

WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda **AMENDED**
October 25, 2022 - 5:00 p.m.
Virtual via Zoom (also FB Livestream)



1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard Action Items – Dangerous and Unsightly Premises
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
 - a) 2022-09-27 Council Meeting Minutes
 - b) 2022-09-27 Public Hearing Meeting Minutes, Community Way, PID 45055167, 45364775, 45421146, Development Agreement
7. Presentations
 - a) Windsor Water Utility Supply - CBCL
 - b) Windsor Stormwater Study Update - CBCL
8. Public Hearings
 - i. 65 Fort Edward Street, Windsor - Municipal Land, WMPS and WLUB Amendments., PID 45059797
 - ii. Property Assessed Clean Energy (PACE) By-law - Coordinator Ogilvie
 - ~~iii. Hantsport Land Use By-law Amendment: Small Options Housing – Director LeMay~~
 - ~~iv. West Hants Land Use By-law Amendment: Small Options Housing – Director LeMay~~
 - ~~v. Windsor Land Use By-law Amendment: Small Options Housing – Director LeMay~~
9. Second Readings
 - i. 65 Fort Edward Street, Windsor - Municipal Land, WMPS and WLUB Amendments, PID 45059797
 - ii. Property Assessed Clean Energy (PACE) By-law – Coordinator Ogilvie
 - ~~iii. Hantsport Land Use By-law Amendment: Small Options Housing – Director LeMay~~
 - ~~iv. West Hants Land Use By-law Amendment: Small Options Housing – Director LeMay~~
 - ~~v. Windsor Land Use By-law Amendment: Small Options Housing – Director LeMay~~

15. **New Business**
 - f) **Diverse and Inclusive Communities Committee Policy Amendment- Coordinator Craik**
 - g) **Diverse and Inclusive Communities Committee Resident Member Appointments – Coordinator Craik**

10. Unfinished Business/Postponed Motions (resulting from the 2022-10-11 Committee of the Whole Meeting)
 - a) 2022-09-14 In-Camera Meeting Minutes
 - b) In-Camera Matter, MGA 22(2)(a) Legal Matter
 - c) In-Camera Matter, MGA 22(2)(a) Personnel Matter
 - d) In-Camera Matter, MGA 22(2)(a) Legal Matter

11. Mayor’s Report

12. Committee(s) of Council Excerpts/Recommendations
 - a) Committee of the Whole Excerpts (October 11, 2022)
 - i. Brooklyn Fire Dept – Battery Powered Extrication Tools Over-budget
 - ii. Brooklyn Fire Dept – Generator Over Budget
 - iii. Grants & Contributions Policy
 - iv. MCCAP Resident Committee Appointments
 - v. Outdoor Fires By-law RO-001
 - vi. PAC/HAC Resident Committee Appointments
 - vii. Police Advisory Board (PAB) Resident Committee Appointments
 - viii. Windsor Flood Risk Assessment – Formal Update Request

 - b) Planning and Heritage Recommendations (October 13, 2022)
 - i. 4245 Hwy 14: WHLUB Amendment, PID 45038361 - Planner Dunphy
 - ii. 697 Greenhill Road, Greenhill: WHLUB Amendment, 45026010 - Planner Dunphy
 - iii. Hantsport MPS and LUB Detached Secondary Suites - Planner Poirier
 - iv. West Hants MPS and LUB Detached Secondary Suites - Planner Poirier
 - v. Windsor MPS and LUB Detached Secondary Suites - Planner Poirier
 - vi. Wentworth Road PID 45190386 and Cole Drive PID 45366457, WHLUB Amendments - Planner Poirier
 - vii. 4701 Hwy 1, Three Mile Plains, Development Agreement - Planner Poirier
 - viii. WHLUB Housekeeping Amendments - Director LeMay

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

14. Correspondence
 - a) Information
 1. Avon Causeway Activity Log as of October 20, 2022- No new correspondence

2. Correspondence Received Activity Log as of October 20, 2022
 - i. 2022-10-17 Opportunity for Aspiring Entrepreneurs in West Hants – Mashup Lab Program Communication Coordinator Chrystal Remme
 - ii. 2022-10-19 Response from Minister Masland re Potential Mi'kmaq Burial site
3. Fort Edward Activity Log as of October 20, 2022
 - i. 2022-10-18 Sandra Barrs, President, Heritage Trust of Nova Scotia re Proposal to rezone 65 Fort Edward Street
4. Storm Wastewater Activity Log as of October 20, 2022 - No new correspondence
- b) Requests – None
- c) Outgoing Correspondence Log as of October 20, 2022
 - i. 2022-10-19 Correspondence to Minister Murray re Pumpkin Regatta sent October 20, 2022
15. New Business
 - a) Deputy Mayor Nomination and Appointment (November 1, 2022-October 31, 2024)
 - b) Council Advisory Committee Nominations and Appointments (November 1, 2022-October 31, 2024)
 - c) Committee of the Whole Meetings - Mayor Zebian
 - d) Debt Servicing Recommendation Report - Mayor Zebian
 - e) Accessibility Advisory Resident Committee Member Appointments – Clerk Snair
 - ~~f) Diverse and Inclusive Communities Committee Policy Amendment – Coordinator Craik~~
 - ~~g) Diverse and Inclusive Communities Committee Resident Member Appointments – Coordinator Craik~~
 - h) Watershed Advisory Resident Committee Member Appointments - Clerk Snair
 - i) Windsor Coach House Roof Repairs – Director Kehoe
16. In-Camera
 - a) 2022-09-27 In-Camera Council Meeting Minutes
 - b) MGA 22(2)(a) Land Matter
 - c) MGA 22(2)(a) Land Matter
17. Next Meeting Date / Adjournment

WEST HANTS REGIONAL MUNICIPALITY

Public Hearing Minutes – 65 Fort Edward Street, Windsor – Municipal Lands, WMPS and WLUB Amendments, PID 45059797

Tuesday, October 25, 2022 – 6:14 pm

In-person Sanford Council Chambers and virtually via ZOOM

(also Facebook Livestreamed)



West Hants
something inspiring awaits

1. Call to Order

The Public Hearing was called to order at 6:14 pm.

2. Council:

Abraham Zebian, Mayor

Rupert Jannasch, Councillor, District 1

Scott McLean, Councillor, District 2

Mark McLean, Councillor, District 3

Jeff Hartt, Councillor, District 4

Debbie Francis, Councillor, Dist. 5

Paul Morton, Deputy Mayor, District 8

Bob Morton, Councillor District 6

Ed Sherman, Councillor, District 7

John A. Smith, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Staff and Guests:

Mark Phillips, CAO

Deanna Snair Municipal Clerk

Diana Gibson, Acting Dir. Financial Services

Madelyn LeMay, Dir. Planning & Development

Todd Richard, Dir. Public Works

Sara Poirier, Senior Planner

Alex Dunphy, Planner

John Ogilvie, MCCAP Coordinator

Fifteen (15) residents in the Gallery

Regrets:

Shelleena Thornton, Mun. Ops Supervisor

Kathy Kehoe, Dir. Community Development

3. Public Hearings – All public hearings and presentations are available on the Municipal website.

65 Fort Edward Street, Windsor – Municipal Lands, WMPS and WLUB Amendments, PID 45059797

Planner Dunphy reviewed the report highlighting the process undertaken that lead to the recommendation report.

On September 28, 2021, direction was given for the CAO to submit an application to the Planning and Development Department regarding 65 Fort Edward Street, Municipal Lands. The application requested to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two-Unit Residential (R-2). Planner Dunphy provided an orthophoto of the existing lot, noting that the site was now a graveled lot and the pool no longer existed as indicated in the photo.

The current designation was Community Use. The proposed designation was for Residential, allowing up to 11 units by Development Agreement.

The current zoning was Open Space; Cemeteries, Museums, historic sites, Outdoor recreation and Parks and playgrounds are the permitted uses under this zoning. The proposed zoning was Two-Unit Residential (R-2) which permits Single unit dwellings, two-unit dwellings and converted dwellings of up to two units.

Planner Dunphy reviewed the enabling polices and criteria noting that all criteria had been met.

A virtual Public Information Meeting was held on November 8, 2021, with deadline for comments being November 23, 2021. Two (2) letters, four (4) emails and four (4) phone calls were received.

Of the comments received; one (1) had requested priority consideration so the West Hants Historical Society may create a project plan, seven (7) were opposed to the redesignation and sale of the lot, citing the lot's proximity to the National Historic Site, tourism use, neighbourhood disruption, parking use, and former Town Council decisions, and two (2) were in favour of the redesignation for residential development.

Additional correspondence received were as follows; a report from an open house and public consultation, as well as survey with more than 400 responses regarding Fort Edward from the West Hants Historical Society, a statement from the Friends of Grand-Pré supporting the West Hants Historical Society's position, a letter from the Heritage Trust of Nova Scotia, which has been requested to be read aloud; and a set of questions from a resident, which will also be read aloud.

The clerk read the correspondence received on October 18, 2022 from Sandra Barss, President of the Heritage Trust of Nova Scotia (attached to the minutes) and an email received from Andrea Moore on October 20, 2022 (attached to the minutes).

CAO Phillips provided the following responses in relation to the correspondence read:

- The consolidation of the lots was part of the registration process and was advised to be done by legal counsel.
- The value of the lots was reflective of an appraisal completed in 2019 and coincide with the list price.
- The only known core testing was associated with Geotechnical studies done to gather a sense of what the land was from a Geotechnical and Developmental perspective.

The process was reviewed, noting that all statutory requirements have been met.

Mayor Zebian opened the floor for questions or comments.

Shirley Pineo, President of the West Hants Historical Society commented on the disappointment felt at the last meeting that the letters (at least a dozen) were not read. Ms. Pineo was not aware that a request should have been made to read the letter aloud during the Public Hearing. There were a lot of questions regarding what was happening with the lands support in the community, has the Historical Society secured the land yet and why has Council taken so long to make a decision. It was reiterated that the West Hants Historical

Society felt that this land was needed to be kept for community use for the public.

Resident, Jeanette Poirier identified as an Acadian and provided the following comment. Ms. Poirier spoke of her family's history as Comeau's and the imprisonment of several of her ancestors during the expulsion of the Acadian and deportation process. Ms. Poirier presented a book written by her sister detailing their ancestors and their imprisonment at Fort Edward. Ms. Poirier would like to see the adjoining land be kept and developed as part of the Historical area of Fort Edward. The area has a rich history, not only for Acadians but for the Mi'kmaq people as well as many of our other ancestors. It was noted that Windsor and West Hants were growing in population and that part of what was needed to be a vibrant thriving community was to be aware of our history and culture (how this has influenced us and who we are today). Ms. Poirier urged Council to keep the land as part of the historic site.

Resident, David Cameron identified as having French ancestors, an interest in the area and in the tourism industry in Nova Scotia. Mr. Cameron noted that the area (the Fort itself)had been identified to have elements within the region that would be of interest in the tourism development. The land was a place of firsts going back prior to the founding of Canada, colonial activity and first contact with First Nations People. Much of the history that has unfolded over the past 300 years took place within the lands adjacent to Fort Edward. It would be a shame to lose that history and public use land. This land could play an important role in Peace and Reconciliation. Reconciliation can best take place on land that had a complicated, convoluted and sometimes unhappy but definitely documented history. The people that were involved (Acadian, Mi'kmaq, Settlers and Planters) are still present and have capacity to participate to make something very special on this land. The historical society wants to keep this land in control of the public so dreams that they have dreamt and are sharing have an opportunity to come true.

Resident, Susan Surette Draper, President Les Amis de Grande Pre' spoke about providing tours of the area to Acadian Descendants from all over. It was noted that people from the U.S. and France have a connection to Windsor (Pisiquid), this area held great sentiment for them, it was where their ancestors last set foot, grew their families, or lived for years. Ms. Draper spoke of Grande Pre' being the fancier building and gaining the most attention but noted that Windsor played a more important role in many people's histories. The Blockhouse was real, not manufactured and for them to be able to walk around walk them around the place where their families church once was, where their ancestors existed or even where their ancestors heard the order of deportation from Fort Edward had meaning. There was something about being in a place and actually seeing it vs reading about it in a history book. It was important that Fort Edward put on its best face for all who prize it, and the ones who view it as their destination point in their pilgrimage. There was support for the Historical Society and the ability for the area to be more than just a Blockhouse. There was value seen in having washroom facilities with some form of an interpretation centre.

Resident, Gary Nelson, Vice President of the West Hants Historical Society.

Mr. Nelson voiced that there was a slight error on the mapping and spoke of the 400 cards that were presented two weeks ago all in favour of maintaining the property as public due to the historical significance. The request of the Historical Society (along with the support of various other groups) was that they be given a year to collaborate and a proposal to present to Council that would further enhance Windsor as a stop for tourists and Windsor as a stop for Fort Edwards historical significance. It was noted that the staff recommendation went

halfway towards the one year requested time. The request made was to amend the recommendation to October; this would provide the requested year for the Historical Society.

Resident, Denise Forrard, Windsor

Ms. Forrard questioned why the process had gone this far. The land was given for community use. Ms. Forrard questioned how the land could be taken from the community and sold as real estate, this type of land should never have development on it. The land has 250-300 years of history with many different types of people. Exploring residential usages instead of tourism was a mistake, everyone had been trying to make the area a better tourist site Ms. Forrard requested that the land be put back to Open Space zoning with no residential on Fort Edward.

Resident, Teresa Newcombe, Windsor

Ms. Newcombe expressed appreciation to Council for all the work and time taken in looking after the area. Ms. Newcombe voiced her respect for all who were trying to do something with the land. The personal request being made was that whatever was to occur on the site be designed in a green way, keeping in mind the natural history of the area, nature, the environment, water run off management. Ms. Newcombe expressed that along with promoting the cultural history that perhaps a Peace monument or a Peace centre could exist on the site, making it unique area and adding to the tourism piece. It was understood that the discussion centered on 65 Fort Edward but that the conditional sale was for both properties, Ms. Newcombe expressed that she felt both properties should be kept together which would keep the entire historical site intact. Although a lot of discussions have occurred, Ms. Newcombe felt that Parks Canada should have been having a lot of these discussions, not the municipality. A final point was that green space was important and if the opportunity did not exist to create an interpretive centre or the finances were unavailable then at the very least a park could be created on the site.

Resident, Chris Cann, Fundy Shore

Mr. Cann attended the meeting tonight because he was alerted that another money decision was being made on lands that were not ceded. Mr. Cann stated that in his opinion a developer had showed up (who was not from the area) and proposed a project. Generally, a developer's values are seen as one dimensional; but by listening to what the people are saying, their values were seen as rich and diverse. Mr. Cann felt that more time was spend listening to one dimensional thoughts vs the multi-dimensional (possibilities of gatherings of people and strategic planning for the land that's unseeded territory) options presented at tonight's meeting.

The Public Hearing for 65 Fort Edward ended at 6:59 p.m.

4. Adjournment

Mayor Zebian declared the Public Hearing closed at 7:07 p.m.

Abraham Zebian, Mayor

Deanna Snair, Executive Assistant/Clerk



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: _____
Alex Dunphy, Planner

Date: October 25th, 2022

Subject: Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15F

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

If Council wishes to defer decision the following motion would be in order:

... that Council adjourns the Public Hearing until 6:00 pm on March 28 and postpones the Second Reading until March 28th, 2023 for 65 Fort Edward Street, Windsor (PID 45059797).

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from the Chief Administrative Officer, Mark Phillips, on September 28th, 2021, following a motion passed by Council directing him to submit an application to the Planning and Development Department for the redesignation and rezoning of 65 Fort Edward Street (PID 45059797). The application was made to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two Unit Residential (R-2).

DISCUSSION

During the June 28th Council meeting, the Public Hearing and Second Reading was adjourned until October 25th to await further information and the results of the Phase 2 Archaeological Resource Impact Assessment (ARIA) Study.

The Phase 2 ARIA has not been completed. In order to provide enough time to complete and consider the results of the Phase 2 ARIA, staff recommend that Council adjourn the Public Hearing to 6:00 pm on March 28th, 2023.

NEXT STEPS

Process

The process for this application is as follows:



FINANCIAL IMPLICATIONS

Prior to any construction, a Phase 2 Archaeological Resource Impact Assessment would be required.

ALTERNATIVES

In response to the application, Council may decide to:

- refuse or approve the proposed change of designation from Community Use to Residential and rezoning from Open Space (OS) to Two Unit Residential (R-2) for the subject lot (PID 45059797); or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A 2022-06-28 Staff Report - Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15E

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation and ask Council to consider any further delay / reflection they may feel is appropriate. The future of the noted lands remains an ongoing matter under Council's consideration. Development / housing opportunities have been expressed to Council as well as ongoing requests from representatives from the historical community for the preservation of the lands or alternative community facility.

Recognizing representatives from both perspectives would like a decision from Council, it is responsible for the municipality to ensure the appropriate time is taken to carry out a process of public engagement and feedback regarding the property's future.

Legal counsel has confirmed that Council may continue to delay the public hearing and second reading for the rezoning process for as long as Council desires. A six month to one year delay may be appropriate if Council desires.

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____

Mark Phillips, Chief Administrative Officer



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: _____
Alex Dunphy, Planner

Date: June 28th, 2022

Subject: Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15E

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

... that Council adjourns the Public Hearing until 6:00 pm on October 25 and postpones the Second Reading until October 25th, 2022 in order to complete and consider the results of the Phase 2 Archaeological Resource Impact Assessment for 65 Fort Edward Street, Windsor (PID 45059797).

BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A completed application was received from the Chief Administrative Officer, Mark Phillips, on September 28th, 2021, following a motion passed by Council directing him to submit an application to the Planning and Development Department for the redesignation and rezoning of 65 Fort Edward Street (PID 45059797). The application was made to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two Unit Residential (R-2).

DISCUSSION

A Public Information Meeting was held on November 8th, 2021.

Comments were received from the public regarding the redesignation and rezoning from November 8th to November 23rd. Ten (10) comments were received and the majority (8) of these were opposed to the redesignation and rezoning. The comments most commonly cited the lot's proximity to the National Historic Site, tourism use, neighbourhood disruption, parking use, and former Town Council decisions. Two (2) comments were received that were in favour of the redesignation and rezoning citing interest in seeing residential development.

On December 2nd, 2021, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC).

During the December 2nd meeting, staff's recommendation that Council give First Reading and hold a Public Hearing was defeated by PAC/HAC. Instead, the Committee recommended that Council delay the First Reading and direct staff to complete research related to former Town of Windsor commitments to heritage projects at the subject lot. The Committee also requested that staff obtain comments from the Province regarding the requirements of the Special Places Protection Act for the subject lot. Staff were asked to contact Sara Beanlands and Dr. Johnathan Fowler for further information about preparing a Phase 1 archeological assessment for the subject lot.

Dr. Johnathan Fowler provided a brief analysis of the property using historical records and LiDAR which determined that there is a high likelihood of elevated archaeological potential at the lot. Comments received from the Provincial Curator of Archaeology, Dr. Catherine Cottreau-Robins, provided a recommendation to pursue a Phase 1 Archaeological Resource Impact Assessment (ARIA) Study. Sara Beanlands provided information regarding a previous Memorandum of Understanding request from the Jewish Legion.

The CAO hired Dr. Jonathan Fowler to prepare a Phase 1 ARIA Study.

On January 11th, 2022, Shirley Pineo and Gary Nelson of the West Hants Historical Society made a presentation to Committee of the Whole about the municipally owned lots abutting the Fort Edward Historic Site. They provided information regarding street frontage of both properties based on historical records. There is access to Cobbett Street. 65 Fort Edward Street also has access to Fort Edward Street across land owned by Parks Canada. Staff have made inquiries with the Traffic Authority and the Director of Public Works as to whether the amendment is appropriate if access and egress to the lot must be from Cobbett Street. Neither the Traffic Authority, nor the Director of Public Works had any concerns with the amendment if Cobbett Street must be used as the sole access and egress for the subject lot. The Director of Public Works also noted that Cobbett and Fort Edward Street have both been identified for capital sewer, water, storm, and road improvements in the 5-year capital plan.

During the January 25th Council meeting, Mayor Zebian proposed postponing the Public Hearing and Second Reading until the March 22nd Council meeting to await further information and the results of the Phase 1 ARIA Study. That motion was carried. Then during the March 22nd Council

meeting, staff recommended adjourning the Public Hearing and postponing the Second Reading until June 28th. That motion was carried.

On February 23rd, the Phase 1 ARIA was completed by Dr. Johnathan Fowler and his team, Northeast Archaeological Research Inc. The report presented evidence that strongly suggests the presence of archaeological resources associated with Fort Edward in the subject lot. Early maps displayed multiple buildings consisting of a commanding officer's stable, bullock houses, and soldiers' huts being located on the subject lot. The subject lot was also used as exhibition grounds for the Windsor Agricultural Fair, which was a designated event of national historic significance. It also appears that the construction of the large swimming pool in the 1960s did not likely directly impact any of the anticipated archaeological features.

The report was submitted and revised by the Nova Scotia Department of Communities, Culture, and Heritage. The revised report was then returned on May 17th to Dr. Fowler and the Municipality with the following as a revised outcome of the report:

Should further ground disturbance be planned for any part of the study area, it is recommended that a thorough Phase 2 ARIA be undertaken in advance to better assess the nature of, and mitigate potential impacts to, archaeological resources.

Despite these precautions, should mechanical excavation encounter archaeological evidence, it is recommended that contractors temporarily pause the work and contact John Cormier, Coordinator of Special Places at the Nova Scotia Department of Communities, Culture, Tourism and Heritage: (902) 424-6475 and/or john.cormier@novascotia.ca.

Finally, although Parks Canada's viewplane is not part of provincial jurisdiction or the Special Places Protection Act's regulatory framework, the West Hants Regional Municipality is advised of Parks Canada's concerns in relation to the viewplane, particularly regarding PID 45059797, which is also the property with the greater number of documented archaeological features.

Staff are currently awaiting further information regarding viewplanes from Park's Canada representatives.

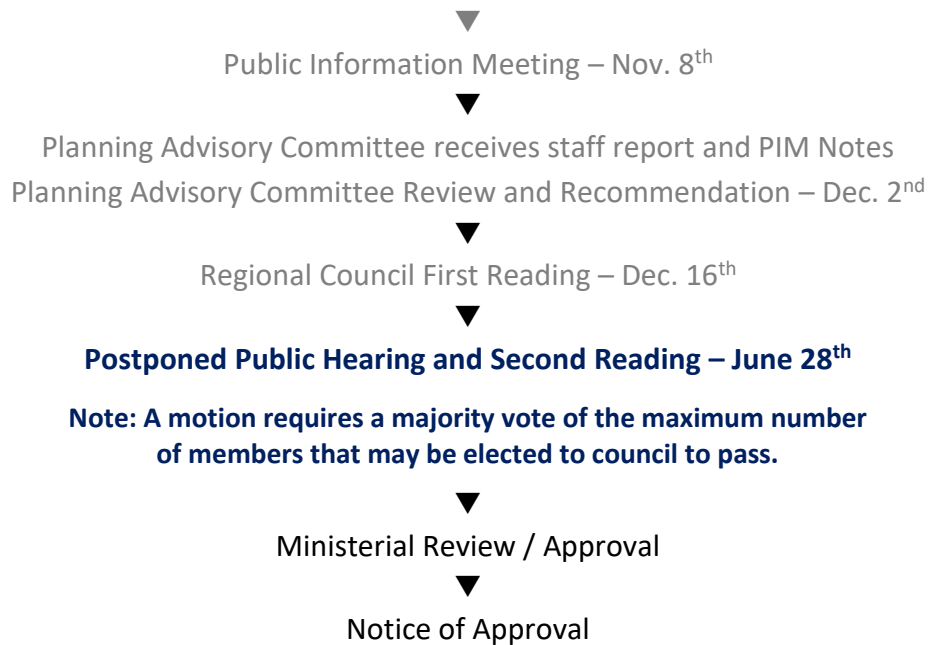
Dr. Johnathan Fowler estimated that the timeline for an archaeologist to receive a permit would be five (5) to ten (10) business days, followed by a month or two to carry out the Phase 2 ARIA, in the best-case scenario. In order to provide enough time to complete and consider the results of the Phase 2 ARIA, staff recommend that Council adjourn the Public Hearing to 6:00 pm on October 25th, 2022.

NEXT STEPS

Process

The process for this application is as follows:

Staff Review



FINANCIAL IMPLICATIONS

Prior to any construction, a Phase 2 Archaeological Resource Impact Assessment would be required.

ALTERNATIVES

In response to the application, Council may:

- reject the proposed change of designation from Community Use to Residential and rezoning from Open Space (OS) to Two Unit Residential (R-2) for the subject lot (PID 45059797)
- provide alternative direction such as requesting further information on a specific topic

ATTACHMENTS

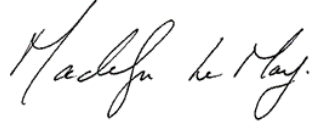
Attachment A	2021-12-16 Staff Report - Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15A
Attachment B	2022-01-13 Supplementary Report – Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File # 21-15B
Attachment C	Revised Fort Edward Street Archaeological Resource Impact Assessment – Dr. Johnathan Fowler

CHIEF ADMINISTRATIVE OFFICER REVIEW

N/A

Report Prepared by: _____

Alex Dunphy, Planner

A handwritten signature in cursive script that reads "Madelyn LeMay".

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development;
Acting Chief Administrative Officer

Attachment A – Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15A



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: _____
Alex Dunphy, Planner

Date: December 16th, 2021

Subject: Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

The following motion was defeated at PAC/HAC on December 2, 2021:

... that Council give First Reading and hold a Public Hearing to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential the property at PID 45059797, 65 Fort Edward Street, Windsor.

The following motions were prepared and passed by PAC/HAC:

... that PAC/HAC recommends that Council delay First Reading and direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at the site (PID 45059797).

... that PAC/HAC request staff for comment from the Province of Nova Scotia regarding requirements of the Special Places Protection Act for the site (PID 45059797).

BACKGROUND

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

A completed application was received from the Chief Administrative Officer, Mark Phillips, on September 28th, 2021, following a motion passed by Council directing him to submit an application to the Planning and Development Department for the redesignation and rezoning of 65 Fort Edward Street (PID 45059797). The application was made to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two Unit Residential (R-2).

DISCUSSION

A Public Information Meeting was held on November 8th, 2021.

Comments were received by the public regarding the redesignation and rezoning from November 8th to November 23rd. Ten (10) comments were received and the majority (8) of these were opposed to the redesignation and rezoning. The comments most commonly cited the lot's proximity to the National Historic Site, tourism use, neighbourhood disruption, parking use, and former Town Council decisions. Two (2) comments were received that were in favour of the redesignation and rezoning citing interest in seeing residential development.

On December 2nd, 2021, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A).

During the December 2nd meeting, staff's recommendation that Council give First Reading and hold a Public Hearing was defeated by PAC/HAC. Instead, the Committee recommended that Council delay the First Reading and direct staff to complete research related to former Town of Windsor commitments to heritage projects at the subject lot. The Committee also requested that staff to obtain comments from the province regarding the requirements of the Special Places Protection Act for the subject lot. It was also discussed that staff would reach out to Sara Beansland and Johnathan Fowler for further information about the subject lot.

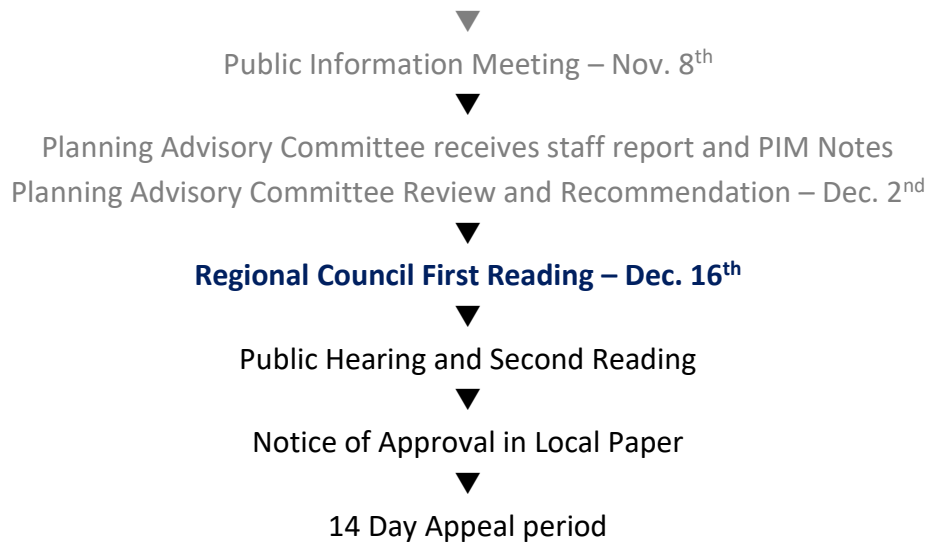
NEXT STEPS

The proposed amendments have been considered based on both the enabling and supporting policies of the WMPS and have proven consistent with the intent, objectives, and policies of the WMPS. As a result, it is reasonable to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential (R-2) at 65 Fort Edward Street, Windsor (PID 45059797).

The subject lot's current designation and zoning provide the opportunity to develop the site as a museum or historic site as-of-right. As a result, it is also reasonable to consider delaying First Reading in order to complete research related to any former Town of Windsor outstanding commitments to heritage projects at 65 Fort Edward Street, Windsor (PID 45059797).

Process

Staff Review



FINANCIAL IMPLICATIONS

At this point, there are no anticipated costs to the Municipality associated with this development.

ALTERNATIVES

In response to the application, Council may:

- hold a First Reading and authorize a Public Hearing to approve the redesignation and concurrent rezoning; or
- delay First Reading and direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at the subject lot (PID 45059797)
- provide alternative direction such as requesting further information on a specific topic

APPENDICIES

Appendix A 2021-12-02 Staff Report - Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15

CHIEF ADMINISTRATIVE OFFICER REVIEW

As noted in the report the PAC/HAC have met to review the rezoning application for the noted property. I did not attend the meeting but understand there was discussions by the committee resulting in two separate action items or requests for more information and further due diligence from PAC/HAC for Council to consider before proceeding to first reading.

PAC/HAC are advisory to Council and have been provided the authority to reject, amend or support a recommendation from staff. Council, is the decision making body and has the

authority to proceed as they see fit which may or may not be in alignment with the position of PAC/HAC or any advisory committee.

I support the original recommendation from staff that was forwarded to the PAC / HAC meeting on December 2, 2021.

... that Council give First Reading and hold a Public Hearing to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential the property at PID 45059797, 65 Fort Edward Street, Windsor.

Further information was requested by PAC /HAC.

1. Direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at the site (PID 45059797).
2. Request staff for comment from the Province of Nova Scotia regarding requirements of the Special Places Protection Act for the site (PID 45059797).

Through the CAO's Office staff have revisited the past minutes of the former Town of Windsor Council relating to the former pool site, its' decommissioning and redevelopment of the lands. The discussion of the former Council and minutes have further been reviewed by solicitor John Shanks, who was also the former solicitor for the Town of Windsor, and there is no outstanding commitments to heritage projects as directed by the former Windsor Council. The minutes did reflect discussions about options for the site, including heritage uses but no motion of the former Council is influencing the current Council. The current Council has deemed the property (s) surplus as of May of 2021.

The second noted discussion point by PAC/HAC is to consider the property and its' connectivity to the Special Places Protection Act due to its proximity to the Parks Canada Site (Fort Edward). There is no legal requirement to conduct the assessment on the existing property (s) but it would be prudent for the municipality to carry out this action. The municipality, through staff, is currently engaging a qualified archeologist to carry out a Phase 1 Archaeological Resource Impact Assessment (ARIA) on the two lots to carry out additional due diligence on the sites. A Phase 2 could be triggered if Phase 1 results in concerns or findings. The (ARIA) is expected to be completed by the end of January and before the anticipated Public Hearing and Second Reading by Council.

As noted above, I recommend Council proceed with First Reading as per the staff recommendation to best accommodate the scheduled redevelopment of the site. Ample public consultation and added research can continue as the Public Hearing and Second Reading phases of the planning process are carried out. Should unknown information become available Council will have the opportunity to revisit or reflect as the Second Reading must also be approved by Council.

