

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Agenda Amended

November 28, 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.



1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log (Page 4)
 - b) Dashboard Action Items – Dangerous or Unsightly Premises (Page 9)
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2023-10-24 Council Meeting Minutes
 - b) 2023-10-25 Council Meeting Minutes Continuation of 2023-10-24 Meeting
 - c) 2023-10-24 Public Hearing Minutes 8 Upper Water Street, Windsor
 - d) 2023-10-24 Public Hearing Minutes 65 Fort Edward St. Windsor Rezoning
 - e) 2023-10-24 Public Hearing Minutes 187 Payzant Drive Meeting, Cole Drive, Windsor
 - f) 2023-10-24 Public Hearing Minutes Cole Drive PID 45366432 Development Agreement
7. Public Hearings
 - a) MacLeod Court, Three Mile Plains PID 45006947 and 45415668; Development Agreement – Planner Fredericks (Page 10)
 - b) 411 King Street, Windsor, PID 45059755 Development Agreement – Planner Dunphy (Page 63)
8. Second Readings
 - a) MacLeod Court, Three Mile Plains PID 45006947 and 45415668; Development Agreement – Planner Fredericks
 - b) 411 King Street, Windsor, PID 45059755 Development Agreement – Planner Dunphy
 - c) 8 Upper Water Street, Windsor, Development Agreement – Planner Dunphy (Page 104)
9. Unfinished Business/Postponed Motions
 - a) 2024 Municipal Election Information Report (verbal update) – Supervisor Thornton
10. Mayor's Report

11. Committee(s) of Council Excerpts/Recommendations
 - a) Committee of the Whole Excerpts (November 14th, 2023)
 - i. 2024 Municipal and CSAP Elections (Page 154)
 - ii. ERP Program Regulations (Page 182)
 - iii. Fort Edward and Blockhouse Site and Sight line Preservation (Page 210)
 - iv. MCCAP Excerpt 2024 Work Plan (Page 214)
 - v. Municipal Planning Review Consultant Tender WHRMPD23-04 (Page 242)
 - vi. Newport and District Rink 2023-24 Funding (Page 248)
 - vii. Smiley's Provincial Park (Page 252)
 - viii. Video Surveillance Policy (Page 256)
 - ix. Water and Sewer Consolidation (Page 273)
 - x. Water Utility Request for 3 Year Actuals (Page 339)
 - xi. Windsor Elementary School Funding (Page 343)
12. Councillor Municipal Business/Activity Reports
 - a) Councillor Ivey, District 11 Activity Report
13. Correspondence
 - a) Information
 1. Avon Causeway Activity Log (Page 346)
 2. Correspondence Received Activity Log (Page 355)
 - i. Sandra Watson Re Rezoning PID 45215290 Riverview Drive Brooklyn (Page 366)
 - ii. Steven Hart Re Follow-up to Policy Amendment 4.22.4 ~~(4 emails)~~ (Page 368)
 - iii. Amanda Dunfield Re Windsor Stormwater: CSO Outfall Signage (Page 370)
 - iv. Hon. Kim Masland Re Provincial Intersection Street lighting sent 2023-04-03 and resent 2023-11-21 (Page 371)
 - v. Kelsea MacNeil, Director, Public Relations & Business Development Membertou Development Corporation Re Bear Lake Wind Project Information Sessions (Page 373)
 - vi. **Protect Vaughans Community (Steven Hart) Re Follow-Up to Wind Farm Tour** (Page 380)
 - b) Requests
 - i. MADD Annapolis Valley - Project Red Ribbon Day Request (Page 381)
 - ii. Amanda Dunfield Re Minas Basin Sessions/Requests Recording of Community Events (Page 385)
 - iii. Residents of the Windsor Flood Zone and Concerned Citizens Re Call to Action (Page 386)
 - iv. Dykeland Lodge Re Request for a Secondary Exit from College Road (Page 389)
 - c) Outgoing Correspondence Log (Page 391)
 - i. MLA Melissa Sheehy Richard re Additional Carpool Parking for West Hants (Page 394)

14. New Business
 - a) Review Committee – Mayor Zebian (Verbal discussion)
 - b) Municipal Capital Growth Program Application – Director Richard (Page 396)
15. In-Camera
 - a) Land Matter MGA 22(2)(a)
 - b) Land Matter MGA 22(2)(a)
16. Next Meeting Date / Adjournment – December 5th, 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	On-going	Beautification Strategy presentation provided at Nov, 2023 COTW mtg. 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 - RFP will be presented at December COTW mtg	CAO
Panuke Rd Event - Event to be arranged by Mayor	2021-03-09	Late Spring/Summer 2024	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	Unknown	Pending, awaiting meeting dates from Glooscap Council. Mayor will follow up.	Mayor/CAO
Subdivision Street Lighting - Create a policy to come back to Council for review.	2023-01-10	2024-01-22	Report at October COTW, More information will be presented to Council for discussion/decision.	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	2024	Re-issue a new tender when permitted	CAO

Matter	Start Date	Deadline / Update	Status/Progress Updates	Resp.
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	2024-01-24	Approved, staff are gathering information, a report will follow.	PW
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	2023-01-24	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	2023-12-12	Underway	Fin
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
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
Noise By-Law/Peace and Good Order - staff revisit the Noise By-Law/Peace and good order.	2023-09-12	2023-01-09	Approved, Report to at January COTW	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	2023-11-09	Report provided at Nov. COTW mtg	
Sewer Odours - staff explore options on masking sewer odours arising from the Combined Storm/Sewer System & report back to Council with recommendations.	2023-10-10	2024-01	Approved, Report to follow	PW

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
Fresh Water Resources/Explore Ownership of the pond - staff determine if the property known as Town Pond is or was ever a public resource, further if it was a public resource but is no longer, then when and how did it transition from public to private ownership.	2023-10-10	2024-01	Approved, Report to follow	PW/PLAN/CAO
Public Participation Policy - the original report (PPP) be referred back to staff to enhance awareness of Public Information Meetings and return to Council with a report in a timely manner.	2023-10-24	2023-12-12	Approved, Report to follow	Plan
Carpool Parking Lot - staff write a letter to MLA Sheehy-Richard requesting that the province explore options and create an additional carpool parking lot between exit 7 (Falmouth) and exit 5A (Three Mile Plains).	2023-10-10	2023-11-28	Approved, Letter sent	CAO
Affordable Housing - staff bring back a list of surplus lands and buildings for the November COTW meeting for Council to review and have further discussion.	2023-10-24	2023-11-09	Approved, Report presented at Nov COTW, more info to follow	Plan/CAO
2024 Municipal and CSAP Elections - Council approve using both electronic voting and paper ballots (hybrid) as the voting method in the 2024 NS Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections. And further that staff issue an RFP for electronic voting services in the 2024 NS Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections.	2023-11-14	2023-11-28	Pending Approval	CAO

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
ERP Program Regulations - WHRM Council opts into the ERP program for post- consumer packaging and printed paper (PPP), transferring the responsibility for curbside recycling programs to producers. That WH Council direct staff to gather the necessary data and negotiate contracts with relevant stakeholders to facilitate a smooth transition into the ERP program.	2023-11-14	2023-11-28	Pending Approval	PW
Fort Edward Sightline Preservation - Council direct the CAO to identify the importance of the view palnes of Fort Edward for consideration in the planning documnets being cosidered by the consultant for the Municipapl Planning Strategy.	2023-11-14	2023-11-28	Pending Approval	CAO/Plan
MCCAP Excerpt 2024 Work Plan - the MCCAP Committee 2024 work plan be submitted to Council for approval and placed on file.	2023-11-14	2023-11-28	Pending Approval	Plan
Municipal Planning Review Consultant Tender WHRMPD23-04 - Council approves the tender WHRMPD23-04, consultant services to complete the Municipal Planning documnet review to WSP Canada Inc. in the amount of \$192,480.00 plus 10% contingency and applicable taxes.	2023-11-14	2023-11-28	Pending Approval	Plan
Newport and District Rink 2023-24 Funding - the 2023-24 Newport and District Rink Commission Capital Funding of \$150,000, be funded through the Operating Reserves.	2023-11-14	2023-11-28	Pending Approval	Fin

<u>Matter</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status/Progress Updates</u>	<u>Resp.</u>
Smiley's Provincial Park - write a letter to the Province requesting a timeline as to when the park will be opened to the public and that a plan be considered/implemented where the public will have limited access to the park until all necessary repairs have been completed.	2023-11-14	2023-11-28	Pending Approval	CAO
Video Surveillance Policy - approve the video surveillance policy RCOFN-013.00.	2023-11-14	2023-11-28	Pending Approval	CAO
Water and Sewer Consolidation - Direct the CAO to begin the process of consolidating the Windsor and West Hants water utilities into one utility and have it completed by July 2024. CAO also be directed to begin the process of consolidating the Windsor and West Hants sewer services into one utility and make the necessary changes to the By-Law and have it completed by July 1, 2024.	2023-11-14	2023-11-28	Pending Approval	Fin
Water Utility Request for 3 Year Actuals - Staff provide Council with a 3 year detailed financial summary for the Windsor and West Hants water utilities to include actual revenues and expenses as well as budgeted revenues and expenses.	2023-11-14	2023-11-28	Pending Approval	Fin
Windsor Elementary School Funding - Staff reach out to the Windsor Elem. School Home and School Assoc. and committee to offer expertise, experience and advice with purchasing and installing playground equipment. Council also authorize \$25,000 to go towards the purchase of and installation of playground equipment for the Windsor Elem. School and the funds come from CCBF.	2023-11-14	2023-11-28	Pending Approval	CD/Fin

West Hants Regional Municipality In-Camera Dashboard (Action List)

November 28, 2023

Green - Complete

Yellow - In-progress

Red - Not started

[illegible]



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Mark Fredericks, Senior Planner

Date: November 28, 2023

Subject: Development Agreement: MacLeod Court, Three Mile Plains; PID 45006947 and 45415668 File #22-23B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

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

...that Council gives Second Reading to and approves entering into a development agreement to permit 27 townhouse units grouped on PID 45006947 and 45415668 in Three Mile Plains which is substantively the same as the draft set out in Attachment C of the report File #22-23 to the Planning and Heritage Advisory Committee dated October 12, 2023, with the revised commencement date of 48 months.

...that Council requires that the development agreement with Faisal Al-Hammadi of FH Development Group Inc. for PID 45006947 and 45415668 in Three Mile Plains be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

Property X	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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A complete application was received on February 7, 2023, from Darren Shupe of Brighter Community Planning & Consulting on behalf of the property owner Faisal Al-Hammadi of FH Development Group Inc. The application was initially requesting two multi-unit residential buildings on PID 45006947 and 45415668 in Three Mile Plains. A Public Information Meeting was held on March 9, 2023. Following feedback from the community, a revised application was submitted by Darren Shupe on June 19, 2023 which changed the format of the proposal from two multi-unit residential buildings, to 27 townhouse units grouped on the same lot. The lots are currently vacant and are owned by FH Development Group Inc.; Mr. Al-Hammadi is the President of that company.

DISCUSSION

A Public Information Meeting was held on September 7, 2023.

On October 12, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed as-of-right development and lot boundary arrangements, land use compatibility, the access issue of Panuke Road being the only entrance/exit and the narrow conditions of the road, and many comments regarding the paving of MacLeod Court, as required by the Provincial Department of Public Works. The PAC/HAC recommended in favour of the application at this meeting.

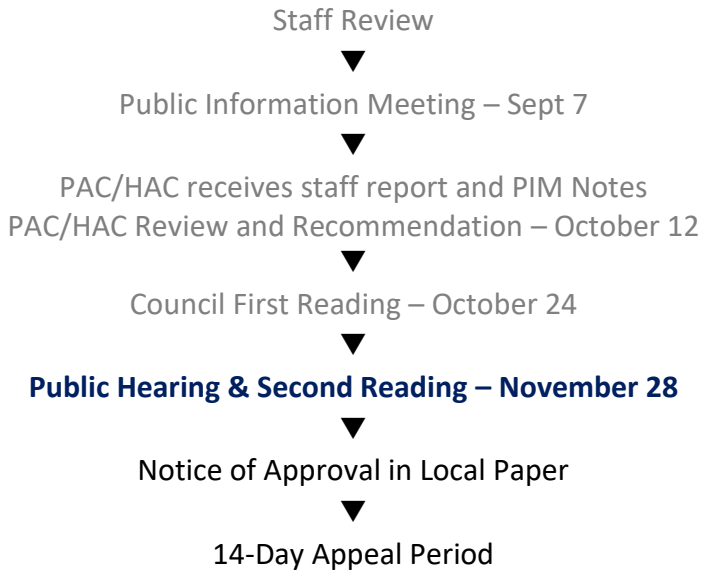
On September 26, 2023, staff presented the PAC/HAC recommendation to Council for First Reading (Appendix A). During the September 26 meeting, Council recommended in favour of the application.

After the First Reading, the applicant requested an increased commencement deadline of 5 years (60 months), as listed in section 4.1 of the development agreement which was initially set at 2 years (24 months). Staff considered the request and provided 4 years (48 months) to remain consistent with other recently approved development agreements. This compromised timeline was agreed to by the applicant and owners.

NEXT STEPS

The process for this application is as follows.

Process



*anticipated dates; final dates set by Council

APPENDICIES

Appendix A 2023-10-24 PAC/HAC Recommendation to Council – Development Agreement: PID 45276441 and 45366986 and 45055167, Payzant Dr, Windsor; File #23-13A

CHIEF ADMINISTRATIVE OFFICER REVIEW

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 –

**2023-10-24 PAC/HAC Recommendation to Council – Development Agreement: PID 45276441
and 45366986 and 45055167, Payzant Dr, Windsor; File #23-13A**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Mark Fredericks, Senior Planner

Date: October 24, 2023

Subject: Development Agreement: MacLeod Court, Three Mile Plains PID 45006947 and 45415668; File #22-23A

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 27 townhouse units grouped on PID 45006947 and 45415668 in Three Mile Plains which is substantively the same as the draft set out in Attachment C of the report File #22-23 to the Planning and Heritage Advisory Committee dated October 12, 2023.

...that Council requires that the development agreement with Faisal Al-Hammadi of FH Development Group Inc. for PID 45006947 and 45415668 in Three Mile Plains be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

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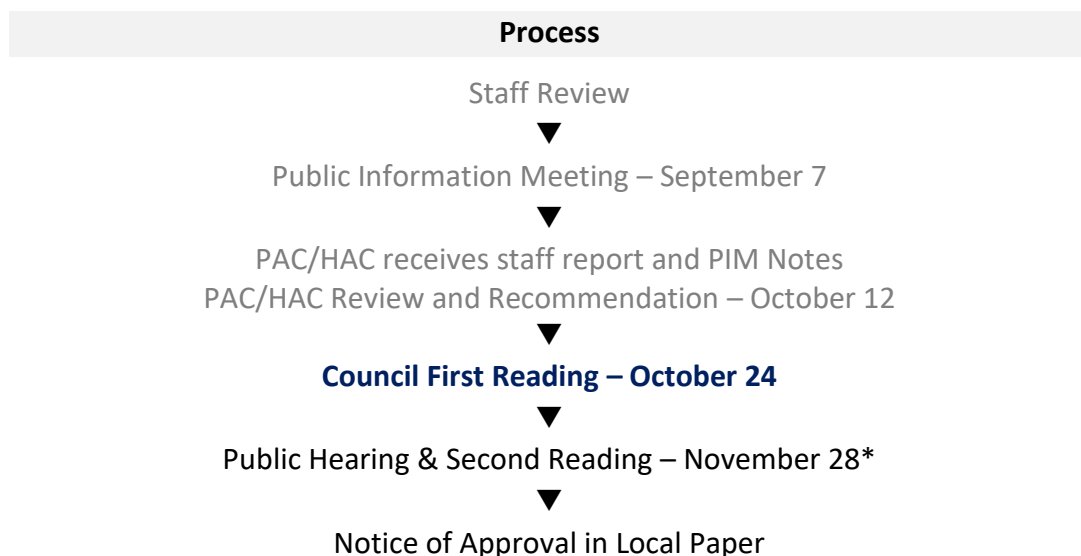
DISCUSSION

A Public Information Meeting was held on September 7, 2023.

On October 12, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed as-of-right development and lot boundary arrangements, land use compatibility, the access issue of Panuke Road being the only entrance/exit and the narrow conditions of the road, and many comments regarding the paving of MacLeod Court, as required by the Provincial Department of Public Works. 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	2023-10-12 Staff Report – Development Agreement: MacLeod Court, Three Mile Plains PID 45006947 and 45415668; File #22-23
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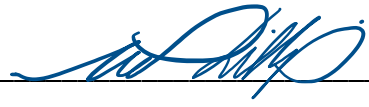
CHIEF ADMINISTRATIVE OFFICER REVIEW

It is recognized that the applicant and developer has amended the application to a development that is more in keeping with the surrounding developments and neighborhood. The development does promote density beyond what is currently found in the proposed area, which is within one of the four designated growth centers within the municipality (Three Miles Plains, Windsor, Falmouth and Hantsport), therefore I support the recommendation. It is a positive response to housing needs within the municipality.

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**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Mark Fredericks, Senior Planner

Date: October 12, 2023

Subject: Development Agreement: MacLeod Court, Three Mile Plains PID 45006947 and 45415668; File #22-23

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

To allow the requested development, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motions:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow 27 townhouse units grouped on PID 45006947 and 45415668 in Three Mile Plains which is substantively the same as the draft set out in Attachment C of the report File #22-23 to the Planning and Heritage Advisory Committee dated October 12, 2023.

...that PAC/HAC recommends that Council require that the development agreement with Faisal Al-Hammadi of FH Development Group Inc. for PID 45006947 and 45415668 in Three Mile Plains be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

Property X	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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A complete application was received on February 7, 2023, from Darren Shupe of Brighter Community Planning & Consulting on behalf of the property owner Faisal Al-Hammadi of FH Development Group Inc. The application was initially requesting two multi-unit residential buildings on PID 45006947 and 45415668 in Three Mile Plains. A Public Information Meeting was held on March 9, 2023. Following feedback from the community, a revised application was submitted by Darren Shupe on June 19, 2023 which changed the format of the proposal from two multi-unit residential buildings, to 27 townhouse units grouped on the same lot.

The lots are currently vacant and are owned by FH Development Group Inc.; Mr. Al-Hammadi is the President of that company.

DISCUSSION

The application is proposed over two currently separate lots (portion of PID 45006947 and 45415668). The applicant proposes to go through the subdivision process to subdivide/consolidate the lots as shown on the site plan attached to the draft development agreement. This process would create one 6.54-acre (26,470 sq. m.) lot to accommodate the 27 townhouse units. These townhouse units would be accessed from a new public street, Redfox Court, that would connect through a public road reserve on MacLeod Court. MacLeod Court is currently a gravel cul-de-sac accessed from Panuke Road, with approximately 17 existing homes.

Currently (prior to the proposed consolidation) PID 45006947 is approximately 3.26 acres (13,193 sq. m.) in size and PID 45415668 is approximately 12.68 acres (51,314 sq. m.) in size. After subdivision/consolidation, the remainder of these properties are intended to be developed as-of-right under the existing Two-Unit Residential (R-2) zoning. The configuration of proposed property boundaries are shown on the site plan attached to the draft development agreement.

PID 45006947 and 45415668 are designated Residential on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (WHMPS) (Figure 1) and are within the Three Mile Plains Growth Centre. Part 5.3 of the WHMPS contains the overall intention for properties designated Residential in the Three Mile Plains Growth Centre.

The lots are zoned Two-Unit Residential (R-2) on the Zoning Map of the West Hants Land Use By-law (WHLUB) (Figure 2). Groups of townhouse units are not permitted as-of-right in the Two-Unit Residential (R-2) zone but grouped dwellings in a townhouse configuration can be considered through a development agreement.

The subject lots directly abut other properties zoned Two Unit Residential (R-2) and designated Residential. These properties are all within the Three Mile Plains Growth Centre and include existing residential uses, forested land, and some agricultural uses.

Development Agreement

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

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

Section 3.3 of the draft development agreement outlines substantive matters of the development agreement. Substantive matters are any items that Council has determined that would significantly alter the intended effect of the development agreement if changed. If a request is received from the developer to change a substantive matter outlined in a development agreement, the request must go through the entire development agreement process including Public Hearing before Council prior to Council making a final decision on the proposed amendment. Staff have determined the following items in this draft development agreement are substantive matters:

- (a) the uses permitted on the Properties as listed in Section 2.1, *Use*;
- (b) subject to Section 2.13, the minimum side yard requirements and maximum building height as listed in Section 2.3 (a);
- (c) the fire safety requirements as listed in Section 2.6, *Fire Safety*; and
- (d) the stormwater management plan requirements as listed in Section 2.8, *Site Drainage*.

West Hants Land Use By-law

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

- (c) *grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre in accordance with Policy 5.3.10 of the Municipal Planning Strategy;*

West Hants Municipal Planning Strategy

Part 5.0 of the WHMPS contains the overall intention for Growth Centres in West Hants; Section 5.3 outlines the residential policies for the Three Mile Plains Growth Centre. Policy 5.3.10 establishes Council's intention to consider *"development of grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre by development agreement"*.

WHMPS Specific Criteria

Policy 5.3.10 outlines the specific criteria to be considered by Council, which are examined in detail in Attachment A.

In summary, the criteria are met since:

- road frontage on a public street is required in the development agreement;
- buildings are grouped and located to conserve existing natural features of the site;
- the lot is capable of being serviced by municipal water and sewer;
- the development is reasonably compatible with the character of the area with respect to building scale and traffic generation;
- adequate open space is provided and back yard spaces for each townhouse unit are required; and
- adequate on-site parking is provided.

WHMPS General Criteria

The proposed development meets the general criteria for development agreements set out in the WHMPS Policy 16.3.1. These criteria are examined in detail in Attachment B. In summary:

- the proposal is not premature or inappropriate for the area, provided the new public street is built to municipal specifications, which is a requirement of the development agreement;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Municipal Project Engineer, and Provincial Department of Public Works have no concerns which have not been addressed in the development agreement. The Provincial Department of Public Works has indicated that upgrades including paving of MacLeod Court will be required as part of the developer's new road construction.

MCCAP

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 properties. The Three Mile Plains Flood Risk Assessment Study shows that there may be flooding expected at the Lebreau Creek Brook road crossing at Panuke Road in the future. This one access point could

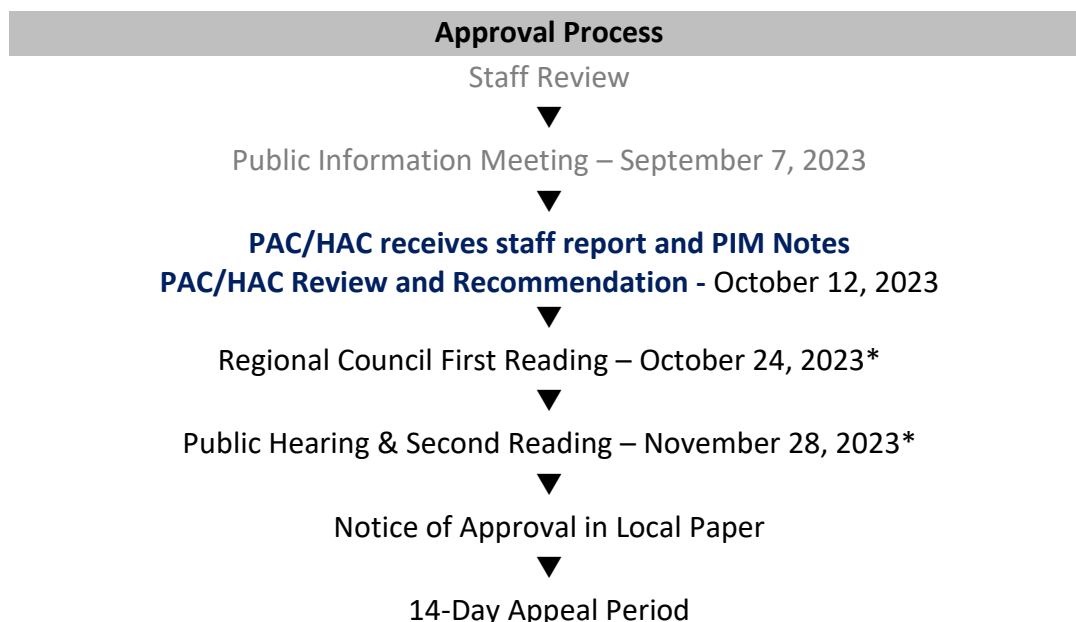
interrupt access to the subject properties during extreme weather events due to the reliance of the intersection of Panuke Road and Highway 1 to serve the proposed development.

Residents of the area experienced significant flooding of the Lebreau Creek during the flash flooding event in July 2023 and shared photos with staff of the intersection of Panuke Road and Highway 1, which was impassable at the peak of this extreme weather event. This poses a significant risk during future storms, though does not appear to impact the location of the proposed townhouse units, and a significant setback from the watercourse helps to reduce potential impacts to the built environment during future storms.

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

NEXT STEPS

As noted above, the proposed development agreement has been considered within the context of both the specific and general policies of the WHMPS and are consistent with the intent, objectives and policies of the WHMPS. As a result, it is reasonable to consider permitting 27 townhouse units on portions of the subject properties following construction of the proposed public road, Redfox Court.



FINANCIAL IMPLICATIONS

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

ALTERNATIVES

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

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

ATTACHMENTS

Figure 1	GFLUM Extract
Figure 2	Zoning Map Extract
Attachment A	Specific Criteria for Development Agreement
Attachment B	General Criteria for Development Agreement
Attachment C	Draft Development Agreement
Attachment D	Public Information Meeting Notes

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

Figure 1
GFLUM Extract

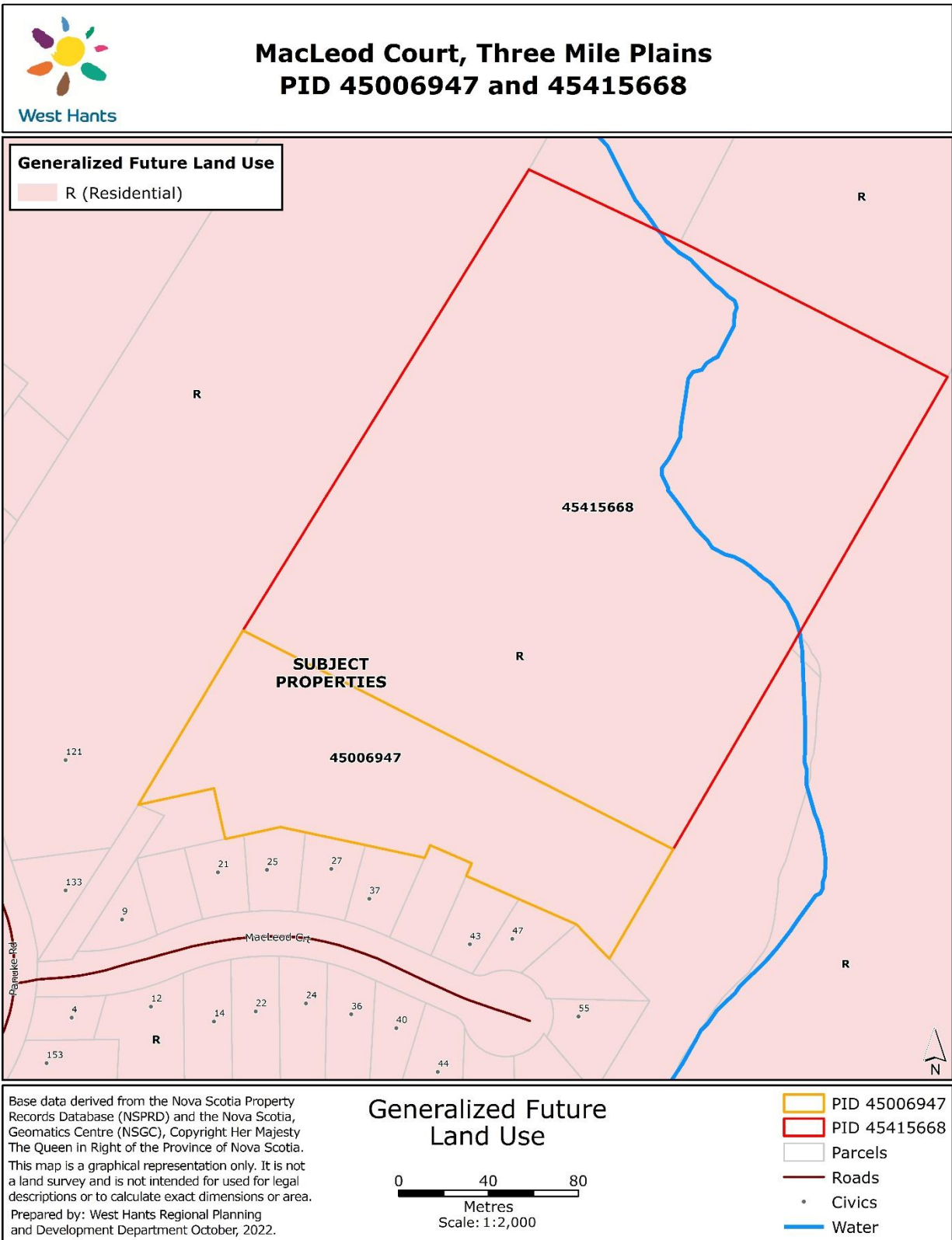
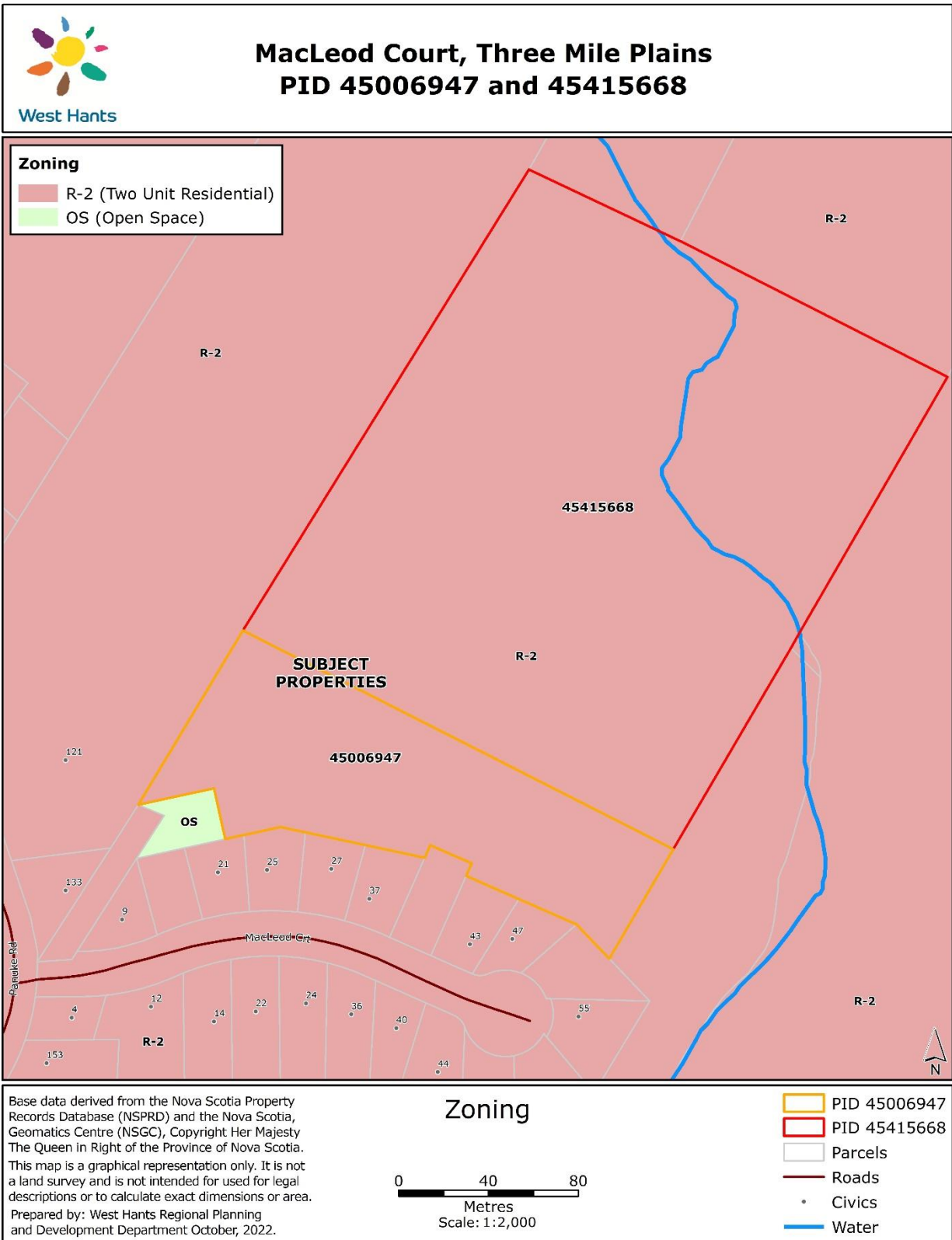


Figure 2
Zoning Map Extract



Attachment A
Specific Criteria for Development Agreement

West Hants Municipal Planning Strategy

Policy 5.3.10 It shall be the policy of Council to consider development of grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre by development agreement subject to the following:

CRITERIA	COMMENT
(a) the development has frontage on:	
(i) a public street; or	The proposed development will have public street frontage on Redfox Court, and this aspect is a requirement of the draft development agreement.
(ii) a right-of-way clearly granted by deed or easement, unrestricted	N/A
(b) where access to the development is by a right-of-way as specified in clause (a)(ii), the street along such right-of-way shall be designed by a professional engineer, who is a member in good standing of the Association of Professional Engineers of Nova Scotia and who carries appropriate professional liability insurance, who will certify that the design and construction of the street are adequate to accommodate the traffic generated by the development and access by emergency protection vehicles. Street design and construction plans shall be subject to review by the Municipal Engineer;	Not applicable as the development will have frontage on a public street, not a right-of-way.
(c) building clusters are located so as to conserve existing natural features of the site;	The buildings are located upland from the creek, which allows most of the lower land to remain undeveloped and available to continue to provide floodplain and ecosystem functions. Approximately 75% of the future lot boundary would remain undeveloped.

(d) the specific requirements for multiple unit development set out in clauses (b) to (h) of Policy 5.3.7;	See below for review of criteria (b) to (h) of policy 5.3.7.
(e) the application is accompanied by:	
(i) a site plan drawn to scale showing the proposed number, location and type of buildings, lot coverage, parking areas, vehicular and pedestrian circulation systems within the development, access to the site and open space and recreational areas;	Submitted
(ii) other supporting maps showing the topography of the lot including contours at five meter intervals, and significant natural features such as watercourses, wetlands and unique habitat or vegetation; and	Submitted
(iii) photo examples, plans or drawings showing the exterior design of the proposed buildings;	Submitted
(f) any other matter which may be addressed in a development agreement; and	All other relevant matters are addressed elsewhere in this report.
(g) Policy 16.3.1.	Please see Attachment B for further details

Policy 5.3.7 It shall be the policy of Council to consider rezoning land within the Three Mile Plains Growth Centre to R-3 subject to the following:

CRITERIA	COMMENT
(b) the lot is serviced, or is capable of being serviced, with municipal water and sewer; (Amendment WHMPS 14-01 Effective January 22, 2015)	The Public Works Engineering Division stated that the lot is capable of being served with Municipal sewer and water. However, the infrastructure has not yet been installed or approved by Municipal Public Works. It is expected that the future construction of Redfox Court would provide these services, and this aspect has been made a requirement of the draft development agreement.

(c) the development is compatible with the character of the area with respect to building scale and design, traffic generation, population density and similar matters;	The proposed development of townhouses is compatible with the development pattern surrounding the subject site. However, the density and format of housing are different from the existing single- and two-unit dwellings in the area. The proposed townhouse units will be buffered by a change in elevation and retention of vegetation to help provide a screen between the new development and existing development.
(d) existing and proposed streets are adequate to support the development and existing streets will not require major infrastructure improvements as a result of the development; a traffic impact study may be required in accordance with Section 14.6 of this Strategy;	The Provincial Public Works Department indicated the road network will require upgrades including the paving of MacLeod Court to support the increased traffic from the development. This aspect will be addressed during the road construction phase, which is a requirement of the draft development agreement. The road connection will need to be designed and approved by the provincial road authority before the townhouse units can be built. The developer provided a Traffic Impact Study to the Provincial Public Works Department. The Provincial Department indicated the potential traffic impact resulting from the development proposal is considered appropriate for the area.
(e) adequate open space or recreational space is provided;	Adequate open space is being provided and individual back yard recreational space for each townhouse unit is a requirement in the draft development agreement.
(f) adequate on-site parking is provided;	The proposed parking is adequate at 1 garage space, plus 1 driveway parking space.
(g) any other matter which may be addressed in a Land Use By-law; and	All other matters are addressed elsewhere in this report.
(h) Policy 16.3.1.	Please see Attachment B for further details

Attachment B
General Criteria for Development Agreement

Policy 16.3.1

In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

CRITERIA	COMMENT
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Public Works Engineering Division stated that the lot is capable of being served with Municipal sewer and water. However, the infrastructure has not yet been installed or approved by Municipal Public Works. It is expected that the future construction of Redfox Court would provide these services, and this aspect has been made a requirement of the draft development agreement.
(ii) the adequacy of school facilities;	Staff requested comments on the potential impact of the proposed development on the public school system but did not receive a response from the Annapolis Valley Regional Centre of Education. It is expected that the schools would accommodate any increase in enrollment.
(iii) the adequacy of fire protection and other emergency services;	The Manager of Building and Fire Inspection Services had no concerns with the proposed townhouse buildings and the local Fire Chief indicated no concerns and confirmed that the Three Mile Plains Fire Department can provide adequate fire service to the site and the proposed buildings.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The Nova Scotia Department of Public Works has stated the surrounding roads will require upgrades including the paving of MacLeod Court. This aspect is a requirement of the draft development agreement. The road connection will need to be designed and

	approved by the provincial road authority before the townhouse units can be built.
(v) the financial capacity of the Municipality to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;	The Public Works Engineering Division stated that the lot is capable of being served with Municipal sewer and water. However, the infrastructure has not yet been installed or approved by Municipal Public Works. It is expected that the future construction of Redfox Court would provide these services, and this aspect has been made a requirement of the draft development agreement.
(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Nova Scotia Department of Public Works has stated the potential traffic impact was appropriate for the area, following their review of the submitted Traffic Impact Study. They stated the surrounding roads will require upgrades including the paving of MacLeod Court. This aspect is a requirement of the draft development agreement. The road connection will need to be designed and approved by the provincial road authority before the townhouse units can be built. There are no active rail lines in the area. The former rail line represents an opportunity for future active transportation connections to better serve the community of Three Mile Plains with surrounding communities. Highway 1, Panuke Road and MacLeod Court do not have sidewalks, and pedestrian traffic was a concern raised by many of the existing residents.

(d) the adequacy of the dimensions and shape of the lot for the intended use;	The proposed property boundary is approximately 6.5 acres and the shape of the lot determined the proposed layout of townhouse units. The Development Officer commented that the subject lot is suitable in terms of dimension and shape for this proposal.
(e) the pattern of development which the proposal might create;	The proposal is compatible with the pattern of development surrounding the area. The Development Officer has no concerns regarding the pattern of development.
(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;	The portion of the properties where the buildings are proposed appears suitable and located above the watercourse on the property. The MCCAP Inland Flooding and Coastal Flooding maps do not consider the subject properties to be at significant risk. The only road access to Highway 1, via Panuke Road has flooded in the past, where it crosses Lebreau Creek Brook. The MCCAP recognizes that the Lebreau Creek Brook frequently overtops its banks and has caused flooding of homes adjacent to the brook along Highway 1. This flood risk is not within the area of development but does represent an existing potential access issue during extreme weather events, with the only way in and out of the proposed development and the existing development on Panuke Road and MacLeod Court. The property owner is responsible for ensuring that the lot is suitable for the proposed uses.
(g) whether the proposal meets the requirements of the appropriate	All Municipal, Provincial and Federal regulations will have to be met.

provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and	
(h) any other matter required by relevant policies of this Strategy.	There are no other relevant policies of this Strategy.

Attachment C

Draft Development Agreement



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2023.

BETWEEN:

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

(Hereinafter referred to as the “Municipality”)

OF THE FIRST PART

- and -

FH DEVELOPMENT GROUP INC. a body corporate, with a head office at 153 Sackville Drive, Suite 1, Lower Sackville, in the County of Halifax, Province of Nova Scotia,

(Hereinafter referred to as the “Owner”)

OF THE SECOND PART

WHEREAS the Owner is the registered owner of a parcels of land located in Three Mile Plains (PID 45006947 and 45415668) hereinafter referred to as the “Properties”, which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Properties are designated Residential on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (the “Municipal Planning Strategy”) and zoned Two-Unit Residential (R-2) on the Zoning Map of the West Hants Land Use By-law (the “Land Use By-law”) and are within the Three Mile Plains Growth Centre; and

WHEREAS the Owner has requested that the Municipality enter into a development agreement to permit 27 townhouse units on the Properties (the “Development”); and

WHEREAS Policy 5.3.10 of the Municipal Planning Strategy and Section 6.1 (c) of the Land Use By-law enable Council to consider entering into a development agreement to allow grouped dwellings consisting of six or more dwelling units in the Three Mile Plains Growth Centre; and

WHEREAS the Council of the Municipality, at a meeting held on **Month Date, 2023** approved this request and adopted this Agreement by policy, subject to the execution of this development agreement by the parties hereto and the other conditions herein;

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 as defined as follows:

- (a) “Qualified site professionals” includes professional engineers, architects and/or hazardous materials professionals.
- (b) “Townhouse unit” means a building that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

1.2 Schedules

The following attached schedules shall form part of this Agreement:

Schedule A - Legal Description

Schedule B – Site Plan

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

- (a) *Municipal Planning Strategy* means the Municipal Planning Strategy of the Municipality of the District of West Hants, effective on June 26, 2008, as amended, or successor By-laws;
- (b) *Land Use By-law* means the Land Use By-law of the Municipality of the District of West Hants, effective on June 26, 2008, as amended, or successor By-laws;

- (c) *Subdivision By-law* means the Subdivision By-law of the Municipality of the District of West Hants, approved on June 26, 2008, as amended, or successor By-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

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

- (i) those uses permitted by the underlying zoning in the Land Use By-law; or
- (ii) twenty-seven (27) Townhouse units.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and 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 shall have road access to a public street that meets the minimum standard of the Municipal Services Specifications Manual and is approved by the Municipal Engineer
- (c) The Development Officer may approve in writing minor changes to the location of the Buildings 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 2.3 (e) and 2.8, *Site Drainage*, of this Agreement provided the side yards are not decreased.

2.3 Site Requirements

- (a) The buildings shall conform to the following requirements:

Minimum Road Frontage for the grouped dwellings development	50 ft. (15.24 m.)
Maximum number of townhouse units per block, before a minimum side yard is required between buildings	10 townhouse units
Minimum Front Yard	25 ft. (7.62 m.)
Minimum Rear Yard	25 ft. (7.62 m.)
Minimum Side Yard	15 ft. (4.57 m.)
Maximum Storey of Main Building	3 storeys
Maximum Building Height	35 ft. (15.24 m.)
Maximum Height of Accessory Building	15 ft. (4.57 m.)
Minimum watercourse setback	50 ft. (15.24 m.)

- (b) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*.
- (c) A minimum of 500 sq. ft. (46.45 sq. m.) of usable recreation space in the rear yard of each townhouse unit, as outlined in Section 2.7, *Recreational Space*, shall be required.
- (d) The Owner shall keep all undeveloped areas of the Properties landscaped to maintain a vegetative buffer between the development and the existing homes on MacLeod Court.

2.4 Access and Egress

- (a) The Owner shall develop, construct, and maintain the driveway in the Development in general conformance with the driveway shown on Schedule B.
- (b) The driveway shown on Schedule B shall provide a minimum paved surface width of 20 ft. (6.09 m.), except to the extent varied by the Provincial Department of Public Works in respect of its connection to the public road. The vehicular entrance and exit shall be clearly demarcated.
- (c) No occupancy permit will be issued until the condition specified in 2.2 (b) has been fulfilled.

2.5 Parking

- (a) All parking spaces for vehicles using the Properties shall be located on the lot and shall be generally located as shown on Schedule B.
- (b) The Owner shall provide a minimum of one (1) parking space per dwelling unit on the Properties.
- (c) 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.
- (d) Each parking space shall be a minimum of 10 ft. by 20 ft. (3.05 m. by 6.1 m.) exclusive of driveways and manoeuvring aisles. Parking aisles shall be a minimum of 20 ft. (6.1 m) wide.
- (e) 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 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.

2.7 Recreational Space

- (a) A minimum of 500 sq. ft. (46.45 sq. m.) per unit, of private recreational space immediately adjacent to the back of each townhouse unit shall be provided on the Properties.

2.8 Site Drainage

- (a) No development permit shall be issued until the Owner provides to the Development Officer a stormwater management plan that satisfies the Municipal Engineer that historical flooding patterns and area drainage systems have been considered and that storm water discharge will balance pre- and post-construction flows to ensure there is no negative impact on downstream properties. If the stormwater management plan provided by the Owner does not in fact balance pre-and post-construction flows to ensure the absence of such impacts the Owner shall undertake such remediation as the Municipal Engineer may reasonably require.
- (b) 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.

2.9 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 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 within the Development.

2.10 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 driveway to a standard adequate to allow for access by emergency services vehicles.

2.11 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 control 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.

2.12 Subdivision

- (a) Subdivision of the Properties outside of the development area shall be permitted in accordance with the applicable Subdivision By-law. No subdivision is permitted within the development area shown on the Site Plan that would reduce the lot area. No additional parkland or parkland fees shall be required for subdivision or consolidation of the Properties subject to this Agreement.

- (b) Any lot(s) subdivided from the portions of PID 45006947 and 45415668 that will be developed under this Agreement, shall no longer be subject to this Agreement.

2.13 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 2.3 (a) of this Agreement;
- (ii) number of parking spaces required;
- (iii) floor area occupied by a home-based business; and
- (iv) height and area of a sign.

PART 3 CHANGES AND DISCHARGE

- 3.1** The Owner shall not vary or change the use of the Properties from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this Agreement is amended.
- 3.2** Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this Agreement.
- 3.3** The following matters are substantive matters:
 - (a) the uses permitted on the Properties as listed in Section 2.1, *Use*;
 - (b) subject to Section 2.13, the minimum side yard requirements and maximum building height as listed in Section 2.3 (a);
 - (c) the fire safety requirements as listed in Section 2.6, *Fire Safety*; and
 - (d) the stormwater management plan requirements as listed in Section 2.8, *Site Drainage*.
- 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 over the Properties,

registration of the deed reflecting the conveyance shall be conclusive evidence that this Agreement shall be discharged as it relates to the public street or public facility, as the

case may be, as of the date of registration with the Land Registry Office, but this Agreement shall remain in full force and effect for all remaining portions of the Properties.

- 3.5** Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter, and this Agreement may be discharged by Council without a public hearing.
- 3.6** Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owner following a resolution of Council to give such Notice:
- (a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or
 - (b) at the discretion of the Municipality, with or without the concurrence of the Owner, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or
 - (c) at any time upon the written request of the Owner, provided the use of the Properties is in accordance with the applicable 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.
- (b) Development as provided in Part 2 of this Agreement shall commence not later than forty-eight (48) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act, 30 days after giving Notice of Intent to Discharge to the Owners. Upon the written request of the Owners, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.
- (c) If the Owners are bona fide delayed from commencing the development for reasons which are beyond the Owners' control, the determination of which shall

be at the sole discretion of the Development Officer, then performance by the Owners is excused for the period of the delay and the time period for the Owners to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

- (a) The Owner shall provide record drawings to the Development Officer for any portion of the Development for which an engineered design is required within ten (10) days of completion of any work which requires the engineered design.
- (b) The Owner shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with other By-laws and Regulations

- (a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Properties (other than the Land Use By-laws 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 Schedules attached to this Agreement, the written text of this Agreement shall prevail.

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

5.4 Municipal Responsibility

- (a) The Municipality does not make any representations to the Owner about the suitability of the Properties for the Development proposed by this Agreement. The Owner assumes all risks and must ensure that any proposed Development complies with this Agreement and all other laws pertaining to the Development.
- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions

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

5.6 Costs

The Owner shall pay all costs associated with registering this Agreement and all costs associated with any amendment thereof.

5.7 Development Agreement Bound to Land

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

5.8 Assignment of Agreement

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

5.9 Written Notice

- (a) The Municipality may serve notice on the Owner personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to Faisal Al-Hammadi, FH Development Group Inc., 153 Sackville Drive, Suite 1, Lower Sackville, NS, B4C 2R3, or at any other address provided in writing 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 by the Municipality to the Owner.

5.10 Full Agreement

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

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

SIGNED, SEALED AND DELIVERED

In the presence of:

Witness

Witness

Witness

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

Per: _____

) Abraham Zebian, Mayor

)

)

)

) Per: _____

) Deanna Snair, Municipal Clerk

)

)

)

) **FH DEVELOPMENT GROUP INC.**

)

)

Per: _____

) Faisal Al-Hammadi, 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.

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**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, **Faisal Al-Hammadi**, 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, Faisal Al-Hammadi, Nova Scotia, make oath and say that:

1. I Faisal Al-Hammadi of FH DEVELOPMENT GROUP 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

FAISAL AL-HAMMADI, President

Schedule A
Legal Description

PID 45006947

ALL that certain lot of land and premises situate in the Town of Windsor, being part of the first lot of land conveyed by Laura Brown et al to the Grantor by Deed dated April 18th, 1953 and recorded in the Office of the Registrar of Deeds at Windsor, in the County of Hants. The said lot is bounded and described as follows:

BEGINNING at a pine tree at the Northern corner of a lot of land occupied by Rufus Wile;

THENCE North 53 degrees East along the Southern boundary of land of Cyril Kelly 784 feet to a spruce tree;

THENCE South 42 1/4 degrees East 685 feet;

THENCE South 51 1/2 degrees West 788 feet to the boundary of land of Rufus Wile;

THENCE Northwesterly along said boundary 705 feet more or less to the POINT OF BEGINNING.

The said lot contains 12 1/2 acres, more or less.

SAVING AND EXCEPTING that lot of land conveyed in a deed recorded on June 29, 1950 in book 187 at page 514.

ALSO SAVING AND EXCEPTING Lot H-1 as conveyed in a deed recorded on April 26, 1989 in book 599 at page 564.

ALSO SAVING AND EXCEPTING Lots H-2 and U-1A as shown on a plan recorded on September 28, 1989 as number 6138.

ALSO SAVING AND EXCEPTING that lot of land conveyed in a deed recorded on November 14, 1991 in book 663 at page 529.

ALSO SAVING AND EXCEPTING Lots 1 to 16 and Parcels RR-1 and P-1 as shown on a plan recorded on April 28, 1992 as number 6696.

*** 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: 1992

Plan or Document Number: 6696

PID 45415668

ALL that lot of land and premises which was conveyed to the said George Whitehead by James Whitehead by Deed bearing date the 18th day of March, 1883 and recorded in the office for the Registry of Deeds at Windsor aforesaid in Book 75 page 30 and therein described as follows:

ALL that certain lot of land in Windsor being part of lot number four of the Councillors Grant, so called, and formerly owned by one Leonard Maxner, beginning at the Southern corner of a lot (part of lot number four) otherwise called the Belcher Lot conveyed by Charles T. Wilkens to Stephen Hines;

THENCE to follow the Southeast line of said lot number four six(6) chains and ten (10) links;

THENCE to run North seventy-five (75) degrees West eleven (11) chains and eighty (80) links to the Northwest line of said Belcher Lot;

THENCE to follow said line eleven chains and eighty links to Hines lot;

THENCE the course of Hines' line to the place of beginning containing ten and one quarter acres, more or less.

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

Compliance:

The parcel originates with an instrument (registration details below) and the subdivision is validated by Section 291 of the Municipal Government Act

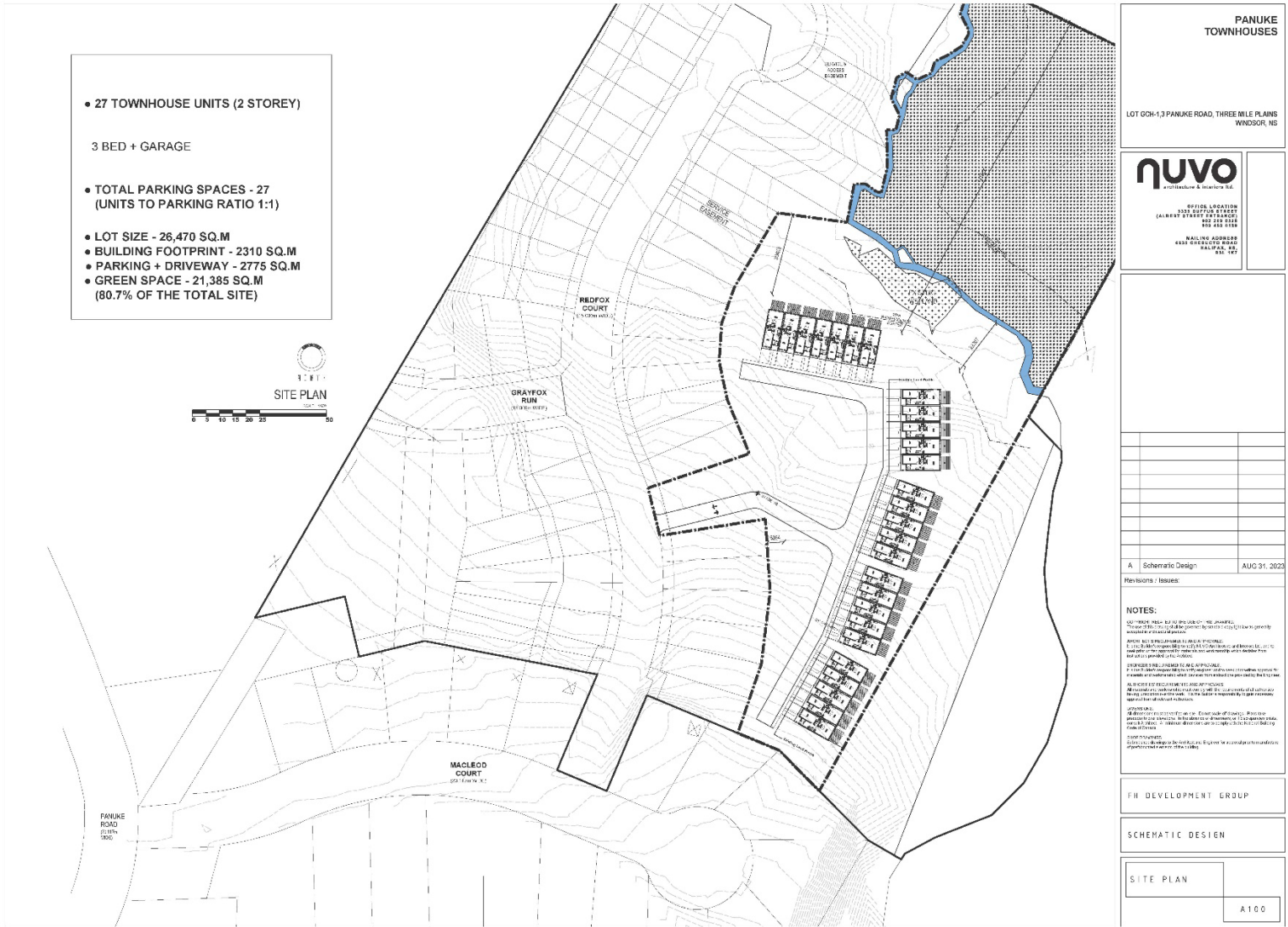
Registration District: HANTS COUNTY

Registration Year: 1950

Book: 187 Page: 513

Schedule B

Site Plan



Attachment D
Public Information Meeting Notes
September 7 – 22, 2023
File 22-23

MacLeod Court, Three Mile Plains; PID 45006947 and 45415668

Meeting date and time	A Public Information Meeting was held on September 7, 2023 beginning at 7:10 p.m. in Council Chambers at 76 Morison Drive, Windsor.
Attending	In attendance: One (1) Councillor: • Councillor Francis (Chair) Three (3) members of staff: • Director of Planning and Development, Sara Poirier • Planner, Alex Dunphy • Planning Administrative Assistant, Vanessa Lake Applicant • Ahsan Khan of FH Development Group Inc. • Darren Shupe of Brighter Community Planning and Consulting Seven (7) members of the public were present.
Applicant Faisal Al-Hammadi, FH Development Group Inc. Property MacLeod Court, Three Mile Plains; PID 45006947 and 45415668	Director Poirier outlined the request from FH Development Group Inc. to permit up to 27 townhouse units on portions of PIDs 45006947 and 45415668, on MacLeod Court in Three Mile Plains. Darren Shupe of Brighter Community Planning and Consulting made a presentation on behalf of the applicant.
Comments	Comments from the public could be submitted to Senior Planner Fredericks by mail, e-mail and telephone between September 7 – 22, 2023. 6 members of the public spoke at the Public Information Meeting. Three (3) comments were received via mail, email or phone. The questions and comments from the public are summarized below. Email responses are attached. Staff and applicant responses are included in purple.

