WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda AMENDED
April 25, 2023 - 6:00 p.m.
Virtual via Zoom (also FB Livestream)

West Hants
something inspiring awaits

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1. Call to Order

2. Attendance

3. Announcements

4. Approval of the Agenda, including additions or deletions
   a) Dashboard Action Items – Information Log
   b) Dashboard Action Items – Dangerous or Unsightly Premises

5. Declaration(s) of Conflict of Interest

6. In-Camera
   a) MGA 22(2)(a) Land Matter

7. Approval of Previous Meeting Minutes
   a) 2023-02-28 Council Meeting Minutes – Amended April 3, 2023
   b) 2023-03-28 Council Meeting Minutes
   c) 2023-04-06 Special Council Meeting Minutes

8. Public Hearings
   i. College Road, PID 45336203 Development Agreement - Director Poirier

9. Second Readings
   i. College Road, PID 45336203 Development Agreement - Director Poirier

10. Unfinished Business/Postponed Motions
   ~~a) Amendment to Land Use Bylaw Definition "Community Centres" Recommendation Report - Councillor Ivey~~
   b) Erosion Along Avon Street, Hantsport Information Report including responses from Department of Public Works – Coordinator Ogilvie
   c) Windsor Parking Enforcement and Regulations Supplementary Information Report – Officer Levy
   a) Municipal Climate Change Action Plan Committee (April 12, 2023)
      i. Coastal Protection Act Regulations Excerpt
      ii. International Compost Awareness Week Proclamation Request

11. Mayor's Report

12. Committee(s) of Council Excerpts/Recommendations

a) Committee of the Whole Excerpts (April 11, 2023)
   i. Cogmagun and Beaverpond Road
   ii. Community Beautification Plan
   iii. Gerrish Street Water Street
   iv. Invasive Plant Species
   v. Local Bus Service
   vi. Poplar Grove Funding Request
   vii. Sidewalk Extension from Wentworth Road to the WH Sports Complex

b) Committee of the Whole Budget Excerpt (April 12, 2023)
   i. Insurance Costs

c) Committee of the Whole Budget Excerpts (April 19, 2023)
   i. 2023-24 Budget
   ii. 2023-24 West Hants Water Utility and Windsor Water Utility
   iii. 2023-24 Capital Budget
   iv. 2023-24 Reserve Budget
   v. 2023-24 Taxing Resolution
   vi. 2023-24 Hantsport Memorial Community Centre
   vii. 2023-24 Blomidon View Residents Association Uniform Charge
   viii. 2023-24 Chalet Hamlet Property Owners Association Uniform Charge
   ix. 2023-24 Chateau Village Property Owners Association Uniform Charge
   x. 2023-24 Falls Lake West Owners Association Uniform Charge
   xi. 2023-24 Innes Lane Road Association Uniform Charge
   xii. 2023-24 North Canoe Lake Cottage Owners Association Uniform Charge
   xiii. 2023-24 Annual Tax Exemption Property Listing
   xiv. 2023 Residential Property Tax Assistance
   xv. Council Chambers Improvements
   xvi. Bulk Water Rate Options
   xvii. Pre-Approval for Electric Vehicles

d) Planning and Heritage Advisory Excerpts (April 13, 2023)
   i. Benjamins Mill Wind Project Development Agreement – Planner Dunphy
   ii. Payzant Drive, Windsor, PID 45276441 and PID 45366986 Development Agreement – Director Poirier
   iii. Scotch Village Station Road, PID 45166915 Development Agreement – Director Poirier

~~e) Municipal Climate Change Action Plan Committee (April 12, 2023)~~
   ~~i. Coastal Protection Act Regulations Excerpt~~

~~ii. International Compost Awareness Week Proclamation Request~~

13. Councillor Municipal Business/Activity Reports
~~a) Councillor Ivey, District 11 Activity Report~~

14. Correspondence
a) Information
1. Avon Causeway Activity Log

2. Correspondence Received Activity Log
i. 2023-04-09 Laurent Breault General Director Re International Day Against Homophobia and Transphobia, May 17, 2023
ii. 2023-04-10 Gloria Shanks Re Old Shanks Road
iii. 2023-04-10 Trudy Flynn Re Light up Municipal office Purple for May 12 Fibromyalgia Awareness Day.
iv. 2023-04-10 Zwicker Lake Core Committee Letter of Complaint - Disrespectful Behaviour
v. 2023-04-11 Hants County Federation of Agriculture Re Expression of Appreciation
vi. 2023-04-11 Response to MP Blois Re Highway 101 Twinning
vii. 2023-04-14 Trevor Levy Re Scotch Village Station Road Development
viii. 2023-04-16 Mark Kehoe Re 2023-24 Tax Exemption Concern - Upper Vaughan
ix. 2023-04-16 Tom Levy Re 301 Station Road Development
x. 2023-04-17 Roberto Gueli and Anke Kungl Re Community feedback for Sustainable Hill proposal
xi. 2023-04-18 Glooscap First Nation Letter of Intent Re Proposed Addition to Reserve, Glooscap First Nation
xii. 2023-04-18 VREN to WHRM Re Regional Enterprise Networks Review
xiii. 2023-04-20 Mike Smith Re Support of the Proposal from Sustainable Hill Campground and Yoga Dome
xiv. 2023-04-20 Kathy Blois Chair Hants County Senior Safety Association Re Letter of Notice
xv. 2023-04-20 Seamus Marriot Re FOIPOP Follow up
xvi. 2023-04-23 Erin Naugler Re Falmouth Highway Access
xvii. 2023-04-24 Jessica and Allan Hill Re Additional Considerations for Sustainable Hill's Application
xviii. 2023-04-24 Karen Bourque-Ward and Art Ward Re Scotch Village Station Road PID 45166915
xix. 2023-04-24 Wesley Petite Re MPSA Retroactive Pay
xx. 2023-04-25 Hants County Federation of Agriculture Re: Scotch Village Rezoning application

3. Fort Edward Activity Log - None

4. Storm Wastewater Activity Log - None

b) Requests- None

c) Outgoing Correspondence Log - None

15. New Business
    a) College Road Renewal Recommendation Report WHRMPW22-09 – Director Richard
    b) John Paris Jr Decision Request Report – Mayor Zebian

16. In-Camera
    a) MGA 22(2)(a) Land Matter

17. Next Meeting Date / Adjournment – May 9, 2023 Committee of the Whole Meeting 6 p.m.

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
April 25, 2023

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

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Sewer Billing Review - Staff explore what the sewer rates would be if sewer util. fees were put back on the taxes.	2020-05-12		Discussions to occur once the Rate Study was completed.	CAO/Fin
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.	2020-09-22	Align with Branding outcomes 2021-07, On-going	Pending Beautification Strategy. PRIME has been engaged to create how the signs will look and are working on gathering suitable photos for Hantsport, Windsor and West Hants.	PW/Comm. Dev
W. B Stephens Building Design Project Management Tender Award (Municipal Office) - Draft an RFP that will look at A) the 100 King Street Building B) The 76 Morison Building and C) or an alternative new location is required to facilitate the needs of the Municipality.	2020-10-27	2022-on going	Ongoing	CAO
Panuke Rd Event - Event to be arranged by Mayor	2021-03-09	Spring/Summer 2023	On-going, an event will be scheduled this year.	Mayor
Noise By-law - Staff revise by-law (Peace and Good Order)	2021-03-23	**March 2023**	DEFEATED - No direction provided.	CAO
Glooscap First Nation & WHRM Council Meeting - Send formal invite for a meeting to discuss many topics including reconciliation.	2021-06-22		Met on March 15, 2022	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	2021-06-22		Pending, Meeting date being confirmed	Mayor/CAO
65 Fort Edward Street (Municipal Lands) - the Public Hearing and Second Reading be adjourned until Ocober 2023	2022-06-28	2023-10	On-going meetings with Dr. Fowler (pending plan submission and approval)**POSTPONED SECOND READING UNTIL OCTOBER, 2023**	CAO/Planning

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Security Cameras - Review and investigation to bring a report back to Council for further discussion and decision making re: security cameras within the West Hants and that it be in consultation with IT and RCMP on locations.	2022-11-08	***2023-06***	Approved, Report expected for May COTW	Finance
Subdivision Street Lighting - Create a policy to come back to Council for review.	2023-01-10	**2023-04**	Approved, Report will be presented at May COTW	PW
WFD Rescue Engine - approve the award of tender WHRMAD22-03A for the supply of a Rescue Engine to the compliant bidder, Techno Feu Inc., at the tendered price of $1,496,490.36 plus applicable taxes.	2023-01-10	2023-10	Re-issue a new tender when permitted	CAO
Waste Collection - staff prepare a report on the waste collection request for Destination Way, Cozy Crescent and Moonshine Run incl. info on private road collection and what that may look like going forward.	2023-03-14	2023-04-11	Approved, awaiting report	PW
Former Tourist Bureau Park request - staff prepare an information report re: details needed to be reviewed (costs, etc.) for maintaining the lawn care at the former tourist bureau site.	2023-03-14		Approved, awaiting report	CD
Parking Regulations - review the downtown WBD to determine if there is sufficient parking capacity for residents, businesses and visitors and further review if the regulations and enforcement (defined within the MVA) are effective and meet the needsof both the business and consumers in the area.	2023-03-14	2023-04-25	Follow up information being presented at the April Council mtg	By-Law
Avon Street, Hantsport - Staff to liaise with Kings County staff to explorethe Disaster Mitigation funding program & others and report back to Council in a month.	2023-03-28	2023-04-25	Approved, Report being presented at April Council mtg.	Plan

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Waste Collection By-Law - initiate the process for consolidating the Windsor and West Habts waste by-law to remove the dispaarities that exist between the two.	2023-03-28	2023-06	Approved, awaiting report/By-Law	PW
Public Participation Policy - staff explore amending the Public Participation Program Policy (PPPP) to include strengthening public notice of information meetings.	2023-03-28	2023-04-25	Approved, awaiting report	Plan
WH Historical Society Proclamation - proclamation will return to the July 25th meeting for official declaration within chamnbers.	2023-03-28	2023-07-25	Approved, will return to July meeting	CAO
Community Beautification - approve the award of tender WHCD23-04 (consulting services) for the WHRM community beautification plan contract to WSP Canada Inc. for the tendered price of $56,425 + hst.	2023-04-11	2023-04-25	Pending Council Approval	CD
Invasive Plant Species - staff engage the NS Invasive Species Council to establishing a plan to address invasive plant species within the WHRM at a cost of $12,828 net HST included (funded through the WHRM Operating Reserves) and these funds be allocated annually to support ongoing education to the community regarding invasive species and management practices of invasive species within our capacity on municipal lands.	2023-04-11	2023-06	Pending Council Approval	CD
Poplar Grove Funding Request - approve $4,000 in emergency funding to be taken from the WH CCBF to complete repairs to the Poplar Grove Hall.	2023-04-11	2023-04-25	Pending Council Approval	Finance

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Cogmagun and Beaverpond Roads - write a letter os support to the WH MLA, Dept. Public Works Minister, Area Manager, District Director and the NS Premier for reconstructionof the Cogmagun and Beaverpond Roads in the 2023 construction year.	2023-04-11	2023-04-25	Pending Council Approval	CAO
Gerrish and Water Street Insection - prepare a report on options to make the intersectionat Gerrish and Water Street safer to navigate.	2023-04-11	2023-04-25	Pending Council Approval	PW
Local Bus Service - prepare a report on the possibility of ceating a local bus service operated by WHRM incl. costs, times, potential routes, (Looking at past examples from others that may have created similar programs to address concerns/issues with the goal of creating a sustainable service.)	2023-04-11	2023-04-25	Pending Council Approval	CD/PW/Fin.
Sidewalk Extension from Wentworth Road to the WH Sports Complex - prepare a report on what is required to extend the sidewalk from Wentworth Rd. to the WH Sports Complex and as a second step to include extending the sidewalk to the end of the block (intersection of Wentworth and Tregothic).	2023-04-11	2023-04-25	Pending Council Approval	PW
Insurance - engage a consultant (if needed) to do a review of insurance costs across the Municipality (across all operations) to be able to do a review to optimize insurance expenditures.	2023-04-12	2023-04-12	Pending Council Approval	Fin
Bulk Water Options - staff explore options tohave bulk water rates reduced and report back in June.	2023-04-19	2023-04-12		PW/Fin

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Electric Vehicles for the Planning Department - provide pre-approval for Building Inspection for 2 EV as stated in the budget.	2023-04-19	2023-05-09	Pending Council Approval	Plan/Fin
Council Chamber Improvements - Direct staff to add up to $30,000 to the budget to renovate Chambers. Bulk Water Options - Staff report	2023-04-19	2023-05-09	Pending Council Approval	CAO

West Hants Regional Municipality
Dangerous or Unsightly Premises
Dashboard (Action List)
April 25, 2023

Matter	Meeting
Textile Building - Staff continue to monitor the site. ON-GOING	**Nov 8, 2022 COTW**
74 Bowman Road - File remains open. ON-GOING	**Nov 8, 2022 COTW**

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____

Sara Poirier, Director of Planning and Development

Date: 2023-04-25

Subject: Development Agreement: College Road, PID 45336203; File #22-35 C

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to approve the development agreement following Public Hearing, the following motion would be in order:

…that Council gives Second Reading to and approves entering into a development agreement which replaces the original development agreement on PID 45336203 on College Road in a manner substantively the same as the draft set out in Attachment D of the report File #22-35 to the Planning and Heritage Advisory Committee report dated February 16, 2023, taking note that this development agreement will discharge and replace the development agreement recorded at the Land Registry Office on September 14, 2022, as document number 121300512.

…that Council requires that the development agreement amendment with Hants County Residence for Senior Citizens be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on November 29, 2022 from Krista Beeler, Administrator, and Ed Sherman, Director of Infrastructure and Environmental Services, at Dykeland Lodge on behalf of the Hants County Residence for Senior Citizens. The application was to consider an amendment to the development agreement with Hants County Residence for Senior Citizens on PID 45336203, College Road, to increase the maximum number of beds permitted in the home for special care from 128 to 160.

DISCUSSION

A Public Information Meeting was held on January 12, 2023.

The February 16, 2023 PAC/HAC meeting did not have quorum therefore the report was not considered on this date.

On March 9, 2023 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC). PAC/HAC recommended in favour of the application on March 9, 2023.

Council held first reading on March 28, 2023 (Appendix A).

NEXT STEPS

The process for this application is as follows:

Process
Staff Review
▼
Public Information Meeting – January 12
▼
PAC/HAC receives staff report and PIM Notes PAC/HAC Review and Recommendation – March 9
▼
Regional Council First Reading – March 28
▼
Public Hearing & Second Reading – April 25
▼
Notice of Approval in Local Paper
▼
14-Day Appeal Period

APPENDICIES

Appendix A 2023-03-28 Recommendation to Council - Development Agreement: College Road, PID 45336203; File #22-35 B

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and recommendation is in keeping with First Reading as noted in the report.

I support the recommendation.

Report Prepared by: _____
Sara Poirier, Director of Planning and Development

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

Appendix A

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____

Sara Poirier, Director of Planning and Development

Date: 2023-03-28

Subject: Development Agreement: College Road, PID 45336203; File #22-35 B

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to proceed to Public Hearing, the following motion would be in order:

…that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement which replaces the original development agreement on PID 45336203 on College Road in a manner substantively the same as the draft set out in Attachment D of the report File #22-35 to the Planning and Heritage Advisory Committee report dated February 16, 2023, taking note that this development agreement will discharge and replace the development agreement recorded at the Land Registry Office on September 14, 2022, as document number 121300512.

…that Council requires that the development agreement amendment with Hants County Residence for Senior Citizens be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on November 29, 2022 from Krista Beeler, Administrator, and Ed Sherman, Director of Infrastructure and Environmental Services, at Dykeland Lodge on behalf of the Hants County Residence for Senior Citizens. The application was to consider an amendment to the development agreement with Hants County Residence for Senior Citizens on PID 45336203, College Road, to increase the maximum number of beds permitted in the home for special care from 128 to 160.

DISCUSSION

A Public Information Meeting was held on January 12, 2023.

The February 16, 2023 PAC/HAC meeting did not have quorum therefore the report was not considered on this date.

On March 9, 2023 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). PAC/HAC recommended in favour of the application on March 9, 2023.

NEXT STEPS

The process for this application is as follows:

Process
Staff Review
▼
Public Information Meeting – January 12
▼
PAC/HAC receives staff report and PIM Notes PAC/HAC Review and Recommendation – March 9
▼
Regional Council First Reading – March 28
▼
Public Hearing & Second Reading – April 25*
▼
Notice of Approval in Local Paper
▼
14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, Council may decide to:

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

APPENDICIES

Appendix A 2023-02-16 Staff Report Development Agreement: College Road, PID 45336203; File #22-35

CHIEF ADMINISTRATIVE OFFICER REVIEW

The amendment is required due to the increased number of units now anticipated or awarded to the facility. This increase will help to facilitate the long-term care needs within the Province and Region.

I support the recommendation.

Report Prepared by: _____
Sara Poirier, Director of Planning and Development

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

Appendix A

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Sara Poirier, Senior Planner

Date: 2023-02-16

Subject: Development Agreement Amendment: College Road, PID 45336203; File #22-35

LEGISLATIVE AUTHORITY

Section 230 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 entering into a development agreement which replaces the original development agreement on PID 45336203 on College Road in a manner substantively the same as the draft set out in Attachment D of the report File #22-35 to the Planning and Heritage Advisory Committee report dated February 16, 2023, taking note that this development agreement will discharge and replace the development agreement recorded at the Land Registry Office on September 14, 2022, as document number 121300512.

…that PAC/HAC recommends that Council require that the development agreement amendment with Hants County Residence for Senior Citizens be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on November 29, 2022 from Krista Beeler, Administrator, and Ed Sherman, Director of Infrastructure and Environmental Services, at Dykeland Lodge on behalf of the Hants County Residence for Senior Citizens. The application was to consider an amendment to the development agreement with Hants County Residence for Senior Citizens on PID 45336203, College Road, to increase the maximum number of beds permitted in the home for special care from 128 to 160.

A development agreement with Hants County Residence for Senior Citizens was approved by Council on May 24, 2022. The development agreement permits a new home for special care with up to 128 beds, plus up to 126 dwelling units on the same lot, which may be used as part of the homes for special care or as assisted living units. The details of the original application, considerations, public comments, and development agreement can be found in the staff report #21-20 to the Planning and Heritage Advisory Committee dated April 14, 2022 (Attachment A).

Following approval by Council, the Province requested that Dykeland Lodge construct a larger facility than originally anticipated. It is expected that the new home for special care would now include 144-beds. Dykeland Lodge would like Council to consider allowing a maximum of 160-beds within the home for special care to accommodate this request and any future increases.

DISCUSSION

The 24.7-acre subject lot is located on College Road in Windsor. The lot is designated College Road Comprehensive Development District on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (WMPS). Part 5.0 of the WMPS contains the overall intention for Residential areas in Windsor. Part 5.7 of the WMPS contains the specific policies for properties designated College Road Comprehensive Development District (CR-CDD).

The subject lot is zoned College Road Comprehensive Development District (CR-CDD) on the Zoning Map of the Windsor Land Use By-law (WLUB). The proposed long-term care facility and residential units are only permitted to be considered in the College Road Comprehensive Development District (CR-CDD) by development agreement.

Proposal

The property owner has requested an amendment to the development agreement registered on the subject lot to increase the maximum number of beds permitted in the home for special care

from 128 to 160. It is expected that the new home for special care would now include 144-beds. Dykeland Lodge would like Council to consider allowing a maximum of 160-beds within the home for special care to accommodate this request and any future increases.

The applicants noted that the increase to a 144-bed facility would require approximately 20 additional full time equivalent staff members and be approximately 3,000 sq. ft. (278.71 sq. m.) larger than originally planned. The applicants advised that "the Province is currently looking at reducing the overall square footage of all future replacement Long-Term Care facilities which will impact the final size". The applicants will not know the resident room size until they have an approved set of drawings.

A document called the *Long Term Care Facility Requirements: Requirements for Nursing Home Design in Nova Scotia* was released in February 2022 and will be followed to design this new facility. The document (2022) states that *"Evidence and leading practice links resident quality of life to the use of small, self-contained households. Smaller households allow for care to be organized in a way that more closely resembles normal daily life. This approach to design and care supports independence for residents, and decreases noise levels, leading to reduced resident agitation, and increased social interaction. Smaller units have also been shown to contribute to a calmer environment for both residents and staff, reducing staff stress and increasing staff job satisfaction."* The document lists standards for each space in the home for special care, including overall design, household space, facility support spaces, residential support spaces, and optional spaces. Each section of the requirements highlights the space standards and considerations for that type of space.

No changes to the site plan are proposed and construction timelines have not changed in relation to this application for amendment to the development agreement.

Development Agreement

A development agreement is a contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed permitted use within a zone on a specific lot. The ability for Council to consider a development agreement or an amendment to a development agreement must be stated in the Land Use By-law and the Municipal Planning Strategy must identify the kinds of uses Council may consider in each area. Uses which Council may consider are those which Council has determined may have sufficient impact on an area that a negotiated process is required to ensure the potential impact is minimized. In the Municipal Planning Strategy Council usually identifies both specific and general criteria which must be considered when making decisions regarding a development agreement amendment.

A proposal being considered must be measured against only the specific and general criteria for the proposal in the Municipal Planning Strategy and not any other criteria.

Development Agreement Amendments

A property owner can apply for an amendment to a development agreement registered on their property at any time. Section 3.3 of the development agreement with Hants County Residence for Senior Citizens outlines substantive matters of the development agreement. Substantive matters are any items that Council has determined that would significantly alter the intended effect of the development agreement if changed. When a request is received from the property owner to change a substantive matter outlined in a development agreement, the request must go through the entire development agreement process including Public Hearing before Council prior to Council making a final decision on the proposed amendment. Section 3.3 (b) of the development agreement with Hants County Residence for Senior Citizens states that "the maximum number of beds in the homes for special care and maximum number of residential dwelling units permitted on the lot in Section 2.2, *Development Location and Design*" is a substantive amendment to the development agreement. Therefore, this amendment application must follow the regular process for planning applications.

Windsor Land Use By-law

Section 6.0 of the WLUB, *Development Agreements*, states that "*The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy*:

(d) residential, institutional or recreational development in the College Road CDD in accordance with Section 5.7 of the Municipal Planning Strategy;

Proposed Amendments

There are two (2) amendments proposed to this agreement. The first amendment is the requested change to the development agreement received from the applicants. This amendment is proposed to Section 2.2, *Development Location and Design*, to increase the number of beds permitted in the home for special care from 128 to 160. Based on comments from development control staff, the second amendment is proposed to increase the minimum amount of recreation space provided in the overall development by 1,900 sq. ft. (176.52 sq. m.) in both Section 2.2 (h) and 2.3 (c) (iii).

Staff had also proposed an amendment to Section 2.10, *Construction Noise*, not because of the increased number of beds, but because Council may be adopting a by-law which regulates noise, and the specifics of that by-law are not yet known. However, upon legal review of the proposed amendment to Section 2.10 our lawyer made the following comments: "We know the DA can over-ride the Land Use By-law and Subdivision By-law, but that is enabled by statute. There is no authority to over-ride a noise bylaw, so I don't think the way it is being proposed in the DA is legal." They added that "as a practical matter the Noise Bylaw could include an exception for out of hours construction noise limits in the bylaw by language like *"except where a development agreement authorizes construction at later hours""*.

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

Windsor Municipal Planning Strategy

Part 5.0 of the WMPS contains the overall intention for Residential areas in Windsor. Part 5.7 of the WMPS contains the specific policies for properties designated College Road Comprehensive Development District (CR-CDD). Policy 5.7.1 establishes Council's intention to only allow development in the CR-CDD by development agreement. The policy states that Council *"establish the College Road Comprehensive Development District (College Road CDD) which allows residential, institutional or recreational development and other limited services and uses in support of this development. As-of-right development shall not be permitted."* Policy 5.7.4 outlines the criteria Council must evaluate when an application for development agreement in the CR-CDD is being considered. The proposal has been considered in relation to the criteria in Policy 5.7.4 (Attachment B).

WMPS Specific Criteria

Policy 5.7.1 of the WMPS establishes Council's intention to consider residential, institutional or recreational development and other limited services and uses in support of the development by development agreement. Policy 5.7.4 outlines the criteria to be considered by Council, which are examined in detail in Attachment B.

In summary, the criteria are met since:

- the development agreement is consistent with the intent of Policy 5.7.3 and other relevant policies of the Municipal Planning Strategy; and
- the development is compatible with existing development within and adjacent to the College Road CDD.

WMPS General Criteria

The proposed development will meet the general criteria for development agreements set out in WMPS Policy 16.3.1. These criteria are examined in detail in Attachment C. In summary:

- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated;
- the Fire Chief, development control staff, Manager of Building and Fire Inspection Services, Director of Public Works, and Manager of Public Works Operations have no concerns which have not been addressed in this report or the development agreement.

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 will experience extensive flooding. The subject lot in this application does not appear to be affected under this scenario, however College Road itself may experience flooding.

The Public Works Department has noted that the Municipality is currently conducting a storm water study and that the reconstruction of College Rd will provide for improved street storm convenance systems. They added that the street reconstruction will include storm water upgrades to mitigate future flooding potential (i.e., additional culverts, ditching, asphalt sloping).

NEXT STEPS

As noted above, the proposed development agreement amendment has been considered within the context of both the specific and general policies of the WMPS and is consistent with the intent, objectives, policies and criteria of the WMPS. As a result, it is reasonable to enter into an amended development agreement to increase the maximum number of beds permitted in the home for special care from 128 to 160 on PID 45336203, College Road.

Process
Staff Review
▼
Public Information Meeting – January 12
▼
PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – February 16
▼
Regional Council First Reading – February 28*
▼
Public Hearing & Second Reading – March 28*
▼
Notice of Approval
▼
14-day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development. College Road was identified in the 2021-22 Capital Budget for rehabilitation in 2022-23 and the financial capacity has been built into the 5-year capital plan. This work is proposed to be conducted in 2023 pending Council approval.

ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the development agreement 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

Attachment A	2022-04-14 Staff Report Development Agreement: College Road, PID 45336203; File #21-20
Attachment B	Specific Criteria for a Development Agreement
Attachment C	General Criteria for a Development Agreement
Attachment D	Draft Development Agreement Amendment
Attachment E	Public Information Meeting Notes

Report Prepared by: _____

Sara Poirier, Senior Planner

Attachment A

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Sara Poirier, Senior Planner

Date: 2022-04-14

Subject: Development Agreement: College Road, PID 45336203; File #21-20

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

To allow the requested development, 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 entering into a development agreement to permit a variety of residential and institutional uses on PID 45336203 on College Road in a manner substantively the same as the draft set out in Attachment C of the report to the Planning and Heritage Advisory Committee report #21-20 dated April 14, 2022.

…that PAC/HAC recommends that Council require that the development agreement with Hants County Residence for Senior Citizens be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on September 23, 2021 from Krista Beeler, Administrator, and Ed Sherman, Director of Infrastructure and Environmental Services, at Dykeland Lodge on behalf of the Hants County Residence for Senior Citizens. The application was to consider permitting a variety of uses including affordable and senior housing, long-term care, assisted living, independent living, commercial space and a community centre on the property at PID 45336203 on College Road. The lot is currently vacant and was actively farmed and cared for by the Dill family for about 50 years. It is owned by Hants County Residence for Senior Citizens.

This application was considered by Planning and Development staff in two parts:

1. an amendment to the text and map of the Windsor Municipal Planning Strategy and Windsor Land Use By-law to amend the designation and zoning of the subject lot to College Road Comprehensive Development District. This portion of the application was approved by Council on December 16, 2021; and
2. consider the proposed uses by development agreement as per Policy 5.7.3 and 5.7.4 of the WMPS. This report corresponds with this part of the application.

An updated application for the development agreement was received on March 1, 2022 from Krista Beeler. This revised application removed the commercial space, community centre and approximately 50 residential units from the original application. The revised application is to consider permitting a variety of institutional and residential uses including long-term care, assisted living and disability units, and residential units on the property at PID 45336203 on College Road.

DISCUSSION

The 24.7-acre subject lot is located on College Road in Windsor. The lot is designated College Road Comprehensive Development District on the Generalized Future Land Use Map (Figure 1) of the Windsor Municipal Planning Strategy (WMPS). Part 5.0 of the WMPS contains the overall intention for Residential areas in Windsor. Part 5.7 of the WMPS contains the specific policies for properties designated College Road Comprehensive Development District (CR-CDD).

The subject lot is zoned College Road Comprehensive Development District (CR-CDD) on the Zoning Map of the Windsor Land Use By-law (WLUB) (Figure 2). The proposed long-term care facility and residential units are only permitted to be considered in the College Road Comprehensive Development District (CR-CDD) by development agreement.

The approximately 65 feet of lot frontage on College Road is within the Martock Marsh and the Environmental Constraints Area (Figure 3). The property owner would require a variance from the regulations of the *Marshland Conservation Act* (2001) administered by the Provincial Marshland Administrator for any driveway access, infilling or alteration of topography on this portion of the lot.

The subject lot directly abuts properties with a variety of different zoning and designations. The designation of the properties abutting the subject lot include Residential, Agriculture and College Road Comprehensive Development District (Figure 1) and the zoning of these abutting lots are Single Unit Residential (R-1), Two Unit Residential (R-2), Agriculture (AG), and College Road Comprehensive Development District (CR-CDD) (Figure 2).

Development Agreement

A development agreement is a contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed permitted use within a zone on a specific lot. The ability for Council to consider a development agreement must be stated in the Land Use By-law and the Municipal Planning Strategy must identify the kinds of uses Council may consider in each area. Uses which Council may consider are those which Council has determined may have sufficient impact on an area that a negotiated process is required to ensure the potential impact is minimized. In the Municipal Planning Strategy Council usually identifies both specific and general criteria which must be considered when making decisions regarding a development agreement.

A proposal being considered must be measured against only the specific and general criteria for the proposal in the Municipal Planning Strategy and not any other criteria.

Windsor Land Use By-law

Section 6.0 of the WLUB, *Development Agreements*, states that "*The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy*:

(d) residential, institutional or recreational development in the College Road CDD in accordance with Section 5.7 of the Municipal Planning Strategy;

Application

Dykeland Lodge opened in 1974 on Cottage Street in Windsor. It is a fully licenced, not-for-profit 111-bed long term care home. The building is almost 50 years old and needs major upgrades and repairs. Dykeland Lodge is requesting this development agreement to permit a long-term care village on College Road to replace and enhance the services they can offer the community.

The original development agreement application received on September 23, 2021 requested Council consider the following uses by development agreement:

- a long-term care facility with 128 rooms;
- an assisted living facility with up to 42 units;
- up to 10 units for residents with disabilities;
- up to 44 independent living units;
- a mix of affordable and seniors housing to a maximum of 80 units;
- plus an 11,000 sq. ft. (1021.9 sq. m.) community centre; and
- 8,000 sq ft (743 sq. m.) of commercial space which may include a pharmacy, corner store, café, and medical centre.

The revised application received on March 1, 2022 requested the following uses be considered by Council by development agreement:

- a long-term care facility with 128 rooms;
- up to 10 units for residents with disabilities;
- up to 28 assisted living units; and
- up to 88 residential units.

The revised application proposes that the long-term care facility will be constructed within five (5) years of commencement of construction and that the other units will be completed within ten (10) years of commencement of construction. The applicant also requests that should the need arise in the future for the community centre and commercial space that Council consider these additional uses through an amendment to the development agreement. The revised application received on March 1, 2022 is the application which staff considered as part of this review.

Proposed Development Agreement

The permitted uses on the lot are outlined in Section 2.1, *Use*, of the draft development agreement (Attachment C) as:

- buildings operated as homes for special care;
- single unit, two unit and multiple unit dwellings some or all of which may be used as part of the homes for special care or as assisted living units;
- outdoor recreation uses;
- secondary suites within any of the single or two unit dwellings on the lot; and
- accessory uses to any of the permitted uses.

The scope of development is outlined in Section 2.2, *Development Location and Design*, and Section 2.3*, Phased Development*, of the draft development agreement. Phase 1 includes the long-term care facility and outdoor recreation uses including but not limited to a public trail system, and any accessory uses. Phase 2 includes the residential uses consisting of single unit,

two unit or multiple unit dwellings which may be used as part of the homes for special care or as assisted living units.

Section 2.4, *Access and Egress*, of the draft development agreement outlines that the main access to the development must be directly from College Road and that any other connection will be a secondary access/egress to the lot mainly used for emergency purposes. It also states that the developer will be required to construct a 5 ft. wide sidewalk from College Road to the building entrances. This will ensure pedestrian safety and promote active transportation use on the lot.

The developer will be required to provide:

- a stormwater management plan for the site that satisfies the Municipal Engineer that historical flooding patterns and area drainage systems have been considered and that storm water discharge will not have a negative impact on downstream properties prior to a development permit being issued for development as outlined in Section 2.8, *Site Drainage*;
- design plans of the water and sewer servicing connections and layout including location and connection design of any fire hydrant(s) as outlined in the 2.7 (b), *Water and Sewer Services*, and 2.6 (a), *Fire Safety*; and
- an archeological resource impact assessment (ARIA), as recommended by Glooscap First Nation, prior to receiving a development permit as outlined in Section 2.16, *Archeological Resource Impact Assessment*.

Section 2.6, *Fire Safety*, was developed based on comments received from the local Fire Chief. The Fire Chief noted that curbs should be mountable by fire trucks to ensure buildings can be accessed from all sides by ladder trucks and that overhangs below 15 ft. (4.57 m.) should be avoided to allow aerial trucks to navigate the lanes (9-10 ft. wide required). Staff drafted Section 2.6 (b) and (c) to ensure there is unimpeded access for emergency services vehicles. The Fire Chief also offered to discuss fire department access with the developer during the development stages.

The property owner has also noted that they are required to submit an Emergency and Fire Safety Plan to the Province as part of their licensing as a long-term care facility. This plan provides guidance for the protection of staff, residents, tenants and visitors in the event of either an internal or external disaster/major emergency. The fire safety plan provides detailed explanation of responsibilities and procedures in case of a fire. The emergency plan outlines responses to various disasters including epidemic, hazardous substance spill/leak, civil disturbance, power outage, severe storm, shortage of water, threats, violent situations, and fire. The plan is exercised and evaluated at least every three (3) years by the facilities emergency planning committee. This Emergency and Fire Safety Plan is distributed internally to all staff and externally to the Windsor Fire Department, R.E.M.O. Coordinator, Department of Health and Wellness, and Office of the Fire Marshall.

A letter was received on March 22, 2022 from Chief Sidney Peters of Glooscap First Nation recommending that the property owner complete an archeological resource impact assessment (ARIA) prior to receiving a development permit. The letter is attached to this report in Attachment F and was circulated to the property owner. Staff are recommending the ARIA be complete prior to a development permit being issued for the proposed uses as outlined in Section 2.16*, Archeological Resource Impact Assessment*, of the draft development agreement.

The draft development agreement also requires the following:

- a minimum of one (1) parking space for every 400 sq. ft. (37.16 sq. m.) of floor area of the long-term care facility (Section 2.5). This would equal 61 spaces required for the 128 bed long-term care facility;
- a minimum of one (1) parking space per dwelling unit (Section 2.5). This would equal 126 required parking spaces for the total of 126 proposed dwelling units;
- a minimum of 41,000 sq. ft. (3,809 sq. m.) of usable recreation space;
- construction hours to be only within 7 a.m. – 7 p.m. (Section 2.10);
- the Owner to have sole responsibility for snow plowing and garbage collection for the development (Section 2.7);
- a 20 ft (6.09 m) wide buffer strip along the south lot line abutting properties fronting on Kingsview Dr. (Section 2.14 (b)).

The timeline for development outlined in the draft development agreement (Sections 4.1 (b) and Section 2.3) states that development must commence within twenty-four (24) months from the date the development agreement is signed. It also states that Phase 1 shall be completed within forty-eight (48) months of the commencement of development and Phase 2 shall be completed within ninety-six (96) months of the commencement of development.

Signs and illumination are regulated on the subject lot, as outlined in Section 2.12, *Signs*, and Section 2.13, *Lighting*, of the draft development agreement.

The approximately 65 ft. (19.8 m.) of lot frontage on College Road is within the Martock Marsh and the Environmental Constraints Area. The property owner requires a variance from the regulations of the Marshland Conservation Act (2001) administered by the Provincial Marshland Administrator for any driveway access, infilling or alteration of topography on this portion of the lot. Section 27.0 of the Windsor Land Use By-law must be followed by the Development Officer for any development on this portion of the lot, as outlined in Section 2.9, *Environmental Constraints Area,* of the draft development agreement.

Section 3.3 of the draft development agreement outlines substantive matters of the development agreement. Substantive matters are any items that Council has determined that would significantly alter the intended effect of the development agreement if changed. If a request is received from the developer to change a substantive matter outlined in a development

agreement, the request must go through the entire development agreement process including Public Hearing before Council prior to Council making a final decision on the proposed amendment. Staff have determined the following items in this draft development agreement are substantive matters:

- the uses permitted on the Property as listed in Section 2.1, *Use*, of this Agreement;
- the maximum number of beds in the homes for special care and maximum number of residential dwelling units permitted on the lot in Section 2.2, *Development Location and Design;*
- the fire safety requirements listed in Section 2.6, *Fire Safety*;
- the requirements for a stormwater management plan to be submitted prior to a development permit being issued as listed in Section 2.8(b), *Site Drainage*;
- the hours of construction as outlined in Section 2.10, *Construction Noise*; and
- the requirements for an archeological resource impact assessment (ARIA) to be submitted prior to a development permit being issued as listed in Section 2.16 (a), *Archeological Resource Impact Assessment.*

Other items such as accessible parking, elevators, sprinkler systems, and barrier free units may be required in some of the buildings by the Manager of Building and Fire Inspection Services as per the National Building Code requirements. A full review of the building plans would be conducted when the property owner applies for development and building permits. These items are not listed in the draft development agreement as the National Building Code would take precedence over the development agreement as outlined in Section 5.1, *Compliance with other By-laws and Regulations,* in the draft development agreement.

Public Comments

Staff received numerous comments from the public during the Public Information Meeting (PIM) comment period from January 13 - 28. All comments received were considered by staff when drafting this report and draft development agreement. A copy of the complete comments can be found in Attachment D. Staff have summarized the themes of the public comments and provided a brief response in the table below.

Public concern	Comment
College Road - upgrades	The Director of Public Works has specified that there are proposed upgrades to College Road in the 2022-23 budget that includes a full street reconstruction, sidewalk addition and storm system installation, along with water and sanitary upgrades where

	necessary. The work is anticipated to be completed within the current right-of-way. They added that the existing street width varies considerably but the average width is around 5.8 m. (edge of asphalt to edge of asphalt) while the proposed width for full street reconstruction is 7.3 m. (curb face to curb face). This new width will accommodate two-way traffic and meets the requirements of the municipal specifications.
College Road – increased traffic	The WHRM Manager of Operations for the Public Works Department has stated the proposed uses are not considered premature or inappropriate in terms of the adequacy of the existing roads and the proposed driveway and pedestrian routes within and adjacent to the development. They noted that the 2021 traffic report from WSP recommended that "consideration be given to incorporating the construction of a northbound left-turn lane with the future planned rehabilitation on King Street and the re-location of the crosswalk." WSP was provided the original proposal from Dykeland Lodge to be incorporated in the traffic counts to assist with predicting the traffic levels on College Road and any anticipated upgrades. He added that "the intersection at College Rd and King St is planned to be re-designed with the College Rd reconstruction design. While this should improve traffic flow from College Rd to King St it would still be expected that at peak times the traffic queuing times would increase as the build out progresses. However, it is not expected to be significant due to the nature of the development." The WHRM Public Works Department continues to monitor roadways within its jurisdiction and communicate with residents and the RCMP when necessary. The WHRM Public Works Department added that the newly created Traffic Calming Policy could be used in the future if concerns exist regarding traffic on the street.
College Road – impact with construction traffic	The Director of Public Works has stated they do not have any concerns with the weight of construction traffic to the proposed development site once upgrades to College Road are complete.

College Road - alternative access/egress	The Manager of Operations for the Public Works Department has stated the proposed uses are not considered premature or inappropriate in terms of the adequacy of the existing roads and the proposed driveway and pedestrian routes within and adjacent to the development. They did add however that there are "no new traffic related concerns, but an existing one. College Rd is only connected to one street (King St) therefore there is some concern if there is a street blockage there could be a delay for emergency equipment getting through. There are two other possible privately owned routes, but they are not always accessible / passable." There were a variety of comments from residents on College Road on potential alternative connections from College Road to provide an alternative access/egress. These suggestions include: • College Rd to Hwy 14 / Chester Rd by purchasing a piece of PID 45052016 which was for sale; • College Rd to Hwy 14 / Chester Road by using the 50 ft water right-of-way / easement; • College Rd to Hwy 14 / Chester Rd by using the road located past Manning Drive, known as the "farming road" or "pole road"; and • the proposed development to Haliburton / Clifton Avenue. The majority of the land between College Rd and Hwy 14 / Chester Rd is dykeland. The Windsor MPS and LUB restrict development on dykeland. Development approval would be required by both the local marshbody and the Province as per the Nova Scotia *Agricultural Marshland Conservation Act*. The Martock Marshbody has strict land use regulations https://www.novascotia.ca/Just/regulations/regs/amcmartock.html Building a permanent road in the dykeland would most likely not be feasible. In terms of the connection from the proposed development to Haliburton/Clifton Avenue, this connection would require the developer to receive agreement from any property owners between Dykeland Lodge's property and Haliburton / Clifton Avenue. There would a significant number of studies required to

	determine if this would be feasible as an option at the expense of the developer.
Recreation uses - current and future	During the reconstruction of College Road a sidewalk will be added to one side of the street to improve pedestrian safety and movement to the development site. The draft development agreement will require a 5 ft. wide sidewalk from College Road to the main entry of any building (Section 2.4 (e)). The developers have proposed a public trail system to be developed at the north side of the lot to allow recreation uses on site. This will be required to be completed as part of Phase 1 of development (Section 2.2 (b)(i)).
Water and Sewer servicing	Windsor is a serviced area of the Municipality where efficient use of services and denser developments are encouraged. The Director of Public Works has commented that the proposed uses are not "considered premature or inappropriate related to the capacity of water and sewer services, except as noted there is limited storm water capacity downstream, and this must be addressed within the development agreement." The draft development agreement addresses the comments on stormwater management in Section 2.8 (b) and (c).
Scale, density of development and lot size	The scale of proposed development has been reduced since the public comments were received. There will no longer be a community centre and commercial component, and the residential component has been reduced by 50 units. The subject lot is approximately 24.7-acres in size which would be adequate to accommodate the proposed long-term care facility and residential uses. Windsor has a population density of 522 people per sq. km. (Statistics Canada Census for 2022). The current 111-bed long term care facility operated by Dykeland Lodge on Cottage Street is located on a 3.93-acre lot creating a population density of 6,981 people per sq. km. The existing Dykeland Lodge long-term care facility was permitted as-of-right as per the Windsor Institutional (I) zone. The proposed density, at full build-out, of this development on College Road would be approximately 2,540 people per sq. km.

	Comparing this to other large facilities within West Hants Regional Municipality, the Gladys Manning development agreement (2005) permits a maximum of 295 units on the 59-acre parcel, which equates to a population density of 1,240 people per sq. km. The development agreement for Windsor Elms (2008) in Falmouth permits 108 beds on an 18.5-acre parcel creating a population density of 1,578 people per sq. km.
Commercial and community centre	Based on the feedback from the public during the PIM comment period the developer has removed the 11,000 sq. ft. (1021.9 sq. m.) community centre and 8,000 sq. ft. (743 sq. m.) of commercial space from the proposal. The applicant requests that should the need arise in the future for the community centre and commercial space that the development agreement be drafted to allow Council to consider these additional uses through an amendment to the development agreement. An amendment to a development agreement follows a similar process as the approval of a development agreement, which would include opportunity for public feedback.
Types of uses proposed	The revised application received on March 1, 2022 requested the following uses be considered by Council by development agreement: • a long-term care facility with 128 rooms; • up to 10 units for residents with disabilities; • up to 28 assisted living units; and • up to 88 residential units. Dykeland Lodge provided additional details about the different types of care proposed on the lot in an FAQ response document. These were described as: • Long-Term Care: A facility licensed and funded by the Provincial Department of Health and Wellness to provide services for people who need ongoing care; either on a long-term basis (permanent placement) or short-term (respite care). • Assisted Living: Similar to a retirement home, these settings are targeted toward the independent senior who does not

	require substantial care but may need services such as meals, housekeeping, recreation programs and facilities. • Disability (Small Option Homes): Small Option Homes provide support for three to four persons with disabilities in community homes. The residents are supported by qualified staff through a combination of live-in and shift models. • Independent Living: Independent Living Nova Scotia (ILNS) supports Nova Scotians with disabilities through programs and services that promote independent living, enabling individuals to live the way they want, stay in control of decisions that affect them, break through barriers that are in the way, and develop their skills. • Seniors Affordable Housing: Senior's housing is an affordable option for low-income Nova Scotians over the age of 58. The units are similar to any apartment and can be rented through Regional Housing Authorities across the Province. Units are private and include the basics like a fridge and stove, heat, and hot water. In the Windsor Land Use By-law definitions, a Home for Special Care means "a nursing home, a home for the aged, a home for the disabled or a residential care facility as defined in the *Homes for Special Care Act".* This definition encompasses the long-term care facility and units for residents with disabilities. The assisted living units and residential units would be considered a type of dwelling unit in the Windsor Land Use By-law, as there is no provincial licensing required as part of the development of the use. Due to this, Section 2.1 (b) of the draft development agreement states the permitted uses as "buildings operated as homes for special care" and "single unit, two unit or multiple unit dwellings some or all of which may be used as part of the homes for special care or as assisted living units".
Safety • pedestrians, active transportation use, children playing, animals	During the reconstruction of College Road, a sidewalk will be added to one side of the street to improve pedestrian safety and movement to the development site. The draft development agreement will require a 5 ft. wide sidewalk from College Road to the main entry of any building (Section 2.4 (e)). The developers have proposed a public trail system to be developed at the north

	side of the lot to allow recreation uses on site. This has been made a requirement as part of Phase 1 of the proposed development (Section 2.2 (c)). The developer has also stated that the Kingsview Dr. entrance will be gated and only used for emergency purposes. This is outlined in Section 2.4 (b) of the draft development agreement.
Environment and wildlife	Dykeland Lodge provided additional details about the Provincial and Federal environmental policies/Acts they need to follow to develop the lot in an FAQ response document. This was described as: “All provincial, federal policies/Acts will be upheld to ensure the safety of the community and environment. The Nova Scotia Department of Public Works requires the supervisory staff of all its construction contractors to attend an erosion and sediment control course to ensure the protection of the construction site and adjacent properties; in addition to this requirement the NS Department of Seniors and Long-Term Care, the department which oversees the design and construction of a new Long-Term Care Facility, mandates that the Owner’s Project Manager also has this course. The Design Team will also include Landscape Architects and Civil Engineers who are trained to design the property following all environmental policies, acts and standards. The environmental protection plan will be a compilation of all Provincial, and Federal Policies/Acts, some listed below, to mitigate disturbance to land use, wildlife, and habitat. Safety of the community and environment is priority, all Environmental issues will be identified thoroughly and resolved expeditiously, using Federal and Provincial environmental policy extensively into all decision-making processes, as well as all other associated activities. Potential impacts to all aspects of the environment will be taken into consideration and evaluated before any activities would take place.

	The project will constantly monitor and evaluate environmental benefits/consequences of our activities, an implement our strategies to remove or minimize potential environmental impacts. • Nova Scotia Environment Act • Canadian Environmental Assessment Act • Canadian Environmental Protection Act • Nova Scotia Endangered Species Act • Clean Air Act • Water Act • Fisheries Act • Species at Risk Act (SARA) • Navigable Waters Protection Act (NWPA) • Canada Wildlife Act • Migratory Birds Convention Act"
Length of construction, noise and dust	Section 2.10 of the draft development agreement restricts construction on the lot to within 7 a.m. – 7 p.m., Monday to Saturday, unless construction is being conducted within a wholly enclosed building. This will reduce the impact of noise on abutting properties. The required 20 ft. (6.09 m.) buffer strip along the south lot line abutting properties fronting on Kingsview Drive as outlined in Section 2.14 (b) of the draft development agreement will provide additional buffering from any construction noise. Dykeland Lodge has advised that their construction team must follow construction standards and regulations related to dust and debris.
Emergency access	Section 2.6, *Fire Safety*, of the draft development agreement was developed based on comments received from the local Fire Chief. The Fire Chief noted that curbs should be mountable by fire trucks to ensure buildings can be accessed from all sides by ladder trucks and that overhangs below 15 ft. (4.57 m.) should be avoided to allow aerial trucks to navigate the lanes (9-10 ft. wide required). Staff drafted Section 2.6 (b) and (c) to ensure there is unimpeded access for emergency services vehicles. The Fire Chief also offered to discuss fire department access with the developer during the development stages.

	The property owner has also noted that they are required to submit an Emergency and Fire Safety Plan to the Province as part of their licensing as a long-term care facility. This plan provides guidance for the protection of staff, residents, tenants and visitors in the event of either an internal or external disaster/major emergency. The fire safety plan provides detailed explanation of responsibilities and procedures in case of a fire. The emergency plan outlines responses to various disasters including epidemic, hazardous substance spill/leak, civil disturbance, power outage, severe storm, shortage of water, threats, violent situations, and fire. The plan is exercised and evaluated at least every three (3) years by the facilities emergency planning committee. This Emergency and Fire Safety Plan is distributed internally to all staff and externally to the Windsor Fire Department, R.E.M.O. Coordinator, Department of Health and Wellness, and Office of the Fire Marshall.
Property values	The impact on property values due to proposed developments are not considered by planning staff when evaluating an application because there is no overall public interest in what one property is valued over another, and staff must look at the use of land versus the financial impacts that are associated with it.
Stormwater management and hardscaping of the lot	The Director of Public Works has requested that a stormwater management plan for the site be required prior to development permits being issued to ensure that historical flooding patterns and area drainage systems have been considered and that storm water discharge will not have a negative impact on downstream properties. They also noted that discharge of run-off to adjacent properties other than a natural watercourse is prohibited unless the developer obtains consent in writing from the adjacent property owner(s) and drainage easements over such natural property is provided in favor of the Municipality. This is outlined in Section 2.8 (b) and (c), *Site Drainage*, of the draft development agreement.
Impact on residents on Kingsview Dr.	The developer has stated that the Kingsview Dr. entrance will be gated and only used for emergency purposes. Additionally, Section 2.14 (b) of the draft development agreement outlines a required 20

	ft (6.09 m) buffer strip along the south lot line abutting properties fronting on Kingsview Drive.
Impact on Kings Edgehill – through traffic	Kings Edgehill Lane is a private roadway which is outside the jurisdiction of WHRM. The roadway is currently gated by the property owners. The proposed upgrades to College Road are expected to improve traffic flow on College Road, reducing the likelihood of Kings Edgehill Lane being used as a thoroughfare.
Agricultural	Although the lot has been actively farmed and cared for by the Dill family for about 50 years, the lot was designated Residential for at least the past 30 years and was recently amended to College Road Comprehensive Development District. There were comments from the public regarding the potential impact on agricultural land abutting the subject lot on the south side of College Road. There is not anticipated to be any negative impact to these abutting properties due to the requirements for a stormwater management plan, and the property owner following the required Provincial and Federal policies and Acts including erosion and sediment control.
Transparency	The property owner and applicant is Hants County Residence for Senior Citizens. Dykeland Lodge is operated by their Board of Directors. The Municipality follows the *Municipal Government Act* (MGA) requirements for community engagement for development agreement applications. The Municipality also holds a Public Information Meeting (PIM) prior to beginning the MGA required process, to allow the community another opportunity to comment on the proposal. The PIM was advertised via letter, signs on site, newspaper advertisement, Facebook and website advertisements. Every property within 300 ft. of the subject lot was mailed a letter for the Public Information Meeting. The 300 ft. notification distance is outlined in the Windsor Land Use By-law approved by Council. The virtual PIM took place on January 13 with approximately 10 residents in attendance. The comment period was open until

	January 28. Multiple residents called or emailed during the comment period as outlined in Attachment D.
Architectural style	The subject lot is not within an Architectural Control District therefore there are no architectural design manual elements to be followed.

A FAQ response document was developed by Dykeland Lodge and presented at a virtual open house on February 24, 2022 (Attachment E).

Windsor Municipal Planning Strategy

Part 5.0 of the WMPS contains the overall intention for Residential areas in Windsor. Part 5.7 of the WMPS contains the specific policies for properties designated College Road Comprehensive Development District (CR-CDD). Policy 5.7.1 establishes Council's intention to only allow development in the CR-CDD by development agreement. The policy states that Council *"establish the College Road Comprehensive Development District (College Road CDD) which allows residential, institutional or recreational development and other limited services and uses in support of this development. As-of-right development shall not be permitted."* Policy 5.7.4 outlines the criteria Council must evaluate when an application for development agreement in the CR-CDD is being considered. The proposal has been considered in relation to the criteria in Policy 5.7.4 (Attachment A).

WMPS Specific Criteria

Policy 5.7.1 of the WMPS establishes Council's intention to consider residential, institutional or recreational development and other limited services and uses in support of the development by development agreement. Policy 5.7.4 outlines the criteria to be considered by Council, which are examined in detail in Attachment A.

In summary, the remaining criteria are met since:

- the development agreement is consistent with the intent of Policy 5.7.3 and other relevant policies of the Municipal Planning Strategy; and
- the development is compatible with existing development within and adjacent to the College Road CDD.

WMPS General Criteria

The proposed development will meet the general criteria for 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 Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Director of Public Works, and Manager of Public Works Operations have no concerns which have not been addressed in the development agreement.

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 will experience extensive flooding. The subject lot in this application does not appear to be affected under this scenario, however College Road itself may experience flooding.

The Public Works Department has noted that the Municipality is currently conducting a storm water study and that the reconstruction of College Rd will provide for improved street storm convenance systems. They added that the street reconstruction will include storm water upgrades to mitigate future flooding potential (i.e., additional culverts, ditching, asphalt sloping).

NEXT STEPS

As noted above, the proposed development agreement has been considered within the context of both the specific and general policies of the WMPS and is consistent with the intent, objectives, policies and criteria of the WMPS. As a result, it is reasonable to enter into a development agreement to permit a variety of institutional and residential uses including long-term care, assisted living and disability units, and residential units on PID 45336203, College Road.

Process

Staff Review

▼

Public Information Meeting – January 13

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – April 14

▼

Regional Council First Reading – April 26*

▼

Public Hearing & Second Reading – May 24*

▼

Notice of Approval

▼

14-day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development. When requested to comment, the Director of Financial Services stated that "No, it [the development] wouldn't be premature as many expenditures relating to the development agreement, will be the responsible of the Developer. However, College Road was previously identified in the 2021-22 Capital Budget for rehabilitation in 2022-23 and the financial capacity has been built into the 5-year capital plan."

ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of PAC/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	Windsor Environmental Constraints Area Extract
Attachment A	Specific Criteria for a Development Agreement
Attachment B	General Criteria for a Development Agreement
Attachment C	Draft Development Agreement
Attachment D	Public Information Meeting Notes
Attachment E	Dykeland Lodge FAQ Information
Attachment F	Letter from Chief Peters, Glooscap First Nation

Report Prepared by: _____

Sara Poirier, Senior Planner

Report Reviewed by: _____

Madelyn LeMay, Director of Planning and Development

Figure 1
Windsor GFLUM Extract

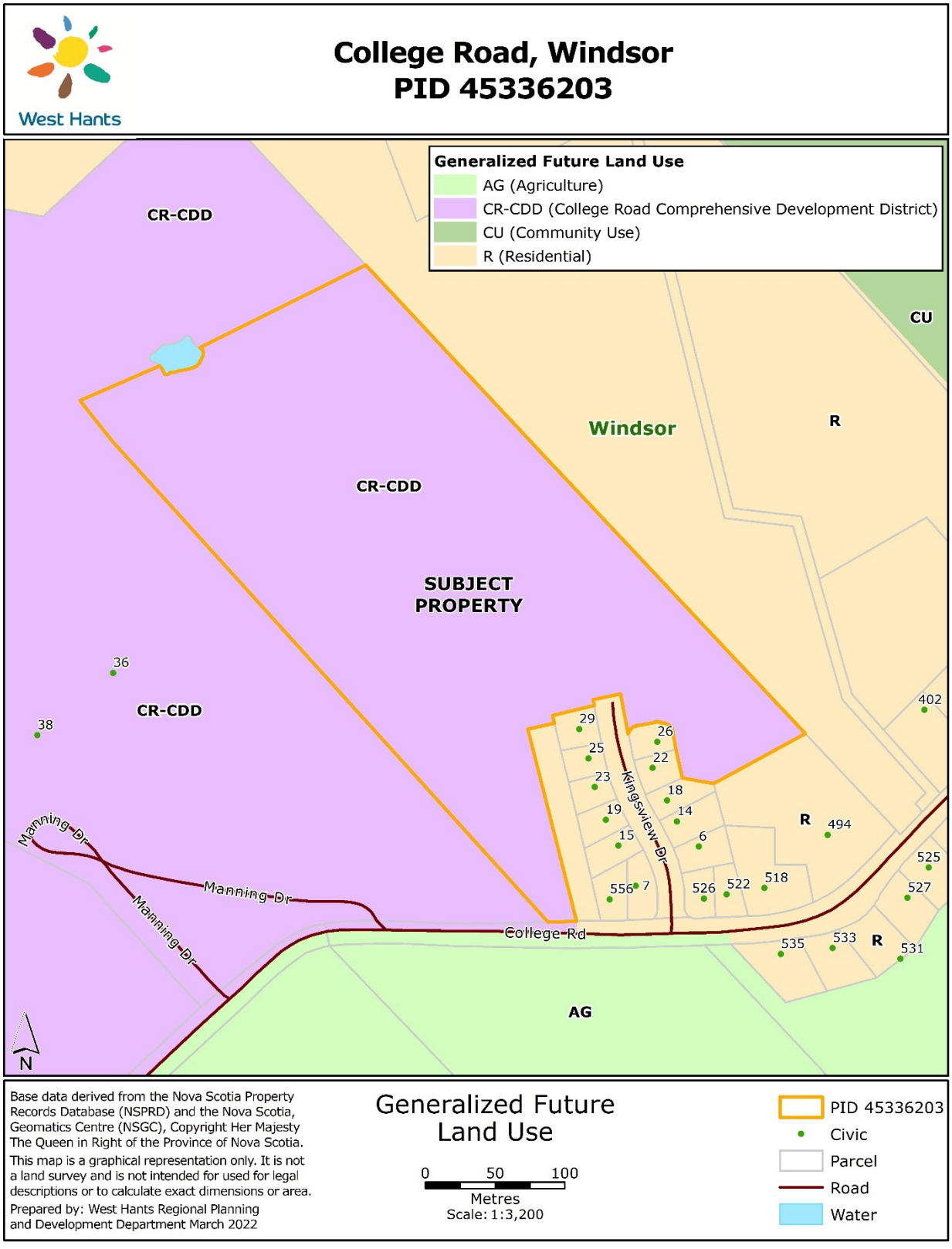


Figure 2
Windsor Zoning Map Extract

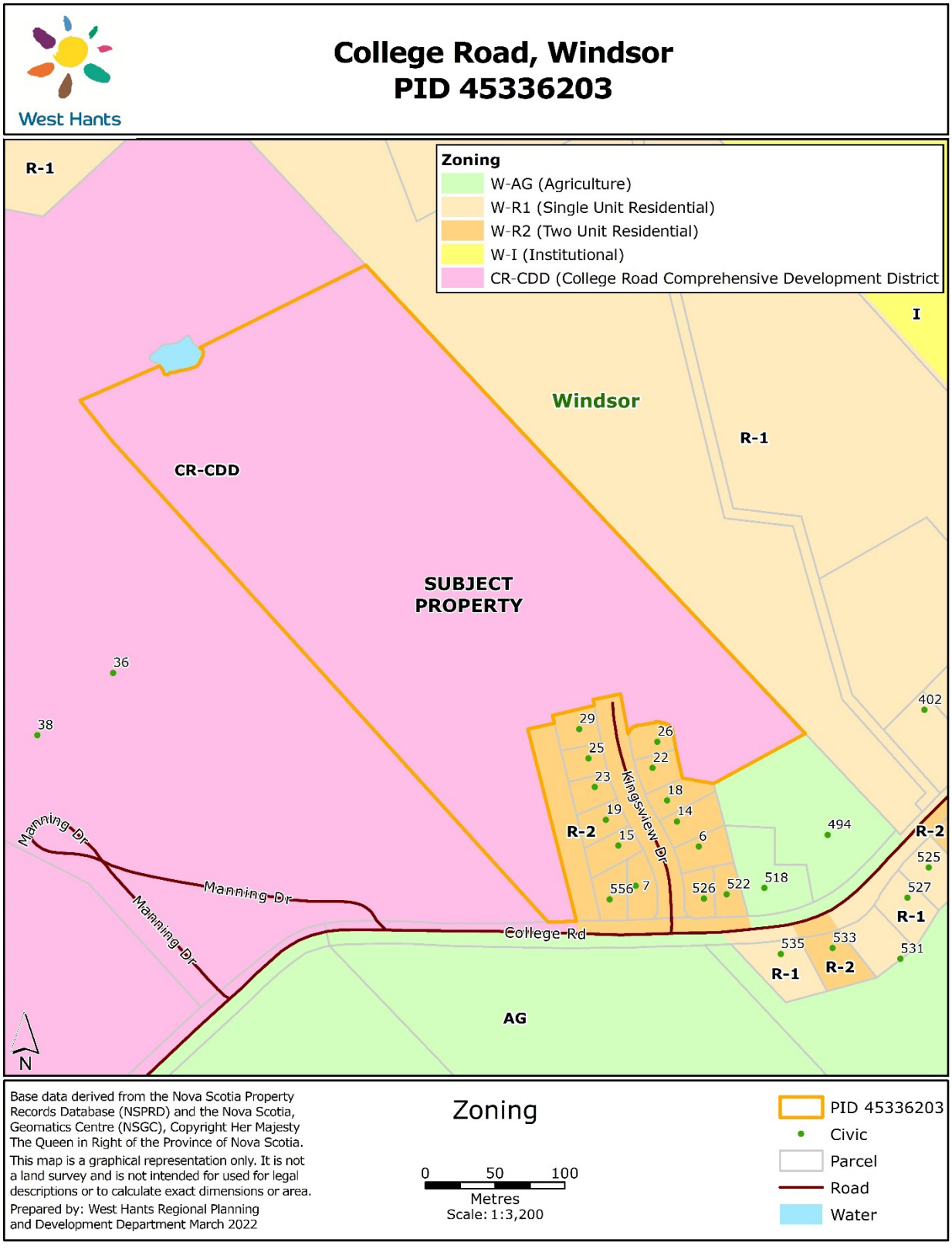
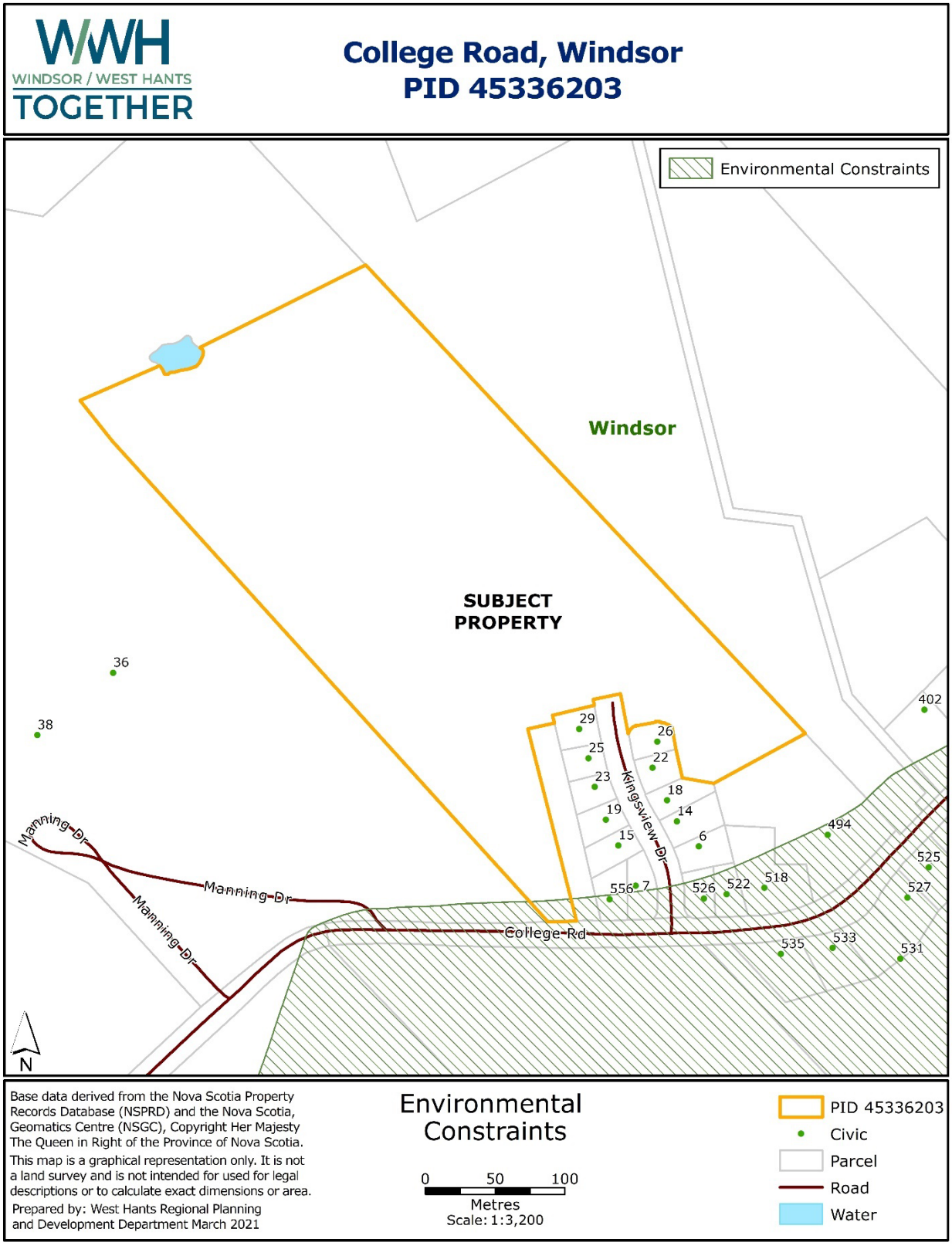


Figure 3
Windsor Environmental Constraints Extract



Attachment A
Specific Criteria for Development Agreement

Policy 5.7.4 It shall be the policy of Council that a development agreement for the development of the College Road CDD shall only be approved when the following conditions have been satisfied:

CRITERIA	**COMMENT**
(a) the proposed agreement is not considered premature or inappropriate in terms of the adequacy of existing and proposed roads and pedestrian routes within and adjacent to the College Road CDD;	The Manager of Operations for the Public Works Department has stated the proposed uses are not considered premature or inappropriate in terms of the adequacy of the existing roads and the proposed driveway and pedestrian routes within and adjacent to the development. They did add however that there are "no new traffic related concerns, but an existing one. College Rd. is only connected to one street (King St.) therefore there is some concern if there is a street blockage there could be a delay for emergency equipment getting through. There are two other possible privately owned routes, but they are not always accessible / passable." The Director of Public Works has specified that there are proposed upgrades to College Road in the 2022-23 budget that includes a full street reconstruction, sidewalk addition and storm system installation, along with water and sanitary upgrades where necessary. The intersection study for College Road and King Street conducted in 2021 by WSP recommended that "consideration be given to incorporating the construction of a northbound left-turn lane with the future planned rehabilitation on King Street and the re-location of the crosswalk." WSP was provided the original proposal from Dykeland

	Lodge to be incorporated in the traffic counts to assist with predicting the traffic levels on College Road and any anticipated upgrades. The Manager of Operations for the Public Works Department added that "the intersection at College Rd and King St is planned to be re-designed with the College Rd reconstruction design. While this should improve traffic flow from College Rd to King St it would still be expected that at peak times the traffic queuing times would increase as the build out progresses. However, it is not expected to be significant due to the nature of the development." Although these proposed upgrades do not include a secondary access/egress from College Road, the proposed upgrades are anticipated to improve current and projected vehicular and pedestrian traffic flow. The Public Works Department also noted that the Municipality is currently conducting a storm water study and that the reconstruction of College Rd will provide for improved street storm convenance systems. These stormwater upgrades will mitigate future flooding potential (i.e., additional culverts, ditching, asphalt sloping). The WHRM Public Works Department continues to monitor roadways within its jurisdiction and communicate with residents and the RCMP when necessary. The WHRM Public Works Department added that the newly created Traffic Calming Policy could be used in the future if concerns exist regarding traffic on the street.

(b) the development agreement is consistent with the intent of Policy 5.7.3 and other relevant policies of the Municipal Planning Strategy;	See below.
(c) any area within 300 ft (91.44 m) of Lake Pesaquid shall be considered environmentally sensitive and methods of protecting the land and watercourse during construction of the development shall be required. Reference also must be made to Policy 4.17 regarding watercourses;	The subject lot is located over 1,400 ft. (426 m.) from Lake Pesaquid therefore there are no anticipated effects to the Lake with respect to this proposal. The WLUB regulations on distance of structures to watercourses, enabled through Policy 4.17.1, is referenced in Section 2.2 (g) of the draft development agreement.
(d) the development is compatible with existing development within and adjacent to the College Road CDD, or other development in the College Road CDD proposed in an existing agreement;	The College Road Comprehensive Development District (CR-CDD) applies only to the Gladys Manning property and the Dykeland Lodge property on College Road. The Gladys Manning property was permitted to be developed through a development agreement which was entered into in 1990 and amended in 1991 and 2005. The Gladys Manning development agreement from 2005 permits a retirement community consisting of: • apartments; • single and semi-detached residences; • three unit row houses; • convenience and specialty shops, and greenhouse and garden centre; • office facilities auxiliary to and complementary to the residential development; • recreational facilities and ancillary buildings and structures; and • activity centre, garage and workshop.

	A maximum density of five (5) units per acre for the approximately 59-acre parcel to a maximum of 295 units was established in the Gladys Manning development agreement with a five (5) units per acre density for lot GM-1 to a maximum of 55 units. The maximum height for buildings was set at four (4) storeys and parking was to be provided at one (1) space per unit. The lot was to be developed in accordance with a "general site plan" attached as Appendix B to the Gladys Manning development agreement which shows three (3) phases of development, two houses and two future houses, and a "potential full care facility" on the south side of College Rd. This development was to commence within one year of signing of the agreement, with ten (10) years to complete the development. College Road host a variety of uses including a Provincial Heritage Property known as Richmond Hill Farm, the Gladys M. Manning Retirement Community, Howard Dill Enterprises, Kings-Edgehill School, the Gordon Hughes Tennis Club-Windsor, and a number of residential and agricultural uses. The subject lot abuts single and two storey single unit dwellings on Kingsview Drive. Kingsview Drive will be buffered from the proposed development with a 20 ft (6.09 m) wide buffer strip (Section 2.14 (b)). The Dykeland Lodge property is currently vacant. The proposed development is compatible with existing development within the CR-CDD. Additionally, the Development Officer stated that they "feel this proposed

	development is compatible with the surrounding area."
(e) any other matter which may be addressed in a development agreement; and	The Director of Public Works noted that "garbage collection would need to be handled via a private collection agreement between the developer and solid waste contractor as the amount of solid waste generated would be over the curbside limits as outlined in the solid waste by-law. Snow plowing on the private development would be the responsibility of the developer." The Director of Public Works has requested that a stormwater management plan for the site be required prior to development permits being issued to ensure that historical flooding patterns and area drainage systems have been considered and that storm water discharge will not have a negative impact on downstream properties. They also noted that discharge of run-off to adjacent properties other than a natural watercourse is prohibited unless the developer obtains consent in writing from the adjacent property owner(s) and drainage easements over such natural property is provided in favor of the Municipality. This is outlined in Section 2.8 (b) and (c), *Site Drainage*, of the draft development agreement. A letter was received on March 22, 2022 from Chief Sidney Peters of Glooscap First Nation recommending that the property owner complete an archeological resource impact assessment (ARIA) prior to developing the subject lot. This recommendation has been made a requirement of the draft development agreement as outlined in

	Section 2.16, *Archeological Resource Impact Assessment*. It is the responsibility of the property owner to ensure the site is suitable for the proposed uses. All other matters are addressed elsewhere in this report.
(f) the provisions of Policy 16.3.1.	Please see Attachment B for further details.

As stated in Policy 5.7.4 (b) the development agreement should be consistent with the intent of Policy 5.7.3 and other relevant policies of the Municipal Planning Strategy. Policy 5.7.3 is reviewed below.

Policy 5.7.3 Without limiting the generality of Policy 5.7.1, it is the intention of Council that development of all or part of the College Road CDD primarily comprise:

CRITERIA	**COMMENT**
(a) residential, institutional or recreational development on separate parcels of land or integrated throughout the same parcel; and	The proposed uses of the lot include a combination of residential, institutional and recreational development integrated throughout the same parcel.
(b) convenience and specialty stores, medical offices, personal service shops and other similar limited services and uses in support of the primary developments in the College Road CDD.	The proposed development will include limited commercial uses within the long-term care facility to support the primary institutional uses in the proposed development. Any additional commercial uses in the future would require an amendment to this draft development agreement.

Attachment B
General Criteria for Development Agreement

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**
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Director of Public Works has stated this lot is capable of accessing municipal water and sewer services and that the uses would not be considered premature or inappropriate related to the capacity of water and services, except as noted there is limited storm water capacity downstream. A stormwater management plan is required as part of this development to ensure all stormwater related to the project is adequately addressed.
(ii) the adequacy of school facilities;	No inquiry was submitted to the Director of Operations for the Annapolis Valley Regional Centre for Education related to this application as most units will be for seniors or persons requiring care.
(iii) the adequacy of fire protection;	In response to an inquiry, the Manager of Building and Fire Inspection Services stated that he did "not see anything out of the ordinary, we have several 3 storey buildings in the area. Emergency response should not be an issue. A couple of these building will require a sprinkler system." He added that "Access routes will have to be reviewed for fire services. This should be checked with the Fire Chief for the size of the fire trucks."

	The local Fire Chief stated "I have concerns with the courtyard in that access for aerial trucks is limited in here. With this size of building, should a fire get going, we like to be able to access all sides with ladder trucks." He added that "we would want to avoid any overhangs below 15 ft. at least (for aerial trucks to navigate the lanes). Average widths are from 9-10 ft. Roll up curbing is good too as it prevents us from shearing the sidewalls out of a firetruck tire if we need to go up on the sidewalk around an obstacle or to position properly." Section 2.6, *Fire Safety*, of the draft development agreement was developed based on comments received from the local Fire Chief. Staff drafted Section 2.6 (b) and (c) to ensure there is unimpeded access for emergency services vehicles. The Fire Chief has also offered to discuss fire department access with the developer during the development stages. The property owner has also noted that they are required to submit an Emergency and Fire Safety Plan to the Province as part of their licensing as a long-term care facility. This plan provides guidance for the protection of staff, residents, tenants and visitors in the event of either an internal or external disaster/major emergency. The fire safety plan provides detailed explanation of responsibilities and procedures in case of a fire. The emergency plan outlines responses to various disasters including epidemic, hazardous substance spill/leak, civil disturbance, power outage, severe storm, shortage of water, threats, violent situations,

	and fire. The plan is exercised and evaluated at least every three (3) years by the facilities emergency planning committee. This Emergency and Fire Safety Plan is distributed internally to all staff and externally to the Windsor Fire Department, R.E.M.O. Coordinator, Department of Health and Wellness, and Office of the Fire Marshall.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	Refer to Policy 5.7.4 (a) in Attachment A.
(v) the financial capacity of the Town to absorb any costs relating to the development.	The Director of Financial Services stated that the proposed development would not be premature in relation to the or inappropriate in terms of the financial capacity of the Municipality to absorb any costs related to the development "as many expenditures relating to the development agreement will be the responsible of the Developer. However, College Road was previously identified in the 2021-22 Capital Budget for rehabilitation in 2022-23 and the financial capacity has been built into the 5-year capital plan."
(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Director of Public Works has specified that there are proposed upgrades to College Road in the 2022-23 budget that includes a full street reconstruction, sidewalk addition and storm system installation along with water and sanitary upgrades where necessary. The Manager of Operations for the Public Works Department noted that "this should improve both vehicular and pedestrian traffic movement." He added that "the intersection

	at College Rd and King St is planned to be re-designed with the College Rd reconstruction design. While this should improve traffic flow from College Rd to King St it would still be expected that at peak times the traffic queuing times would increase as the build out progresses. However, it is not expected to be significant due to the nature of the development." During the reconstruction of College Road a sidewalk will be added to one side of the street to improve pedestrian safety and movement to the development site. The draft development agreement will require a 5ft wide sidewalk from College Road to the main entry of any building (Section 2.4 (e)).
(c) the adequacy of the dimensions and shape of the lot for the intended use;	The lot is approximately 24.7-acres in size which would be adequate to accommodate the proposed long-term care facility and residential uses. The Development Officer commented that they "see no issue with respect to setbacks and parking" based on the size and dimensions of the lot.
(d) the pattern of development which the proposal might create;	College Road host a variety of uses including a Provincial Heritage Property known as Richmond Hill Farm, the Gladys M. Manning Retirement Community, Howard Dill Enterprises, Kings-Edgehill School, the Gordon Hughes Tennis Club-Windsor, and a number of residential and agricultural uses. The Development Officer stated that they "feel this proposed development is compatible with the surrounding area." The subject lot abuts single and two storey single unit dwellings on Kingsview Drive. Section 2.14 (b) of the draft development

	agreement outlines a required 20 ft. (6.09 m.) buffer strip along the south lot line abutting properties fronting on Kingsview Drive. The Gladys Manning development agreement (2005) allows a maximum of 295 units on the 59-acre parcel. The proposal from Hants County Residence for Senior Citizens is not anticipated to create a different pattern of development than is already permitted on the abutting Gladys Manning lot.
(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;	The subject lot is relatively flat along College Road and gradually gets steeper towards the north west end of the property. There are no evident concerns in terms of steepness of grade, soil or geological conditions. There is a water body at the rear property line. The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) shows that the subject lot does not appear to be affected under a simulated flooding extent for probable maximum flood due to climate change, however College Road itself may experience flooding. The Public Works Department has noted that the Municipality is currently conducting a storm water study and that the reconstruction of College Rd will provide for improved street storm convenance systems. They added that the street reconstruction will include storm water upgrades to mitigate future flooding potential (i.e., additional culverts, ditching, asphalt sloping).

	It is the responsibility of the property owner to ensure the site is suitable for the proposed uses.
(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	The Development Officer noted that a small portion of this property is within dyked marshland and any driveway access, infilling or alteration of topography will require a variance from the requirements of the Provincial *Marshland Conservation Act*. All Municipal, Provincial and Federal regulations will have to be met.
(g) any other matter required by relevant policies of this Strategy.	There are no other relevant policies of this Strategy.

Attachment C
Draft Development Agreement

West Hants
something inspiring awaits

DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2022.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

HANTS COUNTY RESIDENCE FOR SENIOR CITIZENS, a body corporate pursuant to the *Municipal Housing Corporations Act*, with a head office at 124 Cottage Street, Windsor, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Owner")

OF THE SECOND PART

WHEREAS the Owner is the registered owner of a parcel of land located on College Road, Windsor, PID 45336203, hereinafter referred to as the "Property", which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Property is designated College Road Comprehensive Development District on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (September 21, 2005) and zoned College Road Comprehensive Development District (CR-CDD) on the Zoning Map of the Windsor Land Use By-law (September 21, 2005); and

WHEREAS the Owners have requested entering into a development agreement to permit a retirement community which includes homes for special care and a variety of dwelling units; and

WHEREAS Policy 5.7.3 and Policy 5.7.4 of the Windsor Municipal Planning Strategy (the "Municipal Planning Strategy") and Section 6.1 (d) of the Windsor Land Use By-law (the "Land Use By-law") provide that residential, institutional, or recreational development in the College Road Comprehensive Development District be considered by development agreement; and

WHEREAS the Council of the Municipality, at a meeting held on Month Day, 2022, approved this request;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

PART 1 AGREEMENT CONTEXT

1.1 Definitions

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use Bylaw, except those defined as follows:

(a) "Multiple unit Dwelling" means a building containing three (3) or more dwelling units;

1.2 Schedules

The following attached schedules shall form part of this agreement:

Schedule A – Legal Description

Schedule B – Site Plan

1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law

(a) *Municipal Planning Strategy* means the Municipal Planning Strategy of the Town of Windsor, approved on August 23, 2005, as amended, or successor bylaws;

(b) *Land Use Bylaw* means the Land Use Bylaw of the Town of Windsor, approved on August 23, 2005, as amended, or successor bylaws;

(c) *Subdivision Bylaw* means the Subdivision Bylaw of the Town of Windsor approved on January 24, 2012, as amended, or successor bylaws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

The Parties agree that uses on the Property shall be limited to the following:

(a) those uses permitted by the underlying zoning in the Land Use By-law; and

(b) a retirement community consisting of:

(i) buildings operated as homes for special care;

(ii) residential uses consisting of single unit, two unit or multiple unit dwellings some or all of which may be used as part of the homes for special care or as assisted living units;

(iii) outdoor recreation uses;

(iv) secondary suites within any of the single or two unit dwellings on the lot; and

(v) accessory uses to any of the permitted uses.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

2.2 Development Location and Design

(a) The Municipality and the Owner acknowledge that the development as shown on Schedule B is a phased development.

(b) The phases of the project are as follows:

(i) Phase 1 shall include a home for special care, limited to a maximum of 128 beds, and may include accessory uses such as a café, offices and/or pharmacy, located entirely within building A as shown on the site plan in

Schedule B, and outdoor recreation uses including but not limited to a public trail system as identified on Schedule B, and any accessory uses;

(ii) Phase 2 shall include the residential uses consisting of single unit, two unit or multiple unit dwellings some or all of which may be used as part of the homes for special care or as assisted living units, limited to a maximum of 126 units and located entirely within buildings B, C, D, E, F as shown on the site plan in Schedule B, and any secondary suites and accessory uses;

(c) The public trail system shown on Schedule B and to be completed in Phase 1 shall be surfaced with either crusher dust or mulch with a width no less than 4 ft. (1.22 m.).

(d) The phases of development must be constructed in the above noted order.

(e) Development within the phases shall conform to the following setbacks from lot lines:

Type of Use	**Minimum Front Yard**	**Minimum Rear Yard**	**Minimum Side Yard**
Homes for special care	30 ft. (9.14 m.)	30 ft. (9.14 m.)	30 ft. (9.14 m.)
Single unit and two unit dwellings	25 ft. (7.62 m.)	25 ft. (7.62 m.)	10 ft. (3.05 m.)
Multiple unit dwellings	35 ft. (10.67 m.)	35 ft. (10.67 m.)	15 ft. (4.57 m.)

(f) The maximum height permitted for any main building or structure erected on the property shall be three (3) storeys or 35 ft. (10.67 m.), which ever is less restrictive. The maximum height of an accessory building shall be 15 ft. (4.57 m.).

(g) No structure shall be located closer than 50 ft. (15.24 m.) from a watercourse.

(h) A minimum of 41,000 sq. ft. (3,809 sq. m.) of usable recreation space is required for the development. The public trail system included in Phase 1 shall be included in this calculation.

2.3 Phased Development

(a) The Municipality and the Owner acknowledge that the development as shown on Schedule B is a phased development.

(b) The Owner agrees to construct each phase of the development in conformity with the Plans attached hereto.

(c) Phase 1 shall include the completion of:

(i) the necessary services for the proper use and enjoyment of the phase including but not limited to a driveway and access, landscaping, sidewalks and pedestrian walkways, parking, lighting, and water and sewer services;

(ii) the landscaping required along the lot line as specified in Section 2.14 (b) of this Agreement; and

(iii) a minimum of 20,500 sq. ft. (1,905 sq. m.) of the required recreation space including the public trail system as show on Schedule B.

(d) Phase 2 shall include the completion of the necessary services for the proper use and enjoyment of the phase including but not limited to a driveway and access, landscaping, sidewalks and pedestrian walkways, parking, lighting, and water and sewer services.

(e) Construction of Phase 1 and all relevant infrastructure and landscaping as outlined in Section 2.3 (c) of this Agreement shall be completed within forty-eight (48) months of the commencement of development outlined in Section 4.1 of this Agreement. If, in the opinion of the Development Officer, this time limit has not been met, development of Phase 1 shall no longer be permitted and this Agreement may be discharged in part at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* thirty (30) days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.

(f) If the construction of Phase 2 has not commenced within twelve (12) months of the completion of Phase 1, the intended location of the buildings on Schedule B for Phase 2 shall be graded and landscaped; this may include, grass, shrubs, trees or other appropriate vegetative cover.

(g) Construction of Phase 2 shall be completed within ninety-six (96) months of the actual commencement of development of Phase 1 provided that such commencement is within the time limit prescribed in Section 4.1 of this Agreement. If, in the opinion of the Development Officer, this time limit has not been met, development of Phase 2 shall no longer be permitted and this Agreement may be discharged in part solely at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* thirty (30) days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.

2.4 Access and Egress

(a) The Owner shall develop, construct, and maintain the driveway in the development in general conformance with the driveway shown on Schedule B.

(b) The main access/egress to the lot shall be directly from College Road. Any other access/egress shall be secondary and only used for emergency purposes. The vehicular entrance and exit shall be clearly demarcated and paved.

(c) The driveway shown on Schedule B shall provide a minimum street allowance of 50 ft. (15.24 m.) and shall be paved with a minimum paved surface of 20 ft. (6.09 m.).

(d) The Owner agrees that it will seek and obtain approval from the Municipality before any other driveway from the development is connected to College Road or any other public road.

(e) A 5 ft. wide sidewalk shall be provided from College Road to the main entrances of the buildings completed within each Phase. The sidewalks may be constructed using permeable construction materials to assist with stormwater retention.

2.5 Parking

(a) All parking spaces for vehicles using the Property shall be located on the lot and shall be generally located as shown on Schedule B.

(b) One (1) parking space shall be provided for every 400 sq. ft. (37.16 sq. m.) of floor area of the home for special care constructed in Phase 1.

(c) One (1) parking space shall be provided for each dwelling unit constructed in Phase 2.

(d) For all other uses, parking shall be provided in accordance with the Windsor Land Use By-law.

(e) Parking areas and parking spaces shall be constructed so as to create a stable surface for vehicle traffic and be clearly demarcated and lined by the Owner. They may be constructed using permeable construction materials to assist with stormwater retention.

(f) Parking required for each residential component of Phase 2 shall be clearly separated from other parking in the area and demarcated by signage as being for the use of residents only.

(g) The number of parking spaces and loading spaces may be varied in writing by the Development Officer.

2.6 Fire Safety

(a) No development permit shall be issued until the location and connection design of any fire hydrant(s) to the municipal water supply has been approved by the water utility, in consultation with the district Fire Chief.

(b) All curbs shall be designed to be mountable by emergency services vehicles.

(c) All access routes shall be kept clear of overhead obstructions and wires and be maintained by the Owner to allow unimpeded access to the property by emergency services vehicles, unless otherwise agreed to by the Fire Chief.

2.7 Servicing

(a) Waste Collection

(i) No Municipal garbage collection will be provided to the development. The Owner shall have sole responsibility for collecting, storing and disposing of garbage and other recycling or waste items from the development.

(ii) The Owner shall keep any outdoor storage of garbage in an enclosed structure or in some way adequately screened so as not to be visible from or cause a nuisance to nearby properties and abutting roads and it shall not be located closer than 10 ft. (3.05 m.) to an abutting property.

(b) Water and Sewer Services

(i) Any of the proposed uses on the lot shall be serviced with water and sewer services provided by West Hants Regional Municipality pending authorization by the Municipal Engineer. Detailed design plans of the water and sewer servicing connections and layout shall be in accordance with the Municipal Services Specifications Manual and shall be submitted to the Municipal Engineer for approval prior to construction.

(ii) The Owner shall be responsible for constructing, installing and maintaining the water and sewer services on the property.

(c) Snow Plowing

The Owner shall have sole responsibility for snow plowing within the development.

2.8 Site Drainage

(a) The Owner shall undertake all construction activities in accordance with an erosion and sedimentation control plan prepared by a Professional Engineer, unless otherwise directed by Nova Scotia Environment, and also agrees to assume sole responsibility for compliance with all regulations of Nova Scotia Environment.

(b) No development permit shall be issued until the Owner provides a stormwater management plan that has obtained the approval in writing of the Municipal Engineer such that historical flooding patterns and area drainage systems have been considered and such that storm water discharge will not have a negative impact on downstream properties. The engineer conducting the stormwater plan must investigate the downstream system from the outfall location of the proposed storm drainage system to a point sufficiently downstream that will demonstrate no adverse impacts on downstream lands, such as erosion or flooding, and outline any mitigative measures that may be required to alleviate any adverse downstream impacts.

(c) The Owner acknowledges the following:

(i) the Municipality requires that all downstream drainage systems have adequate capacity to receive and carry discharge from the proposed storm drainage system in addition to its natural rate of discharge, and

(ii) discharge of run-off to adjacent properties other than through a natural watercourse is prohibited unless the Owner obtains consent in writing from the adjacent property owner(s) and a drainage easement in favour of the Municipality is provided.

2.9 Environmental Constraints Area

(a) The approximately 65 ft. (19.8 m.) of lot frontage on College Road is within the Martock Marsh and the Environmental Constraints Area. The property owner shall apply and obtain a variance from the regulations of the *Marshland Conservation Act* (2001) administered by the Provincial Marshland Administrator for any driveway access, infilling or alteration of topography on this portion of the lot. Once received, a copy of the variance shall be submitted to the Development Officer with the development permit application for Phase 1.

(b) Section 27.0 of the Windsor Land Use By-law shall be followed by the Development Officer for any development on this portion of the lot.

2.10 Construction Noise

Construction on the lot shall only be permitted between the hours of 7:00 a.m. and 7:00 p.m. daily, Monday to Saturday, unless construction is being conducted within a wholly enclosed structure.

2.11 Maintenance

(a) The Owner shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.

(b) The Owner shall maintain the driveway to a level adequate to allow for access by emergency services vehicles.

2.12 Signs

(a) The Owner shall be permitted:

(i) a maximum of three (3) ground signs; and

(ii) facia wall signs.

(b) The ground signs shall not:

(i) exceed a height of 5 ft. (1.524 m.) from the grade level to the highest part of the sign;

(ii) exceed 25 sq. ft. (2.32 sq. m.) in area;

(c) A facia wall sign shall:

(i) be permitted on any building for identification purposes;

(ii) not exceed 20 sq. ft. (1.86 sq. m.) in area; and

(iii) not extend above or beyond the extremities of the wall upon which they are attached.

(d) The signs may be illuminated for identification purposes provided that Section 2.13, *Lighting*, of this Agreement is met.

2.13 Lighting

Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

2.14 Landscaping

The Owner shall:

(a) keep all undeveloped areas of the Property landscaped;

(b) provide a 20 ft. (6.09 m.) wide buffer strip along the south lot line abutting the properties fronting on Kingsview Drive. The buffer strip shall contain any combination of the following to provide a dense or opaque screen:

(i) a mix of local species of coniferous trees. At planting, each tree shall have a diameter of 2 in. measured at 4.5 ft. above the surrounding grade and a minimum height of 5 ft.; or

(ii) a hedge of a variety of coniferous shrubs each of which will reach over 6 ft. in height at maturity; or

(iii) a berm which is a minimum of 6 ft. in height to buffer the abutting property; or

(iv) a wall or an opaque fence which is a minimum of 5 ft. in height and of sufficient height to provide a visual buffer to the abutting property.

2.15 Subdivision

No alterations to the lot configuration or subdivision are permitted except those required by the Municipality for the purpose of creating or expanding open space within the Property or those required by the road authority for the purpose of creating or expanding a public street over the Property.

2.16 Archaeological Resource Impact Assessment

(a) No development permit shall be issued until the Owner provides a copy of an archaeological resource impact assessment (ARIA) which has been prepared by a qualified and permitted archaeologist in accordance with the *Special Places Protection Act* and approved by the Provincial Archaeology Regulator in the Special Places Program, to the Development Officer.

(b) The Development Officer must be satisfied that all proposed construction, ground disturbances, and development on the subject lot will comply with the recommendations provided in the ARIA. The Development Officer may approve changes to the site plan in accordance with the ARIA generated in Section 2.16 (a), of this agreement provided the side yards and buffering are not decreased.

PART 3 CHANGES AND DISCHARGE

3.1 The Owner shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality, or this agreement is amended.

3.2 Any matters in this agreement which are not specified in Section 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.

3.3 The following matters are substantive matters:

(a) the uses permitted on the Property as listed in Section 2.1, *Use,* of this Agreement;

(b) the maximum number of beds in the homes for special care and maximum number of residential dwelling units permitted on the lot in Section 2.2, *Development Location and Design*;

(c) the fire safety requirements listed in Section 2.6, *Fire Safety*;

(d) the requirements for a stormwater management plan to be submitted prior to a development permit being issued as listed in Section 2.8(b), *Site Drainage*;

(e) the hours of construction as outlined in Section 2.10, *Construction Noise*; and

(f) the requirements for an archeological resource impact assessment (ARIA) to be submitted prior to a development permit being issued as listed in Section 2.16 (a), *Archeological Resource Impact Assessment*.

3.4 Upon conveyance of land by the Owner to either:

(a) the road authority for the purpose of creating or expanding a public street over the Property; or

(b) the Municipality for the purpose of creating or expanding any municipally owned facility over the Property;

registration of the deed reflecting the conveyance shall be conclusive evidence that that this agreement shall be discharged as it relates to the public street or public facility, as the case may be, as of the date of registration with the Land Registry Office, but this Agreement shall remain in full force and effect for all remaining portions of the Property.

3.5 Notwithstanding the foregoing, discharge of this agreement is not a substantive matter and this agreement may be discharged by Council without a public hearing.

3.6 Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owner following a resolution of Council to give such Notice:

(a) as provided for in Section 4.1, *Commencement of Development,* of this Agreement; or

(b) at the sole discretion of the Municipality, with or without the concurrence of the Owner, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or

(c) at any time upon the written request of the Owner, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.

3.7 Council may discharge this Agreement thirty (30) days after a Notice of Intent to Discharge has been given.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

(a) The Owner may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.

(b) Development as provided in Part 2 of this Agreement shall commence not later than twenty-four (24) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act thirty (30) days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.

(c) If the Owner is bona fide delayed from commencing the development for reasons which are beyond the Owner's control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owner is excused for the period of the delay and the time period for the Owner to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

(a) The Owner shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required, within ten (10) days of completion of any work which requires the engineered design.

(b) The Owner shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with Other Bylaws and Regulations

(a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining

any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.

(b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.3 Interpretation

(a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.

(b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

(c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

5.4 Municipal Responsibility

(a) The Municipality does not make any representations to the Owner about the suitability of the Property for the development proposed by this agreement. The Owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.

(b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owner in writing. In the event that the Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

5.6 Costs

The Owner shall pay all costs associated with the advertising required for this Agreement, the costs of registering this Agreement, and all costs associated with any amendment or discharge thereafter.

5.7 Development Agreement Bound to Land

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the Municipal Government Act.

5.8 Assignment of Agreement

The Owner may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

5.9 Written Notice

(a) The Municipality may serve notice on the Owner personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to 124 Cottage Street, Windsor, or at any other address provided by the Owner.

(b) The Owner may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, Municipality of the District of West Hants, 76

Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Owner.

5.10 Full Agreement

This Agreement constitutes the entire Agreement and contract entered into by the Municipality and the Owner. No other agreement or representation, oral or written, shall be binding.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED	**) WEST HANTS REGIONAL MUNICIPALITY**
In the presence of:	)
	)
	)
_____	Per: _____
Witness	) Abraham Zebian, Mayor
	)
	)
_____	) Per: _____
Witness	) Deanna Snair, Municipal Clerk
	)
	) HANTS COUNTY RESIDENCE FOR SENIOR
	) CITIZENS
	)
	)
	)
_____	Per:_____
Witness	) Peter Murray, Chairman of the Hants County
	) Residence for Senior Citizens Board
	)
	)
_____	Per:_____
Witness	) Krista Beeler, Administrator of the Hants
	) County Residence for Senior Citizens

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2022, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY,** one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2022, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Peter Murray**, one of the parties thereto, signed, sealed and delivered the same in h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2022, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Krista Beeler**, one of the parties thereto, signed, sealed and delivered the same in h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK
WEST HANTS REGIONAL MUNICIPALITY

I, Deanna Snair of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (The "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.

3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.

4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

I certify that on this _____, 2022
the Municipal Clerk, Deanna Snair came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

Deanna Snair, Clerk

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Peter Murray, Nova Scotia, make oath and say that:

1. I am Peter Murray, Chairman of the Hants County Residence for Senior Citizens Board, the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.

3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.

4. The Corporation is a resident of Canada under the Income Tax Act (Canada).

5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 2022
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

Peter Murray

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Krista Beeler, Nova Scotia, make oath and say that:

1. I am Krista Beeler, Administrator of the Hants County Residence for Senior Citizens, the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.

3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.

4. The Corporation is a resident of Canada under the Income Tax Act (Canada).

5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 2022
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

Krista Beeler

Schedule 'A'
Legal Description – PID 45336203

ALL that lot of land and premises situate, lying and being on the Northwestern side of the "College Road:, so-called, in the Town of Windsor which may be bounded and described as follows:

BEGINNING on the Northwestern side of the said College Road at a post in line of fence at the Southeastern angle of the lands hereby conveyed and at the Southwestern angle of lands of one J. Fred Dill;

THENCE to run in a Northwesterly direction along the said line of fence between the lands hereby conveyed and the said lands of the said J. Fred Dill to an angle therein North of a certain well;

THENCE to run in a Southwesterly direction continuing along the line of lands of the said J. Fred Dill to another corner in line of fence;

THENCE to continue in a Northwesterly direction along the line of said fence between the lands hereby conveyed and the lands of the said J. Fred Dill to the line of lands of one C. Eric Boulden;

THENCE to run in a Southwesterly direction along the line of lands of the said C. Eric Boulden to a corner in the line of fence between the lands hereby conveyed and lands of the said C. Eric Boulden;

THENCE to run in a Northwesterly direction along the line of lands of the said C. Eric Boulden to a certain other corner in the said line of fence;

THENCE to run in a Southwesterly direction along the line of lands of the said C. Eric Boulden to a certain other fence between lands of the said C. Eric Boulden and the lands hereby conveyed;

THENCE to run in a Southeasterly direction alone the said last mentioned line of fence on the Eastern boundary of lands of the said C. Eric Boulden to the Northwestern side of the said College Road;

THENCE to run in a Northeasterly direction along the Northwestern side of the said College Road to the fence post at the place of beginning, - the same being or intended to be those two certain lots of land secondly and thirdly described in a certain mortgage from the said Kenneth Redden to one Charles F. Redden bearing date the 8th day of April A.D., 1930 and recorded in the office of the Registrar of Deeds at Windsor aforesaid in Book 148, Page 466;

Saving and Excepting thereout that portion of the said lands and premises therein excepted and being referred to as having been conveyed by one Henry Redden and wife to the Rev. George McCawley by deed bearing date the 15th day of July A.D., 1844 and recorded in the said office in Book 28, Page 96.

