

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Agenda **Amended**

January 23, 2024 - 6:00 p.m.

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also FB Livestream)



West Hants
something inspiring awaits

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1. Call to Order
 2. Attendance
 3. Announcements
 4. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
 - b) Dashboard Action Items – Dangerous or Unsightly Premises
 5. Declaration(s) of Conflict of Interest
 6. Approval of Previous Meeting Minutes
 - a) 2023-12-12 Council Meeting Minutes
 - b) 2023-12-19 Special Council Minutes
 7. Presentations
 - a) Paris Family History - Hon. Percy Paris
 - ~~b) Pallet Houses – Department of Community Services~~
 8. Public Hearings - None
 9. Second Readings - None
 10. Unfinished Business/Postponed Motions
 - a) Windsor West Hants Water Utilities - Audit Recommendation Report – Councillor Ivey
 - b) Water and Sewer Rate Information related to Water and Sewer Rates (Presentation and Motion) – G.A. Isenor and Director Rochon
 - c) Follow up Information related to Windsor Stormwater Management – Director Richard
 - b) Short Term Rentals Information Report - Planner Fredericks
 11. Mayor's Report
 12. Committee(s) of Council Excerpts/Recommendations
 - a) Committee of the Whole Excerpts (January 9, 2024)

- i. 2024 Nova Scotia Municipal Elections - Alternate Voting
- ii. Accessibility Advisory Committee Resident Member Appointment
- iii. Asset Retirement Obligation Policy
- iv. Regional Emergency Plan for Flood Areas
- v. Regional Home Flood Protection Program
- vi. Meeting and Committee Procedural Policy RCOGE-003.00
- vii. Region 6 Solid Waste Management 2024-25 Budget
- viii. Windsor and West Hants Water Utilities Monthly Financial Reports

b) Planning and Heritage Advisory Committee Recommendations (as it relates to First Readings)

- i. WHLUB Amendment: PID 45215290, Riverview Drive, Brooklyn First Reading Recommendation Report - Planner Fredericks
- ii. WHLUB Amendment: PID 45218658, Armstrong Lake East Road, Vaughan First Reading Recommendation Report – Planner Fredericks
- iii. WHLUB Amendment: PID 45226636, Halewood Drive, Falmouth First Reading Recommendation Report – Planner Dunphy
- iv. Development Agreement: PID 45058310 and 45058344, Wagners Court, Windsor First Reading Recommendation Report – Planner Dunphy
- v. Windsor MPS/LUB Text Amendment: Pesaquid Comprehensive Development District First reading Recommendation Report – Planner Dunphy
- vi. HMPS, HLUB, WHMPS, and WHLUB Amendments: Bog Road Boundary Review, Hantsport/Hants Border First Reading Recommendation Report – Planner Dunphy
- vii. WHMPS and WHLUB Amendment Request: Wind Farm Policies – Director Poirier

13. Councillor Municipal Business/Activity Reports

- a) Councillor Ivey, District 11 Activity Report

14. Correspondence

a) Information

- 1. Avon Causeway Activity Log - None
- 2. Correspondence Received Activity Log
 - i. Rezoning Millard Court, Union Corner
 - Christina Hudgins Re Millard Court
 - Emily and Shawn Seaboyer & Family Re Application for Rezone of OS lot, Millard Court, Union Corner
 - Phil Pidgeon Re Rezoning of PID 45236601 Millard Court, Union Corner
 - ii. Haley Brown Re Urgent Request for Postponement of Commercial Wine Support Program Announcement (WHRM copied)
 - iii. WGNS Letter to Minister Morrow (WHRM copied)
 - iv. WGNS Response letter to Minister Morrow, Minister MacMaster (WHRM copied)
 - v. Mary Penner Re Thank You to Citizens of Windsor

- vi. West Hants Historical Society Letter to WHRM Re Percy Name
- vii. Andrew Hardman Re Supreme Court Decision Re Permit D2023-019

a. Requests - None

b. Outgoing Correspondence Log

- i. 2024-01-18 Premier Houston, Minister Lohr, MP Blois and MLA Sheehy-Richard Re Affordable Housing in West Hants

15. New Business

- a) Windsor Food Bank Funding Mayor Zebian
- b) AV Girls Hockey All Star Game - In kind donation – Mayor Zebian

16. In-Camera

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

17. Next Meeting Date / Adjournment – February 13th, 2024 Committee of the Whole Meeting 6 p.m.

WEST HANTS REGIONAL MUNICIPALITY

Council Meeting Minutes

January 23, 2024 - 6:00 p.m.

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

And virtually via Zoom (also Facebook Livestreamed)



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1. Call to Order - Mayor Zebian called the meeting to order at 6:00 p.m.

2. Attendance

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, District 5

Paul Morton, Deputy Mayor, District 8

Bob Morton, Councillor, District 6

Ed Sherman, Councillor, District 7

John Smith, Councillor, District 9 (ZOOM)

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Staff:

Mark Phillips, Chief Administrative Officer

Carlee Rochon, Director of Financial Services

Todd Richard, Dir. Public Works

Alex Dunphy, Planner (ZOOM)

Five present in the Gallery including Gerry Isenor and Blaine Rooney

Deanna Snair, Municipal Clerk

Sara Poirier, Dir. Planning & Development

Mark Fredericks, Senior Planner (ZOOM)

Deanna Snair, Municipal Clerk

Regrets:

Kathy Kehoe, Director Community Development

Shelleena Thornton, Municipal Ops Sup.

3. Announcements (6:00 p.m.)

Mayor Zebian acknowledged that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People and that this land is governed by the treaties of Peace and Friendship signed in 1726. West Hants Regional Municipality also recognizes that we are all treaty people and have responsibilities to this land and each other. West Hants Regional Municipality also recognizes African Nova Scotians are a distinct people whose history, legacies, and contributions have enriched that part of Mi'kma'ki known as Nova Scotia for over 400 years.

Fire Protocols/evacuation procedures were reviewed.

District/ Town Hall meetings have begun. District 2 held a meeting on January 17th, the next District meeting will be on Monday, January 29th in District 1 at 6 p.m.

The crane was in place at the Thumb Hill Creek bridge (Hwy #1), with concrete expected to be set in the coming days.

4. Approval of the Agenda, including additions or deletions (6:03 p.m.)

Voting occurred by a show of hands.