	At the Public Information Meeting the following comments were made: • Keith owns a property on MacLeod Court. His main concern is related to traffic increases to MacLeod Court in relation to the 26 new residential lots and 27 townhouses being proposed. He stated that this could potentially equate to 106 vehicles traveling on a road that currently only has 17 homes. He noted that MacLeod Court is a gravel road that currently has to be fixed 3 times a year as-is. The poster boards created by FH Developments spell the project as “Penuke” but it is spelled “Panuke” Road and there is no access shown from the development to Panuke Road. Darren noted the spelling error and confirmed there would be no direct access to Panuke Road for the development. The Public Works Department has already visited Keith at his home. They told him that the new pump house on Panuke Road is running at about 70-80% capacity already for water. He’s concerned that if there is already water capacity concerns with the new pump house that was installed to service the 99 homes on Panuke Road and MacLeod Court, that this system will not be able to handle the additional homes being proposed in this development. Keith also noted the school systems in the area, the fact that there are no crosswalks, no streetlights, and that MacLeod Court isn’t paved. He asked what is being done to address these issues? Sara stated that whenever there is a development agreement application, through the staff review, staff reach out to stakeholders such as the Nova Scotia Department of Public Works, Municipal Public Works Department and School Board for comment on infrastructure capacity in relation to the overall proposal. These items will all be addressed in the staff report presented to the Planning and Heritage Advisory Committee.
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	• Mike Forrester lives on Highway 1. He mentioned the brook that runs behind the property and at the bottom of Panuke Road in relation to the flooding event in the area a few weeks ago. During that time the intersection of Panuke Road and Highway 1 completely flooding, making it impassible. This development will increase non-permeable surfaces in the area which he believes could cause more runoff into these water systems. Darren responded that the developers' engineers will be developing a site servicing plan which will address stormwater from the development. • Barry Sherman lives on Panuke Road. He questioned the road infrastructure, specifically why a wooden bridge would have been built at the end of Panuke Road. He is not a fan of development in this area and is concerned about the impact on property values and taxes for residents in the area with this proposal. He wondered what was going to happen to the remaining area of land included in the development agreement application that doesn't show townhouses on it? Darren noted that 75% of the lot to be created for the townhouse units will be retained in its natural state. Barry asked why the developer chose to develop here, in this quiet area? Darren commented that the developer sees potential for the land and the planning document policies allow Council to consider this proposal in a growth centre. How will MacLeod Court be used as an access? Darren and Sara responded that the Nova Scotia Department of Public Works owns a road reserve parcel between MacLeod Court the developers lots. The developer will have to receive permission to use that access to connect the proposed roads from this development to MacLeod Court. Darren also noted that the developer is also discussing the upgrades required to MacLeod Court to accommodate the increased traffic to this development with the Nova Scotia Department of Public Works.
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	Barry asked how construction will impact the area, as this will add to the effects already felt by residents living in the area that have to deal with the quarry on Panuke Road. Is the developer from the area? Are they familiar with Panuke Road? Darren responded that the developer is HRM based and have other projects nearby such as a site on Wentworth Road. • Keith asked if these units will be for sale or for rent? Ahsan responded that most will be for sale and some will be rental. Further discussions need to be had on this. Keith was also concerned that this was the only opportunity to comment on the proposal. Sara reiterated the information shown on the process slide of the presentation, noting that the Public Information Meeting is the first step in the process and there will be further opportunities for the public to comment (i.e., at Public Hearing). Due to the original proposal being completely revised by the developer, staff determined it was best to restart the process from the beginning. • Linda lives on Highway 1. She noted that the truck traffic and traffic in general is very busy. This proposal will make it worse, also increasing noise, fumes, etc. It makes it extremely dangerous to walk in the area as there are no sidewalks. Residents must drive everywhere. She wants to be able to feel comfortable in her community. • Tammy lives on MacLeod Court. She is worried that the proposal will remove the country setting of the area. She already experiences issues with the traffic, especially truck traffic on the roads from the quarry. There's no amenities in the area i.e., no stores and school-aged children need to be bussed to school. A number of neighbours are considering moving because this development will ruin the area. She also noted that she believes the development should have access directly to Panuke Road or Highway 1 due to traffic congestion.
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	• Lisa Bland lives on Panuke Road. She wanted to make the developers aware of the RAD Consulting report where they completed community engagement sessions with members of the Acadian, Native and African Nova Scotian community. She wanted to remind the developers that they are presenting about an area that is a historic black community, Five Mile Plains. There have been clear recommendations made from the community about items such as road safety in the RAD Consulting report which should be respected. She noted that Council should consider items from the RAD Consulting report in relation to this proposal.
Adjournment	There being no further business, the meeting adjourned at 7:44 p.m.

Public Email Responses Submitted after the PIM

From: Barry White
To: Mark Fredericks
Sept 12, 2023

I watched the zoom meeting, Sept 7 at 6pm.

I was surprised that public works were not asked to do a report on if this will even work.

That's a lot of sewer that has to be pumped uphill. A lot of water on a system that is constantly being repaired. A lot of traffic already on a road that has nowhere in places on Panuke road for kids to walk to the school bus.

This development does not comply with section 5.3.10 of the MPS. All the surrounding homes are single detached.

Nearest place to buy milk is 3.3 km away. Local parents have swingsets and playhouses in their backyard because there are no parks around here.

Panuke road and #1 will continue to flood and strand us up the hill again. Picture attached. This development will just make it more often.

Picture of the road leading up to the proposed development. Quiet country dead end street. A lot of people come down here to walk their dogs everyday.

Google search New 3 bedroom townhouse with attached garage. In my research, will be around \$600,000. Rent would be \$3000 is a educational guess.

15 year resident

Barry White

Three Mile Plains





From: Mark Fredericks
To: Barry White
Sept 12, 2023

Hi Barry,

Thanks for reaching out and sharing your concerns and photos.

We will have discussions with the provincial road authorities and municipal public works which will need to be favorable to recommend the approval of the townhouse units.

We have captured your comments and will include them in the report to the Planning Advisory Committee who will make a recommendation to Municipal Council on this decision in the coming months.

Thanks again for sharing.

From: Michael Forrester and Lynda Gradt

To: Mark Fredericks

Sept 19, 2023

To,

Planning and Heritage Advisory Committee

West Hants Regional Municipality

Attn: Mark Fredericks

Re: File #22-23 Development Agreement: PID 45006947 and 45415668, MacLeod Court, Three Mile Plains

Greetings,

Due to the fact that none of the comments or statements made at the Public Information Meeting were recorded as a matter of public record, we would at this time like to express our opinions on the Development being proposed on MacLeod Court.

We found out about the proposed development completely by accident because of a concerned resident's social media post. Having recently relocated some 1800 kilometres from a major metropolitan area, we chose this area because it was in a generally rural setting.

Given the size and scope of this proposal it will affect far more residents than those who reside within the 500-foot radius of the notification. We're sure the developers are well aware of the local bylaws concerning the notification area. Such a project by its very nature deserves a wider scope of public notification and input. This proposal if approved would greatly affect the community at large by the pressure placed on public roadways, schools and infrastructure in general. With the changes in climate and the more frequent heavier than normal rain events, paving over such a large area will affect storm run off into the local brooks and creeks.

The proposal doesn't seem to fit the area. The sitemap of the area in question doesn't show exactly where this new project would be placed. Being situated off a single road that is already heavily burdened by truck traffic to and from the quarries one can only imagine to increased traffic that a multi-year project like this would inflict on the area.

Once again, the developer's spokesperson seemed woefully ill-prepared for the presentation and the developer didn't seem to want to answer any direct questions. We fail to understand how someone, or a company would not have done much more of the groundwork and necessary research before coming to council with yet another absurd proposal.

There seems to be a great lack of foresight in approving these developments.

Sincerely yours,

Michael Forrester and Lynda Gradt

Three Mile Plains, NS

...

From: Mark Fredericks
To: Michael Forrester and Lynda Gradt
Sept 19, 2023

Thanks Michael and Lynda,

The Municipality is in the process of establishing larger notification areas for planning applications. It's expected to increase to 1000 ft around a subject property. The traffic issues in this case are also being investigated and the developers may be required to pave MacLeod Court to improve surrounding road conditions. Site drainage is another aspect that will be a requirement of any future development.

We have captured your comments and will include them in the report to the Planning Advisory Committee.

Thanks for reaching out. Please let me know if you have any further comments or questions.

From: Keith Pottie
To: Mark Fredericks
Sept 20, 2023

Hello,

As a resident of Macleod court I have many concerns with the development which someone is looking to have move forward. The community is a small, and quiet country setting which will be destroyed by this development moving forward. We have a gravel road which already needs to be repaired 2-3 times a year from traffic of 17 homes. We have no street lights or sidewalks. We do not have basic community amenities which I assumed I am being taxed for. The water pressure is decreased and I have already had Public works tell me the system cannot handle the homes it has and someone thinks it's a good idea to vastly increase the population of the area. There's 99 homes between Macleod court and Panuke road. This developer wants to put in 26 residential properties along with 27 townhouses. We do not have the infrastructure for the population to grow by 50 percent or more. All this is going to do is drive up taxes in a low income area which already has taxes far higher than amenities which are being supplied. You also need to look at the school system and area in general. TMPDS is at capacity already and cannot handle the increase. Panuke road homes several commercial quarries which sees several hundred trucks a day which damage the roads, bridge and is unsafe for people to walk on without sidewalks. I have witness busses, vehicles and pedestrians almost hit several times.

Macleod is not a place where this development should be and someone's greed is going to ruin a peaceful home for many. Someone from the council needs to step up and look at what is not in place and not allow this to move forward without proper planning. In the Public Information Meeting it was made clear that things were going to be evaluated but greed should not supersede current residents' well-being and safety. Fix the roads properly (paving and grading), replace the bridge with steel/concrete and not wood, replace the old water lines, install sidewalks, install street lights and give the current residents the items they deserve before moving forward with a greedy developer. This is not the place and the community does not support this. Thank you.

Keith Pottie

...

From: Mark Fredericks
To: Keith Pottie
Sept 28, 2023

Hi Keith,

Thanks for reaching out. We are working with the provincial road authorities and municipal public works who will both need to have their requirements met. This includes paving of MacLeod Court and ensuring the adequate supply of water and sewer services with any system upgrades if necessary.

We have captured your comments and will include them in the report to the Planning Advisory Committee who will make a recommendation to Municipal Council on this decision in the coming months.

Thanks again



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: November 28, 2023

Subject: Development Agreement: 411 King Street, Windsor (PID 45059755); File # 23-19B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

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

...that Council gives Second Reading and approves entering into a development agreement to permit a stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King Street in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-19 to the Planning and Heritage Advisory Committee dated October 12, 2023.

...that Council requires that the development agreement with Edward Edelstein which permits a stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King 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 ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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An application was received from Edward Edelstein of Ecogreen Homes on July 7, 2023. The application is to allow a stacked townhouse development, consisting of 18 dwelling units by development agreement.

DISCUSSION

A Public Information Meeting was held on September 7, 2023.

On October 12, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed the number of units, front yard setback, existing building footprint, and stormwater runoff.

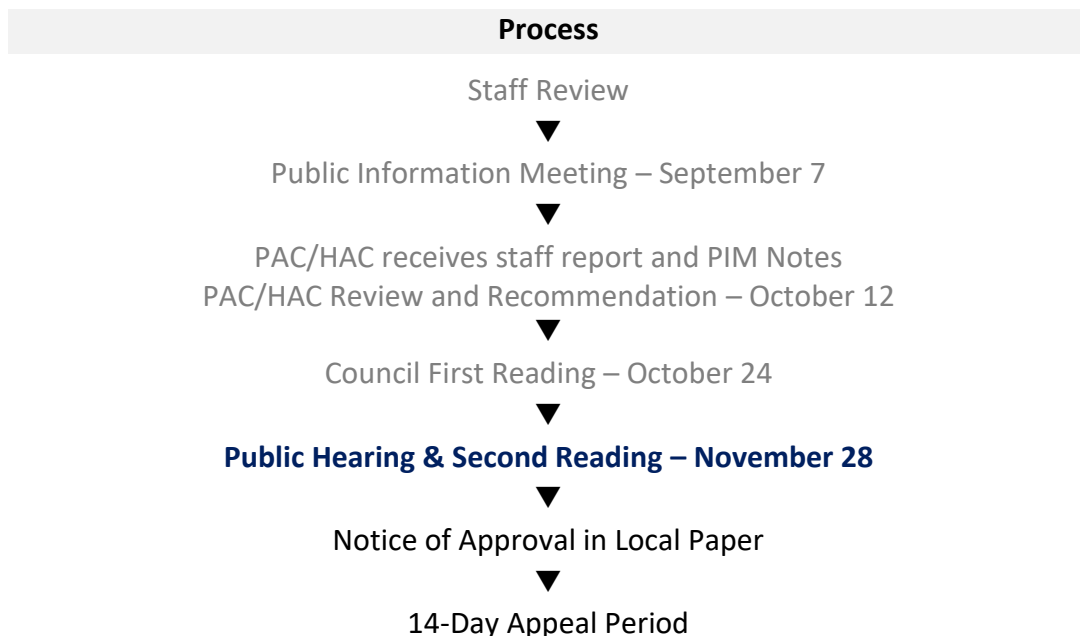
During the October 12 meeting, PAC/HAC recommended in favour of the application.

On October 24, 2023, staff presented the PAC/HAC recommendation to Council for First Reading. Council discussed matters heritage status, Environmental Constraints Overlay, whether there was a former development agreement registered on the lot, and stormwater management.

During the October 24 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

ATTACHMENTS

Appendix A 2023-10-24 Staff Report – Development Agreement: 411 King Street,
Windsor (PID 45059755); File # 23-19A

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendations.

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 – 2023-10-24 Staff Report – Development Agreement:
411 King Street, Windsor (PID 45059755); File # 23-19A**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: October 24, 2023

Subject: Development Agreement: 411 King Street, Windsor (PID 45059755); File # 23-19A

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 permit a stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King Street in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-19 to the Planning and Heritage Advisory Committee dated October 12, 2023.

...that Council requires that the development agreement with Edward Edelstein which permits a stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King 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 ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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An application was received from Edward Edelstein of Ecogreen Homes on July 7, 2023. The application is to allow a stacked townhouse development, consisting of 18 dwelling units by development agreement.

DISCUSSION

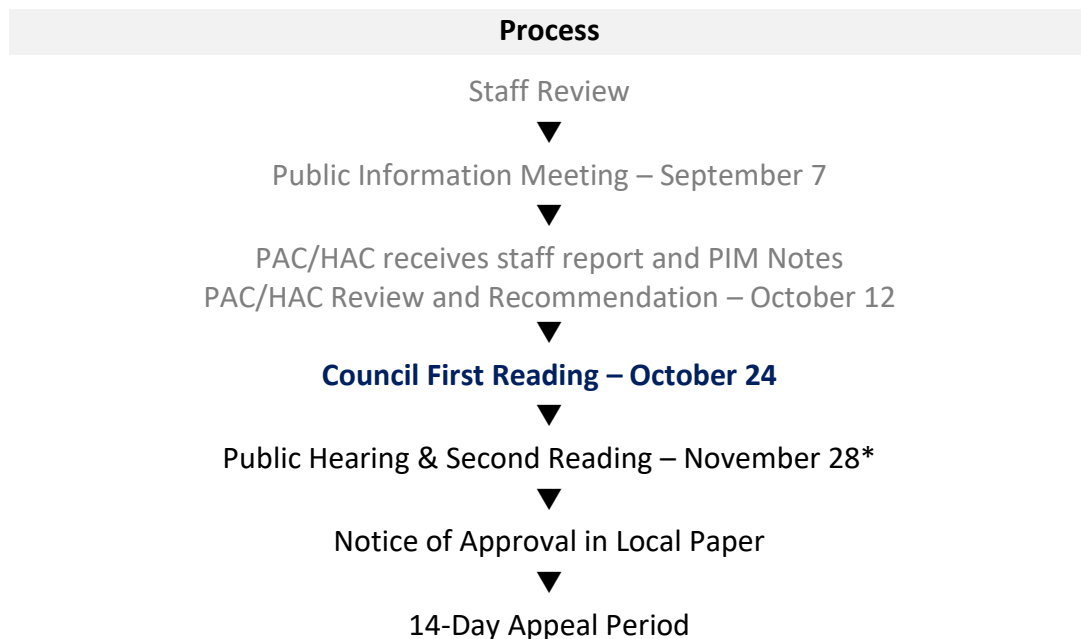
A Public Information Meeting was held on September 7, 2023.

On October 14, 2023, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed the number of units, front yard setback, existing building footprint, and stormwater runoff.

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.

ATTACHMENTS

Appendix A 2023-10-12 Staff Report – Development Agreement: 411 King Street, Windsor (PID 45059755); File # 23-19

CHIEF ADMINISTRATIVE OFFICER REVIEW

For Council to approve First Reading and hold a public hearing it will allow for the public information process to formally receive comments from the public. The application reflects a redevelopment of an abandoned church into multi-unit residential development.

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 – 2023-10-12 Staff Report – Development Agreement:
411 King Street, Windsor (PID 45059755); File # 23-19**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: October 12, 2023

Subject: Development Agreement: 411 King Street, Windsor (PID 45059755); File # 23-19

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 stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King Street in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-19 to the Planning and Heritage Advisory Committee dated October 12, 2023.

...that PAC/HAC recommends that Council require that the development agreement with Edward Edelstein which permits a stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King 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 ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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An application was received from Edward Edelstein of Ecogreen Homes on July 7, 2023. The application is to allow a stacked townhouse development, consisting of 18 dwelling units by development agreement.

DISCUSSION

The subject lot is 2.79 acres (1.13 hectares) in size. It is designated Community Use on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). The subject lot is zoned General Commercial (GC) (Figure 2), and the majority of the subject lot is included in both the Dykeland Variance overlay and Environmental Constraints overlay on Schedule A of the Windsor Land Use By-law (WLUB) (Figure 3).

The subject lot is located on King Street and is currently occupied by a church. The building was constructed in 1898 and the property was used as Windsor United Baptist Church until November 2019 when the congregation moved to a different location.

The proposal includes two Phases for a completed build out. This application and report only apply to Phase 1 of the proposal, which is the 18-unit stacked townhouse development fronting on King Street. Phase 2, which includes 2 six-storey apartment buildings, may be developed in the future, however that will require an amendment to the proposed development agreement and a separate application and public process.

The majority of the subject lot is within the Environmental Constraints overlay of the Zoning Map of the WLUB (Figure 3). In accordance with the WLUB, the developer will be required to provide an environmental study for any development within this area. The front portion of the subject lot along King Street, where Phase 1 is proposed, is outside of this area. Therefore, will not be requiring the developer to submit an environmental study at this time.

Surrounding Context

Properties to the north of the subject lot are primarily designated Residential and zoned Single Unit Residential (R-1). Properties to the south and east are designated Commercial and zoned a mix of General Commercial (GC) and Highway Commercial (HC). Lastly, properties to the west are designated Community Use and zoned Open Space (OS). Across King Street to the west is the Windsor Community Centre.

Municipal Planning Strategy Document Review

Policy 16.1.4 of the WMPS is the first enabling policy to be considered for this application. This policy states that “It shall be the intention of Council to consider entering into a development agreement for a property immediately adjacent to a given land use designation on the

Generalized Future Land Use Map (Map 1) without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied.” As the subject lot abuts a number of properties within the Residential designation, it is appropriate to use this policy to consider entering into a development agreement enabled through the Residential designation policies.

Policy 5.4.6 of the WMPS is the second 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;
- King Street is considered an arterial road on the Transportation Map of the Windsor Municipal Planning Strategy; 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 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.

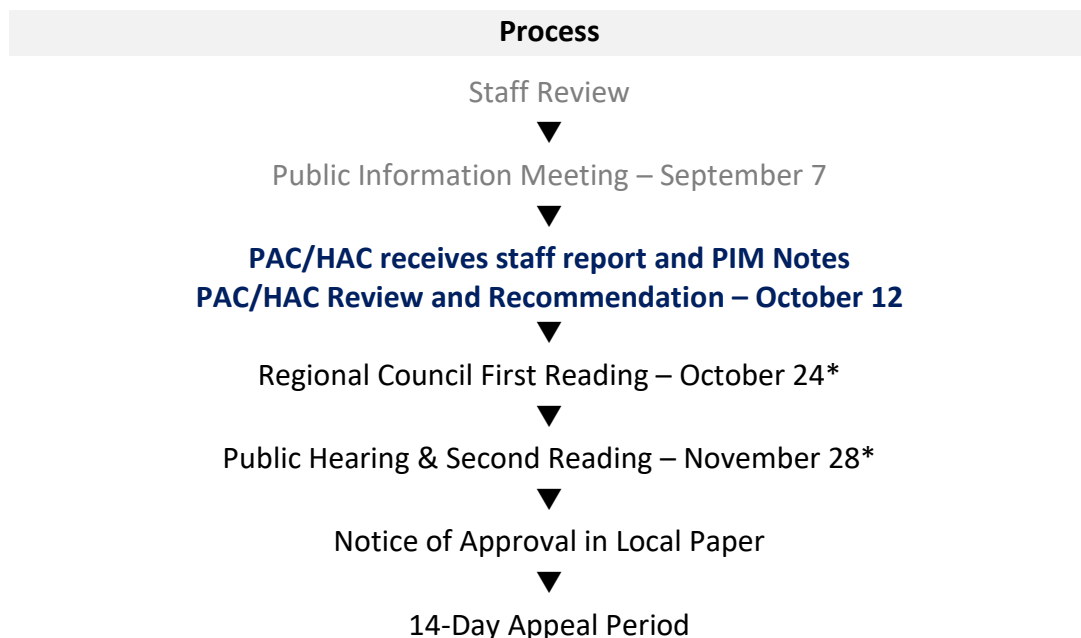
MUNICIPAL CLIMATE CHANGE ACTION PLAN

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 a stormwater management plan to the Public Works Engineering Division to ensure pre- and post-development flows are neutral or better than before the development. 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 stacked townhouse development, consisting of 18 dwelling units on PID 45059755 at 411 King 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	GFLUM Extract
Figure 2	Zoning Map Extract
Figure 3	Environmental Constraints Overlay 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 – GFLUM Extract

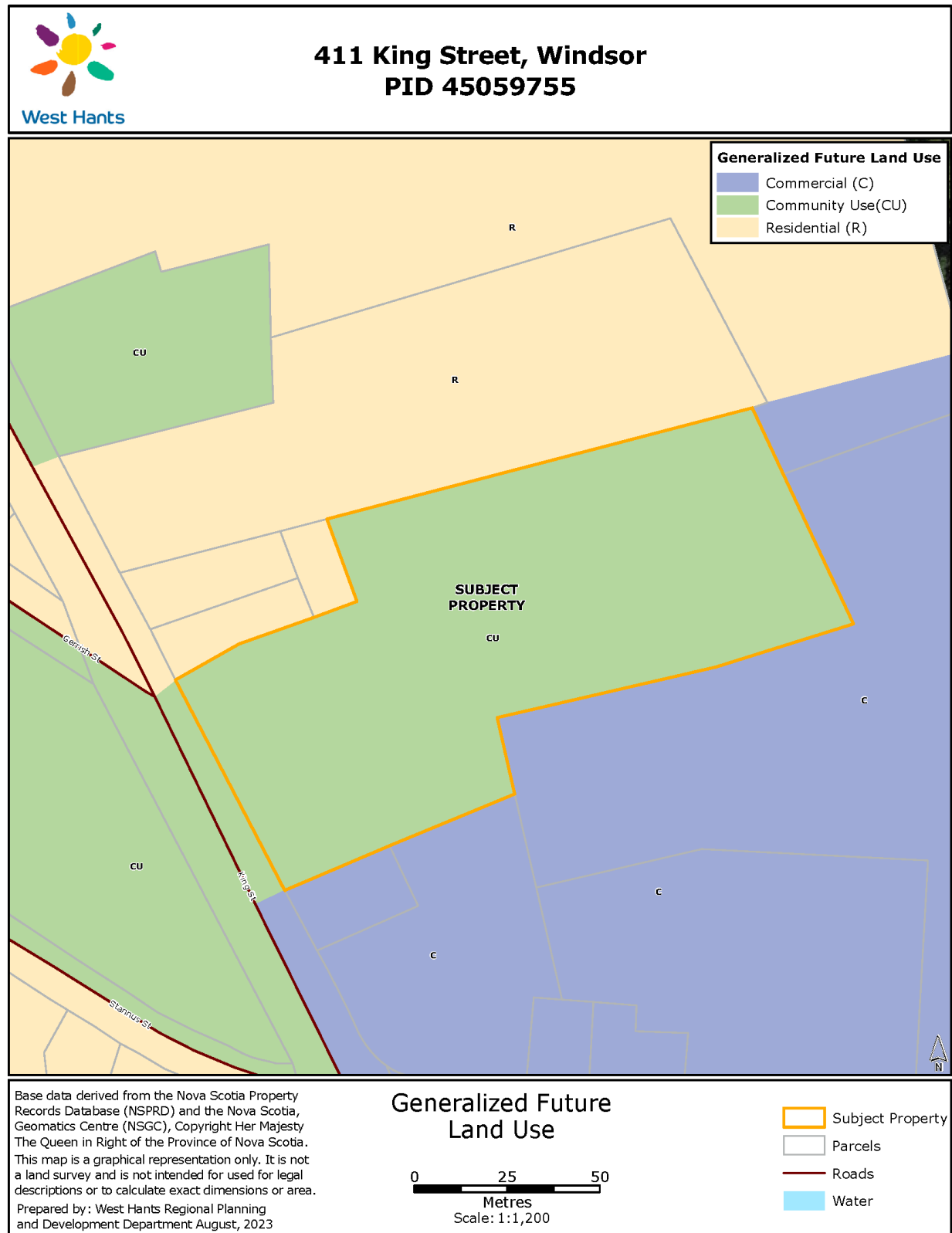


Figure 2 – Zoning Map Extract

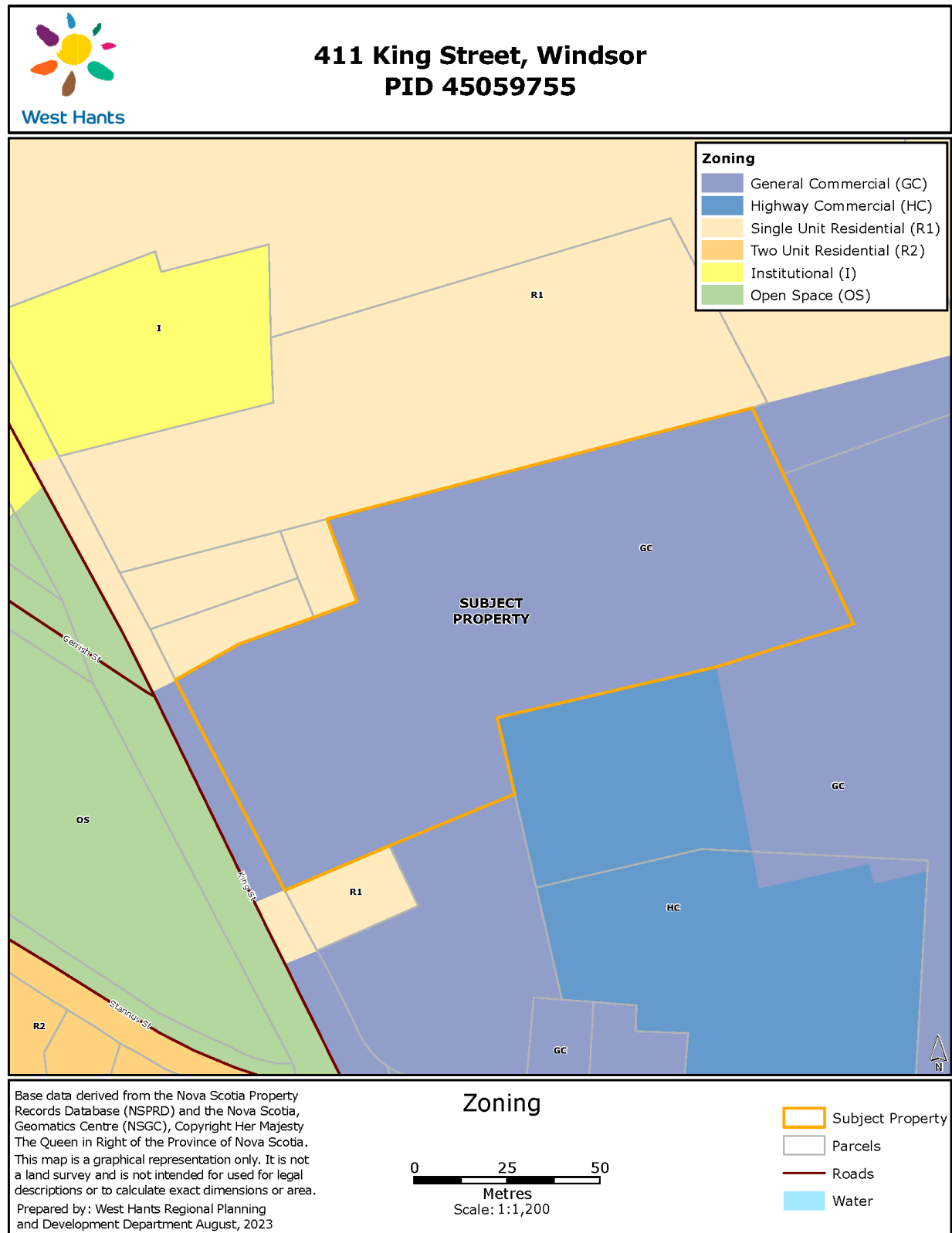
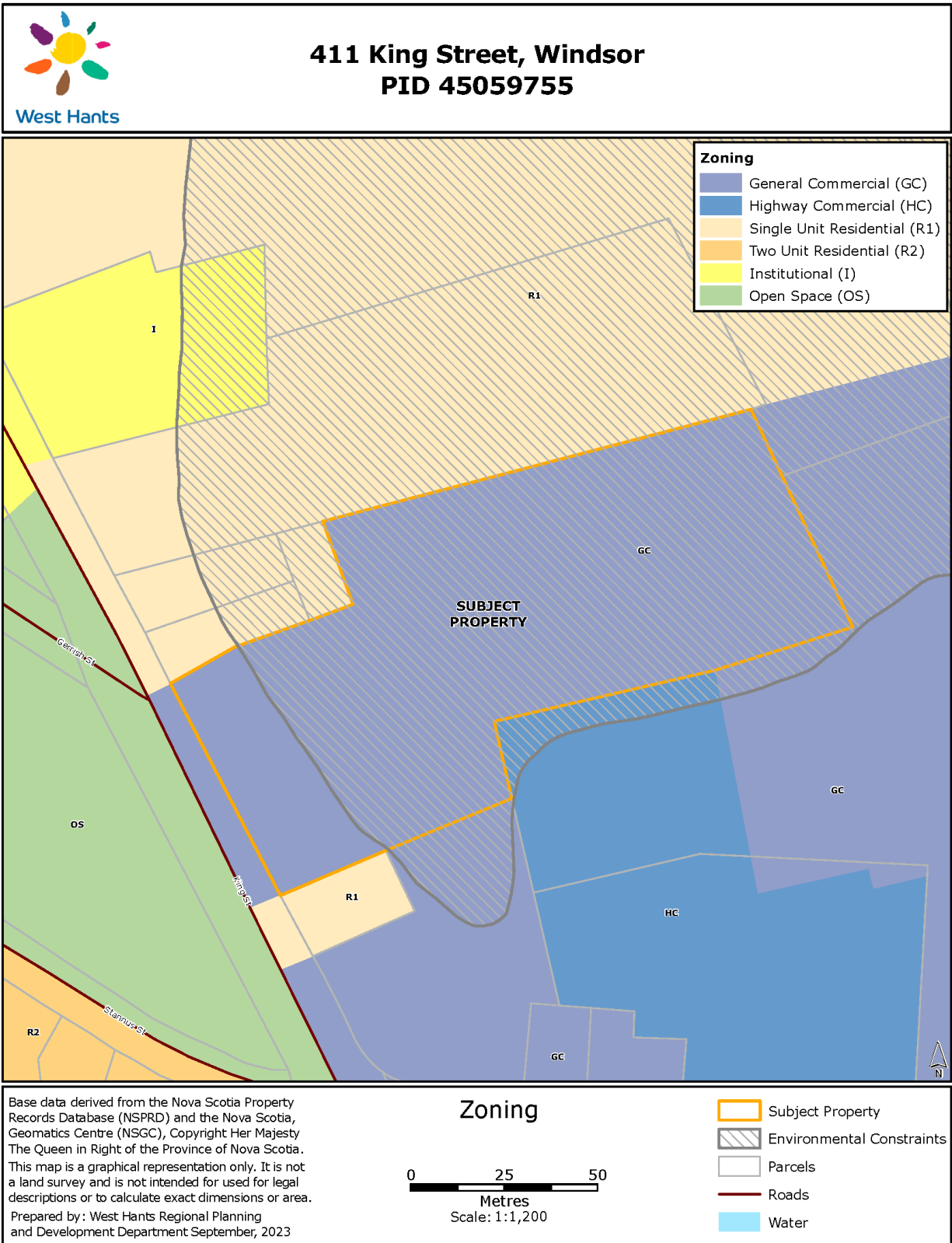


Figure 3 – Environmental Constraints Overlay Extract



Attachment A – Policy Summary for Development Agreement

Policy 16.1.4 <i>It shall be the intention of Council to consider entering into a development agreement for a property immediately adjacent to a given land use designation on the Generalized Future Land Use Map (Map 1) without requiring a Strategy amendment, provided that all policies of the Strategy are satisfied.</i>	Multiple properties abutting the subject lot to the north are included in the Residential designation on the GFLUM of the WMPS. This provides the opportunity for Council to consider entering into a development agreement enabled through the Residential designation policies on the subject lot.
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>	
<i>(a) the proposed use meets one of the following:</i>	
<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>	The development will be generally consistent with the High Density Residential (R-4) zone standards. The required front yard has been reduced to reflect that the proposal will be constructed with the same distance from the front lot line as the existing building on the subject lot. The Development Officer commented that the shape and dimensions of the subject lot were appropriate for the proposed building.
<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>	N/A

<i>(b) the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;</i>	The proposal is of a similar size and appearance to the surrounding existing uses. Staff consider this proposal to be compatible with existing uses.
<i>(c) the development is considered compatible with the residential character of the area with respect to traffic generation and population density;</i>	The Municipal Traffic Authority commented that they have no concerns regarding traffic generation or density for the proposed development.
<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>	The draft development agreement outlines the buffering and landscaping requirements for all parking areas of the development.
<i>(e) adequate on-site parking is provided and parking areas are well designed;</i>	The Development Officer commented that they have no concerns regarding the parking proposed to be provided.
<i>(f) there is adequate on-site recreational open space suitable in extent and design to the nature of the development; for conversion of existing buildings, nearby public parks may be deemed sufficient;</i>	The amount of recreational space provided in the proposal exceeds the amount of recreational space required by the WLUB. The 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>	King Street is considered an arterial road on the Transportation Map of the WMPS. 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>	Not applicable as the subject lot is not within an Architectural Control District.
<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>	Not applicable as the existing building will be demolished to permit the proposal.
<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 16.3.1

In considering development agreements and amendments to the Town of Windsor Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

(a) whether the proposal is considered premature or inappropriate in terms of:

<i>(i) the adequacy of sewer and water services;</i>	The Public Works Engineering Division provided a statement describing the Windsor Water Utility as approaching its limit based on development requests that have been allocated for but not yet built out. However, they did respond that there is currently water capacity for the proposed 18 dwelling units. They also stated there to be no issue with sewer capacity for this development.
<i>(ii) the adequacy of school facilities;</i>	The Director of Operations for 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. The local Fire Chief has stated that it is preferable to have 360 degree access to the building, but rolling curbs and a restriction on overhead obstructions on all access routes would provide a suitable alternative. This is a requirement of the draft development agreement.
<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. Sidewalks are provided on King Street and pedestrian access is required to all building entrances in the draft development agreement. There is no active rail line in the vicinity.
<i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer commented that the subject lot is suitable in terms of dimension and shape for this proposal.
<i>(d) the pattern of development which the proposal might create;</i>	The proposal is an extension of the Residential designation immediately abutting the subject lot as a residential development. The Development Officer has no concerns regarding the pattern of development.
<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>	The subject lot is relatively flat. A portion of the subject lot is within the Tregothic Marsh and identified on the Environmental Constraints overlay mapping. However, the portion of the subject lot being used for the townhouses is not included in this area.
<i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i>	All Municipal, Provincial, and Federal regulations will have to be met.
<i>(g) any other matter required by relevant policies of this Strategy.</i>	All relevant matters have been addressed in this report.

Attachment B – Draft Development Agreement



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2023.

BETWEEN:

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

(Hereinafter referred to as the “Municipality”)

OF THE FIRST PART

- and -

GEOME PROPERTIES LIMITED, a body corporate with a head office at 2159 Gottingen Street, Halifax, in the County of Halifax, Province of Nova Scotia,

(Hereinafter referred to as the “Owner”)

OF THE SECOND PART

WHEREAS the Owner is the registered owner of the parcel of land located at 411 King Street, Windsor (PID 45059755) hereinafter referred to as the “Property”, which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Property is designated Community Use on the Generalized Future Land Use Map of the Municipal Planning Strategy and zoned General Commercial (GC) with a portion of the lot

also within the Dykeland Variance and Environmental Constraints Overlays 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 18 townhouse units on the Property (the “Development”); and

WHEREAS Policy 16.1.4 of the Municipal Planning Strategy enables Council to consider entering into a development agreement for a use permitted in the abutting designation and Policy 5.4.6 of the Municipal Planning Strategy and Section 6.1 (b) of the Land Use By-law enables Council to consider a development agreement for multiple unit residential development consisting of three or more units in a Residential designation; and

WHEREAS the Council of the Municipality, at a meeting held on **Month Day, Year**, approved this request and adopted this Agreement by policy, subject to the execution of this development agreement by the parties hereto and the other conditions herein;

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

PART 1 AGREEMENT CONTEXT

1.1 Definitions

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

- (a) “Stacked Townhouse” means a building that is divided vertically into two or more dwelling units and horizontally into at least two or more dwelling units, which each dwelling unit having independent entrances to a front or rear yard, immediately abutting the front and rear walls of each dwelling unit;

1.2 Schedules

The following attached schedules shall form part of this agreement:

Schedule A - Legal Description

Schedule B - Site Layout

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

- (a) Municipal Planning Strategy means the 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

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

- (a) those uses permitted by the underlying zoning in the Land Use By-law; and
- (b) a stacked townhouse development, consisting of 18 total dwelling units.

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

2.2 Development Location and Design

- (a) The Development location and design shall be consistent with the Site Plan shown 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 stacked townhouse development shall be limited to 18 dwelling units. The Development shall conform to the following site requirements:

Minimum front yard	20 ft. (6.10 m.)
Minimum rear yard	35 ft. (10.67 m.)
Minimum side yard	15 ft. (5.49 m.)
Maximum storeys of main building	3 storeys
Maximum height of main building	40 ft. (10.97 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) 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 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. The vehicular entrance and exit shall be clearly demarcated.

2.4 Parking

- (a) All parking spaces shall be located on the lot and shall be generally located as shown on Schedule B.
- (b) A minimum of one parking space per dwelling unit shall be provided for the Development.
- (c) 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.
- (d) 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.
- (e) The number, location and arrangement of parking spaces may be varied by the Development Officer.

2.5 Recreational Space

A minimum of 4,560 sq. ft. (423.64 sq. m.) of private recreational space shall be provided on the Property and may include:

- (a) individual balconies; and
- (b) common use landscaped areas in accordance with the Site Plan attached as Schedule B.

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 2 in. measured at 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 6 ft. in height at maturity; or
- (c) a wall or an opaque fence which is a minimum of 5 ft. in height and of sufficient height to provide a visual buffer to the abutting property; 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 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.

2.8 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 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.

2.10 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.

PART 3 CHANGES and DISCHARGE

- 3.1** The Owner shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this Agreement is amended.
- 3.2** Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this Agreement.
- 3.3** The following matters are substantive matters:
 - (a) the uses permitted on the Property as listed in Section 2.1, *Use*; and
 - (b) the fire safety requirements listed in Section 2.10, *Fire Safety*.
- 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 Property is in accordance with the Land Use By-law or a new Agreement has been entered into.

3.6 Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

- (a) The 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 Bylaws and Regulations

- (a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions

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

5.3 Interpretation

- (a) Where the context requires, the singular shall include the plural and the neutral gender shall include the masculine and feminine.
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.
- (c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

5.4 Municipal Responsibility

- (a) The Municipality does not make any representations to the Owner about the suitability of the Property for the development proposed by this agreement. The

Owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.

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

5.5 Breach of Terms or Conditions

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

5.6 Costs

The Owner shall pay all costs associated with 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 GEOME PROPERTIES LIMITED, 2159 GOTTINGEN STREET, HALIFAX, NOVA SCOTIA B3K 3B5, or at any other address provided by the Owner in writing.
- (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 by the Municipality to the Owner in writing.

5.10 Full Agreement

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

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

SIGNED, SEALED AND DELIVERED

In the presence of:

Witness

Witness

Witness

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

Per: _____

) Abraham Zebian, Mayor

)

)

) Per: _____

) Deanna Snair, Municipal Clerk

)

)

) **GEOME PROPERTIES LIMITED**

)

)

Per: _____

) Edward Edelstein, 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 **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in 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, **Edward Edelstein**, 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
Print name/affix seal

Deanna Snair, Clerk

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Edward Edelstein, Nova Scotia, make oath and say that:

1. I, Edward Edelstein of **GEOME PROPERTIES 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

Edward Edelstein, President

Schedule A
Legal Description – PID 45059755

ALL THAT lot of land situate at Windsor, in the County of Hants, and Province of Nova Scotia known as lot 12-A shown and delineated on a plan of survey entitled Plan of Survey showing lots 1 and 2, Lands of the Trustees of The Windsor United Baptist Church, Parcel A, being a subdivision of lands of M. E. Edwards Take-Out Foods Limited and Parcel B, being a subdivision of lands of the Trustees of the Windsor United Baptist Church, King Street and OBrien Street, Windsor, County of Hants, Province of Nova Scotia prepared by James C.Banks, N.S.L.S. dated the 7th day of September, 1989, approved by the Town of Windsor under Plan No. 90-1 on February 26th, 1990, and filed at the Office of the Registry of Deeds for the Registration District of Hants on February 26, 1990, as Plan No. 6248.

SUBJECT TO an easement right of way shown in a deed dated April 30, 1951 and recorded at the Registry of Deeds for Hants County on May 1st, 1951 as document no. 53 in book 193 at page 189.

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

Compliance:

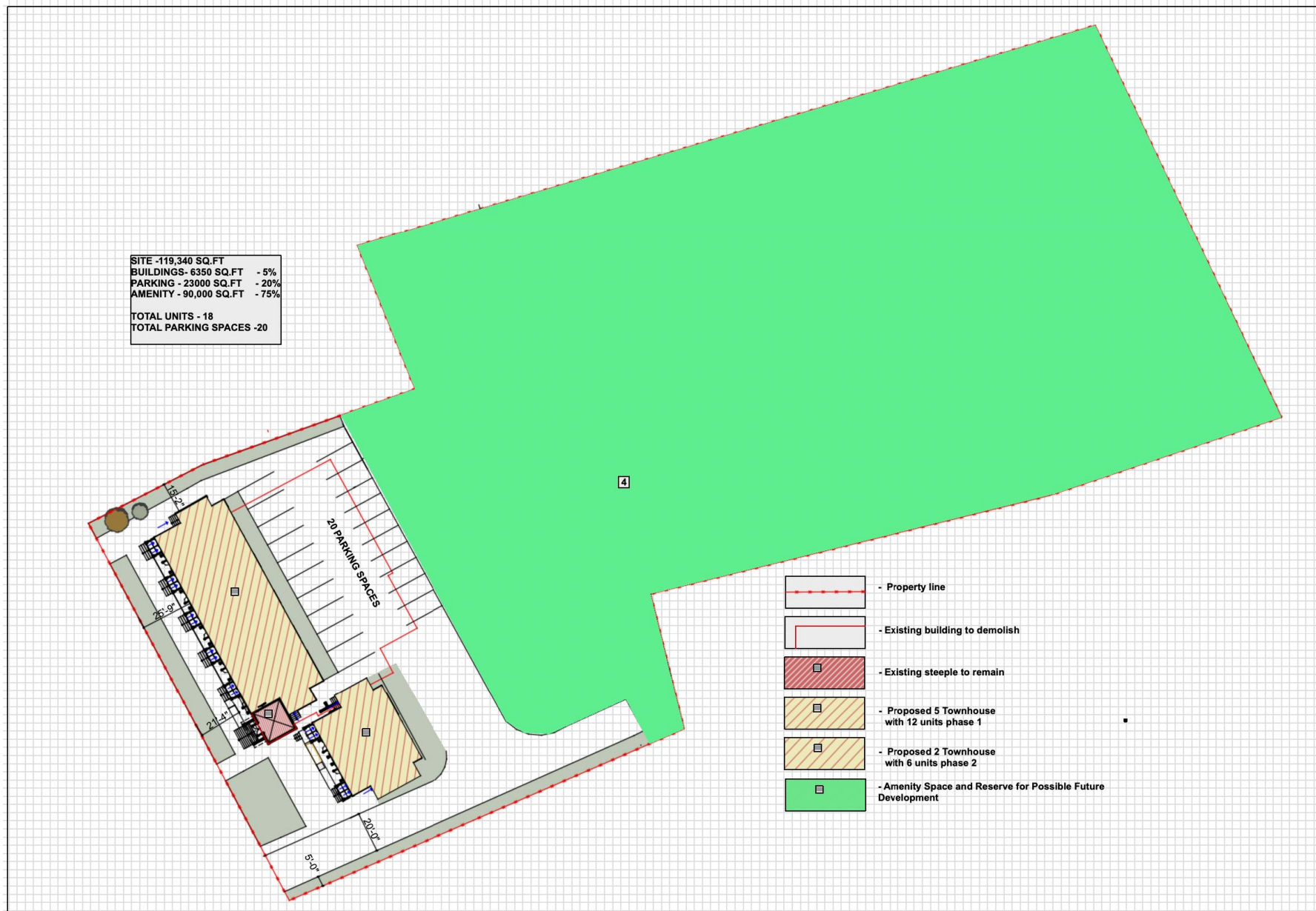
The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

Registration District: HANTS COUNTY

Registration Year: 1990

Plan or Document Number: 6248

Schedule B
Site Plan



Attachment C – Public Information Meeting Notes

September 7 – 21, 2023

Development Agreement: 411 King Street, Windsor (PID 45059755); File # 23-19

Meeting date and time	A Public Information Meeting was held on September 7, 2023 beginning at 6:00 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Two (1) Councillors: • Councillor Francis (Chair) • Councillor Ivey Four (4) members of staff: • Planner Fredricks • Planner Dunphy • Planning Assistant Lake • Director Poirier Eleven (11) members of the public were present for this meeting.
Applicant Edward Edelstein on behalf of Ecogreen Homes Property 411 King Street, Windsor (PID 45059755)	Planner Dunphy outlined the application to allow a proposed 18-unit stacked townhouse by development agreement. Edward Edelstein provided a presentation on the current and future proposal for the subject lot. Edward also answered questions from the public.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between September 7 and September 21, 2023. No comments were submitted from the public during the comment period. 6 members of the public and the applicant spoke during the Public Information Meeting. Staff and applicant responses are in purple. • Ian Daniels asked about the opportunity to formalize the path to Sobeyes and if there was an opportunity to reduce the parking required in Phase 2. Edward responded that there may be liability issues for a public pathway, that the parking included in the proposal meets the 1:1 parking space to dwelling unit ratio, and that the possibility of a permeable parking lot was being investigated.

	Penny Taylor raised concerns about the marshland on the subject lot and construction on the subject lot related to the church had caused additional water damage in the past. Penny requested upgrades to the sidewalk in front of the subject lot and raised concerns regarding parking on the street and the existing Right-of-Way on the property. Edward responded that there was only one driveway on the proposal and that the side of the development with the Right-of-Way only had greenspace and a walkway. Edward also discussed an interest in traditional marsh crops, net zero vegetation. Alex responded that the pre- and post- development flows of stormwater from the subject lot would be required to either be neutral or better than before the development and that the Municipal Public Works Department would look into the possibility of a sidewalk upgrade in the infrastructure plan. Ian Daniels asked another question about the infrastructure cost to the Municipality. Alex responded that the current process is only for Phase 1 of the proposal and that the Public Works Department did not have any initial concerns regarding municipal services for Phase 1 of the proposal. Colin Taylor provided some historic context for the area including that hay was grown on the marsh, that the property has become more saturated over time, that the church basement used to flood, and a pond was dug to remedy the increased waterflow. The resident asked what would happen to the water runoff from the lot and if there would be heat pump used for the development. Edward responded that the drainage pipes running from the church would be removed when the building is demolished and runoff would be sorted out in the stormwater management plan. Edward also responded that the development would likely use a centralized heating/cooling system. Keith Aucoin was supportive for the development being environmentally sensitive. Keith asked about the timeline for Phase 2 and if Phase 1 would be able to financially sustain itself. Keith raised concerns with the sanitary and storm infrastructure not being separated, adding more people to the system, traffic issues, and the marsh.
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	Edward responded that the timeline is flexible and that Phase 1 would be independent from Phase 2 financially. Edward also responded that the sanitary line would connect to King Street and that the surface runoff would be directed to the rear of the property. • Teresa Aucoin raised concerns with the phasing of the development and that flooding has been an issue in the area. • Adam Thornton asked how the demolition of the church would affect the Right-of-Way on the subject lot. Edward responded that the construction management plan is not yet in place, but that fencing would be used to ensure the Right-of-Way is not affected.
Adjournment	The Public Information Meeting ended at 7:10 p.m.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: November 28, 2023

Subject: Development Agreement: 8 Upper Water Street, Windsor (PID 45333291);
File # 23-14C

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

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

...that Council gives Second Reading to and approves entering into a development agreement to permit 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 ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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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). 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 Public Works has many proposed developments in queue and there are capital water system improvements pending over the next few years which will increase capacity.

During the September 14 meeting, PAC/HAC recommended in favour of the application.

On September 26, 2023, staff presented the PAC/HAC recommendation to Council for First Reading. Council discussed matters of parking, view planes from Fort Edward, the setback requirements, stormwater management, and municipal service capacity.

During the September 26 meeting, Council recommended in favour of the application.

On October 24, 2023, staff presented the application at Public Hearing (Appendix A). Council moved into Second Reading and discussed matters of view planes from Fort Edward and if a viewplane study or 3D model could be provided. Staff had not considered the viewplanes from Fort Edward as part of this application, as there are no regulations or criteria with the planning documents to evaluate viewplanes pertaining to this proposal.

During the October 24 meeting, Council passed the following motion:

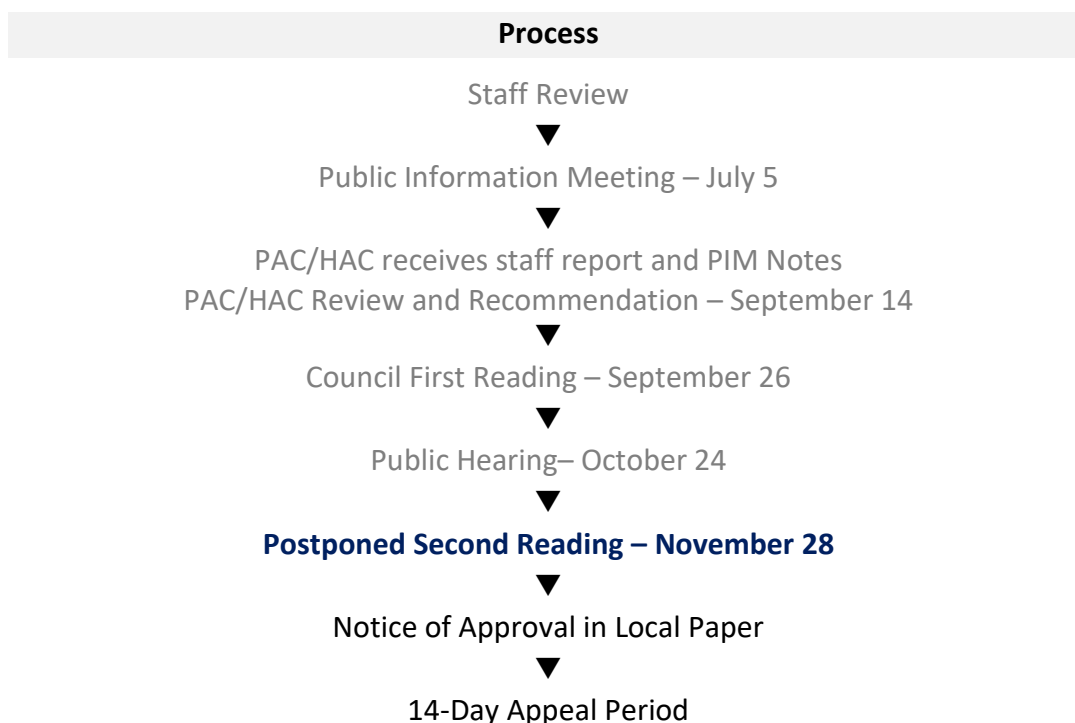
MOVED BY COUNCILLORS IVEY AND HARTT THAT STAFF GET CLARITY ON NEW INFORMATION FOLLOWING PUBLIC HEARING AND DURING SECOND READING TO SECURE ADDITIONAL INFORMATION (PENDING LEGAL CONFIRMATION); REQUEST THE SITE LINES AND HEIGHT OF THE PROPOSED BUILDING IN RELATION TO FORT EDWARD; POSTPONE SECOND READING UNTIL THE NOVEMBER 28, 2023 COUNCIL MEETING.

