- to-siding clearance?	No less than 15 centimetre non-combustible vertical ground-to-siding surface	0	
		Less than 15 centimetres non-combustible vertical ground-to-siding surface	30	
10	How fire resistant are the windows or doors (including large doors/garage doors)?	Tempered glass in all doors and windows and treated Non-combustible Zone and Priority Zone 1; no gaps in ANY doors OR no windows	0	
		Multi pane glass small/medium and treated Non-combustible Zone and Priority Zone 1; no gaps in ANY doors	1	
		Multi pane glass large and treated Non-combustible Zone and Priority Zone 1; no gaps in ANY doors	2	
		Single pane glass- small/medium and treated Non-combustible Zone, Priority Zone 1 and Priority Zone 2; no gaps in ANY doors	4	
		Single panel glass large and treated Non-combustible Zone, Priority Zone 1 and Priority Zone 2	6	
		Tempered glass in all doors and windows and no treatment to Non-combustible Zone; combustible doors; no gaps in ANY doors	20	
		Multi pane glass - any size and no treatment to Non-combustible Zone and/or Priority Zone 1 OR Single pane glass - any size and no treatment to Non-combustible Zone and/or Priority Zone 1 and/or Priority Zone 2; gaps in ANY door	30	

11	Is the underside of the balcony, deck, porch, other building extensions or open foundation completely sheathed- in or open and free of combustible materials?	N/A, sheathed in with fire resistant/non-combustible materials, or non-combustible siding, no gaps or cracks, OR open heavy timber, non-combustible or fire-rated construction OR AND non-combustible surface and no combustible debris under deck/extension AND treated Non-combustible Zone, Priority Zone 1 and Priority Zone 2 and slope set-back (if applicable)	0	
		Not sheathed in with fire resistant/non-combustible material or siding, and/or unprotected gaps or cracks present, and/or non-fire-rated construction with combustible surface and/or combustible debris under deck; OR any extension construction of any combustible material and no treatment no treatment to Non-combustible Zone and/or Priority Zone 1 and/or Priority Zone 2.	30	
12	Is the building set back from the edge of a slope?	Building is located on flat ground that extends to the full distance of Priority Zone 2	0	
		Building is located on the bottom; AND treated Non-combustible Zone, Priority Zone 1, Priority Zone 2	3	
		Building is located on the mid to upper portion or crest of a hill and set back AND treated Non-combustible Zone, Priority Zone 1, Priority Zone 2 and Priority Zone 3	10	
		Building is located on the mid to upper portion or crest of a hill with no set back	30	
CRITICAL BUILDING SCORE				0
		LOW < 21		
		MODERATE 21-29		
		HIGH >30		

B. CRITICAL STRUCTURES - Utility Poles, Communications Towers, Bridges, Pipeline Valve Stations				SCORE
1	Valve station/substation/ Propane Tanks	N/A or a non-combustible surface is continuous under all combustible infrastructure	0	
		There is combustible surface under ANY combustible infrastructure	30	
2	Utility line poles or critical component (weather stations, antennae masts, cellular towers) support structure/mast construction material?	N/A or Poles/ support structures are constructed of non-combustible material (metal or concrete)	0	
		Poles/ support structures are constructed of wood	6	
3	Utility line poles or critical component (weather stations, antennae masts, cellular towers) support structure condition?	N/A, Non-combustible or combustible poles or support structures are free of petroleum/ accelerant-based coatings, cracks and gaps where embers may accumulate, lodge or penetrate and non-combustible surface is continuous under all combustible infrastructure	0	
		Combustible poles or support structures have cracks and gaps where embers may accumulate, lodge or penetrate AND/OR there is combustible surface under ANY combustible infrastructure	30	
4	Critical component susceptibility to radiant heat	N/A or Critical components are not constructed of materials that are susceptible to damage from significant radiant or convective heat fluxes OR Critical components are constructed of materials that are susceptible to damage from significant radiant or convective heat fluxes and Non-combustible Zone and/or Priority Zone 1 and/or Priority Zone 2 are treated.	0	
		Critical components are constructed of materials that are susceptible to damage from significant radiant or convective heat fluxes and no treatment to Non-combustible Zone and/or Priority Zone 1 and/or Priority Zone 2.	30	

5	Critical components susceptibility to embers - free of any gaps, holes, or areas where embers could accumulate, lodge, or penetrate?	N/A or Critical components are not constructed of materials that are susceptible to damage from embers or OR Critical components are constructed of materials that are susceptible to damage from embers but are free any gaps, holes or areas where embers could accumulate, lodge, or penetrate.	0	
		Critical components are constructed of materials that are susceptible to damage from embers and have gaps, or areas where embers could accumulate, lodge or penetrate and damage components	30	
6	Bridge construction material	N/A or Structure is constructed of non-combustible material (metal or concrete)	0	
		Structure is constructed of heavy timber wood or logs and Non-combustible Zone and/or Priority Zone 1 are treated	6	
		Structure is constructed of wood or logs and no treatment of Non-Combustible Zone and/or Priority Zone 1	30	
7	Bridge condition	N/A or Combustible structure is free of cracks and gaps where embers may lodge	0	
		Combustible structure has cracks and gaps where embers may lodge	30	
CRITICAL STRUCTURE SCORE				0
		LOW < 21		
		MODERATE 21-29		
		HIGH >30		

C. NON-COMBUSTIBLE ZONE (0-1.5 METRES)				SCORE
1	1.5 metres from furthest extent of building or critical structure (includes overhangs, extensions and decks)	Non-combustible surface, no combustible debris, materials, fences or plants present	0	
		Combustible surface, combustible debris, fences or plants present	30	
NON-COMBUSTIBLE ZONE SCORE				0
		LOW < 21		
		MODERATE 21-29		
		HIGH >30		

D. ZONE 1 (1.5-10 METRES OR 5-30 FEET)				SCORE
1	Where are flammable substances, or other combustible materials stored? (Vehicles, flammable liquids/gases construction materials, debris etc.)	N/A or More than 10 metres from the structure, or in an approved and ember resistant storage container	0	
		Less than 10 metres from the structure and not in an approved and ember resistant storage	30	
2	Where are the unmitigated non-critical outbuildings located? (buildings that are not-mitigated to the same standards as the primary building or critical structure)	N/A or More than 15 metres (50 feet) from primary structure	0	
		Less than 15 metres from primary structure	30	
3	What type of forest grows within 10 metres of the building, outbuilding or critical structures?	No trees or Healthy deciduous (i.e. poplar, aspen, birch)	0	
		Mixedwood (both conifer and deciduous)	30	
		Conifer (i.e. spruce, pine, fir, cedar)	30	
4	What kind of surface vegetation and combustible materials are within 10 metres of the building, outbuildings or critical structures?	No vegetation; Well maintained lawn (15 centimetres; 6 inches or shorter); low flammability; low growing discontinuous plants with treated Non-combustible Zone (0-1.5 metres)	0	
		Unmaintained grass (greater than 15 centimetres in length); flammable plants; continuous plants or tall growing plants; untreated Non-combustible Zone	30	
		Twigs, branches, logs and accumulations of tree needles or leaves and other combustible materials	30	
ZONE 1 SCORE				0
		LOW < 21		
		MODERATE 21-29		
		HIGH >30		

E. ZONE 2 (10- 30 METRES OR 30-100 FEET)				SCORE	
1	What type of forest grows within 10-30 metres of the building, outbuilding or critical structures?	No trees or Healthy deciduous (i.e. poplar, aspen, birch)	0		
		Mixedwood (both conifer and deciduous)	10		
		Conifer (i.e. spruce, pine, fir, cedar)			
		Separated	10		
		Continuous	30		
2	What kind of surface vegetation and combustible materials are within 10-30 metres of the building, outbuildings or critical structures?	None within 10 - 30 metres)	0		
		Scattered within 10 - 30 metres	5		
		Unmaintained grass (greater than 15 cm)	5		
		Abundant within 10 - 30 metres	10		
3	Are there low tree branches within 2 metres of the ground?	None within 10 - 30 metres	0		
		Present within 10 - 30 metres	10		
ZONE 2 SCORE				0	
		LOW < 21			
		MODERATE 21-29			
		HIGH >30			

CRITICAL INFRASTRUCTURE HAZARD SCORE	SCORE
Building	0
Critical Structures	0
Non-Combustible Zone	0
Zone 1	0
Zone 2	0
TOTAL	0

LOW <21	MODERATE 21-29	HIGH > 30
---------	----------------	-----------

The goal is to drop the hazard rating as low as possible by changing each factor to a condition that results in a low score.



Partners in Protection

working together for safer communities in the wildland-urban interface

FireSmart Canada



WANTED **Neighbourhood Champions**



If you are a homeowner that has concerns with the wildfire hazard on or nearby your property – you can become a Neighbourhood Champion – taking the initiative to contact the FireSmart Neighbourhoods Program can start the ball rolling.

Working together with your neighbours is fun and effective!

Often an annual day or half-day dedicated to cleaning up wildfire hazardous vegetation that has accumulated around the neighbourhood becomes a traditional community event.

Over the years getting together and sharing food, laughter and some outdoor work can make a big difference to the wildfire hazard in and around your neighbourhood.

FireSmart Neighbourhoods Program ...NEEDS YOU!

The FireSmart Neighbourhoods Program is designed to encourage self-organized groups of residents to take the lead in implementing solutions for wildfire safety on their own properties.

The Program provides people living in wildfire prone areas with the knowledge and organizational means to significantly reduce their neighbourhood's vulnerability to wildfire. They achieve this by planning and working together – with the support of a local wildfire professional.

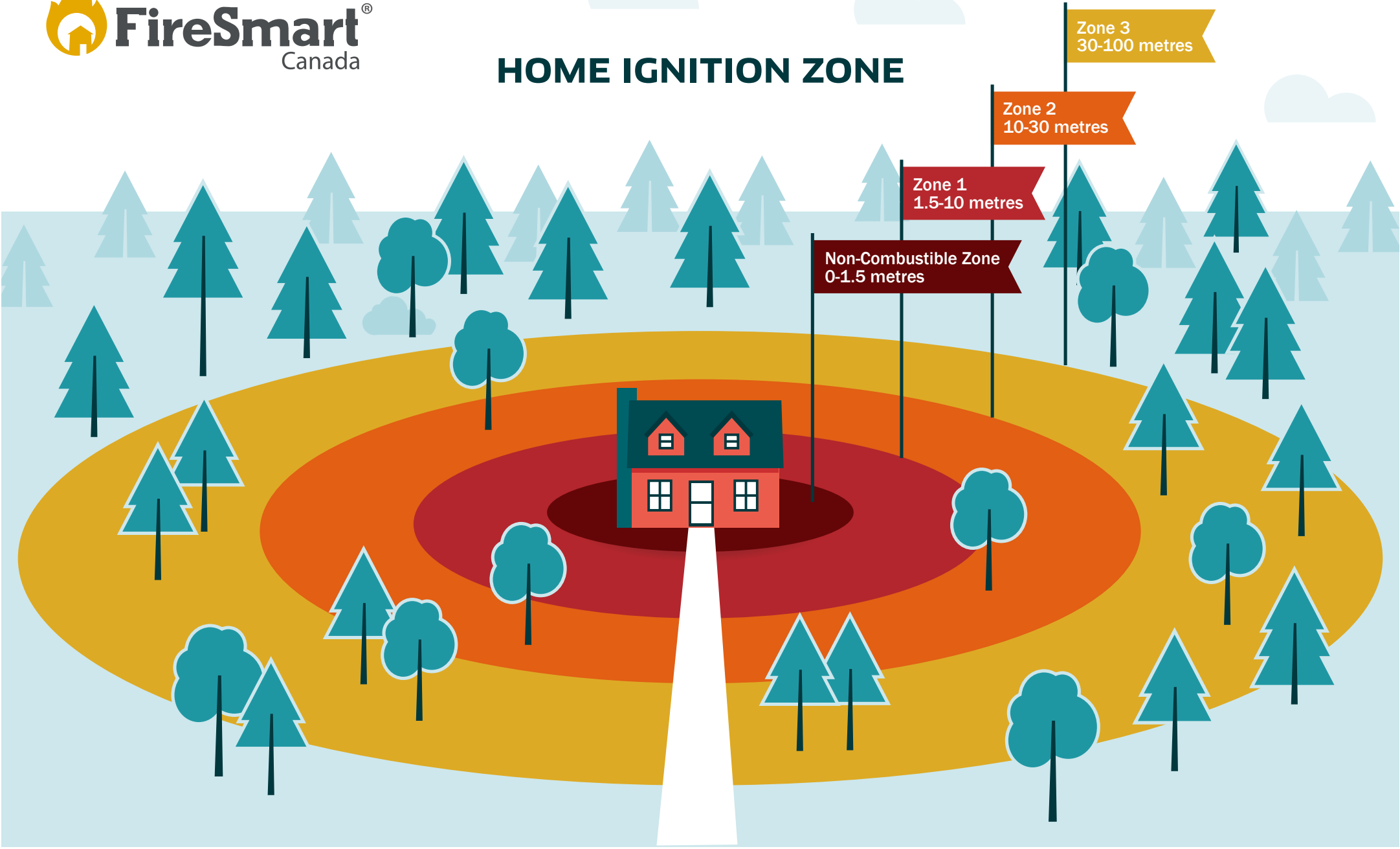
Remember, if you're concerned about the wildfire hazard in your area - there's a good chance your neighbours feel the same way. The FireSmart Neighbourhoods Program is designed to assist you and your neighbours to develop an action plan to reduce your wildfire hazard simply and effectively.

If this sounds like something your neighbourhood might be interested in, contact FireSmart Canada or your Local Fire Representative today. They will arrange to meet with you (the Neighbourhood Champion) and your neighbours to discuss your concerns and explain what the FireSmart Neighbourhoods Program can do for your neighbourhood. There's no obligation and the program is funded by a variety of fire prevention agencies.

Visit our website at: www.firesmartcanada.ca



HOME IGNITION ZONE



Work with your neighbours in any overlapping priority zones!

Non-combustible Zone (0-1.5 metres)	Reduce the chance of wind-blown embers igniting materials near your home. A non-combustible surface should extend around the entire home and any attachments, such as decks. Creating a non-combustible surface can be as easy clearing vegetation and combustible material down to mineral soil. To add to your landscape design, use non-combustible materials such as gravel, brick, or concrete in this critical area adjacent to your home. Woody shrubs, trees or tree branches should be avoided in this zone, any that are present should be properly mitigated.
Zone 1 (1.5-10 metres)	Create a landscape that will not easily transmit fire to the home. A FireSmart yard includes making smart choices for your plants, shrubs, grass and mulch. Selecting fire-resistant plants and materials can increase the likelihood of your home surviving a wildfire. Plant a low density of fire-resistant plants and shrubs. Avoid having any woody debris, including mulch, as it provides potential places for fires to start. Storing items such as firewood piles, construction materials, patio furniture, tools and decorative pieces against or near a house is a major fire hazard. Move firewood piles, trailers/ recreational vehicles, storage sheds and other combustible structures out of this zone and into Zone 2. If unable to move, store firewood inside your mitigated garage, shed or other ember resistant structures, create a non-combustible zone underneath and for 1.5 metres around trailers/ vehicles and mitigate sheds and other structures to the same standards as those of your home.
Zone 2 (10-30 metres)	If your property extends out to this zone, thin and prune evergreen trees to reduce hazard in this area. Within 30 metres of your home, selectively remove evergreen trees to create at least 3 metres of horizontal space between the single or grouped tree crowns and remove all branches to a height of 2 metres from the ground on the remaining evergreen trees. If possible, pruning trees up to 100 metres from your home (Zone 3) is recommended. Regularly clean up accumulations of fallen branches, dry grass and needles from on the ground to eliminate potential surface fuels. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for this zone.
Zone 3 (30-100 metres)	Taking FireSmart actions in Zone 3 on your property will influence how a wildfire approaches your home. You can change the dynamics of wildfire behaviour by managing vegetation within this zone. Look for opportunities to create a fire break by creating space between trees and other potentially flammable vegetation. Thinning and pruning is effective here as well. These actions will help reduce the intensity of a wildfire. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for this zone.

Begins at Home



WEST HANTS REGIONAL MUNICIPALITY
Presenter/Presentation Overview

Date: July 27, 2021 Council Meeting

Name of Presenters & Organization: Matthew Dunfield, Resident

Presentation Outline/Summary (Matter): Proposed Falmouth Family-Dog Park

Request of WHRM Council: Support.

*Thank you for providing this information & a full copy of your presentation one full week
BEFORE the date you are scheduled to present to West Hants Regional Council to
sthornton@westhants.ca !*

The project proposed at 369 Town Road in Falmouth would see the once vibrant 0.9 acre site be reclaimed from its current state of poor condition and overgrown.

Once home to a ball field, canteen, playground and an outdoor rink, this property, which is owned by the Falmouth Community Association, needs new life. Many residents have expressed the desire to see a dog park built there, while others have asked about a new playground or splash pad. Why settle on one or the other?

The scale of this redevelopment is big and it will be a major draw for residents and visitors alike.

The vision is to construct a big and a smaller dog fenced in park with unleashing corridors at the top end of the property adjacent to Town Rd.

Just past the dog park you will find a splash pad and 2 washrooms with an exterior potable water source.

Beyond the splash pad, visitors will discover a magnificent accessible playground. Such play areas are few and far between and the community is in need of servicing clients of all physical abilities.

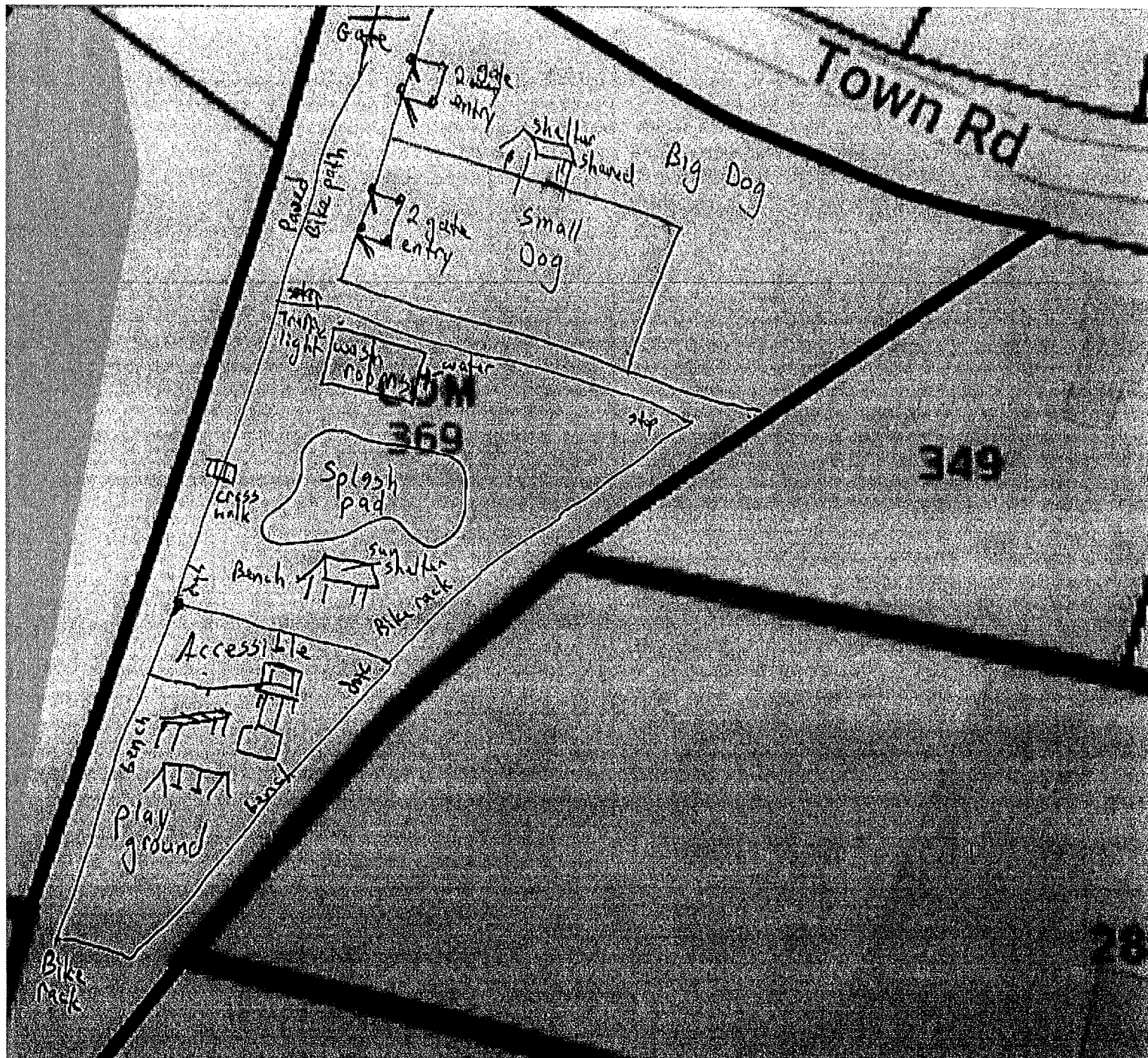
Circumnavigating the whole property and transecting it between the dog park and splash pad and again between the splash pad and playground, is a 9' wide paved bike safety course. This course will serve as accessibility for strollers and wheelchairs to use the park. The pathway will be signed and lined like a roadway so that young cyclists can learn the rules of the road in a safe place and have fun.

What we, the Falmouth Family Park Committee, ask on behalf of the Falmouth Community Association is council's blessing to proceed and access to different professional services such as engineering, public works, etc. and once the project is complete to offer to assume care and maintenance annually.

Currently community stakeholders are stepping forward to assist to make this dream a reality.

Thank you for your time.







WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Council

Submitted by: Tim Leslie - Manager, Building & Fire Inspection Services

Date: July 20, 2021

Subject: 368 Nesbitt Street, Windsor (Old Textile Mill Property)

LEGISLATIVE AUTHORITY

Dangerous & Unsightly Act

INFORMATION / ACTION

I will be forwarding a letter/email to the property owner/developer requesting a written plan of action by the September Council meeting (September 28, 2021) regarding their intention with the property and existing structure. If there is no plan to proceed with demolition or construction before winter (December 21, 2021) then I will require a written report from a Structural Engineer on what will be required to support the structure from further collapse or deterioration over the winter or until construction starts.

BACKGROUND

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

DISCUSSION

Background Information:

- There have been several building permits over the years from 1996 – renovations (\$10,000), 2006 – new use (\$25,000), 2006 – new roof (\$158,000), 2007 – Windows (\$300,000) to most recently 2008 – renovations to the first floor (\$1,754,000, which was cancelled).

- There have been 4 different demolition permits from 1998 to 2007 for various parts of the building.
- In 2021 there was a Dangerous & Unsightly complaint made with regard to the building. This was addressed by way of sign off from a Structural Engineer stating the building (where the roof collapsed) was structurally sound at this point, as well as a construction fence installed around the building and posted 'do not enter'. The fence was extended past the fall zone where the roof collapsed as a precaution. The building and property are monitored by the owner on a weekly basis. I have been in contact with the developers monthly and any time there is a concern (portion of fence knocked down for example) it has been fixed that day.

NEXT STEPS

They have had a Geotechnical study completed on the property to see if the building is stable and can support any renovation or construction they would like to do. They are in the process of coming up with a plan and design for the property.

FINANCIAL IMPLICATIONS

N/A

ALTERNATIVES

Councils wishes

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

I concur with the comments and action outlined by Senior Building Official, Tim Leslie. I'm certain that the property owner, community and Council would like to see the building repurposed. The future of the existing site and structure is very dependent on a successful business plan that factors in the recent geotechnical findings on the site, the current structure's salvageability and the need for commercial or residential space within our region.

As the property has continued to deteriorate, despite past revitalization attempts, it is becoming increasingly unsafe and unsightly. We must follow the direction of the Senior Building Official who has attempted to follow the balance of ensuring the site is safe while recognizing action must be taken by the owner within the timelines set. The action outlined is not perpetual and requires action by the owner.

We ask for Council's continued oversight and patience and respect the action Tim has outlined.

Report Prepared by: Tim Leslie, Manager of Building & Fire Inspection Services_

Report Reviewed by:  _____
Mark Phillips, Chief Administrative Officer



Family Resource Centre of West Hants
61 Morison Drive
P.O. Box 2847
Windsor, NS
B0N 2T0
Email: frcowh@gmail.com
Phone: 902-798-5961

July 15th, 2021.

West Hants Regional Municipality
76 Morison Drive
PO Box 3000
Windsor NS B0N 2T0

To Whom It May Concern,

I am writing in support of the by-law amendment to allow secondary suites to all single and two-unit residential dwellings in Windsor, Hantsport and West Hants.

I am a Housing Support Worker who lives and works in West Hants. The lack of affordable housing in this area is an issue that I feel needs to be addressed. I know that the Nova Scotia Government is aware of this issue, but it can be a long time before any plans to resolve this issue are put into motion.

Building duplexes, triplexes, or multi-unit buildings can be a timely and costly way to look at lessening the lack of affordable housing available in our area. By allowing secondary suites to be an option in the above listed areas it can be a faster and less costly way to offer more housing options, without needing to go through the lengthy process of finding land, purchasing it, servicing it, etc.

Secondary suites are a way to offer additional housing options to existing structures without changing the infrastructure of the buildings themselves. In doing so, you don't need to renovate your whole house, or build additions to allow for the

extra space. The secondary suite can often be added to the basement of an existing structure, which doesn't require the use of additional land.

If secondary suites are permitted, it can increase the amount of affordable housing opportunities within the Windsor, West Hants and Hantsport areas. In doing so, we can take on an active role in doing something to combat the housing crisis and a small part can be played by increasing the vacancy rate and decreasing the number of people struggling with, who are at risk of or who are currently experiencing homelessness. Once these people have a stable living environment, they can move forward with trying to better themselves in other ways and become contributing members of the community.

Sincerely,

Kayla Todd

Kayla Todd

Housing Support Worker

Family Resource Centre of West Hants



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

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

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: June 22, 2021

Subject: File # 20-30D: HMPS and LUB Text Amendment: Secondary Suites

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210.

POSSIBLE MOTION

Following conclusion of the Public hearing on July 27, should Council wish to complete the proposed amendment, the following motion would be in order:

...that Council amend the **Hantsport** Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Attachment D of the Second Reading Report to Council dated June 22, 2021.

BACKGROUND

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

A Public Information Meeting was held on April 22, 2021 (Attachment A).

On May 13, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Attachment B).

Council held First Reading on May 25, 2021 (Attachment D).

NEXT STEPS



*anticipated dates; final dates will be set by Council

ATTACHMENTS

Attachment A	Public Information Meeting Notes – File 20-29 A
Attachment B	Staff Report Secondary Suites - File #20-29
Attachment C	First Reading Report – File # 20-29 B
Attachment D	Proposed Amendments

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO

Attachment A

Public Information Meeting Notes

April 22, 2021- May 6, 2021

File 20-30A

Secondary Suites MPS and LUB Amendment Hantsport

Meeting date and time	A public information meeting was held on April 22, 2021 beginning at 6:30 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Councillor Morton Madelyn LeMay, Director, Planning and Development Saira Shah, Planner Sara Poirier, Planner As this meeting was held virtually there were no members of the public present.
Applicant Family Resource Centre	Ms. Shah outlined the request from the Family Resource Centre to amend all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code.
File Number	20-30A
Comments	Two (2) written comments were received from the public in support of the amendments. The first resident referred to the major housing crisis in the region and believe the proposed changes could alleviate some of the housing issues. They would like to see detached secondary suites in a future amendment. Another resident and Housing Support Worker (the applicant) felt this amendment would increase affordable housing options and make existing housing potentially more affordable for homeowners who would be able to rent the apartments to cover some of their mortgage costs.
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 Ms. Shah until May 6, 2021.
Attachment A	Comments from public

Attachment A

(April 26, 2021 e-mail)

Hello,

I just wanted to add my comments to the public information hearing. I don't live in Windsor but my job requires me to find housing for folks in Windsor.

I would say there is a major housing crisis right now and the proposed changes would help alleviate some of that. I think the proposed changes are great and I hope they get passed.

I also hope that we can see them extend even further to include detached secondary dwellings.

Regards,

Kelly McGregor

May 4th, 2021 (via e-mail)

West Hants Regional Municipality

76 Morison Drive

PO Box 3000

Windsor NS B0N 2T0

To Whom It May Concern,

I am writing to express support to the by-law amendment to allow secondary suites to all single and two-unit residential dwellings in Windsor, Hantsport and West Hants.

I am a Housing Support Worker who lives and works in West Hants. The lack of affordable housing in this area is an ongoing issue that many of my clients are dealing with every day, which is why they need additional support from service providers such as myself and a housing locator, to help them find safe, affordable places to live.

A secondary suite, also known as a basement apartment, granny suite or in-law suite is defined by the Halifax Regional Municipality as a self-contained dwelling unit with a limited floor area which is located within a house or another building that contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.

According to the results of Canada Mortgage and Housing Corporation's Rental Market Survey conducted in October 2019, the Halifax CMA vacancy rate was 1% versus 1.6% in October 2018. (CMHC 2020). Allowing secondary suites more broadly is intended to support the creation of complete communities as well as meet affordable housing targets. (Halifax.ca).

If secondary suites are permitted, not only can it increase the amount of affordable housing opportunities within the West Hants Municipality, but they can also be used as a way that people who are struggling to afford their current place of residence. Having a secondary suite to rent out can give them extra cash flow to help make ends meet. In doing so, a small part can be played by increasing the vacancy rate and decreasing the number of people struggling with, who are at risk of or who are currently experiencing homelessness.

Sincerely,
Kayla Todd
Housing Support Worker
Family Resource Centre of West Hants

Attachment B



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: May 13, 2021

Subject: File 20-30 Secondary Suites MPS and LUB Amendment **Hantsport**

1.0 LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

2.0 RECOMMENDATION

Should the Planning and Heritage Advisory Committee (PAC/HAC) wish to forward a positive recommendation, the following motion would be in order:

(I move) ... that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Attachment A of the staff report to PAC/HAC dated May 13, 2021.

3.0 BACKGROUND

On December 11, 2020 the Family Resource Centre, a member of the West Hants Housing Coalition, applied for an amendment to all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the NBC. The application was complete January 26, 2021.

West Hants Regional Municipality has a separate Municipal Planning Strategy and Land Use By-law for each of Hantsport, Windsor and West Hants. The amendments for each set of documents must be considered separately. This

report will deal only with the Hantsport Municipal Planning Strategy (HMPS) and Hantsport Land Use By-Law (HLUB). There will be duplication of material within the three reports but this ensures that documentation for each separate amendment is complete.

WHRM staff categorized potential options to improve the amount of affordable housing as short, medium, and long-term depending on the amount of time required for any required changes. One of the short-term options was to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code (NBC) definition.

The NBC defines a secondary suite as “*a self-contained dwelling unit with a limited floor area which is contained within a house or another building which contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.*” The NBC also limits the size of a suite to 80% of the total floor area of the main dwelling unit to a maximum of 861 ft² (80 m²), and includes requirements for ceiling height, smoke alarms, separation of units, ventilation, egress, and heating systems to ensure both the secondary and main suites are safe for occupancy.

The Hantsport Municipal Planning Strategy (HMPS) does not permit accessory apartments.

4.0 DISCUSSION

4.1 Provincial Support for Secondary Suites

All municipalities in Nova Scotia that have planning documents are required to have specific policies related to housing as there is a *Statement of Provincial Interest* regarding housing. The Provincial goal is to provide housing opportunities to meet the needs of all Nova Scotians. This is achieved by having policies that specifically address affordable housing, special-needs housing and rental accommodations. The Province requires the Municipality to consider permitting higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types. Part 4.0 of the HMPS addresses housing and residential uses.

Secondary suites can reflect this Provincial intention and be part of the solution by providing an affordable housing option that does not appear to increase density in low density neighbourhoods as the suites are located within an existing dwelling.

4.2 Municipal Support for Secondary Suites

The Hantsport MPS and LUB were approved in 2010. The background material in section 2.2.5 of this HMPS states: *Although most of the respondents to the survey indicated that a higher density of residential development was needed in Hantsport, there was little support to allow conversions of single unit dwellings into two or more units, even if the exterior appearance of the building was not changed.*

The ICSP policies included within the HMPS list options to increase housing such as reducing the minimum lot frontage from 70 ft. to 50 ft. and lot size from 7,500 sq ft. to 5,000 sq ft. to promote more housing in new subdivisions and infill development in existing neighborhoods. These reduced requirements were incorporated into the HLUB.

On February 23, 2021 WHRM Council approved in principle all recommendations presented in the RAD Consulting report. Recommendation 12 encourages Council to address affordable housing by considering options such as secondary suites.

Although the material in section 2.2.5 of the HMPS shows opposition to secondary suites from residents, the HMPS is more than ten (10) years old and was approved by the then-Town Council. The approval of the recommendation from the RAD Consulting report indicates the new Council's perspective to consider secondary suites as an affordable housing option in the entire Region.

A 2018 amendment to the Hantsport planning documents also illustrates a change of direction in the community since 2010: the amendment permits the conversion of any single or two-unit dwelling existing as of May 1, 2018, to the maximum number of units permitted in the Two Unit Residential (R-2) or Multiple Unit Residential (R-3) Zone provided all units are contained within the existing residential building.

There is no background material or policy regarding secondary suites in Hantsport. The proposal is to add background and policy in the HMPS General Land Use Policies similar to Part 4.11 of the West Hants Municipal Planning Strategy. This proposed amendment will ensure the general housing policies for the Region are similar and meet the requirements of the Statements of Provincial Interest.

4.3 Review: Secondary Suites as a Permitted Use in Nearby Municipal Units

When developing the amendments, staff reviewed the planning documents in neighbouring municipalities that have recently updated land use requirements for secondary suites. The detailed review can be found in the staff report titled "2021-05-13 File 20-29 Secondary Suites MPS and LUB Amendment Windsor".

4.4 Parking Requirements for Secondary Suites

HRM was the most recent Municipality to consider amendments to permit secondary suites. It is also the only Municipality which does not require parking for a secondary suite. Although several HRM residents stated concerns about parking for suites, HRM staff state in a December 2019 staff report several reasons why additional parking may not be needed or may create a burden which may decrease the number of secondary suites installed:

Under the Integrated Mobility Plan, HRM is working to reduce parking requirements overall and instead allow the market to determine its own needs. Additional parking requirements for secondary and backyard suites may be unwarranted in some areas or unnecessarily limit the location of where such uses can be created. The cost of an additional parking space may also add to the cost of the overall development, thereby increasing the costs that may be needed to be recovered through rents. Further, parking requirements may be unnecessary in cases where tenants do not own or cannot operate an automobile, or in neighbourhoods that are close to services and have access to transit.

Section 6.1 of the HLUB requires one (1) parking space for each dwelling unit.

Although WHRM staff are recommending that one (1) space be required for secondary suites regulated by the West Hants MPS and LUB, staff are not recommending parking be required within the areas regulated by either the Windsor or Hantsport Municipal Planning Strategies and Land Use By-laws.

WHRM staff asked Troy Burgess to comment on parking requirements as he was Traffic Authority for the Town of Windsor and is now Manager of Public Works Operations and Traffic Authority for Municipal roads in WHRM. Mr. Burgess commented on parking within the community of Windsor; his comments also apply in general to the community of Hantsport and are in the staff report titled "2021-05-13 File 20-29 Secondary Suites MPS and LUB Amendment Windsor".

The RAD Consulting report included several recommendations that relate to parking. Recommendation 4 *Prepare an Integrated Mobility Plan* encourages Council to consider alternative transportation options and develop a mobility plan similar to the Halifax Integrated Mobility Plan. HRM staff stated the Integrated Mobility Plan and HRM's Council's intention to reduce reliance on personal vehicles was one of the reasons for not requiring a parking space for secondary suites. Recommendations 9 and 11 of the RAD report focus on creating walkable communities and addressing climate change. Not requiring a parking space for secondary suites in walkable communities will align with these recommendations as it could increase affordable housing options for residents without a personal vehicle and encourage more residents to walk to services and reduce Greenhouse Gas emissions.

Although having adequate parking to meet the needs of residents is important, staff recommend not requiring parking for secondary suites in Hantsport, as the potential burden of a parking requirement may hinder the opportunity to

increase affordable housing options and may undermine the development of a more walkable community. The secondary suite may be intended for a grandparent who no longer drives or a single parent who can not afford a vehicle. In both situations, the individual may be purposely choosing a housing location close to services, enabling them to remain independent in the community without a vehicle. The lack of a parking requirement would not prevent a property owner from creating an additional parking space if there is room and it is needed. It would ensure that smaller properties that may not have room for an additional parking space, but are close to services, would be able to have a secondary suite.

A number of additional assumptions underly requiring a parking space for every dwelling unit:

- everyone wants, needs or can afford to have a car;
- the best use of serviced land is for parking;
- that unless parking is provided, housing should not be permitted; and
- ensuring the most efficient use of areas serviced with sewer and water is secondary to providing parking.

Requiring parking for each unit reduces potential infill development and keeps the supply of dwelling units from meeting demand. This inflates housing prices, which in turn inflates rents...all of which tends to force those least able to pay for housing to more car-dependent neighbourhoods on the outskirts of denser residential areas.

4.5 Lot Coverage

Lot coverage is neither defined nor used as a term in the HLUB. No maximum lot coverage is proposed related to secondary suites in Hantsport.

4.6 Floor Area

The National Building Code (NBC) allows 80% of the total floor area of the main dwelling unit or a maximum of 861 ft² (80 m²) to be used as a secondary suite.

Most planning documents reviewed by staff include a specific maximum floor area requirement for secondary suites that aligns with the NBC except Kings County, which only refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time.* Staff considered the Kings definition as it aligns with the NBC without including the specific maximum floor area requirements. This ensures the planning documents do not need to be amended every time the NBC changes.

However, for ease of administration, staff have included the maximum floor area requirements in the proposed definition, which lets the Development Officer

issue a permit if the maximum size is increased in the NBC without amendment to the definition in the HLUB.

4.7 Number of Secondary Suites per Lot

In areas regulated by the HLUB, the number of dwellings which can be constructed on a lot as-of-right is now limited to one (1), except in the Residential Multiple Unit Dwelling (R-3) Zone. There are some lots with more than one main building which may have been constructed prior to land use regulation.

Staff recommends ensuring secondary suites are permitted in single and two-unit dwellings regardless of the number of single and two-unit dwellings on a lot by permitting one (1) secondary suite in each dwelling on a lot.

4.8 Zones

Many dwellings exist outside residential zones; these may have been constructed prior to the enactment of land use regulation.

The proposed amendments would permit secondary suites to be constructed in single and two-unit dwellings in any zone to accommodate residential uses that exist outside of residential zones.

4.9 Appearance of the Main Dwelling Unit

The requirements which currently apply to and are also proposed for accessory apartments in the West Hants and Windsor are also recommended for Hantsport. These are:

- the suite must be within or attached to the dwelling unit;
- the roof line or height of the existing dwelling unit can not be changed unless it is to accommodate dormers or is a structural necessity for public safety;
- no new entrances can be installed on the front of the dwelling unit for the suite; and
- additions to accommodate the suite must be at the rear of the dwelling unit.

The requirements mentioned above are intended to ensure dwellings with secondary suites remain visually compatible with low-density neighborhoods, in a manner similar to home-based businesses in Hantsport. If the roof line and height of the dwelling unit are not altered, the entrance to the suite is not visible from the front of the dwelling unit and any additions to accommodate the suite are only located in the rear of the dwelling unit the visual appearance from the street of the dwelling unit with a secondary suite will be the same as the existing

dwelling unit in most instances. Corner lots are the main exception as the rear yard for a corner lot is visible from the street.

These requirements are suitable for the amendments as they will likely not prevent most property owners from being able to install a secondary suite but will maintain the appearance of low-density neighbourhoods. PAC/HAC or Council can remove these requirements if maintaining the appearance of a low-density neighborhood is not a priority in Hantsport or it is determined that the appearance can be maintained without these requirements.

4.10 Draft Amendments

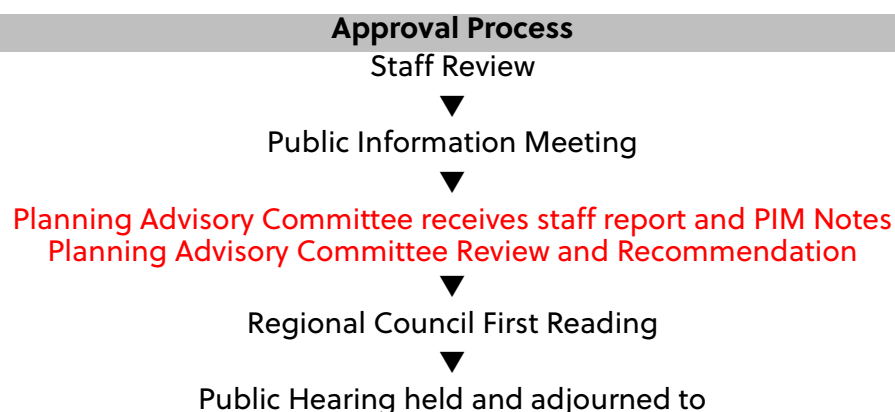
When drafting the amendments, (Attachment A), staff considered the Statement of Provincial Interest, the review of nearby municipal units mentioned above, the NBC, and the existing planning documents in order to develop amendments which increase affordable housing options in WHRM.

4.11 Municipal Climate Change Action Plan

The Municipal Climate Change Action Plan (MCCAP) was not considered for this amendment as it is a text amendment.

5.0 **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 proposed amendment to permit secondary suites in single and two-unit dwellings reflects the intent of the existing policies of the Hantsport Municipal Planning Strategy. As a result, staff recommends proceeding with the approval process for the proposed amendments.





6.0 FINANCIAL IMPLICATIONS

There may be an increase in households using water, sewer, and waste disposal services in the area. However, the increased services are expected to be paid for, at least in part, by the municipal taxes and service charges for property owners who are installing secondary suites or the tenant who may cover some of these fees through their rent. Property owners will be responsible for ensuring services are provided to the secondary suites.

7.0 ALTERNATIVES

In response to the application, PAC/HAC may:

- request further information on a specific topic;
- determine that the application does not meet the criteria of the HMPS and make this recommendation to Council.

8.0 ATTACHMENTS

Appendix A Draft Amendments

Report Prepared by: _____
Saira Shah, Planner; and

Madelyn LeMay, Director of Planning and Development

Attachment A

Draft Amendments

Note: coloured text indicates a change from the present HMPS or HLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Hantsport Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 3.2, General Provisions, in the Hantsport Municipal Planning Strategy by inserting Subsection 3.2.6 Housing following 3.2.5 Licensed Cannabis Uses so that Subsection 3.2.6 reads as follows:

3.2.6 Housing

Council acknowledges that it is important to encourage the provision of housing that includes all residents of Hantsport regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.

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

- | | |
|--------------|--|
| Policy GP-11 | encourage the provision of housing adequate to meet the needs of all residents of Hantsport. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community. |
| Policy GP-12 | provide for the development of a range of housing types in Hantsport. |
| Policy GP-13 | include flexible development standards which encourage innovative housing development in the Land Use By-law. |
| Policy GP-14 | permit secondary suites in single and two-unit dwellings in all zones, with regulation regarding the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood. |

- 2. Amend Part 2, Definitions, of the Hantsport Land Use By-law by inserting a definition of "Secondary Suite" between the definitions of Salvage and Storage Facility and Setback so that the definition of "Secondary Suite" reads as follows:**

Secondary Suite means a self-contained dwelling unit contained within a single or two-unit dwelling. The maximum floor area of a Secondary Suite is 80% of the total floor area of the main dwelling unit to the maximum established in the NBC or 862 ft² (80 m²), whichever is greater.

- 3. Insert, 5.23 Secondary Suites, in Part 5, General Provisions for All Zones, of the Hantsport Land Use By-law following 5.22 Licensed Cannabis Uses as shown below:**

5.23 Secondary Suites

Secondary Suites shall be permitted in single and two-unit dwellings in all zones.

In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (i) no more than one (1) secondary suite shall be permitted within or attached to a dwelling unit;
- (ii) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (iii) no new entrances shall be created on the front façade of the dwelling unit;
- (iv) Notwithstanding the parking requirements of Section 6.1, off-street parking shall not be required for the secondary suite; and
- (v) additions shall be limited to the rear yard of the dwelling;

Attachment C



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

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

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: May 25, 2021

Subject: **Hantsport** MPS and LUB Amendment: Secondary Suites, File #20-30C

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION or DECISION REQUEST

Should Council wish to proceed to a Public Hearing as recommended by PAC/HAC, the following motion would be in order:

...that Council give First Reading and hold a Public Hearing to consider amending the **Hantsport** Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Appendix C to the First Reading Report to Council dated May 25, 2021.

BACKGROUND

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

DISCUSSION

A Public Information Meeting was held on April 22, 2021 (Appendix A).

On May 13, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix B).

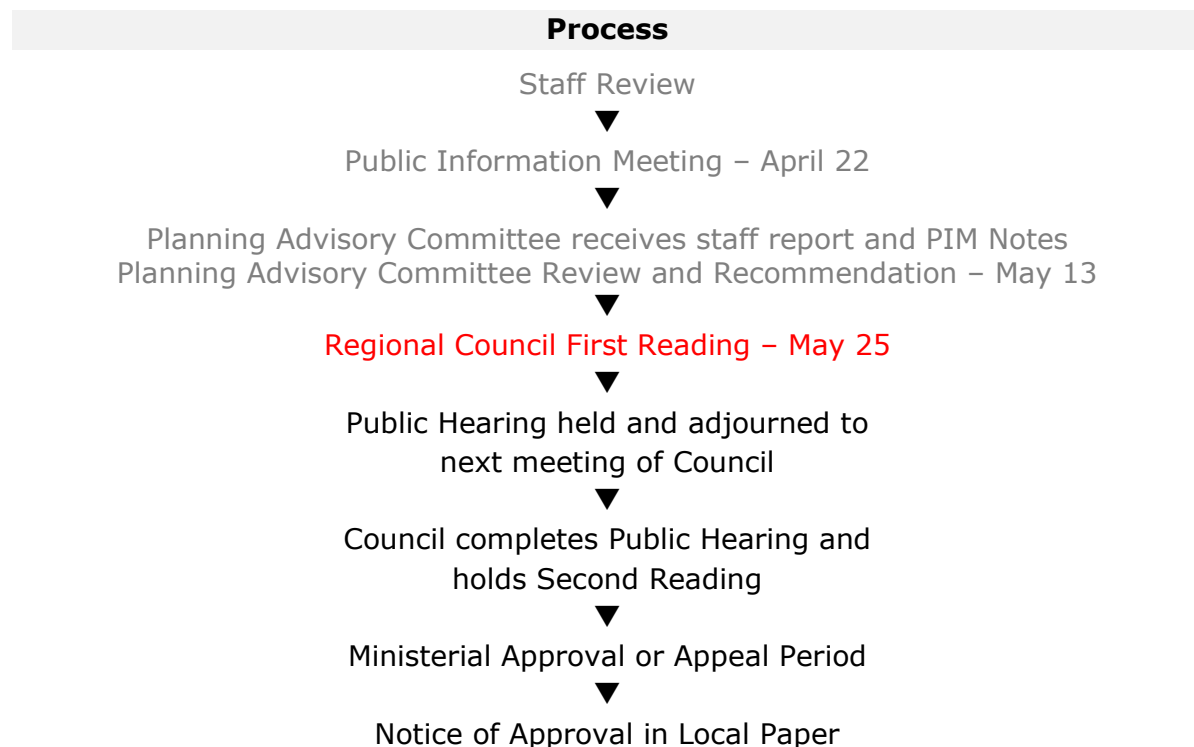
There was considerable discussion at PAC/HAC regarding the maximum number of secondary suites which should be permitted on any lot and whether a parking space should be required for each secondary suite.

When considered for the Hantsport documents, the determination of PAC/HAC was that a limit of one secondary suite per lot is not needed. PAC/HAC requested that Council be advised that the vote regarding this item was split. A requirement for a parking space for each secondary suite was added to the proposed amendments.

The changes to the draft amendments proposed by PAC/HAC for the Hantsport documents are included in the draft amendments attached as Appendix C to this report.

NEXT STEPS

The process for this application is as follows:



FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

ALTERNATIVES

In response to the application, Council may decide to:

- provide alternative direction such as requesting further information on a specific topic.

APPENDICES

Appendix A Public Information Meeting Notes – File 20-29A

Appendix B Staff Report and Recommendation - File 20-29B

Appendix C Draft Amendments recommended by PAC/HAC

CHIEF ADMINISTRATIVE OFFICER REVIEW

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

Attachment D Draft Amendments

Note: coloured text indicates a change from the present HMPS or HLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Hantsport Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 3.2, General Provisions, in the Hantsport Municipal Planning Strategy by inserting Subsection 3.2.6 Housing following 3.2.5 Licensed Cannabis Uses so that Subsection 3.2.6 reads as follows:

3.2.6 Housing

Council acknowledges that it is important to encourage the provision of housing that includes all residents in Hantsport regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.

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

Policy GP 11 encourage the provision of housing adequate to meet the needs of all residents of Hantsport. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy GP-12 provide for the development of a range of housing types in Hantsport.

Policy GP-13 include flexible development standards which encourage innovative housing development in the Municipal Planning Strategy and Land Use By-law.

Policy GP-14 permit secondary suites in single and two-unit dwellings in all zones, with regulation regarding the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.

- 2. Amend Part 2, Definitions, of the Hantsport Land Use By-law by inserting a definition for "Secondary Suite" between the definitions of Salvage and Storage Facility and Setback so that the definition for "Secondary Suite" reads as follows:**

Secondary Suite means a dwelling unit within a dwelling unit limited to a maximum of
(1) 80% of the total floor area of the dwelling unit if 80% is less than 862 ft² (80 m²)
or (2) 862 ft² (80 m²) or (3) greater as established in the National Building Code.

- 3. Insert, 5.23 Secondary Suites, in Part 5, General Provisions for All Zones, of the Hantsport Land Use By-law following 5.22 Licensed Cannabis Uses as shown below:**

5.23 Secondary Suites

- (a) Secondary Suites are permitted in single and two-unit dwellings in all zones.
- (b) In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:
 - (i) no more than one (1) secondary suite shall be permitted per dwelling unit;
 - (ii) the secondary suite shall be contained within or attached to the dwelling unit;
 - (iii) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
 - (iv) no new entrances shall be created on the front façade of the dwelling unit;
 - (v) one (1) parking spaces shall be required for each secondary suite; and
 - (vi) additions shall be limited to the rear yard of the dwelling.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

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

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: June 22, 2021

Subject: File # 20-27D: WHMPS and LUB Text Amendment: Secondary Suites

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210.

POSSIBLE MOTION

Following conclusion of the Public Hearing on July 27, should Council wish to complete the proposed amendment, the following motion would be in order:

...that Council amend the **West Hants** Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings in a manner substantively the same as Attachment D of the Second Reading Report to Council dated June 22, 2021.

BACKGROUND

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

A Public Information Meeting was held on April 22, 2021 (Attachment A).

On May 13, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Attachment B).

Council held First Reading on May 25, 2021 and determined that one (1) parking space should be required for each secondary suite (Attachment D).

NEXT STEPS



*anticipated dates; final dates will be set by Council

ATTACHMENTS

Attachment A	Public Information Meeting Notes – File 20-27 A
Attachment B	Staff Report Secondary Suites - File #20-27
Attachment C	First Reading Report – File # 20-27 B
Attachment D	Proposed Amendments

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO

ATTACHMENT A
Public Information Meeting Notes
April 22, 2021 – May 6, 2021
File 20-27A
Secondary Suites MPS and LUB Amendment West Hants

Meeting date and time	A public information meeting was held on April 22, 2021 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Councillor Murphy Mayor Zebian Madelyn LeMay, Director, Planning and Development Saira Shah, Planner Sara Poirier, Planner As this meeting was held virtually there were no members of the public present.
Applicant Family Resource Centre	Ms. Shah outlined the request from the Family Resource Centre to amend all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code.
File Number	20-27A
Comments	Two (2) written comments were received from the public in support of the amendments. The first resident referred to the major housing crisis in the Region and believe the proposed changes could alleviate some of the housing issues. They would like to see detached secondary suites in a future amendment. Another resident and Housing Support Worker (the applicant) felt this amendment would increase affordable housing options and make existing housing potentially more affordable for homeowners who would be able to rent the apartments to cover some of their mortgage costs.
Adjournment	The presentation portion of the PIM ended at 6:10 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. Shah until May 6, 2021.
Attachment A	Comments from public

Attachment A

(April 26, 2021 e-mail)

Hello,

I just wanted to add my comments to the public information hearing. I don't live in Windsor but my job requires me to find housing for folks in Windsor.

I would say there is a major housing crisis right now and the proposed changes would help alleviate some of that. I think the proposed changes are great and I hope they get passed.

I also hope that we can see them extend even further to include detached secondary dwellings.

Regards,

Kelly McGregor

May 4th, 2021 (via e-mail)

West Hants Regional Municipality

76 Morison Drive

PO Box 3000

Windsor NS B0N 2T0

To Whom It May Concern,

I am writing to express support to the by-law amendment to allow secondary suites to all single and two-unit residential dwellings in Windsor, Hantsport and West Hants.

I am a Housing Support Worker who lives and works in West Hants. The lack of affordable housing in this area is an ongoing issue that many of my clients are dealing with every day, which is why they need additional support from service providers such as myself and a housing locator, to help them find safe, affordable places to live.

A secondary suite, also known as a basement apartment, granny suite or in-law suite is defined by the Halifax Regional Municipality as a self-contained dwelling unit with a limited floor area which is located within a house or another building that contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.

According to the results of Canada Mortgage and Housing Corporation's Rental Market Survey conducted in October 2019, the Halifax CMA vacancy rate was 1% versus 1.6% in October 2018. (CMHC 2020). Allowing secondary suites more broadly is intended to support the creation of complete communities as well as meet affordable housing targets. (Halifax.ca).

If secondary suites are permitted, not only can it increase the amount of affordable housing opportunities within the West Hants Municipality, but they can also be used as a way that people who are struggling to afford their current place of residence. Having a secondary suite to rent out can give them extra cash flow to help make ends meet. In doing so, a small part can be played by increasing the vacancy rate and decreasing the number of people struggling with, who are at risk of or who are currently experiencing homelessness.

Sincerely,
Kayla Todd
Housing Support Worker
Family Resource Centre of West Hants

ATTACHMENT B



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: May 13, 2021

Subject: File 20-27 Secondary Suites MPS and LUB Amendment **West Hants**

1.0 LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

2.0 RECOMMENDATION

Should the Planning and Heritage Advisory Committee (PAC/HAC) wish to forward a positive recommendation, the following motion would be in order:

... that Council give First Reading and hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings in a manner substantively the same as Attachment A to the staff report to PAC/HAC dated May 13, 2021.

3.0 BACKGROUND

On December 11, 2020 the Family Resource Centre, a member of the West Hants Housing Coalition, applied for an amendment to all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code (NBC). The application was complete January 26, 2021.

West Hants Regional Municipality has a separate Municipal Planning Strategy and Land use By-law for each of Hantsport, Windsor and West Hants. The amendments for each set of documents must be considered separately. This report will deal only with the West Hants Municipal Planning Strategy (WHMPS) and West Hants Land Use By-Law (WHLUB). There will be duplication of material

within the three reports but this ensures that documentation for each separate amendment is complete.

WHRM staff categorized potential options to improve the amount of affordable housing as short, medium, and long-term depending on the amount of time required for any required changes. One of the short-term options was to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the NBC definition.

The NBC defines a secondary suite as “*a self-contained dwelling unit with a limited floor area which is contained within a house or another building which contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.*” The NBC also limits the size of a suite to 80% of the total floor area of the main dwelling unit to a maximum of 861 ft² (80 m²), and includes requirements for ceiling height, smoke alarms, separation of units, ventilation, egress, and heating systems to ensure both the secondary and main suites are safe for occupancy.

The West Hants Municipal Planning Strategy (WHMPS) does not refer to secondary suites but does permit a similar type of unit, “accessory apartments”, in the Single Unit Residential (R-1) zone. The maximum size for accessory apartments in the West Hants Land Use By-law (WHLUB) is 700 ft² (65 m²), which is smaller than the NBC permits.

4.0 4.0 DISCUSSION

4.1 Provincial Support for Secondary Suites

All municipalities in Nova Scotia that have planning documents are required to have specific policies related to housing as there is a *Statement of Provincial Interest* regarding housing. The Provincial goal is to provide housing opportunities to meet the needs of all Nova Scotians. This is achieved by having policies that specifically address affordable housing, special-needs housing and rental accommodations. The Province requires the Municipality to consider permitting higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types. Part 4.11 of the WHMPS addresses housing.

Secondary suites can reflect this Provincial intention and be part of the solution by providing an affordable housing option that does not appear to increase density in low density neighbourhoods as the suites are located within an existing dwelling.

4.2 Municipal Support for Secondary Suites

The background material in Part 4.11 of the WHMPS states: *Accessory apartments in dwellings can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these apartments, Council can ensure that the building retains the look of the original dwelling and are (sic) compatible with the neighbourhood.*

WHMPS Policy 4.11.4 specifically permits accessory apartments within or attached to the main dwelling in the Single Unit Residential (R-1) zone and outlines that the size, location and appearance of the apartments will be limited in the WHLUB to ensure the use remains small-scale and compatible with low density neighbourhoods.

On February 23, 2021 Council approved in principle all recommendations presented in the RAD Consulting report. Recommendation 12 encourages Council to address affordable housing by considering options such as secondary suites.

Based on the material in section 4.11 of the WHMPS and the recommendation from the RAD Consulting report, staff consider Council to be in general support of secondary suites (accessory apartments) as an affordable housing option for West Hants.

4.3 Review: Secondary Suites as a Permitted Use in Nearby Municipal Units

When developing the amendments, staff referred to the planning documents in neighbouring municipalities that have recently updated land use requirements related to secondary suites.

Halifax Regional Municipality (HRM) Council approved amendments to the Regional Municipal Planning Strategy and all Land Use By-laws on September 1, 2020, with the exception of the Regional Centre Land Use By-law, to allow secondary suites accessory to single and two-unit dwellings and town houses. The maximum floor area permitted for the secondary suites aligns with the NBC definition. No additional parking is required for the suites and the same zoning requirements that apply to the dwelling unit apply to the suites. A minimum lot size requirement was not set for this amendment as HRM staff thought it could limit development of secondary suites in densely populated areas. HRM staff had initially proposed permitting secondary suites in only single unit dwellings in January 2020, but HRM Council requested that staff consider both two-unit dwellings and town houses. Back yard suites which are located in a separate building accessory to the dwelling unit were also approved as part of this amendment.

East Hants Council approved its planning documents in 2016; these permit accessory dwelling units in several residential zones as accessory to single detached dwellings. East Hants has three (3) categories of accessory dwelling units: garage suites, garden suites, and secondary suites. The definition and

requirements for secondary suites align with the NBC. The appearance of the exterior of the accessory dwelling unit including materials, cladding colour, roof type and pitch must match the main dwelling. Shipping containers are an exception as they can be used as garden suites and do not have to match the main dwelling.

The Town of Wolfville approved its planning documents in the summer of 2020. Secondary suites both attached to and detached from the main dwelling are permitted in a wide variety of residential and commercial zones with the exception of the Low Density Residential Restricted (R1) zone. There is no definition in the Land Use By-law for secondary suites attached to the dwelling however staff contacted the Director of Planning and Development, Devin Lake, who confirmed secondary suites attached to the main dwelling are considered a form of two-unit dwelling and all requirements that apply to two-unit dwellings would be applicable.

The Municipality of the County of Kings (Kings) approved its planning documents in 2019. Section 4.3.4.1 of the Land Use Bylaw sets out the requirements for secondary suites. A secondary suite is permitted in a single unit dwelling with the entrance at the side or rear of the dwelling and the exterior needs to be compatible with existing dwellings in the neighbourhood. Rather than outlining the requirements for secondary suites, such as a maximum size, established in the NBC, the definition just refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time.* This enables the requirements to change as the NBC is amended without having to amend the Land Use By-law.

4.4 Parking Requirements for Secondary Suites

HRM was the most recent Municipality to consider amendments to permit secondary suites. It is also the only Municipality reviewed which does not require parking for a secondary suite. Although several HRM residents stated concerns about parking for suites, HRM staff state in a December 2019 staff report several reasons why additional parking may not be needed or may create a burden which may decrease the number of secondary suites installed:

Under the Integrated Mobility Plan, HRM is working to reduce parking requirements overall and instead allow the market to determine its own needs. Additional parking requirements for secondary and backyard suites may be unwarranted in some areas or unnecessarily limit the location of where such uses can be created. The cost of an additional parking space may also add to the cost of the overall development, thereby increasing the costs that may be needed to be recovered through rents. Further, parking requirements may be unnecessary in cases where tenants do not own or cannot operate an automobile, or in neighbourhoods that are close to services and have access to transit.

Section 5.31 of the WHLUB requires one (1) parking space for each dwelling unit. Section 8.3 (h) of the WHLUB requires parking for accessory apartments be provided in accordance with Section 5.31 and the parking space must be located in the side or rear yard of the lot.

Although WHRM staff are not recommending a parking requirement for secondary suites in the more densely developed communities of Windsor and Hantsport, staff are recommending a parking requirement for secondary suites in the more rural areas of West Hants which are covered by the WHMPS and WHLUB. In the more rural areas where services are not within walking distance the majority of residents in secondary suites will likely need their own vehicle to be able to reach services and employment. In particular, in unserviced areas, requiring a parking space for each dwelling unit does not have the same negative impact as a requirement for parking in serviced and more densely developed areas. Although there are areas of the Municipality with sewer and water services, these tend to have larger lots than in the more developed urban areas.

4.5 Lot Coverage

Lot coverage is a term defined in the WHLUB: *means the percentage of the lot that is covered by buildings, also known as the building footprint; maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot.*

The maximum lot coverage in the WHLUB is 50%. Staff recommend removing the lot coverage restriction as part of the amendment as the requirement disproportionately prevents property owners with smaller lots from constructing accessory apartments. NBC requirements and WHLUB yard requirements would still apply which ensures development is compatible with the neighbourhood without the need for a maximum coverage restriction.

4.6 Floor Area

WHLUB has a maximum floor area requirement for accessory apartments that is smaller than that allowed in the NBC. Only 700 ft² (65 m²) may be used under the WHLUB compared to 80% of the total floor area of the main dwelling unit to a maximum of 861 ft² (80 m²) allowed in the NBC.

Most planning documents reviewed by staff include a specific maximum floor area requirement that aligns with the NBC except Kings which, as noted above, only refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time.* Staff considered the Kings definition as it aligns with the NBC without including the specific maximum

floor area requirements. This ensures the planning documents do not need to be amended every time the NBC changes.

However, for ease of administration, staff have included the maximum floor area requirements in the proposed definition which lets the Development Officer issue a permit if the maximum size is increased in the NBC without amendment to the definition WHLUB.

4.7 Number of Secondary Suites per Lot

In areas regulated by the WHLUB, the number of main buildings which can be constructed on most lots as-of-right is now limited to one (1). There are some lots with more than one main building which may have been constructed prior to land use regulation, or others which have specific provision in the WHLUB such as the agricultural zones.

In West Hants only one (1) accessory apartment is permitted on a lot. If a two-unit dwelling or multiple single unit dwellings are located on one lot and held in the same ownership, this regulation would prevent a secondary suite in more than one of the dwellings. Staff recommends removing potential barriers and ensuring secondary suites are permitted in single and two-unit dwellings regardless of the number of single and two-unit dwellings on a lot by permitting one (1) secondary suite in each dwelling on a lot.

4.8 Zones

Many dwellings exist outside residential zones; these may be permitted under the present WHLUB (such as in the General Commercial (GC) Zone) or may have been constructed prior to the enactment of land use regulation.

