



Regular Meeting of Council

Continuation from May 26, 2021

Public Hearing

(held via Virtual Video Conferencing and live-streamed)

May 27, 2021

PRESENT	Warden Eleanor Roulston Deputy Warden John A. MacDonald
	Councillors: Sandra Garden-Cole Michael Perry Norval Mitchell Elie Moussa Eldon Hebb Wayne Greene Ian Knockwood Tom Isenor Keith Rhyno
STAFF	Ms. Kim Ramsay, Chief Administrative Officer Mr. John Woodford, Director of Planning & Development Mr. Jesse Hulsman, Director of Infrastructure & Operations Ms. Sue Surrette, Director of Finance Ms. Jody MacArthur, Communications Officer Mr. Tom Gignac, Manager of Information Systems Ms. Rachel Gilbert, Manager of Planning Ms. Sheralee MacEwan, Assistant Municipal Clerk Ms. Alana Mosher, Administrative Assistant
Public	Ms. Rayleen Hill Mr. Darren Fransen Ms. Gail Sloane Mr. Peter MacDougall Anish Popat Ms. Hillary Cadotte

CALL TO ORDER

Warden Roulston called the meeting to order at 6:33 p.m.

LAND ACKNOWLEDGEMENT

Warden Roulston respectfully acknowledged that East Hants is in Mi'kma'ki and the District of Sipekne'katik, the ancestral and unceded territory of the Mi'kmaq people.

PUBLIC HEARING

The Public Hearing was live-streamed through the municipal website and YouTube.

Note: All comments/questions have been summarized and are not to be considered a verbatim transcript.

Warden Roulston noted that there are two (2) items on the public hearing agenda. The purpose of the hearings was to hear input from the public, prior to making a decision on the applications.

The Warden welcomed those in attendance. She advised that anyone who wanted to comment or ask questions would be provided an opportunity to do so.

Warden Roulston noted Council's Procedural Policy. She advised that Council may approve, reject or defer its decision on the proposal to a later date. Council approval is required for the proposal to proceed.

Warden Roulston asked the Chief Administrative Officer/Municipal Clerk to outline when the public hearing advertisements were published.

The Chief Administrative Officer/Municipal Clerk noted that the public hearing notice appeared in the May 12th and 19th editions of The Chronicle Herald. The notices described the proposal, gave the date, time and location of the public hearing, and indicated that staff reports were available to the public. Details were also provided on how the public may make written and verbal submissions at the public hearing.

GAIL SLOANE & PETER MACDOUGALL - WEST INDIAN ROAD APPLICATION

Warden Roulston noted the first public hearing item was a proposal from Gail Sloane & Peter MacDougall to amend the designation and zone of 3 properties on Barr Settlement Road.

Warden Roulston asked the Chair of the Planning Advisory Committee to present his report.

Councillor Greene, as Chairperson of the Planning Advisory Committee noted that the Planning Advisory Committee considered the proposal on behalf of Municipal Council, reviewed staff's reports, completed their evaluation and would make a recommendation to Council during the Hearing. Councillor Greene, as Chairperson of the Planning Advisory Committee asked staff to present their final report on the proposal.

The Manager of Planning presented the staff report titled "*Gail Sloane and Peter MacDougall MPS and LUB Mapping Amendment Application*", dated May 27, 2021. A copy of the report and related documents were attached to the agenda and available to all Council members. 6:35

Councillor Knockwood joined the meeting at 6:39 pm.

Warden Roulston opened the floor to comments or questions from members of Council. 6:42
Staff addressed questions from Council members.

Warden Roulston asked if the owner or a representative had any comments or would like to make a presentation.

The Applicants provided comments with regards to the property:

- Not possible to earn \$5000/year as required as an agricultural property
- Buyer interested in establishing a residential home and hobby farm with horses
- Allow new people to move to the area and increase tax dollars for the area
- Urged Council to support the zoning change back to the rural use zone from 1997
- Original intent of building a home their themselves no longer necessary as they are caring for elderly parents in their own home

Warden Roulston asked if there were comments or questions from members of the public via Zoom or live chat on YouTube. 6:47

There were none.

Warden Roulston made a last call for comments or questions via Zoom or live chat on YouTube.