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS
THAT THE 2024-01-23 COUNCIL AGENDA BE APPROVED. MOTION
CARRIED**

5. Declaration of Conflict of Interest (6:03 pm) – None
6. Approval of the Previous Meeting Minutes (6:03 p.m.)
 - a. 2023-12-12 Council Meeting Minutes
 - b. 2023-12-19 Special Council Meeting Minutes

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS
THAT THE MINUTES OF: 2023-12-12 COUNCIL MEETING MINUTES AND
2023-12-19 SPECIAL COUNCIL MEETING MINUTES BE APPROVED.
MOTION CARRIED.**

7. Presentations

a) Paris Family History (6:04 p.m.)

Hon. Percey Paris addressed Council and provided an in-depth history on the life, contributions and legacy of John “Buster” Paris, the Paris family name and spoke of the challenges and obstacles his father overcame, as well as the successes he celebrated with his family and the community and the desire to rename Cottage Street.

A previous request was made to the former Town of Windsor Council to rename Cottage Street in honour of John “Buster” Paris; however, despite meeting the criteria (100% of the homes on the street support the renaming) outlined by Council at that time, the family was unsuccessful.

It was Hon. Paris’s opinion that the current Council had an opportunity/ability to right the wrongdoings of the former Council.

Hon. Paris spoke of the 2012 report presented to Council at that time, the report speaks to the West Hants Historical Society (WHHS) noting the Paris name had a significant historical significance for Curry’s Corner, but it was felt that it had little with the town itself.

Copies of emails from the WHHS stating that the opinions voiced in the 2012 report were not those of the current WHHS member. The WHHS recognized the significance of the Paris name and affirmed their support in the families attempt to rename Cottage Street.

It was hoped that Council were not of the same opinion at the 2012 former Town of Windsor Council and the right decision would be made.

Council was appreciative of the shared history and details provided and expressed their thanks for sharing the information. Renaming the rink was an honour and a positive proud moment and step forward. Council were encouraged to think about and absorb the presentation. It was felt the families initiative to change the name of Cottage Street was a worthy and meaningful initiative. There was value in having a detailed discussion on the matter as a stand-alone topic.

The presentation concluded at 6:31 p.m.

- b) Pallet Houses – This presentation did not occur. Staff will attempt to contact the Department of Community Services to reschedule the presentation.

8. Public Hearings – None

9. Second Readings – None

10. Unfinished Business/Postponed Motions

a) Windsor West Hants Water Utilities – Audit Recommendation Report (6:31 p.m.)

The report was circulated in the meeting package. Councillor Ivey reviewed the report highlighting the need to take a deeper look into the water utilities. Concern was raised that the utility was over-credited, and complexity of the matter increased due to the initial discovery of the issue occurred during the third quarter of the 2021-22 fiscal year and resolved later in the year (February-June). The credit was accrued back to the 2021-22 year, but the financials showed no impact and the significant reduction in revenue on the wholesale side was not seen until 2023. It was important to clear up the issue while the utilities were still separated, and the volumes were clearly visible and prior to consolidation. It was important to get a handle on the inaccuracies and lost treated water that was being spilled.

Discussion Points:

- Valid points were made, specifically when looking at capacity, lost water and consolidating the utilities.
- An audit would show due diligence and help with the audit process moving forward.
- While there was appreciation for an audit to occur, it was felt District 1 residents would not want to fund an audit for the Windsor Water Utility even if it proved to be useful.
- Water utility related items would be funded through each water utility. There may be an opportunity for the Municipality to gift/pay for an audit in lieu of the utility.
- Audit costs would go through the utilities, staff time required to complete the audit would be charged through the administration fee to the utilities and should also be considered.
- Mistakes in the 2021-22 audit were associated with entries. No additional charges were associated with this. If the auditor had restated the statements, additional charges would have occurred and been charged to the municipality.

MOVED BY COUNCILLORS IVEY AND HARTT THAT COUNCIL DIRECTS THE CAO TO SECURE AN INDEPENDENT FIRM TO UNDERTAKE A DETAILED, OPERATIONAL AND FINANCIAL AUDIT OF THE WEST HANTS AND WINDSOR WATER UTILITIES. MOTION CARRIED UNANIMOUSLY.

b) Water and Sewer Rate Information related to Water and Sewer Rates (Presentation and Motion) (6:48 p.m.)

Director Rochon provided a brief review of the recommendation report highlighting the decision made to consolidate the water utilities and sewer services in December 2023. The information presented illustrated what was required to effectively run the water and sewer utilities on a break-even basis, while also investing in reserves for on-going Capital repairs and replacements.

Mr. Rooney reviewed the process for water rates. Key points included:

- NS UARB regulates water rates.
- Council administers Wastewater rates.
- Council must approve an application to the NS UARB to complete a rate study as per the guidelines outlined within the UARB handbook. If supported, the application would be submitted to the UARB where a rate analysts would review the application, followed by a

public hearing (4-5 month timeframe). Once the public hearing was completed, the UARB would provide a decision (4-6 week timeframe).

Mr. Isenor reviewed the water rate study. Key points included:

- The utility would lose \$1.22 million in 2024/25, \$1.62 million in 2025/26 and \$1.67 million in 2026/27 if rates were not adjusted.
- The utility would have an accumulated operating surplus of \$792,000.
- It was proposed that some of the surplus would be used to smooth rates (spend towards capital and an interest rate study to achieve the rates being proposed - \$100,000 in 2024/25 towards capital and \$450,000 in the first test year 2025/26 so the rates would not jump high due to running with an operating deficit).
- Rates must be set in order to break even; rates cannot be set that would enable a profit or a loss.

Operating expenses key points:

- Expenses expected to increase by 3-4%.
- Increased depreciation was associated with extensive future Capital work, the water department was looking to spend \$25 million dollars in the next three years.
- Most of the increase in expenses was associated with setting aside depreciation to replace assets in the future.
- Utilities are required to fund depreciation to offset future replacement costs.
- If money is needed to be borrowed for Capital, a loan rate is set up within the rates, that will eventually be set up through the finance corporation.
- Under the Utilities Act, fire protection was not deemed a public service; it was a service that the utility provides to the municipality. Most piping in the ground and reservoirs were sized to be approximately 40% for drinking water and 60% for fighting fires.
- The Act sets rates for drinking (potable) water.

Mr. Isenor explained how base rates were calculated. Key Points included:

- In 2024/24 there were 3999 customers; moving forward 15 new customers were built into the rate across the Utility per year.
- Meters were tested based on the volume of water that could be put through them (capacity ratio). An 8" meter will take 90 times the volume of a residential meter, resulting in more demand on the system.
- Systems must be built to meet demands based on water meter sizes (hospitals, schools, etc.).