Report Prepared by: _____

Alex Dunphy, Planner

Report Reviewed by: _____

Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____

Mark Phillips, Chief Administrative Officer

Appendix A – Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: _____
Alex Dunphy, Planner

Date: December 2nd, 2021

Subject: Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

... that PAC recommends that Council give First Reading and hold a Public Hearing to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential the lot identified as PID 45059797, 65 Fort Edward Street, Windsor.

BACKGROUND

A completed application was received from the Chief Administrative Officer, Mark Phillips, on September 28th, 2021, following a motion passed by Council directing him to submit an application to the Planning and Development Department for the redesignation and rezoning of 65 Fort Edward Street. The application was made to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two Unit Residential (R-2) at the lot identified as PID 45059797, 65 Fort Edward Street, Windsor.

Previous Uses

The property was originally sold to the Town of Windsor in 1967 by Parks Canada as it had no further use for the land. It was then developed as pool site, then later transitioned to and is currently a vacant gravel lot utilized as municipal parking.

It should be noted that the subject lot is not a part of the Fort Edward National Historic Site. The designated historic site is owned by Parks Canada, while the subject lot is owned by West Hants Regional Municipality and is located wholly outside of the National Historic Site.

Previous Council Discussions

There have been many discussions regarding the intended development of this property over the last 14 years. This property has been of special interest to the West Hants Historical Society due to the proximity to the Fort Edward National Historic Site. Research for previous discussions and motions of the former Town of Windsor Council are ongoing.

DISCUSSION

The property is currently designated Community Use on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). This designation is generally applied to institutional, recreational, and open space uses.

The property is currently zoned Open Space (OS) on Schedule A of the Windsor Land Use By-law (WLUB) (Figure 2). Permitted uses in this zone consist of cemeteries, museums, historic sites, outdoor recreation, parks, and playgrounds.

Council’s motion to apply for a redesignation and concurrent rezoning will be considered through a set of enabling policies and a set of supporting policies. The enabling policies, which will be used to substantiate the ability for Council to redesignation and concurrent rezoning, consist of Policy 16.1.1 and Policy 16.3.1. The supporting policies, which will be examined as part of the criteria for the redesignation and rezoning, consist of Policy 11.0.1 and Policy 11.2.1.

Surrounding Neighbourhood

The subject lot directly abuts lots zoned Open Space (OS) to the northeast and southeast, Town Centre (TC) to the northwest, and Two Unit Residential (R-2) to the southwest.

Table 1: Use Abutting Subject Lot by Direction

Northeast & Southeast	Fort Edward National Historic Site zoned Open Space (OS).
Northwest	Single unit dwellings all zoned Town Centre (TC).
Southwest	Vacant gravel lot currently being used as parking zoned Two Unit Residential (R-2).

Proposed Designation and Zone

The intention of the application is to redesignate and rezone the subject property to allow for potential residential uses consisting of single or two-unit dwellings as of right or a greater number of units by development agreement.

Fort Edward Street is a local road which leads from King Street Extension and to the Fort Edward National Historic Site, as shown on the Transportation Map (Map 2) of the WMPS. The Municipal

Traffic Authority stated that there are many similar dwelling units in the area and they had no concerns in regard to the movement of auto, rail, and pedestrian traffic.

The Development Officer has no concerns about the proposed rezoning of this property as there are several existing Two Unit Residential (R-2) properties in close proximity and the property meets the minimum zone requirements in the WLUB. As there is existing Two Unit Residential (R-2) development in the area, as-of-right development should have little impact on the existing development.

Public Information Meeting Comments

Prior to and following the Public Information Meeting, staff have received many emails, phone calls, and letters. Staff responded to the comments received prior to the Public Information Meeting at the meeting, as seen on the final page of Attachment C – Public Information Meeting Notes. The comments in opposition to the redesignation and rezoning were primarily regarding losing access to this piece of property as public land and the lost opportunity for tourism or heritage use. The comments in favour of the redesignation and rezoning cited interest in seeing residential development on the property.

DOCUMENT REVIEW

Municipal Planning Strategy

There are two sets of policies in the WMPS that apply to this proposed amendment, the enabling policies (Policy 16.1.1 and 16.3.1) and the supporting policies (Policy 11.0.1 and 11.2.1).

The enabling policies provide the ability for the amendment to take place and the criteria that the amendment must meet.

Policy 16.1.1 allows Council to review and amend the WMPS or GFLUM. Amendments can be made when the GFLUM needs to be changed to bring the Strategy in line with the Statements of Provincial Interest, or when Council deems it necessary due to a change in policy intentions or development environment. The proposed amendment would provide an opportunity for further residential development within Windsor, which in the current housing climate is necessary to not worsen the housing shortage. The amendment also addresses the Statement of Provincial Interest regarding housing by enabling additional residential development.

Policy 16.3.1 establishes the general criteria that all amendments must meet. The criteria will be explained in further detail in Attachment A, but in summary of how the proposal meets the criteria:

- the proposal is not considered premature or inappropriate
- no Municipal costs related to the proposal are anticipated
- the Fire Chief, Development Officer, Senior Building and Fire Official, Director of Public Works and Traffic Authority have no major concerns

The supporting policies provide justification for the amendment by comparing the current designation and zone definition to the use and intent of the property.

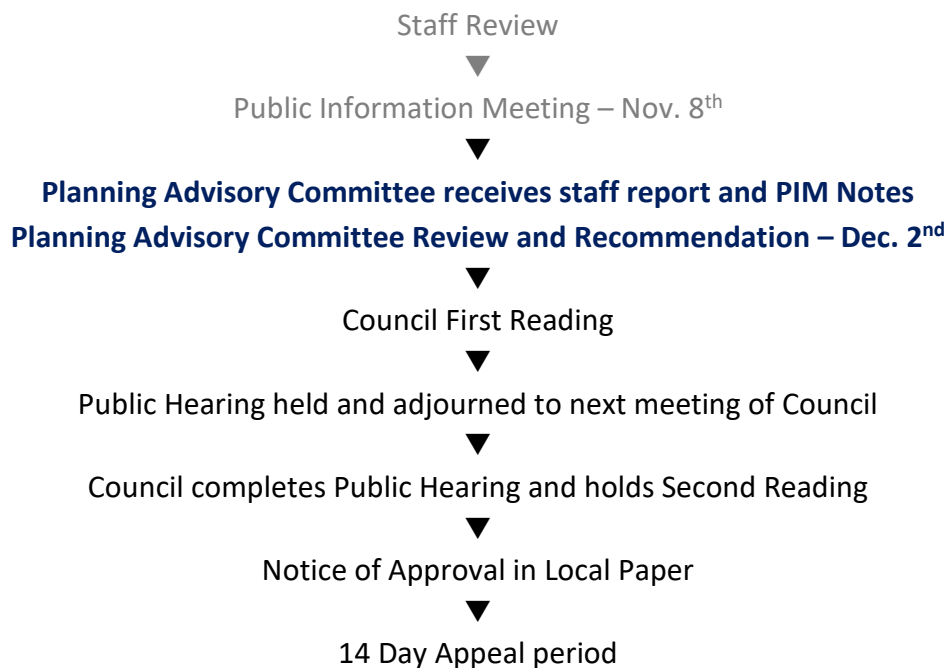
Policy 11.0.1 establishes the Community Use designation, which is the current designation of this property. As the property is currently a vacant gravel lot used for parking, it does not reflect the intent of the Community Use designation.

Policy 11.2.1 establishes the Open Space (OS) zone, which is the current zone of the property. The property is currently a vacant gravel lot used for parking, not a use for which the Open Space (OS) zone is intended.

NEXT STEPS

The proposed amendments have been considered based on both the enabling and supporting policies of the WMPS and have proven consistent with the intent, objectives, and policies of WMPS. As a result, it is reasonable to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential (R-2) at 65 Fort Edward Street, Windsor (PID 45059797).

Process



FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality associated with this development.

ALTERNATIVES

In response to the application, PAC may:

- recommend that Council hold a First Reading and authorize a Public Hearing to approve the redesignation and concurrent rezoning; or
- provide alternative direction such as requesting further information on a specific topic

ATTACHMENTS

Figure 1	Windsor GFLUM Extract: Current Designation
Figure 2	Windsor GFLUM Extract: Proposed Designation
Figure 3	Windsor Zoning Map Extract: Current Zone
Figure 4	Windsor Zoning Map Extract: Proposed Zone
Attachment A	Policy Chart for Redesignation and Rezoning
Attachment B	Public Information Meeting Notes

Report Prepared by: _____

Alex Dunphy, Planner

Report Reviewed by: _____

Madelyn LeMay, Director of Planning and Development

Figure 1 – Windsor GFLUM Extract: Current Designation



Figure 2 – Windsor GFLUM Extract: Proposed Designation



Figure 3 – Windsor Zoning Map Extract: Current Zone

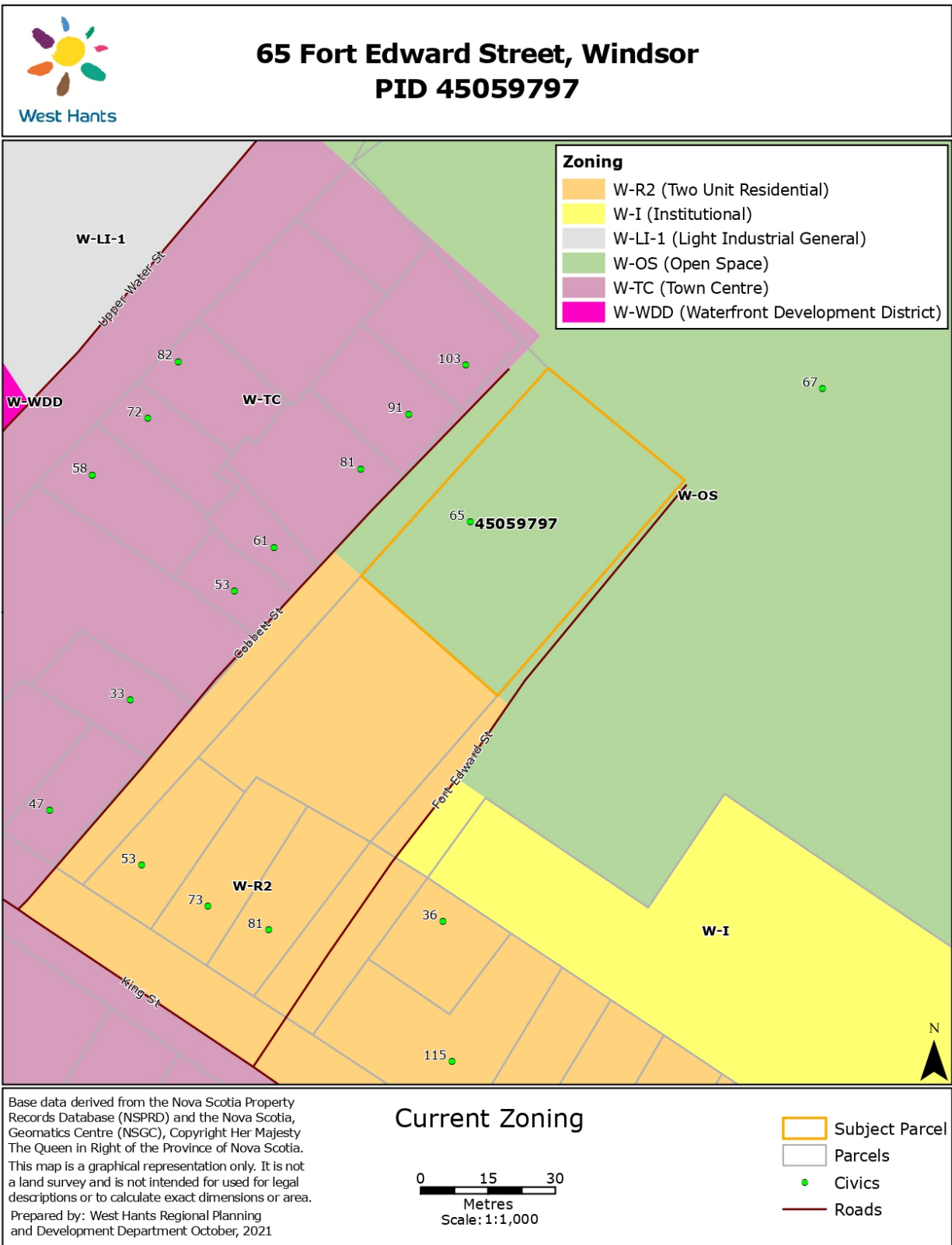
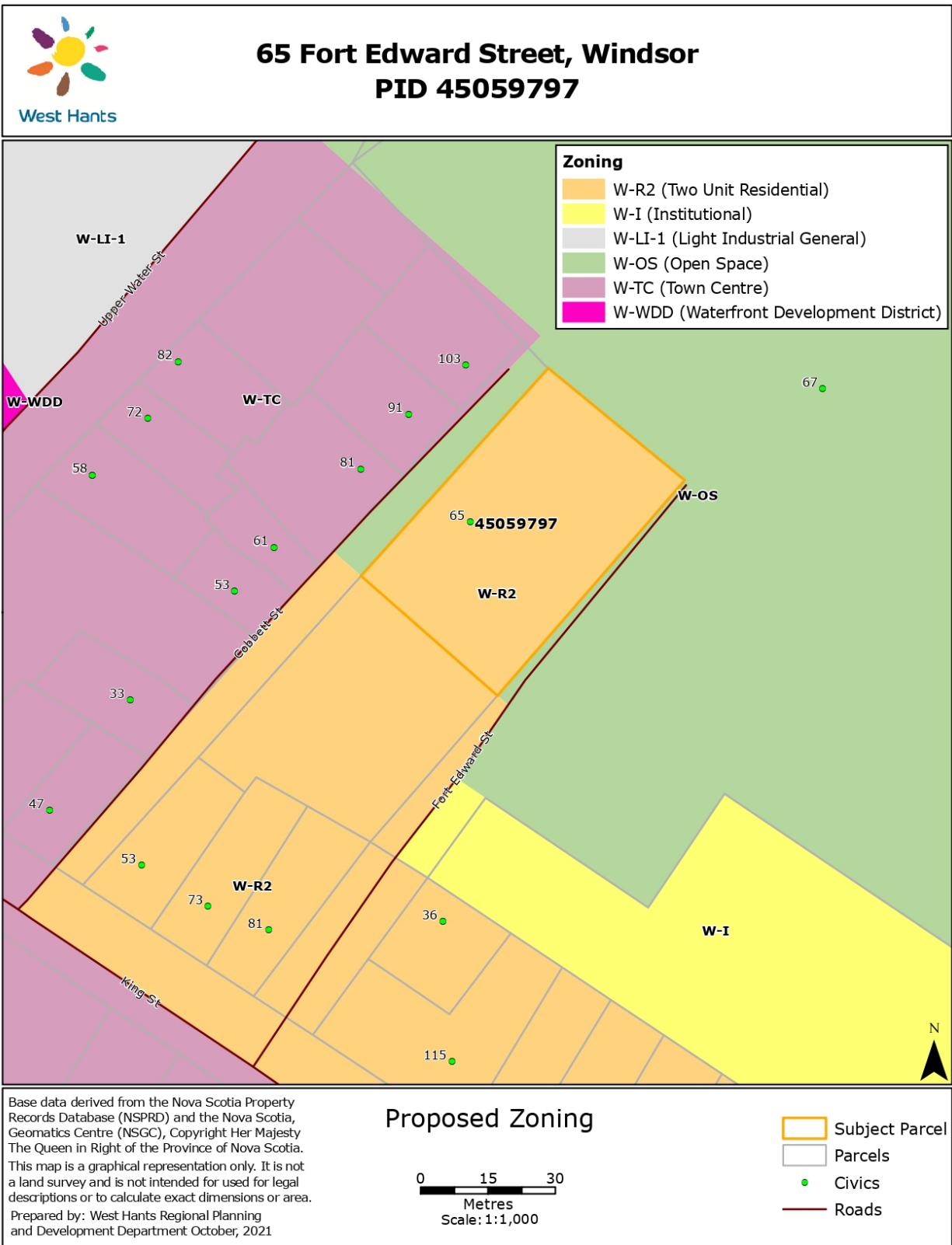


Figure 4 – Windsor Zoning Map Extract: Proposed Zone



Attachment A – Policy Summary

Enabling Policy

<p>Policy 16.1.1 It shall be the policy of Council to review and make amendments to this Strategy:</p>	
(a) when there is a requirement to change the Generalized Future Land Use Map (Map 1);	The GFLUM will need to be updated if a redesignation is permitted by Council.
(b) to bring the Strategy in line with Provincial Statements of Interest; or	The redesignation would address the Statement of Provincial Interest with regard to Housing.
(c) when Council deems it necessary because of a change in policy intentions or the development environment.	Council has deemed this property as surplus and has given direction to the CAO to apply for the proposed changes..

<p>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:</p>	
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Director of Public Works commented that the property is capable of being serviced with water and sewer from Cobbett Street and would be adequate for uses associated with the amendment.
(ii) the adequacy of school facilities;	There are a number of schools within the area including an elementary school, two high schools, and an adult education centre.
(iii) the adequacy of fire protection;	The local Fire Chief and Manager of Building and Fire Inspection Services commented that there are no concerns regarding fire protection. There are multiple points of access to firefighting infrastructure and is located close to the Fire Hall.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The Traffic Authority commented that the road networks around or adjacent to the property are sufficient for uses associated with the amendment. The property has access to both Fort Edward Street and Cobbett Street

(v) the financial capacity of the Town to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Traffic Authority commented that they do not have any concerns regarding movement.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	The Development Officer commented that the lot has adequate area and frontage to meet the requirements of the Two Unit Residential (R-2) zone.
(d) the pattern of development which the proposal might create;	There are several properties zoned Two Unit Residential (R-2) near the site. The Development Officer commented that as-of-right development should have little impact on the nearby development.
(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;	The property is on a sloped grade, so water runoff may occur; however the property has been landscaped to be suitable for development. The property is also not within the Environmental Constraints layer on the Windsor Zoning Map (Schedule A of WLUB).
(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and	All Municipal, Provincial, and Federal regulations will have to be met.
(g) any other matter required by relevant policies of this Strategy.	All relevant matters have been addressed in this report.

Supporting Policy

<p>Policy 11.0.1 It shall be the policy of Council to establish a Community Use designation as shown on the Generalized Future Land Use Map (Map 1) to be applied to existing institutional uses, municipal recreation uses and open space areas.</p>	<p>Following the demolition of the former pool site, the use of the property as a vacant gravel lot does not match the intention of the Community Use designation. During the previous request for Expressions of Interest, the only proposal received was for a residential development.</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Policy 11.2.1

It is the intention of Council to establish an Open Space (OS) zone which applies to parks and other outdoor recreation uses, cemeteries, historic sites and similar uses. Generally, open space uses do not involve main buildings, but the zone may also be applied to certain institutional uses, such as museums, which are located on large parcels of land used as parkland.

Following the demolition of the former pool site, the use of the property as a vacant gravel lot does not match the intention of the Open Space (OS) zone. The property is not currently being utilized to the best of its ability.

ATTACHEMENT B
Public Information Meeting Notes
November 8, 2021- November 23, 2021
File 21-15
65 Fort Edward Street, PID # 45059797

Meeting date and time	A public information meeting was held on November 8, 2021 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
File Number	21-15
Attending	<p>The PIM was held prior to the regular PAC/JAC meeting. As a result, the following members of PAC/HAC and staff were present:</p> <p>Councillor Jim Ivey Councillor Rupert Jannasch Councillor Mark McLean Councillor Debbie Francis Councillor John Smith Bill Preston Jane Davis Shelley Bibby Jennifer Nicholls Lisa Bland Jamie O’Hanlon</p> <p>Staff: Madelyn LeMay, Director, Planning and Development Sara Poirier, Senior Planner Alex Dunphy, Planner Vanessa Lake, Meeting Secretary</p> <p>Applicant: Mark Phillips, CAO</p> <p>As this meeting was held virtually there were no members of the public present.</p>
Applicant Mark Phillips, CAO	Mr. Dunphy outlined the application for a redesignation and concurrent rezoning at PID 45059797.
WHRM	A presentation was not made by the applicant.
Comments	<p>Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between November 8 – November 23, 2021.</p> <p>Two (2) letters were received, one (1) which requested priority consideration for a period of nine (9) months for the West Hants Historical Society to create a project plan and one (1) which was opposed to the redesignation due to the potential for public land to be developed with heritage and sustainability in mind.</p> <p>Four (4) emails were received, one (1) was in favour of the redesignation to provide additional housing possibilities, and three (3) were opposed to the redesignation based on proximity to the</p>

	<p>National Historic Site, elevation of the property, availability of parking, and potential community use.</p> <p>Four (4) Phone calls were received, with three (3) of the calls prior to the Public Information Meeting. Three (3) of the calls were opposed to the sale or development of the property, citing concerns regarding former Town Council decisions, the quality of development, and sale of the land without public consultation. One (1) call was in favour of the redesignation and was interested in developing the property as housing.</p>
Adjournment	The presentation portion of the PIM ended at approximately 6:10 p.m.

ATTACHMENT A

PIM Submissions: 65 Fort Edward Street

Received: October 28th – November 8th, 2021 (Prior to PIM) & November 9th – November 23rd, 2021

Compiled: November 24th, 2021

Letter

November 16, 2021

Shirley Pineo
 President
 West Hants Historical Society

281 King Street, Windsor, NS B0N 2T0
 Mayor and Councillors of West Hants Council
 Chair and Members of West Hants Planning Committee
 76 Morison Dr, Windsor, NS B0N 2T0

Dear Mayor, Councillors and Planning Committee Members:

Thank you for considering this letter in the request by Council for development proposals regarding two municipal plots, PIDs 45059797 and 45059805, which abut the western edge of the Fort Edward National Historic Site in Windsor, West Hants, Nova Scotia.

Importance of Fort Edward

101 years ago, in 1920, Parks Canada declared Fort Edward a National Historic Site because of its role in the struggle for predominance in North America from 1750 to the war of 1812. However, the Fort and its location have importance much beyond its above noted role.

Fort Edward is intertwined in every major occurrence and the day-to-day life of our region since before recorded history. For centuries, the Mi'kmaq people knew this place as an ideal area for hunting and fishing. In the 1600s, the Acadians had a chapel on the grounds that became Fort Edward in 1770. Shortly thereafter, in 1755, over 1,000 Acadians were wrongfully deported from the region and an influx of American Planters ensued.

The longest running agricultural fair in North America began over 250 years ago at Fort Edward, and during World War I, the first Prime Minister of the State of Israel trained for military service at the Fort. Today, the

sole remaining built structure of Fort Edward is its blockhouse, prefabricated defense post that is now oldest and longest serving structure of its kind in North America.

Fort Edward National Historic Site is a landmark like none other, having borne witness to and played a crucial role in our collective histories, reminding us of who we are and how far we have come as a community.

West Hants Historical Society

Since the late 1990s, Parks Canada has contracted the West Hants Historical Society to facilitate the visitor experience offered at Fort Edward and contribute valuable input in the overall management of the Site. For its part, Parks Canada oversees the strategic operations of Fort Edward in context to the Fort's relationship with other Parks Canada historic sites throughout Southwest Nova Scotia.

There have been many discussions over the years as to how Fort Edward should be enhanced as a tourism destination, a recreation space, a learning tool to convey historic perspectives and potentially as a contributor to the local economy. The strict archaeological constraints of the Site itself, however, restrict development to take place, meaning that any sort of building or structure to support the Site would need to be placed off the Site on adjacent land not currently managed by Parks Canada.

When Windsor's Centennial Pool (PID 45059805) was decommissioned in 2006 it represented the first opportunity for the Society since entering its contract with Parks Canada to expand the Site's offering beyond its designated borders. Discussions were held with Town staff regarding use of pool's administration building so Site visitors and staff could access the public washrooms, with the remaining space used for artifact displays and minor retail, however, access was not granted.

Later, in 2010, the West Hants Historical Society formally requested Windsor Town Council to entertain development propositions for the above-named properties adjacent to the Fort Edward Site only if the developments were to be sensitive to and supportive of the Historic Site. The request was in response to an expression of interest submitted to Council from a developer proposing high value residential units that would be available for young professionals to rent. After the Society's request, the residential development proposal did not proceed.

In 2016, Parks Canada released its [10-year National Historic Sites of Southwest Nova Scotia Management Plan](#). This document provides a wealth of data in which to aid Parks Canada and stakeholder communities throughout the region to effectively leverage important sites like Fort Edward as destinations at which community members and visitors alike can learn, connect, reconcile, build bonds, share histories, tell our stories, and bridge our differences toward creating a society that is more aware, inclusive, and productive.

As local custodians of the Fort Edward Site, and on behalf of members of the Society, stakeholder groups and area residents who wish to see the Fort Edward National Historic Site play a more relevant role in education, economic development, and facilitating reconciliation within our community, the **West Hants Historical Society proposes to lead a multi-stakeholder, collaborative plan to provide a built structure on the surplus parcels (PID #s 45059797 and 45059805).**

Based on feedback we have received from visitors and community members alike dating back several years, along with initial interest of involvement from stakeholder groups we have approached thus far, we are confident we can deliver to Council a progressive development plan to create a built structure that adds economic value and diverse interest to the existing Site as well as provides a designated space for visitors and community members to gather, learn, enjoy, and reflect.

We therefore request the Municipality of West Hants to **grant the West Hants Historical Society priority consideration for a period of nine months so the Society, its partners, and community stakeholder**

representatives may collaborate on a multi-use, built project plan toward creating a centre that provides for historical and cultural interpretation, commerce, amenities, and public gatherings upon PID plots 45059797 and 45059805.

Signed respectfully,
Shirley Pineo
President
West Hants Historical Society

c.c.

- Kody Blois, MP for Kings Hants
- Melissa Sheehy Richard, MLA for Hants West
- Glooscap Ventures, Glooscap First Nations
- Ted Dolan,, Superintendent, Parks Canada
- Sharmay Beals-Wentzell, Coordinator, West Hants Historical Society Diversity Committee
- Sara Beanlands, Historian, Royal Nova Scotia Historical Society
- Jonathan Fowler, Archeologist, Archaeology in Acadie
- Adrienne Wood and Ashley Wood, Chairs, Windsor Township Business Association
- Lisa Hines, Manager, Windsor Agricultural Society
- 84th Regiment of Foot
- WHHS Facebook page

November 23, 2021

From: Teresa Newcomb
To: Alex Dunphy, Planner
C/C Abraham Zebian
Windsor West Hants

Re: 65 Ft. Edward St
PID 45059797

Request to Redesignate to Residential, Concurrent Rezoning to Two Unit Residential (R-2) zone

See attached letter

Emails

From: Kelly McGregor
Sent: November 1, 2021 11:38 AM
To: Alexander Dunphy <ADunphy@westhants.ca>
Subject: Feedback 65 Fort Edward Street

Hello,
I would like to give feedback on the change of use for the 65 Fort Edward Street.

We would like to strongly support this project. We feel that any additional housing stock is absolutely necessary at this time.

We were contacted because the Portal owns a property in the vicinity.

Regards,
Kelly McGregor

From: Andrea Moore
Sent: November 3, 2021 12:38 PM
To: Alexander Dunphy ADunphy@westhants.ca
Subject: 65 Fort Edward St meeting

Hi Alex,

I would like to virtually attend the meeting about 65 Fort Edward Street.

I also have 3 questions.

1. This property and adjacent 36 Fort Edward are currently listed for sale on Viewpoint, advertised as "lands are zoned R2 which allows for duplex dwellings."

The letter I received states that the redesignation is proposed.

So, is the redesignation already in place or is it in the proposal phase?

2. The properties are listed together for 303,000\$. Why is this meeting about one property only? Is there another different plan for 36 Fort Edward Street?

3. These are large properties. How many duplex dwellings would be permitted on each PID?

Thank you,
Andrea Moore

Hi Alex,

Thank you for your responses to my initial questions.

I do not agree with the rezoning of 65 Fort Edward Street to R2.

It is adjacent to a National Historic Site and as such should receive significant more consideration as to its use, and perhaps more importantly, the lost potential from selling off this unique land.

1. Tourists come and go from this location because of its listing as a National Historic Site...and a free one at that. But they often take a picture and leave within 5-10 minutes, likely on to Grand Pre where there are facilities and an interpretive centre. Any kind of tourist information or interpretation or facilities in a separate building would likely be well received and well visited, encouraging people to stay longer and explore the local area further. This may be a better location for the tourism information bureau given the ample parking, existing stream of visitors, and proximity to the highway.
2. Alternatively, create something of additional value for locals. Why not a community garden on the gravel lot. Or on the grassy area or both. Raised beds could easily be added to the gravel surface and allow for much more substantial use than other areas in town which are limited to one plot. This would provide benefits to many more people than the potentially 2 families from a duplex. There are surely many more options for this location recreation-wise given the proximity to the trail. Enhancing this area could also provide relief to the now marshfront, offering an alternate destination for a lovely walk, with potentially another outdoor gym or playground for families.

3. Personally, I can see residential use for the adjacent property on Fort Edward, but this one is much different. It is very high and large and is split by a road that the public uses. The side on Cobbett Street beneath the gravel is very steep and a building would be an eyesore from that side, assuming that a residential unit would face onto Fort Edward Street. A building, even a two story, would loom large from below, more like a four or five story given the difference in elevation, which is a significant, not a minor, disturbance to the current view, and amount of natural light from my location.

I strongly urge the committee to consider alternative uses for this unique property before it is sold. Or delaying its rezoning for another year. Please also consider splitting the PIDs and selling 36 Fort Edward Street but not 65 Fort Edward Street. This would allow the municipality to make some money from the sale of a property but reserve another to potentially reach many more community members and tourists in a much more meaningful and long lasting way.

Sincerely,
Andrea Moore

From: Denise Forand
Sent: November 9, 2021 5:34 PM
To: Alexander Dunphy <ADunphy@westhants.ca>
Subject: Former pool site, 65 Fort Edward Street

Dear Mr Dunphy,

I feel the name alone says why we should not sell this land or call it surplus.
I don't think there is a home on that short road.

These lands are used for excess parking for the municipal regional office, the fire station, tourist for the Fort and locals who walk the trail, not surplus.

If our new municipality building moves into the economic centre , we will require the parking spaces even more than today.

This Downtown location should be kept for local needs in our future as we have limited lots downtown in our commercial town centre.

What happened to the Jewish museum? They were thinking of that location.

The region is in great financial shape.

We cannot grow more lots downtown, it's a historic 175 year old town.

I firmly believe all councillors and planners should have a slow tour of the architectural district and the reason for different rules for different locations.

Late 1898 would have been when Windsor got rebuilt. No cars in any planner's designs, we had ships, lots of ships and a rail line.

I firmly believe that this land should be held for our own future needs.

Sincerely,
Denise

Thank You Alexander, I am against losing the designation of open space in our town center for residential or commercial on said lots by Fort Edward.

I firmly believe our next pool will be back where our centennial pool was for 50 years, on high ground. This land is too valuable to sell for a measles amount when it's need will be required in the future growth of our township.

Thank You, Denise

From: Don Hurshman

Sent: November 23, 2021 12:47 PM

To: Alexander Dunphy <ADunphy@westhants.ca>

Subject: Just my opinion.

What I think should happen with the 2 parcels of land at the fort is to have a small tourist bureau in the lower parking lot similar to the one that used to be as you drove into Hantsport. And in the upper parcel a splash pad for the small children that are yet too young for the pool, don't forget there are many young families that can't afford to take their children to the pool everyday, having a splash pad would cure that problem. After all this land was deeded to the town for the benefit of the citizens of Windsor and not for the benefit of one developer. There are other lots of land I'm sure where a couple of duplexes could be built.

Thank you for your time

Don Hurshman

Phone Calls

From: Liz Galbraith

Date: October 28, 2021

To: Alexander Dunphy

Ms. Galbraith had concerns regarding former Windsor Town Council decisions to reserve the property for heritage or tourism usage. Ms. Galbraith also had concerns regarding the suitability of infrastructure and neighbourhood character. The Planner replied that they would research former Town Council decisions and that any development would be required to follow all policies and by-laws.

From: G. Fogarty

Date: November 4, 2021

To: Alexander Dunphy

Ms. Fogarty had concerns regarding the quality of development for the property. The Planner replied that the land had yet to be sold and that any development would be required to follow all policies and by-laws.