The Communications Officer confirmed there were none.

Warden Roulston asked if staff had any final comments.

There were none.

RECOMMENDATION

C21(179) On the motion of Councillors Greene and Rhyno: 6:48
Woodford

Moved that Council give second reading and approve the proposal from Gail Sloane and Peter MacDougall to change the designation and zone of 3 properties on Barr Settlement Road from Agricultural Reserve (AR) to Rural Use (RU).

MOTION CARRIED

Warden Roulston asked Councillors if they had any final comments or questions. There were none.

ENFIELD FAMILY DENTAL CENTRE APPLICATION

Warden Roulston noted the second public hearing item was a proposal from Dr. Reena Kapadia Dentistry to enter into a development agreement for a new dental centre building. 6:49

Warden Roulston asked the Chair of the Planning Advisory Committee to present his report.

Councillor Greene, as Chairperson of the Planning Advisory Committee noted that the Planning Advisory Committee considered the proposal on behalf of Municipal Council, reviewed staff's reports, completed their evaluation and would make a recommendation to Council during the Hearing. Councillor Greene, as Chairperson of the Planning Advisory Committee asked staff to present their final report on the proposal.

The Manager of Planning presented the staff report titled "*Enfield Family Dental Centre - Development Agreement Application*", dated May 27, 2021. A copy of the report and related documents were attached to the agenda and available to all Council members. 6:50

Warden Roulston opened the floor to comments or questions from members of Council. Staff addressed questions from Council members.

Warden Roulston asked if the owner or a representative had any comments or would like to make a presentation.

Darren Fransen, RHAD Architects on behalf of the applicant provided comments via prepared presentation. 7:00

Warden Roulston asked if there were comments or questions from members of the public via Zoom or live chat on YouTube. 7:05

The Communications Officer confirmed there were none.

Warden Roulston made a last call for comments or questions via live chat on YouTube or Zoom.

The Communications Officer confirmed there were none.

Warden Roulston asked if staff had any final comments.

There were none.

RECOMMENDATION

C21(180) On the motion of Councillors Greene and Perry: Woodford

Moved that Council give final consideration and approve entering into a Development Agreement for a new dental centre building at 300 Highway 2, Enfield; within one year of Council's approval.

MOTION CARRIED

Warden Roulston asked Councillors if they had any final comments or questions. 7:08

There were none.

That concluded the public hearings and the Warden thanked members of the public for their comments and for those attending via livestream.

ADJOURNMENT

C21(181) On the motion of Councillors Greene and Mitchell:

Moved that Council adjourn at 7:09 p.m.

MOTION CARRIED

A handwritten signature in blue ink, appearing to read 'Kim Ramsay', with a long horizontal flourish extending to the right.

Approved By: Kim Ramsay, Chief Administrative Officer
Date: May 28, 2021

A handwritten signature in blue ink, appearing to read 'Eleanor Roulston', written in a cursive style.

Approved By: Eleanor Roulston, Warden
Date: June 23, 2021

/AM



Regular Meeting of Council

May 26, 2021

PRESENT

Warden Eleanor Roulston
Deputy Warden John A. MacDonald

Councillors: Sandra Garden-Cole Michael Perry
 Norval Mitchell Elie Moussa
 Eldon Hebb Wayne Greene
 Ian Knockwood Tom Isenor (joined at 7:08
 Keith Rhyno pm)

STAFF

Ms. Kim Ramsay, Chief Administrative Officer
Ms. Kate Friars, Deputy Chief Administrative Officer
Mr. John Woodford, Director of Planning & Development
Mr. Adam Clarkson, Director of Parks, Recreation & Culture
Mr. Jesse Hulsman, Director of Infrastructure & Operations
Ms. Sue Surette, Director of Finance
Ms. Jody MacArthur, Communications Officer
Mr. Tom Gignac, Manager of Information Systems
Ms. Sheralee MacEwan, Assistant Municipal Clerk
Ms. Alana Mosher, Administrative Assistant

CALL TO ORDER

Warden Roulston called the meeting to order at 7:02 p.m.

LAND ACKNOWLEDGEMENT

Warden Roulston respectfully acknowledged that East Hants is in Mi'kma'ki and the District of Sipekne'katik, the ancestral and unceded territory of the Mi'kmaq people.

