1. Call to Order

2. Call of Roll

3. Announcements

4. Approval of Agenda, including additions or deletions

5. Presentation (s)

6. Public Hearings
   a. Development Agreement to Permit a Chiropractic Clinic at 194 Falmouth Dyke Road, Falmouth, West Hants; PID 45394210

7. Approval of the Council Minutes and Special Council Minutes and Public Hearing Minutes (West Hants Land Use By-law Map Amendment to amend 80 Robert Drive and Second Reading for Text Amendment to the Hantsport Municipal Planning Strategy; Land Use By-law; Map Amendment to the Hantsport Land Use By-law) of March 13, 2018 and Special Council Minutes of March 22, 2018

8. Business Arising from Minutes and any Related Correspondence


10. Reconsideration or Rescission of Resolutions of Which Notice has Been Given on a Previous Day

11. Report(s) of the Committee(s) and Officer(s)
    a. Committee of the Whole
       i. March 27, 2018 Excerpts
    b. Planning Advisory Committee
    c. Report of the Chief Administrative Officer
       i. MFC Spring Debenture (Recommendation Report)
       ii. VCFN Business Plan (Recommendation Report)
       iii. 2018 Provincial Funding Assistance Applications (Recommendation Report)
    d. REMO Advisory Committee
    e. Police Advisory Committee
    f. MCCAP Committee
    g. Other Committee Reports or Recommendations

12. Correspondence
    a. March 10, 2018 – Town of Windsor re: Capital Funding Towards Construction of an Ice Rink
b. March 10, 2018 – Town of Windsor re: Hockey Heritage Inter-Municipal Services Agreement Motion
c. March 22, 2018 – UNSM re: UNSM Priorities
d. March 22, 2018 – East Hants to CN President re: Rails to Trails

13. Miscellaneous / New Business
   a. Fire Services EAP – Funding Transfer (Councillor Daniels)
   b. Rail to Trails (Councillor Leopold)
   c. 15-Year Service Award (Warden Zebian)
   d. Boundary Review (Warden Zebian)

14. In-Camera – MGA Section 22(2) c. – Personnel Matters

15. Date of Next Meeting – May 8, 2018

16. Adjournment
MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Report to Planning Advisory Committee

To: Members of West Hants Planning Advisory Committee

Submitted by: Sara Campbell, Planner

Date: February 15, 2018

Subject: Development Agreement to permit a Chiropractic Clinic at 194 Falmouth Dyke Road, Falmouth, West Hants; PID 45394210

File #: GCIDA 17-02

1.0 BACKGROUND
An application was received December 6, 2017 from Natasha Veinot to permit a chiropractic clinic at 194 Falmouth Dyke Road (PID 45394210), Falmouth, West Hants. The lot is owned by the applicant and zoned Single Unit Residential (R-1). A building permit has been issued for a single unit dwelling and the building is currently being constructed on the property.

2.0 LEGISLATIVE AUTHORITY
Municipal Government Act Part 8, Section 230; West Hants Municipal Planning Strategy (MPS) and Land Use By-law (LUB).

3.0 RECOMMENDATION
In order to allow the requested development, staff recommends that the Planning Advisory Committee forward a positive recommendation by passing the following motion:

that PAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a Development Agreement to allow a Chiropractic clinic at 194 Falmouth Dyke Road, Falmouth; PID # 45394210, which is substantively similar to the draft set out in Appendix C of the report to the Planning Advisory Committee dated February 15, 2018.
4.0 DISCUSSION and DOCUMENT REVIEW

The property is located within Falmouth, which is one of two areas designated as “Growth Centres” in the Municipal Planning Strategy (MPS). The property is designated Residential on the Generalized Future Land Use Map of the MPS. Part 5 of the MPS contains the overall intention for Growth Centres in West Hants; Section 5.6 indicates the intention to provide local commercial uses compatible with residential areas outside the commercial core.

The subject lot is zoned Single Unit Residential (R-1) on the Zoning Map of the Land Use By-law (LUB) (Figure 1). The requested use is not permitted within the Single Unit Residential (R-1) zone as-of-right.

The proposed chiropractic clinic cannot be classified as a home-based business as the building will not be the primary residence of the operator of the business.

4.1 Development Agreements

Section 6.1 of the LUB, Development Agreements, states that “The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy: ...

(h) Local commercial uses outside the Commercial designation of Growth Centres in accordance with Policy 5.6.4 of the Municipal Planning Strategy;

Policy 5.6.4 of the MPS states that “it shall be the policy of Council to consider new local commercial uses in Growth Centres outside the Commercial designation by development agreement”.

The definitions of the LUB, although not directly applicable to the MPS, can be used as a guide to the intent of the MPS. As defined in Section 35.0 of the Land Use By-Law (LUB) “Local Commercial is a small scale commercial operation that serves a relatively small market area and is of a local nature and, without limiting the generality of the foregoing, may include convenience stores and arts, crafts, antiques or personal service shops. For the purpose of this By-law, local commercial uses may include other uses which have traditionally been considered local commercial even though they may serve an extended market and which are compatible with residential areas such as licensed day care centres, country inns, small restaurants or cafes, offices and video stores;” A chiropractic clinic is considered a personal service shop which would be considered a local commercial use.

4.2 MPS Specific Criteria

Policy 5.6.4 of the MPS establishes Council’s intention to consider new local commercial uses outside the Commercial designation by development agreement and establishes the criteria to be considered by Council. These criteria are examined in detail in Appendix A. In summary, the criteria are met since:
• the proposed use is a listed permitted use in the Local Commercial (LC) Zone;
• the development will not adversely affect adjacent land uses;
• adequate on-site parking will be provided;
• the Department of Transportation and Infrastructure Renewal (DTIR) has advised that there is adequate roadway access for the chiropractic clinic;
• adequate buffering will be provided;
• maintenance of the proposed use will be satisfactory.

4.3 MPS General Criteria

Policy 16.3.1 of the MPS states general criteria for any development agreement considered in West Hants. These criteria are examined in detail in Appendix B. In summary:

• the proposal is not premature or inappropriate for the area;
• no municipal costs related to the proposal are anticipated; and
• the Fire Chief, Director of Public Works and Municipal Building Official have no concerns.

5.0 MUNICIPAL CLIMATE CHANGE ACTION PLAN

This Development Agreement has not been examined in relation to the Municipal Climate Change Action Plan (MCAAP), since the only specific development plan relates to a building that is already being constructed.

6.0 CONCLUSION

As noted above, the proposed development has been considered within the context of both the specific and general policies of the MPS and is consistent with the intent, objectives and policies of the MPS. The development meets the specific and general criteria for development agreements as outlined in the Municipal Planning Strategy. As a result, it is reasonable to consider approving the development agreement to allow a chiropractic clinic at 194 Falmouth Dyke Road, Falmouth Growth Centre; PID 45394210.