The proposed amendments would permit secondary suites to be constructed in single and two-unit dwellings in any zone to accommodate residential uses that exist outside of residential zones.

4.9 Appearance of the Main Dwelling Unit

The present requirements listed below for accessory apartments in the WHLUB have been incorporated in the proposed amendments to ensure the intention of Council expressed in the 2008 document is maintained. These are:

- the suite must be within or attached to the dwelling unit;
- the roof line or height of the existing dwelling unit can not be changed unless it is to accommodate dormers or is a structural necessity for public safety;
- no new entrances can be installed on the front of the dwelling unit for the suite; and

- additions to accommodate the suite must be at the rear of the dwelling unit.

These requirements are intended to ensure dwellings with secondary suites remain visually compatible with low-density neighborhoods. If the roof line and height of the dwelling unit are not altered, the entrance to the suite is not visible from the front of the dwelling unit and any additions to accommodate the suite are only located in the rear of the dwelling unit the visual appearance from the street of the dwelling unit with a secondary suite will in most instances not differ from the original building. Corner lots are the main exception as the rear yard for a corner lot is visible from the side street. Council has identified maintaining the visual appearance of a low-density neighborhood as important in the present WHMPS: *By regulating the size and appearance of these apartments, Council can ensure that the building retains the look of the original dwelling and are (sic) compatible with the neighbourhood.*

Inclusion of these requirements reflects Council's intention and does not prevent creation of most secondary suites.

PAC/HAC may recommend or Council can change its intention and remove these requirements if maintaining the appearance of a low-density neighborhood is no longer a priority or it is determined that the appearance can be maintained without these requirements.

4.10 Draft Amendments

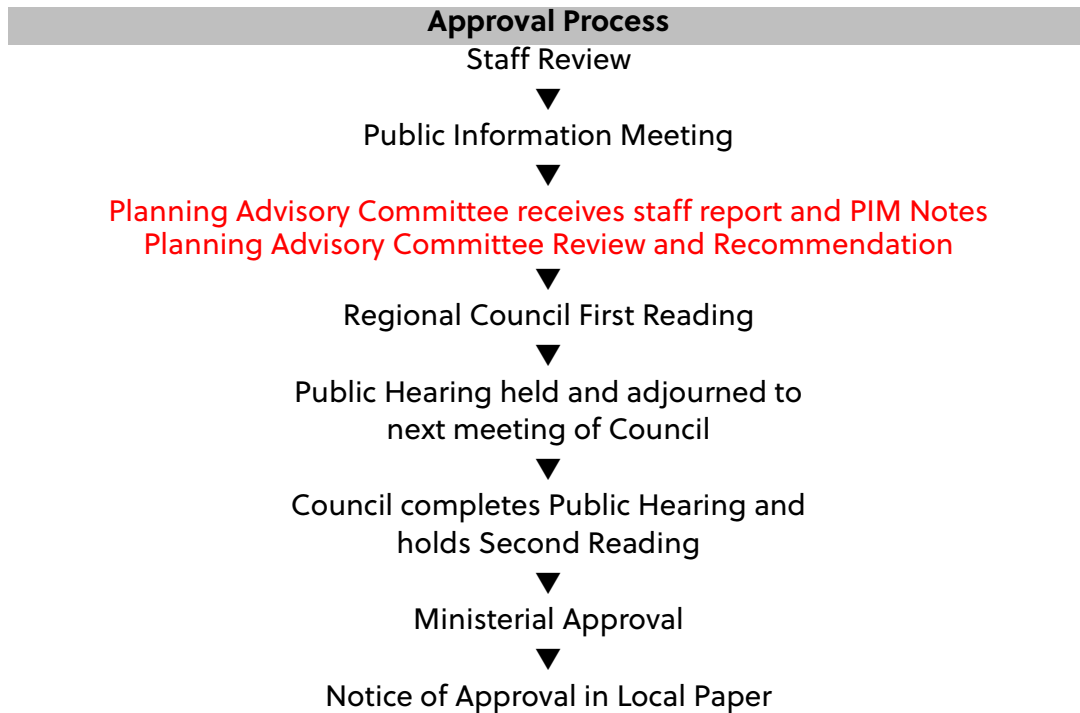
When drafting the amendments, (Appendix A), staff considered the Statement of Provincial Interest, the review of nearby municipal units mentioned above, the NBC, and the existing planning documents in order to develop amendments which increase affordable housing options in WHRM. The amendments include a name change in the West Hants documents from accessory apartments to secondary suites as this is the name used in the NBC.

4.11 Municipal Climate Change Action Plan

The Municipal Climate Change Action Plan (MCCAP) was not considered for this amendment as it is a text amendment.

5.0 NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the WHMPS and are consistent with the intent, objectives and policies of the WHMPS. The proposed amendment to permit secondary suites in single and two-unit dwellings reflects the intent of the existing Municipal Planning Strategy policies. As a result, staff recommends proceeding with the approval process for the proposed amendments.



6.0 FINANCIAL IMPLICATIONS

There may be an increase in households using water, sewer, and waste disposal services in the area. However, the increased services are expected to be paid for, at least in part, by the municipal taxes and service charges for property owners who are installing secondary suites or the tenant who may cover some of these fees through their rent. Property owners will be responsible for ensuring services are provided to the secondary suites.

7.0 ALTERNATIVES

In response to the application, PAC/HAC may:

- request further information on a specific topic;
- determine that the application does not meet the criteria of the WHMPS and make this recommendation to Council.

8.0 ATTACHMENTS

Appendix A Draft Amendments

Report Prepared by: _____

Saira Shah, Planner; and

Madelyn LeMay, Director of Planning and Development

Attachment A Draft Amendments

Note: coloured text indicates a change from the present WHMPS or WHLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the West Hants Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

MUNICIPAL PLANNING STRATEGY

1. Amend Section 4 Part 4.11, Housing, of the West Hants Municipal Planning Strategy by replacing the background material, Policy 4.11.1, 4.11.3 and Policy 4.11.4 with the following material so that Part 4.11 reads as follows:

4.11 Housing

Council **acknowledges** it is important to encourage the provision of housing that includes all residents of West Hants regardless of socio-economic status, age or physical or mental ability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community **needs to provide diverse housing types to satisfy the housing needs of its population**. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. **A secondary suite within a dwelling** can provide a solution for those wishing to keep elderly or dependent family members nearby **and can increase affordable housing options for the greater community**. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the existing dwellings and are compatible with the neighbourhood.

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

Policy 4.11.1 encourage the provision of housing adequate to meet the needs of all residents of West Hants. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy 4.11.2 provide for the development of a range of housing types in West Hants.

Policy 4.11.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.11.4 permit **secondary suites** in single **and two-unit** dwellings **in all zones**, and regulate the size, location and appearance of secondary suites to

ensure the use remains small-scale and compatible with the neighborhood.

2. Amend Section 5 Part 5.3, Three Mile Plains Growth Centre Residential Policies, of the West Hants Municipal Planning Strategy by removing the term “accessory apartments” in Policy 5.3.1 so that it reads as follows:

Policy 5.3.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone which will permit single unit dwellings and existing manufactured homes.

3. Amend Section 15 Part 15.1, Servicing Policies, of the West Hants Municipal Planning Strategy by replacing the phrase “accessory apartments in the Single Unit Residential (R-1) zone” with “secondary suites in single and two-unit dwellings” so that Part 15.1 reads as follows:

Council wishes to encourage development that makes maximum use of the existing infrastructure within the service area boundaries (Growth Centres). Other policies of this Strategy address infill development on existing undersized lots, multiple residential development in appropriate locations, and **secondary suites in single and two-unit dwellings**. Policies for grouped dwellings encourage more compact cluster developments that use less land and are more economical to service.

LAND USE BY-LAW

4. Add Secondary Suites, in Section 5, General Provisions for All Zones, of the West Hants Land Use By-law following Licensed Cannabis Uses as shown below:

Secondary Suites

5.57 Secondary Suites shall be permitted in single and two-unit dwellings in all zones.

5.58 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted within or attached to a dwelling unit;
- (b) alterations shall not change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (c) no new entrances shall be created on the front façade of the dwelling unit;
- (d) parking shall be provided as required in Section 5.31 in the side or rear yard of the lot; and
- (e) additions shall be limited to the rear yard of the exiting dwelling.

5. Remove from Section 8 Part 8.1 Permitted Uses of the West Hants Land Use By-law the listed permitted use "accessory apartments" so that Part 8.1 reads as follows:

Permitted Uses

8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:

- Single unit dwellings
- Existing manufactured homes

6. Remove from Section 8 Part 8.3, Accessory Apartments- Special Requirements, from the West Hants Land Use By-law.

Accessory Apartments – Special Requirements

8.3 (removed in amendment File #20-27 effective *date*)

7. Amend Section 35, Definitions, of the West Hants Land Use By-law by removing the definition of "Accessory Apartment" and inserting the definition of "Secondary Suite" between the definitions of Scrap Operation and Self Storage Operations so that the definitions of "Accessory Apartment" and "Secondary Suite" read as follows:

Accessory Apartment (removed in amendment File #20-27 effective *date*)

Secondary Suite means a self-contained dwelling unit contained within a single or two-unit dwelling. The maximum floor area of a Secondary Suite is 80% of the total floor area of the main dwelling unit to the maximum established in the NBC or 862 ft² (80 m²), whichever is greater.

ATTACHMENT C



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

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

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: May 25, 2021

Subject: **West Hants** MPS and LUB Amendment: Secondary Suites, File #20-27C

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION or DECISION REQUEST

Should Council wish to proceed to a Public Hearing as recommended by PAC/HAC, the following motion would be in order:

...that Council give First Reading and hold a Public Hearing to consider amending the **West Hants** Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Appendix C of the First Reading Report to Council dated May 25, 2021.

BACKGROUND

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

DISCUSSION

A Public Information Meeting was held on April 22, 2021 (Appendix A).

On May 13, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix B).

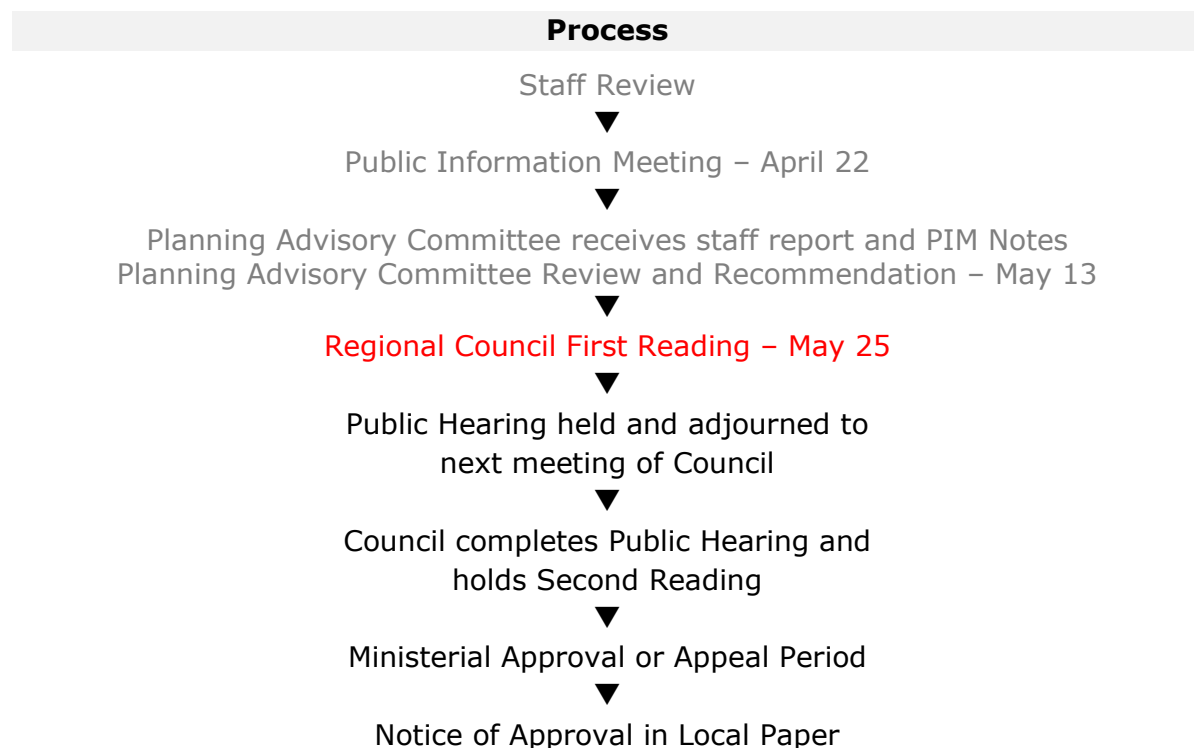
There was considerable discussion at PAC/HAC regarding the maximum number of secondary suites which should be permitted on any lot and whether a parking space should be required for each secondary suite.

When considered for the West Hants documents, the determination of PAC/HAC was that neither a limit of one secondary suite per lot nor a requirement for a parking space for each secondary suite should be added to the proposed amendments. PAC/HAC requested that Council be advised that the vote regarding both of these items was split.

The changes to the draft amendments proposed by PAC/HAC for the West Hants documents are included in the draft amendments attached as Appendix C to this report.

NEXT STEPS

The process for this application is as follows:



FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

ALTERNATIVES

In response to the application, Council may decide to:

- provide alternative direction such as requesting further information on a specific topic.

APPENDICES

Appendix A Public Information Meeting Notes – File 20-27A

Appendix B Staff Report and Recommendation - File 20-27B

Appendix C Draft Amendments recommended by PAC/HAC

CHIEF ADMINISTRATIVE OFFICER REVIEW

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Appendix A

Public Information Meeting Notes

April 22, 2021 – May 6, 2021

File 20-27A

Secondary Suites MPS and LUB Amendment West Hants

Meeting date and time	A public information meeting was held on April 22, 2021 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Councillor Murphy Mayor Zebian Madelyn LeMay, Director, Planning and Development Saira Shah, Planner Sara Poirier, Planner As this meeting was held virtually there were no members of the public present.
Applicant Family Resource Centre	Ms. Shah outlined the request from the Family Resource Centre to amend all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code.
File Number	20-27A
Comments	Two (2) written comments were received from the public in support of the amendments. The first resident referred to the major housing crisis in the Region and believe the proposed changes could alleviate some of the housing issues. They would like to see detached secondary suites in a future amendment. Another resident and Housing Support Worker (the applicant) felt this amendment would increase affordable housing options and make existing housing potentially more affordable for homeowners who would be able to rent the apartments to cover some of their mortgage costs.
Adjournment	The presentation portion of the PIM ended at 6:10 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. Shah until May 6, 2021.
Attachment A	Comments from public

Attachment A

(April 26, 2021 e-mail)

Hello,

I just wanted to add my comments to the public information hearing. I don't live in Windsor but my job requires me to find housing for folks in Windsor.

I would say there is a major housing crisis right now and the proposed changes would help alleviate some of that. I think the proposed changes are great and I hope they get passed.

I also hope that we can see them extend even further to include detached secondary dwellings.

Regards,

Kelly McGregor

May 4th, 2021 (via e-mail)

West Hants Regional Municipality

76 Morison Drive

PO Box 3000

Windsor NS B0N 2T0

To Whom It May Concern,

I am writing to express support to the by-law amendment to allow secondary suites to all single and two-unit residential dwellings in Windsor, Hantsport and West Hants.

I am a Housing Support Worker who lives and works in West Hants. The lack of affordable housing in this area is an ongoing issue that many of my clients are dealing with every day, which is why they need additional support from service providers such as myself and a housing locator, to help them find safe, affordable places to live.

A secondary suite, also known as a basement apartment, granny suite or in-law suite is defined by the Halifax Regional Municipality as a self-contained dwelling unit with a limited floor area which is located within a house or another building that contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.

According to the results of Canada Mortgage and Housing Corporation's Rental Market Survey conducted in October 2019, the Halifax CMA vacancy rate was 1% versus 1.6% in October 2018. (CMHC 2020). Allowing secondary suites more broadly is intended to support the creation of complete communities as well as meet affordable housing targets. (Halifax.ca).

If secondary suites are permitted, not only can it increase the amount of affordable housing opportunities within the West Hants Municipality, but they can also be used as a way that people who are struggling to afford their current place of residence. Having a secondary suite to rent out can give them extra cash flow to help make ends meet. In doing so, a small part can be played by increasing the vacancy rate and decreasing the number of people struggling with, who are at risk of or who are currently experiencing homelessness.

Sincerely,
Kayla Todd
Housing Support Worker
Family Resource Centre of West Hants

Appendix B



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: May 13, 2021

Subject: File 20-27 Secondary Suites MPS and LUB Amendment **West Hants**

1.0 LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

2.0 RECOMMENDATION

Should the Planning and Heritage Advisory Committee (PAC/HAC) wish to forward a positive recommendation, the following motion would be in order:

... that Council give First Reading and hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings in a manner substantively the same as Attachment A to the staff report to PAC/HAC dated May 13, 2021.

3.0 BACKGROUND

On December 11, 2020 the Family Resource Centre, a member of the West Hants Housing Coalition, applied for an amendment to all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code (NBC). The application was complete January 26, 2021.

West Hants Regional Municipality has a separate Municipal Planning Strategy and Land use By-law for each of Hantsport, Windsor and West Hants. The amendments for each set of documents must be considered separately. This report will deal only with the West Hants Municipal Planning Strategy (WHMPS) and West Hants Land Use By-Law (WHLUB). There will be duplication of material

within the three reports but this ensures that documentation for each separate amendment is complete.

WHRM staff categorized potential options to improve the amount of affordable housing as short, medium, and long-term depending on the amount of time required for any required changes. One of the short-term options was to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the NBC definition.

The NBC defines a secondary suite as “*a self-contained dwelling unit with a limited floor area which is contained within a house or another building which contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.*” The NBC also limits the size of a suite to 80% of the total floor area of the main dwelling unit to a maximum of 861 ft² (80 m²), and includes requirements for ceiling height, smoke alarms, separation of units, ventilation, egress, and heating systems to ensure both the secondary and main suites are safe for occupancy.

The West Hants Municipal Planning Strategy (WHMPS) does not refer to secondary suites but does permit a similar type of unit, “accessory apartments”, in the Single Unit Residential (R-1) zone. The maximum size for accessory apartments in the West Hants Land Use By-law (WHLUB) is 700 ft² (65 m²), which is smaller than the NBC permits.

4.0 4.0 DISCUSSION

4.1 Provincial Support for Secondary Suites

All municipalities in Nova Scotia that have planning documents are required to have specific policies related to housing as there is a *Statement of Provincial Interest* regarding housing. The Provincial goal is to provide housing opportunities to meet the needs of all Nova Scotians. This is achieved by having policies that specifically address affordable housing, special-needs housing and rental accommodations. The Province requires the Municipality to consider permitting higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types. Part 4.11 of the WHMPS addresses housing.

Secondary suites can reflect this Provincial intention and be part of the solution by providing an affordable housing option that does not appear to increase density in low density neighbourhoods as the suites are located within an existing dwelling.

4.2 Municipal Support for Secondary Suites

The background material in Part 4.11 of the WHMPS states: *Accessory apartments in dwellings can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these apartments, Council can ensure that the building retains the look of the original dwelling and are (sic) compatible with the neighbourhood.*

WHMPS Policy 4.11.4 specifically permits accessory apartments within or attached to the main dwelling in the Single Unit Residential (R-1) zone and outlines that the size, location and appearance of the apartments will be limited in the WHLUB to ensure the use remains small-scale and compatible with low density neighbourhoods.

On February 23, 2021 Council approved in principle all recommendations presented in the RAD Consulting report. Recommendation 12 encourages Council to address affordable housing by considering options such as secondary suites.

Based on the material in section 4.11 of the WHMPS and the recommendation from the RAD Consulting report, staff consider Council to be in general support of secondary suites (accessory apartments) as an affordable housing option for West Hants.

4.3 Review: Secondary Suites as a Permitted Use in Nearby Municipal Units

When developing the amendments, staff referred to the planning documents in neighbouring municipalities that have recently updated land use requirements related to secondary suites.

Halifax Regional Municipality (HRM) Council approved amendments to the Regional Municipal Planning Strategy and all Land Use By-laws on September 1, 2020, with the exception of the Regional Centre Land Use By-law, to allow secondary suites accessory to single and two-unit dwellings and town houses. The maximum floor area permitted for the secondary suites aligns with the NBC definition. No additional parking is required for the suites and the same zoning requirements that apply to the dwelling unit apply to the suites. A minimum lot size requirement was not set for this amendment as HRM staff thought it could limit development of secondary suites in densely populated areas. HRM staff had initially proposed permitting secondary suites in only single unit dwellings in January 2020, but HRM Council requested that staff consider both two-unit dwellings and town houses. Back yard suites which are located in a separate building accessory to the dwelling unit were also approved as part of this amendment.

East Hants Council approved its planning documents in 2016; these permit accessory dwelling units in several residential zones as accessory to single detached dwellings. East Hants has three (3) categories of accessory dwelling units: garage suites, garden suites, and secondary suites. The definition and

requirements for secondary suites align with the NBC. The appearance of the exterior of the accessory dwelling unit including materials, cladding colour, roof type and pitch must match the main dwelling. Shipping containers are an exception as they can be used as garden suites and do not have to match the main dwelling.

The Town of Wolfville approved its planning documents in the summer of 2020. Secondary suites both attached to and detached from the main dwelling are permitted in a wide variety of residential and commercial zones with the exception of the Low Density Residential Restricted (R1) zone. There is no definition in the Land Use By-law for secondary suites attached to the dwelling however staff contacted the Director of Planning and Development, Devin Lake, who confirmed secondary suites attached to the main dwelling are considered a form of two-unit dwelling and all requirements that apply to two-unit dwellings would be applicable.

The Municipality of the County of Kings (Kings) approved its planning documents in 2019. Section 4.3.4.1 of the Land Use Bylaw sets out the requirements for secondary suites. A secondary suite is permitted in a single unit dwelling with the entrance at the side or rear of the dwelling and the exterior needs to be compatible with existing dwellings in the neighbourhood. Rather than outlining the requirements for secondary suites, such as a maximum size, established in the NBC, the definition just refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time.* This enables the requirements to change as the NBC is amended without having to amend the Land Use By-law.

4.4 Parking Requirements for Secondary Suites

HRM was the most recent Municipality to consider amendments to permit secondary suites. It is also the only Municipality reviewed which does not require parking for a secondary suite. Although several HRM residents stated concerns about parking for suites, HRM staff state in a December 2019 staff report several reasons why additional parking may not be needed or may create a burden which may decrease the number of secondary suites installed:

Under the Integrated Mobility Plan, HRM is working to reduce parking requirements overall and instead allow the market to determine its own needs. Additional parking requirements for secondary and backyard suites may be unwarranted in some areas or unnecessarily limit the location of where such uses can be created. The cost of an additional parking space may also add to the cost of the overall development, thereby increasing the costs that may be needed to be recovered through rents. Further, parking requirements may be unnecessary in cases where tenants do not own or cannot operate an automobile, or in neighbourhoods that are close to services and have access to transit.

Section 5.31 of the WHLUB requires one (1) parking space for each dwelling unit. Section 8.3 (h) of the WHLUB requires parking for accessory apartments be provided in accordance with Section 5.31 and the parking space must be located in the side or rear yard of the lot.

Although WHRM staff are not recommending a parking requirement for secondary suites in the more densely developed communities of Windsor and Hantsport, staff are recommending a parking requirement for secondary suites in the more rural areas of West Hants which are covered by the WHMPS and WHLUB. In the more rural areas where services are not within walking distance the majority of residents in secondary suites will likely need their own vehicle to be able to reach services and employment. In particular, in unserviced areas, requiring a parking space for each dwelling unit does not have the same negative impact as a requirement for parking in serviced and more densely developed areas. Although there are areas of the Municipality with sewer and water services, these tend to have larger lots than in the more developed urban areas.

4.5 Lot Coverage

Lot coverage is a term defined in the WHLUB: *means the percentage of the lot that is covered by buildings, also known as the building footprint; maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot.*

The maximum lot coverage in the WHLUB is 50%. Staff recommend removing the lot coverage restriction as part of the amendment as the requirement disproportionately prevents property owners with smaller lots from constructing accessory apartments. NBC requirements and WHLUB yard requirements would still apply which ensures development is compatible with the neighbourhood without the need for a maximum coverage restriction.

4.6 Floor Area

WHLUB has a maximum floor area requirement for accessory apartments that is smaller than that allowed in the NBC. Only 700 ft² (65 m²) may be used under the WHLUB compared to 80% of the total floor area of the main dwelling unit to a maximum of 861 ft² (80 m²) allowed in the NBC.

Most planning documents reviewed by staff include a specific maximum floor area requirement that aligns with the NBC except Kings which, as noted above, only refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time.* Staff considered the Kings definition as it aligns with the NBC without including the specific maximum

floor area requirements. This ensures the planning documents do not need to be amended every time the NBC changes.

However, for ease of administration, staff have included the maximum floor area requirements in the proposed definition which lets the Development Officer issue a permit if the maximum size is increased in the NBC without amendment to the definition WHLUB.

4.7 Number of Secondary Suites per Lot

In areas regulated by the WHLUB, the number of main buildings which can be constructed on most lots as-of-right is now limited to one (1). There are some lots with more than one main building which may have been constructed prior to land use regulation, or others which have specific provision in the WHLUB such as the agricultural zones.

In West Hants only one (1) accessory apartment is permitted on a lot. If a two-unit dwelling or multiple single unit dwellings are located on one lot and held in the same ownership, this regulation would prevent a secondary suite in more than one of the dwellings. Staff recommends removing potential barriers and ensuring secondary suites are permitted in single and two-unit dwellings regardless of the number of single and two-unit dwellings on a lot by permitting one (1) secondary suite in each dwelling on a lot.

4.8 Zones

Many dwellings exist outside residential zones; these may be permitted under the present WHLUB (such as in the General Commercial (GC) Zone) or may have been constructed prior to the enactment of land use regulation.

The proposed amendments would permit secondary suites to be constructed in single and two-unit dwellings in any zone to accommodate residential uses that exist outside of residential zones.

4.9 Appearance of the Main Dwelling Unit

The present requirements listed below for accessory apartments in the WHLUB have been incorporated in the proposed amendments to ensure the intention of Council expressed in the 2008 document is maintained. These are:

- the suite must be within or attached to the dwelling unit;
- the roof line or height of the existing dwelling unit can not be changed unless it is to accommodate dormers or is a structural necessity for public safety;
- no new entrances can be installed on the front of the dwelling unit for the suite; and

- additions to accommodate the suite must be at the rear of the dwelling unit.

These requirements are intended to ensure dwellings with secondary suites remain visually compatible with low-density neighborhoods. If the roof line and height of the dwelling unit are not altered, the entrance to the suite is not visible from the front of the dwelling unit and any additions to accommodate the suite are only located in the rear of the dwelling unit the visual appearance from the street of the dwelling unit with a secondary suite will in most instances not differ from the original building. Corner lots are the main exception as the rear yard for a corner lot is visible from the side street. Council has identified maintaining the visual appearance of a low-density neighborhood as important in the present WHMPS: *By regulating the size and appearance of these apartments, Council can ensure that the building retains the look of the original dwelling and are (sic) compatible with the neighbourhood.*

Inclusion of these requirements reflects Council's intention and does not prevent creation of most secondary suites.

PAC/HAC may recommend or Council can change its intention and remove these requirements if maintaining the appearance of a low-density neighborhood is no longer a priority or it is determined that the appearance can be maintained without these requirements.

4.10 Draft Amendments

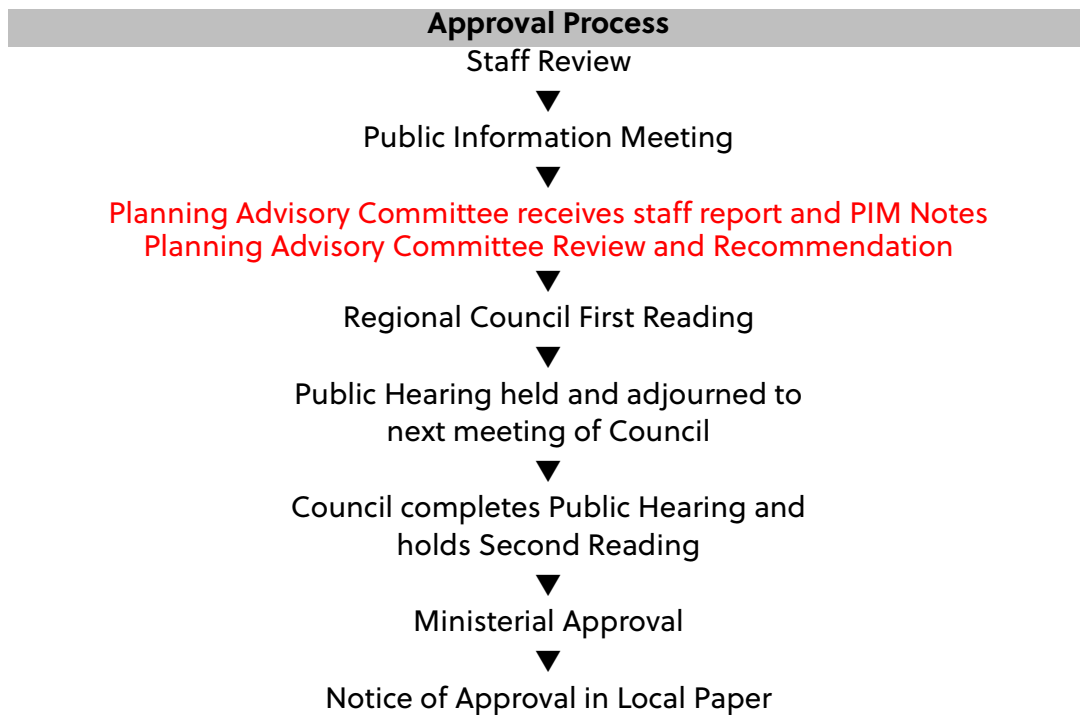
When drafting the amendments, (Appendix A), staff considered the Statement of Provincial Interest, the review of nearby municipal units mentioned above, the NBC, and the existing planning documents in order to develop amendments which increase affordable housing options in WHRM. The amendments include a name change in the West Hants documents from accessory apartments to secondary suites as this is the name used in the NBC.

4.11 Municipal Climate Change Action Plan

The Municipal Climate Change Action Plan (MCCAP) was not considered for this amendment as it is a text amendment.

5.0 NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the WHMPS and are consistent with the intent, objectives and policies of the WHMPS. The proposed amendment to permit secondary suites in single and two-unit dwellings reflects the intent of the existing Municipal Planning Strategy policies. As a result, staff recommends proceeding with the approval process for the proposed amendments.



6.0 FINANCIAL IMPLICATIONS

There may be an increase in households using water, sewer, and waste disposal services in the area. However, the increased services are expected to be paid for, at least in part, by the municipal taxes and service charges for property owners who are installing secondary suites or the tenant who may cover some of these fees through their rent. Property owners will be responsible for ensuring services are provided to the secondary suites.

7.0 ALTERNATIVES

In response to the application, PAC/HAC may:

- request further information on a specific topic;
- determine that the application does not meet the criteria of the WHMPS and make this recommendation to Council.

8.0 ATTACHMENTS

Appendix A Draft Amendments

Report Prepared by: _____

Saira Shah, Planner; and

Madelyn LeMay, Director of Planning and Development

Attachment A Draft Amendments

Note: coloured text indicates a change from the present WHMPS or WHLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the West Hants Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

MUNICIPAL PLANNING STRATEGY

1. Amend Section 4 Part 4.11, Housing, of the West Hants Municipal Planning Strategy by replacing the background material, Policy 4.11.1, 4.11.3 and Policy 4.11.4 with the following material so that Part 4.11 reads as follows:

4.11 Housing

Council **acknowledges** it is important to encourage the provision of housing that includes all residents of West Hants regardless of socio-economic status, age or physical or mental ability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community **needs to provide diverse housing types to satisfy the housing needs of its population**. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. **A secondary suite within a dwelling** can provide a solution for those wishing to keep elderly or dependent family members nearby **and can increase affordable housing options for the greater community**. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the existing dwellings and are compatible with the neighbourhood.

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

Policy 4.11.1 encourage the provision of housing adequate to meet the needs of all residents of West Hants. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy 4.11.2 provide for the development of a range of housing types in West Hants.

Policy 4.11.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.11.4 permit **secondary suites** in single **and two-unit** dwellings **in all zones**, and regulate the size, location and appearance of secondary suites to

ensure the use remains small-scale and compatible with the neighborhood.

2. Amend Section 5 Part 5.3, Three Mile Plains Growth Centre Residential Policies, of the West Hants Municipal Planning Strategy by removing the term “accessory apartments” in Policy 5.3.1 so that it reads as follows:

Policy 5.3.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone which will permit single unit dwellings and existing manufactured homes.

3. Amend Section 15 Part 15.1, Servicing Policies, of the West Hants Municipal Planning Strategy by replacing the phrase “accessory apartments in the Single Unit Residential (R-1) zone” with “secondary suites in single and two-unit dwellings” so that Part 15.1 reads as follows:

Council wishes to encourage development that makes maximum use of the existing infrastructure within the service area boundaries (Growth Centres). Other policies of this Strategy address infill development on existing undersized lots, multiple residential development in appropriate locations, and **secondary suites in single and two-unit dwellings**. Policies for grouped dwellings encourage more compact cluster developments that use less land and are more economical to service.

LAND USE BY-LAW

4. Add Secondary Suites, in Section 5, General Provisions for All Zones, of the West Hants Land Use By-law following Licensed Cannabis Uses as shown below:

Secondary Suites

5.57 Secondary Suites shall be permitted in single and two-unit dwellings in all zones.

5.58 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted within or attached to a dwelling unit;
- (b) alterations shall not change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (c) no new entrances shall be created on the front façade of the dwelling unit;
- (d) parking shall be provided as required in Section 5.31 in the side or rear yard of the lot; and
- (e) additions shall be limited to the rear yard of the exiting dwelling.

5. Remove from Section 8 Part 8.1 Permitted Uses of the West Hants Land Use By-law the listed permitted use "accessory apartments" so that Part 8.1 reads as follows:

Permitted Uses

8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:

- Single unit dwellings
- Existing manufactured homes

6. Remove from Section 8 Part 8.3, Accessory Apartments- Special Requirements, from the West Hants Land Use By-law.

Accessory Apartments – Special Requirements

8.3 (removed in amendment File #20-27 effective *date*)

7. Amend Section 35, Definitions, of the West Hants Land Use By-law by removing the definition of "Accessory Apartment" and inserting the definition of "Secondary Suite" between the definitions of Scrap Operation and Self Storage Operations so that the definitions of "Accessory Apartment" and "Secondary Suite" read as follows:

Accessory Apartment (removed in amendment File #20-27 effective *date*)

Secondary Suite means a self-contained dwelling unit contained within a single or two-unit dwelling. The maximum floor area of a Secondary Suite is 80% of the total floor area of the main dwelling unit to the maximum established in the NBC or 862 ft² (80 m²), whichever is greater.

Appendix C

Draft Amendments Recommended by PAC/HAC

Note: coloured text indicates a change from the present WHMPS or WHLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the West Hants Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 4 Part 4.11, Housing, of the West Hants Municipal Planning Strategy by replacing the background material, Policy 4.11.1, 4.11.3 and Policy 4.11.4 so that Part 4.11 reads as follows:

4.11 Housing

Council **acknowledges** it is important to encourage the provision of housing that **includes all residents in** West Hants regardless of socio-economic status, age or physical or mental disability. **Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population.** Housing must be available for seniors **and individuals** in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. **A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.**

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

Policy 4.11.1 encourage the provision of housing adequate to meet the needs of all **residents in West Hants. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.**

Policy 4.11.2 provide for the development of a range of housing types in West Hants.

Policy 4.11.3 **include flexible development standards which encourage innovative housing development in the Municipal Planning Strategy and Land Use By-law.**

Policy 4.11.4 **permit secondary suites in single and two-unit dwellings in all zones, with regulation regarding the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.**

2. Amend Section 5 Part 5.3, Three Mile Plains Growth Centre Residential Policies, of the West Hants Municipal Planning Strategy by removing the term “accessory apartments” in Policy 5.3.1 so that it reads as follows:

Policy 5.3.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone which will permit single unit dwellings and existing manufactured homes.

3. Amend Section 15 Part 15.1, Servicing Policies, of the West Hants Municipal Planning Strategy by replacing the phrase “accessory apartments in the Single Unit Residential (R-1) zone” with “secondary suites in single and two-unit dwellings” so that Part 15.1 reads as follows:

Council wishes to encourage development that makes maximum use of the existing infrastructure within the service area boundaries (Growth Centres). Other policies of this Strategy address infill development on existing undersized lots, multiple residential development in appropriate locations, and secondary suites in single and two-unit dwellings. Policies for grouped dwellings encourage more compact cluster developments that use less land and are more economical to service.

4. Insert, Secondary Suites, in Section 5, General Provisions for All Zones, of the West Hants Land Use By-law following Licensed Cannabis Uses as shown below:

Secondary Suites

5.57 Secondary Suites are permitted in single and two-unit dwellings in all zones.

5.58 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted per dwelling unit;
- (b) the secondary suite shall be contained within or attached to the dwelling unit;
- (c) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (d) no new entrances shall be created on the front façade of the dwelling unit;
- (e) Notwithstanding section 5.31, a parking spaces shall not be required for each secondary suite; and
- (f) additions shall be limited to the rear yard of the dwelling unit.

5. Remove from Section 8 Part 8.1 Permitted Uses of the West Hants Land Use By-law the listed permitted use “accessory apartments” so that Part 8.1 reads as follows:

Permitted Uses

8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:

- Single unit dwellings
- Existing manufactured homes

6. Remove from Section 8 Part 8.3, Accessory Apartments- Special Requirements, from the West Hants Land Use By-law.

Accessory Apartments – Special Requirements

8.3 (removed in amendment File #20-27 effective date)

7. Amend Section 35, Definitions, of the West Hants Land Use By-law by removing the definition for "Accessory Apartment" and inserting the definition for "Secondary Suite" between the definitions of Scrap Operation and Self Storage Operations so that the definition for "Accessory Apartment" and "Secondary Suite" reads as follows:

Accessory Apartment (removed in amendment File #20-27 effective date)

Secondary Suite means a dwelling unit within a dwelling unit limited to a maximum of
(1) 80% of the total floor area of the dwelling unit if 80% is less than 862 ft² (80 m²)
or (2) 862 ft² (80 m²) or (3) greater as established in the National Building Code.

Attachment D Draft Amendments

Note: coloured text indicates a change from the present WHMPS or WHLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the West Hants Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 4 Part 4.11, Housing, of the West Hants Municipal Planning Strategy by replacing the background material, Policy 4.11.1, 4.11.3 and Policy 4.11.4 so that Part 4.11 reads as follows:

4.11 Housing

Council **acknowledges** it is important to encourage the provision of housing that **includes all residents** in West Hants regardless of socio-economic status, age or physical or mental disability. **Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families mean that a community needs to enable diverse housing types to satisfy the housing needs of its population.** Housing must be available for seniors **and individuals** in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. **A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.**

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

Policy 4.11.1 encourage the provision of housing adequate to meet the needs of all **residents in West Hants. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.**

Policy 4.11.2 provide for the development of a range of housing types in West Hants.

Policy 4.11.3 **include flexible development standards which encourage innovative housing development in the Municipal Planning Strategy and Land Use By-law.**

Policy 4.11.4 **permit secondary suites in single and two-unit dwellings in all zones, with regulation regarding the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.**

- 2. Amend Section 5 Part 5.3, Three Mile Plains Growth Centre Residential Policies, of the West Hants Municipal Planning Strategy by removing the term “accessory apartments” in Policy 5.3.1 so that it reads as follows:**

Policy 5.3.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone which will permit single unit dwellings and existing manufactured homes.

- 3. Amend Section 15 Part 15.1, Servicing Policies, of the West Hants Municipal Planning Strategy by replacing the phrase “accessory apartments in the Single Unit Residential (R-1) zone” with “secondary suites in single and two-unit dwellings” so that Part 15.1 reads as follows:**

Council wishes to encourage development that makes maximum use of the existing infrastructure within the service area boundaries (Growth Centres). Other policies of this Strategy address infill development on existing undersized lots, multiple residential development in appropriate locations, and secondary suites in single and two-unit dwellings. Policies for grouped dwellings encourage more compact cluster developments that use less land and are more economical to service.

- 4. Insert, Secondary Suites, in Section 5, General Provisions for All Zones, of the West Hants Land Use By-law following Licensed Cannabis Uses as shown below:**

Secondary Suites

5.57 Secondary Suites are permitted in single and two-unit dwellings in all zones.

5.58 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted per dwelling unit;
- (b) the secondary suite shall be contained within or attached to the dwelling unit;
- (c) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (d) no new entrances shall be created on the front façade of the dwelling unit;
- (e) one (1) parking space shall be required for each secondary suite; and
- (f) additions shall be limited to the rear yard of the dwelling unit.

- 5. Remove from Section 8 Part 8.1 Permitted Uses of the West Hants Land Use By-law the listed permitted use “accessory apartments” so that Part 8.1 reads as follows:**

Permitted Uses

8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:

- Single unit dwellings
- Existing manufactured homes

6. Remove from Section 8 Part 8.3, Accessory Apartments- Special Requirements, from the West Hants Land Use By-law.

Accessory Apartments – Special Requirements

8.3 (removed in amendment File #20-27 effective date)

7. Amend Section 35, Definitions, of the West Hants Land Use By-law by removing the definition for “Accessory Apartment” and inserting the definition for "Secondary Suite" between the definitions of Scrap Operation and Self Storage Operations so that the definition for “Accessory Apartment” and “Secondary Suite” reads as follows:

Accessory Apartment (removed in amendment File #20-27 effective date)

Secondary Suite means a dwelling unit within a dwelling unit limited to a maximum of
(1) 80% of the total floor area of the dwelling unit if 80% is less than 862 ft² (80 m²)
or (2) 862 ft² (80 m²) or (3) greater as established in the National Building Code.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

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

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: June 22, 2021

Subject: File # 20-29D: WMPS and LUB Text Amendment: Secondary Suites

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210.

POSSIBLE MOTION

Following conclusion of the Public Hearing on July 27, should Council wish to complete the proposed amendment, the following motion would be in order:

...that Council amend the **Windsor** Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Attachment D of the Second Reading Report to Council dated June 22, 2021.

BACKGROUND

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

A Public Information Meeting was held on April 22, 2021 (Attachment A).

On May 13, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Attachment B).

Council held First Reading on May 25, 2021 (Attachment D).

NEXT STEPS



*anticipated dates; final dates will be set by Council

ATTACHMENTS

Attachment A	Public Information Meeting Notes – File 20-29 A
Attachment B	Staff Report Secondary Suites - File #20-29
Attachment C	First Reading Report – File # 20-29 B
Attachment D	Proposed Amendments

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, CAO

Attachment A
Public Information Meeting Notes
April 22, 2021- May 6, 2021
File 20-29A

Secondary Suites MPS and LUB Amendment Windsor

Meeting date and time	A public information meeting was held on April 22, 2021 beginning at 7 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Councillor Murley Madelyn LeMay, Director, Planning and Development Saira Shah, Planner Sara Poirier, Planner As this meeting was held virtually there were no members of the public present.
Applicant Family Resource Centre	Ms. Shah outlined the request from the Family Resource Centre to amend all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code.
File Number	20-29A
Comments	Three (3) written comments were received: Two (2) residents were in general support of the amendment. One (1) resident referred to the major housing crisis in the region. They believe the proposed changes could alleviate some of the housing issues and would like to see detached secondary suites considered in a future amendment. Another resident and Housing Support Worker (the applicant) felt this amendment would increase affordable housing options and make existing housing potentially more affordable for homeowners who would be able to rent the apartments to cover some of their mortgage costs. One (1) resident was opposed to not requiring parking for secondary suites in Windsor as they feel the downtown streets have parking problems now.
Adjournment	The presentation portion of the PIM ended at 7:08 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. Shah until May 6, 2021.
Attachment A	PIM Comments

Attachment A

(April 26, 2021 e-mail)

Hello,

I just wanted to add my comments to the public information hearing. I don't live in Windsor but my job requires me to find housing for folks in Windsor.

I would say there is a major housing crisis right now and the proposed changes would help alleviate some of that. I think the proposed changes are great and I hope they get passed.

I also hope that we can see them extend even further to include detached secondary dwellings.

Regards,

Kelly McGregor

(April 27, 2021 e-mail)

Dear Mayor and Council etal,

When I walk up Campbell Ave or around Lakeview Drive ,(the newer build area's) it looks very different than walking on Gerrish, King, Stanus or Victoria Street's.

Our historical downtown area is over 200 yrs old with the majority of the homes over 130 years old. Downtown was created before cars or parking concerns.

Downtown homes are either relatively small or large, mostly tight together, shared driveways , most built directly on the sidewalks or streets and parking is a issue.

Oil delivery companies will tell you that it's not that easy to park in downtown to deliver oil to our older homes.

I live on a older busy street with parking issues already. It has a very busy Day care with lots of drop offs and pick ups by many vehicles, home business's are becoming more permitted within our residential streets all adding to our parking woes.

I request that council keep our former planning strategy and maintain Secondary Suite's must have their own parking.

Sincerely, Denise Forand

May 4th, 2021 (via e-mail)

West Hants Regional Municipality
76 Morison Drive
PO Box 3000
Windsor NS B0N 2T0

To Whom It May Concern,

I am writing to express support to the by-law amendment to allow secondary suites to all single and two-unit residential dwellings in Windsor, Hantsport and West Hants.

I am a Housing Support Worker who lives and works in West Hants. The lack of affordable housing in this area is an ongoing issue that many of my clients are dealing with every day, which is why they need additional support from service providers such as myself and a housing locator, to help them find safe, affordable places to live.

A secondary suite, also known as a basement apartment, granny suite or in-law suite is defined by the Halifax Regional Municipality as a self-contained dwelling unit with a limited floor area which is located within a house or another building that contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.

According to the results of Canada Mortgage and Housing Corporation's Rental Market Survey conducted in October 2019, the Halifax CMA vacancy rate was 1% versus 1.6% in October 2018. (CMHC 2020). Allowing secondary suites more broadly is intended to support the creation of complete communities as well as meet affordable housing targets. (Halifax.ca).

If secondary suites are permitted, not only can it increase the amount of affordable housing opportunities within the West Hants Municipality, but they can also be used as a way that people who are struggling to afford their current place of residence. Having a secondary suite to rent out can give them extra cash flow to help make ends meet. In doing so, a small part can be played by increasing the vacancy rate and decreasing the number of people struggling with, who are at risk of or who are currently experiencing homelessness.

Sincerely,
Kayla Todd
Housing Support Worker
Family Resource Centre of West Hants

Appendix B



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Members of Planning and Heritage Advisory Committee(PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: May 13, 2021

Subject: File 20-29 Secondary Suites MPS and LUB Amendment **Windsor**

1.0 LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

2.0 RECOMMENDATION

Should the Planning and Heritage Advisory Committee (PAC/HAC) wish to forward a positive recommendation, the following motion would be in order:

...that Council give First Reading and hold a Public Hearing to consider amending the Windsor Municipal Planning Strategy and Land Use By-law to permit secondary suites in single and two-unit dwellings, in a manner substantively the same as Attachment A of the staff report to PAC/HAC dated May 13, 2021.

3.0 BACKGROUND

On December 11, 2020 the Family Resource Centre, a member of the West Hants Housing Coalition, applied for an amendment to all planning documents in West Hants Regional Municipality to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the National Building Code (NBC). The application was complete January 26, 2021.

West Hants Regional Municipality has a separate Municipal Planning Strategy and Land use By-law for each of Hantsport, Windsor and West Hants. The amendments for each set of documents must be considered separately. This report will deal only with the Windsor Municipal Planning Strategy (WMPS) and

Windsor Land Use By-Law (WLUB). There will be duplication of material within the three reports but this ensures that documentation for each separate amendment is complete.

WHRM staff categorized potential options to improve the amount of affordable housing as short, medium, and long-term depending on the amount of time required for any required changes. One of the short-term options was to permit secondary suites in single and two-unit dwellings and align the definition of secondary suites with the NBC definition.

The NBC defines a secondary suite as “*a self-contained dwelling unit with a limited floor area which is contained within a house or another building which contains only residential occupancies. The Secondary Suite and the Main Suite must constitute a single real estate entity.*” The NBC also limits the size of a suite to 80% of the total floor area of the main dwelling unit to a maximum of 861 ft² (80 m²), and includes requirements for ceiling height, smoke alarms, separation of units, ventilation, egress, and heating systems to ensure both the secondary and main suites are safe for occupancy.

The WMPS does not refer to secondary suites but does permit a similar type of unit, “accessory apartments”, in the Single Unit Residential (R-1) zone. The maximum size for accessory apartments in the WLUB is 25% of the floor area of the dwelling, which is smaller than the NBC permits.

4.0 DISCUSSION

4.1 Provincial Support for Secondary Suites

All municipalities in Nova Scotia that have planning documents are required to have specific policies related to housing as there is a *Statement of Provincial Interest* regarding housing. The Provincial goal is to provide housing opportunities to meet the needs of all Nova Scotians. This is achieved by having policies that specifically address affordable housing, special-needs housing and rental accommodations. The Province requires the Municipality to consider permitting higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types. Section 5.0 of the WMPS addresses housing and residential uses.

Secondary suites can reflect this Provincial intention and be part of the solution by providing an affordable housing option that does not appear to increase density in low density neighbourhoods as the suites are located within an existing dwelling.

4.2 Municipal Support for Secondary Suites

The background material in Part 5.1 of the WMPS states: *With an aging population, the need for flexible housing options will continue to grow in the future. Small accessory apartments in single unit dwellings can provide a solution for those wishing to keep elderly or dependant family members nearby. Although tenancy cannot be restricted to family members, by strictly regulating the size and appearance of these apartments, Council can ensure that the building retains the appearance of a single unit dwelling and remains compatible with the neighbourhood.*

Policy 5.1.3 specifically permits accessory apartments within or attached to the main dwelling in the Single Unit Residential (R-1) zone and outlines that the size, location and appearance of the apartments will be limited in the WLUB to ensure the use remains compatible with low density neighbourhoods.

On February 23, 2021 Council approved in principle all recommendations presented in the RAD Consulting report. Recommendation 12 encourages Council to address affordable housing by considering options such as secondary suites.

Based on the material in Part 5.1 of the WMPS and the recommendation from the RAD Consulting report, staff consider Council to be in general support of secondary suites (accessory apartments) in Windsor as an affordable housing option.

4.3 Review: Secondary Suites as a Permitted Use in Nearby Municipal Units

When developing the amendments, staff reviewed the planning documents in neighbouring municipalities that have recently updated land use requirements for secondary suites. The detailed review can be found in the staff report titled "2021-05-13 File 20-27 Secondary Suites MPS and LUB Amendment West Hants".

The background material and policy that permit accessory apartments in Windsor are currently in Part 5.1 Single Unit Residential. The proposal is to replace this with a housing section in the WMPS General Land Use Policies similar to Part 4.11 of the West Hants Municipal Planning Strategy. This proposed amendment will ensure the general housing policies for the Region are similar and meet the requirements of the Statements of Provincial Interest.

4.4 Parking Requirements for Secondary Suites

HRM was the most recent Municipality to consider amendments to permit secondary suites. It is also the only Municipality which does not require parking for a secondary suite. Although several HRM residents stated concerns about parking for suites, HRM staff state in a December 2019 staff report several reasons why additional parking may not be needed or may create a burden which may decrease the number of secondary suites installed:

Under the Integrated Mobility Plan, HRM is working to reduce parking requirements overall and instead allow the market to determine its own needs. Additional parking requirements for secondary and backyard suites may be unwarranted in some areas or unnecessarily limit the location of where such uses can be created. The cost of an additional parking space may also add to the cost of the overall development, thereby increasing the costs that may be needed to be recovered through rents. Further, parking requirements may be unnecessary in cases where tenants do not own or cannot operate an automobile, or in neighbourhoods that are close to services and have access to transit.

Section 5.25 of the WLUB requires one (1) parking space for each dwelling unit. Section 8.3 (h) of the WLUB requires parking for accessory apartments be provided in accordance with Section 5.25 and the parking space must be located in the side or rear yard of the lot.

Although WHRM staff are recommending that one (1) space be required for secondary suites regulated by the West Hants MPS and LUB, staff are not recommending parking be required within the areas regulated by either the Windsor or Hantsport Municipal Planning Strategies and Land Use By-laws.

WHRM staff asked Troy Burgess to comment on parking requirements as he was Traffic Authority for the Town of Windsor and is now Manager of Public Works Operations and Traffic Authority for Municipal roads in WHRM. Mr. Burgess stated when parking is not available for all tenants they typically park on the street which has caused operational issues in the past for snow and ice removal but also street sweeping and street repairs. He mentioned the HRM winter parking ban makes it easier for that Municipality to carry out snow clearing operations. WHRM uses section 129 of the Motor Vehicle Act to address parking during snow and ice events. Public Works has closed streets in the past, particularly Gerrish Street, to carry out snow removal as on-street parking has been an issue in that area. Mr. Burgess appreciates the goal of reducing barriers to affordable housing but thinks a parking requirement for secondary suites would be in the best interest of the Municipality. When asked if alternative options are available for winter parking Mr. Burgess mentioned the parking areas at the community centre and swimming pool have been rented in the past. Dianne Levy, Manager of Recreation and Facilities, stated winter parking is currently available at the pool parking lot from December 1 to March 30 at a cost of \$45 per month plus HST for each space. Although there is room for between six (6) and eight (8) vehicles, only two (2) permits were sold this year.

The RAD Consulting report included several recommendations that relate to parking. Recommendation 4 *Prepare an Integrated Mobility Plan* encourages Council to consider alternative transportation options and develop a mobility plan similar to the Halifax Integrated Mobility Plan. HRM staff stated the Integrated Mobility Plan and HRM's Council's intention to reduce reliance on personal vehicles was one of the reasons for not requiring a parking space for secondary

suites. Recommendations 9 and 11 of the RAD report focus on creating walkable communities and addressing climate change. Not requiring a parking space for secondary suites in walkable communities will align with these recommendations as it could increase affordable housing options for residents without a personal vehicle and encourage more residents to walk to services and reduce Greenhouse Gas emissions.

Although having adequate parking to meet the needs of residents is important, staff recommend not requiring parking for secondary suites in Windsor, as the potential burden of a parking requirement may hinder the opportunity to increase affordable housing options and may undermine the development of a more walkable community. The secondary suite may be intended for a grandparent who no longer drives or a single parent who can not afford a vehicle. In both situations, the individual may be purposely choosing a housing location close to services, enabling them to remain independent in the community without a vehicle. The lack of a parking requirement would not prevent a property owner from creating an additional parking space if there is room and it is needed. It would ensure that smaller properties that may not have room for an additional parking space, but are close to services, would be able to have a secondary suite.

A number of additional assumptions underly requiring a parking space for every dwelling unit:

- everyone wants, needs or can afford to have a car;
- the best use of serviced land is for parking;
- that unless parking is provided, housing should not be permitted; and
- ensuring the most efficient use of areas serviced with sewer and water is secondary to providing parking.

Requiring parking for each unit reduces potential infill development and keeps the supply of dwelling units from meeting demand. This inflates housing prices, which in turn inflates rents...all of which tends to force those least able to pay for housing to more car-dependent neighbourhoods on the outskirts of denser residential areas.

4.5 Lot Coverage

Lot coverage is a term defined in the WLUB: *the percentage of the lot that is covered by buildings, also known as the building footprint; maximum lot coverage means the largest allowable area that can be covered by any building or buildings on a lot.*

The maximum lot coverage in the WLUB is 50%. Staff recommend removing the lot coverage restriction as part of the amendment as the requirement disproportionately prevents property owners with smaller lots from constructing accessory apartments. NBC requirements and WLUB yard requirements would

still apply which ensures development is compatible with the neighbourhood without the need for a maximum coverage restriction.

4.6 Floor Area

WLUB has a maximum floor area requirement for accessory apartments that is smaller than that allowed in the NBC. 25% of the total floor area of the structure in Windsor may be used, compared to 80% of the total floor area of the main dwelling unit or a maximum of 861 ft² (80 m²) allowed in the NBC.

Most planning documents reviewed by staff include a specific maximum floor area requirement that aligns with the NBC except Kings which, as noted above, only refers to the NBC: *Secondary Suite means a secondary suite as defined by the National Building Code, as amended from time to time*. Staff considered the Kings definition as it aligns with the NBC without including the specific maximum floor area requirements. This ensures the planning documents do not need to be amended every time the NBC changes.

However, for ease of administration, staff have included the maximum floor area requirements in the proposed definition, which lets the Development Officer issue a permit if the maximum size is increased in the NBC without amendment to the definition in the WLUB.

4.7 Number of Secondary Suites per Lot

In areas regulated by the WLUB, the number of main buildings which can be constructed on most lots as-of-right is now limited to one (1). There are some lots with more than one main building which may have been constructed prior to land use regulation, or others which have specific provision in the WLUB such as the General Commercial (GC) zone.

In Windsor only one (1) accessory apartment is permitted on a lot. If a two-unit dwelling or multiple single unit dwellings are located on one lot and held in the same ownership, this regulation would prevent a secondary suite in more than one of the dwellings. Staff recommends removing potential barriers and ensuring secondary suites are permitted in single and two-unit dwellings regardless of the number of single and two-unit dwellings on a lot by permitting one (1) secondary suite in each dwelling on a lot.

4.8 Zones

Many dwellings exist outside residential zones; these may be permitted under the present WLUB (such as in the General Commercial (GC) Zone) or may have been constructed prior to the enactment of land use regulation.

The proposed amendments would permit secondary suites to be constructed in single and two-unit dwellings in any zone to accommodate residential uses that exist outside of residential zones.

4.9 Appearance of the Main Dwelling Unit

The present requirements listed below for accessory apartments in the WLUB have been incorporated in the proposed amendments to ensure the intention of Council expressed in the 2005 Windsor MPS is maintained. These are:

- the suite must be within or attached to the dwelling unit;
- the roof line or height of the existing dwelling unit can not be changed unless it is to accommodate dormers or is a structural necessity for public safety;
- no new entrances can be installed on the front of the dwelling unit for the suite; and
- additions to accommodate the suite must be at the rear of the dwelling unit.

These requirements are intended to ensure dwellings with secondary suites remain visually compatible with low-density neighborhoods. If the roof line and height of the dwelling unit are not altered, the entrance to the suite is not visible from the front of the dwelling unit and any additions to accommodate the suite are only located in the rear of the dwelling unit the visual appearance from the street of the dwelling unit with a secondary suite will in most instances not differ from the original building. Corner lots are the main exception as the rear yard for a corner lot is visible from the side street. Council has identified maintaining the visual appearance of a low-density neighborhood as important in the present WMPS: *By regulating the size and appearance of these apartments, Council can ensure that the building retains the look of the original dwelling and are (sic) compatible with the neighbourhood.*

Inclusion of these requirements reflects Council's intention and does not prevent creation of most secondary suites.

PAC/HAC may recommend or Council can change its intention and remove these requirements if maintaining the appearance of a low-density neighborhood is no longer a priority or it is determined that the appearance can be maintained without these requirements.

4.10 Draft Amendments

When drafting the amendments, (Appendix A), staff considered the Statement of Provincial Interest, the review of nearby municipal units mentioned above, the NBC, and the existing planning documents in order to develop amendments which increase affordable housing options in WHRM. The amendments include a

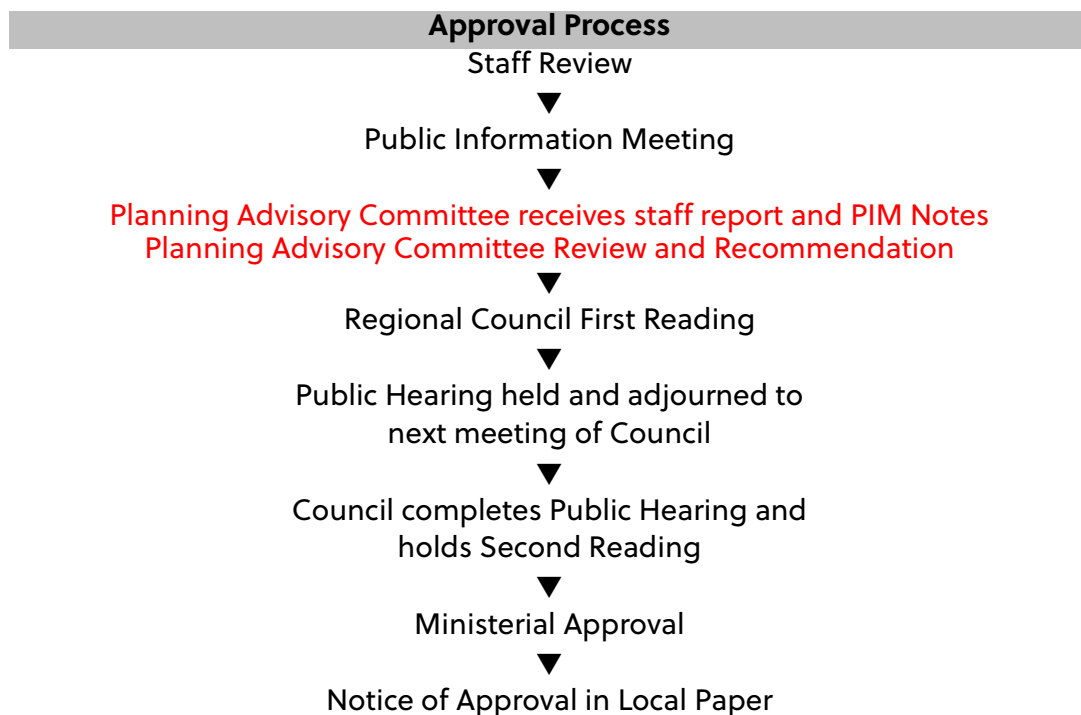
name change in the Windsor documents from accessory apartments to secondary suites as this is the name used in the NBC.

4.11 Municipal Climate Change Action Plan

The Municipal Climate Change Action Plan (MCCAP) was not considered for this amendment as it is a text amendment.

5.0 NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the WMPS and are consistent with the intent, objectives and policies of the WMPS. The proposed amendment to permit secondary suites in single and two-unit dwellings reflects the intent of the existing policies of the Windsor Municipal Planning Strategy. As a result, staff recommends proceeding with the approval process for the proposed amendments.



6.0 FINANCIAL IMPLICATIONS

There may be an increase in households using water, sewer, and waste disposal services in the area. However, the increased services are expected to be paid for, at least in part, by the municipal taxes and service charges for property owners who are installing secondary suites or the tenant who may cover some of

these fees through their rent. Property owners will be responsible for ensuring services are provided to the secondary suites.

7.0 ALTERNATIVES

In response to the application, PAC/HAC may:

- request further information on a specific topic;
- determine that the application does not meet the criteria of the WMPS and make this recommendation to Council.

8.0 ATTACHMENTS

Appendix A Draft Amendments

Report Prepared by: _____
Saira Shah, Planner

Madelyn LeMay, Director of Planning and Development

Attachment A Draft Amendments

Note: coloured text indicates a change from the present WMPS or WLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Windsor Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 4.0, General Land Use Policies, of the Windsor Municipal Planning Strategy by inserting Part 4.18 Housing following Part 4.17 Watercourses so that Part 4.18 reads as follows:

4.18 Housing

Council acknowledges it is important to encourage the provision of housing that includes all residents in Windsor regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.

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

Policy 4.18.1 encourage the provision of housing adequate to meet the needs of all residents of Windsor. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy 4.18.2 provide for the development of a range of housing types in Windsor.

Policy 4.18.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.18.4 permit secondary suites in single and two-unit dwellings in all zones, and regulate the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.