From: Roaland Newcomb

Date: November 8, 2021

To: Alexander Dunphy

Mr. Newcomb had concerns regarding the sale of public land without public consultation. The Planner replied that the public consultation process had yet to begin and that it would be starting with the Public Information Meeting that night.

From: Kevin Saunders
Date: November 17, 2021
To: Alexander Dunphy

Mr. Saunders was interested about developing the land as residential and was in favour of the redesignation and rezoning.

Staff Comment Response

PIM Comments Response – Nov. 8th, 2021

We have received a number of phone calls from the public about this lot. Generally, the concerns were regarding the public consultation, sale of the land, the quality of future development, former Town Council decisions, the suitability of infrastructure and the neighbourhood character.

In response to these concerns, staff provide the following:

- This application is solely for the redesignation and rezoning of the lot.
- Staff are researching any previous decisions regarding 65 Fort Edward Street by the former Windsor Town Council
- Any sale of this lot is a decision of Council
- All requirements of the Public Participation Policy process have been and will continue to be met
- Any future development on this property will be required to follow the regulations in the Windsor Land Use By-law
- The Municipal Planning Strategy requires aspects such as the suitability of infrastructure and neighbourhood character to be examined as part of the recommendation made by planning staff

Staff have also received a number of emails regarding the Public Information Meeting.

In response to these questions, staff provide the following:

- This application is only dealing with 65 Fort Edward Street. It is currently zoned Open Space (OS) and the application is to rezone the lot to Two Unit Residential (R-2). No decisions have been made yet
- A single or two-unit dwelling would be permitted as-of-right on this lot if the rezoning application is approved

This concludes the comments received so far.

Nov 23/2021

To: Alex bunphy, Planner, Planning Dept.
c/c Abraham Zebian
Windsor West Hants

Re: 65 Ft. Edward St
PID 45059797
Request to Redesignate to Residential,
concurrent Rezoning to
Two Unit Residential (R-2) zone

Dear Sir;

I respectfully must say no to this request for rezoning. I want Windsor West Hants to keep this property for community use. Here's why:

- there is a fantastic opportunity for WWH to create a development that could promote and enhance Fort Edward National Historic Site (FENHS) and the local cultural + Natural History. (In particular the tidal bare + saltmarsh ecosystem of the Avon + St Croix Rivers).
- WWH needs to preserve some land in public (not private) control as a refuge during flood events. (which are happening now due to climate change)

RECEIVED

NOV 23 2021
11:40 am

Hilroy

- The site offers commanding views of the beautiful Aron River valley and distant hills of Falmouth, Martock and beyond.
- The orientation of the site with its south-facing slopes lends itself to passive-solar community buildings and active solar electricity generation.
- The site is an important place for the ~~town~~ to manage water runoff (already significant)
- The site, if developed as a community-use, tourist accommodating, environmentally sustainable centre would be an intelligent investment that would pay LONG TERM dividends

Thousands of tourists already visit Ft Edward every year, but even though they all enjoy the spectacles and RARE 360° views from the Fort, there is and the excellent guidance from the Fort Attendant, there is little to keep these very keen + informed local, provincial, national, N. American and International tourists engaged and able to expand their knowledge of this amazing area.

- If tourists could go to 95 Ft Edward St and enjoy interpretive information, gift shop, Café with a view, wash rooms and a building and gardens that exemplify good passive solar design, water conservation, soil protection, preserved view planes for FENHS, then they may decide to book overnight accommodation, go downtown for dinner and music, purchase gas, groceries etc in WWT.
- Such a development would also attract planners and designers from other communities to see the thoughtful and forward-thinking, successful, sustainable and lucrative center that WWT had the foresight to build.

Please please please carefully consider these suggestions. I am sure it is very difficult to have to make decisions regarding town properties. I would like to point out that what happens at 65 Ft Edward St. affects much more than the small group of us who live adjacent, since it is used by the whole municipality, province, country and world. Therefore WWT really needs to be a leader in sensitively developing this gem of a property.

So This is why I must say no to the request for rezoning to residential. WWH should not sell this valuable property in which it has already invested heavily over the years. (The thriving pool, costly demolition + filling, and on-going maintenance) WWH should not rezone to residential and be swayed by developers who really do not have the mandate of caring for and leaving a legacy for the community as WWH / you do.

Also, regardless of what happens with this site, I am strongly opposed to any high density housing development (ie: several packed in Two Unit dwellings, or multi use dwellings). I am also strongly opposed to any development that blocks the view planes from FENHS.

5/5

We have many wonderful things to be thankful for here in WWH. I am also thankful to you, Mr. Dunphy, and to all the WWH leaders, workers, staff; for the hardwork you all do. Please have the courage to do something sustainable and environmentally, socially, historically profitable (and actually financially profitable for the spin offs) and keep this very important property for community use and beyond.

Thank you for your careful consideration of this matters.

Sincerely

Teresa Newcomb

Teresa Newcomb
81 A King St,
Windsor NS.

902-798-5143

Attachment B – Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15B



WEST HANTS REGIONAL MUNICIPALITY REPORT

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

Submitted by: _____
Alex Dunphy, Planner

Date: 2022-01-13

Subject: Supplementary Report to PAC/HAC - Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15B

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

The following motions were prepared and passed by PAC/HAC:

... that PAC/HAC recommends that Council delay First Reading and direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at the site (PID 45059797).

... that PAC/HAC request staff for comment from the Province of Nova Scotia regarding requirements of the Special Places Protection Act for the site (PID 45059797).

BACKGROUND

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

On December 2nd, PAC/HAC made a motion to request staff to obtain comments from the Province regarding the requirements of the Special Places Protection Act. The committee also requested that staff speak with Johnathan Fowler to ask about LiDAR for the subject lot and

Sara Beanlands for further information about relationship of the Jewish Legion to the site. The responses to each of the inquiries are attached to this report.

DISCUSSION

The CAO is currently requesting proposals from archaeologists to perform a Phase 1 Archaeological Impact Assessment Study as recommended by Catherine Cottreau-Robins, the Senior Curator of Archaeology at the Nova Scotia Museum.

ATTACHMENTS

Attachment A	Email Response from Johnathan Fowler
Attachment B	Email Response from Sara Beanlands
Attachment B1	Attachment 1 to Sara Beanlands Response
Attachment B2	Attachment 2 to Sara Beanlands Response
Attachment C	Email Response from Catherine Cottreau-Robins

Report Prepared by: _____
Alex Dunphy, Planner

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

Attachment A – Email Response from Johnathan Fowler

Alexander Dunphy

From: Jonathan Fowler <fowler@ns.sympatico.ca>
Sent: December 4, 2021 6:05 PM
To: Madelyn LeMay
Cc: Alexander Dunphy; Sara Poirier
Subject: Re: Information Search

Follow Up Flag: Follow up
Flag Status: Flagged

Caution

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

Good evening, Madelyn and team.

I've had a quick scan through my records and, yes, there is good evidence of early colonial occupation in the area you have identified. Probably any property this close to an 18th century fort would have elevated archaeological potential, but we have some additional considerations here:

1. There is a pre-Deportation Acadian parish church here as well, just where the blockhouse now stands (Rob Ferguson and I outline the evidence in ch 8 of *Underground Nova Scotia*, published in 2010);
2. There is a truckhouse (i.e. trading establishment) in the near vicinity, which has some significance for Mi'kmaw history; and
3. There are documented extramural features associated with the early fort in this area, for example those shown on the map below, which includes stables and soldiers' huts.

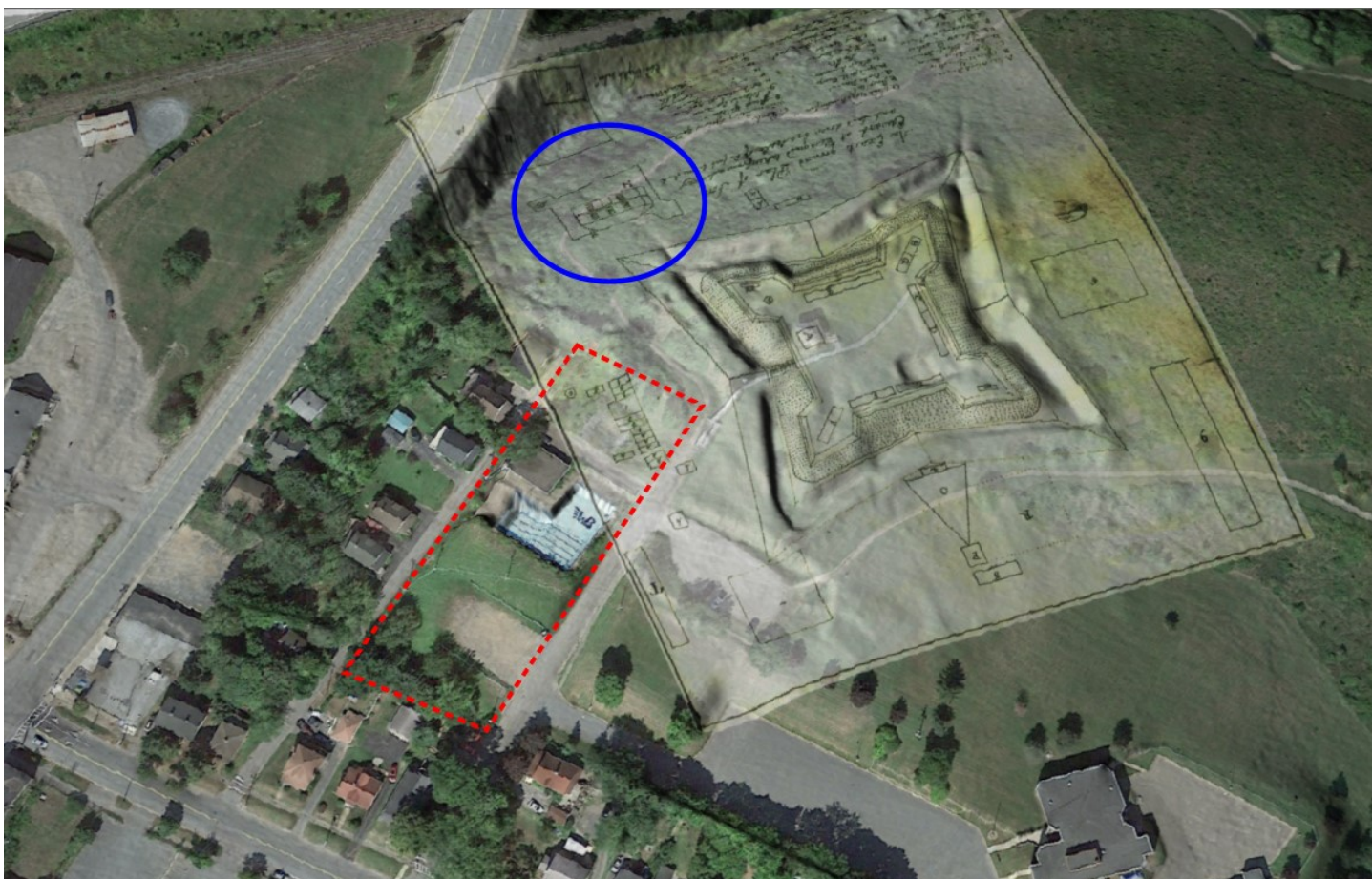
A quick look at the landscape with the aid of 2011 LiDAR data, which gives us the ability to map elevation very precisely (and remove trees and buildings), with the properties in question outlined in the red dashed line:



We can drape 2015 satellite imagery over this 3D model:



And then we can begin to collate a series of historical maps, for example this 1757 plan of the fort from the Clements Library in Michigan:



In this last image, we can see several stables and huts intruding into the northernmost of the two properties in question. Beyond this, in the blue oval, we have the remains of the truckhouse, apparently outside the area of interest, but I have additional evidence placing this complex much closer to the northernmost of the two properties you asked about.

Therefore, I would judge there to be ample evidence at this location (and there is much more of it) to demonstrate elevated archaeological potential. This should probably figure into any future designs for the area, as the provincial Special Places Program will likely require a proper archaeological resource impact assessment and mitigation prior to construction.

Additionally, however, these heritage resources contain potential for development and interpretation. They are unique and authentic (it is difficult to determine their integrity at the moment), and they connect to a network of heritage sites all the way down the valley, including nearby Grand-Pré National Historic Site. There may be some potential for the municipality, working with local stakeholders, to develop these resources and capture some of the tourist traffic that otherwise drives literally right by your doorstep.

So, this is a quick, high-level assessment, and I'd be happy to draw the picture more comprehensively in the new year if that is something the municipality would be interested in. I routinely undertake this kind of work through my consultancy, Northeast Archaeological Research Inc., and we're here if you'd like to discuss this case further.

Best,

Jonathan
902 478-1896

On Fri, Dec 3, 2021 at 10:18 AM Madelyn LeMay <MLeMay@westhants.ca> wrote:

Good morning, Jonathan!

It's been a while, since I have seen you - but I am looking for your help again!

This time, it's in the former town of Windsor.

West Hants Regional Municipality (WHRM) is in the midst of two processes regarding lots on Fort Edward Street:

1. the amendment of the designation on the Future Land Use Map from Community Use to Residential and re zoning in the Land Use By-law from Open Space (OS) to Two Unit Residential (R2) of PID 45059797 ; and
2. the sale of PID 45059797 and PID 45059805 (which is already zoned Two Unit Residential (R2)).

I am wondering if there is any information that you have and would be willing to share with me and PAC/HAC regarding this area? I have made a similar request to Sara Beansland.

Anything you can offer would be really appreciated.

Madelyn



Madelyn LeMay

Director of Planning and Development
West Hants Regional Municipality
PO Box 3000, 76 Morison Drive, Windsor, NS, B0N2T0

T 902-798-8391 Ext. 114
E MLeMay@westhants.ca
W www.westhants.ca

Attachment B – Email Response from Sara Beanlands

Alexander Dunphy

From: sbeanlands@boreasheritage.ca
Sent: December 5, 2021 3:53 PM
To: Madelyn LeMay
Cc: Alexander Dunphy; Sara Poirier
Subject: RE: Lands on Fort Edward Street, Windsor
Attachments: Jewish Legion Memorial_Revised.pdf; Jewish Legion - MOU Request - Final.pdf

Caution

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

Hi Madelyn,

It's been some time now since we were working on this – we have not done much since COVID appeared – and my memory is a bit hazy. But I have attached a couple of letters that were sent to the Windsor Council with respect to the property. We were proposing to establish a “Cultural Pavilion” on the swimming pool site that would highlight the diversity of cultures in Hants County, including the history of the Jewish soldiers (It began as a memorial to the Jewish soldiers but evolved into a broader, more inclusive proposal. I don't think that Council ever responded to our MOU request, however we do have a signed MOU with Parks Canada.

Hope this helps,
Sara

From: Madelyn LeMay <MLeMay@westhants.ca>
Sent: December 3, 2021 10:19 AM
To: sbeanlands@boreasheritage.ca
Cc: Alexander Dunphy <ADunphy@westhants.ca>; Sara Poirier <spoirier@westhants.ca>
Subject: Lands on Fort Edward Street, Windsor

Good morning

I am looking to you for some information. West Hants Regional Municipality (WHRM) is in the midst of two processes regarding lots on Fort Edward Street:

- (1) the amendment of the designation on the Future Land Use Map from Community Use to Residential and re zoning in the Land Use By-law from Open Space (OS) to Two Unit Residential (R2) of PID 45059797 ; and
- (2) the sale of PID 45059797 and PID 45059805 (which is already zoned Two Unit Residential (R2).

During the preparation of the staff report, we made a request to WHRM's Administration Department for any minutes or agreements related to the properties and are waiting for that material. Planning staff became aware only last night during a Planning and Heritage Advisory Committee (PAC/HAC) meeting that you had made a presentation to the former Windsor Town Council; no details were provided.

I am wondering if there is any information that you have and would be willing to share with me and PAC/HAC regarding this area?

Anything you can offer would be really appreciated.

Madelyn



Madelyn LeMay

Director of Planning and Development
West Hants Regional Municipality
PO Box 3000, 76 Morison Drive, Windsor, NS, B0N2T0

T 902-798-8391 Ext. 114
E MLeMay@westhants.ca
W www.westhants.ca

Attachment B1 - Attachment 1 to Sara Beanlands Response



JEWISH LEGION CENTENNIAL SOCIETY

May 21, 2019

Mayor Anna Allen
Town of Windsor
100 King Street
Windsor, Nova Scotia

Re: Jewish Legion Society

Dear Mayor Allen & Councillors,

We are writing to follow up on our meeting with you on Monday, April 8th, 2019.

We firstly want to thank you for taking the time to allow us to provide you with a full presentation on our project to commemorate the presence of the Jewish Legion in Windsor in 1918, and as well to memorialize the warm hospitality extended to the Jewish Legion by the people of the Town of Windsor. This indeed is a significant part of the heritage of the Town of Windsor.

This letter is a formal request to the Town of Windsor to enter into a Memorandum of Understanding with the Jewish Legion Centennial Society to convey to them by way of purchase the old swimming pool site. We look forward to a positive response.

Respectfully submitted,

Jon Goldberg
Chair, Jewish Legion Centennial Society
Director Emeritus,
Atlantic Jewish Council

Attachment B2 - Attachment 2 to Sara Beanlands Response



JEWISH LEGION CENTENNIAL SOCIETY

June 13, 2019

Re: Jewish Legion Memorial in Windsor, Nova Scotia

Thank you for the opportunity to provide you with further information on the Jewish Legion Centennial Project. The Jewish Legion Centennial Society was formed in 2017 to commemorate the 100th anniversary of the Training of the Jewish Legion in Windsor, Nova Scotia and to establish a permanent memorial to mark the significance of this historic event at Fort Edward.

Although much has been written about the Jewish Legion, the training of the Legion in Nova Scotia is less well known in the chronicles of twentieth-century military and Jewish history, and we believe it deserves a permanent commemoration. Indeed, the formation of the Jewish Legion represents not only the creation of the first modern Jewish military formation, but a social transformation of Jewish communities around the world, particularly those in Canada and the United States. In 1917, the British War Office approved the raising of a Jewish military force to assist the Allied war effort in the Middle East. Shortly thereafter, Jewish recruits from across Canada and the United States assembled at the Imperial Recruits Depot in Windsor, Nova Scotia to begin their training as the 39th Battalion Royal Fusiliers, one of four Jewish battalions, which collectively became known as the Jewish Legion. All North American recruits of the Jewish Legion received initial training at Fort Edward in Windsor, and it was here that a group of immigrant Jewish men became soldiers of the British Imperial Army, thereby creating in the Jewish diaspora a growing sense of unity, purpose and national identity.

Equally as compelling is the underlying story of Jewish recruits' experience in the small rural town of Windsor as the local community supported and comforted members of the Legion, many of whom felt disoriented and isolated from the other troops. During its brief tenure in Windsor, the Legion returned the town's warm embrace and still, to this day, descendants of those brave soldiers recall their fathers' and grandfathers' deep and lasting affection for the Town of Windsor. Windsor's 1918 display of core Canadian values resounded in September 2018 when the unique history of the Jewish Legion was brought to life in a moving commemorative event that attracted considerable and very positive national media attention.

The Jewish Legion Centennial Society seeks to build a memorial to commemorate the soldiers of the Jewish Legion – to honour the service and sacrifice of those who trained at Fort Edward – and to create a meaningful space where people can reflect upon, honour and remember the past – a place of memory for all those who have sacrificed to make this world a better place in which to live. At the same time, it is an opportunity to recognize the spirit and generosity of the citizens of Windsor, Nova Scotia, who in 1917, embraced the sons of immigrant Jewish families from across the United States and Canada, thereby demonstrating intrinsic values of tolerance, inclusion and diversity. There is no such memorial to the Jewish Legion in North America, and it is

only fitting that the Jewish soldiers of the 39th Battalion are recognized and honoured in Nova Scotia. The memorial will include the names of all Jewish soldiers who trained at Fort Edward.

We have collaborated with Talbot Sweetapple of MacKay-Lyons Sweetapple Architects Ltd. to begin design work on the proposed memorial, copies of which are provided below and are currently looking for support to ensure the successful completion of this important project. The details of the history of the 39th Battalion Royal Fusiliers are recounted in the attached article published in the *Journal of the Royal Nova Scotia Historical Society*. Please do not hesitate to contact me if you have any questions or would like additional information (sbeanlands@boreasheritage.ca; 902 483-7999).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'S. Beanlands'.

Sara Beanlands, on behalf of,
Jon Goldberg
Chair, Jewish Legion Centennial Society
Director Emeritus, Atlantic Jewish Council,
and the entire Board of Directors of the Jewish Legion Centennial Society



MacKay-Lyons Sweetapple
Architects Limited

Journal of the Royal Nova Scotia Historical Society

Volume 21, 2018

The Training of the Jewish Legion in Windsor, Nova Scotia, during the First World War

by SARA BEANLANDS

Read before the Royal Nova Scotia Historical Society 15 March 2017

The very idea of establishment of a Jewish Legion ... was in the nature of a revolution in the life of the Jewish people dispersed as it was among the nations of the world...¹

As Bernard Joseph, a prominent Israeli cabinet minister, expressed in 1967, the formation of the Jewish Legion represented not only the creation of the first modern Jewish military formation, but a social transformation of Jewish communities throughout the world. These events would become part of the reshaping of the Middle East after the First World War. In 1917, the British War Office approved the raising of a Jewish military force to assist the Allied war effort in the Middle East. Shortly thereafter, Jewish recruits from across Canada and the United States assembled at the Imperial Recruits Depot in Windsor, Nova Scotia to begin their training as the 39th Battalion Royal Fusiliers. One of four Jewish battalions, they collectively became known as the Jewish Legion. Among the recruits were David Ben-Gurion, Yitzhak Ben-Zvi and Bernard Joseph, all of whom played significant roles in Israel's development. Although much has been written about the Jewish Legion and its role in the Zionist movement, the training of the Legion in Nova Scotia is less well known in the chronicles of twentieth-century military history.² Indeed, all North American recruits of the Jewish Legion received initial training at Fort Edward (in Windsor) and it was there that a group of displaced immigrant Jewish men became soldiers of the British Imperial Army. This transformation created in the Jewish diaspora a growing sense of unity, political purpose and national identity. This paper will explore the experience of the Jewish Legion within a small transit training camp in rural Nova Scotia, largely through the experiences of David Ben-Gurion, who would later have a fundamental role in creating the modern Jewish state of Israel.

In 1966, Robert Dimock, Mayor of the Town of Windsor, wrote a letter to Ben-Gurion, who by then had been the first Prime Minister of the State of Israel, serving from 1948 until (with one short break) 1963. Although the original letter has been lost, Ben-Gurion's response, torn from the pages of his enumerated notebook, has been preserved:

Dear Mr. Robert C. Dimock,

I was delighted to have a letter from the Mayor of Windsor. In Windsor, one of the great dreams of my life—to serve as a soldier in a Jewish Unit to fight for the liberation of the Land of Israel (as we always called Palestine) became a reality, and I will never forget Windsor where I received my first training as a soldier, and where I became a Corporal. I thank you from the bottom of my heart for your kindness in sending me a Windsor letter.

Yours, D. Ben-Gurion³

2
Haifa, 3.2.66
Dear Mr. Robert C. Dimock
I was delighted to have a letter
from the Mayor of Windsor.
In Windsor, one of the great dreams
of my life - to serve as a sol-
dier in a Jewish Unit to
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as a soldier, and where I
became a Corporal.
I thank you from the bot-
tom of my heart for your
kindness in sending me
a Windsor letter.
Yours
D. Ben-Gurion
Mayor
Windsor, Nova Scotia
Canada.

Letter written to the Mayor of Windsor, Robert C. Dimock, by David Ben-Gurion. (Private Collection of the Dimock Family)

Ben-Gurion was 80 years old when he wrote these words, and it would seem the Mayor's letter offered him pause for reflection. Perhaps, in the closing years of his life, the letter carried with it not only the postmark of Windsor, Nova Scotia, but receding memories of his youth. Whatever his reason for responding, his words reveal a lasting fondness for Windsor, where nearly a half century earlier, he and his Jewish compatriots awaited their call to arms.

Born in Płońsk, Poland in 1886, Ben-Gurion's childhood was dominated by Zionist ideology, which emerged in the late nineteenth century, particularly after the tsarist regime imposed civil restrictions throughout the Pale of Settlement and condoned the pogroms of anti-Jewish violence within the Russian Empire.⁴ He was introduced to Hebrew by his grandfather at the age of three, and was educated in a Hebrew school established by his father, Avigdor Grün.

By the age of 14, Ben-Gurion (who was born David Grün) led a Zionist youth group, “Ezra,” whose members promoted Hebrew studies and emigration to the Holy Land. He was fascinated by Zionism and later admitted: “I can hardly remember a time when the idea of building what we used to call ‘Eretz Israel,’ or the Land of Israel, wasn’t the guiding factor of my life.”⁵ Thus, although it would be easy to assume that he had always endorsed the formation of a Jewish fighting force, this was not the case. In fact, he had been an outspoken opponent of the initial scheme—and he was not alone. “A Jewish regiment is an absurdity,”⁶ declared Samuel Daiches, a well-known Zionist rabbi, whose sentiment was echoed in the *Jewish Daily News* of October 1914, in which it was described as “a piece of folly that would neither shed glory on the Jewish people nor bring practical benefit to the Zionist movement.”⁷

While studying law in Constantinople in 1912, Ben-Gurion and his companion, Yitzhak Ben-Zvi, volunteered for service in the Turkish army. They believed the raising of a Jewish force under the auspices of the western Allies would endanger not only those Jews who had settled in Palestine under the Ottoman regime, but the future of the Zionist movement.⁸ But when Ottoman authorities began arresting and expelling Jewish residents in 1914, Ben-Gurion found himself in a Jerusalem prison awaiting deportation, with ample time to reconsider his fidelity to the Ottoman Empire. He would eventually arrive in New York in May of 1915, and three years later, having definitively switched sides, boarded a train bound for Nova Scotia, as a recruit of the newly formed 39th Battalion.⁹

Although the formation of a Jewish fighting force during the First World War was a notion espoused by some prominent and influential members of the Zionist movement, the desire to recruit a Jewish military contingent was not exclusively motivated by Zionist ideology, nor was it endorsed by the executive of the Zionist Council. Rather, the origins of the Jewish Legion are to be found in a convergence of factors and multiple interests that go beyond the national aspirations of the Diaspora Jewry.¹⁰ Among contributing factors was the existence and extent of social discrimination within Britain and other European countries in the early twentieth century. Despite the great number of non-conscripted Jews who responded to the British call to arms in 1914, and although many served and died on the battlefields of Europe alongside their non-Jewish compatriots, charges of “disloyalty, cowardice, and unmanliness” were common.¹¹ These denunciations were rooted not only in anti-Semitism, but were also fueled by misplaced assumptions regarding the perceived failure of Jews to participate in the war effort.¹² Many of those living in immigrant enclaves in the United States and Canada, however, were unnaturalized residents, thus unable to serve without declaring their intention to become citizens.¹³ Beyond a desire to demonstrate loyalty to the British Empire, the creation of a unified Jewish military force would serve to silence those who had branded the Jewish “constitutionally unfit as soldiers.”¹⁴ Orthodox Jews seeking to enlist had resisted for other

reasons as well, including their requirement to eat kosher food and to be among other Jews for prayer. A specific Jewish unit would allow these Jewish immigrants to join the British forces without compromising their religious beliefs.¹⁵

Opposition, however, came not only from officials in the British War Office, but also from leaders of the World Zionist Organization, who adhered to the existing policy of neutrality and did not approve of militant Zionism. Parallel undercurrents of resistance existed within Jewish communities where assimilation to British and American society had been obtained, or was desired.¹⁶ Furthermore, many Jewish immigrants had fled Russia and other Eastern European countries to avoid conscription, and felt no obligation to support a cause to which tsarist Russia was allied.¹⁷ Indeed, the debate over Jewish military service in the First World War polarized the Jewish community, and these divisions decelerated attempts to form a specific Jewish fighting force.¹⁸

Nevertheless, Zionist ideology and the belief in the “liberation of the Promised Land” were motivating factors for potential recruits. The expansion of the war to involve Turkey and Palestine provided opportunity for service that furthered Zionist and British military objectives alike. Although Vladimir Jabotinsky, Joseph Trumpeldor and others recommended the raising of a Jewish unit to fight alongside British troops for the liberation of Palestine in 1915, British military authorities would consider nothing more than a transport and supply unit.¹⁹ The resulting Zion Mule Corps, comprising 650 Jewish soldiers under the command of Colonel John Henry Patterson, provided an opportunity for a distinct form of Jewish military service not unlike the creation of the No. 2 Construction Battalion, authorized as a segregated non-combatant labour unit of the Canadian Expeditionary Force in 1916, to accept African-Canadian volunteers.²⁰ While the Zion Mule Corps was ostensibly a transport unit rather than a fighting formation, it was a symbolic, if not tangible, step towards inclusion of Jewish soldiers in the allied forces.²¹

Efforts to organize a Jewish military force were stalled until 1917, at which time a combination of political developments in Britain, the prospect of the United States entering the war and military events overseas set the stage for the War Cabinet’s decision to recruit a Jewish regiment.²² Shortly thereafter, the British government issued the Balfour Declaration, interpreted by many as an official endorsement of a Jewish national home. The underlying rationale, however, was to secure Jewish support for the Allied war effort, which manifested itself in a propaganda campaign, particularly in the United States. Britain’s policy toward Zionism under Prime Minister David Lloyd George, motivated by a combination of anti-Semitism and the endless need for additional troops, nevertheless created a political platform from which Jabotinsky could realize his dream of a Jewish Legion.²³

Enrolment efforts then began in earnest. The core of the first battalion, officially known as the 38th Battalion, Royal Fusiliers, was made up of former members

of the Zion Mule Corps and volunteers from Jewish enclaves in Britain, many of whom had emigrated from Russia and were well aware of the anti-Jewish ideology that accompanied the Bolshevik Revolution.²⁴ In North America, recruitment centres were established in New York, Philadelphia, Boston, Pittsburgh, Cleveland, Detroit, Chicago and Montreal, with troops being drawn from across the continent and beyond, as far south as Argentina and Brazil.²⁵ All male non-citizens of the United States, and citizens of allied and neutral countries, between the ages of 18½ and 45 were eligible; though American citizens of draft age were not permitted to join.²⁶ Contingents of recruits, some numbering as many as 500, left every three weeks for Windsor, Nova Scotia, for in-transit training at Camp Fort Edward. The first unit of 150 to 200 men left New York on February 27, 1918 as part of the newly-formed 39th Battalion, and in May, the first group of Jews residing in Canada joined the American recruits in Nova Scotia.²⁷ Ben-Zvi, who would later serve as the Jewish state's second President, left for Windsor with the fourth group in early May, while Ben-Gurion enlisted with the fifth group, leaving Boston later that month and arriving at Fort Edward on June 1, 1918.²⁸

The formation of the Legion was recalled by the volunteers as a time of great excitement, particularly in the United States, where lively celebrations attended their departure from every city. Ben-Gurion wrote to his wife that before boarding the train in Boston, he and his fellow recruits marched through the streets accompanied by music, flags and cheering crowds.²⁹ They were received with enthusiasm at every stop and when the train passed through Bangor, Maine, it was flagged down to enable those who lined the tracks the opportunity to embrace the Legionnaires.³⁰ For those living in immigrant enclaves in the United States and Canada, this public display of appreciation contributed to a sense of empowerment among individual recruits, greatly improved the patriotic image of the American Jew and led to the development of a collective sense of belonging and shared purpose.³¹

As an idealistic and self-assured young man, Ben-Gurion was already well known in Jewish circles, and in a letter to his wife, Paula, he described his experience as the train pulled into Portland:

The moment I came out of the carriage, and the crowd saw me, they lifted me up and shouted 'Hurray!', and when I managed with difficulty to free myself, they caught hold of me again and carried me high above the heads of hundreds of people who had gathered next to the railway station.³²

On board, the mood was also one of enthusiasm, and Ben-Gurion was amazed that his new comrades did not tire of singing, dancing and playing jokes.³³ By the time they reached Nova Scotia, however, fatigue had started to set in: "We spent the night in the small town of Truro" Ben-Gurion recalled:

There we stayed in the hotel. We had to leave Truro at 6:40 a.m., and we begged the hotel proprietor to wake us promptly at five. And of course he promised to do so. But he didn't wake us until half-past six, and we jumped out of bed as if we had been stung. We were dressed within ten minutes and just about managed to reach the train in time. We got there literally at the last minute.³⁴

Later that morning, the train rolled into the Windsor railway station, where the reception was more subdued. Ben-Zvi was there to greet the new recruits and marched them in military formation to the Imperial Recruits Depot at Camp Fort

Edward. They were accompanied by some applause, but as Ben-Gurion noted, without any singing. Nevertheless, the presence of Ben-Gurion was greatly anticipated, and news of his arrival spread quickly. "From all sides they came to shake my hand" he wrote, "The whole camp knew I was coming, and they waited for me impatiently."³⁵

Fort Edward had been established by British forces in 1750 and had functioned as a stronghold throughout the Seven Years' War. Although it remained in service during the American Revolution and the War of 1812, its strategic importance steadily declined, and the facilities gradually fell into ruin. By the late nineteenth century, most of the original buildings had disappeared.³⁶ Following the outbreak of the First World War, however, Fort Edward became one of numerous facilities across the country used to train local recruits for the Canadian Expeditionary Force (CEF). When the 112th Overseas Infantry Battalion departed for England in July of 1916, it became the first local military unit from Fort Edward to go to war since the American Revolution.³⁷

The role of Fort Edward expanded in late September of 1917, when the Imperial Recruits Depot, which was initially located at Camp Aldershot in Kentville, was transferred to Halifax to accommodate non-Canadian volunteers for the British Expeditionary Force (BEF).³⁸ Recruits were quartered in the Halifax Armouries



David Ben-Gurion, photograph taken in Windsor in 1918. (Army Museum, Halifax Citadel)

under the command of Major John Walkley, formerly in charge of the Jewish Legion recruiting centre in Boston. But, two months later the massive Halifax Explosion resulted in major damage to the Armoury building and the Imperial Recruits Depot was moved to Windsor, with Major Walkley still in command.³⁹

When Ben-Gurion arrived on the first of June 1918, the only remaining structures of the original fort were the Blockhouse and the Officers' Quarters. But there were already about 400 Legionnaires in camp and as he cast his gaze across the large open compound, there were bell tents "stretched as far as the eye could see."⁴⁰ He was now a *bona fide* soldier, Private D. Ben-Gurion, No. 3831, Platoon 11 of the Jewish Legion. "My first day in camp has been so rich in experiences and fresh impressions that I hardly know where to begin," he confided in a letter to his wife, whom he had married only a few months before his departure. "I feel drunk with my new life. Everything here is better, more pleasant and more interesting than I thought it would be or expected ... True enough there is an iron military discipline here. Yet for some reason I feel myself much freer and less inhibited than I have ever done before."⁴¹

Less than three weeks later, however, the reality of a soldier's life at Camp Fort Edward seems to have set in. "I am not a free man," he complained, "I'm a soldier. And a soldier can't always do what he would like."⁴² Evidently, the "iron military discipline" to which he referred was delivered by a Sergeant-Major who was a "gold mine of unprintable English." In the words of one Jewish recruit:

I am indebted to him for a world of picturesque and inimitable abuse which I had known to abound in the Russian language, but whose existence in the mother tongue of Shakespeare and Tennyson I had not suspected. That first lesson enriched my vocabulary far more than my knowledge of drill.⁴³

The daily routine began at 05:30 with reveille, followed by roll-call and a wash and mandatory shave before breakfast. The men were then engaged in physical training, followed by military drill until lunch. There was more training in the afternoon, after which there was mail call and dinner. In the evening, there were special courses for non-commissioned officers, while regular troops were able to stroll the streets of Windsor or visit the YMCA.⁴⁴

The Legionnaires included men from all walks of life, with a broad range of backgrounds and personalities. Indeed, the main feature of the Jewish recruits was their heterogeneity.⁴⁵ As Roman Freulich recorded in his memoirs,

Most were ardent Zionists, but among them were also men who were seeking adventure, running away from their wives or from their creditors. The caliber of men ranged from high to low: from gentle idealists who hated war, to men of violent passions who enjoyed the idea of combat and danger.⁴⁶

Others were simply naïve, as was the case of one young soldier who was recruited in a Chicago coffee shop. Although he had no idea where Israel was, nor did he have any understanding of Zionism, the recruiting officers enticed him into service by assuring that his name would be written in a Golden Book, covered with precious stones and kept in magnificent palace in Paris. This appealed to the young man and he signed up on the spot. But his experience was disappointing, if not disillusioning, and, in the end, he concluded: “I don’t care about their Golden Book. I just want home and that’s it.”⁴⁷

With no military experience and, indeed, no country for which to fight, the Jewish recruits felt isolated from the other troops. Although their tents were only “twenty five or thirty feet away from those of the British rookies” there was a clear separation between them.⁴⁸ There was an “indefinable something” that kept them apart.⁴⁹ For Elias Gilner, a veteran of the Jewish Legion and soldier at Fort Edward, “the invisible barriers” stemmed from “our religion, our heavy accents and, above all, our ‘idealism’.”⁵⁰ Gilner understood the underlying tension and described the situation in his book, *War and Hope: A History of the Jewish Legion*:

We were going toward a homeland while these boys had been sent far away from home. We were pursuing a dream that would infuse new life into a long-dispersed people; they were being driven to chase a myth that was draining their lifeblood away.⁵¹

Ben-Gurion also observed some animosity in camp. The Legionnaires, he wrote, “dance and make merry, sing Jewish songs and behave as if they were in the ‘old country’ and not in Canada. The non-Jews sit silently and look on in amazement—and I suppose also in annoyance—at these wild dances and noisy songs in a strange language.”⁵² Though fist fights periodically broke out, altercations were apparently kept within the confines of the camp. In line with improving physical fitness, and possibly morale, the recruits were encouraged to participate in a variety of sporting events. In early spring of 1918, the local newspaper recorded that the “boys are looking forward to the opening of the playing field, and are already arranging baseball and football teams.”⁵³ Evidently, the Jewish recruits excelled at baseball, winning by margins that embarrassed the other battalions to the point where, after one lopsided game, a brawl broke out that had to be settled by the officers.⁵⁴

At the age of 32, Ben-Gurion found military life, the fresh air, and the smell of the grass appealed to him, and two weeks after his arrival he felt fully adjusted to the conditions at Fort Edward. “My health is first rate” he wrote, “I’m tanned, and the skin on my face has peeled off. I’m certainly much healthier than I was before, because of the daily marching . . . and the open-air life.”⁵⁵ Although most of the volunteers came from urban centres and were unaccustomed to strict military



Jewish Legion at the Imperial Recruits Depot, Fort Edward. Yom Kippur, 1918. (Detail)
Image Credit: Army Museum Halifax Citadel

discipline, this physical transformation spread throughout the camp. According to Private Louis Fischer, this new environment had:

given a new lease of energy to the legionnaires. Sallow cheeks have become ruddy, eyes open and brighten; movements are smarter and snappier... Five hours' daily drill is a nerve tonic, a muscle developer, an appetizer and a sleep producer. Here we can see what proper and normal living conditions mean to the Jew.⁵⁶

While their fitness level increased, so too did their complaints about the food. Breakfast consisted of white bread and coffee; lunch was soup, a “good helping” of meat and bread, and dinner included bread and butter and coffee or tea.⁵⁷ According to one recruit, the sugarless tea contained saltpeter and “tasted like dishwater.”⁵⁸ Nevertheless, the training and camp life brought discernable improvements to the overall fitness and general well-being of these mostly urban recruits.

In general, despite anti-Semitism and xenophobia that was common in Canada at the time, there appears to have been good rapport between the Jewish Legionnaires and the local community of Windsor. In the words of Gilner, the townsmen and the farmers in the surrounding country were “sympathetic and considerate.” He recalled that “once, on a warm day when we were returning from an arduous assignment, our party stopped at a farmhouse to ask for a drink of water. In no time at all the farmer appeared with a bucket full of foaming fresh milk.”⁵⁹ The townspeople also offered support to the Jewish recruits by marking their customs and special occasions. Perhaps the best example of this was the celebration of the Jewish New Year on September 6, 1918 when 500 Legionnaires held a sit-down banquet in the Windsor Opera House. More than a hundred prominent Canadian and British officers and men were in attendance, as well as the Mayor and other town officials.⁶⁰ This was probably the largest kosher dinner held in Nova Scotia to that date.⁶¹

The soldiers also contributed to the local community. During the early summer of 1918, troops in training at Fort Edward, including the Jewish Legion, “rendered good service in helping to extinguish some fierce forest fires which raged in the district for over a week, and were instrumental in saving a large number of farms and homesteads from destruction.”⁶² One of these farms was Castle Frederick, located in Falmouth, and the home of Major W.F.D. Bremner, who was second in command at Fort Edward. According to Major Bremner’s grandson, James Bremner, who still lives at Castle Frederick, David Ben-Gurion was among the soldiers who helped fight the fire and was quartered at the farm that still stands today.

Ben-Gurion quickly made his presence known to both his compatriots and his superiors. He joined and chaired a committee of Legionnaires that negotiated with Major Walkley for improvements at the camp and was surprised to find the commander approved their requests at once. This resulted in an overall improvement in the meals, their own kosher kitchen, ritual slaughterer, butcher and cooks.⁶³ He also improvised a library and a place to write letters in the camp itself, consisting of a large tent with a few tables and a cupboard for books.⁶⁴ The willingness to grant these special requests was a reflection of the desire of senior officers to accommodate the Jewish troops during their time at the camp. According to the Major, “everything possible was done so as not to interfere with their strict religious views,” although this treatment did not go unnoticed by the British recruits, who complained that the Jewish soldiers were given special privileges.⁶⁵

Ben-Gurion’s status in camp also brought him more responsibility than the average soldier. He was tasked with listening to complaints and dealing with any Jewish recruit who felt he had been mistreated. “My popularity here makes things difficult” he wrote: “Almost nothing happens in camp which is not brought to me.”⁶⁶ This popularity may have prompted the Sergeant-Major to suggest he be promoted, only thirteen days after his arrival. But Ben-Gurion strongly objected, explaining

that he was a representative of the company in Windsor and that as a private he had greater authority among the men than he would have if he became a corporal. The sergeant replied that he understood, and so it came as a surprise when Ben-Gurion learned, later that same day, that an order had been published announcing his promotion to corporal.⁶⁷

“I have not agreed to take this post” he complained, “and unless they force me to accept it because of military discipline, I won’t do so.” Meanwhile, the camp was buzzing with the news of his promotion and his refusal, which might have enhanced his moral authority among the men. Three days later, he seemed resigned to the fact that, whether he liked it or not, he could not remain a private, and on June 15 reluctantly wrote that “by next week, I’ll probably be a corporal.”⁶⁸

Given his reference to the rank of corporal in his letter to Mayor Dimock, one can assume that, despite his initial trepidation, he later took pride in this achievement. And in fact, he seems to have enjoyed the intellectual stimulation that accompanied his promotion. “I have become a student again” he wrote, “But this time I am being given lessons not in school or university but underneath the blue skies, sitting in the green grass in an open field...”⁶⁹ During his time in Windsor, Ben-Gurion’s leadership skills improved and his influence grew.

The diverse nature of the Jewish troops, in terms of their social class, educational background and personal motivations, was a distinctive characteristic of the Legion at Camp Fort Edward.⁷⁰ Ben-Gurion was able to refine his leadership style, his rhetoric and his actions in this diverse context. “In this camp” he wrote,

there are all the types to be found among the Jewish people, from the most lofty-minded idealists and the highly educated to coarse and evil-minded individuals, born criminals: one can hear things which can only be heard in the underworld and the lowest strata of society. There are also intrigues and insults, and some of the Legionnaires seem to respect nothing, neither God nor Satan. What is strange is that the only person in camp whom they respect and will listen to is yours truly... There is one fellow here who has been in camp for only ten days but who has already been in the military jail twice. He is not afraid of anything, and boasts that he has been in Sing-Sing and that no one can control him when he gets into a fight. But one word from me and this fellow calms down and sits quiet as a lamb. Because of this they come to me every moment of the day with a complaint or a request, until I wish sometimes that I was just an ordinary soldier and that no one would bother me.⁷¹

If he had arrived at the train station in Windsor already well-known and respected in the Jewish community, at Fort Edward he began to develop the skills of a political

leader. This is demonstrated by his influence on both the men with whom he trained and the superiors under which he served. When the troops noticed that the Jewish flag was not flying with those of Canada, Britain and Australia for the 1918 Dominion Day parade through Windsor, Ben-Gurion did not hesitate to approach the Major and demand this oversight be corrected. The Major obliged at once.⁷²

Ben-Gurion spent little over a month in Windsor. His final letter from Fort Edward is dated July 9, 1918, in which he stated that he would be leaving the next morning. For weeks, he had been anticipating his call, and although time had passed quickly, he had grown impatient. Notwithstanding the brevity of his sojourn in Nova Scotia, it was an important and transformative moment in the life of a man who would become one of the most significant political leaders of the mid-twentieth century.

The experience was transformative for the troops as well. In a period of ascending nationalism, a dispersed refugee population was able to imagine creating a new state for themselves, through their armed force. Jewish enclaves across the United States and Canada fused behind them, promoting the development of a uniquely North American Jewish identity.⁷³ Upon leaving Windsor, one recruit recalled, “our Jewish army went marching toward the railway station, lifting our three beloved flags: the Jewish, the American and the British. We marched proudly, singing national songs. On the way we received blessing from the local inhabitants, including women who wiped their tears.”⁷⁴

Having left Fort Edward, members of the 39th battalion went to the Regimental Depot at Crown Hill barracks, near Plymouth in southern England, which was the permanent holding and training area for the Royal Fusiliers.⁷⁵ Here, the Legionnaires received 13 weeks of additional, and more rigorous, military training prior to being posted to conflict areas in Palestine. Although the first Jewish contingent from North America reached England in early April of 1918, the recruitment cycle was extended so that some of the Jewish volunteers were, in fact, still receiving their initial training at Fort Edward at the time of the armistice with Turkey. From England, they were sent to various military holding facilities outside Cairo, where members of the Jewish battalions received additional training before being sent to Palestine. Eventually, both the 38th and 39th battalions were deployed to the front lines and fought in the Jordan Valley during the latter stages of the war. Members of both battalions were among the British troops who marched into Jerusalem with Turkish prisoners in the fall of 1918.⁷⁶ The Legion suffered significant losses during the campaign in Palestine, both from military action and malaria, and was disbanded shortly after the armistice with Germany. Yet, the historical significance of the Jewish Legion lies more in its symbolism to the Jewish people, than in its military contributions during the First World War.

The formation of the Jewish Legion was, in the words of Martin Watts “a transitional moment between Jewry’s existence solely as a Diaspora and the formation

of a Jewish nation state being placed on the international political agenda.”⁷⁷ For Bernard Joseph, a Canadian volunteer who trained at Fort Edward “the recruitment and actual existence of such a Jewish Legion was decisive proof of the existence of a Jewish People, since it entailed, in a measure, the normalization of the people.”⁷⁸ And as Robert Levin, the grandson of Philip Petrovsky—who had also trained at Fort Edward—recently wrote: “It is always important for those of us born after the birth of Israel to remember that for 1900 years, the Jewish people were stateless and defenseless. These brave men, just 100 years ago, decided to change that equation forever. We are in their debt for their efforts.”⁷⁹

This was, of course, just one strand of historical memory among the many and often conflicting retrospectives that have attended the complex consequences of the creation of the modern state of Israel. Yet, in ways of which historians have previously taken little account, the sojourn in Nova Scotia impacted on the trajectory of Zionism and on the personal role that Ben-Gurion would take later in the twentieth century. Although the initial military training the Jewish Legion received in Windsor was similar to that in other transit training camps, Fort Edward was the backdrop against which a displaced immigrant population attempted to advance the ambitions of a stateless nation and to begin the construction of a new identity through the creation of a fighting force.

ENDNOTES

- 1 Shlomit Keren and Michael Keren, “The Jewish Legion in the First World War as a Locus of Identity Formation,” *Journal of Modern Jewish Studies*, 6: 1 (2007), 81-82.
- 2 See Roman Freulich, *Soldiers in Judea, Stories and Vignettes of the Jewish Legion* (New York: Herzl Press, 1964); Elias Gilner, *War and Hope: A History of the Jewish Legion* (New York: Herzl Press, 1969); Vladimir Jabotinsky, *The Story of the Jewish Legion* (B. Ackerman, 1945); Zachariah Kay, “A Note on Canada and the formation of the Jewish Legion,” *Jewish Social Studies*, 24: 3 (1967), 171-7; J.H. Patterson, *With the Judaeans in Palestine* (London: Hutchinson & Co., 1922); Alan Sillitoe, “Patterson the Zionist,” *Jewish Quarterly*, 28: 4 (no. 105), 16-18; Patrick Streeter, *Mad for Zion: a Biography of Colonel J. H. Patterson* (Harlow: The Matching Press, 2004); Martin Watts, *The Jewish Legion and the First World War* (New York: Palgrave MacMillan, 2004).
- 3 David Ben-Gurion to Robert Dimock, 3 July 1966, Dimock Family Private Collection.
- 4 Watts, *The Jewish Legion and the First World War*, 2.
- 5 David Ben-Gurion, *Memoirs* (World Publishing Company, 1970), 34.
- 6 Elias Gilner, *War and Hope: A History of the Jewish Legion* (New York: Herzl Press, 1969), 107.
- 7 Joshua H. Neumann, “The Jewish Battalions and the Palestine Campaign,” *American Jewish Yearbook*, 21 (1920), 121.
- 8 Watts, 20.
- 9 Michael Keren and Shlomit Keren, *We are Coming, Unafraid: The Jewish Legions and the Promised Land in the First World War* (Lanham: The Rowman & Littlefield Publishing Group, Inc., 2010), 5.

- 10 Jonathan Katz, "Constructing a Jewish Legion for Canadians," *Dorot: The McGill Undergraduate Journal of Jewish Studies* (The Jewish Studies Students' Association of McGill University), 9 (2007), 117.
- 11 Keren, *We are Coming, Unafraid*, 3.
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- 14 *Ibid.*
- 15 Keren, *We are Coming, Unafraid*, 5; Gilner, 19; Watts, 3.
- 16 Watts, 5.
- 17 Watts, 47; Gilner, 89-90; Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation", 70.
- 18 Watts, 47.
- 19 Watts, 22-23.
- 20 See Calvin Ruck, *The Black Battalion 1916-1920—Canada's Best Kept Military Secret* (Halifax: Nimbus Publishing, 1987).
- 21 Brian Denis, *The Seven Lives of Colonel Patterson: How an Irish Lion Hunter Led the Jewish Legion to Victory* (Syracuse: Syracuse University Press, 2008), 221.
- 22 Keren, *We are Coming, Unafraid*, 5; Watts, 83.
- 23 Keren, *We are Coming, Unafraid*, 5.
- 24 Brian, 103; Watts, 82-84.
- 25 Gilner, 169.
- 26 *Ibid.*, 151.
- 27 Gilner, 152; Brian, 239; Neumann, 127-128.
- 28 Gilner, 179-180.
- 29 David Ben-Gurion, *Letters to Paula*, trans. Aubrey Hodes (London: Vallentine, Mitchell, 1971), 1.
- 30 *Ibid.*, 1,3
- 31 Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 69-70.
- 32 Ben-Gurion, 3.
- 33 *Ibid.*
- 34 *Ibid.*, 3-4.
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- 36 Judith Tulloch, "Fort Edward: Guide Briefing Notes" (Undated Manuscript).
- 37 Judith Tulloch, "Fort Edward NHS: Confirmation and Clarification of National Historic Significance," (Undated Manuscript), 4.
- 38 Tulloch, "Fort Edward NHS", 9; L.S. Loomer. Windsor, Nova Scotia: A Journey in History (Windsor: West Hants Historical Society, 1996), 286.

- 39 "History of the Imperial Recruits Depot," *The Hants Journal*, November 20, 1918, 2. See also A. Ruffman & C. Howell, *Ground Zero: A Reassessment of the 1917 Explosion in the Halifax Harbour* (Halifax: Nimbus Publishing, 1994).
- 40 Gilner, 187-188.
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- 42 *Ibid.*, 13.
- 43 Gilner, 189.
- 44 Ben-Gurion, 5-6, 18-19, Gilner, 190.
- 45 Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 70, 72.
- 46 Roman Freulich, *Soldiers in Judea: Stories and Vignettes of the Jewish Legion* (New York: Herzl Press, 1964), 31.
- 47 See Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 73.
- 48 Gilner 190-191.
- 49 *Ibid.*, 190.
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- 52 Ben-Gurion, 6.
- 53 "British Expeditionary Forces," *The Hants Journal*, April 24, 1918, 1.
- 54 "Notes From Imperial Recruits Depot, Fort Edward," *The Hants Journal*, June 5, 1918, 1.
- 55 Ben-Gurion, 8.
- 56 See Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 78.
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- 58 Gilner, 188.
- 59 Gilner, 190.
- 60 "Jewish New Year at Fort Edward," *The Hants Journal*, September 1, 1918.
- 61 Loomer, 294.
- 62 "History of the Imperial Recruits Depot," *The Hants Journal*, November 20, 1918, 2.
- 63 Ben-Gurion, 12.
- 64 *Ibid.*, 13.
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- 66 Ben-Gurion, 23.
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- 68 *Ibid.*, 8, 12.
- 69 *Ibid.*, 14.
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- 72 *Ibid.*
- 73 Keren, “The Jewish Legion in the First World War as a Locus of Identity Formation”.
- 74 *Ibid.*, 76.
- 75 Gilner, 154.
- 76 Keren, *We are Coming, Unafraid*, 6; Neumann, 130.
- 77 Watts, 241.
- 78 Keren, “The Jewish Legion in the First World War as a Locus of Identity Formation,” 81-82.
- 79 Pers. Com. September 2018.

Attachment C – Email Response from Catherine Cottreau-Robins

Alexander Dunphy

From: Cottreau-Robins, Catherine M <Catherine.Cottreau-Robins@novascotia.ca>
Sent: December 7, 2021 9:59 AM
To: Madelyn LeMay; shelleybibby@gmail.com
Cc: Alexander Dunphy; Sara Poirier; Cormier, John Kenneth; Cross, Anna
Subject: RE: Lands Abutting Fort Edward, Windsor

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Hi Madelyn,

We have reviewed our information here and an archaeological assessment is recommended for the properties before any kind of development or ground disturbance activity. We have 3 archaeology sites recorded not far from the lots. In addition, we ascribe elevated potential for additional archaeological resources for the general area (both historical and pre-contact or Mi'kmaq archaeological resources). We know generally that this area in Windsor was well known and well used in both the recent and distant past.

An archaeological assessment should include a thorough background desktop study as well as field reconnaissance of the properties and possibly some exploratory shovel testing, if the archaeologist on site deems shovel testing as an informative method. I know there has been development in the area however that does not negate the possibility of the presence of buried archaeological materials. We have a list of archaeological consultants in good standing with the province that we can share if needed.

Yours,

Katie

Katie Cottreau-Robins, PhD
Senior Curator Archaeology, Nova Scotia Museum
Department of Communities, Culture, Tourism and Heritage

From: Madelyn LeMay <MLeMay@westhants.ca>
Sent: December 6, 2021 3:23 PM
To: Cottreau-Robins, Catherine M <Catherine.Cottreau-Robins@novascotia.ca>
Cc: Alexander Dunphy <ADunphy@westhants.ca>; Sara Poirier <spoirier@westhants.ca>
Subject: RE: Lands Abutting Fort Edward, Windsor

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Thanks very much, Katie - I would appreciate being kept in the loop. Both Jonathan Fowler and Sara Beanlands have provided some information which we'll pass along to PAC/HAC and Council.

Madelyn



Madelyn LeMay

Director of Planning and Development
West Hants Regional Municipality
PO Box 3000, 76 Morison Drive, Windsor, NS, B0N2T0

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From: Cottreau-Robins, Catherine M <Catherine.Cottreau-Robins@novascotia.ca>
Sent: Monday, December 6, 2021 3:16 PM
To: Madelyn LeMay <MLeMay@westhants.ca>; Cormier, John Kenneth <John.Cormier@novascotia.ca>
Cc: Alexander Dunphy <ADunphy@westhants.ca>; Sara Poirier <spoirier@westhants.ca>
Subject: RE: Lands Abutting Fort Edward, Windsor

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Hi Madelyn,

Thank you for your email. We are likely going to recommend an archaeological assessment given the locations of the properties. We have been in touch with Shelley Bibby who contacted us last week. Our GIS analyst is compiling some info for our review. We can keep you in the loop.

Yours, katie

From: Madelyn LeMay <MLeMay@westhants.ca>
Sent: December 3, 2021 3:21 PM
To: Cottreau-Robins, Catherine M <Catherine.Cottreau-Robins@novascotia.ca>
Cc: Alexander Dunphy <ADunphy@westhants.ca>; Sara Poirier <spoirier@westhants.ca>
Subject: Lands Abutting Fort Edward, Windsor

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Hi, Katie

I am looking to you for some information. West Hants Regional Municipality (WHRM) is in the midst of two processes regarding lots on Fort Edward Street:

- (1) the amendment of the designation on the Future Land Use Map from Community Use to Residential and rezoning in the Land Use By-law from Open Space (OS) to Two Unit Residential (R2) of PID 45059797 ; and
- (2) the sale of PID 45059797 and PID 45059805 (which is already zoned Two Unit Residential (R2)).

I have written both Jonathan Fowler and Sara Beansland asking for any information they are able to provide, as I was not working with Windsor when apparently the development of the lot for heritage purposes was being considered, so I have very little background on it.

My main question is what requirements there would be under the Special Places Protection Act for anyone proposing development of the lots. One lot was the former swimming pool site and has apparently been “remediated” somewhat recently and the second lot has been used for parking for some time.

Anything advice would be really appreciated!

John Cormier was also mentioned - I was unable to find his information on the CCH website. If you think it is relevant, could you send this email along to him?

Madelyn



Madelyn LeMay

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Attachment C – Revised Fort Edward Street Archaeological Resource Impact Assessment – Dr. Johnathan Fowler

Fort Edward Street
Archaeological Resource Impact Assessment
HRP A2022NS013



Prepared for: West Hants Regional Municipality
Prepared by: Jonathan Fowler
12 April 2022



EXECUTIVE SUMMARY

In late 2021, the West Hants Regional Municipality retained Northeast Archaeological Research Inc. to conduct a Phase 1 Archaeological Resource Impact Assessment of two contiguous properties at 36 and 65 Fort Edward Street, Windsor, for the purpose of evaluating their archaeological potential.

Our study examined recorded archaeological sites in the Maritime Archaeological Resource Inventory (MARI), published histories, aerial photography, and archival records (cartographic and documentary) from local, national, and international repositories. A pedestrian survey was conducted on 12 February 2022 to examine surface conditions and collect survey points to assist in georeferencing historical maps.

Our assessment concludes that these properties very likely contain archaeological resources associated with Mi'kmaw, Acadian, and British activities dating from the early colonial period and possibly earlier. This meeting point of major rivers and terminus of major portage routes linking the Fundy system to the Atlantic coast was long inhabited by the Mi'kmaq and their ancestors. By the mid-18th century, the Mi'kmaq regularly frequented a trading post (or truckhouse) adjacent to the properties in question. It was one of only six posts in the region that functioned as part of the 1760-61 Treaties of Peace and Friendship between the Mi'kmaq and the British Crown.

In 1722, the Acadians built a parish church just uphill from the two properties. The British demolished it to make way for Fort Edward in 1750. Between 1755 and 1763, Fort Edward functioned as a prison for hundreds of Acadians caught up in the deportations.

Significant fort infrastructure was located outside the ramparts and 18th century maps indicate that some of these structures stood in the properties in question. The northernmost of the two properties is also within the viewplane Parks Canada identifies as essential to the commemorative integrity of Fort Edward National Historic Site. From 1765 and up to recent times, the two properties were the site of the Windsor Agricultural Fair, Canada's oldest, which was designated a national historic event by the Historic Sites and Monuments Board of Canada in 1935.

Construction on these properties in the 20th century has likely impacted the integrity of some archaeological resources, but material cultural evidence is almost certainly still present, some in secondary contexts.

Based on these findings, it is recommended that any future construction activities on these properties be subject to a thorough Phase 2 Archaeological Resource Impact Assessment prior to ground disturbance, including engagement with the Mi'kmaw and Acadian communities.

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1.0 INTRODUCTION

In late 2021, the West Hants Regional Municipality retained Northeast Archaeological Research Inc. to conduct a Phase 1 Archaeological Resource Impact Assessment of two contiguous properties, 36 and 65 Fort Edward Street, in Windsor (**Figure 1**). This assessment finds that the properties very likely contain significant archaeological resources relating to Mi'kmaq, Acadian, and Anglo-American communities and traditions. This report describes investigations conducted under Category C Heritage Research Permit A2022NS013 and is formatted according to reporting procedures prescribed by the Nova Scotia Department of Communities, Culture, Tourism, and Heritage.¹



Figure 1: Study area location map. The two properties in question are enclosed by the dashed yellow lines. SOURCE: Google Earth, February 2016.

¹ Reporting Procedures, Archaeological Resource Impact Assessment (Category C): <https://cch.novascotia.ca/sites/default/files/inline/documents/archaeologicalresourceimpactassessmentc.pdf>

2.0 DEVELOPMENT AREA

Biophysically, the development area is part of the Carboniferous Lowlands Theme Region (511 Windsor Lowlands) (Davis and Browne 1996, 2:10). Surficial geology maps place Fort Edward Hill in a silty till plain (ground moraine) whose topography is characterized as “[f]lat to rolling, [with] few surface boulders,” and in which the till is “thick enough to mask bedrock undulations.” These materials, furthermore, “generally provide the best agricultural land in the province, moderate drainage and stoniness; [and] moderate to good buffering capacity for acid rain because of transported calcareous bedrock components” (Stea, Conley, and Brown 1992). As we will see, this soil’s ability to support agriculture contributes directly to a major aspect of the study area’s heritage significance. The underlying bedrock consists of Windsor Series rock (limestone, gypsum, shale, and sandstone) associated with the Mississippian, or early Carboniferous, period (Cann, Hilchey, and Smith 1954, 8–9).

2.1 Indigenous presence

The Windsor area is situated in the traditional Mi’kmaw district of *Sipekne’katik* (Sable and Francis 2012, 21). Historic period Mi’kmaw inhabitants referred to the Avon River estuary as *Pesikitk* (“to flow splitwise”), referencing the confluence of the Avon and St. Croix rivers, each of which connected to major portage routes linking the Minas Basin and greater Fundy system to the Atlantic Coast.²

There is no direct archaeological evidence of ancient human activity in Fort Edward’s immediate neighbourhood recorded in the Maritime Archaeological Resource Inventory (MARI), but this almost certainly reflects the incomplete coverage and/or lack of archaeological surveys rather than the extent of the actual archaeological resource.³ In other words, the absence of evidence in this case is certainly not evidence of absence.

A major Indigenous village dating mainly to the Maritime Woodland Period has been identified at St. Croix (BfDa-01) (Deal 2016, 91). This well-studied site has in fact revealed artifacts spanning 3000 years, encompassing the Late Archaic, Maritime Woodland, Proto-historic, and early historic periods, making it one of the most long-lived Indigenous habitation sites in the region. It is also a rare example of a site possessing well-dated contexts and abundant palaeobotanical evidence, allowing important inferences to be drawn about the local ecology and foodways (Deal 2016, 121–25; Milner 2014).

² Mi’kmaw Place Names Digital Atlas, <https://placenames.mapdev.ca/>

³ As we will see below, there is antiquarian testimony of at least one Mi’kmaw cemetery near Fort Edward Hill, but the sites in question have not been registered in the MARI.

Less well-preserved Indigenous sites and isolated finds have been recorded at the head of tide on the Avon River, at BfDb-09 and BfDb-22 respectively, the latter suggesting an Archaic presence. Further Archaic evidence has been traced on the upper reaches of the West Branch Avon River (BfDb-03) and at the source of the Avon at Falls Lake and Mockingigh Lake, where a complex of Indigenous sites spanning the Archaic and Maritime Woodland period is recorded (e.g. BfDb-12-18, 20-21).

