WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda - AMENDED
June 28, 2022 - 6:00 p.m.
Virtual via Zoom (also FB Livestream)

West Hants
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1. Call to Order

2. Attendance

3. Announcements

4. Approval of the Agenda, including additions or deletions
   a) Dashboard Action Items – Information Log – add CAO's Review to the Dashboard
   b) Dashboard Action Items – Dangerous/Unsightly

5. Declaration(s) of Conflict of Interest

6. Approval of Previous Meeting Minutes
   a) 2022-05-24 Council Meeting Minutes
   b) 2022-05-24 Public Hearing Meeting Minutes, College Rd, Windsor, PID 45336203, Development Agreement
   c) 2022-05-24 Public Hearing Meeting Minutes, Regional Dog By-Law and Fees
   d) 2022-06-02 Special Council Meeting Minutes

7. Presentations:
   a) Homelessness Tent Strategy - Kayla Todd , Housing support worker, Kimm Kent, POSSE Domenic Padula
   b) Multi-year Financial Plan Presentation and Motion – RCMP/Finance

8. Public Hearings
   i. 65 Fort Edward Street, Rezoning and Redesignation Windsor; PID 45059797 (Municipal Lands)

9. Second Readings
   i. ~~65 Fort Edward Street, Rezoning and Redesignation Windsor; PID 45059797 (Municipal Lands)~~ Postponed until October 25, 2022 at 6 p.m.

10. Unfinished Business/Postponed Motions
    a) Boundary Review Update - Supervisor Thornton
    b) Newport Rink and Commission
       i. West Hants Sports Complex and Newport GFL Recreation Center Recommendation Report – Mayor Zebian
       ii. Financial Grant Funding Request Follow-up Discussion

c) Planning Advisory Committee Composition Recommendation Request – Mayor Zebian
   i. Council Member Nomination and Election
   ii. Planning and Heritage Advisory Composition Recommendation Request -Mayor Zebian
d) Snow & Ice Control Cost Comparison – Contracted / In-House Information Report – Director Richard
e) Responsibility for Sewer and Water Laterals Information Report – Director Richard

11. Mayor's Report

12. Committee(s) of Council Excerpts/Recommendations
a) Committee of the Whole Excerpts (June 14, 2022)
   i. 2022-2023 Grants and Contributions
   ii. Diverse and Inclusive Communities Committee
   iii. Heritage Beef Classic Show Grant
   iv. High School Bursaries
   v. Masonic Home Grant
   vi. Municipal Boundary Review
   vii. Nova Scotia Partnership Development Opportunity
   viii. RCOFN-012.00 Grants and Contributions Policy

b) Planning and Heritage Recommendations
   i. Wentworth Road, PID 45059631, Development Agreement First Reading

13. Councillor Municipal Business/Activity Reports
   i. Councillor Ivey , District 11 Monthly Report

14. Correspondence
a) Information
   1. Avon Causeway Activity Log
      i. 2022-06-27 Darren Porter re Two adult inner bay of fundy salmon captured and DNA sampled outside the gates in Windsor today

   2. Current Correspondence received as of June 23, 2022
      i. 2022-06-14 Nancy Sherwood re Canoe Club
      ii. 2022-06-16 Bobby Best re Heritage Classic Beef Show, Thank you
      iii. 2022-06-21 Hon. Kim Masland re Eastbound off ramp closure at Exit 6 on Hwy 101
      iv. 2022-06-18 Sherri Bulger re safety concern

   3. Fort Edward Activity Log
      i. 2022-06-24 Carol Bradley re Retaining the former pool site for public use
      ii. 2022-06-24 Ruth Angevine Lands next to Fort Edward

iii. 2022-06-28 Denise Forand re Fort Edward PID's # 45059797 and # 45059805

4. Storm Wastewater Activity Log
   i. Current Correspondence received as of June 23, 2022 - None

b) Requests – None

c) Outgoing
   1. Current Correspondence Sent as of June 23, 2022

15. New Business
   a) Sidewalk Machine Replacement Recommendation Report - Director Richard
   b) Salt Box Replacement Recommendation Report Recommendation Report - Director Richard
   c) Committee of the Whole Chair, Amendment to the Meeting and Committee Procedural Policy– Mayor Zebian
   d) 2021-2022 Valley Regional Enterprise Network Annual Report – Information Report Mayor Zebian
   e) Tender Award for Community Development Truck Recommendation Report– Director Kehoe
   f) New Business: Pothier Motor's Cross walk assessment – Mayor Zebian
   g) New Business: Hants Community hospital Emergency Room Department closures – Mayor Zebian
   h) New Business: Application for change of definition to Community Centre – Mayor Zebian

16. In-Camera

17. Next Meeting Date / Adjournment

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
July 23, 2021

Green - Complete
Yellow - In-progress
Red - Not started

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Sewer Billing Review - Staff explore what the sewer rates would be if sewer util. fees were put back on the taxes. **(Tabled until after budget) (Also at 2020-04-14 COTW mtg)**	2020-05-12		In progress	CAO/Fin
Asset Mgmt (Strategic Sustainability) - Strategic Sustainability Plan is needed	2020-05-12	On-going until approx. Oct. 2022	Training workshops follow up every two(2) weeks	PW
Pedestrian Signage and Barriers - Have consistent and align with Branding outcomes. Staff prepare report for 2021/22 Capital & Operating budgets. (These items should be incorporated into our growth centres). Staff report back.	2020-09-22	Align with Branding outcomes 2021-07, On-going	Pending Beautification Strategy. Street and Community sign options currently being explored	PW/Comm. Dev
Diversity & Inclusion Committee (from Meeting & Committee Procedural Policy Amendments) - Amend Appendix M, advertise for Committee members and mobilize the committee	2020-10-13	June 28, 2022	Pending Council Approval	Comm Dev
W. B Stephens Building Design Project Management Tender Award - Defer award until staff obtain additional operational costing information of the other municipal buildings. (100 King Street)	2020-10-27	2022-on going	Meeting set for early July	CAO
Panuke Rd Event - Event to be arranged by Mayor	2021-03-09	2021-06	Unknown	Mayor
Noise By-law - Staff revise by-law (Peace and Good Order)	2021-03-23	2022-on going	Ongoing review	Planning/ CAO
Cheverie Land Exchange - Agree	2021-03-23	2022 on going	Coming to June COTW	CAO
WHRM Land Dispute Policy - CAO Office to establish a practice to keep council informed	2021-04-27	2022-04	Currently reviewing. Policy to follow	CAO
Dog Park - Staff review historical information related to dog park feasibility	2021-06-08	2022-04	Outstanding. Information gathered	Comm. Dev

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Glooscap First Nation & WHRM Council Meeting - Send formal invite for a meeting to discuss many topics including reconciliation	2021-06-22		Met on March 15, 2022	Mayor
Request to Meet with Avon Causeway Gate Stakeholders - Send letter to Glooscap First Nation requesting immediate joint council mtg. to discuss Avon River Causeway/Aboiteau Gate System and Ministerial Order	2021-06-22		Ongoing informal communication continues through the Mayor	Mayor/CAO
Outdoor Fires By-Law - Staff review existing Fire-related by-laws and have an all encompassing Regional By-Law	2021-09-28	2022-06	Coming to Council in July/August	CAO
Capped Assessment - Staff provide a new aggregated report that will coincide with PVSC's presentation in January/February.	2021-09-28	2022	Outstanding	Finance
Panuke Road Booster Station - Provide ongoing updates to Council	2022-02-22	ongoing	Equipment installation in progress	PW
Hantsport Fire Station - Provide ongoing progress updates to Council	2022-02-22	ongoing	Drywall installation completed. Equipment being installed. Projecting an August completion date	PW
Front End Wheel Loaders - Provide ongoing progress reports to Council	2022-02-22	June 2022	Delivered Thursday June 23, 2022	PW
Fort Edward- Return to the March 22, 2022 with details re: Phase 2 to Archaeological Assessment on 36 and 65 Fort Edward Lands	2022-03-16	2022-03-22	Spublic Hearing and Second Reading scheduled for June 28, 2002 Council Meeting	CAO
Status Update (Bowman Road) - Provide Council with correspondence from the Dept. of the Environment authorizing the straight knock-down of the building	2022-05-10	July 2022	Returning to July COTW	CAO/Planning
Boundary Review - Staff to collect updated information on numbers and return to Council with the info. Consensus is that there is a need to review further at a later date.	2022-05-10	December 2022	Returning to June Council with updated information on projected costs	CAO

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
New Provincial Non-Residential Deed Transfer Taxation - Compose a letter regarding the Provinces new deed transfer tax and discourage and further explain the rational behind not supporting this initiative. Council to review letter prior to sending.	2022-05-10	June 2022	Letter has been drafted	CAO/Council
2022-23 Grants and Contributions - Defer the 2022-23 Grants and Contributions recommendation report until after the budget has been approved.	2022-05-10	June 28, 2022	Pending Council Approval	Comm. Dev.
Sidewalk Needs Assessment - Return to the June COTW mtg with a report highlighting the action plan with the recommendations noted in the report at the May 10, 2022 COTW mtg.	2022-05-10	June 2022	Report reviewed at June COTW	PW
Water and Sewer Laterals - Staff to return at a later date with a report highlighting the historical information pertaining to the water and sewer laterals.	2022-05-10	June 2022	Report at June Council	PW
RFP and Municipal Roads - Staff to provide a report showing the 2019/2020 snow removal cost comparison of actuals to budgeted costs reflecting all- inclusive costs including staff, salt and snow clearing contract costs for West Hants.	2022-05-24	June 28, 2022	Report at June Council	Fin/PW
Masonic Lodge Society Grants and Contributions - adopt the grant as outlined in the Grants and Contributions Recommendation report.	2022-06-14	June 28, 2022	Pending Council Approval	Fin/CD

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Heritage Beef Classic Show Grants and Contributions - Approve the grant request for the at 50% of the original ask to be funded through the Opertaing Reserve.	2022-06-14	June 28, 2022	Pending Council Approval	Fin/CD
High School Bursaries - staff to bring back a report advising on policy changes with respects to the bursaries to reflect an equal opportunity for all students within West Hants regardless of the high school of their chosing.	2022-06-14	June 28, 2022	Pending Council Approval	Fin/CD
Nova Scotia Partnership Development Opportunity - the development of a public street near the Elementary school near Tremain Crescent be left to the developer.	2022-06-14	June 28, 2022	Pending Council Approval	CAO/PLAN
RCOFN-012.00 Grants and Contributions Policy - Staff to review the RCOFN-012.00 Grants and Contributions Policy when one off applications are received.	2022-06-14	June 28, 2022	Pending Council Approval	CAO

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
June 23, 2022

Green - Complete
Yellow - In-progress
Red - Not started

Matter	Meeting	M/D	Start Date	Deadline / Update	Status	Resp.

West Hants RCMP
Multi-Year Financial Plan

Staff Sergeant Dave Ferguson
Detachment Commander
West Hants RCMP

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Items covered in this presentation:

- Current Fiscal Year Projections (April 1, 2022-March 31, 2023)
- 5 Year Financial Plan (2023/24-2027/28)
- Where are costs are allocated?
- What are the projected costs in years to come?



RCMP “H” Division - West Hants Municipality
Municipal Over 15,000: 5-Year Cost Projections

Human Resources

Municipal Policing Service Agreement	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**
	Actuals	Actuals	Base Year			***Estimates***		
Human Resourcing								
RCMP RM and CM Positions, beginning of year	18.85	19.59	22.00	22.00	22.00	22.00	22.00	22.00
RCMP RM and CM Positions, end of year	18.85	19.59	22.00	22.00	22.00	22.00	22.00	22.00
RCMP RMs and CMs (Utilization)	**18.85**	**19.59**	**22.00**	**22.00**	**22.00**	**22.00**	**22.00**	**22.00**
Net RCMP RMs and CMs (Utilization)	18.85	19.59	22.00	22.00	22.00	22.00	22.00	22.00
Estimated Average Pay per RCMP Officer	117,281	142,525	146,743	153,621	158,206	162,927	167,789	172,666
Total Human Resourcing	**$2,210,753**	**$2,792,072**	**$3,228,335**	**$3,379,666**	**$3,480,522**	**$3,584,391**	**$3,691,362**	**$3,798,656**

RCMP "H" Division - West Hants Municipality
Municipal Over 15,000: 5-Year Cost Projections

Accommodation Operating and Maintenance

Municipal Policing Service Agreement	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**
	Actuals	Actuals	Base Year			***Estimates***		
Accommodation Operating and Maintenance								
Contracted Services and Minor Repairs (CI 170)	120,533	127,937	130,879	133,889	136,969	140,119	143,342	146,639
Building Repairs (CI 310)	17,581	13,811	14,129	14,454	14,786	15,126	15,474	15,830
Utilities (CI 400)	22,254	25,121	25,698	26,290	26,894	27,513	28,146	28,793
Payment in Lieu of Tax (CI 592)	9,446	9,393	9,609	9,830	10,057	10,288	10,524	10,766
Municipal Rent	106,263	106,263	106,263	106,263	106,263	106,263	106,263	106,263
Total	**$276,077**	**$282,525**	**$286,578**	**$290,726**	**$294,969**	**$299,309**	**$303,749**	**$308,291**

RCMP "H" Division - West Hants Municipality
Municipal Over 15,000: 5-Year Cost Projections

Equipment

Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			*Estimates*		
Equipment								
Criminal Operations	4,516	3,838	13,916	78,586	73,178	68,272	47,369	37,268
Firearms/Ammo/Weapons	606	10	10,000	59,080	59,080	59,080	38,080	27,880
Policing Equipment	0	3,445	3,524	3,605	3,688	3,773	3,860	3,949
Photographic Equip	322	0	0	0	0	0	0	0
Other Ident Equip	1,038	383	392	401	410	419	429	439
Investigational Aids	2,550	0	0	15,500	10,000	5,000	5,000	5,000
Security Equip (CCTV Installs)	0	0	0	0	0	0	0	0
Informatics	75,259	102,418	170,429	205,711	124,034	166,963	125,778	148,833
Radios/Mobiles	75,259	82,198	99,376	101,603	103,886	106,227	108,625	108,625
Computer Equipment (Evergreening)	0	20,220	71,053	104,108	20,148	60,736	17,153	40,208
Police Vehicles	404,377	-13,833	58,000	255,000	164,250	124,000	58,000	0
Number of Vehicles			1	5	3	2	1	0
Average Cost per Vehicle	0	0	58,000	51,000	54,750	62,000	58,000	0
Total Cars/Trucks, etc			1					
Boats								
ATVs and snowmobiles					20,000			
TAV/Tact/Mobile Command								
Aircraft Betterments/Replacements								
Total	**$484,152**	**$92,423**	**$242,345**	**$539,297**	**$381,462**	**$359,235**	**$231,147**	**$186,101**

RCMP "H" Division - West Hants Municipality
Municipal Over 15,000: 5-Year Cost Projections

Divisional Administration and Other Costs

Municipal Policing Service Agreement	**2020/21**	**2021/22**	**2022/23**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**
	Actuals	Actuals	Base Year			***Estimates***		
Divisional Administration								
Total Per Capita Rate	37,170	45,100	41,534	40,144	40,319	40,495	40,495	40,495
Net RCMP RMs and CMs (Utilization)	19	20	22	22	22	22	22	22
Total	**$700,654**	**$814,496**	**$913,748**	**$922,966**	**$931,612**	**$949,630**	**$962,060**	**$962,060**
Other Direct and Indirect Costs								
Overtime	144,123	208,846	200,000	206,000	212,180	218,545	225,102	231,855
Public Service Pay and Other Pay	152,662	142,914	146,136	148,024	150,003	152,006	154,040	155,829
Corps of Commissionaires	32,036	39,378	40,000	40,920	41,861	42,824	43,809	44,817
Vehicle Fuel	61,269	83,581	95,000	100,510	106,340	112,507	119,033	125,937
Vehicle Repairs & Fit Up	37,732	42,861	47,476	70,441	62,829	59,139	51,473	47,030
Shared Services (Phone lines, cell phones, etc.)	7,667	7,220	7,220	7,220	7,220	7,220	7,220	7,220
Other O&M	66,460	80,653	80,772	85,157	84,304	85,477	86,678	82,904
Other Indirect Costs	149,440	144,303	172,223	181,877	198,463	198,660	198,726	198,793
Credits to be applied	0	0	-45,490	0	0	0	0	0
Total	**$651,389**	**$749,756**	**$743,337**	**$840,149**	**$863,200**	**$876,378**	**$886,081**	**$894,385**

RCMP "H" Division - West Hants Municipality
Municipal Over 15,000: 5-Year Cost Projections

Special Initiatives

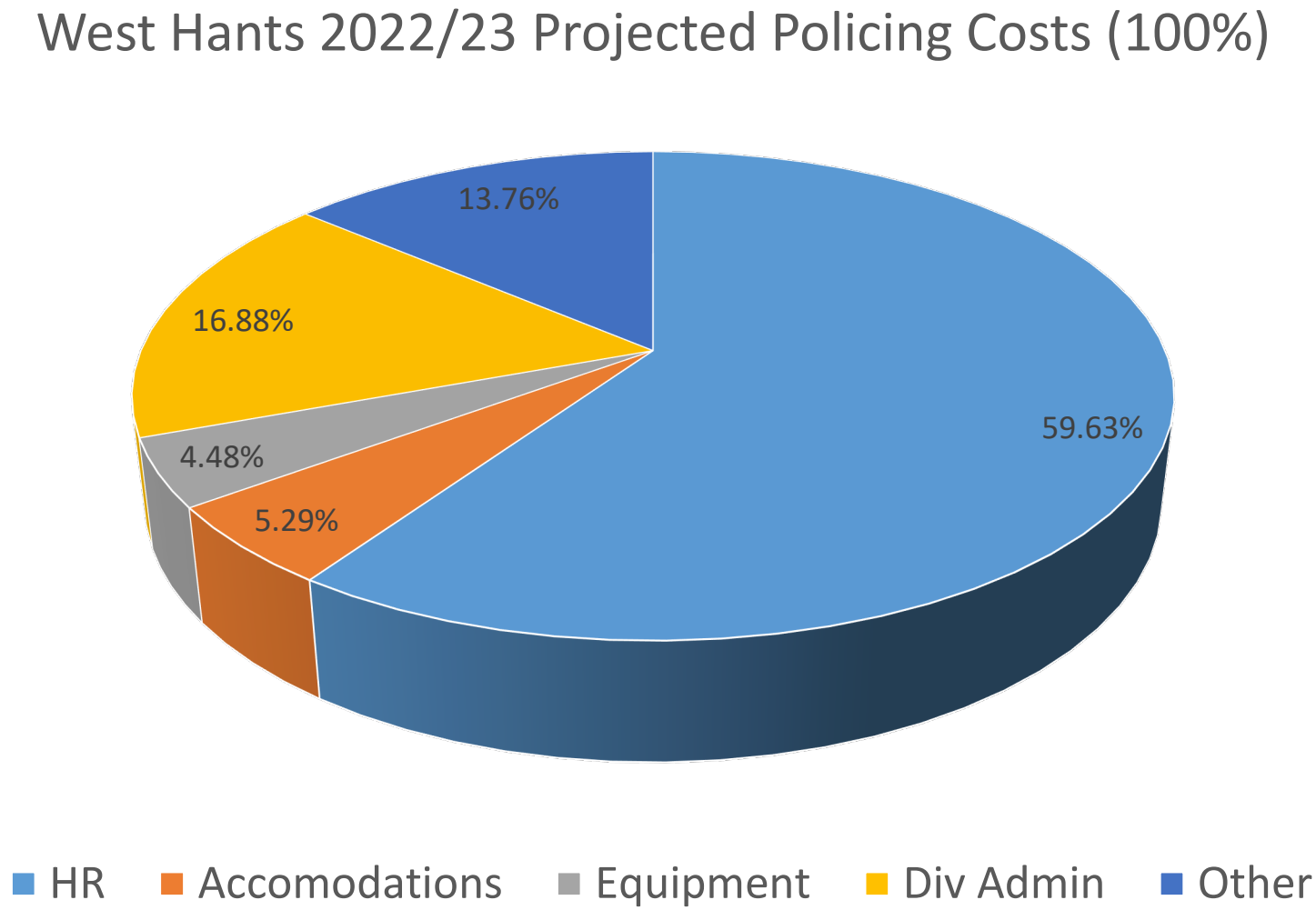
Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			***Estimates***		
Special Projects and Initiatives								
Body Worn Cameras	0	0	0	0	60,000	60,000	60,000	60,000
Total (at 100%)	**$0**	**$0**	**$0**	**$0**	**$60,000**	**$60,000**	**$60,000**	**$60,000**

RCMP "H" Division - West Hants Municipality
Municipal Over 15,000: 5-Year Cost Projections

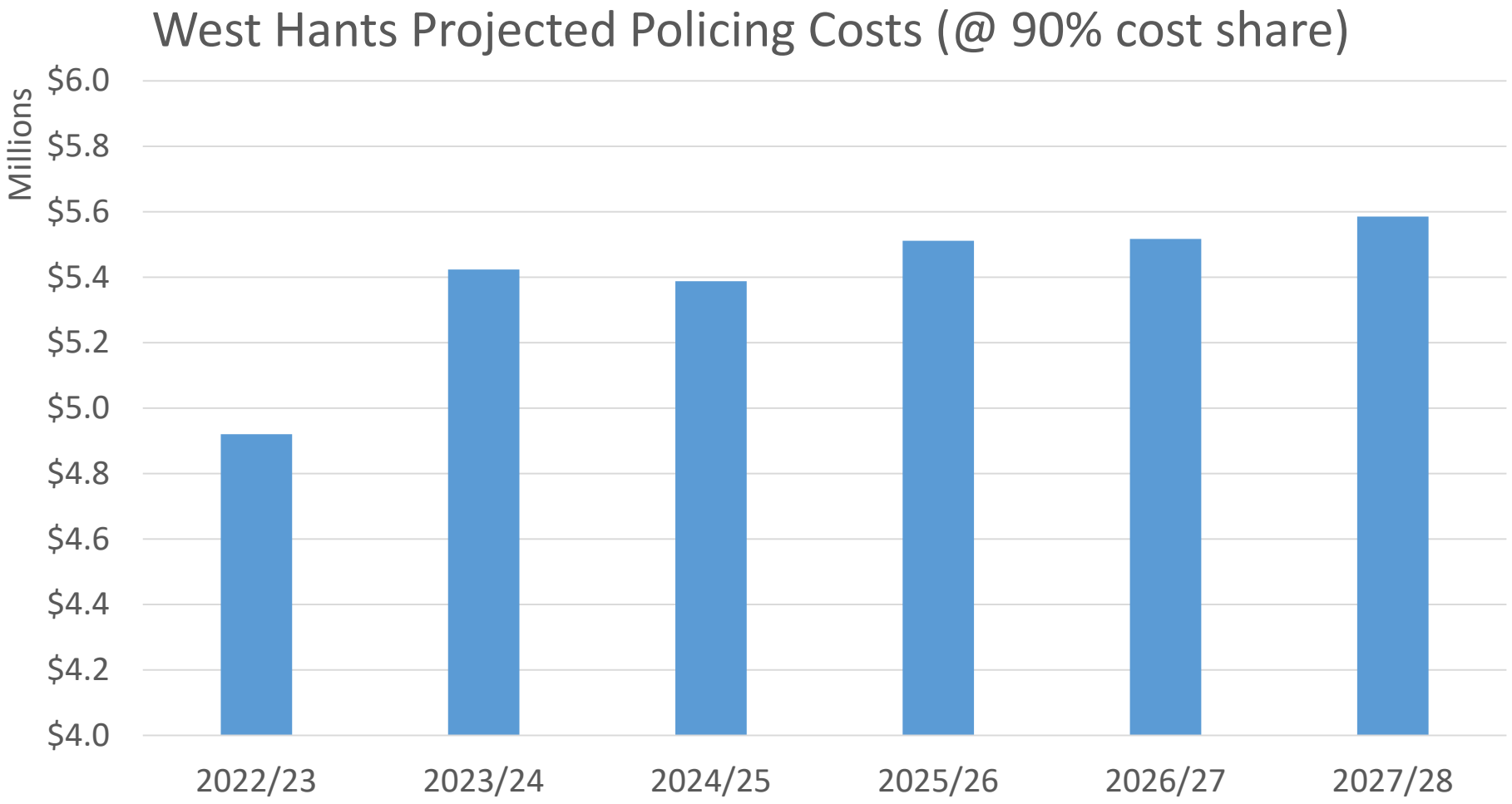
Financial Summary

Municipal Police Service	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			*Estimates*		
Human Resourcing - Table 1								
RCMP RMs and CMs (Utilization)	19	20	22	22	22	22	22	22
Less: Paid Special Leaves	0	0	0	0	0	0	0	0
Net RCMP RMs and CMs (Utilization)	19	20	22	22	22	22	22	22
Remuneration per RCMP Officer	117,281	142,525	146,743	153,621	158,206	162,927	167,789	172,666
Total Human Resourcing	**$2,210,753**	**$2,792,065**	**$3,228,335**	**$3,379,666**	**$3,480,522**	**$3,584,391**	**$3,691,362**	**$3,798,656**
Accommodation - Tables 2, 3 & 4								
Federally Owned Accommodation (APC Rate)	0	0	0	0	0	0	0	0
Leased Accommodation	0	0	0	0	0	0	0	0
Accommodation Operating and Maintenance	276,077	282,525	286,578	290,726	294,969	299,309	303,749	308,291
Total Accommodation	**$276,077**	**$282,525**	**$286,578**	**$290,726**	**$294,969**	**$299,309**	**$303,749**	**$308,291**
Equipment - Table 5	**$484,152**	**$92,423**	**$242,345**	**$539,297**	**$381,462**	**$359,235**	**$231,147**	**$186,101**
Division Administration - Table 6	**$700,654**	**$814,496**	**$913,748**	**$922,966**	**$931,612**	**$949,630**	**$962,060**	**$962,060**
Special Projects and Initiatives - Table 7	**$0**	**$0**	**$0**	**$0**	**$60,000**	**$60,000**	**$60,000**	**$60,000**
All Other Direct and Indirect Costs - Table 6	**$651,389**	**$749,756**	**$743,337**	**$840,149**	**$863,200**	**$876,378**	**$886,081**	**$894,385**
Cost Share (Billable at 90%)	$3,860,061	$4,264,582	$4,941,129	$5,492,622	$5,444,409	$5,574,269	$5,572,253	$5,639,996
No Cost Share (Billable at 100%)	$462,964	$466,683	$473,214	$480,182	$487,356	$494,674	$502,146	$509,497
Total	**$4,323,025**	**$4,731,265**	**$5,414,343**	**$5,972,804**	**$6,011,765**	**$6,128,943**	**$6,134,399**	**$6,209,493**
Federal 10% Cost Share	**$386,006**	**$426,458**	**$494,113**	**$549,262**	**$544,441**	**$557,427**	**$557,225**	**$564,000**
Municipal 90% Cost Share	**$3,937,019**	**$4,304,807**	**$4,920,230**	**$5,423,542**	**$5,387,324**	**$5,511,516**	**$5,517,174**	**$5,585,493**

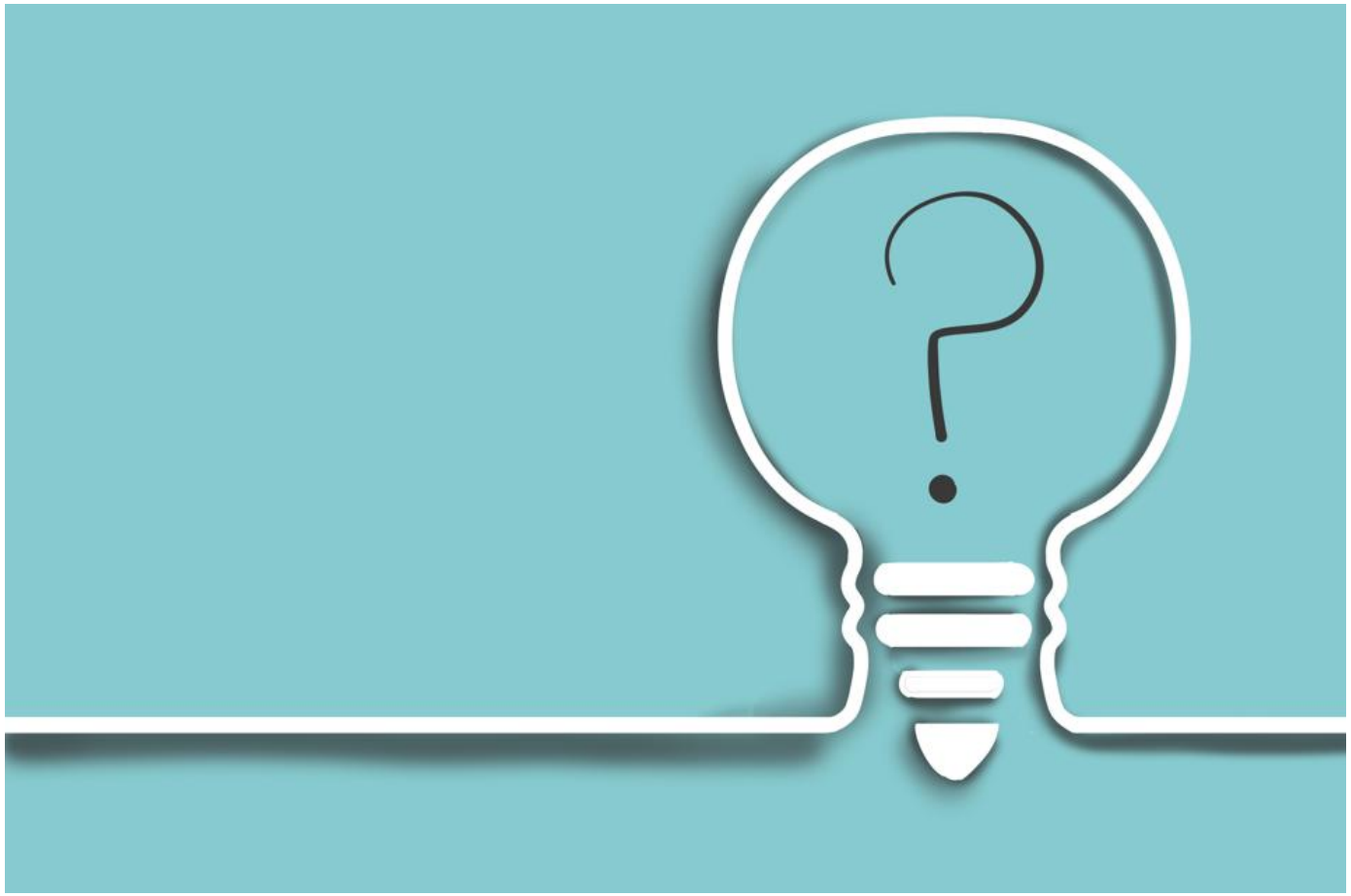
Where are costs allocated?



What are the projected costs in years to come?



Questions?




RCMP
GRC
POLICE
Thank
you

WEST HANTS REGIONAL MUNICIPALITY

Matter Overview

Date: June 28, 2022

Meeting: Council

Submitted by: Diana Gibson, Acting Director of Financial Services

Subject Matter: 2022-2028 Municipal Police Service Multi-Year Financial Plan

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Outline/Summary (Matter): The 2022-2028 Municipal Police Service Multi-Year Financial Plan is attached for Councils review and Consideration.

Attachments: 2022-2028 Municipal Police Service Multi-Year Financial Plan

Recommendations (if any):

.... That council approves in principle of the RCMP Multiple-Year Financial Plan for 2022-2028

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development and Acting CAO





West Hants

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Municipal Police Service Multi-Year Financial Plan (MYFP) 2022 to 2028

Prepared for: West Hants Municipality

Prepared by: Strategic Planning and Client Services

Dated: June 1, 2022

Royal Canadian Mounted Police | Gendarmerie royale du Canada
Commanding Officer | Commandant divisionnaire

80 Garland Avenue
Mailstop #H-001
Dartmouth, NS
B3B 0J8

June 3, 2022

Mr. Mark Phillips
Chief Administrative Officer
West Hants Municipality
76 Morison Dr. P.O. Box 3000
Windsor, Nova Scotia
B0N 2T0

Dear Mr. Phillips

In compliance with Article 17.1 of your Municipal Police Service Agreement, I am pleased to provide you with a Multi-Year Financial Plan covering the projected cost of policing the West Hants Municipality from 2023/24 to 2027/28.

These projections are based on the current establishment and take into account any potential vacancies. The cost of PROS, guard services, overtime, and accommodation, have been estimated separately and are billed based on actual expenditures.

Should you wish to discuss the Multi-Year Financial Plan further, please do not hesitate to contact Danielle Desjardins, Acting Strategic Planning and Client Services Manager at (902) 720-5145.

Yours truly,

Assistant Commissioner John Ferguson
Commanding Officer 'H' Division
Royal Canadian Mounted Police, Nova Scotia

Encls.

Canada

RCMP 'H' DIVISION
Windsor-West Hants
Municipal Over 5-Year Cost Projections

Municipal Police Service	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			*Estimates*		
Human Resourcing - Table 1								
RCMP RMs and CMs (Utilization)	19	20	22	22	22	22	22	22
Less: Paid Special Leaves	0	0	0	0	0	0	0	0
Net RCMP RMs and CMs (Utilization)	19	20	22	22	22	22	22	22
Remuneration per RCMP Officer	117,281	142,525	146,743	153,621	158,206	162,927	167,789	172,666
Total Human Resourcing	**$2,210,753**	**$2,792,065**	**$3,228,335**	**$3,379,666**	**$3,480,522**	**$3,584,391**	**$3,691,362**	**$3,798,656**
Accommodation - Tables 2, 3 & 4								
Federally Owned Accommodation (APC Rate)	0	0	0	0	0	0	0	0
Leased Accommodation	0	0	0	0	0	0	0	0
Accommodation Operating and Maintenance	276,077	282,525	286,578	290,726	294,969	299,309	303,749	308,291
Total Accommodation	**$276,077**	**$282,525**	**$286,578**	**$290,726**	**$294,969**	**$299,309**	**$303,749**	**$308,291**
Equipment - Table 5	**$484,152**	**$92,423**	**$242,345**	**$539,297**	**$381,462**	**$359,235**	**$231,147**	**$186,101**
Division Administration - Table 6	**$700,654**	**$814,496**	**$913,748**	**$922,966**	**$931,612**	**$949,630**	**$962,060**	**$962,060**
Special Projects and Initiatives - Table 7	**$0**	**$0**	**$0**	**$0**	**$60,000**	**$60,000**	**$60,000**	**$60,000**
All Other Direct and Indirect Costs - Table 6	**$651,389**	**$749,756**	**$743,337**	**$840,149**	**$863,200**	**$876,378**	**$886,081**	**$894,385**
Cost Share (Billable at 90%)	$3,860,061	$4,264,582	$4,941,129	$5,492,622	$5,444,409	$5,574,269	$5,572,253	$5,639,996
No Cost Share (Billable at 100%)	$462,964	$466,683	$473,214	$480,182	$487,356	$494,674	$502,146	$509,497
Total	**$4,323,025**	**$4,731,265**	**$5,414,343**	**$5,972,804**	**$6,011,765**	**$6,128,943**	**$6,134,399**	**$6,209,493**
Federal 10% Cost Share	**$386,006**	**$426,458**	**$494,113**	**$549,262**	**$544,441**	**$557,427**	**$557,225**	**$564,000**
Municipal 90% Cost Share	**$3,937,019**	**$4,304,807**	**$4,920,230**	**$5,423,542**	**$5,387,324**	**$5,511,516**	**$5,517,174**	**$5,585,493**

Notes:
1. 2022-2023 Base Year matches 2022-2023 Funding Cap provided by West Hants Municipality
2. Fiscal Year 2022-2023 includes actual salary increase, as of April 1, 2022, per the Regular Member Collective Bargaining Agreement. CBA is valid until March 31, 2023. Fiscal years 2023-2024 to 2027-2028 includes an estimated increase of 3% per year for Regular Member pay rate increases
3. Total Human Resources includes Pay and Allowances plus Pension and applicable per Member rates for Canada Pension Plan and Employment Insurance. Other per Member rates such as Divisional Administration, Cadet Training, Recruiting, Enhanced Reporting, etc. included on Table 6.
4. Remuneration per RCMP Officer represents the Total Human Resourcing amount divided by Regular Member utilization
5. Implementation of Police Modernization equipment initiatives included as of 2023-24. Preliminary implementation schedule for H Division based on NHQ's anticipated Procurement and national rollout, combined with Divisional Priorities. Notes included under each table and additional details provided in MYFP Narratives
6. Inflation rates updated based on 5-year average. Per statcan.gc.ca, 5 year average for gasoline is 5.8% and O&M (excluding gasoline and fuel oils) is 2.3%
7. MYFP assumes full compliment utilization for full Fiscal Year
8. FY 2020-2021 and 2021-2022 Final matches actual costs for 2020-2021 and anticipated final costs for 2021-2022
9. Detailed notes included with each Table

Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			*Estimates*		
Human Resourcing								
RCMP RM and CM Positions, beginning of year	18.85	19.59	22.00	22.00	22.00	22.00	22.00	22.00
New RCMP RM and CM Positions								
RCMP RM and CM Positions, end of year	18.85	19.59	22.00	22.00	22.00	22.00	22.00	22.00
Less Vacancy Discount								
RCMP RMs and CMs (Utilization)	**18.85**	**19.59**	**22.00**	**22.00**	**22.00**	**22.00**	**22.00**	**22.00**
Less Paid Special Leaves								
Net RCMP RMs and CMs (Utilization)	18.85	19.59	22.00	22.00	22.00	22.00	22.00	22.00
Estimated Average Pay per RCMP Officer	117,281	142,525	146,743	153,621	158,206	162,927	167,789	172,666
Total Human Resourcing	**$2,210,753**	**$2,792,072**	**$3,228,335**	**$3,379,666**	**$3,480,522**	**$3,584,391**	**$3,691,362**	**$3,798,656**

Notes:

1. 2022-2023 Base Year matches 2022-2023 Funding Cap provided by West Hants Municipality
2. Fiscal Year 2022-2023 includes actual salary increase, as of April 1, 2022, per the Regular Member Collective Bargaining Agreement. CBA is valid until March 31, 2023. Fiscal years 2023-2024 to 2027-2028 includes an estimated increase of 3% per year for Regular Member pay rate increases
3. Estimated Average Pay per RCMP Officer represents the Total Human Resourcing amount divided by Regular Member utilization
4. Estimated Average Pay per RCMP Officer includes Pay and Allowances plus Pension and applicable per Member rates for Canada Pension Plan and Employment Insurance. Other per Member rates such as Divisional Administration, Cadet Training, Recruiting, Enhanced Reporting, etc. included on Table 6.
5. MYFP assumes full compliment utilization for full Fiscal Year
6. Member pay rates are estimated to increase by 3% per year per NHQ directives.

Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	
			Base Year						
Federally Owned Accommodation									
Major Capital - Detachment Replacements									per Annex Schedules C and D
Minor Capital (Renovations etc.)									per Annex Schedules C and D
Housing Program									per Annex Schedules C and D
Municipal Minor Capital									per Annex Schedules C and D
5 Year Reconciliation (Refund)									
Total APC Costs	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	
Total APC Rate Charged 100%	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	
Notes:									

Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			*Estimates*		
Leased Accommodation								
Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
Total Leased Accommodation	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
Notes:								

Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			*Estimates*		
Accommodation Operating and Maintenance								
Contracted Services and Minor Repairs (CI 170)	120,533	127,937	130,879	133,889	136,969	140,119	143,342	146,639
Contaminated Sites (CI 218)	0	0	0	0	0	0	0	0
Building Repairs (CI 310)	17,581	13,811	14,129	14,454	14,786	15,126	15,474	15,830
Utilities (CI 400)	22,254	25,121	25,698	26,290	26,894	27,513	28,146	28,793
Payment in Lieu of Tax (CI 592)	9,446	9,393	9,609	9,830	10,057	10,288	10,524	10,766
Municipal Rent	106,263	106,263	106,263	106,263	106,263	106,263	106,263	106,263
Total	**$276,077**	**$282,525**	**$286,578**	**$290,726**	**$294,969**	**$299,309**	**$303,749**	**$308,291**

Notes:

1. Following the 2021-22 Annual Administrative Reconciliation in 2022/23 a new Municipal Occupancy rate will be calculated for the proceeding 5 years. An estimate was not available at the time of this report, therefore the current rental rate was used

Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			*Estimates*		
Equipment								
Criminal Operations	4,516	3,838	13,916	78,586	73,178	68,272	47,369	37,268
Firearms/Ammo/Weapons	606	10	10,000	59,080	59,080	59,080	38,080	27,880
Policing Equipment	0	3,445	3,524	3,605	3,688	3,773	3,860	3,949
Photographic Equip	322	0	0	0	0	0	0	0
Other Ident Equip	1,038	383	392	401	410	419	429	439
Investigational Aids	2,550	0	0	15,500	10,000	5,000	5,000	5,000
Security Equip (CCTV Installs)	0	0	0	0	0	0	0	0
Informatics	75,259	102,418	170,429	205,711	124,034	166,963	125,778	148,833
Radios/Mobiles	75,259	82,198	99,376	101,603	103,886	106,227	108,625	108,625
Computer Equipment (Evergreening)	0	20,220	71,053	104,108	20,148	60,736	17,153	40,208
Police Vehicles	404,377	-13,833	58,000	255,000	164,250	124,000	58,000	0
Number of Vehicles			1	5	3	2	1	0
Average Cost per Vehicle	0	0	58,000	51,000	54,750	62,000	58,000	0
Total Cars/Trucks, etc			1					
Boats								
ATVs and snowmobiles					20,000			
TAV/Tact/Mobile Command								
Aircraft Betterments/Replacements								
Total	**$484,152**	**$92,423**	**$242,345**	**$539,297**	**$381,462**	**$359,235**	**$231,147**	**$186,101**

Notes:

1. Starting in Fiscal Year 2023-2024, Firearms/Ammo/Weapons includes an estimate for the rollout of Police Modernization Equipment. Preliminary implementation schedule for H Division for T7 tasers, extended range impact weapons, pistol modernization and long gun rifle based on NHQ's anticipated Procurement and national rollout
2. Starting in Fiscal Year 2023-2024, Investigational aids includes an estimate for the rollout of Police Modernization Equipment. Preliminary implementation schedule for H Division for Breaching Tools and Portable Ballistic Shields based on NHQ's anticipated Procurement and national rollout
3. Radio/Mobiles and Computer Equipment estimate provided by IMIT Section
4. Radio amount includes applicable share of TMR 2 costs pro-rated on number of devices
5. Starting in Fiscal Year 2023-2024, Computer Equipment includes an estimate for the rollout of Police Modernization Equipment and IMIT software. Preliminary implementation schedule for H Division for Electronic Major Case Management, Blue Force Tracking and Status and Messaging Model based on NHQ's anticipated Procurement and national rollout
6. Vehicle replacement schedule provided by Fleet.
7. Costs estimates associated to Body Worn Cameras provided in Table 7

Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			*Estimates*		
Divisional Administration								
Total Per Capita Rate	37,170	45,100	41,534	40,144	40,319	40,495	40,495	40,495
Net RCMP RMs and CMs (Utilization)	19	20	22	22	22	22	22	22
Total	**$700,654**	**$814,496**	**$913,748**	**$922,966**	**$931,612**	**$949,630**	**$962,060**	**$962,060**
Other Direct and Indirect Costs								
Overtime	144,123	208,846	200,000	206,000	212,180	218,545	225,102	231,855
Public Service Pay and Other Pay	152,662	142,914	146,136	148,024	150,003	152,006	154,040	155,829
Corp of Commissionaires	32,036	39,378	40,000	40,920	41,861	42,824	43,809	44,817
Vehicle Fuel	61,269	83,581	95,000	100,510	106,340	112,507	119,033	125,937
Vehicle Repairs & Fit Up	37,732	42,861	47,476	70,441	62,829	59,139	51,473	47,030
Shared Services (Phone lines, cell phones, etc.)	7,667	7,220	7,220	7,220	7,220	7,220	7,220	7,220
Other O&M	66,460	80,653	80,772	85,157	84,304	85,477	86,678	82,904
Other Indirect Costs	149,440	144,303	172,223	181,877	198,463	198,660	198,726	198,793
Credits to be applied	0	0	-45,490	0	0	0	0	0
Total	**$651,389**	**$749,756**	**$743,337**	**$840,149**	**$863,200**	**$876,378**	**$886,081**	**$894,385**

Notes:

1. Divisional Administration rate for Fiscal Year 2022-2023 includes actual salary increase, as of April 1, 2022, per the Regular Member Collective Bargaining Agreement. CBA is valid until March 31, 2023. Fiscal years 2023-2024 to 2027-2028 includes an estimated increase of 3% per year for Regular Member pay rate increases
2. Fiscal Year 2022-2023 Divisional Administration rate includes estimate for Commissioned Officer pay raises
3. 2022-2023 Overtime based reduced based on discussions with Municiplaity. Subsequent years include a 3% increase
4. Public Service Pay and Other Pay includes Public Service Employee's regular salary plus applicable Pension, Canada Pension Plan and Employment Insurance contributions.
5. Other O&M includes Travel, Training, Training Travel, Publication Services, Professional Services, Leasing of Aircraft, Stationary, Supply and Sundry, Sensitive Expenditures, Freight, Information Technology Rentals, Kit and Clothing and Other Services
6. Other indirect costs include Civilian Review and Complaints Commission, Enhanced Reporting Accountability, Legal Advisory Services, Cadet Training Program, Recruiting, Relocation Reviewers, Police Dog Service Training Centre and Police Reporting and Occurrence System.
7. Credits to be applied is manual vacancy management adjustment to adhere to requested funding level for 2022-23
8. As per Commissioner's direction, sale of decommissioned police vehicles on hold pending national review. Therefore, CADC credits have been removed from 5 year planning cycle.

Municipal Policing Service Agreement	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
	Actuals	Actuals	Base Year			Estimates		
Special Projects and Initiatives								
Body Worn Cameras	0	0	0	0	60,000	60,000	60,000	60,000
Initiative #2	0	0	0	0	0	0	0	0
Initiative #3	0	0	0	0	0	0	0	0
Project #1	0	0	0	0	0	0	0	0
Project #2	0	0	0	0	0	0	0	0
Project #3	0	0	0	0	0	0	0	0
Total (at 100%)	**$0**	**$0**	**$0**	**$0**	**$60,000**	**$60,000**	**$60,000**	**$60,000**

1. Body Worn Camera included as a special initiative with billable impacts to the Province expected to start in FY 2024-2025. For MYFP planning purposes, we have been asked to use a per frontline member rate of $3,000/ member. Billing methodology may change as the project progresses and further discussion/engagement is held at the CMC level

New Cost Initiatives

Pay Raises:
Collective bargaining occurs between the Treasury Board of Canada and unions representing various categories of employees and classifications. Economic increases are typically the main element of pay increases for these represented members and employees, which are guided by inflation, as well as other factors. More recently, the negotiated NPF agreement also included market adjustments to bring regular member salaries in line with other police forces. For planning purposes going forward, the RCMP is recommending including a pay increase planning figure of 3% based on recent monetary policy from the Bank of Canada. Inflation rates vary from year to year, especially in the current global environment. Negotiated salaries increases or those imposed through third party arbitration could result in increases below or above the planning rate. Given that the NPF has access to binding arbitration (in the absence of a negotiated settlement) there is inherent uncertainty in projecting settlements. As such, should contract partners wish to build contingencies into their planning figures to mitigate potential fluctuations in negotiated rates or the possibility of arbitration, they are encouraged to do so.

Commissioned Officers – Retroactive Payments:
The RCMP anticipates to begin making retroactive payments to commissioned officers throughout the course of Summer and Fall 2022. Retroactive payments will be made over a number of pay periods, similar to the process used to implement retroactive salaries for regular members and reservists represented by the NPF. Contract partner billing will commence no later than Q3 in 2022-23; the timing of the billing will based on local discussions with contract partners to align to their budgetary cycles.

Implementation of ERT CBRNE/hazardous environments Proposal:
Contract and Indigenous Policing (C&IP) has determined that there is a requirement for the RCMP to augment its required ability to respond tactically to hazardous environments, including, but not limited to Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) incidents. This profile requires specialized equipment for Emergency Response Teams (ERT) for public and police safety, and National Security interests. C&IP is assessing how to bridge this gap, for ERTs. Discussion and consultation with Provinces and Territories will occur throughout the assessment, acquisition and implementation of this required equipment.

Ending Part Time ERT Proposal:
Contract and Indigenous Policing (C&IP) has determined that there is a requirement for the RCMP to transition toward a Full Time Emergency Response Team (ERT) model. The ERT program has evolved substantially over the last 10 years, and it is recognized by C&IP, through inquiries, and membership feedback, that ERT members need to be in Full Time positions. C&IP is assessing how to bridge this gap. Discussion and consultation with Provinces and Territories will continue to occur as the RCMP further assesses a potential transition from Part-Time to Full-Time ERT positions.

IM/IT:
The Information Management (IM) / Information Technology (IT) Program supports a multitude of systems and services to facilitate front-line policing. In order to provide the best service to our clients, the IM / IT Program must modernize existing capabilities in systems such as SAMM (Status and Messaging Module), and eMCM (Electronic Major Case Management) as well as add additional capabilities by deploying BFT (previously known as ATAK: the system that will provide a common operating picture for officers, tracking locations, cars, members, and critical indecent events) across Canada. These activities will enhance the safety of RCMP employees and communities by increasing situational awareness and processing investigative information more efficiently. Consultation with the Provinces/ Territories will continue to discuss the new digital services that will be offered and the positive impact they will have on front-line policing.

Real Property

Greening:
The RCMP continues to make progress in supporting the Greening Government Strategy, a Government of Canada directive to achieve net-zero carbon and climate-resilient operations by 2050. The Real Property Management branch is diligently working to develop an RCMP Green Building Policy, guidance documents and a Departmental Sustainable Development Strategy (DSDS). In parallel, the RCMP is exploring the integration of new green technology into its real property projects/buildings to contribute to the government's environmental objectives.

Health and Safety:
The RCMP is issuing new policy direction for mandatory testing and monitoring of potable water as well as potentially hazardous substances such as asbestos, legionella and radon. Once the policy direction has been fully implemented, health and safety risks will be reduced through the provision of clear guidance, roles and responsibilities, and consistent testing and monitoring approaches.

Workplace Modernization:
The COVID-19 pandemic has enabled the RCMP to consider flexible work arrangements for non-operational personnel, thanks to significant Government of Canada investments in new technology and related infrastructure. The RCMP will be exploring opportunities for modern, flexible, and technology-enabled portfolio changes to meet future needs of the force while supporting operations and government socio-economic objectives (e.g. greening, accessibility, Indigenous reconciliation).

Corporate Management Systems

Corporate and HR ERP Modernization (2022-2026):
Providing effective and efficient police services requires a robust Enterprise Resource Planning (ERP) system to sustain Corporate and Human Resource management functions such as Finance, Property Management, Procurement Services, Training, Staffing, Recruitment, etc. In order for Corporate and HR support functions to remain relevant and effective today and into

the future, the RCMP plans to make significant investments over a multi-year period to implement the following strategic transformations:

- Corporate System Modernization (S4/HANA – SAP), beginning in 2022 the RCMP will begin both system and business transformation
- HR System and Pay Modernization (Vendor TBD), planned to begin by 2024 the RCMP will begin both system and business transformation to implement a modern HR ERP and a new RM pay system

RCMP will realize these broad business outcomes:

- Operational support to Contract Policing – Provide efficient business processes and systems
- Modernization – support common, shared systems that replace outdated technologies and reduce customizations
- Cost Effectiveness – deliver affordable and sustainable management services
- Standardization – enable streamlined processes and common data structures across the RCMP
- Integration – enhance internal and external national integration and collaboration

The RCMP will continue to engage and communicate its plans for system modernization and the associated business transformation with our Contracting Partners and key stakeholders to ensure the alignment of strategic priorities.

Procurement & Material and Asset Management

Divisions can determine which years are best for purchasing each asset, with the exception of national roll-outs (pistol, TAV, BWC) where there should be discussion between C&IP and the program if more discussion on deadlines is needed.

Police and Public Safety Intervention Equipment:
The RCMP is committed to providing members with lightweight, ergonomic and modern equipment that is readily available. Within this strategy, modern **Pistols** will have features that ensure the firearm is suitable for use by the widest demographic of police officer possible. Less lethal technologies, such as the **Extended Range Impact Weapon** and **Conducted Energy Weapons**, provide officers with more opportunities to de-escalate dangerous situations rather than resorting to lethal force. In addition, **Soft Body Armour** and **Hard Body Armour** have become lighter, allowing officers to wear it for longer periods of time, promoting optimal performance under hazardous conditions, and **Portable Ballistic Shields** provide officers a form of ballistic protection should the need arise to rescue a member of the public or a fellow officer in active shooter or similar situations. This strategy advances the vision of a modern police officer by ensuring regular members of the RCMP have the appropriate tools to perform their duties as safely and effectively as possible.

Breaching Tools:
A standard breaching tool for every frontline patrol vehicle in the country will provide the first

officer(s) arriving on scene, (active threat, domestic violence, person in crisis, Feeney warrant, etc.) to have a breaching capability if urgently required.

Body Worn Cameras:
In the Government of Canada's Fall Economic Statement (November 30, 2020) funding was provided to implement a National Body Worn Camera program for frontline RCMP officers to improve transparency and accountability and respond to concerns about policing from racialized and Indigenous communities. Canada has agreed to fund the first 3 years of the initiative to allow contract partners time to plan. At this time, the RCMP is still engaged in the procurement process for BWCs. The RCMP will share additional financial details with the Contract Management Committee once they are available.
For planning purposes, and until a contract of supply is in place, contract partners can estimate a cost of $3000 per front-line member the contract rate (i.e., 70% or 90%), starting in 2024/25. This preliminary estimate includes the BWC, the DEMS (cloud-based) and support staff to operate the program; not just the camera.

Gen II TAV:
The current compliment of Tactical Armoured Vehicles (TAV) need to be replaced with the next generation of TAVs (Gen 2) due to the difficulties in maintaining the current fleet of TAVs in a cost effective manner and the delays in getting parts to complete the repairs needed. This results in TAVs being out of service and unavailable for long periods until repairs can be completed. Not having a TAV available to respond to a critical incident, is a risk to both public and police safety. The projected quantities are based on a one for one replacement of the current TAV fleet within the Divisions and include spares for training requirements. There will be minimum contracted options for those Divisions requiring TAVs over and above their current numbers but will most likely need to be exercised within a reasonable time after the contract close out. Total requirements should be identified in the MYFP

Greening of Fleet Assets:
The RCMP continues to make progress in supporting the Greening Government Strategy, a Government of Canada directive to achieve net-zero carbon and climate-resilient operations by 2050. This is also affecting the future of the National Safety and Security Fleet including the RCMP policing and administrative vehicles. The impact to the RCMP is being assessed through a study to inform the feasibility of implementing this strategy across all geographical locations. This may impact fleet sustainment costs as well as the requirement for charging infrastructure. More information will be provided as information becomes available.

ESDC Directives:
The RCMP is being advised of ESDC directives as the Mass Casualty Commission continues with their inquiry. The RCMP anticipates that it will have to develop action plans to address the findings. Details will be provided as they become available, but it is anticipated that requirements including additions or modifications to policing equipment, vehicles, etc., may be part of that action plan.

Supply Chain Delays
H Division will continue to experience supply chain delays in fleet and other materials. There has been cost increases and delivery delays in construction items (raw and manufactured materials) and delivery interruptions for various police equipment. It is anticipated various expenses will increase due to rising fuel costs for shipping and delivery of items.

New Cost Initiatives - Contract & Indigenous Policing
H DIVISION - DIVISIONAL ADMINISTRATION
nationally mandated positions

Well Being Ambassador
Request: 1 Public Service Employee (AS-04)
Mental health and wellness has been identified as an emerging area of concern and as a key priority within the RCMP and across the federal government. Currently, the responsibilities assumed by the RCMP's Mental Health Champions (MHC) are in addition to their regular duties. In addition to putting unfair pressure on the individual, MHC do not have sufficient time to fully support and effectively promote employee well-being initiatives. The Wellness Ambassador program will be instrumental in:
- Building a culture of psychological health and safety
- Taking into account a psychological health and safety in times of change
- Creating and applying a Psychological Health and Safety Management System (PHSMS)

There has been commitment from the Chief Human Resource Officer to fund the position in year 2022 to 2024 at the national level until permanent funding can be secured.

Reintegration Coordinator
Request: 1 Regular Member (Corporal)
The RCMP Reintegration Program supports the safe, respectful and timely return to operational duties of regular members after involvement in a traumatic event(s), critical incident(s) and/or return from extended leave. Facilitated by active members who are trained in reintegration procedures, members may volunteer to participate in this self-paced, non-remedial, nonevaluated process with case-specific scenarios designed for them in order to improve specific competencies they have identified, and to ensure they are both physically and mentally confident in resuming their operational duties.
By implementing a National Reintegration Program, the RCMP has the opportunity to:
- reduce the sick leave average;
- reduce occupational health care benefits costs;
- reduce stigma and stereotypes that serve as barriers to recovery; and
- help prevent the number of cases of complex mental disorders, such as PTSD.

Assigned to Regular Members, but are rankless (FTEEC) - Costing used for this estimation is Corporal 2022 salary pay rate; however, actual costs will vary by Division. As staffing commences, figures will be updated in subsequent MYFPs to reflect the rank of the position in each Division.

Air Services Submission for H DIVISION MFYP 2023-2028
Prepared by: Air Services Branch
In Consultation with: Atlantic Region Air Services, Atlantic Region CMO

Consultation with Contract Management Committee on the development of a proposed costing framework for leased aircraft has occurred in previous fiscal years. Additional consultation will take place in 2022/23 with a goal to finalize and include in the MYFP next year. This framework will address all costs related to previously leased aircraft, including initial acquisition, betterments and ongoing operation and maintenance expenditures.

Atlantic Region Air Services provides aerial transport and airborne tactical support to the RCMP as well as other law enforcement agencies throughout the RCMP Atlantic region including B, H, J and L Divisions. This encompasses both pre-planned and immediate operational response missions. Typical flight requests include operational support, operational/administrative passenger transport, cargo transport and aerial surveillance. Atlantic Region Air Services, based in Moncton, has two aircraft providing support to detachment operations and investigations across the region. A fixed-wing Pilatus (C-GMPM) and rotary-wing Eurocopter AS350 (C-FMPH), both leased from the federal government in support of the provincial contract policing mandate. Costs are shared amongst the 4 divisions based on ratio of full-time employees and average usage over the previous two fiscal years.

<u>C-GMPM Pilatus</u>

The following investments for C-GMPM are planned:

- The installation of a digital police radio compatible with TMR2 in FY2022-23 at a cost of $30,000; and
- Based on current usage, an engine overhaul in FY2024-25 at a cost of $700,000 (option to amortize over 5 years).

C-GMPM was acquired in 2008 making it 15 years old this fiscal year. The expected life of a Pilatus aircraft is 15 years. Given the lack of a robust aircraft replacement program and adequate investment, the RCMP is being forced to operate these aircraft longer than planned which decreases performance, increases safety hazards, and increases maintenance costs associate with an aging fleet. Based on current usage, the intent to avoid a significant investment at 20,000 flight hours, and to optimize resale value, C-GMPM is scheduled for retirement in FY2028-29 (six years past its expected life). The acquisition of a new aircraft would commence in FY2027-28 with a delivery of 18 months. The estimated cost for a similar type aircraft is $7,300,000 and can be amortized over 15 years as an option (leasing will not be available). A business case to replace this aircraft is forthcoming. If the existing aircraft is sold, the province may be entitled to credits according to the 70-30 cost-sharing agreement. Further, the credit would need to be shared amongst the Atlantic partners based on provincial

contributions via the lease. While a professional appraisal is required, the current estimated residual value of a PC-12NG/47 is $5.5M - $7.0M.

As discussed with the partners regarding the leasing of federal aircraft, the treatment of the full lifecycle costs for aircraft including the original purchase and capital betterments will be incorporated into the Aircraft Lease payments for FY2023-24 onward. The forecasted outstanding cost for C-GMPM is $1,482,574 at the end of FY2022-23. The option to amortize this amount is available however the timing of the retirement of this aircraft should be considered. Amortization over 5 years has been assumed in the forecast as follows, to align with the proposed replacement:

Airframe Recovery Forecast for C-GMPM:

2023-24	**$296,515**
2024-25	**$296,515**
2025-26	**$296,515**
2026-27	**$296,515**
2027-28	**$296,515**

Costs for C-GMPM are shared amongst the four Atlantic divisions using a ratio of 50% usage and 50% number of FTEs. Using this ratio for FY2021-22, the divisional forecasts are as follows:

	B Division	H Division	J Division	L Division	TOTAL
Sharing Ratio	**47.70%**	**27.99%**	**20.99%**	**3.31%**	**100.00%**
2023-24	$141,451	$ 83,008	$ 62,238	$9,818	$ 296,515
2024-25	$141,451	$ 83,008	$ 62,238	$9,818	$ 296,515
2025-26	$141,451	$ 83,008	$ 62,238	$9,818	$ 296,515
2026-27	$141,451	$ 83,008	$ 62,238	$9,818	$ 296,515
2027-28	$141,451	$ 83,008	$ 62,238	$9,818	$ 296,515

C-FMPH Eurocopter

The following investments are planned over the next 5 years:

- The mission equipment procured in 2013 (search light, camera, gimbal, controller console and mapping software) are coming to their expected life of 10 years. Regular failures and lack of manufacturer support impacts operational availability. Further, the lack of a modern camera (e.g. high definition resolution Infra-red, wide angle zoom) hampers the value offered by a surveillance helicopter. A replacement upgrade is planned for FY2023-24 at a cost of $2,500,000 (with the option to amortize over 10

years although planned replacement of the helicopter should be considered). Mission equipment can be repurposed on a new helicopter.

C-FMPH was acquired in 2003 making it 20 years old this fiscal year and one of the oldest helicopters in the RCMP's fleet. The expected life of a helicopter is 15 years. Given the lack of a robust aircraft replacement program and adequate investment, the RCMP is being forced to operate these aircraft longer than planned which decreases performance, increases safety hazards, and increases maintenance costs associated with an aging fleet. Based on expanding operational requirements, estimated usage, and to optimize resale value, C-FMPH is forecasted to be retired in FY2026-27 with the procurement to be initiated in the preceding fiscal year. The estimated cost for a medium, twin-engine helicopter is $15,000,000. A business case to replace this aircraft is forthcoming however the need for a twin engine, medium-duty helicopter has been identified to increase safety for over-water flying as well as meeting operational requirements (e.g. hoisting, fast roping) for the Critical Incident Program. If the existing aircraft is sold, the province may be entitled to credits according to the 70-30 cost-sharing agreement. Further, the credit would need to be shared amongst the Atlantic partners based on provincial contributions via the lease. While a professional appraisal is required, the current estimated residual value of a Eurocopter AS350-B3 is $1.0M - $1.5M.

As discussed with the partners regarding the leasing of federal aircraft, the treatment of the full lifecycle costs for aircraft including the original purchase and capital betterments will be incorporated into the Aircraft Lease payments for FY2023-24 onward. The forecasted outstanding cost for C-FMPH is $2,865,455 at the end of FY2022-23. The option to amortize this amount is available however the timing of the retirement of this aircraft should be considered. Amortization over 4 years has been assumed in the forecast as follows, to align with the proposed replacement:

Airframe Cost Recovery Forecast for C-FMPH:

2023-24	**$955,152**
2024-25	**$955,152**
2025-26	**$955,152**
2026-27	**$0**
2027-28	**$0**

Costs for C-FMPH are shared amongst the four Atlantic divisions based on usage. Using the actual usage for FY2021-22, the divisional forecasts are as follows:

	B Division	H Division	J Division	L Division	TOTAL
Sharing Ratio	**3.90%**	**45.09%**	**47.94%**	**3.07%**	**100.00%**
2023-24	$ 37,251	$430,678	$457,899	$29,323	$955,151
2024-25	$ 37,251	$430,678	$457,899	$29,323	$955,151

2025-26	$ 37,251	$430,678	$457,899	$29,323	$955,151
2026-27	-	-	-	-	-
2027-28	-	-	-	-	-

High Altitude Surveillance – new capability

The high-risk incidents in recent years which occurred in Portapique, Moncton, St. Jean sur Richelieu and Ottawa have demonstrated that the RCMP must be in a position to immediately address public safety threats and ensure the safety of the communities it serves. Having a High Altitude, Fixed-Wing surveillance aircraft in the Atlantic region would ensure a timely response to volatile situations and assist with other situations such as ground Search and Rescue.
The RCMP has standardized on the Pilatus PC-12M Spectre platform for its high-altitude surveillance needs. It has the speed and operating ceiling to support the Atlantic region while based from Moncton. This aircraft is common with the PC-12 Pilatus transport aircraft allowing interoperability for the pilots and AMEs based in Moncton and across the country for relief purposes. The addition of a Spectre is proposed for FY2025-26 at an estimated cost of $9M (inclusive of camera mission equipment). A 18-24 month lead time is estimated for a Spectre. In order to fully leverage the use of the aircraft, the following additional resources are essential: two S/Cst pilots, one AME, and one Fixed-Wing Tactical Flight Officer (TFO). An equal cost share amongst the four Atlantic divisions has been assumed but will require further discussion.

Atlantic Air Section (Moncton)

In order to make effective use of C-FMPH's surveillance capabilities, an additional full-time Corporal-rank Tactical Flight Officer (TFO) is required in FY2022-23. Increasing the complement to two TFOs will allow for increased availability for mission tasking. The role of TFO is highly technical and only effective with regular practice and use of the equipment. It is a dedicated, professional role recognized in other law enforcement agencies around the world.
With the replacement of C-FMPH by a twin-engine helicopter, an additional Rotary-Wing pilot is required. This will bring the complement to three pilots, which will allow increased availability, leveraging effective use of the investment. An additional Aircraft Maintenance Engineer is also required due to the additional engine and increased maintenance of a larger, more complex airframe.

Financial Tables

AC CODE	RCMP CAPITAL PLANNED EXPENDITURE BY FISCAL YEAR ($ 000)						EXPENDITURE DETAILS
	22-23	23-24	24-25	25-26	26-27	27-28	
C-GMPM	$8	$196	-	-	-	-	Radio installation, Engine overhaul
C-FMPH	-	$1,127	-	-	-	-	New mission equipment
New Helicopter	-	-	-	$6,764	-	-	Twin-engine replacement for C-FMPH
New Aircraft	-	-	-	-	-	$2,043	Replacement aircraft for C-GMPM
New HASP	-	-	-	$2,250	-	-	New Surveillance fixed-wing aircraft
	$8	**$1,323**	**$0**	**$9,014**	**$0**	**$2,043**	

AC CODE	RCMP O&M PLANNED EXPENDITURE BY FISCAL YEAR ($ 000)						EXPENDITURE DETAILS
	22-23	23-24	24-25	25-26	26-27	27-28	
C-GMPM Airframe Recovery	-	$83	$83	$83	$83	-	Recovery of original aircraft purchase.
C-GMPM	-	-	-	-	-	-	No additional operating.
C-FMPH	-	-	-	-	-	-	No additional operating.
C-FMPH Airframe Recovery	-	$431	$431	$431	-	-	Recovery of original helicopter purchase.
New Helicopter	-	-	-	-	$99	$99	Increased operating costs incl. fuel and maintenance.
New Aircraft	-	-	-	-	-	-	No additional operating.
New HASP	-	-	-	-	$125	$125	Operating costs for a surveillance fixed-wing aircraft (fuel, maintenance, hangar space, landing fees, etc.)
	$0	**$514**	**$514**	**$514**	**$307**	**$224**	

	RCMP SALARY PLANNED EXPENDITURE BY FISCAL YEAR ($ 000)						
AC CODE	22-23	23-24	24-25	25-26	26-27	27-28	EXPENDITURE DETAILS
AME-RW	-	-	-	-	$29	$29	One EG-06 Aircraft Maintenance Engineer for new helicopter *excl. EBP
S/Cst. Pilot - RW	-	-	-	-	$49	$49	One RW PT-01 Pilot *excl. EBP
Cpl. RW-TFO	$23	$51	$51	$51	$51	$51	One RW Tactical Flight Officer *excl. EBP
AME - FW	-	-	-	$18	$18	$18	One EG-06 Aircraft Maintenance Engineer for new HASP *excl. EBP
S/Cst. Pilots – FW	-	-	-	$61	$61	$61	Two FW PT-01 pilots for HAPS *excl. EBP
Cst. FW-TFO	-	-	-	$27	$27	$27	One FW Tactical Flight Officer *excl. EBP
	$23	**$51**	**$51**	**$156**	**$235**	**$235**	

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____

Alex Dunphy, Planner

Date: June 28th, 2022

Subject: Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15E

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

… that Council adjourns the Public Hearing until 6:00 pm on October 25 and postpones the Second Reading until October 25th, 2022 in order to complete and consider the results of the Phase 2 Archaeological Resource Impact Assessment for 65 Fort Edward Street, Windsor (PID 45059797).

BACKGROUND

Property X	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

A completed application was received from the Chief Administrative Officer, Mark Phillips, on September 28th, 2021, following a motion passed by Council directing him to submit an application to the Planning and Development Department for the redesignation and rezoning of 65 Fort Edward Street (PID 45059797). The application was made to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two Unit Residential (R-2).

DISCUSSION

A Public Information Meeting was held on November 8th, 2021.

Comments were received from the public regarding the redesignation and rezoning from November 8th to November 23rd. Ten (10) comments were received and the majority (8) of these were opposed to the redesignation and rezoning. The comments most commonly cited the lot's proximity to the National Historic Site, tourism use, neighbourhood disruption, parking use, and former Town Council decisions. Two (2) comments were received that were in favour of the redesignation and rezoning citing interest in seeing residential development.

On December 2nd, 2021, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC).

During the December 2nd meeting, staff's recommendation that Council give First Reading and hold a Public Hearing was defeated by PAC/HAC. Instead, the Committee recommended that Council delay the First Reading and direct staff to complete research related to former Town of Windsor commitments to heritage projects at the subject lot. The Committee also requested that staff obtain comments from the Province regarding the requirements of the Special Places Protection Act for the subject lot. Staff were asked to contact Sara Beanlands and Dr. Johnathan Fowler for further information about preparing a Phase 1 archeological assessment for the subject lot.

Dr. Johnathan Fowler provided a brief analysis of the property using historical records and LiDAR which determined that there is a high likelihood of elevated archaeological potential at the lot. Comments received from the Provincial Curator of Archaeology, Dr. Catherine Cottreau-Robins, provided a recommendation to pursue a Phase 1 Archaeological Resource Impact Assessment (ARIA) Study. Sara Beanlands provided information regarding a previous Memorandum of Understanding request from the Jewish Legion.

The CAO hired Dr. Jonathan Fowler to prepare a Phase 1 ARIA Study.

On January 11th, 2022, Shirley Pineo and Gary Nelson of the West Hants Historical Society made a presentation to Committee of the Whole about the municipally owned lots abutting the Fort Edward Historic Site. They provided information regarding street frontage of both properties based on historical records. There is access to Cobbett Street. 65 Fort Edward Street also has access to Fort Edward Street across land owned by Parks Canada. Staff have made inquiries with the Traffic Authority and the Director of Public Works as to whether the amendment is appropriate if access and egress to the lot must be from Cobbett Street. Neither the Traffic Authority, nor the Director of Public Works had any concerns with the amendment if Cobbett Street must be used as the sole access and egress for the subject lot. The Director of Public Works also noted that Cobbett and Fort Edward Street have both been identified for capital sewer, water, storm, and road improvements in the 5-year capital plan.

During the January 25th Council meeting, Mayor Zebian proposed postponing the Public Hearing and Second Reading until the March 22nd Council meeting to await further information and the results of the Phase 1 ARIA Study. That motion was carried. Then during the March 22nd Council

meeting, staff recommended adjourning the Public Hearing and postponing the Second Reading until June 28th. That motion was carried.

On February 23rd, the Phase 1 ARIA was completed by Dr. Johnathan Fowler and his team, Northeast Archaeological Research Inc. The report presented evidence that strongly suggests the presence of archaeological resources associated with Fort Edward in the subject lot. Early maps displayed multiple buildings consisting of a commanding officer's stable, bullock houses, and soldiers' huts being located on the subject lot. The subject lot was also used as exhibition grounds for the Windsor Agricultural Fair, which was a designated event of national historic significance. It also appears that the construction of the large swimming pool in the 1960s did not likely directly impact any of the anticipated archaeological features.

The report was submitted and revised by the Nova Scotia Department of Communities, Culture, and Heritage. The revised report was then returned on May 17th to Dr. Fowler and the Municipality with the following as a revised outcome of the report:

> *Should further ground disturbance be planned for any part of the study area, it is recommended that a thorough Phase 2 ARIA be undertaken in advance to better assess the nature of, and mitigate potential impacts to, archaeological resources.*
>
> *Despite these precautions, should mechanical excavation encounter archaeological evidence, it is recommended that contractors temporarily pause the work and contact John Cormier, Coordinator of Special Places at the Nova Scotia Department of Communities, Culture, Tourism and Heritage: (902) 424-6475 and/or john.cormier@novascotia.ca.*
>
> *Finally, although Parks Canada's viewplane is not part of provincial jurisdiction or the Special Places Protection Act's regulatory framework, the West Hants Regional Municipality is advised of Parks Canada's concerns in relation to the viewplane, particularly regarding PID 45059797, which is also the property with the greater number of documented archaeological features.*

Staff are currently awaiting further information regarding viewplanes from Park's Canada representatives.

Dr. Johnathan Fowler estimated that the timeline for an archaeologist to receive a permit would be five (5) to ten (10) business days, followed by a month or two to carry out the Phase 2 ARIA, in the best-case scenario. In order to provide enough time to complete and consider the results of the Phase 2 ARIA, staff recommend that Council adjourn the Public Hearing to 6:00 pm on October 25th, 2022.

NEXT STEPS

Process

The process for this application is as follows:

Staff Review

▼

Public Information Meeting – Nov. 8th

▼

Planning Advisory Committee receives staff report and PIM Notes

Planning Advisory Committee Review and Recommendation – Dec. 2nd

▼

Regional Council First Reading – Dec. 16th

▼

Postponed Public Hearing and Second Reading – June 28th

Note: A motion requires a majority vote of the maximum number of members that may be elected to council to pass.

▼

Ministerial Review / Approval

▼

Notice of Approval

FINANCIAL IMPLICATIONS

Prior to any construction, a Phase 2 Archaeological Resource Impact Assessment would be required.

ALTERNATIVES

In response to the application, Council may:

- reject the proposed change of designation from Community Use to Residential and rezoning from Open Space (OS) to Two Unit Residential (R-2) for the subject lot (PID 45059797)
- provide alternative direction such as requesting further information on a specific topic

ATTACHMENTS

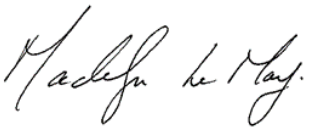
Attachment A	2021-12-16 Staff Report - Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15A
Attachment B	2022-01-13 Supplementary Report – Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File # 21-15B
Attachment C	Revised Fort Edward Street Archaeological Resource Impact Assessment – Dr. Johnathan Fowler

CHIEF ADMINISTRATIVE OFFICER REVIEW

N/A

Report Prepared by: _____

Alex Dunphy, Planner



Report Approved by: _____

Madelyn LeMay, Director of Planning and Development;
Acting Chief Administrative Officer

Attachment A – Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15A

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____

Alex Dunphy, Planner

Date: December 16th, 2021

Subject: Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

The following motion was defeated at PAC/HAC on December 2, 2021:

… that Council give First Reading and hold a Public Hearing to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential the property at PID 45059797, 65 Fort Edward Street, Windsor.

The following motions were prepared and passed by PAC/HAC:

… that PAC/HAC recommends that Council delay First Reading and direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at the site (PID 45059797).

… that PAC/HAC request staff for comment from the Province of Nova Scotia regarding requirements of the Special Places Protection Act for the site (PID 45059797).

BACKGROUND

Property X	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

A completed application was received from the Chief Administrative Officer, Mark Phillips, on September 28th, 2021, following a motion passed by Council directing him to submit an application to the Planning and Development Department for the redesignation and rezoning of 65 Fort Edward Street (PID 45059797). The application was made to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two Unit Residential (R-2).

DISCUSSION

A Public Information Meeting was held on November 8th, 2021.

Comments were received by the public regarding the redesignation and rezoning from November 8th to November 23rd. Ten (10) comments were received and the majority (8) of these were opposed to the redesignation and rezoning. The comments most commonly cited the lot's proximity to the National Historic Site, tourism use, neighbourhood disruption, parking use, and former Town Council decisions. Two (2) comments were received that were in favour of the redesignation and rezoning citing interest in seeing residential development.

On December 2nd, 2021, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A).

During the December 2nd meeting, staff's recommendation that Council give First Reading and hold a Public Hearing was defeated by PAC/HAC. Instead, the Committee recommended that Council delay the First Reading and direct staff to complete research related to former Town of Windsor commitments to heritage projects at the subject lot. The Committee also requested that staff to obtain comments from the province regarding the requirements of the Special Places Protection Act for the subject lot. It was also discussed that staff would reach out to Sara Beansland and Johnathan Fowler for further information about the subject lot.

NEXT STEPS

The proposed amendments have been considered based on both the enabling and supporting policies of the WMPS and have proven consistent with the intent, objectives, and policies of the WMPS. As a result, it is reasonable to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential (R-2) at 65 Fort Edward Street, Windsor (PID 45059797).

The subject lot's current designation and zoning provide the opportunity to develop the site as a museum or historic site as-of-right. As a result, it is also reasonable to consider delaying First Reading in order to complete research related to any former Town of Windsor outstanding commitments to heritage projects at 65 Fort Edward Street, Windsor (PID 45059797).

Process

▼

Public Information Meeting – Nov. 8th

▼

Planning Advisory Committee receives staff report and PIM Notes

Planning Advisory Committee Review and Recommendation – Dec. 2nd

▼

Regional Council First Reading – Dec. 16th

▼

Public Hearing and Second Reading

▼

Notice of Approval in Local Paper

▼

14 Day Appeal period

FINANCIAL IMPLICATIONS

At this point, there are no anticipated costs to the Municipality associated with this development.

ALTERNATIVES

In response to the application, Council may:

- hold a First Reading and authorize a Public Hearing to approve the redesignation and concurrent rezoning; or
- delay First Reading and direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at the subject lot (PID 45059797)
- provide alternative direction such as requesting further information on a specific topic

APPENDICIES

Appendix A	2021-12-02 Staff Report - Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15

CHIEF ADMINISTRATIVE OFFICER REVIEW

As noted in the report the PAC/HAC have met to review the rezoning application for the noted property. I did not attend the meeting but understand there was discussions by the committee resulting in two separate action items or requests for more information and further due diligence from PAC/HAC for Council to consider before proceeding to first reading.

PAC/HAC are advisory to Council and have been provided the authority to reject, amend or support a recommendation from staff. Council, is the decision making body and has the

authority to proceed as they see fit which may or may not be in alignment with the position of PAC/HAC or any advisory committee.

I support the original recommendation from staff that was forwarded to the PAC / HAC meeting on December 2, 2021.

… that Council give First Reading and hold a Public Hearing to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential the property at PID 45059797, 65 Fort Edward Street, Windsor.

Further information was requested by PAC /HAC.

1. Direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at the site (PID 45059797).
2. Request staff for comment from the Province of Nova Scotia regarding requirements of the Special Places Protection Act for the site (PID 45059797).

Through the CAO's Office staff have revisited the past minutes of the former Town of Windsor Council relating to the former pool site, its' decommissioning and redevelopment of the lands. The discussion of the former Council and minutes have further been reviewed by solicitor John Shanks, who was also the former solicitor for the Town of Windsor, and there is no outstanding commitments to heritage projects as directed by the former Windsor Council. The minutes did reflect discussions about options for the site, including heritage uses but no motion of the former Council is influencing the current Council. The current Council has deemed the property (s) surplus as of May of 2021.

The second noted discussion point by PAC/HAC is to consider the property and its' connectivity to the Special Places Protection Act due to its proximity to the Parks Canada Site (Fort Edward). There is no legal requirement to conduct the assessment on the existing property (s) but it would be prudent for the municipality to carry out this action. The municipality, through staff, is currently engaging a qualified archeologist to carry out a Phase 1 Archaeological Resource Impact Assessment (ARIA) on the two lots to carry out additional due diligence on the sites. A Phase 2 could be triggered if Phase 1 results in concerns or findings. The (ARIA) is expected to be completed by the end of January and before the anticipated Public Hearing and Second Reading by Council.

As noted above, I recommend Council proceed with First Reading as per the staff recommendation to best accommodate the scheduled redevelopment of the site. Ample public consultation and added research can continue as the Public Hearing and Second Reading phases of the planning process are carried out. Should unknown information become available Council will have the opportunity to revisit or reflect as the Second Reading must also be approved by Council.

Report Prepared by: _____

Alex Dunphy, Planner

Report Reviewed by: _____

Madelyn LeMay, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Appendix A – Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: December 2nd, 2021

Subject: Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

… that PAC recommends that Council give First Reading and hold a Public Hearing to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential the lot identified as PID 45059797, 65 Fort Edward Street, Windsor.

BACKGROUND

A completed application was received from the Chief Administrative Officer, Mark Phillips, on September 28th, 2021, following a motion passed by Council directing him to to submit an application to the Planning and Development Department for the redesignation and rezoning of 65 Fort Edward Street. The application was made to redesignate the lot from Community Use to Residential and rezone the lot from Open Space (OS) to Two Unit Residential (R-2) at the lot identified as PID 45059797, 65 Fort Edward Street, Windsor.

Previous Uses

The property was originally sold to the Town of Windsor in 1967 by Parks Canada as it had no further use for the land. It was then developed as pool site, then later transitioned to and is currently a vacant gravel lot utilized as municipal parking.

It should be noted that the subject lot is not a part of the Fort Edward National Historic Site. The designated historic site is owned by Parks Canada, while the subject lot is owned by West Hants Regional Municipality and is located wholly outside of the National Historic Site.

Previous Council Discussions

There have been many discussions regarding the intended development of this property over the last 14 years. This property has been of special interest to the West Hants Historical Society due to the proximity to the Fort Edward National Historic Site. Research for previous discussions and motions of the former Town of Windsor Council are ongoing.

DISCUSSION

The property is currently designated Community Use on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). This designation is generally applied to institutional, recreational, and open space uses.

The property is currently zoned Open Space (OS) on Schedule A of the Windsor Land Use By-law (WLUB) (Figure 2). Permitted uses in this zone consist of cemeteries, museums, historic sites, outdoor recreation, parks, and playgrounds.

Council's motion to apply for a redesignation and concurrent rezoning will be considered through a set of enabling policies and a set of supporting policies. The enabling policies, which will be used to substantiate the ability for Council to redesignation and concurrent rezoning, consist of Policy 16.1.1 and Policy 16.3.1. The supporting policies, which will be examined as part of the criteria for the redesignation and rezoning, consist of Policy 11.0.1 and Policy 11.2.1.

Surrounding Neighbourhood

The subject lot directly abuts lots zoned Open Space (OS) to the northeast and southeast, Town Centre (TC) to the northwest, and Two Unit Residential (R-2) to the southwest.

Table 1: Use Abutting Subject Lot by Direction

Northeast & Southeast	Fort Edward National Historic Site zoned Open Space (OS).
Northwest	Single unit dwellings all zoned Town Centre (TC).
Southwest	Vacant gravel lot currently being used as parking zoned Two Unit Residential (R-2).

Proposed Designation and Zone

The intention of the application is to redesignate and rezone the subject property to allow for potential residential uses consisting of single or two-unit dwellings as of right or a greater number of units by development agreement.

Fort Edward Street is a local road which leads from King Street Extension and to the Fort Edward National Historic Site, as shown on the Transportation Map (Map 2) of the WMPS. The Municipal

Traffic Authority stated that there are many similar dwelling units in the area and they had no concerns in regard to the movement of auto, rail, and pedestrian traffic.

The Development Officer has no concerns about the proposed rezoning of this property as there are several existing Two Unit Residential (R-2) properties in close proximity and the property meets the minimum zone requirements in the WLUB. As there is existing Two Unit Residential (R-2) development in the area, as-of-right development should have little impact on the existing development.

Public Information Meeting Comments

Prior to and following the Public Information Meeting, staff have received many emails, phone calls, and letters. Staff responded to the comments received prior to the Public Information Meeting at the meeting, as seen on the final page of Attachment C – Public Information Meeting Notes. The comments in opposition to the redesignation and rezoning were primarily regarding losing access to this piece of property as public land and the lost opportunity for tourism or heritage use. The comments in favour of the redesignation and rezoning cited interest in seeing residential development on the property.

DOCUMENT REVIEW

Municipal Planning Strategy

There are two sets of policies in the WMPS that apply to this proposed amendment, the enabling policies (Policy 16.1.1 and 16.3.1) and the supporting policies (Policy 11.0.1 and 11.2.1).

The enabling policies provide the ability for the amendment to take place and the criteria that the amendment must meet.

Policy 16.1.1 allows Council to review and amend the WMPS or GFLUM. Amendments can be made when the GFLUM needs to be changed to bring the Strategy in line with the Statements of Provincial Interest, or when Council deems it necessary due to a change in policy intentions or development environment. The proposed amendment would provide an opportunity for further residential development within Windsor, which in the current housing climate is necessary to not worsen the housing shortage. The amendment also addresses the Statement of Provincial Interest regarding housing by enabling additional residential development.

Policy 16.3.1 establishes the general criteria that all amendments must meet. The criteria will be explained in further detail in Attachment A, but in summary of how the proposal meets the criteria:

- the proposal is not considered premature or inappropriate
- no Municipal costs related to the proposal are anticipated
- the Fire Chief, Development Officer, Senior Building and Fire Official, Director of Public Works and Traffic Authority have no major concerns

The supporting policies provide justification for the amendment by comparing the current designation and zone definition to the use and intent of the property.

Policy 11.0.1 establishes the Community Use designation, which is the current designation of this property. As the property is currently a vacant gravel lot used for parking, it does not reflect the intent of the Community Use designation.

Policy 11.2.1 establishes the Open Space (OS) zone, which is the current zone of the property. The property is currently a vacant gravel lot used for parking, not a use for which the Open Space (OS) zone is intended.

NEXT STEPS

The proposed amendments have been considered based on both the enabling and supporting policies of the WMPS and have proven consistent with the intent, objectives, and policies of WMPS. As a result, it is reasonable to consider redesignating from Community Use to Residential and concurrently rezoning from Open Space (OS) to Two Unit Residential (R-2) at 65 Fort Edward Street, Windsor (PID 45059797).

Process

Staff Review

▼

Public Information Meeting – Nov. 8th

▼

Planning Advisory Committee receives staff report and PIM Notes

Planning Advisory Committee Review and Recommendation – Dec. 2nd

▼

Council First Reading

▼

Public Hearing held and adjourned to next meeting of Council

▼

Council completes Public Hearing and holds Second Reading

▼

Notice of Approval in Local Paper

▼

14 Day Appeal period

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality associated with this development.

ALTERNATIVES

In response to the application, PAC may:

- recommend that Council hold a First Reading and authorize a Public Hearing to approve the redesignation and concurrent rezoning; or
- provide alternative direction such as requesting further information on a specific topic

ATTACHMENTS

Figure 1	Windsor GFLUM Extract: Current Designation
Figure 2	Windsor GFLUM Extract: Proposed Designation
Figure 3	Windsor Zoning Map Extract: Current Zone
Figure 4	Windsor Zoning Map Extract: Proposed Zone
Attachment A	Policy Chart for Redesignation and Rezoning
Attachment B	Public Information Meeting Notes

Report Prepared by: _____

Alex Dunphy, Planner

Report Reviewed by: _____

Madelyn LeMay, Director of Planning and Development

Figure 1 – Windsor GFLUM Extract: Current Designation



Figure 2 – Windsor GFLUM Extract: Proposed Designation



Figure 3 – Windsor Zoning Map Extract: Current Zone

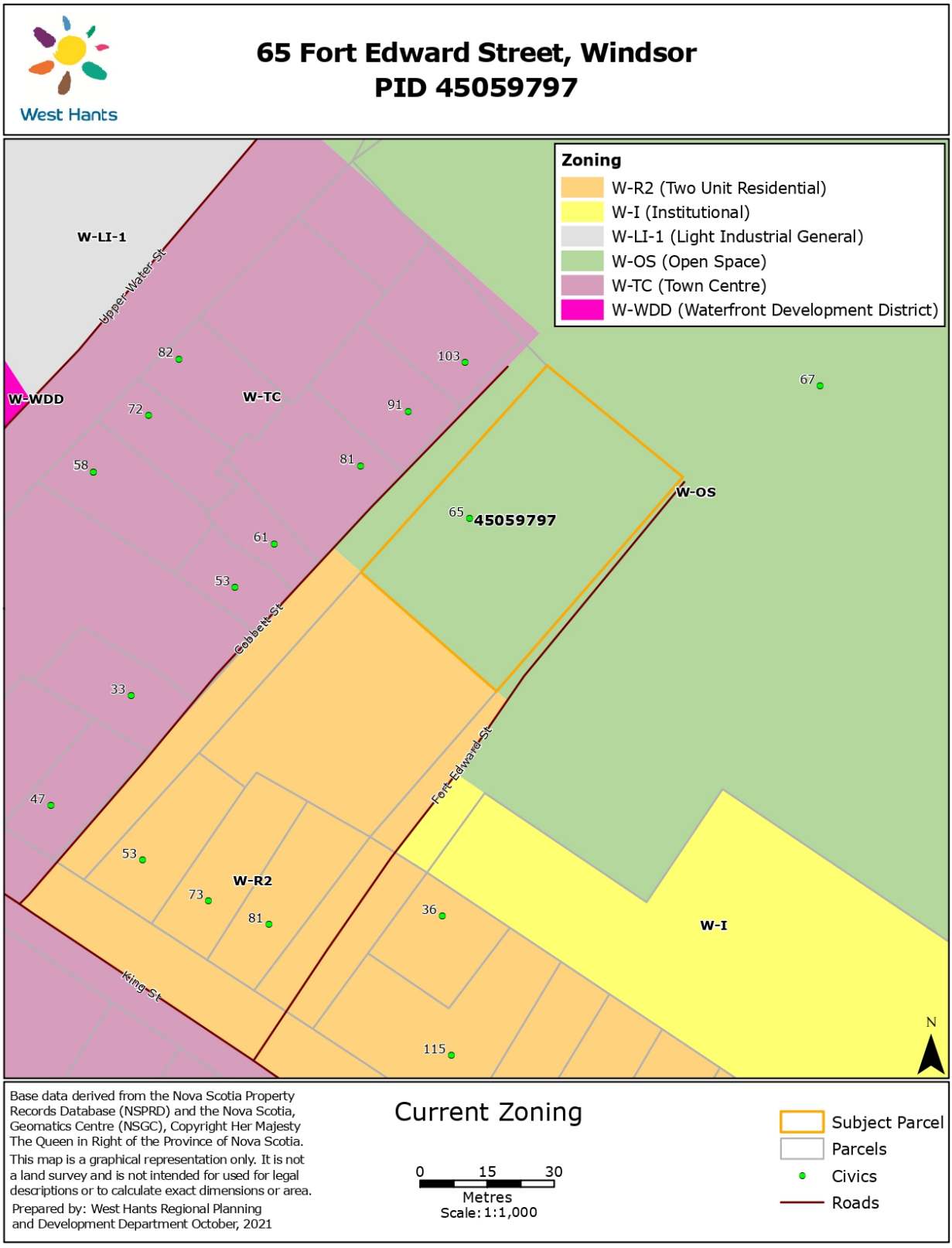
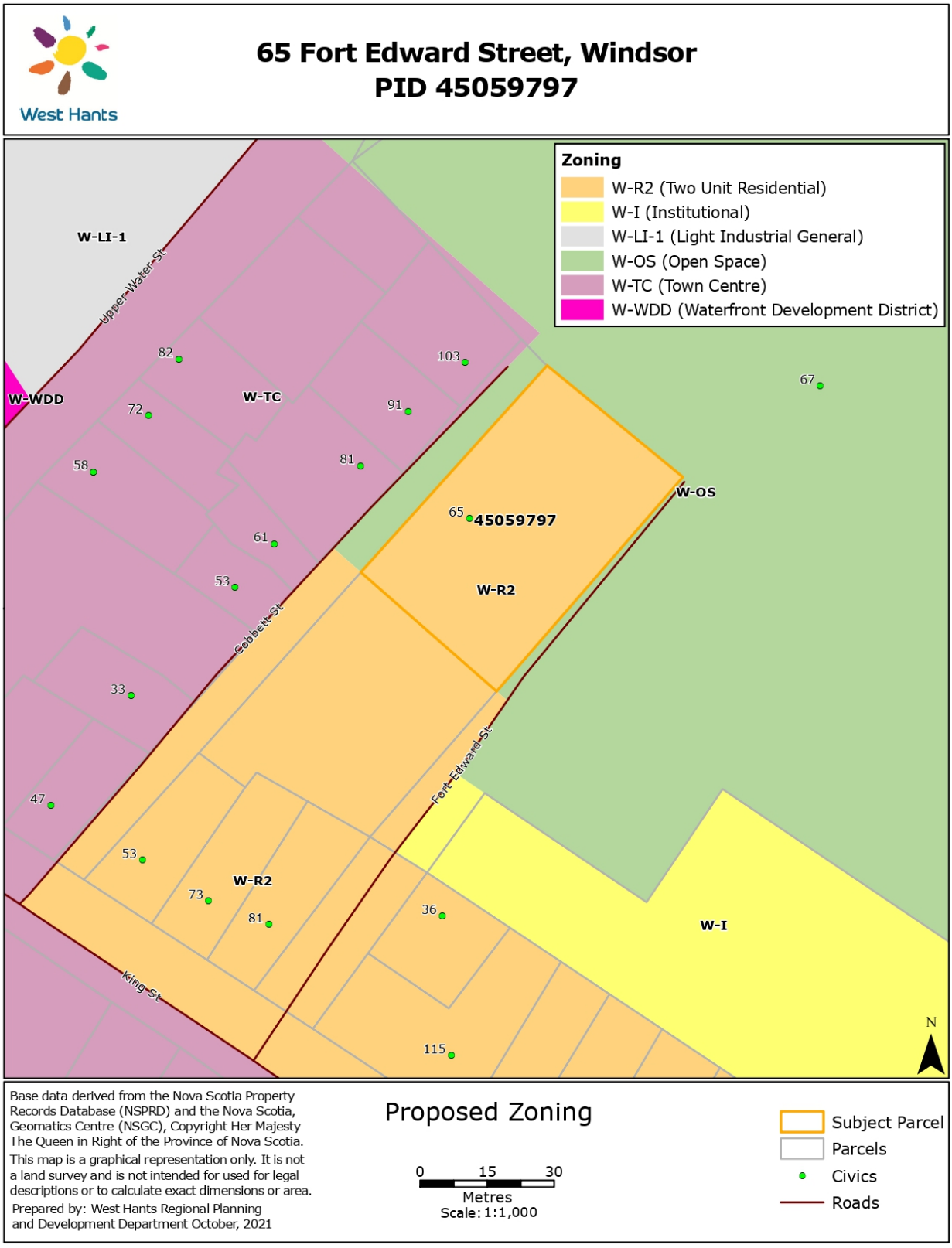


Figure 4 – Windsor Zoning Map Extract: Proposed Zone



Attachment A – Policy Summary

Enabling Policy

Policy 16.1.1 It shall be the policy of Council to review and make amendments to this Strategy:	
(a) when there is a requirement to change the Generalized Future Land Use Map (Map 1);	The GFLUM will need to be updated if a redesignation is permitted by Council.
(b) to bring the Strategy in line with Provincial Statements of Interest; or	The redesignation would address the Statement of Provincial Interest with regard to Housing.
(c) when Council deems it necessary because of a change in policy intentions or the development environment.	Council has deemed this property as surplus and haas given direction to the CAO to apply for the proposed changes..

Policy 16.3.1 In considering development agreements and amendments to the Town of Windsor Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:	
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Director of Public Works commented that the property is capable of being serviced with water and sewer from Cobbett Street and would be adequate for uses associated with the amendment.
(ii) the adequacy of school facilities;	There are a number of schools within the area including an elementary school, two high schools, and an adult education centre.
(iii) the adequacy of fire protection;	The local Fire Chief and Manager of Building and Fire Inspection Services commented that there are no concerns regarding fire protection. There are multiple points of access to firefighting infrastructure and is located close to the Fire Hall.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The Traffic Authority commented that the road networks around or adjacent to the property are sufficient for uses associated with the amendment. The property has access to both Fort Edward Street and Cobbett Street

(v) the financial capacity of the Town to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Traffic Authority commented that they do not have any concerns regarding movement.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	The Development Officer commented that the lot has adequate area and frontage to meet the requirements of the Two Unit Residential (R-2) zone.
(d) the pattern of development which the proposal might create;	There are several properties zoned Two Unit Residential (R-2) near the site. The Development Officer commented that as-of-right development should have little impact on the nearby development.
(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;	The property is on a sloped grade, so water runoff may occur; however the property has been landscaped to be suitable for development. The property is also not within the Environmental Constraints layer on the Windsor Zoning Map (Schedule A of WLUB).
(f) 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	All Municipal, Provincial, and Federal regulations will have to be met.
(g) any other matter required by relevant policies of this Strategy.	All relevant matters have been addressed in this report.

Supporting Policy

Policy 11.0.1 It shall be the policy of Council to establish a Community Use designation as shown on the Generalized Future Land Use Map (Map 1) to be applied to existing institutional uses, municipal recreation uses and open space areas.	Following the demolition of the former pool site, the use of the property as a vacant gravel lot does not match the intention of the Community Use designation. During the previous request for Expressions of Interest, the only proposal received was for a residential development.

Policy 11.2.1 It is the intention of Council to establish an Open Space (OS) zone which applies to parks and other outdoor recreation uses, cemeteries, historic sites and similar uses. Generally, open space uses do not involve main buildings, but the zone may also be applied to certain institutional uses, such as museums, which are located on large parcels of land used as parkland.	Following the demolition of the former pool site, the use of the property as a vacant gravel lot does not match the intention of the Open Space (OS) zone. The property is not currently being utilized to the best of its ability.

ATTACHEMENT B
Public Information Meeting Notes
November 8, 2021- November 23, 2021
File 21-15
65 Fort Edward Street, PID # 45059797

Meeting date and time	A public information meeting was held on November 8, 2021 beginning at 6 p.m. The meeting was broadcast live on the Municipal Facebook page.
File Number	21-15
Attending	The PIM was held prior to the regular PAC/JAC meeting. As a result, the following members of PAC/HAC and staff were present: Councillor Jim Ivey Councillor Rupert Jannasch Councillor Mark McLean Councillor Debbie Francis Councillor John Smith Bill Preston Jane Davis Shelley Bibby Jennifer Nicholls Lisa Bland Jamie O'Hanlon Staff: Madelyn LeMay, Director, Planning and Development Sara Poirier, Senior Planner Alex Dunphy, Planner Vanessa Lake, Meeting Secretary Applicant: Mark Phillips, CAO As this meeting was held virtually there were no members of the public present.
Applicant Mark Phillips, CAO WHRM	Mr. Dunphy outlined the application for a redesignation and concurrent rezoning at PID 45059797. A presentation was not made by the applicant.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between November 8 – November 23, 2021. Two (2) letters were received, one (1) which requested priority consideration for a period of nine (9) months for the West Hants Historical Society to create a project plan and one (1) which was opposed to the redesignation due to the potential for public land to be developed with heritage and sustainability in mind. Four (4) emails were received, one (1) was in favour of the redesignation to provide additional housing possibilities, and three (3) were opposed to the redesignation based on proximity to the

	National Historic Site, elevation of the property, availability of parking, and potential community use. Four (4) Phone calls were received, with three (3) of the calls prior to the Public Information Meeting. Three (3) of the calls were opposed to the sale or development of the property, citing concerns regarding former Town Council decisions, the quality of development, and sale of the land without public consultation. One (1) call was in favour of the redesignation and was interested in developing the property as housing.
Adjournment	The presentation portion of the PIM ended at approximately 6:10 p.m.

ATTACHMENT A

PIM Submissions: 65 Fort Edward Street
Received: October 28th – November 8th, 2021 (Prior to PIM) & November 9th – November 23rd, 2021
Compiled: November 24th, 2021

Letter

November 16, 2021

Shirley Pineo
President
West Hants Historical Society

Windsor, NS B0N 2T0
Mayor and Councillors of West Hants Council
Chair and Members of West Hants Planning Committee
76 Morison Dr, Windsor, NS B0N 2T0

Dear Mayor, Councillors and Planning Committee Members:

Thank you for considering this letter in the request by Council for development proposals regarding two municipal plots, PIDs 45059797 and 45059805, which abut the western edge of the Fort Edward National Historic Site in Windsor, West Hants, Nova Scotia.

Importance of Fort Edward
101 years ago, in 1920, Parks Canada declared Fort Edward a National Historic Site because of its role in the struggle for predominance in North America from 1750 to the war of 1812. However, the Fort and its location have importance much beyond its above noted role.

Fort Edward is intertwined in every major occurrence and the day-to-day life of our region since before recorded history. For centuries, the Mi'kmaq people knew this place as an ideal area for hunting and fishing. In the 1600s, the Acadians had a chapel on the grounds that became Fort Edward in 1770. Shortly thereafter, in 1755, over 1,000 Acadians were wrongfully deported from the region and an influx of American Planters ensued.

The longest running agricultural fair in North America began over 250 years ago at Fort Edward, and during World War I, the first Prime Minister of the State of Israel trained for military service at the Fort. Today, the

sole remaining built structure of Fort Edward is its blockhouse, prefabricated defense post that is now oldest and longest serving structure of its kind in North America.

Fort Edward National Historic Site is a landmark like none other, having borne witness to and played a crucial role in our collective histories, reminding us of who we are and how far we have come as a community.

West Hants Historical Society
Since the late 1990s, Parks Canada has contracted the West Hants Historical Society to facilitate the visitor experience offered at Fort Edward and contribute valuable input in the overall management of the Site. For its part, Parks Canada oversees the strategic operations of Fort Edward in context to the Fort's relationship with other Parks Canada historic sites throughout Southwest Nova Scotia.

There have been many discussions over the years as to how Fort Edward should be enhanced as a tourism destination, a recreation space, a learning tool to convey historic perspectives and potentially as a contributor to the local economy. The strict archaeological constraints of the Site itself, however, restrict development to take place, meaning that any sort of building or structure to support the Site would need to be placed off the Site on adjacent land not currently managed by Parks Canada.

When Windsor's Centennial Pool (PID 45059805) was decommissioned in 2006 it represented the first opportunity for the Society since entering its contract with Parks Canada to expand the Site's offering beyond its designated borders. Discussions were held with Town staff regarding use of pool's administration building so Site visitors and staff could access the public washrooms, with the remaining space used for artifact displays and minor retail, however, access was not granted.

Later, in 2010, the West Hants Historical Society formally requested Windsor Town Council to entertain development propositions for the above-named properties adjacent to the Fort Edward Site only if the developments were to be sensitive to and supportive of the Historic Site. The request was in response to an expression of interest submitted to Council from a developer proposing high value residential units that would be available for young professionals to rent. After the Society's request, the residential development proposal did not proceed.

In 2016, Parks Canada released its 10-year National Historic Sites of Southwest Nova Scotia Management Plan. This document provides a wealth of data in which to aid Parks Canada and stakeholder communities throughout the region to effectively leverage important sites like Fort Edward as destinations at which community members and visitors alike can learn, connect, reconcile, build bonds, share histories, tell our stories, and bridge our differences toward creating a society that is more aware, inclusive, and productive.

As local custodians of the Fort Edward Site, and on behalf of members of the Society, stakeholder groups and area residents who wish to see the Fort Edward National Historic Site play a more relevant role in education, economic development, and facilitating reconciliation within our community, the **West Hants Historical Society proposes to lead a multi-stakeholder, collaborative plan to provide a built structure on the surplus parcels (PID #s 45059797 and 45059805).**

Based on feedback we have received from visitors and community members alike dating back several years, along with initial interest of involvement from stakeholder groups we have approached thus far, we are confident we can deliver to Council a progressive development plan to create a built structure that adds economic value and diverse interest to the existing Site as well as provides a designated space for visitors and community members to gather, learn, enjoy, and reflect.

We therefore request the Municipality of West Hants to **grant the West Hants Historical Society priority consideration for a period of nine months so the Society, its partners, and community stakeholder**

representatives may collaborate on a multi-use, built project plan toward creating a centre that provides for historical and cultural interpretation, commerce, amenities, and public gatherings upon PID plots 45059797 and 45059805.

