



Regular Meeting of Council

October 25, 2023

PRESENT Warden Eleanor Roulston
Deputy Warden Wayne Greene

Councillors: Sandra Garden-Cole Tom Isenor
Walter Tingley Carl MacPhee
Elie Moussa Norval Mitchell
Michael Perry Eldon Hebb

STAFF Ms. Kim Ramsay, Chief Administrative Officer
Mr. Wade Tattrie, Director of Finance
Mr. Adam Clarkson, Director of Corporate Services
Mr. John Woodford, Director of Planning & Development
Mr. Jesse Hulsman, Director of Infrastructure & Operations
Ms. Alana Tapper, Director of Parks, Recreation & Culture
Mr. Tom Gignac, Manager of Information Services
Ms. Juliann Cashen, Communications Officer
Ms. Sheralee MacEwan, Assistant Municipal Clerk
Ms. Alana Richards, Business & Legislative Administrator

REGRETS Councillor Keith Rhyno

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. East Hants further acknowledges the 50 African Nova Scotian communities whose 400-year history have contributed to the provinces culture, history and legacies. We are all Treaty people.

MOMENT OF SILENT CONTEMPLATION

A moment of silent contemplation was observed.

APPROVAL OF OR AMENDMENTS TO THE AGENDA

C23(322) On the motion of Councillors Greene and Mitchell:

Moved that the agenda be approved.

MOTION CARRIED

APPROVAL OF MINUTES

C23(323) On the motion of Councillors Greene and Mitchell:

Moved that the minutes of the September 19, 2023 Regular Meeting of Council (Policy) and the September 27, 2023 Regular Meeting of Council be approved.

MOTION CARRIED

ELECTION OF DEPUTY WARDEN - NOMINATIONS

The Warden opened the floor for nominations. Councillor MacPhee nominated Councillor Greene - accepted nomination. Councillor Isenor nominated Councillor Tingley - accepted nomination. No other nominations were made. The Warden called for nominations three more times. There were none.

C23(324) On the motion of Councillors Hebb and Perry:

Moved that the nominations for Deputy Warden cease.

MOTION CARRIED

Councillor Tingley withdrew his nomination in support of Councillor Greene. Warden Roulston declared Wayne Greene as Deputy Warden for a one-year term ending in October 2024.

CORRESPONDENCE FOR INFORMATION

A complete copy of "Correspondence for Information" is attached to and forms part of the agenda.

ITEM 46 - LETTER TO NOVA SCOTIA FEDERATION OF MUNICIPALITIES, REGARDING IMPROVING RURAL CELL PHONE COVERAGE FOR EMERGENCY PREPAREDNESS

Councillor Mitchell asked for an update on the lack of cell service in East Hants, and the reasoning behind the drop service. The CAO addressed the question and advised that the telecom companies are aware and are working on solutions. Residents are encouraged to contact their cell provider when experiencing problems for tracking purposes.

ITEM 27 - THE MINISTER OF ENVIRONMENT & CLIMATE CHANGE PAUSED THE ENVIRONMENTAL ASSESSMENT OF THE MOUNT UNIACKE QUARRY EXPANSION.

Councillor Mitchell asked for an update on the stop of the Mount Uniacke Quarry Expansion. Staff addressed questions from Council members.

ITEM 19 - LETTER FROM THE DEPARTMENT OF MUNICIPAL AFFAIRS AND HOUSING RE: PCAP - LIFT STATION UPGRADE - INDUSTRIAL WAY AND PCAP - WATERMAIN UPGRADE - LANTZ

Councillor Mitchell asked for the reasoning behind the unsuccessful application for funding under the PCAP program. Staff addressed questions from Council members.

[ITEM 6 - DALHOUSIE UNIVERSITY'S TRANSPORTATION COLLABORATORY \(DALTRAC\) INVITES YOU TO PARTICIPATE IN A SURVEY IN PARTNERSHIP](#)

Councillor Mitchell asked if the survey was open to the individual responses or as a group. Staff advised that individuals were permitted to respond. (Deadline has passed).

[ITEM 66 - LETTER FROM KIM D. MASLAND, MINISTER OF PUBLIC WORKS REGARDING CROSSWALK NEEDS IN ENFIELD.](#)

Councillor Hebb inquired about the letter received from the Minister denying the latest crosswalk request and was wondering what criteria needs to be met in order to receive a crosswalk. Staff addressed questions from Council members.

[ITEM 72 - EAST HANTS HOUSING NEEDS ASSESSMENT REPORT 2023 PREPARED BY THE PROVINCE](#)

Councillor Perry inquired about the Municipal Housing Needs Report and the accuracy of the data, compared to what East Hants is seeing first hand through developments. The CAO addressed the concerns from Council members.