Volume of water sold to customers and who purchased it. Key points included:

- Dominant users were 5/8 customer (used 528,000 of the 830,000 cubic meters sold).
- Despite more customers, water consumption for 5/8 customers decreased, people were using less water on a household basis.
- Once the volume of water sold was determined, the amount was split between base and commodity resulting in water rates per cubic meter which determines the rate.
- It was believed the average water consumption for customers in Windsor and West Hants was similar. Windsor was thought to have larger residential homes that were divided into

smaller apartment style settings and some residential homes had a commercial aspect associated with them, which impacted consumption levels.

- The rates presented were the same as the rates previously provided in a memo to Council. Once the rate was determined, a schedule was created, showing the base rate, volumetric rate, and fire protection rate for customers.

Directors Richard and Rochon reviewed the proposed changes to the schedule of the rules and regulations that govern the water utility. Any changes proposed have been previously approved by the UARB for other municipal units. Proposed changes included adding some key definitions, language changes associated with dishonourable payments to reflect the digital age, changes in the language to reflect commercial customers and support the business communities when dealing with outstanding meter issues to allow for predictability within their businesses, an added addition that customers who fail to comply with payment arrangements will not be approved for future payment arrangements, clearer language around the ability to decline to turn water service back on outside of regular working hours, clearer language identifying that all water connections must be metered except fire hydrants and wording on meter technology and reading technology, added additional wording related to isolation valve requirements, added costs associated with relocation of a meter due to construction was at the cost of the customer/contractor, a Master Water Meter section was added to permit a meter chamber installation close to distribution main with a master meter to register all water going into long service lines in an attempt to capture leakage and any costs associated with leakage would be split between individual service lines/customers, added additional wording to cover costs associated with damaged meters, added wording that identifies each water connect would be individually metered, added wording for when major renovations were done to a property that triggers a building permit; permitting staff to recommend or state that the meter was required to be upsized, added wording that required service be disconnected if a property was demolished/abandoned, added wording around replacement of old service lines, additional wording related to pipe installation, added wording around penalties and theft of water service, added wording around fire protection, added wording to recover costs associated with fire hydrant flow testing, added wording to reference new municipal specs, added clearer language around bulk water hauling stations.

Discussion Points:

- If theft was proven, the penalty amount would be added to the next water bill, if it was not paid then service would be suspended.
- Costs associated with leakage past the master meter would be the customer's responsibility.
- Normal practice for disconnections was that they were completed earlier in the week, however at times payment arrangements were made for a Friday, resulting in a disconnection occurring on a Friday. Most of the time reconnections were possible on a Saturday but at times resources did not allow for a weekend reconnection.
- No changes were made to bulk water sales.
- The master meter in the Schedule D Rules and Regulations referred to private, long or multiple service lines. These meters would be costed to the utility.
- New construction has a requirement to have an isolation valve on either side of the meter. The requirement was always in the regulations, updated language was added to be clearer.

- Base rates do not change, they remain the same every month based on what was approved by the UARB. The amount of water used (volume) changes every month based on usage.
- The Windsor Water Utility to the WH Water Utility credit issue between the Windsor and WH Water Utility did not impact rates moving forward.
- Unaccounted for water was still required to be tracked as per the UARB.
- Transmission Capital items were related to street renewal/reconstruction projects (King St., O'Brien St.), it was the portion charged to the utility to cover replacing the water main.
- Transmission mains were larger mains going from the plants to distribution systems.
- Purification referred to treatment equipment (3rd process train for the Windsor treatment plant).
- 75 years was the standard life expectancy for a pipe in the ground.
- There was a requirement to advertise the Public Hearing and to communicate consolidation and any changes. Past communications included inserts in water bills, notes on water bills, municipal social media platforms, municipal website along with the required newspaper advertisement. There may be value in having an additional coloured insert in water bills.

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL APPROVES THE WEST HANTS REGIONAL MUNICIPALITY APPLY TO THE NOVA SCOTIA UTILITY AND REVIEW BOARD TO AMALGAMATE THE TWO EXISTING WATER UTILITIES (WINDSOR AND WEST HANTS) INTO THE WEST HANTS REGIONAL WATER UTILITY AND TO APPLY FOR CHANGES IN ITS RATES FOR WATER AND WATER SERVICE, FIRE PROTECTION TO THE WEST HANTS REGIONAL MUNICIPALITY AND CHANGES TO ITS RULES AND REGULATIONS FOR CUSTOMERS SERVED BY THE WEST HANTS REGIONAL WATER UTILITY, AS SET OUT IN THE WATER RATE STUDY PREPARED BY G.A. ISENER CONSULTING LIMITED IN ASSOCIATION WITH BLAINE S. ROONEY CONSULTING LIMITED, DATED JANUARY 18, 2024. MOTION CARRIED. Nays: B. Morton, Hartt and S. McLean

Mr. Isenor reviewed the process to undergo a sewer rate study, which was similar to the process used to calculate water rates. Key points included:

- People with wells were considered unmetered users, they were considered 5/8 customers with an average flow rate.
- No depreciation fund was set up, instead a Capital Reserve contribution was set up to smooth rates.
- The system would lose \$609,000 in 2024/25, \$1.2 million in 2025/26 and \$1.459 million in 2026/27 if rates were not adjusted.
- Expenses expected to increase by 3%.
- Expected to spend \$11 million on Capital costs over the next three years.
- A payment for leachate was established (sewer customers previously paid this fee, despite everyone benefiting from treating leachate). The Municipality will now pay for this service.

- The proposed rate was set for 40% for base amount and 60% for volumetric amount. This allows opportunity for reduced bills should individuals adjust their habits/routines. Using less water impacted both water and sewer billings.

Discussion Points:

- Currently one plant receives all the leachate and pays for the service. Moving forward leachate charges were removed from the proposed consolidated rate structure.
- Substantial amounts were built into each year for Capital Reserve contributions.
- The leachate volume received last year was used to project future years, no increases were added. Once a landfill was capped, leachate production begins to stabilize and then depreciates after a bit.
- It was important to pay attention to the amount of leachate received each year as well as the strength.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL APPROVES THE RATES FOR SEWER SERVICE FOR CUSTOMERS IN WEST HANTS REGIONAL SEWER SYSTEM AS SET OUT IN THE SEWER RATE STUDY PREPARED BY G.A. ISENR CONSULTING LIMITED IN ASSOCIATION WITH BLAINE S. ROONEY CONSULTING LIMITED DATED JANUARY 4, 2024, BE ADOPTED AND THAT STAFF PREPARE THE NECESSARY CHANGES TO RELATED BY-LAWS AND POLICIES. MOTION CARRIED. Nays: Francis, B. Morton and S. McLean

A break occurred at 8:20 p.m. The regular meeting resumed at 8:32 p.m.

c) Follow up Information related to Windsor Stormwater Management (8:32 p.m.)