Following the meeting, staff requested a legal opinion on whether new information could be provided on an application after the closing of the Public Hearing. The Municipal Solicitor's

response explained that adjourning the Public Hearing, rather than closing it, would have allowed Council to request additional information. However, since Council had already moved into Second Reading no additional information may be considered.

NEXT STEPS

The process for this application is as follows:



*anticipated dates; final dates set by Council

APPENDICIES

Appendix A 2023-10-24 Staff Report – Development Agreement: 8 Upper Water Street, Windsor (PID 45333291); File # 23-14B

CHIEF ADMINISTRATIVE OFFICER REVIEW

Planner Dunphy has provided the follow up comments as it relates to Council's questions surrounding the view planes of Fort Edward commonly referred to and referenced in the Fort Edward National Historic Site, Commemorative Integrity Statement, January 1999, as directed.

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 – 2023-10-24 Staff Report – Development Agreement: 8 Upper Water Street,
Windsor (PID 45333291); File # 23-14B**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____
Alex Dunphy, Planner

Date: October 24, 2023

Subject: Development Agreement: 8 Upper Water Street, Windsor (PID 45333291);
File # 23-14B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

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

...that Council gives Second Reading to and approves entering into a development agreement to permit 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 ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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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 Public Works has many proposed developments in queue and there are capital water system improvements pending over the next few years which will increase capacity.

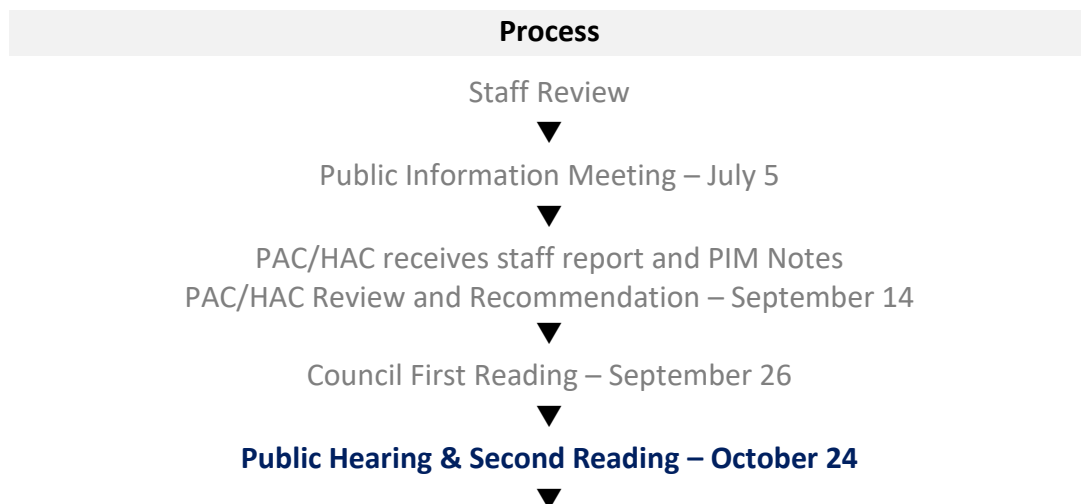
During the September 14 meeting, PAC/HAC recommended in favour of the application.

On September 26, 2023, staff presented the PAC/HAC recommendation to Council for First Reading. Council discussed matters of parking, view planes from Fort Edward, the setback requirements, stormwater management, and municipal service capacity.

During the September 26 meeting, Council recommended in favour of the application.

NEXT STEPS

The process for this application is as follows:



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 Second Reading and 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 2023-09-26 Staff Report – Development Agreement: 8 Upper Water Street, Windsor (PID 45333291); File # 23-14A

CHIEF ADMINISTRATIVE OFFICER REVIEW

The development described in the report and Development Agreement drafted is in keeping with development anticipated in the growth centres of the WHRM and specifically the community of Windsor. The proposal has been reviewed in the public forum to-date through a PIM and pending public hearing.

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 – 2023-09-26 Staff Report – Development Agreement: 8 Upper Water Street,
Windsor (PID 45333291); File # 23-14A**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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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 ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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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

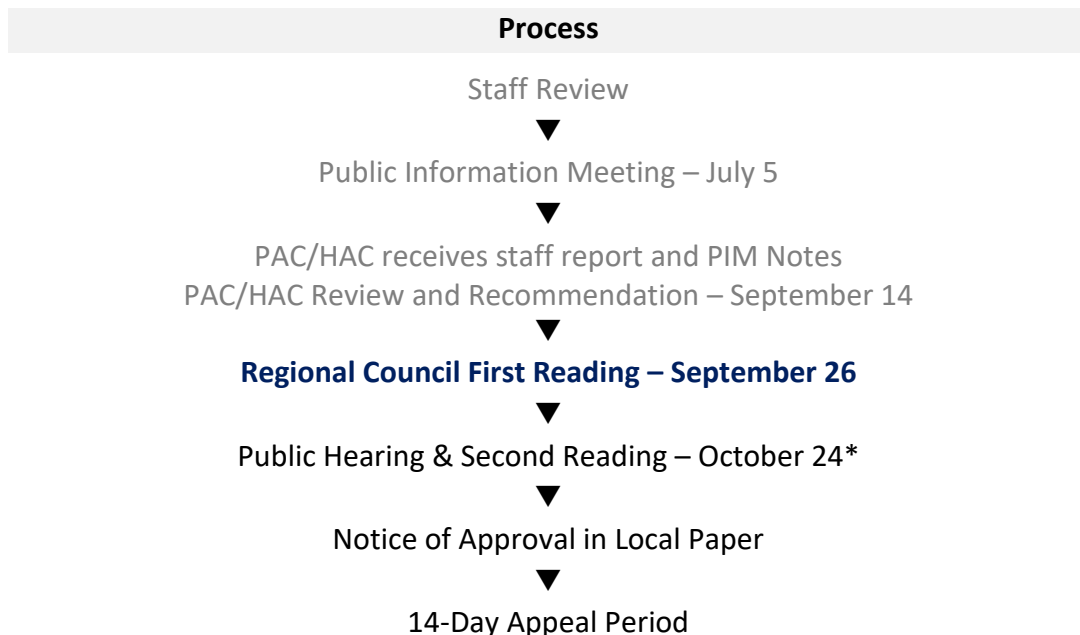
A Public Information Meeting was held on July 5, 2023.

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 ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐
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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 ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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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.

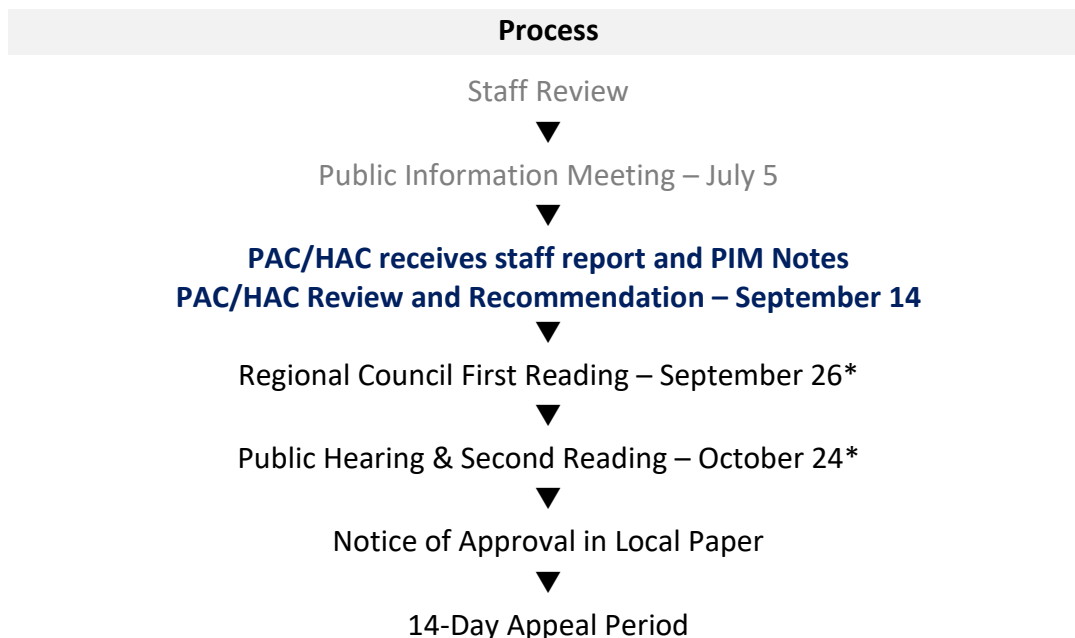
MUNICIPAL CLIMATE CHANGE ACTION PLAN

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

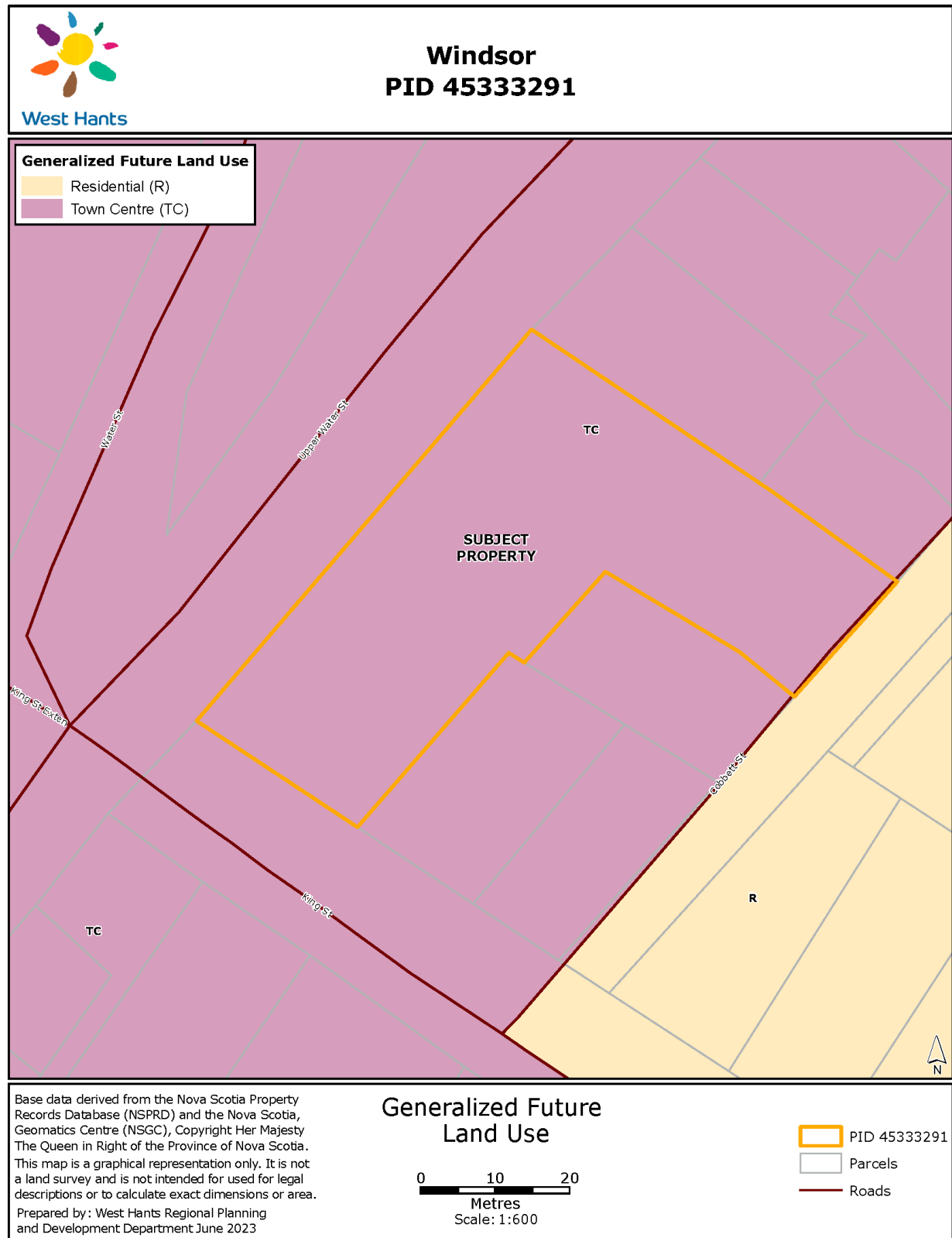
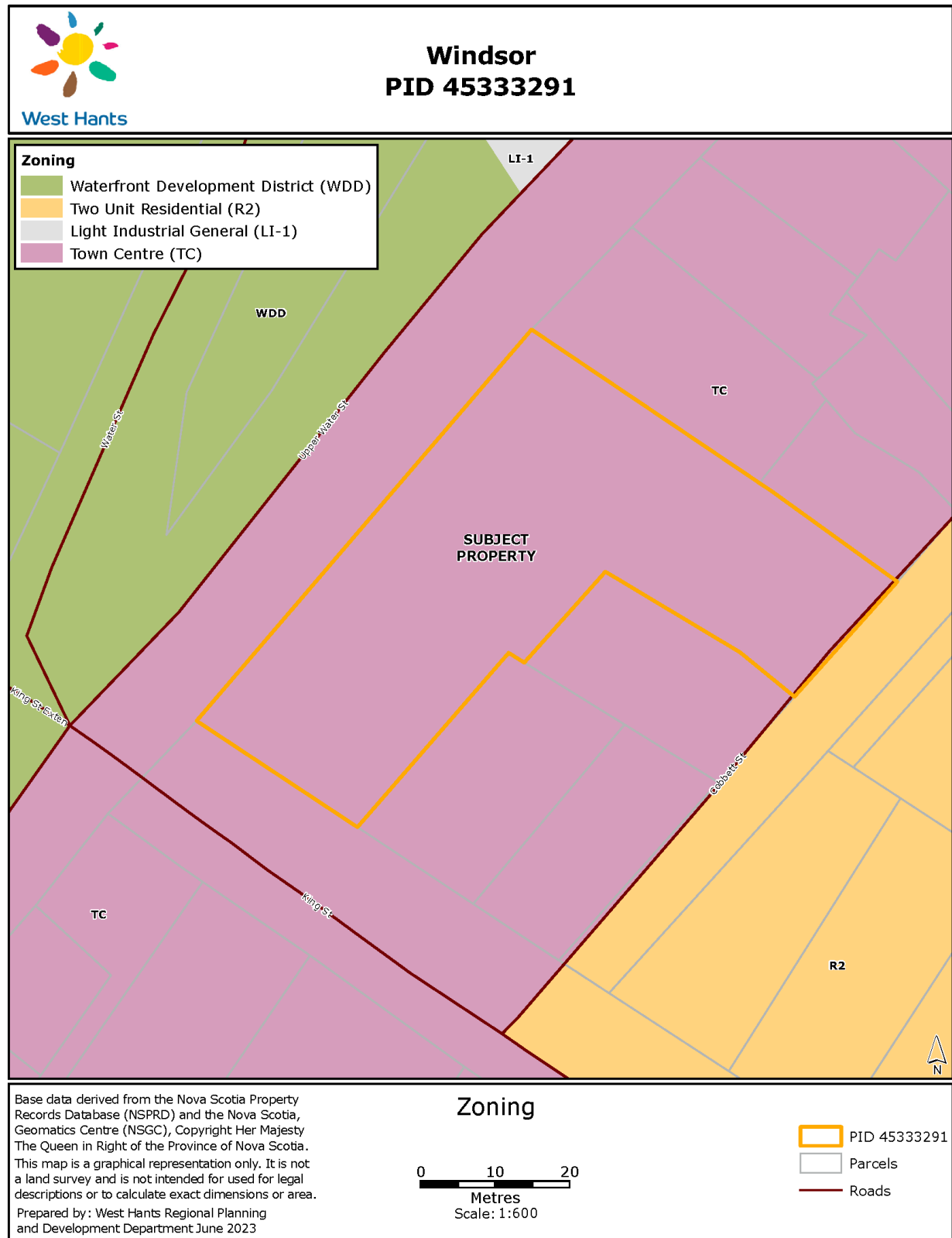


Figure 2 – Windsor Zoning Map Extract



Attachment A – Policy Summary for Development Agreement

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>	
<i>(a) new main buildings;</i>	The proposal to demolish the current building and reconstruct would be deemed a new main building.
<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>	N/A
<i>(c) where the development will be located on a parcel of land exceeding one acre (0.4 hectare) in size;</i>	N/A
<i>(d) ground signs.</i>	N/A
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>	
<i>(a) the proposed use is a permitted use in the Town Centre zone;</i>	The proposed use is a permitted use in the Town Centre (TC) zone.
<i>(b) the architectural design of the development is reasonably consistent with the provisions of the Architectural Design Manual;</i>	The subject lot is not within an Architectural Control District.
<i>(c) the building design incorporates windows and other elements in the street level façade to avoid the appearance of solid blank walls;</i>	The proposal includes a variety of windows and entrances on the ground level.
<i>(d) adequate provision is made for parking or Policy 4.11.3 is applied;</i>	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.

	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

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>(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

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>(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
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	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.

<i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer commented that the subject lot is suitable in terms of dimension and shape for this proposal.
<i>(d) the pattern of development which the proposal might create;</i>	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.
<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>	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.
<i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i>	All Municipal, Provincial, and Federal regulations will have to be met.
<i>(g) any other matter required by relevant policies of this Strategy.</i>	All relevant matters have been addressed in this report.

Attachment B – Draft Development Agreement



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2023.

BETWEEN:

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

(Hereinafter referred to as the “Municipality”)

OF THE FIRST PART

- and -

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:

Witness

Witness

Witness

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

Per: _____

) Abraham Zebian, Mayor

)

)

)

) Per: _____

) Deanna Snair, Municipal Clerk

)

)

)

) **HALYARD DEVELOPMENTS LIMITED**

)

)

)

Per: _____

) 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

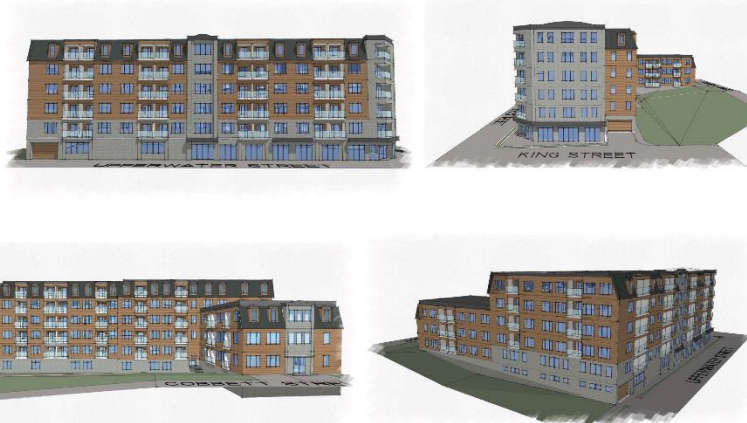
Registration Date: April 11, 2001

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

100-1037-2552-01

100-1037-2552-01

100-1037-2552-01

ISSUED FOR APPLICATION

NOTES:

1. ALL DIMENSIONS ARE IN METERS.

2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

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9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

PROPOSED SITE PLAN AND MASSING MODEL

AS NOTED

03/2022

END

CM

A1



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: • Councillor Ivey (Chair) Four (4) members of staff: • 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.



Committee of the Whole Excerpts
November 14, 2023

2024 MUNICIPAL AND CSAP ELECTIONS EXCERPT

Nova Scotia *Municipal Elections Act* (MEA) is the provincial statute governing elections for municipal councils in Nova Scotia. Municipal elections are scheduled to occur in 2024.

Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections are scheduled for October 19, 2024.

In preparation of the 2024 Municipal election and its timelines, as well as the 2024/25 Municipal Operating Budget, the election method opted by council is key (paper, electronic, or a hybrid).

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

COUNCIL APPROVES USING BOTH ELECTRONIC VOTING AND PAPER BALLOTS (A HYBRID MODEL), AS THE VOTING METHODS IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS.

AND FURTHER, THAT STAFF ISSUE A REQUEST FOR PROPOSALS FOR THE ELECTRONIC VOTING SERVICES IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☒	Councillor Activity ☐
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To: Committee of the Whole

Submitted by: 
Shelleena Thornton, Municipal Operations Supervisor

Date: November 14, 2023

Subject: 2024 Municipal and CSAP Elections - Request for Decision Report

LEGISLATIVE AUTHORITY

Municipal Elections Act, Chapter 300 of the Revised Statutes, 1989, amended 2019, published 2021
Municipal Government Act, R.S.N.S. 1998

RECOMMENDATION or DECISION REQUEST

...that Committee of the Whole recommend to Council

Option 1

...that Council approves electronic voting as the voting method in the 2024 Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections. And further, that staff issue a Request for Proposals for the electronic voting services in the 2024 Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections.

Option 2

...that Council approves electronic voting as the voting method in the 2024 Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections with paper ballots solely used for the mobile polls. And further, that staff issue a Request for Proposals for the electronic voting services in the 2024 Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections.

Option 3

...that Council approves using paper ballots as the sole voting method in the 2024 Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections.

Option 4

...that Council approves using both electronic voting and paper ballots (a hybrid model), as the voting methods in the 2024 Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections.

And further, that staff issue a Request for Proposals for the electronic voting services in the 2024 Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☐
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The Nova Scotia *Municipal Elections Act* (MEA) is the provincial statute governing elections for municipal councils in Nova Scotia. The *Act* was last amended in 2019; therefore, no updates since our last municipal election.

Nova Scotia Municipal and Conseil Scolaire Acadien Provincial (CSAP) elections are held on the third Saturday in October every four years. The next regular election is scheduled for October 19, 2024.

Our last Municipal election was that of consolidation of the former Municipality of the District of West Hants and Town of Windsor. It was held March 7, 2020. That election fell outside the regular scheduled municipal election date in NS (October).

West Hants Regional Municipality has eleven councillors and one Mayor elected at-large. There are eleven polling districts.

In 2022, West Hants Regional Municipality underwent a review to “confirm or to alter the number and boundaries of polling districts and the number of councillors” as per Provincial legislation and submitted its application to the Nova Scotia Utility and Review Board (NSUARB).

The NSUARB considered the application and approved the number of councillors remaining at eleven; however, that the polling districts be revised. (approved polling district maps attached).

The MEA outlines the framework (roles, responsibilities, processes, and timelines) in which a municipal election is to run. Some of the key roles and responsibilities are noted below:

Roles and Responsibilities

Province	Municipalities
• Appoints Municipal Elections Officer • Oversee and navigate the <i>Municipal Elections Act</i> and associated forms • Provides support to Returning Officers (RO), including RO training • Fields questions from municipalities and the public • Distributes materials to assist ROs – Handbook, Calendar, and Candidates Guide • Collects election statistics	• Responsible for coordinating and administering the election • Ensures sufficient resources to support election • Plan for execution of election (i.e. all electronic, all paper, hybrid, booking polling stations, staffing, ordering of materials and supplies, etc.) • Ensures bylaw is updated if required (e.g. Alternative Voting Bylaw) • Ensures compliance and meeting legislative requirements through the MEA • Trains elections staff

DISCUSSION

The 2024 Municipal Election has important deadlines as per the NS Municipal Elections Act.

Returning Officer (RO) must be appointed by Council.	March 15, 2024
Polling districts must be divided into divisions and reported to Council and must be available for public inspection.	March 31, 2024
Council must direct the RO to conduct enumeration or use recent elections list as the basis for the preliminary electors list.	April 15, 2024
No special election is required to be held unless council or the Minister determine otherwise.	April 19, 2024
The RO must prepare a preliminary list of electors for each polling division.	July 31, 2024
Last day to establish procedures and forms for the conduct of voting in accordance with the by-law.	August 20, 2024
Nomination Day	September 10, 2024
Ordinary Polling Day	October 19, 2024

In preparation of the 2024 Municipal election and its timelines, as well as the 2024/25 Municipal Operating Budget, the election method opted by council is key (paper, electronic, or a hybrid). Staff reached out for estimates for the 2024 elections.

Examples for each method include:

PAPER BALLOT	ELECTRONIC (INTERNET & PHONE)
Hall Rentals	E-voting via internet and telephone
Stationary and copying	Creation, production, postage and distribution of voter information letters via Canada Post
Mailing	Advertisements
Advertisements	Laptops/tablets
Travel Allowance	Mobile printer
First Aid Training for election workers	Internet connection and/or Starlink
Election workers (approx. Minimum 55 poll workers; a Returning Officer; an Assistant Returning Officer	Election workers (approx. five poll workers; a Returning Officer; and Assistant Returning Officer
2020 Actual Municipal Election Costs	
\$56,861.92	\$0.00

2024 Estimated Municipal Election Costs	
\$71,077.40 * (25% increase overall from 2020)	\$60,000.00

* The 25% increase is as of November 2023. Printers advised that increases are unknown heading into 2024.

A **hybrid option** may be considered by Council (paper ballot AND electronic voting). It is worthy to note that should that be considered, the following is required:

- Paper ballots - 70% of the total number of electors is still required (not required if solely e-voting)
- Hall rentals – required in all polling districts (not required if solely e-voting)
- Election workers – full composition is required (not required if solely e-voting)

Mobile Polls – mobile polls are considered for licensed nursing homes, hospitals, homes for the aged, and homes for the care and treatment of chronic diseases.

The mobile polls are only open during ordinary poll day (not advance poll days) from 8:00 a.m. – 7:00 p.m. Mobile polls can be any of the voting methods opted by Council. It is not uncommon to use paper ballots as the voting method. In this situation, only the number of eligible electors within the home plus 10% is required for the number of ballots. However, poll books are still required. Further, a tablet or iPad is also a viable option.

Information Technology – The required Information Technology (IT) resources for electronic voting are very minimal. WHRM currently has all the necessary IT resources to support electronic voting, with any additional resources (iPad, Laptops, etc.) that can be quickly and easily obtained and deployed with minimal effort. IT support resources are often utilized to act as an auditor throughout the election period, to act as an additional test of all the election voting mechanisms. Our current IT support has experience fulfilling this role for other municipal units that have used electronic voting.

FINANCIAL IMPLICATIONS

There are no projected financial implications. The 2023/24 municipal operating budget currently has \$1,500.00 allocated to support some preliminary 2024 municipal election budget expenditures (primarily advertising).

The 2024 municipal election costs will be incorporated into the 2024/25 West Hants Regional Municipality's Operating Budget.

NEXT STEPS

Pending Council direction, staff will proceed with:

- Issuing a Request for Proposals for electronic voting (if this is opted)
- Advertise for the contract of a Returning Officer

ALTERNATIVES

This is a request for decision report. Four options permitted for voting in Nova Scotia Municipal Elections are those presented in this report.

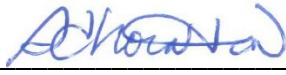
Staff recommendation is either Option 1 or 2.

ATTACHMENTS

- Municipal and School Board Elections Voting By-law, RE-001
- Polling District Maps approved by the NSUARB in 2023

CHIEF ADMINISTRATIVE OFFICER REVIEW

Council has reflected on the provision of internet across the WHRM when considering the sole method of electronic voting or a hybrid. Cost, logistics and aiming for high voter rates have too been considerations. The report highlights deadlines associated with the 2024 election and look forward to Council's direction so that planning can begin.

Report Prepared by: 
Shelleena Thornton, Municipal Operations Supervisor

Report Reviewed by: _____
Jeff Hanshaw, Information Technology Consultant

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

Report Approved by: 
Mark Phillips, CAO

Part 1 – TITLE

BE IT ENACTED by the Council of the **Region of Windsor and West Hants Municipality (also known as West Hants Regional Municipality)**, under the authority of Section 146A of the *Municipal Elections Act*, 1989 R.S.N.S. c. 300, as amended, as follows:

Short Title

1. This By-law shall be known and cited as the “Municipal and School Board Elections Voting By-law”.

Part 2 – DEFINITIONS

2. In this By-law:
 - (a) “Act” means the *Municipal Elections Act*, 1989 R.S.N.S. c. 300, as amended;
 - (b) “advance poll” means the Tuesday immediately preceding ordinary polling day; and either
 - (i) one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day; or
 - (ii) if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
 - (c) “alternative polling days” means any hours and dates fixed by a resolution of Council for alternative voting;
 - (d) “alternative voting” means voting by telephone or via the internet and may include a combination of telephone and internet voting;
 - (e) “ballot box” means a computer database in the system where cast internet ballots and telephone ballots are put, or a physical box where paper ballots are put;
 - (f) “candidate” means a person who has been nominated as a candidate pursuant to the *Act*;
 - (g) “Council” means the Council of the Municipality;
 - (h) “Deputy Returning Officer” means a person appointed under the *Act* to preside over a polling station;
 - (i) “*Education (CSAP) Act*” means the *Education (CSAP) Act*, 1995-1996 S.N.S. c. 1, as amended;
 - (j) “election” means an election held pursuant to the *Act*, including a school board election, a special election and a plebiscite;

-
- (k) "Election Officer" means an election official under the Act;
 - (l) "elector" means a person:
 - (i) qualified to vote pursuant to the *Act* and the *Education (CSAP) Act*; and
 - (ii) entitled to vote for an election pursuant to Section 7 of this By-law;
 - (m) "friend voter" means a friend who votes for an elector pursuant to Section 9 of this By-law;
 - (n) "internet ballot" means an image of a ballot on a computer screen including all the choices available to an elector and the spaces in which an elector marks a vote;
 - (o) "Municipality" means the Region of Windsor and West Hants Municipality (also known as West Hants Regional Municipality);
 - (p) "normal business hours" means the time between 8:30 am and 4:30 pm Monday through to and including Friday, excluding statutory holidays;
 - (q) "ordinary polling day" means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
 - (r) "paper ballot" is text on paper including all the choices available to an elector and the spaces in which an elector marks a vote;
 - (s) "PIN" means the Personal Identification Number issued to:
 - (i) an elector for alternative voting on alternative polling days; or
 - (ii) to a System Elections Officer;
 - (t) "plebiscite" means a plebiscite directed to be held by the Council pursuant to Section 53 of the *Municipal Government Act*;
 - (u) "proxy voter" means an elector who votes by a proxy pursuant to the *Act*;
 - (v) "regular election year" means 2020 and every fourth year thereafter;
 - (w) "Returning Officer" means a Returning Officer appointed pursuant to the *Act*;
 - (x) "seal" means to secure the ballot box and prevent internet, telephone or paper ballots from being cast;
 - (y) "special election" means a special election held pursuant to the *Act*, including a special election for a vacancy on a school board;
 - (z) "spoiled ballot" referring to alternative voting means an internet ballot or telephone ballot that is accepted by the elector that:
 - (i) is not marked for any candidate in a race; or
 - (ii) is marked by an elector indicating a refusal to cast a vote for any candidate in a race;
 - (aa) "system" means the technology, including software, that:

- (i) records and counts votes; and
 - (ii) processes and stores the results of alternative voting during alternative polling days;
- (bb) "System Elections Officer" means:
 - (i) a person who maintains, monitors, or audits the system, and
 - (ii) a person who has access to the system beyond the access necessary to vote by alternative voting, and
 - (iii) a person who, pursuant to section 146A(3)(cd) of the *Act*, is appointed as auditor to audit and monitor the performance of the system of voting.
- (cc) "telephone ballot" means:
 - (i) an audio set of instructions which describes the voting choices available to an elector; and
 - (ii) the marking of a selection by an elector by depressing the number on a touch tone keypad.

Part 3 – VOTING PERMITTED

- 3.
 - (1) Subject to this By-law, Council may conduct elections by paper ballot, alternative voting or combination thereof.
 - (2) Alternative voting shall be permitted on alternative polling days, and conducted in accordance with this By-law.
 - (3) Paper ballot voting will be conducted in accordance with the *Act*.

Part 4 – NOTIFICATION OF ELECTORS

- 4.
 - (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the Municipality, and if not available, in a newspaper in which can be readily available to the Municipality as well as on the Municipality's website and/or social media pages.
 - (2) The notice of alternative polling days shall:
 - (a) identify the alternative polling days for alternative voting; and
 - (b) inform the elector that telephone voting and/or internet voting is permitted during alternative polling days.
 - (3) The notice may include any other information the Returning Officer deems necessary.

Part 5 – FORM OF TELEPHONE AND INTERNET BALLOTS

5. (1) A telephone ballot and internet ballot shall:
- (a) identify by the title "Election for Mayor" or "Election for Councillor" or "Election for School Board Member", as the case may be;
 - (b) identify the names, or names by which they are commonly known, of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names; and
 - (c) warn the elector to "vote for one candidate only" or "vote for not more than (the number of candidates to be elected) candidates", as the case may be.
- (2) No title, honour, decoration or degree shall be included with a candidate(s) name on an internet ballot or telephone ballot.

Part 6 – OATH

6. (1) Any oath that is authorized or required shall be made in the form required by the *Act*.

Part 7 – ELECTORS

7. (1) No person shall vote by alternative or paper voting unless:
- (a) the person's name appears on the revised list of electors pursuant to section 50A of the *Act*; or
 - (b) the person's name does not appear on the revised list of electors and:
 - (i) the person appears before the Returning Officer or the Deputy Returning Officer during normal business hours during alternative polling days; and
 - (ii) the person swears an oath in the prescribed form by the *Act*.

Part 8 – PROXY VOTING

8. (1) A proxy voter shall not vote for an elector by alternative voting.

Part 9 – FRIEND VOTING

9. (1) A friend voter shall only vote for an elector by alternative or paper voting if:
- (a) an elector is unable to vote because:
 - (i) the elector is blind;

-
- (ii) the elector cannot read; or
 - (iii) the elector has a physical disability that prevents him or her from voting by alternative voting.
 - (b) the elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the oaths prescribed by the *Act*.
 - (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
 - (3) The elector shall take an oath in the prescribed form providing that he or she is incapable of voting without assistance.
 - (4) The friend of the elector shall take an oath in the prescribed form that:
 - (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - (b) the friend will mark the ballot as requested by the elector; and
 - (c) the friend will keep secret the choice of the elector.
 - (5) The Returning Officer shall enter in the poll book:
 - (a) the reason why the elector is unable to vote;
 - (b) the name of the friend; and
 - (c) the fact that the oaths were taken.

Part 10 – VOTING

- 10. (1) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.
- (2) The system shall put spoiled internet ballots and telephone ballots in the ballot box.

Part 11 – SEAL

- 11. (1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
- (2) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

Part 12 – LIST OF PERSONS WHO VOTED

- 12. (1) Where alternative voting closes before the close of the polls on ordinary polling

day, the system shall:

- (a) generate a list of all electors who voted by alternative voting; and
 - (b) on the revised list of electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.
- (2) A printed and electronic copy of the lists under subsection (1) shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.
- (3) Where alternative voting closes at the close of the polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

Part 13 – COUNTING

13. (1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.
- (2) In counting the votes that were cast for each candidate during alternative polling days, the system shall count spoiled ballots.

Part 14 – TALLYING OF SPOILED BALLOTS

14. (1) At the close of ordinary polling day, the system shall tally the number of spoiled ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Part 15 – Recount by System

15. (1) In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.
- (2) If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.
- (3) If the regenerated count and the initial count do not match, the Returning Officer shall:
- (a) direct one final count be regenerated by the system of the votes cast by alternative voting, and
 - (b) attend while the final count is being regenerated.
- (4) The regenerated final count pursuant to subsection (3) shall be the final count of the votes cast by alternative voting.

Part 16 – RECOUNT BY COURT

16. (1) For a recount, the judge shall only consider the final count by the system, as determined by section 15(2) or 15(4), of the total number of votes that were cast by alternative voting for each candidate.
- (2) The final count by the system, as determined by section 15, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by paper voting.

Part 17 – SECRECY

17. (1) An Election Officer and System Election Officer shall maintain and aid in maintaining the secrecy of the voting.
- (2) Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Part 18 – OTHER METHODS OF VOTING

18. (1) If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each advance polling day and on ordinary polling day; which may include telephone ballot and/or paper ballot.

Part 19 – APPOINTMENT OF AUDITOR

19. (1) The Returning Officer may appoint a System Elections Officer for the purpose of auditing and monitoring the performance of the system of voting.
- (2) A System Elections Officer so appointed shall carry out the duties of auditor as outlined in the procedures and forms for the conduct of voting pursuant to Section 146A(4) of the *Act*.
- (3) Before carrying out the duties described in subsection (2), the System Elections Officer shall swear an oath in the form prescribed by the regulations.

Part 20 – SEVERABILITY

20. (1) If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

Part 21 – Prohibitions

21. (1) No person shall:
- (a) use another person's PIN to vote or access the system unless the person is a friend voter;
 - (b) take, seize, or deprive an elector of his or her PIN; or
 - (c) sell, gift, transfer, assign or purchase a PIN.
- (2). No person shall:
- (a) interfere or attempt to interfere with an elector who is casting an internet ballot, telephone ballot or paper ballot;
 - (b) interfere or attempt to interfere with alternative voting; or
 - (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.
- (3) No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

Part 22 – Offences and Penalty

22. (1) A person who:
- (a) violates any provision of this By-law; or
 - (b) permits anything to be done in violation of any provision of this By-law; is guilty of an offence.
- (2) A person who contravenes subsection (1) is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand dollars (\$5,000.00) and not more than ten thousand dollars (\$10,000.00) and in default of payment, to imprisonment for a term of two (2) years less a day, or both.
- (3) In determining a penalty under subsection (2), a judge shall take into account:
- (a) the number of votes attempted to be interfered with;
 - (b) the number of votes interfered with; and
 - (c) any potential interference with the outcome of an election.
- (4) Pursuant to section 146A of the *Act*:
- (a) the limitation period for the prosecution of an offence under this By-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and
 - (b) The *Remission of Penalties Act*, 1989 SNS c. 397, as amended, does not apply to a pecuniary penalty imposed by this By-law.

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Region of the Windsor and West Hants Municipality at a meeting duly called and held on the **28th** day of **July, 2020**.



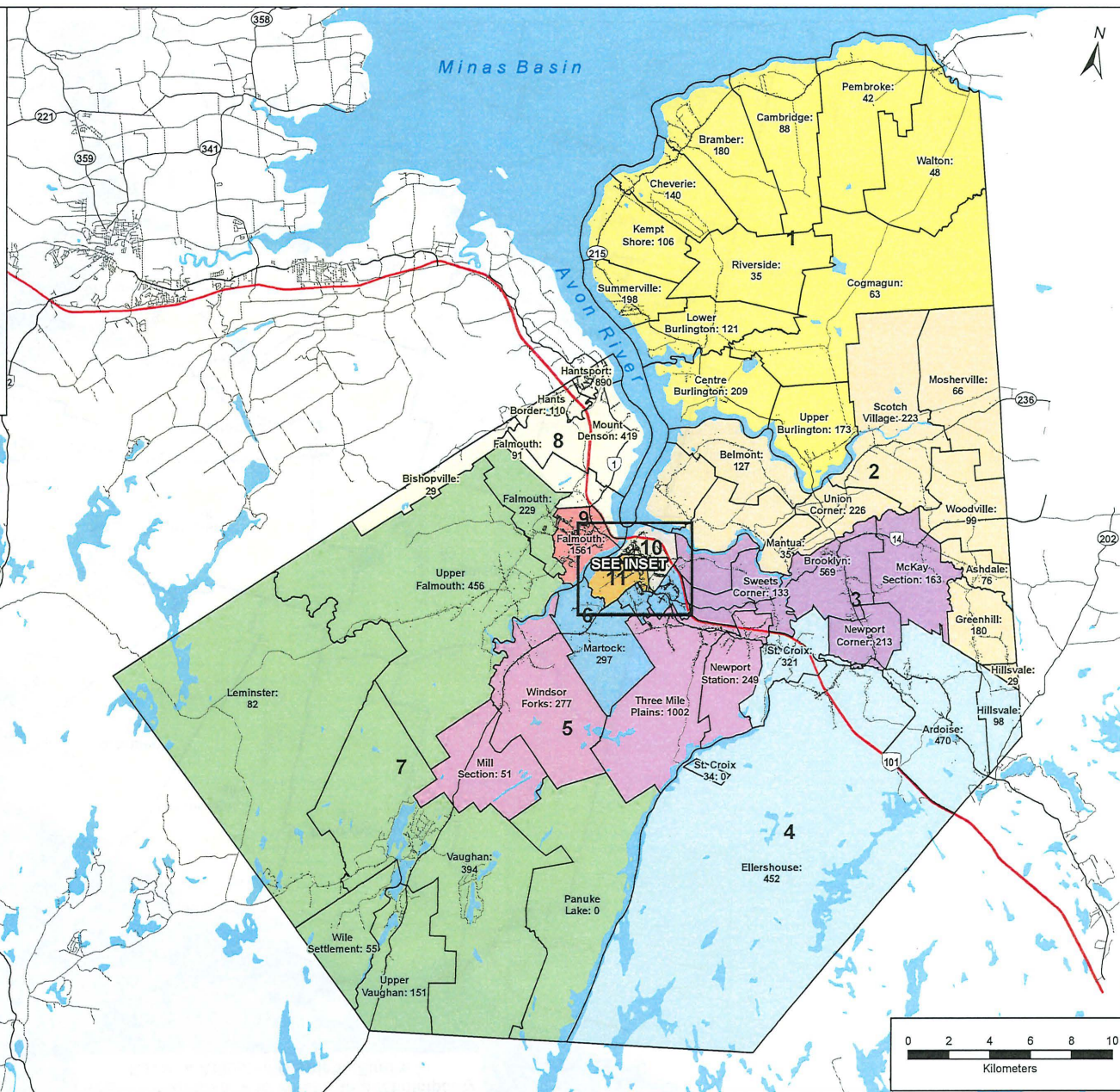
R. N. Brown
Municipal Clerk

By-Law Adoption	
First Reading:	June 23, 2020
Notice Published:	June 27, 2020
Second Reading & Approval	July 28, 2020
Final Publication	August 1, 2020
Notice to Municipal Affairs	August 4, 2020
Description: Initial approval of Municipal and School Board Elections Voting By-law, RE-001.	

Region of Windsor and West Hants Municipality - 11 Adjusted Districts
(Adjusted January 2023-01-16 Community Label)

Community Electors
 Ellershouse: 452

District	Electors	Land Area (km ²)	Variation from Average	
			Number	%
1	1,403	288	-6	-0.4%
2	1,306	147	-103	-7.3%
3	1,234	59	-175	-12.4%
4	1,341	252	-68	-4.8%
5	1,579	100	170	12.1%
6	1,360	22	-49	-3.5%
7	1,367	406	-42	-3.0%
8	1,539	43	130	9.3%
9	1,561	8	152	10.8%
10	1,305	5	-104	-7.4%
11	1,500	5	91	6.5%
TOTALS	15,495	1,336		
Average	1,409	121		



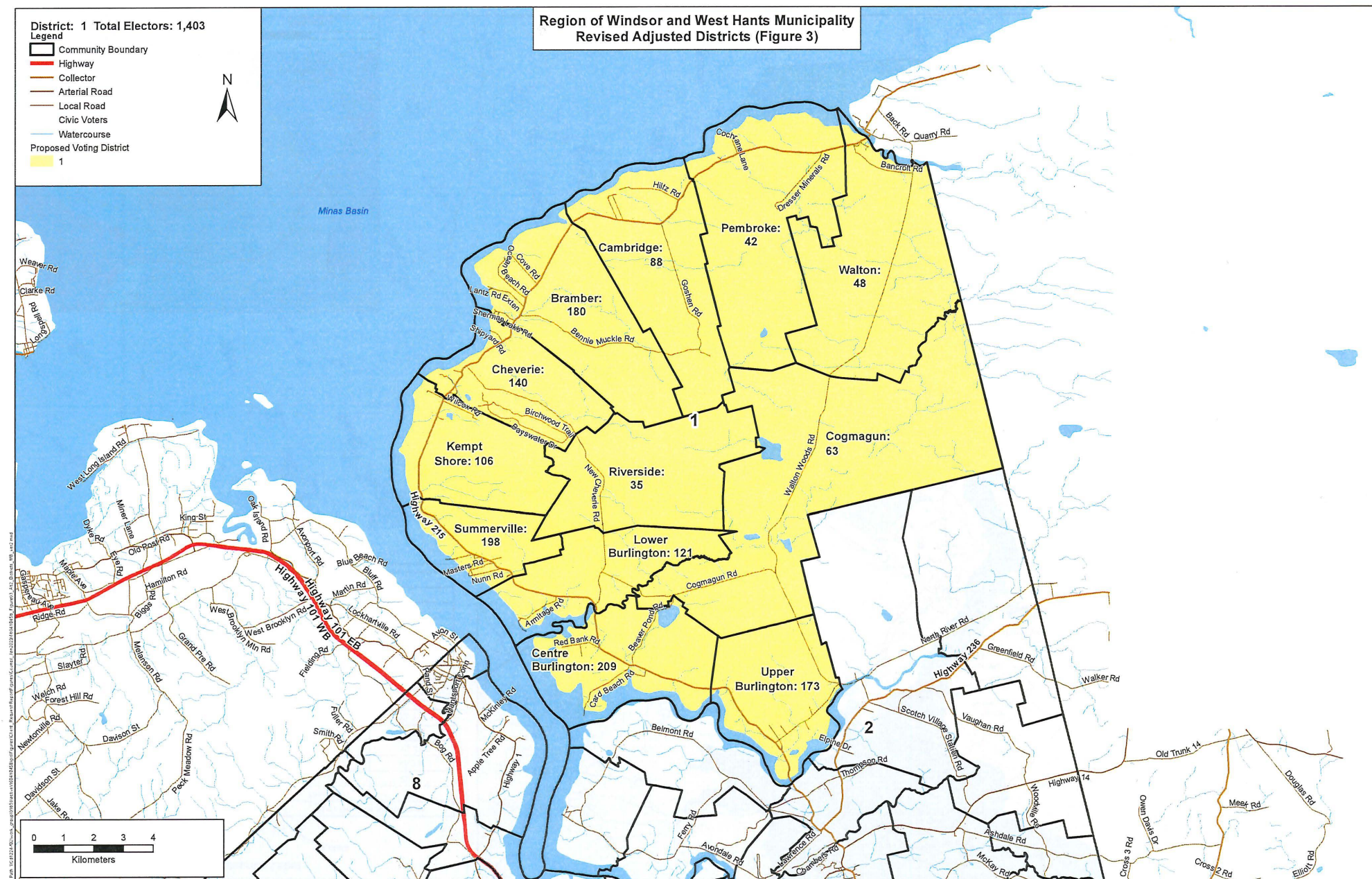
Region of Windsor and West Hants Municipality Revised Adjusted Districts (Figure 3)

District: 1 Total Electors: 1,403
Legend

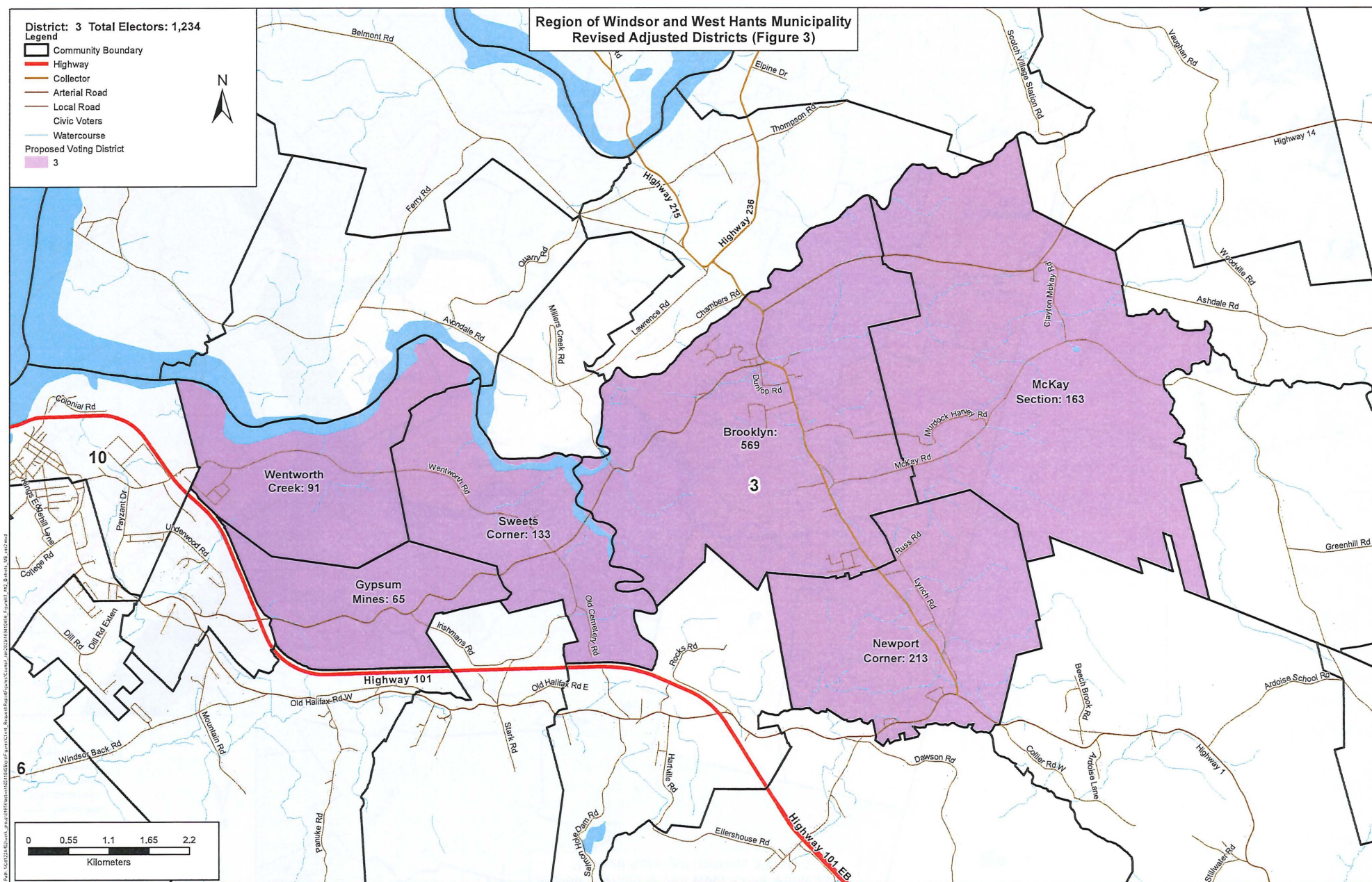
- Community Boundary
- Highway
- Collector
- Arterial Road
- Local Road
- Civic Voters
- Watercourse
- Proposed Voting District

