

**WEST HANTS REGIONAL MUNICIPALITY**

**Council Meeting Agenda - 6:00 p.m. Amended May 28, 2025**

In-person, Sanford Council Chambers, 76 Morison Dr, Windsor, NS

Virtual via Zoom (also YouTube Livestream)



**West Hants**  
something inspiring awaits

1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda, including additions or deletions
  - a) Dashboard Action Items – Information Log
  - b) Dashboard Action Items – Dangerous or Unsightly Premises
5. Declaration(s) of Conflict of Interest
6. Approval of Previous Meeting Minutes
  - a) 2025-04-22 Council Minutes
  - b) 2025-04-22 Public Hearing Minutes - College Rd, Windsor PID 45405784, Rezoning and WHLUB Amendments
  - c) 2025-04-22 Public Hearing Minutes – 33 Lakewood Drive, Brooklyn, PID 45017183 Rezoning
7. New Business (moved up on the agenda)
  - a) Provincial Representative Volunteer Award Recommendation Report – Kathy Johnston-Isenor
  - b) Rail Trail Corridor – Culvert Replacement Recommendation Report – Kevin Bennett
  - c) **60 Old Walton Rd, Upper Burlington Development Agreement - Planner Hong**
8. Public Hearings – None
9. Second Readings (as it pertains to Public Hearings) – None
10. Unfinished Business/Postponed Motions – None
11. Mayor’s Report
12. Financial Updates – None, reports will resume next month.
13. Committee(s) of Council Excerpts/Recommendations
  - a) Committee of the Whole Excerpts (May 13, 2025)
    - i. Cole Drive Flood Mitigation FRIIP Application
    - ii. Hants Shore Childcare Association Request

- iii. Headworks Connection Preliminary Design RFP
  - iv. Meeting and Committee Procedural Policy Amendments
- b) Planning and Heritage Advisory Committee Excerpts (First Reading)
    - i. Upper Water Street, Windsor PID 45056363 Development Agreement Amendment – Acting Director Fougere
  - c) Peace and Good Order By-law First Reading
14. Councillor(s) Municipal Business/Activity Monthly Reports (Districts 1-11)
15. Councillor(s) Municipal Advisory Board Activity Reports
- a) Accessibility Advisory Committee Update
  - b) Police Advisory Board Committee Update
16. Correspondence
- a) Information
    - i. General Correspondence Received Activity Log (as of May 23, 2025)
      - a) Sean Kirby Re Uranium
      - b) Karen Wallace Re Everwind Again
      - c) Chad Pothier Re Opposition to Proposed Uranium Mining – Millet Brook
      - d) Dial-A-Ride Re line on the budget
  - b) Outgoing Correspondence Log (as of May 23, 2025) – None
17. In-Camera
- a) **2025-04-22 In-Camera Minutes**
  - b) MGA 22(2)(g) Legal Matter – Enforcement Matter
18. Next Regular Meeting Date / Adjournment – June 10, 2025 Committee of the Whole Meeting 6 p.m.

**WEST HANTS REGIONAL MUNICIPALITY**

**Council Meeting Minutes**

May 27, 2025 - 6:00 p.m.

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

And virtually via Zoom (also YouTube Livestreamed)



**West Hants**  
something inspiring awaits

As Call to Order – Deputy Mayor Francis called the meeting to order at 6:00 p.m.

1. Attendance

Deputy Mayor Francis noted quorum was achieved. Mayor Zebian and Councillor Remmee had sent regrets earlier. Councillor Leary-Pinch was running late due to traffic.

Council:

Rupert Jannasch, Councillor, District 1 p.m.)	Debbie Francis, Deputy Mayor, Dist. 5
Scott McLean, Councillor, District 2	Kayla Learey-Pinch, Councillor, District 7 (6:02
Paul Wheadon, Councillor, District 4	Paul Morton, Councillor, District 8
Bob Morton, Councillor, District 6	John Smith, Councillor, District 9 (7:22 p.m.)
	Bonnie Smith, Councillor, District 10
	Jim Ivey, Councillor, District 11

Regrets:

Abraham Zebian, Mayor  
Chrystal Remme, Councillor, District 3

2. Staff:

Mark Phillips, Chief Administrative Officer	Deanna Snair, Municipal Clerk
Carlee Rochon, Director of Financial Services	Todd Richard, Director Public Works
Kari Fougere, Acting Director Planning & Dev.	Will Hong, Planner
Kathy Kehoe, Director Community	Kevin Bennett, Manager Parks and Facilities
Kathy Johnston-Isenor, Manager of Recreation & Community Engagement	

