

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Agenda

September 26, 2023 - 6:00 p.m.

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also FB Livestream)

Agenda is subject to change due to additions that may not be able to be reflected until after the meeting.

Page numbers are an estimate and are subject to change.



West Hants
something inspiring awaits

1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log (Pg. 4)
 - b) Dashboard Action Items – Dangerous or Unsightly Premises (Pg. 9)
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2023-07-31 Special Council Meeting Minutes
 - b) 2023-08-21 Special Council Meeting Minutes
 - c) 2023-08-21 Public Hearing Minutes - Benjamins Mill Wind Project Development
 - d) 2023-08-21 Public Hearing Minutes - 997 Highway 14 Upper Vaughan (PID 45041902) WHLUB Amendment
7. Public Hearings
 - a) Pemberton Ave, Garlands Crossing PID 45003563 – Planner Dunphy (Pg. 10)
 - b) 35 William St, Hantsport PID 45044419 – Planner Dunphy (Pg. 26)
8. Second Readings
 - a) Pemberton Ave, Garlands Crossing PID 45003563 – Planner Dunphy
 - b) 35 William St, Hantsport PID 45044419 – Planner Dunphy
9. Unfinished Business/Postponed Motions
 - a) Fresh Water Resources – Councillor Ivey
 - b) Capital Report Supplementary Information Report – Director Rochon
 - c) Financial Update – Director Rochon
 - d) Updated Fundraising Information Report – Director Rochon
 - e) WHRM Capital Equipment Plow Truck - /Recommendation Report Additional Information - Director Richard (Pg. 49)

- f) Service Exchange Renegotiation & Municipal Government Act Review (SERMGAR) Revisit Discussion– CAO Phillips (Pg. 64)

10. Mayor’s Report

11. Committee(s) of Council Excerpts/Recommendations

- a) Committee of the Whole Excerpts (September 12th, 2023)
 - i. 2023-2029 RCMP Multi-year Financial Plan (Pg. 80)
 - ii. Combined Sewer Overflow (CSO) Overland and into Water Courses (Pg. 113)
 - iii. Mariner’s Drive, Hantsport (Municipal Surplus Lands PID 45275278) (Pg. 116)
 - iv. Municipal Encroachment (Pg. 124)
 - v. Municipal Fees Policy (Pg. 128)
 - vi. Newport and District Rink Commission (Pg. 131)
 - vii. Noise By-Law (Pg. 162)
 - viii. Payzant Drive Extension Conceptual Design (Pg. 163)
 - ix. Planning and Heritage Advisory Committee Member Appointment (Pg. 168)
 - x. POSSE - Public Outreach Position Referral to the Police Advisory Board (Pg. 172)
 - xi. Tax Collection Policy (Pg. 173)
 - xii. Tremain Crescent Flood Issues (Pg. 184)
 - xiii. West Hants Uniacke Community Health Board Re Request for a Letter of Support for Feasibility Study (Pg. 185)
 - xiv. Windsor/Falmouth Watercourse Interconnection Design (Pg. 188)
 - xv. Municipal Finance Corporation (MFC) 2023 Fall Debenture (Pg. 198)
- b) Planning and Heritage Advisory Excerpts (September 14th, 2023)
 - i. Cole Drive, Windsor PID 45366432 (Part 2) – Planner Dunphy (Pg. 209)
 - ii. 8 Upper Water Street, Windsor – Planner Dunphy (Pg. 247)
 - iii. 187 Payzant Drive, Windsor – Senior Planner Fredericks (Pg. 287)
 - iv. Heritage Signage (2 Motions) – Director Poirier (Pg. 316)
 - v. Public Participation Policy – Director Poirier (Pg. 318)

12. Councillor Municipal Business/Activity Reports

- a) Councillor Ivey, District 11 Activity Report

13. Correspondence

- a) Information (Pg. 352)
 - 1. Avon Causeway Activity Log
 - 2. Correspondence Received Activity Log (Pg. 361)
 - i. Jean Sanford Re New Chairs
 - ii. Keith Aucoin Re Impact of Hurricane Lee
 - iii. Luke Garagan Re Transportation for West Hants

- iv. Responses (2) received from Maria Medioli Exec. Dir DSP Re King's Meadow (WHRM copied)
- v. Peter Moore Re Another unprecedented weather event and Preparedness (2 emails)
- vi. Jennifer Moore Re Preparedness
- vii. Steve Turner Re Windsor Hantsport Railroad Tracks (WHRM copied)
- viii. Laura Moore Re Abuse of Emergency Management Act Causing Harm to the Avon River (WHRM copied)
- ix. Kings County Re Notice of Public Hearing
- x. Hants Learning Network Re Thank You
- xi. Daniel Steeves Re Short Term Rentals
- xii. Colleen Rogers Re Transportation in West Hants
- xiii. Selling Scotia Re Discussions around banning STRs
- xiv. Darren Porter Re Safety Concern/ Water Test

3. Fort Edward Activity Log – None

b) Requests - None

c) Outgoing Correspondence Log - None

14. New Business

a) Main Street Hantsport Sidewalk Construction Recommendation Report
WHPW23-08–Manager Carrigan (Pg. 403)

15. In-Camera

- a) MGA 22(2)(a) Legal Matter
- b) MGA 22(2)(a) Land Matter
- c) MGA 22(2)(a) Personnel Matter

16. Next Meeting Date / Adjournment – October 10th, 2023 Committee of the Whole Meeting 6 p.m.

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
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 - continue with RFP	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
Glooscap First Nation & WHRM Council Meeting - Send formal invite for a meeting to discuss many topics including reconciliation.	2021-06-22		On-going	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, awaiting meeting dates from Glooscap Council	Mayor/CAO
65 Fort Edward Street (Municipal Lands) - the Public Hearing and Second Reading be adjourned until October 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
Security Cameras - Review and bring a report back to Council for further discussion and decision making re: security cameras within West Hants in consultation with IT and RCMP on locations.	2022-11-08	2023-09-11	Approved	Finance

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
Subdivision Street Lighting - Create a policy to come back to Council for review.	2023-01-10	2023-09-12	Approved, Report will be presented at September COTW	PW
WFD Rescue Engine - approve the award of tender WHRMAD22-03A for the supply of a Rescue Engine to the compliant bidder, Techno Fu 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 By-Law - initiate the process for consolidating the Windsor and West Hants waste by-law to remove the disparities that exist between the two.	2023-03-28	2023-09-12	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	2023-09-26	Approved, Being presented at October Council Mtg	Plan
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	2023-09-12	Approved, Report to follow	PW
Insurance - engage a consultant (if needed) to do a review of insurance costs across the Municipality (all operations) to be able to do a review to optimize insurance expenditures. (Amended - to be done within the next two months)	2023-04-12	2023-10-10	Underway	Fin
Council Chamber Improvements - Direct staff to add up to \$30,000 to the budget to improve Chambers and bring a report on the costs.	2023-04-19	2023-09-11	Approved	CAO
Bulk Water Options - staff explore options for having bulk water rates reduced to previous levels prior to regulation from the UARB.	2023-04-19	2023-10-10	Approved, Report to follow	Fin

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
Downtown Draft Parking By-Law - staff prepare a draft Parking By-Law for WHRM to be reviewed by Council.	2023-05-09	9/12/2023	Approved, Report to follow	PW/By-Law
Short Term Rentals - Planning staff prepare a report with recommendations/regulations if appropriate for short term rentals within WHRM rentals. Report will go to PAC first.	2023-05-09	2023-09-26	Approved, Report to follow	Plan
Aberdeen Beach Road - staff explore the restricted vehicular access to Aberdeen Beach Road through a safety lens re: emergency vehicles (fire apparatus, ambulance and emergency vehicles)	2023-06-13	2023-09-26	Approved, Report to follow	CAO/PW
Edward Drive and Underwood Road - provide a quote (class D estimate) on connecting Payzant to King Street and report back to Council within 3 months.	2023-06-13	2023-09-26	Approved, Report presented at September COTW.	PW
Chamber Improvements - secure and purchase 21 chairs at a price range between \$400-\$800 per unit.	2023-09-11	2023-09-11	Approved	
Parkland Divestment - CAO be directed to submit an application to the Planning Dept. to consider rezoning lands previously identified as surplus, PID 45226636, 45045952, 45215290, 45221868, 45222254, 45218658, 45222049, 45236601 and 45225018 to provide opportunity for residential development.	2023-07-11	2023-09-26	Approved at the Sept. 11 Sp. Council Mtg	CAO/PLAN
Falmouth Family Dog Park - Item to return to Council with more information on costs associated with sewer and water hook-ups as well and information on parks owned by the Municipality.	2023-07-11	2023-09-11	Report provided at the Sept. 11 Sp. Council Mtg .Council aproved support of the full installation of sewer for the park with a Class D price estimate of up to \$5,002.50 plus HST.	CD
Additional Communications budget - Item deferred to Council with more information	2023-09-11	2023-09-11	Approved	CAO/EMO

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
POSSE Funding Request - Item deferred to Council with more information	2023-07-11	2023-09-11	Item not supported	CAO
Little River Trail Bridge - Contract for engineering services to DesignPoint Engineering & Surveying Ltd to complete the Little River Trail Bridge Assessment and Replacement at a cost of \$65,470 plus HST.	2023-09-11	2023-09-11	Approved	CD
Noise By-Law/Peace and Good Order - staff revisit the Noise By-Law/Peace and good order.	2023-09-12	2023-12-05	Pending Council Approval	CAO
Mariner's Drive Surplus Lands - the property known as PID 45275278 on Mariner's Drive in Hantsport be deemed surplus property and listed for sale.	2023-09-12	2023-10-10	Pending Council Approval	Plan/CAO
Municipal Encroachment - CAO to engage with landowners at the corner of Albert and King to find a resolution to the encroachment issue, whether it involves purchasing land, an easement or another mutually accepted solution.	2023-09-12	2023-10-10	Pending Council Approval	
Planning and Heritage Advisory Committee Member - appoint Tim Carr to PAC/HAC for the remainder of the 2022-2024 term.	2023-09-12	2023-09-26	Pending Council Approval	CAO/Plan
Tremaine Crescent Flood Issues - engage staff in an effort to address & engineer a solution to resolve ongoing flood issues being experienced at 335 Tremaine Crescent.	2023-09-12	2023-12-05	Pending Council Approval	PW
Windsor Falmouth Water Interconnection - approve the award design as identified in the 2023/24 Capital Budget to CBCL, total estimated design cost of \$178,956.00, plus applicable taxes.	2023-09-12	2023-09-26	Pending Council Approval	PW
Tax Collection Policy - approve the tax collection policy RCOFN-004.00 as presented at the Sept. 12th Cotw Mtg.	2023-09-12	2023-09-26	Pending Council Approval	Fin

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
WH Uniacke Community Health Board Request - write a letter in support of a feasibility study on transportation be completed.	2023-09-12	2023-09-26	Pending Council Approval	CD/CAO
Municipal Fees Review -CAO direct staff to review WHRM Fees Policy for tax statements and burial fees and report back at the Nov. COTW mtg.	2023-09-12	2023-11	Pending Council Approval	
Newport District Rink Commission -approves allocating \$150,000 annually for the next 5 years in the Capital Budget to support Capital upgrades.	2023-09-12	2023-09-26	Pending Council Approval	Fin
Payzant Drive Extension - approves the award of conceptual design to DesignPoint Engineering & Surveying Ltd., for the quoted amount of \$19,874.00, plus applicable taxes.	2023-09-12	2023-09-26	Pending Council Approval	PW
RCMP Multi-year Financial plan for 2023-2029 - approve in principle the RCMP Multi-year Financial plan for 2023-2029.	2023-09-12	2023-09-26	Pending Council Approval	Fin
MFC Fall Debentures 2023 - approve the Mayor and clerk sign the resolution for preapproval for a 5 yr debenture of \$42,418 for extrication tools for BFD Stn 1.	2023-09-12	2023-09-26	Pending Council Approval	Fin
MFC Fall Debentures 2023 - approve the Mayor and clerk sign the resolution for preapproval for a 20 yr debenture of \$649,275, for rehabilitation of the Churchill and Highland Ave, in Hantsport.	2023-09-12	2023-09-26	Pending Council Approval	Fin
Combiner Sewer Overflows over land and into water courses - initiate communications following any CSO's over land or into water courses that occur in WHRM to identify the need to exercise caution and potential health risks associated.	2023-09-12	2023-09-26	Pending Council Approval	CD/PW



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: September 26, 2023

Subject: WHLUB Amendment: Pemberton Avenue, Garlands Crossing (PID 45003563);
File # 23-03B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

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

...that Council gives Second Reading and approves amending Schedule A of the West Hants Land Use By-law to rezone PID 45003563 on Pemberton Avenue, Garlands Crossing, from the General Commercial (GC) zone to the Two Unit Residential (R-2) zone in a manner substantively the same as Figure 3 of the staff report to the Planning and Heritage Advisory Committee report #23-03 dated June 7, 2023.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from Gene and Annetta Anthony on March 14, 2023. The application is to allow for two, two unit dwellings by rezoning the subject lot to the Two Unit Residential (R-2) zone. The property owners indicate they will then apply to subdivide the subject lot if the rezoning is approved.

DISCUSSION

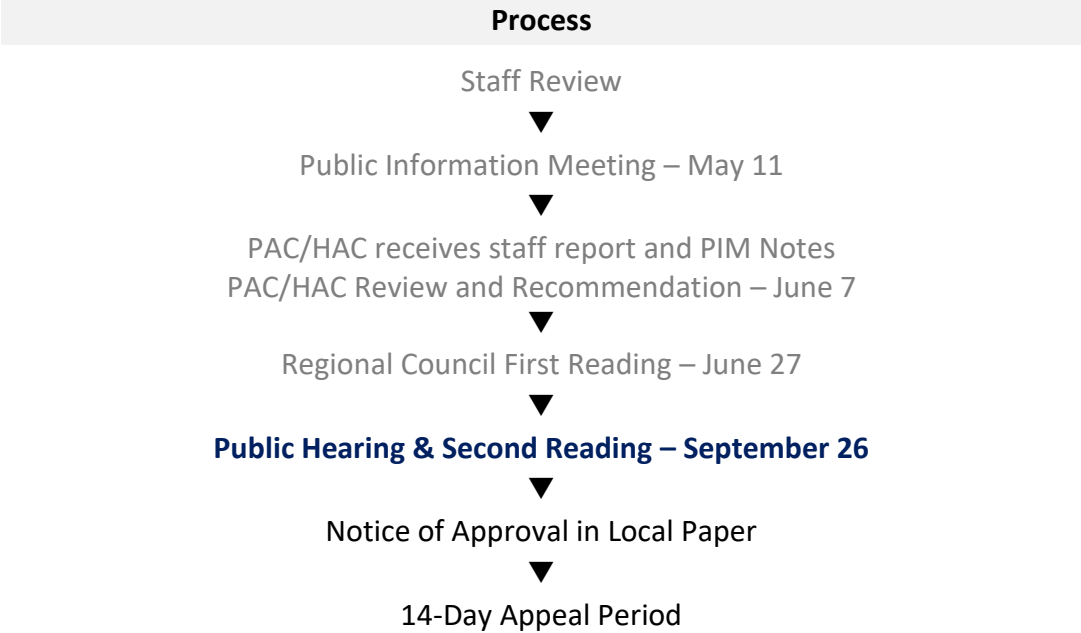
A Public Information Meeting was held on May 11, 2023.

On June 7, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). During the June 7 meeting, PAC/HAC recommended in favour of the proposed rezoning.

On June 27, 2023, staff presented the PAC/HAC recommendation to Council for First Reading. During the June 27 meeting, Council recommended in favour of the application.

NEXT STEPS

The process for this application is as follows.



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold Second Reading and approve the amendments 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 2023-06-07 Staff Report - WHLUB Amendment: Pemberton Avenue, Garlands Crossing (PID 45003563); File # 23-03

CHIEF ADMINISTRATIVE OFFICER REVIEW

To approve first reading and to conduct a public hearing will promote public feedback regarding the proposal and allow Council to thoroughly review not only the components of the rezoning application but public feedback.

I support the recommendation.

Report Prepared by: _____
Alex Dunphy, Planner

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Appendix A – 2023-06-07 Staff Report - WHLUB Amendment: Pemberton Avenue, Garlands Crossing (PID 45003563); File # 23-03



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
 Alex Dunphy, Planner

Date: June 7, 2023

Subject: WHLUB Amendment: Pemberton Avenue, Garlands Crossing (PID 45003563);
 File # 23-03

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

Staff recommend that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending Schedule A of the West Hants Land Use By-law to rezone PID 45003563 on Pemberton Avenue, Garlands Crossing, from the General Commercial (GC) zone to the Two Unit Residential (R-2) zone.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from Gene and Annetta Anthony on March 14, 2023. The application is to allow for two, two unit dwellings by rezoning the subject lot to the Two Unit

Residential (R-2) zone. The property owners will then apply to subdivide the subject lot if the rezoning is approved.

DISCUSSION

The subject lot is currently designated Commercial Core and included within both the Three Mile Plains Growth Centre and the Commercial Development District on the Generalized Future Land Use Map (GFLUM) of the West Hants Municipal Planning Strategy (WHMPS) (Figure 1). The subject lot is zoned General Commercial (GC) on Schedule A of the West Hants Land Use By-law (WHLUB) (Figure 2).

Surrounding Context

Properties surrounding the subject lot on the south side of Highway 1 are designated Commercial Core and included within both the Three Mile Plains Growth Centre and the Commercial Development District, with the properties on Pemberton Avenue being zoned General Commercial (GC) and the properties to the southeast being zoned Highway Commercial (HC). Adjacent properties on Pemberton Avenue are single unit residences, while a commercial area including restaurants, a gas station, convenience store, and personal service shops are located southwest of the subject lot.

Municipal Planning Strategy Document Review

Policy 5.3.4 is the primary enabling policy to be considered for this application. This policy provides Council with the ability to consider rezoning to the Two Unit Residential (R-2) zone. The Policy also includes criteria which must be considered in relation to the proposal. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria since:

- the subject lot is capable of being serviced by municipal water and sewer; and
- the proposed use will not conflict with adjacent existing uses.

Policy 16.3.1 establishes the general criteria that must be considered for all amendments to the West Hants Land Use By-law. 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 Project Engineer have no concerns which have not been addressed in this report.

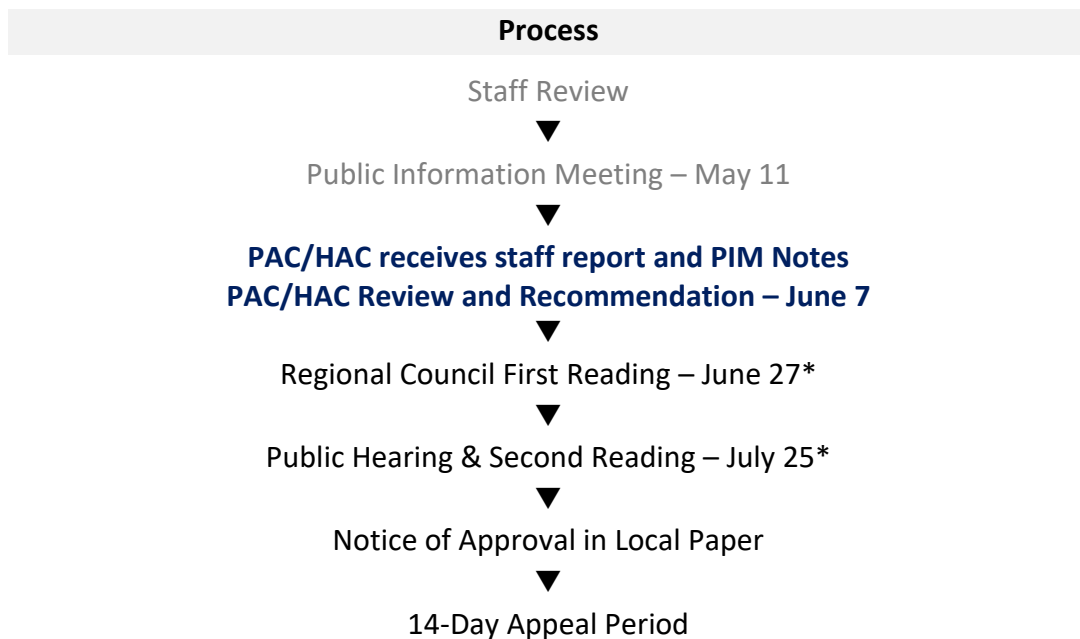
MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property.

Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the 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 amend the zoning of PID 45003563 to the Two Unit Residential (R-2) zone.



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

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

- hold First Reading and authorize a Public Hearing to approve the amendments 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	West Hants Proposed Zoning Map Extract
Attachment A	Policy Summary for Amendments
Attachment B	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

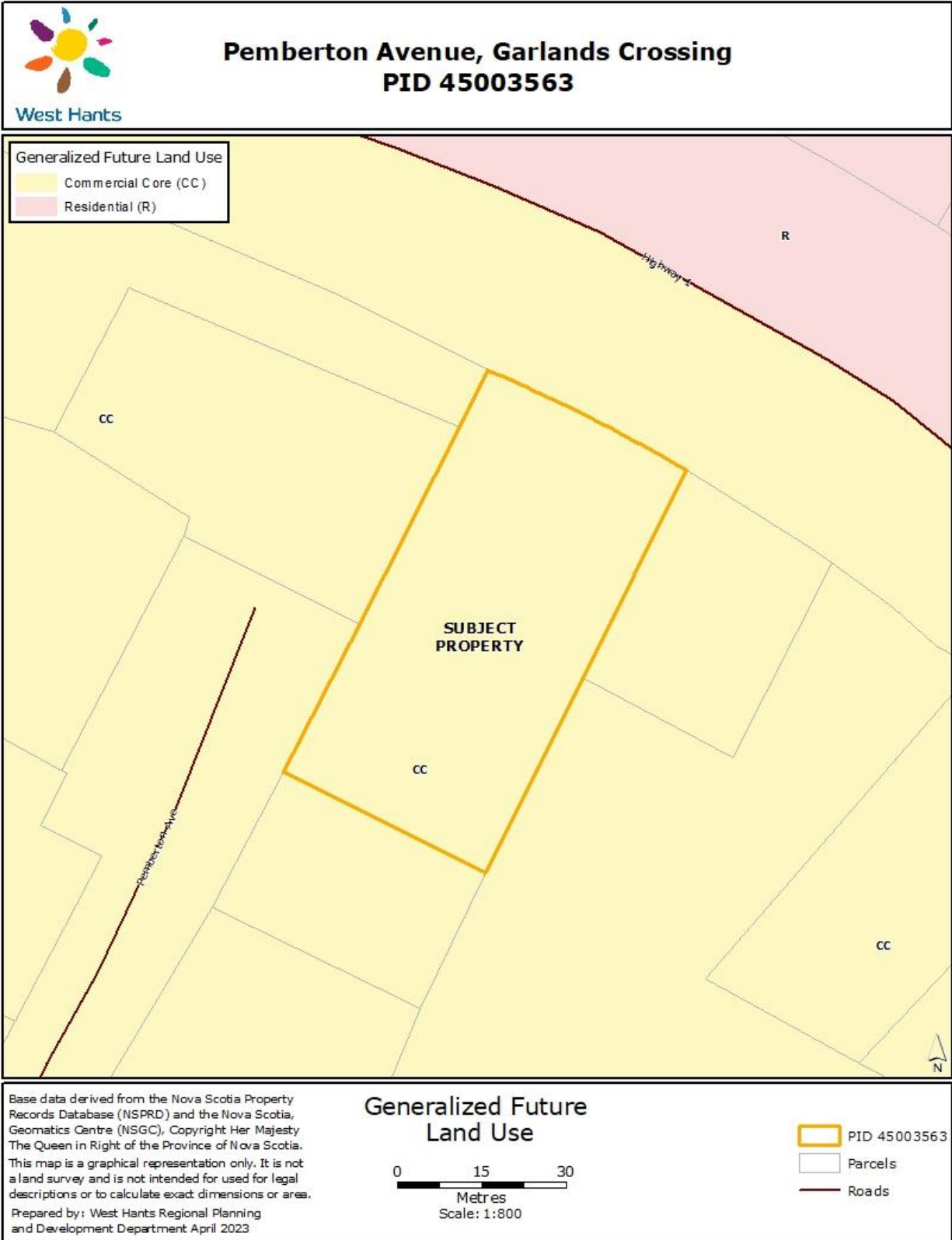


Figure 2 – West Hants Zoning Map Extract

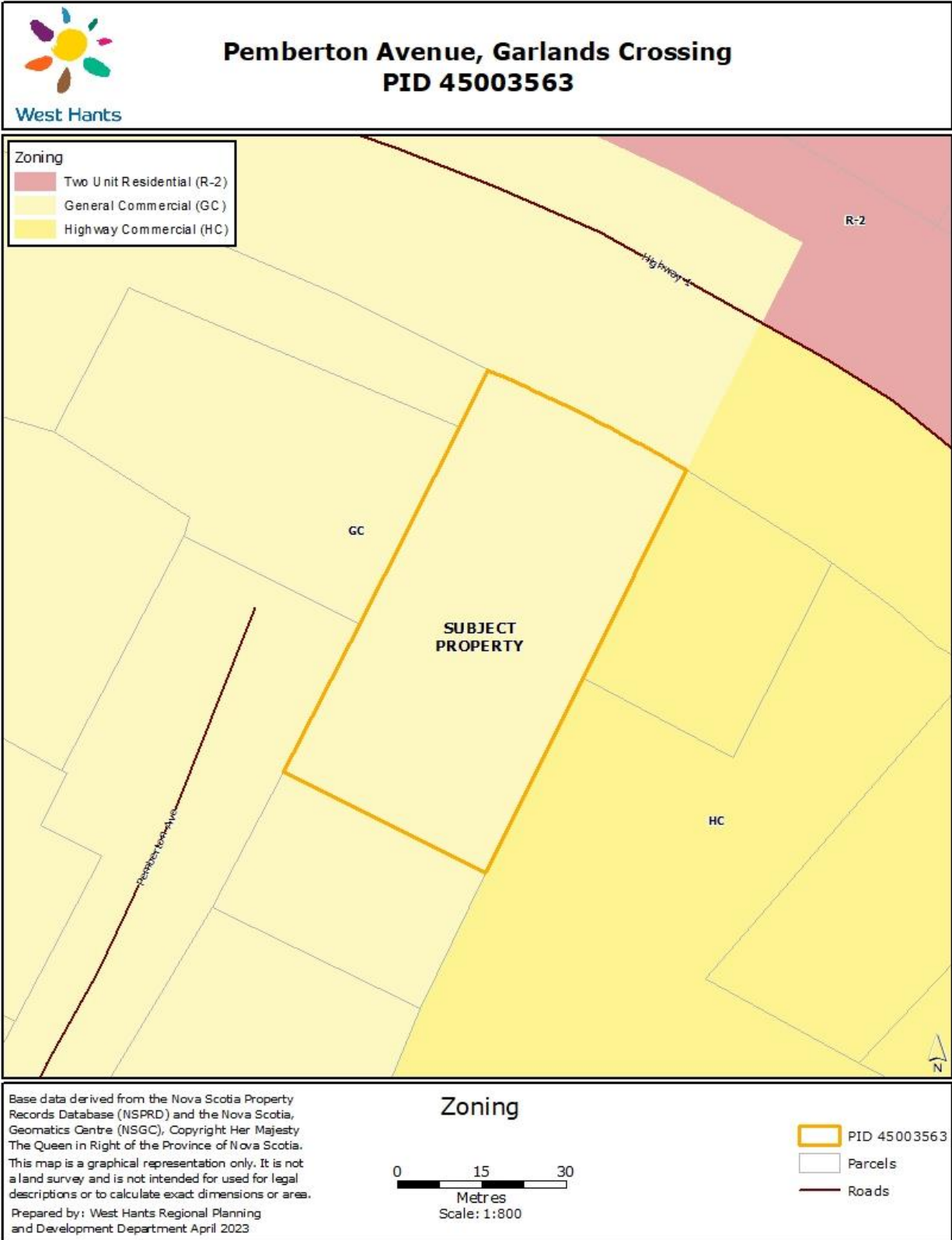
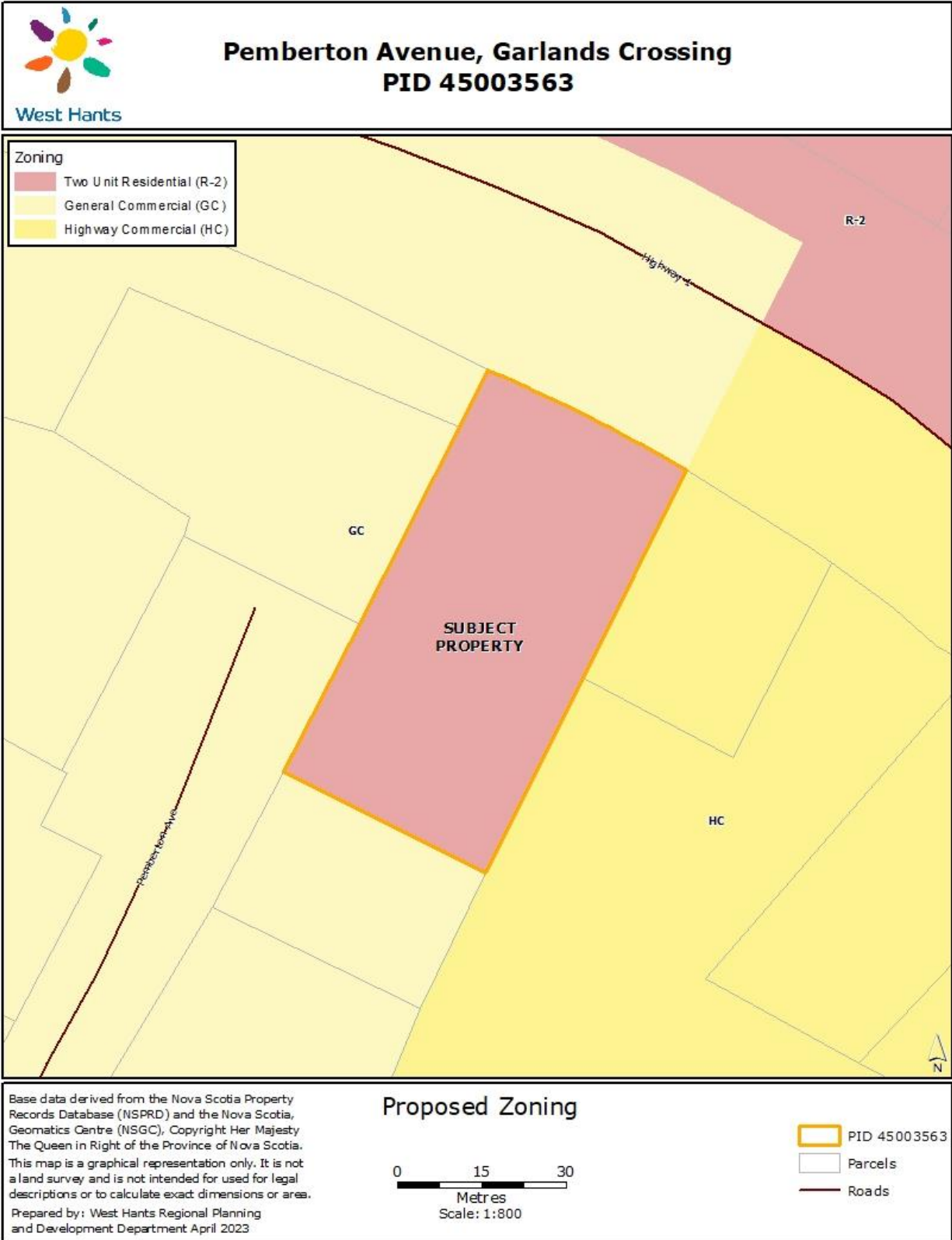


Figure 3 – West Hants Proposed Zoning Map Extract



Attachment A – Policy Summary for Amendments

<p>Policy 5.3.4 <i>It shall be the policy of Council to consider rezoning land within the Three Mile Plains Growth Centre to R 2 subject to the following:</i></p>	
<p><i>(a) the area to be rezoned is serviced, or is capable of being serviced, with municipal water and sewer; (Amendment WHMPS 14-01 Effective January 22, 2015)</i></p>	<p>The Municipal Project Engineer commented that the lot is capable of being serviced by municipal water and sewer.</p>
<p><i>(b) the proposed use will not conflict with adjacent existing uses;</i></p>	<p>The Development Officer commented that they have no concerns regarding conflict between the proposed use and adjacent existing uses.</p>
<p><i>(c) any other matter which may be addressed in a Land Use By-law; and</i></p>	<p>All relevant matters have been addressed in this report.</p>
<p><i>(d) Policy 16.3.1.</i></p>	<p>See Policy 16.3.1 below.</p>

<p>Policy 16.3.1 <i>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:</i></p>	
<p><i>(a) whether the proposal is considered premature or inappropriate in terms of:</i></p>	
<p><i>(i) the adequacy of sewer and water services;</i></p>	<p>The Municipal Project Engineer commented that they had no concerns regarding the adequacy of municipal services.</p>
<p><i>(ii) the adequacy of school facilities;</i></p>	<p>No impact on school facilities is anticipated.</p>
<p><i>(iii) the adequacy of fire protection and other emergency services;</i></p>	<p>Both the Manager of Building and Fire Inspection Services commented that they had no concerns regarding the adequacy of fire protection. The local</p>

	Fire Chief commented that they also had no concerns.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Area Manager of the Nova Scotia Department of Public Works commented that they had no concerns regarding the adjacent road network.
<i>(v) the financial capacity of the Municipality to absorb any costs relating to the development.</i>	There are no anticipated costs to the Municipality regarding this development.
<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;</i>	The Municipal Project Engineer commented that the subject lot is capable of being serviced by municipal water and sewer.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	The Area Manager of the Nova Scotia Department of Public Works commented that they had no concerns regarding the suitability of movement and traffic and that the subject lot would be granted a single access to Highway 1.
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer commented that they had no concerns regarding the adequacy of the dimensions and shape of the lot for the intended use.
<i>(e) the pattern of development which the proposal might create;</i>	The Development Officer commented that they had no concerns regarding the pattern of development which the proposal might create.
<i>(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;</i>	The subject lot is relatively flat, excepting the portion fronting onto Highway 1. There are no waterbodies or wetlands present on the mapping for the property and there are no evident

	concerns in terms of steepness of grade, soil or geological conditions.
<i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i>	All Municipal, Provincial, and Federal regulations will have to be met.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	All relevant matters have been addressed in this report.

Attachment B – Public Information Meeting Notes

May 11 - May 25, 2023

WHLUB Amendment: Pemberton Avenue, Garlands Crossing (PID 45003563); File # 23-03

Meeting date and time	A Public Information Meeting was held on May 11, 2023 beginning at 6:02 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for the meeting: Two (2) Councillors: <ul style="list-style-type: none">• Councillor Murley• Councillor Ivey Four (4) members of staff: <ul style="list-style-type: none">• Planner Dunphy• Planner Fredericks• Planning Assistant Lake• Director Poirier PAC/HAC Members: <ul style="list-style-type: none">• Jennifer Nicholls (Chair)• Jane Davis• Stefan Palios• Tasha Rogers• Lisa Bland 20 members of the public.
Applicant Gene & Annetta Anthony Property Pemberton Avenue, Garlands Crossing (PID 45003563)	Planner Dunphy outlined the application to rezone the subject lot to permit two, two unit dwellings. The applicant did not provide a presentation.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between May 11 – May 25, 2023. Staff received no phone calls or written correspondence during the comment period. 3 members of the public and the applicant spoke during the May 11 Public Information Meeting. Staff and applicant responses are in purple.

	<ul style="list-style-type: none">• Paul asked about the option to rezone to the Single Unit Residential (R-1) zone, as that area is primarily single unit dwellings.• Gina Cochrane asked about access to the lot. <i>Alex responded that the NS Department of Public Works would be contacted to inquire about access.</i> Gina then commented that the area is single unit dwellings and that the higher density development would contribute to traffic and road issues.• A member of the public commented that it is best to have the developer in-person at the meeting. The developer not living in the community is seen as an issue. <i>Gene Anthony, the applicant, commented that they originally used the property for a shop and were now rezoning to residential to match the surrounding uses.</i>
Adjournment	The PIM was adjourned at approximately 6:21 p.m.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: September 26, 2023

Subject: HLUB Amendment: 35 William Street, Hantsport (PID 45044419); File # 23-06B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

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

...that Council gives Second Reading and approves amending the Hantsport Land Use By-law to increase the height and number of dwelling units permitted in the Mixed Commercial/Residential (C-2) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report #23-06 dated June 7, 2023.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An updated application was received from Michael Lawen of Cornerstone Developments Ltd. on April 14, 2023. The application is to allow for a 5-storey, 40-unit residential apartment building at 35 William Street in Hantsport.

DISCUSSION

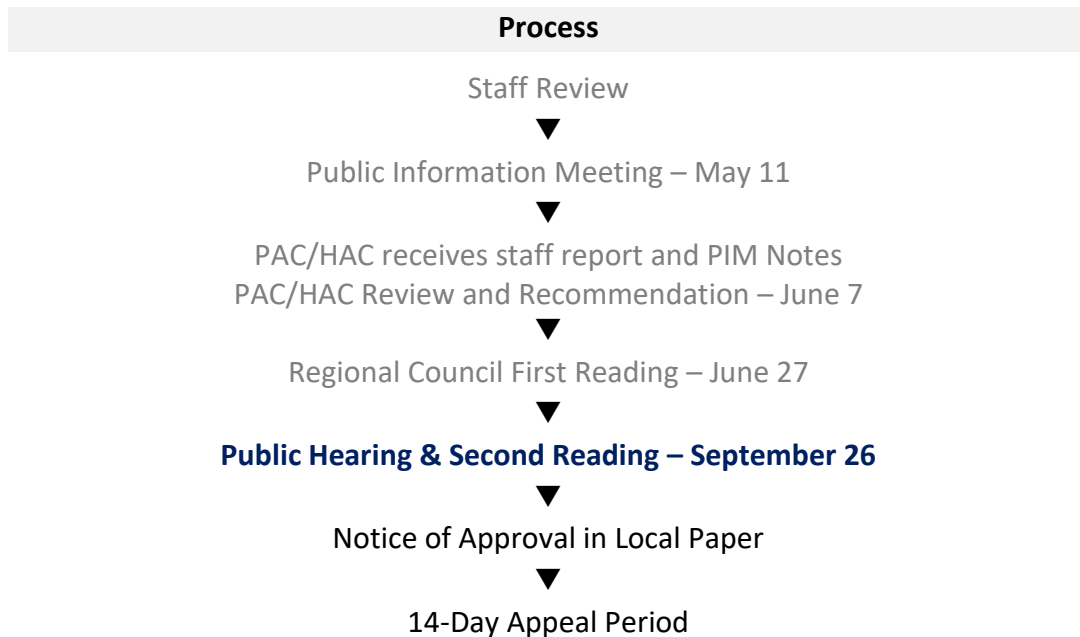
A Public Information Meeting was held on May 11, 2023.

On June 7, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). During the June 7 meeting, PAC/HAC recommended in favour of the proposed amendments.

On June 27, 2023, staff presented the PAC/HAC recommendation to Council for First Reading. During the June 27 meeting, Council recommended in favour of the application.

NEXT STEPS

The process for this application is as follows.



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold Second Reading and approve the amendments 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 2023-06-07 Staff Report - HLUB Amendment: 35 William Street (PID 45044419); File # 23-06

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report highlights that the MPS allows for the consideration of the amendments within the identified C-2 zone and no major concerns have been expressed. Increases in the height, number of units and parking reduction requirements are in keeping with developments in other growth centers and will allow for more density within the serviced areas.

I support the recommendation.

Report Prepared by: _____
Alex Dunphy, Planner

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

**Appendix A – 2023-06-07 Staff Report -
HLUB Amendment: 35 William Street (PID 45044419); File # 23-06**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: June 7, 2023

Subject: HLUB Amendment: 35 William Street (PID 45044419); File # 23-06

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

Staff recommend that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Land Use By-law to increase the height and number of dwelling units permitted in the Mixed Commercial/Residential (C-2) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated June 8, 2023.

BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An updated application was received from Michael Lawen of Cornerstone Developments Ltd. on April 14, 2023. The application is to allow for a 5-storey, 40-unit residential apartment

building.

DISCUSSION

The subject lot is designated Commercial and included in the Commercial Development District on the Generalized Future Land Use Map (GFLUM) of the Hantsport Municipal Planning Strategy (HMPS) (Figure 1). The subject lot is zoned Mixed Commercial/Residential (C-2) on Schedule A of the Hantsport Land Use By-law (HLUB) (Figure 2).

Proposal Information

The site plan that was submitted with the application has been included as Figure 3. Staff is providing this for information purposes only. There is no mechanism to require adherence to any proposed site plans associated with the amendments to the HLUB.

Surrounding Context

Properties surrounding the subject lot are primarily designated Commercial and zoned Mixed Commercial/Residential (C-2) to the south and west, with properties to the north and east designated Industrial and zoned Industrial (M) and Residential Multiple Unit (R-3). Nearby uses in the area include an existing apartment building, a fire station, and a rail yard.

Draft Land Use By-law Changes

Currently the HLUB allows:

- a maximum height for all main buildings of 35 ft. (except within the Industrial (M) zone); and
- a maximum of 20 units per apartment building in the Mixed Commercial/Residential (C-2) zone.

The current parking requirement for apartment buildings is a ratio of 1.5 parking spaces per dwelling unit.

In summary, to permit the proposed development, the following changes are required to the HLUB:

- an increase in maximum height for main buildings in the Mixed Commercial/Residential (C-2) zone to 55 ft;
- an increase in the maximum dwelling units per apartment building in the Mixed Commercial/Residential (C-2) zone to a total of 40; and
- inclusion of a parking requirement for the Mixed Commercial/Residential (C-2) zone of one parking space per dwelling unit.

The full set of changes can be found in Attachment B.

As the proposed amendment would affect all properties within the Mixed Commercial/Residential (C-2) zone, staff have prepared a map showing the extent of the zone in Hantsport, shown as Figure 4. The Mixed Commercial/Residential (C-2) zone is localized to the western portion of William Steet, northern Main Street, Chittick Avenue, and Jubilee Lane.

Based on inquiries to the local Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Project Engineer, and Traffic Authority, these changes did not raise any concerns which are not otherwise addressed in this report.

Municipal Planning Strategy Document Review

Policy IM-3 establishes the general criteria that must be considered for all amendments to the HLUB. 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 Project Engineer have no concerns which have not been addressed in this report.

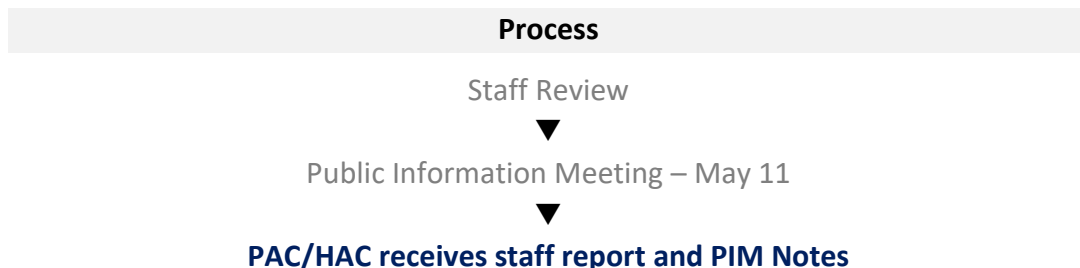
MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property.

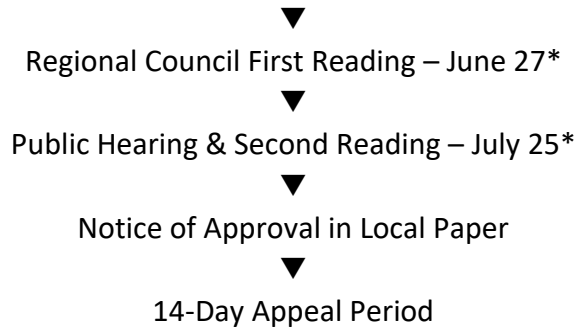
Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed amendments have been considered within the context of the general policies of the HMPS, and is consistent with the intent, objectives, policies and criteria of the HMPS. As a result, it is reasonable to....



PAC/HAC Review and Recommendation – June 7



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

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

- hold First Reading and authorize a Public Hearing to approve the amendments 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	Hantsport GFLUM Extract
Figure 2	Hantsport Zoning Map Extract
Figure 3	Proposal Site Plan
Figure 4	Mixed Commercial/Residential (C-2) Zone Extent Map
Attachment A	Policy Summary for Land Use By-law Amendments
Attachment B	Draft Amendments
Attachment C	Public Information Meeting Notes

Report Prepared by: _____
Alex Dunphy, Planner

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

Figure 1 – Hantsport GFLUM Extract

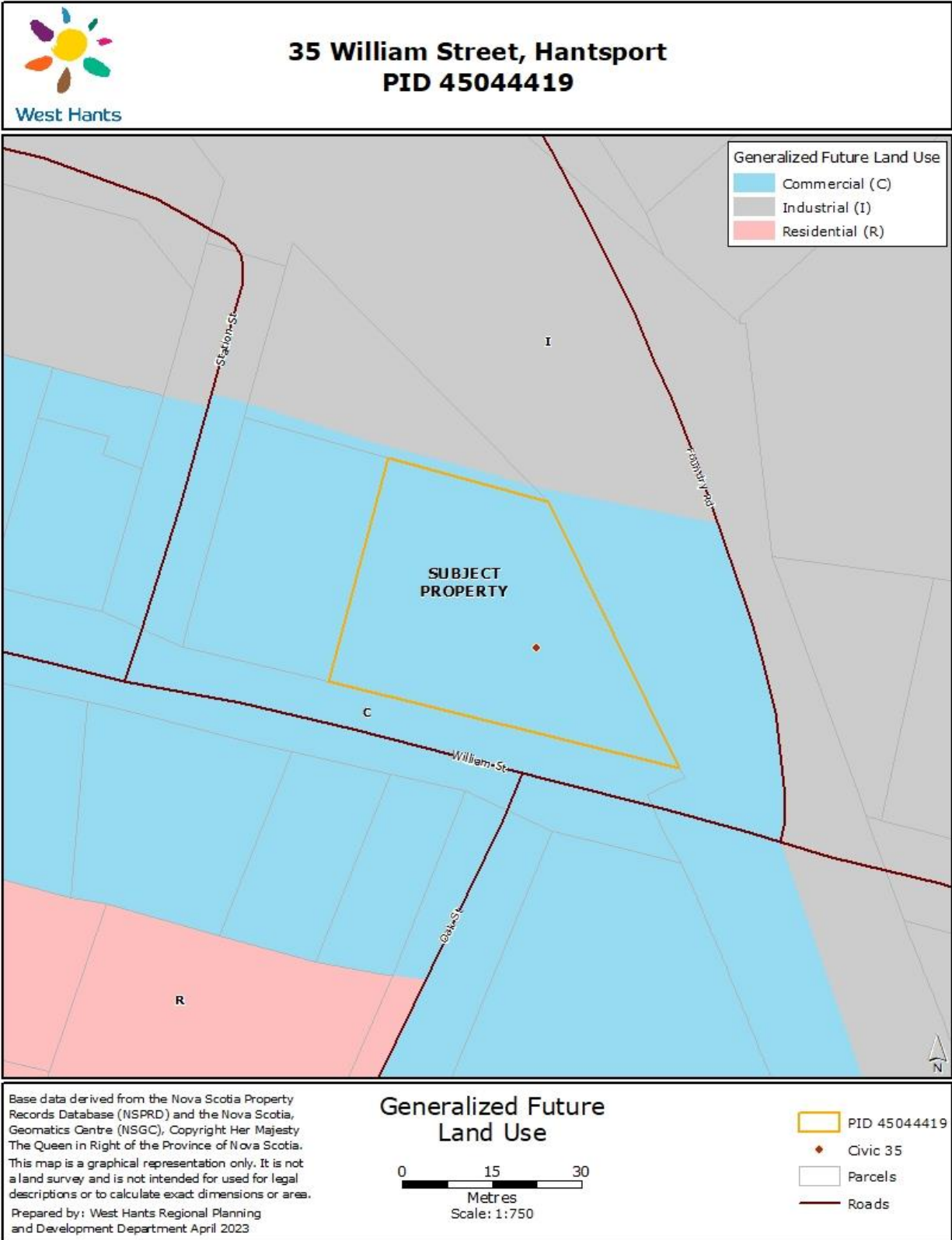


Figure 2 – Hantsport Zoning Map Extract

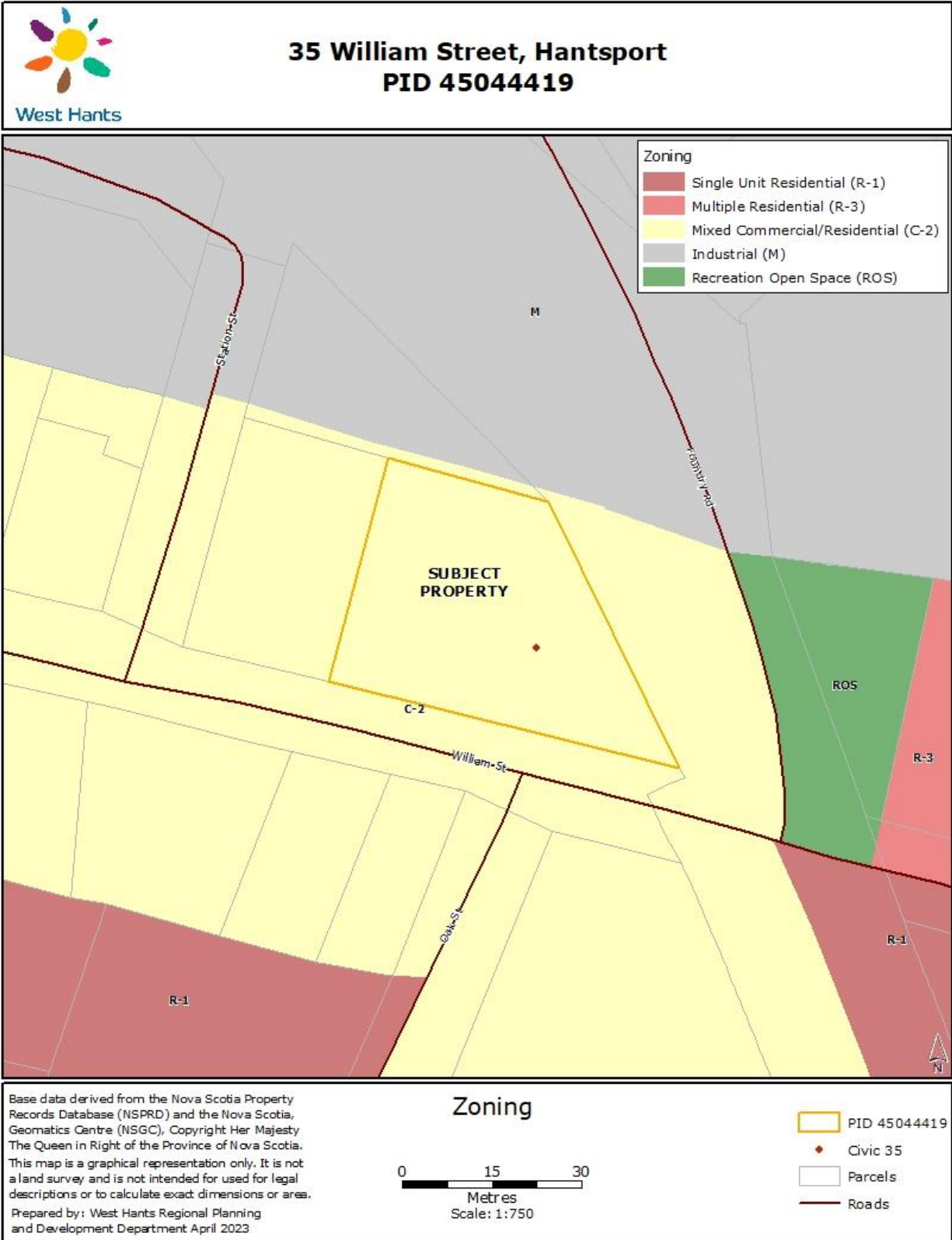
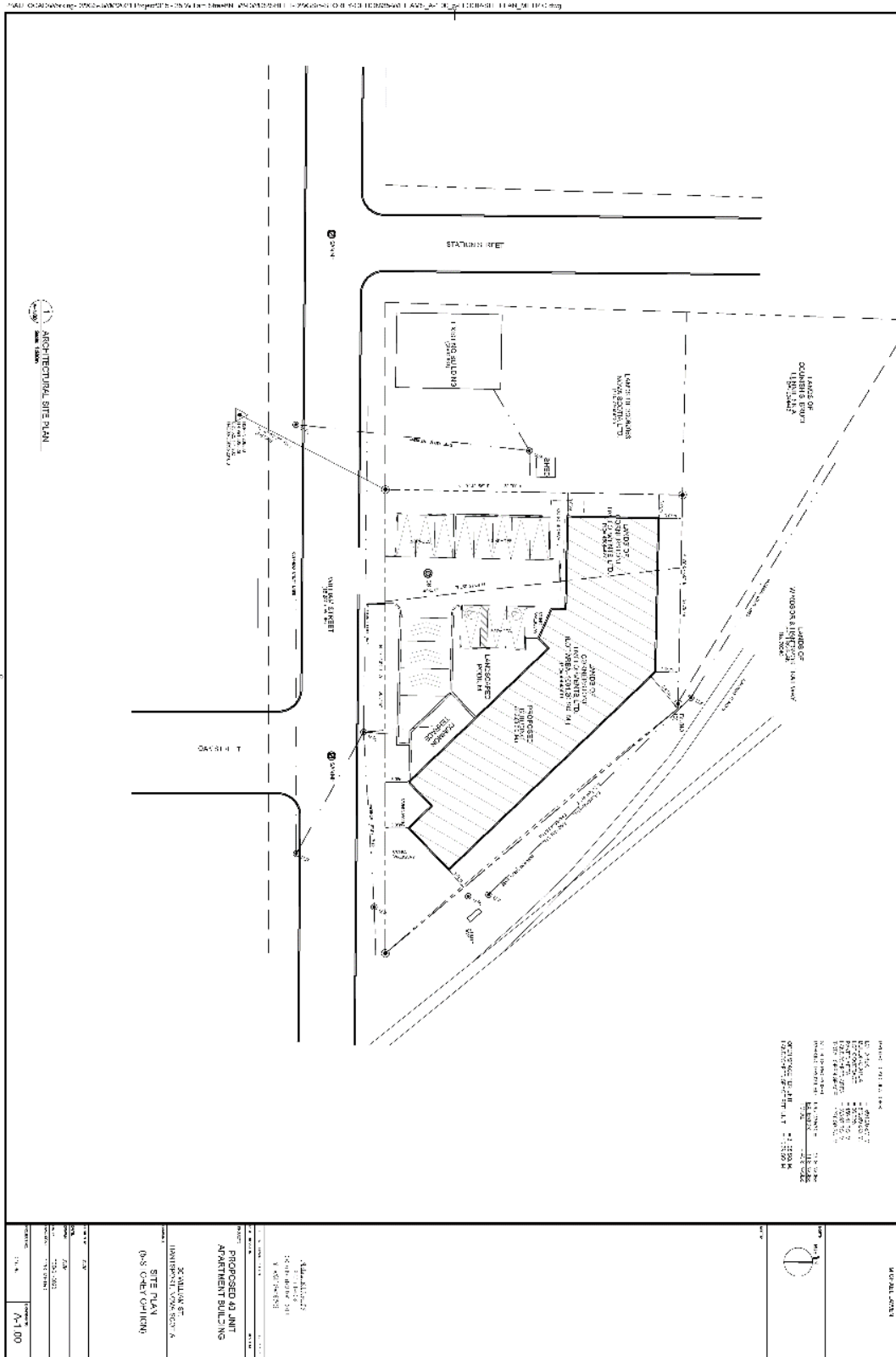
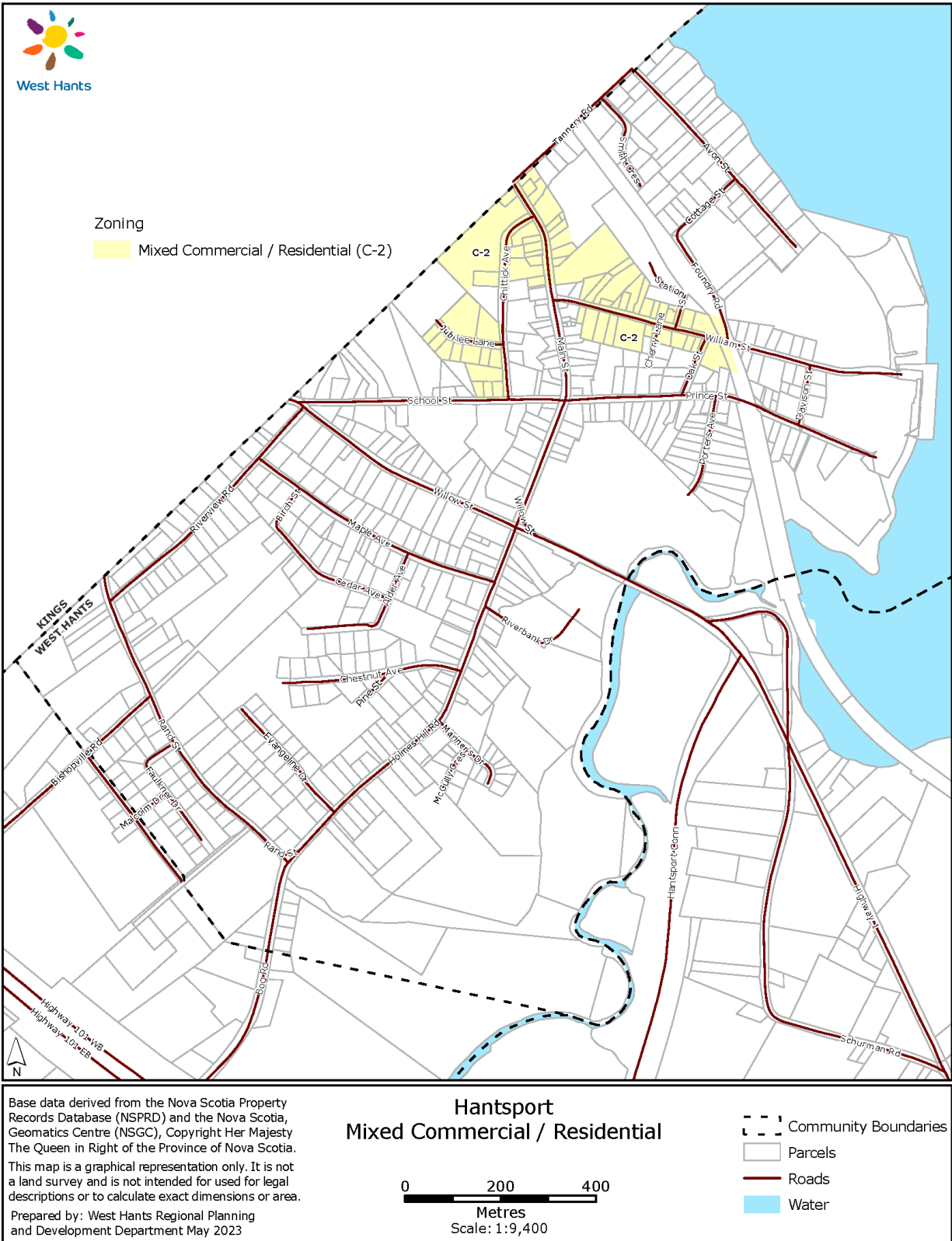


Figure 3 – Proposal Site Plan



PROJECT	PROPOSED 40 UNIT APARTMENT BUILDING
CLIENT	100 MILL STREET
DATE	08-08-2018
SCALE	1/4" = 1'-0"
PROJECT NO.	18-001
DATE	08-08-2018
SCALE	1/4" = 1'-0"

Figure 4 – Mixed Commercial/Residential (C-2) Zone Extent Map



Attachment A – Policy Summary for Land Use By-law Amendments

<p>Policy IM-3 <i>In considering amendments to the Town of Hantsport Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:</i></p>	
<p><i>(a) whether the proposal is considered appropriate in terms of:</i></p>	
<p><i>(i) the adequacy of sewer and water services;</i></p>	<p>The Municipal Project Engineer commented that the allowable withdrawal limit from the Davidson Lake watershed is being approached, however, the water system could accommodate this proposal. Also, the existing sewer system does have capacity for this proposed development.</p>
<p><i>(ii) the adequacy of school facilities;</i></p>	<p>The Regional Executive Director of the Annapolis Valley Regional Centre for Education stated that “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.”</p>
<p><i>(iii) the adequacy of fire protection;</i></p>	<p>The Manager of Building and Fire Inspection Services commented that the apartment building would require a sprinkler system to be installed and that staff should review the application with the Fire Department. The Hantsport Fire Chief commented that they did not have any concerns regarding the adequacy of fire protection for the proposal.</p>

<p><i>(iv) the impact on adjacent uses;</i></p>	<p>The Development Officer commented that they did not have any concerns regarding the impact on adjacent uses.</p>
<p><i>(v) the adequacy of road networks adjacent to, or leading to the development; and</i></p>	<p>The Municipal Traffic Authority commented that they did not have any concerns regarding the adequacy of the road networks.</p>
<p><i>(vi) the financial capacity of the Town to absorb any costs relating to the development.</i></p>	<p>There are no anticipated costs to the Municipality regarding this development.</p>
<p><i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i></p>	<p>The Municipal Traffic Authority commented that they did not have any concerns regarding the suitability of movement for auto, rail, or pedestrian traffic.</p>
<p><i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer commented that they did not have any concerns regarding the adequacy of the dimension and shape of the lot, provided that parking can be accommodated. Staff are suggesting the inclusion of a provision to permit a parking ration of one parking space per dwelling unit, which matches the ratio that has been used for multiple unit buildings considered by development agreement in Windsor. The Development Officer agreed with this addition.</p> <p>Other lots included in the Mixed Commercial/Residential (C-2) zone would have to meet all requirements of the zone to permit a multi-unit apartment building, staff do not</p>

	anticipate any issues caused by the change.
<i>(d) the pattern of development which the proposal might create;</i>	The Development Officer commented that they did not have any concerns regarding the pattern of development that the proposal may create.
<i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i>	The subject lot appears relatively flat and suitable for development. There are no waterbodies or wetlands present on the mapping for the property and there are no evident concerns in terms of steepness of grade, soil or geological conditions.
<i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations;</i>	All Municipal, Provincial, and Federal regulations will have to be met.
<i>(g) the impact of not only the use being proposed but all uses permitted in the zone;</i>	Staff do not view any of the permitted uses within the Mixed Commercial/Residential (C-2) zone as an issue for the proposal. Any use in the Mixed Commercial/Residential (C-2) zone would currently be permitted as-of-right.
<i>(h) the site meets all of the zone requirements for the zone sought; and</i>	With the inclusion of the parking ratio provision, the Development Officer commented that they did not have concerns regarding the proposal meeting all zone requirements.
<i>(i) any other matter required by relevant policies of this Strategy.</i>	All relevant matters have been addressed in this report.