2. Amend Section 5.0 Part 5.1, Single Unit Residential, of the Windsor Municipal Planning Strategy by replacing "single unit residential" with "Single Unit

Residential (R-1)”, and removing the phrases “With an aging population, the need for flexible housing options will continue to grow in the future. Small accessory apartments in single unit dwellings can provide a solution for those wishing to keep elderly or dependant family members nearby. Although tenancy cannot be restricted to family members, by strictly regulating the size and appearance of these apartments, Council can ensure that the building retains the appearance of a single unit dwelling and remains compatible with the neighbourhood.” and policy 5.1.3 so that Part 5.1 reads as follows:

5.1 Single Unit Residential

The [Single Unit Residential \(R-1\) zone](#) encompasses areas in which the predominant existing use is single detached dwellings. The previous Land Use By-law also pre-zoned several blocks of vacant land for single detached residential development. Those areas, located on College Road, Payzant Drive and Underwood Drive, will also be zoned [Single Unit Residential \(R-1\)](#) under this Strategy and Land Use By-law.

Policy 5.1.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone for areas where the predominant existing use is single unit dwellings.

Policy 5.1.2 In addition to zoning areas of existing single unit residential development, Council shall consider pre-zoning areas for future single unit residential use where the need is anticipated and the use is considered compatible with the surrounding area.

Policy 5.1.3 [\(removed in amendment File #20-27 effective date\)](#)

3. Insert Secondary Suites in Section 5.0, General Provisions for All Zones, of the Windsor Land Use By-law following Urban Agricultural Uses as shown below:

[Secondary Suites](#)

5.45 [Secondary Suites are permitted in single and two-unit dwellings in all zones.](#)

5.46 [In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:](#)

- [\(a\) no more than one \(1\) secondary suite shall be permitted within or attached to the dwelling unit;](#)
- [\(b\) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;](#)
- [\(c\) no new entrances shall be created on the front façade of the dwelling unit;](#)

- (d) notwithstanding the parking requirements of Section 5.31, off-street parking shall not be required for the secondary suite; and
- (e) additions shall be limited to the rear yard of the dwelling unit.

4. Remove from Section 8.0 Part 8.1 Permitted Uses of the Windsor Land Use By-law the listed permitted use "accessory apartments" so that Part 8.1 reads as follows:

Permitted Uses

- 8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:
- Single unit dwellings

5. Remove from Section 8.0 Part 8.3, Accessory Apartments- Special Requirements, from the Windsor Land Use By-law.

Accessory Apartments – Special Requirements

8.3 (removed in amendment File #20-27 effective date)

6. Amend Section 31.0, Definitions, of the Windsor Land Use By-law by replacing the definition of "Accessory Apartment" with the following definition of "Secondary Suite" between the definitions of Scrap Yard and Senior Citizen Housing so that the definition of "Accessory Apartment" and "Secondary Suite" reads as follows:

Accessory Apartment (removed in amendment File #20-27 effective date)

Secondary Suite means a self-contained dwelling unit contained within a single or two-unit dwelling. The maximum floor area of a Secondary Suite is 80% of the total floor area of the main dwelling unit to the maximum established in the NBC or 862 ft² (80 m²), whichever is greater.

Appendix C

Draft Amendments Recommended by PAC/HAC

Note: coloured text indicates a change from the present WMPS or WLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Windsor Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 4.0, General Land Use Policies, of the Windsor Municipal Planning Strategy by inserting Part 4.18 Housing following Part 4.17 Watercourses so that Part 4.18 reads as follows:

4.18 Housing

Council acknowledges it is important to encourage the provision of housing that includes all residents in Windsor regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.

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

Policy 4.18.1 encourage the provision of housing adequate to meet the needs of all residents of Windsor. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy 4.18.2 provide for the development of a range of housing types in Windsor.

Policy 4.18.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.18.4 permit secondary suites in single and two-unit dwellings in all zones, and regulate the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.

2. Amend Section 5.0 Part 5.1, Single Unit Residential, of the Windsor Municipal Planning Strategy by replacing "single unit residential" with "Single Unit

Residential (R-1)”, and removing the phrases “With an aging population, the need for flexible housing options will continue to grow in the future. Small accessory apartments in single unit dwellings can provide a solution for those wishing to keep elderly or dependant family members nearby. Although tenancy cannot be restricted to family members, by strictly regulating the size and appearance of these apartments, Council can ensure that the building retains the appearance of a single unit dwelling and remains compatible with the neighbourhood.” and policy 5.1.3 so that Part 5.1 reads as follows:

5.1 Single Unit Residential

The **Single Unit Residential (R-1) zone** encompasses areas in which the predominant existing use is single detached dwellings. The previous Land Use By-law also pre-zoned several blocks of vacant land for single detached residential development. Those areas, located on College Road, Payzant Drive and Underwood Drive, will also be zoned **Single Unit Residential (R-1)** under this Strategy and Land Use By-law.

Policy 5.1.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone for areas where the predominant existing use is single unit dwellings.

Policy 5.1.2 In addition to zoning areas of existing single unit residential development, Council shall consider pre-zoning areas for future single unit residential use where the need is anticipated and the use is considered compatible with the surrounding area.

Policy 5.1.3 (removed in amendment File #20-27 effective date)

3. Insert Secondary Suites in Section 5.0, General Provisions for All Zones, of the Windsor Land Use By-law following Urban Agricultural Uses as shown below:

Secondary Suites

5.45 Secondary Suites are permitted in single and two-unit dwellings in all zones.

5.46 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted on any lot;
- (b) no more than one (1) secondary suite shall be permitted within or attached to a dwelling unit;
- (c) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (d) no new entrances shall be created on the front façade of the dwelling unit;

- (e) one (1) parking space shall be required for each secondary suite; and
- (f) additions shall be limited to the rear yard of the dwelling unit.

4. Remove from Section 8.0 Part 8.1 Permitted Uses of the Windsor Land Use By-law the listed permitted use "accessory apartments" so that Part 8.1 reads as follows:

Permitted Uses

- 8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:
- Single unit dwellings

5. Remove from Section 8.0 Part 8.3, Accessory Apartments- Special Requirements, from the Windsor Land Use By-law.

Accessory Apartments – Special Requirements

8.3 (removed in amendment File #20-27 effective date)

6. Amend Section 31.0, Definitions, of the Windsor Land Use By-law by replacing the definition of "Accessory Apartment" with the following definition of "Secondary Suite" between the definitions of Scrap Yard and Senior Citizen Housing so that the definition of "Accessory Apartment" and "Secondary Suite" reads as follows:

Accessory Apartment (removed in amendment File #20-27 effective date)

Secondary Suite means a self-contained dwelling unit contained within a single or two-unit dwelling. The maximum floor area of a Secondary Suite is 80% of the total floor area of the main dwelling unit to the maximum established in the NBC or 862 ft² (80 m²), whichever is greater.

Attachment D Draft Amendments

Note: coloured text indicates a change from the present WMPS or WLUB and is provided only for the convenience of PAC/HAC and Council

Text amendments to the Windsor Municipal Planning Strategy and Land Use By-law to allow secondary suites in single and two-unit dwellings.

1. Amend Section 4.0, General Land Use Policies, of the Windsor Municipal Planning Strategy by inserting Part 4.18 Housing following Part 4.17 Watercourses so that Part 4.18 reads as follows:

4.18 Housing

Council acknowledges it is important to encourage the provision of housing that includes all residents in Windsor regardless of socio-economic status, age or physical or mental disability. Demographic changes, such as an aging population, smaller household size and a growing number of single-parent families, mean that a community needs to provide diverse housing types to satisfy the housing needs of its population. Housing must be available for seniors and individuals in the community with special needs. Housing choices and the affordability of those choices can be increased by providing flexible development standards allowing for smaller lots and setbacks, narrower streets, clustered developments and opportunities for multiple-unit development in appropriate locations. A secondary suite in a dwelling can provide a solution for those wishing to keep elderly or dependent family members nearby and can increase affordable housing options for the greater community. By regulating the size and appearance of these suites, Council can ensure that the buildings retain the look of the original dwellings and are compatible with the neighbourhood.

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

Policy 4.18.1 encourage the provision of housing adequate to meet the needs of all residents of Windsor. Council will encourage affordable housing, special-needs housing and rental accommodation to develop in a manner that is sensitive to the needs of those being served and the entire community.

Policy 4.18.2 provide for the development of a range of housing types in Windsor.

Policy 4.18.3 include flexible development standards which encourage innovative housing development in the Land Use By-law.

Policy 4.18.4 permit secondary suites in single and two-unit dwellings in all zones, and regulate the size, location and appearance of secondary suites to ensure the use remains small-scale and compatible with the neighborhood.

2. Amend Section 5.0 Part 5.1, Single Unit Residential, of the Windsor Municipal Planning Strategy by replacing "single unit residential" with "Single Unit

Residential (R-1)”, and removing the phrases “With an aging population, the need for flexible housing options will continue to grow in the future. Small accessory apartments in single unit dwellings can provide a solution for those wishing to keep elderly or dependant family members nearby. Although tenancy cannot be restricted to family members, by strictly regulating the size and appearance of these apartments, Council can ensure that the building retains the appearance of a single unit dwelling and remains compatible with the neighbourhood.” and policy 5.1.3 so that Part 5.1 reads as follows:

5.1 Single Unit Residential

The **Single Unit Residential (R-1) zone** encompasses areas in which the predominant existing use is single detached dwellings. The previous Land Use By-law also pre-zoned several blocks of vacant land for single detached residential development. Those areas, located on College Road, Payzant Drive and Underwood Drive, will also be zoned **Single Unit Residential (R-1)** under this Strategy and Land Use By-law.

Policy 5.1.1 It shall be the policy of Council to establish a Single Unit Residential (R-1) zone for areas where the predominant existing use is single unit dwellings.

Policy 5.1.2 In addition to zoning areas of existing single unit residential development, Council shall consider pre-zoning areas for future single unit residential use where the need is anticipated and the use is considered compatible with the surrounding area.

Policy 5.1.3 (removed in amendment File #20-27 effective date)

3. Insert Secondary Suites in Section 5.0, General Provisions for All Zones, of the Windsor Land Use By-law following Urban Agricultural Uses as shown below:

Secondary Suites

5.45 Secondary Suites are permitted in single and two-unit dwellings in all zones.

5.46 In addition to all other regulations of this By-law, the following provisions shall apply to secondary suites:

- (a) no more than one (1) secondary suite shall be permitted on any lot;
- (b) no more than one (1) secondary suite shall be permitted within or attached to a dwelling unit;
- (c) no alterations shall change the roof line or increase the height of the existing dwelling unit except for the addition of dormers or structures necessary for public safety;
- (d) no new entrances shall be created on the front façade of the dwelling unit;

- (e) one (1) parking space shall be required for each secondary suite; and
- (f) additions shall be limited to the rear yard of the dwelling unit.

4. Remove from Section 8.0 Part 8.1 Permitted Uses of the Windsor Land Use By-law the listed permitted use "accessory apartments" so that Part 8.1 reads as follows:

Permitted Uses

- 8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:
- Single unit dwellings

5. Remove from Section 8.0 Part 8.3, Accessory Apartments- Special Requirements, from the Windsor Land Use By-law.

Accessory Apartments – Special Requirements

8.3 (removed in amendment File #20-27 effective date)

6. Amend Section 31.0, Definitions, of the Windsor Land Use By-law by replacing the definition of "Accessory Apartment" with the following definition of "Secondary Suite" between the definitions of Scrap Yard and Senior Citizen Housing so that the definition of "Accessory Apartment" and "Secondary Suite" reads as follows:

Accessory Apartment (removed in amendment File #20-27 effective date)

Secondary Suite means a self-contained dwelling unit contained within a single or two-unit dwelling. The maximum floor area of a Secondary Suite is 80% of the total floor area of the main dwelling unit to the maximum established in the NBC or 862 ft² (80 m²), whichever is greater.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Members of West Hants Regional Council

Submitted by: _____
Sara Poirier, Planner

Date: 2021-07-27

Subject: Mobile Canteen Vending By-law; File #20-26

LEGISLATIVE AUTHORITY

MGA 172 Power to make By-laws

MGA 173 Vending on Streets

RECOMMENDATION

...that Council approves the Mobile Canteen Vending By-law, RV-001, in a manner substantively the same as the draft set out in Attachment A of the report #20-26 to the Committee of the Whole dated June 6, 2021, which will repeal the Hawkers, Traders and Peddlers Bylaw, Bylaw #15, dated May 6, 1998 and the Temporary Vendor Bylaw, Bylaw #40, dated March 12, 2012 of the former Town of Windsor.

...that Council approves the fees for mobile canteens as outlined in Table 2 Option 3 of the report #20-26 to the Committee of the Whole dated June 6, 2021.

BACKGROUND

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

A motion was approved by Council on September 22, 2020 to "*direct staff to prepare a report for Council on the by-laws and fees applicable for restaurants (including sidewalk cafés) and mobile vending units. It would be helpful to include information on the*

location permissions as well as comparable fees in our region for similar services along with any recommendations for changes staff may deem appropriate”.

Committee of the Whole (COTW) reviewed the staff recommendation report on June 8, 2021. COTW recommended in favour of the draft Mobile Canteen Vending By-law and fees as outlined in Table 2 Option 3 of the staff report which are as follows:

\$25 / special event on public property (14 days or less)

\$100 / three (3) months

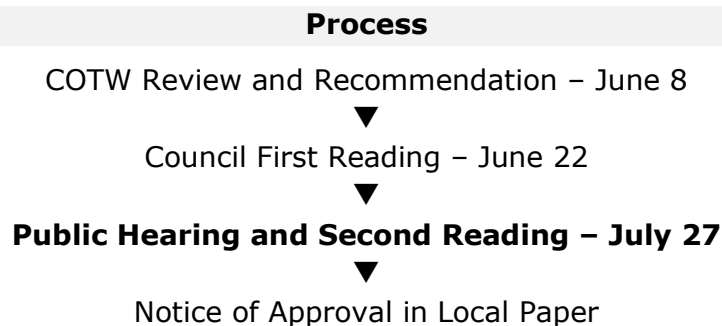
\$200 / an additional three (3) months on the same property

\$300 / an additional three (3) months on the same property

\$400 / an additional three (3) months on the same property

\$1000 / year on the same property

NEXT STEPS



APPENDICIES

Appendix A 2021-06-08 Staff Report to COTW - Mobile Canteen Vending By-law;
File #20-26

CHIEF ADMINISTRATIVE OFFICER REVIEW

The following remarks were made at the June 8, 2021 COTW meeting. My position remains the same regarding this matter.

"I concur with the remarks made in the report. Promoting mobile canteens is a positive reflection on the Municipality. As with Sidewalk Cafes, mobile canteens add to the vibrancy of events, growth centers and our general community. Ensuring the application process is easy helps to attract and retain the canteens and minimizes staff administrative requirements.

With respect to the fees, the recommended option finds a balance between encouraging their presence but increasing the fee in association with the time they are present in the Municipality selling their products. When considering the fee and its purpose it can

be viewed as a mixed fee for the right to conduct business in the municipality (business occupancy) and for the costs associated with the use or provision of municipal services and spaces to accommodate your business (commercial taxation). Compared to other communities, our rural and urban settings and fees charged at festivals and events the proposed rates are very reasonable.

I support the recommendation as presented. "

Report Prepared by: _____
Sara Poirier, Planner

Report Reviewed by: _____
Madelyn LeMay, Director, Planning and Development

Report Approved by:  _____
Mark Phillips, CAO

Appendix A



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Members of West Hants Regional Council

Submitted by: _____
Sara Poirier, Planner

Date: 2021-06-08

Subject: Mobile Canteen Vending By-law; File #20-26

LEGISLATIVE AUTHORITY

MGA 172 Power to make By-laws

MGA 173 Vending on Streets

RECOMMENDATION or DECISION REQUEST

...that Council gives First Reading and will hold Public Hearing to consider approving the Mobile Canteen Vending By-law, RV-001, in a manner substantively the same as the draft set out in Attachment A of the report #20-26 to the Committee of the Whole dated June 6, 2021, which will repeal the Hawkers, Traders and Peddlers Bylaw, Bylaw #15, dated May 6, 1998 and the Temporary Vendor Bylaw, Bylaw #40, dated March 12, 2012 of the former Town of Windsor.

...that Council approve the fees for mobile canteens as outlined in Table 2 Option 2 of the report #20-26 to the Committee of the Whole dated June 8, 2021, until such time that a Regional Fees Policy is in effect.

BACKGROUND

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

A motion was approved by Council on September 22, 2020 to *"direct staff to prepare a report for Council on the by-laws and fees applicable for restaurants (including sidewalk cafés) and mobile vending units. It would be helpful to include information on the location permissions as well as comparable fees in our region for similar services along with any recommendations for changes staff may deem appropriate"*.

Background information can be found in the following reports:

September 9, 2020	Restaurants and Mobile Canteens: Agenda Request Form
February 9, 2021	Mobile Canteens and Sidewalk Cafés: Request for Direction Report to COTW
May 13, 2021	Mobile Canteen Vending By-law: Information Report to PAC/HAC

and minutes of the following Committees and Council meeting:

February 9, 2021	Committee of the Whole
May 13, 2021	Planning and Heritage Advisory Committee

DISCUSSION

Mobile Canteen

The Windsor Hawkers, Traders and Peddlers By-law (1998) permits mobile canteens in the community of Windsor if the owner receives a license from the Municipality.

Upon direction of Council, staff reviewed the Hawkers, Traders and Peddlers By-law (1998) and Temporary Vendor By-law (2012) and propose the following changes:

- extend the By-law to the rest of the Region;
- the Development Officer be specified as the licensing authority;
- describe supporting documentation to accompany an application for a mobile canteen;
- ensure applications for mobile canteens consider parking, safety, access to the property, and garbage collection;
- prohibit mobile canteens from having permanent, direct connection to municipal water, wastewater and sewer service;
- permit mobile canteens in areas where restaurants are permitted as per the relevant Land Use By-law;
- outline when a mobile canteen is permitted on municipal property for an event or holiday upon authorization of the CAO;

- outline that for events or holidays the licensing authority will consult with the Economic Development Manager and/or Event Coordinator to determine how many and what type of mobile canteens should be permitted for the event;
- outline a process for refusal or revocation of permits;
- identify a process for appeal by the applicant if the license is refused or revoked;
- specify that fees will be set in the Municipal Fees Policy;
- repeal the Windsor Hawkers, Traders and Peddlers By-law (1998) and Temporary Vendor By-law (2012)

The draft Mobile Canteen Vending By-law was taken to the Planning and Heritage Advisory Committee for discussion on May 13, 2021. The Committee discussed and agreed with the proposed Mobile Canteen Vending By-law as drafted. Staff also discussed the removal of specific licenses for other types of vending including auctioneering, transient vending, temporary vending and mobile refreshment stands. The Committee agreed to recommend removing the requirement for licensing for these specific uses, as there have been limited licenses issued in the past for these uses and not requiring these uses to be licensed does not prevent these uses from happening; it just allows them to happen without charging a fee or requiring a license for the use.

Fees

The Windsor Hawkers, Traders and Peddlers Bylaw (1998) outlines a fee of \$100 for three (3) months for mobile canteens.

Staff investigated the fees for mobile canteens in other Towns and Municipalities in Nova Scotia to see how West Hants Regional Municipality compared (Table 1).

Table 1: Comparison of License Fees for Mobile Canteens with other Towns and Municipalities

	Mobile Canteens
West Hants Regional Municipality	\$100 / three (3) months
Town of Wolfville	\$75 / canteen / event \$75 for vending on private property with a timeline set by the Development Officer
Town of Kentville	\$10 / event less than 10 days \$75 / canteen for a period less than three (3) months
Town of Bridgewater	\$25 / week \$75 / month \$200 / year
Town of Truro	No by-law or policy for mobile canteens

Town of Yarmouth	\$200 / month \$500 / year
Municipality of the District of East Hants	No by-law or policy for mobile canteens
Municipality of the County of Kings	\$500 / year
Municipality of the District of Lunenburg	Vending in Municipal Parks: \$25 / event (1 day) \$250 / season
Halifax Regional Municipality	Vending on Municipal Land: \$915 / year / food service vehicle

Staff compared the fees for two existing mobile canteen permits and provided potential options for changes to the fees (Table 2).

The fees for mobile canteens are comparable to other areas, however Council could determine if they would like to permit reduced time periods instead of only permitting mobile canteens for three (3) months at a time (Table 2, Option 2). Another suggestion from the discussion with staff and the Windsor Township Business Association was to change the fee structure to have one fee for mobile canteens that participate in a short-term event on public property and then have an incremental increase in fees based on how long the mobile canteen is located on one property (Table 2, Option 3).

Table 2: An Example of Possible Fee Amendments to the Hawkers, Traders and Peddlers By-law for Mobile Canteens

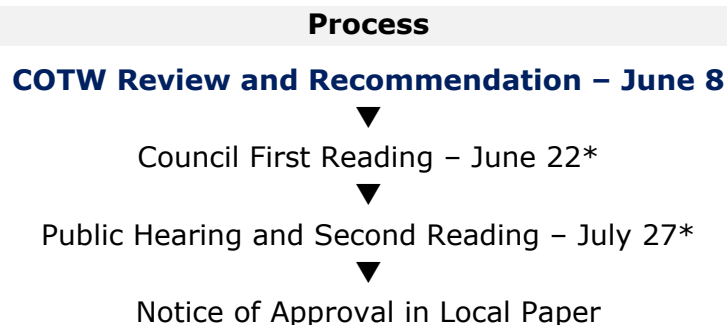
Option 1: Existing Mobile Canteen provisions in the Windsor Hawkers, Traders and Peddlers By-law	Option 2: Amend the Windsor Hawkers, Traders and Peddlers By-law to permit mobile canteens on a monthly, seasonal, or yearly basis	Option 3: Amend the Windsor Hawkers, Traders and Peddlers By-law to permit mobile canteens on a tiered system based on how long they are located on one property
\$100 / three (3) months	\$50 / one (1) month \$100 / three (3) months \$200 / season (May 15 – October 15) \$400 / year	\$25 / special event on public property (14 days or less) \$100 / three (3) months \$200 / an additional three (3) months on the same property

		\$300 / an additional three (3) months on the same property \$400 / an additional three (3) months on the same property \$1000 / year on the same property
--	--	--

The Planning and Heritage Advisory Committee had a lot of discussion on the proposed fees. Committee members were concerned that increasing the fees would deter mobile canteens in WHRM. PAC/HAC members noted that different fees could be considered for mobile canteens that are not in competition with other businesses (i.e., in the more rural areas of WHRM). They also noted that a mobile canteen is a much different experience than a restaurant and should not necessarily be compared in terms of fees.

Planning staff recommend the fee be amended to align with Table 2, Option 2 and that this fee be required of all mobile canteens throughout WHRM. This would ensure all mobile canteens are treated equally regardless of location in the Municipality and would align with fees required in more rural areas of Nova Scotia.

NEXT STEPS



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are fees associated with advertising the Public Hearing and notice of approval for the Mobile Canteen Vending By-law. The advertising can be accommodated in the budget.

Any amendments to the fees in the by-law would have a financial impact on business owners within the Region. This financial impact could be positive if the fees are reduced, or negative if the fees are increased.

ALTERNATIVES

In response to this recommendation report, Committee of the Whole may:

- recommend that Council hold First Reading and schedule a Public Hearing to consider approving the Mobile Canteen Vending By-law as drafted or as specifically revised by direction of COTW;
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A	Draft WHRM Mobile Canteen Vending By-law
Attachment B	Windsor Hawkers, Traders and Peddlers By-law (1998)
Attachment C	Windsor Temporary Vendor By-law (2012)

CHIEF ADMINISTRATIVE OFFICER REVIEW

I concur with the remarks made in the report. Promoting mobile canteens is a positive reflection on the Municipality. As with Sidewalk Cafes, mobile canteens add to the vibrancy of events, growth centers and our general community. Ensuring the application process is easy helps to attract and retain the canteens and minimizes staff administrative requirements.

With respect to the fees, the recommended option finds a balance between encouraging their presence but increasing the fee in association with the time they are present in the Municipality selling their products. When considering the fee and its purpose it can be viewed as a mixed fee for the right to conduct business in the municipality (business occupancy) and for the costs associated with the use or provision of municipal services and spaces to accommodate your business (commercial taxation). Compared to other communities, our rural and urban settings and fees charged at festivals and events the proposed rates are very reasonable.

I support the recommendation as presented.

Report Prepared by: _____
Sara Poirier, Planner

Report Reviewed by: _____
Madelyn LeMay, Director, Planning and Development

Report Approved by:  _____
Mark Phillips, CAO

MOBILE CANTEEN VENDING BY-LAW

1.0 AUTHORITY

This By-law is made pursuant to the *Municipal Government Act*, RSNS 1998, as amended from time-to-time and hereinafter referred to as the "Act".

Pursuant to Section 172 (c) and (f), *Power to make by-laws*, of the *Act*, Council may make by-laws for municipal purposes, respecting persons, activities and things in, on or near a public place or place that is open to the public, as well as to businesses, business activities and persons engaged in business.

Pursuant to Section 173, *Mobile Canteens*, of the *Act*, Council may regulate vending, any class of vending, mobile vendors and the placement of vending machines on the streets of the Municipality by by-law.

Section 172 (2) (e) of the *Act* enables municipalities to provide for a system of licenses, permits or approvals in any by-law.

2.0 PURPOSE

The purpose of this by-law is to regulate mobile canteens within West Hants Regional Municipality.

This By-law shall be known and may be cited as the Mobile Canteen Vending By-law.

3.0 DEFINITIONS

- (a) "CAO" means the Chief Administrative Officer of West Hants Regional Municipality;
- (b) "Council" means the Council of West Hants Regional Municipality;
- (c) "licensing authority" means the Development Officer for the Municipality who receives applications for licenses under this By-law;
- (d) "mobile canteen" means any vehicle which is required to be licensed and registered pursuant to the *Motor Vehicle Act* and is used for the displaying, storing, transporting of food and beverages for sale directly to the public by a vendor, saving and excepting the sale of direct products of the farm, forest or sea which are not cooked within the vehicle;
- (e) "Municipality" means the West Hants Regional Municipality;
- (f) "person" means an individual, body corporate or non-profit organization;

4.0 APPLICATIONS AND LICENSING

MOBILE CANTEEN VENDING BY-LAW

- (a) All licenses issued in the Municipality shall apply only to the person or business receiving the license.
- (b) A license issued under this By-law shall be publicly displayed at all times at the site of the vendor's business.
- (c) All licenses issued in accordance with this By-law shall be signed by the licensing authority and Clerk and sealed with the seal of the Municipality and shall bear the date of issue;
- (d) Every application for a license shall be made in writing to the licensing authority, and shall contain:
 - (i) the applicable fee as established in the Fees Policy;
 - (ii) the name, mailing address, telephone number, and e-mail address of the applicant;
 - (iii) the corporate or partnership or sole proprietorship business name, if applicable;
 - (iv) the street address of the site of the proposed use;
 - (v) the dates and times proposed for the use;
 - (vi) written permission from the owner if the applicant is proposing to use a site which the applicant does not own.
- (e) The licensing authority shall notify the applicant within fourteen (14) business days of receipt of a complete application of the approval or refusal of the license.
- (f) A license shall be in force for a specific period and shall expire at the conclusion of that period. An additional licence shall be required for any change in location or additional period of time for any licence.

4.1 Criteria for Licensing Mobile Canteens

- (a) No person shall operate any mobile canteen on private or municipal property without first obtaining and paying for a licence from the licensing authority. The mobile canteen must be operated in accordance with the licence issued.
- (b) Mobile canteens shall only be permitted on privately-owned property within the Municipality, except during events or holidays where they may be permitted on property owned by the Municipality if the CAO is satisfied that the mobile canteen is a reasonable use of such property for the specific dates, and is one which will not interfere unduly with other municipal uses of the property.

MOBILE CANTEEN VENDING BY-LAW

- (c) Mobile canteens shall not be permitted to have a permanent direct connection to municipal water, wastewater or sewer service.
- (d) Mobile canteen licensees shall maintain appropriate solid waste bins for applicable streams of solid waste such as compostable, recyclable and residual solid waste and shall be responsible for tidy up and disposal of waste generated by the customers or staff of the Mobile Canteen.
- (e) Every application for a mobile canteen license shall be made in writing to the licensing authority, and shall contain, in addition to the items specified in 4.0 (d) above:
 - (i) The mobile canteen name, and corporate name if applicable;
 - (ii) A copy of the Motor Vehicle Inspection (MVI);
 - (iii) A copy of the insurance;
 - (iv) A copy of the food establishment permit, food handling certification and/or temporary event permit issued by the Province of Nova Scotia;
 - (v) A site plan that shows the proposed location of the mobile canteen and of the existing structures on the lot, access to the property, parking, garbage collection receptacles, and any other items that may assist with the review of the application;
- (f) No licence shall be issued if the application is for a location where the relevant Land Use By-law does not permit restaurants.
- (g) For events or holidays, the licensing authority shall consult with the Economic Development Manager and/or Event Coordinator prior to issuing the license. The Economic Development Manager and/or Event Coordinator shall notify the licensing authority of the maximum number and type of mobile canteens licences that shall be permitted for that event or holiday.

6.0 REFUSAL

The licensing authority shall refuse to issue a permit where:

- (a) the application requirements in Section 4.0 and/or 5.0 have not been met;
- (b) the Traffic Authority determines the proposed site is unsuitable having regard to pedestrian or vehicular traffic movement, access or safety;
- (c) the licensing authority determines the proposed location is not suitable in terms of zoning, lot size, setbacks, access, or available parking as specified in the relevant Land Use By-law;
- (d) for events or holidays, the maximum number and type of mobile canteens specified by the Economic Development Manager and/or Event Coordinator has already been reached or the CAO has declined permission to use municipal property.

MOBILE CANTEEN VENDING BY-LAW

7.0 REVOCATION

The licensing authority shall revoke a permit where:

- (a) the Motor Vehicle Inspection (MVI), insurance or food establishment permit, food handling certification and/or temporary event permit issued by the Province of Nova Scotia has expired or is revoked;
- (b) concerns about pedestrian or vehicular traffic movement, access or safety have been expressed by the Traffic Authority;
- (c) garbage or other waste is not adequately contained and disposed of on-site;
- (d) the licensing fee has not been paid up to date;
- (e) the licensee is in violation of any provision of this By-law or of any other By-law of the Municipality.

8.0 PENALTIES AND ENFORCEMENT

- (a) Any person who fails to comply with any of the provisions of this By-law or a license granted pursuant to this By-law, shall be liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1000.00), and in default of payment imprisonment for a period of not less than ten (10) days nor more than ninety (90) days.
- (b) The Municipality may apply to a Judge of the Supreme Court of Nova Scotia for an injunction or other order where:
 - (i) Land is being used in contravention of this or any other By-law;
 - (ii) A person is operating a mobile canteen without having paid the license fee or obtained and maintained in good standing a license; or
 - (iii) A breach or continued breach or repetitive breach of this By-law is anticipated.

9.0 APPEALS

- (a) A decision of the licensing authority to refuse to issue or to revoke a license may be appealed to Council within fourteen (14) days of the decision of the licensing authority by written notice of appeal delivered to the Clerk.
- (b) Council shall convene an appeal hearing within 60 days of receipt of the appeal letter and may, following the appeal hearing, confirm or rescind the licensing authority's decision.
- (c) In hearing an appeal for a holiday or events license, Council may substitute its own opinion for that of the Economic Development Manager and/or Event

MOBILE CANTEEN VENDING BY-LAW

Coordinator as to the maximum number of such licenses to issue for the event or holiday.

10.0 REPEAL

The Hawkers, Traders and Peddlers Bylaw, Bylaw #15, of the former Town of Windsor dated May 6, 1998 and the Temporary Vendor Bylaw, Bylaw #40, of the former Town of Windsor dated March 12, 2012 are hereby repealed.

I, (Municipal Clerk Name), Municipal Clerk of the West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the ____ day of ____ (month), ____ (year).

(Signature of Municipal Clerk)
(Typed name of Municipal Clerk)

By-law Adoption	
First Reading:	<i>date</i>
Notice Published:	<i>date</i>
Second Reading & Approval	<i>date</i>
Final Publication	<i>date</i>
Notice to Municipal Affairs	<i>date</i>
Description:	



TOWN OF WINDSOR BYLAW # 15 HAWKERS, TRADERS AND PEDDLERS BYLAW

- 15.01** No person shall either as a wholesaler or retailer to businesses or residents of the Town hawk or peddle nor go from door to door or sell or offer for sale in the Town by sample or otherwise any goods, wares, merchandise or any other article or thing of whatsoever nature or kind nor engage in, carry on, exercise, or pursue the business or calling of a transient merchant who is not and who has not been for at least one year next previously a resident of the Town, shall hawk or peddle nor go from door to door or sell or offer for sale in the Town of Windsor by sample or otherwise any goods, wares, merchandise, or any other article or thing of whatsoever nature or kind nor engage in, carry on, exercise or pursue the business or calling of a transient merchant, trader, peddler, or hawker without first having obtained a license authorizing to do so.
- 15.02** No person, shall as agent, clerk, assistant, servant or employee of any other person or of any corporation who or which is not and has not been for one year next previously a ratepayer of the Town and assessed upon property therein, hawk, or peddle nor go from door to door and sell or offer for sale in the Town of Windsor by sample or otherwise any goods, wares, merchandise, or any other article or thing of any nature, kind, or description nor engage in, carry on, exercise, or pursue the business of calling of a transient merchant, trader, peddler, or hawker within the Town of Windsor, without his principal or employer having first obtained a license authorizing such principal to engage in the business of a transient merchant, trader, peddler, or hawker and to hawk, peddle and go from door to door and sell or offer for sale in the Town, goods, wares, and merchandise under the provisions of the previous Section and designating him as such agent, clerk, assistant, servant or employee.
- 15.03** Any person violating any of the provisions of Sections 15.01, 15.02 in reference to peddlers and hawkers, shall be liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1000.00), and in default of payment to imprisonment for a period of not less than ten (10) days nor more than ninety (90) days.
- 15.04** Every person applying for a license under Sections 15.01 or 15.02 of these Bylaws shall pay to the Town a license fee of Fifty Dollars (\$50.00) which license shall be valid for a period of up to three months from the date of issue.
- 15.05** Any person coming within the definitions of persons prohibited under Bylaws 15.01 and 15.02 from hawking or peddling or selling without a license, engaging in the business of hawking or peddling or going from door to door and offering

goods, wares, merchandise or other things for sale by sample or otherwise or soliciting persons to subscribe for or take any book, paper, magazine, chart, drawing, photograph, picture or thing shall when required by any person produce and show the license authorizing him to engage in said business or to sell or offer for sale the said goods, wares, merchandise, or other things or to solicit subscriptions, and if he is acting for or on behalf of any other person or corporation, also the license authorizing the said other person or corporation to engage in the said business within the Town, and on refusal or failure to produce such license or licenses as the case may be shall be guilty of the offence of hawking and peddling or soliciting subscriptions, as the case may be, without license, whether he or his employer was or was not the holder of a license.

15.06

- (a) No person shall within the Town of Windsor carry out the operation of a mobile canteen or mobile refreshment stand, without having first obtained a license for the operation of such mobile canteen or mobile stand.
- (b) A mobile canteen means any vehicle used for the displaying, storing or transporting of food and beverages for sale directly to the public by a Vendor, saving and expecting direct products of the farm, forest or sea which is required to be licensed and registered pursuant to the Motor Vehicle Act or propelled by human power whether required to be licensed or not, and includes stands;
- (c) A mobile refreshment stand means any table, showcase, bench, rack, pushcart, wagon, or any other wheeled vehicle or device, which may be moved without the assistance of a motor and which is not required to be licensed and registered pursuant to the Motor Vehicle Act, used for the displaying, storing, transporting or sale of food and beverages directly to the public by a vendor, saving and expecting direct products of the farm, forest or sea;
- (d) Every person applying for a license under this Section shall pay a fee for such license in the amount of One Hundred Dollars (\$100.00) which license shall be valid for a period of three months from the date of issue. (04/28/98).

15.07

- (a) No person shall within the Town of Windsor exercise the office or business of auctioneer nor sell at auction within the Town any real or personal property of any nature, kind, or description without first obtaining an auctioneer's license. Provided, however, that this Section shall not apply to sales at church socials or benevolent bazaars or entertainments nor to the sheriff or other officers of law selling under due process of the law.
- (b) The fee for an auctioneer's license shall be Fifty Dollars (\$50.00) for each day during which an auction is conducted.

15.08

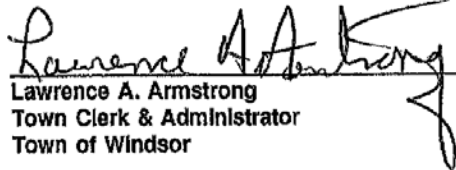
All licenses issued in the Town shall be signed by the Mayor and Chief Administrative Officer and sealed with the seal of the Town and shall bear date of the day of issue.

15.09

The sum to be paid for a license issued under any of these Bylaws shall be paid to the Town Clerk for the purposes of the Town before the issuing of the license.

- 15.10** A license shall be personal to the person to whom it is granted and it is not transferable and it shall entitle only the person named therein to sell under it.
- 15.11** Any person who fails to comply with any of the provisions of this Bylaw shall be liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1000.00), and in default of payment imprisonment for a period of not less than ten (10) days nor more than ninety (90) days.
- 15.12** This Bylaw shall not affect the products of the farm, the forest, or the sea.

I certify that the foregoing is a true copy of the by-law passed by the Town of Windsor at a meeting of Windsor Town Council held on the 28th day of April 1998.


Lawrence A. Armstrong
Town Clerk & Administrator
Town of Windsor

- (1) First notice to Council January 27, 1998
- (2) Date of first reading of by-law February 24, 1998
- (3) Date of Publication, seven day notice prior to second reading April 8 & 15, 1998
- (4) Date of second reading of by-law April 28, 1998
- (5) Date of third reading of by-law April 28, 1998
- (6) Date of publication of final passage May 6, 1998



**TOWN OF WINDSOR
BYLAW # 40**

Temporary Vendor Bylaw

AUTHORITY

40.01

Sections 172 (1) (c), (f) of the Municipal Government Act provides municipalities with the power to make bylaws respecting persons, activities and things in, on or near a public place or place that is open to the public, as well as to businesses, business activities and persons engaged in business.

Section 172 (2) (e) of the MGA provides municipalities to, in any bylaw, provide for a system of licenses, permits or approvals.

INTERPRETATION

40.02

In this bylaw:

"bulk" means, but not limited to, items sold in large quantities, wholesale, or liquidation

"CAO" means the Chief Administrative Officer of the Town of Windsor;

"Council" means the Council of the Town of Windsor;

"licensing authority" means the CAO, or such employee or agent of the Town as the CAO may designate to receive applications for licenses under this by-law;

"person" means an individual, guild, agency, or body corporate;

"sell" includes selling, trading, or otherwise transferring for a valuable consideration, whether present or executor;

"Town" means the Town of Windsor;

"temporary vendor" means a person who is selling any of the goods or services set out in Schedule "A" of this by-law at a temporary location, but does not include a person who is operating or carrying on business selling the same goods or services on a permanent basis within the Town of Windsor, Town of Hantsport or Municipality of West Hants' boundaries or those exhibiting products and/or services on the Hants County Exhibition Grounds.

SALES OF GOODS AND SERVICES

40.03 Any person shall sell goods or services in the Town as a temporary vendor in accordance with a license issued pursuant to this by-law.

LICENSING

40.04 Every application for a license shall be made in writing to the licensing authority, and shall contain:

- (a) The name, mailing address, telephone number and, if available, facsimile number and e-mail address of the applicant;
- (b) The corporate or partnership name, if applicable;
- (c) A description of the goods or services the applicant proposes to sell;
- (d) The street address of the site of the proposed sale;
- (e) The dates and times of the proposed sale;
- (f) If the applicant is proposing to sell at a site of which the applicant is not the owner, written permission from the owner; and
- (g) Confirmation of liability insurance in a minimum amount of \$1,000,000 for each occurrence in respect of operations at the proposed site of sale.

40.05 After receipt of a completed application, the licensing authority shall issue a license:

- (a) upon confirming that the proposed site of the sale is zoned for such use under any applicable Land Use By-Law; and
- (b) upon receipt of the license fee.

40.06 A license issued under this by-law shall:

- (a) include the description of the goods or services and the site and times of sale referred to in section 40.04; and
- (b) be conspicuously displayed at all times at the site of the vendor's business.

40.07 A license issued under this by-law shall be in force for the period during which a temporary vendor is authorized to offer goods or services for sale, shall expire at the conclusion of that period, and must be reissued for each subsequent sale of goods or services by a temporary vendor.

40.08 Revocation

A license may be revoked where:

- (a) The licensee is in violation of any provision of this by-law or of any other by-law of the Town;

40.09 Appeals

A decision of the licensing authority to refuse to issue or to revoke a license may be appealed to Council within fourteen days of the decision of the licensing authority by written notice of appeal delivered to the CAO. Council shall convene an appeal hearing and may, following the appeal hearing, confirm or rescind the licensing authority's decision.

PENALTIES AND ENFORCEMENT

40.10 Every person who contravenes or fails to comply with any provision of this by-law or a license granted pursuant to this by-law, or any person who owns or controls premises or property used for unlicensed sale of goods or services by a transient vendor commits an offence and is liable on conviction to a penalty of not less than \$5000 and not more than \$10,000 or, in default of payment, to imprisonment for a period of not less than 30 days.

40.11 The Town may apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order where:

- (a) Land is being used in contravention of this by-law;
- (b) A person is selling goods or services without having paid the license fee required; or
- (c) A breach of this by-law is anticipated or is of a continuing nature.

LICENSE FEES

40.12 The fee for the issuance of a license under this by-law shall be the fee set out in Schedule "A" for the applicable good or service being sold.

EFFECTIVE DATE

40.13 This Bylaw shall be effective upon publication.

SCHEDULE "A"

Goods or services to be licensed

1. Bulk motor vehicles as defined in the Motor Vehicle Act of Nova Scotia but does not include motorized wheelchairs.
License fee \$250
2. Bulk furniture normally sold at a furniture or department store in Windsor but does not include furniture sold at a licensed auction.
License fee \$250
3. Bulk appliances normally sold at a furniture store, hardware store or department store in Windsor but does not include appliances sold at a licensed auction.
License fee \$250
4. Bulk building materials used to construct/renovate home and/or commercial buildings. License fee \$250

CAO/Clerk's Annotation (Office Use Only)

Date of first reading:	December 20, 2011
Dates of advertisement of Notice of Intent to Consider:	January 05 & February 02, 2012
Date of second reading:	February 28, 2012
*Date of advertisement of Passage of Bylaw:	March 08, 2012
Date of mailing to Minister a certified copy of Bylaw:	March 12, 2012

I certify that this Temporary Vendors Bylaw #40 was adopted by Council and published as indicated above.



Louis Coutinho, CAO
Town of Windsor



WEST HANTS REGIONAL MUNICIPALITY
Mayor's Report

To: **West Hants Regional Municipality Council**
Submitted by: **Mayor Zebian**
Date: **July 27, 2021**

I would like to express to all our residents how impressed I am with Council this past year and a half. The very fast pace, detailed issues/items we have faced, and the length of meetings have all been intense, but council has stayed committed.

The branding committee is still hard at work and are almost ready with the new brand. It will definitely inspire greatness going forward in West Hants!

I have had 3 separate meetings with interested developers in our area. It's quite intoxicating to listen to their ideas and their vision for our community. The interest is very assuring, and a great reminder that Council's vision has been correct for the last number of years.

The IMSA group has been hard at work finalizing an agreement that can be taken back to each council. You should be seeing more on this by September.

I was fortunate once again to be part of graduation celebrations. It is very encouraging year after year to see our future leaders begin their journey in life after high school.

Chief Peters and I have been having conversations on numerous topics lately and will meet this week. Date and time are still not ironed out but our discussions have been very productive.

I have also been in touch with Minister Jordan's office regularly as she promised. It's exciting to find solutions to problems on the Municipal level and I'd like to just remind everyone that we must always have an open mind.

I have also had many conversations with our residents on a daily basis on numerous topics. The level of engagement is at an all time high, even for the summer season, and I think it's great.

I'd like to take an opportunity to thank our staff once again for their commitment to our residents and making West Hants an inspiring community to be part of.

Thank you.

Mayor Zebian.



Committee of the Whole Meeting Excerpts
July 13, 2021

Panuke Road Booster Pump Package – Request for Decision Report

The Panuke Road Booster Station, constructed in 1977, provides water to approximately 84 properties. A single booster pump services the domestic water demand, with a larger pump intended to service the fire water system. There is no backup generator.

In 2017, the aged system failed causing a major disruption to service. Due to the station's confined space classification, routine maintenance is extremely difficult and there is an urgent requirement to replace it.

In July 2018, ABLE Engineering was engaged to provide design and project management services but this project has not yet been tendered for construction. Staff is recommending the immediate direct pre-purchase of the pump packages as lead time for equipment delivery is 12-14 weeks.

Staff is recommending a Grundfos pump package system for the project based on these pumps being used throughout the existing Windsor and West Hants distribution system with excellent performance and reliability. The updated cost quotation was received from Flowstar Industries in the amount of \$145,249.

Pending approval, staff would proceed with this purchase. Delays in approval could significantly reduce the ability for project completion within the 2021/22 construction season.

The updated project cost is \$500,000. This recommendation of \$160,000 includes an approximate 10% contingency of \$14,751, for unforeseen costs.

Committee of the Whole recommends that:

Council authorizes staff to purchase Grundfos domestic and fire water pump packages directly from Flowstar Industries, in the amount up to \$160,000 plus applicable taxes.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Committee of the Whole

Submitted by: 
Todd Richard

Date: July 13, 2021

Subject: Panuke Road Booster Pump Package, Recommendation Report

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended that:

Council authorizes staff to purchase Grundfos domestic and fire water pump packages directly from Flowstar Industries, in the amount up to \$160,000 plus applicable taxes.

BACKGROUND

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

The current Panuke Road Booster Station is a single domestic water booster station (with zero pump redundancy) that provides water services along Panuke Road to approximately 84 individual properties. The station was constructed with the Three Mile Plains distribution system in 1977 and is located at 86 Panuke Road. Pumps and piping are located under the existing road within a confined space manhole structure, with electrical located within an electrical panel mounted on a power pole above grade.

Water is supplied to the booster station via the West Hants water distribution system from the Windsor Water Treatment Plant supply. The pump station is located at an elevation of 32.9 m and services lands to a maximum elevation of 75.5 m. The watermain terminates at 398 Panuke Road at an elevation of 65.5 m. A single booster pump services the domestic water demand, with a larger pump intended to service the fire water system along the road. There is currently no backup generator in the event of a power outage, resulting in minimal water pressure and zero fire water supply.

In April 2017, the domestic pump system failed causing a major disruption to service. The cause of the failure is suspected to be a result of age. During the repair of the domestic pump, the fire pump was utilized to provide water service. However, the capacity of the fire pump exceeds domestic requirements, and in order to maintain adequate pressure and flow, hydrants were opened along Panuke Road, resulting in a large consumption and waste of treated water.

The existing station is classified as a confined space which makes routine maintenance extremely difficult with the truck traffic along Panuke Road. As well, the station is aged significantly and with recent servicing issues, West Hants has identified an urgent requirement replace this station with a modern and more reliable booster station.

In July 2018, the Municipality of the District of West Hants Public Works Department proceeded with a proposal from ABLE Engineering to provide system design and project management services, for the necessary replacement of the existing Panuke Road Booster Station, in order to provide both reliable domestic and fire water coverage.

This replacement booster station project planned for Lot WU, Panuke Road (PID 56523339) has not yet been tendered for construction (anticipating 2-4 additional weeks for mechanical and electrical design coordination). Staff is recommending the pre-purchase of the capital equipment pump packages direct from the local Nova Scotia equipment distributor, to eliminate the need to pay an unnecessary mark-up by the eventual general contractor. The lead time for equipment delivery is 12-14 weeks; it has been recommended for order as soon as possible, to be available for construction late in the season 2021.

DISCUSSION

Included in the scope of the design contract by ABLE Engineering, was the requirement to recommend the equipment and technology that would best serve the water distribution system and ultimately the residents and businesses along Panuke Road. ABLE Engineering provided two solutions for consideration to Municipality staff; a Gorman-Rupp pump package system; and then a Grundfos pump package system. Staff has reviewed the specifications and capabilities of each pump package.

The budget estimate for the Gorman-Rupp system included a simple fibreglass enclosure, however included no foundation, piping or other civil works for \$357,000. Staff reviewed the fibreglass enclosure design and decided that the solution did not

provide the level of security that would be required for the site. It was recommended that the pump structure building consist of a conventional wood-build structure, siding and metal/asphalt roof with concrete foundation. After contacting references in Annapolis County that utilize the same Gorman-Rupp pump technology, staff have learned that the proposed system was a 'sanitary sewer' pump system that was being proposed to be used for domestic water and fire water.

Staff then reviewed the specifications and capabilities for the Grundfos system, which did not include any building or structure. The original budget estimate for the Grundfos pump packages was \$134,069. This included a triplex domestic water pump skid, a duplex fire water pump skid, and associated basic control panels and local system controls. Grundfos pumps are used throughout the existing Windsor and West Hants distribution system with excellent performance and reliability; and were therefore recommended for the project. Staff then worked with the manufacturer to customize the Grundfos control systems to meet the compatibility requirements of the existing Windsor Water Treatment Plant and municipality SCADA communication protocols. Once all of the required control options were specified to meet the needs of the Municipality, the final updated cost quotation was received from the local Nova Scotia Grundfos distributor, Flowstar Industries for the cost of \$145,249.

The advantage of triplex domestic pumps will allow an alternating start set-up between two of the pumps and allowing a third back-up pump available in case one pump needs to be removed from service. Similarly, there is a duplex fire pump system that allows the availability of a redundant pump in the case of an emergency. The pump control system is also designed to optimize running efficiency and reduce electrical loading. Staff is currently working with our SCADA controls consultant to coordinate remote operation of the proposed pump system through cellular phones, tablets and remote operation from the Windsor Water Treatment Plant. It will also be recommended for the completed as-built system to include a back-up generator to ensure continuous domestic water and fire water supply in the event of a prolonged power outage; however this may depend on final project costs once tendered, and the approved budget.

NEXT STEPS

Pending approval of Council, staff would purchase the Grundfos capital equipment directly from Flowstar Industries, the local Nova Scotia equipment distributor; eliminating the need for procurement and an additional 10% (or greater) mark-up by the selected general contractor. With an approved order placed at the end of July, the Municipality was quoted the equipment delivery of 12-14 weeks (equipment scheduled for approximately October, 2021). Delays in approval of this purchase could significantly reduce the ability for this project to be completed within the 2021/22 construction season.

FINANCIAL IMPLICATIONS

Original budgeted amount for this project back in 2018 was \$450,000 for design and construction. This project design approved \$36,900 plus applicable taxes for ABLE Engineering coming from West Hants Gas Tax Reserve. Remaining construction costs were originally proposed to come from the West Hants Gas Tax Reserve.

As this project has been delayed in design for three years, the updated cost projections relating to construction and capital equipment for this project is now \$500,000, as detailed in the 2021/22 capital budget.

TMP Booster Station Replacement Project	
Pumping Equipment	\$160,000.
General Construction	\$300,000.
Emergency Generator	\$40,000.
Total Construction (Estimated):	\$500,000.
<i>Engineering & Design (previously approved by MDOWH, 2018)</i>	<i>\$50,000.</i>

The pumping equipment and control panels has been quoted at a cost of \$145,249. The aforementioned recommendation to Committee of the Whole of \$160,000 includes an approximate 10% contingency of \$14,751, for unforeseen project costs.

ALTERNATIVES

1. Council may choose not to proceed with the TMP Booster Station project pump replacement; or
2. Council may choose to include the capital pump package in the scope of work for the eventual project general contractor.

ATTACHMENTS

3CR15-3 3x575V TEFC NSF – Grundfos Triplex (Domestic Water) Pump Package

2CR125-1 3x575V – Grundfos Duplex (Fire Water) Water Pump Package

Preliminary Design, Booster Station Building Design Layout (tentative)

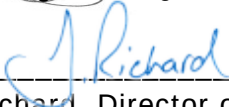
Preliminary Design, Booster Station Piping Arrangement (tentative)

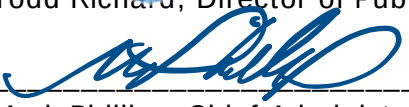
CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and recommendation is in keeping with the original needs for infrastructure upgrades in this area of the utility.

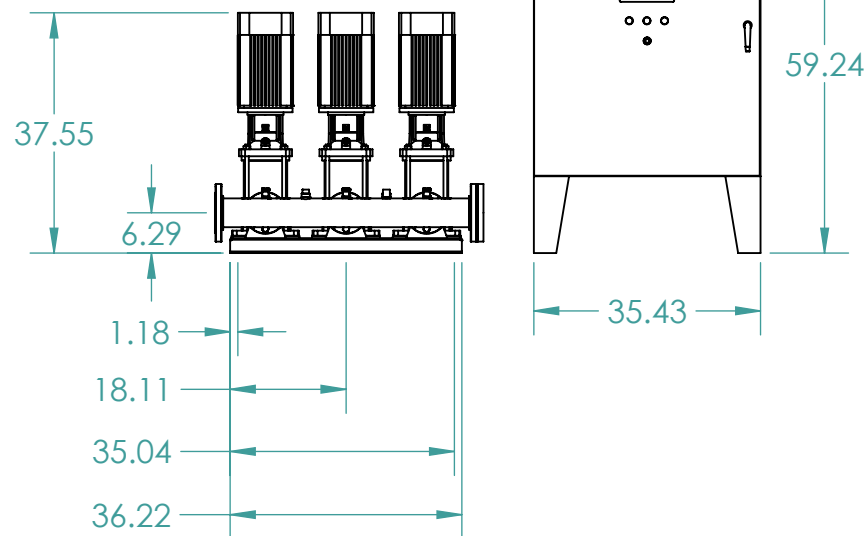
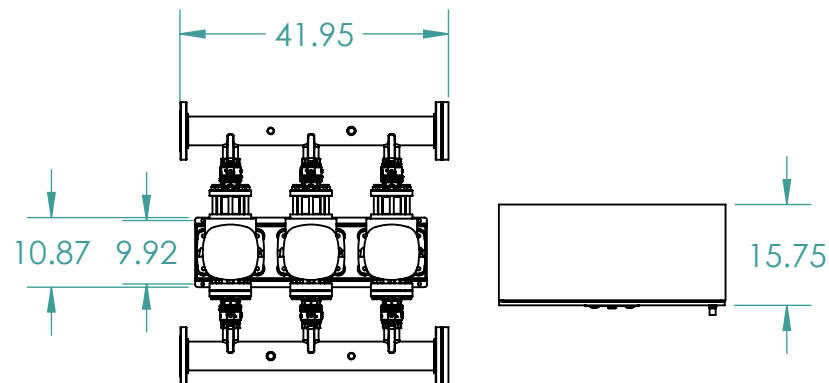
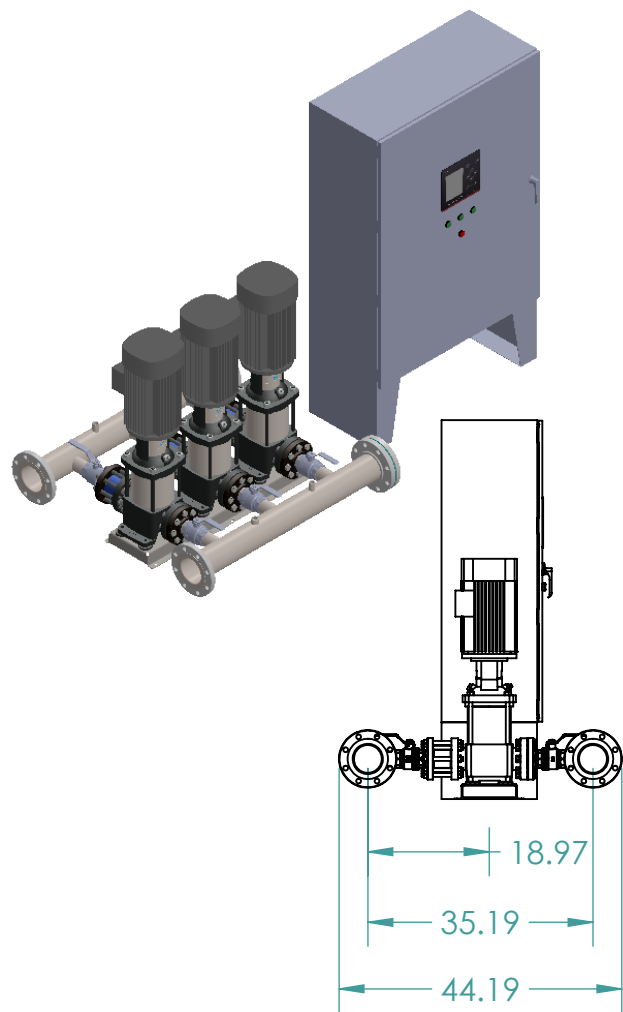
The CAO's Office is in support of the recommendation.

Report Prepared by: 
Brad Carrigan, P.Eng., Capital Projects Engineer

Report Reviewed by: 
Todd Richard, Director of Public Works

Report Approved by: 
Mark Phillips, Chief Administrative Officer

1. Manifolds 4" ANSI Class 150 AISI 316SS Schedule 10s ASTM A312 or $\varnothing 114.3\text{mm} \times 2\text{mm}$
 2. Base/Frame AISI 304SS
 3. Standard system layout : panel right facing suction
 4. Full port ball valve ASTM
 5. UL Type 12 rated electrical panel
- Note: panel size will vary with options



GRUNDFOS 
FRESNO, CALIFORNIA 93727 USA

Note:
All dimensions are $\pm 0.5"$
Not for Construction
All dimensions subject to
changewithout notice.

BoosterpaQ Model: HYDRO MPC E 3CR15-3

Power: 3x575 60HZ 3x7.5HP

Job:

Scale: 1:30

Dwg No:

Rev: 0

Date:

2/7/2018

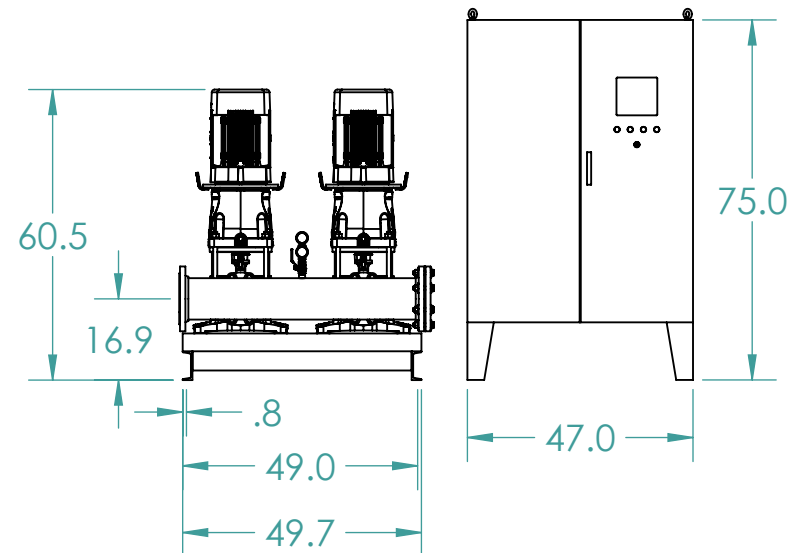
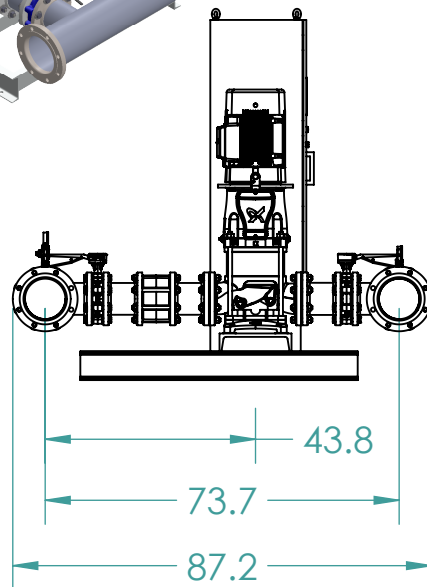
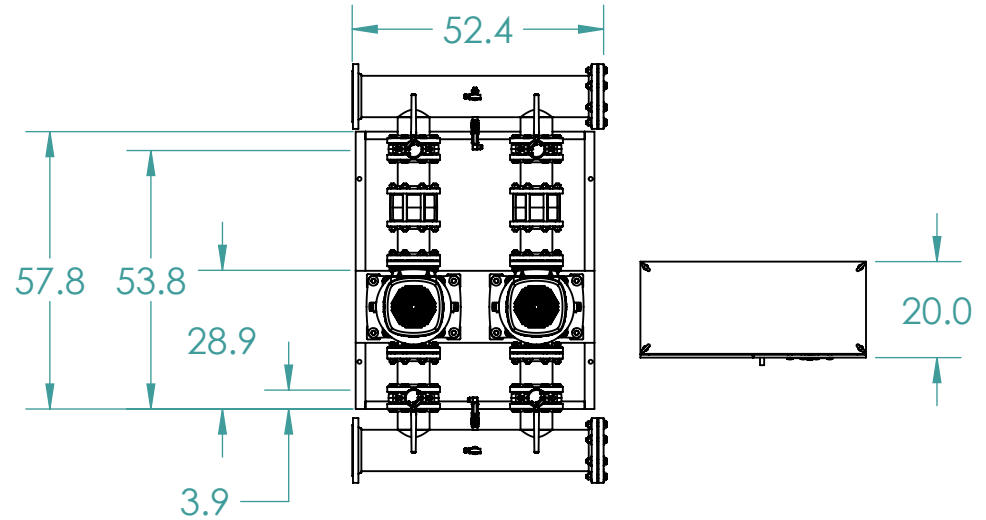
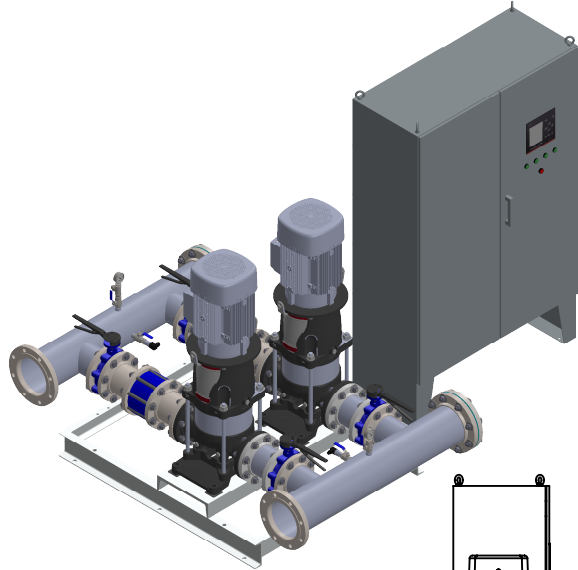
Drawer

71999

Page:

1 of 1

Manifolds 8" ANSI Class 150 AISI 316SS Schedule 10s ASTM A312 or $\phi 219.1\text{mm} \times 2\text{mm}$
 Base/Frame ASTM A36 Steel
 Standard system layout : panel right facing suction
 6" lug style ANSI 150# class butterfly valve
 UL Type 12 rated electrical panel
 Note: panel size will vary with options



GRUNDFOS 
 FRESNO, CALIFORNIA 93727 USA

Note:
 All dimensions are $\pm 0.5"$
 Not for Construction
 All dimensions subject to
 changewithout notice.