Gallery – None

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

Deputy Mayor Francis acknowledged West Hants Regional Municipality is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. This land is governed by the treaties of Peace and Friendship signed in 1726. West Hants Regional Municipality recognizes we are all treaty people and have responsibilities to this land and each other. West Hants Regional Municipality also recognizes African Nova Scotians are a distinct people whose history, legacies, and contributions have enriched that part of Mi'kma'ki known as Nova Scotia for over 400 years. Council and I as Chair are committed to ensuring this meeting and its participants conduct themselves in a respectful and professional manner as outlined in the municipality's Municipal Code of Conduct. Meeting presenters, staff and the public are expected to conduct themselves in an equally respectful manner at all times the meeting is being conducted. I thank you all in advance for your commitment to these important meeting principles.

Newport Station Grand Re-opening was scheduled for June 8<sup>th</sup>, there would be a ticket auction and BBQ for all to enjoy.

Pride Flag raising was scheduled for June 1<sup>st</sup> at the Windsor waterfront, near Tim Hortons.

Payzant Home Hardware Annual Yard Sale was scheduled for Saturday May 31<sup>st</sup>. There will be a BBQ, singer and lots of entertainment for all.

Ellershouse Community Breakfast scheduled for Saturday May 31<sup>st</sup> from 7:30-10:30 am.

Congratulations were extended to Erica Swinamer on being named the 2024/25 Rookie of the Year for St. Thomas University's Women's Soccer.

4. Approval of the Agenda, including additions or deletions (6:03 p.m.)  
No changes were proposed, the agenda was approved as presented, including the changes.
5. Declaration of Conflict of Interest - None
6. Approval of the Previous Meeting Minutes (6:02 p.m.)
  - a. 2025-04-22 Council Meeting Minutes
  - b. 2025-04-22 Public Hearing Minutes - College Rd, Windsor PID 45405784, Rezoning and WHLUB Amendments
  - c. 2025-04-22 Public Hearing Minutes – 33 Lakewood Drive, Brooklyn, PID 45017183 RezoningNo changes were made to the minutes; the minutes were approved as presented.

7. New Business

a) 2025 Provincial Representative Volunteer Recommendation Report (6:05 p.m.)

Manager Johnston-Isenor reviewed the report. Each year, municipal units are invited to nominate a volunteer to receive provincial recognition as their community's representative volunteer. Nominations are collected from community groups, municipal councillors, and members of the public, highlighting a number of deserving volunteers. The final selection for the Provincial Representative Volunteer was determined through an email vote.

**MOVED BY COUNCILLORS LEARY-PINCH AND P. MORTON THAT COUNCIL APPROVES THE NOMINATION OF ROB DAVIES FOR THE 2025 PROVINCIAL REPRESENTATIVE VOLUNTEER AWARD FOR THE WEST HANTS REGIONAL MUNICIPALITY. MOTION CARRIED**

b) Rail Trail Corridor – Culvert Replacement Recommendation Report (6:07 p.m.)

Manager Bennett reviewed the report. In 2023 a large culvert on the rail corridor referred to in this report as the Mantua to Stanley Culvert was damaged as a result of the extraordinary rainfall event. Community Development were requesting Council approve the tender for culvert replacement on the Mantua to Stanley Trail in the amount of \$456,675.00 plus applicable taxes and approve contingency funding in the amount of \$91,335.000 plus applicable taxes for the proposed project.

Discussion Points:

- This was a separate project outside of the bridge replacement.
- The project costs were covered under DFA (Disaster Financial Assistance program) fund

and identified in the 2025/26 Capital budget. Funding for this project was part of an application process to DFA. Mitigation funding was approved; however, funds for this are not received until after the project has been completed and receipts were submitted.

- The missing attachment referenced within the report can be shared with Council after the meeting.
- Tenders were all reviewed and scored by DesignPoint, a bid price analysis and noted some mathematical errors in multiplying the unit rate by the units. Design Point was recommending the tender to United Structures Ltd.