Director Richard advised that within the alternate procurement policy the request for a more detailed design for options related to the Windsor Stormwater was permitted. Given CBCL's experience, background and current work completed for the study they will proceed and work towards developing next steps/options for a viable solution.

Discussion Points:

- A motion would be beneficial knowing that alternate procurement was being used to move the project forward.
- CBCL were reviewing the full scope of the project, including the request within the RFP to capture any missing information needed.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL DIRECT STAFF TO MEET WITH THE STORM WATER CONSULTANTS TO EXPAND UPON THE INITIAL WORK DONE TO DATE TO EXPAND THE PROJECT INTO A PHASE 2 STAGE IN THE INTEREST OF ACCELERATING THE PROCESS FOR DETERMINING NEXT STEPS AND ANALYSIS OF THE WORK THAT NEEDS TO BE DONE FOR THE BROADER WINDSOR STORM WATER MANAGEMENT PLAN. MOTION CARRIED UNANIMOUSLY

d) Short Term Rentals (STR's) Information Report (8:36 p.m.)

Planner Fredericks reviewed the report highlighting the background information related to Short Term Rentals, provincial legislation and responses received during public engagement sessions and the online survey conducted in late 2023. Recognizing the complexity of the issue and the potential opportunity to consider short term rentals as part of the comprehensive Plan Review project, PACHAC were seeking direction from Council.

Discussion Points:

- With only 0.5% of the existing housing inventory being used for short-term rentals, there was support for a wait and see approach before proceeding with investigating ways to regulate these rentals.
- Provincial requirements mandate that owners of all STR's (stays less than 28 days) must register their property with the province (effective April 2023).
- It was suggested the value of including short-term rentals in the planning documents was to gather more information and look further at community impacts and taxation fairness (STR's were not taxed as commercial).
- Adding a policy that speaks to implementing regulations once a certain percentage was reached was felt to be challenging. The Housing Needs Assessment completed by the province provided the percentage, it was unknown if this would be regularly reported.
- There was value in having a way to track STR numbers as they increase. It was believed the provincial registry was the best tool for this.

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL DIRECT STAFF TO INCLUDE THE SURVEY RESULTS REGARDING SHORT TERM RENTALS IN THE ONGOING PLAN REVIEW PROCESS FOR NEW PLANNING DOCUMENTS. MOTION DEFEATED. Nays: Zebian, Francis, Sherman, M. McLean, B. Morton, Smith, Hartt, S. McLean, Jannasch, P. Morton

11. Mayor's Report (9:03 p.m.)

Mayor Zebian provided a verbal report.

Highlights included numerous discussions with residents on dams and river systems (evacuation plans, senior's homes, vulnerable persons stemming for the community meetings held regarding the dam meetings. Residents are invested in getting information and want to be prepared for whatever may happen next.

Attended New Year's levee in both Hantsport and Windsor.

Engaged and meeting with the Citizen's Coalition regarding those experiencing being underhoused or homeless. Citizens and volunteers have organized a warming centre at the community centre for anyone needing a safe warm space.

Met with Forrest Lakes residents to discuss issues related to snow clearing, waste removal, etc. and look for some form of resolution as they discuss these matters with staff.

Meeting with potential developers within the community.

Met with the Windsor Foodbank to discuss their challenges. The food bank plays a critical role within the community and supporting those in need. A report will be presented later in the meeting.

Numerous community groups have expressed a need for new spaces or partnerships. It was hoped

that a workshop would be scheduled to allow these groups to present their needs/asks to Council. Participated in the WSP workshop relating to the review of the planning documents. Visited multiple schools within the region. Students may be invited to attend upcoming meetings to sit in the gallery or provide thoughts and ideas on what they would like to see. A lot of media were reaching out as it was the sixth month anniversary of the July floods. The events remain on everyone's mind. EMO and staff continue to be busy with this matter. Discussions with the Paris family and their initiative to rename Cottage Street. Attended the first Town Hall meeting in District 2, people were excited to see these meetings occurring again. Lots of questions and discussions around the upcoming budget.

Discussion Points:

- At the District 2 meeting, residents voiced concerns about the lack of RCMP presence in the community.
- Forrest Lakes was still going through legal processes.

12. Committee(s) of Council Excerpts/Recommendations (9:13 p.m.)

a) Committee of the Whole Excerpts (January 9, 2024)

i. 2024 Municipal and CSAP Elections

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR SHERMAN THAT COUNCIL APPROVES CONTRACTING AND PERFORMING ALTERNATIVE VOTING FOR THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS TO INTELIVOTE FOR THE QUOTED PRICE OF 41,075.00 PLUS APPLICABLE TAXES AND BE FUNDED THROUGH THE REGIONAL ELECTION RESERVES. MOTION CARRIED. Nays: M. McLean, S. McLean and Hartt

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR B. MORTON THAT COUNCIL APPROVES THE USE OF BOTH ALTERNATIVE (ELECTRONIC) VOTING AND PAPER BALLOTS AS THE VOTING METHODS IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS FOR ALL POLL DAYS, FROM THE FIRST ADVANCED POLL DAY TO THE CLOSE OF ORDINARY POLL DAY AND FURTHER THAT PAPER BALLOTS BE ONLY USED ON ORDINARY POLL DAY.

It was noted that the motion as stated did not match the motion provided in the agenda package. Although it was noted that both versions captured electronic voting and paper ballots would be used on all poll days, including advanced poll dates and ordinary poll day. Consensus the motion (as written in the agenda package) was favoured. The motion was amended the motion to reflect the motion as written and included in the agenda package.

MOVED BY COUNCILOR JANNASCH AND FRANCIS THAT THE MOTION BE AMENDED TO REFLECT THE MOTION AS WRITTEN IN THE AGENDA PACKAGE. MOTION CARRIED UNANIMOUSLY

Original motion as amended:

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR B. MORTON THAT COUNCIL APPROVES THE USE OF BOTH ALTERNATIVE (ELECTRONIC) VOTING AND PAPER BALLOTS AS THE VOTING METHODS IN THE 2024 NOVA SCOTIA MUNICIPAL AND CONSEIL SCOLAIRE ACADIEN PROVINCIAL (CSAP) ELECTIONS FOR ALL DAYS (FROM THE FIRST ADVANCED POLL DAY TO THE CLOSE OF ORDINARY POLL DAY). MOTION CARRIED. Nays: Murley, S. McLean, M. McLean, Hartt and Ivey

- ii. Accessibility Advisory Committee Resident Member Appointment (9:28 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPROVES THE FOLLOWING RESIDENT MEMBER (MELISSA MACASKILL) BE APPOINTED TO THE ACCESSIBILITY ADVISORY COMMITTEE FOR THE TWO (2) YEAR TERM JANUARY 2024 TO JANUARY 31, 2026. MOTION CARRIED

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPROVES THE FOLLOWING RESIDENT MEMBER (JENNIFER DAVISON) BE RE-APPOINTED TO THE ACCESSIBILITY ADVISORY COMMITTEE FOR THE THREE (3) YEAR TERM JANUARY 2024 TO JANUARY 31, 2027. MOTION CARRIED

- iii. Asset Retirement Obligation Policy (9:29 p.m.)