7.0 PROCESS

Staff Review

Public Information Meeting (notice in local paper once; neighbours notified)

Planning Advisory Committee Review and Recommendation

Council First Reading

Public Hearing (notice in local paper twice; neighbours again notified)

Council Second Reading

Notice of Approval in Local Paper
8.0 OPTIONS
In response to the application, PAC may recommend that Council:
8.1 follow the process to enter into the development agreement as drafted or as specifically revised by direction of PAC;
8.2 refuse the development agreement requested, identifying the policy or policies of the Municipal Planning Strategy which have not been met; and
8.3 provide alternative direction, such as requesting further information on a specific topic.

9.0 APPENDICES
Appendix A  Specific Criteria for Development Agreement
Appendix B  General Criteria for Development Agreement
Figure 1   Existing Zoning Map
Figure 2   General Future Land Use Map
Appendix C  Draft Development Agreement

Report Approved by: Madelyn LeMay, Director of Planning and Development
**APPENDIX A**

**SPECIFIC CRITERIA FOR DEVELOPMENT AGREEMENT**

Policy 5.6.4  It shall be the policy of Council to consider new local commercial uses in Growth Centres outside the Commercial designation by development agreement subject to the following provisions:

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) <strong>the adjacent residential area will not be adversely affected with respect to:</strong></td>
<td></td>
</tr>
<tr>
<td>(i) traffic generation and traffic safety;</td>
<td>The Department of Transportation and Infrastructure Renewal (DTIR) assessed the location of the residential access and confirmed it is adequate for the proposed activity (chiropractic clinic). DTIR also stated that no negative impact to the provincial road network is anticipated with this change to commercial use.</td>
</tr>
<tr>
<td>(ii) signage;</td>
<td>Signs would be regulated under Sections 5.18 and 7.14 of the LUB which control lighting, size, location, and number of signs, and as below in the draft development agreement.</td>
</tr>
<tr>
<td>(iii) hours of operation;</td>
<td>The chiropractic clinic will be allowed to operate business from 9am–9pm, five (5) days per week, as per the draft development agreement.</td>
</tr>
<tr>
<td>(iv) size of building(s); and</td>
<td>The single unit dwelling under construction would accommodate the chiropractic clinic. Any expansion in the future would need to meet the requirements of the Land Use By-law regarding the size and design of building(s).</td>
</tr>
<tr>
<td>(v) pedestrian circulation and safety;</td>
<td>No impact on pedestrian traffic or safety is anticipated. No pedestrian safety plan is currently in effect in West Hants.</td>
</tr>
<tr>
<td>(b) adequate on-site parking is provided;</td>
<td>Adequate on-site parking will be accommodated.</td>
</tr>
<tr>
<td>(c) adequate buffering or screening, setbacks and yards are provided;</td>
<td>The Development Officer suggested the owner be required to meet Section 15.4 of the LUB which states “where a LC zone abuts a lot in a residential zone, the minimum side yard requirement for the commercial use from the abutting lot line shall be 20 ft. (6.10m).” The building meets the 20 ft. (6.10 m) distance on one side, however the other side is within 10 ft (3 m) of the abutting lot line. As the building is</td>
</tr>
</tbody>
</table>
already under construction as a single unit dwelling, and since a development created under development agreement is not required to meet the specific criteria of the LUB, a buffer (i.e. landscaping) will be required in the development agreement to provide screening for the adjacent property.

| (d) | **maintenance of the proposed use will be satisfactory;** | The chiropractic clinic will be maintained by the applicant. No issues are anticipated. |
| (e) | **any other matter which may be addressed by a development agreement; and** | No other matters are of concern. |
| (f) | **Policy 16.3.1.** | Please see Appendix B. |
**APPENDIX B**

**GENERAL CRITERIA FOR DEVELOPMENT AGREEMENT**

Policy 16.3.1  In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>whether the proposal is considered premature or inappropriate in terms of:</td>
</tr>
<tr>
<td>(i)</td>
<td>the adequacy of sewer and water services; The Director of Public Works foresees no issue with approving water and sewer for the commercial chiropractic clinic.</td>
</tr>
<tr>
<td>(ii)</td>
<td>the adequacy of school facilities; No impact on school facilities is anticipated.</td>
</tr>
<tr>
<td>(iii)</td>
<td>the adequacy of fire protection and other emergency services; (Amendment WHMPS 14-01 Effective January 22, 2015) The Fire Chief has no concerns regarding the adequacy of fire protection and other emergency services.</td>
</tr>
<tr>
<td>(iv)</td>
<td>the adequacy of road networks adjacent to, or leading to the development; and As noted in 5.6.4 (a) (i) above, the DTIR has confirmed that the adjacent road network is adequate for the chiropractic clinic.</td>
</tr>
<tr>
<td>(v)</td>
<td>the financial capacity of the Municipality to absorb any costs relating to the development. No municipal costs related to the development are anticipated.</td>
</tr>
<tr>
<td>(b)</td>
<td>whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system; The Director of Public Works foresees no issue with approving water and sewer for the commercial chiropractic clinic.</td>
</tr>
<tr>
<td>(c)</td>
<td>the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic; The proposed development will add minimal traffic on Falmouth Dyke Road. DTIR has determined there is adequate access to the property and does not anticipate any negative impacts to the provincial road network.</td>
</tr>
<tr>
<td>(d)</td>
<td>the adequacy of the dimensions and shape of the lot for the intended use; The property size is adequate for the intended use.</td>
</tr>
<tr>
<td>(e)</td>
<td>the pattern of development which the proposal might create; No impact on the pattern of development is anticipated.</td>
</tr>
<tr>
<td>(f)</td>
<td>the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding; This clause is not applicable as the proposed development is within a building that is already being constructed as a single-unit dwelling.</td>
</tr>
<tr>
<td>(g)</td>
<td><strong>whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by laws and regulations; and</strong></td>
</tr>
<tr>
<td>------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(h)</td>
<td><strong>any other matter required by relevant policies of this Strategy.</strong></td>
</tr>
</tbody>
</table>
Figure 2
Generalized Future Land Use Map

Municipality of the District of West Hants
194 Falmouth Dyke Road
Falmouth, Nova Scotia
PID 45394210

Prepared by:
West Hants Planning Department
January 2018

Generalized Future Land Use Map (GFLUM)

- CU (Community Use)
- R (Residential)
- Subject Lot
- Civic
- Parcels
- Road

Falmouth

Subject Lot

Base data derived from the Nova Scotia Property Records Database (NSPRC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia.

This map is a graphical representation of property boundaries which approximate size, configuration and location of parcels. It is not a land survey and it is not intended for legal descriptions or to calculate exact dimensions or area.

Scale: 1:3,000
Appendix C
Draft Development Agreement

DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2018.