**MOVED BY COUNCILLORS LEARY-PINCH AND P. MORTON THAT COUNCIL APPROVES THE AWARD OF TENDER WHRMCD25-01 RFP TO UNITED STRUCTURES LTD. FOR THE CULVERT REPLACEMENT ON THE MANTUA TO STANLEY TRAIL IN THE AMOUNT OF \$456,675.00 PLUS APPLICABLE TAXES. MOTION CARRIED**

**MOVED BY COUNCILLORS LEARY-PINCH AND P. MORTON THAT COUNCIL APPROVES A CONTINGENCY AMOUNT OF \$91,335 FOR THE PROJECT PLUS APPLICABLE TAXES. MOTION CARRIED**

c) 60 Old Walton Road, Upper Burlington Development Agreement (6:14 p.m.)

Planner Hong reviewed the report. On February 3, 2025 a completed application was received from Matthew Moore to consider permitting an automotive repair shop on PID 45168069 at 60 Old Walton Road in Upper Burlington by development agreement.

The property was currently used as a personal residence with an existing automotive repair business operating out of the garage. Nearby properties consisted of single unit residences, a community centre and farms.

The property was currently designated as Agriculture and zoned Agriculture Priority Two (AR-2) which permits agricultural uses, agricultural support uses, churches, community centres, fire halls, forestry and forestry related activities, manufactured homes and one and two-unit dwellings.

Planner Hong reviewed the enabling policy (8.9.4) that permitted Council to consider the proposed development, and the criteria within the policy was considered met (the agrologist report concluded the subject lot was not well suited for agriculture purposes, the proposed development would not compromise surrounding properties regarding their operation or integrity of agricultural activities, the proposed development was not located in a Growth Centre, Village or Hamlet and the NS Department of Public Works confirmed the existing access was acceptable.

Planner Hong reviewed the criteria policy (8.6.1 sets the requirements for the agrologist report and 16.3.1 sets the general criteria) and noted the criteria were met.

Planner Hong reviewed the Development Agreement details (permits an automotive repair shop contained entirely within the existing garage, hours of operation would be Monday – Friday from 8 am – 5 pm, a minimum of three parking spaces, refuse containers and outdoor parking

spaces were required to be screened from abutting properties, the property owner was responsible for the safe storage and disposal of waste products, the uses permitted on the property and the location of the shop, parking and driveway).

Discussion Points:

- A percentage of unit associated with commercial activity would be taxed as commercial. PVSC would be made aware of this change through the permitting process and make the change on their end.
- Hours of operation were written in consultation with the applicant, they specifically requested Monday – Friday from 8 am -5 pm.

**MOVED COUNCILLORS LEARY-PINCH AND MCLEAN THAT COUNCIL GIVES FIRST READING AND HOLDS A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT TO ALLOW AN AUTOMOTIVE REPAIR SHOP AT 60 OLD WALTON ROAD, UPPER BURLINGTON, PID 45168069 IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT C OF THE REPORT FILE #24-11 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REPORT DATED MAY 8, 2025. MOTION CARRIED**

**MOVED COUNCILLORS LEARY-PINCH AND MCLEAN THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT WITH MATTHEW MOORE BE SIGNED WITHIN 120 DAYS FROM THE DATE OF FINAL APPROVAL BY COUNCIL OR THE DATE THAT ANY APPEALS HAVE BEEN DISPOSED OF; OTHERWISE THIS APPROVAL WILL BE VOID AND OBLIGATIONS ARISING HEREUNDER SHALL BE AT AN END. MOTION CARRIED**

8. Public Hearings – None
9. Second Readings (as it pertains to Public Hearings) - None
10. Unfinished Business/Postponed Motions - None
11. Mayor’s Report  
Mayor Zebian provided a written report that was included in the agenda package.
12. Financial Updates – None, reports will resume next month.
13. Committee(s) of Council Excerpts/Recommendations
  - a. Committee of the Whole Excerpts (May 13, 2025)
    - i. Cole Drive Flood Mitigation FRIIP Application (6:25 p.m.)  
**MOVED BY COUNCILLORS P. MORTON AND LEARY-PINCH THAT COUNCIL APPROVE THE COLE DRIVE FLOOD MITIGATION PROJECT FOR SUBMITTAL UNDER THE FLOOD RISK INFRASTRUCTURE INVESTMENT PROGRAM. MOTION CARRIED**