MOMENT OF SILENT CONTEMPLATION

A moment of silent contemplation was observed.

APPROVAL OF OR AMENDMENTS TO THE AGENDA

C21(151) On the motion of Councillor Greene and Deputy Warden MacDonald:

Moved that the Agenda be approved as presented.

MOTION CARRIED

APPROVAL & SIGNING OF THE MINUTES

C21(152) On the motion of Councillors Mitchell and Greene:

Moved that the minutes of the April 20th and April 28th, 2021 Regular Meetings of Council be approved.

MOTION CARRIED

CORRESPONDENCE FOR INFORMATION

A complete copy of “Correspondence for Information” is attached to and forms part of the agenda. No items were raised. 7:04

CORRESPONDENCE FOR DECISION

A complete copy of “Correspondence for Decision” is attached to and forms part of the agenda.

ITEM 67 - EAST HANTS ARENA ASSOCIATION

East Hants Arena Association has received a provincial grant to partially support needed compressor replacements at the East Hants Sportsplex. Additional funding is required to complete the project. 7:06

C21(153) On the motion of Deputy Warden MacDonald and Councillor Greene: Clarkson

Moved that Council provide the East Hants Arena Association with a \$92,000 grant for the two remaining ice plant compressors to be funded through the Sportsplex Reserve.

Staff addressed questions from Council members.

MOTION CARRIED

Councillor Isenor joined the Meeting at 7:08 pm.

ITEM 49 - WATER PAYMENTS

7:10

Staff are seeking approval to offer relief to our water customers by not issuing water disconnections notices or performing water disconnections for unpaid water accounts during the current Provincial lockdown that began April 27th, 2021 and is expected to continue until at least mid-June 2021.

C21(154) On the motion of Deputy Warden MacDonald and Councillor Perry: Surette

Moved that Council, in response to the COVID-19 Pandemic, authorize no water disconnections notices be issued or water disconnections take place on unpaid water accounts during the current Provincial lockdown that began April 27th, 2021.

MOTION CARRIED

ITEM 48 - REQUEST RECEIVED FROM LEGAL REPRESENTATIVE FOR 16 LOCKS ROAD, ENFIELD FOR A RELEASE OF A WATER PIPE EASEMENT FROM THE RIVER TO THE EH HORNE SCHOOL PROPERTY 7:15

The CAO provided background information on this historical easement that serves no purpose to the municipality.

C21(155) On the motion of Councillor Greene and Deputy Warden MacDonald: Friars

Moved that Council release the easement (across PID 45077229 to the EH Horne School property PID 45147741), at a cost of \$300 borne by the requestor to cover estimated municipal legal fees.

MOTION CARRIED

ITEM 27 - REQUEST FROM AMHERST COUNCILLOR DALE FAWTHROP TO PARTICIPATE IN A SERIES OF RADIO BROADCASTS HIGHLIGHTING MUNICIPAL STORIES AND TALES 7:17

Deputy Warden MacDonald assumed the Chair.

Warden Roulston noted a requested was received from Councillor Dale Fawthrop from Amherst who is interested in doing a series of radio broadcasts highlighting municipal stories and tales. The Warden suggested that East Hants Historical Society be requested to represent East Hants in the project.

Discussion was had.

C21(156) On the motion of Warden Roulston and Councillor Mitchell: Friars

Moved that Council direct staff to contact the East Hants Historical Society to request they work with Amherst Councillor Dale Fawthrop to participate in a series of radio broadcasts highlighting municipal stories and tales.

MOTION CARRIED

Warden Roulston resumed the Chair.

ITEM 12 - NOTICE FROM NOVA SCOTIA TRANSPORTATION & ACTIVE TRANSIT (NSTAT) RE: NOTICE OF SURPLUS PROPERTY, KALI LANE

To be dealt with later in the meeting.

ITEM 11 - LETTER FROM THE GOVERNMENT OF CANADA RE: PROPOSED ADDITION TO RESERVE, SIPEKNE'KATIK FIRST NATION

A letter was received from the Government of Canada seeking input on a proposed addition to Reserve lands (Sipekne'katik First Nation) that began in 2001. The CAO

provided background information related to concerns of adjacent property owners at that time and addressed questions from members of Council.