Although Parks Canada's archaeological excavations at Fort Edward have not revealed material cultural evidence of Mi'kmaw sites⁴ (e.g. Ferguson 1987), only a small area has been excavated to date and it is focused mainly on the ground enclosed by the 1750 British fort. At a minimum, the MARI evidence demonstrates that the upper reaches of the rivers converging at Windsor sustained settlement by the Mi'kmaq and their ancestors for millennia. Passing this way countless times, their habitual movements through the landscape in part explain the British government's desire to militarize Pesikik in the mid-18th century. We will return below to the subject of historic period Mi'kmaw activity at Fort Edward Hill and its vicinity.

2.2 French presence

In the 1680s, French farming families from Port-Royal began moving to the Minas Basin area (Les Mines), their activities at Pesikik beginning with Étienne Rivet and Marie Comeau, who settled across the Avon River near Mount Denson (Fowler 2001; 2006b). Within a decade or so, immigrants were dyking the tidal marshes along each of the major rivers in this district (Duncanson 1983; Clark 1968; R.-G. LeBlanc 2005). The Acadians, in keeping with their generally positive relations with the Mi'kmaq, retained the Mi'kmaw place name, which appears in colonial-era documents in French and English as Pigiguit, Pisiquid, and Pisiquit. Colonial records from the French regime demonstrate that the Mi'kmaw presence at Pesikik persisted after the arrival of the Acadians. The 1687-88 census of Gargas, for example, which was almost certainly incomplete, counts 50 Mi'kmaq among the 114 French inhabitants of Les Mines (Morse 1935, 1:145-49). The symbology of a 1737 map suggests wigwams at Pesikik (**Figure 2**), while a 1748 account of the country notes that 300-400 Mi'kmaq make the journey from the Atlantic coast to see the French priest at Pesikik.⁵ By this time, there were two Acadian parish churches in the district: Sainte-Famille at Falmouth, established in 1698, and Notre-Dame-de-L'Assomption at Fort Edward Hill, established in 1722 (Bujold 2004, 68-71).

⁴ Robert Ferguson, Parks Canada Archaeologist (retired), personal communication 24 January, 2022.

⁵ Anon. 1748. "Mémoire sur l'Acadie," Archives nationales d'outre-mer (ANOM), COL C11D 10, p.3.



Figure 2: Detail of a 1737 map of Acadie appearing to show wigwams in the Pesiktk area. The portage route connecting Pesiktk to Kjiptuk (the great harbour), the future site of Halifax, is labelled as a *chemin*. It was an Acadian drove road at this time. At lower right. SOURCE: Anon. 1737. "Carte de la coste du N[ord] et du S[ud] de l'Arcadie et de l'île St Jean," Bibliothèque nationale de France (BNF), département Cartes et plans, GE SH 18 PF 132 DIV 2 P 13/1. A cruder and perhaps slightly older version of this map exists, and it shows similar symbology: Anon. 1737. "Carte des côtes de l'Acadie, Iles Royale, St Jean..." BNF, département Cartes et plans, GE SH 18 PF 132 DIV 2 P 13.

An ecclesiastical summary census of the French population of Pesiktk counts 150 families in 1731.⁶ The population reportedly exceeded 1600 in 1737 but appears to have dropped sharply after the founding of Halifax in 1749, when perhaps as much as half of the Acadian population departed for new settlements in French controlled territory (R.-G. LeBlanc 2005, 170–71; Johnston 2004, 67). The inhabitants no doubt found the British military presence challenging, particularly after 1750, when Charles Lawrence established Fort Edward on the site of the parish church of Notre-Dame-de-L'Assomption (Fowler and Ferguson 2010). The British deported 981 Acadians from Pesiktk in 1755, using Fort Edward as a base of operations and a prison (R.-G. LeBlanc 2005, 171).

⁶ Anon. 1731. "État de l'Acadie pour le gouvernement ecclésiastique," ANOM, COL C11A 107, pp. 235-236.

There is no evidence of colonial-era French domestic activity on Fort Edward Hill. Pesikik is relatively well mapped in the 18th century, and abundant cartographic and documentary evidence places the village sites elsewhere (Fowler 2001). Some of these sites have been explored archaeologically (Deal 2001; Fowler 2005; 2006b; 2006a; 2013; Preston 1991). **Figure 3** summarizes most of the known locations of Acadian hamlets in the area. Although imperfect⁷, the evidence is sufficiently complete to probably discount Fort Edward Hill as a site of intensive domestic activity.⁸ As noted above, however, the hill was the site of the parish church of Notre-Dame-de-L'Assomption.

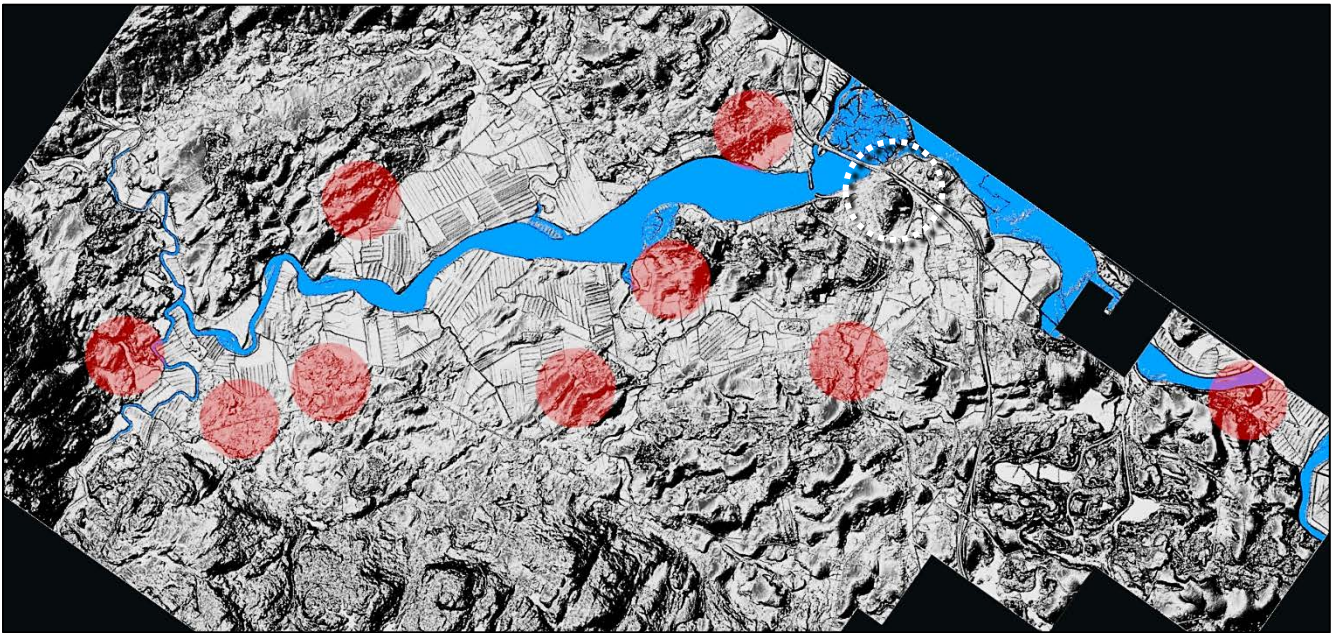


Figure 3: Map of most of the known pre-Deportation Acadian hamlet sites near Fort Edward as derived from historical and archaeological evidence and plotted on 2018 LiDAR hillshade. Fort Edward is highlighted by a dashed white circle at upper right. SOURCE: Province of Nova Scotia.

While the establishment of a British garrison at Fort Edward in 1750 certainly upset the status quo, it also brought opportunities. The troops required provisions and firewood, and colonial records contain many references to Acadians supplying these needs before 1755. Edward Cornwallis hired Acadian labourers to cut a road from Halifax to Pesikik in late 1749 (Halifax's Windsor Street is its terminus) (Akins 1895, 19; MacKenzie 2002, 175), and by approximately 1752 Joshua Mauger, a Jersey-born merchant, shipowner, and eventual politician, had established a

⁷ This is the subject of an upcoming research publication (Fowler in prep.)

⁸ However, it should be noted that most of the mapping allowing us to plot pre-Deportation Acadian villages post-dates the establishment of Fort Edward in 1750, which may have erased some features of the Acadian landscape.

trading post – or truckhouse⁹ – on the slope next to Fort Edward (Chard 1979) (**Figure 4**). Mauger traded in slaves and in Caribbean sugar and was already the official victualler to the Royal Navy in Nova Scotia by this time; the appearance of his truckhouse at Fort Edward coincides with the establishment of his rum distillery in the Halifax suburbs (Chard 1979). The soldiers’ thirst for rum was unquenchable, and Mauger was nothing if not enterprising.



Figure 4: British officer John Hamilton painted this view of Fort Edward from the west in 1753. The truckhouse complex is shown as a palisaded enclosure at left (circled). SOURCE: “View of Fort Edward on the Piziquid River, Nova Scotia.” Library and Archives Canada (LAC), Acc. No. 1996-361-3.

The truckhouse also catered to Acadian and Mi’kmaq clients and was administered by Isaac Deschamps, an English immigrant thought to be of Swiss heritage, after about 1754. When Mauger departed Nova Scotia for England in 1760, Governor Lawrence brought Deschamps into government employment (**Figure 5**). The Fort Edward truckhouse from this period played an official role as part of the Crown’s treaty obligations to the Mi’kmaq (Wicken 2002, 198–200).¹⁰

⁹ Truck, from the French *troquer*, meaning to shop, barter, exchange, derives from the medieval Latin *trocare*. In 18th century British America, the term truckhouse denoted “a store-house for trading with Indians; also, any storage building.” *Oxford English Dictionary*.

¹⁰ Treaty scholarship and jurisprudence treat this subject extensively, for the truckhouse provisions inform questions today surrounding Mi’kmaq access to markets, for example in the moderate livelihood fishery.

Some historical context is needed to understand this development and its heritage significance.

As White has shown in his study of the French Empire in the Great Lakes region, the French state lacked the power necessary to impose its will in North America. It therefore sought to achieve its political aims instead through a complex network of alliances with Indigenous peoples. These alliances followed the logics, metaphors, and customs of the country more than European norms. Political influence in the Indigenous context was partly a function of largesse. Governor de Beauharnois and Intendant Hocquart explained it in a 1730 letter to a home government that perennially griped about the expense: “You know, Monseigneur, that all the [Indigenous] nations of Canada regard the governor as their father, which in consequence, following their ideas, he ought at all times to give them what they need to feed themselves, clothe themselves, and to hunt” (White 1991, 180). A similar system developed in the Atlantic region, where in the early 18th century Louisbourg became the main source of diplomatic gifts and trade goods. Many historians with justification see Louisbourg’s final capture by Anglo-American forces in 1758 as having consequently dealt a severe blow to the Mi’kmaq economy (Dickason 1971; MacFarlane 1938; Upton 1979, 57; Reid 2004, 678).

The Treaty of Peace and Friendship of 1752, negotiated by Chief Jean-Baptiste Cope and Nova Scotia Governor Thomas Peregrine Hopson, was the first of its kind in our region with a truckhouse provision, and it is an early sign of a Mi’kmaq community’s effort to establish economic stability independent of the imperial French cause. The British agreed by this treaty to build a truckhouse at Shubenacadie (Akins 1869, 673), but the rapid return of hostilities appears to have prevented its construction. Informal trade at Mauger’s private truckhouse at Pesikik may have fulfilled this function intermittently until peace was formally reestablished in 1760.

The treaties of 1760-61 finally established a lasting peace between the Mi’kmaq and the British Crown. With the French Empire in North America essentially eliminated, Mi’kmaq leaders now saw regulated access to the British market as an

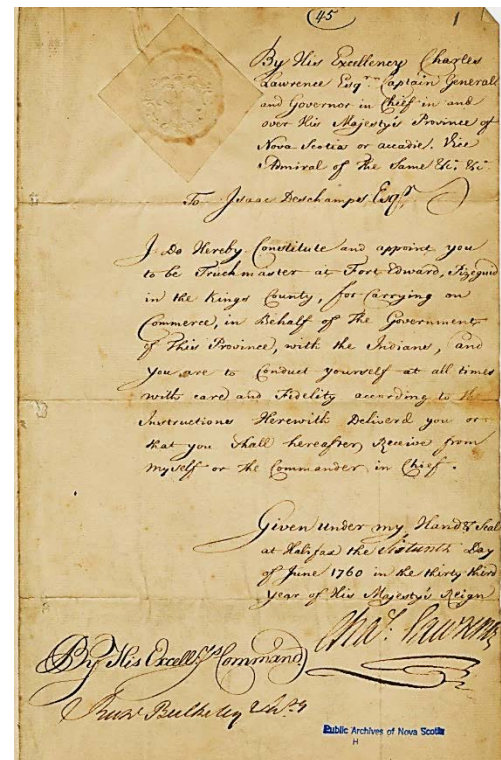


Figure 5: Commission appointing Isaac Deschamps truckmaster at Fort Edward, “for Carrying on Commerce, in Behalf of the Government of this Province, with the Indians.” NSA, MG 1 vol. 258 no. 1.

essential part of their community's economic wellbeing; thus, it became a condition for peace. The Cope-Hopson truckhouse provision from the 1752 Treaty reappeared in an elaborated form as British officials committed to establishing a network of government-regulated truckhouses across the region. Six were set up in total, each overseen by a government-appointed truckmaster (Hutton 1983, 65).¹¹ ***The Fort Edward truckhouse and Isaac Deschamp's role there are consequently a significant – if generally forgotten – element of the Treaty relationship between the Mi'kmaq and the British Crown.***

Deschamps was an intelligent observer, and we are fortunate that many of his papers survive in the Nova Scotia Archives and the British Library. They have considerable ethnohistorical value and illuminate many aspects of early colonial life that are otherwise unattested.¹² He maintained a careful record of Acadian prisoners held at Fort Edward through the Seven Years' War, for example, who he appears to have assisted in provisioning.¹³ Underscoring the significance of his role as truckmaster in the treaty context, in 1763 he also left a valuable record of Mi'kmaq families whose "Summer Residence is in the neighbourhood on the River Piziquid and Gaspero." Their names are presented in **Table 1**.

¹¹ These included Henry Green at Fort Frederick on the Saint John River; Philip Knaught (Knaut) and A.D. Widerholt at Lunenburg; William Nevil Woseley at the Eastern Battery (Dartmouth); and Erasmus James Philips at Annapolis Royal. Another post was established at Chignecto (Lewis n.d.). In 1760, Moses Delesdernier, another Swiss immigrant, was also licensed as a truckmaster at Fort Edward (Cuthbertson 1983); Eaton states he held this post since 1757 (1915, 93).

¹² His comments on Acadian agriculture, which he observed first-hand, is a good example. "Copy of a paper written by Chief Justice Isaac Deschamps on the cultivation of the Land in Nova Scotia by the Acadian French Inhabitants – written about 1785." NSA, MG 15 vol. 2 no. 43.

¹³ There are several such lists. This example from 1762 numbers 320 individuals: "List of French prisoners at Fort Edward, Windsor, Nova Scotia with the number in each family and numbers victualled." NSA, MG 1, vol. 258 no. 20, pp. 110-113.

Table 1: Mi'kmaq in the Vicinity of Fort Edward, 1763

"Indian Tribe of Amquaret now hunting between Cornwallis and the River between the two places on the Annapolis Road and there Summer Residence is in the neighbourhood on the River Piziquid and Gaspero."

Captain	<i>Joseph Bernard</i>	1 boy, 1 girl
	<i>Pierre Bernard</i>	
	Barth ^y Amquaret	2 boys
	Barth ^y Amquaret	Sen ^r [?]
	Pierre Amquaret	
	Paul Amquaret	
	Philippe Amquaret	2 boys, 1 girl
	<i>Joseph Dugas</i>	
	<i>Francois Michel</i>	1 girl
	Simon Amquaret	
	Blaize Amquaret	
	Jean Argoumatine	1 boy, 2 girls
	Joseph Argoumatine	
	<i>Jos. Denis</i>	

"Tribe of Nocout now hunting on Kenecoot River in the Township of Newport, Summer residence there also."

Captain	Joseph Nocout	1 boy, 1 girl
	Bartholemew Nocout	2 boys, 3 girls
	Thomas Nocout	1 boy
	Paul Segoua/Segona	1 boy
	Paul Biskerone	1 boy, 2 girls
	Francois Segoua/Segona	
	Janvier Nocout	
	Francois Nocout	1 boy, 2 girls
	Claude Nocout	
	Charles Nocout	
	Rene Nocout	
	Jacques Nocout	
	Lewis Nocout	
	Chas Segona	
	Michel Thoma	
	Joseph Thoma	
	Philippe Nocout	
	<i>Louis Michel</i>	

SOURCE: Isaac Deschamps Papers (1750-1800), NSA MG 1 Vol. 258 No. 8, 20 December 1763, p. 20.

2.3 Anglo-American presence

The 1755 Deportation of the Acadians brought significant changes to Pesiktk. The British policy of population replacement introduced New England immigrants to the area (commonly called Planters in the language of the day), and Falmouth and Newport Townships were established in 1760 (Duncanson 1983; Gwyn 2010; Duncanson 1985; Longley 1961).

While the new townships were created primarily for immigrant families, much of the land on the south side of the Avon River was set aside for the British elite in Halifax (Loomer 1996, 59–61). This area became known as the Councillor’s Grant (**Figure 6**), and it was by this process that several planners and perpetrators of the 1755 Deportation subsequently reaped the spoils. This has fed the notion – especially amplified in francophone historiography – that the Acadian removal was a naked land grab.¹⁴

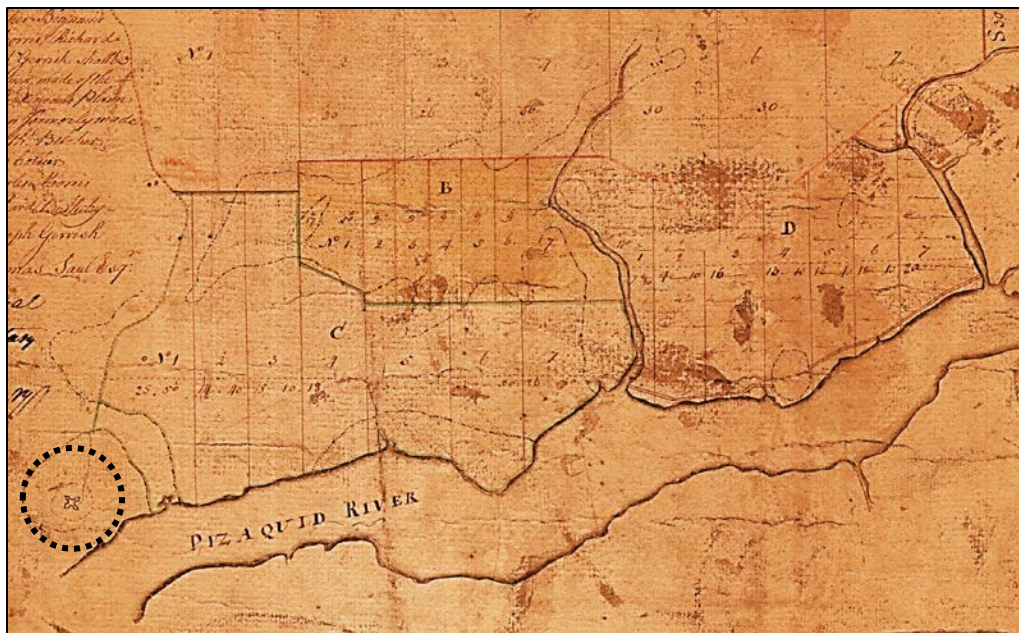


Figure 6: Detail of part of the Councillors’ Grant of former Acadian lands at Pesiktk (north at bottom, Fort Edward circled at lower left). The proprietors named are Jonathan Belcher, John Collier, Charles Morris, Richard Bulkeley, Joseph Gerrish, and John Cunningham (for Thomas Saul). Collier and Belcher were on the Executive Council that decided to deport the Acadians in 1755, while the latter, in his role as Chief Justice, rendered an opinion verifying the policy’s legality. Charles Morris, though not a councillor in 1755, strongly advocated the deportation policy and was one of its principal planners (Johnston and Kerr 2004, 49; Faragher 2005, 520). SOURCE: Anon. 19 August 1761. Untitled. Nova Scotia Crown Land Information Management Centre (CLIMC), Hants County Portfolio no. 16.

¹⁴ The appropriation of Acadian lands by government officials drew opprobrium even in the 18th century. Based on the testimony he received, the Reverend Dr. Andrew Brown condemned the councilmen-grantees for profiting off “the share they had taken in the expulsion of the French inhabitants” (Brown 1819, 96). This state of affairs was not at all unique to Pesiktk (Fowler 2012).

Nova Scotia's governor and council resolved to reorganize and incorporate this area as the Township of Windsor in late 1764, its ties to the metropolitan elite emphasized by its initial inclusion in the County of Halifax. A public market was declared to be held every Tuesday on "Fort Hill, where Fort Edward now stands," and public fairs were established on the third Tuesday of May and third Tuesday of October each year (Murdoch 1866, 2:444). The by now well-established truckhouse on Fort Edward Hill had clearly made this location a logical commercial hub for the area, and the annual fair – now the Windsor Exhibition – would continue to be held on the hill, *in the study area*, well into the 20th century.

Fort Edward remained a military post throughout this period, declining in importance during times of peace, and hastily refurbished in wartime. The fort was strengthened at the beginning of the American Revolution, for instance, and again during the War of 1812 (Tulloch n.d.). During the former conflict, it was garrisoned by a detachment of the 84th Regiment of Foot (Highlanders), under the command of Capt. Allan Macdonald, whose wife, Flora MacDonald (**Figure 7**), is well known for her role in spirited away Prince Charles Edward Stuart (Bonnie Prince Charlie) after the collapse of the Second Jacobite Rebellion in Scotland in 1746.¹⁵ Touring Windsor with her husband, the Lieutenant-Governor, shortly after the War of 1812 had been declared, Lady Sherbrooke found Fort Edward once again "in a dilapidated state..." (Haliburton 2011, 69). According to a report on the fort's condition that year, even the blockhouse – today the only surviving fort building – was in bad repair, and not the "smallest vestige" of the powder magazine, formerly located in the southeast bastion, could be discerned.¹⁶



Figure 7: Flora Macdonald (1722-1790), painted by Allan Ramsay in 1749, shortly after her release from the Tower of London for her role in the Second Jacobite Rebellion. Perhaps she was unrepentant, for the white rose in her hair is a Jacobite symbol. SOURCE: Ashmolean Museum, WA1960.76.

A report on ordnance land in 1856 revealed that only the blockhouse, officers' quarters, one soldiers' barracks, and a provision store remained.¹⁷ Although these

¹⁵ Many of the members of the 84th Regiment became settlers in Hants County at the conclusion of the war, and members of the Fort Edward garrison were granted land in Douglas Township (Duncanson 1989)

¹⁶ LAC 1812 "Major Crawford's report on the State of Fort Edward, Windsor, Nova Scotia" LAC, R2513-540-5-E. Volume/box number: 20.

¹⁷ National Archives (UK), W.O. 55, v1558, part 6, Report on ordnance lands, 1856, f 84.

four buildings appear on an 1879 map of the town of Windsor (**Figure 8**), the store house and soldiers' barracks would soon be demolished.

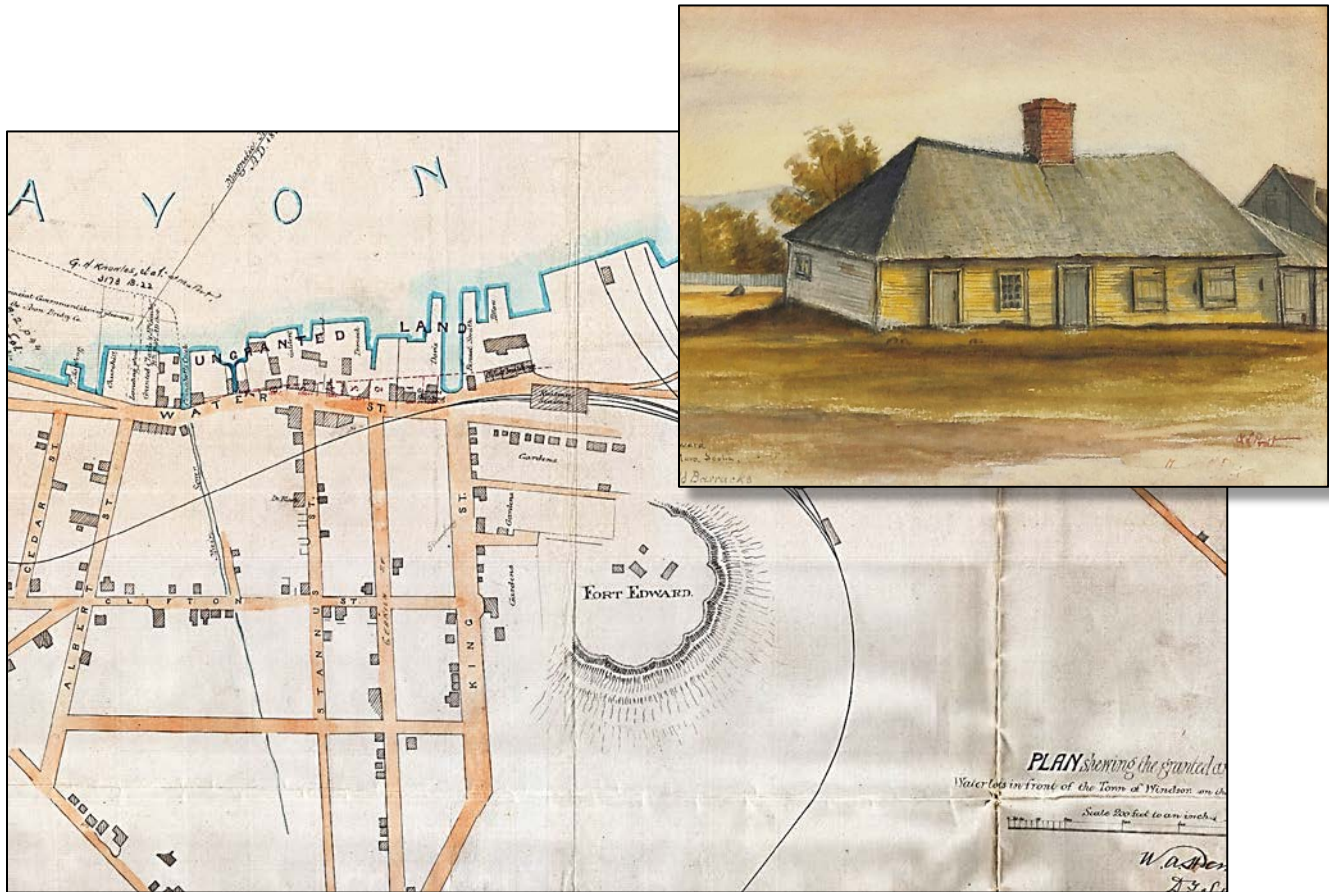


Figure 8: Detail of a map showing the Town of Windsor and four standing buildings at Fort Edward in 1879. North at upper right. Inset: Watercolour of the old soldiers' barracks painted ca. 1880 by Annie L. Pratt. The north-facing gable end of the provision store can be seen at right, behind the soldiers' barracks. This may be the only extant image of the latter building. SOURCE: W.A. Hendry and D.Y. Sw... 1879. "Plan shewing the granted and ungranted Water lots in front of the Town of Windsor on the Avon River." CLIMC, Hants Portfolio no. 026; Nova Scotia Museum.

In 1903, the grounds were leased to the Windsor Golf Club and the officers' quarters were used as a club house. The lease was revoked during WWI, when the fort was used as a training area for troops, at which time the officers' quarters functioned as a quarantine hospital (Tulloch n.d.: 9). Among the soldiers stationed here were the men of the Jewish Legion, including David Ben-Gurion, who would later become Israel's first prime minister (Beanlands 2014). The officers' quarters survived until 1922, when they were destroyed by fire (**Figure 9**). The golf course lease was renewed before and after WWII and was finally terminated in 1973 (Tulloch n.d., 10).



Figure 9: The burning of the 18th century officers' quarters in progress (top); and the building in ruins (bottom) in 1923. SOURCE: NSA, Photographic Collection; NSA, Photographic Collection Acc. No. 7586.

3.0 STUDY AREA

The study area consists of two contiguous properties (PIDs 45059805 and 45059797) at 36 and 65 Fort Edward Street (**Figures 10**). The foregoing discussion highlights the pertinent historical and archaeological context, and the following sections examine the archaeological potential and heritage value of these properties.

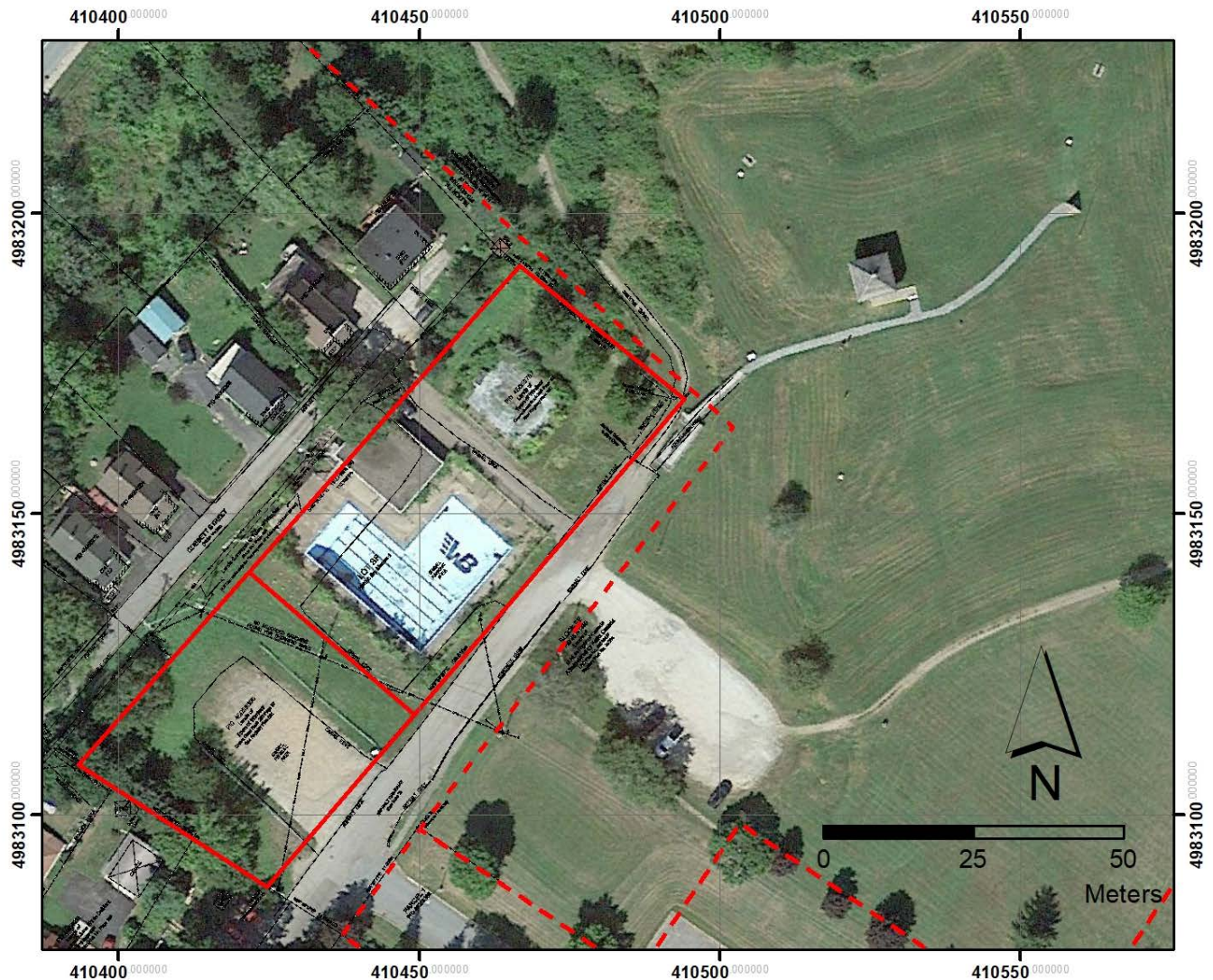


Figure 10: The study area (solid red outline) as indicated by a new survey plan dated 15 February 2022, in reference to the Parks Canada property (dashed red line). The smaller of the two contiguous municipal properties is PID 45059805 and the larger is PID 45059797. SOURCES: Google Earth (2015), Parks Canada, and West Hants Regional Municipality.