[ITEM 65 - LETTER FROM EAST HANTS CURLING ASSOCIATION REGARDING A FOLLOW UP TO LETTER OF 29 JUNE 2023](#)

C23(325) On the motion of Councillors Perry and Tingley:

CAO

Moved that a letter to be send to the EHCA advising that curling and other recreation assets will be considered during the recreation needs assessment for the Municipality.

MOTION CARRIED

[PUBLIC HEARING](#)

The Public Hearing was live-streamed through the municipal website and YouTube. [31:01]

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 the October 11th, 2023 and October 18th, 2023 editions of the Chronicle Herald.

[PLN23-001 - ANDREW KIM - DEVELOPMENT AGREEMENT FOR MIXED USE PROPOSAL](#)

Warden Roulston noted the public hearing item was regarding an application to enter into a Development Agreement for a dental office and restaurant with a drive-thru.

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

Councillor Mitchell, as Chairperson of the Planning Advisory Committee noted that the Corporate & Residential Services 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 Mitchell, 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 "*PLN23-001 - Andrew Kim - Development Agreement for Mixed Use Proposal*" dated October, 2023. 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 opened the floor to comments or questions from the Applicant.

The Applicant, Darren Fransen from RHAD Architects made a presentation. The Applicant addressed questions from Council members.

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

In person:

- Ross Day (8 Brook Court, Elmsdale)
 - Has concerns regarding the addition of another coffee shop, feels that it will only add to congestion. In favour of the dental office portion of the development.

Warden Roulston asked if staff had any final comments. There were none.

RECOMMENDATION

C23(326) On the motion of Councillors Mitchell and Tingley: J. Woodford

Moved that Council give final consideration and approve entering into a Development Agreement for a multi-premise commercial building at 251 Highway 214, Elmsdale; within one year of Council's approval.

MOTION CARRIED

The Warden concluded the Public Hearing.

CORRESPONDENCE FOR INFORMATION (CONTINUED)

ITEM 73 - LETTER FROM THE PREMIER TO MUNICIPAL COUNCILLORS - NOVA SCOTIA'S 2030 CLEAN POWER PLAN

C23(327) On the motion of Councillor Perry and Deputy Warden Greene: J. Hulsman

Moved to have staff bring back an information report regarding the Provincial 2023 Clean Power Plan.

MOTION CARRIED

Eight (8) voting in favor, two (2) voting against. Councillors Mitchell and Tingley voting nay.

ITEM 55 - NSUARB SIGNED DECISION - BOUNDARY REVIEW (M10483) - APPLICATION IS APPROVED

The Warden noted that the application for the Boundary Review application was reviewed and approved by the NSUARB.

CORRESPONDENCE FOR DECISION

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

ITEM 71 - HRM REGIONAL PLAN REVIEW - ENGAGEMENT WITH ABUTTING MUNICIPALITIES

C23(328) On the motion of Councillors Hebb and Tingley: J. Woodford

Moved that Planning Staff be authorized to do an initial review of the Draft Regional Plan for Halifax and provide Halifax with comments with the caveat that if political input is needed, staff will bring the review to Council before submission.

MOTION CARRIED

ITEM 67 - COMMUNITY GRANT APPLICATION FROM HANTS EAST RURAL HIGH BOYS HOCKEY TEAM

C23(329) On the motion of Councillors Garden-Cole and Hebb: A. Tapper

Moved that Council approve Community Grant Application (\$250) from Hants East Rural High Boys Hockey Team and cover the cost of the ice time rental (\$500) with funding for the rental being contributed from the General Government Reserves.

MOTION CARRIED

ITEM 57 - REQUEST FROM THE FUNDY ATV CLUB FOR A LETTER OF SUPPORT FOR THEIR APPLICATION TO HAVE A SECTION OF HIGHWAY 354 DESIGNATED AS AN ATV TRAIL UNDER THE NEW PROVINCIAL ROAD TRAIL SYSTEM

C23(330) On the motion of Deputy Warden Greene and Councillor Hebb: A. Tapper

Moved that Council send a letter of support for the application of a section of Highway 354 in Kennetcook to be designated as an ATV Trail under the new Provincial Road Trail system.

MOTION CARRIED

RATIFICATION - TRAIL MAINTENANCE DAR LINE SECTION (KENNETCOOK TO STANLEY)

C23(331) On the motion of Councillor Hebb and Deputy Warden Greene: A. Tapper

Moved that staff be given direction to work with Fundy Trail Association (Fundy ATV Club) to do grading maintenance in the Fall of 2023 on the Kennetcook to Stanley DAR line section to the Trenholm Road, providing the CAO can limit the liability of the municipality of said work being done.