Signed respectfully,
Shirley Pineo
President
West Hants Historical Society

c.c.
- Kody Blois, MP for Kings Hants
- Melissa Sheehy Richard, MLA for Hants West
- Glooscap Ventures, Glooscap First Nations
- Ted Dolan,, Superintendent, Parks Canada
- Sharmay Beals-Wentzell, Coordinator, West Hants Historical Society Diversity Committee
- Sara Beanlands, Historian, Royal Nova Scotia Historical Society
- Jonathan Fowler, Archeologist, Archaeology in Acadie
- Adrienne Wood and Ashley Wood, Chairs, Windsor Township Business Association
- Lisa Hines, Manager, Windsor Agricultural Society
- 84th Regiment of Foot
- WHHS Facebook page

November 23, 2021

From: Teresa Newcomb
To: Alex Dunphy, Planner
C/C Abraham Zebian
Windsor West Hants

Re: 65 Ft. Edward St
PID 45059797
Request to Redesignate to Residential, Concurrent Rezoning to Two Unit Residential (R-2) zone

See attached letter

Emails

From: Kelly McGregor
Sent: November 1, 2021 11:38 AM
To: Alexander Dunphy <ADunphy@westhants.ca>
Subject: Feedback 65 Fort Edward Street

Hello,
I would like to give feedback on the change of use for the 65 Fort Edward Street.

We would like to strongly support this project. We feel that any additional housing stock is absolutely necessary at this time.

We were contacted because the Portal owns a property in the vicinity.

Regards,
Kelly McGregor

From: Andrea Moore
Sent: November 3, 2021 12:38 PM
To: Alexander Dunphy ADunphy@westhants.ca
Subject: 65 Fort Edward St meeting

Hi Alex,

I would like to virtually attend the meeting about 65 Fort Edward Street.

I also have 3 questions.

1. This property and adjacent 36 Fort Edward are currently listed for sale on Viewpoint, advertised as "lands are zoned R2 which allows for duplex dwellings."

The letter I received states that the redesignation is proposed.

So, is the redesignation already in place or is it in the proposal phase?

2. The properties are listed together for 303,000$. Why is this meeting about one property only? Is there another different plan for 36 Fort Edward Street?

3. These are large properties. How many duplex dwellings would be permitted on each PID?

Thank you,
Andrea Moore

Hi Alex,

Thank you for your responses to my initial questions.

I do not agree with the rezoning of 65 Fort Edward Street to R2.

It is adjacent to a National Historic Site and as such should receive significant more consideration as to its use, and perhaps more importantly, the lost potential from selling off this unique land.

1. Tourists come and go from this location because of its listing as a National Historic Site…and a free one at that. But they often take a picture and leave within 5-10 minutes, likely on to Grand Pre where there are facilities and an interpretive centre. Any kind of tourist information or interpretation or facilities in a separate building would likely be well received and well visited, encouraging people to stay longer and explore the local area further. This may be a better location for the tourism information bureau given the ample parking, existing stream of visitors, and proximity to the highway.
2. Alternatively, create something of additional value for locals. Why not a community garden on the gravel lot. Or on the grassy area or both. Raised beds could easily be added to the gravel surface and allow for much more substantial use than other areas in town which are limited to one plot. This would provide benefits to many more people than the potentially 2 families from a duplex. There are surely many more options for this location recreation-wise given the proximity to the trail. Enhancing this area could also provide relief to the now marshfront, offering an alternate destination for a lovely walk, with potentially another outdoor gym or playground for families.

3. Personally, I can see residential use for the adjacent property on Fort Edward, but this one is much different. It is very high and large and is split by a road that the public uses. The side on Cobbett Street beneath the gravel is very steep and a building would be an eyesore from that side, assuming that a residential unit would face onto Fort Edward Street. A building, even a two story, would loom large from below, more like a four or five story given the difference in elevation, which is a significant, not a minor, disturbance to the current view, and amount of natural light from my location.

   I strongly urge the committee to consider alternative uses for this unique property before it is sold. Or delaying its rezoning for another year. Please also consider splitting the PIDs and selling 36 Fort Edward Street but not 65 Fort Edward Street. This would allow the municipality to make some money from the sale of a property but reserve another to potentially reach many more community members and tourists in a much more meaningful and long lasting way.

   Sincerely,
   Andrea Moore

From: Denise Forand
Sent: November 9, 2021 5:34 PM
To: Alexander Dunphy <ADunphy@westhants.ca>
Subject: Former pool site, 65 Fort Edward Street

Dear Mr Dunphy,

I feel the name alone says why we should not sell this land or call it surplus.
I don't think there is a home on that short road.

These lands are used for excess parking for the municipal regional office, the fire station, tourist for the Fort and locals who walk the trail, not surplus.

If our new municipality building moves into the economic centre , we will require the parking spaces even more than today.

This Downtown location should be kept for local needs in our future as we have limited lots downtown in our commercial town centre.

What happened to the Jewish museum? They were thinking of that location.

The region is in great financial shape.

We cannot grow more lots downtown, it's a historic 175 year old town.

I firmly believe all councillors and planners should have a slow tour of the architectural district and the reason for different rules for different locations.
Late 1898 would have been when Windsor got rebuilt. No cars in any planner's designs, we had ships, lots of ships and a rail line.

I firmly believe that this land should be held for our own future needs.

Sincerely,
Denise

Thank You Alexander, I am against losing the designation of open space in our town center for residential or commercial on said lots by Fort Edward.
I firmly believe our next pool will be back where our centennial pool was for 50 years, on high ground. This land is too valuable to sell for a measles amount when it's need will be required in the future growth of our township.
Thank You, Denise

From: Don Hurshman
Sent: November 23, 2021 12:47 PM
To: Alexander Dunphy <ADunphy@westhants.ca>
Subject: Just my opinion.

What I think should happen with the 2 parcels of land at the fort
is to have a small tourist bureau in the lower parking lot similar
to the one that used to be as you drove into Hantsport. And in the upper
parcel a splash pad for the small children that are yet too young for the pool,
don't forget there are many young families that can't afford to take their
children to the pool everyday, having a splash pad would cure that problem.
After all this land was deeded to the town for the benefit of the citizens of
Windsor and not for the benefit of one developer. There are other lots of land
I'm sure where a couple of duplexes could be built.

Thank you for your time
Don Hurshman

Phone Calls

From: Liz Galbraith
Date: October 28, 2021
To: Alexander Dunphy

Ms. Galbraith had concerns regarding former Windsor Town Council decisions to reserve the property for heritage or tourism usage. Ms. Galbraith also had concerns regarding the suitability of infrastructure and neighbourhood character. The Planner replied that they would research former Town Council decisions and that any development would be required to follow all policies and by-laws.

From: G. Fogarty
Date: November 4, 2021
To: Alexander Dunphy

Ms. Fogarty had concerns regarding the quality of development for the property. The Planner replied that the land had yet to be sold and that any development would be required to follow all policies and by-laws.

From: Roaland Newcomb
Date: November 8, 2021
To: Alexander Dunphy

Mr. Newcomb had concerns regarding the sale of public land without public consultation. The Planner replied that the public consultation process had yet to begin and that it would be starting with the Public Information Meeting that night.

From: Kevin Saunders
Date: November 17, 2021
To: Alexander Dunphy

Mr. Saunders was interested about developing the land as residential and was in favour of the redesignation and rezoning.

Staff Comment Response

PIM Comments Response – Nov. 8th, 2021

We have received a number of phone calls from the public about this lot. Generally, the concerns were regarding the public consultation, sale of the land, the quality of future development, former Town Council decisions, the suitability of infrastructure and the neighbourhood character.
In response to these concerns, staff provide the following:

- This application is solely for the redesignation and rezoning of the lot.
- Staff are researching any previous decisions regarding 65 Fort Edward Street by the former Windsor Town Council
- Any sale of this lot is a decision of Council
- All requirements of the Public Participation Policy process have been and will continue to be met
- Any future development on this property will be required to follow the regulations in the Windsor Land Use By-law
- The Municipal Planning Strategy requires aspects such as the suitability of infrastructure and neighbourhood character to be examined as part of the recommendation made by planning staff

Staff have also received a number of emails regarding the Public Information Meeting.
In response to these questions, staff provide the following:

- This application is only dealing with 65 Fort Edward Street. It is currently zoned Open Space (OS) and the application is to rezone the lot to Two Unit Residential (R-2). No decisions have been made yet
- A single or two-unit dwelling would be permitted as-of-right on this lot if the rezoning application is approved

This concludes the comments received so far.

Nov 23/2021

To: Alex Murphy, Planner, Planning Dept.
c/c Abraham Zebian
Windsor West Hants

Re: 65 Ft. Edward St
PID 45059797
Request to Redesignate to Residential,
concurrent Rezoning to
Two Unit Residential (R-2) zone

Dear Sir;

I respectfully must say no to this request for rezoning. I want Windsor West Hants to keep this property for community use. Here's why:

- there is a fantastic opportunity for WWH to create a development that could promote and enhance Fort Edward National Historic Site (FENHS) and the local cultural + Natural History. (In particular the tidal bore + salt marsh ecosystem of the Avon + St Croix Rivers).

- WWH needs to preserve some land in public (not private) control as a refuge during flood events. (which are happening now due to climate change)

RECEIVED
NOV 23 2021
11:40 am

- the site offers commanding views of the beautiful Avon River valley and distant hills of Falmouth, Hantsport and beyond.

- the orientation of the site with its South-facing slopes lends itself to passive-solar community buildings and active solar electricity generation.

- the site is an important place for the ~~town~~ to manage water runoff (already significant)

- the site, if developed as a community-use, tourist accommodating, environmentally sustainable centre would be an intelligent investment that would pay LONG TERM dividends

  Thousands of tourist already visit Ft Edward every year, but even though they all enjoy the spectacular and RARE 360° views from the FORT, ~~there is~~ and the excellent guidance from the Fort Attendant, there is little to keep those very keen + informed local, provincial, national, N. American and International tourists engaged and able to expand their knowledge of this amazing area.

- If tourists could go to 95 Ft Edward St and enjoy interpretive information, gift shop, Café with a view, washrooms and a building and gardens that exemplify good passive Solar design, water conservation, soil protection, preserved view planes for FENHS, then they may decide to book overnight accommodation, go downtown for dinner and music, purchase gas, groceries etc in WWH.

- Such a development would also attract planners and designers from other communities to see the thoughtful and forward-thinking, successful, sustainable and lucrative center that WWH had the foresight to build.

Please please please carefully consider these suggestions. I am sure it is very difficult to have to make decisions regarding town properties. I would like to point out that what happens at 65 Ft Edward St. affects much more than the small group of us who live adjacent, since it is used by the whole municipality, province, country and world. Therefore WWH really needs to be a leader in sensitively developing this gem of a property.

Hilroy

So This is why I must say no to the request for rezoning to residential. WWH should not sell This valuable property in which it has already invested heavily over the years. (the thriving pool, costly demolition + filling, and on-going maintenance) WWH should not rezone to residential and be swayed by developers who really do not have the mandate of caring for and leaving a legacy for this community as WWH / you do.

Also, regardless of what happens with this site, I am strongly opposed to any high density housing development (ie: several packed in Two Unit dwellings, or multi use dwellings. I am also strongly opposed to any development that blocks the view lines from FENHS.

We have many wonderful things to be thankful for here in WWH. I am also thankful to you, MR Dunphy, and to all the WWH leaders, workers, staff, for the hardwork you all do. Please have the courage to do something sustainable and environmentally, socially, historically profitable (and actually financially profitable for the spin offs) and keep this very important property for community use and beyond.

Thank you for your careful consideration of the matters.

Sincerely

Teresa Newcomb

Attachment B – Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15B

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Alex Dunphy, Planner

Date: 2022-01-13

Subject: Supplementary Report to PAC/HAC - Redesignation and Concurrent Rezoning: 65 Fort Edward Street, Windsor; PID 45059797; File# 21-15B

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

The following motions were prepared and passed by PAC/HAC:

… that PAC/HAC recommends that Council delay First Reading and direct staff to complete their research related to any former Town of Windsor outstanding commitments to heritage projects at the site (PID 45059797).

… that PAC/HAC request staff for comment from the Province of Nova Scotia regarding requirements of the Special Places Protection Act for the site (PID 45059797).

BACKGROUND

Property X	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

On December 2nd, PAC/HAC made a motion to request staff to obtain comments from the Province regarding the requirements of the Special Places Protection Act. The committee also requested that staff speak with Johnathan Fowler to ask about LiDAR for the subject lot and

Sara Beanlands for further information about relationship of the Jewish Legion to the site. The responses to each of the inquiries are attached to this report.

DISCUSSION

The CAO is currently requesting proposals from archaeologists to perform a Phase 1 Archaeological Impact Assessment Study as recommended by Catherine Cottreau-Robins, the Senior Curator of Archaeology at the Nova Scotia Museum.

ATTACHMENTS

Attachment A	Email Response from Johnathan Fowler
Attachment B	Email Response from Sara Beanlands
Attachment B1	Attachment 1 to Sara Beanlands Response
Attachment B2	Attachment 2 to Sara Beanlands Response
Attachment C	Email Response from Catherine Cottreau-Robins

Report Prepared by: _____
Alex Dunphy, Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Attachment A – Email Response from Johnathan Fowler

Alexander Dunphy

From: Jonathan Fowler
Sent: December 4, 2021 6:05 PM
To: Madelyn LeMay
Cc: Alexander Dunphy; Sara Poirier
Subject: Re: Information Search

Follow Up Flag: Follow up
Flag Status: Flagged

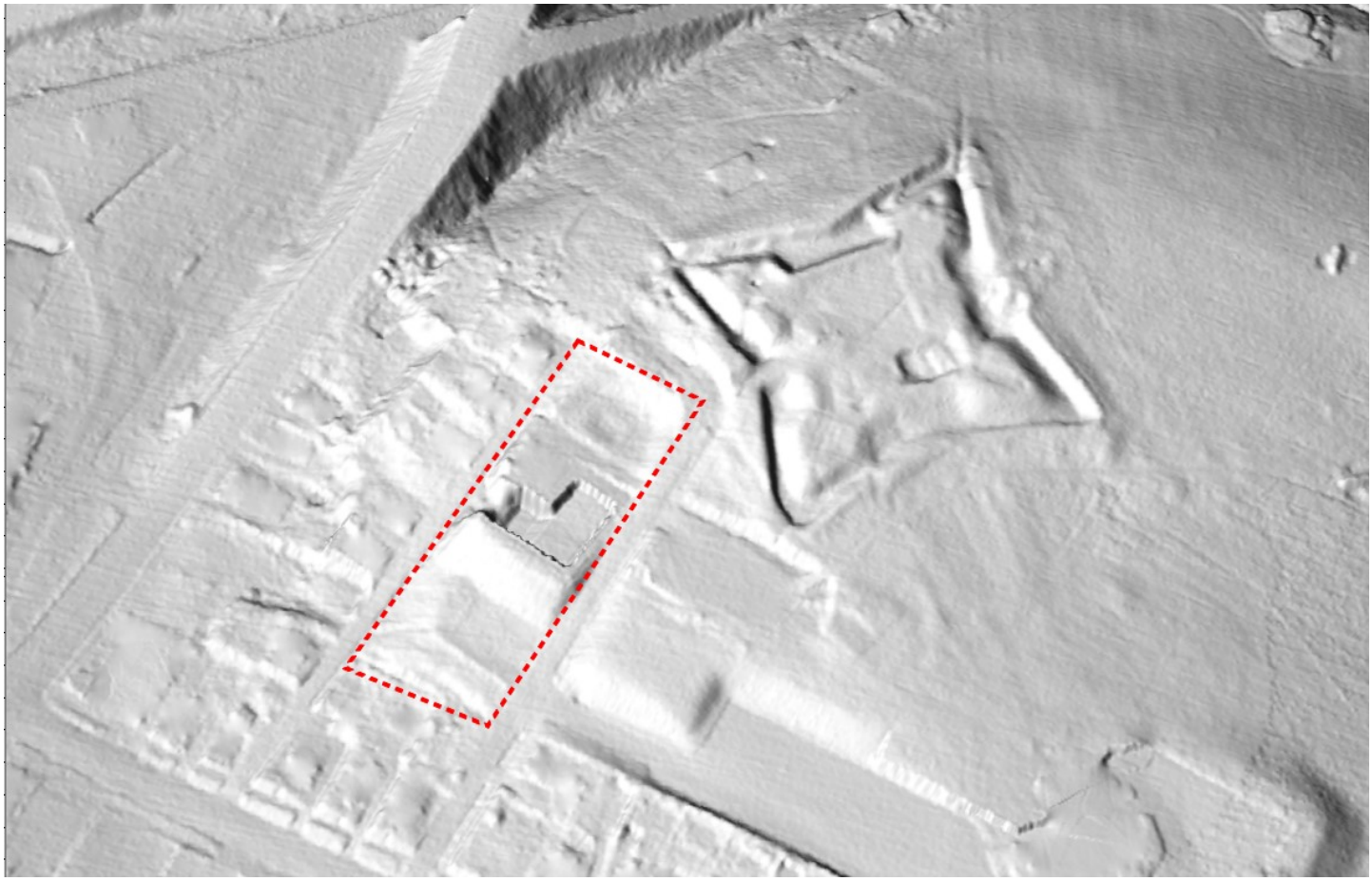
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Good evening, Madelyn and team.

I've had a quick scan through my records and, yes, there is good evidence of early colonial occupation in the area you have identified. Probably any property this close to an 18th century fort would have elevated archaeological potential, but we have some additional considerations here:

1. There is a pre-Deportation Acadian parish church here as well, just where the blockhouse now stands (Rob Ferguson and I outline the evidence in ch 8 of *Underground Nova Scotia*, published in 2010);
2. There is a truckhouse (i.e. trading establishment) in the near vicinity, which has some significance for Mi'kmaw history; and
3. There are documented extramural features associated with the early fort in this area, for example those shown on the map below, which includes stables and soldiers' huts.

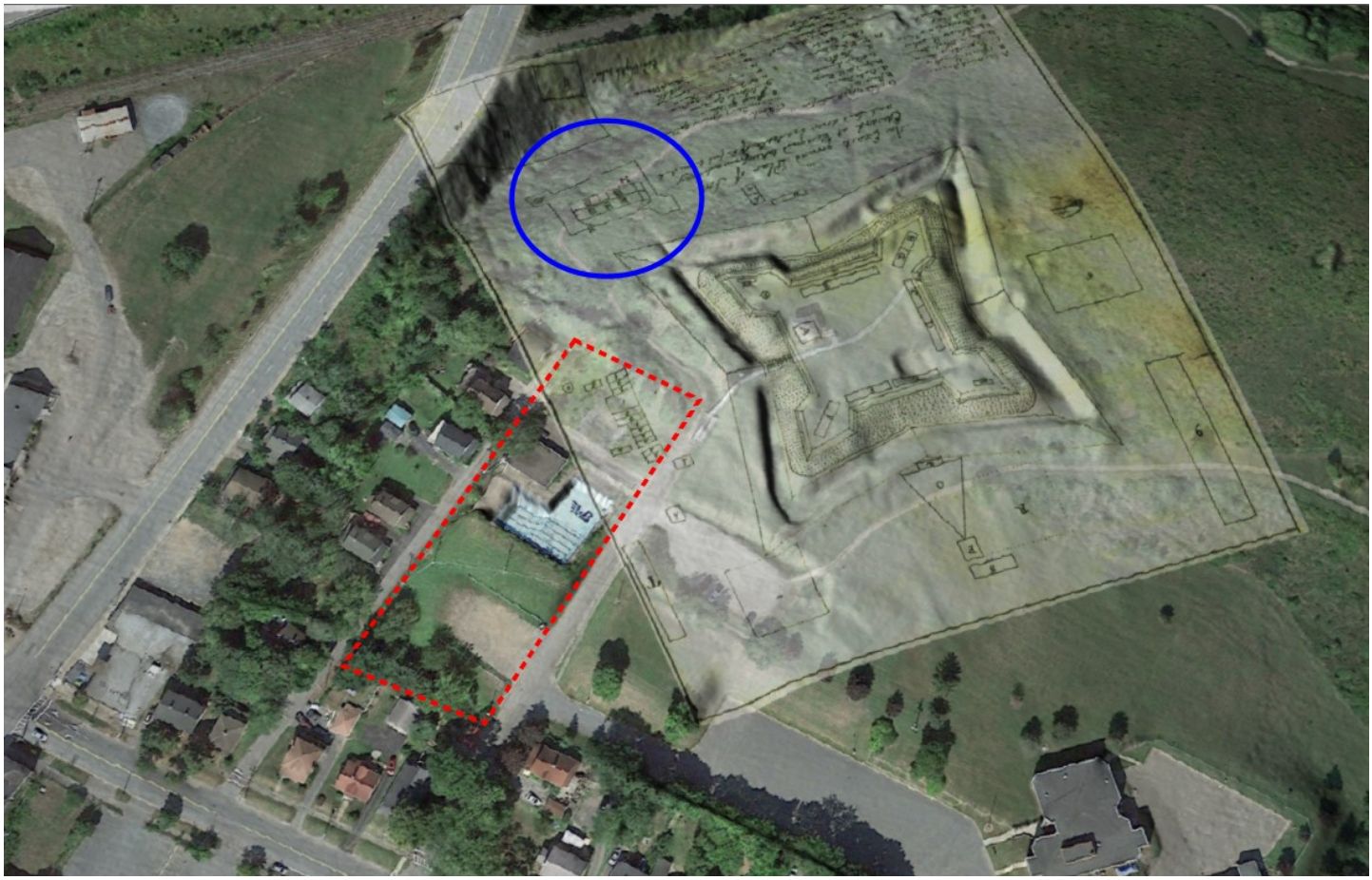
A quick look at the landscape with the aid of 2011 LiDAR data, which gives us the ability to map elevation very precisely (and remove trees and buildings), with the properties in question outlined in the red dashed line:



We can drape 2015 satellite imagery over this 3D model:



And then we can begin to collate a series of historical maps, for example this 1757 plan of the fort from the Clements Library in Michigan:



In this last image, we can see several stables and huts intruding into the northernmost of the two properties in question. Beyond this, in the blue oval, we have the remains of the truckhouse, apparently outside the area of interest, but I have additional evidence placing this complex much closer to the northernmost of the two properties you asked about.

Therefore, I would judge there to be ample evidence at this location (and there is much more of it) to demonstrate elevated archaeological potential. This should probably figure into any future designs for the area, as the provincial Special Places Program will likely require a proper archaeological resource impact assessment and mitigation prior to construction.

Additionally, however, these heritage resources contain potential for development and interpretation. They are unique and authentic (it is difficult to determine their integrity at the moment), and they connect to a network of heritage sites all the way down the valley, including nearby Grand-Pré National Historic SIte. There may be some potential for the municipality, working with local stakeholders, to develop these resources and capture some of the tourist traffic that otherwise drives literally right by your doorstep.

So, this is a quick, high-level assessment, and I'd be happy to draw the picture more comprehensively in the new year if that is something the municipality would be interested in. I routinely undertake this kind of work through my consultancy, Northeast Archaeological Research Inc., and we're here if you'd like to discuss this case further.

Best,

Jonathan
902 478-1896

On Fri, Dec 3, 2021 at 10:18 AM Madelyn LeMay <MLeMay@westhants.ca> wrote:

> Good morning, Jonathan!
>
> It's been a while, since I have seen you - but I am looking for your help again!
>
> This time, it's in the former town of Windsor.
>
> West Hants Regional Municipality (WHRM) is in the midst of two processes regarding lots on Fort Edward Street:
>
> 1. the amendment of the designation on the Future Land Use Map from Community Use to Residential and re zoning in the Land Use By-law from Open Space (OS) to Two Unit Residential (R2) of PID 45059797 ; and
> 2. the sale of PID 45059797 and PID 45059805 (which is already zoned Two Unit Residential (R2).
>
> I am wondering if there is any information that you have and would be willing to share with me and PAC/HAC regarding this area? I have made a similar request to Sara Beansland.
>
> Anything you can offer would be really appreciated.
>
> Madelyn

West Hants
something inspiring awaits

Madelyn LeMay
Director of Planning and Development
West Hants Regional Municipality
PO Box 3000, 76 Morison Drive, Windsor, NS, B0N2T0

T 902-798-8391 Ext. 114
E MLeMay@westhants.ca
W www.westhants.ca

Attachment B – Email Response from Sara Beanlands

Alexander Dunphy

From: sbeanlands
Sent: December 5, 2021 3:53 PM
To: Madelyn LeMay
Cc: Alexander Dunphy; Sara Poirier
Subject: RE: Lands on Fort Edward Street, Windsor
Attachments: Jewish Legion Memorial_Revised.pdf; Jewish Legion - MOU Request - Final.pdf

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Hi Madelyn,

It's been some time now since we were working on this – we have not done much since COVID appeared – and my memory is a bit hazy. But I have attached a couple of letters that were sent to the Windsor Council with respect to the property. We were proposing to establish a "Cultural Pavilion" on the swimming pool site that would highlight the diversity of cultures in Hants County, including the history of the Jewish soldiers (It began as a memorial to the Jewish soldiers but evolved into a broader, more inclusive proposal. I don't think that Council ever responded to our MOU request, however we do have a signed MOU with Parks Canada.

Hope this helps,
Sara

From: Madelyn LeMay <MLeMay@westhants.ca>
Sent: December 3, 2021 10:19 AM
To: sbeanlands
Cc: Alexander Dunphy <ADunphy@westhants.ca>; Sara Poirier <spoirier@westhants.ca>
Subject: Lands on Fort Edward Street, Windsor

Good morning

I am looking to you for some information. West Hants Regional Municipality (WHRM) is in the midst of two processes regarding lots on Fort Edward Street:

(1) the amendment of the designation on the Future Land Use Map from Community Use to Residential and re zoning in the Land Use By-law from Open Space (OS) to Two Unit Residential (R2) of PID 45059797 ; and
(2) the sale of PID 45059797 and PID 45059805 (which is already zoned Two Unit Residential (R2).

During the preparation of the staff report, we made a request to WHRM's Administration Department for any minutes or agreements related to the properties and are waiting for that material. Planning staff became aware only last night during a Planning and Heritage Advisory Committee (PAC/HAC) meeting that you had made a presentation to the former Windsor Town Council; no details were provided.

I am wondering if there is any information that you have and would be willing to share with me and PAC/HAC regarding this area?

Anything you can offer would be really appreciated.

Madelyn

Madelyn LeMay
Director of Planning and Development
West Hants Regional Municipality
PO Box 3000, 76 Morison Drive, Windsor, NS, B0N2T0

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Attachment B1 - Attachment 1 to Sara Beanlands Response



JEWISH LEGION CENTENNIAL SOCIETY

May 21, 2019

Mayor Anna Allen
Town of Windsor
100 King Street
Windsor, Nova Scotia

Re: Jewish Legion Society

Dear Mayor Allen & Councillors,

We are writing to follow up on our meeting with you on Monday, April 8th, 2019.

We firstly want to thank you for taking the time to allow us to provide you with a full presentation on our project to commemorate the presence of the Jewish Legion in Windsor in 1918, and as well to memorialize the warm hospitality extended to the Jewish Legion by the people of the Town of Windsor. This indeed is a significant part of the heritage of the Town of Windsor.

This letter is a formal request to the Town of Windsor to enter into a Memorandum of Understanding with the Jewish Legion Centennial Society to convey to them by way of purchase the old swimming pool site. We look forward to a positive response.

Respectfully submitted,



Jon Goldberg
Chair, Jewish Legion Centennial Society
Director Emeritus,
Atlantic Jewish Council

Attachment B2 - Attachment 2 to Sara Beanlands Response



JEWISH LEGION CENTENNIAL SOCIETY

June 13, 2019

Re: Jewish Legion Memorial in Windsor, Nova Scotia

Thank you for the opportunity to provide you with further information on the Jewish Legion Centennial Project. The Jewish Legion Centennial Society was formed in 2017 to commemorate the 100th anniversary of the Training of the Jewish Legion in Windsor, Nova Scotia and to establish a permanent memorial to mark the significance of this historic event at Fort Edward.

Although much has been written about the Jewish Legion, the training of the Legion in Nova Scotia is less well known in the chronicles of twentieth-century military and Jewish history, and we believe it deserves a permanent commemoration. Indeed, the formation of the Jewish Legion represents not only the creation of the first modern Jewish military formation, but a social transformation of Jewish communities around the world, particularly those in Canada and the United States. In 1917, the British War Office approved the raising of a Jewish military force to assist the Allied war effort in the Middle East. Shortly thereafter, Jewish recruits from across Canada and the United States assembled at the Imperial Recruits Depot in Windsor, Nova Scotia to begin their training as the 39th Battalion Royal Fusiliers, one of four Jewish battalions, which collectively became known as the Jewish Legion. All North American recruits of the Jewish Legion received initial training at Fort Edward in Windsor, and it was here that a group of immigrant Jewish men became soldiers of the British Imperial Army, thereby creating in the Jewish diaspora a growing sense of unity, purpose and national identity.

Equally as compelling is the underlying story of Jewish recruits' experience in the small rural town of Windsor as the local community supported and comforted members of the Legion, many of whom felt disoriented and isolated from the other troops. During its brief tenure in Windsor, the Legion returned the town's warm embrace and still, to this day, descendants of those brave soldiers recall their fathers' and grandfathers' deep and lasting affection for the Town of Windsor. Windsor's 1918 display of core Canadian values resounded in September 2018 when the unique history of the Jewish Legion was brought to life in a moving commemorative event that attracted considerable and very positive national media attention.

The Jewish Legion Centennial Society seeks to build a memorial to commemorate the soldiers of the Jewish Legion – to honour the service and sacrifice of those who trained at Fort Edward – and to create a meaningful space where people can reflect upon, honour and remember the past – a place of memory for all those who have sacrificed to make this world a better place in which to live. At the same time, it is an opportunity to recognize the spirit and generosity of the citizens of Windsor, Nova Scotia, who in 1917, embraced the sons of immigrant Jewish families from across the United States and Canada, thereby demonstrating intrinsic values of tolerance, inclusion and diversity. There is no such memorial to the Jewish Legion in North America, and it is

only fitting that the Jewish soldiers of the 39th Battalion are recognized and honoured in Nova Scotia. The memorial will include the names of all Jewish soldiers who trained at Fort Edward.

We have collaborated with Talbot Sweetapple of MacKay-Lyons Sweetapple Architects Ltd. to begin design work on the proposed memorial, copies of which are provided below and are currently looking for support to ensure the successful completion of this important project. The details of the history of the 39th Battalion Royal Fusiliers are recounted in the attached article published in the *Journal of the Royal Nova Scotia Historical Society.* Please do not hesitate to contact me if you have any questions or would like additional information (sbeanlands@boreasheritage.ca; 902 483-7999).

Respectfully submitted,



Sara Beanlands, on behalf of,
Jon Goldberg
Chair, Jewish Legion Centennial Society
Director Emeritus, Atlantic Jewish Council,
and the entire Board of Directors of the Jewish Legion Centennial Society





MacKay-Lyons Sweetapple
Architects Limited

5670 Spring Garden Road, Suite 309, Halifax, NS. B3J 1H6

Journal of the Royal Nova Scotia Historical Society

Volume 21, 2018

The Training of the Jewish Legion in Windsor, Nova Scotia, during the First World War

by Sara Beanlands

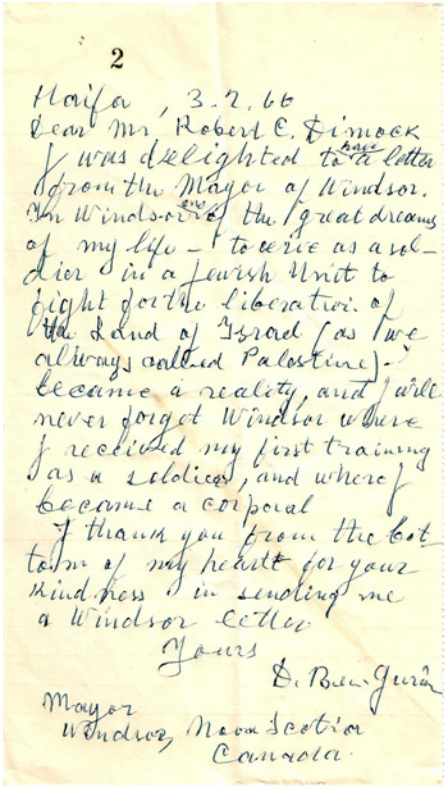
Read before the Royal Nova Scotia Historical Society 15 March 2017

> The very idea of establishment of a Jewish Legion … was in the nature of a revolution in the life of the Jewish people dispersed as it was among the nations of the world…[1]

As Bernard Joseph, a prominent Israeli cabinet minister, expressed in 1967, the formation of the Jewish Legion represented not only the creation of the first modern Jewish military formation, but a social transformation of Jewish communities throughout the world. These events would become part of the reshaping of the Middle East after the First World War. In 1917, the British War Office approved the raising of a Jewish military force to assist the Allied war effort in the Middle East. Shortly thereafter, Jewish recruits from across Canada and the United States assembled at the Imperial Recruits Depot in Windsor, Nova Scotia to begin their training as the 39th Battalion Royal Fusiliers. One of four Jewish battalions, they collectively became known as the Jewish Legion. Among the recruits were David Ben-Gurion, Yitzhak Ben-Zvi and Bernard Joseph, all of whom played significant roles in Israel's development. Although much has been written about the Jewish Legion and its role in the Zionist movement, the training of the Legion in Nova Scotia is less well known in the chronicles of twentieth-century military history.[2] Indeed, all North American recruits of the Jewish Legion received initial training at Fort Edward (in Windsor) and it was there that a group of displaced immigrant Jewish men became soldiers of the British Imperial Army. This transformation created in the Jewish diaspora a growing sense of unity, political purpose and national identity. This paper will explore the experience of the Jewish Legion within a small transit training camp in rural Nova Scotia, largely through the experiences of David Ben-Gurion, who would later have a fundamental role in creating the modern Jewish state of Israel.

In 1966, Robert Dimock, Mayor of the Town of Windsor, wrote a letter to Ben-Gurion, who by then had been the first Prime Minister of the State of Israel, serving from 1948 until (with one short break) 1963. Although the original letter has been lost, Ben-Gurion's response, torn from the pages of his enumerated notebook, has been preserved:

> Dear Mr. Robert C. Dimock,
>
> I was delighted to have a letter from the Mayor of Windsor. In Windsor, one of the great dreams of my life—to serve as a soldier in a Jewish Unit to fight for the liberation of the Land of Israel (as we always called Palestine) became a reality, and I will never forget Windsor where I received my first training as a soldier, and where I became a Corporal. I thank you from the bottom of my heart for your kindness in sending me a Windsor letter.
>
> Yours, D. Ben-Gurion[3]



2

Haifa, 3.2.66

Dear Mr. Robert C. Dimock

I was delighted to have a letter from the Mayor of Windsor. In Windsor one of the great dreams of my life – to serve as a soldier in a Jewish Unit to fight for the liberation of the Land of Israel (as we always called Palestine) became a reality, and I will never forget Windsor where I received my first training as a soldier, and where I became a corporal

I thank you from the bottom of my heart for your kindness in sending me a Windsor letter

Yours

D. Ben-Gurion

Mayor
Windsor, Nova Scotia
Canada

Letter written to the Mayor of Windsor, Robert C. Dimock, by David Ben-Gurion. (Private Collection of the Dimock Family)

Ben-Gurion was 80 years old when he wrote these words, and it would seem the Mayor's letter offered him pause for reflection. Perhaps, in the closing years of his life, the letter carried with it not only the postmark of Windsor, Nova Scotia, but receding memories of his youth. Whatever his reason for responding, his words reveal a lasting fondness for Windsor, where nearly a half century earlier, he and his Jewish compatriots awaited their call to arms.

Born in Płońsk, Poland in 1886, Ben-Gurion's childhood was dominated by Zionist ideology, which emerged in the late nineteenth century, particularly after the tsarist regime imposed civil restrictions throughout the Pale of Settlement and condoned the pogroms of anti-Jewish violence within the Russian Empire.[4] He was introduced to Hebrew by his grandfather at the age of three, and was educated in a Hebrew school established by his father, Avigdor Grün.

By the age of 14, Ben-Gurion (who was born David Grün) led a Zionist youth group, "Ezra," whose members promoted Hebrew studies and emigration to the Holy Land. He was fascinated by Zionism and later admitted: "I can hardly remember a time when the idea of building what we used to call 'Eretz Israel,' or the Land of Israel, wasn't the guiding factor of my life."[5] Thus, although it would be easy to assume that he had always endorsed the formation of a Jewish fighting force, this was not the case. In fact, he had been an outspoken opponent of the initial scheme—and he was not alone. "A Jewish regiment is an absurdity,"[6] declared Samuel Daiches, a well-known Zionist rabbi, whose sentiment was echoed in the *Jewish Daily News* of October 1914, in which it was described as "a piece of folly that would neither shed glory on the Jewish people nor bring practical benefit to the Zionist movement."[7]

While studying law in Constantinople in 1912, Ben-Gurion and his companion, Yitzhak Ben-Zvi, volunteered for service in the Turkish army. They believed the raising of a Jewish force under the auspices of the western Allies would endanger not only those Jews who had settled in Palestine under the Ottoman regime, but the future of the Zionist movement.[8] But when Ottoman authorities began arresting and expelling Jewish residents in 1914, Ben-Gurion found himself in a Jerusalem prison awaiting deportation, with ample time to reconsider his fidelity to the Ottoman Empire. He would eventually arrive in New York in May of 1915, and three years later, having definitively switched sides, boarded a train bound for Nova Scotia, as a recruit of the newly formed 39th Battalion.[9]

Although the formation of a Jewish fighting force during the First World War was a notion espoused by some prominent and influential members of the Zionist movement, the desire to recruit a Jewish military contingent was not exclusively motivated by Zionist ideology, nor was it endorsed by the executive of the Zionist Council. Rather, the origins of the Jewish Legion are to be found in a convergence of factors and multiple interests that go beyond the national aspirations of the Diaspora Jewry.[10] Among contributing factors was the existence and extent of social discrimination within Britain and other European countries in the early twentieth century. Despite the great number of non-conscripted Jews who responded to the British call to arms in 1914, and although many served and died on the battlefields of Europe alongside their non-Jewish compatriots, charges of "disloyalty, cowardice, and unmanliness" were common.[11] These denunciations were rooted not only in anti-Semitism, but were also fueled by misplaced assumptions regarding the perceived failure of Jews to participate in the war effort.[12] Many of those living in immigrant enclaves in the United States and Canada, however, were unnaturalized residents, thus unable to serve without declaring their intention to become citizens.[13] Beyond a desire to demonstrate loyalty to the British Empire, the creation of a unified Jewish military force would serve to silence those who had branded the Jewish "constitutionally unfit as soldiers."[14] Orthodox Jews seeking to enlist had resisted for other

reasons as well, including their requirement to eat kosher food and to be among other Jews for prayer. A specific Jewish unit would allow these Jewish immigrants to join the British forces without compromising their religious beliefs.[15]

Opposition, however, came not only from officials in the British War Office, but also from leaders of the World Zionist Organization, who adhered to the existing policy of neutrality and did not approve of militant Zionism. Parallel undercurrents of resistance existed within Jewish communities where assimilation to British and American society had been obtained, or was desired.[16] Furthermore, many Jewish immigrants had fled Russia and other Eastern European countries to avoid conscription, and felt no obligation to support a cause to which tsarist Russia was allied.[17] Indeed, the debate over Jewish military service in the First World War polarized the Jewish community, and these divisions decelerated attempts to form a specific Jewish fighting force.[18]

Nevertheless, Zionist ideology and the belief in the "liberation of the Promised Land" were motivating factors for potential recruits. The expansion of the war to involve Turkey and Palestine provided opportunity for service that furthered Zionist and British military objectives alike. Although Vladimir Jabotinsky, Joseph Trumpeldor and others recommended the raising of a Jewish unit to fight alongside British troops for the liberation of Palestine in 1915, British military authorities would consider nothing more than a transport and supply unit.[19] The resulting Zion Mule Corps, comprising 650 Jewish soldiers under the command of Colonel John Henry Patterson, provided an opportunity for a distinct form of Jewish military service not unlike the creation of the No. 2 Construction Battalion, authorized as a segregated non-combatant labour unit of the Canadian Expeditionary Force in 1916, to accept African-Canadian volunteers.[20] While the Zion Mule Corps was ostensibly a transport unit rather than a fighting formation, it was a symbolic, if not tangible, step towards inclusion of Jewish soldiers in the allied forces.[21]

Efforts to organize a Jewish military force were stalled until 1917, at which time a combination of political developments in Britain, the prospect of the United States entering the war and military events overseas set the stage for the War Cabinet's decision to recruit a Jewish regiment.[22] Shortly thereafter, the British government issued the Balfour Declaration, interpreted by many as an official endorsement of a Jewish national home. The underlying rationale, however, was to secure Jewish support for the Allied war effort, which manifested itself in a propaganda campaign, particularly in the United States. Britain's policy toward Zionism under Prime Minister David Lloyd George, motivated by a combination of anti-Semitism and the endless need for additional troops, nevertheless created a political platform from which Jabotinsky could realize his dream of a Jewish Legion.[23]

Enrolment efforts then began in earnest. The core of the first battalion, officially known as the 38th Battalion, Royal Fusiliers, was made up of former members

of the Zion Mule Corps and volunteers from Jewish enclaves in Britain, many of whom had emigrated from Russia and were well aware of the anti-Jewish ideology that accompanied the Bolshevik Revolution.[24] In North America, recruitment centres were established in New York, Philadelphia, Boston, Pittsburgh, Cleveland, Detroit, Chicago and Montreal, with troops being drawn from across the continent and beyond, as far south as Argentina and Brazil.[25] All male non-citizens of the United States, and citizens of allied and neutral countries, between the ages of 18½ and 45 were eligible; though American citizens of draft age were not permitted to join.[26] Contingents of recruits, some numbering as many as 500, left every three weeks for Windsor, Nova Scotia, for in-transit training at Camp Fort Edward. The first unit of 150 to 200 men left New York on February 27, 1918 as part of the newly-formed 39th Battalion, and in May, the first group of Jews residing in Canada joined the American recruits in Nova Scotia.[27] Ben-Zvi, who would later serve as the Jewish state's second President, left for Windsor with the fourth group in early May, while Ben-Gurion enlisted with the fifth group, leaving Boston later that month and arriving at Fort Edward on June 1, 1918.[28]

The formation of the Legion was recalled by the volunteers as a time of great excitement, particularly in the United States, where lively celebrations attended their departure from every city. Ben-Gurion wrote to his wife that before boarding the train in Boston, he and his fellow recruits marched through the streets accompanied by music, flags and cheering crowds.[29] They were received with enthusiasm at every stop and when the train passed through Bangor, Maine, it was flagged down to enable those who lined the tracks the opportunity to embrace the Legionnaires.[30] For those living in immigrant enclaves in the United States and Canada, this public display of appreciation contributed to a sense of empowerment among individual recruits, greatly improved the patriotic image of the American Jew and led to the development of a collective sense of belonging and shared purpose.[31]

As an idealistic and self-assured young man, Ben-Gurion was already well known in Jewish circles, and in a letter to his wife, Paula, he described his experience as the train pulled into Portland:

> The moment I came out of the carriage, and the crowd saw me, they lifted me up and shouted 'Hurray!', and when I managed with difficulty to free myself, they caught hold of me again and carried me high above the heads of hundreds of people who had gathered next to the railway station.[32]

On board, the mood was also one of enthusiasm, and Ben-Gurion was amazed that his new comrades did not tire of singing, dancing and playing jokes.[33] By the time they reached Nova Scotia, however, fatigue had started to set in: "We spent the night in the small town of Truro" Ben-Gurion recalled:

> There we stayed in the hotel. We had to leave Truro at 6:40 a.m., and we begged the hotel proprietor to wake us promptly at five. And of course he promised to do so. But he didn't wake us until half-past six, and we jumped out of bed as if we had been stung. We were dressed within ten minutes and just about managed to reach the train in time. We got there literally at the last minute.[34]



David Ben-Gurion, photograph taken in Windsor in 1918. (Army Museum, Halifax Citadel)

Later that morning, the train rolled into the Windsor railway station, where the reception was more subdued. Ben-Zvi was there to greet the new recruits and marched them in military formation to the Imperial Recruits Depot at Camp Fort Edward. They were accompanied by some applause, but as Ben-Gurion noted, without any singing. Nevertheless, the presence of Ben-Gurion was greatly anticipated, and news of his arrival spread quickly. "From all sides they came to shake my hand" he wrote, "The whole camp knew I was coming, and they waited for me impatiently."[35]

Fort Edward had been established by British forces in 1750 and had functioned as a stronghold throughout the Seven Years' War. Although it remained in service during the American Revolution and the War of 1812, its strategic importance steadily declined, and the facilities gradually fell into ruin. By the late nineteenth century, most of the original buildings had disappeared.[36] Following the outbreak of the First World War, however, Fort Edward became one of numerous facilities across the country used to train local recruits for the Canadian Expeditionary Force (CEF). When the 112th Overseas Infantry Battalion departed for England in July of 1916, it became the first local military unit from Fort Edward to go to war since the American Revolution.[37]

The role of Fort Edward expanded in late September of 1917, when the Imperial Recruits Depot, which was initially located at Camp Aldershot in Kentville, was transferred to Halifax to accommodate non-Canadian volunteers for the British Expeditionary Force (BEF).[38] Recruits were quartered in the Halifax Armouries

under the command of Major John Walkley, formerly in charge of the Jewish Legion recruiting centre in Boston. But, two months later the massive Halifax Explosion resulted in major damage to the Armoury building and the Imperial Recruits Depot was moved to Windsor, with Major Walkley still in command.[39]

When Ben-Gurion arrived on the first of June 1918, the only remaining structures of the original fort were the Blockhouse and the Officers' Quarters. But there were already about 400 Legionnaires in camp and as he cast his gaze across the large open compound, there were bell tents "stretched as far as the eye could see."[40] He was now a *bona fide* soldier, Private D. Ben-Gurion, No. 3831, Platoon 11 of the Jewish Legion. "My first day in camp has been so rich in experiences and fresh impressions that I hardly know where to begin," he confided in a letter to his wife, whom he had married only a few months before his departure. "I feel drunk with my new life. Everything here is better, more pleasant and more interesting than I thought it would be or expected … True enough there is an iron military discipline here. Yet for some reason I feel myself much freer and less inhibited than I have ever done before."[41]

Less than three weeks later, however, the reality of a soldier's life at Camp Fort Edward seems to have set in. "I am not a free man," he complained, "I'm a soldier. And a soldier can't always do what he would like."[42] Evidently, the "iron military discipline" to which he referred was delivered by a Sergeant-Major who was a "gold mine of unprintable English." In the words of one Jewish recruit:

> I am indebted to him for a world of picturesque and inimitable abuse which I had known to abound in the Russian language, but whose existence in the mother tongue of Shakespeare and Tennyson I had not suspected. That first lesson enriched my vocabulary far more than my knowledge of drill.[43]

The daily routine began at 05:30 with reveille, followed by roll-call and a wash and mandatory shave before breakfast. The men were then engaged in physical training, followed by military drill until lunch. There was more training in the afternoon, after which there was mail call and dinner. In the evening, there were special courses for non-commissioned officers, while regular troops were able to stroll the streets of Windsor or visit the YMCA.[44]

The Legionnaires included men from all walks of life, with a broad range of backgrounds and personalities. Indeed, the main feature of the Jewish recruits was their heterogeneity.[45] As Roman Freulich recorded in his memoirs,

> Most were ardent Zionists, but among them were also men who were seeking adventure, running away from their wives or from their creditors. The caliber of men ranged from high to low: from gentle idealists who hated war, to men of violent passions who enjoyed the idea of combat and danger."[46]

Others were simply naïve, as was the case of one young soldier who was recruited in a Chicago coffee shop. Although he had no idea where Israel was, nor did he have any understanding of Zionism, the recruiting officers enticed him into service by assuring that his name would be written in a Golden Book, covered with precious stones and kept in magnificent palace in Paris. This appealed to the young man and he signed up on the spot. But his experience was disappointing, if not disillusioning, and, in the end, he concluded: "I don't care about their Golden Book. I just want home and that's it."[47]

With no military experience and, indeed, no country for which to fight, the Jewish recruits felt isolated from the other troops. Although their tents were only "twenty five or thirty feet away from those of the British rookies" there was a clear separation between them.[48] There was an "indefinable something" that kept them apart.[49] For Elias Gilner, a veteran of the Jewish Legion and soldier at Fort Edward, "the invisible barriers" stemmed from "our religion, our heavy accents and, above all, our 'idealism'."[50] Gilner understood the underlying tension and described the situation in his book, *War and Hope: A History of the Jewish Legion*:

> We were going toward a homeland while these boys had been sent far away from home. We were pursuing a dream that would infuse new life into a long-dispersed people; they were being driven to chase a myth that was draining their lifeblood away.[51]

Ben-Gurion also observed some animosity in camp. The Legionnaires, he wrote, "dance and make merry, sing Jewish songs and behave as if they were in the 'old country' and not in Canada. The non-Jews sit silently and look on in amazement—and I suppose also in annoyance—at these wild dances and noisy songs in a strange language."[52] Though fist fights periodically broke out, altercations were apparently kept within the confines of the camp. In line with improving physical fitness, and possibly morale, the recruits were encouraged to participate in a variety of sporting events. In early spring of 1918, the local newspaper recorded that the "boys are looking forward to the opening of the playing field, and are already arranging baseball and football teams."[53] Evidently, the Jewish recruits excelled at baseball, winning by margins that embarrassed the other battalions to the point where, after one lopsided game, a brawl broke out that had to be settled by the officers.[54]

At the age of 32, Ben-Gurion found military life, the fresh air, and the smell of the grass appealed to him, and two weeks after his arrival he felt fully adjusted to the conditions at Fort Edward. "My health is first rate" he wrote, "I'm tanned, and the skin on my face has peeled off. I'm certainly much healthier than I was before, because of the daily marching … and the open-air life."[55] Although most of the volunteers came from urban centres and were unaccustomed to strict military



Jewish Legion at the Imperial Recruits Depot, Fort Edward. Yom Kippur, 1918. (Detail)
Image Credit: Army Museum Halifax Citadel

discipline, this physical transformation spread throughout the camp. According to Private Louis Fischer, this new environment had:

> given a new lease of energy to the legionnaires. Sallow cheeks have become ruddy, eyes open and brighten; movements are smarter and snappier… Five hours' daily drill is a nerve tonic, a muscle developer, an appetizer and a sleep producer. Here we can see what proper and normal living conditions mean to the Jew.[56]

While their fitness level increased, so too did their complaints about the food. Breakfast consisted of white bread and coffee; lunch was soup, a "good helping" of meat and bread, and dinner included bread and butter and coffee or tea.[57] According to one recruit, the sugarless tea contained saltpeter and "tasted like dishwater."[58] Nevertheless, the training and camp life brought discernable improvements to the overall fitness and general well-being of these mostly urban recruits.

In general, despite anti-Semitism and xenophobia that was common in Canada at the time, there appears to have been good rapport between the Jewish Legionnaires and the local community of Windsor. In the words of Gilner, the townsmen and the farmers in the surrounding country were "sympathetic and considerate." He recalled that "once, on a warm day when we were returning from an arduous assignment, our party stopped at a farmhouse to ask for a drink of water. In no time at all the farmer appeared with a bucket full of foaming fresh milk."[59] The townspeople also offered support to the Jewish recruits by marking their customs and special occasions. Perhaps the best example of this was the celebration of the Jewish New Year on September 6, 1918 when 500 Legionnaires held a sit-down banquet in the Windsor Opera House. More than a hundred prominent Canadian and British officers and men were in attendance, as well as the Mayor and other town officials.[60] This was probably the largest kosher dinner held in Nova Scotia to that date.[61]

The soldiers also contributed to the local community. During the early summer of 1918, troops in training at Fort Edward, including the Jewish Legion, "rendered good service in helping to extinguish some fierce forest fires which raged in the district for over a week, and were instrumental in saving a large number of farms and homesteads from destruction."[62] One of these farms was Castle Frederick, located in Falmouth, and the home of Major W.F.D. Bremner, who was second in command at Fort Edward. According to Major Bremner's grandson, James Bremner, who still lives at Castle Frederick, David Ben-Gurion was among the soldiers who helped fight the fire and was quartered at the farm that still stands today.

Ben-Gurion quickly made his presence known to both his compatriots and his superiors. He joined and chaired a committee of Legionnaires that negotiated with Major Walkley for improvements at the camp and was surprised to find the commander approved their requests at once. This resulted in an overall improvement in the meals, their own kosher kitchen, ritual slaughterer, butcher and cooks.[63] He also improvised a library and a place to write letters in the camp itself, consisting of a large tent with a few tables and a cupboard for books.[64] The willingness to grant these special requests was a reflection of the desire of senior officers to accommodate the Jewish troops during their time at the camp. According to the Major, "everything possible was done so as not to interfere with their strict religious views," although this treatment did not go unnoticed by the British recruits, who complained that the Jewish soldiers were given special privileges.[65]

Ben-Gurion's status in camp also brought him more responsibility than the average soldier. He was tasked with listening to complaints and dealing with any Jewish recruit who felt he had been mistreated. "My popularity here makes things difficult" he wrote: "Almost nothing happens in camp which is not brought to me."[66] This popularity may have prompted the Sergeant-Major to suggest he be promoted, only thirteen days after his arrival. But Ben-Gurion strongly objected, explaining

that he was a representative of the company in Windsor and that as a private he had greater authority among the men than he would have if he became a corporal. The sergeant replied that he understood, and so it came as a surprise when Ben-Gurion learned, later that same day, that an order had been published announcing his promotion to corporal.[67]

"I have not agreed to take this post" he complained, "and unless they force me to accept it because of military discipline, I won't do so." Meanwhile, the camp was buzzing with the news of his promotion and his refusal, which might have enhanced his moral authority among the men. Three days later, he seemed resigned to the fact that, whether he liked it or not, he could not remain a private, and on June 15 reluctantly wrote that "by next week, I'll probably be a corporal."[68]

Given his reference to the rank of corporal in his letter to Mayor Dimock, one can assume that, despite his initial trepidation, he later took pride in this achievement. And in fact, he seems to have enjoyed the intellectual stimulation that accompanied his promotion. "I have become a student again" he wrote, "But this time I am being given lessons not in school or university but underneath the blue skies, sitting in the green grass in an open field…"[69] During his time in Windsor, Ben-Gurion's leadership skills improved and his influence grew.

The diverse nature of the Jewish troops, in terms of their social class, educational background and personal motivations, was a distinctive characteristic of the Legion at Camp Fort Edward.[70] Ben-Gurion was able to refine his leadership style, his rhetoric and his actions in this diverse context. "In this camp" he wrote,

> there are all the types to be found among the Jewish people, from the most lofty-minded idealists and the highly educated to coarse and evil-minded individuals, born criminals: one can hear things which can only be heard in the underworld and the lowest strata of society. There are also intrigues and insults, and some of the Legionnaires seem to respect nothing, neither God nor Satan. What is strange is that the only person in camp whom they respect and will listen to is yours truly…There is one fellow here who has been in camp for only ten days but who has already been in the military jail twice. He is not afraid of anything, and boasts that he has been in Sing-Sing and that no one can control him when he gets into a fight. But one word from me and this fellow calms down and sits quiet as a lamb. Because of this they come to me every moment of the day with a complaint or a request, until I wish sometimes that I was just an ordinary soldier and that no one would bother me.[71]

If he had arrived at the train station in Windsor already well-known and respected in the Jewish community, at Fort Edward he began to develop the skills of a political

leader. This is demonstrated by his influence on both the men with whom he trained and the superiors under which he served. When the troops noticed that the Jewish flag was not flying with those of Canada, Britain and Australia for the 1918 Dominion Day parade through Windsor, Ben-Gurion did not hesitate to approach the Major and demand this oversight be corrected. The Major obliged at once.[72]

Ben-Gurion spent little over a month in Windsor. His final letter from Fort Edward is dated July 9, 1918, in which he stated that he would be leaving the next morning. For weeks, he had been anticipating his call, and although time had passed quickly, he had grown impatient. Notwithstanding the brevity of his sojourn in Nova Scotia, it was an important and transformative moment in the life of a man who would become one of the most significant political leaders of the mid-twentieth century.

The experience was transformative for the troops as well. In a period of ascending nationalism, a dispersed refugee population was able to imagine creating a new state for themselves, through their armed force. Jewish enclaves across the United States and Canada fused behind them, promoting the development of a uniquely North American Jewish identity.[73] Upon leaving Windsor, one recruit recalled, "our Jewish army went marching toward the railway station, lifting our three beloved flags: the Jewish, the American and the British. We marched proudly, singing national songs. On the way we received blessing from the local inhabitants, including women who wiped their tears."[74]

Having left Fort Edward, members of the 39th battalion went to the Regimental Depot at Crown Hill barracks, near Plymouth in southern England, which was the permanent holding and training area for the Royal Fusiliers.[75] Here, the Legionnaires received 13 weeks of additional, and more rigorous, military training prior to being posted to conflict areas in Palestine. Although the first Jewish contingent from North America reached England in early April of 1918, the recruitment cycle was extended so that some of the Jewish volunteers were, in fact, still receiving their initial training at Fort Edward at the time of the armistice with Turkey. From England, they were sent to various military holding facilities outside Cairo, where members of the Jewish battalions received additional training before being sent to Palestine. Eventually, both the 38th and 39th battalions were deployed to the front lines and fought in the Jordan Valley during the latter stages of the war. Members of both battalions were among the British troops who marched into Jerusalem with Turkish prisoners in the fall of 1918.[76] The Legion suffered significant losses during the campaign in Palestine, both from military action and malaria, and was disbanded shortly after the armistice with Germany. Yet, the historical significance of the Jewish Legion lies more in its symbolism to the Jewish people, than in its military contributions during the First World War.

The formation of the Jewish Legion was, in the words of Martin Watts "a transitional moment between Jewry's existence solely as a Diaspora and the formation

of a Jewish nation state being placed on the international political agenda."[77] For Bernard Joseph, a Canadian volunteer who trained at Fort Edward "the recruitment and actual existence of such a Jewish Legion was decisive proof of the existence of a Jewish People, since it entailed, in a measure, the normalization of the people."[78] And as Robert Levin, the grandson of Philip Petrovsky—who had also trained at Fort Edward—recently wrote: "It is always important for those of us born after the birth of Israel to remember that for 1900 years, the Jewish people were stateless and defenseless. These brave men, just 100 years ago, decided to change that equation forever. We are in their debt for their efforts."[79]

This was, of course, just one strand of historical memory among the many and often conflicting retrospectives that have attended the complex consequences of the creation of the modern state of Israel. Yet, in ways of which historians have previously taken little account, the sojourn in Nova Scotia impacted on the trajectory of Zionism and on the personal role that Ben-Gurion would take later in the twentieth century. Although the initial military training the Jewish Legion received in Windsor was similar to that in other transit training camps, Fort Edward was the backdrop against which a displaced immigrant population attempted to advance the ambitions of a stateless nation and to begin the construction of a new identity through the creation of a fighting force.

Endnotes

1 Shlomit Keren and Michael Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," *Journal of Modern Jewish Studies*, 6: 1 (2007), 81-82.

2 See Roman Freulich, *Soldiers in Judea, Stories and Vignettes of the Jewish Legion* (New York: Herzl Press, 1964); Elias Gilner, War and Hope: A History of the Jewish Legion (New York: Herzl Press, 1969); Vladimir Jabotinsky, *The Story of the Jewish Legion* (B. Ackerman, 1945); Zachariah Kay, "A Note on Canada and the formation of the Jewish Legion," *Jewish Social Studies*, 24: 3 (1967), 171-7; J.H. Patterson, With the *Judaeans in Palestine* (London: Hutchinson & Co., 1922); Alan Sillitoe, "Patterson the Zionist," *Jewish Quarterly*, 28: 4 (no. 105), 16-18; Patrick Streeter, *Mad for Zion: a Biography of Colonel J. H. Patterson* (Harlow: The Matching Press, 2004); Martin Watts, *The Jewish Legion and the First World War* (New York: Palgrave MacMillan, 2004).

3 David Ben-Gurion to Robert Dimock, 3 July 1966, Dimock Family Private Collection.

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5 David Ben-Gurion, *Memoirs* (World Publishing Company, 1970), 34.

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7 Joshua H. Neumann, "The Jewish Battalions and the Palestine Campaign," *American Jewish Yearbook*, 21 (1920), 121.

8 Watts, 20.

9 Michael Keren and Shlomit Keren, *We are Coming, Unafraid: The Jewish Legions and the Promised Land in the First World War* (Lanham: The Rowman & Littlefield Publishing Group, Inc., 2010), 5.

10 Jonathan Katz, "Constructing a Jewish Legion for Canadians," *Dorot: The McGill Undergraduate Journal of Jewish Studies* (The Jewish Studies Students' Association of McGill University), 9 (2007), 117.

11 Keren, *We are Coming, Unafraid*, 3.

12 Ibid., 4.

13 Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 69-70.

14 Ibid.

15 Keren, *We are Coming, Unafraid*, 5; Gilner, 19; Watts, 3.

16 Watts, 5.

17 Watts, 47; Gilner, 89-90; Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation", 70.

18 Watts, 47.

19 Watts, 22-23.

20 See Calvin Ruck, *The Black Battalion 1916-1920—Canada's Best Kept Military Secret* (Halifax: Nimbus Publishing, 1987).

21 Brian Denis, *The Seven Lives of Colonel Patterson: How an Irish Lion Hunter Led the Jewish Legion to Victory* (Syracuse: Syracuse University Press, 2008), 221.

22 Keren, *We are Coming, Unafraid*, 5; Watts, 83.

23 Keren, *We are Coming, Unafraid*, 5.

24 Brian, 103; Watts, 82-84.

25 Gilner, 169.

26 *Ibid.*, 151.

27 Gilner, 152; Brian, 239; Neumann, 127-128.

28 Gilner, 179-180.

29 David Ben-Gurion, *Letters to Paula*, trans. Aubrey Hodes (London: Vallentine, Mitchell, 1971), 1.

30 *Ibid.*, 1,3

31 Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 69-70.

32 Ben-Gurion, 3.

33 *Ibid.*

34 *Ibid.*, 3-4.

35 *Ibid.*, 4.

36 Judith Tulloch, "Fort Edward: Guide Briefing Notes" (Undated Manuscript).

37 Judith Tulloch, "Fort Edward NHS: Confirmation and Clarification of National Historic Significance," (Undated Manuscript), 4.

38 Tulloch, "Fort Edward NHS", 9; L.S. Loomer. Windsor, Nova Scotia: A Journey in History (Windsor: West Hants Historical Society, 1996), 286.

39 "History of the Imperial Recruits Depot," The Hants Journal, November 20, 1918, 2. See also A. Ruffman & C. Howell, *Ground Zero: A Reassessment of the 1917 Explosion in the Halifax Harbour* (Halifax: Nimbus Publishing, 1994).

40 Gilner, 187-188.

41 Ben-Gurion, 2-3.

42 *Ibid.*, 13.

43 Gilner, 189.

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45 Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 70, 72.

46 Roman Freulich, *Soldiers in Judea: Stories and Vignettes of the Jewish Legion* (New York: Herzl Press, 1964), 31.

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48 Gilner 190-191.

49 *Ibid.*, 190.

50 *Ibid.*

51 *Ibid.*

52 Ben-Gurion, 6.

53 "British Expeditionary Forces," *The Hants Journal*, April 24, 1918, 1.

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58 Gilner, 188.

59 Gilner, 190.

60 "Jewish New Year at Fort Edward," *The Hants Journal*, September 1, 1918.

61 Loomer, 294.

62 "History of the Imperial Recruits Depot," *The Hants Journal*, November 20, 1918, 2.

63 Ben-Gurion, 12.

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65 "History of the Imperial Recruits Depot," *The Hants Journal*, November 20, 1918, 2.

66 Ben-Gurion, 23.

67 *Ibid.*, 8.

68 *Ibid.*, 8, 12.

69 *Ibid.*, 14.

70 Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 70, 72.

71 Ben-Gurion, 23.

72 *Ibid*.

73 Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation".

74 *Ibid*., 76.

75 Gilner, 154.

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77 Watts, 241.

78 Keren, "The Jewish Legion in the First World War as a Locus of Identity Formation," 81-82.

79 Pers. Com. September 2018.

Attachment C – Email Response from Catherine Cottreau-Robins

Alexander Dunphy

From: Cottreau-Robins, Catherine M
Sent: December 7, 2021 9:59 AM
To: Madelyn LeMay; shelleybibby@gmail.com
Cc: Alexander Dunphy; Sara Poirier; Cormier, John Kenneth; Cross, Anna
Subject: RE: Lands Abutting Fort Edward, Windsor

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Hi Madelyn,

We have reviewed our information here and an archaeological assessment is recommended for the properties before any kind of development or ground disturbance activity. We have 3 archaeology sites recorded not far from the lots. In addition, we ascribe elevated potential for additional archaeological resources for the general area (both historical and pre-contact or Mi'kmaq archaeological resources). We know generally that this area in Windsor was well known and well used in both the recent and distant past.

An archaeological assessment should include a thorough background desktop study as well as field reconnaissance of the properties and possibly some exploratory shovel testing, if the archaeologist on site deems shovel testing as an informative method. I know there has been development in the area however that does not negate the possibility of the presence of buried archaeological materials. We have a list of archaeological consultants in good standing with the province that we can share if needed.

Yours,

Katie

Katie Cottreau-Robins, PhD
Senior Curator Archaeology, Nova Scotia Museum
Department of Communities, Culture, Tourism and Heritage

From: Madelyn LeMay <MLeMay@westhants.ca>
Sent: December 6, 2021 3:23 PM
To: Cottreau-Robins, Catherine M
Cc: Alexander Dunphy <ADunphy@westhants.ca>; Sara Poirier <spoirier@westhants.ca>
Subject: RE: Lands Abutting Fort Edward, Windsor

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Thanks very much, Katie - I would appreciate being kept in the loop. Both Jonathan Fowler and Sara Beanlands have provided some information which we'll pass along to PAC/HAC and Council.

Madelyn

Madelyn LeMay
Director of Planning and Development
West Hants Regional Municipality
PO Box 3000, 76 Morison Drive, Windsor, NS, B0N2T0

T 902-798-8391 Ext. 114
E MLeMay@westhants.ca
W www.westhants.ca

From: Cottreau-Robins, Catherine M
Sent: Monday, December 6, 2021 3:16 PM
To: Madelyn LeMay <MLeMay@westhants.ca>; Cormier, John Kenneth **Cc:** Alexander Dunphy <ADunphy@westhants.ca>; Sara Poirier <spoirier@westhants.ca>
Subject: RE: Lands Abutting Fort Edward, Windsor

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Hi Madelyn,

Thank you for your email. We are likely going to recommend an archaeological assessment given the locations of the properties. We have been in touch with Shelley Bibby who contacted us last week. Our GIS analyst is compiling some info for our review. We can keep you in the loop.

Yours, katie

From: Madelyn LeMay <MLeMay@westhants.ca>
Sent: December 3, 2021 3:21 PM
To: Cottreau-Robins, Catherine M
Cc: Alexander Dunphy <ADunphy@westhants.ca>; Sara Poirier <spoirier@westhants.ca>
Subject: Lands Abutting Fort Edward, Windsor

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Hi, Katie

I am looking to you for some information. West Hants Regional Municipality (WHRM) is in the midst of two processes regarding lots on Fort Edward Street:

(1) the amendment of the designation on the Future Land Use Map from Community Use to Residential and re zoning in the Land Use By-law from Open Space (OS) to Two Unit Residential (R2) of PID 45059797 ; and
(2) the sale of PID 45059797 and PID 45059805 (which is already zoned Two Unit Residential (R2).

I have written both Jonathan Fowler and Sara Beansland asking for any information they are able to provide, as I was not working with Windsor when apparently the development of the lot for heritage purposes was being considered, so I have very little background on it.

My main question is what requirements there would be under the Special Places Protection Act for anyone proposing development of the lots. One lot was the former swimming pool site and has apparently been "remediated" somewhat recently and the second lot has been used for parking for some time.

Anything advice would be really appreciated!

John Cormier was also mentioned - I was unable to find his information on the CCH website. If you think it is relevant, could you send this email along to him?

Madelyn

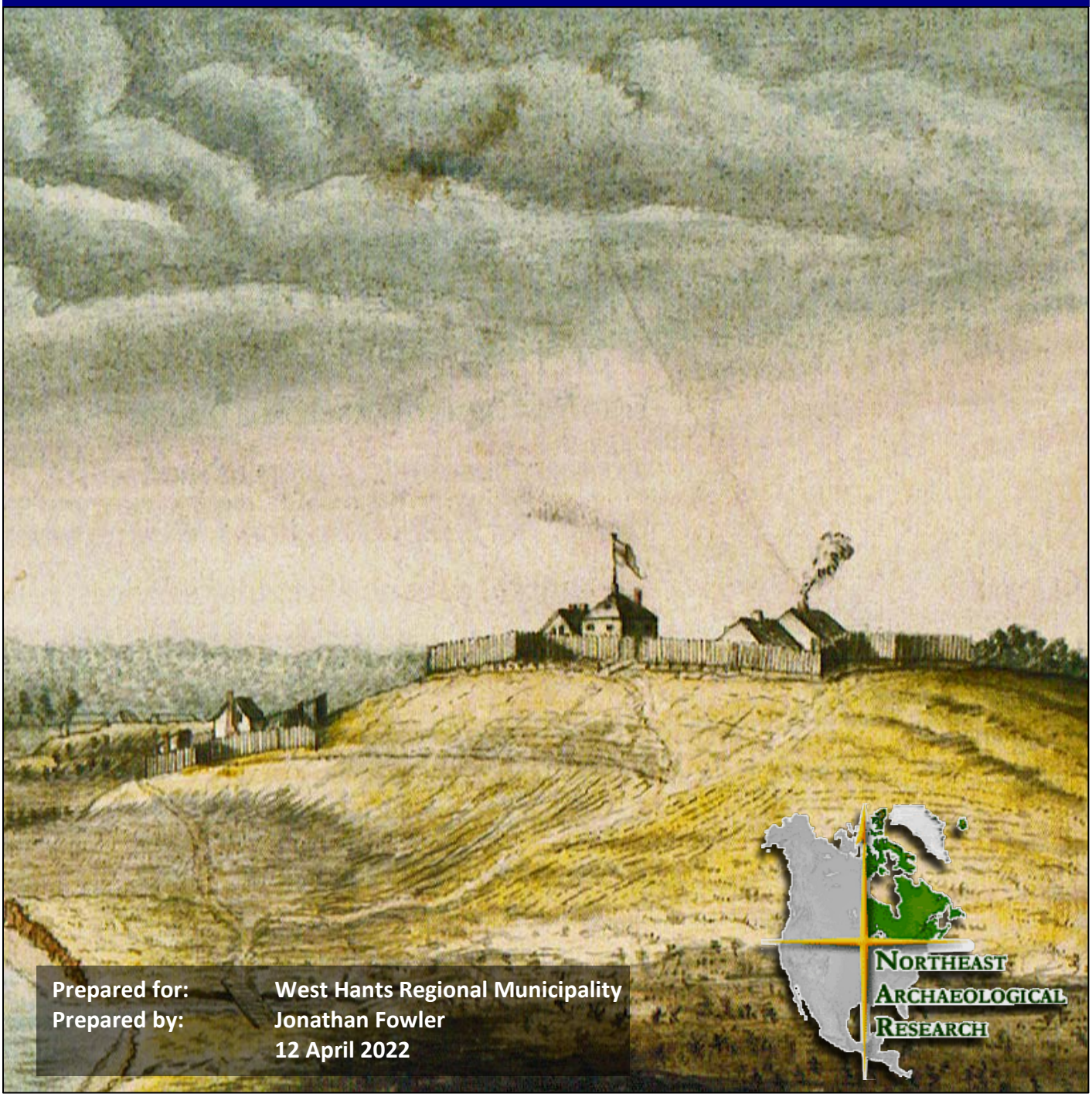
West Hants
something inspiring awaits

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Attachment C – Revised Fort Edward Street Archaeological Resource Impact Assessment – Dr. Johnathan Fowler

Fort Edward Street
Archaeological Resource Impact Assessment
HRP A2022NS013



Prepared for: West Hants Regional Municipality
Prepared by: Jonathan Fowler
12 April 2022

NORTHEAST ARCHAEOLOGICAL RESEARCH

EXECUTIVE SUMMARY

In late 2021, the West Hants Regional Municipality retained Northeast Archaeological Research Inc. to conduct a Phase 1 Archaeological Resource Impact Assessment of two contiguous properties at 36 and 65 Fort Edward Street, Windsor, for the purpose of evaluating their archaeological potential.

Our study examined recorded archaeological sites in the Maritime Archaeological Resource Inventory (MARI), published histories, aerial photography, and archival records (cartographic and documentary) from local, national, and international repositories. A pedestrian survey was conducted on 12 February 2022 to examine surface conditions and collect survey points to assist in georeferencing historical maps.

Our assessment concludes that these properties very likely contain archaeological resources associated with Mi'kmaw, Acadian, and British activities dating from the early colonial period and possibly earlier. This meeting point of major rivers and terminus of major portage routes linking the Fundy system to the Atlantic coast was long inhabited by the Mi'kmaq and their ancestors. By the mid-18th century, the Mi'kmaq regularly frequented a trading post (or truckhouse) adjacent to the properties in question. It was one of only six posts in the region that functioned as part of the 1760-61 Treaties of Peace and Friendship between the Mi'kmaq and the British Crown.

In 1722, the Acadians built a parish church just uphill from the two properties. The British demolished it to make way for Fort Edward in 1750. Between 1755 and 1763, Fort Edward functioned as a prison for hundreds of Acadians caught up in the deportations.

Significant fort infrastructure was located outside the ramparts and 18th century maps indicate that some of these structures stood in the properties in question. The northernmost of the two properties is also within the viewplane Parks Canada identifies as essential to the commemorative integrity of Fort Edward National Historic Site. From 1765 and up to recent times, the two properties were the site of the Windsor Agricultural Fair, Canada's oldest, which was designated a national historic event by the Historic Sites and Monuments Board of Canada in 1935.

Construction on these properties in the 20th century has likely impacted the integrity of some archaeological resources, but material cultural evidence is almost certainly still present, some in secondary contexts.

Based on these findings, it is recommended that any future construction activities on these properties be subject to a thorough Phase 2 Archaeological Resource Impact Assessment prior to ground disturbance, including engagement with the Mi'kmaw and Acadian communities.

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1.0 INTRODUCTION

In late 2021, the West Hants Regional Municipality retained Northeast Archaeological Research Inc. to conduct a Phase 1 Archaeological Resource Impact Assessment of two contiguous properties, 36 and 65 Fort Edward Street, in Windsor (**Figure 1**). This assessment finds that the properties very likely contain significant archaeological resources relating to Mi'kmaw, Acadian, and Anglo-American communities and traditions. This report describes investigations conducted under Category C Heritage Research Permit A2022NS013 and is formatted according to reporting procedures prescribed by the Nova Scotia Department of Communities, Culture, Tourism, and Heritage.[1]



Figure 1: Study area location map. The two properties in question are enclosed by the dashed yellow lines. SOURCE: Google Earth, February 2016.

[1] Reporting Procedures, Archaeological Resource Impact Assessment (Category C): https://cch.novascotia.ca/sites/default/files/inline/documents/archaeologicalresourceimpactassessmentc.pdf

2.0 Development Area

Biophysically, the development area is part of the Carboniferous Lowlands Theme Region (511 Windsor Lowlands) (Davis and Browne 1996, 2:10). Surficial geology maps place Fort Edward Hill in a silty till plain (ground moraine) whose topography is characterized as "[f]lat to rolling, [with] few surface boulders," and in which the till is "thick enough to mask bedrock undulations." These materials, furthermore, "generally provide the best agricultural land in the province, moderate drainage and stoniness; [and] moderate to good buffering capacity for acid rain because of transported calcareous bedrock components" (Stea, Conley, and Brown 1992). As we will see, this soil's ability to support agriculture contributes directly to a major aspect of the study area's heritage significance. The underlying bedrock consists of Windsor Series rock (limestone, gypsum, shale, and sandstone) associated with the Mississippian, or early Carboniferous, period (Cann, Hilchey, and Smith 1954, 8–9).

2.1 Indigenous presence

The Windsor area is situated in the traditional Mi'kmaw district of *Sipekne'katik* (Sable and Francis 2012, 21). Historic period Mi'kmaw inhabitants referred to the Avon River estuary as *Pesikitk* ("to flow splitwise"), referencing the confluence of the Avon and St. Croix rivers, each of which connected to major portage routes linking the Minas Basin and greater Fundy system to the Atlantic Coast.[2]

There is no direct archaeological evidence of ancient human activity in Fort Edward's immediate neighbourhood recorded in the Maritime Archaeological Resource Inventory (MARI), but this almost certainly reflects the incomplete coverage and/or lack of archaeological surveys rather than the extent of the actual archaeological resource.[3] In other words, the absence of evidence in this case is certainly not evidence of absence.

A major Indigenous village dating mainly to the Maritime Woodland Period has been identified at St. Croix (BfDa-01) (Deal 2016, 91). This well-studied site has in fact revealed artifacts spanning 3000 years, encompassing the Late Archaic, Maritime Woodland, Proto-historic, and early historic periods, making it one of the most long-lived Indigenous habitation sites in the region. It is also a rare example of a site possessing well-dated contexts and abundant palaeobotantical evidence, allowing important inferences to be drawn about the local ecology and foodways (Deal 2016, 121–25; Milner 2014).

[2] Mi'kmaw Place Names Digital Atlas, https://placenames.mapdev.ca/

[3] As we will see below, there is antiquarian testimony of at least one Mi'kmaw cemetery near Fort Edward Hill, but the sites in question have not been registered in the MARI.

Less well-preserved Indigenous sites and isolated find have been recorded at the head of tide on the Avon River, at BfDb-09 and BfDb-22 respectively, the latter suggesting an Archaic presence. Further Archaic evidence has been traced on the upper reaches of the West Branch Avon River (BfDb-03) and at the source of the Avon at Falls Lake and Mockingigh Lake, where a complex of Indigenous sites spanning the Archaic and Maritime Woodland period is recorded (e.g. BfDb-12-18, 20-21).

Although Parks Canada's archaeological excavations at Fort Edward have not revealed material cultural evidence of Mi'kmaw sites[4] (e.g. Ferguson 1987), only a small area has been excavated to date and it is focused mainly on the ground enclosed by the 1750 British fort. At a minimum, the MARI evidence demonstrates that the upper reaches of the rivers converging at Windsor sustained settlement by the Mi'kmaq and their ancestors for millennia. Passing this way countless times, their habitual movements through the landscape in part explain the British government's desire to militarize Pesikitk in the mid-18th century. We will return below to the subject of historic period Mi'kmaw activity at Fort Edward Hill and its vicinity.

2.2 French presence

In the 1680s, French farming families from Port-Royal began moving to the Minas Basin area (Les Mines), their activities at Pesikitk beginning with Étienne Rivet and Marie Comeau, who settled across the Avon River near Mount Denson (Fowler 2001; 2006b). Within a decade or so, immigrants were dyking the tidal marshes along each of the major rivers in this district (Duncanson 1983; Clark 1968; R.-G. LeBlanc 2005). The Acadians, in keeping with their generally positive relations with the Mi'kmaq, retained the Mi'kmaw place name, which appears in colonial-era documents in French and English as Pigiguit, Pisiquid, and Pisiquit. Colonial records from the French regime demonstrate that the Mi'kmaw presence at Pesikitk persisted after the arrival of the Acadians. The 1687-88 census of Gargas, for example, which was almost certainly incomplete, counts 50 Mi'kmaq among the 114 French inhabitants of Les Mines (Morse 1935, 1:145–49). The symbology of a 1737 map suggests wigwams at Pesikitk (**Figure 2**), while a 1748 account of the country notes that 300-400 Mi'kmaq make the journey from the Atlantic coast to see the French priest at Pesikitk.[5] By this time, there were two Acadian parish churches in the district: Sainte-Famille at Falmouth, established in 1698, and Notre-Dame-de-L'Assomption at Fort Edward Hill, established in 1722 (Bujold 2004, 68–71).

[4] Robert Ferguson, Parks Canada Archaeologist (retired), personal communication 24 January, 2022.
[5] Anon. 1748. "Mémoire sur l'Acadie," Archives nationales d'outre-mer (ANOM), COL C11D 10, p.3.



Figure 2: Detail of a 1737 map of Acadie appearing to show wigwams in the Pesikitk area. The portage route connecting Pesikitk to Kjipuktuk (the great harbour), the future site of Halifax, is labelled as a *chemin*. It was an Acadian drove road at this time. At lower right. SOURCE: Anon. 1737. "Carte de la coste du N[ord] et du S[ud] de l'Arcadie et de l'île St Jean," Bibliothèque nationale de France (BNF), département Cartes et plans, GE SH 18 PF 132 DIV 2 P 13/1. A cruder and perhaps slightly older version of this map exists, and it shows similar symbology: Anon. 1737. "Carte des côtes de l'Acadie, Iles Royale, St Jean…" BNF, département Cartes et plans, GE SH 18 PF 132 DIV 2 P 13.

An ecclesiastical summary census of the French population of Pesikitk counts 150 families in 1731.[6] The population reportedly exceeded 1600 in 1737 but appears to have dropped sharply after the founding of Halifax in 1749, when perhaps as much as half of the Acadian population departed for new settlements in French controlled territory (R.-G. LeBlanc 2005, 170–71; Johnston 2004, 67). The inhabitants no doubt found the British military presence challenging, particularly after 1750, when Charles Lawrence established Fort Edward on the site of the parish church of Notre-Dame-de-L'Assomption (Fowler and Ferguson 2010). The British deported 981 Acadians from Pesikitk in 1755, using Fort Edward as a base of operations and a prison (R.-G. LeBlanc 2005, 171).

[6] Anon. 1731. "État de l'Acadie pour le gouvernement ecclésiastique," ANOM, COL C11A 107, pp. 235-236.

There is no evidence of colonial-era French domestic activity on Fort Edward Hill. Pesikitk is relatively well mapped in the 18th century, and abundant cartographic and documentary evidence places the village sites elsewhere (Fowler 2001). Some of these sites have been explored archaeologically (Deal 2001; Fowler 2005; 2006b; 2006a; 2013; Preston 1991). **Figure 3** summarizes most of the known locations of Acadian hamlets in the area. Although imperfect[7], the evidence is sufficiently complete to probably discount Fort Edward Hill as a site of intensive domestic activity.[8] As noted above, however, the hill was the site of the parish church of Notre-Dame-de-L'Assomption.

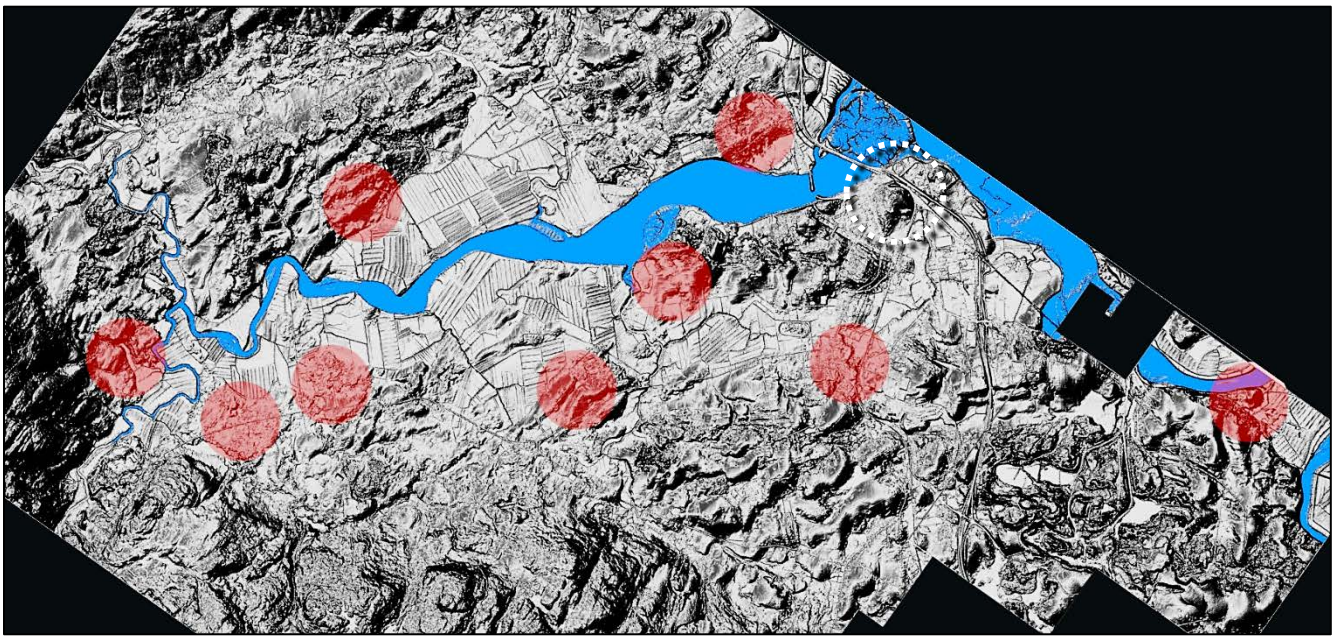


Figure 3: Map of most of the known pre-Deportation Acadian hamlet sites near Fort Edward as derived from historical and archaeological evidence and plotted on 2018 LiDAR hillshade. Fort Edward is highlighted by a dashed white circle at upper right. SOURCE: Province of Nova Scotia.

While the establishment of a British garrison at Fort Edward in 1750 certainly upset the status quo, it also brought opportunities. The troops required provisions and firewood, and colonial records contain many references to Acadians supplying these needs before 1755. Edward Cornwallis hired Acadian labourers to cut a road from Halifax to Pesikitk in late 1749 (Halifax's Windsor Street is its terminus) (Akins 1895, 19; MacKenzie 2002, 175), and by approximately 1752 Joshua Mauger, a Jersey-born merchant, shipowner, and eventual politician, had established a

[7] This is the subject of an upcoming research publication (Fowler in prep.)

[8] However, it should be noted that most of the mapping allowing us to plot pre-Deportation Acadian villages post-dates the establishment of Fort Edward in 1750, which may have erased some features of the Acadian landscape.

trading post – or truckhouse[9] – on the slope next to Fort Edward (Chard 1979) (**Figure 4**). Mauger traded in slaves and in Caribbean sugar and was already the official victualler to the Royal Navy in Nova Scotia by this time; the appearance of his truckhouse at Fort Edward coincides with the establishment of his rum distillery in the Halifax suburbs (Chard 1979). The soldiers' thirst for rum was unquenchable, and Mauger was nothing if not enterprising.



Figure 4: British officer John Hamilton painted this view of Fort Edward from the west in 1753. The truckhouse complex is shown as a palisaded enclosure at left (circled). SOURCE: "View of Fort Edward on the Piziquid River, Nova Scotia." Library and Archives Canada (LAC), Acc. No. 1996-361-3.

The truckhouse also catered to Acadian and Mi'kmaw clients and was administered by Isaac Deschamps, an English immigrant thought to be of Swiss heritage, after about 1754. When Mauger departed Nova Scotia for England in 1760, Governor Lawrence brought Deschamps into government employment (**Figure 5**). The Fort Edward truckhouse from this period played an official role as part of the Crown's treaty obligations to the Mi'kmaq (Wicken 2002, 198–200).[10]

[9] Truck, from the French *troquer*, meaning to shop, barter, exchange, derives from the medieval Latin *trocare*. In 18th century British America, the term truckhouse denoted "a store-house for trading with Indians; also, any storage building." *Oxford English Dictionary*.

[10] Treaty scholarship and jurisprudence treat this subject extensively, for the truckhouse provisions inform questions today surrounding Mi'kmaw access to markets, for example in the moderate livelihood fishery.

Some historical context is needed to understand this development and its heritage significance.

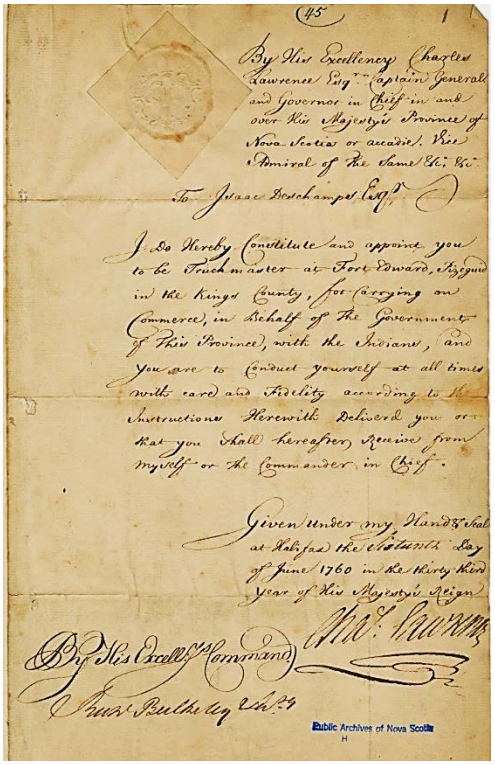


Figure 5: Commission appointing Isaac Deschamps truckmaster at Fort Edward, "for Carrying on Commerce, in Behalf of the Government of this Province, with the Indians." NSA, MG 1 vol. 258 no. 1.

As White has shown in his study of the French Empire in the Great Lakes region, the French state lacked the power necessary to impose its will in North America. It therefore sought to achieve its political aims instead through a complex network of alliances with Indigenous peoples. These alliances followed the logics, metaphors, and customs of the country more than European norms. Political influence in the Indigenous context was partly a function of largesse. Governor de Beauharnois and Intendant Hocquart explained it in a 1730 letter to a home government that perennially griped about the expense: "You know, Monseigneur, that all the [Indigenous] nations of Canada regard the governor as their father, which in consequence, following their ideas, he ought at all times to give them what they need to feed themselves, clothe themselves, and to hunt" (White 1991, 180). A similar system developed in the Atlantic region, where in the early 18th century Louisbourg became the main source of diplomatic gifts and trade goods. Many historians with justification see Louisbourg's final capture by Anglo-American forces in 1758 as having consequently dealt a severe blow to the Mi'kmaw economy (Dickason 1971; MacFarlane 1938; Upton 1979, 57; Reid 2004, 678).

The Treaty of Peace and Friendship of 1752, negotiated by Chief Jean-Baptiste Cope and Nova Scotia Governor Thomas Peregrine Hopson, was the first of its kind in our region with a truckhouse provision, and it is an early sign of a Mi'kmaw community's effort to establish economic stability independent of the imperial French cause. The British agreed by this treaty to build a truckhouse at Shubenacadie (Akins 1869, 673), but the rapid return of hostilities appears to have prevented its construction. Informal trade at Mauger's private truckhouse at Pesikitk may have fulfilled this function intermittently until peace was formally reestablished in 1760.

The treaties of 1760-61 finally established a lasting peace between the Mi'kmaq and the British Crown. With the French Empire in North America essentially eliminated, Mi'kmaw leaders now saw regulated access to the British market as an

essential part of their community's economic wellbeing; thus, it became a condition for peace. The Cope-Hopson truckhouse provision from the 1752 Treaty reappeared in an elaborated form as British officials committed to establishing a network of government-regulated truckhouses across the region. Six were set up in total, each overseen by a government-appointed truckmaster (Hutton 1983, 65).[11] ***The Fort Edward truckhouse and Isaac Deschamp's role there are consequently a significant – if generally forgotten – element of the Treaty relationship between the Mi'kmaq and the British Crown***.

Deschamps was an intelligent observer, and we are fortunate that many of his papers survive in the Nova Scotia Archives and the British Library. They have considerable ethnohistorical value and illuminate many aspects of early colonial life that are otherwise unattested.[12] He maintained a careful record of Acadian prisoners held at Fort Edward through the Seven Years' War, for example, who he appears to have assisted in provisioning.[13] Underscoring the significance of his role as truckmaster in the treaty context, in 1763 he also left a valuable record of Mi'kmaw families whose "Summer Residence is in the neighbourhood on the River Piziquid and Gaspero." Their names are presented in **Table 1**.

[11] These included Henry Green at Fort Frederick on the Saint John River; Philip Knaught (Knaut) and A.D. Widerholt at Lunenburg; William Nevil Woseley at the Eastern Battery (Dartmouth); and Erasmus James Philips at Annapolis Royal. Another post was established at Chignecto (Lewis n.d.). In 1760, Moses Delesdernier, another Swiss immigrant, was also licensed as a truckmaster at Fort Edward (Cuthbertson 1983); Eaton states he held this post since 1757 (1915, 93).

[12] His comments on Acadian agriculture, which he observed first-hand, is a good example. "Copy of a paper written by Chief Justice Isaac Deschamps on the cultivation of the Land in Nova Scotia by the Acadian French Inhabitants – written about 1785." NSA, MG 15 vol. 2 no. 43.

[13] There are several such lists. This example from 1762 numbers 320 individuals: "List of French prisoners at Fort Edward, Windsor, Nova Scotia with the number in each family and numbers victualled." NSA, MG 1, vol. 258 no. 20, pp. 110-113.

Table 1: Mi'kmaq in the Vicinity of Fort Edward, 1763

"Indian Tribe of Amquaret now hunting between Cornwallis and the River between the two places on the Annapolis Road and there Summer Residence is in the neighbourhood on the River Piziquid and Gaspero."

Captain	*Joseph Bernard*	1 boy, 1 girl
	Pierre Bernard	
	Barth^{y} Amquaret	2 boys
	Barth^{y} Amquaret	Sen^{r} [?]
	Pierre Amquaret	
	Paul Amquaret	
	Philippe Amquaret	2 boys, 1 girl
	Joseph Dugas	
	Francois Michel	1 girl
	Simon Amquaret	
	Blaize Amquaret	
	Jean Argoumatine	1 boy, 2 girls
	Joseph Argoumatine	
	Jos. Denis	

"Tribe of Nocout now hunting on Kenecoot River in the Township of Newport, Summer residence there also."

Captain	Joseph Nocout	1 boy, 1 girl
	Bartholemew Nocout	2 boys, 3 girls
	Thomas Nocout	1 boy
	Paul Segoua/Segona	1 boy
	Paul Biskerone	1 boy, 2 girls
	Francois Segoua/Segona	
	Janvier Nocout	
	Francois Nocout	1 boy, 2 girls
	Claude Nocout	
	Charles Nocout	
	Rene Nocout	
	Jacques Nocout	
	Lewis Nocout	
	Chas Segona	
	Michel Thoma	
	Joseph Thoma	
	Philippe Nocout	
	Louis Michel	

SOURCE: Isaac Deschamps Papers (1750-1800), NSA MG 1 Vol. 258 No. 8, 20 December 1763, p. 20.

2.3 Anglo-American presence

The 1755 Deportation of the Acadians brought significant changes to Pesikitk. The British policy of population replacement introduced New England immigrants to the area (commonly called Planters in the language of the day), and Falmouth and Newport Townships were established in 1760 (Duncanson 1983; Gwyn 2010; Duncanson 1985; Longley 1961).

While the new townships were created primarily for immigrant families, much of the land on the south side of the Avon River was set aside for the British elite in Halifax (Loomer 1996, 59–61). This area became known as the Councillor's Grant (**Figure 6**), and it was by this process that several planners and perpretrators of the 1755 Deportation subsequently reaped the spoils. This has fed the notion – especially amplified in francophone historiography – that the Acadian removal was a naked land grab.[14]

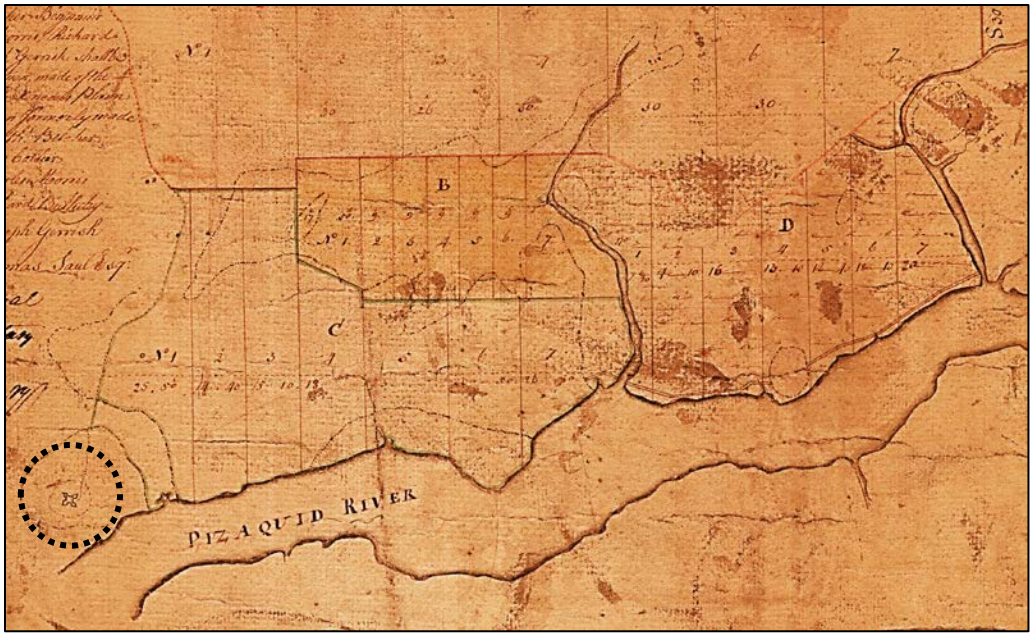


Figure 6: Detail of part of the Councillors' Grant of former Acadian lands at Pesikitk (north at bottom, Fort Edward circled at lower left). The proprietors named are Jonathan Belcher, John Collier, Charles Morris, Richard Bulkeley, Joseph Gerrish, and John Cunningham (for Thomas Saul). Collier and Belcher were on the Executive Council that decided to deport the Acadians in 1755, while the latter, in his role as Chief Justice, rendered a opinion verifying the policy's legality. Charles Morris, though not a councillor in 1755, strongly advocated the deportation policy and was one of its principal planners (Johnston and Kerr 2004, 49; Faragher 2005, 520). SOURCE: Anon. 19 August 1761. Untitled. Nova Scotia Crown Land Information Management Centre (CLIMC), Hants County Portfolio no. 16.

[14] The appropriation of Acadian lands by government officials drew opprobrium even in the 18th century. Based on the testimony he received, the Reverend Dr. Andrew Brown condemned the councilmen-grantees for profiting off "the share they had taken in the expulsion of the French inhabitants"(Brown 1819, 96). This state of affairs was not at all unique to Pesiktk (Fowler 2012).

Nova Scotia's governor and council resolved to reorganize and incorporate this area as the Township of Windsor in late 1764, its ties to the metropolitan elite emphasized by its initial inclusion in the County of Halifax. A public market was declared to be held every Tuesday on "Fort Hill, where Fort Edward now stands," and public fairs were established on the third Tuesday of May and third Tuesday of October each year (Murdoch 1866, 2:444). The by now well-established truckhouse on Fort Edward Hill had clearly made this location a logical commercial hub for the area, and the annual fair – now the Windsor Exhibition – would continue to be held on the hill, *in the study area*, well into the 20th century.

Fort Edward remained a military post throughout this period, declining in importance during times of peace, and hastily refurbished in wartime. The fort was strengthened at the beginning of the American Revolution, for instance, and again during the War of 1812 (Tulloch n.d.). During the former conflict, it was garrisoned by a detachment of the 84th Regiment of Foot (Highlanders), under the command of Capt. Allan Macdonald, whose wife, Flora MacDonald (**Figure 7**), is well known for her role in spiriting away Prince Charles Edward Stuart (Bonnie Prince Charlie) after the collapse of the Second Jacobite Rebellion in Scotland in 1746.[15] Touring Windsor with her husband, the Lieutenant-Governor, shortly after the War of 1812 had been declared, Lady Sherbrooke found Fort Edward once again "in a dilapidated state..." (Haliburton 2011, 69). According to a report on the fort's condition that year, even the blockhouse – today the only surviving fort building – was in bad repair, and not the "smallest vestige" of the powder magazine, formerly located in the southeast bastion, could be discerned.[16]



Figure 7: Flora Macdonald (1722-1790), painted by Allan Ramsay in 1749, shortly after her release from the Tower of London for her role in the Second Jacobite Rebellion. Perhaps she was unrepentant, for the white rose in her hair is a Jacobite symbol. SOURCE: Ashmolean Museum, WA1960.76.

A report on ordnance land in 1856 revealed that only the blockhouse, officers' quarters, one soldiers' barracks, and a provision store remained.[17] Although these

[15] Many of the members of the 84th Regiment became settlers in Hants County at the conclusion of the war, and members of the Fort Edward garrison were granted land in Douglas Township (Duncanson 1989)
[16] LAC 1812 "Major Crawford's report on the State of Fort Edward, Windsor, Nova Scotia" LAC, R2513-540-5-E. Volume/box number: 20.
[17] National Archives (UK), W.O. 55, v1558, part 6, Report on ordnance lands, 1856, f 84.

four building appear on an 1879 map of the town of Windsor (**Figure 8**), the store house and soldiers' barracks would soon be demolished.

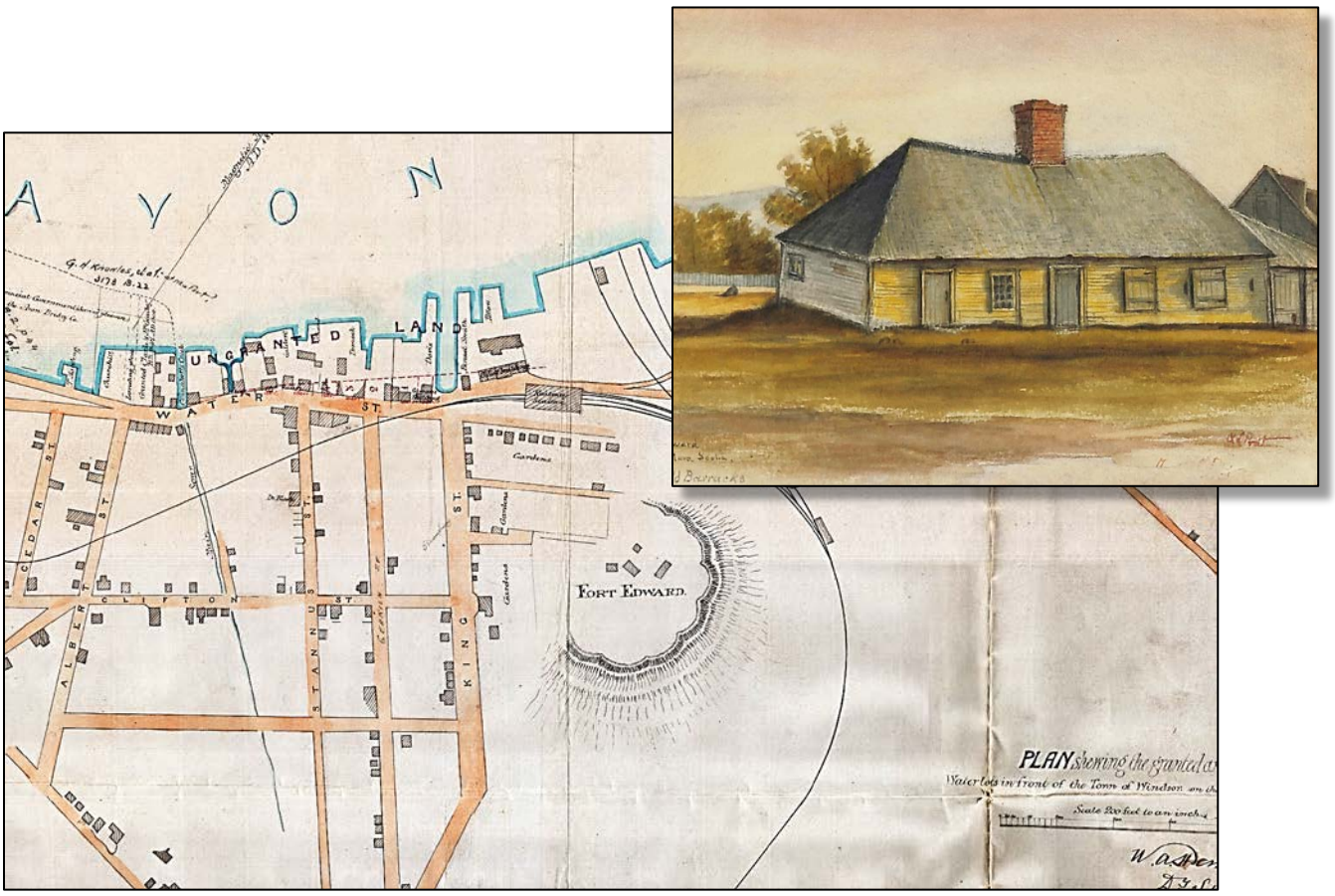


Figure 8: Detail of a map showing the Town of Windsor and four standing buildings at Fort Edward in 1879. North at upper right. Inset: Watercolour of the old soldiers' barracks painted ca. 1880 by Annie L. Pratt. The north-facing gable end of the provision store can be seen at right, behind the soldiers' barracks. This may be the only extant image of the latter building. SOURCE: W.A. Hendry and D.Y. Sw… 1879. "Plan shewing the granted and ungranted Water lots in front of the Town of Windsor on the Avon River." CLIMC, Hants Portfolio no. 026; Nova Scotia Museum.