Also Saving and Excepting therefrom lots A, B and C shown on a plan of lands of S. Stuart Dickie made by W.S. Laurence P.L.S. dated the 7th day of September A.D., 1968 and approved by the Town of Windsor Planning Board on the 9th day of September A.D., 1968 and now on file at the Registry of Deeds at Windsor as Plan no. 499, which said lots are described as follows:

BEGINNING on the North Boundary of College Road at the East boundary of Richard Dill's land;

THENCE along the North boundary of College Road four hundred and forty-three 443) feet;

THENCE North six degrees East (N 6 degrees E) three hundred and thirty (330) feet;

THENCE North eighty-three degrees five minutes East (N 83 degrees 5 minutes E) two hundred and forty-three point 6 (243.6) feet to the boundary of Richard Dill;

THENCE South twenty-two degrees thirty-four minutes East S 22 degrees 34 minutes E) along Richard Dill's boundary three hundred and twenty-one (321) feet to the place of beginning.

Also Saving and Excepting thereout Lot 14A as shown on Plan no. 8578;

Saving and Excepting Parcel E1 shown on Plan No. 6160;

Saving and Excepting Lots 1-14 inclusive and Parcel KD-1 all of which is shown on Plan no. 6142.

SUBJECT to a right of way/easement in favour of Minas Basin Pulp and Power Company as recorded in an Agreement recorded in Book 153 at Page 316;

*** Municipal Government Act, Part IX Compliance ***

Not Subject To:

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

Schedule 'B'

Site Plan



Attachment D
Public Information Meeting Notes
January 13 – January 28, 2022
File 21-20: College Road, Windsor PID 45336203

Meeting date and time	A virtual Public Information Meeting was held on January 13, 2022 beginning at 6:00 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: • Madelyn LeMay • Senior Planner Poirier • Planner Dunphy • Meeting Secretary Lake The following members of the public requested Zoom invites to the meeting: • Mark Cameron • Garth Hartlin • Steve Porter • Harold Adams • Judy Grant • Janet Naugler • John Naugler • Louis Coutinho • Scott Shanks • Reid MacDuff • Barb Hughes • David Strum
Applicant Krista Beeler and Ed Sherman at Dykeland Lodge on behalf of the Hants County Residence for Senior Citizens **Property** College Road, Windsor PID 45336203	Planner Poirier outlined the application to enter into a development agreement to permit a variety of uses including affordable and senior housing, long term care, assisted living, independent living, commercial space and a community centre on the property at PID 45336203 on College Road. A formal presentation was not made by the applicant.

Comments	Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between January 14 – January 28, 2022. Six (6) members of the public spoke at the Public Information Meeting, eleven (11) written comments were received via email and eight (8) verbal comments by phone. The questions and comments from the public are summarized below. Email responses are attached. Staff responses are included in purple. At the Public Information Meeting the following comments were made: • Barb Hughes requested clarification on the location of the property and distance from Lake Pisaquid • Jim Wilcox discussed the traffic impact of the project as the design shows a long cul-de-sac with the only entrances/exits to College Road. He is concerned it would be another Crossing development with one way in / one way out. He mentioned that there was a traffic study done when the hockey rink was proposed to be located out behind Dill Farm. The study showed an option of an alternate exit across to Hwy 14. He noted that he feels any connection to Haliburton/Clifton Avenue would not be ideal. • Mark Cameron from Gladys Manning stated it is great to see this development, however he is worried about the construction noise, dust, heavy equipment, etc. over a 10-year construction timeline. He also mentioned that College Road needs some work. Sara noted that College Road is planned to be upgraded in 2022-23. Mark was concerned that heavy truck traffic may destroy the road. • Reid MacDuff was interested to know the discussions Sara had with the Traffic Authority related to an alternative exit. Sara stated that discussions with the Traffic Authority were very preliminary and had not been discussed with the developer. They discussed a road across to Hwy 14 (dyked marshland with strict land use regulations), with another option being a connection up to Clifton Ave. or Haliburton Ave. (crossing private property; developer would have to negotiate). • Steve Porter from King Edgehill stated the development will be good for the community, however he is also

	worried about traffic and an alternative access as he doesn't want to see more traffic going through the Kings Edgehill School property. • Judy Grant a homeowner on Kingsview Drive stated she currently lives on a quiet street which will now be abutting a major development. She noted that Kingsview Dr. looks like one of the main feeders into the development which she is upset about. She is also shocked that the proposal has a community centre and commercial uses. When she first heard about the development it was supposed to only be a nursing home, not this size and scale of development. She stated the proposal is showing about 284 units which could mean up to 1000 people living there. Telephone conversations included the following: January 17th, 2022 • Kathryn Duffy a resident living on Kingsview Drive called to say she is creating a "community response" to the development with help from other residents living on Kingsview which will be submitted by the January 28 deadline. Kathryn noted that residents are okay with the proposed long term care facility but have concerns about the commercial and community centre, the amount of hard surfaces and stormwater management. She noted that residents on Kingsview Dr. have had to invest in stormwater management of their own because of the runoff from the field. She has experience with community consultation and would like the opportunity to speak with Dykeland Lodge and the Municipality on the proposal. January 19, 2022 • Cheryl Barker was interested in the types of uses that are being proposed and wanted more information on the difference between long term care, assisted living, disability, independent living and seniors and affordable housing. She was concerned that the affordable housing may be rented out to families. She also wondered if there was a possibility of the proposal not including the commercial and community uses that envelope the residents on Kingsview Dr. Cheryl is concerned that the commercial and community uses are too extravagant, will

	take away from the existing uses in Windsor and will be disruptive to residents on Kingsview Dr. She had questions about the two access points through College Rd and Kingsview Dr which both exit to College Road and onto King Street. She said other options for a secondary exit would be Wiley Avenue or Clifton Avenue for safety of evacuating residents in an emergency situation. • Barbara Redden a resident on Haliburton Avenue is very concerned that the development may connect to Haliburton Ave in the future. Sara noted that this connection would only be possible if a ROW agreement is entered into with any property owners between Dykeland Lodge's property and Haliburton Ave. Barbara was also concerned with traffic that would be directed to College Road, potential effects on wildlife (fox), and lack of transparency from the developer. The initial proposal they heard about was just for a nursing home and now this massive development is being proposed. She would recommend Dykeland Lodge hold some sort of open house to hear residents concerns. Barbara would also like a copy of the report that gets submitted to PAC/HAC sent to her email. • Kathryn Duffy called to request an extension to the PIM comment period as she has about 30 residents wanting to provide a group community response to the development. Sara noted that no additional time could be provided as the same comment period duration is set for all applications, and the comment period was already advertised in the paper, at the meeting, with a sign on site, on the website and in letters to abutting lot owners. January 20, 2022 • Sally Ferguson asked questions about how the development was going to be financed and who the developer would be "as Dykeland does not have that kind of money". Sara gave her Krista's phone number to ask those specific questions. Sally has concerns about traffic on College Road as it is not currently functioning well and suggested the road should be widened. She appreciates that Dykeland requires a new building and location however does not want the other uses being proposed. Sally noted that she is concerned that College Rd

	recreation uses (snowshoe, walking) and animal habitats (coyotes, geese) will be impacted. January 25, 2022 • Shelley Currie lives on College Road close to where the proposed driveway would be for the new development. Shelley asked questions about the different types of uses that are proposed and the process for development to take place on the lot. She noted that she was not opposed to the "strip mall" however wanted it to be limited to residents of the new development, not open to all residents of Windsor. She also had concerns with the hours of construction with hopes that it would not start before 7 a.m. She understands the need for development in the area. • Barb Hughes and Jim Wilcox called. Jim sent Sara some information via email on a property that is currently for sale which he believes may be able to provide access from College Rd to Hwy 14 and he sent the Halifax Specifications Manual regarding cul-de-sacs. Barb said this is a well needed project and liked the idea of the community centre portion. She is concerned with the impact on quality of life if there is a connection to Haliburton Ave or Clifton Ave as many people walk, ride their bikes, and there's lots of wildlife in the area. Jim commented that he believes the property that is currently for sale (PID 45052016) could provide a viable option for access from College Road to Hwy 14. He is also concerned that College Road is currently a long dead-end cul-de-sac and wants to ensure that the proposed development does not end up like the Crossing with one way in / one way out. He said these issues should be addressed prior to this development being approved and that a traffic study could be completed to determine the best alternative entrance/exit from the proposed development. • Sara received a call from Harold Adams who lives on College Road. Harold stated that he thought the developer was the Municipality and Province. Sara confirmed that the property owner and applicant is Dykeland Lodge. He also thought that the Municipality was widening College Road to provide the upgrades (paving and sidewalk). Sara confirmed that the

	Municipality is working within the current right-of-way. He also wanted to know the timeline on the project, assuming that Dykeland was breaking ground this spring. Harold also listed concerns with: • whether there is a need for a new community centre; • the "strip mall" and the vacancies it can cause elsewhere. He stated there are already vacancies in Ft. Edward Mall and the downtown commercial area; • that when Gladys Manning was proposed they had stated there would be a road connecting to Hwy 14 from College Rd. This was never done, and now more development is proposed; • issues with the intersection of College Rd and King St; • increased traffic on College Road and safety concerns when there are sports games, as people park on the side of College Rd making it difficult for people to get in and out of College Rd as it is. Harold noted that there are three potential options to establish a connection from College Rd to Hwy 14: 1. Purchase a strip of land off the lot that is currently for sale (PID 45052016); 2. Use the Municipalities 50 ft water right-of-way/easement; 3. Already a public road past Manning Drive, known as the farming rd. or "pole rd." Harold also stated the developer should remove the commercial and community centre component. • A submission entitled "Community Response" was received on January 28, 2022, with the primary contact listed as Kathryn Duffy. It is attached at the end of the PIM notes.
Adjournment	The meeting was adjourned at 6:33 p.m.

Public Email Responses Submitted for the Application PIM

From Mark Cameron – January 7 and January 19, 2022

Sara,

Thank you very much and appreciate the invite to the PIM.

As a next door neighbour offering some of the same housing services, and also a nonprofit, we are a bit concerned as to what this will mean for our operation at Gladys Manning. Gladys Manning has had a presence in Windsor close to 30 years. I'm sure this development will be a great addition to the community but it just came as a big surprise when we read the article after the fact. It would have been nice to have at least been approached by the planning commission in the early stages of the planning and asked for some feedback. In late 2019 we had preliminary talks with the province in regards to adding nursing home beds on the Gladys Manning property.

Please don't get me wrong, I am very happy for these much needed housing services for the area, but as a company we would be remiss if we did not consider potential risks such as, lost revenues due to vacancies, staffing issues that this project potentially could have. As a non profit there is not a lot of "wiggle room" for lost revenues. We do realize this project won't be completed overnight allowing us time to try to plan for the future.

I thank you for listening to my ramblings but felt some of these things should be considered when adding a new major development. I have been on the other side of the table before in communities so can appreciate some of the challenges planning has.

Again, I am glad a project such as this is happening in the area and hope we will be better together at meeting a need in the community. Looking forward to the information sessions.

Sara,

Some of our major concerns in regards to this proposal are:

- Noise levels, dust, construction traffic and 10 years is a long time to put up with construction noise, especially in that area. When we built the first couple phases of the Manning there were no close neighbours and construction was completed in a timely fashion. Even with the last phase, noise levels were buffered by the ample green space. The majority of this development will be almost directly across from it. So we are concerned in that respect.

- Looking forward, and maybe it is not going to be an issue later, but staffing has currently been a real challenge as it is very hard to find staff in the area. This is something that also has to be considered. A new nursing home opened in Moncton a few years ago and could not fully open due to the fact they could not staff the facility. It is a real challenge and needs also to be considered in the planning.
- Other concern(more operational) is the potential migration of tenants to a "new" facility. This is something we can expect but with our price range it may help us in regards to new rental properties.

This is more of our operational concern for us but real nonetheless.

These are some honest concerns and thanks for taking the time to record them.

From Danny Dill – January 14 and January 17, 2022

Dear Ms. Poirier,

Unfortunately I could not attend the virtual meeting of January 13,2022 concerning the proposed Dykeland development on College Road. I did however seen it today with your presentation and public comments/concerns.

As one of the largest land owners next to this project that borders one entire side and also across from the entrances to the Dykeland Village, I would like to state that I fully support and welcome this wonderful project. This is much needed not only here, but everywhere these days as we see in the news.

Our family has lived, farmed, and operated a giant pumpkin/ Long Pond Hockey tourism destination for many generations going back to 1878 here on College Road. We have lived and experienced all the developments throughout that time which have all contributed to the community.

Of course my concern, as others, is the condition of College Road and the increased amount of traffic that we have now and obviously a lot more in the future. This was one of the major concerns/drawbacks that residents and the public had back in only recent times when the original Arena was first proposed and planned here on College Road. As we know, that ultimately failed here unfortunately, speaking for myself by the way but just wanted to make that point! Back in the day when my father Howard was alive about 15 years ago, the original Town Of Windsor had spoken to him about widening the road which would require encroachment most likely on the frontage of our properties to make it possible. So be it, but

here we are today still waiting when I see so many other smaller streets getting complete makeovers before College Road! A much bigger, busier and tax based street?

Part two is the juggernaut at College Road/King Street. It is getting worse and traffic coming from town travelling much faster since changes were done by the Town. So lights and widening would be required. Another access be wonderful. Not sure if you knew there is an old "pole road" that runs from College Road to Route 14 Chester Road that has been used for decades and not sure if this could be utilized?

What a find ironic Dykeland Village will now finally have a view of our dykelands, lol.

If you have any questions please do not hesitate to contact me.

Regards,
Danny Dill

Hi Sara,

Great, many thanks. One other subject that was discussed during your recent meeting was concerning residents "using trails for walking/skiing etc on the subject property". I honestly during all these years never witnessed anyone using the back of this property for walking and so forth, it is very dense rough terrain at the back end. I know, we fenced the back property for many years since early 1970s when we had cattle. They are mistaken or confused with property lines, they have been using my property and the Gladys Manning property all these years!

Also I can appreciate KES concerns regarding traffic going through their property, especially safety for staff and students!

I just thought the developer/planning etc would like to know this as well.

Best regards,
Danny

From Carol MacKenzie – January 16 and January 18, 2022

Hi Sara

I live on Clifton Avenue in Windsor and understand that the proposed development might have a second exit on Haliburton Avenue and would affect the traffic passing my house. I did not

receive any information on the development. Could you email me the information about it so that I can comment on it if necessary? Thank you.

Carol MacKenzie

Hello Carol,

Thank you for your email. I have attached the presentation from the Public Information Meeting on Thursday January 13 regarding the development agreement application for Dykeland Lodge on College Road. The video of the meeting can also be viewed on the Municipal Facebook page (you do not need a Facebook account to watch the video) https://www.facebook.com/RMWindsorWestHants/

During the meeting residents discussed their concerns about the entrance/exit from the proposed development to College Road. I noted that I have spoken to the Municipal Traffic Authority and we briefly discussed the potential of a second exit or emergency exit across to Hwy 14 with the other option being the developer negotiating an entrance/exit to the Haliburton or Clifton Avenue area. Neither option has been discussed or is actively being pursued by the developer at this time.

Any comments on the proposal can be submitted until January 28. They will be shared with the developer and the Planning and Heritage Advisory Committee (PAC/HAC).

All the best,
Sara

Thank you for the information. I live at 737 Clifton Avenue and believe that my property is within the 300 feet. We will certainly be affected by the construction noise. Please notify me of any future developments in this project. Thanks again.

From Lorraine Veinot – January 19, 2022 (submitted through the General Feedback form on the Municipal Website)

I'm 100% against this Dykeland complex EXCEPT FOR THE 128 room long term care facility building. It's self. We all understand the need for the Dykeland building to be replaced and relocated. But absolutely NOT A COMMUNITY CENTRE OR LOW RENTAL GOVERNMENT ASSISTED APARTMENT BUILDING OR COMMERCIAL SPACE DEVELOPMENT OF ANY KIND. WE CAN NOT safely travel our narrow road as it is. This thought of the added traffic is unbelievable. I cannot understand HOW THIS CRAZY SCEME IS EVEN BEING CONSIDERED FOR THIS AREA. AND

FOR OUR CHILDREN'S SAFETY and right to live here in our privately OWNED HOMES IN PEACE AND QUIET. THATS WHY WE BROUGHT OUR HOMES HERE AND not in a developed area or an area that we believed could be developed like this proposal. I find this whole thing UNBELIEVABLE.

Regarding the email that I sent a few minutes ago on Wed.Jan19th regarding for proposed Dykeland project development on my road, I'm requesting that it be forwarded to or provide to any and all COMMITTEES/ WEBSITES/meetings OR ANY OTHER business CONCERNING THIS DEVELOPMENT. And To All concerned. I am 100% against this proposal except, for the development of a 128 room long care faculty it's self.

From Bob and Sandra Langdon – January 19, 2022

I have attached our comments on the proposal to establish a new seniors/nursing complex on College Road.

I hope the you will take the time to review and properly consider our comments.

Thank You
Bob & Sandra (Alexandra) Langdon

COMMENTS FROM BOB & SANDRA LANGDON
ON THE PROPOSAL TO REZONE LANDS ON COLLEGE ROAD
TO ALLOW FOR THE CONSTRUCTION OF A NURSING HOME

As a general comment we want to give our full support to the project and the rezoning for the establishment of a new nursing home on College Road in Windsor. At this time we are in BC awaiting for highway openings and better weather to safely travel back to Nova Scotia. As a result of us being in BC we are not aware of specific issues and we were not aware of the public meeting as the Notice to Home Owners was not forwarded to us. However; we did receive a number of telephone calls from neighbours after the fact.

The next comments are solely those from Bob Langdon.

My background and experience is as a Professional Engineer with many years of experience in environmental sciences. I served many years with Nova Scotia Environment ending my career as an Executive Director responsible for science and engineering as well as the development of new regulations. I was responsible for the oversight of the Environmental Assessment Process,

for Protected Areas, Climate Change, the development of environment technologies, water resources as well as numerous other issues.

The concern I have is solely related to the access to the area & I understand that this remains a future issue. However; it is best the municipality be informed on and remain aware of specific issues. I am aware that a number of my neighbours have become concerned of a specific proposal to make Haliburton Avenue and Clifton Avenue a second exit-way from the proposal facility resulting in a potentially significant traffic route. Should the municipality wish to consider this route then there are a number of issues you must study and explore by law and there are others that are of engineering, environmental and financial importance.

These issues include the following:

Environmental Issues

1) Wetlands;
2) Sinkholes/Ponds;
3) Species at Risk;
4) Rare & Endangered Plants;
5) Pond of Significant Interest;
6) Species inhabiting sensitive ecological area, such as winter hibernating areas for snakes, dens for foxes, etc., and
7) The general ecological resources of the area.

Engineering Issues

1) Sink holes;
2) Critical sub-surface flow;
3) Potential flooding due to unexpected impacts on long established subsurface flows;
4) Potential subsidence issues for homes in the area created by potentially redirecting subsurface flows; and
5) Upgrades for Haliburton Ave and Clifton Ave due to increased engineering requirements required for higher traffic areas.

Hello Bob and Sandra,

Thank you for your comments on the Dykeland Lodge proposal on College Road. I will ensure they are passed along to the developer and the Planning and Heritage Advisory Committee (PAC/HAC) when they are considering this development agreement.

All the best,
Sara

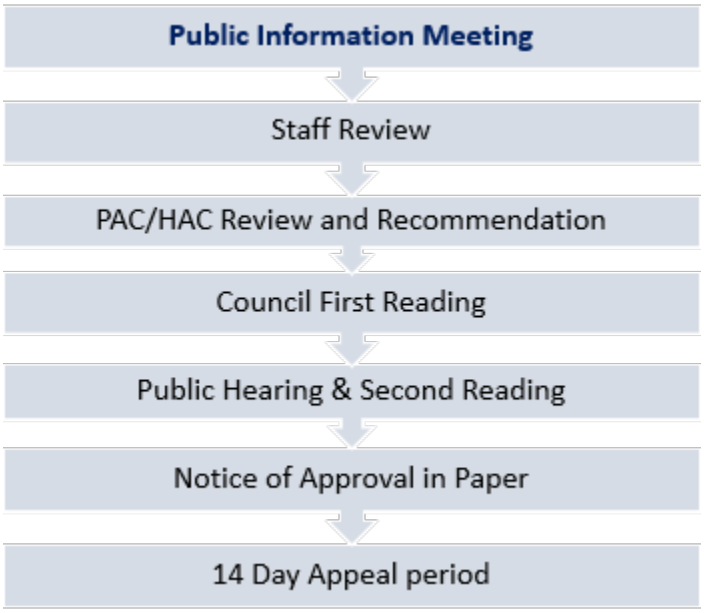
Thank-You for confirming receipt of my comments.

I have one related to process as I do not know the municipal process on consulting with the community. Do the professional staff at the Municipality prepare a summary report with recommends for Council or are they given copies of the comments as received.

Bob Langdon

Hi Bob,

All development agreement and rezoning applications follow this process:



For the Dykeland Lodge application on College Road we are accepting comments for the Public Information Meeting portion until January 28. I will be reviewing all of those comments and using them to assist me in drafting my staff recommendation and the proposed development agreement. All comments are provided (as submitted but without contact information) to the developer and are attached to my staff report that will go to the Planning and Heritage Advisory Committee when the Committee is considering and providing their recommendation on the application.

Let me know if you require any additional information.
All the best,
Sara

Thank-you for the information. I know how comments are received, reviewed and reported at the Department of the Environment but not how West Hants conducted and reported findings.

Bob

From Mike and Barb Wyman – January 21, 2022

Dear Ms. Poirier,

A plan for a new "Dykeland Lodge" and a plan for assisted living units and a plan for affordable housing and a plan for disabled housing - these plans are most admirable , most relevant and very important. I do have concerns. Population growth in the proposed development will require access that is not available without substantial infrastructure planning. The impact on College Road will be excessive. A new roadway to service such a development is vital. One suggestion in the rumour mill is a connector with Haliburton Avenue or Clifton Avenue. Bad suggestion ! To cross the land required would displace the habitat of wildlife, as well as threaten rare plant species. To consider building a road over swampland and countless gypsum sinkholes is inviting financial and ecological disaster. A connector to Route 14 makes more sense on all levels. Although our Municipality, like many, needs critical housing, I am hoping any decision takes all the stakeholders into consideration. College Road is an excellent site for a "New Dykeland" , but if other housing solutions could be found, they would alleviate the stress on College Road. Perhaps the huge lot on Wentworth Road is available, or perhaps the existing Dykeland Lodge could be refurbished. I thank you for your attention.

Mike Wyman

From Ray Snair – January 24, 2022

Sara Poirier,Senior Planner

I am a homeowner residing on Clifton Ave., Windsor. I do not own property on College Rd., however, I frequently walk the section of College Rd. from Bill Wade Drive (KES) to the end of the road.

I sympathize with the lot owners on Kingsview Drive because they would have obtained their properties without the least suspicion that their quiet residential local street would someday become a thru way to a high density development. It was not built to provide for traffic

volumes that could be anticipated for the proposed development. Whereas an access can be provided from the proposed development directly to College Rd. the use of Kingsview Drive would not seem necessary. However, if required for emergency access it could be gated and used for emergencies only. The Municipality has previously approved development on this basis.

Although not part of the proposal that you have received some mention has been made of possible access via subdivision roads to the north of the proposed development and I certainly do not see this as a good solution, again because these subdivision streets are not suitable as thoroughfares.

As I mentioned previously I frequently walk along College Rd. as do many others. Currently the traffic lanes and shoulders are very narrow making it someway unsafe for walkers. (I am not aware of any resulting accidents.) I believe the Municipality is currently considering making improvements to College Rd. including construction of a sidewalk. This should be a definite commitment before the proposed development is approved.

It appears that the Development would extend very close to the system of trails on private properties to the north used by walkers, skiers, cyclists, runners and snowshoers but I do not believe it would encroach on the trails.

It would seem that some provision will have to be made to facilitate traffic exiting College Rd. onto King St. due to traffic volume increase.

Ray Snair

From Carol Bradley – January 25, 2022

Hello,

I attach a cover letter and my comments with respect to this application.

Thank you very much.

Carol Bradley

Currys Corner, NS.

January 24, 2022.

West Hants Regional Municipality,

RE: Proposed Development College Road "Dykeland Village"

Dear Mayor and Councillors,

The attached paper, titled 'Comments College Road "Dykelands Village", is my submission regarding this proposal.

I would like to elaborate that this submission arises from two personal reasons, as a resident of West Hants now for 30+ years.

The first is professional experience: I have held the appraisal designation CRA (Certified Residential Appraiser) and completed all the course work for AACI (Accredited Appraiser). I have also been one of the provincial assessors for Western region and developed a familiarity not only with the Town of Windsor but also most of the rest of the municipality in the course of 6 years. I have also worked with the former City of Halifax's Development and Planning department in a supervisory position dealing with re-use and development of municipal properties. This experience, along with enabling several residential units in my own neighbourhood, has led me to a lot of consideration of local land use.

Secondly, I have been a member of a group that hoped to develop a cohousing project locally. I don't want to go into 'what is cohousing' here, but simply to say that these lands were one place we considered. The most we could envision on this site was 20 to 30 units in one building and perhaps another 10-20 units of townhousing and/or 'Tiny houses'. We felt this honoured the neighbourhood and the land. Hopefully the same consideration for the land and the neighbours might be applied to the current very dense proposal. In any case, a second access for College Road is VERY important.

Thanks you for your consideration.

Yours truly,

Carol Bradley

COMMENTS ON COLLEGE ROAD PROPOSAL (DYKELANDS VILLAGE)

(January 24, 2022)

The proposed development is enormously out of scale for a 20-acre parcel in a rural location. As I read it, there would be 174 housing units PLUS the 128-bed nursing home, PLUS community and commercial space PLUS parking. The neighbours are farms and single family homes. The neighbouring seniors facility is on a larger piece of land and more sympathetically located on its site (as is the only other recently-built Seniors facility, Windsor Elms Village in Falmouth).

There is a natural pond on the site, and the rear is hillside. Has an environmental assessment with regards to drainage been done?

There is a small electric power-line running to the rear of the houses on Kingsview Drive --- directly across the middle of the site. It comes from an unknown source on the far side of Windsor Back Road, behind properties on Dill Road, crosses the dykeland, and once through the subject site appears to continue across the Avon River to an unknown destination. This power line will require an easement. Has the proponent determined the purpose of this power line, ownership, age and made feasible arrangements for re-location?

Water and sewer requirements for a development of this density will be substantial. Have the proponents determined with the municipality whether upgrades to local services are necessary and who will pay?

Loss of farmland: has attention been paid to the loss of 20 acres of productive dykeland for farming?

ACCESS TO HIGHWAYS: **This is far and away the most important point** to be considered concerning development of this site, or any other site on College Road, including greater development on the Manning site. There is no safe year-round access for fire vehicles, other large-scale vehicles or large numbers of residents to be evacuated. College Road is not adequate. The cost to widen it to a modern standard road would be prohibitive: either properties would have to be bought on the south side or compensation would have to be paid to Kings-Edgehill on the north side. AND in both cases, property would need to be acquired at the intersection with Highway 1 (King Street), AND there would still only be ONE point of access to King Street, on a curve.

Another access through several private properties to Haliburton or Clifton Avenues will require not only complex property acquisition but also engineering design to suit the terrain. The only process that makes sense is to make a new road across the Kingsmeadow to Highway 14 to meet HWY 14 close to Dill Road. Engineering and property-wise, this is very simple. In fact a property with access to both College Road and Highway 14 is already listed for sale. I have heard the comment that marshlands or agricultural bodies may have a disinclination to a road

crossing the dykelands; however the road could be built as a connector, without allowing development to either side.

In conclusion, I believe there is no case for a very dense development on this site, but for one more in keeping with the neighbourhood. In any case, the issue of a second exit for folks on College Road including the current Manning residences should be dealt with forthwith.

Carol Bradley, Currys Corner.

From Greg and Lorie Dickie – January 25, 2022

Good morning Sara.

I am a long time resident of College Road, having bought our present property at #327 around 1974. When we took up residence here, the street was a small community of farms, Kings College school and a few residential properties.Traffic on the street was light to almost non-existent. Then came the developers for what has become the Gladys Manning retirement community. A public meeting was held with a large number of college road residents and the local community attending. The main thrust of the meeting at that time was rezoning the property for development from agricultural, to allow for the Manning development proposal to go forward. Many other issues were discussed. Foremost among them, traffic concerns. The then town council promised us a new and wider road should the proposal (for the Manning development) pass.

Needless to say we're still waiting for the road improvement promised years earlier. In that time the Gladys Manning has gone through three stages of development with a threefold increase in traffic. Many of these folks (myself included) often use the short-cut through the Kings-Edgehill school to access downtown services. This is because of the near impossibility of getting off College road by a left turn. I know that the school (Kings-Edgehill) has expressed concerns with a potential increase in traffic through the school, should the full proposed development for College Road take place. Their concern is valid and should be given it's due weight. Further, should the proposed development, in it's entirety take place, present owners of residential properties on the road will find it difficult to get out of their driveways.

You will read from this letter that our concerns regarding this development proposal are threefold: untenable traffic volumes on the street,(even if widened), overdevelopment in a relatively small space and a massive impact on current residents, many of whom bought their properties to enjoy a quiet semi-rural lifestyle for themselves and their families. Further, should the municipality/developer make the prime access through the Kingsview subdivision, there will be a significant loss of privacy and a massive negative impact on those living there.

Most of us (residents) would have little difficulty with a new Dykeland Lodge built within the site proposed. Our concerns center upon the proposed 80 units of affordable and senior's

housing ,a community center and strip mall (a commercial enterprise) on what is really a residential property. Pharmacies, corner stores, cafes etc. in the latter, is a massive overreach that will further increase traffic volumes.

I would like to know who the prime developer will be and presume this project will go to tender. To what extent is potential profit (for both developer and municipality) playing a part in this development plan and will such profit come at the expense of College road resident?

Sincerely: Greg and Lorie Dickie

From Phil Ellwood – January 27, 2022

Dear Madam and Sirs,

Even if it was permitted to zone the subject property CRCDD, which it isn't, the location is not appropriate for several reasons:

1. College Road is not adequate for the traffic that would be present during and after construction.
2. The property is environmentally sensitive.
3. The property may have First Nations archeological significance.
4. It is agricultural land, vital to food security.

From what I read in the news, it seems that West Hants is desperate for revenue and will sell out at the expense of future generations. Another example is the property around Fort Edwards that Council wants to sell. Desperate people do desperate things.

There is wide open space in the middle of (former) town by the hospital that would be much more appropriate. Put it there.

I expect Council to follow the spirit of the MPS and reverse the rezoning. Otherwise, I will pursue every remedy possible.

Thank you for your consideration.

--

Phil Ellwood, MBA, P.Eng.

Windsor, NS

Community Response

College Road, Windsor PID 45336203 - Development Agreement



Primary Contact
Kathryn Duffy, Kingsview Dr
crcrdl.info@gmail.com

Prepared / Edited by

Kathryn Duffy – Kingsview Dr
Tim Dove – Kingsview Dr
John Naugler – Kingsview Dr
Judy Grant – Kingsview Dr
Janet Aucoin – Kingsview Dr
Phil Ellwood, P.Eng. – King St & College Rd
Brian Gregory – College Rd
Crystal Gregory – College Rd
Rebecca Hatchard – Kingsview Dr

Community Response

This Community Response was prepared by a group of residents from Kingsview Drive and College Road, with the help and participation of residents in the affected area. The goal of this report was to collect and represent the feelings and concerns of the current residents of the affected area to provide evidence that a proper community consultation process is warranted.

It bears specific mention that the group has no intention to try to block the relocation of Dykeland Lodge to this property. Rather, we have important and valid concerns with regards to the extent of the additional elements of the proposed development and the necessary improvements to infrastructure needed to support it. **The proposed development in its entirety promises to be one of the most densely packed properties in the Town of Windsor.** In its entirety, the proposed development is not in line with the Windsor Municipal Planning Strategy and the longstanding Future Intended Use Map for the area and will have dramatic negative impacts and changes to our community. We wish to be a cooperative member of the planning process. Our group's goal is to work with Dykeland Lodge and the Municipality of West Hants to revise the proposal so that it helps to preserve the essence which makes ours a great community and makes Windsor one of the best places to live in Nova Scotia.

Introduction

The subject property has been used by the Dill family as farmland for over 40 years. The community was under the impression that there was an informal 50 year "handshake" agreement between the Province and the Dill family that they could use the land as pasture and farmland. The Town of Windsor Municipal Planning Strategy and its MAP 1 - Generalized Future Land Use have designated the subject property as Residential since 2005 and as recently as Sept 2021. Many residents purchased their home on College Road or Kingsview Drive because of the idyllic, country-like setting and the "promise" from the Municipal Planning Strategy that their community would remain a residential and agricultural community.

In the Fall of 2020, the land was seeded, as usual, for the following spring. In February 2021, the community was surprised at the announcement of the sale to Dykeland Lodge. While we were a bit upset at the lack of communication prior to the announcement (particularly the lack of even notification to the Dill family), we were not unduly concerned based on the information provided verbally by the Province and the assumption that local residents would be sufficiently engaged throughout any potential rezoning and development agreement process and that the Municipal Planning Strategy would protect and preserve our community.

A while back, I happened to be out walking when I noticed a group of people at a spot on College Road, beside the Gladys Manning property line, with some easels just finishing what seemed to be a press conference of sorts. They were just packing things up when I spoke to them and Chuck Porter told me this was to be the new site of Dykeland Lodge, with access off of College Road. I thought at the time that it was a wonderful idea and told them so, throwing my support behind it. I spread the word in the neighbourhood that Dykeland Lodge were going to be our new neighbours. Other than the odd person concerned about increased traffic on College Road, and the need for an upgrade of the road itself, before any construction was allowed, there were not any real concerns. Gladys Manning has been a good neighbour on this road and has added to the residential, institutional, and agricultural usage of our area. Dykeland Lodge was welcomed.

- Judy Grant, Kingsview Dr

Local residents had numerous conversations throughout this past summer as we gathered outside in small (properly distanced) groups, while kids biked and played basketball or street hockey on Kingsview Drive and College Road. While there were questions on the scope of development and traffic impacts, consensus was, as Judy said, the subject property would be a wonderful location for the new Dykeland Lodge. Consequently, the current and future residents of the area would live with dignity in an idyllic country-like setting. We were enthusiastic about the opportunity to reduce crowding for the current residents who lived in an aged building and where they could, like us, wake up and enjoy the sight of the mist slowly rising, the deer majestically grazing on the land, a sneaky fox hunting down and pouncing on its prey, and numerous flocks of birds. What a wonderful way to spend their remaining years. We imagined Dykeland Lodge residents, seniors, and their families enjoying the green space, with room for pickleball courts, mini golf, lawn bowling or croquet, community gardens with raised beds, several outdoor gazebos and many benches and bistro style seating, to encourage getting outside with fresh air and the peace that comes from this beautiful location.

We assumed we would be adequately notified (more than a paltry token advertisement in the Chronicle Herald and Facebook post) of the proposed rezoning and there would be careful deliberation in order to retain the intention of the Municipal Planning Strategy, balanced with the need for Long Term Care and senior housing.

As you will see from this community report and the feedback provided directly to the Municipality, our community was blindsided by the scope of the proposed development

presented at the Public Information Meeting on January 13. We were equally as blindsided to discover that the rezoning to W-CR-CDD had not been just initiated, but it had already been approved, perhaps not intentionally but effectively covertly, in the Fall with no actual participation from the local community. A lack of attendance and participation does not signify support. It signifies either ambivalence or an inadequate notification method. Based on the response to this proposed development agreement, we can concur it was the latter.

The proposed development agreement, as presented at the Public Information Meeting, is vague and disturbing in what it contains and particularly what it lacks. There is scant information available on any dimension of this proposal for the community to make an informed decision, formulate specific concerns, and questions. Concerns over traffic and social and environmental degradation need to be addressed. Recently it has come to light that the local First Nations People have their own concerns.

We do not understand why the public information meeting occurred while Dykeland Lodge was unable or unwilling to engage with the local residents. We understand from a conversation with Krista Beeler, Administrator of Dykeland Lodge, that they are under an effective gag order until the Province provides them with a Project Manager. Why was the Public Information Meeting not delayed until the Developer could directly speak with the public? The Proposal itself was launched *fait accompli* and the residents were given a mere two weeks to respond.

The way this entire process has unfolded has given the impression of a rushed, secretive plan, formulated with the hope of bypassing the input from the local community and entirely disregard the Municipal Planning Strategy for this area. It makes many of the residents in our community feel that our concerns are of no consequence to the Municipality or Dykeland Lodge. In fact, most of residents on College Road were not even notified of the Public Information Meeting, while all residents of Haliburton Avenue (well beyond the 300 ft mailing perimeter) were all notified. This further lends weight to the thought that the Municipality does not care for the concerns and opinions of our community. Again, our concerns are not merely a “not in my backyard” attitude. Rather, real problems with the development, as shown in this report, need to be addressed.

Without a doubt, Dykeland Lodge needs improved and expanded facilities. This property could be a wonderful idyllic location for them within a very supportive, wonderful community. However, the current proposal seems to be one-sided in its inception. There needs to be cooperation and serious consultation with the communities affected by the planned development for the project to go forward. This proposed development has completed tossed out the Municipal Planning Strategy for this area, sacrificing our community in order to meet

multiple housing needs on a property that was planned and intended to continue to be residential.

Due to fears that this would be our only real opportunity for the voices of our community to be heard, we did grassroots, resident-driven preliminary community consultation. This is NO substitute for a proper community consultation – we have never done this before! We spent ONE DAY distributing a one-page information pamphlet to any resident who either answered their door or had a mailbox. We learned (sort of!) how to use Facebook and set up a group page. In the matter of several days, we raised funds and engaged a lawyer, not to prepare for a legal fight, but simply to spend several hours to educate us on the basics of planning processes. We have now learned how the process flows from rezoning (if needed), development agreement, development permit, and building permit and that the development agreement process is the last point at which the public is consulted.

Please come talk to us, engage with us, and seek to understand our concerns. We are reasonable people, but we will stand up for our community. Until further assessment, planning, consultation, and deliberation has occurred, our community's collective stance is that **this proposal cannot be approved in its current entirety if our Municipal Councillors respect their own Municipal Planning Strategy and declared policies.**

We formally request a stay on this development agreement in order to permit time for the following to take place in an open, transparent, respectful and collaborative manner:

- Traffic impact assessment, infrastructure plan, and timeline
- Environmental impact assessment
- Runoff water assessment and plan
- Engagement with First Nations
- Detailed proposed development
- Community consultation – collaborative sessions with both Dykeland Lodge and the Municipality

The remainder of this community report contains:

- Facts about our community and why we are so passionate about preserving it
- Questions and concerns related to how this proposed development aligns with existing Municipal strategies and policies
- Our preliminary community consultation approach, findings, and survey responses received by EOD Wednesday, January 26, 2022.

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College Road Community

Imagine you are walking through Windsor for the first time. You know about King's-Edgehill School, Long Pond, and the Dill Farm but little else about Windsor. You see a street that will take you past both. Great history and scenery are observed. Without the constant hum of passing cars and trucks, you can hear all the glorious sounds of nature. People from within and outside the community are walking and biking on the road, stopping to chat with neighbours. Everyone is friendly and waves hello. You come to a cul-de-sac and see children playing safely, riding tricycles, and learning to ride bicycles. A small child says, "Hello" to you. You say, "Hello" back and feel invited to walk up the street. Adults smile welcoming at the interaction from their lawn as they relax with a coffee. You learn from the children that there is a community-wide Easter egg hunt this afternoon and then there will be a street party in the evening. At the end of the cul-de-sac, you see six deer in the field, a flock of pheasants, and a red fox. You notice rare birds at a neighbour's bird feeder.

There is so much camaraderie here, no, so much community here, good, harmonious vibe among the neighbours. How many places like this are there left in Nova Scotia? This community is an essential part of what makes Windsor the best place to live in Nova Scotia.

Our Community

We are a residential and agricultural community located outside of Windsor's Town Centre along College Road. The area affected by the proposed development for Dykeland Lodge is large and diverse. Along College Road and Kingsview Drive, the land use is mainly in single-family homes and farmland, apart from the Gladys Manning Institution and Kings-Edgehill School. On the "backside" of the proposed development, Clifton Avenue and Haliburton Avenue are populated completely by long-standing, single-family residences. Many of these residents walk through King's-Edgehill School to make use of the College Road community's calm streets, fields, and walking paths for daily walks/runs, biking, cross country skiing, and fields in which dogs can run free.

College Road meanders for about 2 Km from Kings Street to dead end in farmland. Along the road is a number of single-family dwellings, King's-Edgehill School, Dill Family Farm, Kingsview Drive (a small subdivision on a cul-de-sac), farmland, and the Gladys Manning Home. While this lends itself to an almost bucolic existence for many of the residents, one need only walk down College Road when students are in transit to King's-Edgehill, during October's pumpkin craze at Dill Family Farm, during soccer season, or as there are deliveries or shift changes at Gladys Manning to realize just how narrow the road is. It also painfully makes one aware of the rough nature of the road itself.

Current vs Proposed Population and Density

College Road Community is home to approximately 195 residents (105 residents in 35 single family houses and 90 residents in Gladys Manning Apartments).

	Units	Residents (approx[1])
long term care facility	128	128
assisted living facility	42	42 – 84
housing for disabilities	10	10 – 25
independent living units	44	44 – 88
affordable and senior housing	80	80 - 240
TOTAL	304 units	304 - 565

Est Population Density (people per km^2)	Location / Scenario
399	Windsor
80 – 200	Current College Rd Community (higher estimate is when we don't count most of the agricultural land)
3004 – 5585	Proposed development density on the subject property

This proposed development would

- increase the College Road Community's population by an additional 150 – 290%
- be 38 to 70 TIMES more dense than its surrounding area.

[1] The proposed development includes 304 housing units, many of which may house more than one resident. Upon inquiry, neither the Municipality nor Dykeland Lodge disclosed information regarding the unit sizes and ratio of the 80 affordable and senior housing. The Long Term Care rooms are single occupancy. Many of the other units could reasonably house couples. The affordable housing and housing for disabilities could house families of four or more. These are our derived approximations for the realistic population of the entire proposed development.

Highlighted Resident Statements

The peacefulness, privacy, safety, and sense of community are what make the Kingsview Drive community special. From the first day I set foot in this community, it felt like home. I was able to relax and enjoy my surroundings without worrying about the safety of my child or pet.

The kids drove their bikes and scooters up and down the road without me having to be with them all the time, as I knew the traffic was low. If they had an accident at one end, I could hear them and come running. Often, a neighbour would be looking out for the kids too, even though they may not have kids themselves.

Neighbours were quick to introduce themselves, and we basically know everyone on the street. We support each other in the ways we can, and as you can see, band together when needed. If you accidently leave your door open or a car trunk, someone will let you know, or will just quietly close it for you to help keep things safe. We shovel each other out of snowstorms, and mow lawns for vacationers. We have rotating play centers - neighbours open up their homes, pools, playsets and trampolines to each other and are open.

This is all a part of my fondest memories in this neighbourhood; watching the neighbourhood kids running from home to home; playing with their friends in a safe zone; adults chatting in the middle of a random yard or the road, chatting while helping shovel or mow, or just shooting the breeze; supporting each other through lose and celebration.

- Janet AuCoin, Kingsview Drive

This community is a mixture of open spaces, farming, commercial, residential and institutional areas that merge into a cohesive delightful area to live in. I have lived her for 20 years and enjoy a gorgeous view of both Ski Martock and Gladys Manning. Sunrises and Sunsets are gorgeous. I can walk down my street without fear, and I most of the time traffic is not an issue on College Road. Children play road hockey, sidewalk chalk, ride bikes, basketball, ride scooters, on my street. Because this street is so quiet children can play outside with a parent only watching them from inside their home. If this proposal goes through as planned that lifestyle will be gone forever. If it is pared back to include Dykeland Lodge only or also some Seniors housing as well, I feel we can still keep our sense of rural community living.

- Judy Grant, Kingsview Drive

I absolutely love our community! It's quiet, country-like setting is perfect. We are close to amenities, but don't have to be right in the middle of them. You can look out your windows, at any time, and enjoy watching an abundance of wildlife. My favourite is watching all of the deer run and play together and when the geese are here. Watching them all take flight together and circle the field in the thousands is quite a site to see (and sound to hear).

Our community is tight-knit. We look out for each other. It provides a safe, supportive place for our families and especially our children to thrive. I love that my children have a safe place to play and enjoy the outside. I rave about the perfect balance of our community often. We live in such a beautiful place surrounded by a wonderful community of people. ❤️

- Crystal Gregory, College Road

College Road, particularly the section from the community mailbox to the entrance of the trails on the section of dirt road, is an important, quaint part of the community of Windsor. This road is a place for residents from all over to escape town, walk safely and enjoy nature. Every day, I see people enjoying our street who do not live here. A lady told me the other day in passing **"College Road is the safest street to walk on in Windsor."** She is right. This development could potentially change this entirely. This will affect not only the residence of Kingsview Drive and College Road, but citizens all over this town.

My questions are, what will be done to preserve this? How can we ensure we don't lose the quaintness, the safety and of course the nature? What guarantees do we get and what consequences will there be if these promises are not kept?

- Brian Gregory, College Road

The trails for walking and skiing adjacent to the Manning and College Road, the ponds, fox holes and other wild life that inhabit the area. There is no other area in Windsor like it.

- Barbara and Richard Redden, Haliburton Ave

Alignment with Municipal Plans, Strategies, and Policies

The tables below detail aspects of the proposed development which we believe do not align, there is not enough information to assess alignment, or for which we have questions concerning the alignment with Municipal strategies and policies.

We have also included Municipal Planning Strategy policies related to Residential and Institutional in our review, for the following reasons.

Institutional

- **Section 11.1:** clearly states that that homes for senior citizens is considered institutional
- **Policy 11.1.1:** requires that the Municipality rezone all such land being used for homes for senior citizens as Institutional (W-I).
- The current property of Dykeland Lodge has been zoned Institutional, according to policy 11.1.1.
- Why was the subject property not zoned as Institutional? Does not policy 11.1.1 require that it be rezoned as Institutional?

Residential

We have included some items pertaining to Residential zone due to the historical designation of the subject property as Residential and the longstanding intended future use of the land as residential. We understand that the Municipality has rezoned the subject property to W-CR-CDD, against the Municipal Planning Strategy and its policies:

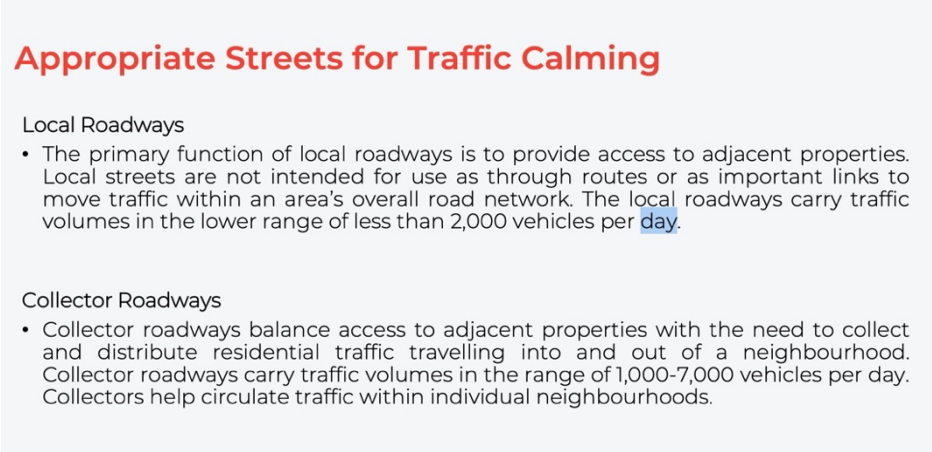
- **Section 5.7:** clearly states Council's wish to limit the W-CR-CDD zone to the Gladys Manning property.

Notwithstanding our issue with the covert rezoning, we believe the residential intention must remain paramount in evaluating the current proposed development. Rezoning may likely have been required in order to permit a development agreement for Dykeland Lodge, but that should not mean that the Municipality gets to disregard all aspects of their longstanding plans for this area entirely.

Additionally, the subject property is not only adjacent to existing residential W-R2 land, but it effectively envelops the residential neighbourhood along Kingsview Drive. Under that lens, we further believe that there is value in considering the residential policies regarding development for this development proposal.

Municipal Climate Change Action Plan

Direct excerpts from link	Community Questions and Comments
▶ Goal 6: Be More Electric Vehicle and Active Transportation Friendly **6.4 INTEGRATE ACTIVE TRANSPORTATION CONSIDERATIONS INTO LAND USE PLANNING DECISIONS** **Cost**: Staff time **Dept. Responsible**: Planning and Development; Community Development **Timeline**: Short term **Details**: Land-use planning determines the type of transportation people need to use. Planning staff should incorporate active transportation related policies into the planning documents. For new large developments, discussions should include opportunities to promote active transportation in the planned community or building where relevant. Ensure planning documents reflect active transportation opportunities through closer communities, connecting paths, and sidewalks and bike lanes.	How is Active Transportation being considered with this development? • The significant increase in traffic on College Road will decrease the safety of cyclists on the road and discourage active transportation use. • Also, having such a dense development this far from downtown will increase car traffic into town and put greater strain on available parking.
Direct excerpt from *2021-11-08 Recommend from Staff to PAC* regarding College Road, Windsor PID 45336203 link	Community Questions and Comments
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 will experience extensive flooding. The subject property in this application does not appear to be affected under this scenario, however College Road itself may experience flooding.	As proposed, the only roadway into the subject property is vulnerable to flooding. Any roadway to Highway 14 would have the same vulnerability. **It would be irresponsible to permit the development for a vulnerable population whose only roadway access has been identified by that same Municipality as being vulnerable to flooding.**

Street Calming	
Map 2 - Transportation link Direct excerpt from link	Community Questions and Comments
	Please confirm that the proposed development will not be permitted to connect to Kingsview Drive, since it is classified as a local roadway per *Map 2 – Transportation*.

MUNICIPAL PLANNING STRATEGY Map 1 – Generalized Future Land Use
Community Questions and Comments
Map 1 – Generalized Future Land Use (link) identifies the subject property's intended future land use as residential. • Why was it rezoned to W-CR-CDD? • Putting Dykeland Lodge on the property is not a huge deviation from residential – given size of lot there is some argument to be made that it still falls into the spirit of the lot's designation. But there are many other provisions in the Municipal Planning Strategy to permit the development of a Dykeland Lodge without rezoning to W-CR-CDD. • What is proposed is a huge deviation from residential and entirely disregards the subject property's intended future land use per the Municipal Planning Strategy.

MUNICIPAL PLANNING STRATEGY 2.3 – General Issues and Challenges	
Direct excerpts from *Municipal Planning Strategy* link	Community Questions and Comments
The household survey, public meetings and research undertaken during the 2001 Plan Review identified the following general issues and challenges facing Windsor:	
• Preserving the historical character and appearance of Windsor.	• This dense, sprawling development is completely out of historical character and appearance for the area. • College Road Community contains KES, Long Pond, and Dill Farm – adopted symbols of Windsor and all with a long history. **Adopted symbols of Windsor which represent the historical character and appearance include King's-Edgehill School, Long Pond, and Dill Farm – all located in the College Road community. Additional importance should be placed on preservice the historical character and appearance of this community.**
• Preserving and protecting active farmland within the Town.	• The subject property, while not classified as agricultural, has been used as farmland for over 40 years. • Has there been any investigation on the possible impacts the construction could have on the neighbouring Dill Farm farmland? • For example, the prevailing winds often blow from the subject property over the Dill farmland. • What dust control measures should be required? • What possible impacts to the safety of the food grown next to a potential ten-year construction site

	with hazardous materials / materials not safe for consumption?

MUNICIPAL PLANNING STRATEGY 3.1 – Overall Concept	
Direct excerpts from *Municipal Planning Strategy* link	Community Questions and Comments
Emphasize and strengthen the role of Windsor as the **best place to live in Nova Scotia** and a thriving business and service centre for the region by **protecting and enhancing** the **residential** and commercial **environments**.	• Windsor is one of the oldest communities in Canada. The historic character and appearance are not that of an urban center or suburb. • College Road Community contains King's-Edgehill School, Long Pond, and Dill Farm – adopted symbols of Windsor and all with a long history. • How does this proposal, in its entirety, protect and/or enhance the residential environment? • How would this dense development in its entirety emphasize or strengthen the role of Windsor as the best place to live in Nova Scotia for our seniors? • Contrast that with our vision of a long term care facility and senior living with dignity, preserving our idyllic county-like community from this report's introduction – wouldn't this better live up to this objective?
3.1.1 Development Principles	
• 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.	Why then is this compact, dense residential and commercial growth outside of the Centre Town?

• Maintain close control over the location, scale and design of new multiple unit residential development.	What close control will Council maintain for this development?
• Protect active farms and agricultural dykeland from encroaching development.	• What are the possible impacts to the dykeland below College Road? Same questions/comments as in above, namely: • The subject property, while not classified as agricultural, historically been used has been farmland for over 40 years. • Has there been any investigation on the possible impacts the construction could have on the neighbouring Dill Farm farmland? • For example, the prevailing winds often blow from the subject property over the Dill farmland. • What dust control measures should be required? • What is the flow of the water runoff? Does it flow from the subject property into the Dill farmland? • What possible impacts to the safety of the food grown next to a potential ten-year construction site with airborne or water soluble hazardous materials / materials not safe for consumption?
3.1.2 Design Principle	
Adopt design and development initiatives which promote attractive streetscapes and facilitate both vehicular and pedestrian traffic movement.	In order to support this development, College Road needs to be widened and sidewalks added. **What will be done to preserve the very attractive old-growth tree-lined streetscape on College Road?**

3.1.2.1 Design Initiatives	
• Introduce architectural design guidelines which preserve existing buildings and ensure that new development in both the residential and commercial areas of the Town is reflective of and compatible with existing buildings and neighbourhoods.	How do these guidelines apply to this project?
• Promote the development of interconnected streets and other measures to address traffic issues.	Subject property is on a dead-end street with limited options for interconnections. **Option 1: Connection to Highway 14** This is problematic as the traversal would be through dykelands and agricultural property. This connection has a larger risk of flooding than College Road itself. **Option 2: Connection to Haliburton Avenue** Haliburton Avenue is designated as a local roadway, so this designation would need to be changed to a collector roadway. **Option 3: Connection to Clifton Avenue** Most of Clifton Avenue is already designated as a collector roadway.

MUNICIPAL PLANNING STRATEGY 4.18 – Housing	
Direct excerpts from *Municipal Planning Strategy* link	Community Questions and Comments
It shall be the policy of Council to require adequate recreational space for multiple unit residential development.	We would like more details about this. • Is this just indoor space? • What recreational opportunities will the community center provide? • What about outdoor recreational space?

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**.	How is this proposed development, in its entirety, sensitive to the needs of the whole community?

MUNICIPAL PLANNING STRATEGY 5.4 – High Density Residential	
Direct excerpts from *Municipal Planning Strategy* link	Community Questions and Comments
Policy 5.4.4	
It shall be the policy of Council to restrict the number of rooms permitted in a boarding house and residential care facility located in a residential zone.	What limitations will Council put on the number of rooms / units / residents permitted on this subject property?
Policy 5.4.5	
It shall be the policy of Council to require adequate recreational space for multiple unit residential development.	We would like more details about this. • Is this just indoor space? • What recreational opportunities will the community center provide? • What about outdoor recreational space?
Policy 5.4.6	
It shall be the policy of Council to consider entering into a development agreement to allow, in the Residential designation, new multiple unit residential development consisting of three or more units, grouped dwellings, boarding houses and residential care facilities, as well as the	

conversion of existing buildings to three or more units, subject to the following:	
(b) the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;	No other adjacent land uses have even close to this extent of lot coverage. What does Council think are reasonable restrictions on the bulk and lot coverage to ensure this development agreement is compatible with adjacent land uses?
(c) the development is considered compatible with the residential character of the area with respect to traffic generation and population density;	**The potential density of the entire development, as proposed, is way out of proportion and entirely incompatible with the surrounding areas.** Our rough figures indicate that the population density could be 38 to 70 times more dense than the surrounding areas. **We request that accurate population density of the current College Road community and area be shared by the Municipality to inform Council and the public.**
(d) consideration is given to the provision of fences and/or landscaping as part of the residential development to minimize effects on adjacent land uses;	Municipality needs to consult with the local community regarding which measures they will require to minimize effects on the existing residential properties. The current proposal puts the commercial and community center directly in the backyards of the existing Kingsview properties with no buffer, setbacks, safety considerations. As proposed, **this would result in a complete loss of privacy for some Kingsview properties.**

(f) there is adequate on-site recreational open space suitable in extent and design to the nature of the development; for conversion of existing buildings, nearby public parks may be deemed sufficient;	• Is open space meant to be outdoors? • How are the proposed renderings adequate? • The green space does not look nearly adequate for the number of units that are proposed.

MUNICIPAL PLANNING STRATEGY 5.7 – College Road Comprehensive Development District	
Direct excerpts from *Municipal Planning Strategy* link	Community Questions and Comments
Matters that Council shall consider prior to the approval of an agreement include compatibility of uses and structures, servicing requirements, vehicle and pedestrian traffic, environmental suitability of the site, financial capability of the Town to absorb any costs relating to the development, and timeliness of the development.	See questions and comments already covered. **This proposal is talking about exposing a well-established residential community to a prolonged ten year development**. We and the Municipality need further information from Dykeland Lodge regarding the phases and timelines for this development.
Policy 5.7.4	
It shall be the policy of Council that a development agreement for the development of the College Road CDD shall only be approved when the following conditions have been satisfied:	
(a) the proposed agreement is not considered premature or inappropriate in terms of the adequacy of existing and proposed roads and pedestrian routes within and adjacent to the College Road CDD;	**How is this NOT premature and inappropriate at this time?** Per our previous comments, a second roadway that is not vulnerable to flooding is required to be established. Otherwise, this proposed agreement is too premature. See also comments and questions from • 3.1.2.1 Design Initiatives; • Municipal Climate Change Action Plan

(b) the development agreement is consistent with the intent of Policy 5.7.3 and **other relevant policies of the Municipal Planning Strategy**;	There are appear to be many relevant policies of the Municipal Planning Strategy for which this proposed development agreement is either not consistent or not enough information is provided to assess consistency.
(f) the provisions of **Policy 16.3.1.**	(see below on Policy 16.3.1)

MUNICIPAL PLANNING STRATEGY 9.1 – Mixed Use in the Residential Designation	
Direct excerpts from *Municipal Planning Strategy* link	Community Questions and Comments
It shall be the intention of Council to consider mixed use residential/commercial developments with two or more dwelling units by development agreement in areas designated Residential subject to the following:	
(a) the **density, scale** and architectural design of the development are **compatible with the surrounding area**;	The potential density and scale of the entire development, as proposed, is way out of proportion and entirely incompatible with the surrounding areas. Our rough figures indicate that the population density could be 38 to 70 times more dense than the surrounding areas. We request that accurate population density of the current College Road community and area be shared by the Municipality to inform Council and the public.
(d) the proposed development does not compromise the residential integrity of the area;	The current proposed development in its entirely absolutely compromises the residential integrity of the area.

(f) the **commercial use is located at the street level** and does not exceed one-third of the total floor area of the development;	The commercial space in the proposal is two stories. Will Council follow the spirit of this policy and apply it to this proposal?
(g) adequate landscaping, open space and natural or artificial buffering is provided;	The Municipality must engage with existing residents to discuss and determine requirements for buffering.

MUNICIPAL PLANNING STRATEGY 11.1 – Institutional	
Direct excerpts from *Municipal Planning Strategy* link	Community Questions and Comments
As the regional service centre and the county seat for Hants County, Windsor has a considerable number of institutional land uses. Among these are educational facilities and **homes for senior citizens**. The Hants Community Hospital, churches and museums also fall into this category. Some of these institutional uses are relatively isolated while others are located in predominantly residential neighbourhoods. Because of the amount of traffic and noise that may be associated with them, some institutional uses have a significant impact on their surrounding neighbourhood. For this reason, new institutional uses will be permitted only by development agreement to allow Council more control over the development. **The Land Use By-law will contain abutting zone requirements and will require a larger minimum lot size to help mitigate negative effects.**	By rezoning to W-CR-CDD instead of Institutional (in line with the current Dykeland Lodge property and according to policy 11.1.1), the abutting zone requirements in Land Use By-law are avoided. The intention of the abutting zone requirements is to help mitigate negative effects to adjacent properties. **Will Council uphold these abutting zone requirements for this development, per the intention of the Municipal Planning Strategy and Land Use By-Laws?**
Policy 11.1.1	
It shall be the policy of Council to establish an Institutional (I) zone to be applied to existing institutional uses.	**Will Council follow its policy and apply the Institutional zone to this property as its use is homes for senior citizens?** • Why wasn't the subject property re-zoned to Institutional instead of W-CR-CDD?

	• The property for the current Dykeland Lodge is zoned Institutional per this policy.
Policy 11.1.2	
It shall be the policy of Council to encourage institutional activities to locate on relatively large lots that will minimize their potential effects upon adjacent areas as well as better accommodate the number of persons who use such facilities.	Agreed this is a large lot, but the density is not in alignment with the intention of this policy.
Policy 11.1.3	
It shall be the policy of Council to regulate setbacks in the Land Use By-law which encourage buffering of adjacent non-institutional uses.	Similar comment as for 11.1.1, namely: By rezoning to W-CR-CDD instead of Institutional (in line with the current Dykeland Lodge property and according to policy 11.1.1), this policy isn't applicable. **Will Council uphold the intention and the minimum setbacks for this development, as if it were Institutional?**
Policy 11.1.4	
It shall be the policy of Council to consider new institutional uses in any designation by development agreement subject to the following:	Per this policy, the following must be considered for this proposed development agreement.
(b) the noise and traffic generation of the proposed use is not excessive in relation to the existing development pattern of the area;	How is this possibly NOT excessive? Currently there are 195 residents. Our estimates indicate there could be an additional • 304 – 565 residents • 285 employees for the Long Term Care facility

	In addition to the traffic from • Visitors and family • Employees for the other housing facilities • Commercial space • Community center
(e) **any structure will be architecturally compatible with neighbouring structures** and if the proposed development is located in an Architectural Design Control District, the architectural design of the development is reasonably consistent with the provisions of the Architectural Design Manual;	Architectural compatibility results from designing and building facilities in harmony with their natural and man-made surrounding and environment. The proposed structures, taken individually, would be architecturally compatible, however we dispute that the entire site plan will be architecturally compatible.
(f) adequate open space, landscaping, buffering and separation distances will be provided;	There is very little open space, minimal landscaping, no buffering and separation between buildings within the subject property and adjacent existing neighbourhood and properties.
(h) the provisions of Policy 16.3.1.	See below on Policy 16.3.1

MUNICIPAL PLANNING STRATEGY 16.3 – Land Use By-law Amendments and Development Agreements	
Direct excerpts from *Municipal Planning Strategy* link	Community Questions and Comments
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:	
(a) whether the proposal is considered premature or inappropriate in terms of:	

(iii) the adequacy of fire protection;	College Road is the only access as current planned and identified as a flood risk. Property backs onto woods. Event of wildfire or building fire during flood?
(iv) the adequacy of road networks adjacent to, or leading to the development; and	**We consider the development agreement to be premature given the current lack of adequacy of the road networks for the potential magnitude of traffic.** A traffic infrastructure plan that includes an alternate access point not subject to flooding risks should be required prior to finishing consideration of this development agreement.

Preliminary (Community-Driven) Community Consultation

Process and Limitations

The Community Response was formulated by a rapid, preliminary community consultation in the form of feedback using a paper and online survey, through a Facebook page, and by phone and in-person discussion conducted by going door-to-door. The depth of the survey was hindered by the short notice given to the group by the Municipality of Windsor West Hants; only seven days were available to receive community feedback for inclusion in this report.

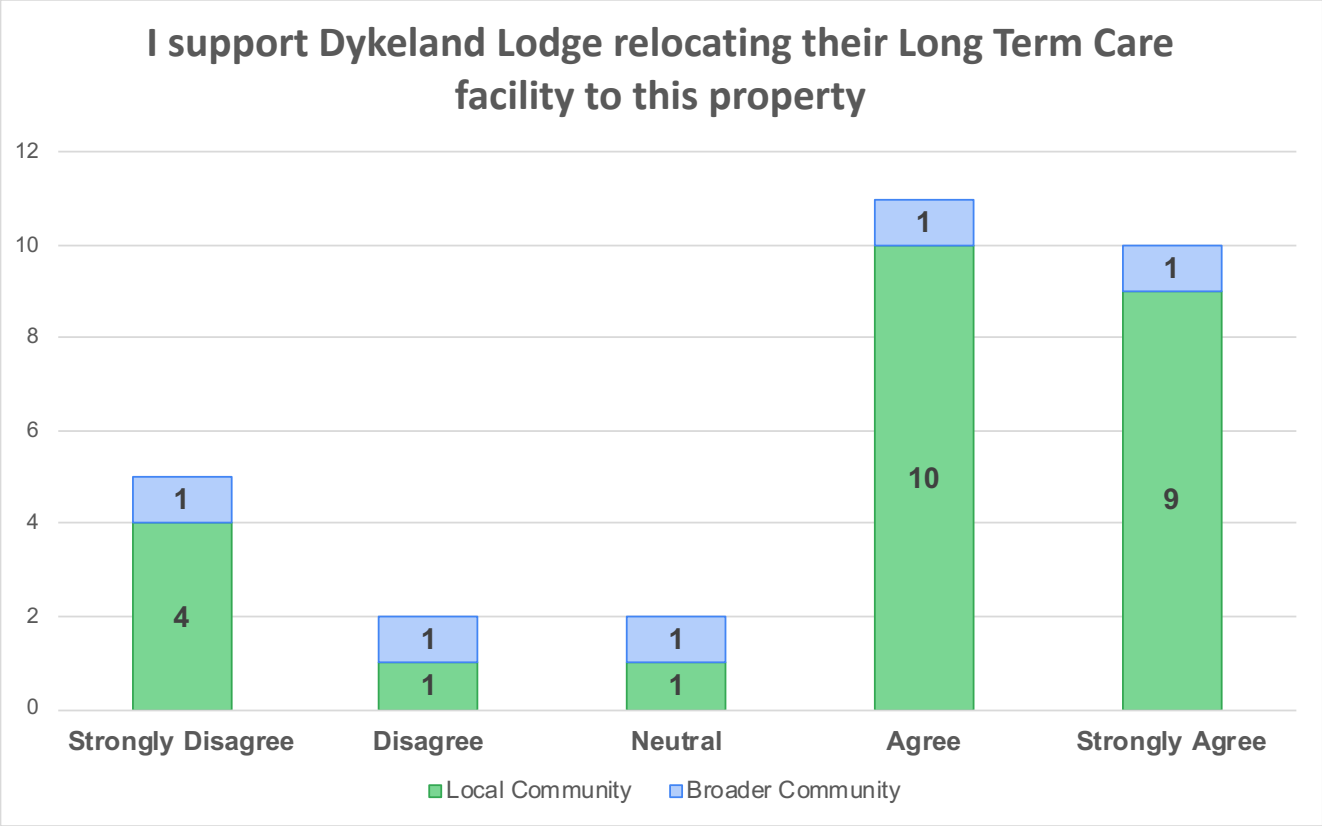
A one-page pamphlet was distributed door-to-door on Kingsview Drive, College Road, Haliburton Ave, and parts of Clifton Ave.

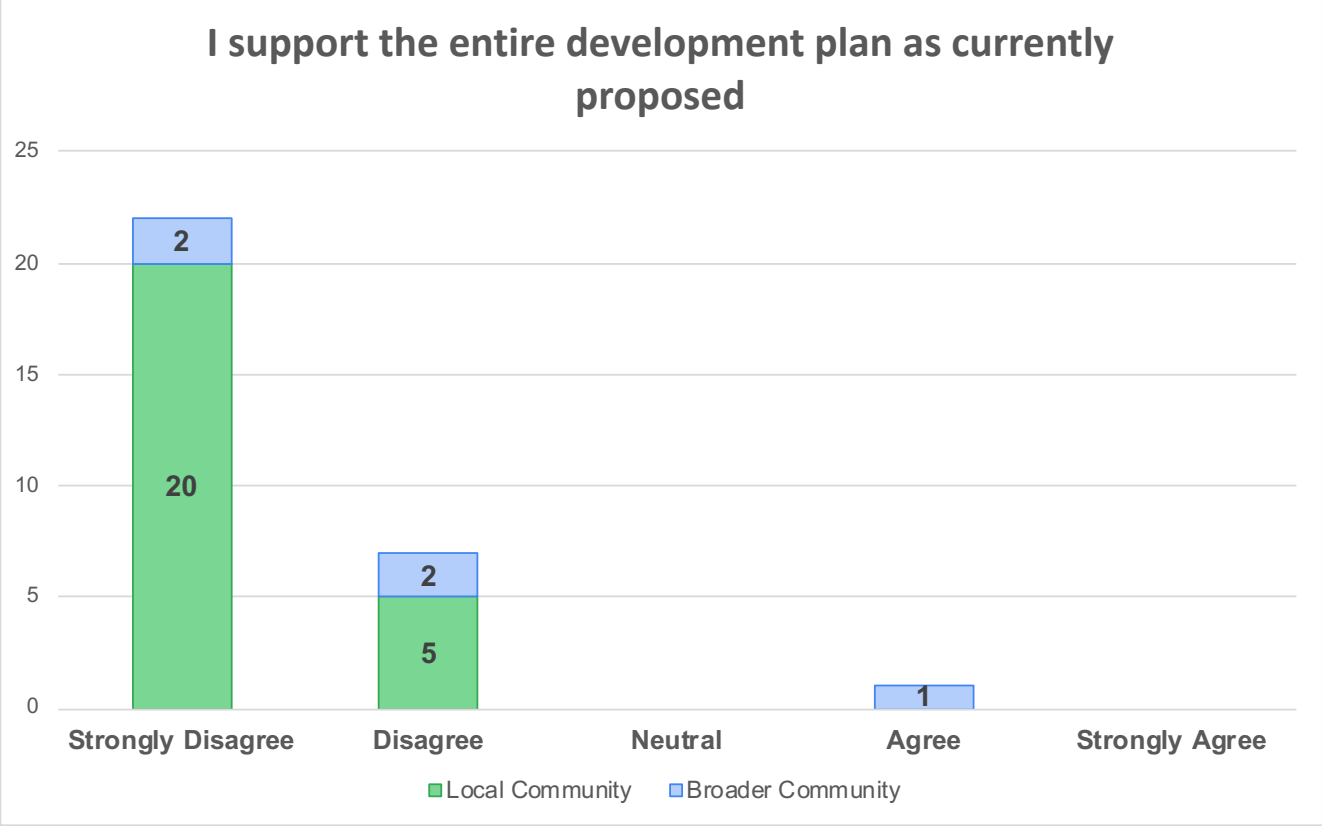
Limitations

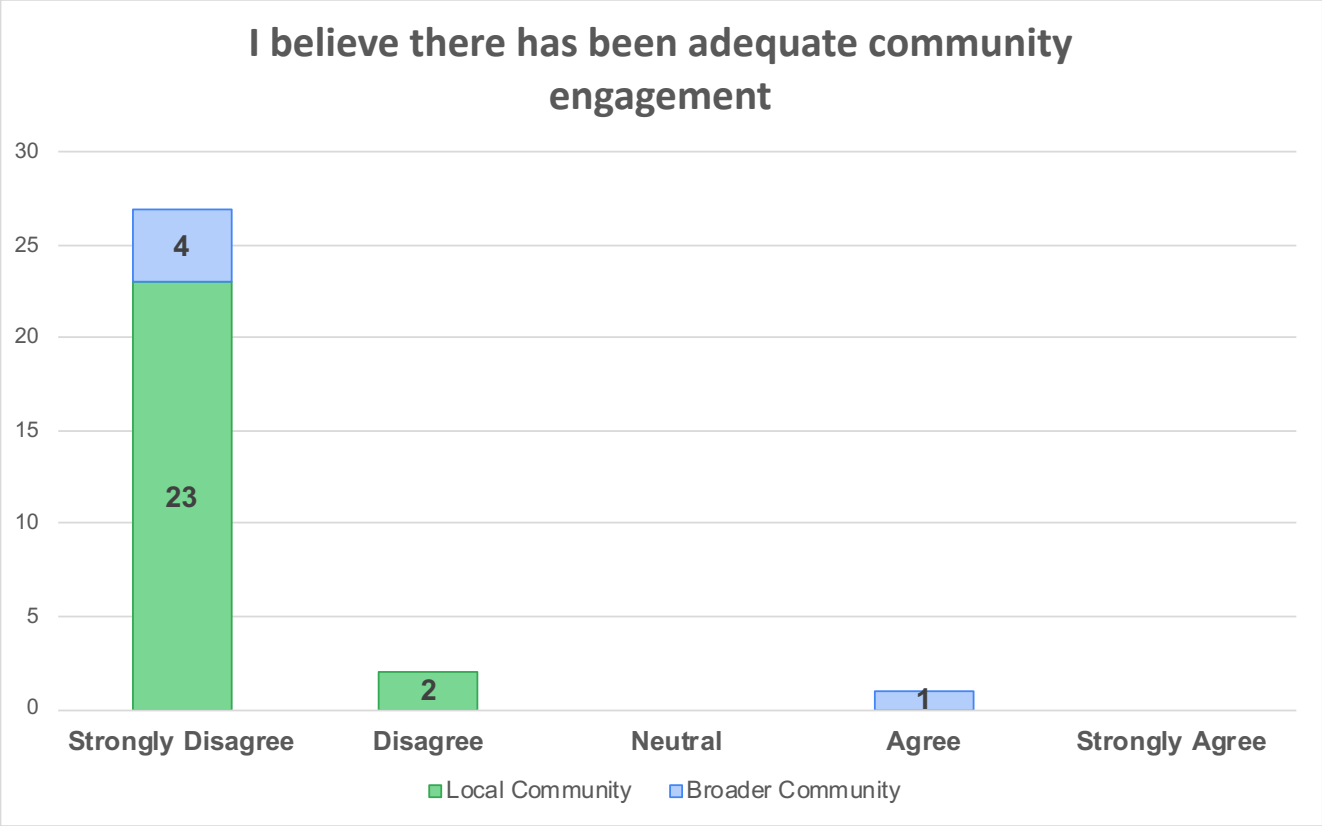
- Very little time to prepare pamphlet and survey.
- Very little time to receive responses to include into this report.
- Lack of experience since this was community driven, not municipality driven – lots of lessons learned (see next point!)
- An earlier version of the survey was submitted to Gladys Manning residents, which did not have the quantitative questions.
- The first couple submissions of the online survey did not have the quantitative questions nor were names required as we were unaware of the Municipality's policy against Anonymous feedback at that time.
- COVID gathering restrictions meant we were unable to host information sessions.

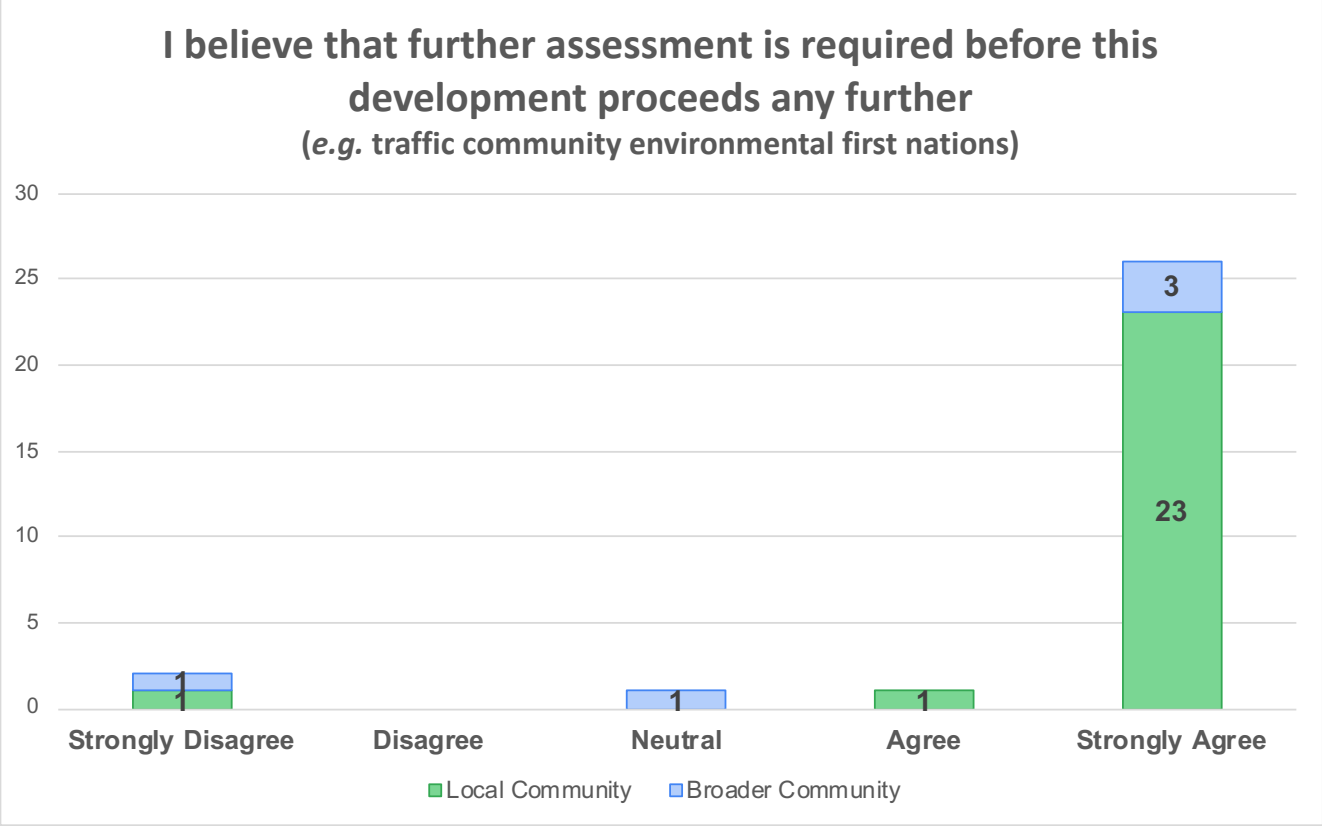
Numeric Survey Results

Please note, only 30 of the 56 survey responses received had a the numeric strongly disagree to strongly agree questions. The remaining 26 surveys were from an earlier version which did not include these questions, due to the rushed nature of our efforts.


I support Dykeland Lodge relocating their Long Term Care facility to this property
12
10
8
6
4
2
0
1
4
1
1
1
1
1
10
1
9
Strongly Disagree
Disagree
Neutral
Agree
Strongly Agree
Local Community
Broader Community


I support the entire development plan as currently proposed
25
20
15
10
5
0
2
20
2
5
1
Strongly Disagree
Disagree
Neutral
Agree
Strongly Agree
Local Community
Broader Community


I believe there has been adequate community engagement
30
25
20
15
10
5
0
4
23
2
1
Strongly Disagree
Disagree
Neutral
Agree
Strongly Agree
Local Community
Broader Community


I believe that further assessment is required before this development proceeds any further
(e.g. traffic community environmental first nations)
30
25
20
15
10
5
0
1
1
1
1
3
23
Strongly Disagree
Disagree
Neutral
Agree
Strongly Agree
Local Community
Broader Community

Community Feedback Responses via Online Survey

Respondent #1

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood
College Rd

Your Name
Joe Thompson

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

How do they plan to address future traffic issues during construction when they're is already access and traffic issues as is and how will this be addressed when construction is done.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Traffic is already an issue and three times the traffic is not going to help with that and will be much harder on the road. A one hundred year old road will not support the vehicles needed for construction.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

I have no issue with the development but proper infrastructure must be established first. Benefit is unclear.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

A nice quiet little street. Sledding at kings hill.

Respondent #2

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Corner of College Rd and Kingsview Dr.

Your Name*
Brian Gregory

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Disagree
I support the entire development plan as currently proposed.	Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

College Rd, particularly the section from the community mailbox to the entrance of the trails on the section of dirt road, is an important, quaint part of the community of Windsor. This road is a place for residents from all over to escape town, walk safely and enjoy nature. Everyday I see people enjoying our street who do not live here. A lady told me the other day in passing "College Rd is the safest street to walk on in Windsor." She is

right. This development could potentially change this entirely. This will affect not only the residence of Kingsview Dr and College Rd, but citizens all over this town.

My questions are, what will be done to preserve this? How can we ensure we don't lose the quaintness, the safety and of course the nature? What gaurentees do we get and what consequences will there be if these promises are not kept?

Another question I have is for the planning committee. Why did you not think to advise and request feedback from the entire community? There are people who this would literally be happening in their backyards and they were not consulted. This is unacceptable and extremely disappointing!

One final question is, how do we benifit from this? Will we have access to the community center as it is currently planned? Will there be any potential recreation spots we may have access to? Is there anyway that this development will improve or add to our quality life once completed?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

My personal concerns during the construction is primarily surrounding the length of construction. Obviously, the quality of life enjoyed by the surrounding residences will be greatly affected and deminshed. One, even two years of construction and heavy equipment would be unenjoyable, but ten years would be better described as unbearable. Every day there will be heavy equipment driving up and down our road, loud construction noises, starting early in the morning and likely going into the late evening and of course construction crews. I've experienced these types projects and I would not want to live next to one. Not to mention the mess of mud that will be a permanent fixture all over our roads for at least a portion of the ten years.

My concerns once the project is complete is mainly concerning the increased traffic on our street. How will this be handled? Will there be an upgrade to our street? How will this impact residences? Will there be side walks installed? Will there be intersection or new roads added or connected and how would that look? Will the nature trails be affected? In regards to the low income side of housing; will this only be offered to seniors? Or will we start to see low income families moving in? With the increase of parked cars, is there a plan to increase police presence on our street?

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

I personally think the community of Windsor has more to lose than gain from this development at this location. I fully support the need for long term care and affordable housing, but I think putting it at this location will ultimately be an irreversible mistake. The only gain I can currently see is, potentially, housing values may increase, but the only person who will benifit from this is someone planning to sell their home. Because obviously as values increase so will property taxes, which are already too high, but acceptable because of our current quality of life.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

This particular part of the community is so unique! You will not find another like it. As mentioned above, everyday I see so many people walking, biking, running or just thoroughly enjoying our neighborhood. It is really an essential part of town where people can get away from town and just unwind. I personally love living here. I can walk out of my door yard in a matter of 5 minutes be enjoying the scenery and peacefulness of farm land. In 10 minutes, I can be on trails engulfed by nature, watching deer, fox and of course geese. In 15 minutes, I can be walking along a beach listening to the water currents flow through the river and in 25 minutes I can be down town. My point is, this is a much needed utopia. The best of all worlds and I'm afraid we will lose something we will never be able to get back with this development.

Respondent #3

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Collage Rd

Your Name*
Cheryl Barker

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Will our elected officials allow the taxpayers to participate in the decision making, by listening and considering ways that would make this project a success for all.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Traffic on a residential street! There should be a second access road that is not from Collage Road .Imagine a forest fire or some other disaster with both roads within a

stones throw apart emptying on a small street(Collage Road).Firetrucks ,ambulances ,residents all in a great bottleneck .

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

Dykeland has been in need of a better facility for some time. I have no problem with that happening. I do have a problem with the magnitude of the proposal.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Quiet street, wild life ,birds, beauty of the seasons seen in the fall with the trees ,snow fall in the fields and gardening.

Respondent #4

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
College rd

Your Name*
Michelle Magee

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Disagree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

We purchased our house 11 years ago and chose this property because of the quiet surroundings. Having this development in our back yard will increase noise and traffic

significantly. College rd will need to be widened and we would loose property. All of these are reasons we would vote a hard no on having this proposal go through!

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Respondent #5

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
College Rd

Your Name*
Crystal Gregory

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Neutral
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Why didn't the developers inform all of the surrounding area, and the rest of town, of this proposed development? It will have an impact on more than, just, Kingsview Drive.

This seems like a "let's do the bare minimum to inform people about this project, so we can get it started before anyone can make a fuss." kind of tactic. A, total, disregard of the

impact that this development will have on the lifestyle and well being of the current residents.

Is this, really, the best location for this? Perhaps there is another area in town that is more suitable and will have less impact.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

1. I'm concerned that this development will take our neighborhood from a relaxed, quiet, country-like setting to a busy town-like setting.

If I wanted to live in a busy town area, then I would have purchased one of the many houses, in town, that we looked at before purchasing this one. We were drawn to quiet area full if wildlife.

2. Kingsview Drive provides a safe and convenient area for the children of this neighborhood to play. They use the cul-de-sac for basketball, hockey, biking, scootering, nerf gun games, side walk chalk, tennis, etc... It provides an area that can be seen from our houses so we can monitor and supervise them and be confident that they are safe while they play. This development will eliminate this. This strongly effects the youth and parents of this neighborhood. This road is a safe haven for our children to continue to be happy, healthy kids (both physically and mentally). This is an extention of our homes. Even more so when activities and events are limited within communities due to uncontrollable events, such as pandemics.

3. Increased traffic flow. This scale of development will bring an increase in traffic flow to, both, College Rd and Kingsview Dr. These roads are prime areas for walkers, joggers, bikers and dog owners to walk their dogs. The increase in traffic will severely hinder the safety and enjoyment of these well loved activities of these roads. This doesn't just impact the residents of College Rd and Kingsview Dr, but the entire community of Windsor that uses these roads for recreational purposes.

4. Effects on wildlife. Though, we may be close to town, our area is abundant in wildlife. We are home to dozens of deer, pheasants, hawks, red fox, grey fox, ducks, and tens of thousands of geese that visit here between August and January every year. What impact will this development have on these animals and their desire to be/thrive in this area?

5. Inconveniences from construction. Having to deal with the construction of this development will be bad enough with the noise and trucks driving by constantly, but the thought of that over a prolonged period of time (10 years) is dreadful. My young boys will be old enough to move out by then. That means that our last years to enjoy our forever home, with them, will be spent listening to construction and development of that property. That's disheartening.

5. Unnecessary commercial development. The proposed commercial area and community center will attract, even more unwelcomed traffic to our quiet neighborhood. It is unnecessary. There are other pharmacy, shops, food establishments, shops, etc... located just minutes from here. A second community center is not needed. The community center, in town, is already underutilized. If the purpose of this is for the seniors, then a multipurpose room within the main building would provide the same benefits and wouldn't require the residents to leave the comfort of their building. That would provide a safer and more convenient alternative.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

I acknowledge that Dykeland Lodge is in need of another housing facility. I respect that the development is intended to provide much needed housing for seniors. However, the scale of this development, for this area, is too excessive. I feel another location should be sought after or a single building to provide seniors housing with an entry/exit access on Clifton Ave. or College Rd. Should be settled on.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

I, absolutely, love our community! It's quiet, country-like setting is perfect. We are close to amenities, but don't have to be right in the middle of them. You can look out your windows, at any time, and enjoy watching an abundance of wildlife. My favourite is watching all of the deer run and play together and when the geese are here. Watching them all take flight together and circle the field in the thousands is quite a site to see (and sound to hear). Our community is tight knit. We look out for each other. It provides a safe, supportive place for our families and especially our children to thrive. I love that my children have a safe place to play and enjoy the outside. I rave about the perfect balance of our community often. We live in such a beautiful place surrounded by a wonderful community of people. ❤️

Respondent #6

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
College Road

Your Name*
Sally Fergusson

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Who is the developer?

Why was not the public informed of the plans for a dense village until just recently?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

1. Traffic congestion on College Rd and at the intersection on King St.

2. Loss of a unique ecosystem for various animals and birds.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

My objection is to the location of the dense village and the lack of transparency regarding the nature of the development as opposed to the building of a long term care facility as proposed.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

I used to enjoy the lake.

Respondent #7

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
College Road

Your Name*
Joan Austin

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Will alternative access for construction vehicles be created to avoid College Road? Ten years is a long time to suffer that sort of traffic.

Why can't the existing Dykelands property be converted into low cost housing when it's vacated? It's a good sized building with plenty of parking.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

The increased traffic is a serious concern, particularly if there is to be ten years of construction traffic on this narrow road.

Decline in property prices.

Too much in too small a space!

I do not think we need a community center or strip mall. With the taxes Windsor charge, nobody is going to take up units for the likely return. I think most people would prefer to go into town and both buildings will be white elephants, The developers / planners are offering these as sweeteners to help push the plans through.

Is anybody actually going to listen to us, or is this already a done deal and they are just paying us lip service?

If the lake is not going to be reinstated, that would be a perfect location.

This is a semi rural area, this development looks more like inner city.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

It could be a lovely development where it is a pleasure to live but what is being proposed is gross over development which would result in unhappiness all round, especially for those living adjacent to it. The whole thing needs downsizing.

I'm not sure about any benefits to our community, we seem pretty good as we are, thank you, but neither can I see any disadvantages. I do query the thinking behind creating developments for seniors in "out of the way" places and ending up with mini "geriatric cities" like The Crossing.

College Road and it's environs is a lovely little corner of Windsor which must not be spoiled by the greed of developers. I think everybody initially believed it was just going to be Dykelands relocated, how did it end up as this? (Or is that what we were meant to believe?)

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

I've only lived here for five years so I'm new to the community, but I love it here and I'm very happy. Everybody is so friendly and helpful, I really feel as though I belong. If a community gets too big, it loses it's cohesion. I've come from an urban area where there is no community spirit, so I really appreciate what we have here and would like it to continue.

Respondent #8

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
College Rd

Your Name*
Neil Kennedy

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

This is very rural community on a dead end road that is not suitable for the increased traffic nor ie the road in good condition.I fully support the relocation of Dykeland Long Term Care and possibly assisted living.I believe it is very poor planning to consider

building units so far out side of town where many individuals may not have their own transportation nor is there transportation.I have not used the community centre in a number of years but I believe the present location is best.A strip mall!

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

Long term care facility

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Quiet rural area

Respondent #9

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Corner of King Street and College Rd

Your Name*
Phil Ellwood

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Disagree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Too much traffic and noise.

The rezoning is in violation of the Municipal Planning Strategy which state: ...limit the CDD (College Road Comprehensive Development District) to the Gladys Manning Property.

Environmental impact in a sensitive dykeland area.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

More senior and affordable housing is required. This is just the wrong location.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

The fields, the low traffic due to the dead-end.

Respondent #10

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
King and College

Your Name*
Angela Rubino

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Disagree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Respondent #11

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood **Your Name**

Kingsview Drive

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Construction timeframe, use of Kingsview drive.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Traffic, environmental impact, wildlife, noise polution

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

LTC beds/dykeland. housing is needed

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

people, wildlife, peaceful walks

Respondent #12

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood **Your Name**

Kingsview

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

How far into the planning process is this project and why has it been done with so little community engagement.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Traffic, children's safety especially during the construction phase, surface water run off, property value impact, and the change in the nature of our community.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

Our community and our province needs more long term care facilities. Our seniors also need to have affordable and assured living options in addition to long term care.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Respondent #13

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
Judy Grant

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Notification of the Public meeting via letter was not sent to the residents of College Road yet it was sent to the residents of Halliburton Ave who are not within 300 feet of the proposed property. Why is that? Why was this restricted to 300 feet? Does the municipality feel that this development will not affect the residents of College road?

Rezoning was done with virtually no notification of the public except the Chronicle Herald which I do not subscribe to.

The existing community center in Windsor is under underutilised now. We definitely do not need another one.

Water flow and flooding is a constant concern on Kingsview Drive. Two of the homeowners had flooded basements just this week with the rainstorm we had, and my home has flooded 3 times in the past. I have had to install 2 French drains in my backyard to accommodate the drainage and watershed off of the hill where this project is proposed. I am very worried what changing the topography of the land to build this village will do to impact us on Kingsview as it will changes the flow of water.

I wanted to see the environmental impact study that should have been done for this project but we cannot find that. Has there been one done??

Traffic will be affected in a major way. There are times when I now sit at the end of College Road for 5 minutes waiting for an opportunity to pull out onto KIng Street. This proposal as it stands will make that wait unbearable and force people to cut through Kings Edgehill school more often. An alternate or secondary route will have to be found to accommodate the extra traffic.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Construction Noise, Debris, Safety issues of children playing outdoors, dust, wildlife habitat lost, traffic congestion, widening of Kingsview Drive may be necessary

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

Dykeland Lodge need an new home as the present one has long ago reached it's peak. I don't dispute that and welcome them to our area and our community. They could be and would be a wonderful addition to our quiet community of children playing and green spaces. Additional seniors housing supported by Dykeland tucked in around the LTC facitity could also be added to increase housing that is desperately needed in this area, as in all of Nova Scotia. This added housing must fit the space to allow for recreational areas to exist, such as walking trails, pickle ball, lawn bowling, etc. There is no need to sandwich in housing so as to make people feel like sardines in a can. Expansive views can

be maintained and people can be treated with dignity and offered housing that is both beautiful and functional.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

This community is a mixture of open spaces, farming, commercial, residential and institutional areas that merge into a cohesive delightful area to live in. I have lived her for 20 years and enjoy a gorgeous view of both Ski Martock and Gladys Manning. Sunrises and Sunsets are gorgeous. I can walk down my street without fear, and I most of the time traffic is not an issue on College Road. Children play road hockey, sidewalk chalk, ride bikes, basketball, ride scooters, on my street. Because this street is so quiet children can play outside with a parent only watching them from inside their home. If this proposal goes through as planned that lifestyle will be gone forever. If it is pared back to include Dykeland Lodge only or also some Seniors housing as well, I feel we can still keep our sense of rural community living.

Respondent #14

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
Cheryl Bullock

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Disagree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Why is there a need to connect Kingsview Drive to this development?

Homes built on a cul-de-sac have a different value than properties on a thoroughfare for hundreds of residents, workers, visitors. No where else in Windsor has this residential to access route been allowed. Quite the opposite, developers have had to create their own infrastructure to remedy residential areas.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Beyond construction noise, I'm concerned about all phases of the development.

College Road is currently little more than a path to our Seniors living at the Maning. There is no sidewalk, or even shoulder. Often oncoming vehicles have to crowd the ditch to pass each other. Add in the KES bus traffic, Dill Farm seasonal parking problems, roaming deer & foxes, a new food truck, Manning events or winter snow and you've got a recipe for disaster.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

Obviously, Senior's housing is import to our aging population. I hope that the residential situation is affordable enough for those needing housing to receive it. I also hope that local companies will be selected for construction, infrastructure and jobs at each level over the next 10 years.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

I've lived and worked in Hants County all of my 48 years. It's pretty hard to pick a memory of my home where I grew up and chose to raise my family while volunteering in the community and owning/managing several successful businesses. I have traveled the globe and will always live in Hants County - Kingsview Drive for the last 16 years.

Respondent #15

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
Kathryn Duffy

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

See entire community response as I am a main contributor

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

See entire community response as I am a main contributor

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

See entire community response as I am a main contributor

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

See entire community response as I am a main contributor

Respondent #16

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview

Your Name*
Scott Shanks

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Respondent #17

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
Janet Naugler

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

I would like to know why the municipality has been so secretive about this. Why put such a large development on a dead end road? Is there a need for a community center and retail space?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I am concerned about the traffic on our street and on college road. I am extremely concerned about the environmental impact on the area. We have a peaceful neighborhood with a lot of wildlife. I am concerned about water flow. There are already issues with water coming down from that hill, I believe with all the pavement in the development there will be more issues. I don't like the idea of living in a construction zone. I am looking forward to retiring soon and I know that work on construction sites begin early.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

I realize that long term care, senior and low income housing are needed and important in Windsor and I was fine with Dykeland Lodge building their new site here. I feel this is too large a development for this space.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

My husband and I have lived on this street longer than anyone else. Ours was the third house to be built on the street. We like the location because it was rural but within the town. We have had neighbours come and go but it has always been a great neighborhood with friendly and helpful neighbours. We watch out for each other's children, pets and properties. It was a wonderful place to raise our daughter.

The Gladys Manning was built after we moved here and we have enjoyed meeting and chatting with the residents from there while out walking.

When my husband was waiting for and recovering from knee replacement our neighbours mowed the lawn and cleared snow for us. After any snowfall, there is always someone to help with snow removal especially for older or single people or if someone is working a last shift.

We enjoy feeding birds and watching the wildlife, there are pheasant, deer, foxes, numerous varieties of birds. Before covid there were Christmas parties, or summer barbeques for the neighborhood, or just a chat when seeing each other outside. I know that if there is anything I need help with, I can call anyone on the street and they will not hesitate to offer a hand.

One year when we returned from a March break vacation there was a series of snowstorms. I remember our drive back from the airport very late at night thinking that we would have hours of shoveling to get our car in the driveway. We were delighted to drive up to our house and find that not only had our driveway been plowed, but the path to the door had been shoveled.

This is a wonderful community of friendly and welcoming people.

Respondent #18

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
John Naugler

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Why were we given so little notice and so little information about the development?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I am concerned about increased traffic on a rough, narrow, rural road. I am also concerned about disruption to my daily life and the increased risk of flooding due to water flow over the large paved areas.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

Improved housing and long term care facility will be a boon to the community.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Kingsview Drive is a close-knit community which will lose its appeal when we aren't able to socialize as freely because of traffic and construction noise.

Respondent #19

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview

Your Name*
Tim Dove

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I support new developments as they are needed to sustain a community. That said, when a new development does not respect the existing community and established way of life then it should not be allowed to proceed.

This development as proposed will have severe negative impacts to our neighbourhood, significantly increasing the traffic, exposing us to a decade or more of noise and dust pollution, pushing out the wildlife in the area, etc.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

Windsor has a need for long term care facilities.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

We moved to Windsor from Halifax just over a year ago and fell in love with the rural-feeling neighbourhood. We have never regretted our decision to move here, but if this development proceeds as planned then we will have to give serious consideration as to whether or not this is still a place we want to raise our 3 girls (next to a construction site and beside a strip-mall).

Respondent #20

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
Noah LeBlanc

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I am concerned that our roads will be blocked and we won't be able to get out. (traffic flow will be reduced and Kingsview Drive residents will not be able to get out of their driveways)

We kids like to go biking safely and scootering, and playing basketball at the end of the street. The construction vehicles, increased traffic, and road damage will make it unsafe for us to play. It will also make it unsafe to let our pets into their yards as they will get spooked by all of the trucks and noise. Future traffic will also make it unsafe for us kids and our pets to play as we have.

If construction goes into the evenings we won't be able to sleep.

The proposed community center is taking up nice green space for the animals in this area and is peeking in our neighbour's backyards.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

I support and like the relocation of the Dykeland Lodge residence, but nothing else in the current proposal.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

It is nice and peaceful full of many birds, raccoons, deer, all kinds of wildlife. It is quiet so we can relax and listen to the birds. It is safe to let our pets into our yards to play. I can bike up and down the road with my friends and not worry about too many cars. We can walk down the side of the road to go sledding and not worry about too many cars.

Respondent #21

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
Janet AuCoin

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Starting on Thursday, January 13th, I first questioned why the homeowners of both Kingsview Drive and College Road had not been directly notified of west hant/public/development meetings? Posting a notice in a newspaper (which many people do not receive), or putting up a single sign in a location that most people do not pass, does not constitute reaching out to the public. And while I realize that society is very much technologically engaged, it is naive to assume that all residents have access to

Facebook in order to take part in these meetings. I am concerned that any future decisions made to this proposal will again exclude the affected residents in this underhanded manner, and blindside us as the magnitude of the current proposed development did on January 13th. In the future, will all residents have adequate notification and equal opportunity to be able take part in future meetings and have opportunities to express our concerns over changes/approvals/rejections to the development proposal?