BoosterpaQ Model: HYDRO MPC E 2CR125-1

Power: 3x575 60HZ 2x25HP

Job:

Scale: 1:40

Dwg No:

Rev: 0

Date:

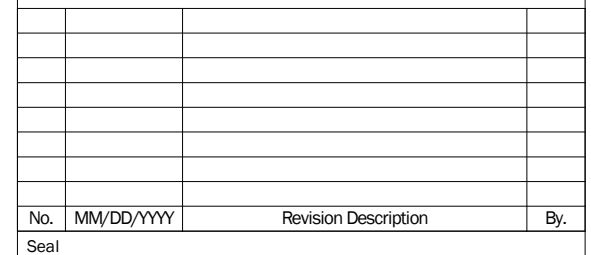
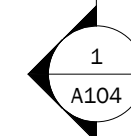
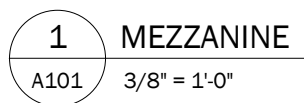
3/23/2020

Drawer

58847

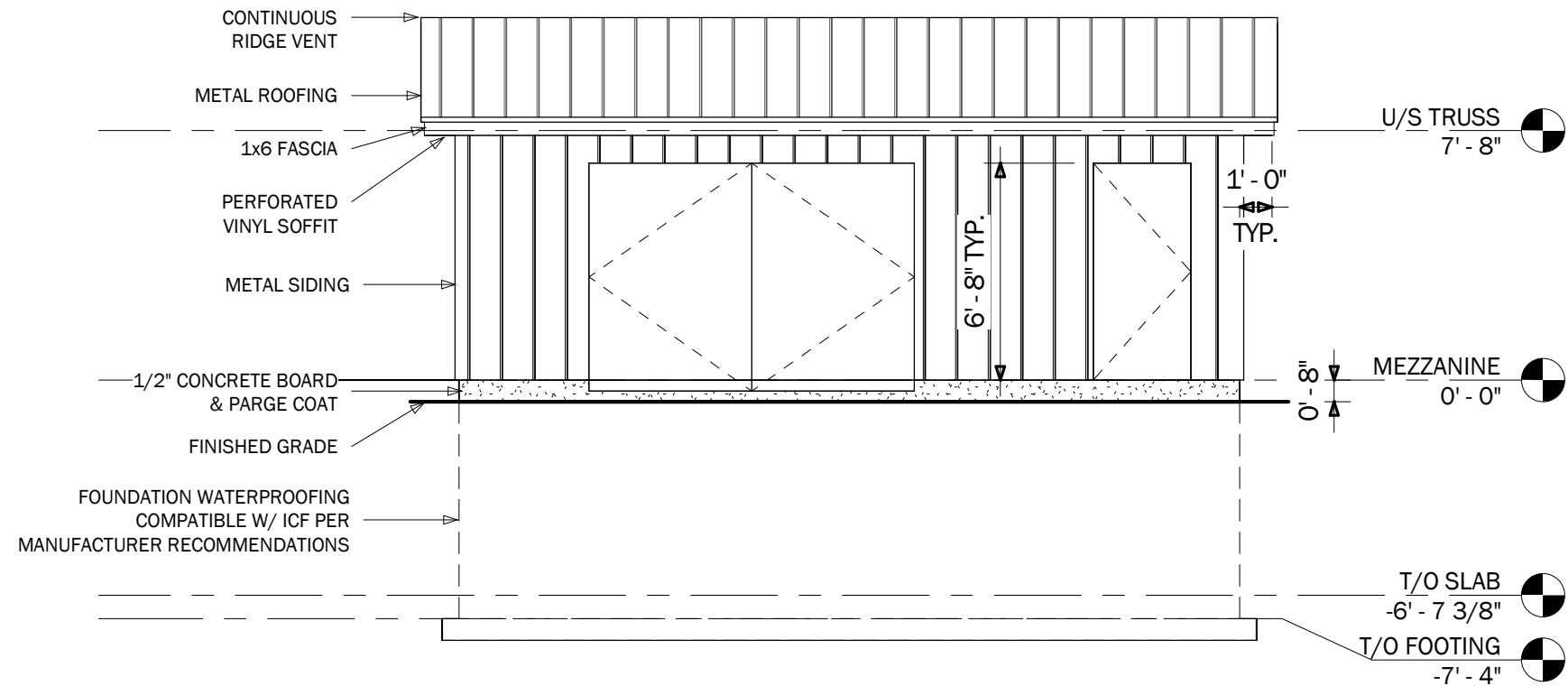
Page:

1 of 1

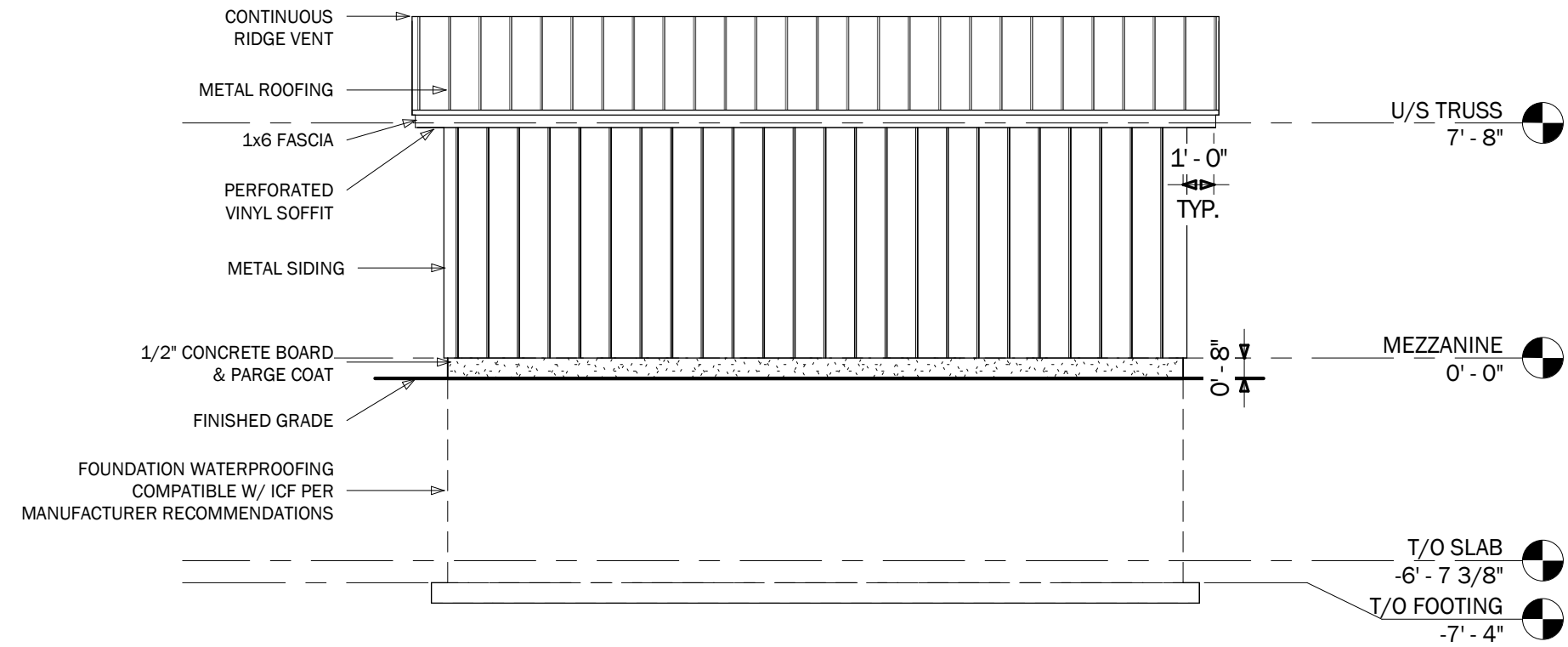


PRELIMINARY
NOT FOR CONSTRUCTION
OR APPROVALS

Scale	3/8" = 1'-0"	Plot	ANSI B (11"x17")
Project PANUKE ROAD BOOSTER STATION WEST HANTS REGIONAL MUNICIPALITY THREE MILE PLAINS			
Title ENTRY LEVEL PLAN			
Project No. 181113-08		Drawn K.HARDY	
Sheet 1 of 5		Engineer A.DESOUSA	
Date 11/03/2021		Plan No. A101	



1 NORTH ELEVATION
A102 3/16" = 1'-0"



2 SOUTH ELEVATION
A102 3/16" = 1'-0"



Engineering Services Inc.
CHESTER KENTVILLE TANTALLON
NOVA SCOTIA, CANADA
1-833-756-8433 info@ableinc.ca

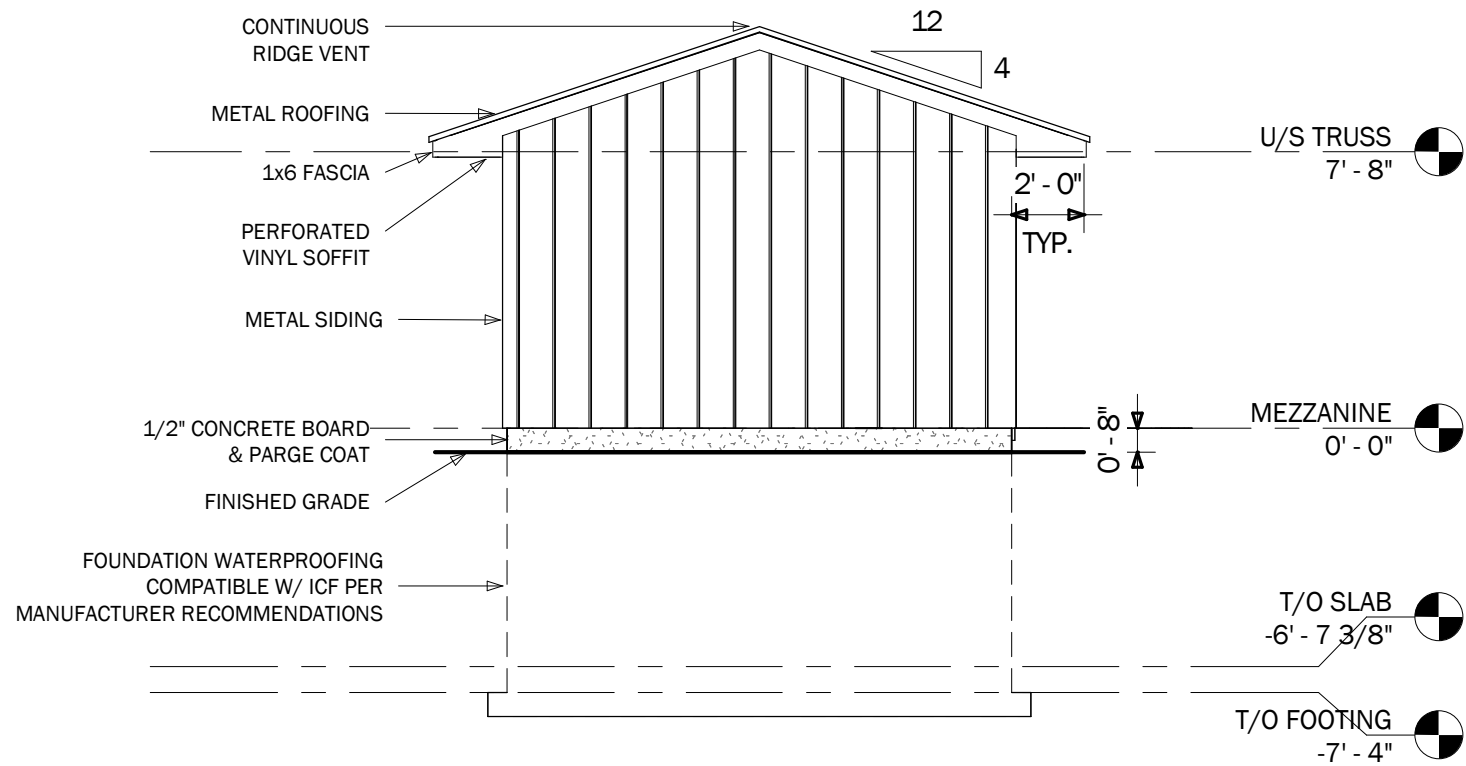
No.	MM/DD/YYYY	Revision Description	By.

Seal

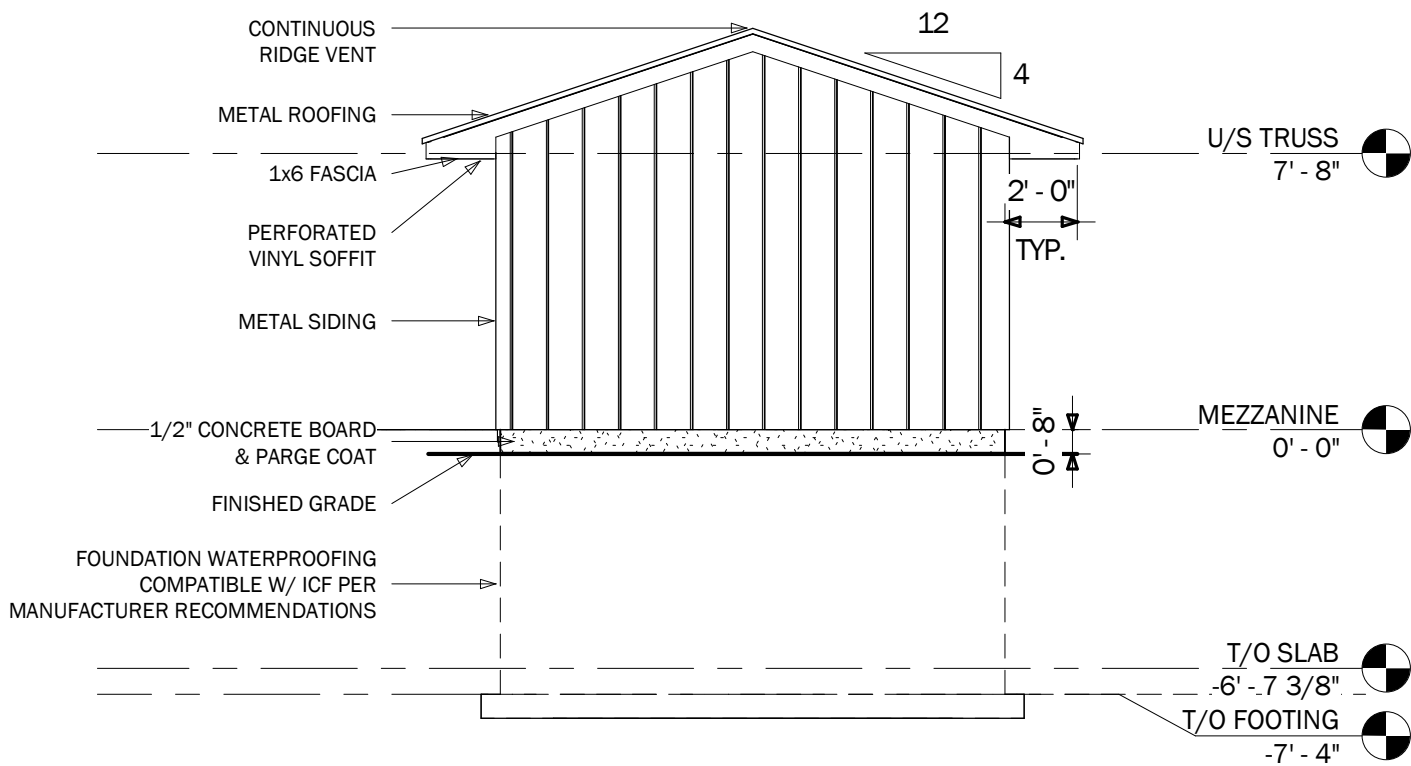
PRELIMINARY
NOT FOR CONSTRUCTION
OR APPROVALS

Scale	3/16" = 1'-0"	Plot	ANSI B (11"x17")
Project	PANUKE ROAD BOOSTER STATION WEST HANTS REGIONAL MUNICIPALITY THREE MILE PLAINS		
Title	ELEVATIONS		
Project No.	181113-08	Drawn	K.HARDY
Sheet	2 of 5	Engineer	A.DESOUSA
Date	11/03/2021	Plan No.	A102

12/03/2021 8:44:07 AM



1 EAST ELEVATION
A103 3/16" = 1'-0"



2 WEST ELEVATION
A103 3/16" = 1'-0"



Engineering Services Inc.

CHESTER KENTVILLE TANTALLON

NOVA SCOTIA, CANADA

1-833-756-8433

info@ableinc.ca

No.	MM/DD/YYYY	Revision Description	By.

Seal

PRELIMINARY
NOT FOR CONSTRUCTION
OR APPROVALS

Scale	3/16" = 1'-0"	Plot	ANSI B (11"x17")
Project	PANUKE ROAD BOOSTER STATION WEST HANTS REGIONAL MUNICIPALITY THREE MILE PLAINS		
Title	ELEVATIONS		
Project No.	181113-08	Drawn	K.HARDY
Sheet	3 of 5	Engineer	A.DESOUSA
Date	11/03/2021	Plan No.	A103

12/03/2021 8:44:07 AM

ROOF CONSTRUCTION
PRE-FINISHED 26 GAUGE METAL ROOFING
NOVA SEAL UNDERLAY
1/2" T&G PLYWOOD ROOF SHEATHING
PRE-ENGINEERED ROOF TRUSSES @ 24" O/C BY OTHERS
R40 FIBREGLASS BATT INSULATION
6MIL POLY VAPOUR BARRIER
1x4 STRAPPING @ 24" O/C
5/8" GYPSUM WALL BOARD

STRONG TIE TRUSS PLATES AND
HURRICANE CLIPS
TYP.

1x6 FASCIA

PERFORATED
VINYL SOFFIT

ICF WALL CONSTRUCTION
PRE-FINISHED 26 GAUGE METAL SIDING
6" NUDURA ICF WALL SYSTEM
28 MPa TYPE N CONCRETE
15M REBAR @ 16" O/C VERTICAL
10M REBAR @ 18" O/C HORIZONTAL
5/8" GYPSUM WALL BOARD

FINISHED GRADE

1/2" CONCRETE BOARD & PARGE COAT
MIN. 12" BELOW GRADE

FOUNDATION WATERPROOFING
COMPATIBLE W/ ICF PER
MANUFACTURER RECOMMENDATIONS

1 1/2" Ø GALVANIZED
HAND RAILS AND GUARDS

GALVANIZED STEEL PLATFORM
(DESIGN-BUILD)

12

4

0' - 7 15/16" 3' - 0"
TYP. MIN.

15' - 0"
10 ICF COURSES

1 BUILDING SECTION
A104 3/8" = 1'-0"



CHESTER KENTVILLE TANTALLON
NOVA SCOTIA, CANADA
1-833-756-8433 info@ableinc.ca

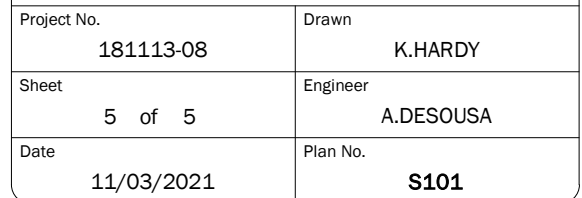
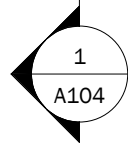
No.	MM/DD/YYYY	Revision Description	By.

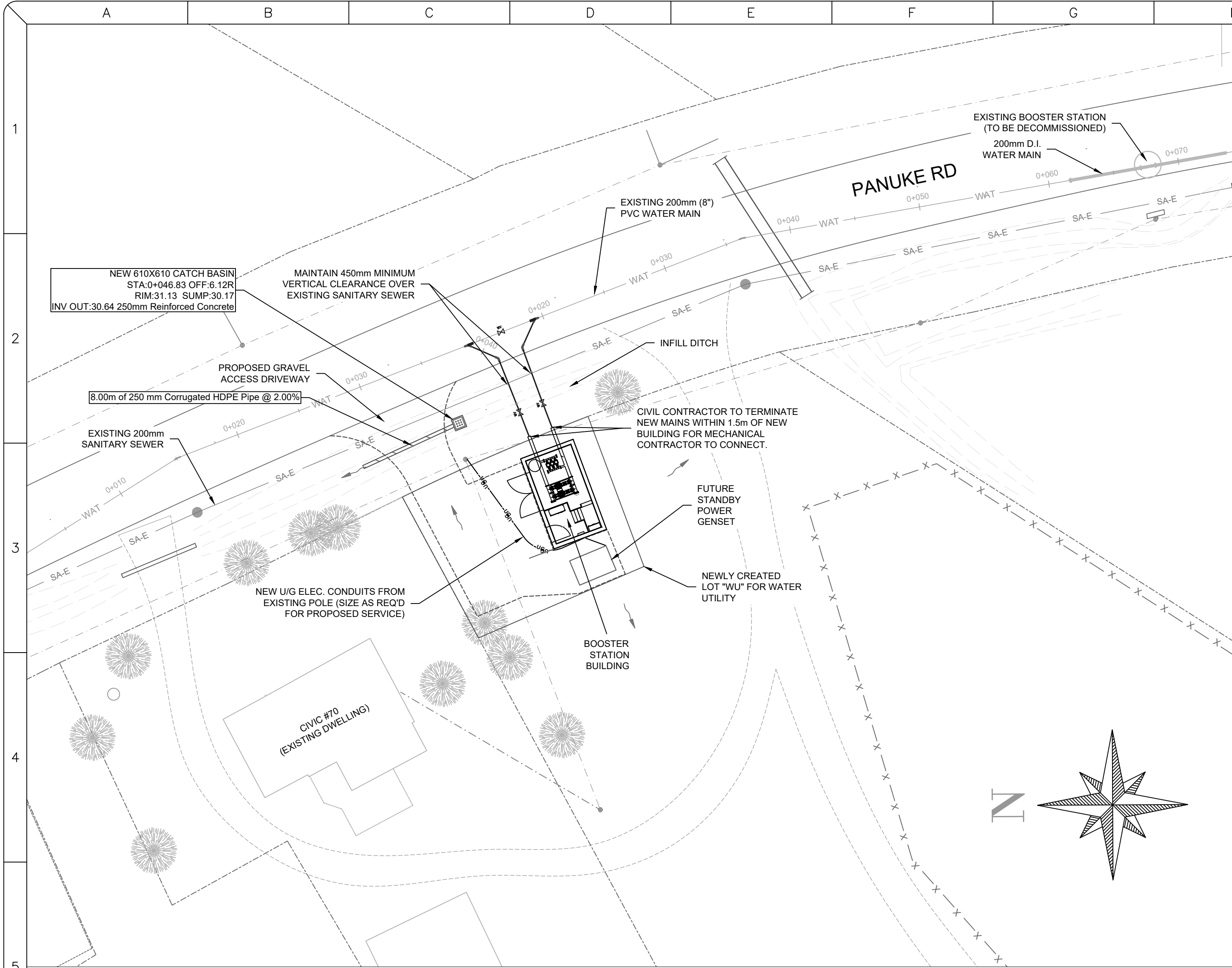
Seal

PRELIMINARY
NOT FOR CONSTRUCTION
OR APPROVALS

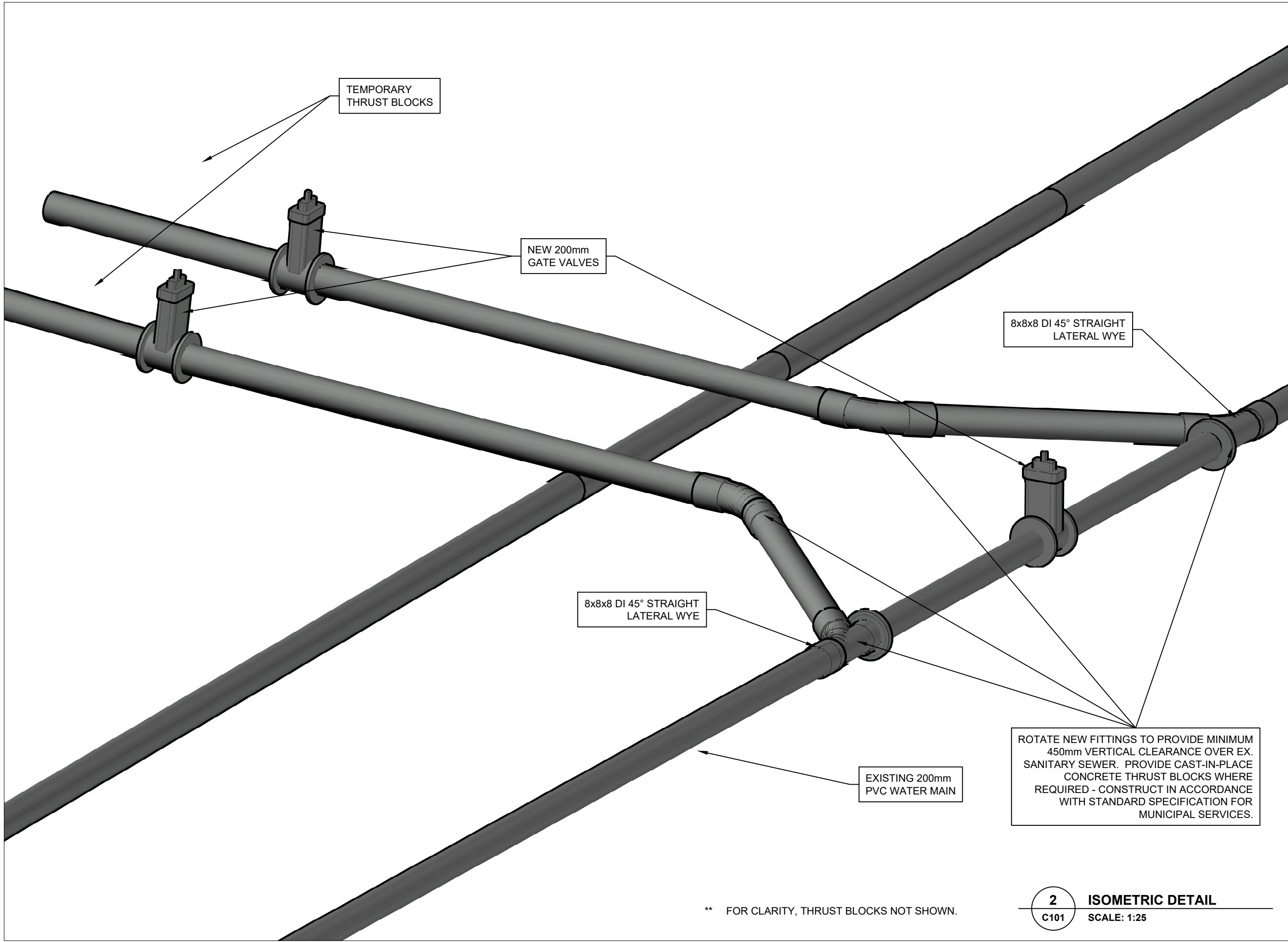
Scale	3/8" = 1'-0"	Plot	ANSI B (11"x17")
Project	PANUKE ROAD BOOSTER STATION WEST HANTS REGIONAL MUNICIPALITY THREE MILE PLAINS		
Title	BUILDING SECTION		
Project No.	181113-08	Drawn	K.HARDY
Sheet	4 of 5	Engineer	A.DESOUSA
Date	11/03/2021	Plan No.	A104

12/03/2021 8:44:08 AM

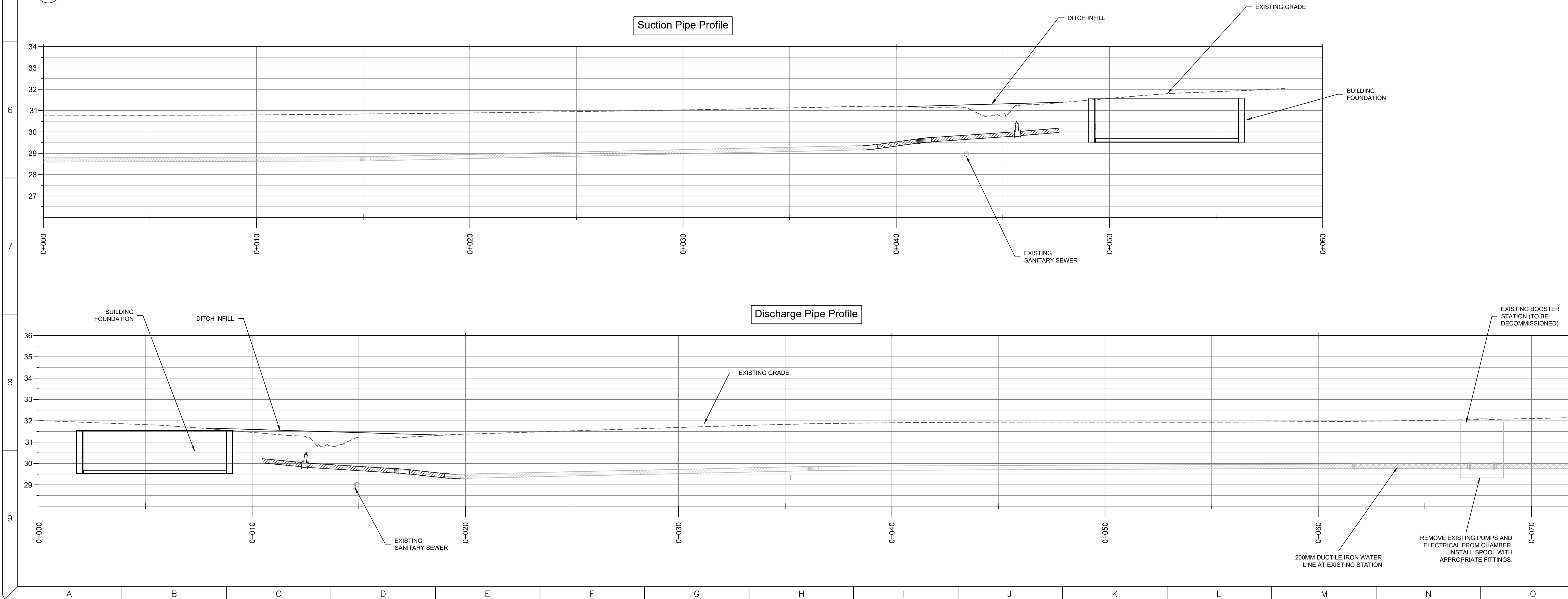




1 SITE PLAN
C101 SCALE: 1:250



2 ISOMETRIC DETAIL
C101 SCALE: 1:25



Suction Pipe Profile

Discharge Pipe Profile

KEYPLAN

LEGEND

EXISTING		PROPOSED
●	GATE VALVE	● /
○	UTILITY POLE	○ /
○	CATCHBASIN	○ /
158.5	ELEVATION	158.5
---	PROPERTY BOUNDARY	---
---	OVERHEAD LINE	---
---	SANITARY MANHOLE & PIPE	---
---	STORM PIPE/CULVERT	---
---	WATERMAIN	---
---	UNDERGROUND CONDUIT	---
---	CONCRETE THRUST BLOCK	---
---	FENCE LINE	---
---	DRIVEWAY	---
---	STREET LINE	---
---	DRAINAGE DIRECTION	---
---	DITCH LINE	---

Notes

- SITE GRADING MUST BE PERFORMED IN SUCH A WAY TO ENSURE POSITIVE DRAINAGE OF STORM WATER FROM AROUND BUILDINGS. A MINIMUM SLOPE OF 1% AWAY FROM THE BUILDING IS REQUIRED FOR THE FIRST 1.5 METERS. ALL OTHER CONSTRUCTED GRADES ARE TO BE A MINIMUM OF 2% AND A MAXIMUM OF 3:1.
- CONTRACTOR TO VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF EXISTING SANITARY SEWER AND WATERMAIN LINES. ENGINEER WILL DETERMINE FINAL SEPARATION REQUIREMENTS AT CROSSING LOCATIONS WHEN THIS INFORMATION IS RECEIVED AND REVIEWED.
- THE CONTRACTOR SHALL MAKE ALL ALL REASONABLE EFFORTS TO PREFABRICATE AND PREPARE NEW FITTINGS AND APPURTENANCES PRIOR TO ANY LINE BREAKING ACTIVITIES TO REDUCE DISRUPTION TO LOCAL WATER SERVICE.
- TOPOGRAPHIC AND BOUNDARY SURVEY DATA PRODUCED BY ABLE ENGINEERING SERVICES INC. ON JANUARY 31, 2020. VALUES SHOWN ARE DERIVED FROM GROUND OBSERVATIONS ON IN COORDINATE SYSTEM CSRS.2010(NAD83.2010) NOVA SCOTIA, ZONE 5 USING CGVD2013.
- ALL DISTURBED AREAS TO BE PERMANENTLY STABILIZED AND FINISHED WITH EITHER GRAVEL, ASPHALT, AND/OR LANDSCAPING, UNLESS OTHERWISE INDICTED.
- IF UNUSUAL OR UNANTICIPATED SITE CONDITIONS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY AND SEEK ADVICE FROM THE ENGINEER IMMEDIATELY.
- ALL WORK TO BE IN ACCORDANCE WITH WEST HANTS REGIONAL MUNICIPALITY SPECIFICATIONS AND THE LATEST REVISION OF THE STANDARD SPECIFICATION FOR MUNICIPAL SERVICES PUBLISHED BY THE JOINT COMMITTEE ON CONTRACT DOCUMENTS.
- ALL MEASUREMENTS SHOWN ARE IN METRIC UNITS OF METERS.

NON-VERSIONED
ISSUED FOR REVIEW
WITHOUT VERSION CONTROL

4			
3			
2		REVISIONS	
1	10/22/20	ISSUED FOR CLIENT REVIEW	
No.	MM/DD/YY	Revision	Description
Seal			Appr'd

PRELIMINARY
NOT FOR CONSTRUCTION
OR APPROVALS

ENGINEERING SERVICES INC
4 CALKIN DRIVE, KENTVILLE, NS B4N 3V7
TEL: 902-678-2774 FAX: 902-678-6990
info@ableinc.ca www.ableinc.ca

SCALE: 1:250
0m 5m 10m 15m 20m 25m

Plan	1:250	Profile	1:100 (H & V)	Plot	ARCH D (24"x36")
Project	PANUKE ROAD BOOSTER STATION PANUKE ROAD THREE MILE PLAINS, NOVA SCOTIA				
Title	PROPOSED SITE PLAN, PROFILE, AND DETAILS				
Project No.	181113-08	Drawn	A. DE SOUSA	Sheet	1 of 1
Ref.	WHPW18-10	Engineer	A. DE SOUSA	Plan No.	C101
Date	MMM DD, YYYY	Check	R. ROWE		



Committee of the Whole Meeting Excerpts
July 13, 2021

Ardoise Hall Gas Tax Request – Request for Decision Report

For the 2021-22 fiscal year, Ardoise Community Hall requested a Canadian Community Building Fund grant in the amount of \$21,275, of which they were initially awarded \$5,000 through the Municipal budget approval process. They are seeking the balance of \$16,275 in order to upgrade their hall signage.

In granting the Ardoise Hall the additional funds, the door may be opened for other community groups who did not receive the full amount as requested through the Municipal grant process. These groups could also approach Council looking to receive more funding.

Committee of the Whole recommends that:

Council approves the additional use of \$16,275 of Canada Community Building Fund to fund the remaining amount of signage upgrades to the Ardoise Community Recreation Center to improve recreation services.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: **Committee of the Whole Members of West Hants Regional Municipality**

Submitted by: Abraham Zebian, Mayor

Date: July 13, 2021

Subject: Ardoise Hall-Canada Community Building Fund

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA), Power to Expend Money, 65 & 65A

RECOMMENDATION or DECISION REQUEST

Committee of the Whole recommends that Council approves the additional use of \$16,275 of Canada Community Building Fund to fund the remaining amount of signage upgrades to the Ardoise Community Recreation Center to improve recreation services.

BACKGROUND

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

Organizations submitted grant applications to upgrade features of their facilities to make them more energy efficient, accessible, and improve access to recreation.

DISCUSSION

The very dedicated group at the Ardoise Community Recreation Center has been improving their hall over the last number of years by installing heat pumps, paving their driveway, and many repairs, mostly with funds being fundraised through fundraisers. They support many initiatives and groups in our region such as the food banks as well as seniors. The upgraded sign will help the group better promote events, fundraisers, and community initiatives for our entire region.

NEXT STEPS

Should this recommendation move forward, Council will be asked to finalize the approval. The Municipality will then enter into the agreement with Ardoise Community

Recreation Center, based on the terms and conditions required under the Canada Community Building Fund agreement.

FINANCIAL IMPLICATIONS

Total 2021-22 grant request from the Canadian Community Building Fund (CCBF) for the Ardoise Community Recreation Center would be \$21,275 to be taken from the Region CCBF Reserve.

With this addition the total gas tax reserve balance is projected to be \$4,805,633 at March 31, 2022.

ALTERNATIVES

Council could choose to not support the recommendation.

ATTACHMENTS

N/A

CHIEF ADMINISTRATIVE OFFICER REVIEW

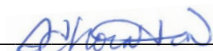
The decision to support the recommendation is at the discretion of Council. Staff is satisfied there is financial capacity to support the recommendation.

Report Prepared by: Abraham Zebian, Mayor

Report Reviewed by:


Mark Phillips, CAO

Report Reviewed by:


Shelleena Thornton, Administrative Supervisor



Committee of the Whole Meeting Excerpts
July 13, 2021

First Nations Memorial – Request for Decision Report

The temporary memorial set up on June 8, 2021, should be replaced with a permanent memorial as a positive first step towards reconciliation for West Hants Regional Municipality.

If Council passes this recommendation, a location will be identified and the project brought back for approval. At this time, there are no financial implications. There would be budget implications based on a future recommendation.

First Nations should be engaged at the front end of this initiative in order to gauge interest and provide input.

Committee of the Whole recommends that:

Council directs the Mayor and staff to identify a location and begin work on a proper, permanent memorial for First Nations children and individuals whose unmarked graves have been discovered.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Committee of the Whole Members of West Hants Regional Municipality

Submitted by: Abraham Zebian, Mayor

Date: July 13, 2021

Subject: First Nations Memorial

LEGISLATIVE AUTHORITY

N/A

RECOMMENDATION or DECISION REQUEST

...Council directs the Mayor and staff to identify a location and begin work on a proper, permanent memorial for First Nations children and individuals whose unmarked graves have been discovered.

BACKGROUND

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

Residential schools and the inhumane treatment of our indigenous brothers and sisters through history has finally begun to be a topic of discussion in our country. The discoveries of multiple hundreds of unmarked graves and the likely discovery of many more will require a truth to be accepted and understood in order for proper reconciliation to begin.

DISCUSSION

On June 8th, 2021, a memorial was set up on the Falmouth side of the causeway trail at the base of the flag poles. The memorial was a heart felt gesture that has beautiful meaning, but it is not permanent and will eventually have to be removed due to weathering. Identifying a suitable location and erecting a proper memorial would be a positive first step for West Hants Regional Municipality towards National reconciliation.

NEXT STEPS

Should this recommendation pass COTW and then Council, a location will be identified, and a project brought back for Council's approval.

FINANCIAL IMPLICATIONS

There are no financial implications at this time with the proposed recommendation. There would be budget implications based on a future recommendation to council.

ALTERNATIVES

Council could choose to not support the recommendation.

Council may make another recommendation.

ATTACHMENTS

None.

CHIEF ADMINISTRATIVE OFFICER REVIEW

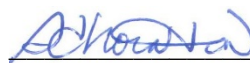
I support the request. In addition, it is important that we engage our neighboring First Nation Community in these discussions for their valued feedback.

Report Prepared by: Abraham Zebian, Mayor

Report Reviewed by:


Mark Phillips, CAO

Report Reviewed by:


Shelleena Thornton, Administrative Supervisor



Committee of the Whole Meeting Excerpts
Date

Recommendation Report for Highway Twinning Over Avon River

The 101 Highway twinning project affecting Three Mile Plains to Falmouth will address long-standing road safety issues and is considered a priority at all levels. A delay in construction due to design challenges at the causeway aboiteau portion of the project is cause for concern and must be addressed with the Province in order to mitigate any further safety issues.

Committee of the Whole recommends that:

Council recommends that correspondence be sent to Lloyd Hines, MLA, Minister Transportation and Active Transit, requesting that with public safety as a priority, the 101-Highway twinning project (Three Mile Plains to Falmouth) should not be delayed due to uncertainty relating to the causeway aboiteau design.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Committee of the Whole, West Hants Regional Municipality

Submitted by: Jim Ivey Councillor, District 11 Windsor South

Date: July 13, 2021

Subject: Highway Twinning over Avon River

LEGISLATIVE AUTHORITY

N/A

RECOMMENDATION or DECISION REQUEST

West Hants Regional Municipal Council recommends that correspondence be sent to Lloyd Hines, MLA, Minister Transportation and Active Transit, requesting that with public safety as a priority, the 101-Highway twinning project (Three Mile Plains to Falmouth) should not be delayed due to uncertainty relating to the causeway aboiteau design. Further to ensure the highway continues on schedule that NSTAT might consider the installation of long-span tidal bridges as were previously offered by Deputy Minister Paul Lafleche in the presentation to the then-joint councils of Windsor and West Hants on September 27, 2018.

BACKGROUND

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

The 101 Highway twinning project (Three Mile Plains to Falmouth) began several years ago. This is a visible, greatly needed and appreciated initiative within the West Hants region. Long-standing safety concerns due to numerous accidents and lives lost have driven the highway's upgrade as a priority for its construction.

Though the project has proceeded well, it appears the aboiteau design has proved to be a challenging issue to solve. The wants of the community to maintain its fresh-water lake and constant / current water level appears to have created a sticking point for the approval of a new aboiteau design in trying to satisfy the requirements of the federal Fisheries Act.

Very briefly to better understand the aboiteau challenges it seems helpful to look at the three options that were removed from the selection process in 2018.

Fresh Water Options A and B

Significant efforts were undertaken to develop the fresh-water lake options to maintain the socio-economic status quo of the area as much as possible.

- With both Options A and B, it was determined that: fishways had very limited effectiveness as they were prone to sedimentation, insufficient fresh water existed for downstream flow and neither would effectively meet the requirements of Fisheries Act.

Partial Tidal Exchange Option C

With open fish passage and dedicated fishways it offered controlled partial exchange of tidal water through a “passive gate” operation and controlled size of opening. It offered:

- A combination of permanent aboiteau opening and dedicated fishways used to maximize fish passage.
- An Adaptive design for anticipated climate change and sea-level rise.
- Improved flood protection (simpler, passive, standard system)
- Fish passage would be of very high quality for all fish species 24 hours a day, 365 days a year.

Despite the benefits afforded by Option C, it fell short with lower than the desired lake levels wanted and with salt-water / tidal exchange (currents), not conducive to competitive canoeing needs.

Selected Option D: hybrid solution with fresh lake focus

Despite the short-comings already identified with fresh-water lake options A and B, the new goal for this fresh-water option was to provide an **adaptable** and **flexible** solution that could maintain the target lake level and increase/maximize fish passage opportunities.

Option D is / was intended to provide:

- The ability to maintain a freshwater lake
- The opportunity for improved fish passage
- Provide an adaptable design, water management/operation and could be adjusted if goals change in the future
- Water level control would be much better than current conditions

Recent Option D Information March – July 2021:

With few details provided, in March of 2021, at the Provincial Committee of the Whole on Supply, it was communicated that the fresh-water version of Option D did not pass the requirements of the Fisheries Act. We have not heard anything further on this.

Separately in a CBC news story on July 8 2021, Lloyd Hines provided an interview in which it was reported that...

... there is no agreement between the province and DFO over what should replace the existing system when the new highway is built over the river. The province said it has put forward a preferred option that would allow fish passage, protect homes and land from tidal waters, and maintain Lake Pisiquid, which was created by the existing aboiteau...

Minister Lloyd Hines MLA, Minister of Transportation and Active Transit stated...The twinning can still finish on time *"if we can make some progress in the next 60 days and get a clear path forward."* *"If it goes much beyond that, if we still don't have resolution by the time the snow flies this year, then we're probably going to lose a one-year season there," he said. "If it doesn't get done in '23, then it'll get done in '24."*

DISCUSSION

Though the aboiteau and highway twinning are not our projects, our area and residents are definitely impacted.

Nobody wants the twinning or completion of the highway to be delayed. The project has safety as a number 1 priority.

In the September 27, 2018 meeting with joint Council, the ability to 'fly-over' with bridges was offered as an option. Does the option still exist and would it alleviate concerns with timing and completion of the highway twinning project?

If the option still exists, then Council should suggest that NSTAT install tidal, long-span bridges over the channel. These will provide short to medium-term flexibility, allowing the highway twinning to be completed as planned while also providing the time necessary for the successful completion of the aboiteau design to meet the Fisheries Act requirements.

NEXT STEPS

TBD.

FINANCIAL IMPLICATIONS

TBD

ALTERNATIVES

Council may choose to suggest an alternative option.

ATTACHMENTS

Source Information:

PowerPoint PDF – CLC meeting Sept 18, 2018

PowerPoint PDF – Joint Council Sept 27, 2018

[Video of the Sept 2018 Joint Council Meeting](#) (90 minutes +/-)

CHIEF ADMINISTRATIVE OFFICER REVIEW

Councillor Ivey has expressed the desire to have the twinning project progress in a timely manner. He has further referenced a recent article including comments from the Minister of Transportation and Action Transportation, the Honourable Lloyd Hines, making comment about the urgency of outstanding decisions surrounding the future gate system threatening to delay the overall schedule of the twinning project. I support the principle of requesting that efforts be made to avoid the delay of the project with public safety as the priority.

With regards to Councillor Ivey's request to have long-span tidal bridges installed, I cannot speak to engineering, approval processes, budget impacts or the overall state of readiness of the Provincial Government to pivot or to pursue an alternative design at this time. Specifically, I cannot comment on how a change or introduction of long-span bridges would impact the construction schedule deemed as a priority above.

Staff will await the direction from Council regarding this decision request.

Report Prepared by: _____

Report Reviewed by:  _____

Mark Phillips, Chief Administrative Officer

Avon River Aboiteau and Causeway Upgrading Design CLC Meeting 19th Sept 2018

Note added on Sept 24: some annotations were made on the last slide based on comments heard during and after the CLC meeting.

Project Key Objectives:

PUBLIC SAFETY

- Maintain corridor over Avon River for Highway 101 Twinning and continuity of rail, trail and utility services
- Continued protection of communities and agricultural land from the effects of flooding and future effects from sea level rise and climate change

REGULATORY REQUIREMENTS

- Improve Fish Passage (Fisheries Act-Sect.20 and EA Condition)
- Minimize Environmental Impacts (i.e. Impact to Salt Marsh)

MINIMIZE SOCIO-ECONOMIC IMPACTS

- On business groups, farming, ski, canoeing as well as recreational communities





Options Considered

- Maintaining “Status Quo”, or the “do nothing” approach
- Scenario “A”: Maintain freshwater reservoir, with the upstream water level target being a priority over fish passage
- Scenario “B”: Maintain freshwater reservoir, with the fish passage being a priority over maintaining the water level
- Scenario “C”: Fish Passage is the design priority, provided with controlled tidal exchange

“Do Nothing” Approach

Do Nothing
Approach

Is it an option to maintain the Status Quo ?

Factors to Consider:

- The current structure is at the end of its life: the bearings, seals and rollers cannot be accessed safely to be replaced, i.e. the gate could get stuck at any moment.
- The costs involved mean that federal funding is required. The current opportunity for funding may not present itself again for many years.
- Consequences of the gate being stuck in place would be disastrous and lead to first an emptying of the reservoir, and then flooding of Windsor and Falmouth.

If the gate fails in the open position – low tide view

Do Nothing
Approach



If the gate fails in the open / closed position – high tide view

Do Nothing
Approach

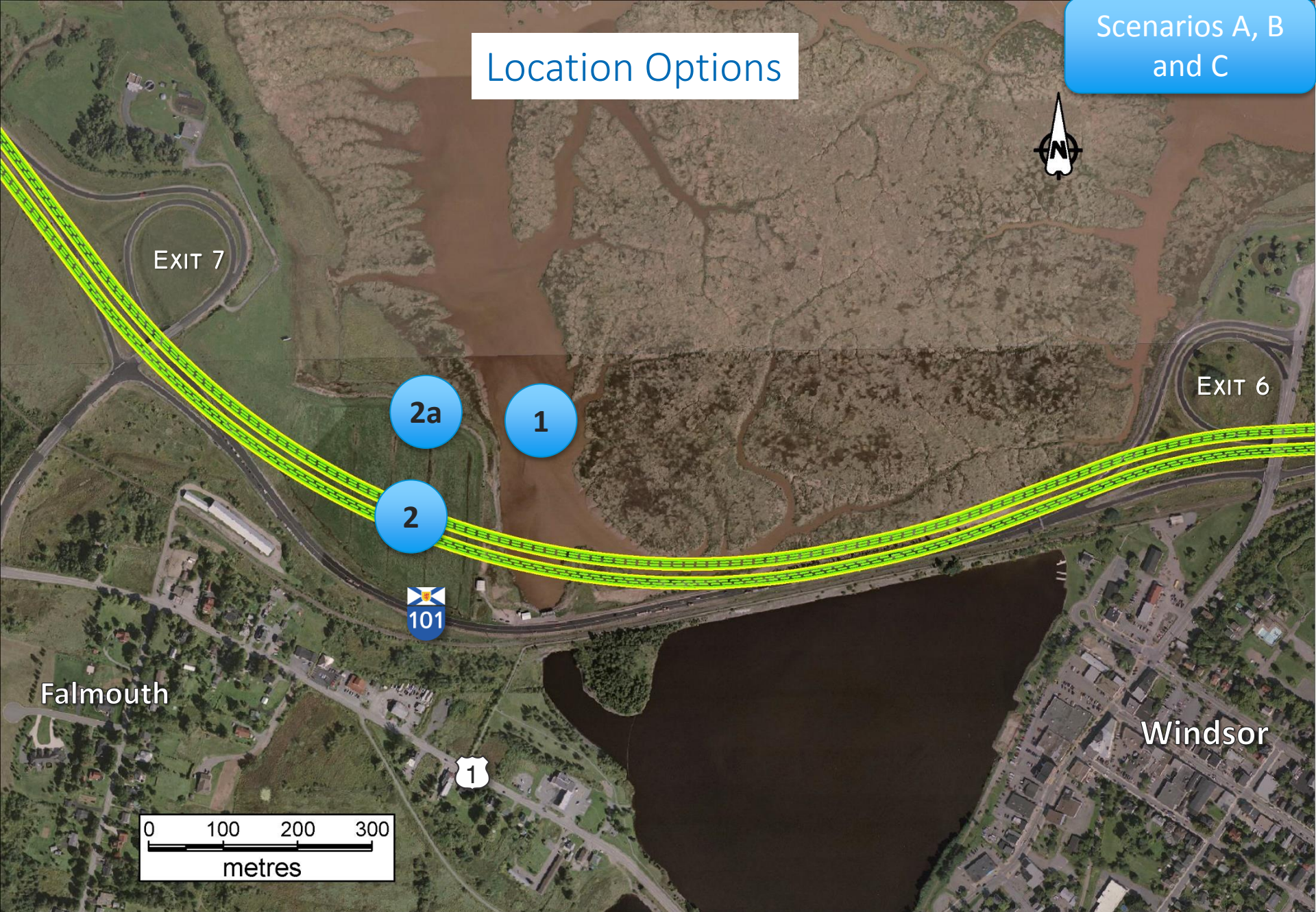


Design

- Before looking at water management scenarios, a location has to be identified for design, that allows the safe construction of the structure with minimized impacts on the surrounding area.

Location Options

Scenarios A, B
and C



Scenarios A, B
and C

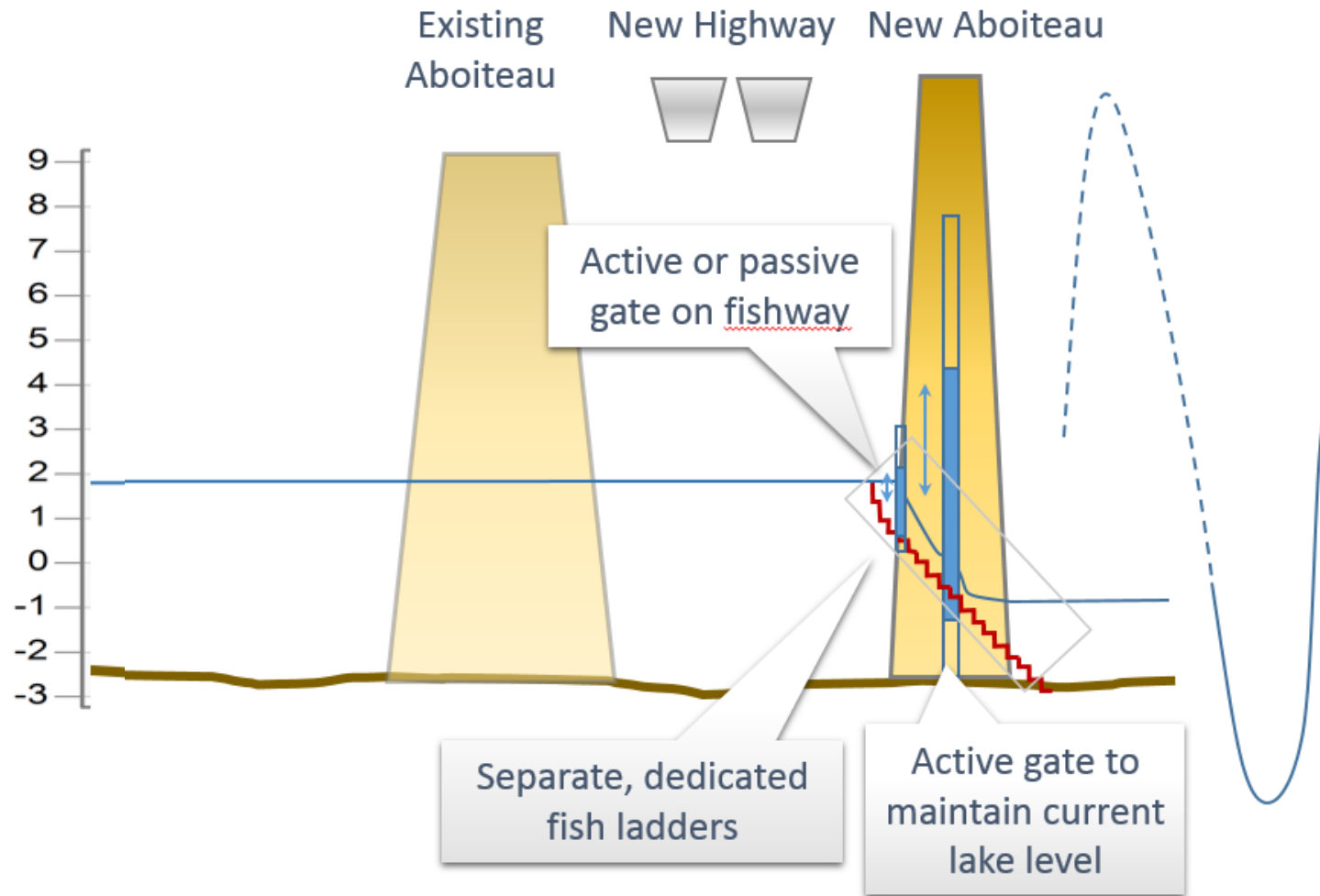
Location Option 1



Initial Design Goals

- Prevent flooding risks upstream of the causeway (not increasing water levels beyond their current peaks);
- Improve fish passage (it is currently estimated to be of very low quality and limited duration), accommodate the 25 species identified;
- Protect the downstream salt marsh of international significance (protected under Ramsar Convention);
- Prevent saltwater intrusion upstream of the causeway;
- Prevent silt from moving upstream of the causeway, as well as blocking the tide gates and fishways, and
- Allow water levels to remain at current target in the summer (roughly +2.4m CGVD28 when flow management allows it).

Freshwater Fishway Design (fish ladder)



Scenario “A”: Freshwater Reservoir (Water level is priority over fishway)

The fishway would have very little improvement over the current situation:

- Fishways would need to be closed during the summer months to avoid lowering the upstream water levels
- Fishways would only flow when excess water is available in the lake. This is likely to be seldom, since dry weather flows either evaporate or infiltrate in the ground and through the causeway
- Highly prone to plugging with sediment

➡ Therefore, the fishway will not be very effective

Scenario “A”: Freshwater Reservoir (Water level is priority over fishway)

Other Considerations:

- The fishway low effectiveness not likely to meet the Fisheries Act, Section 20
- Concerns from First Nations, CRA fisheries groups, other advocacy groups
- More complex gate needed, with flood warning and forecasting systems
- Continued upstream sedimentation, water quality degradation

Scenario “B”: Freshwater Reservoir (Fishway is priority over water level)

Goal 1 – Prevent blockage with sediment (needs high velocities)

Goal 2 – Fish passage for as many local species as possible (needs low velocities, sufficient water depth and width), and be adaptive in response to sea level rise

➡ Difficult to meet contradictory goals

We identified a design to balance both goals, but it does not meet either goal very well, and results in a fairly small fishway (400 mm width x 300 mm height)

Scenario “B”: Freshwater Reservoir

Impacts on upstream water levels

- Since we know that the gate can remain closed for several months in the summertime, this demonstrates that the summer river flows evaporate or infiltrate (into the ground or through the causeway) and cannot contribute to fishway flows
- The only source of water for the fishway is the lake, which will be drawn down by the fishway
- Modelling has shown that to maintain the flushing velocities in the fishway, water levels would be lower than the current target 330 days per year and the level would be completely drawn down (no water left) 36 days per year on average.
- Climate change is expected to further decrease water available

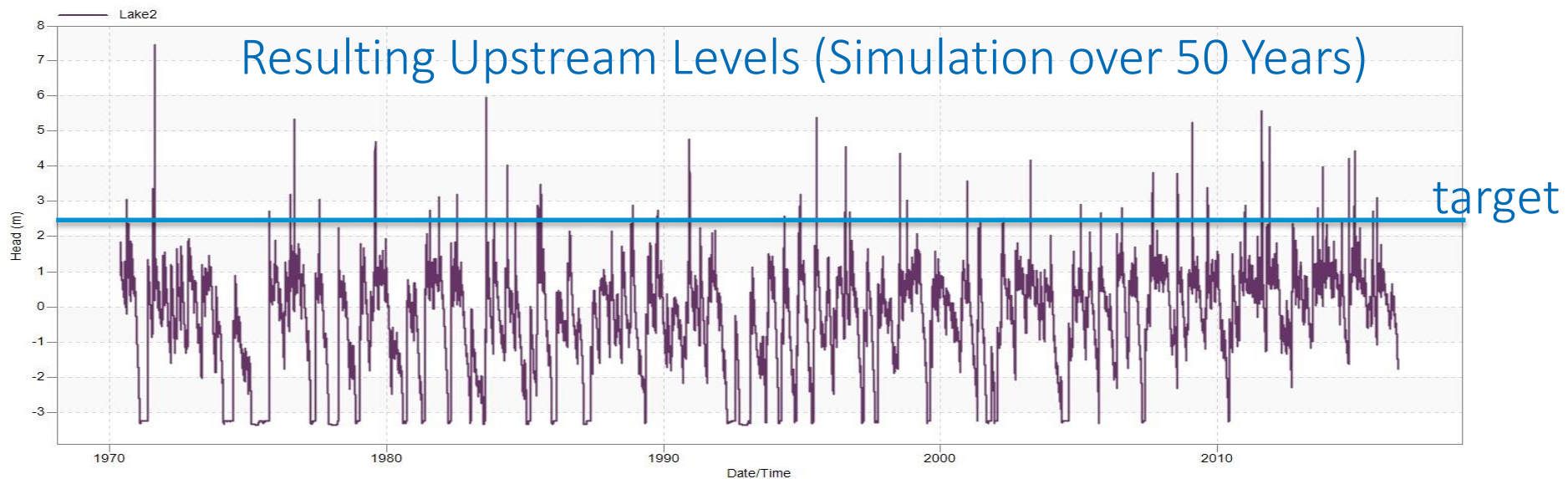
Scenario “B”: Freshwater Reservoir

Impacts on quality of fish passage

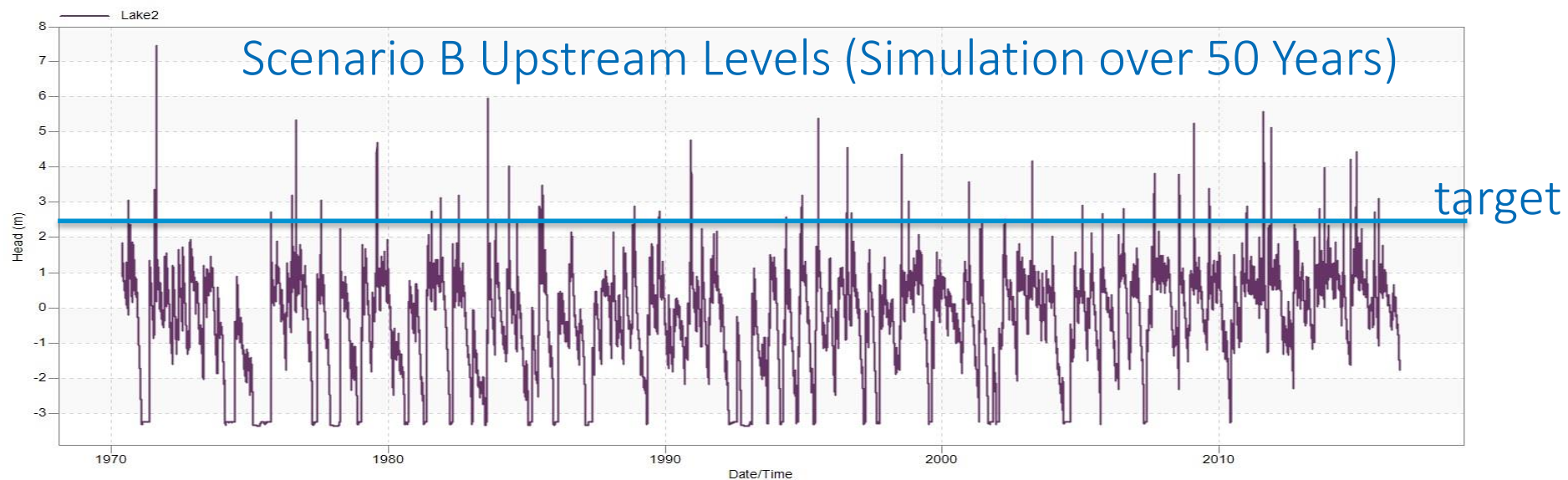
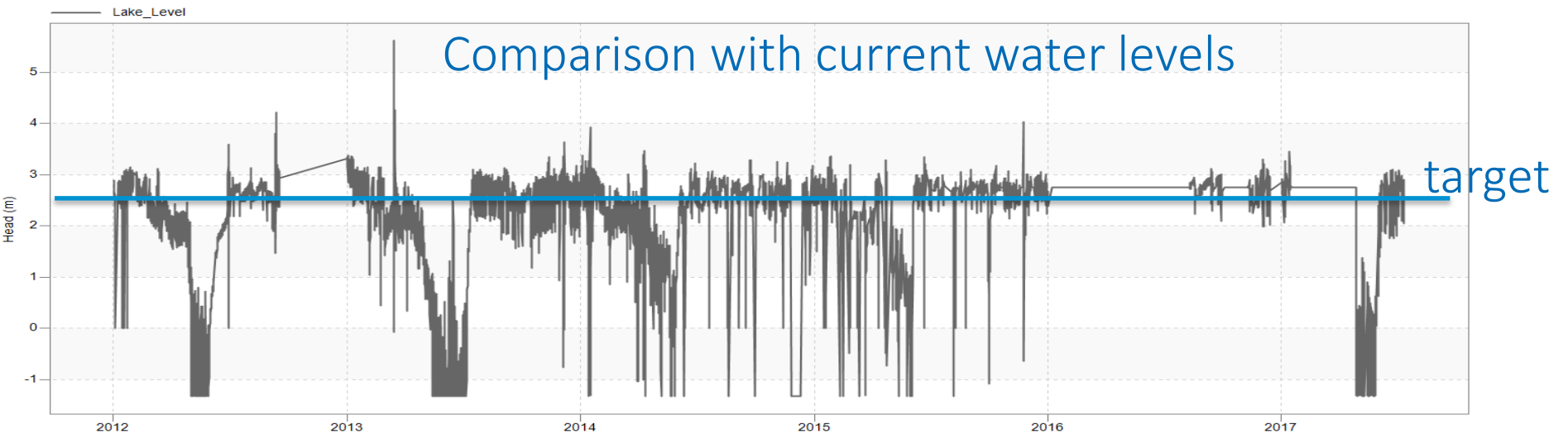
- A small fast-flowing fishway would prevent juveniles, small fish, as well as large fish from swimming up the fishway
- The fishway has to be closed half the time to prevent tides from flowing upstream.
- 36 days with no flow per year (during the late summer fish migration) would negatively impact the goal of providing significantly improved fish passage
- 36 days with no flow would lead to complete blockage of the fishway with sediment (very challenging to maintain for access and safety reasons)

Scenario “B”: Freshwater Reservoir

For a fishway width of 400mm		Probability that the given water level is NOT AVAILABLE during that month											
Water Depth	Flow	January	February	March	April	May	June	July	August	September	October	November	December
0.3	0.308	#N/A	#N/A	#N/A	#N/A	#N/A	15.2%	18.7%	43.9%	42.6%	28.4%	3.9%	#N/A
0.4	0.44	#N/A	#N/A	#N/A	#N/A	5.5%	29.4%	37.4%	47.1%	48.4%	43.5%	5.2%	0.6%
0.5	0.578	3.5%	#N/A	#N/A	1.0%	15.5%	30.0%	43.9%	59.7%	60.6%	56.1%	7.7%	1.0%
0.6	0.716	8.4%	#N/A	#N/A	2.6%	22.9%	34.2%	51.3%	68.4%	64.8%	61.0%	15.8%	3.5%
0.7	0.856	11.0%	7.0%	#N/A	4.8%	28.1%	46.5%	61.3%	76.5%	74.2%	63.5%	24.2%	7.7%
0.8	0.998	12.6%	7.0%	#N/A	6.1%	29.4%	51.0%	68.4%	79.4%	77.1%	66.5%	31.0%	10.6%
0.9	1.1398	15.2%	7.7%	1.7%	7.4%	32.3%	55.8%	80.0%	82.6%	81.0%	71.6%	34.2%	13.5%
1	1.282	16.5%	9.3%	5.0%	8.1%	35.2%	61.3%	84.8%	84.8%	83.5%	78.7%	38.4%	17.4%
1.1	1.424	19.4%	14.7%	8.7%	8.1%	36.8%	64.8%	88.4%	85.8%	87.7%	80.0%	39.0%	19.4%



Scenario "B": Freshwater Reservoir



Scenario “B”: Freshwater Reservoir

- Significant impacts on water levels
- Not expected to meet the Section 20 of the Fisheries Act.