MOTION CARRIED

COMMITTEE REPORTS:

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 October 17, 2023. The minutes from that meeting were made available to all members of Council. No motions came forward as a result of that meeting.

C23(332) On the motion of Councillors Perry and Moussa:

Moved the adoption of the report.

MOTION CARRIED

EAST HANTS SOURCE WATER PROTECTION COMMITTEE REPORT

Councillor Garden-Cole, as Chairperson of the East Hants Source Water Protection Committee, presented the report on the East Hants Source Water Protection Committee from the meeting held on October 11, 2023. The minutes from that meeting were made available to all members of Council. No motions came forward as a result of that meeting.

C23(333) On the motion of Councillors Garden-Cole and Mitchell:

Moved the adoption of the report.

MOTION CARRIED

INFRASTRUCTURE & OPERATIONS COMMITTEE REPORT

Councillor Garden-Cole, as Chairperson of the Planning Advisory Committee, presented the report on the Planning Advisory Committee from the meeting held on October 17, 2023. The minutes from that meeting were made available to all members of Council. The following motion came forward as a result of that meeting: [71:33]

C23(334) On the motion of Councillors Garden-Cole and Moussa:

J. Hulsman

Moved that Council approves the revisions to the Municipal Standards as attached to the Executive Committee agenda of October 17, 2023.

MOTION CARRIED

C23(335) On the motion of Councillors Garden-Cole and Mitchell:

Moved the adoption of the report.

MOTION CARRIED

PARKS, RECREATION & CULTURE COMMITTEE REPORT

Councillor Garden-Cole, as Vice-Chairperson of the Parks, Recreation & Culture, presented the report on the Parks, Recreation & Culture from the meeting held on October 17, 2023. The following motions came forward as a result of that meeting:

SENIOR SAFETY DISCUSSION

C23(336) On the motion of Councillors Garden-Cole and Perry:

A. Tapper

Moved that Council support enhancing recreation programming that targets the senior population; and, that staff draft 2024/2025 budget with resources

to support senior safety specific services for East Hants; and, that Council use the funds raised and set aside in General Government grants, specifically levied for senior safety, to fund these recreation and safety services.

MOTION CARRIED

VOLUNTEER RECOGNITION EVENT - DATE & LOCATION

C23(337) On the motion of Councillor Garden-Cole and Deputy Warden Greene: A. Tapper

Moved that Council accept the following recommendations as presented by staff that Council approve to host the East Hants Municipal Volunteer Recognition and Firefighter Long Service Awards on April 19, 2024; and, that Council approve the Enfield Legion as the location for the 2024 Recognition Ceremony.

MOTION CARRIED

MOUNT UNIACKE RECREATION STRATEGY

C23(338) On the motion of Councillors Garden-Cole and Moussa: A. Tapper

Moved that Council:

1. *Adopt the Mount Uniacke Recreation Strategy as a guiding document for future recreational opportunities in Districts 8 and 9 and that the Strategy be used to inform the Municipal Recreation Facilities Master Plan (scheduled for 2024/2025); and,*
2. *That staffing options and onsite locations for staff within Mount Uniacke are further explored to support recreation service provision for Mount Uniacke Districts 8 and 9 as part of the 2024/2025 Municipal budget; and,*
3. *That the design and build of a playground in East Uniacke at Charles Drive and the design of the Lakelands open space parcel (PID 45430006) are further explored as part of the 2024/2025 Municipal budget.*

MOTION CARRIED

MOTORIZED WATER ACCESS - WALTON AREA

C23(339) On the motion of Councillor Garden-Cole and Deputy Warden Greene: A. Tapper

Moved that Council authorize the CAO to transfer PIDs 45336922, 45149093, 45347036 to Darren Porter and to provide him a \$20,000 plus HST contribution (funded from Open Space reserves) in exchange for the construction of a public slipway on PID 45380375; and that Council authorize the CAO to enter into an agreement for an annual contribution of up to \$7,000 plus HST, increased 3%

annually, in exchange for the slipway to be insured for public use and annual maintenance.

MOTION CARRIED

C23(340) On the motion of Councillors Garden-Cole and Mitchell:

Moved the adoption of the report.