Attachment B – Draft Amendments

Note: purple text indicates a change from the present HLUB as recommended by staff and is provided only for the convenience of PAC/HAC and Council.

Text amendments to the Mixed Commercial/Residential (C-2) zone of the Hantsport Land Use By-law to increase the maximum height for main buildings, increase the maximum dwelling units per apartment building and include specific parking requirements.

Hantsport Land Use By-law

- 1. Amend Section 5.2.2, *Height Restrictions*, in the Hantsport Land Use By-law to include the Mixed Commercial/Residential (C-2) zone in the exceptions to the maximum height of all main buildings, so that Section 5.2.2 reads as the following:**

5.2.2 Height Restrictions

The maximum height of all main buildings under the jurisdiction of the Hantsport Land Use By-law shall be 10.67 m. (35 ft.), except:

- (a) buildings within the Industrial (M) zone; and
- (b) buildings within the Mixed Commercial/Residential (C-2) zone, which shall have a maximum height of 16.76 m. (55 ft.).

- 2. Amend Section 9.2.2, *Lot Specifications*, of the Hantsport Land Use By-law to allow up to 40 units per building for apartment buildings and grouped homes, so that Section 9.2.2 reads as follows:**

9.2.2 Lot Specifications

	Minimum Specifications for all Commercial and New Residential uses
Minimum Lot Area	4004 sq. ft. (372 square metres)
Minimum Lot Frontage	39.4 feet (12 metres)
Required Side Yards	9.8 feet (3 metres)
Maximum number of units per building	4 for Townhouse Development 40 for Apartment Buildings and Grouped Homes

- 3. Create Section 9.2.4, *Parking Requirements*, in the Hantsport Land Use By-law to permit a parking ration of one parking space per dwelling unit within the Mixed Residential/Commercial (C-2) zone, so that Section 9.2.4 reads as follows:**

9.2.4 Parking Requirements

Notwithstanding the parking requirements in Section 6.1 of the Land Use By-law, parking in the Mixed Commercial/Residential (C-2) zone is required at one parking space per dwelling unit. All other parking requirements shall follow the requirements in Section 6.1 of the Land Use By-law.

Attachment C – Public Information Meeting Notes

May 11 - May 25, 2023

HLUB Amendment: 35 William Street, Hantsport (PID 45044419); File # 23-06

Meeting date and time	A Public Information Meeting was held on May 11, 2023 beginning at 6:39 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for the meeting: Two (2) Councillors: <ul style="list-style-type: none">• Councillor Murley• Councillor Ivey Four (4) members of staff: <ul style="list-style-type: none">• Planner Dunphy• Planner Fredricks• Planning Assistant Lake• Director Poirier PAC/HAC Members: <ul style="list-style-type: none">• Jennifer Nicholls (Chair)• Jane Davis• Stefan Palios• Tasha Rogers• Lisa Bland 20 members of the public.
Applicant Michael Lawen of Cornerstone Development Ltd. Property 35 William Street, Hantsport (PID 45044419)	Planner Dunphy outlined the application to amend the Land Use By-law to permit a 5-storey, 40-unit apartment building. The applicant did not provide a presentation.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between May 11 – May 25, 2023. Staff received 4 written submissions from the public. The email responses are attached.

	<p>3 members of the public spoke during the May 11 Public Information Meeting. The following are the comments from the public. Staff and applicant responses are included in purple text.</p> <ul style="list-style-type: none"> • Mason Mcquellen commented that allowing up to 5 storeys would cause issues for a small town and that development is becoming too dense, as well as there being limited available parking. • Amanda Forcee commented that the height being proposed was an issue for Hantsport and that increased density could contribute to traffic issues on William Street. Amanda also asked if the residents will only be seniors, or if other age groups will be allowed in the building. Alex responded that he would pass the question along to the developer. • Mason asked for a drawing of the proposal from the developer. Alex responded that he would provide a drawing in the staff report. • Tasha Rogers asked about the available public water supply for Hantsport. Alex responded that Public Works would be contacted to ensure that there would be sufficient municipal service availability.
Adjournment	The PIM was adjourned at approximately 6:51 p.m.

Public Email Responses Submitted for the Application PIM

May 23, 2023

From: Jason Tucker

To: Alex Dunphy

Good morning,

I am a 17-year resident of Hantsport as well as a local business owner. I am in favour of proposals which will bring much-needed housing and density to our community.

Hantsport is ideal for additional growth -- its walkability and access to shops and services makes it well-suited for more housing. Access to the site in question is very good, with 2 streets (Prince & William) leading directly to Highway 1.

If the West Hants professionals evaluating this proposal determine that our infrastructure (traffic, parking, fire services, etc.) can support this development safely, then I would be happy to see this and other multi-story units in this community.

Thank you,

Jason Tucker

May 23, 2023

From: Tim Carr

To: Alex Dunphy

Good morning,

I am a long term resident of Hantsport, and also a local business owner. I am writing to support proposals that would increase the population density of Hantsport, including considerations for rezoning to achieve growth. In particular I support efforts at 35 William Street (PID 45044419) to construct multi-level housing.

Hantsport has no current available rentals and few homes for sale. There is a real demand to live in this community. Hantsport is extremely walkable, with excellent municipal services, fire service and numerous recreational opportunities. Our community is limited in space for new development. It's time to start building upwards in our population centres.

Thank you for considering my letter of support.

Tim Carr

May 23, 2023

From: Bill Preston

To: Alex Dunphy

Hi Alex;

Just a few thoughts regarding this proposal, I totally do not agree with it. The development agreement needs to be changed so that the residents in Hantsport do have some say in proposals by developers.

The requested amendment as such by Cornerstone Developments will require two proposals.

- (1) An increase in the maximum number of units per building from 20 to 40 units
- (2) An increase in the maximum height from 35ft. to 50ft.

That in its-self is a big change however what is concerning is the fact that the amendments would effect all properties zoned mixed Commercial/Residential (C2 in Hantsport).

William St. is a very narrow and busy street with the post office being close as the Credit Union. The fire station just across the street. Workers for the Canadian Keyes Fiber also use William St. to go to and from work. Parking is will be a problem with that location. Height is a problematic it just will not fit in with the surrounding buildings for example the new Fire station is approximately 42 ft.

It has been indicated that the building would be for seniors which would be nice but what if the seniors do not move in what will the rents be?

I totally disagree with both proposals, not enough information. it would be nice to to see the development plans before any approval is given, not cosmetic to area.

What do we know about the developer where is the company from etc. its like buying a pig in a poke.

Respectfully

Bill Preston,

Hantsport Resident, NS

May 25, 2023

From: Heather Pitt

To: Alex Dunphy

1. How many stories tall will the building be?
2. What type of housing is being proposed i.e. family? low income? short rental?
3. How does the development fit in the longterm vision plan for Hantsport?
4. I see this was advertised in the Journal (which unfortunately not many subscribe to) and by a little piece of paper stuck on the building...which we just happened to notice. Where else was it advertised...nobody I know was aware of this development or the May 11th meeting.
5. Where will the 40+ cars park?

May 30, 2023

From: Alex Dunphy

To: Heather Pitt

Hello Heather,

I can provide the following answers to your questions.

1. The proposal is 5 stories tall.
2. The proposal is for senior focused, affordable housing.
3. A more in-depth answer to this question will be provided in the recommendation report going to the Planning and Heritage Advisory Committee. However, the proposal is aligned policy set out in the Hantsport Municipal Planning Strategy.
4. The file was advertised according to our Public Participation Program Policy. In addition to the paper advertisement and the sign posted at the site, letters were also sent to the owners of surrounding properties.
5. The proposal includes underground parking to accommodate the required parking.

Best,

Alex Dunphy



West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>		
Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social	Economic	Councillor Activity <input type="checkbox"/>

To: Council

Submitted by:

Todd Richard, Director, Public Works

Date: September 25, 2023

Subject: Emergency Purchase of Equipment Plow/Salt Dump Truck and Brine Equipment

LEGISLATIVE AUTHORITY

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

Region of Windsor and West Hants Municipality Procurement and Tendering, Section 7.e.1.

RECOMMENDATION or DECISION REQUEST

It is recommended that:

- Council approves the emergency purchase of a truck and dump body from a vendor with an available truck that meets municipal requirements, complete with snow and ice control equipment not to exceed \$350,000 plus applicable taxes.**

BACKGROUND

The equipment replacement was identified and approved in the 2023/24 Capital budget. Staff have recently discovered that truck #50 has significant engine failure resulting in poor performance and reduced power. Estimated cost to repair is a minimum of \$67,424 without guarantee of the end cost. Estimates indicate there is a high probability the cost will be much higher. There is also a high probability that complete engine failure could occur.

Staff followed up with a member of council's suggestion that Maritime Diesel could do an engine replacement for a Cummins model in our truck 50. E-mail confirmation from Maritime Diesel resulted in the following response:

"We do not do engine swaps anymore as they created too many issues for us. Sorry for any inconvenience". They also told us the M11 Cummins engine would not fit in our truck 50 and any switch to a Cummins model would require additional retrofits and expense to match components.

During discussion with several heavy truck distributors representing six major truck brands, it was confirmed truck chassis and bodies are scarce throughout North America with long delivery times.

Below table shows more detailed information and a higher accuracy of estimates along with an appraisal of truck 50 as is and after engine replacement, necessary MVI repairs and dump body work.

Attachments are included for reference.

East Coast International provided an appraised value:

- If the truck had a completed MVI noted repairs and engine repaired or replaced and truck ready to plow the value would be \$25,000
- As the truck sits currently today the value is \$5,000

Description of Repair	Timeline for Completion	* Cost of Repair
Engine Rebuild	Tentative Nov 30 (no guarantee)	\$25,065 plus tax (Starting point)
Recon Engine (drop in)	Tentative Nov 30 (no guarantee)	\$45,838 plus tax (Starting point)
New Engine	Not available	Dealer unable to get a price
MVI repairs required to pass inspection	Tentative Nov 30 (no guarantee)	\$14,585 plus tax
Salt / Dump box repairs	Tentative Dec 31 (no guarantee)	\$55,548 plus tax

***Estimates only – This does not cover additional parts and labour that may be required after disassembly**

Below chart shows different truck repair scenarios that could be considered. However, given the low appraised value of truck 50 in its current condition and low appraised value even after substantial investment staff would not recommend any of these scenarios. The net cost shows the overall cost minus the \$20,000 increase in appraisal after required repairs.

	Rebuild engine.	Recon engine.	MVI	Dump Box Repair	Total Cost	New Value	Net Cost \$20,000 inc. value
Work	\$25,065	\$45,838	\$14,585	\$55,548.29	-----		-----
Scenario 1	\$25,065		\$14,585	\$55,548.29	\$95,198	\$25,000	\$(75,198)
Scenario 2		\$45,838	\$14,585	\$55,548.29	\$115,971	\$25,000	\$(95,971)
Scenario 3 *	\$25,065		\$14,585	\$27,774.15	\$67,424	\$25,000	\$(47,424)
Scenario 4 *		\$45,838	\$14,585	\$27,774.15	\$88,197	\$25,000	\$(68,197)

* Scenarios 3 & 4 indicate a projection of doing minimal dump body work sufficient for one winter season, approximately 50% repair.

DISCUSSION

The truck replacement has not been tendered to date. Due to the long delivery times and the importance of this truck/equipment being available for winter snow & ice control operations, staff are recommending the replacement would qualify as an emergency purchase as per section 7.e.1. of the West Hants Municipal Procurement and Tendering Policy. The truck/equipment being recommended is currently in stock and available for delivery in time for the winter season. Staff reached out for pricing to all known vendors on trucks that may be available in time for the winter season from multiple dealers. Only two responded potential availability, and there is no guarantee that these trucks currently in stock will not be sold before the municipality is able to purchase. There will also be additional costs (included in the recommendation) to outfit and install snow and ice control equipment (pre wet salter). Staff have requested quotes from three vendors, and we received a low bid including installation for \$30,530. The current Truck 50 is one of our priority pieces of equipment for snow and ice control along with hauling / dumping of materials. Without a timely replacement this would put us at risk of potentially not meeting our service levels.

Staff have spent significant time and effort looking for other solutions and do not like to be in this position as it is not a normal purchasing procedure. The current global situation of lack of supply of truck chassis is not unique to West Hants as many other municipalities are in the same situation. Early after budget approval this year staff reached out to several other municipalities to pool resources on bidding on trucks together for additional buying power and speed up the delivery. After speaking with

vendors staff learned this endeavor would make no difference, in fact it may prolong the delivery if the collective was seeking multiple trucks as the availability is not there. We also recently were made aware the Colchester staff recently asked their council to by-pass the tender process for purchasing of a dump truck. Vendors are not bidding on tenders given they cannot hold pricing for trucks that have a long delivery time between 18 to 24 months. Truck chassis are very scarce and when vendors are able to secure trucks they are usually sold before they hit the sales lot. Sale prices for their units are also seeing monthly increases, another reason the tendering process is not popular for vendors.

Staff have also considered rental options and contracted services. All calls to known suppliers have shown no rental units are available that would meet our municipal needs. Contracting additional services to replace the function of unit 50 would result in additional costs outside of current operating budget and staff are uncertain to guarantee contractors availability.

The plan, if council approves the recommendation would be to secure a lowest priced unit that is available as soon as possible. The truck would then be outfitted with a pre-wet push in salt unit housed in the dump-box. We will be re-using the existing plow blade for unit 50, however there will be costs associated with connecting and plumbing hydraulics and controls (these costs are included in the ask).

If the recommendation is approved staff will investigate if "Canoe Procurement" would be applicable from the vendor. However, given the urgency staff still recommend the emergency clause to prevent any delays.

The other alternative would be to replace / repair the engine in the current unit 50. However, given the age, condition and reliability of this unit staff are not recommending this option. Another issue and reason with not recommending the repair is no guarantee the repair would be complete before winter season begins.

The truck originally scoped for estimated cost pre-budget was for a single-axle dump truck. The unit being recommended is a tandem truck for the following reasons:

- Availability for a single axle dump truck is 18-24 months delivery and no current available stock;
- Tandem truck has been forecasted in PW's capital budget – if approved that unit will essentially been moved to this year instead of a future year;
- More productivity having larger capacity dump box and hauling capacity;
- Less contracted services requiring rented tandem trucks during construction season;
- More efficient / cost effective operations;
- Better combined workflow with new recent excavator purchase.

Equipment Pricing of available truck/equipment obtained by Staff is as follows.

Dealer/make	Truck \$	Salt/brine \$	Plow install \$	Total
East Cost International (International)	\$216,900 Sold	\$ xxxxxx PFT	\$xxxxxxx PFT	\$xxxxxx
Nova Truck Center (Freightliner)	\$355,000 uplifted	included	included	\$355,000
Nova Truck Center (Freightliner) expected to arrive by November	\$280,000 Sold	\$xxxxxxxx	\$xxxxxxx PFT	\$xxxxxxxx
MacKay's Truck Center (Mack)	\$412,285 uplifted	included	included	\$412,285
MacKay's Truck Center (Volvo)	None available			
Bayview Kenworth	None available			
Peterbilt Atlantic	None available			
Silvers Garage (International)	None available			
Parts for Trucks (PFT)	N/A	\$xxxxxx		
Saunders Equipment	N/A		N/A	
Atlantic Costal Equipment	N/A		N/A	
Central Garage NB Currently available, needs dump box installation	\$198,000	\$30,530	\$55,000 (dump box) \$20,000 installation costs	\$303,530

Updated information since presentation to COTW, all trucks that were potentially available have been sold. Staff are looking across Canada to see what may be available for sale. As of Friday September 22, staff have located a dealer in New Brunswick that has in stock and currently available a new International tandem plow truck. This truck has an L9 380hp Cummins engine, Allison 6 speed automatic transmission. The truck application is built for plowing and would be ideal for our operations. The truck as it sits is only the chassis and requires a dump box to be installed, staff are confident that this could be completed by snow and ice season.

NEXT STEPS

Pending approval of Council; staff would award the equipment tenders and issue Purchase Orders to the successful proponents. Essentially staff are seeking council's approval to allow purchasing of equipment necessary to meet our municipal obligations and service requirements.

FINANCIAL IMPLICATIONS

1. 2023-24 Capital Budget – Replacement of 2011 Salt/Plow Dump Truck

Estimated Price	\$350,000.00	
Non-Recoverable Tax (4.29%)	\$15,015.00	
Tender Total	\$365,015.00	
		Funding Source
2023-24 Budget Value (Truck)	\$250,000.00	• Borrowing
2023-24 Budget Value (Pre Wet Salter)	\$40,000.00	• Equipment Reserve
Total Budget	\$290,000.00	
Variance (under budget)	(\$75,015)	

Within the 2023-24 Capital Budget, this Truck replacement and Pre-Wet Salter / Brine purchase is scheduled to be funded through the equipment reserve and borrowing. With this item potentially coming in over budget the remaining \$75,015 less the estimated trade-in of \$5,000 will be funded through borrowing. Increasing the projected debt servicing cost of \$15,773 by \$4,417.

ALTERNATIVES

1. Council may choose to direct staff to utilize our normal tendering process, however this alternative has a very high probability of long delivery times outside of the upcoming winter season, along with delaying the ability to find and purchase an appropriate replacement.
2. Council may choose to repair the current truck #50 to keep it in service until a tender is called, approved and new equipment is delivered. This is not being recommended for reasons stated in the report and the low return on investment.

ATTACHMENTS

- East Coast Estimates
- East Coast e-mails
- Maritime Diesel e-mail

CHIEF ADMINISTRATIVE OFFICER REVIEW

This matter has been thoroughly reviewed by staff and the options have been presented in the report to the best of staff's ability with supporting documentation from vendors and professionals in the industry.

Choosing the best option should be weighed against the importance of having truck that is ready for snow and in control needs.

I support the recommendation.

Report Prepared by:

Troy Burgess, Manager of Public Works Operation

Report Reviewed & Prepared by:



Todd Richard, Director of Public Works

Report Approved by:



Mark Phillips, Chief Administrative Officer

**East Coast International Trucks, Inc.**

376 Wilkinson Ave, Dartmouth, NS B3B 0J4

T: 902-468-7160 | F: 902-468-7167

www.eastcoastint.com**Service Repair Estimate**

(Estimate valid for 30 days)

DATE:	September 21 2023
CUSTOMER:	West Hants Regional Municipality
UNIT #:	
Work Order	223047

QTY		PARTS	LABOUR
1	Rebuild Engine	\$ 16,630.90	\$ 7,700.00
1	Freight charge	\$ 500.00	

TOTAL PARTS	\$ 17,130.90
TOTAL LABOUR	\$ 7,700.00
SHOP SUPPLIES:	\$ 235.00
SUB-TOTAL:	\$ 25,065.90
HST:	\$ 3,759.89
TOTAL ESTIMATE:	\$ 28,825.79

Estimate only - This does not cover additional parts and labour that may be required after disassembly)

Estimate made by: _____ Date: _____

Authorized Signature: _____ Date: _____

(ECI is authorized to make the above repairs)



East Coast International Trucks, Inc.

376 Wilkinson Ave, Dartmouth, NS B3B 0J4

T: 902-468-7160 | F: 902-468-7167

www.eastcoastint.com

Service Repair Estimate

(Estimate valid for 30 days)

DATE:	September 21 2023
CUSTOMER:	West Hants Regional Municipality
UNIT #:	
Work Order	223047

QTY		PARTS	LABOUR
1	Salt/Dump Body Repairs	\$ 25,453.29	\$ 29,260.00
1	Freight Charge	\$ 600.00	

TOTAL PARTS	\$ 26,053.29
TOTAL LABOUR	\$ 29,260.00
SHOP SUPPLIES:	\$ 235.00
SUB-TOTAL:	\$ 55,548.29
HST:	\$ 8,332.24
TOTAL ESTIMATE:	\$ 63,880.53

Estimate only - This does not cover additional parts and labour that may be required after disassembly)

Estimate made by: _____ Date: _____

Authorized Signature: _____ Date: _____

(ECI is authorized to make the above repairs)



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T: 902-468-7160 | F: 902-468-7167

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Service Repair Estimate

(Estimate valid for 30 days)

DATE:	September 21 2023
CUSTOMER:	West Hants Regional Municipality
UNIT #:	
Work Order	223047

QTY		PARTS	LABOUR
1	Engine Replacement	\$ 39,553.39	\$ 5,600.00
1	Freight Charge	\$ 450.00	

TOTAL PARTS	\$ 40,003.39
TOTAL LABOUR	\$ 5,600.00
SHOP SUPPLIES:	\$ 235.00
SUB-TOTAL:	\$ 45,838.39
HST:	\$ 6,875.76
TOTAL ESTIMATE:	\$ 52,714.15

Estimate only - This does not cover additional parts and labour that may be required after disassembly)

Estimate made by: _____ Date: _____

Authorized Signature: _____ Date: _____

(ECI is authorized to make the above repairs)



East Coast International Trucks, Inc.

376 Wilkinson Ave, Dartmouth, NS B3B 0J4

T: 902-468-7160 | F: 902-468-7167

www.eastcoastint.com

Service Repair Estimate

(Estimate valid for 30 days)

DATE:	September 21 2023
CUSTOMER:	West Hants Regional Municipality
UNIT #:	
Work Order	223047

QTY		PARTS	LABOUR
1	MVI Repairs	\$ 4,239.61	\$ 9,660.00
1	Freight charge	\$ 450.00	

TOTAL PARTS	\$ 4,689.61
TOTAL LABOUR	\$ 9,660.00
SHOP SUPPLIES:	\$ 235.00
SUB-TOTAL:	\$ 14,584.61
HST:	\$ 2,187.69
TOTAL ESTIMATE:	\$ 16,772.30

Estimate only - This does not cover additional parts and labour that may be required after disassembly)

Estimate made by: _____ Date: _____

Authorized Signature: _____ Date: _____

(ECI is authorized to make the above repairs)

From: [Ian Duey](#)
To: [Troy Burgess](#); [Todd Richard](#)
Subject: FW: West Hants Estimate
Date: Thursday, September 21, 2023 11:20:46 AM
Attachments: eci-logo-small_98c003e2-6bac-4d80-88e4-6f8cc85eff61.jpg
036_sm_fb_a1347472-45be-4a0b-af83-b901fa688c57.png
036_sm_in_468e365e-e301-4c97-a0b4-805cb9a8926e.png
036_sm_twitter_ead36a19-13db-46c4-9186-b34bea9f203c.png
036_sm_y2_45d41b4c-7f16-42de-b619-b5cde39239df.png
instagram_32x32_f2913f85-b0ba-4120-b7d5-d92fd6c7c7bd.png
de_934278ce-3eb8-46ab-87a9-4c6e1c3a197a.png
eci-logo-small_98c003e2-6bac-4d80-88e4-6f8cc85eff61.jpg
036_sm_fb_a1347472-45be-4a0b-af83-b901fa688c57.png
036_sm_in_468e365e-e301-4c97-a0b4-805cb9a8926e.png
036_sm_twitter_ead36a19-13db-46c4-9186-b34bea9f203c.png
036_sm_y2_45d41b4c-7f16-42de-b619-b5cde39239df.png
instagram_32x32_f2913f85-b0ba-4120-b7d5-d92fd6c7c7bd.png
de_934278ce-3eb8-46ab-87a9-4c6e1c3a197a.png
image231391.png

Fyi,



Ian Duey

Supervisor, Fleet and Facilities
West Hants Regional Municipality
PO Box 3000, 100 King Street, Windsor, NS, B0N2T0

T 902-798-8391 Ext. 211
M 902-306-0791
E iduey@westhants.ca
W www.westhants.ca

From: Brian Barker
Sent: Thursday, September 21, 2023 11:19 AM
To: Christopher Clarke, Ian Duey <iduey@westhants.ca>
Cc: Sharon Hill; Susan Reid; Bobby Carey; Lindsay Anderson
Subject: Re: West Hants Estimate

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Good Morning Ian,

As per our conversation, I have spoke with our used truck sales and they said if the truck had an mvi and ready to plow it would be wroth about \$25000.00. As it sits it's \$5000.00.

Best Regards,



Brian Barker

Service Manager

T: [1-902-468-4239](tel:1-902-468-4239) | M: [1-902-456-9688](tel:1-902-456-9688)

www.ECITRUCKS.com | 1-800-561-7030



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From: Christopher Clarke

Sent: September 21, 2023 10:23 AM

To: Ian Duey <iduey@westhants.ca>

Cc: Sharon Hill ; [Susan Reid](#); [Bobby Carey](#); [Lindsay Anderson](#); [Brian Barker](#)

Subject: [West Hants Estimate](#)

Good morning,

Please see the attached estimates to complete repairs on this unit. Please advise on how you would like to proceed.

Thank you,



Christopher Clarke

Service advisor

T: [1-902-468-4679](tel:1-902-468-4679)

www.ECITRUCKS.com | 1-800-561-7030



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From: [Ian Duey](#)
To: [Troy Burgess](#); [Todd Richard](#)
Subject: FW: West Hants Engine replacement
Date: Wednesday, September 20, 2023 9:27:35 AM
Attachments: [image567460.png](#)
[image088509.png](#)

Good morning Guys,

Please see the reply from Maritime Diesel. He explained in more detail on the phone then in this email but the end result is the same.

Also the M11 Cummins diesel engine does not fit in our truck. Not even close.

Cheers



Ian Duey

Supervisor, Fleet and Facilities
West Hants Regional Municipality
PO Box 3000, 100 King Street, Windsor, NS, B0N2T0

T 902-798-8391 Ext. 211
M 902-306-0791
E iduey@westhants.ca
W www.westhants.ca

From: Chris Lloyd
Sent: Wednesday, September 20, 2023 9:15 AM
To: Ian Duey <iduey@westhants.ca>
Subject: Re: West Hants Engine replacement

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Hey Ian, we do not do engine Swaps anymore as they created to many issues for us. Sorry for any inconvenience.

Thanks, Chris

From: Ian Duey <iduey@westhants.ca>
Sent: Wednesday, September 20, 2023 7:56 AM
To: chris
Subject: West Hants Engine replacement

Good morning Chris,

We were just talking on the phone about and engine replacement. On the phone you stated that you don't do those anymore for various reasons, just looking for confirmation.

Cheers



Ian Duey

Supervisor, Fleet and Facilities

West Hants Regional Municipality

PO Box 3000, 100 King Street, Windsor, NS, B0N2T0

T [902-798-](tel:902-798-8391)

[8391 Ext. 211](tel:902-798-8391)

M [902-306-0791](tel:902-306-0791)

E iduey@westhants.ca

W www.westhants.ca

**Service Exchange Renegotiation & Municipal
Government Act Review (SERMGAR) Advisory
Committee Recommendations**
February 2023

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Preamble

The Service Exchange Renegotiation and Municipal Government Act Advisory Committee (SERMGAR Committee) was formed by the Nova Scotia Federation of Municipalities (NSFM). The SERMGAR committee provides the following report and recommendations for consideration by the Province of Nova Scotia (Province). The report is based on discussions between the Province and the SERMGAR Committee between March 2022 and January 2023. The report discusses a series of agreed upon topics shaped in large part by a result of the NSFM member survey conducted between May and June of 2022.

These recommendations are made with the understanding that the SERMGAR committee is advisory only, and that robust consultation will take place which will provide an opportunity for all municipal units in Nova Scotia to provide feedback.

The SERMGAR Committee's Proposal on Mandatory Contributions

Mandatory contributions have been a long-standing issue dating back to the Graham Commission (1975) where it was recommended that they be addressed^{1,2}. They were discussed again following the 1995 service exchange but no progress was made. The 1998 Memorandum of Understanding (MOU) did not cover mandatory contributions³. In a 2007 MOU, it was agreed that the Province would not increase mandatory education contributions by more than consumer price index (CPI)⁴.

Concerns with mandatory municipal contributions (housing, corrections, and education) remain a top priority for the NSFM. These contributions account for one-fifth of all municipal expenditures and occur in areas of Provincial responsibility⁵. Last year, municipalities collected \$293,985,347 on behalf of the provincial government. Municipalities do not have input on how the contribution amount is determined, nor do they have control over how they are spent. Municipal expenditures are continuing to rise faster than the CPI and mandatory contributions add undue pressure on municipalities⁶.

In a survey conducted by the NSFM, mandatory contributions to housing, corrections, and education made up 3 of the top 5 expenditures to review. Participants stated that municipalities have increased responsibility in areas that are exceeding their capacity, and that municipalities should only oversee services and regulations that they can control or have a say in. Based on the NSFM survey, and research conducted over the last 50 years, a new agreement between the Province and municipalities should include the Province taking complete responsibility for the cost of corrections and regional housing authority operating losses.

It is imperative that other mandatory contributions made by municipalities continue to be a priority. It is of utmost importance that the matter be given due attention and consideration to ensure equitable and sustainable outcomes for all concerned. The NSFM requests the Department of Municipal Affairs and Housing (DMAH) to engage in productive discussions over the next five years with regards to contributions to education. In the interim, it is recommended that the current amounts for contributions to education remain frozen and not be subject to any increases.

Proposed Action: The Province assume full responsibility for the cost of corrections and operating losses incurred by regional housing authorities. Additionally, it is recommended that

¹ Graham, J. (1975). An Introduction to the Nova Scotia Royal Commission, in *Canadian Public Policy* 1(3): 349-354

² <https://www.nsfm.ca/nsfm-resolutions.html>

³ Nova Scotia, *Memorandum of Understanding Respecting Short Term Policy Initiatives and Comprehensive Review of Roles and Responsibilities*, April 7, 1998.

⁴ Premier's Office. (2007, November 7). *Province Reaches New Financial Agreement with Municipalities* [Press Release]. Retrieved from: <https://novascotia.ca/news/release/?id=20071107001>.

⁵ Provincial-Municipal Fiscal Review. (2013). *The Provincial-Municipal Fiscal Review, Part 1: The Current State of Municipal Government in Nova Scotia*.

⁶ Provincial-Municipal Fiscal Review. (2013). *The Provincial-Municipal Fiscal Review, Part 1: The Current State of Municipal Government in Nova Scotia*.

the contribution towards education be temporarily frozen while discussions towards phasing out such contributions are underway.

The SERMGAR Committee's Proposal on Updating Municipal Financial Capacity Grant

The Municipal Financial Capacity Grant (MFCG) is a topic of concern among Nova Scotia's municipalities. The SERMGAR committee, in response to this issue, conducted a survey and found that updating and improving the MFCG was a common suggestion among respondents. In response to this feedback, the committee has identified two key areas of focus for the MFCG: 1) updating the formula to ensure that it more accurately reflects the financial needs of municipalities, and 2) increasing the funding for the MFCG to provide much-needed support to municipalities. These efforts aim to address the chronic underfunding that has compromised the grant's ability to provide municipalities with a comparable level of service and tax rate.

To address these issues, the committee has made several recommendations based on research for updating the formula to ensure an accurate representation of municipalities⁷. The proposed updates aim to make sure appropriate comparison groups are used, review classifications for municipalities, modernize standard expenditures, and accurately measure fiscal capacity.

1. **Comparison Groups:** The committee recommends the formula continue to include Halifax Regional Municipality (HRM) and Cape Breton Regional Municipality (CBRM) data. This decision was made on the rationale that the data of HRM and CBRM are included in the calculation of other municipal formulas, such as education⁸.
2. **Municipal Classifications:** The committee and the Province have agreed a thorough review of municipal classifications is required (Class I, Class II). The review could not be completed in the initial phase of these MOU discussions but the committee highly recommends that it be a top priority for review in Schedule A and take no longer than one year to complete (See page 14). The committee recognizes it could be a significant factor for municipalities considering consolidation. While this review is ongoing, the SERMGAR committee proposes floor payments for municipalities facing reductions in MFCG funding due to the proposed new formula and freeze funding at current levels for municipalities undergoing consolidation. The objective of this review is to establish clear definitions for each class and remove any disincentive for current and future consolidation discussions.
3. **Modernized Standard Expenditures:** The current MFCG is estimated to include 40% of expenditures⁹. To ensure the formula is more reflective of the increasing pressures on municipalities, the committee has proposed updating the standard expenditures.
4. **Measurement of Fiscal Capacity/ Ability to Pay:** The current funding model does not accurately reflect differences between residential and commercial tax rates and the

⁷ Bird, R. M., & Slack, E. (2021). Provincial-Local Equalization in Canada: Time for a Change? Institute on Municipal Finance and Governance.

⁸ Grace-Martin, K. (n.d.). Outliers: to drop or not to drop. The Analysis Factor. <https://www.theanalysisfactor.com/outliers-to-drop-or-not-to-drop/>

⁹ Hobson, P., Cameron, D., & Locke, W. (2005). A Question of Balance: An Assessment of the State of Local Government in Nova Scotia. Government of Nova Scotia.

ability to raise taxes from these different groups¹⁰. The committee would like the formula to accurately reflect these differences.

The proposed updates to the MFCG formula aim to provide a more accurate representation of municipal fiscal capacity. The SERMGAR committee endorses the removal of the formula from the Municipal Grants Act for the purpose of efficiently reviewing and implementing adjustments¹¹. This approach will enable timely modifications to the formula. These updates will ensure that the MFCG remains relevant and responsive to the evolving needs of municipalities and their residents. The endorsement comes with the understanding that the 12-month notice would apply.

Increasing funding in MFCG has been a priority of the NSFM for many years due to chronic underfunding and the need to offer comparable services and tax rates to citizens¹². Despite being one of the most sophisticated grants in the country, the amount has remained frozen since 2014-2015¹³. Currently, \$20,445,966 (67.33%) of funding comes from Nova Scotia Power Incorporated (NSPI) while \$9,922,715 (32.67%) comes from the Province. In 2021, NSFM requested a \$20 million increase in Provincial funds for the grant over three years, but it was not implemented¹⁴. However, the funding was doubled for one year in 2021-2022 while an agreement was negotiated.

Aligned with the resolutions of the NSFM over the past 5 years, the committee proposes an increase of \$15 million in Provincial funding for MFCG, to be increased annually by the CPI. This would bring the total funding to \$45,368,681 and increase the Province's funding share to 57.47%. These changes would reflect the growing costs and need of municipalities.

Proposed Action: Update the MFCG formula to ensure an accurate representation of municipalities. Increase total funding in MFCG by \$15M plus CPI annually. Implement floor payments for municipalities facing reductions, and freeze funding at updated amounts for municipalities undergoing consolidation during the review of Class I and Class II classifications.

¹⁰ Hobson, P., Cameron, D., & Locke, W. (2005). A Question of Balance: An Assessment of the State of Local Government in Nova Scotia. Government of Nova Scotia.

¹¹ <https://nslegislature.ca/sites/default/files/legc/statutes/municipal%20grants.pdf>

¹² Hobson, P., Cameron, D., & Locke, W. (2005). A Question of Balance: An Assessment of the State of Local Government in Nova Scotia. Government of Nova Scotia.

¹³ Bird, R. M., & Slack, E. (2021). Provincial-Local Equalization in Canada: Time for a Change? Institute on Municipal Finance and Governance.

¹⁴ <https://www.nsfm.ca/nsfm-resolutions.html>

The SERMGAR Committee's Proposal on Roads

The issue of funding for roads in Nova Scotia has been an ongoing matter of concern for the past number of years, as evidenced by its inclusion among the top five statements of concern by the NFSM. The deterioration of roads, both municipally and provincially owned, has only intensified the urgency of finding a solution. In response to this pressing issue, a Provincial-Municipal committee was formed in 2018, known as the NFSM Roads Committee. Comprised of representatives from the Department of Public Works (DPW), DMAH, NFSM, and Association of Municipal Administrators (AMANS), the committee has been working diligently over the past two years to review agreements and policies and propose the best possible solutions.

The SERMGAR committee understands the importance of finding a solution for roads, as the topic was referred to as a “stumbling block” during the 1995 service exchange¹⁵. The SERMGAR committee propose the results of the NFSM Roads committee be incorporated into the MOU for the purpose of ensuring the proper upkeep and maintenance of roads in Nova Scotia. Several changes to Part B have been recommend and are outlined below.

A) Municipal owned trunks & routes

The new program would cover all trunks, routes and collectors and provide a 50-50 cost sharing option for repaving only. Applications will be submitted to DPW in a prioritized manner, and DPW will then choose which municipalities will be eligible based on a scoring system that takes into account the condition, and traffic volume.

Under the proposed program, no municipality could receive funding for more than one project per fiscal year, unless there are insufficient submissions. The cost sharing program will cover municipally owned trunks and routes, with a total length of 387.12 km. The estimated cost per km for eligible costs is \$350,000. This means that the annual cost of the program would be \$9,032,800 with 50% or \$4,516,400 being funded by the provincial government in year one.

This new program presents a valuable opportunity for municipalities in Nova Scotia to improve and provide safer and more reliable roads for their citizens. By sharing the costs with the provincial government, communities can achieve their goals of upgrading their infrastructure without putting an undue burden on their budgets.

B) Local Roads

The NFSM Roads Committee proposed options for municipalities to participate in improving the conditions of local roads. There were 1648 eligible kilometres proposed by the NFSM Roads Committee. Through the committees discussions with the Province, the program was expanded to include all G, H, I, and J-class roads. SERMGAR committee recommends that this program be developed with an annual budget of \$20M in Provincial funding. The local roads

¹⁵ Hobson, P., Cameron, D., & Locke, W. (2005). A Question of Balance: An Assessment of the State of Local Government in Nova Scotia. Government of Nova Scotia.

program offers three options for municipalities to choose from, with participation being **optional**.

1. Municipalities can have a road paved/repaved by cost sharing 50/50 with the province (G,H,I ,and J-class roads). Following the pave/repave, the ownership will transfer from the Province to the municipality. For every kilometer of road transferred from the Province to the Municipality, one kilometre of J-class road contributions will be deleted from their annual contribution. Those without a J-class levy would be eligible for a one-time incentive based on the condition of the road being transferred.
 - The SERMGAR committee proposes the following changes: 1) paving be fully funded by the Province, 2) for every kilometer of local road transferred to the municipality, two kilometres of J-class road contributions will be deleted from their annual contribution to more accurately reflect the maintenance costs now and in the future.
2. Should roads categorized as G, H, I or J-class fall below the standard required to continue to be paved (Example: 500 average annual daily traffic), this road would be returned to gravel. These roads are still eligible for cost-sharing in Option 1 after it has been returned to gravel and the Province retains ownership.
3. Provincial local roads (not G, H, I, J) that are currently gravel can be considered for paving with costs covered in full by the Province on the provision that the ownership of the road is transferred to the municipality. This is a one-time transfer and no further provincial funding will be available once the road has been transferred.

Proposed Action: Implement NFSM Roads Committee Recommendations with an annual budget of \$20M in Provincial Funding. All road programs are **optional** for municipalities to participate. Part A, funding for routes and trunks, Part B, local road options. The SERMGAR committee proposes the following changes to Part B: 1) paving be fully funded by the Province, 2) for every kilometer of local road transferred to the municipality, two kilometres of J-class road contributions be deleted from their annual contribution.

The SERMGAR Committee’s Proposal on Infrastructure

The province is growing rapidly and government has a goal of doubling the population by 2060. Achieving this goal will come with challenges and municipalities are part of the solution. The Province will need to partner with municipalities to successfully achieve economic and population growth. Expanding municipal infrastructure is an essential component. Every single day, Nova Scotian families and businesses rely on municipal infrastructure. These services provide drinking water, wastewater treatment, public safety services, recreation, transit, transportation services, and more.

Municipalities in Nova Scotia are facing significant challenges in paying for and repairing the infrastructure in their communities. Statistics Canada provides condition ratings that indicate many municipalities are grappling with aging infrastructure that is in desperate need of repair or replacement. For example, over 40% of municipal transit busses in Nova Scotia are in a state of disrepair¹⁶.

In a survey conducted by NSFPM, respondents frequently mentioned the concerns of deteriorating municipal infrastructure, and/or divestment from Provincial infrastructure within their boundaries. The cost of maintaining infrastructure has risen significantly in recent years, putting a strain on local budgets. As well as climate change taking its toll on current infrastructure and creating the need for green projects. This has led to difficult decisions about where to allocate limited resources, and many communities are struggling to keep up with the demands of a rapidly growing population.

The Federation of Canadian Municipalities (FCM) highlights the significant responsibility placed on municipalities as owners of the majority of the country’s infrastructure¹⁷. Despite the ever-growing demands on municipalities, they are often operating with limited resources. The SERMGAR committee endorses the stance of the FCM regarding the crucial need for increased funding for municipal infrastructure¹⁸. In pursuit of enhancing the capacity of municipal infrastructure, the committee recommends the modernization and expansion of both direct and indirect infrastructure funding programs. The committee proposes an application-based infrastructure funding program of \$10 million(See table). Application based programs are essential to support both large and small municipalities so that infrastructure projects are viable.

In addition, the SERMGAR committee proposes an allocation-based program to match the federal gas tax contribution to Nova Scotian municipalities over a 4-year period (See table). Each year the program will increase \$15 million, for four years. The funding would be allocated using the gas tax formula. After year four, the program would continue until the five-year review takes place. The indirect funding programs are essential as they allow municipal governments to

¹⁶ <https://www150.statcan.gc.ca/t1/tb11/en/tv.action?pid=3410025301#tables>

¹⁷ <https://fcm.ca/en/resources/the-case-growing-the-gas-tax-fund>

¹⁸ <https://fcm.ca/en/resources/the-case-growing-the-gas-tax-fund>

make long range plans with the certainty that funds are in place to support municipal infrastructure growth and expansion. The solution is starting now.

Proposed Action: Implement a four year infrastructure funding program with adequate funding to meet the needs of municipalities and population growth (For figures see table below). After year four, the program would continue until the five-year review takes place.

Year	NFSM Application		Allocated (Gas Tax Formula)		Total
1	\$	10,000,000	\$	15,000,000	\$ 25,000,000
2	\$	10,000,000	\$	30,000,000	\$ 40,000,000
3	\$	10,000,000	\$	45,000,000	\$ 55,000,000
4	\$	10,000,000	\$	60,000,000	\$ 70,000,000

SERMGAR Committee's Proposal on Surplus Schools

Concern with the ownership of surplus schools among municipalities in Nova Scotia is long standing. The issue has been among the NFSM's top *Statements of Concern* since 2018¹⁹. Most recently, in a survey conducted by NFSM, it was indicated that over 60% of municipalities had considerable pressure on their budget and capacities due to surplus schools. A municipal respondent to the survey stated the following:

“The impact of the disposal of surplus schools to municipalities by the Province is a significant pressure on municipalities, particularly rural municipalities where there are limited chances for redevelopment and issues with contamination and hazardous materials.”

The issue stems back to 1982, when the responsibility of constructing and maintaining public schools shifted from municipalities to the provincial government. Schools built after 1982 were deemed to be provincial assets and those built before, were considered municipal assets. However, municipalities have stated that these assets can become significant liabilities if they are in state of disrepair or are left vacant for a long period of time. Article 78 of the Education Act, sets out the responsibility of municipalities to repair, alter, sell, or demolish the school properties. Along with holding responsibility for all costs, municipalities must pass on all profits from a sale or insurance claim to their regional centre for education. While some municipalities have been able to redevelop school sites, many are not in the financial position to do so. Nova Scotian municipalities are often left with no options aside from demolition, which comes with significant costs and safety concerns such as asbestos abatement.

Under Section 76 of the Education Act (S.N.S. 2018, c. 1), a regional centre for education can declare school buildings and lands unfit for public school purposes²⁰. This declaration is sent to municipalities and takes effect at the beginning of the next school year. Under Section 77(2) regional centres for education can also state that school buildings and lands are longer required, deeming them surplus schools for municipalities to deal with. There is no set timeline for when this surplus designation takes effect. It is proposed that the regional centres of education shall provide a 12-month notice for declaring school buildings or lands surplus. Municipalities of Nova Scotia need adequate time to prepare and respond appropriately to the declaration.

The SERMGAR committee also highlights a that the maintenance of a school and the decision to close a school is not the responsibility of municipalities. Article 77 (1) designates regional centres of education as having the exclusive control and responsibility to provide adequate maintenance and repairs to school buildings. The condition in which the surplus schools are transferred, puts a considerable financial pressure on municipalities, on top of their mandatory contributions to education costs. In the interest of developing an approach to managing surplus schools that is fair and feasible for municipalities, the SERMGAR Committee proposes that municipalities shall have a Right of First Refusal. This proposal echoes NFSM's

¹⁹ <https://www.nsfm.ca/nsfm-resolutions.html>

²⁰ <https://nslegislature.ca/sites/default/files/legc/statutes/education.pdf>

Statements of Concern from 2019—which indicated NSFME had obtained a legal opinion stating that municipalities should have the choice but not the obligation to acquire surplus schools.

Proposed Action: The proposed action at this time is that the Province take ownership of surplus schools, and consider the municipal Right of First Refusal at a negotiated price. It is proposed that the regional centres of education shall provide a 12-month notice for declaring school buildings or lands surplus. The committee also recommends continue the existing practice for surplus schools in the Halifax Regional Municipality.

SERMGAR Committee's Long Term Discussion Plan (Schedule A)

The SERMGAR committee and the Province have agreed to engage in ongoing discussions over the next 5 years, with the aim of addressing key issues and ensuring the continued effectiveness of the agreement. Both parties are committed to conducting an annual review of Schedule A and making necessary amendments to the MOU. In addition, regular progress updates on the agreement and Schedule A will be provided on a biannual basis to ensure transparency and effective implementation.

- MFCG: Review class structure (Class I, Class II), specifically in the context of municipal consolidation or amalgamation. This discussion point is the current priority of the SERMGAR committee, it is recommended that both parties continue to work together, with the expectation of implementing changes within 1-year.
- Policing models and associated costs.
- Fire and Emergency services.
- Municipal Contributions (Education rates & phase out, DNA Laboratory contributions)
- Grants in lieu.
- Increased tax tools.
- Regional Enterprise Networks.
- The creation of a program for municipal regionalization.
- Roads: municipal speed limits
Transit: Public Transit (i.e. electrification, rapid transit, depots etc.), and community
Transit Boundaries

SERMGAR Committee's Proposal on HST Offset and Town's Foundation Grant

The SERMGAR Committee recognizes the importance of the Harmonized sales Tax (HST) offset program and the Town's Foundation grant for the municipalities in Nova Scotia. Through the course of their discussions, the possibility of reallocating funds from these programs was considered. However, after thorough examination, the committee concludes that these programs are relied upon and hold great value for municipalities. No changes to these programs are recommended at this time.

Impact by Municipal Unit of the Proposed Service Exchange Arrangement

Municipal Unit	MFCG per New Formula	Change from previous MFCG (Red figures represent Top Up Amount)	2022-2023 Corrections	Projected 2023-2024 Housing NOLs	Incremental Funding Increase
Cape Breton Regional Municipality	\$ 13,647,641	-\$ 1,688,197	1,054,547	3,535,675	4,590,222
Region of Queens Municipality	\$ 1,343,225	\$ 125,991	174,963	137,812	438,766
West Hants Regional Municipality	\$ 1,514,504	\$ 1,051,796	251,281	154,306	1,457,382
Town of Amherst	\$ 1,273,275	\$ 62,893	108,150	357,644	528,687
Town of Annapolis Royal	\$ 32,211	-\$ 9,745	11,260	67,295	78,555
Town of Antigonish	\$ 243,566	\$ 116,860	75,529	96,330	288,719
Town of Berwick	\$ 204,937	\$ 33,458	28,549	67,952	129,959
Town of Bridgewater	\$ 704,189	\$ 222,532	119,322	114,814	456,668
Town of Clark's Harbour	\$ 126,004	-\$ 13,818	8,809	77,423	86,232
Town of Digby	\$ 342,343	\$ 23,785	25,476	153,327	202,588
Town of Kentville	\$ 339,353	\$ 221,503	87,316	130,158	438,977
Town of Lockeport	\$ 95,550	-\$ 12,531	7,224	12,179	19,404
Town of Lunenburg	\$ -	\$ -	41,550	37,779	79,329
Town of Mahone Bay	\$ -	\$ -	20,373	29,313	49,687
Town of Middleton	\$ 283,568	-\$ 4,505	22,968	98,459	121,427
Town of Mulgrave	\$ 82,987	\$ 5,479	8,213	26,703	40,394
Town of New Glasgow	\$ 1,161,884	\$ 156,450	111,775	374,518	642,743
Town of Oxford	\$ 148,592	\$ 20,421	14,249	26,858	61,529
Town of Pictou	\$ 491,064	-\$ 4,457	36,477	130,368	166,845
Town of Port Hawkesbury	\$ 298,732	\$ 50,002	37,729	78,590	166,321
Town of Shelburne	\$ 283,146	-\$ 26,499	20,479	71,160	91,639
Town of Stellarton	\$ 438,554	-\$ 12,130	49,429	68,537	117,965
Town of Stewiacke	\$ 157,183	\$ 4,834	17,155	44,964	66,952
Town of Trenton	\$ 331,064	-\$ 39,858	25,781	78,124	103,905
Town of Truro	\$ 1,509,509	\$ 212,871	162,365	122,227	497,463
Town of Westville	\$ 607,945	-\$ 26,446	34,947	85,072	120,019
Town of Wolfville	\$ 296,090	\$ 276,221	82,900	64,062	423,183
Town of Yarmouth	\$ 799,312	\$ 121,342	83,853	379,753	584,948
Municipality of the County of Annapolis	\$ 599,063	-\$ 162,194	250,534	206,615	457,150
Municipality of the County of Antigonish	\$ -	\$ -	209,254	150,104	359,358
Municipality of the County of Colchester	\$ 177,197	-\$ 117,218	459,142	223,649	682,791
Municipality of the County of Cumberland	\$ 724,836	-\$ 723,269	310,763	445,682	756,444
Municipality of the County of Inverness	\$ 293,399	-\$ 84,656	211,348	561,666	773,014
Municipality of the County of Kings	\$ -	\$ -	636,343	357,522	993,865
Municipality of the County of Pictou	\$ 172,446	-\$ 98,155	299,953	166,988	466,941
Municipality of the County of Richmond	\$ -	\$ -	145,224	291,366	436,591
Municipality of the County of Victoria	\$ -	\$ -	131,271	54,229	185,500
Municipality of the District of Argyle	\$ 184,718	\$ 29,795	101,836	49,545	181,177
Municipality of the District of Barrington	\$ 179,204	\$ 27,869	87,504	41,508	156,880
Municipality of the District of Chester	\$ -	\$ -	232,034	31,831	263,865
Municipality of the District of Clare	\$ 277,375	\$ 54,288	116,098	67,817	238,204
Municipality of the District of Digby	\$ 298,478	-\$ 35,138	103,791	43,548	147,339
Municipality of the District of East Hants	\$ -	\$ -	292,963	69,073	362,036
Municipality of the District of Guysborough	\$ 312,344	\$ 227,666	81,130	93,592	402,388
Municipality of the District of Lunenburg	\$ -	\$ -	428,251	30,461	458,712
Municipality of the District of Shelburne	\$ 86,390	\$ 11,262	76,120	10,161	97,543
Municipality of the District of St. Mary's	\$ 165,240	-\$ 10,190	41,894	24,138	66,032
Municipality of the District of Yarmouth	\$ 141,566	\$ 11,691	135,182	48,023	194,896



Committee of the Whole Excerpts
September 12, 2023

2024-25 RCMP MULTI-YEAR FINANCIAL REPORT EXCERPT

The 2023-2029 Municipal Police Service Multi-Year Financial Plan was presented for review and consideration.

The recommended motion was that Committee of the Whole recommend that ...

COUNCIL APPROVE IN PRINCIPLE THE RCMP MULTI-YEAR FINANCIAL PLAN FOR 2023-2029.



COVER PAGE

Date: September 12, 2023
Meeting: COTW
Submitted by: Carlee Rochon, Director of Financial Services
Subject Matter: 2023-2029 Municipal Police Service Multi-Year Financial Plan

Summary:
the 2023-2029 Municipal Police Service Multi-Year Financial Plan is attached for Councils review and consideration. Following the presentation from the RCMP at the September 12, 2023 Committee of the Whole meeting.

Attachment: 2023-2029 Municipal Police Service Multi-Year Financial Plan

Recommendations:

Committee of the Whole recommends...

... that Council approve in principle the RCMP Multi-Year Financial Plan for 2023-2029.



West Hants
something inspiring awaits

Municipal Police Service Multi-Year Financial Plan (MYFP) 2024 to 2027

Prepared for: West Hants Municipality

Prepared by: RCMP Strategic Planning
and Client Services

Dated: June 21, 2023

**RCMP 'H' DIVISION
Windsor-West Hants
Municipal Over 5-Year Cost Projections**

Municipal Police Service	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
	Actuals	Actuals	Base Year			<i>Estimates</i>		
Human Resourcing - Table 1								
RCMP RMs and CMs (Utilization)	19.59	19.91	22.00	22.00	22.00	22.00	22.00	22.00
Less: Paid Special Leaves	0	0	0	0	0	0	0	0
Net RCMP RMs and CMs (Utilization)	19.59	19.91	22.00	22.00	22.00	22.00	22.00	22.00
Remuneration per RCMP Officer	142,504	147,173	154,556	159,915	165,460	171,198	177,135	183,279
Total Human Resourcing	\$2,791,657	\$2,930,219	\$3,400,241	\$3,518,133	\$3,640,123	\$3,766,354	\$3,896,974	\$4,032,136
Accommodation - Tables 2, 3 & 4								
Federally Owned Accommodation (APC Rate)	0	0	0	0	0	0	0	0
Leased Accommodation	0	0	0	0	0	0	0	0
Accommodation Operating and Maintenance	282,524	302,550	307,644	312,337	317,137	322,050	327,074	332,214
Total Accommodation	\$282,524	\$302,550	\$307,644	\$312,337	\$317,137	\$322,050	\$327,074	\$332,214
Equipment - Table 5	\$92,423	\$186,010	\$465,898	\$532,009	\$227,664	\$183,678	\$197,515	\$416,527
Division Administration - Table 6	\$818,807	\$894,756	\$1,031,228	\$1,042,294	\$1,061,148	\$1,082,642	\$1,102,662	\$1,102,662
Special Projects and Initiatives - Table 7	\$0	\$0	\$0	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
All Other Direct and Indirect Costs - Table 6	\$753,885	\$754,604	\$763,453	\$873,705	\$874,879	\$893,656	\$916,098	\$950,463
Cost Share (Billable at 90%)	\$4,272,565	\$4,571,342	\$5,449,234	\$5,819,274	\$5,651,762	\$5,768,880	\$5,950,263	\$6,333,126
No Cost Share (Billable at 100%)	\$466,730	\$496,798	\$519,232	\$519,205	\$529,190	\$539,500	\$550,060	\$560,876
Total	\$4,739,296	\$5,068,140	\$5,968,465	\$6,338,478	\$6,180,952	\$6,308,381	\$6,500,323	\$6,894,002
Federal 10% Cost Share	\$427,257	\$457,134	\$544,923	\$581,927	\$565,176	\$576,888	\$595,026	\$633,313
Municipal 90% Cost Share	\$4,312,039	\$4,611,006	\$5,423,542	\$5,756,551	\$5,615,776	\$5,731,493	\$5,905,297	\$6,260,690

- Notes:**
- 2023-2024 Base Year matches 2023-2024 Funding Cap provided by West Hants Municipality.
 - Fiscal Year 2023-2024 to 2028-2029 includes an estimated salary increase of 3.5% per year. Current CBA expired March 31, 2023 and new agreement is currently being negotiated.
 - Total Human Resources includes Pay and Allowances plus Pension and applicable per Member rates for Canada Pension Plan and Employment Insurance. Other per Member rates such as Divisional Administration, Cadet Training, Recruiting, Enhanced Reporting, etc. included on Table 6.
 - Remuneration per RCMP Officer represents the Total Human Resourcing amount divided by Regular Member utilization.
 - Implementation of Police Modernization equipment initiatives included as of 2023-24. Preliminary implementation schedule for H Division based on NHQ's anticipated Procurement and national rollout, combined with Divisional Priorities. Notes included under each table and additional details provided in MYFP Narratives.
 - Inflation rates updated based on 5-year average. Per statcan.gc.ca, 5 year average for gasoline is 5.8% and O&M (excluding gasoline and fuel oils) is 2.7%.
 - MYFP assumes full compliment utilization for full Fiscal Year.
 - FY 2021-2022 and 2022-2023 Final matches actual costs for 2021-2022 and 2022-2023.

Municipal Policing Service Agreement	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
	Actuals	Actuals to date	Base Year				Estimates	
Human Resourcing								
RCMP RM and CM Positions, beginning of year	19.59	19.91	22.00	22.00	22.00	22.00	22.00	22.00
New RCMP RM and CM Positions			0.00	0.00	0.00	0.00	0.00	0.00
RCMP RM and CM Positions, end of year	19.59	19.91	22.00	22.00	22.00	22.00	22.00	22.00
Less Vacancy Discount								
RCMP RMs and CMs (Utilization)	19.59	19.91	22.00	22.00	22.00	22.00	22.00	22.00
Less Paid Special Leaves								
Net RCMP RMs and CMs (Utilization)	19.59	19.91	22.00	22.00	22.00	22.00	22.00	22.00
Estimated Average Pay per RCMP Officer	142,504	147,173	154,556	159,915	165,460	171,198	177,135	183,279
Total Human Resourcing	\$2,791,657	\$2,930,219	\$3,400,241	\$3,518,133	\$3,640,123	\$3,766,354	\$3,896,974	\$4,032,136
Notes:								
1. 2023-2024 Base Year matches 2023-2024 Funding Cap provided by West Hants Municipality.								
2. Fiscal Year 2023-2024 to 2028-2029 includes an estimated salary increase of 3.5% per year. Current CBA expired March 31, 2023 and new agreement is currently being negotiated .								
3. Estimated Average Pay per RCMP Officer represents the Total Human Resourcing amount divided by Regular Member utilization.								
4. Estimated Average Pay per RCMP Officer includes Pay and Allowances plus Pension and applicable per Member rates for Canada Pension Plan and Employment Insurance. Other per Member rates such as Divisional Administration, Cadet Training, Recruiting, Enhanced Reporting, etc. included on Table 6.								
5. MYFP assumes full compliment utilization for full Fiscal Year.								
6. Member pay rates are estimated to increase by 3.5% per year per NHQ directives.								

Municipal Policing Service Agreement	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Federally Owned Accommodation			Base Year					
Major Capital - Detachment Replacements								
Minor Capital (Renovations etc.)								
Housing Program								
Municipal Minor Capital								
5 Year Reconciliation (Refund)								
Total APC Costs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total APC Rate Charged 100%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Notes:								

per Annex Schedules C and D
per Annex Schedules C and D
per Annex Schedules C and D
per Annex Schedules C and D

Municipal Policing Service Agreement	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
	Actuals	Actuals to date	Base Year			<i>Estimates</i>		
Accommodation Operating and Maintenance								
Contracted Services and Minor Repairs (CI 170)	127,937	149,641	145,889	149,245	152,677	156,189	159,781	163,456
Contaminated Sites (CI 218)	0	0	0	0	0	0	0	0
Building Repairs (CI 310)	13,811	9,506	19,929	20,387	20,856	21,336	21,827	22,329
Utilities (CI 400)	25,121	30,406	28,392	29,045	29,713	30,397	31,096	31,811
Payment in Lieu of Tax (CI 592)	9,393	9,393	9,830	10,056	10,287	10,524	10,766	11,014
Municipal Rent	106,263	103,604	103,604	103,604	103,604	103,604	103,604	103,604
Total	\$282,524	\$302,550	\$307,644	\$312,337	\$317,137	\$322,050	\$327,074	\$332,214
Notes:								
1. Following the 2021-22 Annual Administrative Reconciliation in 2022/23 a new Municipal Occupancy rate will be calculated for the proceeding 5 years.								