BETWEEN:

THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS, a body corporate pursuant to the Municipal Government Act, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the “Municipality”)

OF THE FIRST PART

- and -

NATASHA L. VEINOT, of Hubbards, in the County of Halifax, Province of Nova Scotia,

(Hereinafter referred to as the “Owner”)

OF THE SECOND PART

WHEREAS the Owner is the registered owner of a parcel of land located at 194 Falmouth Dyke Road (PID 45394210), hereinafter referred to as the “Property”, which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Property is designated Residential on the Generalized Future Land Use Map of the Municipality of the District of West Hants Municipal Planning Strategy (June 26, 2008) and zoned Single Unit Residential (R-1) on the Zoning Map of the Municipality of the District of West Hants Land Use By-law (June 26, 2008) and is in the Falmouth Growth Centre; and

WHEREAS the Owner has requested that the Municipality enter into a development agreement to permit the development of a chiropractic clinic on the Property (the “Development”); and
WHEREAS Policy 5.6.4 and Policy 16.3.1 of the Municipal Planning Strategy and Section 6.1 (h) of the Land Use By-law provide that new local commercial uses may be developed outside the Commercial designation in Growth Centres only by development agreement; and

WHEREAS the Council of the Municipality, at a meeting held on (DATE), approved this request and adopted this Agreement by policy subject to the execution of this development agreement by the parties hereto;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1.0 AGREEMENT CONTEXT

1.1 Definitions
In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use By-law, except those defined as follows:
(a) “Chiropractic Clinic” means the professional clinic of a licensed Doctor of Chiropractic;
(b) “Municipal Engineer” means an engineer licensed to practice in Nova Scotia appointed by Municipal Council and includes a person acting under the supervision and direction of the engineer.

1.2 Schedules
The following attached schedules shall form part of this Agreement:
- Schedule A - Legal Description
- Schedule B - Site Plan

1.3 Municipal Planning Strategy, Land Use By-law, and Subdivision By-law
(a) Municipal Planning Strategy means the Municipal Planning Strategy of the Municipality of the District of West Hants, approved on May 13, 2008, as amended, or successor By-laws;
(b) Land Use By-law means the Land Use By-law of the Municipality of the District of West Hants, approved on May 13, 2008, as amended, or successor By-laws;
(c) Subdivision By-law means the Subdivision By-law of the Municipality of the District of West Hants, approved on May 13, 2008, as amended, or successor By-laws.

2.0 DEVELOPMENT REQUIREMENTS

2.1 Uses
The Parties agree that the uses on the Property shall be limited to the following:
(a) those uses permitted by the underlying zoning in the Land Use By-law; and

(b) a personal service shop, specifically a chiropractic clinic.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this Agreement.

2.2 Development Location and Design
(a) The proposed chiropractic clinic use shall be located entirely within the building located on the lot as shown on the site plan, Schedule ‘B’.

(b) No decrease in lot size or area shall be permitted.

(c) No open storage or outdoor display shall be permitted.

2.3 Setbacks and Buffering
Where the property abuts a residential zone, the minimum side yard requirement for the commercial use from the abutting lot line shall be 20 ft. (6.10 m). In any location where the building is not 20 ft. (6.10 m) from the lot line, the Owner shall screen the adjacent residential property from the commercial use by a continuous row of trees, a hedge, a fence, or a combination of the foregoing arranged to form a dense or opaque screen.

2.4 Access and Egress
The driveway entrance shall not exceed 23 ft. (7 m) in width without the approval of the Department of Transportation and Infrastructure Renewal, and vehicle traffic must be restricted by means such as landscaping from accessing the remaining frontage. The Development Officer, after consultation with the Municipal Engineer, may in his/her sole discretion approve minor incidental changes to the layout.

2.5 Parking and Loading Areas
The Owner shall maintain two (2) parking spaces on the Property. Parking spaces shall be a minimum of 10 ft. by 20 ft. (3.05 m by 6.10 m).

2.6 Signs
One (1) non-illuminated sign with a maximum size not greater than 20 ft² (1.86m²) shall be permitted.

2.7 Lighting
Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to minimize light spilling, glare or light cast over neighbouring properties or the street.

2.8 Sewer Services
All effluent shall be disposed of through the Falmouth Sewer System.

2.9 Maintenance
   (a) The Owner shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.
   
   (b) The Owner shall maintain the driveway to a level adequate to allow for access by emergency services vehicles.

2.10 Hours of Operation
The chiropractic clinic shall be permitted to operate a maximum of five (5) days per week. The hours of operation for the clinic shall be limited to 9 a.m. to 9 p.m. on those days.

PART 3 CHANGES AND DISCHARGE

3.1 The Owner shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, Use, unless a new agreement is entered into with the Municipality or this Agreement is amended.

3.2 Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this Agreement.

3.3 The following matters are substantive matters:
   (a) the uses permitted on the Property as listed in Section 2.1 Use of this Agreement; and
   
   (b) the size and location of the chiropractic clinic on the Property as listed in Section 2.2 Development Location and Design of this Agreement.

3.4 Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owner following a resolution of Council to give such Notice:
   (a) as provided for in Section 4.1, Commencement of Operation, of this Agreement; or
   
   (b) at the discretion of the Municipality, with or without the concurrence of the Owner, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or
(c) at any time upon the written request of the Owner, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.

PART 4 IMPLEMENTATION

4.1 Commencement of Operation
(a) The Owner may not commence any construction or use on the Property related to this development until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.

(b) Development as provided in Part 2 of this Agreement shall commence not later than 24 months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act 30 days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.

(c) If the Owner is bona fide delayed from commencing the development for reasons which are beyond the Owner’s control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owner is excused for the period of the delay and the time period for the Owner to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided
(a) The Owner shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required within ten (10) days of completion of any work which requires the engineered design.

(b) The Owner shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with Other By-laws and Regulations
(a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or
from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.

(b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

5.2 Severability of Provisions
The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.3 Interpretation
(a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.

(b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

5.4 Municipal Responsibility
(a) The Municipality does not make any representations to the Owner about the suitability of the Property for the development proposed by this agreement. The Owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.

(b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

5.5 Breach of Terms or Conditions
Upon breach of any term or condition of this Agreement, the Municipality may notify the Owner in writing. In the event that the Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the Municipal Government Act and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising
out of the entry on the land or from the performance of the terms, are a first lien on
the land that is the subject of the Development Agreement.

5.6 Costs
The Owner shall pay all costs associated with the advertising required for this
Agreement, the costs of registering this Agreement, and all costs associated with any
amendment thereof.

5.7 Development Agreement Bound to Land
This Agreement shall be binding upon the parties hereto and their heirs, executors,
administrators, successors, and assigns, and shall run with the land which is the
subject of this Agreement until such time as it is discharged by the Municipality in
accordance with Section 229 of the Municipal Government Act.

5.8 Assignment of Agreement
The Owner may, at any time and from time to time, transfer or assign this Agreement
and its rights hereunder and may delegate its obligations hereunder to an assign,
successor, heir, or purchaser of the land bound by this Agreement.

5.9 Written Notice
(a) The Municipality may serve notice on the Owner personally or by ordinary mail
which shall be deemed to have been received within three (3) business days of
mailing, addressed to 9449 St Margarets Bay Road, Hubbards, NS B0J 1T0, or at
any other address provided by the owner.