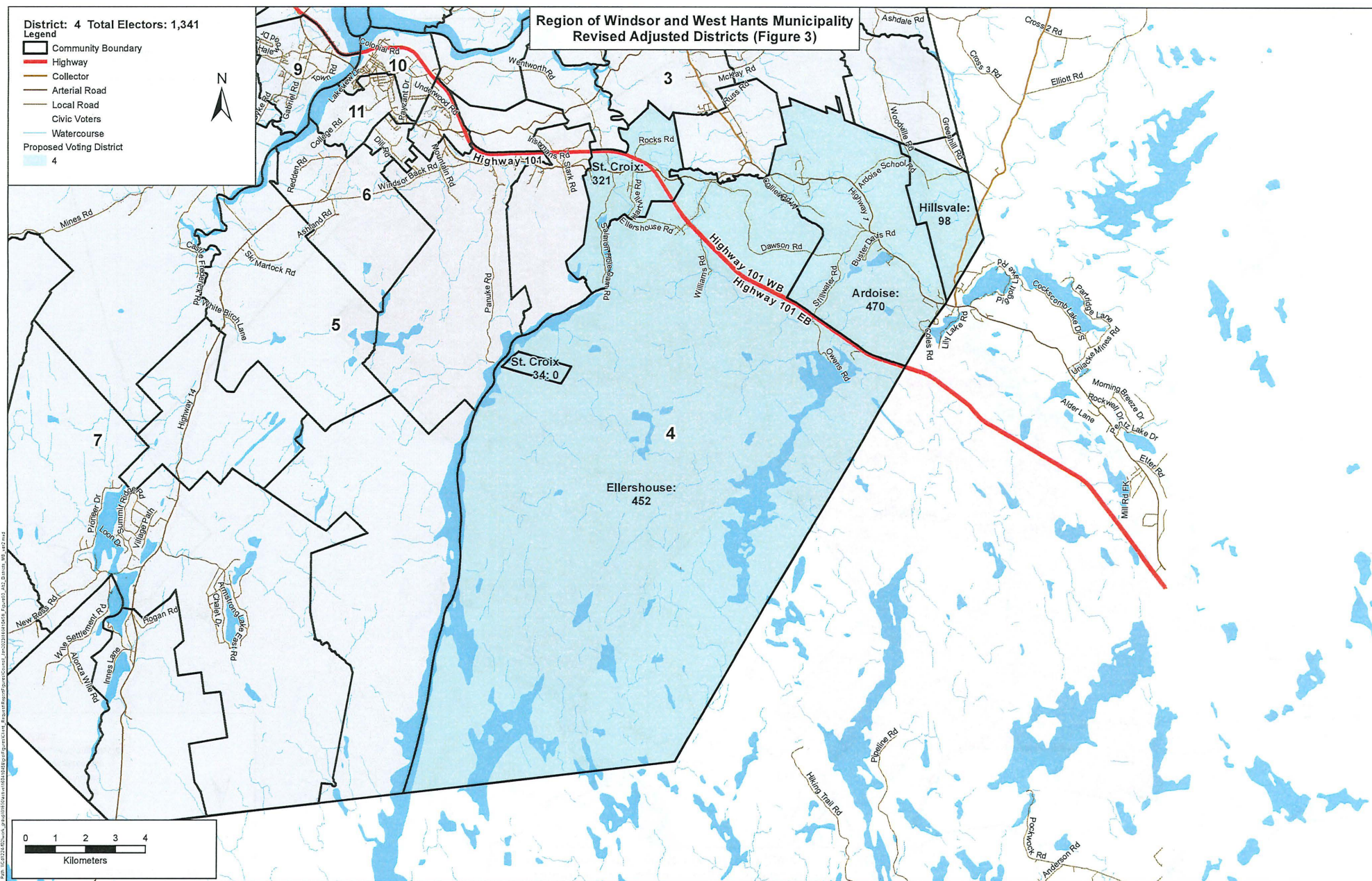


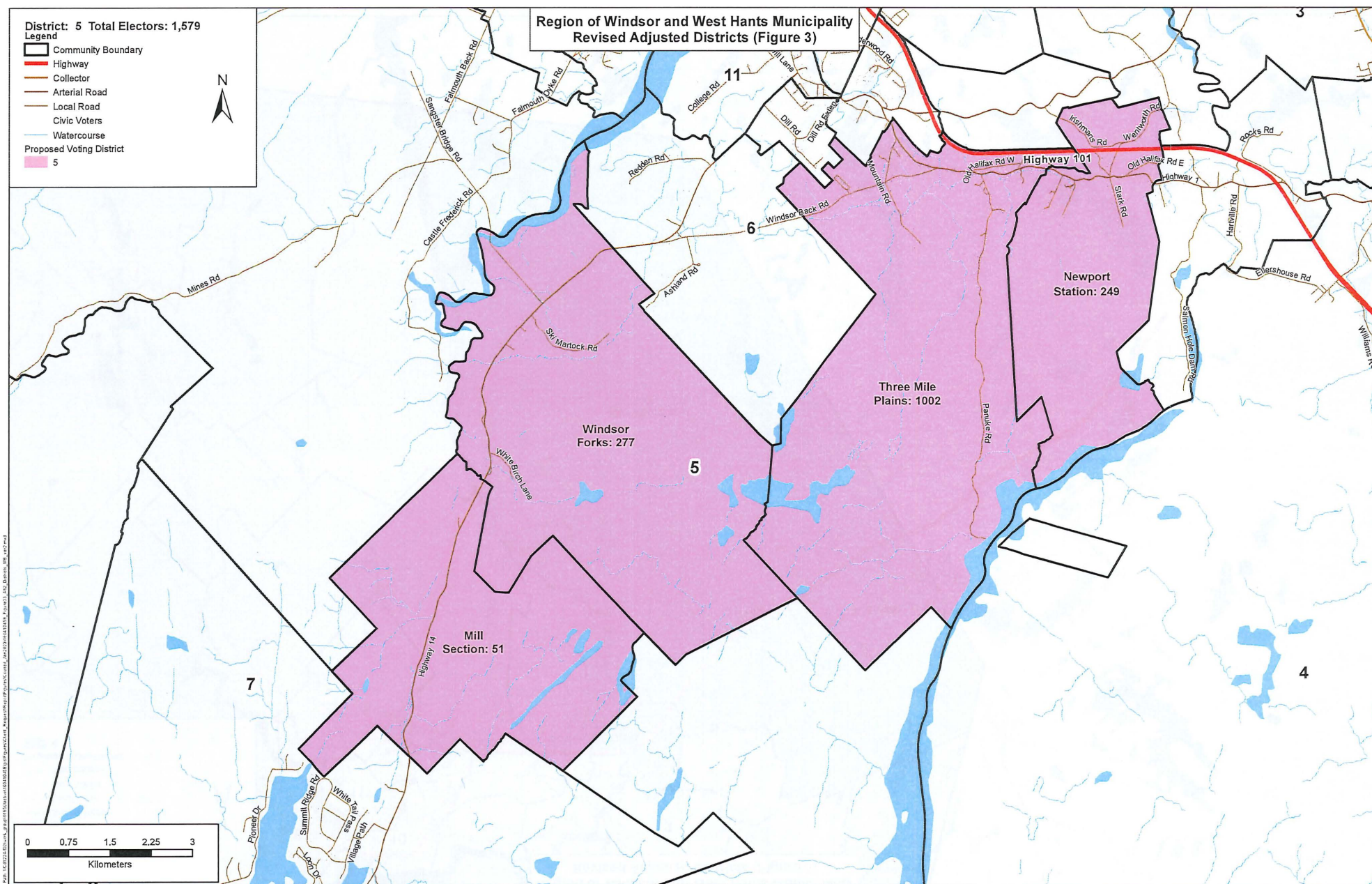
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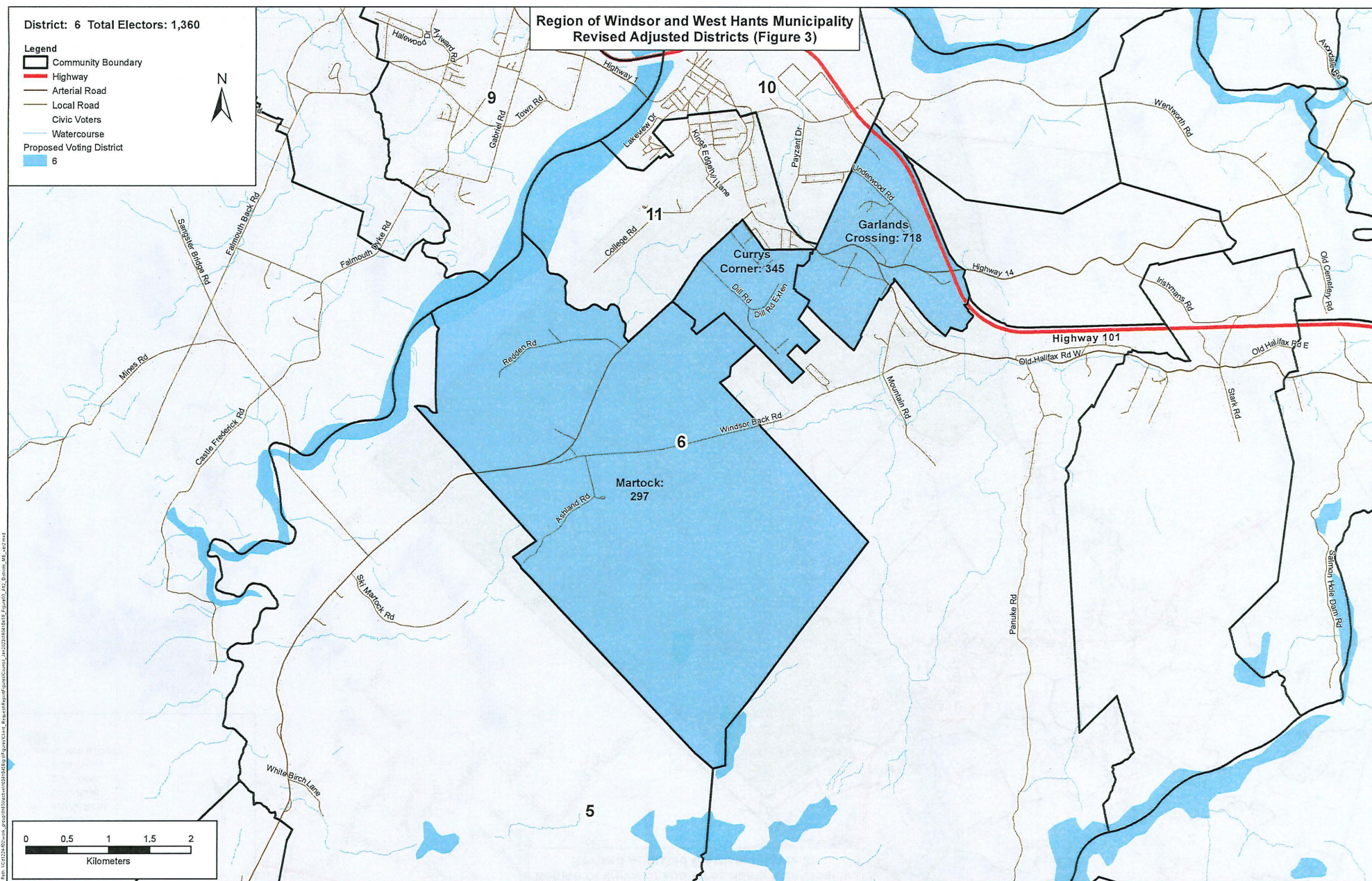


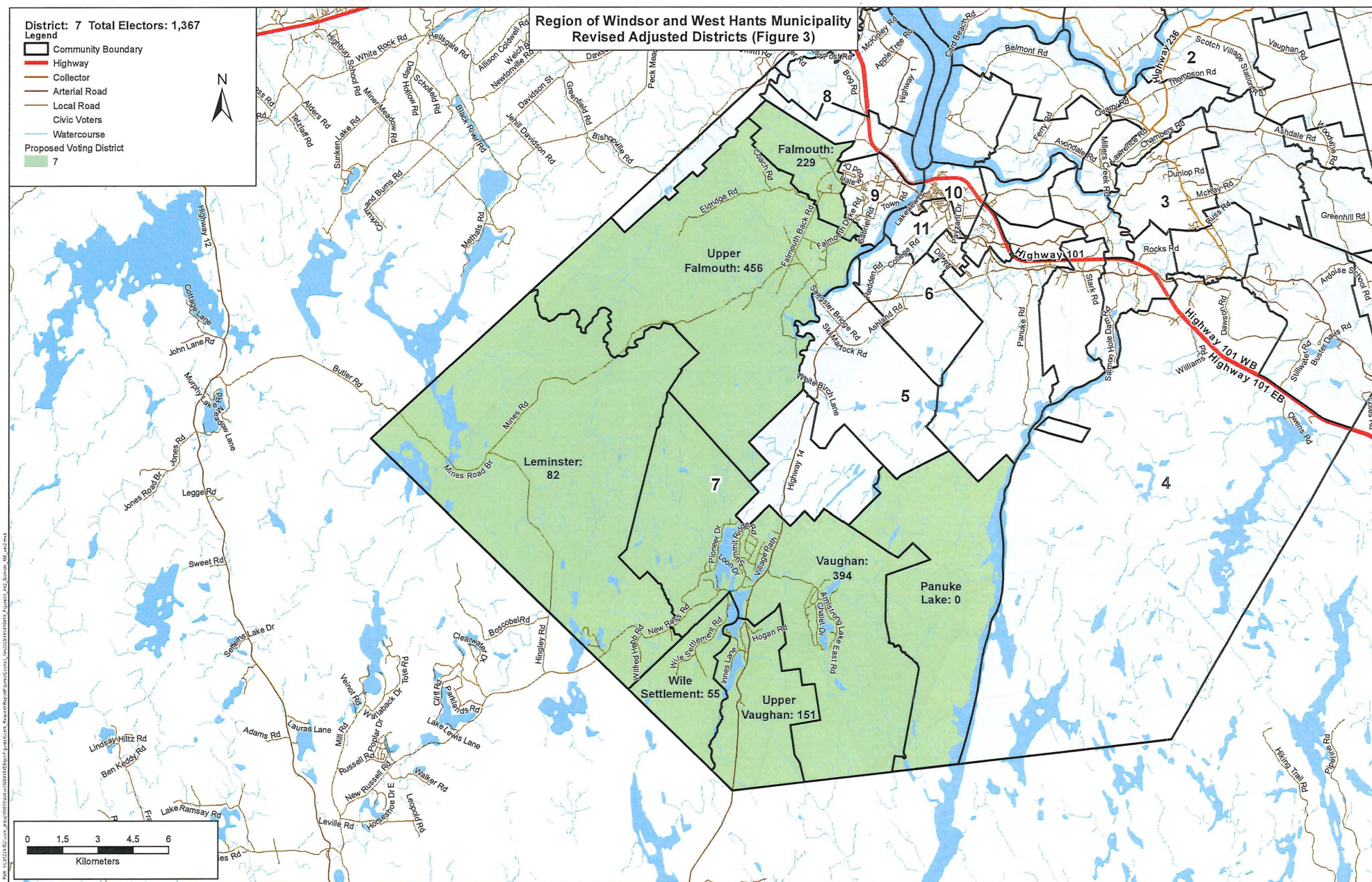
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Kilometers

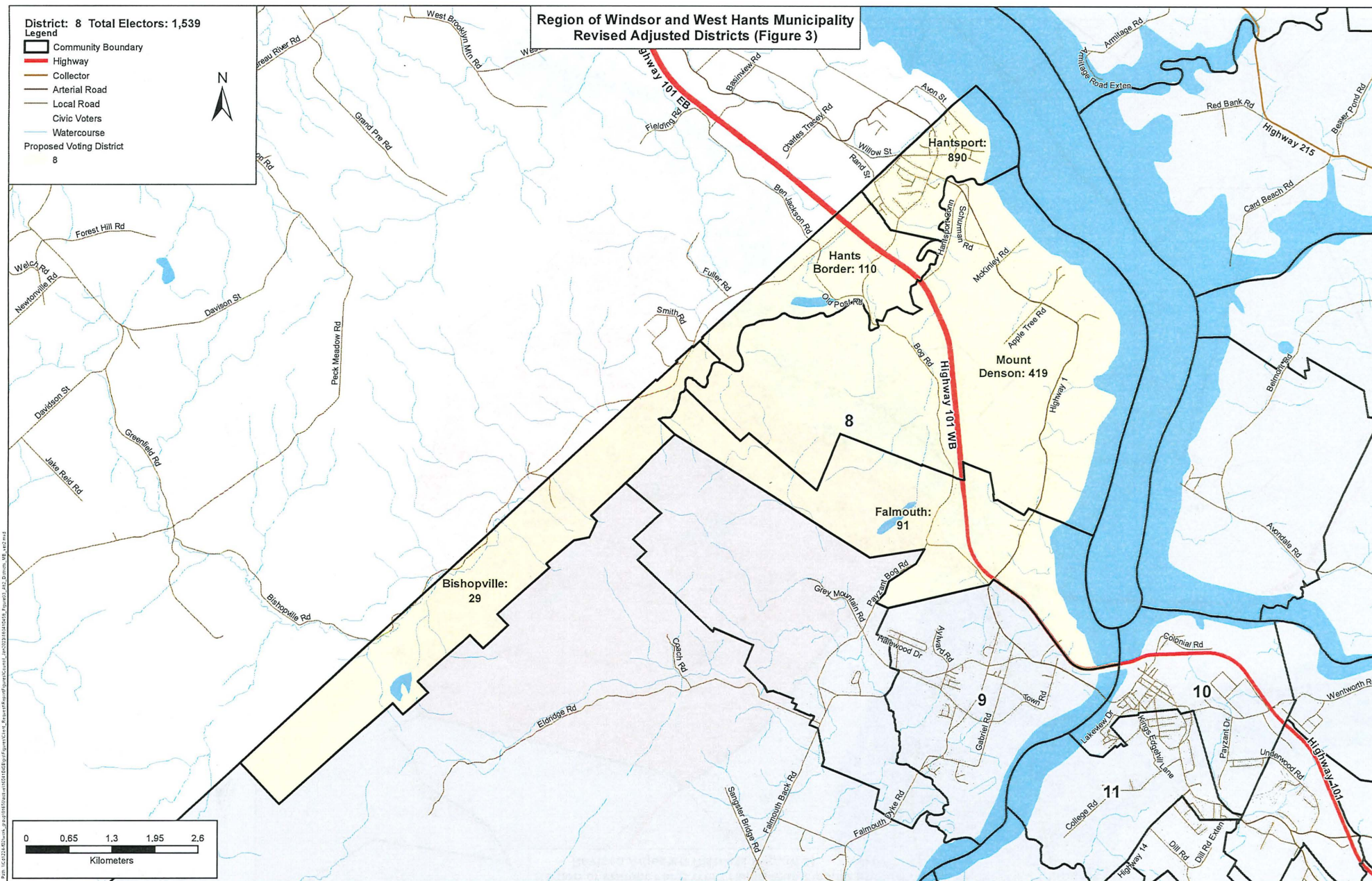


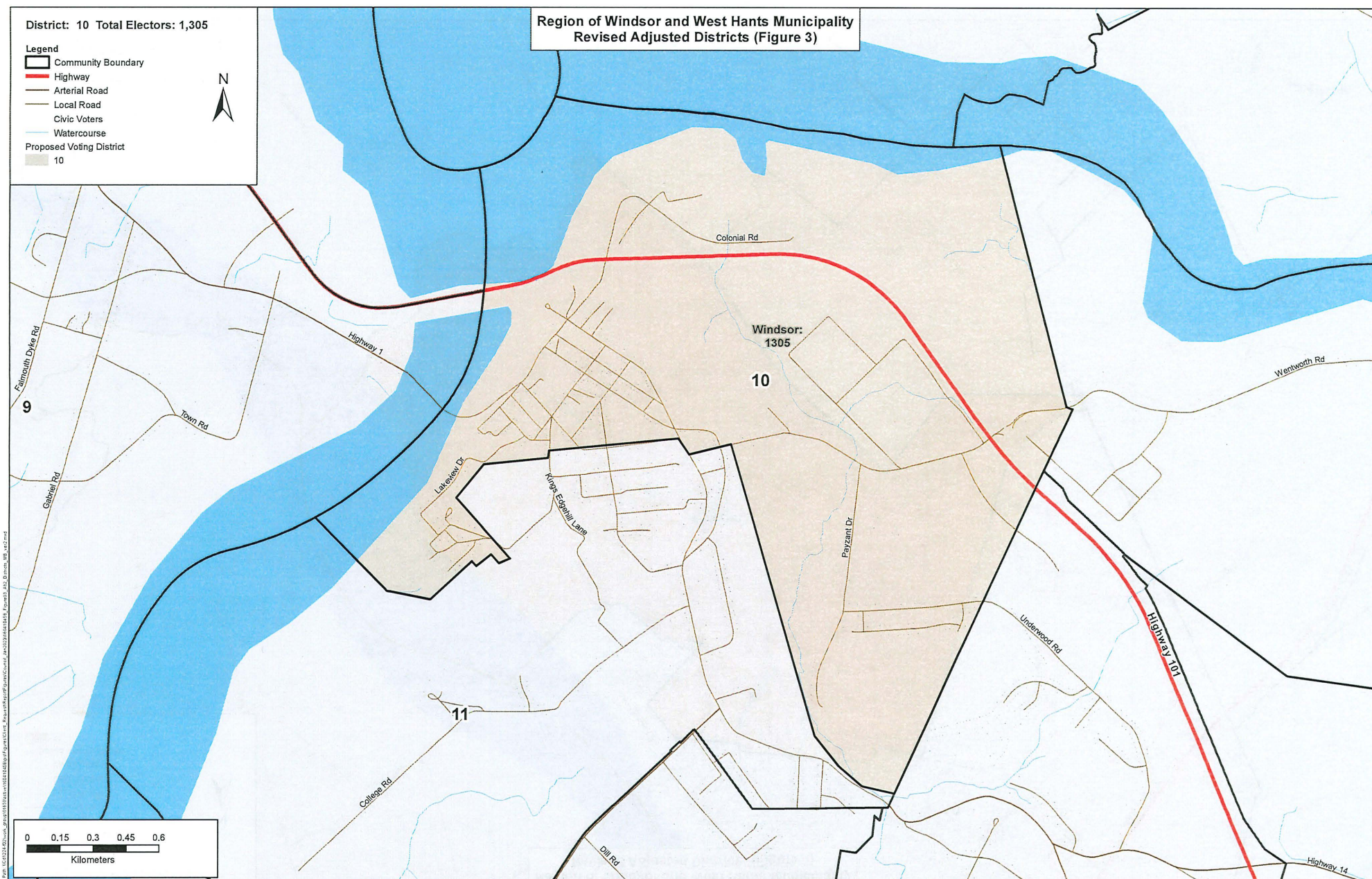






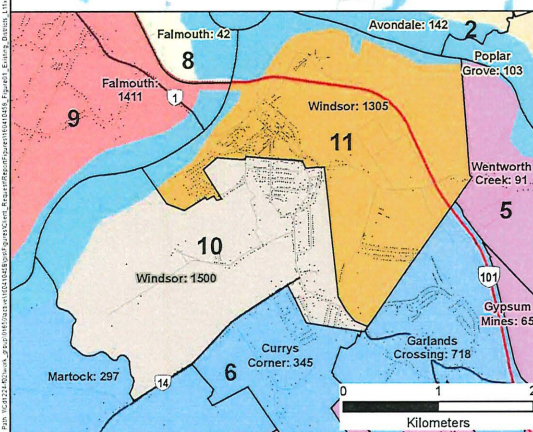
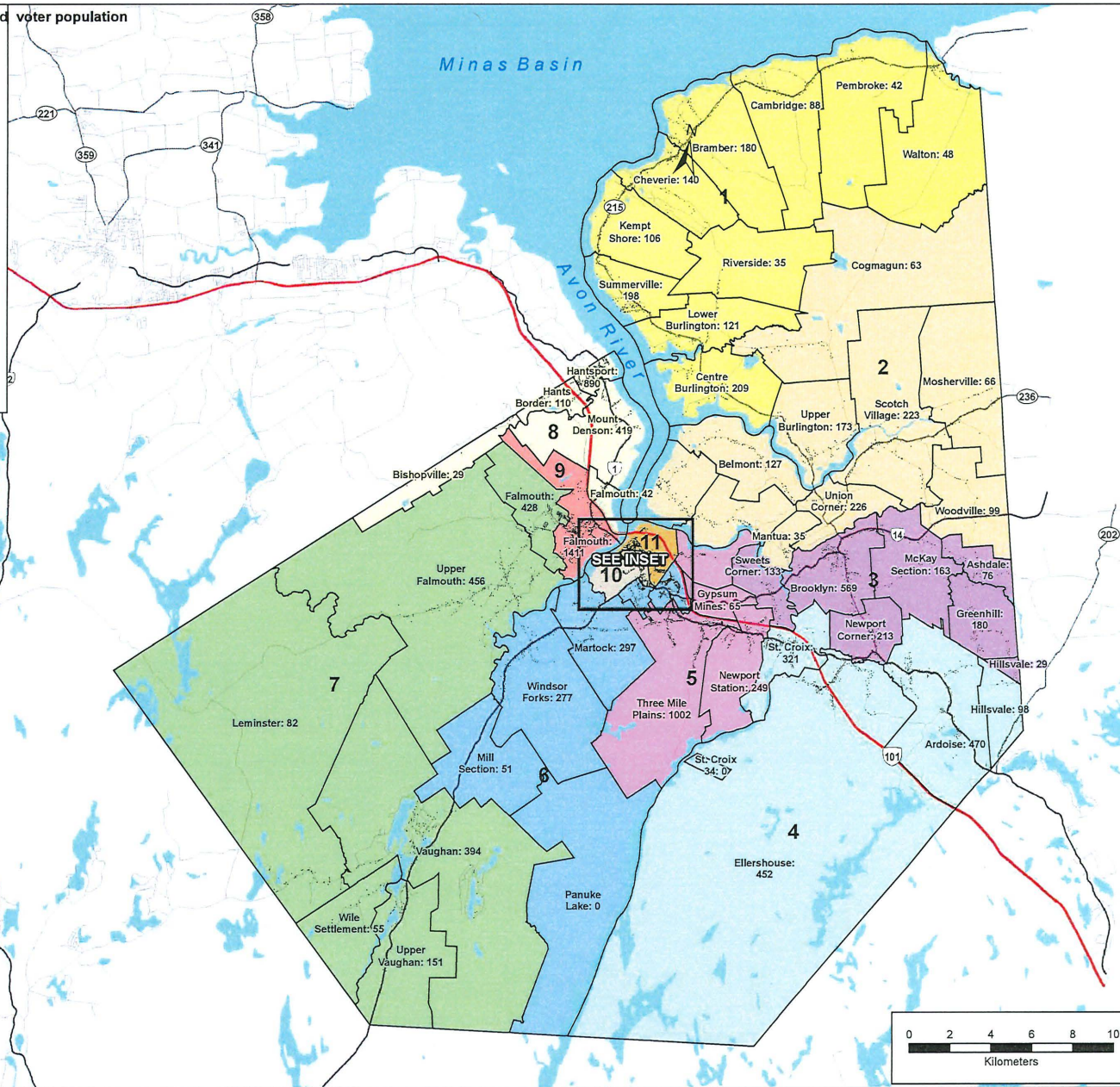






Region of Windsor and West Hants Municipality - 11 Existing Districts with updated Community Label	voter population
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	Community	Ellershouse: 452	Electors	
District	Electors	Land Area (km ²)	Variation from Average	
			Number	%
1	1,167	216	-242	-17.2%
2	1,257	202	-152	-10.8%
3	1,363	66	-46	-3.2%
4	1,341	252	-68	-4.8%
5	1,407	59	-2	-0.1%
6	1,688	127	279	19.8%
7	1,566	354	157	11.2%
8	1,490	38	81	5.8%
9	1,411	13	2	0.2%
10	1,500	5	91	6.5%
11	1,305	5	-104	-7.4%
TOTALS	15,495	1,336		
Average	1,409	121		





Committee of the Whole Excerpts
November 14, 2023

EXTENDED PRODUCER RESPONSIBILITY (EPR) PROGRAM EXCERPT

Municipalities are required to indicate if they will opt into the EPR for PPP program and submit the first round of data by January 1, 2024

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

THAT WEST HANTS COUNCIL OPTS INTO THE EXTENDED PRODUCER RESPONSIBILITY (EPR) PROGRAM FOR POST-CONSUMER PACKAGING AND PRINTED PAPER (PPP), TRANSFERRING THE RESPONSIBILITY FOR CURBSIDE RECYCLING PROGRAMS TO PRODUCERS.

THAT WEST HANTS COUNCIL DIRECTS STAFF TO GATHER THE NECESSARY DATA AND NEGOTIATE CONTRACTS WITH RELEVANT STAKEHOLDERS TO FACILITATE A SMOOTH TRANSITION INTO THE EPR PROGRAM.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: COTW

Submitted by: _____
Todd Richard, Director of Public Works

Date: November 14th, 2023

Subject: Participation in the Extended Producer Responsibility (EPR) Program for PPP

LEGISLATIVE AUTHORITY

Municipal Government Act

RECOMMENDATION or DECISION REQUEST

Whereas the Extended Producer Responsibility (EPR) program for post-consumer packaging and printed paper (PPP) has been proposed to transfer the cost and responsibility of curbside recycling programs from municipalities to producers.

Whereas participation in the EPR program has the potential to reduce the financial burden on West Hants while encouraging producer accountability for recycling and promoting more responsible recycling practices.

Therefore, it is recommended:

1. That West Hants Council opts in to the Extended Producer Responsibility (EPR) program for post-consumer packaging and printed paper (PPP), transferring the responsibility for curbside recycling programs to producers.
2. That West Hants Council directs staff to gather the necessary data and negotiate contracts with relevant stakeholders to facilitate a smooth transition into the EPR program.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☒	Social ☐	Economic ☒	Councillor Activity ☐
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The purpose of this report is to present a recommendation to West Hants Council regarding the municipality's participation in the Extended Producer Responsibility (EPR) program for post-consumer packaging and printed paper (PPP).

By January 1, 2024, Municipalities are required to indicate if they will opt into the EPR for PPP program and submit the first round of data. These requirements can be found in Attachments.

DISCUSSION

West Hants must decide whether to opt in or out of the EPR program for PPP. The decision has several strategic implications:

1. Cost Management: Opting in would shift the financial burden from the municipality to producers, leading to cost savings.
2. Environmental Impact: Participation in the EPR program is intended to encourage producer accountability for recycling and reduce our waste footprint.

Desired Outcome:

It is recommended that West Hants opt in to the EPR program for PPP, aligning with modern waste management practices and shifting costs to producers while promoting recycling accountability.

NEXT STEPS

The next steps involve gathering additional data and negotiating contracts with relevant stakeholders to ensure a smooth transition into the EPR program.

It is important to note that the data required for the January 1 deadline is conditional upon our decision to opt in or out.

FINANCIAL IMPLICATIONS

The financial implications of opting in will include cost savings for West Hants as the responsibility for curbside recycling programs is shifted to producers.

ALTERNATIVES

The primary alternative is to opt out, meaning West Hants would continue to provide and pay for curbside recycling services. This would maintain the status quo but would result in a continued financial burden on the municipality.

ATTACHMENTS

Appendix A: EPR for PPP – Local Elected Officials Presentation Final (*PowerPoint*)

The attached PowerPoint presentation serves as an educational resource, assisting Council in understanding the fundamental aspects of EPR for PPP.

Appendix B: Nova Scotia Municipal Data Collection Template_ FINAL (*Excel*)

The attached Excel document contains the data required at the time of registration and will be used in negotiations with the Extended Producer Responsibility (EPR) program.

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

This program has been long awaited dating back several years and policy consideration by the province. As noted in the report there are cost advantages to the WHRM as well as implementing packaging / environmental improvements as it relates to packaging and products. The program will financially benefit the WHRM through the direct transfer of responsibility and cost of managing PPP.

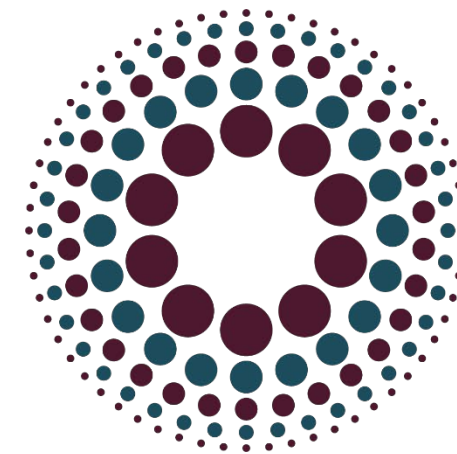
Work will continue to define the collection mechanism of PPP when compared against current methods and contracts vs. the potential payment to municipalities covering the cost of the PPP collection.

Report Prepared by: Kristyn Remme
Waste Services Coordinator

Report Reviewed by: 
Todd Richard, PW Director

Report Approved by: 

Mark Phillips, CAO



NOVA SCOTIA FEDERATION
OF MUNICIPALITIES

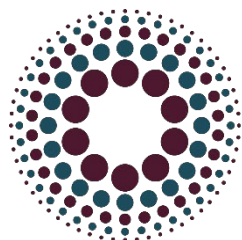
EPR FOR PPP REGULATIONS: IMPLICATIONS FOR MUNICIPALITIES

Better government. Stronger communities.

September, 2023

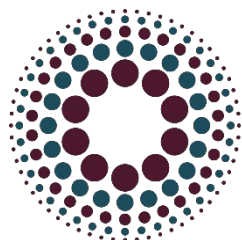
PRESENTATION OBJECTIVE

- 
1. Provide a brief background on EPR for PPP
 2. Share a high-level regulation overview
 3. Provide some insight into implications for municipalities



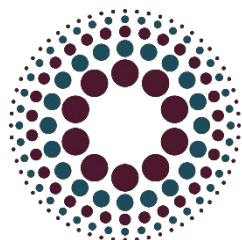
AGENDA

- 
1. Background on EPR for PPP
 2. Consultation
 3. Regulation Overview
 4. Implications for Municipalities



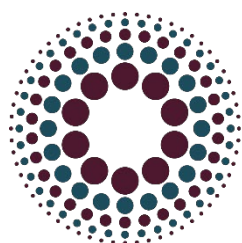
EPR FOR PPP RECAP

- EPR for Packaging, Paper Products, and Packaging-like products (PPP) regulates industry responsibility for both the operational and financial management of certain recyclable materials.
- Ideally this incentivizes industry to create easily recyclable packaging because producers become responsible for recycling costs.
- In Nova Scotia, EPR for PPP will include materials commonly found in the blue bag system.



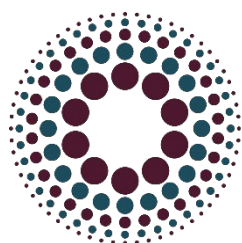
EPR FOR PPP RECAP

- NSFM & partners submitted a proposal regarding EPR for PPP to the provincial government in 2019.
- In December 2021, as part of the Environmental Goals and Climate Change Reduction Act, the provincial government committed Extended Producer Responsibility to include Paper, Packaging, and Packaging-Like Products.
- EPR for PPP regulations were announced August 2, 2023.
- Savings from new operational arrangements are estimated between \$20-25 million annually for NS municipalities.



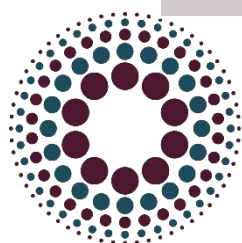
CONSULTATION & COLLABORATION

- Provincial staff worked with stakeholders to design EPR for PPP regulations, timelines, and exemptions.
- Municipal consultation took place through direct outreach to municipalities and through the Solid Waste-Resource Management Regional Chairs Committee.
- The Municipal-Provincial Priorities Working group (a subcommittee of Regional Chairs) has been identifying next steps from an operational/data collection perspective.



PROGRAM PLAYERS

Producers	• Regulated to develop and manage a program • Permitted to appoint a PRO
Producer Responsibility Organization (PRO)	• Appointed by producers to develop and operate the program (e.g., servicing blue bags) • Collects fees from producers • May contract municipalities for collection/processing, and education services • Provides information and education programs related to PPP
Provincial Government	• Obligates producers, sets targets
The Administrator - Divert NS	• Manages registration and data collection for producers and municipalities • Oversees registration and compliance with regulation targets • Completes annual reporting to province
Municipalities and Regions	• Registers with Divert NS and provides current collection data • Can be contracted by industry to continue collection, processing, and/or education



DATES AND DEADLINES

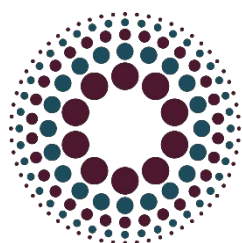
August 1, 2023 – EPR for PPP Regulations are approved.

January 1, 2024 – Last date for municipalities and Producers to register with Divert NS and provide information in the form and manner specified (details forthcoming).

January 1, 2024 - Producers must select a Producer Responsibility Organization (PRO) to consult with stakeholders, including municipalities.

October 1, 2024 – PRO must consult with every municipality in the Province and submit a readiness report to Divert NS.

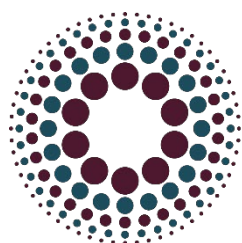
December 1, 2025 – Full EPR for PPP implementation.



READINESS REPORT

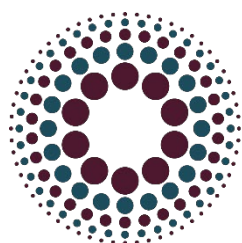
A PRO must consult with every municipality in the Province and submit a readiness report to Divert NS containing the following information:

- A description of the consultation with municipalities and how the feedback was addressed;
- A description of the actions planned to ensure that collection, material management, reporting/record-keeping, and promotion and education services meet the standards outlined in the regulations.



REGULATION OVERVIEW

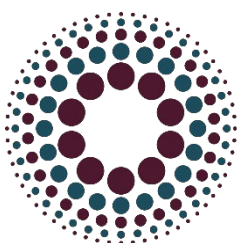
- In conjunction with the readiness report process, the PRO may begin engaging with municipalities to contract them for services (collection, processing, etc.).
- Regulations must be fully implemented by Dec 1, 2025.
- Divert NS will monitor the PRO and any other producers to ensure compliance with regulations.



PRODUCER DETERMINATION

Q. How will a business determine if it meets the ‘Producer’ threshold?

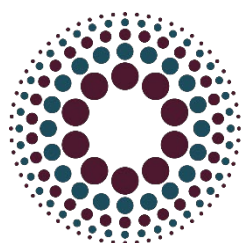
- Exemptions include businesses and organizations whose gross annual revenue in the Province is less than 1 million or who supply less than 1 tonne of designated material in the Province in the year.
- Businesses and organizations will be responsible for establishing designated material tracking and record keeping measures that demonstrate whether they meet exemption criteria, in accordance with the requirements provided by Divert NS.



PRODUCER DETERMINATION

Q. Can municipalities and other orders of government be deemed a Producer?

- Orders of government are exempt if they meet the current exemption criteria outlined in the regulations.
- Most relevant to municipalities is likely the tracking and recording of designated materials that are issued (e.g., tax bills, recreational pamphlets, Council bulletins).
- Municipalities should consider information sharing in terms of best practices for collecting and recording this information.
- If a municipality is deemed a Producer, they will likely have to pay a nominal fee.

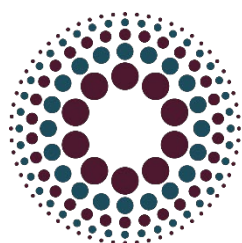


OPT-OUT, OPT-IN

Prior to January 1, 2024, Councils should consider the current costs associated with the collection, transportation, and processing of designated materials when deciding whether to opt in or out of EPR for PPP.

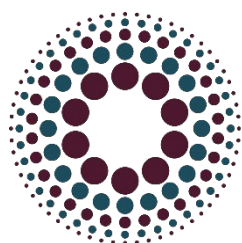
Municipalities can:

- 1. Opt-out of EPR for PPP and continue to service the blue bag program at cost.**
- 2. Opt-in to EPR and cease to provide any services related to the blue bag program (unless contracted by the PRO to provide collection, processing, and/or education services).**



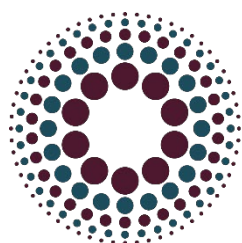
OPT-OUT

- Municipalities have a ‘first right of refusal’ and can continue to collect and manage blue bag materials without being a part of the program.
- Opting out of EPR means a municipality will continue to manage all blue bag collection services for residents and businesses (if applicable), at cost.
- If a municipality chooses to opt out and collect and manage their blue bag materials independently, they can assist obligated producers by sharing their collection data with a Producer Responsibility Organization so that these designated materials are accounted for.



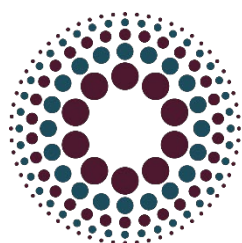
OPT-IN

- Unless contracted by a PRO to provide services, opting in to EPR means a municipality will not provide any servicing for blue bag material including collection or processing.
- The Producer Responsibility Organization (PRO) will take full ownership of service after the readiness report is approved.
- **Note:** While apartment buildings, condos, some senior residences, schools and seasonal trailer parks are included in EPR - regulations do not apply to some Industrial/Commercial/Institutional (ICI) industries. Those municipalities currently providing service to these sectors will have to determine how the new regulations impact that service.



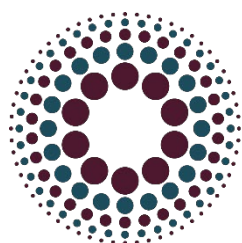
CONTRACT TO BE A SERVICE PROVIDER

- If a municipality opts in to EPR, the Producer Responsibility Organization (PRO) may wish to engage that municipality as a service provider (e.g., collection or processing).
- Municipalities will enter into contract negotiations with the PRO regarding the nature of the service provided and the remuneration paid by the PRO to provide it.
- Those municipalities with existing recycling facilities will have to decide whether to leverage that facility for services to a PRO or otherwise re-purpose it if they do not continue to collect blue bag materials.



CONTRACT NEGOTIATIONS

- While contracts may be on 1:1 basis, municipalities can consider a regional approach to negotiations including retaining legal and Subject Matter Experts (SME) to advise during the process.
- The PRO will decide through their own procurement process who will provide processing services. Municipalities that own MRF's can respond to an RFP/Tender.



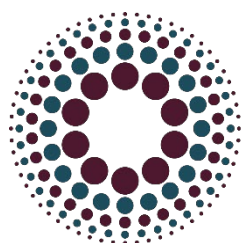
DELIVERY OF EDUCATION SERVICES

Currently, the seven Solid Waste Regional Committees, with support from Divert NS, deliver waste education and outreach services to municipalities and communities.

While Producers will now be responsible for providing information and education programs related to PPP, they will be focused on education and awareness related to running their program.

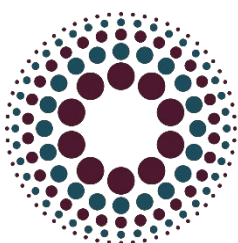
Municipalities may negotiate with the PRO to promote more community specific details like collection days, etc.

Municipalities may still wish to engage in their own waste-reduction education services related to other materials and targeting broad community stakeholders.



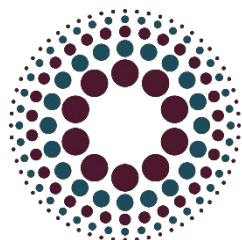
NEXT STEPS

- As part of registering in January 2024, municipalities will be asked to provide operational data relating to their blue bag service.
- Staff should be working to collect data and have been provided with some initial information.
- The Municipal-Provincial Priorities group, an operational sub-committee of Regional Chairs, has been working with Divert NS to ascertain the necessary data required.
- Additional data collection information will be forthcoming from Divert NS/Priorities.



REGIONAL CONTACTS

Region	REGIONAL STAFF		ELECTED CHAIR	
1	Roschell Clark	rmclarke@cbrm.ns.ca	Cyril MacDonald	camacdona@cbrm.ns.ca
1	Nicole Latimer	Nicole.Latimer@invernesscounty.ca	Cyril MacDonald	camacdona@cbrm.ns.ca
2a	Tanya Williams	tanya@erswm.ca	Donnie MacDonald	dfmacdonald@antigonishcounty.ns.ca
2b)	Deborah Searle	Deborah.Searle@pcssa.ca	Robert Parker	Robert.parker@munpict.ca
3	Phil Redden	Predden@colchester.ca	Jennifer Houghtaling	jhoughtaling@cumberlandcounty.ns.ca
3	Andrea Trask Brenda Rioux	atrask@easthants.ca brioux@amherst.ca	Jennifer Houghtaling	jhoughtaling@cumberlandcounty.ns.ca
4	Shannon Betts	bettss@halifax.ca	Tony Mancini	Tony.mancini@halifax.ca
5	Andrew Garrett	andrewg@vwrm.com	Peter Muttart	Mayor.muttart@countyofkings.ca
6	Christine McClare	Christine.McClare@Region6SWM.ca	Wayne Thorburne	Wayne.thorburne@bridgewater.ca
7	Amy Hillyard	amy@wastechek.ca	Linda Gregory	lgregory@digbymun.ca



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NOVA SCOTIA - Municipal Data Collection Template

Extended Producer Responsibility for Packaging, Paper Products and Packaging-like Products

The purpose of this template is to guide the collection of municipal data to support the transition to a circular economy.

1. Opting In or Out

The registration and data collection process will require municipalities to indicate if they will be opting into the curbside recycling program at their own cost.

With EPR for PPP, the cost and responsibility of operating curbside recycling programs will be transferred to the municipalities.

Municipalities who opt out of the EPR for PPP program will continue to operate their own blue bag program.

Name of the Community

Please provide the legal name of the eligible local municipality or authority for which this form is being completed. Suggest a separate form for each municipal unit based on collection boundaries.

Name	
------	--

Declare Participation

Participate in the EPR for PPP Program?	
---	--

Please enter

'Yes' to indicate you will opt in and participate

OR

'No' to indicate you will opt out and continue with your current program

If you responded 'Yes' please continue to complete all the tabs in this file.

ts (EPR for PPP)

nsition to an EPR approach for curbside recycling.

g in to the EPR for PPP program or if they will continue to run their curbside

red from municipalities to producers.

ograms at their cost.

g completed.

te in the EPR for PPP program

e to run your curbside recycling program at your own cost.



Committee of the Whole Excerpts
November 14, 2023

FORT EDWARD BLOCKHOUSE PRESERVATION AND SIGHT LINE EXCERPT

Many discussions have occurred regarding Fort Edward Hill and the Fort Edward Blockhouse. An item that continues to surface in most discussions surrounds development near the Fort, and preservation of the sight line to and from the Fort. Value was seen in exploring a process that would look to protect sight lines of Fort Edward Hill and the Blockhouse and look to protect the historical and key feature of the region.

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

COUNCIL DIRECT THE CAO TO IDENTIFY THE IMPORTANCE OF THE VIEW PLANES OF FORT EDWARD FOR CONSIDERATION IN THE PLANNING DOCUMENTS BEING CONSIDERED BY THE CONSULTANT FOR THE MUNICIPAL PLANNING STRATEGY.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request	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: November 14, 2023, 2023

Subject: Fort Edward Blockhouse – Site Line Preservation

LEGISLATIVE AUTHORITY

MGA 30 (1) (2) (3) (4)

RECOMMENDATION or DECISION REQUEST

Council direct the CAO to engage staff as appropriate to initiate the process for drafting of a bylaw to that would serve to preserve the site lines to and from Fort Edward Hill and the Fort Edward Blockhouse from natural and man-made obstructions.

BACKGROUND

Council and the community of Windsor and West Hants have probably over the last many years had as much discussion as it ever has regarding Fort Edward Hill and the Fort Edward Blockhouse

One item that has continued to surface in most discussions surrounding development near the Fort, has been the preservation of the site line to and from the Fort.

The former Town of Windsor's existing bylaws have (perhaps without specific intent) served to protect the view to and from the Fort, by limiting the height of properties to 3 stories.

To date it must be noted that no actionable steps have been taken to protect and preserve the sight lines to and from the Fort.

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

Generally, it can be said that Council has been very supportive of development within the West Hants Region.

In considering the implementation of a bylaw that would serve to protect the site lines of Fort Edward Hill and the Blockhouse, it should be noted it is not an action that is contrary to supporting future development. Rather it should be considered as a move to protect an historical and key feature of the region that was a primary reason for initial settlements here as well as its subsequent development to date. Further, protecting the views to and from the Fort and Blockhouse, can serve as an attraction for future development but in a complimentary manner, that would accentuate the natural historic feature, not in a way that that would overshadow or obstruct it.

NEXT STEPS

Council to direct staff as noted in the motion or propose an alternative direction.

FINANCIAL IMPLICATIONS

Staff time to prepare the report.

ALTERNATIVES

To be determined

ATTACHMENTS:

(Original Information Report from Sept Council Meeting)

CHIEF ADMINISTRATIVE OFFICER REVIEW

Pending the appointment of a consulting firm to conduct the review of the MPS, LUB and SUB, Council may consider having this specific matter reviewed as part of the overall planning strategy. The topic can be viewed similarly to the architectural control district requirements and other potential historic property preservation priorities in our communities. The intent of the recommendation and potential policy will help to preserve the historic integrity of the Fort Edward area but will have impacts on future developments as of right and other applications as noted. This needs to be carefully researched and policy clearly defined as it relates to the “natural and man-made obstructions” as noted in the recommendation from an enforceability perspective and for developer’s future designs and site plans.

I do have concerns with the time and resource demands on staff required to fully review and propose policy if this is Council’s wish. Particularly if the review falls outside of the work of a consulting firm.

Staff await the direction of Council on this matter.

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

Report Approved by: 
Mark Phillips, Chief Administrative Officer



Committee of the Whole Excerpts
November 14, 2023

MCCAP COMMITTEE 2024 WORK PLAN EXCERPT

Within the *MCCAP Committee Terms of Reference*, the Committee must provide an annual work plan to Council. The Work Plan identifies priority items the Committee would like to complete for the year. Following recommended additions to the work plan in September, the MCCAP Committee discussed the draft 2024 Work Plan at the November 8, 2023, meeting where the Committee passed the motion below.

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

THAT THE MCCAP COMMITTEE 2024 WORK PLAN BE SUBMITTED TO COUNCIL FOR APPROVAL AND BE PLACED ON FILE IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT A TO THE STAFF REPORT "MCCAP COMMITTEE 2024 WORK PLAN" DATED NOVEMBER 8, 2023.



Municipal Climate Change Action Plan (MCCAP) Committee Excerpt
November 8, 2023

MCCAP Committee 2024 Work Plan

As stated in the *MCCAP Committee Terms of Reference*, the Committee must provide an annual work plan to Council. The Work Plan identifies priority items the Committee would like to complete for the year. Following recommended additions to the work plan in September, the MCCAP Committee discussed the draft 2024 Work Plan at the November 8, 2023, meeting where the Committee passed the motion below.

The recommended motion was...

**...THAT THE MCCAP COMMITTEE 2024 WORK PLAN BE
SUBMITTED TO COMMITTEE OF THE WHOLE TO BE PLACED ON
FILE IN A MANNER SUBSTANTIVELY THE SAME AS ATTACHMENT
A TO THE STAFF REPORT "MCCAP COMMITTEE 2024 WORK PLAN"
DATED NOVEMBER 8, 2023.**



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: Municipal Climate Change Action Plan (MCCAP) Committee

Submitted by: _____
John Ogilvie, Climate Action Coordinator

Date: 2023-11-08

Subject: MCCAP Committee 2024 Work Plan

LEGISLATIVE AUTHORITY

MCCAP Committee Terms of Reference, Section 4

RECOMMENDATION or DECISION REQUEST

...that the MCCAP Committee 2024 Work Plan be submitted to Committee of the Whole to be placed on file in a manner substantively the same as Attachment A to the staff report "MCCAP Committee 2024 Work Plan" dated November 8, 2023.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☒	Social ☐	Economic ☐	Councillor Activity ☐
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As stated in the *MCCAP Committee Terms of Reference*, the Committee must provide an annual work plan to Council. The MCCAP Committee discussed the draft 2024 Work Plan at the September 13, 2023, meeting where the Committee suggested multiple tasks to be added to the Plan.

DISCUSSION

Staff have drafted a recommended 2024 Work Plan (Attachment A), based on feedback at the MCCAP Committee meeting on September 13, 2023. In addition to the actions recommended in

the previous report to the Committee dated September 9, 2023, I have added the following tasks to the 2024 Work Plan:

- Implement a Level 3 electric vehicle (EV) charger within the Region;
- Recommend that Council amend the existing municipal asset management and procurement policies to require the Municipality prioritize sustainable options for corporate facility renovation/construction and fleet renewal; and
- Determine restrictions on development in flood prone areas of the Municipality during the Plan Review.

Implementing a Level 3 EV charger in the Region is ongoing; Nova Scotia Power (NSP) has applied for federal funding to install one in Windsor. Municipal land on the Windsor waterfront at 6 King Street Extension has been suggested as a location due to its proximity to Highway 101. A specific location will be determined with NSP if they receive funding for this project.

Planning staff indicated that the Plan Review will be a good opportunity to recommend municipal policy changes to determine appropriate restrictions on development in flood prone areas. This would allow the Municipality to better protect homes and infrastructure with its own regulations. Further discussion and information will be brought to the MCCAP Committee as the review process unfolds.

With these additions to the 2024 Work Plan, the MCCAP Committee has a comprehensive list of planned and ongoing actions. These work items, in addition to the Local Action Plan to reduce greenhouse gas emissions, will help the Municipality make significant progress to reduce GHG emissions and adapt to the negative effects of climate change.

NEXT STEPS

MCCAP Committee Discussion – September 13, 2023



MCCAP Committee Recommendation – November 8, 2023



Committee of the Whole Review – December 5*, 2023



Council Decision – December 12*, 2023

*Specific dates to be determined by Council

FINANCIAL IMPLICATIONS

There are no specific budget requests associated with the 2024 work plan, but many action items have direct costs that are currently uncertain. The MCCAP Committee budget would be used for some projects and other large-scale projects may require additional budget allocation from Council. External funding will be sought for all projects if and when it is available, and a report will be brought to the MCCAP Committee and Council for consideration.

ALTERNATIVES

The MCCAP Committee may:

- request that staff revise the 2024 Work Plan based on specific direction from the Committee; or
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Draft 2024 MCCAP Committee Work Plan

Attachment B 2023-09-13 Information Report to MCCAP Committee “MCCAP 2024 Work Plan”

REVIEW

Report Prepared by: _____
John Ogilvie, Climate Action Coordinator

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

Attachment A
Draft MCCAP 2024 Work Plan

Tasks to Complete		Cost of Action	Funding	Partners	Timing
Goal: Reduce Greenhouse Gas Emissions	Work on Milestone 4 of the PCP program by implementing actions from the Local Action Plan developed in Milestone 3	Staff time and project costs	Staff time; Applications for funding will be submitted when required and available	Planning / Public Works / Community Development / Finance / CAO's Office	Annual
Goal: Invest in education for the community	Partner with Efficiency NS to educate residents on home renovation programs and incentives	Staff time	Staff time	Planning / Communications / Efficiency NS	Coordinate with launch of PACE program
Goal: Lead by example and enhance sustainability-informed decision making	Explore including anticipated GHG emissions in staff reports for Council and Committees	Staff time	Staff time	Planning / Community Development / Finance / Public Works / CAO's Office	2024
	Explore amending the municipal procurement and asset management policies to prioritize sustainable options for facility renovation / construction and fleet renewal	Staff time	Staff time	Planning / Community Development / Finance / Procurement / Public Works / CAO's Office	2024

Goal: Explore enhancing transportation opportunities / availability	Explore transit and accessible transportation feasibility	Staff time; Consultant costs for studies	Staff time; Applications for funding will be submitted when required and available	Planning / Community Development / Public Works / Finance / CAO's Office	2024
Ongoing Tasks		Cost of Action	Funding	Partners	Timing
Goal: Reduce Greenhouse Gas Emissions	Explore the potential for a small to medium scale solar energy project	Staff time and project costs (dependent on location, site conditions, number of solar panels, how much electricity the Municipality wants to offset, etc.)	Staff time; NS Low Carbon Communities application; Solar for facilities through FCM retrofit funding	Planning / Public Works / Community Development / Office of the CAO / NS Power	Funding applications completed in 2023; Ongoing
	Create a PACE program	Set-up: ~\$225,000 Capital: \$300,000	Set-up: Town of Kentville \$12,200 cash and \$12,000 staff time; WHRM \$10,000 cash and \$22,000 staff time; FCM grant for \$168,800 Capital: WHRM \$300,000 cash	Planning / CAO's Office / Town of Kentville / PACE Atlantic CIC / FCM / VanCity Community Investment Bank	FCM grant advancement received April 2023; Ongoing program development

	Implement a Level 3 EV charging station in the Region	Staff time Project costs: >\$60,000 (dependent on location and site conditions)	Staff time; NSP funding if received from NRCan	Planning / Public Works / Community Development / Office of the CAO / NS Power	NSP submitted application for federal funding in June 2023
Goal: Reduce energy consumption for Municipal buildings	Investigate building/facilities retrofits for efficiency	Staff time, feasibility studies cost, capital investments dependent on building conditions	Staff time; FCM retrofit funding; Efficiency NS; various Provincial and Federal opportunities	Planning / Community Development / Public Works / CAO's Office / FCM / Efficiency NS	Initial conditions surveyed 2022-23; Efficiency NS energy manager assistance for Fall 2023; Funding applications ongoing
Goal: Increase awareness of local best practices	Continue the Green Business Initiative	Staff Time	Staff Time	Planning / Community Development	Began Summer 2021; Annual
Goal: Update Windsor's storm drainage infrastructure to ensure it meets the future needs of the Town	Windsor Flood Risk Assessment	Staff Time and Consultant Costs	FRIIP 50% funding (up to \$39,109)	Public Works	Currently reviewing RFP's and recommendation to Council to proceed
Goal: Reduce the impact of anticipated climate change on infrastructure and development	Consider options to restrict development in known flood zones, such as through the Plan Review	Staff Time	Staff Time	Planning	Plan Review completion and approval anticipated 2024-25

Goal: Develop sustainable solutions to address sea-level risk in Avondale	Work with community groups, government organizations, and non-profits to assess sustainable solutions	Staff Time	Staff Time	Public Works, Planning, NS Department of Agriculture	Fall 2021
Goal: Implement MCCAP	Annual action items review and update	Staff Time	Staff Time	Planning	Annual
	Annual review and update Terms of Reference	Staff Time	Staff Time	Planning	Annual
Goal: Heighten residents' awareness of flood risk and emergency preparedness	Public education on social media	Staff Time	Staff Time	EMO	On-going
	Develop planning processes, policy, and ordinances	Staff Time	Staff Time	EMO	On-going
Goal: Build mapping (GIS) capabilities	Update software as needed	Staff Time	Staff Time	Planning	On-going
Goal: Climate-informed Emergency Preparedness Plans	Annual review and update of All-Hazards Plan	Staff Time	Staff Time	EMO	On-going
Goal: Record storm surge impacts	Record storm surge impact details as means of improving emergency preparedness and response planning	Staff Time	Staff Time	EMO	On-going
Goal: Secure local source of aggregate	Identify possible sources of local aggregate in inventory of municipal land	Staff Time	Staff Time	EMO	On-going

Goal: Stormwater management planning	Implement findings from the Hantsport Storm Water Management Study	Staff Time	Staff Time	Public Works / Planning	On-going
	Implement findings from the Three Mile Plains Storm Water Management Study	Staff Time	Staff Time	Public Works / Planning / NS Department of Infrastructure and Renewal	On-going
Completed		Cost of Action	Funding	Partners	Completed
Goal: Reduce Greenhouse Gas Emissions	Complete Milestone 2 in the PCP program by providing necessary information for Council to set an emissions reduction	Staff Time	Staff Time	Planning / Public Works	August 2021

Goal: Reduce Greenhouse Gas Emissions	target for corporate and community emissions				
	Complete Milestone 3 in the PCP program by developing a Local Action Plan	\$5,222.64 for summer student	MCCAP Budget (Clean Foundation grant paid 50% of the position)	Planning / Public Works / Clean Foundation	Submitted September 2021
	Complete an updated GHG emissions inventory for corporate emissions	\$9,000	MCCAP Budget, Co-op Education Incentive	Clean Foundation	Fall 2019
	Complete a GHG emissions inventory for community emissions	\$25,000	MCCAP Budget, Co-op Education Incentive	Clean Foundation	Fall 2019
	Complete a GHG emissions forecasting model	\$36,000	MCCAP Budget	Clean Foundation	Winter 2020
	Hire a GHG emissions reduction employee	\$30,944.10	Eco Canada grant provided 80% for 8.5 months (\$17,535), MCCAP Budget covered remainder	Planning / Eco Canada	1-year term began June 27, 2022, and ended June 27, 2023
		Approx. \$62,000	Municipal Budget	Planning	Started June 27, 2023
	Participate in a feasibility study for electric vehicle fleet conversion	Staff time and project costs (approx. \$1,500 in-kind for study)	Staff time	Planning / Clean Foundation	Study from July 27, 2022, to October 19, 2022. Full report provided in December 2022
	Implement electric vehicle charging station(s)	Staff time; \$56,089.60 for installation of 2	Staff time; ZEVI program from NRCAN and	Planning / Public Works / Community Development /	Operational in October 2022

		dual port Level-2 chargers	administered by Clean Foundation provided grant of \$20,000 for project; \$11,084.48 top-up from the Province	Office of the CAO / Clean Foundation / Nova Scotia Power / NRCan	
Goal: Reduce the impact of anticipated climate change on municipal infrastructure along the Minas Shore	Complete the National Disaster Mitigation Program Risk Assessment Study	\$80,000	MCCAP Budget and National Disaster Mitigation funding	CBCL Limited Consulting and Government of Canada	Spring 2019
Goal: Stormwater management planning	Complete plan for Falmouth	\$50,000	Public Works	Public Works	2016
	Complete plan for Hantsport	\$50,000	Public Works	Public Works	2018
	Complete plan for Three Mile Plains	\$50,000	Public Works	Public Works	2019
Goal: Build mapping (GIS) capabilities	Hire a GIS Technician	N/A	Planning	Planning	2015



Attachment B

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☒	Recommendation ☐	Decision Request ☐	Councillor Activity ☐
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To: Municipal Climate Change Action Plan (MCCAP) Committee

Submitted by: _____
John Ogilvie, Climate Action Coordinator

Date: 2023-09-13

Subject: Discussion: MCCAP 2024 Work Plan

LEGISLATIVE AUTHORITY

MCCAP Committee Terms of Reference, Section 4

RECOMMENDATION or DECISION REQUEST

This report is for information purposes to assist the Committee during discussion of work plan priorities for 2024. Currently, there is no staff recommendation.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☒	Social ☐	Economic ☐	Councillor Activity ☐
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As stated in the MCCAP Committee Terms of Reference, the Committee must provide an annual work plan to Council. Based on direction from the Committee at the September meeting, staff will prepare a recommendation report for the MCCAP Committee meeting in November.