Even if construction proceeds, post-construction monitoring is typically required to demonstrate that adequate fish passage has been achieved. If this can not be demonstrated, the structure may need to be modified until sufficient fish passage is achieved (e.g., LaPlanche River Aboiteau – removal of a gate, which allows saltwater inflow upstream of the aboiteau, or partial tidal exchange).

Other considerations:

Water Quality - Would continue to deteriorate, with more chances of weeds/algae, odours, public safety concerns/ contact restrictions, and poor fish habitat / mortality.

Continued sedimentation of the lake.

Current accommodations for fish passage in April have led to public concerns over dust clouds



Growth in Lake Pesaquid (2015, Google Earth)

Other considerations:

Operation & Maintenance

- Higher potential for flood risk (more complex gate)
- Regular maintenance required to clean sediment blockages
- Continuous modifications may be needed to meet fish passage requirements
- Impossible to fully prevent seepage through causeway (saltwater seepage will limit freshwater biota and fish habitat to current level)

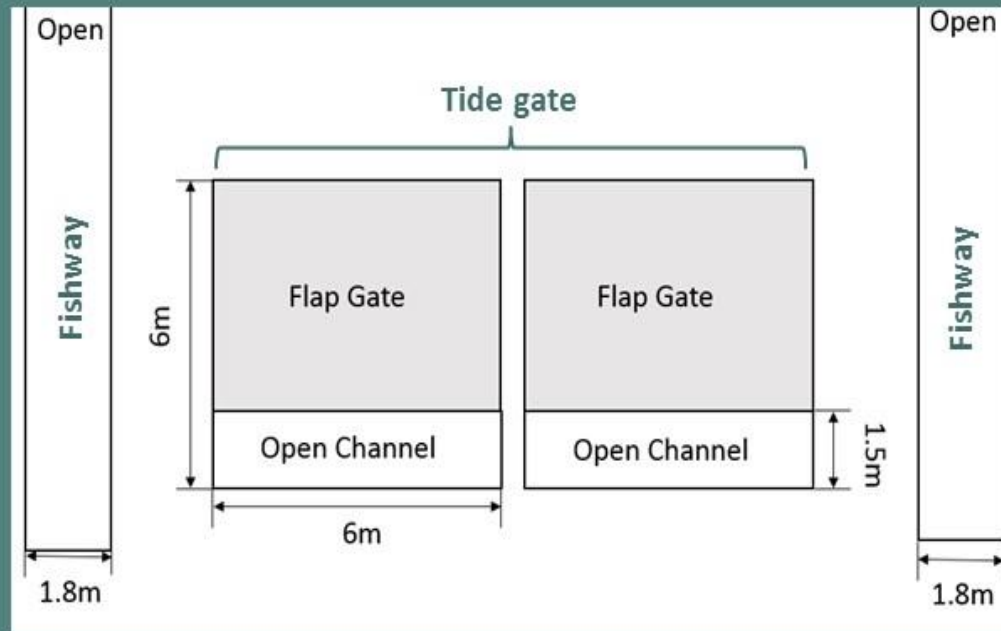
Revised Design:

Partial Tidal Exchange: Scenario “C”

- Provides controlled partial exchange of tidal water
- Year-round fish passage for all species
- Adaptive design for anticipated climate change and sea-level rise

Modelled aboiteau and fishway design. Partial Tidal Passage

Elevation

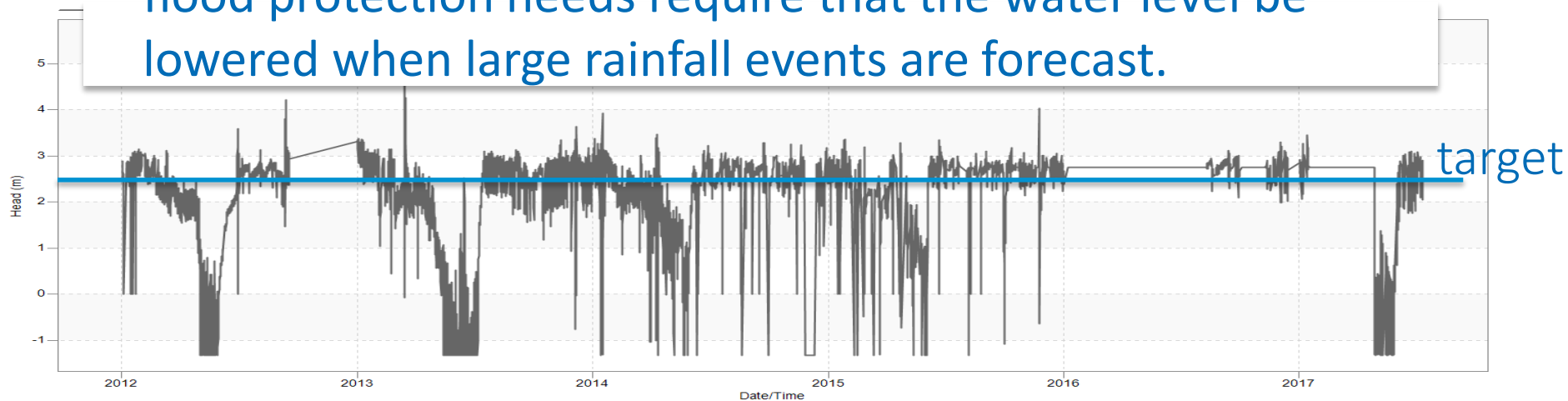


Profile



Flexible Design:

- The intention is that such a configuration can be adjusted as needed. It is able to function safely and effectively with minimal operation, but can be adjusted to meet various needs, such as allowing water levels to rise in the lake for specific events.
- Currently, the water level in the reservoir is only at the target elevation (2.7m/ 9ft) for a few weeks in the year, given that flood protection needs require that the water level be lowered when large rainfall events are forecast.



Changes Anticipated with Partial Tidal Exchange:

Fish Passage – Significantly greater fish passage and habitat potential

Water level - The water level would be approx. 0.6m to 2.1m (2-7 ft.) below the existing target water level. This is intentional, to protect the farming ditches from saltwater intrusion.

Currents - Currents would change but still remain safe for canoeing / boating.

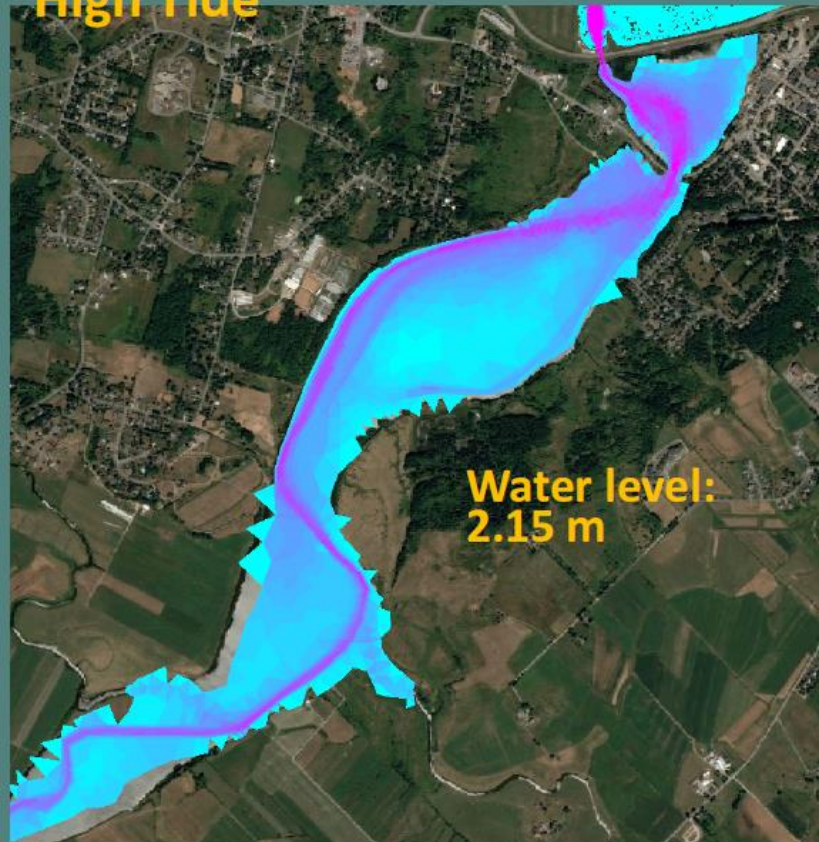
Salinity (salt) - Would not impact current farming operations. Salt would not reach Martock water intake except during a combination of extreme low runoff and high tides in late summer.

Temperature - Tidal exchange would cool water, restore natural flushing and improve water quality (important for algae control and fish habitat/health).

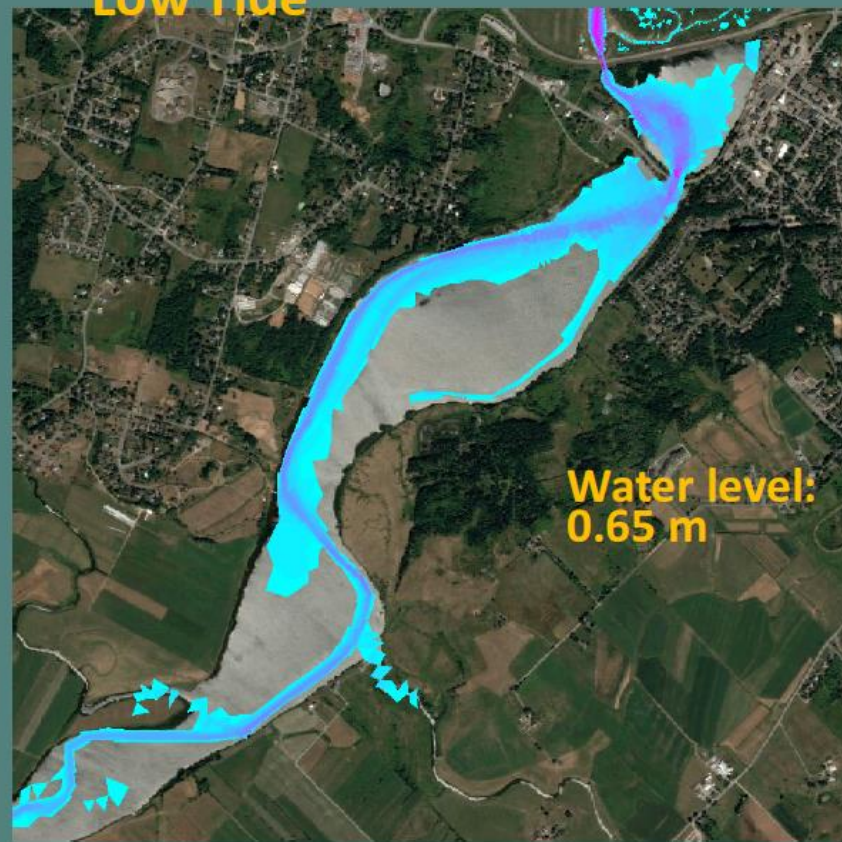
Sediments - Minor sediment deposition would occur in shallow areas; no sedimentation is expected in the main channels.

Expected Water Depths

High Tide



Low Tide



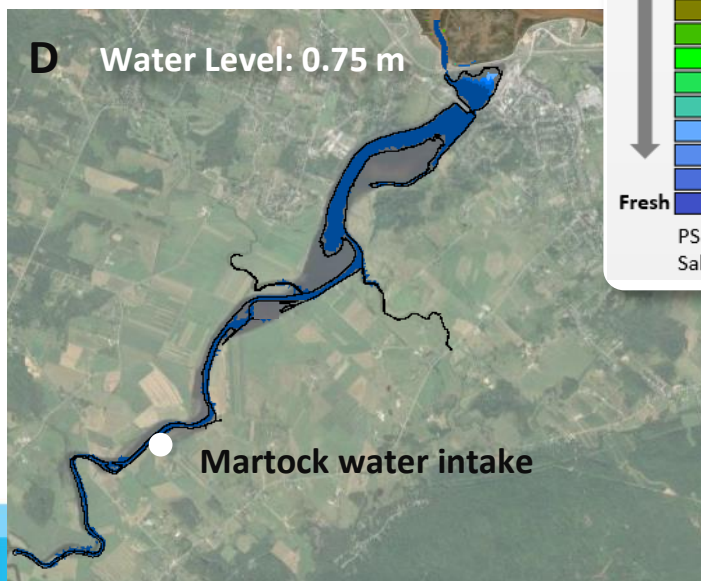
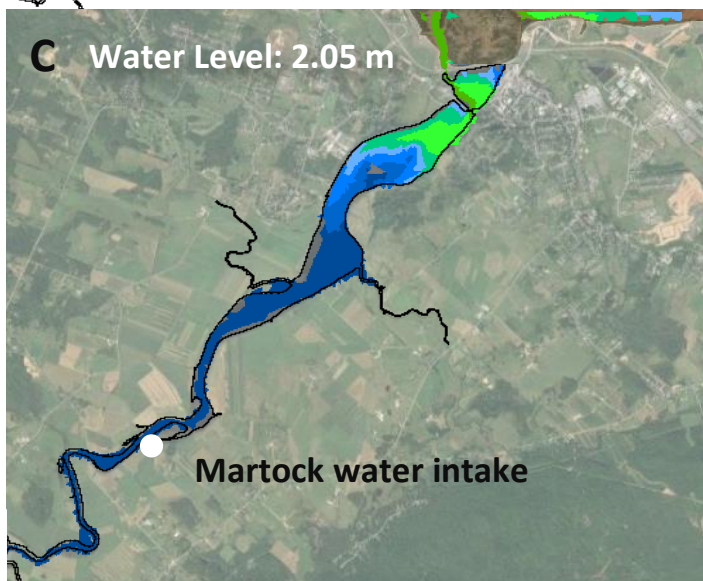
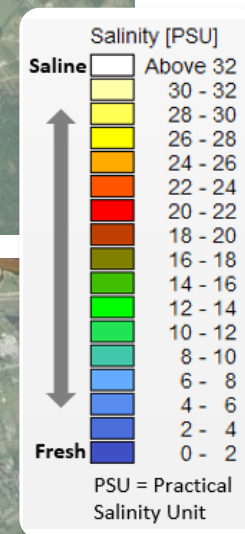
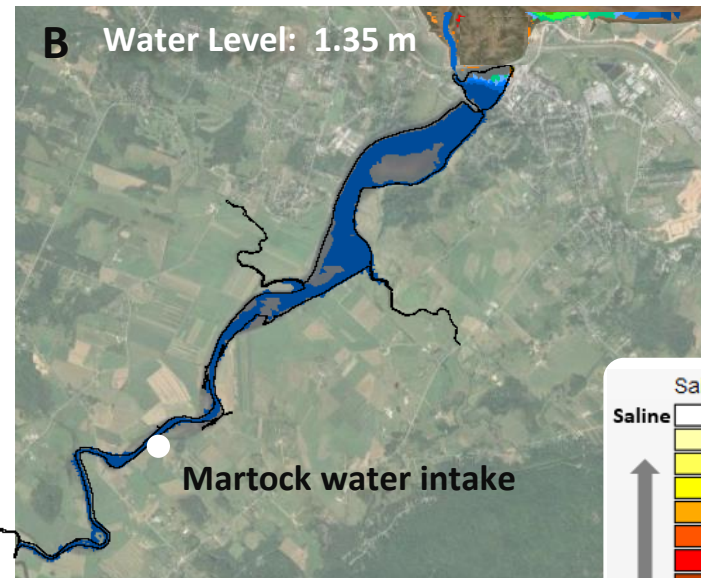
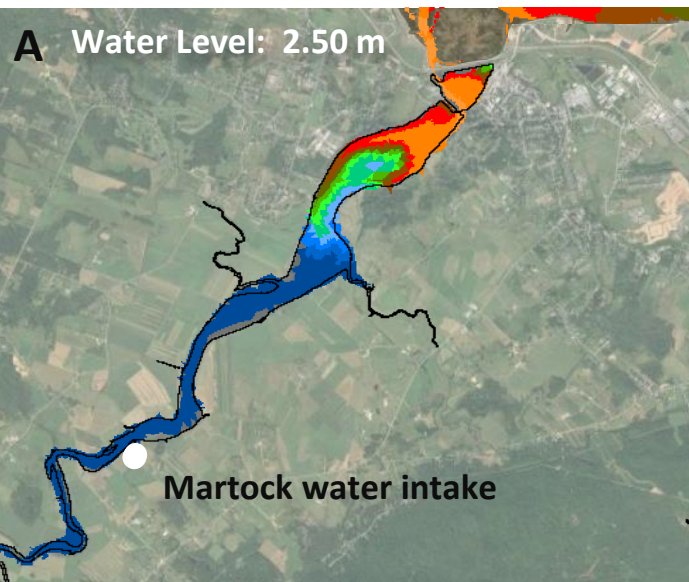
- Local activities (pumpkin regatta, boating, etc.) can be accommodated by adjusting timing with the tide.

*These depths take into account sedimentation (see last slide).

Expected Salinity Patterns

High Tide

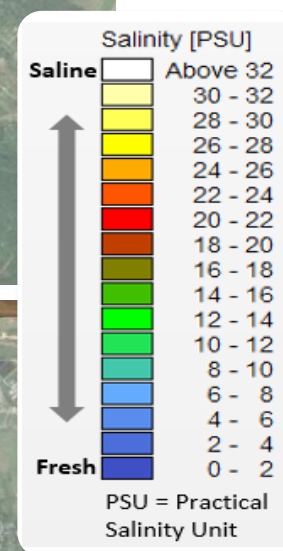
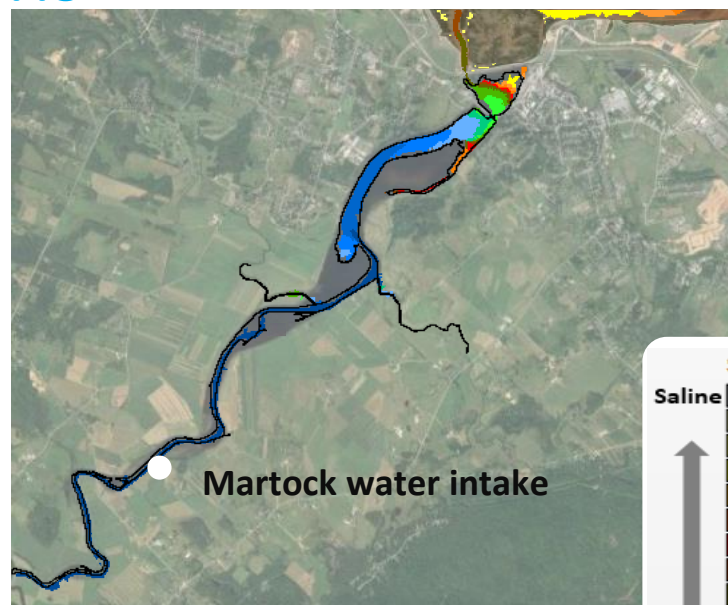
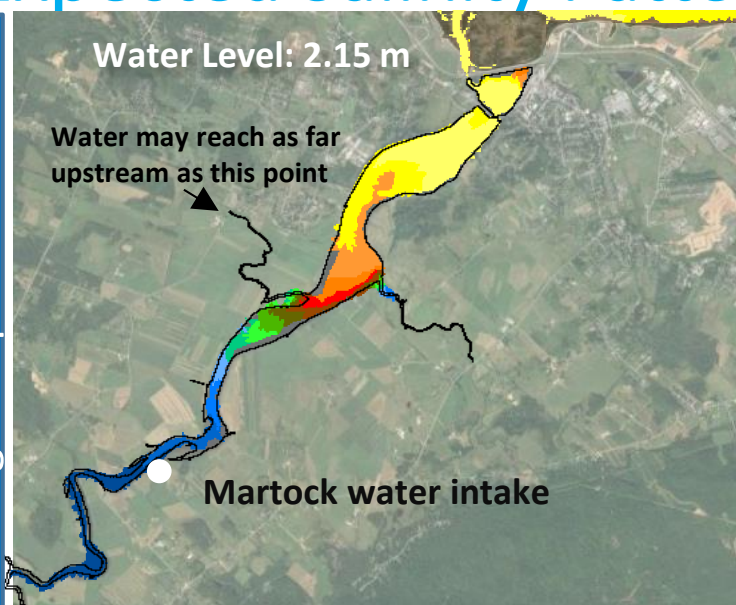
Low Tide



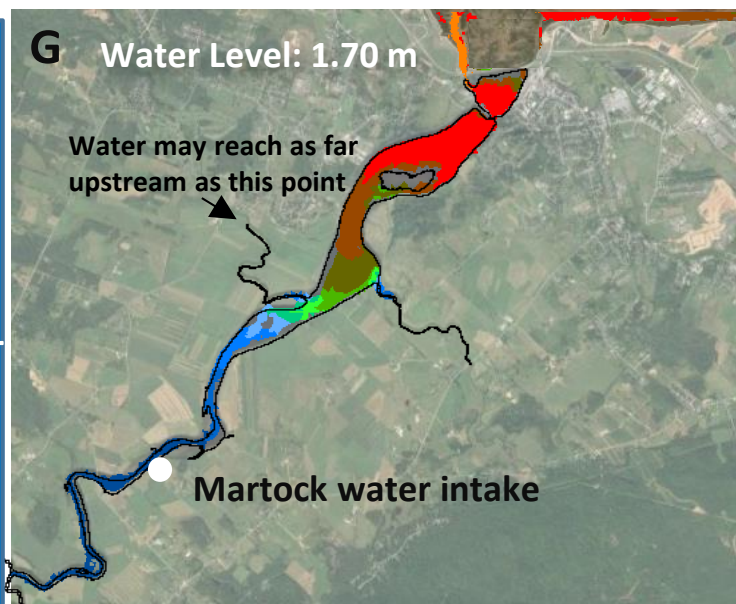
Expected Salinity Patterns

Low Runoff

Large Amplitude Tide



Small Amplitude Tide



Avon River - High Tide (2.1m / 7 ft)

Scenario C



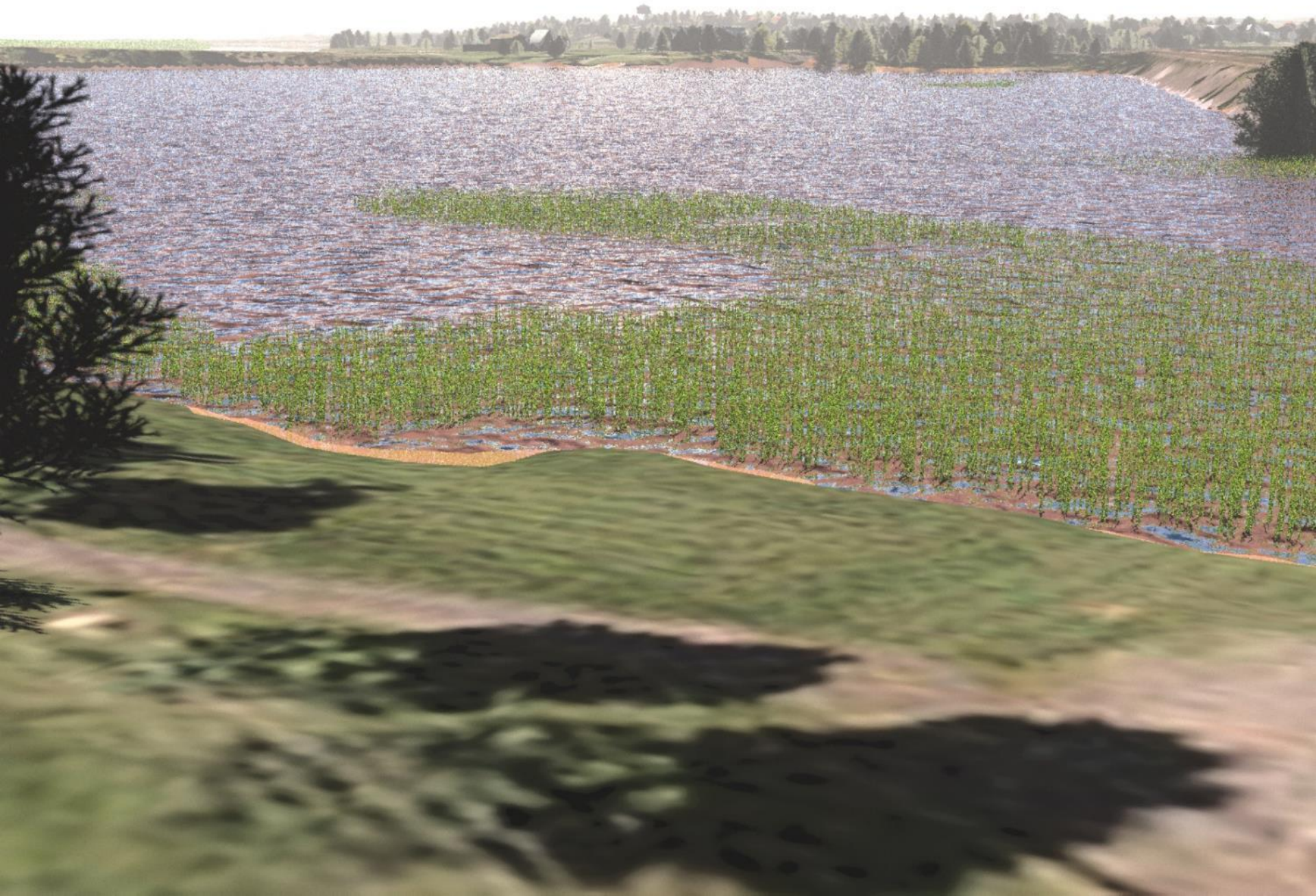
Avon River - Low Tide (0.6m / 2 ft)

Scenario C



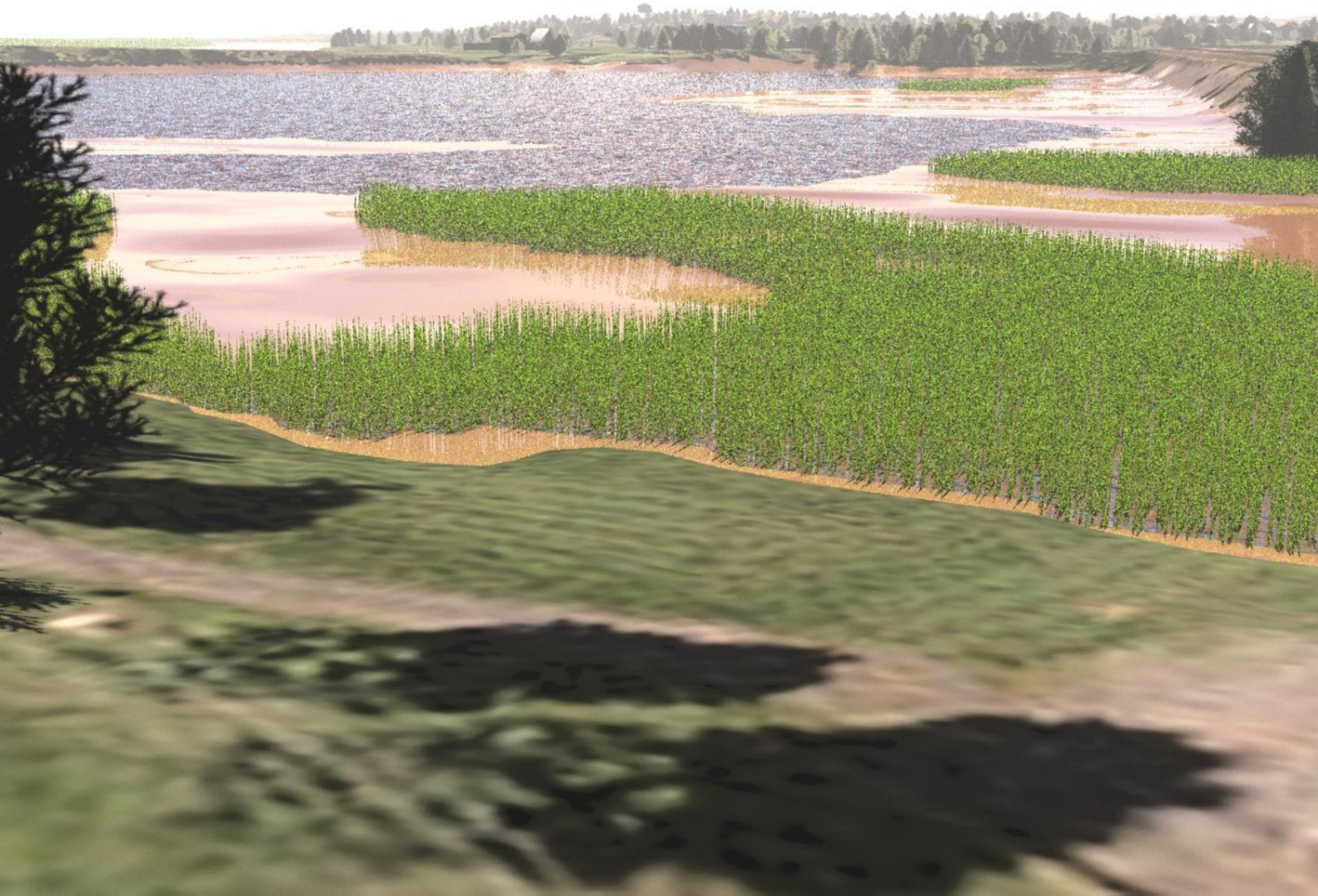
Pisiquid Canoe Club - High Tide (2.1m / 7 ft)

Scenario C



Pisiquid Canoe Club - Low Tide (0.6m / 2 ft)

Scenario C





August 2012



April 2016



1963



Avon River Causeway Shortly
Before October 1970 Opening



Results: Partial Tidal Exchange

- Improved flood protection (simpler, passive, standard system).
- System would be reverted back to a more natural functioning river and healthier habitat.
- Fish passage would be of very high quality for all fish species 24 hours a day, 365 days a year. Little chance of sedimentation of the fishway.
- Restored passage would generate significant recreational fishing opportunities (e.g., striped bass, shad)
- Water quality would be improved (reduced algae blooms, if any).
- Competitive Canoeing would be impacted.
- Salt marsh establishment upstream of the causeway would bring significant ecosystem benefits (including invaluable bird habitat), as well as recreational / tourism opportunities such as walking, birding, fishing, kayaking, etc.

Summary

Freshwater Scenarios “A” and “B”

- In both cases, fishways have very limited effectiveness, prone to sedimentation - not meeting requirements of Fisheries Act
- In Scenario “B”, upstream water levels would vary significantly, emptying every year (in late summer instead of currently in April), to supply fishway with water
- Lake Pesaquid currently is poor habitat for fish, has potential for long-term water quality issues, and would continue to gradually infill from upstream sediment.

Partial Tidal Exchange Scenario “C”

- Would allow for restoration to a more natural and healthier river system with significantly improved fish passage (meets Fisheries Act)
- Can be operated to provide target water levels for events
- Improved water quality, salt marsh with ecosystem benefits

Thank you

Note:

We heard the strong community interest in keeping the lake high in the summer, and we are now in the process of exploring a new option “D” to maintain the lake as well as fish passage.

Photo from van Proosdij (2018)

Avon River Aboiteau and Causeway Upgrading Design Preliminary Design Options

Joint-Council Meeting
September 27, 2018

Background

- The existing causeway, aboiteau and highway are an integral portion of the dyke system protecting the communities in Windsor and Falmouth and more than 1,600 ha (4,000 acres) of agricultural lands from flooding.
- The system is vulnerable to storm surges and requires upgrades to adapt to climate change and sea-level rise.
- The existing aboiteau was not designed to accommodate fish passage and has limited flexibility.
- Efforts have been made to increase fish passage at specific times of year in coordination with DFO, but are still limited based on the functionality of the current aboiteau

The Existing Situation

- The current aboiteau structure is at the end of its life:
 - Engineering recommendation is to replace within 5 yrs and will take 3-4 yrs to construct a new structure
- Current concerns:
 - Structure cannot be dewatered
 - Safety concerns
 - No backup
 - Decreased flow capacity during structure maintenance
- Deferring the project for the future may mean significant challenges for future construction (in only 10-20 years)
- Upgrading costs expected to exceed \$25M plus longer bridges

If the gate fails in the open position (low tide view)



If the gate fails in the open / closed position – high tide view



Project Objectives:

PUBLIC SAFETY

- Maintain corridor over Avon River for Highway 101 Twinning and continuity of rail, trail and utility services
- Continued protection of communities and agricultural land from the effects of flooding and sea level rise / climate change

REGULATORY REQUIREMENTS

- Improve Fish Passage (EA Condition & Fisheries Act)
- Minimize Environmental Impacts (i.e. Impact to Salt Marsh)
- Consideration of potential negative impacts to asserted or established Mi'kmaq Aboriginal or treaty rights.

MINIMIZE SOCIO-ECONOMIC IMPACTS

- On business groups, farming, ski, canoeing, other recreation

The Process



- Preliminary design options have been developed and we are now seeking feedback
- Key issues/concerns are being considered for further refinement or development of alternative options in an attempt to develop a solution that balances all interests

Location Options





Water Management Scenarios

Options Initially Considered by CBCL:

Scenario “A”:

- Maintain freshwater reservoir, with controlled fishway

Scenario “B”:

- Maintain freshwater reservoir, with controlled fishway & pumping of lake water to maximize fish passage

Scenario “C”:

- Controlled/partial tidal exchange, with open fish passage and dedicated fishways

Scenario C: Partial Tidal Exchange (open fish passage & fishways)

- Provides controlled partial exchange of tidal water through “passive gate” operation and controlled size of opening
- Water levels would be approx. 0.6m to 2.1m (2-7 ft.) below the existing target water level of 2.7 m (9 ft). This tidal range is intentionally set to prevent the farming ditches from saltwater intrusion.
- Combination of permanent aboiteau opening and dedicated fishways used to maximize fish passage
- Adaptive design for anticipated climate change and sea-level rise

Scenario C: Partial Tidal Exchange (open fish passage fishways)

Results of Analysis:

- Improved flood protection (simpler, passive, standard system)
- System would be reverted back to a more natural tidal river
- Fish passage would be of very high quality for all fish species 24 hours a day, 365 days a year.
- Water levels would fluctuate regularly with tides
- Water would have different appearance (colour / turbidity)
- Competitive canoeing would be significantly impacted
- Recreational boating/fishing may be improved
- Mud flats would be exposed more frequently, but expected to develop into salt marsh

Consultation – “What we’ve heard”

- A significant amount concerns were raised during and after the CLC Meeting Presentation on September 19th:
 - Lake water levels, salt water intrusion, business/waterfront impacts, freshwater irrigation, fish passage
- This is the purpose of the CLC meetings, to have feedback from the community
- A public information session is also organized for October 10th as an opportunity for additional feedback in a more open setting
- The design team heard and understood these concerns, and are now trying to address them as best as possible, by evaluating alternative option(s) in an effort to balance all interests

What we hear you would like to see

Hybrid Option “D”:

- Currently being explored/developed by CBCL
- Would have the ability to maintain a freshwater lake
- Would have the opportunity for improved fish passage
- Adaptable design, water management/operation can be adjusted if goals change in the future
- Water level control would be much better than current conditions

The goal is to provide an **adaptable** and **flexible** solution that can maintain the target lake level and increase/maximize fish passage opportunities

Hybrid Option "D"

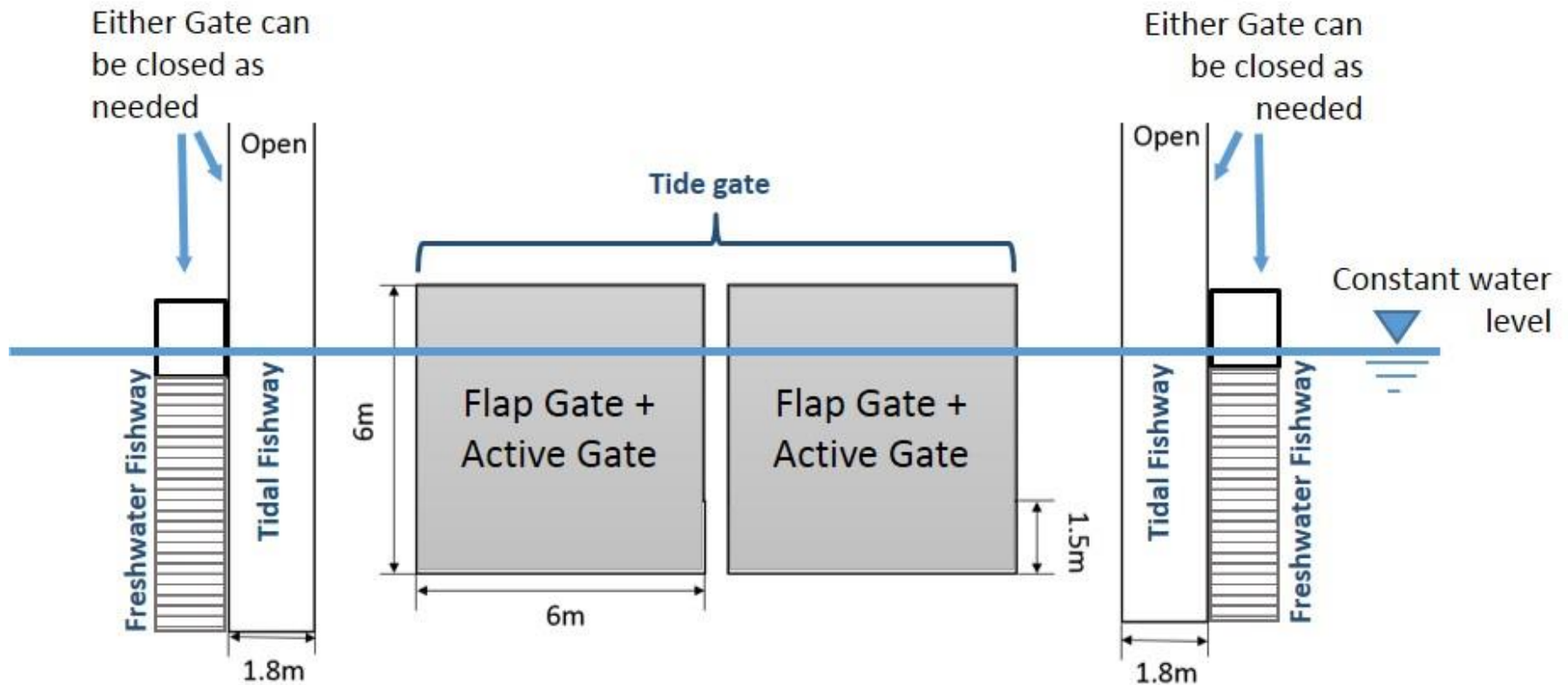




Photo from van Proosdij (2018)



Committee of the Whole Meeting Excerpts
July 13, 2021

HMCC Financial Statements - Recommendation Report

In April 2016, a request for an area rate was made by Hantsport Memorial Community Centre (HMCC). Since then, citizens of Hantsport voted in favour of having an area rate for HMCC. In 2019-20 the area rate was increased to allow for a recreation director to be hired. This amount is adjusted by consumer price index each year following.

The results of the 2020-21 review engagement for HMCC show a consolidated net surplus of \$118,214. The Municipality through a community of Hantsport area rate, contributed \$84,872 for various operational expenses. \$7,902.59 of this total amount has been held back until they complete and submit the financial statements.

HMCC has met the requirement of the Area Rate policy but there is a minor deficit for the overall operations for fiscal 2020-21. This concern continues to be monitored by staff. This deficit has worsened in 2020-21 by \$16,248. Staff will discuss the deficit of operating revenue versus expenses with HMCC as the financial condition has not seen improvement.

There are no financial implications to the Municipality.

Committee of the Whole recommends that:

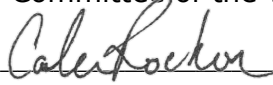
Council accepts the financial statement provided by HMCC and that any 2020-2021 hold backs and eligible 2021-2022 area rate payments be paid to HMCC for the purposes of providing the services defined in the 2021-2022 budget.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Committee of the Whole

Submitted by: 
Carlee Rochon, Director, Financial Services

Date: July 13th, 2021

Subject: **HMCC 2020-2021 Financial Statements**

LEGISLATIVE AUTHORITY

MGA section 75 – Area rates and uniform charges

- 75 (1) the council may spend money in an area, or for the benefit of an area, for any purpose for which a municipality may expend funds or borrow.
- (5) Charges pursuant to subsection (4) are first liens on the real property and may be collected in the same manner as taxes

RECOMMENDATION

Committee of the Whole recommends that:

Council accepts the financial statement provided by HMCC and that any 2020-2021 hold backs and eligible 2021-2022 area rate payments be paid to HMCC for the purposes of providing the services defined in the 2021-2022 budget.

BACKGROUND

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

In April 2016, a request for an area rate was made by Hantsport Memorial Community Centre (HMCC). The Chief Administrative Officer (CAO) responded to the request indicating that an Area Rate Policy was recently passed by Council, allowing the Municipality to collect and transfer revenue for services provided by HMCC. A copy of the Area Rate policy was included in the response to HMCC.

Since then, citizens of Hantsport voted in favour of having an area rate for HMCC. Former West Hants Council approved a total area rate expense for HMCC for \$54,230 in

2016-17, \$53,780 in 2017-18, and \$54,560 in 2018-19. In 2019-20 the area rate was increased to \$84,560, to allow for a recreation director to be hired. This amount is adjusted by consumer price index each year following.

DISCUSSION

The results of the 2020-21 review engagement for HMCC show a consolidated net surplus of \$118,214. The Municipality through a community of Hantsport area rate, contributed \$84,872 for various operational expenses. \$7,902.59 of this total amount has been held back until they complete and submit the financial statements.

As per section 8.2 of the Area Rate policy, organizations that benefit from area rate funding must conduct their business on a breakeven basis. Any deficit within a fiscal year must be first charge in the next fiscal year and any reserves or surplus are not to occur without Council approval of a reserve business case. Although HMCC showed a net surplus of \$118,214, section 8.2 of the Area Rate policy only applies to the specific expenses that are associated with the area rate. Actual expenditures relating to the area rate fund are shown in Note 11 of the financial statements, including amounts still pending to be paid.

Although HMCC has met the requirement of the Area Rate policy, there is a minor deficit for the overall operations of the organization shown for fiscal 2020-21. This concern has been monitored over the last two years by staff. There was improvement since 2019-20, but this deficit has worsened in 2020-21 by \$16,248. Staff will continue to monitor the deficit of operating revenue versus expenses and will discuss this with HMCC as the financial condition has not seen improvement.

NEXT STEPS

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality. The amount to be paid to HMCC for 2020-21 has been collected through the Hantsport area rate.

ALTERNATIVES

- Council could choose to not allow further funds to be distributed to HMCC. If this were to occur, it would be recommended that Council direct staff to place the remaining area rate funds that have been collected into a reserve for HMCC until such time that Council wishes to redistribute the funds.

ATTACHMENTS

- Hantsport Memorial Community Centre, Financial Statements, Year Ended March 31, 2021

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and recommendation is supported by the CAO's Office.

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

Report Approved by: Mark Phillips
Mark Phillips, Chief Administrative Officer

HANTSPORT MEMORIAL COMMUNITY CENTRE
Financial Statements
Year Ended March 31, 2021

HANTSPORT MEMORIAL COMMUNITY CENTRE

Index to Financial Statements

Year Ended March 31, 2021

	Page
INDEPENDENT PRACTITIONERS' REVIEW ENGAGEMENT REPORT	1
FINANCIAL STATEMENTS	
Statement of Financial Position	2
Statement of Revenues and Expenditures	3
Statement of Changes in Net Assets	4
Statement of Cash Flows	5
Notes to Financial Statements	6 - 12

INDEPENDENT PRACTITIONERS' REVIEW ENGAGEMENT REPORT

To the Members of Hantsport Memorial Community Centre

We have reviewed the accompanying financial statements of Hantsport Memorial Community Centre which comprise the statement of financial position as at March 31, 2021 and the statements of revenues and expenditures, changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian Accounting Standards for Not-for-Profit Organizations, 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.

Practitioners' Responsibility for the Financial Statements

Our responsibility is to express a conclusion on the accompanying financial statements based on our review. We conducted our review in accordance with Canadian generally accepted standards for review engagements, which require us to comply with relevant ethical requirements.

A review of financial statements in accordance with Canadian generally accepted standards for review engagements is a limited assurance engagement. The practitioner performs procedures, primarily consisting of making inquiries of management and others within the entity, as appropriate, and applying analytical procedures, and evaluates the evidence obtained.

The procedures performed in a review are substantially less in extent than, and vary in nature from, those performed in an audit conducted in accordance with Canadian Auditing Standards. Accordingly, we do not express an audit opinion on these financial statements.

Basis for Qualified Conclusion

In common with many not-for profit organizations, the Centre derives revenue from the general public in the form of donations and also engages in fundraising activities, the completeness of which are not susceptible to satisfactory review. Accordingly, our review of these revenues for the years ended March 31, 2020 and 2021 was limited to the amounts recorded in the records of the Centre and we were not able to determine whether any adjustments might be necessary to revenue, excess of revenues over expenses, current assets and net assets.

Qualified Conclusion

Based on our review, except for the effects of the adjustments, if any, which we might have determined to be necessary had we been able to satisfy ourselves concerning the completeness of the revenues, as described in the *Basis for Qualified Conclusion* paragraph, nothing has come to our attention that causes us to believe that these financial statements do not present fairly, in all material respects, the financial position of Hantsport Memorial Community Centre as at March 31, 2021, and the results of its operations and its cash flows for the year then ended in accordance with the Canadian Accounting Standards for Not-for-Profit Organizations.

Bishop & Company

CHARTERED PROFESSIONAL ACCOUNTANTS

Wolfville, NS
May 26, 2021

HANTSPORT MEMORIAL COMMUNITY CENTRE**Statement of Financial Position****March 31, 2021**

	2021	2020
ASSETS		
CURRENT		
Cash	\$ 66,860	\$ 102,244
Accounts receivable (Note 4)	7,903	30,932
Inventory	302	596
Harmonized sales tax recoverable	6,373	6,459
	81,438	140,231
PROPERTY AND EQUIPMENT (Note 5)	761,745	730,623
LONG TERM INVESTMENTS (Note 6)	190,378	121,614
RESTRICTED CASH AND INVESTMENTS (Note 7)	541,659	453,781
	\$ 1,575,220	\$ 1,446,249
LIABILITIES AND NET ASSETS		
CURRENT		
Accounts payable and accrued liabilities	\$ 7,054	\$ 7,783
Employee deductions payable	1,710	818
Current portion of long term debt (Note 10)	611	3,667
	9,375	12,268
DEFERRED CONTRIBUTIONS (Note 9)	35,540	21,282
LONG TERM DEBT (Note 10)	-	611
	44,915	34,161
NET ASSETS		
General Fund - unrestricted	815,281	784,942
Endowment Funds - restricted	124,500	124,500
R. A. Jodrey Income Fund - restricted	417,159	329,281
Contributed surplus	173,365	173,365
	1,530,305	1,412,088
	\$ 1,575,220	\$ 1,446,249

ON BEHALF OF THE BOARD

Director

Director

HANTSPORT MEMORIAL COMMUNITY CENTRE**Statement of Revenues and Expenditures****Year Ended March 31, 2021**

	2021	2020
REVENUE		
Area Rate Funding (Note 11)	\$ 84,872	\$ 82,627
Government grants (Note 12)	21,529	15,637
Events and fundraising	12,617	75,256
Donations and bequests	5,282	10,809
Capital grant amortization	1,102	718
	<u>125,402</u>	<u>185,047</u>
EXPENSES		
Amortization	17,312	15,742
Events and programs	8,600	32,763
Insurance	16,499	16,261
Interest and bank charges	132	667
Office and administration	8,255	9,191
Professional fees	6,343	7,227
Repairs and maintenance	17,474	29,123
Salaries and wages	75,438	78,974
Utilities	16,332	19,834
	<u>166,385</u>	<u>209,782</u>
DEFICIENCY OF REVENUE OVER EXPENSES FROM OPERATIONS	<u>(40,983)</u>	<u>(24,735)</u>
INVESTMENT INCOME		
Loss on sale of investment	-	(1,787)
Change in balance of unrealized gains	125,676	(82,327)
Interest and dividends	33,521	30,621
	<u>159,197</u>	<u>(53,493)</u>
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES	<u>\$ 118,214</u>	<u>\$ (78,228)</u>

HANTSPORT MEMORIAL COMMUNITY CENTRE**Statement of Changes in Net Assets****Year Ended March 31, 2021**

	General Fund	Endowment Funds	R. A. Jodrey Income Fund	2021	2020
NET ASSETS - BEGINNING OF YEAR	\$ 784,944	\$ 124,500	\$ 329,281	\$ 1,238,725	\$ 1,316,953
Excess of revenue over expenses	5,657	-	112,557	118,214	(78,228)
Transfers	24,680	-	(24,680)	-	-
NET ASSETS - END OF YEAR	\$ 815,281	\$ 124,500	\$ 417,158	\$ 1,356,939	\$ 1,238,725

HANTSPORT MEMORIAL COMMUNITY CENTRE**Statement of Cash Flows****Year Ended March 31, 2021**

	2021	2020
OPERATING ACTIVITIES		
Cash receipts from operations	\$ 162,690	\$ 179,305
Cash paid to suppliers and employees	(148,482)	(178,028)
Investment income	33,521	30,621
Interest paid	(134)	(666)
Harmonized sales tax	86	(6,459)
Cash flow from operating activities	<u>47,681</u>	<u>24,773</u>
INVESTING ACTIVITIES		
Purchase of property and equipment	(48,433)	(14,360)
Proceeds on disposal of property and equipment	-	22,735
Purchase of long term investments	(30,965)	(86,941)
Proceeds on disposal of investments	-	31,392
Restricted cash accounts	-	9,543
Cash flow used by investing activities	<u>(79,398)</u>	<u>(37,631)</u>
FINANCING ACTIVITY		
Repayment of long term debt	<u>(3,667)</u>	<u>(3,667)</u>
DECREASE IN CASH FLOW	(35,384)	(16,525)
Cash - beginning of year	<u>102,244</u>	<u>118,769</u>
CASH - END OF YEAR	\$ 66,860	\$ 102,244

HANTSPORT MEMORIAL COMMUNITY CENTRE

Notes to Financial Statements

Year Ended March 31, 2021

1. PURPOSE OF THE CENTRE

Hantsport Memorial Community Centre (the "Centre") was incorporated by an Act of the Provincial Legislature in 1948. Effective January 19, 2021 the Centre was registered as a charity under the *Income Tax Act* (Canada) and is exempt from income tax.

The objectives of the Centre are:

- to perpetuate the memory of those citizens of Hantsport who in the two Great World Wars died in the service of their country while serving in the armed forces of Canada;
- to own, maintain and make available to the community of Hantsport, recreational, athletic, social and education facilities; and
- to own, establish, maintain and manage a community centre and such other properties and equipment as may be generally desirable, without profit to the members, and to make such changes as shall be determined by the by-laws.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of presentation

The financial statements were prepared in accordance with Canadian Accounting Standards for Not-for-Profit Organizations (ASNPO).

Measurement uncertainty

The preparation of financial statements in conformity with Canadian Accounting Standards for Not-for-Profit Organizations requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. Such estimates are periodically reviewed and any adjustments necessary are reported in earnings in the period in which they become known. Actual results could differ from these estimates.

Cash and cash equivalents

Cash and cash equivalents include cash on hand, balances with banks and marketable securities.

(continues)

HANTSPORT MEMORIAL COMMUNITY CENTRE

Notes to Financial Statements

Year Ended March 31, 2021

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (*continued*)

Financial instruments policy

Financial instruments are recorded at fair value when acquired or issued. In subsequent periods, investments in equity instruments that are quoted in an active market are reported at fair value, with any unrealized gains and losses reported in income. All other financial instruments are subsequently reported at amortized cost, and tested for impairment when there are indicators of impairment.

Transaction costs on the acquisition, sale, or issue of financial instruments which are subsequently reported at fair value are expensed when incurred. Transaction costs on the acquisition, sale, or issue of financial instruments which are subsequently reported at amortized cost are amortized over the expected life of the instrument.

Financial assets measured at amortized cost include cash and cash equivalents, accounts receivable, and investments in bonds.

Financial liabilities measured at amortized cost include accounts payable, accrued liabilities, and long term debt.

Financial assets measured at fair value include equity investments which are quoted in an active market.

Inventory

Inventory consists of bar supplies and is measured at the lower of cost and net realizable value, with cost being determined using the first in first out method. Net realizable value is the estimated selling price in the ordinary course of business, less any applicable variable selling costs.

Property and equipment

Property and equipment are stated at cost or deemed cost less accumulated amortization. Amortization is provided annually on the straight-line basis at rates calculated to write off the assets over their estimated useful lives as follows:

Buildings	20 years
Equipment	5 years
Outdoor facilities	20 years
Chain link fence	20 years
Parking lots	25 years

The Churchill House historic property is not amortized.

Amortization in the year of purchase is recorded at one-half the normal rate.

The Centre regularly reviews its property and equipment to eliminate obsolete items. Property and equipment are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount of an asset may not be recoverable.

(*continues*)

HANTSPORT MEMORIAL COMMUNITY CENTRE

Notes to Financial Statements

Year Ended March 31, 2021

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (*continued*)

Restricted funds

The Endowment Funds report the revenues, expenses and net assets related to contributions which are subject to externally imposed stipulations specifying that they be maintained permanently:

1. In 1995 Med Starratt bequeathed \$94,500 to the Centre with the following conditions: "Only the interest shall be used for any HMCC purpose or other recreational purposes within the Town of Hantsport. The principal portion of the bequest is to be invested and not used to fund any aspect of the Corporation or Town of Hantsport."
2. The Roy A. Jodrey Hantsport Memorial Fund (R. A. Jodrey Fund) was established in 1974 with a \$30,000 endowment for the purpose of maintaining the Churchill House. The Indenture stipulates that the income from this endowment shall be used annually to defray the costs of maintenance of the building, as well as taxes, utilities and insurance. Income which is not utilized in a given year shall be accumulated for the purpose of defraying such expenses in the future.

The R. A. Jodrey Income Fund represents the accumulated unused income generated from the initial \$30,000 endowment. These funds shall be used annually to defray the costs of maintenance of the building, as well as taxes, utilities and insurance.

Revenue recognition

Hantsport Memorial Community Centre follows the deferral method of accounting for contributions.

- a) Endowment contributions are recognized as direct increases in net assets in the year received.
- b) Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.
- c) Investment income includes dividends and interest income, and realized and unrealized gains and losses. Unrealized gains and losses on equity investments are recognized as revenue in the statement of operations. Investment income is recognized in revenue in the period it is earned.
- d) Grant revenue is recognized when there is a reasonable assurance that all conditions necessary to obtain the grant have been complied with.
- e) Unrestricted donations and bequests are recognized in the year received.
- f) Capital donations are deferred and amortized on the same basis as the property and equipment to which they relate.
- g) All other sources of revenue are recognized as services are performed and ultimate collection is reasonably assured.

Contributed services and donated goods

Volunteers contribute a significant amount of their time each year. Because of the difficulty in determining their fair value, contributed services are not recognized in the financial statements.

Donated goods are not recorded in the financial statements because of the difficulty in determining their fair value.

HANTSPORT MEMORIAL COMMUNITY CENTRE

Notes to Financial Statements

Year Ended March 31, 2021

3. FINANCIAL INSTRUMENTS

The Centre is exposed to various risks through its financial instruments and has a comprehensive risk management framework to monitor, evaluate and manage these risks. The following analysis provides information about the Centre's risk exposure and concentration as of March 31, 2021.

Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities. The Centre has a comprehensive plan in place to meet their obligations as they come due - primarily from cash flow from fundraising activities.

Market risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency rate risk, interest rate risk and other price risk. The Centre is mainly exposed to interest rate and other price risk.

Interest rate risk

Interest rate risk is the risk that the value of a financial instrument might be adversely affected by a change in the interest rates. The Centre is exposed to interest rate risk on its fixed and floating rate interest bearing financial instruments which includes long term debt and investments in bonds. Changes in the bank lending rates can cause fluctuations in cash flows and interest expense. The Centre does not use any derivatives to manage this risk.

Other price risk

Other price risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices (other than those arising from interest rate risk), whether those changes are caused by factors specific to the individual financial instrument or its issuer, or factors affecting all similar financial instruments traded in the market. The Centre is exposed to other price risk through its investment in quoted shares.

4. ACCOUNTS RECEIVABLE

	2021	2020
Accounts receivable	\$ 7,903	\$ 30,932
Allowance for doubtful accounts	-	-
	<u>\$ 7,903</u>	<u>\$ 30,932</u>

HANTSPORT MEMORIAL COMMUNITY CENTRE

Notes to Financial Statements

Year Ended March 31, 2021

5. PROPERTY AND EQUIPMENT

	Cost	Accumulated amortization	2021 Net book value	2020 Net book value
Land	\$ 206,900	\$ -	\$ 206,900	\$ 206,900
Historic property: Churchill House	312,349	-	312,349	312,349
Buildings	40,694	8,997	31,697	28,374
Equipment	18,335	16,502	1,833	5,500
Outdoor facilities	118,407	24,821	93,586	92,730
Chain link fence	131,142	22,688	108,454	77,497
Parking lots	8,658	1,732	6,926	7,273
	<u>\$ 836,485</u>	<u>\$ 74,740</u>	<u>\$ 761,745</u>	<u>\$ 730,623</u>

6. LONG TERM INVESTMENTS

	2021	2020
Equities	\$ 262,368	\$ 193,604
Bonds	22,504	22,504
Credit Union shares	5	5
DaSilva paintings	1	1
Subtotal	284,878	216,114
Less: Med Starratt Endowment	(94,500)	(94,500)
	<u>\$ 190,378</u>	<u>\$ 121,614</u>

The DaSilva paintings and murals are on loan to the Art Gallery of Nova Scotia. The fair market value is not determinable.

7. RESTRICTED CASH AND INVESTMENTS

	2021	2020
Cash	\$ 724	\$ 723
Equities	446,435	358,558
Subtotal	447,159	359,281
Plus: Med Starratt Endowment	94,500	94,500
	<u>\$ 541,659</u>	<u>\$ 453,781</u>

8. CREDIT FACILITIES

The Collabria VISA card is limited to \$2,000, bears interest at 19.9% and is secured by a term deposit held at Valley Credit Union.

HANTSPORT MEMORIAL COMMUNITY CENTRE**Notes to Financial Statements****Year Ended March 31, 2021****9. DEFERRED CONTRIBUTIONS**

	2021	2020
Valley Credit Union donation of \$22,000 received in 2020 for improvements to the Med Starratt Baseball field.	\$ 20,564	\$ 21,282
Private donation of \$15,360 received in 2021 for the replacement of a fence.	14,976	-
	\$ 35,540	\$ 21,282

10. LONG TERM DEBT

	2021	2020
John Deere Canada ULC loan bearing interest at 0% per annum, repayable in monthly payments of \$306. The loan matures on May 27, 2021 and is secured by a 2016 John Deere utility tractor with a net book value of \$1,834.	\$ 611	\$ 4,278
Amounts payable within one year	(611)	(3,667)
	\$ -	\$ 611

Principal repayment terms are approximately:

2022	\$ 611
------	--------

11. AREA RATE FUNDING

The Area Rate is collected by the Municipality of the District of West Hants under the terms of its Area Rate Policy. Responsibility for certain operating costs have been assumed by HMCC and these costs have been assigned as follows:

	2021	2020
Area Rate Funding		
Municipality of the District of West Hants	\$ 84,872	\$ 82,627
Area Rate Expenses		
Administration fee	\$ 7,716	\$ 7,512
Insurance	15,300	13,957
Repairs and maintenance	30,867	31,265
Salaries and wages	29,658	25,539
Utilities	1,331	4,354
	\$ 84,872	\$ 82,627

HANTSPORT MEMORIAL COMMUNITY CENTRE

Notes to Financial Statements

Year Ended March 31, 2021

12. GOVERNMENT GRANTS

Government grants were received or accrued during the year under the following programs:

1. Canada Summer Jobs Program - \$3,928 (2020 - \$7,738).
2. Provincial Grant Summer Students - \$17,601 (2020 - \$7,899)

These grants are reported in income and are not repayable.

13. IMPACT OF COVID-19

The outbreak of the novel strain of coronavirus, specifically identified as "COVID-19", has resulted in governments worldwide enacting emergency measures to combat the spread of the virus. These measures, which include the implementation of travel bans, self-imposed quarantine periods, and social and physical distancing, have caused material disruption to businesses globally resulting in an economic slowdown. Global equity markets have experienced significant volatility and weakness. Governments and central banks have reacted with significant monetary and fiscal interventions designed to stabilize economic conditions.

The duration and impact of the COVID-19 pandemic is unknown at this time, as is the efficacy of the government and central bank interventions. It is not possible to reliably estimate the length and severity of these developments and the impact on the financial results and condition of the Centre in future periods.



Committee of the Whole Meeting Excerpts
July 13, 2021

Temporary Opening of Edward & Underwood – Request for Decision Report

There is currently only one permanent way in and out of The Crossing, a growing residential development in West Hants, and a gate at these two roads that remains closed but can be used for emergency purposes. The developer is in the process of constructing another entrance and exit point, but until such time as it is completed there needs to be a temporary solution to address traffic congestion and safety. If the gate between Edward Drive and Underwood Drive was opened, this would allow for the secondary entrance and exit.

Committee of the Whole recommends that:

Council direct staff to provide a report as to how the two residential areas can be connected including the removal of the gate system .