Municipal Policing Service Agreement	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
	Actuals	Actuals to date	Base Year			<i>Estimates</i>		
Equipment								
Criminal Operations	3,838	4,923	41,900	84,411	54,422	42,433	26,445	26,457
Firearms/Ammo/Weapons	10	4,736	35,000	43,000	43,000	41,000	25,000	25,000
Policing Equipment	3,445	0	0	0	0	0	0	0
Photographic Equip	0	0	0	0	0	0	0	0
Other Ident Equip	383	187	400	411	422	433	445	457
Investigational Aids	0	0	6,500	41,000	11,000	1,000	1,000	1,000
Security Equip (CCTV Installs)	0	0	0	0	0	0	0	0
								0
Informatics	102,418	121,312	167,998	117,598	99,242	105,245	114,070	114,070
Radios/Mobiles	82,198	87,226	82,798	95,178	86,832	94,235	96,460	96,460
Computer Equipment (Evergreening)	20,220	34,086	85,200	22,420	12,410	11,010	17,610	17,610
Police Vehicles	-13,833	59,776	256,000	310,000	74,000	36,000	57,000	276,000
Number of Vehicles		1	4	4	1	1	1	3
Average Cost per Vehicle	0	59,776	64,000	77,000	74,000	36,000	57,000	92,000
Total Cars/Trucks, etc								
Boats								
ATVs and snowmobiles				20,000				
TAV/Tact/Mobile Command								
Aircraft Betterments/Replacements								
Total	\$92,423	\$186,010	\$465,898	\$532,009	\$227,664	\$183,678	\$197,515	\$416,527
Notes:								
1. Starting in Fiscal Year 2023-2024, Firearms/Ammo/Weapons includes an estimate for the rollout of Police Modernization Equipment. Preliminary implementation schedule for H Division for T7 tasers and pistol modernization based on NHQ's anticipated Procurement and national rollout.								
2. Starting in Fiscal Year 2024-2025, Investigational aids includes an estimate for the rollout of Police Modernization Equipment. Preliminary implementation schedule for H Division for Breaching Tools and Portable Ballistic Shields based on NHQ's anticipated Procurement and national rollout.								
3. Radio/Mobiles and Computer Equipment estimate provided by IMIT Section. Investigational Aids in 24-25 includes an IMIT estimate (Livescan unit).								
4. Radio amount includes applicable share of TMR 2 costs pro-rated on number of devices.								
5. Starting in Fiscal Year 2024-2025, Computer Equipment includes an estimate for the rollout of Police Modernization Equipment and IMIT software. Preliminary implementation schedule for H Division for Electronic Major Case Management, Blue Force Tracking based on NHQ's anticipated Procurement and national rollout.								
6. Vehicle replacement schedule provided by Fleet.								
7. Costs estimates associated to Body Worn Cameras provided in Table 7.								

Municipal Policing Service Agreement	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
	Actuals	Actuals to date	Base Year			<i>Estimates</i>		
Divisional Administration								
Total Per Capita Rate	41,797	44,940	46,874	47,377	48,234	49,211	50,121	50,121
Net RCMP RMs and CMs (Utilization)	20	20	22	22	22	22	22	22
Total	\$818,807	\$894,756	\$1,031,228	\$1,042,294	\$1,061,148	\$1,082,642	\$1,102,662	\$1,102,662
Other Direct and Indirect Costs								
Overtime	208,846	175,418	195,000	201,825	208,889	216,200	223,767	231,599
Public Service Pay and Other Pay	142,962	144,595	165,837	159,882	163,799	167,894	172,091	176,393
Corp of Commissionaires	39,378	48,038	45,000	46,215	47,463	48,744	50,060	51,412
Vehicle Fuel	83,581	106,852	100,000	105,800	111,936	118,429	125,298	132,565
Vehicle Repairs & Fit Up	42,861	48,392	59,000	55,389	38,558	36,451	40,367	52,309
Shared Services (Phone lines, cell phones, etc.)	7,220	8,063	7,220	7,220	7,220	7,220	7,220	7,220
Other O&M	80,652	65,174	84,600	89,861	89,288	90,754	89,259	90,859
Other Indirect Costs	148,385	158,072	184,423	207,513	207,726	207,965	208,035	208,107
Credits to be applied	0	0	-77,627	0	0	0	0	0
Total	\$753,885	\$754,604	\$763,453	\$873,705	\$874,879	\$893,656	\$916,098	\$950,463
Notes:								
1. Divisional Administration rate for Fiscal Year 2023-2024 includes estimated salary increase of 3.5% for new CBA being negotiated. Current CBA expired March 31, 2023. Fiscal years 2024-2025 to 2028-2029 includes an estimated increase of 3.5% per year for Regular Member pay rate increases.								
2. 2023-2024 Overtime based on discussions from 22-23 as well as the 22-23 final amount. Subsequent years include a 3.5% increase.								
3. Public Service Pay and Other Pay includes Public Service Employee's regular salary plus applicable Pension, Canada Pension Plan and Employment Insurance contributions.								
4. Other O&M includes Travel, Training, Training Travel, Publication Services, Professional Services, Leasing of Aircraft, Stationary, Supply and Sundry, Sensitive Expenditures, Freight, Information Technology Rentals, Kit and Clothing and Other Services.								
5. Other indirect costs include Civilian Review and Complaints Commission, Enhanced Reporting Accountability, Legal Advisory Services, Cadet Training Program, Recruiting, Relocation Reviewers, Police Dog Service Training Centre and Police Reporting and Occurrence System.								
6. As per Commissioner's direction, sale of decommissioned police vehicles on hold pending national review. Therefore, CADCC credits have been removed from 5 year planning cycle.								
7. Credits to be applied is manual vacancy management adjustment to adhere to requested funding level for 2023-24.								

Municipal Policing Service Agreement	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
	Actuals	Actuals to date	Base Year			Estimates		
Special Projects and Initiatives								
Body Worn Cameras	0	0	0	60,000	60,000	60,000	60,000	60,000
	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0
Total (at 100%)	\$0	\$0	\$0	\$0	\$60,000	\$60,000	\$60,000	\$60,000

1. Body Worn Camera included as a special initiative with billable impacts to the Province expected to start in FY 2024-2025. For MYFP planning purposes, we have been asked to use a per frontline member rate of \$3,000/ member. Billing methodology may change as the project progresses and further discussion/engagement is held at the CMC level.

2023 MYFP - New Cost Initiatives and Guidance

The RCMP continually reviews and updates various policies and procedures, implements new initiatives and may be engaged in other studies or reports that may affect the cost, quality or capacity of policing services delivered by the RCMP. The RCMP maintains the CMC Matrix (Matrix) document to inform all Contract Partners, via the Contract Management Committee (CMC), on these items. The items contained on the Matrix have a fiscal impact for contract partners to consider and may be at varying levels of development and implementation. This document outlines some key items from the CMC Matrix, as well as other new cost initiatives and additional guidance that the RCMP wants to ensure all Contract Partners are considering as they plan for the next 3-5 years of RCMP service delivery.

Item	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
<i>CMC Matrix Items</i>					
1. Cybercrime (last updated 2022-09-14)	TBC				
2. Body Worn Cameras (BWC) (last updated 2022-09-26)	\$3,000/Frontline Member/Year (ongoing)				
3. GEN II TAVs (last updated 2022-09-28)	\$528,000/Replacement Vehicle	Note: (Rollout commenced FY 2023-24)			
4. Modernization of Intervention Equipment: (last updated 2022-08-01)					
• Portable Ballistic Shields (PBS)	\$10,000 each/Minimum 2 per Detachment				
• Breaching Equipment (Breaching Tools)	\$748 per set until 2024/06/29, \$778 until 2025/06/29, \$809 until 2026/06/29 and \$837 until 2027/06/29 (Rollout commenced FY 23-24)				
• Hard Body Armour (HBA)	\$1,000/Frontline Member				
• Long Gun Rifle	\$2,000/Kit (Minimum 2 Kits per Detachment)				
• Extended Range Impact Weapons 40mm (ERIW)	\$4,924 / Frontline Vehicle (Rollout commenced FY 2023-24)				
5. Pistol Modernization (New Pistol) (last updated 2022-10-04)	\$2,860/RM (Rollout will commence FY 2023-24)				
6. Blue Force Tracking (BFT) formerly Android Team Awareness Kit (ATAK) (last updated 2023-01-23)	\$65/RM/Year (ongoing) (Rollout commenced FY 2023-24 but Divisions will not incur expenses until FY 2024-25. This item will also be included in the PROS Report)				
7. Status and Messaging Model (SAMM) (last updated 2023-01-23)	\$95/RM	\$45/RM/Year (ongoing) (Rollout commenced FY 2023-24. This item will also be included in the PROS Report)			
8. ATIP (last updated 2022-08-04)	\$77,368/Position @ AS-04 level/Year (ongoing)				
9. Electronic Major Case Management (eMCM) (last updated 2023-01-23)	\$395/RM	\$190/RM/Year (ongoing) (Rollout commenced FY 2023-24. This item will also be included in the PROS Report)			
10. Uniform Modernization (New Uniform) (last updated 2022-10-05)	TBC				
11. Greening Government (last updated 2022-07-19)					
Real Property:					
• Waste Audits (Facilities >10,000 m ²)	\$50,000/Facility every 5 years (ongoing) (Audits commenced FY 2022-23)				
• Installation of water meters (Facilities >1,000 m ²)	\$1000/Facility				
• Climate Resilience Vulnerability Assessments (CRiVAs)	\$50,000/Facility every 5 years (ongoing) - applicable facilities to be further defined through portfolio climate vulnerability assessment				
Fleet:					
• Conversion to Electric Operational Vehicles	Cost analysis in FY 23-24 to determine conversion frequency & cost per unit				
12. TASER 7 Conducted Energy Weapon (CEW) (last updated 2022-08-01)	\$954/RM/Year (ongoing) (Rollout commenced FY 2022-23)				
13. Next Gen 9-1-1 (last updated 2020-01-20)	TBC				

2023 MYFP - New Cost Initiatives and Guidance

Item	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
<i>Non-CMC Matrix Items</i>					
14. Air Services Modernization:					
• Aircraft Replacement	\$7.3M - \$15.3M/aircraft (based on type)				
• Sunsetting Aircraft Leases	(See Air Services Submissions for individual Divisions at Annex A)				
15. Well Being Ambassadors (AS-04)	\$93,659/Position @ AS-04/Year (ongoing) or 181,656/Position @ Sgt RM/Year (ongoing)				
16. Reintegration Coordinators	\$169,309/Position @ Cpl RM/Year (ongoing)				
17. Pay Raises					
18. Emergency Response Team:					
• Implementation of ERT CRBNE/hazardous environments Proposal	\$980K/Team				
• Ending Part Time ERT Proposal	TBC				
19. Real Property:					
• Environmental Health	\$3000/Building/Year (ongoing)				
• Workplace Modernization	N/A				
20. Corporate and HR ERP Modernization (2023-2027)	TBC				
21. Mass Casualty Commission Recommendations	TBC				
22. Next Generation Computer Aided Dispatch (NG CAD)	TBC (This item will also be included in the PROS Report)				
23. Digital Collaboration and Information Management (DCIM)	TBC				
24. Network Remediation	\$770/RM	\$690/RM	\$895/RM	\$785/RM	
25. ERT Rigid Hull Inflatable Boats (RHIBs)	\$1.2M - \$1.5M/Vessel – Impact on Contract Policing TBC				

* Procurement & Material and Asset Management: Divisions can determine which years are best for purchasing each asset, with the exception of national roll-outs (pistol, TAV, BWC) where there should be discussion between C&IP and the Program if more discussion on deadlines is needed.

NATIONAL EQUIPMENT MODERNIZATION

1. Cybercrime:

The National Integrated Operations Council (NIOC) Sub-Committee on cyber is exploring methods that Contract Partners may use in order to increase RCMP capacity to investigate cybercrime. This may include creating dedicated investigative teams to respond to cybercrime outside of the scope of the Federal mandate. Still in the gathering stages, NIOC sought CMC's input and feedback on this initiative in September 2022, which will help guide discussions on the advantages, disadvantages, realities and concerns across contract jurisdictions. It is anticipated that 135 RCMP National Cybercrime Solution (NCS) and 104 external Partner (Police Agency) users across Canada will be activate in FY 2023-24 but the implementation plan will depend on each Province & Territory and how they would like the RCMP to proceed in their Division. It is hopeful that this initiative will be fully operational in FY 2024-2025. More information about the cost of this initiative will be provided to Contract Partners via CMC once this project is developed further.

2. Body Worn Cameras (BWC):

In the Government of Canada's Fall Economic Statement (November 30, 2020) funding was provided to implement a National BWC program for frontline RCMP officers to improve transparency and accountability and respond to concerns about policing from racialized and Indigenous communities. Canada agreed to fund the first three years of the initiative to allow Contract Partners time to plan. At this time, the RCMP is still engaged in the procurement process for BWCs. For planning purposes, Contract Partners can estimate a cost of \$3000 per front-line Member at the contract rate (i.e. 70% or 90%), starting in FY 2024-25. This preliminary estimate includes the BWC, the DEMS (cloud-based) and support staff to operate the program; not just the camera. The RCMP will share additional financial details with the CMC once they are available.

3. GEN II Tactical Armoured Vehicles (TAVs):

The current compliment of TAVs need to be replaced with the next generation of TAVs (Gen 2) due to the difficulties in maintaining the current fleet in a cost-effective manner and the delays in getting parts to complete the repairs needed. This results in TAVs being out of service and unavailable for long periods until repairs can be completed. Not having a TAV available to respond to a critical incident, is a risk to both public and police safety. The projected quantities are based on a one for one replacement of the current TAV fleet within the Divisions and include spares for training requirements. There will be minimum contracted options for those Divisions requiring TAVs over and above their current numbers but will most likely need to be exercised within a reasonable time after the contract close out.

The intent is to procure replacement TAVs based on a commercially available truck chassis with ancillary equipment through a competitive solicitation. The contract will also include a stronger

“In Service Support” component to address the asset life-cycle needs. Assuming the manufacturer cannot deliver all units in one year, it is expected the RCMP will receive delivery of TAVs across three FYs starting in FY 2023-24. The forecast is based on replacement of existing assets with potential operational and financial impacts on Divisions taken into consideration. As such, it is difficult to assess the roll out of TAVS past year 1 at the moment. Parts and service is not currently included in this price and would instead be procured as-and-when-requested through a multi-year contract.

4: Modernization of Intervention Equipment:

The RCMP is committed to providing members with lightweight, ergonomic and modern equipment that is readily available. Within this strategy, modern Pistols and Long Gun Rifles will have features that ensure the firearm is suitable for use by the widest demographic of police officer possible. Less lethal technologies, such as the Extended Range Impact Weapon provides officers with more opportunities to de-escalate dangerous situations rather than resorting to lethal force. In addition, Hard Body Armour have become lighter, allowing officers to wear it for longer periods of time, promoting optimal performance under hazardous conditions, and Portable Ballistic Shields provide officers a form of ballistic protection should the need arise to rescue a member of the public or a fellow officer in active shooter or similar situations. Breaching Equipment will also ensure officers are able to respond to an active threat as a result of entrances being barricaded. This strategy advances the vision of a modern police officer by ensuring Regular Members of the RCMP have the appropriate tools to perform their duties as safely and effectively as possible.

Portable Ballistic Shields (PBS): Research has identified a need for the PBS in a general duty capacity. In exigent circumstances, the PBS can be deployed for preservation of life to affect a rescue of an officer or citizen in an open environment. As part of containment in open areas where no ballistic cover is available, a PBS can provide increased ballistic protection from armour piercing rounds. The PBS would supplement the protection provided by HBA and SBA. Costs are expected to be upwards of \$10,000, multiplied by a recommended two PBS per the number of Detachments/Units, with training and rollout starting in FY 2024-25. Forecast is based on 1/3 of locations purchasing in FY 2024-25, 1/3 in FY 2025-26, and the rest in FY 2026-27.

Breaching Equipment (Breaching Tools): General Duty does not currently have access to a standardized breaching tool to gain entrance to a locked or barricaded door during an active threat or unfolding event. A standard breaching tool for every frontline patrol vehicle in the country will provide the first officer(s) arriving on scene, (active threat, domestic violence, person in crisis, Feeney warrant, etc.) to have a breaching capability if urgently required. There is currently a Standing Offer for \$719 per set until 2023/06/29, \$748 per set until 2024/06/29, \$778 per set until 2025/06/29, \$809 per set until 2026/06/29 and \$837 per set until 2027/06/29, multiplied by the number of the Division's frontline police vehicles for this

forecast. Training is live on Agora (online orientation course, no practical training required). Divisions may purchase as and when they require and may order until 2026-06-29. The Standing Offer can be extended to 2027-06-29.

Hard Body Armour (HBA): HBA is currently assigned per operational police vehicle which does not provide immediate access to all RMs and does not optimally fit all members. There is also a need for a Gender Based Analysis Plus (GBA+) approach given the changing demographic of the RCMP. It is anticipated that the HBA contract will be awarded towards the end of FY 2023-24 and expected to be available for five FYs before re-solicitation. Costs are estimated to be \$1,000 per set. Divisions should consider allocating their unit-issued HBA to all front line members and then calculate their remaining need, multiplied by an estimated \$1,000 per unit, to be purchased as required based on the 10-year lifecycle and proper fit. New RMs will be issued their centrally-funded HBA at Depot. An initial order of 5,000 units to replace expired and ill-fitting HBA, plus provisioning Depot, is forecasted. After the initial order, there is no forecast available because these will replace existing HBA one-for-one as needed. More information will be provided soon on deadlines for personally-assigning HBA and the transition to personal issue HBA for general duty.

Long Gun Rifle: With the roll out of the Colt C8 Carbine, the need for the .308 bolt action rifle and shotgun has been reduced, bringing into question the need for multiple platforms for general duty. Remaining current on all three platforms requires separate annual re-qualifications and training time. The project is at an early stage and the technical specifications have been created. After a Standing Offer is put in place, Divisions should forecast based on how many Containment Kits (tripod, saddle, magnifier) they will need to buy at an estimated \$2,000 each to achieve the goal of a minimum 2 "Containment Kits" per Detachment. This cost is only for the Containment Kit (i.e. tripod and mount, rifle clamping saddle, and 3X magnifier). Implementation could be spread over three FYs starting in FY 2024-25. The patrol carbine has been updated with modern equivalent accessories to better accommodate Gender Based Analysis Plus (GBA+), this has resulted in an overall weight savings of 1.5lbs from the platform. The long term plans for a caliber change is still in information gathering stages, and more information will be provided to Contract Partners via CMC, when available.

Extended Range Impact Weapons 40mm (ERIW): Appropriate use of crisis intervention and de-escalation techniques often requires that the officers have time and distance. Front line members currently do not have a less lethal intervention option that allows them to maintain an increased distance from the subject. Costs are spread across four FYs because of the time required for testing, roll-out, and Division-scheduled training. Note that NPIU has already trained a large number of instructors in the Divisions. If additional instructor training is required, the Divisions can contact NTTS to make arrangements. Costs are forecasted to be approximately \$4,924 per system, multiplied by 6,000 frontline police vehicles. This forecast assumes 1/4 of all vehicles receive an ERIW each FY. The ERIW is still in a pilot phase - as a result the number of launchers that are available for purchase by the Divisions is limited. Once

a Standing Offer (SO) is awarded, Divisions can purchase enough to fulfill their needs. An SO for Extended Range Sponge Rounds has been awarded and is available for Divisions to purchase on the annual bulk buy. Additional O&M costs could include the modular style vehicle rack which can accommodate any two of the Carbine, ERIW, or Shotgun at a cost of \$688 each and from the bulk buy, a higher ammunition cost of \$25/round which may cause increases in costs for training and annual recertification (per trainee, an estimated 20 rounds are used in initial training and an estimated 8 to 10 rounds are used in annual recertification).

5. Pistol Modernization (New Pistol):

The RCMP's Procurement & Materiel Assets Management Branch (PMAM), Corporate Finance, National Armourer Program (NAP), and the National Police Intervention Unit (NPIU) have concluded that the in-service 9mm Smith and Wesson (S&W) 5946 and 3953 general duty pistols must be replaced. The current pistols have been in service since 1995 and have exceeded their life expectancy. There have been quality control issues with parts posing health and safety concerns and there is a need for Gender Based Analysis Plus (GBA+) given the changing demographic of the RCMP. In addition, there exists a tactical disadvantage to the pistol due to the lack of a mounted-flashlight. The forecast is based on \$2,414 per RM, plus an additional \$446 per RM for Pistol Transition Training costs with prioritization of roll out, by region, to be confirmed at a later date. PMAM is currently looking at late fall/winter of FY 2023 for the pistol roll out.

6. Blue Force Tracking (BFT) formerly Android Team Awareness Kit (ATAK):

The RCMP commenced a COP (Common Operating Picture) project to explore options to address among other things, an incident response and management system capable of providing all users with a secure shared picture of unfolding incidents. An element of COP being tested by the RCMP is called ATAK which is an important part of this system, contributing to all four recommendations.

The Blue Force Tracking (BFT) Project Team has, since then, completed the initial roll-out of the Team Awareness Kit (TAK) software suite to members from the Critical Incident Program, Emergency Response Teams (ERT) and Police Dog Sections (PDS) across the country, as well as General Duty within the Grande Prairie and Beaver Lodge Detachments in Alberta. This suite consists of the Android Team Awareness Kit (ATAK) software used on RCMP issued smart phones and tablets for front line responders, and the WinTAK software designed for use on RCMP desktops and tablets for the command and control component of the incidents.

Although the Blue Force Tracking suite of applications are currently available at no charge, the adoption of this kit will result in additional costs which includes the purchase and licensing of servers, purchasing of new hardware (smart phones and tablets), airtime service fees, etc. The estimated cost is based on \$65/RM/Year beginning in FY 2024-25.

7. ATIP:

The RCMP is seeking to expand its ATIP footprint in the Divisions by creating 16 new positions across the country, to create dedicated ATIP Liaison Officer Bureaus within each Division to coordinate requests, validate information returned to NHQ, and act as a central advisor to Divisional management on information and privacy issues. In 2022, CMC was consulted on an initial pilot of this roll-out, where five Divisions were transferred funds from NHQ to support limited bureau capacity to serve as proof of concept and identify challenges/faulty assumption. The initial results of this pilot have been extremely successful, with Divisions reporting increased visibility and carriage of ATIP requests moving through the Division.

In the future proposed model, the ATIP Modernization Team supports a total of 22 FTEs at the AS-04 level, with RM equivalents as required, which amounts to an overall increase of 16 additional resources across the country. It is important to note that larger Divisions may require even more senior positions at the AS-06 level, which is reflective of the scope of effort required, rank equivalency with RM structures to ensure appropriate authority within the Division, and ensuring the appropriate level of support for Commanding Officers. ATIP will return to CMC during FY 2023-24 with results from the pilot and outline a permanent planned way forward to increase ATIP service delivery in the Divisions for FY 2024-25 onward.

8. Electronic Major Case Management (eMCM):

The RCMP is looking at maximizing the effectiveness and efficiency of RCMP business and police operations through the national implementation of a new Electronic Major Case Management (eMCM) solution. The Evidence and Reporting (E&R) system, currently being used for Major Case Management (MCM) was not designed to address the overall needs of MCM as it is cumbersome to use, requires redundant data entry, and does not facilitate the management of unstructured data collected. It has limited analytical capability and has been broadly deployed locally with limited to no capability for data sharing or administration. As a result, in March 2020, a contract was awarded to Xanalis for the implementation of their commercial off-the-shelf software solution called "PowerCase". This enhanced solution provides the required capabilities, flexibility and scalability to manage major case investigations at various levels of complexity while complying with the Information Management (IM) policies, standards, and practices.

Various risks are being monitored in relation to equipment, configuration, and testing, working in close collaboration with the vendor, Shared Services Canada and the various stakeholders to ensure a successful deployment of this solution. The planning and design phase has been completed and testing began in late May 2022. The Project Team is expecting a high-level timeline from the vendor to finalize the project schedule and more details will be available in the near future, which will include an estimated completion date. The estimated cost per RM for the next five FYs is \$395/RM in FY 2024-25 and \$190/RM/Year Ongoing.

“H” Division expects to incur costs of \$263,860 in FY 2024-25. This will reduce to \$126,920 annually, ongoing.

9. Uniform Modernization (New Uniform):

The RCMP is undertaking a pilot to identify operational uniform articles that better meet the unique needs of its mandate, operational requirements and considerations related to a diverse workforce. A pilot of new duty shirts entered the "wear trial" in April 2023 after delays due to ongoing supply chain issues. There will be no information on the costs or implementation of the uniform items until after the pilot has concluded and results are presented to Senior Management. Updated information will be presented to CMC for consideration when it becomes available.

10. Greening Government:

The RCMP continues to make progress in supporting the Greening Government Strategy, a Government of Canada directive to achieve net-zero carbon and climate-resilient operations by 2050. The RCMP is taking the following steps in order to meet reporting requirements:

Real Property: Climate Resilience Vulnerability Assessments (CRiVAs): Beginning in FY 2024-25 Critical Assets with Business Continuity Plans considered to be at moderate to high risk to climate impacts will have Climate Resilience Vulnerability Assessments (CRiVAs) completed. These CRiVAs must be reviewed and updated every 5 years or as part of major retrofits. The number of federal buildings that will be impacted will be determined/validated through the Portfolio Climate Change Vulnerability Assessment.

“H” Division will be performing a pilot on one location in 2024-25, which will incur the cost of \$50,000. Moving forward in FY 2025-26 and beyond, incurred costs will be \$350,000 per year, representing 20% of critical assets.

Environmental Health: The RCMP has established new requirements for ensuring buildings have potable water, the identification and management of asbestos, and periodic assessments for radon to demonstrate due-diligence in keeping with the Canada Labour Code. Note that, at the Divisional level, the CMO/RD will be able to provide estimated costs for inclusion in the MYFPs.

“H” Division expects to incur the cost of \$247,500 per year (includes Potable Water Sampling Program \$50,000, Well Vulnerability Assessments \$137,500= 20% of program per year, Sanitary Surveys \$27,000= 20% of program per year, Radon Testing \$11,000 per year, Asbestos Management Plan and Annual Yearly updates \$12,000 per year, Contaminated sites \$10,000 per year.)

Fleet: Conversion to Electric Operational Vehicles: The Greening Government Strategy also affects the future of the National Safety and Security Fleet including RCMP policing and administrative vehicles. The impact to the RCMP is being assessed through a study to inform

the feasibility of implementing this strategy across all geographical locations. This may impact fleet sustainment costs as well as the requirement for charging infrastructure. Electric infrastructure needs to start being installed at detachments across the country as the electric policing platform becomes more prevalent (both for vehicles and vessels). More information will be provided as information becomes available, including consultation with Real Property.

A cost analysis is being conducted in FY 2023-24 to determine cost frequency and cost per unit.

11. TASER 7 Conducted Energy Weapon (CEW):

As part of the Modernization Strategy for Police and Public Safety Intervention Equipment Strategy, there is an opportunity to modernize the current CEW X26P model to a newer and upgraded version. The TASER 7 has new technology that provides a higher probability of incapacitating subjects when de-escalating dangerous situations rather than resorting to lethal force. The TASER 7 is currently in the acquisition phase and is currently available for personal issue to each frontline RM.

Implementation will span two FYs because of time required for testing, roll-out, and Division-scheduled training, but is scheduled to be completed by March 31, 2024. The estimate includes the monthly fee multiplied by the estimated number of RMs having a CEW that year, but does not include the one-time \$100 3rd-party testing for each CEW. Standing Offer prices are \$76/month for Call-ups before 2023, and \$79.50 per month for Call-ups before 2024 – all monthly fees then go up by \$10 in the 6th year of the 10-year agreement, which include a replacement of the original CEW. These costs replace the previous costs of buying/storing CEW handles and cartridges, and also include full warranty replacement.

12. Next Gen 9-1-1:

As mandated by the Canadian Radio-Telecommunications Commission (CRTC), all Enhanced 9-1-1 (E9-1-1) infrastructure throughout Canada must be updated to support the additional features supported by Next- Generation 9-1-1 (NG9-1-1) technologies, which will require new or upgraded equipment in RCMP primary and secondary Public Safety Answer Points (PSAP) and Operational Communications Centres (OCC). This project is in the early stages and specific timelines are outside the control of the RCMP. While costs to upgrade the Telecom provider's NG9-1-1 network will not rest with the RCMP, there will be necessary modifications to OCC equipment to operate on the improved network, and will likely result in an increase in the ongoing tariff charged by the Telecom provider to supply 9-1-1 service. The costs are not yet known; however, the RCMP has placed this item on the CMC Matrix and will provide further updates as costing information becomes available. Costing will be done in coordination with the agency responsible for 9-1-1 services in each Provincial/Territorial /Municipal jurisdiction.

13. Air Services Modernization:

The RCMP Air Services consists of a fleet of 31 aircraft and approx. 180 employees to provide mission-critical airborne law enforcement services, including both transport and aerial

surveillance. Of the 23 aircraft in service of Contract Policing, 12 (7 helicopters, 5 airplanes) are now due for replacement with another 6 coming due in the next few FYs. These aircraft are identified for replacement with equivalent or higher-performing aircraft to meet operational requirements, such as the need for twin-engine helicopters to support Emergency Response Teams or twin-engine business jets to more effectively and safely provide transport in rural and arctic regions. Some of these aircraft will result in increased operating costs and some investments are required to upgrade the existing Intelligence, Surveillance and Reconnaissance (ISR) mission equipment on the aircraft such as the thermal camera. The majority of this equipment is obsolete and increasingly unavailable due to failures.

In addition, in response to long-term service gaps that have been highlighted in recent mass casualty events, Air Services requires additional positions including pilots, aircraft maintenance engineers and tactical flight officers in order to meet the expected service levels of the capability, as well as to fully leverage the asset. In some instances, 24/7 response coverage is being sought in strategic locations.

Lastly, as part of the improvement to service availability, a national relief transport airplane is proposed as well as a proposal to invest in a medium duty, long-range transport aircraft that can provide response to critical incidents anywhere in Canada in a timely manner. Cost implications to the contract policing partners are still to be determined.

Options and cost impacts vary between each Division, base and aircraft and will be captured as part of the business cases developed in consultation with each Division in conjunction with their respective Contract Partner. Additional details will be shared with CMC as they become available.

14. Emergency Response Team:

Implementation of ERT CRBNE/hazardous environments Proposal: Contract and Indigenous Policing (C&IP) has determined that there is a requirement for the RCMP to augment its required ability to respond tactically to hazardous environments, including, but not limited to Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) incidents. This profile requires specialized equipment for Emergency Response Teams (ERT) for public and police safety, and National Security interests. C&IP is assessing how to bridge this gap, for ERTs. The initial goal is to outfit four Non-Contract Policing Teams over a two-year period (FY 2023-24 & FY 2024-25). During this period of acquisition and implementation, discussion and consultation with Provinces and Territories will occur via CMC to determine priorities based on individual contract jurisdictions' requirements.

There are no additional costs associated at this time.

ERT Modernization: Contract and Indigenous Policing (C&IP) has determined that there is a requirement for the RCMP to transition toward a Full Time Emergency Response Team (ERT) model. The ERT program has evolved substantially over the last 10 years, and it is recognized by

C&IP, through inquiries, and membership feedback, that ERT members need to be in Full Time positions. C&IP is assessing how to bridge this gap. Discussion and consultation with Provinces and Territories will continue to occur as the RCMP further assesses a potential transition from Part-Time to Full-Time ERT positions.

“H” Division currently has an establishment of 18 RM full time ERT positions and one PSE Administrative Assistant position.

15. Next Generation Computer Aided Dispatch (NG CAD):

The RCMP is currently developing a project proposal for the replacement of the RCMP Computerized Integrated Information and Dispatch System (CIIDS) with a commercial off the shelf (COTS) Computer Aided Dispatch (CAD) system. The RCMP continues to maintain its existing CAD system, with more upgrades planned before the end of the contract to maintain efficient tools for police operations. All RCMP jurisdictions within Provinces and Territories are currently working with the CIIDS CAD, with the exception of British Columbia that has implemented the Versaterm application (which remain out of scope for this update). Although the estimated CAD replacement project and contract costs have not yet been determined, it is expected that a cost of \$43/RM begin in FY 2023-24. at which time it will be included as part of the PROS MYP and PROS recovery rate. As soon as more information is available, it will be presented to CMC for consideration.

16. Well Being Ambassadors:

Mental health and wellness has been identified as an emerging area of concern and as a key priority within the RCMP and across the Federal government. Currently, the responsibilities assumed by the RCMP’s Mental Health Champions (MHC) are in addition to their regular duties and putting unfair pressure on individuals who do not have sufficient time to fully support and effectively promote employee well-being initiatives. The MHC have expressed their concerns and unanimously agreed that the positions should be budgeted on a permanent, full-time basis. This will be instrumental in building a culture of psychological health and safety, taking into account psychological health and safety in times of change, and creating and applying a Psychological Health and Safety Management System (PHSMS).

Working towards enhanced organizational effectiveness and continual improvement as well as improved worker recruitment and retention, worker engagement, morale, creativity, innovation and well-being, the CHRO has committed to fund the positions in FYs 2022-23 & 2023-24 at the national level until permanent funding can be secured. A job description at the AS-04 group and level has been created and a competency profile has been developed in anticipation of bringing RMs into the role in some Divisions. All positions have been created, positions in NHQ, B, F, H and J Divisions have been staffed while staffing processes in L, E&M, T and V Divisions have been initiated. It is to be noted that National, D and K Divisions already have a resource performing these duties. In addition, G Division has been combined with V Division. It is to be noted that the positions in L, E&M, T and V Divisions are assigned to RMs, but can be assigned to

any Rank. Costing used for this estimate is Sergeant 2022 salary pay rate plus O&M; however, actual costs will vary by Division. As staffing commences, figures will be updated in subsequent MYFPs to reflect the rank of the position in each Division.

17. Reintegration Coordinators:

The RCMP approved a National Reintegration Program in spring 2021 which focuses on building RMs' confidence in order to support them in a respectful and safe return to operational duties following occurrences such as, but not limited to, a Member-involved shooting, involvement in any form of traumatic or critical incident, or gradual return to work. Building on the RCMP's first Reintegration Program developed by Members in K Division in 2015, the Program has emerged as a proven standard of support for RMs and will expand across the Country as Divisional Reintegration Coordinators and Facilitators are hired and trained. Expanding K Division's reintegration policy to provide a national scope, and developing a course training standard to benefit all Divisions, the Program has been launched in National, E, F, G, H, J, L, M, O and V Divisions and at NHQ.

18. Regular Member Pay Raises:

A non-contractual estimate of 3.5% has been put forward for inclusion in the MYFPs for planning purposes, and this figure has been acknowledged by CMC. Negotiated salary increases or those imposed through third party arbitration could result in increases below or above the planning rate. Given that the NPF has access to binding arbitration (in the absence of a negotiated settlement) there is inherent uncertainty in projecting settlements. As such, should Contract Partners wish to build contingencies into their planning figures to mitigate potential fluctuations in negotiated rates or the possibility of arbitration, they are encouraged to do so.

19. Real Property:

Environmental Health: The RCMP has established new requirements for ensuring buildings have potable water, the identification and management of asbestos, and periodic assessments for radon to demonstrate due-diligence in keeping with the Canada Labour Code.

Workplace Modernization: The COVID-19 pandemic has enabled the RCMP to consider flexible work arrangements for non-operational personnel, thanks to significant Government of Canada investments in new technology and related infrastructure. The RCMP will be exploring opportunities for modern, flexible, and technology-enabled portfolio changes to meet future needs of the force while supporting operations and government socio-economic objectives (e.g. greening, accessibility, Indigenous reconciliation).

20. Corporate and HR ERP Modernization (2023-2027):

Providing effective and efficient police services requires a robust Enterprise Resource Planning (ERP) system to sustain Corporate and Human Resource management functions such as Finance, Property Management, Procurement Services, Training, Staffing, Recruitment, etc. In order for Corporate and HR support functions to remain relevant and effective today and into

the future, the RCMP plans to make significant investments over a multi-year period to implement the following strategic transformations:

Corporate System Modernization (S4/HANA – SAP) Update: The RCMP continues to focus on completing a Request for Proposal (RFP) to secure a Systems Integrator (SI) to advance the project with preplanning, and initial design taking place in FY 2023-24. The new system development will begin in FY 2024-25; and

HR System and Pay Modernization (Vendor TBD) Update: The RCMP has partnered with an external consulting firm to produce a strategic roadmap in FY 2023-24 to guide and inform the plan to implement a modern HR ERP and a new RM pay system.

RCMP will realize these broad business outcomes:

Operational support to Contract Policing – Provide efficient business processes and systems.

Modernization – support common, shared systems that replace outdated technologies and reduce customizations.

Cost Effectiveness – deliver affordable and sustainable management services.

Standardization – enable streamlined processes and common data structures across the RCMP.

Integration – enhance internal and external national integration and collaboration.

The RCMP will continue to engage and communicate its plans for system modernization and the associated business transformation with our Contracting Partners and key stakeholders to ensure the alignment of strategic priorities.

21. Ongoing Commissions, Assessments and Reports:

Mass Casualty Commission Recommendations: The Mass Casualty Commission (MCC) has made numerous recommendations related to air services, general duty officer safety, interoperability between different jurisdictions and many more. The RCMP anticipates will be developing action plans to address the findings and recommendations. Details will be provided as they become available, but it is anticipated that requirements including additions or modifications to policing equipment, air services, vehicles, training, etc., may be part of that action plan.

Missing and Murdered Indigenous Women and Girls (MMIWG) Inquiry: The National Inquiry released its Final Report on June 3, 2019 and the Government of Canada (GoC), through Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) is leading the response and has been engaging PTs and Indigenous organizations to discuss options towards a National Action Plan (NAP). The current and future work related to the GOC's response to the MMIWG Inquiry is being led by National Crime Prevention and Indigenous Relations Services (NCPIPS) and details will be provided as they become available. It is anticipated that requirements including

additions or modifications to current policy, Indigenous engagement and training may be part of the NAP.

Discoveries of Unmarked Graves/Truth and Reconciliation: The tragic discoveries of hundreds of children buried on, or near, the grounds of former residential schools has brought renewed attention to this dark time in Canada's history. The RCMP may be asked to assist in activities in response to the Calls to Action. RCMP contributions will be culturally sensitive and trauma-informed, and will take place in partnership with CIRNAC, local Indigenous communities and organizations, as well as with the input of a number of local, provincial/territorial and federal departments and agencies. In addition, fulfilling the Truth and Reconciliation Commission of Canada's Calls to Action 73 to 76 requires the active participation of all levels of government, Indigenous leaders and communities, Residential School survivors, churches and current landowners. The RCMP is fully committed to supporting CIRNAC and the rest of the GoC in the implementation of these recommendations, and to reconciliation with Indigenous communities.

22. Digital Collaboration and Information Management (DCIM):

The RCMP does not have an enterprise solution for the management of electronic administrative and employee information. This has an impact on both operational effectiveness and ability to meet GC directives and legislated requirements. Meeting this need effectively for business lines across the RCMP requires the careful design of business applications (user-facing software) and records management tools. To do this, the ADIM (Analysis, Data and Information Management) Directorate has launched the Digital Collaboration and Information Management (DCIM) Project.

An enterprise EDRMS (Electronic Document and Records Management Systems) must be available to the entire enterprise in order to provide the best value to the organization. The DCIM project is a fresh approach, founded in client engagement and informed by user experience, which will produce an enterprise tool (or integrated suite of tools) that meets business needs while being financially accessible and user friendly. The DCIM project's objective is to implement an effective enterprise EDRMS for the RCMP through modernizing approaches to digital information management and collaboration to improve the RCMP's ability to use information effectively, improve business processes with updated information flows and meet legislative and regulatory responsibilities surrounding the management of information. DCIM will leverage existing technology and features available within the current digital environment.

DCIM completed a review of two options: expanding the GCdocs implementation or leveraging the MS365 suite including SharePoint. Based on results of a technological and business analysis of the functionalities of SharePoint through a Proof of Concept and User Acceptance Testing, DCIM proposed the use of MS365 as a platform for an enterprise EDRMS.

In the past, EDRMS work has had significant resource (financial and human resources) implications for the PT jurisdictions, which has presented a barrier to participation. In order to

allow stakeholders to understand the resource implications and provide meaningful feedback, the Funding and Operating Models are currently under development and will be presented to CMC for consideration at a later date.

23. RCMP Network Remediation:

The RCMP is located at over 950 locations across Canada, many of which are not in urban centres. RCMP operations rely on a robust, available and reliable network to enable access to our critical business applications and services. Many RCMP Divisions are requiring increases to their network capacity to enable modern applications across their sites ensuring continued availability and access to RCMP's operational systems and supporting ongoing police operations and administrative services. Network remediation in partnership with Shared Services Canada (SSC) will aim to address the following.

Procurement of new technologies for enhancing nation wide network capacity.

Implementation of new and emerging connectivity technologies for RCMP's remote and northern sites.

Implementation of new, modernized wide area network technology that will further enhance cloud applications and off-loaded non-critical traffic for priority of operational traffic.

This project is a generational investment in the RCMP's national digital networking ecosystem which will open the door for greater resiliency, national Cloud connectivity, and better access to RCMP national data centres.

The RCMP's digital network must be modernized to ensure that the continued availability and access to core police operational and administrative systems is maintained. Without the necessary additional network capacity, many of the RCMP's sites in the North and other remote locations across Canada will not be fully enabled to leverage modern policing applications. Working with SSC, the RCMP will ensure that the continued availability and access to core police operational information systems is maintained. RCMP with the support of SSC will manage the acquisition and deployment of the network enhancement tools including the ongoing evolution and changes to the RCMP's national digital network footprint. Currently in the research and development stage, this initiative will be presented to CMC for consultation and discussion at a later date.

25. ERT Rigid Hull Inflatable Boats (RHIBs):

The RCMP has identified the replacement of 10 x ERT RHIBs (> 9m) in the next 5 FYs to meet operational requirements in both Canadian and international waters. Discussions are ongoing regarding Federal and Contract Policing mandates for ERT. These vessels must be replaced at a cost of approximately \$1.2M - \$1.5M per vessel starting in FY 2024-25. The impact on Contract Policing is yet to be confirmed and will be presented to CMC for consultation and discussion at a later date.

26. Forward Looking InfraRed (FLIR):

The RCMP (C&IP) are currently examining a number of historical and more recent critical incidents, as well as previous recommendations related to low-light operations and equipment that could augment RCMP member and public safety during these incidents. Technology has significantly improved in recent years and the RCMP is examining potential options such as hand-held Thermal, InfraRed and Night Vision optics that may be suitable for general duty applications. Most likely, a hand held, rugged Thermal optic will be best suited to considerably improve member safety during these scenarios.

Costs are variable, but there are a number of potential options in the \$2,500 to \$5,000 range per unit. C&IP is examining these options, their associated costs and what number per Detachment and per Division is appropriate. It is also worth noting that RCMP ERT members recently updated their Night Vision optics and are currently outfitted with appropriate optics for these options. Some Divisions and some other specialized units have previously purchased hand held optics. CMC will be provided further information on this in the coming months.

27. Microsoft 365 (MS 365): MS Teams E5 Licences:

As part of the RCMP's Digital Workspaces Portfolio, MS 365 MS Teams is a collaboration tool. Security is paramount as this is our main collaboration and communication platform. The E5 advanced security package from Microsoft provides the required components and capabilities required to secure the MS 365 ecosystem for the RCMP up to Protected B information usage. This information remains fluid and still requires confirmation. CMC will be updated as updated information becomes available.

Regional Admin

Regional Materiel Management/ Policing Equipment Assets Organization:

The RCMP requires the establishment of a regional materiel management/ policing equipment assets organization which would deliver functional policing equipment management collaboratively across Atlantic Canada and in line with National requirements. Drivers for the establishment of this organization are directly related to Member and Public safety, compliance with standards and tracking and management of policing equipment. Currently there is no dedicated materiel management functionality in RCMP Atlantic, though it exists in other Regions across the country. With increased scrutiny on policing assets (Mass Casualty Commission), and the requirement for visibility, tracking and reporting on policing equipment it is essential to stand up a team to manage this important stream of service. This organization will also be key to ensuring that equipment purchases align with central policy direction for approved equipment and reduce ad-hoc unit purchasing. The recommendation is for this to be a Regional Admin organization, though there will still be an equipment planner specifically dedicated to each Atlantic Division in the model organization.

Cost Breakdown: +5 FTE net (PSE), Net increase +\$233 per capita Regional Admin (salary and indirect costs- note: proposed positions subject to classification review)

Roll-out: Org and class review taking place in 2022/23 in anticipation of position creation and staffing processes to take place starting April 1, 2024.

Air Services Submission for Atlantic Region (J, H, L, B Divs) MFYP April 1, 2024 – March 31, 2029

2023-02-02

Prepared by: Air Services Branch

Atlantic Region Air Services provides aerial transport and airborne tactical support to the RCMP as well as other law enforcement agencies throughout the Atlantic Provinces. This encompasses both pre-planned and immediate operational response missions. Typical flight requests include operational support, operational/administrative passenger transport, cargo transport and aerial surveillance. Atlantic Region Air Services, based in Moncton, has two aircraft providing support to detachment operations and investigations across the region. A fixed-wing Pilatus (C-GMPM) and rotary-wing Eurocopter AS350 (C-FMPH), both leased from the federal government in support of the provincial contract policing mandate.

C-GMPM Pilatus

The following investments for C-GMPM are planned:

- Based on current usage, an engine overhaul in FY2025-26 at a cost of \$1,000,000 (option to amortize over 5 years).

C-GMPM was acquired in 2008 making it 16 years old this fiscal year. The expected life of a Pilatus aircraft is 15 years. Given the lack of a robust aircraft replacement program and adequate investment, the RCMP is being forced to operate these aircraft longer than planned which decreases performance, increases safety hazards, and increases maintenance costs associate with an aging fleet. Based on current usage, the intent to avoid a significant investment at 20,000 flight hours, and to optimize resale value, C-GMPM is scheduled for retirement in FY2028-29 (six years past its expected life). To replace the current single-engine Pilatus, a twin-engine aircraft is proposed to increase effectiveness to support the region as well as increased safety for over-water transit. The acquisition of a new aircraft would commence in FY2027-28 with a delivery of 24 months. The estimated cost for a twin-engine aircraft is \$15,300,000 and can be amortized over 15 years as an option (leasing will not be available). Increased operating costs are estimated at \$200k/year. A business case to replace this aircraft is forthcoming. If the existing aircraft is sold, the province may be entitled to credits according to the 70-30 cost-sharing agreement. While a professional appraisal is required, the current estimated residual value of a PC-12NG/47 is \$5.5M - \$7.0M.

Per ongoing discussions with the partners regarding the leasing of federal aircraft, hourly lease rates will not be adjusted however capital betterments will be identified per this plan and cost recovered per the terms of the Police Services Agreement. The forecasted outstanding cost for C-GMPM after lease contributions is estimated at \$1,310,324 on March 31, 2024.

Lease Forecast for C-GMPM:

2024-25	\$172,250
2025-26	\$172,250
2026-27	\$172,250
2027-28	\$172,250
2028-29	\$172,250

C-FMPH Eurocopter

C-FMPH was acquired in 2003 making it 21 years old this fiscal year and one of the oldest helicopters in the RCMP's fleet. The expected life of a helicopter is 15 years. Given the lack of a robust aircraft replacement program and adequate investment, the RCMP is being forced to operate these aircraft longer than planned which decreases performance, increases safety hazards, and increases maintenance costs associated with an aging fleet. Based on expanding operational requirements, estimated usage, and to optimize resale value, C-FMPH is forecasted to be retired in FY2026-27 with the procurement to be initiated in the preceding fiscal year. The estimated cost for a medium, twin-engine helicopter is \$15,000,000. A business case to replace this aircraft is forthcoming however the need for a twin engine, medium-duty helicopter has been identified to increase safety for over-water flying as well as meeting operational requirements (e.g. hoisting, fast roping) for the Critical Incident Program. If the existing aircraft is sold, the province may be entitled to credits according to the 70-30 cost-sharing agreement. While a professional appraisal is required, the current estimated residual value of a Eurocopter AS350-B3 is \$1.0M - \$1.5M.

Per ongoing discussions with the partners regarding the leasing of federal aircraft, hourly lease rates will not be adjusted however capital betterments will be identified per this plan and cost recovered per the terms of the Police Services Agreement. The forecasted outstanding cost for C-FMPH after lease contributions is \$2,837,185 as of March 31, 2024.

Lease Forecast for C-FMPH:

2024-25	\$28,270
2025-26	\$28,270
2026-27	\$28,270
2027-28	\$28,270
2028-29	\$28,270

High Altitude Surveillance – new capability

The high-risk incidents in recent years which occurred in Portapique, Moncton, St. Jean sur Richelieu and Ottawa have demonstrated that the RCMP must be in a position to immediately address public safety threats and ensure the safety of the communities it serves. Having a High

Altitude, Fixed-Wing surveillance aircraft in the Atlantic region would ensure a timely response to volatile situations and assist with other situations such as ground Search and Rescue.

The RCMP has standardized on the Pilatus PC-12M Spectre platform for its high-altitude surveillance needs. It has the speed and operating ceiling to support the Atlantic region while based from Moncton. This aircraft is common with the PC-12 Pilatus transport aircraft allowing interoperability for the pilots and AMEs based in Moncton and across the country for relief purposes. The addition of a Spectre is proposed for FY2026-27 at an estimated cost of \$13M (inclusive of camera mission equipment). A 18-24 month lead time is estimated for a Spectre. In order to fully leverage the use of the aircraft, the following additional resources are essential: two S/Cst pilots, one AME, and one Fixed-Wing Tactical Flight Officer (TFO).

Atlantic Air Section (Moncton)

In order to make effective use of C-FMPH's surveillance capabilities, an additional full-time Corporal-rank Tactical Flight Officer (TFO) is required in FY2022-23. Increasing the complement to two TFOs will allow for increased availability for mission tasking. The role of TFO is highly technical and only effective with regular practice and use of the equipment. It is a dedicated, professional role recognized in other law enforcement agencies around the world.

With the replacement of C-FMPH by a twin-engine helicopter, an additional Rotary-Wing pilot is required. This will bring the complement to three pilots, which will allow increased availability, leveraging effective use of the investment. An additional Aircraft Maintenance Engineer is also required due to the additional engine and increased maintenance of a larger, more complex airframe.

Financial Tables

AC CODE	RCMP CAPITAL PLANNED EXPENDITURE BY FISCAL YEAR (\$ 000)					EXPENDITURE DETAILS
	24-25	25-26	26-27	27-28	28-29	
C-GMPM	-	\$1,000	-	-	<i>Aircraft disposal</i>	Radio installation, Engine overhaul
C-FMPH	-	-	<i>Aircraft disposal</i>			
New Helicopter	-	\$15,000	-	-	-	Twin-engine replacement for C-FMPH

New Aircraft	-	-	-	\$15,300	-	Replacement aircraft for C-GMPM
New HASP	-	-	\$13,000	-	-	New Surveillance fixed-wing aircraft
	\$2,500	\$16,000	\$13,000	\$15,300	-	

RCMP O&M PLANNED EXPENDITURE BY FISCAL YEAR (\$ 000)						
AC CODE	24-25	25-26	26-27	27-28	28-29	EXPENDITURE DETAILS
C-GMPM	-	-	-	-	-	
C-FMPH	-	-	<i>Aircraft disposal</i>			
New Helicopter	-	-	\$220	\$220	\$220	Increased operating costs incl. fuel and maintenance.
New HASP			\$500	\$500	\$500	Operating costs for a surveillance fixed-wing aircraft (fuel, maintenance, hangar space, landing fees, etc.)
New Fixed-Wing	-	-	-	-	\$200	Increased operating costs for twin-engine including fuel and maintenance.
	\$0	\$0	\$720	\$720	\$920	

RCMP SALARY GROWTH BY FISCAL YEAR						
	24-25	25-26	26-27	27-28	28-29	DETAILS
AME-RW	-	-	\$65,000	\$65,000	\$65,000	One EG-06 Aircraft Maintenance Engineer for new helicopter *excl. EBP
S/Cst. Pilot - RW	-	-	\$108,806	\$108,806	\$108,806	One RW PT-01 Pilot *excl. EBP
Cpl. RW-TFO	\$112,435	\$112,435	\$112,435	\$112,435	\$112,435	One RW Tactical Flight Officer *excl. EBP
AME - FW		\$65,000	\$65,000	\$65,000	\$65,000	One EG-06 Aircraft Maintenance Engineer for new HASP *excl. EBP
S/Cst. Pilots - FW		\$217,612	\$217,612	\$217,612	\$217,612	Two FW PT-01 pilots for HAPS *excl. EBP

Cst. FW-TFO		\$106,576	\$106,576	\$106,576	\$106,576	One FW Tactical Flight Officer *excl. EBP
	\$112,435	\$112,435	\$501,623	\$675,429	\$675,429	



Committee of the Whole Excerpts
September 12, 2023

COMBINED SEWER OVERFLOWS (CSO) OVER LAND OR INTO WATER COURSES EXCERPT

Combined sewer overflows (CSO) events from 2021 to date appear to have increased in frequency and volume of overflow. During the last two years, combined sewer overflows have been identified for depositing debris and contents into the Pisiquid River / Lake, along the park and residential areas that are in proximity to Cunnable Creek as well as within other low-lying flood-prone areas.

It is in the best interest of the Municipality to mitigate its own risk and take a proactive approach to communications when/where combined overflows take place. Part of this communication would be to advise the public of the potential risks to health and the need for caution in these areas.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL DIRECT THE CAO TO ENGAGE STAFF TO INITIATE COMMUNICATIONS FOLLOWING ANY COMBINED SEWER OVERFLOWS (CSO) OVER LAND OR INTO WATER COURSES THAT OCCUR WITHIN WEST HANTS REGIONAL MUNICIPALITY TO IDENTIFY TO THE PUBLIC THE NEED FOR CAUTION AND POTENTIAL RISK TO THEIR HEALTH IN THE AREA THE OVERFLOWS OCCURRED.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Committee of the Whole – West Hants Regional Municipality

Submitted by: **Jim Ivey, Councillor, Windsor South, District 11**

Date: Sept 12, 2023

Subject: CSO - Overland and Into Water Courses - Requirement for Notification

LEGISLATIVE AUTHORITY

MGA 30 (1) (2) (3)

RECOMMENDATION or DECISION REQUEST

Recommended that Council direct the CAO to engage staff to initiate communications following any combined sewer overflows (CSO) over land or into water courses that occur within West Hants Regional Municipality to identify to the public the need for caution and potential risk to their health in the area the overflows occurred..

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input checked="" type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input checked="" type="checkbox"/>
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Combined sewer overflows (CSOs) typically occur during high volume or rapid rain events in areas with combined storm and sanitary sewer systems.

CSO events are not new to the West Hants area. Without any intent to diminish the impact of prior CSO activity, CSO events from 2021 to date appear to reflect measurable increases in frequency and volume of overflow.

During the last two years, combined sewer overflows have been identified for depositing debris and contents into the Pisiquid River / Lake, along the park and residential areas that are in proximity to Cunnable Creek as well as within other low lying flood-proned areas.

DISCUSSION

Combined sewer overflows will likely continue to be an unfortunate reality within our region as long as we continue to have active combined storm and sewer systems.

Given this longer-term view of our system's capability, it is seen to be in the best interest of the Municipality to mitigate its own risk, to take a proactive approach to communicate when and where combined overflows have taken place and as part of the communication to advise the public of the potential risks to health and the need for caution in these areas.

NEXT STEPS

Direct the CAO to engage staff as noted in the motion

FINANCIAL IMPLICATIONS

Staff time and Cost of Communication tools deployed

ALTERNATIVES

Do Nothing – Not recommended

Suggest an alternative means of mitigating the Municipality's risk.

ATTACHMENTS:

[Centers for Disease Control – Reopening Public Spaces after Flooding Signs Communicating CSOs in Canada](#)

[CSO Communication signs – Not Location Specific](#)

CHIEF ADMINISTRATIVE OFFICER REVIEW

Pending Comments

Report Prepared by: **Jim Ivey, Councillor Windsor South, District 11**

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)



Committee of the Whole Excerpts
September 12, 2023

MARINERS DRIVE SURPLUS LAND EXCERPT

Prior to the former Town of Hantsport dissolving, McCully Crescent and Mariner's Drive as well as the lots on these streets were developed for a single and two-unit residential subdivision; however, the subdivision development was not completed. PID 45275278 has been under municipal ownership since October of 2016 and zoned Multiple Unit Residential (R-3) on the zoning map of the Hantsport Land Use By-law, which provides the highest flexibility for residential development by permitting a wide range of residential uses as-of-right, such as: single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, townhouses, apartment buildings (three or more units), grouped dwellings, guest houses, bed & breakfast homes, boarding rooms, and residential day care centres.

The recommended motion was that Committee of the Whole recommends ...

TO COUNCIL THAT THE PROPERTY KNOWN AS PID 45275278 ON MARINERS DRIVE IN HANTSPORT, BE DEEMED AS SURPLUS PROPERTY AND THAT THE PROPERTY BE LISTED FOR SALE AT MARKET VALUE.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Christopher Burns, Development Officer

Date: September 12, 2023

Subject: Municipal Surplus Lands: PID 45275278, Mariners Drive, Hantsport

LEGISLATIVE AUTHORITY

MGA 50 (5)(b) allows for the sale of land at market value when property not needed.
 MGA 51 allows for the sale of land at less than market value to non-profit.
 ***Note: If market value is above \$10,000 and the Municipality wants to sell below market value, then a Public Hearing is required.

RECOMMENDATION or DECISION REQUEST

...that Committee of the Whole recommends to Council that the property known as PID 45275278 on Mariners Drive in Hantsport, be deemed as surplus property and that the property be listed for sale at market value.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Prior to the former Town of Hantsport dissolving, Hantsport Developments Limited in conjunction with the former town, developed McCully Crescent and Mariner’s Drive, as well as the lots on these streets for a single and two-unit residential subdivision. The subdivision development has not been completed, as the creation of additional lots and the construction of dwellings are currently progressing under private ownership. PID 45275278 has been under

municipal ownership since October of 2016, and it has not yet been deemed as surplus by Council.

The subject lot is approximately 4.79 acres (208,652.4 sq-ft.) in size and is currently vacant. It is zoned Multiple Unit Residential (R-3) on the zoning map of the Hantsport Land Use By-law. This zone provides the highest flexibility for residential development by permitting a wide range of residential uses as-of-right, such as: single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, townhouses, apartment buildings (three or more units), grouped dwellings, guest houses, bed & breakfast homes, boarding rooms, and residential day care centres.

As of October 26, 2021, Council approved the motion to deem 17 municipally owned properties as surplus lands. 2 of the 17 listed surplus properties are within 150 feet of the noted subject lot, both of which have already been sold.

DISCUSSION

As the Regional Municipality moves forward, it must evaluate the use and existence of municipal properties to ensure the highest level of efficiencies are sought in relation to costs. This vacant lot currently does not serve any purposes to the direct needs of the Region administratively nor operationally and could serve additional housing for the area.

The current zoning and size of the parcel provides the potential for the highest level of flexibility for as-of-right residential development. A site visit by staff was conducted on June 6, 2023, to determine the state of the lot and if it appears suitable for development. A portion of the lot slopes off toward the Halfway River, however, the majority of land is upland and appears suitable. The lot is capable of being serviced by municipal water and sewer and fronts a municipal public street. Ultimately, a multiple unit residential building could be constructed as-of-right on the upland portion; or approximately 16 individual lots could be subdivided for single or two-unit dwellings as-of-right to expand the current subdivision. For a detailed view of the lot, please refer to the attached map and photos in Attachment A and B.

NEXT STEPS

Pending Council approval of the recommendation.

1. Request an appraisal.
2. Assign a commercial Realtor.
3. Establish a Request for Proposal document.

4. Negotiate offers for Council consideration.

FINANCIAL IMPLICATIONS

There are no financial implications in association with the filing of this report.

If deemed as surplus by Council, the sale of the subject lot is to be deposited into the capital reserve account. After the sale, property tax revenue will be generated to the Municipality; and the Municipality will no longer be responsible for any maintenance and upkeep costs.

Three properties nearby on Mariners Drive and McCully Crescent were recently sold in 2022 and 2023 at market value and two of which were sold by the Municipality. The total square footage and listing price of the other three properties are shown below in Table 1. The subject lot is 208,652.4 sq-ft. – and therefore reflecting a greater listing price. Should Council approve the presented motion, an appraisal of the lot in relation to the current market value will be required as part of the disposal process, at an estimated cost to the municipality of approximately \$3,800 - \$5,500 + HST.

Table 1: Previous nearby municipal surplus property listings.

Property	Total Square Footage	Listing Price
Lot 4, McCully Crescent	10,692 sq-ft.	\$64,900
10 McCully Crescent	17,207 sq-ft.	\$67,500
Lot HDL-19Z, Mariners Drive	8,772 sq-ft.	\$59,900

ALTERNATIVES

1. Council may elect to retain the subject lot.
2. Council may elect to retain the subject lot and pursue to subdivide the property into individual lots to be listed for sale as surplus.
3. Council may elect to donate the subject lot to a not-for-profit or charitable organization.

ATTACHMENTS

Attachment A: Site map of the subject property.

