



## Regular Meeting of Council

May 25, 2022

PRESENT	Warden Eleanor Roulston Deputy Warden Norval Mitchell	
	Councillors: Sandra Garden-Cole Eldon Hebb Keith Rhyno (left at 11:10pm) Walter Tingley	Michael Perry Elie Moussa Tom Isenor
STAFF	Ms. Kim Ramsay, Chief Administrative Officer (virtually) Ms. Sue Surrette, Director of Finance Mr. Adam Clarkson, Director of Corporate Services Ms. Amy Pyne, Manager of Real Estate and Corporate Projects Mr. John Woodford, Director of Planning & Development Mr. Jesse Hulsman, Director of Infrastructure & Operations Mr. Tom Gignac, Manager of Information Services Ms. Juliann Cashen, Communications Officer Ms. Sheralee MacEwan, Assistant Municipal Clerk Ms. Alana Mosher, Administrative Assistant	
REGRETS	Councillor Wayne Greene	

### CALL TO ORDER

Warden Roulston called the meeting to order at 7:00 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

C22(168) On the motion of Councillors Moussa and Perry:

*Moved that the agenda be approved as presented.*

**MOTION CARRIED**

APPROVAL OF MINUTES

C22(169) On the motion of Deputy Warden Mitchell and Councillor Moussa:

*Moved that the minutes of the April 19, 2022 Council (Policy) Meeting and the April 27, 2022 Regular Meeting 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.

CORRESPONDENCE FOR DECISION

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

ITEM 73 - RESPECT TRAINING FOR COUNCILLORS

C22(170) On the motion of Councillors Garden-Cole and Perry:

CAO

*Moved that Council schedule the Respect Training on June 9<sup>th</sup>, 2022.*

MOTION CARRIED

ITEM 67 - CORRESPONDENCE FROM KIM MASLAND, MINISTER OF NS PUBLIC WORKS REGARDING THE WINDSOR & HANTSPORT RAILWAY COMPANY

C22(171) On the motion of Councillors Perry and Moussa:

A. Tapper

*Moved that Council invite Kim Masland, Minister of Public Works to a meeting with Council and staff to discuss the letter received from her office dated April 22, 2022 (Re. Windsor & Hantsport Railway Company).*

MOTION CARRIED

ITEM 17 - TEMPORARY BORROWING RESOLUTION - MILL & PAVE RENEWAL PROJECT FOR WHITE ROAD

C22(172) On the motion of Councillors Moussa and Tingley:

7:10

*Moved that Council approve the Temporary Borrowing Resolution and Pre-approval to borrow for the Mill & Pave Renewal Project for White Road Pavement in the amount of \$76,000 as attached to the Council Agenda report dated May 25, 2022;*

S. Surrette

*And that the average interest rate of the debentures not exceed the rate of 6.5% and for a term not to exceed 25 years.*

MOTION CARRIED

**ITEM 13 - LETTER FROM CANADIAN MENTAL HEALTH ASSOCIATION (COLCHESTER EAST HANTS BRANCH) RE PRESENTATION TO COUNCIL**

C22(173) On the motion of Councillor Hebb and Deputy Warden Mitchell: CAO

*Moved that Council schedule a presentation with the Canadian Mental Health Association to be held during an Executive Committee meeting at a later date.*

**MOTION CARRIED**

**ITEM 7 - COPY OF THE 12-MONTH NOTICE LETTER FROM THE PROVINCE TO THE NSFM REGARDING PLANNED CHANGES TO LEGISLATION, REGULATION, OR ADMINISTRATIVE ACTIONS THAT COULD HAVE THE EFFECT OF DECREASING REVENUES OR INCREASING THE REQUIRED EXPENDITURES OF MUNICIPALITIES.**

C22(174) On the motion of Councillors Perry and Moussa: CAO

*Moved that Council write a letter to the Minister of Municipal Affairs and Housing office to request further clarification of the financial implications of the 12-month notice letter to aid budgeting in the future.*

**MOTION CARRIED**

**COMMITTEE REPORTS:**

**POLICE ADVISORY COMMITTEE**

Councillor Rhyno, as Chairperson of the Police Advisory Committee, presented the report on the Police Advisory Committee from the meeting held on May 17, 2022. The minutes from that meeting were made available to all members of Council. There were no motions that came forward as a result of that meeting.