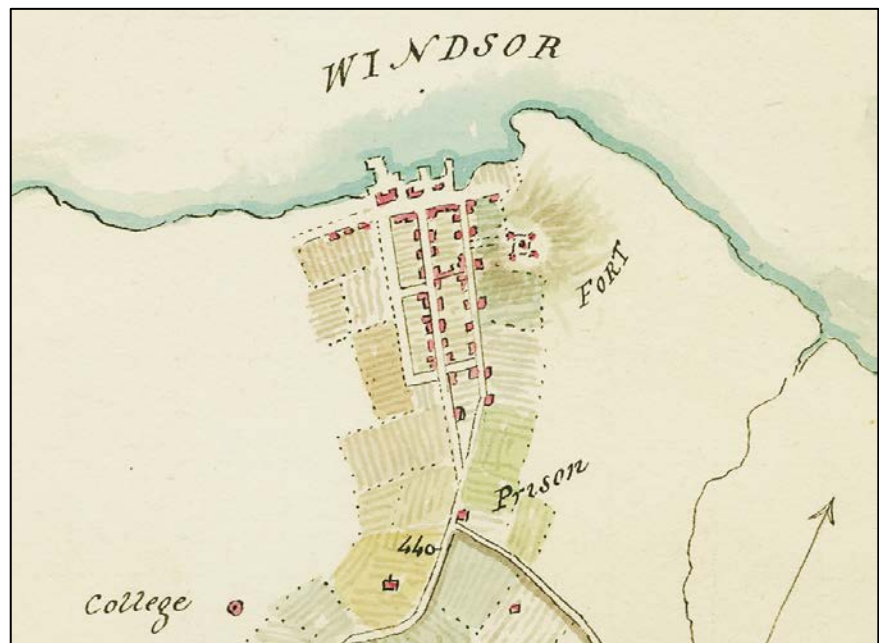
The study area occupies part of the space between the British fort on the hilltop and the planned settlement of Windsor that developed below it to the west (**Figure 11**). Eighteenth century Windsor, in this context, may be recognize as an

offshoot of Fort Edward and its associated truckhouse, which had before the arrival of the New England Planters in 1760 constituted a regional demographic, military, and commercial centre.

This historical relationship between Fort Edward and Windsor is perhaps not very much appreciated today, but it is a Nova Scotian example of an ancient settlement pattern. In the Roman period in Western Europe, for instance, civilian communities often took root outside the gates of permanent military installations (e.g. Mattingly 2006, 170–72). Their residents, attracted and then sustained by imperial coin, supplied the garrisons with goods and services. Long after the soldiers had gone, the civilian settlements remained. Many of Europe's great cities owe their origins to this process, though in Nova Scotia perhaps the closest example is Annapolis Royal, which also grew up alongside the timber and turf, star-shaped fort now known as Fort Anne.

Fort Edward's proximity to the town it spawned has methodological significance for the present investigation because Windsor's durable street grid – and particularly the intersections, which have generally not moved since the mid-18th century – facilitates the georeferencing of colonial-era maps, an essential process for plotting archaeological features in and around the study area.

Figure 11: Fort Edward and Windsor in the Regency period, showing the relationship between Fort Edward and the town that grew up at its feet. Methodologically, the resilience of the town's street pattern offers ground control points (the intersections) for georeferencing old maps. SOURCE: John Elliott Woolford 1817-18, "Surveys of the Roads from Halifax to Windsor and from Halifax to Truro." Sheet 10: Mile 44: Windsor. NSA Map Collection: 15.1.



4.0 METHODOLOGY

The evidence presented in this report was gathered and collated through a straight historical methodology, relying on cartographic and documentary resources in Canada, the United States, and France. Additional information was gleaned from archaeological site reports, the MARI, aerial photographs, and published literature. A pedestrian survey was conducted on February 12, 2022, to assess surface conditions and gather survey points to assist in the process of georeferencing historical maps and plans.



Figure 12: Detail of a map of Windsor in 1829. This map's scale is too small to be of use in this analysis. SOURCE: William Mackay 1834. "The Great Map of Nova Scotia." NSA Map Collection: The Great Map C 14.

Historical mapping plays an important role in the analysis that follows. Fort Edward and its environs have been mapped many times over the centuries, but not all of these maps are useful for our purposes (consider the small-scale rendering in Figures 6 and 11, above), or the early 19th century map in **Figure 12**, at left. Fortunately, several larger-scale plans survive. Georeferencing these maps in a Geographic Information System (GIS) with the assistance of ground control points, such as the intersections of nearby streets, Fort Edward's bastions, and the blockhouse itself (which has not moved since 1750), allows map features of archaeological interest to be plotted on the modern

landscape with reasonable accuracy (Chapman 2006; Rumsey and Williams 2002).¹⁸

Mapping and aerial photography was scanned and processed in GIMP 2.10.24 and ArcMap 10.6.1 software. Base mapping for the GIS at a scale of 1:10,000, was obtained from the online DataLocator service provided by the Nova Scotia Department of Natural Resources.¹⁹ Historical aerial photography was obtained from the National Air Photo Library in Ottawa, and raw LiDAR data (.laz files) were downloaded from the Province of Nova Scotia's Elevation Explorer website.²⁰

¹⁸ The accuracy with which these features can be plotted on the modern surface is difficult to determine without archaeological validation (i.e. excavation), as errors in the manuscript maps cannot be quantified independently. Root Mean Square (RMS) errors in the georeferenced historical maps and aerial photos generally range between 1.7 to 4.1 metres.

¹⁹ Datalocator <https://gis8.nsgc.gov.ns.ca/DataLocatorASP/main.html>

²⁰ Elevation Explorer <https://nsgi.novascotia.ca/datalocator/elevation/>

LiDAR data (**Figure 13**) were processed using Surfer 23 by Golden Software to create digital bare earth models, allowing variations in relief to be quantified.

Background information concerning traditional Mi'kmaw land use and cultural memory was requested from the Archaeological Research Office of the KMKNO on January 18, 2022.

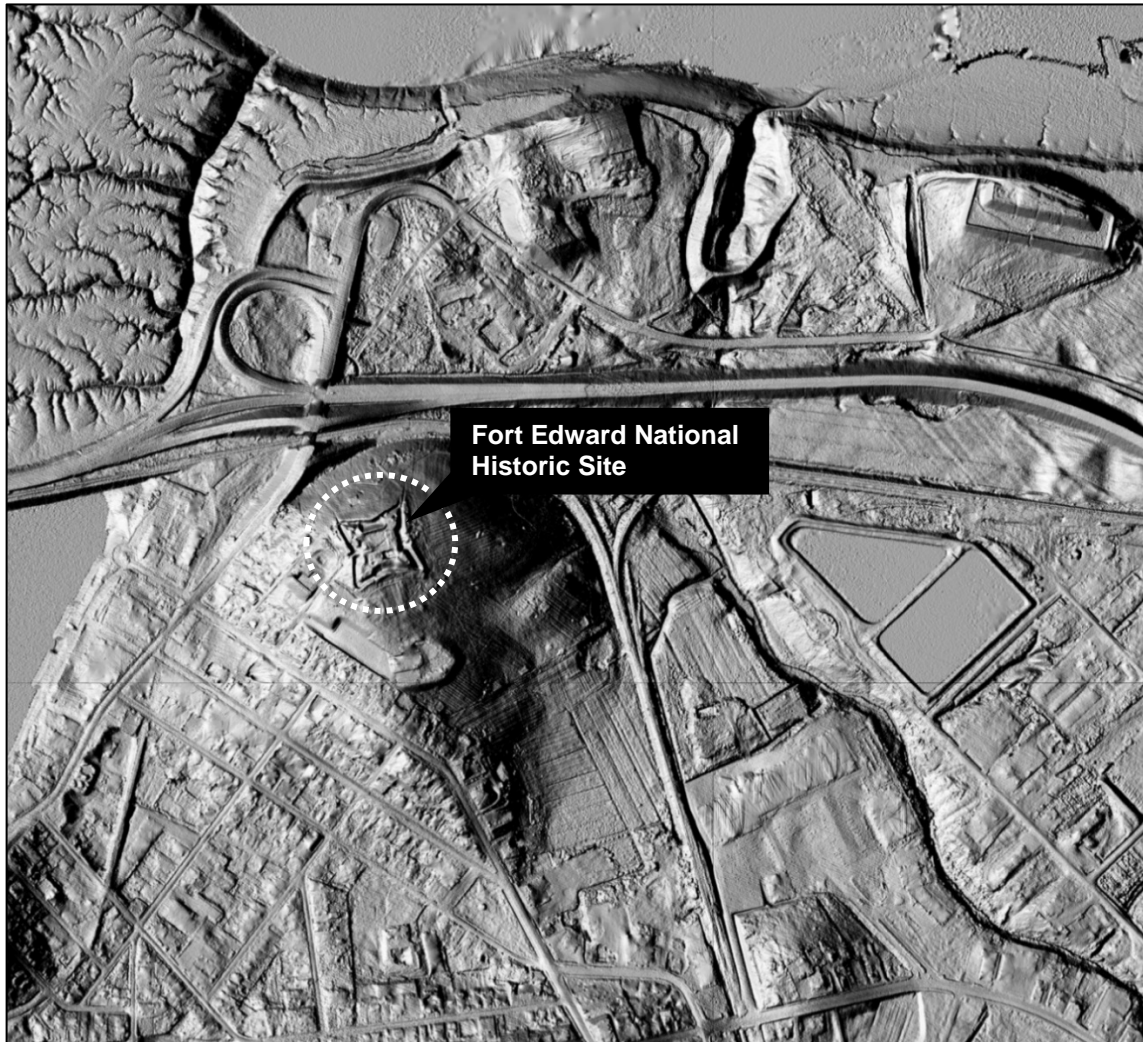


Figure 13: Bare earth LiDAR hillshade model of the confluence of the Avon and St. Croix rivers showing Fort Edward (circled). LiDAR data allows minor variations in relief to be measured, facilitating archaeological site prospection. SOURCE: Province of Nova Scotia (2011).

The nature of potential impacts to the study area is not yet known as the municipality intends this ARIA to provide a high-level scan of archaeological resource potential. The land has not yet been sold and construction activities by a potential buyer have yet to be formalized.

5.0 RESOURCE INVENTORY

Four major themes or traditions are associated with potential archaeological resources in the study area. In chronological order, they are:

- The Acadian Parish Church of Notre-Dame-de-L'Assomption;
- Fort Edward and its associated infrastructure;
- The truckhouse; and
- The Agricultural Fair

Each is now examined in sequence.

5.1 The Acadian Parish Church of Notre-Dame-de-L'Assomption

The Acadian parish church, established in 1722, was demolished by British forces in June of 1750 during Fort Edward's construction. Joshua Winslow records explicitly that Acadian labourers "pulled down the mass house and levelled our block house and laid out the ground for a fort" (Webster 1936, 16).²¹ A ripple of reaction appears in French records where, in describing Pesiktk in 1753, it is said that "les Anglais y ont fait bâtir un fort dans le lieu même ou était autrefois une Eglise sous le titre de l'Assomption" (Abbé de l'Isle-Dieu 1890, 72).²²

In 1997, Parks Canada archaeologists conducted cultural resource management excavations beneath the blockhouse floor and exposed a layer of charcoal and burnt daub slighted by the trench into which the blockhouse foundation had been laid (Fowler and Ferguson 2010, 70–72) (**Figure 14**). Given the prevalence of daub in pre-Deportation Acadian architecture (Crépeau and Christianson 1995), including its association with what appear to be the archaeological remains of the parish church of St-Charles-des-Mines at Grand-Pré National Historic Site (Fowler



Figure 14: Archaeological features beneath the blockhouse floor excavated by Parks Canada archaeologists in 1997 and likely associated with the parish church of Notre-Dame-de-L'Assomption. SOURCE: Parks Canada.

²¹ Loomer states that "In the British period, a building at Fort Edward was used as a Mass house for the Acadians after their chapel had burned, apparently about 1752. There is no other indication of a Mass house on Fort Edward [hill?]" (1996, 40). The first statement is unreferenced and therefore difficult to assess, while the second appears to be false.

²² Translation: The English built a fort there in the same place where the church of L'Assomption previously stood.

2020), it is very likely that this layer belongs to the Acadian church.

Our program of magnetic susceptibility survey at Fort Edward in 2014 sought to map archaeological features inside the fort, including the probable remains of the Acadian church. The results clearly demonstrate that 18th century architectural remains survive here, and that magnetic susceptibility is a viable method for mapping these features in high resolution. They also suggest a roughly rectangular building was partly superimposed by the blockhouse (**Figure 15**), located approximately 30m from the northern end of the study area (Fowler, Beanlands, and Ferguson 2016).

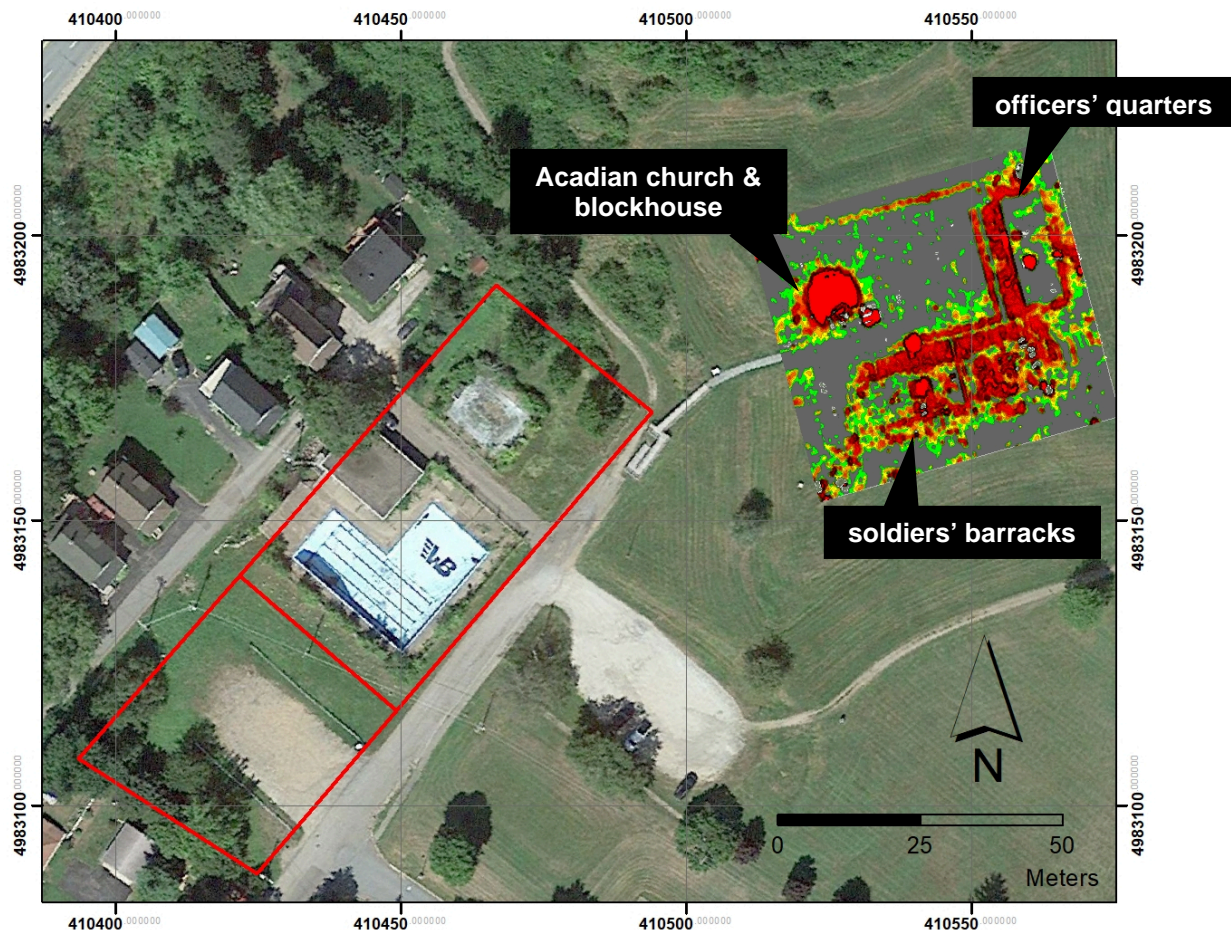


Figure 15: Magnetic susceptibility map of the interior of Fort Edward showing the vanished soldiers' barracks, officers' quarters, and, extending from beneath the blockhouse, the remains of what may be the Acadian parish church of Notre-Dame-de-L'Assomption, approximately 30m from the northern edge of the study area (outlined in red). SOURCE: Google Earth 2015.

It is difficult to clearly determine the boundary of the Acadian ecclesiastical site at this stage. The remains of the church appear to have been located, but if there was a priest's house nearby, its location is not yet known. Such a dwelling was

present at nearby St-Charles-des-Mines at Grand-Pré (e.g. Winslow 1883, 71) and at the mother parish of St-Jean-Baptiste at Port-Royal (**Figure 16**).



Figure 16: Detail of a 1686 map of Port-Royal (Annapolis Royal) showing a priest's house, cemetery, and other landscape features around the Church of St-Jean-Baptiste. The Church of Notre-Dame at Pesiktk may have had a similar "ecclesiastical landscape" setting. SOURCE: Bibliothèque nationale de France, département Cartes et plans, GE SH 18 PF 133 DIV 8 P 2.

The precise location of the Acadian cemetery is also something of an open question. Colonial-era maps and documents, as well as antiquarian and later sources, reference a cemetery on a small marsh island north of Fort Edward Hill, bordering the river (Hind 1889, 2; Loomer 1996, 39; Shand 1979, 7).²³ Several 18th century documents and maps offer supportive evidence. For example, it appears as "Burying Island" on a 1762-63 map of land grants at Pesiktk.²⁴ Hind's statement that this was an Acadian cemetery has been perpetuated by later writers but is conjectural. The area in question (**Figure 17**) is located approximately 350m from the site of the parish church – a uniquely long distance from a church in the context of known Acadian ecclesiastical sites²⁵ – and is separated by a tidal

marsh that would have flooded twice daily in the pre-Deportation period, complicating ritual access.²⁶ While the "Burying Island" may have been the Acadian parish cemetery (insufficient evidence exists at present to test this hypothesis, and the area has been significantly transformed by both natural and cultural processes), it is perhaps more likely to have been a Mi'kmaw cemetery, as its situation in the landscape matches that of other documented Mi'kmaw cemeteries at marsh islands near river mouths in the southern Minas Basin (e.g. BgDb-6 at Avonport (Whitehead 1993, 73) and Starr's Point (Herbin 1911, 16). If this is so, then it raises a serious possibility that the Acadian cemetery may be somewhere nearer the church, at a location yet to be identified on Fort Edward Hill.

²³ E.g. Charles Morris. "A Plan of Lands in the Township of Windsor in the County of Halifax..." NSA V7 230 Windsor, Nova Scotia.

²⁴ Anon. n.d. [1762-63]. "A Plan of Part of the Lands Belonging to the Honourable Richard Buckley Esq." CLIMC Hants County Portfolio no. 14. Although undated, this map must have been drawn in 1762-63 based on the career timelines of the officeholders listed on the document.

²⁵ The Acadian cemetery at Grand-Pré is approximately 30m from the parish church (Fowler 2020); the distance between the parish church and cemetery at Port-Royal (Annapolis Royal) is about the same.

²⁶ Hind (1889, 17) seems to suggest the Acadians had dyked this area, but of this we are uncertain.

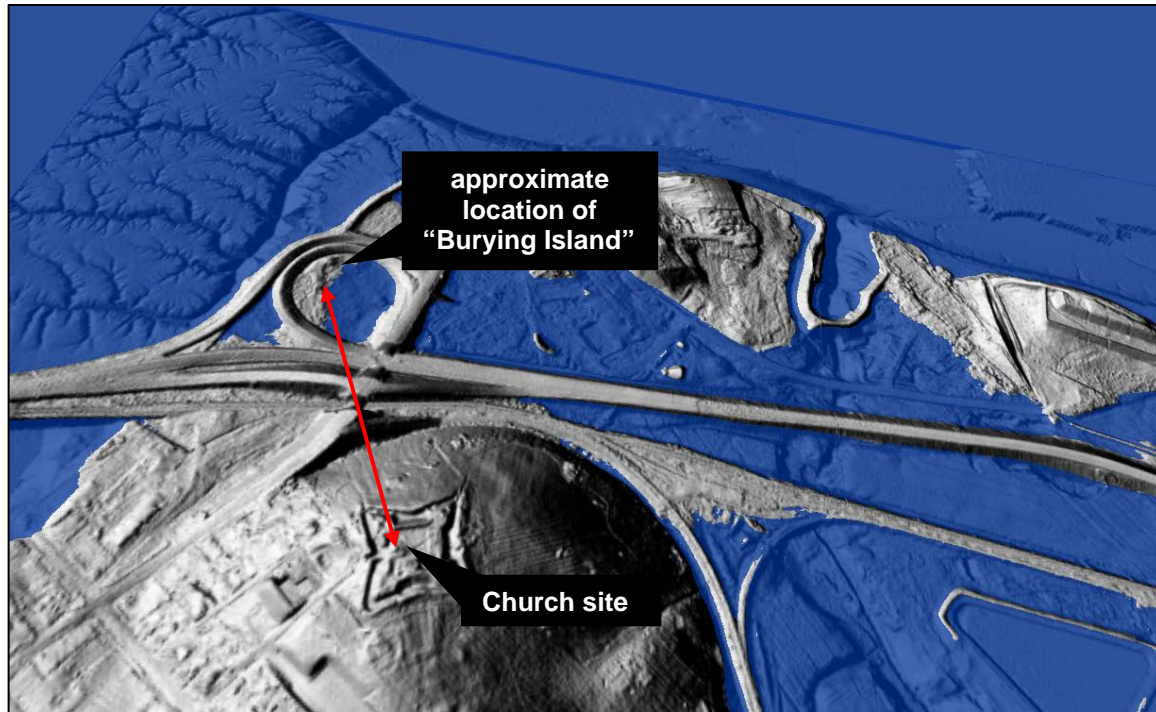


Figure 17: 3D LiDAR model with simulated tidal flooding showing the ca. 350m distance separating the known Acadian church site from the “Burying Island” identified by Henry Youle Hind as the parish cemetery. The distance seems too great for this to have been an Acadian cemetery. This area appears recently to have been substantially altered by the Highway 101 twinning project. SOURCE: Province of Nova Scotia (2011).

Another antiquarian tradition rooted in Hind’s scholarship places a Catholic mission and Mi’kmaq cemetery at Curry’s Corner, near the intersection of King Street and Highway 14:

Many Indian dead were brought here from afar, and there are those now living in Windsor who have heard their fathers describe the solemnities of an Indian’s burial in this ancient place of sepulture . . . [D]uring recent years, the pick, the spade and the plough have again and again turned up bones and skulls and memorials of love, or bitter, but hopeless, strife (Hind 1889, 2).

Hind’s account describes bodies “swathed in long rolls of birch bark...” (Hind 1889, 2), while an earlier description of the discovery mentions human remains associated with woolen garments, clay tobacco pipes, and coffins fastened with copper nails (Anon. 1886), dating the site to the colonial era.

An Acadian hamlet is known to have stood in this location. Hind refers to it as “Landryville”, but period maps associate it with the Trahan family.²⁷ Whoever lived there, the association raises the possibility that this cemetery may have been Acadian, perhaps a successor to that on Fort Edward Hill. If so, like other Acadian cemeteries, this one may well have served the Mi’kmaw community as well. Hind places a “mission chapel” here “within 100 yards” of the unmarked cemetery (also Loomer 1996, 270–71).²⁸

At present, uncertainties surrounding the chronologies and cultural associations of the “Burying Island” and Curry’s Corner cemeteries complicate the archaeological resource inventory on Fort Edward Hill as it relates to the Acadian church. Is there a missing Acadian cemetery somewhere on Fort Edward Hill? Indeed, there is at least one well-attested but unmarked cemetery on its slopes.

5.2 Fort Edward

Fort Edward’s archaeological resources extend beyond the footprint of its ramparts (Tulloch n.d., 3), and this fact is clearly demonstrated by early maps. Wight’s 1757 plan, for example (**Figure 18**), which is the earliest large-scale map of Fort Edward, depicts a number of structures on the western slope in or near the study area, including hay yards, the commanding officer’s stable, bullock houses, and “Soldiers Hutts,” the latter of which, the cartographer admits in his legend, “should be nearer the Glacis.”

A 1779 plan also shows activity in and around the study area (**Figure 19**). One building stands squarely in the northernmost of the two lots on Fort Edward Street, while another straddles the property line next to today’s Cobbett Street. A third building can be seen in what is today the national historic site parking lot, beyond which the officers’ garden occupies an area measuring approximately 1650 square metres (ca. 1.7ha or 0.4 acres).

²⁷ E.g. Charles Morris. 1755. “A Chart of the Sea Coasts of the Peninsula of Nova Scotia.” British Library (BL) Maps K.Top.119.58; Charles Morris. 1755. “A Chart of the Peninsula of Nova Scotia.” BL Maps.K.Top.119.57.

²⁸ Hind, Henry Youle. 1889. “Inquiries Into the History of the Acadian District of Pisiquid.” Halifax: Nova Scotia Historical Society. NSA MG 100 vol. 256 no. 19.

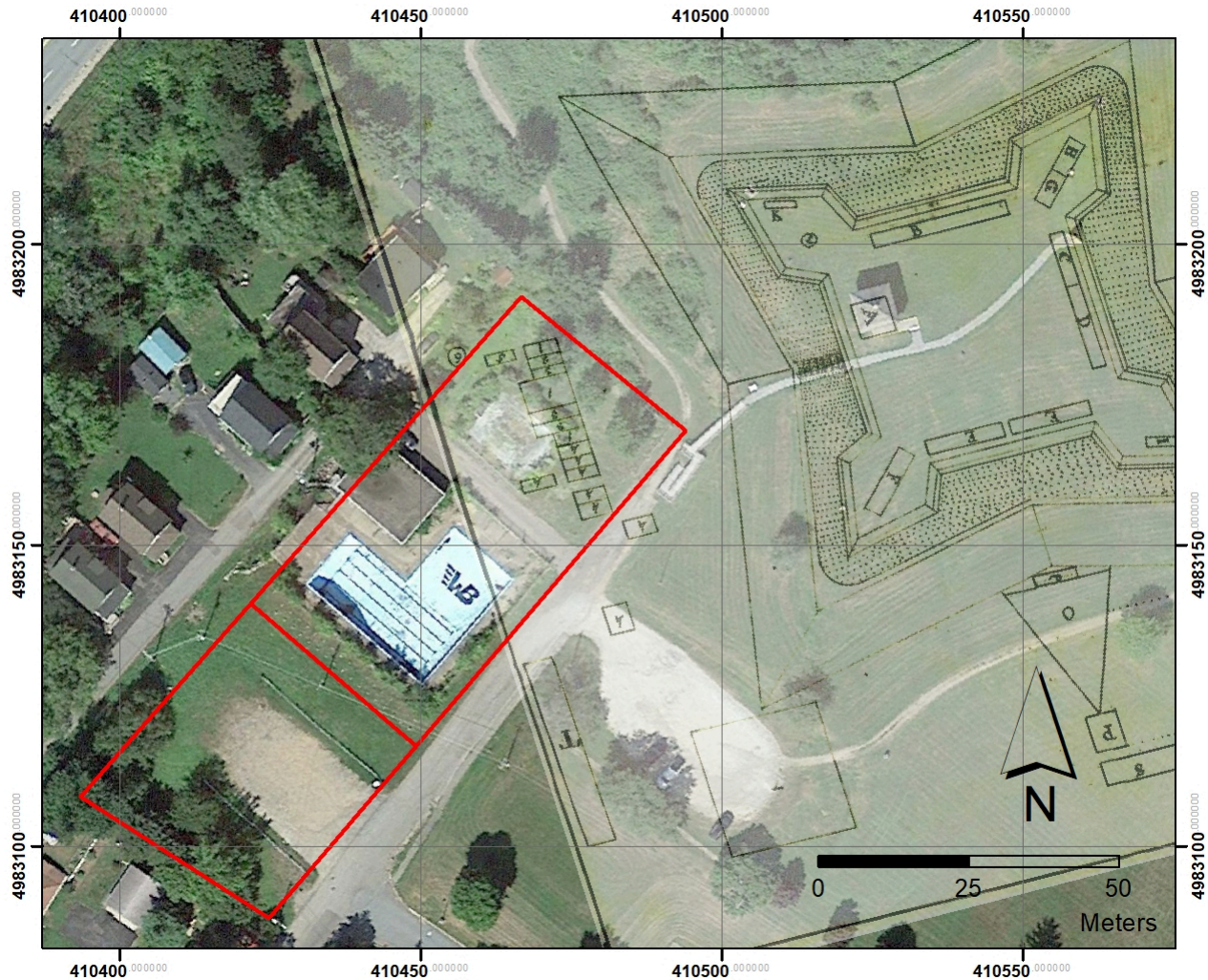


Figure 18: Georeferenced 1757 plan of Fort Edward showing military infrastructure in the study area. These include hay yards, the commandant's stable, bullock houses, and soldiers' huts. SOURCE: Edward Wight. 1757. "An Exact ground Plan of Fort Edward at Pesaquid taken from a survey and Laid down by a scale of 60 feet to an inch." William L. Clements Library, Brun Add. 240.

These maps strongly suggest the presence of archaeological resources associated with Fort Edward in the northernmost of the two properties comprising the study area.

The other major extramural site of archaeological interest and sensitivity associated with Fort Edward is the garrison cemetery, which, being unmarked, has been lost. It is the final resting place of an unknown number of soldiers who died while stationed at the fort, and it also holds the remains of many civilians.²⁹

²⁹ A record in the collection of the West Hants Historical Society lists 19 individuals – apparently all civilians – buried at Fort Edward between 1777 and 1794. Anon. n.d. "Windsor Burials at Fort Edward."

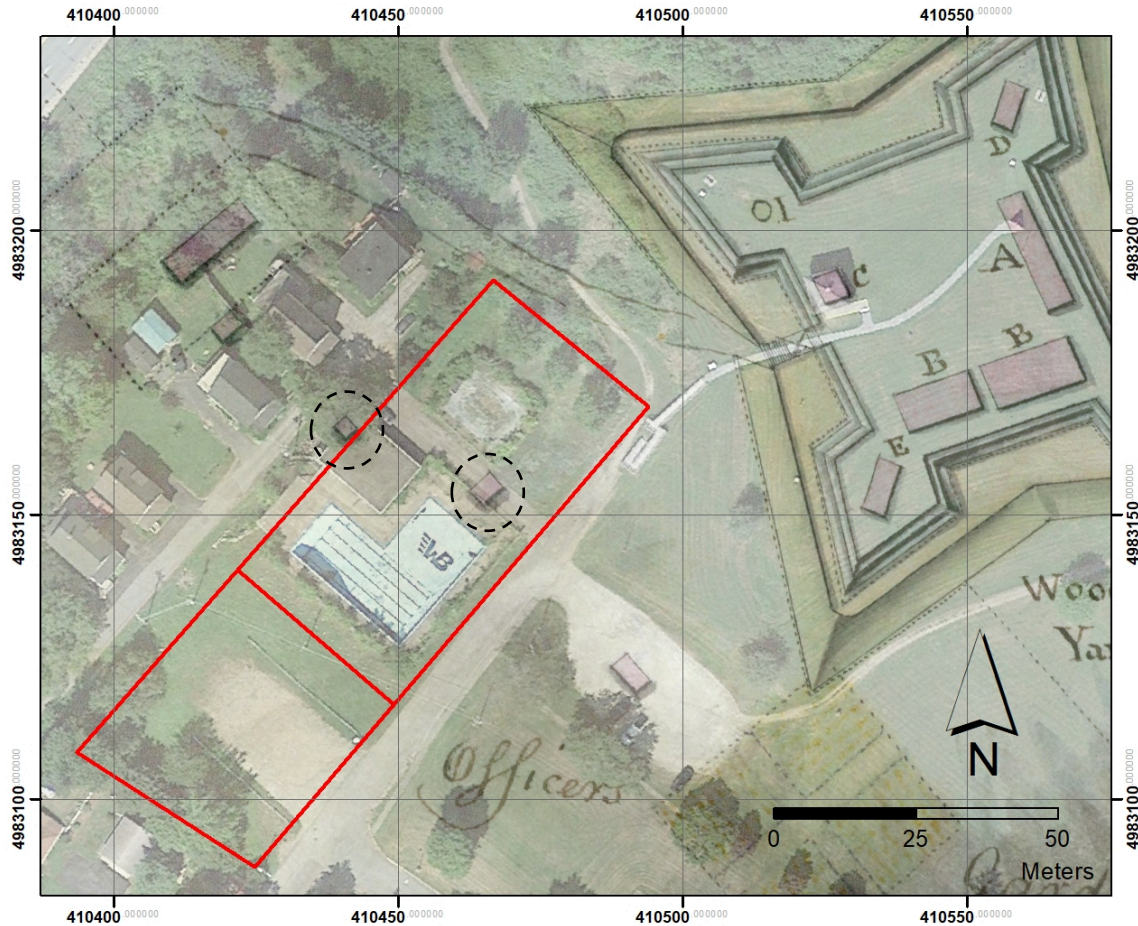


Figure 19: Georeferenced 1779 plan of Fort Edward showing buildings in the study area (circled). SOURCE: W. Spry. 1779. "A Plan of Fort Edward in Nova Scotia." William L. Clements Library 8398.