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Committee of the Whole

Submitted by: Bob Morton – Councillor

Date: July 9 2021

Subject: Temporary opening of Edward & Underwood

LEGISLATIVE AUTHORITY

(State where ability for consideration comes from if applicable)

RECOMMENDATION or DECISION REQUEST

That Committee of the whole recommends council direct staff to look into temporarily opening Edward Road & Underwood Road until an alternate second exit in and out of the Crossing is fully constructed and in place.

BACKGROUND

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

The Crossing is home to over 400 residents and growing daily. This beautiful community has only one way in and one way out. In case of emergency this is not ideal. The current developer is in the process of constructing an alternative exit and entry point, however until said time that it is completed, I believe it is best we open up Edward and Underwood as an easy, temporary solution to safety and congestion.

This area has been a source of contention in the past, however the safety concerns of only having one way in and one way out need to be addressed, and this would be a TEMP solution.

DISCUSSION

Traffic Authority is currently monitoring the number of vehicles entering and exiting the crossing with a speed monitoring system.

NEXT STEPS

Open the Gate dividing Edward and Underwood.

FINANCIAL IMPLICATIONS

None

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

Pending the direction from Council there are several matters to be considered. Most notably is the "Street Closure Policy" developed by the former Town of Windsor in 2015 to prevent the use of the final portion of Underwood Drive by the public. This policy and discussion was revisited in 2019 by the Town of Windsor. Minutes have not been attached or reviewed to fully understand the resulting outcome.

In addition, there are draft traffic studies currently being finalized by the municipality and the developer for future phases that will influence staff's feedback.

The CAO's office supports the intent of the recommendation but suggest it be revised to direct staff to provide a report as to how the two residential areas can be connected including the removal of the gate system.

Report Prepared by: _____

Bob Morton, Councillor

Report Reviewed by:  _____

Mark Phillips , Chief Administrative Officer



Committee of the Whole Meeting Excerpts
July 13, 2021

Traffic Calming Measures – Request for Decision Report

The Region is increasingly receiving complaints regarding speeding on Municipally owned streets. Residents are advised to contact the RCMP directly with speeding complaints, as they base policing strategy on call statistics. The Municipality needs to start looking at traffic calming measures to augment RCMP presence and address this issue.

Should this recommendation pass Council, staff would be directed to report back in a timely manner with recommendations/solutions to reduce speeding. There are no financial implications at this time but there could potentially be budget implications based on future recommendations.

Committee of the Whole recommends that:

Council direct staff to identify and report back on potential traffic calming measures/solutions for problematic roads that experience speeding under the ownership of the Municipality.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Committee of the Whole Members of West Hants Regional Municipality

Submitted by: Abraham Zebian, Mayor

Date: July 13, 2021

Subject: Traffic Calming Measures

LEGISLATIVE AUTHORITY

Municipal Government Act – Section 311, Traffic Authority

NS Motor Vehicle Act - Sections 86-96

RECOMMENDATION or DECISION REQUEST

Council direct staff to identify and report back on potential traffic calming measures/solutions for problematic roads that experience speeding under the ownership of the Municipality.

BACKGROUND

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

The consolidation of the former municipal units of Windsor and West Hants has seen many positive efficiencies and Council has been proactive in bettering the services that are delivered to our residents.

DISCUSSION

One service that the new Region seems to be getting increased complaints about would be the Municipally owned streets and speeding on those streets in particular. We have repeatedly asked residents to contact the RCMP directly as the RCMP bases their

strategies for policing on call statistics. 1 year into our consolidation and the problem of speeding seems to be getting worse. I believe it's time we, as a Municipality, begin looking at traffic calming measures to augment RCMP presence.

NEXT STEPS

Should this recommendation pass COTW and then Council, staff are to bring a report back to Council in a timely manner with recommendations/solutions to the speeding issues.

FINANCIAL IMPLICATIONS

There are no financial implications at this time with the proposed recommendation. There could potentially be budget implications based on future recommendations presented to Council.

ALTERNATIVES

Council could choose to not support the recommendation.

Council may make another recommendation.

ATTACHMENTS

None.

CHIEF ADMINISTRATIVE OFFICER REVIEW

Improving the safety of our residents and visitors in our neighborhoods is always seen as a positive step. A mixture of enforcement, education and physical features can combine to reduce speeding and motor vehicle infractions. Before introducing new measures, we should also reflect on the performance and utilization of existing resources. These items can be reviewed should Council support the request.

Enforcement and Education

If the recommendation is supported, I expect the Policy Advisory Board will be engaged to provide direction to the RCMP as well as to discuss strategic expectations from the municipality regarding enforcement and education.

Traffic Calming Features

Pending Council's direction traffic calming measures such as digital speed notices, stationary flexible pylons and other measures can be explored.

Consultation with Public Works and the Traffic Authority will be required as well to ensure we are compliant with municipal and provincial road standards.

I support the recommendation.

Report Prepared by: Abraham Zebian, Mayor

Report Reviewed by:



Mark Phillips, CAO

Report Reviewed by:



Shelleena Thornton, Administrative Supervisor



Committee of the Whole Meeting Excerpts
July 13, 2021

Contract Negotiations (MGA S. 22 (2)(e))

Council moved in-camera for a brief discussion regarding an ongoing contract negotiation.

Committee of the Whole recommends that:

Council direct the CAO to proceed with Agenda Item 13. a), as discussed in-camera, pending review by legal counsel.



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

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

Submitted by: _____
Sara Poirier, Planner

Date: 2021-07-27

Subject: WLUB Amendment: Reduced Lot Specification Requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, Payzant Drive; File 21-09 C

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

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 text of the Windsor Land Use By-law to reduce the minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive in a manner substantively the same as the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee, report #21-09 B dated July 8, 2021, and to amend section 5.34 (a) of the Windsor Land Use By-law, *Setback for Flanking Yard*, to ensure that required flankage yards are the same as the required front yard in all zones, unless otherwise specified within the zone requirements.

BACKGROUND

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

An application was received from Mr. Mitch Brison, Director of Brison Developments Limited and 3229190 Nova Scotia Limited, to amend the Windsor Land Use By-law to reduce the minimum lot specification requirements on specific PIDs (45358314, 45366986, 45055167, 45276441, 45190493 and 45364775) on Payzant Drive to conform with The Crossing development agreement (2019).

Staff discussions at the Planning and Heritage Advisory Committee (PAC/HAC) on July 8 determined that there was a conflict between Section 5.34 (a) of the Windsor Land Use By-law and the proposed amendments which would need to be addressed to ensure the flankage yard requirements established in the proposed amendment would not be overridden by the general requirement.

The PAC/HAC motion which was passed on July 8 was:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the text of the Windsor Land Use By-law to reduce the minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive in a manner substantively the same as the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee, report #21-09 B dated July 8, 2021, and to remove section 5.34 (A) of the Windsor Land Use By-law flankage yard requirements.

Upon further review of the By-law following the meeting, it was determined that the intent of Section 5.34 (a) of the Windsor Land Use By-law is to ensure the flankage yard requirements are the same as the front yard requirements in all zones unless otherwise specified within the zone requirements. Staff recommend the following motion, which would carry out the intent of PAC/HAC's motion and the LUB:

...that Council give First Reading and hold a Public Hearing to consider amending the text of the Windsor Land Use By-law to reduce the minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive in a manner substantively the same as the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee, report #21-09 B dated July 8, 2021, and to amend section 5.34 (a) of the Windsor Land Use By-law, *Setback for Flanking Yard*, to ensure that required flankage yards are the same as the required front yard in all zones unless otherwise specified within the zone requirements.

DISCUSSION

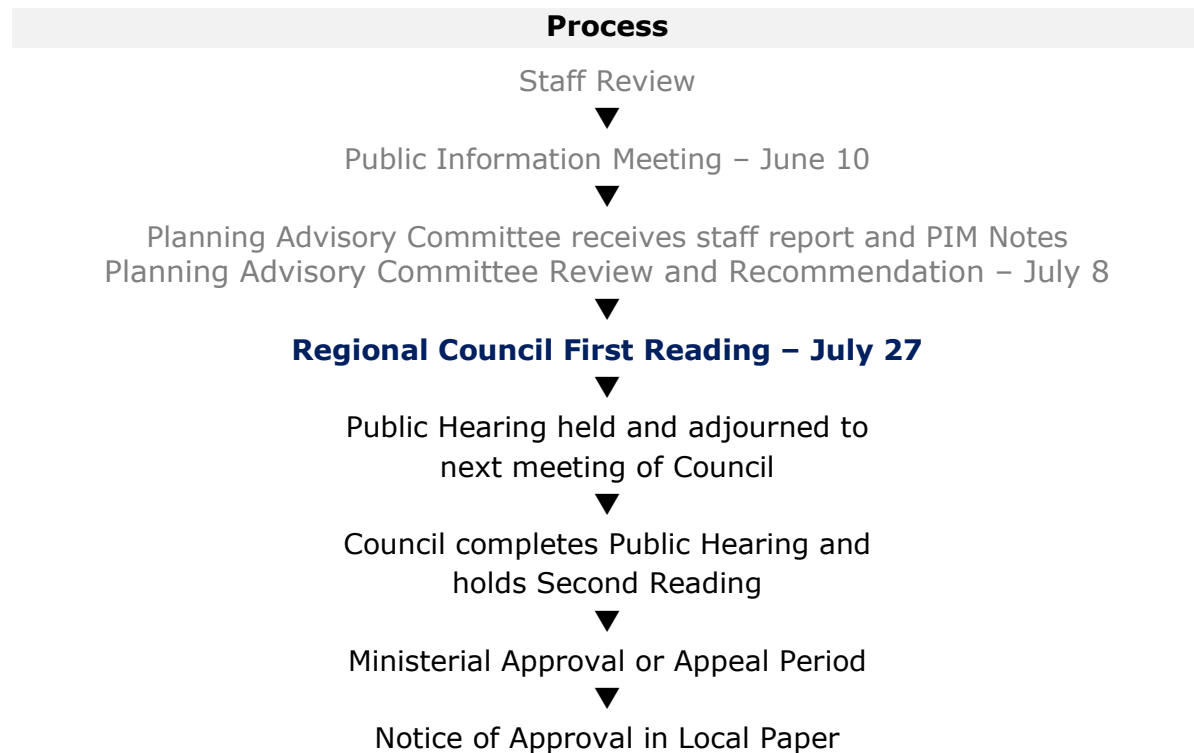
A Public Information Meeting was held on June 10, 2021 (Appendix A).

On July 8, 2021 staff presented a recommendation report to the PAC/HAC (Appendix B).

PAC/HAC recommended in favour of the development agreement on July 8, 2021.

NEXT STEPS

The process for this application is as follows:



FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

ALTERNATIVES

In response to the application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the WLUB amendments as drafted;
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

- Appendix A** 2021-06-10 Public Information Meeting Notes – File 21-09 A
- Appendix B** 2021-07-09 Staff Report – WLUB Amendment: Reduced Lot Specification Requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, Payzant Drive; File 21-09 B
- Appendix C** Additional Draft Amendments to the Windsor Land Use By-law: Flankage Yards

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation. The amendments proposed essentially reflect the current development conditions set out in the adjacent and jointly connected community known as "The Crossing". Adopting this recommendation will carryover a similar development style for R1 and R2 development as proposed for these lands.

Report Prepared by: _____
Sara Poirier, Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Appendix A

Public Information Meeting Notes

June 10, 2021 – June 25, 2021

File 21-09 A

Payzant Drive, Windsor; PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775

Meeting date and time	A virtual Public Information Meeting was held on June 10, 2021 beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: • Councillor Ivey (Chair) Four (4) members of staff: • Director LeMay • Planner Poirier • Meeting Secretary Lake • CAO Phillips As this meeting was held virtually there were no members of the public present.
Applicant name and site location (Civic address and PID)	Planner Poirier outlined the request from Mitch Brison, Director of Brison Developments Limited and 3229190 Nova Scotia Limited, to amend the text of the Windsor Land Use By-law to permit reduced minimum lot specifications in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zone in Windsor for specific PID's on Payzant Drive (PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775).
Comments	Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between June 10 and June 25, 2021. No written or verbal comments were received from the public.
Adjournment	The meeting was adjourned at 6:10 p.m.

Appendix B



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Members of Planning and Heritage Advisory Committee

Submitted by: _____
Sara Poirier, Planner

Date: 2021-07-08

Subject: WLUB Amendment: Reduced Lot Specification Requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, Payzant Drive; File 21-09 B

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

Staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the text of the Windsor Land Use By-law to reduce the minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive in a manner substantively the same as the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee, report #21-09 B dated July 8, 2021.

BACKGROUND

A completed application was received on May 6, 2021 from Mitch Brison to amend the Windsor Land Use By-law to reduce the minimum lot size and side yard requirements on specific PIDs (45358314, 45366986, 45055167, 45276441, 45190493 and 45364775) on Payzant Drive to conform with The Crossing development

agreement (2019). Mitch Brison is the Director of Brison Developments Limited and 3229190 Nova Scotia Limited.

DISCUSSION

The subject lots are located on Payzant Drive and all except 187 Payzant Drive (PID 45276441) are currently vacant. 187 Payzant Drive (PID 45276441) has a single unit dwelling on the lot.

The subject lots are designated Residential on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). Part 5.0 of the WMPS contains the overall intention for properties designated Residential in Windsor.

Figure 2 shows an excerpt of the Zoning map of the Windsor Land Use By-law. The subject lots have a variety of different residential zoning including Single Unit Residential (R-1), Two Unit Residential (R-2), Medium Density Residential (R-3), and High Density Residential (R-4).

The subject lots abut properties with a variety of different zoning and designations (Table 1).

Table 1: Lots Abutting Subject Lots by Direction

North	The subject lots abut residential development on Underwood Drive, Burgess Crescent and Fraser Drive which are designated Residential and zoned Single Unit Residential (R-1), Two Unit Residential (R-2) and High Density Residential (R-4). There is a park on Burgess Crescent which is designated Community Use and zoned Open Space. There are also vacant lots to the north of PID 45276441 on the west side of Payzant Drive which are designated Agriculture and zoned Agriculture (AG). The Hants Community Hospital is located on Payzant Drive to the north of the subject lots. The Hospital site is designated Community Use and zoned Institutional (I).
East	The Crossing development abuts the subject lots to the east. The Crossing development is permitted by development agreement however is designated Residential in the West Hants Municipal Planning Strategy and zoned Multiple Residential (R-3) and Two Unit Residential (R-2) in the West Hants Land Use By-law.
South	The Avon View High School which is designated Community Use and zoned Institutional (I) is to the south of the subject lots. There are also dwellings to the south of PID 45276441 on the west side of Payzant Drive which are designated Residential and zoned Two Unit Residential (R-2).

West	The Windsor Elementary School property on Tremain Crescent abuts the subject lots to the west. The property is designated Community Use and zoned Institutional (I).
------	--

The Crossing

The Crossing development in Garlands Crossing was permitted by development agreement originally approved by the former West Hants Council in 2008. Since then, the agreement has been amended three times at the request of the owner, in 2014, 2017 and 2019. The development agreement permits the development of a manufactured home park and grouped dwellings within a land lease community and a mixed residential area. The minimum lot specifications for single- and two-unit dwellings in the mixed residential area as specified in The Crossing development agreement (2019) are shown in Table 2.

Table 2: The Crossing Development Lot Specifications

Type of Unit	Minimum Frontage	Minimum Area	Minimum Side Yard	Minimum Front Yard	Minimum Rear Yard
Single Unit Dwelling	40 ft (12.19 m)	4,000 sq. ft (371.60m ²)	4 ft (1.22 m)	15 ft (4.57m)	25 ft (7.62 m)
Two Unit Dwelling	20 ft (6.1 m) / unit	2,000 sq. ft. (185.80 m ²)	4 ft (1.22 m)	15 ft (4.57 m)	25 ft (7.62m)

Mr. Brison, the applicant for this Windsor Land Use By-law request, is also the Director of the numbered company that owns the Crossing development. He is proposing to develop single- and two-unit dwellings on the majority of the subject lots which would be permitted as-of-right as per the current zoning. The applicant is also proposing that this residential development in the community of Windsor would connect to the Crossing via a new public street. Therefore, the applicant is requesting Council consider amending the Windsor Land Use By-law to permit the same minimum lot specifications for single- and two-unit dwellings as is permitted in the mixed residential area of the Crossing (Attachment A).

The Fire Chief had concerns regarding the proposed minimum side yard requirements with regard to potential fire spread. The Manager of Building and Fire Inspection Services stated that as per the National Building Code when the setback is 6.6 ft (2m) or less, the permitted openings in a building, such as windows and doors, are required to be cut in half for single- or two-unit dwellings (side by side). If the applicant does a residential unit over another residential unit within 4 ft (1.2 m) of the lot line then they are into the possibility of non-combustible construction and non-combustible cladding. The National Building Code requirements take precedence over any

minimum lot requirements in the Windsor Land Use By-law therefore staff conclude that the potential of fire spread will be minimized.

DOCUMENT REVIEW

The Province of Nova Scotia has six (6) Statements of Provincial Interests (SoPI) which form part of the *Municipal Government Act* and provide municipalities guidance on certain aspects of development in the Province: drinking water, flood risk areas, agricultural land, infrastructure, housing and the development of the Nova Centre. The SoPI related to housing specifies that the goal is to “provide housing opportunities to meet the needs of all Nova Scotians” by incorporating housing policies into the municipal planning documents which address affordable housing, special-needs housing, rental accommodation, and providing for manufactured housing. The second provision of the SoPI states that “depending upon the community and the housing supply and need, the measures that should be considered in planning documents include: enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types.” This application would be consistent with the Statement of Provincial Interest regarding housing.

Windsor Municipal Planning Strategy

Part 3.0 of the Windsor Municipal Planning Strategy outlines the concepts, principles, and initiatives for development within the community of Windsor. One of the development principles in Section 3.1.1 is to “*encourage compact residential and commercial growth similar to existing development in the older sections of Town which makes best use of municipal infrastructure including roads, sidewalks and water and sewer services.*” Reduced minimum lot specifications have many benefits including compact development patterns which reduce reliance on vehicles and create more walkable neighbourhoods. Reduced minimum lot specifications also make more efficient use of municipal services including sewer and water which aligns with the WMPS development principles.

Environmental Constraints Areas

One of the subject lots (PID 45358314) on the west side of Payzant Drive is located within the Environmental Constraints area designation and is identified as dykeland (Figure 3). The Environmental Constraints designation means that the subject lot has been identified as marshland, specifically within the Tregothic Marsh. Properties within the Environmental Constraints designation have to meet more stringent requirements, including completing an environmental study, before being issued a development permit for any new building.

The Agricultural Marshland Conservation Act (2001) protects marshland for agricultural purposes. Section 41 of the *Act* states that the provincial Marshland Administrator can authorize a variance to permit other types of development on the marshland. The owner applied to the Tregothic Marshbody and the Provincial

Marshland Administrator for authorization to construct a stormwater management pond and residential development on the subject lot. On May 7, the Provincial Administrator for the Nova Scotia Agriculture Mashland Act approved the application to construct a stormwater management pond and residential uses on the subject lot as per a site plan that was attached to the application. Any construction on site will have to meet the requirements of the underlying zone, Section 27.0 of the WLUB, and any other requirements of the Regional Municipality.

WMPS Specific Criteria

There are no specific criteria for this text amendment.

WMPS General Criteria

The proposed text amendment meet the general criteria for amendments and development agreements set out in WMPS Policy 16.3.1. These criteria are examined in detail in Attachment B. In summary:

- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated;
- the Development Officer, Manager of Building and Fire Inspection Services, Director of Public Works, and Manager of Public Works Operations have no concerns.

Windsor Land Use By-law

Text Amendment

To permit the requested reduced minimum lot specifications in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones, an amendment to the text of the Windsor Land Use By-law (WLUB) would be required. The proposed text amendments are located in Attachment A.

Map Amendment

As the subject lots currently have residential zoning, an amendment to the Zoning Map of the WLUB is not required as part of this application.

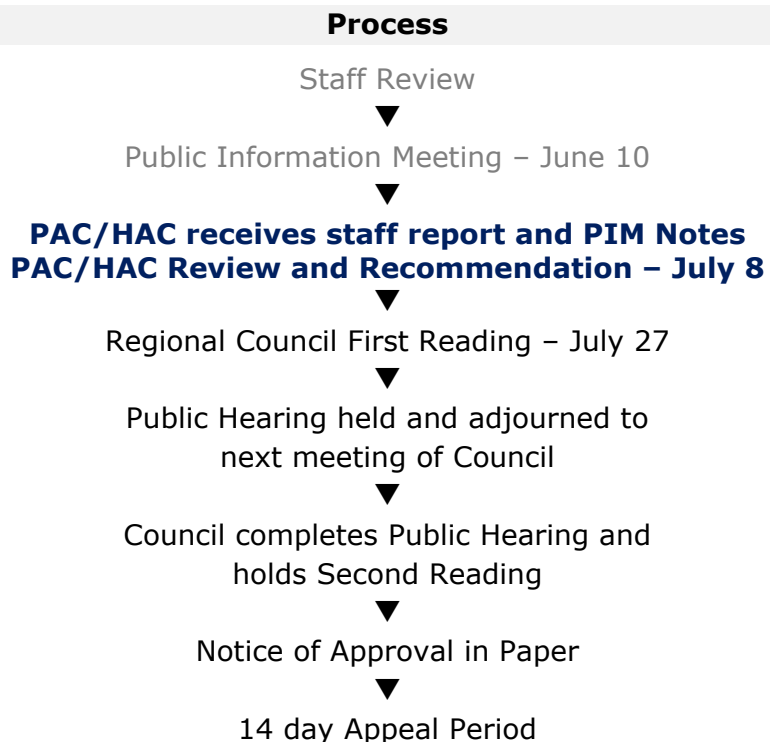
MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) highlights two simulated flooding scenarios. The first scenario is based on a storm surge that occurred in 1997, which shows the expected damage is to occur along the coastline. The second scenario shows the simulated flooding extent for probable maximum flood due to climate change. Under this scenario most of the community of Windsor including one of the subject lots (PID 45358314) within the Tregothic Marsh Body will experience extensive flooding. As noted above properties within the area identified as dykeland and within the Environmental Constraints designation have to complete an

environmental study before being issued a development permit for any new building to ensure any potential flooding will not affect the proposed uses.

NEXT STEPS

As noted above, the proposed amendment has been considered within the context of the general policies of the WMPS and is consistent with the intent, objectives and policies and criteria of the WMPS. As a result, it is reasonable to amend the text of the Windsor Land Use By-law to permit reduced minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 on Payzant Drive.



FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

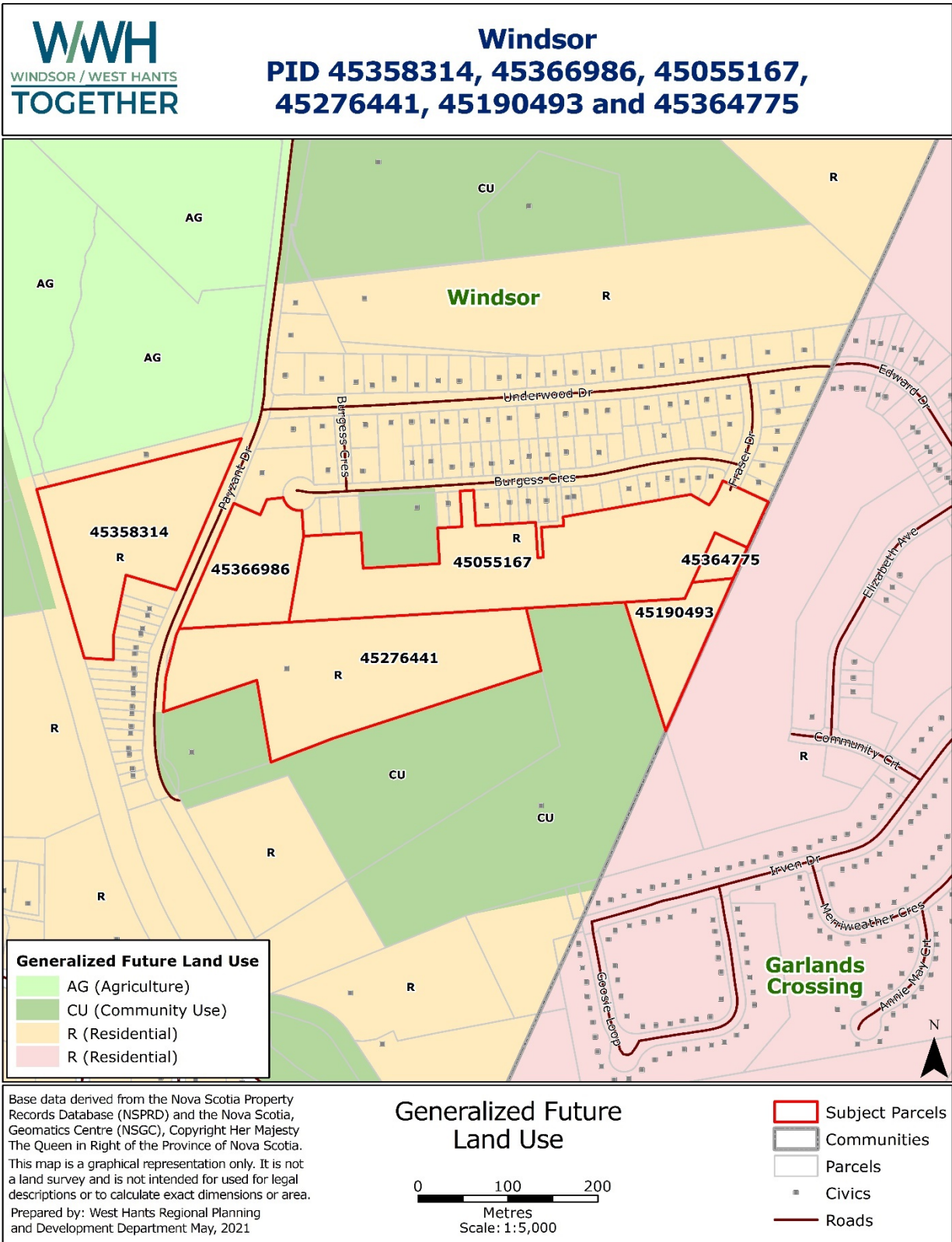
- hold First Reading and authorize a Public Hearing to approve the WLUB amendment as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	Windsor GFLUM Extract
Figure 2	Windsor Zoning Map Extract
Figure 3	Environmental Constraints and Dykeland Excerpt
Attachment A	Draft Amendments to the Windsor Land Use By-law
Attachment B	General Criteria for Amendment

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Figure 1
Windsor GFLUM Extract



**Figure 2
Windsor Zoning Map Extract**

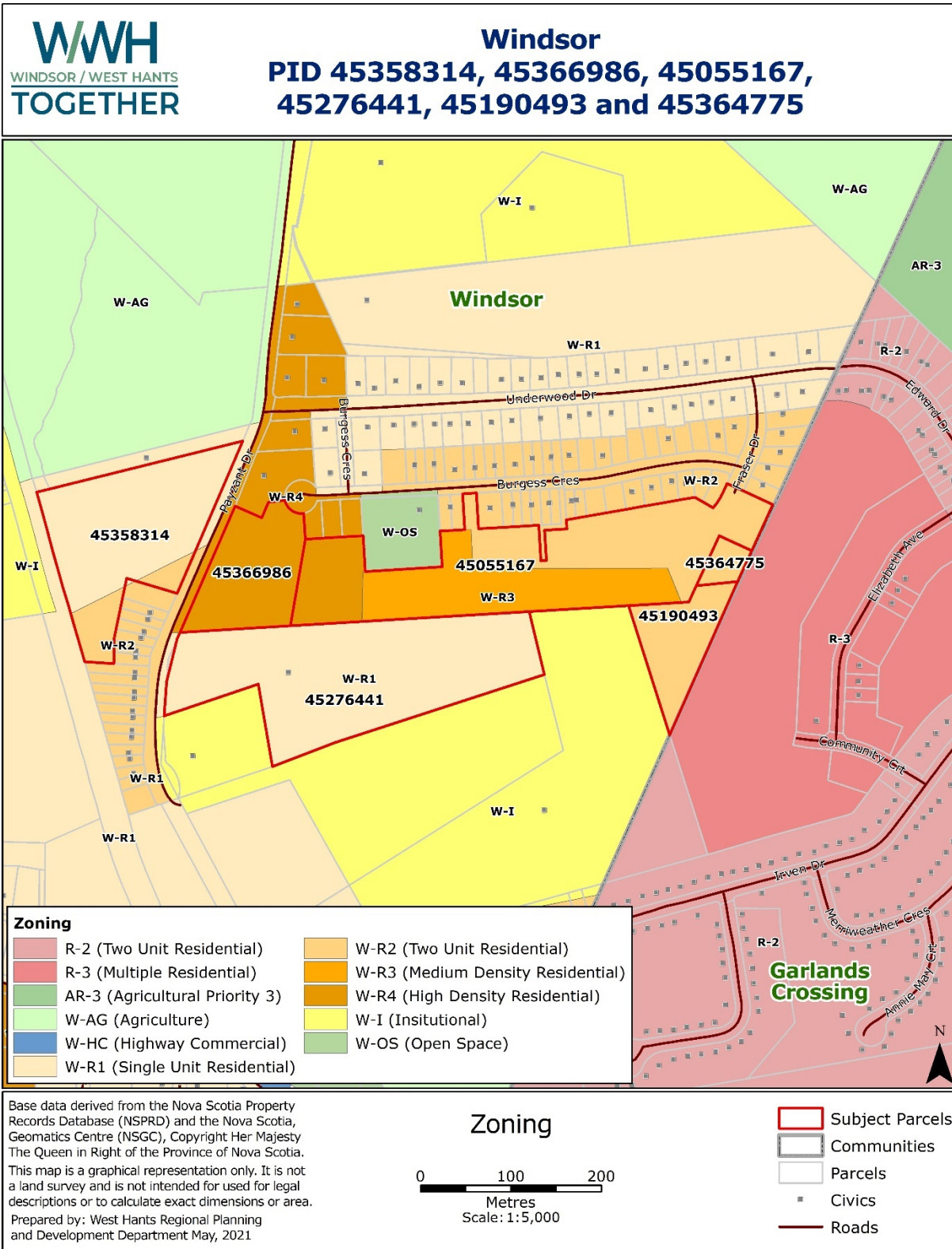
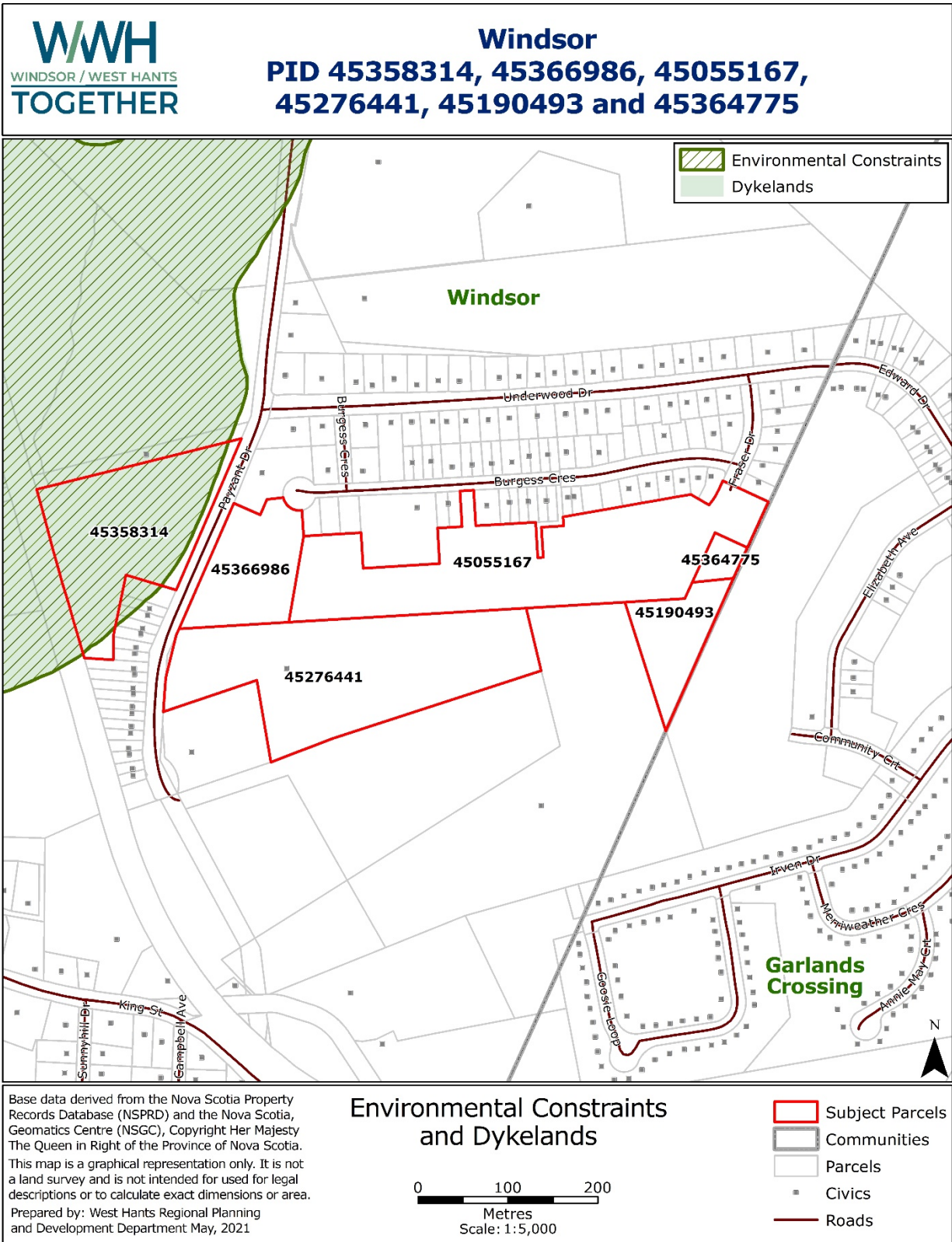


Figure 3
Environmental Constraints and Dykeland Excerpt



Attachment A
Draft Amendments to the Windsor Land Use By-law

Text amendments to the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones of the Windsor Land Use By-law to reduce the minimum lot specification requirements for specific PIDs (45358314, 45366986, 45055167, 45276441, 45190493 and 45364775) owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive. Note: Amendments in [blue](#).

- 1. Amend Part 8.2, *R-1 Zone General Requirements*, in Part 8.0 of the Windsor Land Use By-law, *Single Unit Residential (R-1)*, to include an exception of reduced minimum lot specifications for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, so that it reads as follows:**

8.0 SINGLE UNIT RESIDENTIAL (R-1)

Permitted Uses

8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:

- Single unit dwellings
- Accessory apartments

R-1 Zone General Requirements

(Amendment WLUB 10-01 Effective July 16, 2010)

8.2 (a) In the R-1 zone, no development permit shall be issued except in conformity with the following:

		with town services	with on-site services
Minimum lot area		6,000 ft ² (557.40 m ²) 7,000 ft ² (650.30 m ²) for corner lots	30,000 ft ² (2,787.00 m ²)*
Minimum lot frontage		60 ft (18.29 m)	120 ft (36.58 m)
Minimum front yard		25 ft (7.62 m)	
Minimum rear yard		25 ft (7.62 m)	
Minimum side yard	one side	4 ft (1.22 m) for the first storey plus 2 ft (0.61 m) for each additional storey	
	other side	10 ft (3.05 m)	
Maximum height of main building		35 ft (10.67 m)	
Maximum height of accessory building		15 ft (4.57 m)	

* subject to Nova Scotia Department of Environment & Labour requirements

(b) **Exception for PID 45336773** - Notwithstanding section 8.2(a), the minimum side yard requirement for an approximately 13.6 acre parcel of land owned by Brison Developments Limited, Payzant Drive (PID 45336773) shall be:

- one side: 4 ft (1.22 m) for the first storey plus 2 ft (0.61 m) for each additional storey;
- and
- other side: 8 ft (2.44 m).

(c) **Exception for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 –** Notwithstanding Section 8.2 (a), the lot specifications for the lots owned by Brison Developments (PID 45358314) and 3229190 Nova Scotia Limited (PID 45366986, 45055167, 45276441, 45190493 and 45364775) shall be:

Minimum lot area	4,000 ft ² (371.60 m ²) 5,000 ft ² (464.5 m ²) for corner lots
Minimum lot frontage	40 ft (12.19 m)
Minimum front yard	15 ft (4.57 m)
Minimum flankage yard	15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

Accessory Apartments - Special Requirements

8.3 In addition to all other regulations of this By-law, the following provisions shall apply to accessory apartments in the R-1 zone:

- (a) not more than one accessory apartment shall be permitted per lot;
- (b) the accessory apartment shall be contained within or attached to the main dwelling;
- (c) no alterations shall change the roof line or increase the height of the existing dwelling except for the addition of dormers or structures necessary for public safety;
- (d) no new entrances shall be created on the front façade of the existing main dwelling;
- (e) additions shall be limited to the rear yard of the main dwelling;
- (f) the accessory apartment shall not exceed 25 percent of the total floor area of the structure;
- (g) lot coverage of the entire structure shall be limited to 50 percent; and
- (h) parking shall be provided as required in Section 5.25 in the side or rear yard of the lot.

2. Amend Part 9.2, *R-2 Zone General Requirements*, in Part 9.0 of the Windsor Land Use By-law, *Two Unit Residential (R-2)*, to include an exception of reduced minimum lot specifications for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, so that it reads as follows:

9.0 TWO UNIT RESIDENTIAL (R-2)

Permitted Uses

9.1 The following uses shall be permitted in the Two Unit Residential (R-2) zone:

- Uses permitted in the R-1 zone subject to the R-1 zone requirements
- Converted dwellings to a maximum of two dwelling units
- Two unit dwellings

R-2 Zone General Requirements

(Amendment WLUB 10-01 Effective July 16, 2010)

9.2 (a) In the R-2 zone, no development permit shall be issued except in conformity with the following:

Minimum lot area	3,500 ft ² /unit (325.15 m ² /unit)
Minimum lot frontage	35 ft/unit (10.67 m/unit)
Minimum front yard	25 ft (7.62 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	10 ft (3.05 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

(b) **Exception for PID 45336773** - Notwithstanding section 9.2(a), the minimum side yard requirement for an approximately 13.6 acre parcel of land owned by Brison Developments Limited, Payzant Drive (PID 45336773) shall be 8 ft (2.44 m).

(c) **Exception for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775** – Notwithstanding Section 9.2 (a), the lot specifications for the lots owned by Brison Developments (PID 45358314) and 3229190 Nova Scotia Limited (PID 45366986, 45055167, 45276441, 45190493 and 45364775) shall be:

Minimum lot area	2,000 ft ² (185.80 m ²) / unit 3,000 ft ² (278.7 m ²) / unit for corner lots
Minimum lot frontage	20 ft (6.1 m) / unit
Minimum front yard	15 ft (4.57 m)
Minimum flankage yard	15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

Converted Dwellings - Special Requirements

9.3 In addition to all other regulations, the following provisions shall apply to converted dwellings in the R-2 zone:

- all conversions shall be limited to one additional dwelling unit;
- no alterations shall change the roof line or increase the height of the existing dwelling except for the addition of dormers or structures necessary for public safety;
- no alteration shall be undertaken which will extend into the front or side yard of the lot;
- lot coverage of the entire structure shall be limited to 50 percent; and
- parking shall be provided as required in Section 5.25 in the side or rear yard of the lot.

Services Required

9.4 A development permit shall not be issued for a new residential dwelling of two or more units in the R-2 zone where the proposed development is not serviced with Town water and sewer.

Subdivision of Semi-detached Units

9.5 Semi-detached dwelling units located on an approved water and sewer serviced lot may be subdivided into lots provided each dwelling unit has separate service connections and provided all applicable provisions of the Town of Windsor Subdivision By-law and this By-law are met. No side yard shall be required along the common lot boundary dividing a semi-detached dwelling.

Attachment B
General Criteria for Amendment

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 commented that there are no issues in regard to the adequacy of sewer and water services. They also commented that there are no public works related concerns related to reduced minimum lot requirements.
<i>(ii) the adequacy of school facilities;</i>	The subject lots are already zoned for residential uses therefore the school board was not contacted to comment on the proposed WLUB text amendment.
<i>(iii) the adequacy of fire protection;</i>	The local Fire Chief commented that they had some concern with the reduced side yard widths with regard to potential fire spread. However, the Manager of Building and Fire Inspection Services stated that they have no concerns with this application with regard to fire safety. The National Building Code would take precedence over any minimum lot sizes proposed in the Land Use By-law. The Manager of Building and Inspection Services added that the National Building Code requires that "when the setback is 2m (78 ¾") or less, the permitted openings are required to be cut in half for single or two unit dwellings (side by side). If they do a residential unit over another residential unit, then they are into possibility of non-combustible construction & non-combustible cladding being within 4'." The applicant is aware of the Manager of Building and Inspection Services comments and will have to ensure the construction meets the National

	Building Code requirements prior to receiving building and occupancy permits.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Manager of Public Works Operations and Traffic Authority for the Municipality commented that there would be no significant impact to the adequacy of road networks adjacent to or leading to the development by permitting reduced minimum lot specification requirements on these specific lots.
<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 related to this WLUB amendment.
<i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	The Manager of Public Works Operations and Traffic Authority commented that there are no concerns with respect to the movement of auto and pedestrian traffic with this WLUB amendment. There is an existing sidewalk on the east side of Payzant Drive. There is no rail transportation in the area.
<i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer stated that they have no concerns with regard to the adequacy of the dimensions and shape of the lots for the proposed amendment. They added that this is consistent with what has already been established across the Windsor/West Hants border at the Crossing and will provide for greater density. There have been no development issues as they understand it on the Crossing side, and they don't anticipate any on the Windsor side.
<i>(d) the pattern of development which the proposal might create;</i>	The surrounding area has a variety of residential zoning. The Hants Community Hospital, Avon View High School and a few commercial uses are also located on Payzant Drive. This proposal is not anticipated to change the pattern of development in the area.

	The Development Officer commented that “smaller lot sizes and reduced setbacks will provide for greater density. This would increase housing availability as well as provide increased revenues for the municipality.”
<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>	PID 45358314 on the west side of Payzant Drive is relatively flat and has a watercourse near the rear lot line. As noted in the report, this subject lot (PID 45358314) is located within the Environmental Constraints area designation and is identified as dykeland. Any new construction on this subject lot will have to meet the requirements of Section 27.0 of the WLUB and any other requirements of the Regional Municipality. The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) shows that most of the community of Windsor including one of the subject lots (PID 45358314) would experience flooding under a simulated flooding extent for probable maximum flood due to climate change. PID 45276441 on the east side of Payzant Drive are relatively flat. The other subject lots on the east side of Payzant Drive (PID 45366986, 45055167, 45364775 and 45190493) slope upward towards Fraser Drive. There are no evident concerns in terms of steepness of grade, soil or geological conditions. 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>	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.

Appendix C
Additional Draft Amendments to the Windsor Land Use By-law:
Flankage Yards

Text amendments to the general provisions for all zones of the Windsor Land Use By-law to ensure that required flankage yards are the same as the required front yard in all zones unless otherwise specified within the zone requirements. Note: Amendments in blue.

- 1. Amend Section 5.34 (a), *Setback for Flanking Yard*, in Part 5.0 of the Windsor Land Use By-law, *General Provisions for all zones*, so that it reads as follows:**

Setback for Flanking Yard

- 5.34 (a) ~~Notwithstanding anything else in this By-law, on a corner lot in any residential zone, the minimum yard requirement for the flanking yard shall be 25 ft (7.62 m).~~ The required flankage yard shall be the same as the required front yard in all zones, unless otherwise specified within the zone requirements.
- (b) No accessory building or structure shall be permitted within the required flanking yard.

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 / logged</u>
Danny	Dill	2020-06-30	2020-07-14 COTW
Quentin	Davison	2020-07-06	2020-07-14 COTW
Alyson	Bremner	2020-07-07	2020-07-14 COTW
Cecil	Rolfe	2020-07-13	2020-07-14 COTW
Pat	Porter	2020-07-13	2020-07-14 COTW
Nikki-Marie	Lloyd	2020-08-02	2020-09-08 COTW
Heather	Boylan (Martock)	2020-09-01	2020-09-08 COTW
Greg	O'Leary	2020-09-03	2020-09-08 COTW
Dr. Abby	Kirumira	2020-09-02	2020-09-08 COTW
Dean	Manning	2020-09-08	2020-09-08 COTW
David & Michelle	Rideout	2020-09-08	2020-09-08 COTW
Colleen	Walsh-Bouman	2020-09-08	2020-09-08 COTW
Nicholas & Alyson	Juurlink/Bremner (Linked Farms)	2020-09-08	2020-09-22 Council
Tasha	Rogers	2020-09-08	2020-09-22 Council
Brad	Carrigan	2020-09-23	2020-10-13 COTW
Karen	Carrigan	2020-09-23	2020-10-13 COTW
Elaine	Morehouse	2020-09-24	2020-10-13 COTW
Gary	Morehouse	2020-09-24	2020-10-13 COTW
Dr. A	Kirumira	2020-09-24	2020-10-13 COTW
Blake	Sarsfield	undated	2020-10-13 COTW
Greg	Webster	2020-10-01	2020-10-13 COTW
Bobby	Kidston	2020-10-02	2020-10-13 COTW
NSTIR	(Province of NS)	2021-01-13	2021-01-26 Council
Darren	Porter	2021-03-19	2021-03-23 Council
Rylan	Carrigan	2021-03-29	2021-04-13 COTW
Robin	Bremner-Popma (Hants Co Fed of Agri)	2021-03-29	2021-04-13 COTW
Roslyn	MacDuff	2021-03-29	2021-04-13 COTW
Darlene	Taylor	2021-03-23	2021-04-13 COTW
Daniel	Oulton	2021-03-26	2021-04-13 COTW
Karen	Carrigan	2021-03-26	2021-04-13 COTW
Marie & Andrew	Connolly	2021-03-26	2021-04-13 COTW
Robin	Thomson (Atlantic Division Canoe Kayak Canada)	2021-03-30	2021-04-13 COTW
Barbara	Hughes	2021-03-29	2021-04-13 COTW
Laura	Fisher	2021-04-01	2021-04-13 COTW

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 / logged</u>
Nikki-Marie	Lloyd	2021-04-06	2021-04-13 COTW
Ken	Donnelly (Hwy 101 Twinning CLC)	2021-04-01	2021-04-13 COTW
Darren	Porter	2021-04-06	2021-04-13 COTW
Karen	Lynch	2021-04-09	2021-04-13 COTW
Carilee	Eddy	2021-04-15	2021-04-27 Council
Nikki-Marie	Lloyd	2021-04-19	2021-04-27 Council
Sheldon	Hope	2021-04-19	2021-04-27 Council
Adrienne	Wood	2021-04-22	2021-04-27 Council
Magda	Montgomery	2021-04-22	2021-04-27 Council
Sheldon	Hope	2021-04-26	2021-04-27 Council
Andrew	Smiley	2021-05-02	2021-05-11 COTW
Carrilee	Eddy	2021-05-03	2021-05-11 COTW
Denise	Forand	2021-04-27	2021-05-11 COTW
Erin	Naugler	2021-05-02	2021-05-11 COTW
Janet	Comeau	2021-05-02	2021-05-11 COTW
Kristyn	Anderson	2021-05-02	2021-05-11 COTW
Laura	Fisher	2021-04-01	2021-05-11 COTW
Nick	Rafuse	2021-05-03	2021-05-11 COTW
Nicole	McLeod	2021-05-02	2021-05-11 COTW
Robyn	Cook	2021-05-02	2021-05-11 COTW
Sheldon	Hope	2021-05-02	2021-05-11 COTW
Tammy	Hilden	2021-05-02	2021-05-11 COTW
Tracey	Sexton	2021-05-03	2021-05-11 COTW
Ginette	Pitcher	2021-05-03	2021-05-11 COTW
Greg	Miller	2021-05-05	2021-05-11 COTW
David & Michelle	Rideout	2021-05-05	2021-05-11 COTW
Sylvia & Vince	Burgess	2021-05-05	2021-05-11 COTW
Scott (Adrienne)	Miniau (Wood)	2021-05-03	2021-05-11 COTW
Barbara	Sullivan	2021-05-06	2021-05-11 COTW
Sandra & Skip	Hogan	2021-05-06	2021-05-11 COTW
Marie & Andrew	Connolly	2021-05-06	2021-05-11 COTW
Karen	Carrigan	2021-05-07	2021-05-11 COTW
Adrienne	Wood (Petition)	2021-05-07	2021-05-11 COTW
Lisa	Hines	2021-05-07	2021-05-11 COTW

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 / logged</u>
Cam	Hartley	2021-05-07	2021-05-11 COTW
Troy & Vicki	Harvie	2021-05-07	2021-05-11 COTW
Jenn	McDermott	2021-05-08	2021-05-11 COTW
Jennifer	Daniels	2021-05-09	2021-05-11 COTW
Krista & Colin	Duncan	2021-05-09	2021-05-11 COTW
Robin	Bremner-Popma	2021-05-07	2021-05-11 COTW
Roslyn (Darlene) [Barb]	MacDuff (Taylor) [Hughes]	2021-05-08	2021-05-11 COTW
Wayne & Dianne	Hines	2021-05-09	2021-05-11 COTW
Bob & Sandra	Langdon	2021-05-10	2021-05-11 COTW
Brad	Hood	2021-05-10	2021-05-11 COTW
Ed & Cathy	Kerr	2021-05-10	2021-05-11 COTW
Ann	MacArthur	2021-05-10	2021-05-11 COTW
Carole Anne	Casey	2021-05-10	2021-05-11 COTW
Sarah	MacDonald	2021-05-10	2021-05-11 COTW
Andre & Donna	Arsenault	2021-05-11	2021-05-11 COTW
Aaron	Leblanc	2021-05-12	2021-05-25 Council
Adrian	Rooney	2021-05-19	2021-05-25 Council
Adrienne	Wood	2021-05-12	2021-05-25 Council
Barb	Sullivan	2021-05-16	2021-05-25 Council
Barbara	Beck	2021-05-15	2021-05-25 Council
Bethany	Rozee	2021-05-12	2021-05-25 Council
Carl	Siler	2021-05-12	2021-05-25 Council
Carol	Bradley	2021-05-16	2021-05-25 Council
Carol	McKinley	2021-05-12	2021-05-25 Council
Chad	Pothier	2021-05-18	2021-05-25 Council
Chris	Cann	2021-05-21	2021-05-25 Council
Connie	Shay	2021-05-15	2021-05-25 Council
Conrad	Mullins	2021-05-18	2021-05-25 Council
Darlene	Taylor	2021-05-15	2021-05-25 Council
Darren	Porter	2021-05-12	2021-05-25 Council
Darren	Woods	2021-05-13	2021-05-25 Council
Dawson	Sheehy	2021-05-16	2021-05-25 Council
Deanna	Hamilton	2021-05-15	2021-05-25 Council
Debbie	Porter-Wood	2021-05-13	2021-05-25 Council
Debbie	Siler	2021-05-15	2021-05-25 Council
Denise	Forand	2021-05-13	2021-05-25 Council

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 / logged</u>
Devan	Archibald	2021-05-18	2021-05-25 Council
Diane	Ogilvie	2021-05-13	2021-05-25 Council
Erin	Naugler	2021-05-13	2021-05-25 Council
Ernest	Eddy	2021-05-15	2021-05-25 Council
Gerry	Young	2021-05-15	2021-05-25 Council
Gina	Cochrane	2021-05-12	2021-05-25 Council
Harry	Ullock	2021-05-15	2021-05-25 Council
Hope	Moon	2021-05-12	2021-05-25 Council
Ian	Shaw	2021-05-16	2021-05-25 Council
J	Davis (and J Griffith)	2021-05-17	2021-05-25 Council
Jacqueline	Farvacque	2021-05-12	2021-05-25 Council
Jayne	Murray	2021-05-16	2021-05-25 Council
Jeff	Redden	2021-05-17	2021-05-25 Council
Jennifer	Shaw	2021-05-16	2021-05-25 Council
Jocelyne	Marchand	2021-05-12	2021-05-25 Council
John & Sarah	Monette	2021-05-19	2021-05-25 Council
Jordan	Macumber	2021-05-12	2021-05-25 Council
Josette	Dugue	2021-05-12	2021-05-25 Council
Judy	Lynch	2021-05-13	2021-05-25 Council
June	Pedersen-LaPierre	2021-05-15	2021-05-25 Council
Justin	Cochrane	2021-05-12	2021-05-25 Council
Karen	Lynch	2021-05-18	2021-05-25 Council
Kathryn	Bergeron	2021-05-16	2021-05-25 Council
Kathy	Veinot	2021-05-15	2021-05-25 Council
Kyle	Pellegrini	2021-05-12	2021-05-25 Council
Lachlan	Riehl	2021-05-12	2021-05-25 Council
Laura	Stewart	2021-05-19	2021-05-25 Council
Lee	Billington	2021-05-12	2021-05-25 Council
Lee	Millett	2021-05-12	2021-05-25 Council
Lexie	Barkhouse	2021-05-12	2021-05-25 Council
Linda	Card	2021-05-11	2021-05-25 Council
Monique	Wood	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-18	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-12	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-17	2021-05-25 Council

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 / logged</u>
Olena	Kharytonova	2021-05-15	2021-05-25 Council
Pat	Porter	2021-05-12	2021-05-25 Council
Paula	Lake	2021-05-12	2021-05-25 Council
Robert	Bowkett	2021-05-18	2021-05-25 Council
Roslyn	MacDuff	2021-05-15	2021-05-25 Council
Ruth	Angevine	2021-05-13	2021-05-25 Council
Scotch Village	Farm	2021-05-19	2021-05-25 Council
Shirley	Pineo	2021-05-12	2021-05-25 Council
Stephen	Brooks	2021-05-12	2021-05-25 Council
Trudy	Sheehy	2021-05-17	2021-05-25 Council
Steven	Bouman	2021-05-17	2021-05-25 Council
Sue	Sheehy	2021-05-14	2021-05-25 Council
Susie	Smith	2021-05-12	2021-05-25 Council
Tasha	Rogers	2021-05-12	2021-05-25 Council
Tera	Brommit	2021-05-17	2021-05-25 Council
Toni-Lee	Burns	2021-05-12	2021-05-25 Council
Tony	Wood	2021-05-18	2021-05-25 Council
Tracey	Sexton	2021-05-16	2021-05-25 Council
Trevor	Levy	2021-05-12	2021-05-25 Council
Tricia	Brommit	2021-05-17	2021-05-25 Council
Vince & Sylvia	Burgess	2021-05-16	2021-05-25 Council
Loretta	MacEachern	2021-05-20	2021-05-25 Council
Tim & Jennifer	Bayers	2021-05-21	2021-05-25 Council
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darren	Porter (forwarded email from/to another source)	2021-05-27	2021-06-08 COTW
Dawn	Allen	2021-05-25	2021-06-08 COTW
John	Monette	2021-05-25	2021-06-08 COTW
Richard	Dunham	2021-05-25	2021-06-08 COTW
Carrilee	Eddy	2021-06-06	2021-06-22 Council
Darlene	Taylor	2021-06-09	2021-06-22 Council
Darren	Porter	2021-06-06	2021-06-22 Council
Lisa	Bland	2021-06-08	2021-06-22 Council
Krista & Scott	Lloy	2021-06-07	2021-06-22 Council
Nancy	Sheehy	2021-06-06	2021-06-22 Council
Karen	Beazley	2021-07-06	2021-07-13 COTW

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

[illegible]



OFFICE OF THE PREMIER
PO Box 726
Halifax, Nova Scotia B3J 2T3

July 16, 2021

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
80 Wellington Street
Ottawa, ON K1A 0A3
Via email: justin.trudeau@parl.gc.ca

Dear Prime Minister Trudeau:

I am writing to inform you of Nova Scotia's concerns regarding the significant and detrimental impacts of the Ministerial Order issued by Minister Bernadette Jordan, Minister of Fisheries and Oceans Canada, for the operation of the Avon River Aboiteau, near the Town of Windsor, Nova Scotia.

By way of background, the Windsor causeway was built across the Avon River decades ago in accordance with a legal agreement between the two levels of government. The causeway construction included an aboiteau which has for over 50 years served to protect freshwater resources, thereby, supporting the community and protecting farmlands in the Avon River Valley. For many years, Nova Scotia's Department of Agriculture, which is responsible for the operation of the aboiteau, has managed the water flow to allow for fish passage while maintaining the vital freshwater resources that are so critical to the surrounding communities.

The current federal Ministerial Order places strict parameters on the manner by which Nova Scotia's Department of Agriculture staff must operate the aboiteau which has resulted in a significant lowering of the water levels. The negative impacts caused by this federal Order include:

- Loss of water for irrigation and feeding livestock;
- Likely decline in property values;
- Contamination of residential wells;
- Loss of freshwater source for snowmaking at the community's largest employer;
- Likely threat to public safety caused by the loss of freshwater resources in the event of fire;
- Disruption to other community recreational organizations;
- Loss of shellfish habitat;
- Erosion issues; and
- Air quality issues related to dust.

The Right Honourable Justin Trudeau, P.C., M.P.

Page 2

It must also be noted that the Order requires staff in Nova Scotia's Department of Agriculture to operate the aboiteau in a manner for which it was not designed, putting this end-of life structure at a heightened risk of failing. Under certain conditions, such failure could result in flooding to the Town of Windsor and its surrounding communities, causing significant property damage and health and safety concerns. Liability issues have been raised by stakeholders concerning current and potential impacts, including financial losses.

The operation of the aboiteau is managed by a team of licensed engineers, who have provided a professional opinion of the risks to regional Fisheries and Oceans Canada staff. These safety issues are relevant and important considerations which should be accounted for in any Orders on the operation of the aboiteau structure. We are concerned that DFO has not adequately considered this information from the Nova Scotia Department of Agriculture or the history of the successful past operation of the aboiteau. This has resulted in a Ministerial Order which does not meet the needs of the local communities and creates unnecessary risk of harm.

In light of this, I ask that you intervene and request that Minister Jordan and her DFO staff work more closely with Nova Scotia Department of Agriculture in order that our respective legislative and operational requirements are appropriately taken into account. I believe that a compromise is available that allows for an amended order which would protect fish passage and freshwater resources, both of which are critically important.

I look forward to hearing from you on this important and time sensitive issue.

Sincerely,



The Honourable Iain Rankin, M.L.A.
Premier of Nova Scotia

c: Hon. Bernadette Jordan, Minister, Fisheries, Oceans and the Canadian Coast Guard
Kody Blois, MP Kings-Hants
Mayor Abraham Zebian, West Hants Regional Municipality

24 Highland Avenue, Windsor, NS, B0N 2T0
26 Avon Street, Hantsport, NS, B0P 1P0
1041 Wellington St, Unit 403, Halifax, NS, B3H 4P5
Correspondence: karen.beazley@dal.ca

July 15, 2021

Crown-Indigenous Relations, aadnc.minister.aandc@canada.ca

Honourable Carolyn Bennett, Minister;

Re: Twinning of Highway 101 across Avon River, Nova Scotia

Please accept our letter respecting Aboriginal and Treaty Rights associated with twinning Trans-Canada Highway 101 across the Avon River, a major tidal river in the Bay of Fundy, Nova Scotia.

As the Minister responsible for Crown-Indigenous Relations, we respectfully support your efforts to respect and advance Aboriginal Rights in decision making surrounding this project.

As you may know, a causeway was built across the Avon River in 1970. We are not privy to the extent of consideration of Aboriginal rights at that time, but we suspect it was minimal to none. It is evident that there was insufficient consideration of effective fish passage. Current plans associated with twinning Trans-Canada Highway 101 entail constructing a second, much wider (4-6 lanes) causeway alongside the first. To allow fish that spend portions of their life cycle in saltwater to migrate through the barrier to spawn upstream in freshwater and then return to the ocean, effective fish passage needs to be provided as part of the project. Further, Indigenous peoples need to be meaningfully engaged and their rights respected.

We are concerned that the Indigenous community has not been adequately consulted and that the plans do not honour or recognize their rights nor consider their perspectives. The project is situated within the traditional and unceded territory of the Mi'kmaq, specifically in an area they called Pesaquid (or Pisiguit, Pisiqit, Pigiguit, Pisiqit), meaning "junction of waters." The rich estuary, outer bay, upstream rivers and woodlands comprised crucial seasonal and annual travel routes, food and lifeways, their rights to which have never been extinguished.

We support the contention that there are fundamental questions as to whether the current plan provides adequate consideration of food, lifeways and other rights to which the Mi'kmaq are entitled through Aboriginal and Treaty Rights. Among others, these include rights and obligations related to fish and other bio-cultural aquatic and riparian resources related to the river. We are concerned that the new construction will foreclose current and future options and obligations to respect and advance Mi'kmaq rights, including to restore this historic estuary and tidal river to its free-flowing state, as part of the process of healing.

The Mi'kmaq, including the Water Protectors and Treaty Truckhouse #2 Society, are protesting construction of the causeway and calling for an Aboriginal Rights review. As peace-and-friendship-settler-allies, we support them. We are all treaty people. As signatories to the treaties, we encourage Canada and all Canadians to live up to our Treaty obligations, as well as to our commitments to the Calls to Action of the [Truth and Reconciliation Commission of Canada](#) and to the [United Nations Declaration on the Rights of Indigenous Peoples](#).

Specifically, as part of your mandate for Crown-Indigenous relations in relation to the river-crossing design, approval, construction and post-construction phases, we respectfully urge you, as Minister, to please:

Conduct or require an Aboriginal rights review, in full partnership with relevant First Nations governance and their appropriate decision-making authorities and processes.

In the interim, we encourage you to support the continuation of DFO's order that requires Nova Scotia's Department of Agriculture to operate the tidal gates at the Avon River in a manner that improves fish passage. Since the implementation of the Ministerial Order (MO) in March 2021, the Mi'kmaw Treaty Truckhouse #2 Society has reported,

"... observed increased fish passage and habitation upstream of the gate structure. This has increased First Nations ability to utilize the right to harvest, in Windsor NS, which Treaty Truckhouse 2 is currently doing. The discontinuation of the MO would impact the Rights of First Nations Peoples to harvest with traditional methods on their traditional territory for Food and Ceremonial (R v Sparrow 1990) or moderate livelihood (R v Marshall 1999). This would violate section 35 of the constitution act 1982" (excerpt from Treaty Truckhouse #2 Society's letter to West Hants municipality, May 12, 2021).

By means of rationale, we point out that these proposed actions are consistent with:

- Mandate Letters to Minister of Crown-Indigenous Relations and Minister of Fisheries, Oceans and the Canadian Coast Guard of December 2019 and January 2021;
- Section 35 of the Constitution Act, 1982;
- The kinds of transformational changes that are required to respect and advance Indigenous Peoples, their self-determination and other rights, including to steward their unceded lands and waters and practice patterns of food and lifeways;
- Nature-based solution to existential crises of biodiversity, climate and equity that are socially and ecologically just; and,
- Strong Mi'kmaq and local-citizen-settler-ally support for prioritizing Indigenous rights and the need to restore free passage of fish and balance to the Avon River ecosystem.

There is substantial local support for the Mi'kmaw people, their Indigenous Rights and their call for an Aboriginal Right review. We contend that this support is much stronger than many municipal and provincial governmental departmental and political representatives may realize. A recent (2020) [Windsor Causeway Survey Report](#) was completed by Oraclepoll Research Ltd for Oceans North and the Mi'kmaw Conservation Group. It summarizes the results of a telephone survey conducted in 2020, which engaged 300 residents, nearly 10% of the town's population (~3650). One highlight follows, but please see the report for others.

- The majority (65%) said 'no' when asked, "Do you believe maintaining the existing man-made reservoir (Lake Pisiquid) should be prioritized over Indigenous rights and the need to restore free passage of fish and balance to the ecosystem?" (14% said 'yes'; the remainder were 'unsure').