(b) The Owner may serve notice on the Municipality by registered mail addressed
to the Chief Administrative Officer, Municipality of the District of West Hants,
76 Morison Drive, P.O. Box 3000, Windsor, Nova Scotia, B0N 2T0.

5.10 Full Agreement
This Agreement constitutes the entire Agreement and contract entered into by the
Municipality and the Owner. No other agreement or representation, oral or written,
shall be binding.
IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED
In the presence of:

MUNICIPALITY OF THE DISTRICT OF WEST HANTS

Witness

Per: ____________________________

Witness

Per: ____________________________

Witness

Per: ____________________________

Witness

Per: ____________________________

Witness

Per: ____________________________
PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2018, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in his presence.

______________________________________________
A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2018, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in his presence.

______________________________________________
A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2018, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that Natasha L Veinot the party thereto, signed, sealed, and delivered the same in his presence.

______________________________________________
A Commissioner of the Supreme Court of Nova Scotia
Schedule ‘A’
Description of Lands – PID 45394210

Registration County: HANTS COUNTY
Street/Place Name: FALMOUTH DYKE ROAD /FALMOUTH
Title of Plan: PLAN OF SUBDIVISION LOT ML-2A & ML-2B LANDS OF ROMEO SAVOIE CONSTRUCTION LTD, FALMOUTH DYKE ROAD, FALMOUTH
Designation of Parcel on Plan: LOT ML-2B
Registration Number of Plan: 104014973
Registration Date of Plan: 2013-10-23 14:02:22

*** Municipal Government Act, Part IX Compliance ***

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registry Act
Registration District: HANTS COUNTY
Registration Year: 2013
Plan or Document Number: 104014973
MUNICIPALITY OF THE DISTRICT OF WEST HANTS

Wardens Report

To: Members West Hants Council

Submitted by: Warden Zebian

Date: April 10, 2018

The last month of business has been an interesting one. I've had many interesting conversations with all levels of government about many topics that seem exciting. Today’s bilateral signing agreement between the Federal and Provincial Governments will see an $828 million investment NS infrastructure over 10 years. Public transit, culture and recreation infrastructure, rural communities, and green infrastructure are the main areas the money will be allocated. This is great news for West Hants as we have projects that fall into these areas and will help us leverage the funding we approve to get the most value for our tax payers.

Had some very productive dialogues with private roads land owners. It’s a unique set up but what amazes me is the intelligence of these land owners and their willingness to proactively work together to better people’s experiences in West Hants.

Again, a lot of private residences concerns about varying topics have taken a lot of my time. I enjoy trying to compliment staffs work at achieving success to every concern of every resident.

We had a great green bin and dissolution update meeting in Hantsport. I’m always amazed at the level of quality questions that come out of that community and the level of engagement. Great job to Councillor Zwicker and Deputy Warden Morton for suggesting it and to CAO Laycock and Accountant Carlee for a great presentation.

Also, a huge job well done to Christine McClare and Kirk Symonds for their professional presentations and knowledgeable answers to all the questions at every info session.
The green bins have begun roll out today and we hoping by the end of the month to be complete.

Have met the Newport School group a few times. After some delays in shipping, their equipment will start arriving by the end of April for phase one of their operations with first production sometimes in June.

I have also talked to Municipalities across Canada and internationally to see how they generate revenue outside of residential and commercial taxes. We have to begin increasing our revenue streams, so we become less dependent on taxes and begin looking at tax reductions for our citizens without sacrificing service levels.

Had the pleasure of attending West Hants’ recreation departments first Easter Egg Hunt. It was a great success with over 250 kids participating and their parents, all braving the huge snow fall we had relieved a day before. Great Job Kathy Kehoe, Emma Bishop, and recreation staff for helping, also a great thank you to Councillors Francis and Deputy Warden Morton for helping out. I think we all lost 10 pounds from all the running around we did.

I would like to take a moment say how impressed I was with Council during our budget meetings. It’s incredible how much a year changes people and the level of interest and knowledge of the budget process was incredible this year. I look forward to passing our budget with all of you and increasing the already great services West Hants offers its residents.

I have also noticed a lot of trash along the roads, highways, and in particular the off ramps. Bags of garbage, diapers, and many other odd items just thrown along the roads is bad publicity for not just the Municipality, but the Province. So, I remind everyone that it is so much easier to wait for collection day than to haul this trash in your car for 10-15 km to illegally dump it. Saying this, I’m working with a church group who is interested in being a part of and making a difference in the community and will be cleaning up as much as they can as well as other good deeds in the Municipality.

As an ending, I’m very happy that we are finally live streaming to all our viewers at home and abroad. It’s a huge step forward to allow everybody to take part and increase interest in municipal politics. In my opinion, the most important level of government.

It appears we will have a very exciting spring and summer season with lots of great work to be done and growth for the Municipality of West Hants, the best of everything.
Committee of the Whole Excerpts  
March 27, 2018

**Recycling Styrofoam in West Hants**  
..... that staff be directed to prepare a recommendation report on recycling Styrofoam in West Hants.

**Tax Exemption Policy Statement**  
...that schedule A of Tax Exemption Policy COFN-004.00 be amended to include the following organizations and their listed properties with the exemption to be applied:

<table>
<thead>
<tr>
<th>Owner</th>
<th>Property Description</th>
<th>Property AAN and PID Number</th>
<th>Charitable Number</th>
<th>Extent of Exemption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hantsport &amp; Area Historical Society</td>
<td>46 Main Street, Hantsport, NS</td>
<td>AAN 00827185 PID 45044005</td>
<td>886938489</td>
<td>Full</td>
</tr>
<tr>
<td>Quick As A Wink Theatre Society</td>
<td>380 Wentworth Road, Wentworth Creek, NS</td>
<td>AAN 10492939 PID 45391869</td>
<td>863160750</td>
<td>Full</td>
</tr>
</tbody>
</table>

... that Schedule B of the Tax Exemption Policy COFN-004.00 be amended to include the following organization and their listed Property with the exemption to be applied:

<table>
<thead>
<tr>
<th>Owner</th>
<th>Property Description</th>
<th>Property AAN and PID Number</th>
<th>Extent of Exemption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Windsor Plains Community Fellowship Hall</td>
<td>4839 Highway 1, Three Mile Plains, NS</td>
<td>AAN 04684923 PID 45005402</td>
<td>Full</td>
</tr>
</tbody>
</table>

...that Schedule B of the Tax Exemption Policy COFN-004.00 be amended by removing the following organization and their listed properties with the exemption to be applied:

<table>
<thead>
<tr>
<th>Owner</th>
<th>Property Description</th>
<th>Property AAN and PID Number</th>
<th>Extent of Exemption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trustees of Community Hall</td>
<td>8929 Highway 215, Pembroke Land Fellowship Hall</td>
<td>AAN 04682831 PID 45173754</td>
<td>Full</td>
</tr>
</tbody>
</table>
THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS
RECOMMENDATION REPORT

To: Warden Zebian and Members West Hants Council

Submitted by: Martin Laycock, Chief Administrative Officer

Date: April 10, 2018

Subject: MFC Spring debenture

Origin:
The construction of the Garlands Crossing Fire sub-station.