The garrison cemetery attracted the interest of antiquarians in the 19th century, and Hind, for example, refers to "the grand old willows which partly enfold the old military burial ground" on Fort Edward Hill (Hind 1889, 18). These trees were drawn and photographed many times during this era (e.g. **Figure 20**). Fortunately, a 1929 oblique aerial photograph captures their location in the landscape before they disappeared, allowing the cemetery's general location to be determined with the aid of GIS.

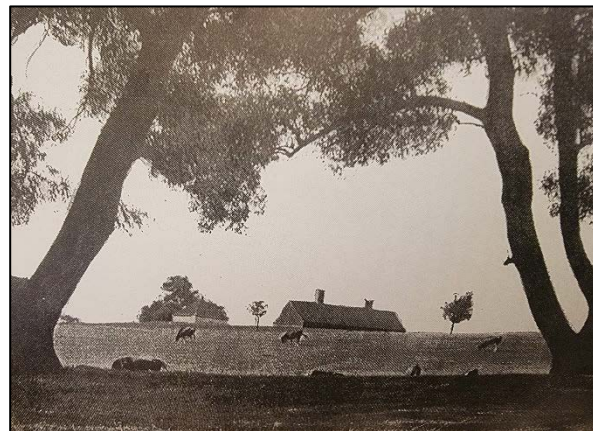


Figure 20: Site of the garrison cemetery and associated willows shown in an old photograph. The blockhouse and officers' quarters can be seen in the distance, suggesting a location downslope and to the east-southeast (Loomer 1996, 5).

Figure 21 shows the probable site of the garrison cemetery, and further research with the aid of LiDAR evidence will certainly clarify this picture.

This subject requires further analysis, but preliminary findings place the garrison cemetery well outside the study area, on the opposite side of Fort Edward Hill. This is perhaps doubly relevant in the context of this ARIA because the garrison cemetery may occupy the site of the older Acadian parish cemetery. The reasons for the uncertainty surrounding the Acadian cemetery's location are outlined above, as is Fort Edward and Windsor's similarity to Fort Anne and Annapolis Royal. At Fort Anne, the British garrison and townspeople reused the Acadian cemetery, and the same pattern may have been followed here at Fort Edward.



Figure 21: A 1929 aerial photo showing the old willow trees associated with the cemetery. SOURCE: National Air Photo Library (NAPL) A1236-83.

5.3 The Truckhouse

The truckhouse has attracted scholarly interest for some time (Loomer 1996, 15, 46, 62; Shand 1979, 12). An archaeological survey in 1989 recorded a site, BfDa-04, The Loomer Site, at what was thought to be its location, at the foot of Fort Edward Hill along Water Street. According to the MARI, however, artifacts collected here date from the late 19th to early 20th centuries.

Until recently, John Hamilton’s painting (Figure 4, above) provided the best locational evidence for the truckhouse. Wight’s 1757 plan, however, also shows it (Figure 22), albeit at the wrong location.

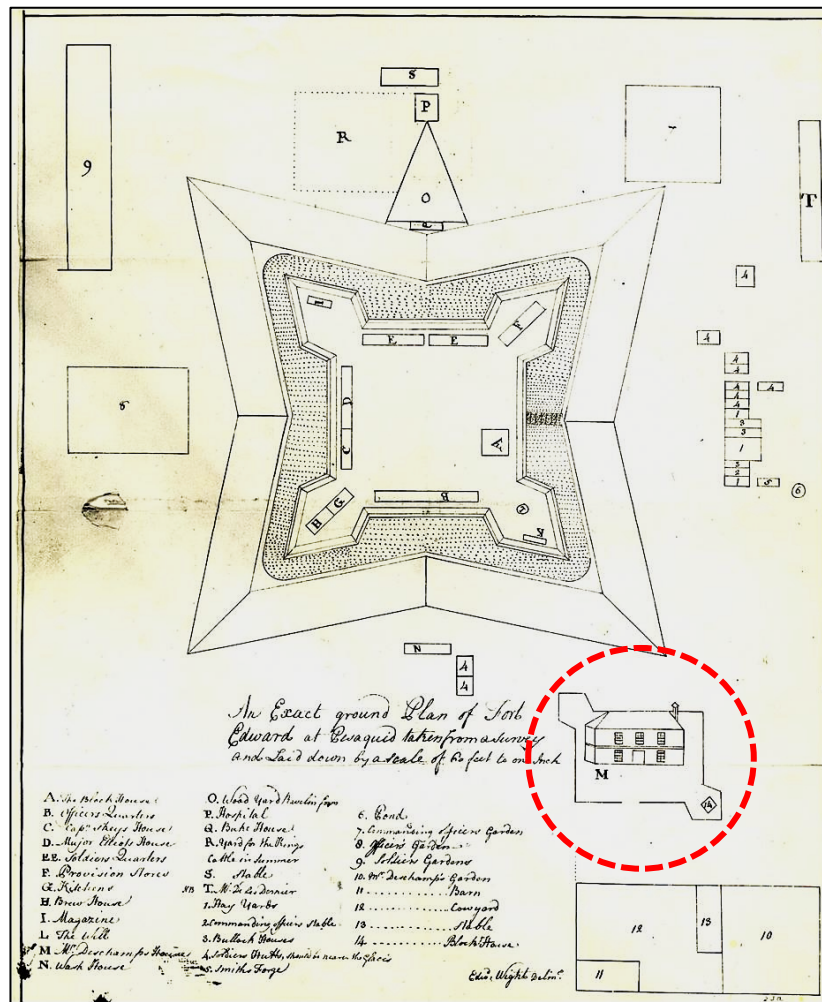


Figure 22: Edward Wight’s 1757 plan of Fort Edward appearing to show the truckhouse compound occupying a position roughly in line with the fort’s western bastions (North is at the bottom of the map). The actual location as proved by more carefully surveyed cadastral maps is more to the west, and likely just off the righthand side of Wight’s page. Perhaps, lacking room, he just nudged it over slightly. SOURCE: Edward Wight. 1757. “An Exact ground Plan of Fort Edward at Pesaquid taken from a survey and Laid down by a scale of 60 feet to an inch.” William L. Clements Library, Brun Add. 240.

Archival maps of better quality allow us to determine the location of the truckhouse with confidence. It was located across Cobbett Street to the northwest of the study area, on land that has since the 19th century been subdivided into residences (Figure 23).

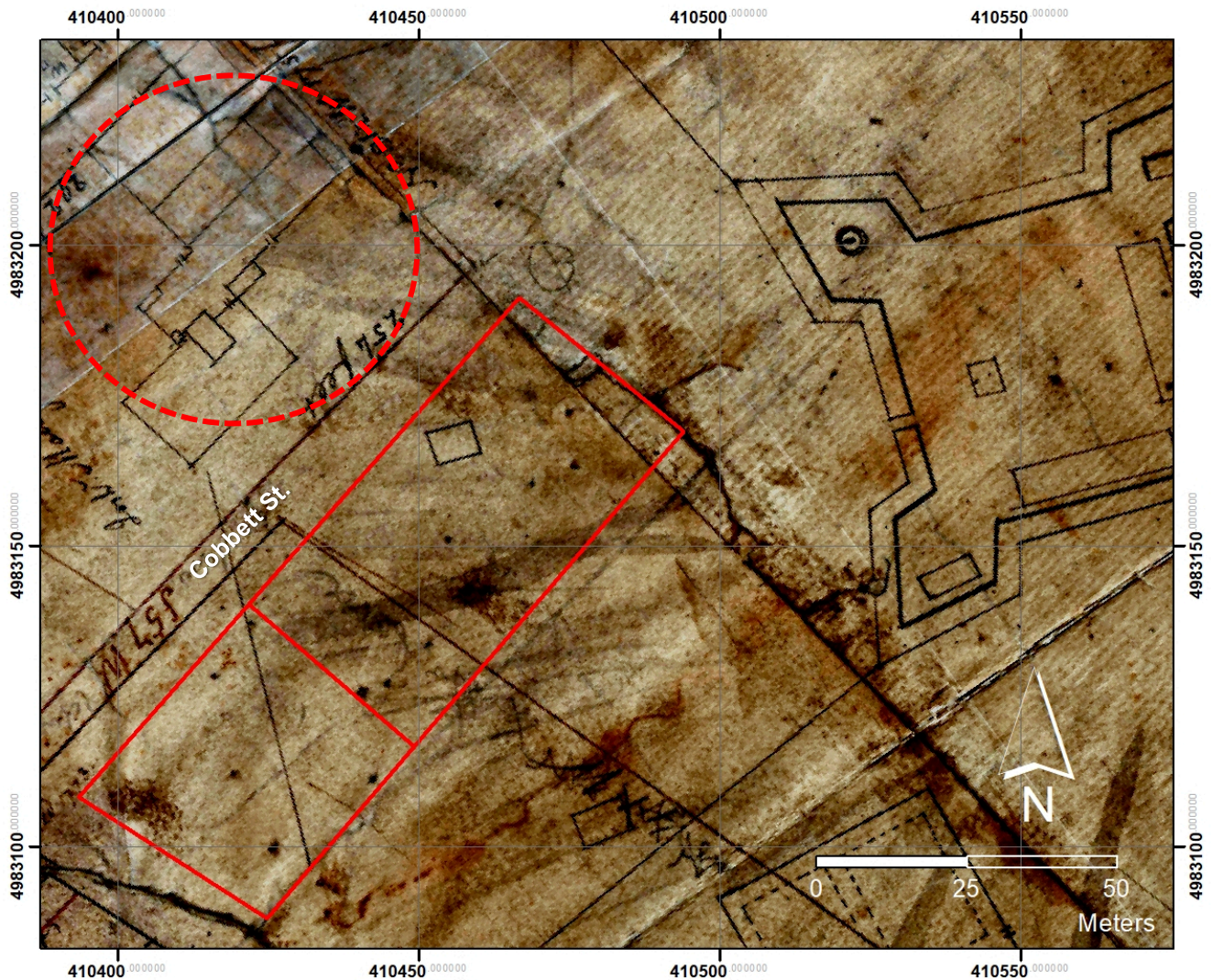


Figure 23: A cadastral plan showing the location of the truckhouse (circled) in reference to Fort Edward and the study area (outlined). The site is presently across Cobbett Street. This map is undated but contextual clues place it in perhaps the 1760s. As in Figure 19, above, which shows the 1779 map of Fort Edward, we see a building unambiguously placed in the study area.

5.4 The Agricultural Fair

The study area was a market centre through the later 18th, 19th, and early 20th centuries, for it was here that the previously mentioned agricultural fair was held. Period maps – and especially fire insurance plans – depict infrastructure relating to

the fair at this location (**Figure 24**).³⁰ By early 20th century, the “Exhibition Grounds” contained many buildings and other architectural features, including: five rows of horse stalls and an equal number of livestock stalls to the north of a judging ring. The judging ring and an associated building are located roughly where the Parks Canada parking lot stands today, and a large armoury stood on what is still Department of National Defence property to the south. The latter building served as a barracks and mess for part of the Jewish Legion, whose members trained at Fort Edward during WWI (Beanlands 2014).

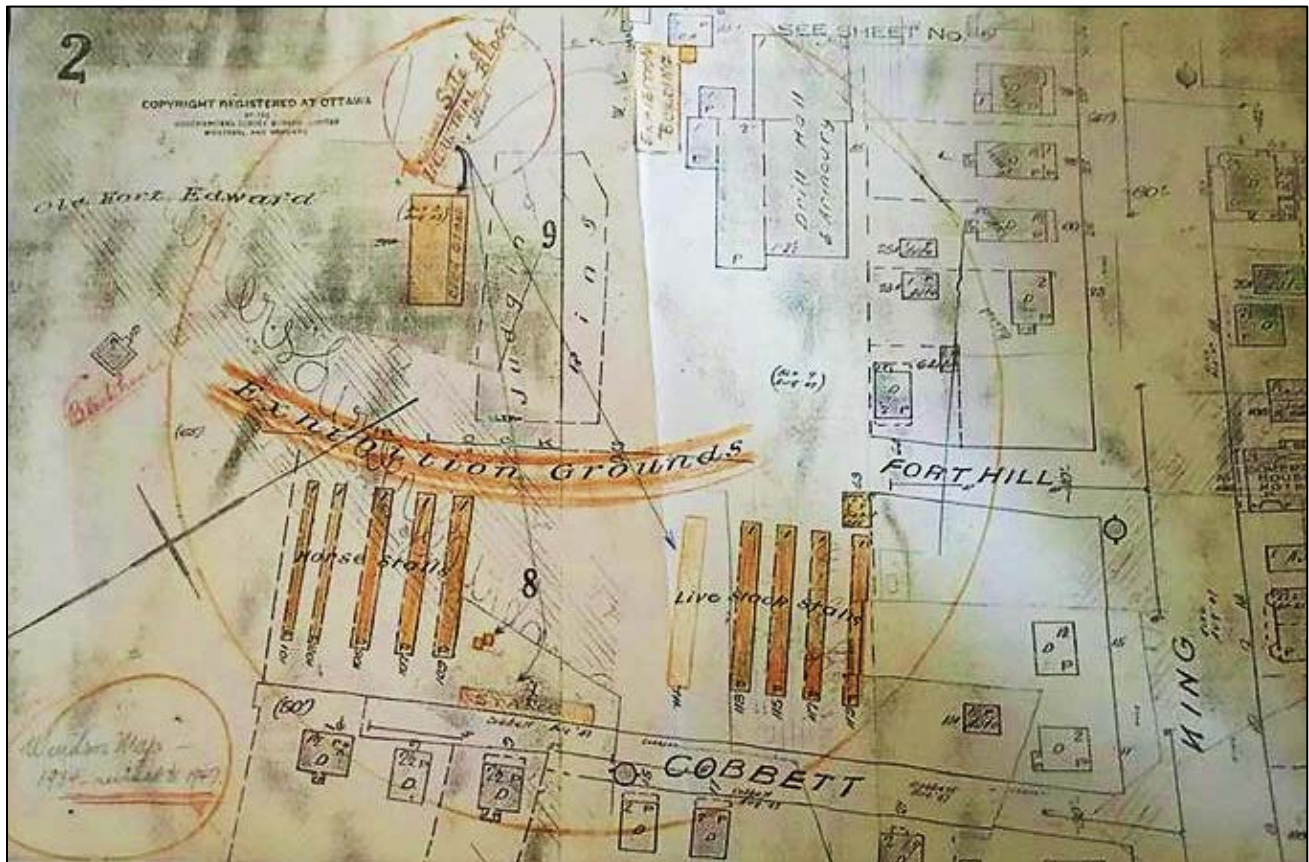


Figure 24: A 1934 (revised 1947) fire insurance plan showing the “Exhibition Grounds” in the study area. SOURCE: West Hants Historical Society.

Many of these structures appear on the earliest aerial photographs of Windsor (**Figure 25**). These photographs supplement the evidence from fire insurance plans and allow architectural features to be plotted with confidence with the aid of GIS (**Figure 26**). These structures were removed when the Windsor Exhibition relocated to its present location, and in 1967 the Town of Windsor established the Windsor Centennial Pool in their place.

³⁰ I was unable to obtain a scanned version of this map from the West Hants Historical Society to georeference, and the fire insurance plans in the Nova Scotia Archives (1899 and 1914) did not depict any of this infrastructure.

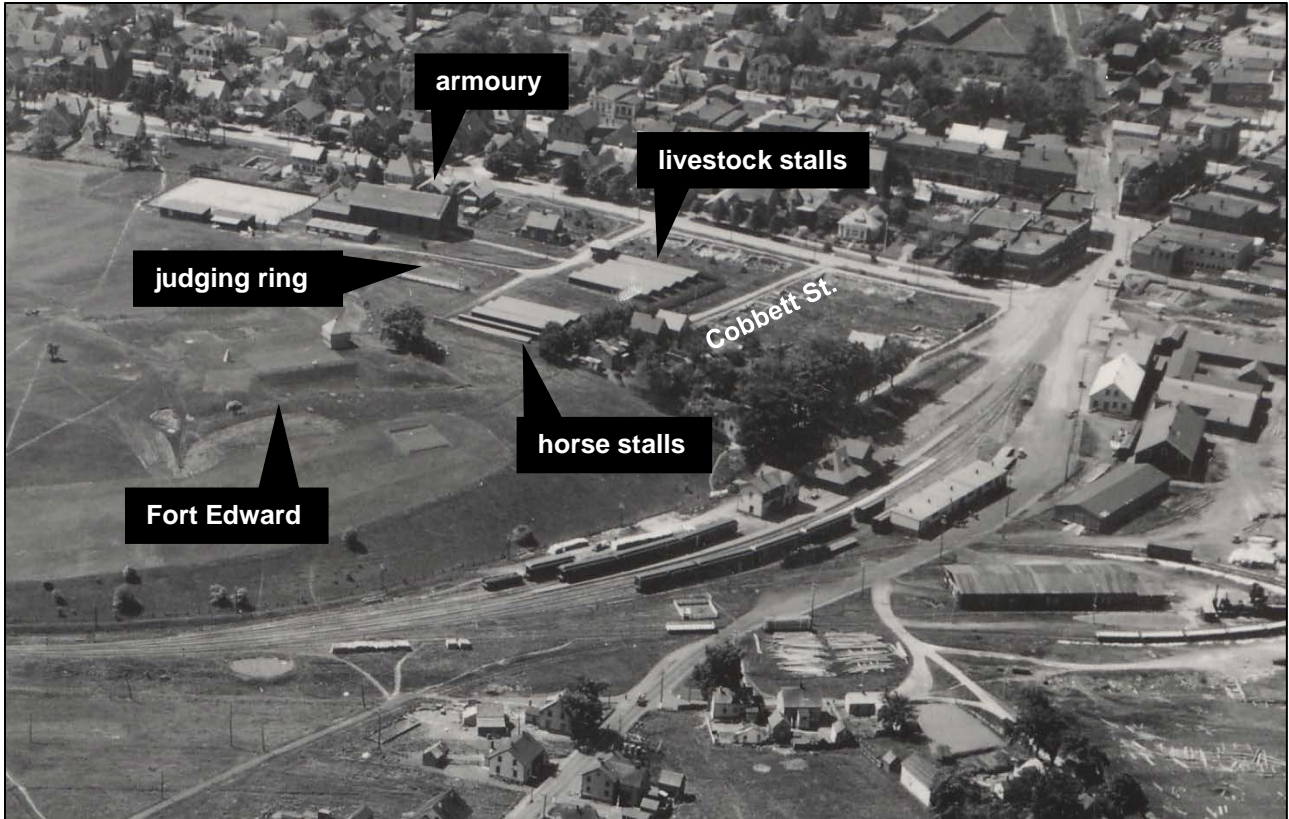


Figure 25: Fort Edward and the Exhibition Grounds from the north. SOURCE: NAPL A1236-83.



Figure 26: A 1945 aerial photograph of Fort Edward georeferenced to the modern landscape showing the exhibition grounds and nearby buildings. SOURCE: NAPL A8725-013.

6.0 RESOURCE EVALUATION

The approach to resource evaluation favoured here is grounded in the literature of archaeological (e.g. Green and Doershuk 1998; Tainter and Lucas 1983) and critical heritage studies (e.g. Harrison 2010). It is attentive to plural and even divergent regimes of value in assessing heritage objects and places, while emphasizing the inherent value of research potential and knowledge creation.

The key findings are as follows:

6.1 Extramural fort features and the historic place

Documented and potential archaeological resources in the study area have direct relevance to the commemorative integrity of Fort Edward National Historic Site; Parks Canada identifies the fort's viewplane as critical to the site's commemorative integrity.

As the study area is adjacent to Fort Edward National Historic Site, and historical maps show associated 18th century structures in the study area, a consideration of the significance of these likely archaeological features begins with the rationale underpinning Fort Edward's commemoration. Interestingly, these reasons were not clearly stated by the Historic Sites and Monuments Board of Canada when it initially proposed Fort Edward as a national historic site in 1919. The board addressed this oversight in the 1990s, however, by deciding that the designation should "commemorate [Fort Edward's] role in the struggle for predominance in North America, 1750-1812" (Marineau 1998, 6).

Parks Canada identifies several distinct cultural resources supporting Fort Edward's commemorative integrity; in other words, "those resources that were instrumental in, or integral to, the designation of national significance." Not surprisingly, the 1750 blockhouse and the surviving ramparts are counted among these features. However, the primary cultural resource listed in the national historic site's Commemorative Integrity Statement is the *historic place* itself, defined as consisting of both "the lands within the boundaries of Fort Edward National Historic Site and its viewplanes toward the Avon and St. Croix rivers," the latter of which, "give tangible evidence of the reasons for the establishment of the fort at the confluence of the rivers" (Marineau 1998, 7). The statement goes on to observe that protecting the site's Level 1 cultural resources – among which the historic place and viewplanes (**Figure 27**) are of critical importance – is key to ensuring Fort Edward's commemorative integrity "is not impaired or under threat" (Marineau 1998, 7–8; see also Parks Canada 2016, 38).

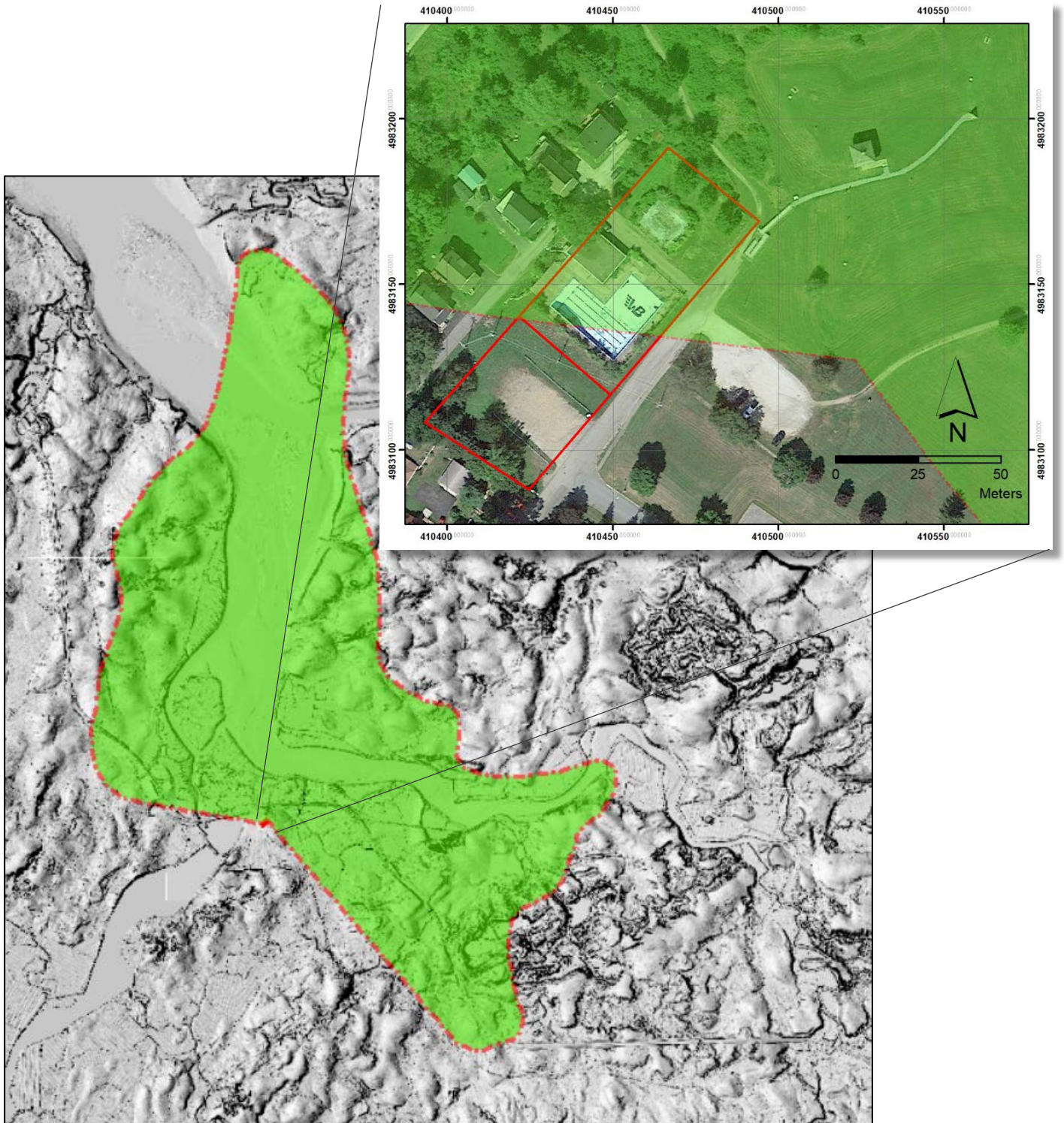


Figure 27: Fort Edward's viewplane in reference to the broader landscape (background) and to the study area (foreground). SOURCES: Google Earth (2015), Province of Nova Scotia (LiDAR), Parks Canada (viewplane).

6.2 Elevated heritage significance via a network of national historic sites and events

Documented and potential archaeological resources both in and adjacent to the study area have high heritage significance in reference to a local network of national historic sites and designated events of national historic significance.

Resource evaluation in this case takes further meaning by the study area's connection to Grand-Pré National Historic Site and The Landscape of Grand Pré World Heritage Site. The latter's basis for inscription on UNESCO's World Heritage List rests on the following criteria:

Criterion (v): The cultural landscape of Grand Pré bears exceptional testimony to a traditional farming settlement created in the 17th century by the Acadians in a coastal zone with tides that are among the highest in the world. The polderisation used traditional techniques of dykes, aboiteaux and a drainage network, as well as a community-based management system still in use today. The resultant rich alluvial soil enabled continuous and sustainable agricultural development.

Criterion (vi): Grand Pré is the iconic place of remembrance of the Acadian diaspora, dispersed by the Grand Dérangement, in the second half of the 18th century. Its polder landscape and archaeological remains are testimony to the values of a culture of pioneers able to create their own territory, whilst living in harmony with the native Mi'kmaq people. Its memorial constructions form the centre of the symbolic re-appropriation of the land of their origins by the Acadians, in the 20th century, in a spirit of peace and cultural sharing with the English-speaking community.³¹

Grand-Pré National Historic Site's designation is justified because:

- it was a centre of Acadian activity from 1682 to 1755;
- it commemorates the Deportation of the Acadians, which occurred at Grand-Pré in 1755; and
- it commemorates the strong attachment that remains to this day among Acadians throughout the world to this area, the heart of their ancestral homeland and symbol of the ties which unite them (Parks Canada 2012, 7).

³¹ UNESCO Committee Decisions, 36 Com 8B.27, Cultural Properties - Landscape of Grand Pré (Canada) <http://whc.unesco.org/en/decisions/4798>

Although geographically separate, Fort Edward and Grand-Pré are closely linked historically and through modern heritage and tourism. Both sites occupy estuarine settings and have histories of Indigenous and Acadian settlement and intermingling. Their narratives are particularly tightly bound by the 1755 Deportation of the Acadians, a designated event of national historic significance. Lieut.-Col. John Winslow, whose capture and deportation of the Acadians from Grand-Pré inspired Longfellow's *Evangeline: A Tale of Acadie* (and the subsequent memorial acts culminating in the creation of Grand-Pré National Historic Site and The Landscape of Grand Pré UNESCO World Heritage Site), actually began his campaign against Acadian civilians in the Minas Basin at Fort Edward. It was to Fort Edward that he and his soldiers were initially sent from Chignecto in August 1755. Only after arriving did he receive further orders to base his operations at Grand-Pré (Winslow 1884, 241–43).

Isaac Deschamps, the Fort Edward truckmaster, spoke French fluently and facilitated communication between British officials, the garrison, and the Acadians throughout the middle years of the 18th century. In 1755, he translated the infamous Deportation Order into French. The documents read on September 5th to the assembled Acadian men and boys by John Winslow at Grand-Pré (**Figure 28**), and by Alexander Murray at Fort Edward were, according to Winslow himself, “put into French” by Isaac Deschamps (Winslow 1883, 90).

Figure 28: Historical reconstruction artwork depicting John Winslow reading the Deportation Order to Acadians at the parish church in Grand-Pré on September 5, 1755. A similar scene took place at Fort Edward at the same time. Both texts were translated into French by truckmaster Isaac Deschamps. SOURCE: Claude Picard.



6.3 A Pre-Deportation Acadian religious site

The pre-Deportation Acadian church of Notre-Dame-de-L'Assomption has been documented and archaeologically attested approximately 35m from the study area.

The study area is thus part of an as-yet poorly understood ecclesiastical site, whose archaeological resource inventory has yet to be properly studied. While there is good reason to place the associated cemetery outside the study area, the boundaries of the church site and the locations of its architectural and landscape features (e.g. priest's house) have yet to be determined.

The Acadian diaspora is a population exhibiting a high degree of interest in heritage and genealogy. The presence of a church site at this location represents a significant cultural resource and a potential driver of additional visitation to Fort Edward National Historic Site.

6.4 A Mi'kmaw Treaty site

The truckhouse was an important site of interaction between the Mi'kmaq and the British, and in 1760 it became a formal part of the Treaty relationship.

The Fort Edward truckhouse borders the study area to the northwest and is one of six such posts established in the region as part of the British Crown's commitments to the Mi'kmaq through the Treaties of Peace and Friendship of 1760-61. None of these other sites is commemorated. In a time of reconciliation, the presence of the truckhouse and its associated archaeological features adjacent to – and perhaps partly in – the study area represents a highly significant and valuable cultural resource.

6.5. The site of Canada's oldest agricultural fair

The study area occupies part of the grounds upon which Canada's oldest agricultural fair was held since 1765. The fair continues to operate at another location, constituting an authentic and community-based example of living heritage.

The market and agricultural fair grew out of the pre-existing commercial relationships between the British, Acadians, and Mi'kmaq at Fort Edward Hill. Abundant evidence places 19th and early 20th century fair infrastructure in the study area (**Figure 29**). The fair continues to exist today in the form of the popular Windsor Exhibition, which has since relocated to another site. Being the oldest event of its kind in Canada, the Windsor Agricultural Fair has been designated as an event of national historic significance.



Figure 29: Historical scenes from the agricultural fair. Top: the festival atmosphere, 1947; middle: horse teams in the judging ring, 1940; bottom: a sign of continuity of practice? Mi'kmaw participants with wigwam on a parade float going up Fort Edward Street, 1935. SOURCES: West Hants Historical Society: 28.7.07.83, 92.843, 12.7.23.10.

6.6 Potential economic benefits of heritage resource mobilization

While cultural value is often sufficient to justify the conservation of heritage resources, it is important to recognize that heritage resources can also drive significant economic activity.