I would also like to know why the development feels any need to connect Kingsview Drive to its community. Human nature is to take the most direct route to travel destinations. I strongly feel that residents and visitors to the "Dykeland Community" will thus take the first access street to that community (Kingsview Drive, if connected) and not the actual "Dykeland" access street. This will significantly increase the traffic on Kingsview Drive, and decrease the saftey for our children and residents.

Next, what impact will this proposed construction will have on the environment. This area is full of wildlife that is very much a part of our community. We have pheasants, deer, raccoons, geese, and various other species of birds (and I think Coyotes) that peacefully co-exist in our backyards and fields. What about water flow to and around the residences? Flora?

What about the traffic flow and impact to the roads themselves? Kingsview Drive and College road are already in need of repairs (College Rd big time!), what impact will all of the construction vehicles (the many proposed residents move into the proposed buildings) going to have on them? Who's going to fix the damage? And when? What plans are in place to improve the flow of traffic off of College Rd onto King Street? It is already a challenge now! Increased population and traffic will make it worse.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I am very much concerned about the safety of my child, his friends, and the impact this development will have on the peacefulness and privacy of our community. I moved out to this community so that I could sit on my patio without being watched by my backyard neighbour, so my child would have a quiet, safe environment to grow and play with his peers, and where our cat could safely roam her own yard... and venture out to a neighbours if she were so brave to do so (she's a chicken). I am concerned that

throughout the construction phase, the construction traffic (especially if it is on our street) will make it more dangerous for my child and his friends to ride their bikes, scooter around the neighbourhood, and explore the wilderness (our pets too). Once construction is complete, the number of new residents increases traffic flow, and the traffic safety issue remains for our community's children and pets. A strip mall and a community center increase the traffic as well. This saftey issue is directly related to the children, pets and wildlife of Kingsview Drive (for me), but it also impacts the grown residents as well of the whole area. Many people walk daily on the streets and on the walking trails. They walk with their pets and many will no longer feel safe to do so.

I am also concerned with the impact all these new buildings will have on the flow of ground water in the area. There are many homes who get impacted already on our street by heavy rains. What will the new construction do to that flow? How will the new buildings be impacted by the land as it is?

The noise will also impact me - during and after construction. Like I said, I moved to this area for a peaceful, safe, private place to live. An increase in population, increase neighbourhood noise. Being able to sit out on my patio without hearing constant car noise, everyone else's conversations and music was exactly what I was looking for. Construction vehicles rumbling, beeping, clanging and banging for the next 10 years? Nope, not what I moved here for. A dense community jammed tight into the backyards of my neighbours (almost into my own, and close enough as is), DEFINATELY not what I came here for. The privacy of others on Kingsview Drive will be seriously impacted by some of the proposed developments (community center, strip mall). I am concerned about the safety of my home, and the homes of others in the Kingsview Road community as well. We look out for one another here - I am often not worried at all about anyone breaking into my home, or my shed, or stealing things from my car or yard - or any of the children being taken (god forbid!). An increased flow of traffic, especially through Kingsview Drive, whether it is from construction crews, new residents, or visitors to the new residents /community center/strip mall will increase the possibility of these things occurring (not sure I phased that correctly, so I hope you understand what I'm trying to convey).

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

I like that the proposed village is trying to meet a community need - the need for affordable and seniors housing, but the magnitude of the project within such a confined space is alarming. I am in support of the long-term care facility as it is a much needed structure to replace the current Dykeland Lodge.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

The peacefulness, privacy, safety, and sense of community are what make the Kingsview Drive community special. From the first day I set foot in this community it felt like home. I was able to relax and enjoy my surroundings without worrying about the safety of my child or pet. The kids drove their bikes and scooters up and down the road without me having to be with them all the time, as I knew the traffic was low. If they had an accident at one end, I could hear them and come running. Often, a neighbour would be looking out for the kids too, even though they may not have kids themselves. Neigbours were quick to introduce themselves, and we basically know everyone on the street. We support each other in the ways we can, and as you can see, band together when needed. If you accidently leave your door open or a car trunk, someone will let you know, or will just quietly close it for you to help keep things safe. We shovel each other out of snowstorms, and mow lawns for vacationers. We have rotating play centers - neighbours open up their homes, pools, playsets and trampolines to each other and are open. This is all a part of my fondest memories in this neighbourhood; watching the neighbourhood kids running from home to home; playing with their friends in a safe zone; adults chatting in the middle of a random yard or the road, chatting while helping shovel or mow, or just shooting the breeze; supporting each other through lose and celebration.

Respondent #22

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
Rebecca Hatchard

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

to send comments & concerns for you to compile.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

to send comments & concerns for you to compile.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

to send comments & concerns separately for you to compile.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

to send comments & concerns separately for you to compile.

Comments and concerns received from Rebecca Hatchard via email:

Like my grandfather & mom, I was born & grew up in Windsor... a community filled with small town values & memories I carry with me that are both heartfelt & comforting. Years later, I knew without a doubt that I wanted to raise my own daughter in the same area... to find a quiet peaceful location, surrounded by fresh air, sunshine & open spaces where she too could experience the love of the outdoors & the intricacies that nature provides. I wanted get away from the city... the crowds of noise & air pollution, where consumerism & the world of materialism infuses so many.

When the time was right we happened upon the most wonderful spot... to begin anew... to make a fresh start & a place we could call our own. When my daughter was four years old we moved to Kingsview Drive. Although extended family had all passed, it still felt like home... a home in a community where we felt safe enough to leave the house & car unlocked at all times with not a worry in the world day or night. A place to nurture my daughter's uniqueness & to create a space for her to bloom into herself thus allowing her early years of separation anxiety & shyness to fall away.

Over the past 18 years, we have taken full advantage of the area around us & spent all our time immersed in the outdoors enjoying every season. My daughter learned to skate on a little patch of pastureland adjacent to the Dill Farm. We lived close enough to venture to the nearby ski hill & savored long peaceful walks meandering through cornfields & walking paths tucked off of College Road... exploring untouched areas... abundant sanctuaries filled with biodiversity where wildlife could thrive. We love animals & this was a place where our cats could roam free & be safe from harm. A perfect location where we as neighbors raised our children... toddlers able to run up & down the street, little ones learning to ride their first bike & playing hop-scotch on the road uninterrupted by strangers or traffic.

As a Nova Scotian, I am well aware that our seniors are in dire need of new up-to-date longterm care facilities & am in favor of the proposed site for Dykeland Lodge. Our seniors deserve a beautiful & serene location in which to live their final years.... a stage my own mom is nearing & may have to soon consider. We would be thrilled if she were to relocate to the new site of Dykeland Lodge & especially

so with just a skip from my front door. If however, the additional proposal of a dense village including independent & affordable housing, a community centre & strip mall that is squashed together like those found in cities then our decision is already solidified as a definite 100% no. If Dykeland Lodge were to provide quality care that benefits it's seniors by promoting & preserving the natural landscape keeping in mind the health benefits of living in a community that maintains peace & tranquility then I welcome them with open arms.

The entire town of Windsor & external community will be greatly impacted by this development. Developers & politicians most often cater to their own & disregard those who would most benefit from valuable services like a community center & affordable housing. This location further prevents access to those who are marginalized & without transportation. Summer programs for families who live in town & rely on accessibility within walking distance... this location certainly doesn't take them into account & would only further segregate from the privileged. A strip mall that may include a pharmacy, corner store, cafe & medical center... this location away from downtown further excludes those also who rely on such services.

The fact that re-zoning had taken place with the obvious intent of not disclosing the fact... without the input or knowledge of those in our community is not only deceitful, it is disrespectful & insulting to us all. I came here because of the natural beauty. The blatancy... all for financial benefit of a select few is disheartening to say the least. To then propose that the cul-de-sac be turned into a thoroughfare in a residential area entering into a dense village is obnoxious with complete disregard for those it directly impacts.

I would also like to note, that when council members including those in planning & development positions are asked their thoughts about this new proposal & the response delivered is “I think it's a great idea” comes easily when it's not taking place in your backyard. An arrogant & dismissive statement that to me is both offensive & unwelcome.

We as humans have desecrated the land far too long and have an opportunity to promote its healing so that it can breathe. Instead of scouring every square inch of its surface with more concrete & development, perhaps we could become mindful & responsible for its preservation.

Like those in my neighborhood, I look forward to working with Dykeland Lodge and revising their proposal.

Rebecca Hatchard

Respondent #23

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kingsview Drive

Your Name*
Marnie Metke

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

How much space is planned between housing lots and parking and or leisure centre

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

My main concerns are the increase in traffic and Kingsview Drive and the increas in people to this area

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

I dislike it all. There is no benefit.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Our Community is quiet and well cared for.

Respondent #24 & 25

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Haliburton Avenue

Your Name*
Barbara and Richard Redden

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

environmental concerns

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

It satisfies the need for Senior's assisted living and long term care.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

The trails for walking and skiing adjacent to the Manning and College Road, the ponds, fox holes and other wild life that inhabit the area. There is no other area in Windsor like it.

Respondent #26

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Alexander street

Your Name*
Kensey Konings

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Disagree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I think that this will greatly impact the community surrounding this build over the next 10 years. Children and families live on these streets and in this quiet quaint close knit

neighborhood. This build will also cause more traffic on the streets where children play and bike.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

The idea of having a new living place and housing for elderly people .

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

The special connections you make and are able to make having these small neighborhoods. The ability to have safe streets and less traffic for children to play on. In my neighborhood I remember walking to our cousins house and my mom feeling safe knowing that she knew everyone around us.

Respondent #27

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Kendall Lane

Your Name*
Natalie Shearer

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Agree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

This is a no exit street with a very narrow road which currently can't support the residential traffic . The stop at the end of college rd is always backed up. The current infrastructure isn't adequate and cannot take on more.

The noise and pollution this 10 year project would take isn't fair to the home owners and Gladys manning residents.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I feel the community is unaware of the current proposal. One night of a zoom input from community that was not widely publicized is not enough. It feels as if it is being pushed. This is not the original plan of a new Dykeland. This is now about commercial space as well.

There are other better alternate sights within walking distance to amenities and the hospital. Windsor does not have public transport . This street does not even have side walks. I'm guessing the majority of whom this project would be encompassing so not own vehicles.

Is there a limit regarding population within an area of one way in and one way out in regards to emergency services ?

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

We need more senior care beds in our community. I feel this is now more about money and not the appropriate location

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

This area of our community has nature trails, long pond the birthplace of hockey, the oldest private school in North America, fields of wildlife and one senior care facility already. The traffic is already a problem with a school , buses and the biggest employee in Windsor (KES) traveling this road. People already drive through KES to avoid the end of college rd creating safety concerns at the school.

Respondent #28

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Mountain View Drive, Falmouth

Your Name*
Kellie Fletcher

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Disagree
I support the entire development plan as currently proposed.	Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Has the Board considered the residential impact building a facility of this magnitude will have on the quiet residential community?

Has the Board taken in to consideration the damage that will be caused by heavy machinery during the construction?

This community is full of children and elderly members… how will the construction guarantee their safety and ability to use their community safely?

Has the Board considered an ALTERNATE access point? Perhaps from the Chester Road where the impact to residential community wouldn't be disrupted?

Why is a Strip Mall included in the mock up (or maybe I mis-read that image)?

Did they consider utilizing the land that currently surrounds them?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I have family and friends who live on College Road and I am gravely concerned about their safety and privacy. Huge machinery traveling back and forth, carrying loads of construction materials, the road itself will be destroyed by the sheer weight and volume of the heavy equipment. Not to mention to unavoidable debris that will fall off the trucks potentially damaging community yards, vehicles, and taking away safe walking. There is a school that is on the road with sports fields which increases the amount of children, the tennis courts, private day cares, a farm at the end, and all of the homes are all quite close to the road. The noise levels will be unacceptable for a quiet residential area. Dykeland Lodge was an ancient building when I worked there (1999-2005) and most definitely needs to be replaced. I certainly did not expect this 'pie in the sky' model to be the replacement. Also, I wonder why the parcel of land surrounding the current facility couldn't have been expanded upon? And a strip mall? Who's idea was that?!

Truly, I think the exponential unavoidable increase in traffic and impact to safety and privacy is the biggest issue (in my opinion). If there were an alternative access point, I think the impact would be lessened greatly.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

As an RN, I can 100% appreciate the benefit of opening more LTC beds and assisted living space.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

I did not personally live in this community but my daughter basically grew up there. Her childcare provider is in this community and my child was able to grow up safely here… from her very first day of school and getting on and off the school bus daily to walking up to Dill's farm and back, riding her bike… and as she got older, participating in outdoor sport at Kings Edgehill school fields. This community is quiet, safe, surrounded by beautiful mature trees and farm land. Not to mention Long Pond historical site. College Road will forever be part of my fondest memories because it's part of my child's upbringing. I cannot imagine destroying the quaint, quiet community with 10 YEARS of construction and heavy machinery.

Respondent #29

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Three Mile Plains Cross Road

Your Name*
Sandi Davidson

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Neutral
I support the entire development plan as currently proposed.	Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Disagree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Turning a low traffic residential road into a busy high traffic street it is already hard enough to get out at the end of the road it will be even harder with this plan

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Respondent #30

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
Chandler Lane

Your Name*
Gary Morehouse

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Agree
I believe there has been adequate community engagement.	Agree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Neutral

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

No questions at this time

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I would hope the 10 year time span will be a development completion Would there be units available periodically as the development expands

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

Like the Manning there will be suitable housing for seniors similar to the Manning

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Both my wife and I had parents spent their final days at Dykeland

Respondent #31

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
College Rd

Your Name*
Joseph Magee

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Disagree
I support the entire development plan as currently proposed.	Strongly Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

Why here? There is space available all around windsor. Why do you feel the need to jam this development into the middle of the homes of an already established and tight knit community. I get you have to locate SOMEWHERE, but come on!

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I am concerned about the road work that would have to take place to college road to accommodate the increased traffic flow and population. Not to mention the fact I moved my family to this area because of the quiet community and quiet street. That will all be gone if this development pushes through.

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

I can't say I like any of the proposed developments. Everything presented will change the quality of life for me and my family if we continue to live in this home. I respect that Dykeland requires new facilities, but build them somewhere that won't effect peoples homes directly. There MUST be vacant space somewhere near windsor that DOESN'T require jamming a large development into a quiet family community. This isn't downtown Toronto. We aren't exactly pressed for space.

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

The peace and quiet. We enjoy living in a town without living "in" a town. Neighbors are friendly and quiet and look out for one another. Kids can walk down the street and ride their bikes without worry.

Respondent #32

Please let us know what you think about this proposed development in our community. Answer as many or as few questions as you want. You can submit this form multiple times if you think of additional things later.

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

Your Street / Neighbourhood*
College Rd

Your Name*
DAN

* *Required as the municipality will not accept feedback from Anonymous sources.*

Please answer how strongly you agree or disagree with the following four statements. Online options provided were as follows:

Strongly Disagree | Disagree | Neutral | Agree | Strongly Agree

I support Dykeland Lodge relocating their Long-Term Care facility to this property.	Strongly Agree
I support the entire development plan as currently proposed.	Disagree
I believe there has been adequate community engagement.	Strongly Disagree
I believe that further assessment (*e.g.* Traffic, Community, Environmental, First Nations) is required before this development proceeds any further.	Strongly Agree

What **questions** do you have? Could be questions regarding the village, the Municipal's development agreement process, or timeline for decision on this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

TRAFFIC ISSUES
PEDESTRIAN SAFETY
ACCESING KING STREET SAFELY

NOISE

What do you **like** about the proposed village? What **benefit** do you think it may have to our community and/or to the broader Windsor community?

What makes **our community** so special? What are some of your **fondest memories** of living in our community?

Respondent #33



A. Cunningham on College Rd

We need your input on this project

RETURN TO: Teresa's office by THIS Friday, Jan 21

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

What **questions** do you have? Could be questions regarding the village, process and timeline for approving/revising/rejecting this proposal, etc.

Has the municipality made the community aware of the size & magnitude of this project? The time line is huge 10 years. We were all made aware of the nursing home moving to the road but not affordable and senior housing units, independent living units, community centre and strip mall. Have they done a feasibility study on the effects on the agricultural area? What's the zoning on commercial property for a strip mall in an agricultural area? Water consumption and sewer lines should also be examined and discussed.

What are your **concerns**? How do you think this project will impact you during the 10-year construction and/or once completed?

My concerns would be centred on the road itself it's too narrow to accommodate a facility of that size & magnitude. They need to create another access road to the facility. How will this affect the existing homes and business on the road? Traffic will be a major issue for our road. I bought my home in a quiet residential area that is now going to be a commercial zone I didn't sign up for that.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor Community?

I am pleased that Dykeland is getting a revision I am not pleased that it comes at a cost to those living on College Rd.

What makes our **community** so special?

We are an agricultural community home to one of the oldest and longest-running fairs in the North America. Windsor is a small community home to approximately 4000 people this new proposal by Dykeland will have a major effect on such a small area. I've lived on College Rd for many years. College Rd is special because you can walk from a residential area to an agricultural area in minutes you have town amenities in a country setting. It's perfect. We have many people who enjoy walking their dogs in the area and strolling along the Gladys Manning walking trails. I enjoy the green space and county setting

What are some of your **fondest memories** of living in our community?

I grew up in Windsor it's a great family community. I enjoyed walking to school and to the corner store with my friends. A small town with a pool, soccer field and tennis court accessible to all and we knew all our neighbours. I liked driving my bike on the road not having to worry about bike lanes. I loved walking to the movie theatre on a Saturday afternoon with my sister.

Respondent #34

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

Does this amount of land adequately accommodate the five levels of care as proposed?

Shouldn't 80 units of affordable and seniors housing (almost same size as the Manning) be built off by itself?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

What assurances that upgrades will be made between Manning Dr. and King Street highway, with traffic lights and intersection, and sidewalk?

Would these upgrades be done prior to or after construction of facility?

Ten years is a long time to wait for these improvements....

This road should be made "safer" before construction begins.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

Provides a higher degree of accommodation for residents and a more structured environment for staff. It will bring in more people and jobs to grow the community and local economy.

What makes our **community so special**?

The diversification of recreational activities supported by government and volunteers. Not far from Halifax and New Minas and airport. A movement to attract developers to the Town and to bring back ex-patriots to their roots.

What are some of your **fondest memories** of living in our community?

Private school and music program (Edgehill).
Playing tennis at Gordon Hughes Tennis Club.
Participating at Windsor United Church.
Summer camps at Mockingee Lake.
4-H at the Hants County Exhibition, showing my oxen in the "pull".

Respondent #35

We need your input on this project

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

Hoping the view for residents of Gladys Manning will not be obstructed by this new project. Will this project affect living costs at the Gladys Manning.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Concerned over traffic while under construction.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

The proposed village is very beneficial to the Windsor area as there is a shortage of living facilities for the aging population. In addition, the project will generate employment opportunities + additional revenue for the area.

What makes our **community so special?**

1. It's quiet
2. Little traffic
3. Country setting, even though Gladys Manning is in town limits.

What are some of your **fondest memories** of living in our community?

1. Convenient
2. Staff + residents are friendly and helpful.
3. Nice, clean + quiet.
4. Love the entertainment.

Respondent #36

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

Would it be safe for potentially triple the number of residents on a "dead end" street? Could a road be built between College & Chester Rd?
Is it even possible to house that many people in the various types of accommodations in that small space?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

A lot of noise + confusion on our quiet street.
Too much going on in a small space. Maybe land across the street could be added to the space or more in back.
~~Could another road join ours and Chester Rd?~~

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

I like the idea of providing all the housing, care and amenities of the proposal. All are most likely needed in the broader Windsor Area.
In the case that Gladys Manning Complex does not include a "nursing" component, if / when I may need it, I would appreciate such a short move to Dykeland.
To have a café, convenience, medical centre, pharmacy or ~~those~~ would be wonderful!

What makes our **community so special**?

Quiet beauty peaceful. On the edge of town, avoiding business and traffic noise & activity

What are some of your **fondest memories** of living in our community?

Sitting on my deck, lounge, & gazebo enjoying a visit with family/friends and watching the beautiful country side & changing seasons.

Respondent #37

We need your input on this project

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We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

My main concern is the traffic our roads are a mess now.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Just hope we still have the quiet Country living that we have now. I think it could change. I hope Not.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

I think we need more housing for our Seniors + afordable living.

What makes our **community so special**?

the View & the People who work & live there. We can see every thing from here. Love the Deer that come up there. 2 like to look at the lake. Just You all Know what happened to that. Just love it here.

What are some of your **fondest memories** of living in our community?

the beautiful dinning Rooms & Surrounding area. The food is delicious.

Respondent #38

ID 02

JN 15

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

#1 The access to this new development is not sufficient to handle any more traffic on the terrible condition of Riverside leading to part of Lacewood Dr.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

The proposed Dykeland Village is needed.

What makes our **community so special**?

What are some of your **fondest memories** of living in our community?

Respondent #39

We need your input on this project

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

What infrastructure are they planning to handle the extra traffic.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

There will be noise Dust ect. during the process.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

Good for local economy. Help for Senior housing.

What makes our **community so special?**

We have a nice rural setting five minutes from downtown Windsor.

What are some of your **fondest memories** of living in our community?

The rent is reasonable and the staff is great. We enjoy the friendships.

Respondent #40

We need your input on this project

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Too much traffic for such a narrow road
(very light pencil - did not scan well)

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

What makes our **community so special**?

What are some of your **fondest memories** of living in our community?

Respondent #41

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

What about the road?

Hazardous now to get on the highway.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Noise?

loss of privacy.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

We do need seniors housing.

We need for stay well.

What makes our **community so special**?

Connecting.

What are some of your **fondest memories** of living in our community?

Dinners, concerts, church services.

Respondent #42

We need your input on this project

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

This project is devastating to our complex. The street is too narrow now for safe driving. We do not need extra traffic. Also, our street is in deplorable condition and needs repaving badly. How can that happen if this 10 year project takes place? The whole idea is from non-thinking people.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

It seems a very nice idea, just not here. We desperately need more nursing home beds and senior housing.

What makes our **community so special**?

The uniqueness of the area, namely the Dill farm and Kings Edgehill, as well as the Gladys Manning complex.

What are some of your **fondest memories** of living in our community?

I have only been here a few years. It is perfect for me and very pretty, especially in the Fall.

Respondent #43

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

Seems like a lot of "real estate" on a small piece of land.
What about the road?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Something will have to be done to road to accomodate construction.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

Too much planned for small space

What makes our **community so special**?

Small, friendly

What are some of your **fondest memories** of living in our community?

7

Respondent #44

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

1. Traffic Traffic, Traffic
2. Terrible road now & has been for many years. (17)

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

Nothing about where it's going to be unless something done about College Rd. (exit) now.

What makes our **community so special**?

What are some of your **fondest memories** of living in our community?

Respondent #45

TDOS SNIP

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

Will it take 10 years ?? I'll never live that long!
I've been living at the manning for 10 years. Each year I'd call the Town to find out when College Rd. would be repaired. Each year they assured me it would be done the next year. It never was done so after 4 or 5 years I stopped calling. & gave up my car.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed? My concern is traffic. College Rd. is not wide enough to handle more traffic - I feel. More people will be coming & going to visit relatives & friends who live in the Dykeland Lodge village. When K.E.S is playing Sports the road is congested with parents cars, the other teams cars parked on the Right hand side of the road coming in, also during Pumpkin Festival days, Halloween in fall when the Farm is selling pumpkins, apples, etc. Brings a lot of traffic. Imagine ambulance & fire trucks in an emergency - It's a Dead End road.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

The proposed Village sounds great, badly needed - but not jammed in here on College Rd., perhaps across the field on opposite side coming out on Chester Road. Surely there's a piece of property in the area that's more accessible and spacious enough to be safer.

What makes our **community so special**?

Its quiet, peaceful, beautiful pastoral views. Enough wild life to make it interesting as deer, and foxes, wild geese, birds, eagles, etc
Its close to the town of Winchester, hospital, library, Pharmacy's, Grocery stores, Shops - but we could have more of those

What are some of your **fondest memories** of living in our community?

Walking the College Road & its pit falls - I wish it could be fixed - Wonderful walking trails which I really enjoyed until the ticks got too plentiful so I walk on College Road

Warning behind the

Respondent #46

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

The residents of Gladys Manning now live in a relatively quiet & peaceful area. It would be too bad if that changed.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

The machinery to work on the project will have to get to the area - I am concerned that we will lose our quiet & peaceful area - especially if they use our drive ways (front + back) to get to the area

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

The Proposed village looks very large + it includes a shopping area & community hall. Is there really any need for this? You will be causing a lot of activity in our small quiet community

What makes our **community so special**?

I am not from this area but I grew up & lived in other rural towns and I enjoy to have a window. I have a beautiful scenic exhibit I enjoy.

What are some of your **fondest memories** of living in our community?

Peaceful, quiet, friendly

If a complex this large is built it will affect this

Respondent #47

We need your input on this project

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

College Rd. What are they going to do about Traffic on this road all the time - Road as is terrible and as of now we have no other exit The Increase of Traffic on this road will be intolerable.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

This may sound silly but we chose this place for the view the quietness and wild life
Also there is always something going on here as you sit and watch - the farmers working Cattle out and change of seasons it is so calming and a reason to get up and see What the new day will bring to each of us something to have in common with each other talking about weather, wildlife etc.
Please do not destroy it all for us

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

What makes our **community so special**?

See above
The staff here are excellent they are patient and go that extra mile for us and we can count on each and everyone of them. I am very thankfull to them all

What are some of your **fondest memories** of living in our community?

Friendships - and that we all look out for each other and if there was something to happen to one of us - We all keep each other to get through the hard times.
It is like here, we know everyone and enjoy the companionship here

Respondent #48

SNJ

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

Given that College Rd. has been in the planning for re-paving going back 4 or more years, how could this be feasible whilst the development is in process?. Also would/dust this include the widening of the sewer line?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Given that this development will conservatly last for 10 years, how could it not disrupt our coming & going if for nothing else? This puts me in mind of the New Rink proposal of a couple yrs. ago. A logestic mess!

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

- I find it hard to believe that another strip mall, however large it is will draw folk's in off of King St. Also, the amount of traffic will offset any wishful benefits!
- One non benefit will be a rise in Taxes here & where is continual monies going to come from over 10 years & more?

What makes our **community so special**?

We feel what makes it so special is the tranquility as once your turn off King St. you do in fact feel like you've entered an exclusive community & all of that will be at bare least in danger of collaspe once this commences!

What are some of your **fondest memories** of living in our community?

"The Quiet, the lack of heavy & continual traffic noise! It's like an oasis here & we feel in love with it immediately." I love seeing the wildlife & cattle grazing!

Respondent #49

INV.

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

IS THERE NO LAND IN THE AREA AWAY FROM LIVING RESIDENTS TO BUILD THIS MUCH NEEDED COMPLEX?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I FEEL SORRY FOR OUR RESIDENTS THAT WILL HAVE ALL THE ACTIVITY FOR 10 YEARS

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

THE VILLAGE WOULD BE GREAT OUT IN THE COUNTY BY ITSELF.

IT WOULD GIVE EMPLOYMENT TO MANY

What makes our **community so special?**

THE LOCATION & SMALL TOWN FRIENDLY

What are some of your **fondest memories** of living in our community?

THE SCENERY & WILDLIFE (BIRDS & DEER ETC.

ENTERTAINERS

Respondent #50

Trac

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

How will this effect traffic on the street?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I think it will cause a lot of noise pollution also traffic problems.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

Personally I think it will be of no benefit.

What makes our **community so special?**

It's so quiet and the scenery is beautiful.

What are some of your **fondest memories** of living in our community?

I haven't been here very long but the residents are friendly and the staff are wonderful.

Respondent #51

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

College Road is in bad shape now and has had no upgrade for years, what will all this traffic do to this narrow road? We only have one way out of here and with all this construction where will traffic go?

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

Something like this is needed in Windsor Senior apartments.

What makes our **community so special?**

It has been home for many, many years.

What are some of your **fondest memories** of living in our community?

Going to the old Academy, skating in the old rink and all the shops downtown, it was a great little town to grow up in.

Respondent #52

JN28

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

While I agree we need more openings available in long term care homes I feel this project including a community center will completely change College Rd. with increased traffic. Ten years of construction is a long time for neighbors to endure. A community center and a strip mall should not be built in this rural area.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

- Heavy equipment causing more potholes and road damage.
- noise
- excessive dust
- road traffic and tie-ups.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

- Medical clinic is needed
- housing for disabled persons is needed.
- affordable housing will be beneficial to the community.

What makes our community so special?

It is quiet and tranquil, also has beautiful views looking over the fields and meadows. Plenty of wildlife and not much traffic.

What are some of your fondest memories of living in our community?

It was always a quiet road without much traffic, great for taking a stroll or also children riding their bikes. Close to downtown but had the peacefullness of the country.

Respondent #53

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

Would a Road be built connecting to the Chester Rd?
Would Dykeland be the first facility built?

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

College Road itself is the biggest concern. Would the Road issued be resolved before construction?

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

Great idea We definately Need More housing and Dykeland Needs to be replaced with an up to date facility.
Great to see growth in Windsor

What makes our **community so special**?

- Central location to City and Valley.
- Basic needs are nearby ex shopping, healthcare, arena.
- Outdoor activities
- Restaurants.

What are some of your **fondest memories** of living in our community?

Walking trails behind Manning

Respondent #54

JN03

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

I feel its a great idea to have a such a development to happen.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

I am concern that the road will need repairs done and the road isn't wide enough as it is.

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

There will be more jobs. Its going to be in a good location.

What makes our **community so special**?

Very friendly and willing to help others.

What are some of your **fondest memories** of living in our community?

Always willing to help out when needed it, very friendly

Respondent #55

JN02

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

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What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

Increase in Traffic on a Worn out Road
Getting out of College Rd. To the EF I Highway
Taken away Farmland which is needed these Days

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

Noise in the Construction
Loss of Wildlife Deer – Foxes
There is only 1 lane when Soccer Games are on
ITs Bad enough Now

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

I don't Like IT
There will Be no Benifit To me or the community

What makes our **community so special**?

Quiet & Peaceful
Being in a Country Style Living

What are some of your **fondest memories** of living in our community?

Watching Wildlife
Watching Farmers cut Hay and The Gardens

Respondent #56

JN01

We need your input on this project

RETURN TO: Theresa's office by THIS Friday, Jan 21

We would love to hear from you. We are preparing a comprehensive community report (in the absence of any real community engagement by Dykeland and the Municipality) and want to hear and include EVERYONE's views.

What **questions** do you have? Could be questions regarding the village, process, and timeline for approving/revising/rejecting this proposal, etc.

"Village" I can see no purpose in our community, this needs a second look and all in this area need to have more input before this project gets under way.

What are your **concerns**? How do you think this project will **impact you** during the 10-year construction and/or once completed?

My concern is that access to this project is not capable to handle this amount of traffic

What do you **like** about the proposed village? What benefit do you think it may have to our community and/or to the broader Windsor community?

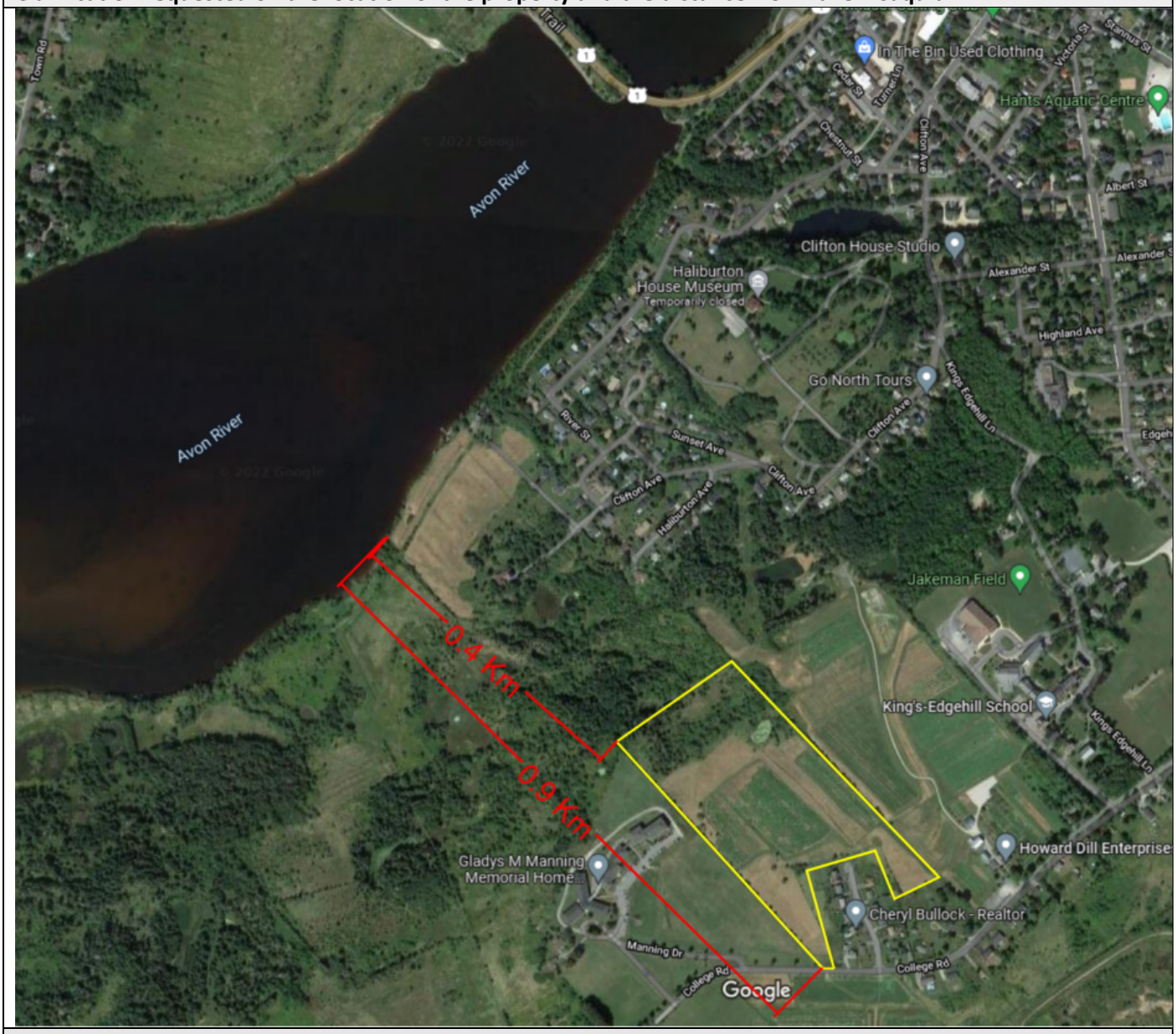
I can see no benefit to our community We already have four drug stores in Windsor + countless cafe's

What makes our **community so special**?

We enjoy the peaceful life where we can relax and have great neighbours.

What are some of your **fondest memories** of living in our community?

Clarification requested on the location of the property and the distance from Lake Pisaquid.



Concerns regarding construction noise, heavy equipment, etc. over a 10-year construction deadline.

Standard hours of work for the construction industry are 7:00 am to 5:00 pm, this is when there will be noise from construction activities.
By-law Number 6716 A By-law Respecting the Emission of Sounds will be followed by the Build Team; there will be no operation of any equipment in connection with construction between the hours of 8:00 pm and 6:00 am.

What are the hours of construction?

7:00 am to 5:00 pm typically

1. **The community is full of children and elderly members, how will construction guarantee their safety and ability to use their community safely?**
2. **Safety of children and surrounding residents to be included with the previous safety question**

Safety will always be the number one priority. It will be paramount to the team that we prioritize public safety to ensure that it won't put any of the public in danger at any time throughout the project. All safety regulations put in place will be followed to mitigate all risks and hazards to the public.

Will it take 10 years?

Our hope with the support of the Community and the Province is to complete the new Long Term Care Facility within five years; the additional housing components will be complete within the ten years.
Please note these timeframes include periods of non-construction activities to allow the design of the facilities.

Noise pollution and disruption of "Utopia" with late night noise

A respectful construction management schedule and community notification would be maintained.
Standard hours of work for the construction industry are 7:00 am to 5:00 pm, this is when there will be noise from construction activities.
By-law Number 6716 A By-law Respecting the Emission of Sounds will be followed by the Build Team; there will be no operation of any equipment in connection with construction between the hours of 8:00 pm and 6:00 am.

1. **Construction disruption/debris**
2. **What dust control measures should be required?**

The construction industry is regulated by several standards and regulations, one of these being Safety. The Build Team MUST follow all safety regulations regarding construction activities, one of these being effective management of construction debris.
As the new building is a Long-Term Care Facility there are additional requirements that the Build Team MUST meet Infection Control Standards as outlined in CSA Standard CAN/CSA-Z317.13-17 Infection control during construction, renovation, and maintenance of health care facilities

1. **Potential Pollution of the land and surrounding areas**
2. **With traffic being directed to College Roade, there is concern around the potential effects on wildlife (fox), and lack of transparency from the developer.**
3. **Review of water system and potential area flooding**
4. **Environmental and Ecosystem damage**
5. **What possible impacts to the safety of the food grown next to a potential 10-year construction site with hazardous materials/materials not safe for consumption?**
6. **What are the possible impacts to the Dykeland below College Road?**
7. **Has there been any investigation on the possible impacts the construction could have on the neighboring Dill Farm farmland? For example: the prevailing winds often blow from the subject property over the Dill farmland.**

All provincial, federal policies/Acts will be upheld to ensure the safety of the community and environment.
The Nova Scotia Department of Public Works requires the supervisory staff of all its construction contractors to attend an erosion and sediment control course to ensure the protection of the construction site and adjacent properties; in addition to this requirement the NS Department of Seniors and Long-Term Care, the department which oversees the design and construction of a new Long Term Care Facility, mandates that the Owner's Project Manager also has this course.
The Design Team will also include Landscape Architects and Civil Engineers who are trained to design the property following all environmental policies, acts and standards.
The environmental protection plan will be a compilation of all Provincial, and Federal Policies/Acts, some listed below, to mitigate disturbance to land use, wildlife, and habitat. Safety of the community and environment is priority, all Environmental issues will be identified thoroughly and resolved expeditiously, using Federal and Provincial environmental policy extensively into all decision-making processes, as well as all other associated activities. Potential impacts to all aspects of the environment will be taken into consideration, and evaluated before any activities would take place
The project will constantly monitor and evaluate environmental benefits/consequences of our activities, an implement our strategies to remove or minimize potential environmental impacts.

- *Nova Scotia Environment Act*
- *Canadian Environmental Assessment Act*
- *Canadian Environmental Protection Act*

• *Nova Scotia Endangered Species Act* • *Clean Air Act* • *Water Act* • *Fisheries Act* • *Species at Risk Act (SARA)* • *Navigable Waters Protection Act (NWPA)* • *Canada Wildlife Act* • *Migratory Birds Convention Act*
1. **With the plans to upgrade College Road in 2022-23, there are concerns that heavy truck traffic may destroy the road.** 2. **Increased street traffic, Current Road Conditions, Dead end street** 3. **Will alternate access for construction vehicles be created to avoid College Road**
The Nova Scotia Department of Public Works determines road weight designations on the public roads; these weight designations must be followed by all users of the road. For example, Wentworth Road has a weight designation of 49,500 kg. There are also additional restrictions placed on the roadways when the roads are more vulnerable (spring thaw – this year starting February 27th) *Street infrastructure changes to begin summer 2022 and will address those concerns. These plans to have the road upgraded have been in existence for more than 5 years. Municipality of West Hants can provide additional information.* *There is no alternate access available*
1. **Will a traffic study be completed to determine the best alternative entrance/exit?** 2. **Access to the highways is a great concern.** 3. **Concern around increased traffic through Kings Edgehill School property. Is there alternative?** 4. **Could a road be built between College Rd. and Chester Rd.?**
All the above questions would need to be raised and addressed by the West Hants Regional Municipality
Why does the development feel the need to connect Kingsview Drive to its community?
The connection to Kingsview Drive is an emergency roadway only to be used by Dykeland and Kingsview residents.
Will Kingsview Drive be used as an entrance?
No, Kingsview will not be used as a public entrance.
Protected environmental lands/endangered species
Legal research into this query has uncovered that there is no known protection in place.
First Nations Ancestral Land protection
We were concerned that this property may be ancestral lands as well; therefore, we are in the process of reaching out to the First Nations Community.
Concern regarding the size of the project increasing, was only supposed to be a nursing home not the size and scale of development as shown in the proposal
When this was officially announced on February 1, 2021, the development scope was the same
Residents are okay with the long-term care facility, but have concerns about the commercial and community center, the amount of hard surfaces and stormwater management. Residents have had to invest in stormwater management on their own due to runoff from the field.
*The development plan shows **possibilities** for future buildings on the lot. A needs assessment will be made within the community prior to proceeding with any additional structures, the intent is for one of these buildings is to be a healthcare provider, i.e. singular doctor's office, foot clinic, etc, With reference to the community center, **if** the need is required this structure is 10 years in the future.* *Please see previous questions for response in relation to the storm water management.*

Why can't the existing Dykelands property be converted into low cost housing when it's vacated? It's a good sized building with plenty of parking.
The future use of the existing Dykeland Lodge has not been determined.
1. Development too large for the 25 acres **2. How much space is planned between housing lots and parking and or leisure center?** **3. Does this amount of land adequately accommodate the five levels of care as proposed?** **4. Further information from Dykeland Lodge regarding the phases and timelines for this development is required.**
1. The proposed development is preliminary. This will be solidified before all buildings are designed in full and built. 2. *Yet to be determined, Project is only in conceptual stage* *3. This will be confirmed through the design process.* *4.* This will be provided later as the project is only in the conceptual stages
Would it be safe for potentially triple the number of residents on a "dead end street"?
The project will not be able to proceed if all safety measures are not met. The Office of the Fire Marshal, the local Fire Chief, and other authorities having jurisdiction are all part of the review process.
Why a Strip Mall?
There never was a strip mall included in the preliminary plans, nor a desire to put a strip mall in the plans
Explanation on the difference between long term care, assisted living, disability, independent living, and seniors affordable housing. Concerned the affordable housing may be rented out to families.
• ***Long-Term Care**: Long-term care facilities licensed and funded by the Department of Health and Wellness provide services for people who need ongoing care; either on a long-term basis (permanent placement) or short-term (respite care).*
• ***Assisted Living**: Like a retirement home, these settings are targeted at the independent senior who do not require substantial care but may need services such as meals, housekeeping, and recreation programs and facilities.*
• ***Disability (Small Option Homes):** Small Option Homes provide support for three to four persons with disabilities in community homes. The residents are supported by qualified staff through a combination of live-in and shift models.*
• ***Independent Living:** Independent Living Nova Scotia (ILNS) supports Nova Scotians with disabilities through programs and services that promote Independent Living (IL), enabling individuals to live the way they want, stay in control of decisions that affect them, break through barriers that are in the way and develop their skills.*
• ***Seniors Affordable Housing**: Senior's housing is an affordable option for low-income Nova Scotians over the age of 58. The units are like any regular apartment and can be rented through Regional Housing Authorities across the province. Units are private and include the basics like a fridge and stove, heat, and hot water.*
How is the development going to be financed?
The province is funding the Long-term Care facility through the current long term care replacement facility program.
Who is the developer?
Dykeland Lodge (Hants County Home for Seniors) a not-for-profit Long-term Care Provider.

There is a small electric powerline running to the rear of the houses on Kingsview Drive, directly across the middle of the site. It comes from an unknown source on the far side of Windsor Back Road, behind properties on Dill Road, crosses the Dykeland, once through the subject site appears to continue across the Avon River to an unknown destination. **Has the purpose of this powerline, ownership, been determined?** **Have arrangements to relocate been made?**
Yes, Yes
Are upgrades required to local sewer upgrades? Who will pay for the upgrades?
A study will be performed through the design process to determine if the existing sanitary system can handle the outflow from the long-term care facility. In addition, the Municipality will be reviewing documents throughout the permitting process.
Why no Community Engagement and why has this 'just been sprung on us"? Why did Council proceed so secretly?
The land has been zoned and intended for residential and housing use for more than 10 years, College Road upgrade has been slated for upgrade for more than 5 years. The formal sale of the land for $1 was announced with a full preliminary sketch in February 2021. Coverage has been handled through multiple Media Public Service Announcements, Dykeland Lodge Website, Facebook, and public hearing. This isn't new.
Decline in Property Valuations
We believe that the addition of a Long-Term Care Facility would be a positive impact on the community
The beautiful view will change
Working to create a development that matches the current rural look of the land has always been our plan. This may include gardens, fences, etc. Care will be taken to minimize impact to views of neighboring properties.
Will they have access to any of the trails or community buildings?
Yes, if we are funded to build them and there is a community need.
Request for the following to take place in an open, transparent, respectful, and collaborative manor: - *Traffic impact assessment, infrastructure plan, and timeline* - *Environmental impact assessment* - *Runoff water assessment plan* - *Detailed proposed development* - *Community consultation – collaborative sessions with both Dykeland Lodge and the Municipality*
It shall be the policy of Council to require adequate recreational space for multiple unit residential development. We would like more details about this: • **Is this just indoor space?** • **What recreational opportunities will the community center provide?** • **What about outdoor recreational space?**
This will be provided later as the project is only in the conceptual stages
There is adequate on-site recreational open space suitable in extent and design to the nature of the development; of conversion of existing buildings, nearby public parks may be deemed sufficient. • **Is open space mean to be outdoors?** • **How are the proposed renderings adequate?** • **The green space does not look nearly adequate for the number of units that are proposed.**
Project is only in conceptual stage
Will this project affect living costs at the Gladys Manning?
NO

Will these questions and answers be sent out to all panelists to review?
Yes, the questions and answers will be distributed to all panelists.
Will the design shown consider open air balconies for the residents to use, or a sunroom for their enjoyment and health?
Yes. In multi-storey facilities, access to outdoor space must be provided from each household. Such space may take the form of balconies and/or rooftop patio spaces and should provide opportunities for connections with the outdoor environment.
Access to outside is not an option for many disabled seniors unless it is easily accessed from their floor. Access should not just mean access for those who have family to take them out.
Careful consideration must be given to access, supervision, safety and maintenance of such spaces including access for residents using wheelchairs/walkers etc.
Will that full length from King Street all have a sidewalk?
Todd Richard – West Hants Reginal Municipality, addressed this.
Will this be a concrete sidewalk or the less desirable asphalt surface?
Todd Richard – West Hants Reginal Municipality, addressed this.
What about expropriation of properties?
Todd Richard – West Hants Reginal Municipality, addressed this.
What about loss of farmland?
There will be no loss of farmland.
Is this really going to be an affordable housing complex (30% of income)?
That is the plan based on community needs.
Will the new build consider advances in technology for those who have always been used to using it? (in each room)
Advances in technology will be taken into consideration during the design phases.
Is there the opportunity for other interested parties for express interest in some other developments? Very nice to hear of your efforts to follow a more natural progression in housing and care.
Yes, there is an opportunity.

All questions to be e-mailed to admin@greycardinal.ca

Attachment F
Letter from Chief Peters

GLOOSCAP
First Nation

Band Office

159 Smith Rd., Hantsport, NS B0P 1P0
Phone (902) 684-9788 • Fax (902) 684-9890 • Toll free 1-855-601-4943

March 16, 2022

West Hants Regional Municipality
Mayor Abraham Zebian
Councillors of West Hants

Re: Considerations regarding municipal approval for development at College Road, Windsor – PID 45336203

Dear Mayor Zebian and Councillors of the Municipality of West Hants:

It has come to my attention there has been an agreement regarding a multi-phase development over a 10-year timeline by Dykeland Lodge, which has resulted in a rezoning for this to happen. This development proposal is under municipal authority and as such, municipalities are not bound by a duty to Consult with First Nations as they are not representatives of the Crown.

However, we would like to point out that this area has been historically linked to food gathering, plant gathering, important animal species, and significant potential for Mi'kmaw archaeological heritage resources.

Glooscap First Nation has reached out to the Archeological Resource Department at KMKNO (Mi'kmaw Rights Initiative) regarding this project and offer the following recommendation: ***KMKNO's ARD recommends that an archaeological impact assessment that includes a program of subsurface testing be carried out in advance of any disturbance on PID 45336203. Archaeological testing must be adequate to a) provide evidence of the geomorphologic development history of the parcel proposed for development and, b) provide evidence of presence or absence of Mi'kmaw archaeological heritage resources across the whole of the land parcel.***

I ask that moving forward in this project that you work with Glooscap First Nation and KMKNO to conduct the ARIA to ensure that all archaeological resources are protected and that we work together in this endeavour.

I appreciate your consideration in regards to this matter.

Sincerely,

Chief Sidney Peters
Glooscap First Nation

Attachment B
Specific Criteria for Development Agreement

Policy 5.7.4 It shall be the policy of Council that a development agreement for the development of the College Road CDD shall only be approved when the following conditions have been satisfied:

CRITERIA	**COMMENT**
(a) the proposed agreement is not considered premature or inappropriate in terms of the adequacy of existing and proposed roads and pedestrian routes within and adjacent to the College Road CDD;	The Manager of Operations for the Public Works Department responded that the proposed amendment to the development agreement is not premature or inappropriate in terms of the adequacy of existing and proposed roads and pedestrian routes within and adjacent to the College Road Comprehensive Development District. They added that "street reconstruction is scheduled for 2023, including sidewalks (pending Council Approval)." The proposed street upgrades include a full street reconstruction, College Rd. and King St. intersection redesign, sidewalk addition and storm system installation, along with water and sanitary upgrades where necessary.
(b) the development agreement is consistent with the intent of Policy 5.7.3 and other relevant policies of the Municipal Planning Strategy;	See below.
(c) any area within 300 ft (91.44 m) of Lake Pesaquid shall be considered environmentally sensitive and methods of protecting the land and watercourse during construction of the development shall be required. Reference also must be made to Policy 4.17 regarding watercourses;	The subject lot is located over 1,400 ft. (426 m.) from Lake Pesaquid therefore there are no anticipated effects to the Lake with respect to this proposal. The WLUB regulations on distance of structures to watercourses, enabled through Policy 4.17.1, is referenced in Section 2.2 (g) of the current development agreement.

(d) the development is compatible with existing development within and adjacent to the College Road CDD, or other development in the College Road CDD proposed in an existing agreement;	College Road host a variety of uses including a Provincial Heritage Property known as Richmond Hill Farm, the Gladys M. Manning Retirement Community, Howard Dill Enterprises, Kings-Edgehill School, the Gordon Hughes Tennis Club-Windsor, and a number of residential and agricultural uses. The subject lot abuts single and two storey single unit dwellings on Kingsview Drive. The College Road Comprehensive Development District (CR-CDD) applies only to the Gladys Manning property and the Dykeland Lodge property on College Road. The Gladys Manning property was permitted to be developed through a development agreement which was entered into in 1990 and amended in 1991 and 2005. The Gladys Manning development agreement from 2005 permits a retirement community consisting of: • apartments; • single and semi-detached residences; • three unit row houses; • convenience and specialty shops, and greenhouse and garden centre; • office facilities auxiliary to and complementary to the residential development; • recreational facilities and ancillary buildings and structures; and • activity centre, garage and workshop. A maximum density of five (5) units per acre for the approximately 59-acre parcel to a maximum of 295 units was established in the Gladys Manning development agreement with a five (5) units per acre density for lot

	GM-1 to a maximum of 55 units. The maximum height for buildings was set at four (4) storeys and parking was to be provided at one (1) space per unit. The lot was to be developed in accordance with a "general site plan" attached as Appendix B to the Gladys Manning development agreement which shows three (3) phases of development, two houses and two future houses, and a "potential full care facility" on the south side of College Rd. This development was to commence within one year of signing of the agreement, with ten (10) years to complete the development. The Dykeland Lodge property is a 24.7-acre property that is currently vacant. A development agreement was approved by Council on May 24, 2022 to permit a home for special care with up to 128 beds and up to 126 dwelling units on the same lot, which may be used as part of the home for special care or as assisted living units. The home for special care is permitted to include accessory uses such as a café, offices and or pharmacy, intended for the use of residents, staff and visitors. The development agreement requires a minimum of 41,000 sq. ft. (3,809 sq. m.) of usable recreation space including a public trail. Additionally, Kingsview Drive will be buffered from the proposed development with a 20 ft (6.09 m) wide buffer strip. The proposed increased number of beds in the home for special care is seen as compatible with existing development within the College Road Comprehensive Development District, provided that the increase in number of beds in the home for

	special care also increases the minimum required recreational space for the overall development.
(e) any other matter which may be addressed in a development agreement; and	Development control staff commented that "the increase in beds and square footage shall reflect an increase in parking and recreational spaces. One (1) parking space shall be provided for every 400 sq. ft. of floor area in Phase 1 and therefore the additional 3,000 sq. ft. of requested floor area should add at least eight (8) parking spaces to this phase. The increase of up to 32 beds to Phase 1 should also reflect an increase in the minimum required recreational space." Therefore, staff are recommending an increase of 1,900 sq. ft. of useable recreational space in both Section 2.2 (h) and 2.3 (c) (iii) of the development agreement. The Manager of Operations for the Public Works Department has stated the proposed uses are not considered premature or inappropriate in terms of the adequacy of the existing roads and the proposed driveway and pedestrian routes within and adjacent to the development. These comments are based on the WSP Intersection Infrastructure Needs Assessment (2021) and the proposed upgrades to College Road. They added that "a gated emergency route near the proposed development would be a win for the entire area." A secondary access route to College Road was also addressed during the consideration of Dykeland Lodge's initial application for development agreement in 2022. At that time the Manager of Operations noted that "there are two other possible privately owned routes, but they are

	not always accessible / passable". Private land would need to be purchased to accommodate this alternative route with the majority of the land between College Rd and Hwy 14 / Chester Rd being designated dykeland. The Windsor MPS and LUB restrict development on dykeland. Development approval would be required by both the local marshbody and the Province as per the Nova Scotia Agricultural Marshland Conservation Act. The Martock Marshbody has strict land use regulations therefore building a permanent road in the dykeland would most likely not be feasible. The Public Works Department stated it "does not have any other related concerns, as garbage collection and snow removal have already been addressed in the development agreement." It is the responsibility of the property owner to ensure the site is suitable for the proposed uses. All other matters are addressed elsewhere in this report.
(f) the provisions of Policy 16.3.1.	Please see Attachment C for further details.

As stated in Policy 5.7.4 (b) the development agreement should be consistent with the intent of Policy 5.7.3 and other relevant policies of the Municipal Planning Strategy. Policy 5.7.3 is reviewed below.

Policy 5.7.3 Without limiting the generality of Policy 5.7.1, it is the intention of Council that development of all or part of the College Road CDD primarily comprise:

CRITERIA	**COMMENT**
(a) residential, institutional or recreational development on separate parcels of land	The approved development agreement proposes a combination of residential,

or integrated throughout the same parcel; and	institutional and recreational development integrated throughout the same parcel.
(b) convenience and specialty stores, medical offices, personal service shops and other similar limited services and uses in support of the primary developments in the College Road CDD.	The approved development agreement proposes limited commercial uses within the long-term care facility to support the primary institutional uses in the development. Any additional commercial uses in the future would require an amendment to this development agreement.

Attachment C
General Criteria for Development Agreement

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**
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Municipal Project Engineer stated that "Public Works does not have any concerns regarding the adequacy of water or sewer services related to the proposed increase to 160 beds."
(ii) the adequacy of school facilities;	No inquiry was submitted to the Director of Operations for the Annapolis Valley Regional Centre for Education related to this application as most units will be for seniors or persons requiring care.
(iii) the adequacy of fire protection;	In response to an inquiry, the Manager of Building and Fire Inspection Services stated that they had no issues with the proposed increase in number of beds in the home for special care as the building is only proposed to be slightly larger than originally expected. The local Fire Chief stated "I have no immediate concerns with this change, as there appears to be concurrent staff increases to offset added clients. I'm sure there is a formula the officials in charge of the facility use to calculate those numbers, and my immediate fire access needs haven't changed in your documents, so from where I sit, seems good."

(iv) the adequacy of road networks adjacent to, or leading to the development; and	Refer to Policy 5.7.4 (a) in Attachment B.
(v) the financial capacity of the Town to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Manager of Operations for the Public Works Department states they have no concerns with the increase of beds in the home for special care with respect to the suitability of any aspect relative to the movement of auto, rail and pedestrian traffic and noted that "this was evaluated in the WSP 2021 Intersection Infrastructure Needs Assessment." During the reconstruction of College Road, a sidewalk will be added to one side of the street to improve pedestrian safety and movement to the development site. There is no active rail line in the area. Refer to Policy 5.7.4 (a) in Attachment B for further details.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	Development control staff commented that "the dimensions and shape of this lot are acceptable for the amendment of the proposed increased number of beds in the home for special care. This property is 24.7 acres (1,075,496.4 sq. ft.) in size and the increase of requested beds, as well as the increase in square footage are acceptable within the dimensions and shape of the lot. This proposal meets the minimum lot size requirements for multi-unit dwellings and

	homes for special care of the Windsor Land Use By-law."
(d) the pattern of development which the proposal might create;	College Road host a variety of uses including a Provincial Heritage Property known as Richmond Hill Farm, the Gladys M. Manning Retirement Community, Howard Dill Enterprises, Kings-Edgehill School, the Gordon Hughes Tennis Club-Windsor, and a number of residential and agricultural uses. Development control staff noted the following: "Increasing the number of beds/units will increase the number of seniors living in this facility. This proposal could lead to increased demand for medical care facilities, commercial services/personal service shops, parks and recreation spaces/activities which may not be on-site. The minimum allowance for recreation space of 41,000 sq. ft. should be increased to reflect the increase in units. College Road is primarily zoned for agricultural and residential uses only, which could potentially pose challenges to the pattern of development that this proposal might create." To mitigate the impact of this development on abutting properties, a number of items were addressed in the development agreement, including stormwater management, access, buffering, parking, recreational space, construction noise, lighting, etc. The Gladys Manning development agreement (2005) allows a maximum of 295 units on the 59-acre parcel. The proposal from Hants County Residence for Senior Citizens is not anticipated to create

	a different pattern of development than is already permitted on the abutting Gladys Manning lot.
(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;	The subject lot is relatively flat along College Road and gradually gets steeper towards the north west end of the property. There are no evident concerns in terms of steepness of grade, soil or geological conditions. There is a water body at the rear property line. The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) shows that the subject lot does not appear to be affected under a simulated flooding extent for probable maximum flood due to climate change, however College Road itself may experience flooding. The Public Works Department has noted that the Municipality is currently conducting a storm water study and that the reconstruction of College Rd will provide for improved street storm convenance systems. They added that the street reconstruction will include storm water upgrades to mitigate future flooding potential (i.e., additional culverts, ditching, asphalt sloping). It is the responsibility of the property owner to ensure the site is suitable for the proposed uses.
(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	A small portion of this property is within dyked marshland and any driveway access, infilling or alteration of topography will require a variance from the requirements of the Provincial *Marshland Conservation Act*.

	All Municipal, Provincial and Federal regulations will have to be met.
(g) any other matter required by relevant policies of this Strategy.	There are no other relevant policies of this Strategy.

Attachment D

West Hants
something inspiring awaits

AMENDING DEVELOPMENT AGREEMENT

THIS AMENDING AGREEMENT made this day of , 2023.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

HANTS COUNTY RESIDENCE FOR SENIOR CITIZENS, a body corporate pursuant to the *Municipal Housing Corporations Act*, with a head office at 124 Cottage Street, Windsor, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Owner")

OF THE SECOND PART

WHEREAS the Municipality and Owner entered into a Development Agreement, said Agreement being attached hereto as Schedule "A", dated the June 21, 2022, and recorded at the Land Registry Office on September 14, 2022, as document number 121300512;

AND WHEREAS the Owner wishes to amend the Development Agreement to increase the maximum number of beds permitted in the home for special care from 128 to 160;

AND WHEREAS the Council of the Municipality, at a meeting held on Month Date, 2023, approved this request, pursuant to Policy 5.7.3 and 5.7.4 of the Windsor Municipal Planning Strategy and Section 6.1 (d) of the Windsor Land Use By-law;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. Section 2.2, *Development Location and Design*, of the Development Agreement shall be amended by deleting subclause 2.2 (b) (i) and inserting a new subclause 2.2 (b) (i) as follows:

   (i) Phase 1 shall include a home for special care, limited to a maximum of 160 beds, and may include accessory uses such as a café, offices and/or pharmacy, located entirely within building A as shown on the site plan in Schedule B, and outdoor recreation uses including but not limited to a public trail system as identified on Schedule B, and any accessory uses;

2. Section 2.2 (h) and 2.3 (c) (iii) of the Development Agreement shall be amended to increase the required recreational space by 1,900 sq. ft. (176.52 sq. m.) so that those sections read as follows:

   2.2(h) A minimum of 42,900 sq. ft. (3,985.54 sq. m.) of usable recreation space is required for the development. The public trail system included in Phase 1 shall be included in this calculation.

   2.3(c)(iii) a minimum of 22,400 sq. ft. (2,081.03 sq. m.) of the required recreation space including the public trail system as show on Schedule B.

3. The parties hereby agree that all remaining terms and conditions of the Development Agreement recorded on September 14, 2022, attached hereto as Schedule “A”, shall remain in full force and effect.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED	**) WEST HANTS REGIONAL MUNICIPALITY**
In the presence of:	)
	)
	)
_____	Per: _____

Witness	)	Abraham Zebian, Mayor
	)	
	)	
_____	Per: _____	
Witness	)	Deanna Snair, Municipal Clerk
	)	
	)	
	)	
	) HANTS COUNTY RESIDENCE FOR SENIOR	
	) CITIZENS	
	)	
	)	
	)	
_____	Per:_____	
Witness	)	Peter Murray, Chairman of the Hants County
	)	Residence for Senior Citizens Board
	)	
	)	
_____	Per:_____	
Witness	)	Krista Beeler, Administrator of the Hants
	)	County Residence for Senior Citizens

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY,** one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Peter Murray**, one of the parties thereto, signed, sealed and delivered the same in h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Krista Beeler**, one of the parties thereto, signed, sealed and delivered the same in h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK
WEST HANTS REGIONAL MUNICIPALITY

I, Deanna Snair of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (The "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.

3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.

4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

I certify that on this _____, 2023
the Municipal Clerk, Deanna Snair came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

Deanna Snair, Clerk

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Peter Murray, Nova Scotia, make oath and say that:

1. I am Peter Murray, Chairman of the Hants County Residence for Senior Citizens Board, the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.

3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.

4. The Corporation is a resident of Canada under the Income Tax Act (Canada).

5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 2023
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

Peter Murray

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Krista Beeler, Nova Scotia, make oath and say that:

1. I am Krista Beeler, Administrator of the Hants County Residence for Senior Citizens, the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.

3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.

4. The Corporation is a resident of Canada under the Income Tax Act (Canada).

5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 2023
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

Krista Beeler

Attachment E
Public Information Meeting Notes
January 12 - 27, 2023
File 22-35
College Road, Windsor; PID 45336203

Meeting date and time	A Public Information Meeting was held on January 12, 2023 beginning at 6:01 p.m. The meeting was live broadcast on the Municipal Facebook page.
Attending	In attendance: Seven (7) PAC/HAC members: • Jennifer Nicholls (Chair) • Mayor Abraham Zebian • Councillor Jim Ivey • Jane Davis • Stefan Palios • Lisa Bland • Greg Pace Four (4) members of staff: • Planner Poirier • Planner Dunphy • Director LeMay • Meeting Secretary Lake Applicants: • Krista Beeler, Dykeland Lodge • Donna Hoar, Project Manager for Dykeland Lodge Two (2) members of the public by Zoom: • Glenn Robinson • Linda Card
Applicant Krista Beeler and Ed Sherman at Dykeland Lodge on behalf of the Hants County Residence for Senior Citizens **Property** College Road, Windsor PID 45336203	Planner Poirier outlined the development agreement amendment application to increase the number of beds permitted in the home for special care on PID 45336203, College Road in Windsor from 128 to 160. The applicant did not make a formal presentation.

Comments	Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between January 12 – 27, 2023. No members of the public spoke at the Public Information Meeting. No comments or questions were received via mail, email or phone. The questions and comments from the PAC/HAC are summarized below. Staff responses are included in purple. PAC/HAC members asked the following questions and made the following comments: • There was clarification requested on the ratio of the proposed increased number of beds compared to the increased size of the building, citing concern about the quality of life proposed for residents. Sara responded that the building is being proposed to be enlarged by approximately 3,000 sq. ft. to accommodate the additional 16 beds. She followed up with the applicant to clarify that they are following the Provincial design requirements for the home for special care. • Why is the Province requesting additional beds? Is there justification as to why the development agreement should be amended to allow up to 160 beds when the Province is currently only requesting 144 at this time? Sara responded that there was no justification provided by the applicant other than the Province requesting the additional beds within the facility. It is likely this is due to the current shortage in beds in long term care facilities in the Province. It is unclear whether there would be another requested increase, however this proposed amendment would allow the new facility to go up to 160 beds without requiring another amendment to the development agreement should there be additional requests in the future. • How are there no changes to the site plan with the increased number of beds? Sara responded that the overall intent of the site plan is not changing. The home for special care is still proposed to be located in the same place on the site and within the same style building. The applicants have noted that the building will only need to be enlarged by approximately 3,000 sq. ft. to

	accommodate the increased number of beds which is only a slight change to Building A and does not warrant a change to the site plan. • As we don't see substantive amendments to development agreements being requested often, what is the process? An amendment application is an opportunity for staff to review the entire development agreement and consider changes in addition to the applicants requested amendment. However, where this amendment is being requested less than a year after the development agreement was approved, it is less likely that there will be many changes proposed to the agreement.
Adjournment	The meeting was adjourned at 6:10 p.m.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation ☐	Decision Request ☐	Councilor Activity ☐

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

Submitted by: _____
John Ogilvie, Climate Action Coordinator

Date: April 24, 2023

Subject: Erosion Along Avon Street, Hantsport

LEGISLATIVE AUTHORITY

Our Climate, Our Future: Nova Scotia's Climate Change Plan for Clean Growth (2022)

West Hants Regional Municipality Greenhouse Gas Emission Local Action Plan (2021)

RECOMMENDATION or DECISION REQUEST

As this is an information report, there is no recommendation or decision request.

BACKGROUND

Property X	Public Opinion ☐	Environment X	Social X	Economic X	Councilor Activity ☐

On March 28, 2023, the Avon Street Erosion Committee presented to Council regarding the impacts of erosion felt by property owners on the north side of Avon Street in Hantsport, which abut the banks of the Avon River. The Committee was formed by a group of residents to raise awareness of the issues arising from coastal erosion impacting their properties and to lobby for help. According to the Committee's presentation, the Province placed protective armour stone along the riverbank in 1976. Photos provided in the presentation show the armour stone is almost completely gone and the bank is collapsing at an accelerated rate. The Committee outlined the risk to properties abutting the Avon River such as property loss, damage to the function of septic systems, and damage to or loss of homes in the near future.

The Committee asked that Council consider helping them apply for the Federal Disaster Mitigation and Adaptation Fund (DMAF). They specifically requested a letter of support, staff time to help with an application, and to liaise with the County of Kings to investigate repairing

and replacing erosion control infrastructure. Council was also invited to visit the affected properties on April 26 at 6 pm beginning at 118 Avon Street, Hantsport.

The Committee is also presenting to Kings County Council on April 18 and will be making similar requests of Kings County at that time.

Following the presentation from the Avon Street Erosion Committee, Council passed the following motion:

> "…that Council direct staff to liaise with the County of Kings staff to explore this funding program and others and report back to Council in a month's time to give further direction."

DISCUSSION

Coastal areas of Nova Scotia are experiencing the increased effects of erosion – more than other coastal areas of the world due to isostatic adjustments that are causing the land in this Province to sink while global sea levels rise (*The Looming Threat of Rising Sea Levels, Dalhousie University, 2019*). In the Hantsport example of the north side of Avon Street, erosion is likely magnified by the loss of armour stone that was previously placed along the riverbank. Climate change is causing severe weather to become more frequent and stronger, which creates pounding surf that erodes riverbanks. As riverbanks erode, vegetation is lost; by losing the stabilizing action of plant roots along the bank, a domino effect continuously erodes more of the land. This phenomenon places the 42 (17 in West Hants, 25 in Kings County) properties on the north side of Avon Street at risk of land loss, damage to septic systems, and structural instability. A list and map of the properties on the north side of Avon Street abutting the Avon River is provided as Attachment A to this report. One of the properties is noted as owned by West Hants Regional Municipality (WHRM), which appears to be vacant land (PID 45238664).

To protect the bank from further erosion would require extensive intervention. Any solution needs careful design to prioritize a cost-effective way to slow erosion without simply replacing material on a regular basis. Armour rock could be used as a hard barrier to erosion and was used in the affected location in the past. The major issues with armour rock are that it deflects wave energy instead of absorbing it and it will need to be replaced in the future – just like the current situation. Deflection of wave energy could just amplify erosion issues in other areas and cause the need for further action. Another approach called Green Shores could also be investigated for this area. It integrates soft armour and natural vegetation with strategically placed hard armour – to absorb wave energy and control erosion. The Green Shores approach is viable for specific conditions and requires intentional modelling and design.

The DMAF is a Federal "competitive program to support investments in public infrastructure that mitigates the potential economic, environmental, and social impacts of climate change, and strengthens community resilience to disasters triggered by natural hazards and extreme weather events". Details for an application to the DMAF are as follows:

- Open for applications until July 19, 2023
- More than 1 project can be submitted per applicant

- Eligible project costs must be greater than $1 million; this could include eligible sub-projects as a bundle if the multiple investments work together to reduce the same risk
- For non-profit organizations and municipalities, the program can fund up to 40% of eligible expenses
- Projects must be new construction, modification, and/or reinforcements of existing public infrastructure
- Strong proposals involve innovative approaches such as use of natural infrastructure, replicability, and partnerships

Reducing the negative effects of erosion along the area of the Avon River that abuts properties on Avon Street fits within the auspices of this program.

The DMAF has additional requirements that would need further investigation and would likely be the largest part of work required to move an application forward for the Avon Street Erosion Committee. These requirements may involve the following:

- Due to the project area being near tidal zones and water, an Environmental Impact Assessment is probable. Other Federal and Provincial assessments/requirements are likely, involving Provincial and Federal Departments of Fisheries and any other relevant authorities.
- Aboriginal consultation
- A climate lens/greenhouse gas (GHG) mitigation assessment
- A community employment benefits report
- A hazard risk assessment from 2 reliable sources

All these items would require both financial and in-kind staff contributions to complete. In the case of this project, some requirements may not apply.

Further investigation of the program and discussion with the Avon Street Erosion Committee, other residents, and funding program staff would yield additional information. Due to the Committee's presentation to King's County Council not taking place until April 18, and the timing of Council's request for a report, I was unable to communicate with staff at Kings County at this time.

The WHRM Department of Public Works has submitted a project to the DMAF and is awaiting feedback for the potential upgrades of the Cunnabel Creek storm/sanitary separation. The submission from Public Works and the experience of staff would be a helpful guide for an application to the DMAF to mitigate erosion on Avon Street by the Committee.

NEXT STEPS

If Council wishes to move forward with assisting this project, the next steps will be to:

- request staff liaise with the County of Kings to understand the viewpoints of Kings Municipal Council on the subject, and the opportunities for partnership;
- discuss with the Avon Street Erosion Committee about their needs and current progress;

- review the WHRM Public Works Department application to the DMAF to use as an example; and
- assist the Avon Street Erosion Committee with guidance for the submission of an application to DMAF.

FINANCIAL IMPLICATIONS

As this is an information report, there are currently no financial implications for the Municipality. If Council wishes to move forward helping the Avon Street Erosion Committee, there would be staff time allocated. Any other assistance Council chooses to provide may also have a financial impact.

I note for Council that action on climate change follows the 6 to 1 rule; it costs 6 times less to invest in mitigation and adaptation measures than it does to repair damage to infrastructure caused by climate change. This is according to the Insurance Bureau of Canada (cited in the WHRM GHG Emission Local Action Plan of 2021) and numerous other studies.

ALTERNATIVES

Council may:

- discuss the DMAF and whether the Municipality can assist the identified property owners on Avon Street, and make a motion to provide specific assistance; or
- request further information on a specific topic.

ATTACHMENTS

Attachment A	List of Affected Properties on Avon Street, Hantsport
Attachment B	Map of Affected Properties on Avon Street, Hantsport in WHRM Jurisdiction

CHIEF ADMINISTRATIVE OFFICER REVIEW

This is good background information for Council with regards to the application and experience for this program within the staff level of the WHRM.

Although the report did not direct the engagement of the Nova Scotia Public Works Department the infrastructure was installed by the Province and I would expect they have been contacted by the Committee or that the Province would be engaged as a repair or solution to the lost infrastructure is being explored.

Report Prepared by: _____

John Ogilvie, Climate Action Coordinator

Report Reviewed by: _____

Sara Poirier, Director of Planning and Development

Report Approved by: 

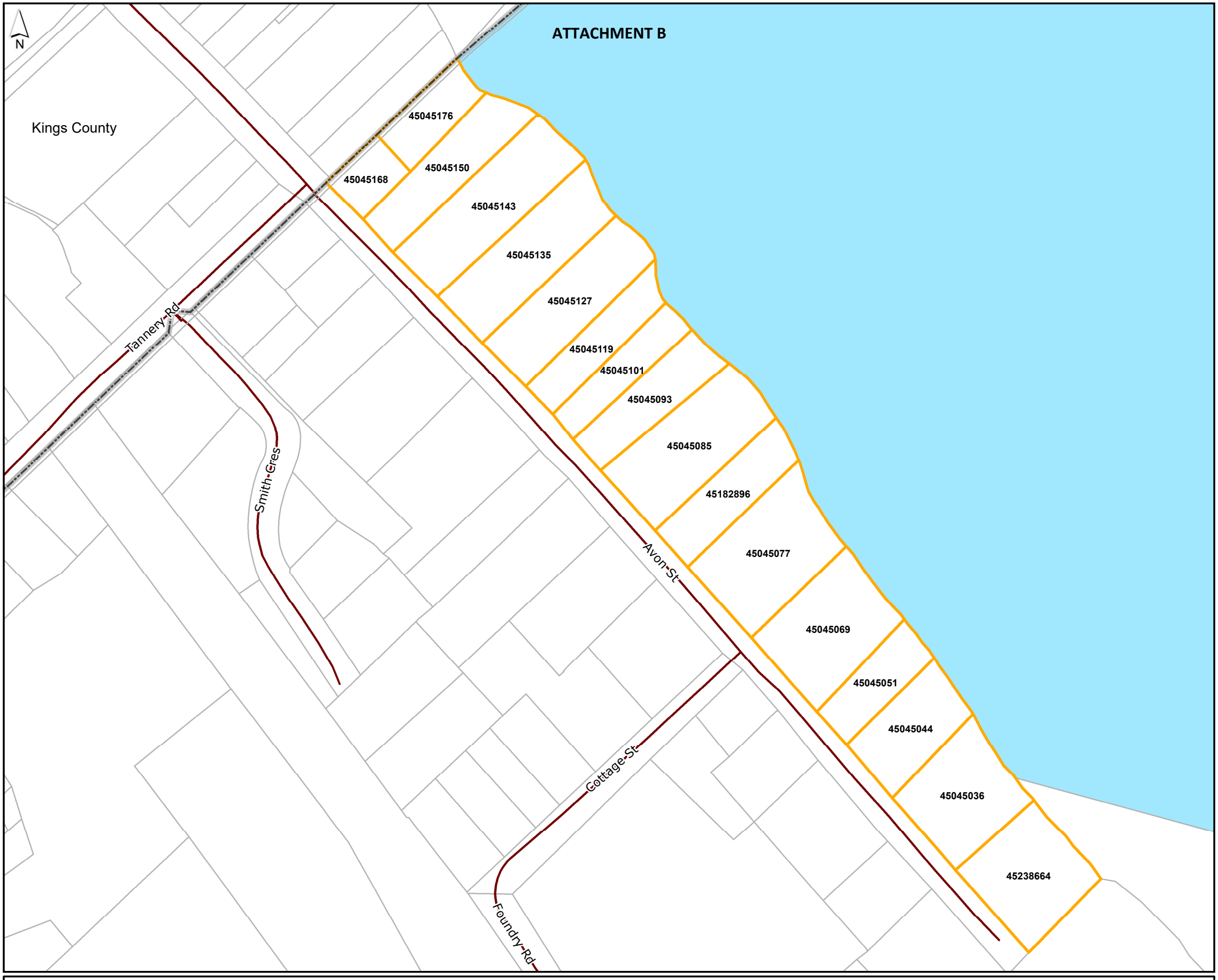
Mark Phillips, Chief Administrative Officer

ATTACHMENT A

Within WHRM
PID
45238664
45045036
45045044
45045051
45045069
45045077
45182896
45045085
45045093
45045101
45045119
45045127
45045135
45045143
45045150
45045176
45045168

Within Kings County
PID
55224307
55490809
55224349
55224356
55224364
55224372
55224380
55332894
55224414
55224422
55224430
55224455
55224489
55374003
55373997
55224513
55224521
55292296
55224612
55224620
55369151
55224638
55339907
55339899
55224646

ATTACHMENT B



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia.

This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area.

Prepared by: West Hants Regional Planning and Development Department April 2023

West Hants Regional Municipality
Hantsport

0 50 100
Metres
Scale: 1:2,000

- Subject Properties
- Municipal Boundary
- Parcels
- Roads
- Water

From: "Saurette, Diane"
Date: April 21, 2023 at 5:46:15 PM ADT
To: Avon Street <avonstreeterosion@gmail.com>
Cc: Public Works Correspondence <CorrespondencePW@novascotia.ca>, MLA Office <melissa.mlaoffice@gmail.com>, ashley.mlaoffice@gmail.com
Subject: RE: 23-57546 Sheehy-Richard, MLA Melissa - The erosion of the Avon River Riverbank in both Hants and Kings Counties - Due March 20

To the concerned citizens of Avon Street:
Thank you for reaching out to the Department of Public Works and the Minister's Office regarding riverbank erosion along the Avon River which is impacting the properties of Avon Street in Hantsport and the Hants Border. The department has been in communication with Garret Johnston of the Avon Street Erosion Committee. Garret had communicated he was looking into solutions to repair and protect the Avon riverbank infrastructure. He was also looking for any information on a 1976 initiative in which greywacke armour stone had been added along the water's edge and above the high-water mark to protect the infrastructure. Unfortunately, this was not a project the department was aware of and could not provide any further guidance.
In addition to this discussion, Infrastructure Canada's Disaster Mitigation and Adaption Fund (DMAF) current Call for Proposals was raised and the possibility of getting support from the Province to apply by the July 2023 deadline. The department is aware of this federal funding program however before providing advice, reached out to officials at Infrastructure Canada to determine possible eligibility of the project. The advice received was the project would likely not be eligible because the infrastructure is not public but private infrastructure, and DMAF is for investment in public infrastructure to help mitigate the potential economic, environmental, and social impacts of climate change, and strengthen community resilience to disasters triggered by natural hazards and extreme weather events. The overall objective of the program is to strengthen the resilience of communities at risk of public infrastructure failure that could result in threats to health and safety; threats to critical infrastructure, including interruptions in essential services; significant disruptions in economic activity; and/or increasingly high costs of recovery or replacements. For the project to be considered eligible, it would need to demonstrate significant risk and hazards to public infrastructure. The department has provided Garret with recommendations for potential consultants for the committee to engage to look at the project as a whole and determine if the project demonstrates support to mitigate current and future climate -related risks and disasters triggered by natural hazards to be eligible under the DMAF program.

Thank you,
Diane Saurette, CPA CMA (she/her)
Chief Operating Officer
Department of Public Works
Johnston Building, 2nd Floor
Halifax, Nova Scotia, B3J 2N2
(902) 722-1411

From: Reid, Heather M
Sent: Thursday, April 20, 2023 9:56 AM
To: Saurette, Diane <Diane.Saurette@novascotia.ca>; Smith, Rosie <Rosie.Smith@novascotia.ca>
Cc: Public Works Correspondence <CorrespondencePW@novascotia.ca>
Subject: RE: 23-57546 Sheehy-Richard, MLA Melissa - The erosion of the Avon River Riverbank in both Hants and Kings Counties - Due March 20

Hi Diane,
As discussed last week, I have now had an opportunity to discuss this matter with SA Murray. We have decided to amend the original MTS and instructions sent to you by email on March 7, as we will be responding directly to the constituents ("The concerned citizens of Avon Street") and cc MLA Sheehy-Richard. The revised instructions are below and attached.
Please respond directly on the Minister's behalf using the attached email per the below.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: West Hants Regional Municipality Committee of the Whole

Submitted by: _____
Shawn Levy, By Law Enforcement Officer

Date: April 25, 2023

Subject: Windsor Parking Report

LEGISLATIVE AUTHORITY
Municipal Government Act, Section 311
Motor Vehicle Act, Section 86(6), (7), (12), 89, 90, 143-160

RECOMMENDATION or DECISION REQUEST
This report is being provided for information purposes only.

BACKGROUND

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

On April 11, 2023, Committee of the Whole requested additional information regarding Windsor Parking Enforcement.

DISCUSSION

By- Law Enforcement Officers reached out to Kentville Justice regarding the fines charged for parking tickets and the following response was given

> "In response to your telephone call from earlier today, wherein you inquired about the rates for Summary Offence fines- I am no expert, but my supervisor has provided the following answer:

The amount for Parking Tickets is set out in the Summary Offence Ticket regulations which prescribe the form of ticket including the penalty which varies based on the section of the violation."

Staff searched for where the current fine amounts came from but were unable to locate any documentation and the former Windsor parking ticket administrator is no longer with the Municipality therefore they are unable to provide any additional information.

NEXT STEPS

To adhere to the Nova Scotia Summary Offence Ticket Booklet (Attachment A) and Parking Information Ticket Offences (Attachment B) most parking tickets will have to increase to $25 from $15 and $75 to $100 for illegally parked in accessible spaces. Note that the amount to be paid for out of court settlement of a parking offence is reduced by $36.60 if it is paid during the first 60 days after the ticket is issued.

Interfering with snow clearing operations and illegally parked in accessible spaces fine amounts will increase after the first offence, second offence and third or subsequent offence.

FINANCIAL IMPLICATIONS

Fee increase have not been calculated to measure the financial impact. Revenue generated by the parking fees has not been an operational priority. Fees / tickets are viewed as a method of compliance or progressive form of enforcement.

ALTERNATIVES

N/A

ATTACHMENTS

Attachment A	Nova Scotia Summary Offence Ticket Booklet
Attachment B	Parking Information Ticket Offences
Attachment C	2023-04-11 Staff Report: Windsor Parking Report

CHIEF ADMINISTRATIVE OFFICER REVIEW

Generally I would not be in favour of an increase parking tickets. The WTBA has commented that they are satisfied at the current time with enforcement. Upon reviewing the ticket fees an increase will bring the WHRM in alignment with the Nova Scotia Department of Justice Schedule for parking ticket fees as noted in the report.

Report Prepared by:

_____

Shawn Levy, By-law Enforcement Officer

Report Reviewed by: _____

Sara Poirier, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Table: Out of Court Settlement Amounts for Category Offences		
Category	**Offence**	**Out of Court Settlement**
A	first offence second offence third or subsequent offence	$151.25 $180.00 $237.50
A (parking)[1]	first offence second offence third or subsequent offence	$ 61.60 $ 86.60 $136.60
B	first offence second offence third or subsequent offence	$180.00 $237.50 $352.50
B (parking)[1]	first offence second offence third or subsequent offence	$ 86.60 $136.60 $236.60
C	first offence second offence third or subsequent offence	$237.50 $352.50 $582.50
C (parking)[1]	first offence second offence third or subsequent offence	$136.60 $236.60 $436.60
C (double)[2]	first offence second offence third or subsequent offence	$352.50 $582.50 $1042.50
D	first offence second offence third or subsequent offence	$295.00 $467.50 $812.50
D (double)[2]	first offence second offence third or subsequent offence	$467.50 $812.50 $1502.50
E	first offence second offence third or subsequent offence	$352.50 $582.50 $812.50
F	first offence second offence third or subsequent offence	$410.00 $697.50 $1272.50
F (double)[2]	first offence second offence third or subsequent offence	$697.50 $1272.50 $2422.50

Schedule PT
Parking-Infraction Ticket Offences

Offence	Section	Offence Category or Out of Court Settlement*
(*The amount to be paid for out of court settlement of a parking offence is reduced by $36.60 if it is paid during the first 60 days after the ticket is issued.)		
Motor Vehicle Act		
Parking on left-hand roadway of divided highway	112(1)(a)	C (parking)
Parking when less than 4.5 m width of roadway remains for traffic	138(1)	B (parking)
Parking when vehicle cannot be viewed clearly from 60 m away	138(1)	B (parking)
Parking in manner that might interfere with snow removal or winter maintenance	139(1)	B (parking)
Stopping or parking in intersection	143(1)(a)	A (parking)
Stopping or parking on or within 5 m of crosswalk	143(1)(b)	A (parking)
Stopping or parking between safety zone and adjacent curb or within 10 m of safety zone	143(1)(c)	A (parking)
Stopping or parking within 7.5 m of intersection of curb lines	143(1)(d)	A (parking)
Stopping or parking within 5 m of intersection of property lines	143(1)(d)	A (parking)
Stopping or parking within 10 m of traffic sign or signal (specify)	143(1)(e)	A (parking)
Stopping or parking within 5 m of fire station driveway	143(1)(f)	A (parking)
Stopping or parking within 5 m of fire hydrant	143(1)(g)	A (parking)
Stopping or parking in front of driveway	143(1)(h)	A (parking)
Stopping or parking on sidewalk	143(1)(i)	A (parking)
Stopping or parking where traffic would be obstructed	143(1)(j)	A (parking)
Stopping or parking on roadway side of other stopped or parked vehicle	143(1)(k)	A (parking)
Stopping or parking where prohibited by sign	143(1)(l)	A (parking)
Stopping or parking within 15 m of railway crossing	143(1)(m)	A (parking)
Stopping or parking on crest of grade where view obstructed	143(1)(n)	A (parking)
Parking in bicycle lane	143(2)	A (parking)
Stopping or parking in passenger zone for longer than necessary for loading or unloading	144(3)	A (parking)
Stopping or parking in loading zone for longer than 30 minutes	144(4)	A (parking)
Stopping or parking in passenger zone or loading zone when not loading or unloading	144(5)	A (parking)
Stopping or parking in accessible-parking zone without mobility-disabled identification permit	145(3)	C (parking)
Stopping or parking on private property marked for use by mobility-disabled person without mobility-disabled identification permit	145(4)	C (parking)
Stopping or parking at bus stop or taxi stand	146(2)	A (parking)
Bus or taxicab driver (specify) stopping or parking at other than designated stop	146(3)	A (parking)
Stopping or parking in business or residence area when less than 3 m width of roadway remains for traffic	148(1)	A (parking)
Parking in alley when less than 3 m width of roadway remains for traffic	148(2)	A (parking)
Parking on private property without consent of owner	149(1)	A (parking)
Stopping or parking in fire lane	150	C (parking)

Schedule PT
Parking-Infraction Ticket Offences

Offence	Section	Offence Category or Out of Court Settlement*
(*The amount to be paid for out of court settlement of a parking offence is reduced by $36.60 if it is paid during the first 60 days after the ticket is issued.)		
Failing to obey parking sign (specify)	151	B (parking)
Parking vehicle on highway for longer than 24 hours	155(1)	A (parking)
Parking commercial vehicle on highway for longer than 2 consecutive hours	155(2)	A (parking)
Stopping or parking vehicle in direction other than direction of traffic	156(1)	A (parking)
Stopping or parking vehicle other than parallel or with curb-side wheels more than 150 mm from edge of roadway	156(1)	A (parking)
Abandoning motor vehicle for more than 24 hours	158(1)	A (parking)
Parking vehicle displayed for sale on highway	159(1)	A (parking)
Parking vehicle on highway for displaying advertising	159(2)	A (parking)
Failing to set brakes and stop motor of parked vehicle	160(1)	A (parking)
Failing to turn front wheels to curb when parked on grade	160(1)	A (parking)
Parking within 150 m of fire apparatus stopped in response to fire alarm	161(1)	B (parking)
Parking vehicle contrary to temporary regulations to cover emergency or special conditions	202	B (parking)
Town of Antigonish Parking Meter By-law		
Depositing coin other than Canadian or American coin	7(a)	$56.60
Depositing slug, device, token, substance or object	7(b)	$56.60
Depositing bent, punched, damaged or mutilated coin	7(b)	$56.60
Depositing money to extend parking time beyond maximum period	9(b)	$56.60
Parking for period longer than that for which payment was made	10(a)	$56.60
Bedford By-Pass and Highway No. 101 Parking Regulations		
Parking on Bedford By-pass	1(a)	$51.60
Parking on Highway 101	1(b)	$51.60
Town of Bridgewater Parking Lots By-law		
Violating parking sign	3(2)	$51.60
Town of Bridgewater Parking Meter By-law		
Depositing slug	6(2)	$61.60
Meter feeding	8	$61.60
Overtime at meter	9(1)	$61.60
Cape Breton Regional Municipality By-law T5 - Parking Meters		
Meter feeding	11(1)	$61.60
Overtime at meter	11(1)	$61.60
Commercial vehicle left at meter over 30 minutes	12	$61.60
Meter violation	13	$61.60
Depositing slug	14	$61.60
Halifax Regional Municipality By-law P-500 - Parking Meters		
More than 1 vehicle in parking space	5(3)	$81.60
Meter feeding	11(1)	$81.60

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: West Hants Regional Municipality Committee of the Whole

Submitted by: _____
Ryan Parker, By Law Enforcement Officer

_____
Shawn Levy, By Law Enforcement Officer

_____
Troy Burgess, Manager of Operations

Date: April 11, 2023

Subject: Windsor Parking Report

LEGISLATIVE AUTHORITY
Municipal Government Act, Section 311
Motor Vehicle Act, Section 86(6), (7), (12), 89, 90, 143-160

RECOMMENDATION or DECISION REQUEST
This report is being provided for information purposes only.

BACKGROUND

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

On March 18, 2023, Council approved the following motion:

> **THAT COUNCIL REQUEST STAFF UNDERTAKE A REVIEW OF THE DOWNTOWN WINDSOR BUSINESS DISTRICT TO DETERMINE IF SUFFICIENT PARKING CAPACITY EXISTS FOR RESIDENTS, BUSINESSES AND VISITORS TO THE AREA.**

AND
FURTHER THAT THE REVIEW DETERMINES IF THE REGULATIONS AND ENFORCEMENT THROUGH FINES DEFINED WITHIN THE MVA ARE SUFFICIENTLY EFFECTIVE TO MEET THE NEEDS OF THE BUSINESSES AND CONSUMERS IN OUR AREA.

DISCUSSION

It is within the legal authority of the West Hants Traffic Authority (currently WHRM Manager of Operations, Troy Burgess) to post signs to allow or restrict parking on all Municipally owned streets, if it does not contradict the Motor Vehicle Act. It is also within the West Hants By-Law Officers authority to ticket or tow violators of the parking restrictions. Staff monitored parking in the downtown core from March 22, 2023-March 29, 2023, to determine if sufficient parking was available. See attachment D for the results.

Staff took a multi directional approach to gather information and data to satisfy the requests of the motion.

One part of this approach included reaching out to the Windsor Township for discussion touching on the motion requests. The following is the reply received by staff.

> *"I did check our AGM minutes from May 2022, where the issue of parking was brought up.*
>
> *It was determined that 2 hour parking restrictions have been helpful to prevent employees and tenants who work/live downtown from taking up parking spaces all day long or for long periods of time. 3 hour parking restrictions have enabled employees to park in spots close to their places of work for large periods of the morning and afternoon that created complaints in the past. At that point in time, the board did not determine that it wanted to see changes from the 2 hour parking restriction.*
>
> *We did work with you in the last few years to increase accessible spaces, I have not heard any complaints since then."*

Staff created a map (Attachment A) with a radius identifying the various parking limitations from no parking, time restricted, accessible, and no restrictions. Included in this is the quantity of each type of space. Not identified are restrictions by the Motor Vehicle Act such as no parking in front of fire hydrants or at intersections. It should be mentioned there were consistently parking spaces available in restricted and non restricted parking spaces.

A survey of parking spaces was done to see how many spaces where available during different time frames and days of the week. Results are attached in Attachment B.

Accessible parking spaces should be the first space or last space on the street and/or located near crosswalks. This is done so users can get on the sidewalk with accessibility ramps. Attachment C shows a table used by HRM (in the absence of a Provincial or Federal regulation)

as a ratio guide for the number of accessible parking spaces. Based on this table the business core of Windsor is within the ratio.

Patios on the sidewalk/street reduce the amount of parking in the downtown core during the spring, summer, and fall. Should Council wish to prohibit such patios, more parking would be available during the summer months.

It does appear ticketing and towing vehicles is working, especially during snow events, when vehicles park in the way of snow clearing operations. The West Hants Traffic Authority is noticing fewer and fewer vehicles parked during snow events.

From past observations of the Traffic Authority and By-Law Enforcement Officers, allowing free parking in December would be counterproductive, enabling merchant's staff to occupy these spaces without consequence. Having these spaces turnover within the time restriction would be beneficial to merchants in this district.

The current parking signs that are in place were recommended by the Windsor Township. Most business close at 5-6pm in the downtown core and it allows for longer parking for customers and tenants. Language on the signs will be changed to be consistent but will take time to do so.

Residential tenants and homeowners not having off street parking spaces is an obstacle, especially during the winter months. WRHM has a program in place to help combat this during the winter months where residents can purchase parking passes at the Hants Aquatic Center, parking lot located at 306 Stannus Street. Permits can be purchased at 76 Morison Drive, from customer service.

Staff have removed the 30-minute parking restrictions on the West side of King Street from, Cobbett Street to Water Street, freeing up at least 5 all day parking spaces. Also, the 3-hour parking limit on Upper Water Street has been removed freeing up 8-10 all day parking spaces.

Fines in WHRM are one of the lowest in the Province, $15 for all infractions except for a $75 penalty for parked in an accessible parking space without an approved permit. Council may want to consider raising parking ticket violations to $25 to act as better deterrent for violating parking restrictions. The increase would also help offset administrative costs of parking tickets.

Municipal owned lands in or near the downtown core are identified on the attached parking map (Attachment A). Some of these lands could be transformed into parking lots. Staff's observations do not show these locations would favorably enhance the parking for the core during the majority of the year, as patrons and merchants staff tend to prefer being closer to the storefronts. As the recent survey of nearby parking spaces has shown. This could however be beneficial during the tourist season.

By-Law Enforcement Officers have noted many business owners and their employees tend to park on the street as close to their business as possible. It has and is an ongoing enforcement

issue. Many businesses in the downtown core have their own parking within a short walking distance or can use unrestricted parking spaces.

NEXT STEPS

Based on the information and data presented as well as the comments from the Windsor Township, Council could proceed with status quo.

FINANCIAL IMPLICATIONS

N/A

ALTERNATIVES

Council could pursue any of the following:

- Restrict the use of sidewalk/street patios creating more parking.
- Direct the Traffic Authority to lift or change all parking restrictions within their authority.
- Direct staff to investigate the creation of new parking lots on WHRM lands in the community of Windsor.
- Increase, decrease or leave the parking ticket fine at the current amounts.
- Direct staff to investigate the option of changing Gerrish St and Stannus St into one-way traffic in opposing directions to increase park spaces.

ATTACHMENTS

Attachment A	Parking Map
Attachment B	Parking Chart
Attachment C	Accessible Parking Spaces Guide
Attachment D	Parking Space Usage Graph

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: _____

Ryan Parker, By-law Enforcement Officer

_____

Shawn Levy, By-law Enforcement Officer

_____

Troy Burgess, Manager of Operations

Report Reviewed by: _____

Sara Poirier, Director of Planning and Development

_____

Todd Richard, Director of Public Works

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

West Hants
something inspiring awaits

Municipal Climate Change Action Plan (MCCAP) Committee Excerpt

April 12, 2023

Coastal Protection Act Regulations

During the MCCAP Committee meeting on April 12, the Committee discussed the Coastal Protection Act regulations which have been put on indefinite hold by the Province.

The Province passed the Coastal Protection Act in 2019 "to protect natural ecosystems and make sure new homes and businesses are safer from sea level rise, coastal flooding and coastal erosion". The accompanying regulations would provide direction for development along coastlines throughout the Province.

The Province has a tremendous amount of coastline, and a significant portion is within our Municipality. Without these regulations, Planning and Development Departments are left to address coastal climate related impacts alone. The Committee has concerns about how to proceed without these regulations and want to express their concerns to the Province.

The following motion was made:

…THAT THE MCCAP COMMITTEE RECOMMENDS THAT COUNCIL WRITE A LETTER TO THE PROVINCIAL GOVERNMENT EXPRESSING CONCERN ABOUT THE IMPLEMENTATION OF COASTAL PROTECTION ACT REGULATIONS, AND TO COPY THE MLA FOR HANTS WEST.

West Hants
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Municipal Climate Change Action Plan (MCCAP) Committee Excerpt

April 12, 2023

International Compost Awareness Week Declaration

During the MCCAP Committee meeting on April 12, the Committee viewed a presentation from Kristyn Remme from Waste Services and discussed declaring the first full week of May as International Compost Awareness Week (ICAW). They discussed the benefits of composting and what the ICAW would entail, such as education about and the promotion of composting.

The following motion was made:

…THAT THE MCCAP COMMITTEE RECOMMENDS THAT COUNCIL DECLARE THE FIRST FULL WEEK IN MAY AS INTERNATIONAL COMPOST AWARENESS WEEK IN A MANNER SUBSTANTIVELY THE SAME AS IN ATTACHMENT A OF THE REPORT TITLED "INTERNATIONAL COMPOST WEEK" TO THE MCCAP COMMITTEE DATED APRIL 12, 2023.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councilor Activity ☐

To: Municipal Climate Change Action Plan Committee (MCCAP)

Submitted by: _____
Kristyn Remme, Waste Services/Public Works Safety Coordinator

Date: April 12, 2023

Subject: International Compost Awareness Week

LEGISLATIVE AUTHORITY

West Hants Regional Municipality Greenhouse Gas Emission Local Action Plan – Action Items 5.8 and 7.3

RECOMMENDATION

…that the MCCAP Committee recommends that Council declare the first full week in May as International Compost Awareness Week in a manner substantively the same as in Attachment A of the report titled "International Compost Week" to the MCCAP Committee dated April 12, 2023.

BACKGROUND

Property ☐	Public Opinion ☐	Environment X	Social ☐	Economic ☐	Councilor Activity ☐

Action item 5.8 of the Greenhouse Gas Emission Local Action Plan is to explore opportunities for West Hants Regional Municipality (WHRM) to integrate as part of the circular economy. Action item 7.3 is to create food and waste reduction education programs in partnership with the community and schools. Composting is an essential part of the circular economy and as such, any opportunity to learn about and improve composting in the Region is beneficial to reduce emissions and waste.

DISCUSSION

International Compost Awareness Week (ICAW) is the largest and most comprehensive education initiative in the compost industry. Globally, it is celebrated each year during the first full week of May, where the goal is to build public awareness around the benefits of composting and compost use for effective resource management, soil health, plant growth, and climate change mitigation.