The Mi'kmaq of what is now called Atlantic Canada have Aboriginal and Treaty Rights to hunt, fish, travel and conduct trade across their traditional territory (Wabanaki), as they have since time immemorial and as agreed in the Treaties of Peace and Friendship (1750 -1760s). These rights are protected under s. 35 of the Constitution Act, 1982, and were upheld by the Supreme Court of

Canada in the 1999 Marshall decision and others. Under the Treaties of Peace and Friendship, the Mi'kmaq did not cede their lands; rather, the peoples of the Wabanaki Confederacy and the British Crown agreed to live together in peace and friendship. Under the Constitution Act, 1867, the Government of Canada accepted this responsibility.

Sections 2.3 and 2.4 of the Fisheries Act, state:

2.3 “This Act is to be construed as upholding the rights of Indigenous peoples recognized and affirmed by section 35 of the Constitution Act, 1982, and not as abrogating or derogating from them.”

2.4 “When making a decision under this Act, the Minister shall consider any adverse effects that the decision may have on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982.”

Local Mi'kmaw communities and groups are working hard to uphold their treaty rights with respect to this project and are calling for an Aboriginal Rights review. We elevate their voices and stand with them. It is crucial that you and other governmental leaders at national and provincial levels engage with the Mi'kmaw governments, peoples and communities to advance meaningful reconciliation.

We encourage you to work closely with the Minister of Fisheries, Oceans and the Canadian Coast Guard and in partnership with Indigenous governing authorities and Mi'kmaw communities to respect and advance Aboriginal/Indigenous and Treaty Rights in relation to this project. This project represents both an opportunity and an obligation to do so, while at the same time helping to restore Mi'kmaw rights to harvest with traditional methods on their traditional territory for food, ceremonial and moderate livelihood purposes in the Avon River, estuary and outer bay, over the long term.

We fully support you in acting in accordance with your crucial mandate and priorities, for the Mi'kmaq, all of our children and children's children, for seven generations, in good spirit and in good nation-to-nation relations and governance.

M'sit nokomaq (we are all related).

Wela'lin (thank you).

Respectfully,



Karen F. Beazley,
and on behalf of my brothers,

- Jeffrey C. Beazley, 26 Avon Street, Hantsport, NS, B0P 1P0
- Andrew W. Beazley, 24 Highland Avenue, Windsor, NS, B0N 2T0

c.c.

- Zacc Paul, Treaty Truckhouse #2 Society, 1752treatytruckhouse2@gmail.com
- Honourable Bernadette Jordan, Minister, Fisheries, Oceans and the Canadian Coast Guard, min@dfo-mpo.gc.ca
- Hon. Marc Miller, Minister of Indigenous Services Canada, Marc.Miller@parl.gc.ca

- Hon. Omar Alghabra, Canada's Minister of Transport, Omar.Alghabra@parl.gc.ca, questions@tc.gc.ca
- Hon. Lloyd Hines, Nova Scotia's Minister of Transportation and Active Transit, TIRMIN@novascotia.ca
- Hon. Keith Colwell, Nova Scotia's Minister of Agriculture and Minister of Fisheries and Aquaculture, min_dfa@gov.ns.ca
- Hon. Kody Blois, MP, Kings-Hants, Kody.Blois@parl.gc.ca
- Hon. Chuck Porter, MLA Hants West, chuck@chuckporter.ca
- Hon. Andy Fillmore, MP, Halifax, Andy.Fillmore@parl.gc.ca
- Hon. Iain Rankin, Premier of Nova Scotia, premier@novascotia.ca
- Hon. Abraham Zebian, Mayor, Windsor/West Hants, azebian@westhants.ca
- All of council, Windsor/West Hants Regional Municipality, allcouncil@westhants.ca
-

Works cited

OraclePoll Research. 2020. Windsor Causeway Survey Report [online]. Available: https://mikmawconservation.ca/wp-content/uploads/2020/10/2020-10-01_Windsor-Causeway_SurveyReport.pdf

Truth and Reconciliation Commission (TRC). 2015c. Calls to Action. Truth and Reconciliation [online]: Available: <https://www.documentcloud.org/documents/2091412-trc-calls-to-action.html>

United Nations. 2007. Resolution 61/295. United Nations Declaration on the Rights of Indigenous Peoples. Published 2008 [online]: Available: https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

To Whom It May Concern:

I retired from the Education sector in 1998: I was the Supervisor of Community Education for the West Hants District, Former President of the Canadian Association for Community Education, Member of the North America Council, and Member of the International Community Education Association. A question should probably arise::

What is (Community Education.) It is based on the premise that it takes a Community to raise a child. It does not take a community to raise a fish. Fish live in the water and are unique in finding their own means of survival.

Our West Hants Community includes all the residents of West Hants. This would include people who live here, work here, play here, pay taxes, vote, etc. It would include all the businesses, the recreational sector, agricultural sector, churches, police force, medical professionals, elected Municipal Councilors, etc.

It does not include those who have situated themselves on the Windsor Causeway premises and are not Members of the West Hants Community. They have no vested interest in our Community and are in violation of the law by remaining on the causeway

Unfortunately it appears that our elected representatives from the Prime Minister down which includes the other Ministers (Fisheries, Agriculture, Environment, Transportation, Health, etc.) These are people who do not reside in our Community have no vested interest in our dilemma and as thus shuffle responsibilities to others. This is not what Community Education is all about. We have to work together for the benefit of our community which includes thousands of children (Our future leaders)

It is very disappointing to witness that the self-appointed leader of the local Commercial Fishermen is a member of our West Hants Community but chooses to disregard what the majority of our Community wishes.

It's time that something positive occurs.

Take Care one and all

G. E. Morehouse

.



Avon View High School

225 Payzant Drive, PO Box 700

Windsor, NS B0N 2T0

avhs@avrce.ca | www.avhs.ednet.ns.ca | @AvonViewHighSchool

July 5, 2021

Dear Mr. Phillips and Mr. Zebian – West Hants Regional Municipality,

Thank you so much for your support of our recent AVHS Graduation. As you may know, considering last year's event, we were again faced with planning a graduation (this time for 246 grads), according to Public Health restrictions for schools and while existing on the street with a hospital. It was again a huge success!

We had 51 staff volunteers this year, several community partners and so appreciate the contribution each of them made.

Your support in allowing us to use the Sport Complex parking lot (and give us access to the washroom facilities☺) as well as a letter of congratulations for grads was really appreciated. The day progressed really well in spite of the heat and our grads and families got the recognition they deserve. It was wonderful.

Thanks for everything!

Sincerely,

Cindy Dickie

Principal:
Cindy Dickie

Vice-Principals:
Brian Wong
Paul Hanson
Tim Swinamer

Counsellors:
Jan Burke
Mel Starratt

Phone: 902.792.6740
Fax : 902.792.6762



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Mayor and Members of Council

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: July 27, 2021

Subject: Fees Policy: Planning-related Fees

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) Part 8

2.0 RECOMMENDATION

...that Council approve the West Hants Regional Municipality Fees Policy in a manner substantively the same as shown in Appendix C to the report to PAC/HAC dated July 8, 2021 with the exception of fees related to dog tags, which are not to change for now, and that Council hereby rescinds the West Hants Fees Policy COFN-005.3 adopted July 11, 2017 and amended to December 10, 2019, and the Windsor Fees Policy 2019002 approved November 26, 2019.

3.0 APPENDICES

Appendix A July 8 Report to PAC/HAC



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: July 8, 2021

Subject: Fees Policy: Planning-related Fees

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) Part 8

2.0 RECOMMENDATION

Should PAC/HAC wish to forward a positive recommendation, the following would be in order:

...that PAC/HAC recommends that Council approve the West Hants Regional Municipality Fees Policy in a manner substantively the same as shown in Appendix C to the report to PAC/HAC dated July 8, 2021 and that Council hereby rescinds the West Hants Fees Policy COFN-005.3 adopted July 11, 2017 and amended to December 10, 2019, and the Windsor Fees Policy 2019002 approved November 26, 2019.

3.0 BACKGROUND

Amendments regarding fees were carried out to the West Hants, Windsor and Hantsport Land Use By-laws (LUB) in November 2019, with the intent being that all fees would appear in the West Hants and Windsor Fees policies.

Although changes were made to both Fees policies, further changes are needed to clarify the policies.

4.0 DISCUSSION: RECOMMENDED CHANGES

Both West Hants and Windsor have a "Fees Policy"; a Fees Policy for the Region has not yet been created. Since there are some changes needed in the sections used by the Planning and Development Department, the attached draft has been created. It includes other clarifications and corrections which Planning and Development staff are aware of but further review of the policy will be required by Administration as time permits. The following changes are included within the proposed draft.

4.1 Planning-Related Fees

Windsor Fees policy amendments were completed in 2019, resulting in a \$500.00 processing fee and \$800.00 deposit for direct costs such as notice (excess is refunded) for Land Use By-law Amendments, Development Agreements and substantial amendments to a development agreement. The fees for non-substantive amendments were established as a \$300.00 processing fee and \$800.00 deposit for direct costs such as notice (excess is refunded).

The West Hants Fees policy requires further amendments to carry out the intent of the Land Use By-law amendments. The West Hants Fees policy contains the ability to have an applicant pay the direct costs of notice but does not include processing fees.

To ensure fees are the same for applications related to all three (3) planning documents, and reflect the intent of the 2019 LUB amendments, these sections should contain:

- a \$500.00 processing fee for LUB amendments, development agreements and substantive amendments to a development agreement;
- a \$300.00 fee for a non-substantive amendment to a development agreement; and
- an \$1,100.00 deposit for direct costs such as notice (excess is refunded) for all planning documents.

Cost of notice is generally just over \$1000 now; depending on the size of the notice, each is approximately \$270, and a minimum of four (4) notices are required, three (3) of which are required by the Municipal Government Act (public information meeting; public hearing twice; notice of approval). If the cost of notice is greater than the deposit, it can be difficult and time consuming to obtain the difference.

- 4.2 The renewal or amendment of an approved building permit now has a fee of \$25.00 in West Hants. It would be reasonable to charge \$25.00 throughout the Region as renewal is only required if a building permit has not been acted upon for a year.
- 4.3 Maplewood Cemetery Charges have been included within the draft Regional Fees policy.

- 4.4 In 2017, with the adoption of the most recent West Hants Dog By-law, the fee for annual registration was increased to \$15.00 for a Spayed or Neutered dog and \$30.00 for a Non-Spayed or Neutered dog. Prior to this the fee was approximately \$8 for a spayed or neutered dog and \$15.00 for a non-spayed or neutered dog. Under the earlier rates, which the By-law Officer believes were affordable for most people, he estimates that between 500 and 600 tags were sold each year - there is no record for these earlier years. In 2019, the number of tags sold dropped to 220. In other nearby municipal units costs are:

Municipality of Chester- \$15 valid for 5 years

Municipality of East Hants- \$12 annually

Municipality of the County of Kings- \$10 fixed \$30 if not

HRM- \$15 fixed \$50 if not

If the intent of requiring tags is to be able to locate and identify owners, maintaining the fee at the level now used for Windsor (\$10.00 Spayed or Neutered, \$14.00 Non-Spayed or Neutered) would be reasonable and may increase the number of tags being sold.

- 4.5 The Windsor "False Alarm By-law" fees have been included within the draft.

5.0 NEXT STEPS

Staff recommend that PAC/HAC recommend the Fees policy be amended to reflect the requested changes.

6.0 FINANCIAL IMPLICATIONS

There are no major financial implications for the Region associated with the filing of this report. The inclusion of a processing fee for planning applications regulated by the West Hants planning documents will increase revenue nominally.

7.0 ALTERNATIVES

Should PAC/HAC not wish to recommend the changes to the Fees Policy as drafted, it may:

- recommend specific changes to the proposed draft; or
- provide alternative direction, such as requesting further information on a specific topic.

8.0 ATTACHMENTS

Attachment A 2019 Windsor Fees Policy

Attachment B 2019 West Hants Fees Policy

Attachment C Proposed West Hants Fees policy

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

(Not yet reviewed by): _____
Shelleena Thornton, Municipal Clerk



TOWN OF WINDSOR

FEES POLICY

Legislative authority: MGA

1. PURPOSE

The purpose of this policy is to set out and amend the fees the Town of Windsor charges for certain applications, licenses and services applied to residents and businesses when requesting permits, licenses or other forms of service.

2. APPLICATION

This policy applies to fees established in by-laws, policies and resolutions approved by Windsor Town Council. The fees established in this policy may amend those already set except those established in a by-law.

3. FEES

3.1 Non-Profit Organizations

All planning, development, building and heritage-related processing fees are waived for properties owned by non-profit organizations registered under the Societies Act.

3.2 Municipally Designated Heritage Properties

3.2.1 All planning, development, building and heritage-related processing fees are waived for municipally-designated heritage properties.

3.2.2 The Town will bear the costs of notification and registration of municipally-designated heritage properties at the Land Registration Office or Registry of Deeds.

3.3 Other Fees

The following fees shall be charged for permits, licenses and services provided by the Town of Windsor.

(a) Fees Associated with By-laws

BY-LAW	SECTION	FEE
Building Code Act By-law	5.1 Fees for permits:	
	New Construction of, and additions to, residential buildings, community centers, cottages and churches	\$25.00 + \$0.12 per square foot
	New construction of, and additions to commercial, industrial and other buildings not otherwise specified	\$50.00 + \$0.15 per square foot
	New construction of, and additions to sheds, decks, storage buildings, garages, barns, and other farm, forestry or fishing buildings not designated for human occupancy	\$25.00 + \$0.06 per square foot
	Repairs, renovations or alterations to all existing buildings	\$25.00 + \$2.50 per \$1000.00 of value of construction; except that for non-structural repairs, renovation or alterations where the estimated value of construction is between \$1000.01 and less than \$5000.00, the fee shall be \$25.00 (wording change only)
	Relocation of mobile homes and mini-homes where there is no finished basement	n/a

	Additional fee where construction has been started prior to Issuance of building permit. This fee reflects the heightened municipal costs and risks where a builder requests a permit (and therefore the associated inspection services) after already having started construction. It does not preclude prosecution for non-compliance, and does not prevent the Building Official from requiring construction work to be undone in whole or in part to inspect conditions not otherwise observed	\$50.00 + applicable building permit fees
	Tents or Air supported structures	\$50.00
	Pools	\$25.00
	Demolition of building/structure	\$25.00
	Renewal or amendment of an approved permit	No Charge
	Processing charge retained for incomplete, denied or withdrawn permits	\$25.00
Civic Addressing By-law	Section 31.7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation (DTIR)	Cost charged by Transportation and Infrastructure Renewal for purchase and installation
Hawkers and Peddlers By-law	15.04 payment for license under 15.01 or 15.02	\$50.00
	15.06 payment for license for mobile canteen	\$100.00

Land Use By-law	2.8 Development Permit	\$25.00
	2.8 Land Use By-law Amendment	\$500.00 processing fee \$800 deposit for direct costs such as notice (excess is refunded)
	2.8. Development Agreement	\$500.00 processing plus \$800 deposit for direct costs such as notice (excess is refunded)
	2.8 Substantive amendment to a Development Agreement	\$500.00 processing \$800 deposit for direct costs such as notice (excess is refunded)
	2.8 Non-Substantive amendment to a Development Agreement or Discharge of Development Agreement	\$300.00 processing \$500 deposit for direct costs such as notice (excess is refunded)
	Site Plan	\$25.00 + permit fees
	Variance	\$25.00
	Zoning Confirmation	\$50.00
Subdivision By-law	Section 11 (a) (i) Fee for filing the approved Final Plan of subdivision, certifying a copy of the plan, registering a notice of approval of the plan and Section 13 fees for registering the deeds	Land Registry or Registry of Deeds Costs (refunded if application refused)
	Section 11 (a) (ii) Fee for review and approval of tentative plan of subdivision	\$25.00

	Section 11 (a) (iii) Fee for review and approval of final plan of subdivision	\$75.00 plus \$4.00 for each lot for which approval is requested
	Section 11 (a) (iv) Additional fee for final plan of subdivision showing public streets or private roads	\$200.00
	82(a) (i) Fee for filing a repeal of a subdivision	Land Registry or Registry of Deeds Costs (refunded if application refused)
	Section 93 (a) (ii) Processing fee for final application for repeal of subdivision	\$50.00

(b) Other Fees

Amendments to Municipal Planning Strategy		n/a
---	--	-----


Mayor


Municipal Clerk



MUNICIPALITY OF THE DISTRICT OF WEST HANTS

Fees Policy

1. PURPOSE

The purpose of this policy is to set out and amend the fees the Municipality of the District of West Hants charges for certain applications, licences and services that are applicable for residents and businesses when requesting permits, licences or other forms of service.

2. SCOPE

This Policy applies to fees set out in by-laws, policies and resolutions authorized by the Council of the Municipality of the District of West Hants. The fee amounts authorized in this Policy may amend those previously set, except those fees amount specifically authorized in a by-law.

3. FEES

The following schedules of fees shall be charged for permits, licences and services provided by the Municipality of the District of West Hants. Fees associated with the Building Code Act By-law, Land-Use By-laws, Subdivision By-laws, Hantsport Swimming Pool By-law and amendments to the Municipal Planning Strategies are waived for Municipally Registered Heritage Properties, non-profit organizations registered under the Societies Act and Municipally owned properties.

a) Fees Associated with By-laws

BY-LAW	SECTION	FEE
Building Code Act By-law	5.1 Fees for permits:	
	New Construction of, and additions to, residential buildings, community centers, cottages and churches	\$25.00 + \$0.12 per square foot
	New construction of, and additions to commercial, industrial and other buildings not other wise specified	\$50.00 + \$0.15 per square foot
	New construction of, and additions to sheds, decks, storage buildings, garages, barns, and other farm, forestry or fishing buildings not designated for human occupancy	\$25.00 + \$0.06 per square foot

	Repairs, renovations or alterations to all existing buildings	\$25.00 + \$2.50 per \$1000.00 of value of construction; except that for non-structural repairs, renovation or alterations where the estimated value of construction is between \$1000.01 and less than \$5000.00, the fee shall be \$25.00
	Relocation of mobile homes and mini-homes where there is no finished basement	\$50.00
	Additional fee where construction has been started prior to Issuance of building permit. This fee reflects the heightened municipal costs and risks where a builder requests a permit (and therefore the associated inspection services) after already having started construction. It does not preclude prosecution for non-compliance, and does not prevent the Building Official from requiring construction work to be undone in whole or in part to inspect conditions not otherwise observed.	\$50.00 + applicable building permit fees
	Tents or Air supported structures	\$50.00
	Pools	\$25.00
	Demolition of building/structure	\$25.00
	Renewal or amendment of an approved permit.	\$25.00
	Processing charge retained for incomplete, denied or withdrawn permits	\$25.00
C-001 Cemetery By-law	Section 4.2 Fee for Full Burial Lot Hantsport Resident	\$292.50 + \$315.00 Perpetual Care = \$607.50



WEST HANTS
NOVA SCOTIA

POLICY

COFN-005.03

	Section 4.2 Fee for Full Burial Lot Non-Hantsport Resident	\$422.50 + \$455.00 Perpetual Care = \$877.50
	Section 4.2 Fee for Cremation Burial Lot Hantsport Resident	\$146.25 + \$315.00 Perpetual Care = \$461.25
	Section 4.2 Fee for Cremation Burial Lot Non Hantsport Resident	\$211.25 + \$455.00 Perpetual Care = \$666.25
	Section 4.4 Charge for burial and disinterment	\$50.00
	Section 4.6 Additional Fee for Winter Burials	Actual costs incurred.
C-003 Civic Addressing By-law	Section 7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation (DTIR)	Cost charged by Transportation and Infrastructure Renewal for purchase and installation.
D-003 Dog By-law (effective April 1, 2018)	Section 2 (d) Annual Registration Fee	\$15.00 Spayed or Neutered \$30.00 Non-Spayed or Neutered
	Section 3 (a) (iii) Lifetime Registration Fee	\$75.00
	Section 4 (b) Annual Kennel Registration fee	\$45.00
	Section 2 (h) Replacement Tag Fee	\$7.50
	Section 9 (b) Fees associated with impoundment, board, food, care and veterinary	Actual costs incurred
False Alarm By-law	Section 8 (a) Fee for Second False Alarm	\$100.00
	Section 8 (b) Fee for Third or More False Alarms	\$200.00
H-001 Heritage Property By-law	Fees associated with registering a Municipal Heritage Property	Land Registry or Registry of Deed costs and associated legal fees to be paid by the Municipality of the District of West Hants.
West Hants Land-Use By-law	Section 2.8 Application Fees	Estimated based on anticipated actual costs; unused portion is refunded.
	Section 2.8 Development Permit Fee	\$25.00
	Section 2.8 Zoning Confirmation/Certificate Fee	\$50.00



WEST HANTS
NOVA SCOTIA

POLICY

COFN-005.03

	Section 2.8 Variance Application Fee	\$25.00
Hantsport Land Use By-law	Section 4.5 Application Fees	Estimated based on anticipated actual costs; unused portion is refunded.
	Section 4.5 Development Permit Fee	\$25.00
	Section 4.5 Zoning Confirmation/Certificate Fee	\$50.00
	Section 4.5 Variance Application Fee	\$25.00
Moving Buildings on Streets By-law (Hantsport only)	Section 72 of 1920 Hantsport By-laws, Bond for moving buildings over streets	\$200.00
	Section 73 of 1920 Hantsport By-laws, Fee for privilege of moving the building on streets Permit	\$3.00-\$5.00 per day (estimated amount due upon application)
S-003 Sewerage and Stormsewer Connection, Discharge and Charges By-law (effective April 1, 2019)	Section 60 Deposit for sewer service connection application/permit. (Deposit includes Public Works inspections, contactor dig/closing and street remediation.)	\$1000.00
	Section 66 (a) Quarterly Base Charge for unconnected sewer services.	\$60.01
	Section 66 (a) Quarterly Base Charge for connected sewer services, based on metered water size	Unmetered - \$60.01
		5/8" Meter - \$60.01
		3/4" Meter - \$90.02
		1" Meter - \$150.03
		1.5" Meter - \$300.06
		2" Meter - \$480.09
		3" Meter - \$960.18
		4" Meter - \$1500.28
		6" Meter - \$3000.56
		8" Meter - \$5401.00
	Section 66(a) Consumption Rate for connected sewer services based on metered water	\$1.60 per cubic metre
Sewer Lagoon By-law	Section 4 (a) Sewage dump fee at 1379 Walton Woods Road location.	\$15.00 per metric tonne (this fee may be increased annually by CPI)



WEST HANTS
NOVA SCOTIA

POLICY

COFN-005.03

	Section 4 (b) Sewage dump fee from outside West Hants at 1379 Walton Woods Road location	Market rate
	Emergency Septage Disposal Fee pursuant to Sewer Lagoon Operating Agreement with GFL at 1379 Walton Woods Road location.	\$60.00 (this fee may be increased annually by CPI)
Special Events By-law	Section 5.1 (b) (iii) Special Events Application Fee	\$100.00
Street Improvement By-law	Section 12 (2) Driveway permit Fee (Non-refundable)	\$75.00
Hantsport Subdivision By-law	Section 6.13 (a) Fee for filing the approved Final Plan of subdivision, certifying a copy of the plan, and registering a notice of approval of the plan	Land Registry or Registry of Deeds costs (refunded if application refused)
	Section 6.13 (b) Processing Fee for Final Plan of Subdivision	\$100.00
West Hants Subdivision By-law	Section 11 (a) Fee for filing the approved Final Plan of subdivision, certifying a copy of the plan, and registering a notice of approval of the plan	Land Registry or Registry of Deeds costs (refunded if application refused)
	Section 11 (b) Fee for review and approval of tentative plan of subdivision	\$25.00
	Section 11 (b) Fee for review and approval of final plan of subdivision	\$75.00 plus \$4.00 for each lot for which approval is requested.
	Section 11 (b) Additional fee for Final Plan of subdivision showing public or private roads	\$200.00
	Section 93 (a) (i) Fee for filing a repeal of a subdivision	Land Registry or Registry of Deeds cost (refunded if application refused)
	Section 93 (a) (ii) Processing fee for final application for repeal of subdivision	\$50.00
Swimming Pool By-law (Hantsport Only)	Section 5.1.3 Pool Enclosure Permit Fee	\$50.00

b) Fees Associated with Other Policies

Piping of Ditch Frontage Policy	Section 6 Refundable security deposit	\$500.00
Policy to Establish the Fences Arbitration Committee	Section 4. a) Fee for hearing a fences dispute	\$20.00

c) Other Fees

Tax Certificate		\$50.00
Tax Account Statement		\$20.00
Bulk Water Station Token		\$7.50 (600 gallons of water per token)
NSF Cheque Fee		\$25.00
Water Service Installation Deposit	Deposit includes Public Works inspection, contractor dig/closing and street remediation.	\$2000.00
Mortgage Data Transfer Fee		\$10.00 per Assessment Account
Permit for Breaking Soil	Isolated Cross-cuts – Paved Roads	\$20.00 per linear foot
	Isolated Cross-cuts – Gravel Roads	\$10.00 per linear foot
	Major Projects – In roadway	\$9.00 per linear foot
	Major Projects – Back of ditch and Unpaved Roads	\$3.00 per linear foot
	Driveway Culvert Installation Deposit (Refundable if required)	\$300.00
Deposit for Amendments to Municipal Planning Strategy	Deposit includes application fee and advertising and notifications cost for the amendment (Un-used portion is refundable)	\$600.00



I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the **11th** day of **July, 2017**.

R. N. Brown
Municipal Clerk

Adoption	
<i>Notice to Council:</i>	June 27, 2017
<i>Approval:</i>	July 11, 2017
<i>Description:</i> Initial approval of Fees Policy COFN-005.03.	
First Amendment	
<i>Notice to Council:</i>	April 17, 2018
<i>Approval:</i>	April 24, 2018
<i>Description:</i> Amended the fees under the Sewer By-law for Falmouth Sewer Single Family Dwelling Rate, Capital Phase 1 and Phase 2, and amended the fees under the Hantsport Sewer By-law.	
Second Amendment	
<i>Notice to Council:</i>	August 28, 2018
<i>Approval:</i>	September 11, 2018
<i>Description:</i> Addition to Section 3 b), a fee for hearing a fencing dispute.	
Third Amendment	
<i>Notice to Council:</i>	June 25, 2019
<i>Approval:</i>	July 9, 2019
<i>Description:</i> Updated wording for clearer understanding, removed fees associated with D-003 prior to April 1, 2018, information related to the Civic Addressing By-law and Sewer By-laws was updated according to the latest applicable by-laws.	
Fourth Amendment	
<i>Notice to Council:</i>	November 26, 2019
<i>Approval:</i>	December 10, 2019
<i>Description:</i> Updated fees under the West Hants and Hantsport Land Use By-laws and Subdivision By-law. Also added that Municipally Registered Heritage Properties and registered non-profit organizations were exempt from some fees.	

Original policy signed by Rhonda Brown, Municipal Clerk

POLICY

ATTACHMENT C **WEST HANTS REGIONAL MUNICIPALITY** *Fees Policy*

Changes from the Existing West Hants and Windsor Fees policies are shown in red

1. PURPOSE

The purpose of this policy is to set out and amend the fees the Municipality of the District of West Hants charges for certain applications, licenses and services that are applicable for residents and businesses when requesting permits, licenses or other forms of service.

2. SCOPE

This Policy applies to fees set out in by-laws, policies and resolutions authorized by the

Council of the Municipality of the District of West Hants. The fee amounts authorized in this Policy may amend those previously set, except those fees amount specifically authorized in a by-law.

3. FEES

The following schedules of fees shall be charged for permits, licenses and services provided by the Municipality of the District of West Hants. Fees associated with the Building Code Act By-law, Land-Use By-laws, Subdivision By-laws, Hantsport Swimming Pool By-law and amendments to the Municipal Planning Strategies are waived for Municipally Registered Heritage Properties, non-profit organizations registered under the Societies Act and Municipally owned properties.

a) Fees Associated with By-laws

BY-LAW	SECTION	FEE
Building Code Act By-law	5.1 Fees for permits:	
	New Construction of, and additions to, residential buildings, community centers, cottages and churches	\$25.00 + \$0.12 per square foot
	New construction of, and additions to commercial, industrial and other buildings not otherwise specified	\$50.00 + \$0.15 per square foot

POLICY

	New construction of, and additions to sheds, decks, storage buildings, garages, barns, and other farm, forestry or fishing buildings not designated for human occupancy	\$25.00 + \$0.06 per square foot
	Repairs, renovations or alterations to all existing buildings	\$25.00 + \$2.50 per \$1000.00 of value of construction; except that for non- structural repairs, renovation or alterations where the estimated value of construction is between \$1000.01 and less than \$5000.00 the fee shall be
	Relocation of mobile homes and mini-homes where there is no finished basement	\$50.00
	Additional fee where construction has been started prior to issuance of building permit. This fee reflects the heightened municipal costs and risks where a builder requests a permit (and therefore the associated inspection services) after already having started construction. It does not preclude prosecution for non- compliance, and does not prevent the Building Official from requiring construction work to be undone in whole or in part	\$50.00 + applicable building permit fees
	Tents or Air supported structures	\$50.00
	Pools	\$25.00
	Demolition of building/structure	\$25.00
	Renewal or amendment of an approved permit.	\$25.00
	Processing charge	\$25.00

POLICY

	retained for incomplete, denied or withdrawn permits	
C-001 Cemetery By-law West Hants	Section 4.2 Fee for Full Burial Lot Hantsport Resident	\$292.50 + \$315.00 Perpetual Care = \$607.50
	Section 4.2 Fee for Full Burial	\$422.50 + \$455.00 Perpetual
	Section 4.2 Fee for Cremation Burial Lot Hantsport	\$146.25 + \$315.00 Perpetual Care = \$461.25
	Section 4.2 Fee for Cremation Burial Lot Non Hantsport Resident	\$211.25 + \$455.00 Perpetual Care = \$666.25
	Section 4.4 Charge for burial and disinterment	\$50.00
	Section 4.6 Additional Fee for Winter Burials	Actual costs incurred.
Cemetery Charges Windsor	Perpetual Care must be purchased at time of sale of lot	
	Windsor Residents (Purchase of Lots) Whole Lot (12 Graves) Half Lot (6 graves) Quarter Lot (3 graves) Single Grave Half Grave (cremation or infant)	 \$4416.00 \$2208.00 \$1104.00 \$368.00 \$184.00
	Outside of Windsor Resident (Purchase of Lots) Whole Lot (12 Graves) Half Lot (6 Graves) Quarter Lot (3 Graves) Single Grave Half Grave (cremation or infant)	 \$9660.00 \$4830.00 \$2415.00 \$805.00 \$402.50

POLICY

	Perpetual Care Rates (Purchased at time of Sale) Whole Lot (12 Graves) Half Lot (6 Graves) Quarter Lot (3 Graves) Single Grave Half Grave (cremation or infant)	\$3036.00 \$1518.00 \$759.00 \$253.00 \$126.50
	Burial Fees - Windsor Residents Vault Adult Child Under 12 Cremations/Stillborn Cremation - Monument/Bench Interment	\$644.00 \$483.00 \$280.00 \$322 \$172.50
	Burial Fees - Outside of Windsor Residents Vault Adult Child Under 12 Cremation/Stillborn Cremation - Monument/Bench Interment	\$1012.00 \$839.50 \$678.50 \$678.50 \$363.40
	Additional Fee for Burials January 1st - March 31st	\$172.50 (hst included)
C-003 Civic Addressing By- law	Section 7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation and Active	Cost charged by DTAT for purchase and installation.

POLICY

	Transit (DTAT)	
D-003 Dog By-law West Hants (effective April 1, 2018) Fees Effective across Region	Section 2 (d) Annual Registration Fee	\$10.00 Spayed or Neutered \$14.00 Non-Spayed or Neutered
	Section 3 (a) (iii) Lifetime Registration Fee	\$75.00
	Section 4 (b) Annual Kennel Registration fee	\$45.00
	Section 2 (h) Replacement Tag Fee	\$7.50
	Section 9 (b) Fees associated with impoundment, board, food, care and veterinary	Actual costs incurred
False Alarm By-law West Hants	Section 8 (a) Fee for Second False Alarm	\$100.00
	Section 8 (b) Fee for Third or	\$200.00
False Alarm By-law Windsor	Section 32.09 1(a) second false alarm for the Fire Department and a third for the Police	\$ 100.00
	Section 32.09 1(b) third for the Fire Department and fourth for the Police and each subsequent false alarm	\$ 200.00
Heritage Property By- laws	Fees associated with registering a Municipal Heritage Property	Land Registry or Registry of Deed costs and associated legal fees to be paid by West Hants Regional Municipality.
West Hants Land-Use By-law	WHLUB Section 2.8 Application Fees WLUB Section 2.8 Advertisement and Notification Fees	
	Section 2.8 LUB Amendment	\$500.00 processing fee \$1100.00 deposit for direct costs such as notice (excess is refunded)
	Section 2.8 Development Agreement	\$500.00 processing fee \$1100.00 deposit for direct costs such as notice (excess

POLICY

		is refunded)
	Section 2.8 Substantive Amendment to a Development Agreement	\$500.00 processing fee \$1100.00 deposit for direct costs such as notice (excess is refunded)
	Section 2.8 non-Substantive Amendment to a Development Agreement	\$300.00 processing fee \$600.00 deposit for direct costs such as notice (excess is refunded)
	Section 2.8 Development Permit Fee	\$25.00
	Section 2.8 Zoning Confirmation/Certificate Fee	\$50.00
	Section 2.8 Variance Application Fee	\$25.00
	Section 2.8 Site Plan	\$25.00 plus permit fees
Hantsport Land Use By-law	Section 4.5 Application Fees	
	4.5 LUB Amendment	\$500.00 processing fee \$1,100.00 deposit for direct costs such as notice (excess is refunded)
	Section 4.5 Development Permit Fee	\$25.00
	Section 4.5 Zoning Confirmation/Certificate Fee	\$50.00
	Section 4.5 Variance Application Fee	\$25.00
Moving Buildings on Streets By-law (Hantsport only)	Section 72 of 1920 Hantsport By-laws, Bond for moving buildings over	\$200.00
	Section 73 of 1920 Hantsport By-laws, Fee for privilege of moving the building on streets Permit	\$3.00-\$5.00 per day (estimated amount due upon application)

POLICY

West Hants S-003 Sewerage and Stormsewer Connection, Discharge and Charges By-law (effective April 1, 2019)	Section 60 Deposit for sewer service connection application/permit. (Deposit includes Public Works inspections, contractor dig/closing and street remediation.)	\$1000.00
	Section 66 (a) Quarterly Base Charge for unconnected sewer	\$60.01
	Section 66 (a) Quarterly Base Charge for connected sewer services, based on metered water	Unmetered - \$60.01
		5/8" Meter - \$60.01
		3/4" Meter - \$90.02
		1" Meter - \$150.03
		1.5" Meter - \$300.06
		2" Meter - \$480.09
		3" Meter - \$960.18
		4" Meter - \$1500.28
		6" Meter - \$3000.56
		8" Meter - \$5401.00
	Section 66(a) Consumption Rate for connected sewer services based on metered water	\$1.60 per cubic metre
West Hants Sewer Lagoon By-law	Section 4 (a) Sewage dump fee at 1379 Walton Woods Road location.	\$15.00 per metric tonne (this fee may be increased annually by CPI)
	Section 4 (b) Sewage dump fee from outside West Hants at 1379 Walton Woods Road location	Market rate
	Emergency Septage Disposal Fee pursuant to Sewer Lagoon Operating Agreement with GFL at 1379 Walton Woods Road	\$60.00 (this fee may be increased annually by CPI)
Special Events By-law - West Hants	Section 5.1 (b) (iii) Special Events Application Fee	\$100.00
Special Events By-law - Windsor		No fee
West Hants Street Improvement By-law	Section 12 (2) Driveway permit Fee (Non- refundable)	\$75.00

POLICY

West Hants Subdivision By-law	Section 11 (a) Fee for filing the approved Final Plan of subdivision, certifying a copy of the plan, and registering a notice of approval of the plan	Land Registry or Registry of Deeds costs (refunded if application refused)
	Section 11 (b) Fee for review and approval of tentative plan of subdivision	\$25.00
	Section 11 (b) Fee for review and approval of final plan of subdivision	\$75.00 plus \$4.00 for each lot for which approval is requested.
	Section 11 (b) Additional fee for Final Plan of subdivision showing public or private roads	\$200.00
	Section 93 (a) (i) Fee for filing a repeal of a subdivision	Land Registry or Registry of Deeds cost (refunded if application refused)
	Section 93 (a) (ii) Processing fee for final application for repeal of subdivision	\$50.00
Swimming Pool By-law (Hantsport Only)	Section 5.1.3 Pool Enclosure Permit Fee	\$50.00

b) Fees Associated with Other Policies

West Hants Piping of Ditch Frontage	Section 6 Refundable security	\$500.00
West Hants Policy to Establish the Fences Arbitration	Section 4. a) Fee for hearing a fences dispute	\$20.00

c) Other Fees

Tax Certificate		\$50.00
Tax Account Statement		\$20.00
Bulk Water Station Token		\$7.50 (600 gallons of water per token)
NSF Cheque Fee		\$25.00

POLICY

West Hants Water Service Installation Deposit	Deposit includes Public Works inspection, contractor dig/closing and street remediation.	\$2000.00
Mortgage Data Transfer Fee		\$10.00 per Assessment Account
West Hants Permit for Breaking Soil	Isolated Cross-cuts – Paved Roads	\$20.00 per linear foot
	Isolated Cross-cuts – Gravel Roads	\$10.00 per linear foot
	Major Projects – In roadway	\$9.00 per linear foot
	Major Projects – Back of ditch and Unpaved Roads	\$3.00 per linear foot
	Driveway Culvert Installation Deposit (Refundable if required)	\$300.00
Deposit for Amendments to Municipal Planning Strategy	Deposit includes application fee and advertising and notifications cost for the amendment (Un-used portion is refundable)	n/a

4. REPEAL

The West Hants Fees Policy COFN-005.3 adopted July 11, 2017 and amended to December 10, 2019, and the Windsor Fees Policy 2019002 approved November 26, 2019 are hereby repealed.

I, _____, Municipal Clerk of West Hants Regional Municipality, Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of West Hants Regional Municipality at a meeting duly called and held on the XX day of MONTH/YEAR.

Municipal Clerk

<i>Adoption</i>	
<i>Notice to Council:</i>	
<i>Approval:</i>	
<i>Description:</i> Initial approval of Regional Fees Policy	

Original policy signed by

, Municipal Clerk



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: Council

Submitted by:

Todd Richard

Date: July 27, 2021

Subject: Wheel Loader and Attachments, Recommendation Report

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended that:

Council authorizes staff to purchase two (2) John Deere 444P Wheel Loaders, attachments, options, and extended warranty along with trade in of the 1977 Michigan-55-wheel loader and the 2008 John Deere backhoe for the combined amount of \$477,397 plus applicable taxes from Brandt Tractor Limited.

Further

Council approves a temporary borrowing resolution in the amount of \$463,952, for the two John Deere Wheel loaders.

BACKGROUND

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

During the 2021/22 capital budget, it was recommended by staff that our current 1977-Michigan 55 wheel loader and 2008 John Deere Backhoe be replaced with two new units, complete with various attachments for snow removal and other various activities for streets, water/sewer projects, etc. Three quotes were received on July 22, 2021.

DISCUSSION

The low quote received follows our specifications for both wheel loaders. Other attachments / options are also recommended for purchase with these units to allow a versatile use in both public works and water utility operations for snow removal, construction projects, street maintenance, material handling, etc. Staff also recommend purchasing a 5-year comprehensive extended warranty.

Purchase of these new replacement loaders is necessary due to the age, size, and condition of the existing loader and backhoe. This equipment is essential to provide services for snow removal, material loading operations, street, water/wastewater operations and other municipal property work. These Wheel Loaders will replace a 1977 Michigan wheel loader and a 2008 John Deere backhoe both of which are beyond their useful life. Staff have restructured our snow clearing and removal operations since consolidation for better efficiency and value. These replacements will compliment and assist greatly in these improved operations along with allowing Public Works to continue to provide the current level of service. This along with lower fuel and operating costs in the long term and reducing maintenance costs by replacing the older equipment.

The three bids received are as follows:

- Brandt Tractor (Bedford) – Two, John Deere 444P Loaders
- Strongco (Dartmouth) – Two, Volvo L60 Loaders
- Wilson Equipment (Truro) – Two Komatsu WA200-8 Loaders

The chart below summarizes the quotes received with the low overall bidder being Brandt Tractor.

2021 Wheel Loaders	Brandt Tractor	Wilson Equipment	STRONGCO
Unit 1	\$203,600	\$191,000	\$269,800
Unit 2	\$232,500	\$236,275	236,400
Forks 60"	\$7,200	\$7,600	\$7,224.64
4 in 1 12' Snow Blade	\$25,195	\$28,200	\$25,191.41
Side Dump Bucket	\$32,255	\$29,625	\$26,400
5 year Extended Warranty	\$11,647	\$5,000	\$8,602.80
	\$512,397	\$497,700	\$573,618.85
Less Trade in	\$35,000	\$15,000	\$17,300
Net Price	\$477,397	\$482,700	\$556,319

Trade in of the 2008 John Deere backhoe was considered a fair value, given the current condition of this unit, high hours, and requirement of major mechanical upgrades / replacement necessary. The 1977 Michigan loader is of very low value as this unit is not operational.

NEXT STEPS

Pending approval of Council, staff would purchase the equipment directly from Brandt Tractor Limited and trade in the 1977 Michigan 55 wheel loader and the 2008 John Deere backhoe with the intent to have delivery in time for the 2021/22 winter season.

FINANCIAL IMPLICATIONS

This equipment was identified and approved in the 2021/22 Capital Budget and is within the budgeted amount allocated of \$540,000, to be funded through long-term borrowing.

The incurred cost of the proposed loaders would be \$497,877 including applicable taxes, to be funded by Municipal Finance Corporation (MFC). The 2021/22 Operating Budget included \$33,925 in debt servicing costs, reducing the amount borrowed to \$463,952.

ALTERNATIVES

1. Council may choose not to proceed with the purchase of the equipment;
2. Council may choose to lease the equipment as outlined in the attachment;

ATTACHMENTS

Quote – Brandt Tractor
Quote – Wilson Equipment Limited
Quote – STRONGCO
TBR RESO – 21/22 Two Wheel Loaders

CHIEF ADMINISTRATIVE OFFICER REVIEW

The recommendation and proposed purchases are in alignment with the expectations set during budget deliberations and discussions. The existing loaders noted in the report have trade-in values factors into pricing.

I support the recommendation.

Report Prepared by: _____
Troy Burgess, Manager, Public Works Operations

Report Reviewed by: _____
Todd Richard, Director of Public Works

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer



West Hants Regional Municipality
Supply Two Wheel Loaders

July 21, 2021

Attention: Troy Burgess,

I would like to take this time to thank you for giving Brandt Tractor Ltd. the opportunity to quote for the 2021 Loaders. As you review the information provided in our quote please keep in mind the following information regarding our company and our manufacturer.

Not only do we provide superior quality equipment to meet and exceed your needs, we provide unrivaled support from resident technicians, to extremely knowledgeable parts, service, and in field customer support advisors. We currently have dealerships from coast to coast and a dealership located in Bedford for all your sales, service and parts needs.

John Deere has Regional Distribution Centers all over Canada, these facilities allow us to over achieve with parts supply and response times to our customers across the nation. Brandt Tractor Ltd. has 56 dealerships across Canada and all dealerships have stocked parts departments of all fast moving parts that operate 24/7. Our head office is located in Regina Saskatchewan and is a Platinum Member of the Canada's 50 Best Managed Companies program.

Once again thank you for the opportunity to quote the John Deere 444P Wheel Loader, should you have any further questions or concerns, please do not hesitate to call me at your earliest convenience.

Thank you,

Keith Barr

Keith Barr
Territory Manager
Brandt Tractor Ltd.
(902) 835.7474 tel
(902) 818.6043 cel
(902) 835.7475 fax
kbarr@brandt.ca

Brandt Tractor Ltd.

Halifax Branch, 60 Symonds Road Bedford, NS, B4B1H3, Canada, 902.835.7474



JOHN DEERE



Corporate Profile



Brandt Tractor Ltd. is the world's largest privately held John Deere Construction and Forestry Dealer. We're proud to offer a complete line of John Deere construction and forestry equipment, from backhoes to excavators and graders, to skid steers and waste handling equipment, plus the kind of quality support a superior product of this nature deserves. And while John Deere is the company's main equipment line, we also offer sales and service for Ditch Witch, Hammerhead and Topcon. We believe in delivering value to our customers each and every day. Brandt has 56 dealerships across Canada to serve our broad base of customers in BC, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, Maritimes, The Territories, and Nunavut.

Powerful Value Delivered, is much more than a tagline at Brandt. It's our company-wide promise to help our customers succeed by empowering them with the outstanding performance of our people and the uncompromising quality of our products and services.

Grown from the seeds of an entrepreneurial spirit over 80 years ago, Brandt has a long history of providing powerful value to our customers through a solid commitment to strong core values; **Quality, Innovation, Commitment and Customer Focus**. Originally Brandt Electric designed and built innovative products including one of the first grain augers available in Canada.

Eventually, Brandt Electric became Brandt Industries Ltd. Today, Brandt is a growing, dynamic and diverse group of companies headquartered in Regina, Saskatchewan. Brandt employs more than 3400 people across Canada and the US and services markets in over 20 countries and six continents. Brandt is the largest privately owned company in Saskatchewan and a Platinum Member of the Canada's 50 Best Managed Companies program.

Brandt Agricultural Products Ltd. engineers and manufactures quality agricultural equipment and markets these products through a dealer network in North America, Europe and Australia.

Brandt Developments Ltd. is a community-oriented real estate developer with the financial resources and proven expertise in the design, build, and management of highly-efficient, environmentally considerate and technologically advanced commercial business sites.

Brandt Engineered Products Ltd. (ISO 9001-2008) specializes in innovative machine and system design, manufacturing, installation, and commissioning for the tube and pipe and mining industries around the world.

Brandt Equipment Solutions Ltd. specializes in the design and manufacture of customized attachments and guarding for heavy-duty construction equipment.

Brandt Finance Ltd. provides financing for new and used equipment, including non-Brandt products.

Brandt Tractor Ltd.

Halifax Branch, 60 Symonds Road Bedford, NS, B4B1H3, Canada, 902.835.7474



JOHN DEERE



Brandt Positioning Technology is the exclusive Topcon Dealer in Western Canada for construction, survey/engineering/GIS, and agriculture positioning technologies.

Brandt Road Rail Corporation manufactures and markets railway maintenance equipment to customers throughout the world.

Brandt Truck Rigging & Trailers. This new division carries on the proud Camex tradition of supplying premium-quality specialty transportation solutions for industry.

Brandt Tractor Ltd. is the largest privately held John Deere construction and forestry dealership in the world with 56 locations across Canada as well as a Ditch Witch dealership in Milton, Ontario.

Brandt believes in safe workplaces. To achieve this goal, we employ a number of safety risk mitigation measures including, but not limited to, safety awareness training, risk identification practices, education and instruction, operating standards, and compliance management procedures. Awareness, risk identification, education programs, and rigid safety standards ensure that we employ every measure possible to make our worksite safe places for our people. Our commitment to responsible environmental practices in all aspects of our company is also a key priority. Our concern extends well past regulatory compliance to reflect our respect for nature and our responsible management and stewardship of resources. Brandt recognizes the need to conduct its business in a manner which protects and sustains the environment. To the extent practicable, Brandt strives to make environmental considerations part of our business planning and decision-making process.

INTEGRITY DRIVES OUR ACTIONS

Integrity has been defined as doing the right thing, even when no one is watching you. This belief governs how Brandt operates and conducts business every minute of every day. We set a high standard for ourselves and we expect the same from everyone who works for, or acts on behalf of, every Brandt division. Trust takes years to build and only seconds to tear down. We believe that upholding the highest ethical standards in all of our business activities is the key to maintaining the great relationships we've built with our employees, our customers, and the communities we've invested in.



Brandt Tractor Ltd.

Halifax Branch, 60 Symonds Road Bedford, NS, B4B1H3, Canada, 902.835.7474



JOHN DEERE



West Hants Regional Municipality

Please find below quote and options for the requested John Deere 444P Loader.

Includes Following Equipment:

- Base 444P Loader-New Factory Build
- JD Power Tech Plus Tier 4 Engine 124 HP
- 26,941lb Operating Weight
- 13,173lb 40 Deg Full Turn Tip Load
- Engine Air Precleaner
- Zbar Linkage
- 9'5" Dump Clearance
- Joystick Control With FNR
- 4 Function Hydraulics
- JD HiVis QC
- Brandt 2.5CY GP Bucket
- Ride Control
- 4 Speed Automatic Transmission
- Countershaft-type PowerShift™
- Quad Cool Package
- Axle Coolers
- Front Hyd Locking Diffs
- Manual Diff Lock
- 17.5R25 Snow Plus Tires
- Calcium Fill Tires
- Full Coverage Front Fender
- Rear Platform
- 140 Amp Alternator
- 10 LED Work Light Package
- Signal/Brake Lights/Beacon
- Rear View Camera
- Outside Heated Mirrors
- Cold Weather Package
- Cab With Heat/Air/Radio/Fire Ext
- Autolube System
- First Service
- 5 Year JD Link Remote Monitoring
- 48 Hour Uptime Guarantee
- FOB West Hants Regional Municipality



Brandt Tractor Ltd.

Halifax Branch, 60 Symonds Road Bedford, NS, B4B1H3, Canada, 902.835.7474



JOHN DEERE



Optional Equipment

Secondary Steering	\$2,129
Reversing Fan	\$1,235
Front & Rear Locking Differentials	\$1,835
Hydraulic Locking Differentials	\$1,100
Electrical Corrosion Package	\$1,065

Environmental Stewardship

John Deere is committed to the success of our customers whose work is linked to the land. We therefore take our responsibility for safeguarding the environment seriously. We offer products that are efficient and effective and minimize environmental impact. We also design, build, and support those products in offices, factories, and dealerships that are built and maintained with the environment in mind. We're constantly on the lookout for opportunities to reduce our energy and water consumption, increase our waste recycling rate, and improve our air- and water-quality systems.

We know that responsible resource management is vital not just to our company, employees, and customers, but also to our world. Every one of our operating processes reflects this strong commitment to environmental protection. We're constantly on the lookout for energy-efficient systems, as well as systems that sustain air and water quality or reduce or eliminate waste. And when investing in new products, approaches, or technologies, we give preference to those that have the least environmental impact.

Our products and solutions are designed for efficiency and productivity. By truly understanding our customers' needs and incorporating innovative technology, we're able to offer machines and technology solutions that are not only more productive and more efficient, but also minimize impact on the environment. "Product Sustainability," as it's known, is one of the best ways to offer lasting value to our employees, our business, our customers, and our world.

Spare Parts Inventory

The Halifax dealership will be your main contact point for all your parts needs. They have fully stocked parts department that work in conjunction with all our other dealerships to coordinate parts.

At Brandt we maintain a minimum parts level in our system that gets replenished when stock levels hit the safety stock point. Any parts across the company that get a minimum of 2 orders in the past 2 years we keep on the shelf. If we do not have the required part at the closest parts department it is shipped out from the next location for next day. If the part is not in Brandt inventory we can usually get the part from John Deere also within 24 hours.

Brandt Tractor Ltd.

Halifax Branch, 60 Symonds Road Bedford, NS, B4B1H3, Canada, 902.835.7474



JOHN DEERE



We also have a customer Support Centre that reduces trouble shooting time for repeat problems and gets your equipment back to work quickly and efficiently. Brandt offers 24/7 live operator parts coverage, with fully trained parts staff for immediate ordering. We are committed to offering the best over-the-counter parts availability in the industry. Brandt is committed to trained technical specialists ready to assist you when you need us, and full after hours support to ensure that when you're working, we're working.

Customer Service Agreement

Brandt technicians are available for on-site and emergency service 24 hours a day, seven days a week. A fleet of heavy-duty service trucks covers our entire territory. Fully equipped with special purpose tools and computerized diagnostic equipment, they provide fast, accurate troubleshooting and repair. Working closely with our 24/7 Product Support Centre we have instant access to parts availability when needed. All our Dealerships also have a full service shops with factory trained technicians that are available for equipment repairs during normal business hours.

Service Training

Brandt to provide ½ day service orientation for loaders on major components and service intervals per John Deere recommendations.
Training to take place onsite with Brandt representative.

Value Added Services

JD Link comes equipped on our Loaders for a 5 year period giving you full machine monitoring. With JD Link you can monitor where your machine is, fuel burn, idle time, diagnostic trouble codes, engine utilization, service requirements and more.

Brandt Tractor Ltd.

Halifax Branch, 60 Symonds Road Bedford, NS, B4B1H3, Canada, 902.835.7474



JOHN DEERE

Supply Two (2) Wheel Loaders 11500kg-12500kg Operating weight

1. Quote Sheet:

	Manufacture's Make	John Deere
	Manufacture's Model	444P
	Model Year	2021
	Unit 1 Price	\$ 203,600 **Does not include wing & plow**
	Unit 2 Price	\$ 232,500 **Includes wing mount hardware & hydraulics for existing wing**
	Less Trade-ins Total Value	\$ 35,000
	Net Price Total Unit 1 & Unit 2	\$ 401,100
	Plus HST	\$ 60,165
	Total Delivered Price	\$ 461,265
	Delivery Time in Days	125-150 days

Optional Equipment Pricing: (must be complete and quick attach ready for both units) include specs

Forklift Type Forks 60"	\$ 7,200
4-in-1 12' Snow Blade (HLA Snow Wing or approved Equivalent)	\$ 25,195 (Brandt Built)
Extendable Snow Push Blade 8'-12'	\$ 21,588 (Brandt Built)
Side dump bucket	\$ 32,255 (Brandt Built)
Craig 10' snow wing and 12' reversable snow plow	\$ 81,500 (Brandt Wing & Plow)
Tenco 10' snow wing and 12' reversable snow plow	\$ Not available

Extended Warranty Options and Pricing

2 YR or 2000 HR Comprehensive	\$ 2,852
3 YR or 3000 HR Comprehensive	\$ 4,556
5 YR or 5000 HR Comprehensive	\$ 11,647

	\$

Leasing/Rental Options

Term	Monthly Payment	Residual Value	Hrs/yr	
36 Months	\$3,240.97	\$113,800	1000	Unit 1
36 Months	\$4,017.86	\$117,400	1000	Unit 2
60 Months	\$2,547.30	\$92,600	1000	Unit 1
60 Months	\$3,054.89	\$95,500	1000	Unit 2

Please state the location of the following warranty and non-warranty work.

Engine	Brandt Halifax Location
Electrical Work	Brandt Halifax Location
Major Engine Repairs	Brandt Halifax Location
Engine Components Repair	Brandt Halifax Location
Transmission Work	Brandt Halifax Location
Drive Train Work	Brandt Halifax Location
Suspension Work	Brandt Halifax Location

2. Signatures:

Signed this 21 day of July, 2021.

Brandt Tractor Ltd.
Name of Firm Quoting

60 Symonds Road, Bedford, NS, B4B1H3

902-835-7474

Address

Telephone

Signature

Lloyd Norminton-Director of Governmental Sales

Name & Title (Printed)

Witness

Name & Title (Printed)

1. Loader Specifications

Both loaders to be new and identical make, model and year with the below minimum specifications. Unless otherwise approved.

- Z bar loader configuration
- minimum 120 hp
- ride control
- four-wheel drive with differential lock
- air-conditioned cab
- am/fm radio c/w blue tooth
- back up camera (dedicated always on)
- winter street type tires
- tires to be loaded with washer fluid or approved other
- road lights with turn signals, four-way flashers, low and high beam driving lights
- two front and rear work lights (high intensity LED)
- LED 360 beacon light and independent LED strobe lights integrated in the factory lights visible from 360 degrees
- quick connect hydraulic type attachment system
- universal attach plate
- factory installed quick attach bucket
- first service maintenance package (filters, fluids etc)
- on site service training (explain)
- parts manual
- auto grease system

2. Unit 1 Complete and operational from the driver's seat a 10' snow wing and 12' reversable snow plow (see optional equipment pricing) fitted with plow shoes and bolt on reversable 5/8" cutting edge

- wing shall be hydraulic lift and fitted with brace kit, bolt on reversable 5/8" cutting edge
- both plow and wing to have automatic trip mechanism
- both plow and wing shall angle so combined to clear a path 16' wide on a single path

3. **Unit 2** Fitted with wing cylinder, hydraulics, quick attach and controls capable of operating an existing wing and plow (can be viewed at the WHRM Public Works yard) from the driver's seat.

4. Trade-Ins

1 ea. 2008 John Deere Backhoe 310SJ

1 ea. 1977 Michigan 55 Wheel Loader

Both units can be view at the WHRM Public Works yard, upon appointment

444

P

444 P-TIER WHEEL LOADER SPECIFICATIONS

While general information, pictures, and descriptions are provided, some illustrations and text may include product options and accessories NOT AVAILABLE in all regions, and in some countries products and accessories may require modifications or additions to ensure compliance with the local regulations of those countries.

444 P-TIER Z-BAR / HIGH-LIFT			
Engine	444 P-TIER Z-BAR / HIGH-LIFT		
Manufacturer and Model	John Deere PowerTech™ PSS 4045	Gross Peak Torque (ISO 9249)	550 Nm (405 lb.-ft.) at 1,400 rpm
Non-Road Emission Standard	EPA Final Tier 4/EU Stage V	Net Torque Rise	34%
Cylinders	4	Fuel System (electronically controlled)	High-pressure common rail
Valves Per Cylinder	4	Lubrication	Full-flow spin-on filter and integral cooler
Displacement	4.5 L (276 cu. in.)	Aspiration	Turbocharged, charge air cooled
Net Peak Power (ISO 9249)	92 kW (124 hp) at 2,100 rpm	Air Cleaner	Under-hood, dual-element dry type, restriction indicator in cab monitor for service
Gross Peak Power (ISO 9249)	103 kW (138 hp) at 1,800 rpm		
Net Peak Torque (ISO 9249)	532 Nm (392 lb.-ft.) at 1,400 rpm		
Cooling			
Fan Drive	Hydraulically driven, proportionally controlled, fan aft of coolers		
Electrical			
Electrical System	24 volt with 100-amp alternator (140-amp alternator optional)		
Batteries (2 – 12 volt)	950 CCA (each)		
Transmission System			
Type	Countershaft-type PowerShift™		
Torque Converter	Single stage, single phase		
Shift Control	Electronically modulated, adaptive, load and speed dependent		
Operator Interface	Steering-column or joystick-mounted F-N-R and gear-select lever; kick-down button on hydraulic lever		
Shift Modes	Manual/auto (1st-D or 2nd-D); Quick-Shift button with 2 selectable modes: kick-down or kick-up/down; and 4 clutch cutoff settings		
Maximum Travel Speeds (with 17.5 R 25 tires)			
	Forward	Reverse	
Range 1	7.5 km/h (4.6 mph)	7.9 km/h (4.9 mph)	
Range 2	12.3 km/h (7.6 mph)	13.0 km/h (8.1 mph)	
Range 3	23.4 km/h (14.5 mph)	24.6 km/h (15.3 mph)	
Range 4	35.3 km/h (21.9 mph)	N/A	
Axles/Brakes			
Final Drives	Heavy-duty mid-board planetary		
Differentials	Hydraulic locking front with conventional rear – standard; dual locking front and rear – optional		
Rear Axle Oscillation, Stop to Stop (with 17.5 R 25 tires)	24 deg. (12 deg. each direction)		
Brakes (conform to ISO 3450)			
Service	Outboard, forced oil cooled, multi disc		
Parking	Automatic spring applied, hydraulically released, driveline mounted, sealed wet multi disc		
Tires/Wheels (see page 13 for complete tire adjustments)			
	Tread Width	Width Over Tires	
Michelin 17.5 R 25, 1 Star L-3	1900 mm (74.8 in.)	2415 mm (95.1 in.)	
Serviceability			
Refill Capacities			
Fuel Tank (with lockable cap)	220 L (60 gal.)	Transmission Reservoir With Vertical Filter	18.5 L (19.5 qt.)
Diesel Exhaust Fluid (DEF)	15.6 L (16.5 qt.)	Axle Oil Without Coolers (front and rear, each)	22 L (23 qt.)
Cooling System	24 L (25 qt.)	Hydraulic Reservoir and Filter	82.1 L (21.7 gal.)
Engine Oil With Vertical Spin-On Filter	14.5 L (15.3 qt.)	Park Brake Oil (wet disc)	0.35 L (12 oz.)
Hydraulic System/Steering			
Pump (loader and steering)	Variable-displacement, axial-piston pump; closed-center, pressure-compensating system		
Maximum Rated Flow at 6895 kPa (1,000 psi) and 2,350 rpm	136 L/m (36 gpm)		
System Relief Pressure (loader and steering)	24 821 kPa (3,600 psi)		
Loader Controls	2-function valve; joystick control or fingertip controls; hydraulic-function enable/disable; optional 3rd-function valve with roller or auxiliary lever and 4th-function valve with dual roller		
Steering (conforms to ISO 5010)			
Type	Power, fully hydraulic		
Articulation Angle	80-deg. arc (40 deg. each direction)		
Turning Radius (measured to centerline of outside tire)	4.74 m (15 ft. 7 in.)		

While general information, pictures, and descriptions are provided, some illustrations and text may include product options and accessories NOT AVAILABLE in all regions, and in some countries products and accessories may require modifications or additions to ensure compliance with the local regulations of those countries.

Hydraulic System/Steering (continued)**444 P-TIER Z-BAR / HIGH-LIFT****Hydraulic Cycle Times**

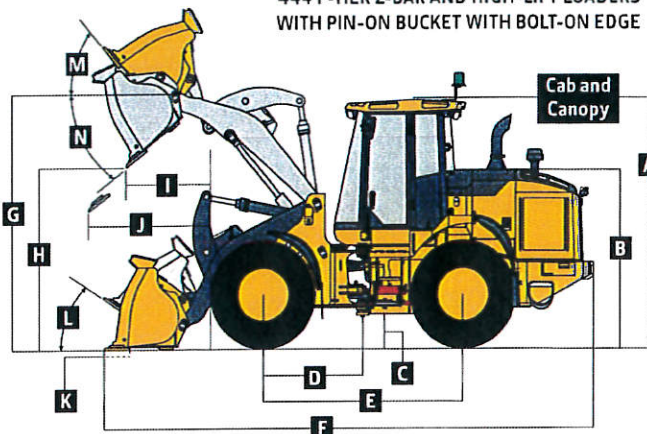
Raise	5.8 sec.
Dump	1.4 sec.
Lower (power down)	4.0 sec.
Total	11.2 sec.

Bucket Capacity Range

Bucket Type	
Pin-On	1.9 m ³ (2.5 cu. yd.)
Coupler	1.9–3.4 m ³ (2.5–4.5 cu. yd.)

Dimensions and Specifications With Pin-On Bucket With Bolt-On Edge

444 P-TIER Z-BAR AND HIGH-LIFT LOADERS
WITH PIN-ON BUCKET WITH BOLT-ON EDGE

**Dimensions With Bucket With****Bolt-On Edge (illustration above right)**

A	Height to Top of Cab and Canopy	3.19 m (10 ft. 6 in.)
B	Hood Height	2.24 m (7 ft. 4 in.)
C	Ground Clearance	305 mm (12 in.)
D	Length From Centerline to Front Axle	1.38 m (4 ft. 6 in.)
E	Wheelbase	2.76 m (9 ft. 1 in.)
F	Overall Length, Bucket on Ground	6.93 m (22 ft. 9 in.)
G	Height to Hinge Pin, Fully Raised	3.56 m (11 ft. 8 in.)
H	Dump Clearance, 45 deg., Full Height	2.56 m (8 ft. 5 in.)
I	Reach, 45-deg. Dump, Full Height	0.94 m (3 ft. 1 in.)
J	Reach, 45-deg. Dump, 2.13-m (7 ft. 0 in.) Clearance	1.29 m (4 ft. 3 in.)
K	Maximum Digging Depth	191 mm (7.5 in.)
L	Maximum Rollback at Ground Level	42 deg.
M	Maximum Rollback, Boom Fully Raised	60 deg.
N	Maximum Bucket Dump Angle, Fully Raised	48 deg.
	Loader Clearance Circle, Bucket Carry Position	10.96 m (36 ft. 0 in.)