In 1903, the grounds were leased to the Windsor Golf Club and the officers' quarters were used as a club house. The lease was revoked during WWI, when the fort was used as a training area for troops, at which time the officers' quarters functioned as a quarantine hospital (Tulloch n.d.: 9). Among the soldiers stationed here were the men of the Jewish Legion, including David Ben-Gurion, who would later become Israel's first prime minister (Beanlands 2014). The officers' quarters survived until 1922, when they were destroyed by fire (**Figure 9**). The golf course lease was renewed before and after WWII and was finally terminated in 1973 (Tulloch n.d., 10).



Figure 9: The burning of the 18th century officers' quarters in progress (top); and the building in ruins (bottom) in 1923. SOURCE: NSA, Photographic Collection; NSA, Photographic Collection Acc. No. 7586.

3.0 Study Area

The study area consists of two contiguous properties (PIDs 45059805 and 45059797) at 36 and 65 Fort Edward Street (**Figures 10**). The foregoing discussion highlights the pertinent historical and archaeological context, and the following sections examine the archaeological potential and heritage value of these properties.

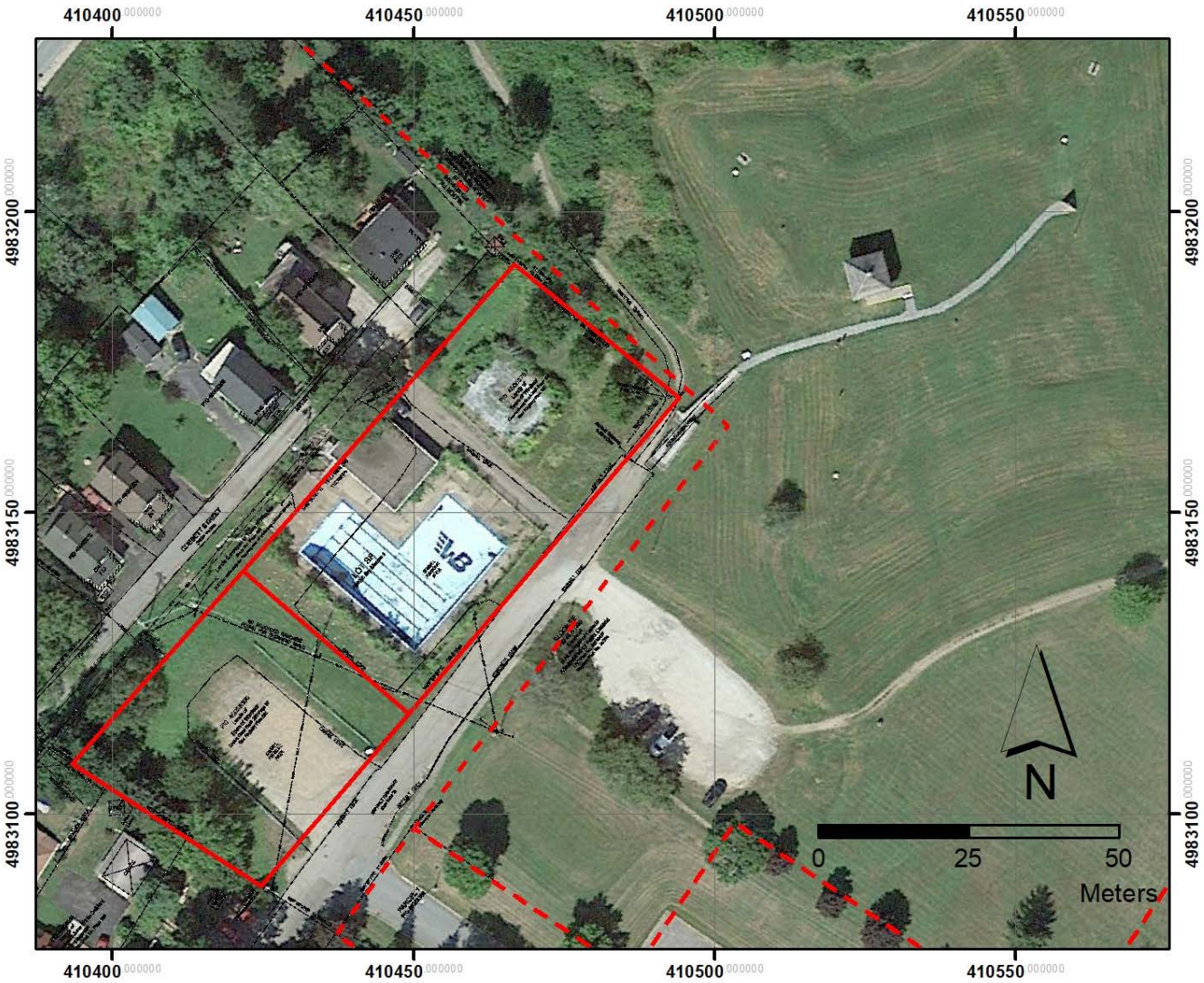


Figure 10: The study area (solid red outline) as indicated by a new survey plan dated 15 February 2022, in reference to the Parks Canada property (dashed red line). The smaller of the two contiguous municipal properties is PID 45059805 and the larger is PID 45059797. SOURCES: Google Earth (2015), Parks Canada, and West Hants Regional Municipality.

The study area occupies part of the space between the British fort on the hilltop and the planned settlement of Windsor that developed below it to the west (**Figure 11**). Eighteenth century Windsor, in this context, may be recognize as an

offshoot of Fort Edward and its associated truckhouse, which had before the arrival of the New England Planters in 1760 constituted a regional demographic, military, and commercial centre.

This historical relationship between Fort Edward and Windsor is perhaps not very much appreciated today, but it is a Nova Scotian example of an ancient settlement pattern. In the Roman period in Western Europe, for instance, civilian communities often took root outside the gates of permanent military installations (e.g. Mattingly 2006, 170–72). Their residents, attracted and then sustained by imperial coin, supplied the garrisons with goods and services. Long after the soldiers had gone, the civilian settlements remained. Many of Europe's great cities owe their origins to this process, though in Nova Scotia perhaps the closest example is Annapolis Royal, which also grew up alongside the timber and turf, star-shaped fort now known as Fort Anne.

Fort Edward's proximity to the town it spawned has methodological significance for the present investigation because Windsor's durable street grid – and particularly the intersections, which have generally not moved since the mid-18th century – facilitates the georeferencing of colonial-era maps, an essential process for plotting archaeological features in and around the study area.

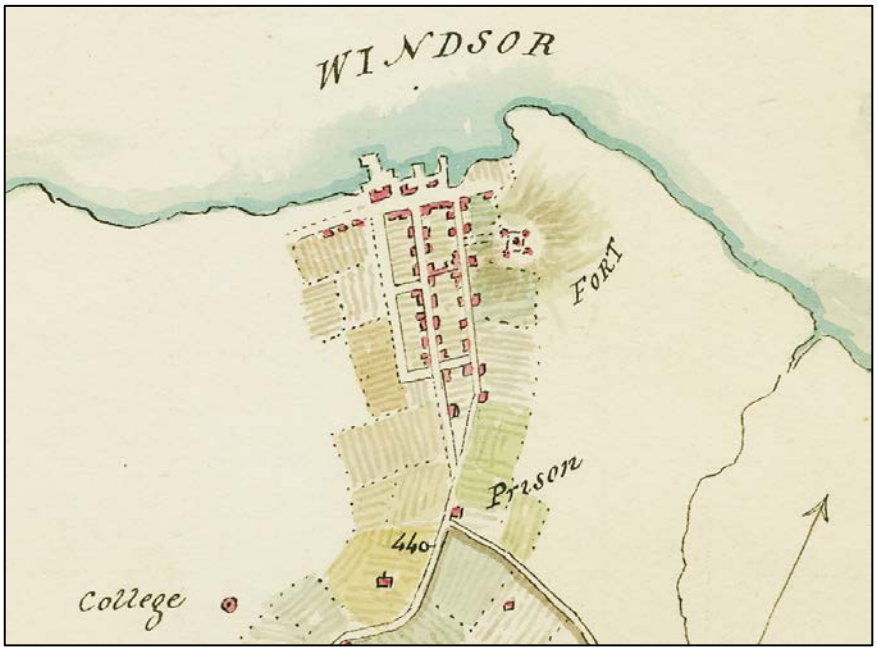


Figure 11: Fort Edward and Windsor in the Regency period, showing the relationship between Fort Edward and the town that grew up at its feet. Methodologically, the resilience of the town's street pattern offers ground control points (the intersections) for georeferencing old maps. SOURCE: John Elliott Woolford 1817-18, "Surveys of the Roads from Halifax to Windsor and from Halifax to Truro." Sheet 10: Mile 44: Windsor. NSA Map Collection: 15.1.

4.0 METHODOLOGY

The evidence presented in this report was gathered and collated through a straight historical methodology, relying on cartographic and documentary resources in Canada, the United States, and France. Additional information was gleaned from archaeological site reports, the MARI, aerial photographs, and published literature. A pedestrian survey was conducted on February 12, 2022, to assess surface conditions and gather survey points to assist in the process of georeferencing historical maps and plans.



Figure 12: Detail of a map of Windsor in 1829. This map's scale is too small to be of use in this analysis. SOURCE: William Mackay 1834. "The Great Map of Nova Scotia." NSA Map Collection: The Great Map C 14.

Historical mapping plays an important role in the analysis that follows. Fort Edward and its environs have been mapped many times over the centuries, but not all of these maps are useful for our purposes (consider the small-scale rendering in Figures 6 and 11, above), or the early 19th century map in **Figure 12**, at left. Fortunately, several larger-scale plans survive. Georeferencing these maps in a Geographic Information System (GIS) with the assistance of ground control points, such as the intersections of nearby streets, Fort Edward's bastions, and the blockhouse itself (which has not moved since 1750), allows map features of archaeological interest to be plotted on the modern landscape with reasonable accuracy (Chapman 2006; Rumsey and Williams 2002).[18]

Mapping and aerial photography was scanned and processed in GIMP 2.10.24 and ArcMap 10.6.1 software. Base mapping for the GIS at a scale of 1:10,000, was obtained from the online DataLocator service provided by the Nova Scotia Department of Natural Resources.[19] Historical aerial photography was obtained from the National Air Photo Library in Ottawa, and raw LiDAR data (.laz files) were downloaded from the Province of Nova Scotia's Elevation Explorer website.[20]

[18] The accuracy with which these features can be plotted on the modern surface is difficult to determine without archaeological validation (i.e. excavation), as errors in the manuscript maps cannot be quantified independently. Root Mean Square (RMS) errors in the georeferenced historical maps and aerial photos generally range between1.7 to 4.1 metres.

[19] Datalocator https://gis8.nsgc.gov.ns.ca/DataLocatorASP/main.html

[20] Elevation Explorer https://nsgi.novascotia.ca/datalocator/elevation/

LiDAR data (**Figure 13**) were processed using Surfer 23 by Golden Software to create digital bare earth models, allowing variations in relief to be quantified.

Background information concerning traditional Mi'kmaw land use and cultural memory was requested from the Archaeological Research Office of the KMKNO on January 18, 2022.

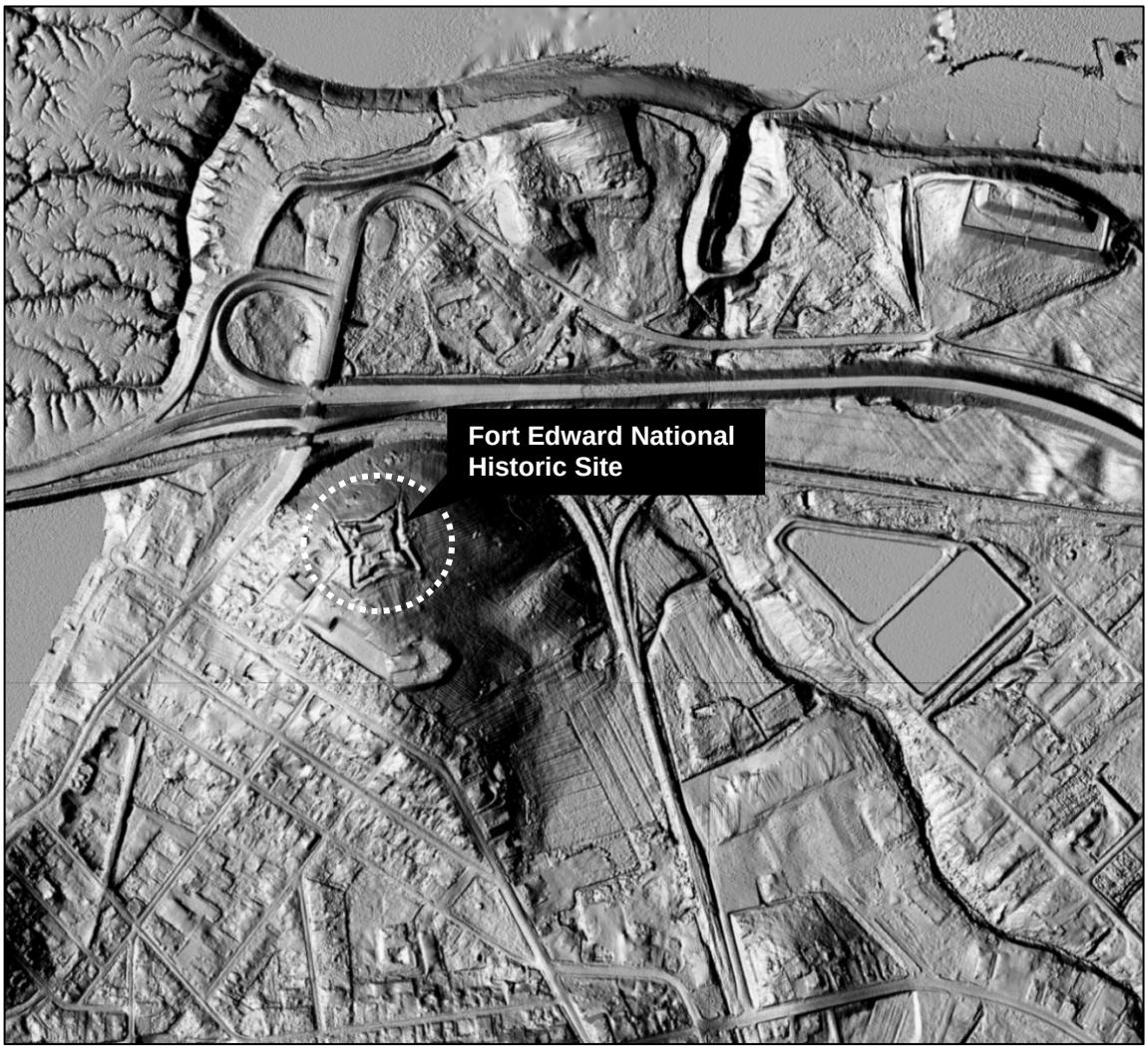


Figure 13: Bare earth LiDAR hillshade model of the confluence of the Avon and St. Croix rivers showing Fort Edward (circled). LiDAR data allows minor variations in relief to be measured, facilitating archaeological site prospection. SOURCE: Province of Nova Scotia (2011).

The nature of potential impacts to the study area is not yet known as the municipality intends this ARIA to provide a high-level scan of archaeological resource potential. The land has not yet been sold and construction activities by a potential buyer have yet to be formalized.

5.0 Resource Inventory

Four major themes or traditions are associated with potential archaeological resources in the study area. In chronological order, they are:

- The Acadian Parish Church of Notre-Dame-de-L'Assomption;
- Fort Edward and its associated infrastructure;
- The truckhouse; and
- The Agricultural Fair

Each is now examined in sequence.

5.1 The Acadian Parish Church of Notre-Dame-de-L'Assomption

The Acadian parish church, established in 1722, was demolished by British forces in June of 1750 during Fort Edward's construction. Joshua Winslow records explicitly that Acadian labourers "pulled down the mass house and levelled our block house and laid out the ground for a fort" (Webster 1936, 16).[21] A ripple of reaction appears in French records where, in describing Pesiktk in 1753, it is said that "les Anglais y ont fait bâtir un fort dans le lieu même ou était autrefois une Eglise sous le titre de l'Assomption" (Abbé de l'Isle-Dieu 1890, 72).[22]

In 1997, Parks Canada archaeologists conducted cultural resource management excavations beneath the blockhouse floor and exposed a layer of charcoal and burnt daub slighted by the trench into which the blockhouse foundation had been laid (Fowler and Ferguson 2010, 70–72) (**Figure 14**). Given the prevalence of daub in pre-Deportation Acadian architecture (Crépeau and Christianson 1995), including its association with what appear to be the archaeological remains of the parish church of St-Charles-des-Mines at Grand-Pré National Historic Site (Fowler



Figure 14: Archaeological features beneath the blockhouse floor excavated by Parks Canada archaeologists in 1997 and likely associated with the parish church of Notre-Dame-de-L'Assomption. SOURCE: Parks Canada.

[21] Loomer states that "In the British period, a building at Fort Edward was used as a Mass house for the Acadians after their chapel had burned, apparently about 1752. There is no other indication of a Mass house on Fort Edward [hill?]" (1996, 40). The first statement is unreferenced and therefore difficult to assess, while the second appears to be false.

[22] Translation: The English built a fort there in the same place where the church of L'Assomption previously stood.

2020), it is very likely that this layer belongs to the Acadian church.

Our program of magnetic susceptibility survey at Fort Edward in 2014 sought to map archaeological features inside the fort, including the probable remains of the Acadian church. The results clearly demonstrate that 18th century architectural remains survive here, and that magnetic susceptibility is a viable method for mapping these features in high resolution. They also suggest a roughly rectangular building was partly superimposed by the blockhouse (**Figure 15**), located approximately 30m from the northern end of the study area (Fowler, Beanlands, and Ferguson 2016).

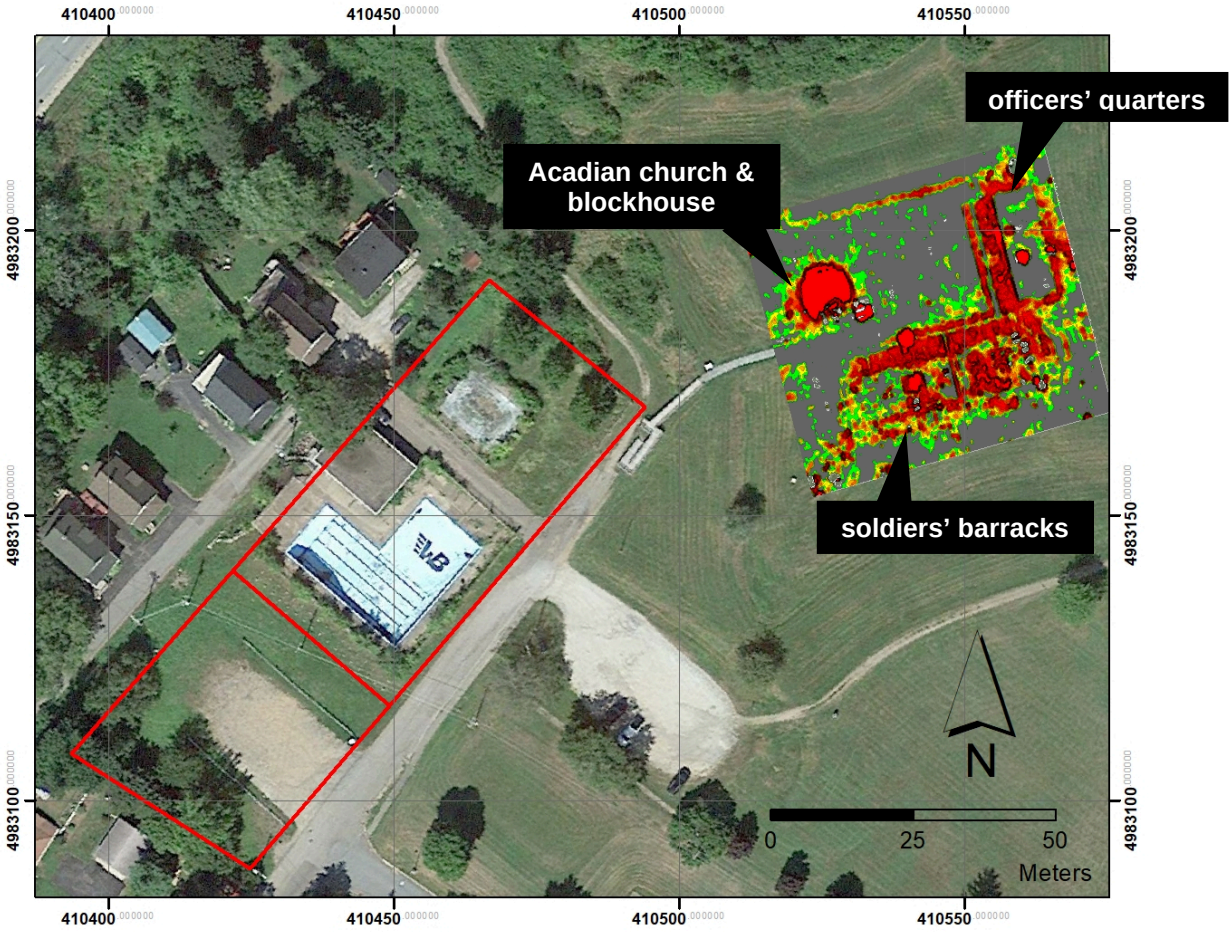


Figure 15: Magnetic susceptibility map of the interior of Fort Edward showing the vanished soldiers' barracks, officers' quarters, and, extending from beneath the blockhouse, the remains of what may be the Acadian parish church of Notre-Dame-de-L'Assomption, approximately 30m from the northern edge of the study area (outlined in red). SOURCE: Google Earth 2015.

It is difficult to clearly determine the boundary of the Acadian ecclesiastical site at this stage. The remains of the church appear to have been located, but if there was a priest's house nearby, its location is not yet known. Such a dwelling was

present at nearby St-Charles-des-Mines at Grand-Pré (e.g. Winslow 1883, 71) and at the mother parish of St-Jean-Baptiste at Port-Royal (**Figure 16**).



Figure 16: Detail of a 1686 map of Port-Royal (Annapolis Royal) showing a priest's house, cemetery, and other landscape features around the Church of St-Jean-Baptiste. The Church of Notre-Dame at Pesiktk may have had a similar "ecclesiastical landscape" setting. SOURCE: Bibliothèque nationale de France, département Cartes et plans, GE SH 18 PF 133 DIV 8 P 2.

The precise location of the Acadian cemetery is also something of an open question. Colonial-era maps and documents, as well as antiquarian and later sources, reference a cemetery on a small marsh island north of Fort Edward Hill, bordering the river (Hind 1889, 2; Loomer 1996, 39; Shand 1979, 7).[23] Several 18th century documents and maps offer supportive evidence. For example, it appears as "Burying Island" on a 1762-63 map of land grants at Pesiktk.[24] Hind's statement that this was an Acadian cemetery has been perpetuated by later writers but is conjectural. The area in question (**Figure 17**) is located approximately 350m from the site of the parish church – a uniquely long distance from a church in the context of known Acadian ecclesiastical sites[25] – and is separated by a tidal marsh that would have flooded twice daily in the pre-Deportation period, complicating ritual access.[26] While the "Burying Island" may have been the Acadian parish cemetery (insufficient evidence exists at present to test this hypothesis, and the area has been significantly transformed by both natural and cultural processes), it is perhaps more likely to have been a Mi'kmaw cemetery, as its situation in the landscape matches that of other documented Mi'kmaw cemeteries at marsh islands near river mouths in the southern Minas Basin (e.g. BgDb-6 at Avonport (Whitehead 1993, 73) and Starr's Point (Herbin 1911, 16). If this is so, then it raises a serious possibility that the Acadian cemetery may be somewhere nearer the church, at a location yet to be identified on Fort Edward Hill.

[23] E.g. Charles Morris. "A Plan of Lands in the Township of Windsor in the County of Halifax…" NSA V7 230 Windsor, Nova Scotia.

[24] Anon. n.d. [1762-63]. "A Plan of Part of the Lands Belonging to the Honourable Richard Buckley Esq."CLIMC Hants County Portfolio no. 14. Although undated, this map must have been drawn in 1762-63 based on the career timelines of the officeholders listed on the document.

[25] The Acadian cemetery at Grand-Pré is approximately 30m from the parish church (Fowler 2020); the distance between the parish church and cemetery at Port-Royal (Annapolis Royal) is about the same.

[26] Hind (1889, 17) seems to suggest the Acadians had dyked this area, but of this we are uncertain.

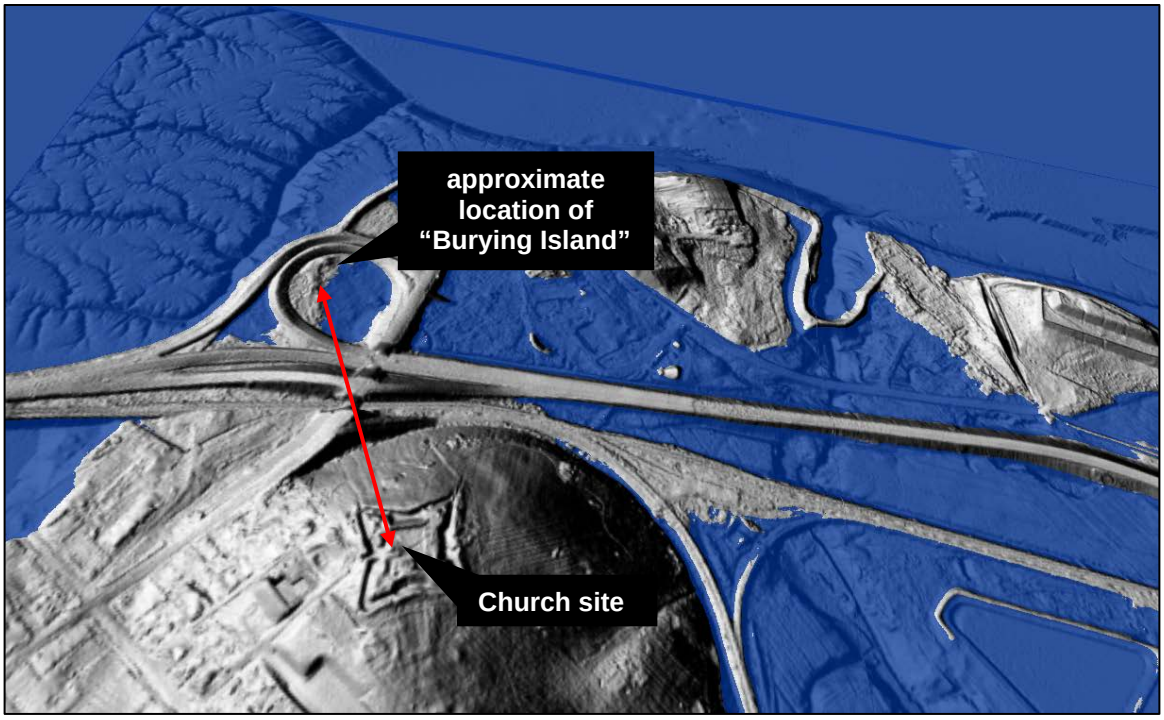


Figure 17: 3D LiDAR model with simulated tidal flooding showing the ca. 350m distance separating the known Acadian church site from the "Burying Island" identified by Henry Youle Hind as the parish cemetery. The distance seems too great for this to have been an Acadian cemetery. This area appears recently to have been substantially altered by the Highway 101 twinning project. SOURCE: Province of Nova Scotia (2011).

Another antiquarian tradition rooted in Hind's scholarship places a Catholic mission and Mi'kmaw cemetery at Curry's Corner, near the intersection of King Street and Highway 14:

> Many Indian dead were brought here from afar, and there are those now living in Windsor who have heard their fathers describe the solemnities of an Indian's burial in this ancient place of sepulture . . . [D]uring recent years, the pick, the spade and the plough have again and again turned up bones and skulls and memorials of love, or bitter, but hopeless, strife (Hind 1889, 2).

Hind's account describes bodies "swathed in long rolls of birch bark…" (Hind 1889, 2), while an earlier description of the discovery mentions human remains associated with woolen garments, clay tobacco pipes, and coffins fastened with copper nails (Anon. 1886), dating the site to the colonial era.

An Acadian hamlet is known to have stood in this location. Hind refers to it as "Landryville", but period maps associate it with the Trahan family.[27] Whoever lived there, the association raises the possibility that this cemetery may have been Acadian, perhaps a successor to that on Fort Edward Hill. If so, like other Acadian cemeteries, this one may well have served the Mi'kmaw community as well. Hind places a "mission chapel" here "within 100 yards" of the unmarked cemetery (also Loomer 1996, 270–71).[28]

At present, uncertainties surrounding the chronologies and cultural associations of the "Burying Island" and Curry's Corner cemeteries complicate the archaeological resource inventory on Fort Edward Hill as it relates to the Acadian church. Is there a missing Acadian cemetery somewhere on Fort Edward Hill? Indeed, there is at least one well-attested but unmarked cemetery on its slopes.

5.2 Fort Edward

Fort Edward's archaeological resources extend beyond the footprint of its ramparts (Tulloch n.d., 3), and this fact is clearly demonstrated by early maps. Wight's 1757 plan, for example (**Figure 18**), which is the earliest large-scale map of Fort Edward, depicts a number of structures on the western slope in or near the study area, including hay yards, the commanding officer's stable, bullock houses, and "Soldiers Hutts," the latter of which, the cartographer admits in his legend, "should be nearer the Glacis."

A 1779 plan also shows activity in and around the study area (**Figure 19**). One building stands squarely in the northernmost of the two lots on Fort Edward Street, while another straddles the property line next to today's Cobbett Street. A third building can be seen in what is today the national historic site parking lot, beyond which the officers' garden occupies an area measuring approximately 1650 square metres (ca. 1.7ha or 0.4 acres).

[27] E.g. Charles Morris. 1755. "A Chart of the Sea Coasts of the Peninsula of Nova Scotia." British Library (BL) Maps K.Top.119.58; Charles Morris. 1755. "A Chart of the Peninsula of Nova Scotia." BL Maps.K.Top.119.57.

[28] Hind, Henry Youle. 1889. "Inquiries Into the History of the Acadian District of Pisiquid." Halifax: Nova Scotia Historical Society. NSA MG 100 vol. 256 no. 19.

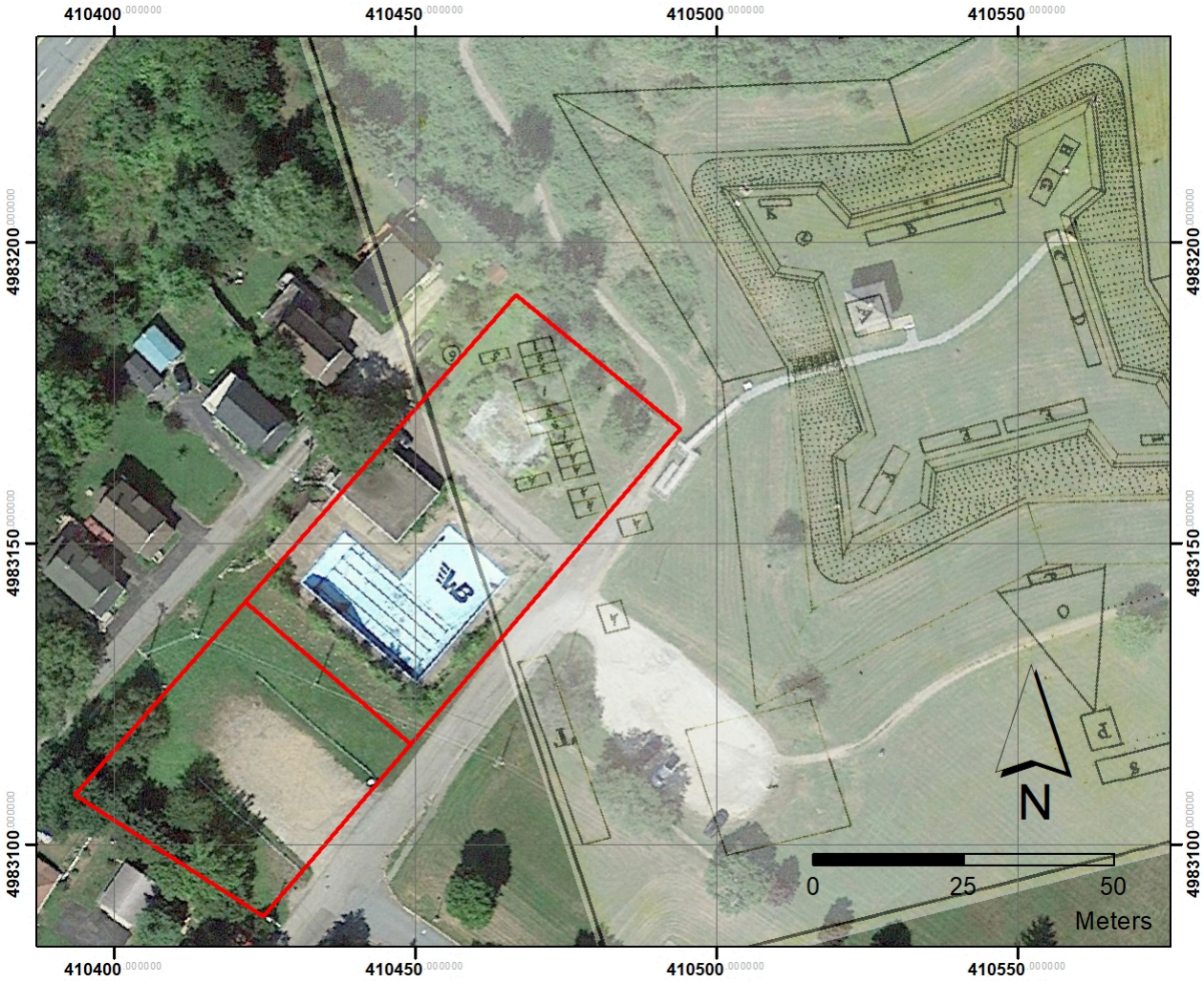


Figure 18: Georeferenced 1757 plan of Fort Edward showing military infrastructure in the study area. These include hay yards, the commandant's stable, bullock houses, and soldiers' huts. SOURCE: Edward Wight. 1757. "An Exact ground Plan of Fort Edward at Pesaquid taken from a survey and Laid down by a scale of 60 feet to an inch." William L. Clements Library, Brun Add. 240.

These maps strongly suggest the presence of archaeological resources associated with Fort Edward in the northernmost of the two properties comprising the study area.

The other major extramural site of archaeological interest and sensitivity associated with Fort Edward is the garrison cemetery, which, being unmarked, has been lost. It is the final resting place of an unknown number of soldiers who died while stationed at the fort, and it also holds the remains of many civilians.[29]

[29] A record in the collection of the West Hants Historical Society lists 19 individuals – apparently all civilians – buried at Fort Edward between 1777 and 1794. Anon. n.d. "Windsor Burials at Fort Edward."

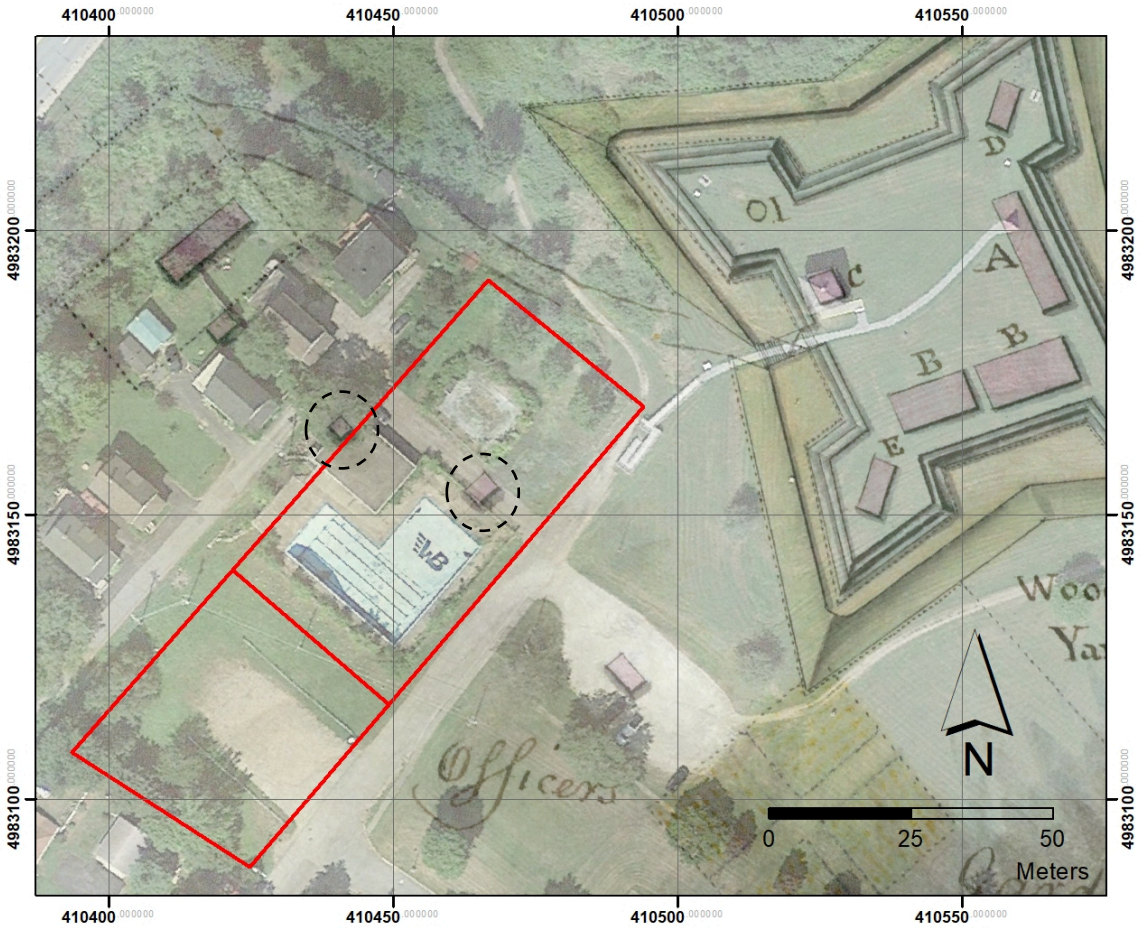


Figure 19: Georeferenced 1779 plan of Fort Edward showing buildings in the study area (circled). SOURCE: W. Spry. 1779. "A Plan of Fort Edward in Nova Scotia." William L. Clements Library 8398.

The garrison cemetery attracted the interest of antiquarians in the 19th century, and Hind, for example, refers to "the grand old willows which partly enfold the old military burial ground" on Fort Edward Hill (Hind 1889, 18). These trees were drawn and photographed many times during this era (e.g. **Figure 20**). Fortunately, a 1929 oblique aerial photograph captures their location in the landscape before they disappeared, allowing the cemetery's general location to be determined with the aid of GIS.

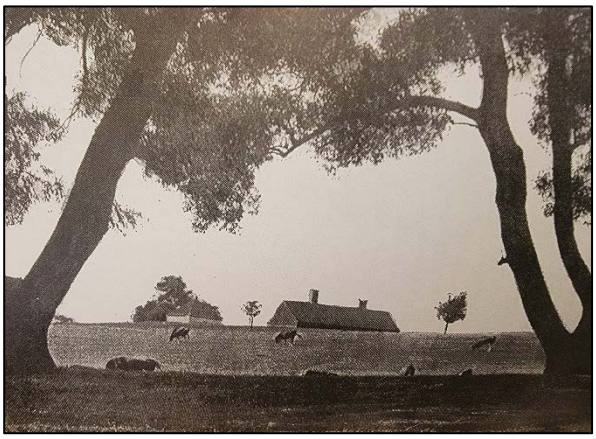


Figure 20: Site of the garrison cemetery and associated willows shown in an old photograph. The blockhouse and officers' quarters can be seen in the distance, suggesting a location downslope and to the east-southeast (Loomer 1996, 5).

Figure 21 shows the probable site of the garrison cemetery, and further research with the aid of LiDAR evidence will certainly clarify this picture.

This subject requires further analysis, but preliminary findings place the garrison cemetery well outside the study area, on the opposite side of Fort Edward Hill. This is perhaps doubly relevant in the context of this ARIA because the garrison cemetery may occupy the site of the older Acadian parish cemetery. The reasons for the uncertainty surrounding the Acadian cemetery's location are outlined above, as is Fort Edward and Windsor's similarity to Fort Anne and Annapolis Royal. At Fort Anne, the British garrison and townspeople reused the Acadian cemetery, and the same pattern may have been followed here at Fort Edward.

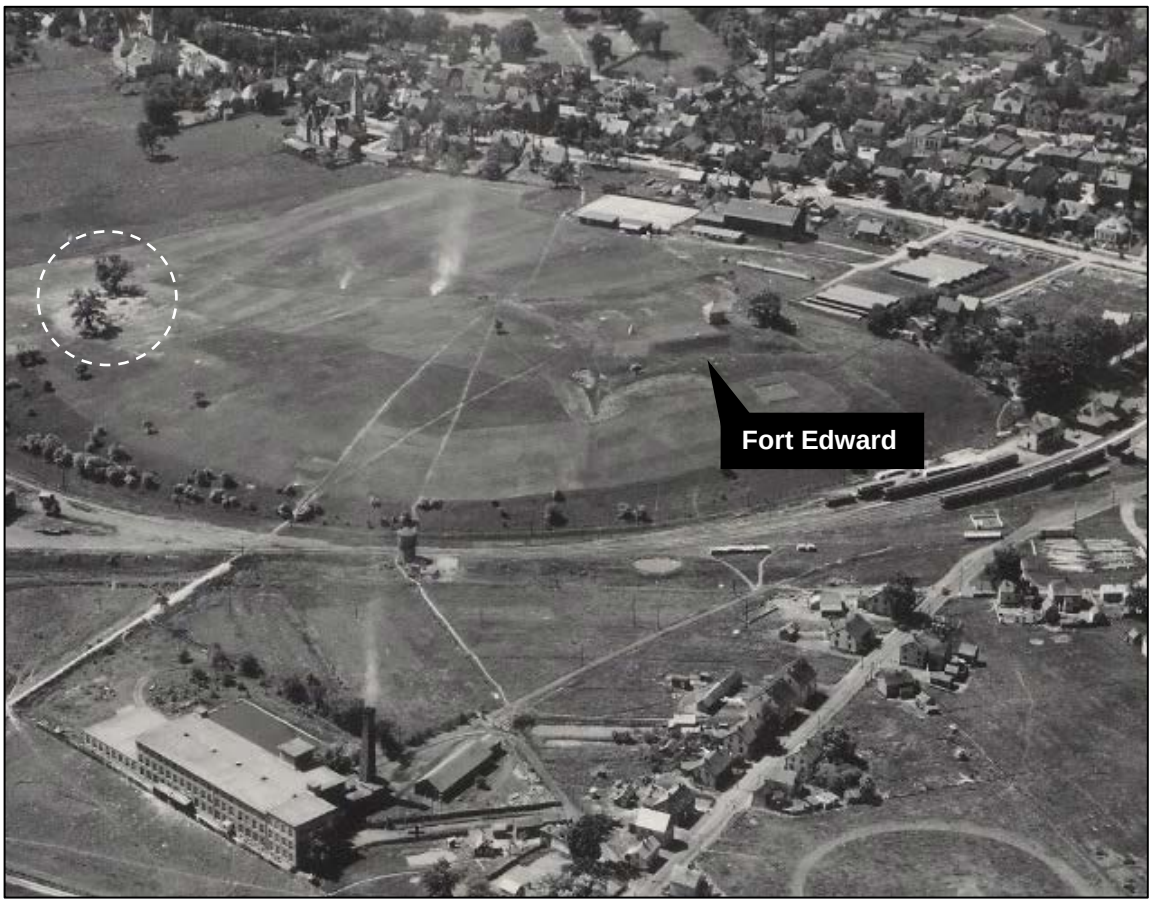


Figure 21: A 1929 aerial photo showing the old willow trees associated with the cemetery. SOURCE: National Air Photo Library (NAPL) A1236-83.

5.3 The Truckhouse

The truckhouse has attracted scholarly interest for some time (Loomer 1996, 15, 46, 62; Shand 1979, 12). An archaeological survey in 1989 recorded a site, BfDa-04, The Loomer Site, at what was thought to be its location, at the foot of Fort Edward Hill along Water Street. According to the MARI, however, artifacts collected here date from the late 19th to early 20th centuries.

Until recently, John Hamilton's painting (Figure 4, above) provided the best locational evidence for the truckhouse. Wight's 1757 plan, however, also shows it (**Figure 22**), albeit at the wrong location.

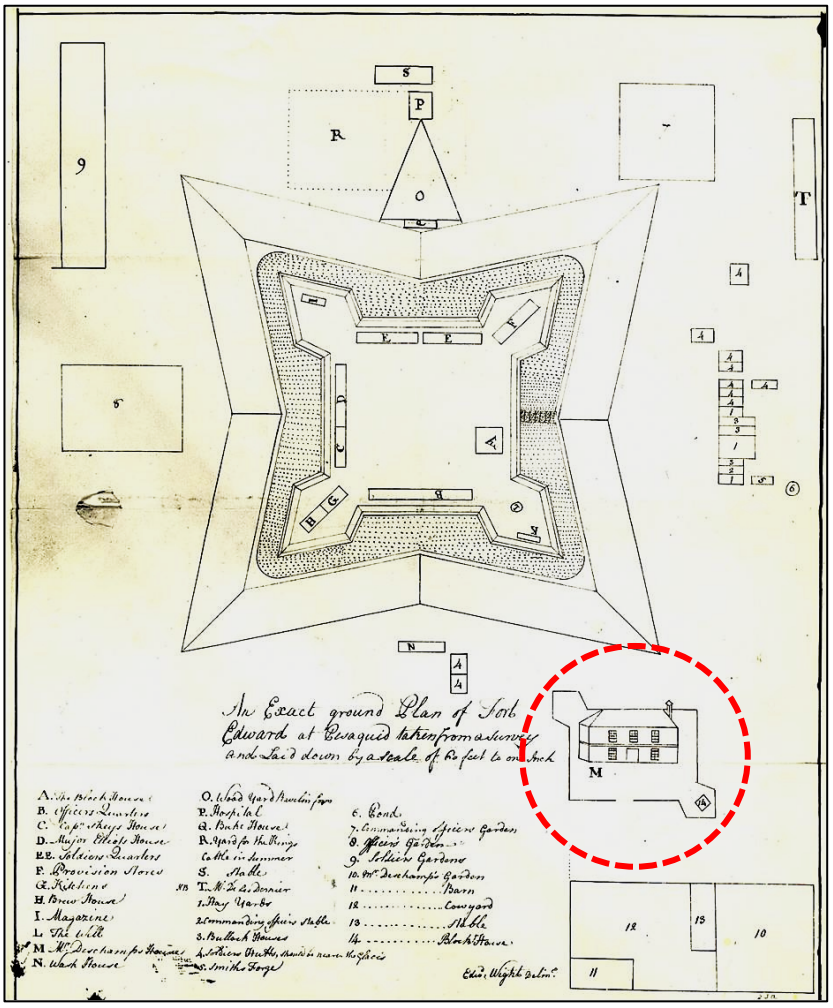


Figure 22: Edward Wight's 1757 plan of Fort Edward appearing to show the truckhouse compound occupying a position roughly in line with the fort's western bastions (North is at the bottom of the map). The actual location as proved by more carefully surveyed cadastral maps is more to the west, and likely just off the righthand side of Wight's page. Perhaps, lacking room, he just nudged it over slightly. SOURCE: Edward Wight. 1757. "An Exact ground Plan of Fort Edward at Pesaquid taken from a survey and Laid down by a scale of 60 feet to an inch." William L. Clements Library, Brun Add. 240.

Archival maps of better quality allow us to determine the location of the truckhouse with confidence. It was located across Cobbett Street to the northwest of the study area, on land that has since the 19th century been subdivided into residences (**Figure 23**).

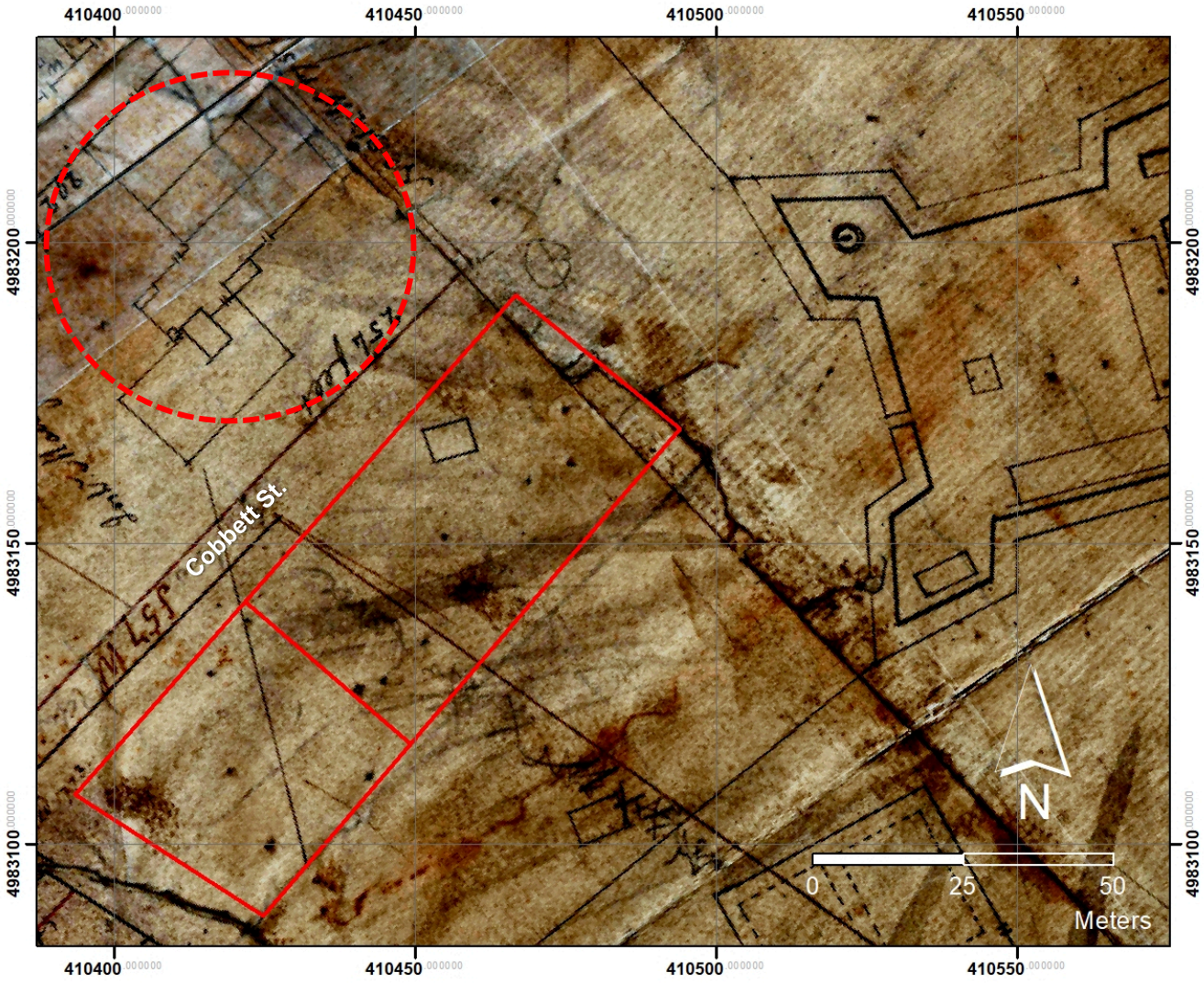


Figure 23: A cadastral plan showing the location of the truckhouse (circled) in reference to Fort Edward and the study area (outlined). The site is presently across Cobbett Street. This map is undated but contextual clues place it in perhaps the 1760s. As in Figure 19, above, which shows the 1779 map of Fort Edward, we see a building unambiguously placed in the study area.

5.4 The Agricultural Fair

The study area was a market centre through the later 18th, 19th, and early 20th centuries, for it was here that the previously mentioned agricultural fair was held. Period maps – and especially fire insurance plans – depict infrastructure relating to

the fair at this location (**Figure 24**).[30] By early 20th century, the "Exhibition Grounds" contained many buildings and other architectural features, including: five rows of horse stalls and an equal number of livestock stalls to the north of a judging ring. The judging ring and an associated building are located roughly where the Parks Canada parking lot stands today, and a large armoury stood on what is still Department of National Defence property to the south. The latter building served as a barracks and mess for part of the Jewish Legion, whose members trained at Fort Edward during WWI (Beanlands 2014).

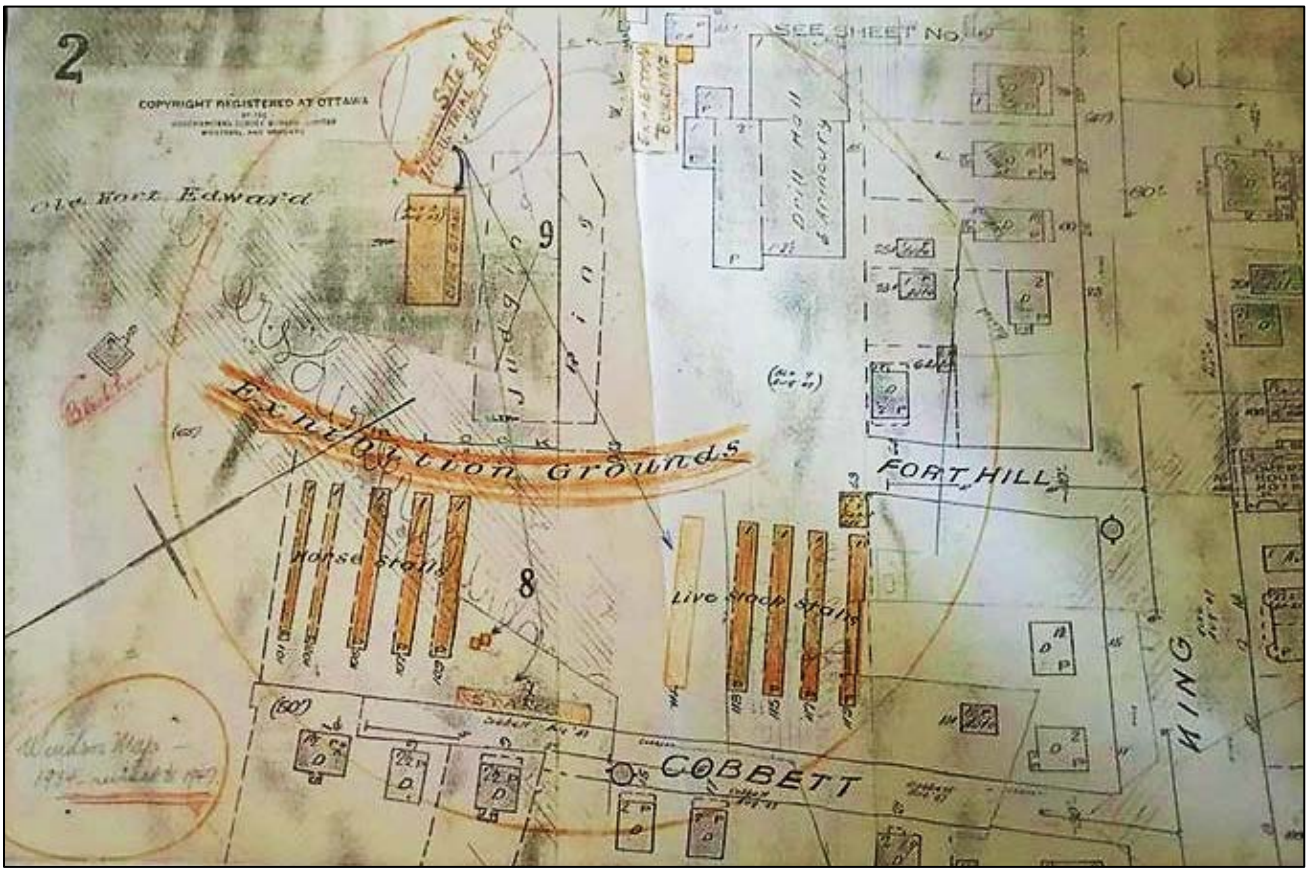


Figure 24: A 1934 (revised 1947) fire insurance plan showing the "Exhibition Grounds" in the study area. SOURCE: West Hants Historical Society.

Many of these structures appear on the earliest aerial photographs of Windsor (**Figure 25**). These photographs supplement the evidence from fire insurance plans and allow architectural features to be plotted with confidence with the aid of GIS (**Figure 26**). These structures were removed when the Windsor Exhibition relocated to its present location, and in 1967 the Town of Windsor established the Windsor Centennial Pool in their place.

[30] I was unable to obtain a scanned version of this map from the West Hants Historical Society to georeference, and the fire insurance plans in the Nova Scotia Archives (1899 and 1914) did not depict any of this infrastructure.

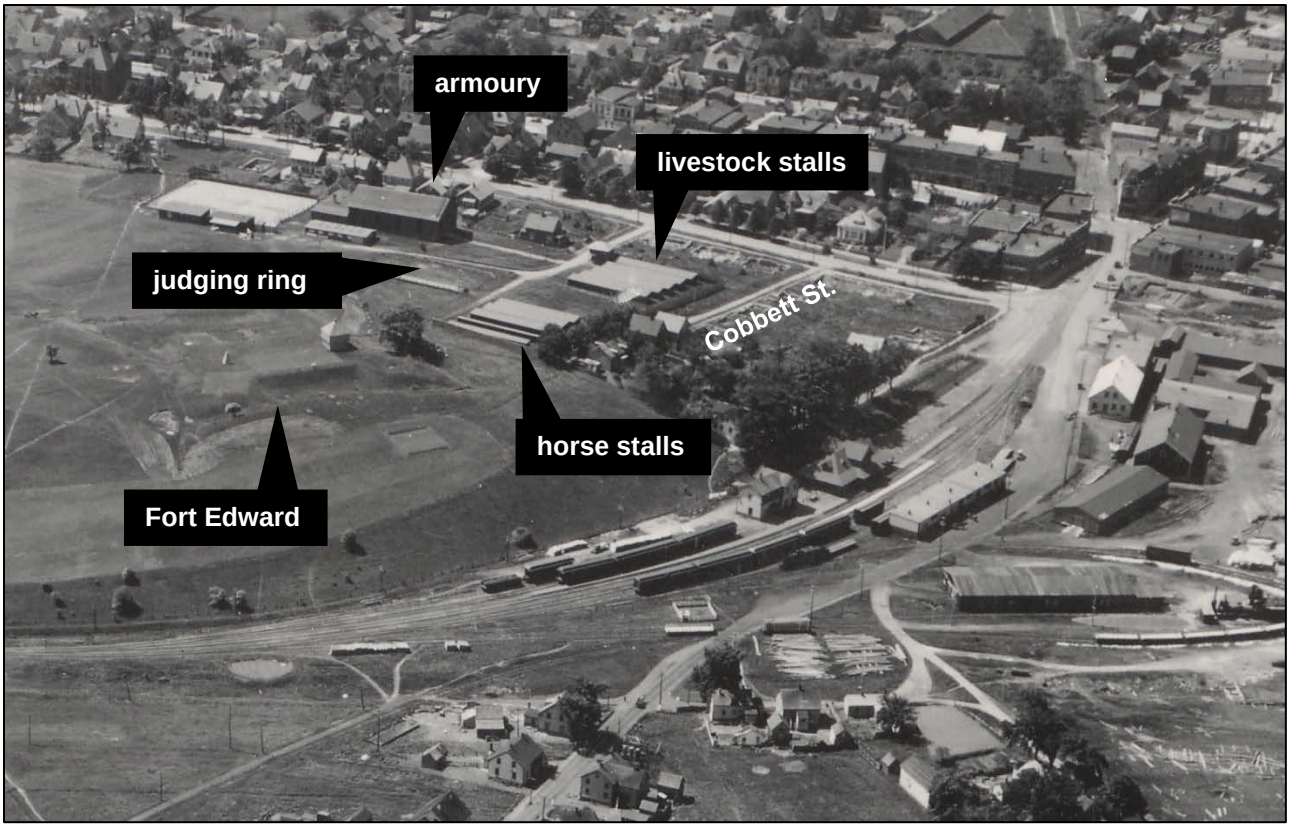


Figure 25: Fort Edward and the Exhibition Grounds from the north. SOURCE: NAPL A1236-83.

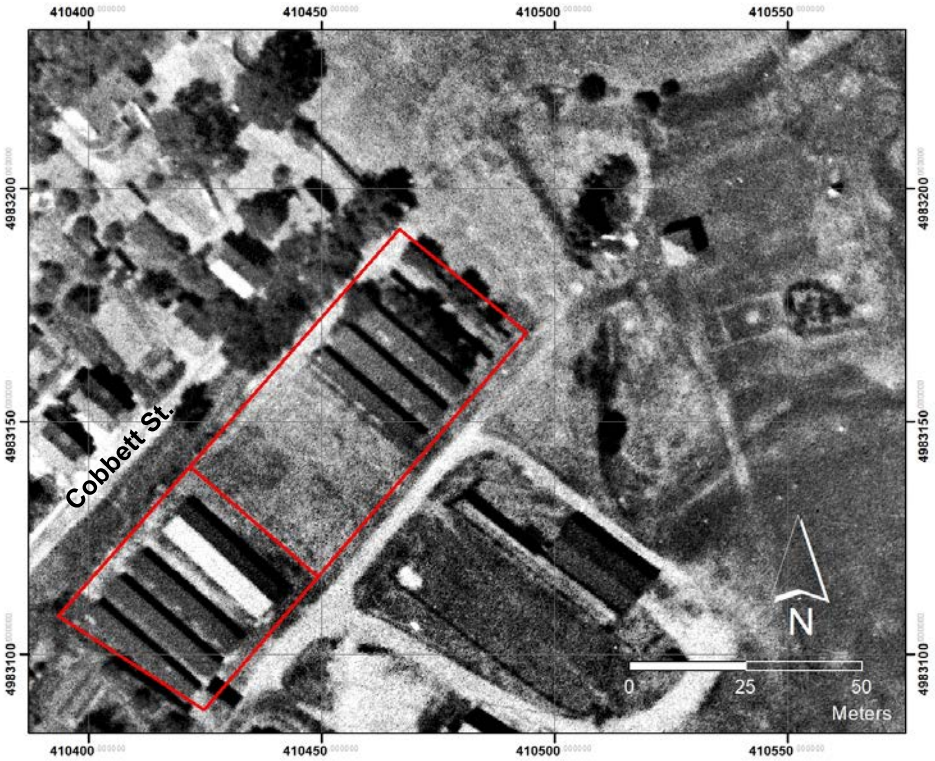


Figure 26: A 1945 aerial photograph of Fort Edward georeferenced to the modern landscape showing the exhibition grounds and nearby buildings. SOURCE: NAPL A8725-013.

6.0 Resource Evaluation

The approach to resource evaluation favoured here is grounded in the literature of archaeological (e.g. Green and Doershuk 1998; Tainter and Lucas 1983) and critical heritage studies (e.g. Harrison 2010). It is attentive to plural and even divergent regimes of value in assessing heritage objects and places, while emphasizing the inherent value of research potential and knowledge creation.

The key findings are as follows:

6.1 Extramural fort features and the historic place

Documented and potential archaeological resources in the study area have direct relevance to the commemorative integrity of Fort Edward National Historic Site; Parks Canada identifies the fort's viewplane as critical to the site's commemorative integrity.

As the study area is adjacent to Fort Edward National Historic Site, and historical maps show associated 18th century structures in the study area, a consideration of the significance of these likely archaeological features begins with the rationale underpinning Fort Edward's commemoration. Interestingly, these reasons were not clearly stated by the Historic Sites and Monuments Board of Canada when it initially proposed Fort Edward as a national historic site in 1919. The board addressed this oversight in the 1990s, however, by deciding that the designation should "commemorate [Fort Edward's] role in the struggle for predominance in North America, 1750-1812" (Marineau 1998, 6).

Parks Canada identifies several distinct cultural resources supporting Fort Edward's commemorative integrity; in other words, "those resources that were instrumental in, or integral to, the designation of national significance." Not surprisingly, the 1750 blockhouse and the surviving ramparts are counted among these features. However, the primary cultural resource listed in the national historic site's Commemorative Integrity Statement is the *historic place* itself, defined as consisting of both "the lands within the boundaries of Fort Edward National Historic Site and its viewplanes toward the Avon and St. Croix rivers," the latter of which, "give tangible evidence of the reasons for the establishment of the fort at the confluence of the rivers" (Marineau 1998, 7). The statement goes on to observe that protecting the site's Level 1 cultural resources – among which the historic place and viewplanes (**Figure 27**) are of critical importance – is key to ensuring Fort Edward's commemorative integrity "is not impaired or under threat" (Marineau 1998, 7–8; see also Parks Canada 2016, 38).

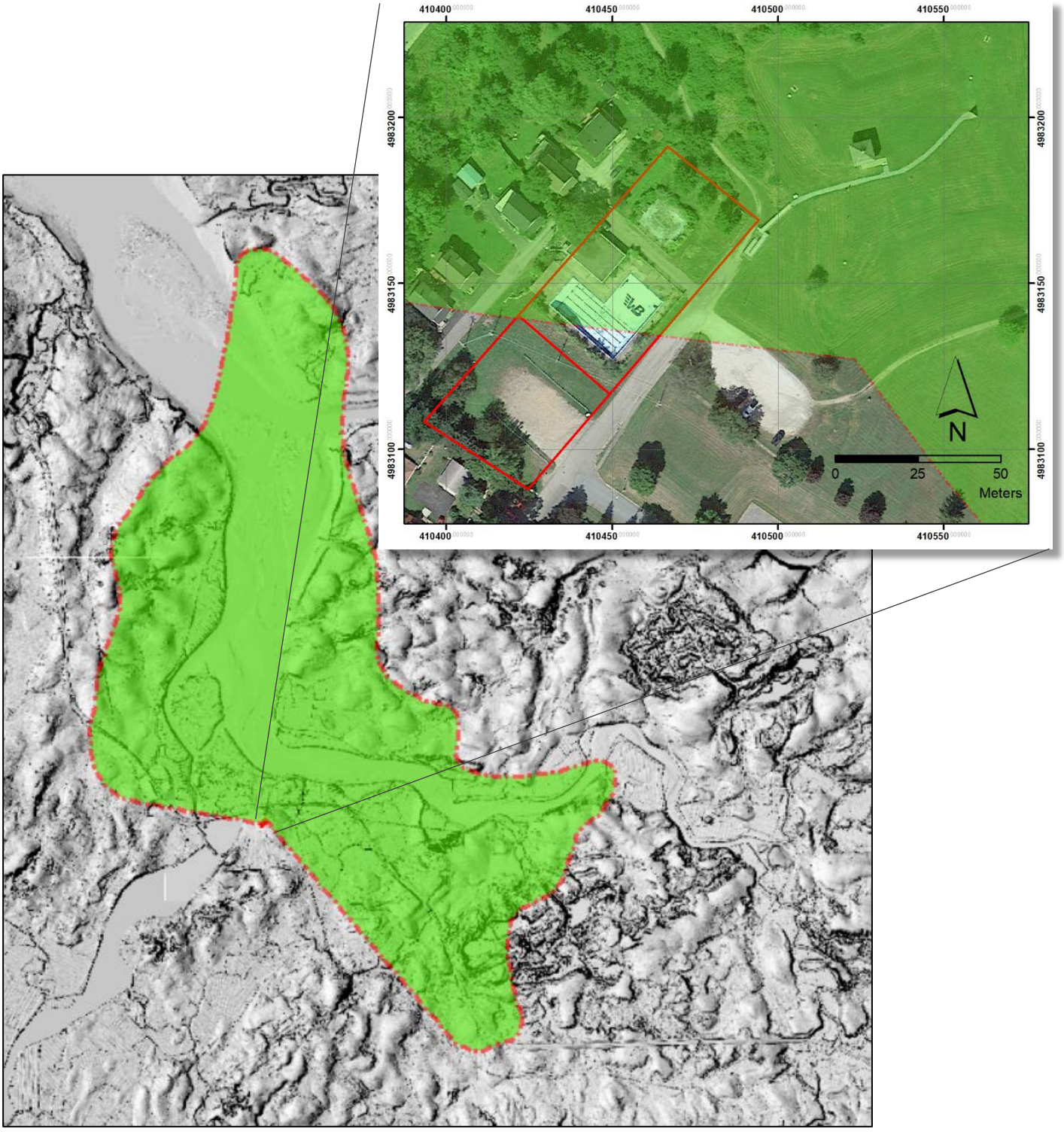


Figure 27: Fort Edward's viewplane in reference to the broader landscape (background) and to the study area (foreground). SOURCES: Google Earth (2015), Province of Nova Scotia (LiDAR), Parks Canada (viewplane).

6.2 Elevated heritage significance via a network of national historic sites and events

Documented and potential archaeological resources both in and adjacent to the study area have high heritage significance in reference to a local network of national historic sites and designated events of national historic significance.

Resource evaluation in this case takes further meaning by the study area's connection to Grand-Pré National Historic Site and The Landscape of Grand Pré World Heritage Site. The latter's basis for inscription on UNESCO's World Heritage List rests on the following criteria:

> Criterion (v): The cultural landscape of Grand Pré bears exceptional testimony to a traditional farming settlement created in the 17th century by the Acadians in a coastal zone with tides that are among the highest in the world. The polderisation used traditional techniques of dykes, aboiteaux and a drainage network, as well as a community-based management system still in use today. The resultant rich alluvial soil enabled continuous and sustainable agricultural development.
>
> Criterion (vi): Grand Pré is the iconic place of remembrance of the Acadian diaspora, dispersed by the Grand Dérangement, in the second half of the 18th century. Its polder landscape and archaeological remains are testimony to the values of a culture of pioneers able to create their own territory, whilst living in harmony with the native Mi'kmaq people. Its memorial constructions form the centre of the symbolic re-appropriation of the land of their origins by the Acadians, in the 20th century, in a spirit of peace and cultural sharing with the English-speaking community.[31]

Grand-Pré National Historic Site's designation is justified because:

- it was a centre of Acadian activity from 1682 to 1755;
- it commemorates the Deportation of the Acadians, which occurred at Grand-Pré in 1755; and
- it commemorates the strong attachment that remains to this day among Acadians throughout the world to this area, the heart of their ancestral homeland and symbol of the ties which unite them (Parks Canada 2012, 7).

[31] UNESCO Committee Decisions, 36 Com 8B.27, Cultural Properties - Landscape of Grand Pré (Canada) http://whc.unesco.org/en/decisions/4798

Although geographical separate, Fort Edward and Grand-Pré are closely linked historically and through modern heritage and tourism. Both sites occupy estuarine settings and have histories of Indigenous and Acadian settlement and intermingling. Their narratives are particularly tightly bound by the 1755 Deportation of the Acadians, a designated event of national historic significance. Lieut.-Col. John Winslow, whose capture and deportation of the Acadians from Grand-Pré inspired Longfellow's *Evangeline: A Tale of Acadie* (and the subsequent memorial acts culminating in the creation of Grand-Pré National Historic Site and The Landscape of Grand Pré UNESCO World Heritage Site), actually began his campaign against Acadian civilians in the Minas Basin at Fort Edward. It was to Fort Edward that he and his soldiers were initially sent from Chignecto in August 1755. Only after arriving did he receive further orders to base his operations at Grand-Pré (Winslow 1884, 241–43).

Isaac Deschamps, the Fort Edward truckmaster, spoke French fluently and facilitated communication between British officials, the garrison, and the Acadians throughout the middle years of the 18th century. In 1755, he translated the infamous Deportation Order into French. The documents read on September 5th to the assembled Acadian men and boys by John Winslow at Grand-Pré (**Figure 28**), and by Alexander Murray at Fort Edward were, according to Winslow himself, "put into French" by Isaac Deschamps (Winslow 1883, 90).

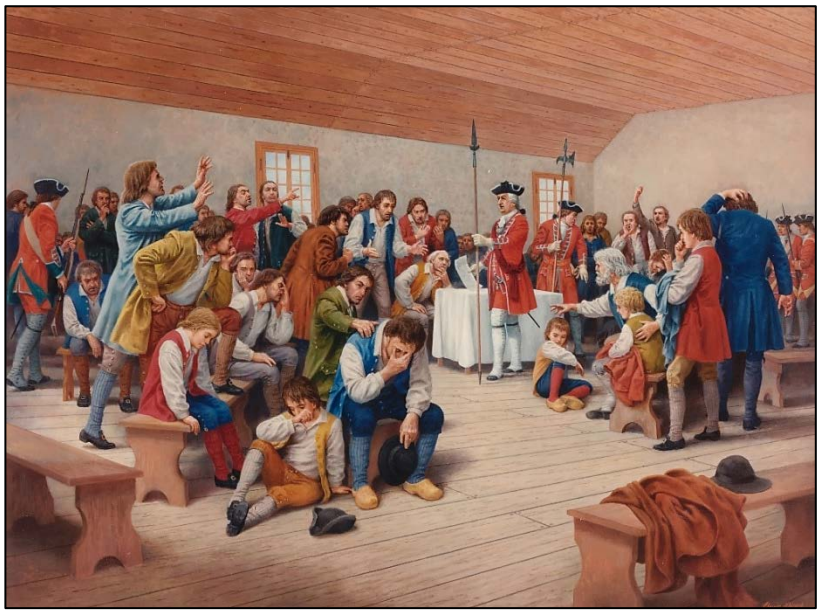


Figure 28: Historical reconstruction artwork depicting John Winslow reading the Deportation Order to Acadians at the parish church in Grand-Pré on September 5, 1755. A similar scene took place at Fort Edward at the same time. Both texts were translated into French by truckmaster Isaac Deschamps. SOURCE: Claude Picard.

6.3 A Pre-Deportation Acadian religious site

The pre-Deportation Acadian church of Notre-Dame-de-L'Assomption has been documented and archaeologically attested approximately 35m from the study area.

The study area is thus part of an as-yet poorly understood ecclesiastical site, whose archaeological resource inventory has yet to be properly studied. While there is good reason to place the associated cemetery outside the study area, the boundaries of the church site and the locations of its architectural and landscape features (e.g. priest's house) have yet to be determined.

The Acadian diaspora is a population exhibiting a high degree of interest in heritage and genealogy. The presence of a church site at this location represents a significant cultural resource and a potential driver of additional visitation to Fort Edward National Historic Site.

6.4 A Mi'kmaw Treaty site

The truckhouse was an important site of interaction between the Mi'kmaq and the British, and in 1760 it became a formal part of the Treaty relationship.

The Fort Edward truckhouse borders the study area to the northwest and is one of six such posts established in the region as part of the British Crown's commitments to the Mi'kmaq through the Treaties of Peace and Friendship of 1760-61. None of these other sites is commemorated. In a time of reconciliation, the presence of the truckhouse and its associated archaeological features adjacent to – and perhaps partly in – the study area represents a highly significant and valuable cultural resource.

6.5. The site of Canada's oldest agricultural fair

The study area occupies part of the grounds upon which Canada's oldest agricultural fair was held since 1765. The fair continues to operate at another location, constituting an authentic and community-based example of living heritage.

The market and agricultural fair grew out of the pre-existing commercial relationships between the British, Acadians, and Mi'kmaq at Fort Edward Hill. Abundant evidence places 19th and early 20th century fair infrastructure in the study area (**Figure 29**). The fair continues to exist today in the form of the popular Windsor Exhibition, which has since relocated to another site. Being the oldest event of its kind in Canada, the Windsor Agricultural Fair has been designated as an event of national historic significance.



Figure 29: Historical scenes from the agricultural fair. Top: the festival atmosphere, 1947; middle: horse teams in the judging ring, 1940; bottom: a sign of continuity of practice? Mi'kmaw participants with wigwam on a parade float going up Fort Edward Street, 1935. SOURCES: West Hants Historical Society: 28.7.07.83, 92.843, 12.7.23.10.

6.6 Potential economic benefits of heritage resource mobilization

***While cultural value is often sufficient to justify the conservation of heritage resources, it is important to recognize that heritage resources can also drive significant economic activity*.**

Recent decades have seen the establishment and consolidation of a 'heritage industry' (Lowenthal 1985). A significant component of the broader tourism industry, the heritage industry articulates with a range of public- and private-sector organizations including art galleries, museum, and historic sites. The heritage sector also supports and is supported by workers in a variety of fields, ranging from heritage professionals (conservators, curators, interpreters, planners, researchers) to workers in the food, hospitality, and retail sectors. The United Nations notes that the tourism industry has outpaced global economic growth for the nine consecutive years prior to the arrival of the COVID-19 pandemic, and in 2019 was valued at $3.5 trillion (USD), accounting for 4% of world GDP (United Nations World Tourism Organization 2021, 5). Tourism Nova Scotia estimates the value of overall provincial tourism revenue in 2019 to be $2.64 billion (CDN) (Tourism Nova Scotia 2022).

The most recent published data on visitation at Fort Edward demonstrates the extent to which visitation patterns correspond to the historical narrative and heritage site linkages outlined above.[32] "When asked what other locations and attractions the respondent had visited or was planning to visit that day, 37% indicated Grand-Pré NHS, and 28 % and 26% respectively indicated Port-Royal and Fort Anne." Visitor motivations included experiencing "a new place/local people/explore (33%), to explore family ancestry, heritage, and landmarks (30%), and to observe/learn at their own pace (20%)" (Parks Canada 2016, 10).

The archaeological resources here and nearby could potentially attract large numbers of visitors who are already exploring the related network of heritage sites linked to Highway 101. Annual Averaged Daily Traffic (AADT) volume westbound on Highway 101 between Exits 5A and 6 at Windsor equalled 7,965 vehicles between 2015 and 2019, or approximately 2,900,000 vehicles per year (Nova Scotia Department of Transportation and Infrastructure Renewal 2021, 109). And while the volume of traffic on Highway 101 is gradually increasing, visitation at Fort Edward has declined from "approximately 3,000 visitors in the year 2000 to 1,100 in 2015" (Parks Canada 2016, 11). If more creativity and effort were devoted to mobilizing the extraordinary heritage resources outlined here, the broader community might benefit significantly, both culturally and financially.

[32] 2009-10 data revealed that "80% of visitors are Canadian and 13% American. Of the Canadian audience, 32% are from Nova Scotia (21% of respondents were on a day-trip from Halifax), 17% from Ontario, and the remainder from the rest of Canada" (Parks Canada 2016, 10).

7.0 Results and Discussion

Taken in its entirety, the evidence gathered to date shows that the study area, though it may be legally defined as two distinct and separate properties, remains nevertheless part of the archaeological landscape and heritage environment of Fort Edward National Historic Site of Canada:

- A pre-Deportation Acadian parish church stood approximately 30m north of the study area. Although there is reason to place the Acadian cemetery elsewhere, this ecclesiastical site is not well evidenced and its proximity to the study area raises the need for archaeological vigilance.

- The study area's proximity to Fort Edward also implicates it in considerations of the fort's views of the Avon River, which Parks Canada states are essential to the national historic site's commemorative integrity.

- Several 18th century maps place buildings and other extramural architectural features associated with Fort Edward unambiguously within the study area.

- The Mauger-Deschamps truckhouse, a significant site in Windsor's commercial heritage and a locus at which part of the Treaty relationship between the British Crown and the Mi'kmaq was fulfilled, was adjacent to the study area, across Cobbett Street. Some of the activities centered on the truckhouse may have "spilled over" to the study area, and indeed the best 18th century map of the truckhouse places an unidentified building in the study area.

- Aerial photographs and mapping show structures associated with the Windsor Agricultural Fair, a designated event of national historical significance, unambiguously within the study area.

Potential archaeological features associated with structures depicted on historical maps and aerial photographs are plotted in **Figure 30**. All of the structures noted on historical maps and aerial photographs are located outside the footprint of the large swimming pool built in the 1960s. It is noteworthy that the legend on Edward Wight's 1757 map of Fort Edward indicates the "Soldiers Hutts should be nearer the Glacis." How much nearer cannot be known, but it is likely that at least some of the structures he drew were located in the study area.

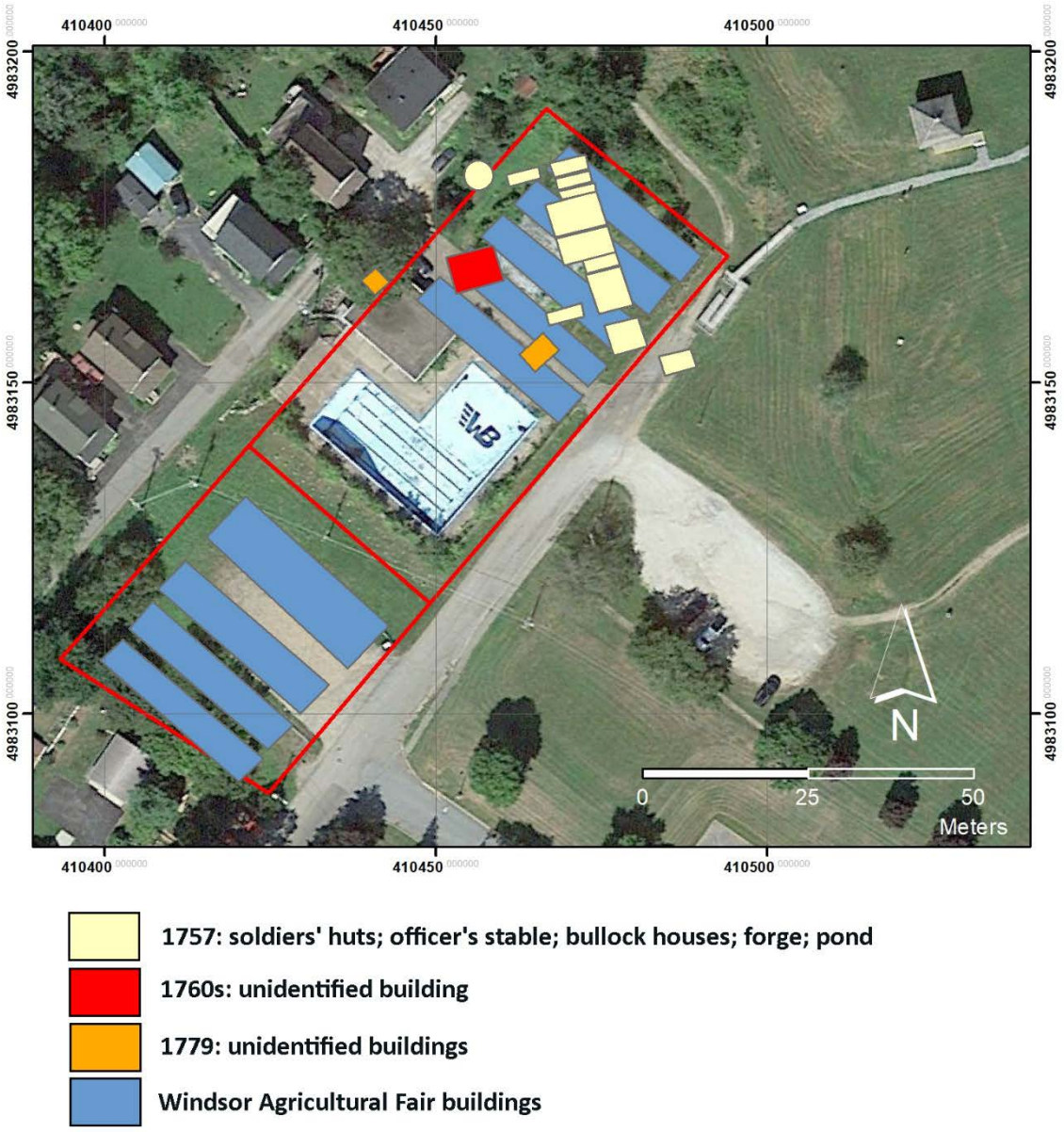


Figure 30: Archaeological potential map showing the locations of former structures identified using historical maps and aerial photographs. SOURCE: Google Earth 2015.

The integrity of these and related features is difficult to ascertain without geophysical prospection and archaeological test excavation. The study area has been significantly altered in recent decades by grading, the excavation of the pool, and the installation of associated infrastructure. In November 2019 the site was capped with imported fill.[33] LiDAR data offers some assistance in quantifying these

[33] M. Philipps to J. Fowler, 19 February 2022.

impacts (**Figure 31**).[34] It appears likely that material excavated from the pool in the 1960s was cast up to form berms on the west, south, and east sides of the pool. The upslope – or roughly north – side appears essentially flush with the (previously graded?) surface. ***Based on the evidence consulted to date, it appears the construction of the large swimming pool in the 1960s did not likely directly impact any of the anticipated archaeological features.***

In general, the northernmost of the two properties (PID 45059797), which is also the closer of the two to Fort Edward, appears to contain the most and earliest archaeological evidence associated with Fort Edward and perhaps the truckhouse. This area appears to have been graded, but we do not know when. It may have happened in the early colonial period, in which case early archaeological features are more likely to survive in primary context. If grading took place later, for example in the Victorian period, as part of renovations of the fairgrounds, then the earlier archaeological remains in the upslope part of the property are likely to have been negatively impacted. The more substantial buildings shown on the 1760s and 1770s maps, on the other hand, may well have received a protective blanket of sediment, enhancing their likelihood of survival to present times. If any of these buildings had cellars, wells, or privies, then these are even more likely to remain intact because of their greater depth. As loss traps, they may contain valuable archaeological deposits.

In conclusion, it should not be assumed that previous construction activities at the site, though appearing heavily disruptive, actually destroyed much of the archaeology. Contrary to appearances, significant archaeological deposits might actually survive relatively intact.

[34] Two sets of provincial LiDAR data are available. The first, flown in 2011 (months and days unknown) with a pulse spacing of 0.67, was collected with a REIGL Q680i. The second was collected in the summer of 2019 with a pulse spacing of 0.32 using a REIGL VQ1560i and Q780.

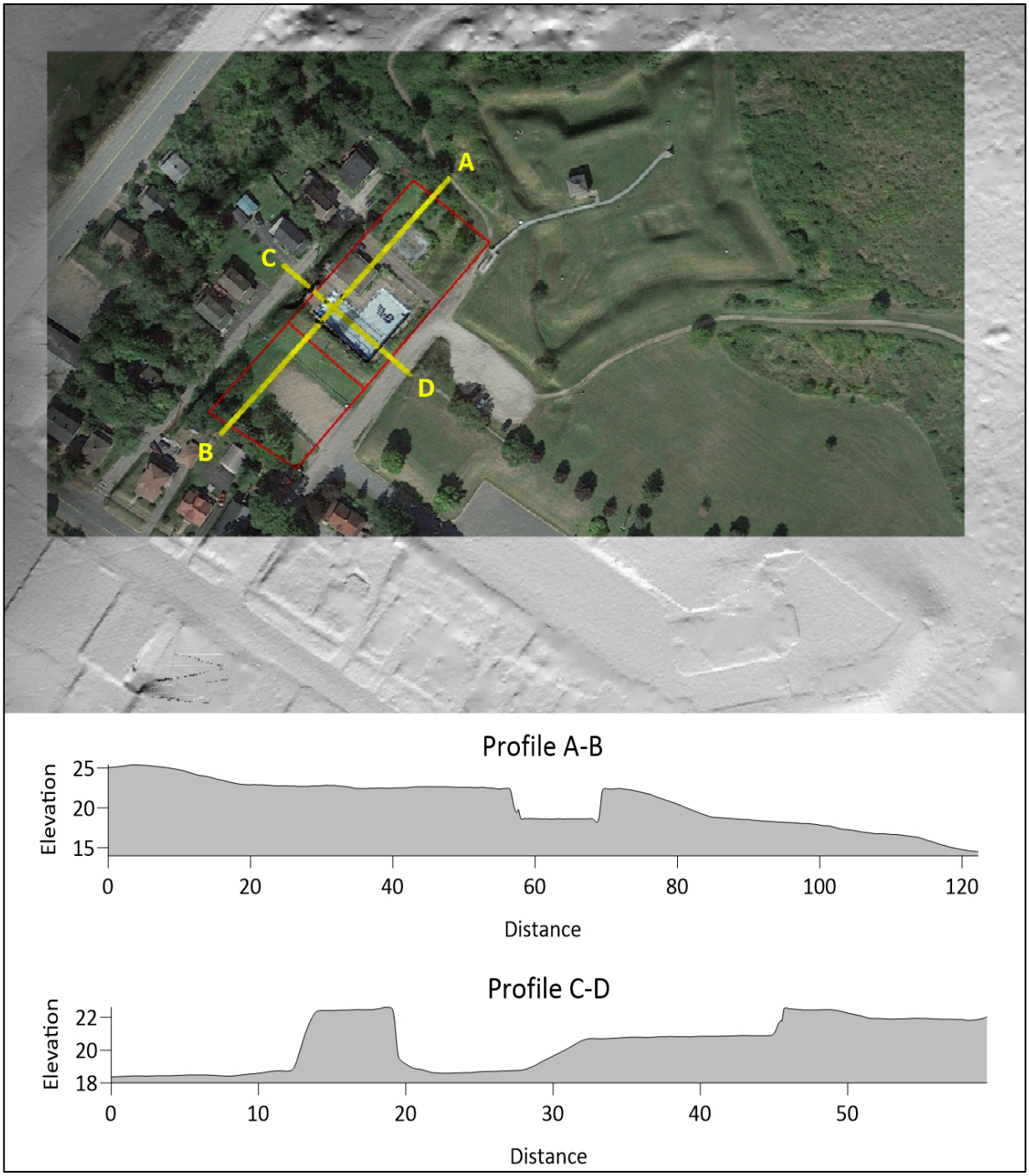


Figure 31: LiDAR data of the study area (outlined in red) and its surroundings with profiles indicating variations in relief arising from previous construction activities. Scale in metres; north at top. SOURCES: Province of Nova Scotia 2019 and Google Earth 2015.

8.0 INTERPRETATION

The primary purpose of this exercise is to assess the archaeological potential of the two properties comprising the study area. As detailed above, there is strong evidence of a range of historical activities in and adjacent to the study area, and compelling evidence that many of these activities left archaeological deposits. Despite past construction activities, there is good reason to expect that at least some of the archaeological resources inventoried here may be well preserved. Other objects and features are likely in secondary contexts. The conclusions and recommendations articulated in the next section reflect these facts and inferences, along with the considerable significance and untapped heritage resource development potential of Fort Edward National Historic Site.

Although visitation has declined in recent years, "[m]any people in the community of Windsor – area residents, members of the West Hants Historical Society, town councilors, and staff, among others – have a strong interest in the future of Fort Edward National Historic Site" and "see Fort Edward as a valuable community asset" (Parks Canada 2016, 35). Parks Canada's most recent management plan articulates two key strategies for increasing visitation at Fort Edward National Historic Site. The first aims to ***inspire the discovery of Fort Edward NHS*** by:

- improving the quality of pre-trip information;
- working with others to enhance connections with "a network of national historic sites in the region;" and
- enhance visitors' opportunities "to experience the Fort Edward view-plane and grounds."

The second strategy aims to cultivate ***shared stewardship*** over Fort Edward NHS and aims to transform the site into a ***community gathering place*** by:

- involving "area residents, the Mi'kmaq, partners, and stakeholders" in protecting Fort Edward's cultural resources and heritage values; and
- encouraging "area residents, the Mi'kmaq, partners, and stakeholders" to use Fort Edward NHS as a community gathering place (Parks Canada 2016, 35–36).

One is struck by the depth and richness of the heritage resources in and around Fort Edward, by their enormous potential for mobilization, and by their sadly neglected state at present.

9.0 Evaluation of Research

This ARIA relies on standard historical archaeological and empirical landscape archaeological methods and was informed by highly resolved and thorough cartographic, photographic, and ethnohistorical data. The MARI was consulted in order to characterize the study area's archaeological context, particularly in relation to Indigenous sites. To this end, feedback was also elicited from the Mi'kmaq Rights Initiative's Archaeology Research Division.[35]

An extensive corpus of archival mapping was consulted, and these sources were georeferenced and collated with modern LiDAR evidence to help model archaeological potential. The exercise revealed that, not surprisingly, historical maps frequently exhibit measurement errors in addition to other distortions and omissions. These have been controlled by comparing and collating maps, and by comparing map evidence to independent sources such as land records (deeds), written documents, art, and historical photography whenever possible.

Considerations of archaeological significance and heritage value accounted for varied traditions and sought input from Parks Canada, specialists in local history and heritage, and members of Acadian and Mi'kmaw communities.

Field reconnaissance on 12 February was hampered by the presence of snow, which obstructed vision, but the site has been capped with fill and is unlikely to reveal significant visual evidence in its present state.

10.0 Conclusions and Recommendations

Several conclusions and recommendations arise from this study. They range from general considerations pertaining to the value and potential communal benefit of the heritage resource, to specific steps that should be taken to safeguard archaeological resources in the event of future construction.

10.1 General Conclusions and Recommendations

As a cultural asset, the property at the centre of this ARIA – like Fort Edward more generally – represents a potentially very significant heritage resource for the West Hants Regional Municipality. This potential is perhaps not widely recognized because the site's enormously rich and multifaceted history is not very well known. Nor has this site found the kinds of champions who have advanced the cause of heritage development elsewhere along the floor of the Annapolis Valley.

[35] J. Fowler to T. Jacobson, 18 January, 2022; T. Jacobson to J. Fowler, 02 February 2022.

Fort Anne, which, as we have seen, is something of a sister site to Fort Edward, was the very first site designated in Canada's national historic sites system in 1917. But this development, which today anchors Annapolis Royal's heritage infrastructure and economy, was nearly doomed by local businessmen who wanted to level to fort's ramparts for commercial development. Heritage activists fought to rescue it from destruction through the late 19th and early 20th centuries, and again in the 1970s, when the town fell on hard times and a plan was again floated to level to fort to build housing (Moody 2014, 214, 303).

Across the Annapolis River, Port-Royal National Historic Site's prominence owes much to its association with the heroic career of Samuel de Champlain, the Father of New France. The Port-Royal Habitation reconstruction began with a small group of passionate heritage advocates lead by Harriet Taber Richardson and Loftus Morton Fortier, who attracted the support of local and international politicians and other leaders (including the governors of Massachusetts and Virginia, the American ambassador to Canada, and the President of Harvard University). They raised significant funds through private donations before the project was adopted and completed by the Canadian federal government in the 1930s (Schmeisser 2001, 4–12).

Grand-Pré National Historic Site, meanwhile, though stewarded by Parks Canada, is a cultural treasure of the Acadian people, who have played a significant part in its development and management for over a hundred years. An Acadian descendant, John Frederic Herbin, in 1907 bought the land that would become the heart of the national historic site and world heritage site, and the funds to build the iconic memorial church in 1924 were raised by donations from Acadians across Canada and the United States (Fowler and Noël 2017, 53; B. LeBlanc 2003, 121). Each of these sites has enjoyed, and continues to benefit from, an active constituency of promoters both outside and inside the official heritage system. *In each case, community members and local governments made the crucial investments of time and money to initiate heritage resource development projects that were subsequently adopted and reinforced by federal investment.*

Fort Edward, meanwhile, despite extraordinary and varied heritage resources, has been comparatively neglected, to the detriment of the local culture and economy.

A period of reflection and meaningful dialogue with partner organizations, especially Parks Canada, and local and descendant communities (e.g. Mi'kmaq, Acadian), seems warranted in determining the best future course of action with respect to these properties.

10.2 Archaeological Heritage Mitigation During Future Construction

Should further ground disturbance be planned for any part of the study area, **it is recommended that a thorough Phase 2 ARIA be undertaken in advance** to better assess the nature of, and mitigate potential impacts to, archaeological resources.

Despite these precautions, should mechanical excavation encounter archaeological evidence, it is recommended that contractors temporarily pause the work and contact John Cormier, Coordinator of Special Places at the Nova Scotia Department of Communities, Culture, Tourism and Heritage: (902) 424-6475 and/or john.cormier@novascotia.ca.

Finally, although Parks Canada's viewplane is not part of provincial jurisdiction or the Special Places Protection Act's regulatory framework, the West Hants Regional Municipality is advised of Parks Canada's concerns in relation to the viewplane, particularly regarding PID 45059797, which is also the property with the greater number of documented archaeological features.

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WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☒	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: Mayor and Council – Council Meeting

Submitted by: _____
Shelleena Thornton, Municipal Operations Supervisor

Date: June 28, 2022

Subject: Council Size & Boundary Review – Supplementary Info to June 14, 2022 Report

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LEGISLATIVE AUTHORITY

- Municipal Government Act – Sections 10, 11, 368, and 369
- Nova Scotia Utility and Review Board (NSURB) Rules of Practice and Procedure Respecting Municipal Government Act Proceedings
- Municipal Elections Act

RECOMMENDATION or DECISION REQUEST

That Council reflect on the current number of Councillors and boundaries of its polling districts and governance structure and determine if they choose to maintain the current structure or would like to consider an alternative.

Currently:

1x Mayor
11x Councillors in 11 Districts

The NSURB recommend the following initial two steps be followed in this review process:

Step 1:
That Council discuss the number of Councillors and polling districts (size of Council).

Step 2:
Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

Every eight years, in accordance with the Municipal Government Act, municipalities are required to review their electoral boundaries and sizes of Council. All NS municipalities do these reviews within the same year. Council's recommendation to maintain status quo or to initiate a change in the size of Council will be examined by the Nova Scotia Utility and Review Board (NSUARB), who will confirm or deny the recommendation.

The last review of the regionalized West Hants Regional Municipality was completed in 2019 by Stantec. The report was presented noting that public consultation is critical in this process and outlined the NSUARB process for Council size and boundary review.

Further process information is identified in the June 14, 2022 and May 10, 2022 Boundary Review reports to Committee of the Whole.

DISCUSSION

At the June 14, 2022 Committee of the Whole meeting, council directed staff to *"explore the option of reducing council size to nine (9) councillors plus one (1) Mayor as referenced in the 2019 Stantec report."*

Exploring this option requires public consultation so staff reached out to one consultant for an estimated cost(s) associated with facilitating this process. The estimate was $9900.00 to $22,000.00 depending on the project scope (not including HST). (It is apparent multiple quotes would be required as per WHRM's Procurement and Tendering Policy).

Potential project scopes for consideration:

- Number of public consultation sessions to be held
- Should individual council interviewing occur
- Determine if using solely the 2019 Stantec Report findings which includes those elector statistics and proposed boundaries. Or updating those statistics using the 2020 Final List of Electors data
- Online survey
- Anything additional

Of course, despite the scope depth, any review would require a final report to be compiled and presented to Council prior to council's recommendation to the Nova Scotia Utility and Review Board (NSUARB).

When considering the project scope, it is important to note that voter parity is vital in the review and must be rationalized in the submission to the NSUARB. Ultimately, applications to

the NSUARB include a breakdown of current electors per district based on the most recent enumeration (in our case, from the March 2020 Final List of Electors). The 2019 Stantec Report utilized the 2016 enumeration information from both former Municipal entities (Windsor and West Hants). To update the information a consultant would have to plot the currently enumerated electors, which immediately raises the question of whether the numbers fit within the parity criterion. If that criterion is not met, each district that is outside +/-10% must be justified. If the Board is not satisfied with the explanation, the application will be rejected.

This said, when comparing the 2019 Stantec Report data of 15,290 eligible electors and the 15,571 eligible electors in March 2020, there is an increase of 281. An in-depth review would identify which districts they are in when moving to a 9-district model. Or it could be assumed that not all 281 are within a couple/few districts, resulting in what may be considered fair justification to the NSUARB should it be +/-10%. But ultimately, a decision of the Board.

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (which affects the size of Council)
- Determine the method to be taken in determining composition and boundaries, including project scope
- Staff to proceed with the direction of council

FINANCIAL IMPLICATIONS

Depending on direction from Council, the required method of research and public consultation will impact costs estimated to be approximately $9,900 - $22,000 (excluding taxes). Worthy to note, should any application to the NSUARB be rejected, there may likely be an additional cost for further review.

ALTERNATIVES

1. Status quo: maintain current Council composition and boundaries (eleven districts and councillors plus a Mayor elected at large)
2. Change the Council composition and boundaries.
    a. Consideration may be the 2019 Stantec report as it also identified a nine district (8 Councillors plus a Mayor elected-at-large) option
    b. Opt for a new consultant review
    c. Opt for an internal (staff) review

ATTACHMENTS

A. June 14, 2022 Boundary Review Report

CHIEF ADMINISTRATIVE OFFICER REVIEW

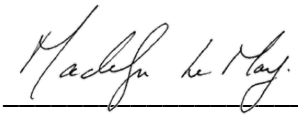
N/A

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (size of Council).
- Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)
- Public Consultation (Method TBD)
- Public Consultation Report
- Staff recommendation report to Committee of the Whole
- Council recommendation
- Council approval of application to Nova Scotia Utility and Review Board

Report Prepared by: 

Shelleena Thornton, Municipal Operations Supervisor

Report Reviewed by: 

Madelyn LeMay, Director, Planning and Development and Acting Chief Administrative Officer

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☒	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: Committee of the Whole

Submitted by: _____
Shelleena Thornton, Municipal Operations Supervisor

Date: June 14, 2022

Subject: Boundary Review – Supplementary Info to May 10, 2022 Report

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LEGISLATIVE AUTHORITY

- Municipal Government Act – Sections 10, 11, 368, and 369
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RECOMMENDATION or DECISION REQUEST

That Council reflect on the current number of Councillors and boundaries of its polling districts and governance structure and determine if they choose to maintain the current structure or would like to consider an alternative.

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11x Councillors in 11 Districts

The NSURB recommend the following initial two steps be followed in this review process:

Step 1:
That Council discuss the number of Councillors and polling districts (size of Council).

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Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

Every eight years, in accordance with the Municipal Government Act, municipalities are required to review their electoral boundaries and sizes of Council. All NS municipalities do these reviews within the same year. Council's recommendation to maintain status quo or to initiate a change in the size of Council will be examined by the Nova Scotia Utility and Review Board (NSURB), who will confirm or deny the recommendation.

The last review of the regionalized West Hants Regional Municipality was completed in 2019 by Stantec. The report was presented noting that public consultation is critical in this process and outlined the NSURB process for Council size and boundary review.

Further process information is identified in the May 10, 2022 Boundary Review report to Committee of the Whole.

The Stantec report and presentation (also attached) identified that the favourable options in 2019 were both the nine (9) districts and eleven (11) districts options and a Mayor elected at large. The eleven (11) district option was adopted moving into consolidation.

DISCUSSION

At the May 10, 2022 Committee of the Whole meeting, council directed staff to provide updated population information, specifically growth or changes within the districts for West Hants.

Although, the number of eligible electors for the 2020 Municipal Election is identified below, without a formal review, enumeration and/or election process in which a final list of electors gets established, the number of current eligible electors in each district is not known (stemming from population growth); however, information was estimated based off of 2021 census data.

Population(s) as per 2016 and 2021 Statistic Canada Census

2016 Former West Hants and Windsor combined	2021 West Hants Regional Municipality	Difference
19,016	19,509	+ 493

Eligible electors in March 2020 Municipal Election – 15,571 on final list of electors

District 1	1,168
District 2	1,272

District 3	1,353
District 4	1,374
District 5	1,406
District 6	1,691
District 7	1,565
District 8	1,538
District 9	1,404
District 10	1,310
District 11	1,490

Approximate number of eligible electors in 2021 – 16,534 (this is taken from 2021 census data using only 1/3 of the population of the 15-19 years of age (for those 18+ and eligible to vote), and those 65 and over.

Approximate number of eligible electors variance based on population growth is +963. Although their districts are unknown, one way to estimate would be to add approximately 87 eligible electors per district.

As per the Municipal Government Act (MGA), Sections 10 and 11, one councillor shall be elected for each district in a regional municipality (they cannot be elected at large, nor have more than one councillor per district). The mayor shall be elected at large.

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (which affects the size of Council)
- Determine the method to be taken in determining composition and boundaries
- Staff to proceed with the direction of council

FINANCIAL IMPLICATIONS

Depending on direction from Council, the required method of research and public consultation will impact costs.

In 2019, the Stantec Consultant Boundary Review RFP was awarded at $37,026.00 before tax. This does not necessarily reflect what the cost may be today as this was leading into consolidation and establishing completely new districts for the region; whereas the 2019 review provides a potential foundation should council wish to proceed with a similar course of action.