Attachment B: Site photos (4) of upland areas recommended for development and sloped areas not recommended for development.

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation and “next steps” as identified by the Development Officer. Pending the outcome of the appraisal and comments regarding the sale of lands as a single PID or individual lots this may be influential to how the land is marketed or how development is controlled. Avoiding additional survey work, subdivision process, building roads (The WHRM would be viewed as the developer) and other costs may be reason for selling the land as a whole. I support maintaining the current zoning designation as it essentially permits all residential considerations.

Report Prepared by: _____
Christopher Burns, Development Officer

Report Reviewed by: _____
Sara Poirier, Director of Planning & Development

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Attachment A:

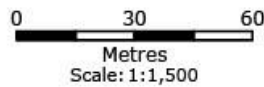


**Mariners Drive, Hantsport
PID 45275278**



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 August 2023

Orthophoto



-  PID 45275278
-  Parcels
-  Civics
-  Roads

Attachment B:







Committee of the Whole Excerpts
September 12, 2023

MUNICIPAL ENCROACHMENT EXCERPT

The Municipality has a responsibility to ensure private property boundaries of residents is respected when construction work or other activity along these boundaries is occurring. The Municipality is aware of an issue (municipal infrastructure (sidewalk) partially sitting on surveyed, private property). Although conversations and a resolution is anticipated it is best to formally provide direction to the CAO to have a dialogue and resolve/conclude the issue for both parties regarding this matter.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL DIRECT THE CAO TO ENGAGE WITH THE OWNERS OF THE ENCROACHED PROPERTY AT THE CORNER OF ALBERT AND KING TO ACHIEVE A MUTUALLY BENEFICIAL AND FAIR RESOLUTION TO THE ISSUE, WHETHER IT INVOLVES PURCHASE OF THE ENCROACHED LAND, OR AN EASEMENT OR ANOTHER MUTUALLY ACCEPTABLE SOLUTION.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Committee of the Whole – West Hants Regional Municipality

Submitted by: Jim Ivey, Councillor, Windsor South, District 11

Date: Sept 12, 2023

Subject: Municipal Encroachment

LEGISLATIVE AUTHORITY

MGA 30 (1) (2) (3)

RECOMMENDATION or DECISION REQUEST

Recommend that Council direct the CAO to engage with the owners of the encroached property at the corner of Albert and King to achieve a mutually beneficial and fair resolution to the issue, whether it involves purchase of the encroached land, or an easement or another mutually acceptable solution.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input checked="" type="checkbox"/>
--	---	--------------------------------------	---------------------------------	--	---

The physical reconstruction for the Albert Street paving project began in early June 2022. Thereafter it was identified that an issue existed with the surveyed property boundary between the pre-existing municipal sidewalk and the private property at 494 King.

Despite the owners attempts to secure a solution to the issue, the matter remains unresolved. The private strip of land that bounds the corner of the property extends to its streetfront corners of King and Albert which rest partially under a municipal sidewalk. A resolution to the encroachment is required at this time.

DISCUSSION

The Municipality has a duty and responsibility to ensure the private property boundary of its

residents is respected when undertaking construction work or other activity along the boundaries of the properties.

In this case the encroachment appears to have originally occurred by the former Town of Windsor. Regardless of the encroachment timing, we have been aware of this issue for longer than necessary; resolution has not however been forthcoming, despite the fact that municipal infrastructure (the sidewalk) is partially sitting on surveyed, private property.

Properly we need to come to an agreement with the owners to resolve the matter. It's worth noting that the value of the land nor any potential use of the incremental land is not the crux of this issue. The land has no added value for the owner's use. This issue is about respecting the bounds of private property, having a professional dialogue about how to fairly resolve the issue for both parties, and then working together as a team with open communication to resolve/conclude the matter.

NEXT STEPS:

Council to direct the CAO as noted in the recommendation at the start of this report.

FINANCIAL IMPLICATIONS

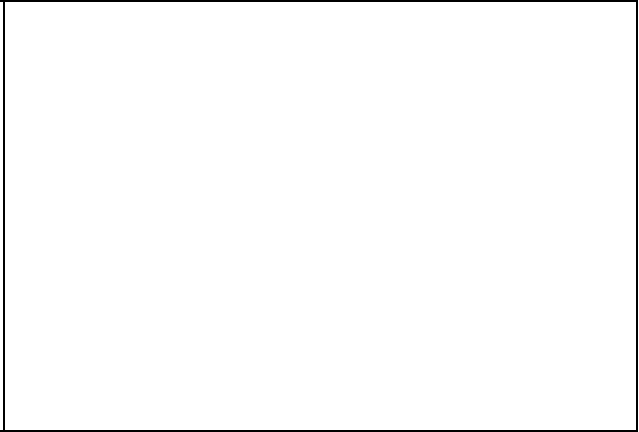
TBD

ALTERNATIVES

None

ATTACHMENTS:





CHIEF ADMINISTRATIVE OFFICER REVIEW

Pending Comments

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)



Committee of the Whole Excerpts
September 12, 2023

MUNICIPAL FEES REVIEW EXCERPT

West Hants Regional Municipality Fees Policy was last reviewed in 2021. A request by a resident sparked a quick review identifying other areas that may warrant updating.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL DIRECT THE CAO TO ENGAGE STAFF FOR THE PURPOSE OF UNDERTAKING A REVIEW OF THE WEST HANTS REGIONAL MUNICIPALTY FEES SCHEDULE FOR TAX STATEMENTS FEES AND BURIAL FEES AND RETURN TO COUNCIL WITH A REPORT FOR THE NOVEMEBER COMMITTEE OF THE WHOLE MEETING.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ✓	Recommendation ✓	Decision Request <input type="checkbox"/>	Councillor Activity ✓
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To: Committee of the Whole – West Hants Regional Municipality

Submitted by: **Jim Ivey, Councillor, Windsor South, District 11**

Date: Sept 12, 2023

Subject: **Municipal Fees Review**

LEGISLATIVE AUTHORITY

Municipal Government Act, Part 30 (1) (2) (3)
 Municipal Government Act, Part I, Council may make policies, Section 23

RECOMMENDATION or DECISION REQUEST

Recommend that Council direct the CAO to engage staff for the purpose of undertaking a review of the West Hants Regional Municipality Fees schedule for any changes that Council should consider to return with a report to Council at its November 2023 Committee of the Whole meeting.

BACKGROUND

Property ✓	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity ✓
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The Fees Policy for the West Hants Regional Municipality was last reviewed with the aggregation of the individual Windsor and West Hants fees on July 27, 2021. A request by a resident for review of a specific fee then resulted in the identification of additional fees / items that may require housekeeping updates.

DISCUSSION

The purpose of this report is to simply trigger an initial review by staff of the fee schedule for services charged by the Municipality to then be brought back to Council, to ensure that the basic fees we charge keep pace with the cost of providing services. As part of the review, staff in concert with Council can also determine if all services for which we charge fees are still valid (ie removal or reduction of a fee).

The fees included in the schedule for reference ([West Hants Fee Schedule](#)) include those associated with:

- (a) Bylaws (Building Code, Cemetery and Burial, Civic Addressing, Dogs, False Alarms, Heritage Properties, Land Use, Sewage Connection and Discharge, Special Events, Swimming Pool, Street Improvement, Sub-Division.
- (b) Fees Associated with Policies (Piping of Ditch Frontage, Fences Dispute Meetings)
- (c) Other Fees (Tax Certificates, Account Statements, Bulk Water Token, NSF Checks, Waer Service Installation, Mortgage Data Transfer, Permit for Breaking Ground, Amendments to Municipal Planning Strategy).

For reference at this point only, a couple of the items that Council might consider in its future discussion is the continued distinction of varied cemetery / burial fees based on a residents place of abode. It occurs to me that we might have a rate for "West Hants" residents but not distinguish Hantsport or Windsor Residents only. For Tax statements, instead of charging a fee for every PID, we might charge a single fee for the PID's under common ownership. Under dog licence registration we may consider removing the fee for annual registration with the new lifetime fee in effect.

NEXT STEPS

Council to approve the recommendation as noted at the head of this report.

FINANCIAL IMPLICATIONS

To be Determined as part of the review process

ALTERNATIVES

None

ATTACHMENTS:

CHIEF ADMINISTRATIVE OFFICER REVIEW

Pending Comments

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)



Committee of the Whole Excerpts
September 12, 2023

NEWPORT RINK COMMISSION EXCERPT

At the June 13th Mr. Greg Kelley presented a request for the Newport Rink to become a line item in the municipal budget or that consideration/confirmation be granted for the GFL Recreation Centre to assist with the cost of capital projects. If approved this would ensure that funding was in place to support grant applications in a timely manner when federal and provincial funding is announced.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL APPROVES THE ALLOCATION OF \$150,000 ANNUALLY FOR THE NEXT FIVE YEARS IN THE CAPITAL BUDGET TO SUPPORT CAPITAL UPGRADES TO THE GFL RECREATION CENTRE.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input checked="" type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: West Hants Regional Municipality Committee of the Whole

Submitted by: Carlee Rochon, Director Financial Services

Date: September 13, 2023

Subject: Newport & District Rink Commission Funding Discussion

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65

West Hants Regional Municipality – Grants & Contributions Policy, RCOFN-012.00

INFORMATION REPORT/ DECISION REQUEST

Supplementary information report with respect to the Newport & District Rink Commissions request for annual financial support for capital projects over the next five years.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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At the June 13th West Hants Committee of the Whole meeting, Greg Kelley made a presentation to Council requesting the Newport Rink become a line item in the municipal budget or that consideration/confirmation be granted for the GFL Recreation Centre to assist with the cost of capital projects. Pre-approval would allow the Rink Commission to apply for additional funding and would, so they are not coming at the last minute making the ask. If approved this would ensure that funding was in place to support grant applications in a timely manner when federal and provincial funding is announced.

He noted that they had a business plan completed by an outside consultant which outlines the capital upgrades required over the next five years. Mr. Kelley also indicated that ice rentals support their daily operations, and that major capital projects and refurbishments are financially extremely difficult to deal with for this not-for-profit group while at the same time keeping their user rates affordable.

Capital projects the group is facing in the upcoming years includes the refurbishment of the ice plant, tables and chairs and equipment for summer sport storage space, solar power; exterior upgrades (parking lot expansion, new signage, improved area to dump snow), compressor re-fit, a floor scrubber and information technology upgrades.

DISCUSSION

Grants are generally provided in the form of funds, while contributions may be through in-kind support using municipal resources, both tied to a specific outcome. Both sources of support must be reported annually by the Municipality, as required by legislation. Council has the authority to fund projects outside of the maximum approved funding allocations stated in the Grants and Contributions Policy.

Capital grants require annual approval, as review of a project's scope determines the funding sources and motions of Council are required for the Canada Community Building Fund and reserves. In some cases, depending on the funding sources, a yearly third-party agreement is required. As per of capital funding, the requirements under the procurement policy must also be met for grants over \$25,000 on a single project. These requirements are supported through the annual grant application process.

In January 2023 Council approved a revision to the Grants & Contributions Policy which included an opportunity for organizations to apply for the newly created Recreation Facility Capital Investment Project Grant. The grant details include:

- Maximum Contribution –\$50,000
- To aid with expansion or improvement of indoor or outdoor not-for-profit community recreation facilities.
- Funding request is defined as a capital project partnered with the West Hants Regional Municipality with no greater than fifty percent (50%) of the funds being contributed by the Regional Municipality.
- In exceptional circumstances, Council may choose to contribute more than fifty percent (50%) of the cost of the project but will only do so when the need is clear and urgent, and all other sources of funding have been investigated.
- Projects must be completed during the fiscal year in which the funds are being requested. No carry-over of funds will be permitted.
- Projects must be for the betterment of the entire community and accessible to all residents and be Parks, Recreation and Culture related.
- Projects must follow the West Hants Regional Municipality Procurement

and Tendering Policy RCOFN-003.00 or a procurement process approved by the West Hants Regional Municipality.

- The total amount funded through the Recreation Facility Investment Projects grant program will be determined by West Hants Regional Council on a case-by-case basis.
- Depending on the funding source identified by staff, additional requirements may be necessary to maintain eligibility.
 - Canadian Community Building Fund requirements:
 - Agreement to abide by the Municipal agreement with the Province of Nova Scotia, which includes having the ability to pay for the project before reimbursement from the Municipality.

As outlined in the GFL Newport Recreation Centre Diagnostic Assessment the current request of WHRM is approximately \$750,000 to support capital upgrades over the next five years (see figure 1 below).

5 Financing Needed Capital Improvements

In consultation with the manager and board, the consultant has prepared the following schedule of capital improvements:

Capital Improvements:	2023	2024	2025	2026	2027	Total	
Ice plant:							
Phase 1		\$250,000				\$250,000	
Phase 2			\$250,000			250,000	
Phase 3				\$250,000		250,000	
Equipment for summer use (tables, chairs, equipment for summer sport, storage space)	\$60,000					60,000	
Solar power:							
Site preparation				50,000		50,000	
Installation of system					250,000	250,000	
Exterior upgrades (expand parking area, new signage, improved area to dump snow from Zamboni)	50,000					50,000	
Compressor refit	28,000					28,000	
Floor scrubber	7,000					7,000	
Information technology upgrades	5,000					5,000	
Other						0	
Total improvements	\$150,000	\$250,000	\$250,000	\$300,000	\$250,000	\$1,200,000	
Funding:							
West Hants Regional Municipality	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$750,000	62.5%
Recreation Facility Development Grant		75,000	75,000			150,000	12.5%
Innovative Communities Fund / Tourism Relief Fund				125,000	75,000	200,000	16.7%
Newport and District Rink Commission (fundraising)		25,000	25,000	25,000	25,000	100,000	8.3%
Total funding	\$150,000	\$250,000	\$250,000	\$300,000	\$250,000	\$1,200,000	100.0%

Figure 1 - Page 21, Diagnostic Assessment of GFL Newport Recreation Centre

The organization is looking for security from WHRM that shows municipal financial support for capital projects to allow them the ability to apply for other funding opportunities in a timely manner as they arise. Ensuring that any grants sought are able to be stacked with Canada Community Building Fund.

Staff have reviewed the five-year capital plan presented by the Newport & District Rink Commission and have concerns with some of the project's eligibility for use of Canada Community Building Fund. The highlighted projects in figure 1 above, are eligible under Canada Community Building Fund. Should Council wish to proceed with annual funding as requested, they would need to direct staff to the alternative funding source, to use if a project be deemed ineligible.

It would be staff recommendation should Council wish to support the Newport & District Rink Commission it works within the Canada Community Building Fund eligible projects.

Included in the information report received by Council on June 9, 2022, were options for consideration should council wish to look at a fixed annual capital commitment for the Newport & District Rink Commission. Those options included:

- a) Council may consider continuing to determine the level of support during the annual grants and contribution process. Requiring an annual application, and applicable to the Grants and Contributions Policy (status quo). Allowing for determination of capital funding sources and assurance requirements are met.
- b) Council may consider adding a line item for a lower amount as the annual grant contribution, but still require annual submission of all supporting financial documentation less the application prior to March 1st.
- c) Council may consider adding the full amount requested for the annual grant contribution, but still require annual submission of all supporting documentation less the application prior to March 1st.
- d) Council may consider adding the full amount requested for the grant contribution, with no restriction. This alternative is not recommended by staff, as assurance and accountability for the use of public funds at this funding level would be recommended.

NEXT STEPS

Council to determine if it wishes to approve the allocation of \$150,000 annually, for the next five years, in the Capital Budget to support capital upgrades to the GFL Recreation Centre.

FINANCIAL IMPLICATIONS

In the Grants and Contributions Policy approved as amended on January 24, 2023, the total amount paid for all grants in a fiscal years' operating budget will not normally exceed one-and one-half percent of all the taxes for general municipal purposes.

For example, for 2023/24 this threshold amount was \$389,577. If this funding level was approved at \$150,000 annually for capital projects, it would leave \$239,577 remaining for other groups that apply for municipal grants.

Grants and Contributions funding was approved in the 2023/24 operating budget, in the amount of \$121,500. This includes grants for Heritage, Public Safety, Trails, Sponsorship and Grants and Contributions. The remaining balance was for grants funded through the 5% Reserve Funds or the Canada Community Building Fund.

ALTERNATIVES

- Council can choose not to support the request of the Newport & District Rink Commission.
- Council could choose one of the four alternatives presented in the June 9, 2022, report.
- Council could select a CCBF eligible project to fund (in part or full), which would provide the Newport & District Rink Commission with some guarantee of funding. However, this option still will require an annual approval and agreement as per CCBF requirements.

ATTACHMENTS

- Newport and District Rink Commission – GFL Newport Recreation Centre Diagnostic Assessment

CHIEF ADMINISTRATIVE OFFICER REVIEW

This Council has been supportive of past funding requests for Newport and District Rink Commission projects. I support the continuation of that support to a facility that provide significant recreation, health and economic benefit to the Region of West Hants. To what level of support is at the discretion of Council.

As noted in the report the Grants and Contributions Policy has been amended to reflect the past practice of Council and their wishes regarding community grants. When reviewing the request from the Newport and District Rink Commission I encourage Council to reflect on the following points :

1. Does Council wish to follow the existing policy regarding maximum thresholds for funding?

2. For Council to determine the level of support or components of the overall proposal they wish to support.
3. For Council to reflect on the funding sources. CCBF or other reserves would be the preferred funding source of staff, noting that the funding request would be noted as a grant otherwise requiring the funding to be the general operating budget.

Report Prepared by: _____
Kathy Kehoe, Director Community Development

Report Prepared by: _____
Carlee Rochon, Director Financial Services

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Newport and District Rink Commission

GFL Newport Recreation Centre



Diagnostic Assessment

Final Report – Submitted on 28 March 2023 by
Andy Horsnell Consulting
www.socialenterprisesolutions.ca

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Background

This report seeks to address concerns expressed by the board of the Newport and District Rink Commission about how they might improve the long-term financial sustainability of the GFL Newport Recreation Centre (the GFL Centre).

The Board's Concerns

The driving concern expressed by the board is ensuring that they are able to finance the refurbishment of their ageing ice plant, which is essential infrastructure for the GFL Centre. Other concerns include: recovering from the impacts of the ongoing pandemic, adjusting to changing community demographics, and a desire to reduce energy costs through investments in green energy. Board members expressed a concern that community members lack awareness about the many benefits that the GFL Centre currently provides, and that this may be negatively impacting financial support. They also want to explore the potential for new, enhanced, and expanded services. Finally, by addressing these concerns, they see an opportunity to engage funders, donors, and other financial supporters in a way that will enhance the GFL Centre's long-term financial sustainability.

A Report in 5 Sections

This final report presents an assessment of the GFL Centre from three perspectives, each with their own section:

1. Overall Assessment
2. Focusing on the Ice Season
3. Focusing on the Off Season

We use this assessment to make recommendations, which are presented in separate sections:

4. Enhancing Operating Revenue
5. Financing Needed Capital Improvements.

Source Material for the Assessment

Interviewees

Interviewees have provided much of the content for this interim report. They include the following people:

1. Bobby Best – manager of the Kings Mutual Century Centre in Berwick (kmccberwick.ca/)
2. Jeff Connors, organiser of men's shinny
3. Ray Croft, president of West Hants Minor Hockey (www.westhantswarriors.com)
4. Brendan Doyle – manager of the Antigonish Arena (www.antigonisharena.com)

5. Jennie Greencorn – president of the Recreation Facility Association of Nova Scotia (www.rfans.com)
6. Kristi Haliburton, acting president of the Riverview Skating Club (www.riverviewskatingclub.ca)
7. Ryan Hillier, athletics director and boys hockey head coach, Kings Edgehill School (www.kes.ns.ca/athletics)
8. Greg Kelly – board member of the Newport and District Rink Commission
9. Mark Phillips – chief administrative officer of the West Hants Regional Municipality (www.westhants.ca)
10. Shane Rogers, manager of the GFL Newport Recreation Centre
11. Brandyn Ross, athletics director of West Hants Middle School (<https://sites.google.com/gnspes.ca/westhantsmiddleschool/home>)

Internal Documentation

In addition to these interviews, Shane Rogers and various board members provided internal documentation on facility usage, financial statements, and planned capital improvements.

Other Sources

Various other sources were used to inform this assessment, including: Statistics Canada, web research by the consultant, and numerous informal conversations and emails with the staff and board of the GFL Centre.

1 Overall Assessment of the GFL Centre

Community Impact

Drawing upon the GFL Centre's usage statistics, Shane Rogers was able to estimate that the Centre touches about 500 households. This amounts to a significant scope and scale of impact in a community with only 2200 households and population of just over 5300. This impact is explored in qualitative terms in section 2, but the following quote from a representative of one of the Centre's user groups captures its significance to the community:

"I can't stress enough the importance of hockey. It's the cornerstone of our community. It would tear this community apart if we didn't have the GFL Centre."

Potential Improvements

Operational

Shane Rogers stressed the urgent need for another employee. This would allow Shane to work on things like revenue generation (daytime ice rentals, advertising, fundraising, summer use), while maintaining the Centre's reputation for being a clean, welcoming facility.

Capital

- The GFL Centre has an urgent need to upgrade its ice plant. The current plant dates back to the original (and smaller) facility. Through careful maintenance and operation, the staff have been able to get by with the ageing ice plant, but it is coming to the end of its useful life, at least in its current configuration, and a comprehensive upgrade is need – \$700,000
- Solar power system – \$257,580. Could help reduce the monthly utility bill during the ice season, which, at \$10-\$11k per month, represents one of the GFL Centre's primary operating costs.
- A mini-scrubber would make floor cleaning better and quicker, for a capital investment of approximately \$7k.
- Air conditioning is not on the list. Shane indicated that the GFL Centre "used to host women's roller derby in the summer, until COVID hit, and used the dehumidifiers to keep the building cool. They're expensive to run, but they worked."

Potential for Increased Operating Revenue

See section 4 for a quick financial assessment of the potential for new operating revenue.

Increased Ice Rentals

Shane indicated that the current schedule contains about 7 hours of unrented ice time. At an average rate of \$230 per hour, this represents a significant potential source of additional revenue.

Off-Season Rentals

Use of the GFL Centre drops off considerably in the off season (mid-April to late August). The interviews with current GFL Centre users and with managers of other facilities revealed significant potential for off-season rentals such as: large-scale, non-sporting events (concerts, trade shows) and non-ice sports such as pickleball, lacrosse, and basketball.

Advertising

One rink manager interviewed indicated that indoor advertising was a significant source of revenue – “We did \$40,000 last year, and could go as high as \$75,000.” This assessment was confirmed by Shane Rogers, indicating that there was room for improvement at the GFL Centre, which is presented in section 4.

Fundraising

Shane and two of the other rink managers all stressed the importance and potential for fundraising at the GFL Centre. Community support for funding the new facility supports this assessment. The manager of the Kings Mutual Century Centre in Berwick illustrated the critical role that fundraising plays for his facility:

“You’ve got to do fundraising. We’ve raised over \$8m since we started, and have no debt as a result. We run an annual dinner auction and a golf tournament that, combined, generates \$100k.”

Earned Income

A review of the GFL Centre’s financials and the service offerings of other facilities (listed below), revealed a number of opportunities to boost the Centre’s operating revenues, which are presented in section 4.

Service offerings of other facilities (for comparison):

- North Shore Recreation Centre: <https://colchesterrfa.ca/northshore/rental-rates/>
- St. Mary’s Recplex: <https://www.saint-marys.ca/facilities.html>

Summary

While there is clearly potential for increased operating revenue for the GFL Centre, the work to generate it requires an ongoing investment of time which the short-staffed manager currently does not have. Moreover, fundraising is generally an area where board members play a strong role and there isn't currently a person (or people) on the board who is prepared to take this on.

Potential Capital Financing

A range of funders was explored through this assessment, as presented below.

Municipal

West Hants CAO (Mark Phillips) indicated that he'd rather be presented with a schedule of improvements and a request for annual support, versus ad hoc requests every year. And he'd rather fund improvements and upgrades than repairs. He said more than once that the Municipality has "healthy reserves", and is in a position to support the GFL Centre.

Provincial

"Pay attention to what's going on with the Province regarding funding." (Jennie Greencorn)

The Recreation Facility Development Grant, which includes the Rink Revitalization Fund, is provided by the Nova Scotia Department of Communities, Culture, Tourism, and Heritage (CCTH). See https://cch.novascotia.ca/sites/default/files/inline/2023-2024_rfd_guidelines.pdf for details about this funding program. CCTH contacts are Tracey Roberts and Anna Sherwood.

Eligible activities under the Recreation Facility Development Grant include:

- Purchase of large permanent furnishings and equipment integral to the functioning/operation of a facility. (i.e. soccer goals, ice re-surfacer, ice plant components)
- Construction of community centres, pools, rinks, athletic fields, parks, playgrounds, and enhancements to schools for community use and other recreation facilities that promote active living.
- Capital conservation work involving repair and/or replacement needs of any major components directly related to a facility's structural or operational integrity.

Projects are eligible to apply for up to one-third (1/3) of the total capital cost of the project to a maximum of \$150,000.00. The 2023 application deadline has passed.

Federal

Atlantic Canada Opportunities Agency (ACOA) may offer some potential for grants, especially for green and solar retrofits.

Innovative Communities Fund

The fund provides non-repayable contributions to enable communities to: develop thriving industry sectors; strengthen infrastructure in rural areas; and invest in projects to help communities overcome economic issues and take advantage of new opportunities.

To be considered for ICF funding, project proposals must:

- Clearly explain links and partnerships within the community;
- Address challenges and opportunities in the applicant's area;
- Have the potential to lead to economic growth;
- Be over and above the applicant's regular activities;
- Have a clear end date; and
- Show that the applicant has the skills and resources needed to manage related activities

See <https://www.canada.ca/en/atlastic-canada-opportunities/services/innovative-communities-fund.html> for details of this funding program.

Tourism Relief Fund

The Tourism Relief fund can provide non-repayable contributions up not more than \$500,000 to nonprofits toward the following activities:

- Product development: For example, projects that enhance tourism experiences; help tourism businesses adapt to the “new normal,” to modernise their offerings; and, encourage the adoption of more environmentally sustainable and inclusive practices.
- Destination development: For example, projects that position communities to take advantage of post-pandemic opportunities through strategic planning for medium- to long-term investments, as well as supporting destination development prospects in line with objectives set out in the Federal Tourism Growth Strategy.

See <https://www.canada.ca/en/atlastic-canada-opportunities/campaigns/covid19/tourism-relief-fund.html> for full details on this funding program.

Corporate Sponsorship

GFL provided \$200k in 2018 and received 20-year facility naming rights. (In a separate conversation with Gary McLean, Gary indicated that GFL is very pleased with the arrangement with the GFL Centre, and that they'd be open to future sponsorship requests.) Greg indicated that there may be opportunities to secure sponsors for rooms and other resources within the facility.

The potential for these various funding sources is presented in section 5.

On the Relationship with the West Hants Sport Complex

Past and Current Challenges

In 2022, the West Hants Sports Complex broke with tradition and put ice in in September (instead of October) without consulting with Shane, which in turn impacted the GFL Centre's revenue for September. Moreover, the West Hants Sports Complex set their ice rate for the 2022 season to the GFL Centre's 2021 prices without consulting with Shane. This rate was lower than what Shane had planned for the 2022 season, forcing the GFL Centre to stay with their 2021 rate, resulting in a drop in planned revenue. These issues have taken a toll on the working relationship between the two facilities, and point to the need for better communication.

Future Potential for Collaboration

West Hants CAO (Mark Phillips) expressed support for the idea of the GFL Centre running non-ice events in the off-season, in coordination with the Municipality. He suggested that he'd be interested in marketing for larger regional events, which would include both rinks and the exhibition grounds. Shane expressed some concern about doing joint marketing with Windsor, which is much more of a multi-use facility than the GFL Centre.

Financial Analysis of the GFL Centre

Comparative Analysis of Statements of Financial Position

As indicated in Appendix A, there has been a steady decrease in the net assets (equity) of the organisation over the last three years, owing primarily to the operating losses sustained during the pandemic. The cash position and liquidity ratios would all appear to be greatly improved. This is misleading, however, as the cash on hand as of year end (31 December) has since been spent on a new (and much needed) Zamboni. The GFL Centre needs to move back into operating surpluses to shore up its net assets and liquidity over the long term.

Comparative Analysis of Statements of Operations and Net Assets

The comparison presented in Appendix A indicates an organisation that has managed to offset its declining revenues through disciplined control of its operating expenses, with 2022's deficit being reduced by over \$38k from the previous year. This cost-control strategy has its limits, however. Three of the primary cost drivers (power, repairs and maintenance, and wages and benefits) cannot be reduced indefinitely. Rather, they will likely increase in the coming years, as the cost of utilities continues to increase and the ongoing need to add staff needs to be addressed. Capital improvements (to keep repairs and maintenance manageable), moving to cheaper energy (e.g. solar), and increasing operating revenue will be the necessary strategies going forward.

Other Insights

Jennie Greencorn, president of the Recreation Facility Association of Nova Scotia, stressed the importance of facility safety, for both patrons and staff. This requires preventative maintenance, and clear occupational health and safety policies and procedures.

Jennie also stressed the importance of relationship management (with patrons and tenants). “You need a leader who values the staff and can be hands-on.” This would certainly seem to describe the GFL Centre’s manager.

2 Focusing on the Ice Season – September 5 to April 15

The Current Schedule

The current schedule, presented below, illustrates that the GFL Centre is solidly booked on weekday afternoons and evenings and weekends. It does, however, have about 7 hours of regularly-available ice time, mostly on weekday mornings.

GFL Newport Recreation Centre								
Rink Schedule		Mon	Tue	Wed	Thu	Fri	Sat	Sun
7:00	to 7:30							
						WH Middle School Intramural League (7:20 to 8:10)		
7:30	to 8:00							
8:00	to 8:30							West Hants Minor Hockey
8:30	to 9:00							
9:00	to 9:30							
9:30	to 10:00							
10:00	to 10:30	Parent n Tots / Seniors Skate		Parent n Tots / Seniors Skate				
10:30	to 11:00							
11:00	to 11:30							
11:30	to 12:00							
12:00	to 12:30	Peter Francis' Group				Peter Francis' Group		
12:30	to 1:00							
1:00	to 1:30							
1:30	to 2:00						West Hants Minor Hockey	
2:00	to 2:30							
2:30	to 3:00							
3:00	to 3:30							
3:30	to 4:00	Kings Edgehill School	Kings Edgehill School	Kings Edgehill School	Kings Edgehill School	Kings Edgehill School		
4:00	to 4:30							
4:30	to 5:00							
5:00	to 5:30		JV Girls		Sportswheels Intro to Hockey		Senior Women's League	
5:30	to 6:00			Riverview Skating Club			Broomball	
6:00	to 6:30							
6:30	to 7:00							
7:00	to 7:30	West Hants Minor Hockey	West Hants Minor Hockey		West Hants Minor Hockey	Riverview Skating Club		
7:30	to 8:00						Jeff Connors' Group	
8:00	to 8:30						Liam's Group	
8:30	to 9:00							
9:00	to 9:30	Jeff Connors' Group						
9:30	to 10:00			Jeff Connors' Group (8:20 to 9:15)		Rec League		
10:00	to 10:30			George Armstrong's Group	Men's League		Rec League	
10:30	to 11:00							

Current Participation

GFL Newport Recreation Centre			
Participant Numbers			
	On Ice Participants	Volunteers / Spectators	Total
West Hants Minor Hockey (www.westhantswarriors.com)	260	120	380
Riverview Skating Club (www.riverviewskatingclub.ca)	70	150	220
West Hants Middle School intramural league	48	10	58
Kings Edgehill School	21	30	51
Sportwheels Intro to Hockey	25	25	50
Broomball	36	0	36
Recreational League	16	10	26
Jeff Connors' Group (men's shinny)	22	0	22
George Armstrong / Peter Francis group	22	0	22
JV Girls	20	1	21
Liam's Group (men's shinny)	20	0	20
Men's League	<u>16</u>	<u>0</u>	<u>16</u>
Totals	576	346	922

Overall Assessment of the GFL Centre During Ice Season

Users of the GFL Centre during the ice season were strongly and consistently positive in their overall assessment of the facility during the ice season, as evidenced by this sampling of comments:

- “We love it. Riverview Skating Club has called it home for 50 years. I myself have been there, many hours a week, for the past 13 years. It is great to have a facility close to home.”
- “I rate it 5/5 - completely satisfied.”
- “Whatever the highest rank is (is what I give to the GFL Centre). It’s so clean, the staff are great, especially at receiving our kids.”
- “A+ – the relationship is perfect. They treat us like gold. We are in constant conversation and partnership. We’re the #1 customer and are treated like it. It’s like night and day, compared to the West Hants facility. I’ll go through hell or high water to support that Rink.”
- “Very satisfied. We don’t plan on going anywhere.”
- “The facility is perfect for a hockey community.”

Key Strengths

The Staff

Shane and Tyler received consistent high praise from the users interviewed. When asked to identify what they like best about the GFL Centre, the staff were invariably mentioned, as evidenced by the following sample of comments:

- “The staff, definitely! They are all awesome and personable. You always get a friendly hello.”
- “They greet many people by name and always have a wave or honk of the Zamboni for the kids at the boards.”
- “Riverview has always had a home here, with a designated storage area for club property. This makes running our programs very easy. Users are included in everything.”
- “The working relationship with Shane and Tyler. Everyone’s been very accommodating, especially during the pandemic.”
- “Shane and Tyler are so good. They do whatever they can. They are the heart and soul of the Rink.”
- “What makes the Brooklyn Rink work is Shane and Tyler.”

The Facility

Second only to the staff is the facility. It was generally assessed as being an ideal location for ice skating and hockey.

- “It’s big, well lit, comfortable, the warm room is great for seniors and others who want to watch in comfort, we have a great PA system, and the facility is clean (floors, washrooms, etc.)”
- “It has to be the cleanest rink I’ve been in. We really like being able to leave their stuff at the dressing room; it feels like an extension of our campus.”
- “For a middle school, location is key (as the kids can’t drive). It’s nice having hockey events that the whole school can go to. It’s our re-locate site in case of an emergency.”

What is less clear is the assessment of the facility as an off-season venue.

User Suggestions for Potential Improvements

All users indicated that there really wasn’t anything that could substantially improve their already excellent experience at the GFL Centre. That said, they did offer a few minor suggestions:

- “Having a consistently open canteen would be fabulous.”
- “The general cleanliness of the common areas and dressing rooms is great, however the upstairs washrooms and the main floor ladies washroom are at times not great.”

Two users suggested that a lower ice rate would be great, but they both recognised that this would not likely be possible.

If The Rink Were to Close...

To get a better sense of the impact that the GFL Centre has on its community, user-interviewees were asked, "If you didn't have access to the GFL Centre, what would you do? Where might you go?" Their responses pointed to the critical importance of the GFL Centre:

- "When we lost our rink in April 2015 we moved to Windsor, so I suppose we would have to go back there. It definitely was not the same."
- "The Windsor Rink is pretty much sold out, so there's really no alternative."
- "Our intramural program wouldn't happen. Competitive teams would have to play out of Windsor. It would make it very difficult. We'd declare a team, but it wouldn't look like what we have now."
- "I'd have to tell kids that they don't have a place to play hockey. It would cripple our program / cut it in half, and WH Minor Hockey involves 260 athletes and 120 volunteers, so 380 people."
- "We'd have to go to the Windsor Rink. Not sure if they could accommodate us. We use daytime hours (3-5pm), which gives us better access."
- "I can't stress enough the importance of hockey. It's the cornerstone of our community. It would tear this community apart if we didn't have the GFL Centre."

Potential Ice Season Opportunities

Interviewees were able to offer a range of additional ice-season uses and improvements for the GFL Centre, outlined below.

Curling

Jennie Greencorn indicated that the [St. Mary's Recplex](#) in Sherbrooke and the [North Shore Recreation Centre](#) both offer curling on their ice surfaces. (In a separate conversation, Shane mentioned that the East Hants Sportsplex had done a trial with curling.) While this would require additional work on the part of the staff to prepare the ice surface for curling (and then back to hockey), and this could be disruptive for the hockey and skating users, it could be nonetheless possible to experiment with.

On-site Catering

Maybe have the PetroCan folks come in to provide food service on site.

More “Learn-to-Play Hockey” Programs and Hockey Schools

While the GFL Centre does currently host the Sportwheels “Intro to Hockey” program, two different users (who may not be aware of this current program) suggested offering “Learn to Play Hockey” during off-peak times during the ice season. One user, Ray Croft, has been running a “Learn to Play Hockey” program in Windsor with over 50 kids / 14 weeks @ \$150 per person. He indicated that the challenge is having the people to run the program, not the ice time. “We could fill it; we’d only need 25 kids.” This may point to an opportunity to grow the current “Intro to Hockey” program.

Hockey schools were mentioned by two different interviewees as being a good potential opportunity to be offered in advance of the regular ice season.

Sell More Day Ice Time

As indicated in the “The Current Schedule” section above, there is about 7 hours of regularly-available ice time, mostly during weekday mornings, which could be made available to the community. Finding users for this available time would require a marketing effort on Shane’s part – time that he doesn’t currently have. An additional employee could free him up to do this and other revenue-generating activities.

Other Comments

- “To be honest, my biggest concern is the need for this assessment. The community of Newport, and users from West Hants, East Hants and beyond, rallied and rebuilt our current facility in just a couple of years after the 2015 collapse. I’m sure the general public would be saddened and likely surprised to hear we need more revenue. I also believe that they would once again rally to save it. I strongly feel that with off season programs, and communication to the community about what is being offered, our facility will thrive.”
- “While we don’t need to have a seat on the Rink Commission board, it might be nice to be able to come in for 15 minutes at the beginning of a board meeting to share how we’re doing.”
- Jeff Connors expressed an openness to discussing joining the board along with his wife.

3 Focusing on the Off-Season (mid-April to end of August)

Potential Off-Season Uses

Interviewees identify a range of potential off-season uses of the GFL Centre:

- Pickleball was mentioned by four different interviewees.
 - “If you had turf, you could do lawn bowling and pickleball; if it was set up, it would draw people in.” (Jeff Connors)
 - Shane indicated that he’s going to look into it. It needs time to prepare the facility (set up free-standing nets, etc.), then to market and organise.
- Three different interviewees mention lacrosse:
 - The Kings Mutual Centre Centre hosts the Valley Lacrosse League.
 - Jeff Connors offered, “If you had an air conditioner for summer use, you could start a ball hockey, lacrosse, and/or soccer league. It would take a few years, and you’d only get a few rentals per week to start. Windsor only offers soccer.”
 - Shane offered, “We did a trial, which went well. There was lots of demand, but we couldn’t find an organiser.”
- Basketball – The Kings Mutual Century Centre is hosting 14 games for the East Coast Basketball League, who bring their own playing surface and baskets.
- Ball hockey, soccer, and lawn bowling were all mentioned once.
- Graduations, weddings, dances, concerts, comedy nights, and other events were mentioned by several interviewees as potential opportunities to generate off season income.
- Kristi Haliburton offered: “As a rural area, many families do not have a paved/cement driveway or spot in their yard suitable for activities such as roller skating, tennis, badminton, or even basketball. If there was enough interest, the arena could even invest in rental equipment. There could be the possibility for grants for recreation programs and charge a drop in fee/season pass option. Most nets/equipment for the programs would be easily moved when not in use.”
- 4H and other clubs

Cautions About Off-Season Use

Interviewees offered a number of cautions about off-season uses of the GFL Centre:

- “Off-season use has just disappeared in recent years. It’s hard to get ball hockey or roller hockey going.”
- “West Hants has tried pickleball, with little success.”
- “The GFL Centre tried ball hockey, but the demand was low.”
- “We could never get enough people for roller hockey to run.”
- “Pickleball, lawn bowling, soccer - People want to play outside.”

4 Enhancing Operating Revenue

The following calculations present how the GFL Centre could increase its annual operating revenue by over \$100,000 – \$55,660 from increased fees and \$49,000 from fundraising activities. This level of increased revenue would be sufficient to cover the cost of a new and badly needed staff member and generate a modest operating surplus.

Potential Revenue from Increased Fees

Increasing fee revenue would largely be the responsibility of the facility manager, Shane Rogers. Doing so would require the addition of an additional staff member to free up Shane’s time for marketing and sales.

Increased Sign Rentals:		
Number of available signs	15	
Average annual rental per sign	<u>\$400</u>	
Total potential increase sign rentals		\$6,000
Increased Ice Rentals:		
Available weekly hours	7	
Hourly ice rental	\$230	
Number of weeks in ice season	<u>26</u>	
Total potential increase in ice rentals		\$41,860
Summer Facility Rentals:		
Rink area only:		
Projected number of daily rentals (over the course of the summer)	4	
Average price per rental	<u>\$500</u>	
Total potential rentals		\$2,000
Entire facility:		
Projected number of daily rentals (over the course of the summer)	4	
Average price per rental	<u>\$1,000</u>	
Total potential rentals		\$4,000
Warm Room Rentals:		
Half-day warm room rentals:		
Number of rentals	12	
Average price per rental	<u>\$50</u>	
Total potential rentals		\$600
Full-day warm room rentals:		
Number of rentals	12	
Average price per rental	<u>\$100</u>	
Total potential rentals		<u>\$1,200</u>
Total potential increased fees		\$55,660

Potential Revenue from Fundraising

Fundraising activities are generally led by one or more board members. The Newport and District Rink Commission board would need to recruit at least one person to take the lead.

Monthly Donations:		
Number of monthly donors	100	
Average monthly donation	<u>\$20</u>	
Total annual donations		\$24,000
Annual Memberships:		
Number of potential members	500	
Proposed annual membership fee	<u>\$10</u>	
Total annual membership fees		\$5,000
Annual Fundraising Dinner:		
Projected tickets	200	
Contribution per ticket (net of food cost)	<u>\$25</u>	
Total net proceeds		\$5,000
Annual Golf Tournament:		
Number of potential teams	20	
Contribution per team, net of green fees & lunch	<u>\$200</u>	
Total registration fees	\$4,000	
Sponsorships (see https://charityvillage.com/hosting_a_profitable_golf_tournament/ for ideas)	<u>5,000</u>	
Total contribution		\$9,000
50/50 Draw:		
Price per ticket	\$10	
Average monthly ticket sales	<u>100</u>	
Average monthly ticket sales	\$1,000	
Net monthly proceeds to Rink	<u>\$500</u>	
Total potential annual proceeds		<u>\$6,000</u>
Total potential fundraising revenue		\$49,000

5 Financing Needed Capital Improvements

In consultation with the manager and board, the consultant has prepared the following schedule of capital improvements:

Capital Improvements:	2023	2024	2025	2026	2027	Total	
Ice plant:							
Phase 1		\$250,000				\$250,000	
Phase 2			\$250,000			250,000	
Phase 3				\$250,000		250,000	
Equipment for summer use (tables, chairs, equipment for summer sport, storage space)	\$60,000					60,000	
Solar power:							
Site preparation				50,000		50,000	
Installation of system					250,000	250,000	
Exterior upgrades (expand parking area, new signage, improved area to dump snow from Zamboni)	50,000					50,000	
Compressor refit	28,000					28,000	
Floor scrubber	7,000					7,000	
Information technology upgrades	5,000					5,000	
Other						0	
Total improvements	\$150,000	\$250,000	\$250,000	\$300,000	\$250,000	\$1,200,000	
Funding:							
West Hants Regional Municipality	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$750,000	62.5%
Recreation Facility Development Grant		75,000	75,000			150,000	12.5%
Innovative Communities Fund / Tourism Relief Fund				125,000	75,000	200,000	16.7%
Newport and District Rink Commission (fundraising)		25,000	25,000	25,000	25,000	100,000	8.3%
Total funding	\$150,000	\$250,000	\$250,000	\$300,000	\$250,000	\$1,200,000	100.0%

These figures will most certainly be updated as the GFL Centre’s leadership team begins engaging with its prospective funders, but this schedule should provide a good starting point for planning.

Appendix A – Financial Statement Analysis

Comparative Analysis of Statements of Financial Position

As indicated below, there has been a steady decrease in the net assets (equity) of the organisation over the last three years, owing primarily to the operating losses sustained during the pandemic. The cash position and liquidity ratios would all appear to be greatly improved. This is misleading, however, as the cash on hand as of year end (31 December) has since been spent on a new (and much needed) Zamboni.

Please note: **Figures in red** indicate a negative change in financial position, whereas **figures in green** indicate a positive change.

	2022	Change from 2021	Change from 2020	2021	Change from 2020	2020
Current assets:						
Bank and cash	\$110,500	\$56,125	\$55,991	\$54,375	-\$134	\$54,509
Accounts receivable	32,478	5,921	12,378	26,557	6,457	20,100
Short term investments	21,517	-43,219	-36,484	64,736	6,735	58,001
Total current assets	164,496	\$18,828	\$31,886	\$145,668	\$13,058	\$132,610
Capital assets:						
Building, at cost	\$5,997,388	\$0	\$0	\$5,997,388	\$0	\$5,997,388
Zamboni, at cost	85,390	0	0	85,390	0	85,390
Less: accumulated amortization	-527,565	-96,056	-192,112	-431,509	-96,056	-335,453
Total capital assets	\$5,555,213	-\$96,056	-\$192,112	\$5,651,269	-\$96,056	\$5,747,325
Total assets	\$5,719,709	-\$77,228	-\$160,226	\$5,796,937	-\$82,998	\$5,879,935
Liabilities:						
Payables and accruals	247	-\$34,105	\$247	\$34,352	\$34,352	\$0
Government remittances	8,934	7,534	849	1,400	-6,685	8,085
Credit union loan at 4.2%	-1	-207	-22,194	206	-21,987	22,193
Total liabilities	\$9,180	-\$26,778	-\$21,098	\$35,958	\$5,680	\$30,278
Net assets						
Net assets invested in capital assets				\$5,650,629	-\$74,506	\$5,725,135
Unrestricted net assets				110,350	-14,172	124,522
Total net assets	\$5,710,530	-\$50,449	-\$139,127	\$5,760,979	-\$88,678	\$5,849,657
Total liabilities and net assets	\$5,719,710	-\$77,227	-\$160,225	\$5,796,937	-\$82,998	\$5,879,935
Key Ratios:						
Current ratio (higher is better)	18			4		4
Cash ratio (higher is better)	14			3		4
Debt ratio (lower is better)	0.002			0.006		0.005
Debt to equity ratio (lower is better)	0.002			0.006		0.005

Comparative Analysis of Statements of Operations and Net Assets

The comparison presented below indicates an organisation that has managed to offset its declining revenues through disciplined control of its operating expenses, with 2022's deficit being reduced by over \$38k from the previous year. This cost-control strategy has its limits, however. Three of the primary cost drivers (power, repairs and maintenance, and wages and benefits) cannot be reduced indefinitely. Rather, they will likely increase in the coming years, as the cost of utilities continues to increase and the ongoing need to add staff needs to be addressed. Capital improvements (to keep repairs and maintenance manageable), moving to cheaper energy (e.g. solar), and increasing operating revenue will be the necessary strategies going forward.

Please note: **Figures in red** indicate a negative change in operations and net assets, whereas **figures in green** indicate a positive change.

	2022					2021			2020	
			Change from 2021	Change from 2020			Change from 2020			
Income										
Ice rentals	\$249,433	65.9%	-\$22,813	\$421	\$272,246	61.9%	\$23,234	\$249,012	62.1%	
Government assistance	110,250	29.1%	-27,772	-\$12,616	138,022	31.4%	15,156	122,866	30.6%	
HST recoveries	6,838	1.8%	-9,904	-\$8,983	16,742	3.8%	921	15,821	3.9%	
Sign rentals	9,957	2.6%	-1,939	-\$1,391	11,896	2.7%	548	11,348	2.8%	
Interest	19	0.0%	-983	-\$619	1,002	0.2%	364	638	0.2%	
Miscellaneous	1,785	0.5%	1,612	\$341	173	0.0%	-1,271	1,444	0.4%	
Total income	\$378,283	100.0%	-\$61,798	-\$22,846	\$440,081	100.0%	\$38,952	\$401,129	100.0%	
Expenses:										
Amortization	\$96,056	25.4%	\$0	\$0	\$96,056	21.8%	\$0	\$96,056	23.9%	
Garbage removal	4,107	1.1%	194	\$1,860	3,913	0.9%	1,666	2,247	0.6%	
Insurance	22,049	5.8%	1,213	\$1,671	20,836	4.7%	458	20,378	5.1%	
Interest and bank charges	703	0.2%	-558	-\$1,149	1,261	0.3%	-591	1,852	0.5%	
Miscellaneous	11,998	3.2%	10,577	\$6,717	1,421	0.3%	-3,860	5,281	1.3%	
Non-recoverable HST	9,005	2.4%	-12,531	-\$3,879	21,536	4.9%	8,652	12,884	3.2%	
Office	1,230	0.3%	-210	-\$2,555	1,440	0.3%	-2,345	3,785	0.9%	
Oil	152	0.0%	75	-\$12,780	77	0.0%	-12,855	12,932	3.2%	
Power	96,454	25.5%	2,751	\$15,604	93,703	21.3%	12,853	80,850	20.2%	
Professional fees	0	0.0%	-590	\$0	590	0.1%	590	0	0.0%	
Propane	4,803	1.3%	-225	\$813	5,028	1.1%	1,038	3,990	1.0%	
Repairs and maintenance	91,004	24.1%	-83,570	\$43,955	174,574	39.7%	127,525	47,049	11.7%	
Snow removal	5,835	1.5%	2,905	\$1,625	2,930	0.7%	-1,280	4,210	1.0%	
Telephone	3,808	1.0%	-33	-\$701	3,841	0.9%	-668	4,509	1.1%	
Wages and benefits	81,528.13	21.6%	-20,025	-\$34,033	101,553	23.1%	-14,008	115,561	28.8%	
Total expenses	\$428,732	113.3%	-\$100,027	\$17,148	\$528,759	120.2%	\$117,175	\$411,584	102.6%	
Excess of income over expenses	-\$50,449	-13.3%	\$38,229	-\$39,994	-\$88,678	-20.2%	-\$78,223	-\$10,455	-2.6%	
Net assets, beginning of year	\$5,760,979		-\$88,678	-\$99,133	\$5,849,657		-\$10,455	\$5,860,112		
Net assets, end of year	\$5,710,530		-\$50,449	-\$139,127	\$5,760,979		-\$88,678	\$5,849,657		

Appendix B: Demographic Profile of Newport and District

The consultant compiled the following demographic profile of the Newport and District area from Statistics Canada profiles for Brooklyn and surrounding communities¹.

2020 Census for Newport and District

Characteristic	Total		Men		Women	
Population, 2021	5,313					
Land area in square kilometres	477					
Total population	5,310	100.0%	2,675	100.0%	2,645	100.0%
0 to 14 years	840	15.8%	455	17.0%	380	14.4%
15 to 64 years	3,385	63.7%	1,650	61.7%	1,720	65.0%
65 years and over	1,105	20.8%	565	21.1%	540	20.4%
Average age of the population	44.1		43.9		44.4	
Median age of the population	47.0		46.9		46.7	
Average size of census families	2.7					
Average number of children in census families with children	1.7					
Children	1,400		755		650	
In a two-parent family	1,050		580		465	
In a one-parent family	355		175		185	
Living alone	540		295		225	
Living with other relatives	110		35		55	
Living with non-relatives only	150		75		70	
Total number of households	2,235					
Couple-family households	1,330					
One-parent-family households	160					
Median total income in 2020 among recipients (\$)	\$35,380		\$41,260		\$29,820	
Median after-tax income of household in 2020 (\$)	\$61,290					
Prevalence of low income based on the Low-income measure, after tax (LIM-AT) (%)	16.81%		16.00%		17.37%	

¹ This profile includes data from the Statistics Canada “dissemination areas” of: 12080084, 12080086, 12080106, 12080107, 12080108, 12080109, 12080114, 12080115, and 12080116. This area roughly extends from Walton-Stanley-Ardoise-Newport Landing, and the communities enclosed therein.



Committee of the Whole Excerpts
September 12, 2023

NOISE BY-LAW EXCERPT

Presently only the former Town of Windsor and Hantsport have a Noise By-Law in effect. At the March 14TH Committee of the Whole meeting a Regional By-Law was presented, however it was unsupported at the time. Recently there has been an increase in noise complaints calls (gunshots related to target practicing and commercial/reefer truck related noise complaints) in West Hants. Enforcement is challenging as the Land Use By-Laws have no restrictions on noise. Noise By- Law may be able to mitigate/control nuisances.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL DIRECTS STAFF TO REVISIT THE NOISE BY-LAW/PEACE AND GOOD ORDER.



Committee of the Whole Excerpts
September 12, 2023

PAYZANT DRIVE EXTENSION CONCEPTUAL DESIGN EXCERPT

A need was identified to investigate the conceptual and functional connection of Payzant Drive southbound to King Street near Curry's Corner to support continued residential development within the Windsor and Three Mile Plains growth centers. The proposal will include Project Administration / Management, Topographic Survey and Utility Investigation, Wetland Assessment and Delineation and Conceptual Design Options, complete with Class D cost estimates.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL APPROVE THE AWARD OF CONCEPTUAL DESIGN PROJECT OF PAYZANT DRIVE EXTENSION TO DESIGNPOINT ENGINEERING & SURVEYING LTD, FOR THE QUOTED AMOUNT OF \$19,874.00, PLUS APPLICABLE TAXES.




West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Committee of the Whole

Submitted by: 
Todd Richard, Director, Public Works

Date: September 12, 2023

Subject: Payzant Drive Extension Conceptual Design

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 to approve; award of conceptual design project of Payzant Drive Extension to DesignPoint Engineering & Surveying Ltd, for the quoted amount of \$19,874.00, plus applicable taxes.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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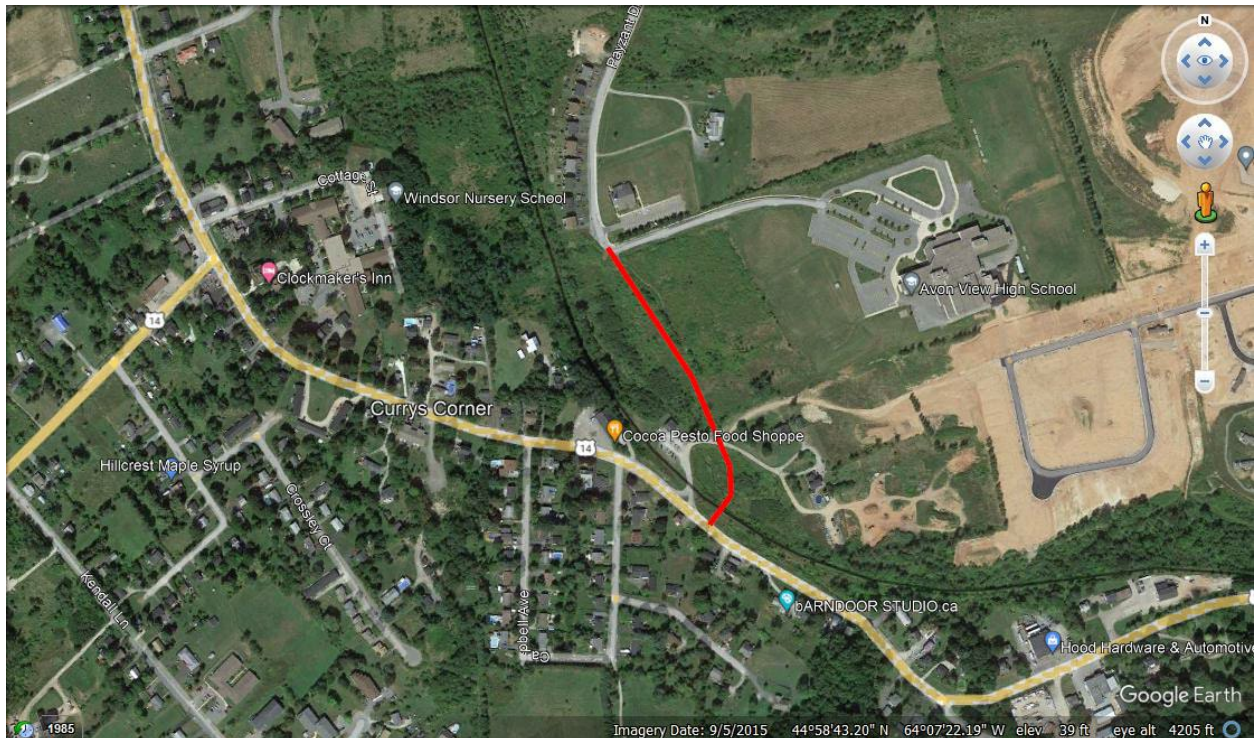
West Hants Regional Municipality has identified a need to investigate the conceptual and functional connection of Payzant Drive southbound to King Street near Curry's Corner. This connection will support the continued residential development within the Windsor and Three Mile Plains growth centers.

DISCUSSION

West Hants Regional Municipality has requested proposals from pre-qualified engineering consultants. One being Design Point, they are currently performing development consulting service work in the immediate area of the proposed Payzant Drive Extension interconnection. We had also asked EXP, however they declined to quote due to the potential watercourse that would potentially need to be traversed.

The proposal shall include the following consultant support services:

- Project Administration / Management
- Topographic Survey and Utility Investigation
- Wetland Assessment and Delineation
- Conceptual Design Options, complete with Class D cost estimates



The municipality would like to be prepared to understand the preferred location of a future road to aid developers with future planning, and to determine the Municipal budget implications that would need to be considered for such a project.

NEXT STEPS

Pending approval of Council, staff will award this conceptual design contract to DesignPoint.

FINANCIAL IMPLICATIONS

Tender Pricing	\$19,874.00
Non-Recoverable Tax (4.29%)	<u>\$852.59</u>
Tender Total	\$20,726.59
2023-24 Budget Value	\$0
Variance (over budget)	\$20,726.59

The Payzant Drive Extension project was not approved in the 2023-24 Capital Budget. If Council approves this project, the cost after the HST rebate will be \$20,726.59. Staff are recommending it be funded by the operating reserve. The operating reserve has an estimated balance as of March 31st, 2023 of \$3.33 million, in the approved reserve budget.

ALTERNATIVES

1. Council may choose not to proceed with this proposed project.

ATTACHMENTS


None

CHIEF ADMINISTRATIVE OFFICER REVIEW

As noted in the report this assessment and conceptualization is in keeping with the direction of Council at the June 27th Council meeting. It was my hope that at the time this matter was discussed with Council, as a result of general discussions about better connection of The Crossing and other developments to Wentworth Road (north) and King Street (South) that the estimates might explored internally. The potential connection of Payzant to King Street proved to have several technical components such as a rail line crossing, wet lands, storm water management, and grade changes that warrant an assessment from an engineering firm to ensure a better Class D estimate. This information will further support Council's future discussion on this project and its prioritization.

This is a much-needed assessment and 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



Committee of the Whole Excerpts
September 12, 2023

PLANNING AND HERITAGE ADVISORY COMMITTEE MEMBER APPOINTMENT EXCERPT

A resignation from a member of the PAC/HAC committee was received on July 10, 2023, resulting in the need to fill the vacancy for a representative from Hantsport. Advertisement for a Hantsport representative was placed in the Valley Journal Advertiser on July 18, 2023, and on the Municipal website and social media page commencing July 18, 2023. Three (3) expressions of interest being received, and all applications were reviewed by the Director of Planning and Development.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL APPOINTS TIM CARR TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE FOR THE REMAINDER OF THE 2022-2024 TERM WHICH WILL FULFIL THE HANTSPORT REPRESENTATIVE MEMBER VACANCY.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____

Deanna Snair, Clerk

Date: September 12, 2023

Subject: 2023 Resident Appointment to Planning and Heritage Advisory Committee

LEGISLATIVE AUTHORITY

Municipal Government Act – Section 24 Standing, Special and Advisory Committees

RECOMMENDATION

...that Council appoints Tim Carr to the Planning and Heritage Advisory Committee for the remainder of the 2022-2024 term which will fulfil the Hantsport representative member vacancy.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social X	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Director Poirier received a resignation from one member of the PAC/HAC committee on July 10, 2023, resulting in the need to fill the vacancy for a representative from Hantsport.

DISCUSSION

Public advertisement for a citizen member to represent Hantsport was placed in the Valley Journal Advertiser on July 18, 2023, and on the Municipal website and Facebook pages commencing July 18, 2023. Interested applicants were invited to apply until 12 p.m. (Noon) on Friday, August 18, 2023 resulting in (3) three expressions of interest being received. All

applications were reviewed by the Director of Planning and Development resulting in the following recommendation before Council this evening.

NEXT STEPS

If approved by Council, Mr. Carr will be notified of the appointment. Any additional information required will be sent, and the Planning and Development Department will host an information session for new members.

FINANCIAL IMPLICATIONS

Resident members appointed to a Committee of Council will receive remuneration in accordance with the Council Remuneration Policy, which is identified in the annual Operating Budget.

ALTERNATIVES

Council can choose to direct staff to readvertise for the vacant position.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

The application process is in keeping with the existing policy.

I support the recommendation.

Report Prepared by: _____

Deanna Snair, Clerk

Report Reviewed by: _____

Sara Poirier, Director, Planning and Development

Report Approved by:  _____

Mark Phillips, Chief Administrative Officer



Committee of the Whole Excerpts
September 12, 2023

POSSE - PUBLIC OUTREACH POSITION REFERRAL TO THE POLICE ADVISORY BOARD EXCERPT

With the awareness that the report presented to Council did not contain comments from the RCMP, there was an interest in looking at how the request from Posse could be supported in another manner. This would provide an opportunity to further discuss the request of POSSE and have feedback from the RCMP.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL REFER THE PUBLIC OUTREACH POSITION REQUEST BY THE POSSE GROUP TO THE POLICE ADVISORY BOARD.