Throughout the week of ICAW, community, school, government, and business events are held to encourage and celebrate all types of composting – from backyard to large-scale. For municipalities, the initiative is the perfect way to engage businesses, non-profits, teachers, community leaders, and residents in activities that will encourage and celebrate composting.

A brief history of organics recycling in West Hants:

On June 1st, 1997, compostable organic material was banned from entering landfills in Nova Scotia. While residents of the former Town of Windsor participated in a curbside organics program early on, residents of the former Municipality of the District of West Hants were responsible for composting food waste in backyard composters. In April 2018, the curbside composting program was introduced for residents of West Hants.

Current-day, WHRM offers curbside organics collection to residents and businesses along all public roads. These materials are transported to Northridge Farms, a commercial producer and retailer of compost and compost tea.

Residents are able (and encouraged!) to utilize backyard composters if they desire, while the green cart can be used for the organic material that is unsuitable for backyard composters, such as bones, dairy or meat.

Key points on organics recycling and compost use that highlight why *International Compost Awareness Week* is such an important awareness-building program:

- The use of landfill space and incineration can be reduced by at least one-third when organics are recycled.
- When organic material is buried in a landfill, the oxygen-depleted environment creates methane, a greenhouse gas that is 80 times more harmful than carbon dioxide for 20 years after it is released. This can be significantly reduced through the recycling of organics.
- Compost offers a significant answer to climate change mitigation through a process called soil sequestration. Healthy, biodiverse soil absorbs and stores carbon from the atmosphere, serving as a carbon bank.
- Long-term soil health and productivity depends on the biological diversity of soils; plants use organic matter to convert materials into plant-available nutrients. This natural process keeps the soil well-aerated and further reduces the need for pesticide use to combat soil-borne and other plant diseases.

- Compost plays a significant role in both water conservation and quality. Compost binds pollutants to organic material and prevents them from entering waterways. Soil erosion is mitigated, and water-holding capacity is improved through compost's enhancement of soil structure, binding soil particles together.

NEXT STEPS

Social media posts via the Municipal Facebook page and website to publicize International Compost Week and inspire community engagement.

FINANCIAL IMPLICATIONS

The endorsement of International Compost Week will not have any direct impacts on Municipal finances.

ALTERNATIVES

The MCCAP Committee may recommend that Council:

- declare the first full week in May as International Compost Awareness Week as drafted or as specifically revised by the direction of the MCAP Committee; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Letter to Council from the MCCAP Committee

REVIEW

Report Prepared by: _____
Kristyn Remme, Waste Services/Public Works Safety Coordinator

Report Reviewed by: _____
John Ogilvie, Climate Action Coordinator

Report Approved by: _____
Sara Poirier, Director of Planning and Development

Attachment A

April 12, 2023

RE: Endorsement of International Compost Week

Dear Mr. Mayor and Members of Council,

The Municipal Climate Change Action Plan (MCCAP) Committee requests that Council endorse International Compost Awareness Week with the declaration stated below:

> Whereas the recycling of organic residuals such as food scraps, yard trimmings and soiled paper and the subsequent returning of compost to our soils are keys to tackling climate change; and
>
> Whereas these are activities that all Canadians can do, whether at home, work or play; and
>
> Whereas the process of composting eliminates the generation of landfill methane, a greenhouse gas which, according to the United Nations Environment Programme, is 80 times more harmful than carbon dioxide for 20 years after it is released; and
>
> Whereas the application of compost increases organic matter in soils, which improves agricultural productivity while lowering carbon levels in the atmosphere; and
>
> Whereas composting and compost use provides a range of additional benefits, including:
> - reducing waste disposal by at least one third;
> - improving the health of our soils – which in turn reduces the need for pesticides, mitigates flooding, improves the resilience of soil to extreme weather events such as droughts, enhances the nutritional quality of our foods, and generally improves food security;
> - supporting the preservation of biodiversity;
> - minimizing soil erosion, a process that depletes topsoil and results in nutrient and chemical pollution of our waterways; and
>
> Whereas International Compost Awareness Week provides an annual opportunity for all of us to promote and celebrate one of the most important and effective tools immediately available to tackle climate change, food security and soil degradation; and

Whereas by proclaiming International Compost Awareness Week, we recognize the critical role that composting plays in creating a sustainable future for our communities;

Now therefore, the MCCAP Committee petitions West Hants Regional Municipality Council to endorse and declare the first full week in May as International Compost Awareness Week in West Hants, for 2023 and every year following.

Sincerely,

Councilor Rupert Jannasch
Chair, Municipal Climate Change Action Plan Committee

Committee of the Whole Excerpts
April 11, 2023

COGMAGUN AND BEAVERPOND ROAD CONDITIONS PETITION EXCERPT

A petition was received April 11, 2023, regarding the condition of the Cogmagun and Beaverpond Roads. It was noted that the conditions have deteriorated rapidly over the years, resulting in safety concerns for pedestrians and motorists.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL WRITE A LETTER OF SUPPORT FOR RECONSTRUCTION OF THE COGMAGUN AND BEAVERPOND ROAD IN THE CONSTRUCTION YEAR 2023 TO WEST HANTS MLA, DEPARTMENT OF PUBLIC WORKS MINISTER, AREA MANAGER, DISTRICT DIRECTOR AND THE PREMIER OF NOVA SCOTIA.

From: Heather Lake
Date: April 11, 2023 at 1:47:14 PM ADT
To: Scott McLean <smclean@westhants.ca>
Subject: Cogmagun and Beaverpond Road Petition

Caution [External Email]
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Hi Scott,
Please share this petition with West Hants council asap about the poor condition of the Cogmagun and Beaverpond Rd.

Sincerely ,

Heather Lake

Hants West Regional Municipality

Cogmagun and Beaverpond Road Petition (West Hants)

The condition of our roads are unacceptable as they have deteriorated rapidly in last few y ears and are not safe. We need safe roads for travel in our community and many rural businesses use this road to get their goods to market. Our children need a safe place to walk to and from the school bus. We are proud of our community but embarrassed by the road conditions the Department of Public Works and the Provincial government deem acceptable. We pay our taxes and we deserve more. Please sign below if y ou would like to see this road reconstructed in the 2023 construction season as long overdue.
The Cogmagun and Beaverpond roads have been removed from the Department of Public Works 5 y ear reconstruction plan many times in the past. Thank y ou for y ou time.

c: Kody Blois, MP Kings-Hants
Melissa Sheehy -Richard, MLA Hants West
Kim D. Masland, Minister of Public Works
Gary Rafuse, District Director, Central
Ray mond Daniels, Acting Area Manager, Hants
West Hants Regional Municipality Council
Abraham Zebian, May or, West Hants Regional Municipality
Scott McLean, Councillor District 2, West Hants Regional Municipality

Name	Address	Contact #
Heather LAKE	633 Cogmagun	902 791 069
Richard Cox	633 Cogmagun	902 791 2637
Alicia Cooper	712 Cogmagun	902 791 043
Ashley Sanford	777 Cogmagun	902-792-7118
Craig Skipper	777 Cogmagun	902-790-2995
Skyler Sanford	419 Beaver Pond	902-799-0140
STUART TAYLOR	801 Cogmagun	902-306-5801
Nicole Smith	907 Cogmagun	902-790-9565
D Shaw	1072 "	902 757-2171
Travel Secretary	1112 Cogmagun	902-757-3470

Ricky McFetridge 1173 Cogmagun Rd
902 757-0361 Center Burlington B0N 2A0
Cell 790-2361

Billie Jo McFetridge 1173 Cogmagun Rd
902 757-0361 Center Burlington B0N 2A0
Cell 790-~~6~~3191

Stephen McKenzie 1192 Cogmagun Rd
902-757-2762

Shelley McKenzie 1192 Cogmagun Rd
902-757-2762

Heather McGuire 1246 Cogmagun Rd
902-757-0336

Luke McGuire
902-757-0336

Amy Sanford 40 Beaverpond Rd
902-757-3659

Name	Address	Contact #
Lianne Giswold	479 Cogmagun Rd	902 499 4474
Sheila Pulsifer	571 Cogmagun Rd	902 792 8791
Hilliard Band	571 Cogmagun Rd	902 802 1334
Zita Darford	934 Cogmagun Rd.	902-757-3250.
Erika MacDonald	1170 Cogmagun Rd	902 253 2230
Colin McKenzie	1179 Cogmanagan	902 757-3498
Sleffie McKenzie	for Other house	↓ ↓ ↓
Mike Marsh	1208 Cogmagun	902-497-7144

71 81 95 102 479 571 753 934 1179

NAME	Address	Contact #
Veronica Sobey	22 Cogmagun Rd.	(902) 880-3498
Matthew Crossley Ashley Rehberg	70 Cogmagun Rd	
Kees Koster	131 Cogmagun Rd	790 1927
Sébastian Padula	233 Cogmagun Rd	
Domenic Padula	233 Cogmagun Rd	757-1912
Darlene & Richard Sanford	453 Cogmagun Rd	757-2381
Holly Archibald	557 Beaverpond Rd.	757-0276.
Valeria Rhymes	748 Cogmagun Rd.	757-0654
DANNY / Wendy SANFORD	996 Cogmagun	
Drake Brown	753 Cogmagun Rd	757-3270
Adam Brown	753 Cogmagun Rd	757-3270
Torra Brown	753 Cogmagun Rd	757-3270
~~Steve~~ Card	71 Cogmagun	
~~Stac~~ Bev Card	71 cogmagun	757-0239
Allen		
Donna.	95 cogmagan	780-617-4009

760 Cogmagun

Ames Sanford	902-757-3659
Bobbi Jo Marsters	902-790-4915
Pauline Benjamin	902 791-0706
[illegible] Mays	902-757-3840
Justin Rogers	902-790-4175
Matthew Gruffen	902-757-2017
Corina Taylor	902 790-3537
Vicki Faulkner	902-633-2611
January Higney	902-792-8424
Justin Sherman	902 528-2654
Bruce Sherman 661	902 757 1859

Committee of the Whole Excerpts
April 11, 2023

COMMUNITY BEAUTIFICATION PLAN EXCERPT

In the 2022/23 Capital Budget funds were budgeted for a Community Beautification Plan for the region. A Request for Proposal (RFP) was issued on December 7, 2022, and closed January 19, 2023, with no proposals received. The Procurement and Tendering Policy RCOFN-003-00 section 7 (e) allows for deviation from the procurement process. Two consulting companies were directly contacted resulting in two and proposals being received. Tenders were reviewed and evaluated independently by members of the working group against the criteria outlined in the RFP.

The recommended motion was that Committee of the Whole recommend that …

THAT COUNCIL APPROVE THE AWARD OF TENDER WHCD23-04 REQUEST FOR CONSULTING SERVICES FOR THE WEST HANTS REGIONAL MUNICIPALITY COMMUNITY BEAUTIFICATION PLAN CONTRACT TO WSP CANADA INC. FOR THE TENDERED PRICE OF $56,425 PLUS HST.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐

To: West Hants Regional Municipality Committee of the Whole

Submitted by: Kathy Kehoe, Director Community Development

Date: April 2023

Subject: Community Beautification Plan

LEGISLATIVE AUTHORITY

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

RECOMMENDATION or DECISION REQUEST

That Council approve the award of tender WHCD23-04 Request for Consulting Services for the West Hants Regional Municipality Community Beautification Plan contract to WSP Canada Inc. for the tendered price of $56,425 plus HST.

BACKGROUND

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

With the approval of the 2022/23 Capital Budget, Council approved in the capital budget funds for a Community Beautification Plan for the region.

A Request for Proposal (RFP) was issued on December 7, 2022, calling for proposals by consultants to undertake a Community Beautification Plan. This was posted on the Provincial Procurement Site as per the Procurement and Tendering Policy RCOFN-003.00 for WHCD22-05 Request for Consulting Services West Hants Regional Municipality Community Beautification Plan. The RFP closed January 19, 2023, and no proposals were received.

The Procurement and Tendering Policy RCOFN-003-00 section 7 e. Alternative Procurement Practices this allows for the deviation from the procurement process that the value of nature of the goods, services or construction would normally require.

Staff contacted two consulting companies directly and received two proposals for the Community Beautification Plan Consulting Services.

Proposals were received based on the specified scope of work. Tenders were reviewed and evaluated independently by members of the working group against the criteria outlined in the RFP with the average of the evaluation scores shown below.

Proponent Name	Total Score	Total Bid Price (not including HST)
WSP Canada Inc.	87.25	$56,425
UPLAND Studio	77.5	$60,000

DISCUSSION

The purpose of this Community Beautification Plan is:

- To improve the public realm and to create a template for spaces that attract residents and visitors to the region.
- To create spaces that make the public want to spend more time in the region.
- To create a visually interesting and attractive public realm that promotes pedestrian activity and areas for people to gather, celebrate and spend leisure time.
- To create a positive visual impact.
- To create an attractive environment that become the centre of the community for the residents who now reside in the community and for future generations to come.
- To improve the quality of life for the residents and visitors.

The scope of the work will include the following:

- Community Entrances – Signage & Landscaping
- Municipal Community Parks and Recreation Facilities – Signage & Landscaping
- Urban Beautification
- Rural Beautification
- Streetscape Lighting
- Placemaking

NEXT STEPS

Pending approval of council staff will award the consulting service contract to WSP Canada Inc.

FINANCIAL IMPLICATIONS

The total cost net HST would be $58,845.63. The Municipality budgeted $65,000 in the 2022-23 Capital Budget to be funded from the Operating Reserve. This will result in less funds being drawn from the operating reserve in the 2023-24 capital budget.

ALTERNATIVES

1. Council can choose not to fund or award this contract.
2. Council may choose to award this contract to an alternative proponent.

Neither of these alternatives are being recommended by staff.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

The recommendation is in alignment with the previous approval of Council.

I support the recommendation.

Report Prepared by: _____
Kathy Kehoe, Director, Community Development

Report Reviewed by: _____
Diana Gibson, Acting Director, Financial Services

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

Committee of the Whole Excerpts
April 11, 2023

WATER AND GERRISH STREET INTERSECTION EXCERPT

As the region grows and the downtown core gets busier, safety concerns increase due to limited visibility at the intersection of Gerrish and Water Street as a result of parking along Water Street.

The recommended motion was that Committee of the Whole recommend that …

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COMMITTEE OF THE WHOLE RECOMMENDS COUNCIL DIRECT STAFF TO PREPARE A REPORT ON OPTIONS TO MAKE THE INTERSECTION OF GERRISH AND WATER STREET SAFER.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: **Committee of the Whole**

Submitted by: **Mayor Abraham Zebian**

Date: **April 11, 2023**

Subject: **Water & Gerrish Street Intersection**

LEGISLATIVE AUTHORITY

Municipal Government Act

RECOMMENDATION or DECISION REQUEST

….Council direct staff to prepare a report on options to make the intersection of Gerrish and Water Street safer.

BACKGROUND

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

Since April 1, 2020 , the Council of The Regional Municipality of West Hants has been working on growing and expanding the Region by investing in infrastructure, recreation, beautification, and programming among other things in order to create a community that INSPIRES more investment. Among Council investments has been upgrading roads and sidewalks making them safer for all our residents to use.

DISCUSSION

With the Regions population growing and more business opening, we are seeing an increase in traffic in all areas of our communities. One area that keeps being mentioned by our residents and businesses is the intersection of Gerrish and Water Street. The parking along Water Street,

at times, can make it very hard to see oncoming traffic if you are at the stop sign on Gerrish forcing vehicle to ease out onto Water Street creating safety concerns. I think it may be prudent for Council to look at the intersection sooner rather than later and explore what can be done cost effectively to help reduce the risk of danger.

NEXT STEPS

Request staff report, review, and take action if deemed warranted.

FINANCIAL IMPLICATIONS

No monetary implications with requesting a report other than the costs of staff time in preparation.

Possible future costs relating to recommendations on reducing the risks of danger.

ALTERNATIVES

Council May be happy with the current configuration and setup of the intersection and not request a report.

Council may request something different.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

Pending Council's direction, it is expected staff will review the site and influencing factors such as:

- Road / Street Design Standards
- Transportation Act
- Parking Placement
- Accident Recordings / Statistics
- Traffic Calming Policy and Tools

I support the recommendation.

Report Prepared by: Abraham Zebian, Mayor

Report Reviewed by: 

Mark Phillips, Chief Administrative Officer

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: West Hants Regional Municipality Council

Submitted by: _____
Troy Burgess, Manager of Operations

Date: April 25, 2023

Subject: Gerrish St/Water St Traffic Concerns

LEGISLATIVE AUTHORITY
Municipal Government Act, Section 311
Motor Vehicle Act, Section 86(6), (7), (12), 89, 90, 133

RECOMMENDATION or DECISION REQUEST
This report is being provided for information purposes only.

BACKGROUND

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

On April 11, 2023, Committee of the Whole approved the following motion to be ratified April 25, 2023

Council direct staff to prepare a report on options to make the intersection of Gerrish and Water Street safer.

DISCUSSION

It is within the Authority of the West Hants Traffic Authority (currently Troy Burgess, Manager of Public Works Operations) to do the following;

Section 133 (1) of the Nova Scotia Motor Vehicle Act "*Subject to Section 86, the traffic authority may designate main travelled or through highways by erecting at the entrances thereto from intersecting highways signs notifying drivers of vehicles to stop before entering or crossing such*

designated highways, or may designate particular intersections and erect stop signs at one or more entrances thereto, and whenever any such signs have been so erected it shall be an offence for the driver of a vehicle or the motorman of a street car to fail to stop in obedience thereto, except where directed to proceed by a peace officer or traffic control signal."

As part of the discussion between Council Members it was noted the entrance to civic #40 Water Street should be taken into consideration with options presented.

Staff have erected traffic radar signs West bound on Gerrish Street and North and South bound on Water Street for the purpose of collecting traffic counts.
Staff have reached out to the RCMP for data regarding accidents or complaints at the intersection.

Staff plan to undertake a three-month trial creating a new 4-way stop complete with red flashing lights and identification of "new sign". The area will involve Gerrish Street, Water Street and the entrance to #40 Water Street. Staff believe this is the best way to collect data and moderate traffic during the trial period. If the Traffic Authority and Deputy Traffic Authority feel the trial becomes unsafe or other major issues the trial will end prematurely. Although neither believe it will be the case.
At the end of the trial, staff will determine if it was successful. At that time a report will be taken to Council as information, Recommendation or for Further Direction.

NEXT STEPS

Staff will give advanced notice of the trial through WHRM's Communication Team, as well as notify the Windsor Township and the adjacent businesses.

FINANCIAL IMPLICATIONS

Staff and equipment resources to set up and monitor the trial along with cost of materials. All materials needed for the pilot program are currently in stock.

ALTERNATIVES

Traffic Authority Could:

- Remove parking spaces on Water St to create better site lines from the Gerrish St stop sign. This would eliminate three to four spots (this does nothing to address #40 Water St)
- Erect a stop sign for #40 Water Street for visual purposes (vehicles stop now but sometimes sit a while and become impatient.
- Could do both of the above
- Hire a professional traffic engineer / consultant to review this and, or other intersections along Water Street and provide recommendations

- Leave the intersection as status quo

ATTACHMENTS

Attachment A Street Map

Attachment B Street Images

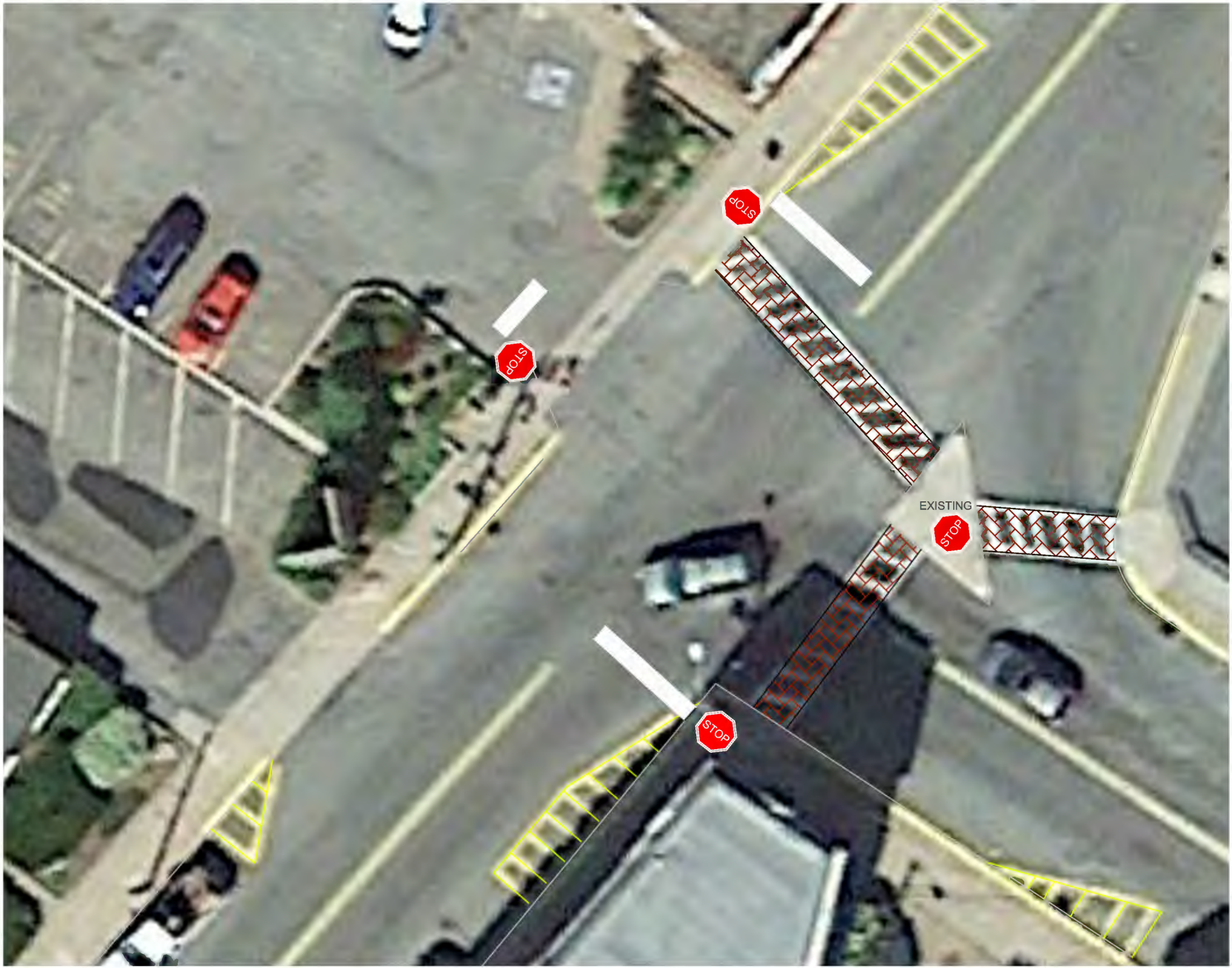
CHIEF ADMINISTRATIVE OFFICER REVIEW

As per the report the authority of the traffic authority is noted, and a trial seems like an appropriate strategy. Collecting additional data as noted in the report including data associated with accidents and complaints will assist with long term changes or maintaining the current conditions.

Report Prepared by: _____
Troy Burgess, Manager of Operations

Report Reviewed by: _____
Todd Richard, Director of Public Works

Report Approved by: _____
Mark Phillips, Chief Administrative Officer


STOP
STOP
EXISTING
STOP
STOP


Facing East
STOP


Facing North
BENEDICT
STOP


Facing South
WINDSOR
MALL
STOP

Committee of the Whole Excerpts
April 11, 2023

INVASIVE PLANT SPECIES EXCERPT

On September 13, 2022, WHRM Council meeting direction was for staff to prepare a report for future discussions re: invasive species within WHRM through the lens of establishing a plan and policy to address the concern. Further clarity was sought at the November 8, 2022, COTW meeting and it was noted that the intention of the report was to focus on noxious weeds, an approach that could be undertaken through education and information sharing for lands not owned by the municipality and also include recommendations on how the municipality can approach invasive and noxious weeds located on municipal property.

THAT COUNCIL REQUEST STAFF ENGAGE THE NOVA SCOTIA INVASIVE SPECIES COUNCIL TO SUPPORT ESTABLISHING A PLAN FOR ADDRESSING INVASIVE PLANT SPECIES WITHIN THE WEST HANTS REGIONAL MUNICIPALITY AS OUTLINED AT A COST OF $12,828 NET HST INCLUDED TO BE FUNDED THROUGH THE WEST HANTS REGIONAL OPERATING RESERVES.
AND FURTHER RECOMMEND THAT FUNDS BE ALLOCATED ANNUALLY IN FUTURE OPERATING BUDGETS TO SUPPORT ONGOING EDUCATION TO THE COMMUNITY REGARDING INVASIVE SPECIES AND MANAGEMENT PRACTICES OF INVASIVE SPECIES WITHIN OUR CAPACITY ON MUNICIPAL LANDS.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐

To: West Hants Regional Municipality Committee of the Whole

Submitted by: Kathy Kehoe, Director Community Development

Date: April 11, 2023

Subject: Invasive Species

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

That Committee of the Whole recommends to Council that staff engage the Nova Scotia Invasive Species Council to support establishing a plan for addressing invasive plant species within the West Hants Regional Municipality as outlined at a cost of $12,828 net HST included to be funded through the West Hants Regional Operating Reserves.

And further recommend that funds be allocated annually in future operating budgets to support ongoing education to the community regarding invasive species and management practices of invasive species within our capacity on municipal lands.

BACKGROUND

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

At the September 13, 2022, West Hants Regional Municipal Council meeting the following motion was passed:

THAT COUNCIL DIRECT STAFF TO PREPARE A REPORT FOR FUTURE DISCUSSION REGARDING INVASIVE SPECIES WITHIN THE WEST HANTS REGION WITH A VIEW TO ESTABLISHING A POLICY AND PLAN FOR ADDRESSING INVASIVE SPECIES WITHIN THE MUNICIPALITY.

At the November 8, 2022, Committee of the Whole meeting it was further clarified that it was the intention for the report to focus on noxious weeds and that the municipal approach could be through education and information sharing for lands not owned by the regional municipality. The report will also include recommendations for how the municipality can approach invasive and noxious weeds located on municipal property.

DISCUSSION

The Nova Scotia Invasive Species Council was created as a result of a collaborative effort among various stakeholders concerned with the impacts of invasive species on the province's ecosystems and economy. The Nova Scotia Invasive Species Council is comprised of stakeholders from the federal and provincial government, industry, academia, and non-government organizations that have come together to protect Nova Scotia from the threat of invasive species. They are responsible for coordinating and leading efforts to prevent, detect, control, and manage the spread of invasive species in the province. The council works to ensure that invasive species do not adversely affect the environment, economy and social well-being of Nova Scotia. They are a recognized provincial chapter of the Canadian Council on Invasive Species. Their Federal and Provincial representation are from the Department of Fisheries & Oceans, Canadian Food Inspection Agency, Nova Scotia Fisheries and Aquaculture and the Nova Scotia Lands and Forestry.

Staff engaged the Nova Scotia Invasive Species Council and requested a proposal that would identify a potential partnership that would demonstrate how WHRM can approach invasive plant species in our community. This approach would include the Nova Scotia Invasive Species Council being contracted to provide training and education to staff; assessment of priority invasive species in WHRM, community outreach, resources. There would be additional fees for the development and implementation of management plans for priority species and to purchase educational signage on outreach campaigns.

The Nova Scotia Invasive Species Council has extensive knowledge and expertise about invasive species management and control and by engaging the council, WHRM can benefit from their experience and knowledge in developing effective and efficient management plans for invasive species. If approved, the Nova Scotia Invasive Species Council will develop an effective and comprehensive management plan that is based on best practises, supported by resources, and informed by the expertise and collaboration of multiple stakeholders.

NEXT STEPS

Pending approval of council staff will engage the Nova Scotia Invasive Species Council and include financial resources within future operating budgets to support additional communication/educational programs if necessary.

FINANCIAL IMPLICATIONS

The cost to partner with the Nova Scotia Invasive Species Council would be $12,828 net HST included. As outlined in the table below, this price includes signage and staff are suggesting 10 signs at $300 per sign to start. Additional costs would be required to develop and implement management plans for priority species, however, would be dependant on species and species range and can be considered in future municipal operating budgets.

The Nova Scotia Invasive Species Council can provide:

Category	Activities	Cost
Training and education	Provide training materials to staff on invasive species identification, management, prevention, early detection, and rapid response.	$2,000
Assessment of priority invasive species in municipality	Research on invasive species reports in county and preliminary surveys.	$2,000
	Document mapping invasive species in the area and outlining major invasive species issues in the county, which species should be prioritized, what can be done for problematic species.	$2,500
Outreach	Presentation to the public on invasive species, impacts of invasive species, how to report invasive species, how to prevent introduction/spread of invasive species.	$300
	Public walks to educate citizens on invasive species, and how to report invasive species	$1,500 for a series of 5 walks
Resources	Invasive species guides that outline high priority invasive species in Nova Scotia and how to identify them and “Grow Me Instead” guides that offer native alternative to commonly planted invasive species.	$1,000 for 50 Invasive Species Guides & 50 Grow Me Instead Guides
	Educational signage on outreach campaigns and stationary boot brushes to be installed	$300/sign (10 @ $300 = $3000)

	at trailheads to encourage the public to prevent the spread of invasive species.	
Management	Development and Implementation of management plans for the priority species	Dependant on species and species range
Admin		15%
Total		**$14,145**
Less Remittable HST		**($1,317)**
Total Municipal Cost		**$12,828**

The West Hants Regional Municipality's Operating Reserve is currently projecting a March 31, 2024 balance of $2.8 million and has the capacity to cover the above costs for this study.

ALTERNATIVES

Council can choose not to engage the Nova Scotia Invasive Species Council and direct staff to find an alternative solution.

ATTACHMENTS

Nova Scotia Invasive Species Council Municipal Partnership

Nova Scotia Invasive Species Council educational signage samples

CHIEF ADMINISTRATIVE OFFICER REVIEW

The Director's report is in alignment with the direction from Council. Engaging the Nova Scotia Invasive Species Council (NSISC) provides expertise, experience and education that is not currently provided within the municipal environment. The items provided by the NSISC should provide for a good foundation of training and communication to staff and the public.

It would be appropriate to consider ongoing funds to support programming in future operating budgets once the plan and training is developed in 2023.

I support the recommendation.

Report Prepared by: _____

Kathy Kehoe, Director, Community Development

Report Reviewed by: _____

Diana Gibson, Acting Director, Financial Services

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Nova Scotia Invasive Species Council Municipal Partnership

Organization Description

The Canadian Council on Invasive Species (CCIS – www.canadainvasives.ca) is an incorporated, non-profit multi-agency organization that works collaboratively across jurisdictional boundaries to support actions and share information that can help reduce the threat and impacts of invasive species. The CCIS is committed to national education and outreach strategies to help guide invasive species councils and organizations to motivate their audiences to change their behaviour and take action against invasive species. Our focus is targeting the pathways in which invasive species spread.

The project would be implemented by the Nova Scotia Invasive Species Council (NSISC – www.nsinvasives.ca), a chapter of the CCIS. The NSISC aims to raise awareness and promote a coordinated response to the threat of invasive species in Nova Scotia. We have a Steering Committee that is comprised of volunteers from a variety of academic, government, and non-government organizations.

Overview

Invasive species are plants, animals and micro-organisms that have been accidentally or deliberately introduced by human activity into areas beyond their native range and whose introduction or spread negatively impact the environment, the economy, and/or society, including human health. Invasive species threaten biodiversity and Species At Risk by outcompeting native species for important resources such as food and space. Invasive species can also contribute to soil degradation and erosion, degrade water quality, alter terrestrial and aquatic habitat, damage infrastructure, introduce disease, reduce recreational opportunities, reduce productivity in forestry, agricultural, and fishing industries, and much more. The annual cumulative lost revenue from just 16 invasive species in Canada is estimated at $13-35 billion with additional damages to the agricultural and forestry sectors estimated at $7.5 billion. Combined potential impacts on agriculture, fisheries, forestry, healthcare, tourism, and the recreation industry are estimated to be approximately $3.6 billion per year in Ontario (full report available from the Invasive Species Centre website: https://www.invasivespeciescentre.ca/invasive-species/what-is-at-risk/invasive-species-economic-impacts/#:~:text=Combined%20potential%20impacts%20on%20agriculture,billion%20per%20year%20in%20Ontario)

What we can provide to municipalities

Category	Activities	Cost
Training and education	Provide training materials to staff on invasive species identification, management,	$2000

Contact: Kristen Noel
c:902.499.1801
Email: kristennoel@nsinvasives.ca
Website: nsinvasives.ca

	prevention, early detection and rapid response	
Assessment of priority invasive species in municipality	Research on invasive species reports in county and preliminary surveys	$2000
	Document mapping invasive species in the area and outlining major invasive species issues in the county, which species should be prioritized, what can be done for problematic species	$2500
Outreach	Presentation to the public on invasive species, impacts of invasive species, how to report invasive species, how to prevent introduction/spread of invasive species	$300
	Public walks to educate citizens on invasive species, how to prevent invasive species, and how to report invasive species	$1500 for a series of 5 walks
Resources	Invasive species guides that outline high priority invasive species in Nova Scotia and how to identify them and “Grow Me Instead” guides that offer native alternative to commonly planted invasive species	$1000 for 50 Invasive Species Guides and 50 Grow Me Instead Guides
	Educational signage on outreach campaigns and stationary bootbrushes to be installed at trailheads to encourage the public to prevent the spread of invasive species	$300/sign
Management	Development and implementation of management plans for priority species	Dependant on species and species range
Admin		15%

Contact: Kristen Noel
c:902.499.1801
Email: kristennoel@nsinvasives.ca
Website: nsinvasives.ca

All of these activities can be scaled up or down according to the available budget and goals of the municipality.

Contact: Kristen Noel
c:902.499.1801
Email: kristennoel@nsinvasives.ca
Website: nsinvasives.ca

Help us protect our aquatic ecosystems and

DON'T LET IT LOOSE!

Releasing any plant or animal into a lake or river can upset the fragile balance of life. Already, introductions of chain pickerel and smallmouth bass into some lakes have killed off trout populations. Never release any fish, live bait, plants, or unwanted pets into the wild.



Chain Pickerel



Goldfish



Yellow Floating Heart



Red-eared Slider Turtle



DON'T LET IT LOOSE

Learn more at www.nsinvasives.ca

Canadian Council on Invasive Species / Conseil Canadien des Espèces Envahissantes

Fisheries and Oceans Canada / Pêches et Océans Canada

NOVA SCOTIA / NOUVELLE-ÉCOSSE

NOVA SCOTIA invasive SPECIES COUNCIL

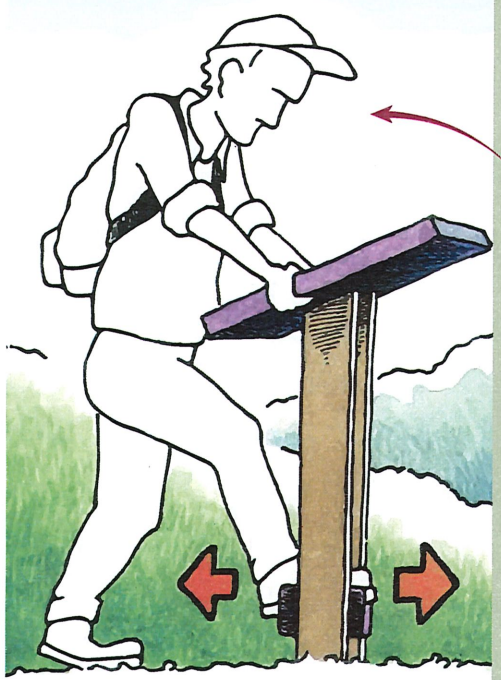
STOP AQUATIC INVASIVE SPECIES — DON'T LET IT LOOSE

BRUSH OFF INVASIVES!

Clean your footwear and gear before and after entering the trail.

ESPÈCES ENVAHISSANTES : POUR VOUS EN DÉBARRASSER... BROSSEZ VOS PIEDS!

Nettoyez vos chaussures et votre équipement avant et après votre randonnée sur le sentier.



What's The Problem?

We love to explore new places, but did you know that sometimes we can accidentally bring along unwanted hitch-hikers? Invasive species can spread to new areas by hitching a ride on footwear, outdoor gear, pets, and vehicles.

Help prevent the spread of invasive species by taking a few easy steps while enjoying the outdoors!

- Brush off your footwear to clean out debris from the treads
- Remove plant pieces, seeds and mud from your clothing, pets, and equipment (ie. bike tires) before entering a new area
- Clean your gear before entering and leaving the area
- Stay on designated trails

Quel est le problème ?

Nous adorons tous explorer de nouveaux endroits, mais saviez-vous que vous pouvez parfois accidentellement transporter avec vous des espèces envahissantes qui peuvent être nuisibles? Les espèces envahissantes peuvent se propager dans de nouveaux endroits par des voyages clandestins en s'attachant à vos chaussures, votre équipement de plein air, vos animaux de compagnie et vos véhicules.

Aidez à prévenir la propagation d'espèces envahissantes en suivant quelques consignes faciles lorsque vous vous amusez en plein air!

- Brossez vos chaussures afin d'enlever de la saleté
- Enlevez les morceaux de plantes, les graines et la boue de vos vêtements, la fourrure de vos animaux de compagnie et votre équipement (ex., pneus de vélo) avant de vous rendre dans un nouvel environnement
- Nettoyez votre équipement avant votre visite et votre départ
- Demeurez sur les sentiers désignés

Invasive Plants Are On The Move / Plantes Envahissantes Qui Se Propagent

Woodland Angelica / Angélique sauvage



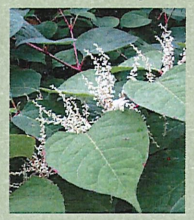
© Meneerke Bloem, Own work, https://commons.wikimedia.org/w/index.php?curid=27947494

Garlic Mustard / Alliaire Officinale



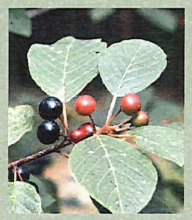
© Chris Evans, University of Illinois, Bugwood.org

Japanese Knotweed / Renouée du Japon



© Ian Samanek, Phytosanitary Administration, Bugwood.org

Glossy Buckthorn / Nerprun bourdaine



© Gil Wojciech, Polish Forest Research Institute, Bugwood.org

Purple Loosestrife / Salicaire commune



© Caleb Slemmons, National Ecological Observatory Network, Bugwood.org

Play Clean Go | Jouez Nettoyez Partez

STOP INVASIVE SPECIES IN YOUR TRACKS.

NE LAISSEZ PAS LES ESPÈCES ENVAHISSANTES SUIVRE VOS TRACES.

PlayCleanGo.ca
JouezNettoyezPartez.ca

Our Partners
Nos partenaires

Five Bridges Wilderness Heritage Trust

NOVA SCOTIA invasive SPECIES COUNCIL

Canadian Council on Invasive Species | Conseil Canadien des Espèces Envahissantes

ATTENTION

Invasive species impact our waters
Les espèces envahissantes ont des répercussions sur nos plans d'eau



Once you leave the water...

CLEAN plants, animals and mud from boat and gear

DRAIN all water from your boat and gear onto land

DRY all parts of your boat and gear completely

Une fois sorti de l'eau...

NETTOYEZ lavez votre bateau et votre équipement de façon à enlever toute la boue, les plantes et les animaux

VIDEZ videz sur la terre ferme toute l'eau de votre bateau et de votre équipement

SÉCHEZ séchez complètement toutes les parties de votre bateau et de votre équipement

CLEAN DRAIN DRY
NETTOYEZ VIDEZ SÉCHEZ

For more information:
CleanDrainDry.ca

Pour plus de renseignements:
NettoyezVidezSéchez.ca

Canadian Council on Invasive Species | Conseil Canadien des Espèces Envahissantes

Fisheries and Oceans Canada | Pêches et Océans Canada

NOVA SCOTIA NOUVELLE-ÉCOSSE

NOVA SCOTIA invasive SPECIES COUNCIL

Committee of the Whole Excerpts
April 11, 2023

LOCAL BUS SERVICE EXCERPT

Since April 1, 2020 , WHRM has been working on growing and expanding the Region by investing in infrastructure, recreation, beautification, and programming among other things in order to create a community that INSPIRES more investment.
Hardships are experienced by those who reside outside the service centres and do not have transportation. There was value in Council exploring what a local service could look like and cost while Council awaits further information from the Community Health Board on a bus service that would connect West Hants residents to areas outside our Region.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT STAFF TO PREPARE A REPORT ON THE POSSIBILITY OF CREATING A LOCAL BUS SERVICE OPERATED BY WEST HANTS REGIONAL MUNICIPALITY INCLUDING COST ESTIMATES, POSSIBLE ROUTES, RUN TIMES, LOOKING AT PAST EXAMPLES TO ADDRESS ANY ISSUES FROM OTHER EXAMPLES THAT HAVE ROLLED OUT THIS SIMILAR TYPE OF PROJECT OUT WITH THE ULTIMATE GOAL OF MAKING IT A SUSTAINABLE SERVICE.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: **Committee of the Whole**

Submitted by: **Mayor Abraham Zebian**

Date: **April 11, 2023**

Subject: **Local Bus Service**

LEGISLATIVE AUTHORITY

Municipal Government Act

RECOMMENDATION or DECISION REQUEST

….COUNCIL DIRECT STAFF TO PREPARE A REPORT ON THE POSSIBILITY OF CREATING A LOCAL BUS SERVICE OPERATED BY WEST HANTS REGIONAL MUNICIPALITY INCLUDING COST ESTIMATES, POSSIBLE ROUTES, RUN TIMES, ETC.

BACKGROUND

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

Since April 1, 2020 , the Council of The Regional Municipality of West Hants has been working on growing and expanding the Region by investing in infrastructure, recreation, beautification, and programming among other things in order to create a community that INSPIRES more investment. One item that has been on the “front burner” for many residents is a bus service to help get people to appointments, grocery shopping, etc.

DISCUSSION

With the Regions population growing and many new people moving in, some are unaware that there is no bus service in our Region. This can create hardships on residents who live longer

distances from our service centres and do not have transportation. With Council still waiting to receive more information on a bus service that would connect West Hants residents to areas outside our Region, I believe it may be a good exercise for Council to see what a local service only could look like and cost as well.

NEXT STEPS

Request staff report, review, and take action if deemed warranted.

FINANCIAL IMPLICATIONS

No monetary implications with requesting a report other than the costs of staff time in preparation.

Possible future costs relating to recommendations on creating a local bus service.

ALTERNATIVES

Council may not request a report.

Council may request something different.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

Staff would support this request if approved by Council. However, the expectations of Council should be set in alignment with current staff levels and areas of expertise in-house. It is more realistic for staff to research current models that exist within the Province as examples of how it's being done with all the background information versus an inhouse staff report that provides all the components listed in the recommendation as it relates to public transit and the provision of a busing services.

In addition, on April 20th I have a meeting with neighboring municipalities and the Province regarding the newly appointed Joint Regional Transportation Agency, the organization working to create a transportation plan for Halifax Regional Municipality and surrounding areas. It appears that West Hants is being captured as an area surrounding HRM and may benefit from these discussions.

This is an important matter to the community, I support the recommendations with the noted concerns.

Report Prepared by: Abraham Zebian, Mayor

Report Reviewed by: 

Mark Phillips, Chief Administrative Officer

Committee of the Whole Excerpts
April 11, 2023

POPLAR GROVE FUNDING EXCERPT

A request was received on April 6, 2023, regarding the Poplar Grove Community Hall requesting help to fund repairs to their hall.

The recommended motion was that Committee of the Whole recommend that …

THAT COUNCIL APPROVE $4,000 IN EMERGENCY FUNDING TO BE TAKEN FROM THE WEST HANTS CANADA COMMUNITY BUILDING FUND (CCBF) IN ORDER TO COMPLETE REPAIRS TO THE POPLAR GROVE HALL.

Dear West Hants Council:

I am writing to you on behalf of the Poplar Grove Community Hall to request help for repairs to our hall. My name is Michele O'Brien and I am the president of the hall.

Our hall has been an important part of the community and surrounding areas for many years. It was converted from a one-room schoolhouse many years ago to a community hall where dances and events were held. In the past decade it has been used for card games and tournaments. It has been a rental spot for the use of West Hants residents. We have been one of the halls used for the Seniors Games and have had other organizations use it for such events as Valentine's Teas, Strawberry Teas and Pie Auctions.

In the past few years, our hall has not been able to be used. At the start of COVID, we had been working on repairing the floor from the municipal Operating Grant we had received. The underneath was repaired from these funds but regrettably, due to having to shut down for a period of time due to the pandemic, we were not making money from our regular activities to complete the hardwood top. We had hoped this past year through a bottle drive fundraiser to be able to complete the floor and open up, however, we had another set back. Our water pump had cracked and we also had a leak in the kitchen ceiling which had caused a collapse. We have included pictures of the flooring and the ceiling.

We are hoping that you can be of assistance in the re-opening of our hall. We have estimated $4000 or any amount you may be able to assist with. This would be for finishing the flooring in the back of the hall. We also would hope to put a moisture barrier underneath. Every several years we have had to replace the flooring due to the moisture at the slope at the back of the hall. We are hoping to fix the ceiling. *Also the paint has peeled from some of the inside walls and we are hoping to paint these (*note: we did apply for a smaller amount for painting on our recent Operating Grant but this was just to touch up what we could). We do have a few volunteers that could do most of this work but may require hired labour.

We are a small but dedicated group of volunteers and are hoping there may be some assistance you can provide to us with getting the hall operational again for our local communities.

We appreciate you considering our request.

Thank you, Michele O'Brien







Committee of the Whole Excerpts
April 11, 2023

SIDEWALK EXTENSION FROM WENTWORTH ROAD TO THE WH SPORTS COMPLEX EXCERPT

The West Hants Sports Complex can be challenging to access with no existing sidewalk to utilize. The addition of a sidewalk would eliminate a barrier and create improved accessibility for all.

The recommended motion was that Committee of the Whole recommend that …

THAT COUNCIL DIRECT STAFF TO PREPARE A REPORT ON WHAT IS REQUIRED TO EXTEND THE SIDEWALK FROM WENTWORTH ROAD TO WH SPORTS COMPLEX AND AS A SECOND STEP TO INCLUDE EXTENDING THE SIDEWALK TO THE END OF THE BLOCK (INTERSECTION OF WENTWORTH AND TREGOTHIC).

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: **Committee of the Whole**

Submitted by: **Councillor Bob Morton**

Date: **April 11, 2023**

Subject: **Sidewalk extension from Wentworth Road to rink**

LEGISLATIVE AUTHORITY

Municipal Government Act

RECOMMENDATION or DECISION REQUEST

….Council direct staff to prepare a report on what is required to extend the sidewalk from Wentworth Road to WH Sports complex.

BACKGROUND

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

The WH Sports Complex is an amazing facility with many accessible features. The ability to safely arrive at the sports plex needs to be addressed. Currently there is no sidewalk when you leave Wentworth Road heading to the sports plex.

DISCUSSION

With the Regions population growth, Accessibility requirements, increased activities and Active Transport movement there is value in exploring improvements within our region that make this

facility more user friendly for all. Access to the Sports Complex can be challenging, having no sidewalk creates a barrier for individuals who may wish to access this amazing facility. It would be beneficial for Council to explore the option of a sidewalk and costs to reduce barriers.

NEXT STEPS

Request a staff report, that staff report back at next committee of the whole with cost to extend the sidewalk to make access to the sports plex more accessible for all.

FINANCIAL IMPLICATIONS

No monetary implications with requesting a report other than the costs of staff time in preparation.

Possible future costs relating to recommendations on reducing the risks of danger.

ALTERNATIVES

Council may request something different.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

Pending CAO's comments

Report Prepared by: Counciollor Bob Morton

Report Reviewed by: _____

Mark Phillips, Chief Administrative Officer

Committee of the Whole Excerpts
April 12, 2023

INSURANCE COSTS EXCERPT

During the April 12, 2023, Special Committee of the Whole Budget meeting it was identified that insurance costs had increased by 17%. There was value in exploring consolidating all the Municipalities insurances to achieve optimal cost savings.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT STAFF TO ENGAGE A CONSULTANT (IF NEEDED) TO DO A REVIEW OF THE INSURANCE ACROSS THE MUNICIPALITY (ACROSS ALL OPERATIONS) TO BE ABLE TO OPTIMIZE INSURANCE EXPENDITURES.

Special Committee of the Whole Excerpts
April 19, 2023

2023-24 BUDGET EXCERPT

The proposed 2023-24 Budget was recommended at the April 19 Special Committee of the Whole (Budget) meeting.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL APPROVE THE 2023-24 OPERATING BUDGET AS PRESENTED TO COMMITTEE OF THE WHOLE ON APRIL 19, 2023, OUTLINING TOTAL GENERAL RATED EXPENSES AND TRANSFERS OF $19,351,075; TOTAL AREA RATED EXPENSES AND TRANSFERS FOR THE COMMUNITY OF WEST HANTS OF $7,560,298; TOTAL AREA RATED EXPENSES AND TRANSFERS FROM THE COMMUNITY OF HANTSPORT OF $412,230; AND TOTAL AREA RATED EXPENSES AND TRANSFERS FOR THE COMMUNITY OF WINDSOR OF $3,809,889.

Special Committee of the Whole Budget Excerpts
April 19, 2023

2023-24 WEST HANTS AND WINDSOR WATER UTILITY EXCERPT

The proposed 2023-24 West Hants and Windsor Water Utility Budget was recommended at the April 19 Special Committee of the Whole (Budget) meeting.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL APPROVE THE 2023-24 WEST HANTS WATER UTILITY AND WINDSOR WATER UTILITY BUDGETS AS PRESENTED TO COMMITTEE OF THE WHOLE ON APRIL 18, 2023.

Special Committee of the Whole Budget Excerpts
April 19, 2023

2023-24 CAPITAL BUDGET EXCERPT

The proposed 2023-24 Capital Budget was recommended at the April 19 Special Committee of the Whole (Budget) meeting.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL APPROVE THE 2023-24 CAPITAL BUDGET AS PRESENTED TO COMMITTEE OF THE WHOLE ON APRIL 19, 2023.

Special Committee of the Whole Budget Excerpts
April 19, 2023

2023-24 RESERVE EXCERPT

The proposed 2023-24 Reserve Budget was recommended at the April 19 Special Committee of the Whole (Budget) meeting.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL APPROVE THE 2023-24 RESERVE BUDGET AS PRESENTED TO COMMITTEE OF THE WHOLE ON APRIL 19, 2023.

BE IT RESOLVED that the sums that are required for the lawful purposes of the West Hants Regional Municipality for the year 2023-24 after crediting the probable revenue from all sources other than the general rates for the year and making the allowance for the abatement and losses that may occur in the collection of taxes and taxes for the current year that may not be collected or collectable is $19,351,075 and this Council hereby authorizes the levying and collection of a general tax rate of ninety-eight cents ($0.98) per one hundred dollars ($100) of the assessed value of commercial property and the assessed value of residential property and general resource property that will equal five three one four cents ($0.5314) per one hundred dollars ($100) of the assessment on residential and general resource property.

BE IT FURTHER RESOLVED that the sums that are required for the lawful purposes of the Community of West Hants for the year 2023-24 after crediting the probable revenue from all sources other than the area rates for the year and making the allowance for the abatement and losses that may occur in the collection of taxes and taxes for the current year that may not be collected or collectable is $7,560,298 and this Council hereby authorizes the levying and collection of an area rate tax of eighty cents ($0.80) per one hundred dollars ($100) of the assessed value of commercial property and the assessed value of residential property and general resource property that will equal four five zero nine cents ($0.4509) per one hundred dollars ($100) of the assessment on residential and general resource property.

BE IT FURTHER RESOLVED that the sums that are required for the lawful purposes of the Community of Hantsport for the year 2023-24 after crediting the probable revenue from all sources other than the area rates for the year and making the allowance for the abatement and losses that may occur in the collection of taxes and taxes for the current year that may not be collected or collectable is $412,230 and this Council hereby authorizes the levying and collection of an area rate tax of two dollars and seventy-seven cents ($2.77) per one hundred dollars ($100) of the assessed value of commercial property and the assessed value of residential property and general resource property that will equal eight three two three cents ($0.8323) per one hundred dollars ($100) of the assessment on residential and general resource property.

BE IF FURTHER RESOLVED that the sums that are required for the lawful purposes of the Community of Windsor for the year 2023-24 after crediting the probable revenue from all sources other than the area rates for the year and making the allowance for the abatement and losses that may occur in the collection of taxes and taxes for the current year that may not be collected or collectable is $3,809,889 and this Council hereby authorizes the levying and collection of an area rates tax of two dollars and eighty-seven cents ($2.87) per one hundred dollars ($100) of the assessed value of commercial property and the assessed value of residential property and general resource property that will equal one dollar and one two five zero cents ($1.1250) per one hundred dollars ($100) of the assessment on residential and general resource property.

BE IT FURTHER RESOLVED that the taxpayers in the said Municipality are required to pay the whole of their taxes on or before the 1st day of September, A.D., 2023 provided that if the total amount of taxes owing is not paid in full on or before the 1st dayof September, A.D., 2023 the balance of current and prior years' taxes then owing will bear interest at a rate of 15% per annum, such rate to be calculated monthly at the end of each month at a rate of 1.25% until the sums are paid.

TAX DUE DATE – SEPTEMBER 1, 2023

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April**, **2023**.

Deanna Snair
Executive Assistant/Municipal Clerk

West Hants

WEST HANTS REGIONAL MUNICIPALITY

RR-298

HANTSPORT MEMORIAL COMMUNUTY CENTRE (HMCC) AREA RATE CHARGE 2023-24

BE IT RESOLVED that Council support the area rate for the Hantsport Memorial Community Centre (HMCC) in the following amounts: Residential - $0.0932 per $100 of Taxable Assessment and Commercial - $0.4814 per $100 of Taxable Assessment for a combined total of $100,735, for fiscal year April 1, 2023 to March 31, 2024.

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April**, **2023**.

Deanna Snair, Executive Asssitant/ Municpal Clerk

BE IT RESOLVED that pursuant to Section 81 of the Municipal Government Act, the Council of the West Hants Regional Municipality:

Authorizes the levying and collection, for purposes of private road maintenance, a uniform charge of $105.00 per share based on an undeveloped lot, $420.00 per share based on a developed lot, and $210.00 per share based on a seasonal dwelling lot for the year ending March 31, 2024, for a total collection of $3,885.00, and such amount collected less $5 per lot administration fee plus HST shall be forwarded to the Blomidon View Residents Association.

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April**, **2023**.

Deanna Snair,
Executive Assistant/ Municipal Clerk

West Hants

WEST HANTS REGIONAL MUNICIPALITY RR-300

Chalet Hamlet Property Owners Association
Uniform Charge 2023-2024

BE IT RESOLVED that pursuant to Section 81 of the Municipal Government Act, the Council of the West Hants Regional Municipality:

Authorizes the levying and collection, for purposes of private road maintenance, a uniform charge of $465.75 (inclusive of HST) per member for the year ending March 31, 2024, for a total collection of $94,547.25, and such amount collected less $5 per lot administration fee plus HST shall be forwarded to the Chalet Hamlet Property Owners Association.

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April**, **2023**.

Deanna Snair,
Executive Assistant/Muncipal Clerk

WEST HANTS REGIONAL MUNICIPALITY RR-301

Chateau Village Property Owners Association
Uniform Charge 2023-24

BE IT RESOLVED that pursuant to Section 81 of the Municipal Government Act, the Council of the West Hants Regional Municipality:

Authorizes the levying and collection, for purposes of private road maintenance, a uniform charge of $514.59 (inclusive of HST) per member for the year ending March 31, 2024, for a total collection of $67,411.29, and such amount collected less $5 per lot administration fee plus HST shall be forwarded to the Chateau Village Property Owners Association.

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April, 2023.**

Deanna Snair,
Executive Assistant/Municipal Clerk

West Hants

WEST HANTS REGIONAL MUNICIPALITY RR-302

Falls Lake West Owners Association
Uniform Charge 2023-24

BE IT RESOLVED that pursuant to Section 81 of the Municipal Government Act, the Council of the West Hants Regional Municipality:

Authorizes the levying and collection, for purposes of private road maintenance, a uniform charge of $345.00 plus HST each for 120 developed lot for the year ending March 31, 2024, for total collection of $47,610.00 and such amount collected less $5 per lot administration fee plus HST shall be forwarded to the Falls Lake West Owners Association.

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April, 2023**.

Deanna Snair,
Executive Assistant/Municipal Clerk

BE IT RESOLVED that pursuant to Section 81 of the Municipal Government Act, the Council of the West Hants Regional Municipality:

Authorizes the levying and collection, for purposes of private road maintenance, a uniform charge of $250.00 each for 23 developed lot and $100.00 each for 13 undeveloped lots for the year ending March 31, 2024, for total collection of $7050.00 and such amount collected less $5 per lot administration fee plus HST shall be forwarded to the Innes Lane Road Association.

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April**, **2023.**

Deanna Snair,
Executive Assistant/Municipal Clerk

West Hants

WEST HANTS REGIONAL MUNICIPALITY RR-304

North Canoe Lake Cottage Owners Association
Uniform Charge 2023-24

BE IT RESOLVED that pursuant to Section 81 of the Municipal Government Act, the Council of the West Hants Regional Municipality:

Authorizes the levying and collection, for purposes of private road maintenance, a uniform charge of $55.79 each for 10 properties before the bridge on Canoe Lake Cove Road and $222.98 each for 34 properties beyond the bridge on the same road for the year ending March 31, 2024, for a total collection of $8139.22, and such amount collected less $5 per lot administration fee plus HST shall be forwarded to the North Canoe Lake Cottage Owners Association.

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April**, **2023**.

Deanna Snair,
Executive Assistant/Municipal Clerk

This *Annual Exemption Property Listing* is eligible as per all requirements identified within the West Hants Regional Municipality's *Tax Exemption Policy RCOFN-002.00* and is brought forward to the Council each fiscal year during budget deliberations for approval.

SCHEDULE 'A'

Registered Canadian Charities

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Charitable Number	Extent of Exemption
Ardoise Community Recreation Centre	Ardoise Comm. Recreation Ctr.	3 Ardoise School Rd., Ardoise Land Fellowship Hall	AAN 00108642 PID 45025293	889046595	Qualifies for 100% of total assessment
Ardoise Community Recreation Centre	Ardoise Dist. Recreation Ctr.	No. 1 HWY, Ardoise Land	AAN 00108669 PID 45025301	889046595	Qualifies for 100% of total assessment
Avondale Community Club	Trustees Community Hall	50 Avondale Cross Rd., Avondale Land Fellowship Hall	AAN 04682041 PID 45170834	890760994	Qualifies for 100% of total assessment
Burlington & District Activity Club Hants County	Trustees of the Burlington District Community Club (The)	3554 Highway 215, Centre Burlington Land Fellowship Hall	AAN 00552771 PID 45186798	834509747	Qualifies for 100% of total assessment
Ducks Unlimited Canada	Ducks Unlimited Canada	No. 215 HWY, Cheverie, NS	AAN 05009618 PID 45177771	118888957	Qualifies for 100% of total assessment
Ducks Unlimited Canada	Ducks Unlimited Canada	No. 215 HWY, Lower Burlington, NS	AAN 04046811 PID 45186632	118888957	Qualifies for 100% of total assessment

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Charitable Number	Extent of Exemption
Ellershouse Community Hall	Trustees Ellershouse Community Hall	429 Ellershouse Rd., Lot A-1E, Ellershouse Fellowship Hall	AAN 04682157 PID 45288552	869312546	Qualifies for 100% of total assessment
Hants Shore Health Association	Hants Shore Health Centre	5638 Highway 215, Lot B-1, Kempt Shore Medical Clinic	AAN 05942837 PID 45186798	834509747	Qualifies for 100% of total assessment
Hantsport & Area Historical Society	Hantsport & Area Historical Society	50 Main Street, Hantsport, NS	AAN 00203831 PID 45044021	886938489	Qualifies for 100% of total assessment
Hantsport & Area Historical Society	Hantsport & Area Historical Society	48 Main Street, Hantsport, NS	AAN 02648857 PID 45044013	886938489	Qualifies for 100% of total assessment
Hantsport & Area Historical Society	Hantsport & Area Historical Society	46 Main Street, Hantsport, NS	AAN 00827185 PID 45044005	886938489	Qualifies for 100% of total assessment
Hantsport & Area Historical Society	Hantsport & Area Historical Society	Main Street, Hantsport, NS	AAN 10727731 PID 45403912	886938489	Qualifies for 100% of total assessment
King's Meadows Residence	Canadian Progress Club Halifax & Dartmouth	5466 Highway 14, Windsor Land Dwelling	AAN 00645125 PID 45075447	865283477 (Cdn Progress Club) 868845892 (King's Meadows)	Qualifies for 100% of total assessment

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Charitable Number	Extent of Exemption
Newport Baptist Church, Scotch Village	Trustees Baptist Church	919 Highway 236, Scotch Village, NS	AAN 04684141 PID 45167129	811412501	Qualifies for 100% of total assessment
Quick As A Wink Theatre Society	Quick As A Wink Theatre Society	380 Wentworth Rd., Wentworth Creek, NS	AAN 10492939 PID 45391869	863160750	Qualifies for 100% of total assessment
Rotary Club of Windsor, Nova Scotia	Rotary Club of Windsor Nova Scotia	Old Wile Settlement Rd., Wile Settlement Land	AAN 02469723 PID 45040722	887150993	Qualifies for 100% of total assessment
Rotary Club of Windsor, Nova Scotia	Rotary Club of Windsor	160 Smeltzer Rd., Upper Vaughan Land Campground	AAN 04063422 PID 45041506	887150993	Qualifies for 100% of total assessment
Rotary Club of Windsor, Nova Scotia	Rotary Club of Windsor	Smeltzer Property, Upper Vaughan	AAN 10217172 PID 45399369	887150993	Qualifies for 100% of total assessment
Ste. Croix Community Club	St. Croix Community Club Hall	18 Cemetery Rd., St. Croix Land Fellowship Hall Bldg.	AAN 04400631 PID 45150075	119172070	Qualifies for 100% of total assessment
Ste. Croix Community Club	St. Croix Community Club	No. 1 HWY, St. Croix Land	AAN 07916345 PID 45291796	119172070	Qualifies for 100% of total assessment

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Charitable Number	Extent of Exemption
Three Mile Plains Community Society	Three Mile Plains Community Society	4474 highway 1, Lot 3, Three Mile Plains Fellowship Hall	AAN 04612973 PID 45000486	119263994	Qualifies for 100% of total assessment
Three Mile Plains Community Society	Three Mile Plains Community Society	4549 Highway 1, Lot A, Three Mile Plains	AAN 04612981 PID 45007697	119263994	Qualifies for 100% of total assessment
Three Mile Plains Community Society	Three Mile Plains Community Society	Windsor Back Rd., Lot 4, Three Mile Plains	AAN 04613007 PID 45000494	119263994	Qualifies for 100% of total assessment
West Hants Ground Search & Rescue	West Hants Ground Search & Rescue	821 Highway 1, Mount Denson Land Fellowship Hall	AAN 04790618 PID 45075223	131568560	Qualifies for 100% of total assessment

SCHEDULE 'B'
Non-profit

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Extent of Exemption
Belmont Community Club	Trustees Community Hall	1090 Belmont Rd., Belmont NS	AAN 04682068 PID 45170180	Qualifies for 100% of total assessment
Falmouth Community Association	Trustees Cen. Falmouth Community Hall	147 Falmouth Back Rd., Falmouth, NS	AAN 04681916 PID 45026465	Qualifies for 100% of total assessment
Falmouth Community Association	Falmouth Community Assoc.	369 Town Rd., Falmouth, NS	AAN 05445027 PID 45030335	Qualifies for 100% of total assessment
Hants Shore Karate Club	Hants Shore Karate Club	3284 Highway 215, Centre Burlington Land	AAN 04683854 PID 45186814	Qualifies for 100% of total assessment
Hants West Wildlife Association	Timberland Holdings (2010) Limited	596 Bog Rd., Block #49, Mount Denson Fellowship Hall	AAN 03259235 PID 45029634	Qualifies for 100% of total assessment
Mount Denson Community Hall	Trustees Community Hall	532 Highway 1, Mount Denson, NS	AAN 04682076 PID 45023888	Qualifies for 100% of total assessment
Newport Station Community Hall Society	Trustees of Newport Station Public Hall	2040 Wentworth Rd., Newport Station, NS	AAN 04683366 PID 45008794	Qualifies for 100% of total assessment
Newport Station Community Hall Society	Trustees of Newport Station	Wentworth Road, Newport Station, NS	AAN 04683285 PID 45008802	Qualifies for 100% of total assessment

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Extent of Exemption
Pisiquid Canoe Club	Pisiquid Canoe Club	1011 Highway 14 Lot A & AC-1 Upper Vaughan, NS	AAN 04742915 PID 45041886	Qualifies for 100% of total assessment
Pisiquid Canoe Club	Pisiquid Canoe Club	No 14 HWY Upper Vaughan, NS	AAN 05783062 PID 45041878	Qualifies for 100% of total assessment
Pisiquid Canoe Club	Pisiquid Canoe Club	Highway 14 Lot 1A-3 Upper Vaughan, NS	AAN 10289378 PID 45382900	Qualifies for 100% of total assessment
Pisiquid Canoe Club	Pisiquid Canoe Club	Highway 14 Lot 1A-3 Upper Vaughan, NS	AAN 10289386 PID 45382918	Qualifies for 100% of total assessment
Poplar Grove Community Hall	Trustees Community Hall	1161 Avondale Rd., Poplar Grove Land Fellowship Hall	AAN 04682823 PID 45183027	Qualifies for 100% of total assessment
Sweets Corner Community Group	Sweets Corner Community Group	No. 14 Highway, Sweets Corner, NS	AAN 04684605 PID 45008059	Qualifies for 100% of total assessment
Sweets Corner Community Group	Trustees Sweets Corner Community Hall	6936 Highway 14, Sweets Corner, NS	AAN 04684419 PID 45008059	Qualifies for 100% of total assessment
Trustees Martock 4H Club	Martock Community Hall	59 Windsor Back Road, Martock, NS	AAN 04682467 PID 45075314	Qualifies for 100% of total assessment

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Extent of Exemption
Upper Burlington Community Hall Association	Upper Burlington Community Hall Association	69 Old Walton Rd., Upper Burlington Land Fellowship Hall	AAN 04681843 PID 45186426	Qualifies for 100% of total assessment
Upper Vaughan Community Hall Association	Trustees South Waterville Community Hall	1015 Highway 14, Upper Vaughan, NS	AAN 04684788 PID 45041894	Qualifies for 100% of total assessment
Upper Vaughan Community Hall Association	Trustees of the Upper Vaughan Community Hall	Highway 14, Upper Vaughan, NS	AAN 05429862 PID 45192903	Qualifies for 100% of total assessment
Windsor Plains Cultural Society	West Hants African Advisory Association	4839 Highway 1, Three Mile Plains, NS	AAN 04684923 PID 45005402	Qualifies for 100% of total assessment
Windsor Plains Cultural Society	Panuke Road Park	Panuke Road Lot A Three Mile Plains, NS	AAN 05063507 PID 45197126	Qualifies for 100% of total assessment

SCHEDULE 'C'

Non-profit Commercial

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Extent of Exemption
Mermaid Theatre of NS Society (By-Law)	Mermaid Theatre of NS Society	128 Gerrish St., Windsor, NS Land Retail/Office	AAN 04428641 PID 45057536	87% of total assessment is reduced – commercial to residential
Mermaid Theatre of NS Society (By-Law)	Mermaid Theatre of NS Society	110 Gerrish St., Windsor, NS Land Retail/Office	AAN 07917619 PID 45330537	38% of total assessment is reduced – commercial to residential
Mermaid Theatre of NS Society (By-Law)	Mermaid Theatre of NS Society	106 Gerrish St., Windsor, NS Land Theatre	AAN 04412311 PID 45057528	100% of total assessment is reduced – commercial to residential
New Boundaries Society (By-Law)	New Boundaries Society	79 Centennial Dr., Windsor, NS Land Warehouse	AAN 03651282 PID 45055597	100% of total assessment is reduced – commercial to residential
West Hants Historical Society (By-Law)	West Hants Historical Society	281 King St., Windsor, NS (Lot A) Museum	AAN 04684044 PID 45056058	100% of total assessment is reduced – commercial to residential
Windsor Curling Club Limited (By-Law)	Windsor Curling Club	174 Gray St., Windsor, NS (Lot CC-IA) Arena	AAN 04979044 PID 45057296	100% of total assessment is reduced – commercial to residential

Registered Organization	Property Owner	Property Description	Property AAN and PID #	Extent of Exemption
Windsor Day Care Centre (By-Law)	Windsor Day Care Centre	236 Victoria St., Lot W-7, Windsor, NS	AAN 04657071 PID 54243110	100% of total assessment is reduced – commercial to residential
Windsor Nursery School Society (By-Law)	Windsor Nursery School Society	122 Cottage St., Windsor, NS (Lot TW-1) Educational	AAN 04656776 PID 45059565	100% of total assessment is reduced – commercial to residential
Windsor Masonic Society (By-Law)	Windsor Masonic Society	19 Centennial Dr., Windsor, NS (Lot B – Windsor) Fellowship Hall	AAN 02029723 PID 45055662	100% of total assessment is reduced – commercial to residential

BE IT RESOLVED that Schedules A, B, and C of the Annual Tax Exemption Property Listing for Fiscal Year 2023-24 be approved as presented.

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **25th** day of **April**, **2023**.

Deanna Snair
Executive Assistant/Municipal Clerk

Special Committee of the Whole Excerpts
April 19, 2023

2023 RESIDENTIAL PROPERTY TAX ASSISTANCE EXCERPT

The proposed 2023 Residential Property Tax Assistance rebate was recommended at the April 19 Special Committee of the Whole (Budget) meeting.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL APPROVES THE INCRERASE TO A PROPERTY OWNER'S GROSS INCOME FROM ALL SORCES, INCLUDING THE INCOME OF ALL PERSON'S RESIDING WITHIN THE HOME TO $46,000 OR LESS. IN ADDITION TO INCREASING THE RESIDENTIAL COMMUNITY CAP TO $400 FOR ALL COMMUNITIES.

AND FURTHER,

THESE CHANGES WILL BE RETROACTIVE FOR THE 2023 TAX YEAR.

Special Committee of the Whole Excerpts
April 19, 2023

BULK WATER RATE OPTIONS EXCERPT

During the April 19, 2023, Council requested staff prepare an information report on options to reduce bulk water rates and return to the June Committee of the Whole meeting.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT STAFF TO LOOK AT THE OPTIONS FOR HAVING THE BULK WATER RATES REDUCED TO PREVIOUS LEVELS BEFORE REGULATION FROM THE UARB CAME INTO EFFECT

Special Committee of the Whole Excerpts
April 19, 2023

BULK WATER RATE OPTIONS EXCERPT

During the April 19, 2023, Council requested staff prepare an information report on options to reduce bulk water rates and return to the June Committee of the Whole meeting.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT STAFF TO LOOK AT THE OPTIONS FOR HAVING THE BULK WATER RATES REDUCED TO PREVIOUS LEVELS BEFORE REGULATION FROM THE UARB CAME INTO EFFECT

Special Committee of the Whole Excerpts
April 19, 2023

PRE-APPROVAL FOR ELECTRIC VEHICLES EXCERPT

The Planning Department requested pre-approval to go out to tender for two (2) Electric Vehicles as indicated in the 2023-24 Budget.cels

The recommended motion was that Committee of the Whole recommend that …

COUNCIL GIVE PRE-APPROVAL FOR BUILDING INSPECTION FOR TWO ELECTRIC VEHICLES AS STATE IN THE BUDGET.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Alex Dunphy, Planner

Date: April 25, 2023

Subject: Development Agreement: Benjamins Mill Wind Project; File # 21-18A

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

If Council wishes to proceed to a Public Hearing the following motions would be in order:

…that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to allow a Wind Farm on PIDs 45390960, 45406659, 45406667, 45406675, 45406683, 45406709, 45061926, 45406691, 45406717, 45390952, 45407921, 45391018, 45407913, 45060449, and 45060548 which is substantively the same as the draft set out in Attachment B of the report #21-18 to the Planning and Heritage Advisory Committee dated April 13, 2023.

…that Council require that the development agreement with Natural Forces Lands GP Ltd and Atlantic Star Forestry Ltd. for PIDs 45390960, 45406659, 45406667, 45406675, 45406683, 45406709, 45061926, 45406691, 45406717, 45390952, 45407921, 45391018, 45407913, 45060449, and 45060548 be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on January 13, 2022 from Meg Morris on behalf of Natural Forces. The application was for a development agreement to permit a new wind farm with up to 24 wind turbines in Benjamins Mill. Public Information Meetings were held on February 10 and February 23, 2022.

On March 9, 2022, the Minister of the Department of Environment and Climate Change provided a response to the Environmental Assessment application submitted by Natural Forces for the Benjamins Mill Wind Project. The response was that there was insufficient documentation to make a decision and additional requirements were then outlined.

Following this, Natural Forces carried out the required work to resubmit for Environmental Assessment consideration. On January 6, 2023 Natural Forces submitted an Additional Information Addendum to the Department of Environment and Climate Change. Then on February 13, 2023, the Minister of Environment and Climate Change gave the Benjamins Mill Wind Project Environmental Assessment Approval, subject to a list of conditions.

DISCUSSION

Two Public Information Meetings were held on February 10 and 23, 2022.

On April 13, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). During the April 13 meeting PAC/HAC discussed protected area for moose, the total project area of the application, the Water Supply (W) zone, a development agreement on an adjacent property, and the distance to residences. Staff noted that wildlife habitats are not under the jurisdiction of Municipal government, the development agreement restricts development on the Water Supply (W) zoned portion of the project area, development agreements can only impact properties which they are registered to, and that the turbines are proposed 1.6 kilometers from the nearest residence. The PAC/HAC recommended in favour of the development agreement on April 13, 2023.

NEXT STEPS

The anticipated process for this application is as follows:

Process

Staff Review

▼

Public Information Meeting – February 10 and 23, 2022

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – April 13

▼

Regional Council First Reading – April 25

▼

Public Hearing and Second Reading – May 23*

▼

Notice of Approval in Local Paper

▼

14 Day Appeal period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, Council may decide to:

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

APPENDICIES

Appendix A	2023-04-13 Staff Report - Development Agreement: Benjamins Mill Wind Project; File # 21-18

CHIEF ADMINISTRATIVE OFFICER REVIEW

I have no further comments regarding the report. The project has been thoroughly presented to the public and in-turn to PAC / HAC prior to this report.

I support the recommendation.

Report Prepared by: _____

Alex Dunphy, Planner

Report Reviewed by: _____

Sara Poirier, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Appendix A – Development Agreement: Benjamins Mill Wind Project; File # 21-18

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Alex Dunphy, Planner

Date: April 13, 2023

Subject: Development Agreement: Benjamins Mill Wind Project; File # 21-18

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

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 entering into a development agreement to allow a Wind Farm on PIDs 45390960, 45406659, 45406667, 45406675, 45406683, 45406709, 45061926, 45406691, 45406717, 45390952, 45407921, 45391018, 45407913, 45060449, and 45060548 which is substantively the same as the draft set out in Attachment B of the report File #21-18 to the Planning and Heritage Advisory Committee dated April 13, 2023.

…that PAC/HAC recommends that Council require that the development agreement with Natural Forces Lands GP Ltd and Atlantic Star Forestry Ltd. for PIDs 45390960, 45406659, 45406667, 45406675, 45406683, 45406709, 45061926, 45406691, 45406717, 45390952, 45407921, 45391018, 45407913, 45060449, and 45060548 be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on January 13, 2022 from Meg Morris on behalf of Natural Forces. The application was for a development agreement to permit a new wind farm with up to 24 wind turbines in Benjamins Mill. Public Information Meetings were held on February 10 and February 23, 2022.

On March 9, 2022, the Minister of the Department of Environment and Climate Change provided a response to the Environmental Assessment application submitted by Natural Forces for the Benjamins Mill Wind Project. The response was that there was insufficient documentation to make a decision and additional requirements were then outlined.

Following this, Natural Forces carried out the required work to resubmit for Environmental Assessment consideration. On January 6, 2023 an Additional Information Addendum was submitted to the Department of Environment and Climate Change. Then on February 13, 2023, the Minister of Environment and Climate Change gave the Benjamins Mill Wind Project Environmental Assessment Approval, subject to a list of conditions (Attachment C).

DISCUSSION

The project area covers a significant portion of the western corner of the Regional Municipality and borders both the Municipalities of Chester and Kings County. The proposal consists of 15 separate PIDs and measures approximately 29,500 acres in total area.

The lots are primarily cleared forestry land with an existing network of forestry service roads. The lots are owned by Atlantic Star Forestry, leased by Wagner Forestry and sub-leased by Natural Forces for this wind project.

The majority of the properties are zoned General Resource (GR) on the Zoning Map of the West Hants Land Use By-law (Figure 1). There is a portion of one property (PID 45060449), which is partially zoned Water Supply (W) in addition to General Resource (GR). The zoning of this particular property is not considered an issue, as there are not plans for any development on that particular property. Permitted uses in the General Resource (GR) zone consist of agricultural uses, automobile service stations, forestry and other resource uses, low density residential uses, retail and service shops.

The property is designated Resource on the Generalized Future Land Use Map (GFLUM) of the West Hants Municipal Planning Strategy (Figure 2). This designation displays the intention for primarily resource uses in a rural environment, which the proposal matches.

Surrounding Context

All properties abutting the project area are designated Resource and zoned General Resource (GR), aside from a few of the most northern abutting, which are zoned Water Supply (W). There is no planned placement of wind turbines on or near the properties zoned Water Supply (W). To the southeast, the project area abuts clustered residential uses in the Falls Lake development,

which is fairly dense for the rural context of the area. While the project area does abut these residential uses, the closest proposed wind turbine is setback a distance of 1.6 km.

Municipal Planning Strategy Document Review

Policy 4.24.4 is the primary enabling policy to be considered for this application. This policy provides Council with the ability to consider installations of large wind turbines or wind farms outside of the Growth Centre, Village, and Hamlet designations by development agreement. The Policy also includes criteria which must be met by the proposed development. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria since:

- the proposed development has received Environmental Assessment Approval from the Minister of Environment and Climate Change;
- the proposed development is required to provide a Shadow Flicker Impact Assessment and a Sound Level Impact Assessment as part of the conditions to the Environmental Assessment Approval to ensure that adequate separation distances are maintained from adjacent land uses to minimize impacts of noise and shadow and to ensure public safety;
- the proposed development appears reasonably suited for the resource context of the project area; and
- the developer is working directly with the Nova Scotia Department of Public Works to ensure that all necessary permits and road upgrades are completed.

Policy 16.3.1 establishes the general criteria that all development agreements must meet. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Area Manager of the Nova Scotia Department of Public Works, and Municipal Engineer have no concerns which have not been addressed in this report.

NEXT STEPS

The anticipated process for this application is as follows:

Process
Staff Review
▼
Public Information Meeting – February 10 and 23, 2022
▼
PAC/HAC receives staff report and PIM Notes **PAC/HAC Review and Recommendation – April 13**

▼

Regional Council First Reading – April 25*

▼

Public Hearing & Second Reading – May 23*

▼

Notice of Approval

▼

14-day Appeal Period

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Figure 3	Photomontage – Bent Ridge
Attachment A	Policy Summary for Development Agreement
Attachment B	Draft Development Agreement
Attachment C	Environmental Assessment Approval – Terms and Conditions
Attachment D	Public Information Meeting Notes

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Sara Poirier, Director of Planning and Development

Figure 1 – West Hants GFLUM Extract

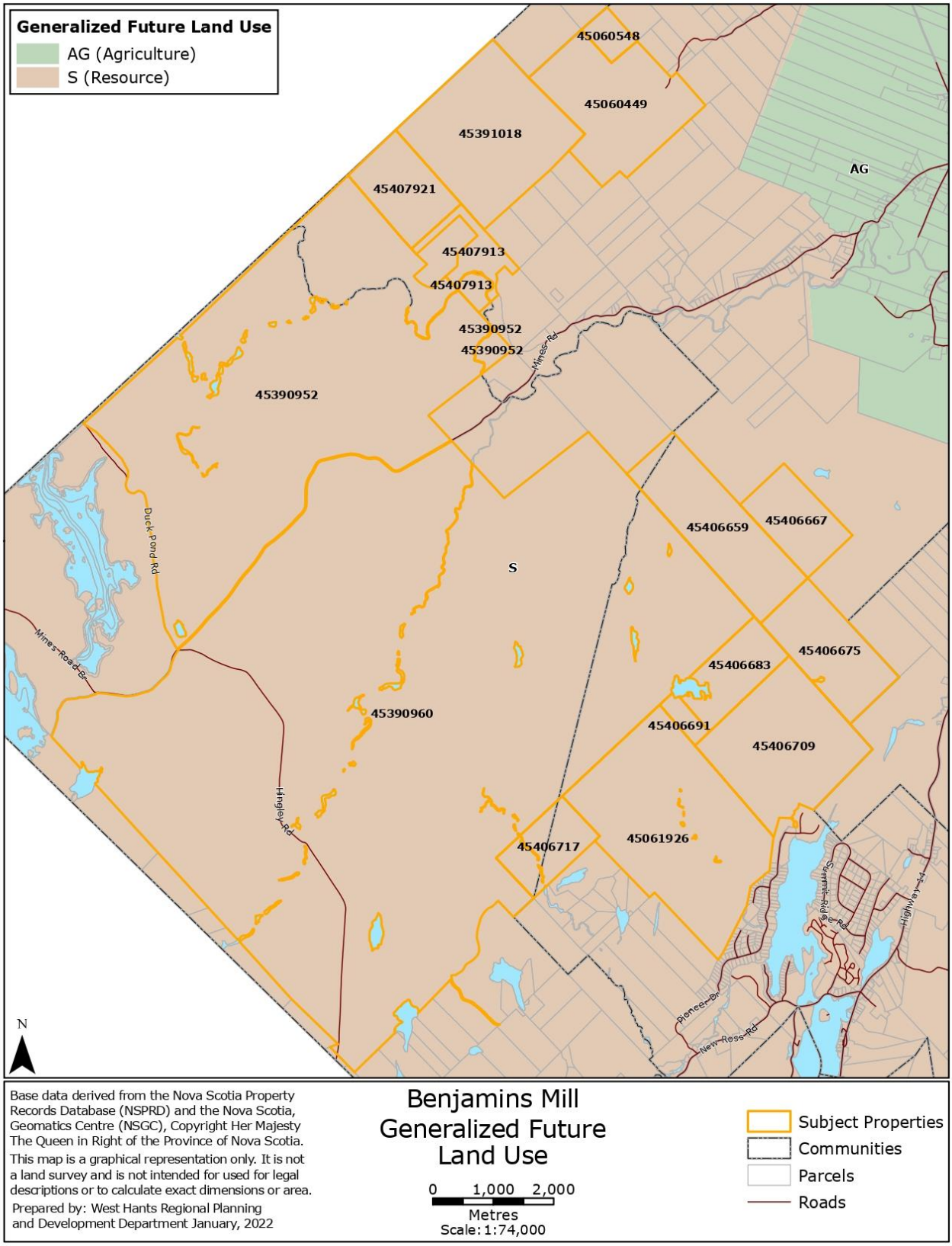


Figure 2 – West Hants Zoning Map Extract

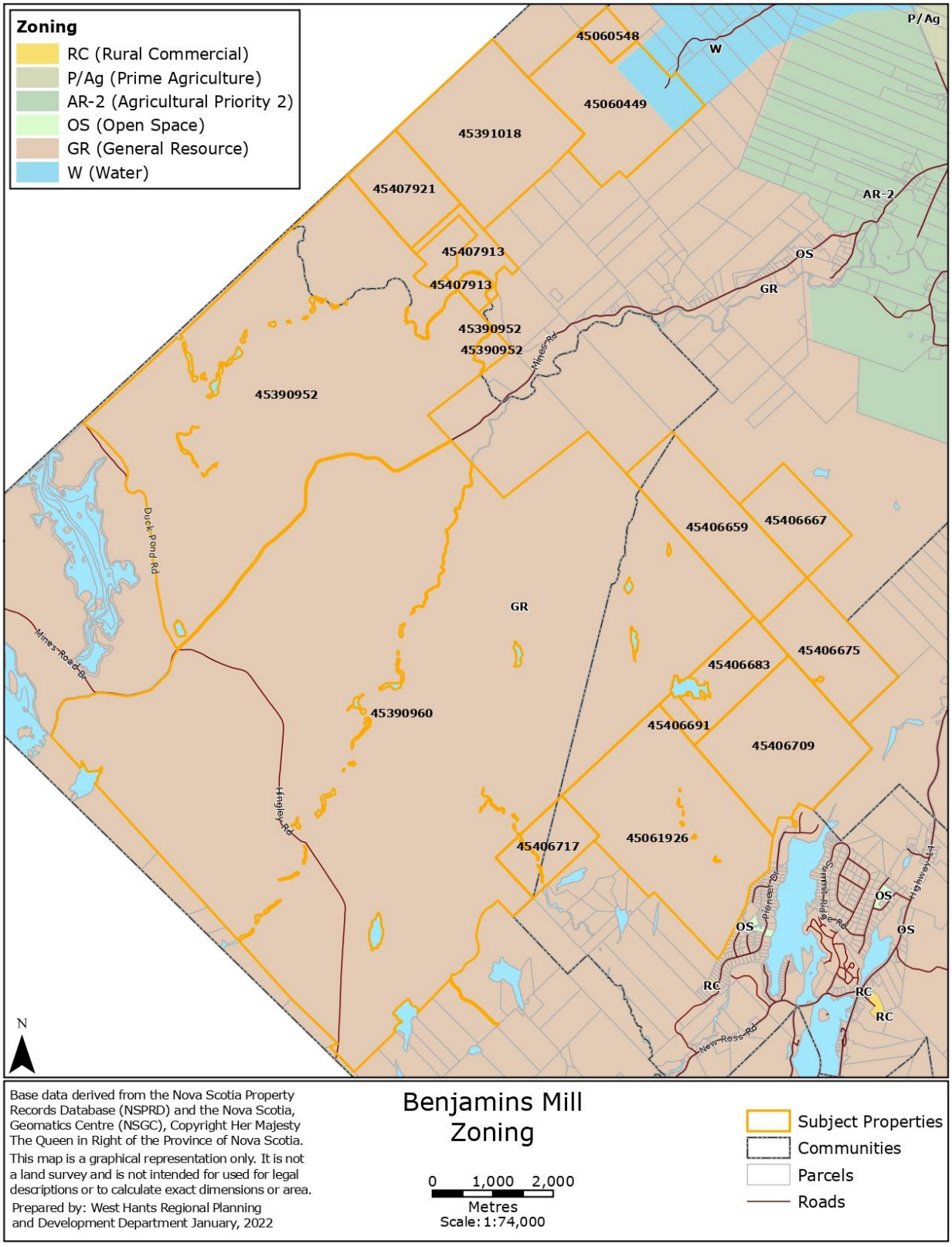


Figure 3 – Photomontage



Attachment A – Policy Summary for Development Agreement

Policy 4.24.4 *It shall be the policy of Council to consider the development of permanent or long-term installations of large wind turbines or wind farms outside the Growth Centre, Village and Hamlet designations by development agreement, having regard to the following:*	
(a) any required provincial and/or federal government environmental assessment processes have been completed;	The Environmental Assessment was submitted to the Nova Scotia Department of Environment and Climate Change on January 6, 2023. The Minister of Environment and Climate Change decided to grant approval on February 13, 2023, subject to a number of conditions. The development agreement is contingent on the proposed development adhering to the conditions of the Environmental Assessment Approval.
(b) adequate separation distances are maintained from adjacent land uses to minimize impacts of noise and shadow and to ensure public safety;	Part of the conditions of the Environmental Assessment Approval requires a Shadow Flicker Impact Assessment and a Sound Level Impact Assessment to ensure the proposed development is within acceptable levels in terms of both noise and shadowing.
(c) the development is not visually intrusive in the landscape, taking into account the location and distance from which it is visible, and the significance and sensitivity of the landscape, topography, vegetation and built form in the surrounding area;	The proposed development is reasonable given the zoning, designation, and distance from surrounding uses. The Environmental Assessment Approval process provides criteria for addressing landscape, topography, vegetation, and built form in the surrounding area. As the project has received Environmental Assessment Approval, this criterion can be considered met.
(d) safe roadway access can be provided;	Staff have communicated with the Nova Scotia Department of Public Works (DPW) regarding the proposed development. The DPW are working directly with the developer to address all necessary permitting and upgrades required for the development.
(e) any other matter which may be addressed in a development agreement; and	All relevant matters have been addressed.

(f) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.	See below

Policy 16.3.1 *In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:*	
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Municipal Public Works Department confirmed that there are no municipal services on the subject lot. It is unlikely that the proposed uses would need sewer and water services, however any on-site services must meet the requirements of the Nova Scotia Department of Environment and Climate Change.
(ii) the adequacy of school facilities;	N/A
(iii) the adequacy of fire protection and other emergency services;	The local Fire Chief has stated that they have no concerns regarding fire protection. The Manager of Building and Fire Inspection Services had no concerns, with the exception of ensuring access for first responders. Access will be dealt with through communications between the developer and the DPW.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The Area Manager from the DPW commented that the access will need to be evaluated for stopping sight distance and the road network leading to Hingley Road would need to be strength tested. The developer has informed staff that they are working directly with DPW to address all concerns.
(v) the financial capacity of the Municipality to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;	Any on-site services must meet the requirements of the Nova Scotia Department of Environment and Climate Change.
(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	Refer to comments regarding Policy 16.3.1 (a) (iv).

(d) the adequacy of the dimensions and shape of the lot for the intended use;	The Development Officer commented that they had no concerns regarding the adequacy of dimensions and shape of the subject lots.
(e) the pattern of development which the proposal might create;	The Development Officer commented that they had no concerns regarding the pattern of the proposed development. The proposed development is consistent with the intent of the Resource designation.
(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;	Matters regarding the suitability of the environment for the project area are dealt with through the Environmental Assessment Approval process. As the proposed development has received approval from the Minister of Environment and Climate Change, this criterion is considered met.
(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and	All Municipal, Provincial, and Federal regulations will have to be met.
(h) any other matter required by relevant policies of this Strategy.	All relevant matters have been addressed in this report.

Attachment B - Draft Development Agreement



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2023.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

NATURAL FORCES LANDS GP LTD., a body corporate, in its capacity as General Partner for and on behalf of **NATURAL FORCES LANDS LIMITED PARTNERSHIP**, with a head office at 1801 Hollis Street, Suite 1205, Halifax, in the County of Halifax, Province of Nova Scotia,

(Hereinafter referred to as the "Developer")

OF THE SECOND PART

- and -

ATLANTIC STAR FORESTRY LTD., a body corporate, with a head office at 10 Church Street, Truro, in the County of Colchester, Province of Nova Scotia,

(Hereinafter referred to as the "Owner")

OF THE THIRD PART

WHEREAS the Developer has entered into certain Leases and Easements for a portion of the lands of the Owner (PID 45390960, 45406659, 45406667, 45406675, 45406683, 45406709, 45061926, 45406691, 45406717, 45390952, 45407921, 45391018, 45407913, 45060449, 45060548), hereinafter referred to as the "Property", which lands are more particularly described in Schedule 'A' attached hereto, for the purpose of building and operating a Wind Energy Facility comprising wind turbines, access roads, fencing, service buildings and transmission equipment;

AND WHEREAS the Developer and the Owner have requested that the Municipality enter into a development agreement to allow the development, construction, and operation of a Wind Farm on the Property (the "Development") pursuant to Policy 4.24.4 of the Municipal Planning Strategy and Section 6.1 of the Land Use By-law; and

AND WHEREAS the Council of the Municipality, at a meeting held on **[Month Day], 2023**, approved this request and adopted this Agreement by policy, subject to the execution of this development agreement by the parties hereto;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

PART 1 AGREEMENT CONTEXT

1.1 Definitions

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use By-law, except those as defined as follows:

(a) *Developer and/or Owner* means either the Developer or the Owner, according to the contractual and lease arrangements between the Developer and the Owner, except that in the event of failure by the Developer to discharge its responsibilities therein, the Owner shall be responsible to the Municipality to guarantee fulfillment of those responsibilities;

(b) *Environmental Assessment Approval* means the Environmental Assessment Registration Document, any Addendum, the Minister's Decision, and the accompanying Terms and Conditions dated on or before February 13, 2023;

(c) *Project Area* means all properties which are included as part of the overall Property;

(d) *Turbine* means a wind energy conversion system whose parts include a foundation, tower, nacelle, rotor assembly and any components within, or attached thereto;

(e) *Turbine Height* means a vertical distance measured from grade to the tip of the highest extended rotor blade;

(f) *Wind Farm* (hereinafter sometimes referred to as the "Facility") means a facility containing all equipment and improvements necessary for the conversion and delivery of wind energy into electricity, including, but not limited to:

(i) one or more Turbines and associated electrical controllers;

(ii) any electrical distribution lines or cabling, communication lines, electric transformers, towers, interconnection or switching facilities, telecommunication equipment, energy storage facilities, power generation facilities, access roads, driveways, meteorological towers, water wells, wind measurement equipment, maintenance/administrative/control buildings, maintenance yards, fencing, gates, berms or other earthworks for environmental protection, signage, and any related equipment, apparatus, accessories, works or appurtenances thereto.

1.2 Schedules

The following attached schedules shall form part of this Agreement:

Schedule A – Notice of Sublease

Schedule B – Site Concept Plan

1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law

(a) *Municipal Planning Strategy* means the Municipal Planning Strategy of the Municipality of the District of West Hants, approved on May 13, 2008, as amended, or successor by-laws;

(b) *Land Use By-law* means the Land Use By-law of the Municipality of the District of West Hants, approved on May 13, 2008, as amended, or successor by-laws;

(c) *Subdivision By-law* means the Subdivision By-law of the Municipality of the District of West Hants, approved on May 13, 2008, as amended or successor by-laws;

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

The Parties agree that uses on the Property shall be limited to the following:

(a) those uses permitted by the underlying zoning in the Land Use By-law; and

(b) a Wind Farm including all associated equipment, facilities and improvements necessary for the conversion of wind energy into electricity and delivery thereof, to a maximum of twenty-four (24) turbines, not to exceed a total Facility nameplate capacity of one hundred and fifty (150) megawatts, together with all components associated with the Facility, and subject to maintaining the site requirements in Section 2.3 of this Agreement.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

2.2 Development Location and Design

(a) The development location and design shall be consistent with the Site Plan shown on Schedule B.

(b) The Development Officer may approve in writing changes to the location of the equipment or other aspects of the Site Plan provided that setbacks listed in Section 2.3, *Site Requirements,* of this Agreement are met. Changes to the Site Plan may also be approved in accordance terms and conditions of the *Environmental Assessment Approval,* provided that the setbacks listed in Section 2.3, *Site Requirements,* of this Agreement are met.

(c) The Developer and/or Owner shall ensure that the wind turbine colouring will conform with Transport Canada regulations for aviation safety. Signage will only be permitted on the nacelle unit if related to the owner, operator, or manufacturer of the wind turbine.

(d) No development may take place on the portion of the Project Area which is zoned Water Supply (W).

2.3 Site Requirements

(a) There shall be no restriction on the height of the tower provided the property owner has received Aeronautical Clearance approval from Transport Canada.

(b) The Developer and/or Owner shall ensure the proposed Development is built such that impacts of sound and shadow flicker are reasonably minimized and public safety is maintained and in particular that:

(i) no turbine shall be built within one times the Turbine Height, measured from the closest edge of the base of the tower, to the boundary line of any land not included in the Project Area.

(ii) no turbine shall be built within 1000 meters, measured from the closest edge of the base of the tower of any dwelling, hotel, motel, or apartment hotel existing as of [MONTH, DAY], 2023; and

(iii) no turbine shall be built within 550 meters, measured from the closest edge of the base of the tower, to any woods camp existing as of [MONTH, DAY], 2023.

(c) Accessory buildings are permitted in accordance with Section 5.1 of the West Hants Land Use By-law, *Accessory Buildings and Structures*.

(d) Nothing in this Agreement shall prevent the future reconstruction, repair or renovation of any accessory building on the Property which is part of the Wind Energy Facility, provided all requirements of this Agreement and the Land Use By-law can be met.

2.4 Access

(a) The Developer and/or Owner shall reasonably minimize the duration and volume of traffic to and from the proposed Development in the vicinity of the driveway providing access to Hingley Road and ensure that all required permits are received from Nova Scotia Department of Public Works and any other applicable traffic authority.

2.5 Signs and Lighting

(a) Signage and illumination shall be regulated under Sections 5.18 and 7.0 of the Land Use By-law, *Illumination* and *Signs*, which controls lighting, size, location, and number of signs. Signage on the nacelle unit shall be subject to Section 2.2 (c) of this Agreement.

(b) The Developer and/or Owner shall ensure that any illumination not required by Transport Canada shall not project glare or direct illumination onto adjacent properties other than those within the project area.

2.6 Operation and Maintenance

(a) The Developer and/or Owner shall ensure that the Facility is operated in accordance with the Environmental Assessment Approval, and in particular that:

(i) the sound level generated by the operation of the wind turbines does not exceed the forty (40) dBA maximum relative to identified receptors as prescribed by Nova Scotia Environment and Climate Change in the Environmental Assessment Approval; and

(ii) the period of shadow flicker does not exceed thirty (30) hours per year, or thirty (30) minutes per day, relative to identified receptors as prescribed by Nova Scotia Environment and Climate Change in the Environmental Assessment Approval.

(b) The Developer and/or Owner shall build, repair and maintain the Facility so that it is in good condition in accordance with good utility practice.

(c) The Developer and/or Owner shall obtain and maintain, as the case may be, all necessary permits and approvals required by the Federal, Provincial, and Municipal Governments.

(d) The Developer and/or Owner shall ensure that the operation of the Facility is regularly monitored, remotely or by designated on site personnel so as to maintain awareness of its current condition.

2.7 Hazardous Materials and Fire Protection

(a) Any hazardous materials on site shall be stored, handled, and labeled in accordance with the Environmental Assessment Approval and the Workplace Hazardous Materials Information System (WHMIS) Regulations.

(b) Nothing in this Agreement shall exempt or be taken to exempt the Developer and/or Owner, or any other person from complying with the requirements of any other applicable statute or regulation of the Federal and Provincial governments, and the Developer and/or Owner agree to observe and comply with all such laws and regulations in connection with the Development and use of the Property.

(c) The Developer and/or Owner shall consult with the Chief of the Fire Department having jurisdiction on the design and construction of the Facility to ensure adequate access for fire vehicles and on the installation and operation of a fire detection and suppression system in the nacelle of each turbine.

(d) The Developer and/or Owner shall provide necessary equipment, training or onsite infrastructure required for adequate emergency response, as reasonably determined by the Chief of the Fire Department having jurisdiction.

2.8 Environmental Assessment Approval

The Developer and/or Owner shall undertake to ensure that environmental impacts associated with the proposed Development are mitigated to the maximum extent possible, and in particular that:

(a) any access roads or driveways constructed be kept to the minimum width reasonably necessary; and

(b) any clearing of land for turbine foundations, crane pads, laydown areas or other Facility components is kept to the minimum area reasonably required; and

(c) all activities are undertaken as prescribed by Nova Scotia Environment and Climate Change in the Environmental Assessment Approval, and all other applicable sections of this Agreement.