C22(175) On the motion of Councillors Rhyno and Perry: 7:15

*Moved the adoption of the report.*

**MOTION CARRIED**

**CORPORATE & RESIDENTIAL SERVICES COMMITTEE**

Councillor Perry, as Chairperson of the Corporate & Residential Services Committee, presented the report on the Corporate & Residential Services Committee from the meeting held on May 17, 2022. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

**FORMER ELMSDALE AND LANTZ SCHOOL SITES - REQUEST FOR COUNCIL WORKSHOP**

C22(176) On the motion of Councillors Perry and Moussa: A. Clarkson

*Moved that a Council Workshop be held on June 23, 2022 to discuss the potential highest and best uses for the former Elmsdale & Lantz school sites.*

**MOTION CARRIED**

**SPECIAL ELECTION - DISTRICT 4**

C22(177) On the motion of Councillor Perry and Deputy Warden Mitchell:

CAO/S.  
MacEwan

***Moved that Council:***

- ***Appoint the Chief Administrative Officer as the Returning Officer for the 2022 Special Election for District 4;***
- ***Gives authority to the CAO to determine the tariff of fees and expenses for the Special Election;***
- ***Gives authority to the CAO to appoint an Assistant Returning Officer;***
- ***Approves the date of the Special Election Regular Poll Day on Saturday, July 23, 2022 and Advance Polling Period starting Thursday, July 14, 2022;***
- ***Authorize the expenditure of up to \$15,000 from the General Tax Rate 2021/2022 Year-End Surplus;***
- ***Authorize the use of the Nova Scotia permanent registry of voters provided by Elections Nova Scotia as the preliminary list of electors;***
- ***Authorize election staff to continue to amend the electors' list database in conjunction with the electronic voting system up to and including Poll Day, July 23, 2022; and that,***
- ***Intelivote Systems Inc. be hired to provide electronic voting services.***

**MOTION CARRIED**

**DR. J.T. SNOW BURSARY & LEADERSHIP AWARDS PRESENTATIONS - GRADUATION CEREMONIES**

C22(178) On the motion of Councillor Perry and Deputy Warden Mitchell:

S. MacEwan

***Moved that Council appoint the following presenters for the 2022 Dr. JT Snow Bursary awards:***

- ***Hants East Rural High - Councillor Sandra Garden-Cole***
- ***Hants North Rural High School - Councillor Keith Rhyno***

***And that, Council appoints the following presenters for the 2022 Leadership Awards:***

- ***Hants North Rural High School - Warden Eleanor Roulston***
- ***Riverside Education Centre - Deputy Warden Norval Mitchell***
- ***Uniacke District School - Councillor Michael Perry***

**MOTION CARRIED**

**COUNCIL HOSPITALITY POLICY**

C22(179) On the motion of Councillors Perry and Moussa: A. Clarkson

*Moved that Council include alcohol as an eligible expense as outlined and that the giving of gifts section be included, but not the receiving of gifts (in the draft Council Hospitality Policy).*

**MOTION CARRIED**

Eight (8) voting in favour, one (1) voting against with Councillor Rhyno voting nay.

**ELMSDALE MAIN STREET DESIGN (HIGHWAY 214)**

C22(180) On the motion of Councillors Perry and Moussa: A. Clarkson

*Move that Council adopt the Elmsdale Village Core Concept Design Report as attached to the Executive Committee Agenda May 18, 2022.*

**MOTION CARRIED**

**CCOA FUNDING REQUEST**

C22(181) On the motion of Councillor Perry and Deputy Warden Mitchell: A. Clarkson

*Moved that Council approve the grant funding request by the Corridor Community Options for Adults in the amount of \$300,000 and that it be funded through 2021/2022 year-end general tax surplus or contingency reserves.*

**MOTION CARRIED**

C22(182) On the motion of Councillor Perry and Deputy Warden Mitchell: A. Clarkson

*Moved that Council provide a grant to the Corridor Community Options for Adults in the amount up to \$10,000 to offset the costs associated with Municipal Permits and that it be funded from 2021/2022 year-end general tax surplus or contingency reserves.*

**MOTION CARRIED**

**619 BURNTCOAT ROAD LAND ACQUISITION RATIFICATION HST**

C22(183) On the motion of Councillors Perry and Moussa: A. Clarkson

*Moved that Council ratify the expenditure of \$11,315.00 to cover the HST portion of the \$264,000 purchase price of the land purchase of PID #45108339, Burntcoat Road as previously approved by Motion C22(113).*

**MOTION CARRIED**

**821 BURNTCOAT ROAD**

C22(184) On the motion of Councillor Perry and Deputy Warden Mitchell A. Clarkson