ALTERNATIVES

1. Status quo: maintain current Council composition and boundaries (eleven districts and councillors plus a Mayor elected at large)
2. Change the Council composition and boundaries.
    a. Consideration may be the 2019 Stantec report as it also identified a nine district (8 Councillors plus a Mayor elected-at-large) option
    b. Opt for a new consultant review
    c. Opt for an internal (staff) review

ATTACHMENTS

A. April 1, 2019 Stantec's *Windsor-West Hants Governance Review* presentation (boundaries & council size)
B. 2021 Stats Canada Information
C. May 10, 2022 Boundary Review Decision Request Report

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report includes the follow up requested by Council.

The attached April 2019 STANTEC Report provides information for a Council size of 9 or 11 councillors with a Mayor elected at large. If Council were to select one of these two options (to maintain or reduce to 9) the research is essentially already completed.

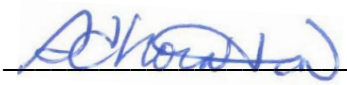
If Council selects one of these two options or a different council composition a public consultation process is still required. The design of the public consultation process will be influenced by the decision Council makes regarding the size.

	Population	Council Size
HRM	439,819	16 Districts plus Mayor
CBRM	93,694	12 Districts plus Mayor
Region of Queens	10,422	7 Districts plus Mayor
Antigonish County	20,129	11 Districts and includes the Warden
Town of New Glasgow	9,471	3 Wards (aka Districts), 6 Councillors plus Mayor
Town of Amherst	9,404	6 Councillors plus Mayor elected at large
Kings County	62,914	9 Districts plus Mayor
East Hants	22,892	11 Districts and includes the Warden
WHRM	19,509	11 Districts plus Mayor

As noted in the May 2022 report and noted above:

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (size of Council).
- Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)
- Public Consultation (Method TBD)
- Public Consultation Report
- Staff recommendation report to Committee of the Whole
- Council recommendation
- Council approval of application to Nova Scotia Utility and Review Board

Report Prepared by: 

Shelleena Thornton, Municipal Operations Supervisor

Report Approved by: 

Mark Phillips, Chief Administrative Officer



Windsor-West Hants Governance Review

Joint Council Meeting
Windsor Town Council Chambers
7:00 pm, Monday, April 1, 2019



Phase 1 - Council Size Consultation

Public Meetings

- Avondale – 6
- Brooklyn – 37
- Vaughan – 9
- Windsor – 24
- Falmouth – 10
- **TOTAL** – 86 residents

Questionnaire Survey

- Online Survey
  - 609 completed responses
- Hard Copy
  - 139 responses
  - 135 completed
- Council Size Question
  - 744 responses
  - **740 indicated preferred council size**



Phase 2 - Boundaries Size Consultation

Public Meetings

- Three Mile Plains, 3
- Hantsport, 8
- Summerville, 15
- Ardoise, 10
- Windsor, 20
- **TOTAL** – 56 residents

Questionnaire Survey

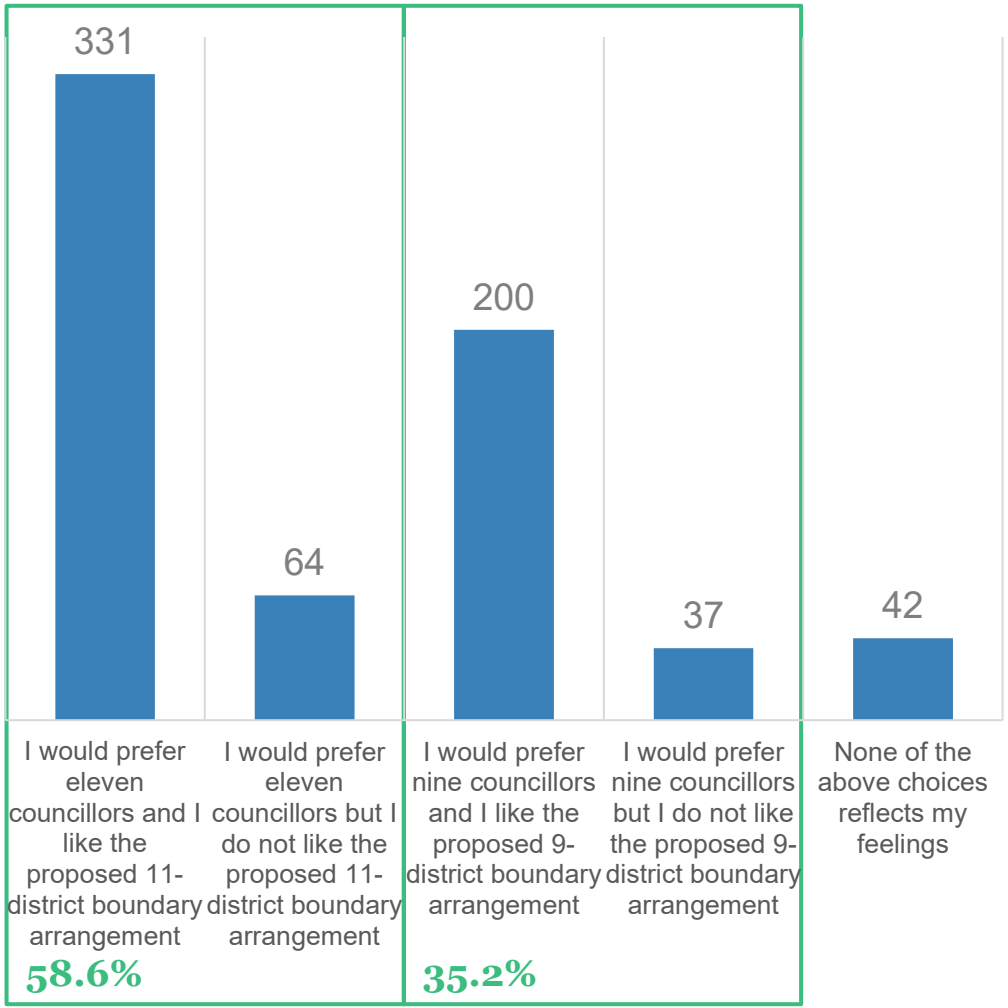
- 883 completed responses
  - 674 responses to Boundaries Question

Council Interviews

- Windsor – 5 of 5
- West Hants – 8 of 10

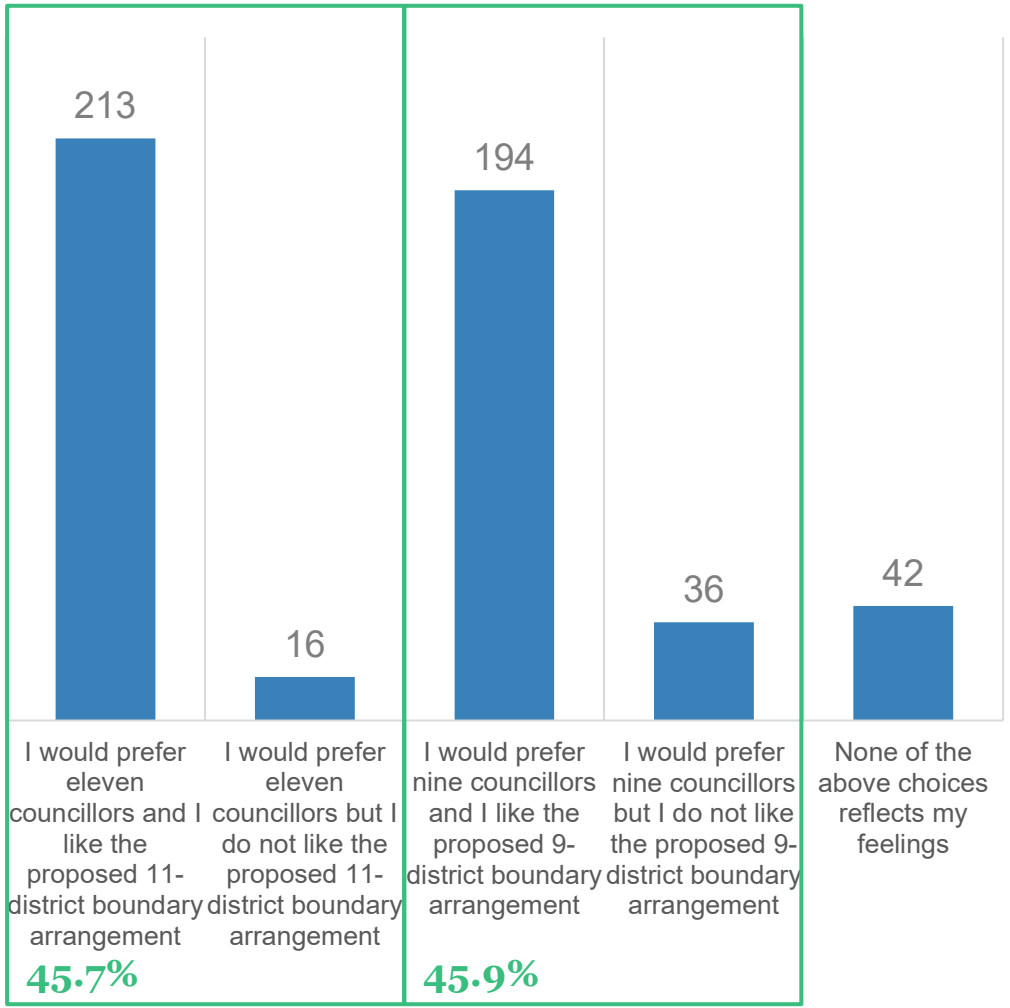
Boundary Preferences

- **Survey Respondents:**
  883
- **Question Responses:**
  674 (76.3%)



Boundary Preferences

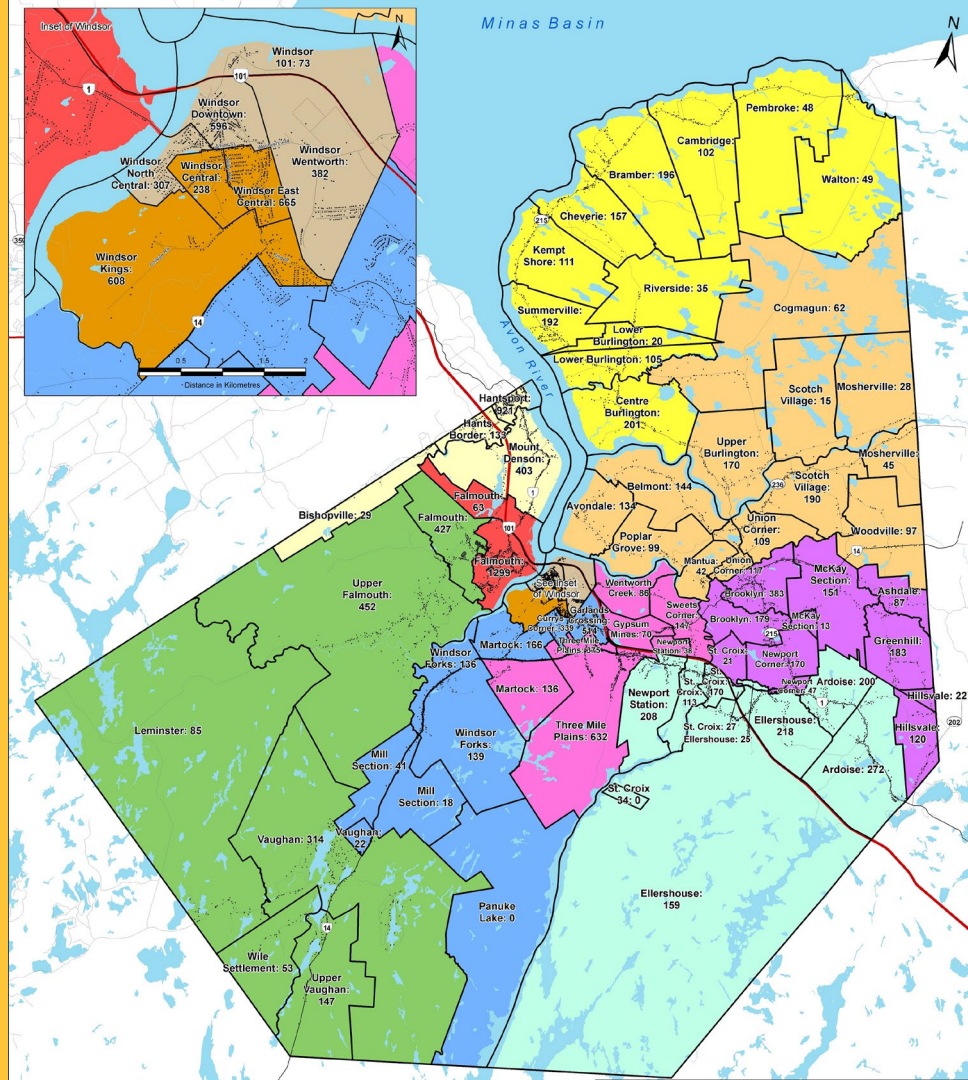
- **Survey Respondents:** 710
- **Question Responses:** 501 (70.6%)



11-District Scenario

Proposed 11 Districts

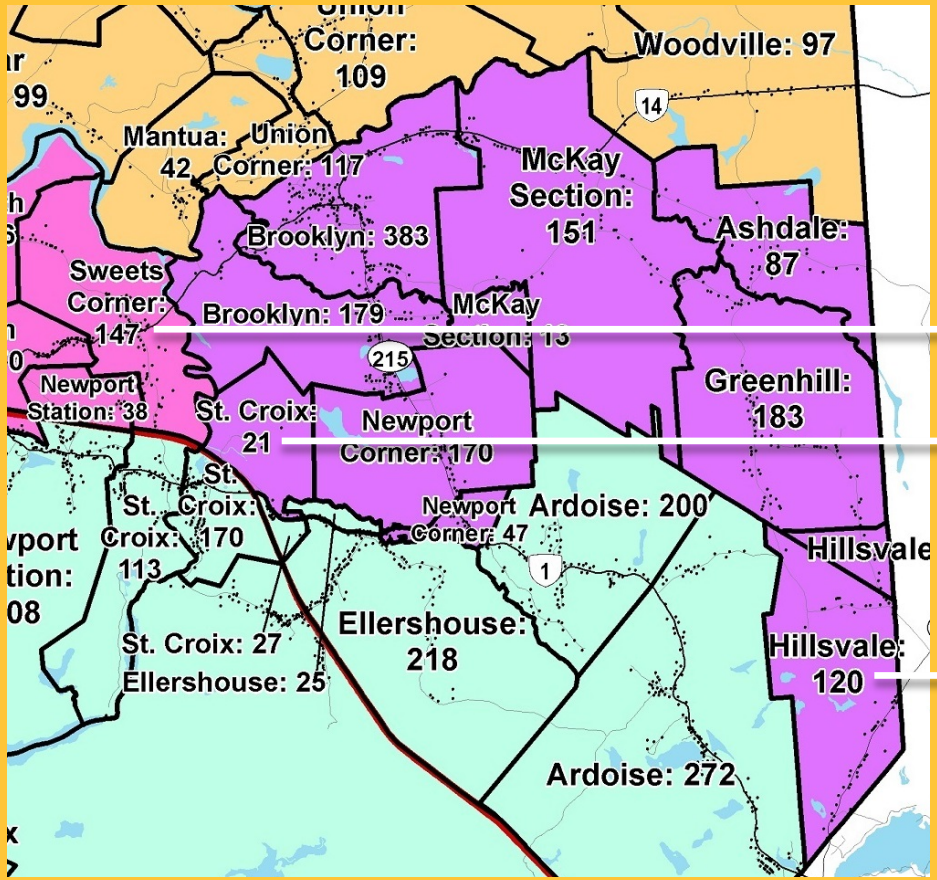
Proposed District	Electors	Variation from Average	
		Number	%
1	1,216	-174	-12.5%
2	1,252	-138	-9.9%
3	1,376	-14	-1.0%
4	1,392	2	0.1%
5	1,484	94	6.8%
6	1,375	-15	-1.1%
7	1,478	88	6.3%
8	1,486	96	6.9%
9	1,362	-28	-2.0%
10	1,358	-32	-2.3%
11	1,511	121	8.7%
TOTAL	**15,290**		
Average	**1,390**		

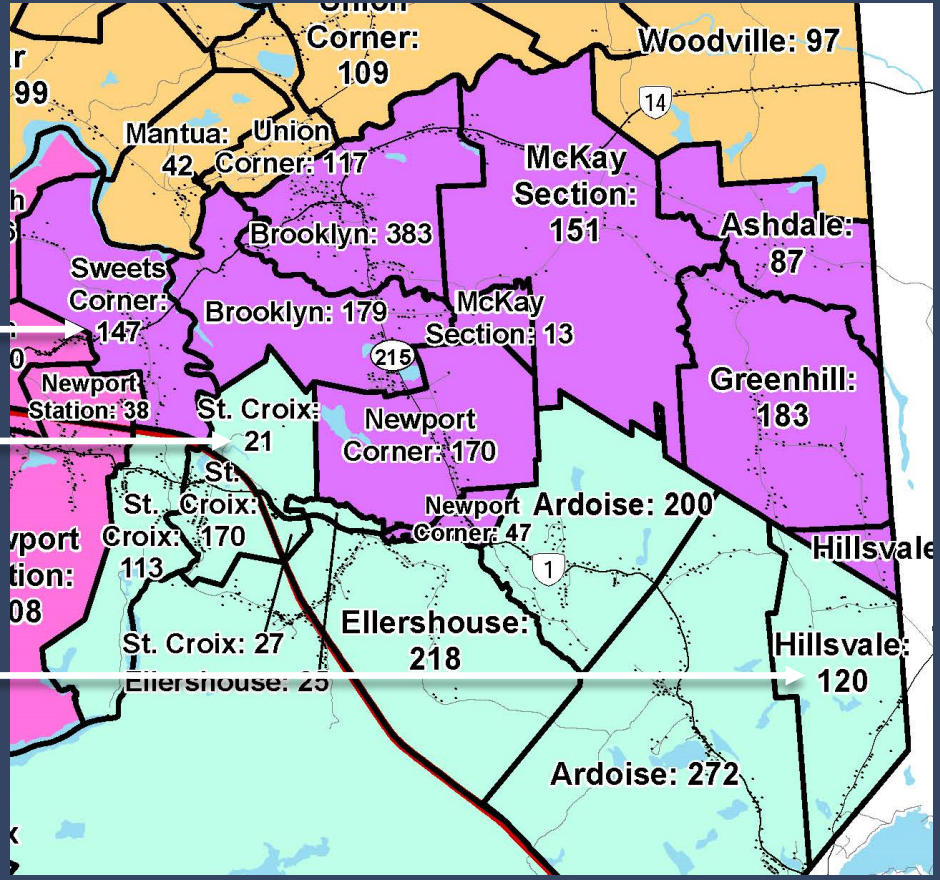


11-district Changes

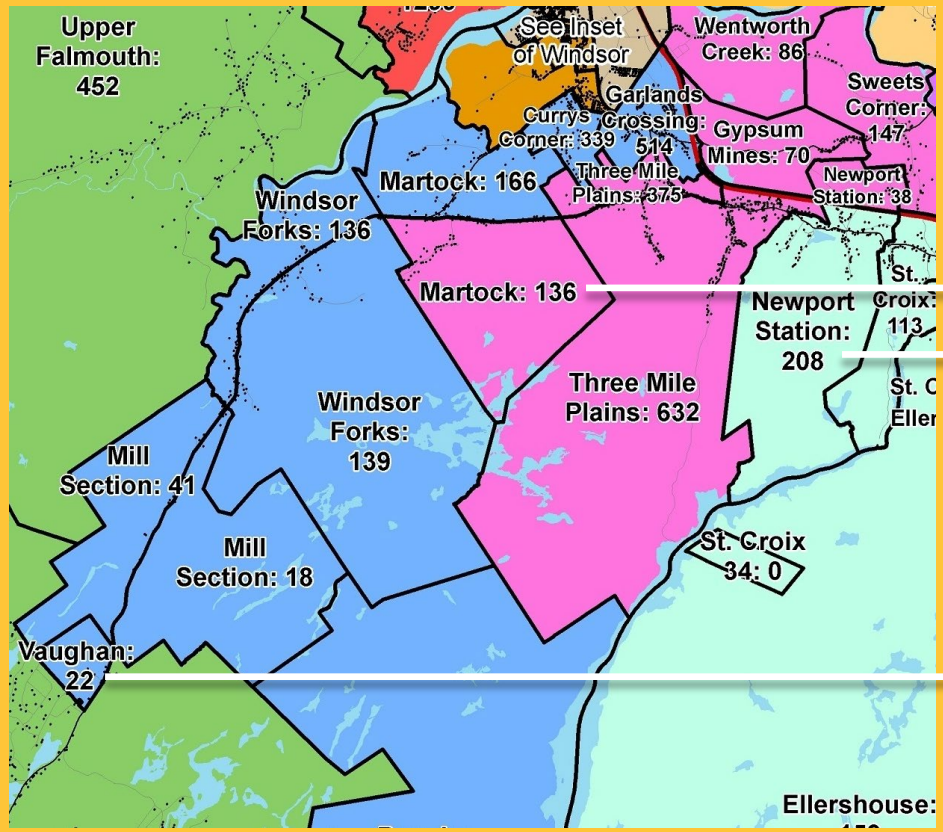
- *District 3* – Added Sweets Corner (147 electors) from proposed District 5
- *District 4* – Added the portion of Hillsvale currently in West Hants District 4 (120 electors) and the portion of St. Croix previously in proposed District 3 (21 electors), which brings all of St. Croix into the same district
- *District 5* – Added the larger portion of Newport Station (208 electors) south of Highway 101 to bring all of Newport Station into the same district and balance its loss of Sweets Corners to proposed District 3
- *District 6* – Added Martock south of Highway 1 (136 electors) to unify Martock in one district
- District 7 – Added a small area of Vaughan from proposed District 6 to unify Vaughan
- *District 8* – Added Falmouth area northeast of Highway 101, (38 electors) to create a stronger boundary between proposed Districts 8 and 9 at the 101

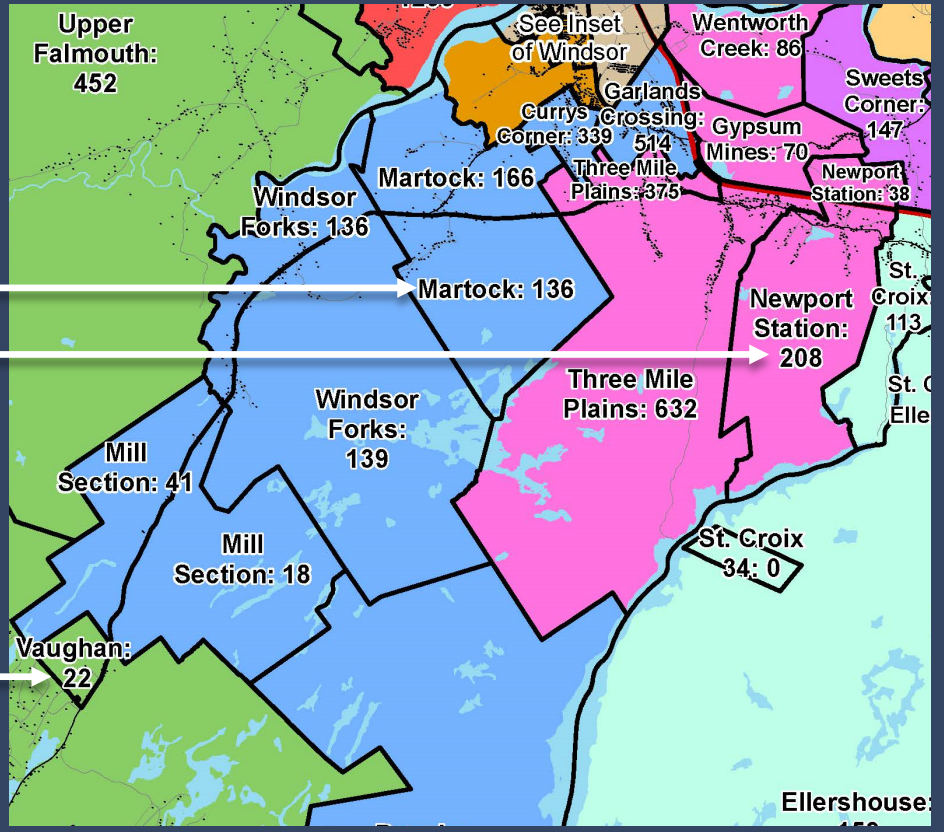
Districts 3 and 4



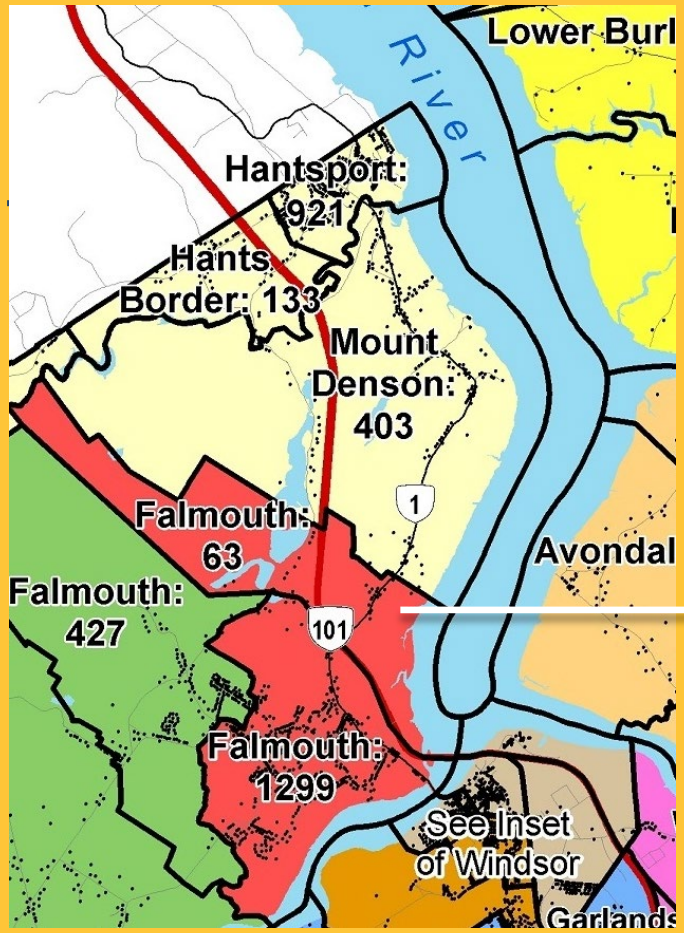


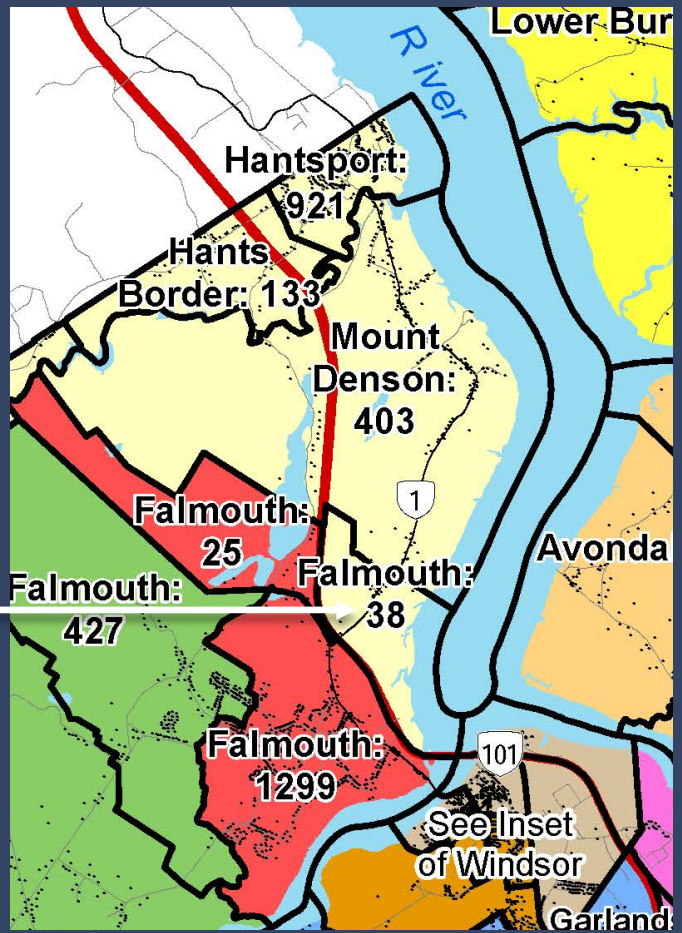
Districts 5, 6 and 7





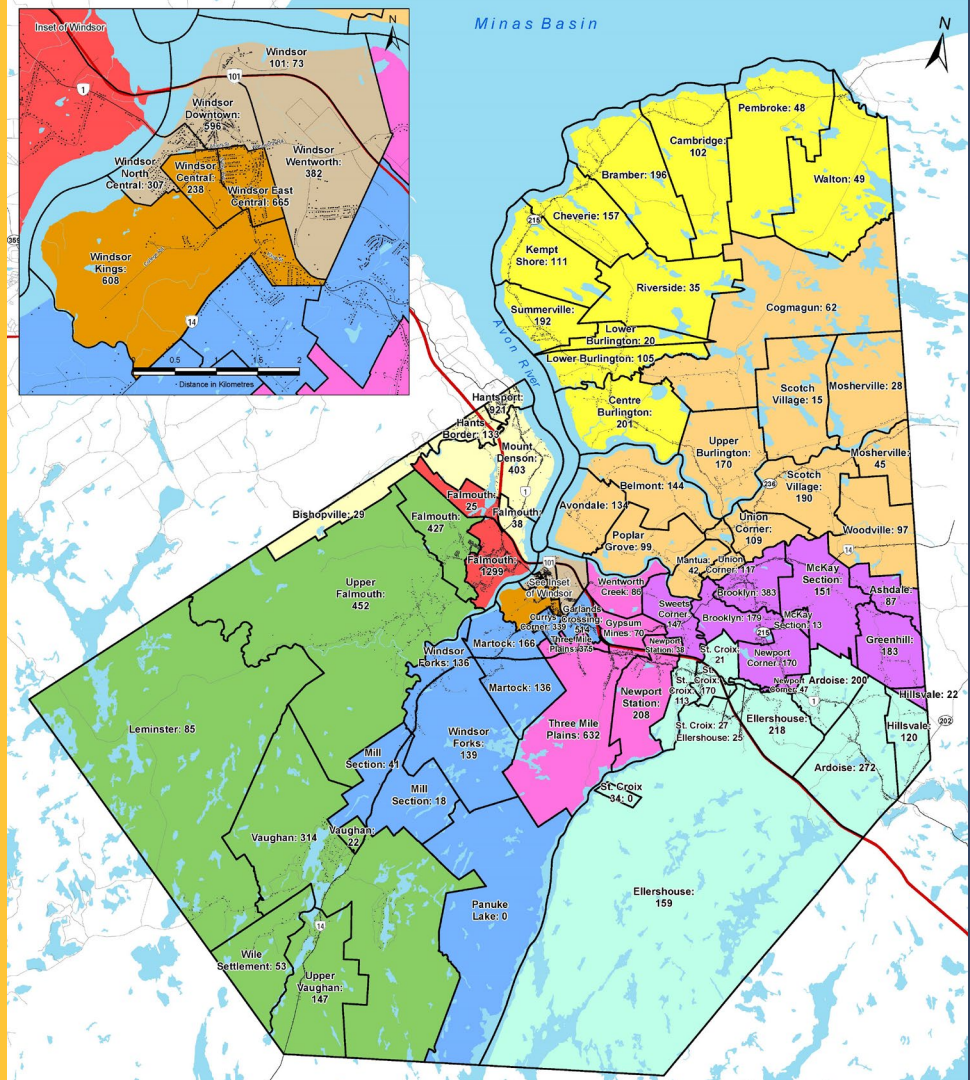
District 8


River
Lower Burl
Hantsport:
921
Hants
Border: 133
Mount
Denson:
403
1
Falmouth:
63
Avondal
Falmouth:
427
101
Falmouth:
1299
See Inset
of Windsor
Garlands


River
Lower Bur
Hantsport:
921
Hants
Border: 133
Mount
Denson:
403
1
Falmouth:
25
Falmouth:
38
Avonda
Falmouth:
427
Falmouth:
1299
101
See Inset
of Windsor
Garland

Revised 11 Districts

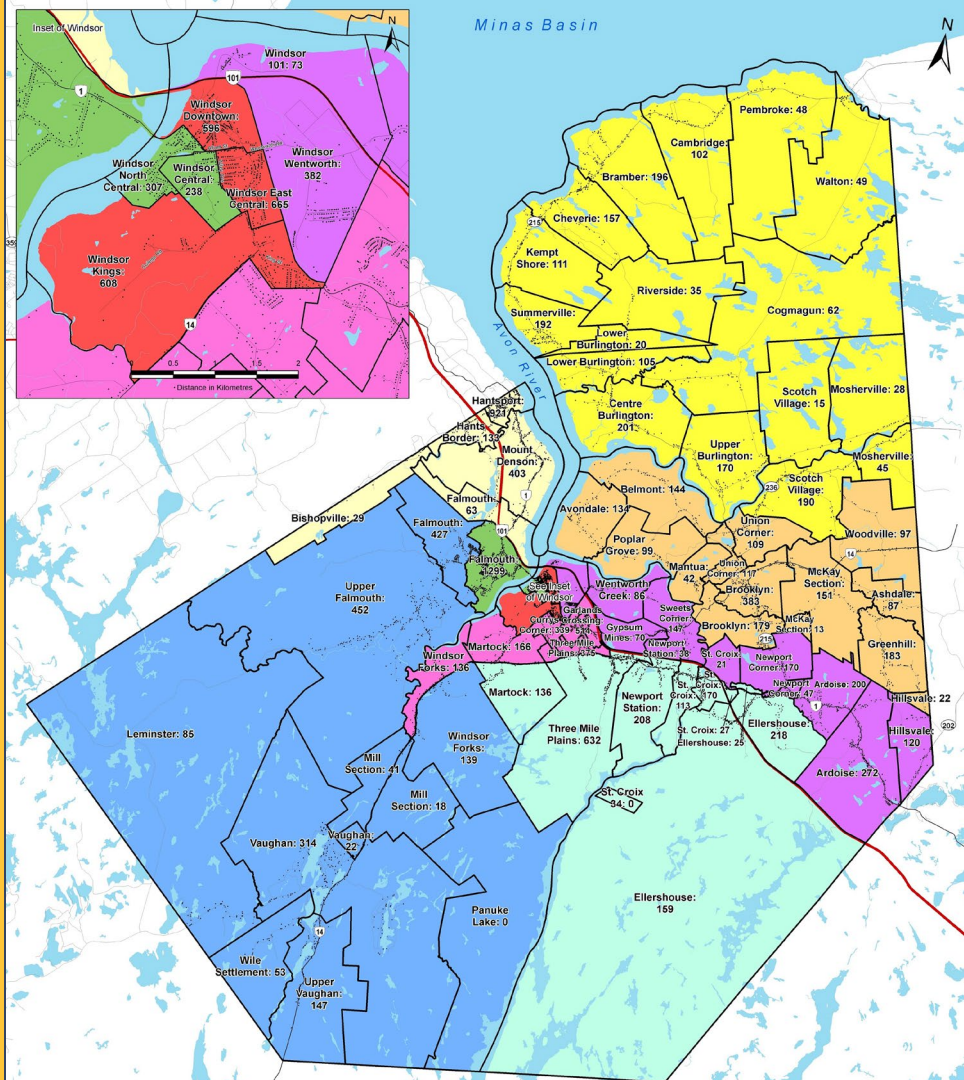
Proposed District	Electors	Variation from Average	
		Number	%
1	1,216	-174	-12.5%
2	1,252	-138	-9.9%
3	1,382	-8	-0.6%
4	1,325	-65	-4.7%
5	1,409	-19	-1.4%
6	1,489	99	7.1%
7	1,500	110	7.9%
8	1,524	134	9.6%
9	1,324	-66	-4.7%
10	1,358	-32	-2.3%
11	1,511	121	8.7%
TOTAL	**15,290**		
Average	**1,390**		



9-District Scenario

Proposed 9 Districts

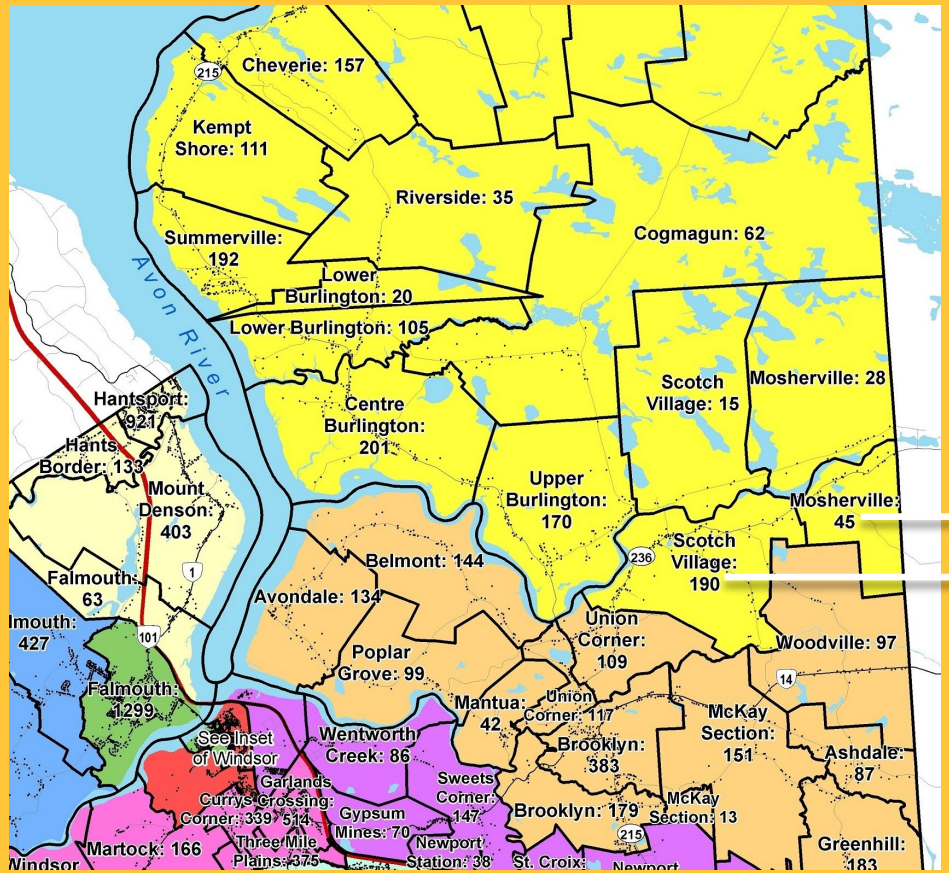
Proposed District	Electors	Variation from Average	
		Number	%
1	1,726	27	1.6%
2	1,760	61	3.6%
3	1,588	-111	-6.5%
4	1,726	27	1.6%
5	1,530	-169	-9.9%
6	1,698	-1	-0.1%
7	1,844	145	8.5%
8	1,549	-150	-8.8%
9	1,869	170	10.0%
TOTAL	**15,290**		
Average	**1,699**		

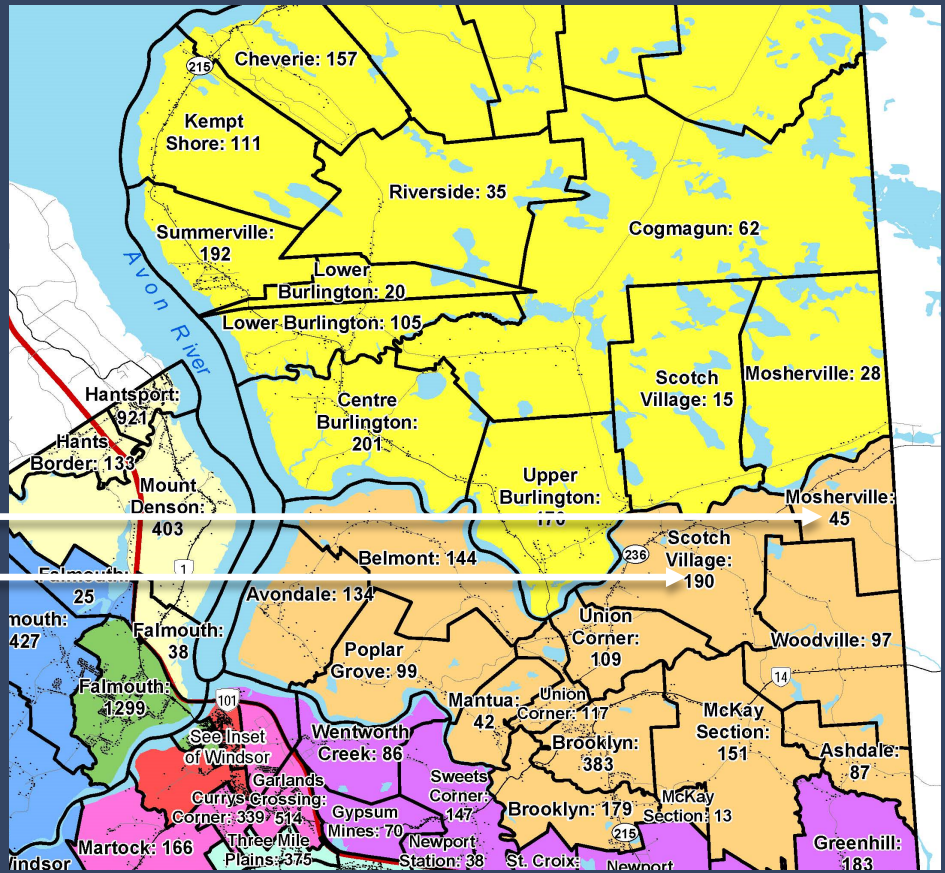


9-district Changes

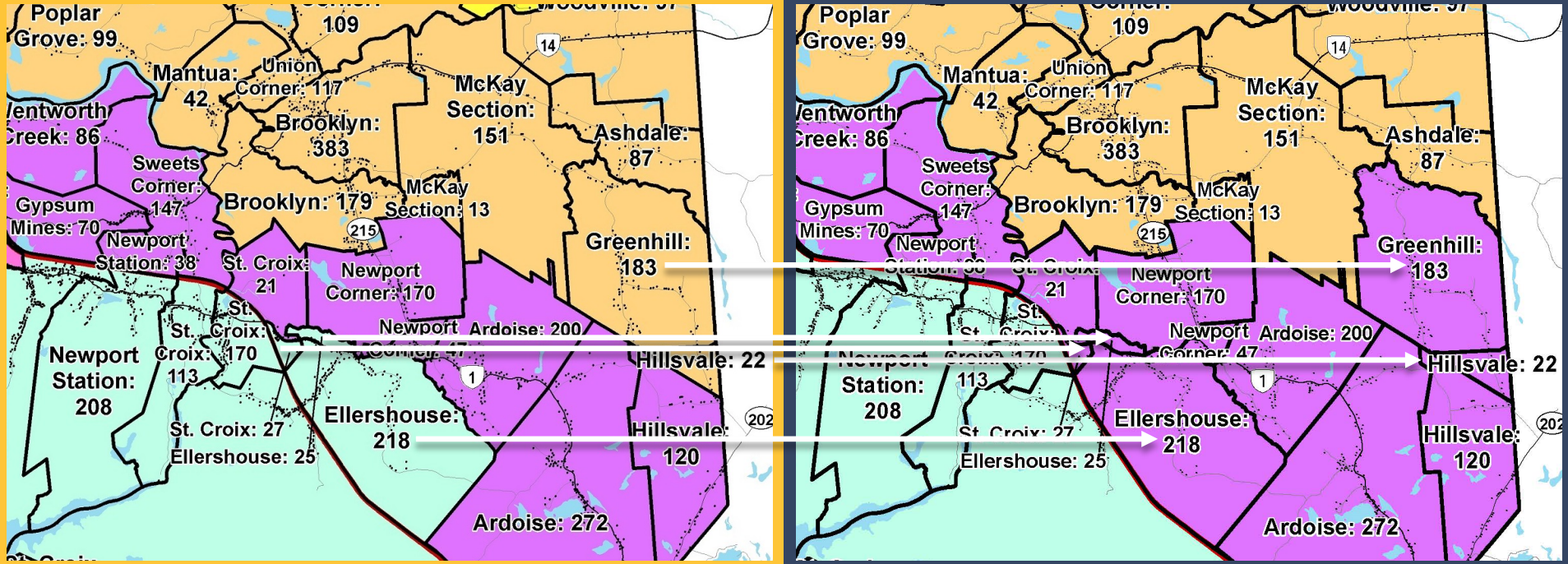
- *District 2* – Added 196 electors from Scotch Village and Mosherville south of the Kennetcook River
- *District 3* – Portions of Ellershouse and St. Croix north of the101, as well as Greenhill and the portion of Hillsvale now in West Hants District 3 (475 electors total) were brought into the district
- *District 4* – The area of Three Mile Plains north of Highway 1 (375 electors) was added to compensate for losses to District 3 and unify Three Mile Plains in proposed District 4
- *District 5* – Martock south of Route 14 (136 electors) added to unify Martock and balance the loss of Windsor Forks (136 electors). Wentworth Road in Windsor (382 electors) also added to make up for the loss of Three Mile Plains
- *District 6* – Added the area of Windsor Forks north of Route 14 (136 electors) and the northern-most area of Falmouth (25 electors)
- *District 8* – Subtracted the northern-most area of Falmouth (25 electors), which is to the west of Highway 101

Districts 1 and 2

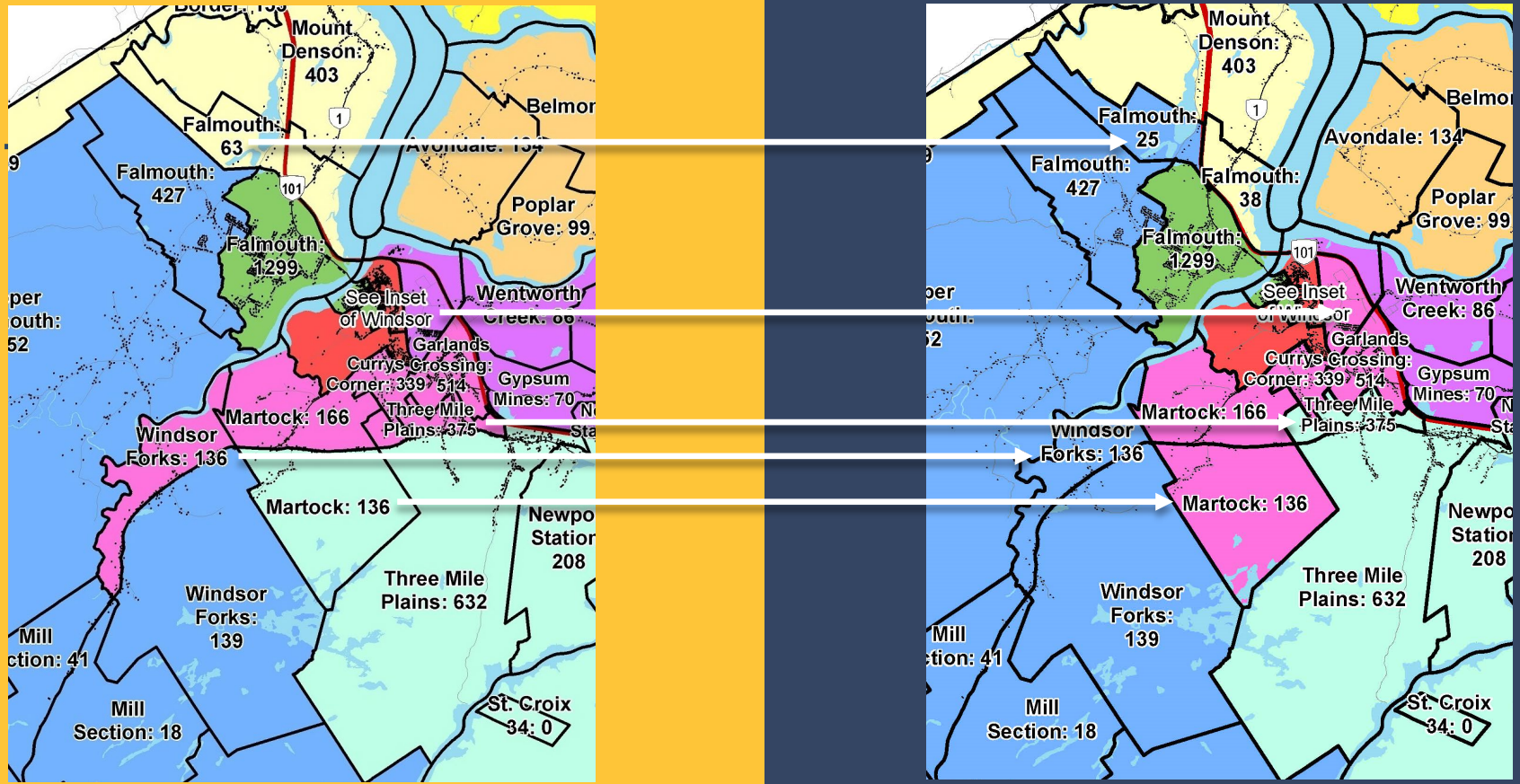




Districts 3 and 4

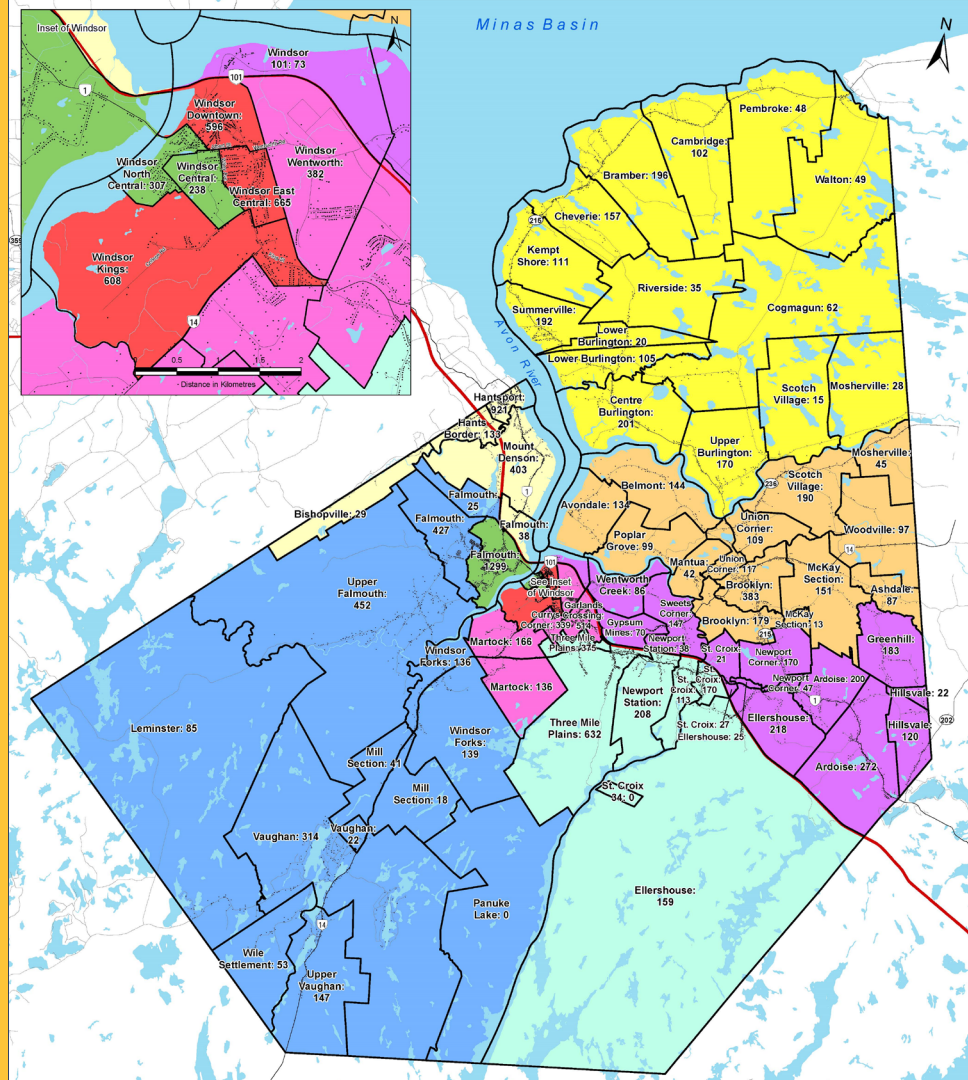


Districts 4, 5 and 6



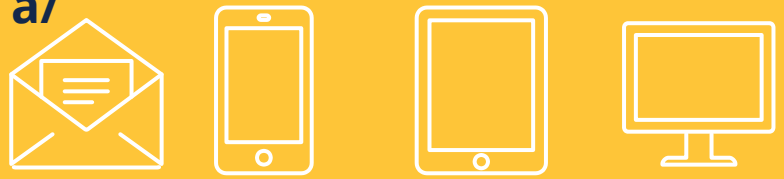
Revised 9 Districts

Proposed District	Electors	Variation from Average	
		Number	%
1	1,491	-208	-12.2%
2	1,790	91	5.4%
3	1,719	20	1.2%
4	1,657	-42	-2.5%
5	1,537	-162	-9.5%
6	1,859	160	9.4%
7	1,844	145	8.5%
8	1,524	-175	-10.3%
9	1,869	170	10.0%
TOTAL	**15,290**		
Average	**1,699**		



Contact us

https://www.strongerregion.ca/



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Stantec Consulting Ltd.
902-481-1477
John.Heseltine@stantec.com

Stantec

102 – 40 Highfield Park Drive
Dartmouth, NS B3A 0A3
902-468-7777
www.stantec.com

2021
WHRM population
19,509

Statistics Canada Statistique Canada

Census Profile, 2021 Census of Population

Profile table

Characteristic	West Hants, Rural municipality (RM) Nova Scotia [Census subdivision]		
	Counts		
	Total	Men +	Women +
Population and dwellings			
Population, 2021 [1]	19,509	... (not applicable)	... (not applicable)
Population, 2016 [1]	19,016 r (revised)	... (not applicable)	... (not applicable)
Population percentage change, 2016 to 2021	2.6	... (not applicable)	... (not applicable)
Total private dwellings [2]	9,136	... (not applicable)	... (not applicable)
Private dwellings occupied by usual residents [3]	8,374	... (not applicable)	... (not applicable)
Population density per square kilometre	15.6	... (not applicable)	... (not applicable)
Land area in square kilometres	1,250.50	... (not applicable)	... (not applicable)
Age characteristics			
Total - Age groups of the population - 100% data	19,510	9,460	10,055
0 to 14 years	2,835	1,460	1,380
0 to 4 years	805	395	405
5 to 9 years	1,000	515	490
10 to 14 years	1,035	550	480
15 to 64 years	11,194 11,870	- 676 5,780	6,085
15 to 19 years ÷ 1/3	18+338 1,015	505	505
20 to 24 years	820	425	400
25 to 29 years	845	405	440
30 to 34 years	1,030	500	535
35 to 39 years	1,065	510	550
40 to 44 years	1,125	535	590
45 to 49 years	1,270	595	675
50 to 54 years	1,310	650	660
55 to 59 years	1,720	855	865
60 to 64 years	1,675	805	865
65 years and over	5340 ~~4,810~~	2,215	2,590
65 to 69 years	1,460	725	740
70 to 74 years	1,300	600	700
75 to 79 years	900	415	480
80 to 84 years	615	290	325
85 years and over	530	185	345

West Hants, Rural municipality (RM)
Nova Scotia
[Census subdivision]

Counts

Characteristic	Total	Men +	Women +
85 to 89 years	315	125	195
90 to 94 years	170	55	110
95 to 99 years	40	10	35
100 years and over	10	0	5
Total - Distribution (%) of the population by broad age groups - 100% data	100.0	100.0	100.0
0 to 14 years	14.5	15.4	13.7
15 to 64 years	60.8	61.1	60.5
65 years and over	24.7	23.4	25.8
85 years and over	2.7	2.0	3.4
Average age of the population	45.9	45.1	46.8
Median age of the population	48.8	48.0	49.6
Household and dwelling characteristics			
Total - Occupied private dwellings by structural type of dwelling - 100% data	8,370	... (not applicable)	... (not applicable)
Single-detached house	6,675	... (not applicable)	... (not applicable)
Semi-detached house	220	... (not applicable)	... (not applicable)
Row house	70	... (not applicable)	... (not applicable)
Apartment or flat in a duplex	125	... (not applicable)	... (not applicable)
Apartment in a building that has fewer than five storeys	755	... (not applicable)	... (not applicable)
Apartment in a building that has five or more storeys	0	... (not applicable)	... (not applicable)
Other single-attached house	20	... (not applicable)	... (not applicable)
Movable dwelling [4]	510	... (not applicable)	... (not applicable)
Total - Private households by household size - 100% data	8,375	... (not applicable)	... (not applicable)
1 person	2,340	... (not applicable)	... (not applicable)
2 persons	3,420	... (not applicable)	... (not applicable)
3 persons	1,175	... (not applicable)	... (not applicable)
4 persons	975	... (not applicable)	... (not applicable)
5 or more persons	460	... (not applicable)	... (not applicable)
Number of persons in private households	19,125	9,335	9,790
Average household size	2.3	... (not applicable)	... (not applicable)

Symbol legend

... not applicable

[r] revised

Source: Statistics Canada, 2021 Census of Population.

How to cite: Statistics Canada. 2022. (table). *Census Profile*. 2021 Census of Population. Statistics Canada Catalogue no. (number) 98-316-X2021001. Ottawa. Released April 27, 2022. https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/index.cfm?Lang=E (accessed June 7, 2022).

Note(s):

Footnote 1

2021 and 2016 population

Statistics Canada is committed to protect the privacy of all Canadians and the confidentiality of the data they provide to us. As part of this commitment, some population counts of geographic areas are adjusted in order to ensure confidentiality.

The adjustment to counts of the total population for any dissemination block is controlled to ensure that the population counts for dissemination areas will always be within 5 of the actual values. The adjustment has no impact on the population counts of census divisions and large census subdivisions.

Footnote 2

Total private dwellings

Private dwelling refers to a separate set of living quarters with a private entrance either from outside the building or from a common hall, lobby, vestibule or stairway inside the building. The entrance to the dwelling must be one that can be used without passing through the living quarters of some other person or group of persons.

Footnote 3

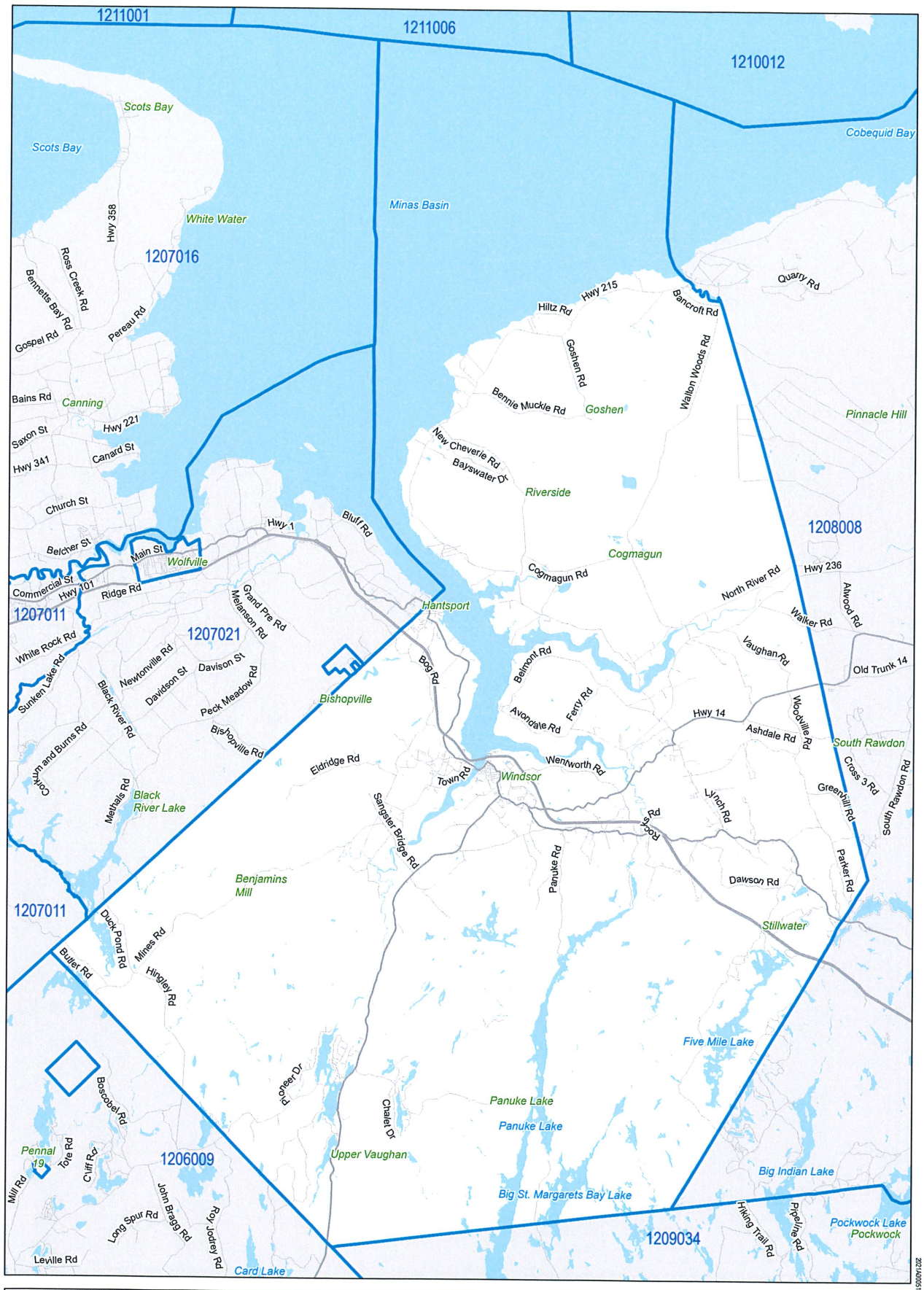
Private dwellings occupied by usual residents

A private dwelling occupied by usual residents refers to a private dwelling in which a person or a group of persons is permanently residing. Also included are private dwellings whose usual residents are temporarily absent on May 11, 2021.

Footnote 4

The category 'Movable dwelling' includes mobile homes and other movable dwellings such as houseboats, recreational vehicles and railroad cars.

Date modified:
2022-04-26



Census Subdivision
Subdivision de recensement

1208003

Nova Scotia
Nouvelle-Écosse

CSD Name / Nom de la SDR:
West Hants, RM

1208003 Census Subdivision / Subdivision de recensement
Province / Territory / Province / Territoire
Road / Highway / Route / Autoroute
Hydrography / Hydrographie
Name / Nom — Place name / Nom de localité

N

1 : 185 313

0 2.5 5 km

Lambert Conformal Conic Projection
Standard parallels: 44° 01' 45" N and 45° 35' 18" N
Central meridian: 63° 01' 42" W
Latitude of origin: 45° 18' 32" N

Projection conique conforme de Lambert
Parallèles standards : 44° 01' 45" N et 45° 35' 18" N
Méridien central : 63° 01' 42" O
Latitude d'origine : 45° 18' 32" N

Sources: Statistics Canada, Census of Population, 2021; Hydrography from Natural Resources Canada, Topographic Data of Canada, CanVec, 2019

Sources: Statistique Canada, Recensement de la population, 2021; Hydrographie de Ressources naturelles Canada, Données topographiques du Canada, CanVec, 2019

Statistics Canada Statistique Canada

Canada

Map date / Date de la carte 11 09 2021

2021A0005208003

2016 Windsor & West Hants Population - 19,016

Census Profile, 2016 Census

Windsor, Town [Census subdivision], Nova Scotia and West Hants, Municipal district [Census subdivision], Nova Scotia

Characteristic	Windsor, T (Town) Nova Scotia [Census subdivision]			West Hants, MD (Municipal district) Nova Scotia [Census subdivision]		
	Total	Male	Female	Total	Male	Female
	Counts (unless otherwise specified)					
Population and dwellings						
Population, 2016 [1]	3,648	...(not applicable)	...(not applicable)	15,368	...(not applicable)	...(not applicable)
Population, 2011 [1]	3,785	...(not applicable)	...(not applicable)	15,324[r] (revised. The 2011 count for this area has been revised.)	...(not applicable)	...(not applicable)
Population percentage change, 2011 to 2016	-3.6	...(not applicable)	...(not applicable)	0.3	...(not applicable)	...(not applicable)
Total private dwellings [2]	1,715	...(not applicable)	...(not applicable)	7,175	...(not applicable)	...(not applicable)
Private dwellings occupied by usual residents [3]	1,586	...(not applicable)	...(not applicable)	6,426	...(not applicable)	...(not applicable)
Population density per square kilometre	400.6	...(not applicable)	...(not applicable)	12.4	...(not applicable)	...(not applicable)
Land area in square kilometres	9.11	...(not applicable)	...(not applicable)	1,244.09	...(not applicable)	...(not applicable)
Age characteristics						
Total - Age groups and average age of the population - 100% data [4]	3,650	1,635	2,010	15,370	7,580	7,790
0 to 14 years	510	275	235	2,435	1,240	1,190
0 to 4 years	180	100	80	760	385	375
5 to 9 years	155	90	65	810	445	370
10 to 14 years	175	85	85	855	405	445
15 to 64 years	2,095	975	1,120	9,965	4,910	5,055
15 to 19 years 185 85	255	125	125	860	450	405
20 to 24 years	155	70	85	650	325	315
25 to 29 years	170	85	80	725	355	365
30 to 34 years	150	70	85	790	385	400
35 to 39 years	165	70	95	855	410	445
40 to 44 years	195	80	115	1,050	490	565
45 to 49 years	215	100	110	1,060	515	540
50 to 54 years	270	130	140	1,375	680	690
55 to 59 years	240	105	140	1,355	660	690
60 to 64 years	275	135	140	1,255	620	630
65 years and over	1,045	385	660	2,970	1,430	1,545
65 to 69 years	240	105	130	1,065	530	540
70 to 74 years	190	85	100	810	390	415
75 to 79 years	175	65	105	545	265	285
80 to 84 years	170	55	115	320	155	170

	Windsor, T (Town) Nova Scotia [Census subdivision]			West Hants, MD (Municipal district) Nova Scotia [Census subdivision]		
	Total	Male	Female	Total	Male	Female
Characteristic	Counts (unless otherwise specified)					
85 years and over	280	75	205	235	100	135
85 to 89 years	155	40	110	160	75	90
90 to 94 years	85	25	65	65	20	45
95 to 99 years	30	10	20	5	0	10
100 years and over	10	0	10	0	0	0
Total - Distribution (%) of the population by broad age groups - 100% data	100.0	100.0	100.0	100.0	100.0	100.0
0 to 14 years	14.0	16.8	11.7	15.8	16.4	15.3
15 to 64 years	57.4	59.6	55.7	64.8	64.8	64.9
65 years and over	28.6	23.5	32.8	19.3	18.9	19.8
85 years and over	7.7	4.6	10.2	1.5	1.3	1.7
Average age of the population	47.6	44.1	50.4	43.5	43.0	44.1
Median age of the population	50.2	46.7	52.5	46.6	46.2	46.9
Household and dwelling characteristics						
Total - Occupied private dwellings by structural type of dwelling - 100% data [5]	1,585	... (not applicable)	... (not applicable)	6,425	... (not applicable)	... (not applicable)
Single-detached house	770	... (not applicable)	... (not applicable)	5,750	... (not applicable)	... (not applicable)
Apartment in a building that has five or more storeys	0	... (not applicable)	... (not applicable)	0	... (not applicable)	... (not applicable)
Other attached dwelling [6]	815	... (not applicable)	... (not applicable)	320	... (not applicable)	... (not applicable)
Semi-detached house	115	... (not applicable)	... (not applicable)	65	... (not applicable)	... (not applicable)
Row house	45	... (not applicable)	... (not applicable)	25	... (not applicable)	... (not applicable)
Apartment or flat in a duplex	40	... (not applicable)	... (not applicable)	55	... (not applicable)	... (not applicable)
Apartment in a building that has fewer than five storeys	600	... (not applicable)	... (not applicable)	165	... (not applicable)	... (not applicable)
Other single-attached house	20	... (not applicable)	... (not applicable)	10	... (not applicable)	... (not applicable)
Movable dwelling [7]	0	... (not applicable)	... (not applicable)	360	... (not applicable)	... (not applicable)
Total - Private households by household size - 100% data [8]	1,590	... (not applicable)	... (not applicable)	6,425	... (not applicable)	... (not applicable)
1 person	660	... (not applicable)	... (not applicable)	1,470	... (not applicable)	... (not applicable)
2 persons	525	... (not applicable)	... (not applicable)	2,700	... (not applicable)	... (not applicable)
3 persons	195	... (not applicable)	... (not applicable)	1,035	... (not applicable)	... (not applicable)
4 persons	140	... (not applicable)	... (not applicable)	865	... (not applicable)	... (not applicable)
5 or more persons	65	... (not applicable)	... (not applicable)	355	... (not applicable)	... (not applicable)
Number of persons in private households	3,205	... (not applicable)	... (not applicable)	15,345	... (not applicable)	... (not applicable)
Average household size	2.0	... (not applicable)	... (not applicable)	2.4	... (not applicable)	... (not applicable)
Marital status						
Total - Marital status for the population aged 15 years and over - 100% data [9]	3,140	1,360	1,780	12,935	6,335	6,600
Married or living common law	1,450	715	735	8,535	4,255	4,285

Characteristic	Windsor, T (Town) Nova Scotia [Census subdivision]			West Hants, MD (Municipal district) Nova Scotia [Census subdivision]		
	Total	Male	Female	Total	Male	Female
	Counts (unless otherwise specified)					
Married	1,110	555	560	6,880	3,430	3,445
Living common law	335	165	175	1,660	825	830
Not married and not living common law	1,690	645	1,045	4,400	2,080	2,320
Never married	845	425	420	2,565	1,415	1,150
Separated	125	45	80	335	155	180
Divorced	275	90	185	735	340	400
Widowed	445	85	360	765	175	590
Family characteristics						
Total - Census families in private households by family size - 100% data [10]	910	... (not applicable)	... (not applicable)	4,925	... (not applicable)	... (not applicable)
2 persons	550	... (not applicable)	... (not applicable)	2,860	... (not applicable)	... (not applicable)
3 persons	190	... (not applicable)	... (not applicable)	1,000	... (not applicable)	... (not applicable)
4 persons	125	... (not applicable)	... (not applicable)	805	... (not applicable)	... (not applicable)
5 or more persons	45	... (not applicable)	... (not applicable)	255	... (not applicable)	... (not applicable)
Average size of census families	2.7	... (not applicable)	... (not applicable)	2.7	... (not applicable)	... (not applicable)
Total number of census families in private households - 100% data [11]	910	... (not applicable)	... (not applicable)	4,925	... (not applicable)	... (not applicable)
Total couple families	685	... (not applicable)	... (not applicable)	4,250	... (not applicable)	... (not applicable)
Married couples	510	... (not applicable)	... (not applicable)	3,420	... (not applicable)	... (not applicable)
Common-law couples	170	... (not applicable)	... (not applicable)	830	... (not applicable)	... (not applicable)
Total lone-parent families by sex of parent	225	... (not applicable)	... (not applicable)	675	... (not applicable)	... (not applicable)
Female parent	195	... (not applicable)	... (not applicable)	520	... (not applicable)	... (not applicable)
Male parent	30	... (not applicable)	... (not applicable)	155	... (not applicable)	... (not applicable)
Total - Couple census families in private households - 100% data	685	... (not applicable)	... (not applicable)	4,250	... (not applicable)	... (not applicable)
Couples without children	405	... (not applicable)	... (not applicable)	2,425	... (not applicable)	... (not applicable)
Couples with children	270	... (not applicable)	... (not applicable)	1,825	... (not applicable)	... (not applicable)
1 child	125	... (not applicable)	... (not applicable)	830	... (not applicable)	... (not applicable)
2 children	105	... (not applicable)	... (not applicable)	750	... (not applicable)	... (not applicable)
3 or more children	45	... (not applicable)	... (not applicable)	245	... (not applicable)	... (not applicable)
Total - Lone-parent census families in private households - 100% data	225	... (not applicable)	... (not applicable)	675	... (not applicable)	... (not applicable)
1 child	140	... (not applicable)	... (not applicable)	440	... (not applicable)	... (not applicable)
2 children	60	... (not applicable)	... (not applicable)	165	... (not applicable)	... (not applicable)
3 or more children	25	... (not applicable)	... (not applicable)	70	... (not applicable)	... (not applicable)

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ✓	Councillor Activity ☐

To: Council

Submitted by: Mark Phillips, Chief Administrative Officer

Date: May 12, 2022

Subject: Boundary Review 2022

LEGISLATIVE AUTHORITY

Municipal Government Act sections 368 and 369
Nova Scotia Utility and Review Board Rules of Practice and Procedure Respecting Municipal Government Act Proceedings
Municipal Elections Act

RECOMMENDATION or DECISION REQUEST

That Council reflect on the current number of Councillors and boundaries of its polling districts and governance structure and determine if they choose to maintain the current structure or would like to consider an alternative Council make up.

Currently:

1 x Mayor elected at large

11 x Councillors in 11 Districts

The NSUARB recommend the following initial two steps be followed in this review process.

Step #1

That Council discuss the number of Councillors and polling districts (size of Council).

Step #2

Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social	Economic	Councillor Activity ☐

Every eight (8) years in accordance with the Municipal Government Act, municipalities are required to review their electoral boundaries and sizes of Council. All municipalities in Nova Scotia do these reviews within the same year. Council's recommendation to maintain status quo or to initiate a change in the size of Council will be examined by the Nova Scotia Utility and Review Board (UARB), who will confirm or deny the recommendation.

The last review for the newly regionalized West Hants Regional Municipality was completed in 2019 by Stantec. The report was presented noting that public consultation is critical in this process and outlined the NSUARB process for Council size and boundary review.

At the February 25, 2019 Co-ordinating Committee meeting, Stantec submitted the report and recommendations on council size following consultation with the public. The surveys conducted were designed to give the Committee a feel for what the interested members of the community think. The surveys were completed on-line as well as paper copies were hand delivered or provided at a variety of locations.

Council at that time accepted the 2019-02-21 Stantec report and moved forward with the assessment of the scenarios for nine and/or eleven districts in Phase 2 of the Governance study.

At the 2019-05-06 meeting, the Co-ordinating Committee meeting a motion was made that the new region would consist of 11 Councillors elected from 11 districts and the Mayor would be elected at large.

Section 369 of the Municipal Government Act (Study of polling districts required) states:

(1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

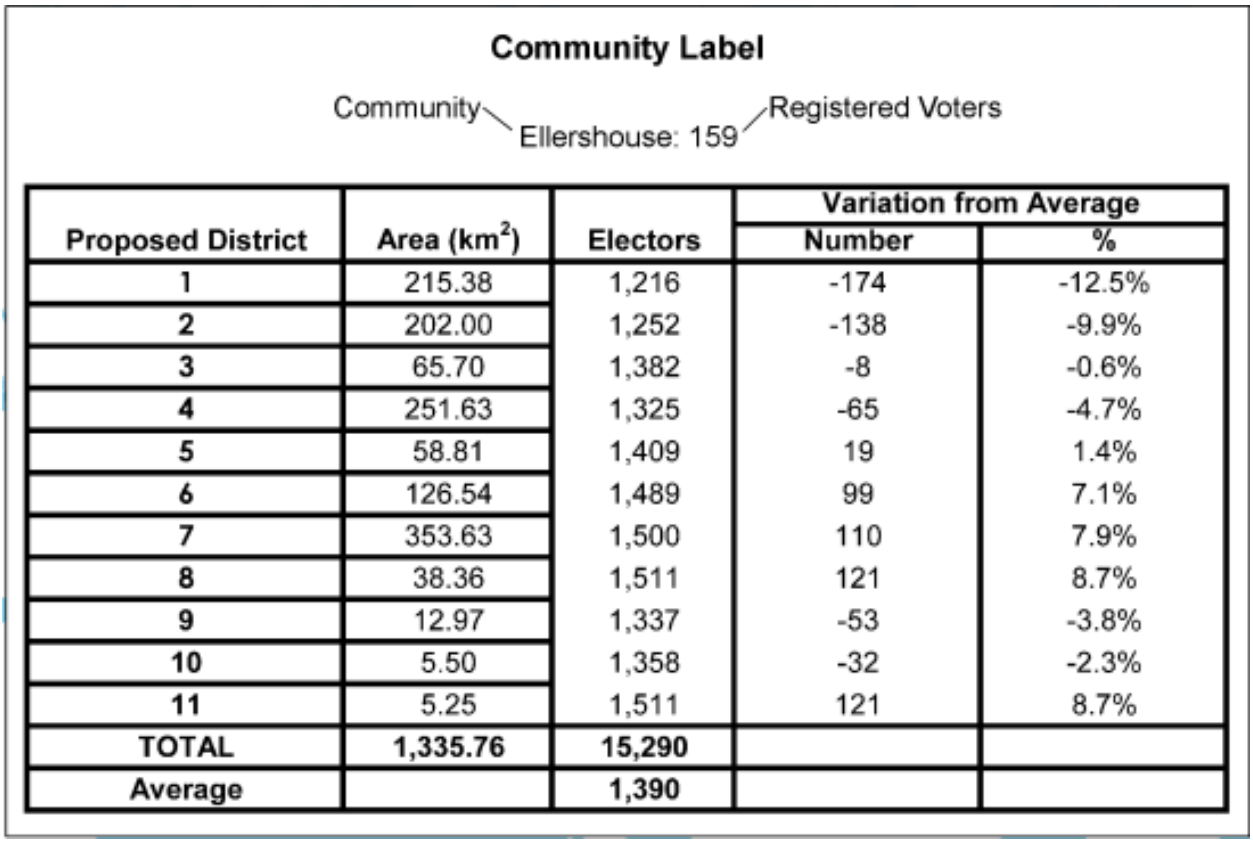
(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number of boundaries of polling districts and the number of councillors. Public Consultation "*The User Guide*," provided by the Nova Scotia Utility and Review Board ('Board' or 'NSUARB') emphasizes that Public Consultation is an inherent part of the required study. *The Guide* (Appendix A) states that the type and amount of consultation is within Council's discretion, but that it should give members of the public an opportunity to express their views on the size of their Council and the

location of boundaries for municipal polling districts. Giving the public an opportunity to provide its valuable input is a key part of the decision-making process leading to the application to the Board. Municipal Council has the authority to make the application to the Board but must complete a study. The study recommendation(s) should be evidence-based and must involve public consultation. Council may decide to engage a consultant (through a Request for Proposals (RFP), or direct Municipal staff to conduct the study in-house, or a combination of the two.

Discussion:

The West Hants Regional Municipality received correspondence from the Nova Scotia Utility and Review Board that councils of every town and municipality are required to apply to the Nova Scotia Utility and Review Board in 2022 to "confirm or to alter the number and boundaries of polling districts and the number of councillors." All councils must reflect on the number of councillors and the distribution of polling districts before making the application to the Board.

As noted above, the last boundary review, which was completed in 2019.



Proposed District	Area (km^2)	Electors	Variation from Average	
			Number	%
1	215.38	1,216	-174	-12.5%
2	202.00	1,252	-138	-9.9%
3	65.70	1,382	-8	-0.6%
4	251.63	1,325	-65	-4.7%
5	58.81	1,409	19	1.4%
6	126.54	1,489	99	7.1%
7	353.63	1,500	110	7.9%
8	38.36	1,511	121	8.7%
9	12.97	1,337	-53	-3.8%
10	5.50	1,358	-32	-2.3%
11	5.25	1,511	121	8.7%
TOTAL	**1,335.76**	**15,290**		
Average		**1,390**		

The UARB recognizes that the West Hants Regional Municipality conducted an extensive consultative process for a municipal boundary review in 2019, leading to the Board's decisions in 2020 approving the size of the new Council and polling district boundaries. However, the board does not have the jurisdiction to waive the statutory requirement for a further study and application in 2022, as set out in the statute. Subject to the public or any intervenor raising the issue of the number of councillors, the application may be limited to a consideration of polling district boundaries.

Council has the benefit of a very detailed recent reports to potentially rely on for information:

(1) Stantec: Windsor West Hants Governance Review – Council size report dated February 19, 2019, including a report on Council size and polling districts for the Region of Windsor and West Hants Municipality.

It will be important for members of Council to understand the constraints as imposed by the MGA and the Board, as well as the implications of changes to the size of Council or District Boundaries (should any be proposed). Per MGA s. 368 (4), in determining the number and boundaries of polling districts, the Board must consider the number of electors, relative parity of voting power, population density, community of interest, and geographic size. The Board expects variances for relative parity between polling districts to be within +/- 10% of the average.

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (size of Council).
- Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)
- Public Consultation (Method TBD)
- Public Consultation Report
- Staff recommendation report to Committee of the Whole
- Council recommendation
- Council approval of application to Nova Scotia Utility and Review Board

FINANCIAL IMPLICATIONS

Depending on direction from Council the required method of research and public consultation will impact costs.

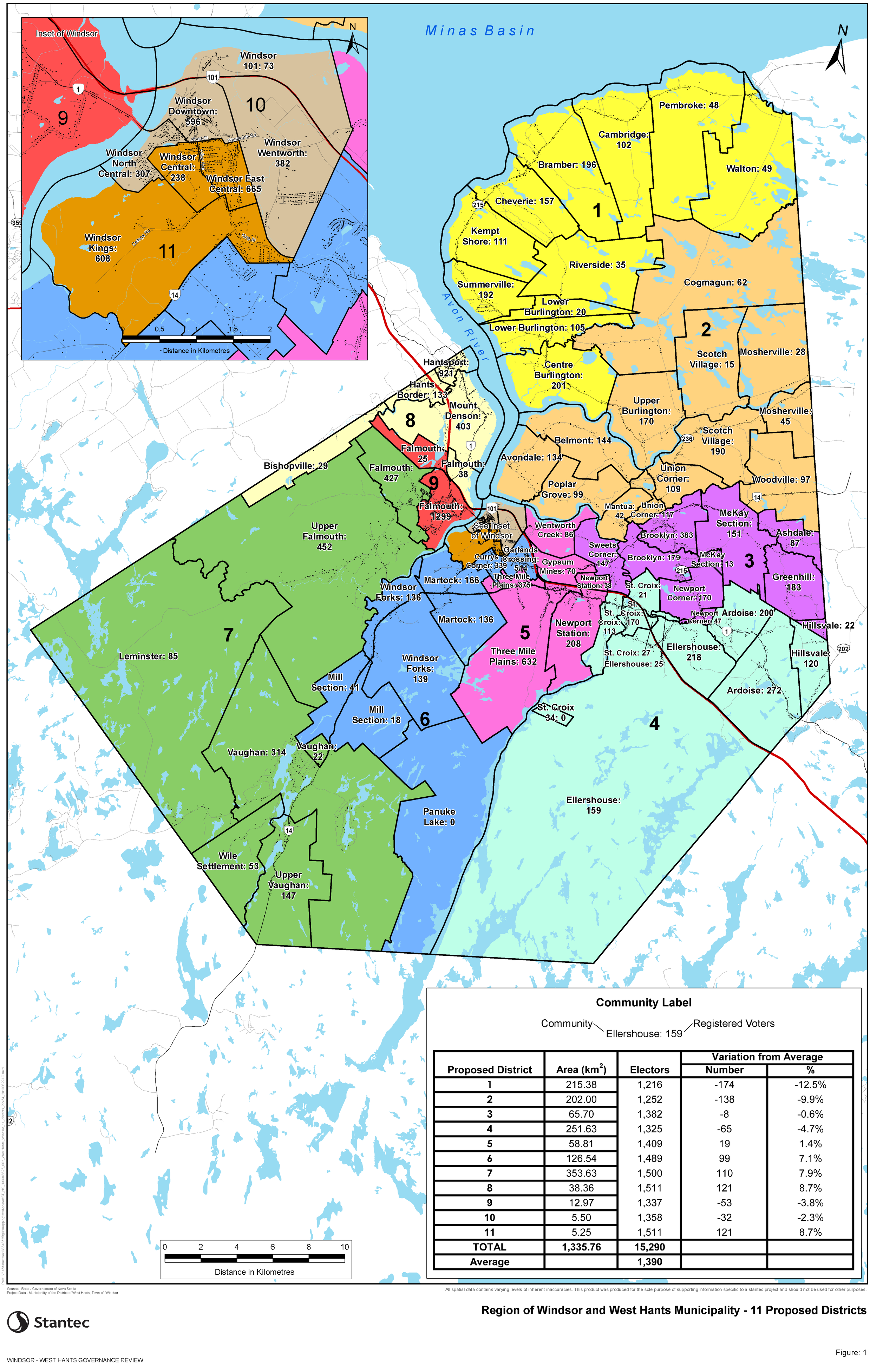
ALTERNATIVES

Option 1: Maintain current Council composition.

Option 2: Change the composition of Council.

ATTACHMENTS

Appendix A: 2021-12-10 NSUARB Letter to West Hants Regional Municipality
Appendix B: Nova Scotia Utility and Review Board User Guide
Appendix C: MGA Rules
Appendix D: Stantec Report
Appendix E: Professor Jamie Baxter's Report



Community Label

Community — Ellershouse: 159 — Registered Voters

Proposed District	Area (km^2)	Electors	Variation from Average	
			Number	%
1	215.38	1,216	-174	-12.5%
2	202.00	1,252	-138	-9.9%
3	65.70	1,382	-8	-0.6%
4	251.63	1,325	-65	-4.7%
5	58.81	1,409	19	1.4%
6	126.54	1,489	99	7.1%
7	353.63	1,500	110	7.9%
8	38.36	1,511	121	8.7%
9	12.97	1,337	-53	-3.8%
10	5.50	1,358	-32	-2.3%
11	5.25	1,511	121	8.7%
TOTAL	**1,335.76**	**15,290**		
Average		**1,390**		

Path: V:\1333\active\133346325\gis\mapping\mxd\poster\ST_NS_133346325_002_WestHants_Windsor_11_districts_22x34_20190329AC.mxd

Sources: Base - Governement of Nova Scotia
Project Data - Municipality of the District of West Hants, Town of Windsor

All spatial data contains varying levels of inherent inaccuracies. This product was produced for the sole purpose of supporting information specific to a stantec project and should not be used for other purposes.

Stantec

Region of Windsor and West Hants Municipality - 11 Proposed Districts

Nova Scotia Utility and Review Board

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PO Box 1692, Unit "M"
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board@novascotia.ca
http://nsuarb.novascotia.ca

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December 10, 2021

mphilips@westhants.ca

District of West Hants
c/o Chief Administrative Officer
PO Box 3000
Windsor, NS B0N 2T0

Dear Mr. Philips:

S. 369 of the Municipal Government Act – 2022 Municipal Boundary Review

Section 369 of the *Municipal Government Act* requires councils of every town and municipality to apply to the Nova Scotia Utility and Review Board in 2022 to "confirm or to alter the number and boundaries of polling districts and the number of councillors." All councils must conduct a study into the number of councillors and into the reasonableness and fairness of the number and boundaries of polling districts before making the application to the Board.

Enclosed is a copy of a User Guide prepared by the Board to provide guidance to towns and municipalities in the preparation of their applications. This information is also available on the Board's website: https://nsuarb.novascotia.ca/ under the Municipal Boundaries page.

Also, enclosed is a copy of Board's *Municipal Government Act Rules* (*Rules*). *Rule* 27 sets out the information that is required to be filed by towns and municipalities which have polling districts or wards (to be completed on Form C). *Rule* 28 sets out the requirements for towns which have no polling districts or wards (Form D).

It is recognized that the West Hants Regional Municipality conducted an extensive consultative process for a municipal boundary review in 2019, leading to the Board's decisions in 2020 approving the size of the new Council and polling district boundaries. The Board does not have the jurisdiction to waive the statutory requirement for a further study and application in 2022, as set out in the statute. However, in the circumstances, assuming Council has satisfied itself through public consultation that there is general public acceptance of the current Council size, and to the configuration of the polling district boundaries, the Board is prepared to consider a simplified application with respect to the 2022 review.

Subject to the public or any intervenor raising the issue of the number of councillors, the application may be limited to a consideration of polling district boundaries. The application should include a

request for approval of the present number of councillors and polling districts, as well as approval of the polling district boundaries (or any minor revisions considered appropriate).

If required, the Board is available to discuss the form and nature of the next application. Please confirm receipt of this letter.

Yours very truly,

Bruce Kiley
Chief Clerk of the Board

Encl.

USER GUIDE

Statutory requirements for applications

Every eight years since 2006, the council of every municipality and town in the province must study the number and boundaries of its polling districts, their fairness and reasonableness and the number of councillors. After it completes the study, and before the end of the year, the council must apply to the Board to confirm or to change the number and boundaries of polling districts and the number of councillors. For towns that elect councillors at large, an application must be filed with the Board to confirm or change the number of councillors.[1]

The Board must consider several factors to decide the number and boundaries of polling districts, including the number of electors, relative parity of voting power, population density, community of interest and geographic size.[2] To determine the number of councillors for a town, the Board must consider the population and geographic size of the town.[3] The position of mayor is not included in the number of councillors and does not fall within the scope of the Board's review.[4]

Recommended two-step process for study

In past decisions, the Board provided specific guidance to municipalities and towns about municipal boundary applications.

Council may decide to hire a consultant or third party to do the required study, but it does not have to. Many councils direct senior municipal staff to conduct the study, in some cases aided by committees which include members from the public.

The Board recommends a two-step process. At the first stage, council should decide the desired number of councillors (i.e., the size of council). Questions about the distribution of polling districts should be addressed in a second stage.

Deciding the size of council involves considering the desired style of the council, the governance structure of the council, and a determination of an effective and efficient number of councillors. The style of government should not be decided until adequate public consultation has occurred. The size of council and its governance structure is a matter which can then be decided by council in an informed debate.

Once the number of councillors and polling districts is decided, the task becomes one of distributing the polling districts, balancing the number of electors, relative parity of voting power, population density, community of interest and geographic size.[5] As with the number of polling districts, public consultation is essential to a successful boundary setting process.

---

[1] *Municipal Government Act*, S.N.S. 1998, c. 18, s. 369. Part XVI of the *Municipal Government Act* applies to the Halifax Regional Municipality (*Halifax Regional Municipal Charter*, S.N.S. 2008, c. 39, s. 364).
[2] *Municipal Government Act*, s. 368(4).
[3] *Municipal Government Act*, s. 368(5).
[4] The definition of "councillor" means a council member other than the mayor (*Municipal Government Act*, s. 3(p)).
[5] *Municipal Government Act*, s. 368(4).

Ideally, the public consultation process should mirror the two-step process outlined above, but the Board recognizes that for smaller municipalities or towns (or in instances where the first round of consultation has shown a preference to substantively maintain the status quo, including its boundaries), a second round of public consultation may not be practical or necessary.

Public consultation

Public consultation is an inherent part of the required study. The type and amount of consultation is within council's discretion, but it should give members of the public an opportunity to express their views on the size of their council, upon the location of boundaries for town wards or municipal polling districts, or whether a town should be divided into wards, should that be applicable. Giving the public an opportunity to provide its valuable input is a key part of the decision-making process leading to an application by a municipality or town.

Relative parity of voting power

The target variance for relative parity of voting power should be ±10% from the average number of electors per polling district or ward. The municipality or town must justify any variance exceeding this target in its application to the Board. The larger the proposed variance, the greater the burden on the municipal unit to justify the higher variance from the average number of electors. Factors that may support higher variances include the need to accommodate population density, community of interest or geographic size.

Polling district boundary descriptions

The municipal unit must supply descriptions of the existing and proposed municipal polling districts (or the wards in the case of towns). In most cases, the descriptions are in written form, which is acceptable to the Board. However, in recent years, municipalities and towns have asked to provide the descriptions of their polling districts or wards using digital GIS technology.

The Board will accept digital mapping descriptions instead of text descriptions, but in addition to filing a large hard copy map showing all polling districts, the Board also requires individual digital mapping for each polling district or ward. The individual mapping is to be filed by way of hard copy (8.5 x 11-inch format) and electronically (JPEG). The Board is mindful that due to differences in the size of the respective polling districts, the relative scale on each of the maps may differ.

Regardless of the format adopted by a municipality or town, the description must be able to address any inquiry made by electors or municipal election staff during a municipal election. The scale of any digital mapping descriptions must be able to respond to any inquiry.

Hearing - general procedure

When an application is received, the Clerk of the Board will contact the municipality or town to schedule a public hearing. Once the hearing date is confirmed, a notice of hearing will be prepared by the Clerk of the Board and published twice in a local newspaper. The notice will invite members of the public to apply to participate in the hearing as a formal intervenor or to comment on the application by way of providing a letter of comment or registering to speak in person at the hearing. The Board will bill the municipality or town for the cost of these advertisements. The Board will also direct the municipality or town to post the notice of hearing on their social media accounts.

When no change to the number of polling districts and councillors is requested, and no member of the public has contacted the Board to oppose the application or to request to speak at the hearing, the Board may hold the public hearing by telephone or video conference. When the application requests a change to the number of polling districts and councillors, or if there is a material change proposed to the boundaries of the polling districts, the Board will likely conduct the public hearing in person. However, the Board reserves the right to decide the format of the hearing in each case.

The Board normally holds in-person public hearings in the municipality or town where the application arises. Outside HRM, Board hearings are usually held in municipal council chambers or other rooms within the municipal building.

Municipalities or towns do not have to be represented by legal counsel but may do so. Most do not, and their applications are presented by one or more of the following: Mayor, Warden, Chief Administrative Officer, Clerk, Chair of thelocal boundary review committee, etc.

At the public hearing itself, the Board member or panel chair opens the hearing by briefly describing the application and then asking the parties to identify themselves. The Board's hearings are all recorded electronically by a Board hearing clerk who is also responsible for handling the exhibits filed and discussed during the hearing.

During the public hearing, the town or municipality presents evidence through the examination of its witnesses. Each witness is first sworn in or affirmed (whichever their preference) to testify. In the case of municipal boundary hearings, the evidence is typically in the form of a presentation by a municipal official, including a discussion of the study or consultation undertaken by the municipal unit, any report prepared by the applicant, and details contained in the application. After the municipal unit has presented its application, the Board will usually ask questions related to the application. The Board may ask for more information or data to be filed as an undertaking after the hearing.

After the application is presented, the Board will open the hearing to any groups who have formally intervened in the matter and any members of the public who may have comments, either in support or opposed to the application. The Board or the municipal unit representative may ask questions to the intervenors or members of the public who have given comments. At the end of such comments, the town or municipality will be given an opportunity to respond to any concerns or issues raised by the public and to make any final submissions summarizing the key points of their application.

Most municipal boundary review hearings take one or two hours.

Board Decision

The Board normally issues a written decision within 60 days of the hearing. The Board will also issue an Order giving effect to the approved number of councillors and polling districts, and to the boundaries of the polling districts. Where text descriptions are used for the polling districts or wards, the Board may require the municipal unit to submit an electronic WORD or PDF version of the descriptions.

Powers of Board

368 **(1)** Upon application, the Board may, by order

(a) divide or redivide a municipality into polling districts;

(b) amend the boundaries of any polling district;

(c) dissolve polling districts;

(d) determine that a town be divided into polling districts or cease to be divided into polling districts;

(e) determine the number of councillors for a municipality; and

(f) determine the date upon which the order takes effect.

(2) An application may be made by

(a) the Minister;

(b) a municipality; or

(c) at least fifty electors of a municipality.

(3) The Board may make an order granting the whole or part of an application, and may grant such further or other relief as the Board considers proper.

(4) In determining the number and boundaries of polling districts the Board shall consider number of electors, relative parity of voting power, population density, community of interest and geographic size.

(5) In determining the number of councillors for a town, the Board shall consider the population and geographic size of the town. 1998, c. 18, s. 368.

Study of polling districts required

369 **(1)** In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councillors.

1998, C.18, S. 369.

Attachment D

Stantec

102-40 Highfield Park Drive, Dartmouth, NS B3A 0A3

Windsor-West Hants Governance Review

Council Size Report

Windsor-West Hants Co-ordinating Committee

February 21, 2019



Cover photo courtesy of Councillor Jim Ivey, Town of Windsor

Windsor-West Hants Governance Review

Council Size Report

February 21, 2019

Prepared for:
Windsor-West Hants Co-ordinating Committee

Prepared by:
Stantec Consulting Ltd.

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Windsor-West Hants Governance Review: Executive Summary

Introduction

Under Section 10(1) of the *Region of Windsor and West Hants Municipality Act*, the Co-ordinator is responsible to submit an application "to the Nova Scotia Utility and Review Board for a determination of ... the number of councillors and the boundaries of the polling districts in the Regional Municipality." This study has been undertaken to assist the Co-ordinator to fulfil that requirement.

The Board has well-established guidelines and priorities concerning the determination of council size and delineation of related boundaries. The Nova Scotia Utility and Review Board (NSUARB or the Board) User Guide for boundary reviews has prescribed a two-step process for the conduct of polling district boundary reviews. The phases and their scope, as outlined in the Board's user guide, are as follows:

- **Phase 1 – Number of Councillors**
- **Phase 2 – Boundaries and Polling Districts**

This Council Size Report completes Phase 1.

Background Review

The Town of Windsor has had a council of five including the Town's Mayor since it reduced from seven members in 1997. The Municipality of the District of West Hants had a council of nine from at least 1994 until the NSUARB determined in 2016 that its membership should be increased to ten to ensure proper representation of the Town of Hantsport, which became part of West Hants on its dissolution on July 1, 2015.

Rural and regional municipalities in Nova Scotia currently average one councillor per 240.8 km^2. West Hants council members each currently cover a relatively modest 124.4 km^2 on average. Population is usually more strongly emphasized when assessing council size but is distorted by the regional municipalities of Halifax and Cape Breton. Rural municipalities distinct from the regional municipalities have one council member per 1,695 residents, which West Hants approaches at 1,537 constituents per councillor.

Public Consultation

NSUARB guidelines and past Board decisions have reinforced the Board's emphasis on public consultation. Stantec investigated public opinion on council size through a program of consultation meetings distributed throughout Windsor and West Hants and an online survey. Hard copy survey questionnaires were also made available at Windsor Town Hall and the West Hants municipal office, as well as at the public meetings. In response to concerns expressed by public meeting participants, The Co-ordinating Committee decided to distribute hard copy questionnaires to rural areas presumed to have inferior Internet access.

Stantec undertook five public meetings with the assistance of municipal staff with Windsor and West Hants. Participants in the first two meetings in Avondale and Brooklyn expressed concerns with the access of rural residents to the online survey because of poor Internet connections in outlying communities. The Co-ordinating Committee decided to directly distribute hard copy surveys to areas of concern.

Close to 100 residents attended the meetings. The sessions publicized the study and provided opportunities for Stantec's consultant to explain the governance study and obtain the views of residents. The survey, however, provided more specific information from a wider range of residents. Eventually, 609 completed surveys were submitted online and another 139 hard copy surveys were collected directly from residents.

The key question asked respondents how many council members including the mayor they would prefer to represent residents of the new Regional Municipality. The most frequent response was ten, which was favoured by 23.2% of 740 respondents to the question who expressed a preference. The second choice was twelve, which was selected by 21.8%. Fully, 88.5% of responses fell between seven and 13, and 61.5% were accounted for by ten through twelve.

Respondents who chose very small council sizes (i.e., six or fewer) and provided comments on their choice emphasized efficient decision-making more than any other factor. Those preferring a council of 13 or more stressed representation, particularly representation of rural interests.

Among respondents espousing a council of ten to twelve, priority shifted more clearly to representation. Many recognized that a council of ten or more would provide two positions for Windsor and one for Hantsport, leaving six to eight positions for West Hants. Even within this group, a significant number of respondents expressed a desire for efficiency recognizing that even a council of twelve represents a reduction relative to the 15 political representatives currently serving Windsor and West Hants as separate municipal units.

Recommendation

Based on our assessment of all input from consultation to date, **we recommend the assessment of scenarios for nine and eleven districts in Phase 2 of this Governance Study**.

1.Introduction

Pursuant to the *Region of Windsor and West Hants Municipality Act* passed by the Province of Nova Scotia on October 11, 2018, the Town of Windsor and the Municipality of the District of West Hants have agreed to consolidate into a single municipality. Under the terms of the Act, which is also referred to as Bill 55, the two current municipal units become Nova Scotia's fourth regional municipality on April 1, 2020.

The Act requires the Province to appoint a Co-ordinator to chair a Co-ordinating Committee to oversee the consolidation of the two municipal units. The appointed Co-ordinator is Kevin Latimer, Q.C. Pursuant to the Act, the Committee consists of Mayor Anna Allen and Deputy Mayor Laurie Murley of the Town of Windsor and the Warden Abe Zebian and Deputy Warden Paul Morton of the Municipality of the District of West Hants.

1.1.Project Background

Under Section 10(1) of the *Region of Windsor and West Hants Municipality Act*, the Co-ordinator is responsible to submit an application "to the Nova Scotia Utility and Review Board for a determination of ... the number of councillors and the boundaries of the polling districts in the Regional Municipality." This study has been undertaken to assist the Co-ordinator to fulfil that requirement.

The determination of council size and boundaries is a critical early requirement of the municipal consolidation process. The Nova Scotia Utility and Review Board (NSUARB or the Board below) has set aside June 24 and 25 to hear an application from the Co-ordinator.

Review of governance arrangements is a well-established process for Nova Scotia municipalities. All municipal units are required under the *Municipal Government Act* (MGA) to review governance arrangements on an eight-year cycle, which began on the passage of the MGA in 1999. Subsequent reviews have been required for 2008 and 2016, and will be required again in 2024. Reviews are also normally required in the event of significant structural changes to municipalities. Several reviews were required over the past six years as five towns dissolved in the province, including the Town of Hantsport, which joined West Hants on its dissolution.

While the process and aspirations of municipal consolidation differ from dissolution, changes to governance requirements are similar. Two municipalities are becoming a single municipal government. The combined municipal populations require new governance arrangements to ensure fair and equitable representation of all residents on the council of the new entity. Consideration should also be given to the objectives of combining the two municipal units.

1.2.Project Process

While the consolidation of the Town of Windsor and the Municipality of the District of West Hants is being guided by special legislation rather than the MGA, Bill 55 requires the Co-ordinator to apply to the Nova Scotia Utility and Review Board in the same manner as councils must under the MGA.

The Board has well-established guidelines and priorities concerning the determination of council size and delineation of related boundaries. The NSUARB User Guide for boundary reviews has prescribed a two-step process for the conduct of polling district boundary reviews. The phases and their scope, as outlined in the Board's user guide, are as follows:

- **Phase 1 – Number of Councillors** – … the desired style of Council, the governance structure of Council, and a determination of an effective and efficient number of councillors. The style of government is a question which should not be decided by council until adequate public consultation has occurred respecting the expectation of its constituents. The size of council and its governance structure is a matter which can then be determined by Council in an informed debate.

- **Phase 2 – Boundaries and Polling Districts** – … the task becomes one of distributing the polling districts to satisfy the objectives listed in s. 368(4) of the Act. Just as with determining the desired number of polling districts, public consultation is essential to a successful process of setting boundaries.[1]

Stantec's proposal submitted to the Municipality of the District of West Hants on November 29, 2018, committed to adhere to these specifications. This Council Size Report completes Phase 1. It summarizes the results of our research and extensive consultation concerning the most appropriate council size for the new Regional Municipality. It provides the foundation for the assessment of polling districts to be undertaken in Phase 2. Much of its content will be retained in the Boundary Review Report that will complete the governance review project at the close of the second phase.

1.3.Study Conduct

Stantec Consulting Ltd. was notified of our selection to carry out the governance study on December 17, 2018. Although a formal project initiation meeting could not be scheduled until January 7, 2019, we began research work immediately. In addition to making a presentation on the governance review process at the Co-ordinating Committee Meeting on January 10, Stantec prepared for consultation initiatives over the next two weeks.

On January 17, we initiated an online survey to investigate public opinion concerning council size. Our first public consultation meeting was scheduled for January 29 and four additional meetings were held over the course of two weeks concluding on February 7. Results of the survey were reported and updated at successive public meetings. Concerns with the availability of the survey to rural residents expressed at the first two public meetings led the Co-ordinating

1 NSUARB, "Municipal Boundary User Guide," no date, p. 2, https://nsuarb.novascotia.ca/sites/default/files/nsuarb-222634-v1-user_guide_-_mb_reviews_.pdf

Committee and the municipalities to distribute hard copy surveys directly through municipal councillors to households in Districts 1, 2, 3, 4, 5,.and 7.