Legislative Authority:
Municipal Government Act, Part VI, Power to Spend Money Section 65(g) & Power to Borrow Money Section 66.

Recommendation:
It is recommended that:

Council authorize the Warden and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.5%, to enable the Municipality of the District of West Hants to issue a 25-year debenture of $1,248,603.
**Background:**

In February 2017, Council approved the construction of a fire substation in Garlands Crossing and approved the initial Temporary Borrowing Resolution (TBR) on March 14, 2017. The TBR was renewed by Council March 13, 2018. The construction of the sub-station was completed in November 2017. The loan for the Fire Sub-Station currently sits with RBC.

**Discussion:**

The Municipal Finance Corporation offers favorable fixed lending rates for municipal capital purchases. To be able to participate in the upcoming spring debenture, a ‘Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate’ must be approved by Council.

**Financial Implications:**

Debt servicing for the fire station has been budgeted for in the 2017-18 & 2018-19 budget (pending approval). Participating in the MFC debenture has the potential to save the Municipality a significant amount of money over the course of the loan.

**Alternatives:**

1. Council could direct the CAO to use funds from the 2017-18 anticipated surplus and/or Operating Reserve to help offset some or all of the proposed debt. This would change the amount requested in the recommendation.
2. Council could reject moving forward with the MFC fall debenture and remain with RBC for the loan. This is not the recommended approach.

**Attachments:**

- Resolution for Pre-Approval of Debenture Issuance Subject to interest rate
- Commitment letter

---

Report Prepared by: [Signature]

Martin Laycock, Chief Administrative Officer, 902-798-6926
WHEREAS Section 91 of the Municipal Government Act provides that a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (hereinafter “the Minister”);

AND WHEREAS the resolution of council to borrow for the Garlands Crossing Fire Sub Station was approved by the Minister April 14, 2018;

AND WHEREAS clause 91(1)(b) of the Municipal Government Act authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND WHEREAS clause 91(2) of the Municipal Government Act states, that in accordance with the Municipal Finance Corporation Act, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the Municipal Government Act, the Municipality of the District of West Hants (Name of Unit) borrow by the issue and sale of debentures a sum or sums not exceeding $1,248,603, for a period not to exceed 25 years, subject to the approval of the Minister;

THAT the sum be borrowed by the issue and sale of debentures of the Municipality of the District of West Hants (Name of Unit) in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 5.5%;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the Municipality of the District of West Hants held on the 10th day of April 2018

GIVEN under the hands of the Mayor/Warden and the Clerk of the Municipality of the District of West Hants this day of 20

Mayor/Warden

Clerk
April 11, 2018

Paul Wills, Chief Executive Officer/Treasurer,
Nova Scotia Municipal Finance Corporation,
Suite 1501, Maritime Centre
1505 Barrington Street,
P.O. Box 850, Station “M”,
Halifax, N.S. B3J 2V2

Re: 2018 Spring Debenture Funding

Please accept this letter as a firm commitment by the Council of the Municipality of the District of West Hants to participate in the NSMFC Spring 2018 Debenture Issue.

We request long-term funding for the following completed municipal capital project(s) for the following amount(s) and term(s):

<table>
<thead>
<tr>
<th>Purpose:</th>
<th>Loan Amount</th>
<th>Loan Term</th>
<th>Loan Amort *</th>
<th>TBR #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garlands Crossing Fire Sub-Station</td>
<td>$1,248,603</td>
<td>25 years</td>
<td>25 years</td>
<td>16/17-03</td>
</tr>
<tr>
<td>Total Debenture Requirement</td>
<td>$1,218,603</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Also, please find enclosed the “Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate” which has been duly passed by Council.

Respectfully yours,

[Signature]

Martin Laycock, MBA, CPA, CMA
Chief Administrative Officer
Municipality of West Hants
THE MUNICIPALITY OF THE DISTRICT OF WEST HANTS
RECOMMENDATION REPORT

To: Warden Zebian and Members West Hants Council

Submitted by: __________________________

Martin Laycock, Chief Administrative Officer

Date: April 5, 2018

Subject: VCFN Business Plan

Origin:

Motion from the Municipality of Kings to support the development of a business plan for the Valley Fibre Community Network (VCFN)

Legislative Authority:

Municipal Government Act, Part IV, Power to Spend Money 65

(m) promotion and attraction of institutions, industries and businesses, the stabilization and expansion of employment opportunities and the economic development of the municipality;

Recommendation:

Council recommends that:

1. A financial contribution of up to $15,150 be made towards a VCFN business plan with funds to come from the Operating Reserves

2. There be an oversight committee for the identified project comprising of CAOs from VCFN representative municipalities; and
3. Applications to the Department of Municipal Affairs for cost-sharing of the business plan be made

Background:

Built in 2008, the Valley Community Fibre Network (VCFN) is jointly owned by the Towns of Berwick, Windsor, Wolfville, the Municipality of the County of Kings, the Municipality of the District of West Hants, Acadia University, and the Nova Scotia Community College. In addition to its owners, the VCFN currently serves users from the educational, health, research, and business sectors and had been managed by Halifax-based telecommunications company Internetworking Atlantic Incorporated (IAI), which was recently purchased by Roger Communications.

The VCFN serves as a high-capacity fibre-optic backbone network that connects the Annapolis Valley region of Nova Scotia with Halifax, the nearest urban centre. The network runs through the Annapolis Valley for 186 Kilometers, spanning the distance from Halifax to Middleton. Connection points are available anywhere along the route. The VCFN provides direct fibre-optic services to business and public sector users, local and national carriers, and municipal governments throughout the Annapolis Valley area.

The VCFN has three goals:

1. To provide high-capacity data communications capabilities to the organizations that are partners and owners of the network including: Acadia University, The Nova Scotia Community College, and the municipalities of Windsor, West Hants, Wolfville, Kings, and Berwick. Other public sector users such as Mount Saint Vincent University, Agriculture and Agrifood Canada, and the Canarie Research Network and the Town of Middleton also benefit from the VCFN.

2. To assist with economic development in the Kings – West Hants area by providing telecommunications resources that are equivalent to the services found in major urban centres in Canada. The presence of the VCFN means that resources and a competitive marketplace are also available in the Annapolis Valley.

3. To promote the creation of competitive, advanced services in the Valley area by providing a high-capacity backbone to local service providers.

The Municipality of West Hants has been using the network’s high speed fibre optic capacity for municipal operations since 2008. The expansion of the VCFN Network within West Hants has been limited date with the notable exception of the Community Free WiFi Network in Hantsport. The VCFN network available to West Hants is currently underutilized.