C21(157) On the motion of Councillors Rhyno and Moussa: Friars

Moved that Council direct Staff to add the letter (from the Government of Canada Re: Proposed Addition to Reserve, Sipekne'katik First Nation dated April 22, 2021) ***to the agenda for the executive meeting for further discussion.***

MOTION CARRIED

RATIFICATION - FCM VIRTUAL ANNUAL CONFERENCE - DELEGATION

C21(158) On the motion of Councillors Rhyno and Perry: MacEwan

Moved that Council approve the following delegates for the 2021 Federation of Canadian Municipalities (FCM) Virtual Annual Conference:

- ***Warden Eleanor Roulston***
- ***Councillor Norval Mitchell***
- ***Kim Ramsay, Chief Administrative Officer***

MOTION CARRIED

APPEAL HEARING - SITE PLAN APPROVAL - 51 OLD ENFIELD ROAD, ENFIELD

7:31

Note: All comments/questions have been summarized and are not to be considered a verbatim transcript.

The Appellants, Amanda and Robert Seguin joined the meeting.

Warden Roulston noted that there is a hearing scheduled to consider Robert & Amanda Seguin's appeal of a decision of the Municipal Development Officer to grant site plan approval to enable the construction of six (6) 12-unit buildings over six (6) proposed lots. The two properties on Old Enfield Road, Enfield are owned by E.l.t. Property Holdings Limited.

There will be an opportunity for the appellant to speak directly to Council in order to make an argument as to why the Development Officer's decision should be overturned.

Warden Roulston noted that pursuant to Section 232(3) of the MGA, in this hearing, Municipal Council will be acting as a quasi-judicial decision-making body. In this capacity, Council may make any decision that the Development Officer could have made.

Warden Roulston asked the Municipality's Director of Planning & Development to present his report.

The Director of Planning & Development presented the staff report.

Warden Roulston asked if the Appellants had any comments or would like to make a presentation.

The Appellants, Amanda and Robert Sequin, discussed concerns with the site plan approval related density, proximity to their property, lack of buffer, garbage collection and noise.

Staff addressed questions.

Warden Roulston opened the floor to comments or questions from members of Council.

Councillors Garden-Cole, Rhyno and Deputy Warden MacDonald had their questions answered by staff.

RECOMMENDATION

C21(159) On the motion of Councillors Greene and Deputy Warden MacDonald: 7:59
Woodford
Moved that Council hereby upholds the decision of the Development Officer to grant site plan approval for the proposed development on PID 45118221 & 45078748 and therefore dismisses the appeal of Robert & Amanda Seguin.

MOTION CARRIED

That concluded the Appeal Hearing and the Warden thanked members of the public for their comments and for those attending via livestream.

TABLED MOTION C21(94) - JOHNSON ROAD PETITION 8:00

Councillor Perry gave notice that he would be declaring a conflict of interest during discussion of this topic and left the meeting.

Council tabled the following motion at the March 24, 2021 Regular Meeting of Council to allow for presentations related to the Johnson Road Petition at the May 18, 2021 Executive Committee meeting.

C21(160) On the motion of Deputy Warden MacDonald and Councillor Hebb:
Moved that Council lift motion C21(94) tabled in the March 24, 2021 Regular Meeting of Council (Re: Johnson Road Petition)

MOTION CARRIED

C21(161) *Moved that Council:* Woodford

- *accept the petition for right-of-way access from East Uniacke Road, East Uniacke to the properties on the Johnson Road peninsula as outlined as*

the petitioning properties on the map in Appendix C of the February 25, 2021 Staff Report, including PID 45146206 pending approval; and

- *to authorize staff to enter into an agreement with the applicants for reimbursement to the Municipality of any and all expenses incurred by the Municipality as the result of the petition. appoint the Municipal Solicitor, Marc Dunning as Commissioner pursuant to Section 17 of the Private Ways Act, to consider the petition of the Johnson Road peninsula property owners.*

Three (3) voting in favour. Eight (8) voting against. Deputy Warden MacDonald and Councillors Knockwood and Moussa voting nay.