Following consideration of the current report by the Co-ordinating Committee, Stantec will proceed to the conduct of Phase 2. A second round of five public meetings has been scheduled and advertised to consider district boundary options for potential council sizes approved by the Co-ordinating Committee. The first meeting will take place on March 5. All meetings should be complete by March 14, although a snow date has been provided on March 19 if weather requires.

Stantec is expected to submit its final report summarizing Phase 2 research and consultation and recommending polling district framework for the new Regional Municipality by March 20. The report will be considered by the Co-ordinating Committee on April 1. Following the Committee's consideration of the report recommendation, the Co-ordinator will make application to the NSUARB for a council size and polling district boundary arrangement for the first election for the new Regional Municipality to be held in March 2020.

2.Background Review

The consolidation of Windsor and West Hants will create a new municipality in a different category. The regional municipality that will take the place of the current town and rural municipal district will have the same basic governance structure although legislation prescribes certain features that differ. While the new structure is an opportunity to rethink local governance, current council arrangements in Windsor and West Hants, as well as among municipal units across Nova Scotia provide the context for considering the direction for the new Regional Municipality.

2.1.Past and Current Council Size

All Nova Scotia municipalities are governed by a municipal council led by a mayor elected at large or a warden elected by councillors from among themselves following their election from a district framework. Under the MGA, councils must have a minimum of three members, exclusive of a mayor but inclusive of a warden. Towns and regional municipalities must elect a mayor. Rural municipalities have traditionally been led by a warden; however, the MGA in 1999 introduced the option of electing a mayor instead. Among 21 rural municipalities, the Counties of Colchester and Kings, and the Municipal District of Lunenburg are now led by mayors.

Rural and regional municipalities are required to elect councillors from districts, with only one councillor permitted per district. Towns may elect members at large or from wards. Only Truro, New Glasgow, and Stellarton among Nova Scotia's 26 towns elect councillors from wards, in each case choosing two councillors from each ward.

2.1.1.Town of Windsor

Windsor currently has a five-member Council consisting of a Mayor, Deputy Mayor, and three Councillors. All Town Councillors are elected at large.

The current council size was adopted in 1997 following the Town's application at that time to reduce its number of councillors from six to four.[2] The NSUARB approved applications by the Town in both 2007 and 2015 to maintain its Council at five members.

2.1.2.Municipality of the District of West Hants

West Hants residents are currently represented by a council of ten that has been in place since the Municipality took in Hantsport following the dissolution of the Town in 2015.

[2] Re: Town of Windsor, 2007 NSUARB 13, p. 3.

Stantec reviewed past decisions concerning governance arrangements in West Hants as part of our work for the 2014 governance study required by the Town of Hantsport's prospective dissolution. Before the addition of Hantsport to the Municipality, West Hants Council consisted of nine councillors from at least 1994, the earliest NSUARB decision concerning the Municipality that we reviewed.

Stantec's 2014 report, which was prepared before West Hants agreed to join with Hantsport, recommended that in the event the two units combined, the municipal council should continue to have nine members with Hantsport and Mount Denson forming a new district to be called District 8. The existing nine West Hants districts were to be replaced by eight new districts with reconfigured boundaries.

On the dissolution of the Town of Hantsport, the former Town's Mayor was added to West Hants Council to represent the community's interests. In preparation for the October 2016 municipal election, the Municipality applied to the NSUARB to reduce its council to nine and adjust its boundaries as recommended by Stantec. The Board heard the application on February 25, 2016.

The Think Hantsport Innovative Development Association (THIDA) argued at the NSUARB hearing that the Stantec study dealt with two potential destinies for the Town and did not fully consider the concerns of community in the context of union with West Hants. They contended that West Hants should have engaged the community in specific consultation related to its application as opposed to simply adopting Stantec's rationale and recommendation.[3]

The Board agreed with the sentiments THIDA expressed:

> The Board finds, in the circumstances, that the Municipality should have given greater consideration to the former town of Hantsport as being a strong community of interest. This does not mean it should always be considered as such for future polling district boundary reviews. At the very least this should have been re-examined by the Council before submitting the Application. To inform Council's discussion, some form of an additional study should have been conducted.[4]

Given that the Board did not consider time was available to conduct the kind of engagement it saw as necessary, it determined that it should chose between the application made by the Municipality and THIDA's proposal "that there should be 10 councillors and that the former Town of Hantsport [should] have its own polling district" based on THIDA's contention "that the former Town is a community of interest." [5]

The Board determined that Hantsport was indeed a community of interest and chose to approve the Council of ten that currently governs West Hants. The prevailing districts in West Hants were retained and Hantsport became the tenth district, although the number of eligible voters or electors in the former town was -26% less than the average number of electors in each municipal polling district. The variance is far beyond the ±10% target sought by the NSUARB and slightly beyond the maximum variance that the Board general suggests as tolerable;

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3 Re: Municipality of the District of West Hants, 2016 NSUARB 44, p. 5.

4 *Ibid*., pp. 9-10.

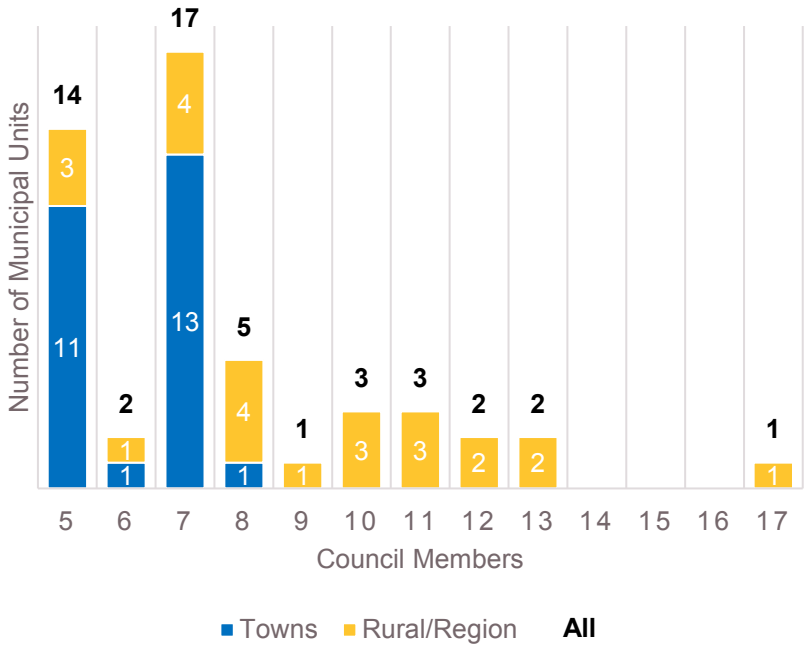
5 *Ibid*., p. 11. Following submissions from both THIDA and the Municipality of the District of West Hants in March 2016, the Board rendered its decision on April 16, 2016, leaving just over four months before the standard deadline for nominations on the second Tuesday in September.

however, the Board deemed it to be “a reasonable variance” in consideration of the circumstances.[6]

2.2. Nova Scotia Council Sizes

Nova Scotia municipal councils range in size from five to 17 members, including the mayors in municipal units where one is elected. Halifax Regional Municipality (HRM) has the largest council. Many municipalities have councils of five including the municipal districts of Barrington and Digby, the County of Richmond, the Town of Windsor, and ten other towns. Towns, for the most part have councils of five or seven. The Town of Pictou has a six-member council and the Town of Bridgewater has eight, which is the largest town council in the province. With ten members, the Municipality of the District of West Hants Council is just above the median council size for rural and regional municipalities. Twelve municipalities in the group have councils with eight or fewer members, twelve have nine or more (**Figure 2-1**).

Figure 2-1 Council Sizes by Number of Municipal Units, Nova Scotia, 2019

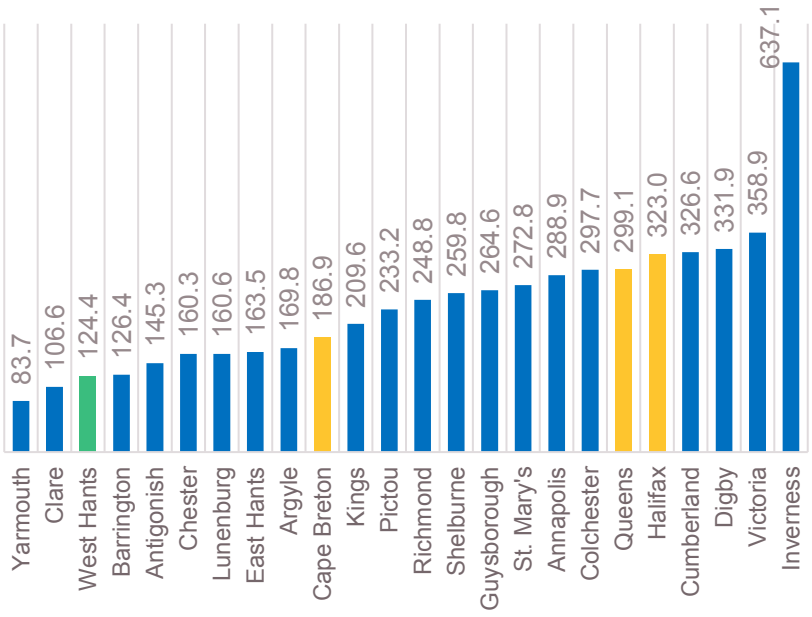


Source Stantec Consulting Ltd.

The size of rural and regional municipal councils is often assessed in relation to the land area and the population to be served in each municipal unit. There is little variation in the land area of towns and, as the foregoing figure illustrates, modest variation in their sizes. Focusing on rural and regional municipalities, the average area served by regional and rural councillors in Nova Scotia is currently 240.8 km^2 per council member. Councillors in West Hants, which is currently a rural municipality, each represent 124.4 km^2 on average (**Figure 2-2,** which shows West Hants in green, other rural municipalities in blue, and the three current regional municipalities in yellow).

[6] *Ibid*., 00. 12-13.

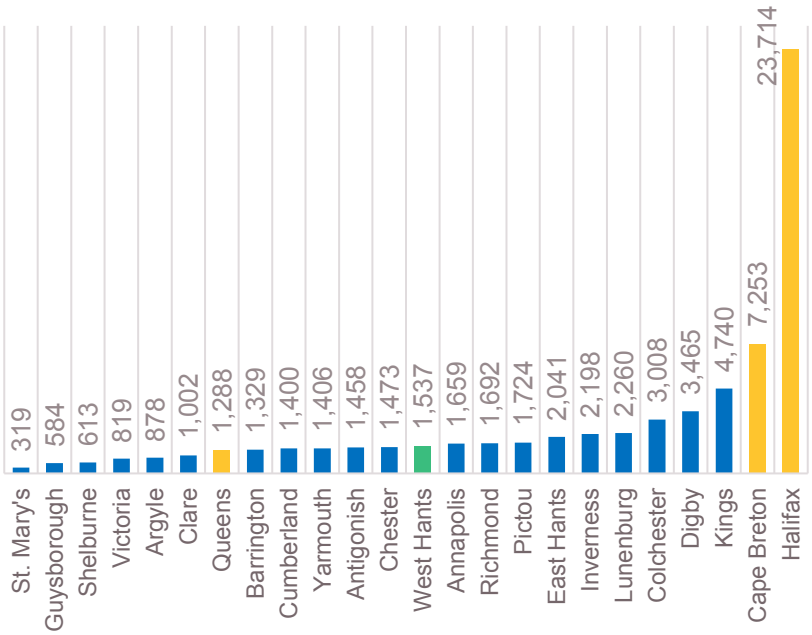
Figure 2-2 Council Members by Land Area (km²), Nova Scotia Rural and Regional Municipalities, 2016



Source Stantec Consulting Ltd.

More emphasis is normally placed on the number of constituents served in any case. The average for rural and regional municipalities of 2,828 people per council member is heavily skewed by HRM, where the average councillor serves 23,714, or more than the combined population of Windsor and West Hants. The average for rural municipalities is 1,695, which West Hants approaches at 1,537 constituents per councillor (**Figure 2-3**).

Figure 2-3 Council Members per Capita, Nova Scotia Rural and Regional Municipalities, 2016



Source Stantec Consulting Ltd.

3.Public Consultation

As noted above, the NSUARB guidelines and past Board decisions have reinforced the Board's emphasis on public consultation. Stantec investigated public opinion on council size through a program of consultation meetings distributed throughout Windsor and West Hants and an online survey. Hard copy survey questionnaires were also made available at Windsor Town Hall and the West Hants municipal office, as well as at the public meetings. In response to concerns expressed by public meeting participants, The Co-ordinating Committee decided to distribute hard copy questionnaires to rural areas presumed to have inferior Internet access.

3.1.Consultation Meetings

Stantec undertook five public meetings with the assistance of municipal staff with Windsor and West Hants. The municipalities arranged the necessary venues to meet Stantec's requirements. Locations and dates were as follows:

- Tuesday, January 29, Avondale Community Hall
- Wednesday, January 30, Brooklyn Civic Center
- Thursday, January 31, South West Hants Fire Hall, Vaughan
- Tuesday, February 5, Windsor Community Center
- Wednesday, February 6 (snow date for the first four meetings), West Hants Municipal Office, Windsor
- Thursday, February 7, Falmouth Community Hall
- Wednesday, February 13 (snow date for February 7), West Hants Municipal Office, Windsor.

Meetings were advertised on the strongerregion.ca website maintained by the Co-ordinating Committee, as well as on the web sites and social media pages of both municipalities. They were also listed at the end of the online survey questionnaire and a formal advertisement was placed in the Advertiser Journal on January 22 and 29, and February 5, and the Valley Harvester on January 31 and February 5.

The weather cooperated throughout. Meetings took place as scheduled and neither snow date was required. The meetings were reasonably well attended relative to our experience with other governance review processes, particularly processes in which multiple local meetings were provided. In some past cases, local meetings have drawn no attendance or too few attendees to allow group dialogue but all sessions for this review attracted enough to facilitate healthy discussions.

Venues were opened for all meetings at 6:00 pm as indicated in advertisements. Attendees were encouraged to read four posters prepared by Stantec to explain the governance review process and provide background concerning the council size review. Stantec's Project Manager was available during this period to talk with attendees and assist with their questions.

Stantec's Project Manager made a presentation at each session beginning at 7:00 pm, also as advertised. The presentation covered similar content to the posters, although material derived from the online survey was updated for each successive meeting as we received more responses. Given the manageable number of participants at each session, audience members were permitted to ask questions during the presentation. Generally, presentations including questions and answers took about one hour. Stantec's Project Manager solicited additional questions and comments after each presentation until all audience members declined to provide further input.

3.1.1. Avondale Meeting

While 16 people were present at the meeting in Avondale, we were told only six were members of the local community. Others included municipal staff helping Stantec's Project Manager and political representatives monitoring the process. Some municipal staff and representatives were present at each session to provide support and observe.

Questions during the presentation were diverse. While some inquiries concerned council size and boundary issues, one participant raised strong concerns about the effectiveness of only five meetings to reach rural residents. He expressed particular concern with the absence of a meeting in any community on the shore north and east of Summerville, although Stantec's Project Manager noted that a second phase meeting was scheduled to be held in the elementary school in Summerville.

Another respondent reinforced the concern with rural input from the perspective of the online survey. She said that Internet service is inferior in rural areas and in some locations such as the shore area above Summerville is not available at all. She suggested that the survey should have been mailed out to all residents. Stantec's Project Manager promised to relay her views to the Co-ordinating Committee, which he did the following morning.

3.1.2. Brooklyn Meeting

The meeting in Brooklyn was the best attended of the five sessions. Municipal staff said 37 residents were present in addition to about a dozen municipal staff and council members, including the Co-ordinator, who observed the meeting. The large group resulted in lively discussion.

For the second time, a great deal of the dialogue focused on the online survey and its availability. Although survey response up to that relatively early point was good (approximately 250), many participants contended it is insufficient from a population of roughly 19,000. Most of these participants asserted that the survey should have been mailed out to give all residents an equal chance to respond.

Many participants expressed concerns with rural input. Several reflected long-term concerns with the attention given to rural Nova Scotia and the representation of rural interests on the prospective regional council. They felt that administration of the survey online reflected this bias as rural residents do not have equivalent access to the Internet, which would bias the results of the survey. In the same light, several also suggested that there are not enough

meetings scheduled in the rural area, again noting the shore area to the north and east of Summerville lacks access to the Internet and other information sources. The Co-ordinator and municipal staff attending the session discussed the issues raised following the meeting and decided to respond to the concerns raised by looking into the possibility of distributing hard copy surveys to homes in key rural districts.

3.1.3. Vaughan Meeting

Nine residents attended the meeting in Vaughan. Attendance may have been influenced by an incident on Highway 101 during the evening rush hour, which disrupted the commute for many travelling home to West Hants. In contrast to the preceding two meetings, discussion was on point throughout. Participants asked a variety of questions concerning council size and explored the potential influence of the council size decision on boundary definition.

3.1.4. Windsor Meeting

According to Town staff assisting Stantec, 24 residents attended the Windsor meeting. Roughly ten municipal staff and council members attended, and the Co-ordinator was present again as an observer.

Input from the audience focused on council size issues. Former Town Mayor, Paul Beazley, inquired about potential approaches to boundary delineation, suggesting the possibility of creating polling districts that radiated from the town to include urban, suburban, and rural areas in each district or, at least, in several districts. Mr. Heseltine responded that a scenario based on a similar concept had been developed for the consideration of the public in CBRM when he did the boundary review there in 2011. It was not the approach selected in that situation, but Mr. Heseltine acknowledged that it was worthy of consideration and West Hants was generally well-configured to support the approach.

3.1.5. Falmouth Meeting

Roughly 15 people attended the final Phase 1 public consultation meeting in Falmouth. Ten appeared to be residents as opposed to municipal or political representatives. The group included some knowledgeable participants including Tom Calkin, who led the Avon Region Coalition, which made the initial application to consolidate Windsor and West Hants, and at least three other individuals who attended previous meetings.

Stantec's Project Manager had the opportunity to talk about council size issues before beginning his presentation. He asked several attendees the number of council members they would prefer and their reasons for favouring their choices, which provided some interesting insights. One suggested seven in the interest of efficiency; another felt ten would be appropriate as it is workable with the current West Hants Council; and one favoured twelve so as to incorporate two councillors from Windsor and one from Hantsport on the regional council.

Dialogue during the presentation continued to focus on council size and boundary issues. One of the repeat participants had pressed for mailing out the survey at the first meeting held in Avondale. She inquired about the approach to distributing hard copy surveys. Stantec's Project Manager said that hard copy questionnaires were being distributed through municipal councillors. In response to a request for more detail, Warden Zebian said that councillors were delivering questionnaires door-to-door themselves or through helpers. Although the participant still felt time should have been taken to formally mailout surveys

through Canada Post, she appeared to view the response to her original concern positively.

3.1.6. Written Submission

Stantec received only one written submission through the course of the five public sessions. The document came through Tom Calkin, Chair of the Avon Region Citizens Coalition (ARC), which was the original advocate of the consolidation of Windsor and West Hants. The report provided was ARC's application for consolidaton, which we understand was prepared in 2016. On the subject of governance, the application includes a detailed critique of council leadership by a warden and advocacy of leadership by a mayor elected at large and voting on all council motions in keeping with the requirement of the MGA for regional municipalities.[7]

3.2. Online Survey

The online survey was posted on January 17 and was kept open until February 13, 2019. Although response was good from the outset of posting the survey online, concerns with online access in rural areas led the municipalities and the Co-ordinating Committee to distribute hard copy questionnaires door-to-door in Districts 1, 2, 3, 4, 5, and 7. Hard copies were also made available at the five consultation meetings and could be picked up at Windsor Town Hall or the West Hants Municipal Building.

3.2.1. Questionnaire Content

The questionnaire employed for the survey has been used for several previous boundary review projects conducted by Stantec. It is a simple questionnaire consisting of eight questions that most respondents complete within two minutes. **Appendix A** includes the hard copy version of the survey. The online survey included an initial question that asked whether respondents live in Windsor or West Hants for the purpose of screening out non-residents. The question was not necessary in hard copy surveys. References to question numbers below refer to the hard copy survey and are one number less than the numbering used online.

The next two questions are largely included to introduce the subject matter the survey addresses (i.e., municipal governance and council size) in preparation for Question 3, which asks for the respondent's council size preference. Question 1 inquiring about voting in recent municipal elections also gave us a gauge of the familiarity of respondents with municipal governance, particularly in Windsor and West Hants. Question 2 concerning expectations of a small versus a large council introduced factors that are often considered to be influenced by council size.

Question 2 provides context for considering the central question in the survey instrument – Question 3, which asks how many members including the mayor the respondent would prefer to have on the regional council. The question was compulsory in the online version of the survey. The following question asked the respondent to elaborate on their choice.

[7] ARC - Avon Region Citizens, Application for a Preliminary Order of Amalgamation of the Municipality of the District of West Hants and the Town of Windsor, undated, pp. 8-9.

3.2.2. Survey Interpretation

The survey conducted is not a poll. The method of distributing the survey – online and by direct handout – cannot obtain a representative sample. Respondents, by definition, are individuals interested in the governance study and the issue of council size. Residents with less interest in these issues who do not want to take the time to access and complete the survey excluded themselves. The numbers summarized below do not reflect the views of this second, less interested group, who would be solicited through a properly conducted telephone sample and are clearly a significant proportion of the local population.

The results are better interpreted as a canvas of the population, similar to the results of a vote to elect a political representative. The survey allowed us to reach considerably more residents than were likely to attend our public consultation sessions regardless of the number and location of such meetings. It also obtained structured quantifiable information, which is difficult to draw in an orderly manner from audience members at a meeting.

We did not restrict the number of times the survey could be filled out from the same computer. While Survey Monkey, by default, limits each IP address to one response, we chose to remove the restriction to facilitate access to the survey, although we were aware that it would make it easier for a person to abuse the survey by making multiple responses.

To reduce this possibility, Stantec reviewed sorted survey responses by IP address and date/time to identify any bulk responses from the same address or in a close time period. Although our observation of data trends indicated a concentration of responses from one community over a two-day period, we did not find any evidence of the same response originating from one source. While the community in question produced more than 50 responses in a short period, the responses in question came from varied IP addresses.

3.2.3. Survey Response

Overall survey response was very good. At the close of the online survey at midnight on February 13, 2019, 609 completed surveys were received (including roughly 20 completed on print questionnaires received at the public sessions by Stantec), which exceeds the best overall response to a governance-related survey that we have conducted.[8] Another 139 hard copy surveys were collected directly from residents who received them through the municipal offices of either Windsor or West Hants, or through their municipal councillors.

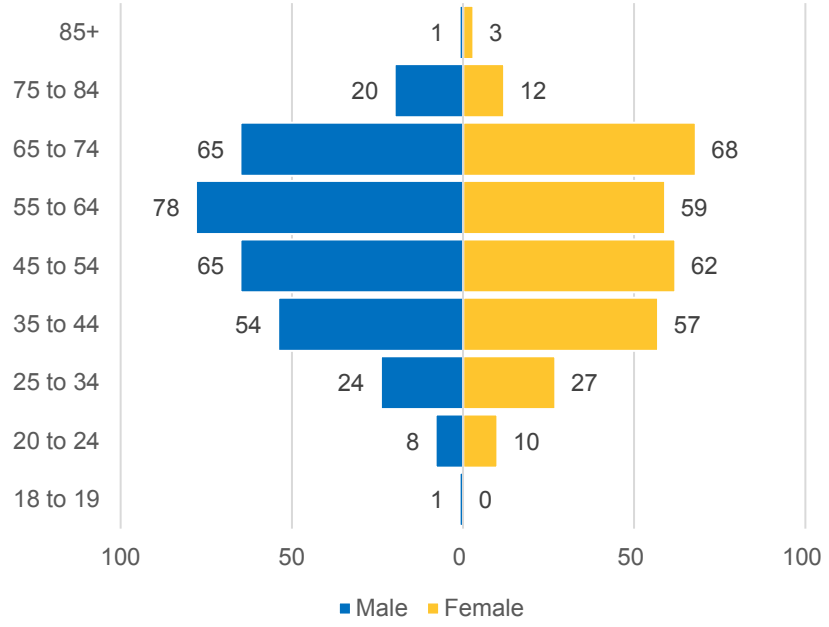
The majority of respondents were male (51.2% of those who identified their gender). All respondents were 18 years of age or over but, for the most part they were between 35 and 75 years of age (80.0%). Although **Figure 3-1**, shows only four respondents over 85 years, there were six as two did not identify their gender. They all responded to the print survey as opposed to online.

[8] The survey URL was accessed 688 times. Some accesses were by Stantec in order to enter roughly 20 hard copy surveys received at public meetings. Of 79 surveys that were not completed, 11 were individuals who indicated they did not live in either Windsor or West Hants and were therefore excluded from the survey. The remaining 68 entered the survey but then left. Roughly half of these were apparently confused by the survey because they returned later (usually very soon after) and completed the questions. Another portion did not return.

Notwithstanding concerns with Internet access in rural areas expressed at public meetings, responses were also well-distributed. Of 51 named communities in West Hants, at least one online response was received from 50 based on responses to Question 5. Riverside in District 1 was the only community not identified and it is possible residents identified themselves with the abutting community of Summerville, which generated a disproportionate number of responses.

The hard copy surveys distributed by councillors went to rural districts that participants in consultation sessions contended did not have equivalent Internet access to "urban" areas such as Windsor, Falmouth, and Three Mile Plains. The communities that contributed the most responses through this outreach were Brooklyn (25), Summerville (18), Cambridge (9), Ellershouse (9), Centre Burlington (8), Cheverie (7), and Union Corner (5). Remaining responses covered a wide range of mostly rural communities. Three responses came from Windsor through the Town Hall and one came from Three Mile Plains.

Figure 3-1 Age-Sex Distribution of Respondents, Windsor-West Hants Council Size Survey, 2019



Source Stantec Consulting Ltd.

Stantec was not involved in developing the approach to this additional distribution. Based on results from all survey responses, the additional surveys addressed the concern expressed at the initial public meetings that the shore area in District 1 would be underrepresented because of Internet access concerns. Communities in District 1 and District 3 accounted for the bulk of responses received on print surveys distributed through the councillors.

Ultimately, these districts generated significantly more responses than we would have expected relative to their shares of electors as did several other districts. As **Table 3-1** illustrates, responses from Districts 1, 2, 3, 4, 8, and 9 exceeded the proportion of voters residing in those areas according to 2016 enumeration data. Falmouth, which is partially in District 8 but largely in District 9, produced by far the most responses of any community in the region.[9] The share of responses from District 1 was more than double its share of electors and the share in District 9 also considerably exceeded the expected percentage.

3.2.4. Survey Results

The core questions in the survey were Questions 1 through 4, which solicited opinions concerning council size. Question 3 was unquestionably the central question and was compulsory for respondents who filled out the survey online. A "Don't know/Not sure" option was provided for those who were not comfortable specifying a size but only four respondents took it. Question 4, which was open-ended, was also a valuable source of detailed opinions on council size preferences.

Question 1 – Participation in Municipal Elections

Survey respondents clearly had an established interest in municipal politics. Of 724 respondents to Question 1, 603 stated they voted in at least one previous election in Windsor or West Hants. Close to half (46.4%) voted in 2008, nearly two-thirds (61.3%) in 2012, and 81.2% in 2016.

Question 2 – Expectations of Council Size

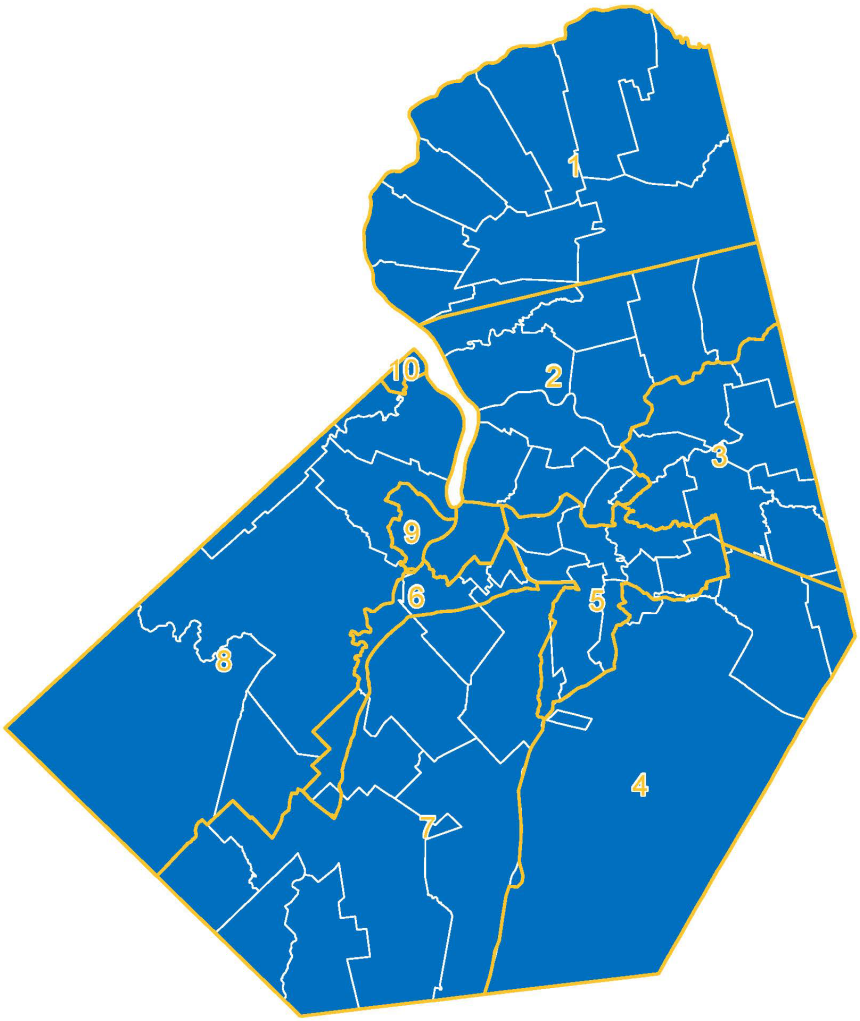
As noted, the key purpose of Question 2 was to introduce some of the leading factors that respondents might take into account when considering what council size to enter in response to following Question 3. The factors, which are raised in literature on council size as well as discussions we have had with members of this public in past consultations, are cost, service to residents, council interaction, and council effectiveness.

We have asked the question in previous surveys with the advantage of having an existing council size to provide a context to establish the meanings of "large" and "small." In the case of the yet to be established regional council, we could not provide a benchmark, which some participants in the consultation sessions criticized.

With this reservation, respondents indicated more positive expectations of a "small" council with respect to three of the four factors. Respondents placed the strongest emphasis on cost savings, which 59.0% felt would be more likely with a small council (**Figure 3-2**). Past surveys have obtained similar results.

[9] For communities that cross district boundaries such as Falmouth, Lower Burlington (Districts 1 and 2), Newport Corner (Districts 4 and 5), and Leminster (Districts 7 and 8), allocated survey responses to each district based on the share of electors in those districts. For example, 1,299 of 1,789 or 72.6% of electors within the NSCAF boundary for Falmouth are with District 9. Stantec, therefore, allocated 72.6% of 150 responses (i.e., 109) received from Falmouth to District 9. Some error may also be attributable to inaccurate identification of some communities by some respondents relative to NSCAF boundaries.

Table 3-1 Respondents by Town of Windsor and West Hants Polling Districts, Windsor-West Hants Council Size Survey, 2019

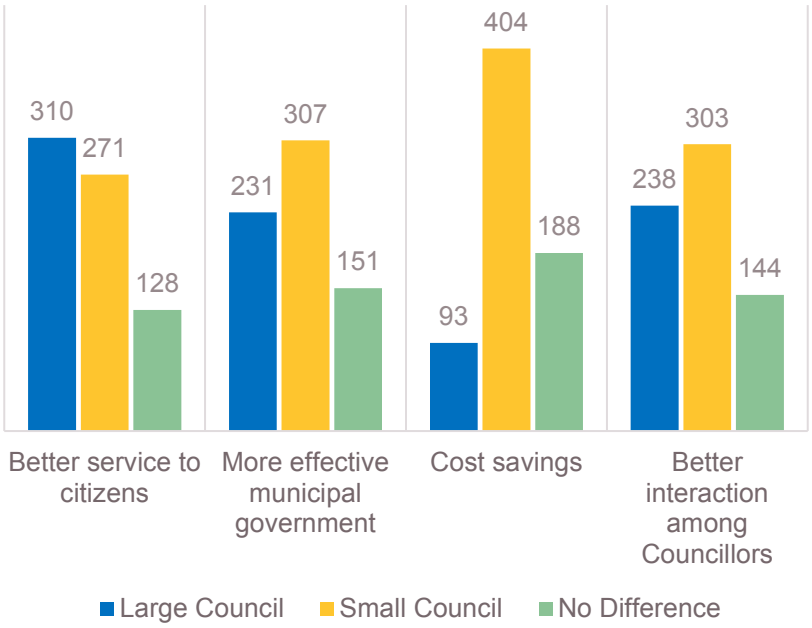


District	Responses			% of Responses			Electors
	Online	Print	All	Online	Print	All	
1	55	42	97	9.2%	35.3%	13.5%	6.0%
2	44	20	64	7.3%	16.8%	8.9%	7.3%
3	42	30	72	7.0%	25.2%	10.0%	8.3%
4	40	12	52	6.7%	10.1%	7.2%	7.9%
5	37	11	48	6.2%	9.2%	6.7%	7.0%
6	45	0	45	7.5%	0.0%	6.3%	10.4%
7	42	1	43	7.0%	0.8%	6.0%	10.0%
8	75	0	75	12.5%	0.0%	10.4%	9.9%
9	109	0	109	18.2%	0.0%	15.2%	8.5%
10	29	0	29	4.8%	0.0%	4.0%	6.0%
Windsor	81	3	84	13.5%	2.5%	11.7%	18.8%
TOTALS	**599**	**119**	**718**	**100.0%**	**100.0%**	**100.0%**	**100.0%**

Source Town of Windsor and the Municipality of the District of West Hants

The margins in favour of a small council were close for effective municipal government (44.6%) and council interaction (44.2%). Respondents anticipated better council service to residents from a large council with 43.7% expecting more from a large council and 38.2% endorsing a small council. Later responses to the print survey, tended to favour a large council in response to this question. Those responses swung the response to a result more in-line with previous surveys of this type that we have conducted where respondents usually favoured a larger council with respect to expectations of service.

Figure 3-2 Expectations of Council Size, Windsor-West Hants Council Size Survey, 2019



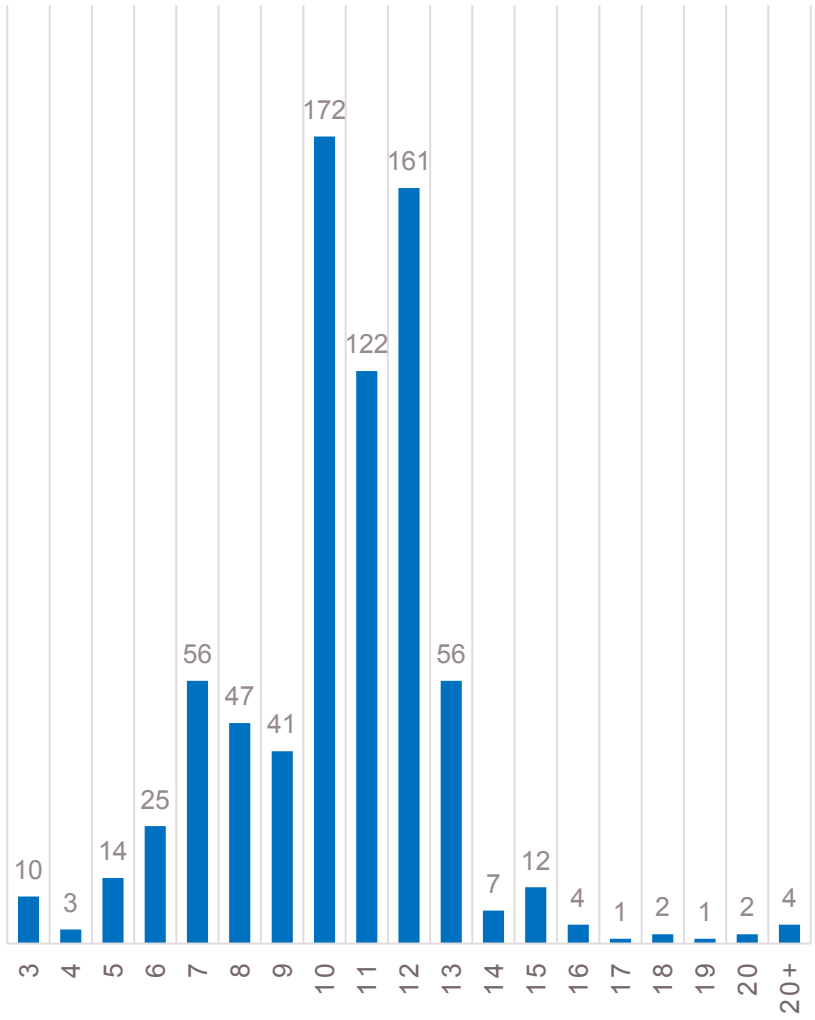
Source Stantec Consulting Ltd.

Question 3 – Preferred Council Size

The most preferred council size including the mayor was ten, which was favoured by 23.2% of 740 respondents to the question who expressed a preference. The second choice was twelve, which was selected by 21.8% (**Figure 3-3**). Councils of ten and twelve exchanged the lead position over the course of data collection for the survey. At the outset, ten was the most popular choice but later respondents tended to favour larger council sizes. Close to the end of the survey and immediately before the final public session, twelve briefly overtook ten, although later responses restored ten to the leading position. In the same context, eleven rose to become the third choice, overtaking seven.

Fully, 88.5% of responses fell between seven and 13, and 61.5% were accounted for by ten through twelve. Interestingly, eleven was the most popular answer among respondents to the print survey, accounting for 39.3% of that subset of respondents. In the overall survey, a significant group (19.5%) endorsed a council of seven to nine, although many more favoured the range of larger councils from eleven to thirteen (45.8%). The average of all responses was 10.4 council members including the mayor.

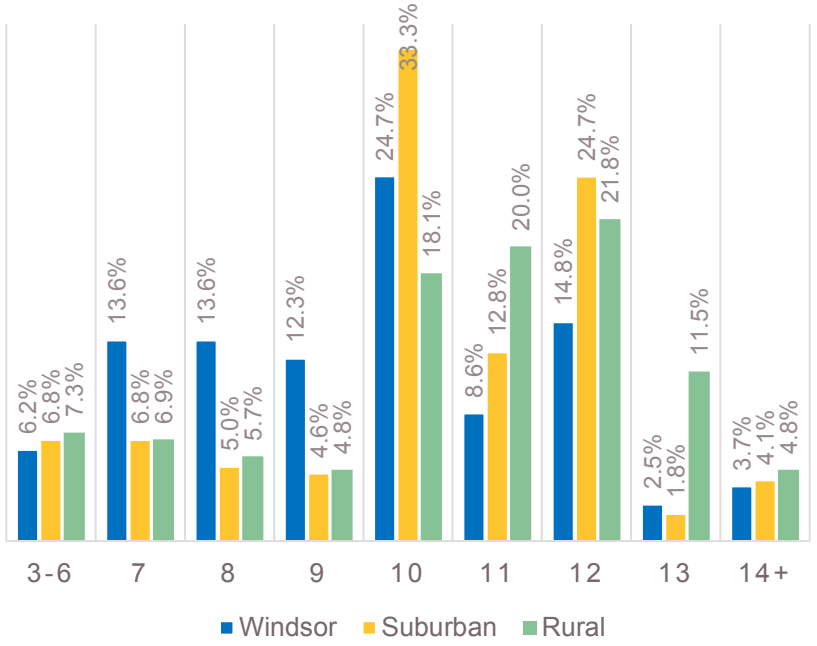
Figure 3-3 Preferred Council Size, Windsor-West Hants Council Size Survey, 2019



Source Stantec Consulting Ltd.

Figure 3-4 illustrated the breakdown among the Town of Windsor, other serviced areas (i.e., Hantsport, Falmouth, Currys Corners, Garlands Crossing, and Wentworth Creek), and remaining rural areas of West Hants. The three distributions suggest a stronger preference for a larger council among rural residents than serviced area and Windsor residents, but not particularly pronounced. The average response of Windsor residents was 9.6 council members, for residents of other serviced areas 10.3. In rural areas the average was 10.6. Notable differences between the areas are the large proportion in Windsor who favour a council of seven to nine and a significant group of rural residents who would prefer a council of 13 (11.5%). While, the range from eleven through twelve accounted for just less than half of Windsor respondents (48.1%), clear majorities favoured it in the other serviced areas (70.8%) and rural areas (59.9%).

Figure 3-4 Council Size Preference by Area, Windsor-West Hants Council Size Survey, 2019



Source Stantec Consulting Ltd.

Question 4 – Rationale for Council Size Preference

Stantec examined all 478 comments in response to Question 5 taking into account the preferred council size chosen and the community of the respondent. Respondents who chose very small council sizes (i.e., six or fewer) emphasized efficient decision-making more than any other factor. Those preferring a council of 13 or more stressed representation, particularly representation of rural interests. Their comments tended to be negative toward consolidation, which most appeared to consider a threat to rural interests.

Some within the larger group who preferred a council of seven to twelve expressed similar concerns with efficiency and representation as well as support for and opposition to the consolidation initiative; however, many introduced more detailed breakdowns of how council seats should be distributed among the leading communities. Those favouring seven to nine council members emphasized efficient decision-making but also suggested that the ratio of population to council members was realistic and manageable. In this range, respondents suggested one councillor would be sufficient for Windsor and the remainder would serve West Hants.

Among respondents espousing a council of ten to twelve, priority shifted more clearly to representation. Many recognized that a council of ten or more would provide two positions for Windsor and one for Hantsport, leaving six to eight positions for West Hants. Even within this group, a significant number of respondents expressed a desire for efficiency recognizing that even a council of twelve represents a reduction relative to the 15 political representatives currently serving Windsor and West Hants as separate municipal units.

Question 8 – Final Comments

Only 142 respondents chose to add final comments at the end of the survey. Most reinforced views expressed in response to Question 5 and offered opinions concerning consolidation. Several addressed the representation of specific communities and two from Hantsport expressed their desire that Hantsport continue to be recognized in a separate district without Mount Denson.

4.Recommendation

Council sizes from ten through twelve were clearly favoured by respondents to our survey of residents. Even in the Town of Windsor, which clearly has the largest constituency preferring a smaller council, nearly half of residents expressed preferences between ten and twelve, and the majority (54.3%) favour a council of ten or more. While there are very clear shortcomings with the representativeness of the survey, all significant sub-groups that we have examined favoured a council in the same range. In areas outside of Windsor the majority generally favoured a larger council.

While direct consultation with residents at meetings cannot be expected to extract clear opinions concerning council numbers, the input of meeting participants was not at odds with survey results. Unquestionably, speakers who were most supportive of consolidation expressed the hope that a smaller council would be adopted to reflect their aspirations for a unified municipality; however, more expressed concern for representation of existing communities. Several, in fact, gave specific breakdowns of their expectations for Windsor, Hantsport, and West Hants that would typically require a council of ten or eleven members in addition to a mayor.

While the portion of the community most supportive of consolidation appears to favour a smaller council, they are clearly a minority. Only 20.9% of survey respondents expressed a preference for a council of nine or fewer. Input at the public sessions aligns with the survey result: select participants spoke for a smaller council in the interest of focused and efficient decision-making but they were outnumbered by speakers more concerned with representation.

A council of ten received the most support among survey respondents with 23.2% favouring the number. A council of twelve was however a close second with 21.8%. The third most popular response, eleven, fell between the two.

Question 4 asked respondents to indicate their preferred council size including the mayor. The responses ten and twelve, therefore, correspond to nine or eleven districts. Based on our assessment of all input from consultation to date, **we recommend the assessment of scenarios for nine and eleven districts in Phase 2 of this Governance Study**. Given the expressed concern for representation of established communities through the same consultation, we anticipate structuring district options around the current district structure with the addition of the Town of Windsor.

Appendix A Council Size Survey Questionnaire

Windsor-West Hants Governance Review

About this Survey

The Municipality of the District of West Hants and the Town of Windsor will be consolidating into a new Regional Municipality April 1, 2020.

Stantec Consulting Limited has been engaged by the Region of Windsor and West Hants Municipality Co-ordinating Committee to help determine the appropriate size of the new council and the electoral boundaries of the new Regional Municipality.

As part of this process, we are asking residents to take part in this short survey. These results, along with information obtained from residents at public meetings starting in late January, as well as consultation with the existing Councils and staff, will provide the basis for the recommendation that Stantec Consulting will be submitting to the Co-ordinating Committee for review.

The Co-ordinating Committee will then present the preferred council size and boundary arrangement to the Nova Scotia Utility and Review Board for consideration. This will be one of many factors that will determine the structure and governance of the new Regional Municipality.

We appreciate you taking the time to complete the survey and helping us to become a stronger region.

Please drop your completed survey off at either:

- Windsor Town Hall, 100 King St., Windsor
- West Hants Municipal Office, 76 Morison Drive, Windsor

For further information, please contact:

John Heseltine, LPP MCIP
Stantec Consulting Ltd.
102-40 Highfield Park Drive, Dartmouth NS B3A 0A3
Phone: (902) 481-1477
John.Heseltine@stantec.com

This survey is also available online through https://strongerregion.ca/ and the websites maintained by the Town of Windsor and the Municipality of the District of West Hants.

Windsor-West Hants Governance Review

Consolidation and Council Size

1. Please indicate if you voted in any of the past three municipal council elections in either the Municipality of the District of West Hants or the Town of Windsor. [CHECK AS MANY AS APPLY]

- [ ] 2008
- [ ] 2012
- [ ] 2016
- [ ] I did not vote in any of these elections

2. Please indicate whether you would expect a large or small council to have the following benefits for the new Regional Municipality.

	Large Council	Small Council	Won't make any difference
Better service to citizens	○	○	○
More effective municipal government	○	○	○
Cost savings	○	○	○
Better interaction among Councillors	○	○	○

3. West Hants currently has ten council members serving 15,368 residents; Windsor has five council members serving 3,648. The new Regional Council will include a Mayor and will serve 19,016 residents.

Please indicate the number of Council members, including the Mayor, you feel should represent the residents of the new Regional Municipality (the minimum Council size is three members plus the Mayor).

4. Why did you choose that number as the number of council members you would prefer for the new Regional Municipality?

Windsor-West Hants Governance Review

Some Information About You

5. What community do you live in?

- ◯ Ardoise
- ◯ Ashdale
- ◯ Avondale
- ◯ Belmont
- ◯ Bishopville
- ◯ Bramber
- ◯ Brooklyn
- ◯ Cambridge
- ◯ Centre Burlington
- ◯ Cheverie
- ◯ Cogmagun
- ◯ Currys Corner
- ◯ Ellershouse
- ◯ Falmouth
- ◯ Garlands Crossing
- ◯ Greenhill
- ◯ Gypsum Mines
- ◯ Hants Border
- ◯ Hantsport
- ◯ Hillsvale
- ◯ Kempt Shore
- ◯ Leminster
- ◯ Lower Burlington
- ◯ Mantua
- ◯ Martock
- ◯ McKay Section
- ◯ Mill Section
- ◯ Mosherville
- ◯ Mount Denson
- ◯ Newport Corner
- ◯ Newport Station
- ◯ Panuke Lake
- ◯ Pembroke
- ◯ Poplar Grove
- ◯ Riverside
- ◯ Scotch Village
- ◯ St. Croix
- ◯ St. Croix 34
- ◯ Summerville
- ◯ Sweets Corner
- ◯ Three Mile Plains
- ◯ Union Corner
- ◯ Upper Burlington
- ◯ Upper Falmouth
- ◯ Upper Vaughan
- ◯ Vaughan
- ◯ Walton
- ◯ Wentworth Creek
- ◯ Wile Settlement
- ◯ Town of Windsor
- ◯ Windsor Forks
- ◯ Woodville

Other community (please specify)

Windsor-West Hants Governance Review

6. What is your gender?

- ◯ Female
- ◯ Male
- ◯ Prefer not to answer

7. Which category below includes your age?

- ◯ 14 years or less
- ◯ 15 to 17 years
- ◯ 18 to 19 years
- ◯ 20 to 24 years
- ◯ 25 to 34 years
- ◯ 35 to 44 years
- ◯ 45 to 54 years
- ◯ 55 to 64 years
- ◯ 65 to 74 years
- ◯ 75 to 84 years
- ◯ 85 years or more
- ◯ Prefer not to answer

Upcoming Public Meetings

We appreciate your help with the Governance Review and encourage you to attend one of the following public meetings planned to discuss the size of the future Regional Council for Windsor and West Hants. Each meeting will begin with an open house from 6:00 to 7:00 pm followed by a presentation at 7:00 pm:

- **Tuesday, January 29** - Avondale Community Hall, 50 Avondale Cross Rd, Avondale
- **Wednesday, January 30** - Brooklyn Civic Center, 995 Hwy 215, Brooklyn
- **Thursday, January 31** - South West Hants Fire Hall, 1884 Hwy 14, Vaughan
- **Tuesday, February 5** - Windsor Community Center, 78 Thomas Street, Windsor
- **Wednesday, February 6** (snow date for the 1st 4 meetings) - West Hants Municipal Office, 76 Morison Road, Windsor
- **Thursday, February 7** - Falmouth Community Hall, 147 Falmouth Back Rd, Falmouth
- **Wednesday, February 13** (snow date for February 7) - West Hants Municipal Office, 76 Morison Road, Windsor

8. If you have any further thoughts about the size of the council for the new Regional Municipality or any related issue, please share them with us here.



Design with community in mind

Report to the Co-ordinating Committee in relation to Council Size and Polling Districts for the Region of Windsor and West Hants Municipality

Submitted by
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Halifax, Nova Scotia

February 19, 2019

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Executive Summary

On April 1, 2020, the Region of Windsor and West Hants Municipality (hereafter, "WWH") will join the Cape Breton Regional Municipality, Halifax Regional Municipality and Region of Queens Municipality as the one of only four regional municipalities in Nova Scotia. It will also be the first such regional consolidation to take place in the province in over twenty years.

The purpose of this report is to provide background context and analysis on two key questions of institutional design for WWH. First, what is the optimal size for the new regional council? Second, what are the appropriate geographic boundaries for the municipality's polling districts? How these two questions are approached and answered may have consequences for the functioning and long-term success of the new regional municipality—and, to the extent that WWH serves as a model for other regional consolidations, may influence future municipal reforms across the province.

In reaching a decision on these two issues for WWH, the Nova Scotia Utility and Review Board will have a deeper set of precedents to draw on than it did when determining council size and polling districts for earlier regional consolidations. By mapping the relevant statutory provisions and the Board's emerging analytical framework for determining these issues, this report provides a basis to better understand the available choices between larger and small councils and the different approaches to establishing district boundaries. Both of these inquiries are described in this report as an exercise in balancing competing but legitimate sets of values and goals.

The report's main recommendations can be summarized in three points. First, consistent with past cases of regional consolidation and with the need to balance effective representation and effective governance, the new regional council for WWH should likely be smaller in size than the combined councils of the Town of Windsor and the Municipality of the District of West Hants. Second, in establishing polling district boundaries, community of interest factors play an important role—but in the unique context of regional consolidation, those factors will also need to be weighed against demands to advance regional interests. Third, determinations of council size and polling districts should be based on a close consideration of how these two institutional features relate to one another and how they may or may not change and evolve over time in the dynamic context of municipal reform.

While Nova Scotia has a long history of studying municipal reforms, much has changed since calls for "modernization" emerged in the late 1960s and early 1970s and since the last round of regional consolidations in the mid-1990s. This report builds on those past studies by surveying the recent law and academic research on council size and polling districts. It then synthesizes the available material for application to WWH within the broader context of municipal reform in Nova Scotia.

1. Introduction

At the request of the Councils of the Town of Windsor and the Municipality of the District of West Hants, the Minister of Municipal Affairs introduced Bill 55 to the provincial legislature on September 25, 2018. The *Region of Windsor and West Hants Municipality Act* (the "Act") received royal assent on October 11, 2018.[1] Section 3 of the Act consolidates the Town of Windsor and the Municipality of the District of West Hants into the new Region of Windsor and West Hans Municipality ("WWH") effective April 1, 2020. WWH is only the fourth regional municipality created in Nova Scotia and the first such regional consolidation in the province in the past two decades.

The Co-ordinating Committee overseeing the consolidation is chaired by a Co-ordinator appointed under the Act by the Governor in Council. Section 10 of the Act requires the Co-ordinator to apply to the Nova Scotia Utility and Review Board [the "Board"] to determine the number of councillors and the geographic boundaries of the polling districts for the new regional municipality.

1.1. Mandate

On January 21, 2019, the Co-ordinator requested a written report to inform the Co-ordinating Committee about approaches to determining the council size and polling district boundaries for WWH. The report was to be conducted in parallel with a Governance Review, including public consultations, completed by Stantec. The Co-ordinator asked that the report:

- provide an understanding of approaches taken to determining council size and polling district boundaries in previous similar Nova Scotia cases before the Board, including approaches taken by associated studies submitted to the Board in support of those applications; and
- include an overview of the current literature on creating effective representation at the local government level.

This is the report submitted to the Co-ordinating Committee in fulfillment of the Co-ordinator's request.

1.2. Scope of Report

This report is based on a review of the following materials:

- legislation relevant to the Board's determination of council size and polling district boundaries in cases of regional consolidation; and
- the Board's past decisions upon applications to establish or revise council size and polling district boundaries for the three pre-existing regional municipalities in Nova Scotia: Cape Breton Regional Municipality, Halifax Regional Municipality, and the Region of Queens Municipality;
- reports submitted to the Board in support of the above applications;

- relevant Canadian and comparative research literature on municipal council size and the distribution of polling districts.

By way of background, additional materials related to the broader context of municipal reform and restructuring in Nova Scotia were also reviewed. Apart from a few cases of particular relevance, the Board's decisions on council size and polling districts upon application by municipal councils under section 369 of the *Municipal Government Act* (the "MGA") were not reviewed for the purposes of this report.[2]

2. Regional Consolidation in Nova Scotia

Changes in the structure of municipal government in Nova Scotia have long shaped how local communities govern themselves and how those communities connect with and relate to one another. In the early colonial history of the province, these changes were driven by the global forces of war, international migration, and British imperialism, as Loyalist settlers from New England challenged the centralizing tendencies of municipal administration under the British and brought with them new ideas about the value of self-governance and local control.[3] Since the mid-twentieth century, shifting demographics and economic conditions, the changing scope and complexity of local services, and the introduction of new technologies have all combined to create new pressures for municipal reform.[4]

How municipal governments should be restructured to respond to these pressures has been a much-studied topic in Nova Scotia over the last half-century or more. In 1967, the Pictou County Municipal Coordination Study considered several alternatives for structural reform across the six existing municipal units in Pictou County.[5] Just four years later, the Royal Commission on Education, Public Services and Provincial-Municipal Relations (the Graham Commission) began an exhaustive review of municipal boundaries and financing. As recently as 2014, the Report of the Nova Scotia Commission on Building Our New Economy (the Ivany Report) recommended that the provincial government initiate a review of current municipal government structures to improve "efficiency, cost effectiveness and community engagement."[6] The intervening years of the late twentieth and early twenty-first century produced several additional studies and reports on the topic.

These studies are perhaps most remarkable for their consistency in recommending a reduction in the number of municipal units through some form of amalgamation. Likely the most influential has been the report of the province's Task Force on Local Government in 1992, which identified five "critical regions" as a "first priority" for structural reform.[7] Rejecting the two-tier model that had been taken up in parts of Ontario and the Western provinces, the Task Force recommended that Nova Scotia pursue single-tier, regional-level consolidations of existing city-county units—with the county-level serving as the preferred scale for reorganization.[8]

In the wake of the Task Force report, the provincial government initiated regional consolidations in the two most populous regions in the province by way of special legislation,[9] creating the Cape Breton Regional Municipality ("CBRM") in 1995 and the Halifax Regional Municipality ("HRM") a year later. The Region of Queens Municipality ("Queens") was also created in 1996, consolidating the town of Liverpool and the Municipality of Queens County—although this restructuring was unique in that local officials initiated the consolidation rather than have it

imposed by the Province.[10] Historians have noted that the primary motivations varied for each of these three regional consolidations. The changes in Cape Breton were an attempt to address the financial viability of the nine municipalities comprising the new regional government, while in Halifax the rationales included cost savings, unsustainable economic competition between the four former municipalities, and problems with a new provincial service exchange initiative. The Queens consolidation stood apart as an amalgamation of town and rural areas with a much smaller population, where economies of scale and a shared identification as a community of interest were central features.[11]

Despite the introduction of new permanent legislation to create additional regional municipalities in 1996,[12] no further regional consolidations had been initiated until the *Region of Windsor and West Hants Municipality Act* was enacted in October 2018.

2.1. Functions of Local Government and Objectives for Reform

In part, what makes local governments unique from other levels of government in Canada is their dual identity as both service providers and vehicles for democratic expression. In its 1992 report, the Task Force on Local Government identified four key functions of local government in Nova Scotia that together capture this dual identity. Local governments are:[13]

- a provider of services based on local needs and desire;
- a forum for local citizens to make decisions on the way they want to live;
- a forum for the resolution of conflicting views within local communities;
- a representative of the community to lobby on its behalf.

In whatever way municipal government is structured or restructured, its institutional features should be designed to reflect these key functions. The Provincial-Municipal Fiscal Review, published in 2014, put forward the view that any structural reforms to municipal government should seek to achieve the following objectives:[14]

- democracy—reforms "should uphold transparent, accountable, accessible, and representative municipal government";
- equity and fairness—reforms "should support a reasonably comparable standard of public services across Nova Scotia municipalities at reasonably comparable levels of taxation, and support a system where citizens receive best value and are taxed according to the services they have access to";
- viability and capacity—reforms "should ensure that municipalities have sustainable resources to support their long-term viability";
- efficiency and effectiveness—reforms "should encourage efficient and effective decision-making" by local government.

While each of these objectives is legitimate, they necessarily give rise to internal trade-offs that are made "real" at the level of institutional design. The balancing of those trade-offs is discussed in detail in Part 4, below.

2.2. Rationales for Regional Consolidation

The several reports on municipal restructuring in Nova Scotia that have emerged over the past half-century contain an extensive analysis of the rationales for regional consolidation and other forms of municipal amalgamation. Likewise, a considerable research literature exists, both in Canada and in comparative jurisdictions, on the topic of municipal government restructuring. This report focuses on just two aspects of institutional design within this broader context of reform—namely, council size and the distribution of polling districts in a new regional municipality. Nevertheless, a determination of these two issues will necessarily be influenced by those goals or rationales for regional consolidation that are deemed most important.

Four prominent rationales for regional consolidation emerge from the various studies and reports published on the topic in Nova Scotia:

- efficiency—restructuring at the regional level may help municipalities to reduce costs and capture economies of scale, resulting in the more efficient delivery of municipal services and more efficient decision-making;

- regional planning—reorienting planning aims and processes at the regional level can address problems of wasteful competition between municipalities for development, and may drive municipal decision-makers to adopt broader policy orientations that are more appropriate to scale of municipal challenges and opportunities;

- bargaining power—"scaling-up" local governance through consolidation can put regional municipalities in a stronger position to advocate for regional interests to senior levels of government, and to negotiate with potential investors or industry actors for economic development opportunities on more favourable terms;

- equity—combining service delivery across municipal governments may not only improve efficiency, but may also help to make service delivery more uniform and consistent, thereby improving equity among citizens within a region.

An evaluation of these rationales lies outside the scope of this report. Nor does the report engage with an assessment of alternatives to regional consolidation. But a clear understanding of the different goals above is crucial for analyzing how the issues of council size and polling district boundaries have been approached in past cases of regional consolidation. The report returns to these themes in Parts 3 and 4 below.

3. Statutory Framework and Case Law

The first goal of this report is to understand how the Board has determined council size and polling districts in past cases similar to WWH. This section introduces the relevant statutory framework and outlines the Board's general analytical framework for determining the issues of council size and the boundaries of polling districts. The section concludes by summarizing how the Board determined these issues in the three prior cases of regional consolidation in Nova Scotia, including subsequent adjustments to council size and district boundaries in those regional municipalities over time.

3.1. Statutory Framework

Section 10(1) of the *Region of Windsor and West Hants Municipality Act* (the "Act") requires the Co-ordinator to "apply to the Nova Scotia Utility and Review Board for a determination of … the number of councillors and the boundaries of the polling districts in the Regional Municipality."[15] The Act, however, is silent on the criteria to be applied by the Board in making these determinations.

Special legislation in prior cases of regional consolidation in Nova Scotia also lacked specific criteria to guide the Board's decisions about council size and polling districts.[16] In both the HRM and Queens cases,[17] the Board relied, by analogy, on the statutory provisions requiring periodic reviews of these issues in all local governments in Nova Scotia pursuant to the *Municipal Boundaries and Representation Act* (the "MBRA").[18] In 1998, the MBRA provisions—including the requirement for an octennial review of council size and polling districts and criteria to guide those determinations—were subsequently incorporated into the MGA.[19]

The Board's reliance on the MBRA in its decisions in the HRM and Queens cases is significant for WWH for two reasons. First, it suggests that the criteria for determining council size and polling districts now set out in section 368 of the MGA will be persuasive factors for the Board. Second, it suggests that the more general analytical framework the Board has developed in its section 369 jurisprudence since the early 2000s will likely guide the Board in determining council size and polling districts for WWH.

Sections 16(2) and 17 of the MBRA, which were relied on by the Board in the HRM and Queens cases, read as follows:[20]

> 16(2) In settling and determining the number and boundaries of wards and polling districts and the number of aldermen or councillors for each ward or polling district, the Board shall give consideration among other things to population density, community of interest and geographic size of wards and polling districts. [emphasis added]
>
> […]
>
> 17 During the year 1987 and during each sixth year thereafter the council of each municipality other than a city or town shall cause a study to be made of the number and boundaries of the then existing polling districts in the

> municipality and the fairness and reasonableness of the number of polling districts and of the number of councillors to be elected from each, and before the end of the year in which the study is made shall make an application to the Board either for confirmation of or approval of changes in the number and boundaries of polling districts and the number of councillors to be elected from each polling district. [emphasis added]

When the new MGA was enacted in 1998, it incorporated the requirements for periodic review formerly found in the MBRA. Section 369 of the MGA now reads:

> 369(1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.
>
> (2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councillors.

Subsection 368(4) of the MGA establishes the general powers of the Board upon a municipality's application to determine council size and polling districts:

> 368(4) In determining the number and boundaries of polling districts the Board shall consider number of electors, relative parity of voting power, population density, community of interest and geographic size. [emphasis added]

The specific factors identified in this provision are discussed in more detail below.

3.2. The Board's Analytical Framework

In the course of reviewing municipal applications respecting changes in council size and polling district boundaries under section 369 of the MGA, the Board has developed a general analytical framework that incorporates—but is not limited to—the factors listed in subsection 368(4). Based on the precedent established in the HRM and Queens consolidation cases, it is likely that the Board will apply this general framework when determining the council size and polling districts for the Region of Windsor and West Hants.

In 2004, HRM applied to the Board under section 369(1) to confirm its preexisting council size and the boundaries of its polling districts.[21] Following its decision on the municipality's application, the Board established a two-step framework to guide municipal applications addressing council size and polling districts in future cases. At the first stage, the Board instructed municipalities to address the appropriate size of the municipal council. At the second stage, once council size has been determined, the Board instructed applicants to address the appropriate distribution of polling districts.[22]

3.2.1. Step One: Council Size

When determining the size of council at the first stage, the Board will consider the following factors:[23]

- the desired style of council;
- the governance structure of council; and
- the effective and efficient number of councillors.

The first two of these factors—the desired style of council and its governance structure—are not mentioned in the MGA. Instead, these factors appear to precede, and establish the relevant context for, applying the section 368 factors in order to determine "the effective and efficient number of councillors" for a municipality.

In describing the "desired style of council", the Board referred to citizens' expectations about the manner in which they engage with councillors and the extent to which councillors are directly accessible to their constituents. The Board distinguished between two styles of council on these grounds: a "board of directors" style and a "board of management" style.[24] While the Board did not elaborate on these two models, it appeared to have in mind the contrast between a council that is delegated relative autonomy to act on behalf of—but at a step removed from—its constituents, and a council whose immediate decisions are informed by its constituents and whose members are therefore directly accessible to municipal citizens. Party submissions in subsequent Board decisions have compared these styles as, alternatively, "board of directors" versus "ombudsman" models,[25] and as "executive" versus "direct accessibility" models.[26] The choice between these styles of governance has been described as the "social compact" between council and its citizens.[27] The Board noted that the style of council was a factor that should be based directly on the expectations of constituents as expressed through consultation.[28]

In describing the "governance structure of council" component of its framework, the Board referred to features of municipal governance that are likely to affect citizens' representation by, and access to, their councillors. Here, the Board appeared mainly to have in mind features such as the community councils that play a "critical role" in the governance of a regional municipality like HRM and serve as an important conduit for citizen participation and input. Presumably, structural features specific to other municipalities that affect the nature of representation or the delivery of municipal services would also be relevant to this component of the analysis—such as mayoral versus warden systems,[29] or the number of councillors elected per ward.[30]

Based on these first two components of the Board's framework, it is clear that the application of the statutory criteria in subsection 368(4) of the MGA should be sensitive to the diverse contexts of local governance. Those contexts will legitimately be informed by both citizens' expectations, by features required under statute (e.g., the mayoral system for regional municipalities), and by other institutional decisions properly made by council (or, in the present case, by the Co-ordinating Committee).[31]

There is, however, uncertainty about the extent to which these fist two factors are binding on the Board. In *Richmond County (Municipality) v. Nova Scotia (Attorney General)*, the municipality

sought judicial review of the Board's decision to reduce its council from 10 members to 5, arguing that the Board failed to consider the style of governance desired by the municipal council's constituents.[32] The Court of Appeal found that the Board's "guidance" in describing this component of the framework did not act as a fetter on the Board's jurisdiction to determine the size of council using the explicit statutory criteria found in subsection 368(4).[33]

The final factor at the first step of the Board's analysis—"the effective and efficient number of councillors"—presumably refers directly to the criteria listed in subsection 368(4) of the MGA, interpreted in light of the desired style of council and its governance structure. The statutory criteria primarily relevant to determining council size are: the number of electors, population density, and the geographic size of the municipality.

3.2.2. Step Two: Polling District Boundaries

In *Re (Halifax Regional Municipality)*, 2004 NSUARB 11, the Board addressed four factors listed in section 368(4) of the MGA relevant to determining polling districts at the second stage of analysis: relative parity in voting power, community of interest, geography, and population density.

The MGA does not describe how the four factors might interrelate to one another, but the Board has gone some distance toward clarifying this relationship in its case law. In its decisions on polling districts in both the HRM and Queens consolidation cases, the Board was careful to note the "paramount importance" of relative parity of voting power.[34] The central concern is that, when the voter-to-councillor ratio in one district exceeds that of any other district, each elector's vote in the former will be proportionally less influential in determining electoral outcomes and in public decision making.

In *Reference re Provincial Electoral Boundaries*, Justice McLachlin described relative parity of voting power as one of the conditions for effective representation.[35] The importance of this principle as a baseline for determining polling boundaries was emphasized again in the final report of Nova Scotia's Provincial Electoral Boundaries Commission in 1992, noting that "criteria such as geography or community interest may be used to temper the idea of the 'relative parity of voting power', but they do not supplant or eliminate that concept."[36]

In past cases of regional consolidation, the Board applied a threshold for variance from average voting power parity for each proposed district at ±20-25 percent. More recent Board decisions on polling district distribution pursuant to section 369 of the MGA have narrowed the expected baseline threshold for variance in relative voter power parity to ±10 percent, requiring that variance in excess of this threshold "must be justified in terms of the criteria identified in section 368(4)"—namely, the number of electors, relative parity of voting power, population density, community of interest and geographic size.[37] Furthermore, "[t]he more the variance exceeds 10 percent the greater and more detailed the justification the Board will expect."[38]

At the same time, the Board has also been clear that polling district boundaries themselves cannot be established arbitrarily but should seek to encompass "common interests"—however this might be defined.[39] Communities of interest, likely in combination with geography and population density, therefore appear to form the basis for actually mapping district boundaries,

while relative parity in voting power sets a strong outside constraint on the degree to which districts can vary in population. Nevertheless, the broad interpretation given to "community of interest" by the Board lends this criterion considerable flexibility and ambiguity, leading to uncertainty about when certain interests might "trump" others if they come into conflict with one another.

3.2.3. Relationship Between Steps One and Two

While the Board has been clear that it wants municipalities to address steps 1 and 2 of its framework in serial order, the two inquiries are clearly interrelated. For example, the size of council (and therefore the number of polling districts in a system of single-district representation) will establish parameters for drawing district boundaries. In some cases, what appears to be an optimal council size will make it impossible to establish polling districts that fall within the variance thresholds for voting power parity or meet the other criteria established by the Board.[40] In these circumstances, the Board has demonstrated some degree of flexibility in adjusting council size at the margins on the basis of factors such as community of interest—while nevertheless continuing to demand that municipalities follow the general instruction to address these issues in discrete stages, at least as a first attempt.

3.3. Prior Cases of Regional Consolidation

Below is a summary of the Board's reasons and conclusions on the issues of council size and polling districts in the three prior cases of regional consolidation in Nova Scotia (CBRM, HRM, and Queens). The summary includes both the Board's initial determinations on these issues at consolidation, as well as subsequent revisions to council size and polling districts upon application by each of the regional municipalities under section 369 of the MGA. Table 1 shows how council size has changed in each of the regional municipalities over time since before consolidation in 1995-1996.

	CBRM	HRM	Queens
Before consolidation (total)	70	60	16
After consolidation (1995/96)	21	23	9
1999	16	23	9
2004	16	23	9
2011	12	16	7

Table 1: Council Size in Nova Scotia's Regional Municipalities, Pre-consolidation to 2011

3.3.1. Cape Breton Regional Municipality (CBRM)

The consolidation of Cape Breton Regional Municipality (CBRM) encompassed the area of the former Cape Breton County, amalgamating eight separate municipal units that contained a mix of urban, suburban and rural populations. The region contained 13 percent of the total provincial

population at the time of consolidation, second in size only to the region of Halifax County. Since the mid-1960s, "industrial" Cape Breton had been experiencing declining economic prospects, out migration, and an aging population.[41]

Prior to consolidation, Cape Breton County's eight municipalities included a total of 70 councillors, a total population of 120,098 and a voting population of 83,769. Voter-per-councillor ratios varied across these pre-existing municipalities from 155:1 to 2,222:1.

Charles Campbell, the regional Co-ordinator, issued his Interim Report on the consolidation to the Minister of Municipal Affairs in July 1993. Campbell proposed establishing a new regional council of 20 councillors. In proposing a council of this size, the Co-ordinator was primarily concerned to "balance the goals of effectiveness and representation."[42] Campbell's view was that large councils tended to be unworkable, a problem which itself would impair effective representation of councillors' constituents. He was also concerned that "there is a tendency … for very large councils to be unduly concerned with neighbourhood issues, of importance to the individual councillors, and not sufficiently directed to the needs of the region as a whole."[43] This conclusion was based in part on Campbell's understanding of the experiences of other large cities in the Atlantic region and across Canada which, in his view, favoured "smaller, more workable councils."[44]

On the question of polling districts, the Co-ordinator noted that the geography of the new regional municipality and large variation in the geographic size of polling districts across the former municipal units created challenges in maintaining relative parity in voting power while ensuring that councillors on the new council could effectively represent their constituents.[45] Campbell was sensitive to the need not to divide communities of interest, but also recognized that reinforcing the boundaries of prior municipal units could divide communities of interest in some cases while protecting them in others. Accordingly, "[m]any living on the boundaries of cities and towns have more in common with the urban units than with those who shared the same councillor but were of a more rural bent."[46] But Campbell also recognized that public perception played an important role, noting that simply creating polling districts to ensure that they each include some mix of urban, suburban and rural could divide these interests and pit them against one another, leading to political dysfunction. In Campbell's view, the inevitable contest between these interests would be more appropriately played out within the council itself, rather than within particular polling districts.[47] Finally, the Co-ordinator noted that polling districts should not be split by major geographic barriers, which could impair access to elected officials.[48]

After a preliminary hearing on these issues, the Board requested that the Co-ordinator file a revised application to address problems with one of the proposed districts. The Board ultimately settled on a council of 21 members, resulting in an average voter-per-councillor ratio of 3,989:1. While the Co-ordinator had set an ambitious goal for variance in voting power to within ±10 percent of the average,[49] the Board ultimately rejected this proposal based on its concerns about geographic size and about reinforcing pre-existing divisions between rural and urban voters.[50] The Board allowed a number of districts to vary within ±20.9 percent,[51] noting that "[i]t would not be inappropriate if the small urban polling districts exceeded +10 percent while the large rural polling districts exceeded -10 percent."[52] In one "special circumstance", the Board allowed a district to vary by -54.7 percent.

In 1999, just five years after the creation of the new CBRM, the regional council applied to the Board under section 369 of the MGA to reduce its size from 21 members to 16 members. That application was accepted by the Board. In 2011, the regional municipality applied to maintain its *status quo* size of 16 councillors, but the size of council was again reduced by the Board, creating a new council of 12 members. This most recent reduction resulted in a voter-per-councillor ratio of 6,936:1.[53] Following the reduction of council size to 12 councillors in 2011, the variation in voting power between districts was reduced considerably—to a range between -25.9 percent to +16.3 percent.[54]

3.3.2. Halifax Regional Municipality (HRM)

The area formerly encompassed by Halifax County is the largest urbanized area in Nova Scotia. The former municipalities of Halifax City, Dartmouth, Bedford and Halifax County—an area covering nearly 1.5 million acres—were consolidated to create the Halifax Regional Municipality in 1996.

Prior to consolidation, the four former municipal units were governed by a total of 60 councillors and comprised of 45 different wards. The population of the new regional municipality when it was created was 330,846, with a total voting population of 249,510. Voter-per-councillor ratios in the former units varied from 1,936:1 (in Bedford) to 9,538:1 (in Halifax City).

C. William Hayward, the Co-ordinator for the HRM consolidation, submitted his Interim Report on the consolidation to the Minister of Municipal Affairs in July 1993. Echoing many of the same ideas and much of the same language as the Campbell report, Hayward's report recommended a new council size of 20 members and, in making this recommendation, sought to "balance the goals of effectiveness and representation."[55] Likewise, Hayward's report mirrored many of the considerations in the Cape Breton report—however, the former recommended a broader range for the variance in average in voting power of ±20 percent (compared to ±10 percent), noting that ±30 percent may be justified in unusual cases.[56]

The Board ultimately determined that the new regional council should be slightly larger, at 23 members, resulting in an average voter-per-councillor ratio of 10,337:1. In rejecting the smaller proposed council size, the Board emphasized that a municipal councillor, "particularly in a rural area, is expected to perform a wide variety of activities for his or her constituents. For many people in rural areas, this is their one contact with all levels of government."[57] The Board also expressed the concern that district sizes for the new regional municipality remain proportionally smaller in population than in federal or provincial ridings, and proportional to the voter-per-councillor ratios in other Nova Scotia municipalities.[58] In determining polling districts, the Board accepted a variance in average voting power of ±25 across districts and the final districts approved by the Board all fell within this range (between -21.6 percent to +23.8 percent).

The size of HRM's council remained unchanged until 2011, when the Board ordered a reduction in the size of council to 16 members—notwithstanding the regional council's request to maintain the *status quo*. This resulted in an average voter-per-councillor ratio across the regional municipality of 20,664:1. Following this reduction in council size, the variation in voting power between districts narrowed to between -20.7 percent and 13.0 percent.[59]

3.3.3. Region of Queens Municipality (Queens)

The consolidation of the Town of Liverpool and the Municipality of the County of Queens that produced the new Region of Queen Municipality in 1996 differed from the consolidations in Cape Breton and Halifax in a few important respects. First, the Queens consolidation did not include a major urban centre but was instead the product of amalgamating a town and rural area with a much smaller population.[60] This feature places the Queens case closer to the social, economic and demographic context of WWH. Second, the Queens consolidation was not mandated by the Province—as it had been for CBRM and HRM—but was initiated locally.[61]

Nevertheless, despite this context, the mayor, warden and the respective councils of the two pre-existing municipalities apparently ran "into difficulty in agreeing on how best to implement" the consolidation.[62] As a result, two independent, local business persons—Harold Dobson and James Sapp—were asked to undertake a study of municipal reform for Queens and to provide a "blueprint" for the consolidation. The total voting population over the area of Queens County at consolidation was 9,404. The Town of Liverpool had 6 councillors and an average voter-per-councillor ratio of 385:1, while Queens County had 10 councillors an average ratio of 730:1.

In addressing the question of council size, Sapp and Dobson took their cue from the Task Force on Local Government's emphasis on balancing "citizen accessibility" with "cost-effective service delivery"[63]—although the report itself offers little insight into how the authors used this principle to arrive at their preferred council size. Sapp and Dobson argued that a ±20 percent requirement should guide assessment of polling districts based on voting power parity.

Based on Sapp and Dobson's study, the Co-ordinator for the Region of Queens recommended to the Board that the new regional municipality have a council size of 9—resulting in an average voter-per-councillor ratio of 1,044:1—a recommendation that was supported by a majority of councillors and citizens who gave evidence before the Board.[64] The Board approved a council of 9 councillors, as well as the recommended polling district boundaries based primarily on community of interest and geographic factors. The Board's determination of 9 polling districts produced districts with variation in relative parity of voting power between -22 percent to +23 percent.

In 2011, the Region of Queens Municipality applied to reduce the number of councillors and poling districts to 7, based primarily on concerns about a projected decline in population in the region.[65] This application was accepted by the Board, yielding a new average voter-per-councillor ratio of 1,167:1.[66] Following the reduction in council size, the variation in voting power between districts narrowed dramatically, to between -2.66 percent to +3.51 percent.[67]

4. Synthesis of Cases and Academic Research

The relevant statutory criteria for determining the optimal council size and distribution of polling districts are quite broad, and they offer precious little insight into how to address the trade-offs inherent in key decisions around the institutional design of municipal governance. While there are many factors that might bear on such decisions, this report proposes that, in the context of regional consolidation, determining council size and the distribution of polling districts can be addressed as an exercise in balancing two respective sets of competing but legitimate values or aims.

The "optimal" council size for WWH primarily engages the balance between what researchers have called *representation* and *governance*—that is, between council's ability to provide effective political representation on the one hand and effective municipal governance or legislative functionality on the other. Likewise, the question of district boundaries engages the balance between *community* and *regional* interests—that is, between demands by existing communities of interest for political recognition on the one hand and imperatives for regional planning and policy making on the other. While these are certainly not the only questions of balance that might be relevant to the Board's determinations, they are arguably the most salient and those best informed by the existing body of available research.

4.1. Council Size

As the Board's analytical framework recognizes, any determination of an "optimal" council size for WWH will necessarily be context specific. As an early study on the question of council size observed, "there is neither an abstract optimal size for a national, state, or city legislature nor an accepted formula for establishing legislative size, because decisions on size involve fundamental matters of representation, governmental effectiveness, political accountability, and the competitiveness of the city's political system."[68]

The optimal council size for WWH will turn on how best to navigate the several trade-offs between effective "representation" and effective "governance". The Board recognized as much in its initial determination of council size for the new Region of Queens Municipality when it observed that its decision "must balance both the number of voters a councillor will represent and the maximum number of councillors who can effectively work as a council."[69] As the Task Force on Local Government noted, "[t]he reorganization of any system of local government must always balance the requirements of accountability and accessibility with those of efficiency and economy."[70]

4.1.1. Representation

Effective political representation refers to a councillor's ability to effectively represent the views and interests of their constituents. In 1992, the Task Force on Local Government included two important functions of local government as (1) a forum for decisions about how local citizens want to live and (2) a forum for the resolution of conflicting views.[71] To fulfill the first of these functions, municipal councillors must be well-informed about their constituents' views and accountable for representing those views accurately and zealously. To fulfill the second of these functions, the council as a whole must be comprised of a enough districts to capture a range of

constituencies that bring a sufficient diversity of views and interests to the council table. In general, larger councils will be more representative in terms of both of these functions.

It is important to note that the quality of democratic representation in any municipality will be defined, in part, by the expectations of its citizens—that is, what the Board has called the "desired style of council."[72] "Executive" or "board of directors" models of council representation are premised on the assumption that councillors enjoy relative autonomy to interpret and represent their constituents' wishes once they have been elected. In this model, elections represent a kind of delegation of authority and discretion to councillors to act on their constituents' behalf. Alternatively, "direct accessibility" models of council assume that councillors must continually seek input from, adapt to, and respond to their constituents' views throughout the election cycle. The latter model will generally require that citizens have regular access to their councillors, and that councillors have the capacity to respond to their citizens concerns on an individualized basis. As the Board noted in its initial determination for HRM, "[a] municipal councillor, particularly in a rural area, is expected to perform a wide variety of activities for his or her constituents. For many people in rural areas, this is their one contact with all levels of government."[73] To the extent that the "executive" and "direct accessibility" models are ideal types, any actual council will in practice likely operate somewhere on a spectrum between them.

Three of the statutory factors in section 368(4) of the *MGA* speak directly to the question of effective political representation: the number of electors in the municipality, its population density, and its geographic size. The greater the number of constituents each councillor represents, the less accessible they may be (in terms of time and workload) and the less "fine-grained" will be the views of each district represented at council. Geography may also play a significant role. In reviewing the council size of the Halifax Regional Municipality in 2011, the Board observed:[74]

> [T]he issue of geographic size, in addition to the other factors, is clearly a relevant point for the Board to consider. In this proceeding, HRM's geographic size, with large sparsely populated rural areas, is a factor which tempers, to some extent, the desirability of a small council size. If this factor had not been present in this proceeding, the Board would have seriously considered a much smaller council."

While the density and geographic size of a councillor's district may have a direct impact on that councillor's ability to meet constituents face-to-face or to establish proximate constituency offices, some of that impact may be mitigated if technologies (e.g. email, social media) provide effective means of communication. Access to such technologies themselves, however, may turn on variables such as socio-economic status and demography.

The degree of a council's "representativeness" is difficult to measure. As a result, relatively little empirical research is available to test the idea that larger councils are more representative compared to smaller councils. One approach has been to focus on citizens' subjective experiences of access to councillors before and after municipal reforms. Kushner and Siegel (2003) gathered interview and survey data in three Ontario municipalities following regional consolidation.[75] The three consolidations ranged in context, from a voluntary merging of two

small village with a township to a large-scale, mandatory amalgamation of a central urban area with a county and its 21 municipal units. The researchers found that councillor workloads in each of the regional municipalities were either not affected or increased after amalgamation, but they also found that these changes did not negatively impact most councillors' perceived ability to be accessible to their constituents.[76] In all three regions studied, the majority of residents surveyed reported no difference in the accessibility of their councillors after amalgamation—although a "sizeable minority" (from 11 to 34 percent) thought that access had diminished.[77] While studies such as these offer a window into peoples' experiences of representation, any general lessons should be drawn with caution. As Kushner and Siegel (2003) note, citizens' responses on the issue of accessibility after consolidation appeared to be influenced by their prior beliefs about the benefits or drawbacks of consolidation in the first place.[78]

Other studies have addressed the relationship between council size and representativeness by evaluating the diversity of council itself as a proxy for the diversity of interests or views that it represents. In their study using a large dataset from Danish municipal elections, Kjaer and Elklit (2014) find that larger councils have a positive effect on the number of women represented on council—but only to a point, as this effect largely disappears at council sizes over 11 individuals.[79] These findings suggest that setting council size "too low" in some circumstances may have adverse consequences for the representation of underrepresented or marginalized voices within the municipality.

4.1.2. Governance

Effective governance refers to council's ability to function well in its legislative and administrative roles by reaching sound policy decisions and delivering municipal services in ways that minimizes costs. Two types of costs are most significant to the issue of governance: *decision costs* and *administrative costs*.

Decision costs are incurred by councillors in reaching decisions together about the governance of the municipality. Smaller councils are generally "considered more efficient internally as fewer people participate in the political discussion and fewer compromises are needed."[80] Where council is comprised of many councillors, each representing different constituencies and interests, the time and resources needed to give voice to those different interests and to reach final decisions on matters of law and policy may be onerous or, in the extreme, debilitating if they impair decision-making and render council ineffective.[81] Decision costs speak to the "balance between representing the voices of many while retaining the ability to govern".[82] As expert testimony in a recent section 369(1) application by the Cape Breton Regional Municipality put it, the prospect of higher decision costs in larger councils raises the question, "is the political system one in which the municipality can get the job done?"[83] As the authors of the 1967 Pictou County Municipal Consolidation Study recognized, to a certain extent and in some contexts, the ability to "get the job done" amounts to a prerequisite for effective representation.[84] In order for a municipal council to provide good representation to its citizens, it must be able to function effectively.

A second category of decision costs is related to the potential for collective action problems in deciding on council's appropriate level of public expenditures. Political scientists have suggested that larger councils—all else equal—may spend more on public works projects (such as parks)

for reasons that are not driven by citizens demands or an evaluation of the cost consequences of these projects.[85] According to this view, for any given municipality, an increase in electoral districts reduces each district's *relative* contribution to public projects. This, in turn, may cause each councillor to internalize a smaller share of the overall cost burden on their ward as a whole, causing them to advocate for larger projects and higher expenditures.

Administrative costs refer to the financial costs of council operations relative to its size. A number of specific administrative costs have, in theory, been linked to larger municipal councils. The first set of costs is straightforward: each councillor undoubtedly represents a fixed expenditure in terms of salary, office space, staff support, etc. Reducing the number of councillors may reduce some of these costs. Second, even if a portion of the cost savings from reducing council size is reallocated to higher salaries for the remaining councillors, the result may be more qualified candidates and consequently higher productivity in delivering good governance.[86]

There are, however, also competing administrative costs potentially associated with smaller municipal councils.[87] Greater "professionalization" may occur in municipalities where the number of councillors is reduced, because the remaining councillors require proportionally more staff resources to support their work.[88] Moreover, councillors in municipalities with smaller councils may have proportionally higher campaign expenditures.[89]

Like effective representation, it is difficult to measure the actual decision costs associated with smaller or larger councils. But the financial cost savings of reducing council size have received some limited attention in the context of research on Canadian local government. In their study of three municipal consolidations in Ontario, Kushner and Siegel (2003) find that the costs of council administration (councillor salaries plus expenditures), decreased in two of the three cases studied, while costs actually increased slighted in a third case in the period immediately following consolidation.[90] But the researchers also found that, where financial costs decreased, these savings represented less than 1 percent of total municipal expenditures.[91]

In a quantitative analysis of council expenditures after structural reforms in HRM, Toronto and Quebec City, Meloche and Kilfoil (2017) find evidence that council expenditures dropped when council size was reduced.[92] At the same time, this study found that scale of cost reductions was proportionally less than the reduction in the number of councillors. In Halifax following the downsizing of council in 2011, council size decreased by approximately 20 percent, while council expenditures dropped by only 10 percent.[93] These results—corroborated by a large-sample analysis of fifty-one Quebec municipalities with populations over 20,000[94]—suggest that cost savings tend to be offset, to a degree, by greater "professionalization" of municipal administration through the use of more staff resources. The research on this issue was apparently anticipated by the Board in its decision to reduce the size of HRM's council in 2011. The Board concluded that:[95]

> [P]otential cost savings are not a material factor in assessing the request by those seeking to reduce the size of HRM's council. Any reduction would likely cause support costs for the remaining councillors to rise and negate some of the savings occasioned by the reduction in council size.

While there is evidence to support the argument that reducing council size leads to administrative cost savings, municipalities should not expect to realize the full savings from downsizing. This appears to hold true even in the context of regional consolidations where, as a consequence of amalgamation, some aspects of municipal bureaucracy will presumably be combined and streamlined.

4.2. Polling District Boundaries

As with council size, the determination of polling district boundaries at the second stage of the Board's analysis engages a balance between competing values or outcomes—that is, between giving political recognition to existing and historical communities of interest on the one hand and imperatives for regional planning and policy making on the other. In addition, as the Board has made clear, this balance must be guided or circumscribed by the requirement that polling district boundaries maintain relative parity of voting power within acceptable limits.

4.2.1. Community of Interest

Community of interest is a factor set out explicitly in section 368(4) of the MGA. Community of interest has been described as a "sense of common purpose" that links municipal residents of a geographic area together.[96] The Board has identified several factors that could serve as a nexus for such common purposes: history; recreational issues; tax rates (including area rates); services (water and sewer); fire protection service areas; traffic infrastructure and patterns; planning boundaries; language; ethnic origin; school districts; and shopping patterns and business centres.[97]

While section 368(4) addresses community of interest as just one among several factors, it is clear that this criterion plays a prominent role in establishing ward boundaries, especially at the outset of a regional restructuring. A report for the Royal Commission on Electoral Reform and Party Financing in 1991, cited by the Board in initial determination of polling districts for HRM, said the following:[98]

> The rationale of the principle of community of interest is that electoral districts should be more than arbitrary, random groupings of individuals. They should be, as far as possible, cohesive units, areas with common interests related to representation. Existing districts and municipal boundaries should be respected where possible. The outer borders of the district should not divide distinct communities and neighbourhoods. Unrelated and geographically isolated areas should not be artificially attached to districts with whose "core" population they share no significant links.

4.2.2. Regional Interests

The Royal Commission's commitment to preserving communities of interest and its perspective that district boundaries should not "artificially" combine "unrelated" areas and community populations exposes a significant tension with another goal of regional consideration—namely, to reduce inter-municipal competition and promote new forms of collective action and policy

making at the regional level. The determination of polling district boundaries therefore imports a crucial decision or balancing act around the question of what *scale* is most appropriate to define or measure the primary interest(s) represented in a new regional municipality.

In its decision establishing polling districts and council size for HRM, the Board observed: "[m]any people anticipated that a regional government in the Halifax metropolitan area would lead to a reduction in the parochial attitudes which have hindered co-operation between the four municipal units."[99] Quoting from the Metro Halifax Chamber of Commerce, the Board noted:[100]

> A regional perspective offers a focused decision-making process based on cooperation. Cooperative coordination on regional issues such as transportation, water and sewer treatment, policing, economic development, industrial parks, and so on, enables decisions to be made that balance a range of considerations, rather than pitting one area against another. Also, a single decision-making body is capable of considering local concerns within a broad regional perspective. The status quo—protecting what we have at the expense of others must be replaced with the view that we will all do better if we work together … a single decision-making body offers a single "point of entry" for decisions on regional issues. Municipal representation based on population distribution will deemphasize the former political boundaries and encourage communities to focus on the new regional vision.

Likewise, in determining the polling districts for the new CBRM, the Board made explicit its desire to set district boundaries that combined urban and rural electors formerly organized into separate municipal units. The Board expressed the view that "it is not necessary or desirable to have polling districts in urban areas which do not extend beyond the former town or city boundaries."[101] On this point:[102]

> The Co-ordinator expressed the view that the polling districts should be designed to encourage the new councillors to think regionally, rather than to treat their mandate as simply to advance the local interests of the former municipal units. By their very nature and history the existing communities will retain their present specific identities. However, for purposes of electing representatives to the new Council there is a deliberate attempt to have the polling districts extend beyond traditional municipal boundaries.

At the same time, the Board recognized that when creating new districts with the intention of capturing both rural and urban voters, it must be careful not to skew representation too far in favour of one constituency or the other. As the Board observed, "[t]his is a new form of government for the area. It is necessary that rural voters be fairly represented, particularly given their location in relation to where the offices of the new Municipality will likely be located. Rural voters must be assured a voice in this new form of municipal government."[103]

4.3. Linking Council Size and Polling Districts

In establishing its two-stage framework to first determine council size and then determine polling district boundaries, the Board has maintained something of a strict separation between balancing

"representation" with "governance" on one side, and "community" with "regional" interests on the other. But these two inquiries rarely, if ever, take place in strict isolation from one another.

For example, in its decision to downsize CBRM's regional council in 2011, the Board linked the size of council directly to the goal of grouping together rural and suburban voters toward encouraging "regional thinking":[104]

> The encouragement of a more regional perspective on CBRM Council is part of the maturation of the Municipality as a regional government. Some Councillors have suggested that it is time to reinforce regional identity over local communities. Reduction in the number of Council representatives will likely necessitate the combination of areas of former towns that have so far remained distinct within the Council District structure used in CBRM. As noted previously, it will also likely require the incorporation of some suburban lands into the two largely distinct rural districts within the municipality.

Likewise, Muzzio and Tompkins (1989) have noted that the goal to increase effective political representation by creating a larger council may be in tension with promoting regional interests:[105]

> Increasing the size of the council is likely to affect the balance between the legislator's district-service function and his or her larger policy-making role. If smaller districts result in a greater focus on local and parochial matters and interests and if homogeneity in district opinion offers members less room to compromise on the legislative floor, the development of a broader policy perspective in the council may be retarded.

The point here is that, from a holistic perspective, the value of promoting regional interests might be directly affected by the choice of council size. There are likely other examples illustrating how council size and polling districts are interrelated in complex ways. Although the two inquiries are largely isolated from one another under the Board's current approach, it may be necessary to gain a better understanding of how council size and polling district determinations affect one another in order to achieve the best balance between—as well as within—these issues.

4.4. A Dynamic Perspective

A further challenge is to place the determination of council size and polling district boundaries for WWH in a dynamic, forward-looking perspective. The approach to balancing and weighing the factors described above assumes, to some extent, a static analysis of the relevant goals and interests. This approach might be appropriate if council size and polling boundaries are expected to remain fixed over the long-term. The three precedents for regional consolidation in Nova Scotia (CBRM, HRM and Queens), however, suggest that these structural aspects of local governance can, and often do, change and adapt over time.

From a dynamic perspective, the basic questions before the Board are therefore not only about the "optimal" size of council or distribution of polling districts, but also about (1) the best way to accomplish these goals and (2) the extent to which "optimality" can be identified from the outset,

under the conditions of uncertainty that inevitably attach to moments of significant institutional change.

For example, in its decision to reduce the size of regional council in CBRM in 2011, the Board was aware that the "[r]eduction of Council to 12 members will obviously continue a progression that has been underway since the formation of CBRM."[106] The Board went on to observe that encouraging "a more regional perspective on CBRM Council is part of the maturation of the Municipality as a regional government."[107] While the processes and goals of "maturation" in WWH may look different than they have in CBRM, the Board's approach to these issues recognizes that the institutional design of the new regional municipality is, inevitably, an ongoing and dynamic process. Below is a brief sketch of the main considerations that influence this dynamic perspective.

4.4.1. Lock-In

Researchers who study political institutions (e.g., legislative bodies) have come to recognize that "lock-in" or "path dependence" can help to explain why these institutions are "sticky" and difficult to change—even when better alternatives are available and well known.[108] The problem of lock-in arises because people who work within existing institutions—as well as those within broader institutional networks—gradually adapt to and gain a vested interest in the *status quo*, making it very costly to "switch" to a new structure. Even when a better alternative comes along, the costs of making this switch deter people from taking action.

But while lock-in can sustain institutional inertia over long periods of time, research has also shown that sometimes "windows of opportunity" open up where the costs of transition to a new institutional arrangement decrease and change becomes possible. That new arrangement will then generate its own sources of lock-in going forward.

The creation of a new regional municipality—possibly linked with changing economic and social conditions—may present one such window of opportunity, to the extent that it disrupts some of the normal costs and benefits of working under the *status quo*. This suggests that the moment of consolidation is a unique opportunity to make ambitious change before the window of opportunity closes. At the same time, there are risks involved because once the new structure is set it is likely to exert a heavy influence over future attempts to adjust and adapt.

4.4.2. Buy-In

One example of balancing opportune and incremental changes can be found in the Board's decision to reduce the size of CBRM's council in 2011. The Board's expert, Dr. Williams, observed the there is likely to be an important relationship between reducing council size and maintaining pre-existing communities of interest:[109]

> One of the hallmarks of amalgamated municipalities is a sharp reduction in the number of elected officials in the new unit; one of the less noticeable characteristics is the tendency to tolerate patterns of representation - at least at the outset - that accommodate the pre-amalgamation units in some way.

> … [M]any amalgamated municipalities, for political and other reasons, keep some of those lines in place because it makes it a little more palatable to start with.

This example highlights the importance of securing "buy-in" from constituents and community leaders at the outset of consolidation—and of using buy-in as an additional factor in determining polling districts toward the goal of establishing a strong political foundation for future reforms down the road. Research has found that buy-in may be especially important in circumstances where a regional consolidation is driven wholly or in part by senior government and/or municipal officials. Rosenfeld and Reese (2005) note that lack of local support in some "top-down" amalgamations can lead to a more protracted transition process "because there is no political buy-in on a larger scale."[110] The fact that the consolidation of the Town of Windsor and the Municipality of the District of West Hants is a response by the provincial government to requests from both Councils forms an important part of this context for WWH.

4.4.3. Uncertainty

Not only might decision makers be prevented by lock-in from simply implementing what they perceive to be an optimal set of reforms, they might face considerable uncertainty about the end goal of reform and/or about the necessary components needed to achieve the end goal. According to Muzzio and Tompkins (1989):[111]

> [A]ny changes in basic governmental structures in a complex sociopolitical system will likely produce effects that are unforeseen or unintended by policy-makers. How changes in council size will ultimately affect both internal dynamics and constituent representation cannot be predicted with certainty. Alterations in the size of the body will have effects in combination with other changes. The core values will be influenced by myriad structural, political, economic, demographic, social, and other changes. Moreover, the consequences of changes in council size are unlikely to be immediately evident; for instance, incumbent leaders will probably continue to hold sway for a time, whatever the size of the body.

These aspects of uncertainty serve as another potential justification for determining institutional design features like council size and polling districts in an incremental fashion, to the extent that this is possible, by integrating new information and experience as time goes on.

4.5. Summary

The statutory factors listed in subsection 368(4) of the MGA for determining council size and polling district boundaries provide a starting for addressing these issues, but it is also necessary to understand the precise relationships between these different factors. Those relationships can be addressed as tensions or balancing between competing but legitimate values or aims. At the first step of the Board's analytical framework, the "optimal" council size engages a balance between effective representation and effective governance. At the second stage, the allocation of polling districts requires a balance between community and regional interests. At the same time, these questions of balance must be approached from a dynamic perspective and with the expectation of

continued change and adaptation over time, taking into account the challenges and opportunities presented by institutional lock-in, constituent buy-in, and the inevitable uncertainty attached to moments of institutional change.

5. Recommendations

In light of the functions of local government, the general objectives for municipal reform, and the rationales for regional consolidation discussed above (see Sections 2.1 and 2.2), the following seven recommendations summarize the findings of this report.

- A regional council smaller in size than the combined councils of the Town of Windsor (5 councillors) and the Municipality of the District of West Hants (10 councillors) is consistent with prior cases of regional consolidation in Nova Scotia and is likely necessary to achieve the appropriate balance between representation and governance in the new regional municipality.

- An upper limit on the size of the regional council should be based on serious attention to the decision costs associated with larger councils. The evidence linking smaller council sizes to a reduction in administrative costs is mixed—although regions with smaller populations may be better placed to realize some administrative efficiencies from a smaller council.

- A lower limit on the size of the regional council should be sensitive to citizen expectations about the desired style of council, but also to the potential impacts of council size on underrepresented groups—especially when the anticipated size is at the smaller end of the spectrum.

- Using community of interest factors to draw polling district boundaries, while important, cannot avoid the fundamental question of *whose* interests are to be prioritized through consolidation (e.g. regional, community, rural, urban).

- Despite the merits of keeping the questions of council size and polling district boundaries separate from one another, the two inquiries are clearly interrelated and should be approached as such when balancing the different factors at play.

- While council size and the distribution of polling districts are key decisions that will shape a new regional municipality, there may be other features of institutional design (e.g., community councils or citizens advisory bodies) that play an important role in determining representation, effective governance, and the weight that different interests receive in public decision making. Consistent with the Board's analytical framework, final determinations of council size and polling districts should take these features into account along with the other factors in play.

- A dynamic perspective is essential for recognizing the opportunities and constraints related to institutional change in the context of regional consolidation. While consolidation may open a window of opportunity for ambitious change in the short term, this must be weighed against the value of incremental change to attract buy-in and deal with uncertainty when appropriate.

6. Conclusion

This report has provided an understanding and synthesis of how the Board has approached the issues of council size and polling district boundaries in previous cases similar to WWH, and it has integrated insights from the current research literature on creating effective representation at the local government level. In doing so, the report builds on the several past studies and reports that have addressed these issues in the context of municipal reform in Nova Scotia.

The creation of WWH represents a unique moment in the history of municipal reform in the province. Being the first such regional consolidation in Nova Scotia in over two decades, WWH helps to draw into focus lessons learned from past experiences (in Nova Scotia and abroad) as well as persistent challenges around how to design "optimal" institutions for local governance.

A desk study of this kind of course has its own limitations, and the findings from this report will ultimately supplement information gathered through important public consultations being undertaken concurrently by Stantec with WWH citizens. While different people may take different views on the "optimal" size of council and the appropriate distribution of polling districts, there is little doubt that these issues will have a lasting impact on the success of WWH as a region. These issues—including how they are approached, as well as what is determined—may also have a lasting impact on the future trajectory of municipal reforms in Nova Scotia, making the regional consolidation of WWH a unique opportunity to lay groundwork for the future.

[1] SNS 2018, c 26.
[2] SNS 1998, c 18 at s 369(1).
[3] Elizabeth Mancke, *The Fault Lines of Empire: Political Differentiation in Massachusetts and Nova Scotia*, *1760-1830* (New York: Routledge, 2005)
[4] Nova Scotia Federation of Municipalities, "The Provincial-Municipal Fiscal Review: Consultative Report" (2014) Province of Nova Scotia Draft Paper at 7.
[5] Institute of Public Affairs, *Pictou County Municipal Coordination Study, Phase 2: Recommendations* (Halifax: Dalhousie University, 1996), vol 2 (Lawrence E Sandford).
[6] Nova Scotia, The Nova Scotia Commission on Building Our New Economy, *Now or Never: An Urgent Call to Action for Nova Scotians* (Halifax: One Nova Scotia, 2014) (Ray Ivany) at 50.
[7] Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 27-30. The five critical regions identified but he Task Force were: Cape Breton County, Pictou County, Halifax County, Colchester County, and Kings County.
[8] *Ibid,* at 32-33.
[9] *Cape Breton Regional Municipality Act*, SNS 1994, c 3*; Halifax Regional Municipality Act*, SNS 1995 c 3.
[10] Q*ueens Regional Municipality Act*, SNS 1995 c 9; Dale Poel, "Municipal Reform in Nova Scotia: A Long-Standing Agenda for Change" (2005) in Joseph Garcea and Edward LeSage, eds, *Municipal Reform in Canada* (Oxford University Press, 2005) 174 at 177.
[11] Poel, "Municipal Reform", *ibid* 177-78.
[12] *Regional Municipalities Act*, SNS 1995-96, c 16.
[13] Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 7.
[14] Nova Scotia, Steering Committee of the Provincial-Municipal Fiscal Review, *The Provincial-Municipal Fiscal Review, Part 1: The Current State of Municipal Governments in Nova Scotia* (Halifax: Service Nova Scotia and Municipal Relations, 2013) at 6.
[15] *Region of Windsor and West Hants Municipality Act*, SNS 2018, c 26 at s 10(1).
[16] See, e.g., *Halifax Regional Municipality Act*, SNS 1995 c 3. *See also, Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 5.
[17] *Re: Halifax (Regional Municipality)*, *ibid* at 5-6; *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7.
[18] RSNS 1989, c 298. The Board noted its uncertainty in both cases as to whether the new regional municipalities would be subject to such period reviews going forward, but this did not deter the Board from relying on the cited provisions. These provisions were not relied on by the Board in the Cape Breton Regional Municipality cases: *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994; *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994.
[19] *Municipal Government Act*, SNS 1998, c 18 at ss 368-369.
[20] *Municipal Boundaries and Representation Act*, RSNS 1989, c 298, ss 16(2), 17. *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 6; *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7.
[21] *Re Halifax (Regional Municipality)*, 2000 NSUARB 44.