DISCUSSION

Staff have drafted a 2024 Work Plan for discussion (Attachment A).

I recommend the Committee keep working on Milestone 4 of the Partners for Climate Protection (PCP) program, which is to implement the Local Action Plan. As the actions from the

Local Action Plan are implemented the Municipality will be working towards the goal of reducing corporate and community emissions by 45% by 2030, which will provide the foundation for net-zero by 2050. They will also improve the Region's resilience to the negative effects of climate change. I also recommend adding specific actions to complete to the workplan, such as partnering with Efficiency NS to elevate residents' awareness of rebates and programs, which will complement the PACE program; exploring including anticipated greenhouse gas (GHG) emissions in staff reports to Council and Committees; and exploring transit and accessible transportation feasibility.

Many tasks that were added in the 2023 Work Plan have been completed, including:

- hiring a dedicated GHG emissions reduction employee, which began June 27, 2023;
- implementing electric vehicle charging station(s); and
- participating in a municipal fleet conversion study.

As I am now a permanent full-time employee, I have been able to dedicate my time to continuing long-term projects that advance the Local Action Plan. Since the last annual work plan, I have been developing further emission reduction scenarios and plans for municipal facilities and operations, applying for federal and provincial funding opportunities and assisting other departments and organizations with climate change information for projects. A dashboard list of the action items is provided in Attachment B. The dashboard provides the status of progress on each action item.

The electric vehicle chargers at the West Hants Sports Complex and Windsor Community Centre have been fully operational since the end of October 2022. The Municipality received \$20,000 from the Clean Foundation and an \$11,084.48 top-up from the Province towards the total installation cost of \$56,089.60. As of August 30, 2023, the two (2) EV chargers have helped drivers avoid 4,059 kg of GHG emissions since installation – equivalent to planting 104 trees and letting them grow for 10 years.

The Clean Foundation provided fleet conversion technical and summary reports in December 2022, which have been distributed to staff and the MCCAP Committee. The resulting data has been used to inform a request for proposals for two (2) battery-electric SUVs to add to the Planning and Development Department fleet. These reports can also be used to inform fleet conversion for similar light duty vehicles throughout the municipal fleet.

NEXT STEPS

MCCAP Committee Discussion – September 13, 2023



MCCAP Committee Recommendation – November 8, 2023



Committee of the Whole Review – December*, 2023



Council Decision – December*, 2023

*Specific dates to be determined by Council

FINANCIAL IMPLICATIONS

There are no specific budget requests associated with the 2024 work plan, but many action items have direct costs that are currently uncertain. The MCCAP Committee budget would be used for some projects and other large-scale projects may require additional budget allocation from Council. External funding will be sought for all projects if and when it is available, and a report will be brought to the MCCAP Committee and Council for consideration.

ALTERNATIVES

The MCCAP Committee may:

- request that staff revise the 2024 Work Plan based on specific direction from the Committee; or
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Draft 2024 MCCAP Committee Work Plan

Attachment B Local Action Plan Dashboard

REVIEW

Report Prepared by: _____
John Ogilvie, Climate Action Coordinator

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

Attachment A
Draft MCCAP 2024 Work Plan

Tasks to Complete		Cost of Action	Funding	Partners	Timing
Goal: Reduce Greenhouse Gas Emissions	Work on Milestone 4 of the PCP program by implementing actions from the Local Action Plan developed in Milestone 3	Staff time and project costs	Staff time; Applications for funding will be submitted when required and available	Planning / Public Works / Community Development / Finance / CAO's Office	Annual
Goal: Invest in education for the community	Partner with Efficiency NS to educate residents on home renovation programs and incentives	Staff time	Staff time	Planning / Communications / Efficiency NS	Coordinate with launch of PACE program
Goal: Lead by example	Explore including anticipated GHG emissions in staff reports for Council and Committees	Staff time	Staff time	Planning / Community Development / Finance / Public Works / CAO's Office	2024
Goal: Explore enhancing transportation opportunities / availability	Explore transit and accessible transportation feasibility	Staff time; Consultant costs for studies	Staff time; Applications for funding will be submitted when required and available	Planning / Community Development / Public Works / Finance / CAO's Office	2024
Ongoing Tasks		Cost of Action	Funding	Partners	Timing

Goal: Reduce Greenhouse Gas Emissions	Explore the potential for a small to medium scale solar energy project	Staff time and project costs (dependent on location, site conditions, number of solar panels, how much electricity the Municipality wants to offset, etc.)	Staff time; NS Low Carbon Communities application; Solar for facilities through FCM retrofit funding	Planning / Public Works / Community Development / Office of the CAO / NS Power	Funding applications completed in 2023; Ongoing
	Create a PACE program	Set-up: ~\$225,000 Capital: \$300,000	Set-up: Town of Kentville \$12,200 cash, \$12,000 staff time; WHRM \$10,000 cash, \$22,000 staff time; FCM grant for \$168,800 Capital: WHRM \$300,000 cash	Planning / CAO's Office / Town of Kentville / PACE Atlantic CIC / FCM / VanCity Community Investment Bank	FCM grant advancement received April 2023; Ongoing program development
Goal: Reduce energy consumption for Municipal buildings	Investigate building/facilities retrofits for efficiency	Staff time, feasibility studies cost, capital investments dependent on building conditions	Staff time; FCM retrofit funding; Efficiency NS; various Provincial and Federal opportunities	Planning / Community Development / Public Works / CAO's Office / FCM / Efficiency NS	Initial conditions surveyed 2022-23; Efficiency NS energy manager assistance for Fall 2023; Funding applications ongoing
Goal: Increase awareness of local best practices	Continue the Green Business Initiative	Staff Time	Staff Time	Planning / Community Development	Began Summer 2021; Annual

Goal: Update Windsor's storm drainage infrastructure to ensure it meets the future needs of the Town	Windsor Flood Risk Assessment	Staff Time and Consultant Costs	FRIIP 50% funding (up to \$39,109)	Public Works	Currently reviewing RFP's and recommendation to Council to proceed
Goal: Reduce the impact of anticipated climate change on infrastructure and development	Consider options to restrict zoning in flood-prone areas	Staff Time	Staff Time	Planning	Plan Review
Goal: Develop sustainable solutions to address sea-level risk in Avondale	Work with community groups, government organizations, and non-profits to assess sustainable solutions.	Staff Time	Staff Time	Public Works, Planning, NS Department of Agriculture	Fall 2021
Goal: Implement MCCAP	Annual action items review and update	Staff Time	Staff Time	Planning	Annual
	Annual review and update Terms of Reference	Staff Time	Staff Time	Planning	Annual
Goal: Heighten residents' awareness of flood risk and emergency preparedness	Public education on social media	Staff Time	Staff Time	EMO	On-going
	Develop planning processes, policy, and ordinances	Staff Time	Staff Time	EMO	On-going
Goal: Build mapping (GIS) capabilities	Update software as needed	Staff Time	Staff Time	Planning	On-going

Goal: Climate-informed Emergency Preparedness Plans	Annual review and update of All-Hazards Plan	Staff Time	Staff Time	EMO	On-going
Goal: Record storm surge impacts	Record storm surge impact details as means of improving emergency preparedness and response planning	Staff Time	Staff Time	EMO	On-going
Goal: Secure local source of aggregate	Identify possible sources of local aggregate in inventory of municipal land	Staff Time	Staff Time	EMO	On-going
Goal: Stormwater management planning	Implement findings from the Hantsport Storm Water Management Study	Staff Time	Staff Time	Public Works / Planning	On-going
	Implement findings from the Three Mile Plains Storm Water Management Study	Staff Time	Staff Time	Public Works / Planning / NS Department of Infrastructure and Renewal	On-going
Completed		Cost of Action	Funding	Partners	Completed
Goal: Reduce Greenhouse Gas Emissions	Complete Milestone 2 in the PCP program by providing necessary information for Council to set an emissions reduction	Staff Time	Staff Time	Planning / Public Works	August 2021

Goal: Reduce Greenhouse Gas Emissions	target for corporate and community emissions				
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	Complete a GHG emissions inventory for community emissions	\$25,000	MCCAP Budget, Co-op Education Incentive	Clean Foundation	Fall 2019
	Complete a GHG emissions forecasting model	\$36,000	MCCAP Budget	Clean Foundation	Winter 2020
	Hire a GHG emissions reduction employee	\$30,944.10	Eco Canada grant provided 80% for 8.5 months (\$17,535), MCCAP Budget covered remainder	Planning / Eco Canada	1-year term began June 27, 2022, and ended June 27, 2023
		Approx. \$62,000	Municipal Budget	Planning	Started June 27, 2023
	Participate in a feasibility study for electric vehicle fleet conversion	Staff time and project costs (approx. \$1,500 in-kind for study)	Staff time	Planning / Clean Foundation	Study from July 27, 2022, to October 19, 2022. Full report provided in December 2022
	Implement electric vehicle charging station(s)	Staff time; \$56,089.60 for installation of 2	Staff time; ZEVI program from NRCAN and	Planning / Public Works / Community Development /	Operational in October 2022

		dual port Level-2 chargers	administered by Clean Foundation provided grant of \$20,000 for project; \$11,084.48 top-up from the Province	Office of the CAO / Clean Foundation / Nova Scotia Power / NRCan	
Goal: Reduce the impact of anticipated climate change on municipal infrastructure along the Minas Shore	Complete the National Disaster Mitigation Program Risk Assessment Study	\$80,000	MCCAP Budget and National Disaster Mitigation funding	CBCL Limited Consulting and Government of Canada	Spring 2019
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	Complete plan for Hantsport	\$50,000	Public Works	Public Works	2018
	Complete plan for Three Mile Plains	\$50,000	Public Works	Public Works	2019
Goal: Build mapping (GIS) capabilities	Hire a GIS Technician	N/A	Planning	Planning	2015

Attachment B
Local Action Plan Dashboard

Legend

Not started

Ongoing

Complete

**Wishlist item

Action Item	Status/Progress Update	Responsible
1.1 Perform internal building conditions survey	Buildings completed to date include: • Municipal office (76 Morison Dr.) • Windsor Community Centre (78 Thomas St.) • Former Town office (100 King St.) • Hants Aquatic Center (306 Stannus St.) • West Hants Sports Complex (16 Centennial Dr.) • Brooklyn Fire Station 1 & Civic Centre (995 Hwy 215) • Windsor Public Works Garage (56 Park Dr.) • All WHRM water and wastewater treatment facilities	Climate Action / Public Works / Community Development
1.2 Promote & celebrate energy efficient buildings		Climate Action / CAO's Office / Communications
1.3 Office building location review	Council / CAO has a committee reviewing potential building location. The Climate Action Coordinator and previous summer students provided information from the building condition surveys of both current office buildings, to help inform sustainability considerations.	Climate Action / CAO's Office / Council
**1.4 Detailed audits for water & wastewater treatment plants	WHRM has been approved for a Roving Municipal Energy Manager (RMEM) through Efficiency NS. The current MOU provides the service until December 31, 2023, with the option to extend the term at any time by mutual consent. The RMEM can provide detailed audits and solar feasibility. The Climate Action Coordinator will accompany him on site	Climate Action / Public Works

	visits and provide the necessary information. The RMEM will also be able to audit other Municipal facilities as time permits.	
**1.5 Recommissioning of Brooklyn fire station & civic center	Brooklyn Fire Station 1 and Civic Centre was audited by the Climate Action Coordinator and summer student on August 24, 2022. Information gathered is being considered when applying for funding opportunities for community facilities, such as community building retrofit funding from the FCM.	Climate Action / Public Works / EMO
2.1 Fuel switching - heat pumps	There are heat pumps installed in many of the water utility facilities for the offices and required heated spaces. The only facility without heat pumps is the lab / office at the Windsor lagoons on Centennial Dr. Other Municipal buildings and facilities will be switched over to heat pumps over time.	Climate Action / Public Works / Community Development / CAO's Office
2.2 Consider green power purchasing		Climate Action / Finance / CAO's Office
2.3 Investigate partnerships for renewable energy provisions		Climate Action
**2.4 Investigate solar PV for water & wastewater treatment plants	All the water and wastewater treatment plants have had preliminary investigations for solar feasibility by the Climate Action Coordinator and summer student during Summer 2022. A report was submitted on the subject. More detailed official quotes and information should be obtained from solar installation contractors. Some space is available, but other locations may be more visible to the public. The RMEM will assist in evaluating solar feasibility.	Climate Action / Public Works
**2.5 Update asset management plan to include solar	Public Works is continuing to incorporate solar into asset management software over time, such as solar crosswalk lights.	Public Works
3.1 Investigate bulk purchasing of EV's & charging stations		Climate Action / Planning / Public Works / Community

		Development / Finance / Procurement
**3.2 Explore a corporate car sharing program		Climate Action / Public Works / Planning / Procurement
**3.3 Create a fleet management plan to introduce EV's over multiple years	The Manager of Building and Fire Inspection Services is exploring purchasing electric vehicles for the Planning and Development Department fleet. The Clean Foundation has completed a study on fleet conversion for the Planning and Development fleet, which can inform light-duty vehicle replacement for Municipal operations. This is not yet a full fleet management / conversion program.	Procurement / Planning / Public Works / Community Development
**3.3 Consider introducing carpool & biking incentives for work travel		CAO's Office
4.1 Partner with Efficiency NS to educate the public on home renovation programs / incentives & benefits	It is most effective to perform public engagement with Efficiency NS once we have our PACE program set up because they are made to bundle together. Public engagement / education sessions will be coordinated to publicize all available incentives and programs.	Climate Action / MCCAP Committee
4.2 Train WHRM staff to integrate energy efficiency into daily work & interactions	Efficiency NS presented to the MCCAP Committee on July 12, 2022. The presentation was recorded and made available to all staff. More training and detail may be required, as the session focused more on available programs for staff to communicate with the public. The Climate Action Coordinator will continue investigating opportunities for staff education.	Climate Action / MCCAP Committee
4.3 Hire a dedicated GHG reduction employee	John Ogilvie was hired for a year-long term as a Climate Action Coordinator, until the end of June 2023. He is now a full-time permanent employee.	Planning
5.1 Integrate GHG reduction into HR policies		CAO's Office / All Department heads/managers

5.2 Optimizing business/work-order travel	Staff organize trips that make the most efficient use of travel time when possible.	All staff
5.3 Adopt land-use policies that mandate / encourage efficient & sustainable growth models		Planning
5.4 Make renewable energy investments & sustainability practices (current & future) visible & known to the community	A MCCAP update section is added to the Municipal newsletter when information is available. Facebook is also used to communicate investments like the electric vehicle chargers and waste reduction initiatives. The PACE program will involve homeowner and contractor engagement sessions.	Climate Action / Planning / CAO's Office / Communications
**5.4 Make renewable energy investments & sustainability practices (current & future) visible & known to the community (long term)		Climate Action / Planning / CAO's Office / Communications
5.5 Explore options to include anticipated GHG emissions in staff reports for Council & committees		Climate Action / CAO's Office
**5.6 Explore options on PACE programming	PACE Atlantic is working on program design, funding process, and marketing. Staff are working with PACE Atlantic CIC to get the program running for a 2023 launch. Program funding is being confirmed, with Council approving a \$300,000 contribution.	Climate Action / Planning / Finance / CAO's Office
**5.7 Promote desired actions, policies, & incentives to the provincial government	Based on MCCAP recommendation, Council sent a letter to the provincial Minister of Environment and Climate Change regarding the delay in implementing Coastal Protection Act Regulations. Council has received a response stating the Province wishes to do more consultation, but does not yet have a timeline for implementation.	CAO's Office / MCCAP Committee / Council

**5.8 Explore opportunities for WHRM to integrate as part of the circular economy		Climate Action / Waste Reduction / Planning / Procurement
6.1 Explore potential partnerships for EV charging stations		Climate Action / Planning / Community Development
6.2 Explore funding for EV charging stations on municipal property	WHRM received funding from the ZEVIP opportunity through the Clean Foundation to assist with the installation of two dual-port charging stations at the West Hants Sport Complex and Windsor Community Centre. These were fully operational by the end of October 2022. Additional sites may have potential if more funding exists.	Climate Action / Planning / Community Development / Public Works
6.3 Explore opportunities to create a transportation hub		Climate Action / Planning / Community Development
6.4 Integrate active transportation considerations into land use planning decisions		Planning / Community Development
7.1 Review & amend policies to promote small-scale agriculture		Planning
7.2 Explore opportunities to make municipally owned facilities available to the community for merchandising of local food & goods		Community Development
**7.3 Create food & waste reduction education programs in partnership with community & schools		Climate Action / Waste Reduction / Planning / Community Development / MCCAP Committee

**7.4 Local procurement policies		CAO's Office / Procurement / All Department heads / managers
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Committee of the Whole Excerpts
November 14, 2023

MUNICIPAL PLANNING DOCUMENT REVIEW CONSULTANT EXCERPT

In June of 2023, Council approved the motion to *“provide planning staff the capacity to engage consultants for furthering the process of the Plan Review for West Hants Regional Municipality.”* Reviewing the existing planning documents from Hantsport, Windsor and West Hants will help create a Regional Municipal Planning Strategy, Land Use By-law and Subdivision By-law which may include Secondary Plans for specific areas. The review ensures the planning documents evolve and respond to the current environmental, social, and economic climate, and meet the current needs of the residents of the Regional Municipality.

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

COUNCIL APPROVES THE AWARD OF THE REQUEST FOR PROPOSALS # WHRMPD23-04, CONSULTANT SERVICES TO COMPLETE MUNICIPAL PLANNING DOCUMENT REVIEW, TO WSP CANADA INC. IN THE AMOUNT OF \$192,480.00 PLUS 10% CONTINGENCY AND APPLICABLE TAXES.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipal Council

Submitted by: _____

Sara Poirier, Director of Planning and Development

Date: 2023-11-14

Subject: RFP Award: Consultant Services to Complete Municipal Planning Document Review

LEGISLATIVE AUTHORITY

Section 65 of the Municipal Government Act

Part VIII, Planning and Development, of the Municipal Government Act

RECOMMENDATION

It is recommended for Committee of the Whole to recommend to Council that:

...Council approves the award of the Request for Proposals # WHRMPD23-04, Consultant Services to Complete Municipal Planning Document Review, to WSP Canada Inc. in the amount of \$192,480.00 plus 10% contingency and applicable taxes.

BACKGROUND

Property ☒	Public Opinion ☐	Environment ☒	Social ☒	Economic ☒	Councillor Activity ☐
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On June 27, 2023, Council approved the motion to “provide planning staff the capacity to engage consultants for furthering the process of the Plan Review for West Hants Regional Municipality.” A Request for Proposals was posted to the Provincial procurement website on September 12, 2023 and closed on October 24, 2023. Two (2) submissions were received.

DISCUSSION

All the areas of the Municipality are planned. The first land use regulations were in place in Windsor and a portion of West Hants in 1976; by 1994 regulations were in place throughout the former Municipal units.

The Town of Hantsport dissolved into the Municipality of West Hants in 2015, but the community of Hantsport still has its own planning documents. The Town of Windsor consolidated with the Municipality of West Hants in 2020, but the community of Windsor and the former Municipality of West Hants still have their own planning documents.

The current planning documents were last reviewed in totality in 2005 (Windsor), 2008 (West Hants) and in 2010 (Hantsport). The planning documents have undergone a number of amendments since then. With all of the documents being over 10 years old, a thorough review of all the policies and regulations is required.

In 2016, the Municipality of the District of West Hants Council and the Planning and Development Department initiated the process of reviewing the Municipal Planning Strategy (MPS), Land Use By-law (LUB) and Subdivision By-law (SUB) for the Municipality of West Hants and the former Town of Hantsport.

In April 2020, the Municipality of the District of West Hants and Town of Windsor consolidated to form West Hants Regional Municipality. Planning and Development Department staff included the Windsor planning documents in the review at that time.

The following material has been prepared in support of the plan review:

- Existing Land Use Survey mapping 2018;
- Background reports;
- Public Engagement Meetings: What We Heard reports documenting the 15 public engagement sessions and 2 youth engagement sessions between October 2018 and January 2020 (Windsor 2022);
- Direct comparison of the three existing sets of documents; and
- General policies/some regulations (including definitions) accepted by the Planning and Heritage Advisory Committee (PAC/HAC) for inclusion in the draft MPS and LUB.

Request

WHRM is seeking services from qualified planning professionals to review the existing planning documents from Hantsport, Windsor and West Hants to create a Regional Municipal Planning Strategy, Land Use By-law and Subdivision By-law which may include Secondary Plans for specific areas. The review ensures the planning documents evolve and respond to the current environmental, social, and economic climate, and meet the current needs of the residents of the Regional Municipality.

The RFP outlined that the proponent is expected to:

- Meet with the West Hants Planning and Development Department upon award of the contract to develop a better understanding of the issues and objectives for the Municipal Planning Document Review, confirm the proposed work plan and deliverables, and establish lines of communication and areas of responsibility between the Proponent and WHRM. A minimum of eight (8) update meetings should be scheduled with staff throughout the contract;
- Review existing MPS, LUB and SUB, and provide comments and recommendation for modernization of each document based on best practices. Identify bold, innovative policy options and regulations;
- Identify areas where Secondary Plans may be required;
- Create a schedule for by-law approval process;
- Create a baseline vision statement, goals and objectives (i.e., guiding principles) for Regional documents, review these with the PAC/HAC in a workshop format for acceptance;
- Develop and implement the public engagement plan required by the Public Participation Program Policy for round two of public engagement and create a public communication strategy as to how the process will be communicated to the public for maximum awareness and transparency to the general public;
- Review and draft updates to the MPS, LUB and SUB using WHRM branding and in plain language to provide clear direction to all users. These documents are to reflect community needs and address the unique circumstances of WHRM and incorporate background information collected during round one and two of public engagement;
- Be responsible for all mapping requirements of the project and all resulting GIS ArcMap .shp files;
- Be responsible for all project management tasks, including conducting research, writing documents, or scheduling and/or managing meetings.

Procurement

In response to the Request for Proposal (WHRMPD23-04), two (2) consultants submitted proposals for consideration. The two-part tender defined the bid scoring process to be used; that combined both a weighted technical criteria component as well as a weighted financial component. Proposals were reviewed and evaluated independently by the Director of Planning and Development, Senior Planner, Planner and Manager of Accounting and Financial Reporting.

Only one of the two proposals met the 80% minimum pass rate in Technical Scoring that qualified them for the second stage, the Financial Scoring. Once both the technical and financial scoring were evaluated, WSP Canada Inc. was identified as the recommended proponent.

Proponent Name	Technical Score	Financial
Stantec	61.25%	N/A
WSP Canada Inc.	96.25%	\$192,480.00

NEXT STEPS

Pending approval of Council; staff would award the contract to the successful proponent.

FINANCIAL IMPLICATIONS

Tendering Timeline:

Posted to Procurement	September 12, 2023
Closing Date	October 24, 2023
Price Expiry Date	January 22, 2024
Days Remaining	69 days

Financial:

Tender Pricing	\$192,480.00
Non-Recoverable Tax (4.29%)	\$8,257.39
10% Contingency	<u>\$20,073.74</u>
Tender Total	\$220,811.13
Funding	
Consolidation Funding	\$170,000
Operating Reserve	\$50,811.13

The planning document review in the five-year budget allocation from operating funding received from consolidation, to assist with transitional operating costs, such as consolidating planning documents and by-laws. Within that \$170,000 was allocated for the Municipality's Planning documents. Staff are recommending the remaining come from the West Hants Regional operating reserve. The operating reserves are projected to have \$6.7 million on March 31, 2024, and the \$50,811.13 will not impact the Reserve Policy guideline to have a balance of 10% of revenues (or \$3.1 million).

ALTERNATIVES

1. Council may choose not to support the recommendation.

ATTACHMENTS

- None

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

The director has provided the expectations for the municipality as expressed in the RFP. It is unfortunate that a limited number of bids were received, which has become a more regular occurrence when seeking both service and products.

The proposed work of modernizing the MPS, LUB and SUB is critically important to the municipality during this time of growth and to support the growth on the horizon. The existing documents have served the municipality and guided decision making while in effect. Not only are we experiencing challenges in areas where zoning or land use for properties adjacent to each other are being influenced by separate policies that may not align, but we are experiencing significant changes in the manner developers are building residential units. Example: Single family use vs. multi unit larger apartments. Additionally, we are experiencing a shift in demographics that may reflect new perspectives on land use and land regulations by our community.

In closing, this process will help guide the strategic future of the municipality for not only land matters, but other municipal services.

I urge Council to support this much needed review.

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

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer



Committee of the Whole Excerpts
November 14, 2023

NEWPORT & DISTRICT RINK COMMISSION 2023-24 FUNDING EXCERPT

To utilize the Canada Community Building Fund, a motion of Council is required. Following the motion staff reached out to Newport and District Rink Commission to determine where they are at with their capital plan in 2023-24, to determine funding sources available to utilize. Funding sources that would have an impact on the operating budget were not considered.

A representative of the Newport and District Rink Commission communicated a number of the projects have begun. Based on this information, staff are recommending that the \$150,000 be fully funded through the Operating Reserves.

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

TO COUNCIL THAT THE 2023-24 NEWPORT AND DISTRICT RINK COMMISSION CAPITAL FUNDING OF \$150,000, BE FUNDED THROUGH THE OPERATING RESERVE.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: West Hants Regional Municipality Committee of the Whole

Submitted by: Carlee Rochon, Director Financial Services

Date: November 14, 2023

Subject: Newport & District Rink Commission 2023-24 Funding

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65

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

RECOMMENDATION or DECISION REQUEST

It is recommended to Council that...

... The 2023-24 Newport and District Rink Commission capital funding of \$150,000, be funded through the Operating Reserve.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☒	Economic ☒	Councillor Activity ☐
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Council approved the following motion at the September 25th West Hants Council meeting:

Council approves the allocation of \$150,000 to the Newport and District Rink Commission to support capital upgrades to the GFL Recreation Centre for year one and the item will be revisited during budget to understand the overall impact of funding over the remaining four years.

This is an unbudgeted item in 2023-24, and a motion of Council is required to access reserves to fund this item. This was not included at the time of the motion as more information was needed.

DISCUSSION

Following the motion staff reached out to Newport and District Rink Commission to determine where they are at with their capital plan in 2023-24, to determine what funding sources could be utilized for Council's approval. Staff did not consider funding sources that would impact the operating budget.

To utilize the Canada Community Building Fund, a motion of Council is required. In addition, the project cannot have been started prior to the motion of Council. A representative of the Newport and District Rink Commission communicated a number of their projects have been started. Based on this information, staff are recommending that the \$150,000 be fully funded through the Operating Reserves.

NEXT STEPS

Issue the grant funding to Newport and District Rink Commission.

FINANCIAL IMPLICATIONS

Our reserve policy indicates that we should have an operating reserve balance of 10% of revenue, or in this case \$3.1 million. Our operating reserves have capacity of \$3.6 million to accommodate this additional grant.

ALTERNATIVES

- Council could choose not to fund the grant through operating reserves, however, would need to give staff direction on next steps. This alternative is not recommended as it will delay funding to the Newport and District Rink Commission.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____

Carlee Rochon, Director Financial Services

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer



Committee of the Whole Excerpts
November 14, 2023

SMILEYS PROVINCIAL PARK EXCERPT

Smileys Provincial Park has been a year-round destination for many in and around our region. During the unprecedented flooding event on July 22, 2023, Smileys Provincial Park sustained significant and vital infrastructure damage required for operations resulting in need for the park to be closed to access the damages and for public safety. With awareness that not all of the park is accessible to the public due to damages and safety concerns, there is value in Council creating an environment for an open dialogue to occur between the Municipality and the Province that would see parts of the park deemed safe be opened for community usage.

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

STAFF BE DIRECTED TO WRITE A LETTER TO PROVINCE REQUESTING A TIMELINE AS TO WHEN SMILEYS PROVINCIAL PARK WILL BE RESTORED/REOPENED FOR PUBLIC ACCESS AND FURTHER A PLAN BE CONSIDERED/ IMPLEMENTED WHERE THE PUBLIC HAVE LIMITED ACCESS TO THE PARK UNTIL ALL NECESSARY REPAIRS HAVE BEEN COMPLETED.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipal Council

Submitted by: Mark McLean, Councillor, District 3

Date: November 14th, 2023 Committee of the Whole

Subject: Smiley's Provincial Park

LEGISLATIVE AUTHORITY

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

Staff be directed to write a letter to province requesting a timeline as to when Smileys Provincial Park will be restored/reopened for public access and further a plan be considered/ implemented where the public have limited access to the park until all necessary repairs have been completed.

BACKGROUND

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

Smileys Provincial Park has been a year-round destination for many in and around our region. Residents in Brooklyn and surrounding areas enjoy frequenting the park to picnic, hike, walk the trails with their dogs, snowshoe, cross country ski or even enjoy the quiet scenery that creates opportunities for beautiful photographic moments.

Spring and Fall create dramatic backgrounds for picture taking or silent moments for reflection. In addition to the added bonus of having decreased brush which results in a less probability of getting a tick on yourself or furry friend.

During the unprecedented flooding event on July 22, 2023, Smileys Provincial Park sustained significant and vital infrastructure damage required for operations resulting in need for the park to be closed to access the damages and for public safety.

On August 8th, 2023, Saltwire newspaper reported in an article that the Department of Natural Resources and Renewables parks promotion and development officer Sandra Fraser stated “quite a large area of Smileys Provincial Park in Brooklyn has been damaged. It will remain closed for the remainder of the 2023 season”.

The Canadian Mental Health Association identifies that nature and exercise play a critical role in a person’s wellbeing and ability to cope and heal from traumatic events. Nature and exercise has been proven to be an important need for many and vital in maintaining emotional, psychological and physical health.

With awareness that not all of the park is accessible to the public due to damages and safety concerns, there is value in Council creating an environment for an open dialogue to occur between the Municipality and the Province that would see parts of the park deemed safe be opened for community usage.

A collaborative approach between the province and municipality would see signage placed identifying hazards and to not proceed beyond this point, barriers erected and placed to block entrances to unsafe areas. This would in turn provide an opportunity to have safe areas identified within the park and create an area free and accessible to everyone for community use.

NEXT STEPS

Pending approval of Council; staff would write and send the correspondence as directed by Council.

FINANCIAL IMPLICATIONS

There are no financial costs associated with the recommendation outside of staff time to write the letter.

ALTERNATIVES

1. Council may choose not to support the recommendation.
2. Council may choose to amend the motion.

3. Council may choose to provide alternate directions.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

It is hopeful we can collaborate with the province and make sections of the park open to the general public for the reasons noted in the report. This may require a higher level of engagement with provincial reps to identify safety concerns within the park, barricade appropriately and provide ongoing support and oversight between current day and until repairs are carried out.

Report Prepared by: _____
Mark McLean, Councillor District 3

Report Reviewed by: _____
(Name and Title)

Report Approved by:  _____
Mark Phillips, CAO



Committee of the Whole Excerpts
November 14, 2023

VIDEO SURVEILLANCE POLICY EXCERPT

Much discussion has occurred regarding the need to respond to increased criminal activity in the communities of West Hants. Through this discussion staff were directed to explore expanding the current surveillance network within the region, focusing on entry and exit points and in consultation with the RCMP. During the process staff became aware the Municipality has no Video Surveillance Policy in place. A policy was developed for the former Town of Windsor; however, it was never ratified.

Under the Freedom of Information and Protection of Privacy (FOIPOP), Institutions governed by the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) have statutory obligations imposed under Part II of the Act that governs the collection, use and disclosure of personal information. Therefore, where municipal institutions adopt the use of video surveillance cameras, the institutions have a duty to balance the security benefits derived from the use of video surveillance with the privacy rights of an individual to be free of unlawful collection, use and disclosure of their personal information.

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

COUNCIL APPROVES THE VIDEO SURVEILLANCE POLICY RCOFN-013.00 IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT TO COMMITTEE OF THE WHOLE DATED NOVEMBER 14TH 2023.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: Committee of the Whole

Submitted by: _____
Deanna Snair, Municipal Clerk

Date: November 8, 2023

Subject: Video Surveillance Policy

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 23 authorizes Council to make policies for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

COUNCIL APPROVES THE VIDEO SURVEILLANCE POLICY RCOFN-013.00 IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT A OF THE REPORT TO COMMITTEE OF THE WHOLE DATED NOVEMBER 8TH 2023.

BACKGROUND

Property ☒	Public Opinion ☒	Environment ☐	Social ☒	Economic ☒	Councillor Activity ☐
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This policy stems from the direction provided during the 2023-24 Budget deliberations. As a response to increased criminal activity in the communities of West Hants, staff were directed to explore expanding the current surveillance network within the region, focusing on entry and exit points and in consultation with the RCMP.

DISCUSSION

Public bodies and municipalities in Nova Scotia are responsible for ensuring the safety of individuals and the security of the equipment and property within the scope of the services they provide.

While video surveillance may help to increase the safety of individuals and the security of assets, it also introduces risks to the privacy of individuals whose personal information may be collected, used and disclosed as a result of the technology. The risk to privacy is particularly acute because video surveillance may, and often does, capture the personal information of law-abiding individuals going about their everyday activities. In view of the broad scope of personal information collected, special care must be taken when considering whether and how to use this technology.

The Guidelines for the Use of Video Surveillance in Nova Scotia, set out by the FOIPOP Office, require a video surveillance policy be in place. The policy will ensure that bodies communicate the exact purposes and all of the rules regarding the collection, use, disclosure of personal information via video surveillance and the security of your video surveillance system.

A video surveillance policy should include the following sections:

1. Purpose
2. Collection
3. Notification
4. Use
5. Disclosure
6. Security
7. Retention
8. Access to Information Requests
9. Contact Information

During the process staff became aware the Municipality has no Video Surveillance Policy in place. A policy was developed for the former Town of Windsor; however, it was never ratified.

Under the Freedom of Information and Protection of Privacy (FOIPOP), Institutions governed by the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) have statutory obligations imposed under Part II of the Act that governs the collection, use and disclosure of personal information. Therefore, where municipal institutions adopt the use of video surveillance cameras, the institutions have a duty to balance the security benefits derived from the use of video surveillance with the privacy rights of an individual to be free of unlawful collection, use and disclosure of their personal information.

NEXT STEPS

Upon approval by Council, this new policy would be applicable for all video surveillance owned and operated by the Municipality.

FINANCIAL IMPLICATIONS

There are no immediate financial implications arising from this report. However, implementation of this policy may require the replacement of some existing security video surveillance cameras and recorders with updated video surveillance technology, in addition to adding new surveillance to expand the network.

ALTERNATIVES

1. Council may choose to amend the proposed policy; or
2. Council may choose not to approve the proposed policy.

ATTACHMENTS

RCOFN-013.00 – Video Surveillance Policy (Draft)

CHIEF ADMINISTRATIVE OFFICER REVIEW

The policy is not only a progressive step to support the current use on surveillance cameras but a mandatory step towards compliance with the FOIPOP Office.

I support the recommendation and policy.

Report Prepared by: _____

(Name and Title)

Report Prepared

& Reviewed by: _____

(Name and Title)

Report Approved by: _____



Mark Phillips, Chief Administrative Officer

The West Hants Regional Municipality recognizes the balance between an individual's privacy and the need to protect the safety and security of the public. In respecting this balance, the Municipality is committed to integrating security best practices with the responsible use of technology. The information that is obtained through the use of video surveillance will be used for security and law enforcement purposes. The Municipality ensures that the information captured on video surveillance is maintained as private, confidential, and secure, except in situations outlined by this policy.

1. PURPOSE

The purpose of this policy is to regulate the use of security cameras within the Municipality to address ongoing problems/challenges with undesirable and/or unlawful activities to enhance protection and increase security of the residents and visitors, employees or benefit these parties through the deterrence and detection of criminal activity including but not limited to theft, vandalism, property damage, illegal drug possession, trafficking and/or bomb threats. This policy applies to all streets and properties within the Municipality in the use of security camera monitoring and recording. The Municipality will develop a Video Surveillance System Policy that complies with the Freedom of Information and Protection of Privacy Act.

2. DEFINITIONS

Term	Definition
Access & Privacy Officer	The responsible officer under Part XX of the Municipal Government Act, S.N.S. 1998, c. 18, or his or her delegate.
Archive	The process of moving data that is no longer actively used to a separate storage device for long-term retention.
Authorized Personnel	Personnel authorized by the Chief Administrative Officer to operate surveillance equipment and access live or recorded material.
CCTV	means Closed Circuit TV, referring to the self-contained Video Surveillance System described in this Policy.
Chief Administrative Officer	The Chief Administrative Officer of the West Hants Regional Municipality
Consistent purpose	Means personal information collected by the Municipality used for the purpose for which it was collected or similar consistent purposes when carrying out Municipal business. The individual to whom the information relates might reasonably expect the

	use/disclosure of their personal information for those consistent purposes.
Control of Record	Means the keeping, care, watch, preservation or security of a record for a legitimate business purpose. While physical possession of a record may not always constitute custody, it is the best evidence of custody.
Destruction	Is the physical or electronic disposal of records or data by means of disposing, recycling, deletion or overwriting. This also includes the destruction of records or data residing on computers and electronic devices supplied or paid for by the Municipality.
Digital Video Recording Equipment	Means any type of video recording and reception equipment used as part of the video surveillance system.
Freedom of Information process	Means a formal process for access to records made under the Freedom of Information and Protection of Privacy Act (FOIPOP).
Information and Privacy Commissioner	Means the Office of the Information and Privacy Commissioner of Nova Scotia (OIPC). The OIPC hears appeals of decisions made by the public body, issues binding orders, conducts privacy investigations and has certain powers relating to the protection of personal privacy as set out in the Freedom of Information and Protection of Privacy Act (FOIPOP).
Personal Information	Means recorded information about an identifiable individual including the individual's name, address or telephone number, the individual's race, national or ethnic origin, colour, or religious or political beliefs or associations, the individual's age, sex, sexual orientation, marital status or family status, an identifying number, symbol or other particular assigned to the individual, the individual's fingerprints, blood type or inheritable characteristics, information about the individual's health-care history, including a physical or mental disability, information about the individual's educational, financial, criminal or employment history, anyone else's opinions about the individual, and the individual's personal views or opinions, except if they are about someone else.
Privacy Impact Assessment (PIA)	The process applied to any public body for the purpose of determining the level of protection and security afforded to personal information that is collected, used or disclosed in a new modified information system. The security of information refers to the technical, physical and procedural measures taken to protect

	personal information from the time it is collected until a public body disposes of it.
Personal Breach	Means an incident involving unauthorized disclosure of personal information, including it being stolen, lost or accessed by unauthorized persons.
Record	Means information however recorded or stored, whether in printed form, on film, by electronic means or otherwise, and included documents, financial statements, minutes, accounts, correspondence, memoranda, plans, maps, drawings, photographs and films; includes transitional records.
Retention Period	Is the period of time during which a specific record series must be kept before records in that records series may be disposed of.
Service Provider	Means a video service provider, consultant or other contractor engaged by the Municipality in respect to video surveillance system.
Video Surveillance System	Means a video, physical or other mechanical, electronic, digital or wireless surveillance system or device that enables continuous or periodic video recording, observing or monitoring of individuals in public spaces or within the Municipally operated facilities.

3. Policy Statement:

- 3.1** Subject to this Policy, the Chief Administrative Officer has the sole authority to oversee and coordinate the use of any Video Surveillance System on Municipal Property.
- 3.2** The Municipality recognizes the need to balance an individual's right to protection of privacy against the Municipality's duty to promote a safe environment for all citizens, and to protect municipal property.
- 3.3** The Municipality shall only use a Video Surveillance System for the following purposes:
- to record unlawful acts and breaches of Municipality security;
 - to ensure public health and safety;
 - to prevent or deter unlawful acts and breaches of Municipality security; and
 - to aid law enforcement investigations.

-
- 3.4** Any Video Surveillance System implemented under this Policy will be designed and operated in a manner that minimizes privacy intrusion and that is reasonably necessary to achieve the lawful goals of the Municipality.
- 3.5** Personal Information obtained by the Municipality through its Video Surveillance System will be used for security, health and safety and law enforcement purposes only.
- 3.6** All Personal Information obtained through the Video Surveillance System is confidential and will only be viewed or released as per Sections 6.6 & 6.7 of this Policy.
- 3.7** Authorized Personnel involved in the use of the Video Surveillance System will be appropriately trained and supervised in the responsible use of the Video Surveillance System and Freedom of Information and Protection of Privacy legislation.
- 3.8** All existing uses of a Video Surveillance System will be brought into compliance with this Policy within twelve months of the approval of this Policy.

4. Responsibilities

4.1 Municipal Council is responsible for:

- Approval of this Policy and any subsequent amendments.

4.2. Chief Administrative Officer is responsible for:

- Overseeing and coordinating the use of any Video Surveillance System on Municipality Property.
- Overseeing consistent adherence to this Policy.
- The approval of the installation of Surveillance Equipment, including video cameras, on all Municipality owned and leased properties.
- Monitoring the effectiveness of the Policy and recommending changes to the Policy where considered appropriate.

4.3. Authorized Personnel are responsible for:

- Establishing and maintaining an internal reporting network relating to control mechanisms and advising the Chief Administrative Officer;
- Budgeting for the cost of the Video Surveillance System requirements;
- Ensuring Privacy Impact Assessments are conducted on new surveillance initiatives and on significant upgrades to existing surveillance systems;
- Informing the Chief Administrative Officer of:

- Proposed changes to authorized video surveillance which may affect the security of the Municipality;
- Proposed changes in internal reporting network relating to proposed installation of new Surveillance Equipment that may be affected by this Policy.
- Any new legislation pertaining to the use of video surveillance that must be incorporated into this Policy.
- Reviewing all proposed changes to existing any Video Surveillance System and newly proposed systems to ensure that they meet all the requirements of this Policy.

5. Employees are responsible for:

- Reviewing and complying with this Policy in performing their duties and functions related to the operation of a Video Surveillance System;
- Attending training relating to this Policy, where available.

6. Procedures:

6.1. Privacy Risk Assessment:

The following steps/factors must be considered before a Video Surveillance System is implemented:

6.1.1 A Privacy Risk Assessment shall be conducted on the effects that a proposed Video Surveillance System may have on personal privacy and the ways in which any adverse or disproportionate effects can be mitigated;

6.1.2 The use of the Video Surveillance System must be justified on the basis of verifiable, specific reports of incidents of crime or significant safety concerns;

6.1.3. A Video Surveillance System should only be considered after other measures of deterrence or detection have been considered and rejected as not workable;

6.1.4. The proposed design and operation of the Video Surveillance System should minimize privacy intrusion.

6.2. Design and Installation and Acceptable Use of Surveillance Equipment:

6.2.1. Video surveillance currently recorded by the Municipality is stored directly to hard drives. Other methods of recording/storage are acceptable provided requirements of this Policy are met.

6.2.2. Given the open and public nature of the Municipality's facilities and the need to provide for the safety and security of the general public and employees who may be present at all hours of the day, a Video Surveillance System may operate any time in a 24-hour period.

6.2.3. Reception Equipment such as video cameras may be installed in identified public areas where surveillance is a necessary and viable detection or deterrence activity.

6.2.4. Reception Equipment shall not be positioned, internally or externally, to monitor areas outside a building, or to monitor other buildings, unless necessary to protect external assets or to ensure personal safety. Cameras should not be directed to look through the windows of adjacent buildings.

6.2.5. Reception Equipment shall not monitor areas where the public and employees have a reasonable expectation of privacy e.g. showers, restrooms, change-rooms. **6.2.6.** Consideration should be given to the use of surveillance being restricted to periods when there is a demonstrably higher likelihood of crime being committed and detected in the area under surveillance, such as when a building is ordinarily not occupied. Only Authorized Personnel shall have access to the Video Surveillance System's controls and to its Reception Equipment.

6.2.6. Reception Equipment should be in a controlled access area. Only Authorized Personnel shall have access to the Reception Equipment. Video monitors shall not be located in a position that enables public viewing.

6.3. Public Awareness of Cameras

6.3.1. The public/individuals must be notified, using clearly written signs prominently displayed at the entrance to and the perimeters of surveillance areas, so the public has ample warning that surveillance is or may be in operation before entering any area under surveillance.

6.3.2. The notification signs must inform individuals of the legal authority for the collection of Personal Information; the principal purpose(s) for which the Personal Information is intended to be used; and the title, business address, and telephone number of the individual who can answer questions about the collection. (Notices should conform with the example in Schedule 2)

6.3.3. In addition, the notice may also be provided via the Municipality's Website but will not be a substitute for signage in the areas captured by cameras.

6.4. Request to View Live or Recorded Information

6.4.1. Only Authorized Personnel are permitted to operate Surveillance Equipment and access live or recorded material. However, in exceptional circumstances, the Chief Administrative Officer may designate other individuals to operate Surveillance Equipment and access live or recorded material on behalf of the Municipality.

6.4.2. Notwithstanding section 6.4.1, all requests by Municipality staff or law enforcement agencies to view live or recorded information must be made to and are subject to the approval of the Chief Administrative Officer. Where the permission is granted to view live or recorded information, that information must be viewed in the presence of Authorized Personnel.

6.4.3. All other requests to view recorded information must be made as a FOIPOP application to the Clerk or a production order under the Criminal Code.

6.4.4. The Municipality may, on its own initiative, in connection with reporting a suspected breach of any law, statute or ordinance disclose recordings to an applicable law enforcement agency, with the approval of the Chief Administrative Officer.

6.4.5. Access may be provided to live or recorded content from the Video Surveillance System in the event of an imminent or significant risk of harm to any individual, provided that such access would reasonably be expected to reduce, mitigate or investigate the risk of harm.

6.5. Request to View Live or Recorded Information

6.5.1. Only Authorized Personnel are permitted to operate Surveillance Equipment and access live or recorded material. However, in exceptional circumstances, the Chief Administrative Officer may designate other individuals to operate Surveillance Equipment and access live or recorded material on behalf of the Municipality.

6.5.2. Notwithstanding section 6.5.1, all requests by Municipality staff or law enforcement agencies to view live or recorded information must be made to and are subject to the approval of the Chief Administrative Officer. Where the permission is granted to view live or recorded information, that information must be viewed in the presence of Authorized Personnel.

6.5.3. All other requests to view recorded information must be made as a FOIPOP application to the Clerk or a production order under the Criminal Code.

6.5.4. The Municipality may, on its own initiative, in connection with reporting a suspected breach of any law, statute or ordinance disclose recordings to an applicable law enforcement agency, with the approval of the Chief Administrative Officer.

6.5.5. Access may be provided to live or recorded content from the Video Surveillance System in the event of an imminent or significant risk of harm to any individual, provided that such access would reasonably be expected to reduce, mitigate or investigate the risk of harm.

6.6 Personal Access to Information Request Process:

6.6.1. The Municipality recognizes that an individual whose Personal Information has been collected by a Video Surveillance System has a right to access his or her Personal Information under FOIPOP.

6.6.2. All inquiries related to or requests for video surveillance Records shall be directed to the Clerk. A person requesting access shall follow the procedure for obtaining access as per Section 6 of FOIPOP or Section 466 of the MGA. Processing of the request will be in accordance with the provisions of FOIPOP and the MGA and take into consideration the protection of the privacy of third parties.

6.6.3. If the access to a video surveillance record is required for the purpose of a law enforcement investigation, the requesting Officer must complete the Municipality's Request Form and forward it to the Clerk.

6.7 Custody, Control, of Video Records/Recordings

6.7.1. The Municipality retains custody and control of all original video surveillance Records. Video Records are subject to the access and privacy requirements of FOIPOP and the MGA, which includes but is not limited to the prohibition of all Municipal Staff from access or use of information from the Video Surveillance System, its components, files, or data base for personal reasons.

6.7.2. Short retention periods minimize risk of improper use and disclosure. The Municipality's video recorders continually record for a period of up to 30 days depending on the recording device and technology before recording over data.

6.7.3. A Record of an incident will only be retained on an external storage device where it may be required as part of a criminal, safety, or security investigation or for evidentiary purposes. Such Record shall be copied from the hard drive onto an external storage device that cannot be over written and stored securely in a locked receptacle located in a controlled access area.

6.7.4. All storage devices that are not in use shall be stored securely in a locked receptacle located in a controlled access area. All storage devices that have been used shall be numbered and dated.

6.7.5. Access to storage devices shall only be by Authorized Personnel.

6.7.6. A logbook will be kept with regard to the use of each external storage device. The Authorized Personnel will take control of the external storage device in question and secure it in a sealed envelope with the time and date of the seizure and initials of the Authorized Personnel on the seal of the envelope.

6.7.7 A logbook shall be kept by Authorized Personnel with regards to the use of Surveillance Equipment. The logbook shall reflect all instances where:

6.7.7.1. Authorized Personnel or person designated under Section 6.6.1 views a recording;

6.7.7.2. A request is made to view a video Record/recording;

6.7.7.3. The Chief Administrative Officer denies a request to view a video Record/recording and the reasons for the denial;

6.7.7.4. The Chief Administrative Officer permits an individual to view a recording (this will include the reasons the request was granted, who viewed the recording, when, and identify the Authorized Personnel who was present during the viewing);

6.7.7.5. A request for Release of Record to Law Enforcement Agency (Schedule 1); and

6.7.7.6. The Chief Administrative Officer releases a Record to a Law Enforcement Agency.

6.7.8. Personal Information stored on an external storage device used for law enforcement, safety, or security investigation or for evidentiary purposes shall be retained for one year after its use.

6.7.9. Video Records requested by the RCMP for investigation purposes must be accompanied by a warrant or production order and shall be copied on an external storage device and kept secure by the Authorized Personnel until it is retrieved by the RCMP. Following the investigation and any corresponding legal action the RCMP shall be required to destroy the video record.

6.8 Unauthorized/Inadvertent Disclosure

6.8.1. A person who becomes aware of any unauthorized or inadvertent disclosure of a video Record in contravention of this Policy should immediately notify the Chief Administrative Officer.

6.8.2. After this disclosure is reported the Chief Administrative Officer shall confirm the existence of the disclosure.

6.8.3. Upon confirmation of the existence of the disclosure, the Chief Administrative Officer will make reasonable efforts to mitigate the extent of the disclosure, take all reasonable actions to recover the video record, review the adequacy of privacy protection with the existing Policy, and, where required, notify the affected parties whose personal information was inappropriately disclosed.

6.8.4. Intentional unauthorized disclosure, or disclosure caused by negligence, by employees of the Municipality may result in disciplinary action up to and including dismissal. Intentional unauthorized disclosure, or disclosure caused by negligence, by service providers to the Municipality, may result in termination of their contract.

6.9 Retention and Disposal of Video surveillance record:

6.9.1. The Municipality's Video Surveillance System(s) continually record for a period of up to thirty (30) days depending on the recording device and technology, before recording over data. Video records shall not be retained on an external storage device unless in accordance with Section 6.7.3.

6.9.2. A Record retained on an external storage device in accordance with Section 6.7.3 shall be retained for a period of one (1) year.

6.9.3. The Municipality will take all reasonable efforts to ensure the security of Records in its control/custody and ensure their safe and secure disposal.

6.9.3.1. Storage devices must be securely disposed of by shredding, burning or magnetically erasing the information.

I, (Municipal Clerk Name), 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 Municipality at a meeting duly called and held on the ____ day of ____ (month), ____ (year).

(Signature of Municipal Clerk)

(Typed name of Municipal Clerk)

Adoption	
Notice to Council:	Date
Approval:	Date
Description:	

Schedule 1

Release of Record to Law Enforcement Agency (Under Section 27(m) of the Freedom of Information and Protection of Privacy Act)

To: West Hants Regional Municipality

I, _____, of the _____
Print Name of Officer Print Name of Police Force Request a copy of the following
record(s):

Date:

Time Period: _____ to _____

Municipal Facility:

To aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result as duly noted on the attached warrant/production order. I confirm that the record will be destroyed by the RCMP after use by the agency.



**WEST HANTS REGIONAL MUNICIPALITY
VIDEO SURVEILLANCE POLICY**

RCOFN-014.00

Signature of Officer

Badge #

Date

Return completed original forms to the Clerk at the West Hants Regional Municipality, 76 Morison Drive POBox 3000, Windsor, N.S. B0N 2T0

I _____ consent to; OR ☐ refuse; this release of record.

Chief Administrative Officer

Signature _____

Personal information is collected under the authority of the Municipal Government Act for the purpose of creating a record relating to the release of video surveillance record to a law enforcement agency. Questions about the collection of personal information may be addressed to the Chief Administrative Officer of the West Hants Regional Municipality, 76 Morison Drive PO Box 3000, Windsor, N.S. B0N 2T0



Committee of the Whole Excerpts
November 14, 2023

WATER AND SEWER CONSOLIDATION EXCERPT

Water and sewer have been the topic of many discussions. In 2022 G. A. Isenor Consulting Limited were engaged to complete rate studies for both water and sewer utilities. The request was to look at impacts on rates if two water and two sewer utilities were to consolidate. In addition, Council requested staff prepare a flat rate model for sewer and staff investigate what a low-income assistance rebate would look like on sewer.