*Moved that Council authorize staff to proceed with survey and migration for 821 Burntcoat Road, PID 45108446, with the intent to recover migration-related costs through proceeds of the disposal.*

*And that Council authorize staff to call for expressions of interest to purchase 821 Burntcoat Road, PID 45108446 at a base bid equal to survey and migration costs as rounded; and authorize the CAO to enter into an agreement of purchase and sale with the highest bidder.*

**MOTION CARRIED**

C22(185) On the motion of Councillors Perry and Garden-Cole: A. Clarkson

*Moved that Council authorize staff to call for expressions of interest to purchase 821 Burntcoat Road, PID 45108446 at a base bid equal to survey and migration costs as rounded; and authorize the CAO to enter into an agreement of purchase and sale with the highest bidder.*

**MOTION CARRIED**

Seven (7) voting in favour, two (2) voting against with Councillors Rhyno and Moussa voting nay.

C22(186) On the motion of Councillor Perry and Deputy Warden Mitchell:

*Moved the adoption of the report.*

**MOTION CARRIED**

**PUBLIC HEARING**

The Public Hearing was live-streamed through the municipal website and YouTube. 7:30

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

Warden Roulston noted that there is one (1) item on the public hearing agenda. The purpose of the hearing is to hear input from the public prior to making a decision on the proposal.

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 Municipal Clerk to outline when the public hearing advertisements were published.

The Municipal Clerk noted that the public hearing notice appeared in May 11<sup>th</sup> and May 18<sup>th</sup> editions of The Chronicle Herald. The notice described the proposal, gave the date and time of the public hearing, and indicated that staff reports were available to the public.

#### [FH DEVELOPMENTS WCDD APPLICATION](#)

Warden Roulston noted the public hearing item was a proposal to enter into a development agreement to enable a large residential development.

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

Councillor Moussa, as Vice-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 & Development presented the staff report titled "FH Development Group - WCDD development agreement application" dated May 11, 2022. A copy of the report and related documents were attached to the agenda and available to all Council members.

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.

Chrystal Fuller from Brighter Community Planning & Consulting, gave a presentation on behalf of FH Development Group. Glenn Woodford and Logan King from DesignPoint Engineering & Surveying Ltd. also provided comments on the application with regards to storm water management and drainage issues. Ms. Fuller and Mr. King addressed questions from Council members.

Warden Roulston asked if there were comments or questions from members of the public.

The following members of the public asked questions and provided comments with regards to the proposal:

**In Person:**

**Robert Rose (682 Highway 2, Elmsdale)**

- Stormwater management concerns
- Flood plain and watercourse concerns

**David Hooper (76 Pine Hill Drive, Elmsdale)**

- Brought forward issues and concerns from neighbourhood
- 2 story semi-detached concern
- Sewer backup and flooding concerns - 28 years living at Pine Hill, flooded twice
- Sinkholes and other issues in the Pine Hill subdivision

**Frederick Price (17 MacPhees Terrace, Elmsdale)**

- Infrastructure issues (roads) on the Highway 214 and Roulston Drive
- Concerns with the influx of residents to the area (including the new mobile home park in HRM)
- Has anyone considered secondary roads (i.e., USA state roads) parallel to the Highway 102 to Enfield/Elmsdale?
- Stormwater and drainage concerns in subdivision
- Propose wire fence to block property line for home owners along the development site to prevent damage to properties

**Rose Seidl (11 Miller Road, Elmsdale)**

- Briarwood Bed & Breakfast owner, concerned about stormwater management
- Ponds - drainage runs through brook on the property, flooding issues
- Traffic lighting issues - should have a traffic light review. When will lights be put in?
- Rental units? How many? Affordable housing agreements?
- Will trees be planted?
- Timing of traffic lights? Who's responsible for implementation?
- Development is 12m from property line, 10m will be untouched

**Carole Malone (29 Mackeyes Lane, Elmsdale)**

- Property line concerns, what does non-disturbance area mean?
- What is planned for the south side of Mackeyes Lane?
- Storm management concerns - will it meet up and drain with the brook?

**Sharon Gold (23 Mackeyes Lane, Elmsdale)**

- Re-routing water through Pine Hill concerns
- Non-disturbance concerns
- Where will the water go - where's the pond?
- Where will the water and sewer come/go from?
- How tall are the apartment building?