Discussion:

A memo from the Municipality of Kings was distributed among Valley Municipalities who participate in various Inter-municipal Service Agreements (IMSAs). The purpose of the memo was to identify ongoing deficiencies within these agreements and to further identify a
way forward to improve their outcomes and accountability. For the Municipality of West Hants, the only applicable IMSA is with the VCFN. What is being proposed is a business plan to assist the VCFN to expand its reach within the Valley and to ensure it does so in a sustainable way. This may also require changes to the current IMSA, which would be addressed in the business plan.

All other Municipalities participating in the VCFN have approved the above motion in some form or another to date.

Financial Implications:

The Municipality of Kings identified, in their memo, anticipated costs associated with their proposal based on existing cost sharing agreements. It assumes a total Municipal contribution of $65,000 towards the business plan, with additional funds coming from ACOA and/or the Valley REN and East Hants for a total of $100,000. In addition, it adds $13,215 in soft costs, such as legal services, financial management and additional consulting needs for a total cost of $78,251. Of that total, West Hants' share would be $15,150 or 19.37% which is based on the existing VCFN cost sharing agreement.

It is proposed that the funds for the business plan come from the Operating reserves. There are sufficient funds in the reserve (estimated at over $2.5 million currently) and this cost would have a negligible impact.

Alternatives:
1. Council could reject the recommendation
2. Council could choose to provide less funds than what is being requested

Attachments:
- March 19, 2018 memo – Municipality of Kings

Report Prepared by: ____________________________
Martin Laycock, Chief Administrative Officer 902-798-6926
The following proposed resolution for your consideration is in result of a unanimous recommendation from a meeting held earlier today among the Mayors and the Warden of the municipal units situated within Kings and Annapolis counties. Those present agreed to forward the following to the Mayor and Warden of Windsor and West Hants. All municipal councils are being asked to consider and approve the following:

Whereas the municipal units situated within the Counties of Annapolis, Kings and West Hants are parties to various Inter-municipal Services Agreements (IMSAs) which have created corporations under s.60 Municipal Government Act; and

Whereas the parties to these IMSAs recognize the need to review and update the various incorporating documents with a view of achieving organizational efficiencies from both operational and governance perspectives;

Therefore be it resolved that the Council of the [insert your municipal name] hereby agree to authorize the:

- financial commitment specific to the [insert your municipal name] per the memo attached to these minutes;
- establishment of an oversight committee comprising CAOs from representative municipalities; and
- application to the Department of Municipal Affairs for cost-sharing

**PROBLEM STATEMENT - CURRENT DAY INTER-MUNICIPAL SERVICE CORPORATIONS**

- Cultural, e.g., owners not being treated as owners (reflective of the involvement of all parties)

- Organizational, e.g., Inter-Municipal Service Agreements (IMSA) being out of step with statutory requirements (contracts being administered outside of s.88 Municipal Government Act)

- Financial, e.g., deficiencies and lack of financing plans relative to capital asset budgeting

- Not leveraging Inter-municipal Service Corporations to their full potential, e.g. Valley Community Fibre Network not currently being used within rural high-speed broadband delivery
SOLUTION

Engagement of multi-disciplinary consulting team to deal with immediate problems and table recommendations for the longer term

REQUIRED SKILL SET OF CONSULTING TEAM MEMBERS

- Proven change agent
- Strong financial experience
- Legal with specific Inter-municipal Service Agreement (IMSA) (s.60 Municipal Government Act corporations) experience
- Business planning acumen

DELIVERABLES FROM CONSULTING TEAM:

<table>
<thead>
<tr>
<th>Valley Waste:</th>
<th>Kings Transit:</th>
<th>Valley Community Fibre Network:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Provision of new budget model:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o User pay – private and municipal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Multi-year Tangible Capital Asset &amp; related financing plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Review of organizational structure and costs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Develop 2018-19 Budget</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Provision of new budget model:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o User pay – appropriate metrics for municipal sharing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Rate review</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Tangible Capital Asset TCA plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Review of organizational efficiencies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Governance updates, e.g., clarity on party and member roles</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Leads 2017-18 year-end accounting and preparation of financial statements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Undertake build out and operational business plan development (to: transition dark fibre to lit enabling rural broadband delivery), e.g.:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Define build-out scenarios</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Analysis of operating profiles</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o Ongoing breakeven/municipal subsidy requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Review of operating profile</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Proper papering of existing and pending contracts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Serve as VW Interim Manager (allowing Finance Manager to focus on year-end accounting and statements)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Concludes with IMSA updates</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Synergies: makes recommendations relative to sharing of resources among s.60 corporations

OVERSIGHT

- Appointment of a temporary management committee comprised of CAOs  
  o In place during the consulting period  
  o To act as a conduit between the municipal units and the consultants  
- Monthly progress reports filed with Boards of Directors and quarterly reports to the Councils
ESTIMATED COST AND SHARING PROPOSAL

COST SHARING FOR PROPOSED INTER-MUNICIPAL CONTRACTED SERVICE REVIEW

Proposed Budget:
Element:
- Leadership/ Change Management $75,000
- Financial Services $50,000
- Legal $25,000
- VCEN business plan (net of REN and East Hants) $65,000
- HST Expense Portion $9,215
Total proposed budget $224,215

Proposed sharing (Municipal/Provincial):
- Municipal Share 75% $168,161
- Provincial Share 25% $56,054
Total 100% $224,215

Proposed allocation among IMSA corporations:

<table>
<thead>
<tr>
<th></th>
<th>Total Leadership</th>
<th>Total Financial</th>
<th>Total Legal</th>
<th>VCFN Business Plan</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kings Transit</td>
<td>10%</td>
<td>25%</td>
<td>10%</td>
<td>$17,598</td>
<td></td>
</tr>
<tr>
<td>Valley Waste</td>
<td>70%</td>
<td>50%</td>
<td>60%</td>
<td>$72,348</td>
<td></td>
</tr>
<tr>
<td>VCFN</td>
<td>20%</td>
<td>25%</td>
<td>30%</td>
<td>100% $78,215</td>
<td></td>
</tr>
</tbody>
</table>

100% 100% 100% 100% $168,161

Proposed Unit allocation:

<table>
<thead>
<tr>
<th></th>
<th>VCFN % 2</th>
<th>VCFN $</th>
<th>KTA %</th>
<th>KTA $3</th>
<th>VWRM %</th>
<th>VWRM $</th>
<th>Total Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Windsor</td>
<td>4.91%</td>
<td>$3,840</td>
<td></td>
<td></td>
<td>$</td>
<td></td>
<td>$3,840</td>
</tr>
<tr>
<td>West Hants</td>
<td>19.37%</td>
<td>15,150</td>
<td></td>
<td></td>
<td></td>
<td>$15,150</td>
<td></td>
</tr>
<tr>
<td>Wolfville</td>
<td>6.20%</td>
<td>4,849</td>
<td>15%</td>
<td>2,640</td>
<td>6.54%</td>
<td>4,732</td>
<td>12,221</td>
</tr>
<tr>
<td>County of Kings</td>
<td>66.34%</td>
<td>51,887</td>
<td>60%</td>
<td>10,559</td>
<td>58.91%</td>
<td>42,620</td>
<td>105,067</td>
</tr>
<tr>
<td>Berwick</td>
<td>3.18%</td>
<td>2,487</td>
<td>5%</td>
<td>880</td>
<td>2.78%</td>
<td>2,011</td>
<td>5,378</td>
</tr>
<tr>
<td>Kentville</td>
<td>-</td>
<td>20%</td>
<td>3,520</td>
<td>7.95%</td>
<td>5,752</td>
<td>9,271</td>
<td></td>
</tr>
<tr>
<td>County of Annapolis</td>
<td>-</td>
<td>-</td>
<td>20.99%</td>
<td>15,186</td>
<td>15,186</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Middleton</td>
<td>-</td>
<td>-</td>
<td>2.03%</td>
<td>1,469</td>
<td>1,469</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annapolis Royal</td>
<td>-</td>
<td>-</td>
<td>0.80%</td>
<td>579</td>
<td>579</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