At the November 14, 2023, Committee of the Whole Meeting, Gerry Isenor presented the results of the study. It was identified that the lowest cost option for the average residential customers would be to combine the four utilities into two utilities.

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

COUNCIL DIRECT THE CAO TO BEGIN THE PROCESS OF CONSOLIDATING THE WINDSOR AND WEST HANTS WATER UTILITIES INTO ONE ORGANIZATION AND HAVE THIS WORK COMPLETED BY JULY 1, 2024.

COUNCIL DIRECT THE CAO TO BEGIN THE PROCESS OF CONSOLIDATING THE WINDSOR AND WEST HANTS SEWER SERVICES INTO ONE ORGANIZATION AND MAKE THE NECESSARY CHANGES TO THE BY-LAWS AND HAVE THIS WORK COMPLETED BY JULY 1, 2024.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: WHRM Council

Submitted by: _____
Carlee Rochon, Director, Financial Services

Date: November 14, 2023

Subject: Water and Sewer Consolidation

LEGISLATIVE AUTHORITY

- Municipal Government Act, Part IV, Finance, 81 (1)[a] & [b]; Part XIV, Sewer, 333-343
- Public Utilities Act, 64 (1) & (2)
- Nova Scotia Utility and Review Board Orders M06739, M09013

RECOMMENDATION or DECISION REQUEST

That Council

...direct the CAO to begin the process of consolidating the Windsor and West Hants water utilities into one organization and have this work completed by July 1, 2024.

...direct the CAO to begin the process of consolidating the Windsor and West Hants sewer services into one organization and make the necessary changes to the by-laws and have this work completed by July 1, 2024.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☐
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G. A. Isenor Consulting Limited was engaged by the Municipality in 2022 to do the following:

- Complete rate studies for both water and sewer utilities.
- Look at the impacts on rates if two water and two sewer utilities were to consolidate.

Council also requested the following:

- That staff prepare a flat rate model for sewer.
- That staff investigate what a low-income assistance rebate would look like on sewer.

DISCUSSION

At the November 14, 2023, Committee of the Whole Meeting, Gerry Isenor presented the results of the study, summarized below. It was identified that the lowest cost option for the average residential customers would be to combine the four utilities into two utilities. It is important to note the numbers provided by the study are estimates based on averages of previous years' water usage and used many assumptions. When considering the results presented below, there are two things to keep in mind:

1. The numbers provided by the study are estimates for the average residential customer. There will be differences in many customers' bills as a result of the proposed changes.
2. All water rates are subject to UARB approval, which means there still could be rate adjustments due to UARB rulings.

Water

Unconsolidated:

Table 1

Projected Residential Water Rates with Two Separate Utilities

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$140.62	\$165.62	\$182.83	\$191.41
Windsor	\$125.15	\$136.36	\$172.64	\$173.94

Consolidated:

Table 2

Projected Residential Water Rates with Combined Single Utility

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$140.65	\$141.26	\$169.25	\$178.13
Windsor	\$125.15	\$155.55	\$169.25	\$178.13

All water utilities are governed by the Utility and Review Board. Currently, each of the two utilities have their own water rates and associated rules. Because they are two unique entities there are differences among the rules. These differences can create confusion for customers and staff. Should the utilities be joined, the difference in rules would be eliminated. A combined water utility would also mean uniform water and base rates for two utilities, which are currently all different.

Based on the initial data presented by G. A. Isenor Consulting Limited, staff are recommending consolidating the water utilities. In the second year of consolidating the utility the average West Hants water customers would see a decrease of \$13.58 quarterly, and Windsor sewer customers would see a decrease of \$3.39 quarterly.

There are limited anticipated savings to the water utility created by combining services, however it will eliminate in-future billings between the utilities, estimated at \$480,000. Additionally, this will save on other administrative costs over time (i.e. auditing services, etc.)

Sewer

Unconsolidated:

Table 3

Projected Residential Sewer Rates with Two Separate Sewer Systems

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$116.70	\$111.65	\$118.57	\$137.96
Windsor	\$131.86	\$128.67	\$154.29	\$194.55

Consolidated:

Table 4

Projected Residential Sewer Rates with Combined Single Sewer System

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$116.70	\$114.50	\$122.99	\$149.25
Windsor	\$131.86	\$119.01	\$122.99	\$149.25

All sewer utilities are governed by Council. Currently, each of the two utilities have their own sewer rates and associated rules. Because they are two unique entities there are differences among the rules. These differences can create confusion for customers and staff. Should the utilities be joined, the different sets of rules would be eliminated. A combined sewer utility would also mean uniform sewer and base rates for two utilities, which are currently all different.

Based on the initial data presented by G. A. Isenor Consulting Limited, staff are recommending consolidating the sewer utilities. This has successfully worked previously with West Hants' former three utilities, creating a more financially stable single utility while supporting future growth.

In the second year of consolidating the utility the average West Hants sewer customer would see an increase of \$4.42 quarterly, and Windsor sewer customer would see a decrease of \$31.3 quarterly.

Again, there are limited anticipated savings to the sewer utility created by combining services, however it will eliminate in-future billings between the utilities, estimated at \$66,000. Additionally, this will save on other administrative costs over time.

Summary

Based on the studies prepared by G. A. Isenor Consulting Limited, the average customer will see an overall reduction in their total costs for water and sewer if utilities are combined. For example, in the second year of consolidating the utilities, the average West Hants sewer customer would see a decrease of \$9.16 quarterly, and Windsor sewer customers would see a decrease of \$34.69 quarterly.

The Municipality will also benefit from having common rates and rules and regulations. It will eliminate customer confusion and inequalities between the utilities and reduce administrative costs over time.

Sewer Flat Rate Model

There are various models for charging a flat rate. For the purposes of this report the following data was used to prepare what a flat rate would look like for 2022-23 and 2023-24 based on the number of sewer utility customers:

- Actual expenditures on March 31, 2023
- Number of customers at March 31, 2023
- Estimating 3% increase in expenditures for 2023-24

Location	Existing Annual Average Rate	Estimated Flat Rate	Estimated Annual Average Rate	Estimated Flat Rate
Unconsolidated	2022-23		2023-24	
West Hants	\$466.80	\$1,096.95	\$446.60	\$1,115.48
Windsor	\$527.44	\$1,211.73	\$514.68	\$1,239.13
Consolidated	2022-23		2023-24	
West Hants	\$487.28	\$1,138.79	\$458.00	\$1,160.39
Windsor	\$527.44		\$476.04	

Advantages of the flat rate model include:

- It is easy to manage on the billing side.
- It is easy to budget for.
- Customers would know exactly what their annual sewer amount would be and this would benefit large users.

The disadvantage of the flat rate method is that it penalizes those who use sewer less often than others. For example, with a flat rate a single person living in a house pays the same sewer charge as a family of four, yet the single person would arguably use the sewer less. In addition,

it decreases the accuracy of the budget preparation, as it does not allow for fluctuations in customers. For example, if sewer customers decreased then we risk falling short to support service delivery and capital work.

After preparing these calculations, the results show that it is beneficial to stay with a quarterly billing amount, as the average customer will pay less than a flat rate. By using the current model of billing sewer, it creates a fairer pay-for-use system and a more stable financial practice.

Sewer Rebates

Staff have been preparing a sewer rebate model, as part of the sewer study. Direction is needed to determine the set up required in the background to establish this program for 2024-25. It is estimated that 46.5% of applications received for the property tax assistance program are from customers on municipal sewer. Using this estimate we have prepared the following scenarios:

Quarterly Rebate Amount	Estimated # of Rebates	Quarterly Expense	Yearly Expense
\$ 25.00	150	\$ 3,750.00	\$ 15,000.00
\$ 50.00	150	\$ 7,500.00	\$ 30,000.00
\$ 75.00	150	\$ 11,250.00	\$ 45,000.00
\$ 100.00	150	\$ 15,000.00	\$ 60,000.00

Next steps for the rebate would be as follows:

- To determine what level of support Council wishes to provide residents.
- To determine where the funding for this rebate program will come from (i.e. funding to come from the general operating or the sewer utility).

NEXT STEPS

Should Council decide to move forward with the combined services several tasks would be required:

- Finalize the rate studies for Council review and approval.
- Prepare the application to the UARB for one or more hearings pending the decision of Council.
- Review and update sewer by-laws.
- Customer communication.
- Internal financial transition.

FINANCIAL IMPLICATIONS

Communication to the public is an important component whether Council decides to consolidate the utilities or not. It is estimated that there would be roughly \$10,000 in new costs for communications around the change. In addition, there will be costs of \$7,800 to prepare rates to 2026-27 in preparation for UARB and Council's approval, and \$16,000 for the UARB.

There may be minimal staff time costs to integrate the financial information of the water and sewer services. These costs would be absorbed by the water utilities and the sewer services.

In total, it is estimated that each water utility would pay roughly \$12,450 and each sewer service would pay roughly \$4,450.

ALTERNATIVES

- Committee of the Whole could choose to reject the recommendations.
- Committee of the Whole could choose to accept one of the recommendations and not the other.

ATTACHMENTS

- Memo on combined water services

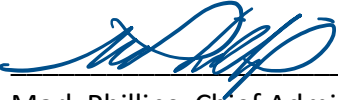
CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and attachments are thorough as it relates to the forecasted rates. Consolidating sewer and water has its' benefits as well as its short-term challenges. We look forward to Council's discussions on this matter.

Staff await Council's opinion on the sewer rebate strategy and will draft policy to accompany Council's position once determined.

I support the recommendations.

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

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Memo Report

Date: November 3, 2023

To: Todd Richard, P.Eng
Director of Public Works

From: Gerry Isenor, P.Eng.
Blaine Rooney, CPA

Re: Consolidation of Water & Sewer Rates

The West Hants Regional Municipality currently owns and operates the Windsor Water Utility, the West Hants Water Utility, the Windsor Sewer System, and the West Hants Sewer System. The four systems are interconnected and share services between them as well as staff and resources. The Municipality currently maintains four separate accounting systems and charges different rates for each service.

The assignment was divided into three parts as follows:

Part 1 of this report identifies the customer rates for water services based on:

- Water rates for customers served by the Windsor Water Utility;
- Water rates for customers served by the West Hants Water Utility; and,
- Water rates for customers served by a single Windsor West Hants Water Utility.

Part 2 of this report identifies the customer rates for sewer services based on:

- Sewer rates for customers served by the Windsor Sewer System;
- Sewer rates for customers served by the West Hants Sewer System; and,
- Sewer rates for customers served by a single Windsor West Hants Sewer System.

Part 3 of this report identifies the total water and sewer rates for customers served by the Windsor West Hants Water Utility and the Windsor West Hants Sewer System.

Part 1- Water Service Customer Rate Comparison

Background

The West Hants Regional Municipality owns and operates two water utilities within the Municipality, the West Hants Water Utility and the Windsor Water Utility. The West Hants Water Utility was formed in May 27, 2019 after a public hearing. Water rates were set by the UARB

after the hearing and have been in effect since April 1, 2021. The Windsor Water Utility has a long history with a central water being noted as in use in the 1890's which is consistent with many older systems in the Province. The current water rates have been in effect since April 1, 2017.

Methodology – Part 1

The Municipality provided the study team with the most recent data available on customer counts, operating and non-operating revenue, consumption, operating and non-operating costs including debt servicing for each of the Water Utilities. The study team then prepared separate water rate studies for each stand-alone Utility and a rate study for a combined single Windsor West Hants Water Utility.

Discussion – Part 1

Based on the information provided at this time it does not appear that there will be any significant changes in total expenses as a result of the Municipality consolidating the water Utilities. The systems are currently interconnected with the Windsor Water Utility selling water to the West Hants Water Utility in the Three Miles Plains area. Based on the information provided and discussions with staff it appears that any operational savings have already been achieved since the formation of the West Hants Regional Municipality. There could be some administrative savings as presently the records for the two utilities need to be kept and reported separately including separate rate applications and reporting to the Nova Scotia Utility and Review Board (NSUARB). If the two utilities are consolidated into a single amalgamated utility then the accounts for each can be consolidated and reported as a single utility with only the separate accounts needed for management/operational purposes. There would be savings in preparing annual Financial Statements and in setting rates as only one rate study and one rate Hearing would be required.

The benefits of consolidation, in addition to potentially less administration as detailed above, would be that all customers would have a uniform rate with a single common set of Rules and Regulations.

Outcomes – Part 1

The current UARB approved base rates for single family residential customers (5/8" meters) is \$69.75 in the Windsor Water Utility and \$62.25 in the West Hants Water Utility. The approved consumption charges are \$1.47 per cubic meter in the Windsor Water Utility and \$2.45 per cubic meter in the West Hants Water Utility. If the decision to consolidate is made and approved by the NSUARB then it is our understanding that the rates will be adjusted to the blended rates on the effective date which will result in a one-time rate adjustment for all customers either up or down depending on which former utility you were serviced by.

If an application to consolidate two Utilities is made effective December 1, 2023 and is approved by the NSUARB then based on the results of the studies the following changes in current rates will be effective. The changes for the other meter sizes are in line with the 5/8" metered customers' percentages but 90% of the customers are ones having 5/8" meters.

Tables 1 provides the projected average water rates for the existing two separate water utilities.

Table 1

Projected Residential Water Rates with Two Separate Utilities

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$140.62	\$165.62	\$182.83	\$191.41
Windsor	\$125.15	\$136.36	\$172.64	\$173.94

Table 2 provides the projected average water rates for a single combined Windsor West Hants Water Utility.

Table 2

Projected Residential Water Rates with Combined Single Utility

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$140.62	\$141.26	\$169.25	\$178.13
Windsor	\$125.15	\$155.55	\$169.25	\$178.13

Combining the water utilities will result in a one-time adjustment in rates that will see some customers paying more and some less. Once the two utilities are combined the operating and capital budgets and rate adjustments are done based on one utility with one rate structure. If the two utilities remain separate the current rate structures could get further apart as operational and capital requirements for each separate utility will differ with time.

The separate background water rate studies as well as the amalgamated rate study will be provided separate from this memo report due their size (approximately 125 pages).

Part 2 – Sewer Service Customer Rate Comparison

Background – Part 2

The West Hants Regional Municipality owns and operates two separate sewer systems within the Municipality, the West Hants Sewer System serving Falmouth, Hantsport and Three Mile Plains (collection only) and the Windsor Sewer System which provides sewer collection in Windsor and Sewer Treatment for Windsor and Three Mile Plains. Sewer rates are set separately by the Municipality for each system.

Methodology – Part 2

The Municipality provided the study team with the most recent data available on customer counts, operating and non-operating revenue, customer counts, operating and non-operating costs including debt servicing for each of the sewer systems. The study team then prepared separate sewer rate studies for each stand-alone system and sewer rates for a single combined Windsor West Hants Sewer System.

Discussion – Part 2

Based on the information provided at this time it does not appear that there will be any significant changes in total expenses as a result of the Municipality consolidating the sewer systems. The systems are currently interconnected with the Windsor Sewer System selling treatment services to the West Hants Sewer System in the Three Miles Plains area. Based on the information provided and discussions with staff it appears that any operational savings have already been achieved since the formation of the West Hants Regional Municipality. There could be some administrative savings as presently the records for the two utilities need to be kept and reported separately to set separate sewer rates for each system. If the two systems are consolidated into a single amalgamated system only the accounts needed for management/operational purposes need to be maintained separately.

The benefits of consolidation, in addition to potentially less administration as detailed above, would be that all customers would have a uniform rate with a single common set of rates.

Outcomes – Part 2

The current base rates for single family residential customers (5/8" meters) is \$69.75 in the Windsor Sewer System and \$62.25 in the West Hants Sewer System. The approved consumption charges are \$1.47 per cubic meter in the Windsor Sewer System and \$2.45 per cubic meter in the West Hants Water Sewer System. If the decision to consolidate is made it will result in a one-time rate adjustment for all customers either up or down depending on which former sewer system the customer was serviced by.

If the Municipality combined the two separate sewer systems into a single Windsor West Hants Sewer System the following rates are projected for the average residential customer based on the sewer rate studies. The changes for the other meter sizes are in line with the 5/8" metered customers' percentages but 90% of the customers are ones having 5/8" meters.

Tables 3 provides the projected average sewer rates for the existing two separate sewer systems

Table 3

Projected Residential Sewer Rates with Two Separate Sewer Systems

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$116.70	\$111.65	\$118.57	\$137.96
Windsor	\$131.86	\$128.67	\$154.29	\$194.55

Table 4 provides the projected average sewer rates for a single combined Windsor West Hants Sewer System.

Table 4

Projected Residential Sewer Rates with Combined Single Sewer System

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$116.70	\$114.50	\$122.99	\$149.25
Windsor	\$131.86	\$119.01	\$122.99	\$149.25

Combining the sewer systems will result in a one-time adjustment in rates that result is some customers paying more and some less. Once the two current systems are combined the operating and capital budgets and rate adjustments are done based on one system with one rate structure. If the systems remain separate the current rate structures could get further apart as operational and capital requirements for each separate utility will differ with time.

The separate background water rate studies as well as the amalgamated rate study will be provided separate from this memo report due their size (approximately 125 pages).

Part 3 – Combined Water and Sewer Customer Rate Comparison

Table 5 provides the sum of the projected average water and sewer rates (Tables 1 and Table 3 above) for residential customers in each of the service area if the two systems remain separate.

Table 5

Total Projected Residential Water and Sewer Rates - Separate Systems

Based on maintaining separate systems/utilities

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$257.32	\$277.27	\$301.40	\$329.37
Windsor	\$257.01	\$265.03	\$326.93	\$368.49

Table 6 provides the sum of the projected average water and sewer rates (Table 2 and Table 4 above) for residential customers in each of the existing service areas if the two systems are combined into a single Windsor West Hants Sewer System.

Table 6

Total Projected Residential Water and Sewer Rates - Single Windsor West Hants Systems

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$257.35	\$255.76	\$292.24	\$327.38
Windsor	\$257.01	\$274.56	\$292.24	\$327.38

Findings

While either option will continue to supply the water and sewer customers with service, the lowest cost option for the average residential customer is provided by:

- combining the two water utilities into a single Utility with common rates for all customers with central water; and,
- combining the two sewer systems into a single operating unit with common rates for all customers with central sewer.

Based on the rate studies prepared at this time all customers will see an overall reduction in their total costs for water and sewer services if they are combined. The Municipality will benefit from having common rates for these services as well as having reduced accounting needs for operating staff and for the supply of repair parts and materials.

The background is a light blue gradient with several realistic water droplets of various sizes scattered across it. Some droplets are in the top left, some in the bottom right, and others in the center. They have highlights and shadows, giving them a 3D appearance.

CONSOLIDATION OF WATER AND SEWER SYSTEMS

WEST HANTS REGIONAL MUNICIPALITY

14 NOVEMBER 2023

BACKGROUND - WATER

- MUNICIPALITY CURRENTLY HAS TWO WATER UTILITIES, THE WINDSOR WATER UTILITY AND THE WEST HANTS WATER UTILITY;
- THE WINDSOR WATER UTILITY SELLS TREATED WATER TO THE WEST HANTS WATER UTILITY AT UARB APPROVED WHOLESALE RATE;
- RATES SET BY UTILITY AND REVIEW BOARD FOR BOTH UTILITIES AT SEPARATE HEARINGS INCLUDING THE WHOLESALE RATE

BACKGROUND - SEWER

- CURRENTLY HAVE TWO SEPARATE SEWER OPERATING SYSTEMS, THE WINDSOR SEWER SYSTEM AND THE WEST HANTS SEWER SYSTEM;
- WINDSOR SEWER SYSTEM SELLS SEWAGE TREATMENT SERVICES TO THE WEST HANTS SEWER SYSTEM;
- RATES SET BY BOTH SEWER SYSTEMS ARE SET BY THE MUNICIPALITY BASED ON SEPARATELY PREPARED RATE STUDIES FOR EACH SYSTEM

STUDY METHODOLOGY - WATER

- STUDY TEAM PREPARED A WATER RATE STUDY FOR THE WINDSOR WATER UTILITY USING THE UARB APPROVED METHOD;
- STUDY TEAM PREPARED A WATER RATE STUDY FOR THE WEST HANTS WATER UTILITY USING THE UARB APPROVED METHOD;
- STUDY TEAM PREPARED A WATER RATE STUDY FOR A SINGLE COMBINED WINDSOR WEST HANTS WATER UTILITY USING THE UARB APPROVED METHODS;
- THREE RATE STUDIES WERE PREPARED FOR WATER

STUDY METHODOLOGY - SEWER

- STUDY TEAM PREPARED A SEWER RATE STUDY FOR THE WINDSOR SEWER SYSTEM USING A RATE MODEL DEVELOPED BY THE STUDY TEAM;
- STUDY TEAM PREPARED A SEWER RATE STUDY FOR THE WEST HANTS SEWER SYSTEM USING A RATE MODEL DEVELOPED BY THE STUDY TEAM;
- STUDY TEAM PREPARED A SEWER RATE STUDY FOR A SINGLE COMBINED WINDSOR WEST HANTS SEWER SYSTEM USING A RATE MODEL DEVELOPED BY THE STUDY TEAM;
- THREE RATE STUDIES WERE PREPARED FOR SEWER

BASE "AVAILABILITY" CHARGE

- BASE CHARGE IS FOR HAVING THE SERVICE AVAILABLE WHEN THE CUSTOMER NEEDS IT
- BASE CHARGE IS 40 TO 50% OF AVERAGE RESIDENTIAL CUSTOMER BILL
- PROVIDES MUNICIPALITY/UTILITY WITH A LEVEL OF FINANCIAL STABILITY

VOLUME "USAGE" CHARGE

- VOLUME CHARGE IS BASED ON WATER METER RECORDS - VOLUME CHARGE WILL INCREASE WITH INCREASED USAGE
- VOLUME CHARGE IS 50 TO 60% OF AVERAGE CUSTOMER BILL
- ALLOWS CUSTOMER TO INFLUENCE THEIR BILL BY CONSERVING WATER CONSUMPTION AND REPAIRING LEAKY FAUCETS AND TOILETS
- CUSTOMERS WHO USE LESS WATER AND DISCHARGE LESS WASTEWATER PAY LESS

BASE AND VOLUME CHARGES

- SIX SEPARATE RATE STUDIES WERE DEVELOPED USING BASE RATES AND VOLUME RATES;
- PRESENTATION WILL PRESENT THE RESULTS FOR RESIDENTIAL CUSTOMERS (5/8" METER SIZE);
- 90% OF ALL OF THE CUSTOMERS ARE SERVED BY 5/8" METERS

TWO SEPARATE WATER UTILITIES AVERAGE RESIDENTIAL RATES PER QUARTER (STATUS QUO)

Projected Residential Water Rates with Two Separate Utilities				
Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$140.62	\$165.62	\$182.83	\$191.41
Windsor	\$125.15	\$136.36	\$172.64	\$173.94

COMBINED WINDSOR WEST HANTS WATER UTILITY AVERAGE RESIDENTIAL RATES PER QUARTER

Projected Residential Water Rates with Combined Single Utility				
Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$140.62	\$141.26	\$169.25	\$178.13
Windsor	\$125.15	\$155.55	\$169.25	\$178.13

TWO SEPARATE SEWER SYSTEMS AVERAGE RESIDENTIAL RATES PER QUARTER (STATUS QUO)

Projected Residential Sewer Rates with Two Separate Sewer Systems				
Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$116.70	\$111.65	\$118.57	\$137.96
Windsor	\$131.86	\$128.67	\$154.29	\$194.55

COMBINED WINDSOR WEST HANTS SEWER SYSTEM AVERAGE RESIDENTIAL RATES PER QUARTER

Projected Residential Sewer Rates with Combined Single Sewer System				
Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$116.70	\$114.50	\$122.99	\$149.25
Windsor	\$131.86	\$119.01	\$122.99	\$149.25

SEPARATE SYSTEMS (STATUS QUO)

TOTAL WATER AND SEWER RATES PER QUARTER

Total Projected Residential Water and Sewer Rates - Separate Systems				
Based on maintaining separate systems/utilities				
Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$257.32	\$277.27	\$301.40	\$329.37
Windsor	\$257.01	\$265.03	\$326.93	\$368.49

COMBINED WATER UTILITIES AND COMBINED SEWER SYSTEM TOTAL WATER AND SEWER RATES PER QUARTER

Total Projected Residential Water and Sewer Rates - Single Windsor West Hants Systems				
Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2022/23	2023/24	2024/25	2025/26
West Hants	\$257.32	\$255.76	\$292.24	\$327.38
Windsor	\$257.01	\$274.56	\$292.24	\$327.38

FINDINGS

- WHILE EITHER OPTION WILL CONTINUE TO SUPPLY THE WATER AND SEWER CUSTOMERS WITH SERVICE, THE LOWEST COST OPTION FOR THE AVERAGE RESIDENTIAL CUSTOMER IS PROVIDED BY:
 - COMBINING THE TWO WATER UTILITIES INTO A SINGLE UTILITY WITH COMMON RATES FOR ALL CUSTOMERS WITH CENTRAL WATER; AND,
 - COMBINING THE TWO SEWER SYSTEMS INTO A SINGLE OPERATING UNIT WITH COMMON RATES FOR ALL CUSTOMERS WITH CENTRAL SEWER.

FINDINGS (CONTINUED)

- BASED ON THE RATE STUDIES PREPARED AT THIS TIME ALL CUSTOMERS WILL SEE AN OVERALL REDUCTION IN THEIR TOTAL COSTS FOR WATER AND SEWER SERVICES IF THEY ARE COMBINED.
- THE MUNICIPALITY WILL BENEFIT FROM HAVING COMMON RATES FOR THESE SERVICES AS WELL AS HAVING REDUCED ACCOUNTING NEEDS FOR OPERATING STAFF AND FOR THE SUPPLY OF REPAIR PARTS AND MATERIALS.

The image features a light blue gradient background. In the top-left and bottom-right corners, there are clusters of realistic water droplets of various sizes, some with highlights and shadows, giving them a 3D appearance. The word "QUESTIONS??" is centered in the upper half of the image in a black, hand-drawn style font.

QUESTIONS??

Memo Report

Date: November 24, 2023

To: Todd Richard, P.Eng - Director of Public Works
Carlee Rochon, CPA – Director of Financial Services

From: Gerry Isenor, P.Eng.
Blaine Rooney, CPA

Re: Combined of Water & Sewer Rates 2024/25 to 2026/27

Further to the meeting with the West Hants Regional Municipality Committee of the Whole on November 14, 2023 we have revised the Combined Water Rate Study and the Combined Sewer Rate Study to include rates for the years 2024/25 to 2026/27 inclusive. The updated rate studies included revisions to the capital budget for water received from staff for the current year as well as the year-end financial data from 2022/23 from the Audited Financial Statements for the combined water rate study. These adjustments on the rates for the average 5/8" (Residential) customer as well as the rates for the final year, 2026/27, are presented in the following tables.

Table 1 contains the projected 5/8" (Residential) water rates with a combined Utility for the years 2023/24, 2024/25, 2025/26, and 2026/27.

Table 1

Projected Residential Water Rates with Combined Single Utility (Updated 24 Nov 2023)

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2023/24	2024/25	2025/26	2026/27
West Hants	\$140.65	\$163.41	\$178.08	\$182.13
Windsor	\$125.15	\$178.44	\$178.08	\$182.13

Table 2 contains the projected 5/8" (Residential) sewer rates with a combined Utility for the years 2023/24, 2024/25, 2025/26, and 2026/27.

Table 2

Projected Residential Sewer Rates with Combined Single Sewer System (updated 24 Nov 2023)

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2023/24	2024/25	2025/26	2026/27
West Hants	\$116.72	\$123.06	\$153.32	\$162.93
Windsor	\$132.06	\$134.63	\$153.32	\$162.93

The combined rate studies for water and sewer will be provided separate from this memo report due the size (approximately 80 pages).

Table 3 provides the sum of the projected average water and sewer rates (Table 1 and Table 2 above) for residential customers in each of the existing service areas..

Table 3

Total Projected Residential Water and Sewer Rates - Combined Systems (Updated 24 Nov 2023)

Location	Existing Quarterly Average Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate	Estimated Average Quarterly Rate
	2023/24	2024/25	2025/26	2026/27
West Hants	\$257.37	\$286.47	\$331.40	\$345.06
Windsor	\$257.21	\$313.07	\$331.40	\$345.06

November 24, 2023

To: Governing body of the Municipality of West Hants and Chief Administrative Officer

On November 21, 2023 a group of [repeated] 'Flood Zone' victims and concerned citizens gathered to discuss issues specific to the repeated flooding in the Windsor Flood Zone, and the Municipalities prolonged lack of meaningful action.

Overview/ Comments:

- The general consensus was, though some have [individually] tried to communicate their concerns/ needs, to get the Municipality to act in a meaningful & timely manner, they have failed. Others, simply did not know where to turn.
- Interaction with the Municipality, specifically Community Meetings, a strong sentiment exists that we are not being heard, or listened to; feel dismissed, talked down to, facilitators never answer specific questions.
- Concluded our representation on Council is not prepared to represent us.
- Therefore, agreed, the purpose of meeting was to unify our voices around common concerns.
- All shared comments specific to the ongoing trauma that is experienced and triggered by each new weather warning.
- THE major concern is the repeated and close proximity of sewer... flooding our streets, surrounding areas, properties and homes; **we are in crisis, this single issue constitutes an emergency.**

Calls for immediate Municipal action:

1. Though much has been said [to citizens] about 'shared responsibility', and the Municipality has never clearly defined or acted accordingly, we require a clear written understanding of where citizen responsibility ends, and the Municipality's starts, in relation to storm/ sewer flooding/ overflow – pre/ during/ post events; to include itemized and specific details.

ACTION ITEM: Forward, or direct us to same, by end of December 2023.

We submit, our collective understanding is, the MUNICIPALITY IS SOLELY RESPONSIBLE FOR – from a perspective of prevention and damages incurred, **as well as citizen health and safety** – the [repeated] flooding of private properties and homes, with storm/ sewer water, resulting from the overflow of antiquated and/ or ill-designed storm-systems and/ or neglecting ongoing maintenance.

2. There are conflicting messages as to the Study being completed and its availability for review. We are eagerly awaiting the results, however, not without prioritization; we:
 - Expect the study will detail the necessary solution(s), specific to Municipal responsibility, which will mitigate residential property/ homes flooding, and the immediate **health hazard** caused by the [repeated] flood crisis in the Windsor Flood Zone.
 - Expect the study will specifically lay out, in detail, the steps necessary to 'fix' the storm sewer system – in full context of – the existing residential/ commercial properties AND the numerous projects currently in the approval process AND forthcoming for this area. Noted, Windsor is the next stepping-stone of communities supporting the exponential growth of HRM.
 - These expectations are 'a given', once the Study is processed, we demand the focus immediately shift to action, without reasonable delay. Prepare an implementation plan that specifically details/ itemizes steps, sequence and more importantly, timeline/ timeframe; submit to citizens.
 - We know the repeated flooding of our properties and homes IS the result of the Municipality neglecting its responsibility. Further, we know the result is a **continuing health & environmental**

crisis for which it is potentially liable. Funding for such things is a tri-level governmental responsibility; and must be sought and made available - immediately.

ACTION ITEM(S): As per Chief Administrative Officer Report, November 14, 2023 – to confirm,

- a. 'Plan' was received and/ or WHRM staff reviewed and/ or 'signed-off on,
 - b. Date to be shared and released for public viewing,
 - c. Specifics to be shared at November 29th management citizen session,
 - d. Completion date for the Tremain Crescent area review.
3. Notwithstanding #2, there are residential homes, properties, streets and their surrounding areas that have repeatedly flooded [to a greater or lesser extent, 12 times], since July 2021. Same year, Council approved a motion to a) fund the purchase of a pump, b) fund the undertaking of a Plan to specifically address this crisis. Both measures, at the time, were deemed the 'Emergency Plan' for this area. Amply documented, THE EMERGENCY PLAN HAS FAILED. In view of this, and allowing reasonable time for the review of the Study, implementation/ start date, we require the Municipality to immediately:
- Prepare and provide a new Emergency Plan for this area,
 - Plan will include specific steps to be taken before, during and after weather events which predictably result in flooding of the Windsor Flood Zone,
 - Plan is to be 'actionable' immediately, without delay,
 - The sole purpose of the Emergency [Flood] Plan is to MITIGATE the emotional & physical/ health impact to citizens, AND the damage/ cost caused to homes & property.

It is expected information only available from discussions with citizens will form an intricate component of the new Emergency Plan. As such, we commit to making ourselves available, soonest, given the urgency of this crisis. And/ or, we are willing to provide a detailed framework as to what we require.

ACTION ITEM(S): Forward, or direct us to same, by end of December 2023.

Closing thoughts:

Documentation confirms the Municipality has been acutely aware of the crisis caused by the repeated flooding of the Windsor Flood Zone, and is neglecting its responsibility. We feel, two years on, the Municipality has had more than enough time to have acted to mitigate this crisis; damages, costs and the impact to the environment & citizen health. Therefore, in response to this inaction, viewed as a lack of 'will' on the part of the Municipality, we citizens are compelled to join our voices.

Since our meeting on the 21st, 10 more have joined.

We look forward to receiving your responses, the information, and, hearing about and reviewing the Study findings.

Respectfully,

Residents of the Windsor Flood Zone and Concerned Citizens

Combined Windsor West Hants Water Utility

Water Rate Study

Prepared By

G. A. Isenor Consulting Limited

in Association with

Blaine S. Rooney Consulting Limited

24-Nov-23

Worksheet B-1 :sheet B-1

00-Jan-00

24-Nov-23

Combined Windsor West Hants Water Utility

Comparative Statement of Operations

Fiscal Years ending March 31st

	2022/23 (Actual)	2023/24 (Budget)	Projection Using Current Rates		
			2024/25 (Test)	2025/26 (Test)	2026/27 (Test)
OPERATING REVENUES					
Metered Sales	2,837,540	2,882,969	2,882,969	2,882,969	2,882,969
Public Fire Protection - Windsor	319,208	319,208	319,208	319,208	319,208
Public Fire Protection from West Hants	155,095	155,095	155,095	155,095	155,095
Public Fire Protection West Hants	595,789	595,789	595,789	595,789	595,789
Commercial	0	2,033	2,094	2,157	2,222
Sprinkler Service/Private Hydrants	5,728	8,142	8,281	8,349	8,416
Sales to Other Utilities	241,903	250,000			
Bulk Water Sales	0	161,727	166,579	171,576	176,723
Other Income	8,361	9,695	9,828	9,958	12,945
Total	4,163,624	4,384,658	4,139,843	4,145,101	4,153,367
OPERATING EXPENDITURES					
Source of Supply	309,736	289,800	20,394	21,006	21,636
Power and Pumping	45,465	0	0	0	0
Water Treatment	898,534	1,001,742	1,036,197	1,067,283	1,099,301
Transmission and Distribution	1,122,483	1,339,222	1,379,844	1,421,239	1,463,876
Administration and General	518,114	567,812	587,311	607,766	625,999
Depreciation	639,311	814,831	1,065,450	1,121,887	1,159,042
Taxes	63,891	72,018	74,178	76,404	78,696
Total	3,597,534	4,085,425	4,163,373	4,315,584	4,448,551
OPERATING PROFIT (LOSS)	566,090	299,233	-23,530	-170,483	-295,184
NON-OPERATING REVENUES					
Interest on Customer Accounts	9,602	7,432	7,655	7,655	7,884
Interest	0	2,459	2,533	2,533	2,609
Special Service	0	17,661	18,191	18,191	18,737
Other	0	721	743	743	765
Other- Bank Interest	0	3,500	3,605	3,605	3,713
Total	9,602	31,773	32,727	32,727	33,708
NON-OPERATING EXPENDITURES					
Debt Charges - Principal	572,672	206,177	107,582	254,162	78,269
Debt Charges - Interest	45,416	33,661	29,448	22,946	17,053
New Debt - Principal	0	148,966	157,904	167,378	177,420
New Debt - Interest	0	328,787	319,849	310,375	300,332
New Debt - Principal	0	0	159,993	169,593	179,768
New Debt - Interest	0	0	353,126	343,527	333,351
New Debt - Principal	0	0		39,786	42,173
New Debt - Interest	0	0		87,813	85,426
New Debt - Principal	0	0	0	0	23,933
New Debt - Interest	0	0	0		87,813
Transfer to Sludge Handling Reserve	0	20,000	10,000	10,000	10,000
Capital out of Revenue	42,862	58,000	78,000	58,000	58,000
Earnings	0	0	0	0	0
Total	660,950	795,591	1,215,902	1,463,579	1,393,540
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	-85,258	-464,584	-1,206,705	-1,601,336	-1,655,015
SURPLUS AT BEGINNING OF YEAR	1,459,569	1,374,311	609,727	609,727	-1,046,979
CAPITAL FROM SURPLUS	0	300,000	450,000	0	0
ACCUMULATED SURPLUS (DEFICIT)	1,374,311	609,727	-1,046,979	-991,609	-2,701,994

Combined Windsor West Hants Water Utility Statement of Operating Expenditures and Revenue Requirements					
	2022/23 (Budget)	2023/24 (Budget)	2024/25 (Test)	2025/26 (Test)	2026/27 (Test)
OPERATING EXPENDITURES					
Source of Supply	309,736	289,800	20,394	21,006	21,636
Water Treatment	898,534	1,001,742	1,036,197	1,067,283	1,099,301
Transmission and Distribution	1,122,483	1,339,222	1,379,844	1,421,239	1,463,876
Administration and General	518,114	567,812	587,311	607,766	625,999
Depreciation	639,311	814,831	1,065,450	1,121,887	1,159,042
Taxes	63,891	72,018	74,178	76,404	78,696
Total	3,552,069	4,085,425	4,163,373	4,315,584	4,448,551
NON OPERATING EXPENSES					
Debt Charges - Principal	572,672	206,177	107,582	254,162	78,269
Debt Charges - Interest	45,416	33,661	29,448	22,946	17,053
New Debt - Principal	0	148,966	157,904	167,378	177,420
New Debt - Interest	0	328,787	319,849	310,375	300,332
New Debt - Principal	0	0	159,993	169,593	179,768
New Debt - Interest	0	0	353,126	343,527	333,351
New Debt - Principal	0	0	0	39,786	42,173
New Debt - Interest	0	0	0	87,813	85,426
New Debt - Principal				0	23,933
New Debt - Interest				0	87,813
Amortization of Debenture Discount	0	0	0	0	0
Interest Paid on consumer deposits	0	20,000	10,000	10,000	10,000
Capital out of Revenue	42,862	58,000	78,000	58,000	58,000
Earnings	0	0	0	0	0
Total	660,950	795,591	1,215,902	1,463,579	1,393,540
LESS NON-OPERATING REVENUES					
Interest on Customer Accounts	9,602	7,432	7,655	7,655	7,884
Interest	0	2,459	2,533	2,533	2,609
Special Service	0	17,661	18,191	18,191	18,737
Other	0	721	743	743	765
Bank Interest	0	3,500	3,605	3,605	3,713
Total	9,602	31,773	32,727	32,727	33,708
LESS OTHER OPERATING REVENUE					
Sundry	8,361	9,695	9,828	9,958	12,945
Sprinkler Service	5,728	8,142	8,281	8,349	8,416
Commercial	0	2,033	2,094	2,157	2,222
Bulk Water Service	0	161,727	166,579	171,576	176,723
Total	14,089	181,597	186,782	192,040	200,306
REVENUE REQUIRED FROM FIRE PROTECTION AND WATER CUSTOMERS	4,189,328	4,667,645	5,159,766	5,554,397	5,608,076

**Combined Windsor West Hants Water Utility
Statement of Operating Expenditures**

	2022/23 (Estimated)	2023/24 (Projected)	2024/25 (Budget)	2025/26 (Budget)	2026/27 (Budget)
SOURCE OF SUPPLY					
Professional Services	0	0	0	0	0
Operational Labour and Benefits	44,001	0	0	0	0
Maintenance - Watershed Roads	5,000	5,000	5,150	5,305	5,464
Maintenance	6,072	8,000	8,240	8,487	8,742
Water Purchased - TMP Excluding Fire Protection Charge	265,554	270,000		0	0
Other Supplies & Expenses	10,082	300	309	318	328
Water Withdrawal Fees	5,000	6,500	6,695	6,896	7,103
Other	0	0	0	0	0
TOTAL SOURCE OF SUPPLY	335,709	289,800	20,394	21,006	21,636
POWER AND PUMPING					
Operations Labour	43,358	0	0	0	0
Structures and Improvements	1,667	0	0	0	0
Pumping Equipment	107	0	0	0	0
Other	333	0	0	0	0
Power Hantsport WTP	0	0	0	0	0
Fuel/Propane-Generator	0	0	0	0	0
TOTAL POWER AND PUMPING	45,465	0	0	0	0
WATER TREATMENT					
Engineering					
Operational Labour	328,359	425,192	437,948	451,086	464,619
Telephone Services	7,665	0	0	0	0
Power - Eldridge Rd	41,456	37,100	39,697	40,888	42,115
Power - Hantsport WTP	21,364	18,350	19,635	20,224	20,831
Photocopier Expenses	450	500	515	530	546
Office Supplies	0	200	206	212	219
Computer Expenses	0	0	0	0	0
Engineering Services	1,672	0	0	0	0
Training & Travel	7,560	0	0	0	0
Chemicals	222,845	235,000	242,050	249,312	256,791
Other Supplies & Expenses	2,641	3,000	3,090	3,183	3,278
Maintenance - Plant Roadways	7,584	8,500	8,755	9,018	9,288
Maintenance - Building	23,162	26,600	27,398	28,220	29,067
Maintenance - Equipment	45,978	60,500	62,315	64,184	66,110
Maintenance - Treatment Equipment	39,925	55,000	56,650	58,350	60,100
Maintenance - Waste Water Lagoon	3,754	5,000	5,150	5,305	5,464
Power	58,981	54,600	58,422	60,175	61,980
Fuel	56,620	38,000	39,140	40,314	41,524
Telephone	0	0	0	0	0
Alarm	480	700	721	743	765
Lab Supplies	16,312	18,000	18,540	19,096	19,669
Outside Testing	11,521	14,000	14,420	14,853	15,298
All Terrain Vehicle	205	500	515	530	546
Other	0	1,000	1,030	1,061	1,093
TOTAL WATER TREATMENT	898,534	1,001,742	1,036,197	1,067,283	1,099,301

Worksheet B-2a/2b/2c/2d/2e

TRANSMISSION AND DISTRIBUTION					
Computer & Asset Management	0	0	0	0	0
Supervision	249,929	251,777	259,330	267,110	275,124
Operational Labour	585,097	647,398	666,820	686,825	707,429
Engineering Services	0	0	0	0	0
Training, Travel	0	0	0	0	0
Maintenance Standpipe Industrial Park	21,871	20,000	20,600	21,218	21,855
Small Tools & Equipment	8	6,000	6,180	6,365	6,556
Structures and Improvements	167	0	0	0	0
Safety Equipment and Clothing	0	0	0	0	0
Maintenance - Transmission Mains	0	0	0	0	0
Other Distribution Plants (Leak Detection)	10,118	7,500	7,725	7,957	8,195
Maintenance - Mains and Standpipes	138,388	150,000	154,500	159,135	163,909
Bulk Water Haul Station	0	4,500	4,635	4,774	4,917
Maintenance - Services	-40,883	55,000	56,650	58,350	60,100
Maintenance - Meters	11,914	10,500	10,815	11,139	11,474
Maintenance - Hydrants	-1,697	14,500	14,935	15,383	15,845
PW Cost Distribution	26,810	30,150	31,055	31,986	32,946
Power - Isolation Valve Chamber	1,383	1,450	1,552	1,599	1,647
PW Contribution	0	32,000	32,960	33,949	34,967
Rents (DMA Radio)	0	600	618	637	656
Vehicle Use from Public Works	67,839	55,000	56,650	58,350	60,100
Fleet Fuel	25,082	25,000	25,750	26,523	27,318
Lab Analyst	13,971	15,000	15,450	15,914	16,391
Monitoring Services	0	2,000	2,060	2,122	2,185
Power	11,434	9,647	10,323	10,633	10,952
Consumer Billing and Accounting	0	0	0	0	0
Other	1,052	1,200	1,236	1,273	1,311
TOTAL TRANSMISSION AND DISTRIBUTION	1,122,483	1,339,222	1,379,844	1,421,239	1,463,876
ADMINISTRATION AND GENERAL					
Professional Services	14,211	25,000	25,750	26,523	27,318
Computer & Asset Management	5,426	6,700	6,901	7,108	7,321
Advertising	1,859	1,700	1,751	1,804	1,858
Auditors	8,134	18,000	18,540	19,096	19,669
UARB	9,058	19,500	20,085	20,688	21,308
Professional Services	23,069	45,000	46,350	47,741	49,173
Computer & Asset Management	6,002	10,200	10,506	10,821	11,146
Mileage & Expenses	5,947	4,500	4,635	4,774	4,917
Insurance	18,279	20,545	23,626	27,170	27,985
Uncollectible Accounts	0	5,000	5,150	5,305	5,464
Training & Travel	18,857	17,000	17,510	18,035	18,576
Telephone	14,920	12,800	13,184	13,580	13,987
Administration Fee	387,203	375,867	387,143	398,758	410,721
General Office Expenses	1,765	4,000	4,120	4,244	4,371
General Property	0	0	0	0	0
Other	3,384	2,000	2,060	2,122	2,185
TOTAL ADMINISTRATION AND GENERAL	518,114	567,812	587,311	607,766	625,999

24-Nov-23

Combined Windsor West Hants Water Utility
Calculation of Depreciation of Tangible Plant at Total Cost
2023/24

	Additions to Utility Plant in Service	Capital Cost Contribution from Others	Utility Cost of Plant in Service	Depreciation Rate	Annual Depreciation
			Depreciation rate as March 31		639,311
LAND AND LAND RIGHTS					
Source of Supply Land	0		0		0
Land - Water Storage Tank	0		0		0
STRUCTURES AND IMPROVEMENTS			0		0
Source of Supply Structures	850,000		850,000	0.0133	11,305
Source of Supply Structures	80,000		80,000	0.04	3,200
Power and Pumping Structures	25,000		25,000	0.04	1,000
Purification	0		0	0	0
Distribution Reservoirs and Standpipes	6,000,000	3,000,000	3,000,000	0.0133	79,800
Water Treatment Plant	40,000		40,000	0.04	1,600
Bulk Water Station	150,000	0	150,000	0.05	7,500
Other- System Assessment Report/Modeling	40,000		40,000	0.1	4,000
Equipment	0		0		0
Electrical Pumping	25,000	0	25,000	0.05	1,250
Purification Equipment	150,000	0	150,000	0.04	6,000
Purification Equipment	105,000		105,000	0.05	5,250
Office Furniture and Equipment	0		0	0.05	0
Transportation Equipment	0	0	0	0.2	0
Tools and Work Equipment	9,000		9,000	0.1	900
Backwash Piping	0		0	0.05	0
Control and Monitoring equipment	105,000		105,000	0.01	1,050
Distribution Mains Equipment	8,000		8,000	0.05	400
Meter Reading System	150,000	0	150,000	0.05	7,500
Mains Service Repairs/ PRV Upgrade	238,000		238,000	0.04	9,520
Other	0	0	0	0.05	0
Mains	0		0		0
Transmission	200,000	0	200,000	0.0133	2,660
Distribution	1,777,787	0	1,777,787	0.0133	23,645
Meters	50,800	40,800	10,000	0.05	2,540
Hydrants	0	0	0	0.02	0
Sprinkler Connections	0	0	0	0.0133	0
Services	320,000	20,000	300,000	0.02	6,400
Other	0	0	0	0.333	0
TOTAL	10,323,587	3,060,800	7,262,787		175,520
Source of Funding					
Outside Funding	3,060,800	Depreciation Fund Balance beginning of year		959,765	
Capital out of Revenue	58,000	Interest on Fund balance		11,997	
Depreciation fund	1,425,000	Fund balance before expenditures		971,762	
Long Term Debt	5,479,787	Depreciation Payment in Current Year		814,831	
Capital From Surplus	300,000	Depreciation Expenditure in Current Year		-1,425,000	
TOTAL	10,323,587	Balance after expenditures		361,593	

Combined Windsor West Hants Water Utility					
Calculation of Depreciation of Tangible Plant at Total Cost					
2024/25					
	Additions to Utility Plant in Service	Capital Cost Contribution from Others	Utility Cost of Plant in Service	Depreciation Rate	Annual Depreciation
		Depreciation rate as March 31			814,831
LAND AND LAND RIGHTS					
Source of Supply Land	0	0	0	0	0
Future Reservoir Land	0				0
STRUCTURES AND IMPROVEMENTS					0
Source of Supply Structures-Roads	60,000	0	60,000	0.04	2,400
Power and Pumping Structures	0	0	0	0.02	0
Purification		0	0	0.02	0
Distribution Reservoirs and Standpipes	50,000	25,000	25,000	0.04	2,000
Water Treatment Plant	40,000	0	40,000	0.04	1,600
General Wellfield Development	0	0	0	0.04	0
Other - Future Development Capital Require	0	0	0	0.05	0
Equipment		0	0		0
Electrical Pumping	15,000	0	15,000	0.04	600
Purification Equipment	3,048,000	0	3,048,000	0.04	121,920
Purification Equipment	85,000		85,000	0.05	4,250
Emergency Generator	0	0	0	0.05	0
Transportation Equipment	170,030	0	170,030	0.1	17,003
Tools and Work Equipment	0	0	0	0.1	0
GIS System		0	0	0.05	0
Distribution Mains Equipment	8,000	0	8,000	0.05	400
Meter Pit	0	0	0	0.05	0
Mains Service Repairs/ PRV Upgrade	198,000	0	198,000	0.04	7,920
Mains		0	0		0
Transmission	4,112,000	2,056,000	2,056,000	0.01333	54,813
Distribution	1,708,410	0	1,708,410	0.01333	22,773
Meters	290,800	40,800	250,000	0.05	14,540
Hydrants		0	0	0.02	0
Sprinkler Connections			0	0.0133	0
Services	20,000	20,000	0	0.02	400
Other	0		0	0.02	0
TOTAL	9,805,240	2,141,800	7,663,440		250,619
Source of Funding					
		Depreciation Fund Balance beginning of year			361,593
Outside Funding	2,141,800	Interest on Fund balance			4,520
Capital out of Revenue	78,000	Fund balance before expenditures			366,113
Depreciation fund	1,250,000	Depreciation Payment in Current Year			1,065,450
Long Term Debt	5,885,440	Depreciation Expenditure in Current Year			-1,250,000
Capital from Surplus	450,000	Balance after expenditures			181,562
TOTAL	9,805,240				

Combined Windsor West Hants Water Utility
Calculation of Depreciation of Tangible Plant at Total Cost
2025/26

	Additions to Utility Plant in Service	Capital Cost Contribution from Others	Utility Cost of Plant in Service	Depreciation Rate	Annual Depreciation
			Depreciation rate as March 31		1,065,450
LAND AND LAND RIGHTS					
Source of Supply Land	0		0		0
Land - General	0		0		0
STRUCTURES AND IMPROVEMENTS			0		0
Source of Supply Structures-Roads	10,000		10,000	0.04	400
Power and Pumping Structures			0	0.02	0
Purification			0	0	0
Distribution Reservoirs and Standpipes	0	0	0	0.01333	0
Water Treatment Plant	0		0	0.0133	0
General Test well	0	0	0	0.04	0
Other Water Source Structures			0	0.05	0
Equipment			0		0
Electrical Pumping	10,000		10,000	0.04	400
Purification Equipment	85,000	0	85,000	0.05	4,250
Office Furniture and Equipment			0	0.05	0
Transportation Equipment	0	0	0	0.1	0
Tools and Work Equipment	0		0	0.1	0
GIS System			0	0.05	0
Distribution Mains Equipment	8,000		8,000	0.05	400
Geotubes for Biosolids Handling	30,000	0	30,000	0.333	9,990
Mains Service Repairs/ PRV Upgrade	198,000		198,000	0.04	7,920
Mains			0		0
Transmission	0		0	0.0133	0
Distribution	2,303,550	102,225	2,201,325	0.0133	30,637
Meters	40,800	40,800	0	0.05	2,040
Hydrants	0		0	0.02	0
Sprinkler Connections			0	0.0133	0
Services	20,000	20,000	0	0.02	400
Other					0
TOTAL	2,705,350	163,025	2,542,325	1	56,437
Source of Funding					
			Depreciation Fund Balance beginning of year		181,562
Outside Funding	163,025		Interest on Fund balance		2,270
Capital out of Revenue	58,000		Fund balance before expenditures		183,832
Depreciation fund	1,020,775		Depreciation Payment in Current Year		1,121,887
Long Term Debt	1,463,550		Depreciation Expenditure in Current Year		-1,020,775
Capital from Surplus	0		Balance after expenditures		284,944
TOTAL	2,705,350				

Combined Windsor West Hants Water Utility
Calculation of Depreciation of Tangible Plant at Total Cost
2026/27

	Additions to Utility Plant in Service	Capital Cost Contribution from Others	Utility Cost of Plant in Service	Depreciation Rate	Annual Depreciation
			Depreciation rate as March 31		1,121,887
LAND AND LAND RIGHTS					
Source of Supply Land	0		0		0
Land - General	0		0		0
STRUCTURES AND IMPROVEMENTS			0		0
Source of Supply Structures-Roads	10,000		10,000	0.04	400
Power and Pumping Structures			0	0.02	0
Purification			0	0	0
Distribution Reservoirs and Standpipes	0	0	0	0.01333	0
Water Treatment Plant	0		0	0.0133	0
General Test well	0	0	0	0.04	0
Other Water Source Structures			0	0.05	0
Equipment			0		0
Electrical Pumping	0		0	0.04	0
Purification Equipment	55,000	0	55,000	0.05	2,750
Office Furniture and Equipment			0	0.05	0
Transportation Equipment	0	0	0	0.1	0
Tools and Work Equipment	0		0	0.1	0
GIS System			0	0.05	0
Distribution Mains Equipment	8,000		8,000	0.05	400
Geotubes for Biosolids Handling	0	0	0	0.333	0
Mains Service Repairs/ PRV Upgrade	198,000		198,000	0.04	7,920
Mains			0		0
Transmission	0		0	0.0133	0
Distribution	1,747,775	0	1,747,775	0.0133	23,245
Meters	40,800	40,800	0	0.05	2,040
Hydrants	0	0	0	0.02	0
Sprinkler Connections		0	0	0.0133	0
Services	20,000	20,000	0	0.02	400
Other					0
TOTAL	2,079,575	60,800	2,018,775	1	37,155
Source of Funding					
			Depreciation Fund Balance beginning of year		284,944
Outside Funding	60,800		Interest on Fund balance		3,562
Capital out of Revenue	58,000		Fund balance before expenditures		288,505
Depreciation fund	1,080,375		Depreciation Payment in Current Year		1,159,042
Long Term Debt	880,400		Depreciation Expenditure in Current Year		-1,080,375
Capital from Surplus	0		Balance after expenditures		367,173
TOTAL	2,079,575				

1,553,900
525,675
2,079,575

Combined Windsor West Hants Water Utility
Calculation of Amoritization on Capital Contributions (to Plant)
2023/24