[22] *Ibid* at paras 106, 111.
[23] *Ibid* at para 108.
[24] *Ibid* at para 31.
[25] Re Cape Breton (Regional Municipality), 2011 NSUARB 110, 2011 CarswellNS 510 at para 72.
[26] *Richmond County (Municipality) v Nova Scotia (Attorney General)*, 2016 NSCA 11 at para 31.
[27] *Ibid* at paras 31, 33, 35.
[28] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 109.
[29] *Municipal Government Act*, SNS 1998, c 18 at ss 11-12.
[30] *Ibid* at s 10.
[31] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at paras 109-110.
[32] *Richmond County (Municipality) v Nova Scotia (Attorney General)*, 2016 NSCA 11 at para 31.
[33] *Ibid* at para 37.
[34] *See e.g.*, *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 6-8.
[35] [1993] 1 SCR 319. For the Board's discussion of this case in the Queens decision, see *Re: Queens (Regional Municipality*), NSUARB-MB-95-05 at 7-8.
[36] *Re: Queens (Regional Municipality*)*, ibid* at 9, citing Provincial Electoral Boundaries Commission Report on Effective Political Representation in Nova Scotia at 16.
[37] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 112.
[38] *Ibid*.
[39] Re: Halifax (Regional Municipality), NSUARB-MB-95-04, [1995] NSURBD No 64 at 9-10.
[40] *See, e.g., Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 and *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994.
[41] Nova Scotia, *Interim Report of the Municipal Reform Commissioner: Cape Breton County (Industrial Cape Breton)* (Halifax: Department of Municipal Affairs, 1993) (Charles A Campbell) at 2-3.
[42] *Ibid* at 49.
[43] *Ibid.*
[44] *Ibid* at 50.
[45] *Ibid* at 51.
[46] *Ibid* at 52.
[47] *Ibid.*
[48] *Ibid* at 53.
[49] *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 3, 9.
[50] *Ibid* at 15 and *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994 at 3.
[51] *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994 at 5.
[52] *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 16.
[53] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 5.
[54] *Re Cape Breton (Regional Municipality)*, 2015 NSUARB 69, 2015 CarswellNS 270 at 4.
[55] Nova Scotia, *Interim Report of the Municipal Reform Commissioner: Halifax Metro Region* (Halifax: Department of Municipal Affairs, 1993) (C. William Hayward) at 53.
[56] *Ibid* at 57.
[57] *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 11.

[58] *Ibid.*
[59] *Re Halifax (Regional Municipality)*, 2015 NSUARB 148, 2015 CarswellNS 475 at 4.
[60] Dale Poel, "Municipal Reform in Nova Scotia: A Long-Standing Agenda for Change" (2005) in Joseph Garcea and Edward LeSage, eds, *Municipal Reform in Canada* (Oxford University Press, 2005) 174 at 178.
[61] *Ibid* at 177; *Queens Regional Municipality Act*, SNS 1995 c 9.
[62] Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson) at 3.
[63] *Ibid* at 15.
[64] *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 6.
[65] *Re: Queens (Regional Municipality)*, 2011 NSUARB 149, 2011 CarswellNS 655 at para 5.
[66] *Ibid* at para 7.
[67] *Ibid.*
[68] Douglas Muzzio, & Tim Tompkins, "On the Size of the City Council: Finding the Mean" (1989) 37 *Proceedings of the Academy of Political Science* 83 at 83.
[69] *Queens Regional Municipality*, NSUARB-MB-95-05, Page 10
[70] Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 31.
[71] *Ibid* at 7.
[72] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 108.
[73] *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 11.
[74] *Re Halifax (Regional Municipality)*, 2011 NSUARB 119, 2011 CarswellNS 518 at 35.
[75] Joseph Kushner and David Siegel, "Effect of Municipal Amalgamations in Ontario on Political Representation and Accessibility" (2003) 36(5) *Canadian Journal of Political Science* 1035.
[76] *Ibid* at 1041-1043. Changes in council size ranged from -26 percent to -850 percent.
[77] *Ibid* at 1050.
[78] *Ibid.*
[79] Ulrik Kjaer and Jørgen Elklit, "The Impact of Assembly Size on Representativeness" (2014) 20(2) *Journal of Legislative Studies* 156.
[80] Jean-Phillip Meloche and Patrick Kilfoil, "A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada" (2017) 60 *Canadian Public Administration* 241 at 245. *See also*, Kjaer and Elklit, "Impact of Assembly Size on Representativeness" at 157.
[81] Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson) at 15.
[82] Leah Brooks, Justin Phillips and Maxim Sinitsyn, "The Cabals of a Few or the Confusion of a Multitude: The Institutional Trade-off Between Representation and Governance" (2011) 3(1) *American Economic Journal: Economic Policy* 1 at 1.
[83] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at para 64.
[84] Institute of Public Affairs, *Pictou County Municipal Coordination Study, Phase 2: Recommendations* (Halifax: Dalhousie University, 1996), vol 2 (Lawrence E Sandford) at 22-23. This sentiment was also reflect in Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 31-32: "The Task Force sought for a simple, readily understood system that would improve actual accessibility simply because it was more effective…"

[85] Jean-Phillip Meloche and Patrick Kilfoil, "A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada" (2017) 60 *Canadian Public Administration* 241 at 242.
[86] *Ibid* at 246.
[87] *Ibid.*
[88] Robert Bish, *The Cost of Municipal Elected Officials in the Capital Region of British Columbia* (Victoria: Local Government Institute, School of Public Administration, University of Victoria, 1999).
[89] Jean-Phillip Meloche and Patrick Kilfoil, "A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada" (2017) 60 *Canadian Public Administration* 241 at 246, citing Robert Bish and Josef Filipowicz. *Governing Greater Victoria: The Role of Elected Officials and Shared Services* (Vancouver, BC: Fraser Institute, 2016).
[90] Joseph Kushner and David Siegel, "Effect of Municipal Amalgamations in Ontario on Political Representation and Accessibility" (2003) 36(5) *Canadian Journal of Political Science* 1035 at 1040-41.
[91] *Ibid.*
[92] Jean-Phillip Meloche and Patrick Kilfoil, "A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada" (2017) 60 *Canadian Public Administration* 241.
[93] *Ibid* at 261-2.
[94] A threshold of 20,000 population was selected by the researchers because, below this threshold, most councils showed little variation from the average number of 7 councillors: *ibid* at 249.
[95] *Re Halifax (Regional Municipality)*, 2011 NSUARB 119, 2011 CarswellNS 518 at 37.
[96] Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson).
at ii.
[97] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 113.
[98] *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 9-10.
[99] *Ibid at* 3.
[100] *Ibid.*
[101] *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 12.
[102] *Ibid* at 10.
[103] *Ibid* at 3.
[104] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 11.
[105] Douglas Muzzio, & Tim Tompkins, "On the Size of the City Council: Finding the Mean" (1989) 37(3) Proceedings of the Academy of Political Science 83 at 91.
[106] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 11.
[107] *Ibid.*
[108] Paul Pierson, "Increasing Returns, Path Dependence, and the Study of Politics" (2000) 94(2) *American Political Science Review* 251.
[109] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 16.
[110] Raymond Rosenfeld and Laura Reese, "Local Government Amalgamation From the Top Down" in Jered Carr and Richard Feiock, "City-County Consolidation and its Alternatives: Reshaping the Local Government Landscape" (New York: M.E. Sharpe, 2004) 219 at 224.
[111] Douglas Muzzio, & Tim Tompkins, "On the Size of the City Council: Finding the Mean" (1989) 37(3) Proceedings of the Academy of Political Science 83 at 90.

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Dalhousie University
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AREAS OF EXPERTISE

PROPERTY & LAND USE
INSTITUTIONAL ANALYSIS
FOOD AND AGRICULTURAL LAW
ACCESS TO JUSTICE

EDUCATION

YALE LAW SCHOOL
Doctor of the Science of Laws
June 2013 – April 2018

YALE LAW SCHOOL
Master of Laws
September 2012 – May 2013

FACULTY OF LAW, UNIVERSITY OF TORONTO
Juris Doctor (Honours)
September 2007 – April 2010

DEPARTMENT OF ECONOMICS, MCMASTER UNIVERSITY
Master of Arts
September 2005 – August 2006

ARTS & SCIENCE PROGRAMME, MCMASTER UNIVERSITY
Bachelor of Arts & Science (Honours)
September 2001 – April 2005

EMPLOYMENT HISTORY

SCHULICH SCHOOL OF LAW, DALHOUSIE UNIVERSITY
Assistant Professor
July 2014 –

SCHULICH SCHOOL OF LAW, DALHOUSIE UNIVERSITY
Schulich Fellow
July 2013 – May 2014

FEDERAL COURT OF CANADA
Law Clerk
August 2011 – July 2012

DEPARTMENT OF FOOD, AGRICULTURE & RESOURCE ECONOMICS, UNIVERSITY OF GUELPH
Lecturer
September 2010 – December 2010

EMPLOYMENT HISTORY (CONTINUED)

ZBOGAR ADVOCATE
Student at Law
July 2010 – August 2011

ENVIRONMENT AND LAND TRIBUNALS ONTARIO
Researcher
July 2010 – August 2011

ORKIN BARRISTERS
Summer Law Student
May 2009 – August 2009

FACULTY OF LAW, UNIVERSITY OF TORONTO
Borden Ladner Gervais LLP Research Fellow
May 2008 – August 2011

APPALACHIAN CENTER, UNIVERSITY OF KENTUCKY
Canada-U.S. Fulbright Scholar
September 2006 – May 2007

COURSES TAUGHT

SCHULICH SCHOOL OF LAW, DALHOUSIE UNIVERSITY

Property in its Historical Context
2013/14 –

Planning Law
2014/15 –

Legal Ethics and Professional Responsibility
2014/15 –

Dalhousie Law Journal Editorial Assistantship Course
2016 (Winter)

DEPARTMENT OF FOOD, AGRICULTURAL AND RESOURCE ECONOMICS, UNIVERSITY OF GUELPH

Land Economics
2010 (Fall)

PUBLICATION RECORD

[R] = Peer-reviewed

BOOK MANUSCRIPTS UNDER REVIEW

Inalienable: Leadership, Land and the Political Economy of Property
(University of British Columbia Press)

LAW JOURNAL ARTICLES

"Leadership, Law and Development" (2018) *Law and Development Review* (forthcoming) [R]

"Storytelling, Social Movements, and the 'Evolution' of Indigenous Land Tenure" (2015) 18(2) *Australian Indigenous Law Review* 64 [R]

"From Integrity Agency to Accountability Network: The Political Economy of Public Sector Oversight in Canada" (2015) 46(2) *Ottawa Law Review* 231 [R]

"No Lawyer for a Hundred Miles? Mapping the New Geography of Access to Justice in Canada" (2014) 52 *Osgoode Hall Law Journal* 9 (with Albert Yoon) [R]

"Property, Information and Institutional Design" (2013) 8(2) *Journal of Aboriginal Economic Development* 55 [R]

"Legal Institutions of Farmland Succession: Implications for Sustainable Food Systems" (2013) 65 *Maine Law Review* 382

"Ontario's Administrative Tribunal Clusters: A Glass Half-Full or Half-Empty for Administrative Justice?" (2012) 12 *Oxford University Commonwealth Law Journal* 157 (with Lorne Sossin) [R]

"'Formalizing' Land Tenure in First Nations: Evaluating the Case for Reserve Tenure Reform" (2009) 7(2) *Indigenous Law Journal* 45 (with Michael Trebilcock); reprinted as "International Perspectives on First Nations Land Tenure Reform" in Jerry White, Dan Beavon, and Peter Dinsdale, eds, *Aboriginal Policy Research Volume 10: Voting, Governance and Research Methodology* (Toronto: Thompson Educational, 2011)

"Examining the Consequences and Character of Heir Property" (2009) 68 *Ecological Economics* 2344 (with B. James Deaton and Carolyn Bratt) [R]

BOOK CHAPTERS

"Cities in a Time of Uncertainty: Food and Canadian Municipal Law" in Heather McLeod-Kilmurray, Nathalie Chalifour & Angela Lee, eds., *Food Law in Canada* (Markham: Carswell, in press) (with Jessica Rose)

"Indigenous Land Rights and the Politics of Property" in Angela Cameron, Sari Graben, Val Napoleon, eds., *Indigenous Peoples and Real Property: Beyond Privatization* (Toronto: University of Toronto Press, in press) [R]

"Towards a Better Understanding of Heirs on Heirs Property" in Ann Carpenter and Cassandra Johnson Gaither eds., *Heirs' Property in the South: Fostering Stable Ownership to Prevent Land Loss and Abandonment* (Ashville, NC: Southern Research Station as a General Technical Report, in press) (with B. James Deaton)

"Recovering Farmland Commons" in Megan Bailey & Jessica Duncan, eds., *Sustainable Food Futures: Multidisciplinary Perspectives* (New York: Routledge, 2017)

"Access to Justice" in Woolley et al., eds., *Lawyers' Ethics and Professional Regulation*, 3rd ed. (Markham: LexisNexis, 2017)

"The Ontario Civil Legal Needs Project: A Comparative Analysis of the 2009 Survey Data" in Michael Trebilcock, Tony Duggan and Lorne Sossin, eds, *Middle Income Access to Justice* (Toronto: University of Toronto Press, 2012) (with Michael Trebilcock & Albert Yoon)

COMMISSIONED REPORTS

The Geography of Civil Legal Services in Ontario: Report of the Mapping Phase of the Ontario Civil Legal Needs Project (Toronto: Law Society of Upper Canada, 2011) (with Albert Yoon)

RESEARCH GRANTS

GRANTS AWARDED

SOCIAL SCIENCES AND HUMANITIES RESEARCH COUNCIL, INSIGHT DEVELOPMENT GRANT ($68,000)
Farmland Commons: An Institutional Analysis
2016 – 2018

CANADIAN INSTITUTES FOR HEALTH RESEARCH, CAFÉ SCIENTIFIQUE GRANT ($3,000)
Access to Justice and Health
2012

CANADA-U.S. FULBRIGHT FELLOWSHIP ($15,000)
Heirs Property in Appalachian Kentucky
2006 –2007

GRANT APPLICATIONS - NOT AWARDED (INVITED CO-APPLICANT)

CITY | FOOD | WORK: A New Urban Cohort to Monitor the Health Impact of Emerging Policy Action on Food. Nominated Principal Applicant: Catherine L. Mah. Co-Principal Applicants: Leah Cahill, Julie Brimblecombe, Kent Mullinx. Co-Applicants: Jamie Baxter, Alison Blay-Palmer, Chris Buse, Donald Cole, Brian Cook, Rebecca Hasdell, Irena Knezevic, Charles Levkoe, Brian Lo, Emma McMahon, Leia Minaker, Anna Peeters, Nathan Taylor, Emile Tompa, Michael Widener, Jason Wu, Yanqing Yi. Collaborators: Linda Best, Sara Kirk, Leticia Smillie. CIHR Institute of Public and Population Health Institute Community Support—Planning and Dissemination Grants, Building Healthy Cities. Requested: $10,000. February 1, 2018 - January 31, 2019.

CONFERENCES AND PRESENTATIONS

CONFERENCES, PANELS AND WORKSHOPS ORGANIZED

"Agricultural Law in Canada", November 1, 2017, University of Ottawa Faculty of Law, Ottawa (with Genevieve Grossenbacher, USC Canada, in collaboration with *Taking Stock: the 2nd Annual Conference on Food Law & Policy in Canada*)

"Farms, Fisheries and Food: Canada's Next Generation of Food Production" Policy Matters Speakers Series, MacEachen Institute for Public Policy and Governance, Dalhousie University, Halifax October 3, 2017

The Future of Food Law and Policy in Canada, November 3-4, 2016, Schulich School of Law, Dalhousie University, Halifax (with Glenford Jameson, G.S. Jameson and Co.)

Rebecca L. Sandefur, "Bridging the Gap: Rethinking Outreach for Greater Access", F.B. Wickwire Memorial Lecture in Professional Responsibility and Legal Ethics, Schulich School of Law, Dalhousie University, March 10, 2015

"Does Your Health Depend on Your Access to Justice?" Canadian Institutes for Health Research Café Scientifique, Toronto, January 31, 2013 (with Aaron Orkin)

PRESENTATIONS

[I] = Invited

Closing Keynote Address, Food Law Innovations: 3rd Annual Canadian Food Law & Policy Conference, Laval University, Quebec City, September 27, 2018 [I]

"Leadership, Law and Development" Law and Development Course (podcast), Dalhousie University, Halifax, Summer 2018

"City Power and City Planning: Locating Canadian Municipal Law in 'Local' Food Systems Governance" Urban Food Systems and Policy: Connecting Research and Practice, Faculty of Law, McGill University, June 18, 2018 [I]

"Food Policy and Food Insecurity" Panel, Meal Exchange, Mount Saint Vincent University, Halifax, Mach 19, 2018 [I]

"Leadership, Law and Development" Faculty Seminar, Schulich School of Law, Dalhousie University, Halifax, November 16, 2017

"Building Food Law in Canada: Lessons from the History of Agricultural Law" Taking Stock: 2nd Annual Canadian Food Law & Policy Conference, Ottawa, November 1, 2017

Panel Commentator, "Look and See" Devour! Food Film Festival, Wolfville, Nova Scotia, October 27, 2017 [I]

"Governing Farmlands" Global Lands and Resources Colloquium, University of Oklahoma College of Law, Norman, Oklahoma, October 21, 2017 [I]

"Indigenous Land Rights and the Politics of Property" International Meeting on Law & Society, Mexico City, Mexico, June 22, 2017

"Governing Farmland Commons" Nova Scotia Institute of Agronomists Annual Meeting, Truro NS, April 26, 2017

"Knowledge Commons: Some Legal Groundwork for Open Science" Open Seas Symposium, Halifax, NS, March 20, 2017 [I]

"Governing Farmland Commons" The Future of Food Law in Canada, Halifax, November 3, 2016

"Regulating Uber for Innovation" Halifax Regional Municipality Legal Services, Halifax, October 28, 2015 [I]

"Indigenous Peoples and the Environment" Aboriginal Peoples and the Law: We are All Here to Stay, Canadian Institute for the Administration of Justice Annual Conference, Saskatoon, October 16, 2015 [I]

"Idle No More and Indigenous Land Rights", Kwilmu'kw Maw-klusuaqn, Millbrook First Nation, October 5, 2015 [I]

"Legal Education and Ideas About Access to Justice" Panel, Canadian Association of Law Teacher, University of Ottawa, Ottawa, June 2, 2015

"Collective Actions: New Logics from the Digital Age of Property Transitions" Association of Law, Property and Society Annual Conference, University of Georgia, Athens GA, May 3, 2015

"The New Geography of Access to Justice in Canada: Implications for Legal Ethics" Canadian Association for Legal Ethics Annual Conference, University of Western Ontario Faculty of Law, London, October 24, 2014

"The New Politics of Property in Land", Association of Law, Property and Society Annual Conference, University of British Columbia Faculty of Law, Vancouver, May 2, 2014

"The Geography of Access of Justice in Canada", Access to Justice Committee, Law Society of Upper Canada, Toronto, January 8, 2014

"Some Skepticism About Bright-Line Rules", Yale Law School 3rd Annual Doctoral Students Conference, New Haven, December 6, 2013

"Catastrophe and the Law", Schulich School of Law Mini-Law Public Lecture Series, Halifax, Nova Scotia, November 20, 2013

"Implementing a Tribunal Excellence Framework: Comparative Lessons", Canadian Council of Administrative Tribunals Annual Conference, Toronto, May 28, 2013 (Panel with Philip Bryden and Michael Gottheil)

"From Integrity Agency to Accountability Network", Yale Law School Graduate Works in Progress Seminar, New Haven, April 25, 2013

"Farmland Succession and Sustainable Food Systems", Food Law Colloquium, University of Maine Law School, Portland, Maine, February 23, 2013

"Culture, Institutions and Economic Development: Applications to Native Americans", Property and Environment Research Center, Bozeman, Montana, December 9-11, 2012 (Invited roundtable participant)

"Access to Justice as a Social Determinant of Health", Health Promotion Ontario Annual Conference, Ryerson University, Toronto, September 27, 2012 (with Aaron Orkin)

"A Comparative Analysis of the Ontario Civil Legal Needs Survey", Middle Income Access to Justice Colloquium, University of Toronto, February 10, 2011 (with Albert Yoon and Michael Trebilcock)

"International Perspectives on First Nations Land Tenure Reform" Aboriginal Policy Research Conference, Ottawa, March 9, 2009

RESEARCH WORKSHOPS

Land Claims Agreement Coalition Research Planning Conference: Making Treaties Work for Future Generations, December 7-8, 2015, Ottawa

Workshop on Research Design for Causal Inference, Northwestern University School of Law, July 13-17, 2015, Chicago

TEACHING HONOURS

Dalhousie Award for Excellence in Education and Diversity (Nominee)
2017-2018

Hanna & Harold Barnett Award for Excellence in Teaching First Year Law (Nominee)
2016-2017

Hanna & Harold Barnett Award for Excellence in Teaching First Year Law (Nominee)
2015-2016

ACADEMIC HONOURS

Schulich Fellowship, Schulich School of Law
2013-2014

Social Sciences and Humanities Research Council Doctoral Fellowship, Yale Law School
2013

Social Sciences and Humanities Research Council Joseph-Armand Bombardier Graduate Scholarship (declined)
2013

Law Foundation of Ontario Award in Support of Public-Interest Law Career
2010-2011

Aboriginal Policy Research Conference, Best Graduate Student Paper
2010

Borden Ladner Gervais LLP Research Fellow, Faculty of Law, University of Toronto
2008

Laskin Prize in Constitutional Law, Faculty of Law, University of Toronto
2007

Canada-U.S. Fulbright Fellowship
2006-2007

PROFESSIONAL AND COMMUNITY SERVICE

PROFESSIONAL SERVICE WITHIN DALHOUSIE

Member, Research Committee, MacEachen Institute for Public Policy and Governance
2017 –

PROFESSIONAL & COMMUNITY SERVICE OUTSIDE DALHOUSIE

Scientific Committee Member, Food Law Innovations: 3rd Annual Canadian Food Law & Policy Conference, Laval University, Quebec City
2018

Board Member, Ecology Action Centre
2017 -

Editorial Board Member, Journal of Rural Social Sciences
2016 –

Expert Advisor, Membertou First Nation Internal Watercourses Working Group
2017 –

Steering Committee Member, Halifax Food Policy Alliance
2016 –

Peer Reviewer
Queen's Law Journal (2014); Canadian Bar Review (2015); Osgoode Hall Law Journal (2016); University of New Brunswick Law Journal (2016); Canadian Journal of Social Policy (2016); Dalhousie Law Journal (2016); Indigenous Law Journal (2017); University of Ottawa Press (2017); Queen's Law Journal (2017); University of British Columbia Law Review (2017); Canadian Food Studies (2018); Canadian Journal of Law and Society (2018); Ottawa Law Review (2018)

Invited Expert, Agriculture and Agri-Food Canada Eastern Canada First Nation Outreach Session, Montreal
June 1, 2017

Invited Participant, Advisory Panel for Canada's Science Review Roundtable, Halifax
October 17, 2016

External Assessor, Social Sciences and Humanities Research Council Insight Grants Program
2015; 2016

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ✓	Decision Request ☐	Councillor Activity ☐

To: Members of West Hants Regional Council

Submitted by: _____
Abraham Zebian, Mayor

Date: June 28, 2022

Subject: 2022 Budget and Grants and Contributions - West Hants Sports Complex and Newport GFL Recreation Center

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LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended that …

…Council approve funding for the West Hants Sports Complex in the amount of $20,000.00 for various upgrades as stated during budget deliberations to come from the Canadian Community Building Fund; and

Further, that Council approve funding for the West Hants Sports Complex in the amount of $52,500 to gravel next to the front parking lot to increase parking capacity to be funded by an internal loan from the operating reserve until which time staff can reallocate the amount to a MFC loan as originally presented to Council during the 2022/2023 budget deliberations.

Further, that Council approve the use of $100,000 from the Canada Community Building Fund for the Newport and District Rink Commission to fund the purchase of an Ice Resurfacer, to improve recreational services. Further, that Council directs staff to prepare a report examining amending the Grants and Contributions Policy RCOFN-012.00 adding a section for recreational facilities defining yearly capital and operational funding limits.

BACKGROUND

Property ✓	Public Opinion ☐	Environment ☐	Social ☐	Economic ✓	Councillor Activity ☐

Each year, the Municipality receives numerous requests for funding from worthwhile not-for-profit or charitable community organizations who, through volunteer efforts provides services to the community. The GFL Newport Recreation Center is one of those organizations that is near and dear to many in our community. In past years, Council has supported requests for funding from the GFL Newport Recreation Center to assist in much needed upgrades and repairs to all for continual operations of the facility.

DISCUSSION

West Hants Regional Municipality opened its new West Hants Sports Complex in the Fall of 2020. The complex has been a definite game changer for our Region working in unison with the Newport GFL Recreation Facility providing a multitude of recreational opportunities for our residents and visitors from beyond our region. The West Hants Sports Complex is owned and operated by our Regional Municipality as the Newport GFL Recreation Center is owned by an independent board who is responsible for privately maintaining and operating the facility.

During the 2022/2023 budget deliberations, Council cut, in my opinion, important funding to its own facility thinking it could reduce expenses. The cuts resulted in less than $2000.00 in expenses through debt financing charges on an approximately $28 million dollar budget but resulted in removing important funding to allow for an improved operation at the Regionally owned facility.

During our last Committee of the Whole meeting, Council was presented a request to support the purchase of a new ice resurfacer for The Newport GFL Recreation Center. Council struggled with the request for reasons not fully explained at the committee of the whole meeting and the request was delayed to the June 28, 2022 Council meeting.

After the Committee of the Whole meeting, The Newport GFL Recreation Facility President and 2 board members requested to meet. I met them on June 20 in Council chambers. We discussed questions Council had on ownership etc… and discussed the importance of the facility to the community. We also discussed fairness between the facility Council owns and the facility owned by the independent rink commission. It was discussed that Council felt it proper to cut funding for the facility it owned in order to reduce costs and for that same reason it was struggling to approve funding for another facility independently owned.

We also discussed what their request was in detail having it explained to me that the Newport GFL Rink Commission had ordered a new ice resurfacer in January in order to have delivery by the start of this upcoming fall season to prevent any disruptions in their operations. They

explained, as stated in the Grants and Contributions presentation by Director Kehoe, that the request was for $100,000.00 for a new ice resurfacer with another $50,000.00 in operational funding. I asked if they had the remaining amount of money to cover the difference in the purchase price for the resurfacer (cost =$143,416.00 +HST) and they said they did and that they wanted to come to the table with “some skin in the game”. I felt this was a more than reasonable request learning this information and informed the members of the rink commission I would take a recommendation to Council at the next meeting.

Another reason I bring this request to Council is to highlight the importance for Council to recognize it has a responsibility to prioritize the operation and maintenance of its Municipally owned facilities. I’d also like to remind Council that a recommendation for pre-approval for ordering a new ice resurfacer for the West Hants Sports Complex will come to Council this fall to replace the current 2012 machine currently being used and to allow a delivery before the start of the 2023 season.

NEXT STEPS

Should Council approve the motion, staff will notify the Newport GFL Rink Commission of the decision of Council and will process the funds as approved when all conditions of funding have been met.

FINANCIAL IMPLICATIONS

If the motion is approved, a temporary reduction in the West Hants Regional Municipality Operating Reserve, a reduction in the West Hants CCBF reserve, and potential minor future implications on debt servicing costs. Sufficient Canada Community Building Funding exists for the eligible project.

ALTERNATIVES

- Council may choose not to support the recommendation and proceed as status quo.
- Council may choose to suggest a different composition.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

(For use if report is from a Councillor. CAO to provide additional comments on background, department/staff responsible and workload, budget, options, preferred strategy. State "Not Applicable" if report is from staff which already incorporates CAO review.)

Report Prepared by: _____

Abraham Zebian, Mayor

Report Reviewed by: _____

(Name and Title)

Report Approved by: _____

Madelyn LeMay, Director, Planning and Development and Acting CAO

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ✓	Decision Request ☐	Councillor Activity ☐

To: **Members of West Hants Regional Council**

Submitted by: **Abraham Zebian, Mayor**

Date: June 28, 2022

Subject: Amendments to the Meeting and Committee Procedural Policy RE: Planning Advisory/ Heritage Advisory Committee

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LEGISLATIVE AUTHORITY

Municipal Government Act, Sections 23, 24, and 48

RECOMMENDATION or DECISION REQUEST

…Council direct staff to amend the Committee and Procedural Policy, RCOGE-03.00, APPENDIX K, Section 3.1 to read…" The Committee will consist of 9 members as follows:

- 6 resident members from the Region of West Hants who are not council members or municipal employees
- 3 members of Council."

and that this will take effect for the November PAC/HAC meeting.

BACKGROUND

Property ✓	Public Opinion ☐	Environment ☐	Social ☐	Economic ✓	Councillor Activity ✓

The West Hants Regional Municipality has a number of internal and external committees that actively advise Council on matters. Advisory Committees have terms of reference to ensure

their purpose is stated as well as their composition including both Council and resident member appointments. Committees of Council are advisory in purpose and may only make recommendations to Council for final approval and action, unless otherwise enabled under a Policy or by Provincial Legislation. The West Hants Meeting and Committee Procedural Policy provides direction on these matters.

DISCUSSION

An ongoing review of existing committee and their effectiveness is a healthy exercise for Council. Municipal related committees can be reviewed and amended if Council desires.

At the March 23, 2021 Council meeting, Council passed amendments to the Meeting and Committee Procedural Policy which dissolved the Hantsport and Windsor Area Advisory Committees and changed the structure of the Planning Advisory/Heritage Advisory Committee (PAC/HAC). The new composition of PAC/HAV is as follows:

The Committee will consist of thirteen (13) members as follows:

- Six (6) members of Council;
- Two (2) resident members of Windsor;
- Two (2) resident members of Hantsport; and
- Three (3) members who are residents in the remainder of the Region and who are not members of Council or Municipal employees.

The size of PAC is larger than the size of Council and is the Regions largest committee. The next largest committee, outside of Committee of the Whole, is the Accessibility Advisory Committee which has 7 members in total (1 Council member and 6 resident members).

Regularly watching the PAC/HAC meetings, I see great value in having engaged resident members advising Council on planning related matters. I believe it's very important for Council to keep this level of engagement and offering ample opportunity for residents to be involved. It's also important for Council to think Regionally and begin to view ALL our committees as a unique piece of the Region as a whole. While I immensely value of the communities and residents of Hantsport and Windsor and recognize their status as former municipal units, they are now a part of the larger Region.

I also believe in effective committees that have good debate and discussion with ample time for all members to be involved. In order to continue this effectiveness, I respectfully believe a smaller committee is in order.

NEXT STEPS

Should Council approve this motion, staff will amend the Meeting and Committee Procedural Policy, RCOGE-003.00, APPENDIX K, to reflect the approved motion to take effect for the

November PAC/HAC meeting.

FINANCIAL IMPLICATIONS

Resident members appointed to committees of council receive renumeration in accordance with the West Hants Regional Municipality's Council Renumeration Policy, which is identified in the annual Operating Budget. If Council approves this motion, there will be a slight cost savings based on a reduction of one (1) resident member on the committee.

ALTERNATIVES

- Council may choose not to support the recommendation and proceed as status quo.
- Council may choose to suggest a different composition.

ATTACHMENTS

Meeting and Committee Procedural Policy, RCOGE-003.00, Appendix k

CHIEF ADMINISTRATIVE OFFICER REVIEW

Resident appointments

WHRM is one Region, but still has three (3) sets of planning documents. Hantsport and Windsor each have a separate set of documents which must be administered now and will each have a community or secondary plan within the Regional planning documents. The clear voice of each community is still needed to inform the community or secondary plans within the Regional documents. Members from each community know the documents for their areas particularly well and are an invaluable resource to planning staff, and Council by extension. Area representatives can often provide the rationale for decisions made by Councils in the past. If public engagement is important, then hearing local voices on all issues remains important.

In the absence of Area Advisory Committees, planning staff recommends maintaining the resident membership as established within the existing policy.

Council member appointments

Reducing the number of Council members from six (6) to three (3) will not have an appreciable impact on PAC/HAC. However, fewer Council members will have detailed information regarding applications or the material included in the draft review documents. This may increase the length of discussion required at Council.

Terms of Members

Since changes to the policy are contemplated, planning staff note that the terms of members established in the Meetings and Committee Procedural Policy are too short to be effective. The change in Council members each year and the change in resident members every two (2) years slows down the processes required for amendments and development agreements and puts additional strain on planning staff. For example, PAC/HAC may host one or more Public Information Meetings (PIM) in October; a change in membership when the resultant report is considered at the November meeting will require considerable background explanation by staff.

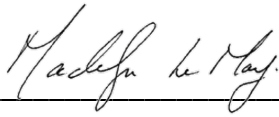
Consistency in membership by Councillors is also required if there is to be any progress regarding the review and consolidation of planning documents. Staff is regularly called upon to explain the background to specific policies or definitions or entire sections that were approved for inclusion in the draft Regional document by an earlier "edition" of PAC/HAC.

Section 17.8 of the Meetings and Committee Procedural Policy establishes a two-year term for Council membership on Committees; Section 3.1 specifically limits the Council member term on PAC/HAC to 1 year. Planning staff recommend that Section 3.1 (b) od Appendix K be removed and the usual two-year term apply to Council membership on PAC/HAC, no matter the number of Councillors appointed.

Planning staff recommends that resident members be eligible for re-appointment following the end of their 2-year term, and that an additional clause be added to Section 4. of Appendix K to clearly indicate that resident members may be reappointed for a maximum of three (3) terms.

Report Prepared by: _____

Abraham Zebian, Mayor

Report Reviewed by: 

Madelyn LeMay, Director, Planning and Development and Acting CAO

APPENDIX K

Planning Advisory/Heritage Advisory Committee

1. PURPOSE

1.1. To establish an advisory committee in accordance with Sections 200 and 202 of the *Municipal Government Act*.

The Planning Advisory/Heritage Advisory Committee will advise the Council of the Municipality on planning and heritage matters requiring a decision of Council affecting the Municipality, including the preparation and amendment of planning documents.

2. DEFINITIONS

2.1. In Appendix K,

a) Repealed.

b) "Municipality" means the West Hants Regional Municipality;

c) "PAC/HAC" means the Planning Advisory/Heritage Advisory Committee of the Municipality;

d) Repealed.

3. COMMITTEE COMPOSITION

3.1. The PAC/HAC will be established under the following terms:

a) The Committee will consist of thirteen (13) members as follows:

- six (6) members of Council;
- two (2) resident members of Windsor;
- two (2) resident members of Hantsport; and
- three (3) members resident in the remainder of the Region and who is not members of Council or Municipal employees.

b) Council members will be appointed to the Committee in November for a term of one (1) year and the term will expire following the October meeting the next year. The appointments made as of April 2021 will expire October 2022.

c) Non-Council members will be appointed to the Committee in November for a term of two (2) years and the term will expire following the October meeting of the second year. The appointments made as of April 2021 will expire October 2022.

4. ADMINISTRATION

4.1. The PAC/HAC will appoint a Chair and Vice-Chair annually from among its members at the November meeting.

4.2. All non-Council members of the Committee will be remunerated for attendance at meetings of the Committee in accordance with the Remuneration Policy.

4.3. The PAC/HAC will present recommendations directly to the Council of the Municipality.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☑	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: Members of Council

Submitted by: _____
Todd Richard, Director of Public Works

Date: June 28, 2022

Subject: Snow & Ice Control Cost Comparison – Contracted / In-House

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LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

Councillor Hartt requested information on the contracted snow removal costs for the 2019/20 winter season. The information being provided is information only and not a recommendation.

BACKGROUND

Property ☑	Public Opinion ☑	Environment ☐	Social	Economic ☑	Councillor Activity ☐

Recent discussions and questions on contracted snow removal costs and services compared to providing this service in-house.

DISCUSSION

The following chart shows the breakdown between the cost to provide snow removal services on the previously contracted West Hants owned street before consolidation. The breakdown shows the previously contracted prices for the years 2018 to 2020, the cost and cost per kilometer. The chart also shows the comparison for the following two years 2020 to 2022 and

the costs for snow removal services done in-house. Note the linear amount (km) of streets has increased as development continues, and roads are taken over by the municipality.

It is important to note that comparison of service between contracted and in-house is not a full detailed analysis. Scope of service may vary between contracted snow removal and in-house services, with the scope and responsibilities being higher with the in-house service.

Providing the service in-house provides excellent value and public service to the residents of West Hants at a lower overall cost than a private contracted service.

Snow Removal Cost Comparison - Contracted / In-House				
Item Description	**Year**	**Cost**	**Distance km**	**Cost per Km**
Contracted Prices for WH Roads before Consolidation	2018/19	$93,845	6.21	$15,112
	2019/20	$60,892	6.21	$9,805
In-House - West Hants Roads Snow / Ice Control Costs	2021/22	$49,920	8.41	$5,936
	2020/21	$41,555	7.21	$5,764
In-House Windsor Streets (Including Sidewalks)	2021/22	$142,000	31	$4,581
	2020/21	$114,000	31	$3,677
	2019/20	$150,474	31	$4,854
	2018/19	$163,355	31	$5,270

Key Points:

- Since 2019 there has been an additional 2.2km of streets added - 35% increase since contracted services
- No additional equipment has been added to the fleet for snow / ice control - only replacements
- Cost to perform snow removal services are much lower than contracted services
- Forecasting the multi-year savings with in-house services is a substantial savings compared to contracted services
- Winter maintenance agreement with NSPW allows for increased efficiencies and cost savings
- Consolidation of Municipal resources has shown great benefits, increased efficiencies, and cost savings
- Contracting out snow removal services that the municipality has the resources and capacity to do would not be recommended
- If services were contracted out, the fixed costs would remain and therefore would need to be reallocated to other sub-departments
- Staff are always looking for ways to reduce costs and streamline operations – (more efficient equipment, reduced salt use, and pooling of resources)
- In-house services include the cost for snow removal / trucking (after storm cleanup - intersections, crosswalks, street widening / benching etc.)

FINANCIAL IMPLICATIONS

Estimated operational costs are outlined in the 2022/23 budget.

ALTERNATIVES

None recommended

ATTACHMENTS

N/A

CHIEF ADMINISTRATIVE OFFICER REVIEW

N/A

Report Prepared by: _____

Todd Richard, Director of Public Works

Report Approved by: _____

Madelyn LeMay, Director, Planning and Development; Acting CAO

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☑	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: Members of Council

Submitted by: _____
Todd Richard, Director of Public Works

Date: June 28, 2022

Subject: Responsibility for Sewer and Water Laterals

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

Council to review and discuss responsibilities relating to sewer and water laterals, including determining any need for updates to current municipal policies and bylaws. This will provide municipal staff the formality to assess the requirement for applicable charges for activities throughout the communities of West Hants serviced with municipal sewer and/or water.

This report is not being presented as a recommendation to Council; it being presented for discussion purposes only.

BACKGROUND

Property ☑	Public Opinion ☑	Environment ☐	Social ☑	Economic ☐	Councillor Activity ☐

Following a verbal report from Councilor S. MacLean, staff has received the following direction from Council:

Council Discussion Points:

- The resident homeowners are responsible for repairs up to the property line for both water utilities. If there is no curb stop in place, the property line determines how far the property owner is responsible.
- The resident homeowner is responsible for repairs up to the main regardless of what side of the road it is located on for both sewer utilities.
- Depth also impacts the costs.
- Typically, roots or collapsed pipes are the cause of sewer repairs.
- Current practice now is to replace a pipe from the sewer main to the property line when a road reconstruction is done.
- Consensus is to review further.

There appears to be an inequity in this area. Staff will return with a report highlighting the history and information.

For background research, public works staff have performed a review of similar policies performed by other municipal units throughout the province.

DISCUSSION

Through preliminary research, staff have determined that the majority of municipal units share the same existing policy of West Hants; with the following responsibilities:

- **Municipality is responsible for the water main, along with the lateral to each property curb stop valve; and**
- **Water laterals are the financial responsibility of the property owner from the curb stop valve to the residence or business. If there is no curb stop, the property owner is then responsible for water laterals up to the water main.**
- **Municipality is responsible for the sewer main to the end of the sewer main connection, and**
- **Sewer laterals are the financial responsibility of the property owner from the sewer main connection up to the residence or business.**

Municipality of the District of West Hants Bylaw
Town of Windsor Bylaw

It should be noted that the NSUARB does not determine the policy for responsibility of the water or sewer laterals; leaving the Municipality the responsibility to determine its own policies and bylaws for this strategy. As any change in policy would affect both water and sewer rates, the NSUARB would need to review and accept any proposed changes, along with the Council rationale for any revisions. Considerations that would need to be evaluated by Council prior to further pursuing change in policy or bylaw, may include the following:

- Responsibility of the property owner to the main is a standard accepted policy, that has been accepted and shared across the majority of (but not all) municipalities.
- Not having the property owner responsible for laterals would create several issues and concerns. The Municipality does not have any control or means of inspection of private sewer laterals. Inspection of these laterals is in most cases, only assessable by entering the residence.
- Sanitary wipes, non-flushable material entering sewer lateral, dumping of grease and fats all have a negative effect on sewer lateral and potential of leading to blockages.
- Roots from private trees typically cause issues and blockages. The Municipality should not assume responsibility for private trees, or subsequent damages to private trees that may be caused by clearing any root intrusion to these laterals.
- Municipality and sewer rate payers should not be responsible for private laterals that are out of their control (items flushed, placed or inadvertently entering private sewer lateral) causing blockage.
- It would be unreasonable to defer additional costs from items not in the direct control of the Municipality or other residents to all water utility and/or sewer customers.
- For repairs, property owners have the ability to perform unidirectional drilling as an option to reduce open trench excavation methods, and therefore not disrupt asphalt surfaces.
- Private septic systems and private well costs are not supplemented by others; depending on site conditions, lot size, depth and community location, these costs will vary. This same reasoning applies to which side of street sewer or water mains is located; the side of the road of services should similarly not be viewed as an inequity.
- When capital services and road reconstruction is performed, sewer and water services are replaced to the property line and these costs are funded by the water utility and the sewer utility.
- There is an incentive of property owners to properly maintain sewer laterals to prevent clogging and blockages if the responsibility lies with property owner.
- Operations and maintenance budgets would need to increase substantially if these additional responsibilities were transferred to the municipality.
- Sewer rates and water rates would both <u>increase</u> to all service residents, to cover the increased costs for the additional expenses.
- Transferring ownership of laterals could have a negative consequence by lowering the duty of care of property owners, as a result of less responsibility to prevent blockages and conduct preventative maintenance.
- Water services are regulated as per NSUARB, and therefore any changes to policies would require approval of NSUARB.
- If the policy is revised, would there be an expectation to compensate previous property owners that paid for water and sewer lateral repairs and or replacement? And for how many previous years?

NEXT STEPS

Staff would strongly recommend that the current policy does not change. However, Council may want to review the above discussion points, the current municipal bylaws, and consider the following questions with the understanding that Municipal utility funding is also required to be directed towards 100% of existing water and sewer services for all aging water, storm and sewer mains, as well as adjacent water laterals to all property curb stop valves:

- What funding model is to be considered for the additional operational costs?
    - 100% Municipal general rated to all residents in the municipality
    - 50% Municipal general rated to all residents in the municipality, and 50% Utility rated (only 50% charged back to all utility residents)
    - 100% Utility rated (100% charged back to all utility residents)

- Is Council committed for long-term funding of this revision to current bylaws?

F**INANCIAL IMPLICATIONS**

Keeping the current policies and by-laws in place would have no added financial impact. However, any adjustments to responsibility of these items would increase the budget in the following ways:

- Adjustments to the responsibility of the water laterals would increase maintenance expenses and potentially increase NSURAB fees as the adjustments to the policy would likely require increased rates to the water utility and as such are required to be approved by the URAB before being implemented.
- Adjustments to the responsibility of the sewer laterals would increase maintenance expenses and have the added cost of updating the sewer fee by-law to accommodate increased rates for the sewer utility.

ALTERNATIVES

No alternatives identified.

ATTACHMENTS

No attachments.

CHIEF ADMINISTRATIVE OFFICER REVIEW

N/A

Report Prepared by: _____

Brad Carrigan, Manager Engineering & Capital Projects

Report Reviewed by: _____

Todd Richard, Director of Public Works

Report Approved by: _____

(Name and Title)

Committee of the Whole Excerpts
June 14, 2022

2022-23 Grants and Contributions

Each year, the Municipality receives numerous requests for funding from worthwhile not-for-profit or charitable community organizations who, through volunteer efforts provide services to the community. Grants and contributions are recommended based on the understanding they are for services or activities which council has or is likely to deem required by the municipality and within the Municipality's legislative mandate.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL ADOPTS THE ATTACHED SUMMARY, AS PRESENTED, RECOMMENDING GRANT FUNDING TO THE LISTED RECIPIENTS AND AUTHORIZE STAFF TO RELEASE FUNDS ONCE ALL REQUIREMENTS, AS OUTLINED UNDER THE GRANT AND CONTRIBUTION POLICY, HAVE BEEN MET, EXCLUDING THE NEWPORT RINK AND THE MASONIC HOME SOCIETY.

Committee of the Whole Excerpts
June 14, 2022

2022-23 Grants and Contributions (5% Reserve Fund)

Each year, the Municipality receives numerous requests for funding from worthwhile not-for-profit or charitable community organizations who, through volunteer efforts provide services to the community. Grants and contributions are recommended based on the understanding they are for services or activities which council has or is likely to deem required by the municipality and within the Municipality's legislative mandate.

The recommended motion was that Committee of the Whole recommend that …

MOVED BY COUNCILLORS IVEY AND M. MCLEAN THAT COMMITTEE OF THE WHOLE RECOMMEND COUNCIL APPROVE THE FOLLOWING GRANTS FROM THE 5% RESERVE FUND:

- BROOKLYN DISTRICT ELEMENTARY SCHOOL TO FUND THE UNSPENT PORTION OF THE PHASE 1 OF THE TENNIS COURT REPAIRS THAT WAS APPROVED IN 2021 IN THE AMOUNT OF $4,827

- BROOKLYN DISTRICT ELEMENTARY SCHOOL TO FUND PHASE 2 OF THE TENNIS COURT REPAIRS IN THE AMOUNT OF $5,000

- WEST HANTS TRAILS ASSOCIATION TO FUND THE PURCHASING OF AN OUTDOOR LEISURE STRUCTURE FOR THE ARDOISE COMMUNITY PARK IN THE AMOUNT OF $2,500

- BROOKLYN VOLUNTEER FIRE DEPARTMENT TO FUND TRAIL MAINTENANCE FOR THE BROOKLYN FIRE DEPARTMENT TRAIL IN THE AMOUNT OF $2,075

- GLOOSCAP HERITAGE ARCHERS ASSOCIATION TO ASSIST WITH THE COST OF INSTALLING A NEW DECK AND ROOF REPAIRS IN THE AMOUNT OF $1,000. MOTION CARRIED

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐

To: West Hants Regional Municipality Committee of the Whole
Submitted by: Kathy Kehoe, Director Community Development
Date: May 3, 2022
Subject: 2022 Grants and Contributions

LEGISLATIVE AUTHORITY

Municipal Government Act,

Power to expend money
65 The council may expend money required by the municipality for
(au) a grant or contribution to
(i) a society within the meaning of the *Children and Family Services Act,*
(ii) a mental health clinic in receipt of financial assistance from the province,
(iii) an exhibition held by an educational institution in the municipality,
(iv) a club, association, or exhibition within the meaning of the *Agriculture and Marketing Act,*
(v) any charitable, nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting or social organization within the province,
(va) a day care licensed under the *Day Care Act*,
(vi) a registered Canadian charitable organization,
(vii) a village,

and the municipality shall publish annually a list of the organizations and grants, or contributions made pursuant to this clause in a newspaper circulating in the municipality

RECOMMENDATION

Committee of the Whole recommends that:

Council adopts the attached summary, as presented, recommending grant funding to the listed recipients and authorize staff to release funds once all requirements, as outlined under the Grant and Contribution Policy, have been met.

Further

…it be recommended to Council, to approve the use of $5,000 from the Canada Community Building Fund for the Newport and District Rink Commission to fund the purchase of an Ice Resurfacer, to improve recreational services.

Further

…it be recommended the following grants be approved from the 5% Reserve Fund:

- Brooklyn District Elementary School to fund the unspent portion of the Phase 1 of the Tennis Court Repairs that was approved in 2021 in the amount of $4,827
- Brooklyn District Elementary School to fund Phase 2 of the Tennis Court Repairs in the amount of $5,000
- West Hants Trails Association to fund the purchasing of an outdoor leisure structure for the Ardoise Community Park in the amount of $2,500
- Brooklyn Volunteer Fire Department to fund trail maintenance for the Brooklyn Fire Department Trail in the amount of $2,075
- Glooscap Heritage Archers Association to assist with the cost of installing a new deck and roof repairs in the amount of $1,000

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☒	Economic ☒	Councillor Activity ☐

Each year, the Municipality receives numerous requests for funding from worthwhile not-for-profit or charitable community organizations who, through volunteer efforts provide services to the community. Staff have reviewed the requests and coordinated the funding recommendations within the approved budgeted allotments and in keeping with the Grants and Contributions Policy. Funding requests were received from sixty-five different organizations and, of those applications three were received after the advertised deadline. Staff have not recommended funding the late applications from organizations based on the Grants and Contributions Policy.

Grants and contributions are recommended based on the understanding they are for services or activities which council has or is likely to deem required by the municipality and within the Municipality's legislative mandate.

According to the rules around expending Canada Community Building Fund monies to third parties, Council must, by separate motion, authorize each expenditure.

DISCUSSION

Grants are generally provided in the form of funds, while contributions may be through in-kind support using municipal resources, both tied to a specific outcome. Both sources of support must be reported annually by the Municipality, as is required by legislation.

Council has the authority to fund projects outside of the maximum approved funding allocations stated in this Policy.

The following annual grant types have been identified by the municipality:

1. Operating grant – Maximum contribution $1,500
2. Community Capital Project grant Maximum contribution $2,500
3. Public Safety Grants – Maximum contribution of $7,500
4. Community Recreation Program grant – Maximum contribution $1,000
5. Community Event grant – Maximum contribution $1,000
6. Special Events Operations & Promotion grant – Maximum contribution $5,000
7. Leadership grant – Maximum contribution - $1,000
8. Sponsorship Advertising/Donation of Prizes Requests – Maximum contribution per organization per year $100.
9. Youth Travel Assistance – Maximum Contribution Limits apply
10. Community Trail Funding Program – Maximum contribution - $2,500
11. Major Capital Project grant - Depending on the funding source identified by staff, additional requirements may be necessary to maintain eligibility.
    a. Gas Tax funding requirements:
    a. Agreement to abide by the Municipal agreement with the Province of Nova Scotia
    a. Community Energy Systems - $2,500 limit
    a. Cultural Infrastructure - $5,000 limit
    a. Tourism Infrastructure - $5,000 limit
    a. Recreational Infrastructure - $5,000 limit
    a. Broadband Connectivity - $5,000 limit
    a. Trails - $2,500 limit
12. In-kind Contributions

Canada Community Building Fund, formerly Federal Gas Tax Grants: Throughout the year, council also receives requests for financial support from a variety of organizations for funding which far exceeds the budgeted grant values. These requests are referred to the grants and contributions process for validation and suitability for other sources of funding, such as Canada Community Building Fund. Changes to the qualifying criteria for use of the Canada Community Building Fund permits the Municipality to offer capital funding to third party, not-for profit organizations. But all contributions are still subject to the stacking limitations imposed by the federal government.

Council has received requests for funding of an eligible capital nature from:

1. Newport & District Rink Commission – funding the support the purchase of an Ice Resurfacer - $5,000

As per Canada Community Building Fund agreement, should Council approve the motions stated above, the Municipality will enter into an agreement with the groups based on the terms and conditions required under the agreement. This includes ensuring the organizations continue to operate the facility for the same purpose as stated in the application for up to 10 years. Failing to do this will require the organizations to reimburse the Municipality for the funds at a prorated rate, based on years of use.

Attached you will find the Grants & Contributions requests and staff recommendations. Of which, two of the requests, the Windsor Lions Club and the Newport & District Rink Commission's applications far exceeded the maximum contribution limits as outlined in the Grants & Contribution Policy RCOFN-012.00. These requests are beyond our program design and capacity but before Council for your added consideration if Council chooses.

NEXT STEPS

If approved, staff will notify groups and organizations of the decision of Council and will process the grants as approved.

FINANCIAL IMPLICATIONS

Grants and Contribution funding is proposed in the 2022/23 budget, in the amount of $115,000 and grants will be finalized upon Budget approval. Based on the proposed summary, there is $127,892 being recommended, with $107,490 being funding through the operating budget. The remaining is proposed from the 5% reserve and the Canada Community Building Fund. The remaining balance is the associated to Public Safety, and grants under this category are for non-profit organizations registered with the Municipality that provided or ensure public or community safety.

Sufficient Canada Community Building Funding exists for the eligible project. It should be noted that financial support from this fund must be approved by West Hants Regional Council annually for eligible projects.

RECOMMENDED	
Operating	$44,500.00
Community Capital Project	$14,050.00
Public Safety	$7,500.00
Community Recreation Program	$6,000.00
Community Event	$2,500.00
Special Events Operations & Promotions	$9,195.00
Leadership	$3,000.00
Community Trail Fund	$2,500.00
Major Capital	$3,500.00
In-Kind	$14,745.00
Canada Community Building Fund	$5,000.00
5% Reserve Fund	$15,402.00
Grand Total	$127,892.00

ALTERNATIVES

Council can approve, amend, or change any recommendation presented by staff with the understanding these decisions may fall outside of the established policy. This is not the course of action recommended but is within Council's purview.

ATTACHMENTS

- West Hants Regional Municipality Grants and Contributions Policy RCOFN-012.00
- Grants & Contributions Application & Recommendation Summary

CHIEF ADMINISTRATIVE OFFICER REVIEW

The grant recommendations noted by the Director are in alignment with the existing grant policy and traditional level of spending. There are some amazing projects and programs that will benefit the community and some very active groups carrying them out. THANK YOU!

As noted, there are applications that exceed the eligible funding within the grant categories. These too, are valuable projects to the community. There is ample discretion for Council within the policy if Council chooses to consider supporting a group outside the policy. As this is the annual time of year that grants are considered it is suggested Council revisit the attached policy to ensure it reflects their wishes.

“2.0 POLICY OBJECTIVE The objective of this policy is to treat all organizations fairly, equitably and reasonably, within the parameters established by Council as follows: a) Youth development b) Senior support and services c) Public safety d) Provincial events e) Heritage and Culture On an annual basis Council will determine the amount of funding during the budget process. “

Having a consistent and clear grant policy is important for those applying annually.

Report Prepared by: _____
Kathy Kehoe, Director Community Development

Report Reviewed by: _____
Carlee Rochon, Director, Financial Services

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

West Hants Regional Municipality Grants and Contributions Recommendations 2022

Organization	Project	Recommended												
		Operating	Community Capital Project	Public Safety	Community Recreation Program	Community Event	Special Events Operations & Promotions	Leadership	Community Trail Fund	Major Capital Project	In-Kind	Canada Community Building Fund	5% Reserve	Variance	Restrictions
9-Lives Cat Rescue Society **Total Request - $1,500**	Operating Grant - $1,500 To assist with costs of the spay/neuter program for feral, barn and stray cats.	1,500.00												-	
Annapolis Valley Chapter of Autism NS **Total Request - $2,500**	Operating Grant -$1,500 - To assist with costs associated with the rental space and pool fees in Windsor for the Respite and Recreation Summer Camp. Community Recreation Program - $1,000 -To assist with costs associated with accessing a variety of community outings such as Aylesford Zoo , community swimming pools, outdoor summer recreation supplies, and other various local opportunities.				nil						1,250.00			1,250.00	to access WHRM facilities where there is a facility booking fee
Annapolis Valley Farm to School **Total Request - $1,500**	Operating Grant - $1,500 - To assist with costs associated to support the contract position (and mileage) of the Farm to School Coordinator.	1,000.00												500.00	
Ardoise Community Recreation Center **Total Request - $2,500**	Operating Grant - $1,500 - To assist with costs associated to help with maintenance and day to day operating expenses such as heating, insurance, power. Community Event Grant - $1,000- To assist with costs associated with the Annual Family Fun Day and Car Show.	1,500.00				750.00								250.00	
Avon Community Farmers Market **Total Request - $5,000**	Operating Grant - $1,500 - To assist with costs associated with CGL insurance, Farmers Market of Nova Scotia membership. Special Events Grant - $3,500 - To assist with costs associated to have multiple larger market events during the regular season and expand the holiday market.	750.00									750.00			3,500.00	
Avon River Heritage Society **Total Request - $5,000**	Operating Grant - $1,500 - To assist with costs associated with regular operating expenses. Special Events Operations & Promotion Grant - $3,500 - To assist with costs associated with the Avon River Heritage Museum and community and cultural events, activities that take place in the Avon Spirit Shipyard (Artisans in Action, The Great Little Art Show, Open Studio, Paint Avondale, Wharf Day, Mosher Family Reunion, Sofa Sunday's. Total Request - $5,000	1,500.00					2,000.00							1,500.00	
Avon River Rollers Society **Total Request - $2,500**	Operating Grant - $1,500 - To assist with costs associated with general operating expenses such as facility rentals and team gear maintenance. Community Recreation Program - $1,000 - To assist with costs associated with expanding and improving ARR's recreational program for the West Hants community and secure team skates, protective equipment to further goal of reducing barriers to accessibility.				500.00						1,250.00			750.00	
Avon Sport and Social Community **Total Request - $4,000**	Operating Grant - $1,500 - To assist with costs associated with facilities and equipment at events which include ball hockey, soccer, baseball, broom ball etc. Community Capital Project Grant - $2,500 - To assist with costs associated to refurbish goalie nets with upgraded paint to add longevity and establishing a putting basket for the disc golf which would be accessible to the public. Total Request - $4,000		750.00								1,500.00			1,750.00	
Avon View High School Boys Hockey **Total Request - $5,000**	Special Events Operations & Promotion Grant - $5,000- To assist with costs associated with the Annual Birthplace of Hockey High School tournament. Total Request - $5,000 (Not incorporated)										2,000.00			3,000.00	incorporation required before grant is processed
Avondale Community Club **Total Request - $7,500**	Community Capital Project Grant - $2,500 - To assist with costs associated with interior upgrades, gutters, facia, foundation repair, picnic tables, covered porch/outdoor stage, general maintenance/fixing upgrades. Special Events Operations & Promotion - $5,000 To assist with costs associated with the Annual Avondale Wharf Day.		2,000.00			750.00								4,750.00	
Belmont Hall Association **Total Request - $1,500**	Operating Grant - $1,500 - To assist with costs associated with minor projects, wheelchair ramp repair, sealing of Windows, varnishing floors, septic upgrade, and minor painting and labour		1,500.00											-	
Bramber New Horizons Hall **Total Request - $2,500**	Community Capital Project Grant - $2,500 - To assist with costs associated with hall expenditures, specifically to purchase a new bingo machine	1,000.00												1,500.00	specifically to offset operating expenses
Brooklyn District Elementary School **Total Request - $8,000**	Community Trail Funding Program - $1,500 - To assist with costs associated with mowing the trail system behind BDES. Major Capital Project grant- $6,500 - To assist with costs associated with the second phase of restoration of old tennis court area, remove old net posts, patch the pavement cracks and holes, install 1 new set of posts and install a net, cover the path with gravel, purchase outdoor hockey nets for the other side of the courts. Total Request - $8,000								1,500.00				5,000.00	1,500.00	will issue once the 2021/22 grant funds are expended
Brooklyn District Elementary School **Total Carry Over Request - $4,827**	Have made a request to approve the use of the unspent funds of their 2021 municipal grant $4827. (tennis court repairs) Total Carry Over Request - $4,827												4,827.00	-	
Brooklyn Volunteer Fire Department Auxiliary **Total Request - $4,575**	Community Trail Funding Program - $2,075 - To assist with costs associated with additional gravel, railing added to bridge crossing brook, materials to control grass growth in summer and salt for winter, and additional signage for the trail. Community Capital Project Grant - $2,500 - To assist with costs associated with purchasing new tables and coffee center. Total Request - $4575		nil										2,075.00	2,500.00	

Organization	Project	Recommended													
		Operating	Community Capital Project	Public Safety	Community Recreation Program	Community Event	Special Events Operations & Promotions	Leadership	Community Trail Fund	Major Capital Project	In-Kind	Canada Community Building Fund	5% Reserve	Variance	Restrictions
Burlington and District Club **Total Request - $4,000**	Operating Grant - $1,500 - To assist with costs associated with operating expenses to remain accessible to the community. Community Capital Project Grant - $2,500 - To assist with costs associated with painting the exterior wood paneling and trim in the main gathering area of the hall.	1,500.00	2,000.00											500.00	
Dragonfly Haven Therapeutic Farm **Total Request - $1,000**	Community Event Grant - $1,000 - To assist with costs associated to make the farm safe in different ways such as a fence around the property to protect people and the animals from harm, and hosting culture activities	1,000.00												-	
Ellershouse Community Hall **Total Request - $1,500**	Operating Grant - $1,500 - To assist with operating costs for the hall.	1,500.00												-	
Falmouth Community Association **Total Request - $1,500**	Operating Grant - $1,500 - To assist with operating costs. In Kind - Municipal staff to assist with Teddy Bear Jamboree.	1,500.00									400.00			-	
Full Circle Festival Society **Total Request - $6,500**	Operating Grant - $1,500 - To assist with operating costs. Special Events Operations & Promotions Grant - $5,000 - To assist with costs associated to support local artist fees for the 'Sofa Sundays" series as well as promotion and marketing costs for all events	nil					1,500.00							5,000.00	
Glooscap Heritage Archers Association **Total Request - $4,000**	Operating Grant - $1,500 - To assist operating costs. Community Event Grant -$1,000 - To assist with costs associated with completing the new deck and roof started last year.	1,500.00											1,000.00	-	
Gordon Hughes Tennis Club-Windsor	Operating Grant - $1,500 - To assist with costs associated with operating costs. Community Capital Project Grant - $2,500 - To assist with costs associated with resurfacing the courts	1,000.00	2,000.00											1,000.00	
Hants County 4-H Leaders Council **Total Request - $2,500**	Operating Grant - $1,500 - To assist with operating costs. Community Event Grant - $1,000 - To assist with costs associated with Hants County Exhibition prizes for members and special awards for achievements, junior and senior member tours, 4-H Family skate event.	1,500.00									250.00			750.00	
Hants County Christmas Angels Society **Total Request - $3,000**	In Kind Contributions - For the use of the Community Center for the annual webathon/telethon. Requesting use of the Aquatics building for operating headquarters in the month of December										3,000.00			-	
Hants County Senior Safety Association **Total Request - $7,500**	Public Safety Grant - $7,500 - To assist with costs associated to promote health and safety services, free of charge to every senior in Hants County. To support the well-being, independence, health and safety of seniors in their homes and in their community			7,500.00										-	
Hants Learning Network Association **Total Request - $1,500**	Operating Grant - $1,500 - To assist with operating costs associated with food, transportation, school supplies, and specialized supports.	1,500.00												-	
Hants Shore Health Association **Total Request - $2,000**	Community Recreation Program Grant - $1,000 - To assist with costs associated with instructors, facility usage, gift certificates for March Moving Challenges with a TWIST, and presenters or organizations. Community Event Grant - $1,000 - To assist with costs associated to offer a Friendly Visitor Program along the Hants Shore Community, where volunteers will visit seniors in the community.				1,000.00			1,000.00						-	
Hants West Food Action Council **Total Request - $1,650**	Operating Grant - $850 - To assist with costs associated to help with the soup kitchen. Community Event Grant - $800 - To assist with costs associated with holding two community event meals a year, in July at Victoria Park and another during the holiday season	750.00									500.00			400.00	
Hants West Wildlife Association **Total Request - $3,500**	Community Recreation Grant - $1,000 - To assist with costs associated with outdoor programs for all ages, abilities, genders, etc. Special Events - $2,500 - To assist with costs associated with the Hunters Education Program/Learn to Shoot (ongoing event that engages people from 12-adult to foster an environment where families, couples and people regardless of abilities, genders will be welcome.)				1,000.00		nil							2,500.00	
Hantsport & Area Historical Society **Total Request - $10,675**	Operating Grant - $1,500 - To assist with operating costs. Major Capital Project Grant -$9,175- To assist with costs associated with Flagpole installation, directional highway metal post, exterior brick wall repair, and purchase of 3 new computers	1,500.00	2,500.00											6,675.00	
Hantsport Music Fest Society (HMF) **Total Request - $2,500**	Special Events Operations & Promotion Grant - $2,500 - To assist with costs associated with the Hantsport Music Festival.						1,500.00							1,000.00	
Hillview Cemetery Association **Total Request - $1,500**	Operating Grant - $1,500 - To assist with costs associated with maintenance and upgrades to the cemetery, mowing on a regular basis, and level ground off with topsoil	750.00												750.00	
Kempt Shore Preservation Society **Total Request - $4,000**	Operating Grant - $1,500 - To assist with costs associated with the maintenance of the cemetery. Capital Project Grant - $2,500 - To assist with costs associated with interior repairs of church to prevent further deterioration	750.00	500.00											2,750.00	
Mermaid Theatre of Nova Scotia **Total Request - $1,000**	Community Recreation Program Grant - $1,000 -To assist with costs associated to continue digital production of Story Box Theatre to encourage youth to participate in the arts through online offerings via the company's Mermaid TV portal and social media.				1,000.00									-	
Mount Denson Community Hall **Total Request - $4,000**	Operating Expense - $1,500 - To assist with costs associated with general hall maintenance of the hall and expenses. Community Capital Project Grant - $2,500 - To assist with costs associated with larger repairs, new front door, roof painted, etc.)	1,500.00	1,000.00											1,500.00	

Organization	Project	Recommended													
		Operating	Community Capital Project	Public Safety	Community Recreation Program	Community Event	Special Events Operations & Promotions	Leadership	Community Trail Fund	Major Capital Project	In-Kind	Canada Community Building Fund	5% Reserve	Variance	Restrictions
Nova Scotia Association of Garden Clubs c/o Mount Denson Garden Club Total Request - $6,500	Operating Grant - $1,500 - To assist with costs associated with rent, office supplies, used garden tiller. Special Events Operations & Promotion Grant - $5,000 -To assist with costs associated with promotional signs , coroplast A-frame signs, aprons for advertising/promotional purposes, business cards, promotional tags, fundraising prizes, speakers and travel, workshops, supplies, tours.	750.00					750.00							5,000.00	
Music in Communities Total Request - $2,500	Operating Grant - $1,500 - To assist with operating costs. Community Event Grant - $1,000 - To assist with costs associated to provide established programming to the West Hants area including summer music at the Windsor Waterfront, Music Summer camps for teens.	nil				nil								2,500.00	no financials provided
New Boundaries Total Request - $1,500	Operating Grant- $1,500 - To assist with costs associated with general operating expenses in running the programs.	1,500.00												-	
Newport & District Rink Commission Total Request - $150,000	Operating Grant -$50,000 - To assist with operating expenses to provide a cost-effective facility for users from West Hants. Major Capital Project Grant - $100,000 - To assist with costs associated with several projects to be completed over the coming years such as the replacement of an ice resurfacer, ice plant overhaul, lighting fixture replacements, additional dressing rooms. Grant funding is being requested for the Ice Resurfacer (replacement cost $165,000 & ice plant compressor overhaul spring	1,500.00										5,000.00		143,500.00	
North Pro Wrestling Canadian Wrestling (New Brunswick group) Total Request - $4,000	Community Event Grant - $1,000 - To assist with costs associated with promotion of the recreational event that promotes health and team work. Special Events Operations & Promotion- $3,000- To assist with cost of events. (Not incorporated)	nil												4,000.00	
Pisiquid Canoe Club Total Request - $9,000	Operating Grant - $1,500 - To assist with costs associated with coaching and operating costs, to reduce user/membership fees. Public Safety Grant - $7,500 - To assist with costs associated to purchase an AED for the club/community use, along with associated Emergency First Aid and CPR training costs for all staff.	1,500.00			1,500.00									6,000.00	
Poplar Grove Community Hall Total Request - $1,500	Operating Grant - $1,500 - To assist with costs associated with upgrading the wheelchair ramp, replacement of the kitchen sink and faucets.	1,500.00												-	
Quick As A Wink Theatre Society Total Request - $2,000	Quick As A Wink Theatre Society - Community Recreation Program Grant - $1,000 - To assist with costs associated to fund the summer theatre camp programs. Leadership Grant-$1,000 - To assist with costs associated with hiring 4 summer students to facilitate the teaching and supervision of the campers.				1,000.00			1,000.00						-	
Scotia XC Total Request - $1,500	Operating Grant - $1,500 - To assist with costs associated with grooming ski trails on the Dill farm and trails at the Haliburton House for Multi purpose use.	1,500.00												-	
Square Roots Enactus Saint Mary's Windsor Total Request - $1,500	Operating Grant - $1,500 - To assist with costs associated with operations of the social enterprise program that aims to help relieve food insecurity, support local farmers and reduce food waste.	750.00												750.00	
Sweets Corner Community Hall Total Request - $1,500	Operating - $1,500 - To assist with costs associated with operations and miniatous of the facility to maintain its availability to the general public.	1,500.00												-	
Upper Burlington Community Hall Association Total Request - $1,800	Community Capital Project Grant - $1,800 - To assist with costs associated with siding on the east end of the hall, and new electrical panel.		1,800.00											-	
Upper Vaughan Community Hall Total Request - $1,500	Operating Grant -$1,500- To assist with costs associated with operating and regular maintenance.	1,500.00												-	
Valley Child Development Association Total Request - $1,500	Operating Grant - $1,500 - To assist with operating costs for the Behavior Intervention Program in the West Hants Regional Municipality and Kings County for children at risk emotionally and socially.	750.00												750.00	
Valley Doulas & Kings County Family Resource Centre Total Request - $1,500	Operating Grant - $1,500 - To assist with costs to provide support for the facilitation of regularly scheduled prenatal classes and workshops throughout the year, as well as postpartum support for new families.	750.00												750.00	
Valley Maple Leafs Total Request - $1,500	Operating Grant - $1,500 - To assist with costs associated with operations to offset the expenses in lieu of not being able to have yearly golf tournament for the past two years due to Covid restrictions. (Not incorporated)	nil												1,500.00	not incorporated
West Hants Dial A Ride Total Request - $30,000	Community Capital Project Grant - $2,500 - Major Capital Project Grant - $27,500- To assist with costs associated to subsidize drives for those residing in the West Hants Region.	nil												30,000.00	funded through the operating budget
West Hants Historical Society Total Request - $2,500	Operating Grant - $1,500 - To assist with costs associated with day to day operations, payment towards insurance, power bills, and other costs for the maintenance of the building. Community Event Grant - $1,000 - To assist with costs associated to hold monthly events with guest speakers and a summer event in partnership with Haliburton Museum with a musical event for everyone on the grounds of Clifton.	1,500.00				1,000.00								-	
West Hants Minor Baseball Total Request - $1,500	Operating Grant - $1,500 - To assist with costs associated with general operating costs - field maintenance, fuel costs, building upkeep, equipment, etc.	1,500.00												-	

Organization	Project	Recommended												
		Operating	Community Capital Project	Public Safety	Community Recreation Program	Community Event	Special Events Operations & Promotions	Leadership	Community Trail Fund	Major Capital Project	In-Kind	Canada Community Building Fund	5% Reserve	Variance	Restrictions
West Hants Trails Association Total Request - $3,500	Community Capital Project Grant - $2,500 -To assist with costs associated with purchasing materials for an outdoor leisure structure for shelter from elements and gathering place for community events and activities for the Ardoise Park. Community Trail Funding - $1,000 - To assist with costs associated with general maintenance and insurance for trails								1,000.00				2,500.00	-	
Windsor and District Lions Club Total Request - $20,297.79	Major Capital Project - $12,477.50 - To assist with costs associated to install a NFPA 96 hood vent in the kitchen area at the community center. In-Kind -$7820.29 To cover the rent for the use of the room and kitchen area in the Windsor Community Centre. (In Default)									3,500.00	nil			16,797.79	Pending active status with the Registry of Joint Stock Companies
Windsor Bluefins Parent Association Total Request - $2,500	Operating Grant - $1,500 - To assist with the cost of operating the program. Leadership Grant - $1,000 - To assist with costs associated with training new coaches for youth and to help with the cost of the coaches	nil						1,000.00			1,500.00			-	
Windsor Day Care Centre Total Request - $1,145	In-Kind -$1,145 Donation of a 1 hour swim time for school age children and 1/2 hour swim time for toddler/preschool children each day during the summer months										1,145.00			-	
Windsor Karate Parents Association Total Request - $1,500	Operating Grant -$1,500- To assist with costs associated with upgrading electrical in building to meet with standards, repair roof to fix leak.	1,500.00												-	
Windsor Masonic Society Total Request - $1,500	Operating Grant - $1,500 - To assist with costs associated with operating expenses, utilities, insurance.	1,500.00												-	
Windsor Region Events Society Total Request - $4,645	Special Events Operations & Promotion Grant - $3,445 - To assist with costs associated with hosting the Windsor Kids Triathlon. In-Kind $1,200 - Use of the pool, community centre, staff, street cleaning, barricade use						3,445.00				1,200.00			-	
Windsor Senior Citizen Bus Society Total Request - $1,500	Operating Grant - $1,500 - To assist with costs associated with operating.	1,500.00												-	
Windsor Agricultural Society Total Request - $1,250	Operating Grant - $1,250 - To assist with costs associated with operating the grounds.	nil												1,250.00	application received after the advertised deadline
Bramber Cemetery Organization Total Request - $1,500	Operating Grant - $1,500 -To assist with costs associated with headstone repairs.	nil												1,500.00	application received after the advertised deadline
Pembroke Chapel and Cemetery Assoc. Total Request - $1,500	Operating Grant - $1,500 - To assist with costs associated with operating costs.	nil												1,500.00	application received after the advertised deadline
Total	**65**	**44,500.00**	**14,050.00**	**7,500.00**	**6,000.00**	**2,500.00**	**9,195.00**	**3,000.00**	**2,500.00**	**3,500.00**	**14,745.00**	**5,000.00**	**15,402.00**	258,372.79	

2022	Budgeted Funds Proposed
Grants & Contributions	$97,500.00
Public Safety	$15,000.00
Comm. Trail Fund	$2,500.00
Grand Total	$115,000.00

RECOMMENDED	
Operating	$44,500.00
Community Capital Project	$14,050.00
Public Safety	$7,500.00
Community Recreation Program	$6,000.00
Community Event	$2,500.00
Special Events Operations & Promotions	$9,195.00
Leadership	$3,000.00
Community Trail Fund	$2,500.00
Major Capital	$3,500.00
In-Kind	$14,745.00
Canada Community Building Fund	$5,000.00
5% Reserve Fund	$15,402.00
Grand Total	$127,892.00

Committee of the Whole Excerpts
June 14, 2022

Diverse and Inclusive Communities Committee

Through the establishment of this committee, the West Hants Regional Municipality is committed to strengthening existing partnerships with businesses, individuals, organizations, and diverse community groups to reduce systemic discrimination and strengthen the ability of individuals and communities to address issues of discrimination.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT STAFF TO AMEND APPENDIX M IN THE MEETING AND COMMITTEE PROCEDURAL POLICY TO REFLECT THE CHANGES NOTED IN ATTACHMENT B;

AND FURTHER DIRECT STAFF TO ADVERTISE FOR INTERESTED PARTIES WHO WILL BECOME THE VOICE AND SUPPORT OF THE DIVERSE AND INCLUSIVE COMMUNITIES COMMITTEE.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation☒	Decision Request ☐	Councillor Activity ☐

To: Committee of the Whole

Submitted by: Bekah Craik, Active Living Coordinator
(Name and Title)

Date: June 14, 2022

Subject: Notice to amend the Meeting and Committee Procedural Policy RCOGE-003.00, Appendix M (Diversity and Inclusion Committee)

LEGISLATIVE AUTHORITY

Meeting and Committee Procedural Policy RCOGE-003.00
MGA Section 14(2) Powers of Council
Human Rights Act
Canadian Multiculturalism Act
Official Languages Act

RECOMMENDATION or DECISION REQUEST

…that Committee of the Whole recommend Council direct staff to amend Appendix M in the Meeting and Committee Procedural Policy to reflect the changes noted in Attachment B;

And further direct staff to advertise for interested parties who will become the voice and support of the Diverse and Inclusive Communities Committee.

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social ☒	Economic ☐	Councillor Activity ☐

West Hants Regional Municipality is full of vibrant and active communities that hosts various events throughout the year. A strong sense of belonging is an important step in becoming an

inclusive community to ensure all feel welcomed and valued. It is critical as a Municipality that we move forward with a strategic road map and an understanding of the need and ability for everyone to have a voice, be heard, receive validation, have equitable treatment, and access resources of one's choosing. The prioritization of cultural diversity and inclusion within our region will allow us to reflect on methods of welcomeness and service delivery while acknowledging and addressing barriers concerning racism, social marginalization, equity and discrimination. In developing an action plan within the Diverse and Inclusive Communities committee, the Municipality can realize its full potential in becoming a place where "Something Inspiring Awaits".

In October of 2020, Council prioritized the theme of Community Diversity and Welcomeness with the objective of establishing a Diversity/Inclusion Plan. After considerable review and input, we are ready to bring this vision to reality. Throughout the review, it was identified that there was a need to update the Meeting and Committee Appendix M to accurately capture diverse voices and provide the support from within our municipal unit to bring ideas collaboratively and genuinely to reality. The purpose of the Diverse and Inclusive Communities Committee is to serve in an advisory capacity and make recommendations to Council which will formulate strategic action plans achieve the following:

1. Advocate, educate, celebrate, address, and advise on issues concerning social marginalization, equity, racism, and discrimination within the Municipality and its workplaces.
2. Break down barriers and implement programs, policies, and practices that promote diversity and inclusion and create opportunities which are inclusive and welcoming to all.

DISCUSSION

Through the establishment of this committee, the West Hants Regional Municipality is committed to strengthening existing partnerships with businesses, individuals, organizations, and diverse community groups to reduce systemic discrimination and strengthen the ability of individuals and communities to address issues of discrimination. This will be a continuous journey of listening, learning, reflecting, and becoming allies. Real change can only happen when we listen, understand and then act. Under the guidance and advice stemming from The Diversity and Inclusive Communities committee, honest, open, vulnerable, and intentional conversations will allow the Municipality to foster inclusiveness and implements policies, programs, and practices which will support anti-racism, anti-discrimination, and inclusion.

NEXT STEPS

- Revise the policy
- Advertise for committee members
- Activate the committee

- Establish Terms of Reference for the committee outlining the structure
- Provide education/training to the committee, staff, Council and public (social media, websites promoting diversity and inclusiveness)
- Proceed with the goals established by the committee and mandates set forth by the province, Human Rights Commission, and the UNESCO Coalition of Inclusive Municipalities.

FINANCIAL IMPLICATIONS

Resident/Community members appointed to a Committee of Council will receive remuneration in accordance with the Council Remuneration Policy, which is identified in the annual Operating Budget.

There will be financial impacts associated with advertising for committee members.

There will be financial impacts as the committee identifies needs for education, an action plan, consulting services, etc. These impacts have yet to be identified and will be identified to Council for consideration in a request for funding approval.

ALTERNATIVES

- Council can choose not to accept the recommendation and proceed as currently established.
- Council can direct staff to explore other options by giving a different direction to staff.

ATTACHMENTS

- Attachment A: Meeting and Committee Procedural Policy RCOGE-003.00 (Appendix M)
- Attachment B: Meeting and Committee Procedural Policy RCOGE-003.00 (Draft Amended Appendix M)

CHIEF ADMINISTRATIVE OFFICER REVIEW

I fully support the recommendation and contents of the report.

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

APPENDIX M

Diversity and Inclusion Committee

1. PURPOSE

1.1. The purpose of the Diversity and Inclusion Committee is to engage the community and formulate action plans to address issues concerning social marginalization, equity, racism, and discrimination within the Municipality. The Committee will also examine issues and barriers in creating a community that is inclusive and welcoming to all.

2. DEFINITIONS

2.1. In Appendix M,

a) "Municipality" means the West Hants Regional Municipality.

3. COMPOSITION

3.1. The Committee will consist of ten (10) voting members and two (2) non-voting members as follows:

- 2 Councillors
- 4 resident members of diverse race and ethnicity (from the Black Nova Scotian, Acadian, Glooscap First Nation, LGBTQ+ and newcomers communities)
- 1 resident over the age of 60
- 1 resident between the ages of 15-19
- RCMP Representative
- Provincial Government Representative
- 2 non-voting staff members appointed by the Chief Administrative Officer

4. ADMINISTRATION

4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.

4.2. All non-Council and non-staff members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.

4.3. Administrative services for the Committee will be provided by the Municipality.

4.4. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX M

Diverse and Inclusive Communities Committee

1. MANDATE

1.1. Through the establishment of this committee, we are committed to strengthening existing partnerships while collaborating with individuals, groups, and organizations to reduce systemic racism and discrimination while strengthening the ability of individuals and community to address issues of diversity, justice, and inequality while providing opportunities for inclusiveness and belonging to improve the lives of all.

2. PURPOSE

2.1. The purpose of the Diverse and Inclusive Communities Committee is to serve in an advisory capacity and make recommendations to Council which will formulate strategic action plans achieve the following:

a) Advocate, educate, celebrate, address, and advise on issues concerning social marginalization, equity, racism, and discrimination within the Municipality and its workplaces.

b) Break down barriers and implement programs, policies, and practices that promote diversity and inclusion and create opportunities which are inclusive and welcoming to all.

3. DEFINITIONS

3.1. In Appendix M,

a) "Municipality" means the West Hants Regional Municipality.

4. COMPOSITION

4.1. The Committee will consist of six (6) voting citizen members and nine (9) non-voting supporting members as follows:

- Six (6) citizen members with a range of diverse identity factors (may include, but not limited to, those from the African Nova Scotian, Acadian, Indigenous, 2SLGBTQIA+, Senior, Youth, Persons with Disabilities and Newcomers' communities)(voting)
- One (1) RCMP Representative (non-voting)
- One (1) Community Health Board Representative (non-voting)
- Six (6) non-voting staff members appointed by the Chief Administrative Officer
- One (1) Councillor and one (1) Alternate (non-voting)

5. ADMINISTRATION

5.1. A Chair and Vice-Chair will be elected bi-annually based upon the date of committee establishment.

5.2. Citizen committee members will serve a two-year term

5.3. Citizen committee members will be provided remuneration in accordance with the Council Remuneration Policy.

5.4. Administrative services for the Committee will be provided by the Municipality.

5.5. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

Committee of the Whole Excerpts
June 14, 2022

Heritage Beef Classic Show (2022-23 Grants and Contributions)

The Heritage Beef Show began as an addition to the Hants County exhibition and is recognized as the largest inclusive beef show this side of Montreal. This is a large show that attracts people from across the region.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL APPROVE THE REQUEST FROM THE HERITAGE BEEF CLASSIC AND THE THREE OTHER LATE APPLICATIONS FOR THE GRANTS AND CONTRIBUTIONS AT FIFTY PERCENT (50%) OF THEIR ORIGINAL ASK TO BE FUNDED THROUGH THE OPERATING RESERVE.

Grants & Contributions 2022 – Heritage Classic Beef Society – Request received June 8, 2022

Organization	Project	Recommended	Variance	Restrictions
		Special Events Operations & Promotions		
Heritage Classic Beef Society **Total Request $5,000**	To assist with costs associated with hosting a special event at the Hants County Exhibition during the 2nd weekend. To provide prizes, meals, judges, ribbons, banners, promotional items, youth showmanship classes with prizes. Society is registered with the Registry of Joint Stock Companies. They do not have an official 2021 financial statement or 2022 budget.	nil	$5,000.00	Application received after the advertised deadline

Committee of the Whole Excerpts
June 14, 2022

High School Bursaries

There are approximately 80-100 students who reside in the Hantsport Area and go to school at Horton High School. These students are currently not eligible to apply for any of the (3) three bursaries that the West Hants Regional Municipality provides due to specific criteria outlining where they reside.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT STAFF TO BRING BACK A REPORT TO COUNCIL ADVISING ON POLICY CHANGES WITH RESPECTS TO BURSARIES TO REFLECT AN EQUAL OPPORTUNITY FOR ALL STUDENTS WITHIN WEST HANTS REGARDLESS OF HIGHSCHOOL OF CHOICE.

Committee of the Whole Excerpts
June 14, 2022

Masonic Lodge Society (2022-23 Grants and Contributions)

Each year, the Municipality receives numerous requests for funding from worthwhile not-for-profit or charitable community organizations who, through volunteer efforts provide services to the community. Grants and contributions are recommended based on the understanding they are for services or activities which council has or is likely to deem required by the municipality and within the Municipality's legislative mandate.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL ADOPT THE MASONIC HOME GRANT AS OUTLINED IN THE GRANTS CONTRIBUTIONS.

Committee of the Whole Excerpts
June 14, 2022

Municipal Boundary Review

Every eight years, in accordance with the Municipal Government Act, municipalities are required to review their electoral boundaries and sizes of Council to reflect on the current number of Councillors, the boundaries of its polling districts and governance structure and determine if they choose to maintain the current structure or would like to consider an alternative.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL TO DIRECT STAFF TO EXPLORE THE OPTION OF REDUCING COUNCIL SIZE TO 9(NINE) COUNCILLOR PLUS 1 (ONE) MAYOR AS REFERENCED IN THE 2019 STANTEC REPORT.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☒	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: Committee of the Whole

Submitted by: _____
Shelleena Thornton, Municipal Operations Supervisor

Date: June 14, 2022

Subject: Boundary Review – Supplementary Info to May 10, 2022 Report

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LEGISLATIVE AUTHORITY

- Municipal Government Act – Sections 10, 11, 368, and 369
- Nova Scotia Utility and Review Board (NSURB) Rules of Practice and Procedure Respecting Municipal Government Act Proceedings
- Municipal Elections Act

RECOMMENDATION or DECISION REQUEST

That Council reflect on the current number of Councillors and boundaries of its polling districts and governance structure and determine if they choose to maintain the current structure or would like to consider an alternative.

Currently:

1x Mayor
11x Councillors in 11 Districts

The NSURB recommend the following initial two steps be followed in this review process:

Step 1:
That Council discuss the number of Councillors and polling districts (size of Council).

Step 2:
Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

Every eight years, in accordance with the Municipal Government Act, municipalities are required to review their electoral boundaries and sizes of Council. All NS municipalities do these reviews within the same year. Council's recommendation to maintain status quo or to initiate a change in the size of Council will be examined by the Nova Scotia Utility and Review Board (NSURB), who will confirm or deny the recommendation.

The last review of the regionalized West Hants Regional Municipality was completed in 2019 by Stantec. The report was presented noting that public consultation is critical in this process and outlined the NSURB process for Council size and boundary review.

Further process information is identified in the May 10, 2022 Boundary Review report to Committee of the Whole.

The Stantec report and presentation (also attached) identified that the favourable options in 2019 were both the nine (9) districts and eleven (11) districts options and a Mayor elected at large. The eleven (11) district option was adopted moving into consolidation.

DISCUSSION

At the May 10, 2022 Committee of the Whole meeting, council directed staff to provide updated population information, specifically growth or changes within the districts for West Hants.

Although, the number of eligible electors for the 2020 Municipal Election is identified below, without a formal review, enumeration and/or election process in which a final list of electors gets established, the number of current eligible electors in each district is not known (stemming from population growth); however, information was estimated based off of 2021 census data.

Population(s) as per 2016 and 2021 Statistic Canada Census

2016 Former West Hants and Windsor combined	2021 West Hants Regional Municipality	Difference
19,016	19,509	+ 493

Eligible electors in March 2020 Municipal Election – 15,571 on final list of electors

District 1	1,168
District 2	1,272

District 3	1,353
District 4	1,374
District 5	1,406
District 6	1,691
District 7	1,565
District 8	1,538
District 9	1,404
District 10	1,310
District 11	1,490

Approximate number of eligible electors in 2021 – 16,534 (this is taken from 2021 census data using only 1/3 of the population of the 15-19 years of age (for those 18+ and eligible to vote), and those 65 and over.

Approximate number of eligible electors variance based on population growth is +963. Although their districts are unknown, one way to estimate would be to add approximately 87 eligible electors per district.

As per the Municipal Government Act (MGA), Sections 10 and 11, one councillor shall be elected for each district in a regional municipality (they cannot be elected at large, nor have more than one councillor per district). The mayor shall be elected at large.

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (which affects the size of Council)
- Determine the method to be taken in determining composition and boundaries
- Staff to proceed with the direction of council

FINANCIAL IMPLICATIONS

Depending on direction from Council, the required method of research and public consultation will impact costs.

In 2019, the Stantec Consultant Boundary Review RFP was awarded at $37,026.00 before tax. This does not necessarily reflect what the cost may be today as this was leading into consolidation and establishing completely new districts for the region; whereas the 2019 review provides a potential foundation should council wish to proceed with a similar course of action.

ALTERNATIVES

1. Status quo: maintain current Council composition and boundaries (eleven districts and councillors plus a Mayor elected at large)
2. Change the Council composition and boundaries.
    a. Consideration may be the 2019 Stantec report as it also identified a nine district (8 Councillors plus a Mayor elected-at-large) option
    b. Opt for a new consultant review
    c. Opt for an internal (staff) review

ATTACHMENTS

A. April 1, 2019 Stantec's *Windsor-West Hants Governance Review* presentation (boundaries & council size)
B. 2021 Stats Canada Information
C. May 10, 2022 Boundary Review Decision Request Report

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report includes the follow up requested by Council.

The attached April 2019 STANTEC Report provides information for a Council size of 9 or 11 councillors with a Mayor elected at large. If Council were to select one of these two options (to maintain or reduce to 9) the research is essentially already completed.

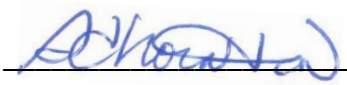
If Council selects one of these two options or a different council composition a public consultation process is still required. The design of the public consultation process will be influenced by the decision Council makes regarding the size.