Committee of the Whole Excerpts
September 12, 2023

TAX COLLECTION POLICY EXCERPT

In light of the recent Thunderstorm and flooding that occurred on July 21-22, 2023, the tax collection policy was reviewed. The policy outlines guidelines for helping those with properties that are deemed unlivable and usable, as approved by Council. The changes recommended are mindful of privacy for applicants.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL APPROVES THE TAX COLLECTION POLICY RCOFN-004.00 FOR THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY AS PRESENTED AT THE SEPTEMBER 12TH COMMITTEE OF THE WHOLE MEETING.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: WHRM Council

Submitted by: _____
Carlee Rochon, Director, Financial Services

Date: September 12, 2023

Subject: RCOFN-004.00 Tax Collection Policy

LEGISLATIVE AUTHORITY

Municipal Government Act, Part I, Council may make policies, Section 23
 Municipal Government Act, Part VI, Policy for reduction of taxes where destruction, Section 69A

RECOMMENDATION

Committee of the Whole recommends that . . .
 . . . Council approves the Tax Collection Policy RCOFN-004.00 for the Region of Windsor and West Hants Municipality as presented at the September 12th Committee of the Whole meeting.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Municipal Government Act, Section 23 gives council the power to adopt policies as specifically outlined in the Act, or for any matter that the council considers conducive of effective management of the municipality.

Under Section 69A (1), Council by policy, provide for the reduction, to the extent that the council considers appropriate, of the taxes payable with respect to a property if a building situate on the property has been destroyed or partially destroyed by fire, storm or otherwise and the

assessment of the property does not reflect that the building has been destroyed or partially destroyed, and provide for the reimbursement of any overpayment resulting from the reduction.

In light of the recent Thunderstorm and flooding that occurred on July 21-22, 2023, the tax collection policy was reviewed. It outlines the guidelines for helping those individuals with properties that is deemed unlivable and usable, as approved by Council. It has been three years since it is original approval by Council on April 28, 2020.

DISCUSSION

Under the MGA, Section 69A, a written application from the property owner is not required, however it is required in our Tax Collection Policy, under section 3. a.i.. These requests aren't approved by Council and put the hardship of our residents on public display. In the previous entities, this would have been more of a mechanism of notification. An alternative reporting requirement can come from the Financial Services department on an annual basis and is presented in the proposed policy. This alternative reporting method will protect those residents and property owners' privacy in an already difficult time.

NEXT STEPS

FINANCIAL IMPLICATIONS

This policy does not create any immediate financial implications; however, they provide staff and the Municipality with the guidelines they need to be able to collect taxes, fees, and apply reductions. With anticipated requests following the disaster on July 21-22, 2023. Any significant impacts on tax revenue would also be communicated through the monthly financial updates to Council.

ALTERNATIVES

1. The Committee of the Whole could choose to not move forward with the recommendation; however, this would leave the requirement for property owners to apply in writing to Council asking for reduction or rebate of property taxes in a public forum. This is not recommended, as the Municipal Government Act does not require this step.

ATTACHMENTS

- Proposed Tax Collection Policy RCOFN-004.00

CHIEF ADMINISTRATIVE OFFICER REVIEW

This matter is being brought forward by the director for Council's consideration. As highlighted in the report the policy change is primarily a consideration of privacy for the applicant but is not a requirement should Council not proceed with the amendment.

I support the intent and spirit of the recommendation.

Report Prepared by: _____

Carlee Rochon, Director, Financial Services

Report Approved by:  _____

Mark Phillips, Chief Administrative Officer



1.0 PURPOSE

The purpose of this policy is to provide direction regarding tax collection in accordance with various sections of the Municipal Government Act.

2.0 DEFINITIONS

For the purposes of this policy, the following definitions are provided:

- a. “CAO” refers to the Chief Administrative Officer of the Municipality.
- b. “Council” refers to the Council of the Municipality.
- c. “MGA” refers to the Municipal Government Act.
- d. “Municipality” refers to the Region of Windsor and West Hants Municipality (or the name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipal Act), effective April 1, 2020.
- e. “Owner” refers to the person(s) who owns a property and to whom taxes are assessed.

3.0 APPLICATION

- a. Pursuant to Section 69A of the MGA, where a building(s) situated on a property has become permanently unlivable or unusable due to fire, storm, or otherwise and the current assessment of the property does not reflect that the building(s) has been destroyed:
 - i. The Municipality will, upon request, reduce or rebate the property taxes on the building(s) alone for the balance of the taxation year. ~~The owner shall apply in writing to Council requesting a reduction or rebate of property taxes.~~
 - ii. The Municipality will ask the Building Official of the Municipality to confirm the complete destruction of the building(s).

- iii. The Municipality will ask the Property Valuation Services Corporation to determine the following year's assessment value before any subsequent rebuilding or construction.
 - iv. Upon receipt of the Building Official's and Property Valuation Services Corporation's reports, the Municipality shall reduce the amount of the taxes on the building(s) by pro rating the same over the balance of the taxation year from the date of destruction.
 - v. If the owner of the property in question is found guilty of arson, either civilly or criminally, the Municipality shall not rebate any taxes. In the event that taxes have already been rebated, then that rebate shall be void from the beginning, and the taxes, with interest accrued thereon, shall become immediately due and payable, it being the overriding policy of the Municipality that a person shall not benefit from his or her own wrongdoing.
 - vi. *The Treasurer/Director, Financial Services will update Council on an annual basis, the number of applications and the total amount of reduced or rebated taxes.*
- b. Pursuant to Section 113(2) of the MGA, interest will be charged on overdue taxes at the rate of one and a quarter percent (1.25%) per month (fifteen percent (15%) per annum) simple interest.
 - c. Pursuant to Section 114(2) of the MGA, where an overpayment of taxes has been made, the Municipality will pay interest on the excess taxes paid at the rate of zero percent (0%) per annum from the date of overpayment.
 - d. Pursuant to Section 123(6) of the MGA, the person executing a warrant is entitled to a fee as stated in their contract for such service.
 - e. Pursuant to Section 134(4) of the MGA, the Municipality hereby delegates to the Treasurer/Director, Financial Services the power to enter into a tax arrears payment agreement with the owner.

- f. Payment from the owner will first be applied to any monies expended by the Municipality on behalf of the owner, such as legal fees and demolition costs that have been charged against the property as miscellaneous invoices and then in accordance with Section 131 of the MGA.
- g. The Municipality will not put a property on the list of properties liable to be sold for taxes, rates, and expenses if the amount owing for the previous tax year or years (excluding the current year) is less than ten percent (10%) of the total taxes, rates, and expenses owing (including interest) for that particular property, or two hundred dollars (\$200.00).
- h. Pursuant to Section 138 of the MGA, the time period for payment of overdue taxes to be set forth in the preliminary notice shall be 30 days.
- i. The Municipality will permit the Treasurer/Director, Financial Services to engage a firm to perform work on a property which may include a survey of the property which has been sold or will be sold at a tax sale. In exercising this discretion, the Treasurer/Director, Financial Services shall take into consideration the work to be performed by a firm in relation to the overall benefit to the Municipality and all the circumstances of the particular case.

4.0 REPEAL

The Tax Collection Policy, COFN-002.00 dated April 26, 2016 of the former Municipality of the District of West Hants, and the Tax Billing Policy dated April 27, 1999 and the Tax Sale Policy dated March 24, 1992 of the former Town of Windsor are hereby repealed.

I, Deanna Snair, Municipal Clerk of the West Hants Regional Municipality, in 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



**WEST HANTS REGIONAL MUNICIPALITY
TAX COLLECTION POLICY**

RCOFN-004.00

Municipality at a meeting duly called and held on the **26th** day of **September, 2023**.

Deanna Snair
Municipal Clerk

<i>Adoption</i>	
<i>Notice to Council:</i>	<i>Date: April 14, 2020</i>
<i>Approval:</i>	<i>Date: April 28, 2020</i>
<i>Description: Initial approval of the Tax Collection Policy, RCOFN-004.00.</i>	
<i>Adoption</i>	
<i>Notice to Council:</i>	<i>Date: September 12, 2023</i>
<i>Approval:</i>	<i>Date: September 26, 2023</i>
<i>Description: Remove 3(a)(i) The owner shall apply in writing to Council requesting a reduction or rebate or property taxes. Add 3(a)(vi) The Treasurer/Director, Financial Services will update Council on an annual basis, the number of applications and the total amount of reduced or rebated taxes.</i>	



Committee of the Whole Excerpts
September 12, 2023

TREMAIN CRESCENT FLOOD ISSUES EXCERPT

In July 2021, 335 Tremaine Crescent experienced flooding beyond what has occurred in previous years (as did the neighbors). Since that time, frequency flooding (and volume) has continued with the backing up of storm water at the catch basins and culverts between 335 Tremaine and the pump house along the drainage ditch on the opposite side of the road.

In November 2021 a faulty outflow pipe was identified near the pumphouse, in addition the drainage ditch near the pumphouse was empty but the ditches flowing into it were full of standing water. At this time, it was determined the pipe under the road had collapsed and required to be replaced, resulting in a short-term fix that has had limited to no improvement in stormwater flow from the properties.

Discussions included a plan to install a new low profile box culvert crossing under the road on Tremaine at the pumphouse and / or along the street to take the water away from the backed-up catch basins and culvert intersections. Aside from repairing the collapsed culvert in November 2021, nothing further has been implemented.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL DIRECT THE CAO TO ENGAGE STAFF IN A DEDICATED EFFORT TO OPERATIONALLY ADDRESS AND ENGINEER A SOLUTION TO RESOLVE THE ONGOING FLOOD ISSUES OCCURRING BETWEEN THE CULVERT AT 335 TREMAINE CRESCENT THROUGH TO THE CROSS-CULVERT AT APPROXIMATELY 369 TREMAINE CRESCENT THROUGH THE DRAINAGE DITCH WHICH LEADS TO TREGOTHIC MARSH.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Committee of the Whole – West Hants Regional Municipality

Submitted by: **Jim Ivey, Councillor, Windsor South, District 11**

Date: Sept 12, 2023

Subject: Tremaine Crescent Flood Issue

LEGISLATIVE AUTHORITY

MGA 30 (1) (2) (3)

RECOMMENDATION or DECISION REQUEST

Council direct the CAO to engage staff in a dedicated effort to operationally address and engineer a solution to resolve the ongoing flood issues occurring between the culvert at 335 Tremaine Crescent through to the cross-culvert at approximately 369 Tremaine Crescent through the drainage ditch which leads to Tregothic Marsh.

BACKGROUND

During the rapid flood event in July 2021, 335 Tremaine Crescent experienced flooding to a greater extent than it had in previous years (as did the neighbors). Since that time, the the frequency and volume of flooding has continued with the backing up of storm water at the catch basins and culverts between 335 Tremaine and the pump house along the drainage ditch on the opposite side of the road.

In November 2021 the resident identified a faulty outflow pipe near the pumphouse. Subsequently another resident identified that the drainage ditch near the pumphouse was empty but the ditches flowing into it were full with standing water. Upon investigation it was determined the pipe under the road was collapsed necessitating a replacement. This resulted in a short-term fix but has had limited to no improvement in the flow of stormwater away from the properties in this area on an ongoing basis.

In our recent July 21/22 rapid rainfall and flood event, the property again flooded with the backup of water rising well above the top of the culvert entry point. It needs to be pointed out that the backup of water is taking place at the entry points of the municipal infrastructure which is intended to drain the water away.

Frustration with the residents has grown significantly due to the increased flooding and damage to property. More-so however frustration exists with the existing infrastructure and / or its design which appears insufficient to drain the water away from the properties in the area and through the drainage ditch to the distant Trecothic Marsh.

Property ✓	Public Opinion ✓	Environment ✓	Social <input type="checkbox"/>	Economic ✓	Councillor Activity <input type="checkbox"/>
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DISCUSSION

The low land flooding in this area has been an ongoing issue for a long time. Previous historic requests for redress of the situation were unsuccessful.

When discussing this issue at Council in 2021 the residents were optimistic as discussions included plans for the installation of a new low profile box culvert crossing under the road on Tremaine at the pumphouse and / or along the street to take the water away from the backed-up catch basins and culvert intersections. It was identified that the item would have been included in the 2022-23 budget cycle. Aside from repairing the collapsed culvert in November 2021, nothing further has been implemented to relieve the backed-up water that continues to pool and flood the residential properties in the area.

NEXT STEPS

Approve the motion to initiate an immediate solution to this ongoing infrastructure maintenance / repair issue.

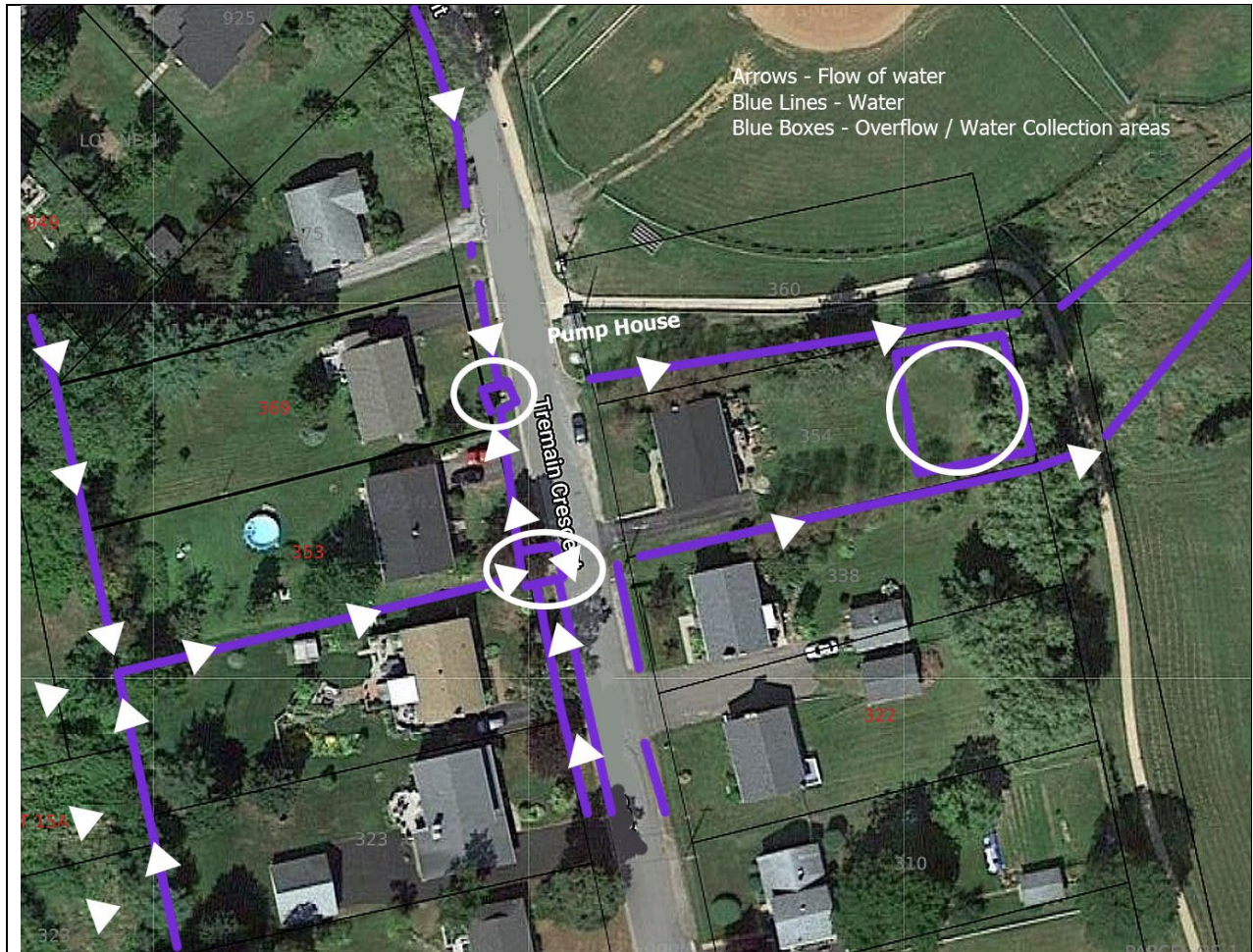
FINANCIAL IMPLICATIONS

TBD

ALTERNATIVES

TBD

ATTACHMENTS: Illustration on next page



CHIEF ADMINISTRATIVE OFFICER REVIEW

Pending Comments

Report Prepared by: **Jim Ivey, Councillor Windsor South, District 11**

Report Reviewed by: _____
 (Name and Title)

Report Approved by: _____
 (Name and Title)



Committee of the Whole Excerpts
September 12, 2023

WEST HANTS UNIACKE COMMUNITY HEALTH BOARD RE REQUEST FOR A LETTER OF SUPPORT FOR FEASIBILITY STUDY EXCERPT

Public transportation has been a focus of the West Hants Uniacke Community Health Board (WHUCHB) for many years. The community continues to identify challenges in getting where they need to go, specifically not having a daily bus link to the valley and/or city. Council is being asked to take action to explore increased transit options for residents of the municipality.

The request made was for Council to pass a motion directing staff to apply for Provincial funding for a transportation feasibility study. Council may choose to amend the recommendation to better align with the request being made.

The recommended motion was that Committee of the Whole recommends ...

**COUNCIL WRITE THAT A LETTER OF SUPPORT BE WRITTEN TO THE UNIACKE HEALTH BOARD IN SUPPORT OF THEIR REQUEST REGARDING A FEASIBILITY STUDY ON TRANSPORTATION ISSUES.
MOTION CARRIED**



West Hants Uniacke Community Health Board

89 Payzant Drive
Windsor, Nova Scotia
B0N 2T0

To: Council of West Hants Regional Municipality
76 Morison Drive
Windsor, Nova Scotia
B0N 2T0

July 25, 2023

The West Hants Uniacke Community Health Board, (WHUCHB), works with community to identify community health needs specifically related to the social determinants of health. Improved access to public transportation has been a focus of the WHUCHB for many years as community continues to identify that there are challenges in getting where they need to go. Specifically missing the daily bus linkage to the valley and the desire to have a daily bus linkage to Halifax Regional Municipality has been identified by many citizens we have had the pleasure of engaging with.

To better determine the need the WHUCHB brought together community stakeholders in June 2022 to hear what they were hearing and ask how to move forward. From this meeting a community transportation working group, (CTWG), was formed with the WHUCHB providing support. The first important work the CTWG did was a bus linkage survey that launched in the fall of 2022. This survey was advertised only on Facebook and was open for only 2 weeks.

There was a substantial community response to this with multiple shares and after the data was analyzed there were 542 unique responses. The survey data was presented to West Hants Regional Council Committee of the Whole on December 6, 2022, and February 14, 2023 with an ask to council action increased transit options for residents of the municipality. The survey created by the CTWG was really the first step at looking at transportation needs for the residents of West Hants Regional Municipality.

The next important work is a transportation feasibility study. We are asking Council to pass a motion directing staff to apply for Provincial funding for a transportation feasibility study. This is crucial research and engagement to determine what citizen transportation needs are and establish a strong transportation network in West Hants.

In closing we thank Council for their work on transportation this year. Staff were assigned to investigate and report back on community transportation options for residents in other municipalities in Nova Scotia and New Brunswick. Council also invited the Joint Regional Transportation Agency to present to Committee of the Whole on June 27th. We ask you to keep the transportation momentum and energy going by commissioning staff to apply for monies for a transportation feasibility study for the Residents of West Hants Regional Municipality.

Sincerely,



Brenda Shiers
Co- Chair
WHUCHB



Gail Stewart
Co-Chair
WHUCHB

Cc: Hants West MLA - Melissa Sheehy-Richard
Kings Hants MP - Kody Blois



Committee of the Whole Excerpts
September 12, 2023

WINDSOR FALMOUTH WATER INTERCONNECTION DESIGN WHPW23-12 EXCERPT

As identified in the 2023/24 budget, a Water Main Interconnection between the Windsor Water Utility and West Hants Water Utility is a priority water infrastructure expansion project. This interconnection is one of the critical path efforts that will support the continued residential and business development within the Falmouth, Windsor and Three Mile Plains growth centres.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL APPROVE THE AWARD DESIGN OF THE WINDSOR-FALMOUTH WATER MAIN INTERCONNECTION PROJECT AS IDENTIFIED IN THE 2023/24 CAPITAL BUDGET TO CBCL, WITH A TOTAL ESTIMATED DESIGN COST OF \$178,956.00, PLUS APPLICABLE TAXES.




West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Committee of the Whole

Submitted by: 
Todd Richard, Director, Public Works

Date: September 12, 2023

Subject: Windsor-Falmouth Water Interconnection Design

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 to approve; award design of the Windsor-Falmouth Water Main Interconnection project as identified in the 2023/24 capital budget to CBCL, with a total estimated design cost of \$178,956.00, plus applicable taxes.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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West Hants Regional Municipality Council has identified in the 2023/24 budget; a Water Main Interconnection between the Windsor Water Utility and West Hants Water Utility as a priority water infrastructure expansion project. This interconnection is one of the critical path efforts that will support the continued residential and business development within the Falmouth, Windsor and Three Mile Plains growth centres.

In April, 2021 the feasibility study for this proposed project was completed by CBCL. The system interconnection will support regulatory redundancies required for the Falmouth Water Treatment Plant, without the requirement of raising existing dam levels within the French Mill Brook watershed. This interconnection will also have the capability for supplemental water supply to the existing Windsor Water Utility from the Falmouth Water Utility with the planned design for a two-way infrastructure system.

The intent is to proceed with **Option B** as identified by CBCL in the 2021 report, with a pump connection from the Windsor low pressure zone to the Falmouth system, crossing at the Windsor/Falmouth bridge on the Trunk #1 provincial highway; consisting of a water interconnection across the existing Windsor/Falmouth bridge on the Trunk #1 provincial highway, along with all necessary pumps, control stations and replacement water mains to accommodate the new combined water system.

“This option consists of an ~800m long 200mm diameter interconnecting pipe between the Windsor Low Zone and Falmouth. The pipe is assumed to connect to the Windsor Low Zone at the intersection of Albert Street continuing along Highway 1 across the Avon River and connecting to the 150mm diameter pipe in Falmouth. A pump station will be required to boost pressures from the Windsor Low Zone to supply the Falmouth tank to TWL. The pump station can be located on either the Falmouth or Windsor side of the Avon River.”

“In a reverse flow scenario, Falmouth would supply the Windsor Low Zone and a PRV will be required to reduce pressures. Consideration will need to be made with regards to the Windsor Low Zone demands and intended flow from Falmouth.”

DISCUSSION

West Hants Regional Municipality has requested proposals from pre-qualified engineering consultants to support this project from design through final construction.

1. Provide engineering and design services to meet all water treatment and distribution standards;
2. Include hydrology and engineering review to meet plant withdraw limit permits and meet DFO regulations;

3. Include all environmental planning and permitting required for the execution of all work;
4. Include all transportation (NSDPW) planning and permitting required for the execution of all work;
5. Include all applicable geotechnical, quality control field and laboratory testing services; and
6. Include overall project management, construction site monitoring and to provide final close-out report.



The municipality would like to be prepared to call for construction tenders in early 2024 for a spring/summer construction start, with project completion within the 2024/25 fiscal period. Design and tender documents are to be prepared by the successful consultant in accordance with the latest edition of the Municipal Standard Specifications, and the latest edition of the West Hants Regional Municipality Specification Manual.

The Request for Proposal (RFP) provided for the engagement of a pre-qualified professional engineering consultant to support the project from design through final construction. Inspection services during the key phases of construction will be carried out by the engineering consultant, with available support of municipal staff.

Request was for pricing and proposal to provide the following:

- Initial site visits to evaluate the site conditions and existing infrastructure;
- Start-up meeting with municipal staff to review the project and confirm the consultants understanding of the project;
- Obtain and submit any required approvals and/or permits for necessary work;
- Preliminary design to include 50% design;

- Confirm system hydraulics and water modeling that will allow the two current independent distribution systems to provide water flow in both directions depending on the system demands. (2021 feasibility study CBCL);
- Technical support for UARB approval submissions;
- Detailed design will include advancing the 50% design based on discussions with municipal staff and comments during the preliminary design review;
- 95% review for comments and a “Class A” cost estimate c/w detailed quantity take off;
- 100% design package for Tender (IFT);
- Tender package to include contract documents, design drawings and technical specifications based on applicable municipal and provincial Municipal Standard Specifications;
- Review of all tenders submitted together with all accompanying documentation along with written recommendation letter to municipality to support award of tender;
- Preparation of Issued for Construction (IFC) drawings and CAD package for contractors;
- Approval of contractor’s shop drawing submittals;
- Inspection support during keys phases of construction (to be proposed within the proposal);
- Review and final approval of project close-out documents; and
- Issuance of final project record drawings.

West Hants Public Works released an invited bid tender to its’ four prequalified engineering consultants (EXP, WSP, DesignPoint and CBCL) for proposals on May 29, 2023; closing on June 15, 2023. A single proposal was received from CBCL on June 15, 2023. This proposal was reviewed by WH Engineering staff to ensure that the proposal met the needs of the Municipality and Utilities. The Interconnection Design RFP (WHPW23-12) was sent out electronically by invited tender to all 4 pre-qualified consultants. CBCL replied that they would submitting a bid. The only other consultant to acknowledge was DesignPoint, who did request a copy of the pre-design report for review. However DesignPoint, nor the other 2 consultants choose to submit a bid.

As the project will have two distinct phases in different fiscal periods; consisting of design in 2023/24, with tendering and construction inspection planned for 2024/25, WH Engineering staff requested the proponent further clarify and requote on their proposal for Phase 1 (Design) separately from Phase 2 (Tendering & Construction Inspection). The revised fee table for Phase 1 “WHPW23-12 Windsor-Falmouth Interconnection, Revised Fee Proposal” has been included as an attachment to this recommendation report.

NEXT STEPS

Pending approval of Council, staff will award this design contract to CBCL.

FINANCIAL IMPLICATIONS

2023-24 Capital Budget – Windsor-Falmouth Water Interconnection – Phase 1

Tender Pricing	\$178,956.00
Non-Recoverable Tax (4.29%)	<u>\$7,677.21</u>
Tender Total	\$186,633.21
2023-24 Budget Value	\$200,000
Variance (over budget)	\$13,366.79

The Windsor-Falmouth Water Interconnection – Phase 1 was approved in the 2023-24 Capital budget on April 25, 2023, to be cost shared by the two utilities. The cost after the HST rebate will be \$186,633.21, to be funded 50% by the West Hants Water Utility Depreciation fund, and 50% by the Windsor Water Utility Depreciation fund.

ALTERNATIVES

1. Council may choose not to proceed with this planned project.

ATTACHMENTS


WHPW23-12 Windsor-Falmouth Interconnection, Revised Fee Proposal, CBCL Memo

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and proposal is in keeping with budget approvals and the planned action of Council. It is unfortunate that a single submission was received however, the recommended pre-qualified engineering firm is in good standing with the municipality, is familiar with the utilities and infrastructure due to a recent report in 2021 and has provided a quote within the anticipated budget. It is noted in the report that at least a second firm reviewed the RFP and potentially others. Rationale for not submitting is not noted.

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

August 17, 2023

Brad Carrigan, P.Eng.
Capital Projects Manager
West Hants Regional Municipality
76 Morison Drive
PO Box 3000
Windsor, NS B0N 2T0

Mr. Carrigan:

RE: WHPW23-12 Windsor-Falmouth Interconnection, Revised Fee Proposal

This letter follows discussion regarding award of the above noted project. During our discussions you indicated that the CBCL Limited (CBCL) team were the preferred proponent but that the fee exceeded the available budget and would require adjustment to better meet the needs of West Hants Regional Municipality (WHRM). We had some internal discussions on and reviewed our proposed scope and fee and made some adjustments which are outlined below. In light of the budget constraints, we propose that WHRM break the project into two phases: Phase 1 – Design and Phase 2 – Tender and Construction. The design phase would be awarded initially, and subject to available budget, the Tender and Construction Phase will be awarded at a later date.

Proposed scope revisions for the design phase are outlined as follows:

Phase 1 – Design Scope Revisions

- ▶ We have reduced Simon Pellerin's rate from \$135 to \$125 /hr.
- ▶ Kevin Murphy will provide QA/QC to the technical components of the project only and, hours for non-technical support have been removed.
- ▶ The initial site visit will be conducted immediately following the startup meeting by Jeff Clair and Simon Pellerin. We have allowed for a site visit by the Bridge Engineer (Colin) in a separate task.
- ▶ The pipe on the bridge will be designed as ductile iron and we have removed the evaluation other pipe materials.
- ▶ The pump station building will be above ground on property selected by WHRM. We will not conduct a siting analysis. We will assume that pumps will be vertical multi-stage centrifugal and will have removed the evaluation of other pump types.
- ▶ We will assume that the interconnecting pipe will be installed under the active transportation trail on the north side of the highway. Therefore, we have removed the routing options analysis.
- ▶ Any permit or application fees will be paid for directly by WHRM.

Brad Carrigan, P.Eng.
August 17, 2023

While the tender and construction phase are to be awarded at a later date, we have reviewed these fees and propose the following scope revisions.

Phase 2 – Tender & Construction Scope Revisions

- ▶ The number of civil day trips can be reduced to six, down from 10.
- ▶ We have removed the preparation of enhanced O&M manuals.
- ▶ Materials testing has been removed from the fee. This is largely an allowance as it is hard to quantify the exact effort required. Note that materials testing will be required during the construction phase and WHRM could consider alternate service provider to better suit needs of WHRM.

The revised cost for the design phase is summarized in Table 1 and the updated fee table is attached. The cost for the tender and construction phase can better determined at the completion of detailed design.

Table 1: Revised Fee Summary

Phase	Fees & Expenses	Net HST (4.286%)	Total
Design	\$178,956	\$7,670	\$186,626

We look forward to continuing to develop our partnership with WHRM on this project. Should have any questions please contact me.

Yours very truly,

CBCL Limited



Prepared by:
Jeffrey Clair, P.Eng.
Senior Municipal Engineer
Direct: 902-421-7241, Ext. 2427
E-Mail: jclair@cbcl.ca



Reviewed by:
Andrew Gate, P.Eng.
VP Infrastructure Services

Attachment – Revised Fee Table

CC: Aaron Baillie

Proposal No: 238400.50

This document was prepared for the party indicated herein. The material and information in the document reflects CBCL Limited's opinion and best judgment based on the information available at the time of preparation. Any use of this document or reliance on its content by third parties is the responsibility of the third party. CBCL Limited accepts no responsibility for any damages suffered as a result of third party use of this document.

Attachment A

Revised Fee Table

Table 1.1: Projected Effort by Team Members

	Kevin Murphy P.Eng QA/QC	Jeffrey Clair, PM & Lead Design Engineer	Simon Pellerin, Municipal Design EIT	Colin Jim, Structural Design Lead	Intermediate Bridge Engineer	Judy Folwer, Structural Design Lead	Dylan Kugler, Electrical Design Lead	Marty Hiltz, Arch Technologist	Mohammad Ashari, Geotechnical Lead	Geotechnical Field Technician	Engineering Support (Jr- Int Engineers)	Trevor carter, Survey	CAD	Clerical Support	Subtotals	Disbursements	Field Expenses	Drilling Subcontractor	Laboratory Testing	Travel & Expenses	Total	
Rate	\$ 235	\$ 185	\$ 125	\$ 215	\$ 135	\$ 185	\$ 155	\$ 140	\$ 185	\$ 110	\$ 125	\$ 110	\$ 105	\$ 95		6%						
Startup Meeting		3	5											1	\$ 1,275	\$ 76.50				\$ 239.00	\$ 1,590.50	
Data Collection and Site Visit		5	8						20	16		20	30	2	\$ 12,925	\$ 775.50	\$ 850.00	\$ 2,350.00	\$ 450.00	\$ 239.00	\$ 17,589.50	
Permits and Approvals		5	10	3	15									2	\$ 5,035	\$ 302.10				\$ 239.00	\$ 5,576.10	
Preliminary Design																						
Interconnection Operation and Hydraulic Analysis		2	7.5											2	\$ 1,498	\$ 89.85					\$ 1,587.35	
Booster and PRV Station Configuration and Siting	2	5	15			10	20	5			30		30	2	\$ 16,010	\$ 960.60					\$ 16,970.60	
Avon River Bridge Crossing	2	7		21	73		4				105		10		\$ 30,930	\$ 1,855.80					\$ 32,785.80	
Piping Alignment and Interconnections			5										20	1	\$ 2,820	\$ 169.20				\$ 239.00	\$ 3,228.20	
Preliminary Design Report	1	8	20		2		4						5	1	\$ 5,725	\$ 343.50					\$ 6,068.50	
Detail Design	5	65	105	11	38	7	50	14	5		55		255	85	\$ 87,475	\$ 5,248.50				\$ 836.00	\$ 93,559.50	
TOTAL PROJECT	10	100	175.5	35	128	17	78	19	25	16	190	20	350	96	\$163,693	\$9,822	\$850	\$2,350	\$450	\$1,792	\$178,956	
	\$ 2,350	\$ 18,500	\$ 21,938	\$ 7,525	\$ 17,280	\$ 3,145	\$ 12,090	\$ 2,660	\$ 4,625	\$ 1,760	\$ 23,750	\$ 2,200	\$ 36,750	\$ 9,120	\$ 163,693							
																				Net HST (4.286%)	\$ 7,670.06	
																					PHASE 1 TOTAL	\$ 186,626.11



Committee of the Whole Excerpts
September 12, 2023

MUNICIPAL FINANCE - FALL 2023 DEBENTURE EXCERPT

In the 2020-21 Capital Budget, Highland and Churchill Avenue Rehabilitation projects were approved. The temporary borrowing resolution for this work in the amount of \$680,579.65 was approved by Council on July 31st, 2023.

In the 2022-23 Capital Budget, the purchase of Extrication Tools for Brooklyn Fire Department Station 1 was approved. The temporary borrowing resolution for this item was approved on July 31st, 2023.

Once approved and received from the Department of Municipal Affairs and Housing these temporary borrowing resolutions will be submitted to the Municipal Finance Division for the Fall Debenture deadline of September 28th, 2023.

The recommended motion was that Committee of the Whole recommends ...

COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6.5% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 5-YEAR DEBENTURE OF \$42,418 FOR PURCHASE OF EXTRICATION TOOLS FOR BROOKLYN FIRE DEPARTMENT STATION 1.

COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFIRMATION NOT TO EXCEED 6.5% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 20-YEAR DEBENTURE OF \$649,275, FOR REHABILITATION OF THE CHURCHILL AND HIGHLAND AVENUE, IN THE COMMUNITY OF WINDSOR.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: WHRM Council

Submitted by: _____
Carlee Rochon, Director, Financial Services

Date: September 12, 2023

Subject: Municipal Finance - Fall 2023 Debenture – (Updated September 12, 2023)

LEGISLATIVE AUTHORITY

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

RECOMMENDATION or DECISION REQUEST

Council approves . . .

... the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 6.5% to enable West Hants Regional Municipality to issue a 5-year debenture of \$42,418 for purchase of Extrication Tools for Brooklyn Fire Department Station 1.

... the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 6.5% to enable West Hants Regional Municipality to issue a 20-year debenture of \$649,275, for rehabilitation of the Churchill and Highland Avenue, in the community of Windsor.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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In the 2020-21 Capital Budget, Council approved the rehabilitation of Highland and Churchill Avenue. The tender award for this Windsor Rehabilitation projects was approved by Council at the May 26, 2020, meeting and awarded to Gary Parker Excavating. The temporary borrowing resolution for this work in the amount of \$680,579.65 was approved by Council on July 31st, 2023, and is awaiting Ministerial approval.

In the 2022-23 Capital Budget, Council approved the purchase of Extrication Tools for Brooklyn Fire Department Station 1. The tender award for the Extrication Tools, was approved at the October 25, 2022, meeting and awarded to Safety Source Fire. The temporary borrowing resolution were approved on July 31st, 2023, in the amount of \$53,621.91 and is awaiting Ministerial approval.

Once approved and received from the Department of Municipal Affairs and Housing these temporary borrowing resolutions will be submitted to the Municipal Finance Division for the Fall Debenture deadline of September 28th, 2023.

DISCUSSION

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

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

It should be noted that the Minister approval date of the TBR in the resolution document has been left blank. The resolution document is a Municipal Finance's procedural step and should be left blank for Municipal Finance Division staff to complete.

NEXT STEPS

Should Council approve the Resolution for Pre-Approval of Debenture Issuance, a time will be scheduled for the Mayor and Municipal Clerk to sign the documents. The package will be prepared for submission to the Municipal Finance Division by 12pm on September 28th, 2023.

FINANCIAL IMPLICATIONS

The full financing charges for these items already make up part of the current fiscal year's budget, so they will have no impact on the 2023-24 operating budget.

Windsor Road Rehabilitation – Churchill and Highland Avenue

The total cost required for the road rehab project was \$1,193,994.19. From this amount, \$402,231.54 was approved to come from our capital reserves, an additional \$57,360 came from provincial funding, through the PCAP program. Bringing the requested borrowing amount to \$734,402.65.

Council approved \$19,370 and \$34,453 for debt servicing in the 2021-22, 2022-23 Operating Budgets. In the current 2023-24 Operating budget debt servicing was budgeted for \$31,305. These debt servicing amounts will reduce the total required for borrowing, bringing the requested borrowing amount to \$649,275.

BFD Station 1 – Extrication Tools

The total cost required for the Extrication Tools was \$64,801.91. Council approved \$11,180 for debt servicing in the 2022-23 Operating Budget. In the current 2023-24 Operating budget debt servicing was budgeted for \$11,204. These debt servicing amounts will reduce the total required for borrowing, bringing the requested borrowing amount to \$42,418.

Participating in the Municipal Finance debenture will allow the Municipality to clear its internal loan between the General Operating fund and the Capital fund.

ALTERNATIVES

- Council could reject moving forward with the MFC fall debenture and direct staff as to how the item is to be funded. This is not the recommended approach.

ATTACHMENTS

- Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate – Fire
- Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate – Roads
- Temporary Borrowing Resolution – July 31st, 2023

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

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

WHEREAS clause 66 (1) of the Municipal Government Act (the "Act") provides that a municipality may borrow to carry out an authority to expend funds for capital purposes conferred by the Act or another Act of the Legislature;

AND WHEREAS clause 91(1)(a) of the Act provides that where a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs and Housing (the "Minister"), that the sum shall be borrowed by the issue and sale of debentures, in one sum or by installments, as determined by the council;

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

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

AND WHEREAS the resolution of council to borrow for was approved by the municipal council on July 31, 2023.
(council's TBR approval date)

BE IT THEREFORE RESOLVED

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

West Hants Regional Municipality
(Name of Unit)

borrow by the issue and sale of debentures a sum or sums not exceeding \$ \$42,418 , for a period not to exceed 5 years, subject to the approval of the Minister;

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

West Hants Regional Municipality
(Name of Unit)

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 6.5%;

THAT the debenture be arranged with the Province of Nova Scotia with interest to be paid semi-annually and principal payments made annually;

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

For Province use only:
TBR #: _____
Minister signed: _____

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

(Name of Unit)

held on the 26 day of September 2023

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

(Name of Unit)

this day of 20

Mayor/Warden

Clerk

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

WHEREAS clause 66 (1) of the Municipal Government Act (the "Act") provides that a municipality may borrow to carry out an authority to expend funds for capital purposes conferred by the Act or another Act of the Legislature;

AND WHEREAS clause 91(1)(a) of the Act provides that where a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs and Housing (the "Minister"), that the sum shall be borrowed by the issue and sale of debentures, in one sum or by installments, as determined by the council;

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

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

AND WHEREAS the resolution of council to borrow for was approved by the municipal council on July 31, 2023.
(council's TBR approval date)

BE IT THEREFORE RESOLVED

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

West Hants Regional Municipality
(Name of Unit)

borrow by the issue and sale of debentures a sum or sums not exceeding \$ \$649,275 , for a period not to exceed 20 years, subject to the approval of the Minister;

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

West Hants Regional Municipality
(Name of Unit)

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 6.5%;

THAT the debenture be arranged with the Province of Nova Scotia with interest to be paid semi-annually and principal payments made annually;

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

For Province use only:
TBR #: _____
Minister signed: _____

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

(Name of Unit)

held on the 26 day of September 2023

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

(Name of Unit)

this day of 20

Mayor/Warden

Clerk

MUNICIPAL COUNCIL OF THE
West Hants Regional Municipality
TEMPORARY BORROWING RESOLUTION

Amount: \$ 53,622 _____

Purpose: BFD 1 - Extrication Tools _____

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

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

WHEREAS the Council of the _____ West Hants Regional Municipality _____ has
determined to borrow for the purposes of BFD 1 - Extrication Tools _____;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the
_____ West Hants Regional Municipality _____ borrow a sum or sums not exceeding
_____ fifty-three thousand, six hundred twenty-two _____ Dollars (\$ 53,622 _____) for the
purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the
_____ West Hants Regional Municipality _____ to such an amount as the Council deems
necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act
and that the Council borrow from time to time a sum or sums not exceeding
_____ fifty-three thousand, six hundred twenty-two _____ Dollars (\$ 53,622 _____) in total from
any chartered bank or trust company doing business in Nova Scotia;

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


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

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

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read
and duly passed at a meeting of the Council of the
_____ West Hants Regional Municipality _____
held on the 31st day of July, 2023.

GIVEN under the hands of the Clerk and under the seal of the
_____ West Hants Regional Municipality _____
this 31st day of July, 2023.

Heather Snow
Clerk



MUNICIPAL COUNCIL OF THE
West Hants Regional Municipality
TEMPORARY BORROWING RESOLUTION

Amount: \$ 680,580

Purpose: Highland & Churchill Road Rehab

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

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

WHEREAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of Highland & Churchill Road Rehab;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding six-hundred eighty thousand, five-hundred eighty Dollars (\$ 680,580) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

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

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding six-hundred eighty thousand, five-hundred eighty Dollars (\$ 680,580) in total from any chartered bank or trust company doing business in Nova Scotia;

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

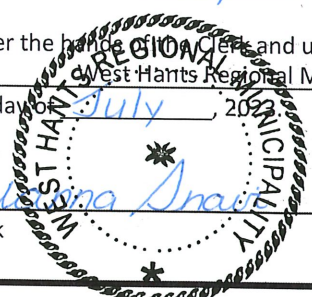
THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

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

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the 31st day of July, 2023.

GIVEN under the hand of the Clerk and under the seal of the West Hants Regional Municipality this 31st day of July, 2023.

N. S. Smith
Clerk



Certificate

TEMPORARY BORROWING RESOLUTION

West Hants Regional Municipality

This is to certify that, pursuant to Section 88 of the *Municipal Government Act*, the resolution passed at a duly convened meeting of the Council of the West Hants Regional Municipality on the 31st of July, 2023 with a request to borrow a sum or sums not exceeding Fifty Three Thousand Six Hundred and Twenty-Two Dollars (\$ 53,622) for purposes of capital borrowing related to BFD1-Extraction Tools and under the terms and conditions as set out within the resolution, and for a period not to exceed twelve (12) months from the date of this certificate, is hereby approved.

DATED this 12th day of September, 2023.



Honourable John Lohr
Minister of Municipal Affairs and Housing

Certificate

TEMPORARY BORROWING RESOLUTION

West Hants Regional Municipality

This is to certify that, pursuant to Section 88 of the *Municipal Government Act*, the resolution passed at a duly convened meeting of the Council of the West Hants Regional Municipality on the 31st of July, 2023 with a request to borrow a sum or sums not exceeding Six Hundred Eighty Thousand Five Hundred and Eighty Dollars (\$ 680,580) for purposes of capital borrowing related to Highland&Churchill Rd and under the terms and conditions as set out within the resolution, and for a period not to exceed twelve (12) months from the date of this certificate, is hereby approved.

DATED this 12th day of September, 2023.



Honourable John Lohr
Minister of Municipal Affairs and Housing



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: September 26, 2023

Subject: Development Agreement: PID 45366432, Cole Drive, Windsor; File # 23-09A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

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 four storey, mixed-use apartment building on PID 45366432 on Cole Drive in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-09 to the Planning and Heritage Advisory Committee dated July 13, 2023.

... that Council requires that the development agreement with Shawn Foote & Mark Hartlin which permits a four storey, mixed-use apartment building on PID 45366432 on Cole 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 <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An updated application was received from Darren Shupe of Brighter Community Planning & Consulting on behalf of the property owner Mainland South Investments on March 21, 2023. The application is to consider permitting a 4-storey mixed-use apartment building by development agreement. This report relates to the second of two buildings in this area by this developer.

DISCUSSION

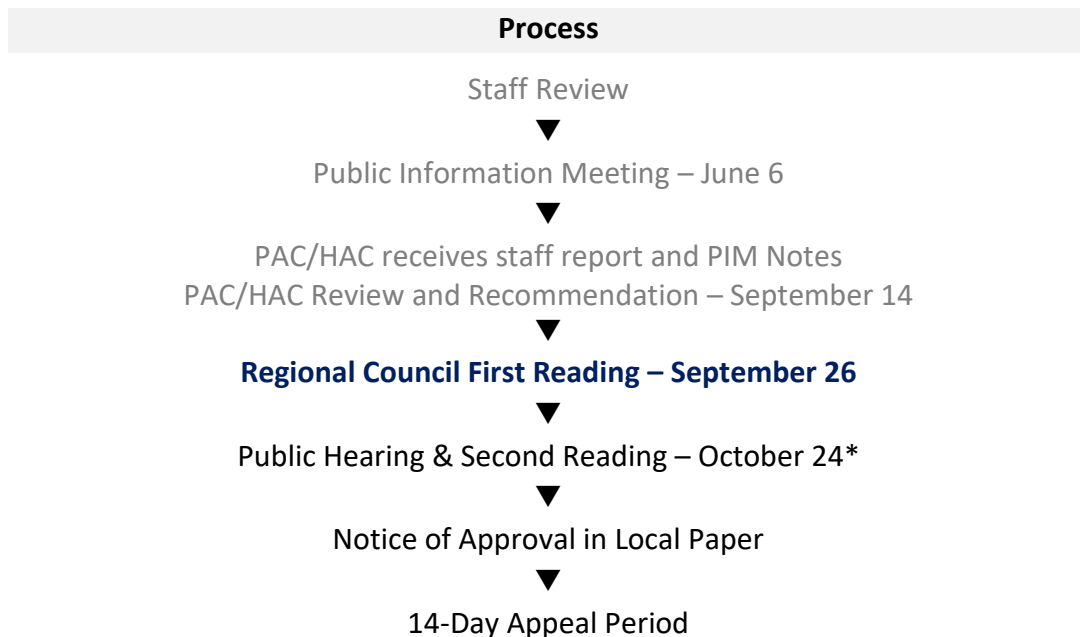
A Public Information Meeting was held on June 6, 2023.

On September 14, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The committee discussed stormwater management at the site. Staff explained that a stormwater management plan was required to be provided prior to construction to ensure that pre- and post-development flows were neutral or better than previous levels.

During the September 14 meeting, PAC/HAC recommended in favour of the application.

NEXT STEPS

The process for this application is as follows.



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this 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 2023-07-13 Staff Report – Development Agreement: PID 45366432, Cole Drive, Windsor; File # 23-09

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____
Alex Dunphy, Planner

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

**Appendix A – 2023-07-13 Staff Report – Development Agreement:
PID 45366432, Cole Drive, Windsor; File # 23-09**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: July 13, 2023

Subject: Development Agreement: PID 45366432, Cole Drive, Windsor; File # 23-09

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 four storey, mixed-use apartment building on PID 45366432 on Cole Drive in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-09 to the Planning and Heritage Advisory Committee dated July 13, 2023.

...that PAC/HAC recommends that Council require that the development agreement with Shawn Foote & Mark Hartlin which permits a four storey, mixed-use apartment building on PID 45366432 on Cole 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 <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
------------	---	--------------------------------------	---------------------------------	-----------------------------------	--

An updated application was received from Darren Shupe of Brighter Community Planning & Consulting on behalf of the property owner Mainland South Investments on March 21, 2023. The application is to consider permitting a 4-storey mixed-use apartment building by development agreement. This report relates to the second of two buildings in this area by this developer.

DISCUSSION

The subject lot is a approximately 2 acres (9200 sq. m.) in size. The subject lot is primarily within the jurisdiction of the Windsor Municipal Planning Strategy and a smaller portion of the subject lot is within the jurisdiction of the West Hants Municipal Planning Strategy.

The Windsor portion is designated Residential on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). This portion is zoned Two Unit Residential (R-2) on Schedule A of the Windsor Land Use By-law (WHLUB) (Figure 2).

The West Hants portion is designated Residential and included within the Three Mile Plains Growth Centre on the GFLUM of the West Hants Municipal Planning Strategy (WHMPS) (Figure 1). This portion is zoned Multiple Unit Residential (R-3) on Schedule A of the West Hants Land Use By-law (WHLUB) (Figure 2).

Surrounding Context

Properties to the south of the subject lot are designated Residential and are zoned Agriculture (AG). Properties to the west are designated Joint Industrial and zoned Light Industrial Type Three (LI-3). Properties to the east are designated Residential and zoned Multiple Unit Residential (R-3). North of the subject lot is Highway 101. There is a large grocery store directly abutting the subject lot to the northwest. Further along Cole Drive in the Joint Industrial Park designation is a hotel and a vacant lot. Highway 101 also directly abuts the subject lot on the northeast lot line. The Residentially designated land located on the south side of Cole Drive is currently being developed for residential uses.

Municipal Planning Strategy Document Review

Policy 5.4.6 of the WMPS is the first enabling policy to be considered for this application. This policy provides Council with the ability to consider new multiple unit residential development consisting of more than three units by development agreement. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria since:

- the size and design of the proposed development is compatible with the surrounding existing uses;
- the draft development agreement outlines buffering and landscaping requirements;
- the amount of recreational space provided in the proposal exceeds the amount of recreational space required by the Windsor Land Use By-law;
- Cole Drive has been identified as a Collector Street on the Future Streets Map within the West Hants Subdivision By-law; and
- the Development Officer, Public Works Engineering Division, Fire Chief, Manager of Building and Fire Inspection Services, and the Municipal Traffic Authority have no concerns which have not otherwise been addressed in this report.

Policy 5.5.1 of the WMPS is the second enabling policy to be considered for this application. This policy provides Council with the ability to consider permitting dwellings in excess of three stories by development agreement. 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 side yards that are at least one half the height of the main building;
- the proposed building is limited to a maximum height of 50 ft.; and
- the proposal is of a similar scale and design to the surrounding existing uses.

Policy 9.1.1 of the WMPS is the third enabling policy to be considered for this application. This policy provides Council with the ability to consider mixed use residential/commercial developments with two or more dwelling units by development agreement. This policy also includes criteria which must be considered in relation to 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 is of a similar size and design to surrounding buildings;
- the draft development agreement allows for a select list of permitted uses in the General Commercial (GC) zone; and
- the Development Officer has no additional concerns.

Policy 16.3.1 establishes the general criteria that must be considered for all development agreements applications. 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, Public Works Engineering Division, and Municipal Traffic Authority have no concerns which have not been addressed in this report.

Additional Consideration

There is a small portion of the subject lot which is within the jurisdiction of the West Hants planning documents. This area does not intersect with the proposed building and the West Hants policies have been examined in the first part of this development agreement application in report File #23-05. Due to this, staff have chosen not to address the West Hants policies as part of this report.

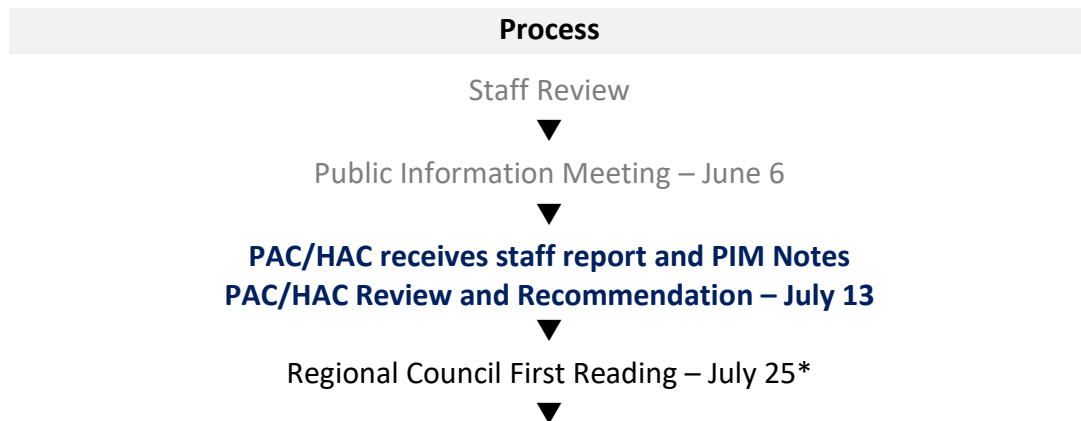
MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the subject lot, however the bottom of Cole Drive may experience flooding.

The Municipal Services Specifications Manual will require the developer to provide information to the Municipal Department of Public Works to ensure pre- and post-development flows are met. Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the draft 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 consider permitting a four (4) storey mixed-use apartment building on PID 45366432 on Cole Drive in Windsor by development agreement.



Public Hearing & Second Reading – September 26*



Notice of Approval in Local Paper



14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, the 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; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	Windsor/West Hants GFLUM Extract
Figure 2	Windsor/West Hants Zoning Map Extract
Attachment A	Policy Summary for Development Agreement
Attachment B	Draft Development Agreement
Attachment C	Public Information Meeting Notes

Report Prepared by: _____
Alex Dunphy, Planner

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

Figure 1 – Windsor/West Hants GFLUM Extract

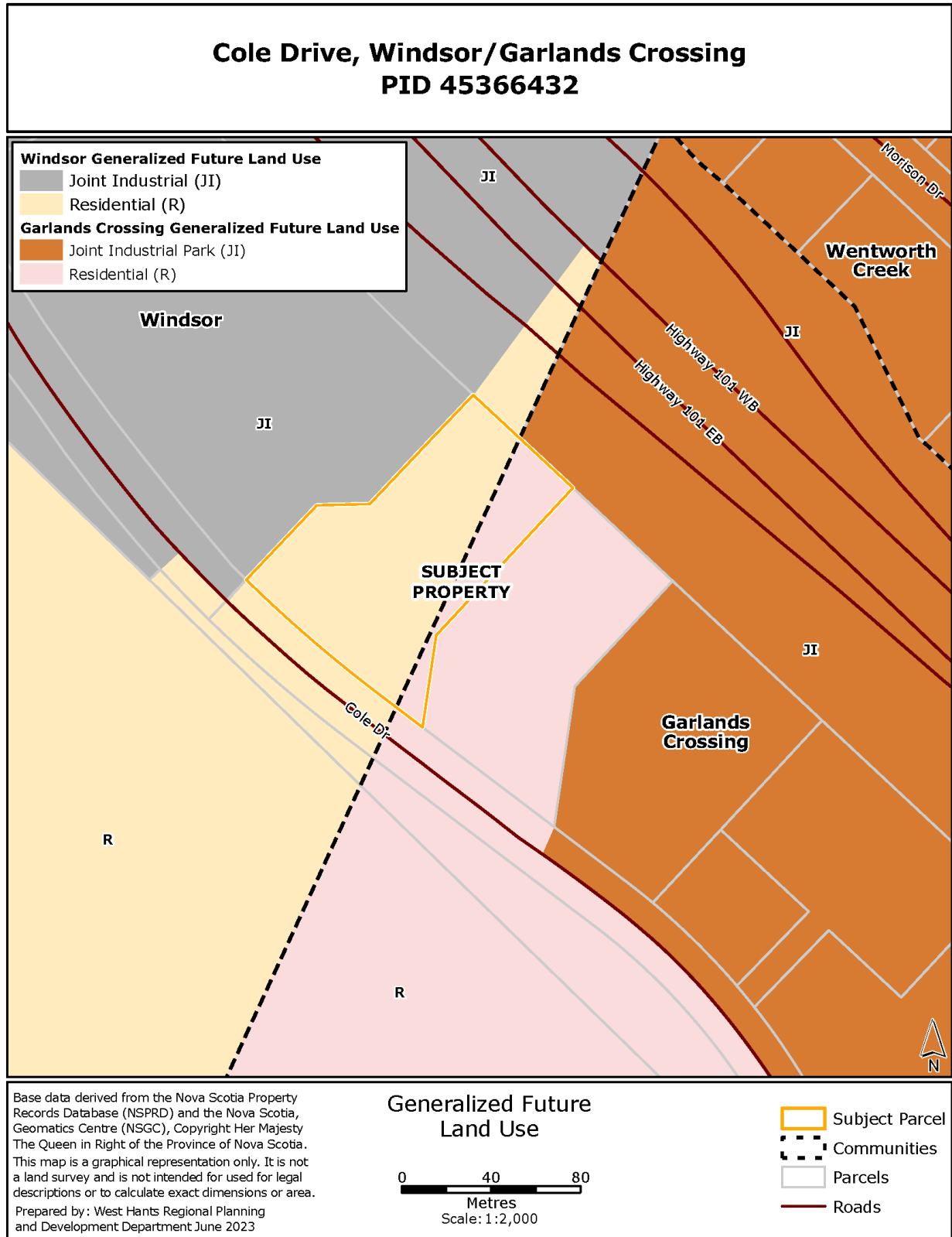
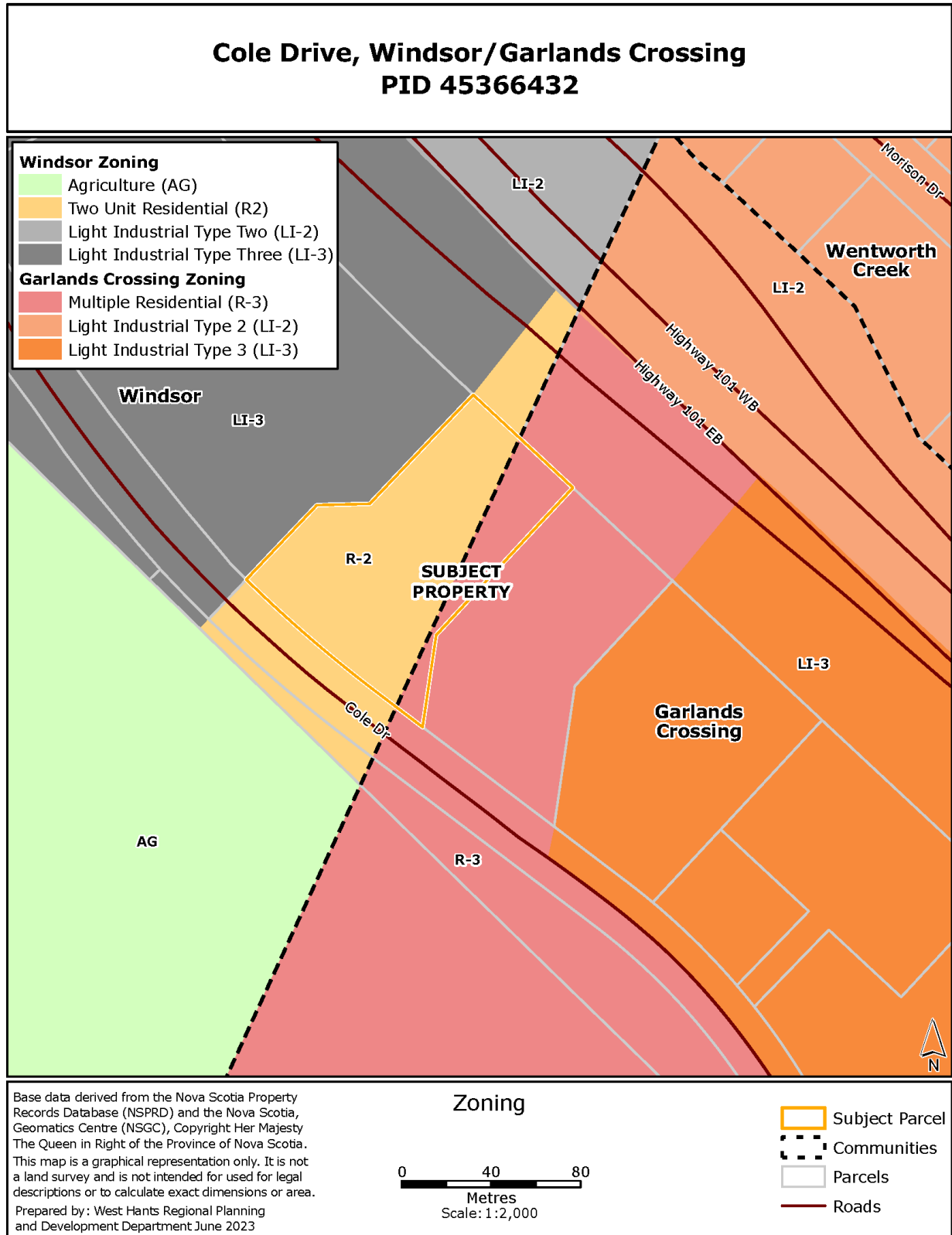


Figure 2 – Windsor/West Hants Zoning Map Extract



Attachment A – Policy Summary for Development Agreement

<p>Policy 5.4.6 <i>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:</i></p>	
<p><i>(a) the proposed use meets one of the following:</i></p>	
<p><i>(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</i></p>	<p>The Development Officer commented that the shape and dimensions of the subject lot were appropriate for the proposed building.</p>
<p><i>(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;</i></p>	<p>N/A</p>
<p><i>(b) the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;</i></p>	<p>The proposal is of a similar size and appearance to the surrounding existing uses. Staff consider this proposal to be compatible with existing uses.</p>
<p><i>(c) the development is considered compatible with the residential character of the area with respect to traffic generation and population density;</i></p>	<p>The Municipal Traffic Authority commented that they have no concerns regarding traffic generation or density for the proposed development.</p>
<p><i>(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;</i></p>	<p>The draft development agreement outlines the buffering and landscaping requirements for all parking and service areas of the development.</p>
<p><i>(e) adequate on-site parking is provided and parking areas are well designed;</i></p>	<p>The Development Officer commented that the parking provided is considered adequate.</p>
<p><i>(f) there is adequate on-site recreational open space suitable in extent and design to the nature of the development; for conversion of</i></p>	<p>The amount of recreational space provided in the proposal exceeds the amount of recreational space required by the Windsor Land Use By-law. The</p>

<i>existing buildings, nearby public parks may be deemed sufficient;</i>	Development Officer commented that they have no concern regarding the adequacy of on-site recreational space.
<i>(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;</i>	Cole Drive is shown as a local road on the Transportation Map of the Windsor Municipal Planning Strategy. Even though Cole Drive is within an area designated Joint Industrial Park and was constructed with a sidewalk on one side of the street, it is most likely classified as a local road due to it being a dead-end street with no current connections elsewhere. The Future Streets Map attached to the West Hants Subdivision By-law identifies Cole Drive as a collector street. Due to this classification and the Traffic Authority having no concerns, this criterion is considered met.
<i>(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;</i>	N/A
<i>(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;</i>	N/A
<i>(j) any other matter which may be addressed in a development agreement; and</i>	All relevant matters have been addressed in this report.
<i>(k) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.</i>	See below.