	Capital Contributions to Utility Plant in Service	Amortization Rate	Annual Amortization
LAND AND LAND RIGHTS			
Source of Supply Land	0	0.00	0
Land - General	0	0.00	0
STRUCTURES AND IMPROVEMENTS		0.00	0
Source of Supply Structures	0	0.01	0
Power and Pumping Structures	0	0.04	0
Purification	0	0.00	0
Distribution Reservoirs and Standpipes	25,000	0.04	1,000
Water Treatment Plant	0	0.04	0
General - Watershed Study	0	0.05	0
Other Water Source Structures	0	0.10	0
Equipment		0.00	0
Electrical Pumping	0	0.05	0
Purification Equipment	0	0.04	0
Office Fruniture and Equipment	0	0.05	0
Transportation Equipment	0	0.2000	0
Tools and Work Equipment	0	0.10	0
GIS System	0	0.05	0
Distribution Mains Equipment	0	0.05	0
Meter Shop Equipment	0	0.05	0
Other Equipment	0	0.05	0
Mains		0.00	0
Transmission	1,553,000	0.0133	20,701
Distribution	453,263	0.0133	6,028
Meters	0	0.050	0
Hydrants	0	0.0200	0
Sprinkler Connections	0	0.01	0
Services	0	0.02	0
Other	0	0.00	0
TOTAL	2,031,263		27,730

Combined Windsor West Hants Water Utility
Calculation of Amortization on Capital Contributions (to Plant)
2024/25

	Capital Contributions to Utility Plant in Service	Amortization Rate	Annual Amortization
LAND AND LAND RIGHTS			
Source of Supply Land	0	0.00	0
Land - General	0	0.00	0
STRUCTURES AND IMPROVEMENTS		0.00	0
Source of Supply Structures	0	0.04	0
Power and Pumping Structures	0	0.02	0
Purification	0	0.02	0
Distribution Reservoirs and Standpipes	25,000	0.0400	1,000
Water Treatment Plant	0	0.04	0
General - Watershed Study	0	0.04	0
Other Water Source Structures	0	0.05	0
Equipment		0.00	0
Electrical Pumping	0	0.04	0
Purification Equipment	0	0.04	0
Office Furniture and Equipment	0	0.05	0
Transportation Equipment	0	0.10	0
Tools and Work Equipment	0	0.10	0
GIS System	0	0.05	0
Distribution Mains Equipment	0	0.05	0
Meter Shop Equipment	0	0.05	0
Other Equipment	0	0.04	0
Mains		0.00	0
Transmission	503,000	0.0133	6,705
Distribution	651,474	0.0133	8,684
Meters	20,000	0.05	1,000
Hydrants	0	0.02	0
Sprinkler Connections	0	0.01	0
Services	0	0.02	0
Other	0	0.02	0
TOTAL	1,199,474		17,389

Combined Windsor West Hants Water Utility
Calculation of Amortization on Capital Contributions (to Plant)
2025/26

	Capital Contributions to Utility Plant in Service	Amortization Rate	Annual Amortization
LAND AND LAND RIGHTS			
Source of Supply Land	0	0.00	0
Land - General	0	0.00	0
STRUCTURES AND IMPROVEMENTS		0.00	0
Source of Supply Structures	0	0.04	0
Power and Pumping Structures	0	0.02	0
Purification	0	0.00	0
Distribution Reservoirs and Standpipes	0	0.01	0
Water Treatment Plant	0	0.01	0
General - Watershed Study	0	0.04	0
Other Water Source Structures	0	0.05	0
Equipment		0.00	0
Electrical Pumping	0	0.04	0
Purification Equipment	0	0.05	0
Office Furniture and Equipment	0	0.05	0
Transportation Equipment	0	0.10	0
Tools and Work Equipment	0	0.10	0
GIS System	0	0.05	0
Distribution Mains Equipment	0	0.05	0
Meter Shop Equipment	0	0.33	0
Other Equipment	0	0.04	0
Mains		0.00	0
Transmission	0	0.0133	0
Distribution	401,975	0.0133	5,346
Meters	20,000	0.05	1,000
Hydrants	0	0.02	0
Sprinkler Connections	0	0.01	0
Services	0	0.02	0
Other	0	0.00	0
TOTAL	421,975		6,346

Combined Windsor West Hants Water Utility
Calculation of Amortization on Capital Contributions (to Plant)
2026/27

	Capital Contributions to Utility Plant in Service	Amortization Rate	Annual Amortization
LAND AND LAND RIGHTS			
Source of Supply Land	0	0.00	0
Land - General	0	0.00	0
STRUCTURES AND IMPROVEMENTS		0.00	0
Source of Supply Structures	0	0.04	0
Power and Pumping Structures	0	0.02	0
Purification	0	0.00	0
Distribution Reservoirs and Standpipes	0	0.01	0
Water Treatment Plant	0	0.01	0
General - Watershed Study	0	0.04	0
Other Water Source Structures	0	0.05	0
Equipment		0.00	0
Electrical Pumping	0	0.04	0
Purification Equipment	0	0.05	0
Office Furniture and Equipment	0	0.05	0
Transportation Equipment	0	0.10	0
Tools and Work Equipment	0	0.10	0
GIS System	0	0.05	0
Distribution Mains Equipment	0	0.05	0
Meter Shop Equipment	0	0.33	0
Other Equipment	0	0.04	0
Mains		0.00	0
Transmission	0	0.0133	0
Distribution	0	0.0133	0
Meters	20,000	0.05	1,000
Hydrants	0	0.02	0
Sprinkler Connections	0	0.01	0
Services	0	0.02	0
Other	0	0.00	0
TOTAL	20,000		1,000

Combined Windsor West Hants Water Utility
Allocation of the Total Cost of Utility Plant in Service
Between General Service and Fire Protection
2023/24

	Utility Plant in Service Previous Year	Additions	Utility Plant in Service	Percent	General Service	Percent	Fire Protection
Organization and Working Capital	1,293		1,293	100.0%	1,293	0.0%	0
Tangible Plant	-	-					
LAND AND LAND RIGHTS	-		-				
Source of Supply Land	-	-	-	90.0%	0	10.0%	0
Land - General	694,591	-	694,591	90.0%	625,132	10.0%	69,459
STRUCTURES AND IMPROVEMENTS	-	-	-		0		0
Source of Supply Structures	727,151	850,000	1,577,151	90.0%	1,419,436	10.0%	157,715
Structures and Improvements	261,840	80,000	341,840	90.0%	307,656	10.0%	34,184
Power and Pumping Structures	626,059	25,000	651,059	90.0%	585,953	10.0%	65,106
Purification Building	2,172,409		2,172,409	90.0%	1,955,168	10.0%	217,241
Water Treatment Plant	1,904,071	-	1,904,071	80.0%	1,523,257	20.0%	380,814
Distribution Reservoirs and Standpipes	1,467,771	6,000,000	7,467,771	40.0%	2,987,108	60.0%	4,480,663
Water Treatment Plant	-	40,000	40,000	90.0%	36,000	10.0%	4,000
Other Structures and Improvements	463,174		463,174	90.0%	416,857	10.0%	46,317
Lagoon Drying Bed/Sludget Lagoon	204,870		204,870	90.0%	184,383	10.0%	20,487
Treatment Plant Gate and Security	-		-	90.0%	0	10.0%	0
Bulk Water Station	88,943	150,000	238,943	90.0%	215,049	10.0%	23,894
Flushing Station and Valve Replacement	-		-	90.0%	0	10.0%	0
Other System Assessment Report	-	40,000	40,000	90.0%	36,000	10.0%	4,000
Equipment	-	-	-		0		0
Electrical Pumping	160,471	25,000	185,471	90.0%	166,924	10.0%	18,547
Water Treatment Equipment	-	150,000	150,000	90.0%	135,000	10.0%	15,000
Purification Equipment	4,011,450	105,000	4,116,450	90.0%	3,704,805	10.0%	411,645
Office Furniture and Equipment	-	-	-	90.0%	0	10.0%	0
Transportation Equipment	285,118		285,118	90.0%	256,606	10.0%	28,512
Tools and Work Equipment	21,834	9,000	30,834	90.0%	27,750	10.0%	3,083
Software/Computers General	3,293	-	3,293	90.0%	2,963	10.0%	329
Control and Monitoring equipment	-	105,000	105,000	90.0%	94,500	10.0%	10,500
Distribution Mains Equipment	-	8,000	8,000	40.0%	3,200	60.0%	4,800
Geotubes for Biosolids Handling	7,175						
Meter Reading Equipment	-	150,000	150,000	90.0%	135,000	10.0%	15,000
Mains Service Repairs/ PRV Upgrade	-	238,000	238,000	40.0%	95,200	60.0%	142,800
Other	-	-	-	40.0%	0	60.0%	0
Mains	-	-	-		0		0
Transmission	2,975,134	200,000	3,175,134	40.0%	1,270,054	60.0%	1,905,081
Distribution	7,408,328	1,777,787	9,186,115	40.0%	3,674,446	60.0%	5,511,669
Meters	1,289,833	50,800	1,340,633	100.0%	1,340,633	0.0%	0
Hydrants	513,147	-	513,147	0.0%	0	100.0%	513,147
Donated Assets	2,087,143		2,087,143	50.0%	1,043,572	50.0%	1,043,572
Services	971,144	320,000	1,291,144	100.0%	1,291,144	0.0%	0
Other	133,925	-	133,925	90.0%	120,533	10.0%	13,393
TOTAL	28,480,167	10,323,587	38,796,579	61.0%	23,655,621	39.0%	15,140,958

Combined Windsor West Hants Water Utility
Allocation of the Total Cost of Utility Plant in Service
Between General Service and Fire Protection
2024/25

	Utility Plant in Service Previous Year	Additions	Utility Plant in Service	Percent	General Service	Percent	Fire Protection
Intangible Plant							
Organization and Working Capital	1,293		1,293	100.0%	1,293	0.0%	0
Tangible Plant	-						
LAND AND LAND RIGHTS	-		-				
Source of Supply Land	-	0	-	90.0%	0	10.0%	0
Land - General	694,591	0	694,591	90.0%	625,132	10.0%	69,459
STRUCTURES AND IMPROVEMENTS	-	0	-		0		0
Source of Supply Structures	1,577,151	60,000	1,637,151	90.0%	1,473,436	10.0%	163,715
Structures and Improvements	341,840		341,840	90.0%	307,656	10.0%	34,184
Power and Pumping Structures	651,059		651,059	90.0%	585,953	10.0%	65,106
Purification Building	2,172,409	0	2,172,409	90.0%	1,955,168	10.0%	217,241
Water Treatment Plant	1,904,071	40,000	1,944,071	80.0%	1,555,257	20.0%	388,814
Distribution Reservoirs and Standpipes	7,467,771	50,000	7,517,771	40.0%	3,007,108	60.0%	4,510,663
Water Treatment Plant	40,000		40,000	90.0%	36,000	10.0%	4,000
Other Structures and Improvements	463,174	0	463,174	90.0%	416,857	10.0%	46,317
Lagoon Drying Bed	204,870		204,870	90.0%	184,383	10.0%	20,487
Treatment Plant Gate and Security	-		-	90.0%	0	10.0%	0
Bulk Water Station	238,943		238,943	90.0%	215,049	10.0%	23,894
Flushing Station and Valve Replacement	-		-	90.0%	0	10.0%	0
Other System Assessment Report	40,000	0	40,000	90.0%	36,000	10.0%	4,000
Equipment	-	0	-		0		0
Electrical Pumping	185,471	15,000	200,471	90.0%	180,424	10.0%	20,047
Water Treatment Equipment	150,000		150,000	90.0%	135,000	10.0%	15,000
Purification Equipment	4,116,450	3,048,000	7,164,450	90.0%	6,448,005	10.0%	716,445
Purification Equipment		85,000	85,000	90.0%	76,500	10.0%	8,500
Office Furniture and Equipment	-	0	-	90.0%	0	10.0%	0
Transportation Equipment	285,118	170,030	455,148	90.0%	409,633	10.0%	45,515
Tools and Work Equipment	30,834	0	30,834	90.0%	27,750	10.0%	3,083
Software/Computers General	3,293	0	3,293	90.0%	2,963	10.0%	329
Control and Monitoring equipment	105,000		105,000	90.0%	94,500	10.0%	10,500
Distribution Mains Equipment	8,000	8,000	16,000	40.0%	6,400	60.0%	9,600
Meter Shop Equipment	150,000	0	150,000	90.0%	135,000	10.0%	15,000
Mains Service Repairs/ PRV Upgrade	238,000	198,000	436,000	40.0%	174,400	60.0%	261,600
Other	-		-	40.0%	0	60.0%	0
Mains	-	0	-		0		0
Transmission	3,175,134	4,112,000	7,287,134	40.0%	2,914,854	60.0%	4,372,281
Distribution	9,186,115	1,708,410	10,894,525	40.0%	4,357,810	60.0%	6,536,715
Meters	1,340,633	290,800	1,631,433	100.0%	1,631,433	0.0%	0
Hydrants	513,147	0	513,147	0.0%	0	100.0%	513,147
Donated Assets	2,087,143		2,087,143	50.0%	1,043,572	50.0%	1,043,572
Services	1,291,144	20,000	1,311,144	100.0%	1,311,144	0.0%	0
Other	133,925	0	133,925	90.0%	120,533	10.0%	13,393
TOTAL	38,796,579	9,805,240	48,601,819	60.6%	29,469,212	39.4%	19,132,607

Combined Windsor West Hants Water Utility
Allocation of the Total Cost of Utility Plant in Service
Between General Service and Fire Protection
2025/26

	Utility Plant in Service Previous Year	Additions	Utility Plant in Service	Percent	General Service	Percent	Fire Protection
Intangible Plant							
Organization and Working Capital	1,293		1,293	100.0%	1,293	0.0%	0
Tangible Plant							
LAND AND LAND RIGHTS	-		-				
Source of Supply Land	-	0	-	90.0%	0	10.0%	0
Land - General	694,591	0	694,591	90.0%	625,132	10.0%	69,459
STRUCTURES AND IMPROVEMENTS	-	0	-		0		0
Source of Supply Structures-Roads	1,637,151	10,000	1,647,151	90.0%	1,482,436	10.0%	164,715
Structures and Improvements	341,840		341,840	90.0%	307,656	10.0%	34,184
Power and Pumping Structures	651,059		651,059	90.0%	585,953	10.0%	65,106
Purification Building	2,172,409	0	2,172,409	90.0%	1,955,168	10.0%	217,241
Water Treatment Plant	1,944,071	0	1,944,071	80.0%	1,555,257	20.0%	388,814
Distribution Reservoirs and Standpipes	7,517,771	0	7,517,771	40.0%	3,007,108	60.0%	4,510,663
Water Treatment Plant	40,000		40,000	90.0%	36,000	10.0%	4,000
Other Structures and Improvements	463,174	0	463,174	90.0%	416,857	10.0%	46,317
Lagoon Drying Bed	204,870		204,870	90.0%	184,383	10.0%	20,487
Treatment Plant Gate and Security	-		-	90.0%	0	10.0%	0
Bulk Water Station	238,943		238,943	90.0%	215,049	10.0%	23,894
Flushing Station and Valve Replacement	-		-	90.0%	0	10.0%	0
Other System Assessment Report	40,000	0	40,000	90.0%	36,000	10.0%	4,000
Equipment	-	0	-				
Electrical Pumping	200,471	10,000	210,471	90.0%	189,424	10.0%	21,047
Water Treatment Equipment	150,000		150,000	90.0%	135,000	10.0%	15,000
Purification Equipment	7,164,450	85,000	7,249,450	90.0%	6,524,505	10.0%	724,945
Purification Equipment	85,000		85,000	90.0%	76,500	10.0%	8,500
Office Furniture and Equipment	-	0	-	90.0%	0	10.0%	0
Transportation Equipment	455,148	0	455,148	90.0%	409,633	10.0%	45,515
Tools and Work Equipment	30,834	0	30,834	90.0%	27,750	10.0%	3,083
Software/Computers General	3,293	0	3,293	90.0%	2,963	10.0%	329
Control and Monitoring equipment	105,000		105,000	90.0%	94,500	10.0%	10,500
Distribution Mains Equipment	16,000	8,000	24,000	40.0%	9,600	60.0%	14,400
Mains Service Repairs/ PRV Upgrade	436,000	198,000	634,000	40.0%	253,600	60.0%	380,400
Geotubes for Biosolids Handling		30,000	30,000	90.0%	27,000	10.0%	3,000
Meter Shop Equipment	150,000		150,000	90.0%	135,000	10.0%	15,000
Other	-		-	40.0%	0	60.0%	0
Mains	-	0	-		0		0
Transmission	7,287,134	0	7,287,134	40.0%	2,914,854	60.0%	4,372,281
Distribution	10,894,525	2,303,550	13,198,075	40.0%	5,279,230	60.0%	7,918,845
Meters	1,631,433	40,800	1,672,233	100.0%	1,672,233	0.0%	0
Hydrants	513,147	0	513,147	0.0%	0	100.0%	513,147
Donated Assets	2,087,143		2,087,143	50.0%	1,043,572	50.0%	1,043,572
Services	1,311,144	20,000	1,331,144	100.0%	1,331,144	0.0%	0
Other	133,925	0	133,925	90.0%	120,533	10.0%	13,393
TOTAL	48,601,819	2,705,350	51,307,169	59.7%	30,655,332	40.3%	20,651,837

Combined Windsor West Hants Water Utility
Allocation of the Total Cost of Utility Plant in Service
Between General Service and Fire Protection
2026/27

	Utility Plant in Service Previous Year	Additions	Utility Plant in Service	Percent	General Service	Percent	Fire Protection
Intangible Plant							
Organization and Working Capital	1,293		1,293	100.0%	1,293	0.0%	0
Tangible Plant	-						
LAND AND LAND RIGHTS	-		-				
Source of Supply Land	-	0	-	90.0%	0	10.0%	0
Land - General	694,591	0	694,591	90.0%	625,132	10.0%	69,459
STRUCTURES AND IMPROVEMENTS	-	0	-		0		0
Source of Supply Structures-Roads	1,647,151	10,000	1,657,151	90.0%	1,491,436	10.0%	165,715
Structures and Improvements	341,840	0	341,840	90.0%	307,656	10.0%	34,184
Power and Pumping Structures	651,059	0	651,059	90.0%	585,953	10.0%	65,106
Purification Building	2,172,409	0	2,172,409	90.0%	1,955,168	10.0%	217,241
Water Treatment Plant	1,944,071	0	1,944,071	80.0%	1,555,257	20.0%	388,814
Distribution Reservoirs and Standpipes	7,517,771	0	7,517,771	40.0%	3,007,108	60.0%	4,510,663
Water Treatment Plant	40,000	0	40,000	90.0%	36,000	10.0%	4,000
Other Structures and Improvements	463,174	0	463,174	90.0%	416,857	10.0%	46,317
Lagoon Drying Bed	204,870	0	204,870	90.0%	184,383	10.0%	20,487
Treatment Plant Gate and Security	-	0	-	90.0%	0	10.0%	0
Bulk Water Station	238,943	0	238,943	90.0%	215,049	10.0%	23,894
Flushing Station and Valve Replacement	-	0	-	90.0%	0	10.0%	0
Other System Assessment Report	40,000	0	40,000	90.0%	36,000	10.0%	4,000
Equipment	-	0	-				
Electrical Pumping	210,471	0	210,471	90.0%	189,424	10.0%	21,047
Water Treatment Equipment	150,000	0	150,000	90.0%	135,000	10.0%	15,000
Purification Equipment	7,249,450	55,000	7,304,450	90.0%	6,574,005	10.0%	730,445
Purification Equipment	85,000	0	85,000	90.0%	76,500	10.0%	8,500
Office Furniture and Equipment	-	0	-	90.0%	0	10.0%	0
Transportation Equipment	455,148	0	455,148	90.0%	409,633	10.0%	45,515
Tools and Work Equipment	30,834	0	30,834	90.0%	27,750	10.0%	3,083
Software/Computers General	3,293	0	3,293	90.0%	2,963	10.0%	329
Control and Monitoring equipment	105,000	0	105,000	90.0%	94,500	10.0%	10,500
Distribution Mains Equipment	24,000	8,000	32,000	40.0%	12,800	60.0%	19,200
Mains Service Repairs/ PRV Upgrade	634,000	198,000	832,000	40.0%	332,800	60.0%	499,200
Geotubes for Biosolids Handling	30,000	0	30,000	90.0%	27,000	10.0%	3,000
Meter Shop Equipment	150,000	0	150,000	90.0%	135,000	10.0%	15,000
Other	-	0	-	40.0%	0	60.0%	0
Mains	-	0	-		0		0
Transmission	7,287,134	0	7,287,134	40.0%	2,914,854	60.0%	4,372,281
Distribution	13,198,075	1,747,775	14,945,850	40.0%	5,978,340	60.0%	8,967,510
Meters	1,672,233	40,800	1,713,033	100.0%	1,713,033	0.0%	0
Hydrants	513,147	0	513,147	0.0%	0	100.0%	513,147
Donated Assets	2,087,143	0	2,087,143	50.0%	1,043,572	50.0%	1,043,572
Services	1,331,144	20,000	1,351,144	100.0%	1,351,144	0.0%	0
Other	133,925	0	133,925	90.0%	120,533	10.0%	13,393
TOTAL	51,307,169	2,079,575	53,386,744	59.1%	31,556,142	40.9%	21,830,602

Combined Windsor West Hants Water Utility**Allocation of Fire Protection Charges**

Projected Expenses for Year 2024/25

	Estimated Expenses	PerCent Allocation to fire Protection	Fire Protection Charge
Source of Supply	20,394	10.0%	2,039
Water Treatment	1,036,197	10.0%	103,620
Transmission and Distribution	1,379,844	39.4%	543,190
Adminstration and General	587,311	10.0%	58,731
Depreciation	1,065,450	39.4%	419,425
Taxes	74,178	39.4%	29,201
Return on Rate Base	996,393	39.4%	392,240
Total	5,159,766	30.0%	1,548,447

Combined Windsor West Hants Water Utility**Allocation of Fire Protection Charges**

Projected Expenses for Year 2025/26

	Estimated Expenses	PerCent Allocation to fire Protection	Fire Protection Charge
Source of Supply	21,006	10.0%	2,101
Water Treatment	1,067,283	10.0%	106,728
Transmission and Distribution	1,421,239	40.3%	572,068
Adminstration and General	607,766	10.0%	60,777
Depreciation	1,121,887	40.3%	451,575
Taxes	76,404	40.3%	30,754
Return on Rate Base	1,238,812	40.3%	498,639
Total	5,554,397	31.0%	1,722,641

Combined Windsor West Hants Water Utility**Allocation of Fire Protection Charges**

Projected Expenses for Year 2026/27

	Estimated Expenses	PerCent Allocation to fire Protection	Fire Protection Charge
Source of Supply	21,636	10.0%	2,164
Water Treatment	1,099,301	10.0%	109,930
Transmission and Distribution	1,463,876	40.9%	598,600
Adminstration and General	625,999	10.0%	62,600
Depreciation	1,159,042	40.9%	473,949
Taxes	78,696	40.9%	32,180
Return on Rate Base	1,159,525	40.9%	474,146
Total	5,608,076	31.3%	1,753,569

Combined Windsor West Hants Water Utility					
Calculation of rate Base and required Return on rate Base					
Years Ending March 31st					
	2022/23	2023/24	2024/25	2025/26	2026/27
	(Actual)	(Estimate)	(Estimate)	(Estimate)	(Estimate)
RATE BASE					
Utility plant in Service March 31st	#REF!	38,796,579	48,601,819	51,307,169	53,386,744
(Estimated)	(9,353,667)	(10,168,498)	(11,233,947)	(11,290,384)	(12,392,989)
Less unamortized amount of capital contribution for plant in service	-	(2,003,533)	(3,157,888)	3,528,398	(3,528,398)
Estimated Rate Base at Year End	#REF!	26,624,548	34,209,983	43,545,182	37,465,356
REQUIRED RETURN					
Non-operating Expenditures (B-2)	660,950	795,591	1,215,902	1,463,579	1,393,540
Less Non-operating Revenue	(9,602)	(31,773)	(32,727)	(32,727)	(33,708)
Less Other Non-operating Revenue (B-2)	(14,089)	(181,597)	(186,782)	(192,040)	(200,306)
Return on Rate Base	637,259	582,221	996,393	1,238,812	1,159,525
Required Rate of Return (Req'd Return/Est Rate Base)	#REF!	2.19%	2.91%	2.84%	3.09%

Combined Windsor West Hants Water Utility
Calculation of Revenue Required for Each Billing/Cost Category
2024/25

	Total Revenue Required	Fire Protection Revenue	Revenue Required from Metered Rates	Charge				Commodity Charge			
				Customer		Base		Delivery		Production	
Source of Supply	20,394	2,039	18,355							100%	18,355
Water Treatment	1,036,197	103,620	932,577							100%	932,577
Transmission and Distribution	1,379,844	543,190	836,654			0%	0	100%	836,654		
Administration and General	587,311	58,731	528,580	10%	52,858	90%	475,722				
Depreciation	1,065,450	419,425	646,024			70%	452,217	15%	96,904	15%	96,904
Taxes	74,178	29,201	44,977			100%	44,977				
Return on Rate Base	996,393	392,240	604,153			70%	422,907	15%	90,623	15%	90,623
SUBTOTAL	5,159,766	1,548,447	3,611,320		52,858		1,395,823		1,024,181		1,138,458
TOTAL	5,159,766	1,548,447	3,611,320		52,858		1,395,823		1,024,181		1,138,458

Combined Windsor West Hants Water Utility
Calculation of Revenue Required for Each Billing/Cost Category
2025/26

	Total Revenue Required	Fire Protection Revenue	Revenue Required from Metered Rates	Charge				Commodity Charge			
				Customer		Base		Delivery		Production	
Source of Supply	21,006	2,101	18,905							100%	18,905
Water Treatment	1,067,283	106,728	960,554							100%	960,554
Transmission and Distribution	1,421,239	572,068	849,171			0%	0	100%	849,171		
Administration and General	607,766	60,777	546,989	10%	54,699	90%	492,290				
Depreciation	1,121,887	451,575	670,312			70%	469,218	15%	100,547	15%	100,547
Taxes	76,404	30,754	45,650			100%	45,650				
Return on Rate Base	1,238,812	498,639	740,173			70%	518,121	15%	111,026	15%	111,026
SUBTOTAL	5,554,397	1,722,641	3,831,756		54,699		1,525,281		1,060,744		1,191,032
TOTAL	5,554,397	1,722,641	3,831,756		54,699		1,525,281		1,060,744		1,191,032

Combined Windsor West Hants Water Utility
Calculation of Revenue Required for Each Billing/Cost Category
2026/27

	Total Revenue Required	Fire Protection Revenue	Revenue Required from Metered Rates	Charge				Commodity Charge			
				Customer		Base		Delivery		Production	
Source of Supply	21,636	2,164	19,472							100%	19,472
Water Treatment	1,099,301	109,930	989,371							100%	989,371
Transmission and Distribution	1,463,876	598,600	865,276			0%	0	100%	865,276		
Administration and General	625,999	62,600	563,399	10%	56,340	90%	507,059				
Depreciation	1,159,042	473,949	685,093			60%	411,056	20%	137,019	20%	137,019
Taxes	78,696	32,180	46,516			100%	46,516				
Return on Rate Base	1,159,525	474,146	685,379			80%	548,303	20%	137,076	20%	137,076
SUBTOTAL	5,608,076	1,753,569	3,854,507		56,340		1,512,934		1,139,371		1,282,938
TOTAL	5,608,076	1,753,569	3,854,507		56,340		1,512,934		1,139,371		1,282,938

Worksheet C-4

24-Nov-23

**Combined Windsor West Hants Water Utility
Service Connections and Equivalents
2023/24**

Meter Size	Number of Services	Capacity Ratio	System Equivalents
Unmetered	0	1	0
5/8"	3832	1	3,832
3/4"	55	1.5	83
1"	48	2.5	120
1.5"	19	5	95
2"	35	8	280
3"	6	16	96
4"	4	25	100
6"	0	50	0
8"	0	90	0
TOTAL	3999		4,606

**Combined Windsor West Hants Water Utility
Service Connections and Equivalents
2024/25**

Meter Size	Number of Services	Capacity Ratio	System Equivalents
Unmetered	0	1	0
5/8"	3847	1	3,847
3/4"	55	1.5	83
1"	48	2.5	120
1.5"	19	5	95
2"	35	8	280
3"	6	16	96
4"	4	25	100
6"	0	50	0
8"	0	90	0
TOTAL	4014		4,621

**Combined Windsor West Hants Water Utility
Service Connections and Equivalents
2025/26**

Meter Size	Number of Services	Capacity Ratio	System Equivalents
Unmetered	0	1	0
5/8"	3862	1	3,862
3/4"	55	1.5	83
1"	48	2.5	120
1.5"	19	5	95
2"	35	8	280
3"	6	16	96
4"	4	25	100
6"	0	50	0
8"	0	90	0
TOTAL	4029		4,636

**Combined Windsor West Hants Water Utility
Service Connections and Equivalents
2026/27**

Meter Size	Number of Services	Capacity Ratio	System Equivalents
Unmetered	0	1	0
5/8"	3877	1	3,877
3/4"	55	1.5	83
1"	48	2.5	120
1.5"	19	5	95
2"	35	8	280
3"	6	16	96
4"	4	25	100
6"	0	50	0
8"	0	90	0
TOTAL	4044		4,651

Worksheet C-5

24-Nov-23

Combined Windsor West Hants Water Utility
Service Connections and Equivalents
2024/25

Meter Size	Capacity Ratio	Base Charge	Customer Charge	Total Base Charge	
				Annual	Quarterly
Unmetered	1	302.09	13.17	315.26	78.82
5/8"	1	302.09	13.17	315.26	78.82
3/4"	1.5	453.14	13.17	466.31	116.58
1"	2.5	755.23	13.17	768.40	192.10
1.5"	5	1,510.47	13.17	1,523.64	380.91
2"	8	2,416.75	13.17	2,429.92	607.48
3"	16	4,833.50	13.17	4,846.66	1,211.67
4"	25	7,552.34	13.17	7,565.51	1,891.38
6"	50	15,104.67	13.17	15,117.84	3,779.46
8"	90	27,188.41	13.17	27,201.58	6,800.40
TOTAL					

Combined Windsor West Hants Water Utility
Service Connections and Equivalents
2025/26

Meter Size	Capacity Ratio	Base Charge	Customer Charge	Total Base Charge	
				Annual	Quarterly
Unmetered	1	329.04	13.58	342.62	85.65
5/8"	1	329.04	13.58	342.62	85.65
3/4"	1.5	493.57	13.58	507.14	126.79
1"	2.5	822.61	13.58	836.18	209.05
1.5"	5	1,645.22	13.58	1,658.79	414.70
2"	8	2,632.35	13.58	2,645.92	661.48
3"	16	5,264.69	13.58	5,278.27	1,319.57
4"	25	8,226.08	13.58	8,239.66	2,059.92
6"	50	16,452.17	13.58	16,465.75	4,116.44
8"	90	29,613.91	13.58	29,627.48	7,406.87
TOTAL					

Combined Windsor West Hants Water Utility
Service Connections and Equivalents
2026/27

Meter Size	Capacity Ratio	Base Charge	Customer Charge	Total Base Charge	
				Annual	Quarterly
Unmetered	1	325.33	13.93	339.26	84.81
5/8"	1	325.33	13.93	339.26	84.81
3/4"	1.5	487.99	13.93	501.92	125.48
1"	2.5	813.32	13.93	827.25	206.81
1.5"	5	1,626.64	13.93	1,640.57	410.14
2"	8	2,602.62	13.93	2,616.55	654.14
3"	16	5,205.24	13.93	5,219.17	1,304.79
4"	25	8,133.18	13.93	8,147.11	2,036.78
6"	50	16,266.36	13.93	16,280.30	4,070.07
8"	90	29,279.45	13.93	29,293.39	7,323.35
TOTAL					

Worksheet C-6

24-Nov-23

Combined Windsor West Hants Water Utility Water Consumption by Block		
Meter Size	Actual Current Consumption	2023/24 Consumption
	1st Block Cubic Meters	1st Block Cubic Meters
Unmetered	0	0
5/8"	525,812	518,642
3/4"	26,680	26,680
1"	32,694	32,694
1.5"	30,080	30,080
2"	157,997	157,997
3"	27,066	27,066
4"	30,068	30,068
6"	0	0
8"	0	0
TOTAL	830,397	823,227

Combined Windsor West Hants Water Utility Water Consumption by Block		
Meter Size	2024/25 Current Consumption	2025/26 Consumption
	1st Block Cubic Meters	1st Block Cubic Meters
Unmetered	0	0
5/8"	513,501	508,449
3/4"	26,680	26,680
1"	32,694	32,694
1.5"	30,080	30,080
2"	157,997	157,997
3"	27,066	27,066
4"	30,068	30,068
6"	0	0
8"	0	0
TOTAL	818,086	813,034

Combined Windsor West Hants Water Utility Water Consumption by Block		
Meter Size	2026/27 Current Consumption	0 Consumption
	1st Block Cubic Meters	1st Block Cubic Meters
Unmetered	0	0
5/8"	503,365	0
3/4"	26,680	0
1"	32,694	0
1.5"	30,080	0
2"	157,997	0
3"	27,066	0
4"	30,068	0
6"	0	0
8"	0	0
TOTAL	807,949	0

Worksheet C-7

24-Nov-23

Combined Windsor West Hants Water Utility Calculation of Consumption Charge 2024/25	
NET PRODUCTION EXPENSE	BLOCK 1
<u>Total Charge Worksheet C-3</u> Quantity Worksheet C-6	1.39
NET DELIVERY EXPENSES	
<u>Total Charge Worksheet C-3</u> Quantity Worksheet C-6	1.25
TOTAL CONSUMPTION CHARGE PER 1000 Imp.Gallons	2.64

Combined Windsor West Hants Water Utility Calculation of Consumption Charge 2025/26	
NET PRODUCTION EXPENSE	BLOCK 1
<u>Total Charge Worksheet C-3</u> Quantity Worksheet C-6	1.46
NET DELIVERY EXPENSES	
<u>Total Charge Worksheet C-3</u> Quantity Worksheet C-6	1.30
TOTAL CONSUMPTION CHARGE PER 1000 Imp.Gallons	2.77

Combined Windsor West Hants Water Utility Calculation of Consumption Charge 2026/27	
NET PRODUCTION EXPENSE	BLOCK 1
<u>Total Charge Worksheet C-3</u> Quantity Worksheet C-6	1.59
NET DELIVERY EXPENSES	
<u>Total Charge Worksheet C-3</u> Quantity Worksheet C-6	1.41
TOTAL CONSUMPTION CHARGE PER 1000 Imp.Gallons	3.00

Worksheet C-8

24-Nov-23

Combined Windsor West Hants Water Utility
Water Consumption by Block
2024/25

BASE CHARGE

<u>Meter Size</u>	<u>Number</u>	<u>Base Rate</u>	<u>Dollar Revenue</u>
Unmetered	0	315.26	0
5/8"	3,847	315.26	1,212,813
3/4"	55	466.31	25,647
1"	48	768.40	36,883
1.5"	19	1,523.64	28,949
2"	35	2,429.92	85,047
3"	6	4,846.66	29,080
4"	4	7,565.51	30,262
6"	0	15,117.84	0
8"	0	27,201.58	0

TOTAL BASE REVENUE 1,448,681

CONSUMPTION CHARGE

	<u>Quantity</u>	<u>\$/ Cubic Meter</u>	
1st Block	818,086	2.64	2,162,639

TOTAL CONSUMPTION REVENUE 2,162,639

TOTAL OPERATING REVENUES FOR YEAR (BASE + CONSUMPTION) 3,611,320

Combined Windsor West Hants Water Utility
Water Consumption by Block
2025/26

BASE CHARGE

<u>Meter Size</u>	<u>Number</u>	<u>Base Rate</u>	<u>Dollar Revenue</u>
Unmetered	0	342.62	0
5/8"	3,862	342.62	1,323,197
3/4"	55	507.14	27,893
1"	48	836.18	40,137
1.5"	19	1,658.79	31,517
2"	35	2,645.92	92,607
3"	6	5,278.27	31,670
4"	4	8,239.66	32,959
6"	0	16,465.75	0
8"	0	29,627.48	0

TOTAL BASE REVENUE 1,579,980

CONSUMPTION CHARGE

	<u>Quantity</u>	<u>\$/ Cubic Meter</u>	
1st Block	813,034	2.77	2,251,776

TOTAL CONSUMPTION REVENUE 2,251,776

TOTAL OPERATING REVENUES FOR YEAR (BASE + CONSUMPTION) 3,831,756

Combined Windsor West Hants Water Utility
Water Consumption by Block
2026/27

BASE CHARGE

<u>Meter Size</u>	<u>Number</u>	<u>Base Rate</u>	<u>Dollar Revenue</u>
Unmetered	0	339.26	0
5/8"	3,877	339.26	1,315,307
3/4"	55	501.92	27,606
1"	48	827.25	39,708
1.5"	19	1,640.57	31,171
2"	35	2,616.55	91,579
3"	6	5,219.17	31,315
4"	4	8,147.11	32,588
6"	0	16,280.30	0
8"	0	29,293.39	0

TOTAL BASE REVENUE 1,569,274

CONSUMPTION CHARGE

	<u>Quantity</u>	<u>\$/ Cubic Meter</u>	
1st Block	807,949	3.00	2,422,309

TOTAL CONSUMPTION REVENUE 2,422,309

TOTAL OPERATING REVENUES FOR YEAR (BASE + CONSUMPTION) 3,991,583

Combined Windsor West Hants Water Utility
Calculation of Bulk Water Rate
Years Ending March 31st

	2023/24	2024/25	2025/26	2026/27
Cost Base				
Total Operating Expenses (Worksheet B-2)	4,085,425	4,163,373	4,315,584	4,448,551
Total Non Operating Expenses (Worksheet B-2)	795,591	1,215,902	1,463,579	1,393,540
Total Expenses	4,881,015	5,379,275	5,779,164	5,842,090
Water Consumption in Cubic Meters	823,227	818,086	813,034	807,949
Unit Calculations				
Unit cost per cubic metre	5.93	6.58	7.11	7.23
Operating cost and profit mark-up	30%	30%	30%	30%
Bulk rate per cubic metre	7.71	8.55	9.24	9.40

WEST HANTS UTILITY CUSTOMERS

Combined Windsor West Hants Water Utility
Comparison of Current Water Rates with Proposed New Rates
2024/25

Meter Size	Average Quarterly Consumption	Base Charge		Percent Change	Commodity Charge		Percent Change	Quarterly Water Bill		Percent Change
	1st Block	Current	Proposed		Current	Proposed		Current	Proposed	
Unmetered										
5/8"	32	62.25	78.82	26.6%	78.40	84.59	7.9%	140.65	163.41	16.2%
3/4"	65	92.42	116.58	26.1%	159.25	171.83	7.9%	251.67	288.41	14.6%
1"	167	152.74	192.10	25.8%	409.15	441.47	7.9%	561.89	633.57	12.8%
1.5"	335	303.56	380.91	25.5%	820.75	885.58	7.9%	1,124.31	1,266.49	12.6%
2"	567	484.53	607.48	25.4%	1,389.15	1,498.88	7.9%	1,873.68	2,106.36	12.4%
3"	2,061	967.14	1,211.67	25.3%	5,049.45	5,448.33	7.9%	6,016.59	6,659.99	10.7%
4"	459	1,510.07	1,891.38	25.3%	1,124.55	1,213.38	7.9%	2,634.62	3,104.76	17.8%
6"	-	3,018.20	3,779.46	0.0%	-	-				0.0%

WINDSOR UTILITY CUSTOMERS

Combined Windsor West Hants Water Utility
Comparison of Current Water Rates with Proposed New Rates
2024/25

Meter Size	Average Quarterly Consumption	Base Charge		Percent Change	Commodity Charge		Percent Change	Quarterly Water Bill		Percent Change
	1st Block	Current	Proposed		Current	Proposed		Current	Proposed	
Unmetered										
5/8"	38	69.75	78.82	13.0%	55.40	99.62	79.8%	125.15	178.44	42.6%
3/4"	131	102.00	116.58	14.3%	192.41	346.02	79.8%	294.41	462.60	57.1%
1"	172	166.51	192.10	15.4%	252.58	454.23	79.8%	419.09	646.33	54.2%
1.5"	423	327.78	380.91	16.2%	622.12	1,118.77	79.8%	949.90	1,499.68	57.9%
2"	1,245	521.30	607.48	16.5%	1,829.81	3,290.60	79.8%	2,351.11	3,898.08	65.8%
3"	194	1,037.36	1,211.67	16.8%	285.38	513.21	79.8%	1,322.74	1,724.88	30.4%
4"	3,300	1,617.93	1,891.38	16.9%	4,850.32	8,722.44	79.8%	6,468.25	10,613.81	64.1%
6"	-	3,230.61		0.0%	-	-				0.0%

Combined Windsor West Hants Water Utility
Comparison of Current Water Rates with Proposed New Rates
2025/26

Meter Size	Average Quarterly Consumption	Base Charge		Percent Change	Commodity Charge		Percent Change	Quarterly Water Bill		Percent Change
	1st Block	Current	Proposed		Current	Proposed		Current	Proposed	
Unmetered										
5/8"	33	78.82	85.65	8.7%	99.62	92.42	-7.2%	178.44	178.08	-0.2%
3/4"	121	116.58	126.79	8.8%	346.02	335.88	-2.9%	462.60	462.67	0.0%
1"	170	192.10	209.05	8.8%	454.23	471.61	3.8%	646.33	680.65	5.3%
1.5"	396	380.91	414.70	8.9%	1,118.77	1,096.17	-2.0%	1,499.68	1,510.87	0.7%
2"	1,129	607.48	661.48	8.9%	3,290.60	3,125.64	-5.0%	3,898.08	3,787.12	-2.8%
3"	1,128	1,211.67	1,319.57	8.9%	513.21	3,123.36	508.6%	1,724.88	4,442.93	157.6%
4"	1,879	1,891.38	2,059.92	8.9%	8,722.44	5,204.72	-40.3%	10,613.81	7,264.64	-31.6%
6"	-	-			-					

Combined Windsor West Hants Water Utility
Comparison of Current Water Rates with Proposed New Rates
2026/27

Meter Size	Average Quarterly Consumption	Base Charge		Percent Change	Commodity Charge		Percent Change	Quarterly Water Bill		Percent Change
	1st Block	Current	Proposed		Current	Proposed		Current	Proposed	
Unmetered										
5/8"	32	85.65	84.81	-1.0%	92.42	97.31	5.3%	178.08	182.13	2.3%
3/4"	121	126.79	125.48	-1.0%	335.88	363.59	8.3%	462.67	489.07	5.7%
1"	170	209.05	206.81	-1.1%	471.61	510.51	8.3%	680.65	717.33	5.4%
1.5"	396	414.70	410.14	-1.1%	1,096.17	1,186.60	8.3%	1,510.87	1,596.75	5.7%
2"	1,129	661.48	654.14	-1.1%	3,125.64	3,383.51	8.3%	3,787.12	4,037.64	6.6%
3"	1,128	1,319.57	1,304.79	-1.1%	3,123.36	3,381.05	8.3%	4,442.93	4,685.84	5.5%
4"	1,879	2,059.92	2,036.78	-1.1%	5,204.72	5,634.12	8.3%	7,264.64	7,670.90	5.6%
6"										

DRAFT

Worksheet D-2

24-Nov-23

Combined Windsor West Hants Water Utility
Comparative Statement of Operations

Fiscal Years ending March 31st

	2023/24 (Projected)	Projection Using Proposed Rates		
		2024/25 Test Yr 2	2025/26 Test Yr 3	2026/27 Test Yr 3
OPERATING REVENUES				
Metered Sales	2,882,969	3,611,320	3,831,756	3,991,583
Metered Sales to Other Utilities	250,000			
Public Fire Protection - Windsor	319,208			
Public Fire Protection from West Hants	155,095			
Public Fire Protection-West Hants	595,789	1,548,447	1,722,641	1,753,569
Sundry	9,695	9,828	9,958	12,945
Sprinkler Service	8,142	8,281	8,349	8,416
Commercial	2,033	2,094	2,157	2,222
Bulk Water Service	161,727	166,579	171,576	176,723
Total	4,384,658	5,346,548	5,746,437	5,945,458
OPERATING EXPENDITURES				
Source of Supply	289,800	20,394	21,006	21,636
Water Treatment	1,001,742	1,036,197	1,067,283	1,099,301
Transmission and Distribution	1,339,222	1,379,844	1,421,239	1,463,876
Administration and General	567,812	587,311	607,766	625,999
Depreciation	814,831	1,065,450	1,121,887	1,159,042
Taxes	72,018	74,178	76,404	78,696
Total	4,085,425	4,163,373	4,315,584	4,448,551
OPERATING PROFIT (LOSS)	299,233	1,183,175	1,430,852	1,496,907
NON-OPERATING REVENUES				
Interest on Customer Accounts	7,432	7,655	7,655	7,884
Interest	2,459	2,533	2,533	2,609
Special Service	17,661	18,191	18,191	18,737
Other	721	743	743	765
Bank Interest	3,500	3,605	3,605	3,713
Total	31,773	32,727	32,727	33,708
NON-OPERATING EXPENDITURES				
Debt Charges - Principal	206,177	107,582	254,162	78,269
Debt Charges - Interest	33,661	29,448	22,946	17,053
New Debt - Principal	148,966	157,904	167,378	177,420
New Debt - Interest	328,787	319,849	310,375	300,332
New Debt - Principal	0	159,993	169,593	179,768
New Debt - Interest	0	353,126	343,527	333,351
New Debt - Principal	0	0	39,786	42,173
New Debt - Interest	0	0	87,813	85,426
New Debt - Principal	0	0	0	87,813
New Debt - Interest	0	0	0	23,933
Interest Paid on consumer deposits	20,000	10,000	10,000	10,000
Capital out of Revenue	58,000	78,000	58,000	58,000
Earnings	0	0	0	0
Total	795,591	1,215,902	1,463,579	1,393,540
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	-464,584	0	0	137,076
SURPLUS AT BEGINNING OF YEAR	1,419,776	655,192	205,192	205,192
CAPITAL FROM SURPLUS	300,000	450,000	0	0
ACCUMULATED SURPLUS (DEFICIT)	655,192	205,192	205,192	342,267

Appendix 1

Loan Calculator Long Term Debt 2023/24

Interest Rate	6.0%
Term in years	20
Capital \$	5,479,787

Payment Schedule

Year	Principal	Interest	Total	Balance
1	\$148,965.58	328,787.22	477,752.80	5,330,821.42
2	\$157,903.52	319,849.29	477,752.80	5,172,917.90
3	\$167,377.73	310,375.07	477,752.80	5,005,540.17
4	\$177,420.39	300,332.41	477,752.80	4,828,119.78
5	\$188,065.62	289,687.19	477,752.80	4,640,054.17
6	\$199,349.55	278,403.25	477,752.80	4,440,704.61
7	\$211,310.53	266,442.28	477,752.80	4,229,394.09
8	\$223,989.16	253,763.65	477,752.80	4,005,404.93
9	\$237,428.51	240,324.30	477,752.80	3,767,976.43
10	\$251,674.22	226,078.59	477,752.80	3,516,302.21
11	\$266,774.67	210,978.13	477,752.80	3,249,527.54
12	\$282,781.15	194,971.65	477,752.80	2,966,746.39
13	\$299,748.02	178,004.78	477,752.80	2,666,998.37
14	\$317,732.90	160,019.90	477,752.80	2,349,265.47
15	\$336,796.87	140,955.93	477,752.80	2,012,468.60
16	\$357,004.69	120,748.12	477,752.80	1,655,463.92
17	\$378,424.97	99,327.83	477,752.80	1,277,038.95
18	\$401,130.47	76,622.34	477,752.80	875,908.48
19	\$425,198.29	52,554.51	477,752.80	450,710.19
20	\$450,710.19	27,042.61	477,752.80	(0.00)

Loan Calculator Long Term Debt 2024/25

Interest Rate	6.0%
Term in years	20
Capital \$	5,885,440

Payment Schedule for Capital Works

Year	Principal	Interest	Total	Balance
1	\$159,993.08	\$353,126.40	513,119.48	5,725,446.92
2	\$169,592.66	\$343,526.82	513,119.48	5,555,854.26
3	\$179,768.22	\$333,351.26	513,119.48	5,376,086.03
4	\$190,554.32	\$322,565.16	513,119.48	5,185,531.72
5	\$201,987.58	\$311,131.90	513,119.48	4,983,544.14
6	\$214,106.83	\$299,012.65	513,119.48	4,769,437.31
7	\$226,953.24	\$286,166.24	513,119.48	4,542,484.07
8	\$240,570.43	\$272,549.04	513,119.48	4,301,913.63
9	\$255,004.66	\$258,114.82	513,119.48	4,046,908.97
10	\$270,304.94	\$242,814.54	513,119.48	3,776,604.03
11	\$286,523.24	\$226,596.24	513,119.48	3,490,080.80
12	\$303,714.63	\$209,404.85	513,119.48	3,186,366.17
13	\$321,937.51	\$191,181.97	513,119.48	2,864,428.66
14	\$341,258.76	\$171,865.72	513,119.48	2,523,174.90
15	\$361,728.99	\$151,390.49	513,119.48	2,161,445.91
16	\$383,432.72	\$129,686.75	513,119.48	1,778,013.19
17	\$406,438.69	\$106,680.79	513,119.48	1,371,574.50
18	\$430,825.01	\$82,294.47	513,119.48	940,749.49
19	\$456,674.51	\$56,444.97	513,119.48	484,074.98
20	\$484,074.98	\$29,044.50	513,119.48	(0.00)

Loan Calculator
Long Term Debt
2025/26

Interest Rate **6.0%**
Term in years **20**
Capital \$ **1,463,550**

Payment Schedule for Capital Works

Year	Principal	Interest	Total	Balance
1	\$39,785.96	\$87,813.00	127,598.96	1,423,764.04
2	\$42,173.12	\$85,425.84	127,598.96	1,381,590.93
3	\$44,703.50	\$82,895.46	127,598.96	1,336,887.42
4	\$47,385.71	\$80,213.25	127,598.96	1,289,501.71
5	\$50,228.86	\$77,370.10	127,598.96	1,239,272.85
6	\$53,242.59	\$74,356.37	127,598.96	1,186,030.27
7	\$56,437.14	\$71,161.82	127,598.96	1,129,593.12
8	\$59,823.37	\$67,775.59	127,598.96	1,069,769.75
9	\$63,412.77	\$64,186.19	127,598.96	1,006,356.98
10	\$67,217.54	\$60,381.42	127,598.96	939,139.44
11	\$71,250.59	\$56,348.37	127,598.96	867,888.85
12	\$75,525.63	\$52,073.33	127,598.96	792,363.22
13	\$80,057.17	\$47,541.79	127,598.96	712,306.06
14	\$84,860.59	\$42,738.36	127,598.96	627,445.46
15	\$89,952.23	\$37,646.73	127,598.96	537,493.23
16	\$95,349.36	\$32,249.59	127,598.96	442,143.87
17	\$101,070.33	\$26,528.63	127,598.96	341,073.54
18	\$107,134.55	\$20,464.41	127,598.96	233,938.99
19	\$113,562.62	\$14,036.34	127,598.96	120,376.38
20	\$120,376.38	\$7,222.58	127,598.96	-

Loan Calculator
Long Term Debt
2026/27

Interest Rate **6.0%**
Term in years **20**
Capital \$ **880,400**

Payment Schedule for Capital Works

Year	Principal	Interest	Total	Balance
1	\$23,933.28	\$87,813.00	111,746.28	856,466.72
2	\$42,173.12	\$85,425.84	127,598.96	814,293.60
3	\$44,703.50	\$82,895.46	127,598.96	769,590.10
4	\$47,385.71	\$80,213.25	127,598.96	722,204.38
5	\$50,228.86	\$77,370.10	127,598.96	671,975.53
6	\$53,242.59	\$74,356.37	127,598.96	618,732.94
7	\$56,437.14	\$71,161.82	127,598.96	562,295.80
8	\$59,823.37	\$67,775.59	127,598.96	502,472.43
9	\$63,412.77	\$64,186.19	127,598.96	439,059.66
10	\$67,217.54	\$60,381.42	127,598.96	371,842.12
11	\$71,250.59	\$56,348.37	127,598.96	300,591.52
12	\$75,525.63	\$52,073.33	127,598.96	225,065.90
13	\$80,057.17	\$47,541.79	127,598.96	145,008.73
14	\$84,860.59	\$42,738.36	127,598.96	60,148.14
15	\$89,952.23	\$37,646.73	127,598.96	(29,804.09)
16	\$95,349.36	\$32,249.59	127,598.96	(125,153.46)
17	\$101,070.33	\$26,528.63	127,598.96	(226,223.79)
18	\$107,134.55	\$20,464.41	127,598.96	(333,358.33)
19	\$113,562.62	\$14,036.34	127,598.96	(446,920.95)
20	\$120,376.38	\$7,222.58	127,598.96	(567,297.33)



Committee of the Whole Excerpts
November 14, 2023

WATER UTILITIES – 3 YEAR ACTUALS & BUDGET EXCERPT

At the October 24, 2023 Council meeting Audited Financial results were presented to Council for review and approval. The Windsor Water Utility was flagged as showing a deficit of \$425,784 and the West Hants Water Utility's fiscal year results shows a surplus of \$340,526, which is \$528,444 higher than the budgeted deficit of \$187,918."

Detailed actuals and budget comparison would enable a better understanding of the cause of the deficits or surpluses in actuals and budget. The information would assist with future decisions related to the Municipality's water utilities.

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

COUNCIL DIRECT THE CAO TO ENGAGE STAFF AS APPROPRIATE TO PROVIDE COUNCIL WITH A 3-YEAR DETAILED FINANCIAL SUMMARY FOR THE WINDSOR AND WEST HANTS WATER UTILITIES TO INCLUDE ACTUAL REVENUES AND EXPENSES AS WELL AS BUDGETED REVENUES AND EXPENSES.



Town Hall

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation	Decision Request	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: November 14, 2023, 2023

Subject: **WHRM Report Information Request - Water Utilities – 3 Year Actuals & Budget**

LEGISLATIVE AUTHORITY

MGA 30 (1) (2) (3) (4)

RECOMMENDATION or DECISION REQUEST

Council direct the CAO to engage staff as appropriate to provide Council with a 3-year detailed financial summary for the Windsor and West Hants Water Utilities to include actual revenues and expenses as well as budgeted revenues and expenses.

BACKGROUND

At the October 24, 2023 Council meeting the Audited Financial results were presented to Council for review and approval.

Two key notes from the auditor's report highlighted:

- "The Windsor Water Utility was flagged as showing a deficit of \$425,784. Not alarming but if this trend continues, a rate review and/or consolidation with the West Hants Water Utility should be considered.
- West Hants Water Utility's fiscal year results shows a surplus of \$340,526, which is \$528,444 higher than the budgeted deficit of \$187,918."

While an explanation was ultimately provided for the \$425.8K shortfall of the Windsor water utility; it was a 'budget-to-actual variance' identification and not an actual identification of the root cause contributing to the deficit not just on the budget but the year over year actual. It has not been explained what the underlying line item was that was driving the shortfall.

Similarly with the West Hants Water Utility, we don't know the underlying line item contributing to the surplus on the \$340.5K over the budgeted deficit of \$188K.

Property	Public Opinion ✓	Environment ☐	Social ☐	Economic ☐	Councillor Activity ✓
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DISCUSSION

The question on this item is not to suggest that something has been done incorrectly. It is solely to better understand which line items are moving to cause the shift seen in the aggregated revenue and expense lines.