	Population	Council Size
HRM	439,819	16 Districts plus Mayor
CBRM	93,694	12 Districts plus Mayor
Region of Queens	10,422	7 Districts plus Mayor
Antigonish County	20,129	11 Districts and includes the Warden
Town of New Glasgow	9,471	3 Wards (aka Districts), 6 Councillors plus Mayor
Town of Amherst	9,404	6 Councillors plus Mayor elected at large
Kings County	62,914	9 Districts plus Mayor
East Hants	22,892	11 Districts and includes the Warden
WHRM	19,509	11 Districts plus Mayor

As noted in the May 2022 report and noted above:

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (size of Council).
- Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)
- Public Consultation (Method TBD)
- Public Consultation Report
- Staff recommendation report to Committee of the Whole
- Council recommendation
- Council approval of application to Nova Scotia Utility and Review Board

Report Prepared by: 

Shelleena Thornton, Municipal Operations Supervisor

Report Approved by: 

Mark Phillips, Chief Administrative Officer



Windsor-West Hants Governance Review

Joint Council Meeting
Windsor Town Council Chambers
7:00 pm, Monday, April 1, 2019



Phase 1 - Council Size Consultation

Public Meetings

- Avondale – 6
- Brooklyn – 37
- Vaughan – 9
- Windsor – 24
- Falmouth – 10
- **TOTAL** – 86 residents

Questionnaire Survey

- Online Survey
  - 609 completed responses
- Hard Copy
  - 139 responses
  - 135 completed
- Council Size Question
  - 744 responses
  - **740 indicated preferred council size**



Phase 2 - Boundaries Size Consultation

Public Meetings

- Three Mile Plains, 3
- Hantsport, 8
- Summerville, 15
- Ardoise, 10
- Windsor, 20
- **TOTAL** – 56 residents

Questionnaire Survey

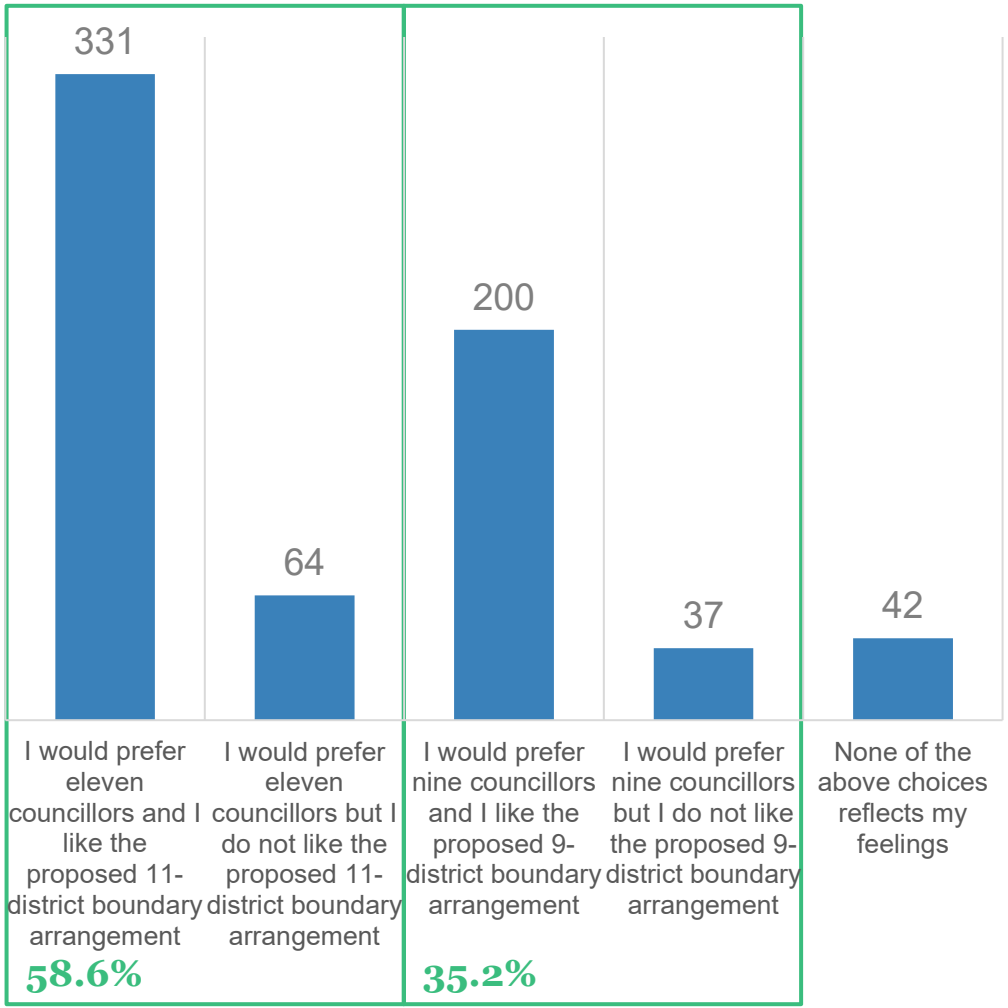
- 883 completed responses
  - 674 responses to Boundaries Question

Council Interviews

- Windsor – 5 of 5
- West Hants – 8 of 10

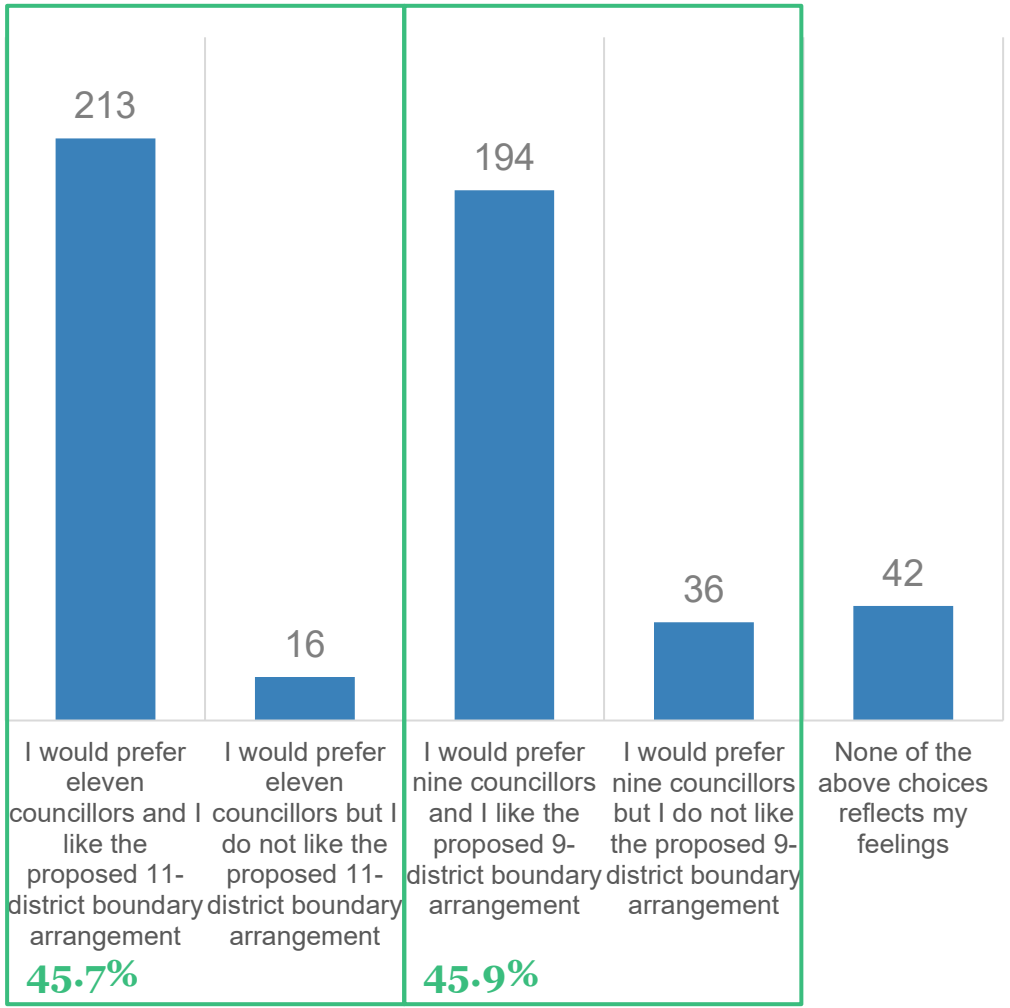
Boundary Preferences

- **Survey Respondents:**
  883
- **Question Responses:**
  674 (76.3%)



Boundary Preferences

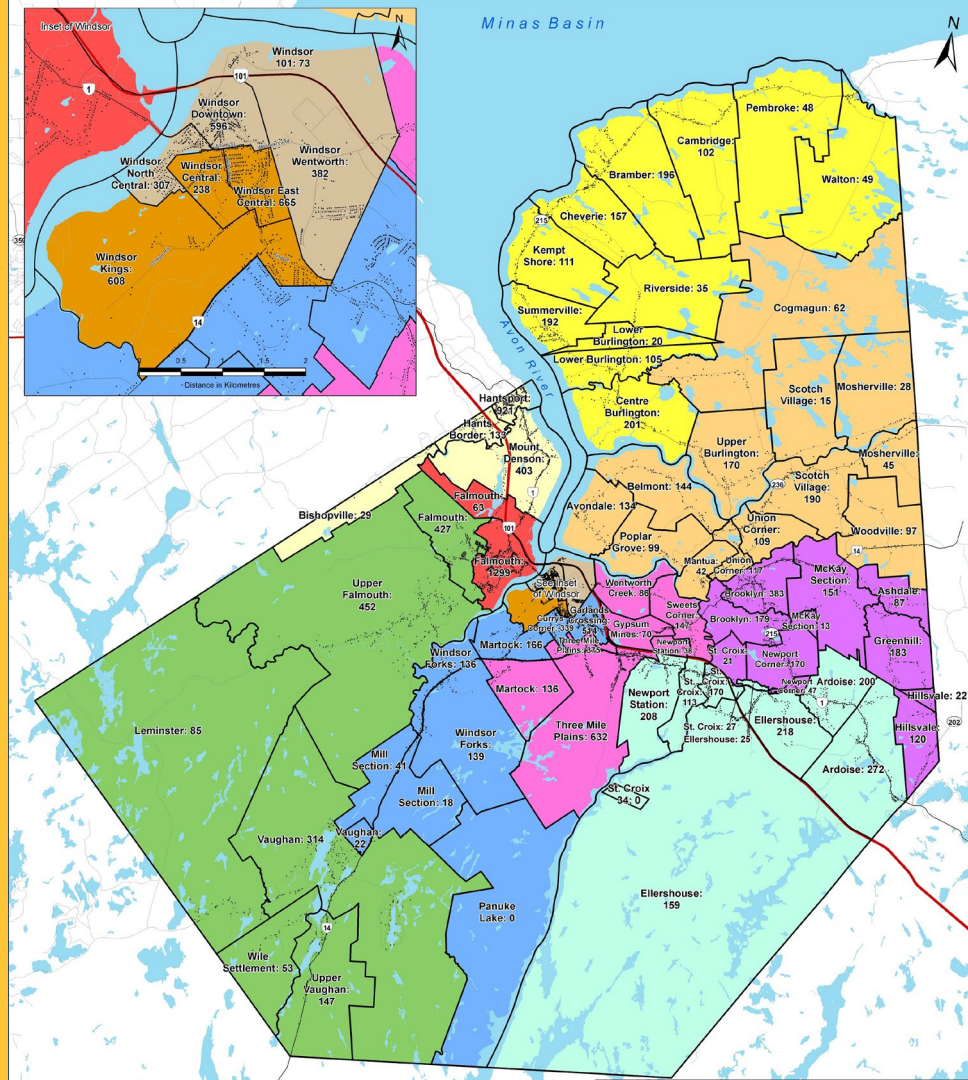
- **Survey Respondents:** 710
- **Question Responses:** 501 (70.6%)



11-District Scenario

Proposed 11 Districts

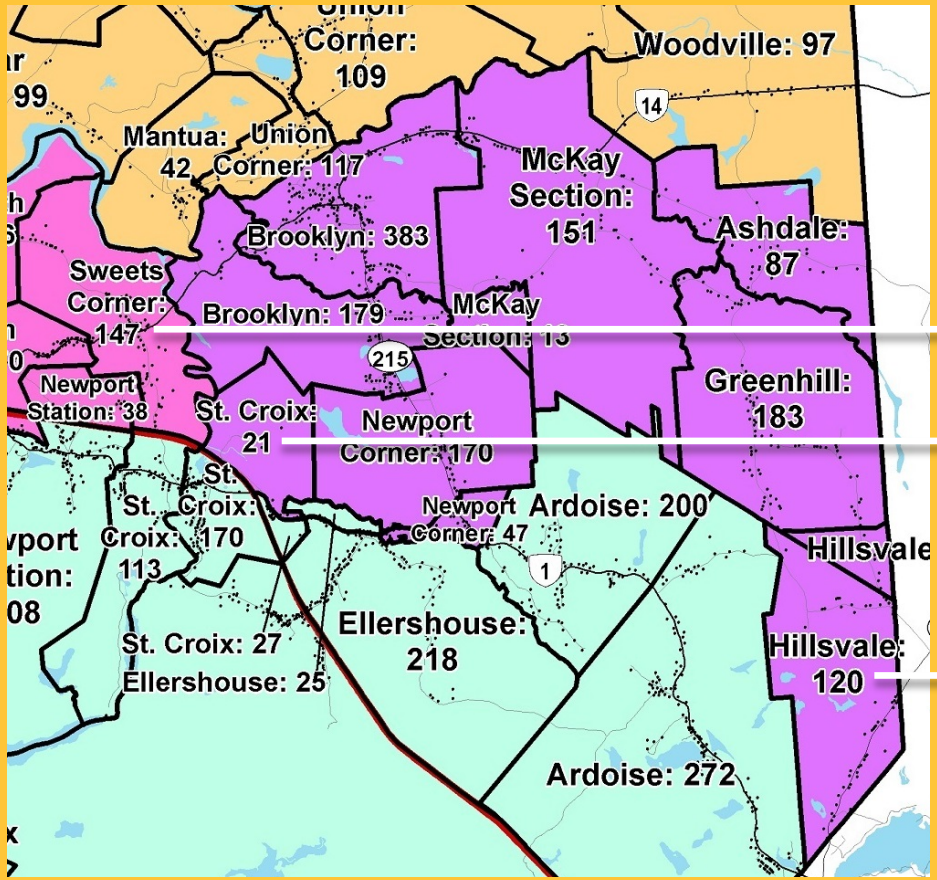
Proposed District	Electors	Variation from Average	
		Number	%
1	1,216	-174	-12.5%
2	1,252	-138	-9.9%
3	1,376	-14	-1.0%
4	1,392	2	0.1%
5	1,484	94	6.8%
6	1,375	-15	-1.1%
7	1,478	88	6.3%
8	1,486	96	6.9%
9	1,362	-28	-2.0%
10	1,358	-32	-2.3%
11	1,511	121	8.7%
TOTAL	**15,290**		
Average	**1,390**		

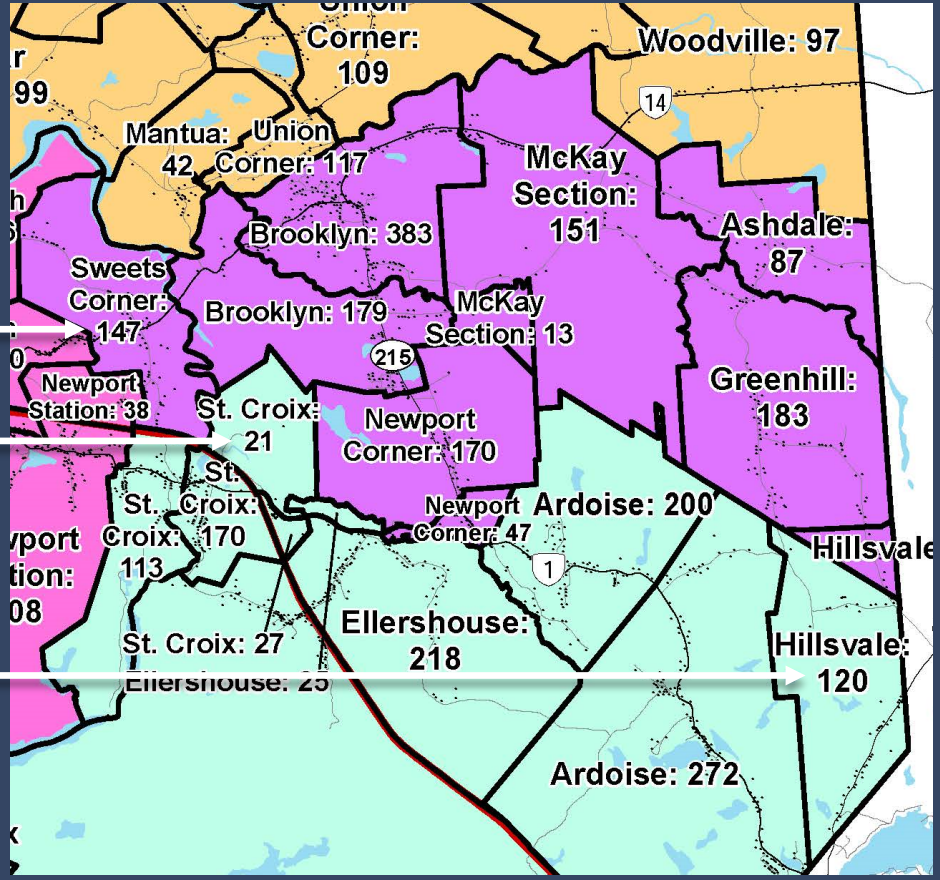


11-district Changes

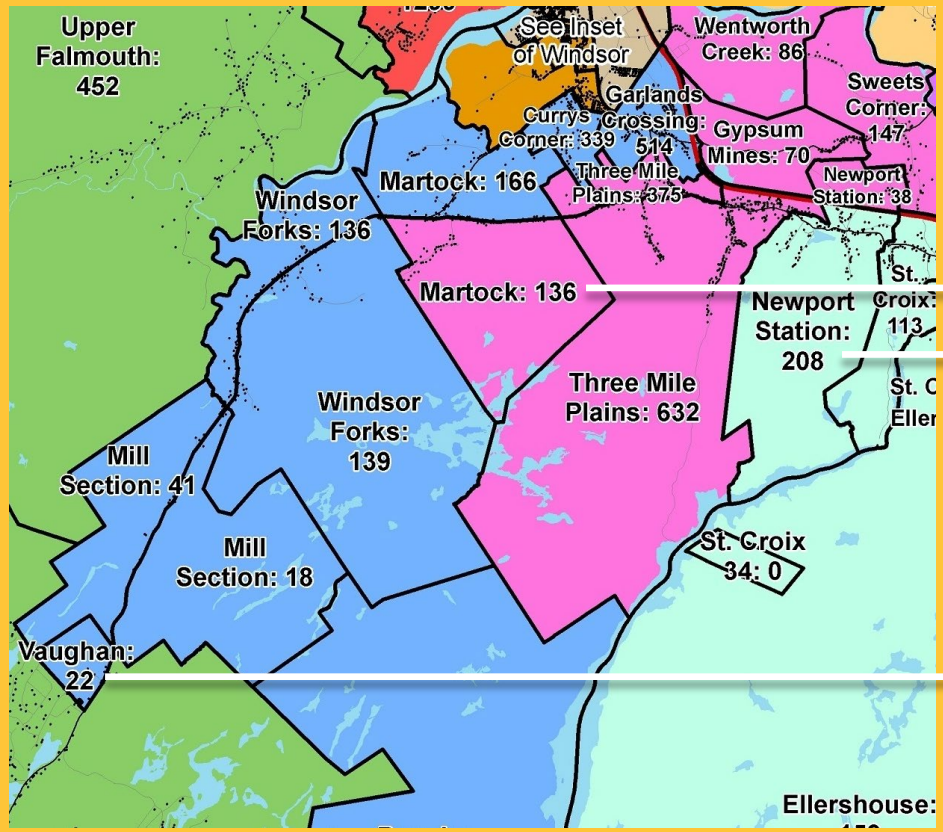
- *District 3* – Added Sweets Corner (147 electors) from proposed District 5
- *District 4* – Added the portion of Hillsvale currently in West Hants District 4 (120 electors) and the portion of St. Croix previously in proposed District 3 (21 electors), which brings all of St. Croix into the same district
- *District 5* – Added the larger portion of Newport Station (208 electors) south of Highway 101 to bring all of Newport Station into the same district and balance its loss of Sweets Corners to proposed District 3
- *District 6* – Added Martock south of Highway 1 (136 electors) to unify Martock in one district
- District 7 – Added a small area of Vaughan from proposed District 6 to unify Vaughan
- *District 8* – Added Falmouth area northeast of Highway 101, (38 electors) to create a stronger boundary between proposed Districts 8 and 9 at the 101

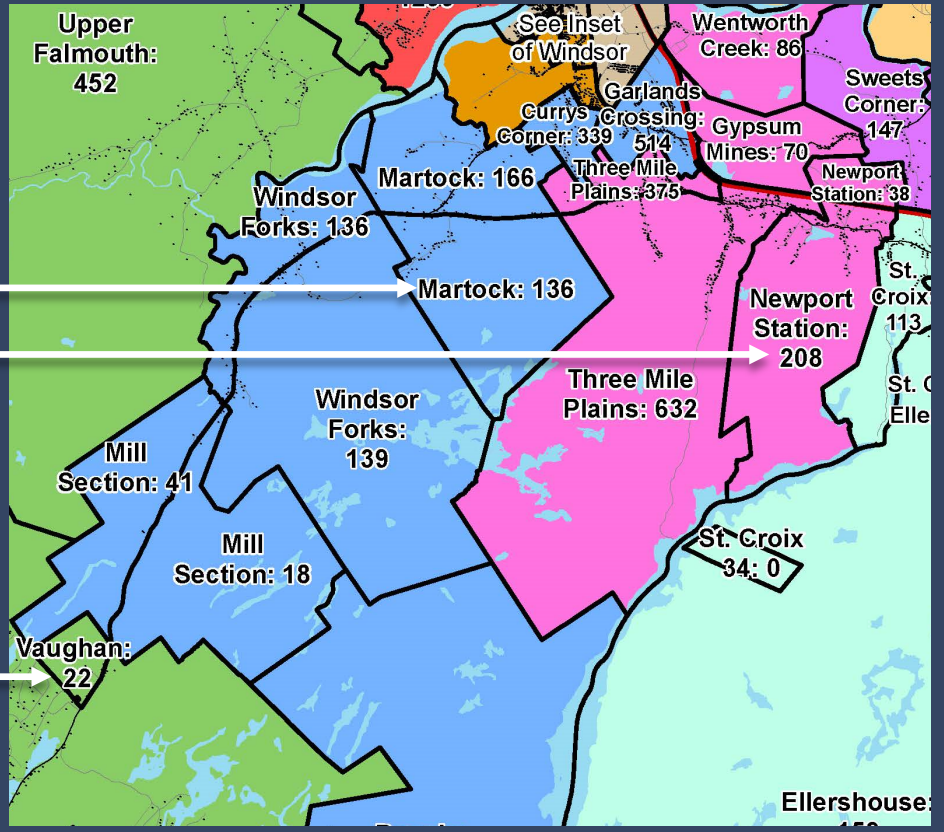
Districts 3 and 4



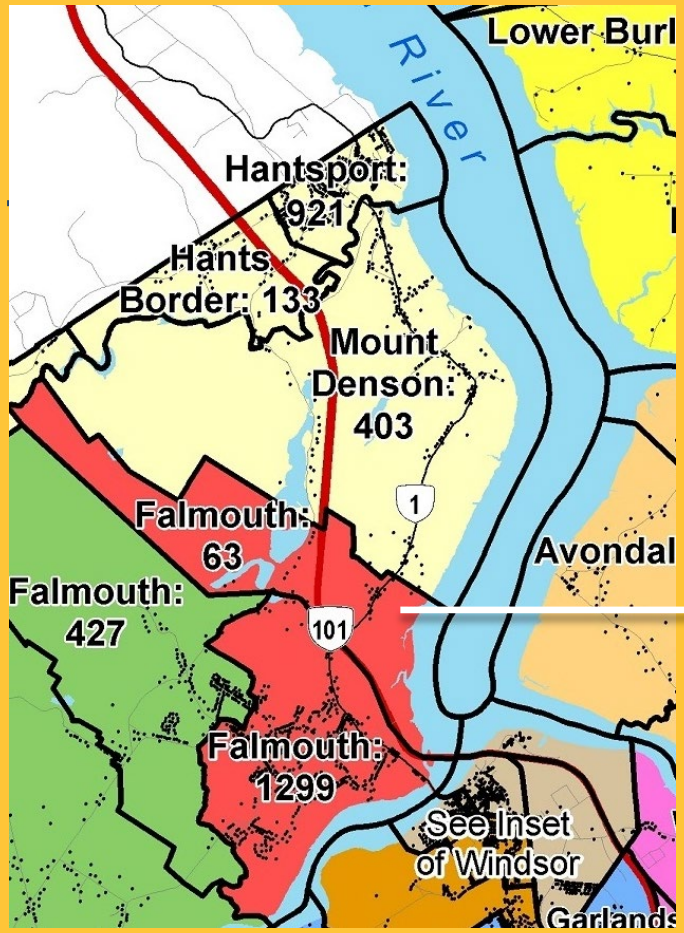


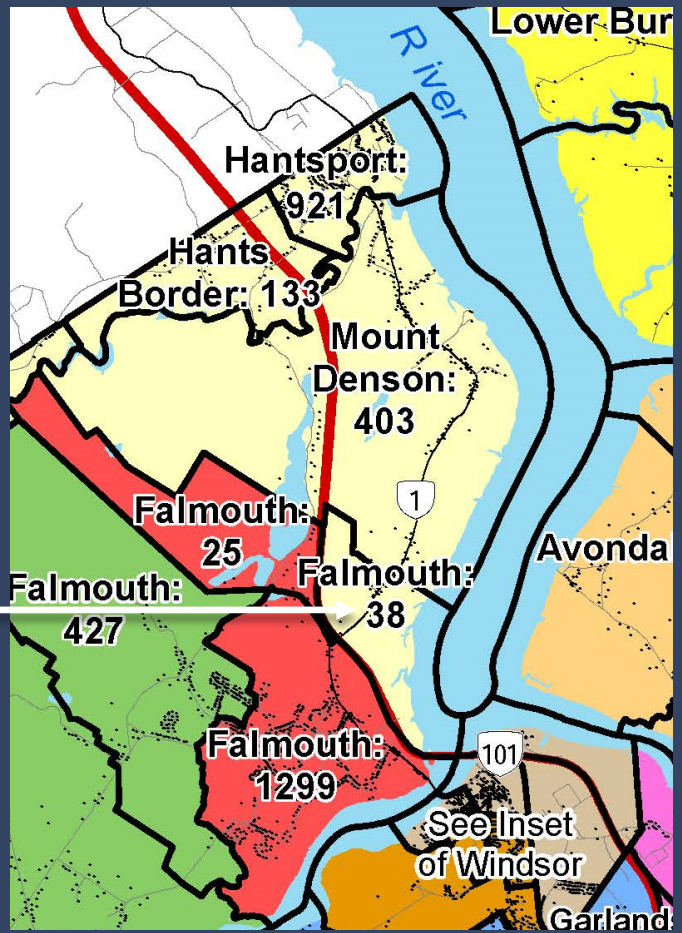
Districts 5, 6 and 7





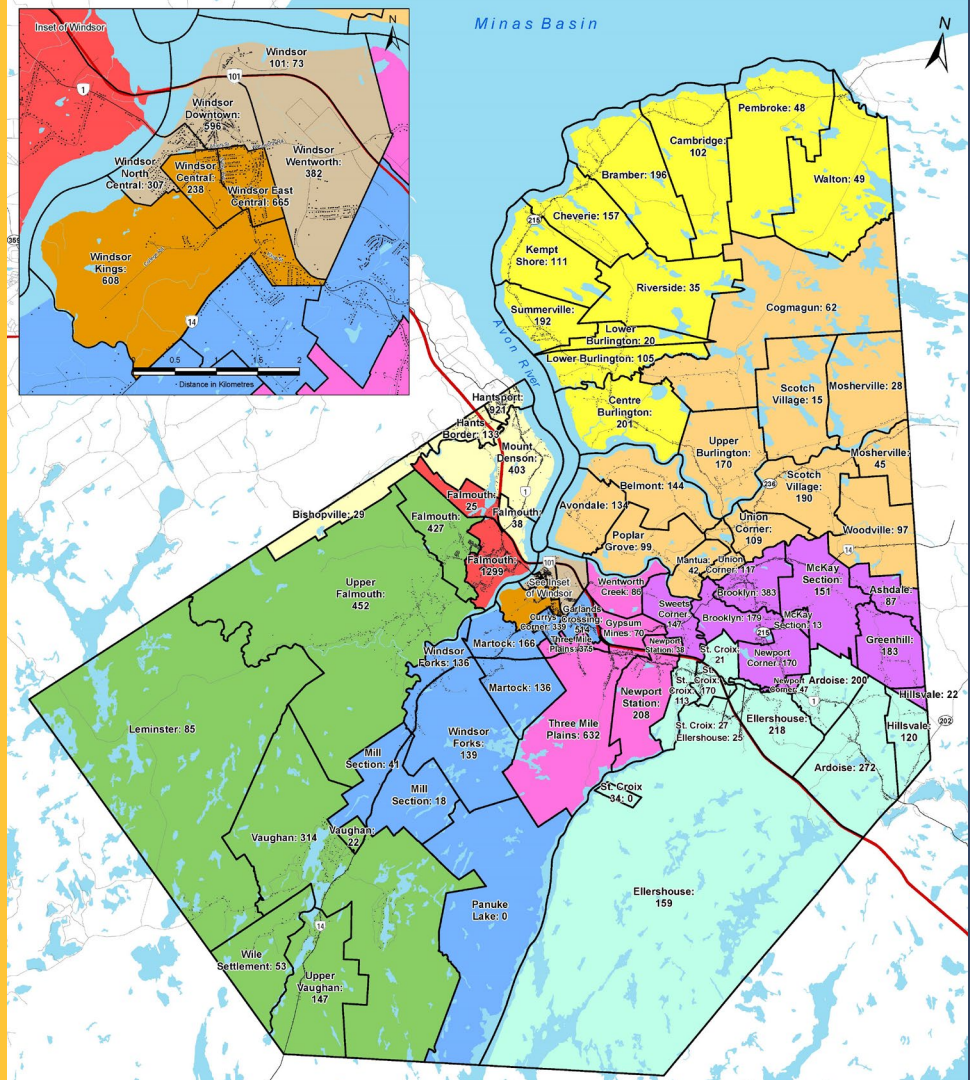
District 8


River
Lower Burl
Hantsport:
921
Hants
Border: 133
Mount
Denson:
403
1
Falmouth:
63
Avondal
Falmouth:
427
101
Falmouth:
1299
See Inset
of Windsor
Garlands


River
Lower Bur
Hantsport:
921
Hants
Border: 133
Mount
Denson:
403
1
Falmouth:
25
Falmouth:
38
Avonda
Falmouth:
427
Falmouth:
1299
101
See Inset
of Windsor
Garland

Revised 11 Districts

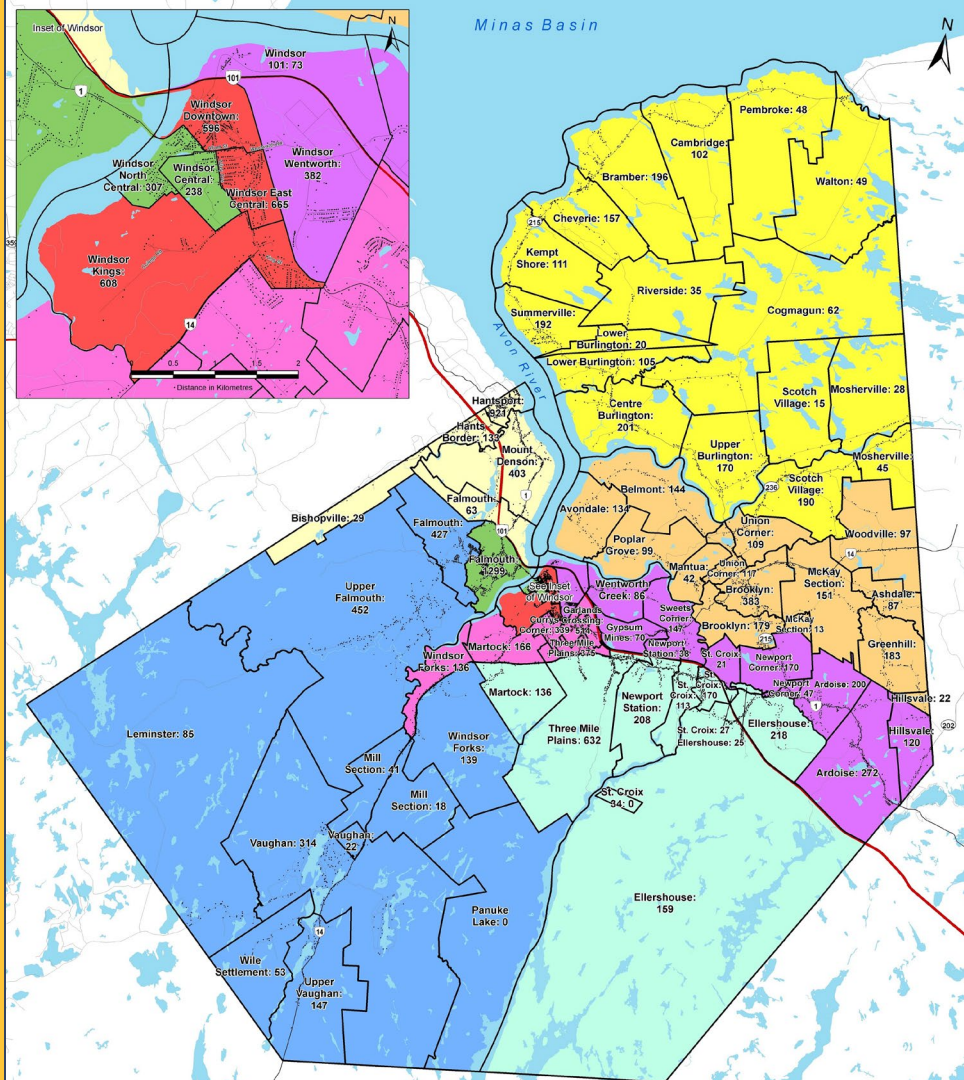
Proposed District	Electors	Variation from Average	
		Number	%
1	1,216	-174	-12.5%
2	1,252	-138	-9.9%
3	1,382	-8	-0.6%
4	1,325	-65	-4.7%
5	1,409	-19	-1.4%
6	1,489	99	7.1%
7	1,500	110	7.9%
8	1,524	134	9.6%
9	1,324	-66	-4.7%
10	1,358	-32	-2.3%
11	1,511	121	8.7%
TOTAL	**15,290**		
Average	**1,390**		



9-District Scenario

Proposed 9 Districts

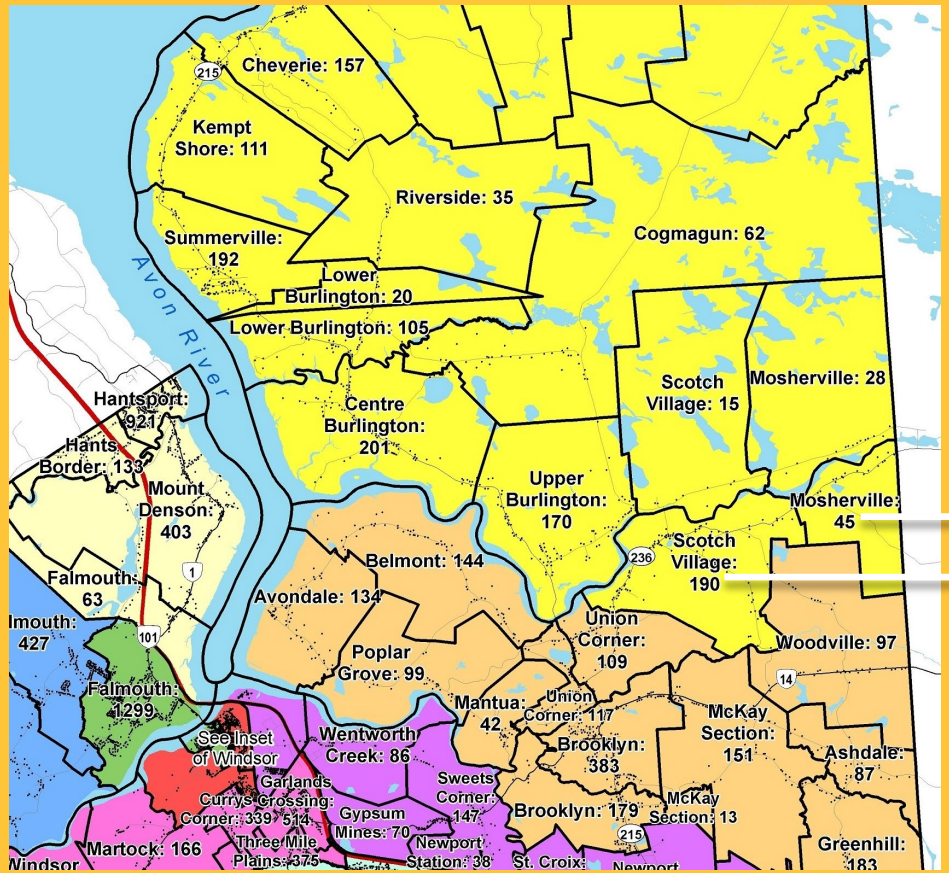
Proposed District	Electors	Variation from Average	
		Number	%
1	1,726	27	1.6%
2	1,760	61	3.6%
3	1,588	-111	-6.5%
4	1,726	27	1.6%
5	1,530	-169	-9.9%
6	1,698	-1	-0.1%
7	1,844	145	8.5%
8	1,549	-150	-8.8%
9	1,869	170	10.0%
TOTAL	**15,290**		
Average	**1,699**		

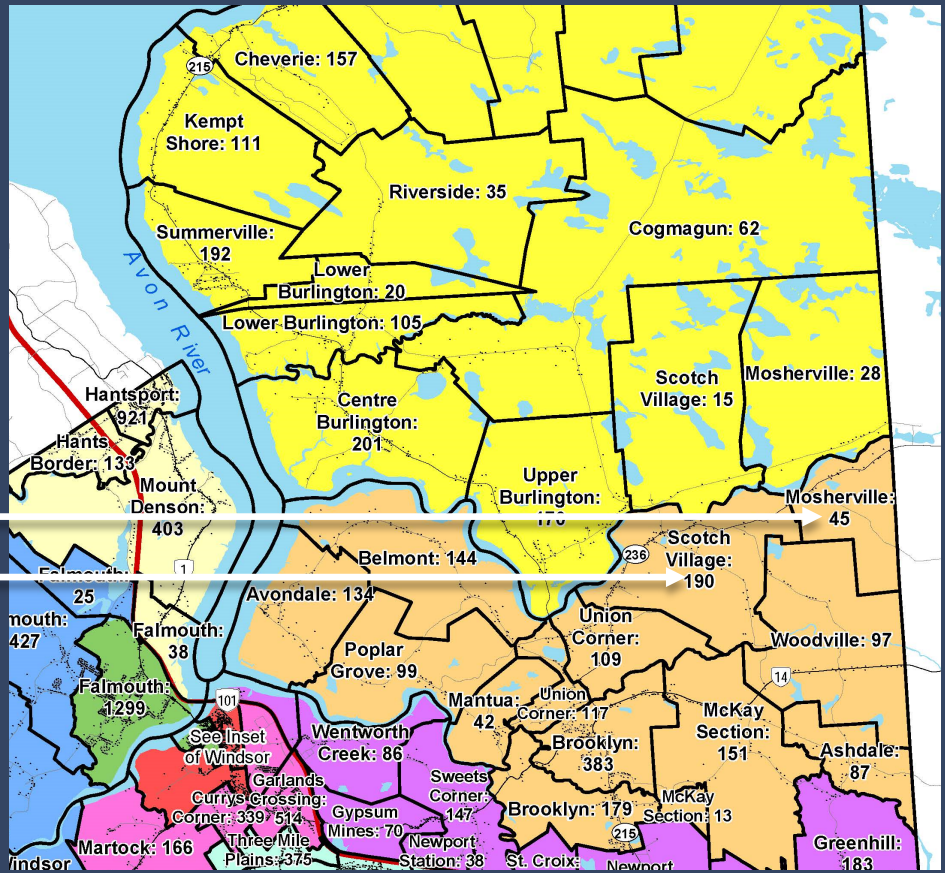


9-district Changes

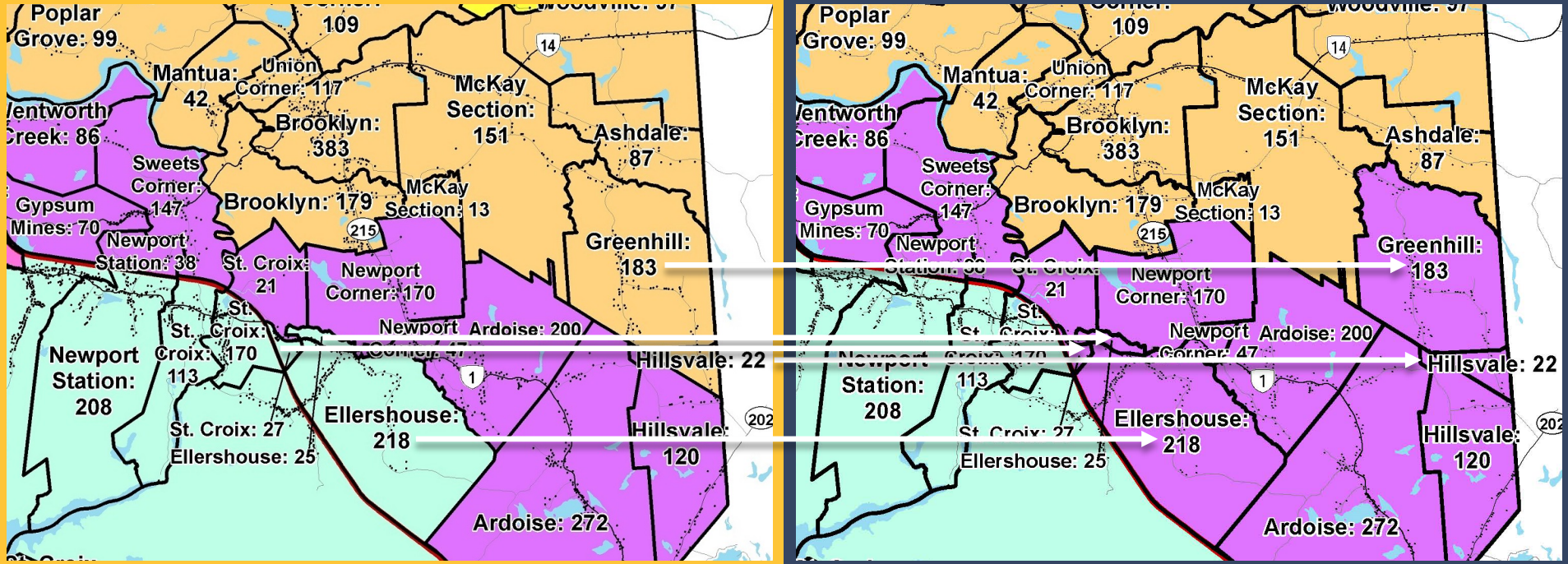
- *District 2* – Added 196 electors from Scotch Village and Mosherville south of the Kennetcook River
- *District 3* – Portions of Ellershouse and St. Croix north of the101, as well as Greenhill and the portion of Hillsvale now in West Hants District 3 (475 electors total) were brought into the district
- *District 4* – The area of Three Mile Plains north of Highway 1 (375 electors) was added to compensate for losses to District 3 and unify Three Mile Plains in proposed District 4
- *District 5* – Martock south of Route 14 (136 electors) added to unify Martock and balance the loss of Windsor Forks (136 electors). Wentworth Road in Windsor (382 electors) also added to make up for the loss of Three Mile Plains
- *District 6* – Added the area of Windsor Forks north of Route 14 (136 electors) and the northern-most area of Falmouth (25 electors)
- *District 8* – Subtracted the northern-most area of Falmouth (25 electors), which is to the west of Highway 101

Districts 1 and 2

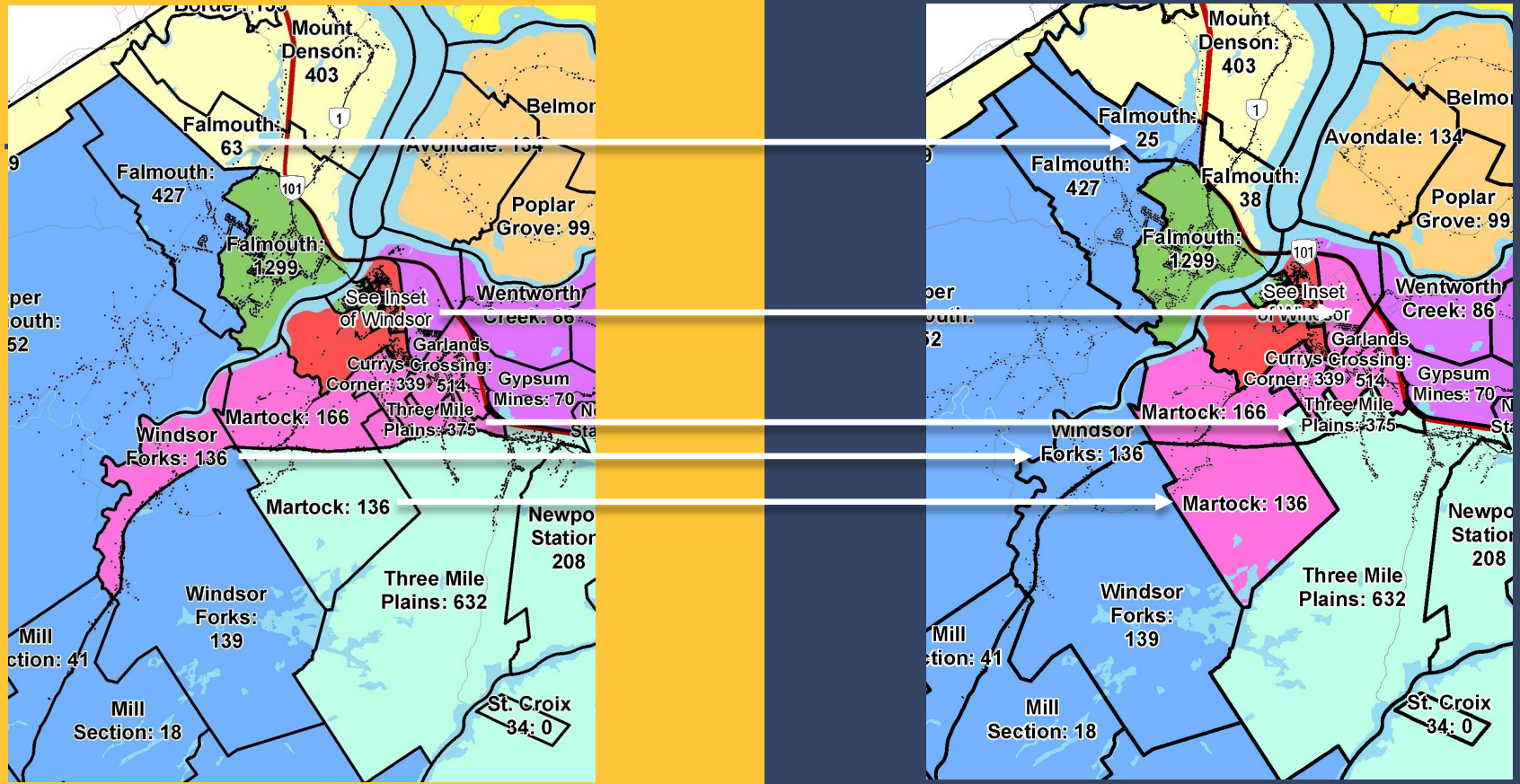




Districts 3 and 4

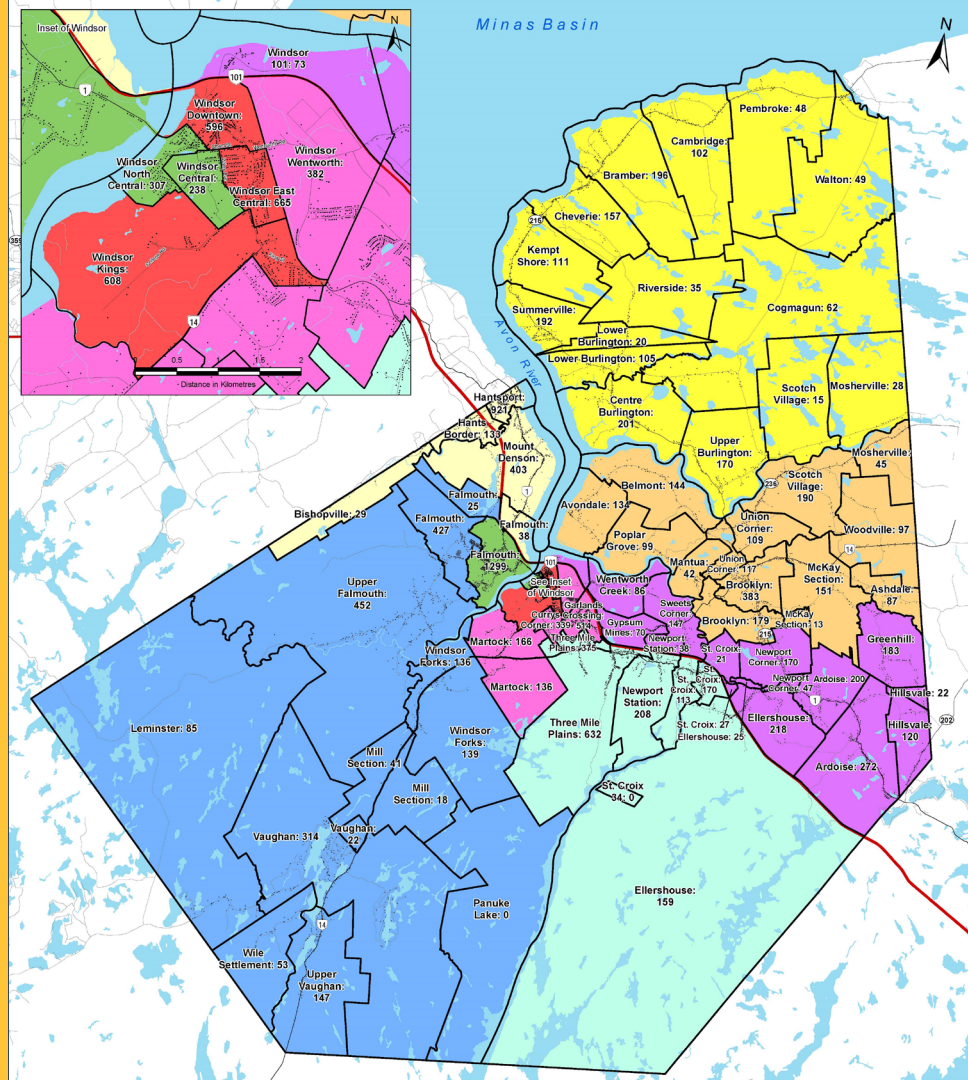


Districts 4, 5 and 6



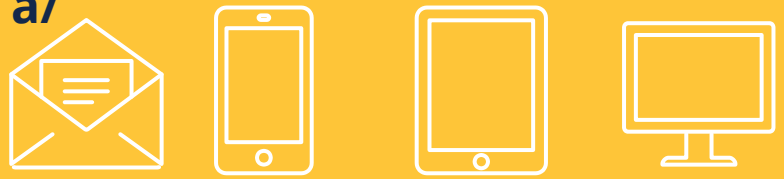
Revised 9 Districts

Proposed District	Electors	Variation from Average	
		Number	%
1	1,491	-208	-12.2%
2	1,790	91	5.4%
3	1,719	20	1.2%
4	1,657	-42	-2.5%
5	1,537	-162	-9.5%
6	1,859	160	9.4%
7	1,844	145	8.5%
8	1,524	-175	-10.3%
9	1,869	170	10.0%
TOTAL	**15,290**		
Average	**1,699**		



Contact us

https://www.strongerregion.ca/



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John.Heseltine@stantec.com

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Dartmouth, NS B3A 0A3
902-468-7777
www.stantec.com

2021
WHRM population
19,509

Statistics Canada Statistique Canada

Census Profile, 2021 Census of Population

Profile table

Characteristic	West Hants, Rural municipality (RM) Nova Scotia [Census subdivision]		
	Counts		
	Total	Men +	Women +
Population and dwellings			
Population, 2021 [1]	19,509	... (not applicable)	... (not applicable)
Population, 2016 [1]	19,016 r (revised)	... (not applicable)	... (not applicable)
Population percentage change, 2016 to 2021	2.6	... (not applicable)	... (not applicable)
Total private dwellings [2]	9,136	... (not applicable)	... (not applicable)
Private dwellings occupied by usual residents [3]	8,374	... (not applicable)	... (not applicable)
Population density per square kilometre	15.6	... (not applicable)	... (not applicable)
Land area in square kilometres	1,250.50	... (not applicable)	... (not applicable)
Age characteristics			
Total - Age groups of the population - 100% data	19,510	9,460	10,055
0 to 14 years	2,835	1,460	1,380
0 to 4 years	805	395	405
5 to 9 years	1,000	515	490
10 to 14 years	1,035	550	480
15 to 64 years	11,194 11,870	- 676 5,780	6,085
15 to 19 years ÷ 1/3	18+338 1,015	505	505
20 to 24 years	820	425	400
25 to 29 years	845	405	440
30 to 34 years	1,030	500	535
35 to 39 years	1,065	510	550
40 to 44 years	1,125	535	590
45 to 49 years	1,270	595	675
50 to 54 years	1,310	650	660
55 to 59 years	1,720	855	865
60 to 64 years	1,675	805	865
65 years and over	5340 ~~4,810~~	2,215	2,590
65 to 69 years	1,460	725	740
70 to 74 years	1,300	600	700
75 to 79 years	900	415	480
80 to 84 years	615	290	325
85 years and over	530	185	345

West Hants, Rural municipality (RM)
Nova Scotia
[Census subdivision]

Counts

Characteristic	Total	Men +	Women +
85 to 89 years	315	125	195
90 to 94 years	170	55	110
95 to 99 years	40	10	35
100 years and over	10	0	5
Total - Distribution (%) of the population by broad age groups - 100% data	100.0	100.0	100.0
0 to 14 years	14.5	15.4	13.7
15 to 64 years	60.8	61.1	60.5
65 years and over	24.7	23.4	25.8
85 years and over	2.7	2.0	3.4
Average age of the population	45.9	45.1	46.8
Median age of the population	48.8	48.0	49.6
Household and dwelling characteristics			
Total - Occupied private dwellings by structural type of dwelling - 100% data	8,370	... (not applicable)	... (not applicable)
Single-detached house	6,675	... (not applicable)	... (not applicable)
Semi-detached house	220	... (not applicable)	... (not applicable)
Row house	70	... (not applicable)	... (not applicable)
Apartment or flat in a duplex	125	... (not applicable)	... (not applicable)
Apartment in a building that has fewer than five storeys	755	... (not applicable)	... (not applicable)
Apartment in a building that has five or more storeys	0	... (not applicable)	... (not applicable)
Other single-attached house	20	... (not applicable)	... (not applicable)
Movable dwelling [4]	510	... (not applicable)	... (not applicable)
Total - Private households by household size - 100% data	8,375	... (not applicable)	... (not applicable)
1 person	2,340	... (not applicable)	... (not applicable)
2 persons	3,420	... (not applicable)	... (not applicable)
3 persons	1,175	... (not applicable)	... (not applicable)
4 persons	975	... (not applicable)	... (not applicable)
5 or more persons	460	... (not applicable)	... (not applicable)
Number of persons in private households	19,125	9,335	9,790
Average household size	2.3	... (not applicable)	... (not applicable)

Symbol legend

... not applicable

[r] revised

Source: Statistics Canada, 2021 Census of Population.

How to cite: Statistics Canada. 2022. (table). *Census Profile*. 2021 Census of Population. Statistics Canada Catalogue no. (number) 98-316-X2021001. Ottawa. Released April 27, 2022. https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/index.cfm?Lang=E (accessed June 7, 2022).

Note(s):

Footnote 1

2021 and 2016 population

Statistics Canada is committed to protect the privacy of all Canadians and the confidentiality of the data they provide to us. As part of this commitment, some population counts of geographic areas are adjusted in order to ensure confidentiality.

The adjustment to counts of the total population for any dissemination block is controlled to ensure that the population counts for dissemination areas will always be within 5 of the actual values. The adjustment has no impact on the population counts of census divisions and large census subdivisions.

Footnote 2

Total private dwellings

Private dwelling refers to a separate set of living quarters with a private entrance either from outside the building or from a common hall, lobby, vestibule or stairway inside the building. The entrance to the dwelling must be one that can be used without passing through the living quarters of some other person or group of persons.

Footnote 3

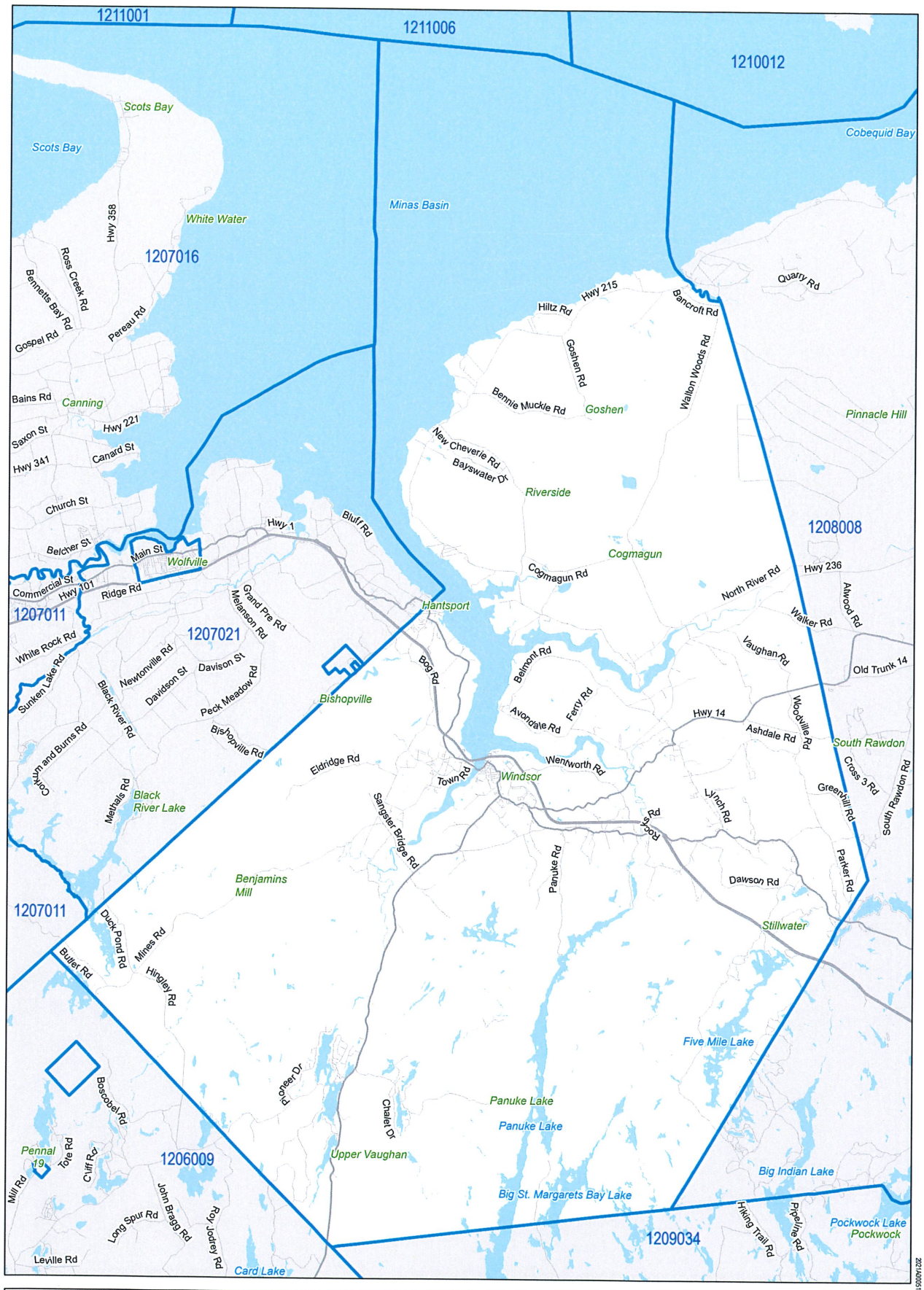
Private dwellings occupied by usual residents

A private dwelling occupied by usual residents refers to a private dwelling in which a person or a group of persons is permanently residing. Also included are private dwellings whose usual residents are temporarily absent on May 11, 2021.

Footnote 4

The category 'Movable dwelling' includes mobile homes and other movable dwellings such as houseboats, recreational vehicles and railroad cars.

Date modified:
2022-04-26



Census Subdivision
Subdivision de recensement

1208003

Nova Scotia
Nouvelle-Écosse

CSD Name / Nom de la SDR:
West Hants, RM

1208003 Census Subdivision / Subdivision de recensement
Province / Territory / Province / Territoire
Road / Highway / Route / Autoroute
Hydrography / Hydrographie
Name / Nom — Place name / Nom de localité

N

1 : 185 313

0 2.5 5 km

Lambert Conformal Conic Projection
Standard parallels: 44° 01' 45" N and 45° 35' 18" N
Central meridian: 63° 01' 42" W
Latitude of origin: 45° 18' 32" N

Projection conique conforme de Lambert
Parallèles standards : 44° 01' 45" N et 45° 35' 18" N
Méridien central : 63° 01' 42" O
Latitude d'origine : 45° 18' 32" N

Sources: Statistics Canada, Census of Population, 2021; Hydrography from Natural Resources Canada, Topographic Data of Canada, CanVec, 2019

Sources: Statistique Canada, Recensement de la population, 2021; Hydrographie de Ressources naturelles Canada, Données topographiques du Canada, CanVec, 2019

Statistics Canada Statistique Canada

Canada

Map date / Date de la carte 11 09 2021

2021A0005208003

2016 Windsor & West Hants Population - 19,016

Census Profile, 2016 Census

Windsor, Town [Census subdivision], Nova Scotia and West Hants, Municipal district [Census subdivision], Nova Scotia

Characteristic	Windsor, T (Town) Nova Scotia [Census subdivision]			West Hants, MD (Municipal district) Nova Scotia [Census subdivision]		
	Total	Male	Female	Total	Male	Female
	Counts (unless otherwise specified)					
Population and dwellings						
Population, 2016 [1]	3,648	...(not applicable)	...(not applicable)	15,368	...(not applicable)	...(not applicable)
Population, 2011 [1]	3,785	...(not applicable)	...(not applicable)	15,324[r] (revised. The 2011 count for this area has been revised.)	...(not applicable)	...(not applicable)
Population percentage change, 2011 to 2016	-3.6	...(not applicable)	...(not applicable)	0.3	...(not applicable)	...(not applicable)
Total private dwellings [2]	1,715	...(not applicable)	...(not applicable)	7,175	...(not applicable)	...(not applicable)
Private dwellings occupied by usual residents [3]	1,586	...(not applicable)	...(not applicable)	6,426	...(not applicable)	...(not applicable)
Population density per square kilometre	400.6	...(not applicable)	...(not applicable)	12.4	...(not applicable)	...(not applicable)
Land area in square kilometres	9.11	...(not applicable)	...(not applicable)	1,244.09	...(not applicable)	...(not applicable)
Age characteristics						
Total - Age groups and average age of the population - 100% data [4]	3,650	1,635	2,010	15,370	7,580	7,790
0 to 14 years	510	275	235	2,435	1,240	1,190
0 to 4 years	180	100	80	760	385	375
5 to 9 years	155	90	65	810	445	370
10 to 14 years	175	85	85	855	405	445
15 to 64 years	2,095	975	1,120	9,965	4,910	5,055
15 to 19 years 185 85	255	125	125	860	450	405
20 to 24 years	155	70	85	650	325	315
25 to 29 years	170	85	80	725	355	365
30 to 34 years	150	70	85	790	385	400
35 to 39 years	165	70	95	855	410	445
40 to 44 years	195	80	115	1,050	490	565
45 to 49 years	215	100	110	1,060	515	540
50 to 54 years	270	130	140	1,375	680	690
55 to 59 years	240	105	140	1,355	660	690
60 to 64 years	275	135	140	1,255	620	630
65 years and over	1,045	385	660	2,970	1,430	1,545
65 to 69 years	240	105	130	1,065	530	540
70 to 74 years	190	85	100	810	390	415
75 to 79 years	175	65	105	545	265	285
80 to 84 years	170	55	115	320	155	170

	Windsor, T (Town) Nova Scotia [Census subdivision]			West Hants, MD (Municipal district) Nova Scotia [Census subdivision]		
	Total	Male	Female	Total	Male	Female
Characteristic	Counts (unless otherwise specified)					
85 years and over	280	75	205	235	100	135
85 to 89 years	155	40	110	160	75	90
90 to 94 years	85	25	65	65	20	45
95 to 99 years	30	10	20	5	0	10
100 years and over	10	0	10	0	0	0
Total - Distribution (%) of the population by broad age groups - 100% data	100.0	100.0	100.0	100.0	100.0	100.0
0 to 14 years	14.0	16.8	11.7	15.8	16.4	15.3
15 to 64 years	57.4	59.6	55.7	64.8	64.8	64.9
65 years and over	28.6	23.5	32.8	19.3	18.9	19.8
85 years and over	7.7	4.6	10.2	1.5	1.3	1.7
Average age of the population	47.6	44.1	50.4	43.5	43.0	44.1
Median age of the population	50.2	46.7	52.5	46.6	46.2	46.9
Household and dwelling characteristics						
Total - Occupied private dwellings by structural type of dwelling - 100% data [5]	1,585	... (not applicable)	... (not applicable)	6,425	... (not applicable)	... (not applicable)
Single-detached house	770	... (not applicable)	... (not applicable)	5,750	... (not applicable)	... (not applicable)
Apartment in a building that has five or more storeys	0	... (not applicable)	... (not applicable)	0	... (not applicable)	... (not applicable)
Other attached dwelling [6]	815	... (not applicable)	... (not applicable)	320	... (not applicable)	... (not applicable)
Semi-detached house	115	... (not applicable)	... (not applicable)	65	... (not applicable)	... (not applicable)
Row house	45	... (not applicable)	... (not applicable)	25	... (not applicable)	... (not applicable)
Apartment or flat in a duplex	40	... (not applicable)	... (not applicable)	55	... (not applicable)	... (not applicable)
Apartment in a building that has fewer than five storeys	600	... (not applicable)	... (not applicable)	165	... (not applicable)	... (not applicable)
Other single-attached house	20	... (not applicable)	... (not applicable)	10	... (not applicable)	... (not applicable)
Movable dwelling [7]	0	... (not applicable)	... (not applicable)	360	... (not applicable)	... (not applicable)
Total - Private households by household size - 100% data [8]	1,590	... (not applicable)	... (not applicable)	6,425	... (not applicable)	... (not applicable)
1 person	660	... (not applicable)	... (not applicable)	1,470	... (not applicable)	... (not applicable)
2 persons	525	... (not applicable)	... (not applicable)	2,700	... (not applicable)	... (not applicable)
3 persons	195	... (not applicable)	... (not applicable)	1,035	... (not applicable)	... (not applicable)
4 persons	140	... (not applicable)	... (not applicable)	865	... (not applicable)	... (not applicable)
5 or more persons	65	... (not applicable)	... (not applicable)	355	... (not applicable)	... (not applicable)
Number of persons in private households	3,205	... (not applicable)	... (not applicable)	15,345	... (not applicable)	... (not applicable)
Average household size	2.0	... (not applicable)	... (not applicable)	2.4	... (not applicable)	... (not applicable)
Marital status						
Total - Marital status for the population aged 15 years and over - 100% data [9]	3,140	1,360	1,780	12,935	6,335	6,600
Married or living common law	1,450	715	735	8,535	4,255	4,285

Characteristic	Windsor, T (Town) Nova Scotia [Census subdivision]			West Hants, MD (Municipal district) Nova Scotia [Census subdivision]		
	Total	Male	Female	Total	Male	Female
	Counts (unless otherwise specified)					
Married	1,110	555	560	6,880	3,430	3,445
Living common law	335	165	175	1,660	825	830
Not married and not living common law	1,690	645	1,045	4,400	2,080	2,320
Never married	845	425	420	2,565	1,415	1,150
Separated	125	45	80	335	155	180
Divorced	275	90	185	735	340	400
Widowed	445	85	360	765	175	590
Family characteristics						
Total - Census families in private households by family size - 100% data [10]	910	... (not applicable)	... (not applicable)	4,925	... (not applicable)	... (not applicable)
2 persons	550	... (not applicable)	... (not applicable)	2,860	... (not applicable)	... (not applicable)
3 persons	190	... (not applicable)	... (not applicable)	1,000	... (not applicable)	... (not applicable)
4 persons	125	... (not applicable)	... (not applicable)	805	... (not applicable)	... (not applicable)
5 or more persons	45	... (not applicable)	... (not applicable)	255	... (not applicable)	... (not applicable)
Average size of census families	2.7	... (not applicable)	... (not applicable)	2.7	... (not applicable)	... (not applicable)
Total number of census families in private households - 100% data [11]	910	... (not applicable)	... (not applicable)	4,925	... (not applicable)	... (not applicable)
Total couple families	685	... (not applicable)	... (not applicable)	4,250	... (not applicable)	... (not applicable)
Married couples	510	... (not applicable)	... (not applicable)	3,420	... (not applicable)	... (not applicable)
Common-law couples	170	... (not applicable)	... (not applicable)	830	... (not applicable)	... (not applicable)
Total lone-parent families by sex of parent	225	... (not applicable)	... (not applicable)	675	... (not applicable)	... (not applicable)
Female parent	195	... (not applicable)	... (not applicable)	520	... (not applicable)	... (not applicable)
Male parent	30	... (not applicable)	... (not applicable)	155	... (not applicable)	... (not applicable)
Total - Couple census families in private households - 100% data	685	... (not applicable)	... (not applicable)	4,250	... (not applicable)	... (not applicable)
Couples without children	405	... (not applicable)	... (not applicable)	2,425	... (not applicable)	... (not applicable)
Couples with children	270	... (not applicable)	... (not applicable)	1,825	... (not applicable)	... (not applicable)
1 child	125	... (not applicable)	... (not applicable)	830	... (not applicable)	... (not applicable)
2 children	105	... (not applicable)	... (not applicable)	750	... (not applicable)	... (not applicable)
3 or more children	45	... (not applicable)	... (not applicable)	245	... (not applicable)	... (not applicable)
Total - Lone-parent census families in private households - 100% data	225	... (not applicable)	... (not applicable)	675	... (not applicable)	... (not applicable)
1 child	140	... (not applicable)	... (not applicable)	440	... (not applicable)	... (not applicable)
2 children	60	... (not applicable)	... (not applicable)	165	... (not applicable)	... (not applicable)
3 or more children	25	... (not applicable)	... (not applicable)	70	... (not applicable)	... (not applicable)

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ✓	Councillor Activity ☐

To: Council

Submitted by: Mark Phillips, Chief Administrative Officer

Date: May 12, 2022

Subject: Boundary Review 2022

LEGISLATIVE AUTHORITY

Municipal Government Act sections 368 and 369
Nova Scotia Utility and Review Board Rules of Practice and Procedure Respecting Municipal Government Act Proceedings
Municipal Elections Act

RECOMMENDATION or DECISION REQUEST

That Council reflect on the current number of Councillors and boundaries of its polling districts and governance structure and determine if they choose to maintain the current structure or would like to consider an alternative Council make up.

Currently:

1 x Mayor elected at large

11 x Councillors in 11 Districts

The NSUARB recommend the following initial two steps be followed in this review process.

Step #1

That Council discuss the number of Councillors and polling districts (size of Council).

Step #2

Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social	Economic	Councillor Activity ☐

Every eight (8) years in accordance with the Municipal Government Act, municipalities are required to review their electoral boundaries and sizes of Council. All municipalities in Nova Scotia do these reviews within the same year. Council's recommendation to maintain status quo or to initiate a change in the size of Council will be examined by the Nova Scotia Utility and Review Board (UARB), who will confirm or deny the recommendation.

The last review for the newly regionalized West Hants Regional Municipality was completed in 2019 by Stantec. The report was presented noting that public consultation is critical in this process and outlined the NSUARB process for Council size and boundary review.

At the February 25, 2019 Co-ordinating Committee meeting, Stantec submitted the report and recommendations on council size following consultation with the public. The surveys conducted were designed to give the Committee a feel for what the interested members of the community think. The surveys were completed on-line as well as paper copies were hand delivered or provided at a variety of locations.

Council at that time accepted the 2019-02-21 Stantec report and moved forward with the assessment of the scenarios for nine and/or eleven districts in Phase 2 of the Governance study.

At the 2019-05-06 meeting, the Co-ordinating Committee meeting a motion was made that the new region would consist of 11 Councillors elected from 11 districts and the Mayor would be elected at large.

Section 369 of the Municipal Government Act (Study of polling districts required) states:

(1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

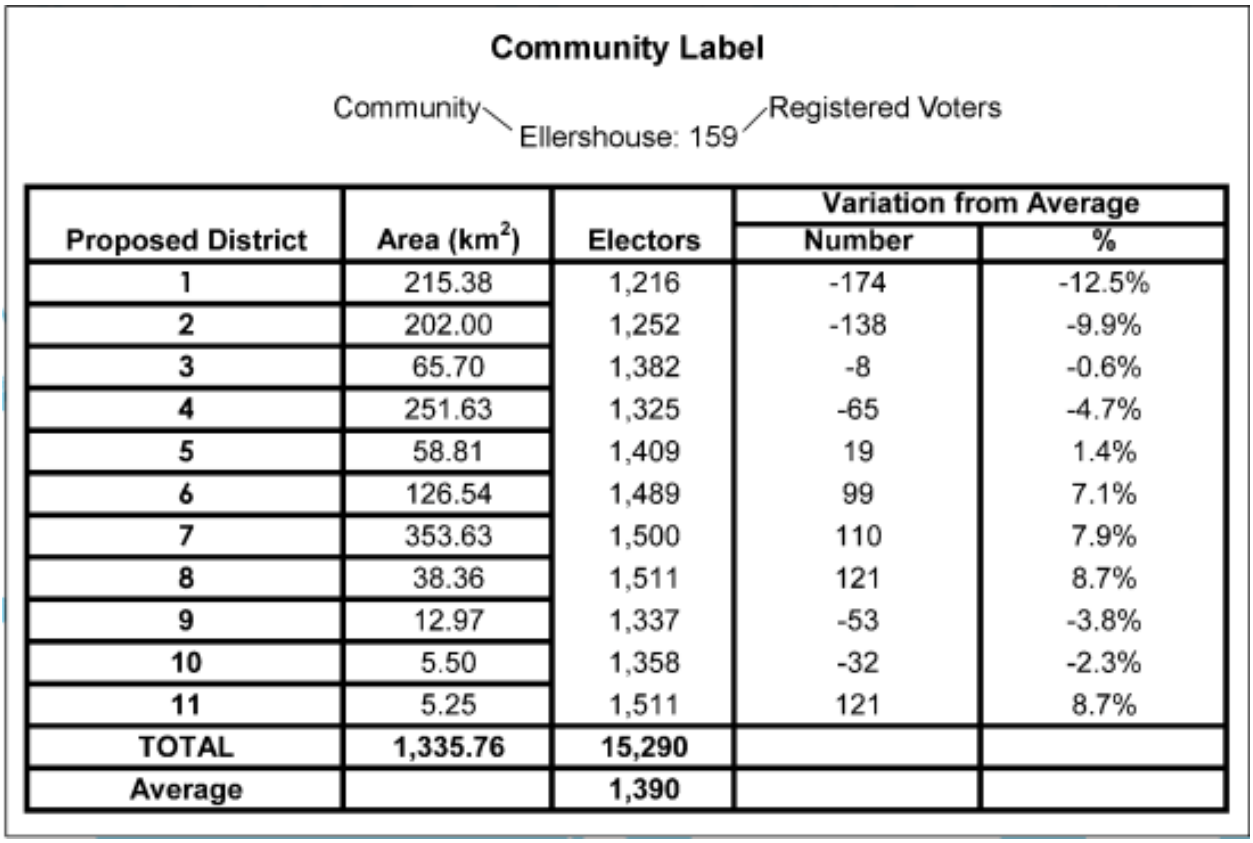
(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number of boundaries of polling districts and the number of councillors. Public Consultation "*The User Guide*," provided by the Nova Scotia Utility and Review Board ('Board' or 'NSUARB') emphasizes that Public Consultation is an inherent part of the required study. *The Guide* (Appendix A) states that the type and amount of consultation is within Council's discretion, but that it should give members of the public an opportunity to express their views on the size of their Council and the

location of boundaries for municipal polling districts. Giving the public an opportunity to provide its valuable input is a key part of the decision-making process leading to the application to the Board. Municipal Council has the authority to make the application to the Board but must complete a study. The study recommendation(s) should be evidence-based and must involve public consultation. Council may decide to engage a consultant (through a Request for Proposals (RFP), or direct Municipal staff to conduct the study in-house, or a combination of the two.

Discussion:

The West Hants Regional Municipality received correspondence from the Nova Scotia Utility and Review Board that councils of every town and municipality are required to apply to the Nova Scotia Utility and Review Board in 2022 to "confirm or to alter the number and boundaries of polling districts and the number of councillors." All councils must reflect on the number of councillors and the distribution of polling districts before making the application to the Board.

As noted above, the last boundary review, which was completed in 2019.



Proposed District	Area (km^2)	Electors	Variation from Average	
			Number	%
1	215.38	1,216	-174	-12.5%
2	202.00	1,252	-138	-9.9%
3	65.70	1,382	-8	-0.6%
4	251.63	1,325	-65	-4.7%
5	58.81	1,409	19	1.4%
6	126.54	1,489	99	7.1%
7	353.63	1,500	110	7.9%
8	38.36	1,511	121	8.7%
9	12.97	1,337	-53	-3.8%
10	5.50	1,358	-32	-2.3%
11	5.25	1,511	121	8.7%
TOTAL	**1,335.76**	**15,290**		
Average		**1,390**		

The UARB recognizes that the West Hants Regional Municipality conducted an extensive consultative process for a municipal boundary review in 2019, leading to the Board's decisions in 2020 approving the size of the new Council and polling district boundaries. However, the board does not have the jurisdiction to waive the statutory requirement for a further study and application in 2022, as set out in the statute. Subject to the public or any intervenor raising the issue of the number of councillors, the application may be limited to a consideration of polling district boundaries.

Council has the benefit of a very detailed recent reports to potentially rely on for information:

(1) Stantec: Windsor West Hants Governance Review – Council size report dated February 19, 2019, including a report on Council size and polling districts for the Region of Windsor and West Hants Municipality.

It will be important for members of Council to understand the constraints as imposed by the MGA and the Board, as well as the implications of changes to the size of Council or District Boundaries (should any be proposed). Per MGA s. 368 (4), in determining the number and boundaries of polling districts, the Board must consider the number of electors, relative parity of voting power, population density, community of interest, and geographic size. The Board expects variances for relative parity between polling districts to be within +/- 10% of the average.

NEXT STEPS

- That Council discuss the number of Councillors and polling districts (size of Council).
- Determine the distribution of polling districts (number of electors, relative parity of voting power, population density, community of interest and geographic size)
- Public Consultation (Method TBD)
- Public Consultation Report
- Staff recommendation report to Committee of the Whole
- Council recommendation
- Council approval of application to Nova Scotia Utility and Review Board

FINANCIAL IMPLICATIONS

Depending on direction from Council the required method of research and public consultation will impact costs.

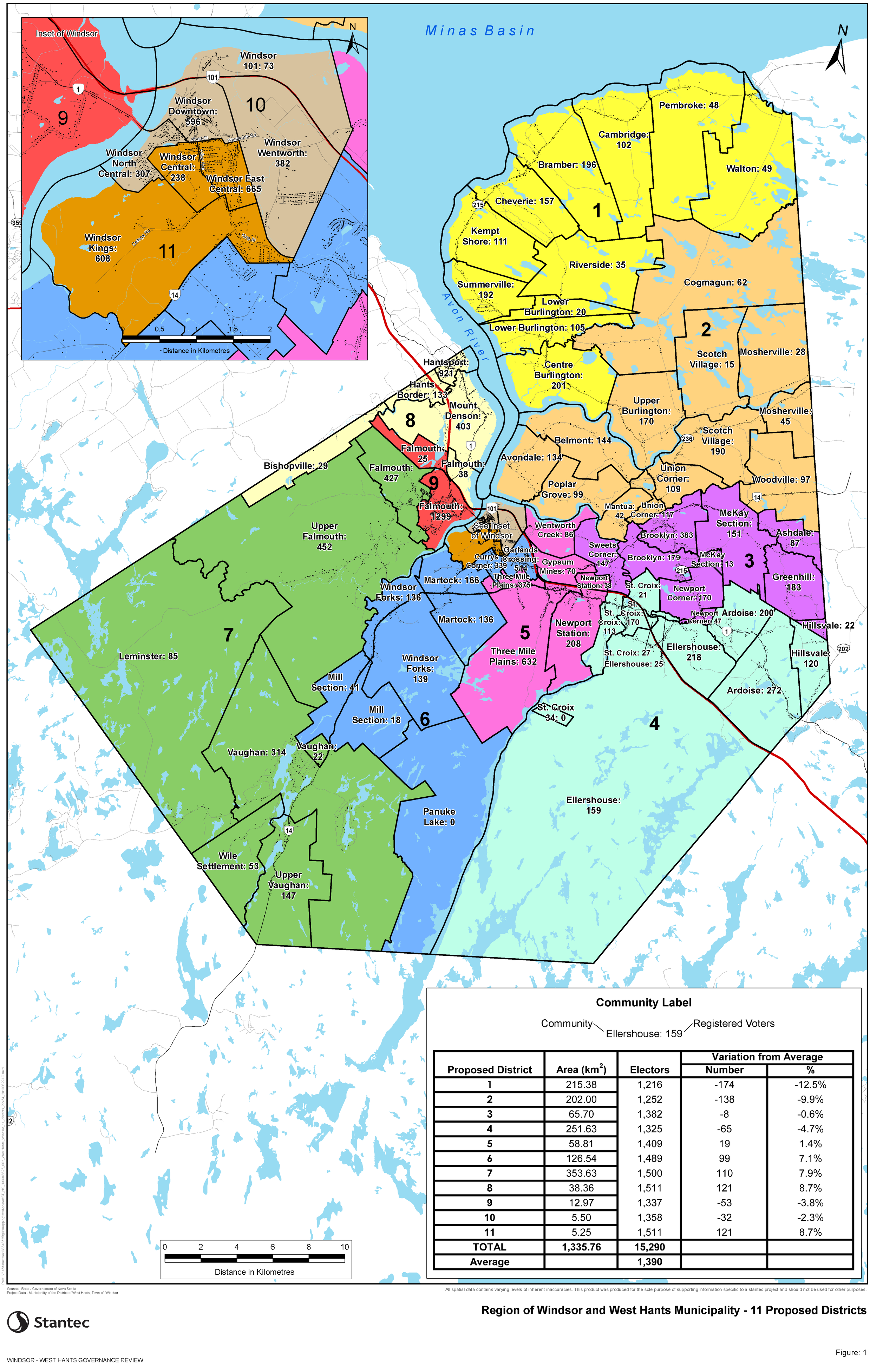
ALTERNATIVES

Option 1: Maintain current Council composition.

Option 2: Change the composition of Council.

ATTACHMENTS

Appendix A: 2021-12-10 NSUARB Letter to West Hants Regional Municipality
Appendix B: Nova Scotia Utility and Review Board User Guide
Appendix C: MGA Rules
Appendix D: Stantec Report
Appendix E: Professor Jamie Baxter's Report



Community Label

Community — Ellershouse: 159 — Registered Voters

Proposed District	Area (km^2)	Electors	Variation from Average	
			Number	%
1	215.38	1,216	-174	-12.5%
2	202.00	1,252	-138	-9.9%
3	65.70	1,382	-8	-0.6%
4	251.63	1,325	-65	-4.7%
5	58.81	1,409	19	1.4%
6	126.54	1,489	99	7.1%
7	353.63	1,500	110	7.9%
8	38.36	1,511	121	8.7%
9	12.97	1,337	-53	-3.8%
10	5.50	1,358	-32	-2.3%
11	5.25	1,511	121	8.7%
TOTAL	**1,335.76**	**15,290**		
Average		**1,390**		

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Sources: Base - Governement of Nova Scotia
Project Data - Municipality of the District of West Hants, Town of Windsor

All spatial data contains varying levels of inherent inaccuracies. This product was produced for the sole purpose of supporting information specific to a stantec project and should not be used for other purposes.

Stantec

Region of Windsor and West Hants Municipality - 11 Proposed Districts

Nova Scotia Utility and Review Board

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December 10, 2021

mphilips@westhants.ca

District of West Hants
c/o Chief Administrative Officer
PO Box 3000
Windsor, NS B0N 2T0

Dear Mr. Philips:

S. 369 of the Municipal Government Act – 2022 Municipal Boundary Review

Section 369 of the *Municipal Government Act* requires councils of every town and municipality to apply to the Nova Scotia Utility and Review Board in 2022 to "confirm or to alter the number and boundaries of polling districts and the number of councillors." All councils must conduct a study into the number of councillors and into the reasonableness and fairness of the number and boundaries of polling districts before making the application to the Board.

Enclosed is a copy of a User Guide prepared by the Board to provide guidance to towns and municipalities in the preparation of their applications. This information is also available on the Board's website: https://nsuarb.novascotia.ca/ under the Municipal Boundaries page.

Also, enclosed is a copy of Board's *Municipal Government Act Rules* (*Rules*). *Rule* 27 sets out the information that is required to be filed by towns and municipalities which have polling districts or wards (to be completed on Form C). *Rule* 28 sets out the requirements for towns which have no polling districts or wards (Form D).

It is recognized that the West Hants Regional Municipality conducted an extensive consultative process for a municipal boundary review in 2019, leading to the Board's decisions in 2020 approving the size of the new Council and polling district boundaries. The Board does not have the jurisdiction to waive the statutory requirement for a further study and application in 2022, as set out in the statute. However, in the circumstances, assuming Council has satisfied itself through public consultation that there is general public acceptance of the current Council size, and to the configuration of the polling district boundaries, the Board is prepared to consider a simplified application with respect to the 2022 review.

Subject to the public or any intervenor raising the issue of the number of councillors, the application may be limited to a consideration of polling district boundaries. The application should include a

request for approval of the present number of councillors and polling districts, as well as approval of the polling district boundaries (or any minor revisions considered appropriate).

If required, the Board is available to discuss the form and nature of the next application. Please confirm receipt of this letter.

Yours very truly,

Bruce Kiley
Chief Clerk of the Board

Encl.

USER GUIDE

Statutory requirements for applications

Every eight years since 2006, the council of every municipality and town in the province must study the number and boundaries of its polling districts, their fairness and reasonableness and the number of councillors. After it completes the study, and before the end of the year, the council must apply to the Board to confirm or to change the number and boundaries of polling districts and the number of councillors. For towns that elect councillors at large, an application must be filed with the Board to confirm or change the number of councillors.[1]

The Board must consider several factors to decide the number and boundaries of polling districts, including the number of electors, relative parity of voting power, population density, community of interest and geographic size.[2] To determine the number of councillors for a town, the Board must consider the population and geographic size of the town.[3] The position of mayor is not included in the number of councillors and does not fall within the scope of the Board's review.[4]

Recommended two-step process for study

In past decisions, the Board provided specific guidance to municipalities and towns about municipal boundary applications.

Council may decide to hire a consultant or third party to do the required study, but it does not have to. Many councils direct senior municipal staff to conduct the study, in some cases aided by committees which include members from the public.

The Board recommends a two-step process. At the first stage, council should decide the desired number of councillors (i.e., the size of council). Questions about the distribution of polling districts should be addressed in a second stage.

Deciding the size of council involves considering the desired style of the council, the governance structure of the council, and a determination of an effective and efficient number of councillors. The style of government should not be decided until adequate public consultation has occurred. The size of council and its governance structure is a matter which can then be decided by council in an informed debate.

Once the number of councillors and polling districts is decided, the task becomes one of distributing the polling districts, balancing the number of electors, relative parity of voting power, population density, community of interest and geographic size.[5] As with the number of polling districts, public consultation is essential to a successful boundary setting process.

---

[1] *Municipal Government Act*, S.N.S. 1998, c. 18, s. 369. Part XVI of the *Municipal Government Act* applies to the Halifax Regional Municipality (*Halifax Regional Municipal Charter*, S.N.S. 2008, c. 39, s. 364).
[2] *Municipal Government Act*, s. 368(4).
[3] *Municipal Government Act*, s. 368(5).
[4] The definition of "councillor" means a council member other than the mayor (*Municipal Government Act*, s. 3(p)).
[5] *Municipal Government Act*, s. 368(4).

Ideally, the public consultation process should mirror the two-step process outlined above, but the Board recognizes that for smaller municipalities or towns (or in instances where the first round of consultation has shown a preference to substantively maintain the status quo, including its boundaries), a second round of public consultation may not be practical or necessary.

Public consultation

Public consultation is an inherent part of the required study. The type and amount of consultation is within council's discretion, but it should give members of the public an opportunity to express their views on the size of their council, upon the location of boundaries for town wards or municipal polling districts, or whether a town should be divided into wards, should that be applicable. Giving the public an opportunity to provide its valuable input is a key part of the decision-making process leading to an application by a municipality or town.

Relative parity of voting power

The target variance for relative parity of voting power should be ±10% from the average number of electors per polling district or ward. The municipality or town must justify any variance exceeding this target in its application to the Board. The larger the proposed variance, the greater the burden on the municipal unit to justify the higher variance from the average number of electors. Factors that may support higher variances include the need to accommodate population density, community of interest or geographic size.

Polling district boundary descriptions

The municipal unit must supply descriptions of the existing and proposed municipal polling districts (or the wards in the case of towns). In most cases, the descriptions are in written form, which is acceptable to the Board. However, in recent years, municipalities and towns have asked to provide the descriptions of their polling districts or wards using digital GIS technology.

The Board will accept digital mapping descriptions instead of text descriptions, but in addition to filing a large hard copy map showing all polling districts, the Board also requires individual digital mapping for each polling district or ward. The individual mapping is to be filed by way of hard copy (8.5 x 11-inch format) and electronically (JPEG). The Board is mindful that due to differences in the size of the respective polling districts, the relative scale on each of the maps may differ.

Regardless of the format adopted by a municipality or town, the description must be able to address any inquiry made by electors or municipal election staff during a municipal election. The scale of any digital mapping descriptions must be able to respond to any inquiry.

Hearing - general procedure

When an application is received, the Clerk of the Board will contact the municipality or town to schedule a public hearing. Once the hearing date is confirmed, a notice of hearing will be prepared by the Clerk of the Board and published twice in a local newspaper. The notice will invite members of the public to apply to participate in the hearing as a formal intervenor or to comment on the application by way of providing a letter of comment or registering to speak in person at the hearing. The Board will bill the municipality or town for the cost of these advertisements. The Board will also direct the municipality or town to post the notice of hearing on their social media accounts.

When no change to the number of polling districts and councillors is requested, and no member of the public has contacted the Board to oppose the application or to request to speak at the hearing, the Board may hold the public hearing by telephone or video conference. When the application requests a change to the number of polling districts and councillors, or if there is a material change proposed to the boundaries of the polling districts, the Board will likely conduct the public hearing in person. However, the Board reserves the right to decide the format of the hearing in each case.

The Board normally holds in-person public hearings in the municipality or town where the application arises. Outside HRM, Board hearings are usually held in municipal council chambers or other rooms within the municipal building.

Municipalities or towns do not have to be represented by legal counsel but may do so. Most do not, and their applications are presented by one or more of the following: Mayor, Warden, Chief Administrative Officer, Clerk, Chair of thelocal boundary review committee, etc.

At the public hearing itself, the Board member or panel chair opens the hearing by briefly describing the application and then asking the parties to identify themselves. The Board's hearings are all recorded electronically by a Board hearing clerk who is also responsible for handling the exhibits filed and discussed during the hearing.

During the public hearing, the town or municipality presents evidence through the examination of its witnesses. Each witness is first sworn in or affirmed (whichever their preference) to testify. In the case of municipal boundary hearings, the evidence is typically in the form of a presentation by a municipal official, including a discussion of the study or consultation undertaken by the municipal unit, any report prepared by the applicant, and details contained in the application. After the municipal unit has presented its application, the Board will usually ask questions related to the application. The Board may ask for more information or data to be filed as an undertaking after the hearing.

After the application is presented, the Board will open the hearing to any groups who have formally intervened in the matter and any members of the public who may have comments, either in support or opposed to the application. The Board or the municipal unit representative may ask questions to the intervenors or members of the public who have given comments. At the end of such comments, the town or municipality will be given an opportunity to respond to any concerns or issues raised by the public and to make any final submissions summarizing the key points of their application.

Most municipal boundary review hearings take one or two hours.

Board Decision

The Board normally issues a written decision within 60 days of the hearing. The Board will also issue an Order giving effect to the approved number of councillors and polling districts, and to the boundaries of the polling districts. Where text descriptions are used for the polling districts or wards, the Board may require the municipal unit to submit an electronic WORD or PDF version of the descriptions.

Powers of Board

368 **(1)** Upon application, the Board may, by order

(a) divide or redivide a municipality into polling districts;

(b) amend the boundaries of any polling district;

(c) dissolve polling districts;

(d) determine that a town be divided into polling districts or cease to be divided into polling districts;

(e) determine the number of councillors for a municipality; and

(f) determine the date upon which the order takes effect.

(2) An application may be made by

(a) the Minister;

(b) a municipality; or

(c) at least fifty electors of a municipality.

(3) The Board may make an order granting the whole or part of an application, and may grant such further or other relief as the Board considers proper.

(4) In determining the number and boundaries of polling districts the Board shall consider number of electors, relative parity of voting power, population density, community of interest and geographic size.

(5) In determining the number of councillors for a town, the Board shall consider the population and geographic size of the town. 1998, c. 18, s. 368.

Study of polling districts required

369 **(1)** In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.

(2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councillors.

1998, C.18, S. 369.

Attachment D

Stantec

102-40 Highfield Park Drive, Dartmouth, NS B3A 0A3

Windsor-West Hants Governance Review

Council Size Report

Windsor-West Hants Co-ordinating Committee

February 21, 2019



Cover photo courtesy of Councillor Jim Ivey, Town of Windsor

Windsor-West Hants Governance Review

Council Size Report

February 21, 2019

Prepared for:
Windsor-West Hants Co-ordinating Committee

Prepared by:
Stantec Consulting Ltd.

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Windsor-West Hants Governance Review: Executive Summary

Introduction

Under Section 10(1) of the *Region of Windsor and West Hants Municipality Act*, the Co-ordinator is responsible to submit an application "to the Nova Scotia Utility and Review Board for a determination of ... the number of councillors and the boundaries of the polling districts in the Regional Municipality." This study has been undertaken to assist the Co-ordinator to fulfil that requirement.

The Board has well-established guidelines and priorities concerning the determination of council size and delineation of related boundaries. The Nova Scotia Utility and Review Board (NSUARB or the Board) User Guide for boundary reviews has prescribed a two-step process for the conduct of polling district boundary reviews. The phases and their scope, as outlined in the Board's user guide, are as follows:

- **Phase 1 – Number of Councillors**
- **Phase 2 – Boundaries and Polling Districts**

This Council Size Report completes Phase 1.

Background Review

The Town of Windsor has had a council of five including the Town's Mayor since it reduced from seven members in 1997. The Municipality of the District of West Hants had a council of nine from at least 1994 until the NSUARB determined in 2016 that its membership should be increased to ten to ensure proper representation of the Town of Hantsport, which became part of West Hants on its dissolution on July 1, 2015.

Rural and regional municipalities in Nova Scotia currently average one councillor per 240.8 km^2. West Hants council members each currently cover a relatively modest 124.4 km^2 on average. Population is usually more strongly emphasized when assessing council size but is distorted by the regional municipalities of Halifax and Cape Breton. Rural municipalities distinct from the regional municipalities have one council member per 1,695 residents, which West Hants approaches at 1,537 constituents per councillor.

Public Consultation

NSUARB guidelines and past Board decisions have reinforced the Board's emphasis on public consultation. Stantec investigated public opinion on council size through a program of consultation meetings distributed throughout Windsor and West Hants and an online survey. Hard copy survey questionnaires were also made available at Windsor Town Hall and the West Hants municipal office, as well as at the public meetings. In response to concerns expressed by public meeting participants, The Co-ordinating Committee decided to distribute hard copy questionnaires to rural areas presumed to have inferior Internet access.

Stantec undertook five public meetings with the assistance of municipal staff with Windsor and West Hants. Participants in the first two meetings in Avondale and Brooklyn expressed concerns with the access of rural residents to the online survey because of poor Internet connections in outlying communities. The Co-ordinating Committee decided to directly distribute hard copy surveys to areas of concern.

Close to 100 residents attended the meetings. The sessions publicized the study and provided opportunities for Stantec's consultant to explain the governance study and obtain the views of residents. The survey, however, provided more specific information from a wider range of residents. Eventually, 609 completed surveys were submitted online and another 139 hard copy surveys were collected directly from residents.

The key question asked respondents how many council members including the mayor they would prefer to represent residents of the new Regional Municipality. The most frequent response was ten, which was favoured by 23.2% of 740 respondents to the question who expressed a preference. The second choice was twelve, which was selected by 21.8%. Fully, 88.5% of responses fell between seven and 13, and 61.5% were accounted for by ten through twelve.

Respondents who chose very small council sizes (i.e., six or fewer) and provided comments on their choice emphasized efficient decision-making more than any other factor. Those preferring a council of 13 or more stressed representation, particularly representation of rural interests.

Among respondents espousing a council of ten to twelve, priority shifted more clearly to representation. Many recognized that a council of ten or more would provide two positions for Windsor and one for Hantsport, leaving six to eight positions for West Hants. Even within this group, a significant number of respondents expressed a desire for efficiency recognizing that even a council of twelve represents a reduction relative to the 15 political representatives currently serving Windsor and West Hants as separate municipal units.

Recommendation

Based on our assessment of all input from consultation to date, **we recommend the assessment of scenarios for nine and eleven districts in Phase 2 of this Governance Study**.

1.Introduction

Pursuant to the *Region of Windsor and West Hants Municipality Act* passed by the Province of Nova Scotia on October 11, 2018, the Town of Windsor and the Municipality of the District of West Hants have agreed to consolidate into a single municipality. Under the terms of the Act, which is also referred to as Bill 55, the two current municipal units become Nova Scotia's fourth regional municipality on April 1, 2020.

The Act requires the Province to appoint a Co-ordinator to chair a Co-ordinating Committee to oversee the consolidation of the two municipal units. The appointed Co-ordinator is Kevin Latimer, Q.C. Pursuant to the Act, the Committee consists of Mayor Anna Allen and Deputy Mayor Laurie Murley of the Town of Windsor and the Warden Abe Zebian and Deputy Warden Paul Morton of the Municipality of the District of West Hants.

1.1.Project Background

Under Section 10(1) of the *Region of Windsor and West Hants Municipality Act*, the Co-ordinator is responsible to submit an application "to the Nova Scotia Utility and Review Board for a determination of ... the number of councillors and the boundaries of the polling districts in the Regional Municipality." This study has been undertaken to assist the Co-ordinator to fulfil that requirement.

The determination of council size and boundaries is a critical early requirement of the municipal consolidation process. The Nova Scotia Utility and Review Board (NSUARB or the Board below) has set aside June 24 and 25 to hear an application from the Co-ordinator.

Review of governance arrangements is a well-established process for Nova Scotia municipalities. All municipal units are required under the *Municipal Government Act* (MGA) to review governance arrangements on an eight-year cycle, which began on the passage of the MGA in 1999. Subsequent reviews have been required for 2008 and 2016, and will be required again in 2024. Reviews are also normally required in the event of significant structural changes to municipalities. Several reviews were required over the past six years as five towns dissolved in the province, including the Town of Hantsport, which joined West Hants on its dissolution.

While the process and aspirations of municipal consolidation differ from dissolution, changes to governance requirements are similar. Two municipalities are becoming a single municipal government. The combined municipal populations require new governance arrangements to ensure fair and equitable representation of all residents on the council of the new entity. Consideration should also be given to the objectives of combining the two municipal units.

1.2.Project Process

While the consolidation of the Town of Windsor and the Municipality of the District of West Hants is being guided by special legislation rather than the MGA, Bill 55 requires the Co-ordinator to apply to the Nova Scotia Utility and Review Board in the same manner as councils must under the MGA.

The Board has well-established guidelines and priorities concerning the determination of council size and delineation of related boundaries. The NSUARB User Guide for boundary reviews has prescribed a two-step process for the conduct of polling district boundary reviews. The phases and their scope, as outlined in the Board's user guide, are as follows:

- **Phase 1 – Number of Councillors** – … the desired style of Council, the governance structure of Council, and a determination of an effective and efficient number of councillors. The style of government is a question which should not be decided by council until adequate public consultation has occurred respecting the expectation of its constituents. The size of council and its governance structure is a matter which can then be determined by Council in an informed debate.

- **Phase 2 – Boundaries and Polling Districts** – … the task becomes one of distributing the polling districts to satisfy the objectives listed in s. 368(4) of the Act. Just as with determining the desired number of polling districts, public consultation is essential to a successful process of setting boundaries.[1]

Stantec's proposal submitted to the Municipality of the District of West Hants on November 29, 2018, committed to adhere to these specifications. This Council Size Report completes Phase 1. It summarizes the results of our research and extensive consultation concerning the most appropriate council size for the new Regional Municipality. It provides the foundation for the assessment of polling districts to be undertaken in Phase 2. Much of its content will be retained in the Boundary Review Report that will complete the governance review project at the close of the second phase.

1.3.Study Conduct

Stantec Consulting Ltd. was notified of our selection to carry out the governance study on December 17, 2018. Although a formal project initiation meeting could not be scheduled until January 7, 2019, we began research work immediately. In addition to making a presentation on the governance review process at the Co-ordinating Committee Meeting on January 10, Stantec prepared for consultation initiatives over the next two weeks.

On January 17, we initiated an online survey to investigate public opinion concerning council size. Our first public consultation meeting was scheduled for January 29 and four additional meetings were held over the course of two weeks concluding on February 7. Results of the survey were reported and updated at successive public meetings. Concerns with the availability of the survey to rural residents expressed at the first two public meetings led the Co-ordinating

1 NSUARB, "Municipal Boundary User Guide," no date, p. 2, https://nsuarb.novascotia.ca/sites/default/files/nsuarb-222634-v1-user_guide_-_mb_reviews_.pdf

Committee and the municipalities to distribute hard copy surveys directly through municipal councillors to households in Districts 1, 2, 3, 4, 5,.and 7.

Following consideration of the current report by the Co-ordinating Committee, Stantec will proceed to the conduct of Phase 2. A second round of five public meetings has been scheduled and advertised to consider district boundary options for potential council sizes approved by the Co-ordinating Committee. The first meeting will take place on March 5. All meetings should be complete by March 14, although a snow date has been provided on March 19 if weather requires.

Stantec is expected to submit its final report summarizing Phase 2 research and consultation and recommending polling district framework for the new Regional Municipality by March 20. The report will be considered by the Co-ordinating Committee on April 1. Following the Committee's consideration of the report recommendation, the Co-ordinator will make application to the NSUARB for a council size and polling district boundary arrangement for the first election for the new Regional Municipality to be held in March 2020.

2.Background Review

The consolidation of Windsor and West Hants will create a new municipality in a different category. The regional municipality that will take the place of the current town and rural municipal district will have the same basic governance structure although legislation prescribes certain features that differ. While the new structure is an opportunity to rethink local governance, current council arrangements in Windsor and West Hants, as well as among municipal units across Nova Scotia provide the context for considering the direction for the new Regional Municipality.

2.1.Past and Current Council Size

All Nova Scotia municipalities are governed by a municipal council led by a mayor elected at large or a warden elected by councillors from among themselves following their election from a district framework. Under the MGA, councils must have a minimum of three members, exclusive of a mayor but inclusive of a warden. Towns and regional municipalities must elect a mayor. Rural municipalities have traditionally been led by a warden; however, the MGA in 1999 introduced the option of electing a mayor instead. Among 21 rural municipalities, the Counties of Colchester and Kings, and the Municipal District of Lunenburg are now led by mayors.

Rural and regional municipalities are required to elect councillors from districts, with only one councillor permitted per district. Towns may elect members at large or from wards. Only Truro, New Glasgow, and Stellarton among Nova Scotia's 26 towns elect councillors from wards, in each case choosing two councillors from each ward.

2.1.1.Town of Windsor

Windsor currently has a five-member Council consisting of a Mayor, Deputy Mayor, and three Councillors. All Town Councillors are elected at large.

The current council size was adopted in 1997 following the Town's application at that time to reduce its number of councillors from six to four.[2] The NSUARB approved applications by the Town in both 2007 and 2015 to maintain its Council at five members.

2.1.2.Municipality of the District of West Hants

West Hants residents are currently represented by a council of ten that has been in place since the Municipality took in Hantsport following the dissolution of the Town in 2015.

[2] Re: Town of Windsor, 2007 NSUARB 13, p. 3.

Stantec reviewed past decisions concerning governance arrangements in West Hants as part of our work for the 2014 governance study required by the Town of Hantsport's prospective dissolution. Before the addition of Hantsport to the Municipality, West Hants Council consisted of nine councillors from at least 1994, the earliest NSUARB decision concerning the Municipality that we reviewed.

Stantec's 2014 report, which was prepared before West Hants agreed to join with Hantsport, recommended that in the event the two units combined, the municipal council should continue to have nine members with Hantsport and Mount Denson forming a new district to be called District 8. The existing nine West Hants districts were to be replaced by eight new districts with reconfigured boundaries.

On the dissolution of the Town of Hantsport, the former Town's Mayor was added to West Hants Council to represent the community's interests. In preparation for the October 2016 municipal election, the Municipality applied to the NSUARB to reduce its council to nine and adjust its boundaries as recommended by Stantec. The Board heard the application on February 25, 2016.

The Think Hantsport Innovative Development Association (THIDA) argued at the NSUARB hearing that the Stantec study dealt with two potential destinies for the Town and did not fully consider the concerns of community in the context of union with West Hants. They contended that West Hants should have engaged the community in specific consultation related to its application as opposed to simply adopting Stantec's rationale and recommendation.[3]

The Board agreed with the sentiments THIDA expressed:

> The Board finds, in the circumstances, that the Municipality should have given greater consideration to the former town of Hantsport as being a strong community of interest. This does not mean it should always be considered as such for future polling district boundary reviews. At the very least this should have been re-examined by the Council before submitting the Application. To inform Council's discussion, some form of an additional study should have been conducted.[4]

Given that the Board did not consider time was available to conduct the kind of engagement it saw as necessary, it determined that it should chose between the application made by the Municipality and THIDA's proposal "that there should be 10 councillors and that the former Town of Hantsport [should] have its own polling district" based on THIDA's contention "that the former Town is a community of interest." [5]

The Board determined that Hantsport was indeed a community of interest and chose to approve the Council of ten that currently governs West Hants. The prevailing districts in West Hants were retained and Hantsport became the tenth district, although the number of eligible voters or electors in the former town was -26% less than the average number of electors in each municipal polling district. The variance is far beyond the ±10% target sought by the NSUARB and slightly beyond the maximum variance that the Board general suggests as tolerable;

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3 Re: Municipality of the District of West Hants, 2016 NSUARB 44, p. 5.

4 *Ibid*., pp. 9-10.

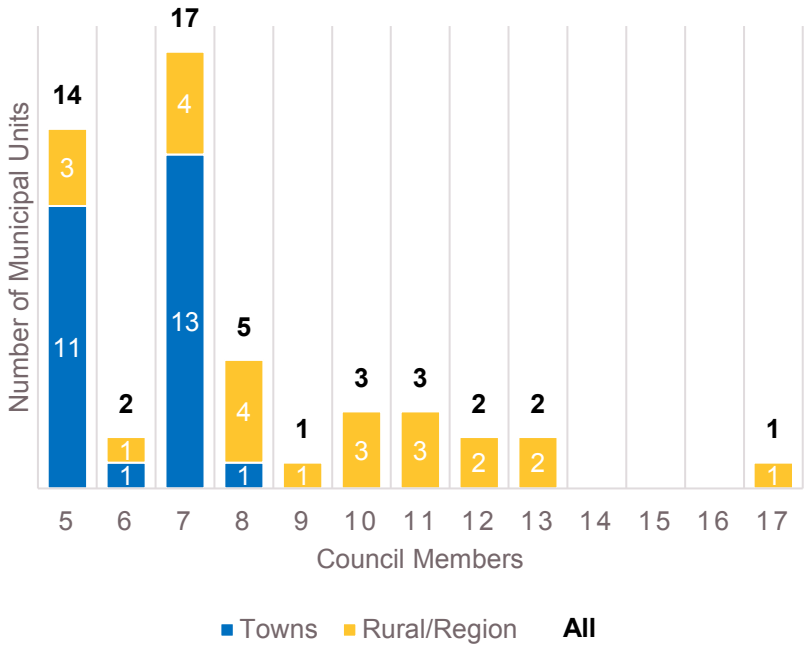
5 *Ibid*., p. 11. Following submissions from both THIDA and the Municipality of the District of West Hants in March 2016, the Board rendered its decision on April 16, 2016, leaving just over four months before the standard deadline for nominations on the second Tuesday in September.

however, the Board deemed it to be “a reasonable variance” in consideration of the circumstances.[6]

2.2. Nova Scotia Council Sizes

Nova Scotia municipal councils range in size from five to 17 members, including the mayors in municipal units where one is elected. Halifax Regional Municipality (HRM) has the largest council. Many municipalities have councils of five including the municipal districts of Barrington and Digby, the County of Richmond, the Town of Windsor, and ten other towns. Towns, for the most part have councils of five or seven. The Town of Pictou has a six-member council and the Town of Bridgewater has eight, which is the largest town council in the province. With ten members, the Municipality of the District of West Hants Council is just above the median council size for rural and regional municipalities. Twelve municipalities in the group have councils with eight or fewer members, twelve have nine or more (**Figure 2-1**).

Figure 2-1 Council Sizes by Number of Municipal Units, Nova Scotia, 2019

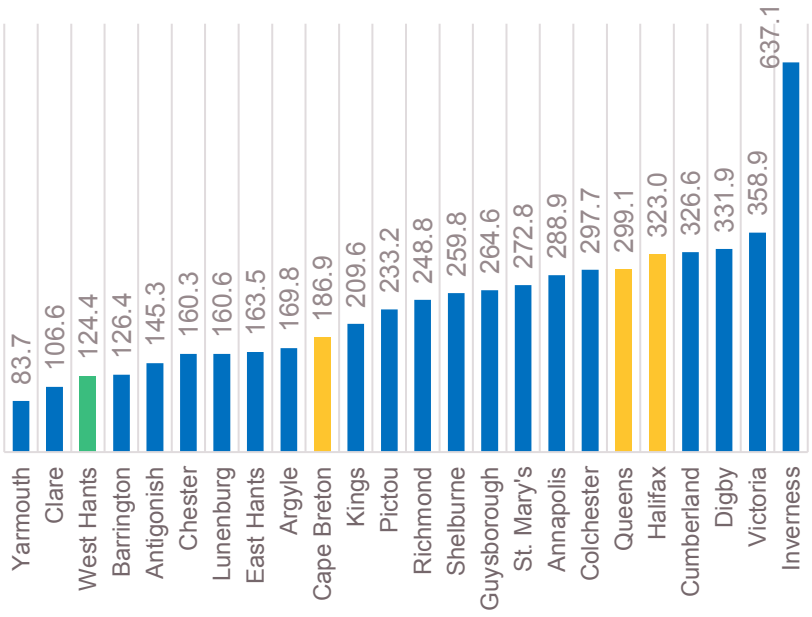


Source Stantec Consulting Ltd.

The size of rural and regional municipal councils is often assessed in relation to the land area and the population to be served in each municipal unit. There is little variation in the land area of towns and, as the foregoing figure illustrates, modest variation in their sizes. Focusing on rural and regional municipalities, the average area served by regional and rural councillors in Nova Scotia is currently 240.8 km^2 per council member. Councillors in West Hants, which is currently a rural municipality, each represent 124.4 km^2 on average (**Figure 2-2,** which shows West Hants in green, other rural municipalities in blue, and the three current regional municipalities in yellow).

[6] *Ibid*., 00. 12-13.

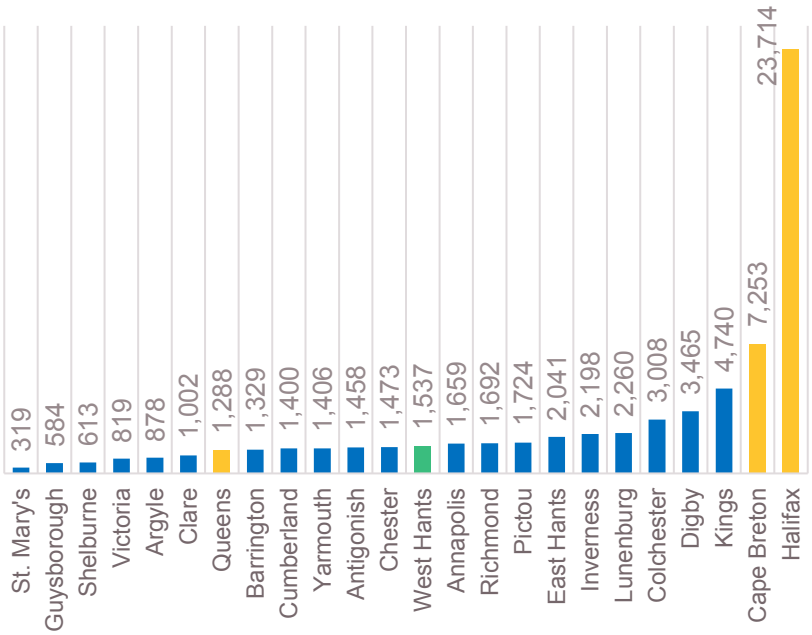
Figure 2-2 Council Members by Land Area (km²), Nova Scotia Rural and Regional Municipalities, 2016



Source Stantec Consulting Ltd.

More emphasis is normally placed on the number of constituents served in any case. The average for rural and regional municipalities of 2,828 people per council member is heavily skewed by HRM, where the average councillor serves 23,714, or more than the combined population of Windsor and West Hants. The average for rural municipalities is 1,695, which West Hants approaches at 1,537 constituents per councillor (**Figure 2-3**).

Figure 2-3 Council Members per Capita, Nova Scotia Rural and Regional Municipalities, 2016



Source Stantec Consulting Ltd.

3.Public Consultation

As noted above, the NSUARB guidelines and past Board decisions have reinforced the Board's emphasis on public consultation. Stantec investigated public opinion on council size through a program of consultation meetings distributed throughout Windsor and West Hants and an online survey. Hard copy survey questionnaires were also made available at Windsor Town Hall and the West Hants municipal office, as well as at the public meetings. In response to concerns expressed by public meeting participants, The Co-ordinating Committee decided to distribute hard copy questionnaires to rural areas presumed to have inferior Internet access.

3.1.Consultation Meetings

Stantec undertook five public meetings with the assistance of municipal staff with Windsor and West Hants. The municipalities arranged the necessary venues to meet Stantec's requirements. Locations and dates were as follows:

- Tuesday, January 29, Avondale Community Hall
- Wednesday, January 30, Brooklyn Civic Center
- Thursday, January 31, South West Hants Fire Hall, Vaughan
- Tuesday, February 5, Windsor Community Center
- Wednesday, February 6 (snow date for the first four meetings), West Hants Municipal Office, Windsor
- Thursday, February 7, Falmouth Community Hall
- Wednesday, February 13 (snow date for February 7), West Hants Municipal Office, Windsor.

Meetings were advertised on the strongerregion.ca website maintained by the Co-ordinating Committee, as well as on the web sites and social media pages of both municipalities. They were also listed at the end of the online survey questionnaire and a formal advertisement was placed in the Advertiser Journal on January 22 and 29, and February 5, and the Valley Harvester on January 31 and February 5.

The weather cooperated throughout. Meetings took place as scheduled and neither snow date was required. The meetings were reasonably well attended relative to our experience with other governance review processes, particularly processes in which multiple local meetings were provided. In some past cases, local meetings have drawn no attendance or too few attendees to allow group dialogue but all sessions for this review attracted enough to facilitate healthy discussions.

Venues were opened for all meetings at 6:00 pm as indicated in advertisements. Attendees were encouraged to read four posters prepared by Stantec to explain the governance review process and provide background concerning the council size review. Stantec's Project Manager was available during this period to talk with attendees and assist with their questions.

Stantec's Project Manager made a presentation at each session beginning at 7:00 pm, also as advertised. The presentation covered similar content to the posters, although material derived from the online survey was updated for each successive meeting as we received more responses. Given the manageable number of participants at each session, audience members were permitted to ask questions during the presentation. Generally, presentations including questions and answers took about one hour. Stantec's Project Manager solicited additional questions and comments after each presentation until all audience members declined to provide further input.

3.1.1. Avondale Meeting

While 16 people were present at the meeting in Avondale, we were told only six were members of the local community. Others included municipal staff helping Stantec's Project Manager and political representatives monitoring the process. Some municipal staff and representatives were present at each session to provide support and observe.

Questions during the presentation were diverse. While some inquiries concerned council size and boundary issues, one participant raised strong concerns about the effectiveness of only five meetings to reach rural residents. He expressed particular concern with the absence of a meeting in any community on the shore north and east of Summerville, although Stantec's Project Manager noted that a second phase meeting was scheduled to be held in the elementary school in Summerville.

Another respondent reinforced the concern with rural input from the perspective of the online survey. She said that Internet service is inferior in rural areas and in some locations such as the shore area above Summerville is not available at all. She suggested that the survey should have been mailed out to all residents. Stantec's Project Manager promised to relay her views to the Co-ordinating Committee, which he did the following morning.

3.1.2. Brooklyn Meeting

The meeting in Brooklyn was the best attended of the five sessions. Municipal staff said 37 residents were present in addition to about a dozen municipal staff and council members, including the Co-ordinator, who observed the meeting. The large group resulted in lively discussion.

For the second time, a great deal of the dialogue focused on the online survey and its availability. Although survey response up to that relatively early point was good (approximately 250), many participants contended it is insufficient from a population of roughly 19,000. Most of these participants asserted that the survey should have been mailed out to give all residents an equal chance to respond.

Many participants expressed concerns with rural input. Several reflected long-term concerns with the attention given to rural Nova Scotia and the representation of rural interests on the prospective regional council. They felt that administration of the survey online reflected this bias as rural residents do not have equivalent access to the Internet, which would bias the results of the survey. In the same light, several also suggested that there are not enough

meetings scheduled in the rural area, again noting the shore area to the north and east of Summerville lacks access to the Internet and other information sources. The Co-ordinator and municipal staff attending the session discussed the issues raised following the meeting and decided to respond to the concerns raised by looking into the possibility of distributing hard copy surveys to homes in key rural districts.

3.1.3. Vaughan Meeting

Nine residents attended the meeting in Vaughan. Attendance may have been influenced by an incident on Highway 101 during the evening rush hour, which disrupted the commute for many travelling home to West Hants. In contrast to the preceding two meetings, discussion was on point throughout. Participants asked a variety of questions concerning council size and explored the potential influence of the council size decision on boundary definition.