Policy 5.5.1 <i>In any residential zone, Council may consider permitting dwellings in excess of three storeys by development agreement, subject to the following conditions:</i>	
<i>(a) the side yards are at least one-half the height of the building;</i>	The proposed building is 4 storeys and has side yards of at least 25 ft.

<i>(b) the building will in no instance exceed 80 ft (24.38 m) in height;</i>	The proposed building is limited to a maximum height of 50 ft.
<i>(c) the building design, height and scale is compatible with the surrounding area;</i>	The proposal is of a similar scale and design to the surrounding existing uses. Staff consider this proposal to be compatible with existing uses.
<i>(d) any other matter which may be addressed in a development agreement; and</i>	All relevant matters have been addressed in this report.
<i>(e) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.</i>	See below.

Policy 9.1.1 <i>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:</i>	
<i>(a) the density, scale and architectural design of the development are compatible with the surrounding area;</i>	The proposal is of a similar scale and design to the surrounding existing uses. Staff consider this proposal to be compatible with development in the surrounding area.
<i>(b) the development is reasonably consistent with the provisions of the Architectural Design Manual, if it is located in an Architectural Design Control District;</i>	N/A
<i>(c) the development is reasonably consistent with the yard standards of the underlying zone;</i>	The Development Officer commented that they have no concerns regarding the adequacy of the subject lot in terms of the setback requirements. The draft development agreement sets out specific setback requirements which supersede that of the underlying zone.
<i>(d) the proposed development does not compromise the residential integrity of the area;</i>	The proposed development would be the first residential use in the area, aside from the first part of this application which was approved by Council on June 27. Staff have no

	concerns regarding the residential integrity of the area.
<i>(e) the commercial use is permitted in the General Commercial (GC) zone;</i>	The draft development agreement permits a number of commercial uses which are included in the permitted uses list of the General Commercial (GC) zone.
<i>(f) the commercial use is located at the street level and does not exceed one-third of the total floor area of the development;</i>	The commercial component of the proposed development accounts for approximately one quarter of the total floor area of the development, which is less than the limit of one-third.
<i>(g) adequate landscaping, open space and natural or artificial buffering is provided;</i>	The Development Officer commented that they have no concerns regarding the buffering, landscaping, or open space for the proposed development.

Policy 16.3.1	
<i>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:</i>	
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Public Works Engineering Division confirmed that the existing municipal services are adequate for the proposed development.
<i>(ii) the adequacy of school facilities;</i>	The Annapolis Valley Regional Centre for Education has stated that they will accommodate all students.
<i>(iii) the adequacy of fire protection;</i>	The Manager of Building and Fire Inspection Services has no issues with fire protection but did mention that the proposal has a steep driveway access for the fire department. Staff have included a provision in the draft development agreement to require consultation with the Fire Chief

	<p>regarding the appropriate construction of the driveway.</p> <p>The local Fire Chief has stated that it is preferable to have 360 degree access to the building, but a suitable alternative is for rolling curbs and a restriction on overhead obstructions on all access routes.</p>
<p><i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i></p>	<p>The Traffic Authority has no concerns regarding the road networks adjacent or leading to the development.</p>
<p><i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i></p>	<p>There are no anticipated costs to the Municipality regarding this development.</p>
<p><i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i></p>	<p>The Traffic Authority has no concerns regarding movement suitability on the subject lot.</p>
<p><i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer commented that the subject lot is suitable in terms of dimension and shape for this proposal.</p>
<p><i>(d) the pattern of development which the proposal might create;</i></p>	<p>The proposal is in line with the pattern of development surrounding Cole Drive. There have been more applications to consider residential uses in this area lately. The Development Officer has no concerns regarding the pattern of development.</p>
<p><i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;</i></p>	<p>The site appears to be at a higher elevation in comparison to buildings closer to Wentworth Road. There are no watercourses or wetlands located on the property. No concerns were recorded during the site visit.</p>
<p><i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i></p>	<p>All Municipal, Provincial, and Federal regulations will have to be met.</p>

(g) any other matter required by relevant policies of this Strategy.

All relevant matters have been addressed in this report.

Attachment B – Draft Development Agreement



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 -

MAINLAND SOUTH INVESTMENTS INC. a body corporate, with a head office at 56 Jebel Lane, Herring Cove, in the County of Halifax, Province of Nova Scotia,

(Hereinafter referred to as the “First Co-owner”)

OF THE SECOND PART

- and -

3171692 NOVA SCOTIA LIMITED a body corporate, with a head office at Suite 411, 5 Ramsgate Lane, Halifax, in the County of Halifax, Province of Nova Scotia,

(Hereinafter referred to as the “Second Co-owner”)

OF THE THIRD PART

WHEREAS the Co-owners are the registered owners of parcel of land located on Cole Drive, PID 45366432, hereinafter referred to as the “Property”, which lands are more particularly described in Schedule A attached hereto; and

WHEREAS PID 45366432 has one portion which is designated Residential and is within the Three Mile Plains Growth Centre on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy and zoned Multiple Unit Residential (R-3) on the Zoning Map of the West Hants Land Use By-law and one portion which is designated Residential on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy and zoned Two Unit Residential (R-2) on the Zoning Map of the Windsor Land Use By-law; and

WHEREAS the Co-owners have requested that the Municipality enter into a development agreement to permit up to 42 apartment units and up to 13,400 sq. ft. of commercial space within a four (4) storey apartment building on the Property (the “Development”); and

WHEREAS Policy 5.4.6 of the Windsor Municipal Planning Strategy and Section 6.1 (b) of the Windsor Land Use By-law enable Council to consider entering into a development agreement to allow multiple unit residential development consisting of more than three units, and Policy 5.5.1 of the Windsor Municipal Planning Strategy and Section 6.1 (c) of the Windsor Land Use By-law enable Council to consider entering into a development agreement to allow dwellings in excess of three storeys in any residential zone, and Policy 9.1.1 of the Windsor Municipal Planning Strategy and Section 6.1 (k) of the Windsor Land Use By-law enable Council to consider entering into a development agreement to mixed use residential/commercial uses in the Residential designation, and Policy 5.3.8 of the West Hants Municipal Planning Strategy and Section 6.1 (a) of the West Hants Land Use By-law enable Council to consider entering into a development agreement to allow multiple unit residential development greater than three storeys in the Three Mile Plains Growth Centre, and Policy 5.6.4 of the West Hants Municipal Planning Strategy and Section 6.1 (h) of the West Hants Land Use By-law enable Council to consider entering into a development agreement to allow new local commercial uses in Growth Centres outside of the Commercial 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 Co-owners have 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 Co-owners begin Active Construction on the apartment building within this Agreement as permitted by an issued development and building permit; and
- (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.
- (d) “Co-owners” means the First Co-owner and the Second Co-owner, jointly and severally.

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) West Hants Municipal Planning Strategy means the Municipal Planning Strategy of West Hants, effective on June 26, 2008, as amended, or successor by-laws;
- (b) West Hants Land Use By-law means the Land Use By-law of West Hants, effective on June 26, 2008, as amended, or successor by-laws;
- (c) West Hants Subdivision By-law means the Subdivision By-law of West Hants, effective on June 26, 2008, as amended, or successor by-laws;
- (a) Windsor Municipal Planning Strategy means the Windsor Municipal Planning Strategy, effective on September 21, 2005, as amended, or successor by-laws;
- (b) Windsor Land Use By-law means the Windsor Land Use By-law, effective on September 21, 2005, as amended, or successor by-laws;

- (c) Windsor Subdivision By-law means the Windsor Subdivision By-law, effective on March 21, 2012, as amended, or successor by-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

- (a) The Parties agree that uses on the Property shall be limited to the following:
- (i) those uses permitted by the underlying zoning in the Land Use By-law;
 - (ii) a four (4) storey apartment building containing up to 42 apartment units and up to 13,400 sq. ft. (1,244.9 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 and non-licensed
 - Entertainment, recreation and assembly uses within a wholly enclosed building
 - Licensed liquor establishments
 - Microbrewery, Microdistillery, Winery
 - Offices
 - Repair and rental establishments
 - Restaurants, excluding drive-through restaurants
 - Retail stores
 - Service and personal service shops
 - Veterinary clinics and animal hospitals
 - (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.
- (c) The apartment building shown on the Site Plan in Schedule B shall be limited to a maximum of 42 dwelling units and up to 13,400 sq. ft. (1,244.9 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	25 ft. (7.62 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	4 storeys
Maximum Building Height	50 ft. (15.24 m.)
Maximum Height of Accessory Building	15 ft. (4.57 m.)

- (d) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*.
- (e) A minimum of 10,020 sq. ft. (930.89 sq. m.) of usable recreation space as outlined in Section 2.6, *Recreational Space*, shall be required.
- (f) The Co-owners shall keep all undeveloped areas of the Property landscaped which may include grass, shrubs, trees or other appropriate vegetative cover.

2.3 Access and Egress

- (a) The Co-owners 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.

2.4 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) 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 Co-owners. 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 Co-owners to allow unimpeded access to the Properties by emergency services vehicles, unless otherwise agreed to in writing by the Fire Chief.
- (d) Prior to the construction of the driveway, consultation with the district Fire Chief regarding the slope of the driveway will be required to ensure adequate emergency vehicle access.

2.6 Recreational Space

A minimum of 10,020 sq. ft. (930.89 sq. m.) of usable recreational space shall be provided on the Property and may include:

- (a) individual balconies; and
- (b) common use landscaped areas.

2.7 Buffering

Outdoor parking, driveways, and parking aisles shall be screened from adjacent properties, except for the lot line abutting Cole Drive and the lot line abutting PID 45411808, through the use of:

- (a) a mix of local species of coniferous trees. At planting, each tree shall have a diameter of at least two (2) in. measured at four-and-one half (4.5) ft. above the surrounding grade and a minimum height of 5 ft.; or
- (b) a hedge of a variety of coniferous shrubs each of which will reach over six (6) ft. in height at maturity; or
- (c) a wall or an opaque fence which is a minimum of five (5) ft. in height and of sufficient height to provide a visual buffer to the abutting property; or

any combination of the above, all arranged to form a dense or opaque screen, and maintained for as long as the buffer is required.

2.8 Servicing

(a) Waste Collection

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

- (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 Co-owners shall be responsible for constructing, installing and maintaining the water and sewer services on the Property.

(c) Snow Plowing

The Co-owners shall have sole responsibility for snow plowing within the Development.

2.9 Maintenance

- (a) The Co-owners shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways

and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.

- (b) The Co-owners 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 10:00 p.m. daily, inclusive.

2.12 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*:

- (i) minimum required yard dimensions except side yard requirements as required in Section 2.2 (c) of this Agreement; and
- (ii) number of parking spaces required.

PART 3 CHANGES AND DISCHARGE

3.1 The Co-owners shall not vary or change the number of units within the apartment building on 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 this Agreement.

3.3 The following matters are substantive matters:

- (a) the number of units permitted within the apartment building on the Property 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 as 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 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 Co-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 Co-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 Co-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 Co-owners may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required. The date of commencement will be determined as the date the Co-owners 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 Co-owners. Upon the written request of the Co-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 Co-owners are bona fide delayed from commencing the Development for reasons which are beyond the Co-owners' control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Co-owners is excused for the period of the delay and the time period for the Co-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 Co-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 Co-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 Co-owners from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

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

5.3 Interpretation

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

- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.
- (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 Co-owners about the suitability of the Property for the Development proposed by this Agreement. The Co-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 Co-owners in writing. In the event that the Co-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 Co-owners 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 Co-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 Co-owners personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to Shawn Foote at 56 Jebel Lane, Herring Cove, NS, B3V 1T2, and Mark Hartlin at Suite 411, 5 Ramsgate Lane, Halifax, NS, B3P2S6, or at any other address provided in writing or email by the Co-owners. Service upon one co-owner shall be deemed to be service upon both.
- (b) The Co-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 in writing or email by the Municipality to the Co-owners.

5.10 Full Agreement

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

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

SIGNED, SEALED AND DELIVERED

In the presence of:

Witness

Witness

Witness

Witness

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

Per: _____

) Abraham Zebian, Mayor

)

) Per: _____

) Deanna Snair, Municipal Clerk

)

) **MAINLAND SOUTH INVESTMENTS INC.**

)

Per: _____

) Shawn Foote, President

)

) **3171692 NOVA SCOTIA LIMITED**

)

Per: _____

) Mark Hartlin, 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, **Shawn Foote**, 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, **Mark Hartlin**, 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, Shawn Foote, Nova Scotia, make oath and say that:

1. I Shawn Foote of **MAINLAND SOUTH INVESTMENTS INC.** 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

Shawn Foote, President

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Mark Hartlin, Nova Scotia, make oath and say that:

6. I Mark Hartlin of **3171692 NOVA SCOTIA LIMITED** 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 _____, 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

Mark Hartlin, President

**Schedule A
Legal Description**

PID 45366432

Registration County: HANTS COUNTY

Street/Place Name: COLE DRIVE /GARLANDS CROSSING

Title of Plan: PLAN OF S/D TO CREATE LOT 2 S/D OF OF LOT 2R LAND REGISTRED TO 3102673
NOVA SCOTIA LTD COLE DR & HWY NO 101 WINDSOR & GARLANDS CROSSING

Designation of Parcel on Plan: LOT 1

Registration Number of Plan: 122141428

Registration Date of Plan: 2023-03-08 11:29:32

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

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

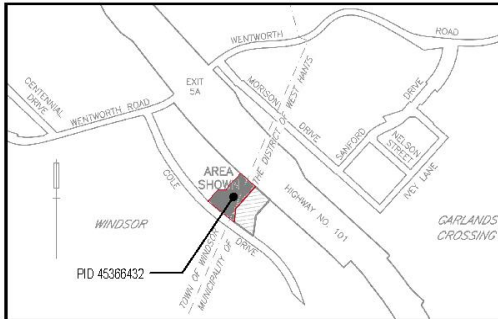
Registration District: HANTS COUNTY

Registration Year: 2023

Plan or Document Number: 122141428

Schedule B Site Plan

**brighter
community**
PLANNING & CONSULTING



KEYPLAN
NTS

COLE DRIVE DEVELOPMENT LOT 1
4 STOREY BUILDING
-MAIN LEVEL COMMERCIAL / BUILDING SERVICES
-LEVELS 2-4 RESIDENTIAL APARTMENTS 14 UNITS / LEVEL (42 UNITS)
-UNDERGROUND PARKING 37 SPACES

LOT SIZE 99 788 SQFT
BUILDING FOOTPRINT 13 400 SQFT (13%)
HARD SURFACE CALC. 29 080 SQFT (29%)
GREEN SPACE 43 925 SQFT (44%)

PARKING 81 SPACES
- 37 UNDERGROUND SPACES
- 44 SURFACE SPACES
- 2 CHARGE STATION SPACES
- 4 BARRIER FREE SPACES
- 15 RESIDENTIAL
- 23 COMMERCIAL



ARCHITECTURAL SITE PLAN
1/64" = 1'-0"

JUNE 2023

Attachment C – Public Information Meeting Notes

June 6 – June 20, 2023

Development Agreement: PID 45366432, Cole Drive; File # 23-09

Meeting date and time	A Public Information Meeting was held on June 6, 2023 beginning at 6:50 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Two (2) Councillors: <ul style="list-style-type: none">• Councillor Jannasch (Chair)• Councillor Ivey Four (4) members of staff: <ul style="list-style-type: none">• Planner Fredricks• Planner Dunphy• Planning Assistant Lake• CAO Phillips Applicant: <ul style="list-style-type: none">• Darren Shupe, Brighter Community Planning (Applicant's Planner)• Shawn Foote (Applicant) No members of the public were present for this meeting.
Applicant Darren Shupe on behalf of Shawn Foote	Planner Dunphy outlined the application to allow a proposed mixed-use 4 storey apartment building by development agreement.
Property Cole Drive (PID 45366432)	Darren Shupe provided a presentation on behalf of the applicant.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between June 6 and June 20, 2023. No comments were received from the public.
Adjournment	The presentation portion of the PIM ended at approximately 7:05 p.m.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: September 26, 2023

Subject: Development Agreement: 8 Upper Water Street, Windsor (PID 45333291);
File # 23-14A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

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 six storey, mixed-use apartment building on PID 45333291 at 8 Upper Water Street in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-14 to the Planning and Heritage Advisory Committee dated September 14, 2023.

... that Council requires that the development agreement with Justin Brown which permits a six storey, mixed-use apartment building on PID 45333291 at 8 Upper Water Street 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 <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An application was received from Justin Brown of Halyard Developments Limited on May 30, 2023. The application is to consider permitting a six (6) storey, mixed-use apartment building by development agreement.

DISCUSSION

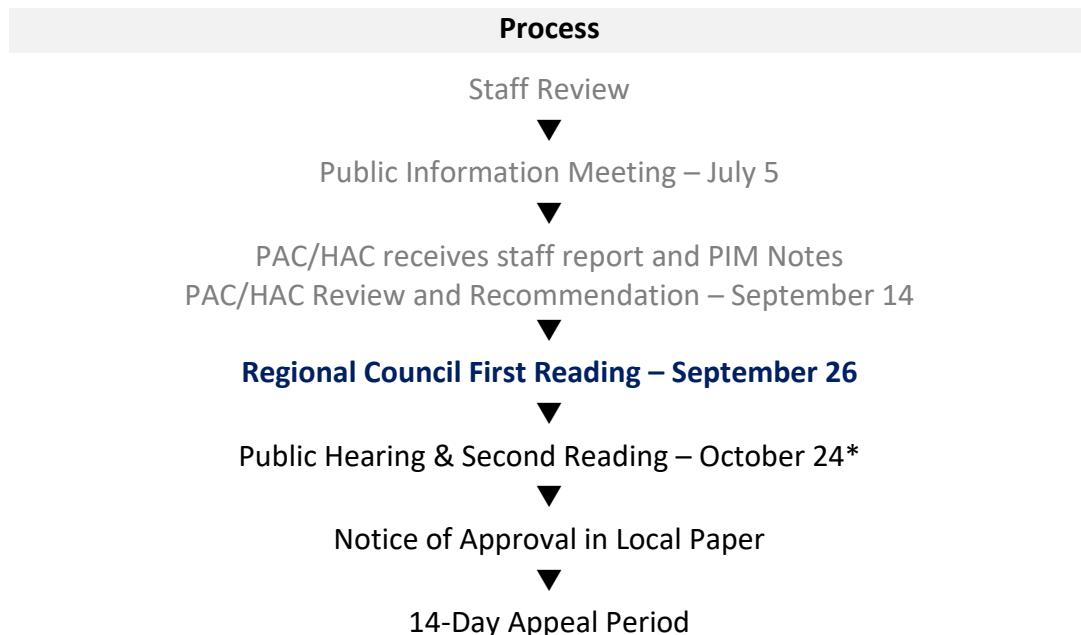
A Public Information Meeting was held on July 5, 2023.

On September 14, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The committee discussed unit availability as rentals or for purchase, allocation of parking, and water supply concerns. Staff explained that the application had received a 'cautious approval' from the Engineering Division of the Public Works Department. This was given as there are a large number of pre-approval capacity statements given to developments in queue and there are also water system capacity improvements pending over the next few years.

During the September 14 meeting, PAC/HAC recommended in favour of the application.

NEXT STEPS

The process for this application is as follows.



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this 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 2023-09-14 Staff Report – Development Agreement: 8 Upper Water Street, Windsor (PID 45333291); File # 23-14

CHIEF ADMINISTRATIVE OFFICER REVIEW

To approve first reading and a public hearing will promote public feedback regarding the proposal and allow Council to thoroughly review not only the components of the DA application but public feedback. The proposal is a significant development for the downtown area changing the landscape. This type of potential change will likely initiate feedback from the community.

I support the recommendation.

Report Prepared by: _____
Alex Dunphy, Planner

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

**Appendix A – 2023-09-14 Staff Report – Development Agreement: 8 Upper Water Street,
Windsor (PID 45333291); File # 23-14**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: September 14, 2023

Subject: Development Agreement: 8 Upper Water Street, Windsor (PID 45333291);
File # 23-14

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 six storey, mixed-use apartment building on PID 45333291 at 8 Upper Water Street in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-14 to the Planning and Heritage Advisory Committee dated September 14, 2023.

...that PAC/HAC recommends that Council require that the development agreement with Justin Brown which permits a six storey, mixed-use apartment building on PID 45333291 at 8 Upper Water Street 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 <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An application was received from Justin Brown of Halyard Developments Limited on May 30, 2023. The application is to consider permitting a six (6) storey, mixed-use apartment building by development agreement.

DISCUSSION

The subject lot is approximately 27,000 sq. ft. (2,500 sq. m.) in size. It is designated Town Centre on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). The subject lot is zoned Town Centre (TC) on Schedule A of the Windsor Land Use By-law (WLUB) (Figure 2).

The property currently has a single storey office building on the corner of Upper Water Street and King Street which hosts the Nova Scotia Tourism Bureau, as well as a parking lot and undeveloped land fronting on Cobbett Street.

Surrounding Context

Properties to the east of the subject lot are designated Residential and are zoned Two Unit Residential (R-2). Properties to the north and south are designated Town Centre and zoned Town Centre (TC). Lastly, properties to the west are designated Town Centre and zoned Waterfront Development District (WDD). North of the subject lot is the on-ramp to Highway 101. There are a number of residential uses surrounding the subject lot to the north and east and a variety of commercial uses across Upper Water Street to the west. Further northeast of the subject lot is the Fort Edward National Historic Site.

Municipal Planning Strategy Document Review

Policy 7.2.1 of the WMPS is the first enabling policy to be considered for this application. This policy provides Council with the ability to consider new main buildings in the Town Centre (TC) zone by development agreement subject to Policy 7.2.2. As the proposal is for a new main building, this policy is considered met.

Policy 7.2.2 of the WMPS provides Council with the criteria to review development proposals permitted to be considered by Policy 7.2.1. The full list of criteria is included in Attachment A. In summary, the proposal meets the criteria since:

- the proposed use is a permitted use in the Town Centre (TC) zone;
- the proposal incorporates windows and other elements in the street level façade;
- an adequate amount of parking is included in the proposal; and
- the planned greenspace is adequately landscaped.

Policy 7.4.2 of the WMPS is the second enabling policy to be considered for this application. This policy provides Council with the ability to consider the construction of a new residential buildings containing three or more dwelling units in the Town Centre (TC) zone by development agreement subject to Policy 7.4.3. As the proposal is for a new residential building containing three or more dwelling units, this policy is considered met.

Policy 7.4.3 of the WMPS provides Council with the criteria to review development proposals permitted to be considered by Policy 7.4.2. The full list of criteria is included in Attachment A. In summary, the proposal meets the criteria since:

- the architectural design and scale of the proposal is reasonably compatible with the surrounding area;
- the proposal is not included in the Architectural Control District;
- the proposal consists of commercial uses at the street level; and
- the Development Officer and Municipal Traffic Authority have no concerns which have not been otherwise addressed in this report.

Policy 16.3.1 establishes the general criteria that must be considered for all development agreements applications. 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, Public Works Engineering Division, and Municipal Traffic Authority have no concerns which have not been addressed in this report.

Additional Consideration

The proposal provides a total of 89 vehicle parking stalls for 95 dwelling units and 4165 sq. ft. (386.9 sq. m.) of commercial floor area. Generally, a parking ratio of 1 parking space per dwelling unit with additional parking spaces for the commercial use has been required in past development agreements. However, as this proposal is located in the core of Windsor, provides secure bicycle parking stalls, and there are plans to implement car sharing spaces, staff consider that the lowered parking ratio is justified.

The Public Works Engineering Division commented that there is an abundance of development requests that have not yet been built out. There are also pending water system capacity improvements to take place over the next few years which contribute to difficulty determining water capacity for future projects. At this time, a cautious pre-approval was given by the Public Works Engineering Division.

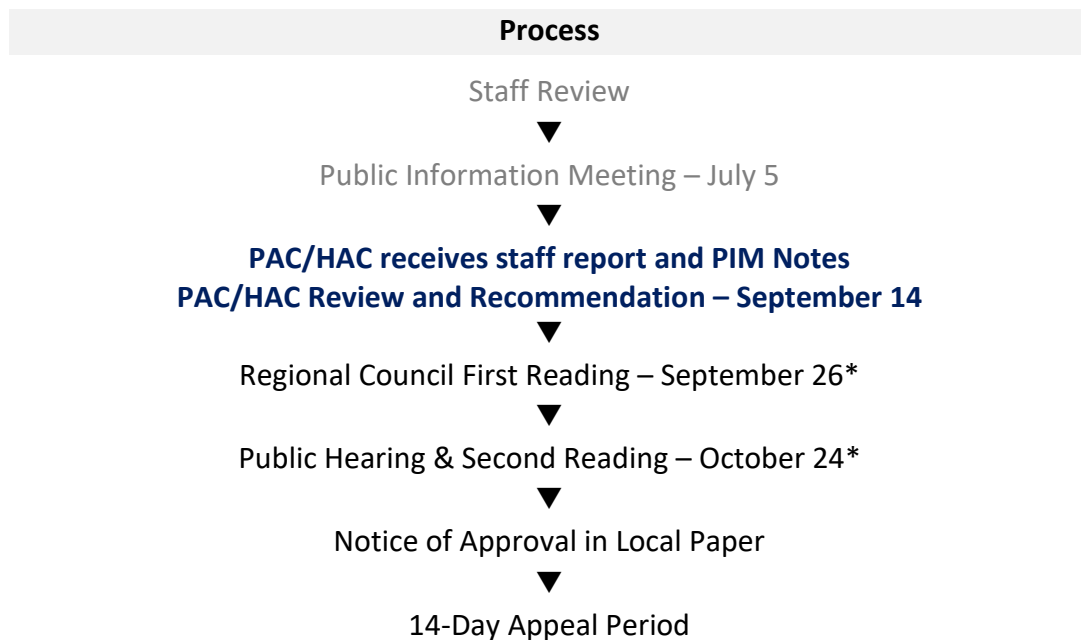
MUNICIPAL CLIMATE CHANGE ACTION PLAN

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, including the subject lot.

The Municipal Services Specifications Manual will require the developer to provide information to the Public Works Engineering Division to ensure pre- and post-development flows are met. Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the draft 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 consider permitting a six (6) storey mixed-use apartment building on PID 45333291 at 8 Upper Water Street in Windsor by development agreement.



*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, the 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; or
- 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	Policy Summary for Development Agreement
Attachment B	Draft Development Agreement
Attachment C	Public Information Meeting Notes

Report Prepared by: _____
Alex Dunphy, Planner

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

Figure 1 – Windsor GFLUM Extract

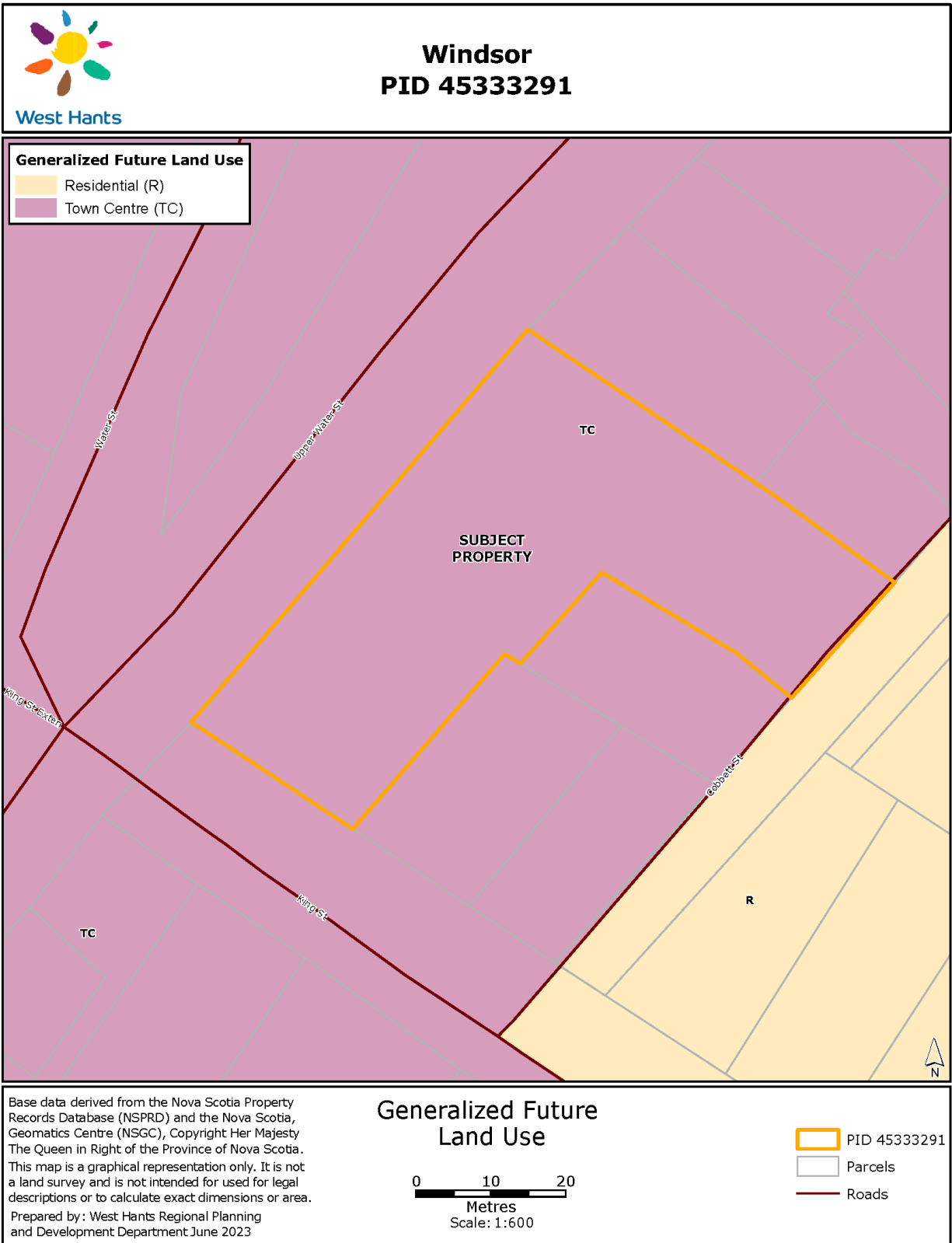
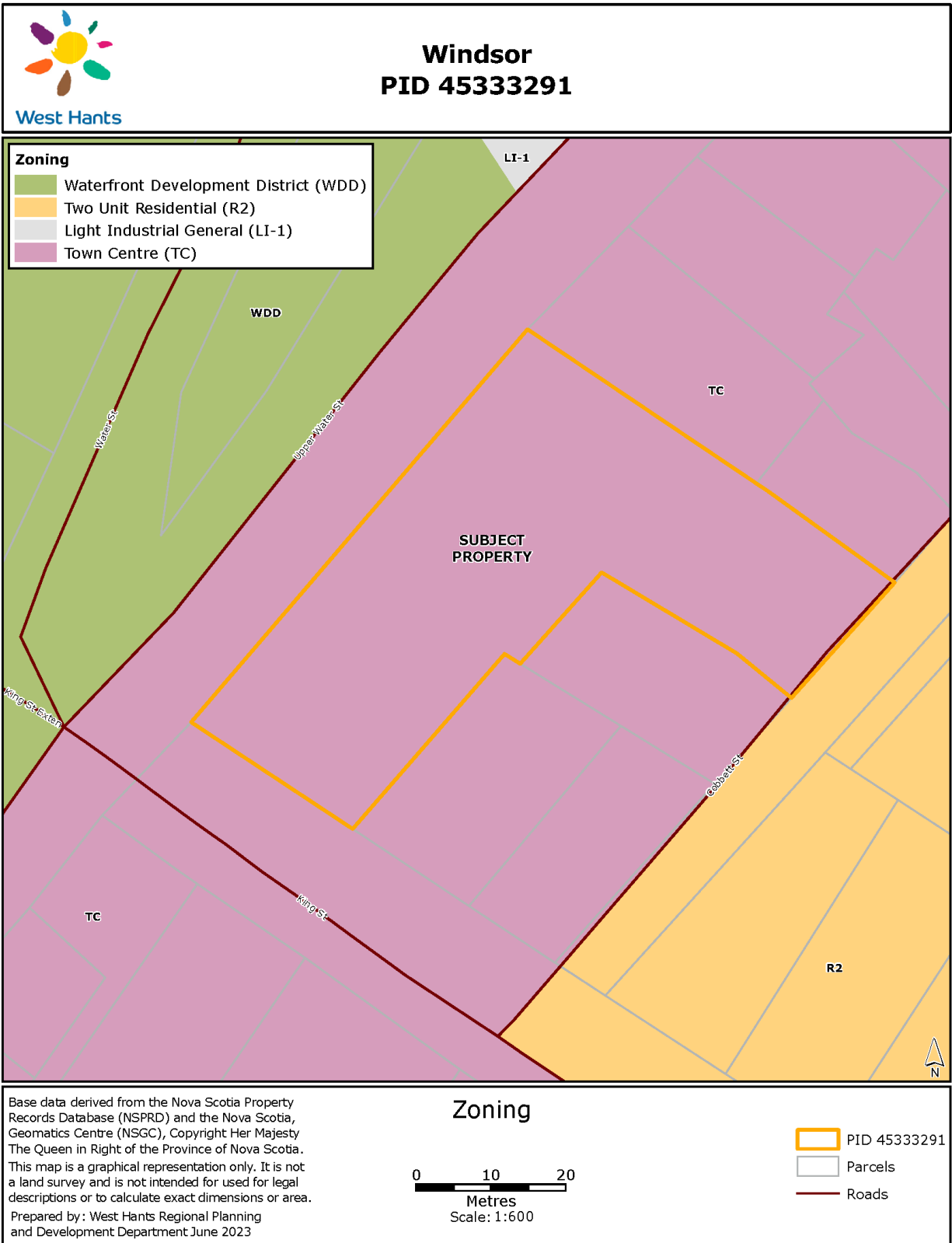


Figure 2 – Windsor Zoning Map Extract



Attachment A – Policy Summary for Development Agreement

<p>Policy 7.2.1 <i>It shall be the policy of Council that the following categories of development proposals in the Town Centre zone will be considered by development agreement subject to Policy 7.2.2:</i></p>	
<p><i>(a) new main buildings;</i></p>	<p>The proposal to demolish the current building and reconstruct would be deemed a new main building.</p>
<p><i>(b) additions in excess of 1,000 ft² (92.9 m²) in floor area to the front façade of an existing building; or</i></p>	<p>N/A</p>
<p><i>(c) where the development will be located on a parcel of land exceeding one acre (0.4 hectare) in size;</i></p>	<p>N/A</p>
<p><i>(d) ground signs.</i></p>	<p>N/A</p>
<p>Policy 7.2.2 <i>It shall be the policy of Council that the review of development proposals under Policy 7.2.1 will have due regard to the following conditions:</i></p>	
<p><i>(a) the proposed use is a permitted use in the Town Centre zone;</i></p>	<p>The proposed use is a permitted use in the Town Centre (TC) zone.</p>
<p><i>(b) the architectural design of the development is reasonably consistent with the provisions of the Architectural Design Manual;</i></p>	<p>The subject lot is not within an Architectural Control District.</p>
<p><i>(c) the building design incorporates windows and other elements in the street level façade to avoid the appearance of solid blank walls;</i></p>	<p>The proposal includes a variety of windows and entrances on the ground level.</p>
<p><i>(d) adequate provision is made for parking or Policy 4.11.3 is applied;</i></p>	<p>The proposed development agreement requires 86 vehicle parking spaces, with one being a flexible car share space to service 95 dwelling units and 4165 sq. ft. (386.9 sq. m.) of commercial floor area. As the proposal is located in the core of Windsor, provides bicycle parking stalls, and there are plans to implement car sharing spaces, this criterion is considered met.</p>

	The Development Officer stated that they agreed with the reasoning to lower the standard parking ratio.
<i>(e) where possible, landscaping and pedestrian areas, such as courtyards, are provided;</i>	The proposal does not accommodate additional landscaped open space due to the lot size, but the required yard setbacks are landscaped.
<i>(f) any other matter which may be addressed in a development agreement; and</i>	All relevant matters have been addressed in this report.
<i>(g) the provisions of Policy 16.3.1.</i>	See below.

Policy 7.4.2 <i>To provide more control over new residential development and increases in the number of dwelling units in existing residential buildings, and recognizing that most existing lots and buildings cannot conform to current standards, it shall be the policy of Council that the following types of residential development shall be considered in the Town Centre zone by development agreement subject to Policy 7.4.3:</i>	
<i>(a) the construction of a new residential building containing three or more dwelling units; and</i>	The proposal is for a new mixed use residential building containing 95 units, so it may be considered under this policy.
<i>(b) an increase in the number of dwelling units in an existing residential building.</i>	N/A
Policy 7.4.3 <i>In considering development agreements specified under Policy 7.4.2, it shall be the policy of Council to have due regard to the following conditions:</i>	
<i>(a) the architectural design and scale of the proposed development is compatible with the surrounding area and is reasonably consistent with the provisions of the Architectural Design Manual;</i>	The subject lot is not within the Architectural Control District. The Development Officer commented that a step-back design for each story above the third story would be preferable to reduce the scale of the building for pedestrians, however there is no requirement in the WMPS for the design to incorporate step-backs. The provided design meets this criterion as it is reasonably compatible with the surrounding area. The subject lot is

	located in an area of Windsor that is intended for this density of development.
<i>(b) where the development involves the construction of a new residential building, commercial space shall be included at the street level, except in cases where commercial space is not appropriate because the development is proposed for a fringe area of the Town Centre which is still predominantly residential;</i>	The proposed development consists of commercial uses at street level and residential units above. The proposal therefore meets this policy criteria.
<i>(c) the location of the proposed development does not compromise the commercial integrity of the area or restrict existing commercial development patterns;</i>	The proposal includes commercial uses located at the street level of the subject lot. The inclusion of commercial space in the proposal conforms with the intended development pattern.
<i>(d) adequate provision is made for parking and for access to and from the site;</i>	The Municipal Traffic Authority stated that they did not have any issues with the access provided to the subject lot. As stated above, the Development Officer determined that the parking provided in the proposal is adequate.
<i>(e) adequate recreational open space is available either on site or in nearby public parks;</i>	The proposal provides greenspace and balconies as on-site recreational space. In addition, the Fort Edward Historic Site and surrounding park are located within walking distance of the proposal. The Development Officer stated that the available recreational space is adequate.
<i>(f) any other matter which may be addressed in a development agreement; and</i>	All relevant matters have been addressed in this report.
<i>(g) the provisions of Policy 16.3.1.</i>	See below.

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:

<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Public Works Engineering Division provided a cautious pre-approval statement for capacity of water supply within the Windsor Utility. This is due to an abundance of development requests that have not yet been built out. There are also pending water system capacity improvements to take place over the next few years. There was stated to be no issue with sewer capacity.
<i>(ii) the adequacy of school facilities;</i>	The Director of Operations for the Annapolis Valley Regional Centre for Education has stated that projected capacity for student enrollment and student transportation appears sufficient to accommodate the proposed development.
<i>(iii) the adequacy of fire protection;</i>	The Manager of Building and Fire Inspection Services has no issues with fire protection but did mention that the building would require an adequate water supply for a sprinkler system. The local Fire Chief has stated that it is preferable to have 360 degree access to the building, but a suitable alternative is for rolling curbs and a restriction on overhead obstructions on all access routes.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Traffic Authority has no concerns regarding the road networks adjacent or leading to the development.
<i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i>	There are no anticipated costs to the Municipality regarding this development.
<i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	The Traffic Authority has no concerns regarding movement suitability on the subject lot.

<p><i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer commented that the subject lot is suitable in terms of dimension and shape for this proposal.</p>
<p><i>(d) the pattern of development which the proposal might create;</i></p>	<p>The proposal matches the intent of the Town Centre designation as it includes a mix of commercial and dense residential development. The Development Officer commented that a step-back design above the third storey would be preferable, but indicated no concerns regarding the pattern of development.</p>
<p><i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;</i></p>	<p>The site appears to have a varied elevation throughout. There appears to be a near storey difference in elevation between the King/Upper Water Street side and the Cobbett Street side of the lot. The proposal does consider this elevation and lowers the height of the portion of the building on the Cobbett street side to three storeys. There are no watercourses or wetlands located on the property. No concerns were recorded during the site visit.</p>
<p><i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i></p>	<p>All Municipal, Provincial, and Federal regulations will have to be met.</p>
<p><i>(g) any other matter required by relevant policies of this Strategy.</i></p>	<p>All relevant matters have been addressed in this report.</p>

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 -

HALYARD DEVELOPMENTS LIMITED a body corporate, with a head office at 84 Wickwire Avenue, Wolfville, in the County of Kings, Province of Nova Scotia,

(Hereinafter referred to as the “Owner”)

OF THE SECOND PART

WHEREAS the Owner is the registered Owner of parcel of land located at 8 Upper Water Street, PID 45333291, hereinafter referred to as the “Property”, which lands are more particularly described in Schedule A attached hereto; and

WHEREAS PID 45333291 is designated Town Centre on the Generalized Future Land Use Map of the Municipal Planning Strategy and zoned Town Centre (TC) 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 95 apartment units and up to 4165 sq. ft. (386.9 sq. m.) of commercial space within a six (6) storey apartment building on the Property (the “Development”); and

WHEREAS Policy 7.2.1 of the Municipal Planning Strategy and Section 6.1 (e) of the Land Use By-law enable Council to consider entering into a development agreement to allow new main buildings in the Town Centre (TC) zone, and Policy 7.4.2 of the Municipal Planning Strategy and Section 6.1 (f) of the Land Use By-law enable Council to consider entering into a development agreement to allow new multiple unit residential development containing more than three units; 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; and
- (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.

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 Windsor Municipal Planning Strategy, effective on September 21, 2005, as amended, or successor by-laws;
- (b) Land Use By-law means the Windsor Land Use By-law, effective on September 21, 2005, as amended, or successor by-laws;
- (c) Subdivision By-law means the Windsor Subdivision By-law, effective on March 21, 2012, as amended, or successor by-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

- (a) The Parties agree that uses on the Property shall be limited to the following:
 - (i) those uses permitted by the underlying zoning in the Land Use By-law;
 - (ii) a six (6) storey apartment building containing up to 95 apartment units and up to 4165 sq. ft. (386.9 sq. m.) of Commercial Floor Area on the ground floor area fronting onto Upper Water Street and King Street, 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 and non-licensed
 - Entertainment, recreation and assembly uses within a wholly enclosed building
 - Licensed liquor establishments
 - Microbrewery, Microdistillery, Winery
 - Museums, art galleries and libraries
 - Offices
 - Parking structures
 - Repair and rental establishments
 - Restaurants
 - Retail stores
 - Service and personal service shops
 - Veterinary clinics and animal hospitals

- (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.
- (c) The apartment building shown on the Site Plan in Schedule B shall be limited to a maximum of 95 dwelling units and up to 4165 sq. ft. (386.9 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 (Upper Water St.)	0 ft. (0 m.)
Minimum Flanking Yard (King St.)	0 ft. (0 m.)
Minimum Rear Yard (Cobbett St.)	20 ft. (6.10 m.)
Minimum Side Yard	7 ft. (2.13 m.)
Maximum Storey of Main Building	6 storeys
Maximum Building Height	60 ft. (18.29 m.)*
Maximum Height of Accessory Building	15 ft. (4.57 m.)

*Maximum building height shall not include a mechanical penthouse or roof access.

- (d) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*.
- (e) The Owner shall keep all undeveloped areas of the Property 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 paved with a minimum paved surface width of 20 ft. (6.09 m.). The vehicular entrance and exit shall be clearly demarcated.

2.4 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) A minimum of 86 parking spaces, with at least one space which may be used as a care share space, and a minimum of 10 bicycle parking spaces to accommodate the residential and commercial uses.
- (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 Buffering

Outdoor parking shall be screened from adjacent properties, through the use of:

- (a) a mix of local species of coniferous trees. At planting, each tree shall have a diameter of at least two (2) in. measured at four-and-one half (4.5) ft. above the surrounding grade and a minimum height of 5 ft.; or
- (b) a hedge of a variety of coniferous shrubs each of which will reach over six (6) ft. in height at maturity; or

- (c) a wall or an opaque fence which is a minimum of five (5) ft. in height and of sufficient height to provide a visual buffer to the abutting property; or any combination of the above, all arranged to form a dense or opaque screen, and maintained for as long as the buffer is required.

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) 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 Property.

(c) Snow Plowing

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

2.8 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 driveways to a level adequate to allow for access by emergency services vehicles.

2.9 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.

2.10 Hours of Operation

The hours of operation for the commercial uses within this Development shall be limited to between 6:00 a.m. and 11:00 p.m. daily, inclusive.

2.11 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*:

- (i) minimum required yard dimensions as required in Section 2.2 (c) of this Agreement; and
- (ii) number of parking spaces required.

PART 3 CHANGES AND DISCHARGE

3.1 The Owner shall not vary or change the number of units within the apartment building on 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 this Agreement.

3.3 The following matters are substantive matters:

- (a) the number of units permitted within the apartment building on the Property as listed in Section 2.1, *Use*;
- (b) maximum building height as listed in Section 2.2, *Development Location and Design*;

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 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.

3.6 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 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. 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 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 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 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 Justin Brown at 84 Wickwire Avenue, Wolfville, B4P 1W2 , 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 replaces and discharges the development agreement dated July 22, 2013 between the Town of Windsor and Cedarwood Developments Limited recorded at the Land Registration Office in Hants County, Nova Scotia on August 20, 2013 as document #103626942, such that the sole development agreement applicable to the lands described in Schedule A attached hereto is this agreement.

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

SIGNED, SEALED AND DELIVERED

In the presence of:

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

Per: _____

Witness

) Abraham Zebian, Mayor

)

)

)

) Per: _____

Witness

) Deanna Snair, Municipal Clerk

)

)

)

) **HALYARD DEVELOPMENTS LIMITED**

)

)

)

Per: _____

Witness

) Aaron Ewer, 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, **Aaron Ewer**, 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, Aaron Ewer, Nova Scotia, make oath and say that:

1. I Justin Brown of **HALYARD DEVELOPMENTS 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

Aaron Ewer, President

Schedule A
Legal Description

PID 45333291

Place Name: Water Street, Windsor

Designation of Parcel on Plan: Lot DTR-1

Title of Plan: Plan of survey showing Lot DTR-1 a consolidation of land of Dragon Tan Restaurant and Lounge Limited, Water Street, Windsor, Hants County, Nova Scotia

Registration of District: Hants

Registration Reference of plan: 8494

Registration Date: April 11, 2001

The parcel complies with the subdivision provisions of Part IX of the Municipal Government Act

Schedule B
Site Plan



KEYPLAN
LOCAL RECREATION AND OPEN SPACE:
- FORT EDWARD TRAILS
- HALIBURTON HOUSE PROPERTY
- PESQUID PATHWAYS
- FORMER DOMINION ATLANTIC RAILWAY TRAILS
- EXPANSION OF AVON RIVER WATERFRONT WALKING PATHWAYS AND CONNECTIVITY TRAILS
- HANTS AQUATIC CENTRE
- WEST HANTS SPORTS PLEX



PROPOSED MASSING MODEL
NTS - REFER TO SHEET A4 FOR ARCHITECTURAL ELEVATIONS

UPPER WATER STREET DEVELOPMENT

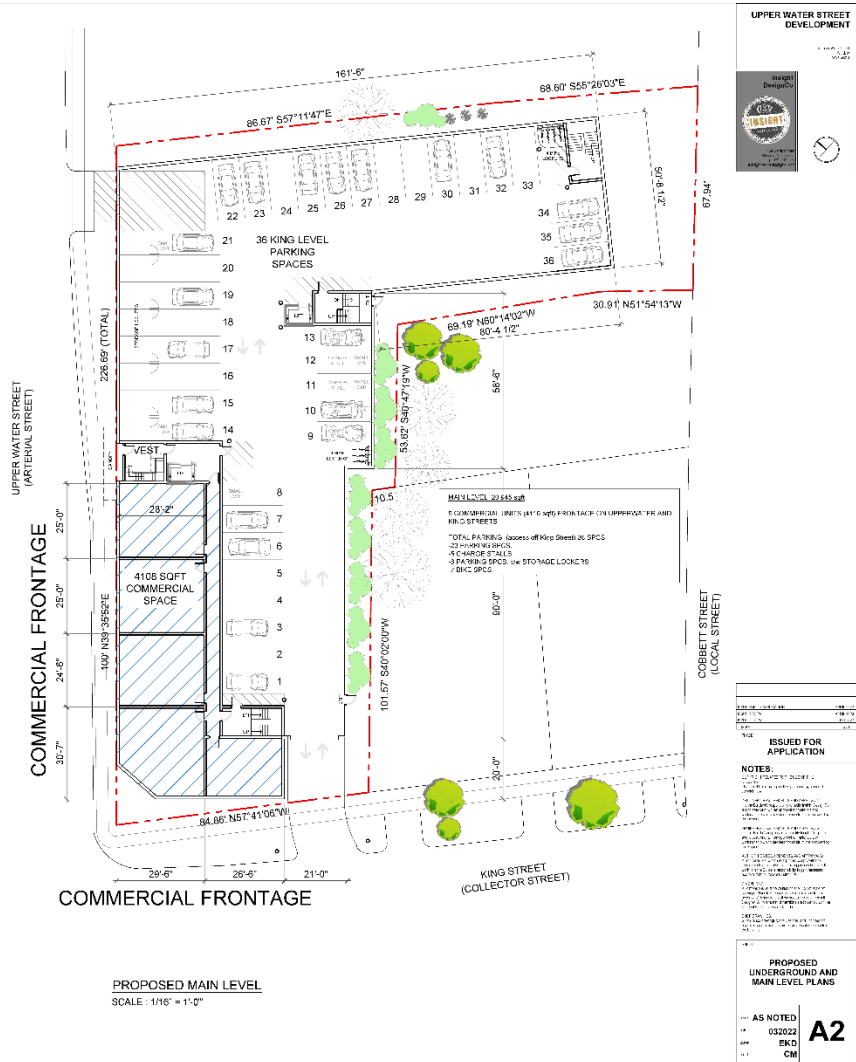
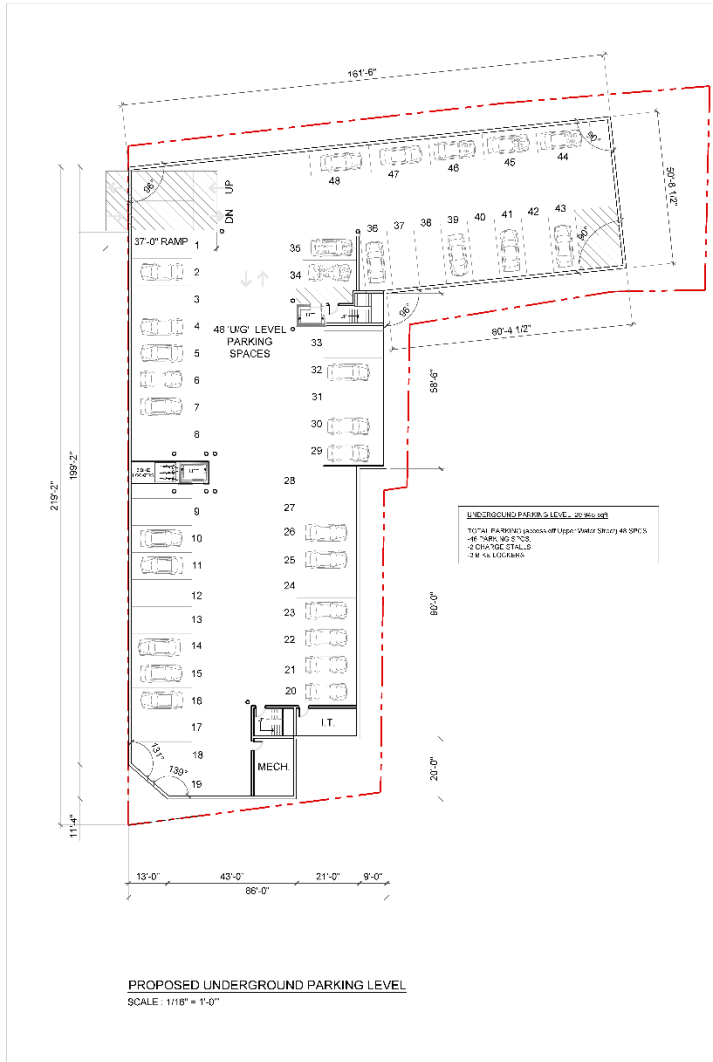
DATE: 03/20/22
SCALE: 1/16" = 1'-0"

ISSUED FOR APPLICATION

NOTES:
1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO APPROVAL BY THE CITY OF HALIFAX.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HALIFAX AND ANY OTHER RELEVANT AGENCIES.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HALIFAX AND ANY OTHER RELEVANT AGENCIES.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HALIFAX AND ANY OTHER RELEVANT AGENCIES.
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8. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HALIFAX AND ANY OTHER RELEVANT AGENCIES.
9. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HALIFAX AND ANY OTHER RELEVANT AGENCIES.
10. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HALIFAX AND ANY OTHER RELEVANT AGENCIES.

NO.	AS NOTED	
DATE	03/20/22	
BY	EKO	
CHKD	CM	

A1





ISSUED FOR APPLICATION

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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PROPOSED SECOND, THIRD AND FOURTH LEVEL PLANS

AS NOTED
03/2023
ENCL
CM

A3



Attachment C – Public Information Meeting Notes

July 5 – July 19, 2023

Development Agreement: 8 Upper Water Street, Windsor (PID 45333291); File # 23-14

Meeting date and time	A Public Information Meeting was held on July 5, 2023 beginning at 6:20 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: <ul style="list-style-type: none">• Councillor Ivey (Chair) Four (4) members of staff: <ul style="list-style-type: none">• Planner Fredricks• Planner Dunphy• Planning Assistant Lake• Director Poirier No members of the public were present for this meeting.
Applicant Justin Brown on behalf of Halyard Developments Limited Property 8 Upper Water Street (PID 45333291)	Planner Dunphy outlined the application to allow a proposed mixed-use six (6) storey apartment building by development agreement. The applicant did not attend.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between July 5 and July 19, 2023. One (1) phone call was received from the public with questions about the clearing of the property for construction.
Adjournment	The presentation portion of the public information meeting ended at approximately 6:23 p.m.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Mark Fredericks, Senior Planner

Date: September 26, 2023

Subject: Development Agreement: PID 45276441 and 45366986 and 45055167, Payzant Dr, Windsor; File #23-13A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

Should Council wish to proceed to 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 permit a Community/Recreation Centre on PIDs 45276441 and 45366986 and 45055167 on Payzant Drive in Windsor, in a manner substantively the same as the draft set out in Attachment B of the report File # 23-13 to the Planning and Heritage Advisory Committee dated September 14, 2023.

...that Council requires that the development agreement with Mitch Brison which permits a Community/Recreation Centre on PIDs 45276441 and 45366986 and 45055167 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 <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received on May 31, 2023 from Chrystal Fuller of Brighter Community Planning on behalf of the landowner, 3329190 Nova Scotia Ltd (Brison Developments). The planning application was needed to establish a community/recreation centre on PID 45276441, which would repurpose an existing single unit dwelling currently addressed as 187 Payzant Drive, Windsor. Some additional land may also be used from PIDs 45366986 and 45055167 in the final subdivision.

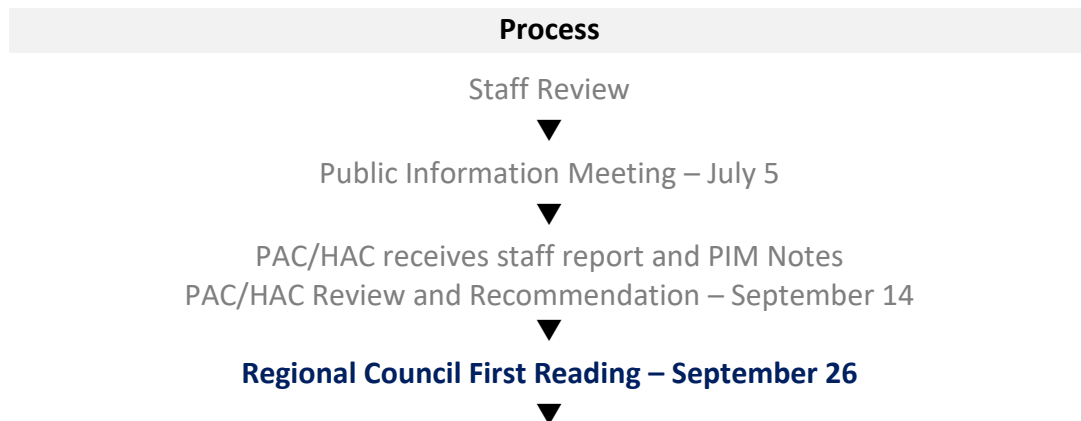
DISCUSSION

A Public Information Meeting was held on July 5, 2023.

On September 14, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed the conversion of the existing dwelling into a community/recreation centre and staff clarified that a development agreement was the required process to achieve this. Staff also confirmed that the development agreement would require the existing sewer and water laterals to be upgraded to the standards of the Municipal Public Works Department, as the existing laterals may require increased size and relocation to accommodate the proposed use and the intended development surrounding the site. The PAC/HAC recommended in favour of the application at this meeting.

NEXT STEPS

The process for this application is as follows.



Public Hearing & Second Reading – October 24*



Notice of Approval in Local Paper



14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this 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 2023-09-14 Staff Report – Development Agreement: PID 45276441 and 45366986 and 45055167, Payzant Dr, Windsor; File #23-13

CHIEF ADMINISTRATIVE OFFICER REVIEW

I would encourage Council to proceed with first reading to allow for the required public hearing / public feedback to proceed regarding the application. Proceeding and conducting a public hearing will best inform Council prior to the decision-making process surrounding the application when presented through the consideration of second reading.

I support the recommendation.

Report Prepared by: _____
Mark Fredericks, Senior Planner

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

**Appendix A – 2023-09-14 Staff Report – Development Agreement: PID 45276441 and 45366986
and 45055167, Payzant Dr, Windsor; File #23-13**



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 and 45055167, 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 a development agreement for PIDs 45276441 and 45366986 approved by Council on May 23, 2023 permitting 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 “Apartment Development area”) and wishes to amend it by adding an additional permitted use on a portion of the Properties (including also PID 45055167) beyond the site plan for that development agreement; and

WHEREAS PID 45055167 is designated Residential on the Generalized Future Land Use Map of the Municipal Planning Strategy and zoned High Density Residential (R-4), Medium Density Residential (R-3), and Two Unit Residential (R-2) on the Zoning Map of the Land Use By-law; and

WHEREAS the Owner has requested that the Municipality enter into a new amended development agreement replacing the previously approved one to additionally permit a community/recreation centre with indoor and outdoor recreation uses on the Properties (the “Community/Recreation Centre Development area”); and

WHEREAS Policy 11.1.4 of the Municipal Planning Strategy and Section 6.1 (n) of the Land Use By-law enable Council to consider entering into a development agreement to allow new institutional uses in any designation and Policy 11.3.1 of the Municipal Planning Strategy and Section 6.1 (o) of the Land Use By-law enable Council to consider entering into a development agreement to allow new Recreation Commercial uses in any designation; and

WHEREAS the Council of the Municipality, at a meeting held on **Month Day**, 2023, approved this request and adopted this replacement 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
- (d) “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.
- (e) “Community/Recreation Centre” means a structure and site intended to provide a gathering place for social, educational, and recreational opportunities including but not limited to indoor recreation facilities and outdoor recreation facilities useable by members of the centre or the public, and may include a variety of accessory commercial, institutional and recreational uses.