As a singular example within the Windsor Water Utility, “revenue from water rates” represents 50% of the utilities revenues (\$1.165M). These revenues were 15% below actuals in the prior year and 32% below budget. Why did the revenues on this line item decline compared to actuals (-\$137K) and fail to achieve a budgeted increase of 25% (370K) with neither a rate increase nor a reduction?

NON-CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES OF THE WINDSOR WATER UTILITY OPERATING FUND

YEAR ENDED MARCH 31, 2023

	2023 Budget	2023 Actual	2022 Actual
OPERATING REVENUE			
Revenue from water rates	\$ 1,165,900	\$ 798,374	\$ 933,136
Flat rate sales	459,000	465,140	457,455
Water supply for fire protection	476,241	474,303	474,303
Sprinkler service	7,548	5,728	10,504
Interest	9,354	5,741	6,849
Other	6,189	5,400	8,900
	<u>2,124,232</u>	<u>1,754,686</u>	<u>1,891,147</u>
OPERATING EXPENDITURES			
Source of supply	7,000	12,742	9,857
Water treatment	466,200	544,119	422,094
Transmission and distribution	430,350	450,832	435,256
Administration and general	266,683	315,818	196,724
Taxes	29,478	45,647	28,560
Depreciation	249,469	249,007	262,550
	<u>1,449,180</u>	<u>1,618,165</u>	<u>1,355,041</u>
NET OPERATING REVENUE (EXPENDITURES)	<u>675,052</u>	<u>136,521</u>	<u>536,106</u>
NON-OPERATING EXPENDITURES			
Capital expenditures out of revenue	-	17,922	26,820
Debt service principal	525,143	512,538	197,933
Interest repayment	31,845	31,845	45,338
	<u>556,988</u>	<u>562,305</u>	<u>270,091</u>
Change in fund balance	<u>\$ 118,064</u>	<u>(425,784)</u>	<u>266,015</u>
Opening fund balance		<u>1,187,213</u>	<u>921,198</u>
Closing fund balance		<u>\$ 761,429</u>	<u>\$ 1,187,213</u>

Revenue from Water Rates is made up of the following line items:

Budgeted Detail Revenue from Water Rates	Budget
(Windsor Water Utility)	2022-23
Revenue from Water Rates	\$ 688,500
Three Mile Plains Water Utility	\$ 294,700
Wentworth Water Utility	\$ 5,000
Dill Road Utility	\$ 52,000
West Hants- Underwood Meter	\$ 1,000
West Hants Service Charge	\$ 124,700
Total Operating Revenues	\$ 1,165,900

Without the detailed actuals and the budget comparison it is difficult to know the cause of the shortfalls or surpluses in actuals and budget. It would be helpful to know this information to assist with future decisions related to the Municipality's water utilities.

NEXT STEPS

Council to direct staff as noted in the motion or propose an alternative direction.

FINANCIAL IMPLICATIONS

Staff time to prepare the report.

ALTERNATIVES

To be determined

ATTACHMENTS:

(Original Information Report from Sept Council Meeting)

CHIEF ADMINISTRATIVE OFFICER REVIEW

The questions raised by Councillor Ivey are more than reasonable and should be answered. I will forward this report to senior staff prior to the November COTW meeting so that they can prepare and provide Council with expanded answers to the questions asked in October and highlighted in the report. Pending the discussion with Council regarding this subject and the outcome of the recommendation further follow-up will be provided as directed by Council.

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

Report Reviewed by:



Mark Phillips, Chief Administrative Officer



Committee of the Whole Excerpts
November 14, 2023

WINDSOR ELEMENTARY SCHOOL FUNDING EXCERPT

Correspondence was received from a resident advising Council the rear play structure at Windsor Elementary School was no longer considered safe and was condemned.

The request was to provide some form of assistance (partnership, expertise, and financial assistance) to the Windsor Elementary Home and School Committee to bring a new structure to the community of Windsor.

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

COUNCIL REQUESTS STAFF REACH OUT TO THE WINDSOR ELEMENTARY SCHOOL HOME AND SCHOOL ASSOCIATION COMMITTEE AND OFFER ANY EXPERTISE, EXPERIENCE, AND ADVICE THEY CAN WITH THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT.

COUNCIL AUTHORIZE THE AMOUNT OF \$25,000.00 TO GO TOWARDS THE PURCHASE OF, AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR WINDSOR ELEMENTARY HOME AND SCHOOL COMMITTEE FOR THE FUNDS TO COME FROM THE CANADA COMMUNITY BUILD FUND (CCBF).

From: Ian Daniels

Date: November 13, 2023 at 5:53:50 PM AST

To: Abraham Zebian <AZebian@westhants.ca>, Laurie Murley <lmurley@westhants.ca>, Jim Ivey <jivey@westhants.ca>, Kathy Kehoe <kkehoe@westhants.ca>, VanEssa Roberts <vanessa@westhants.ca>, melissa.mlaoffice@gmail.com, Kathy Johnston <kjohnston@westhants.ca>

Subject: Windsor Elementary School

Caution [External Email]

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

Good day,

I have just learned the rear play structure at Windsor Elementary School is no longer considered safe and has been condemned. I would like to share with all of you my thoughts and concerns with respect to the loss of the structure.

Background: I grew up on Albert Street and went to Windsor Elementary when it was brand new. I enjoyed playing on that very structure. My wife and I decided to move "home" to Windsor from Bedford last Fall with our three children (all three of our children currently attend WES). They have loved the old playground as I did and are very sad to see it go.

Concern: Without immediate support from local government, organizations, and community members the students of WES will likely not have a new play structure to use for physical activities for many years. This is a far bigger problem than most people realize.

Thoughts: I am sure every single person on this email agrees that physical activity, especially when young, is incredibly important for health, growth, and development of residents. The idea that this structure stood for over 30 years and a replacement is not in planning is truly unfortunate.

My wife, Hayley Daniels (a former high school teacher at Avon View who has spent the last decade as a marketing and communications director in the construction sector), has joined the WES Home and School Committee in an effort to utilize her marketing and communications skills to assist in fundraising efforts. She has reached out a number of times to the Windsor Township Business Association and municipality with really great partnership proposals that would fundraise for the playground and be a marketing opportunity for the local business community. Her ideas are great, but nobody is ever interested in helping in any way.

From the municipality's development pages there are currently enough residential projects in various levels of approval to bring hundreds of new residents to Windsor. Within the catchment area of WES. The only other public play structures are the small one on Burgess and the very old (and very marshy) aquatic center playground. The "red rocket" structure was in place when I was a child here in the early 90s. The WES playground is utilized significantly by the community outside of school hours. Our community needs this playground and we need help paying for it.

Call to Action: Please provide assistance to the Windsor Elementary Home and School Committee. They are working very hard to bring a new structure to the community and deserve our support at all levels. The economic situation in the Windsor area doesn't allow for parents being continually asked to support endless small fundraisers. This community needs help raising the funds needed to make this project happen. It's not just on the current parent community at the school, it should be on the entire community to help make this happen for our children. They're important and we owe this to them.

Sincerely,

Ian Daniels

of King Street, Windsor
Lieutenant Commander
Royal Canadian Navy

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Danny	Dill	2020-06-30	2020-07-14 COTW
Quentin	Davison	2020-07-06	2020-07-14 COTW
Alyson	Bremner	2020-07-07	2020-07-14 COTW
Cecil	Rolfe	2020-07-13	2020-07-14 COTW
Pat	Porter	2020-07-13	2020-07-14 COTW
Nikki-Marie	Lloyd	2020-08-02	2020-09-08 COTW
Heather	Boylan (Martock)	2020-09-01	2020-09-08 COTW
Greg	O'Leary	2020-09-03	2020-09-08 COTW
Dr. Abby	Kirumira	2020-09-02	2020-09-08 COTW
Dean	Manning	2020-09-08	2020-09-08 COTW
David & Michelle	Rideout	2020-09-08	2020-09-08 COTW
Colleen	Walsh-Bouman	2020-09-08	2020-09-08 COTW
Nicholas & Alyson	Juurlink/Bremner (Linked Farms)	2020-09-08	2020-09-22 Council
Tasha	Rogers	2020-09-08	2020-09-22 Council
Brad	Carrigan	2020-09-23	2020-10-13 COTW
Karen	Carrigan	2020-09-23	2020-10-13 COTW
Elaine	Morehouse	2020-09-24	2020-10-13 COTW
Gary	Morehouse	2020-09-24	2020-10-13 COTW
Dr. A	Kirumira	2020-09-24	2020-10-13 COTW
Blake	Sarsfield	undated	2020-10-13 COTW
Greg	Webster	2020-10-01	2020-10-13 COTW
Bobby	Kidston	2020-10-02	2020-10-13 COTW
NSTIR	(Province of NS)	2021-01-13	2021-01-26 Council
Darren	Porter	2021-03-19	2021-03-23 Council
Rylan	Carrigan	2021-03-29	2021-04-13 COTW
Robin	Bremner-Popma (Hants Co Fed of Agri)	2021-03-29	2021-04-13 COTW
Roslyn	MacDuff	2021-03-29	2021-04-13 COTW
Darlene	Taylor	2021-03-23	2021-04-13 COTW
Daniel	Oulton	2021-03-26	2021-04-13 COTW
Karen	Carrigan	2021-03-26	2021-04-13 COTW
Marie & Andrew	Connolly	2021-03-26	2021-04-13 COTW
Robin	Thomson (Atlantic Division Canoe Kayak Canada)	2021-03-30	2021-04-13 COTW
Barbara	Hughes	2021-03-29	2021-04-13 COTW
Laura	Fisher	2021-04-01	2021-04-13 COTW

Avon River Causeway Correspondence
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<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Nikki-Marie	Lloyd	2021-04-06	2021-04-13 COTW
Ken	Donnelly (Hwy 101 Twinning CLC)	2021-04-01	2021-04-13 COTW
Darren	Porter	2021-04-06	2021-04-13 COTW
Karen	Lynch	2021-04-09	2021-04-13 COTW
Carilee	Eddy	2021-04-15	2021-04-27 Council
Nikki-Marie	Lloyd	2021-04-19	2021-04-27 Council
Sheldon	Hope	2021-04-19	2021-04-27 Council
Adrienne	Wood	2021-04-22	2021-04-27 Council
Magda	Montgomery	2021-04-22	2021-04-27 Council
Sheldon	Hope	2021-04-26	2021-04-27 Council
Andrew	Smiley	2021-05-02	2021-05-11 COTW
Carrilee	Eddy	2021-05-03	2021-05-11 COTW
Denise	Forand	2021-04-27	2021-05-11 COTW
Erin	Naugler	2021-05-02	2021-05-11 COTW
Janet	Comeau	2021-05-02	2021-05-11 COTW
Kristyn	Anderson	2021-05-02	2021-05-11 COTW
Laura	Fisher	2021-04-01	2021-05-11 COTW
Nick	Rafuse	2021-05-03	2021-05-11 COTW
Nicole	McLeod	2021-05-02	2021-05-11 COTW
Robyn	Cook	2021-05-02	2021-05-11 COTW
Sheldon	Hope	2021-05-02	2021-05-11 COTW
Tammy	Hilden	2021-05-02	2021-05-11 COTW
Tracey	Sexton	2021-05-03	2021-05-11 COTW
Ginette	Pitcher	2021-05-03	2021-05-11 COTW
Greg	Miller	2021-05-05	2021-05-11 COTW
David & Michelle	Rideout	2021-05-05	2021-05-11 COTW
Sylvia & Vince	Burgess	2021-05-05	2021-05-11 COTW
Scott (Adrienne)	Miniau (Wood)	2021-05-03	2021-05-11 COTW
Barbara	Sullivan	2021-05-06	2021-05-11 COTW
Sandra & Skip	Hogan	2021-05-06	2021-05-11 COTW
Marie & Andrew	Connolly	2021-05-06	2021-05-11 COTW
Karen	Carrigan	2021-05-07	2021-05-11 COTW
Adrienne	Wood (Petition)	2021-05-07	2021-05-11 COTW
Lisa	Hines	2021-05-07	2021-05-11 COTW

Avon River Causeway Correspondence
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<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Cam	Hartley	2021-05-07	2021-05-11 COTW
Troy & Vicki	Harvie	2021-05-07	2021-05-11 COTW
Jenn	McDermott	2021-05-08	2021-05-11 COTW
Jennifer	Daniels	2021-05-09	2021-05-11 COTW
Krista & Colin	Duncan	2021-05-09	2021-05-11 COTW
Robin	Bremner-Popma	2021-05-07	2021-05-11 COTW
Roslyn (Darlene) [Barb]	MacDuff (Taylor) [Hughes]	2021-05-08	2021-05-11 COTW
Wayne & Dianne	Hines	2021-05-09	2021-05-11 COTW
Bob & Sandra	Langdon	2021-05-10	2021-05-11 COTW
Brad	Hood	2021-05-10	2021-05-11 COTW
Ed & Cathy	Kerr	2021-05-10	2021-05-11 COTW
Ann	MacArthur	2021-05-10	2021-05-11 COTW
Carole Anne	Casey	2021-05-10	2021-05-11 COTW
Sarah	MacDonald	2021-05-10	2021-05-11 COTW
Andre & Donna	Arsenault	2021-05-11	2021-05-11 COTW
Aaron	Leblanc	2021-05-12	2021-05-25 Council
Adrian	Rooney	2021-05-19	2021-05-25 Council
Adrienne	Wood	2021-05-12	2021-05-25 Council
Barb	Sullivan	2021-05-16	2021-05-25 Council
Barbara	Beck	2021-05-15	2021-05-25 Council
Bethany	Rozee	2021-05-12	2021-05-25 Council
Carl	Siler	2021-05-12	2021-05-25 Council
Carol	Bradley	2021-05-16	2021-05-25 Council
Carol	McKinley	2021-05-12	2021-05-25 Council
Chad	Pothier	2021-05-18	2021-05-25 Council
Chris	Cann	2021-05-21	2021-05-25 Council
Connie	Shay	2021-05-15	2021-05-25 Council
Conrad	Mullins	2021-05-18	2021-05-25 Council
Darlene	Taylor	2021-05-15	2021-05-25 Council
Darren	Porter	2021-05-12	2021-05-25 Council
Darren	Woods	2021-05-13	2021-05-25 Council
Dawson	Sheehy	2021-05-16	2021-05-25 Council
Deanna	Hamilton	2021-05-15	2021-05-25 Council
Debbie	Porter-Wood	2021-05-13	2021-05-25 Council
Debbie	Siler	2021-05-15	2021-05-25 Council
Denise	Forand	2021-05-13	2021-05-25 Council

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Devan	Archibald	2021-05-18	2021-05-25 Council
Diane	Ogilvie	2021-05-13	2021-05-25 Council
Erin	Naugler	2021-05-13	2021-05-25 Council
Ernest	Eddy	2021-05-15	2021-05-25 Council
Gerry	Young	2021-05-15	2021-05-25 Council
Gina	Cochrane	2021-05-12	2021-05-25 Council
Harry	Ullock	2021-05-15	2021-05-25 Council
Hope	Moon	2021-05-12	2021-05-25 Council
Ian	Shaw	2021-05-16	2021-05-25 Council
J	Davis (and J Griffith)	2021-05-17	2021-05-25 Council
Jacqueline	Farvacque	2021-05-12	2021-05-25 Council
Jayne	Murray	2021-05-16	2021-05-25 Council
Jeff	Redden	2021-05-17	2021-05-25 Council
Jennifer	Shaw	2021-05-16	2021-05-25 Council
Jocelyne	Marchand	2021-05-12	2021-05-25 Council
John & Sarah	Monette	2021-05-19	2021-05-25 Council
Jordan	Macumber	2021-05-12	2021-05-25 Council
Josette	Dugue	2021-05-12	2021-05-25 Council
Judy	Lynch	2021-05-13	2021-05-25 Council
June	Pedersen-LaPierre	2021-05-15	2021-05-25 Council
Justin	Cochrane	2021-05-12	2021-05-25 Council
Karen	Lynch	2021-05-18	2021-05-25 Council
Kathryn	Bergeron	2021-05-16	2021-05-25 Council
Kathy	Veinot	2021-05-15	2021-05-25 Council
Kyle	Pellegrini	2021-05-12	2021-05-25 Council
Lachlan	Riehl	2021-05-12	2021-05-25 Council
Laura	Stewart	2021-05-19	2021-05-25 Council
Lee	Billington	2021-05-12	2021-05-25 Council
Lee	Millett	2021-05-12	2021-05-25 Council
Lexie	Barkhouse	2021-05-12	2021-05-25 Council
Linda	Card	2021-05-11	2021-05-25 Council
Monique	Wood	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-18	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-12	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-17	2021-05-25 Council

Avon River Causeway Correspondence
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
Olena	Kharytonova	2021-05-15	2021-05-25 Council
Pat	Porter	2021-05-12	2021-05-25 Council
Paula	Lake	2021-05-12	2021-05-25 Council
Robert	Bowkett	2021-05-18	2021-05-25 Council
Roslyn	MacDuff	2021-05-15	2021-05-25 Council
Ruth	Angevine	2021-05-13	2021-05-25 Council
Scotch Village	Farm	2021-05-19	2021-05-25 Council
Shirley	Pineo	2021-05-12	2021-05-25 Council
Stephen	Brooks	2021-05-12	2021-05-25 Council
Trudy	Sheehy	2021-05-17	2021-05-25 Council
Steven	Bouman	2021-05-17	2021-05-25 Council
Sue	Sheehy	2021-05-14	2021-05-25 Council
Susie	Smith	2021-05-12	2021-05-25 Council
Tasha	Rogers	2021-05-12	2021-05-25 Council
Tera	Brommit	2021-05-17	2021-05-25 Council
Toni-Lee	Burns	2021-05-12	2021-05-25 Council
Tony	Wood	2021-05-18	2021-05-25 Council
Tracey	Sexton	2021-05-16	2021-05-25 Council
Trevor	Levy	2021-05-12	2021-05-25 Council
Tricia	Brommit	2021-05-17	2021-05-25 Council
Vince & Sylvia	Burgess	2021-05-16	2021-05-25 Council
Loretta	MacEachern	2021-05-20	2021-05-25 Council
Tim & Jennifer	Bayers	2021-05-21	2021-05-25 Council
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darren	Porter (forwarded email from/to another source)	2021-05-27	2021-06-08 COTW
Dawn	Allen	2021-05-25	2021-06-08 COTW
John	Monette	2021-05-25	2021-06-08 COTW
Richard	Dunham	2021-05-25	2021-06-08 COTW
Carrilee	Eddy	2021-06-06	2021-06-22 Council
Darlene	Taylor	2021-06-09	2021-06-22 Council
Darren	Porter	2021-06-06	2021-06-22 Council
Lisa	Bland	2021-06-08	2021-06-22 Council
Krista & Scott	Lloy	2021-06-07	2021-06-22 Council
Nancy	Sheehy	2021-06-06	2021-06-22 Council
Karen	Beazley	2021-07-06	2021-07-13 COTW

Avon River Causeway Correspondence
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<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
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

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

[illegible]

Correspondence Received

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
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 Sanford	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	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
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 Balser, 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
Hants Health and Wellness Team	Re Transportation Options and Municipal Staff to undertake a Feasibility Study	2023-09-28	2023-10-10 COTW
Sherry Williams	Re Concern for Kings Meadows Closing (WHRM copied)	2023-09-29	2023-10-10 COTW
Peter Moore	Re CBC, below sea-level	2023-09-30	2023-10-10 COTW
Denise Forand x2	Re CBCL	2023-10-04	2023-10-10 COTW
Peter Moore	Re Weather	2023-10-05	2023-10-10 COTW
Peter Moore	Re A Study or Plan and why it matters	2023-10	2023-10-24 Council
NS Public Works	Response to Reimagine the Windsor and Falmouth Waterfront area	2023-10-11	2023-10-24 Council
Shelburne Counties	To NSFMR Re Cellular Coverage (WHRM copied)	2023-10-11	2023-10-24 Council
Glen LeBlanc	Re Poor Cellular Service	2023-10-13	2023-10-24 Council
Letter mailed to WHRM	Re 35 William Street Developer	2023-10-16	2023-10-24 Council
Response from Maria Medioli	Re King's Meadows (WHRM copied)	2023-10-17	2023-10-24 Council

Correspondence Received

King's Meadows Residence	Re Non Profit Options	2023-10-25	2023-11-14 COTW
Premier Tim Houston	Re Future Energy Security for NS letter to Councillor	2023-10-25	2023-11-14 COTW
Premier Tim Houston	Re YourHealthNS app	2023-11-02	2023-11-14 COTW
Sheldon Hebb	Re Curbside Waste Collection	2023-10-25	2023-11-14 COTW
VREN	Re Land and Asset Database Update and User Integration	2023-11-06	2023-11-14 COTW
Kelsey MacNeil	Re Wind Strength Update	2023-11-08	2023-11-14 COTW
Steven Hart (Protect Vaughans Community)	Re Amendment to Policy 4.22.4 (3 emails)	2023-11-02	2023-11-14 COTW
Mandy Singleton	Re Riverview Drive Rezoning Brooklyn	2023-11-09	2023-11-14 COTW
Ian Daniels	Re Windsor Elementary School	2023-11-13	2023-11-14 COTW
Sandra Watson	Re Rezoning PID 45215290 Riverview Drive Brooklyn	2023-11-15	2023-11-28 Council
Steven Hart	Re Follow-up to Policy Amendment 4.22.4 (4 emails)	2023-11-16	2023-11-28 Council
Amanda Dunfield	Re Windsor Stormwater: CSO Outfall Signage	2023-11-20	2023-11-28 Council
Hon. Kim Masland	Re Provincial Intersection Street lighting	Sent 2023-04-03 and resent 2023-11-21	2023-11-28 Council
Amanda Dunfield	Re Minas Basin Sessions/Requests Recording of Community Events	2023-11-23	2023-11-28 Council
Kelsea MacNeil, Director, Public Relations & Business Development Membertou Development Corporation	Re Bear Lake Wind Project Information Session	2023-11-23	2023-11-28 Council
Residents of the Concerned Citizens	Call to Action	2023-11-24	2023-11-28 Council
MADD Annapolis Valley	Re Red Ribbon Request	2023-11-16	2023-11-28 Council
Dykeland Lodge	Re Request for a Secondary Exit from College Road	2023-11-21	2023-11-28 Council
Protect Vaughans Community (Steven Hart)	Re Follow-Up To Wind Farm	2023-11-21	2023-11-28 Council

From: Sandra Watson
To: [PublicOnlyCouncilEmail](#)
Subject: Fwd: Rezoning PID 45215290 Riverview Drive Brooklyn
Date: Wednesday, November 15, 2023 10:55:27 AM

Caution [External Email]

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

Hello West Hants Council,

I am forwarding you a letter I sent to Mark Fredericks on November 7th. I was disappointed with his response to me and I still feel strongly that this lot be left for the community to enjoy and not be sold by the municipality. I will forward his response to me as well.

Thankyou
Sandy Watson

Sent from my iPad

Begin forwarded message:

From: Sandra Watson
Date: November 7, 2023 at 1:21:39 PM AST
To: mfredericks@westhants.ca
Subject: Rezoning PID 45215290 Riverview Drive Brooklyn

Hello Mark Fredericks,

My name is Sandy Watson and I live on Etter Road in Brooklyn. I spoke my concerns at the Public Information Meeting on Nov. 2 ,2023. I would like to put my concerns in writing as well add a few points. I am against rezoning this lot from open space to R1 as well as other lots that were discussed at the public meeting. Concerning the lot on Riverview Drive and the fact that it is unused Open Space space, I can see why the municipality looked at it. My question is why were the the residents of my subdivision never made aware that the space was available to them? I have been living on Etter road for the past 26 years and there is no mention of said open space in my deed. Nor was it ever brought to my or my neighbour's attention. Now that we are aware please do not take this space away. It is the only Open Space in our area of about 30 homes and 30 children. I would like to help develop a walking trail on this lot, perhaps add a bench, making a usable space for community health and happiness. In addition maintaining the habitat for the native plants and trees and also for the birds, butterflies and other wildlife. There is no other walking space in this area other than on the street. Going for walks outside improves both physical and mental health, reduces stress and gives people a burst of energy. Rezoning community Open Spaces is taking a step back in time and we should instead be preserving Open Space for the environment, for exercise, for mental health and for community social interaction.

Sincerely,

Sandra Watson
Brooklyn

Sent from my iPad

From: Protect Vaughans Community
To: [Sara Poirier](#); [Mark Fredericks](#); [Alexander Dunphy](#); [Paul Morton](#); [Deanna Snair](#); [Scott McLean](#); [Jim Ivey](#); [Jeff Hartt](#); [Rupert Jannasch](#); [Mark McLean](#); [Mark Phillips](#); [John Smith](#); [Ed Sherman](#); [Debbie Francis](#); [Shelleena Thornton](#); [Bob Morton](#)
Subject: Follow-up to Policy Ammendment 4.22.4 Meeting This Morning
Date: Thursday, November 16, 2023 1:54:04 PM

Caution [External Email]

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Dear Sara, Mark and Alex

Thank you for taking the time to meet with me this morning in regards to our requested amendment.

I was entirely unaware that the municipality has no jurisdiction to enforce environmental requirements and that the ecology and environmental impacts relies solely on the Provincial Government.

That being said, I wanted to clarify some of the reasoning behind the requested amendment, more precisely pointing at the roles and responsibilities of the municipality. Below you will see a copy from a section of the current by-law that I will be referencing off of, and my reasoning behind the request will be in **RED**. I feel as if it would be more easily understood if this was in typed format, rather than via Zoom meeting.

Policy 4.22.4

It shall be the policy of Council to consider the development of permanent or long-term installations of large wind turbines or wind farms outside the Growth Centre, Village and Hamlet designations by development agreement, having regard to the following:

(a) any required provincial and/or federal government environmental assessment processes have been completed;

(b) adequate separation distances are maintained from adjacent land uses to minimize impacts of noise and shadow and to ensure public safety;

- The amendment requested will allow ample opportunity to allow a newly approved wind farm to operate properly to ensure the residents nearby whether they be in a 2km radius or not, time to adjust or dispute the accuracy of the effects predicted by the developer. This also allows time for the council representatives to engage in public dialog and get informed on the community members personal impacts of the development.

(c) the development is not visually intrusive in the landscape, taking into account the location and distance from which it is visible, and the significance and sensitivity of the landscape, topography, vegetation and built form in the surrounding area;

- The requested amendment will also allow the first approved project to operate at full capacity, and give the ability for community members and council representatives to see first hand the visual implications of the project. For instance, Benjamin Mills windfarm project has been approved with "simulations" as to what the project will look like. Thus, making it impossible to know what a second project's visual implications could be without having the

first project completed. This is what we refer to when we reference the "cumulative effects". Approving a second project lining the Avon River Valley prior to allowing the first project to be completed would be doing the community an injustice not just for property values and health effects but also their visual "feel" of the community. Vaughans, for instance, has been commonly referred to as the ' New Hampshire' of Nova Scotia for its enclosed feel and beautiful fall colors. I feel this is a very cut and dry request as you cannot visualize the implications of two projects, if the first one has not been completed.

(d) safe roadway access can be provided;

(e) any other matter which may be addressed in a development agreement

- As time progresses and the race for renewable energy increases, the risk of burdens to residents of small rural communities property values and health increases drastically. There have been numerous case studies done all over North America of the effects of property values decreasing significantly as these windfarms move closer and closer to small rural communities. With our requested amendment, it will allow residents of these rural communities ample time to feel the full effects of a wind farm and have a more educated opinion on whether a second wind farm would be the right fit for their area. They would be able to offer first hand experience to other communities of their experience living within a small radius of a wind farm. For instance many community members in Vaughans have stated if the Bear Lake wind farm gets approved then they will be moving, and others have re-considered moving to the area due to the newly proposed wind farm being " too close for their liking"

Furthermore, there has been direct relations to the increase in suicides with residents who live within a close proximity to wind farms done by the Univerisity of Oregon. No one wants that increased potential to be weighing over them, and I strongly feel as if this amendment will allow the proper due-diligence of our municipality to ensure this does not happen.

(f) Policy 16.3.1.

I hope this clarifies the request for the amendment in a more direct fashion towards the municipalities roles and responsibilities.

Please let me know if you have any questions or concerns.

Yours truly,
Steve Hart



:

From: Amanda Dunfield
Date: November 20, 2023 at 11:27:14 AM AST
To: Abraham Zebian <AZebian@westhants.ca>, Rupert Jannasch <RJannasch@westhants.ca>, Scott McLean <smclean@westhants.ca>, Mark McLean <mmclean@westhants.ca>, Jeff Hartt <jhartt@westhants.ca>, Debbie Francis <DFrancis@westhants.ca>, Bob Morton <bmorton@westhants.ca>, Ed Sherman <esherman@westhants.ca>, Paul Morton <PMorton@westhants.ca>, John Smith <JSmith@westhants.ca>, Jim Ivey <jivey@westhants.ca>, Laurie Murley <lmurley@westhants.ca>
Subject: Windsor Stormwater: CSO Outfall Signage

Caution [External Email]

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

Good Morning,

Very encouraging to see new permanent CSO discharge point signage has made an appearance. Thank you for your work in making this happen for the Pisiquid and our community.

Unfortunately temporary signage warning of potential risk to health and environment appear to be noticeable absent. For clarity, is the representation there has been no discharge from the overflow in the time that has followed September 26, 2023 or is it perhaps the wording and intent of the motion, included herewithin, have been misinterpreted by CAO and staff:

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 OVERFLOWS OCCURRED

If it is indeed the representation of staff no outflow has occurred in the period September 27, 2023 through November 18, 2023 inclusive, the question becomes has there been documentation tabled to confirm? As I'm sure some can appreciate, with respect to these matters the spoken word no longer holds weight. It has proven itself to be just that - words.

I understand all are busy and this is one of many matters council is attending to; I don't wish to bog anyone down with hundreds of pages of reading. Therefore, please find two links included with regards to permanent versus temporary signage and the implementation of CSO outfall in operation notification light as is in use in some communities for your consideration:

<http://dec.vermont.gov/watershed/wastewater/discharge-notifications>

https://www.epa.gov/npdes/combined-sewer-overflow-real-time-notification?fbclid=IwAR2wz8hoqHXhoSfGNH_O673n6ZqAFG1CWw1r5Cz8qCu9ZmLLfjRcMCG_UiE_aem_AVb_-3ogO69Z07YdpFAflyMp_8vqeEgvg5kj6v0gj2-Y7bEI-d7CSI-xpvw5cf9K570

Regards,

Amanda Dunfield



**Public Works
Office of the Minister**

PO Box 186, Halifax, Nova Scotia, Canada B3J 2N2

MAR 31 2023

His Worship Abraham Zebian
Mayor, West Hants Regional Municipality
PO Box 3000
76 Morison Drive
Windsor, NS B0N 2T0

Dear Mayor Zebian:

Thank you for your letter dated March 7, 2023, regarding provincial intersection street lighting.

The Department of Public Works (DPW) has reviewed your concerns related to street lighting on provincially owned and maintained roads located in the following areas:

1. The intersection of Hwy 14 and Hwy 215 by the Brooklyn Petro-Canada, Brooklyn District Elementary School, West Hants Middle School, and Newport and District Rink in Brooklyn,
2. The intersection of Hwy 215 and Hwy 14 by the Monument, old Irving garage site and pizza shop in Brooklyn,
3. The intersection of Hwy 14 and Avondale Road by the Tidal Bore Farm Market and Mantua Bridge between the communities of Sweets Corner and Brooklyn,
4. The intersection of Lawrence Road, Hwy 214, and Hwy 236 in Union Corner.

Please be advised that intersections 1, 2, and 4 listed above are PW priorities for intersection upgrades, with intersection 1 construction scheduled to start in the summer of 2023. Intersection 3 is currently not a priority for intersection upgrades, however, as part of the intersection improvement design process, intersection lighting will be considered. DPW follows a procedure outlined by the Transportation Association of Canada (TAC). This procedure considers geometric, operational, and environmental factors, as well as nighttime collision frequency.

Mayor Zebian
Page 2 of 2

If you have any further concerns, please contact Ray Daniels, Acting Area Manager for Hants, via phone 902-798-2369 or email raymond.daniels@novascotia.ca.

Yours sincerely,



Kim D. Masland
Minister

c: Kody Blois, MP Kings-Hants
Melissa Sheehy-Richard, MLA Hants West
West Hants Regional Municipality Council
Mark Phillips, Chief Administrative Officer, West Hants Regional Municipality
Gary Rafuse, District Director, Central
Raymond Daniels, Acting Area Manager, Hants

From: Kelsea MacNeil
Subject: Bear Lake Wind Project - Information Sessions
Date: Thursday, November 23, 2023 12:25:02 PM
Attachments: [Letter- Open Houses for Bear Lake Wind Project .pdf](#)
[Bear Lake _Announcement vF.pdf](#)
[Bear Lake _Flyer _Benefits vF.pdf](#)

Caution [External Email]

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Good afternoon Councillor,
Wind Strength (a Membertou and Everwind Fuels company) is hosting upcoming open houses and information sessions to provide further engagement and information about the Bear Lake Wind Project.

Please find attached, a letter highlighting the details of the sessions, and also attached is additional project information including community benefits, and a digital invitation to the open houses.

We hope to see you there!

Thank you - Wela'lin,
Kelsea MacNeil

Director, Public Relations & Business Development
Membertou Development Corporation



WJU'SNEWIKNAQ

WIND STRENGTH

Thursday 23 November 2023

Subject: Notification of Open Houses - Bear Lake Wind Farm Project

Dear Councillors,

I hope this email finds you well.

We are pleased to inform you that WindStrength (Membertou and EverWind Fuels), along with Renewable Energy Systems (RES) and Strum will be hosting Open Houses for the proposed Bear Lake Wind Project.

The Open Houses and Information Sessions are an opportunity for you and your constituents to discuss the project with the team, get answers to your questions and find out about the tangible benefits this project will bring to the community, including cleaner air, economic advantages and new job opportunities. For detailed information regarding these benefits, please see attached.

Open House (Windsor)

December 7th 3 - 7 pm

@ The West Hants Fire Station

1884 NS-14, Windsor

Open House (Chester)

December 8th, 3 - 7 pm

@ The Saint Stephen's Community Centre

54 Regent St, Chester

Business Info Session

December 8th 10 am - 1 pm

@ The Windsor Legion

35 Empire Lane, Windsor

For more information, visit our website at www.BearLakeWind.com or contact us at info@BearLakeWind.com

Looking forward to you joining us and future collaboration with your council and constituents.

Sincerely,

Kelsea MacNeil

Director, Public Relations & Business Development with Membertou Development Corporation

BEAR LAKE WIND PROJECT

OPEN HOUSES

Join us for an information session about the Bear Lake wind project.



Discover the tangible benefits, including cleaner air, economic advantages and new job opportunities.

**Open House #1:
Thurs, December 7th
3 – 7pm**

The South West Hants
Fire Station
1884 NS-14, Windsor

**Business Info Session
Fri, December 8th
10am – 1pm**

The Windsor Legion,
35 Empire Lane, Windsor

**Open House #2:
Fri, December 8th
3 – 7pm**

The Saint Stephen's
Community Centre,
54 Regent St, Chester

**Support
Green
Energy**



**Local
Investment**



**Clean
Energy**



**New
Jobs**



For more information, visit our website at
www.BearLakeWind.com
or contact us at info@BearLakeWind.com



**Membertou and EverWind are
*investing hundreds of millions
of dollars in clean energy in West Hants***

DIRECT HOMEOWNER ELECTRICITY FUND



\$70,000 per year

Commitment to
provide direct
payments to
homeowners for
lower electricity bills



2026 program start

Program to start at
the end of the first
year of operations,
expected 2026



Local Residents Benefit

Residents within a
specified distance to
the closest turbine will
receive proportional
amount paid



Simple Opt-In Process

Simple opt-in
process to receive
annual proximity
payment for Bear
Lake wind farm
projects

**For more information, visit our website at
www.BearLakeWind.com
or contact us at info@bearlakewind.com**



Membertou
WELCOMING THE WORLD



EVERWIND
F U E L S

**Membertou and EverWind are
*investing hundreds of millions
of dollars in clean energy in West Hants***

WIND FARM COMMUNITY VIBRANCY FUND



\$20,000 per year

Commitment to provide annual community benefits fund earmarked for community



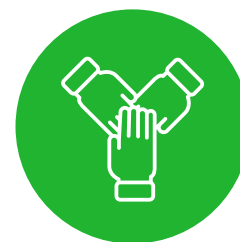
2026 program start

Fund to be deployed in full (\$20,000 annually) at the end of the first year of operations, expected 2026



Diverse Committee

Fund oversight entrusted to committee of community members, council representatives, project representatives



Community- Based Initiatives

Education and job training, public recreation, land initiatives, energy sustainability, property tax relief

**For more information, visit our website at
www.BearLakeWind.com
or contact us at info@bearlakewind.com**



Membertou
WELCOMING THE WORLD



EVERWIND
F U E L S

**Membertou and EverWind are
*investing hundreds of millions
of dollars in clean energy in West Hants***

\$50,000 BURSARY FUND



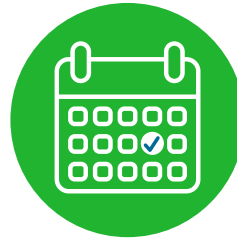
10x Scholarships

Applicable to
education and
training in the
renewables
industry



\$5,000 each

Expect to fully
replenish \$50,000
fund replenished
once scholarships
are issued



2024 program start

Program to
start prior to
construction



Keep Families Together

Builds local
expertise to keep
families together
in Nova Scotia

For more information, visit our website at
www.BearLakeWind.com
or contact us at info@bearlakewind.com



Membertou
WELCOMING THE WORLD



EVERWIND
FUELS

**Membertou and EverWind are
*investing hundreds of millions
of dollars in clean energy in West Hants***



LOCAL SKILLED LABOUR REQUIRED

6-12 Operations Jobs

- ✓ HV Technicians / Electricians
- ✓ Wind Technicians
- ✓ Road Maintenance Workers
- ✓ Vegetation Management Service Providers
- ✓ Snow & Surface Removal
- ✓ Administrative Support
- ✓ Inventory / Materials Management

Hundreds of Construction Jobs

- ✓ **Civil installation:**
land clearing, forming, concrete supply, grouting
- ✓ **Electrical installation:**
overground installation, electrical testing, instrument installation
- ✓ **Turbine installation:**
crane supply, turbine offload, mechanical and electrical work



For more information, visit our website at
www.BearLakeWind.com
or contact us at info@bearlakewind.com



Membertou
WELCOMING THE WORLD



EVERWIND
F U E L S

From: [Abraham Zebian](#)
To: Protect Vaughans Community; [Deanna Snair](#); [Mark Phillips](#)
Cc: [Jim Ivey](#); [Shelleena Thornton](#); [Rupert Jannasch](#); [Mark McLean](#); [Scott McLean](#); [Jeff Hartt](#); [Debbie Francis](#); [Bob Morton](#); [Ed Sherman](#); [Paul Morton](#); [John Smith](#); [Laurie Murley](#); kody.blois@parl.qc.ca; melissa.mlaoffice@gmail.com; PCcaucus@novascotia.ca
Subject: Re: Follow-Up To Wind Farm Tour
Date: Tuesday, November 21, 2023 11:36:23 AM

On Nov 21, 2023, at 11:01 AM, Protect Vaughans Community wrote:

Caution [External Email]

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Dear Counsel members and elected officials,

We regret to inform you that the tour of South Canoe Wind Farm, which was requested on November 10th, has been denied. Despite our best efforts to arrange accommodations, meals, transportation, and drinks, we have not received any positive responses from South Canoe representatives.

After multiple attempts to contact South Canoe through phone calls and emails, we finally received a response from Nathan Priddle. Please see response below in **RED**;

Dear Mr. Hart – thank you for your email. Due primarily to safety and insurance concerns, we do not offer tours of the South Canoe Wind Farm.

We've become increasingly concerned with recent illegal access to the Wind Farm site. South Canoe is an industrial operation, with clearly posted warning signs regarding private property, restricted access & safety protocols. We take the safety of our employees, contractors and visitors very seriously and the unlawful access to the site creates safety concerns for the trespassing individuals, as well as our employees and contractors. The illegal access also increases the risk of property damage. For their safety, we continue to ask all members of the community to please respect the site and private property boundaries at all times.

Best regards,
Nathan

Although according to their environmental assessment and conversations with community members, South Canoe had previously suggested they would not block access to the lands during their open houses held in our community. However, it appears they have since changed their stance. I wonder if other privately owned wind farms will follow the same path?

We are unsure what safety issues may be encountered, though speculation points to oil contamination and windmill blades falling off. Furthermore, there have been questions raised regarding the structural integrity of these windmills.

We apologize for any inconvenience this may cause and thank you for your time and consideration.

Sincerely,
Steve Hart

From: [Abraham Zebian](#)
To: [Deanna Snair](#)
Subject: Fwd: MADD Annapolis Valley -- Project Red Ribbon Day Request
Date: Wednesday, November 15, 2023 4:16:56 PM
Attachments: [Project Red Ribbon Proclamation Sample.pdf](#)

From: Shayla Morag Steeves
Date: November 15, 2023 at 2:27:07 PM AST
To: Abraham Zebian <AZebian@westhants.ca>
Subject: MADD Annapolis Valley -- Project Red Ribbon Day Request

Caution [External Email]

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

Greetings Mayor Abe,

Great to see you and your beautiful family recently at the Community Centre.

On behalf of MADD Annapolis Valley, kindly see attached for a sample of our [Project Red Ribbon](#) Proclamation (fillable). We welcome the opportunity for Council to consider selecting a special awareness day from now until January 8th to recognize our mission. Our MADD Canada Flag is being raised in honour of *Project Red Ribbon* on December 1st at the Downtown Waterfront location.

We look forward to hearing from you.

My best, Shayla

Shayla Morag Steeves
Regional Manager, Atlantic Canada
MADD Canada
Atlantic Regional Office
PO Box 1034, Windsor, NS B0N 2T0
Tel: 1-866-798-6233 (MADD)
Email: ssteeves@madd.ca
Web: www.madd.ca
Fax: 905-829-8860
Facebook: [@maddcanadaatlanticregion](https://www.facebook.com/maddcanadaatlanticregion)
Twitter: [@RMAtlMADDCa](https://twitter.com/RMAtlMADDCa)
Hours: M-F 8:00 am to 4:00 pm
Canadian Charitable Registration Number: 13907 2060 RR0001

Show YOUR commitment to sober driving this holiday season by being part of **Project Red Ribbon**! Get your red ribbon today through your local Chapter or Community Leader, or through madd.ca, and then **Tie it! Wear it! Show it! Share it! Live it!**

Démontrez VOTRE engagement à la conduite sobre et sécuritaire durant la saison des Fêtes en participant à **l'Opération ruban rouge** ! Obtenez votre ruban rouge auprès de la section locale ou du leader communautaire de votre région, ou encore sur notre site madd.ca. Ensuite, **Attachez-le ! Portez-le ! Montrez-le ! Partagez-le ! Vivez-le !**



PROCLAMATION

Project Red Ribbon Day: _____
(Insert Date of *Project Red Ribbon* Launch)

WHEREAS, Project Red Ribbon is a commitment made by Canadians to drive safe and sober. It is a highly visible, community public awareness campaign which depends on volunteer participation to promote the message that deaths and injuries resulting from impaired driving are needless tragedies and totally preventable;

WHEREAS, Each year from the beginning of November until the first Monday after New Year's, MADD Canada volunteers across the country distribute red ribbons and ask Canadians to display a ribbon on their vehicle and/or key chain, or on a personal item like their purse, briefcase or backpack;

WHEREAS, the MADD Canada red ribbon is a powerful symbol. By displaying the ribbon, you are making a personal commitment to drive sober. A red ribbon is also used to pay tribute to the thousands of Canadians who have lost their lives or who have been injured as a result of impaired driving. The red ribbon also reinforces the message to drive sober throughout the holidays and throughout the year;

THEREFORE, I _____ (Name), _____
(Position), do hereby declare _____ (Date) as *Project Red Ribbon*
day in _____ (City or Region).

Project Red Ribbon



While great strides have been made over the years to reduce impaired driving, it remains a deadly problem on Canadian roads. Continued awareness efforts are vital.

MADD Canada's 36th annual *Project Red Ribbon* will raise awareness about the dangers of driving under the influence of alcohol, cannabis and/or other drugs.

Running from November 1st until the first Monday after New Year's, *Project Red Ribbon* helps keep the sober driving message top of mind during the busy holiday season. The campaign is a nation-wide effort that sees hundreds of volunteers distributing red ribbons and car decals to attach to vehicles, key chains, purses and backpacks.

The ribbons are a small but powerful symbol of each wearer's commitment to sober driving. They also serve as a highly visible tribute to all victims who have been killed or injured in impaired driving crashes.

Support *Project Red Ribbon*!

Show your support for sober driving! Get your red ribbon by: contacting your nearest MADD Canada Chapter or Community Leader; or contacting MADD Canada's National Office at info@madd.ca



Tie it! Wear it! Show it! Share it! Live it!



From: Amanda Dunfield
To: [Abraham Zebian](#); [Rupert Jannasch](#); [Scott McLean](#); [Mark McLean](#); [Jeff Hartt](#); [Debbie Francis](#); [Bob Morton](#); [Ed Sherman](#); [Paul Morton](#); [John Smith](#); [Jim Ivey](#); [Laurie Murley](#); [Mark Phillips](#); [WHRM General](#); [Deanna Snair](#); [Shelleena Thornton](#)
Subject: Minas Basin Session /Requests Recording of Community Information Sessions
Date: Thursday, November 23, 2023 9:49:38 AM

Caution [External Email]

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Good Morning,

I am aware the timeline is very tight for tonight's meeting, but am curious if there are any arrangements that could be made to record/publish this and other community meetings held with respect to flood events and education.

In recent weeks there have been several inquiries to this effect via the Flood Zone group member comments. More have private messaged to voice their thoughts. Many valid points made - illness, fear of illness, scheduling conflicts, difficulty obtaining childcare, lack of transport. In conversations with non-social media users, lack of awareness re scheduling of these events has been mentioned frequently. Lack of engagement in the public meeting process surely also plays a role in attendance. Speaking only for myself, I would much prefer to stay home and view when convenient.

Recording the meetings, publishing the verbal and written presentations in a format similar to that used for meetings in council could prove to be a very useful and engaging education tool that could function to help more in our communities better know the risks and be prepared.

Apologies for rushed and sloppy syntax.

Regards,
Amanda Dunfield

On Nov 24, 2023, at 10:10 AM, Windsor Floodzone
wrote:

Caution [External Email]

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

To: The Governing body of the Municipality of West Hants and Chief
Administrative Officer

Please find attached: a 'call to action' resulting from the Flood Zone community
meeting/ discussion on November 21, 2023.

Respectfully,

Residents of the Windsor Flood Zone and Concerned Citizens
<Discussion 21-11 23 Fup.pdf>

November 24, 2023

To: Governing body of the Municipality of West Hants and Chief Administrative Officer

On November 21, 2023 a group of [repeated] 'Flood Zone' victims and concerned citizens gathered to discuss issues specific to the repeated flooding in the Windsor Flood Zone, and the Municipalities prolonged lack of meaningful action.

Overview/ Comments:

- The general consensus was, though some have [individually] tried to communicate their concerns/ needs, to get the Municipality to act in a meaningful & timely manner, they have failed. Others, simply did not know where to turn.
- Interaction with the Municipality, specifically Community Meetings, a strong sentiment exists that we are not being heard, or listened to; feel dismissed, talked down to, facilitators never answer specific questions.
- Concluded our representation on Council is not prepared to represent us.
- Therefore, agreed, the purpose of meeting was to unify our voices around common concerns.
- All shared comments specific to the ongoing trauma that is experienced and triggered by each new weather warning.
- THE major concern is the repeated and close proximity of sewer... flooding our streets, surrounding areas, properties and homes; **we are in crisis, this single issue constitutes an emergency.**

Calls for immediate Municipal action:

1. Though much has been said [to citizens] about 'shared responsibility', and the Municipality has never clearly defined or acted accordingly, we require a clear written understanding of where citizen responsibility ends, and the Municipality's starts, in relation to storm/ sewer flooding/ overflow – pre/ during/ post events; to include itemized and specific details.

ACTION ITEM: Forward, or direct us to same, by end of December 2023.

We submit, our collective understanding is, the MUNICIPALITY IS SOLELY RESPONSIBLE FOR – from a perspective of prevention and damages incurred, **as well as citizen health and safety** – the [repeated] flooding of private properties and homes, with storm/ sewer water, resulting from the overflow of antiquated and/ or ill-designed storm-systems and/ or neglecting ongoing maintenance.

2. There are conflicting messages as to the Study being completed and its availability for review. We are eagerly awaiting the results, however, not without prioritization; we:
 - Expect the study will detail the necessary solution(s), specific to Municipal responsibility, which will mitigate residential property/ homes flooding, and the immediate **health hazard** caused by the [repeated] flood crisis in the Windsor Flood Zone.
 - Expect the study will specifically lay out, in detail, the steps necessary to 'fix' the storm sewer system – in full context of – the existing residential/ commercial properties AND the numerous projects currently in the approval process AND forthcoming for this area. Noted, Windsor is the next stepping-stone of communities supporting the exponential growth of HRM.
 - These expectations are 'a given', once the Study is processed, we demand the focus immediately shift to action, without reasonable delay. Prepare an implementation plan that specifically details/ itemizes steps, sequence and more importantly, timeline/ timeframe; submit to citizens.
 - We know the repeated flooding of our properties and homes IS the result of the Municipality neglecting its responsibility. Further, we know the result is a **continuing health & environmental**

crisis for which it is potentially liable. Funding for such things is a tri-level governmental responsibility; and must be sought and made available - immediately.

ACTION ITEM(S): As per Chief Administrative Officer Report, November 14, 2023 – to confirm,

- a. 'Plan' was received and/ or WHRM staff reviewed and/ or 'signed-off on,
 - b. Date to be shared and released for public viewing,
 - c. Specifics to be shared at November 29th management citizen session,
 - d. Completion date for the Tremain Crescent area review.
3. Notwithstanding #2, there are residential homes, properties, streets and their surrounding areas that have repeatedly flooded [to a greater or lesser extent, 12 times], since July 2021. Same year, Council approved a motion to a) fund the purchase of a pump, b) fund the undertaking of a Plan to specifically address this crisis. Both measures, at the time, were deemed the 'Emergency Plan' for this area. Amply documented, THE EMERGENCY PLAN HAS FAILED. In view of this, and allowing reasonable time for the review of the Study, implementation/ start date, we require the Municipality to immediately:
- Prepare and provide a new Emergency Plan for this area,
 - Plan will include specific steps to be taken before, during and after weather events which predictably result in flooding of the Windsor Flood Zone,
 - Plan is to be 'actionable' immediately, without delay,
 - The sole purpose of the Emergency [Flood] Plan is to MITIGATE the emotional & physical/ health impact to citizens, AND the damage/ cost caused to homes & property.

It is expected information only available from discussions with citizens will form an intricate component of the new Emergency Plan. As such, we commit to making ourselves available, soonest, given the urgency of this crisis. And/ or, we are willing to provide a detailed framework as to what we require.

ACTION ITEM(S): Forward, or direct us to same, by end of December 2023.

Closing thoughts:

Documentation confirms the Municipality has been acutely aware of the crisis caused by the repeated flooding of the Windsor Flood Zone, and is neglecting its responsibility. We feel, two years on, the Municipality has had more than enough time to have acted to mitigate this crisis; damages, costs and the impact to the environment & citizen health. Therefore, in response to this inaction, viewed as a lack of 'will' on the part of the Municipality, we citizens are compelled to join our voices.

Since our meeting on the 21st, 10 more have joined.

We look forward to receiving your responses, the information, and, hearing about and reviewing the Study findings.

Respectfully,

Residents of the Windsor Flood Zone and Concerned Citizens

From: Dykeland Lodge Board of Directors
124 Cottage Street
Windsor, NS
BON 2T0

November 21, 2023

To: Mark Phillips, CAO West Hants Municipality
76 Morison Drive, P.O. Box 3000
Windsor, NS
BON 2T0

Re Emergency Egress Road between College Road and Chester Road Highway 14

Dear Mark Phillips, CAO

We are writing this letter as the concerned owner and future residents of College Road property PID # 45336203. We request your attention to a matter that is of great importance to our New Long Term Care facility and Housing Project located on College Road.

Although College Road itself is undergoing major upgrades it does not rectify the concern of a second exit road should evacuation be required. This concern was brought forward during our February 2022 Open House as a major concern of the local residents who reside on College Rd. Considering this past summer's fires and floods and the dangerous impact to Long Term Care Residents we are asking for your attention in this matter.

Considering the below reasons, we kindly request the support of the municipal office to investigate installing a new road off College Rd. onto Chester Rd Highway 14, to give another exit out in emergencies as well as to help with the traffic during peak times.

1. Safety for 144 residents, 250 staff and visitors
2. 3 major facilities are located on this street catering to vulnerable resident, seniors, and students
3. College Road Currently has only one way out
4. Congestion at end of street at peak traffic times

We understand that there may be challenges and requirements, but we are committed to working collaboratively and diligently with you.

Thank you for your attention. We look forward to your positive response and the opportunity to discuss this matter further.



Krista Beeler,

Administrator Dykeland Lodge

Cc Melissa Sheehy Richard MLA
Cc Kody Blois MP
Cc Mayor Abraham Zebian West Hants
Cc Honorable Kim Masland MLA
Cc Joesph Seagram Kings-Edgehill School
Cc Atlantic Baptiste Housing – Gladys Manning Retirement

Correspondence Sent

<u>First Name</u>	<u>Last Name</u>	<u>Correspondence Date</u>	<u>Meeting / logged</u>
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

[illegible]



November 21, 2023

Melissa Sheehy-Richard
MLA Hants West
58 Gerrish Street
PO Box 3201
Windsor, Nova Scotia
B0N 2T0

Sent electronically to melissa.mlaoffice@gmail.com

Dear MLA Sheehy-Richard

Subject: Additional Carpool Parking Area in West Hants

Please accept this letter on behalf of the West Hants Regional Municipal Council addressing the need for an additional carpool parking area within West Hants.

With this letter the municipality hopes to draw attention to the challenges many residents face when it comes to accessing parking in our region as it relates to commuting. West Hants continues to experience unprecedented growth and with this growth a need to expand and provide additional parking options for those who reside within our region.

To formally express the current position of the West Hants Regional Municipal Council who met on October 24, 2023 to further discuss this matter the following motion was ratified.

"COUNCIL DIRECT STAFF TO WRITE A LETTER TO MLA SHEEHY-RICHARD REQUESTING THAT THE PROVINCE EXPLORE OPTIONS AND CREATE AN ADDITIONAL CARPOOL PARKING LOT BETWEEN EXIT 7 (FALMOUTH) AND EXIT 5 (THREE MILE PLAINS)".

West Hants Reginal Municipality appreciates your attention to this matter, and we look forward to collectively working with you to facilitate and support a solution that will be beneficial to the residents who live, work and play in our region.

Respectfully,



Abraham Zebian, Mayor
az/ds

CC: West Hants Regional Municipal Council
Mark Phillips, Chief Administrative Officer



West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY

Date: November 28, 2023

Meeting: Council Meeting

Subject Matter: Funding Application

Should Council choose to support the discussion the following motion would be required:

Council endorses the recommendation and directs staff to submit a funding application under the Municipal Capital Growth Program for the Water Storage Tank Project as detailed in the MCGP application.

Outline/Summary (Matter):

Director Richard will speak to the matter. Discussion to occur. Direction to be determined by Council.