MOTION DEFEATED

Councillor Perry rejoined the meeting.

COMMITTEE REPORTS:

PARKS, RECREATION & CULTURE

Councillor Rhyno, as Chairperson of the Parks, Recreation and Culture Committee, presented the report on the Planning Advisory Committee from the meeting held on May 18, 2021. The minutes from that meeting were made available to all members of Council. The following motion came forward as a result of that meeting:

DISTRICT RECREATION FUNDS - SECOND INTAKE

C21(162) On the motion of Councillors Rhyno and Greene: Clarkson

Moved that Council approve District Recreation Funding 2021-2022 (Intake 2) based on discussions as follows:

- *Milford Recreation Association \$7,861 (Dist. 2) & \$10,619 (Dist.7) for a total of \$18,480*
- *Hardwoodlands Community Centre \$7,861 (Dist. 3) & \$2,061 (Dist. 7) for a total of \$9,922*
- *Lantz Recreation Society (Dist. 7) \$10,000*
- *Anglican Christ Church - Lantz Parish (Dist. 7) \$3,535*

MOTION CARRIED

PROVINCIAL SURPLUS LAND - KALI LANE

C21(163) On the motion of Councillors Rhyno and Mitchell: Clarkson
Friars

Moved that Council respond to the Provincial Notice of Surplus Property for PID 4514638 for the purpose of acquiring the subject property for a nominal fee and

providing approval for market value deemed appropriate by CAO to be ratified by Council and that the costs be allocated from the Open Space Reserve.

Ten (10) voting in favour. One (1) voting against. Councillor Knockwood voting nay.

MOTION CARRIED

C21(164) On the motion of Councillors Rhyno and Hebb:

Moved the adoption of the report.

MOTION CARRIED

CORPORATE & RESIDENTIAL SERVICES COMMITTEE

Deputy Warden MacDonald, as Chairperson of the Corporate & Residential Services Committee, presented the Corporate & Residential Services Committee report from the meeting held on May 18, 2021. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

EXEMPTION OF FEE FOR ACCOUNT STATEMENTS (BYLAW F-200)

C21(165) On the motion of Deputy Warden MacDonald and Councillor Hebb:

Surette

Moved that Council directs CAO to ensure that property owners can receive confirmation of payments made to their accounts at no charge.

MOTION CARRIED

MILFORD LIONS MEMORIAL PARK DISPOSAL

C21(166) On the motion of Deputy Warden MacDonald and Councillor Hebb:

Friars

Moved that Council deem 2113 Highway 2, Milford, PID 45148160 surplus to municipal needs; and, enter into an agreement of purchase and sale with the Milford & District Lions Club for surplus property situated at 2113 Highway 2, Milford, PID 45148160 for \$1.00 (one dollar); the agreement of purchase and sale shall include standard clauses of right of first refusal, and shall require the Milford & District Lions Club to register their yet-to-be-created charitable foundation before closing.

MOTION CARRIED

A public hearing will be scheduled per requirements of the MGA.

[LAND ISSUE - ELMSDALE BUSINESS PARK - LOT 175-E](#)

C21(167) On the motion of Deputy Warden MacDonald and Councillor Mitchell: Friars

Moved that Council to set the sale price of Lot 175-E at \$53,459 (\$41,122/acre) and approve the updated Elmsdale Business Park Lot Pricing and Availability document, dated May 11, 2021.

MOTION CARRIED

C21(168) On the motion of Deputy Warden MacDonald and Councillor Hebb:

Moved the adoption of the report.

MOTION CARRIED

[PLANNING ADVISORY COMMITTEE](#)

Councillor Greene, as Chairperson of the Planning Advisory Committee, presented the report on the Planning Advisory Committee from the meeting held on May 18, 2021. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

[CATHERINE STREET INVESTMENTS - MPS & LUB MAPPING AMENDMENTS & DEVELOPMENT AGREEMENT - INITIAL REPORT](#)

C21(168) On the motion of Councillors Greene and Hebb: Woodford

Moved that Council refuse the application from Catherine Street Investments to amend the MPS and LUB by changing the designation and zone of PIDs 45344223, 45291994, 45344231, and 45344215 to Mixed Use Centre (MC), and to consider entering into a development agreement to permit a residential development having more than the maximum number of primary buildings permitted.