MOTION CARRIED

PLANNING ADVISORY COMMITTEE

Councillor Mitchell, as Chairperson of the Planning Advisory Committee, presented the report on the Planning Advisory Committee from the meeting held on October 17, 2023. The minutes from that meeting were made available to all members of Council. The following motions came forward as a result of that meeting:

PLN23-008 THE TIRE MAN - REDESIGNATION AND REZONING - FIRST READING

C23(341) On the motion of Councillors Mitchell and Moussa:

J. Woodford

Moved that Council give first reading to consider a proposal for a portion of PID 45337722 to change the designation from Rural Use (RU) to Regional Commercial (RC) and the zone from Rural Use (RU) to Regional Commercial (RC); and authorize staff to schedule a Public Hearing.

MOTION CARRIED

PLN22-009 M&M DEVELOPMENTS LTD. - REDESIGNATION AND REZONING - FIRST READING

Discussion was held.

C23(342) On the motion of Councillor Mitchell and Deputy Warden Greene:

J. Woodford

Moved that Council deny the application to change the designation and zone from Rural Use (RU) to Country Residential (CR).

MOTION LOST

Five (5) voting in favor, five (5) voting against. Councillors Moussa, Perry, Mitchell, Garden-Cole, Isenor voting nay.

C23(343) On the motion of Councillors Isenor and Moussa:

Moved that Council give first reading and authorize staff to schedule a public hearing to consider a proposal for PID 45371069 to change the designation and zone from Rural Use (RU) to Country Residential (CR).

MOTION DEFEATED

Six (6) voting in favor, four (4) voting against. Councillors Moussa, Perry, Mitchell, and, Isenor voting nay.

The application will be deemed refused.

[PLN23-006 E.L.T PROPERTY HOLDINGS LTD. - REDESIGNATION, REZONING AND AMENDMENT TO MPS - FIRST READING](#)

C23(344) On the motion of Councillor Mitchell and Hebb: J. Woodford

Moved that Council give first reading to the application from E.L.T. Property Holdings Ltd. to amend the MPS and LUB by changing the land use designation of PID 45118221 and PID 45078748 to Medium Density Residential Neighbourhood (MR) and rezoning the same lands to Multiple Unit Residential (R3) Zone; and authorize staff to schedule a public hearing.

MOTION CARRIED

C23(345) On the motion of Councillors Mitchell and Hebb:

Moved the adoption of the report.

MOTION CARRIED

[WARDEN'S REPORT](#)

Deputy Warden Greene assumed the Chair. [114:14]

The Warden provided a verbal report on her recent activities. The following motion came forward as a result:

[STORMWATER MANAGEMENT IN UNSERVICED AREAS](#)

C23(346) On the motion of Warden Roulston and Councillor Perry: J. Woodford

Moved to direct staff to bring forward a report regarding storm water management options in the unserviceable area of the Municipality.

MOTION CARRIED

[BUSINESS FROM COUNCILLORS](#)

Councillors provided verbal reports on their recent activities. Staff addressed questions from Councillors. The following motions came forward as a result:

[SURPLUS LANDS IN MOUNT UNIACKE](#)

C23(347) On the motion of Councillors Perry and Moussa: [140:04]

A. Tapper

Moved to direct staff to identify open lands that have no recreational value which may be deemed as surplus and sold with the proceeds being put toward future recreational opportunities in the Mount Uniacke area.

MOTION CARRIED

PRIVATE ROADS IN THE MOUNT UNIACKE AREA

C23(348) On the motion of Councillors Moussa and Hebb: J. Woodford

Moved to direct staff to bring a report regarding the extension/development of private roads in the Rural Use zone allowing subdivision of lots for discussion.

MOTION CARRIED

(IN CAMERA) - LEGAL ISSUE & CONTRACTUAL ISSUE

C23(349) On the motion of Councillors Mitchell and Perry:

Moved that Council go in camera at 9:32 p.m. to discuss a legal and contractual issue.

MOTION CARRIED

Council returned to open meeting at 10:00 p.m. Warden Roulston noted that Council met in camera to discuss a legal and contractual issue and no motions are coming forward. Staff were given direction in camera.

SETTING DATE & TIME OF NEXT REGULAR MEETING OF COUNCIL

C23(350) On the motion of Councillors Mitchell and Moussa:

Moved that the Regular Meeting of Council (Policy & In Camera) be held on November 21, 2023, the Regular Meeting of Council be held on November 29, 2023.

MOTION CARRIED

ADJOURNMENT

C23(351) On the motion of Deputy Warden Greene and Councillor Moussa:

Moved that Council adjourn at 10:01 p.m.

MOTION CARRIED

SMacEwan

Approved By: Sheralee Mitchell-MacEwan, Assistant Municipal Clerk

Date: October 27, 2023

Eleanor Roulston

Approved By: Eleanor Roulston, Warden

Date: November 29, 2023

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