2.9 Decommissioning

(a) In the event that Notice of Intent to discharge this Agreement is given to the Developer and/or Owner in accordance with Section 3.5 of this Agreement, the Municipality shall require the Developer to decommission the Wind Energy Facility.

(b) The Developer and/or Owner shall ensure that the decommissioning of the Facility is carried out in compliance with all Nova Scotia Environment and Climate Change regulations and in accordance with the Environmental Assessment Approval.

PART 3 CHANGES AND DISCHARGE

3.1 The Developer and/or Owner shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this agreement is amended.

3.2 Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.

3.3 The following matter is a substantive matter:

(a) the uses permitted on the Property as listed in Section 2.1 of this Agreement, *Use*.

3.4 Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council without a public hearing.

3.5 Notice of Intent to Discharge this Agreement may be given by the Municipality to the Developer and/or Owner following a resolution of Council to give such Notice:

(a) as provided for in Section 4.1, *Commencement of Development,* of this Agreement; or

(b) at the discretion of the Municipality, with or without the concurrence of the Developer and/or Owner, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or

(c) at any time upon the written request of the Developer and/or Owner, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.

3.6 In the event that Notice is given pursuant to Section 3.5 of this Agreement the Developer and/or Owner shall immediately cease all electrical generation at the site and shall comply with any decommissioning requirements pursuant to Section 2.9 of this Agreement.

3.7 Council may discharge this Agreement 30 days after the Notice of Intent to Discharge pursuant to Section 3.5 of this Agreement has been given but may withhold discharge until decommissioning has been completed and liens arising from failure to decommission have been paid.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

(a) The Developer and Owner may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.

(b) Development as provided in Part 2 of this Agreement shall commence not later than forty-eight (48) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* 30 days after giving Notice of Intent to Discharge to the Developer and/or Owner. Upon the written request of the Developer and/or Owner, the Municipality, by

resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.

(c) If the Developer and/or Owner is bona fide delayed from commencing the development for reasons which are beyond the Developer and/or Owner's control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Developer and/or Owner is excused for the period of the delay and the time period for the Developer and/or Owner to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

(a) The Developer and/or Owner shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required, within sixty (60) days of completion of any work which requires the engineered design.

(b) The Developer and/or Owner shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with other By-laws and Regulations

(a) Nothing in this Agreement shall exempt the Developer and Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.

(b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.3 Interpretation

(a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.

(b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

(c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

5.4 Municipal Responsibility

(a) The Municipality does not make any representations to the Developer or to the Owner about the suitability of the Property for the development proposed by this agreement. The Developer and/or Owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.

(b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions

Upon breach of any term or condition of this Agreement, the Municipality may notify the Developer and/or Owner in writing. In the event that the Developer and/or Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice, then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

5.6 Costs

The Developer and/or Owner shall pay all costs associated with registering this Agreement and all costs associated with any amendment thereof.

5.7 Development Agreement Bound to Land

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

5.8 Assignment of Agreement

The Developer and/or Owner may, at any time and from time to time, transfer or assign, in whole or in part, this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

5.9 Written Notice

(a) The Municipality may serve notice on the Developer and/or Owner personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to 1801 Hollis Street, Suite 1205, Halifax, in the County of Halifax, Province of Nova Scotia.

(b) The Developer and/or Owner may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Developer and/or Owner.

5.10 Full Agreement

This agreement constitutes the entire agreement and contract entered into by the Municipality and the Developer and/or Owner. No other agreement or representation, oral or written, shall be binding.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED	**) WEST HANTS REGIONAL**
In the presence of:	) **MUNICIPALITY**
	)
	)
	)
	)
	)
	)
_____	) Per: _____
Witness	) Abraham Zebian, Mayor
	)
_____	) Per: _____
Witness	) Deanna Snair, Municipal Clerk
	)
	)
	)
	)
	)
	)
	) **Natural Forces Lands GP Ltd. For and on behalf**
	) **of Natural Forces Lands Limited Partnership**
	)
	)
	)
_____	) Per:_____
Witness	) Robert Apold, Director
	)
	) **Atlantic Star Forestry Ltd.**
	)
	)
	)
_____	) Per:_____
Witness	) Name & Title

PROVINCE OF NOVA SCOTIA

COUNTY OF HANTS

ON THIS day of , A.D. 202_, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 202_, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that**, ROBERT APOLD**, one of the parties thereto, signed, sealed and delivered the same in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 202_, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that**, NAME OF PROPERTY OWNER REP**, one of the parties thereto, signed, sealed and delivered the same in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK
WEST HANTS REGIONAL MUNICIPALITY

I, Deanna Snair of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (the "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. The Municipality is a body corporate pursuant to the *Municipal Government Act*, S.N.S. 1988, c.18, as amended.

3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the *Municipal Government Act*, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.

4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

Sworn before me at _____, Nova Scotia,
this _____, 20__.

_____ _____
A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

Deanna Snair, Clerk

I CERTIFY that on this date Deanna Snair personally came before me and swore under oath the foregoing Affidavit.

_____
A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, _____, Nova Scotia, make oath and say that:

1. I am _____ of Natural Forces Lands GP Ltd., the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.

3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.

4. The Corporation is a resident of Canada under the Income Tax Act (Canada).

5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 20__ the Deponent came before me, made oath, and swore the foregoing affidavit at _____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

ROBERT APOLD

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, _____, Nova Scotia, make oath and say that:

6. I am _____ of Atlantic Star Forestry Ltd., the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.

7. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.

8. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.

9. The Corporation is a resident of Canada under the Income Tax Act (Canada).

10. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 20__ the Deponent came before me, made oath, and swore the foregoing affidavit at _____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

REPRESENTATIVE OF OWNER

Schedule A
Notice of Sublease

NOTICE OF SUBLEASE

This Notice of Sublease is dated as of February 4, 2021 by and between **Wagner Forest NS Ltd.** (the "**Sub-Lessor**") and **Natural Forces Lands GP Ltd.**, a body corporate, in its capacity as General Partner for and on behalf of **Natural Forces Lands Limited Partnership** (the "**Company**").

WHEREAS, the parties hereto have entered into a Sublease dated as of February 4, 2021 (the "**Sublease**") with respect to a Sub-leasehold interest burdening the Premises (as described below); and

WHEREAS, the parties hereto desire to provide notice to third parties of said Sublease by recording this Notice in the Registry of Deeds/Land Registration Office for the registration district in which the Premises are located.

NOW THEREFORE, in consideration of the sum of $1.00 now paid by the Company to the Sub-Lessor, the premises, the mutual covenants outlined herein and in the Sublease, the payment of rent, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

Section 1: Demise, Description of Premises. The Sub-Lessor does hereby grant, demise, let, rent and Sublease unto the Company and the Company hereby Subleases and rents from the Sub-Lessor, a portion of the lands of the Sub-Lessor identified and described in **Exhibit A** attached hereto (the "**Premises**"), such Subleased portion being more particularly shown and described in **Exhibit B** hereto (the "**Subleased Premises**").

Section 2: Term. The Sub-Lessor has Subleased the Subleased Premises to the Company, subject to all of the terms and conditions contained in the Sublease, for an initial term Development Term commencing at the Effective Date and continuing until the earlier of the Operations Term or three (3) years from the Effective Date unless extended (the "**Development Term**"). Provided the Company constructs a Wind Energy Facility on the Subleased Premises, the Sublease shall have an Operations Term for operating the Wind Energy Facility. This

Operations Term commences on the day the Wind Energy Facility (which shall include at least one operating wind turbine generator on the Subleased Premises) first produces and delivers electrical energy to the utility electrical network system or any other consumer or buyer (the "**Commercial Operation Date**") and shall continue for a period of twenty (20) years from the Commercial Operation Date (the "**Operations Term**"). The Company has the right to renew and extend the initial Development Term for up to three (3) renewal period of one (1) year, subject to the renewal terms and conditions contained in the Sublease. The Development term shall automatically be extended upon the Start of Construction, as defined in the Sublease, and may be further extended thereafter for one (1) year terms until the start of the Operations Term, subject to additional terms and conditions contained in the Sublease. The company has the right to extend the Operations Term subject to the terms and conditions contained in the Sublease for the first option to renew for a term of ten (10) years (the "**First Extended Term**") and a second option to renew for a term of ten (10) years (the "**Second Extension Term**") (collectively the "**Extended Terms**"). All renewal rights and extensions referred to herein, are further subject to earlier termination by either party as provided in the Sublease.

Section 3: Rights. The Sublease outlines, *inter alia*, the rights and obligations of the Sub-Lessor and the Company with respect to the Subleased Premises, including, *inter alia*, rights of renewal, rights and obligations of successors and assigns of the parties, obligations respecting the payment of rent and rights of both parties hereto with respect to use.

Section 4: Assignment, Subletting. The Company may assign the Sublease or grant licenses or sub-Subleases relating to the Subleased Premises only as set forth in the Sublease.

Section 5: Successors and Assigns. All rights and liabilities herein given to, or imposed upon, the respective parties hereto shall extend to and bind the several respective heirs, executors, administrators, successors and permitted assigns of said parties.

Section 6: Addresses of Parties. The parties' addresses as set forth as follows:

the Sub-Lessor:
Wagner Forest NS Ltd.

the Company:
Natural Forces Lands GP Ltd.

C/o Wagner Forest Management, Ltd.
150 Orford Road, P.O. Box 160
Lyme, New Hampshire 03768

1801 Hollis Street, Suite 1205
Halifax, Nova Scotia
B3J 3N4

Section 7: Purpose. This Notice of Sublease is intended only for the purpose of providing notice of the conveyance of the Subleasehold interest in the Subleased Premises to the Company according to the terms and conditions as more particularly outlined in the Sublease. Nothing herein amends, modifies, alters or suspends the Sublease. In the event of any inconsistency between this Notice of Sublease and the Sublease the Sublease prevails.

Section 8: Counterparts. This Notice of Sublease may be executed in several counterparts, each of which when so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument, which shall be sufficiently evidenced by any such original counterpart. A copy of a signed counterpart may be delivered by fax, PDF email or other electronic means which shows a reproduction of the signature and such shall be considered complete delivery and shall be deemed to be a signed original.

IN WITNESS WHEREOF, the parties have executed this Notice of Sublease, as Amended as of the date first above written.

[THE REMAINDER OF THIS PAGE HAS INTENTIONALLY BEEN LEFT BLANK]

the Sub-Lessor:

WAGNER FOREST NS LTD., a company incorporated pursuant to the laws of Nova Scotia

Witness

By: _____
Thomas J. Colgan
Its President, Duly Authorized

Date: 2-4-2021, 2021

AFFIDAVIT OF EXECUTION, VERIFICATION AND STATUS

{PER S83(b) OF THE LAND REGISTRATION ACT}
{PER S31-34 OF THE REGISTRY ACT}
{PER S8(1) OF THE MATRIMONIAL PROPERTY ACT}

UNITED STATES OF AMERICA)
STATE OF NEW HAMPSHIRE)

I, Thomas J. Colgan, of Lyme, in the State of New Hampshire, United States of America, make oath and say as follows:

1. **THAT** I am the President of Wagner Forest NS Ltd. and as such have personal knowledge of the matters herein deposed to.

2. **THAT** for the purpose of this my Affidavit, "matrimonial home" means the dwelling and real property occupied by a person and that person's spouse as their family residence.

3. **THAT** the lands described in the foregoing instrument have never been occupied as a dwelling by any of the shareholders and none of the shareholders have the right to occupy the dwelling as a matrimonial home pursuant to the Shareholders Agreement.

4. **I ACKNOWLEDGE** that I am such authorized signatory of the Company as specified in paragraph 1 above, and have executed the foregoing instrument on behalf of the Company and thereby bind the Company. This acknowledgement is made for the purpose of registering the document pursuant to the relevant provisions of the *Land Registration Act*, 2001, c. 6, s. 1 or the *Registry Act*, R.S. 1989, c. 392, s. 1, as the case may be and in compliance with the provisions of the *Matrimonial Property Act*, R.S., c. 275, s. 1.

SWORN TO before me at Lyme,)
in the State of New Hampshire, in the)
County of Grafton, this 4th day)
of February, 2021.)

A Notary Public in and for the State)
Of New Hampshire)

Thomas J. Colgan

John G. Sobetzer
Notary Public, State of New Hampshire
My Commission Expires Nov. 25, 2024

the Company:

NATURAL FORCES LANDS GP LTD., a body corporate, in its capacity as General Partner for and on behalf of **NATURAL FORCES LANDS LIMITED PARTNERSHIP**

Witness

By: _____
Robert Apold
Its Director, Duly Authorized

Date: MARCH 9, 2021

AFFIDAVIT OF EXECUTION AND VERIFICATION
{PER S83(b) OF THE LAND REGISTRATION ACT}
{PER S31-34 OF THE REGISTRY ACT}

I, Robert Apold, of Halifax, Halifax Regional Municipality, in the Province of Nova Scotia, make oath and say that:

1. **THAT** I am the Director of Natural Forces Lands GP Ltd., in its capacity as General Partner for and on behalf of Natural Forces Lands Limited Partnership (the "**Company**"), one of the parties to the foregoing instrument, and as such have personal knowledge of the matters herein deposed to.

2. **THAT** I hereby verify that I executed the foregoing instrument for and on behalf of the Company as such authorized signatory of the Company as specified in paragraph 1 above.

3. **THAT** I acknowledge pursuant to such authority I have executed the foregoing instrument on behalf of the Company and thereby bind the Company.

4. **THIS** acknowledgement is made for the purpose of registering the document pursuant to the relevant provisions of the *Land Registration Act*, 2001, c. 6, s. 1 or the *Registry Act*, R.S. 1989, c. 392, s. 1, as the case may be.

SWORN TO before me
at Halifax, in
the County of Halifax,
in the Province of Nova Scotia, this 9th
day of March, 2021.

Notary Public
A ~~Barrister or Solicitor~~ of the
Supreme Court of Nova Scotia.

MICHAEL SIMMS
A Notary Public in and for the
Province of Nova Scotia

Robert Apold

EXHIBIT A

PID 45390960

PID 45406659

PID 45406667

PID 45406675

PID 45406683

PID 45406709

PID 45061926

PID 45406691

PID 45406717

PID 45390952

PID 45407921

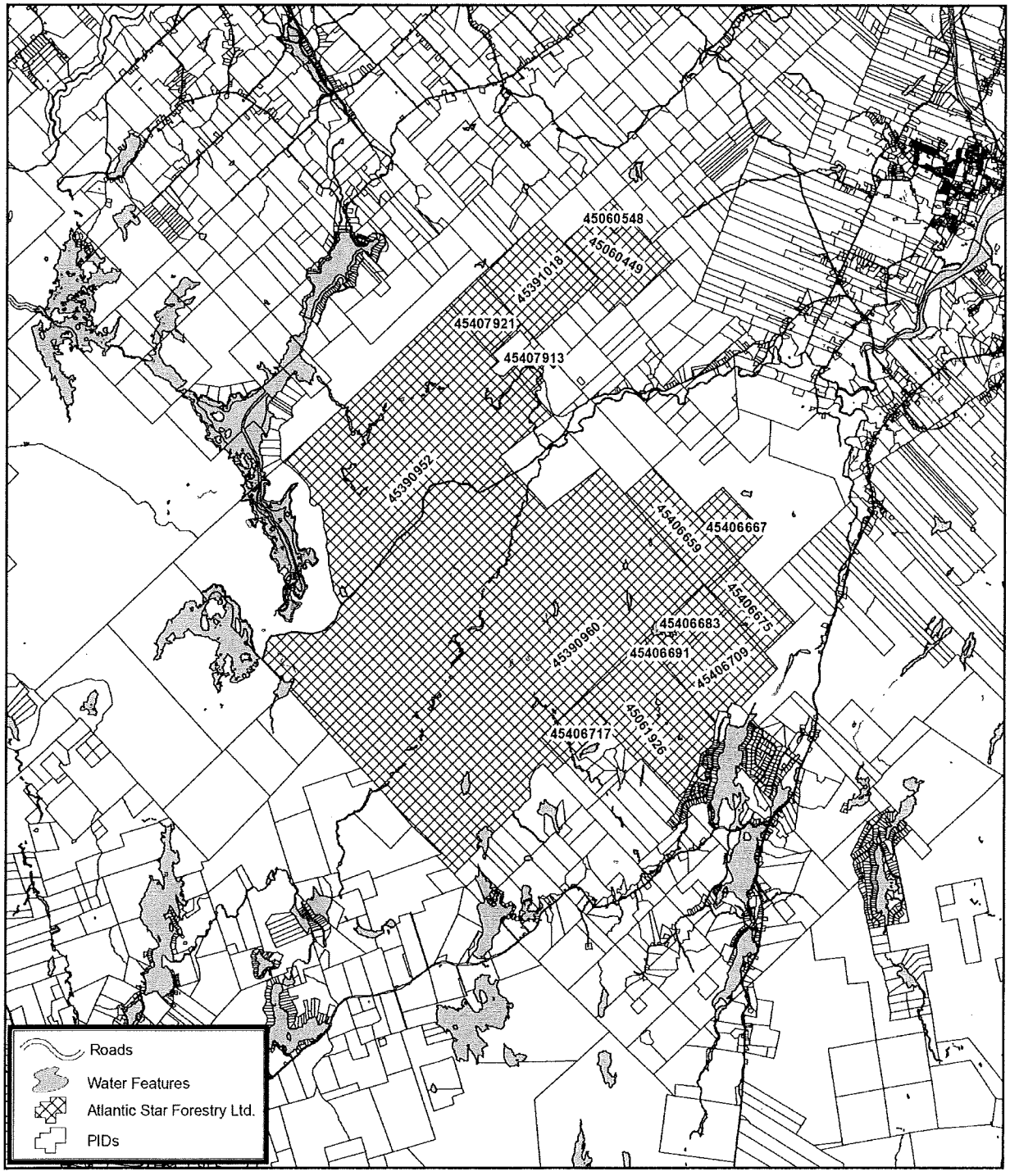
PID 45391018

PID 45407913

PID 45060449

PID 45060548

Exhibit "B"



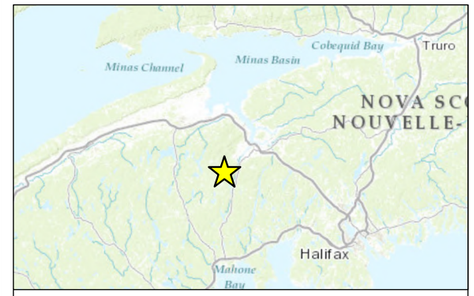
Map Showing Lands Leased by Natural Forces
From
Wagner Forest NS Ltd,
Benjamin Mills, Hants County , Nova Scotia

October 22, 2020

Schedule B
Site Plan

Proposed Benjamins Mill Wind Project

Preliminary Site Plan



Legend

- Current Road Access Point
- Turbine Locations
- Proposed Collector Lines
- Proposed Access Road
- Ben Mill - 28Tc 138 kV Interconnection
- Substation
- Laydown
- Existing 138kV Line
- Private Lands

Notes

1. Turbine markers are not to scale

Sources

- Basedata provided by the Province of Nova Scotia
- Basemap: ESRI World Topo Map

N

0 250 500 750

Metres

Scale: 1:25,000

Spatial Reference: NAD 1983 UTM Zone 20N

Page Size: 11" x 17"

Production Date: Mar 29, 2023

Natural Forces

Proposed Benjamins Mill Wind Project

Preliminary Site Plan and Location



Legend

- Current Road Access Point
- Turbine Locations
- Proposed Collector Lines
- Proposed Access Road
- Ben Mill - 28Tc 138 kV Interconnection
- Substation
- Laydown
- Existing 138kV Line
- Private Lands

Notes

1. Turbine markers are not to scale

Sources

- Basedata provided by the Province of Nova Scotia
- Basemap: ESRI World Topo Map

N

0 250 500 750

Metres

Scale: 1:50,000

Spatial Reference: NAD 1983 UTM Zone 20N

Page Size: 11" x 17"

Production Date: Mar 29, 2023

Natural Forces

Attachment C - Environmental Assessment Approval – Terms and Conditions

NOVA SCOTIA

Environment and Climate Change
Office of the Minister

PO Box 442, Halifax, Nova Scotia, Canada B3J 2P8 • Telephone 902-424-3736 • novascotia.ca

File number: 10700-40-58874
40100-30-317

February 13, 2023

Robert Apold
CEO, Natural Forces Developments Limited Partnership
1205-1801 Hollis Street
Halifax, NS B3J 3N4

Dear Robert Apold:

RE: Environmental Assessment – Natural Forces Developments Limited – Benjamins Mill Wind Project – Hants County, Nova Scotia

The environmental assessment of the proposed Benjamins Mill Wind Project in Hants County, Nova Scotia has been completed.

This is to advise that I have approved the above project in accordance with Section 40 of the Nova Scotia *Environment Act*, S.N.S., 1994-95 and subsection 13(1)(b) of the Environmental Assessment Regulations, N.S. Reg. 348/2008, made under the Act. Following a review of the information provided by Natural Forces Developments Limited, and the information provided by the Mi'kmaq of Nova Scotia, and the public during consultation on the environmental assessment, I am satisfied that any adverse effects or significant environmental effects of the undertaking can be adequately mitigated through compliance with the attached terms and conditions.

If you have any questions regarding the approval of this project, please contact Helen MacPhail, Supervisor, Environmental Assessment Branch, at (902) 483-2696 or Helen.MacPhail@novascotia.ca.

Sincerely,

Tim Halman, MLA
Minister of Environment and Climate Change

Encl.

c: Helen MacPhail, Supervisor, Environment and Climate Change

Environmental Assessment Approval

Approval Date: February 13, 2023

Benjamins Mill Wind Project

Natural Forces Developments LP

Hants County, Nova Scotia

Terms and Conditions for Environmental Assessment Approval

1 Definitions

1.1 *Act* means Environment Act 1994-95, c.1, s.1, and includes, unless the context otherwise requires, the regulations made pursuant to the Act, as amended from time to time.

1.2 Department means the Department of Environment and Climate Change, and the contact for the Department for this Approval is:

Nova Scotia Environment
Western Region, Kentville Office
136 Exhibition Street, Kentville NS B4N 4E5
Phone: 902-679-6086 Fax: 902-679-6186

1.3 Minister means the Minister of Environment and Climate Change.

1.4 Commencement means the same as to commence work, as defined in the Environmental Assessment Regulations.

1.5 EA means Environmental Assessment.

2 Scope

2.1 This Approval (the "Approval") relates to the Approval Holder(s) and their Registration Documentation, which includes the Amendments and all documentation submitted to the Department prior to the issuance of this approval for the Benjamins Mill Wind Project, situated at or near Windsor, West Hants Regional Municipality, Nova Scotia, hereafter referred to as the “Project.”

2.2 The Approval Holder(s) shall ensure the Project is carried out in accordance with this Approval and Registration Documentation, which includes all reference documents and supporting documentation.

3 General

3.1 The Approval Holder shall conduct the Project in accordance with the Act, as amended from time to time.

3.2 The Approval Holder shall, within two years of the date of issuance of this Approval, commence work on the Project unless granted a written extension by the Minister.

3.3 The Approval Holder shall provide written notification to the Department of the commencement date of the Project, at a minimum 30 days prior to the commencement.

3.4 The Approval Holder shall provide to the Department a concordance table detailing the status of the EA terms and conditions on or before January 31 of each year until released in writing by the Department.

3.5 Prior to any proposed expansion, modification, or relocation of any aspect of the Project from that proposed in the Registration Documentation, the Approval Holder must submit the proposal to the EA Branch for review and may require an EA or amendment.

3.6 Nothing in this Approval relieves the Approval Holder of the responsibility for obtaining and paying for all other licenses, permits, approvals or authorizations necessary for carrying out the Project which may be required by municipal by-laws or provincial or federal legislation. The Minister does not warrant that such licenses, permits, approvals or authorizations will be issued.

3.7 No authority is granted by this Approval to enable the Approval Holder(s) to commence or continue the Project on lands which are not in the control or ownership of the Approval Holder(s). It is the responsibility of the Approval Holder(s) to ensure that such a contravention does not occur. Failure to retain said authorization may result in this Approval being cancelled or suspended.

3.8 The Approval Holder shall not transfer, sell, lease, assign or otherwise dispose of this Approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of this Approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.

3.9 Upon any changes to the Registry of Joint Stock Companies information related to the Approval Holder, the Approval Holder shall provide a copy to the Department within 5 days of the changes.

3.10 If there is a discrepancy between the Registration Documentation and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.

3.11 Where a timeline is associated with a condition(s) of the Approval, the Approval Holder shall fulfil the requirements of the condition(s) within the prescribed timeline, unless otherwise authorized in writing by the Department.

3.12 The Approval Holder shall immediately notify the Department of any incidents of non-compliance with this Approval in accordance with the Act and Regulations.

3.13 The Approval Holder shall bear all expenses incurred in carrying out the environmental management and monitoring required under the terms and conditions of this Approval, the Act or the Regulations.

3.14 Unless specified otherwise in this Approval, all samples required to be collected by this Approval, the Act or the Regulations shall be collected, preserved, and analysed, by qualified personnel, in accordance with recognized industry standards and procedures and in accordance with any Standard under the Act or Regulations.

3.15 The Approval Holder shall ensure that this Approval, or a copy, is present at the Project site while personnel are on site and that personnel directly involved in the Project are made fully aware of the terms and conditions which pertain to this Approval.

3.16 The Approval Holder shall update any of the plans, programs or other documents required in this Approval to reflect the progressive development of the Project, and these documents shall be made available to the Department upon request. The Approval Holder shall make any changes that the Department deems necessary.

3.17 Based on the results of the monitoring required in this Approval or otherwise completed for the Project, or at any time as determined by the Department, the Approval Holder shall make necessary modifications to mitigation plans and/or changes to Project operations to prevent unacceptable environmental effects, as required by the Department.

3.18 The Approval Holder shall provide to the Department a summary table detailing the results of the monitoring required in this Approval, or otherwise completed for the Project, on or before January 31 of each year until released in writing by the Department. The results shall clearly identify and summarize any exceedances.

3.19 Where a condition of this Approval requires the Approval Holder to consult a particular party or parties, the condition will be considered complete once the Approval Holder provides a written confirmation letter from the third party or parties that the consultation is complete.

If there is a conflict between the Approval Holder and a party or parties regarding the consultation, the Department will determine if suitable consultation has been completed and/or if further action is required.

4 Project Design and Operation

4.1 Prior to commencement of the Project, the Approval Holder shall submit updated sound modelling, shadow flicker assessment, and any other information requested for the final turbine selection/placement to the Department. The updated modelling must demonstrate compliance with this Approval.

4.2 The Approval Holder shall be responsible for the costs of any third-party review of plans, reports, or monitoring results deemed necessary by the Department over the life of the Project.

5 Water Resources

5.1 The Approval Holder shall not conduct any Project activities, construct a turbine (measured from the tip of the blade), or remove vegetation within 30 metres of a watercourse and/or a wetland unless otherwise authorized in writing by the Department.

5.2 The Approval Holder shall ensure that the following activities take place at a distance of a minimum of 30 metres from a watercourse or wetland in an area such that a release will not enter a surface watercourse or wetland:

- Fuel storage, refueling, and/or lubrication of equipment;
- Washing of machinery or equipment; and
- Storage of equipment, excavated material, and potential contaminants.

5.3 The Approval Holder shall submit additional information to the Department with the Wetland Alteration Approval Application under the Act, prior to any wetland impacts. The information shall be developed in consultation with the Department and include, but not be limited to, a monitoring plan, identification of wetlands of special significance, and evidence that wetlands have been avoided to the extent possible, impacts to wetlands of special significance have been avoided, and risks to indirect alteration of wetlands have been mitigated.

5.4 Prior to commencement, the Approval Holder shall submit a surface water management plan to the Department. This plan shall include discussion of local hydrology, identify potential effects from construction of roads or other Project components on local surface water drainage patterns, and identify avoidance or mitigation measures for the protection of wetlands and watercourses. This plan shall be developed by a qualified professional engineer, hydrogeologist or geoscientist licensed to practice in the Province of Nova Scotia.

5.5 Prior to commencement, the Approval Holder shall submit a detailed sediment and erosion control plan to the Department. The plan shall include all clearing, grubbing and stripping required for the Project and shall be designed by a professional engineer licensed to practice in Nova Scotia.

5.6 Prior to blasting, the Approval Holder shall submit a blasting plan to the Department. The plan shall include completed pre-blast surveys for structures within 800 m of the point of blast, including water quality analysis for water wells within the same area. A detailed blast monitoring plan and a blast damage response policy shall also be provided.

5.7 The Approval Holder, at their expense, shall replace any water supply which has been lost or damaged as a result of Project operations, as authorized and required by the Department.

5.8 The Approval Holder shall immediately contact the Department should sulphide bearing material be encountered on the Project site, and at the request of the Department develop and implement a plan to manage the sulphide bearing material.

6 Wildlife and Wildlife Habitat

6.1 The Approval Holder shall provide the Wildlife Division, Department of Natural Resources and Renewables (NRR) with digital way points and shape files revealing precise locations for wetlands, and species listed under the Species at Risk Act (SARA) and/or Endangered Species Act (ESA), as well as of Species of Conservation Concern (i.e. species assessed by the Committee on the Status of Endangered Wildlife in Canada as at risk, but not listed under SARA or ESA, and all S1, S2 and S3 listed species under the Atlantic Canada Conservation data Centre) identified during field work within two months of collection. The data provided to NRR shall include, at minimum, the date of the field observances and habitat description.

6.2 Prior to commencement of the Project, the Approval Holder shall develop a Wildlife Management Plan in consultation with NRR and Environment and Climate Change Canada (ECCC).

6.3 Prior to the time turbine(s) become operational, the Approval Holder must develop a mortality monitoring program for birds and bats for not less than two years. The program shall be implemented from the time turbine(s) become operational. The monitoring program and associated reporting requirements shall be developed in consultation with NRR and ECCC.

6.4 Prior to the time turbine(s) become operational, the Approval Holder shall develop an Adaptive Management Plan for birds and bats in consultation with NRR and ECCC.

6.5 Prior to commencement of the Project, the Approval Holder must develop a monitoring program for Mainland Moose for not less than two years. The program shall be implemented from the time turbine(s) become operational. The monitoring program shall be developed in consultation with NRR and ECCC.

7 Air, Noise and Visual Impact

7.1 At the request of the Department, the Approval Holder shall develop and implement a plan to monitor air quality during construction of the Project. The plan shall include, but not be limited to, sampling locations, parameters, monitoring methods, protocols and frequency.

7.2 The Approval Holder shall ensure that air emissions at the property boundaries do not exceed Nova Scotia Ambient Air Quality Standards.

7.3 Prior to commencement of the Project, the Approval Holder shall submit updated sound modelling, shadow flicker assessment, and any other information requested for the final turbine selection/placement to the Department.

7.4 The Approval Holder shall ensure that noise levels at any receptor do not exceed 40 dBA. At the request of the Department, the Approval Holder shall develop and implement a plan to monitor noise levels under varying climatic conditions. The plan shall include, but not be limited to, sampling locations, parameters, monitoring methods, protocols and frequency.

7.5 The Approval Holder shall ensure that noise emissions at the property boundaries do not contribute to an exceedance of the maximum permissible sound levels limits specified in the Nova Scotia Environment and Labour “Guidelines for Environmental Noise Measurement and Assessment” dated 18, 2005, as amended from time to time.

7.6 At the request of the Department, the Approval Holder shall develop and implement a plan to monitor shadow flicker under varying seasonal conditions. The plan shall include, but not be limited to, sampling locations, parameters, monitoring methods, protocols and frequency.

7.7 The Approval Holder shall ensure that shadow flicker at the property boundaries does not contribute to an exceedance of the maximum permissible shadow flicker limits of 30 minutes per day or 30 hours per year.

8 Archaeological and Cultural Resources

8.1 The Approval Holder shall cease work and contact the Special Places Coordinator, Nova Scotia Department of Communities, Culture, Tourism and Heritage (CCTH) immediately upon discovery of an archaeological, or paleontological site, artifact or fossil specimen unearthed during any phase of the Project. If the find is of certain or possible Mi'kmaq origin, the Approval Holder shall also contact the appropriate Mi'kmaq representatives as advised by CCTH.

9 Public Engagement

9.1 The Approval Holder shall develop and implement a comprehensive complaint resolution plan for receiving and responding to complaints related to the Project. The plan will include, but not be limited to, a reporting system which records all complaints received, sets out a timeline for responding to complaints and establishes a recording system that details all corrective measures taken to alleviate the cause and prevent its recurrence. The plan shall be made available to the Department upon request.

9.2 The Approval Holder shall appoint a contact person designated to deal with complaints and shall provide the contact information to the Department.

9.3 Prior to commencement of the Project, the Approval Holder shall develop and implement a plan for the formation and operation of a Community Liaison Committee (CLC) including terms of reference, which meet the Department's Guide for the Formation and Operation of a Community Liaison Committee, as amended from time to time. The Approval Holder shall operate the CLC for the duration of the Project or until released in writing by the Department.

10 Engagement with the Mi'kmaq of Nova Scotia

10.1 The Approval Holder shall develop and implement a Mi'kmaq Communication Plan, which will include but not be limited to a process for communicating Project details and seeking input from the Mi'kmaq of Nova Scotia on the development and implementation of Project mitigation and monitoring plans. The plan shall be updated regularly and be available to the Department and the Mi'kmaq of Nova Scotia upon request.

10.2 The Approval Holder shall complete the Mi'kmaq Ecological Knowledge Study (MEKS) for the Project, as described in the Registration Document. The study shall be made available to the Department and the Mi'kmaq of Nova Scotia upon request.

11 Contingency Plan

11.1 Prior to commencement of the Project, the Approval Holder shall submit a comprehensive contingency plan to the Department which meets the Department's Contingency Planning Guidelines. The plan shall provide preventative measures and address accidental occurrences including, but not limited to, spills of hydrocarbons or other hazardous materials, failure of erosion and sediment control measures, fires, and vehicular collisions. The Plan shall be implemented, maintained and updated over the life of the project.

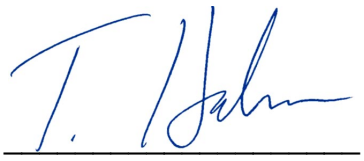
11.2 The contingency plan shall be kept on the Project site at all times when personnel are on site and be made available to the Department upon request.

12 Site Reclamation

12.1 The Approval Holder shall submit a decommissioning and site reclamation plan to the Department, two years prior to the end date of the Power Purchase Agreement.

12.2 Project operations shall be completed and reclaimed to the satisfaction of the Department and other appropriate regulatory departments.

12.3 The Approval Holder shall decommission wind turbines to restore habitat. In the event any turbine ceases to be operational for a period of two years, the Approval Holder shall submit a report to the Department outlining a timeline for reparation to the unit(s) to either render it fully functional or provide similar details for removing the turbine from the site within two years from the date the report was received by the Department.



Honourable Timothy Halman, MLA
Minister of Environment and Climate Change

Attachment D – Public Information Meeting Notes

February 10 – March 3, 2022

File # 21-18

Benjamins Mill Wind Project Development Agreement

Meeting date and time	A public information meeting was held on February 10th, 2022 at 6:00 p.m. However, the notice was not sent to all residents due to an error with the mail list. A follow-up public information meeting was held on February 23rd, 2022 beginning at 6:00 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for February 10th: One (1) Councillor: • Councillor Jim Ivey (Chair) Four (4) members of staff: • Director LeMay • Planner Poirier • Planner Dunphy • Meeting Secretary Lake Ten (10) members of the public were present for this meeting. In attendance for February 23rd: One (1) Councillor: • Councillor Ed Sherman (Chair) Four (4) members of staff: • Director LeMay • Planner Poirier • Planner Dunphy Eight (8) members of the public were present for this meeting.
Applicant Natural Forces (Developer) **Property** PIDs 45390960, 45406659, 45406667, 45406675, 45406683, 45406709, 45061926, 45406691, 45406717, 45390952, 45407921, 45391018, 45407913, 45060449, and 45060548	For both meetings: Planner Dunphy outlined the application to allow a proposed wind farm by development agreement. Meg Morris, one of the representatives of the developer, also gave a presentation on the specifics of the proposed wind farm.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between February 10 – March 3, 2022. Staff received seven (7) phone calls and twelve (12) emails were received. The email responses are attached. Four (4) phone calls

	were requesting attendance to the Public Information Meeting. Stephen Marsters called with concerns regarding property damage caused by road development and heavy vehicle use. Raff Franco called requesting that the wind farm maintains a 5 k.m. set back from any homes and to say that Natural Forces cannot guarantee that there would be no negative health effects from turbine installation. Alex Crocker called to request that mailouts be provided to the residents of Canyon Point, as the letter was only sent to the head office. During the February 10th, 2022 meeting: No members of the Public spoke during the Public Information Meeting. During the February 23rd, 2022 meeting: 6 members of the public spoke at the Public Information Meeting. The following comments and questions were made at the public information Meeting. Staff and applicant responses are included in purple text. • Ward Blatch asked about topographic mapping for the project, access, and project expansion. Meg Morris replied that the mapping will be published on their website, but the mapping can also be directly sent. Any discussion for recreational use of the property can be discussed with the developer, and reaching out is encouraged. Access to the property may require fencing for safety concerns as well as upgrading any roads required. There is also no intension to develop the rest of the lands included in the development agreement. • Olga Leiva was concerned with the distance of the proposed development to their residence. Meg Morris replied that as part of the Environmental Assessment, there are studies which were undertaken to look into the sounds caused by construction and operation. The infrastructure is situated at least 1.5 kilometers from any residences. All provincial requirements will be met for the project. Olga was also concerned with the land value. • Dave Mumford had concerns regarding the affects of blasting on wells. Meg Morris replied that the Environmental Assessment process takes construction practices into account. The project area is 1.5 kilometers away from the nearest residence and it is unlikely to impact wells due to construction. • Angela Martell asked why the other side of the project area was not used. Meg Morris replied that as part of the process, factors including proximity to residences, proximity to the Nova Scotia Power grid, and wind resource availability. The project area is situated at a

	higher elevation and is better suited for energy generation. Angela also commented that there are concerns with noise and the visual affect of the turbines. Angela then asked if there was consideration to using a 5 or 10 kilometer buffer distance for the turbines. Meg replied that a buffer of that size would entirely limit where wind turbines could be placed in Nova Scotia. The 1 kilometer standard buffer is used as the studies have shown that is the distance that sound tapers off. • Catherine Newell commented that roads would need to be upgraded in order for machinery to be transported and that they have some concerns with the affects of turbine construction and operation on well water. Catherine also asked what receptors are in the context of project mapping. Meg Morris replied that receptors are residences. There are some uncertainties as the project moves through the development process and all feedback is appreciated. The existing road network is planned to be used as much as possible and will require upgrades. The 1 kilometer setback helps to mitigate effects from the construction and operation on residences. • Alex Crocker asked about the RFP size and when Natural Forces would have the final project design. Meg Morris replied that a power contract would need to be agreed upon as well as the required permitting. Public feedback is integrated into each one of these steps. Alex then asked about noise projections from a consultant. Meg replied that their model has been updated to be more realistic and there is active communication with a third party to confirm Natural Forces noise modeling. • Dave Mumford asked about using drone modeling for noise projections. Meg Morris replied that the photomontage from the point of view of Falls Lake is being created and that 3d modeling for the turbines is being worked on and will be published on the website.
Adjournment	The February 10th, 2023 meeting was postponed at 6:22 p.m until February 23rd. The February 23rd, 2023 meeting was adjourned at 6:57 p.m.

Public Email Responses Submitted for the Application PIM

February 7, 2022
From Jaclyn Blanchard
To Alex Dunphy

Hi Alex,

My husband Jon Blanchard and I own a property on pioneer drive that will be affected by this project. We would like to attend the meeting.

Thank you

Jon & Jaclyn Blanchard

February 8, 2022
From Alex Dunphy
To Jaclyn Blanchard

Hello,

I will add you to our invitation list for the February 10th Public Information Meeting. Please expect an invitation link within the next day or so.

Best,

Alex Dunphy

February 7, 2022
From Sherri Blanchard
To Alex Dunphy

Good Evening Alex

We would like to attend the virtual information meeting regarding the above Development at Benjamins Mill. We are building a cottage on adjoining property with our son & daughter in law Jon & Jaclyn Blanchard

Thank you

Reuben & Sherri Blanchard

February 8, 2022
From Alex Dunphy
To Jaclyn Blanchard

Hello,

I will add you to our invitation list for the February 10th Public Information Meeting. Please expect an invitation link within the next day or so.

Best,

Alex Dunphy

February 7, 2022
From Greg Rourke-Deal
To Alex Dunphy

I most certainly would like to attend the virtual meeting scheduled for February 8th on the proposed wind turbine for Benjamin Mills area.

Greg Rourke-Deal

February 8, 2022
From Alex Dunphy
To Greg Rourke-Deal

Hello,

I will add you to our invitation list for the February 10th Public Information Meeting. Please expect an invitation link within the next day or so.

Best,

Alex Dunphy

February 8, 2022
From Roger Allen
To Alex Dunphy

Like to attend the zoom meeting February 10, 6pm for the Benjamins Mill project

Thanks

February 8, 2022
From Alex Dunphy
To Roger Allen

Hello,

I will add you to our invitation list for the February 10th Public Information Meeting. Please expect an invitation link within the next day or so.

Best,

Alex Dunphy

February 9, 2022
From Marilyn Macumber
To Alex Dunphy

Pleased be advised that we, Dennis and Marilyn Macumber, would like to join the a/m meeting.

Please send link to: [EMAIL REMOVED]

Thank you!

February 8, 2022
From Alex Dunphy
To Roger Allen

Hello,

I will add you to our invitation list for the February 10th Public Information Meeting. Please expect an invitation link within the next day or so.

Best,

Alex Dunphy

February 9, 2022
From Sheldon Knox
To Alex Dunphy

Good morning,

I just received a letter inviting me to participate in an online meeting. I would like to confirm my attendance.

Thanks

Sheldon Knox

February 9, 2022
From Alex Dunphy
To Vanessa Lake

Hi Vanessa,

I just received another request to attend the PAC/HAC. Could you also send an invite to the individual below?

Thanks,

Alex

February 9, 2022
From Vanessa Lake
To Alex Dunphy

Hi, sure thing! Invite sent!

February 15, 2022
From Pam Patterson
To Alex Dunphy

Falmouth Trucking. We didn't receive notification of the meeting until Feb 11. Will there be another meeting scheduled? Could you please forward a clearer map. Thank you. Pam Patterson.

February 16, 2022
From Alex Dunphy
To Pam Patterson

Hello Pam,

Another meeting has been scheduled for February 23rd, 2022 at 6 pm. Would you like to receive an invitation to the zoom meeting?

As for your request regarding the map, please see the attached.

Best,

Alex Dunphy

February 23, 2022
From Pam Patterson
To Alex Dunphy

We cannot Zoom from our computer. We don't have the necessary internet connection because we are outside the high speed area. We will watch on facebook. Two questions. Why are they designating so much space if there is only going to be 24 windmills? There is a designated protected area for moose. What are the plans for that? Thank you. Pam.

February 23, 2022
From Alex Dunphy
To Pam Patterson

Hi Pam,

I think that the applicant may be better suited to answer your questions in this case. I have CC'd the contact for Natural Forces to provide a follow-up.

Meg, would you mind responding to the previous questions in the email chain?

Much appreciated,

Alex Dunphy

February 23, 2022
From Meg Morris (Natural Forces)
To Pam Patterson

Hi Pam,

These are great questions – thank you for reaching out. I will list my answers here for clarity:

1) "Why are they designating so much space if there is only going to be 24 windmills?"

a. We have been working with this landowner for some time now and secured all of the land shown to cover a couple possible project locations. Since then, we have carried out various studies, including collecting wind data on site, which demonstrates that the area where we have proposed this Project is the best location. So, while we have all those lands signed up, we are only proposing to develop the area indicated.

2) "There is a designated protected area for moose. What are the plans for that?"

a. There is some core mainland moose habitat to the southwest of the site, but this does not overlap the area where we are proposing the development. Further, the area we are proposing to develop has been used for forestry activities and has an extensive network of existing access roads/trails and much of it has been cleared in the recent past. Because of this, it is a disturbed site and doesn't represent suitable habitat for moose. While we did not carry out targeted moose surveys, our consultants do report incidental sightings when they are out in the field. There were no reportings of moose on the site during our other surveys.

If you have any other questions, please don't hesitate to reach out to me. I am happy to hear you'll be watching on Facebook tonight – I hope we will provide the information you need.

Additionally, would you like to be added to our stakeholder list to receive occasional updates on the Benjamins Mill Wind Project?

Thank you,

Meg

February 19, 2022
From Mark Bosma (HCCC#1 Secretary)
To Alex Dunphy

Dear Mr. Dunphy (Alex),

I'm writing on behalf of HCCC#1 re the Benjamin Mills Project (you have been in touch with our treasurer, Alex Crocker, who provided me with your contact info). I understand that there is to

be an information meeting on February 23rd for property owners to attend - would you be able to provide the information for the meeting, including link, so that I can circulate to our owners? I am aware that information was sent by mail, but many of our owners are away for the season and may not have received this information.

Sincerely,

Mark Bosma

HCCC#1 Secretary

February 22, 2022
From Alex Dunphy
To Mark Bosma (HCCC#1 Secretary)

Hello Mark,

Thank you for reaching out. The meeting is regarding a potential development agreement for a 23-turbine wind project in Benjamins Mill.

A Follow-up Public Information Meeting is taking place tomorrow, February 23rd at 6:00 pm. The invite links have been sent out to all those that have requested them. Please find the link below to be sent out.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.
[LINK REMOVED]
Passcode: [PASSCODE REMOVED]

Description: A second PIM for Benjamins Mill Wind Farm.

Best,

Alex Dunphy

March 3, 2022
From Mark Bosma (HCCC#1 Secretary)
To Alex Dunphy

[ATTACHMENT - Letter re Benjamin Mills development from HCCC#1 attached below]

Dear Mr. Dunphy (Alex),

Thanks again for your earlier correspondence regarding the Benjamin Mills wind turbine project. Our board met last week, and wanted to raise a specific issue/question about the planned project, and wanted to submit prior to the deadline of March 3rd. Please see the attached correspondence regarding our concerns about the project and the effect it may have on our community. Any information/response you can provide is much appreciated.

Sincerely,

Mark Bosma

HCCC#1 Secretary

March 3, 2022
From Alex Dunphy
To Mark Bosma (HCCC#1 Secretary)

Hello Mr. Bosma,

Thank you for your submission. I will ensure that it is included in our documents for further consideration by the Planning and Advisory Committee as well as Council. I will also coordinate with the applicant (Natural Forces) to provide an answer to your concerns regarding your community infrastructure.

Best,

Alex Dunphy

March 13, 2022
From Mark Bosma (HCCC#1 Secretary)
To Alex Dunphy

Hi Alex,

Apologies for the delay in responding, and thanks for your quick response. Any information that can be provided regarding the project and potential effects on our infrastructure is greatly appreciated.

Sincerely,

Mark

HCCC#1 Secretary

March 15, 2022
From Meg Morris (Natural Forces)
To Mark Bosma (HCCC#1 Secretary)

Hi Mark,

Thank you for copying us on this correspondence with Alex. It is important that we hear from community members and stakeholders like yourself and your board so that we can take the comments and concerns into consideration in our project design, which is not finalized. We have read your letter and want to assure you that we will do our due diligence, including any necessary studies, prior to any intrusive construction activities to ensure no damage is done to water wells in the area.

As always, please don't hesitate to reach out to us if there are any items you'd like to further discuss.

Thank you,

Meg

February 24, 2022
From Don Andrea
To Alex Dunphy

Hello Alex,

Last evening I had the opportunity to attend the virtual meeting held to discuss the proposed wind turbine project.

As an owner at the canyon point resort, I/we (family) appose this development.

10 years ago we decided to invest and build our dream cottage in this tranquil area of West Hants.

I deeply feel this project will not only disrupt the peaceful existence of my fellow residences and my family, but will be a disruption post completion.

I know first hand of the sounds and vibrations that these wind turbines omit.

The sounds and vibrations can and will cause mental stress and anexiety to all those in the surrounding areas.

People chose to move within this community and pay their property taxes to enjoy peaceful living uninhibited by such an enormous undertaking. Our property values will definitely decrease with this project so very close to our beautiful and peaceful community and surrounding areas.

It is our hope that this project will not be permitted to move ahead.

After a long two years of mandates and now we are starting to lift restrictions I/we feel this project is just too much to handle.

Mental Health and stabillity of all people in this area is paramount above all else.

Sincerely

Don J. Andrea

February 24, 2022
From Alex Dunphy
To Don Andrea

Hello Don,

Thank you for providing comments regarding this Development Agreement. The comments will be passed along to the Planning and Heritage Advisory Committee and Council for consideration.

Best,

Alex Dunphy

February 25, 2022
From Alex Crocker
To Alex Dunphy

Good afternoon, Alex.

Re: Benjamins Mill Wind Project -Proposed Development Agreement

Unfortunately, I am unable to support the project at this time. Here are some of the questions and concerns that have been posed at information meetings, to which the answers are still unclear:

-Mapping of physical sight, sounds, (such as turbine noise), and navigation lighting based on actual proposed windmill locations considering actual terrain/elevation, trees and sound refraction off of nearby watercourses ....validated by a 3rd party consultant

-Unknown project size and scope. The RFP has not yet awarded identifying the maximum project size in terms of megawatts, directly attributing to an undetermined number of windmills and project footprint.

-Unknown requirement for blasting to make site assess or for construction of footings for windmill bases. With that comes an untold impact on water wells and existing structures.

-I understand the requirement for permanent site fencing surrounding all windmill sites and infrastructure for safety reasons. However, do we have any assurance that access for recreating will be maintained? This area gives access to pristine freshwater rivers, streams and lakes. As well as plentiful fishing and hunting.

-Has the impact on property valuations been studied? If our community is viewed as less desirous to live in based on unknown aesthetic, noise and lighting from windmill installation will property assessments be devalued?

-The proposal process to me seems rushed. If there were responses supplied prior to question deadline, perhaps I could support this undertaking with some assurances that the proponent has addressed the above noted concerns. Can the question deadline be extended until after the proponent finalizes project size and scope?

Thank you for considering the above questions.

Alex Crocker

March 1, 2022
From Alex Dunphy
To Alex Crocker

Hello Alex,

Thank you for your comments, I will ensure that they are added to our documents for consideration of the Planning and Heritage Advisory Committee as well as Council. Some of

these questions will need to be answered by the applicant (Natural Forces), but I will provide you with as much information as I can.

We are aware of the changing nature of the application. Once finalized, developments being permitted by development agreement must be generally consistent with the plans set out in the document. A development officer is able to permit minor changes so long as all other requirements of the development agreement are met.

Development of the site with respect to blasting will be required to meet the environmental requirements as set by the Provincial Government.

Access to the site is a matter which between the owner of the property and neighbouring residents. Unless there is an existing agreement providing permission to access the lands, I would recommend that you speak with the owner of the leased lands for further clarification.

The policy criteria used to determine of this development is eligible for a development agreement does not include property valuation. For further information on property valuations, the Property Valuation Services Corporation (PVSC) should be contacted.

For inquiries about project timeline, I would also recommend contacting the applicant, Natural Forces.

Best,

Alex Dunphy

February 27, 2022
From Grant Sullivan
To Alex Dunphy

Hi Alex (and Meg),

Thank you for the discussion this past week as it clarified some things for us as new owners in the Canyon Point resort area. Per your (and Meg's offer) the following summarizes the concerns and perspectives we have as affected parties of this proposed project.

First, there seem to be restrictions on where these farms can be placed, given your introduction. While Canyon Point does not appear to be zoned as one of the areas to avoid, it clearly has strong similarities, most notably the density of population, lot sizes, property values and associated municipal tax rates. Given our community has a development agreement entered into by the municipality that explicitly forbids noisy machinery, I believe it is critical that this be considered when entering into new adjacent agreements.

Second, and perhaps related, it looks like the proposed wind farm has the vast majority of wind turbines planned to be over 4 km from this densely populated area with only one or two that are closer. I believe the community should and will have the right to shut down any turbine that turns out to impede the quiet enjoyment of our land given the alternatives that clearly were and are available. It seems prudent to design the locations of the wind farm to avoid the most proximate planned locations if at all possible. Said another way, in achieving the wind load/power requirements of the farm, the project must avoid proximity to densely populated areas in forming the final design, especially where other options (while potentially less economically efficient) are available.

The reason we voice this concern is we travelled to the canoe lake wind farm location this past week where we positioned ourselves exactly 1 km from the nearest wind turbine. Afterward, we turned down the perpendicular highway, stopping after another kilometer. We found both locations to have very high level of noise similar to an aircraft overhead at all times. The first location at 1km was totally unacceptable and at 2km we still found it noisy although it is unclear if there was noise from other turbines at play as the highway goes orthogonal to the original road location. Either way, based on this experiment, it appears inaccurate to say that the turbine noise is low to unnoticeable at either distance.

Any further information you have on sound and/or visual/topographical models is of interest. I would also be interested in the setback numbers (especially to densely populated areas) being identified on the proposed turbine locations.

I look forward to remaining a fan of green energy as I see it implemented responsibly in our province. Thanks for considering this perspective.

Grant Sullivan

Owner, Canyon Point

March 3, 2022
From Alex Dunphy
To Grant Sullivan

Hello Grant,

Thank you for you comments. They will be added to our documents for further consideration by the Planning and Heritage Advisory Committee as well as Council.

Additionally, could you provide me the development agreement mentioned which forbids noisy machinery?

Best,

Alex Dunphy

March 6, 2022
From Grant Sullivan
To Alex Dunphy

Hi Alex,

In the paperwork for Canyon Point there is a summary of Land Use Bylaws, development agreement requirements, and various other inputs I imagine. Number one on the list of requirements is to ensure that nothing impedes the quiet enjoyment of the land by other residents. To me it is common sense but also codified there. I hope this helps,

Grant

March 15, 2022
From Grant Sullivan
To Alex Dunphy

Hi Grant,

Thank you for copying me on this email to Alex. It is important that we hear from community members like yourself so we can take all comments and concerns into consideration in our project design, which is not finalized.

We are finalizing the elevation map, so I will get that to you soon. Otherwise, if there are any items you'd like to further discuss with us, please don't hesitate to reach out.

Many thanks,

Meg

February 27, 2022
From Olga Leiva
To Meg Morris

Hello Ms. Morris,

My name is Olga Leiva. I live at [ADDRESS REMOVED], in Canyon Point Resort Community. I participated in the "Virtual Public Information Meeting" on February 23rd, 2022.

As you requested, I'll like to put in writing some basics from my comments on the proposed development agreement that would allow a 24-unit wind turbine project in Benjamin Mill.Taking into considerations the followings facts:

1- I suffer from Tinnitus, one of the main reasons that I recently decided to place my home in this quiet environment. No warning about turbines.

2- This residential area is not polluted by noises. Noises generated in a quiet environment become more intense for humans.

3- It is a fact, worldwide, the weather is changing fast. Turbine technology is improving at the same speed and very often there is news about fire because of a storm or some blade/s falling because of the winds, even, a few days ago, in Europe, because of a heavy storm the whole structure fell. Where is the safety for nearby houses with family in it?

4- Being moving or stopped, the large surface of the blades make possible as much is the wind as much is the noise generated. As much is silent in the environment, say at nights, more disturbance to the necessary sleepy time. The exposure to these machines by time, day by day can create clinical disorders.

5- I do not know the figure but if I ask in the Social Media, for sure, an important figure of potential buyers searching for a house as mine will decline if there are turbines close by. This will seriously depreciate the value of my property at the moment I decide to sell it. I moved to my brand new home in Canyon Point a year ago. It is a custom made cottage where I live permanently. I wonder if Benjamin Mills will cover my losses if that is the case on the price I decide according to the housing market at the time.

Also, I would like to quote the following:

"During the past few years there have been case reports of adverse effects. In 2006 Académie Nationale de Médecine Working Group Report notes that noise is the most frequent complaint. The noise is described as piercing, preoccupying, and continually surprising, as it is irregular in intensity. The noise includes grating and incongruous sounds that distract the attention or disturb rest. The spontaneous recurrence of these noises disturbs the sleep, suddenly awakening the subject when the wind rises and preventing the subject from going back to sleep. Wind turbines have been blamed for other problems experienced by people living nearby. These are less precise and less well described, and consist of subjective (headaches, fatigue, temporary feelings of dizziness, nausea) and sometimes objective (vomiting, insomnia, palpitations)"

“When assessing the adverse effects of IWTs it is important to consider what constitutes human health. The World Health Organization (WHO) defines health as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.”21

I have found more than enough material related to WTs and most of that is in detriment of this Aeolic parks installation as well as families presenting their terrible experience living even farther, than 500 feet.

Finally, I really want the Benjamin Mill Project to consider my comments; I could be one of the closest residents to this, in my opinion, very unfortunate project to the tranquility of this peaceful community. As one of my neighbors mentioned during the meeting it will be very thoughtful if you move the whole project more to the north and avoid all our worries.

Thank you,

Olga Leiva Padilla

March 15, 2022
From Meg Morris
To Olga Leiva

Hi Olga,

Thank you for providing these comments, it is really important that we hear from community members like yourself. We are aware that the residents living in Canyon Point and near Falls Lake are concerned about noise from the proposed turbines and we are taking this into consideration for the design of the project, which has not been finalized. Because of the comments we have received, we are also taking additional steps to verify the results of our noise studies with a third party validation to ensure the results are accurate.

There is a body of peer reviewed research on property value and health impacts from wind projects like what we are proposing. I am happy to share some of this information, would you like me to send some resources along?

Again, I want to thank you for taking the time to attend the public information meeting and to follow up with your comments.

We are always available to discuss concerns, so if you would like to have a call sometime, please let me know.

Thank you,

Meg

March 3, 2022
From Norman Newell
To Alex Dunphy

[ATTACHMENT – Benjamins Mill2 attached below]

Alex,

Please find attached our comments regarding the proposed Bejamins Mill Wind Project.

Thanks,

Norman and Catherine Newell

March 3, 2022
From Alex Dunphy
To Norman Newell

Hello Mr. and Mrs. Newell,

Thank you for your input regarding this project. I will ensure that it is included in our documents to be further considered by the Planning and Heritage Advisory Committee as well as Council.

Best,

Alex Dunphy

[ATTACHMENTS LISTED IN ORDER]

March 3rd, 2022

Alexander Dunphy
Planner
West Hants Regional Municipality
PO Box 3000, 76 Morison Drive
Windsor, NS B0N 2T0
ADunphy@westhants.ca

Dear Mr. Dunphy,

As you are aware, there is a planned wind turbine development (Benjamin Mills Project) for West Hants. As the board representing Hants County Condominium #1 (HCCC#1, also known as Canyon Point), we are aware the development would be very close to our community based on the initial planning documents. The board is not necessarily opposed to the project, but we do have concerns about potential effects on our community infrastructure. We are a 59-unit community that relies on 14 drilled wells for water supply. Assuming that significant blasting will be required for installation of the turbines and associated infrastructure, we are concerned of the effect this may have on our water supply. Specifically, will the blasting have any effect on the local aquifer, and on the functioning of our wells.

It would be appreciated if the development office or Natural Forces could comment on this issue, recognizing that any damage to our water supply would have a significant negative impact on our community.

Sincerely,
HCCC#1 Board of Directors

Cc: Amy Pellerin
Natural Forces
apellerin@naturalforces.ca

We are writing in response to the proposed Benjamins Mill Wind Project that Natural Forces is seeking approval for.

Our community of Canyon Point is comprised of 52 homeowners of whom half are full time residents. With assessed values up to over 400K, we are hardly the hunting camps or cottages that Natural Forces refers to.

In reviewing the EA and its' attachments it is evident that the information is incomplete and inconclusive. Many reports are based on "desktop studies" which don't reflect actual conditions. Natural Forces refers to the proposed site as "disturbed and fragmented" due to wood clearing activities however it will continue to regenerate and does provide home to an abundance of wildlife including deer, raccoons, bears, fishers and coyotes.

There are too many variables in the EA including the number and model of the proposed wind turbines, therefore the environmental effects such as wind turbine noise, shadow flickering and flashing lights cannot be determined at this time. Delivery routes and the construction of new roads and upgrades to existing roads have not been finalized; therefore the future of 32 hectares of wetlands within the proposed area remains to be determined.

Our pristine lake is home to a variety of fish, turtles, beaver, loons and ducks. Geese, hawks, eagles and owls as well as the monarch butterfly, identified as an endangered species, frequent the area.

The residents of Canyon Point rely on a system of drilled wells that are maintained by our Condo Corp. The EA states that studies are not complete on ground water. Uranium is of concern to us as well as vibration from construction and subsequent turbine operation. This can result in impurities in our groundwater resources as appears to be the case in North Kent at this time.

This document is being submitted for your consideration. We are not opposed to "green energy " however we strongly feel that it shouldn't be at the expense of rural communities.

For the reasons cited above, we are unable to support the proposed Benjamins Mill wind energy project

Respectfully submitted,

Norman and Catherine Newell

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Sara Poirier, Director of Planning and Development

Date: 2023-04-25

Subject: Development Agreement: Payzant Drive, Windsor PID 45276441 and 45366986; File #22-28 B

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to proceed to Public Hearing, the following motion would be in order:

…that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to permit an apartment building with up to 90 apartment units and up to 10,000 sq. ft. of commercial space on a portion of PID 452766441 and 45366986 on Payzant Drive in Windsor in a manner substantively the same as the draft set out in Attachment C of the report to the Planning and Heritage Advisory Committee #22-28 dated April 13, 2023.

…that Council requires that the development agreement with Mitch Brison which permits an apartment building with up to 90 apartment units and up to 10,000 sq. ft. of commercial space on a portion of PID 452766441and 45366986 on Payzant Drive in Windsor be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on December 19, 2022, from Chrystal Fuller from Brighter Community Planning & Consulting on behalf of the property owner Mitch Brison of 3229190 Nova Scotia Limited. The application was to consider permitting one, 8-storey, 90-unit apartment building with up to 10,000 sq. ft. (929.03 sq. m.) of commercial space on the ground floor on a portion of PID 452766441 and 45366986 on Payzant Drive. There is currently a single unit dwelling located on PID 452766441 and the portion of PID 45366986 being considered in this application is vacant. Both lots are owned by 3229190 Nova Scotia Limited; Mr. Brison is the President of that company.

DISCUSSION

A Public Information Meeting was held on February 16, 2023.

On April 13, 2023 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). PAC/HAC recommended in favour of the application on April 13, 2023.

NEXT STEPS

The process for this application is as follows.

Process
Staff Review
▼
Public Information Meeting – February 16
▼
PAC/HAC receives staff report and PIM Notes PAC/HAC Review and Recommendation – April 13
▼
Regional Council First Reading – April 25
▼
Public Hearing & Second Reading – May 23*
▼
Notice of Approval in Local Paper
▼
14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, Council may decide to:

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

APPENDICIES

Appendix A 2023-04-13 Staff Report Development Agreement: Payzant Drive, Windsor PID 45276441 and 45366986; File #22-28

CHIEF ADMINISTRATIVE OFFICER REVIEW

The draft development agreement (DA) and its components are in keeping with the development in the immediate area. Due public process has been carried out to-date, all public feedback has been captured and the DA has been drafted with the engagement of the developer.

I support the recommendation.

Report Prepared by: _____
Sara Poirier, Director of Planning and Development

Report Approved by: 
Mark Phillips, Chief Administrative Officer

Appendix A

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Sara Poirier, Director of Planning and Development

Date: 2023-04-13

Subject: Development Agreement: Payzant Drive, Windsor PID 45276441 and 45366986; File #22-28

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

To allow the requested development, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

…that PAC/HAC recommends that Council give First Reading to consider entering into a development agreement to permit an apartment building with up to 90 apartment units and up to 10,000 sq. ft. of commercial space on a portion of PID 452766441 and 45366986 on Payzant Drive in Windsor in a manner substantively the same as the draft set out in Attachment C of the report to the Planning and Heritage Advisory Committee #22-28 dated April 13, 2023.

…that PAC/HAC recommends that Council require that the development agreement with Mitch Brison which permits an apartment building with up to 90 apartment units and up to 10,000 sq. ft. of commercial space on a portion of PID 452766441and 45366986 on Payzant Drive in Windsor be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on December 19, 2022, from Chrystal Fuller from Brighter Community Planning & Consulting on behalf of the property owner Mitch Brison of 3229190 Nova Scotia Limited. The application was to consider permitting one, 8-storey, 90-unit apartment building with up to 10,000 sq. ft. (929.03 sq. m.) of commercial space on the ground floor on a portion of PID 452766441 and 45366986 on Payzant Drive. There is currently a single unit dwelling located on PID 452766441 and the portion of PID 45366986 being considered in this application is vacant. Both lots are owned by 3229190 Nova Scotia Limited; Mr. Brison is the President of that company.

DISCUSSION

PID 452766441 is approximately 10.53 acres (42,613.34 sq. m.) in size. The applicant proposes to use a 2-acre (8,093.71 sq. m.) portion of the lot for this proposed apartment building. PID 45366986 is approximately 3.3 acres (13,371.6 sq. m.) in size and an approximately 1.8 acre (7,284.34 sq. m.) portion of this lot will also be used for the apartment building. The applicant will go through the subdivision process to subdivide the lot as shown on the site plan attached to the draft development agreement if the proposed development agreement is approved.

The lots are designated Residential on the Generalized Future Land Use Map (Figure 1) of the Windsor Municipal Planning Strategy (WMPS) and zoned Single Unit Residential (R-1) and High Density Residential (R-4) on the Zoning Map of the Windsor Land Use By-law (WLUB) (Figure 2).

Part 5.0 of the WMPS contains the overall intention for properties designated Residential in Windsor and Sections 5.4 and 5.5 describe the intention for high density residential development and residential buildings greater than 3 storeys in the Residential designation. Part 9.0 of the WMPS contains the overall intention for mixed-use developments in the Residential designation. Residential uses are permitted as-of-right in the Single Unit Residential (R-1) and High Density Residential (R-4) zones however an apartment building of three or more dwelling units and greater than 3 storeys in height that includes commercial uses must be considered by development agreement.

The subject lots directly abut properties with a variety of designations and zoning including Residential and Community Use designations, and Single Unit Residential (R-1), Two Unit Residential (R-2), Medium Density Residential (R-3), High Density Residential (R-4), and Institutional (I) zoning.

Development Agreement

A development agreement is a contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed permitted use within a zone on a specific lot. The ability for Council to consider a development agreement must be stated in the Land Use By-law and the Municipal Planning Strategy must identify the kinds of uses Council may consider in each area. Uses which Council may consider are those which Council has determined may have sufficient impact on an area that a negotiated process is required to ensure the potential impact is minimized. In the Municipal Planning Strategy Council usually identifies both specific and general criteria which must be considered when making decisions regarding a development agreement.

A proposal being considered must be measured against only the specific and general criteria for the proposal in the Municipal Planning Strategy and not any other criteria.

Windsor Land Use By-law

Section 6.0 of the WLUB, Development Agreements, states that *"The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:*

(b) multiple unit residential development consisting of three or more units in a Residential designation in accordance with Policy 5.4.6 of the Municipal Planning Strategy;

(c) dwellings in excess of three storeys in a residential zone in accordance with Policy 5.5.1 of the Municipal Planning Strategy; and

(k) mixed use multiple residential/commercial uses in the Residential designation in accordance with Policy 9.1.1 of the Municipal Planning Strategy;"

Proposed Development Agreement

The applicant proposes to develop 90 apartment units and up to 10,000 sq. ft. (929.03 sq. m.) of commercial space within a single apartment building. The permitted uses on the lots are outlined in Section 2.1, *Use*, of the draft development agreement (Attachment C). The permitted commercial uses are specifically listed to ensure they will be compatible with the proposed residential uses and the surrounding residential area. Commercial uses within the development will be permitted to operate only between the hours of 7:00 a.m. and 9:00 p.m. daily, as outlined in Section 2.11.

Section 2.2 (c) of the draft development agreement outlines the maximum height of the buildings as 80 ft. (24.38 m.) and requires a minimum side yard of 15 ft. (4.57 m.) or at least one-half the building height, whichever is greater. This would meet the criteria in Policy 5.5.1 (a) and (b).

The draft development agreement requires the following:

- a minimum of one (1) parking space per dwelling unit and a minimum of one (1) parking space for every 500 sq. ft. (46.45 sq. m.) of commercial floor area dedicated to commercial uses (Section 2.4);
- a minimum of 13,500 sq. ft. (1,254 sq. m.) of usable recreation space (Section 2.6);
- the Owner to have sole responsibility for snow plowing and garbage collection for the development (Section 2.8); and
- a 5 ft. (1.52 m.) wide pedestrian walkway from Payzant Drive and Community Way to the main entrances of the building (Section 2.3).

Section 3.3 of the draft development agreement outlines substantive matters of the development agreement. Substantive matters are any items that Council has determined would significantly alter the intended effect of the development agreement if changed. If a request is received from the developer to change a substantive matter outlined in a development agreement, the request must go through the entire development agreement process including Public Hearing prior to Council making a final decision on the proposed amendment. Staff have determined the following items in this draft development agreement are substantive matters:

- the number of units permitted within the apartment building as listed in Section 2.1, *Use*;
- the minimum side yard requirements and maximum building height of the building as listed in Section 2.2, *Development Location and Design*;
- the fire safety requirements listed in Section 2.5, *Fire Safety*; and
- the hours of operation for the commercial uses as listed in Section 2.11, *Hours of Operation*.

Other items such as accessible parking, elevators, sprinkler systems, and barrier free units may be required in the buildings by the Manager of Building and Fire Inspection Services in accordance with the National Building Code. A full review of the building plans would be conducted when the property owner applies for development and building permits. These items are not listed in the draft development agreement as the National Building Code would take precedence over the development agreement as outlined in Section 5.1, *Compliance with other By-laws and Regulations,* in the draft development agreement.

Windsor Municipal Planning Strategy

Part 5.0 of the WMPS contains the overall intention for properties designated Residential in Windsor and Section 5.4 describes the intention for high density residential development. Policy 5.4.6 establishes Council's intention to consider proposals for multiple unit residential development consisting of three or more units in the Residential designation by development agreement and Policy 5.5.1 enables Council to consider entering into a development agreement to allow dwellings in excess of three storeys.

Part 9.0 of the WMPS contains the overall intention for mixed-use development in Windsor. Policy 9.1.1 establishes Council's intention to consider proposals for mixed use residential/commercial developments with two or more dwelling units in the Residential designation by development agreement.

WMPS Specific Criteria

Policy 5.4.6, 5.5.1 and 9.1.1 outline the specific criteria to be considered by Council, which are examined in detail in Attachment A.

In summary, the criteria are met since:

- the development is generally consistent with the High Density Residential (R-4) zone standards;
- the development is compatible with adjacent land uses;
- the side yards will be at least one-half the height of the building;
- the building will not exceed 80 ft. (24.38 m.) in height; and
- the commercial uses are located on the street level and do not exceed one-third of the total floor area of the development.

WMPS General Criteria

The proposed development meets the general criteria for development agreements set out in the 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; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Project Engineer, and Manager of Public Works Operations have no concerns which have not been addressed in the development agreement.

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 will experience extensive flooding. The subject lot in this application does not appear to be affected under this scenario, however Payzant Drive itself may experience flooding.

Upon request by the Public Works Department the property owners engineer provided a letter regarding proposed stormwater management for the site. This letter stated "The Nova Scotia Provincial regulations require that when developing land with storm sewers, the post development storm drainage flows for both the 1 in 5-year storm and the 1 in 100-year storm

must be balanced with the pre-development flows. This is because when land is changed from forest to urban surfaces such as roofs, lawns, roads, and driveways the stormwater flows increase dramatically due to the reduced infiltration and depression storage. To balance the pre and post development flows on site, storage is typically used in the form of stormwater detention ponds or underground storage such as oversized pipes.

For this project, site stormwater drainage will be conveyed to a municipal stormwater service that will discharge to a stormwater storage pond located West of Payzant Drive. This stormwater storage pond, built as part of The Community Way Phase 2 project, was designed to accommodate the proposed multi-unit residential site and balance the pre and post flows for the Community Way projects."

The Public Works Department confirmed that "this letter satisfies our previous stormwater concerns and confirms that the pre/post-construction stormwater flows from this subject property have been designed and allocated into the newly constructed stormwater system on Payzant Drive."

NEXT STEPS

As noted above, the proposed development agreement has been considered within the context of the general policies of the WMPS, and is consistent with the intent, objectives, policies and criteria of the WMPS. As a result, it is reasonable to enter into a development agreement to permit an apartment building with up to 90 apartment units and up to 10,000 sq. ft. (929.03 sq. m.) of commercial space on the ground floor on PID 45276441 and 45366986 on Payzant Drive in Windsor.

Process
Staff Review
▼
Public Information Meeting – February 16
▼
PAC/HAC receives staff report and PIM Notes **PAC/HAC Review and Recommendation – April 13**
▼
Regional Council First Reading – April 25*
▼
Public Hearing & Second Reading – May 23*
▼
Notice of Approval in Local Paper
▼
14-Day Appeal Period

*anticipated dates; final dates set by Council

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 development agreement 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
Attachment A	Specific Criteria for Development Agreement
Attachment B	General Criteria for Development Agreement
Attachment C	Draft Development Agreement
Attachment D	Public Information Meeting Notes

Report Prepared by: _____
Sara Poirier, Director of Planning and Development

Report Reviewed by: _____
Alex Dunphy, Planner

Figure 1
Windsor GFLUM Extract

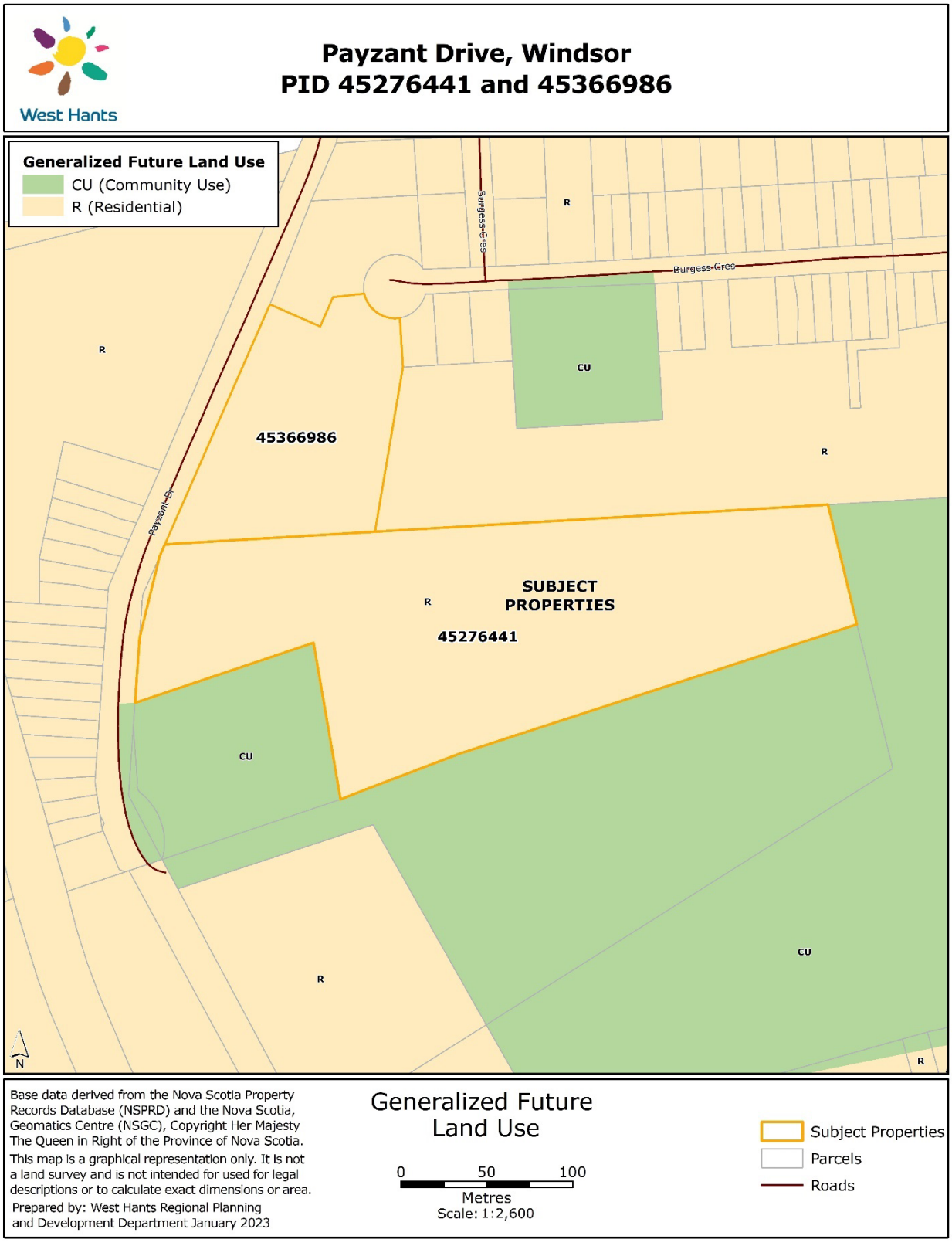
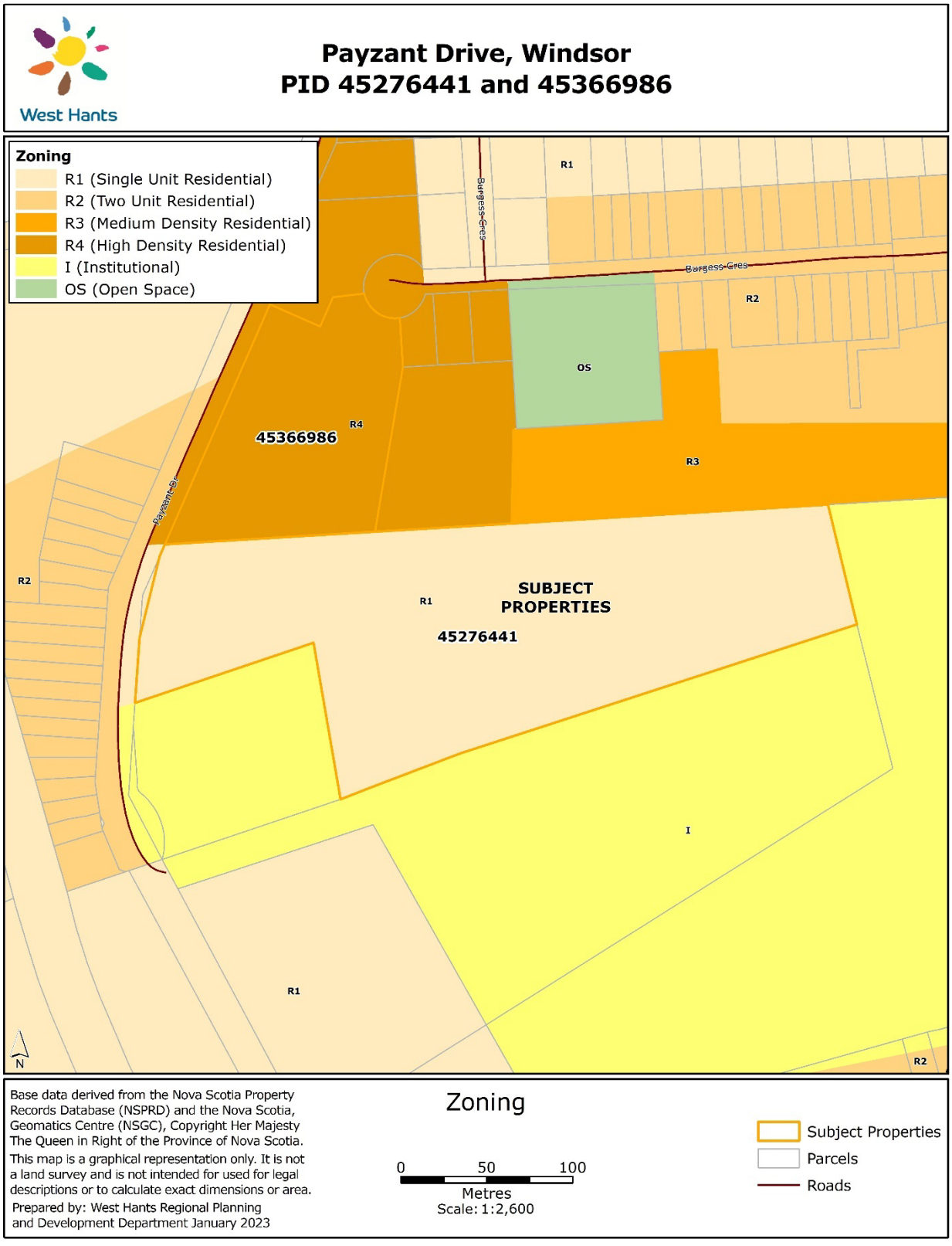


Figure 2
Zoning Map Extract



Attachment A
Specific Criteria for Development Agreement

Windsor Municipal Planning Strategy

Policy 5.4.6 It shall be the policy of Council to consider entering into a development agreement to allow, in the Residential designation, new multiple unit residential development consisting of three or more units, grouped dwellings, boarding houses and residential care facilities, as well as the conversion of existing buildings to three or more units, subject to the following:

CRITERIA	**COMMENT**
(a) the proposed use meets one of the following:	
(i) in the case of a new building or the conversion of an existing non-residential building, that the development is generally consistent with the High Density Residential (R-4) zone standards; or	The developer is proposing to construct one new apartment building through the draft development agreement. The maximum height of main buildings permitted in the High Density Residential (R-4) zone in Windsor is three storeys, however Policy 5.5.1 of the Windsor Municipal Planning Strategy allows Council to consider dwellings in excess of three storeys by development agreement. Therefore, the maximum height listed in the draft development agreement is 80 ft. (24.38 m.) which is consistent with the policies and criteria in the Municipal Planning Strategies, as reviewed in this report. The minimum lot frontage requirements, lot size requirements, setback requirements, and the maximum height of accessory buildings in the draft development agreement are generally consistent with the High Density Residential (R-4) zone. The development must be connected to Municipal water and sewer service as outlined in Section 2.8 (b)(i), *Water and Sewer Service*, of the draft development agreement. Section 2.6, *Recreation Space*, and Section 2.4 (b), *Parking*, of the draft development agreement outlines the

	required recreation space and parking spaces for the proposed uses.
(ii) in the case of a conversion of an existing residential building, that any addition or enlargement to the building meets the setback requirements of the zone in which it is located, or that any undersized setbacks are not further reduced by the addition or enlargement;	Not applicable as the applicant is proposing to construct a new building.
(b) the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;	The Payzant Drive area and the Crossing development currently mostly consists of single storey residential buildings. There are a few two and three storey buildings located on Payzant Drive and Burgess Crescent including the Hants Community Hospital and Avon View High School. The footing permit has been issued for a 6-storey 83-unit apartment building in the Crossing (Building A) and two other 7-storey apartment buildings (Buildings B and C), each with up to 88-units, were recently approved by development agreement. The draft development agreement requires a minimum front and rear yard of 35 ft. (10.67 m.) and a minimum side yard of 15 ft. (4.57 m.) or one-half the height of the building, whichever is greater. These larger yard requirements will minimize the impact of height on the properties fronting on the west side of Payzant Drive. In response to an inquiry, the Development Officer stated “this proposed development is compatible with surrounding neighboring uses.”
(c) the development is considered compatible with the residential character of the area with respect to traffic generation and population density;	The West Hants Regional Municipality contracted WSP to perform an intersection infrastructure needs assessment in 2021. The intersection of Wentworth Road and Payzant Drive was investigated in the study. Based on

	findings from this study, in conjunction with the Hants County Exhibition Expansion Traffic Impact Study (WSP, May 2021), it was recommended that plans be prepared to upgrade this intersection to a roundabout. A staff report was presented to Committee of the Whole on October 12, 2021 recommending DesignPoint be awarded the contract to design the roundabout for the Wentworth Road at Payzant Drive intersection. The report states that "the Municipality would like to be prepared to call for tenders for a spring/summer construction start, with project completion within the 2022/23 fiscal period." DesignPoint presented at the January 10, 2023 Committee of the Whole meeting outlining the proposed design for upgrades to the Payzant-Wentworth intersection. Once designs are finalized, the Public Works Department will request authorization from Council to go to tender for construction. The developer provided a traffic study in relation to this proposed apartment building. The Manager of Operations for the Municipal Public Works Department commented that existing streets are adequate to support the development provided that the proposed roundabout be constructed at the Payzant Drive and Wentworth Road intersection. Windsor has a population density of 522 people per sq. km. (Statistics Canada Census for 2022). The Crossing development as currently constructed has a population density of almost double this and this area of Payzant Drive, Burgess Crescent, Underwood Drive and Fraser Drive has a population

	density almost three and a half times the population density of Windsor. The footing permit has been issued for a 6-storey 83-unit apartment building in the Crossing (Building A) and two other 7-storey apartment buildings (Buildings B and C), each with up to 88-units, were recently approved by development agreement, which would also increase the population density in this area. This proposed apartment building would be consistent with the current and future development plans and population for the area.
(d) consideration is given to the provision of fences and/or landscaping as part of the residential development to minimize effects on adjacent land uses;	Section 2.2 (g), *Development Location and Design*, of the draft development agreement requires the developer to keep all undeveloped areas of the Properties landscaped which may include grass, shrubs, trees or other appropriate vegetative cover. Additionally, Section 2.8 (a)(ii) of the draft development agreement requires the owner to keep any outdoor storage of garbage in an enclosed structure or in some way adequately screened so as not to be visible from or cause a nuisance to nearby properties.
(e) adequate on-site parking is provided and parking areas are well designed;	The WLUB currently requires 1.5 parking spaces per dwelling unit and 1 parking space for every 300 sq. ft. of commercial space, each 10 ft. by 20 ft. in size. Due to the location of the lot in the community of Windsor and proximity of the lot to surrounding services, staff determined that it would be appropriate to reduce the amount of required parking per dwelling unit. Additionally, as the commercial uses are limited by size and type, and these commercial uses will most likely serve people

	living in the building or located nearby, the parking requirements for the commercial uses have also been reduced. As outlined in Section 2.4, *Parking*, of the draft development agreement, parking will be required at one (1) space per dwelling unit and one (1) space for every 500 sq. ft. (46.45 sq. m.) commercial floor area dedicated to commercial uses. Each parking space will have a minimum size of 9 ft. by 20 ft.
(f) there is adequate on-site recreational open space suitable in extent and design to the nature of the development; for conversion of existing buildings, nearby public parks may be deemed sufficient;	Section 2.6, *Recreation Space*, requires a minimum of 13,500 sq. ft. (1,254 sq. m.) of usable recreational space to be provided on the property. This was deemed sufficient by development control staff due to the proposed Community Centre adjacent to the proposed apartment. There is also the Burgess Crescent Park located nearby which will abut Community Way and provide public recreational space for residents in the area.
(g) the development abuts an arterial or collector street as shown on the Transportation Map (Map 2), if the development consists of 12 or more units;	These lots abut Payzant Drive and a new street under construction, Community Way. This area of Payzant Drive is a minor collector street as shown on the Transportation Map (Map 2) of the WMPS.
(h) the architectural design of the development is reasonably consistent with the provisions of the Architectural Design Manual if the proposed development is located in an Architectural Control District;	Not applicable as the subject lots are not located in an Architectural Control District.
(i) in the case of the conversion of an existing structure, renovations can be made to ensure the safety of residents in case of fire;	Not applicable as the applicant is proposing to construct new buildings.

(j) any other matter which may be addressed in a development agreement; and	Services such as garbage collection and snow plowing would be the responsibility of the owner of the property. These requirements are outlined in Section 2.10 (a), *Waste Collection*, and (c), *Snow Plowing*, of the draft development agreement. It is the responsibility of the property owner to ensure the site is suitable for the proposed uses. All other matters are addressed elsewhere in this report.
(k) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.	Please see Attachment B for further details.

Policy 5.5.1 In any residential zone, Council may consider permitting dwellings in excess of three storeys by development agreement, subject to the following conditions:

CRITERIA	**COMMENT**
(a) the side yards are at least one-half the height of the building;	Section 2.2 (c) requires the side yards of the buildings to be one-half the height of the building or 15 ft. (4.57 m.) whichever is greater.
(b) the building will in no instance exceed 80 ft (24.38 m) in height;	The maximum height listed in the draft development agreement is 80 ft. (24.38 m.) which ensures the development meets this criterion. The maximum building height is also listed as a substantive matter in the draft development agreement which means that staff have recommended, based on the criteria in 5.5.1 (b), that any future proposed change to the height of the apartment buildings would significantly alter the intent of the development agreement and would go through the entire development agreement process, including Public Hearing before Council, prior to Council making a final decision on the proposed amendment.

(c) the building design, height and scale is compatible with the surrounding area;	As noted in 5.4.6 (b) the building proposed through this development agreement would be consistent with the height and scale of the single, two and three storey buildings constructed on Payzant Drive and the proposed multiple unit buildings already permitted by development agreement on Community Way. The lot is not within an Architectural Design Control District therefore the design of the building was not reviewed as part of this application.
(d) any other matter which may be addressed in a development agreement; and	All other matters have been addresses elsewhere in this report.
(e) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.	Please see Attachment B for further details.

Policy 9.1.1 It shall be the intention of Council to consider mixed use residential/commercial developments with two or more dwelling units by development agreement in areas designated Residential subject to the following:

CRITERIA	**COMMENT**
(a) the density, scale and architectural design of the development are compatible with the surrounding area;	As noted in 5.4.6 (c) and 5.5.1 (c) the development is considered compatible with the density and scale of the surrounding area. The lot is not within an Architectural Design Control District therefore architectural design was not reviewed as part of this application.
(b) the development is reasonably consistent with the provisions of the Architectural Design Manual, if it is located in an Architectural Design Control District;	Not applicable as the lots are not included in an Architectural Design Control District.
(c) the development is reasonably consistent with the yard standards of the underlying zone;	The properties are zoned Single Unit Residential (R-1) and High Density Residential (R-4). As noted in response to 5.4.6 (a)(i), the minimum yard standards in the draft development agreement are consistent with

	the High Density Residential (R-4) zone requirements, which means they would exceed the Single Unit Residential (R-1) zone requirements.
(d) the proposed development does not compromise the residential integrity of the area;	As noted in 5.4.6 (b), (c) and 5.5.1 (c) the proposed development is compatible with the residential character of the area, and it is not anticipated that this development will compromise the residential integrity of the area.
(e) the commercial use is permitted in the General Commercial (GC) zone;	All of the commercial uses listed in the draft development agreement are listed permitted uses in the General Commercial (GC) zone.
(f) the commercial use is located at the street level and does not exceed one-third of the total floor area of the development;	The 10,000 sq. ft. (929.03 sq. m.) of commercial space will be located on the ground floor of the apartment building and does not exceed one-third of the total floor area of the building.
(g) adequate landscaping, open space and natural or artificial buffering is provided;	Section 2.6, *Recreational Space*, of the draft development agreement requires a minimum of 13,500 sq. ft. (1,254 sq. m.) of usable recreational space to be provided on the lot and Section 2.2 (g), *Development Location and Design*, requires the developer to keep all undeveloped areas of the Properties landscaped.

Attachment B
General Criteria for Development Agreement

Windsor Municipal Planning Strategy

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
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Municipal Project Engineer responded that "there is current availability for Municipal water and sewer at this location".
(ii) the adequacy of school facilities;	The Regional Executive Director for the Annapolis Valley Regional Centre for Education stated "PID 45276441 is in the Windsor Elementary School, West Hants Middle School, and Avon View High School catchment areas. We have a responsibility to provide public education for students living in the catchment areas served by these schools. We therefore expect our facilities to accommodate any new development."
(iii) the adequacy of fire protection;	In response to an inquiry, the Manager of Building and Fire Inspection Services stated that access looks acceptable on the drawing however the local Fire Chief should be contacted to confirm. They added that the building will be fully engineer designed including extra requirements for fire protection in accordance with the National Building Code. They noted that the "big thing we need to keep an eye on is water supply with all the development coming as most of these new builds will require sprinkler systems." Upon request by the Public Works Department the property owners engineer provided a letter regarding proposed fire flows for the proposal. This letter stated

	"During the detail design phase of a project, DesignPoint will perform an analysis to determine whether the fire and domestic flows and pressures for the proposed multi-unit residential site meet Municipal and Provincial regulations and standards. This analysis will involve modeling the existing water system adjacent to the site in conjunction with hydrant flow testing. The results will be summarized and tabulated in a report letter prepared by DesignPoint." In response to the letter the Municipal Project Engineer stated "As for our previous fire water capacity concerns of the proposed apartment building; this letter is sufficient confirmation that the detailed design by the Developer's Engineer will determine the need and specification for any fire pumping system that may be required for the apartment building. It is noted explicitly from Public Works that all costs related to the design and installation of the fire pumping system, including piping and related equipment is the responsibility of the Developer." The local Fire Chief added "my biggest concern would be 360 access around the building for aerial trucks given the height of the structure." Section 2.5, *Fire Safety*, of the draft development agreement ensures all of the curbs in the proposed development will be mountable by emergency service vehicles and that access routes shall be maintained to provide unimpeded access to the properties by emergency service vehicles.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	As noted in 5.4.6 (c), the Manager of Operations for the Municipal Public Works Department commented that the existing

	streets are adequate to support the development provided that a roundabout be constructed at the Payzant Drive and Wentworth Road intersection.
(v) the financial capacity of the Town to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Manager of Operations has stated they have no concerns with regard to the adequacy of road networks adjacent to, or leading to the development, or the impact of the development on traffic generation or traffic safety. In terms of pedestrian traffic movement, the draft development agreement requires a 5 ft. (1.52 m.) wide pedestrian walkway from the sidewalk on Payzant Drive and Community Way to the main entrances of the building, as outlined in Section 2.3 (d), *Access and Egress.* This will ensure suitable infrastructure for safe pedestrian movement within the site. There is no active rail transportation in the vicinity.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	Development control staff commented that "the dimensions, shape and size of the proposed lots intended for development are adequate for this proposal."
(d) the pattern of development which the proposal might create;	There are a variety of housing types already built in the Payzant Drive area and the Crossing including mini homes, modular homes, single unit, two unit, and multiple unit dwellings. Footing permits have been issued for a 6-storey apartment building in this area and two (2), 7-storey buildings have been recently approved by development agreement on Community Way. This proposal is not anticipated to create a different pattern of development than is

	already being constructed in the area and permitted through approved development agreements.
(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;	The lot is relatively flat and there are no watercourses, marshes or bogs identified on the mapping for the site. As noted in the report, under the simulated flooding extent for probable maximum flood due to climate change scenario of the Windsor MCCAP (2014) most of the community of Windsor will experience extensive flooding. The subject lot in this application does not appear to be affected under this scenario, however Payzant Drive itself may experience flooding. The property owners engineer submitted a letter to the Public Works Department describing the proposed stormwater management for the site. The Public Works Department confirmed that "this letter satisfies our previous stormwater concerns and confirms that the pre/post-construction stormwater flows from this subject property have been designed and allocated into the newly constructed stormwater system on Payzant Drive."
(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	All Municipal, Provincial and Federal regulations will have to be met.
(g) any other matter required by relevant policies of this Strategy.	There are no other relevant policies of this Strategy.

Attachment C

West Hants

DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2023.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

3229190 NOVA SCOTIA LIMITED a body corporate, with a head office at 99 Windsor Street, Windsor, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Owner")

OF THE SECOND PART

WHEREAS the Owner is the registered owner of parcels of land located on Payzant Drive, PID 45276441 and 45366986, hereinafter referred to as the "Properties", which lands are more particularly described in Schedule A attached hereto; and

WHEREAS PID 45276441 is designated Residential on the Generalized Future Land Use Map of the Municipal Planning Strategy and zoned Single Unit Residential (R-1) on the Zoning Map of the Land Use By-law; and

WHEREAS PID 45366986 is designated Residential on the Generalized Future Land Use Map of the Municipal Planning Strategy and zoned High Density Residential (R-4) on the Zoning Map of the Land Use By-law; and

WHEREAS the Owner has requested that the Municipality enter into a development agreement to permit up to 90 apartment units and up to 10,000 sq. ft. of commercial space within an eight (8) storey apartment building on the Properties (the "Development"); and

WHEREAS Policy 5.4.6 of the Municipal Planning Strategy and Section 6.1 (b) of the Land Use By-law enable Council to consider entering into a development agreement to allow multiple unit residential development consisting of three or more units in a Residential designation, Policy 5.5.1 of the Municipal Planning Strategy and Section 6.1 (c) of the Land Use By-law enable Council to consider entering into a development agreement to allow dwellings in excess of three storeys, and Policy 9.1.1 of the Municipal Planning Strategy and Section 6.1 (k) of the Land Use By-law enable Council to consider entering into a development agreement to allow proposals for mixed use residential/commercial developments with two or more dwelling units in the Residential designation; and

WHEREAS the Council of the Municipality, at a meeting held on Month Day, 2023, approved this request and adopted this Agreement by policy, subject to the execution of this development agreement by the parties hereto;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

PART 1 AGREEMENT CONTEXT

1.1 Definitions

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use Bylaw, except those defined as follows:

(a) "Active Construction" means that the Owner has active development and building permits for the construction of the apartment building and the associated parking podium, and that construction activity including but not limited to equipment, machinery, and employees, are on-site working towards the necessary building inspections leading to an occupancy permit.

(b) "Commencement" means the date the Owner begins Active Construction on the apartment building within this Agreement as permitted by an issued development and building permit;

(c) "Commercial Floor Area" means the total useable floor area within a building used for commercial purposes but excludes washrooms, utility and mechanical rooms, storage rooms and common hallways between stores; and

(c) "Parking podium" means a concrete structure constructed at least partially under a building or underground that provides parking spaces to the uses within the attached building.

1.2 Schedules

The following attached schedules shall form part of this Agreement:

Schedule A - Legal Description

Schedule B – Site Plan

1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law

(a) Municipal Planning Strategy means the Municipal Planning Strategy of the Town of Windsor, approved on August 23, 2005, as amended, or successor by-laws;

(b) Land Use By-law means the Land Use By-law of the Town of Windsor, approved on August 23, 2005, as amended, or successor by-laws;

(c) Subdivision By-law means the Subdivision By-law of the Town of Windsor, approved on January 24, 2012, as amended, or successor by-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

(a) The Parties agree that uses on the Properties shall be limited to the following:

(i) those uses permitted by the underlying zoning in the Land Use By-law;

(ii) an eight (8) storey apartment building containing up to 90 apartment units and up to 10,000 sq. ft. (929.03 sq. m.) of Commercial Floor Area on the ground floor for commercial uses which shall be limited to the following:

- Arts and crafts studios including photography
- Banks and financial institutions
- Clubs and community organizations
- Commercial schools
- Day care centres, licensed or non-licensed
- Dry cleaning and laundry establishments
- Entertainment, recreation and assembly uses
- Offices

- Repair and rental establishments
- Restaurants, excluding drive-through restaurants
- Retail stores including pharmacies
- Service and personal service shops
- Veterinary clinics and animal hospitals; and

(iii) underbuilding, underground and surface parking for the uses within the building.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this Agreement.

2.2 Development Location and Design

(a) The Development location and design shall be generally consistent with the site plan shown in Schedule B.

(b) The Development Officer may approve in writing minor changes to the location of the building or other aspects of the Site Plan provided the side yards are not decreased. Changes to the Site Plan may also be approved in writing in accordance with reports generated in Section 2.7, *Site Drainage*, of this Agreement provided the side yards are not decreased.