100% $78,215 100% $17,598 100% $72,348 $168,161

Notes
1. The application to the Department of Municipal Affairs may be for more than 25% if the projection of consulting fees needs to be increased.
2. VCFN costs could be further offset by Acadia, NSCC and ACOA.
3. VWRM costs may be lower in the upcoming fiscal year to the Parties as a result of deferring the GM hiring.
4. Annapolis Co. and Digby may want to contribute to the KTA costs.
MUNICIPALITY OF THE DISTRICT OF WEST HANTS
RECOMMENDATION REPORT

To: Members West Hants Council

Submitted by: Martin Laycock, Chief Administrative Officer

Date: April 10, 2018

Subject: 2018 PCAP Provincial Funding Assistance Application

Origin:

This item originated following the Municipal Climate Change Action Plan (MCCAP) review of the 2017 MCCAP Work Plan.

Legislative Authority:

Municipal Government Act, Section 65 (p) preventing or decreasing flooding; authorizes Council to expend funds for municipal purposes.

Recommendation:
It is recommended that:

Council support an application to the 2018 Provincial Capital Assistance Program (PCAP) to fund 50% of a Three Mile Plains Stormwater Impact Study with the remaining 50% to come from the Gas Tax Reserve.

Background:

On December 5, 2017, the MCCAP Committee reviewed and updated the 2017 MCCAP Work Plan (Appendix A). Goals were extracted from the MCCAP, with some modifications to reflect changing conditions and the upcoming Municipal Planning Strategy review.
As part of this 2017 Work Plan review, the following goal was identified as outstanding.

<table>
<thead>
<tr>
<th>Complete storm water management plan for Three Mile Plains</th>
<th>Public Works</th>
<th>Staff time 3 weeks</th>
<th>Not started</th>
</tr>
</thead>
</table>

Discussion:

On March 15, 2018 the 2018-19 applications for the Provincial Capital Assistance Program (PCAP) was made available for Municipal application. This same PCAP source funding has been used in the past for the Falmouth Stormwater Study (2015) and also for the Hantsport Stormwater Study (2017).

A Resolution of Council supporting an application under PCAP is required to be submitted at the time of application.

**Provincial Capital Assistance Program (PCAP):**

The Provincial Capital Assistance Program (PCAP) helps cover the cost of high priority municipal infrastructure projects. The amount of funding available is limited. Applications are ranked according to the severity of the problems being addressed. The program typically funds up to 50% of eligible project costs.

Eligible projects include:

- Construction or expansion of facilities for the treatment and disposal of sanitary sewage
- Construction of sanitary sewage collection systems
- Construction of storm water collection systems
- Installation of individual and communal in-ground sewage disposal facilities within a Wastewater Management District
- Construction of water intake, treatment, pumping, and storage facilities.
- Installation of water transmission and distribution systems
- Construction, acquisition, upgrading or expansion of solid waste management facilities and equipment
- Municipal infrastructure engineering and research studies related to eligible project categories

Staff has reviewed the purpose and eligibility of the PCAP fund and has identified the Three Mile Plains Stormwater Impact Study as a suitable project for application to this program; and as such would meet the strategy and goals of the MCCAP 2017-2018 Work Plan.
Financial Implications:

The following costs have been identified to fund these proposed projects. Pricing includes Net HST.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Estimated Cost</th>
<th>% Funded</th>
<th>Amount</th>
<th>Funding Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>TMP Stormwater Impact</td>
<td>$ 62,574 Incl. Net HST</td>
<td>50%</td>
<td>$ 31,287</td>
<td>PCAP (Provincial)</td>
</tr>
<tr>
<td>Study</td>
<td>50% $ 31,287</td>
<td></td>
<td></td>
<td>Gas Tax (Municipal)</td>
</tr>
</tbody>
</table>

Alternatives:

1. Council may choose to pursue provincial funding for an alternative project. This is not the action that is recommended for this funding.

Attachments:

None.

Report Prepared by: Brad Carrigan, Director of Public Works

Report Reviewed by: (Name, position)

Report Approved by: (Name, position)
10 March 2018

Warden Abraham Zebian
Municipality of the District of West Hants
76 Morison Drive,
PO Box 3000,
Windsor NS
B0N 2T0

Dear Warden Zebian:

At its meeting on 27 February 2018, Windsor Town Council acknowledged with thanks, the January 29, 2018 motion of the Municipality of the District of West Hants Council, in which West Hants committed to provide $1 Million in unrestricted capital funding toward the construction of an indoor ice rink to be used by the residents of Windsor and West Hants; and that Council will include in any future financial projections or costing for such a facility, the contribution of money made by West Hants.

Also at that meeting, Council acknowledged receipt of your letter dated February 6th, 2018 detailing the interpretation of Councils motion on its $1 Million dollar commitment.

Sincerely,

Louis Coutinho
Chief Administrative Officer
February 6, 2018

Re: Intermunicipal Agreement and Capital Funding for a Rink

Dear Mayor Allen,

This is to advise that the Municipality’s Council on January 29, 2018 passed the following two motions:

MOVED and SECONDED that in the interest of moving the project forward Council advises the Town of Windsor of its intent to remove itself from the Hockey Heritage Inter-Municipal Service Agreement. Motion Carried.

MOVED and SECONDED that for the benefit of the residents of West Hants and Windsor, Council confirms its $1 Million support over 5-years towards a complex that includes an indoor ice rink constructed by the Town of Windsor. Motion Carried.

As you know, the Hockey Heritage Inter-Municipal Service Agreement was a framework agreement pursuant to which no money would be expended until the new municipal corporation was created and until the design concept and budget were approved by each of the two Councils. That agreement was approved by West Hants Council on the understanding that the agreement was a pre-condition to obtaining funding from senior levels of government, but also that the agreement could not be operationalized without the continuing support of both Councils as reflected in provisions such as section 25. In light of the fact that the two units have been unable to find common ground on key issues related to this project and in an effort to move it forward to ensure a rink is built in our shared region, the Municipality will not participate in the body corporate, appoint board members, approve designs, and approve budgets, or take any steps whereby it would directly or indirectly be a joint manager and/or owner of the arena.