Recent decades have seen the establishment and consolidation of a ‘heritage industry’ (Lowenthal 1985). A significant component of the broader tourism industry, the heritage industry articulates with a range of public- and private-sector organizations including art galleries, museum, and historic sites. The heritage sector also supports and is supported by workers in a variety of fields, ranging from heritage professionals (conservators, curators, interpreters, planners, researchers) to workers in the food, hospitality, and retail sectors. The United Nations notes that the tourism industry has outpaced global economic growth for the nine consecutive years prior to the arrival of the COVID-19 pandemic, and in 2019 was valued at \$3.5 trillion (USD), accounting for 4% of world GDP (United Nations World Tourism Organization 2021, 5). Tourism Nova Scotia estimates the value of overall provincial tourism revenue in 2019 to be \$2.64 billion (CDN) (Tourism Nova Scotia 2022).

The most recent published data on visitation at Fort Edward demonstrates the extent to which visitation patterns correspond to the historical narrative and heritage site linkages outlined above.³² “When asked what other locations and attractions the respondent had visited or was planning to visit that day, 37% indicated Grand-Pré NHS, and 28 % and 26% respectively indicated Port-Royal and Fort Anne.” Visitor motivations included experiencing “a new place/local people/explore (33%), to explore family ancestry, heritage, and landmarks (30%), and to observe/learn at their own pace (20%)” (Parks Canada 2016, 10).

The archaeological resources here and nearby could potentially attract large numbers of visitors who are already exploring the related network of heritage sites linked to Highway 101. Annual Averaged Daily Traffic (AADT) volume westbound on Highway 101 between Exits 5A and 6 at Windsor equalled 7,965 vehicles between 2015 and 2019, or approximately 2,900,000 vehicles per year (Nova Scotia Department of Transportation and Infrastructure Renewal 2021, 109). And while the volume of traffic on Highway 101 is gradually increasing, visitation at Fort Edward has declined from “approximately 3,000 visitors in the year 2000 to 1,100 in 2015” (Parks Canada 2016, 11). If more creativity and effort were devoted to mobilizing the extraordinary heritage resources outlined here, the broader community might benefit significantly, both culturally and financially.

³² 2009-10 data revealed that “80% of visitors are Canadian and 13% American. Of the Canadian audience, 32% are from Nova Scotia (21% of respondents were on a day-trip from Halifax), 17% from Ontario, and the remainder from the rest of Canada” (Parks Canada 2016, 10).

7.0 RESULTS AND DISCUSSION

Taken in its entirety, the evidence gathered to date shows that the study area, though it may be legally defined as two distinct and separate properties, remains nevertheless part of the archaeological landscape and heritage environment of Fort Edward National Historic Site of Canada:

- A pre-Deportation Acadian parish church stood approximately 30m north of the study area. Although there is reason to place the Acadian cemetery elsewhere, this ecclesiastical site is not well evidenced and its proximity to the study area raises the need for archaeological vigilance.
- The study area's proximity to Fort Edward also implicates it in considerations of the fort's views of the Avon River, which Parks Canada states are essential to the national historic site's commemorative integrity.
- Several 18th century maps place buildings and other extramural architectural features associated with Fort Edward unambiguously within the study area.
- The Mauger-Deschamps truckhouse, a significant site in Windsor's commercial heritage and a locus at which part of the Treaty relationship between the British Crown and the Mi'kmaq was fulfilled, was adjacent to the study area, across Cobbett Street. Some of the activities centered on the truckhouse may have "spilled over" to the study area, and indeed the best 18th century map of the truckhouse places an unidentified building in the study area.
- Aerial photographs and mapping show structures associated with the Windsor Agricultural Fair, a designated event of national historical significance, unambiguously within the study area.

Potential archaeological features associated with structures depicted on historical maps and aerial photographs are plotted in **Figure 30**. All of the structures noted on historical maps and aerial photographs are located outside the footprint of the large swimming pool built in the 1960s. It is noteworthy that the legend on Edward Wight's 1757 map of Fort Edward indicates the "Soldiers Hutts should be nearer the Glacis." How much nearer cannot be known, but it is likely that at least some of the structures he drew were located in the study area.

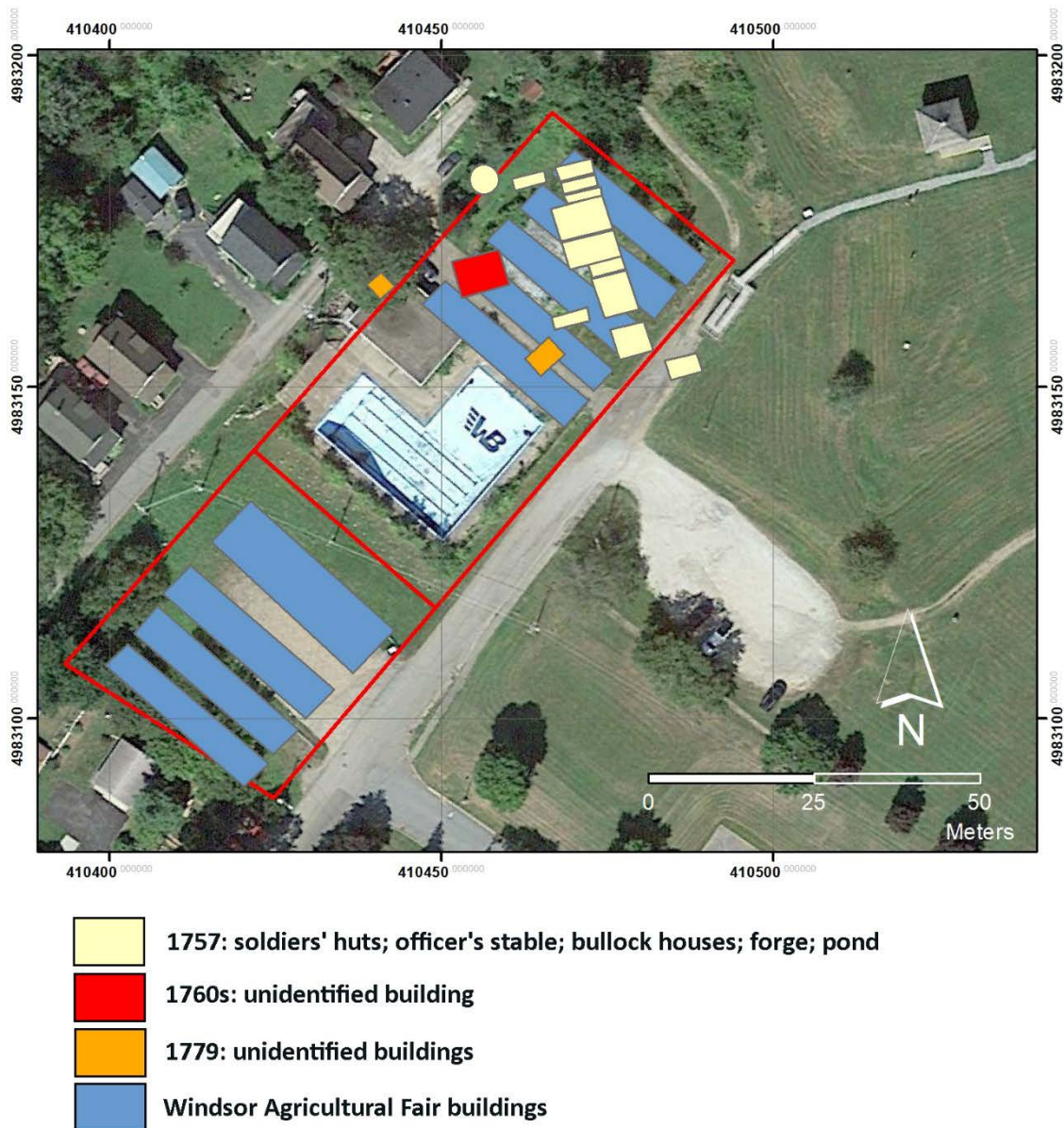


Figure 30: Archaeological potential map showing the locations of former structures identified using historical maps and aerial photographs. SOURCE: Google Earth 2015.

The integrity of these and related features is difficult to ascertain without geophysical prospection and archaeological test excavation. The study area has been significantly altered in recent decades by grading, the excavation of the pool, and the installation of associated infrastructure. In November 2019 the site was capped with imported fill.³³ LiDAR data offers some assistance in quantifying these

³³ M. Philipps to J. Fowler, 19 February 2022.

impacts (**Figure 31**).³⁴ It appears likely that material excavated from the pool in the 1960s was cast up to form berms on the west, south, and east sides of the pool. The upslope – or roughly north – side appears essentially flush with the (previously graded?) surface. ***Based on the evidence consulted to date, it appears the construction of the large swimming pool in the 1960s did not likely directly impact any of the anticipated archaeological features.***

In general, the northernmost of the two properties (PID 45059797), which is also the closer of the two to Fort Edward, appears to contain the most and earliest archaeological evidence associated with Fort Edward and perhaps the truckhouse. This area appears to have been graded, but we do not know when. It may have happened in the early colonial period, in which case early archaeological features are more likely to survive in primary context. If grading took place later, for example in the Victorian period, as part of renovations of the fairgrounds, then the earlier archaeological remains in the upslope part of the property are likely to have been negatively impacted. The more substantial buildings shown on the 1760s and 1770s maps, on the other hand, may well have received a protective blanket of sediment, enhancing their likelihood of survival to present times. If any of these buildings had cellars, wells, or privies, then these are even more likely to remain intact because of their greater depth. As loss traps, they may contain valuable archaeological deposits.

In conclusion, it should not be assumed that previous construction activities at the site, though appearing heavily disruptive, actually destroyed much of the archaeology. Contrary to appearances, significant archaeological deposits might actually survive relatively intact.

³⁴ Two sets of provincial LiDAR data are available. The first, flown in 2011 (months and days unknown) with a pulse spacing of 0.67, was collected with a REIGL Q680i. The second was collected in the summer of 2019 with a pulse spacing of 0.32 using a REIGL VQ1560i and Q780.

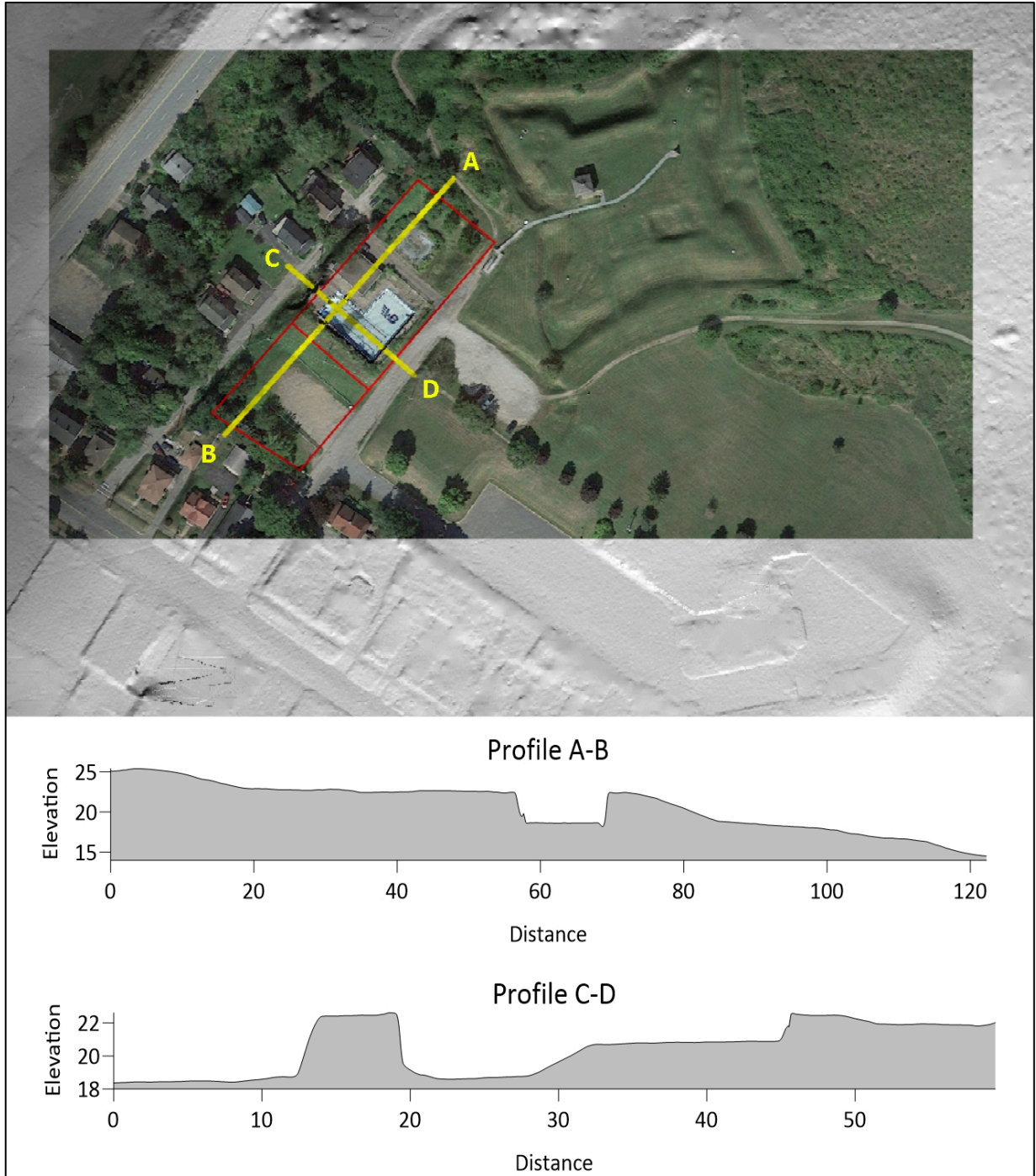


Figure 31: LiDAR data of the study area (outlined in red) and its surroundings with profiles indicating variations in relief arising from previous construction activities. Scale in metres; north at top. SOURCES: Province of Nova Scotia 2019 and Google Earth 2015.

8.0 INTERPRETATION

The primary purpose of this exercise is to assess the archaeological potential of the two properties comprising the study area. As detailed above, there is strong evidence of a range of historical activities in and adjacent to the study area, and compelling evidence that many of these activities left archaeological deposits. Despite past construction activities, there is good reason to expect that at least some of the archaeological resources inventoried here may be well preserved. Other objects and features are likely in secondary contexts. The conclusions and recommendations articulated in the next section reflect these facts and inferences, along with the considerable significance and untapped heritage resource development potential of Fort Edward National Historic Site.

Although visitation has declined in recent years, “[m]any people in the community of Windsor – area residents, members of the West Hants Historical Society, town councilors, and staff, among others – have a strong interest in the future of Fort Edward National Historic Site” and “see Fort Edward as a valuable community asset” (Parks Canada 2016, 35). Parks Canada’s most recent management plan articulates two key strategies for increasing visitation at Fort Edward National Historic Site. The first aims to *inspire the discovery of Fort Edward NHS* by:

- improving the quality of pre-trip information;
- working with others to enhance connections with “a network of national historic sites in the region;” and
- enhance visitors’ opportunities “to experience the Fort Edward view-plane and grounds.”

The second strategy aims to cultivate *shared stewardship* over Fort Edward NHS and aims to transform the site into a *community gathering place* by:

- involving “area residents, the Mi’kmaq, partners, and stakeholders” in protecting Fort Edward’s cultural resources and heritage values; and
- encouraging “area residents, the Mi’kmaq, partners, and stakeholders” to use Fort Edward NHS as a community gathering place (Parks Canada 2016, 35–36).

One is struck by the depth and richness of the heritage resources in and around Fort Edward, by their enormous potential for mobilization, and by their sadly neglected state at present.

9.0 EVALUATION OF RESEARCH

This ARIA relies on standard historical archaeological and empirical landscape archaeological methods and was informed by highly resolved and thorough cartographic, photographic, and ethnohistorical data. The MARI was consulted in order to characterize the study area's archaeological context, particularly in relation to Indigenous sites. To this end, feedback was also elicited from the Mi'kmaq Rights Initiative's Archaeology Research Division.³⁵

An extensive corpus of archival mapping was consulted, and these sources were georeferenced and collated with modern LiDAR evidence to help model archaeological potential. The exercise revealed that, not surprisingly, historical maps frequently exhibit measurement errors in addition to other distortions and omissions. These have been controlled by comparing and collating maps, and by comparing map evidence to independent sources such as land records (deeds), written documents, art, and historical photography whenever possible.

Considerations of archaeological significance and heritage value accounted for varied traditions and sought input from Parks Canada, specialists in local history and heritage, and members of Acadian and Mi'kmaq communities.

Field reconnaissance on 12 February was hampered by the presence of snow, which obstructed vision, but the site has been capped with fill and is unlikely to reveal significant visual evidence in its present state.

10.0 CONCLUSIONS AND RECOMMENDATIONS

Several conclusions and recommendations arise from this study. They range from general considerations pertaining to the value and potential communal benefit of the heritage resource, to specific steps that should be taken to safeguard archaeological resources in the event of future construction.

10.1 General Conclusions and Recommendations

As a cultural asset, the property at the centre of this ARIA – like Fort Edward more generally – represents a potentially very significant heritage resource for the West Hants Regional Municipality. This potential is perhaps not widely recognized because the site's enormously rich and multifaceted history is not very well known. Nor has this site found the kinds of champions who have advanced the cause of heritage development elsewhere along the floor of the Annapolis Valley.

³⁵ J. Fowler to T. Jacobson, 18 January, 2022; T. Jacobson to J. Fowler, 02 February 2022.

Fort Anne, which, as we have seen, is something of a sister site to Fort Edward, was the very first site designated in Canada's national historic sites system in 1917. But this development, which today anchors Annapolis Royal's heritage infrastructure and economy, was nearly doomed by local businessmen who wanted to level to fort's ramparts for commercial development. Heritage activists fought to rescue it from destruction through the late 19th and early 20th centuries, and again in the 1970s, when the town fell on hard times and a plan was again floated to level to fort to build housing (Moody 2014, 214, 303).

Across the Annapolis River, Port-Royal National Historic Site's prominence owes much to its association with the heroic career of Samuel de Champlain, the Father of New France. The Port-Royal Habitation reconstruction began with a small group of passionate heritage advocates lead by Harriet Taber Richardson and Loftus Morton Fortier, who attracted the support of local and international politicians and other leaders (including the governors of Massachusetts and Virginia, the American ambassador to Canada, and the President of Harvard University). They raised significant funds through private donations before the project was adopted and completed by the Canadian federal government in the 1930s (Schmeisser 2001, 4–12).

Grand-Pré National Historic Site, meanwhile, though stewarded by Parks Canada, is a cultural treasure of the Acadian people, who have played a significant part in its development and management for over a hundred years. An Acadian descendant, John Frederic Herbin, in 1907 bought the land that would become the heart of the national historic site and world heritage site, and the funds to build the iconic memorial church in 1924 were raised by donations from Acadians across Canada and the United States (Fowler and Noël 2017, 53; B. LeBlanc 2003, 121). Each of these sites has enjoyed, and continues to benefit from, an active constituency of promoters both outside and inside the official heritage system. *In each case, community members and local governments made the crucial investments of time and money to initiate heritage resource development projects that were subsequently adopted and reinforced by federal investment.*

Fort Edward, meanwhile, despite extraordinary and varied heritage resources, has been comparatively neglected, to the detriment of the local culture and economy.

A period of reflection and meaningful dialogue with partner organizations, especially Parks Canada, and local and descendant communities (e.g. Mi'kmaq, Acadian), seems warranted in determining the best future course of action with respect to these properties.

10.2 Archaeological Heritage Mitigation During Future Construction

Should further ground disturbance be planned for any part of the study area, **it is recommended that a thorough Phase 2 ARIA be undertaken in advance** to better assess the nature of, and mitigate potential impacts to, archaeological resources.

Despite these precautions, should mechanical excavation encounter archaeological evidence, it is recommended that contractors temporarily pause the work and contact John Cormier, Coordinator of Special Places at the Nova Scotia Department of Communities, Culture, Tourism and Heritage: (902) 424-6475 and/or john.cormier@novascotia.ca.

Finally, although Parks Canada's viewplane is not part of provincial jurisdiction or the Special Places Protection Act's regulatory framework, the West Hants Regional Municipality is advised of Parks Canada's concerns in relation to the viewplane, particularly regarding PID 45059797, which is also the property with the greater number of documented archaeological features.

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65 Fort Edward Street Redesignation and Rezoning

Public Hearing
October 25th, 2022

something inspiring awaits



Application

- Council passed a motion at the September 28th, 2021 Council meeting directing the Chief Administrative Officer to submit an application to the Planning and Development Department for 65 Fort Edward Street
- Application was then received from the Chief Administrative Officer to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two Unit Residential (R-2)



West Hants

65 Fort Edward Street, Windsor
PID 45059797



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for use for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department October, 2021

Orthophoto

0 15 30
Metres
Scale: 1:1,000

- Subject Parcel
- Parcels
- Civics
- Roads

Orthophoto

- The pool no longer exists at the site and the site is now a gravel lot
- Abuts residential uses and the Fort Edward Historic Site
- Abuts Cobbett Street, does not abut Fort Edward Street

something inspiring awaits





West Hants

65 Fort Edward Street, Windsor
PID 45059797



GFLUM - Current

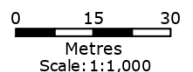
Current Designation:

- Community Use

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Prepared by: West Hants Regional Planning and Development Department October, 2021

Generalized Future Land Use



- Subject Parcel
- Parcels
- Civics
- Roads

something inspiring awaits





West Hants

65 Fort Edward Street, Windsor
PID 45059797



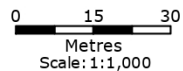
GFLUM - Proposed

Proposed Designation:

- Residential
- Enables residential development of up to 11 units by development agreement

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Prepared by: West Hants Regional Planning and Development Department October, 2021

Proposed Generalized Future Land Use



- Subject Parcel
- Parcels
- Civics
- Roads

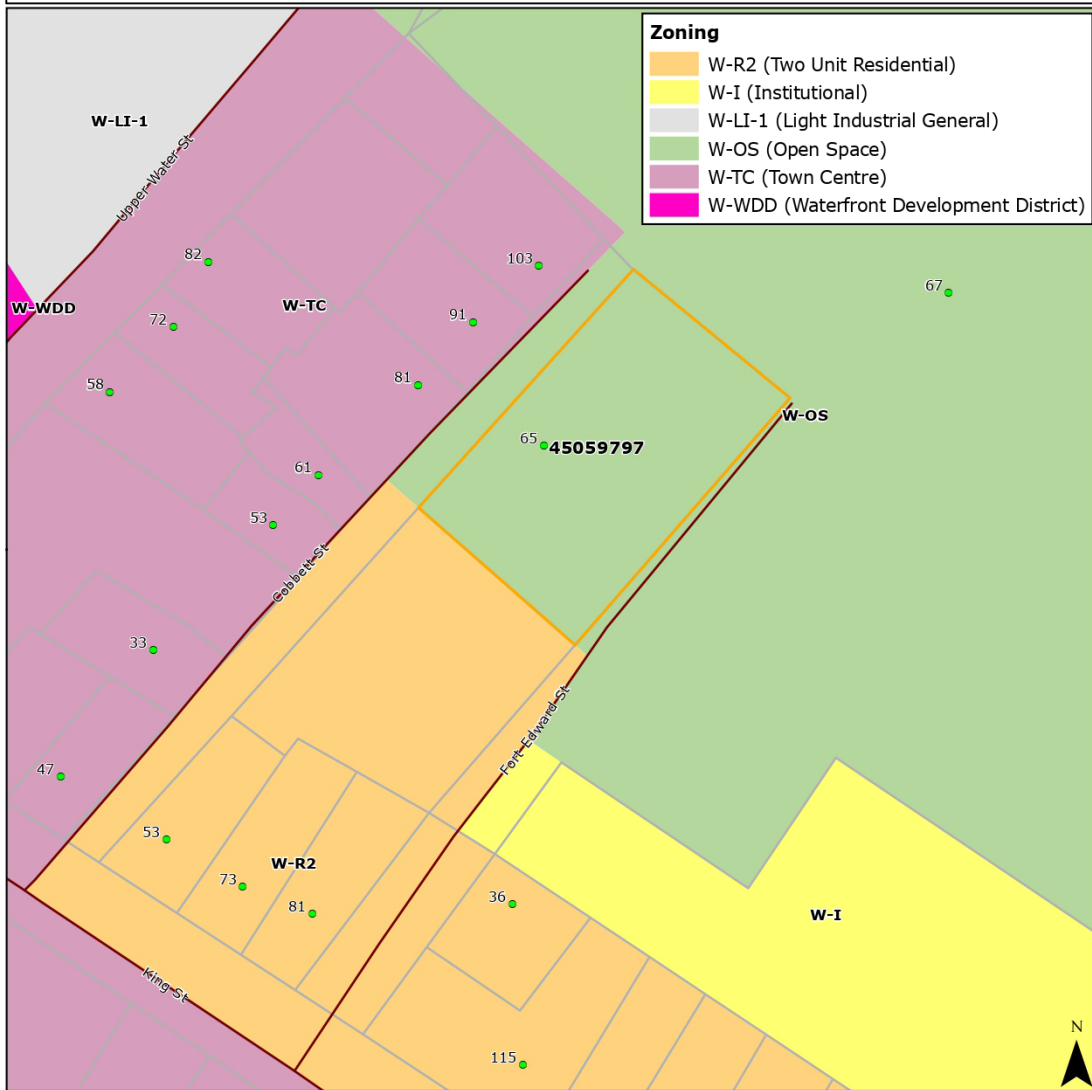
something inspiring awaits





West Hants

65 Fort Edward Street, Windsor
PID 45059797



Zoning - Current

Current Zone:

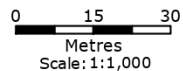
- Open Space (OS)

Permitted Uses:

- Cemeteries
- Museums and historic sites
- Outdoor recreation
- Parks and playgrounds

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Current Zoning



- Subject Parcel
- Parcels
- Civics
- Roads

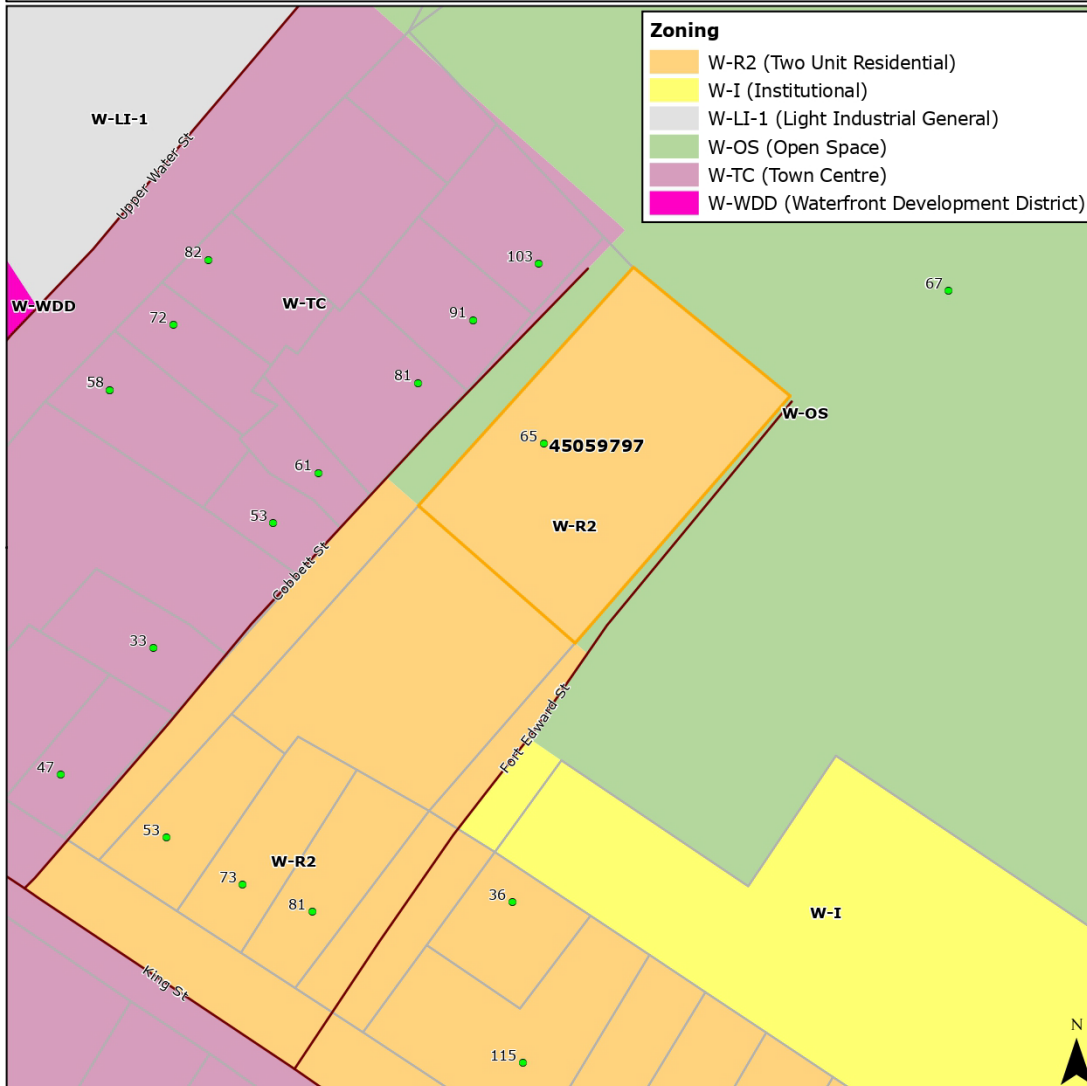
something inspiring awaits





65 Fort Edward Street, Windsor
PID 45059797

West Hants



Zoning - Proposed

Proposed Zone:

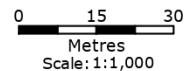
- Two Unit Residential (R-2)

Permitted Uses:

- Single unit dwellings
- Two unit dwellings
- Converted dwellings of up to two units

Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for use for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department October, 2021

Proposed Zoning



- Subject Parcel
- Parcels
- Civics
- Roads

something inspiring awaits





View of Subject Lot from Fort Edward Street/Property

something inspiring awaits





View of Historic Site from southern side of Subject Lot

Windsor MPS – Enabling Policy

- **Policy 16.1.1** enables Council to make amendments to the Municipal Planning Strategy when necessary:
 - to change the Generalized Future Land Use Map (GFLUM);
 - to bring the strategy in line with the Statements of Provincial Interest; and
 - when Council deems it necessary due to a change in policy intention or the development environment.



Windsor MPS – Enabling Criteria

- **Policy 16.3.1** criteria have been considered met and are summarized as the following:
 - the proposal's costs associated with ARIA studies have been considered;
 - there are several properties zoned Two Unit Residential (R-2) in the area and there should be little impact on the nearby development; and
 - the Fire Chief, Development Officer, and Senior Building and Fire Official have no major concerns

Public Information Meeting Notes

- A virtual Public Information Meeting was held on November 8 and was broadcast live on the Municipal Facebook page.
- The deadline for comments was November 23.
- Staff have received:
 - two (2) letters, four (4) emails, and four (4) phone calls.



Public Information Meeting Comments

Of the comments received:

- one (1) had requested priority consideration so the West Hants Historical Society may create a project plan;
- seven (7) were opposed to the redesignation and sale of the lot, citing the lot's proximity to the National Historic Site, tourism use, neighbourhood disruption, parking use, and former Town Council decisions; and
- two (2) were in favour of the redesignation for residential development.



Public Hearing Correspondence Received

Additional correspondence has been received as:

- a report from an open house and public consultation, as well as survey with more than 400 responses regarding Fort Edward from the West Hants Historical Society;
- a statement from the Friends of Grand-Pré supporting the West Hants Historical Society's position;
- a letter from the Heritage Trust of Nova Scotia, which has been requested to be read aloud; and
- A set of questions from a resident, which will also be read aloud.



Public Information Meeting – November 8

Staff Review

PAC/HAC Review and Recommendation –
December 2

Regional Council First Reading –
December 16

**Public Hearing & Second Reading –
October 25th**

Note: A motion requires a majority vote of the maximum number of members that may be elected to council to pass.

Ministerial Review/Approval

Notice of Approval

Process

All statutory requirements have now been met.



Staff Recommendation

- ... that Council adjourns the Public Hearing until 6:00 pm on March 28 and postpones the Second Reading until March 28th, 2023 for 65 Fort Edward Street, Windsor (PID 45059797).