(c) The apartment building shown on the Site Plan in Schedule B shall be limited to a maximum of 90 dwelling units and up to 10,000 sq. ft. (929.03 sq. m.) of Commercial Floor Area on the ground floor. The building may include underground and underbuilding parking and shall conform to the following requirements:

Minimum Front Yard	35 ft. (10.67 m.)
Minimum Rear Yard	35 ft. (10.67 m.)
Minimum Side Yard	15 ft. (4.57 m.) or one-half the height of the building whichever is greater
Maximum Storey of Main Building	8 storeys
Maximum Building Height	80 ft. (24.38 m.)
Maximum Height of Accessory Building	15 ft. (4.57 m.)

(d) The parking podium shall not be located closer than 15 ft. (4.57 m.) from any external lot line whether or not the parking podium is visible above ground.

(e) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*.

(f) A minimum of 13,500 sq. ft. (1,254 sq. m.) of usable recreation space as outlined in Section 2.8, *Recreational Space*, shall be required.

(g) The Owner shall keep all undeveloped areas of the Properties landscaped which may include grass, shrubs, trees or other appropriate vegetative cover.

2.3 Access and Egress

(a) The Owner shall develop, construct, and maintain the driveways in the Development in general conformance with the driveways shown on Schedule B.

(b) The driveways shown on Schedule B shall be constructed a minimum of 100 ft. (30.48 m.) from a street intersection. The driveways shall be paved with a minimum paved surface width of 20 ft. (6.09 m.). The vehicular entrance and exit shall be clearly demarcated.

(c) The Owner agrees that it will seek and obtain approval in writing from the Municipality before any other driveway from the Development is connected to Payzant Drive or any other public road.

(d) A 5 ft. (1.52 m.) wide pedestrian walkway shall be provided from the sidewalk on Payzant Drive and Community Way to the main entrances of the building. The pedestrian walkways shall be constructed so as to create a stable surface and may use permeable construction materials to assist with stormwater retention.

2.4 Parking

(a) All parking spaces for vehicles using the Properties shall be located on the lot and shall be generally located as shown on Schedule B.

(b) A minimum of one (1) parking space shall be provided per dwelling unit and a minimum of one (1) parking space shall be provided for every 500 sq. ft. (46.45 sq. m.) of Commercial Floor Area dedicated to commercial uses on the Properties.

(c) Parking may be provided either underbuilding, underground or outside at grade.

(d) Outside parking aisles and spaces shall be constructed so as to create a stable surface for vehicle traffic and be clearly demarcated and lined by the Owner. They may be constructed using permeable construction materials to assist with stormwater retention.

(e) Each parking space shall be a minimum of 9 ft. by 20 ft. (2.7 m. by 6.1 m.) exclusive of driveways and manoeuvring aisles. Parking aisles shall be a minimum of 20 ft. (6.1 m) wide.

(f) The number of parking spaces may be varied in writing by the Development Officer in accordance with Section 2.13, *Variance*, of this Agreement.

2.5 Fire Safety

(a) No development permit shall be issued until the location and connection design of any fire hydrant(s) to the municipal water supply has been approved by the water utility, in consultation with the district Fire Chief.

(b) All curbs shall be designed to be mountable by emergency services vehicles.

(c) All access routes shall be kept clear of overhead obstructions and wires and be maintained by the Owner to allow unimpeded access to the Properties by emergency services vehicles, unless otherwise agreed to in writing by the Fire Chief.

2.6 Recreational Space

A minimum of 13,500 sq. ft. (1,254 sq. m.) of usable recreational space shall be provided on the Properties and may include:

(a) individual balconies; and

(b) common use landscaped areas.

2.7 Site Drainage

The Owner shall undertake all construction activities in accordance with an erosion and sedimentation control plan prepared by a Professional Engineer, unless otherwise directed by Nova Scotia Environment, and also agrees to assume sole responsibility for compliance with all regulations of Nova Scotia Environment.

2.8 Servicing

(a) Waste Collection

(i) No Municipal garbage collection will be provided to the Development. The Owner shall have sole responsibility for collecting, storing and disposing of garbage and other recycling or waste items from the Development.

(ii) The Owner shall keep any outdoor storage of garbage in an enclosed structure or in some way adequately screened so as not to be visible from or cause a nuisance to nearby properties and abutting roads and it shall not be located closer than 10 ft. (3.05 m.) to an abutting property.

(b) Water and Sewer Services

(i) The building shall be serviced with water and sewer services provided by West Hants Regional Municipality authorized by the Municipal Engineer. Detailed design plans of the water and sewer servicing connections and layout shall be in accordance with the Municipal Services Specifications Manual and shall be submitted to the Municipal Engineer for approval prior to construction.

(ii) The Owner shall be responsible for constructing, installing and maintaining the water and sewer services on the Properties.

(c) Snow Plowing

The Owner shall have sole responsibility for snow plowing within the Development.

2.9 Maintenance

(a) The Owner shall keep the Properties and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.

(b) The Owner shall maintain the driveways to a level adequate to allow for access by emergency services vehicles.

2.10 Signs and Lighting

Signage and illumination shall be regulated under Sections 5.18 and 7.0 of the Land Use By-law, *Illumination* and *Signs*, which controls lighting, size, location, and number of signs. Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

2.11 Hours of Operation

The hours of operation for the commercial uses within this Development shall be limited to between 7:00 a.m. and 9:00 p.m. daily, inclusive.

2.12 Subdivision

(a) Subdivision of the properties shall be permitted in accordance with the applicable Subdivision By-law. No additional parkland or parkland fees shall be required for subdivision or consolidation of the properties subject to this agreement.

(b) Any lot(s) subdivided from the portions of PID 45276441 and 45366986 that will be developed under this Agreement, shall no longer be subject to this Agreement.

2.13 Variance

In accordance with Section 5.40 of the Land Use By-law, *Variance*, the Development Officer may grant a variance for one or more of the following requirements subject to the requirements of the *Municipal Government Act*:

(i) minimum required yard dimensions except side yard requirements as required in Section 2.2 (c) of this Agreement;
(ii) number of parking spaces required; and
(iii) floor area occupied by a home-based business.

PART 3 CHANGES AND DISCHARGE

3.1 The Owner shall not vary or change the number of units within the apartment building on the Properties from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this Agreement is amended.

3.2 Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of this Agreement.

3.3 The following matters are substantive matters:

(a) the number of units permitted within the apartment building on the Properties as listed in Section 2.1, *Use*;
(b) the minimum side yard requirements and maximum building height of the building as listed in Section 2.2, *Development Location and Design;*
(c) the fire safety requirements listed in Section 2.5, *Fire Safety*;
(d) the hours of operation for the commercial uses as listed in Section 2.11, *Hours of Operation.*

3.4 Upon conveyance of land by the Owner to either:

(a) the road authority for the purpose of creating or expanding a public street over the Properties; or

(b) the Municipality for the purpose of creating or expanding any municipally owned facility or infrastructure in or over the Properties;

registration of the deed reflecting the conveyance shall be conclusive evidence that this Agreement shall be discharged as it relates to the public street or public facility, as the

case may be, as of the date of registration with the Land Registry Office, but this Agreement shall remain in full force and effect for all remaining portions of the Properties.

3.5 Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter, and this Agreement may be discharged by Council without a public hearing.

3.6 Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owner following a resolution of Council to give such Notice:

(a) as provided for in Section 4.1, *Commencement of Development,* of this Agreement; or

(b) at the discretion of the Municipality, with or without the concurrence of the Owner, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or

(c) at any time upon the written request of the Owner, provided the use of the Properties is in accordance with the Land Use By-law or a new Agreement has been entered into.

3.7 Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

(a) The Owner may not commence any construction or use on the Properties until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required. The date of commencement will be determined as the date the Owner begins Active Construction on the building within this Agreement as permitted by an issued development and building permit.

(b) Active Construction shall commence not later than forty-eight (48) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* 30 days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of Development without such an extension being deemed to be an amendment to this Agreement.

(c) If the Owner is bona fide delayed from commencing the Development for reasons which are beyond the Owner's control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owner is excused for the period of the delay and the time period for the Owner to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

(a) The Owner shall provide record drawings to the Development Officer for any portion of the Development for which an engineered design is required, within ten (10) days of completion of any work which requires the engineered design.

(b) The Owner shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with other By-laws and Regulations

(a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.

(b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Properties (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.3 Interpretation

(a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.

(b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

(c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

5.4 Municipal Responsibility

(a) The Municipality does not make any representations to the Owner about the suitability of the Properties for the Development proposed by this Agreement. The Owner assumes all risks and must ensure that any proposed Development complies with this Agreement and all other laws pertaining to the Development.

(b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owner in writing. In the event that the Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice, then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

5.6 Costs

The Owner shall pay all costs associated with registering this Agreement and all costs associated with any amendment thereof.

5.7 Development Agreement Bound to Land

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

5.8 Assignment of Agreement

The Owner may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

5.9 Written Notice

(a) The Municipality may serve notice on the Owner personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to Mitchell W. Brison, 99 Water Street, P.O. Box 280, Windsor, NS, B0N 2T0, or at any other address provided in writing or email by the Owner.

(b) The Owner may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided in writing or email by the Municipality to the Owner.

5.10 Full Agreement

This Agreement constitutes the entire agreement and contract entered into by the Municipality and the Owner. No other agreement or representation, oral or written, shall be binding.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED	**) WEST HANTS REGIONAL**
In the presence of:	**) MUNICIPALITY**
	)
	)
_____	Per: _____
Witness	) Abraham Zebian, Mayor
	)
_____	) Per: _____
Witness	) Deanna Snair, Municipal Clerk
	)
	) 3229190 NOVA SCOTIA LIMITED
	)
_____	Per:_____
Witness	) Mitchell W. Brison, President

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Mitchell W. Brison**, one of the parties thereto, signed, sealed and delivered the same in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK

WEST HANTS REGIONAL MUNICIPALITY

I, Deanna Snair of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (the "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. The Municipality is a body corporate pursuant to the *Municipal Government Act*, S.N.S. 1988, c.18, as amended.

3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the *Municipal Government Act*, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.

4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

I certify that on this _____, 2023
the Municipal Clerk, Deanna Snair came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____
A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

_____
Deanna Snair, Clerk

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Mitchell W. Brison, Nova Scotia, make oath and say that:

1. I Mitchell W. Brison of **3229190 NOVA SCOTIA LIMITED** the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.

3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.

4. The Corporation is a resident of Canada under the Income Tax Act (Canada).

5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 2023
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

MITCHELL W. BRISON, President

Schedule A
Legal Description

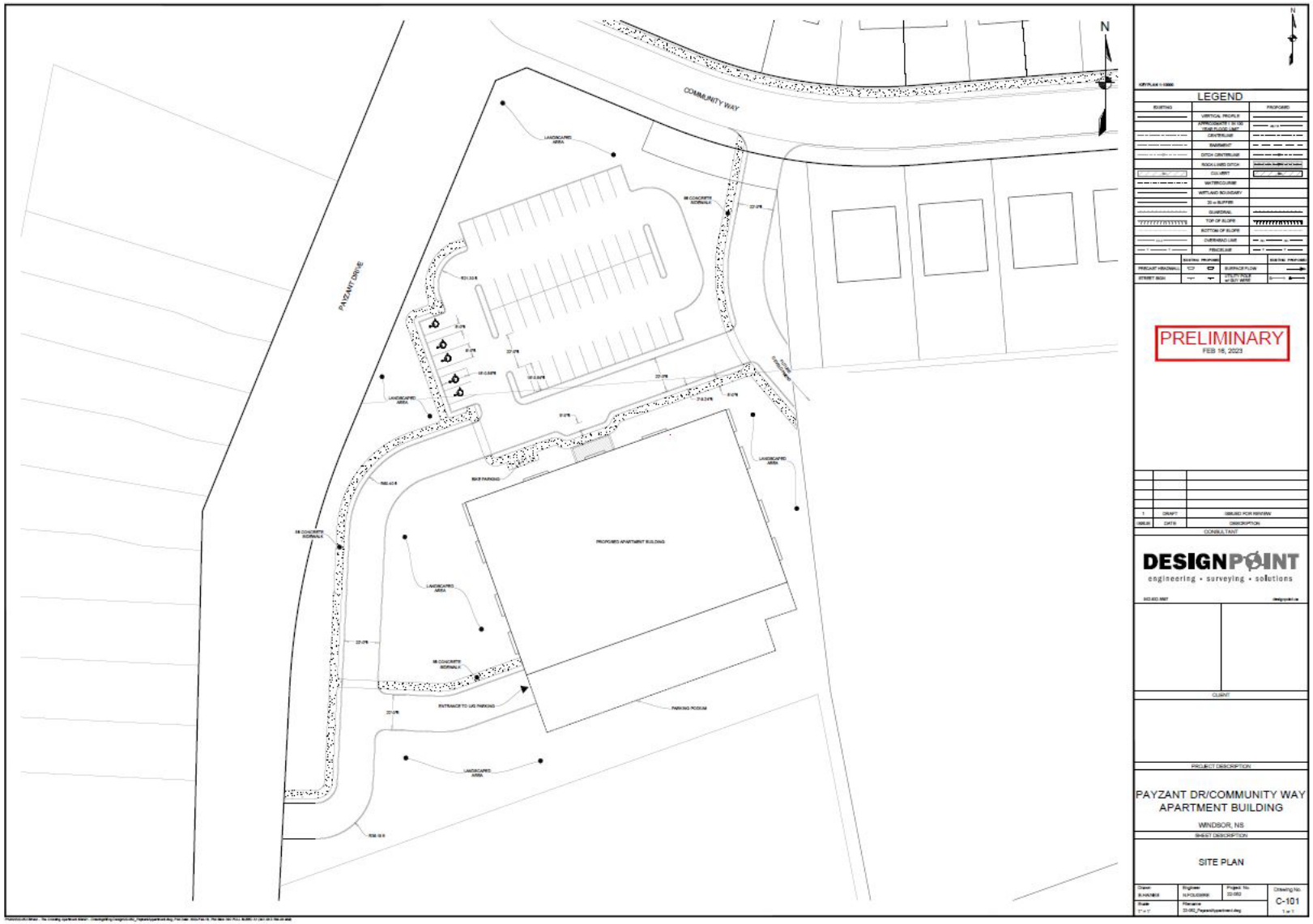
PID 45276441
Location: Windsor
Designation of Parcel on Plan: Lot PB-2
Title of Plan: Plan of Resurvey Lot PB-2 Lands Conveyed to Nova Scotia Farm Loan Board
Registration County: Hants
Registration Reference of Plan: 7755

The parcel complies with the subdivision provisions of Part IX of the Municipal Government Act.

PID 45366986
Place Name: PAYZANT DRIVE WINDSOR
Municipality/County: TOWN OF WINDSOR/HANTS COUNTY
Designation of Parcel on Plan: LOT 77AB
Title of Plan: PLAN OF SURVEY OF LOT 77AB, S/D OF LOT 77 & PORTION OF REMAINDER OF LOT AX, LANDS CONVEYED TO ANAHID INVESTMENTS LTD, PAYZANT DRIVE & BURGESS CRESCENT, WINDSOR
Registration County: HANTS COUNTY
Registration Number of Plan: 86093482
Registration Date of Plan: 2006-09-11 11:44:07

Schedule B

Site Plan



Attachment D
Public Information Meeting Notes
February 16 – March 1, 2023
File 22-27
Payzant Drive, Windsor; PID 45276441 and 45366986

Meeting date and time	A virtual Public Information Meeting was held on February 16, 2023, beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: • Councillor Murley (Chair) Three (3) members of staff: • Director Poirier • Planner Dunphy • Meeting Secretary Lake Applicant: • Chrystal Fuller, Brighter Community Planning (Applicants Planner) PAC/HAC members: • Greg Pace • Councillor Ivey • Stefan Palios • Jane Davis • Tasha Rogers The following members of the public requested invites to attend the PIM via Zoom: • Vinciane Mabialah 14 members of the public attended the meeting in-person.
Applicant Mitch Brison, 3229190 Nova Scotia Limited **Property** Payzant Drive, Windsor; PID 45276441 and 45366986	Planner Poirier outlined the development agreement application to permit one, 8-storey, 90-unit apartment building on a portion of PID 45276441 and 45366986 on Payzant Drive. A formal presentation was made by Chrystal Fuller of Brighter Community Planning on behalf of the applicant.
Comments	Comments from the public could be submitted to Planner Poirier by mail, e-mail, and telephone between February 16 – March 1, 2023.

	2 members of the public spoke at the Public Information Meeting and 2 written comments were received via email. The questions and comments from the public are summarized below. The email responses are attached. The following comments and questions were made at the Public Information Meeting. Staff and applicant responses are included in purple text. PAC/HAC members asked the following questions and made the following comments: • There was clarification requested on the affordability of units in this proposed apartment building. Chrystal replied that these are not affordable units and that as more housing supply (i.e., units) are added to the market the market then becomes more affordable in general as it provides more options for people. These apartment units will all be rentals. • There was clarification requested on the commercial component of the apartment building on the ground floor. Chrystal responded that the commercial uses will be more local in nature to service the residents of the building and the surrounding area. She added that a commercial component makes it more of a vibrant street. • There were comments on the more concentrated demands for water and sewer services and increase in stormwater runoff with hardscaping of the surfaces in relation to developments. • Will there be a connection from Payzant Dr. to King St. as access to the proposed development is important? Sara responded that a proposed intersection at Payzant Dr. and King St. was reviewed by Public Works in relation to an overall intersection study, however it is not anticipated to be constructed at this time. • Will there be consideration for the proposed community centre to become a comfort centre for the residents of this building and future developments? Chrystal commented that comfort centres are typically operated by a municipality. At this time the community centre has not been applied for or reviewed yet, but she will discuss this with the developer.

	• Access is extremely important as we put more people in this location. Chrystal mentioned that a traffic study was conducted for the site as part of this application. She also described the future connections in the area through Community Way and then to Cole Drive. Members of the public asked the following questions: • Logan asked whether a shadow study been completed for this 8-storey building? Chrystal responded that one has not been conducted to her knowledge. Sara confirmed a shadow study is not currently required for development agreement applications for multiple unit buildings. • Logan asked if it makes sense to block in the high school property on three sides with seniors housing when families need homes too? Does it make sense to focus on this demographic for this development? Chrystal responded that this development will provide more supply for the market which should open up opportunities for housing for everyone else elsewhere. • Logan asked whether a geotechnical study been done on the site? Chrystal responded that this has not been done to date however it is up to the developer to do their due diligence with regards to the property • Logan also asked whether active transportation connectivity has been discussed? Chrystal and Sara responded that this is an active conversation between the Municipality and the developer to ensure connectivity for residents in the area and there will be requirements for walkways to the buildings in the development agreement. • Krista stated concerns about the increased traffic, in particular the roundabout that is proposed at the end of Payzant Drive. Councillor Ivey responded that the project is being considered in conjunction with this additional development and that future connections to Community Way and to Cole Drive will also most likely be constructed by the time this building is being constructed. • Krista asked what is the timeline for construction of the 3 buildings on Community Way? Sara confirmed that the developer has a building permit for one of

	the three buildings and that they have 10 years to complete the three buildings. • The location is not ideal as it is outside our window.
Adjournment	The meeting was adjourned at 7:00 p.m.

Public Email Responses Submitted for the Application PIM

February 6, 2023
From Suzanne Milner
To Vanessa Lake

I would like to attend the meeting in person please. The letter I received indicated I should contact you if I wanted to attend virtually - I will be attending in person (just in case I need to RSVP).

Thanks
Suzanne

February 7, 2023
From Vanessa Lake
To Suzanne Milner

Good morning!
Thank you for letting us know. There is no need to RVSP, but we appreciate it.
Best,
Vanessa

February 7, 2023
From Suzanne Milner
To Vanessa Lake

Hi Vanessa - I have spent the past 30 minutes on the mini ole website trying to find the traffic study that was completed (2019 I believe but could be wrong) as well as the recommendation (for the Payzant Drive/Wentworth Rd area).

Would you be able to point me to where I might find it LOL.

Thanks
Suzanne

February 8, 2023
From Vanessa Lake
To Suzanne Milner

Hi Suzanne,

Do you mean the development on the location of the old high school? The link to the staff report is here: https://www.westhants.ca/planning/staff-reports/2022-staff-reports/3826-2022-06-09-recommend-from-staff-to-pac.html I'm not sure if that contains the traffic information you're looking for. If that's not the file, please let me know. I will also pass this along to our Planners, Sara and Alex, who may have the information you need.

Best,
Vanessa

February 8, 2023
From Suzanne Milner
To Vanessa Lake

I attended the public meeting (virtually) for this as well as the one for Brisons crossing extension (seniors apartments as well as single and duplex buildings on Courtney (I think that is the name).

At these meetings a councillor referenced a traffic study and subsequent proposal for a roundabout at Payzant/Wentworth.

I am looking for that study and subsequent recommendation!

Many thanks
Suzanne

February 8, 2023
From Sara Poirier
To Suzanne Milner

Hi Suzanne,

My apologies for the delayed response, I was at a conference last week and had to do a little digging to find the report myself. The Windsor Intersection Infrastructure Needs Assessment was attached to a staff report as part of the Committee of the Whole agenda on December 7, 2021. The report starts on pg. 149 here https://www.westhants.ca/committee-of-the-whole/committee-of-the-whole-packages-april-2020-march-2021/2021-cotw-agenda-packages/3612-2021-12-07-committee-of-the-whole-package-amended-dec-21-2021-1019am/file.html

There was a presentation made by DesignPoint at the January 10, 2023 outlining the proposed design for upgrades to the Payzant-Wentworth intersection. The presentation starts on pg. 33 here https://www.westhants.ca/committee-of-the-whole/committee-of-the-whole-packages-april-2020-march-2021/2023-cotw-agenda-packages/4209-2023-01-10-committee-of-the-whole-package-amended-january-12-2023-pdf/file.html

Please let me know if you require any additional information.

All the best,
Sara

February 7, 2023
From Vinciane Mabialah
To Sara Poirier

Hello Sara,
I have few questions:
#1- Will the 90 unit apartment building be available for sale?
#2- Will the storey area, e.g commercial space be available for rent or sale?
#3- The 90 unit apartment will be a retirement residence or for everyone?
#4- When will the construction start and end?

Regards,
Vinciane

February 14, 2023
From Sara Poirier
To Vinciane Mabialah

Good morning, Vinciane,

Thank you for your email. Apologies for the late response, I was at a conference last week. I will pass your comments along at the Public Information Meeting. I will also send your questions to the applicants planner, as most questions relate to the business plan of the developer. I will note that the proposal does not include any commercial space within this building.

All the best,
Sara

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Sara Poirier, Director of Planning and Development

Date: 2023-04-25

Subject: Development Agreement: PID 45166915 and PID 45148608, Scotch Village Station Road; File #22-29

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to proceed to Public Hearing, the following motion would be in order:

…that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to allow a yoga studio and campground with a variety of tourist accommodations and other accessory uses on PID 45166915 and PID 45148608 on Scotch Village Station Road in a manner substantively the same as the draft set out in Attachment C of the report File #22-29 to the Planning and Heritage Advisory Committee report dated April 13, 2023, and to add that the number of private events in this development agreement be increased from a maximum of eight (8) to twelve (12) for the timeframe of mid-May to mid-October.

…that Council requires that the development agreement with Jessica and Allan Hill be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on January 20, 2023, from Jessica Hill to consider permitting a yoga studio and campground with a variety of tourist accommodations and other accessory uses on PID 45166915 and PID 45148608 on Scotch Village Station Road. The properties are owned by Allan and Jessica Hill.

DISCUSSION

A Public Information Meeting was held on February 16, 2023.

On April 13, 2023 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed the application and policy at length, including the agrologist report, soil quality of the lot, the Statements of Provincial Interest regarding agricultural land, the buffer from the river, periodic flooding of the lot, potential conflict with adjacent land uses, and the number of outdoor events permitted in the draft development agreement.

PAC/HAC passed the following motion on April 13, 2023:

> …that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a yoga studio and campground with a variety of tourist accommodations and other accessory uses on PID 45166915 and PID 45148608 on Scotch Village Station Road in a manner substantively the same as the draft set out in Attachment C of the report File #22-29 to the Planning and Heritage Advisory Committee report dated April 13, 2023, and to add that the Special Events in this Development Agreement be moved from 8 to 12 for the timeframe of mid-May to mid-October in the calendar year".

If approved by Council the number of private events in this development agreement will be increased from a maximum of eight (8) to twelve (12) for the timeframe of mid-May to mid-October.

Following the discussion for this application, PAC/HAC also made the recommendation "that Planning and Development Staff bring information to PAC/HAC to review currently existing agricultural policies within the municipality and provincial statements of agricultural interest." The agricultural policies and Statements of Provincial Interest will be reviewed by staff and an information report will be brought back to the PAC/HAC at a future meeting.

NEXT STEPS

The process for this application is as follows.

Process
Staff Review
▼
Public Information Meeting – February 16
▼
PAC/HAC receives staff report and PIM Notes PAC/HAC Review and Recommendation – April 13
▼
Regional Council First Reading – April 25
▼
Public Hearing & Second Reading – May 23*
▼
Notice of Approval
▼
14-day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, Council may decide to:

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

APPENDICIES

Appendix A 2023-04-13 Staff Report Development Agreement: PID 45166915 and PID 45148608, Scotch Village Station Road; File #22-29

CHIEF ADMINISTRATIVE OFFICER REVIEW

The draft Development Agreement related to the associated PIDs has created considerable discussion within the community. Arguments both in favor and opposing the DA and the proposed associated uses of the lands. I encourage Council to consider the formal process for decision making as outlined above by the Director. Council as a whole has yet to be formally presented with the report and information from staff and recommended by PAC /HAC associated with the draft DA. In addition the PIM meeting is an initial step in the DA application process by which the community and applicant can consider the application and it's various components.

Supporting the recommendation for First Reading and Public Hearing should not by itself be viewed as a sign of support for the DA but an opportunity for the public and the applicant to present their formalized concerns or support for the DA. Essentially as a motion can be moved and seconded within the Council environment allowing for discussion and not guaranteeing approval. In the case of the draft DA before Council the decision to approve, amend or deny would be carried out when Council is asked to approve second reading.

Report Prepared by: _____

Sara Poirier, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Appendix A

West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Sara Poirier, Director of Planning and Development

Date: 2023-04-13

Subject: Development Agreement: PID 45166915 and PID 45148608, Scotch Village Station Road; File #22-29

LEGISLATIVE AUTHORITY

Section 230 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 entering into a development agreement to allow a yoga studio and campground with a variety of tourist accommodations and other accessory uses on PID 45166915 and PID 45148608 on Scotch Village Station Road in a manner substantively the same as the draft set out in Attachment C of the report File #22-29 to the Planning and Heritage Advisory Committee report dated April 13, 2023.

…that PAC/HAC recommends that Council require that the development agreement with Jessica and Allan Hill be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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

A completed application was received on January 20, 2023, from Jessica Hill to consider permitting a yoga studio and campground with a variety of tourist accommodations and other accessory uses on PID 45166915 and PID 45148608 on Scotch Village Station Road. The properties are owned by Allan and Jessica Hill.

DISCUSSION

PID 45166915 is a 7.5-acre lot and PID 45148608 is a 3.4-acre lot, both located on Scotch Village Station Road in Scotch Village. PID 45166915 is currently vacant and the property owners reside in a single unit dwelling on PID 45148608. They are proposing to use the entire PID 45166915 for the campground and a small portion of PID 45148608 for the yoga studio.

The lots are designated Agriculture on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (WHMPS) (Figure 1). Part 8.0 of the WHMPS contains the overall intention for Agricultural areas in West Hants. The subject lots are zoned Agricultural Priority Two (AR-2) on the Zoning Map of the West Hants Land Use By-law (WHLUB) (Figure 2). Part 8.9 of the WHMPS contains the specific policies for properties zoned Agricultural Priority Two (AR-2). Based on the zoning and lot size of the currently vacant PID 45166915, the property owners could apply for any of the permitted uses within the Agricultural Priority Two (AR-2) zone and construct a single or two-unit dwelling or manufactured home as-of-right, pending building permit approval.

The proposed yoga studio and campground including tourist accommodations are only permitted to be considered in the Agricultural Priority Two (AR-2) zone by development agreement.

Proposal

The property owners are proposing to enter into a development agreement to allow a yoga studio and a campground with a variety of tourist accommodations and other accessory uses on the properties. The proposed accommodations on the lots will consist of: ten (10) tent sites, three (3) recreational vehicle (RV) sites, six (6) cabins, and one 3-bedroom lodge. The owners have also requested their existing single unit dwelling on PID 45148608 be permitted to be used for accommodations, as required prior to the campground being fully established. Accessory buildings to those uses may include: an administrative office for guest check-in, washroom facilities and sheds for firewood and utilities. There will be a common fire pit area, playground, and picnic areas on the lots as well. Figure 3 shows the tentative location of these uses. The

property owners have also requested the development agreement allow private indoor or outdoor events to allow them to host a private yoga retreats, small weddings or family reunions on the lots. Permitted uses are listed in Section 2.1, *Use*, of the draft development agreement.

Section 2.13, *Hours of Operation*, of the draft development agreement limits the season of the campground to mid-May to mid-October each year. The administrative office is permitted to operate between 7 a.m. and 7 p.m. daily during that time, with the owners maintaining quiet hours between 10:30 p.m. and 6 a.m. the following day. The property owners plan to open the yoga studio to the general public as well as guests of the accommodations. The yoga studio will be permitted to operate between 7 a.m. and 9 p.m. daily throughout the year. The draft development agreement also limits the number of outdoor private events to eight (8) per year between mid-May to mid-October. The property owners suggested the number of private events be increased to a maximum of twelve (12) during the same time period, however staff are recommending a maximum of eight (8).

The draft development agreement requires a 50 ft. (15.24 m.) wide natural buffer of trees to be kept along the lot line of PID 45166915 abutting the Herbert River. The draft development agreement allows a maximum of five (5) tent sites within this area, without any type of structure.

The properties are not serviced by Municipal water or sewer therefore any water supply or septic disposal required for these uses would need to be designed by a qualified professional, approved by the Department of Environment if required, and installed and maintained at the expense of the property owners. Access for the proposed uses must be approved by the Provincial Department of Public Works and all parking for the proposed uses, including outdoor private events, must be provided on the subject lots. Similar to any other resident within the Municipality who would like to have a small campfire, the property owners must follow all the requirements of the Municipal Outdoors Fires By-law and enforce adherence to the Nova Scotia Department of Natural Resources burn restrictions.

Section 2.12, *Operator Presence*, of the draft development agreement requires the owners or a representative to be present on-site while the campground is in use. This will ensure the requirements of the development agreement are met.

The draft development agreement can be found in Appendix C.

Development Agreement

A development agreement is a contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed permitted use within a zone on a specific lot. The ability for Council to consider a development agreement must be stated in the Land Use By-law and the Municipal Planning Strategy must identify the kinds of uses Council may consider in each area. Uses which Council may consider are those which Council has determined may have sufficient impact on an area that a negotiated process is required to ensure the potential impact

is minimized. In the Municipal Planning Strategy Council usually identifies both specific and general criteria which must be considered when making decisions regarding a development agreement amendment.

A proposal being considered must be measured against only the specific and general criteria for the proposal in the Municipal Planning Strategy and not any other criteria.

West Hants Land Use By-law

Section 6.0 of the WHLUB, *Development Agreements*, states that "*The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy*:

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

West Hants Municipal Planning Strategy

WHMPS Specific Criteria

Policy 8.9.4 of the WHMPS establishes Council's intention to consider Rural Commercial (RC) and Recreation Commercial (RecC) uses in the Agricultural Priority Two (AR-2) zone. This policy also outlines the criteria to be considered by Council, which are examined in detail in Attachment A.

In summary, the criteria are met since:

- an agrologist report was provided in accordance with Policy 8.6.1 and has determined that the development site has constraints which limit the use of land for agricultural purposes;
- the proposed uses will not compromise or adversely affect the operation or integrity of existing agricultural operations; and
- the development is compatible with adjacent land uses with respect to traffic generation and traffic safety and hours of operation.

WHMPS General Criteria

The proposed development will meet the general criteria for development agreements set out in WHMPS 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 Fire Chief, development control staff, Manager of Building and Fire Inspection Services, Manager of Public Works Operations and Nova Scotia Department of Public

Works have no concerns which have not been addressed in this report or the development agreement.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

PID 45166915 is bound by the Herbert River to the south. The Municipal Climate Change Action Plan (MCCAP) for West Hants (2013) Inland Flooding map shows part of the property within the area identified as having a 0.11 - 0.50m depth to water table. Section 4.3.2 of the MCCAP (pg. 40-41) explains the Inland Flooding map in more detail. It states "The Depth to Water Table categories, as seen on the map, indicate quality of drainage: the 0-0.10 m class is generally associated with poor drainage and the 0.11-0.50 m class with imperfect drainage. These areas can be used to infer where water will naturally flow and/or accumulate in the landscape." It also states "Where imperfectly and poorly drained WAM units are related to rivers and shorelines—which is what has been mapped for West Hants—then potential flood areas may be inferred with caution. Nonetheless, the inland flooding map does detail where more detailed flood risk mapping is warranted."

Other than the MCCAP mapping, the Municipality has no further mapping of the property related to flood risk and there is currently no Municipal restriction on development of the site in relation to the potential for flooding.

The Province has a Provincial Landscape Viewer mapping available online. On the Provincial mapping it shows floodplain along the Herbert River in the location of the subject lots. In response to an inquiry about the mapping layer a Provincial Landscape Ecologist provided the following information "Theses Floodplain elements are part of ELC layer that represent areas that are adjacent to rivers and streams that are annually or periodically flooded and enriched by sediment. Elements were developed from the base ELC – Ecosections layer. The Ecosections were originally mapped in the 1990s, where we merge adjacent landform polygons of similar attributes (soil texture, drainage and topo position), and produce maps at a scale of 1:50 000 for the entire province. This mapping was developed to support for broad-scale, regional forest and biodiversity planning. As you can likely see there are some alignment issues with this data set. Recent advancement in GIS technology and remote sensing (Lidar) have provided an opportunity to improve the mapped boundaries of the ecological units in the provincial ELC. NS Government is working on update the ELC with this new mapping technology but will not likely be available for the next year or two. My advice to only use this in very broad sense, e.g., there is likely a floodplain along this waterbody. If you need precise mapping, some of DEM datasets are better for property-level planning or zoning or other tactical planning."

As noted in the descriptions of both the Municipal and Provincial mapping more details flood risk mapping is required for the Municipality.

Local residents have described concerns of PID 45166915 flooding, mentioning that this typically occurs every 3-5 years when ice jams up on a small island downstream of the subject lot causing the river to flood onto this subject lot. Local residents provided pictures from winter in the early 2000's and in 2014 when this has occurred (shown in Attachment E). They noted that water level of the river can vary greatly throughout the year. The water levels in the winter can be very high, especially if ice accumulates in the river, and the water levels can be very shallow in this location in the summer. The main concern of residents in relation to flooding is the potential for septic systems overflowing into the river or any debris contaminating the river from the proposed uses which could impact properties downstream.

Staff contacted the Department of Environment (DoE) in relation to septic systems on properties abutting watercourses and with potential seasonal flooding issues. The representative from the DoE stated "As discussed, the required separation distance of an on-site sewage disposal system from a watercourse or wetland is 15 metres for the water-tight portions of the system (tank) and 30 metres for the non-water-tight portion (distribution trench). On-site sewage disposal systems can be eligible for notification on properties with potential flooding issues provided that they can meet all separation distance requirements, including a 1 metre vertical clearance distance from groundwater." The DoE representative also mentioned that "if the system is a different type not pre-approved by the province and/or designed specifically for the site or can't meet all the required separation distances for the property then it must be completed by an Engineer and be submitted as an approval application. These applications go through the full review process prior to approval and are reviewed by our Regional Engineer." This outlines that there are options available to the property owners to work with a qualified professional to design a septic system for the proposed uses that will most likely be approved by DoE.

The property owner has provided comment that "We know that flooding is certainly a concern for either agriculture or campground infrastructure, however this too has been taken into consideration. Sites at risk of flooding are tent only sites and are unlikely to be in use during times that the Herbert River runs high. The Winter, Early Spring and Late Fall - high times for the river - are off seasons for tent camping. Plus the sites are sufficiently set back from the river to allow the watercourse to do its primary job of absorbing pollutants, reducing stormwater runoff and managing erosion." The property owners are also exploring alternative forms of washroom facilities including composting toilets.

Property owners are ultimately responsible for ensuring that their lots are suitable for the proposed uses. The draft development agreement limits the campground to mid-May to mid-October which should be outside of any time where flooding has been experienced on the subject lot. It requires the property owner or representative to be on site during operation which will ensure the safe use of the subject lots during the campground operating season. The

draft development agreement requires a 50 ft. (15.24 m.) wide natural buffer of trees to be kept along the lot line of PID 45166915 abutting the Herbert River, in which a maximum of five (5) tent sites will be permitted without any structures. It also requires the property owners to have water supply and septic disposal systems designed by a qualified professional, approved by the Department of Environment if required, and installed and maintained at their expense. The owners also are required to clean out washroom facilities at the end of camping season. These clauses will ensure there should be no contamination or safety issues in association with potential seasonal flooding of the property.

The Coastal Flooding map does not show any risk of coastal flooding on the property.

NEXT STEPS

As noted above, the proposed development agreement has been considered within the context of both the specific and general policies of the WHMPS and is consistent with the intent, objectives, policies and criteria of the WHMPS. As a result, it is reasonable to enter into an development agreement to allow a campground, tourist accommodations, a yoga studio and other accessory uses on PID 45166915 on Scotch Village Station Road.

Process
Staff Review
▼
Public Information Meeting – February 16
▼
PAC/HAC receives staff report and PIM Notes **PAC/HAC Review and Recommendation – April 13**
▼
Regional Council First Reading – April 25*
▼
Public Hearing & Second Reading – May 23*
▼
Notice of Approval
▼
14-day Appeal Period

*anticipated dates; final dates set by Council

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 development agreement 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	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Figure 3	Proposal Submitted by Property Owners
Attachment A	Specific Criteria for a Development Agreement
Attachment B	General Criteria for a Development Agreement
Attachment C	Draft Development Agreement
Attachment D	Agrologist Report for PID 45166915
Attachment E	Public Information Meeting Notes

Report Prepared by: _____

Sara Poirier, Director of Planning and Development

Report Reviewed by: _____

Alex Dunphy, Planner

Figure 1
West Hants GFLUM Extract

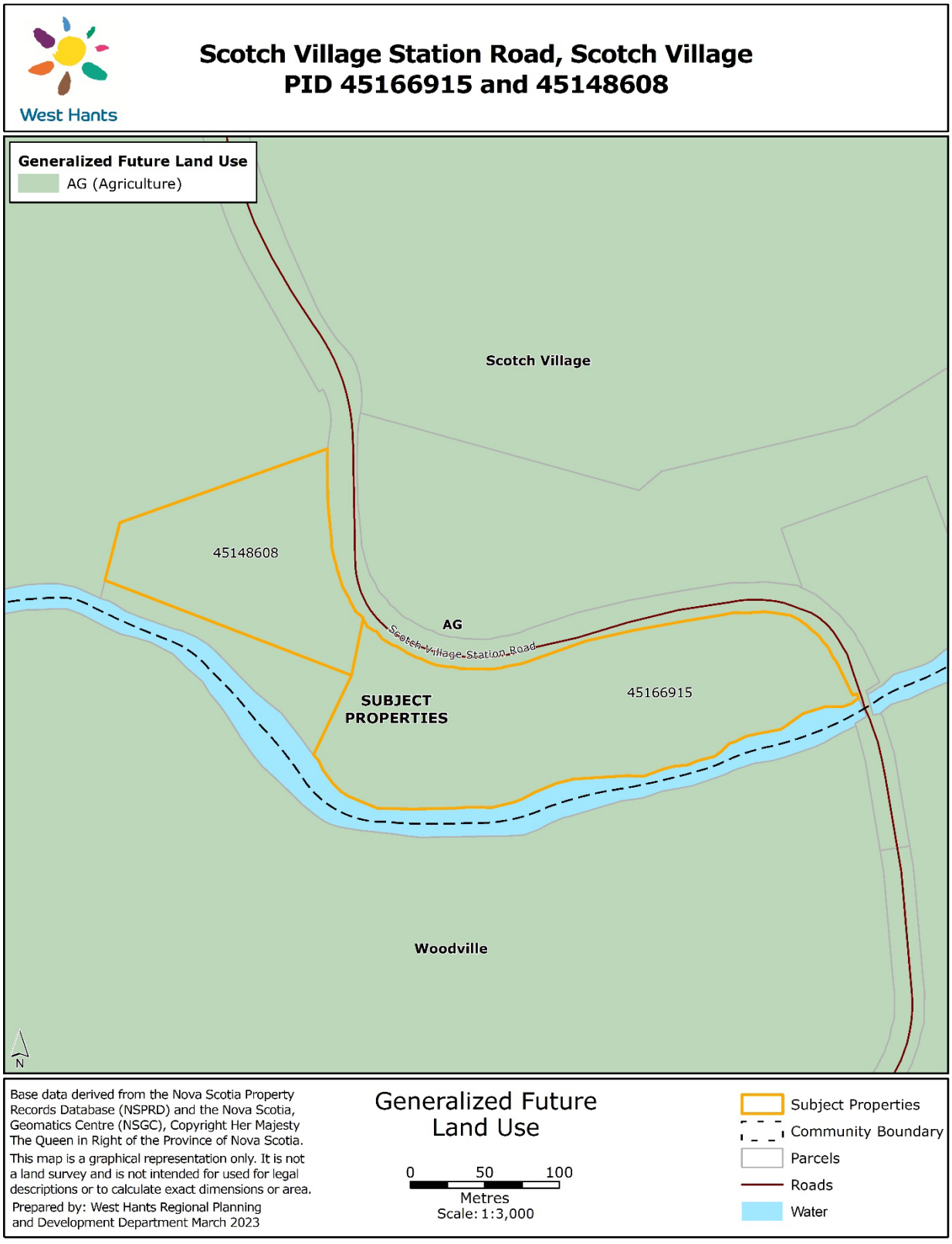


Figure 2

West Hants Zoning Map Extract

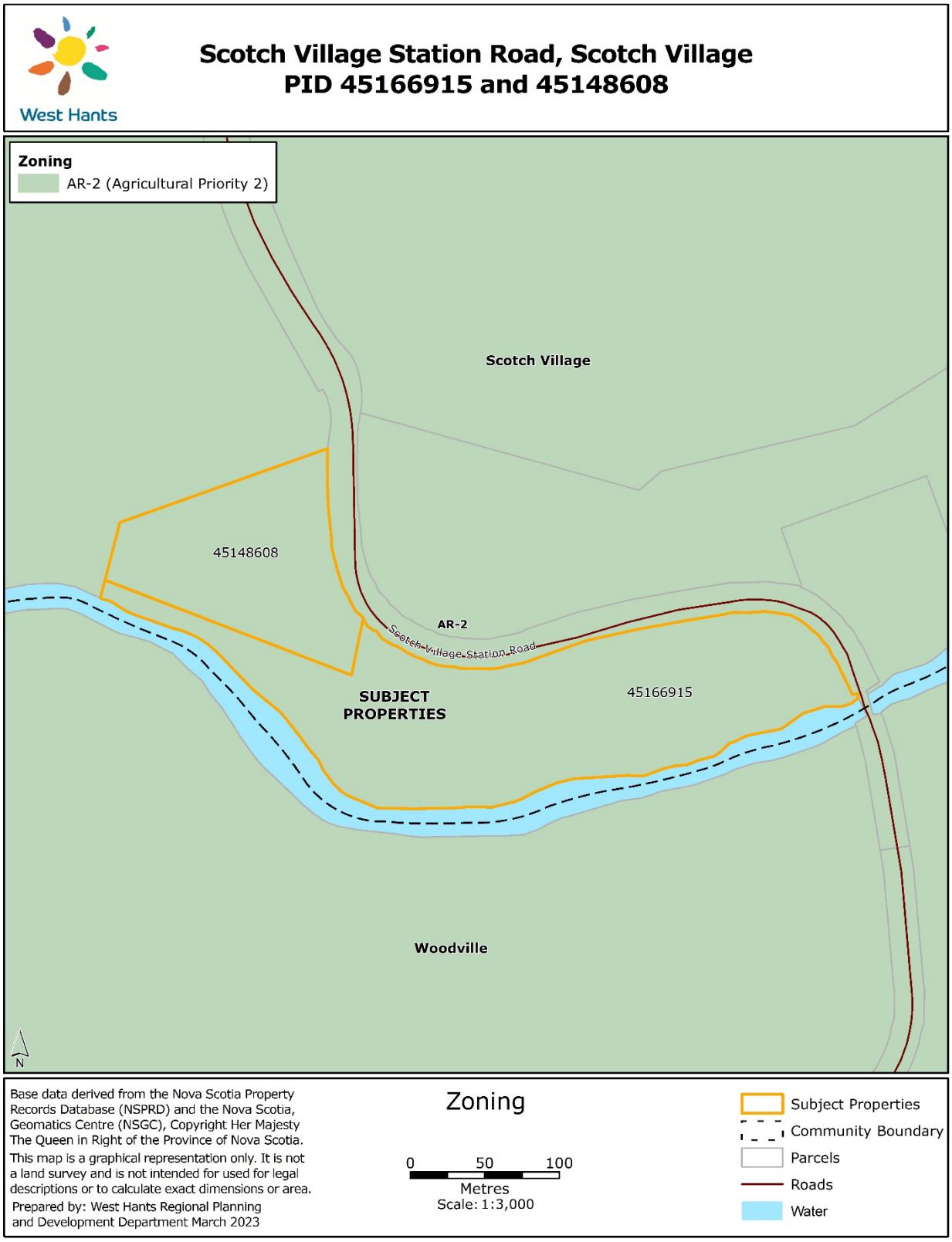
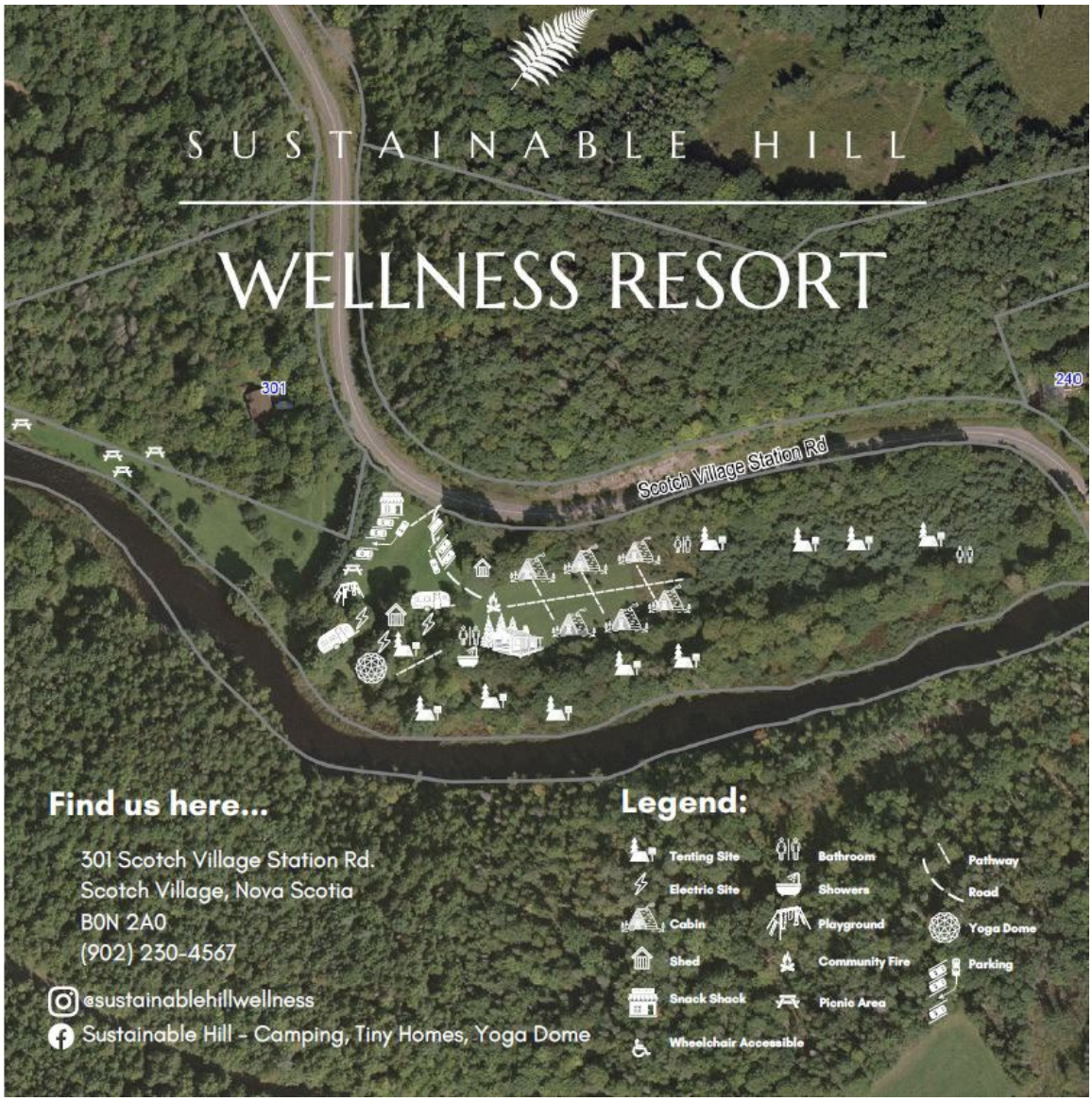


Figure 3
Proposal Submitted by Property Owners



Attachment A
Specific Criteria for Development Agreement

Policy 8.9.4 It shall be the intention of Council to consider new non-resource Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses in the AR-2 zone by development agreement subject to the following:

CRITERIA	**COMMENT**
(a) the development site has been determined to have little or no agricultural capability in accordance with Policy 8.6.1;	See below.
(b) the proposed use will not compromise or adversely affect the operation or integrity of existing agricultural operations;	PID 45166915 is a 7.5-acre lot bound by the Herbert River, Scotch Village Station Road and the other subject lot owned by the property owners (PID 45148608). The draft development agreement requires approved access to the lots by Nova Scotia Department of Public Works, on-site parking and regulates hours of operation for the proposed uses. It is not anticipated that the proposed uses will adversely affect any existing agricultural operations.
(c) the predominant agricultural character of the area will not be adversely affected;	It is not uncommon for Rural Commercial (RC) and Recreation Commercial (RecC) uses to occur in agricultural areas. For example, the Beech Brook Campground in Ardoise and Smileys Provincial Park and Campground in McKay Section are located within the Agricultural designation. This proposal is on a smaller scale, more suitable to the size of the subject lot. All proposed uses and required parking must be provided on the subject lots. It is not anticipated to adversely affect the agricultural character of the area.

(d) adequate separation distances and buffering between agricultural and non-agricultural uses can be provided;	All structures will need to meet the setback and yard requirements of the underlying Agriculture Priority Two (AR-2) zone. As PID 45166915 is bound by the Herbert River and Scotch Village Station Road the only additional buffer required in the draft development agreement is a 50 ft. (15.24 m.) wide natural buffer of trees abutting the Herbert River. A maximum of five (5) tent sites are permitted within this area however no structures shall be constructed within the buffer. The draft development agreement also requires that the property owners will keep all undeveloped areas of the Properties landscaped which may include grass, shrubs, trees or other appropriate vegetative cover
(e) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;	The Recreation Commercial (RecC) campground requires a larger property than it typically found in a Growth Centre, Village or Hamlet.
(f) safe and efficient roadway access is provided;	Scotch Village Station Road is a Provincially owned road under the jurisdiction of the Department of Public Works (DPW). The DPW stated "the anticipated traffic from the proposed future uses can be accommodated by the Scotch Village Station Road with minimal impact. Any existing access on the property or any proposed new access locations will need to be assessed for the proposed future uses." DPW added that "the developer is advised that a Work Within Highway Right-of-Way permit will be required. Applications submissions shall include a complete intersection design. The access design must also include turning templates for an appropriate design vehicle

	that demonstrates the site can be used without off-tracking." This would all be required to be provided prior to the property owners receiving development permits for the proposed uses.
(g) adequate on-site parking is provided;	All parking required for the proposed uses must be provided on the subject lots. Parking requirements outlined in the draft development agreement ensure at least one (1) parking space is provided for every tent site and one (1) parking space is provided for every 100 sq. ft. (9.29 sq. m.) gross floor area dedicated to the yoga studio. Parking for outdoor events shall be in addition to the parking requirements above. The parking spaces shall be a minimum of 10 ft. x 20 ft. (3.05 m. x 6.10 m.).
(h) the development is compatible with adjacent land uses with respect to:	
(i) traffic generation and traffic safety;	The DPW stated "the anticipated traffic from the proposed future uses can be accommodated by the Scotch Village Station Road with minimal impact."
(ii) hours of operation;	The draft development agreement limits the campground to operate from mid-May to mid-October. The hours of operation of the administrative office for the campground are between 7 a.m. and 7 p.m. daily, Monday to Sunday, inclusive. The Campground must maintain quiet hours between the hours of 10:30 p.m. and 6 a.m. the following day. The draft development agreement permits the yoga studio to operate between 7 a.m. and 9 p.m. daily, Monday to Sunday, inclusive.

	The draft development agreement also permits a maximum of eight (8) outdoor private events per year between mid-May to mid-October. Outdoor private events shall be permitted to operate between 7 a.m. and 9 p.m. daily, or 7 a.m. and 11 p.m. Thursday through Saturdays if enclosed in a temporary structure. These hours of operation would be compatible with the adjacent agricultural and residential uses.
(iii) size and design of building(s);	All structures will require the appropriate building and development permits prior to construction.
(iv) signage; and	Signage and illumination will be regulated under sections 5.18 and 7.0 of the LUB which controls lighting, size, location, and number of signs. The draft development agreement allows one additional ground sign to be permitted in association with the campground.
(v) pedestrian circulation and safety;	No impact on pedestrian traffic or safety is anticipated. It is anticipated that people will drive to and from the subject lots for the proposed uses. It is not anticipated that people will walk to the property for the proposed use. There will be trails located on the subject lots for people staying at the campground to walk from the parking area to their tent site.
(i) any other matter which may be addressed in a development agreement;	Staff reviewed the 2005 Provincial report entitled "*A Guide to Starting and Operating a Campground Business in Nova Scotia*". Section 7.2 of the report describes design guidelines and suggestions for campgrounds

	in Nova Scotia and notes that Federal and Provincial park planning standards call for a development standard of between four and eight sites per acre (gross). This proposed campground being on a 7.5-acre lot and proposing a total of up to 28 separate sites/bedrooms would meet this guideline. As the campground is proposed on a property located within the agriculture designation and is zoned Agriculture Priority Two (AR-2), topsoil removal and the development of new public streets or private roads will be prohibited in accordance with WHMPS Policy 8.3.1 and 8.4.1 and the WHLUB 18.12. To ensure the campground is maintained and requirements of the draft development agreement are enforced, a clause was added to require the owners or representative of the owner to be present on-site while the campground is in use. It is the responsibility of the property owner to ensure the site is suitable for the proposed uses. All other matters are addressed elsewhere in this report.
(j) Policy 16.3.1.	Please see Attachment B for further details.

As stated in Policy 8.9.4 (a) the development site shall have little or no agricultural capability in accordance with Policy 8.6.1. Policy 8.6.1 is reviewed below.

Policy 8.6.1 It shall be the policy of Council to consider certain non-farm development, pursuant to the relevant specific policies of this Part, on land within the Agricultural designation that has been determined to have little or no agricultural capability. A determination of agricultural capability shall be based on the following:

CRITERIA	**COMMENT**
(a) 90 percent or more of the development site is an existing or abandoned resource extraction site such as a sand pit, gravel pit or quarry for which a permit for extraction has been issued by the Province of Nova Scotia. The resource extraction must have been existing or abandoned prior to the effective date of this Strategy; or	Not applicable as this property is not an existing or abandoned resource extraction site.
(b) if not a resource extraction site, a study has been prepared by a professional agrologist, at the expense of the applicant, which concludes that the proposed development will not adversely affect the viability of surrounding agricultural operations and:	A study has been prepared by a professional agrologist for PID 45166915, at the expense of the applicant, which concludes that the proposed development will not adversely affect the viability of surrounding agricultural operations. PID 45148608 was not included in the study as the proposed uses are to be contained within existing buildings or within temporary structures on the lot.
(i) 90 percent or more of the development site has soils defined as Class 4 or lower capability for agriculture; or	Not applicable, as the agrologist report has identified the soils on the property to be mainly Class 3 with some Class 2 in areas.
(ii) the soils have a capability for agriculture rating better than Class 4, but 90 percent or more of the development site exhibits severe limitations for agricultural use because of slope, stoniness, salinity, wetness, permeability, depth of soils, size of parcel or proximity to non-farm buildings;	The agrologist reports that the land is rated as Canada Land Inventory (CLI) Class 3 with some Class 2 land in areas but has constraints which limit the use of the land for agriculture. These limitations which influence the viability for agricultural production were identified as “the plot size and shape, as well as the propensity towards flooding as it is interval land”. The lot is not currently in agricultural production and would not result in a loss of production based on the proposed use.

(c) the study shall:	
(i) be prepared by a registered full member of the Nova Scotia Institute of Agrologists;	Yvonne Thyssen-Post of Thyagrissen Consulting Limited is a registered full-member of the Nova Scotia Institute of Agrologists (NSIA).
(ii) require a site inspection by the agrologist;	The agrologist performed a site inspection on Thursday, November 10, 2022.
(iii) specify the method used, consistent with the C.L.I. classification methodology, to determine soil capability for agriculture;	The agrologist report specifies that soil capability for agricultural uses was determined by assessing the Soil Map of Hants County sourced from Government of Canada website, Agriculture & Agri-Food Canada, Canada Land Inventory (CLI) soil surveys. The agrologist confirmed the information from the mapping during the site visit.
(iv) identify any major site features or characteristics which influence or determine soil capability including, but not limited to, slope, soil texture, stoniness, wetness, salinity, permeability, and depth of soils;	Refer to the Study Criteria section in Attachment D.
(v) include a site plan illustrating the area studied and any relevant site features;	Included within Attachment D.
(vi) identify reasons why the use would be compatible with, or not adversely affect, area farms. Reference should be made to the following where applicable: site and locational constraints; infilling between existing non-farm development; logical extension of existing non-farm development; special use with special locational requirements; current pattern of development; parcel size and shape; surrounding land uses;	The agrologist interviewed property owners within 500 m. of the subject lot and reported their findings in the Impact on Neighbouring Farms section of Attachment D. In summary the agrologist report states that moving "this land parcel from AR-2 to recreation commercial to develop a wellness retreat may potentially have some adverse effect on neighbouring agricultural properties, mostly from nuisance and liability perspective." The

context within which the parcel fits into the farming area; viability of the parcel and remnant for farming; and existing, past and future use of the parcel and remnant;	property owner has added that "we plan to have garbage, recycling and compost facilities on site. We will make our resort's property lines well known through the use of site maps and signage. Although we cannot control what people do off our property, we don't anticipate the guests we attract will be inconsiderate. We invite guests to share in our personal values of respect for nature and we vow to participate in the protection of endangered species such as the lady's slipper flower." As this is a development agreement application, many of the concerns from adjacent property owners can be mitigated by adding clauses in the draft development agreement in relation to signage, garbage collection, hours of operation, etc.
(vii) indicate the implications of letting the parcel go out of agricultural production; and	The agrologist report states that "removing the parcel out of agriculture will not result in any loss of agriculture production as the land was not farmed prior to this request".
(viii) indicate the implications of fragmenting the land.	PID 45166915 is a 7.5-acre lot bound by the Herbert River, Scotch Village Station Road and the other subject lot owned by the property owners (PID 45148608). The lot is not currently in agricultural production and would not result in fragmentation of agricultural land.

Attachment B
General Criteria for Development Agreement

Policy 16.3.1 In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

CRITERIA	**COMMENT**
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Municipal Project Engineer stated that "there is no municipal water or sewer in this area." Any water supply or septic disposal required for this use would need to be approved by the Department of Environment and installed at the expense of the property owners.
(ii) the adequacy of school facilities;	No inquiry was submitted to the Director of Operations for the Annapolis Valley Regional Centre for Education related to this application as the proposed use does not include any full-time residential uses.
(iii) the adequacy of fire protection and other emergency services;	In response to an inquiry, the Manager of Building and Fire Inspection Services stated there should be no issues from their perspective. They added that the property owners may want to review the requirements for accessibility under the Nova Scotia Building Code Regulations. The Building Code requirements will need to be met during the construction of the proposed buildings. The local Fire Chief does not have any concerns regarding the adequacy of fire protection for the proposed uses.

(iv) the adequacy of road networks adjacent to, or leading to the development; and	As noted in 8.9.4 (h)(i), the DPW stated "the anticipated traffic from the proposed future uses can be accommodated by the Scotch Village Station Road with minimal impact."
(v) the financial capacity of the Municipality to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;	The Municipal Project Engineer stated that "there is no municipal water or sewer in this area." Any water supply or septic disposal required for this use would need to be approved by the Department of Environment and installed at the expense of the property owners.
(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	As noted in 8.9.4 (f) the DPW stated "the anticipated traffic from the proposed future uses can be accommodated by the Scotch Village Station Road with minimal impact. Any existing access on the property or any proposed new access locations will need to be assessed for the proposed future uses." DPW added that "the developer is advised that a Work Within Highway Right-of-Way permit will be required. Applications submissions shall include a complete intersection design. The access design must also include turning templates for an appropriate design vehicle that demonstrates the site can be used without off-tracking." This would all be required to be provided prior to the property owners receiving development permits for the proposed uses. There is no rail transportation in this area. No impact on pedestrian traffic or safety is anticipated.

(d) the adequacy of the dimensions and shape of the lot for the intended use;	Development control staff commented that "the dimensions, shape and size of the proposed lots intended for the development are adequate for this proposal."
(e) the pattern of development which the proposal might create;	This proposal is not anticipated to change the pattern of development in the area. Development control staff noted that as the campground becomes popular and attracts people to the area, other property owners may see the opportunity to convert their properties to non-agriculture related uses. However, as an agrologist report is required for each unique proposal within the Agricultural Priority Two (AR-2) and Agricultural Priority Three (AR-3) zones this ensures each case is considered separately.
(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses and wetlands, and susceptibility of flooding;	PID 45166915 is relatively flat and bound by the Herbert River, Scotch Village Station Road and the other subject lot owned by the property owners (PID 45148608). PID 45148608 slopes upward from PID 45166915 to level off where the single unit dwelling is, then slopes upward to the north. There are no evident concerns in terms of steepness of grade, soil or geological conditions. There is a water body called the Herbert River along the south property line of PID 45166915. The MCCAP for West Hants (2013) Inland Flooding map shows part of the property within the area identified as having a 0.11 - 0.50m depth to water table, which is described as having imperfect drainage. The MCCAP states "These areas can be used to

	infer where water will naturally flow and/or accumulate in the landscape." Local residents have described concerns of PID 45166915 flooding, mentioning that this typically occurs every 3-5 years when ice jams up on a small island downstream of the subject lot causing the river to flood onto this subject lot. Local residents provided pictures from winter in the early 2000's and in 2014 when this has occurred. They noted that water level of the river can vary greatly throughout the year. The water levels in the winter can be very high, especially if ice accumulates in the river, and the water levels can be very shallow in this location in the summer. The main concern of residents in relation to flooding is the potential septic system overflowing into the river or any debris contaminating the river from the proposed uses which could impact properties downstream. Staff contacted the Department of Environment (DoE) in relation to septic systems near watercourses and with potential seasonal flooding issues. The representative from the DoE stated "As discussed, the required separation distance of an on-site sewage disposal system from a watercourse or wetland is 15 metres for the water-tight portions of the system (tank) and 30 metres for the non-water-tight portion (distribution trench). On-site sewage disposal systems can be eligible for notification on properties with potential flooding issues provided that they can meet all separation distance requirements, including a 1 metre vertical clearance distance from

	groundwater." The DoE representative also mentioned that "if the system is a different type not pre-approved by the province and/or designed specifically for the site or can't meet all the required separation distances for the property then it must be completed by an Engineer and be submitted as an approval application. These applications go through the full review process prior to approval and are reviewed by our Regional Engineer." This outlines that there are options available to the property owners to work with a qualified professional to design a septic system for the proposed uses that will most likely be approved by DoE. The property owner has provided comment that "We know that flooding is certainly a concern for either agriculture or campground infrastructure, however this too has been taken into consideration. Sites at risk of flooding are tent only sites and are unlikely to be in use during times that the Herbert River runs high. The Winter, Early Spring and Late Fall - high times for the river - are off seasons for tent camping. Plus the sites are sufficiently set back from the river to allow the watercourse to do its primary job of absorbing pollutants, reducing stormwater runoff and managing erosion. Finally, we plan to use building materials for our infrastructure that is water resistant and able to withstand a hurricane." The property owners are also exploring alternative forms of washroom facilities including composting toilets which would not require a distribution trench and would be emptied regularly.

	Property owners are ultimately responsible for ensuring that their lots are suitable for the proposed uses. The draft development agreement limits the campground to mid-May to mid-October which should be outside of any time where flooding has been experienced on the subject lot. It requires the property owner or representative to be on site during operation which will ensure the safe use of the subject lots during the campground operating season. The draft development agreement requires a 50 ft. (15.24 m.) wide natural buffer of trees to be kept along the lot line of PID 45166915 abutting the Herbert River, in which a maximum of five (5) tent sites will be permitted without any structures. It also requires the property owners to have water supply and septic disposal systems designed by a qualified professional, approved by the Department of Environment if required, and installed and maintained at their expense. The owners also are required to clean out washroom facilities at the end of camping season. These clauses will ensure there should be no contamination or safety issues in association with potential seasonal flooding of the property. It is the responsibility of the property owner to ensure the site is suitable for the proposed uses.
(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and	All Municipal, Provincial and Federal regulations will have to be met.

(h) any other matter required by relevant policies of this Strategy.	There are no other relevant policies of this Strategy.

Attachment C
Draft Development Agreement



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2023.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

Allan and Jessica Hill, of 301 Scotch Village Station Road, Scotch Village, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Owners")

OF THE SECOND PART

WHEREAS the Owners are the registered owners of parcels of land located on Scotch Village Station Road, PID 45166915 and 45148608, hereinafter referred to as the "Properties", which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Properties are designated Agriculture on the Generalized Future Land Use Map of the Municipal Planning Strategy, zoned Agricultural Priority Two (AR-2) on the Zoning Map of the Land Use By-law; and

WHEREAS the Owners have requested that the Municipality enter into a development agreement to permit a yoga studio and campground with a variety of tourist accommodations and other accessory uses on the Properties (the "Development"); and

WHEREAS Policy 8.9.4 of the Municipal Planning Strategy and Section 6.1 (s) of the Land Use By-law enable Council to consider entering into a development agreement to allow Rural Commercial (RC) and Recreation Commercial (RecC) uses in the Agricultural Priority Two (AR-2) zone; and

WHEREAS the Council of the Municipality, at a meeting held on Month Day, 2023 approved this request and adopted this Agreement by policy, subject to the execution of this development agreement by the parties hereto;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

PART 1 AGREEMENT CONTEXT

1.1 Definitions

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use Bylaw, except those defined as follows:

(a) "Campground" means an area of land used to provide a range of short-term accommodations to the travelling or vacationing public which adheres to the regulations outlined in the Tourist Accommodations Act. The Campground includes but is not limited to tent sites, recreational vehicle sites, separate buildings each containing a one or two-bedroom rental units used as an alternative form of accommodation, and a lodge, and includes accessory facilities which support the use such as administration offices, washroom facilities, storage sheds, and communal areas such as a common fire pit, playground and picnic tables. The Campground does not include the use of mobile homes or trailers on a permanent year-round basis.

(b) "Private events" means a building, structure, land or part thereof used to host commercial events including, but not limited to, weddings, family reunions, or other gatherings and may include the consumption of food and alcoholic beverages but shall not include a restaurant.

(c) "Recreational vehicle site" means a designated pad for the traveling or vacationing public to park their recreational vehicle or to stay within a

recreational vehicle provided by the Owners. The recreational vehicle sites may have three-way service, provided the Owners received all necessary permits from Nova Scotia Power and the Department of Environment.

(d) "Tent site" means a designated pad for travelling or vacationing public to pitch their own tent or to stay in a tent provided by the Owners.

(e) "Yoga studio" means an indoor recreational use where classes are taught by an instructor. The yoga studio may be open to guests of the Campground and the general public.

1.2 Schedules

The following attached schedules shall form part of this Agreement:

- Schedule A - Legal Description
- Schedule B – Concept Plan

1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law

(a) *Municipal Planning Strategy* means the West Hants Municipal Planning Strategy, effective on June 26, 2008, as amended, or successor By-laws;

(b) *Land Use By-law* means the West Hants Land Use By-law, effective on June 26, 2008, as amended, or successor By-laws;

(c) *Subdivision By-law* means the West Hants Subdivision By-law, effective on June 26, 2008, as amended, or successor By-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

The Parties agree that uses on the Properties shall be limited to the following:

(a) those uses permitted by the underlying zoning in the Land Use By-law;

(b) a yoga studio;

(c) campground accommodations and facilities, including accessory building and structures;

(d) tourist accommodations; and

(e) private indoor or outdoor events.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this Agreement.

2.2 Development Location and Design

(a) The existing single unit dwelling on PID 45148608 may be permitted to be used as tourist accommodations, provided sufficient driveway access and parking can be provided on the lot as outlined in Section 2.5 and 2.7;

(b) A single unit dwelling with a maximum of three (3) bedrooms may be constructed on PID 45166915 to be used for tourist accommodations with shared washroom and kitchen facilities, and may be referred to as a lodge in this Agreement.

(c) The campground shall be located completely within PID 45166915 on Scotch Village Station Road and consist of no more than ten (10) tent sites, three (3) recreational vehicle sites, six (6) one or two-bedroom rental units, and one (1) three-bedroom lodge in the area identified as Campground on the Site Layout in Schedule B.

(d) An administrative office for guest check-in shall be limited to 800 sq. ft. (74.32 sq. m.) or less in size and be located on PID 45166915 in the area identified as Administrative Office / Store on the Site Layout in Schedule B and shall be permitted to sell items to guests of the campground.

(e) A yoga studio shall be located in the area identified as Campground or Yoga Studio on Schedule B.

(f) A temporary structure may be erected for an outdoor private event and follow the provisions for temporary structures as outlined in Section 5.44 of the Land Use By-law, *Temporary Uses, Building and Structures Permitted*.

(g) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*. The maximum height of an accessory building shall be 15 ft. (4.57 m.).

(h) The Owners shall keep all undeveloped areas of the Properties landscaped which may include grass, shrubs, trees or other appropriate vegetative cover.

2.3 Setbacks and Buffering

(a) A 50 ft. (15.24 m.) wide natural buffer of trees shall be kept along the lot line of PID 45166915 abutting the Herbert River. A maximum of five (5) tent sites shall be permitted within this area. No structures shall be constructed in this area.

(b) There shall be at least 10 ft. (3.05 m.) between each tent site and recreational vehicle site.

(c) All other setbacks and yards shall be consistent with the underlying zone requirements for single unit dwellings in the Land Use By-law.

2.4 Removal of Topsoil

Removal of topsoil shall be prohibited on the lot except where incidental to an agricultural use or for excavation associated with the construction of permitted buildings or structures.

2.5 Access and Egress

The main access/egress to the lots shall be directly from Scotch Village Station Road. The driveways shall be approved for commercial access by the Nova Scotia Department of Public Works prior to the campground and yoga studio opening to the public. The vehicular entrance and exit shall be clearly demarcated and maintained to a level adequate to the standard set by the Nova Scotia Department of Public Works.

2.6 Private Roads

No new public street or private road shall be permitted in association with this development.

2.7 Parking

(a) All parking spaces for vehicles using the Properties shall be located on the lots.

(b) A minimum of one (1) parking space shall be provided per tent site, recreational vehicle site, and per room of tourist accommodations.

(c) A minimum of one (1) parking space shall be required for every 100 sq. ft. (9.29 sq. m.) gross floor area dedicated to the yoga studio.

(d) Parking for outdoor private events shall be in addition to the parking provided above.

(e) Outside parking aisles and spaces shall be constructed so as to create a stable surface for vehicle traffic and be clearly demarcated and lined by the Owners. They may be constructed using permeable construction materials to assist with stormwater retention.

(f) Each parking space shall be a minimum of 10 ft. by 20 ft. (3.05 m. by 6.10 m.) exclusive of driveways and manoeuvring aisles. Parking aisles shall be a minimum of 20 ft. (6.10 m.) wide.

(g) The number of parking spaces may be varied in writing by the Development Officer in accordance with Section 2.17, *Variance*, of this Agreement.

2.8 Fire Safety

A communal fire pit area will be permitted in the campground and shall be confined to an acceptable appliance and follow all the requirements of the Municipal Outdoors Fires By-law. The Owners must enforce adherence to the Nova Scotia Department of Natural Resources burn restrictions and any other applicable Provincial legislation.

2.9 Servicing

(a) Waste Collection

(i) No Municipal garbage collection will be provided to the Development. The Owners shall have sole responsibility for collecting, storing and disposing of garbage and other recycling or waste items from the Development.

(ii) The Owners shall keep any outdoor storage of garbage in an enclosed structure or in some way adequately screened so as not to be visible from or cause a nuisance to nearby properties and abutting roads and it shall not be located closer than 10 ft. (3.05 m.) to an abutting property.

(b) Water and Sewer Services

PID 45166915 is not serviced by municipal water and sewer. Any water supply or septic disposal required for any of the uses described in Section 2.1, *Use*, shall be designed by a qualified professional, approved by the Department of Environment if required, and installed and maintained at the expense of the Owners. All washroom facilities shall be regularly maintained and cleaned out at the end of the camping season.

(c) Snow Plowing

The Owners shall have sole responsibility for snow plowing within the Development.

2.10 Signs and Lighting

(a) Signage and illumination shall be regulated under Sections 5.18 and 7.0 of the Land Use By-law, *Illumination* and *Signs*, which controls lighting, size, location, and number of signs. One additional ground sign with lighting may be permitted to assist Campground users arriving after dark. The ground sign may be a maximum height of 35 ft. (10.67 m.) and a maximum area of 50 sq. ft. (4.64 sq. m.).

(b) Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

2.11 Storage

Open storage shall be screened from adjacent residential properties by a continuous row of trees, a hedge, a fence, or a combination of the foregoing arranged to form a dense or opaque screen.

2.12 Operator Presence

The Owners, or a representative of the Owners, shall be present on-site while the Campground is in use.

2.13 Hours of Operation

(a) The Campground shall be permitted to operate from mid-May to mid-October each year. The general office hours for the administrative office shall be between 7 a.m. and 7 p.m. daily, Monday to Sunday, inclusive. The Campground shall maintain quiet hours between the hours of 10:30 p.m. and 6 a.m. the following day.

(b) The yoga studio shall be permitted to operate between 7 a.m. and 9 p.m. daily, Monday to Sunday, inclusive.

(c) A maximum of eight (8) outdoor private events shall be permitted between mid-May to mid-October. Outdoor private events shall be permitted to operate between 7 a.m. and 9 p.m. daily, or 7 a.m. and 11 p.m. Thursday through Saturdays, if enclosed in a temporary structure.

2.14 Site Drainage

The Owners shall undertake all construction activities in accordance with an erosion and sedimentation control plan prepared by a Professional Engineer, unless otherwise directed by Nova Scotia Environment, and also agree to assume sole responsibility for compliance with all regulations of Nova Scotia Environment.

2.15 Maintenance

(a) The Owners shall keep the Properties and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.

(b) The Owners shall maintain the driveway to a level adequate to allow for access by emergency services vehicles.

2.16 Phasing

(a) The Municipality and the Owners acknowledge that the Development as shown on Schedule B is a phased Development. The Development location and design shall be generally consistent with the concept plan shown in Schedule B.

(b) Phase 1 may include the development of:

(i) a yoga studio in the area identified as Campground or Yoga Studio on Schedule B;

(ii) a maximum of ten (10) tent sites and three (3) recreational vehicle sites within the area identified as Campground on Schedule B;

(iii) an administrative office within the area identified as Administrative Office / Store on Schedule B; and

(iv) accessory uses to any of the uses listed above.

(c) Phase 2 may include the development of:

(i) a maximum of six (6) one or two-bedroom rental units within the area identified as Campground on Schedule B;

(ii) one (1) three-bedroom single unit dwelling within the area identified as Campground on Schedule B; and

(iii) accessory uses to any of the uses listed above.

(d) Phase 1 and all relevant infrastructure shall be completed within forty-eight (48) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, Development as per this agreement shall no longer be permitted and this Agreement may be discharged in part at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* thirty (30) days after giving Notice of Intent to Discharge to the Owners. Upon the written request of the Owners, the Municipality, by resolution of Council, may grant an extension without such an extension being deemed to be an amendment to this Agreement.

(e) Construction of Phase 2 and all relevant infrastructure shall be completed within sixty (60) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, Development shall no longer be permitted and this Agreement may be discharged in part solely at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* thirty (30) days after giving Notice of Intent to Discharge to the Owners. Upon the written request of the Owners, the

Municipality, by resolution of Council, may grant an extension without such an extension being deemed to be an amendment to this Agreement.

2.17 Variance

In accordance with Section 5.48 of the Land Use By-law, *Variance*, the Development Officer may grant a variance for one or more of the following requirements subject to the requirements of the *Municipal Government Act*:

(a) number of parking spaces required; and

(b) floor area occupied by a home-based business.

PART 3 CHANGES AND DISCHARGE

3.1 The Owners shall not vary or change the use of the Properties from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this Agreement is amended.

3.2 Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this Agreement.

3.3 The following matters are substantive matters:

(a) the uses permitted on the Properties as listed in Section 2.1, *Use*;
(b) the number of tent sites, recreational vehicle sites, and buildings/rooms permitted for tourist accommodations on the Properties as listed in Section 2.2, *Development Location and Design*;
(c) the buffering requirements as listed in Section 2.3, *Setbacks and Buffering*; and
(d) the hours of operation as listed in Section 2.13, *Hours of Operation.*

3.4 Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council without a public hearing.

3.5 Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owners following a resolution of Council to give such Notice:

(a) as provided for in Section 4.1, *Commencement of Development,* of this Agreement; or

(b) at the discretion of the Municipality, with or without the concurrence of the Owners, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or

(c) at any time upon the written request of the Owners, provided the use of the Properties is in accordance with the Land Use By-law or a new Agreement has been entered into.

3.6 Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

(a) The Owners may not commence any construction or use on the Properties until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.

(b) Development as provided in Part 2 of this Agreement shall commence not later than twelve (12) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* 30 days after giving Notice of Intent to Discharge to the Owners. Upon the written request of the Owners, the Municipality, by resolution of Council, may grant an extension to the date of commencement of Development without such an extension being deemed to be an amendment to this Agreement.

(c) If the Owners are bona fide delayed from commencing the Development for reasons which are beyond the Owners control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owners is excused for the period of the delay and the time period for the Owners to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

(a) The Owners shall provide record drawings to the Development Officer for any portion of the Development for which an engineered design is required, within ten (10) days of completion of any work which requires the engineered design.

(b) The Owners shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with other By-laws and Regulations

(a) Nothing in this Agreement shall exempt the Owners from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.

(b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Properties (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.3 Interpretation

(a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.

(b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

(c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

5.4 Municipal Responsibility

(a) The Municipality does not make any representations to the Owners about the suitability of the Properties for the Development proposed by this Agreement. The Owners assume all risks and must ensure that any proposed Development complies with this Agreement and all other laws pertaining to the Development.

(b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owners in writing. In the event that the Owners have not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice, then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms are a first lien on the land that is the subject of the Development Agreement.

5.6 Costs

The Owner shall pay all costs associated with registering this Agreement and all costs associated with any amendment thereof.

5.7 Development Agreement Bound to Land

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

5.8 Assignment of Agreement

The Owners may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

5.9 Written Notice

(a) The Municipality may serve notice on the Owners personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to Allan and Jessica Hill, 301 Scotch Village Station Road, Scotch Village, NS, B0N 2A0, or at any other address provided by the Owners.

(b) The Owners may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Owners.

5.10 Full Agreement

This Agreement constitutes the entire agreement and contract entered into by the Municipality and the Owners. No other agreement or representation, oral or written, shall be binding.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED	**) WEST HANTS REGIONAL**
In the presence of:	**) MUNICIPALITY**
	)
	)
	)
_____	Per: _____
Witness	) Abraham Zebian, Mayor
	)
	)
_____	) Per: _____
Witness	) Deanna Snair, Municipal Clerk
	)
	)
	)
_____	Per:_____
Witness	) Allan Hill
	)
	)
_____	Per: _____
Witness	) Jessica Hill

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Allan Hill**, one of the parties thereto, signed, sealed and delivered the same in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2023, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Jessica Hill**, one of the parties thereto, signed, sealed and delivered the same in presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK

WEST HANTS REGIONAL MUNICIPALITY

I, Deanna Snair of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (the "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. The Municipality is a body corporate pursuant to the *Municipal Government Act*, S.N.S. 1988, c.18, as amended.

3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the *Municipal Government Act*, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.

4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

I certify that on this _____, 2023
the Municipal Clerk, Deanna Snair came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____
A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

_____
Deanna Snair, Clerk

CANADA
PROVINCE OF NOVA SCOTIA
HANTS COUNTY

AFFIDAVIT & PROOF OF EXECUTION (INDIVIDUAL)

We, Allan and Jessica Hill, the "Deponents", make oath and swear that:

1. We acknowledge that we executed the foregoing instrument on the date of this affidavit; this acknowledgement is made for the purpose of registering such instrument pursuant to s.31(a) of the *Registry Act*, R.S.N.S. 1989, c.392 or s.79(1)(a) of *the Land Registration Act* as the case may be.
2. We are nineteen years of age or older and are residents of Canada under the *Income Tax Act* (Canada).
3. For the purpose of this affidavit "spouse" means an individual who is married to another individual; is married to another individual by a marriage that is voidable and has not been voided by a declaration of nullity; has gone through a form of marriage with an individual, in good faith, that is void and they are cohabiting or have cohabited within the preceding year; or is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* as amended, but does not include an individual who becomes a former domestic partner pursuant to section 55(1) of the Act.
4. We are the spouses of each other. Neither of us has any other spouse nor, with respect to the within property, any former domestic partner with the rights contemplated by Section 55 of the *Vital Statistics Act*, or any former spouse with rights under the *Matrimonial Property Act*. We consent to this disposition.

I certify that on this _____, 2023
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____
A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

_____
Allan Hill

_____
Jessica Hill

Schedule A
Legal Description

PID 45166915

ALL THAT LOT OF LAND AND PREMISES situate at Scotch Village, in the County of Hants, Province of Nova Scotia, which in a Deed from Lloyd Salter and Julia Salter to L. & K. Enterprises Limited bearing date the 14th day of June, A.D., 1976, recorded in the Office of the Registrar of Deeds for Hants County in Book 355 at Page 492, is bounded and described as follows:

ALL THAT PIECE, parcel and lot of land situate, lying and being adjacent to the Station Road so called, at or near the Village of Scotch Village, in the County of Hants, Province of Nova Scotia, more particularly described as follows:

BEGINNING at a point on the north side of the Herbert River at the northwest corner of the Herbert River Bridge;

THENCE north and northwesterly along the south side of the Station Road so called, a distance of 1,460 feet more or less to a survey marker;

THENCE due west a distance of 620 feet more or less to the high water mark of the Herbert River;

THENCE in an easterly and southeasterly direction along the several courses of the north side of the Herbert River to the place of beginning.

EXCEPTING AND RESERVING therefrom the following Lot:

Community: Scotch Village
Designation of Parcel on Plan: Lot C-1
Title of the Plan: Plan Showing Subdivision of Lands of C & J Campground Enterprises Limited.
Registration County: Hants
Registration Reference of Plan: Plan No. 5310

The parcel originated with an approved plan of subdivision that has been filed under the Registry Act or registered under the Land Registration Act at the Land Registration Office for the registration district of Hants County as Plan No. 5310.

PID 45148608

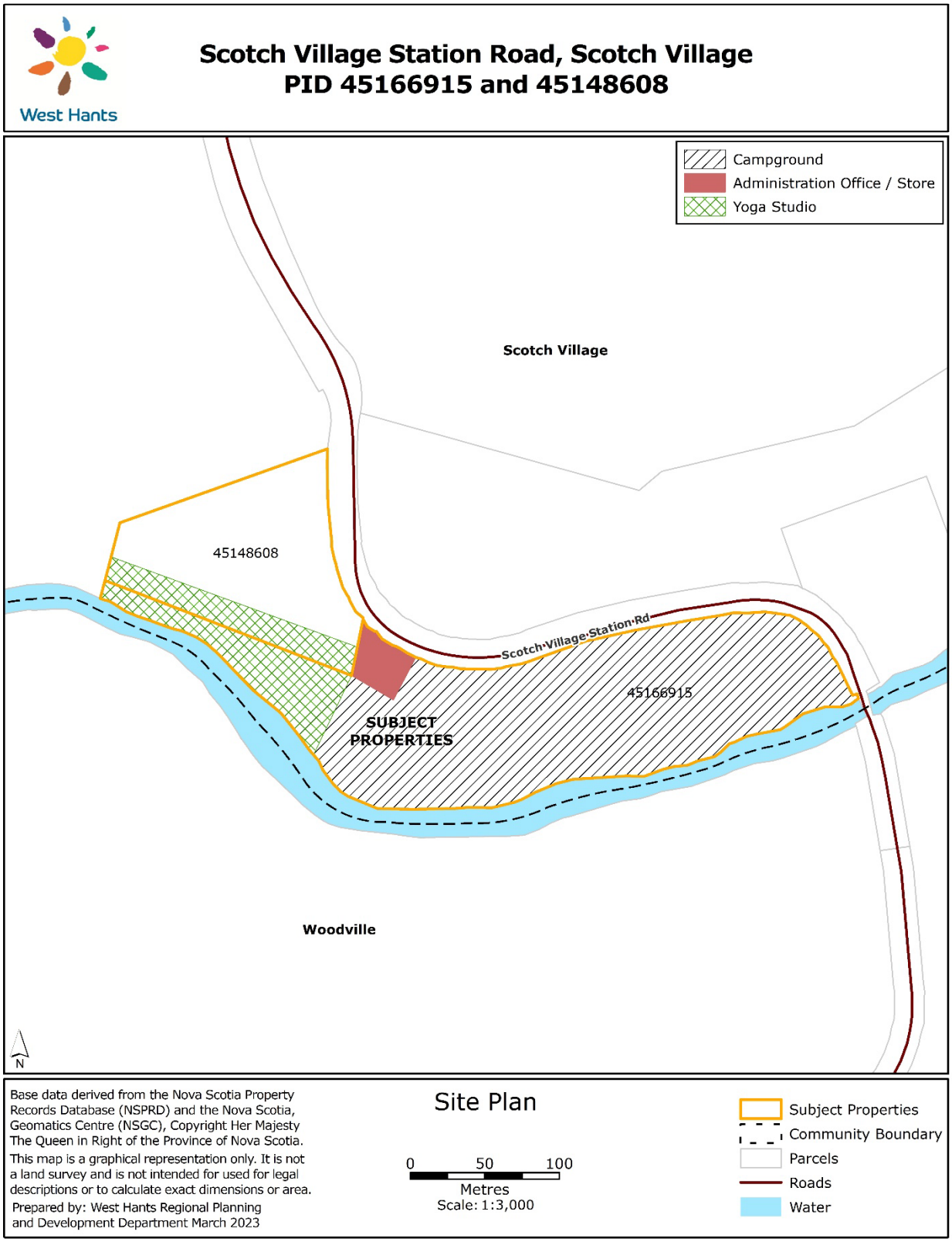
Community: Scotch Village

Designation of Parcel on Plan: Lot C-1
Title of the Plan: Plan Showing Subdivision of Lands of C & J Campground Enterprises Limited.
Registration County: Hants
Registration Reference of Plan: Plan No. 5310

The parcel originated with an approved plan of subdivision that has been filed under the Registry Act or registered under the Land Registration Act at the Land Registration Office for the registration district of Hants as Plan No. 5310.

Schedule B

Concept Plan



Attachment D
Agrologist Report

PROFESSIONAL AGROLOGIST REPORT

DETERMINATION OF AGRICULTURAL CAPABILITY

LAND REZONING REQUEST OF PID# 45166915

for

Jessica & Allan Hill

January 2023

Thyagrissen Consulting Limited

Managing Today for Tomorrow

Tel: 902-895-1414 Cell: 902-899-5929

Email: yvonne@thyagrissenconsulting.ca

Website: www.thyagrissenconsulting.ca

I. Scope of Work

The West Hants Municipal Planning Strategy (WHMPS) and Land Use By-Law outlines a process that land owners are required to undertake when requesting a development agreement from Council to rezone agricultural land. This report complies with Policy 8.6.1 of the planning strategy providing a Professional Agrologist study to determine agricultural capability of the land. The site being assessed is not an existing or abandoned resource extraction site, and as such doesn't fall under Section 8.6.1.(a) of the strategy. The site, however, falls under Section 8.6.1(b), requiring a Professional Agrologist study to assess the agricultural capability of the land, and consider whether or not the proposed development adversely affects the viability of surrounding agricultural operations. This section of the municipal planning strategy acknowledges that the scale of the C.L.I. (Canada Land Inventory) mapping, upon which the agricultural designation is based, is generalized. As such there may be pockets of land with a higher or lower capability rating. A land-use by-law amendment or development agreement process provides an opportunity for owners of land with minimal or no agricultural capability to use the property for certain non-farm development, provided the development will not interfere with adjacent farm activities or negatively affect the viability of the farming area.

This document embodies the Professional Agrologist study of PID# 45166915 which is co-owned by Jessica & Allan Hill. The PID is currently zoned Agricultural Priority Two (AR-2) and the current owners are requesting a rezoning to Recreation Commercial to develop a wellness retreat and campground business.

II. Professional Agrologist – Yvonne Thyssen-Post

Yvonne Thyssen-Post of Thyagrissen Consulting Limited is a Professional Agrologist with 40 years experience in the field. She is a registered full-member of the Nova Scotia Institute of Agrologists (NSIA), member ID #19311 (current membership certificate, Appendix A). Her education includes a Bachelor of Science (Agriculture) from McGill University as well as a Masters of Adult Education from St. Francis Xavier University. Her experience includes 14 years as an agricultural extension worker with the province of Nova Scotia, followed by 26 years as a private consultant serving the agricultural industry. She established her own company in 1998 - Thyagrissen Consulting Limited – where she continues to provide various professional business planning services, primarily to the agricultural industry of Atlantic Canada.

III. PID Profile

PID# 45166915 is located along the Herbert River, parallel to Scotch Village Station Road, in Scotch Village, West Hants Regional Municipality of Hants County, NS (see Appendix C). The PID is a narrow rectangular piece of property described as interval land due to its location adjacent

to the river and its' relatively level topography. It is approximately 6.5 acres in size, partially cleared, mostly wooded. Access to the PID is granted via a driveway off of the Scotch Village Station Road. This land parcel is co-owned by Jessica and Allan Hill and is currently zoned Agricultural Priority Two (AR-2) by the West Hants Regional Municipality, designated Agriculture. This PID adjoins PID# 45148608, a 4.5-acre lot zoned residential, also co-owned by the Hill's. This second PID is the location of the Hill's personal residence, a stand-alone garage, and two smaller sheds. Both PIDs are located in a narrow valley with steep slopes on the backside of Herbert River as well as to the right of the Scotch Village Station Road.

The Hill's purchased both properties in July 2022, having moved here from Ontario with their two young children. Jessica is a trained yoga instructor and had developed a business in ON where she offered yoga classes and wellness retreats. The Hill's want to develop the 6.5-acre lot, bordering the river, to create a wellness retreat and campground destination for busy people looking to reconnect with their true selves through yoga and nature (site plan in Appendix B). They wish to construct a dome-style building in which to offer yoga classes year-round, as well as develop hiking trails and nature walks in the wooded areas. Camping sites will also be developed.

The PID being considered for this rezoning request (#45166915) apparently was a campground in the 70's and 80's, called the Bar S Ranch & Campground. There is some evidence of this previous use including site stakes and water line hosing. Altering the use of the property requires a request of rezoning from AR-2 to Recreation Commercial. Land zoned AR-2 is defined in Section 8.7 of the WHMPS as "Improved and unimproved land with high capability (Class 2 and 3) for production of a variety of crops. This land will be reserved for agricultural production with limited non-agricultural development." (Page 73, WHMPS). The WHMPS further clarifies the intent behind zoning land as AR-2:

> *"The Agricultural Priority Two (AR-2) zone is intended to apply to areas with high capability for agriculture, but where land owners do not want the strict development controls of the Prime Agriculture (P/Ag) zone. The AR-2 zone allows for more flexibility than the P/Ag zone including a wider scope of on-farm businesses by development agreement. Unlike the P/Ag zone, new dwellings are permitted as a main use, although subdivision is limited to two lots per area of land in a calendar year." (Page 76, WHMPS)*

IV. Study Criteria

The Professional Agrologist study considers the land parcel according to Policy 8.6.1(b)(ii) of the WHMPS, which applies to this site. A determination of agricultural capability is based on the soils' capability for agriculture with a rating better than Class 4, but 90% or more of the development site exhibits limitations for agricultural use due to one or more features of the property.

The following section addresses each aspect of Policy 8.6.1.(c) fulfilling the requirements of the Professional Agrologist study.

- Author of study - Yvonne Thyssen-Post, P.Ag., is a registered full-member of the NSIA.

- A site inspection was conducted on Thursday, November 10, 2022 accompanied by Jessica and Allan Hill.

- The Canada Land Inventory (CLI) Capability for Agriculture classification system shows the varying potential of a specific area for agricultural production. It indicates the classes and subclasses according to the Soil Capability Classification of Agriculture, which is based on characteristics of the soil as determined by soil surveys. These agricultural capability maps can be used at the regional level for making decisions on land improvements and farm consolidation, for developing land-use plans and for preparing equitable land assessments as stated on the Government of Canada website. The classes indicate the degree of limitation imposed by the soil in its use for mechanized agriculture. The subclasses indicate the kinds of limitations that individually or in combination with others, are affecting agricultural land use. Although the information is dated, and better information is available for some areas of the province as part of more recent soil surveys, the interpretations are still largely valid and many jurisdictions still use them for land use planning purposes.

  Soil capability for agriculture was determined using the Soil Map of Hants County, NS, (Report #5, NS Soil Survey) sourced from Government of Canada website, Agriculture & Agri-Food Canada, Canada Land Inventory (CLI) soil surveys. Soil surveys have been published for most of the agricultural areas, and many surrounding areas across Canada. Data from these surveys contain the most detailed soil inventory information in the National Soil Database (NSDB). The PID was located using commercially available mapping software and the location transposed to the soil survey map (refer to slides in Appendix C). The site is identified as Cu-P/0.A2. The CLI describes the soil type as follows:
  - The soil characteristics are consistent with those represented by the Cumberland soil classification. The surface and subsoil are described as dark reddish brown sandy loam over reddish brown sandy loam, stone free. The parent material of Cumberland soil is alluvial sands and silts along river courses.
  - Topography and drainage of Cumberland soils are described as level to very gently undulating; moderately rapid drainage, but often subject to flooding. This description of the topography was confirmed during the site visit in November, as the land appeared well drained with no visible standing water. Propensity to flood would be anticipated due to the location along the river, primarily in the spring/fall when the river is full from heavy rains and ice jams are created from the winter. There was no indication of possible flooding during the site visit as the water level was well below the river banks.

- Transcribing the CLI labeling 'P' indicates soil which is well drained; 0 refers to the stoniness which is stone free; and A2 reflects the topography which is single slopes; smooth or regular surface. The #2 signifies the type of slope - very gentle sloping, 0.5 to 1.5%. Visual inspection of the site in November 2022 verified these topography parameters.
- The present land use is a combination of woods with a few cleared patches of native grass. The cleared areas have been maintained by mowing, keeping the grass short, allowing for easy access by foot. Land capability use of Cumberland soil as defined in the CLI is 'good crop land'.

  There are approximately 91,000 acres in West Hants rated Class 1, 2, and 3 (less than 50% of this land is cleared, there is considerable potential for future expansion). The soil in PID# 45166915 is primarily Class 3, with a smaller portion of Class 2, according to the Atlantic Provinces Soil Class Maps, as compiled by the Soil Research Institute, Research Branch, Agriculture Canada based on maps supplied by NS Soil Survey.

- Major site features or characteristics which influence or determine soil capability include the lack of stoniness, the level topography, and rapid drainage all which are excellent soil features for cropping hay or grain crops. The exception is being subject to flooding during heavy rainfall events, and the size of the land parcel. The 6.5-acre field is inefficient to crop in terms of machinery operation due to its size ad elongated shape. The parcel could make suitable pasture land for livestock but it could only support six cow-calf pairs at most, for the summer. Pasturing livestock would also require fencing along the river and roadway to keep cattle out of harms way and avoid polluting the river. The possibility of polluting the river increases with run-off during flood events. The viability of investing in fencing for such a small piece of property for pasture is questionable.

- Appendix C locates the site via commercially available mapping software, soils maps and aerial photography. This is a separate PID and the request is to rezone the entire PID.

V. Impact on Neighboring Farms

The second parameter of the professional agrologist study is to assess the impact of rezoning land out of agriculture on neighboring farms. The study criteria include identifying reasons why the 'rezoned' use would be compatible with, or not adversely affect, area farms. It also must indicate the implications of letting the parcel go out of agricultural production and fragmenting the land. To complete this aspect of the study, agricultural land owners within 500 meters of the Hill property were identified, contacted and interviewed. They were informed of the rezoning the Hill's are requesting and asked if they saw any adverse effects resulting from it.

The following section indicates the land owners consulted, their address and a brief description of the agricultural operations.

- Blair Levy, 20 Scotch Village Station Road, owns 149 acres on both sides of the road, at the entrance off Highway #14. Both his land parcels run down to the Hebert River; 90-95 acres are cleared and cropped for hay; the remainder is forested. Firewood is harvested from the woodlot annually. This is the family home/farm that has been owned by the Levy family for several generations. His mother lived in the farm house until she passed away in 2018; Blair resides in Lower Sackville.

- Trevor Levy, 8763 Highway #14, located adjacent to Blair Levy. He owns 70 acres of land, with about 10 acres cleared. He grows hop plants for the craft brewing industry and pumpkins for direct sales. He is clearing land for further agricultural development as he said there is no good additional agricultural land available for purchase in the area. His forested land runs down to the river, and provides lumber for building projects. Trevor is employed as the Community Development Officer (Economic & Recreation Department) at the Municipality of West Hants.

- Philip Nunn, 20 Smiley Lane, McKay Section also along Highway #14, across the road from Trevor Levy. He owns about 190 acres located on both sides of Highway #14, approximately 70 acres cleared. He operates a beef feeder and hog (sow to weaner) farm. He also spreads manure and crops some of the cleared land owned by adjacent land owners.

- Rob Gueli, 418 Scotch Village Station Road, owns 156 acres, 40 of which are cleared. He and his partner are recent entrants to agriculture, having developed a ½ acre plot growing fresh vegetables and herbs for direct markets. About 30 acres of the cleared land is cropped for hay by a neighboring farmer, who also spreads manure on the land.