**Kyra Van Heighen (22 Lorna Court, Elmsdale)**

- Developer promised an agreement and has concerns within 5 feet of property
- Roadways not cleared in the winter



- Backflow on property/sinkhole issues with culvert
- Issues with traffic and children in the area/cul-de-sac
- No privacy from new development

**Stephen King (925 Highway 2, Elmsdale)**

- Lived in Elmsdale for 40 years - changes have been made to the area
- Questioned the infrastructure - will the current infrastructure handle the new development?
- Water capacity concerns - capacity to handle the growth? How is capacity allocated?
- Diversity is important - local developers vs. out of town
- What options are in place for alternative sources of water if there is a large issue?
- Seeing the development, is the plan for Highway 214 flying against the development?

**Caitlin Hooper (23 Lorna Court, Elmsdale)**

- Concerns around safety for children
- New resident to East Hants - 2019 moved
- Proposed new street means that it potentially creates safety issues for her children - traffic moving through where it normally wouldn't.
- Children often walk through the area to visit friends.

**YouTube:**

**Kent Brooking (19 Lorna Court, Elmsdale)**

- Has the Developer provided a timeline yet?
- Can Lorna Court receive an upgrade in paving to fix sinkholes?
- Because of the cluster of children in the Lorna Court/Beech Street area, can we designate a 30km/h speed?

**Michael Scott (78 Elmwood Drive, Elmsdale)**

- Is there a plan to introduce traffic calming options on Elmwood Drive?
- Will there be plans to install sidewalks on the existing Elmwood Drive portion that has no side walk?

Staff addressed questions from members of the public.

Warden Roulston made a last call for comments or questions via in person attendees or live chat on YouTube. The Communications Officer confirmed there were none.

Warden Roulston asked if staff had any final comments. The Manager of Planning made a final comment. 9:42

**RECOMMENDATION**

C22(187) On the motion of Councillors Moussa and Tingley:

J. Woodford

***Moved that Council approve the development agreement by FH Developments for 662 dwelling units in Elmsdale.***

**MOTION CARRIED**

Seven (7) voting in favour, two (2) voting against with Councillors Rhyno and Garden-Cole voting nay.

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

Councillor Tingley thanked the public for attending and bringing forward their questions and concerns. Councillors Moussa, Rhyno and Deputy Warden Mitchel had their questions answered by staff.

**COMMITTEE REPORTS (CONTINUED):**

**PLANNING ADVISORY COMMITTEE**

Councillor Moussa, as Vice-Chairperson of the Planning Advisory Committee, presented the report on the Planning Advisory Committee from the meeting held on May 17, 2022. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting: 10:04

**PLAN UPDATE BACKGROUND PAPER - FUNDY VULNERABILITY STUDY**

C22(188) On the motion of Councillor Moussa and Deputy Warden Mitchell: J. Woodford

***Moved that Council direct staff to prepare a Plan Update background report on the Fundy Coastal Vulnerability.***

**MOTION CARRIED**

Councillor Perry was not present during the vote.

**DOREY LANE - WM FARES - MPS AMENDMENT APPLICATION**

C22(189) On the motion of Councillors Moussa and Garden-Cole: J. Woodford

***Moved that Council not pursue the rezoning of this property and to reaffirm the correct zoning on the property is appropriate.***

**MOTION CARRIED**

Eight (8) voting in favour, one (1) voting against with Deputy Warden Mitchell voting nay.

**PLAN UPDATE - HOUSEKEEPING ZONING AMENDMENTS**

C22(190) On the motion of Councillor Moussa and Deputy Warden Mitchell: J. Woodford

***Moved that Council authorize staff to make minor and housekeeping amendments to the Generalized Future Land Use Maps and the Land Use Bylaw Maps for the***

*comprehensive planned portion of the Municipality, as presented to Executive Committee on May 17, 2022 and outlined in this staff report.*

**MOTION CARRIED**

**PLAN UPDATE BACKGROUND PAPER - ROOSTERS**

C22(191) On the motion of Councillors Moussa and Rhyno: 10:13

*Moved that Council direct staff to draft an animal control bylaw for the serviced area between the times of 4:00 a.m. and 8:00 a.m. for the control of roosters.* J. Woodford

**MOTION CARRIED**

Eight (8) voting in favour, one (1) voting against with Warden Roulston voting nay.

Deputy Warden Mitchell assumed the Chair.

Warden Roulston had her questions and comments answered by staff.

Warden Roulston assumed the Chair.