- ii. Hants Shore Childcare Association Request (6:26 p.m.)  
**MOVED BY COUNCILLORS P. MORTON AND MCLEAN THAT COUNCIL DIRECTS STAFF TO BRING BACK A REPORT WITH A RECOMMENDATION ON PID 45285103 TO SUPPORT THE REQUEST FROM THE HANTS SHORE CHILD CARE CENTRE. MOTION CARRIED**
- iii. Headworks Connection Preliminary Design RFP (6:27 p.m.)  
**MOVED BY COUNCILLORS P. MORTON AND LEARY-PINCH THAT COUNCIL APPROVE THE AWARD OF RFP WHRMPW25-02 — HEADWORKS CONNECTION PRELIMINARY DESIGN — TO CBCL LTD. FOR THE PRICE OF \$61,100.00 BEFORE APPLICABLE TAXES. MOTION CARRIED**  
**MOVED BY COUNCILLORS P. MORTON AND LEARY-PINCH THAT COUNCIL APPROVE A DESIGN CONTINGENCY AMOUNT OF \$11,112.59 BEFORE APPLICABLE TAXES. MOTION CARRIED**
- iv. Meeting and Committee Procedural Policy Amendments (6:28 p.m.)  
**MOVED BY COUNCILLORS P. MORTON AND LEARY-PINCH THAT COUNCIL DIRECT THE CAO TO ENGAGE STAFF TO MAKE THE NECESSARY CHANGES TO THE MEETING AND COMMITTEE PROCEDURAL POLICY RCOGE-003.00 FOLLOWING THE DISCUSSION OF COUNCIL AT THE MAY 13th, 2025 COMMITTEE OF THE WHOLE MEETING. MOTION CARRIED**

b) Planning and Heritage Advisory Committee Excerpt (First Reading)

- i. Upper Water Street, Windsor PID 45056363 Development Agreement Amendment (6:29 p.m.)

Acting Director Fougere reviewed the report. On January 22, 2025 a completed application was received from Coady Sanford, Seastone Developments Ltd. to consider an amendment to the development agreement with Asset Management Ltd on PID 45056363, Upper Water Street to increase the number of residential units, unit design, exterior finishes, commercial uses permitted and update parking.

The vacant site was located on Upper Water Street. Surrounding properties consisted of lower density residential development, with nearby Town Centre type developments (commercial and residential) and has frontage on Upper Water Street.

The proposed changes to the Development Agreement included addition of 2 residential units (up to 6 units) – up to 3 storeys, addition of commercial uses, a site plan, parking was now proposed to be 1 stall per dwelling unit and 1 stall per 300 sq ft of commercial floor area, balconies were removed from the building design, other amendments to language (stormwater management) and housekeeping.

Acting Director Fougere reviewed the planning strategies (Policy 7.2.1 and 7.2.4 that enabled Council to consider new main buildings and new residential developments in the Town Centre zone by development agreement, 7.2.2 and 7.4.3 that stated the general criteria for development proposals in the Town Centre zone and 16.3.1 that stated general criteria for amendments to development agreements). The proposal met all Windsor Municipal Planning Strategies.

A Public Information meeting was held on April 2nd, 2025. No comments or questions from the public were received during the comment period.

On May 8, 2025, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) where it received a positive recommendation.

**MOVED BY COUNCILLORS LEARY-PINCH AND B. SMITH THAT COUNCIL GIVE FIRST READING AND WILL HOLD A PUBLIC HEARING TO CONSIDER ENTERING INTO A DEVELOPMENT AGREEMENT WHICH REPLACES THE ORIGINAL DEVELOPMENT AGREEMENT ON PID 45056363 ON UPPER WATER STREET, WINDSOR IN A MANNER SUBSTANTIVELY THE SAME AS THE DRAFT SET OUT IN ATTACHMENT D OF THE REPORT FILE #25-04 TO THE PLANNING AND HERITAGE ADVISORY COMMITTEE REPORT DATED MAY 8, 2025, TAKING NOTE THAT THIS DEVELOPMENT AGREEMENT WILL DISCHARGE AND REPLACE THE DEVELOPMENT AGREEMENT RECORDED AT THE LAND REGISTRY OFFICE ON NOVEMBER 25, 2009, AS DOCUMENT NUMBER 94794790. MOTION CARRIED**