- Art Ward, 421 Scotch Village Station Road, owns 28 acres of land, 8 of which are cultivated, cropped for hay by another local farmer. His property adjoins the Hill property, and is the site of the Old Acadian Highway which is developed into a trail.

The following dialogue presents concerns expressed by the neighboring land owners consulted as part of this study:

- Although the parcel in question has not been used for agriculture for some time, it would be taking ‘good’ agricultural land out of production in an area where there is limited availability of agricultural land.
- The land is low-lying and has limited sun exposure due to the surrounding topography, thereby limiting its’ agricultural productivity.

- Although it has limited productivity due to its location next to the river and its size there is concern if this small parcel was rezoned out of agriculture, it may set a precedent for future situations.
- Livestock operations in the area spread manure on the land which will create a smell for a short period of time. This may not be appealing to all visitors and could result in complaints, yet it is a natural agricultural operation to dispose of waste and is environmentally sustainable in naturally rebuilding organic matter of the soil.
- Flooding is a major concern: the river overflows infrequently but more than once in five years in recent history with heavy rains and ice jams. This would be of concern if it were to remain in agriculture as flooding would bring debris onto the land. This is also a concern for a campground supporting any infrastructure.
- Increased traffic in a rural area with lots of uninhabited land has adjacent land owners concerned about possible nuisance issues, as not all visitors will be responsible citizens:
    a. Possibility of forest fire destroying woodlots from carelessness with open camp fires at the campground. Neighboring farm owners have forested land directly adjacent to the proposed site.
    b. Garbage left on neighboring lands as visitors venture out for walks on trails and exploring.
    c. Personal liability if someone were to get hurt while trespassing onto neighboring properties. There are 'unique attractions' on adjacent properties including sink holes, which are a safety concern.
    d. Potential for polluting the water with increased traffic. Some land owners use the water in the river as an alternate water source in dry summers, to supplement their wells.
    e. Destroying protected plant species such as yellow lady slippers by picking the attractive flower which results in the plant dying. There used to be a lot of these plants in the area but people (perhaps unaware) picked the attractive flower, killing the plant.

There were also some positive comments regarding the rezoning, indicating that it would bring economic stimulus to an area that is in dire need of such. Others expressed limited concern with the nuisance issue because the focus of the retreat is to attract people who love nature, want time to escape the busy life and would respect the neighboring properties.

VI. Rezoning Assessment Summary

The soil found in PID# 45166915 is considered good crop land in terms of agricultural capability, as recorded in the CLI. Ms. Thyssen-Post concurs with this assessment of soil capability from the site inspection conducted of the property in November 2022. The cleared portions of the PID supported respectable quality grass at the time of the visit. The parcel contains mainly Class 3

soils, with limited Class 2 soils, as reported in the Soil Classification Maps for the province. These soil classes have capability to produce good quality hay and/or pasture.

There are limitations in the site that influence its' economic viability for agricultural production including the plot size and shape, as well as the propensity towards flooding as it is interval land. The limited size of the plot and elongated shape makes machinery use for cropping inefficient and challenging. If it were fenced to provide pasture for livestock, the size is inefficient and could only accommodate a few head of cattle. Pasturing may be delayed in the spring with flooding concern, and when floods occur, there will be issues with debris coming over the land with the water.

Removing the parcel out of agriculture will not result in any loss of agriculture production as the land was not farmed prior to this rezoning request. Rezoning of the land parcel from agriculture priority two (AR-2) to recreation commercial has some potential to have adverse affects on the operations of neighboring farms. Rezoning would remove the good quality agricultural land from possible future agricultural production. Although the soil is of good quality, the parcel size limits and the flooding concerns, limits it to hay/pasture production. The concern about setting a precedent for future requests should be alleviated as the municipality requires a professional agrologist study for every rezoning request involving agricultural land, implying that each case is unique.

Rezoning the land to Recreation Commercial would increase the traffic in the area especially with campers, but the intent is to build a retreat that will provide opportunities for folks to escape the busy life. Neighboring farmers rightly have concern about the potential for nuisance issues from visitors that do not respect private property boundaries. Efforts can be made by the Hill's to instill respectful behaviors in their clients and neighboring land owners can post no trespassing signs but the risk of people not complying is always evident.

Rezoning this land parcel from AR-2 to recreation commercial to develop a wellness retreat may potentially have some adverse affect on neighboring agricultural properties, mostly from the nuisance and liability perspective. The land being considered is 'good' agricultural land but has limitations due to plot size, shape and more importantly propensity to flood. Rezoning land that is prone to flooding should be of concern if structures are to be placed on the land.

Sincerely,

Yvonne Thyssen-Post, P.Ag.

Thyagrissen Consulting Limited



References

Canada Land Inventory (CLI) 1:1,000,000. (1954). Atlantic Provinces Soil Capability for Agriculture Map. Retrieved from https://sis.agr.gc.ca/cansis/publications/maps/cli/1m/agr/index.html

Cann, D.B., Hilchey, J.D., & Smith, G.R. (1954). Soil Survey of Hants County Nova Scotia. Report No. 5 Nova Scotia Soil Survey. Agriculture Canada.

Devanney, M. (June 2010). Profile of Agricultural Land Resources in Nova Scotia. NS Department of Agriculture.

Municipality of the District of West Hants Municipal Planning Strategy. (Approved May 13, 2008; Amended to September 14, 2021).

Overview of Classification Methodology for Determining Land Capability for Agriculture. Canada Land Inventory (CLI), Agriculture & Agri-Food Canada. (2022) Retrieved from https://sis.agr.gc.ca/cansis/nsdb/cli/index.html

APPENDIX A

NS Institute of Agrologist Membership

Receipt Number: 1999 **2023**

Nova Scotia Institute of Agrologists
7 Atlantic Central Dr
East Mountain, NS B6L 2Z2

Yvonne Thyssen-Post
35 Talon Court Bible Hill, NS B2N 7B4

Member ID: 19311

This is your receipt for income tax purposes.

NSIA Membership Fee for 2023 (HST Included at 15%) $178.25

Status: Professional Agrologist

******THIS IS YOUR OFFICIAL RECEIPT --- DO NOT PAY******

BN 888 257 599 RT0001

Nova Scotia Institute of Agrologists
7 Atlantic Central Dr.,
East Mountain, NS B6L 2Z2
902-893-7455
Web: http://www.nsagrologists.ca

This is to certify that Yvonne Thyssen-Post is a(n) Professional Agrologist

Membership valid from Jan. 1 to Dec. 31, 2023

Member Signature

APPENDIX B

Site Photos

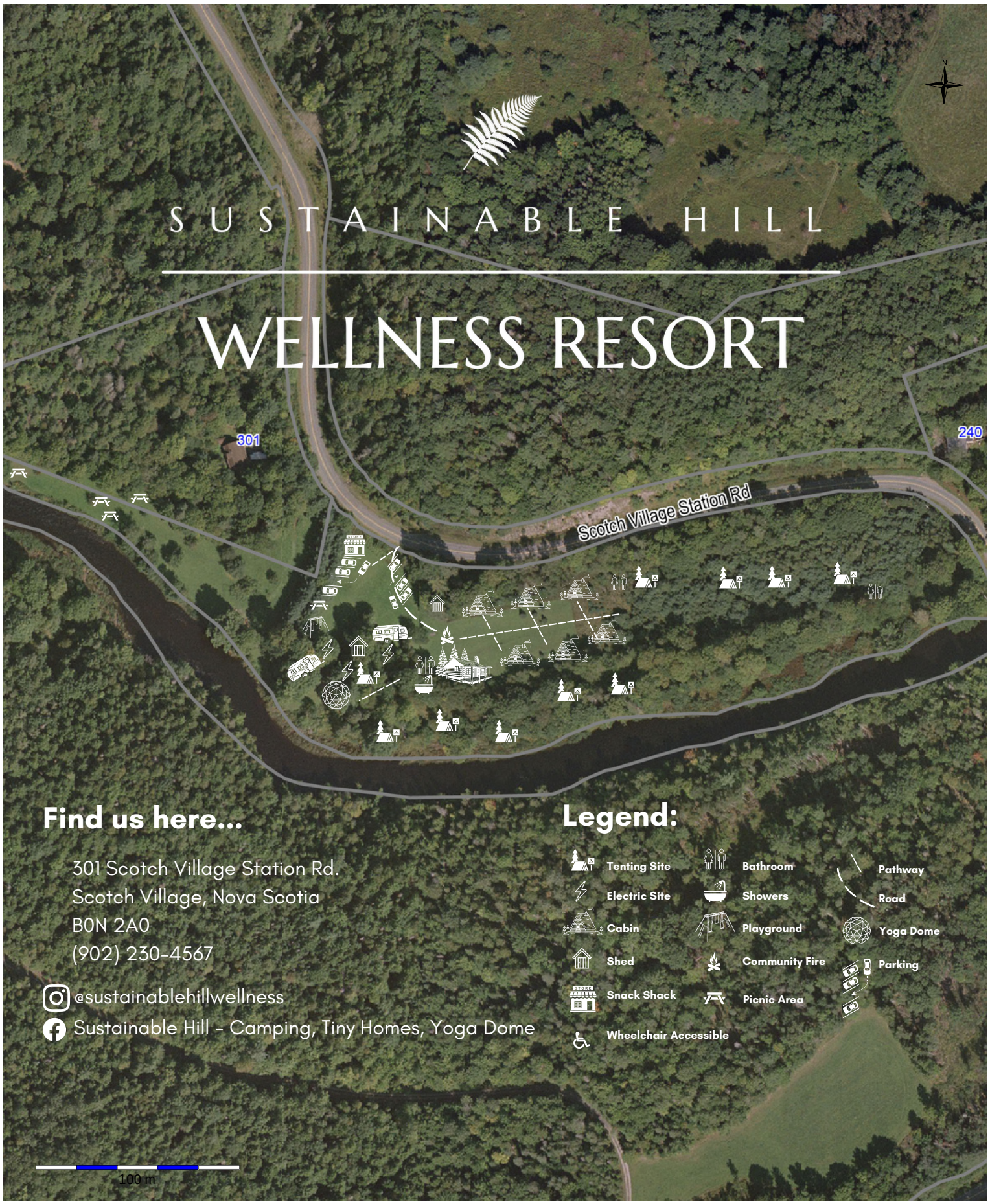
Proposed Site Plan

Photo taken from Viewpoint property listing showing the Herbert River and the adjacent interval land on PID# 45166915





A close-up view of PID# 45166915, combination of grassed mowed areas and woods.


SUSTAINABLE HILL
WELLNESS RESORT
301
240
Scotch Village Station Rd
Find us here...
301 Scotch Village Station Rd.
Scotch Village, Nova Scotia
B0N 2A0
(902) 230-4567
@sustainablehillwellness
Sustainable Hill - Camping, Tiny Homes, Yoga Dome
Legend:
Tenting Site
Electric Site
Cabin
Shed
Snack Shack
Wheelchair Accessible
Bathroom
Showers
Playground
Community Fire
Picnic Area
Pathway
Road
Yoga Dome
Parking
100 m

APPENDIX C

PID Identification; Agricultural Capability Determination Information

Thyagrissen Consulting Limited

Managing Today for Tomorrow

Soil Classification

301 Scotch Village Station Rd, Scotch Village, NS B0N 2A0

PID **45166915**

Yvonne Thyssen-Post, P.Ag.

Thyagrissen Consulting Limited



PID 45166915

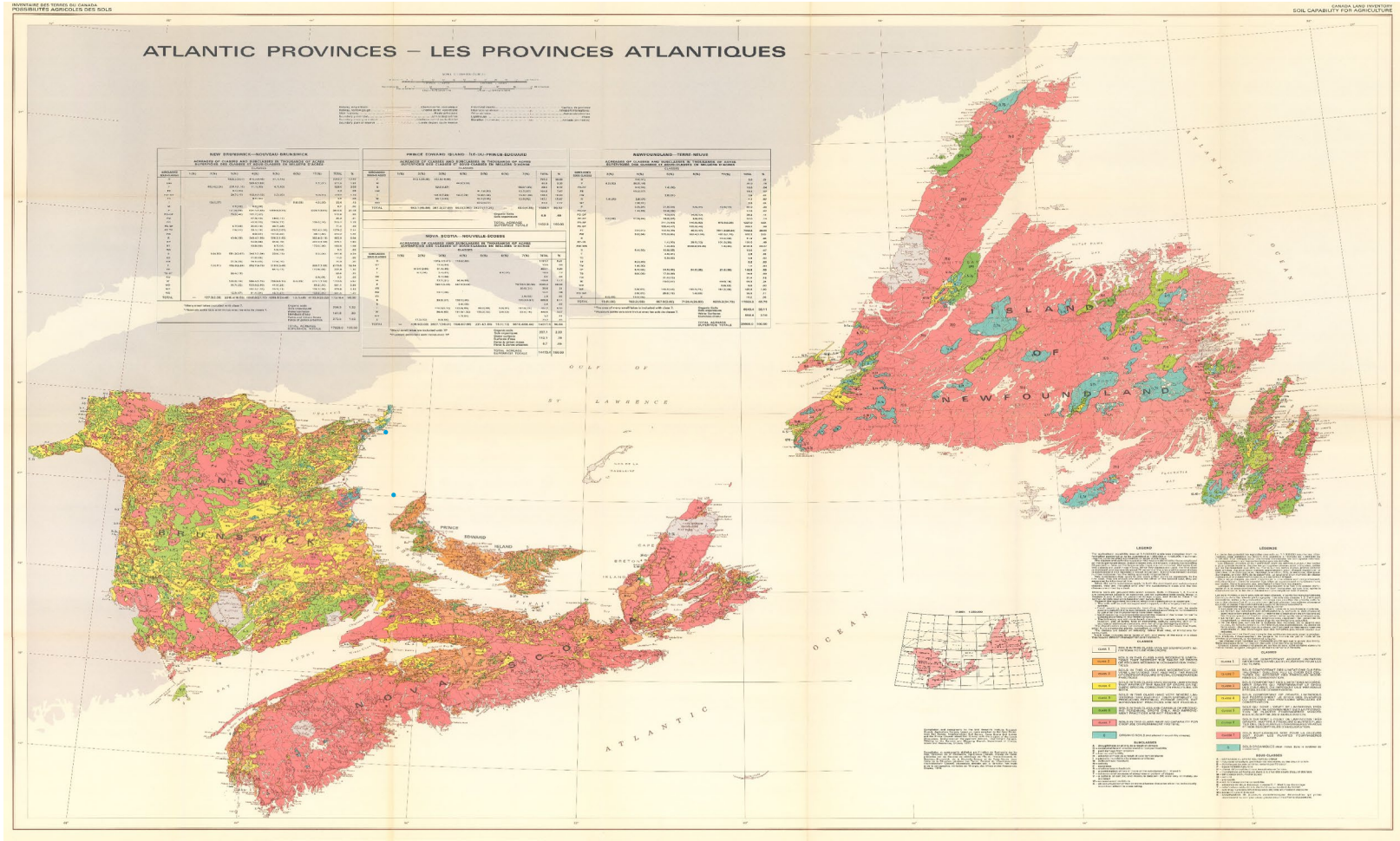
301 Scotch Village Station Rd, Scotch Village, NS B0N 2A0





Canada Land Inventory
Soil Class

Scale 1:1,000,000



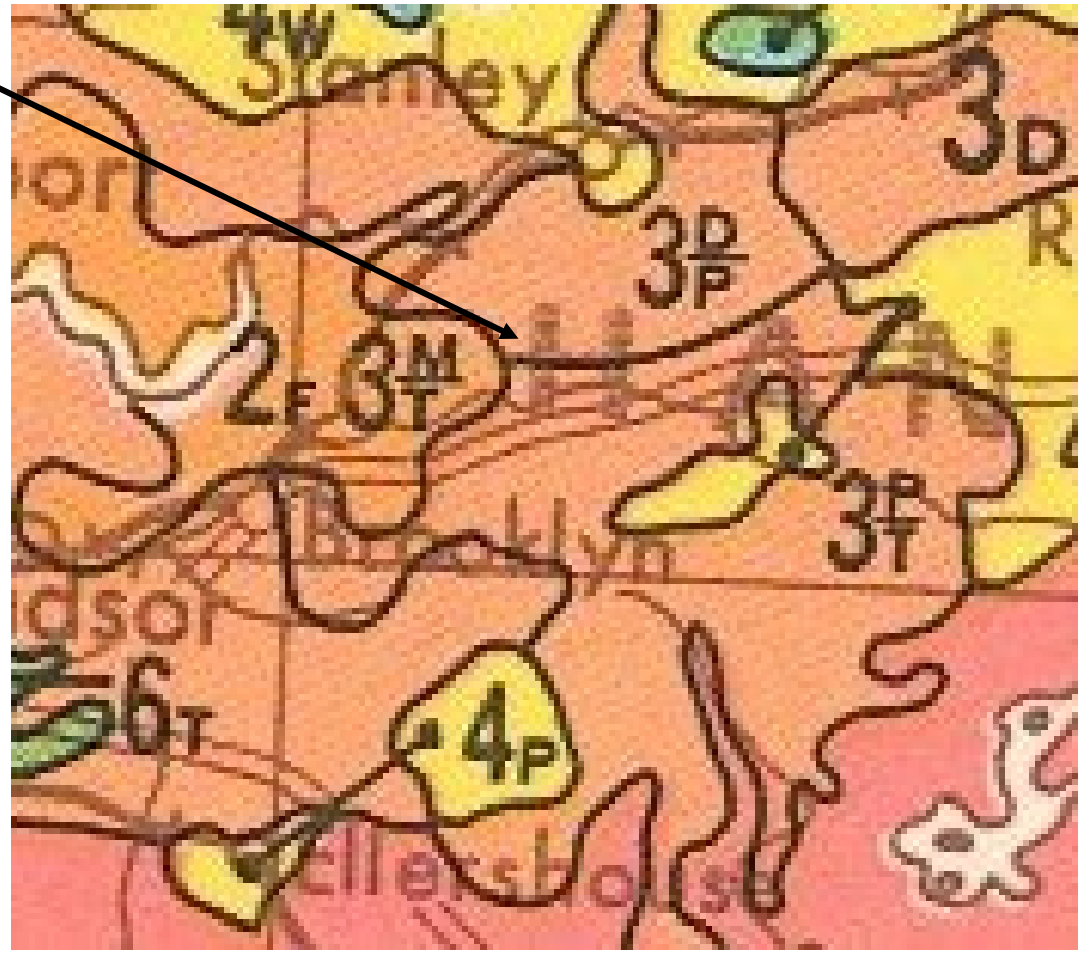
Source: Government of Canada -Canada Land Inventory – cli-1m_agr_Atlantic
https://sis.agr.gc.ca/cansis/publications/maps/cli/1m/agr/cli_1m_agr_atlantic.jpg

PID 45166915

301 Scotch Village Station Rd,
Scotch Village, NS B0N 2A0

CLASSES

CLASS 1	SOILS IN THIS CLASS HAVE NO SIGNIFICANT LIMITATIONS TO USE FOR CROPS.
CLASS 2	SOILS IN THIS CLASS HAVE MODERATE LIMITATIONS THAT RESTRICT THE RANGE OF CROPS OR REQUIRE MODERATE CONSERVATION PRACTICES.
CLASS 3	SOILS IN THIS CLASS HAVE MODERATELY SEVERE LIMITATIONS THAT RESTRICT THE RANGE OF CROPS OR REQUIRE SPECIAL CONSERVATION PRACTICES.
CLASS 4	SOILS IN THIS CLASS HAVE SEVERE LIMITATIONS THAT RESTRICT THE RANGE OF CROPS OR REQUIRE SPECIAL CONSERVATION PRACTICES, OR BOTH.
CLASS 5	SOILS IN THIS CLASS HAVE VERY SEVERE LIMITATIONS THAT RESTRICT THEIR CAPABILITY TO PRODUCING PERENNIAL FORAGE CROPS, BUT IMPROVEMENT PRACTICES ARE NOT FEASIBLE.
CLASS 6	SOILS IN THIS CLASS ARE CAPABLE OF PRODUCING PERENNIAL CROPS ONLY, AND IMPROVEMENT PRACTICES ARE NOT FEASIBLE.
CLASS 7	SOILS IN THIS CLASS HAVE NO CAPABILITY FOR CROP USE OR PERMANENT PASTURE.
0	ORGANIC SOILS (not placed in capability classes).



Soil Classification

301 Scotch Village Station Rd,
Scotch Village, NS B0N 2A0
PID 45166915

Soils at 301 Scotch Village Station Rd, Scotch Village, NS B0N 2A0 are in a band of Cu-P 0.A2 that runs along the river. Classed as a Cumberland Soils, it is relatively stone free along the river and is level to very gently undulating with good drainage characteristics but may be prone to flooding. Usually this type of soils is considered good land for crop production.

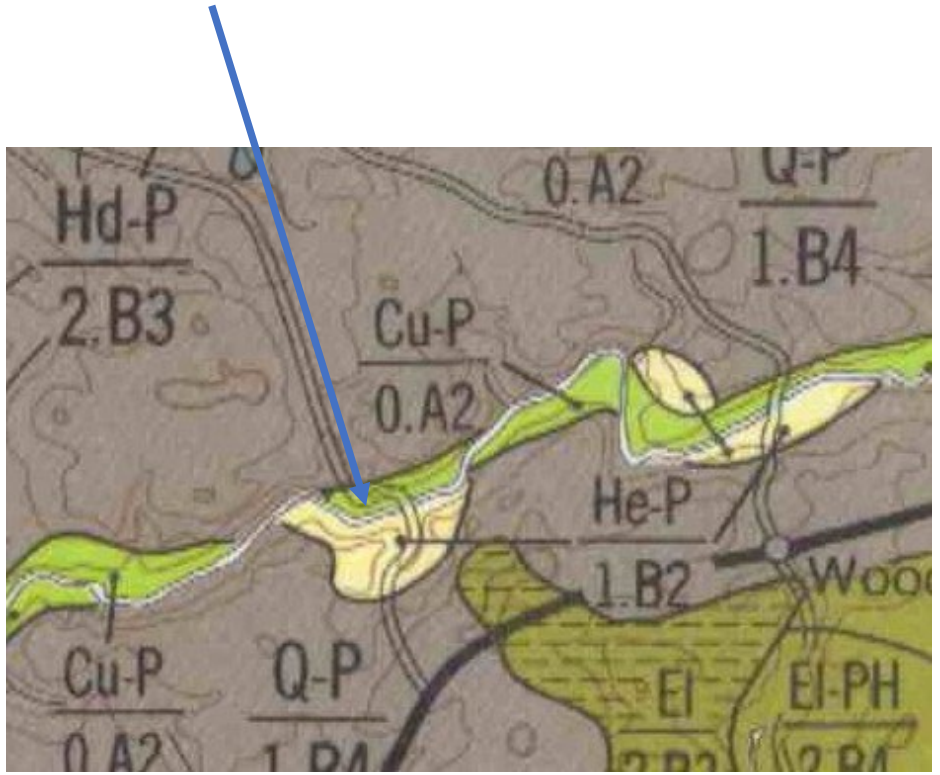
Soils in this area may be described as low in natural fertility and/or deficient in soil moisture. Utilization for cropping may be affected by steepness and or slope conditions.

SYMBOL	Se-P	Cu-P
SOIL CATENA	STEWIACKE	CUMBERLAND
ACREAGE	6656	5868
DESCRIPTION OF SURFACE AND SUBSOIL	Reddish brown silt loam over reddish brown silty clay loam; stone free.	Dark reddish brown sandy loam over reddish brown sandy loam; stone free.
PARENT MATERIAL	Alluvial sands and silts along river courses.	
TOPOGRAPHY AND DRAINAGE	Level to very gently undulating; moderately rapid drainage, but often subject to flooding.	
PRESENT LAND USE	Chiefly hay or grain crops.	
LAND USE CAPABILITY	GOOD CROP LAND	

Source: Soil Survey of Hants County - Area Soils map-ns5b
https://sis.agr.gc.ca/cansis/publications/surveys/ns/index.html

301 Scotch Village Station Rd,
Scotch Village, NS B0N 2A0

PID: 45166915



CONVENTIONS

Soil Symbol: $\frac{\text{Catena - Drainage}}{\text{Stoniness - Topography}}$

DRAINAGE

P Well drained
PH Imperfectly drained

STONINESS:

0. Stone free.
1. Slightly stony; no hindrance to cultivation.
2. Moderately stony; enough stone to interfere with cultivation unless removed.
3. Very stony; sufficient stone to be a serious handicap to cultivation.
4. Excessively stony; non-arable, too stony for cultivation.

TOPOGRAPHY

A Single slopes; smooth or regular surface.
B Complex slopes; irregular or rough surface.

Depressional to Level

A0. Smooth undrained basin
A1. Smooth level
B0. Irregular hummocky basin
B1. Irregular level

Sloping

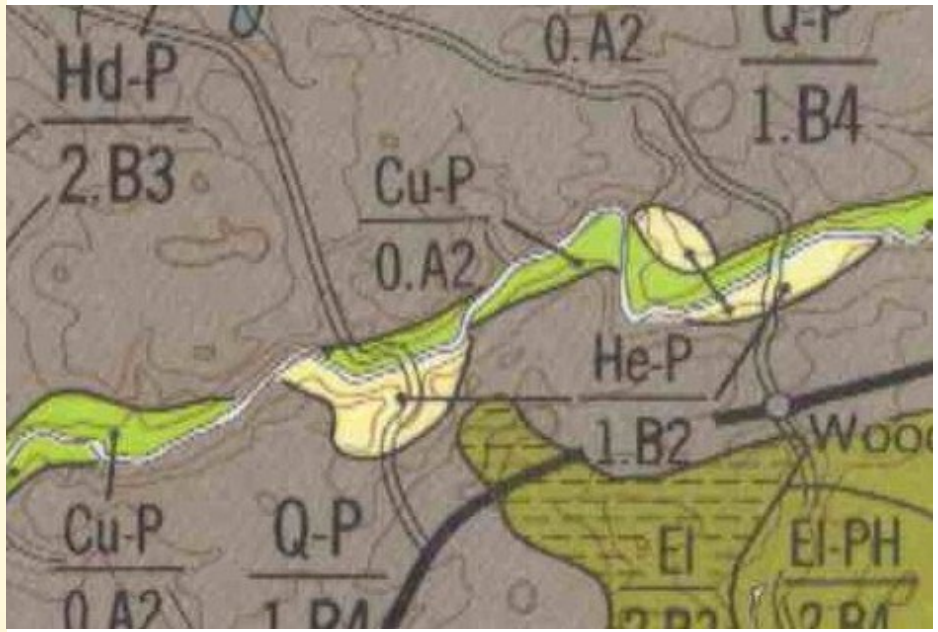
2	Very gently sloping	.5–1.5%
3	Gently sloping	2–5%
4	Moderately sloping	6–9%
5	Steeply sloping	10–15%
6	Very steeply sloping	16–30%
7	Hilly	over 30%





SUBCLASSES

A – droughtiness or aridity as a result of climate
D – undersirable soil structure and or low permeability
E – past damage from erosion
F – low natural fertility
H – adverse climate as a result of cold temperatures
I – periodic inundation by streams and lakes
M – deficient soil moisture
N – salinity
P – stoniness
R – shallowness to bedrock
S – a combination of two or more of the subclasses D, F, M and N
T – adverse relief because of steepness or pattern of slopes
V – a pattern of wet (W) and moisture deficient (M) soils very intimately associated
W – excessive soil moisture
X – an accumulation of two or more adverse characteristics that individually would not affect the class rating.



Latitude / Longitude
45.0342443 / -63.9626555

Attachment E
Public Information Meeting Notes
February 16 – March 1, 2023
File 22-29
PID 45166915, Scotch Village Station Road

Meeting date and time	A Public Information Meeting was held on February 16, 2023, beginning at 7:00 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: • Councillor Murley (Chair) Three (3) members of staff: • Director Poirier • Planner Dunphy • Meeting Secretary Lake Applicants: • Allan Hill • Jessica Hill PAC/HAC members: • Greg Pace • Councillor Ivey • Stefan Palios • Jane Davis • Tasha Rogers 14 members of the public attended the meeting in-person.
Applicant Jessica and Allan Hill **Property** PID 45166915 and 45148608, Scotch Village Station Road	Planner Poirier outlined the development agreement application to permit a yoga studio and campground with a variety of tourist accommodations and other accessory uses on the subject lots. The applicants made a formal presentation.
Comments	Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between February 16 – March 1, 2023. 7 members of the public spoke at the Public Information Meeting. 5 comments or questions were received via mail, email or phone. The questions and comments from the public

	are summarized below. Email responses are attached. Staff and applicant responses are included in purple. At the Public Information Meeting the following comments were made: • Greg Pace asked whether the property owners have examined the floodplain on the property? Allan and Jessica responded that they have designed the site to ensure only tent sites will be placed along the riverbank and they are looking at building materials that would withstand any potential flooding. Additionally, flooding would likely occur outside of the season that the campground is open. • Jane Davis asked whether the property owners would be living on-site? Allan and Jessica responded that they will be the primary operators and on-site when users are there. • Trevor Levy owns a property downstream of the subject lots. He knows that the majority of the property is under the lowest contour line and has seen the property under water several times. Where will the washrooms be located so it won't flood and contaminate the river? Allan and Jessica responded that they are investigating composting or incinerator toilets which would not have runoff. They spoke to the daughter of former owner of BarS campground which used to be on the site. When the BarS campground was open the washrooms used to be across the road which is no longer feasible. Jessica and Allan noted they will choose placement of washrooms to ensure no impact on river and no impact on their personal well. • Blair Levy owns property across the road from the subject lot which is mainly used for forestry purposes. He is concerned that even with a central fire pit, that the dry summer weather could lead to sparks coming across the land to his property. He mentioned the same concerns related to smokers dropping cigarette butts. He noted that users of the campground may want to go hiking in the area and wondered what the liability may be on abutting property owners when people trespass. Their family also owns a camp down river from this site and worries about vandalism to the

	camp. Scotch Village Station Road goes through middle of their family farm. He is concerned about the addition traffic for the yoga studio/retreat. • Alan Harvey owns property in the area. He currently picks up garbage and wonders how the proposed uses will impact the amount of garbage found on nearby properties. He is concerned with people trespassing on his property and going over the bank or cliff and getting hurt. • Karen Fitzgerald asked for clarity on the overall proposal. Allan and Jessica confirmed that the proposal is 10-12 tent sites, 6 cabins, a yoga studio and 3-bedroom house. She is also concerned with trespassing, especially with people walking down to the river and trespassing. Allan and Jessica confirmed that they would be installing signage and will provide mapping to users of the site to indicate areas that are "out of bounds". They confirmed that no trails will be developed around current single unit dwelling where they live. Karen asked whether dogs will be permitted with campground users as she currently has her own dogs and doesn't want to see issues occur. Allan and Jessica noted that they would consider whether pets would be permitted and added that they will be creating a code of conduct for guests with pet policy if pets are permitted. • Murray Levy commented that allowing this property to be used for commercial purposes may set a precedence and lead to other similar requests on agricultural property. • Tom Levy lives and works near this site on the family farm. He noted his main worry is regarding the potential for forest fire as their farm serves many needs including water, food and heat for families. He wants assurance that there will be no impact to their wood lot. He noted that locals are educated about the risks of forest fires, but campground users will need to be educated. • Karen Ward noted that she is concerned with trespassing, liability and privacy. She also noted that campground users should be made aware of hunting season.

	Telephone conversations included the following: February 17, 2023 • Sara received a call from Tom Levy who is concerned about the flooding on the property of the proposed campground and the impact that septic systems flooding would have on the downstream properties. He said the river typically overflows the property on years where there is ice build up downstream. He also noted that they are experiencing higher water events which cause the water levels to be higher in spring and fall in general. Tom will send Sara pictures of the flooding seen in the past. He also noted that the driveway access on the turn may be difficult to get. Sara noted that she has contacted the Provincial Department of Public Works for comment and that the property owners would require approval for any driveway for the proposed uses. February 21, 2023 • Trevor Levy called Sara to discuss the proposal. He is concerned with flooding of the lot which would cause debris in the river and contamination from septic systems overflowing. He said that he has spoken with the Provincial Department of Environment who stated that they would be able to issue a permit for septic system on the lot, however if they receive a complaint that outhouses are overflowing, they would issue a fine to the property owner. He noted that there was frequent flooding in the past and where this property is connected to other river systems that the river may flood even in the summer due to a freak storm somewhere else in the Municipality. He noted that the contour map would show the lot is very low lying and that Smileys Provincial Park has to place their washroom facilities upland due to flooding potential in the low lying parts of the park. Trevor also noted his concern regarding the driveways to the property. They have three driveways in the area and wanted the Provincial Department of Environment and Planning Department to consider

	that if the property owners are hosting events on the property that people may consider parking on the side of the road, which would cause major issues since large farm equipment travels the road. Sara noted that she has contacted the Provincial Department of Public Works for comment and that all parking for the proposed uses would need to be accommodated on the properties. Lastly Trevor stated that the property owners mentioned that Smileys Provincial Park brings revenue to the area however he doesn't believe it would be during the time of year they mentioned, because the park doesn't open until June-July each year (not May like other parks). Two residents also came in to meet with Director Poirier to discuss the proposal: February 14, 2023 • Art and Karen Ward discussed concerns about the impact the campground users may have on endangered yellow lady slipper flower which grows on their property. They noted that there is also an old Acadian highway in the area which would give people better access to their property which they do not want, especially as there is a large embankment (70-80 ft.) on the area of the subject lot leading up to their property. February 28, 2023 • Tom and Murray Levy came into the office to speak to Sara about the proposed campground on Scotch Village Station Road. They provided copies of pictures (attached on pg. 91) to show the water levels being at 6-8 ft. high when the properties flooded back in the 2000's. There was also a black and white photo (not sure what year) that shows ice/water on the property up to the Scotch Village Station Road boundary. Tom provided a written document of his comments (attached on pg. 88) and a summarized of the comments provided by Tom and Murray during the discussion are provided below:

	• Flooding occurs every 3-5 years on the subject property as there is an island downstream of the property that backs up with ice causing the river to flood. • The old campground was not an established campsite, it was more so for friends to tent on the site. It had a canteen and washrooms on the opposite side of the road. • The hedge on the property that runs perpendicular to the river is where a brook runs on the subject lot. They noted that the owners are not permitted to cross that brook on foot or with vehicles, unless approval is received from the Province. • They walked along the river with a measuring stick which showed that ice damage is on the trees, about 8 ft. total from the bottom of the river. • The deck for the yoga dome is on deck blocks and not a solid foundation which causes concerns in a flood if debris would be to travel down river. • Concerns of any uses on site in case a flash flood happens due to a freak weather event, similar to what happened on Brook Street a few years ago. The river is long and a freak weather event in Rawdon could impact this site. • Rising tides could impact the river flow upstream. Unsure if that would affect this property but may raise the water levels. • Insurance company stated it would be unlikely that they could get flooding insurance and then if there are issues on the site with septic or debris, who would be responsible? • The Provincial Landscape Viewer shows the Herbert River is a river for endangered species. Smileys Provincial Park is on the Meander River which is not a river for endangered species and they have enough space to put septic on the same property. Provincial parks also prohibit people bringing their own wood due to potential pests, how would these owners enforce this and supply local firewood? • Will the cabins be year-round? Wood fired or diesel?

	• How will garbage be collected and stored to prevent debris in the river and reduce the attraction for bears? Bears seen in the area due to salmon spawning. • The scale of map of the proposal isn't great as the parking area isn't fully shown. What if they want to host weddings, etc.? Should not be allowed to park on the road as farm equipment drives up the road. Traffic on the road will increase. They run the farm uphill at beginning of road and are concerned with an increase in traffic. • They will need a registered drinking water supply for all of those uses. • This is agriculture land. This lot would have a longer growing season than most properties and flooding deposits good nutrients for the soil. The property was hayed in the past. • The embankment has been eroding at the west end of the property, coming to a point now. • Water level of the river can vary greatly throughout the year. Summertime water levels can be very shallow.
Adjournment	The meeting was adjourned at 7:52 p.m.

Public Email Responses Submitted for the Application PIM

February 17, 2023
From Tom Levy
To Sara Poirier

Hi Sarah

Here is a photo the high water looking downstream from the bridge on station road. You'll see the water on flooded onto the land



February 17, 2023
From Trevor Levy

To Sara Poirier

Good morning,
Please see attached images of PID 45148608. This is 2014 December 11. I know it has flooded more recent, but I do not have picture of it at this time. This is standing on the bridge on the scotch village station road looking toward Brooklyn. When you have a chance, please give me a call at 782-838-0084. Enjoy your Friday!
Thanks,



February 21, 2023
From John Fitzgerald

To Sara Poirier

Hi Sarah

I was in attendance for the yoga retreat council meeting on February 16th. Wondering if you can direct me to where I can leave comments and concerns considering the yoga retreat approval to developed. I tried searching myself with no luck.

Thank you, John Fitzgerald

February 21, 2023
From Sara Poirier
To John Fitzgerald

Good morning, John,

Any comments or questions on the proposal can be emailed to me here, sent in a letter to the address in my email signature, or you can call me at 902-798-8391 ext. 117. All comments in relation to this application should be submitted through those channels by noon on March 1.

All the best,
Sara

February 23, 2023
From Art Ward
To Sara Poirier

Hi Sara,

Could you please email me the address where we can send in our concerns regarding the proposed camp grounds next to us in Scotch village.

Thanks, Art and Karen Ward.

February 23, 2023

From Sara Poirier
To Art Ward

Hi Art,

You can send them along to me via this email address, via phone at 902-798-8391 ext. 117 or via mail at PO Box 3000, 76 Morison Drive, Windsor, NS, B0N2T0.

All the best,
Sara

February 22, 2023
From Tom Levy
To Sara Poirier

Good day Sara

We spoke last week over the phone , and I would like to arrange a time next week that I can come in and discuss some of my concerns about this development. As well i have a few photos you might be interested in scanning.

The morning of Tuesday February 28th I am available, As I have the day off for an appointment at 1pm. Please let me know if your free that day, or we can set up another time.

Regards
Tom levy

February 23, 2023
From Sara Poirier
To Tom Levy

Good morning, Tom,

I can meet at 9 a.m. or 11:30 a.m. on Tuesday morning if either of those times work for you?

All the best,
Sara

February 23, 2023
From Tom Levy
To Sara Poirier

9am Tuesday morning will work fine.
Looking forward to meeting with you

Best regards

February 28, 2023
From Tom Levy
To Sara Poirier

Thanks for meeting with us this morning.

Here I've attached a couple photos of snapping turtles below the station road bridge







Areas of Concern Re: Sustainable Hill Wellness Resort

Submitted by: Tom Levy **Date: February 28, 2023**

- **Loss of agricultural lands**
  - Along the Herbert River there are currently 12 to 16 actively cultivated lands, this property is similar. Although the property is now partially covered in new forest, it was once a 10-acre field. This was enough land to provide over 1000 square bales of hay annually. These river flood plains provide a unique benefit to farmers, because of well drained sedimentary soils, and high-water tables.
  - The land is dry enough to allow working early in the spring but remains moist in the dryer months of summer promoting longer sustained growing conditions. The rivers frequent flood cycles also deposit nutrient rich sediments over the lands providing a natural fertilizer to the soil, reducing the need for synthetic fertilizers. Making these properties excellent sites for small scale organic farms.
  - However, once a site has been contaminated with graveled parking areas, sewer pipes, utility lines and concrete septic holding tanks, it becomes financially unviable for farmers to recover the land back to a workable condition. Effectively rendering it lost to future generations. Highlighting the need for us to appreciate these agricultural areas and protect them through maintaining agricultural zoning and other legislation, such as the marshlands act.

- **Species at risk**
  - Herbert river system is a significant habitat to species at risk
    - https://nsgi.novascotia.ca/plv/
  - Lady slippers, turtles
    - https://nsgi.novascotia.ca/plv/
    - https://novascotia.ca/natr/wildlife/species-at-risk/
  - Area adjacent to the property is marked as a 'significant habitat' for endangered American Martin.
  - What precautions will be taken to protect the local Snapping turtle populations from disturbance from park guests and their pets?

- **Flood zone**
  - Photos to submit showing flood levels of 6 to 8 feet of rise on two different occasions.
  - Concerned regarding sewer back up
    - Will they have Insurance? Heustis insurance representative suspects flood and sewage back up insurance will be unobtainable for this site.
    - Who is liable for the Enviromental clean up if insurance is void?
    - Will there be insurance for forest fire costs?
  - Because of purposed year-round accommodations, there will be users during peak flood times (Fall, Winter & Spring)
    - However, during times of heavy rainstorms there is still a risk of flash floods in rivers (e.g., Brook Street in Ellershouse washed out homes, and road).

- Will the water courses be delineated by a qualified person before construction on the site begins, to ensure setback requirements are met?
- Will privies be professional installed by a qualified person?
- What if any work will be done to the river frontage to promote public entry to the river?
- What actions will be taken to prevent erosion caused by park clientele using the riverbanks as a recreational area?
- What actions will be taken to prevent silt entering the watercourse during construction?

- **The Comparison to Smiley's Provincial Campground**
  - Smileys is Large enough that it has land above the flood plain
    - Outhouses and Washrooms are well away from the river and flood zone
      - Some were removed to ensure no risk of contamination
  - **Meander River is not recognized by the Province of Nova Scotia as a habitat for species at risk, however the Herbert River is.**
    - This information found on the Provincial Landscape Viewer website
      - https://nsgi.novascotia.ca/plv/
      - The DRR contact has reached out to their Biologist to find out what species that is. They suspect it is turtles and/or lady slippers. (waiting for more follow up).
  - Smiley's does not open May long weekend as previously stated in the community meeting. The opening dates are June 8 through Sept 18, 2023. Any connection between local business revenues in May, cannot be connected to smiley's park.
    - https://parks.novascotia.ca/park/smileys
  - Smiley's provincial park has a dumpster on site to contain trash, what plans have been made to handle trash generated at the purposed wellness center?
  - Will the new campground have a secure structure to contain refuse, that will not attract the local bear population, as well as prevent contamination of the river in a flood event?

- **Previously a campground in the 70's**
  - Station road was only a gravel road during that time
  - It was seasonal campground
  - Washrooms were located across road on land no longer suitable by today's regulations. (Water course setback, 30m) (Not suitable for public street crossing at night)

- **Parking**
  - Based on the purposed site map
    - 6 small cabins – 2 occupants per cabin – 2 vehicles
    - One 1 bedroom cabin – 4 occupants per cabin – 4 vehicles
    - 7 tent sites – 2 occupants per tent – 14 vehicles
    - 2 RV sites – 4 people per RV– 2 vehicles
      - Yoga Class attendees
        - 10 to 20 people – 10-20 cars
      - Weddings/ Events
        - 100 +/- people – 100 vehicles

- Could be looking at 158 +/- vehicles
- Parking along road not viable option
  - Single lane bridge off a turn in the road
  - Speed limit 80km/h
  - Overwidth Farm equipment travels through this area, some that just fits the width of the bridge (14+ feet)
  - Currently No approved driveway on the Property containing the Yoga dome. The two properties are separated via a water course.
  - Do they intend to have the public crossing the water course, and how will this be accomplished without disturbing the stream bed?

- **Firewood**
  - Due to the threat of pests such as the Brown spruce long horn beetle, Hemlock woolly adelgid, and the Emerald ash burrower. Smiley's provincial park along with all provincial and national parks in Nova scotia have banned the practice of allowing wood onto their grounds.
  - These parks have large forested areas that allow them to sustainably harvest wood for use in the parks. This site does not have sufficient forest to allow this practice.
  - Will the cabins have wood as a source of heat during colder conditions? If not, will they have a source of electrical back up power sufficient to power the 7 cabins? This would require a large diesel generator, Bringing forward concerns of fuel storage on a flood prone area.

- **Drinking water**
  - This proposal meets the requirement for a provincially registered drinking water supply.
    - https://novascotia.ca/nse/water/publicwater.asp
  - Does this site have a supply capable of supplying its needs?
    (Dept of environment will not allow rivers as a supply)
  - With increasing sea levels, the tide is reaching farther up the river system each season. Currently the tide terminates at the highway 215 bridge near Newport rink. This area is approximately 6km away from the Station Road, however only meters difference in altitude.







Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

First Name	Last Name	Correspondence Date	Meeting / logged
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)

First Name	Last Name	Correspondence Date	Meeting / logged
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)	Miniou (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)

First Name	Last Name	Correspondence Date	Meeting / logged
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)

First Name	Last Name	Correspondence Date	Meeting / logged
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)

First Name	Last Name	Correspondence Date	Meeting / logged
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)

First Name	Last Name	Correspondence Date	Meeting / logged
Quentin	Davison	2021-07-13	2021-07-13 COTW
Iain (Hon.)	Rankin	2021-07-16	2021-07-27 Council
Karen	Beazley	2021-07-15	2021-07-27 Council
G.E.	Morehouse	2021-07-22	2021-07-27 Council
Darlene	Taylor	2021-07-26	2021-09-14 COTW
Heather	MacLean	2021-08-13	2021-09-14 COTW
Kim (Hon)	Masland	2021-09-22	2021-10-12 COTW
Darren	Porter	2022-02-01	2022-02-08 Council
Hon. Steve	Craig	2022-03-02	2022-03-08 COTW
Hon. Greg	Morrow	2022-03-08	2022-03-22 Council
Sheldon	Hope	2022-03-10	2022-03-22 Council
Darren	Porter	2022-06-02	2022-06-14 COTW
Darren	Porter	2022-06-27	2022-06-28 Council
Hon. Joyce	Murray	2022-07-12	2022-07-26 Council
Jennifer	Allen	2022-08-30	2022-09-13 COTW
Blois	Hon. Kody	2022-10-07	2022-10-11 COTW
Salter	K	2022-10-28	2022-11-08 COTW

Correspondence Received

First Name	Last Name	Correspondence Date	Meeting / logged
Katherine	Mcleod, P.Eng, Dept. Environment and climate change	2021-10-28 (Received)	2022-01-11 COTW
Hants County Legion		2021-11-25	2021-12-07 COTW
Hon. Melissa	Sheehy-Richard	2021-11-30	2021-12-07 COTW
Hon. John	Lohr	2021-11-30	2021-12-07 COTW
Hon. Kim	Masland	2021-12-01	2021-12-16 Council
NSUARB		2021-12-10	2021-12-16 Council
Bennet	Mary Lou	2021-12-13	2021-12-16 Council
Hon. Kim	Masland	2021-12-17	2022-01-11 COTW
Bland	Lisa	2021-01-17	2022-01-11-COTW
Wilson	John	2021-12-21	2022-01-11 COTW
Pineo	Shirley	2021-12-17	2022-01-11 COTW
Nelson	Gary	2022-01-11	2022-01-25 Council
Hon. Kody	Blois	2022-01-13	2022-01-25 Council
Denise	Forrand	2022-01-19	2022-01-25 Council
Dawn	Allen	2022-01-18	2022-01-25 Council
Sarah	Brothers	2022-01-19	2022-01-25 Council
Roland	Newcombe	2022-01-20	2022-01-25 Council
Valerie	Newcombe	2022-01-20	2022-01-25 Council
Andrea	Moore	2022-01-21	2022-01-25 Council
Gary	Nelson	2022-01-26	2022-02-08 COTW
Hon. Minister	Johns	2022-01-27	2022-02-08 COTW
Hon. John	Lohr	2022-02-01	2022-02-08 COTW
Hon. Joyce	Murray	2022-02-02	2022-02-08 COTW
Kim	MacQuarrie	2022-02-06	2022-02-22 Council
Sheldon	Hope	2022-02-08	2022-02-22 Council
Brad	Carrigan	2022-01-24	2022-03-08 COTW
Dr. Gordon	Haliburton	2022-02-14	2022-03-08 COTW
Hon. Kim	Masland	2022-03-01	2022-03-08 COTW
East Hants		2022-03-01	2022-03-08 COTW
Hon. John	Lohr	2022-03-22	2022-04-12 COTW
Andrea	Parker	2022-03-28	2022-04-12 COTW
Bulk Water Haulers		2022-03-30	2022-04-12 COTW
Mark	Wainman	2022-04-04	2022-04-12 COTW
Jeff	Houser	2022-03-23	2022-04-12 COTW
Kathrin	Winkler	2022-04-05	2022-04-12 COTW
Joseph, PVSC	Feeney	2022-04-14	2022-04-26 Council

Correspondence Received

Darren	Porter	2022-04-21	2022-04-26 Council
Daphnee	de Lamirande	2022-04-29	2022-05-10 COTW
Hon. John	Lohr	2022-05-02	2022-05-10 COTW
Ann- Marie	Mathieu, Annapolis Valley Regional Library	2022-05-05	2022-05-10 COTW
2022-05-11 Yves	Arsenault re Information session for Hosting of 44th annual Final des Jeux de l'Acadie for 2025	2022-05-11	2022-05-26 Council
Anna	Allen	2022-05-22	2022-06-14 COTW
Seamus	Marriott, Community Petition re Zwicker lake	2022-05-31	2022-06-14 COTW
Scott	Carson (Presenting letter in person to Council)	2022-06-03	2022-06-14 COTW
Hon. John	Lohr (DMA)	2022-06-10	2022-06-14 COTW
Nancy	Sherwood	2022-06-14	2022-06-28 Council
Bobby	Best	2022-06-16	2022-06-28 Council
Hon. Kim	Masland	2022-06-21	2022-06-28 Council
Sherri	Bulger	2022-06-28	2022-06-28 Council
Hon. John	Lohr	2022-06-30	2022-07-12 COTW
Domenic	Padula	2022-07-07	2022-07-12 COTW
Hon. Joyce	Murray	2022-07-12	2022-07-26 Council
Diana	Gibson re: RCMP & Fort Edward Information	2022-06-29	2022-07-26 Council
Acute Care	Tanya Penney	2022-07-19	2022-07-26 Council
Darren	Porter	2022-07-27	2022-09-13 COTW
PVSC		2022-08-02	2022-09-13 COTW
DMA		2022-08-04	2022-09-13 COTW
Breaking Barriers Together		2022-08-17	2022-09-13 COTW
Bill	Preston	2022-08-18	2022-09-13 COTW
Alix	Munro (POSSE)	2022-09-01	2022-09-13 COTW
County of Annapolis	Letter to Premier Tim Houston and Hon. Tim Halman re Moratorium on Aerial Herbicide Spraying	2022-09-14	2022-09-27 Council
Darren	Porter	2022-09-14	2022-09-27 Council

Correspondence Received

Darren	Porter	2022-09-16	2022-09-27 Counc
Philip	Hyam	2022-09-17	2022-09-27 Council
Mash Up Lab re: Opportunity for Aspiring Entrepreneurs in West Hants		2022-10-17	2022-10-25 Council
Minister Masland	Re: Potential Mi'kmaq Burial site	2022-10-19	2022-10-25 Council
Heather Hughes,	Executive Director Re: Proposed changes to Weed Control Act	2022-09-13	2022-11-08 COTW
Minister of Finance and Treasury Board	Re: Provincial Non-Resident Deed Transfer Tax	2022-10-21	2022-11-08 COTW
Home Hardware	Re: Security Cameras	2022-10-21	2022-11-08 COTW
Windsor Township	Re: Security Cameras	2022-10-24	2022-11-08 COTW
Dawna MacIvor	Re: November is Crohn's and Colitis Awareness Month	2022-10-28	2022-11-08 COTW
Waye Mason	re Concerns and Information regarding Bill 225 and HRM Noise By-Law	2022-11-02	2022-11-08 COTW
Peter Gregg	Re Information on Bill 212, An Act to Amend Public Utility Act	2022-11-02	2022-11-08 COTW
Andrea Parker	Re Road repair work needed	2022-11-06	2022-11-22 Council
WAEFA Recipient Confirmation - 2022	(Awards sponsored by the West Hants Regional Municipality)	2022-11-07	2022-11-22 Council
CAO Letter	Comfort Centre Designation - Garden of Eden Community Centre	2022-11-10	2022-11-22 Council
David Old,	President Hantsport Seniors and Elders Club re Community Generator Program	2022-11-10	2022-11-22 Council
Juanita Wilcox	re Expression of Thanks	2022-11-12	2022-11-22 Council
Emily McNeil	re Renewal of the Operating Approval for the Avon Hydro System	2022-11-14	2022-11-22 Council
Paul Beazley	re Boundary Review Questions	2022-11-16	2022-11-22 Council
West Hants Historical Society	Re Old Parish Burying Ground Letter	2022-11-16	2022-12-06 COTW
Graham Sanford	Re Road Concerns	2022-11-16	2022-12-06 COTW
Fidelis House	Re financial assistance request	2022-11-30	2022-12-06 COTW
Lawrencetown Education Centre	Re Big Chill Donation request	2022-12-06	2022-12-13 Council
Kate Sircom, Secretary, St. Andrew's Church Council	Re Community Comfort Centre proposal	2022-12-06	2022-12-13 Council
NSFM	Re: Code of Conduct - Summary of content from consultation	2022-12-14	2023-01-10 COTW

Correspondence Received

Graham Sandford	Re: response to outstanding concerns sent after the presentation to Council on December 13th, 2022.	2023-01-09	2023-01-10 COTW
Graham Sanford	Re: File to Rezone Lots along Bog Road	2023-01-24	2023-01-24 Council
Nova Scotia Department of Public Works Request	Re: Pothier Motors Crosswalk Request	2023-02-03	2023-02-14 COTW
Windsor Township Business Association	Re: Expression of Thanks and Continued Conversations	2023-02-09	2023-02-14 COTW
Hants County Federation of Agricultural and the Great Falmouth Marsh Body	Re: Remaining ACOA funds	2023-02-23	2023-02-28 Council
Seamus Marriot (Zwicker Lake Property Owners)	Re Permit Clarification	2023-02-17	2023-03-14 COTW
Windsor Lions Club	Re Tourist Bureau Park Request	2023-02-23	2023-03-14 COTW
Carrilee Eddy	Re Affordable Housing	2023-02-28	2023-03-14 COTW
Graham Sanford	Re: Don't Be The Dirt Advocacy Presentation	2023-02-28	2023-03-14 COTW
Andrew Hardman	Re 997 Highway 14 Distribution Depot - Trans-World Concerns	2023-03-02	2023-03-14 COTW
Seamus Marriot (Zwicker Lake Property Owners)	Re Permit Clarification	2023-03-02	2023-03-14 COTW
FCM Executive Decision	Re Green Municipal Fund application	2023-03-03	2023-03-14 COTW
Avondale Hall	Re Floor repair and renovation request	2023-03-08	2023-03-14 COTW
Letter From Private Road Development	Re Petition for Waste Collection Services	2023-03-09	2023-03-14 COTW
Hon. Greg Morrow	Response to Expenses incurred due to fencing	2023-03-14	2023-03-28 Council
Sarah Reddington	Re Hantsport Memorial Community Center and Pickleball Facility	2023-03-14	2023-03-28 Council
Core Committee - Zwicker Lake Property Owners	Re Permit Clarification	2023-03-14	2023-03-28 Council
Hantsport Community Rep	Re: Apple Blossom Festival Sponsorship Request	2023-03-15	2023-03-28 Council
MLA Sheehy-Richard	Request for a Nomination for the Order of Nova Scotia	2023-03-15	2023-03-28 Council
VREN I	Re Response to continued partnership and IMSA	2023-03-16	2023-03-28 Council
NS Power	Re Avon Hydro System Relicensing	2023-03-20	2023-03-28 Council
Public Health	Re New alcohol guidance on harms and risks for residents	2023-03-20	2023-03-28 Council
Kody Blois	Re: Letter to the Hon. Kim Masland	2023-03-21	2023-03-28 Council

Correspondence Received

Margot Bureaux	Re Cancellation of ABF Leadership Competition	2023-03-21	2023-03-28 Council
Shawna Nichols	Re: Lego program	2023-03-23	2023-03-28 Council
West Hants Historical Society	Proclamation Request	2023-03-23	2023-03-28 Council
Pisiquid Canoe Club	Re: Funding Request	2023-03-24	2023-03-28 Council
KMK Negotiation Office	Re: Expression of interest to meet and discuss the Avon River and downtown waterfront	2023-03-28	2023-04-11 COTW
Markus Kehoe	Re Expression of appreciation	2023-03-29	2023-04-11 COTW
Chantelle Hill	Re Proclamation of Parental Alienation Bubbles of Love Day April 25 2023 Request	2023-03-30	2023-04-11 COTW
Communities in Bloom	Re Invitation to participate	2023-03-30	2023-04-11 COTW
David Simpson	Re Rails-to-trails to Windsor	2023-03-30	2023-04-11 COTW
Mark Kehoe	Re Permit D2023-019 Pisiquid Canoe Club Day Camps - Not Valid	2023-03-30	2023-04-11 COTW
Minister Lohr DMA	Re Sustainability Services Growth Fund (SSGF)	2023-03-30	2023-04-11 COTW
Hon. Masland	Re Intersection Lighting	2023-04-03	2023-04-11 COTW
Brenda Shiers Chair West Hants Uniacke Community Health Board	Re Request for Funding Support	2023-04-04	2023-04-11 COTW
Windsor Township Business District	Reimagine Lake Pisiquid	2023-04-04	2023-04-11 COTW
Poplar Grove Community Hall	Funding Request	2023-04-06	2023-04-11 COTW
Heather Lake	Re Cogmagun and Beaver Pond Petition	2023-04-11	2023-04-11 COTW
Laurent Breault, General Director	Re International Day Against Homophobia and Transphobia, May 17, 2023	2023-04-09	2023-04-25 Council
Trudy Flynn	Re Light up Municipal office Purple for May 12 Fibromyalgia Awareness Day.	2023-04-10	2023-04-25 Council
Zwicker Lake Core Committee	Re Letter of Complaint - Disrespectful Behaviour	2023-04-10	2023-04-25 Council
Gloria Shanks	S Re Old Shanks Road dated March 30, 2023	2023-04-10	2023-04-25 Council
Response to MP Blois	Re Highway 101 Twinning	2023-04-11	2023-04-25 Council
Hants County Federation of Agriculture	Re Expression of Appreciation for meeting	2023-04-11	2023-04-25 Council
Trevor Levy	Re Scotch Village Station Road Development	2023-04-14	2023-04-25 Council

Correspondence Received

Mark Kehoe	Re 2023-24 Tax Exemption Concern - Upper Vaughan	2023-04-16	2023-04-25 Council
Tom Levy	Re 301 Station Road Development	2023-04-16	2023-04-25 Council
Roberto Gueli and Anke Kungl	Re Community feedback for Sustainable Hill proposal	2024-04-17	2023-04-25 Council
Glooscap First Nation	Letter of Intent Re Proposed Addition to Reserve, Glooscap First Nation	2023-04-18	2023-04-25 Council
VREN to WHRM	Re Regional Enterprise Networks Review	2023-04-18	2023-04-25 Council
Mike Smith	Re Support of the Proposal from Sustainable Hill Campground and Yoga Dome	2023-04-20	2023-04-25 Council
Kathy Blois, Chair Hants County Senior Safety Association	Re Letter of Notice	2023-04-20	2023-04-25 Council
Seamus Marriot	Re FOIPOP Follow up	2023-04-20	2023-04-25 Council
Erin Naugler	Re Falmouth Highway Access	2023-04-23	2023-04-25 Council
Jessica and Allan Hill	Re Additional Considerations for Sustainable Hill's Application	2023-04-24	2023-04-25 Council
Karen Bourque-Ward and Art Ward	Re Scotch Village Station Road PID 45166915	2023-04-24	2023-04-25 Council
Wesley Petite	Re MPSA Retroactive Pay	2023-04-24	2023-04-25 Council
Hants County Federation of Agriculture	Re Scotch Village Rezoning Application	2023-04-25	2023-04-25 Council

International Day Against
Homophobia and **Transphobia**

Montréal, Tuesday, March 14, 2023

Subject: International Day Against Homophobia and Transphobia, May 17, 2022

Hi,

Fondation Émergence's mission is to defend the rights of lesbian, gay, bisexual and trans (LGBTQ+) people. Each year, it organizes the International Day Against Homophobia and Transphobia (May 17), which was created by the Foundation for the first time in the world, in Quebec, in 2003. This day is now recognized nationally and internationally.

For last year's International Day Against Homophobia and Transphobia, Fondation Émergence sent a pride flag (rainbow) to every municipality in Quebec. For this year, we're trying to reach out to every municipality in Canada, this will send a stronger message to the government that the population stand with the LGBTQ+ community. We also invite you to adopt a resolution at City Council to mark this important day (see attached template in the email).

Last year 287 municipalities showed their support for LGBTQ+ people, join the movement to help us reach a new record this year for the 20th anniversary of the Day. Map of Municipalities - May 17

In addition, we invite you to share a photo on your social networks by tagging @journee17mai with the #17mai so that your municipality can shine a light on its inclusivity throughout Quebec.

If you do not have a flag in your possession, you can send us a request at the following email address: (courrier@fondationemergence.org) with the complete address of the City Hall and we will be able to send you one at the price of only $15.

With your support, we continue to make history in Canada and internationally by taking a strong stand against homophobia and transphobia. Together, we can create a country that fully accepts sexual and gender diversity.

Yours sincerely

Laurent Breault
General Director

Présentateur officiel
BANQUE NATIONALE
fondation émergence | Lutte contre l'homophobie et la transphobie
Remerciements à
Le Flag Shop
Bien plus que des drapeaux!

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

From Gloria Shanks
Three Mile Plains NS B0N 2T0

March 30 23

To Council:

In respect to the new subdivision proposal off McLeod Court on Panuke Road.

Subject: OLD SHANKS ROAD

I am not a 500 km landowner. I attended the public meeting but never got a notice, just a phone call from a concerned citizen who could not attend. I never made comment because the request was only that I attend to see what was going on.

Yesterday I was told the OLD SHANKS ROAD, which is a private right of way for all the landowners on the road, is the way they intend to use for the named proposal. I am one of those. Along with the expressed concerns for road improvement and services and exiting of Panuke Road and bridge that I heard at the meeting, I now feel it is my time to speak.

This road was put in as a means to the old family homestead in the horse and buggy times. Over the years the use increased by selling properties individually, not as a subdivision. If this is the way they intend to access the subdivision, the following articles need to be weighed in.

1. The Municipality or developer MUST take over the upgrade and ensuing of the:
   a. Road, buying the land that is not currently part of the right of way in order to make it viable for the new use.
   b. Take over the necessary things needed to take possession of the railroad right of way.
   c. Take over the upgrades or replacement of the bridge.
   d. Upgrade and make the road to highway standards.
2. The items above will need to be maintained also.
3. ALL property owners should be notified in advance of the change before it happens.

Thank You. Gloria Shanks

From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: Light up Windsor / West Hants Municipal office Purple for May 12 Fibromyalgia Awareness Day.
Date: Monday, April 10, 2023 9:34:45 PM

From: FAC-Administration <admin@fibrocanada.ca>
Date: April 10, 2023 at 5:12:09 PM ADT
To: azebian@westhants.ca, allcouncil@westhants.ca
Subject: Light up Windsor / West Hants Municipal office Purple for May 12 Fibromyalgia Awareness Day.

Good Afternoon

This is a follow up to my previous email dated 01/23/2023 in regards to lighting up Windsor / West Hants Municipal office for May 12, Fibromyalgia Awareness Day. To light up a purple or black light bulb outside your door will suffice. My previous email is below.

Thank you so much for considering helping Fibromyalgia Association Canada's awareness campaign to illuminate and make fibromyalgia visible.

Have a great day

Trudy Flynn

Good Morning

My name is Trudy Flynn and I am the Chair of Fibromyalgia Association Canada (FAC).

May 12, 2023 is the 31st anniversary of Fibromyalgia Awareness Day as recognized by the World Health Organization (WHO). I am contacting you to ask if you would light up the Windsor / West Hants Municipal Office in purple, in recognition of the 2-4% of Canadians living with fibromyalgia. That is over 1 1/2 million Canadians who have been diagnosed with fibromyalgia. There are still many more Canadians waiting to be diagnosed or who are not counted in these numbers because they have another primary condition, such as cancer, cardiac issues, etc.

If you are able to light up the Windsor / West Hants Municipal Office to raise awareness of fibromyalgia, would you please provide lighting from dusk on May 12th until dawn on May 13th?

Please see below on how to connect with us through FAC's social media, as we will be promoting all the buildings and landmarks that light up for fibromyalgia. Last year FAC had over 100 buildings and landmarks across Canada light up in purple to promote fibromyalgia awareness.

Thank you for helping FAC raise awareness of fibromyalgia.

Trudy Flynn
Chair
Fibromyalgia Association Canada

Website: https://fibrocanada.ca
Facebook: FibroCanada2021
Twitter: @fibrocanada
Instagram: FibroCanadaFAC
Pinterest: @FibromyalgiaAssociationCanada
LinkedIn: Fibromyalgia Association Canada (FAC)

From: @outlook.com
To: PublicOnlyCouncilEmail
Cc: Seamus Marriott; Andrew Hardman; Barry Maxner; Mark Kehoe
Subject: Letter of Complaint - Disrespectful Behaviour
Date: Monday, April 10, 2023 8:25:25 PM

Caution [External Email]
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

To All West Hants Regional Municipality (WHRM) Councillors:

On March 28, 2023 Andrew Hardman and Mark Kehoe gave a presentation to council to ask for your help getting the Pisiquid Canoe Club (PCC) on the right track with respect to our land use by-laws. Specifically, that the PCC apply for and follow the process for a development agreement, just like any other individual or organization.

I believe most of you witnessed the disrespectful behaviour exhibited by the PCC's Vice Commodore during this presentation. That is the type of disrespectful behaviour that we have been experiencing, here in Upper Vaughan, over the past year.

First and foremost, we live here – this is our home!
Second, Zwicker Lake only exists because of the hard work of community members.

When applying for Public Funding (our money), PCC said that they were going to engage the public to gain support and belay fears. They did not reach out until the community "caught wind" of their property purchase. At the first meeting at our Community Center, they essentially told us that they were coming and there was nothing we could do. There was very little respect shown for the community's concerns. At another meeting they informed us that they were declaring themselves a Community Center (or possibly a Church). Therefore, a Development Agreement was not necessary.

Over the following months, the disrespectful behaviour continued:

- Very early morning training on the lake with the head coach yelling commands and waking residents.
- Children running across neighbour's properties, playing games and urinating.
- Canoes paddling through sensitive fish breeding areas.
- The race buoys end points terminating in the Loon's feeding grounds.
- War canoes full of 6- and 7-year-old children being yelled profanities at by young teenage "coaches".
- Paddle fights in the middle of the lake with very disturbing outcomes.
- Young children on the public beach, without lifejackets and without adult supervision.

We are offended that the PCC and the WHRM have not taken our concerns seriously.

We find it disrespectful to the people of the WHRM, current Council and past Councils, the people who wrote our by-laws, that the PCC does not take our by-laws seriously.

The PCC, so far, has exhibited disrespectful and entitled behaviour. The community is not happy.

It was never our intention to stop canoe club activities, just that there be some controls in place. That is why a Development Agreement is necessary.

Their behaviours are beginning to affect some residents health and other long-time residents are now considering selling their homes. This is a serious matter and it needs your attention now!

Deborah J. Innes
Resident and Core Committee Member

/dji

Sent from Mail for Windows

To:

Mayor of West Hants, Municipal Council and Municipal Staff (Planning)

On February 28th, 2023, The Hants County Federation of Agriculture met with staff from our municipal planning department. We felt that it was a productive and informative meeting and were pleased to hear that the planning department is supportive of agriculture in our region. In our next directors meeting we discussed ways to stay informed and have our own concerns heard in the future.

To begin with this letter, The HCFA is expressing its interest in agricultural land protection. We feel it is an absolute necessity for our municipality to make this a priority. While population growth and development of our region is desirable, we feel productive farm land should never be lost to accomplish this. Once it is gone, it does not come back. Our future food security and economic development depends on this land.

We would also like to begin requesting information regarding land use in our communities. The HCFA board of directors would like to know when development agreements are being sought for land that is zoned agriculture as well as how many permits are sought for agricultural purposes (ie buildings). We feel this would help us stay abreast of the rate of change in our area and the level of investment occurring for agricultural growth. If the planning department would be responsive to these requests, we would greatly appreciate it.

Thank you again for the opportunity to meet as a group and connect with municipal staff to share concerns for the future of our region.

Robin Bremner-Popma

Secretary, Hants County Federation of Agriculture

Nick Juurlink

President, Hants County Federation of Agriculture

NOVA SCOTIA

Public Works
Office of the Minister

PO Box 186, Halifax, Nova Scotia, Canada B3J 2N2

APR 1 1 2023

Kody Blois, M.P.
Kings-Hants
101-24 Harbourside Drive
Wolfville, NS B4P 2C1

Sent via email: kody.blois@parl.gc.ca

Dear M.P. Blois:

Thank you for your letter of March 21, 2023, regarding the twinning of Highway 101 between Three Mile Plains and Falmouth.

We agree that upgrading of this portion of highway is crucial to improve safety in this area, and the Department of Public Works (DPW) continues working to complete this project. All aspects of the twinning are advancing to completion, except for the construction of the new aboiteau which has been delayed while we work with our consultants to provide the Department of Fisheries and Oceans (DFO) with additional information on how the proposed structure can best accommodate fish passage.

The technical response to DFO is underway and dialogue is ongoing to ensure the requirements of DFO are met to finalize the application.

Due to the unforeseen delay in the project while working to gain approvals from DFO, interim measures have been constructed in this area to improve safety. This includes opening twinning where possible and installing median barriers in the remaining areas to reduce the potential for dangerous head-on collisions. We are hopeful that an approval will be received from DFO soon and the work to complete the project and remove these temporary measures can begin as soon as possible.

Pending regulatory approvals and no major changes to the detailed design, DPW will be tender-ready in 2023. Construction is expected to take two to three years, with overall completion in 2026.

If you have any other questions, please contact Mark Brace, Project Engineer, by email at Mark.Brace@novascotia.ca or 902-424-3278.

Yours sincerely,

Kim D. Masland
Minister

c: Honourable Tim Houston, Premier
Honourable Joyce Murray, Minister of Fisheries and Oceans
Melissa Sheehy-Richard, MLA West Hants
Mayor Abraham Zebian, Windsor/West Hants

From: Trevor Levy
Date: April 14, 2023 at 11:48:47 AM ADT
To: Abraham Zebian <AZebian@westhants.ca>, Rupert Jannasch <RJannasch@westhants.ca>, Scott McLean <smclean@westhants.ca>, Mark McLean <mmclean@westhants.ca>, "jhartt@ersthants.ca" <jhartt@ersthants.ca>, Debbie Francis <DFrancis@westhants.ca>, Bob Morton <bmorton@westhants.ca>, Ed Sherman <esherman@westhants.ca>, Paul Morton <PMorton@westhants.ca>, John Smith <JSmith@westhants.ca>, Laurie Murley <lmurley@westhants.ca>, Jim Ivey <jivey@westhants.ca>
Subject: Scotch village station road development

Caution [External Email]
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Good afternoon,

I am writing this with regards to the proposed Scotch Village Station Rd Development Agreement. I am writing this as a property owner within 500 feet of said property, a concerned resident and local farmer. I currently grow hops(sold local to Hill Top Hop Brewhouse), pumpkins(sold to Tidal Bore Farm Market) and hay sold throughout the province. In 2021 I purchased a dozer to clear more land to expand my operation, clearing over 3 acres that summer. And have hopes of clearing more land soon.

My concerns with this development lie with the location. The location is location directly beside the Herbert river and lies within a known flood plain. I fail to see how a commercial sewer system can be installed without any concern to the local river and water systems. Even if the tanks are pumped in the fall, this still does not remove the treat to the water course and supply from the septic field.

Next, I am very concerned that we keep losing good farmland to development. I agree with development and know as West Hants grows, we need to adapt and make changes. But there are places within our county that are excellent farmland that need protection. As you can see in the Agrologist Report in the attached document, this is good soil. As it says**" Although the parcel in question has not been used for agriculture for some time, it would be taking 'good' agricultural land out of production in an area where there is limited availability of agricultural land."** We live in West Hants, a 6.5-acre field is a farmable size for most of this county. Let alone the location for irrigation of crops.

It's not a problem until it's a problem, a wise person once said. I believe we have reached a point where development of good farmland has become a problem.

I would be more then willing to take you on a tour of my property and discuss these issues in person. Just give me a call at 902-[redacted] to arrange a time.

If you have any questions, comments, or concerns with anything I have said. Please feel free to contact me at 902-[redacted], call or text or Respond to this e mail.

I look forward to the next public steps of the process to discuss these issues with council.

Very concerned,
Trevor Levy
[redacted]

Sent from my Galaxy

From: Mark Kehoe
To: PublicOnlyCouncilEmail; Mark Phillips
Subject: 2023-24 Tax Exemption Concern - Upper Vaughan
Date: Sunday, April 16, 2023 12:04:00 PM
Attachments: April 16 Council Letter.docx

Caution [External Email]
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Attn West Hants Municipality and Council:

Upon reviewing your "2023-04-12 Special Committee of the Whole (Budget) Package Amended April 14, 2023" COTW Agenda Package, I noticed that the Pisiquid Canoe Club, a new property owner in our Community of Upper Vaughan, was listed in the Tax Exemption Property Listings for 2023-24 as "Qualifies for 100% of total assessment" for their 4 PID's 45041886, 45041878, 45382900, 45382918.

After reviewing the West Hants Municipal Tax Exemption Policy, our community believes this exemption may have been granted in error. I've copied Section 4 of the Tax Exemption Policy into my message with comments.

4. CLASSIFICATION and REQUIREMENTS

4.1 Registered Canadian Charity – property of a registered Canadian charitable organization that is used directly for charitable purpose. These properties may be eligible for tax exemption.

The Pisiquid Canoe Club is not a Charity, so section 4.1 does not apply.

4.2 Nonprofit – property of a non-profit community, charitable, fraternal, educational, recreational, religious, cultural or sporting organization, if, in the opinion of Council, the organization provides a service that might otherwise be a responsibility of the Municipality. These properties may be eligible for tax exemption.

The Pisiquid Canoe Club is a registered nonprofit "recreational" organization, but they do not provide a service that is the responsibility of the Municipality, so section 4.2 does not apply.

4.3 Nonprofit Commercial – commercial properties of any non-profit community, charitable, fraternal, educational, recreational, religious, cultural or sporting organization. These properties may be given a tax reduction from the commercial to residential rate on all or part of the taxable commercial property, provided they have submitted appropriate documentation.

If the Pisiquid Canoe Club's property was properly zoned for their activities, this is likely where they would have been recognized and given a reduction from commercial rates to residential. But because they already would pay residential taxes (because they purchased a private residence in the General Resource zone), 4.3 is not applicable either. The Windsor Curling Club is a comparable example to the PPC and fits into this section.

We have many concerns with the purchase, zoning, invalid permits and now tax exemption for this property and property owner. It just feels like more bias and conflict of interest because the Pisiquid Canoe Club's Commodore is also a Sr Staffer in the Municipal Planning Dept.

ACOA funded a sustainability study for the Pisiquid Canoe clubs relocation before they purchased this property and in that study listed one of the "cons" was an annual property tax bill. They received an unwarranted 1.3 million dollar asset and now want to avoid paying taxes as well. When will the abuse of taxpayer funds end?

Our Municipal budget requires a certain tax dollar contribution. When a property owner is exempt from contributing to that budget total, the burden falls on the other residents to pay more taxes to achieve the same total amount. Also, the property owner still receives all services paid for with the

property tax contributions by others. I can assure you that no one in our community wants to foot the bill for the services provided to a private canoe club. It's also worth mentioning that because this property owner grossly overpaid (with misrepresented public funds) the assessments for the neighboring properties will reflect that and go up and taxes will go up…. while market values decrease because of the invalid land use that is currently ongoing.

All the residential properties in Upper Vaughan pay their annual property taxes for the Municipal services we receive. The Pisiquid Canoe Club should be no different.

Thank you for your time.

Mark Kehoe

From: tom levy
To: PublicOnlyCouncilEmail
Subject: 301 station road development
Date: Sunday, April 16, 2023 9:33:26 PM

Caution [External Email]
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Good day councillors and staff

As a 3rd generation farmer, attempting to maintain a viable, sustainable and profitable operation in this modern age, I encounter many challenges. Coping with ever higher fuel costs, the price of machine parts and a scarcity of labour. Farmers struggle against fertilizer prices that have doubled in the past 2 years, soaring to over $1100 per ton. A challenge that is becoming ever more present is the encroachment of development on traditional farm communities.

To Combate the issue of development, often our only recourse is land zoning. Put in place decades ago, these agricultural zones were designed with the intent to preserve land currently in farm production, along with unutilized land, to reserve it for the future use of agriculture.
However agricultural land has been slowly chipped away, and repurposed. Many developers and governing bodies have adopted the mentality that this land is a proverbial wild card, to be repurposed at will.

We must acknowledge that not all land zoned agricultural is of value for this purpose. Nova scotia has vast tracts of such land. Some of which are of little value due to poor soil conditions, drainage issues, or being in a growth center. The property on scotch village station road displays none of these issues. In fact, it is quite the opposite. Upon reading the full agrologist report it is evident that 301 station road would be considered a valuable asset to a larger farm, or operate independently.

The author of the report, Yvonne Thyssen-Post has 40 years' experience in the agricultural industry. It is her assessment that the property was as follows:

- Level to very gently undulating; moderate to rapid drainage, but often subject to flooding
- Stone free
- Good crop land
- Class 2 and 3 soils (class 1 being the highest quality)
- Excellent for cropping hay or grains
- 6.5 acres, being insufficient to crop in terms of machinery operation

The report states that

- “Although the parcel has not been used for agriculture for some time, it would be taking ‘good’ agricultural land out of production in an area where there is a limited availability of agricultural land”
- “Rezoning the land has some potential to have adverse effects on the operations of neighboring farm operations”
- the neighboring farms “rightly have concern about the potential for nuisance issues from visitors that do not respect property boundaries” efforts can be made to stop trespassing “but

the risk of people not complying is always evident”

- “Rezoning the land would remove good quality agricultural land from possible future agricultural production”
- “Developing a wellness retreat may potentially have some adverse effects on neighboring agricultural properties, mostly from the nuisance and liability perspective”
- “Rezoning land that is prone to flooding should be of concern if structures are placed on the land”

As a neighboring farmer, I support all these statements with exception to one. In regard to the size and shape of this property. We must consider the local area and the land that is currently in production. A simple google maps tour of the Herbert River will reveal upwards of 16 fields of equal size and shape abutting the river, utilized for agriculture presently. This doesn’t consider countless other fields of lesser soil quality located on uplands. One must conclude that due to the size of other farms in the area this is a very farmable plot. I can personally reference three to four fields of similar acreage on our family property that are harvested annually.

It must now be acknowledged that this property has a propensity for flooding. The floods are mostly resulting from, but not restricted to, ice jams and heavy rain during the autumn, winter and spring seasons. To Combate this concern, the municipal planning department has mandated the developer maintain a 50-foot tree belt abutting the river. This buffer zone must not contain any structures. Along with this they have required that the campground portion of this development be nonoperational from late October till mid-April. They must also have all septic tanks pumped out at the end of the operating season.

These efforts are insufficient to address the issues and concerns associated with flooding. The 50-foot buffer zone is not adequate and does not appropriately represent the scale of floods previously seen on this property. Local Residents will attest that floods can encompass the entire property. This is due to the level topography, and the ability for river levels to fluctuate up to eight feet. The hills property generally lies 3 to 4 feet above normal water levels.

Pumping of septic holding tanks does not address residue that remains untreated in the septic beds, which will undoubtably be flushed into the river during a flood. Secondly this method will do little to protect against any flooding that can result from heavy rains during the operating season. Which does run into the Atlantic hurricane season. Allowing the public to use overnight accommodations, on a property with an acknowledged propensity for flooding is concerning.

It is my strong belief that this development poses a risk to the Herbert River ecosystem, and a potential hindrance to the operation of neighboring farms. It is our natural environment, farming communities and the hard-working people who live here that make rural West Hants unique and beautiful. I ask that the council strongly consider the potential outcomes associated with these risks before making a decision.

kindest regards
Tom Levy

Get Outlook for iOS

From: Anke & Roberto
To: PublicOnlyCouncilEmail
Subject: Community feedback for Sustainable Hill proposal
Date: Monday, April 17, 2023 11:24:05 AM

Caution [External Email]
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April 15, 2023

Dear members of the West Hants Municipal council,

We are writing regarding the business proposal for the parcel on Station Rd in Scotch Village. We are a neighboring farm to Allan and Jessica Hill. Our address is 418 Station Rd and our property line runs almost the full length of their property (across the street). We are writing with comments and concerns. Primarily, how challenging this is becoming for the new people to the neighborhood.

To start, we are grateful that the council is so committed to valuing farmland. As farmers, we take it personally and share the mission to ensure Nova Scotia has a farming future. We too would fight for anymore irresponsible loss. We also appreciate those with vision on the council who see the potential prosperity with this business proposition.

From observing the council meeting, we request that you do not make Sustainable Hill your example of protecting agriculturally zoned land. Yes, this is "farmland" with great soil, but no farm can grow anything by good soil alone. Many of the other conditions necessary to grow a viable crop are in poor order on this parcel, and it has not been used in this way for generations (for this reason, as well as the sad reality that farming is near extinct as a common occupation). This "great" farmland has essentially only grown a nice lawn for more than 50 years (and that could be the case for the next 50 years). We too have accessible Herbert river frontage with the same excellent soil, our primary reasons for not farming it is that it is impractical with flooding conditions and for us to do so, would be in conflict with our ecological values.

We live on viable farmland with fields, right across the road and we apologize for not commenting on the matter sooner. We think the proposal is such a good fit (especially with the coincidence of it once being a campground!). The land in question is at the very bottom of a hollow. The south face is shadowed by a beautiful mature forest, and, the "primary" agriculture land, floods. To grow hay (the primary crop grown on most farmland around here), is tractor dependent farming. In a low lying area. Where it floods. In a cold microclimate where frost is most prominent. What will be used for fertilizer, weed suppression? What are the parameters for that by the river?

When we were looking for farmland in the area (to farm), the parcel in question, if available, would not have even caught our attention. Regardless of the excellent soil. In all honesty, if we had the ambition, we would take a similar approach, we would find a way to have it be a place of connection with nature, for people in a day and age, who desperately need it. Not only that, but a renewed way of life, living from the land. We are hopeful at this family's attempt, to survive economically, in the dire economic landscape of rural living. Most of our conversations with them revolve around gardens/farming as it generally comes with the territory of living in the country. From our perspective, any efforts to grow food, preserve

native species, and steward the land/forest is a huge compliment to their business and naturally in their considerations.

There is no farm on the road (that we know of) that makes a living by farming alone. We also know of no on-site businesses remaining in Scotch Village (aside from the windshield guy on the 236!). We try to make a living, and we do this by growing food for a catering business that, to our disappointment, prepares and serves entirely off-site.

Are we biased? Absolutely. We have children the same age, and have every hope that there is a future for them right here. For this to be a reality, we all must adapt. We see the Hills adapting that parcel to fit an economic stream that is on the rise. The need for people to connect with nature is growing by necessity. For us, those people (as all do) will need food. Seems like a perfect fit, wellness retreat next to a small scale organic farm!

Our relationship with the Hills is forming slowly, organically, and in friendship. There has been no formal business talk. Yet, we cannot help but have hope that there could be a mutually supportive future. Even if it is just a farm stand at the end of our driveway serving a few campers some farm fresh food. What we do depends on people caring about what they eat and where it's from. What they do depends on people wanting to better themselves: People who feel a need to admire a gorgeous river, snap a photo of a rare turtle or flower, bathe in a forest, breathe.

Based on their proposed capacities and the inherent limitations with the location, we see only the potential for this Village to prosper. This business proposal does not raise anymore concerns than we already have about the rise in the challenges we all face. The reality that our ditches are littered with empty mickies and cans is already a problem - without a campground. We have had theft, without a campground. A viable business in the community may feel threatening for those who are uncomfortable with change but may very well be a new income stream for them in the future. A place like this needs landscaping, firewood, house cleaning, food, trades work and so on, whatever losses there will be, we believe may be gained by a well planned idea like this, 10 fold... If they can make it. This is Scotch Village ("where?!") not exactly our province's tourist hotspot. We are grateful that Greg Pace addressed how important it will be, that if this passes, they will need all the help they can get.

Sincerely,

Roberto Gueli, Anke Kungl (and kids!)

p.s Here is our input on a few of the concerns brought forward by community members (we watched the municipal meeting):

-The river floods seasonally in the early spring and fall (hence the weight restrictions on the bridge). This is usually before May and after October. The river also then lowers drastically in summer months (when they have the most business). The concern seems moot. We would never be in favor of a potential environmental hazard of raw sewage polluting the river, and we are confident that neither would any of the appropriate municipal departments who would see the issue a mile away and assist the design accordingly.

-The turtles and flowers are beautiful. Foot traffic and animals do very little harm, compared to bulldozers

- The two operating farms around them, on Station rd. are the Levys and us. It is our opinion that no farm is near enough for obvious related problems to arise. From our observation, no

farming happens anywhere near the river and between the farmlands and this parcel, there is a significant forest buffer (and river). Anyone subject to an increase in trespassing would be us, as our property line is literally across the street from the site, and based on the scale and intent of the proposition, we have no concerns.

Thank you

Government of Canada / Gouvernement du Canada

April 14, 2023

5600-30-06036-B1
GCdocs #111680230

Mayor Abraham Zebian
West Hants Regional Municipality
76 Morison Dr., P.O. Box 3000
Windsor, NS B0N 2T0

Dear Mayor Zebian:

Proposed Addition to Reserve, Glooscap First Nation

This letter is to inform you that Glooscap First Nation has, by way of a Band Council Resolution, submitted a request for an Addition to Reserve to Indigenous Services Canada (ISC). Glooscap First Nation has requested that land, located partially in West Hants Regional Municipality and partially in Kings County, in the Province of Nova Scotia, identified as Parcel A (former PID 55234926), Parcel B (former PIDs 45193604 and 45193596) and PIDs 55216303 and 55234892, comprising a total area of 52.81 acres or 21.37 hectares more or less, be added to Glooscap Reserve No. 35 (see attached).

As you may know, reserves are land that has been set apart for the use and benefit of a First Nation. The Government of Canada has discretion to create reserves and add land to existing reserves in accordance with Canada's Addition to Reserve/Reserve Creation Policy Directive. I would like to request your input on this Addition to Reserve Proposal by **June 13, 2023**.

As part of the Addition to Reserve Process, the First Nation will negotiate agreements with local governments on issues such as service provisions, by-law harmonization and land-use planning. Local government(s) and the Province are encouraged to work with the First Nation using the "good neighbour" approach. This approach involves good will, good faith and reasonableness in discussions between the First Nation and other Governments.

We encourage Municipal, Provincial and First Nation governments to work together on common and shared obligations and goals. By working together, we can advance our collective work in the spirit of reconciliation and a nation-to-nation relationship. Communication among all relevant parties is encouraged when addressing issues of mutual concern.

.../2

Should you have any questions or wish to receive further information, please contact Naomi Ferdinand, by phone at 902-397-0958 or by e-mail at naomi.ferdinand@sac-isc.gc.ca.

Sincerely,

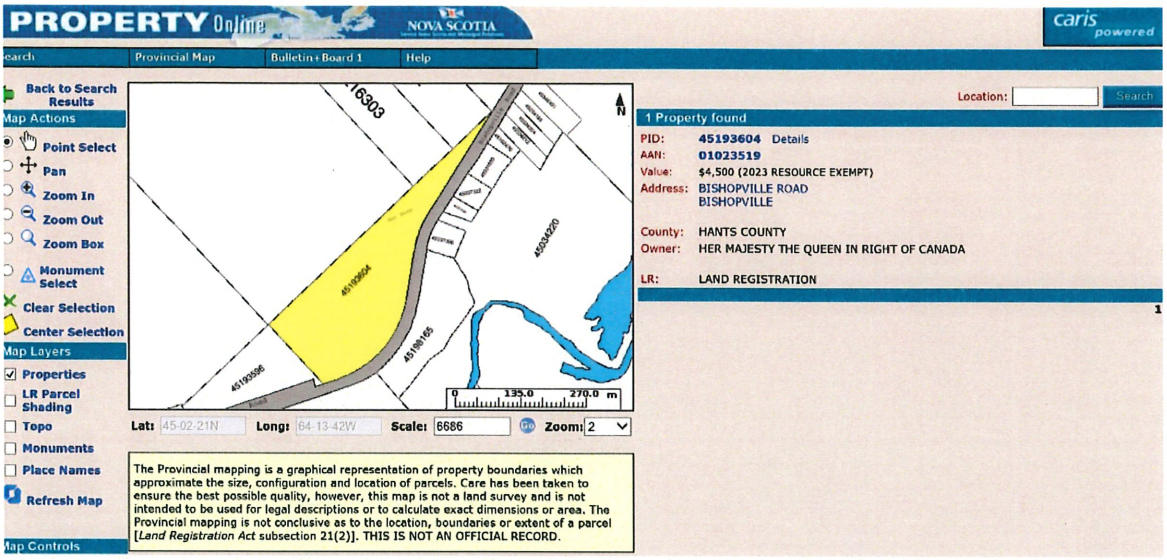
Krista MacDonald

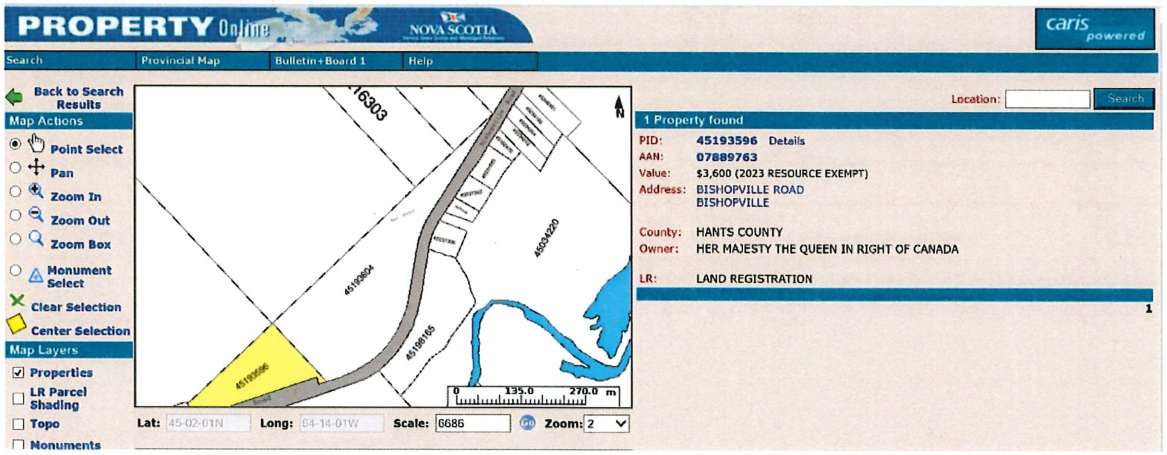
Krista MacDonald, Manager
Lands, Environment and Natural Resources
Indigenous Services Canada – Atlantic
PO Box 160
40 Havelock Street
AMHERST NS B4H 3Z3

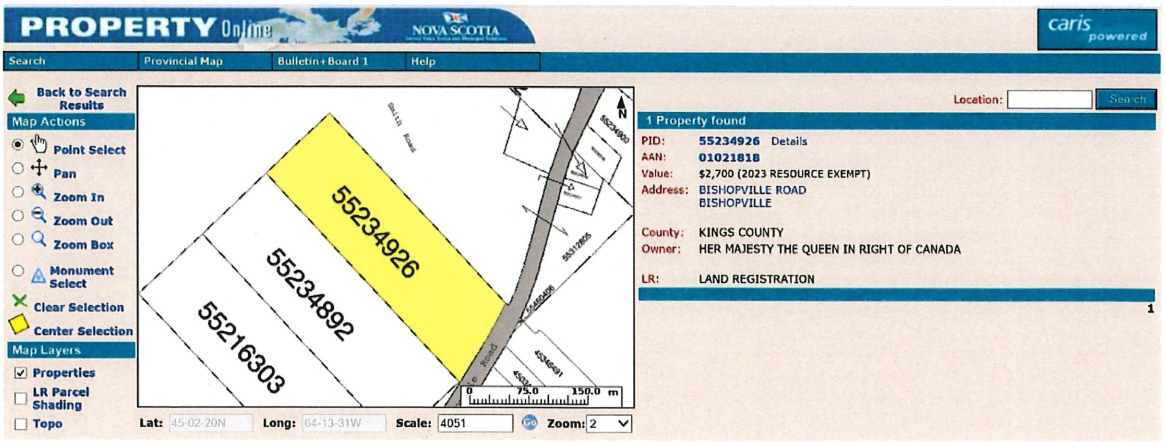
Enclosure

c.c.: Council of Glooscap First Nation
Jason MacLeod, Director of Administration, Glooscap First Nation
Naomi Ferdinand, Regional Program Development Team Lead, ISC – Atlantic
allcouncil@westhants.ca

Figure 1: Location map of PIDs (highlighted in yellow) extracted from Service Nova Scotia Property Online website.







GCDOCS # 111680230

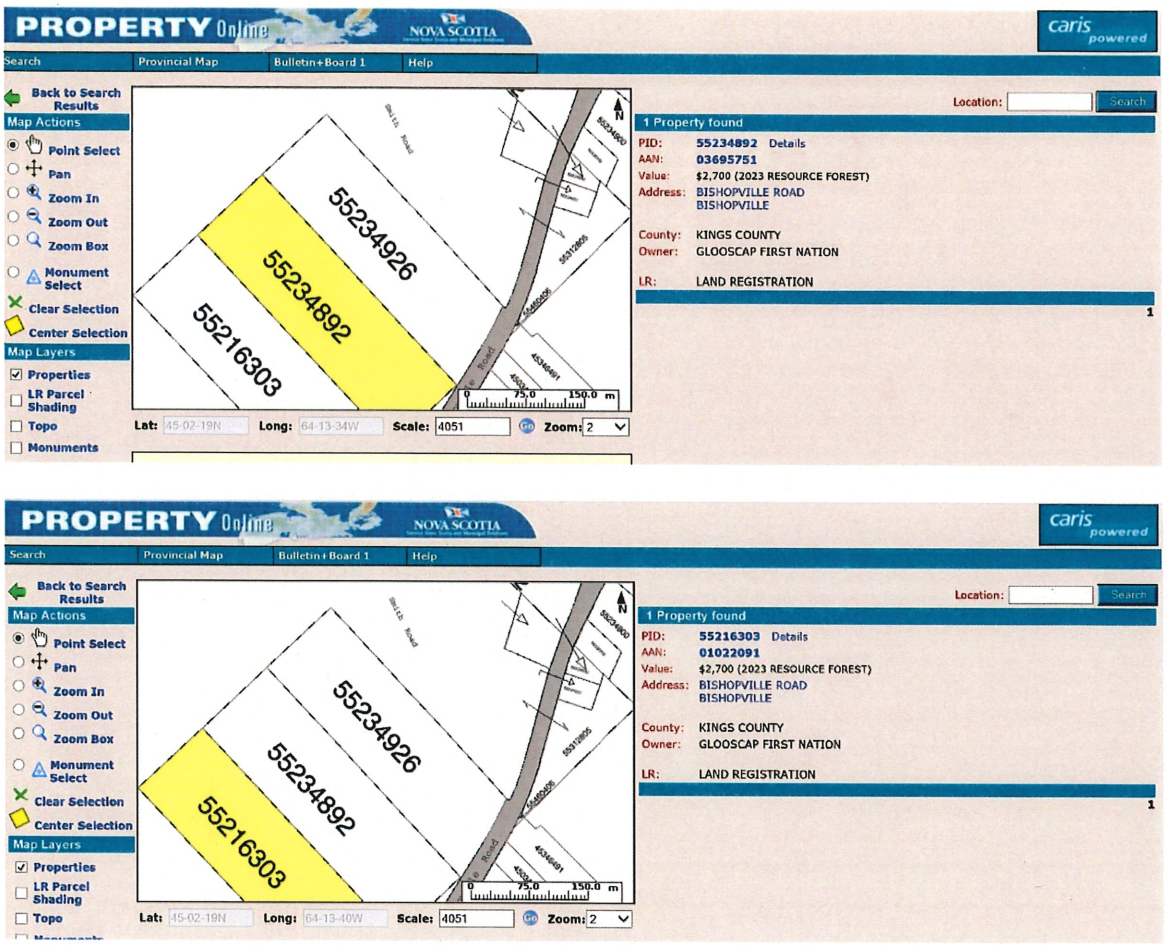
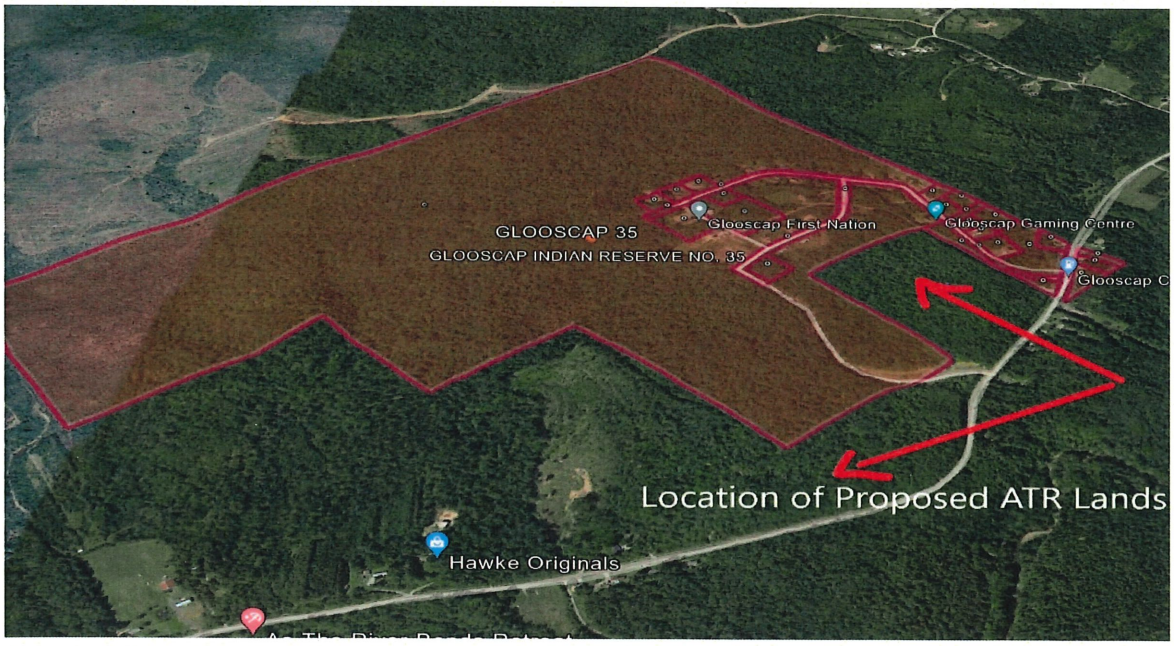


Figure 2: Close up of addition in relation to Glooscap Indian Reserve No. 35.



NOVA SCOTIA
Economic Development
Office of the Deputy Minister

CIBC Building
1809 Barrington Street, Suite M103
PO Box 2311, Halifax, Nova Scotia
Canada B3J 3C8
902-424-2902
novascotia.ca

NS-IEG-2024

Mark Phillips
Chief Administrative Officer
West Hants Regional Municipality
76 Morison Drive, PO Box 3000
Windsor, NS B0N 2T0
Via Email: mphillips@westhants.ca

Dear Mark Phillips:

Re: Regional Enterprise Networks Review

As many of you will be aware, in 2021 the Department of Economic Development, through the Department's mandate letter, was directed to review investment and attraction mechanisms and structures that support economic development in our province. Over the past several months the Department has been engaging in a series of interviews, interactive sessions, and discussions around our vision for economic growth, the existing tools and partnerships that support this shared work, and opportunities to support continued growth in Nova Scotia.