Specifications With Bucket With Bolt-On Edge

Capacity, Heaped	1.9 m ³ (2.5 cu. yd.)
Capacity, Struck	1.5 m ³ (2.0 cu. yd.)
Bucket Weight With Bolt-On Cutting Edge	945 kg (2,082 lb.)
Bucket Width	2.55 m (8 ft. 4 in.)
Breakout Force	8841 kg (19,491 lb.)
Tipping Load, Straight, No Tire Deflection	8884 kg (19,586 lb.)
Tipping Load, Straight, With Tire Deflection	8400 kg (18,519 lb.)
Tipping Load, 40-deg. Full Turn, No Tire Deflection	7732 kg (17,047 lb.)
Tipping Load, 40-deg. Full Turn, With Tire Deflection	7149 kg (15,761 lb.)
Rated Operating Load, 50% Full-Turn Tipping Load, No Tire Deflection (conforms to ISO 14397-1)*	3866 kg (8,523 lb.)
Rated Operating Load, 50% Full-Turn Tipping Load, With Tire Deflection (conforms to ISO 14397-1)*	3575 kg (7,880 lb.)
Operating Weight	11 709 kg (25,814 lb.)

Z-Bar**1.9-m³ (2.5 cu. yd.) general-purpose****High-Lift****1.9-m³ (2.5 cu. yd.) general-purpose**

A	Height to Top of Cab and Canopy	3.19 m (10 ft. 6 in.)
B	Hood Height	2.24 m (7 ft. 4 in.)
C	Ground Clearance	305 mm (12 in.)
D	Length From Centerline to Front Axle	1.38 m (4 ft. 6 in.)
E	Wheelbase	2.76 m (9 ft. 1 in.)
F	Overall Length, Bucket on Ground	7.32 m (24 ft. 0 in.)
G	Height to Hinge Pin, Fully Raised	3.96 m (13 ft. 0 in.)
H	Dump Clearance, 45 deg., Full Height	2.96 m (9 ft. 9 in.)
I	Reach, 45-deg. Dump, Full Height	0.95 m (3 ft. 2 in.)
J	Reach, 45-deg. Dump, 1.64 m (5 ft. 5 in.) Clearance	1.64 m (5 ft. 5 in.)
K	Maximum Digging Depth	250 mm (9.8 in.)
L	Maximum Rollback at Ground Level	44 deg.
M	Maximum Rollback, Boom Fully Raised	60 deg.
N	Maximum Bucket Dump Angle, Fully Raised	45 deg.
	Loader Clearance Circle, Bucket Carry Position	11.30 m (37 ft. 1 in.)

Capacity, Heaped	1.9 m ³ (2.5 cu. yd.)
Capacity, Struck	1.5 m ³ (2.0 cu. yd.)
Bucket Weight With Bolt-On Cutting Edge	979 kg (2,158 lb.)
Bucket Width	2.55 m (8 ft. 4 in.)
Breakout Force	8812 kg (19,428 lb.)
Tipping Load, Straight, No Tire Deflection	7538 kg (16,618 lb.)
Tipping Load, Straight, With Tire Deflection	7167 kg (15,801 lb.)
Tipping Load, 40-deg. Full Turn, No Tire Deflection	6525 kg (14,386 lb.)
Tipping Load, 40-deg. Full Turn, With Tire Deflection	6072 kg (13,386 lb.)

Rated Operating Load, 50% Full-Turn Tipping Load, No Tire Deflection (conforms to ISO 14397-1)*	3263 kg (7,193 lb.)
Rated Operating Load, 50% Full-Turn Tipping Load, With Tire Deflection (conforms to ISO 14397-1)*	3036 kg (6,693 lb.)

Operating Weight	11 846 kg (26,116 lb.)
------------------	------------------------

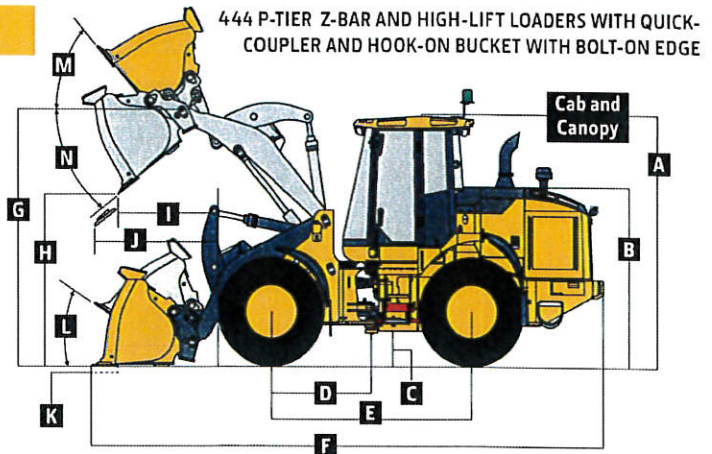
Loader operating information is based on machine with identified linkage and standard equipment, PowerTech PSS 4045 (EPA Final Tier 4/EU Stage V) engine, ROPS cab, rear cast bumper/counterweight, transmission side-frame guards, bottom guards, standard tires, full fuel tank, and 79-kg (175 lb.) operator. This information is affected by changes in tires, ballast, and different attachments.

*Rated operating capacity based on Deere attachments only.

444 P TIER

While general information, pictures, and descriptions are provided, some illustrations and text may include product options and accessories NOT AVAILABLE in all regions, and in some countries products and accessories may require modifications or additions to ensure compliance with the local regulations of those countries.

Dimensions and Specifications With Hi-Vis Coupler and Hook-On Bucket With Bolt-On Edge 444 P-TIER Z-BAR / HIGH-LIFT



Dimensions With Bucket With Bolt-On Edge (illustration above right)

	Z-Bar 1.9-m ³ (2.5 cu. yd.) general-purpose
A Height to Top of Cab and Canopy	3.19 m (10 ft. 6 in.)
B Hood Height	2.24 m (7 ft. 4 in.)
C Ground Clearance	305 mm (12 in.)
D Length From Centerline to Front Axle	1.38 m (4 ft. 6 in.)
E Wheelbase	2.76 m (9 ft. 1 in.)
F Overall Length, Bucket on Ground	7.07 m (23 ft. 2 in.)
G Height to Hinge Pin, Fully Raised	3.56 m (11 ft. 8 in.)
H Dump Clearance, 45 deg., Full Height	2.48 m (8 ft. 2 in.)
I Reach, 45-deg. Dump, Full Height	1.09 m (3 ft. 7 in.)
J Reach, 45-deg. Dump, 2.13-m (7 ft. 0 in.) Clearance	1.38 m (4 ft. 6 in.)
K Maximum Digging Depth	161 mm (6.3 in.)
L Maximum Rollback at Ground Level	42 deg.
M Maximum Rollback, Boom Fully Raised	60 deg.
N Maximum Bucket Dump Angle, Fully Raised	48 deg.
Loader Clearance Circle, Bucket Carry Position	10.98 m (36 ft. 1 in.)

Specifications With Bucket With Bolt-On Edge

	Z-Bar 1.9 m ³ (2.5 cu. yd.)
Capacity, Heaped	1.9 m ³ (2.5 cu. yd.)
Capacity, Struck	1.5 m ³ (2.0 cu. yd.)
Bucket Weight With Bolt-On Cutting Edge	945 kg (2,082 lb.)
Bucket Width	2.55 m (8 ft. 4 in.)
Breakout Force	7394 kg (16,301 lb.)
Tipping Load, Straight, No Tire Deflection	8214 kg (18,109 lb.)
Tipping Load, Straight, With Tire Deflection	7740 kg (17,064 lb.)
Tipping Load, 40-deg. Full Turn, No Tire Deflection	7106 kg (15,666 lb.)
Tipping Load, 40-deg. Full Turn, With Tire Deflection	6534 kg (14,405 lb.)
Rated Operating Load, 50% Full-Turn Tipping Load, No Tire Deflection (conforms to ISO 14397-II)*	3553 kg (7,833 lb.)
Rated Operating Load, 50% Full-Turn Tipping Load, With Tire Deflection (conforms to ISO 14397-II)*	3267 kg (7,202 lb.)
Operating Weight	12 083 kg (26,639 lb.)

Loader operating information is based on machine with identified linkage and standard equipment, PowerTech PSS 4045 (EPA Final Tier 4/EU Stage V) engine, ROPS cab, rear cast bumper/counterweight, transmission side-frame guards, bottom guards, standard tires, full fuel tank, and 79-kg (175 lb.) operator. This information is affected by changes in tires, ballast, and different attachments.

*Rated operating capacity based on Deere attachments only.

Dimensions and Specifications With Hi-Vis Coupler and Construction Forks

Dimensions With Forks (illustration at top of next page)

	Z-Bar 1.22-m (48 in.) tine length
A Height to Top of Cab and Canopy	3.19 m (10 ft. 6 in.)
B Hood Height	2.24 m (7 ft. 4 in.)
C Ground Clearance	305 mm (12 in.)
D Length From Centerline to Front Axle	1.38 m (4 ft. 6 in.)
E Wheelbase	2.76 m (9 ft. 1 in.)
F Overall Length, Forks on Ground	7.57 m (24 ft. 10 in.)
G Height to Hinge Pin, Fully Raised	3.56 m (11 ft. 8 in.)
H Reach, Fully Raised	890 mm (35 in.)
I Fork Height, Fully Raised	3.23 m (10 ft. 7 in.)
J Maximum Reach, Fork Level	1.61 m (5 ft. 3 in.)
K Fork Height, Maximum Reach	1.50 m (4 ft. 11 in.)
L Reach, Ground Level	1.11 m (3 ft. 8 in.)
M Depth Below Ground	160 mm (6 in.)
N Tine Length	1.22 m (48 in.)
O Load Position, 50% Tine Length	610 mm (24 in.)

	Z-Bar 3.1-m ³ (4.0 cu. yd.) light-material	High-Lift 1.9-m ³ (2.5 cu. yd.) general-purpose	High-Lift 3.1-m ³ (4.0 cu. yd.) light-material
A Height to Top of Cab and Canopy	3.19 m (10 ft. 6 in.)	3.19 m (10 ft. 6 in.)	3.19 m (10 ft. 6 in.)
B Hood Height	2.24 m (7 ft. 4 in.)	2.24 m (7 ft. 4 in.)	2.24 m (7 ft. 4 in.)
C Ground Clearance	305 mm (12 in.)	305 mm (12 in.)	305 mm (12 in.)
D Length From Centerline to Front Axle	1.38 m (4 ft. 6 in.)	1.38 m (4 ft. 6 in.)	1.38 m (4 ft. 6 in.)
E Wheelbase	2.76 m (9 ft. 1 in.)	2.76 m (9 ft. 1 in.)	2.76 m (9 ft. 1 in.)
F Overall Length, Bucket on Ground	7.30 m (23 ft. 11 in.)	7.47 m (24 ft. 6 in.)	7.69 m (25 ft. 3 in.)
G Height to Hinge Pin, Fully Raised	3.56 m (11 ft. 8 in.)	3.96 m (13 ft. 0 in.)	3.96 m (13 ft. 0 in.)
H Dump Clearance, 45 deg., Full Height	2.33 m (7 ft. 8 in.)	2.88 m (9 ft. 5 in.)	2.73 m (9 ft. 0 in.)
I Reach, 45-deg. Dump, Full Height	1.25 m (4 ft. 1 in.)	1.10 m (3 ft. 7 in.)	1.26 m (4 ft. 2 in.)
J Reach, 45-deg. Dump, 2.13-m (7 ft. 0 in.) Clearance	1.43 m (4 ft. 8 in.)	1.74 m (5 ft. 9 in.)	1.81 m (5 ft. 11 in.)
K Maximum Digging Depth	172 mm (6.8 in.)	220 mm (8.7 in.)	231 mm (9.1 in.)
L Maximum Rollback at Ground Level	42 deg.	44 deg.	44 deg.
M Maximum Rollback, Boom Fully Raised	60 deg.	60 deg.	60 deg.
N Maximum Bucket Dump Angle, Fully Raised	48 deg.	45 deg.	45 deg.
Loader Clearance Circle, Bucket Carry Position	11.38 m (37 ft. 4 in.)	11.28 m (37 ft. 0 in.)	11.66 m (38 ft. 3 in.)
Capacity, Heaped	3.1 m ³ (4.0 cu. yd.)	1.9 m ³ (2.5 cu. yd.)	3.1 m ³ (4.0 cu. yd.)
Capacity, Struck	2.6 m ³ (3.4 cu. yd.)	1.5 m ³ (2.0 cu. yd.)	2.6 m ³ (3.4 cu. yd.)
Bucket Weight With Bolt-On Cutting Edge	1233 kg (2,719 lb.)	945 kg (2,082 lb.)	1233 kg (2,719 lb.)
Bucket Width	2.90 m (9 ft. 6 in.)	2.55 m (8 ft. 4 in.)	2.90 m (9 ft. 6 in.)
Breakout Force	5999 kg (13,225 lb.)	7369 kg (16,246 lb.)	5977 kg (13,177 lb.)
Tipping Load, Straight, No Tire Deflection	7758 kg (17,103 lb.)	6954 kg (15,332 lb.)	6528 kg (14,391 lb.)
Tipping Load, Straight, With Tire Deflection	7266 kg (16,019 lb.)	6591 kg (14,531 lb.)	6147 kg (13,552 lb.)
Tipping Load, 40-deg. Full Turn, No Tire Deflection	6663 kg (14,689 lb.)	5975 kg (13,173 lb.)	5558 kg (12,254 lb.)
Tipping Load, 40-deg. Full Turn, With Tire Deflection	6069 kg (13,380 lb.)	5529 kg (12,189 lb.)	5082 kg (11,204 lb.)
Rated Operating Load, 50% Full-Turn Tipping Load, No Tire Deflection (conforms to ISO 14397-II)*	3331 kg (7,344 lb.)	2988 kg (6,586 lb.)	2779 kg (6,127 lb.)
Rated Operating Load, 50% Full-Turn Tipping Load, With Tire Deflection (conforms to ISO 14397-II)*	3035 kg (6,690 lb.)	2765 kg (6,095 lb.)	2541 kg (5,602 lb.)
Operating Weight	12 414 kg (27,368 lb.)	12 220 kg (26,941 lb.)	12 551 kg (27,670 lb.)

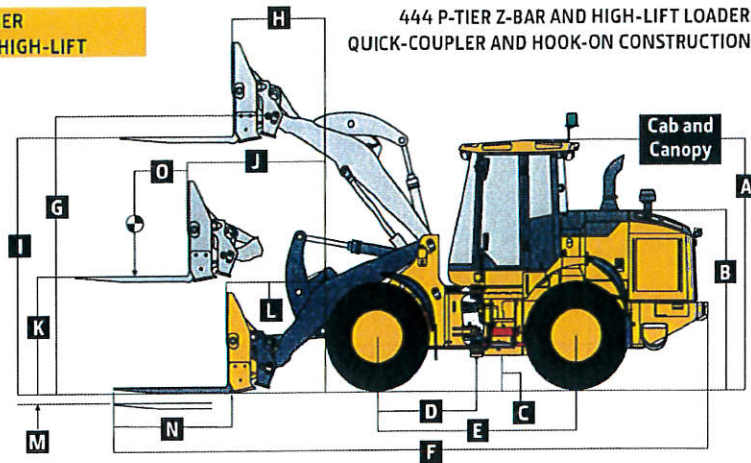
While general information, pictures, and descriptions are provided, some illustrations and text may include product options and accessories NOT AVAILABLE in all regions, and in some countries products and accessories may require modifications or additions to ensure compliance with the local regulations of those countries.

444 P TIER

Dimensions and Specifications With Hi-Vis Coupler and Construction Forks (continued)

444 P-TIER Z-BAR / HIGH-LIFT

444 P-TIER Z-BAR AND HIGH-LIFT LOADERS WITH QUICK-COUPLER AND HOOK-ON CONSTRUCTION FORKS



Specifications With Forks (illustration above right)

	Z-Bar	Z-Bar	High-Lift	High-Lift
Tipping Load, Straight, No Tire Deflection	5905 kg (13,018 lb.)	5541 kg (12,216 lb.)	5192 kg (11,446 lb.)	4888 kg (10,777 lb.)
Tipping Load, Straight, With Tire Deflection	5727 kg (12,626 lb.)	5376 kg (11,852 lb.)	5037 kg (11,105 lb.)	4743 kg (10,457 lb.)
Tipping Load, 40-deg. Full Turn, No Tire Deflection	5107 kg (11,259 lb.)	4783 kg (10,545 lb.)	4461 kg (9,835 lb.)	4191 kg (9,238 lb.)
Tipping Load, 40-deg. Full Turn, With Tire Deflection	4884 kg (10,767 lb.)	4575 kg (10,086 lb.)	4266 kg (9,405 lb.)	3996 kg (8,810 lb.)
Rated Operating Load, 50% Full-Turn Tipping Load, With Tire Deflection (conforms to ISO 14397-1 and SAE J1197)*	2442 kg (5,384 lb.)	2288 kg (5,043 lb.)	2133 kg (4,702 lb.)	1998 kg (4,405 lb.)

Rated Operating Load, Rough Terrain, 60% Full-Turn Tipping Load, With Tire Deflection (conforms to EN474-3)*	2930 kg (6,460 lb.)	2745 kg (6,052 lb.)	2560 kg (5,643 lb.)	2398 kg (5,286 lb.)
--	---------------------	---------------------	---------------------	---------------------

Rated Operating Load, Firm and Level Ground, 80% Full-Turn Tipping Load, With Tire Deflection (conforms to EN474-3)*	3907 kg (8,614 lb.)	3660 kg (8,069 lb.)	3413 kg (7,524 lb.)	3197 kg (7,048 lb.)
--	---------------------	---------------------	---------------------	---------------------

Operating Weight	11 979 kg (26,409 lb.)	12 039 kg (26,542 lb.)	12 116 kg (26,711 lb.)	12 176 kg (26,844 lb.)
------------------	------------------------	------------------------	------------------------	------------------------

Loader operating information is based on machine with identified linkage and standard equipment, PowerTech PSS 4045 (EPA Final Tier 4/EU Stage V) engine, ROPS cab, rear cast bumper/counterweight, transmission side-frame guards, bottom guards, standard tires, full fuel tank, and 79-kg (175 lb.) operator. This information is affected by changes in tires, ballast, and different attachments.

*Rated operating capacity based on Deere attachments only.

Adjustments to Operating Weights and Tipping Loads With Buckets

Adjustments to operating weights, tipping loads, and tires are based on Z-Bar machine with pin-on 1.9-m³ (2.5 cu. yd.) general-purpose bucket with bolt-on cutting edge, ROPS cab, rear cast bumper/counterweight, transmission side-frame guards, bottom guards, standard tires, full fuel tank, and 79-kg (175 lb.) operator*

Add (+) or deduct (-) kg (lb.) as indicated

	Operating Weight	Tipping Load, Straight	Tipping Load, 40-deg. Full Turn	Tread Width	Width Over Tires	Vertical Height
for loaders with 3-piece rims	0 kg (0 lb.)	0 kg (0 lb.)	0 kg (0 lb.)	0 mm (0 in.)	0 mm (0 in.)	0 mm (0 in.)
Michelin 17.5 R 25, 1 Star L-3 XHA2	-61 kg (-135 lb.)	-42 kg (-93 lb.)	-37 kg (-82 lb.)	0 mm (0 in.)	0 mm (0 in.)	+23 mm (+0.9 in.)
Michelin 17.5 R 25, 1 Star L-2	-9 kg (-21 lb.)	-6 kg (-14 lb.)	-6 kg (-13 lb.)	0 mm (0 in.)	-20 mm (-0.8 in.)	+35 mm (+1.4 in.)
Bridgestone 17.5 R 25, 1 Star L-2	-7 kg (-16 lb.)	-5 kg (-11 lb.)	-5 kg (-10 lb.)	0 mm (0 in.)	-14 mm (-0.6 in.)	+35 mm (+1.4 in.)
Titan 17.5 R 25, 1 Star L-2	-159 kg (-351 lb.)	-110 kg (-242 lb.)	-97 kg (-214 lb.)	0 mm (0 in.)	-2 mm (-0.1 in.)	+45 mm (+1.8 in.)
Firestone 17.5-25, 12 PR L-3	-151 kg (-334 lb.)	-104 kg (-230 lb.)	-92 kg (-203 lb.)	0 mm (0 in.)	-2 mm (-0.1 in.)	+47 mm (+1.9 in.)
Firestone 17.5-25, 12 PR L-2	+121 kg (+266 lb.)	+83 kg (+183 lb.)	+73 kg (+162 lb.)	+50 mm (+2 in.)	+127 mm (+5.0 in.)	+105 mm (+4.1 in.)
Titan 20.5-25, 12 PR L-2 ¹	+229 kg (+504 lb.)	+158 kg (+347 lb.)	+139 kg (+307 lb.)	+50 mm (+2 in.)	+123 mm (+4.8 in.)	+96 mm (+3.8 in.)
Michelin 20.5 R 25, 1 Star L-2 ¹	+321 kg (+707 lb.)	+221 kg (+487 lb.)	+195 kg (+430 lb.)	+50 mm (+2 in.)	+122 mm (+4.8 in.)	+97 mm (+3.8 in.)
Bridgestone 20.5 R 25, 1 Star L-2 ¹	+519 kg (+1,143 lb.)	+357 kg (+788 lb.)	+315 kg (+695 lb.)	+50 mm (+2 in.)	+112 mm (+4.4 in.)	+97 mm (+3.8 in.)
Titan 20.5 R 25, 1 Star L-2 ¹	+284 kg (+626 lb.)	+196 kg (+432 lb.)	+173 kg (+381 lb.)	+52 mm (+2 in.)	+127 mm (+5.0 in.)	+90 mm (+3.5 in.)
Michelin 20.5 R 25 L2 Sno-Plus ⁵	+606 kg (+1,337 lb.)	+836 kg (+1,843 lb.)	+738 kg (+1,626 lb.)	N/A	N/A	N/A
CaCl ₂ in 17.5-25 Rear Tires, 75% Fill						

*May change based on vehicle configuration, weight, or tire-pressure adjustments.

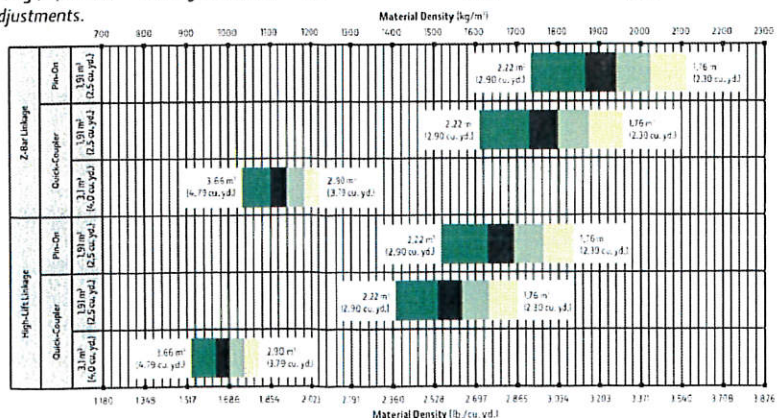
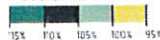
⁵CaCl₂ not recommended.

¹Requires 8-deg. rear axle stops.

Bucket Selection Guides

LOOSE MATERIALS	kg/m ³	lb./cu. yd.	LOOSE MATERIALS	kg/m ³	lb./cu. yd.
Chips, pulpwood	288	486	Limestone, coarse, sized	1570	2,646
Cinders (coal, ashes, clinkers)	673	1,134	Limestone, mixed sizes	1682	2,835
Clay and gravel, dry	1602	2,700	Limestone, pulver and or crushed	1362	2,295
Clay, compact, solid	1746	2,943	Sand, damp	2083	3,510
Clay, dry, in lump loose	1009	1,701	Sand, dry	1762	2,970
Clay, excavated in water	1282	2,160	Sand, work, full of water	2083	3,510
Coal, anthracite, broken, loose	865	1,458	Sandstone, quarried	1314	2,214
Coal, bituminous, moderately wet	801	1,350	Shale, broken crushed	1362	2,295
Earth, common loam, dry	1218	2,052	Slag, furnace granulated	1955	3,294
Earth, mud, packed	1847	3,105	Stone or gravel, 37.5 to 87.5 mm	1442	2,430
Grass, broken	1538	2,592	1" 5 to 3.5" size	1602	2,700
Gypsum	2275	3,834	Stone or gravel, 18.75-mm (3/4") size	1602	2,700

Bucket Fill Factors



Additional equipment

Key: ● Standard ▲ Optional or special See your John Deere dealer for further information.

444 P	524 P	544 P	624 P	644 P	724 P	Engine	444 P	524 P	544 P	624 P	644 P	724 P	Quad-Cool™ Cooling System
●	●	●	●	●	●	Wet-sleeve cylinder liners	●	●	●	●	●	●	Heavy-duty, trash-resistant radiator and high-ambient cooling package
●	●	●	●	●	●	Programmable auto-idle and auto shutdown	●	●	●	●	●	●	2-side access to all coolers
●	●	●	●	●	●	Selected idle adjustment from 900–1,250 rpm	●	●	●	●	●	●	Isolated from engine compartment
●	●	●	●	●	●	Starter excessive-cranking protection	●	●	●	●	●	●	Engine radiator
●	●	●	●	●	●	Automatic engine cool-down timer	●	●	●	●	●	●	Engine oil cooler
●	●	●	●	●	●	Automatic derating for exceeded system temperatures	●	●	●	●	●	●	Hydraulic oil cooler (oil to air)
●	●	●	●	●	●	Serpentine drive belt for automatic tensioner	●	●	●	●	●	●	Transmission oil cooler (oil to air)
●	●	●	●	●	●	Electrical fuel-priming pump	●	●	●	●	●	●	Charge air cooler (air to air)
●	●	●	●	●	●	Dual-stage fuel filter and water separator	●	●	●	●	●	●	Fuel cooler
●	●	●	●	●	●	500-hour vertical spin-on oil filter	●	●	●	●	●	●	Coolant recovery tank
▲	▲	▲	▲	▲	▲	Engine-compartment light	●	●	●	●	●	●	Antifreeze, –37 deg. C (–34 deg. F)
▲	▲	▲	▲	▲	▲	Chrome exhaust stack	●	●	●	●	●	●	Cool-on-demand, hydraulically driven, swing-out fan
●	●	●	●	●	●	Automatic glow plugs for cold start	●	●	●	●	●	●	Enclosed fan safety guard
					▲	Automatic ether starting aid (recommended for cold starts below –12 deg. C [10 deg. F])	▲	▲	▲	▲	▲	▲	Automatic reversing fan drive
▲	▲	▲	▲	▲	▲	Engine-block heater (recommended for cold starts below –23 deg. C [–10 deg. F])	▲	▲	▲	▲	▲	▲	Axle and service-brake coolers
▲	▲	▲	▲	▲	▲	Centrifugal engine air pre-cleaner							
▲	▲	▲	▲	▲	▲	Throttle lock							
Powertrain							Hydraulics						
●	●	●	●	●	●	Clutch cutoff with 4 operator settings: Automatic, level ground, small slope, or steep slope	●	●	●	●	●	●	Electrohydraulic (EH) controls with soft stops and adjustable settings
●	●	●	●	●	●	Programmable maximum high gear	●	●	●	●	●	●	In-cab adjustable automatic return-to-dig bucket positioner
●	●	●	●	●	●	Clutch calibration engaged from monitor	●	●	●	●	●	●	In-cab adjustable automatic boom-height kickout/return to carry
●	●	●	●	●	●	2,000-hour vertical spin-on transmission filter	●	●	●	●	●	●	Reservoir with sight gauge and fill strainer
●	●	●	●	●	●	Transmission fill tube and sight gauge	●	●	●	●	●	●	Hydraulic diagnostic ports
●	●	●	●	●	●	Transmission diagnostic ports	▲	▲	▲	▲	▲	▲	4,000-hour in-tank filter
●			▲	▲	▲	4-speed transmission with non-lockup torque converter	▲	▲	▲	▲	▲	▲	2 function — joystick with F-N-R
	●	▲	▲			5-speed transmission with non-lockup torque converter	▲	▲	▲	▲	▲	▲	2 function — 2-lever fingertip controls and steering column F-N-R
		●	●	●	●	5-speed transmission with lockup torque converter	▲	▲	▲	▲	▲	▲	3 function — joystick with F-N-R and integrated 3rd-function roller
●	●	●	●	●	●	Front locking differential	●	●	●	●	●	●	3 function — 3-lever fingertip controls and steering column F-N-R
▲	▲	▲	▲	▲	▲	Rear locking differential	●	●	●	●	●	●	4 function — joystick with F-N-R and integrated 3rd/4th-function rollers
●	●	●	●	●	●	Brake retractors and adjusters	▲	▲	▲	▲	▲	▲	Programmable multifunction buttons (2)
▲	▲	▲	▲	▲	▲	Automatic differential lock	▲	▲	▲	▲	▲	▲	Adjustable and continuous hydraulic-flow settings
●	●	●	●	●	●	Axle oil temperature sensing	▲	▲	▲	▲	▲	▲	Programmable attachment settings
▲	▲	▲	▲	▲	▲	Wheel-spin control	▲	▲	▲	▲	▲	▲	Ride control, automatic with monitor-adjustable speed settings
													Hydraulic control system for quick-coupler locking pins
													Hydrau™ XR cold-temperature hydraulic fluid recommended below –25 deg. C (–13 deg. F)

While general information, pictures, and descriptions are provided, some illustrations and text may include product options and accessories NOT AVAILABLE in all regions, and in some countries products and accessories may require modifications or additions to ensure compliance with the local regulations of those countries.

Net engine power is with standard equipment including air cleaner, exhaust system, alternator, and cooling fan at test conditions per ISO 9249. No derating is required up to 3052-m (10,000-ft) alt. tude. Specifications and design subject to change without notice. Specifications with the exception of bucket capacity are in accordance with all applicable ISO standards. Except where otherwise noted, these specifications are based on units with applicable linkage and standard equipment: ROPS cab, rear cast bumper, counterweight, transmission side frame guards, bottom guards, standard PTO, full fuel tank, and 73-kg (155-lb) operator.

Additional equipment (cont.)

Key: ● Standard ▲ Optional or special See your John Deere dealer for further information.

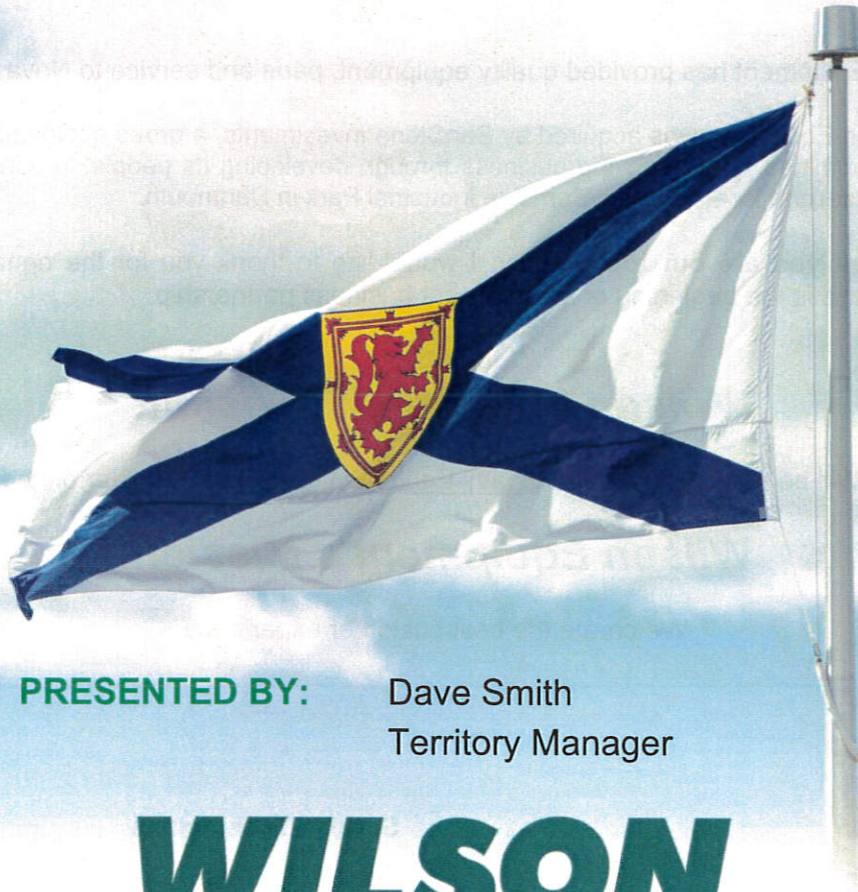
444 P	524 P	544 P	624 P	644 P	724 P	Steering Systems
●	●	●	●	●	●	Conventional steering wheel with spinner knob
				▲	▲	Joystick steering (including conventional steering column) with gearshift, F-N-R, and horn
▲	▲	▲	▲	▲	▲	Secondary steering
Electrical						
●	●	●	●	●	●	Solid-state electrical power-distribution system
●	●	●	●	●	●	Lockable master electrical-disconnect switch
●	●	●	●	●	●	Battery-terminal safety covers
●	●	●	●	●	●	By-pass start safety cover at starter
●	●	●	●	●	●	Remote jump-start access in battery box
●	●	●	●	●	●	Pre-wired for beacon/strobe light
●	●	●	●	●	●	Lights: Halogen driving lights with guards (2) / Front (4), rear cab (2), and rear grille (2) work lights / LED front turn signals and flashers / LED stop- and taillights
▲	▲	▲	▲	▲	▲	Premium LED light package (all exterior lights are heavy-duty LED)
●	●	●	●	●	●	Programmable courtesy lights
●	●	●	●	●	●	Horn, electric
●	●	●	●	●	●	Reverse warning alarm
●	●	●	●	●	●	Multifunction/multi-language 178-mm (7 in.) LCD color monitor includes: Digital instruments — Analog display (hydraulic oil temperature, engine coolant temperature, transmission oil temperature, and engine oil pressure) / Digital display (engine rpm, transmission gear/direction indicator, hour meter, fuel level, diesel exhaust fluid (DEF) level, speedometer, odometer, and average fuel consumption)
▲	▲	▲	▲	▲	▲	Multifunction/multi-language 127-mm (5 in.) LCD color monitor includes: Digital instruments — Analog display (hydraulic oil temperature, engine coolant temperature, and engine oil pressure) / Digital display (engine rpm, transmission gear/direction indicator, hour meter, fuel level, DEF level, speedometer, odometer, and average fuel consumption)
▲	▲	▲	▲	●	●	Integrated cycle counter with 5 categories
●	●	●	●	●	●	Indicator lights: Standard and selected options / Amber caution and red stop
444 P	524 P	544 P	624 P	644 P	724 P	Electrical (continued)
●	●	●	●	●	●	Operator-warning messages
●	●	●	●	●	●	Built-in diagnostics: Diagnostic-code details / Sensor values / Calibrations / Individual circuit tester
▲	▲	▲	▲	▲	▲	Electrical corrosion-prevention package
●	●	●	●	●	●	Standard AM/FM/Weather-Band (WB) radio with remote auxiliary port
▲	▲	▲	▲	▲	▲	Premium AM/FM/WB radio with Bluetooth®, remote auxiliary port, and remote USB port (premium cab only)
●	●	●	●	●	●	24- to 12-volt, 8-amp converter and cab power ports (3)
▲	▲	▲	▲	▲	▲	24- to 12-volt, 15- or 30-amp converter and cab power ports (3)
Operator's Station						
●	●	●	●	●	●	Standard cab with air conditioning/heater (ROPS/FOPS Level 1, isolation mounted)
▲	▲	▲	▲	▲	▲	Premium cab with air conditioning/heater (ROPS/FOPS Level 1, isolation mounted)
▲	▲	▲	▲	▲	▲	Automatic temperature control (premium cab only)
●	●	●	●	●	●	Rear window defrost vent
●	●	●	●	●	●	Keyless start with multiple security modes
●	●	●	●	●	●	Sealed-switch module with function indicators
●	●	●	●	●	●	Seat with backrest extension, deep foam, fabric cover, and adjustable air suspension
▲	▲	▲	▲	▲	▲	Premium seat with high-wide back-and-headrest extension, heated and ventilated, leather/fabric cover, and adjustable heavy-duty air suspension
●	●	●	●	●	●	Hydraulic controls integrated to seat
●	●	●	●	●	●	High-visibility, bright-orange seat belt, 76 mm (3 in.), with retractor
▲	▲	▲	▲	▲	▲	Seat-belt minder monitoring with JDLink™ and seat-belt indicator beacon
●	●	●	●	●	●	Cup holder and cup/Thermos® holder with retaining strap
●	●	●	●	●	●	Lunch-box/cooler holder with tie-down brackets
●	●	●	●	●	●	Coat hook
●	●	●	●	●	●	LED dome and reading light
●	●	●	●	●	●	Rubber floor mat
●	●	●	●	●	●	Dual-tilt steering column
●	●	●	●	●	●	Operator's manual storage compartment

Operator's Station continued on next page

While general information, pictures, and descriptions are provided, some illustrations and text may include product options and accessories NOT AVAILABLE in all regions, and in some countries products and accessories may require modifications or additions to ensure compliance with the local regulations of those countries.

Net engine power is with standard equipment, including air cleaner, exhaust system, alternator, and cooling fan at test conditions per ISO 9249. For operating is required up to 3050 mm (10'000 ft.) altitude. Specifications and design subject to change without notice. Specifications with the exception of bucket capacity are in accordance with all applicable ISO standards. Except where otherwise noted, these specifications are based on units with applicable linkage and standard equipment. ROPS cab, rear cast bumper/counterweight, transmission's de-frame guards, bottom guards, standard tires, full fuel tank, and 19 kg (175 lb.) operator.

PRESENTED TO: WINDSOR/WEST HANTS



PRESENTED BY: Dave Smith
Territory Manager

WILSON
EQUIPMENT

90 Raddall Avenue
Dartmouth, Nova Scotia



902-802-8001



dsmith@wilsonequip.ns.ca



www.wilsonequip.ns.ca

Proposal For: WA200-8 Loader

GEHL **KOMATSU**  **DYNAPAC**
FAYAT GROUP

PROPOSAL DATE: July 22, 2021

About Wilson Equipment

Since 1955, Wilson Equipment has provided quality equipment, parts and service to Nova Scotia industry.

In April of 2013, Wilson Equipment was acquired by SanStone Investments, a group of Nova Scotian private equity investors, who are committed to growing the business through developing its people. In January of 2014, Wilson Equipment opened its second location in the Burnside Industrial Park in Dartmouth.

At Wilson Equipment you are our top priority. I would like to thank you for the opportunity to earn your business and I hope this is the beginning of an important business partnership.

Wilson Equipment's Vision:

We Will be the Employer and Heavy Equipment Solutions Provider of choice.

Wilson Equipment's Mission:

We create the best customer experience

Territory Manager

Name: Dave Smith
Telephone: 902-492-6858
Email: dsmith@wilsonequip.ns.ca

Service Technicians

Service & Parts:
Toll Free – 1-800-565-1615

President

Name: Mark Kozlowski
Telephone: 902 880-4708
Email: MKozlowski@wilsonequip.ns.ca

The Company We Keep:



Wilson Equipment in the Community:

HRM:

Porter's Lake Touch a Truck

Colchester:

Nova Scotia Provincial Exhibition
Truro Touch a Truck
Bible Hill Canada Day Parade
Truro Santa Claus Parade
Colchester Home Show

South Nova:

Hants County Exhibition (2 weekends)
Shelburne Exhibition
South Shore in Motion



Standard and Optional Equipment for WA200-8

Engine and related items:

Air cleaner, dry-type, two stage, radial sealed
Engine shut-off system, electric with key
Engine, KOMATSU SAA4D107E-3, 4 cylinder turbocharged, air to air after cooled, cooled EGR, direct injection T4 F interim emissions certified, diesel.
Gross HP: 128HP (95.2kW) / 2000 RPM
Net HP: 126HP (94kW) / 2000 RPM (SAEJ1349) ISO / 9249
Net HP: 122HP (91.1kW) / at max speed of hydraulic cooling fan
Exhaust pipe, curved
Fan, auto-reverse, hydraulic driven
KDOC After-Treatment Assembly
Komatsu Auto Idle Shutdown
SCR - Selective Catalytic Reduction aftertreatment with DEF tank and heated lines
Starting aid, intake air preheater type

Electrical system:

Alternator, 90 ampere, 24 volt
Back-up alarm
Batteries, 2 x 12 volt, (92 Ah), (680 CCA)
Battery disconnect switch
Horn, electric
Lights

- Back-up light, rear
- Sealed DT electrical connectors
 - Starting motor, 5.5kW direct electric, 24V
- Stop and tail light
- Turn signal, (2 front, 2 rear) with hazard switch
- Working lights, halogen (2 front, high low beam with indicator, fender mount, 2 rear grill mount)
- Working lights, halogen (2 front) outside of cab mount

Power Train and Controls:

Differentials, torque proportioning, inboard planetary
Parking brake, wet disc type
Service brakes, hydraulic, wet multiple disc type, axle by axle (inboard)
Transmission, hydrostatic, 1 pump, 2 motors, full auto shift with speed range control
Transmission control

- F/R: steering column / loader control lever selectable
- Max speed control: electric, 4 speed F/R
- Traction control: electric, 3 mode

Operator environment:

Cab, (ROPS/FOPS) (installed), includes; adjustable arm rests, cigarette lighter/ashtray,

Equipment Management Monitoring System (EMMS)

Monitor: Multi-fuction, 7 inch, LCD, color high-resolution
Warning Message System with Descriptions

Gauges

- Engine water temperature
- Ecology
- Fuel level
- HST oil temperature
- Speedometer / Tachometer

Pilot Lights

- Auxiliary steering (opt)
- Brake oil pressure
- Central warning
- Cooling fan reverse
- DEF Level
- Directional indicator
- ECSS
- Engine pre heater
- Head lamp high beam
- HST Emergency pump drive
- Komtrax message
- Parking brake warning
- Quick coupler lock release (opt)
- Remote Boom Positioner
- Seat belt caution
- Steering oil pressure
- Traction level
- Transmission speed range
- Turn signal
- Work equipment lock warning

Special arrangements:

Ambient Temperature Range, -20°C (-4°F)
through +45°C (+113°F) at maximum standard elevation
of 2,300 meters (7,546 ft.)

Other Standard Equipment:

Boom kick-out, automatic
Bucket tilt and boom lift cylinders
Centralized grease banks
Counterweight, standard and additional
Electronically Controlled Suspension System (ECSS)
Fenders, front & partial rear
Anchor tie-off points, LH & RH, SN 86465 and up
Front window access step, SN 86465 and up
Hand rails, front, LH & RH

dome light, electrically heated rear window, air conditioner / heater / defroster / pressurizer, floor mat, front (intermittent) and rear wiper/washer, rearview mirrors (2 outside, 2 inside), right hand and left hand door access with steps and sunvisor
Hydraulic control, 2 spool (boom/bucket), multi-function mono lever control, with integrated transmission F/R switch and includes integrated third spool proportional switch (3 spool is optional)
Monitor, 7 inch, LCD, color
Radio, AM/FM Bluetooth with Mic, speakers and auxiliary jack, Rear view monitor
Seat, heated air suspension type, reclining with armrests (fabric)
Seat belt, 3" width, retractable
Steering wheel, tiltable, telescopic

Options Included:

3 Spool Valve

Limited Slip Differential

Ride Control

Coupler Komatsu JRB 416

Bluetooth Radio

Loaded Tires

LED 360 beacon light

independent LED strobe lights integrated

in the factory lights visible from 360 degrees

Auto Greaser

Dynamo Snow Tires

Training Included

KOMTRAX, Level 5

Lifting eyes

Parallel loader linkage and standard lift boom

Provision for Quick Coupler

Rims for 20.5-25 tires (4 each)

Vandalism Protection:

- Caplock & cover for fuel tank & hydraulic tank
- Padlocks
- Battery boxes
- Engine hood side panels & rear grill, lockable
- Radiator cap cover (bolted)
- Transfer case oil filler cover

Voltage converter (12 volt, 5 amp x 2)

Loader: WA200-8 Year 2021 Factory Order

Sell Price One: **\$191,000** (Complimentary preventative maintenance for 3 years or 2,000 hours included Value: **\$9,723**)

36 month finance 0%: **5,305.56/month**

48 month finance 0.99%: **\$4,058.75/month**

60 month finance 2.49%: **\$3,388.34/month**

Optional Item to add to sell price:

Craig 10' snow wing and 12' reversible snow plow, fitted with plow shoes and bolt on reversible 5/8" cutting edge
Installed: **\$71,000**

Tenco 10' snow wing and 12' reversible snow plow, fitted with plow shoes and bolt on reversible 5/8" cutting edge
Installed: **\$67,325**

HLA Extendable Plow SB5205W1222 Installed: **\$29,625**

Craig WL-REV-EX Extendable Snow Push Blade 8'-12' Installed: **\$28,200**

Craig Side dump bucket Installed: **\$29,625**

Install of existing Tenco Plow: **\$45,275**

60" Forks: **\$7,625**

5 year or 2,000 hour Powertrain Warranty: **\$2,500**

5 year or 2,000 hour Powertrain Plus Hydraulic Warranty: **\$3,300**

5 year or 2,000 hour Premier Warranty: **\$5,000**



FOB: Customer's Shop

Warranty Included: First Year Unlimited Hour

Pricing: CAD and valid until July 30, 2021

Taxes: Not included in sell price

Financing: OAC valid until July 30, 2021

Availability: WA200-8 - 3 months, Craig Attachments 14-16 weeks

HLA 23 weeks, Tenco Feb 19, 2022



Interval PM	250	500	1000	1500	2000
PERFORM KOWA SAMPLING (5 samples) - engine, transmission, hydraulics, front & rear axle	✓	✓	✓	✓	✓
CLEAN AC FRESH AND RECIRC AIR FILTERS	✓				
REPLACE HYDRAULIC OIL FILTER ELEMENT	✓				✓
REPLACE TRANSMISSION OIL FILTER	✓		✓		
CHECK AND CLEAN AIR CLEANER	✓	✓	✓	✓	✓
CHECK AND CLEAN FUEL BREATHING ELEMENT	✓	✓	✓	✓	✓
LUBRICATE REAR AXLE PIVOT PIN	✓	✓	✓	✓	✓
LUBRICATE WORK EQUIPMENT	✓	✓	✓	✓	✓
CHECK PARKING BRAKE	✓	✓	✓	✓	✓
CHECK WHEEL HUB BOLTS AND RETIGHTEN AS NECESSARY	✓	✓	✓	✓	✓
DRAIN SEDIMENT FROM FUEL TANK	✓	✓	✓	✓	✓
COMPLETE 50 POINT INSPECTION FORM; LEAVE PINK COPY WITH CUSTOMER OR IN CAB	✓	✓	✓	✓	✓
RESET MONITOR PANEL MAINTENANCE COUNTER FOR APPROPRIATE ITEMS	✓	✓	✓	✓	✓
CHANGE ENGINE OIL		✓	✓	✓	✓
REPLACE ENGINE OIL FILTER		✓	✓	✓	✓
REPLACE AC FRESH & RECIRC AIR FILTERS		✓	✓	✓	✓
REPLACE FUEL PRE-FILTER		✓	✓	✓	✓
REPLACE FUEL MAIN FILTER			✓	✓	✓
REPLACE DEF TANK BREATHING			✓	✓	✓
CLEAN TRANSMISSION BREATHING ELEMENT			✓	✓	✓
REPLACE TRANSMISSION OIL STRAINER			✓	✓	✓
LUBRICATE CENTER HINGE PIN			✓	✓	✓
LUBRICATE DRIVE SHAFT CENTER SUPPORT				✓	✓
CHANGE TRANSMISSION OIL				✓	✓
CHANGE FRONT AND REAR AXLE OIL					✓
REPLACE HYDRAULIC TANK BREATHING ELEMENT					✓
CLEAN HYDRAULIC OIL STRAINER					✓
CHANGE HYDRAULIC OIL					✓
REPLACE DEF PUMP FILTER					✓
REPLACE KCCV FILTER					✓
FACTORY TRAINED TECHNICIAN LABOR	✓	✓	✓	✓	✓
2 KDPF Exchanges at 4,500 Hrs and 9,000 Hrs.					
2 SCR System Maintenance Services at 4,500 Hrs. and 9000 Hrs.					

*Image pictured not of actual Machine

Value: \$9,723

See brochure for full details

At Wilson Equipment, we stand behind the quality of our products and services. Our commitment to excellence means providing customers with real peace-of-mind in every facet of their Wilson Equipment experience, from equipment to service to parts and beyond.

The Wilson Equipment Commitment

- 100% Nova Scotia owned and operated Heavy Equipment Dealer
- Over \$1 Billion in Parts inventory at 9 Komatsu Depots
- My Komatsu Online Parts visibility and ordering
- Parts Counter on call 24 hours a day, 7 days a week, 365 days per year for emergency parts
- Field Techs have a minimum of 4 years of experience
- 11 Field Techs and 5 shop techs See our team at our [website](#)
- Full time Lube truck service technician
- Service Manager and Shop Supervisor have over 60 years' experience combined
- Extensive Used/Rental inventory
- We have a Parts and Service Sales Rep dedicated to your account that works on the same accounts as your Sales Rep
- Equipment sales reps that live in the territory that they represent
- Over 60 years in business
- Our Service rates are very competitive

Extended Warranty Options and Pricing

Powertrain 5 years or 2,000hrs	\$2,500
Powertrain Plus (Hydraulics) 5 years or 2,000hrs	\$3,300 – Most Popular
Premier 5 years or 2,000hrs	\$5,000
Other options available for different years and hours upon request	

Leasing/Rental Options Payment based on finance price of \$191,000 for unit 1

Term	Monthly Payment	Interest Rate	Residual Value	Hrs/yr
60 months	3,388.34	2.49%	0	unlimited
48 months	4,058.75	0.99%	0	unlimited
36 months	5,305.56	0%	0	unlimited

Other options are available with a residual lease if you give me the number of years and hours you would like for a residual lease Rates valid until July 30, 2021, Rates are OAC

Please state the location of the following warranty and non-warranty work.

Engine	all repairs will be performed in the field with the exception of major components. They will be floated to Truro when necessary
Electrical Work	all repairs will be performed in the field with the exception of major components. They will be floated to Truro when necessary
Major Engine Repairs	all repairs will be performed in the field with the exception of major components. They will be floated to Truro when necessary
Engine Components Repair	They will be floated to Truro when necessary
Transmission Work	all repairs will be performed in the field with the exception of major components. They will be floated to Truro when necessary
Drive Train Work	all repairs will be performed in the field with the exception of major components. They will be floated to Truro when necessary
Suspension Work	all repairs will be performed in the field with the exception of major components. They will be floated to Truro when necessary

Supply Two (2) Wheel Loaders 11500kg-12500kg Operating weight

1. Quote Sheet:

	Manufacture's Make	Komatsu
	Manufacture's Model	WA200-8
	Model Year	2021
	Unit 1 Price	\$191,000 - Price includes 3 years, or 2,000hrs of Preventative maintenance value: \$9,723
	Unit 2 Price	\$236,275 - Price includes 3 years, or 2,000hrs of Preventative maintenance value: \$9,723
	Less Trade-ins Total Value	\$15,000 – for JD310 Backhoe only. We are unable to take the 1977 Michigan 55 Wheel Loader in on trade
	Net Price Total Unit 1 & Unit 2	\$412,275
	Plus HST	\$61,841.25
	Total Delivered Price	\$474,166.25
	Delivery Time in Days	WA200-8 13-14 weeks (98 days) As of today Craig Attachments 14-16 weeks (122 Days) HLA Blade 23 weeks (161 Days) Tenco Blade Feb 19, 2022 Installing the used Tenco blade & wing will take 4-6 weeks <u>after we pick up</u> all the old equipment from the Public Works yard We will deliver the loaders to Public Works Yard included in price

Optional Equipment Pricing: (must be complete and quick attach ready for both units) include specs

Forklift Type Forks 60"	\$7,625 3 year, 6,000hr warranty see Craig website for details
4-in-1 12' Snow Blade (HLA Snow Wing or approved Equivalent)	\$28,200 model is: HLA SB5205W122, goes 12-22ft Website: https://hlasnow.com/blades/5205W.php With 2-year warranty see website for details
Extendable Snow Push Blade 8'-12'	\$19,995 Craig extendable snow pusher, 10'-16' 5 year warranty see Craig website for details
Side dump bucket	\$29,625 Craig side dump bucket 1.75 cy with 3 year, 6,000hr warranty see Craig website for details
Craig 10' snow wing and 12' reversable snow plow	\$71,000 Craig 0600 Series plow 12' Craig 301FM series wing assembly 5 year warranty see Craig website for details
Tenco 10' snow wing and 12' reversable snow plow	\$67,325 Tenco 12' reversing plow TCP-12S-42-EA2 rear 3 pt wing post, front wing post, wing trip hinge and wing moldboard

2. Signatures:

Signed this 22 day of July, 2021.

Wilson Equipment
Name of Firm Quoting

66 Atlantic Central Drive, Truro and 90 Raddall Ave, Burnside 902-895-1611
Address Telephone

Signature

Dave Smith, Territory Manager

Name & Title (Printed)

Witness

Adam Hyball Parts Consultant
Name & Title (Printed)

1. Loader Specifications

Both loaders to be new and identical make, model and year with the below minimum specifications. Unless otherwise approved.

- Z bar loader configuration - Yes
- minimum 120 hp - 126 HP @ 2000 rpm
- ride control - Yes
- four-wheel drive with differential lock - Yes Limited Slip Differentials
- air-conditioned cab - Yes
- am/fm radio c/w blue tooth - Yes
- back up camera (dedicated always on) - Yes
- winter street type tires - Yes
- tires to be loaded with washer fluid or approved other - Yes
- road lights with turn signals, four-way flashers, low and high beam driving lights - Yes
- two front and rear work lights (high intensity LED) - Yes
- LED 360 beacon light and independent LED strobe lights integrated in the factory lights visible from 360 degrees - Yes
- quick connect hydraulic type attachment system - Yes JRB 416 hooks
- universal attach plate - Yes JRB 416

- factory installed quick attach bucket - Yes Komatsu/JRB 41g
- first service maintenance package (filters, fluids etc) – WA200-8s come with first 3 years or 2,000hrs of preventative maintenance included in the price. (we come out and do the services)
- on site service training (explain) Training can be as in depth as you would like. It would normally consist of walk-around, daily check points, maintenance and standard operating. This is done by our technical trainer who trains our mechanics so he can cover any topic you like.
- parts manual - Yes
- auto grease system - Yes

2. **Unit 1** Complete and operational from the driver's seat a 10' snow wing and 12' reversable snow plow (see optional equipment pricing) fitted with plow shoes and bolt on reversable 5/8" cutting edge

- wing shall be hydraulic lift and fitted with brace kit, bolt on reversable 5/8" cutting edge
- both plow and wing to have automatic trip mechanism
- both plow and wing shall angle so combined to clear a path 16' wide on a single path

3. **Unit 2** Fitted with wing cylinder, hydraulics, quick attach and controls capable of operating an existing wing and plow (can be viewed at the WHRM Public Works yard) from the driver's seat.

4. Trade-Ins

1 ea. 2008 John Deere Backhoe 310SJ

1 ea. 1977 Michigan 55 Wheel Loader

Both units can be view at the WHRM Public Works yard, upon appointment

Supply Two (2) Wheel Loaders 11500kg-12500kg Operating weight

1. Quote Sheet:

	Manufacture's Make	Volvo
	Manufacture's Model	L60H
	Model Year	2021
	Unit 1 Price	\$ 269,800
	Unit 2 Price	\$ 236,400
	Less Trade-ins Total Value	\$ 17,300
	Net Price Total Unit 1 & Unit 2	\$ 506,200
	Plus HST	\$ 75,930
	Total Delivered Price	\$ 582,130
	Delivery Time in Days	Delivery subject to award date. Attachments are 3-4 months out. days

Optional Equipment Pricing: (must be complete and quick attach ready for both units) include specs

Forklift Type Forks 60" (Craig)	\$ 7,224.64
4-in-1 12' Snow Blade (HLA Snow Wing or approved Equivalent)	\$ 25,191.41
Extendable Snow Push Blade 8'-12' HLA	\$ 12,355.70
Side dump bucket (Craig)	\$ 26,400.11
Craig 10' snow wing and 12' reversable snow plow	\$ 70,410.28
Tenco 10' snow wing and 12' reversable snow plow	\$ 66,152.75

Extended Warranty Options and Pricing

2 YEAR – 2500 HOUR PREMIER	\$ 2,386.10
3 YEAR – 3000 HOUR PREMIER	\$ 4,401.20

4 YEAR – 4000 HOUR PREMIER	\$ 5,360.70
5 YEAR – 5000 HOUR PREMIER	\$ 8,602.80

Leasing/Rental Options

Term	Monthly Payment	Residual Value	Hrs/yr
Unit 1-48 month	\$4,255 +HST	\$95,000	1000hrs/yr
Unit 1-60 month	\$3,692 +HST	\$85,000	1000hrs/yr
Unit 2-48 month	\$3,199 +HST	\$95,000	1000hrs/yr
Unit 2-60 month	\$2,829 +HST	\$85,000	1000hrs/yr

Please state the location of the following warranty and non-warranty work.

Engine	MINOR REPAIRS AT CUSTOMER LOCATION
Electrical Work	CUSTOMER LOCATION
Major Engine Repairs	STRONGCO, DARTMOUTH
Engine Components Repair	MINOR REPAIRS AT CUSTOMER LOCATION
Transmission Work	MAJOR COMPONENTS AT STRONGCO
Drive Train Work	MAJOR COMPONENTS AT STRONGCO
Suspension Work	MAJOR COMPONENTS AT STRONGCO

2. Signatures:

Signed this ____ 22 ____ day of _____ July _____, 2021.

STRONGCO

Name of Firm Quoting

55 ISNOR DRIVE, DARTMOUTH, NS

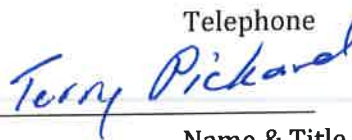
Address

902-468-5010

Telephone



Signature

 Sales Manager

Name & Title (Printed)



Witness



Name & Title (Printed)

1. Loader Specifications

Both loaders to be new and identical make, model and year with the below minimum specifications. Unless otherwise approved.

- Z bar loader configuration
- minimum 120 hp
- ride control
- four-wheel drive with differential lock
- air-conditioned cab
- am/fm radio c/w blue tooth
- back up camera (dedicated always on)
- winter street type tires
- tires to be loaded with washer fluid or approved other
- road lights with turn signals, four-way flashers, low and high beam driving lights
- two front and rear work lights (high intensity LED)
- LED 360 beacon light and independent LED strobe lights integrated in the factory lights visible from 360 degrees
- quick connect hydraulic type attachment system
- universal attach plate
- factory installed quick attach bucket
- first service maintenance package (filters, fluids etc)
- on site service training (explain)
- parts manual
- auto grease system

2. **Unit 1** Complete and operational from the driver's seat a 10' snow wing and 12' reversable snow plow (see optional equipment pricing) fitted with plow shoes and bolt on reversable 5/8" cutting edge
 - wing shall be hydraulic lift and fitted with brace kit, bolt on reversable 5/8" cutting edge
 - both plow and wing to have automatic trip mechanism
 - both plow and wing shall angle so combined to clear a path 16' wide on a single path
3. **Unit 2** Fitted with wing cylinder, hydraulics, quick attach and controls capable of operating an existing wing and plow (can be viewed at the WHRM Public Works yard) from the driver's seat.
4. Trade-Ins
 - 1 ea. 2008 John Deere Backhoe 310SJ
 - 1 ea. 1977 Michigan 55 Wheel Loader

Both units can be view at the WHRM Public Works yard, upon appointment



(Previously Submitted Report from July 27th)
WEST HANTS REGIONAL MUNICIPALITY REPORT

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

To: West Hants Regional Municipal Council

Submitted by: Jim Ivey
Councillor, Windsor South, District 11

July 27, 2021

Subject: Independent Review – Lake-related Meeting March 24, 2021

LEGISLATIVE AUTHORITY

MGA

RECOMMENDATION or DECISION REQUEST

West Hants Regional Council request that a member of the Department of Municipal Affairs be secured to undertake or facilitate an independent review of the facts to determine the validity (or lack thereof) relating to the comments made at the lake-related meeting noted in this report on March 24, 2021. Further that a briefing report be generated and provided back to Council for consideration not later than September 1st 2021.

BACKGROUND

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

On March 24th a Zoom meeting was convened by a group operating with the slogan "Fresh Water for All" and / or "Save the Lake".

Some of the attendees reportedly included: Piziquid Canoe Club, Fire Department, Town staff, Federation of Agriculture, Ski Martock, Windsor BIA, local farmers, Falls Lake Association, Mockingee Assoc, area businesses, residential owners and others.

An individual that attended the meeting (and with whom I have met and spoken) was concerned when one of the opening comments in the meeting was that "*no recordings*

were to be made". The concern was sufficient that that the individual felt compelled to send SMS text messages of statements made during the meeting to Mr. Darren Porter.

Statements of concern transmitted during the meeting about the West Hants Council and its staff included the following:

"...Councillors are publicly staying neutral, but the staff of the town has been ordered to work to stop any opening of the river at all costs..."

"The municipality is working on sending a letter of opposition to the House and to DFO."

An email received from Darren Porter to the West Hants Regional Council and CAO on March 29th, suggested the Municipality appeared to be running a "save the lake" plan in parallel through its staff which was contrary to the Council's public stance which at the time was a compromise-based and neutral position.

After receiving the email from Mr. Porter, it was suggested a special meeting of Council be convened to allow Council to consider the matter. This suggestion was rejected.

Council was subsequently advised that an investigation would be done by the CAO with a report delivered back to Council at its next meeting on April 13th. The CAO would then get back to Mr. Porter about his concerns.

To date, it appears neither an investigation nor a report has been completed or provided to Council. Nothing about this issue has been formally discussed or reviewed. It is concerning that it remains outstanding.

DISCUSSION

If accepted, the statements above that were made during the "save the lake / fresh water for all" meeting are very concerning.

This issue as identified in the statements should have received much greater attention from us as a governing Council than they did receive.

The statement that staff were 'ordered to prevent the opening of the river at all costs' implicates all of us in this (CAO, Mayor and Council). This statement is particularly damning since Council has never had such a discussion or even one remotely similar.

It is no small matter for staff to be 'ordered' to do anything of this nature without receiving specific direction and authority of Council through the CAO to staff. It is an even more grave concern that staff were apparently ordered to take a public position contrary to the stance of Council.

The statements turned out to be prophetic (predictive).

At the April 13 meeting during which we were supposed to receive a report on the issue from the CAO; instead, an initial motion was put forward sending a letter to DFO (as noted in the "meeting" and as one of many made over the next few months) regarding the Ministerial Order).

This action signaled a change in Council's course from a neutral, compromise-based position to become one that was more aligned with the stance of '*...stop any opening of the river at all costs...*'

Given the uncertainty of the issue, its details and lack of attention to this point in time, it is my belief the best course of action is to secure an independent resource through the Department of Municipal Affairs to review the matter and provide Council with a report for consideration.

NEXT STEPS

Secure an independent resource to review the matter.

FINANCIAL IMPLICATIONS

TBD but none foreseen

ALTERNATIVES

None

ATTACHMENTS

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)