1.2 Schedules

The following attached schedules shall form part of this Agreement:

Schedule A - Legal Description

Schedule B – Site Plan – Development Areas

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

The Parties agree that uses on the Properties shall be limited to the following and located within the respective development areas as illustrated on Schedule B - Site Plan - Development Areas:

- (a) those uses permitted by the underlying zoning in the Land Use By-law;
- (b) 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
 - underbuilding, underground and surface parking for the uses within the building.
- (c) A Community/Recreation centre that may include any of the following main uses and accessory uses:
 - Accessory commercial, institutional and recreational uses
 - Any institutional use which is incorporated under the Societies Act
 - Business and professional offices
 - Churches and associated halls
 - Colleges, universities and schools, including school dormitories
 - Commercial School
 - Community centres
 - Community service clubs and organizations
 - Homes for special care
 - Indoor and outdoor recreation uses, including but not limited to gyms, pools, tennis courts, sports fields, walking tracks and associated club houses.

- Libraries, museums, and art galleries
- Medical clinics
- Meeting rooms
- Special events including but not limited to weddings and birthday parties
- Tourist bureaus

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 – Apartment Development

- (a) The **Apartment 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 with all setbacks measured from the boundaries of the Apartment Development Area and “Lot” being deemed to be a reference to that Development Area:

Minimum Lot Size	3 acres
Minimum Lot Frontage	100 ft. (30.48 m.)
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 Development Location and Design – Community/Recreation Centre

- (a) The Community/Recreation Centre Development location and design shall be generally consistent with the site plan shown in Schedule B, though the structure may deviate from the building form illustrated in Schedule B, provided the setbacks in 2.3 (b) can be met and provided that it remains within the Community/Recreation Centre Development Area as shown on Schedule B. The existing Single Unit Dwelling (currently addressed as 187 Payzant Dr) shall be re-purposed with renovations, additions and expansions as needed to provide for the services and amenities of the facility which may change over time.
- (b) The Community/Recreation Centre shown on the Site Plan in Schedule B shall conform to the following requirements with all setbacks measured from the boundaries of the Community/Recreation Centre Development Area as shown on Schedule B and “Lot” being deemed to be a reference to that Development Area:

Minimum Lot Size	2 acres
Minimum Lot Frontage	100 ft. (30.48 m.)
Minimum Front Yard	25 ft. (7.62m.)
Minimum Rear Yard	25 ft. (7.62m.)
Minimum Side Yard	25 ft. (7.62 m.)
Maximum Building Height	35 ft. (10.67 m.)
Maximum Height of Accessory Building	25 ft. (7.62 m.)

- (c) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*.
- (d) The Owner shall keep all undeveloped areas of the Properties landscaped which may include grass, shrubs, trees or other appropriate vegetative cover.

2.4 Access and Egress

- (a) The Owner shall develop, construct, and maintain the driveways in **both Development areas** 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 **all main buildings**. The pedestrian walkways shall be constructed so as to create a stable surface and may use permeable construction materials to assist with stormwater retention.

2.5 Parking - Apartment Development

- (a) All parking spaces for vehicles using the Properties shall be located on the properties 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.

2.6 Parking - Community/Recreation Centre

- (a) All parking spaces for vehicles using the Properties shall be located on the properties and shall be generally located as shown on Schedule B.
- (b) A minimum of one (1) parking space shall be provided for every 300 sq. ft. (27.87 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.

2.7 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.

2.8 Recreational Space

A minimum of 13,500 sq. ft. (1,254 sq. m.) of usable recreational space shall be provided on the Properties for the **Apartment Development** and may include:

- (a) individual balconies; and
- (b) common use landscaped areas.

2.9 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.

2.10 Servicing

(a) Waste Collection

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

2.11 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.

2.12 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.

2.13 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.

Exceptions to exceed these hours to 11:59pm on Fridays and Saturdays shall be permitted for special events held in the Community/Recreation Centre, to a maximum of 12 occurrences per calendar year, provided the activity is generally contained within a building and no amplified audio is broadcast outside.

2.14 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) Subdivision must occur in general conformance with the development areas as illustrated in Schedule B, prior to the Development Permit being issued for the Apartment Building or for any development upon, or change of use for, the Community/Recreation Centre Development Area.
- (c) Any lot(s) subdivided from the portions of PID 45276441 and 45366986 and 45055167 that are included in the development areas shown on Schedule B shall no longer be subject to this Agreement.

2.15 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*:

- (a) minimum required yard dimensions except side yard requirements as required in Section 2.2 (c) of this Agreement;
- (b) number of parking spaces required; and
- (c) 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 **apartment** 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) after subdivision of the development areas, at the discretion of the Municipality, with or without the concurrence of the Owner, where the apartment

development or the community/recreation centre development, 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 **either development** without such an extension being deemed to be an amendment to this Agreement.
- (c) If the Owner is bona fide delayed from commencing development within **either Development area** 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 **either 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.
- (c) Enforcement of this agreement shall be the responsibility of the Municipality. The agreement shall be administered by the Development Officer for the Municipality.

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 Schedule 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 **Developments** 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 **Developments**.
- (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 replaces and discharges the development agreement dated Month Day, 2023 between the West Hants Regional Municipality and Mitch Brison recorded at the Registry of Deeds in Hants County, Nova Scotia on Month Day, Year in Book XXXX at pages XXXX as document #XXXX, such that the sole development agreement applicable to the lands described in Schedule A attached hereto is this agreement.

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

SIGNED, SEALED AND DELIVERED

In the presence of:

Witness

Witness

Witness

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

Per: _____

) Abraham Zebian, Mayor

)

) Per: _____

) Deanna Snair, Municipal Clerk

)

) **3229190 NOVA SCOTIA LIMITED**

)

Per: _____

) 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

PID 45055167

ALL THAT parcel of land situate in the Town of Windsor, County of Hants, Province of Nova Scotia and shown as Lot A and X (approved as an addition to lot A) on a plan of subdivision of Tregothic Heights, Windsor, Nova Scotia, prepared by V.E. Swinamer Surveying Limited dated May 22, 1975, approved by the Town of Windsor on November 1, 1978 as plan 78-6 and filed with the Registrar of Deeds for the County of Hants as P2342 and more particularly described as follows:

BEGINNING at a point where the eastern boundary of Burgess Street intersects the southern boundary of Underwood Street and at the northwest corner of Lot 44 as shown on the plan;

THENCE on a bearing S19 degrees 28.5 minutes W along the western boundary of Lot 44 a distance of 125 feet to an iron bar;

THENCE on a bearing S71 degrees 37.6 minutes E along the southern boundaries of Lot 44 to 34 inclusive a distance of 893.35 feet to the southeastern corner of Lot 34;

THENCE on a bearing N17 degrees 27.1 minutes E along the eastern boundary of Lot 34 a distance of 125.01 feet to an iron bar located at the northeast corner of Lot 34 and the

southern boundary of Underwood Street:

THENCE in a southeasterly direction along the southern boundary of Underwood Street on a bearing S72 degrees 32.9 minutes E a distance of 18.64 feet to a point;

THENCE southeasterly along the southern boundary of Underwood Street on a bearing S74 degrees 57.4 minutes E a distance of 31.39 feet to an iron bar located at the northwest corner of Lot 33 as shown on the plan;

THENCE on a bearing S17 degrees 27.1 minutes W along the Western boundary of Lot 33 a distance of 100.09 feet to an iron bar marking the southwest corner of Lot 33;

THENCE southeasterly along the southerly boundaries of Lots 33 to 29 inclusive on a bearing S74 degrees 57.4 minutes E a distance of 256.89 feet to an iron bar marking the southeast corner of Lot 29;

THENCE on a bearing N15 degrees 2.6 minutes E along the Eastern boundary of Lot 29 a distance of 100 feet to an iron bar marking the northeast corner of Lot 29;

THENCE in a southeasterly direction along the southern boundary of Underwood Street on a bearing S74 degrees 57.4 minutes E a distance of 66 feet to a point marking the northwest corner of Lot 28 as shown on the plan;

THENCE on a bearing S15 degrees 2.6 minutes W along the western boundary of Lot 28 a distance of 100 feet to a point marking the southwest corner of Lot 28 as shown on the plan;

THENCE on a bearing S74 degrees 57.4 minutes E a distance of 190.25 feet to a point;

THENCE on a bearing S46 degrees 25.5 minutes W along the Town of Windsor, Municipality of West Hants boundary line a distance of 575 feet to a point;

THENCE on a bearing N43 degrees 34.5 minutes W a distance of 130 feet to a point;

THENCE on a bearing S46 degrees 25.5 minutes W a distance of 264.56 feet to a point;

THENCE on a bearing N71 degrees 37.6 minutes W a distance of 1,850.50 feet to a point on the eastern boundary of Hospital Drive as shown on the plan;

THENCE in a northeasterly direction along the eastern boundary of Hospital Drive on a bearing N45 degrees 30.8 minutes E a distance of 500.23 feet to a point being the southwesterly corner of Lot 47 as shown on the plan;

THENCE on a bearing S44 degrees 29.2 minutes E along the southern boundary of Lot 47 a distance of 105.00 feet to a point;

THENCE on a bearing N45 degrees 30.8 minutes E a distance of 61.23 feet to a point on the southern boundary of a 25 foot wide sewer easement as shown on the plan;

THENCE on a bearing S74 degrees 44.2 minutes E along the southern boundary of the sewer easement a distance of 60.05 feet to a point in the arc of a curve;

THENCE northerly, northeasterly, easterly and southeasterly along the arc of a curve having a radius of 61 feet a distance of 199.44 feet to a point being the southeasterly corner of Lot 47 and southwesterly corner of Lot 48 as shown on plan;

THENCE northeasterly along the eastern boundary of Lot 47 on a bearing N19 degrees 28.5 minutes E a distance of 140.00 feet to an iron bar located at the northeasterly corner of Lot 47 and the southwesterly corner of Lot 45 as shown on the plan;

THENCE on a bearing S71 degrees 37.6 minutes E along the southern boundary of Lot 45 a distance of 90 feet to an iron bar;

THENCE northeasterly along the eastern boundary of Lot 45 on a bearing N19 degrees 28.5 minutes E a distance of 110.96 feet to an iron bar located at the northeast corner of Lot 45 and on the southern boundary of Underwood Street;

THENCE in a southeasterly direction along the southern boundary of Underwood Street on a bearing S70 degrees 31.5 minutes E a distance of 50 feet to the place of beginning.

SAVE AND EXCEPTING THEREOUT AND THEREFROM:

THAT portion of Burgess Street outlined in yellow on the plan and deeded to the Town of Windsor by Irven Burgess and Ann Burgess by deed dated January 12, 1979 filed as Registry Plan Number 2031.

SAVE AND EXCEPTING THEREOUT AND THEREFROM:

THAT lot of land shown as parkland and outlined in green on the plan which was conveyed by Irven Burgess and Ann Burgess to the Town of Windsor by deed dated January 12, 1979 filed as Registry Plan Number 2031.

SAVE AND EXCEPTING THEREOUT AND THEREFROM:

THOSE lots of land shown on a plan of lands of Victor Holdings Ltd. prepared by Frank Longstaff Surveying Ltd., known as lots 48, 49A, 49-57, 66-68, 68A and 69 filed as Registry Plan Number 5903.

SAVE AND EXCEPTING THEREOUT AND THEREFROM:

THAT lot of land shown on the aforesaid plan and designated Burgess Street Extension filed as Registry Plan Number 5903.

SAVE AND EXCEPTING THEREOUT AND THEREFROM:

THOSE lots of land shown on a plan showing Tregothic Heights Subdivision dated May 22, 1975, revised April 29, 1978 and being lots 74, 75, 76, and 77 filed as Registry Plan Number 2343.

ALSO SAVING and EXCEPTING Lots 201 to 225, inclusive; Parcel P-1; Parcel FD-1, Parcel BC-1 and Parcel WW-2 as shown on registered Plan No. 84603233

TOGETHER with an easement/right of way in favour of the Town of Windsor for drainage purposes, as more particularly described in an easement recorded as document number 84796607, and shown on said plan.

SAVING and EXCEPTING Parcel AB as shown on registry Plan No. 86093482

SAVING and EXCEPTING Parcel E and Parcel F as shown on Registered Plan No. 121073671 recorded in the Land Registration Office for Hants County.

AND ALSO Parcel D as shown on Registered Plan No. 121073671 recorded in the Land Registration Office for Hants County.

SAVING AND EXCEPTING all that lot of land situate at Garlands Crossing being a portion of Lot 1-B shown on Registry Plan No. 122521256, prepared by Alderney Surveys Limited, dated February 25, 2023, bounded and described as follows:

COMMENCING at the southeast corner of Lot 220 located on the south side of Burgess Crescent and the west side of Fraser Drive;

THENCE in a northerly direction along the east side of Lot 220 to Fraser Drive;

THENCE southeasterly along Fraser Drive and Lot 225 to the southeastern corner of Lot 225;

THENCE S23 19' 35"W to the northeast corner of a lot of land conveyed by Wanda Elaine Donelle to 3229190 Nova Scotia Limited by deed dated April 29, 2021;

THENCE northwesterly along the said lot formerly of Donelle to its northwest corner;

THENCE southwestward along the west side of the said Donelle lot to its southwest corner;

THENCE northeasterly to the southeast corner of the said Donelle lot;

THENCE S23 19' 21"W 167.82' to the northeast side of Lot 26, located on the northeast side of Community Way;

THENCE N36 58' 02"W 76.80 feet to a survey marker at the northern corner of Lot 27;

THENCE S53 01' 58"W 120' to the northeast side of Community Way;

THENCE N36 58' 02"W 89.28' to a survey marker;

THENCE N52 37' 42"E 125.61' to a survey marker; and

THENCE N10 44' 42"E 240.78' to the place of beginning.

SAVING AND EXCEPTING Lot 1-C shown on Registry Plan No. 122521256, prepared by Alderney Surveys Limited, dated February 25, 2023.

SAVING and EXCEPTING Lot 1-C as shown on registered Plan No. 122521256 at the Land Registration Office for Hants County.

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

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

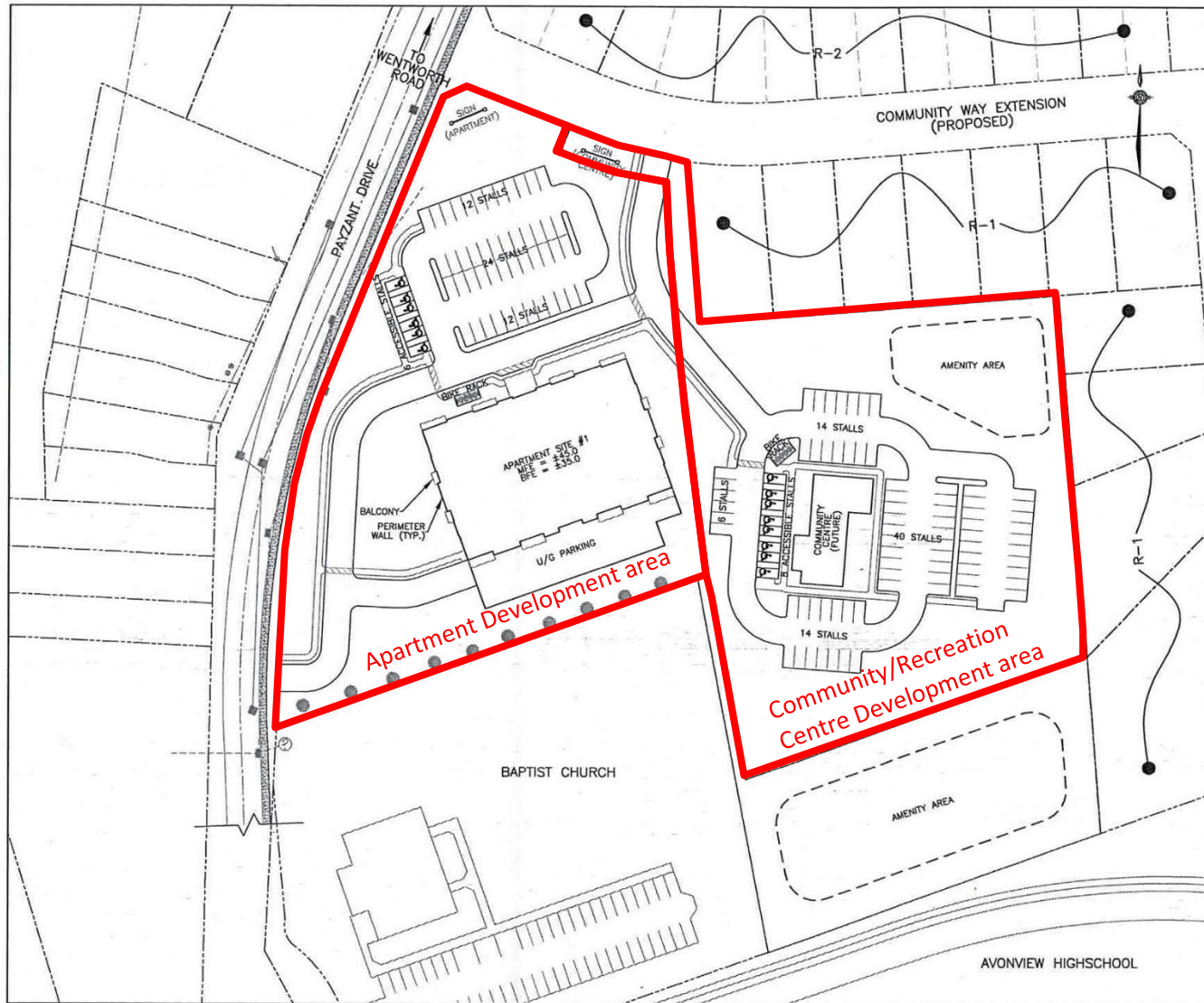
Registration District: HANTS COUNTY

Registration Year: 2023

Plan or Document Number: 122521256

NEW DESCRIPTION FOR REMAINING LANDS - LOT AX-R1 AS CREATED BY PLAN OF SUBDIVISION.

Schedule B
Site Plan – Development Areas





Planning and Heritage Advisory Committee (PAC/HAC) Excerpt

September 14, 2023

Heritage Signage

Following a presentation from John Wilson at the PAC/HAC meeting on September 14 the Committee discussed the opportunities for heritage signage in the Municipality. This included discussion about the tourism opportunities related to heritage and the need for consistency, investment and regular maintenance of heritage signage. The Committee stated they would like Council to determine if a heritage signage component could be added to the Community Beautification Strategy being developed for the Municipality.

The recommended motion was that PAC/HAC recommend that...

COUNCIL REVIEW BUDGETARY PROCESS FOR CONSISTENT HERITAGE SIGNAGE WITHIN WEST HANTS REGIONAL MUNICIPALITY.

The Committee also discussed the importance of the World Acadian Congress which will be held August 10-18, 2024 in Clare and Argyle. The Committee acknowledged the connection Acadian's have to this area and noted that there should be signage installed prior to the event to direct visitors to specific sites such as Fort Edward in Windsor and Sainte-Famille Cemetery in Falmouth.

The recommended motion was that PAC/HAC recommend that...

COUNCIL BEGIN TO IMMEDIATELY WORK WITH THE WEST HANTS HISTORICAL SOCIETY TO CREATE CONSISTENT SIGNAGE TO HIGHLIGHT HISTORICAL PLACES TO VISIT WITHIN WEST HANTS BEFORE THE CELEBRATION OF THE WORLD ACADIAN CONGRESS IN 2024.

Chief Administrative Officer Comments

Both recommendations compliment the current Community Beautification Strategy being created. I do feel the style and texture of proposed community and park signage currently being designed for the plan will be transferable to historic signage pending the desired messaging on the signage. Costs associated with the wording and actual sign purchasing and installation will have to be budgeted in 2024/24 and beyond if supported by Council.

I support the recommendations.

A handwritten signature in blue ink, appearing to read 'Mark Phillips', is written above a solid black horizontal line.

Reviewed by: Mark Phillips, Chief Administrative Officer



Planning and Heritage Advisory Committee (PAC/HAC) Excerpt

September 14, 2023

Public Participation Program Policy

During the PAC/HAC meeting on March 9, 2023 the Committee discussed the current process for notification of Public Information Meetings (PIMs) and ways this could be improved, including larger sized signage on site, notification in local community centres and/or post offices, and hosting the PIM in the community where the subject property is located. On March 28, 2023 Council approved staff exploring amendments to the Public Participation Program Policy to strengthen public notice of information meetings.

An amended Public Participation Program Policy was reviewed by the Committee on September 14, 2023. The policy has been amended to:

- increase the notification distance of mail letters to 1,000 ft. (300 m.);
- increase the notification time to at least 14 days prior to the meeting; and
- specify signage requirements.

The recommended motion was that PAC/HAC recommend that...

COUNCIL APPROVES THE PUBLIC PARTICIPATION PROGRAM POLICY IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT A TO THE JULY 13, 2023 REPORT FILE 23-08B "PUBLIC PARTICIPATION PROGRAM POLICY".

Chief Administrative Officer Comments

After observing the PAC / HAC discuss and reviewing the report, the intent by the committee is to increase the opportunity for public awareness, and hopefully participation, as it relates to decision making for applications and / or amendments to planning policy.

The report discusses the manner in which the public notices are delivered, and it highlights that properties closer to the subject property require special notice (mailed letter) vs. the notice to the general public which is also carried out.

Generally, I do have concerns with the suggested policy changes. I reflect if the current policy has adequate procedures for notifying the public and that the public has adequate time and opportunities to express their point of views. My opinion is that they do under the current policy and that the current policy has an appropriate balance between accommodating the applicants who must pay for associated costs and wait for the review and approval process and ensuring the public has opportunity to participate in the PPP.

Comments

- The current practice of 300' in Hantsport and Windsor and 500' in West Hants I feel is adequate combined with the public notice and numerous other opportunities provided to the public for participation.
- The added costs to the developer and associated timing is concerning and may be prohibitive to construction timelines.
- We are currently prioritizing the construction of homes and any increase in time and costs are a concern.
- There have been continual review and changes to the PPPP to-date by the former WH and Windsor municipalities. The current policy reflects a modern approach.
- Under the current policy the public has several opportunities to be present and observe or make comments regarding the application. In addition, the public can send communications to Council and staff or speak at public comment period at COTW. Often emails are sent to Council and staff in addition to the formal public feedback periods after PIMs or through Public Hearings. The current policy is adequate and provides ample formal and informal opportunities for PPP.
 - PIM
 - PAC /HAC (correspondence)
 - COTW

- Council First Reading
- Public Hearing
- Second Reading

Increase Notification Distance

- I do not support this suggested change.

Increased Notification Lead Time

- I do not support this suggested change.

Increased Signage Size

- I do not support increasing the size of the signs.
- I support the creation of a template sign standard.
- I suggest that the sign responsibilities remain with the municipality to ensure the sign gets posted. If a sign is not posted correctly enforcement may be problematic and it may result in criticism of process during the decision-making phase.

I have made the comments above as advice to Council. I would like to express my sincerest appreciation and thanks to the PAC/HAC for their discussion and recommendations as I believe they do promote changes that provide for a greater opportunity for public engagement. However, as noted I do not feel they are warranted as the current policy provides ample opportunity for participation and additional process and procedures may delay the development process during the pre-housing crisis environment as well as the current housing crisis environment.



Reviewed by: Mark Phillips, Chief Administrative Officer



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of the Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Sara Poirier, Director of Planning and Development

Date: 2023-07-13

Subject: Public Participation Program Policy; File 23-08B

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) s. 204 Public Participation Program and s. 204A Engagement Program

RECOMMENDATION

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

...that PAC/HAC recommends that Council approve the Public Participation Program Policy in a manner substantively the same as Attachment A to the July 13, 2023 report File 23-08B “Public Participation Program Policy”.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
--	---	--------------------------------------	--	-----------------------------------	--

During the PAC/HAC meeting on March 9, 2023 the Committee discussed the current process for notification of Public Information Meetings (PIMs) and ways this could be improved, including larger sized signage on site, notification in local community centres and/or post offices, and hosting the PIM in the community where the subject property is located. Council approved the following motion on March 28, 2023:

COUNCIL HAVE STAFF EXPLORE AMENDING THE PPPP TO INCLUDE STRENGTHENED PUBLIC NOTICE OF INFORMATION MEETINGS.

An information report was provided to the PAC/HAC on May 11, 2023 which outlined the Municipal Government Act requirements, the current WHRM Public Participation Program Policy and Fees Policy, and policies in other jurisdictions (Attachment B). The report was discussed at the May 11, 2023 PAC/HAC meeting and the Committee provided feedback to staff. The revised Public Participation Program Policy in Attachment A was created based on feedback from the Committee.

DISCUSSION

During the PAC/HAC meeting on May 11, 2023 the Committee discussed the current practice for public notification of meetings. The Committee requested certain changes to the practice and staff comments on the impact of those changes on cost to applicant, timelines for applications and staff resources. The Committee's requested changes included:

- Increased notification distance to 1000 ft. (300 m.) for all areas of WHRM;
- Increased notification lead time of 14-days for mail outs, advertisement in the newspaper and signage on site;
- Increased sized signage, with the suggestion of creating a template that the applicants will use to print and post the signs themselves; and
- Hosting the PIMs on a separate night from PAC/HAC, preferably in the community where the application is located.

Increase notification distance

The current practice is to notify property owners within 300 ft. (91.44 m.) of a subject property in Windsor and Hantsport, and notify property owners within 500 ft. (152.4 m.) outside of those areas for any PIM or Public Hearing. Applicants are currently expected to pay the cost of notification for public meetings, which includes the cost of mailing letters to surrounding properties. The cost is currently \$0.92 per letter.

Staff reviewed mail lists for applications since 2020. For applications in Windsor the lowest number of letters sent for an application was 14, the highest amount was 188, and the average was 42 letters being sent per application. For applications outside of Windsor or Hantsport the lowest number of letters sent for an application was 7, the highest was 154, and the average was 34 letters being sent per application. It is expected that increasing the notification distance to 1,000 ft. (300 m.) would increase the number of residents notified as well as the cost to the applicant.

Staff investigated bulk mailing options through Canada Post. There are options for mail to be sent to mail routes, however mail routes are not restricted to a specific community, district or municipality therefore there may be confusion for property owners who receive a notice for an application that is nowhere near them. Additionally, Municipal staff would still need to print and prepare the envelopes if using this option.

Staff will continue to determine the appropriate mail list based on the distance specified in the Public Participation Program Policy and mail the individual letters. For some of the larger mail lists this will require more time of staff to print, stuff, label and mail the letters, however this process ensures residents are receiving accurate notice.

The proposed amendment to increase the notification distance to 1,000 ft. (300 m.) has been added to the draft Public Participation Program Policy in Attachment A.

Increase notification lead time

The current Public Participation Program Policy requires notices for PIMs to be placed in the newspaper and sent to surrounding property owners at least seven (7) days prior to any PIM. The Committee requested this to be increased to at least 14 days prior to the meeting. This will increase the lead time required to schedule a PIM by one week, meaning that meeting advertisements will have to be created and sent to the newspaper one month prior to the meeting date. This amendment is not anticipated to add any cost the applicant.

This proposed amendment to increase the notification time to 14 days has been added to the draft Public Participation Program Policy in Attachment A.

Increased signage size

A requirement for signage to be posted on application sites was added during the pandemic to increase awareness of applications. The current practice is for staff to create an approximately 22 in. x 17 in. sign in office and request that the Building Officials post it on site while they are in the community for their regular inspections. PAC/HAC requested an increase in signage size, with the suggestion of creating a template that the applicants will use to print and post on the site themselves.

Following the PAC/HAC meeting, staff requested quotes from three separate print shops regarding signage. For a 24 in. x 36 in. sign the cost was an average of \$67.92 per sign. For a 48 in. x 56 in. sign the cost was an average of \$214.60. The print shops typically need a few days lead time for a sign to be made.

It is anticipated that the process for signage would change to put the responsibility on the applicant to print and post the signage. Staff would create a sign template and provide this to the applicant. The applicant will add the necessary information to the template and have the sign printed and posted on site prior to staff being able to schedule a PIM. This process will

slightly reduce workload for staff as they will no longer have to create, print, laminate and post the signs on site. It will however increase the cost and process for the applicant.

A minimum signage requirement of 24 in. x 36 in. has been included in the draft Public Participation Program Policy in Attachment A. The signage is to include at a minimum the property address, information about the proposal and contact information for the Municipal Planning and Development Department.

Public Information Meetings

The Committee discussed hosting the PIM in the Community where the subject property is located to increase public participation and moving the PIM to a separate night from the PAC/HAC meeting to reduce meeting length for the Committee members.

In the Community

Hosting the PIM in the community where the subject property is located may increase public participation especially from those residents that may be most impacted by an application. It was noted that in the event that the community did not have a community hall, the next closest suitable location should be used.

The Committee discussed the ability for the meeting to be recorded and posted online following the meeting in the community. Staff requested information from the IT Department to determine if this was possible. The IT Department noted that the Municipality does not currently have the mobile technology to be able to record both audio and video, at a quality the that the public have come to expect, from each community meeting and then upload that to the Municipal public social media locations. This type of technology would be very costly and was not budgeted for. If the Committee would like the meeting recorded the best option is to host the meeting in Council Chambers.

For each PIM, a minimum of two staff members would need to attend. Those staff members would get paid for travel to and from the meeting location, as well as kilometers travelled, and a meal allowance. Additional costs would also be incurred to rent the meeting space.

Every month staff typically attend the PAC/HAC and Council meetings. Occasionally staff also have to attend the Committee of the Whole meeting and other evening meetings such as the Tregothic Marshbody meetings and Diversity and Inclusive Communities Committee meetings. In a single month, that could mean each staff member is attending three evening meetings.

With the current influx of applications each month, staff would need to work multiple additional nights per month to be able to keep up the current pace of work if the meetings were to be held in the community where the application is located. The other option would be to delay the PIMs for a few months to ensure a reasonable number of evening meetings per month for each staff member. The more evening meetings staff work, the less time they have

to work on applications, inquiries and Council projects. It is not recommended that staff host meetings in the community where the application is located at this time.

On a Separate night

The current Public Participation Program Policy states that a public meeting shall be held for any application for development agreement, amendments to a development agreement, and adoption of revised documents or amendments to the West Hants, Hantsport and Windsor Planning Documents or Land Use By-laws. This meeting is usually held immediately prior to a PAC/HAC meeting. The Committee requested moving the meeting to a separate night from the PAC/HAC meeting to reduce meeting length for the Committee members.

Staff held PIMs for five (5) applications on a separate night from the PAC/HAC meeting during the months of June and July on a trial basis. This included:

Date	Staff Time	Application	No. of Residents in Attendance
Tuesday, June 6	5:45 – 7:30 p.m.	Hwy 215, Summerville PID 45180635 Proposed paintball facility	25
		Cole Dr., Windsor PID 45056447 Proposed mixed use, multi-unit apartment building	0
Monday, June 19	5:45 – 6:45 p.m.	Nesbit St., Windsor PID 45056447 Proposed mixed use, multi-unit apartment building	8
Wednesday, July 5	5:45 – 6:45 p.m.	Community Way, Windsor PID 45276441 Proposed community centre	2
		8 Water St., Windsor PID 45333291 Proposed mixed use, multi-unit apartment building	0

Hosting the PIMs on separate nights from the June PAC/HAC meant the Committee meeting was reduced to a 2-hour meeting.

If the Committee and Council were to require PIMs to be held on a separate night from the PAC/HAC meeting, staff would allocate one night per month as a “PIM night” and host all PIMs

on that night. That creates consistency for staff, applicants and members of the public, and ensures staff do not get burnt out with an influx of evening meetings.

No changes have been proposed in the draft Public Participation Program Policy in Attachment A in relation to PIM location and date.

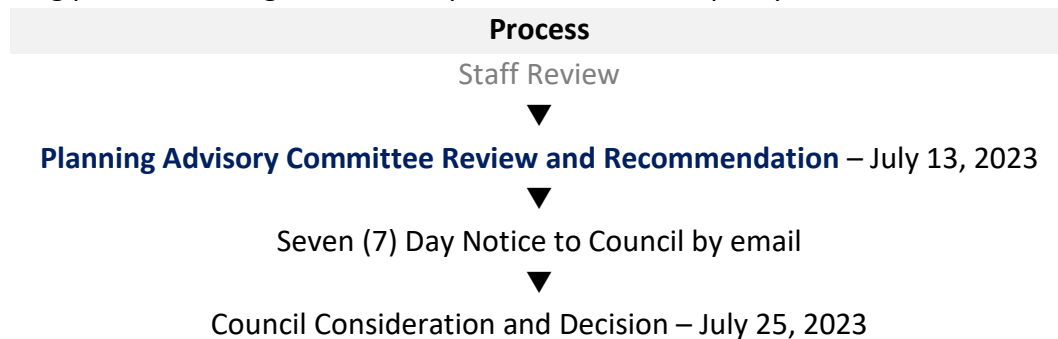
Policy Amendments

The draft Public Participation Program Policy is included in Attachment A. The amendments proposed ensure there is consistency for any application requiring a PIM. The policy has been amended to:

- increase the notification distance of mail letters to 1,000 ft. (300 m.);
- increase the notification time to at least 14 days prior to the meeting; and
- specify signage requirements.

NEXT STEPS

The following process is being used for adoption of the revised policy:



FINANCIAL IMPLICATIONS

The WHRM Public Participation Program Policy states that “Any fees related to any action required by the Public Participation Program Policy will be established by policy of Council.” The WHRM Fees Policy outlines the cost for any Land Use By-law or development agreement application. The fees are currently set at \$1,600 which includes a \$500.00 processing fee and \$1100.00 deposit for direct costs such as notice. Application fees are charged up front with the excess of the deposit for direct costs being refunded following completion of the application process.

The fees cover all advertising in the newspaper for PIMs, Public Hearings and the notice of approval, and any postage to mail meeting notification letters to nearby property owners. If the application is a for a development agreement, the fee also covers the recording fee charged by

the Land Registry Office. Where possible, staff combine newspaper advertisements to reduce fees to applicants.

The requested changes to the Public Participation Program Policy have financial implications to the applicant and to the Municipality. Increasing the distance for notification by mail will increase the fees charged to the applicant and requiring the applicant to print and post the signage on site will be an additional cost. Changing the location of PIMs to the community where the application is located or to a separate night from PAC/HAC would increase the cost to the municipality in relation to staff time for meetings, kilometers travelled, meal allowances and rental costs for the meeting space.

ALTERNATIVES

In response to the report, the PAC/HAC may:

- recommend that Council approve the draft revisions to the Public Participation Program Policy based on the feedback received from the Committee; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A	Draft Revised Public Participation Program Policy
Attachment B	2023-05-11 Information Report to PAC/HAC: Public Participation Program Policy; File 23-08

Report Prepared by: _____

Sara Poirier, Director of Planning and Development

Report Reviewed by: _____

Mark Fredericks, Senior Planner

Alex Dunphy, Planner



Attachment A
DRAFT AMENDMENTS
WEST HANTS REGIONAL MUNICIPALITY
PROPOSED PUBLIC PARTICIPATION PROGRAM POLICY

RCOPL-006.00

1. PURPOSE

- 1.1 Section 204 of the *Municipal Government Act* (MGA) requires Council to adopt a public participation program before undertaking the preparation or amendment of development agreements or planning documents.
- 1.2 The *Engagement Programs Content Regulations* made under Section 204A of the MGA require the public participation program to contain specific content.

2. DEFINITIONS

- 2.1 The terms used in this Policy have the same meaning as those found in the MGA.

3. DEVELOPMENT AGREEMENTS and AMENDMENTS to DEVELOPMENT AGREEMENTS; ADOPTION OF REVISED PLANNING DOCUMENTS, AMENDMENTS to PLANNING DOCUMENTS and AMENDMENTS to the LAND-USE BY-LAW

- 3.1 Council resolves to seek the views of the public and encourage public participation regarding development agreements, amendments to development agreements, and adoption of revised documents or amendments to the West Hants, Hantsport and Windsor Planning Documents or Land Use By-laws by, at a minimum:
 - holding one or more public meetings, usually held prior to a Planning and Heritage Advisory Committee meeting, prior to First Reading of any proposed development agreement or amendment;
 - advertising any public participation or information meeting regarding any proposed development agreement or site-specific amendment by: (1) placing a notice in a newspaper circulating in the local area, (2) notifying by mail the owners of all lots within **1,000 ft. (300 m.)** of the site of both the public information meeting and any public hearing, **and (3) requiring the developer to post signage on site with a minimum size of 24 in. by 36 in. in advance of the first public meeting. The signage shall include at a minimum the property address, information about the proposal and contact information for the Municipal Planning and Development Department. ~~Within a Land Use By-law Council may specify a greater distance for notification.~~**

Notices for public participation or information meetings shall be placed in the paper, sent to abutting property owners **and posted on site** at least **fourteen (14)**

days prior to any public participation or public information meeting. Notices for public hearings shall follow the MGA notification requirements.

3.2 In addition, during any comprehensive review of any planning document, Council resolves to seek the views of the public and encourage public participation by developing and implementing a public engagement plan to inform the public and receive comments from the public. The contents are at the discretion of Council but may involve committees, meetings, open houses, surveys, questionnaires, and publications.

3.3 In accordance with the requirements of the MGA, where:

- (a) a revised Municipal Planning Strategy is considered; or
- (b) where an amendment to the Municipal Planning Strategy affects policy regarding:
 - drinking water;
 - flood risk areas;
 - agricultural land;
 - infrastructure; or
 - housing,

Council shall seek input from all abutting municipalities; and

(c) where an amendment to the Municipal Planning Strategy is specific to land that lies within 2 km of an adjacent municipality, Council shall seek input from the abutting municipality.

In each case, Council shall seek input by:

- notifying abutting municipalities of the proposal. The notice shall include the date by which a response must be received in order to be considered by Council;
- ensuring that there is sufficient opportunity for a response to be received so that it may be considered before First Reading of the proposal by Council.

3.4 In addition, in accordance with MGA 206 (5), when a notice of public hearing is published, the clerk shall send a copy of the notice to the clerk of every municipality that abuts an area affected by the proposal.



DRAFT AMENDMENTS
WEST HANTS REGIONAL MUNICIPALITY
PROPOSED PUBLIC PARTICIPATION PROGRAM POLICY

RCOPL-006.00

4. GENERAL

- 4.1 Councillors shall receive no new information regarding a planning matter once a public hearing is complete.

- 4.2 Any fees related to any action required by the Public Participation Program Policy will be established by policy of Council.

5. REPEAL

- 5.1 The Public Participation Program Policy COPL-001.00, dated April 28, 2020, of West Hants Regional Municipality is hereby repealed.

6. RELATED LEGISLATION, POLICIES and PROCEDURES

- 6.1 Municipal Government Act

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of West Hants Regional Municipality at a meeting duly called and held on the **XX day of MONTH, 2023.**

Deanna Snair
Municipal Clerk

Adoption	
Notice to Council:	Not Applicable
Approval:	
Description: Initial Approval of the Public Participation Policy RCOPL-006.00	



DRAFT AMENDMENTS
WEST HANTS REGIONAL MUNICIPALITY
PROPOSED PUBLIC PARTICIPATION PROGRAM POLICY

RCOPL-006.00



Attachment B

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input checked="" type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Sara Poirier, Director of Planning and Development

Date: 2023-05-11

Subject: Public Participation Program Policy; File 23-08

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) s. 204 Public Participation Program and s. 204A Engagement Program

RECOMMENDATION or DECISION REQUEST

This report is being provided for information purposes only.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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During the PAC/HAC meeting on March 9, 2023 the Committee discussed the current process for notification of Public Information Meetings and ways this could be improved, including larger sized signage on site, notification in local community centres and/or post offices, and hosting the Public Information Meeting in the community where the property is located.

Council approved the following motion on March 28, 2023:

COUNCIL HAVE STAFF EXPLORE AMENDING THE PPPP TO INCLUDE STRENGTHENED PUBLIC NOTICE OF INFORMATION MEETINGS.

DISCUSSION

Municipal Government Act

The MGA outlines the powers provided to municipalities. Section 204 of the MGA states the following:

- (1) A council shall adopt, by policy, a public participation program concerning the preparation of planning documents.
- (2) A council may adopt different public participation programs for different types of planning documents.
- (3) The content of a public participation program is at the discretion of the council, but it shall identify opportunities and establish ways and means of seeking the opinions of the public concerning the proposed planning documents.

Section 204A states:

- (1) A council shall adopt, by policy, an engagement program for engaging with abutting municipalities when the council is adopting or amending a municipal planning strategy.
- (2) Subject to the regulations, the content of an engagement program is at the discretion of the council.
- (3) The Minister may make regulations respecting the content of an engagement program.
- (4) The exercise by the Minister of the authority contained in subsection (3) is regulations within the meaning of the Regulations Act.

Public Participation Program Policy

A Public Participation Program Policy for West Hants Regional Municipality was established on April 28, 2020. Revisions to the policy were approved by Council on January 24, 2023 (Attachment A). The policy requires the following as a minimum for any development agreement, amendments to a development agreement, and adoption of revised documents or amendments to the West Hants, Hantsport and Windsor planning documents or Land Use By-laws:

- Holding one or more public meetings, usually held prior to a Planning and Heritage Advisory Committee meeting, prior to First Reading.
- Advertising any Public Information Meeting by placing a notice in a newspaper circulating in the local area and notifying by mail the owners of all lots within 300 ft. of

the site of both the Public Information Meeting and any Public Hearing. Within a Land Use by-law Council may specify a greater distance for notification.

- Notices for Public Information Meetings shall be placed in the newspaper and sent to abutting property owners at least seven (7) days prior to any Public Information Meeting. Notices for Public Hearings shall follow the MGA notification requirements.
- In addition, in accordance with MGA 206 (5), when a notice of Public Hearing is published, the clerk shall send a copy of the notice to the clerk of every municipality that abuts an area affected by the proposal.

The WHRM Public Participation Program Policy currently meets all of the requirements of Section 204 and 204A of the MGA.

In accordance with the Public Participation Program Policy, Planning staff use the following notification process to advertise a Public Information Meeting for any site specific Land Use By-law amendment or development agreement:

- Send letters to property owners within 300 ft. (Windsor and Hantsport) or 500 ft. of the subject lot (West Hants) at least 7 days prior to the meeting;
- Place an advertisement in the local newspaper at least 7 days prior the meeting;
- Post notification on WHRM website and social media accounts;
- Notify Councillors when advertisement appears in the newspaper;
- Post an approximately 22 in. x 17 in. sign on the site at least 7 days prior to the meeting;
- Host the Public Information Meeting in-person with an option to attend via Zoom. The meeting is also live streamed on the Municipal Facebook page.

Following the meeting, the presentation is posted on the Municipal website. The Public Information Meeting comment period remains open for two weeks following the Public Information Meeting to allow residents that may not have been able to attend the meeting to have the opportunity to provide comments to planning staff.

Other Jurisdictions

Staff investigated the public participation policies from other Municipalities in Nova Scotia. The chart in Attachment B shows a summary of the requirements in the policies which were available on the corresponding municipal websites. The requirements outlined in the chart would be in addition to the Public Hearing requirements outlined in Section 206 of the MGA.

Public participation policies are unique across the Province. Most policies enable one or more public meetings to be held by staff for each application. However, some policies do not require Public Information Meetings as part of an application process. Some municipalities host public meetings immediately before a regularly scheduled planning advisory committee meeting

whereas others host them in the community where the application has been received, at a local community hall or similar venue.

Notification distances for letter mail varies from 100 ft. (30.48 m.) to 1000ft. (304.8 m.), with HRM mailing letters to property owners within 2000 ft. (609.6 m.) in certain circumstances. Similarly, the timeline for notification varies from the notice needing to be sent only 3 days prior to the meeting in some cases and up to 14 days prior to the meeting in other cases. A few policies note that the notice should be placed in the municipal office in addition to the newspaper and website.

A few policies establish time limits for comments from individual members of the public. These time limits range between 5 minutes to 15 minutes per speaker.

Only the Halifax Regional Municipality and East Hants processes mention signage to be posted on site.

The review of the public participation program policies from other jurisdictions shows that it is really at the discretion of each municipality to set a public participation policy that fits their context.

Current Fees

The WHRM Public Participation Program Policy states that “Any fees related to any action required by the Public Participation Program Policy will be established by policy of Council.” The WHRM Fees Policy outlines the cost for any Land Use By-law or development agreement application. The fees are currently set at \$1,600 per application which includes a \$500.00 processing fee and \$1100.00 deposit for direct costs such as notices and advertisements. Application fees are charged up front with the excess of the deposit for direct costs being refunded following completion of the application process.

The fees cover all advertising in the newspaper for Public Information Meetings, Public Hearings and the notice of approval, and any postage to mail meeting notification letters to nearby property owners. If the application is a for a development agreement, the fee also covers the recording fee charged by the Land Registry Office. Where possible, staff combine newspaper advertisements to reduce fees to applicants.

Any change in notification procedure such as increased signage, a wider notification area or additional newspaper advertisements would impact the cost being charged to applicants.

Considerations for Policy Amendments

Staff request feedback from the PAC/HAC on potential amendments to the Public Participation Program Policy based on the information provided in this report. Items that staff bring forward for specific consideration are outlined below.

- Increasing notification:
 - What would the Committee consider an appropriate distance for mail notifications?
 - How far in advance should the letters be mailed, newspaper advertisement appear and sign be posted on site?
- Increasing signage size:
 - What types of applications should have increased signage?
 - What size of signage would be appropriate?
- Hosting meetings in communities where the application is received:
 - If there is no community hall/meeting space in the community of the application, where should the meeting be held?
 - If the community hall/meeting space within the community is not accessible, where should the meeting be held?
 - If the community hall/meeting space within the community does not have the technical ability to share the meeting on Facebook live, what remedies should be taken?
- General:
 - What if increasing the signage size requirements and notification distance makes the application process cost prohibitive for applicants?
 - What if increasing the requirements for a Public Information Meeting to be held in the community where the application is received or increasing signage requirements increases the timeline for applications to be considered?
 - Are there certain application types, or map amendments of a certain size that could be processed without a Public Information Meeting?

NEXT STEPS

Based on feedback from the Committee, staff will draft amendments to the Public Participation Program Policy for review and seek recommendation from the Committee to Council.

FINANCIAL IMPLICATIONS

There are no financial implications in association with the filing of this report.

ALTERNATIVES

In response to the report, the PAC/HAC may:

- allow staff to draft the revisions to the Public Participation Program Policy based on the feedback received from the Committee; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Public Participation Program Policy

Attachment B Examples of Public Participation Policies from Other Municipalities

Report Prepared by: _____

Sara Poirier, Director of Planning and Development

Report Reviewed by: _____

Mark Fredericks, Senior Planner



1. PURPOSE

- 1.1 Section 204 of the *Municipal Government Act* (MGA) requires Council to adopt a public participation program before undertaking the preparation or amendment of development agreements or planning documents.
- 1.2 The *Engagement Programs Content Regulations* made under Section 204A of the MGA require the public participation program to contain specific content.

2. DEFINITIONS

- 2.1 The terms used in this Policy have the same meaning as those found in the MGA.

3. DEVELOPMENT AGREEMENTS and AMENDMENTS to DEVELOPMENT AGREEMENTS; ADOPTION OF REVISED PLANNING DOCUMENTS, AMENDMENTS to PLANNING DOCUMENTS and AMENDMENTS to the LAND-USE BY-LAW

- 3.1 Council resolves to seek the views of the public and encourage public participation regarding development agreements, amendments to development agreements, and adoption of revised documents or amendments to the West Hants, Hantsport and Windsor Planning Documents or Land Use By-laws by, at a minimum:

- holding one or more public meetings, usually held prior to a Planning and Heritage Advisory Committee meeting, prior to First Reading of any proposed development agreement or amendment;
- advertising any public participation or information meeting regarding any proposed development agreement or site-specific amendment by: (1) placing a notice in a newspaper circulating in the local area and (2) notifying by mail the owners of all lots within 300' of the site of both the public information meeting and any public hearing. Within a Land Use By-law Council may specify a greater distance for notification.

Notices for public participation or information meetings shall be placed in the paper and sent to abutting property owners at least seven (7) days prior to any public participation or public information meeting. Notices for public hearings shall follow the MGA notification requirements.

- 3.2 In addition, during any comprehensive review of any planning document, Council resolves to seek the views of the public and encourage public participation by developing and implementing a public engagement plan to inform the public and

receive comments from the public. The contents are at the discretion of Council but may involve committees, meetings, open houses, surveys, questionnaires, and publications.

- 3.3 In accordance with the requirements of the MGA, where:
- (a) a revised Municipal Planning Strategy is considered; or
 - (b) where an amendment to the Municipal Planning Strategy affects policy regarding:
 - drinking water;
 - flood risk areas;
 - agricultural land;
 - infrastructure; or
 - housing,

Council shall seek input from all abutting municipalities; and

- (c) where an amendment to the Municipal Planning Strategy is specific to land that lies within 2 km of an adjacent municipality, Council shall seek input from the abutting municipality.

In each case, Council shall seek input by:

- notifying abutting municipalities of the proposal. The notice shall include the date by which a response must be received in order to be considered by Council;
- ensuring that there is sufficient opportunity for a response to be received so that it may be considered before First Reading of the proposal by Council.

- 3.4 In addition, in accordance with MGA 206 (5), when a notice of public hearing is published, the clerk shall send a copy of the notice to the clerk of every municipality that abuts an area affected by the proposal.

4. GENERAL

- 4.1 Councillors shall receive no new information regarding a planning matter once a public hearing is complete.
- 4.2 Any fees related to any action required by the Public Participation Program Policy will be established by policy of Council.



5. REPEAL

5.1 The Public Participation Program Policy COPL-001.00, dated April 28, 2020, of West Hants Regional Municipality is hereby repealed.

6. RELATED LEGISLATION, POLICIES and PROCEDURES

6.1 Municipal Government Act

I, Deanna Snair, Municipal Clerk of West Hants Regional Municipality, Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of West Hants Regional Municipality at a meeting duly called and held on the 24th day of January, 2023.

Deanna Snair
Municipal Clerk

Adoption	
Notice to Council:	January 13, 2023
Approval:	January 24, 2023
Description: Initial Approval of the Public Participation Policy RCOPL-006.00	

Appendix B

Examples of Public Participation Policies from Other Municipalities

Staff investigated the public participation policies from other Municipalities in Nova Scotia. The chart below shows a summary of the requirements in the policies which were available on the corresponding municipal websites. The requirements outlined in this chart would be in addition to the Public Hearing requirements outlined in Section 206 of the Municipal Government Act.

In this chart the following acronyms have the following meanings:

LUB = Land Use By-law

MPS = Municipal Planning Strategy

PAC = Planning Advisory Committee

SUB = Subdivision By-law

Town / Municipality	Policy Name	Requirements
Town of Amherst	Public Participation and Notification Policy	<ul style="list-style-type: none"> • A public participation session prior to making a recommendation to Council • A summary of the session to be provided to all members of the PAC and Council prior to First Reading
Municipality of the County of Annapolis	Public Participation Policy	<ul style="list-style-type: none"> • Post notice on social media and website • Public participation meeting held at PAC • Newspaper notice for Public Hearings only • Notification to property owners within 30 m. (98 ft.) of subject property and Public Hearing for most applications
Town of Annapolis Royal	Public Participation Policy	<ul style="list-style-type: none"> • One advertisement in the local newspaper • Notification to landowners within 200 ft. (60.96 m.) of the property by personal service or mail • Public meeting held
Municipality of the County of Antigonish	Public Participation Policy	<ul style="list-style-type: none"> • No Public Information Meeting or advertising • Only opportunity to speak is at Public Hearing via petition
Town of Antigonish	Public Participation Program Policy	<ul style="list-style-type: none"> • One or more public participation meetings hosted by the PAC • Notice to be published in a local newspaper at least 6 days prior to the meeting and posted in municipal office

Municipality of the District of Barrington	Public Participation Program Policy	<ul style="list-style-type: none"> • One or more public participation meetings hosted by the PAC prior to recommendation to Council • Notice to be published in a local newspaper, in municipal office, on the website and social media prior to the meeting
Town of Bridgewater	Public Participation Meeting Procedures Policy	<ul style="list-style-type: none"> • Outlines standards for public participation meetings when more than six (6) members of the public are in attendance • No member of the public can speak more than twice and no more than five (5) minutes at one time
Cape Breton Regional Municipality	Public Participation Program Policy	<ul style="list-style-type: none"> • Only applies to MPS or SUB amendments • Format to use any of the following suggestions depending on the specifics of the proposed amendment: <ul style="list-style-type: none"> • Public meeting: notice shall be an ad in the local newspaper, notice mailed to surrounding land owners, or notice on the CBRM website or other social media. • Open house: notice places in local newspaper, mailed to surrounding land owners, or notice on website or other social media. • Notification requesting input: notice mailed to land owners within the vicinity. • Surveys: should be considered when the jurisdiction of the proposed amendment is too large for public notification by mail. <p>Note: in each case where letters are mailed to land owners within the vicinity, the area to mail the letters is determined by planning staff based on the geography affected by the proposed planning documents.</p>
Municipality of the County of Colchester	Public Participation Program Policy	<ul style="list-style-type: none"> • A minimum of three public meetings to be held in the affected community for the adoption of any MPS and LUB • The PAC to hold at least one public meeting in the affected community for amendments to the existing MPS with or without LUB amendments • Any public meeting to be advertised at least once in the local newspaper, at least 3 days in advance of the meeting

Municipality of the County of Cumberland	Public Participation Policy	<ul style="list-style-type: none"> • A minimum of one public meeting advertised in the local newspaper and other media as deemed necessary • Planning staff to determine location, time and date of meeting • The meetings may include a staff presentation, open house or a workshop style gathering • Presentations from the public not to exceed 15 mins
Town of Digby	Public Participation Program Resolution	<ul style="list-style-type: none"> • The PAC is responsible for identifying the appropriate process for seeking public input. It must include at least one public meeting • Notice of any meeting to be posted in the Town office and published at least once in the local newspaper at least one week before the meeting • When deemed appropriate by the PAC they are to seek input from identifiable community stakeholder groups
Municipality of the District of East Hants		Staff could not find a formal policy on East Hants website however the website did outline the process chart attached at the end of this document for a development agreement or rezoning application
Municipality of the District of Guysborough	Policy on Public Participation Program	<ul style="list-style-type: none"> • MPS and LUB adoption requires a minimum of one informal meeting and one formal Public Hearing • Amendments to the MPS and LUB requires one or more public meetings • Notice of public participation meetings to be published in local newspaper and notice on municipal building • Notices to be posted a minimum of 14 days prior to the meeting
Halifax Regional Municipality		<p>HRM is currently in the process to adopt a formal public participation program. A staff report on this topic can be found here https://cdn.halifax.ca/sites/default/files/documents/city-hall/regional-council/230425rc1513.pdf</p> <p>Staff contacted an HRM Planner III to receive insights into their current process. The existing public participation process has been determined on</p>

		<p>a case-by-case basis for each application, requiring separate Council policy, but typically includes:</p> <p>For discretionary approvals not requiring a plan amendment (rezoning or DA):</p> <ul style="list-style-type: none">• A public meeting is not held. However, at a planning manager's discretion where a proposal is expected to be contentious, one meeting can be held.• Webpage is created and posted.• No newspaper advertisement for any planning notices since the HRM Charter was amended to replace newspaper with websites.• Direct mail for landowners and tenants living in vicinity: minimum of 250 ft. (76 m.) for urban areas and 500 ft. (152 m.) for rural areas. This can go up to 2000 ft. (609 m.) depending on the context. Mail outs sent 14 days before a public meeting.• If there is no public meeting, 30 days is provided as a public engagement period from the date the application is deemed to be received. Only after the elapse of that period, can staff complete a staff report or a negotiation with an application about a proposed development agreement may begin.• Sign is posted and planner is responsible for providing the design.• A courtesy email to a local councillor after mails notifications are sent, typically asking them to attend the meeting if they are free. <p>For discretionary approvals requiring a plan amendment (MPS amendment):</p> <ul style="list-style-type: none">• A public meeting is mandatory before first reading, unless a planner thinks it is not necessary due to the amendment being site-specific and minor. If so, a separate Council policy to exempt a public meeting must be passed at the Council initiation stage.
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		<ul style="list-style-type: none"> • A presentation is posted after the meeting and a summary of the public meeting is posted online. • The rest of the process is the same as above (i.e., webpage, no newspaper, direct mails, signage.) <p>In terms of signage for the subject lot, HRM has signage guidelines. In summary it includes:</p> <ul style="list-style-type: none"> • Large 1930 × 1219mm (76 × 48”) - intended for large urban sites, and for most sites outside urban areas, where the sign should be visible (if not legible) from a distance. The large size sign may include 2 portrait-oriented images, 1 landscape-oriented image, or no images at all. • Medium 1422 × 1219mm (56 × 48”) - intended for smaller sites in suburban or urban areas. • Small 914 × 610mm (24 × 36”) – a small, portrait-oriented sign should be used only in urban areas, where a sidewalk or trail is within a few metres of the sign. It may be applied to hoardings or to the face of an existing building. This sign does not have any options for including images. <p>The HRM Planner III noted that planners typically require a medium sized sign in rural areas. The cost of the sign is paid by the applicant on top of an application fee and advertising deposit. Planners send the applicant a pdf file, and then the applicant takes that pdf file to a printing company and pays for the full expense. The applicant must submit a few photos once the sign is installed, and only then, a planner may start working on booking a venue for a public meeting.</p>
Town of Kentville	Public Participation Policy (Planning)	<ul style="list-style-type: none"> • Any new MPS and concurrent LUB, SUB or amendments to any of those need one public participation meeting prior to Public Hearing • Advertised in local newspaper once per week for two weeks, with first ad appearing at least 14 days prior and at Town hall

		<ul style="list-style-type: none"> • Meeting may include staff presentation, open house or workshop style gathering • Presentations from the public limited to 10 minutes
<p>Municipality of the County of Kings</p>	<p>Public Participation Policy</p>	<p>All amendments to the MPS and New Minas Sector Plan</p> <ul style="list-style-type: none"> • make the proposed amendments and associated staff report available to the public; • require the PAC to hold one or more public participation meetings to explain the proposed amendments and receive comments from the public; and • place a notice of the meeting in a local newspaper at least one week prior to the meeting date. • Following the meeting, the PAC may make changes to the proposed amendments before forwarding the proposed amendments onto Council, provided the purpose of the proposed amendments are not significantly altered. The PAC must repeat the process if major changes are made to the proposed amendments that fundamentally alter the purpose of the proposed amendments reviewed by the public at the public participation meeting. The decision about whether a significant alteration is made to the proposed amendments shall rest with PAC, which shall consider the goal of seeking the opinions of the public prior to forwarding the proposed amendments to Council for consideration. <p>Comprehensive Review of the MPS or New Minas Sector Plan Council</p> <ul style="list-style-type: none"> • Follow process above; • Develop and implement a public engagement plan to further inform and receive comments from the public. The contents of the public engagement plan are at the discretion of Council and may involve one or more approaches, including but not