One area of focus has been on the existing structure of the Regional Enterprise Networks considering what is working well and what could be improved. In addition to the structure, great discussion was had around the programs and supports delivered by the RENs across the Province. Many of you participated in these discussions, and we are grateful for the time and consideration contributed to this work.

It is too early to conclude the outcome of these and other discussions around improvements for mechanisms and structures to support economic growth in Nova Scotia. The goal of any changes will be establishing an improved framework for supporting business, entrepreneurs, communities and our partners in innovation in our shared goal of growing our economy and overall prosperity in Nova Scotia.

We are expecting to have more details to share at the conclusion of our consultations and review. If you have additional thoughts to share around the RENs or other programs and support for economic growth in Nova Scotia, please email: EDStakeholders@novascotia.ca.

Yours truly,



Scott Farmer
Deputy Minister

C: Jennifer Tufts, CEO, Valley REN

April 20, 2023

West Hants Regional Municipality
76 Morision Dr.
PO Box 3000
Windsor, NS B0N 2T0

To Whom It May Concern;

Please accept this letter in support of the proposal from Sustainable Hill Campground and Yoga Dome. As a landowner who resides and farms on Scotch Village Station Road I believe that this venture is an exciting opportunity for our area.

My family have resided in Scotch Village for at least six generations, farming several parcels of land (both owned and leased from other farmers). We primarily use this land for pasturing livestock and making hay. The property in question where the campground is proposed is a total of 11 acres. My understanding is that it hasn't been used for farming for at least seventy years. I remember it as a campground and so does my seventy-seven year old father. The reality is, it's an 11-acre lot, only some of which could be used for agricultural purposes and to do that would likely require significant reclamation. The other reality is that the owners aren't farmers, and that's okay. There are people in this municipality who have far larger parcels of land than 11 acres and they aren't expected or required to use them for farming activities. The truth of the matter is there are huge fields that are overgrown and not in use. There are other places where parcels of agricultural land have been developed into subdivisions. This is not the same.

This proposal is reasonable. There is minimal infrastructure being added and the ideology behind it (sustainability) is one that promotes being at one with the land and species that exist there, not exploitative. I see this as a beautiful natural space where folks who aren't as fortunate as we are to live in such a tranquil location can come and enjoy the natural environment and leave it as they found it.

I am aware some concerns have been raised about possible flooding and it sounds as though parameters have been put in place to address any reasonable expectations of such concerns. However, denying development because of the potential of a freak weather event that has never happened seems unreasonable to me. Smiley's Park is within a few kilometres, has more infrastructure than is planned here, is equally close to a river and no weather events to my knowledge have ever occurred causing mass destruction there.

In closing, I would like to thank the council for the opportunity to be heard and I hope that Sustainable Hill has the opportunity to create their vision for this great little area.

Sincerely,

Mike Smith

SENIOR SAFETY ASSOCIATION OF HANTS COUNTY

P.O. Box 3357

Windsor, N.S.

B0N 2T0

West Hants Regional Municipality

76 Morison Dr., P.O. Box 3000

Windsor, NS B0N 2T0

Dear Mayor, Deputy Mayor & Councillors:

It is with great regret and only after much deliberation that the Hants County Seniors Safety Association (HCSSA) Board has reached the decision to dissolve the Board and its Association. The HCSSA Board's current and past members and coordinators have been honoured, since 2005, to provide support to seniors' health, safety and well-being.

Hants County Senior Safety Association Program services, provided by the Senior Safety Coordinator Karen Crowe, who currently provides service to West and East Hants County seniors, will end on May 31, 2023. New referrals for assistance to seniors cannot be accepted after April 30, 2023. This will allow the Senior Safety Co-ordinator to conclude cases or forward cases to the most appropriate agency for continuing assistance as needed prior to May 31, 2023.

The Hants County Seniors Safety Association Program was established in 2005, identifying and adopting its mandate to support seniors' well-being, independence, and health and safety in their own homes and communities in Hants County. To fulfill its mandate, the Program promoted current education, awareness, and networking relating to senior abuse, cyber scams, crime prevention, personal and home safety and health issues, by working closely with the RCMP and numerous government and community supporting agencies. Personal contact, support through advocacy, and home visits with seniors played an important and critical role in reaching and connecting with the seniors of Hants County. This unique and personal service proved even more necessary during the Covd-19 pandemic. The Senior Safety Co-ordinator was frequently called upon to find solutions for seniors when their problems did not specifically meet the criteria of one government service or another i.e. assistance in maneuvering multiple government systems, unsafe living conditions, seniors who have no family support, housing issues, etc. This was only accomplished through the

dedication of the volunteer Board of Directors and the committed and dedicated Senior Safety employees.

The decision to dissolve the HCSS Board and Association was only reached after exploring all possible options in the last three years. The Board faced many challenges which factored into the decision to dissolve; a significant decline in attracting and retaining both Board members and HCSSA employees, performing administrative and human resource functions such as recruitment, hiring, testing, performance reporting and day to day supervision and management for three paid positions (two Senior Safety Coordinators and one administrative position that assists with grant writing and reporting, record keeping, etc.). Hants County Senior Safety Association is the only Senior Safety Association in Nova Scotia where the Board has such duties and responsibilities and the Senior Safety co-ordinators are the only co-ordinators in the province required to annually fund raise to cover the cost of their own salaries. The challenges facing the HCSS Association and Board and probable impact on Hants County seniors were identified with presentation made in 2022 to the Municipality of East Hants, Municipality of West Hants, and the Department of Seniors. However, solutions were not identified which inevitably led us to make the very difficult decision to dissolve the Association and Board.

The HCSSA Board and Senior Safety Co-ordinator encourage you to continue to provide support to the seniors in Hants County.

Over the next few weeks, we will be in contact with, Mayor Zebian to discuss details around funding reimbursement and other logistical matters. One issue of immediate concern is the need to identify where and to whom senior safety referrals or requests for assistance should be directed. This is a high priority issue and we ask that you consider how this should be addressed within your respective area of responsibility.

Please contact the undersigned with any questions or clarifications at least two weeks before our end date, May 31, 2023 to allow sufficient time for resolution prior to the cessation of business.

Sincerely,

Kathy M. Blois

Kathy Blois

Chair

Hants County Senior Safety Association

From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: FOIPOP Follow up
Date: Thursday, April 20, 2023 4:11:40 PM
Attachments: Screen Shot 2023-04-06 at 4.49.14 PM.png

Correspondence for April Council meeting.

Abraham Zebian
Mayor
West Hants Regional Municipality
(902)790-1566
West Hants Regional Municipality acknowledges that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People.

Begin forwarded message:

> **From:** Seamus Marriott
> **Date:** April 20, 2023 at 10:32:17 AM ADT
> **To:** Mark Phillips <MPhillips@westhants.ca>
> **Cc:** "bmaxner; Andrew Hardman;djinnes; Mark Kehoe , PublicOnlyCouncilEmail <allcouncil@westhants.ca>, Deanna Snair <DSnair@westhants.ca>
> **Subject: FOIPOP Follow up**
>
> **Caution [External Email]**
> This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.
>
> ---
>
> Hello Mr. Phillips,
> Recently we were presented a copy of a letter dated April 5th, 2022 sent to Mayor Zebien.(Please see below)
>
> In an email to the WHRM FOIPOP Administrator I asked the following question:
>
> *Can I ask why a copy of this letter was not part of the FOIPOP information shared by your office?*
>
> Ms Snair's response was ;
>
> *This email was not disclosed to me to review resulting in the reason it was not provided within the disclosure package.*

In addition, I asked Ms Snair why we did not receive any information, such as an agenda or meeting notes/summary from this subsequent meeting as outlined in the letter between municipal officials and Pisiquid Canoe Club?

Ms Smair Response was:

With respects to the "meeting" referenced in the email, no documentation (such as an agenda or meeting notes/summary) was provided which leads me to interpret that either the meeting did not occur, notes were not taken, or the meeting was a verbal discussion only which resulted in no notes being taken.

Mr Phillips as the CAO, now I have to ask you these same questions. We both know that the letter in question requesting the meeting would not be protected by Attorney/Client Privilege. We also are both well aware of the FOIPOP Act and your responsibility as the CAO. Why was this letter not provided in the FIOIPOP request of June 2022? In addition, I find it hard to believe that a meeting involving Pisiquid Canoe Club Commodore/Municipal Employee Brad Carrigan, and one other PCC executive member, Mayor Zabien, and other Municipal staff would occur with no agenda, no notes or meeting summary?

As an aside, it is noteworthy that the Mayor on numerous occasions indicated to Zwicker Lake Property Owners that he, nor the Municipality had any knowledge of the PCC's move to Zwicker Lake and that the Municipality played no part in Club's move to Upper Vaughan. The Mayor and even the Deputy Mayor said that the Municipality was in the dark and completely blindsided by the news. Now we come to find out that meetings and discussions on ways for the Municipality to assist the move were held in advance of the actual purchase.

Please provide our committee some clarity on this matter. Otherwise we are left to perceive this "Secret Meeting" to discuss options of how the Municipality can assist the PCC in their property purchase and move to Upper Vaughan as deceptive and covert, with the intent to avoid public scrutiny.

I have included all of council in this email as I believe they need to be informed of these "secret" discussions. We are all aware that Zwicker Lake property owners and some councilors have expressed their concerns that something is just not right in the whole PCC affair. Is this further proof of a "backdoor deal"?

We look forward to your response.

Regards,

Seamus Marriott

Zwicker Lake Property Owner and Resident of Upper Vaughan

April 5, 2022

Abraham Zebian
Mayor
West Hants Regional Municipality
PO Box 3000
Windsor, NS B0N 2T0

Dear Abe:

RE: Pisiquid Canoe Club - purchase of 1011, Hwy. 14, Upper Vaughan, NS

Thank you for taking my call today regarding the Pisiquid Canoe Club. I am representing the Canoe Club who are in the process of purchasing 4 pieces of property on Zwicker Lake. The PID #'s for the property being 45041886, 45041878, 45382900 and 45382918, the closing is scheduled for April 29th, 2022.

Most of the funding is coming from the Province and Acoa and the Canoe Club would like to meet wit the Municipality to discuss a number of options to assist. I am, therefore, requesting a meeting that will be set up between the Canoe Club represented by Brad Carrigan and one other, to be named, and whomever you feel would be appropriate from the Municipality's side.

You can either respond to me or Brad Carrigan directly . His contact # is [redacted] and email is [redacted]

From: Erin Naugler <
Date: April 23, 2023 at 12:26:31 PM ADT
To: dpw-occ@novascotia.ca
Cc: Melissa Richard, AZebian@westhants.ca **Subject: Falmouth highway access**

Good day

I'm writing to express my concern with the safety of the ongoing construction located at Highway 101 between the Windsor & Falmouth areas. Specially the access west bound from Falmouth (exit 7) heading toward Hantsport as this is where I nearly lost my life when "merging" onto the highway this morning.

I posted my concern on social media this morning and I'm
Concerned with how many other people have had similar experiences over the last few days.

There are no warnings and no time to react once you reach a visibility point for a shoulder check. This needs immediate attention before this stretch of road claims another life.

Erin Naugler
Falmouth Resident

From: Jessica Hill
To: PublicOnlyCouncilEmail
Cc: Allan Hill
Subject: Additional Considerations for Sustainable Hill"s Application
Date: Monday, April 24, 2023 9:05:07 AM

Caution [External Email]
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Dear Council Members,

My name is Jessica and my husband Allan Hill and I are the founders of Sustainable Hill Wellness Resort, which we are planning for and hoping to launch in Scotch Village.

We understand that the council will be reviewing the recommendations of the Planning & Heritage Committee to move forward in entering a development agreement with us.

We also acknowledge at the meeting where this motion was passed there was extensive conversation about the protection of agricultural land.

We implore the council not to base their decision about our application on the idea of us taking agricultural land out of production. As far as we are aware, this property has not been used for agricultural production for generations.

However, Allan and I have always envisioned small scale farming operations here in addition to operating the campground and yoga wellness resort. We wish to create a homestead that grows food to feed our family, our guests, and we celebrate the idea of bringing agritourism to Scotch Village. In fact, prior to having kids, Allan and I were urban farmers and had 20+ raised beds with 46 varieties of fruits and vegetables in our suburban front yard!

We are preparing to present these ideas and how they fit into our overall business plan at the next Public Information Meeting and Second Reading, should our application reach that stage. We have hired a farm consultant to come out prior to then to help us develop these ideas.

Thank you for your continued consideration and support.

Sincerely,
Jessica & Allan Hill

From: Art Ward
To: PublicOnlyCouncilEmail
Subject: Scotch Village Station Road PID 45166915
Date: Monday, April 24, 2023 12:40:45 PM

Caution [External Email]
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Dear Councillors,

Our comments are in regard to the proposed development agreement for a campground and yoga retreat for Scotch Village Station Road PID 45166915.

At the last council meeting the number of events that are permitted to be held at this site was changed from 8 to 12.
There was no mention about the number of persons that would be permitted at these gatherings such as weddings, family reunions etc. either indoors or outdoors. To me, the larger the number of people the more likelihood that trespassing onto our adjacent property will occur.

Also we question, where are these folks going to park their vehicles? Parking on Station Road is not allowed. I understand that there will be no parking at the 10 individual tent sites so these cars will be accommodated in a separate parking area of the development. If this is also where the event attendees will park it will have to be a very large space.

Jessica has stated that their goal is to keep the property environmentally sustainable. We believe that a large gravelled parking lot as well as the construction of multiple buildings which may require the removal of topsoil and habitat is contrary to this value. Should this occur, the face of this beautiful riverside property will be forever changed including its' capacity for growing crops in the future and its' support of biodiversity.

Thank you for considering this significant matter.

Sincerely,
Karen Bourque-Ward and Art Ward

From:	Abraham Zebian
To:	Deanna Snair
Subject:	Fwd: MPSA Retroactive Pay
Date:	Monday, April 24, 2023 12:11:43 PM
Attachments:	image001.png ATT00001.htm 2023_04_24_Public Safety Canada.docx ATT00002.htm

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From: Wesley Petite
Date: April 24, 2023 at 11:53:46 AM ADT
To: "harold.lock, Abraham Zebian "mayor.mood"
, Laurie Boucher, "jim.ryan,
Cc: Juanita Spencer, Jeff Gushue, Brian Luciano, Sherry Doane, Kyle Slaunwhite, Mark Phillips
Subject: MPSA Retroactive Pay

Hello, all (or former) MPSA contract holders,

I'm sending this message on Juanita's behalf.

In our continued effort to make a strong statement about the retroactive pay to RCMP officers, NSFM has drafted the attached letter. This letter makes a statement on behalf of Nova Scotian municipalities with an MPSA, and features points similar to those of FCM and other municipal associations that we are in contact with across the country.

Even if your municipality has paid or will pay this amount, it is important to clearly state of our discontent with this additional cost and urge the federal government to reconsider this decision.
In the interest of making this statement in a collective and timely fashion, please review the letter, add your signature in whatever way you find appropriate or practical, and NSFM staff will compile them in a final pdf version. If you see the need for any edits, just let us know and we will be happy to make revisions. If possible, please respond by the end of this week.
See some of you next week at our 2023 annual Spring conference!
Talk soon,

Wesley Petite, PhD | Policy Advisor
Nova Scotia Federation of Municipalities
nsfm.ca | facebook | twitter | linkedin | instagram

NOVA SCOTIA FEDERATION OF MUNICIPALITIES

PRESIDENT:
Mayor Brenda Chisholm-Beaton
Town of Port Hawkesbury

VICE-PRESIDENT:
Mayor Carolyn Bolivar-Getson
Municipality of the District of Lunenburg

IMMEDIATE PAST-PRESIDENT:
Mayor Amanda McDougall
Cape Breton Regional Municipality

REGIONAL CAUCUS CHAIR:
Councillor Paul Russell
Halifax Regional Municipality

RURAL CAUCUS CHAIR:
Warden Bruce Morrison
Victoria County

TOWN CAUCUS CHAIR:
Mayor Lennie White
Town of Westville

April XX, 2023

The Honourable Marco Mendicino, P.C., M.P.
Minister of Public Safety
House of Commons Ottawa,
ON K1A 0A6

Delivered via email

Dear Minister Mendicino,

Re: Contract Policing and Retroactive Pay Amounts for RCMP Officers

We are writing to urge a reconsideration of the recent federal budget announcement regarding retroactive RCMP contract costs. Municipalities in Nova Scotia are already responsible for a wide range of growing costs related to policing services. The additional financial burden of retroactive payments resulted from conditions that were not contemplated in the 2012-2032 Policing Service Agreements, nor were we provided a seat at the negotiating table when they were being decided.

In Nova Scotia, we have four Municipal Policing Services Agreements (MPSA), and one former MPSA, that are impacted by the 2017-2021 Collective Agreement with the National Policing Federation (NPF). In total, their outstanding retroactive costs are **$1,527,146.** These retroactive costs range from $111,402.16 to $516,706.29. Based on their 2020-21 general operating budgets, this represents between 2.2% and 4.1% of total expenditures. In Nova Scotia, policing services already occupy a significant portion of municipal budgets, ranging from 15.4% to 26.7%.

While municipalities were advised to prepare for an added financial burden, the information provided from Public Safety Canada (PSC) fell far short of actual costs. We are extremely disappointed to learn that no financial relief will be provided outside of the regular cost-share formula and that the extended payment timeline is a maximum of only two years.

A lack of information sharing and poor communication continue to plague this process. Lack of clarity in communicating the process of requesting an extended payment timeline and a clear lack of understanding of how municipal councils function, and how decisions are made, has created confusion. Having municipal representation at the table could have helped avoid many of the challenges we are collectively facing.

Municipalities will struggle to pay these retroactive costs and it may come at the expense of other important work that municipalities are mandated to do. They already hold a range of costly responsibilities and work hard to balance the books while providing a high standard

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MUNICIPALITIES

of services and public safety. Therefore, we believe that federal assistance in this matter is called for.

We anticipate an increased level of transparency in the current collective bargaining process and efforts by the PSC and Treasury Board to conduct a quick round of bargaining to avoid another build up of retroactive costs. We also appreciate the current consultation on the strengths and weakness of contract policing, which will doubtlessly feature discussion on how such downloaded costs can be avoided.

Despite positive signs of an open discussion going forward, we continue to disagree that retroactive payment costs should be allocated based on the regular cost-share formula. Municipalities are already doing impressive work on some of Canada's most pressing problems with minimal access to revenue. We call on the federal government to express their respect for municipal governments by reconsidering their decision in this matter.

Kind regards

Brenda Chisholm-Beaton
President, Nova Scotia Federation of Municipalities

[Mayors of each MPSA]

cc:

Andy Fillmore, M.P. Halifax

Hon. Sean Fraser, M.P. Central Nova

Kody Blois, M.P. Kings-Hants

Chris d'Entremont, M.P. West Nova

Rick Perkins, M.P. South Shore-St. Margarets

DRAFT

Good evening,
The Hants County Federation of Agriculture has previously communicated to Mayor and Council regarding our interest in the protection of farmland in our area. Further to this issue, we have become aware of a request for rezoning a piece of land that is currently AR-2, in Scotch Village. While it is not our intent to become prescriptive or prohibitive to the economic development within our municipality, we feel that rezoning in this case is not a good idea. After reading the application and the agrologist's report, we don't agree that the land is not of current or future agricultural value. We are not opposed to creative ideas or home-based businesses within farming communities. However, we feel that rezoning is not only unnecessary but would be detrimental to the future value of the land. Our regional municipality and those who assist new residents could play a role in helping people to identify the opportunities they have within their zone instead of first entertaining an irreversible change.

Thank you,

Nick Juurlink, President
HCFA

Fort Edward Lands Correspondence

First Name	Last Name	Correspondenc	Meeting/Logged
Theresa	Newcombe	11/23/2021	2022-03-22 Council
Gary	Nelson	12/17/2021	2022-01-11 COTW
Lisa	Bland	12/17/2021	2022-01-11 COTW
John	Wilson	12/21/2021	2022-01-11 COTW
Gary	Nelson	1/11/2022	2022-01-25 Council
Andrea	Moore	1/21/2022	2022-01-25 Council
Valerie	Newcombe	1/21/2022	2022-03-22 Council
Gary	Nelson	1/26/2022	2022-02-08 COTW
Sara	Brothers	1/19/2022	2022-01-25 Council
Dawn	Allen	1/17/2022	2022-01-25 Council
Marty	Fougarty	2/5/2022	2022-03-22 Council
Dr. Gordon	Haliburton	2/14/2022	2022-03-08 COTW
Theresa	Newcombe	3/11/2022	2022-03-22 Council
Marie	Claude-Roiux	3/9/2022	2022-03-22 Council
Barbara	Gallagher	No Date	2022-03-22 Council
Roland	Newcombe	1/20/2022	2022-01-25 Council
Liz	Galbraith	12/16/2021	2021-12-16 COTW
Mary Lou	Bennet	12/13/2021	2021-12-16 COTW
Jean	Scotney	2/25/2022	2022-03-22 Council
Denise	Forand	3/16/2022	2022-03-22 Council
Jonathan Fowler	Fowler	3/13/2022	2022-03-22 Council
Heather	Pick	3/17/2022	2022-03-22 Council
Wanda	Donelle	2/22/2022	2022-04-12 COTW
Teresa	Newcombe	3/22/2022	2022-04-12 COTW
Patti	Quinn	3/22/2022	2022-4-12 COTW
Martin	Theberge	4/6/2022	2022-04-12 COTW
Rene	Cormier	4/12/2022	2022-04-26 Council
Daphnee	de Lamirande	4/29/2022	2022-05-12 COTW
Carol	Bradley	6/23/2022	2022-06-28 Council
Ruth	Angevine	6/24/2022	2022-06-28 Council
Denise	Forand	6/28/2022	2022-06-26 Council
Marie	Claude-Roiux	6/28/2022	2022-07-12 COTW
Colleen	Rogers	7/24/2022	2022-09-13 COTW
Shirley	Pineo	8/9/2022	2022-09-13 COTW
Pamela	Spence	8/19/2022	2022-09-13 COTW
Councillor Gail	Tupper	8/22/2022	2022-09-13 COTW
Camilla	Noiles	9/3/2022	2022-09-13 COTW
Sandra Barss	Heritage Trust of NS	10/18/2022	2022-10-25 Council

Richard	Skelton	2/2/2023	2023-02-14 COTW
Jon	Hall	2/16/2023	2023-02-28 Council

Combined Overflow System Correspondence

First Name	Last Name	Date Received	Meeting/Logged
Katherine	MacLeod	10/27/2021	2022-01-11 COTW
Katherine	MacLeod	10/28/2021	2022-01-11 COTW
Carrilee	Eddy	3/13/2022	2022-03-22 Council
Anna	DeNicola	3/12/2022	2022-03-22 Council
Darren	Porter	3/13/2022	2022-03-22 Council
Ellen	Hart	3/13/2022	2022-03-22 Council
Jennifer	Davidson	3/13/2022	2022-03-22 Council
Felicia	McNeil	3/14/2022	2022-03-22 Council
Darren	Porter	3/15/2022	2022-03-22 Council
Susie	Smith	3/15/2022	2022-03-22 Council
Carol	Bradley	3/17/2022	2022-03-22 Council
Felicia	McNeil	3/21/2022	2022-04-12 COTW
Felicia	McNeil	4/11/2022	2022-04-26 Council

Correspondence Sent

First Name	Last Name	Correspondence Date	Meeting / logged
Katherine MacLeod	MacLeod, Dept. Envir. and Climate Change	2021-10-27	2022-01-11 COTW
Robyn	Homans	2021-11-23	2021-12-07 COTW
Hon. Kim	Masland	2022-01-20	2022-01-25 Council
Hon. Kim	Masland re: clarity on correspondence sent 2022-02-20	2022-02-16	2022-02-08 COTW
Hon. Joyce	Murray	2022-02-02	2022-02-08 COTW
Hon. Greg	Morrow	2022-02-04	2022-02-08 COTW
VREN		2022-03-10	2022-03-22 Council
Station Food Hub		2022-04-28	2022-05-10 COTW
MLA Melissa	Sheehy-Richard re: Avon River Eco/Tourism	2022-05-02	2022-05-02 COTW
MLA Melissa	Sheehy-Richard re: exit 6	2022-05-02	2022-05-02 COTW
Hon. Joyce	Murray	2022-05-06	2022-05-10 COTW
KMK Assembly Mi'kmaw Chiefs		2022-05-06	2022-05-10 COTW
The Premier	The Hon. Tim Houston	2022-06-27, sent 2022-06-30	2022-07-09 COTW
The Premier	The Hon. Tim Houston	2022-06-30	2022-07-09 COTW
Hon. Kim	Masland	2022-08-23	2022-09-13 COTW
POSSE		2022-09-14	2022-09-27 Council
Minister Murray	re Pumpkin Regatta	2022-10-20	2022-10-25 Council
VREN	Re: IMSA and request for a presentation to Council	2022-12-20	2023-01-10 COTW
MLA Sheehy-Richard	Re: Invitation to meet with Council re: Highway 101 Twinning project	2022-12-21	2023-01-10 COTW
MP Kody Blois	Re: Invitation to meet with Council re: Highway 101 Twinning project	2022-12-21	2023-01-10 COTW
Deputy Minister of Environment and Climate Change	Re: Costs incurred for fencing at 417 Wentworth Road	2023-02-15	2023-02-24 Council
VREN	Re Continued Partnership and Intermunicipal Service Agreement (IMSA}	2023-03-03	2023-03-14 COTW
Minister Masland	Re Provincial Intersection Street Lighting	2023-03-10	2023-03-14 COTW
Hockey Hall of Fame	Re Letter of Support John Paris Jr	2023-03-14	2023-03-28 Council
Premier Tim Houston	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
Hon. Joyce Murray	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council

Correspondence Sent

First Name	Last Name	Correspondence Date	Meeting / logged
Hon. Steve Craig	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
Hon. Tim Halman	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
Hon. Susan Corkum-Greek	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
Hon. Kim Masland	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
MP Blois	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
MLA Sheehy-Richard	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council

West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☑	Decision Request ☐	Councillor Activity ☐

To: Committee of the Whole

Submitted by: J. Richard
Todd Richard

Date: April 18, 2023

Subject: College Road Services & Street Renewal (WHRMPW22-09)

LEGISLATIVE AUTHORITY

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

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

Council approve the award of tender WHRMHPW22-09 for College Road (Windsor) Services & Street Renewal to the low compliant bidder, Dexter Construction Company Ltd, for the tendered price of $3,161,920. plus a 15% construction project contingency of $474,288. for a total of $3,636,208., plus applicable taxes.

BACKGROUND

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

As identified during the 2022-23 budget, College Road (from King Street to Gladys M. Manning Retirement Home) was identified as a priority for sections of water service

upgrades and street renewal. This determination was based on the age and condition of the water main, the need for improved storm water management along College Road and the width and condition of the existing roadway. There is also a need for a sidewalk to support active transportation with the Manning property, Kings Edgehill School, the Gordon Hughes Tennis Club, and the historic Dill Farm all along this section of road.

This project includes the following infrastructure improvements:

- replacement of water main with 200mm and 400mm DR18 PVC pipe, including all required valves and fittings
- installation of 4 new fire hydrants, and relocation of 3 existing fire hydrants
- replacement of water service laterals to occupied and empty lots
- installation of new storm water mains with 200-475mm DR35 and DR18 pipe
- installation of 4 new storm manholes, 28 new catch basins and 60m of new culverts
- street reconstruction with new surge, geotextile, gravels and asphalt roadway
- addition of low-back concrete curb and gutter on the south side of the street
- addition of high-back concrete curb and gutter, and sidewalk on the north side of the street
- reinstatement of driveways, sidewalk and associated topsoil, sod and seed landscaping
- sections for improved parking
- intersection improvement at King / College

This project was identified by Council for funding in the Investing in Canada Infrastructure Plan (ICIP) to support the rehabilitation of water, wastewater, and stormwater infrastructure.

DISCUSSION

On March 20, 2023, staff issued a public tender on NS Procurement for construction services for this project, closing on April 6, 2023. The call for proposals resulted in four bids being submitted for evaluation.

The bids received included:

• Dexter Construction Company Ltd.	$3,161,920.^{00}	plus HST
• Gary Parker Excavating Limited	$3,297,845.^{90}	plus HST
• Mid-Valley Construction (1997) Limited	$3,530,615.^{00}	plus HST
• Brycon Construction Limited	$5,270,380.^{00}	plus HST

As this work is bid as a unit price contract, there may be need for some variance to project scope as work proceeds with actual physical execution. It has been recommended that a contingency of 15% for this project should be sufficient for project variance.

Earthwork	$329,700.
Water System	$419,920.
Sanitary System (sanitary upgrades not included in scope)	$0.
Storm System	$583,530.
Street Construction	$919,775.
Curb & Gutter, Sidewalk Construction & Realignment	$361,937.
Landscaping	$58,500.
Additional Items (incl Traffic Control, Utility Relocates)	$472,208.
Environmental Protection	$16,350.
Sub-Total:	$3,161,920.
15% Project Contingency:	$474,288.
Total (applicable taxes extra):	**$3,636,208.**
Applicable Taxes:	$155,933.[32]
Contract Award Total:	**$3,792,201.[32]**

NEXT STEPS

Pending contract approval of Council, staff will award the construction tender to the successful proponent. Construction is planned to begin in Spring 2023. With late award, staff will need to discuss the timeline for completion with the successful proponent to ensure that consideration is given to seasonal traffic volumes with the school, tennis club and local farms.

FINANCIAL IMPLICATIONS

Tendering Timeline:

Posted to Procurement	March 20, 2023
Closing Date	April 6, 2023
Price Expiry Date	June 29, 2023
Days Remaining	53 Days

2023-24 Draft Capital Budget – College Road Renewal

Tender Pricing	$3,161,920.00
Contingency (15%)	$474,288.00
Non-Recoverable Tax *(4.29%)*	$155,993.32
Tender Total	**$3,792,201.32**
Project Management/Engineering Costs	$90,273.42
Less: Project Management Paid in 2022-23	($75,161.80)
Project Total	**$3,807,312.94**

2023-24 Draft Budget Value	$5,203,372.00
Variance (over budget)	$1,396,059.06

In the 2023-24 draft capital budget the College Road renewal project was scheduled to be funding through the ICIP funding, capital reserve, long-term debt, and Canada Community Building Fund.

Total Funding Breakdown:

ICIP Funding	$1,736,088.00
Canada Community Building Fund	$434,083.71
Windsor Water Depreciation Fund	$503,624.75
Long-Term Debt	$1,133,516.48
	$3,807,312.94

Currently, the reserves have the following March 31, 2024 projected balances, including the budgeted amount for the College Road project:

Windsor Water Depreciation Fund	$3,388,335.00
Windsor Infrastructure Reserve	$501,100.00
Canada Community Building Fund	$1,777,558.00

Based on tendered value, these balances will increase due to the project coming in under budget. The draft budget will be updated to reflect this before approval.

ALTERNATIVES

1. Council may choose not to proceed with this project. This is not the recommendation to Council.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

The project and recommendation are in alignment with Council's past support for the project.

I support 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

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request X	Councillor Activity ☐

To: West Hants Regional Municipal Council

Submitted by: **Mayor Abraham Zebian**

Date: April 25, 2023

Subject: Recognizing John Paris Jr.

LEGISLATIVE AUTHORITY

(State where ability for consideration comes from if applicable)

RECOMMENDATION or DECISION REQUEST

Motion:

That the West Hants Regional Municipality recognize the accomplishments of John Paris Jr. to the world of hockey. John faced many barriers, both personally and professionally, in his life. He overcame adversity; dealing with racism and major health issues, with grace. John always remembers his roots growing up in Windsor and the values that his parents instilled in their children. For his love of the game, for his continued work in coaching, and for his accomplishments on and off the ice, the Council of the West Hants Regional Municipality names the Rink at the West Hants Sports Complex the John Paris Jr. Rink.

BACKGROUND

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

On March 14, 2023, Council wrote a letter of support to have John Paris Jr. inducted into the Hockey Hall of Fame. The letter recognized John's professional career and pioneering efforts as the first black coach, first black general manager in professional hockey and the first black

coach in professional hockey, paving the way for future generations of players and coaches of colour.

DISCUSSION

On November 15, 2014, John Paris Jr., returned to his hometown of Windsor to launch his autobiography, “They Called Me Chocolate Rocket”. The book recounts his passion for hockey, his childhood years, playing on Long Pond, or at the local rink. There were many trials and tribulations in his career. John broke barriers at a young age. He wasn’t tall, he was black, and he grew up in rural Nova Scotia, in Curry’s Corner. Yet, the top scout for the Montreal Canadiens, Scotty Bowman, found this seventeen year old star.

John would move to Montreal in 1967, where he played for the Sorel Black Hawks in the QMJHL. He then became a prospect of the Philadelphia Flyers. He was sent to the Eastern Hockey league where John became the first black player in the southern division.

Sadly, at age 25, John was diagnosed with Hodgkin’s Lymphoma and other ailments. His playing career halted abruptly. This would begin a new chapter in John’s hockey career.

John says that from a young age, he and his dad Buster would watch hockey and “dissect the game”. John believes he was always meant to coach.

In 1969, the town of St-Joseph-de-Sorel, approached John to coach its junior team. John would spend the next 20 years coaching in Quebec. He became a specialist in nutrition and is a certified Sports Psychologist. He has lectured across Canada, the USA, Europe and even the former Soviet Union.

In March 1994, John was named Head Coach of the Atlanta Knights in the IHL. The newspaper headlines read, “Paris first black pro hockey coach”.

By 1997, John would make headlines again when he was named as the first black GM with the Central Hockey League’s Macon Whoopees. In 2001, John would move to Florida as Hockey Program Director at the IMG Academy and the Assistant Director of the United States Junior Development Program where he coached for 19 years. Today, John is still involved in hockey.

John says he “knew he was a coach of a different colour”. He broke barriers; he played in the US Southeast. John sums it up best, “Well, what I've always said is that I'm Black by nature and I'm a coach by choice, and there's a difference.” John has dealt with race and racism with grace and dignity his whole life. He says, "I know what colour I am, everybody knows it when they see me, that has nothing to do with my participation as a coach — that's a decision."

While John had hoped that he would be the first black coach in the NHL, he did become the first black scout in the NHL for the St Louis Blues.

During John’s career, there were many accolades and firsts. And because of John’s amazing career and his contributions to the game, Hockey Nova Scotia is spear-heading the efforts to have John Paris Jr. inducted into the Hockey Hall of Fame.

In 2019, Hockey Nova Scotia struck a task force to look at racism and discrimination in the sport of hockey and to find ways to recognize and highlight the contributions of under-represented communities.

The West Hants Municipality is a tapestry woven from many threads. It is the responsibility of all residents that West Hants is a welcoming, diverse and inclusive community. John Paris Jr made significant contributions to the game of hockey. He has made a tremendous contribution to under-represented communities. He is a champion for all. John has brought much pride and admiration to his hometown of Windsor, the "Birthplace of Hockey". John is an inspiration to all of West Hants and to Nova Scotia.

NEXT STEPS

Council direct staff to work with McKay Lyons Sweetapple to create an appropriate recognition of John Paris Jr., in the West Hants Sports Complex and that staff work on creating a John Paris Jr. event in June to celebrate John's accomplishments and reflect on the diversity of the West Hants community.

FINANCIAL IMPLICATIONS

Pending Council's approval of the naming of the rink, preliminary concepts and designs for signage, murals or story boards will be finalized and prepared for Council's review and prepared for installation within the West Hants Sports Complex. Costing will accompany the design plans when presented to Council.

ALTERNATIVES

ATTACHMENTS

January 29, 2010	Author John Paris Jr Letter to NS Sports Hall of Fame for Howard Dill. Remembering Howard Dill's encouragement to pursue a career in Hockey/pg2	
1985	Sorel Hall of Fame	
1987	New Trois-Rivieres Coach A Winner Outside Arena	
April 18, 1987	Article	*NS Native savors Air Canada Cup victory*
March 11, 1994	Article	*A hockey pioneer hits Atlanta*
March 11, 1994	The Chronicle-Herald	*Windsor native Paris gets IHL job*
March 23, 1994	The Hants Journal	*Paris first black pro hockey coach*
March 4, 1997	Macon Georgia – Newspaper Article	*Paris wants to break color barrier*

October 30, 1997	Article	*Coach by choice*
2005	NS Sports Hall of Fame Induction	
December 22, 2005	The Calgary Herald	*A coach of a different colour*
November 27, 2014	The Hants Journal	*Windsorian returns home to launch hockey memoir*
November 15, 2014	The Chronicle-Herald article *Book sheds light on triumphs, struggles of Paris Jr., hockey's first black pro coach.*	
February 21, 2023	CBC Petition calls for pro hockey's first Black coach to be inducted into Hall of Fame	
Wikipedia	John Paris Jr	

CHIEF ADMINISTRATIVE OFFICER REVIEW

This is a wonderful tribute to an individual for not only past, present and future contributions to the game of hockey but for being an inspiration to the entire West Hants community. Windsor and West Hants is very fortunate to have such a pioneer in our community and although Mr Paris by all accounts is a humble person having his name proudly affiliated with our rink and community will ensure his values and courage is on display for all that visit our community.

Report Prepared by: _____

VanEssa Roberts , Manager of Community Economic Development

Report Reviewed by: _____

Mark Phillips, Chief Administrative Officer

or information required by sports broadcasters, play by play announcers, analysts, CBC television, Newspapers, Hockey Canada, USA Hockey & world wide hockey informants. Many NHL players would find items that they never knew existed. His name "is/has" served as an excellent source of marketing for the Town of Windsor .

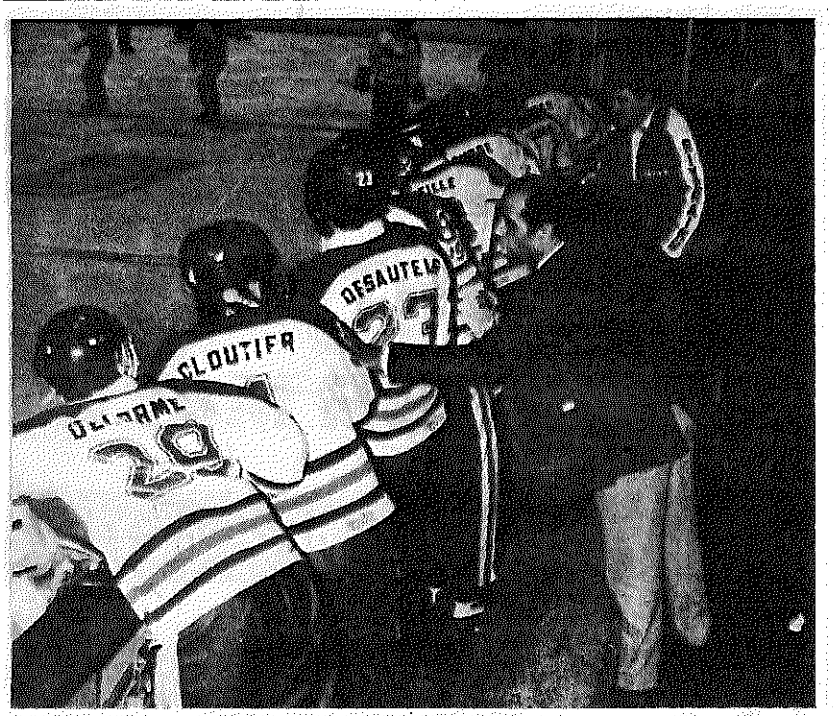
Howard supplied support not only by his pond efforts but by his pocketbook as well, having a family himself to look out for, it goes without saying that more often than not we would hear the following words, "don't say I gave you this money" I can't let you go without a stick or look at those pads, tell Moe (Sports good store owner) I will cover this, remember, don't tell anyone. If we needed something Howard would be there and he would scold the players if they did not perform, he never once mentioned anything about how he helped us kids in Windsor and this alone provided us the opportunity to not only perform within our local arena but for a fortunate few of us the chance to perform on a much larger worldwide scale within the hockey world.

My Father took me to this pond at an early age of Two (2) thus creating a habit which provided the ground work to accomplish things far beyond the dreams of a youth while skating on the ice surface, feeling the fresh cold air against my face, early in the morning and suddenly hearing Howard saying "two hands on that stick", get your head up, bend your knees,☺. One day while walking beside him I asked Mr. Dill do you think that I could be a coach one day! His reply was why not be a Gm they don't get fired as quickly, but there are no black coaches or Gm's, others say that is impossible for me to do because of this, Howard said it will not be easy but you will change that, your Buster Paris's son & you see my place is magical, I can see you now and with a stern look he said, don't you let anyone tell you "you can't"

The summer before he passed away while visiting, he mentioned the conversation of many years ago and we both looked at each other and smiled, we understood!

Sportingly Yours
John Paris Jr
Email jpj0194616@yahoo.com
Cell 1(239)877-0900

From: Howard Dill <howarddill@yahoo.ca>
To: jpj0194616@yahoo.com



PARIS LEADS TEAM

Windsor native John Paris gives some advice to his Midget AAA Richelieu Riverains players during Air Canada Cup action earlier this month. The Sorel, Que., team won the Canadian midget championship. Paris is a former star junior player and played professional before going into coaching in Quebec.

SOREL HALL OF FAME 1985



A VALLEY STAR

— John Paris —

John Paris was recently inducted into the "Hall of Fame" in the Sorel Colise, Quebec. John's picture and name are now linked with that of the "Sorel Hockey Immortals".

The Windsor, N.S. native, son of John (Buster) and Annie M. Paris, has made significant contributions to hockey. John has provided many memorable moments for those who have witnessed this smooth skater with the above average puck handling abilities.

John, who played in Murray "Moe" Smith's minor hockey program, caught the eye of then Montreal scout, Scotty Bowman in the early sixties. It was then off to a Junior hockey career in the province of Quebec and the Montreal Canadian's farm system.

During the course of his career, John found himself linked with several NHL clubs and received extensive exposure in both Canada and the United States.

* Courtesy of The Jet Journal

New Trois-Rivieres Coach A Winner Outside Arena

BY RICK MAYOH 1987

QUEBEC LEAGUE

TROIS-RIVIERES, Que.—The Trois-Rivieres Draveurs can learn a lot about perseverance and dedication from their new coach, John Paris.

It's hard to imagine anyone just over 5-foot-4 and 120 pounds attending the Philadelphia Flyers' training camp, as Paris did during Philadelphia's first camp in 1967. Or playing as a center and winger with Phoenix of the World Hockey Association and Knoxville of the Eastern League.

But the retired 41-year-old cost analyst has faced down an opponent much tougher than any of the Broad Street Bullies. Paris has fought a 16-year battle against cancer, and hockey has been his best therapy.

Paris, a cousin of former Commonwealth and Canadian welterweight boxing champion Clyde Gray, is from Windsor, N.S. He was a 16-year-old second baseman with the Hantsport Shamrocks when they won the Maritime senior baseball championship. Paris said his father, John (Buster) Paris, was one of Canada's top baseball players in the 1940s.

Paris Jr. was scouted by Scotty Bowman in the early 1960s, after skating on Windsor's Maritime midget champion squad as a bantam-aged player. He attended the Montreal Jr. Canadiens' camp with Yvan Cournoyer, Jacques Lemaire, Andre Boudrias and Carol Vadnais, and wound up playing junior hockey with the Sorel Eperviers (Black Hawks).

Following tryouts with Quebec Aces of the American League and Philadelphia, and a couple of seasons in Phoenix and Knoxville, Paris ended his playing career and studied accounting at Sir George Williams University in Montreal.

But he retained his involvement with the game, running training camps for the Eperviers in the Pierre Larouche days of the early 1970s.

"I started to know something was wrong around 1971," Paris said. "I went to the hospital for a two-hour checkup in January of 1976 and wound up staying eight months. For the next six or seven years, I had two or three operations a year."

The disease is currently in remission.

Paris coached Richelieu's Tier II Jr. A team in 1981-82 and then took on the last-place Richelieu Riverains midget AAA team in Sorel near the end of the 1985-86 season. The Riverains had to win seven of their last nine games to make the playoffs and they did, going on to beat Montreal Bourassa for their first quarter-final victory. They fell to eventual league-champion Ste-Foy Gouverneurs in the semi-finals.

Picked to finish between fourth and sixth in 1987, the Riverains rewrote Richelieu's record book, capturing the regular-season title while averaging only eight penalty minutes a game. Then they got past the powerful Laval-Laurentide-Lanaudiere Regents for the Quebec championship. Many credited Paris for the title. He coached a team with four 15-year-olds past the bigger and more talent-deep Regents, before home crowds of 4,500.

The crowning touch was yet to come, as Richelieu went on to win the Air Canada Cup national midget title in Gloucester, Ont. Tournament MVP Reginald Savage figured in 20 of his team's 32 goals.

"They're an excellent team," said Barry MacKenzie, coach of the defending-champion Notre Dame Hounds, following his club's 6-2 loss to the Riverains in the final game. "In two games against them, we scored only three goals and one was a fluke. They played super defensively."

A month later, Paris was negotiating with Trois-Rivieres general manager Michel Boucher.

"Alain Vigneault was our No. 1 candidate," Boucher said. "After all of our problems last year, Alain stood up out there and still did a fairly good job. But then we didn't reach a new financial agreement."

Vigneault later took over as coach of the Hull Olympiques.

"John and I talked at the Air Canada Cup," Boucher said. "He's one of the best men behind the bench I've seen. He's such a great example for the kids, after all he's been through.

"He's played the game and coached it, and he's well aware of all the new tactics. He's devoted to the game.

"You can be as handicapped as you want to be," said Paris, who lives with his wife and daughter in Tracy, just outside Sorel, about 60 miles northeast of Montreal. He works with handicapped groups in the area.

"I think I've proven I can coach...I know where I'm going," he added. "I needed somebody to open a door and Richelieu did. It's another beginning now and I'll take it day by day.

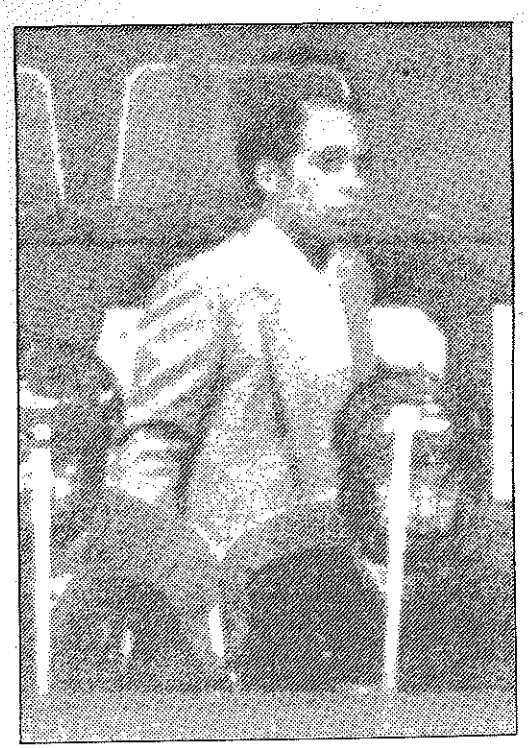
"My first objective was to coach Richelieu to the Air Canada Cup, the second to coach major junior and the third to coach in the NHL."

Two out of three, in just two years, ain't bad.

Nova Scotia native savors Air Canada Cup victory

April 1987

Richelieu coach born in Windsor



PARIS: Would like to coach in NHL.

by NEIL HODGE

While the Quebec-based Richelieu Riverains were celebrating their Air Canada Cup national midget hockey championship on the weekend, their Nova Scotia-born coach was already looking elsewhere for work next season.

"There is a strong probability that I won't be returning to Richelieu next year," Windsor native **John Paris** told **The Daily News** Monday from his home in Quebec.

"I'm considering offers from the Ontario Hockey League, the Quebec majors and some teams at the collegiate level. I would like to coach at a higher level because it would be more of a challenge for me."

Small wonder he's in demand.

Last season, Paris took over the Riverains with nine games remaining in the season and a playoff berth a remote dream at best. Richelieu made the playoffs by winning seven of its last nine.

This season, it captured the Quebec AAA midget crown and finished with a sizzling 7-0 overall record at the national championship tournament. A national television audience for Saturday's final, a convincing 6-2 win over Notre Dame of Saskatchewan, had to be impressed with Paris's club.

But it wasn't all that long ago that his coaching career and health were in jeopardy.

Overcoming such setbacks has become something of a trademark for the Nova Scotia export.

Like most young Canadian hockey players, Paris was a small kid with big dreams of an NHL future. He always excelled at the game and never played at less than A calibre.

After starring for the provincial midget champion Windsor Maple Leafs in 1961-62, the hometown hero was scouted and signed by the Montreal Canadiens organization.

The five-foot-five, 120 lb. centre spent the next six seasons toiling in the Quebec junior ranks alongside such names as **Rogie Vachon** and **Guy Lapointe**.

After graduating, he spent a year in the minors with Knoxville in the lowly Eastern Hockey League and received a tryout with the Quebec Aces of the American Hockey League in 1969. He was cut.

Paris, whose brother **Percy** once played in the Metro Valley ranks with the Windsor Royals and is well-known in local fastball circles, had reached a crossroad.

At age 22, he realized his pint-sized structure would prevent him from cracking the big-league game, especially with Philadelphia — Quebec's parent club. The Flyers were just starting to build a reputation as The Broad Street Bullies.

"Once you've been in the EHL, you know it's time to quit," joked Paris.

"I just realized that with my size, I wouldn't be able to play in the NHL. I never expected to play junior let alone in the NHL so I can't say I was heartbroken. I accepted the fact and went back to finish high school."

But that doesn't mean he returned to Windsor. Instead, he made his home in Quebec and got involved in coaching, something he says has always been more of a hobby even though it has taken up much of the spare time he could have spent with his wife and 14-year-old daughter.

"I always enjoyed giving my opinion and a lot of times the coach would ask me what I thought of a certain play. If I couldn't play, I always said I would coach and it's been a lot of fun. It was my way of staying involved."

But in 1975 he almost lost his connection with his labor of love when cancer struck, leaving him hospitalized for eight months and sidelined from coaching for four years.

In 1979, he returned to hockey in a different capacity, this time as the vice-president and general manager of Sorel, a tier II junior A team in Quebec.

By 1980, he was on the mend and despite doctor's orders to take it easy, he was back to coaching — not one but three teams — as well as running hockey clinics and guest speaking at banquets and other functions.

Today, Paris is 40 years old and retired. Although he knows he can't put too much stress on himself, he still has dreams of making the NHL — not as a player, of course, but as a coach.

"I thought about coaching in the NHL before I became ill and I was getting pretty close to that goal, but my ambition is to go back to the pro ranks.

"I was knocking at the door once before and now I'm trying to get back to the door again and I know I will. It just takes time, patience and a lot of work."

A hockey

N.S.'s Paris first black head coach in pro hockey

JUST DOING A JOB: John Paris has been involved in hockey nearly all his life. Suddenly he's getting plenty of attention for his role as a pro coach and more specifically as the first black pro coach.

By DAVID FRIEDLANDER
Special

Atlanta

SITTING IN HIS OFFICE after another game, John Paris faces the media like most coaches.

But after seemingly every evening, Paris can expect to face questions about more than just the night's game.

Such is the life of a pioneer. The 47-year-old native of Currys Corner near Windsor, became the first black head coach in professional hockey when he took over the reins of the Atlanta Knights of the International Hockey League in early March.

But even with the Knights heading into the Turner Cup finals after sweeping their first two playoff series, the request for interviews about being the first black head coach persist.

"I'm a coach first of all," Paris says. "I'm black second. I'm proud of that. That's my heritage."

Still, Paris knows the score, and he knows there may be times when he feels he's under a microscope.

"If you're coaching a team, at times, people are maybe quicker to get down on you," Paris says. "But Atlanta is not too much of a problem because I've paid my dues."

Certainly his results so far haven't given many people reason to get down on him in Atlanta.

Paris became the Knights' coach on March 7, when the popular Gene Ubriaco was recalled to oversee scouting by the Knights' parent club, Tampa Bay Lightning.

Since then, the Knights have gone 16-5-3, which includes eight straight playoff wins.

But with Paris's track record in years of coaching in the Quebec Junior ranks with stops in St. Jean, Granby and Richelieu, that should come as no surprise.

And Paris's junior record is the real reason Paris was tapped to take over the Knights, not, as some critics have insinuated, as an attention getter, which was also a charge the organization heard last season when it signed female goaltender Manon Rheaume.

In fact, Knights' president and general manager Richard Adler says that he didn't even know Paris was black until he first met him.

"That never came up in conversation," Adler said. "It doesn't really matter."

Actually, Paris was hired to coach the expansion Atlanta Fire Ants of Roller Hockey International this summer when the Knights coaching job became vacant.

It took some time, but Adler and assistant coach Joe Bucchino decided that Paris was the man for the job.

"It wasn't an obvious choice," Adler said. "Joe didn't want (to take over) so we talked about it and said 'John's here, let's give him a shot and find out what he can do.' So far, so good."

Paris attributes much of his coaching success to his extensive hockey background.

Paris was introduced to hockey not long after getting his first pair of skates at the age of three from his father, John Sr.

"Wayne Gretzky says he's probably still wearing them," the elder Paris said during one of his son's recent interviews.

And through the years, Paris progressed steadily as a hockey player enough to play junior hockey with the Montreal Junior *Canadiens.*

But there was an obstacle between Paris and the NHL that, fairly or unfairly, could not be overcome — his size. At five-foot-five and 135 pounds, Paris was considered too small by most.

"The Boston Bruins told me that," Paris says. "They said 'We'll take you, but you're small. We won't guarantee anything.' "

John Sr. added: "Bill Duerden told me that the only thing that would keep him from the NHL was his size."

But instead of giving up on hockey altogether, Paris decided to try to make a career from a different perspective.

Several of Paris's relatives were teachers, so he figured to combine education with hockey.

"When I saw I couldn't make the National Hockey League, I decided it was time to get into something else," Paris said. "So, I went back to the books."

Not only was Paris getting valuable coaching experience in juniors, he was also in the process of

...Grissom, Montreal, 9; Butler, L.A., 9; 9:13 (pp)

A Hockey Pioneer Hits Atlanta
Page 1

Sports

pioneer hits Atlanta



Library file

ova Scotia native John Paris is behind the bench to direct his Atlanta Knights in a recent International Hockey League game.

n Currys Corner, we were the only black family. When I came to Atlanta it was kind of like I



Paris

vas coming home. I an't explain it. It's ke an easiness I felt.'

OHN PARIS
rofessional hockey coach

eing certified in sports psy-hology, which was served his oaching career well, particularly ı dealing with younger players.

"He likes to teach hockey," Knights centre Steve Larouche, who has played several times for Paris since he was 12 years old, says. "He knows the game. When I was 15, I played for him at midget AAA in Richelieu. But at the end of training camp he cut me. Two, three days later, he called me back, and I really improved myself. He helped me a lot. I remember I skipped school to go work with him in the afternoon."

His teaching-style of coaching also helped ease concerns of more veteran players in Atlanta when he took over from Ubriaco, who was a very popular figure in the Knights locker room.

"We were all shocked when Gene left us," Knights captain Stan Drulia said. "We didn't care who came in. We were concerned about winning. And that was John's concern when he got here. We talked about not changing too much. So, he tried to incorporate things more slowly, so that we could learn his philosophy."

Being a good listener, and being willing to exchange ideas has made him a popular figure with his players and several other people outside the team.

Paris quickly made friends with Lenny Wilkens, coach of basketball's Atlanta Hawks, after taking over the Knights. He also quickly became a popular figure with Atlanta fans, which is very important in trying to re-establish hockey after a 12-year absence after the departure of the Flames to Calgary.

"John could run for election," Adler said. "He's just like Ubriaco. That's the nature of the business for coaches today. I think John is very aware of the importance of selling the game here and making himself known in the community. And the one thing that John gives us that Gene really didn't is he gives us a voice in the black community, which is really an untapped audience for the sport."

And dealing with the black community has been something that Paris has really enjoyed since arriving in Atlanta.

While he never felt uncomfortable living in Canada most of his life, he has quickly adjusted to Atlanta, which has a very large black population.

"In Currys Corner, we were the only black family," Paris says. "When I came to Atlanta it was kind of like I was coming home. I can't explain it. It's like an easiness I felt."

Still, Paris' future in Atlanta is not 100 per cent set.

He will still coach the Fire Ants this summer, but he was originally slated to coach the Knights' East Coast Hockey League affiliate in Nashville, Tenn., next fall.

If the Knights win the Turner Cup, those plans may change. But wherever Paris ends up, he is more than satisfied with the job he's done.

"I want to stay in Atlanta," Paris said. "I'm happy here. The name of the game is winning. If we win, they're going to have a hard time pushing me aside."

Page 2

Windsor native Paris gets IHL job

Windsor-native John Paris has been named head coach of the Atlanta Knights of the International Hockey League.

The Knights are the top farm club of the Tampa Bay Lightning.

The 47-year-old Paris has spent most of his two decades in coaching in the Quebec Major Junior Hockey League. His most recent coaching assignment was with the Saint Jean Lynx.

While coaching in Quebec in recent years, he doubled as a scout for the St. Louis Blues. He was with St. Louis when he took the Atlanta job.

Paris replaces former Pittsburgh Penguins head coach Gene Ubriaco, who was promoted to oversee all scouting for the Lightning.

Paris attended the Philadelphia Flyers training camp in 1967 and played in a few NHL exhibition games for the Flyers.

He played for the Quebec Aces

Paris first black pro hockey coach

John Paris of Windsor is a step closer to coaching in the National Hockey League.

The 49-year-old hockey coach has been signed by the Atlanta Knights of the International Hockey League to lead their club for the rest of this season.

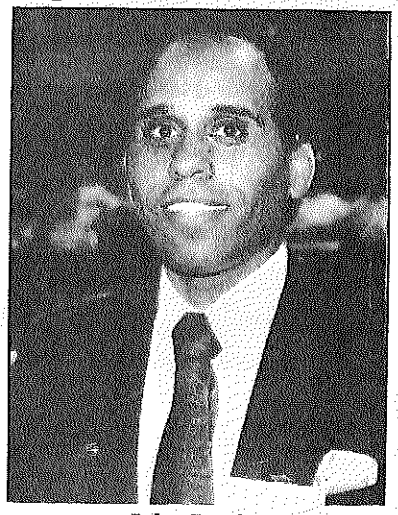
The Knights are the chief farm team of the NHL Tampa Bay Lightning and success in Atlanta could translate into a job in the big leagues.

Paris has previously scouted for the St. Louis Blues for four years and during his playing days had a brief stint with the Philadelphia Flyers.

Recently he has been coach of the Saint Jean Lynx of the Quebec Major Junior Hockey League, where he has spent most of his 20 years in the coaching profession.

Paris said he hopes to improve the power play of the Atlanta Knights and wants them to be more physical on the ice.

The Knights lead the midwest division of the International Hockey League's western conference with a 36-17-11 record and are in second place overall in the IHL. There are 17 games left in their schedule before the play-offs.



John Paris

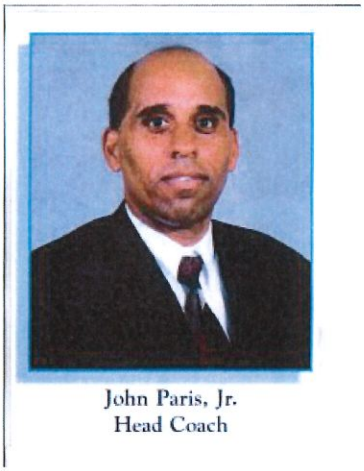
The promotion makes Paris the first black coach in professional hockey and he said he has always been a ground breaker for blacks with each coaching job.

He believes athletes should be role models and ready to serve the community. "I'll be available, I'm willing to do just that," he said.

John is the son of John (Buster) Paris and the late Annie Paris of Windsor.

6

Hamilton Tiger-Cats Training Camp 2/3/94



John Paris, Jr.
Head Coach

First Name: John
Last Name: Paris Jr.
Sport: Hockey
Inductee Type: Builder
Year Inducted: 2005
Home Town: Windsor
County: Hants County

Details:

Windsor native **John Paris Jr.** played hockey on championship teams at many levels, but that alone is not what makes him such an exceptional addition to the Nova Scotia Sport Hall of Fame. Paris' playing career ended in 1970 after playing in the QMJHL, the AHL, the WHL, and even a few NHL exhibition games. It was then he began the career that would really make a name for him.

Privacy - Terms

During the 1970-71 season, Paris began coaching hockey in the minor leagues, consistently moving up in the ranks. By 1986, his midget team won the Air Canada Cup national championships and he was named coach of the year. By 1987, he was coaching in the QMJHL and was scouting for the St. Louis Blues of the NHL.

In the 1993-94 season, Paris was hired by the Atlanta Knights of the IHL. He became the first African-Canadian to coach in professional hockey. His move to professional hockey proved to be a good one when he led the Knights to win the Turner Cup championship. He continued a successful professional coaching career in the IHL and the CHL, posting a winning record five out of six seasons.

Also a certified sports psychologist, Paris has a special ability to motivate his players as well as a vast hockey knowledge that covers all aspects of the game. He has his eye on the NHL and, as his coaching career continues in professional hockey, that seems to be a goal in close sight.

Link:

http://www.youtube.com/watch?v=4oAtkhYhopc

https://www.youtube.com/watch?v=1KfTAnVSCOY&index=114&list=UUvIoqGnT5eKU722WcrXkvGg

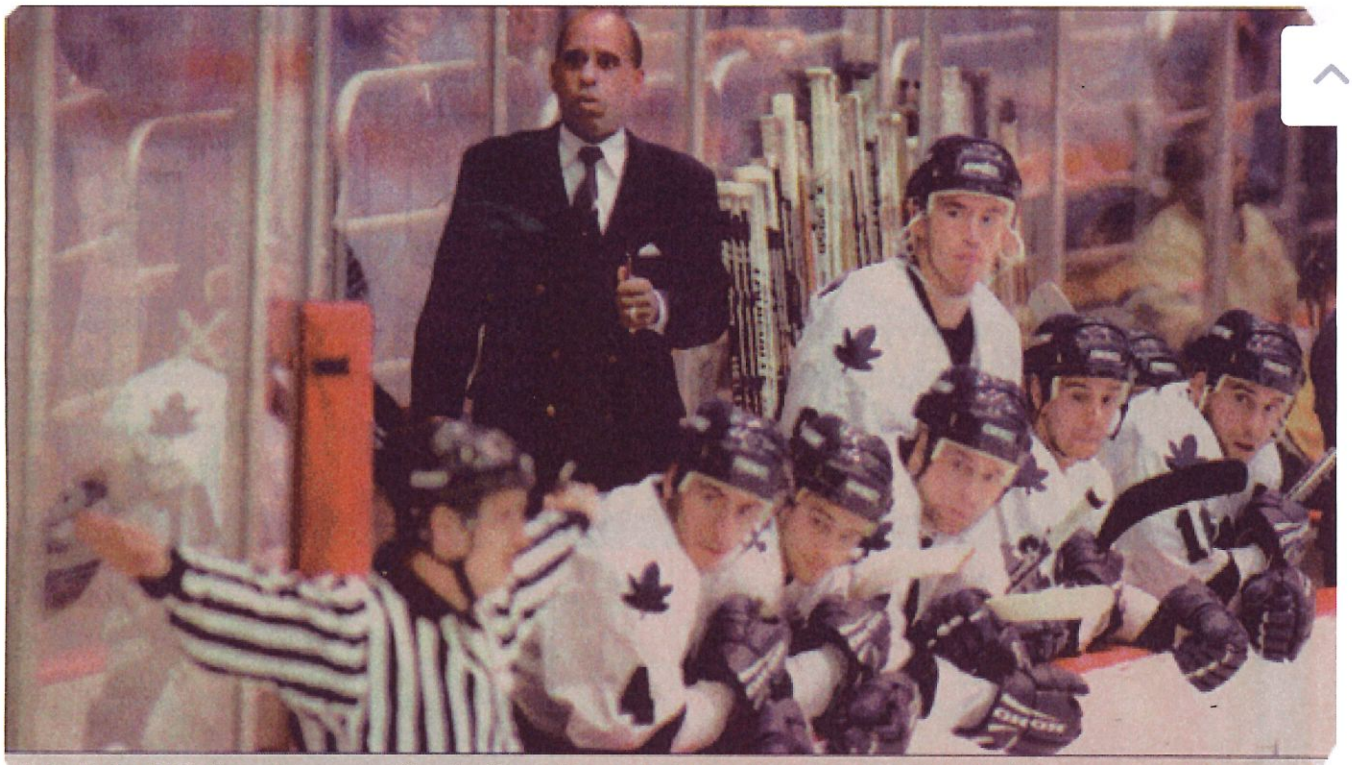
Facts:

- Voted MVP on every Team and League as a child
- Joined QMJHL and went on to Quebec Aces in the AHL
- Coached Quebec Teams to Championships for 20 years
- Specialist in Nutrition and Sport Psychology
- Motivation & Mental Prep Specialist
- Respected TV Hockey Analyst and Commentator
- Named Head Coach Atlanta Knights IHL 1994
- Led Atlanta Knights to Win the IHL Turner Cup
- Head Coach and GM Georgia Macon Whoopees, CHL
- Head Coach Hockey IMG Sports Academy 2001, FL
- He has now shifted from coaching to teaching



John Paris, Jr.
Head Coach


John Paris



John Paris of Windsor, shown coaching the Central league's Macon Whoopee, has crafted a fine career behind the bench.

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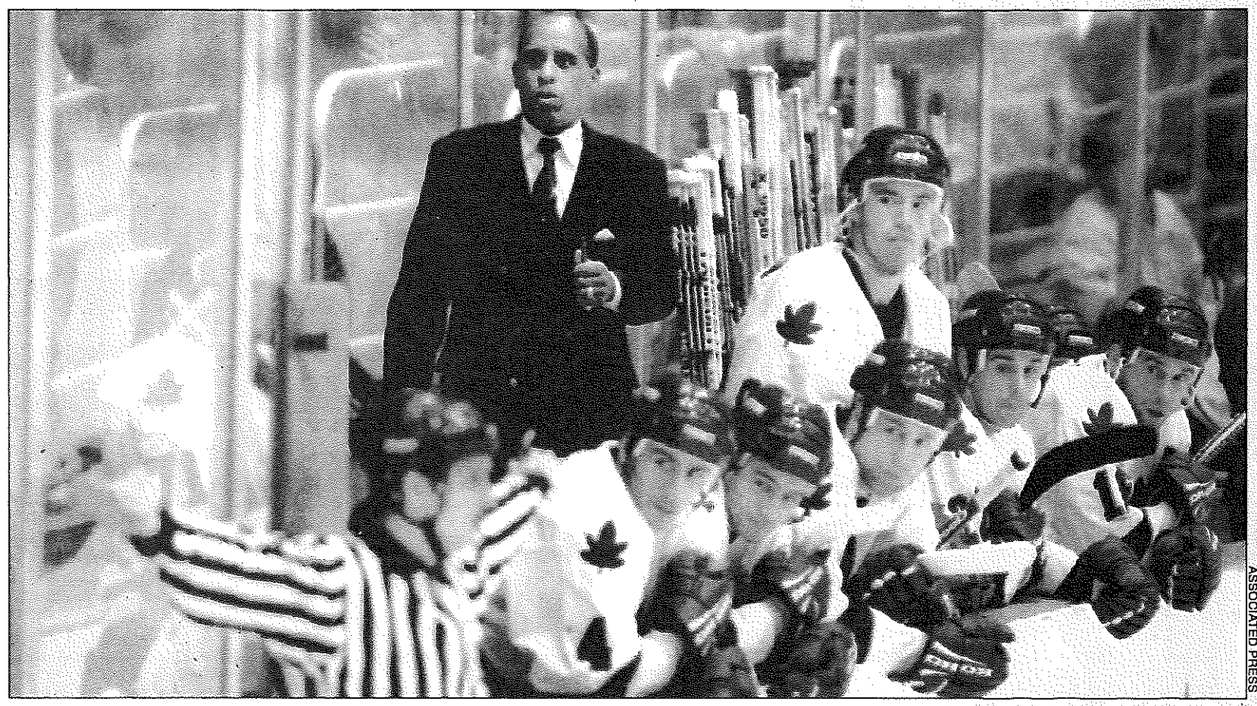
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Paris wants to break color barrier

Nova Scotian hoping to become first black coach in the NHL



ASSOCIATED PRESS

John Paris of Windsor, shown coaching the Central league's Macon Whoopee, has crafted a fine career behind the bench.

MACON, Ga. (AP) — John Paris Jr. is a black man in a white man's sport.

"I had to be twice as good as the next guy or I wasn't going to make it," said Paris, coach of the Macon Whoopee of the Central Hockey League. "I accepted that as fact."

Paris, a native of Windsor, was the first black coach to be hired in the Quebec Major Junior Hockey League. When hired by the Atlanta Knights of the International Hockey League, he became the first black man to coach a professional team.

No voodoo involved

Now, as coach of the Whoopee, his eye is on one goal: becoming the first black coach in the NHL.

"I think it's a normal step," he said. "I mean, it's going to be big. We all know that. The pressure is going to be on me again. But that's normal, too. The pressure has been on me everywhere I've been."

Paris played hockey as a youngster, but at five-foot-five he quickly realized he didn't have much future as an NHL player. After a tryout with the Philadelphia Flyers, he decided to go into coaching.

It was rare enough to be a black player in Canada. But it was even more unusual to be a black coach.

"There were all kinds of idiotic things being said," Paris recalled. "I used to work on visualization, off-season training and stuff like that. They called it voodoo. They identified being black with being into voodoo, and I'm not even Haitian."

Paris worked his way up, finally landing a job in the QMJHL in 1987. He coached a season with the Trois-Rivieres Draveurs, three with the Granby Bisons and one with the St-Jean Castors. Still, he endured racial slurs.

"They consider hockey a Canadian sport, which it's not any more, and an all-white sport, which it's not any more either," he said. "It's an all-world sport. Everybody plays it. Even at the turn of the century, you had blacks playing hockey in Canada. But some people didn't want to see it that way."

In five seasons, Paris never had a losing record. That earned him a call from the IHL's Knights when they needed an interim coach on short notice during the 1993-94 season.

Battling old boy network

Team officials didn't realize Paris was black — they met him face to face for the first time when he arrived in Atlanta — but there were no complaints when he guided the Knights to the IHL championship in his first season.

He was reassigned to a non-coaching position when the Knights got off to a disappointing start last year, and he decided not to go along when the franchise moved to Quebec during the off-season.

He wanted to keep his ties to the Southern United States, convinced that the first black NHL coach will be hired in this part of the country.

"If the old-boy network ever changes in hockey like it did in baseball and football, yeah, he'll get a chance to coach in the NHL — because he can coach," said Whoopee general manager Pat Nugent, who hired Paris as coach and director of hockey operations for the expansion franchise.

The NHL is planning to expand by up to four teams over the next few years, and a majority of the contending cities, including Atlanta, are in the South.

Paris figures someone will consider not only his coaching talents, but his ability to sell the sport to minority fans.

"They thought I was crazy in Canada when I first came down here," he recalled with a chuckle. "But why wouldn't I come to the southern United States to coach? There's more of my people, more of my peers down here than there are in Canada."

ThursdaySports

DAVE WHYNACHT EDITOR sport@hfxnews.southam.ca

THE DAILY NEWS, THURSDAY, OCTOBER 30, 1997



ASSOCIATED PRESS

Players from the Huntsville Channel Cats and Macon Whoopie brawl during an Oct. 23 game, minutes before John Paris was handcuffed and arrested.

Amid racial overtones, Windsor's John Paris talks about his arrest

Coach by choice

By DAVE WHYNACHT
The Daily News

CHARGING HAS taken on a whole new meaning for Central Hockey League coach John Paris Jr.

Paris, a native of Windsor, was arrested for criminal trespassing and resisting arrest during a game in Huntsville, Ala., last week. Paris said a fight had broken out on the ice and he was trying to keep his players under control when security guards moved into the Macon Whoopie bench area.

The first black professional hockey and roller hockey coach then broke another barrier — the first CHL head coach to be arrested on his bench during a game.

"I was just making sure my players didn't get into a bench-clearing brawl," said Paris of the altercation that came with four seconds remaining in the first period and Macon holding a 3-0 lead.

"They took me off the bench," added Paris in a telephone interview from his hotel room in Tulsa, Ok., where the Whoopie was beginning an 18-day road trip. "I was trying to figure out what was going on. I was the passive guy trying to defend my guys. ... The referee didn't throw me out, I didn't get a bench penalty and (the referee) even said he helped me out."

Paris, in his second season as GM-coach of second-year Macon after two years and a league championship with the International league's Atlanta Knights, could only laugh when asked if he's ever heard of a coach being arrested on his bench.

"Have you ever seen a coach have anything like that happen? Well, Martin Luther King was thrown in jail in Alabama," he said.

Racial slurs

"The players held the game up for an hour because they were upset, they wanted to know what happened to their coach and I appreciated that. It just shows you that even though there are one of two ignorant people, that the majority are not like that."

A Huntsville police officer said Paris was the one who directed racial slurs at the security officer.

"That thing about racial slurs, don't belive that," Paris said. "How can I say racial slurs. That's bull, come on."

Paris, 51, who has been named coach of the year in five different leagus, was hesitant to talk too much about the incident for fear it might hurt his legal defence in the Nov. 21 hearing. But he did say almost everyone he's talked to has been supportive.

"People aren't stupid, they know what happened. It'll prevent that from happening again to someone like myself or someone else who might be a little different. There hasn't been one guy who didn't come to see me. From other teams, from Huntsville, and I mean we're rivals."

In fact, it was the Huntsville general manager, former CFL all-star quarterback Conredge Holloway, who bailed Paris out of jail within an hour.

League commissioner Tom Berry said while race might well have had something to do with the incident, he added that overzealousness on the part of the security staff was likely the biggest factor. He said the league will not make a statement until all the evidence has been gathered.

"We waiting for some more tape, some independent tape on way to us, so we'll wait until we see that before we say too much," said Berry, who said the evidence gathered to date supports Paris.

"We're hopeful that the tape will merely elucidate further what we've seen and heard so far. But we haven't seen the incident from start to finish, we only have in-between times."

Despite this latest incident including racial overtones, Paris refuses to become bitter.

"Everybody looks at me with color. They should look at me as a coach who's black by nature and a coach by choice. The NHL is not racist and doesn't condone racism. It may have certain people that do that, but the NHL does not.

"They want the best managers, coaches and players they can get. They cannot control the minds of all the people in the league. My goal is still the NHL and, for others who have that same goal, I want them to go for it. I want the youngsters who are minorities who want to play, I want them to play. Those who want to coach, I want them to coach. I want those who want to be owners, to be owners.

'Enough honest people'

"Some people may not want to give them a chance, but there's enough honest people out there that you will get that window of opportunity."

Seeking a similar shot at the major pros are two Nova Scotians on Macon's 17-man roster (two goalies and 15 skaters per game). Former Montreal Canadiens draft pick Trent Cavicchi, a Lake Echo native, has two of Macon's three wins in its first five games and Todd MacIsaac, a Country Harbour, Guysborough Co., native and former Nova midget, has just joined the team.

"Cavicchi is doing very well," said Paris. " He's an astute young man, an intellectual, who makes me think of Ken Dryden, they way he handles himself. He's great in the dressing room. I think we'll get him as much icetime as we can and work on the little things.

"After a year here, he'll go back up, I'm sure. He's a big goaltender with those long legs. ... He fills that five-hole, then he takes it back."

Paris is equally impressed with his first impressions of MacIsaac.

"He's a speedster, he has the wheels. He listens. He's one of those guys who wants to go to another level. They're not just here to fill a sweater, and that's what I want.

"My ego is to make the players better, to attain another level. That's what I'm known for, development."

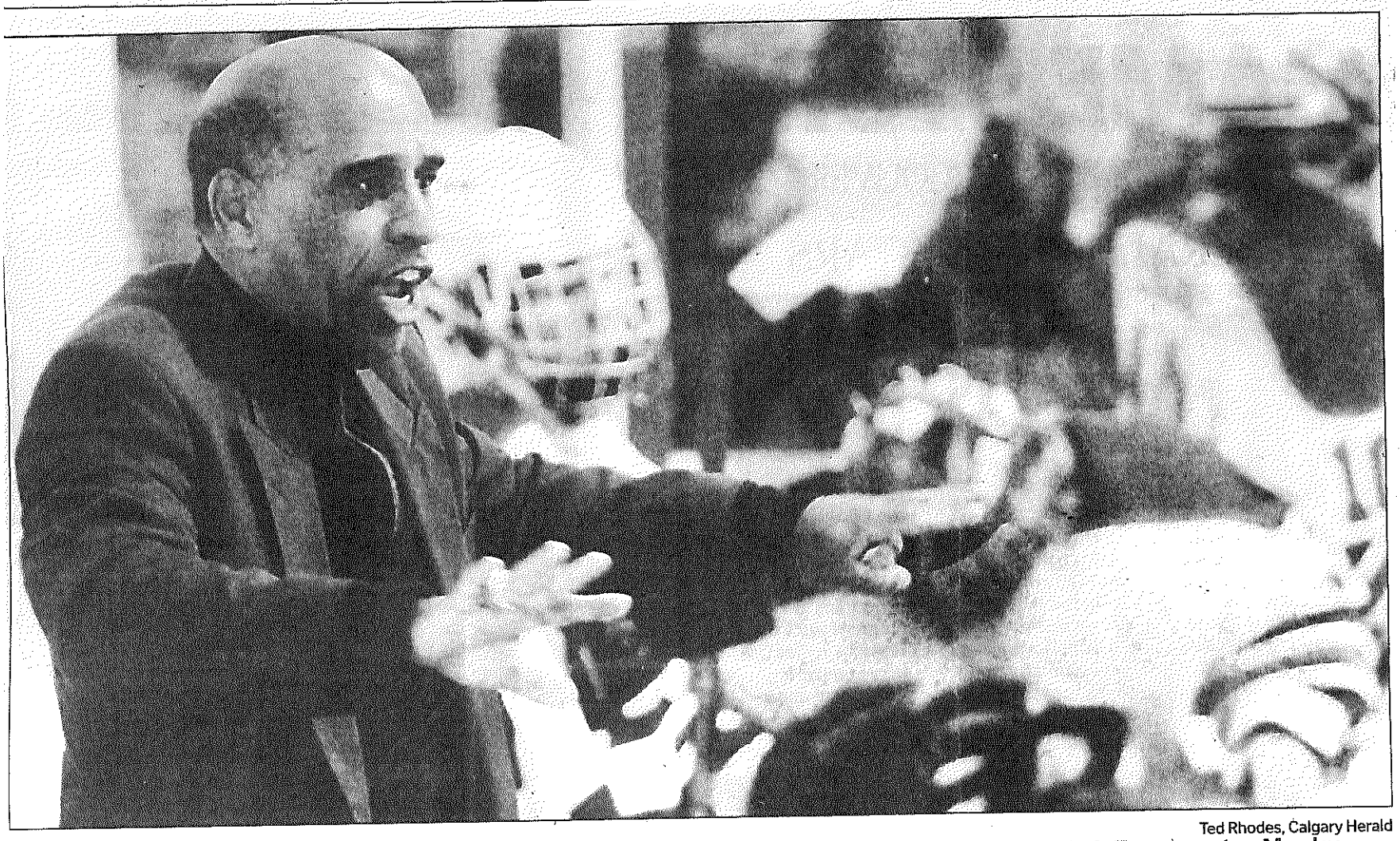
And that's what brought him to Macon, where he controls the whole shot. He's developing his own NHL aspirations.

"I said if I'm going to get to the NHL at my age, I have to have a lot to put on the plate," said Paris. "I came to Macon, built a successful program and we've filled the building. They've got to find a reason to keep me out now.

"I can do the job, they know I can do the job. It's just a matter of who's going to hire me.

"Who's going to pull the lucky ticket."

Thought this might interest you
Ken



Ted Rhodes, Calgary Herald

John Paris Jr. of the San Diego Gulls urges on his troops in their loss to Leduc Oil Kings in the annual AAA Midget Mac's Tournament on Monday.

A coach of a different colour

John Paris Jr. was the first black coach and GM in the history of pro hockey

ALLEN CAMERON
CALGARY HERALD

The theory was that John Paris Jr. moved to San Diego to retire after spending decades as a hockey nomad.

Some theory.

"You have to do *something*, you can't just play golf," chuckled the 59-year-old Nova Scotian. "And (hockey) is a passion. Now I can give something back to the kids. The passion's there, and it's enough."

So, instead of hitting the links on a gorgeous Southern California Boxing Day afternoon, there was Paris behind the bench of the San Diego Gulls at Centennial Twin Arenas, watching his gritty, young charges go down swinging 6-3 against the Leduc Oil Kings to open the Mac's AAA Midget Hockey Tournament.

Truth be told, there's no place he'd rather be, and probably no coach in the Mac's field has as varied a background as the diminutive Paris.

He grew up in Windsor, N.S. — commonly accepted as the birthplace of hockey — as part of the only black family in town and, if those odds weren't long enough, he also battled a series of ailments, including Hodgkin's disease, that curtailed a promising playing career that once had attracted the attention of Scotty Bowman. He finally hung up his skates in 1970 after slogging it out in various senior leagues in Quebec.

Even as a kid, though, Paris wanted to coach and, after retiring, he turned to coaching youth hockey, eventually guiding a Richelieu, Que., team to the 1987 Canadian midget title.

He then moved up to the QMJHL, with St.-Jean and Granby, before making history in 1994, when he took over as coach of the IHL's Atlanta Knights, becoming the first black coach in pro hockey history.

In 1997, he became the first black general manager, handling both duties with the Central Hockey League's wonderfully named Macon Whoopees.

"Do I have to be truthful about it? I never really thought about it (being a black coach)," said Paris, who coached Gretzky — Brent, that is — in Atlanta and also scouted for the parent Tampa Bay Lightning. "When I was growing up in Windsor (an hour from Halifax), we were the only family of colour. Everybody played hockey. It was just normal. You get asked, what do you want to do? Well, I want to play hockey and I want to be a coach. You just played. You didn't worry about making it."

That Paris did all of his coaching in the U.S. southeast — not exactly the most progressive part of the world when it comes to race relations — is a testament to his charm and bench savvy. He even sees the lighter side of a Slapshot-type brawl in Huntsville, Ala., where his skin colour may have had an influence.

"They (Huntsville) charged our bench during a brawl," recalled Paris. "I'm holding some of their players off, and the police carted me off to jail, saying that I was trespassing and resisting arrest. The referee was telling them, 'He's helping me, he's helping me.' "

Wait a minute. Taken to jail?

"Sure did. They let me out after about an hour," he chuckled. "And the funniest part about it was that the Huntsville team was there (at the jail) waiting for me to help me get out.

"There was something not quite right about that picture, wasn't there? I won't go into it, but you know what was wrong with the picture. It was a wake-up call for me. But we still won the game."

Since Paris broke the barrier for black coaches, the floodgates haven't exactly opened. There's still only a handful of minority coaches in hockey, and Paris wonders how much of a factor race is in hockey hirings.

"That's something you have to decide," he said after a long pause.

"I'm sure, for certain people, it has been a factor. Definitely, that's something we all know, we can't deny it. But, then again, there's been a lot of good people out there, caucasians, who haven't had the chance, either. The bottom line is that there is a perception and, unfortunately, there's nothing I can do."

Paris, a recent inductee into the Nova Scotia Sports Hall of Fame, loves working with the Gulls, a travelling team with at least one famous name, Matthew Comrie — Mike's cousin — in the lineup.

"They never quit. They're a bunch of good kids. They're probably one of the most disciplined group of kids I've ever worked with," said Paris. "I don't care about the championships or getting to the pros. Been there, done that. If the youngsters can walk away and say they learned one or two things from me, I'm happy. I've done my job."

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Windsorian returns home to launch hockey memoir

John Paris Jr. shares his life story in new autobiography

By Ashley Thompson
THE HANTS JOURNAL
www.hantsjournal.ca

A former Windsor resident who went on to become the first black person to coach a professional hockey team is sharing his life story — the ups, downs and in-betweens — with the world.

John Paris Jr. read from his tell-all autobiography, They Called Me Chocolate Rocket, during a book launch hosted at King's-Edgehill School Nov. 15.

Paris Jr. chose to recite a passage fitting for his hometown audience.

He took the crowd back to his teenage years in the early 1960s, a time when he loved nothing more than meeting his buddies at the local rink for a game of hockey.

He read an excerpt about the day the Montreal Canadiens' top scout, Scotty Bowman, sat in his family's home, gauging Paris Jr.'s interest in playing for the Habs.

"My mind was exploding. I am thinking this is unbelievable. I was aware of some interest in me because I had received letters from Detroit, Toronto, Boston," Paris Jr. read.

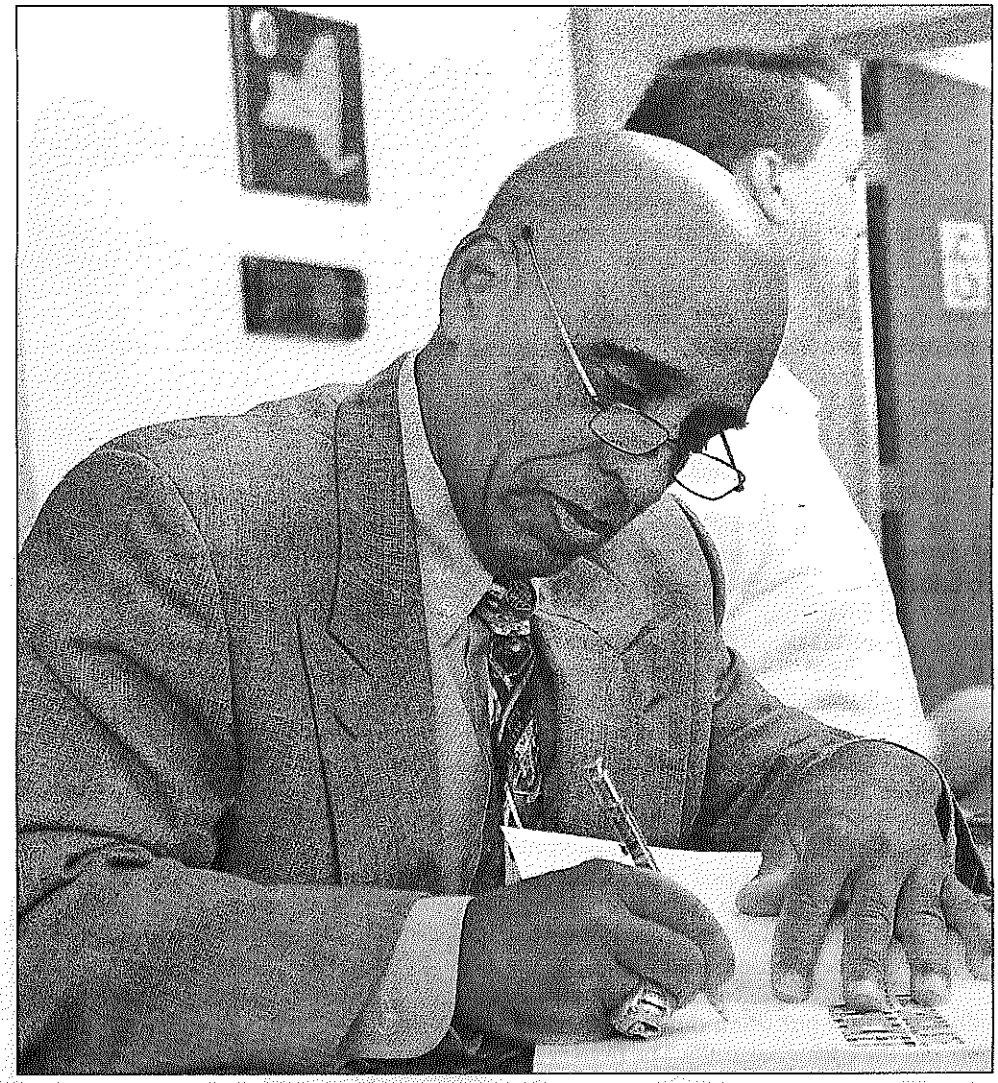
"Well, they were great for my ego. I knew that lots of kids across the country had those letters but no one came to visit me until now," he continued.

Paris Jr. noted that Bowman would later be recognized as one of the greatest coaches in the NHL after leading several teams to Stanley Cup victories.

After Bowman's visit, Paris Jr. received an invitation to attend a training camp for the Montreal Canadiens' junior team.

He fondly remembers the community marveling at his accomplishment the morning he stood at the local train station, waiting for his ride to Montreal.

"At the station in downtown Windsor that Thursday morning were my parents, coaches, friends, relatives, teammates and others all wishing me luck," the 68-year-old Dallas resident recited.



John Paris Jr., the first black person to coach a professional hockey team, can now add published author to his resume. Paris Jr. visited Windsor Nov. 15 to promote his autobiography, They Called Me Chocolate Rocket.
Ashley Thompson photo

"I vividly recall how they were beaming, proud of my success," Paris Jr. added, stopping for a moment to look into the crowd. "That's Windsor."

Paris Jr. totes his 272-page paperback, co-written by investigative journalist Robert Ashe, as a true account of the triumphs and tribulations that made him the person he is today.

His life story includes tales of his career as a junior hockey player, and the illness that changed his life. He speaks of his friendship with the legendary Maurice "Rocket" Richard, a close brush with death at age 25, a gang fight in Atlanta, his career as the head coach of the International Hockey League's Atlantic Knights — and more.

"I've been around some of the best hockey players in the world."

Paris Jr. admits racism was a major obstacle he faced in pursuit of his dreams, but he soon realized ignorance was to blame for the derogatory actions against him.

"We have to educate the youth on what's proper starting in preschool," he said, adding that freedom of speech does not grant individuals the right to say nasty things.

"Everybody deserves to be respected."

Paris Jr. now works as a junior hockey scout and a motivational speaker.

His career may have led him far from home, but Paris Jr. is proud to tell people he meets in his travels where he came from.

"As far as I'm concerned, home is home," he said. "Some place that's special and you can't replace that."

NOV. 15, 2014

Book sheds light on triumphs, struggles of Paris Jr., hockey's first black pro coach

THE CHRONICLE HERALD

In his ascent up the hockey coaching ranks, John Paris Jr. was the brunt of numerous racial epithets from fans.

In one instance, when he was the head coach and general manager of the Trois-Rivieres Draveurs in the Quebec Major Junior Hockey League in 1987, fans in a road arena hung a mannequin with his name and a racial slur scrawled over it. There were incidents of African dance chants and monkey sounds throughout his playing and coaching career.

But he didn't let that stop him in his pursuit of his goals.

"If you're the first at it, you have to expect it's not going to be a bed of roses, but your responsibility is not to quit and to make sure that you try to be the best that you can be at what you're doing," Paris said in an interview from Halifax.

He quickly realized that many were simply ignorant and uninformed.

"The person who did that against myself ... we know he was wrong. But he was probably not a racist, he probably didn't understand microagression; he did not understand that he was doing something that was probably bigoted, demeaning, disrespectful to another culture," Paris said.

The 68-year-old native of Windsor now lives in Dallas, where he works part time as a junior hockey scout and motivational speaker, but is in Nova Scotia this week to promote his new book, co-written by Robert Ashe, They Called Me Chocolate Rocket, which chronicles his ascent to becoming hockey's first black professional coach.

Despite encountering racism at every turn in his career, Paris never let that bother him. In fact, race never entered the equation with how he viewed himself.

"I was a coach by choice, and black by nature. So I wasn't coaching because I was black, I wasn't coaching because I wanted to be the first black coach. I was coaching because it was a sport that I had a passion for and all my friends were playing it," he said.

In a way, Paris Jr. said he believes he was groomed to be a coach from a very young age, when he and his father would watch Montreal Canadiens games — their favourite team at the time.

He learned to be analytical and dissect the game.

"To break the game down I would watch games with my dad and he would always say ...'What made the Canadiens win that game? Which zone did they control?'" he said. "And I would actually say 'well, they controlled the neutral zone' and he would say 'which one, the defensive side or the offensive side?'"

"The game was always slower for me to watch than to play it. I had more ease watching the game."

At 17 he was scouted by Scotty Bowman, before he became a legendary coach, and moved to Montreal to play minor hockey. It was there that he came into contact with Maurice Richard.

> **"I was a coach by choice, and black by nature.**
>
> **John Paris Jr.**
> Author of They Called Me Chocolate Rocket

"For some reason or other he was friendly to me. He treated me above and beyond what he had to," he said.

In 1967, he played with the Sorel Black Hawks in the QMJHL and then became a prospect of the Philadelphia Flyers. He was sent to the Knoxville Knights of the Eastern Hockey League and, along with two French-Canadian players, moved in with a family in a black-only neighbourhood of the segregated city.

"It was a different world for me at the time, I experienced something that was valuable to me later on in life," said Paris, who was the first black player in the southern division of that league.

"The positive side of it was that there were people also that would come along ... that would stand beside me. Some people didn't, and that's just the way it was back then," he added.

"But if I had to do it over again, would I go to Knoxville, Tennessee in '67? Probably not."

Illness at age 25, a combination of a bowel syndrome and Hodgkin's disease, which eventually developed into an ileostomy, abruptly ended his playing career.

But he went back to Sorel as an assistant coach, then to the Quebec major midget league, and eventually worked his way to the Atlanta Knights of the International Hockey League, where he became the first black professional coach.

The Knights won the Turner Cup in 1994.

"When I was hired in Atlanta, I wasn't hired because I was black, I was hired to win a championship," he said, adding that he now views his illness as a silver lining.

"It changed my life, maybe a negative turned into a positive. I guess I always kind of (coached) as a player because I directed a lot of traffic when I was playing."

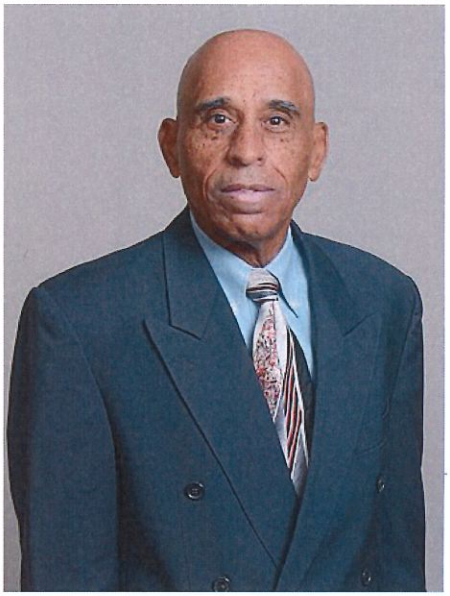
In writing the book, Paris said he wanted to shed light on the struggles and triumphs of his career. He also hoped to inspire those looking to enter the coaching ranks.

"I felt that I needed to do something to maybe help the future coaches coming along, have them understand that coaching is not just something that you just jump into."

WIKIPEDIA
The Free Encyclopedia

John Paris Jr.

John Paris Jr. (born August 1, 1946) is a Canadian former professional ice hockey player, coach, and scout.


John Paris jr.

John Paris Jr. is a trailblazer in every sense.

The Windsor, NS native who stands at just 5-foot-5 played hockey on championship teams at many levels, but that alone is not what had him earn his place at the Nova Scotia Sport Hall of Fame.[1]

Paris' playing career ended in 1970 after playing in the MMJHL,[2] the QJAHL, the AHL, the WHL, the EHL, and even a few NHL exhibition games. It was then he began the career that would really make a name for him.

From John being befriended by Maurice "Rocket" Richard as a junior, to being brought back from near-death in a Montreal hospital at age 25, to getting a "street lesson" in Atlanta when caught in a gang fight, and more."

Hockey Hall of Fame, Petition Launched by Hockey Nova Scotia www.paristotoronto.com	
Born	August 1, 1946 Windsor, NS, Canada
Height	5 ft 5 in (165 cm)

In 1962-64, he played hockey for the Windsor Royals Midgets minor hockey team and developed into such a talented player that he received invitation letters to attend the camps of several NHL teams, and in May 1963, the Paris family received a visit at home from a young Montreal Canadiens scout named Scotty Bowman (who became the winningest coach in NHL history and won the Stanley Cup nine times). Bowman had taken a 17-hour long train ride to meet Paris. Paris tried out for the Junior Canadiens and found himself on the Montreal Forum ice with the likes of future NHL players Jacques Lemaire, Carol Vadnais, Serge Savard, Andre Lacroix and Christian Bordeleau, along with NHLers like Henri Richard, Jean Beliveau,[3] and a long list of other famous players.

At 17 years old, silently suffering from an unknown health condition, and weighing only 135 pounds, Paris didn't make the team. Instead, he played the following season in the Montreal Metropolitan Junior Hockey League with the Maisonneuve Braves, and with the Junior A Quebec Aces in 1966, with Guy Lafleur and Gilles Gilbert.[4] His skating and scoring prowess there earned him the nickname "Chocolate Rocket." He climbed hockey's ladder and made it to the minor professional leagues in 1967-68 when he player for the Knoxville Knights in the Eastern Hockey League (EHL). Paris' health had deteriorated so much that he was now on the verge of death. He had to be rushed to hospital after playing only nine games for the Knights.[5]

While his playing career was ultimately cut short by his battles with Hodgkin's lymphoma and ulcerative colitis, Paris went on to an amazing coaching career.

During the 1970-71 season, Paris began coaching minor hockey in Sorel, in Midget and Junior with the Black Hawks (renamed Les Éperviers), and consistently moved up in the ranks.

In the 1986-1987 season, Paris lead his team, the Riverains du Richelieu, to win the Air Canada Cup, the national midget 'AAA' hockey championship, and was named coach of the year.[6] He was the first Black coach in Midget AAA Major.

In 1987, he became the first Black scout in the NHL, for the St. Louis Blues of the NHL, and became the first Black Coach and first Black General Manager in the Quebec Major Junior Hockey League (QMJHL), initially with the Trois-Rivières Draveurs, followed by the Granby Bisons.

In the 1993-94 season, Paris was hired by the Atlanta Knights of the International Hockey League (IHL), the farm team of NHL's Tampa Bay Lightning. His move to Atlanta made him the first Black coach in professional hockey, and proved to be a good one as he led the Knights to win the Turner Cup, the IHL's championship title.[7]

In 1996, Paris was named Head Coach and General Manager of the new Macon Whoopees, a new team from the Central Hockey League (CHL) he helped build from the ground up. He became the first General Manager in professional hockey.

From 2000 to 2003, Paris was the Director of the hockey program at IMG Academy and the Assistant Director of the United States Junior Development Program (USJDP), where he coached for 19 years.

Also, a certified sports psychologist, Paris has a special ability to motivate his players as well as a vast hockey knowledge that covers all aspects of the game. Now living in Fort Worth, Texas with his wife and young daughter, John is actively involved in hockey as a consultant for top-level professional players.

In February 2023, for Paris' many firsts and contributions to the sport, Hockey Nova Scotia launched a petition to have Paris considered by the Hockey Hall of Fame Selection Committee, to be inducted into the Hockey Hall of Fame as a Builder. Presented on the Web and in Social Media under the slogan "Paris to Toronto", the initiative rose important support and attention from the media and the population.[8]

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External links

- NHL.com - Paris helped put Atlanta hockey on the map
- Image of John Paris Jr.
- MJAHL Team roster
- Restigouche Tigers profile
- Atlanta Knights profile
- Official website

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