Discussion Points:

- Surplus auction has been contracted out to an auction house to advertise and sell items deemed surplus.
- No conversation has occurred to determine GFL's interest in assuming ownership/responsibility for the retired landfill. The municipality was bound and responsible for this asset. It was unknown if the responsibilities associated with the landfill were transferrable.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPROVES POLICY RCOFN-014.00 ASSET RETIREMENT OBLIGATION, WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT PRESENTED ON JANUARY 9, 2024. MOTION CARRIED. Nays: Hartt and S. McLean

- iv. Regional Emergency Plan for Flood Areas (9:32 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT STAFF TO DEVELOP AN EMERGENCY PLAN FOR THE WINDSOR AND HANTSPORT FLOOD ZONES (AND COULD

ENCOMPASS ALL THE AREAS THAT FLOOD) AND PRESENT IT TO COUNCIL BY THE MARCH COMMITTEE OF THE WHOLE MEETING.

Discussion Points:

- As stated, the motion included other areas that have potential to flood.
- A flood plan related to dam breakage was not captured in the motion, this would be a much larger exercise. EMO were looking into this as part of their work. It was difficult to pre plan evacuation routes as every emergency was unique and had different impacts on evacuation routes. Concern was raised that a pre-determined evacuation route may put people in danger if the emergency was specific to that area.
- Opinions varied on whether the motion should be amended to include water diversion. There was value in including a mechanism for diverting water, but an argument was made that including water diversion may limit staff's ability to provide emergency options.
- It was expected that diversion would be an aspect of the emergency plan.
- Concern was raised that emergency would be interpreted as evacuation. The intent of the motion was to have a plan, look at things to see if there was something was missing that would help address flood events when we know a storm was coming, look to see if there was a quick fix. It was never intended to mean evacuation.
- It was felt that staff understood what was being requested.

MOVED COUNCILLORS MURLEY AND IVEY THAT THE MOTION BE AMENDED OT READ AS COUNCIL DIRECTS STAFF TO DEVELOP AN EMERGENCY PLAN FOR THE WINDSOR AND HANTSPORT FLOOD ZONES (AND COULD ENCOMPASS ALL THE AREAS THAT FLOOD) AND MAY INCLUDE THE DIVERTING OF WATERS FROM RESIDENCES AND PRESENT IT TO COUNCIL BY THE MARCH COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED UNAMIOUSLY

Full motion as amended:

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT STAFF TO DEVELOP AN EMERGENCY PLAN FOR THE WINDSOR AND HANTSPORT FLOODZONES (AND COULD ENCOMPASS ALL THE AREAS THAT FLOOD) AND MAY INCLUDE THE DIVERTING OF WATERS FROM RESIDENCES AND PRESENT IT TO COUNCIL BY THE MARCH COMMITTEE OF THE WHOLE MEETING FOR VIEWING AND/OR APPROVAL FOR BUDGETARY IMPLICATIONS, MOTION CARRIED UNAMIOUSLY

- v. Regional Home Flood Protection Program (9:41p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT STAFF CREATE A "HOME FLOOD PROTECTION PROGRAM AND PRESENT IT TO COUNCIL BY THE MARCH COMMITTEE OF THE WHOLE MEETING FOR VIEWING AND/OR APPROVAL FOR BUDGETARY IMPLICATIONS. MOTION CARRIED UNAMIOUSLY

- vi. Meeting and Committee Procedural Policy RCOGE-003.00 Amendment (9:41 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL DIRECT THE CAO TO ENGAGE STAFF TO MAKE THE NECESSARY CHANGES TO THE MEETING AND COMMITTEE PROCEDURAL POLICY RCOGE-003.00 FOLLOWING THE DISCUSSION OF COUNCIL AT THE JANUARY 9, 2024 COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED. Nays: Hartt

- vii. Region 6 Waste Management 2024-25 Budget (9:42 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL APPROVES THE 2024-25 OPERATING BUDGET FOR REGION 6 SOLID WASTE MANAGEMENT FOR THE AMOUNT OF \$878,660, AS PRESENTED ON JANUARY 9, 2024. MOTION CARRIED

- viii. Windsor and West Hants Water Utilities Monthly Financial Reports (9:43 p.m.)

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT COUNCIL DIRECTS THE CAO TO HAVE WATER UTILITY FINANCIAL REPORTS PROVIDED TO COUNCIL FOR REVIEW ON A MONTHLY BASIS AS PRESENTLY OCCURS WITH THE WEST HANTS OPERATING FINANCIAL REPORT AND FURTHER THAT THE WATER UTILITY BUDGETS ALSO INCLUDE THE VOLUME OF WATER THAT IS DELIVERED 'WHOLESALE' TO THE TRANSMISSION AND DISTRIBUTION SYSTEM AND THE VOLUME OF WATER THAT IS BILLED THROUGH THE FINANCE DEPARTMENT TO OUR RETAIL END-USER CUSTOMERS. MOTION CARRIED.

- b) Planning and Heritage Advisory Committee Recommendation (as it relates to First Readings)
i. WHLUB Amendment: PID 45215290, Riverview Drive, Brooklyn First Reading Recommendation Report (9:43 p.m.)

Planner Fredericks reviewed the report. A completed application was received on September 20, 2023, from the Chief Administrative Officer (WHRM CAO) on behalf of the landowner (WHRM) to consider rezoning the lot from Open Space (OS) to Single Unit Residential (R-1) zone for future sale and residential development. A Public Information Meeting (PIM) was held on November 2, 2023. At the December 14, 2023 PACHAC meeting much discussion occurred about the importance of having something (signage) that would increase public awareness of Municipally owned open space properties. It was highlighted that all open spaces can be found on the Municipal website through the online interactive zoning map. The end result was that PAC/HAC recommended in favour of the application.