Nine (9) voting in favour. Two (2) voting against. Deputy Warden MacDonald and Councillor Moussa voting nay.

MOTION CARRIED

[PLAN UPDATE BACKGROUND REPORT - BEAMISH ROAD](#)

C21(169) On the motion of Councillors Greene and Perry: Woodford

Moved that Council direct staff to contact people directly regarding R1 and CR zoning (Re: Plan Update - Beamish Road).

MOTION CARRIED

C21(170) On the motion of Councillors Greene and Deputy Warden MacDonald:

Moved the adoption of the report.

MOTION CARRIED

ACCESSIBILITY ADVISORY COMMITTEE

Councillor Perry, as Chairperson of the Accessibility Advisory Committee, presented the report from the meeting held on May 5, 2021. The minutes from that meeting were made available to all members of Council. The following motion came forward as a result of that meeting:

APPROVAL OF ACCESSIBILITY PLAN

C21(171) On the motion of Councillors Perry and Deputy Warden MacDonald: Woodford

Moved that Council approve and adopt the Accessibility Plan - Accessible East Hants.

MOTION CARRIED

C21(172) On the motion of Councillors Perry and Moussa:

Moved the adoption of the report.

MOTION CARRIED

WARDEN'S REPORT

8:18

Deputy Warden MacDonald assumed the Chair.

The Warden provided a verbal report on her recent activities.

The Warden reported concerns from a resident about flyers and flyer delivery causing litter issues.

C21(173) On the motion of Warden Roulston and Councillor Moussa: Hulsman

Moved that Council discuss a possible flyer deliver bylaw at a future Executive Committee Meeting.

MOTION CARRIED

Warden Roulston resumed the Chair.

BUSINESS FROM COUNCILLORS

Councillors provided verbal reports on their recent activities and had their questions answered by staff.

BYLAW TO CONTROL GUINEA HENS

- C21(174) On the motion of Councillor Rhyno and Deputy Warden MacDonald: 8:25
Woodford
- Moved that Council discuss potential changes to Bylaws and provisions around guinea hens and other fowl at a future Executive Committee Meeting.*

MOTION CARRIED

NSTAT LETTER - SOUTHBOUND EXIT 8 CONCERNS

- C21(175) On the motion of Councillors Mitchell and Deputy Warden MacDonald: Hulsman
- Moved that Council direct staff to draft a letter to Nova Scotia Department of Transportation and Active Transit requesting information on plans or ideas on how to improve the intersection southbound at Exit 8 (Superstore/Petro Canada) Elmsdale to improve traffic flow.*

MOTION CARRIED

PICNIC TABLES - MEMORIAL COMMUNITY PARK - MOUNT UNIACKE

- C21(176) On the motion of Councillors Perry and Moussa: 8:35
Clarkson
- Moved that Council approve the addition of two park furniture picnic tables to the Memorial Community Park in Mount Uniacke to capital project #21-009 with a budget of \$15,000 and that the funding be allocated from any remaining project funding available with any short fall to be funded through the Mount Uniacke Recreation Area Rate.*

MOTION CARRIED

SETTING DATE & TIME OF NEXT REGULAR MEETING OF COUNCIL

- C21(177) On the motion of Deputy Warden MacDonald and Councillor Moussa: 8:40
- Moved that the Continuation of the Regular Meeting of Council (Public Hearing) May 27, 2021; the Regular Meeting of Council (Policy) be held on June 15, 2021 and the Regular Meeting of Council June 23, 2021.*

MOTION CARRIED

ADJOURNMENT

- C21(178) On the motion of Councillors Greene and Moussa.

Moved that Council adjourn at 8:42 p.m.

MOTION CARRIED

A handwritten signature in blue ink, appearing to read 'Kim Ramsay', with a long horizontal flourish extending to the right.

Approved By: Kim Ramsay, Chief Administrative Officer
Date: May 27, 2021

A handwritten signature in blue ink, appearing to read 'Eleanor Roulston', written in a cursive style.

Approved By: Eleanor Roulston, Warden
Date: June 23, 2021

/AM