This letter is to confirm that the Municipality views the joint project described in the Hockey Heritage Inter-Municipal Service Agreement as being at an end. For practical purposes, therefore, the Intermunicipal Agreement is functionally rescinded.

The Municipality’s support for a joint arena project is limited to the offer of support reflected in the second motion. That is, the Municipality remains willing to contribute $1 Million of capital funding over five years for a project that includes an indoor ice surface, which is to be available to residents of West Hants on equitable terms. Any impediment to the success of the project arising from the Municipality’s involvement in its governance and ownership is therefore avoided.

Please keep us informed of developments, so that we are able to plan for our funding to be made available.

Regards,

Abraham Zebian  
Warden, Municipality of the District of West Hants
10 March 2018

Warden Abraham Zebian
Municipality of the District of West Hants
76 Morison Drive,
PO Box 3000,
Windsor NS
B0N 2T0

Dear Warden Zebian:

At its meeting on 27 February 2018, Windsor Town Council acknowledged with regret, West Hants' correspondence and their motion of their January 29, 2018 meeting, to "Remove itself from the Hockey Heritage Inter-Municipal Services Agreement" and this is also to advise that Windsor Council agrees to terminate the Agreement.

Sincerely,

[Signature]

Louis Coutinho
Chief Administrative Officer

Cc: Johns Shanks, Solicitor
March 22, 2018

By E-mail

Mayors/Wardens
All Units

Dear Mayors/Wardens:

Further to the E-mail we sent to the Membership yesterday, we are requesting that you include the discussion of UNSM Priorities on your Council Agenda.

UNSM continues to evolve its process of developing a collective voice for municipal priorities and concerns, and is seeking Council feedback on the most important matters you would like UNSM to address in its advocacy work and in its workplan.

Over the last few years, UNSM has been working to improve its effectiveness in its advocacy work and member engagement. For example, revisions to the resolutions process were made in order to develop a clearer focus on the most important matters for municipalities across the province. Last year’s resolutions resulted from a broad consultation effort with municipalities and a process to choose the top ones to be forwarded to the province.

Comments received during and after last year’s resolution process suggested Councils should be involved, not just individual members. The link between resolutions and UNSM priorities was also noted as perhaps not being as strong as it could be.

The five top resolutions from 2017 certainly represent significant issues for municipalities, and will not likely be resolved in the short run. Municipal funding, the CAP, physician recruitment, internet connectivity and roads will see progress in the next few months, and will need to be reassessed in the fall. Knowledge gained over the next few months may suggest revisions or refinements to the actions being taken in support of these priorities.

In addition to these areas, UNSM is working on a number of other files. The Board has identified ten as being of significant importance, and would like councils to identify which of these matter the most to Councils. The results will help UNSM focus its advocacy efforts and workplan. Please note we have not included the current 5 resolution topics, as they are already a priority.

In order to consolidate the responses in time for the Spring Workshop, Councils are asked to provide feedback on your top priorities by April 30th, 2018.
Please see below the suggested priorities for your consideration. Please discuss and provide your top issues to UNSM with an explanation of why it is important to your Council, how it impacts your community, and suggestions as to how you would like to see it addressed.

Potential Priorities

1. **Age friendly places/seniors:** As our community demographics lean towards more seniors, municipal supports may include planning, community transit, socialization through recreation or other initiatives, safety support, etc. A number of initiatives are underway in many communities, best practices could be better shared, and innovative solutions developed.

2. **Cannabis legalization:** While impending provincial legislation will determine the framework for the municipal role in legalization, it will take time and resources to understand the implications for municipalities.

3. **Code of conduct:** A workshop planned for April will assist in identifying possible changes to the MGA to add authorities for actions in response to breaches in a code of conduct, there will be work required to develop appropriate legislation, resources and tools to assist councils in ensuring the code is sustained.

4. **Economic development:** The REN model is developing across most of the province, but there remains major challenges in our economic viability. There is work to be done to better support the RENS and to identify further tools to facilitate economic growth.

5. **Housing:** The availability of affordable and quality housing is a concern throughout the province. In some areas, the lack of housing is impacting negatively on economic development. In some areas suitable housing may be available, but the location, without adequate public or community transit, is not helpful.

6. **Immigration:** Population in the province is aging and decreasing. Studies are showing economic growth in the province will be limited without more immigration. The factors impacting the ability of communities to attract and retain immigrants needs to be understood and enhanced.

7. **Municipal modernization and municipal government act revisions:** The Fiscal Review Report identified the need to create a new way for municipalities to deliver local services. Through the review of the Municipal Government Act, it became clear municipalities need to be enabled to do more. Amalgamations and annexations are allowed in the MGA, but have expressed the need for
alternative ways of working together. The status quo will not serve our citizens well, we need to be creative and open to finding new ways forward. This is about creating a new approach to meeting the needs of our communities.

8. Minimum planning standards/regional planning: there are challenges in the ways communities and adapt to more frequent and extreme weather, housing and transportation demands, and economic opportunities, and in how we protect the environment and quality of life. Minimum planning standards and/or regional planning may be appropriate tools to better plan infrastructure and service delivery.

9. Solid waste system and extended producer responsibility: The cost of disposing of garbage has been increasing at a significant rate. A review of the solid waste system is just beginning, and recommendations on improving the system will be forthcoming. Extended Producer Responsibility, where those producing waste printed paper and packaging are made responsibility for the disposal of the waste, is a tool used in more and more provinces.

10. Police services: even without the legalization of cannabis, the costs of policing have been increasing significantly and the trend is likely to continue. We need to find new ways of addressing these costs, respecting police services and addressing the social and economic conditions contributing to the costs of these services.

Feedback is requested by April 30, 2018.

Sincerely,

Councillor Geoff Stewart
President, UNSM

GS/tv

cc: Chief Administrative Officers/Clerk-Treasurers
March 22, 2018

Mr. Jean-Jacques Ruest
CN Interim President and Chief Executive Officer
935 de La Gauchetière Street West
Montreal, Quebec H3B 2M9

Dr. Mr. Ruest:

Please accept this letter as a letter of support in response to correspondence dated March 5, 2018 to you from Mayor Mike Savage, Halifax Regional Municipality (HRM), Nova Scotia. Mayor Savage’s letter was an expression of interest on behalf of HRM in acquiring portions of the Windsor and Hantsport Railway corridor for a rails-to-trails active transportation facility.

East Hants Municipal Council fully supports the efforts of HRM and wishes to formally submit this letter of support.

Thank you for your consideration.

Yours truly,

Warden Jim Smith

/sm

cc: Mayor Mike Savage, HRM
Hon. Scott Brison, MP - Kings Hants
Abraham Zeblan, Warden, West Hants
Anna Allen, Mayor of Windsor
Hon. Margaret Miller, Nova Scotia Minister of Natural Resources and MLA - East Hants
Walter Regan, Sackville Rivers Association
Gordon Kyle, Sackville Lakes Parks and Trails Association
Scott Steiner, Chair and CEO of the Canadian Transportation Agency