Discussion Points:

- There may be better options to market the property, it could also be offered to the community and collectively purchased as a not for profit. There was value in looking at alternate options vs the current process based on concerns raised from communities and neighbouring properties.
- Residents in the area voiced they were unaware the property was an open space.

- There may be value in maintaining ownership of the property due to its close proximity to the DAR Rail line.
- There was value in taking a second look at any properties earmarked for divestment based on the 2016 Parks and Open Spaces report. Opportunities may exist for these parcels to be better used within the communities they are located in. Communities may be able to identify how they would like to see these properties used.
- It was questioned that when properties were donated by developers as part of the Development Agreement, was consistent terminology used that spoke of what could or could not be done with the properties, it was suggested there may confusion around this issue.
- The river specific to this property was brackish and could play a significant role in the future.
- There was support to find different options for these properties vs divesting them and having a discussion on how to proceed with the remaining properties.

MOVED BY COUNCILLORS IVEY AND M. MCLEAN THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING SCHEDULE A: V-1 OF THE WEST HANTS LAND USE BY-LAW TO REZONE PID 45215290 ON RIVERVIEW DRIVE, BROOKLYN, FROM THE OPEN SPACE (OS) ZONE TO THE SINGLE UNIT RESIDENTIAL (R-1) ZONE AS SHOWN IN THE REPORT #23-26 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED DECEMBER 14, 2023. MOTION DEFEATED UNANIMOUSLY

- ii. WHLUB Amendment: PID 45218658, Armstrong Lake East Road, Vaughan First Reading Recommendation Report (9:57 p.m.)

Planner Fredericks reviewed the report. A completed application was received on September 20, 2023, from Mark Phillips, WHRM CAO on behalf of the landowner (WHRM) to consider rezoning the lot (16 acres) from Open Space (OS) to General Resource (GR) for potential residential development. The property was deeded as part of a subdivision application and identified in the 2016 Parks and Open Space plan that was deemed appropriate for divestment.

Public comments and the private road landowner were in favour of the rezoning. A Public Information Meeting (PIM) was held on December 7, 2023. At the January 11, 2024 PAC/HAC meeting discussions occurred on how a residential driveway could enter the lot. PAC/HAC recommended in favour of the application.

Discussion Points:

- Sewage installation cannot be confirmed by municipal staff. Lot sizes were used to determine if the property was large enough based on NS Environments requirements for minimum lot areas. Due to the size of the property, it was likely that a septic system was achievable.
- The municipal park was within a km of the property.

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING SCHEDULE A OF THE WEST HANTS LAND USE BY-LAW TO REZONE PID 45218658 ON ARMSTRONG LAKE

EAST ROAD IN VAUGHAN, FROM THE OPEN SPACE (OS) ZONE TO THE GENERAL RESOURCE (GR) ZONE AS SHOWN IN THE REPORT #23-29 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED JANUARY 11, 2024. MOTION CARRIED. Nays: Sherman, Ivey, S. McLean and Smith

Mayor Zebian advised it was 10:06 p.m. As per policy a motion would be required to continue the meeting. If the motion was not supported the meeting would continue the next evening at the same time.

MOVED BY COUNCILLORS IVEY AND FRANCIS THAT THE MEETING CONTINUE PAST 10 P.M. MOTION CARRIED. Nays: S. McLean

- iii. WHLUB Amendment: PID 45226636, Halewood Drive, Falmouth First Reading Recommendation Report (10:06 p.m.)

Planner Dunphy reviewed the report. A completed application was received on September 20, 2023 from the WHRM CAO on behalf of Council to rezone the lot from Open Space (OS) to Single Unit Residential (R-1) to allow for potential residential development. The lot was primarily forested and surrounded by single use residential homes and other open spaces. A Public Information Meeting (PIM) was held on November 2, 2023. At the December 14, 2023 PAC/HAC meeting much discussion occurred on how Municipal greenspaces were advertised, public purchasing opportunities, subdivision history, how divestment proceeds are directed to the community, and if it would be possible to subdivide and rezone a portion of the subject lot to maintain a buffer of open space land on either side for the abutting properties. PAC/HAC recommended in favour of the application.

Discussion Points:

- Residents may not have been aware of ownership; there was value in having a treed property as development increases in the area.
- It warranted a second look/discussion about divesting the property.
- The Subdivision By-Law dictates a 5% deposit (either cash or land in lieu of cash) was required for parkland where the subdivision occurred.
- Should Council wish to proceed with future divestments; it was suggested that the properties be placed on the market “as is” without rezoning them.

MOVED BY COUNCILLORS IVEY AND FRANCIS THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING SCHEDULE A OF THE WEST HANTS LAND USE BY-LAW TO REZONE PID 45226636 ON HALEWOOD DRIVE, FALMOUTH, FROM THE OPEN SPACE (OS) ZONE TO THE SINGLE UNIT RESIDENTIAL (R-1) ZONE AS SHOWN IN THE REPORT #23-24 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED DECEMBER 14, 2023. MOTION DEFEATED UNAMIOUSLY

- iv. Development Agreement (DA): PID 4545058310 and 45058344, Wagner’s Court, Windsor First Reading Recommendation Report (10:14 p.m.)

Planner Dunphy reviewed the report. A completed application was received on October 11, 2023 from Edward Edelstein of Geome Properties Limited on October 11, 2023 to allow the conversion of 5 single unit dwellings into 5 two-unit dwellings on Wagners Court by DA. A Public Information Meeting (PIM) was held on November 2, 2023. At the December 14, 2023 meeting PAC/HAC discussed the owners plan to demolish the original structures and build new due to damages, flood protections in the proposal, and stormwater management requirements. PACHAC were also advised that both the Fire Chief and Manager of Building and Fire Inspection Services stated that the proposed separation distances between buildings would be sufficient, provided a noncombustible building material was used. PAC/HAC recommended in favour of the application.

Discussion Points:

- Cunnabel Creek ran along Munroe Street.
- It was important to note the creation of a stormwater management plan required pre and post development flows to remain neutral or improved.
- The proposed footprint remained the same as what was currently in place.