**CAMPGROUND BYLAW**

C22(192) On the motion of Councillors Moussa and Perry: J. Woodford

*Moved that Council authorize staff to hold a stakeholder meeting with campground operators on draft Bylaw P-1300, Campground Bylaw.*

**MOTION CARRIED**

C22(193) On the motion of Councillor Moussa and Deputy Warden Mitchell:

*Moved the adoption of the report.*

**MOTION CARRIED**

**PARKS, RECREATION AND CULTURE COMMITTEE**

Councillor Rhyno, as Chairperson of the Parks, Recreation & Culture Committee, presented the report on the Parks, Recreation & Culture Committee from the meeting held on May 17, 2022. The minutes from that meeting were made available to all members of Council. The following motion came forward as a result of that meeting:

**HANTS EAST RURAL HIGH SAFE GRAD**

C22(194) On the motion of Councillors Rhyno and Moussa: A. Tapper

*Moved that the Parks, Recreation and Culture Committee recommend to Council that the Hants East Rural High School be provided a General Government Grant in the amount of \$800.00 to use the East Hants Aquatic Centre for safe grad activities*

*on June 29, 2022 from 10:00 p.m. - 12:00 a.m.; and that other high schools in the municipality be permitted the same opportunity.*

**MOTION CARRIED**

C22(195) On the motion of Councillor Rhyno and Deputy Warden Mitchell:

*Moved the adoption of the report.*

**MOTION CARRIED**

Warden Roulston assumed Chair.

**[SECOND READING - BYLAW IO-500: PROPERTY ASSESSED CLEAN ENERGY PROGRAM \(P.A.C.E\)](#)**

C22(196) On the motion of Councillors Moussa and Perry:

J. Hulsman

*Moved that Council give second reading to Bylaw IO-500: Property Assessed Clean Energy Program (P.A.C.E).*

**MOTION CARRIED**

Eight (8) voting in favour, one (1) voting against with Councillor Rhyno voting nay.

**[WARDEN'S REPORT](#)**

Deputy Warden Mitchell assumed the Chair.

The Warden provided a verbal report on her recent activities. The following motion resulted:

**[SHUBENACADIE ANGLICAN CHURCH AND HALL](#)**

C22(197) On the motion of Warden Roulston and Councillor Hebb:

J. Hulsman

*Moved that staff investigate water billing concerns and bring back a report to Council with ways the Municipality might be able to assist (the Shubenacadie Anglican Church/Hall).*

**MOTION CARRIED**

Warden Roulston resumed the Chair.

**[BUSINESS FROM COUNCILLORS](#)**

Councillors provided verbal reports on their recent activities. No motions resulted.

C22(198) On the motion of Deputy Warden Mitchell and Councillor Perry:

***Moved that Council move to an In-Camera Session regarding various contractual and land matters at 10:52 p.m.***

**MOTION CARRIED**

Councillor Rhyno left the meeting at 11:10 p.m.

The Council returned to open meeting at 11:59 p.m.

The Warden reported that Council met in camera to discuss various land and contractual matters. The following motion is coming forward as a result.

**[NSFM MEMBERSHIP SURVEY - SERMGAR](#)**

C22(199) On the motion of Councillor Perry and Deputy Warden Mitchell: CAO

***Moved that the draft response reviewed on May 25th, 2022 for the basis for the response to the NSFM for the Service Exchange Renegotiation and MGA Review Committee and that any further additions will be approved by the Warden prior to submission.***

**MOTION CARRIED**

C22(200) On the motion of Councillor Perry and Deputy Warden Mitchell: CAO

***Moved that the Council send a letter to NSFM and the Committee regarding the unfairness of the timeline for response and remind them that all Councils are not full time.***

**MOTION CARRIED**

**[SETTING DATE & TIME OF NEXT REGULAR MEETING OF COUNCIL](#)**

C22(201) On the motion of Deputy Warden Mitchell and Councillor Perry:

***Moved that the Regular Meeting of Council (Policy) be held on June 21, 2022 and the Regular Meeting of Council be held on June 30, 2022.***

**MOTION CARRIED**

**[ADJOURNMENT](#)**

C22(202) On the motion of Councillor Perry and Deputy Warden Mitchell:

***Moved that Council adjourn at 12:03 a.m.***

**MOTION CARRIED**

*S MacEwan*

Approved By: Sheralee Mitchell-MacEwan, Assistant Municipal Clerk

Date: May 26, 2022

*Eleanor Roulston*

Approved By: Eleanor Roulston, Warden

Date: June 29, 2022

/AM