**MOVED BY COUNCILLORS LEARY-PINCH AND B. SMITH THAT COUNCIL REQUIRES THAT THE DEVELOPMENT AGREEMENT AMENDMENT WITH SEASTONE DEVELOPMENTS LIMITED BE SIGNED WITHIN 120 DAYS FROM THE DATE OF FINAL APPROVAL BY COUNCIL OR THE DATE THAT ANY APPEALS HAVE BEEN DISPOSED OF; OTHERWISE THIS APPROVAL WILL BE VOID AND OBLIGATIONS ARISING HEREUNDER SHALL BE AT AN END. MOTION CARRIED**

c) Peace and Good Order By-law First Reading

Clerk Snair reviewed the report. The goal was to establish a clear and consistent regional expectation for all residents of West Hants regarding acceptable noise levels. This ensures a respectful and peaceful living environment, balancing individual freedoms with community well-being. The proposed by-law would be in addition to the existing Noise By-Laws for Hantsport and Windsor and provided a standard for West Hants. These existing by-laws would remain in effect, as they establish a higher standard that must continue to be upheld.

Council reviewed the proposed by-law and raised several concerns. Notably, it appeared that multiple sections would fall under enforcement through the Criminal Code rather than through WHRM's municipal by-laws. Additional concerns were related to the by-law's language and potential impacts on noise levels—such as music played at events—as well as the safety and wellbeing of WHRM By-law Officers during enforcement activities.

It was noted that many of the activities addressed within the proposed by-law are already enforceable under the Criminal Code. However, the by-law emphasizes the importance of being respectful and neighbourly. Unlike existing noise by-laws, the proposed by-law would grant the RCMP the authority to engage proactively with residents—such as by knocking on doors and initiating a conversation about concerns—which are currently only permitted within the jurisdictions of Windsor and Hantsport.

**MOVED BY COUNCILLORS LEARY-PINCH AND P. MORTON THAT COUNCIL GIVE FIRST READING TO THE PEACE AND GOOD ORDER BY-LAW RCOGE-001 AS PRESENTED AT THE MAY 13, 2025 REPORT TO**

**COMMITTEE OF THE WHOLE, AND PROCEED TO PUBLIC HEARING AND SECOND READING AT THE JUNE 24, 2025 COUNCIL MEETING. MOTION CARRIED.** Nays: McLean and B. Morton

14. Councillor(s) Municipal Business/Activity Reports (6:55 p.m.)  
Written reports were submitted and included in the agenda package.

15. Councillor(s) Municipal Advisory Board Activity Reports (6:55 p.m.)  
a) Accessibility Advisory Committee Update  
b) Police Advisory Board Committee Update

Discussion Points:

- The increased presence was a result of the lifting of pandemic-related restrictions, which allowed for greater comfort and feasibility in conducting spot checks within the community. Additionally, enhanced collaboration with neighboring agencies contributed to a higher level of enforcement.
- Speed limits fall under Provincial jurisdiction. The municipality does not have the authority to change speed limits but can play an advocacy role. If residents have concerns about the speed limit in a specific area—such as Highway 14 near the Lakeside Variety store—the municipality can relay these concerns to the appropriate Provincial authorities for review.
- Of the 46 tickets issued for speeding, 2/3'rds were in the Brooklyn school area.

16. Correspondence (6:58 p.m.)

a) Information

i. General Correspondence Received Activity Log (as of May 23, 2025)

- a) Sean Kirby Re Uranium
- b) Karen Wallace Re Everwind Again
- c) Chad Pothier Re Opposition to Proposed Uranium Mining – Millet Brook
- d) Dial-A-Ride Re line on the budget

b) Outgoing Correspondence Log - None

17. In-Camera (7:01 p.m.)

- a) 2025-04-22 Council In-Camera Minutes
- b) MGA 22(2)(g) Legal Matter – Enforcement Matter

**MOVED BY COUNCILLORS P. MORTON AND LEARY-PINCH THAT THE MEETING MOVE IN-CAMERA AT 7:01 P.M. MOTION CARRIED**

**MOVED BY COUNCILLORS P. MORTON AND LEARY-PINCH THAT THE MEETING MOVE OUT OF IN-CAMERA AT 7:22 P.M. MOTION CARRIED**

18. Next Meeting Date / Adjournment – June 10<sup>th</sup>, 2025 Committee of the Whole Meeting 6 pm  
The meeting adjourned at 7:22 p.m. as there was no further business to discuss.

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Deputy Mayor Francis (Chair)

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Deanna Snair, Municipal Clerk