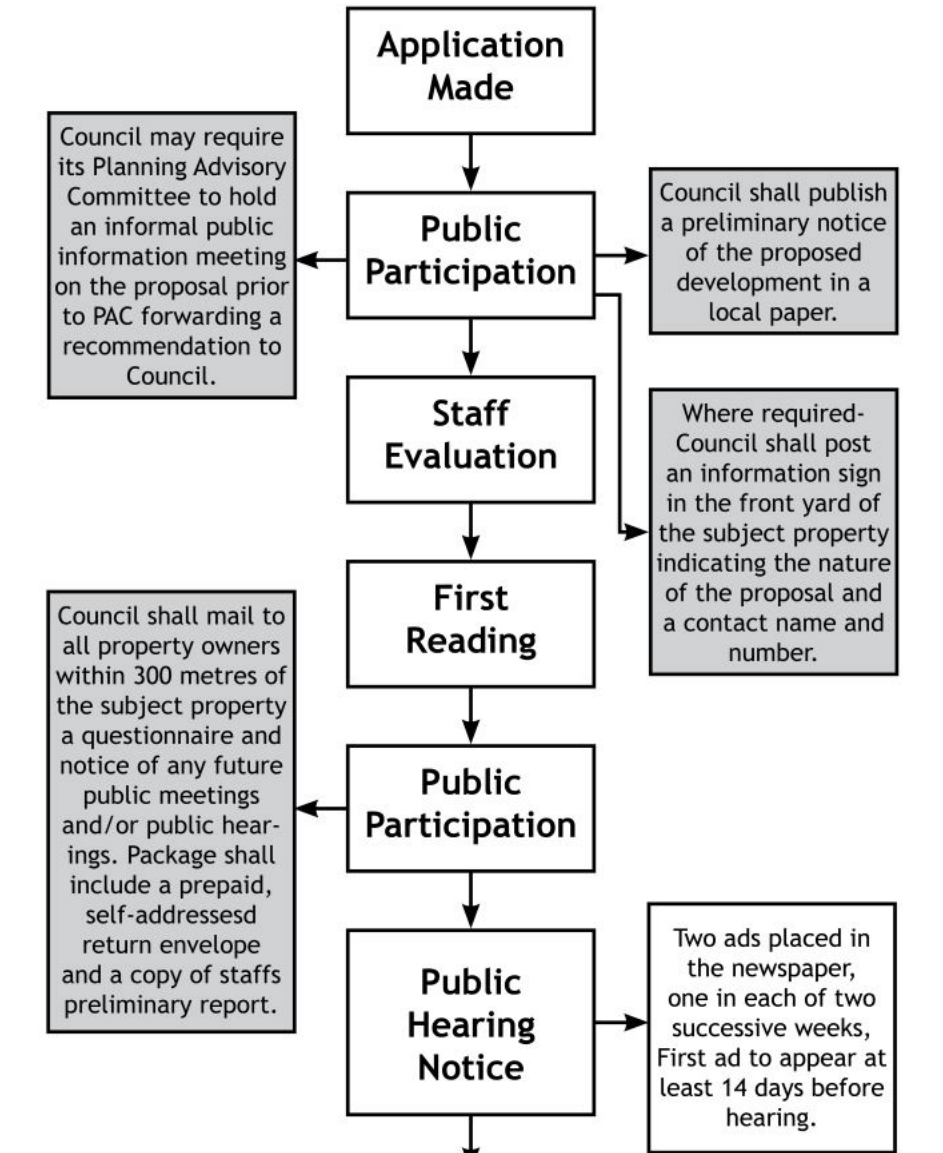
		<p>limited to sub-committees, public meetings, open houses, focus groups, questionnaires, newsletters and interviews.</p> <p>Development Agreements and Amendments to the Kings County or New Minas Land Use Bylaw</p> <ul style="list-style-type: none"> • holding one or more public meetings to inform the public and receive comments from the public about the proposal. <p>Council has the discretion to choose to follow the processes outlined above for review of a discrete component of the MPS or New Minas Sector Plan.</p>
Municipality of the District of Lunenburg	Public Participation Strategy	<ul style="list-style-type: none"> • Gives the discretion to staff on how they should engage with the public on different subject matter (inform, consult, involve, collaborate, empower)
Town of Mahone Bay	Public Participation in Planning Policy	<ul style="list-style-type: none"> • Staff notify the public at a Council meeting of the intention to prepare or amend planning documents • Council directs staff to consider the proposed amendment and to schedule a PIM • PIM is advertised in the local newspaper, on the website and social media, and at the Town office at least 5 business days prior to the meeting • Public Hearing process follows MGA requirements
Town of Middleton	Public Participation Program	<ul style="list-style-type: none"> • For any MPS and LUB amendment a public meeting is schedule; advertised in the local newspaper and notice provided by mail to landowners within 200 ft. (60.96 m.) of the affected area • At the meeting, prior to PAC discussion, the public has the ability to ask questions and make comments • Council may choose to extend the public information process, require more advertisements for matters of major importance, such as significant amendments or revisions to the MPS • In the case of a LUB or development agreement, Council allows the CAO to refer the

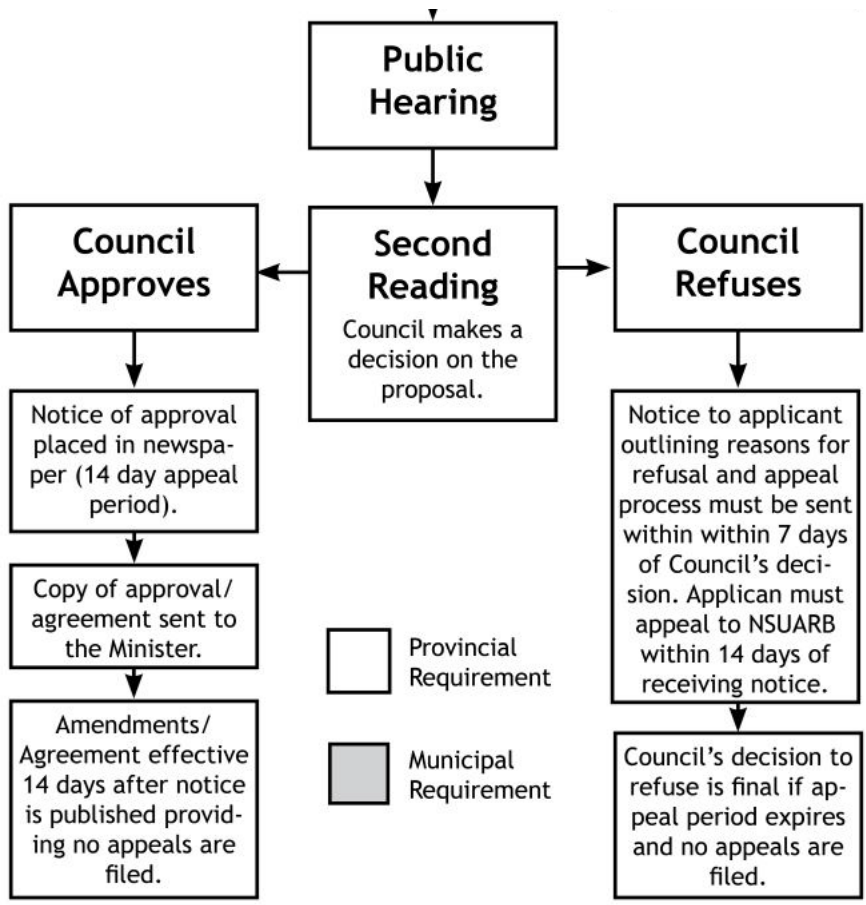
		application to PAC for recommendation and to set and advertise the date for a Public Hearing
Queens Regional Municipality	Public Participation Program	<ul style="list-style-type: none"> • Hold one or more public information meetings prior to Council • Notice published in a local newspaper at 14 days prior, posted in the appropriate district, and posted in the Municipal office
Municipality of the County of Richmond	Public Participation Program – Engagement with Abutting Municipalities	<ul style="list-style-type: none"> • No public participation program policy found online • Only applies to engagement to abutting municipalities when adopting or replacing an MPS, or amending a MPS when it affects lands that share boundaries
Municipality of the District of Shelburne	Public Participation Respecting Planning Documents	<ul style="list-style-type: none"> • Hold one or more public meetings • Staff notify the public at a Council meeting of the intention to prepare or amend planning documents, and a public information session shall be held dealing with the proposed amendments • Notice to be published in a local newspaper, on the municipal website and in the municipal courthouse
Town of Shelburne	Public Participation Program Policy	<ul style="list-style-type: none"> • MPS amendments, including all amendments of LUB and/or SUB where MPS amendment is also required, requires both a public meeting/information session and a Public Hearing • Notice of public meetings/information sessions to be published in local newspaper and on Town’s website
Municipality of the District of St. Mary’s	Public Participation Program & Engagement Policy	<ul style="list-style-type: none"> • Preparing MPS or LUB requires at least one informal public meeting and one formal Public Hearing • Amendments to MPS or LUB requires one or more public meetings • Notice for any meeting to be published in the local newspaper and municipal social media, appearing a minimum of 14 days prior • Notes engagement with abutting municipalities
Town of Stewiacke	Public Participation Program	<ul style="list-style-type: none"> • PAC to hold a minimum of one public meeting • Advertised at least once in a local newspaper, Town office and two other locations throughout the Town

		<ul style="list-style-type: none"> • Notice to be placed a minimum of at least 3 days prior to meeting • Council may direct PAC to determine if additional public participation meetings and additional advertising is required
Municipality of the County of Victoria	Public Participation Policy	<ul style="list-style-type: none"> • Council to hold one or more public participation meeting • Notice to be published in the local newspaper and on municipal website
Town of Wolfville	Public Participation Program Policy	<ul style="list-style-type: none"> • Amendments of planning documents or a development agreement: hold one or more public meetings; publish notice in the newspaper and Town website; notices by mail to properties within 328 ft. (100 m.) of the property of both public information meeting and Public Hearing • Site Plan approval: notice on the property and Town website; properties within 98 ft. (30 m.) get notices by mail and notice area may increase to 328 ft. (100 m.) under certain circumstances as determined by the Development Officer • Plan Review: developing and implementing a public engagement plan at the discretion of Council which may involve committees, meetings, open houses, surveys, questionnaires, and publications • Notes engagement with abutting municipalities
Municipality of the District of Yarmouth	Public Participation Program Policy	<ul style="list-style-type: none"> • Council to hold one or more public participation meetings • Published in the local newspaper and Municipal website and social media at least 5 business days prior to the meeting • The meeting shall be conducted by Municipal staff of the Planning and Development Department, on behalf of PAC
Town of Yarmouth	Public Participation Program Policy	<ul style="list-style-type: none"> • LUB amendments and development agreements: Property owners within 98 ft. (30 m.) of the subject property to be notified by mail prior to Public Hearing • Plan Review: develop and implement a public engagement plan at the discretion of Council

		<p>which may involve committees, meetings, open houses, and surveys</p> <ul style="list-style-type: none"> • Site Plan or Variance: The Development Officer to give notice to property owner within 98 ft. (30 m.) of the subject lot at least 7 days prior to the approval • Notes engagement with abutting municipalities
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East Hants Process Chart





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
Hon. Kody	Blois	2022-10-07	2022-10-11 COTW
K Salter	Salter	2022-10-28	2022-11-08 COTW
Hon. Kody	Blois	2023-06-02	2023-06-13 COTW
Andre	Arsenault	2023-06-02	2023-06-13 COTW
Darlene	Taylor	2023-06-02	2023-06-13 COTW
Kevin	Walsh	2023-06-03	2023-06-13 COTW
Alyson and Nicholas	Bremner/Juurlink	2023-06-03	2023-06-13 COTW
Hants County Federation of Agriculture		2023-06-03	2023-06-13 COTW
Al	Mailman	2023-06-03	2023-06-13 COTW
Greg	O'Leary	2023-06-03	2023-06-13 COTW
Lisa	Bland	2023-06-04	2023-06-13 COTW
Karen	Lynch	2023-06-04	2023-06-13 COTW
Judy	Lynch	2023-06-04	2023-06-13 COTW
Greg	Miller	2023-06-04	2023-06-13 COTW
Darren	Porter	2023-06-04	2023-06-13 COTW
Monique	Wood	2023-06-04	2023-06-13 COTW
Lana	Patterson	2023-06-04	2023-06-13 COTW
Dr. AK.	Kirumira	2023-06-04	2023-06-13 COTW

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

Bonnie	O'Leary	2023-06-04	2023-06-13 COTW
Robyn	Bremner-Popma	2023-06-04	2023-06-13 COTW
Traci and Elizabeth	Curry	2023-06-04	2023-06-13 COTW
Sheldon	Hope	2023-06-05	2023-06-13 COTW
Wilf and Diane	Ogilvie	2023-06-05	2023-06-13 COTW
Aaron	Ewing	2023-06-05	2023-06-13 COTW
Cara	Pfeffer	2023-06-05	2023-06-13 COTW
Maxine	Chandler	2023-06-05	2023-06-13 COTW
Pat	Porter	2023-06-05	2023-06-13 COTW
Shannon	Cunningham	2023-06-05	2023-06-13 COTW
Anna	DeNicola	2023-06-06	2023-06-13 COTW
Jen	Murphy	2023-06-06	2023-06-13 COTW
Karen	Beazley	2023-06-06	2023-06-13 COTW
Linda	Card	2023-06-06	2023-06-13 COTW
Richard	Dunham	2023-06-06	2023-06-13 COTW
Doug	Symonds	2023-06-06	2023-06-13 COTW
Krista	Lunn	2023-06-06	2023-06-13 COTW
Barbara	Hughes	2023-06-06	2023-06-13 COTW
Andrew	Smiley	2023-06-06	2023-06-13 COTW
Nikki	Lloyd	2023-06-06	2023-06-13 COTW
Aaron	Ewing	2023-06-07	2023-06-13 COTW
Jim	White	2023-06-07	2023-06-13 COTW
Sasha	Stevens	2023-06-07	2023-06-13 COTW
Chris	Phillips	2023-06-07	2023-06-13 COTW
Chad	Pothier	2023-06-07	2023-06-13 COTW
Darlene	Taylor	2023-06-07	2023-06-13 COTW
Nancy and Bruce	Cameron	2023-06-07	2023-06-13 COTW
James	Pothier	2023-06-07	2023-06-13 COTW
Abe	Zebian	2023-06-07	2023-06-13 COTW
Judith	Kazmirski	2023-06-08	2023-06-13 COTW
Nikki Lloyd	Lloyd	2023-06-08	2023-06-13 COTW
Darren	Porter	2023-06-09	2023-06-13 COTW
Ashley Imlay	Imlay	2023-06-09	2023-06-13 COTW
Valerie	Wilcox	2023-06-11	2023-06-13 COTW

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

Colleen	Walsh-Bouman	2023-06-12	2023-06-13 COTW
G. Wayne	Hines	2023-06-12	2023-06-13 COTW
Sharon	Johnson	2023-06-12	2023-06-13 COTW
Nicholas	Juurlick	2023-06-11	2023-06-13 COTW
Ed and Cathy	Kerr	2023-06-12	2023-06-13 COTW
Tracey	Sexton	2023-06-12	2023-06-13 COTW
Peter	Nicol	2023-06-12	2023-06-13 COTW
Jennifer	Shaw	2023-06-13	2023-06-13 COTW
Jayne	Murray	2023-06-13	2023-06-13 COTW
Reid & Roslyn	MacDuff	2023-06-13	2023-06-13 COTW
Monique	Wood	2023-06-13	2023-06-13 COTW
Dean	Manning	2023-06-13	2023-06-13 COTW
Karen	Beazley	2023-06-14	2023-06-27 Council
Carrilee	Eddy	2023-06-15	2023-06-27 Council
Maria DeNicola	DeNicola	2023-06-15	2023-06-27 Council
Anna	DeNicola	2023-06-16	2023-06-27 Council
Karen F.	Beazley	2023-06-16	2023-06-27 Council
Lisa	Bland	2023-06-16	2023-06-27 Council
Duncan	Armour	2023-06-19	2023-06-27 Council
Gwendolyn	Aker	2023-06-19	2023-06-27 Council
Laura	Fisher	2023-06-19	2023-06-27 Council
Barbara	Hughes	2023-06-21	2023-06-27 Council
Reid & Roslyn	MacDuff	2023-06-21	2023-06-27 Council
Kim	Jansen	2023-06-22	2023-06-27 Council
Brian and Sandra	Hogan	2023-06-22	2023-06-27 Council
Maria	DeNicola Re Concerns of Racism, Bullying and Slander	2023-06-22	2023-06-27 Council
Karen	Langille	2023-06-22	2023-06-27 Council
Anne	Desneiges	2023-06-22	2023-06-27 Council
Darren	Porter	2023-06-25	2023-06-27 Council
Barbara	Hughes	2023-06-27	2023-07-11 COTW
Louis	Coutinho	2023-06-28	2023-07-11 COTW
Darlene	Taylor	2023-06-29	2023-07-11 COTW
Eric	D-Entremont	2023-07-10	2023-07-11 COTW
Canadian Wildlife Federation Letter		2023-07-10	2023-07-11 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

Correspondence Received

Darren	Porter		2022-09-14	2022-09-27 Council
Darren	Porter		2022-09-16	2022-09-27 Council
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

Correspondence Received

Kody Blois	Re: Letter to the Hon. Kim Masland	2023-03-21	2023-03-28 Council
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

Correspondence Received

Trevor Levy	Re Scotch Village Station Road Development	2023-04-14	2023-04-25 Council
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
Andrew Hardman	Re 997 Highway 14 - Zoning Change challenge	2023-04-26	2023-05-09 COTW
Guide Furlani	Re Concerns re 20 deer roaming and eating anything they can	2023-04-26	2023-05-09 COTW
Trevor Levy	Re Scotch Village Station Rd. PID 45166915	2023-04-26	2023-05-09 COTW
Denise Forand	Re Windsor Causeway and my Windsor's township waterfront vision	2023-04-27	2023-05-09 COTW
Barry Maxner	Re 50% Tax Reduction Request pertaining to Zwicker Lake Property and Pisiquid Canoe Club Concerns	2023-04-29	2023-05-09 COTW
Margot Bureaux	Re Banners	2023-05-02	2023-05-09 COTW
2023-05-03 Grant Thomas	Re Theft	2023-05-03	2023-05-09 COTW

Correspondence Received

Aissa Thomas	Re Windsor Textile Development	2023-05-04	2023-05-09 COTW
Art Ward	Re Scotch Village Station Road PID 45166915	2023-05-06	2023-05-09 COTW
Core Committee Zwicker Lake Property Owners	Re CCBF Funding and the Canoe Club	2023-05-08	2023-05-09 COTW
John Fitzgerald	Re Scotch Village yoga retreat	2023-05-10	2023-05-23 Council
Karen Fitzgerald	Re Yoga resort plan	2023-05-10	2023-05-23 Council
Bill Preston	Re Unsightly etc.	2023-05-11	2023-05-23 Council
Garret Johnston	Re Avon Street Erosion Hantsport Nova Scotia	2023-05-11	2023-05-23 Council
Margy Fletcher	Re Expansion to King Street from Payzant Drive	2023-05-11	2023-05-23 Council
Art Ward and Karen Bourque-Ward	Re Scotch Village Station Road PID 45166915 and PID 45148608.	2023-05-15	2023-05-23 Council
Letter to NSFM from the Minister of Municipal Affairs and Housing	Re 12 Month Notice	2023-05-15	2023-05-23 Council
Andrew Hardman	Re Property Tax Exemption List	2023-05-15	2023-05-23 Council
Upper Vaughan Property Owners	Re 997 Highway 14, Permit #C2020-371	2023-05-15	2023-05-23 Council
Denise Forand	Re Waterfront options are ours to design for generations to come. Ebb n Flow.	2023-05-16	2023-05-23 Council
Warden Nickerson	Re RCMP Retroactive Costs - Copy	2023-05-18	2023-05-23 Council
Art Ward	Re Proposed DA for Scotch Village Station Road PID 45166915 and PID 45148608.	2023-05-19	2023-05-23 Council
Shelley Arsenault	Re Rezoning and Development of Agricultural Land	2023-05-19	2023-05-23 Council
Lee and Debbie Watson	Re Old Railway, Collapse in Mt Denson	2023-05-21	2023-05-23 Council
Dave Smith	Re Zwicker Lake Petition	2023-05-22	2023-05-23 Council
Seamus Marriott	Re Petition to Reconsider Canoe Club Tax Exemption	2023-05-22	2023-05-23 Council
Denise Thibault	Re Concerned property owner and taxpayer	2023-05-23	2023-06-13 COTW
Glooscap First Nation	Re Proposed Addition to Reserve, Bishopville Road	2023-05-25	2023-06-13 COTW
Mark Kehoe	Re Property Tax Exemption Community Center	2023-05-26	2023-06-13 COTW
Barry Maxner	Follow up Re Definition of Community Centre and the Pisaquid Canoe Club	2023-05-29	2023-06-13 COTW

Correspondence Received

Will Balsler, Coastal Adaptation Coordinator	Re Joint Statement Call to Release the Coastal Protection Act Regulations	2023-06-01	2023-06-13 COTW
Chrystal Fuller on behalf of Mitch Brison	Re connecting Payzant and King Street request to Council	2023-06-02	2023-06-13 COTW
Carrilee Eddy	Re World Ocean Day	2023-06-07	2023-06-13 COTW
Carrilee Eddy	Re Fire Protection	2023-06-07	2023-06-13 COTW
Mark Peck, CEO of Joint Regional Transportation Agency	Re Invite to Municipal Working Group	2023-06-07	2023-06-13 COTW
Wayne and Edith.	Re the Gate and the Crossing.	2023-06-07	2023-06-13 COTW
Steph Sedgwick	Re the Gate and the Crossing.	2023-06-08	2023-06-13 COTW
Debbie Stoddard-Pageau	Re the Gate and the Crossing.	2023-06-08	2023-06-13 COTW
Rachelle Trudel	Re Garlands Crossing - Access Roads	2023-06-09	2023-06-13 COTW
Mike MacDonell	Re Agritourism and Rural Development - Sustainable Hill Resort	2023-06-11	2023-06-13 COTW
Melissa Levy	Re Appeal	2023-06-12	2023-06-13 COTW
Paul and Amy Brown	Re Gate in the crossing	2023-06-13	2023-06-13 COTW
Jason Tucker and Tim Carr	Re Canada Day Events in Hantsport	2023-06-13	2023-06-13 COTW
Kimm Kent, POSSE	Re Addressing housing insecurity and homelessness	2023-06-13	2023-06-27 Council
Paul Pierce	Re Award of Tender	2023-06-15	2023-06-27 Council
Nova Scotia Provincial Housing Agency	Re Priority Access to Housing	2023-06-09	2023-06-27 Council
Core Committee Zwicker Lake Property Owners	Re CCBF Funding	2023-06-14	2023-06-27 Council
Adriane Salah	Re Request for letter of support Re Tremaine Crescent	2023-06-20	2023-06-27 Council
<u>Barry Maxner</u>	Re No replies - Concerns with the Pisiquid Canoe Club.pdf	2023-06-23	2023-06-27 Council
Honourable Timothy Halman	Response Re Coastal Protection Act	2023-06-25	2023-06-27 Council
Core Committee Zwicker Lake Property Owners	Re Seeking clarity	2023-06-27	2023-06-27 Council
Core Committee Zwicker Lake Property Owners (Seamus Marriott)	Re Seeking clarity	2023-06-29	2023-07-11 COTW
Lisa Bland	Re Safety Measures during this Emergency (Request)	2023-06-30	2023-07-11 COTW

Correspondence Received

Nancy Sheehy	Re State of Emergency (Request)	2023-06-30	2023-07-11 COTW
Pat Miller	Re Fireworks and Calming your dog	2023-06-30	2023-07-11 COTW
Carrilee Eddy	Re Avon River Fish Passage (Request)	2023-07-03	2023-07-11 COTW
Maria DeNicola	Re clarification on health and safety issue	2023-07-05	2023-07-11 COTW
Nova International	Re Letter to West Hants	2023-07-05	2023-07-11 COTW
NSEMO - Emergency Management Preparedness Office	Re Region 3 Resignation	2023-07-06	2023-07-11 COTW
Chris Shields	Re Construction on the 101 and Lake Pisiquid	2023-07-07	2023-07-11 COTW
Carrilee Eddy	Re Declining to meet with Nikki-Marie Lloyd	(WHRM copied) 2023-07-12	2023-07-25 Council
East Hants Letter	Re Bill 236 - Railways Act - Windsor Hantsport Rail	(WHRM copied) 2023-07-19	2023-07-25 Council
Matt Dunfield	Re Question Re Falmouth Family Park	2023-07-20	2023-07-25 Council
Laura de Boer	Re St. Croix Dam Evacuation - Flood Mapping Request	2023-07-23	2023-07-25 Council
Benjamin Dykeman	Re Municipal Funding to Community Crisis Response	2023-07-24	2023-07-25 Council
Louis Coutinho	Re EMO and Torrential Rain & Flooding	2023-07-24	2023-07-25 Council
Peter Moore	Re Where's the pump X 4	2023-07-24 and July 25, 2023	2023-07-25 Council
Denise Forand	Re Questions re Cunnable Creek and overflow	2023-07-24 and 2023-08-14	2023-09-12 COTW
CCBF	Re Confirmation of Funding Re Pisiquid Canoe Club	2023-08-01	2023-09-12 COTW
Municipality of Kings County	Re Flood Event	2023-07-28	2023-09-12 COTW
Hants County Condominium Corp.	Re Damages to Critical infrastructure	2023-08-09	2023-09-12 COTW
UARB	Re 2023 Municipal Boundary Notice of Approval	2023-08-10	2023-09-12 COTW
Virginia Deering	Re Flooding on Chittick Ave.	2023-08-09 and 2023-08-11	2023-09-12 COTW
Hon. Greg Morrow response to Correspondence Re Fresh water resource for the Agricultural Community	Re Fresh water resource for the Agricultural Community	2023-08-14	2023-09-12 COTW
Jacqueline and Ryan Heffler	Re Bus transportation needed	2023-08-25	2023-09-12 COTW

Correspondence Received

MP Kody Blois	Re Letter to Minister Morrow re Dyke Land (WHRM copied)	2023-08-31	2023-09-12 COTW
Darren Porter	Re Water Testing and follow up emails	2023-08-14 and 2023-09-05	2023-09-12 COTW
Pamela DeNicola	Re Agricultural land preservation and protection	2023-09-06	2023-09-12 COTW
Jean Sanford	Re chairs	2023-09-12	2023-09-26 Council
Keith Aucoin	Re Impact of Hurricane Lee	2023-09-12	2023-09-26 Council
Luke Garagan	Re Transportation for West Hants	2023-09-12	2023-09-26 Council
Maria Medioli	Re Response to Blaise Fraser and Jackie Doucet Re Kings Meadows (WHRM copied)	2023-09-13	2023-09-26 Council
Peter Moore	Re Unprecedented weather event and Preparedness	2023-09-13 and 2023-09-14	2023-09-26 Council
Jennifer Moore	Re Preparedness	2023-09-14 x 2	2023-09-26 Council
Steve Turner	Re Windsor Hantsport Railway (WHRM copied)	2023-09-14	2023-09-26 Council
Laura Moore	Re Abuse of Emergency Management Act	2023-09-16	2023-09-26 Council
Daniel Steeves	Re Short Term Rental	2023-09-21	2023-09-26 Council
Kings County	Re Notice of Public Hearing	2023-09-21	2023-09-26 Council
Colleen Rogers	Re Transportation in West Hants	2023-09-23	2023-09-26 Council
Selling Scotia	Re Discussions around banning STRs	2023-09-25	2023-09-26 Council

From: [Abraham Zebian](#)
To: Jean Sanford
Cc: [Mark Phillips](#); [Scott McLean](#); [Deanna Snair](#)
Subject: Re: New Chairs
Date: Tuesday, September 12, 2023 5:31:45 PM

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

I would like to voice my outrage at the expense of the chairs for council chambers. I believe that 800 plus tax for new chairs for the amount of time that the council is in session is outrageous . This is our tax dollars and I do not approve this expense. I am sure that if new chairs are truly needed that a less expensive chair can be found. I am sure that I am not the only person that has sent an email to voice their concerns.

Jean Sanford

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Todd.

With the news of the impending hurricane Lee, my thoughts drift back to earlier recent, storms and how we could have possibly better managed the excessive rainwater that came in such a short period of time.

One of the issues I noted in recent storms was that the Lake wasn't partially drained before the arrival of the heavy rain. This did have a huge impact on the July 21 storm on how much overflow the Lake could accommodate. I'm sure you noted, as did I, that the Lake over flowed its banks and almost eliminated the effect of the pump house and the auxiliary pump doing their jobs. In reality the pump house was trying to pump water 6 ft below the level of the Lake and the auxiliary pump barely pumping water at or near the flood level surface.

I think that the sluice gate is managed by the provincial government and I hope you could convince them to reduce the level of the lake between 3-4 feet prior to the storm surge on Saturday. When I was in government, 100 years ago, we would jump at the chance to solve such problems in assisting another agency of government during times of urgency. If you have this covered, that's great. If not, I'm sure this measure would help the effectiveness of the pumps.

Ultimately the measure of damage will hinge on how fast the rain comes and how much volume we receive. If we can do all the right things at the right time, we can mitigate the damage and help keep the sanitary sewer from overflowing on to the streets, the parks, our lawns and of course, our basements.

These are troubling times for so many of the home owners in the Cunnabel Creek flood zone so let's hope that some good luck, good timing and reliability will help save the day.

Thank you and the staff for all you do.

Keith AuCoin,
Stannus St. Resident

From: Youth Outreach Plus Kentville
To: [PublicOnlyCouncilEmail](#)
Subject: Transportation for West Hants
Date: Tuesday, September 12, 2023 10:58:47 AM

Caution [External Email]

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Hi there,

I run a program called Strengthening Fathers: Steps for Fatherhood out of the Kings County Family Resource Center, one of the few support services available for men and male-identifying caregivers in the area. There are multiple individuals who have or are currently participating, and also, some who have been unable to participate due to the barrier that is transportation.

This is an underserved population who deserve to have equal access to services and supports, and we have addressed many barriers by providing child care, food, and bus tickets to those who live on bus routes.

As we know, this unfortunately does not address the barrier of transportation for those in the West Hants area.

I am encouraged by the prospect of this barrier being addressed as we continue to strive towards optimal service delivery for members of our community, and society.

Kindest regards,

Luke Garagan, BSW, MSW, SWC
Youth Outreach Plus
Family Service of Eastern Nova Scotia

P:
F:
E:

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this e-mail in error, please notify the sender immediately by e-mail and delete this e-mail from your system. This message may contain confidential information and is intended only for the individual named. If you are not the intended recipient, you are notified that disclosing, disseminating, copying, distributing, or taking any action in reliance on the contents of this information is strictly prohibited.

From: Thompson, Sheila
To: larryharrisonmla@gmail.com; Langley, Laura Lee; PublicOnlyCouncilEmail; Hazelwood, Michael; MacDonald, Charlotte A; Rudolf-Naas, Andrea; Acker, Randy; Neil, Nancy
Subject: FW: King's Meadow
Date: Wednesday, September 13, 2023 10:02:08 AM

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

From: DSP Executive Director
Sent: Tuesday, September 12, 2023 3:20 PM
To: blaisefraser
Subject: King's Meadow

Dear Blaise Fraser:

Thank you for your e-mail of August 15, 2023 to Mr. Larry Harrison, Member of the Legislative Assembly for Colchester-Musquodoboit Valley, with respect to King's Meadow. Your e-mail was forwarded to the Honourable Karla MacFarlane, Minister of Community Services, and she has requested that I respond to you on her behalf as Executive Director of the Disability Support Program (DSP).

Thank you for taking the time to tell us about your family member's experience at King's Meadow as well as your concerns about the impact the Remedy may have.

The direction in the legally binding Remedy is to begin by offering individualized planning and support to people with disabilities in a manner that focuses on their choices for the life they want to lead in community. DSP Participants, including your family member, will have the opportunity to consider and make decisions about their life including who they want to live with and which service provider will support them.

At the same time, with the human rights ruling, the Disability Support Program's current reliance on segregated and congregated settings has been deemed discriminatory and group homes are a model that will not be sustainable for service providers over the long term. Rather than a one-size fits all approach where we fill vacancies in homes, services and supports will have to evolve and innovate to meet individual interests. DSP will support service providers, like King's Meadow, to innovate and co-create new and sustainable support options with the participants that choose to work with them.

Practically, year four of the five-year plan is the timeline identified in the Remedy when we will begin to focus on participants living in group home settings. DSP does not anticipate anything to change before then, however, we will continue to work with participants and service providers and consider opportunities that arise before that time. For example, some group home providers may choose to slowly reduce the capacity of their homes if participants leave before year four of the Remedy.

These are significant changes to disability supports in Nova Scotia, and for people with disabilities. We will continue to engage with participants, families, service providers, and communities to work together to remedy the discrimination in our current system and ensure all persons with disabilities live a good life of their choosing in community.

Thank you for your e-mail.

Sincerely,

Maria Medioli
Executive Director
Disability Support Program

cc: Honourable Karla MacFarlane (2017-01-02326)

From: Thompson, Sheila
To: melissa.mlaoffice@gmail.com; Langley, Laura Lee; PublicOnlyCouncilEmail; Rudolf-Naas, Andrea; Rudolf-Naas, Andrea
Subject: FW: King's Meadow
Date: Wednesday, September 13, 2023 10:02:34 AM

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

From: DSP Executive Director
Sent: Tuesday, September 12, 2023 3:37 PM
To: Jackie Doucet
Subject: King's Meadow

Dear Jackie Doucet:

Thank you for your e-mail of August 13, 2023, to the Honourable Tim Houston, with respect to King's Meadow. Your e-mail has been forwarded to the Honourable Karla MacFarlane, Minister of Community Services, and she has requested that I respond to you on her behalf as Executive Director of the Disability Support Program (DSP).

Thank you for taking the time to tell us about your family member's experience at King's Meadow as well as your concerns about the impact the Remedy may have.

The direction in the legally binding Remedy is to begin by offering individualized planning and support to people with disabilities in a manner that focuses on their choices for the life they want to lead in community. DSP Participants, including your family member, will have the opportunity to consider and make decisions about their life including who they want to live with and which service provider will support them.

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Practically, year four of the five-year plan is the timeline identified in the Remedy when we will begin to focus on participants living in group home settings. DSP does not anticipate anything to change before then, however, we will continue to work with participants and service providers and consider opportunities that arise before that time. For example, some group home providers may choose to slowly reduce the capacity of their homes if participants leave before year four of the Remedy.

These are significant changes to disability supports in Nova Scotia, and for people with disabilities. We will continue to engage with participants, families, service providers, and communities to work together to remedy the discrimination in our current system and ensure all persons with disabilities live a good life of their choosing in community.

Thank you for your e-mail.

Sincerely,

Maria Medioli
Executive Director
Disability Support Program

cc: Honourable Karla MacFarlane
(2017-01-02326)

From: Peter Moore
To: [Todd Richard](#); [PublicOnlyCouncilEmail](#); [Abraham Zebian](#); [Troy Burgess](#)
Subject: yet ANOTHER unprecedented weather event
Date: Wednesday, September 13, 2023 11:10:57 AM

Caution [External Email]

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LEE
!!!!

Municipal Public Works: Awareness/ Preparedness
?????

From: Peter Moore
To: [Troy Burgess](#)
Cc: [Abraham Zebian](#); [Todd Richard](#); [PublicOnlyCouncilEmail](#)
Subject: Re: yet ANOTHER unprecedented weather event
Date: Thursday, September 14, 2023 8:43:55 AM
Attachments: [image195050.png](#)
[image195050.png](#)

Caution [External Email]

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Preparedness - is the state of being ready for something to happen, especially for war or a disaster.

Action Plan - is a definitive checklist of tasks and resources needed to complete a project or achieve a goal.

Action - a thing done : deed. b. : the accomplishment of a thing usually over a period of time, in stages, or with the possibility of repetition. c. actions plural : behavior, conduct.

For years, and multiple floods, we have been told [repeatedly] the Municipality and specifically Public Works (operations), are Prepared and ready to act; we've assumed, during these weather events. Further, to my records this is the first detailed description of the Actions to be undertaken and possible tools needed [though no mention of the pump approved by Council (policy) for 'our' purpose]. However, we have well documented/ demonstrated Action(s) undertaken by the Municipality/ Public Works on South Stannus of the Windsor Flood Zone = zero.

And for the record, since the initial mention of Lee, we've only had restless sleep; it's all we talk about. Plus, I guarantee you'll see the south Stannus residents pacing their floors, checking basements, keeping an eye on each other and [repeatedly] watching & waiting for the "not designed for these weather events" storm system to backup... on and into our properties, as this storm begins and throughout, regardless of time of day. Sleep, will not be a luxury we can afford. WE, will have no-choice but to act!

As I've stated before: *when your actions speak for themselves, don't interrupt them with words.*

Respectfully,
Peter

'Conscience; truth's greatest witness.'

From: Jennifer Moore
To: [Abraham Zebian](#)
Cc: [PublicOnlyCouncilEmail](#); [Todd Richard](#); [Troy Burgess](#)
Subject: Re: Preparedness
Date: Thursday, September 14, 2023 4:37:33 PM
Attachments: [IMG_0.MOV](#)

Caution [External Email]

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Just to let you know, it is flooding here, after 14 minutes of heavy rain.

There is a lot of water on the street. It's would be a good idea to block the street from the community Center up.

Jennifer

From: Jennifer Moore
To: [Abraham Zebian](#); [Troy Burgess](#)
Cc: [Todd Richard](#); [PublicOnlyCouncilEmail](#)
Subject: Preparedness
Date: Thursday, September 14, 2023 8:26:20 AM

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Hello Troy and Major Abe,

Thank you for your replies regarding the municipal storm preparedness plan.

The combined system at our end of Stannus Street overflows within ten minutes of heavy rain sending storm water and sewage onto our properties and into our homes. Residents have no choice but to deal with the overflow of municipal sewers and manage the removal of municipal product with no municipal assistance during these repeated occurrences.

Storm preparedness has not demonstrated actionable support. As stated on several occasions by municipal representatives: *'the system is not designed to handle these weather events'*. With the expectation of heavy rain this weekend and a system that is not designed to handle it: how is the municipality preparing to manage the overflow that will spill onto the street and our properties?

It is my understanding, based on the explanation provided publicly: overflow of the system at the site of the portable pump triggers an alarm system that results in the pump becoming manually operational. However, the system overflows at our doorsteps much before it does at the waterfront pump site. So, by the time the pump is operational (water in the hole) we already have overflow onto our properties and homes with resulting (continuous) damage. This has occurred several times since the July 21-22 flood.

The pump has not been in operation during heavy rain events so as to provide any assurance that it will help the repeated flooding for which it was purchased to support.

We have inquired as to when the pump arrived at the waterfront site on the weekend of July 21-22 because we were assured the pump would be operational during heavy rain events. Heavy rain was forecasted, certainly not in the amount we received, but it was forecasted. John Lohr, (Minister of Emergency Management) did post a report to EMO, on his Facebook page dated: July 21, 8:30 am. The report did warn of potential flooding in low lying areas. So, we expected, prior to the horrific storm that occurred and based on reported heavy rain predictions and with this warning from the Minister of Emergency Management, the action plan (pump in place) for this flood zone - provided by the municipality in response to the July 27, 2021 flood, would be in place and ready. It was not. Of course, at the height of the storm, life took priority over property, as it absolutely should.

Please understand: residents in this area cannot rest easily during heavy rain, with the assurance that Public Works is prepared with action plans in place because we know, "the system isn't designed to handle heavy rain". Instead, residents ban together, often in the middle of the night, and manage pumps and generators (that we had no choice but to purchase

to remove storm water and waste product from our homes), lay sandbags, run hoses and support each other while working in dangerous and contaminated conditions. This should not be our responsibility. This cannot continue to be our way of life.

What would you do to protect your homes and families from such repeated risks and damages?

We, citizens and taxpayers of this municipality, need help now.

Respectfully,

Jennifer Moore
Stannus Street

To: Bob Schmidt, (Bobirr@aol.com)

CC: Tim Houston (PREMIER@novascotia.ca), Kody Blois (Kody.Blois@parl.gc.ca), Mark Phillips (mphillips@westhants.ca), Paul Morton (pmorton@westhants.ca), Melissa Sheehy-Richard (melissa.mlaoffice@gmail.com)

Dear Mr. Schmidt:

My name is Steve Turner and my residence is 14 Tannery Road, Hantsport, Nova Scotia, Canada. My property is adjacent to the Windsor/Hantsport railroad tracks. Just over a year ago the gabion wall on the down stream side of the railroad bridge fell into the brook. I contacted Graham Selby of Windsor Hantsport Railway Company (WHRC) to notify him of this. He responded that it did not belong to WHRC. Nothing was done.

In July of this year during the heavy rainfall the gabion wall was moved by the force of the water and created a dam across the brook, redirecting the water and eroding approximately 3 to 4 feet of my property. I then contacted Graham Selby again to notify him of the damage that was being done. He responded to say that WHRC did not take over any agreements from Canadian Pacific Railway when the company purchased the line from CP. The next rain storm that came just weeks later eroded another 4 to 5 feet taking out a total of 3 maple trees and most of my lilac hedge. I then contacted Nova Scotia Public Works Department and they came to assess the problem. The gentleman that came said it was not their problem and to contact West Hants Public Works. I did contact West Hants Public Works and they surveyed the property and notified me that it was WHRC property and that they were responsible for the infrastructure of the railway bridge and gabion wall.

In summary, to date I have lost 8 to 10 feet of land, 3 maple trees and most of my lilac hedge. If nothing is done soon, it is not a question of if there will be more damage caused by the collapse of this wall but when. The water is now being directed at my home. First it will undermine my driveway, then my foundation, then my front yard and eventually Tannery Road and the Tannery Road bridge.

I ask that you respond with due diligence to correct this situation before it becomes a huge problem that no one wants to see.

Sincerely,

Steve Turner

From: Laura Moore
To: melissa.mlaoffice@gmail.com; justin.trudeau@parl.gc.ca; johnlohrmla@gmail.com; [PublicOnlyCouncilEmail](#); kody.blois@parl.gc.ca
Subject: Abuse of Emergency Management Act Causing Harm to the Avon River
Date: Saturday, September 16, 2023 3:14:36 PM

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

To whom it may concern,

Good afternoon,

First, I would like to acknowledge that I am writing you from the unceded territory of Mi'kma'ki, the ancestral territory of the Mi'kmaq people.

I am writing regarding the causeway on the Avon River. There is no reason for the gates on the structure to remain closed. Keeping these gates closed will cause fish deaths due to not having sufficient water flow. Without a more natural state, the oxygen gets depleted from the water, especially during the warmer months. For these gates to remain closed at any time, but especially the peak run of Gaspereau, thousands upon thousands of fish will die.

Continuing the Emergency Management Act is restricting the possibility of reestablishing estuarine habitat that provides homes for the diverse wildlife communities that rely on sheltered waters and nutrients such as different fish species and migratory birds. This state of emergency is an abuse of power used for political gain to override Mi'kmaq rights, the Constitution and the Fisheries Act.

People are asking for status quo, the aesthetics of a fake lake that will only fill itself with silt, and a freshwater resource to kayak in; a freshwater resource that has had sewage pumped into for years and the overflow pipe that continues to flow into that estuary with continued participation.

I am asking that you stop talking about reconciliation and start advocating for what's right: such as fish passage, a natural state of the Avon River, Mi'kmaq rights that are recognized and affirmed by treaties and the constitution, and natural ecosystems that support our native species. It was outrageous to manipulate the wildfire crisis that took the homes of both people and wildlife earlier in the season for personal and political gain, and incomprehensible that the causeway remained closed during the hottest months of the year - a decision which resulted in the unnecessary death of fish due to overheated and low-oxygen waters and unsafe levels of e. coli and coliforms.

There is a way to make this right. Please rescind the emergency order and allow for the gates to be opened to allow fish passage under the current ministerial order.

Thank you,

Laura



MUNICIPALITY *of the*
COUNTY *of* **KINGS**

September 21, 2023

File#22-04

Re: Notice of Public Hearing

I am writing to notify you of a Public Hearing that will take place on Tuesday, OCTOBER 3, 2023 at 6:00 p.m. in the Council Chambers of the Municipal Complex, 181 Coldbrook Village Park Drive, Coldbrook. The Public Hearing is being held for the following planning items:

- A DEVELOPMENT AGREEMENT permitting the expansion of an existing fish farm at 1165 Black River road, Black River Lake
- Amendments to the text of the Land Use By-law to permit the development of accessory dwellings in Residential Zones and grouped dwellings within the Residential One and Two Unit (R2) Zone

The purpose of this meeting is to provide an opportunity for persons who wish to speak on the proposals to make their opinions known to Council. Your attendance at this Hearing is welcome, but not mandatory.

You are being notified of this Public Hearing because the planning applications being considered involve properties located within three miles of your municipality's boundary.

If you would like more information, please do not hesitate to contact me at 902-690-6102 or by email at Imosher@countyofkings.ca.

Sincerely,

Laura Mosher MCIP LPP
Manager – Planning and Development Services



Hants Learning Network Association
www.hantslearning.com

Dear Mayor Zebian and Councillors,

Thank you for the grant for learning supports. It will be used to help provide transportation to and from school for our adult learners and for healthy snacks and meals while they are here.

Sincerely, Katharine McCoubrey
Executive Director

From: Daniel Steeves
To: [PublicOnlyCouncilEmail](#)
Subject: Short Term Rental Re
Date: Thursday, September 21, 2023 1:25:58 PM

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

To whom it may concern,

After watching the latest municipal council meeting it is my understanding that the municipality is moving quickly to add regulations surrounding short term rentals. I own a cottage in the Falls Lake area which we supplement with income from short term rental. There are many other cottage owners in the area who do the same. While I support proper regulation, I was startled by some of the council members comments on moving quickly and adapting the Halifax model, even in rural zones. This is particularly concern as our cottage is a 650 sq.ft. recreational property. We purchased at peak housing prices and this would effectively bankrupt us to loose this income and tank our property value. Our property was built as a vacation rental originally, converted to strata recreational property with condo by-laws in place to rent recreationally. We have a vested interest in the local community, employ local cleaner, lawn maintenance companies, handyman, and snow removal. We share and collaborate with local wineries, restaurants, and service providers and service a need in the area for accommodation that does not exist in hotel stock. We very much hope that the council or potential planning committee does not forget about the massive amount of cottage country within West Hants and that and planning committee is sure to take the time to study and understand all stakeholders prior to implementing sweeping changes.

Warm regards,

Daniel Steeves

From: Colleen Rogers
To: [PublicOnlyCouncilEmail](#)
Cc: [MLA Office](#); kody.blois@parl.qc.ca
Subject: Transportation in West Hants
Date: Saturday, September 23, 2023 11:07:11 AM

Caution [External Email]

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West Hants is a growing community and, more than ever, needs increased transportation options. Through many surveys and presentations, it has been shown that the residents of West Hants want and need transportation for work, school, medical and social reasons.

The employers and businesses in West Hants want to have options for employees and customers to come here. Employers have difficulties attracting employees who cannot afford to travel to West Hants by private vehicles and cannot find suitable housing options close by. Customers are equally not able to access these businesses easily.

Students in secondary programs in HRM or in Wolfville or Kentville have difficulty in attending these programs. There are great benefits if these students could stay in WH while they are studying.

Residents who need to attend medical appointments either in HRM or Kentville or other places have no public transportation options, with the exception of Dial-a-Ride. This places an extra financial burden on them.

There are many funding programs available from federal and provincial governments to reduce greenhouse gas emissions, reduce automobile usage and increase public transportation. Now is the time to act.

Please consider having a feasibility study to determine the cost of public transportation in West Hants, linking to HRM and the valley.

Sincerely,

Colleen Rogers

From: Selling Scotia
To: [PublicOnlyCouncilEmail](#); [Ed Sherman](#)
Subject: Discussions around banning STRs
Date: Monday, September 25, 2023 7:57:14 AM

Caution [External Email]

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Hello Ed!

I have been receiving many messages from friends and other hosts in the area about the new chats involving STRs and regulating them.

I would like to share some points from a realtor's perspective who owns a cottage on falls lake in cottage country.

From a realtor's perspective, there are several benefits to short-term rentals in cottage country areas. These benefits can include increased rental income for property owners, enhanced tourism and local economy, and additional flexibility for property owners to use their properties and afford them during a time of high inflation where everyone is trying to make ends meet.

Increased rental income: Short-term rentals allow property owners to generate income from their cottage properties during periods when they are not personally using them. This extra income can help offset the costs of owning and maintaining the property, including property taxes, mortgage payments, utilities, and maintenance expenses.

Tourism and local economy: Short-term rentals attract tourists and visitors to cottage country areas, which can have positive effects on the local economy. Tourists often spend money on local goods and services such as dining, shopping, recreational activities, and attractions. This increased economic activity can support local businesses and contribute to the overall growth and development of the area.

Flexibility for property owners: Short-term rentals provide property owners with the flexibility to use their cottage properties when they want to while still generating income during periods of vacancy. This can be especially beneficial for property owners who have busy schedules or only wish to use their cottages for specific periods, such as weekends or holidays. However, if short-term rentals are banned in an area, it can have negative implications for property owners and the local real estate market: **Decreased rental income potential:** Banning short-term rentals eliminates the opportunity for property owners to earn income from their cottages during periods of vacancy. This can be particularly impactful for owners who rely on rental income to cover the expenses associated with property ownership.

Decline in property values: The demand for cottage properties in areas where short-term rentals are permitted is often higher due to the potential for rental income. If short-term rentals are banned, the reduced income potential may result in a decrease in demand for properties in the area. This could lead to a decline in property values and potentially make it more challenging for property owners to sell their cottages in the future. (this affects those who want to ban them, essentially kicking their own property values) **Impact on local economy:** Prohibiting short-term rentals can have a ripple effect on the local economy. The decrease in tourist visits may result in reduced spending on local businesses, which can negatively impact the livelihoods of those who rely on tourism-related industries. Additionally, the loss of rental income for property owners may limit their ability to invest in property maintenance or improvements, which can affect the overall appeal and attractiveness of the area. Perhaps a

different approach to rentals is more necessary, such as screening guests, being friends with your neighbours and respecting their space & noise levels (monitor guests with cameras facing driveways) you can also get sound level measurers.

Please take these points into consideration as this could cause a hugely negative impact on the area.

Kindest,

Sara Cunningham

From: darren porter
To: [PublicOnly@Enviro.com](#)
Subject: Safety concern
Date: Monday, September 25, 2023 12:09:20 PM

Caution [External Email]

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Envirosphere Consultants Limited

Unit 5—120 Morison Drive, Box 2906, Windsor, Nova Scotia, B0N 2T0

ph: 902-798-4022, fax: 902-798-2614, e-mail: water.enviroco@bellaliant.com, website: www.envirosphere.ca

Attn: Darren Porter

Re: Water sample results for Lake Pesaquid, Falmouth
Sample collected: September 21, 2023 at 9:30 AM
Sample received: September 21, 2023 at 9:45 AM
Date of bacterial analysis: September 21 – Sept 22, 2023
Water supply: Watercourse
Sample identification: 20970

September 25, 2023

Darren Porter,

Your water sample results *failed* according to Health Canada Recreational Water Quality Guidelines for *E. coli*. Please see below for further explanation and recommendations.

Results

E. coli ¹	600 CFU per 100 mL (MF)	<i>Not Acceptable</i> under Health Canada recreational water quality guidelines. The maximum allowable concentration is 400 CFU per 100 mL for a single sample or 200 CFU per 100 mL for the geometric mean of five samples.
Total coliforms ¹	>40000 CFU per 100mL (MF)	<i>Acceptable</i> . There is no applicable guideline for coliform bacteria.

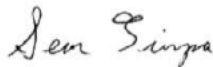
*Method Summaries—Total Coliform and E. coli: MF: 9222H: based on Standard Methods, 23rd Edition, 2017 and online version.
MF = Membrane Filtration.*

¹ *The analyses for coliforms were subcontracted to an accredited laboratory. More information is available upon request. This report includes information supplied to us by the customer or third parties, including property location and mailing address, date and time of sampling, sampling location, water source and treatment. More information pertaining to sample collection is available upon request.*


Recommendations

Keep in mind that the quality of the results are dependent on the quality of the sample given. If you have any questions concerning your water sample results, we would be happy to address them.

Sincerely,



Sean Timpa
Lab Analyst

Report checked by 

Sent from my iPhone



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Mark Fredericks, Senior Planner

Date: September 26, 2023

Subject: Development Agreement: PID 45276441 and 45366986 and 45055167, Payzant Dr, Windsor; File #23-13A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

Should Council wish to proceed to 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 permit a Community/Recreation Centre on PIDs 45276441 and 45366986 and 45055167 on Payzant Drive in Windsor, in a manner substantively the same as the draft set out in Attachment B of the report File # 23-13 to the Planning and Heritage Advisory Committee dated September 14, 2023.

...that Council requires that the development agreement with Mitch Brison which permits a Community/Recreation Centre on PIDs 45276441 and 45366986 and 45055167 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 <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received on May 31, 2023 from Chrystal Fuller of Brighter Community Planning on behalf of the landowner, 3329190 Nova Scotia Ltd (Brison Developments). The planning application was needed to establish a community/recreation centre on PID 45276441, which would repurpose an existing single unit dwelling currently addressed as 187 Payzant Drive, Windsor. Some additional land may also be used from PIDs 45366986 and 45055167 in the final subdivision.

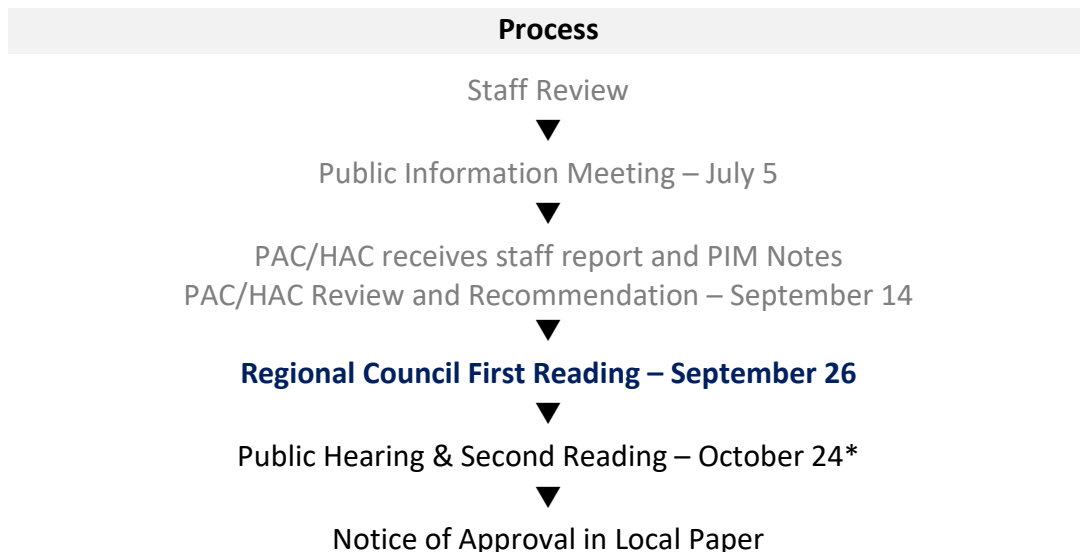
DISCUSSION

A Public Information Meeting was held on July 5, 2023.

On September 14, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed the conversion of the existing dwelling into a community/recreation centre and staff clarified that a development agreement was the required process to achieve this. Staff also confirmed that the development agreement would require the existing sewer and water laterals to be upgraded to the standards of the Municipal Public Works Department, as the existing laterals may require increased size and relocation to accommodate the proposed use and the intended development surrounding the site. The PAC/HAC recommended in favour of the application at this meeting.

NEXT STEPS

The process for this application is as follows.





14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this 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 2023-09-14 Staff Report – Development Agreement: PID 45276441 and 45366986 and 45055167, Payzant Dr, Windsor; File #23-13

CHIEF ADMINISTRATIVE OFFICER REVIEW

I would encourage Council to proceed with first reading to allow for the required public hearing / public feedback to proceed regarding the application. Proceeding and conducting a public hearing will best inform Council prior to the decision-making process surrounding the application when presented through the consideration of second reading.

I support the recommendation.

Report Prepared by: _____
Mark Fredericks, Senior Planner

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

Report Approved by:  _____

Mark Phillips, Chief Administrative Officer

**Appendix A – 2023-09-14 Staff Report – Development Agreement: PID 45276441 and 45366986
and 45055167, Payzant Dr, Windsor; File #23-13**

Fort Edward Lands Correspondence

First Name	Last Name	Correspondence	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
Jon

Skelton
Hall

2/2/2023
2/16/2023

2023-02-14 COTW
2023-02-28 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

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
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
MLA Sheehy-Richard, Premier, NS Public Works Minister(Kim Masland), District Area Manager (Robyn Homans)	Re Support to pave Cogmagun and Beaverpond Roads	2023-05-17	2023-05-23 Council
Hon. Tim Halman, Premier, MLA Sheehy-Richard	Re Coastal Protection Act Regulations	2023-05-23	2023-05-23 Council
Indigenous Services Canada	Re Response to the Proposed Addition to Reserve, Glooscap First Nation	2023-06-27 Sent 2023-06-30	2023-07-11 COTW
Premier Tim Houston, Hon. Joyce Murray, Hon. Steve Craig, Hon. Tim Halman, Hon. Susan Corkum-Greek, Hon. Kim Masland, MP Blois, MLA Sheehy-Richard	Re Follow up to correspondence sent on March 23, 2023 Re Reimagination Strategy Exercise	2023-06-29	2023-07-11 COTW
Hon. Kim Masland	Re The Railways Act- Bill 236	2023-07-05	2023-07-11 COTW
NS Minister of Agriculture, Premier of NS, Minister of Fisheries, Oceans and the Canadian Coast Guard, Minister of Fisheries and Aquaculture, Minister of Public Works, MP Blois, MLA Sheehy-Richard, Nic Juurlick, President of the Hants County Federation of Agriculture	Re Permanent Freshwater Resource for Agricultural Communities	2023-07-20	2023-07-25 Council

Correspondence Sent

Federal and NS Ministers of Environment and Climate Change, Premier of NS, Minister of Fisheries, Oceans and the Canadian Coast Guard, Minister of Public Works, MP Blois, MLA Sheehy-Richard, Municipality of Kings County	WHRM Letter of Support for the Residents of Avon Street, Hantsport Re Erosion	Sent 2023-07-21	2023-07-25 Council
CRTC and Innovation Science and Economic Development Canada Re Poor Cellular Service	Re Poor Cellular Service Connectivity	Sent via mail August 9, 2023	2023-09-12 COTW




West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Council

Submitted by: 
Todd Richard

Date: September 26, 2023

Subject: Main Street Hantsport Sidewalk Renewal Construction

LEGISLATIVE AUTHORITY

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

RECOMMENDATION or DECISION REQUEST

It is recommended to Council that:

Council approve the award for construction for the Main Street Hantsport Sidewalk Renewal project to the low compliant bidder Sheehy Construction Limited, for the tendered price of \$241,407.25 plus a 15% construction project contingency of \$36,211.09 for a total of \$277,618.34, plus applicable taxes, funded through the Canada Community Building Fund.

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input checked="" type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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As identified during the 2023/24 capital budget, Main Street Hantsport (from Prince Street to William Street) was identified as a priority for curb and sidewalk renewal, as well as rehabilitation of existing asphalt. This determination was based on the existing condition and many tripping safety concerns of the existing sidewalk and curb.

This sidewalk portion of the project includes the following infrastructure improvements:

- replacement of existing concrete curb along both sides of the existing street,
- replacement of existing west side concrete sidewalk with new 1.8m wide concrete sidewalk from back of curb face, and
- replacement of existing east side concrete sidewalk with new 1.8m wide concrete sidewalk, including a 450mm grass boulevard (where possible).

This portion of the project was identified by Council for funding out of the Canada Community Building Fund to support the rehabilitation of sidewalks.

Additionally, staff included in the same public tender, the scope to mill and repave Main Street from Prince Street to William Street. Tender costs for this portion of the project, for re-paving were identified with separate unit prices.

DISCUSSION

On August 22, 2023, staff issued a public tender on NS Procurement for construction services for this project, closing on September 7, 2023. The call for proposals resulted in two bids being submitted for evaluation.

For the purpose of this evaluation, 50% of the traffic control line item was allocated to each of the two portions of this project. The bids received included:

Proponent	Curb & Sidewalk Renewal Items	Milling & Asphalt Renewal Items	Total Bid
Sheehy Construction Limited	\$ 241,407.25	\$ 158,000.00	\$ 399,407.25
Dexter Construction Company	\$ 433,040.00	\$ 131,495.00	\$ 564,535.00

As this work is bid as a unit price contract, there may be need for some minor 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.

The curb and sidewalk portion of the project was bid within the project budget of \$250,000 before applicable taxes, and as such is being recommended to Council for approval.

The contractor has confirmed their availability to start work immediately to complete the work during this 2023 construction season. To reduce the overall impact on the community by expediting the project to completion and to reduce the project capital cost; engineering staff has received tentative approval from the municipal traffic authority that during the construction work, the work area would be reduced to a single side sidewalk and single lane roadway (one way traffic with detours in place for the opposite direction). Temporary access would be maintained and/or allocated for all affected businesses.

As the milling and asphalt renewal portion of this project has significantly exceeded the allocated budget of \$50,000, it is being recommended to defer the asphalt renewal portion of the project until the 2024/25 fiscal year. This project scope would be completed in conjunction with the Main Street North Infrastructure Renewal project as planned in the 5-year capital budget. It would be planned to resurface Main Street from Prince Street to Tannery Road (to the municipal boundary) as part of this other planned 2024/25 project.

NEXT STEPS

Pending approval of Council; staff will award the construction tender to the successful proponent, with the plan to start work immediately. Engineering staff intends to work with the proposed contractor to reduce the costs for traffic control with the closure of a single lane and sidewalk at a time throughout project construction, leaving the opposite side of the street open for pedestrian and traffic flow in a single direction. This proposal would likely bring the project within the planned budget amount prior to contingency allowance.

FINANCIAL IMPLICATIONS

Tendering Timeline:

Posted to Procurement	August 22, 2023
Closing Date	September 7, 2023
Price Expiry Date	October 7, 2023
Days Remaining	11 days

1. 2023-24 Capital Budget – Main Street Hantsport - Sidewalk Replacement

Estimated Price	\$241,407.25
Contingency (15%)	\$36,211.09
Non-Recoverable Tax (4.29%)	<u>\$11,909.83</u>
Tender Total	\$289,528.17
2023-24 Budget Value	\$250,000.00
Variance (under budget)	\$39,528.17

Allowance for the curb and sidewalk renewal at Main Street, Hantsport in the amount of \$250,000 was approved under the 2023-24 Public Works Roads Capital Budget. The total expense portion is \$289,528.17.

The Canada Community Building Funding (CCBF) allows for investments that support Active Transportation, which includes the renewals of sidewalks. This funding source must be approved by West Hants Regional Council. The projected March 31, 2024, CCBF reserve balance is \$1,994,344.

ALTERNATIVES

1. Council may choose to not to proceed with this recommendation.

ATTACHMENTS

None


CHIEF ADMINISTRATIVE OFFICER REVIEW

The sidewalk renewal is in alignment with Council’s budget approval. The rationale for the project adjustments is noted in the report. The funding to support the project costs are noted and within the capacity of the CCBF Reserves.

I will request that the PWs Department or WHRM communications provide adequate notice to the impacted businesses in the community.

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