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT TO ALLOW GROUPED DWELLINGS, CONSISTING OF 11 DWELLING UNITS, ON PIDS 45058310 AND 45058344 ON WAGNERS COURT IN WINDSOR WHICH IS SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT B OF THE REPORT FILE #23-35 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED DECEMBER 14, 2023. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH EDWARD EDELSTEIN WHICH PERMITS GROUPED DWELLINGS, CONSISTING OF 11 DWELLING UNITS, ON PIDS 45058310 AND 45058344 ON WAGNERS COURT IN WINDSOR BE SIGNED WITHIN 120 DAYS FROM THE DATE OF FINAL APPROVAL BY COUNCIL OR THE DATE THAT ANY APPEALS HAVE BEEN DISPOSED OF; OTHERWISE THIS APPROVAL WILL BE VOID AND OBLIGATIONS ARISING HEREUNDER SHALL BE AT AN END. MOTION CARRIED UNANIMOUSLY

- v. Windsor MPS/LUB Text Amendment: Pesaquid Comprehensive Development District First Reading Recommendation Report (10:25 p.m.)

Planner Dunphy reviewed the report. A completed application was received on October 19, 2023 from Chad and Mandy Singleton to permit residential units behind commercial units on the ground floor. A Public Information Meeting (PIM) was held on December 7, 2023. At the January 11, 2024 PAC/HAC meeting discussions occurred around the wording for the location of the residential units, fire safety requirements, residential unit configuration, application background, and waterfront development. The Committee discussed the ability for the proposal to be considered by

development agreement instead of through an amendment to the Pesaquid Comprehensive Development District (PCDD) zone at length.

As there are only 16 properties within the PCDD zone, commercial uses would remain on the street frontage and the amendment only intended to add the option to include residential units without affecting the ability for commercial development.

The Fire Chief commented that residential units would require unimpeded access, which was already a requirement of the permitting process, and the Public Works Engineering Division commented that they did not have any concerns regarding the capacity of municipal services for the proposed amendment. PAC/HAC recommended in favour of the application.

Discussion Points:

- There was support to see the change made by route of a Development Agreement (DA) vs changing the MPS to make it “as of right”. Council were advised that currently there was no policy in place that would permit the proposal through a DA.
- Creating a policy and having the applicant proceed with a DA application would add time to the process as staff would need to create the policy and outline criteria within the DA that meets the new policy.
- Concern was raised that a text amendment changing all 16 properties within the PCDD to “as of right” restricted Councils say in what could/couldn’t be done in the waterfront area.
- Parking was addressed through the permitting process. Development permits require adequate parking for any residential unit.
- The applicant requested to create a residential unit and were advised that there currently was no policy that would allow a DA to be pursued resulting in the text amendment being proposed.
- There were no restrictions for commercial development on rear facing (towards the waterfront) ground floors. Restricts were related to residential uses and currently only permitted on upper floors.
- It was understood that ground floors in this area were considered part of the service centre for the region. There was support for a policy that permits a Development Agreement vs doing a broad sweeping change that permits “as of right”.
- The Municipal Planning Strategy was Councils document, rather than defeat the proposed motion, Council could provide a different direction for staff.

MOVED BY COUNCILLORS IVEY AND MURLEY TO AMEND THE MOTION TO READ AS “COUNCIL CONSIDER AMENDING THE WINDSOR MUNICIPAL PLANNING STRATEGY FOR THE PESAQUID COMPREHENSIVE DEVELOPMENT DISTRICT (P-CDD) TO ALLOW FOR A POLICY CHANGE THAT WOULD PERMIT AN APPLICANT SUCH AS INCLUDED WITHIN THIS FILE OR GROUND FLOOR RESIDENTIAL ON THE BACKSIDE OF COMMERCIAL PROPERTIES WITHIN THE P-CDD WITH THE USE OF A DEVELOPMENT AGREEMENT”. Nays: Zebian, B. Morton and Smith

Motion as amended:

MOVED BY COUNCILLORS IVEY AND MURLEY THAT COUNCIL CONSIDER AMENDING THE WINDSOR MUNICIPAL PLANNING STRATEGY FOR THE PESQUID COMPREHENSIVE DEVELOPMENT DISTRICT (P-CDD) TO ALLOW FOR A POLICY CHANGE THAT WOULD PERMIT AN APPLICANT SUCH AS INCLUDED WITHIN THIS FILE OR GROUND FLOOR RESIDENTIAL ON THE BACKSIDE OF COMMERCIAL PROPERTIES WITHIN THE P-CDD WITH THE USE OF A DEVELOPMENT AGREEMENT. MOTION CARRIED.

Nays: Zebian, B. Morton and Smith

- vi. HMPS, HLUB, WHMPS, and WHLUB Amendments: Bog Road Boundary Review, Hantsport/Hants Border First Reading Recommendation Report (10:53 p.m.)

Planner Dunphy reviewed the report highlighting that a discrepancy between the text and the map of the Hantsport Land Use By-law was noted during an application to rezone five (5) lots on Bog Road. To remedy the identified discrepancy the municipal solicitor advised that it was best to ensure all mapping was consistent throughout all of the planning documents. It was decided to proceed with altering the mapping. A Public Information Meeting (PIM) was held on December 7, 2023. At the January 11, 2024 PAC/HAC meeting the Committee discussed the jurisdiction of the boundary and recommended in favour of the application.

Councillor M. McLean left the meeting at 10:54 p.m. He did not participate or vote in any matters moving forward.

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL GIVES FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER AMENDING THE BOUNDARY LINE SHOWN ON THE MAPS OF THE HANTSPORT MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW AND THE WEST HANTS MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW TO REFLECT THE FORMER TOWN OF HANTSPORT BOUNDARY AS SHOWN ON THE 2006 SURVEY PLAN IN THE REPORT FILE #23-44 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED JANUARY 11, 2024. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL GIVES FIRST READING AND WILL HOLD PUBLIC HEARING TO CONSIDER AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE HANTSPORT MUNICIPAL PLANNING STRATEGY TO INCLUDE A PORTION OF PID 45046315 AND 45366515 IN THE RESIDENTIAL DESIGNATION AND AMENDING SCHEDULE A OF THE HANTSPORT LAND USE BY-LAW TO INCLUDE A PORTION OF PID 45046315 AND 45366515 IN THE TWO UNIT RESIDENTIAL (R-2) ZONE AS SHOWN IN THE REPORT FILE #23-44 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE DATED JANUARY 11, 2024. MOTION CARRIED UNANIMOUSLY

Two members of the public entered the gallery at 11:03 p.m.

- vii. WHMPS and WHLUB Amendment Request: Wind Farm Policies (11:05 p.m.)

Director Poirier reviewed the report. An application was received from Steven Hart on November 7, 2023 requesting an amendment to section 4.24 of the WHMPS to further evaluate wind farm development proposals within the municipality. At the December 14th PACHAC meeting, the Committee discussed possible amendments at length and concluded they would like to see maps of specific buffer distances from existing dwellings to determine whether any amendments to the wind turbine setback requirements should be considered.

MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL APPROVE THE STAFF RESOURCES TO DO A MAPPING EXERCISE TO POINT OUT EXISTING DWELLINGS AND MAP WHERE WIND FARMS COULD BE DEVELOPED USING RADIUS RANGES FROM 1KM, WHICH IS THE EXISTING SETBACK, TO 4KM, WHICH IS A PROJECTED DISCUSSION RANGE FOR POTENTIAL AMENDMENTS TO SETBACKS. MOTION CARRIED UNANIMOUSLY

Both members of the gallery left at 11:08 p.m.

13. Councillor Municipal Business/Activity Reports (11:08 p.m.)

a) Councillor Ivey, District 11 Activity Report (Verbal Report)

Highlights included continued conversations/comments related to stormwater management and flood concerns. Invested a lot of time in reviewing the water utility credit to get a better understanding and fielded questions from residents on the matter. Attended the dam flood session, it was felt there was value in having evacuation routes (pre charted routes) available. Attended the District 2 Town Hall meeting. Attended the WSP workshop on the plan review documents, it was noted that the plan review was being undertaken without a defined vision for the region. There was value in having a sense of what the region should look and feel like.

14. Correspondence (11:11 p.m.)

a. Information

i. Avon Causeway Activity Log - None

ii. Correspondence Received Activity Log

i. Rezoning Millard Court, Union Corner

- Christina Hudgins Re Millard Court
- Emily and Sahwn Seaboyer & Family Re Application for Rezone of OS lot, Millard Court, Union Corner.
- Phil Pidgeon Re Rezoning of PID 45236601 Millard Court, Union Corner.

Discussion Points:

- Residents in the area and surrounding Millard Court were against rezoning the property.

ii. Halley Brown Re Urgent Request for Postponement of Commercial Wine Support Program Announcement (WHRM copied)

iii. WGNS Letter to Minister Morrow (WHRM copied)

iv. WGNS Response Letter to Minister Morrow, Minister MacMaster (WHRM copied)

Discussion Points:

- Council needed to have a better understanding of what their policy was towards agriculture and agricultural land before they supported writing a letter. Broader discussion was needed regarding agricultural lands.
 - v. Mary Penner Re Thank You to Citizens of Windsor
 - vi. West Hants Historical Society Letter to WHRM Re Paris Name
 - vii. Andrew Hardman Re Supreme Court Decision Re Permit D2023-019
- b. Requests - None
- c. Outgoing Correspondence Log
 - i. 2024-01-18 Premier Houston, Minister Lohr, MP Blois and MLA Sheehy-Richard Re Affordable Housing in West Hants.

15. New Business

a) Windsor Food Bank Funding Report (11:23 p.m.)

Mayor Zebian stepped down from the chair. Deputy Mayor P. Morton assumed the chair at 11:23 p.m.

Mayor Zebian reviewed the report highlighting the increased demands and financial pressures experienced by the Food Bank. Relocating to 90 Sanford Drive, Windsor created additional challenges for this group of volunteers and despite their creative thinking in attempts to make their operations stretch as much as possible, they have come to a point where they may not be able to operate beyond March 2024. If the Food bank closes, many who rely on the help and generosity of the food bank will be left without this support. The intent of the funding was to provide time to source out viable options/ alternatives to improve the organizations sustainability.

Discussion Points:

- Value in looking at providing a space for the foodbank and having a deeper discussion on the matter so it does not get forgotten.
- \$3,700 covered the bulk of the Foodbanks expenses,
- In knowing that all three foodbank operations were tightly intertwined, the loss of one would jeopardize operations for the remaining foodbanks.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR SHERMAN THAT COUNCIL APPROVES FUNDING FOR THE WINDSOR FOOD BANK IN THE AMOUNT OF \$3,700/MONTH BEGINNING MARCH 1, 2024 AND LASTING 1 YEAR (END OF MARCH 31, 2025) TO COVER OPERATING COSTS. FUNDS TO COME FROM OPERATING RESERVE FOR THE CURRENT BUDGET CYCLE AND THEN DECIDED UPON BY COUNCIL AND STAFF FOR THE 2024/25 BUDGET CYCLE. MOTION CARRIED UNANIMOUSLY

b) AV Girls Hockey All Star Game – In Kind Donation (11:25 p.m.)

Mayor Zebian reviewed the report. The Valley Girls High School All Star Game was being hosted in West Hants with local female players from ten (10) teams across the valley. The donation of ice time (approx. 3 hours or \$700) would allow the team to provide a greater experience for all without having the burden to fundraise to cover the cost of ice rental. The intent was to host a

free admission event to help promote the game to younger females interested in playing hockey.

MOVED BY MAYOR ZEBIAN AND COUNCILLOR MURLEY THAT COUNCIL APPROVE AN IN-KIND DONATION OF ICE TIME (APPROX. 3 HOURS) AT THE WEST HANTS SPORTS COMPLEX FOR THE AVON VIEW GIRLS HOCKEY TEAM TO HOST THE NS VALLEY HIGH SCHOOL GIRLS HOCKEY ALL STAR GAME TO BE PLAYED ON MARCH 1, 2024 AT THE JOHN PARIS JR. RINK. MOTION CARRIED

Mayor Zebian assumed the chair at 11:28 p.m.

16. In-Camera
- a) MGA 22(2)(a) Land Matter
 - b) MGA 22(2)(a) Legal Matter
 - c) MGA 22(2)(a) Personnel Matter

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT THE MEETING MOVE IN-CAMERA AT 11:28 P.M. MOTION CARRIED

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR MURLEY THAT THE MEETING MOVE OUT OF IN-CAMERA AT 12:31 A.M. MOTION CARRIED

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVE A ONE (1) YEAR EXTENSION TO THE WEST HANTS WASTE COLLECTION AND TRANSPORTATION CONTRACT WHPW16-51 WITH REGROUP EFFECTIVE APRIL 1, 2024 AS PER THE IN-CAMERA DISCUSSION. MOTION CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON THAT COUNCIL APPROVE THE ONE (1) YEAR EXTENSION TO THE WINDSOR AREA WASTE COLLECTION AND TRANSPORTATION CONTRACT WWHW20-19 WITH GFL EFFECTIVE APRIL 1, 2024 AS PER THE IN-CAMERA DISCUSSION. MOTION CARRIED UNANIMOUSLY

17. Next Meeting Date / Adjournment – February 13th, 2023 Committee of the Whole Meeting 6 p.m.

MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT THE MEETING ADJOURN AT 12:32 A.M. MOTION CARRIED

Mayor Abraham Zebian (Chair)

Deanna Snair, Municipal Clerk