3.1.4. Windsor Meeting

According to Town staff assisting Stantec, 24 residents attended the Windsor meeting. Roughly ten municipal staff and council members attended, and the Co-ordinator was present again as an observer.

Input from the audience focused on council size issues. Former Town Mayor, Paul Beazley, inquired about potential approaches to boundary delineation, suggesting the possibility of creating polling districts that radiated from the town to include urban, suburban, and rural areas in each district or, at least, in several districts. Mr. Heseltine responded that a scenario based on a similar concept had been developed for the consideration of the public in CBRM when he did the boundary review there in 2011. It was not the approach selected in that situation, but Mr. Heseltine acknowledged that it was worthy of consideration and West Hants was generally well-configured to support the approach.

3.1.5. Falmouth Meeting

Roughly 15 people attended the final Phase 1 public consultation meeting in Falmouth. Ten appeared to be residents as opposed to municipal or political representatives. The group included some knowledgeable participants including Tom Calkin, who led the Avon Region Coalition, which made the initial application to consolidate Windsor and West Hants, and at least three other individuals who attended previous meetings.

Stantec's Project Manager had the opportunity to talk about council size issues before beginning his presentation. He asked several attendees the number of council members they would prefer and their reasons for favouring their choices, which provided some interesting insights. One suggested seven in the interest of efficiency; another felt ten would be appropriate as it is workable with the current West Hants Council; and one favoured twelve so as to incorporate two councillors from Windsor and one from Hantsport on the regional council.

Dialogue during the presentation continued to focus on council size and boundary issues. One of the repeat participants had pressed for mailing out the survey at the first meeting held in Avondale. She inquired about the approach to distributing hard copy surveys. Stantec's Project Manager said that hard copy questionnaires were being distributed through municipal councillors. In response to a request for more detail, Warden Zebian said that councillors were delivering questionnaires door-to-door themselves or through helpers. Although the participant still felt time should have been taken to formally mailout surveys

through Canada Post, she appeared to view the response to her original concern positively.

3.1.6. Written Submission

Stantec received only one written submission through the course of the five public sessions. The document came through Tom Calkin, Chair of the Avon Region Citizens Coalition (ARC), which was the original advocate of the consolidation of Windsor and West Hants. The report provided was ARC's application for consolidaton, which we understand was prepared in 2016. On the subject of governance, the application includes a detailed critique of council leadership by a warden and advocacy of leadership by a mayor elected at large and voting on all council motions in keeping with the requirement of the MGA for regional municipalities.[7]

3.2. Online Survey

The online survey was posted on January 17 and was kept open until February 13, 2019. Although response was good from the outset of posting the survey online, concerns with online access in rural areas led the municipalities and the Co-ordinating Committee to distribute hard copy questionnaires door-to-door in Districts 1, 2, 3, 4, 5, and 7. Hard copies were also made available at the five consultation meetings and could be picked up at Windsor Town Hall or the West Hants Municipal Building.

3.2.1. Questionnaire Content

The questionnaire employed for the survey has been used for several previous boundary review projects conducted by Stantec. It is a simple questionnaire consisting of eight questions that most respondents complete within two minutes. **Appendix A** includes the hard copy version of the survey. The online survey included an initial question that asked whether respondents live in Windsor or West Hants for the purpose of screening out non-residents. The question was not necessary in hard copy surveys. References to question numbers below refer to the hard copy survey and are one number less than the numbering used online.

The next two questions are largely included to introduce the subject matter the survey addresses (i.e., municipal governance and council size) in preparation for Question 3, which asks for the respondent's council size preference. Question 1 inquiring about voting in recent municipal elections also gave us a gauge of the familiarity of respondents with municipal governance, particularly in Windsor and West Hants. Question 2 concerning expectations of a small versus a large council introduced factors that are often considered to be influenced by council size.

Question 2 provides context for considering the central question in the survey instrument – Question 3, which asks how many members including the mayor the respondent would prefer to have on the regional council. The question was compulsory in the online version of the survey. The following question asked the respondent to elaborate on their choice.

[7] ARC - Avon Region Citizens, Application for a Preliminary Order of Amalgamation of the Municipality of the District of West Hants and the Town of Windsor, undated, pp. 8-9.

3.2.2. Survey Interpretation

The survey conducted is not a poll. The method of distributing the survey – online and by direct handout – cannot obtain a representative sample. Respondents, by definition, are individuals interested in the governance study and the issue of council size. Residents with less interest in these issues who do not want to take the time to access and complete the survey excluded themselves. The numbers summarized below do not reflect the views of this second, less interested group, who would be solicited through a properly conducted telephone sample and are clearly a significant proportion of the local population.

The results are better interpreted as a canvas of the population, similar to the results of a vote to elect a political representative. The survey allowed us to reach considerably more residents than were likely to attend our public consultation sessions regardless of the number and location of such meetings. It also obtained structured quantifiable information, which is difficult to draw in an orderly manner from audience members at a meeting.

We did not restrict the number of times the survey could be filled out from the same computer. While Survey Monkey, by default, limits each IP address to one response, we chose to remove the restriction to facilitate access to the survey, although we were aware that it would make it easier for a person to abuse the survey by making multiple responses.

To reduce this possibility, Stantec reviewed sorted survey responses by IP address and date/time to identify any bulk responses from the same address or in a close time period. Although our observation of data trends indicated a concentration of responses from one community over a two-day period, we did not find any evidence of the same response originating from one source. While the community in question produced more than 50 responses in a short period, the responses in question came from varied IP addresses.

3.2.3. Survey Response

Overall survey response was very good. At the close of the online survey at midnight on February 13, 2019, 609 completed surveys were received (including roughly 20 completed on print questionnaires received at the public sessions by Stantec), which exceeds the best overall response to a governance-related survey that we have conducted.[8] Another 139 hard copy surveys were collected directly from residents who received them through the municipal offices of either Windsor or West Hants, or through their municipal councillors.

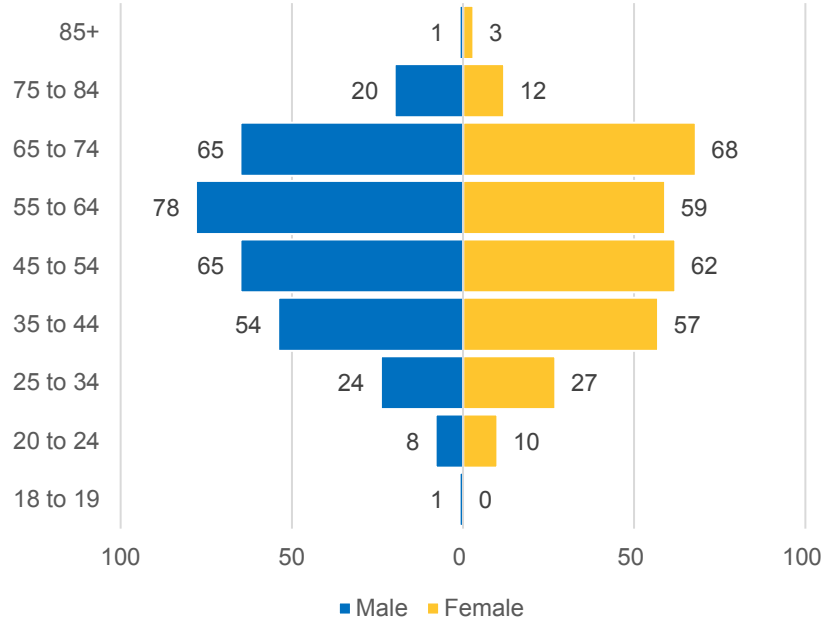
The majority of respondents were male (51.2% of those who identified their gender). All respondents were 18 years of age or over but, for the most part they were between 35 and 75 years of age (80.0%). Although **Figure 3-1**, shows only four respondents over 85 years, there were six as two did not identify their gender. They all responded to the print survey as opposed to online.

[8] The survey URL was accessed 688 times. Some accesses were by Stantec in order to enter roughly 20 hard copy surveys received at public meetings. Of 79 surveys that were not completed, 11 were individuals who indicated they did not live in either Windsor or West Hants and were therefore excluded from the survey. The remaining 68 entered the survey but then left. Roughly half of these were apparently confused by the survey because they returned later (usually very soon after) and completed the questions. Another portion did not return.

Notwithstanding concerns with Internet access in rural areas expressed at public meetings, responses were also well-distributed. Of 51 named communities in West Hants, at least one online response was received from 50 based on responses to Question 5. Riverside in District 1 was the only community not identified and it is possible residents identified themselves with the abutting community of Summerville, which generated a disproportionate number of responses.

The hard copy surveys distributed by councillors went to rural districts that participants in consultation sessions contended did not have equivalent Internet access to "urban" areas such as Windsor, Falmouth, and Three Mile Plains. The communities that contributed the most responses through this outreach were Brooklyn (25), Summerville (18), Cambridge (9), Ellershouse (9), Centre Burlington (8), Cheverie (7), and Union Corner (5). Remaining responses covered a wide range of mostly rural communities. Three responses came from Windsor through the Town Hall and one came from Three Mile Plains.

Figure 3-1 Age-Sex Distribution of Respondents, Windsor-West Hants Council Size Survey, 2019



Source Stantec Consulting Ltd.

Stantec was not involved in developing the approach to this additional distribution. Based on results from all survey responses, the additional surveys addressed the concern expressed at the initial public meetings that the shore area in District 1 would be underrepresented because of Internet access concerns. Communities in District 1 and District 3 accounted for the bulk of responses received on print surveys distributed through the councillors.

Ultimately, these districts generated significantly more responses than we would have expected relative to their shares of electors as did several other districts. As **Table 3-1** illustrates, responses from Districts 1, 2, 3, 4, 8, and 9 exceeded the proportion of voters residing in those areas according to 2016 enumeration data. Falmouth, which is partially in District 8 but largely in District 9, produced by far the most responses of any community in the region.[9] The share of responses from District 1 was more than double its share of electors and the share in District 9 also considerably exceeded the expected percentage.

3.2.4. Survey Results

The core questions in the survey were Questions 1 through 4, which solicited opinions concerning council size. Question 3 was unquestionably the central question and was compulsory for respondents who filled out the survey online. A "Don't know/Not sure" option was provided for those who were not comfortable specifying a size but only four respondents took it. Question 4, which was open-ended, was also a valuable source of detailed opinions on council size preferences.

Question 1 – Participation in Municipal Elections

Survey respondents clearly had an established interest in municipal politics. Of 724 respondents to Question 1, 603 stated they voted in at least one previous election in Windsor or West Hants. Close to half (46.4%) voted in 2008, nearly two-thirds (61.3%) in 2012, and 81.2% in 2016.

Question 2 – Expectations of Council Size

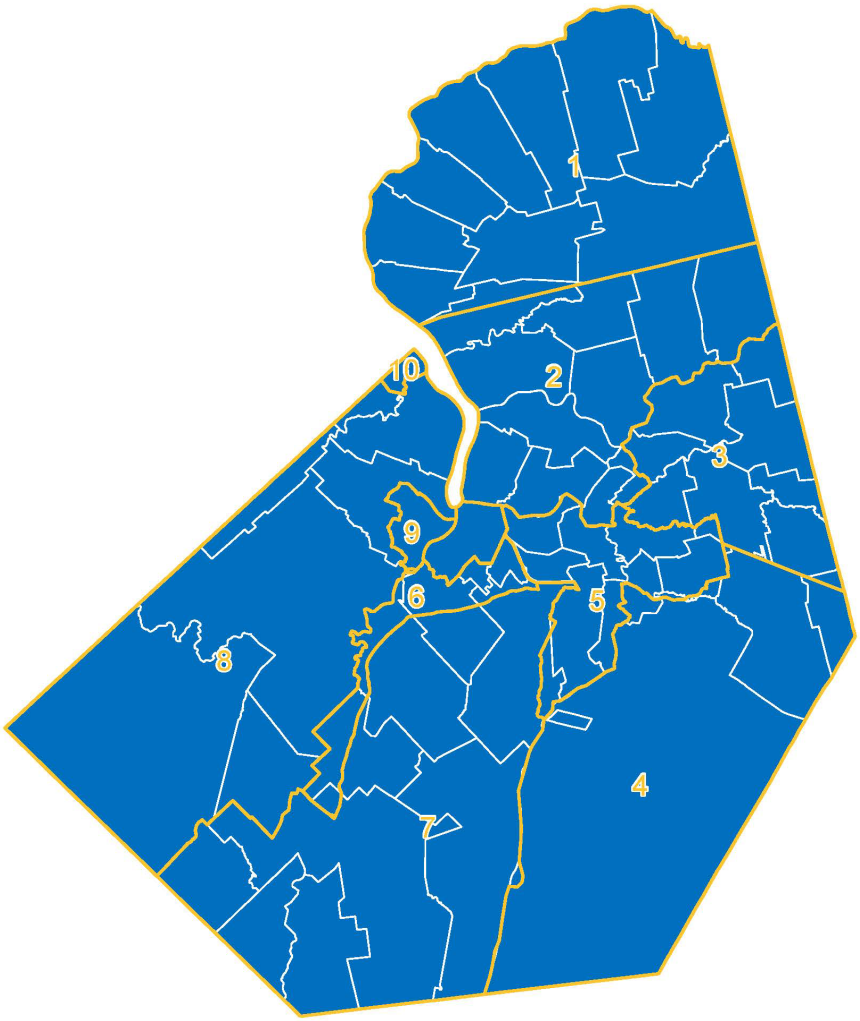
As noted, the key purpose of Question 2 was to introduce some of the leading factors that respondents might take into account when considering what council size to enter in response to following Question 3. The factors, which are raised in literature on council size as well as discussions we have had with members of this public in past consultations, are cost, service to residents, council interaction, and council effectiveness.

We have asked the question in previous surveys with the advantage of having an existing council size to provide a context to establish the meanings of "large" and "small." In the case of the yet to be established regional council, we could not provide a benchmark, which some participants in the consultation sessions criticized.

With this reservation, respondents indicated more positive expectations of a "small" council with respect to three of the four factors. Respondents placed the strongest emphasis on cost savings, which 59.0% felt would be more likely with a small council (**Figure 3-2**). Past surveys have obtained similar results.

[9] For communities that cross district boundaries such as Falmouth, Lower Burlington (Districts 1 and 2), Newport Corner (Districts 4 and 5), and Leminster (Districts 7 and 8), allocated survey responses to each district based on the share of electors in those districts. For example, 1,299 of 1,789 or 72.6% of electors within the NSCAF boundary for Falmouth are with District 9. Stantec, therefore, allocated 72.6% of 150 responses (i.e., 109) received from Falmouth to District 9. Some error may also be attributable to inaccurate identification of some communities by some respondents relative to NSCAF boundaries.

Table 3-1 Respondents by Town of Windsor and West Hants Polling Districts, Windsor-West Hants Council Size Survey, 2019

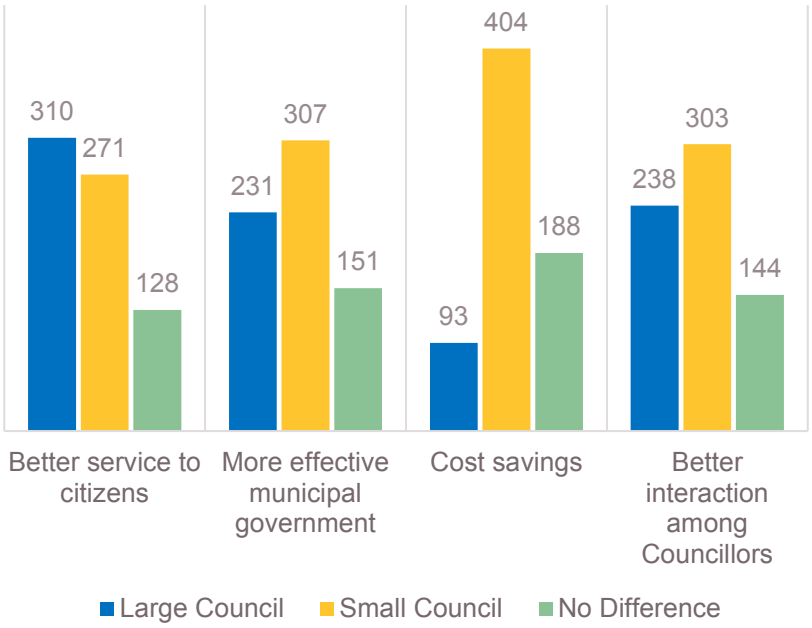


District	Responses			% of Responses			Electors
	Online	Print	All	Online	Print	All	
1	55	42	97	9.2%	35.3%	13.5%	6.0%
2	44	20	64	7.3%	16.8%	8.9%	7.3%
3	42	30	72	7.0%	25.2%	10.0%	8.3%
4	40	12	52	6.7%	10.1%	7.2%	7.9%
5	37	11	48	6.2%	9.2%	6.7%	7.0%
6	45	0	45	7.5%	0.0%	6.3%	10.4%
7	42	1	43	7.0%	0.8%	6.0%	10.0%
8	75	0	75	12.5%	0.0%	10.4%	9.9%
9	109	0	109	18.2%	0.0%	15.2%	8.5%
10	29	0	29	4.8%	0.0%	4.0%	6.0%
Windsor	81	3	84	13.5%	2.5%	11.7%	18.8%
TOTALS	**599**	**119**	**718**	**100.0%**	**100.0%**	**100.0%**	**100.0%**

Source Town of Windsor and the Municipality of the District of West Hants

The margins in favour of a small council were close for effective municipal government (44.6%) and council interaction (44.2%). Respondents anticipated better council service to residents from a large council with 43.7% expecting more from a large council and 38.2% endorsing a small council. Later responses to the print survey, tended to favour a large council in response to this question. Those responses swung the response to a result more in-line with previous surveys of this type that we have conducted where respondents usually favoured a larger council with respect to expectations of service.

Figure 3-2 Expectations of Council Size, Windsor-West Hants Council Size Survey, 2019



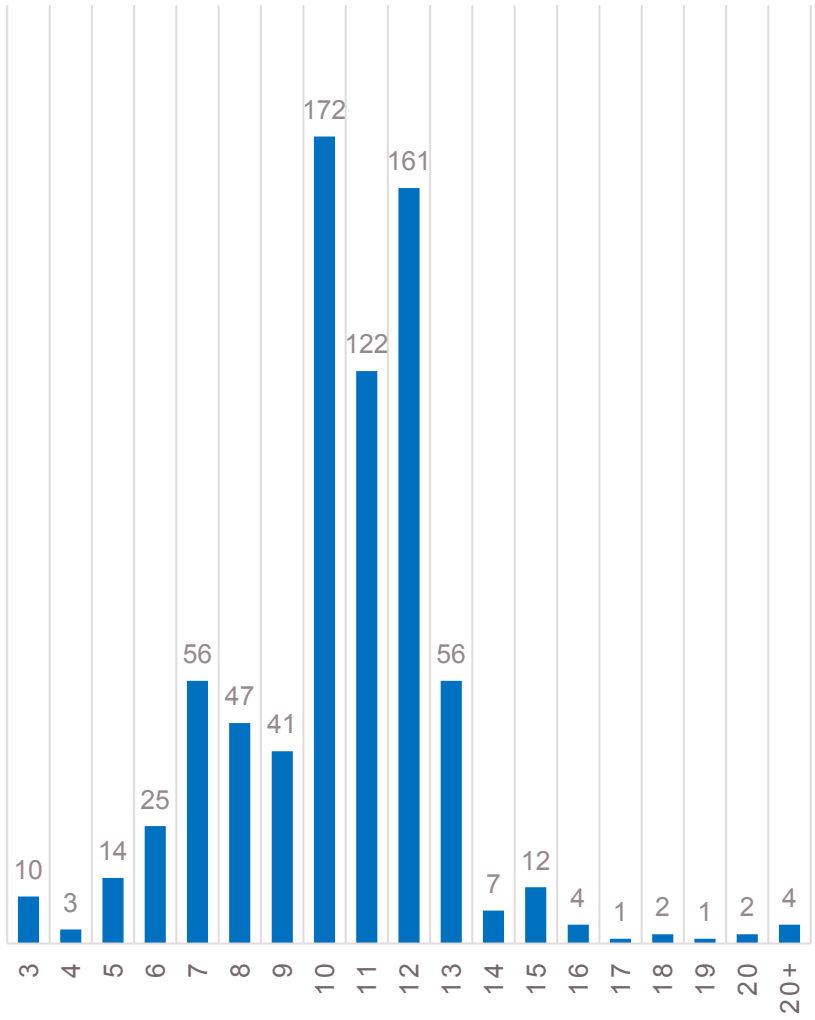
Source Stantec Consulting Ltd.

Question 3 – Preferred Council Size

The most preferred council size including the mayor was ten, which was favoured by 23.2% of 740 respondents to the question who expressed a preference. The second choice was twelve, which was selected by 21.8% (**Figure 3-3**). Councils of ten and twelve exchanged the lead position over the course of data collection for the survey. At the outset, ten was the most popular choice but later respondents tended to favour larger council sizes. Close to the end of the survey and immediately before the final public session, twelve briefly overtook ten, although later responses restored ten to the leading position. In the same context, eleven rose to become the third choice, overtaking seven.

Fully, 88.5% of responses fell between seven and 13, and 61.5% were accounted for by ten through twelve. Interestingly, eleven was the most popular answer among respondents to the print survey, accounting for 39.3% of that subset of respondents. In the overall survey, a significant group (19.5%) endorsed a council of seven to nine, although many more favoured the range of larger councils from eleven to thirteen (45.8%). The average of all responses was 10.4 council members including the mayor.

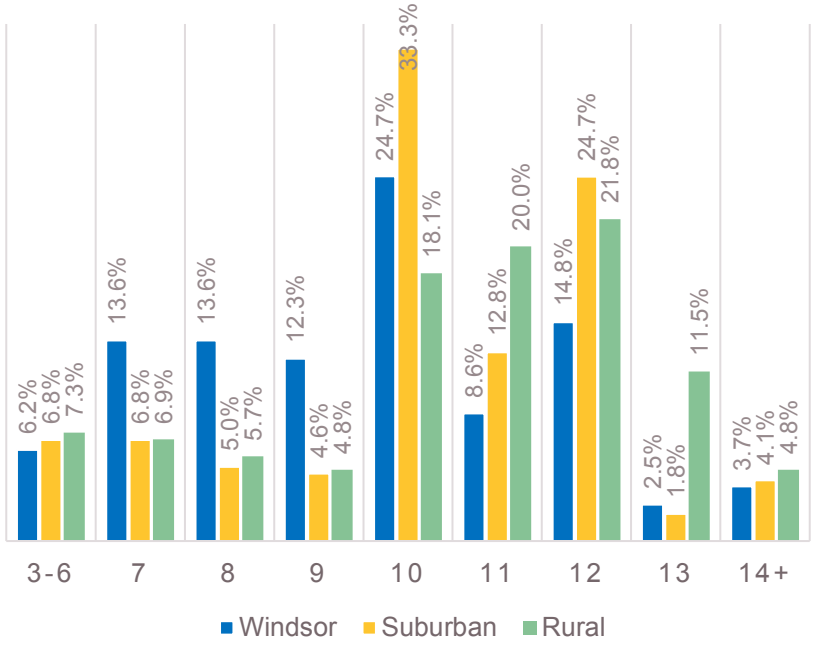
Figure 3-3 Preferred Council Size, Windsor-West Hants Council Size Survey, 2019



Source Stantec Consulting Ltd.

Figure 3-4 illustrated the breakdown among the Town of Windsor, other serviced areas (i.e., Hantsport, Falmouth, Currys Corners, Garlands Crossing, and Wentworth Creek), and remaining rural areas of West Hants. The three distributions suggest a stronger preference for a larger council among rural residents than serviced area and Windsor residents, but not particularly pronounced. The average response of Windsor residents was 9.6 council members, for residents of other serviced areas 10.3. In rural areas the average was 10.6. Notable differences between the areas are the large proportion in Windsor who favour a council of seven to nine and a significant group of rural residents who would prefer a council of 13 (11.5%). While, the range from eleven through twelve accounted for just less than half of Windsor respondents (48.1%), clear majorities favoured it in the other serviced areas (70.8%) and rural areas (59.9%).

Figure 3-4 Council Size Preference by Area, Windsor-West Hants Council Size Survey, 2019



Source Stantec Consulting Ltd.

Question 4 – Rationale for Council Size Preference

Stantec examined all 478 comments in response to Question 5 taking into account the preferred council size chosen and the community of the respondent. Respondents who chose very small council sizes (i.e., six or fewer) emphasized efficient decision-making more than any other factor. Those preferring a council of 13 or more stressed representation, particularly representation of rural interests. Their comments tended to be negative toward consolidation, which most appeared to consider a threat to rural interests.

Some within the larger group who preferred a council of seven to twelve expressed similar concerns with efficiency and representation as well as support for and opposition to the consolidation initiative; however, many introduced more detailed breakdowns of how council seats should be distributed among the leading communities. Those favouring seven to nine council members emphasized efficient decision-making but also suggested that the ratio of population to council members was realistic and manageable. In this range, respondents suggested one councillor would be sufficient for Windsor and the remainder would serve West Hants.

Among respondents espousing a council of ten to twelve, priority shifted more clearly to representation. Many recognized that a council of ten or more would provide two positions for Windsor and one for Hantsport, leaving six to eight positions for West Hants. Even within this group, a significant number of respondents expressed a desire for efficiency recognizing that even a council of twelve represents a reduction relative to the 15 political representatives currently serving Windsor and West Hants as separate municipal units.

Question 8 – Final Comments

Only 142 respondents chose to add final comments at the end of the survey. Most reinforced views expressed in response to Question 5 and offered opinions concerning consolidation. Several addressed the representation of specific communities and two from Hantsport expressed their desire that Hantsport continue to be recognized in a separate district without Mount Denson.

4.Recommendation

Council sizes from ten through twelve were clearly favoured by respondents to our survey of residents. Even in the Town of Windsor, which clearly has the largest constituency preferring a smaller council, nearly half of residents expressed preferences between ten and twelve, and the majority (54.3%) favour a council of ten or more. While there are very clear shortcomings with the representativeness of the survey, all significant sub-groups that we have examined favoured a council in the same range. In areas outside of Windsor the majority generally favoured a larger council.

While direct consultation with residents at meetings cannot be expected to extract clear opinions concerning council numbers, the input of meeting participants was not at odds with survey results. Unquestionably, speakers who were most supportive of consolidation expressed the hope that a smaller council would be adopted to reflect their aspirations for a unified municipality; however, more expressed concern for representation of existing communities. Several, in fact, gave specific breakdowns of their expectations for Windsor, Hantsport, and West Hants that would typically require a council of ten or eleven members in addition to a mayor.

While the portion of the community most supportive of consolidation appears to favour a smaller council, they are clearly a minority. Only 20.9% of survey respondents expressed a preference for a council of nine or fewer. Input at the public sessions aligns with the survey result: select participants spoke for a smaller council in the interest of focused and efficient decision-making but they were outnumbered by speakers more concerned with representation.

A council of ten received the most support among survey respondents with 23.2% favouring the number. A council of twelve was however a close second with 21.8%. The third most popular response, eleven, fell between the two.

Question 4 asked respondents to indicate their preferred council size including the mayor. The responses ten and twelve, therefore, correspond to nine or eleven districts. Based on our assessment of all input from consultation to date, **we recommend the assessment of scenarios for nine and eleven districts in Phase 2 of this Governance Study**. Given the expressed concern for representation of established communities through the same consultation, we anticipate structuring district options around the current district structure with the addition of the Town of Windsor.

Appendix A Council Size Survey Questionnaire

Windsor-West Hants Governance Review

About this Survey

The Municipality of the District of West Hants and the Town of Windsor will be consolidating into a new Regional Municipality April 1, 2020.

Stantec Consulting Limited has been engaged by the Region of Windsor and West Hants Municipality Co-ordinating Committee to help determine the appropriate size of the new council and the electoral boundaries of the new Regional Municipality.

As part of this process, we are asking residents to take part in this short survey. These results, along with information obtained from residents at public meetings starting in late January, as well as consultation with the existing Councils and staff, will provide the basis for the recommendation that Stantec Consulting will be submitting to the Co-ordinating Committee for review.

The Co-ordinating Committee will then present the preferred council size and boundary arrangement to the Nova Scotia Utility and Review Board for consideration. This will be one of many factors that will determine the structure and governance of the new Regional Municipality.

We appreciate you taking the time to complete the survey and helping us to become a stronger region.

Please drop your completed survey off at either:

- Windsor Town Hall, 100 King St., Windsor
- West Hants Municipal Office, 76 Morison Drive, Windsor

For further information, please contact:

John Heseltine, LPP MCIP
Stantec Consulting Ltd.
102-40 Highfield Park Drive, Dartmouth NS B3A 0A3
Phone: (902) 481-1477
John.Heseltine@stantec.com

This survey is also available online through https://strongerregion.ca/ and the websites maintained by the Town of Windsor and the Municipality of the District of West Hants.

Windsor-West Hants Governance Review

Consolidation and Council Size

1. Please indicate if you voted in any of the past three municipal council elections in either the Municipality of the District of West Hants or the Town of Windsor. [CHECK AS MANY AS APPLY]

- [ ] 2008
- [ ] 2012
- [ ] 2016
- [ ] I did not vote in any of these elections

2. Please indicate whether you would expect a large or small council to have the following benefits for the new Regional Municipality.

	Large Council	Small Council	Won't make any difference
Better service to citizens	○	○	○
More effective municipal government	○	○	○
Cost savings	○	○	○
Better interaction among Councillors	○	○	○

3. West Hants currently has ten council members serving 15,368 residents; Windsor has five council members serving 3,648. The new Regional Council will include a Mayor and will serve 19,016 residents.

Please indicate the number of Council members, including the Mayor, you feel should represent the residents of the new Regional Municipality (the minimum Council size is three members plus the Mayor).

4. Why did you choose that number as the number of council members you would prefer for the new Regional Municipality?

Windsor-West Hants Governance Review

Some Information About You

5. What community do you live in?

- ◯ Ardoise
- ◯ Ashdale
- ◯ Avondale
- ◯ Belmont
- ◯ Bishopville
- ◯ Bramber
- ◯ Brooklyn
- ◯ Cambridge
- ◯ Centre Burlington
- ◯ Cheverie
- ◯ Cogmagun
- ◯ Currys Corner
- ◯ Ellershouse
- ◯ Falmouth
- ◯ Garlands Crossing
- ◯ Greenhill
- ◯ Gypsum Mines
- ◯ Hants Border
- ◯ Hantsport
- ◯ Hillsvale
- ◯ Kempt Shore
- ◯ Leminster
- ◯ Lower Burlington
- ◯ Mantua
- ◯ Martock
- ◯ McKay Section
- ◯ Mill Section
- ◯ Mosherville
- ◯ Mount Denson
- ◯ Newport Corner
- ◯ Newport Station
- ◯ Panuke Lake
- ◯ Pembroke
- ◯ Poplar Grove
- ◯ Riverside
- ◯ Scotch Village
- ◯ St. Croix
- ◯ St. Croix 34
- ◯ Summerville
- ◯ Sweets Corner
- ◯ Three Mile Plains
- ◯ Union Corner
- ◯ Upper Burlington
- ◯ Upper Falmouth
- ◯ Upper Vaughan
- ◯ Vaughan
- ◯ Walton
- ◯ Wentworth Creek
- ◯ Wile Settlement
- ◯ Town of Windsor
- ◯ Windsor Forks
- ◯ Woodville

Other community (please specify)

Windsor-West Hants Governance Review

6. What is your gender?

- ◯ Female
- ◯ Male
- ◯ Prefer not to answer

7. Which category below includes your age?

- ◯ 14 years or less
- ◯ 15 to 17 years
- ◯ 18 to 19 years
- ◯ 20 to 24 years
- ◯ 25 to 34 years
- ◯ 35 to 44 years
- ◯ 45 to 54 years
- ◯ 55 to 64 years
- ◯ 65 to 74 years
- ◯ 75 to 84 years
- ◯ 85 years or more
- ◯ Prefer not to answer

Upcoming Public Meetings

We appreciate your help with the Governance Review and encourage you to attend one of the following public meetings planned to discuss the size of the future Regional Council for Windsor and West Hants. Each meeting will begin with an open house from 6:00 to 7:00 pm followed by a presentation at 7:00 pm:

- **Tuesday, January 29** - Avondale Community Hall, 50 Avondale Cross Rd, Avondale
- **Wednesday, January 30** - Brooklyn Civic Center, 995 Hwy 215, Brooklyn
- **Thursday, January 31** - South West Hants Fire Hall, 1884 Hwy 14, Vaughan
- **Tuesday, February 5** - Windsor Community Center, 78 Thomas Street, Windsor
- **Wednesday, February 6** (snow date for the 1st 4 meetings) - West Hants Municipal Office, 76 Morison Road, Windsor
- **Thursday, February 7** - Falmouth Community Hall, 147 Falmouth Back Rd, Falmouth
- **Wednesday, February 13** (snow date for February 7) - West Hants Municipal Office, 76 Morison Road, Windsor

8. If you have any further thoughts about the size of the council for the new Regional Municipality or any related issue, please share them with us here.



Design with community in mind

Report to the Co-ordinating Committee in relation to Council Size and Polling Districts for the Region of Windsor and West Hants Municipality

Submitted by
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Assistant Professor
Schulich School of Law, Dalhousie University
Halifax, Nova Scotia

February 19, 2019

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Executive Summary

On April 1, 2020, the Region of Windsor and West Hants Municipality (hereafter, "WWH") will join the Cape Breton Regional Municipality, Halifax Regional Municipality and Region of Queens Municipality as the one of only four regional municipalities in Nova Scotia. It will also be the first such regional consolidation to take place in the province in over twenty years.

The purpose of this report is to provide background context and analysis on two key questions of institutional design for WWH. First, what is the optimal size for the new regional council? Second, what are the appropriate geographic boundaries for the municipality's polling districts? How these two questions are approached and answered may have consequences for the functioning and long-term success of the new regional municipality—and, to the extent that WWH serves as a model for other regional consolidations, may influence future municipal reforms across the province.

In reaching a decision on these two issues for WWH, the Nova Scotia Utility and Review Board will have a deeper set of precedents to draw on than it did when determining council size and polling districts for earlier regional consolidations. By mapping the relevant statutory provisions and the Board's emerging analytical framework for determining these issues, this report provides a basis to better understand the available choices between larger and small councils and the different approaches to establishing district boundaries. Both of these inquiries are described in this report as an exercise in balancing competing but legitimate sets of values and goals.

The report's main recommendations can be summarized in three points. First, consistent with past cases of regional consolidation and with the need to balance effective representation and effective governance, the new regional council for WWH should likely be smaller in size than the combined councils of the Town of Windsor and the Municipality of the District of West Hants. Second, in establishing polling district boundaries, community of interest factors play an important role—but in the unique context of regional consolidation, those factors will also need to be weighed against demands to advance regional interests. Third, determinations of council size and polling districts should be based on a close consideration of how these two institutional features relate to one another and how they may or may not change and evolve over time in the dynamic context of municipal reform.

While Nova Scotia has a long history of studying municipal reforms, much has changed since calls for "modernization" emerged in the late 1960s and early 1970s and since the last round of regional consolidations in the mid-1990s. This report builds on those past studies by surveying the recent law and academic research on council size and polling districts. It then synthesizes the available material for application to WWH within the broader context of municipal reform in Nova Scotia.

1. Introduction

At the request of the Councils of the Town of Windsor and the Municipality of the District of West Hants, the Minister of Municipal Affairs introduced Bill 55 to the provincial legislature on September 25, 2018. The *Region of Windsor and West Hants Municipality Act* (the "Act") received royal assent on October 11, 2018.[1] Section 3 of the Act consolidates the Town of Windsor and the Municipality of the District of West Hants into the new Region of Windsor and West Hans Municipality ("WWH") effective April 1, 2020. WWH is only the fourth regional municipality created in Nova Scotia and the first such regional consolidation in the province in the past two decades.

The Co-ordinating Committee overseeing the consolidation is chaired by a Co-ordinator appointed under the Act by the Governor in Council. Section 10 of the Act requires the Co-ordinator to apply to the Nova Scotia Utility and Review Board [the "Board"] to determine the number of councillors and the geographic boundaries of the polling districts for the new regional municipality.

1.1. Mandate

On January 21, 2019, the Co-ordinator requested a written report to inform the Co-ordinating Committee about approaches to determining the council size and polling district boundaries for WWH. The report was to be conducted in parallel with a Governance Review, including public consultations, completed by Stantec. The Co-ordinator asked that the report:

- provide an understanding of approaches taken to determining council size and polling district boundaries in previous similar Nova Scotia cases before the Board, including approaches taken by associated studies submitted to the Board in support of those applications; and
- include an overview of the current literature on creating effective representation at the local government level.

This is the report submitted to the Co-ordinating Committee in fulfillment of the Co-ordinator's request.

1.2. Scope of Report

This report is based on a review of the following materials:

- legislation relevant to the Board's determination of council size and polling district boundaries in cases of regional consolidation; and
- the Board's past decisions upon applications to establish or revise council size and polling district boundaries for the three pre-existing regional municipalities in Nova Scotia: Cape Breton Regional Municipality, Halifax Regional Municipality, and the Region of Queens Municipality;
- reports submitted to the Board in support of the above applications;

- relevant Canadian and comparative research literature on municipal council size and the distribution of polling districts.

By way of background, additional materials related to the broader context of municipal reform and restructuring in Nova Scotia were also reviewed. Apart from a few cases of particular relevance, the Board's decisions on council size and polling districts upon application by municipal councils under section 369 of the *Municipal Government Act* (the "MGA") were not reviewed for the purposes of this report.[2]

2. Regional Consolidation in Nova Scotia

Changes in the structure of municipal government in Nova Scotia have long shaped how local communities govern themselves and how those communities connect with and relate to one another. In the early colonial history of the province, these changes were driven by the global forces of war, international migration, and British imperialism, as Loyalist settlers from New England challenged the centralizing tendencies of municipal administration under the British and brought with them new ideas about the value of self-governance and local control.[3] Since the mid-twentieth century, shifting demographics and economic conditions, the changing scope and complexity of local services, and the introduction of new technologies have all combined to create new pressures for municipal reform.[4]

How municipal governments should be restructured to respond to these pressures has been a much-studied topic in Nova Scotia over the last half-century or more. In 1967, the Pictou County Municipal Coordination Study considered several alternatives for structural reform across the six existing municipal units in Pictou County.[5] Just four years later, the Royal Commission on Education, Public Services and Provincial-Municipal Relations (the Graham Commission) began an exhaustive review of municipal boundaries and financing. As recently as 2014, the Report of the Nova Scotia Commission on Building Our New Economy (the Ivany Report) recommended that the provincial government initiate a review of current municipal government structures to improve "efficiency, cost effectiveness and community engagement."[6] The intervening years of the late twentieth and early twenty-first century produced several additional studies and reports on the topic.

These studies are perhaps most remarkable for their consistency in recommending a reduction in the number of municipal units through some form of amalgamation. Likely the most influential has been the report of the province's Task Force on Local Government in 1992, which identified five "critical regions" as a "first priority" for structural reform.[7] Rejecting the two-tier model that had been taken up in parts of Ontario and the Western provinces, the Task Force recommended that Nova Scotia pursue single-tier, regional-level consolidations of existing city-county units—with the county-level serving as the preferred scale for reorganization.[8]

In the wake of the Task Force report, the provincial government initiated regional consolidations in the two most populous regions in the province by way of special legislation,[9] creating the Cape Breton Regional Municipality ("CBRM") in 1995 and the Halifax Regional Municipality ("HRM") a year later. The Region of Queens Municipality ("Queens") was also created in 1996, consolidating the town of Liverpool and the Municipality of Queens County—although this restructuring was unique in that local officials initiated the consolidation rather than have it

imposed by the Province.[10] Historians have noted that the primary motivations varied for each of these three regional consolidations. The changes in Cape Breton were an attempt to address the financial viability of the nine municipalities comprising the new regional government, while in Halifax the rationales included cost savings, unsustainable economic competition between the four former municipalities, and problems with a new provincial service exchange initiative. The Queens consolidation stood apart as an amalgamation of town and rural areas with a much smaller population, where economies of scale and a shared identification as a community of interest were central features.[11]

Despite the introduction of new permanent legislation to create additional regional municipalities in 1996,[12] no further regional consolidations had been initiated until the *Region of Windsor and West Hants Municipality Act* was enacted in October 2018.

2.1. Functions of Local Government and Objectives for Reform

In part, what makes local governments unique from other levels of government in Canada is their dual identity as both service providers and vehicles for democratic expression. In its 1992 report, the Task Force on Local Government identified four key functions of local government in Nova Scotia that together capture this dual identity. Local governments are:[13]

- a provider of services based on local needs and desire;
- a forum for local citizens to make decisions on the way they want to live;
- a forum for the resolution of conflicting views within local communities;
- a representative of the community to lobby on its behalf.

In whatever way municipal government is structured or restructured, its institutional features should be designed to reflect these key functions. The Provincial-Municipal Fiscal Review, published in 2014, put forward the view that any structural reforms to municipal government should seek to achieve the following objectives:[14]

- democracy—reforms "should uphold transparent, accountable, accessible, and representative municipal government";
- equity and fairness—reforms "should support a reasonably comparable standard of public services across Nova Scotia municipalities at reasonably comparable levels of taxation, and support a system where citizens receive best value and are taxed according to the services they have access to";
- viability and capacity—reforms "should ensure that municipalities have sustainable resources to support their long-term viability";
- efficiency and effectiveness—reforms "should encourage efficient and effective decision-making" by local government.

While each of these objectives is legitimate, they necessarily give rise to internal trade-offs that are made "real" at the level of institutional design. The balancing of those trade-offs is discussed in detail in Part 4, below.

2.2. Rationales for Regional Consolidation

The several reports on municipal restructuring in Nova Scotia that have emerged over the past half-century contain an extensive analysis of the rationales for regional consolidation and other forms of municipal amalgamation. Likewise, a considerable research literature exists, both in Canada and in comparative jurisdictions, on the topic of municipal government restructuring. This report focuses on just two aspects of institutional design within this broader context of reform—namely, council size and the distribution of polling districts in a new regional municipality. Nevertheless, a determination of these two issues will necessarily be influenced by those goals or rationales for regional consolidation that are deemed most important.

Four prominent rationales for regional consolidation emerge from the various studies and reports published on the topic in Nova Scotia:

- efficiency—restructuring at the regional level may help municipalities to reduce costs and capture economies of scale, resulting in the more efficient delivery of municipal services and more efficient decision-making;

- regional planning—reorienting planning aims and processes at the regional level can address problems of wasteful competition between municipalities for development, and may drive municipal decision-makers to adopt broader policy orientations that are more appropriate to scale of municipal challenges and opportunities;

- bargaining power—"scaling-up" local governance through consolidation can put regional municipalities in a stronger position to advocate for regional interests to senior levels of government, and to negotiate with potential investors or industry actors for economic development opportunities on more favourable terms;

- equity—combining service delivery across municipal governments may not only improve efficiency, but may also help to make service delivery more uniform and consistent, thereby improving equity among citizens within a region.

An evaluation of these rationales lies outside the scope of this report. Nor does the report engage with an assessment of alternatives to regional consolidation. But a clear understanding of the different goals above is crucial for analyzing how the issues of council size and polling district boundaries have been approached in past cases of regional consolidation. The report returns to these themes in Parts 3 and 4 below.

3. Statutory Framework and Case Law

The first goal of this report is to understand how the Board has determined council size and polling districts in past cases similar to WWH. This section introduces the relevant statutory framework and outlines the Board's general analytical framework for determining the issues of council size and the boundaries of polling districts. The section concludes by summarizing how the Board determined these issues in the three prior cases of regional consolidation in Nova Scotia, including subsequent adjustments to council size and district boundaries in those regional municipalities over time.

3.1. Statutory Framework

Section 10(1) of the *Region of Windsor and West Hants Municipality Act* (the "Act") requires the Co-ordinator to "apply to the Nova Scotia Utility and Review Board for a determination of … the number of councillors and the boundaries of the polling districts in the Regional Municipality."[15] The Act, however, is silent on the criteria to be applied by the Board in making these determinations.

Special legislation in prior cases of regional consolidation in Nova Scotia also lacked specific criteria to guide the Board's decisions about council size and polling districts.[16] In both the HRM and Queens cases,[17] the Board relied, by analogy, on the statutory provisions requiring periodic reviews of these issues in all local governments in Nova Scotia pursuant to the *Municipal Boundaries and Representation Act* (the "MBRA").[18] In 1998, the MBRA provisions—including the requirement for an octennial review of council size and polling districts and criteria to guide those determinations—were subsequently incorporated into the MGA.[19]

The Board's reliance on the MBRA in its decisions in the HRM and Queens cases is significant for WWH for two reasons. First, it suggests that the criteria for determining council size and polling districts now set out in section 368 of the MGA will be persuasive factors for the Board. Second, it suggests that the more general analytical framework the Board has developed in its section 369 jurisprudence since the early 2000s will likely guide the Board in determining council size and polling districts for WWH.

Sections 16(2) and 17 of the MBRA, which were relied on by the Board in the HRM and Queens cases, read as follows:[20]

> 16(2) In settling and determining the number and boundaries of wards and polling districts and the number of aldermen or councillors for each ward or polling district, the Board shall give consideration among other things to population density, community of interest and geographic size of wards and polling districts. [emphasis added]
>
> […]
>
> 17 During the year 1987 and during each sixth year thereafter the council of each municipality other than a city or town shall cause a study to be made of the number and boundaries of the then existing polling districts in the

> municipality and the fairness and reasonableness of the number of polling districts and of the number of councillors to be elected from each, and before the end of the year in which the study is made shall make an application to the Board either for confirmation of or approval of changes in the number and boundaries of polling districts and the number of councillors to be elected from each polling district. [emphasis added]

When the new MGA was enacted in 1998, it incorporated the requirements for periodic review formerly found in the MBRA. Section 369 of the MGA now reads:

> 369(1) In the year 1999, and in the years 2006 and every eighth year thereafter the council shall conduct a study of the number and boundaries of polling districts in the municipality, their fairness and reasonableness and the number of councillors.
>
> (2) After the study is completed, and before the end of the year in which the study was conducted, the council shall apply to the Board to confirm or to alter the number and boundaries of polling districts and the number of councillors.

Subsection 368(4) of the MGA establishes the general powers of the Board upon a municipality's application to determine council size and polling districts:

> 368(4) In determining the number and boundaries of polling districts the Board shall consider number of electors, relative parity of voting power, population density, community of interest and geographic size. [emphasis added]

The specific factors identified in this provision are discussed in more detail below.

3.2. The Board's Analytical Framework

In the course of reviewing municipal applications respecting changes in council size and polling district boundaries under section 369 of the MGA, the Board has developed a general analytical framework that incorporates—but is not limited to—the factors listed in subsection 368(4). Based on the precedent established in the HRM and Queens consolidation cases, it is likely that the Board will apply this general framework when determining the council size and polling districts for the Region of Windsor and West Hants.

In 2004, HRM applied to the Board under section 369(1) to confirm its preexisting council size and the boundaries of its polling districts.[21] Following its decision on the municipality's application, the Board established a two-step framework to guide municipal applications addressing council size and polling districts in future cases. At the first stage, the Board instructed municipalities to address the appropriate size of the municipal council. At the second stage, once council size has been determined, the Board instructed applicants to address the appropriate distribution of polling districts.[22]

3.2.1. Step One: Council Size

When determining the size of council at the first stage, the Board will consider the following factors:[23]

- the desired style of council;
- the governance structure of council; and
- the effective and efficient number of councillors.

The first two of these factors—the desired style of council and its governance structure—are not mentioned in the MGA. Instead, these factors appear to precede, and establish the relevant context for, applying the section 368 factors in order to determine "the effective and efficient number of councillors" for a municipality.

In describing the "desired style of council", the Board referred to citizens' expectations about the manner in which they engage with councillors and the extent to which councillors are directly accessible to their constituents. The Board distinguished between two styles of council on these grounds: a "board of directors" style and a "board of management" style.[24] While the Board did not elaborate on these two models, it appeared to have in mind the contrast between a council that is delegated relative autonomy to act on behalf of—but at a step removed from—its constituents, and a council whose immediate decisions are informed by its constituents and whose members are therefore directly accessible to municipal citizens. Party submissions in subsequent Board decisions have compared these styles as, alternatively, "board of directors" versus "ombudsman" models,[25] and as "executive" versus "direct accessibility" models.[26] The choice between these styles of governance has been described as the "social compact" between council and its citizens.[27] The Board noted that the style of council was a factor that should be based directly on the expectations of constituents as expressed through consultation.[28]

In describing the "governance structure of council" component of its framework, the Board referred to features of municipal governance that are likely to affect citizens' representation by, and access to, their councillors. Here, the Board appeared mainly to have in mind features such as the community councils that play a "critical role" in the governance of a regional municipality like HRM and serve as an important conduit for citizen participation and input. Presumably, structural features specific to other municipalities that affect the nature of representation or the delivery of municipal services would also be relevant to this component of the analysis—such as mayoral versus warden systems,[29] or the number of councillors elected per ward.[30]

Based on these first two components of the Board's framework, it is clear that the application of the statutory criteria in subsection 368(4) of the MGA should be sensitive to the diverse contexts of local governance. Those contexts will legitimately be informed by both citizens' expectations, by features required under statute (e.g., the mayoral system for regional municipalities), and by other institutional decisions properly made by council (or, in the present case, by the Co-ordinating Committee).[31]

There is, however, uncertainty about the extent to which these fist two factors are binding on the Board. In *Richmond County (Municipality) v. Nova Scotia (Attorney General)*, the municipality

sought judicial review of the Board's decision to reduce its council from 10 members to 5, arguing that the Board failed to consider the style of governance desired by the municipal council's constituents.[32] The Court of Appeal found that the Board's "guidance" in describing this component of the framework did not act as a fetter on the Board's jurisdiction to determine the size of council using the explicit statutory criteria found in subsection 368(4).[33]

The final factor at the first step of the Board's analysis—"the effective and efficient number of councillors"—presumably refers directly to the criteria listed in subsection 368(4) of the MGA, interpreted in light of the desired style of council and its governance structure. The statutory criteria primarily relevant to determining council size are: the number of electors, population density, and the geographic size of the municipality.

3.2.2. Step Two: Polling District Boundaries

In *Re (Halifax Regional Municipality)*, 2004 NSUARB 11, the Board addressed four factors listed in section 368(4) of the MGA relevant to determining polling districts at the second stage of analysis: relative parity in voting power, community of interest, geography, and population density.

The MGA does not describe how the four factors might interrelate to one another, but the Board has gone some distance toward clarifying this relationship in its case law. In its decisions on polling districts in both the HRM and Queens consolidation cases, the Board was careful to note the "paramount importance" of relative parity of voting power.[34] The central concern is that, when the voter-to-councillor ratio in one district exceeds that of any other district, each elector's vote in the former will be proportionally less influential in determining electoral outcomes and in public decision making.

In *Reference re Provincial Electoral Boundaries*, Justice McLachlin described relative parity of voting power as one of the conditions for effective representation.[35] The importance of this principle as a baseline for determining polling boundaries was emphasized again in the final report of Nova Scotia's Provincial Electoral Boundaries Commission in 1992, noting that "criteria such as geography or community interest may be used to temper the idea of the 'relative parity of voting power', but they do not supplant or eliminate that concept."[36]

In past cases of regional consolidation, the Board applied a threshold for variance from average voting power parity for each proposed district at ±20-25 percent. More recent Board decisions on polling district distribution pursuant to section 369 of the MGA have narrowed the expected baseline threshold for variance in relative voter power parity to ±10 percent, requiring that variance in excess of this threshold "must be justified in terms of the criteria identified in section 368(4)"—namely, the number of electors, relative parity of voting power, population density, community of interest and geographic size.[37] Furthermore, "[t]he more the variance exceeds 10 percent the greater and more detailed the justification the Board will expect."[38]

At the same time, the Board has also been clear that polling district boundaries themselves cannot be established arbitrarily but should seek to encompass "common interests"—however this might be defined.[39] Communities of interest, likely in combination with geography and population density, therefore appear to form the basis for actually mapping district boundaries,

while relative parity in voting power sets a strong outside constraint on the degree to which districts can vary in population. Nevertheless, the broad interpretation given to "community of interest" by the Board lends this criterion considerable flexibility and ambiguity, leading to uncertainty about when certain interests might "trump" others if they come into conflict with one another.

3.2.3. Relationship Between Steps One and Two

While the Board has been clear that it wants municipalities to address steps 1 and 2 of its framework in serial order, the two inquiries are clearly interrelated. For example, the size of council (and therefore the number of polling districts in a system of single-district representation) will establish parameters for drawing district boundaries. In some cases, what appears to be an optimal council size will make it impossible to establish polling districts that fall within the variance thresholds for voting power parity or meet the other criteria established by the Board.[40] In these circumstances, the Board has demonstrated some degree of flexibility in adjusting council size at the margins on the basis of factors such as community of interest—while nevertheless continuing to demand that municipalities follow the general instruction to address these issues in discrete stages, at least as a first attempt.

3.3. Prior Cases of Regional Consolidation

Below is a summary of the Board's reasons and conclusions on the issues of council size and polling districts in the three prior cases of regional consolidation in Nova Scotia (CBRM, HRM, and Queens). The summary includes both the Board's initial determinations on these issues at consolidation, as well as subsequent revisions to council size and polling districts upon application by each of the regional municipalities under section 369 of the MGA. Table 1 shows how council size has changed in each of the regional municipalities over time since before consolidation in 1995-1996.

	CBRM	HRM	Queens
Before consolidation (total)	70	60	16
After consolidation (1995/96)	21	23	9
1999	16	23	9
2004	16	23	9
2011	12	16	7

Table 1: Council Size in Nova Scotia's Regional Municipalities, Pre-consolidation to 2011

3.3.1. Cape Breton Regional Municipality (CBRM)

The consolidation of Cape Breton Regional Municipality (CBRM) encompassed the area of the former Cape Breton County, amalgamating eight separate municipal units that contained a mix of urban, suburban and rural populations. The region contained 13 percent of the total provincial

population at the time of consolidation, second in size only to the region of Halifax County. Since the mid-1960s, "industrial" Cape Breton had been experiencing declining economic prospects, out migration, and an aging population.[41]

Prior to consolidation, Cape Breton County's eight municipalities included a total of 70 councillors, a total population of 120,098 and a voting population of 83,769. Voter-per-councillor ratios varied across these pre-existing municipalities from 155:1 to 2,222:1.

Charles Campbell, the regional Co-ordinator, issued his Interim Report on the consolidation to the Minister of Municipal Affairs in July 1993. Campbell proposed establishing a new regional council of 20 councillors. In proposing a council of this size, the Co-ordinator was primarily concerned to "balance the goals of effectiveness and representation."[42] Campbell's view was that large councils tended to be unworkable, a problem which itself would impair effective representation of councillors' constituents. He was also concerned that "there is a tendency … for very large councils to be unduly concerned with neighbourhood issues, of importance to the individual councillors, and not sufficiently directed to the needs of the region as a whole."[43] This conclusion was based in part on Campbell's understanding of the experiences of other large cities in the Atlantic region and across Canada which, in his view, favoured "smaller, more workable councils."[44]

On the question of polling districts, the Co-ordinator noted that the geography of the new regional municipality and large variation in the geographic size of polling districts across the former municipal units created challenges in maintaining relative parity in voting power while ensuring that councillors on the new council could effectively represent their constituents.[45] Campbell was sensitive to the need not to divide communities of interest, but also recognized that reinforcing the boundaries of prior municipal units could divide communities of interest in some cases while protecting them in others. Accordingly, "[m]any living on the boundaries of cities and towns have more in common with the urban units than with those who shared the same councillor but were of a more rural bent."[46] But Campbell also recognized that public perception played an important role, noting that simply creating polling districts to ensure that they each include some mix of urban, suburban and rural could divide these interests and pit them against one another, leading to political dysfunction. In Campbell's view, the inevitable contest between these interests would be more appropriately played out within the council itself, rather than within particular polling districts.[47] Finally, the Co-ordinator noted that polling districts should not be split by major geographic barriers, which could impair access to elected officials.[48]

After a preliminary hearing on these issues, the Board requested that the Co-ordinator file a revised application to address problems with one of the proposed districts. The Board ultimately settled on a council of 21 members, resulting in an average voter-per-councillor ratio of 3,989:1. While the Co-ordinator had set an ambitious goal for variance in voting power to within ±10 percent of the average,[49] the Board ultimately rejected this proposal based on its concerns about geographic size and about reinforcing pre-existing divisions between rural and urban voters.[50] The Board allowed a number of districts to vary within ±20.9 percent,[51] noting that "[i]t would not be inappropriate if the small urban polling districts exceeded +10 percent while the large rural polling districts exceeded -10 percent."[52] In one "special circumstance", the Board allowed a district to vary by -54.7 percent.

In 1999, just five years after the creation of the new CBRM, the regional council applied to the Board under section 369 of the MGA to reduce its size from 21 members to 16 members. That application was accepted by the Board. In 2011, the regional municipality applied to maintain its *status quo* size of 16 councillors, but the size of council was again reduced by the Board, creating a new council of 12 members. This most recent reduction resulted in a voter-per-councillor ratio of 6,936:1.[53] Following the reduction of council size to 12 councillors in 2011, the variation in voting power between districts was reduced considerably—to a range between -25.9 percent to +16.3 percent.[54]

3.3.2. Halifax Regional Municipality (HRM)

The area formerly encompassed by Halifax County is the largest urbanized area in Nova Scotia. The former municipalities of Halifax City, Dartmouth, Bedford and Halifax County—an area covering nearly 1.5 million acres—were consolidated to create the Halifax Regional Municipality in 1996.

Prior to consolidation, the four former municipal units were governed by a total of 60 councillors and comprised of 45 different wards. The population of the new regional municipality when it was created was 330,846, with a total voting population of 249,510. Voter-per-councillor ratios in the former units varied from 1,936:1 (in Bedford) to 9,538:1 (in Halifax City).

C. William Hayward, the Co-ordinator for the HRM consolidation, submitted his Interim Report on the consolidation to the Minister of Municipal Affairs in July 1993. Echoing many of the same ideas and much of the same language as the Campbell report, Hayward's report recommended a new council size of 20 members and, in making this recommendation, sought to "balance the goals of effectiveness and representation."[55] Likewise, Hayward's report mirrored many of the considerations in the Cape Breton report—however, the former recommended a broader range for the variance in average in voting power of ±20 percent (compared to ±10 percent), noting that ±30 percent may be justified in unusual cases.[56]

The Board ultimately determined that the new regional council should be slightly larger, at 23 members, resulting in an average voter-per-councillor ratio of 10,337:1. In rejecting the smaller proposed council size, the Board emphasized that a municipal councillor, "particularly in a rural area, is expected to perform a wide variety of activities for his or her constituents. For many people in rural areas, this is their one contact with all levels of government."[57] The Board also expressed the concern that district sizes for the new regional municipality remain proportionally smaller in population than in federal or provincial ridings, and proportional to the voter-per-councillor ratios in other Nova Scotia municipalities.[58] In determining polling districts, the Board accepted a variance in average voting power of ±25 across districts and the final districts approved by the Board all fell within this range (between -21.6 percent to +23.8 percent).

The size of HRM's council remained unchanged until 2011, when the Board ordered a reduction in the size of council to 16 members—notwithstanding the regional council's request to maintain the *status quo*. This resulted in an average voter-per-councillor ratio across the regional municipality of 20,664:1. Following this reduction in council size, the variation in voting power between districts narrowed to between -20.7 percent and 13.0 percent.[59]

3.3.3. Region of Queens Municipality (Queens)

The consolidation of the Town of Liverpool and the Municipality of the County of Queens that produced the new Region of Queen Municipality in 1996 differed from the consolidations in Cape Breton and Halifax in a few important respects. First, the Queens consolidation did not include a major urban centre but was instead the product of amalgamating a town and rural area with a much smaller population.[60] This feature places the Queens case closer to the social, economic and demographic context of WWH. Second, the Queens consolidation was not mandated by the Province—as it had been for CBRM and HRM—but was initiated locally.[61]

Nevertheless, despite this context, the mayor, warden and the respective councils of the two pre-existing municipalities apparently ran "into difficulty in agreeing on how best to implement" the consolidation.[62] As a result, two independent, local business persons—Harold Dobson and James Sapp—were asked to undertake a study of municipal reform for Queens and to provide a "blueprint" for the consolidation. The total voting population over the area of Queens County at consolidation was 9,404. The Town of Liverpool had 6 councillors and an average voter-per-councillor ratio of 385:1, while Queens County had 10 councillors an average ratio of 730:1.

In addressing the question of council size, Sapp and Dobson took their cue from the Task Force on Local Government's emphasis on balancing "citizen accessibility" with "cost-effective service delivery"[63]—although the report itself offers little insight into how the authors used this principle to arrive at their preferred council size. Sapp and Dobson argued that a ±20 percent requirement should guide assessment of polling districts based on voting power parity.

Based on Sapp and Dobson's study, the Co-ordinator for the Region of Queens recommended to the Board that the new regional municipality have a council size of 9—resulting in an average voter-per-councillor ratio of 1,044:1—a recommendation that was supported by a majority of councillors and citizens who gave evidence before the Board.[64] The Board approved a council of 9 councillors, as well as the recommended polling district boundaries based primarily on community of interest and geographic factors. The Board's determination of 9 polling districts produced districts with variation in relative parity of voting power between -22 percent to +23 percent.

In 2011, the Region of Queens Municipality applied to reduce the number of councillors and poling districts to 7, based primarily on concerns about a projected decline in population in the region.[65] This application was accepted by the Board, yielding a new average voter-per-councillor ratio of 1,167:1.[66] Following the reduction in council size, the variation in voting power between districts narrowed dramatically, to between -2.66 percent to +3.51 percent.[67]

4. Synthesis of Cases and Academic Research

The relevant statutory criteria for determining the optimal council size and distribution of polling districts are quite broad, and they offer precious little insight into how to address the trade-offs inherent in key decisions around the institutional design of municipal governance. While there are many factors that might bear on such decisions, this report proposes that, in the context of regional consolidation, determining council size and the distribution of polling districts can be addressed as an exercise in balancing two respective sets of competing but legitimate values or aims.

The "optimal" council size for WWH primarily engages the balance between what researchers have called *representation* and *governance*—that is, between council's ability to provide effective political representation on the one hand and effective municipal governance or legislative functionality on the other. Likewise, the question of district boundaries engages the balance between *community* and *regional* interests—that is, between demands by existing communities of interest for political recognition on the one hand and imperatives for regional planning and policy making on the other. While these are certainly not the only questions of balance that might be relevant to the Board's determinations, they are arguably the most salient and those best informed by the existing body of available research.

4.1. Council Size

As the Board's analytical framework recognizes, any determination of an "optimal" council size for WWH will necessarily be context specific. As an early study on the question of council size observed, "there is neither an abstract optimal size for a national, state, or city legislature nor an accepted formula for establishing legislative size, because decisions on size involve fundamental matters of representation, governmental effectiveness, political accountability, and the competitiveness of the city's political system."[68]

The optimal council size for WWH will turn on how best to navigate the several trade-offs between effective "representation" and effective "governance". The Board recognized as much in its initial determination of council size for the new Region of Queens Municipality when it observed that its decision "must balance both the number of voters a councillor will represent and the maximum number of councillors who can effectively work as a council."[69] As the Task Force on Local Government noted, "[t]he reorganization of any system of local government must always balance the requirements of accountability and accessibility with those of efficiency and economy."[70]

4.1.1. Representation

Effective political representation refers to a councillor's ability to effectively represent the views and interests of their constituents. In 1992, the Task Force on Local Government included two important functions of local government as (1) a forum for decisions about how local citizens want to live and (2) a forum for the resolution of conflicting views.[71] To fulfill the first of these functions, municipal councillors must be well-informed about their constituents' views and accountable for representing those views accurately and zealously. To fulfill the second of these functions, the council as a whole must be comprised of a enough districts to capture a range of

constituencies that bring a sufficient diversity of views and interests to the council table. In general, larger councils will be more representative in terms of both of these functions.

It is important to note that the quality of democratic representation in any municipality will be defined, in part, by the expectations of its citizens—that is, what the Board has called the "desired style of council."[72] "Executive" or "board of directors" models of council representation are premised on the assumption that councillors enjoy relative autonomy to interpret and represent their constituents' wishes once they have been elected. In this model, elections represent a kind of delegation of authority and discretion to councillors to act on their constituents' behalf. Alternatively, "direct accessibility" models of council assume that councillors must continually seek input from, adapt to, and respond to their constituents' views throughout the election cycle. The latter model will generally require that citizens have regular access to their councillors, and that councillors have the capacity to respond to their citizens concerns on an individualized basis. As the Board noted in its initial determination for HRM, "[a] municipal councillor, particularly in a rural area, is expected to perform a wide variety of activities for his or her constituents. For many people in rural areas, this is their one contact with all levels of government."[73] To the extent that the "executive" and "direct accessibility" models are ideal types, any actual council will in practice likely operate somewhere on a spectrum between them.

Three of the statutory factors in section 368(4) of the *MGA* speak directly to the question of effective political representation: the number of electors in the municipality, its population density, and its geographic size. The greater the number of constituents each councillor represents, the less accessible they may be (in terms of time and workload) and the less "fine-grained" will be the views of each district represented at council. Geography may also play a significant role. In reviewing the council size of the Halifax Regional Municipality in 2011, the Board observed:[74]

> [T]he issue of geographic size, in addition to the other factors, is clearly a relevant point for the Board to consider. In this proceeding, HRM's geographic size, with large sparsely populated rural areas, is a factor which tempers, to some extent, the desirability of a small council size. If this factor had not been present in this proceeding, the Board would have seriously considered a much smaller council."

While the density and geographic size of a councillor's district may have a direct impact on that councillor's ability to meet constituents face-to-face or to establish proximate constituency offices, some of that impact may be mitigated if technologies (e.g. email, social media) provide effective means of communication. Access to such technologies themselves, however, may turn on variables such as socio-economic status and demography.

The degree of a council's "representativeness" is difficult to measure. As a result, relatively little empirical research is available to test the idea that larger councils are more representative compared to smaller councils. One approach has been to focus on citizens' subjective experiences of access to councillors before and after municipal reforms. Kushner and Siegel (2003) gathered interview and survey data in three Ontario municipalities following regional consolidation.[75] The three consolidations ranged in context, from a voluntary merging of two

small village with a township to a large-scale, mandatory amalgamation of a central urban area with a county and its 21 municipal units. The researchers found that councillor workloads in each of the regional municipalities were either not affected or increased after amalgamation, but they also found that these changes did not negatively impact most councillors' perceived ability to be accessible to their constituents.[76] In all three regions studied, the majority of residents surveyed reported no difference in the accessibility of their councillors after amalgamation—although a "sizeable minority" (from 11 to 34 percent) thought that access had diminished.[77] While studies such as these offer a window into peoples' experiences of representation, any general lessons should be drawn with caution. As Kushner and Siegel (2003) note, citizens' responses on the issue of accessibility after consolidation appeared to be influenced by their prior beliefs about the benefits or drawbacks of consolidation in the first place.[78]

Other studies have addressed the relationship between council size and representativeness by evaluating the diversity of council itself as a proxy for the diversity of interests or views that it represents. In their study using a large dataset from Danish municipal elections, Kjaer and Elklit (2014) find that larger councils have a positive effect on the number of women represented on council—but only to a point, as this effect largely disappears at council sizes over 11 individuals.[79] These findings suggest that setting council size "too low" in some circumstances may have adverse consequences for the representation of underrepresented or marginalized voices within the municipality.

4.1.2. Governance

Effective governance refers to council's ability to function well in its legislative and administrative roles by reaching sound policy decisions and delivering municipal services in ways that minimizes costs. Two types of costs are most significant to the issue of governance: *decision costs* and *administrative costs*.

Decision costs are incurred by councillors in reaching decisions together about the governance of the municipality. Smaller councils are generally "considered more efficient internally as fewer people participate in the political discussion and fewer compromises are needed."[80] Where council is comprised of many councillors, each representing different constituencies and interests, the time and resources needed to give voice to those different interests and to reach final decisions on matters of law and policy may be onerous or, in the extreme, debilitating if they impair decision-making and render council ineffective.[81] Decision costs speak to the "balance between representing the voices of many while retaining the ability to govern".[82] As expert testimony in a recent section 369(1) application by the Cape Breton Regional Municipality put it, the prospect of higher decision costs in larger councils raises the question, "is the political system one in which the municipality can get the job done?"[83] As the authors of the 1967 Pictou County Municipal Consolidation Study recognized, to a certain extent and in some contexts, the ability to "get the job done" amounts to a prerequisite for effective representation.[84] In order for a municipal council to provide good representation to its citizens, it must be able to function effectively.

A second category of decision costs is related to the potential for collective action problems in deciding on council's appropriate level of public expenditures. Political scientists have suggested that larger councils—all else equal—may spend more on public works projects (such as parks)

for reasons that are not driven by citizens demands or an evaluation of the cost consequences of these projects.[85] According to this view, for any given municipality, an increase in electoral districts reduces each district's *relative* contribution to public projects. This, in turn, may cause each councillor to internalize a smaller share of the overall cost burden on their ward as a whole, causing them to advocate for larger projects and higher expenditures.

Administrative costs refer to the financial costs of council operations relative to its size. A number of specific administrative costs have, in theory, been linked to larger municipal councils. The first set of costs is straightforward: each councillor undoubtedly represents a fixed expenditure in terms of salary, office space, staff support, etc. Reducing the number of councillors may reduce some of these costs. Second, even if a portion of the cost savings from reducing council size is reallocated to higher salaries for the remaining councillors, the result may be more qualified candidates and consequently higher productivity in delivering good governance.[86]

There are, however, also competing administrative costs potentially associated with smaller municipal councils.[87] Greater "professionalization" may occur in municipalities where the number of councillors is reduced, because the remaining councillors require proportionally more staff resources to support their work.[88] Moreover, councillors in municipalities with smaller councils may have proportionally higher campaign expenditures.[89]

Like effective representation, it is difficult to measure the actual decision costs associated with smaller or larger councils. But the financial cost savings of reducing council size have received some limited attention in the context of research on Canadian local government. In their study of three municipal consolidations in Ontario, Kushner and Siegel (2003) find that the costs of council administration (councillor salaries plus expenditures), decreased in two of the three cases studied, while costs actually increased slighted in a third case in the period immediately following consolidation.[90] But the researchers also found that, where financial costs decreased, these savings represented less than 1 percent of total municipal expenditures.[91]

In a quantitative analysis of council expenditures after structural reforms in HRM, Toronto and Quebec City, Meloche and Kilfoil (2017) find evidence that council expenditures dropped when council size was reduced.[92] At the same time, this study found that scale of cost reductions was proportionally less than the reduction in the number of councillors. In Halifax following the downsizing of council in 2011, council size decreased by approximately 20 percent, while council expenditures dropped by only 10 percent.[93] These results—corroborated by a large-sample analysis of fifty-one Quebec municipalities with populations over 20,000[94]—suggest that cost savings tend to be offset, to a degree, by greater "professionalization" of municipal administration through the use of more staff resources. The research on this issue was apparently anticipated by the Board in its decision to reduce the size of HRM's council in 2011. The Board concluded that:[95]

> [P]otential cost savings are not a material factor in assessing the request by those seeking to reduce the size of HRM's council. Any reduction would likely cause support costs for the remaining councillors to rise and negate some of the savings occasioned by the reduction in council size.

While there is evidence to support the argument that reducing council size leads to administrative cost savings, municipalities should not expect to realize the full savings from downsizing. This appears to hold true even in the context of regional consolidations where, as a consequence of amalgamation, some aspects of municipal bureaucracy will presumably be combined and streamlined.

4.2. Polling District Boundaries

As with council size, the determination of polling district boundaries at the second stage of the Board's analysis engages a balance between competing values or outcomes—that is, between giving political recognition to existing and historical communities of interest on the one hand and imperatives for regional planning and policy making on the other. In addition, as the Board has made clear, this balance must be guided or circumscribed by the requirement that polling district boundaries maintain relative parity of voting power within acceptable limits.

4.2.1. Community of Interest

Community of interest is a factor set out explicitly in section 368(4) of the MGA. Community of interest has been described as a "sense of common purpose" that links municipal residents of a geographic area together.[96] The Board has identified several factors that could serve as a nexus for such common purposes: history; recreational issues; tax rates (including area rates); services (water and sewer); fire protection service areas; traffic infrastructure and patterns; planning boundaries; language; ethnic origin; school districts; and shopping patterns and business centres.[97]

While section 368(4) addresses community of interest as just one among several factors, it is clear that this criterion plays a prominent role in establishing ward boundaries, especially at the outset of a regional restructuring. A report for the Royal Commission on Electoral Reform and Party Financing in 1991, cited by the Board in initial determination of polling districts for HRM, said the following:[98]

> The rationale of the principle of community of interest is that electoral districts should be more than arbitrary, random groupings of individuals. They should be, as far as possible, cohesive units, areas with common interests related to representation. Existing districts and municipal boundaries should be respected where possible. The outer borders of the district should not divide distinct communities and neighbourhoods. Unrelated and geographically isolated areas should not be artificially attached to districts with whose "core" population they share no significant links.

4.2.2. Regional Interests

The Royal Commission's commitment to preserving communities of interest and its perspective that district boundaries should not "artificially" combine "unrelated" areas and community populations exposes a significant tension with another goal of regional consideration—namely, to reduce inter-municipal competition and promote new forms of collective action and policy

making at the regional level. The determination of polling district boundaries therefore imports a crucial decision or balancing act around the question of what *scale* is most appropriate to define or measure the primary interest(s) represented in a new regional municipality.

In its decision establishing polling districts and council size for HRM, the Board observed: "[m]any people anticipated that a regional government in the Halifax metropolitan area would lead to a reduction in the parochial attitudes which have hindered co-operation between the four municipal units."[99] Quoting from the Metro Halifax Chamber of Commerce, the Board noted:[100]

> A regional perspective offers a focused decision-making process based on cooperation. Cooperative coordination on regional issues such as transportation, water and sewer treatment, policing, economic development, industrial parks, and so on, enables decisions to be made that balance a range of considerations, rather than pitting one area against another. Also, a single decision-making body is capable of considering local concerns within a broad regional perspective. The status quo—protecting what we have at the expense of others must be replaced with the view that we will all do better if we work together … a single decision-making body offers a single "point of entry" for decisions on regional issues. Municipal representation based on population distribution will deemphasize the former political boundaries and encourage communities to focus on the new regional vision.

Likewise, in determining the polling districts for the new CBRM, the Board made explicit its desire to set district boundaries that combined urban and rural electors formerly organized into separate municipal units. The Board expressed the view that "it is not necessary or desirable to have polling districts in urban areas which do not extend beyond the former town or city boundaries."[101] On this point:[102]

> The Co-ordinator expressed the view that the polling districts should be designed to encourage the new councillors to think regionally, rather than to treat their mandate as simply to advance the local interests of the former municipal units. By their very nature and history the existing communities will retain their present specific identities. However, for purposes of electing representatives to the new Council there is a deliberate attempt to have the polling districts extend beyond traditional municipal boundaries.

At the same time, the Board recognized that when creating new districts with the intention of capturing both rural and urban voters, it must be careful not to skew representation too far in favour of one constituency or the other. As the Board observed, "[t]his is a new form of government for the area. It is necessary that rural voters be fairly represented, particularly given their location in relation to where the offices of the new Municipality will likely be located. Rural voters must be assured a voice in this new form of municipal government."[103]

4.3. Linking Council Size and Polling Districts

In establishing its two-stage framework to first determine council size and then determine polling district boundaries, the Board has maintained something of a strict separation between balancing

"representation" with "governance" on one side, and "community" with "regional" interests on the other. But these two inquiries rarely, if ever, take place in strict isolation from one another.

For example, in its decision to downsize CBRM's regional council in 2011, the Board linked the size of council directly to the goal of grouping together rural and suburban voters toward encouraging "regional thinking":[104]

> The encouragement of a more regional perspective on CBRM Council is part of the maturation of the Municipality as a regional government. Some Councillors have suggested that it is time to reinforce regional identity over local communities. Reduction in the number of Council representatives will likely necessitate the combination of areas of former towns that have so far remained distinct within the Council District structure used in CBRM. As noted previously, it will also likely require the incorporation of some suburban lands into the two largely distinct rural districts within the municipality.

Likewise, Muzzio and Tompkins (1989) have noted that the goal to increase effective political representation by creating a larger council may be in tension with promoting regional interests:[105]

> Increasing the size of the council is likely to affect the balance between the legislator's district-service function and his or her larger policy-making role. If smaller districts result in a greater focus on local and parochial matters and interests and if homogeneity in district opinion offers members less room to compromise on the legislative floor, the development of a broader policy perspective in the council may be retarded.

The point here is that, from a holistic perspective, the value of promoting regional interests might be directly affected by the choice of council size. There are likely other examples illustrating how council size and polling districts are interrelated in complex ways. Although the two inquiries are largely isolated from one another under the Board's current approach, it may be necessary to gain a better understanding of how council size and polling district determinations affect one another in order to achieve the best balance between—as well as within—these issues.

4.4. A Dynamic Perspective

A further challenge is to place the determination of council size and polling district boundaries for WWH in a dynamic, forward-looking perspective. The approach to balancing and weighing the factors described above assumes, to some extent, a static analysis of the relevant goals and interests. This approach might be appropriate if council size and polling boundaries are expected to remain fixed over the long-term. The three precedents for regional consolidation in Nova Scotia (CBRM, HRM and Queens), however, suggest that these structural aspects of local governance can, and often do, change and adapt over time.

From a dynamic perspective, the basic questions before the Board are therefore not only about the "optimal" size of council or distribution of polling districts, but also about (1) the best way to accomplish these goals and (2) the extent to which "optimality" can be identified from the outset,

under the conditions of uncertainty that inevitably attach to moments of significant institutional change.

For example, in its decision to reduce the size of regional council in CBRM in 2011, the Board was aware that the "[r]eduction of Council to 12 members will obviously continue a progression that has been underway since the formation of CBRM."[106] The Board went on to observe that encouraging "a more regional perspective on CBRM Council is part of the maturation of the Municipality as a regional government."[107] While the processes and goals of "maturation" in WWH may look different than they have in CBRM, the Board's approach to these issues recognizes that the institutional design of the new regional municipality is, inevitably, an ongoing and dynamic process. Below is a brief sketch of the main considerations that influence this dynamic perspective.

4.4.1. Lock-In

Researchers who study political institutions (e.g., legislative bodies) have come to recognize that "lock-in" or "path dependence" can help to explain why these institutions are "sticky" and difficult to change—even when better alternatives are available and well known.[108] The problem of lock-in arises because people who work within existing institutions—as well as those within broader institutional networks—gradually adapt to and gain a vested interest in the *status quo*, making it very costly to "switch" to a new structure. Even when a better alternative comes along, the costs of making this switch deter people from taking action.

But while lock-in can sustain institutional inertia over long periods of time, research has also shown that sometimes "windows of opportunity" open up where the costs of transition to a new institutional arrangement decrease and change becomes possible. That new arrangement will then generate its own sources of lock-in going forward.

The creation of a new regional municipality—possibly linked with changing economic and social conditions—may present one such window of opportunity, to the extent that it disrupts some of the normal costs and benefits of working under the *status quo*. This suggests that the moment of consolidation is a unique opportunity to make ambitious change before the window of opportunity closes. At the same time, there are risks involved because once the new structure is set it is likely to exert a heavy influence over future attempts to adjust and adapt.

4.4.2. Buy-In

One example of balancing opportune and incremental changes can be found in the Board's decision to reduce the size of CBRM's council in 2011. The Board's expert, Dr. Williams, observed the there is likely to be an important relationship between reducing council size and maintaining pre-existing communities of interest:[109]

> One of the hallmarks of amalgamated municipalities is a sharp reduction in the number of elected officials in the new unit; one of the less noticeable characteristics is the tendency to tolerate patterns of representation - at least at the outset - that accommodate the pre-amalgamation units in some way.

> … [M]any amalgamated municipalities, for political and other reasons, keep some of those lines in place because it makes it a little more palatable to start with.

This example highlights the importance of securing "buy-in" from constituents and community leaders at the outset of consolidation—and of using buy-in as an additional factor in determining polling districts toward the goal of establishing a strong political foundation for future reforms down the road. Research has found that buy-in may be especially important in circumstances where a regional consolidation is driven wholly or in part by senior government and/or municipal officials. Rosenfeld and Reese (2005) note that lack of local support in some "top-down" amalgamations can lead to a more protracted transition process "because there is no political buy-in on a larger scale."[110] The fact that the consolidation of the Town of Windsor and the Municipality of the District of West Hants is a response by the provincial government to requests from both Councils forms an important part of this context for WWH.

4.4.3. Uncertainty

Not only might decision makers be prevented by lock-in from simply implementing what they perceive to be an optimal set of reforms, they might face considerable uncertainty about the end goal of reform and/or about the necessary components needed to achieve the end goal. According to Muzzio and Tompkins (1989):[111]

> [A]ny changes in basic governmental structures in a complex sociopolitical system will likely produce effects that are unforeseen or unintended by policy-makers. How changes in council size will ultimately affect both internal dynamics and constituent representation cannot be predicted with certainty. Alterations in the size of the body will have effects in combination with other changes. The core values will be influenced by myriad structural, political, economic, demographic, social, and other changes. Moreover, the consequences of changes in council size are unlikely to be immediately evident; for instance, incumbent leaders will probably continue to hold sway for a time, whatever the size of the body.

These aspects of uncertainty serve as another potential justification for determining institutional design features like council size and polling districts in an incremental fashion, to the extent that this is possible, by integrating new information and experience as time goes on.

4.5. Summary

The statutory factors listed in subsection 368(4) of the MGA for determining council size and polling district boundaries provide a starting for addressing these issues, but it is also necessary to understand the precise relationships between these different factors. Those relationships can be addressed as tensions or balancing between competing but legitimate values or aims. At the first step of the Board's analytical framework, the "optimal" council size engages a balance between effective representation and effective governance. At the second stage, the allocation of polling districts requires a balance between community and regional interests. At the same time, these questions of balance must be approached from a dynamic perspective and with the expectation of

continued change and adaptation over time, taking into account the challenges and opportunities presented by institutional lock-in, constituent buy-in, and the inevitable uncertainty attached to moments of institutional change.

5. Recommendations

In light of the functions of local government, the general objectives for municipal reform, and the rationales for regional consolidation discussed above (see Sections 2.1 and 2.2), the following seven recommendations summarize the findings of this report.

- A regional council smaller in size than the combined councils of the Town of Windsor (5 councillors) and the Municipality of the District of West Hants (10 councillors) is consistent with prior cases of regional consolidation in Nova Scotia and is likely necessary to achieve the appropriate balance between representation and governance in the new regional municipality.

- An upper limit on the size of the regional council should be based on serious attention to the decision costs associated with larger councils. The evidence linking smaller council sizes to a reduction in administrative costs is mixed—although regions with smaller populations may be better placed to realize some administrative efficiencies from a smaller council.

- A lower limit on the size of the regional council should be sensitive to citizen expectations about the desired style of council, but also to the potential impacts of council size on underrepresented groups—especially when the anticipated size is at the smaller end of the spectrum.

- Using community of interest factors to draw polling district boundaries, while important, cannot avoid the fundamental question of *whose* interests are to be prioritized through consolidation (e.g. regional, community, rural, urban).

- Despite the merits of keeping the questions of council size and polling district boundaries separate from one another, the two inquiries are clearly interrelated and should be approached as such when balancing the different factors at play.

- While council size and the distribution of polling districts are key decisions that will shape a new regional municipality, there may be other features of institutional design (e.g., community councils or citizens advisory bodies) that play an important role in determining representation, effective governance, and the weight that different interests receive in public decision making. Consistent with the Board's analytical framework, final determinations of council size and polling districts should take these features into account along with the other factors in play.

- A dynamic perspective is essential for recognizing the opportunities and constraints related to institutional change in the context of regional consolidation. While consolidation may open a window of opportunity for ambitious change in the short term, this must be weighed against the value of incremental change to attract buy-in and deal with uncertainty when appropriate.

6. Conclusion

This report has provided an understanding and synthesis of how the Board has approached the issues of council size and polling district boundaries in previous cases similar to WWH, and it has integrated insights from the current research literature on creating effective representation at the local government level. In doing so, the report builds on the several past studies and reports that have addressed these issues in the context of municipal reform in Nova Scotia.

The creation of WWH represents a unique moment in the history of municipal reform in the province. Being the first such regional consolidation in Nova Scotia in over two decades, WWH helps to draw into focus lessons learned from past experiences (in Nova Scotia and abroad) as well as persistent challenges around how to design "optimal" institutions for local governance.

A desk study of this kind of course has its own limitations, and the findings from this report will ultimately supplement information gathered through important public consultations being undertaken concurrently by Stantec with WWH citizens. While different people may take different views on the "optimal" size of council and the appropriate distribution of polling districts, there is little doubt that these issues will have a lasting impact on the success of WWH as a region. These issues—including how they are approached, as well as what is determined—may also have a lasting impact on the future trajectory of municipal reforms in Nova Scotia, making the regional consolidation of WWH a unique opportunity to lay groundwork for the future.

[1] SNS 2018, c 26.
[2] SNS 1998, c 18 at s 369(1).
[3] Elizabeth Mancke, *The Fault Lines of Empire: Political Differentiation in Massachusetts and Nova Scotia*, *1760-1830* (New York: Routledge, 2005)
[4] Nova Scotia Federation of Municipalities, "The Provincial-Municipal Fiscal Review: Consultative Report" (2014) Province of Nova Scotia Draft Paper at 7.
[5] Institute of Public Affairs, *Pictou County Municipal Coordination Study, Phase 2: Recommendations* (Halifax: Dalhousie University, 1996), vol 2 (Lawrence E Sandford).
[6] Nova Scotia, The Nova Scotia Commission on Building Our New Economy, *Now or Never: An Urgent Call to Action for Nova Scotians* (Halifax: One Nova Scotia, 2014) (Ray Ivany) at 50.
[7] Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 27-30. The five critical regions identified but he Task Force were: Cape Breton County, Pictou County, Halifax County, Colchester County, and Kings County.
[8] *Ibid,* at 32-33.
[9] *Cape Breton Regional Municipality Act*, SNS 1994, c 3*; Halifax Regional Municipality Act*, SNS 1995 c 3.
[10] Q*ueens Regional Municipality Act*, SNS 1995 c 9; Dale Poel, "Municipal Reform in Nova Scotia: A Long-Standing Agenda for Change" (2005) in Joseph Garcea and Edward LeSage, eds, *Municipal Reform in Canada* (Oxford University Press, 2005) 174 at 177.
[11] Poel, "Municipal Reform", *ibid* 177-78.
[12] *Regional Municipalities Act*, SNS 1995-96, c 16.
[13] Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 7.
[14] Nova Scotia, Steering Committee of the Provincial-Municipal Fiscal Review, *The Provincial-Municipal Fiscal Review, Part 1: The Current State of Municipal Governments in Nova Scotia* (Halifax: Service Nova Scotia and Municipal Relations, 2013) at 6.
[15] *Region of Windsor and West Hants Municipality Act*, SNS 2018, c 26 at s 10(1).
[16] See, e.g., *Halifax Regional Municipality Act*, SNS 1995 c 3. *See also, Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 5.
[17] *Re: Halifax (Regional Municipality)*, *ibid* at 5-6; *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7.
[18] RSNS 1989, c 298. The Board noted its uncertainty in both cases as to whether the new regional municipalities would be subject to such period reviews going forward, but this did not deter the Board from relying on the cited provisions. These provisions were not relied on by the Board in the Cape Breton Regional Municipality cases: *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994; *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994.
[19] *Municipal Government Act*, SNS 1998, c 18 at ss 368-369.
[20] *Municipal Boundaries and Representation Act*, RSNS 1989, c 298, ss 16(2), 17. *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 6; *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 7.
[21] *Re Halifax (Regional Municipality)*, 2000 NSUARB 44.

[22] *Ibid* at paras 106, 111.
[23] *Ibid* at para 108.
[24] *Ibid* at para 31.
[25] Re Cape Breton (Regional Municipality), 2011 NSUARB 110, 2011 CarswellNS 510 at para 72.
[26] *Richmond County (Municipality) v Nova Scotia (Attorney General)*, 2016 NSCA 11 at para 31.
[27] *Ibid* at paras 31, 33, 35.
[28] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 109.
[29] *Municipal Government Act*, SNS 1998, c 18 at ss 11-12.
[30] *Ibid* at s 10.
[31] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at paras 109-110.
[32] *Richmond County (Municipality) v Nova Scotia (Attorney General)*, 2016 NSCA 11 at para 31.
[33] *Ibid* at para 37.
[34] *See e.g.*, *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 6-8.
[35] [1993] 1 SCR 319. For the Board's discussion of this case in the Queens decision, see *Re: Queens (Regional Municipality*), NSUARB-MB-95-05 at 7-8.
[36] *Re: Queens (Regional Municipality*)*, ibid* at 9, citing Provincial Electoral Boundaries Commission Report on Effective Political Representation in Nova Scotia at 16.
[37] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 112.
[38] *Ibid*.
[39] Re: Halifax (Regional Municipality), NSUARB-MB-95-04, [1995] NSURBD No 64 at 9-10.
[40] *See, e.g., Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 and *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994.
[41] Nova Scotia, *Interim Report of the Municipal Reform Commissioner: Cape Breton County (Industrial Cape Breton)* (Halifax: Department of Municipal Affairs, 1993) (Charles A Campbell) at 2-3.
[42] *Ibid* at 49.
[43] *Ibid.*
[44] *Ibid* at 50.
[45] *Ibid* at 51.
[46] *Ibid* at 52.
[47] *Ibid.*
[48] *Ibid* at 53.
[49] *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 3, 9.
[50] *Ibid* at 15 and *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994 at 3.
[51] *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: December 1, 1994 at 5.
[52] *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 16.
[53] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 5.
[54] *Re Cape Breton (Regional Municipality)*, 2015 NSUARB 69, 2015 CarswellNS 270 at 4.
[55] Nova Scotia, *Interim Report of the Municipal Reform Commissioner: Halifax Metro Region* (Halifax: Department of Municipal Affairs, 1993) (C. William Hayward) at 53.
[56] *Ibid* at 57.
[57] *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 11.

[58] *Ibid.*
[59] *Re Halifax (Regional Municipality)*, 2015 NSUARB 148, 2015 CarswellNS 475 at 4.
[60] Dale Poel, "Municipal Reform in Nova Scotia: A Long-Standing Agenda for Change" (2005) in Joseph Garcea and Edward LeSage, eds, *Municipal Reform in Canada* (Oxford University Press, 2005) 174 at 178.
[61] *Ibid* at 177; *Queens Regional Municipality Act*, SNS 1995 c 9.
[62] Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson) at 3.
[63] *Ibid* at 15.
[64] *Re: Queens (Regional Municipality)*, NSUARB-MB-95-05 at 6.
[65] *Re: Queens (Regional Municipality)*, 2011 NSUARB 149, 2011 CarswellNS 655 at para 5.
[66] *Ibid* at para 7.
[67] *Ibid.*
[68] Douglas Muzzio, & Tim Tompkins, "On the Size of the City Council: Finding the Mean" (1989) 37 *Proceedings of the Academy of Political Science* 83 at 83.
[69] *Queens Regional Municipality*, NSUARB-MB-95-05, Page 10
[70] Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 31.
[71] *Ibid* at 7.
[72] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 108.
[73] *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 11.
[74] *Re Halifax (Regional Municipality)*, 2011 NSUARB 119, 2011 CarswellNS 518 at 35.
[75] Joseph Kushner and David Siegel, "Effect of Municipal Amalgamations in Ontario on Political Representation and Accessibility" (2003) 36(5) *Canadian Journal of Political Science* 1035.
[76] *Ibid* at 1041-1043. Changes in council size ranged from -26 percent to -850 percent.
[77] *Ibid* at 1050.
[78] *Ibid.*
[79] Ulrik Kjaer and Jørgen Elklit, "The Impact of Assembly Size on Representativeness" (2014) 20(2) *Journal of Legislative Studies* 156.
[80] Jean-Phillip Meloche and Patrick Kilfoil, "A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada" (2017) 60 *Canadian Public Administration* 241 at 245. *See also*, Kjaer and Elklit, "Impact of Assembly Size on Representativeness" at 157.
[81] Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson) at 15.
[82] Leah Brooks, Justin Phillips and Maxim Sinitsyn, "The Cabals of a Few or the Confusion of a Multitude: The Institutional Trade-off Between Representation and Governance" (2011) 3(1) *American Economic Journal: Economic Policy* 1 at 1.
[83] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at para 64.
[84] Institute of Public Affairs, *Pictou County Municipal Coordination Study, Phase 2: Recommendations* (Halifax: Dalhousie University, 1996), vol 2 (Lawrence E Sandford) at 22-23. This sentiment was also reflect in Nova Scotia, Task Force on Local Government, *Task Force on Local Government Report to the Government of Nova Scotia* (Halifax: Minister of Municipal Affairs, 1992) at 31-32: "The Task Force sought for a simple, readily understood system that would improve actual accessibility simply because it was more effective…"

[85] Jean-Phillip Meloche and Patrick Kilfoil, "A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada" (2017) 60 *Canadian Public Administration* 241 at 242.
[86] *Ibid* at 246.
[87] *Ibid.*
[88] Robert Bish, *The Cost of Municipal Elected Officials in the Capital Region of British Columbia* (Victoria: Local Government Institute, School of Public Administration, University of Victoria, 1999).
[89] Jean-Phillip Meloche and Patrick Kilfoil, "A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada" (2017) 60 *Canadian Public Administration* 241 at 246, citing Robert Bish and Josef Filipowicz. *Governing Greater Victoria: The Role of Elected Officials and Shared Services* (Vancouver, BC: Fraser Institute, 2016).
[90] Joseph Kushner and David Siegel, "Effect of Municipal Amalgamations in Ontario on Political Representation and Accessibility" (2003) 36(5) *Canadian Journal of Political Science* 1035 at 1040-41.
[91] *Ibid.*
[92] Jean-Phillip Meloche and Patrick Kilfoil, "A Sizeable Effect? Municipal Council Size and the Cost of Local Government in Canada" (2017) 60 *Canadian Public Administration* 241.
[93] *Ibid* at 261-2.
[94] A threshold of 20,000 population was selected by the researchers because, below this threshold, most councils showed little variation from the average number of 7 councillors: *ibid* at 249.
[95] *Re Halifax (Regional Municipality)*, 2011 NSUARB 119, 2011 CarswellNS 518 at 37.
[96] Nova Scotia, *A Blueprint for Unitary Government for Queens County* (Queens County, 1995) (James Sapp & Harold R. Dobson).
at ii.
[97] *Re Halifax (Regional Municipality)*, 2004 NSUARB 11, 2004 CarswellNS 233 at para 113.
[98] *Re: Halifax (Regional Municipality)*, NSUARB-MB-95-04, [1995] NSURBD No 64 at 9-10.
[99] *Ibid at* 3.
[100] *Ibid.*
[101] *Re: Cape Breton (Regional Municipality)*, NSUARB-MB-94-05: October 28, 1994 at 12.
[102] *Ibid* at 10.
[103] *Ibid* at 3.
[104] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 11.
[105] Douglas Muzzio, & Tim Tompkins, "On the Size of the City Council: Finding the Mean" (1989) 37(3) Proceedings of the Academy of Political Science 83 at 91.
[106] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 11.
[107] *Ibid.*
[108] Paul Pierson, "Increasing Returns, Path Dependence, and the Study of Politics" (2000) 94(2) *American Political Science Review* 251.
[109] *Re Cape Breton (Regional Municipality)*, 2011 NSUARB 110, 2011 CarswellNS 510 at 16.
[110] Raymond Rosenfeld and Laura Reese, "Local Government Amalgamation From the Top Down" in Jered Carr and Richard Feiock, "City-County Consolidation and its Alternatives: Reshaping the Local Government Landscape" (New York: M.E. Sharpe, 2004) 219 at 224.
[111] Douglas Muzzio, & Tim Tompkins, "On the Size of the City Council: Finding the Mean" (1989) 37(3) Proceedings of the Academy of Political Science 83 at 90.

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"Legal Institutions of Farmland Succession: Implications for Sustainable Food Systems" (2013) 65 *Maine Law Review* 382

"Ontario's Administrative Tribunal Clusters: A Glass Half-Full or Half-Empty for Administrative Justice?" (2012) 12 *Oxford University Commonwealth Law Journal* 157 (with Lorne Sossin) [R]

"'Formalizing' Land Tenure in First Nations: Evaluating the Case for Reserve Tenure Reform" (2009) 7(2) *Indigenous Law Journal* 45 (with Michael Trebilcock); reprinted as "International Perspectives on First Nations Land Tenure Reform" in Jerry White, Dan Beavon, and Peter Dinsdale, eds, *Aboriginal Policy Research Volume 10: Voting, Governance and Research Methodology* (Toronto: Thompson Educational, 2011)

"Examining the Consequences and Character of Heir Property" (2009) 68 *Ecological Economics* 2344 (with B. James Deaton and Carolyn Bratt) [R]

BOOK CHAPTERS

"Cities in a Time of Uncertainty: Food and Canadian Municipal Law" in Heather McLeod-Kilmurray, Nathalie Chalifour & Angela Lee, eds., *Food Law in Canada* (Markham: Carswell, in press) (with Jessica Rose)

"Indigenous Land Rights and the Politics of Property" in Angela Cameron, Sari Graben, Val Napoleon, eds., *Indigenous Peoples and Real Property: Beyond Privatization* (Toronto: University of Toronto Press, in press) [R]

"Towards a Better Understanding of Heirs on Heirs Property" in Ann Carpenter and Cassandra Johnson Gaither eds., *Heirs' Property in the South: Fostering Stable Ownership to Prevent Land Loss and Abandonment* (Ashville, NC: Southern Research Station as a General Technical Report, in press) (with B. James Deaton)

"Recovering Farmland Commons" in Megan Bailey & Jessica Duncan, eds., *Sustainable Food Futures: Multidisciplinary Perspectives* (New York: Routledge, 2017)

"Access to Justice" in Woolley et al., eds., *Lawyers' Ethics and Professional Regulation*, 3rd ed. (Markham: LexisNexis, 2017)

"The Ontario Civil Legal Needs Project: A Comparative Analysis of the 2009 Survey Data" in Michael Trebilcock, Tony Duggan and Lorne Sossin, eds, *Middle Income Access to Justice* (Toronto: University of Toronto Press, 2012) (with Michael Trebilcock & Albert Yoon)

COMMISSIONED REPORTS

The Geography of Civil Legal Services in Ontario: Report of the Mapping Phase of the Ontario Civil Legal Needs Project (Toronto: Law Society of Upper Canada, 2011) (with Albert Yoon)

RESEARCH GRANTS

GRANTS AWARDED

SOCIAL SCIENCES AND HUMANITIES RESEARCH COUNCIL, INSIGHT DEVELOPMENT GRANT ($68,000)
Farmland Commons: An Institutional Analysis
2016 – 2018

CANADIAN INSTITUTES FOR HEALTH RESEARCH, CAFÉ SCIENTIFIQUE GRANT ($3,000)
Access to Justice and Health
2012

CANADA-U.S. FULBRIGHT FELLOWSHIP ($15,000)
Heirs Property in Appalachian Kentucky
2006 –2007

GRANT APPLICATIONS - NOT AWARDED (INVITED CO-APPLICANT)

CITY | FOOD | WORK: A New Urban Cohort to Monitor the Health Impact of Emerging Policy Action on Food. Nominated Principal Applicant: Catherine L. Mah. Co-Principal Applicants: Leah Cahill, Julie Brimblecombe, Kent Mullinx. Co-Applicants: Jamie Baxter, Alison Blay-Palmer, Chris Buse, Donald Cole, Brian Cook, Rebecca Hasdell, Irena Knezevic, Charles Levkoe, Brian Lo, Emma McMahon, Leia Minaker, Anna Peeters, Nathan Taylor, Emile Tompa, Michael Widener, Jason Wu, Yanqing Yi. Collaborators: Linda Best, Sara Kirk, Leticia Smillie. CIHR Institute of Public and Population Health Institute Community Support—Planning and Dissemination Grants, Building Healthy Cities. Requested: $10,000. February 1, 2018 - January 31, 2019.

CONFERENCES AND PRESENTATIONS

CONFERENCES, PANELS AND WORKSHOPS ORGANIZED

"Agricultural Law in Canada", November 1, 2017, University of Ottawa Faculty of Law, Ottawa (with Genevieve Grossenbacher, USC Canada, in collaboration with *Taking Stock: the 2nd Annual Conference on Food Law & Policy in Canada*)

"Farms, Fisheries and Food: Canada's Next Generation of Food Production" Policy Matters Speakers Series, MacEachen Institute for Public Policy and Governance, Dalhousie University, Halifax October 3, 2017

The Future of Food Law and Policy in Canada, November 3-4, 2016, Schulich School of Law, Dalhousie University, Halifax (with Glenford Jameson, G.S. Jameson and Co.)

Rebecca L. Sandefur, "Bridging the Gap: Rethinking Outreach for Greater Access", F.B. Wickwire Memorial Lecture in Professional Responsibility and Legal Ethics, Schulich School of Law, Dalhousie University, March 10, 2015

"Does Your Health Depend on Your Access to Justice?" Canadian Institutes for Health Research Café Scientifique, Toronto, January 31, 2013 (with Aaron Orkin)

PRESENTATIONS

[I] = Invited

Closing Keynote Address, Food Law Innovations: 3rd Annual Canadian Food Law & Policy Conference, Laval University, Quebec City, September 27, 2018 [I]

"Leadership, Law and Development" Law and Development Course (podcast), Dalhousie University, Halifax, Summer 2018

"City Power and City Planning: Locating Canadian Municipal Law in 'Local' Food Systems Governance" Urban Food Systems and Policy: Connecting Research and Practice, Faculty of Law, McGill University, June 18, 2018 [I]

"Food Policy and Food Insecurity" Panel, Meal Exchange, Mount Saint Vincent University, Halifax, Mach 19, 2018 [I]

"Leadership, Law and Development" Faculty Seminar, Schulich School of Law, Dalhousie University, Halifax, November 16, 2017

"Building Food Law in Canada: Lessons from the History of Agricultural Law" Taking Stock: 2nd Annual Canadian Food Law & Policy Conference, Ottawa, November 1, 2017

Panel Commentator, "Look and See" Devour! Food Film Festival, Wolfville, Nova Scotia, October 27, 2017 [I]

"Governing Farmlands" Global Lands and Resources Colloquium, University of Oklahoma College of Law, Norman, Oklahoma, October 21, 2017 [I]

"Indigenous Land Rights and the Politics of Property" International Meeting on Law & Society, Mexico City, Mexico, June 22, 2017

"Governing Farmland Commons" Nova Scotia Institute of Agronomists Annual Meeting, Truro NS, April 26, 2017

"Knowledge Commons: Some Legal Groundwork for Open Science" Open Seas Symposium, Halifax, NS, March 20, 2017 [I]

"Governing Farmland Commons" The Future of Food Law in Canada, Halifax, November 3, 2016

"Regulating Uber for Innovation" Halifax Regional Municipality Legal Services, Halifax, October 28, 2015 [I]

"Indigenous Peoples and the Environment" Aboriginal Peoples and the Law: We are All Here to Stay, Canadian Institute for the Administration of Justice Annual Conference, Saskatoon, October 16, 2015 [I]

"Idle No More and Indigenous Land Rights", Kwilmu'kw Maw-klusuaqn, Millbrook First Nation, October 5, 2015 [I]

"Legal Education and Ideas About Access to Justice" Panel, Canadian Association of Law Teacher, University of Ottawa, Ottawa, June 2, 2015

"Collective Actions: New Logics from the Digital Age of Property Transitions" Association of Law, Property and Society Annual Conference, University of Georgia, Athens GA, May 3, 2015

"The New Geography of Access to Justice in Canada: Implications for Legal Ethics" Canadian Association for Legal Ethics Annual Conference, University of Western Ontario Faculty of Law, London, October 24, 2014

"The New Politics of Property in Land", Association of Law, Property and Society Annual Conference, University of British Columbia Faculty of Law, Vancouver, May 2, 2014

"The Geography of Access of Justice in Canada", Access to Justice Committee, Law Society of Upper Canada, Toronto, January 8, 2014

"Some Skepticism About Bright-Line Rules", Yale Law School 3rd Annual Doctoral Students Conference, New Haven, December 6, 2013

"Catastrophe and the Law", Schulich School of Law Mini-Law Public Lecture Series, Halifax, Nova Scotia, November 20, 2013

"Implementing a Tribunal Excellence Framework: Comparative Lessons", Canadian Council of Administrative Tribunals Annual Conference, Toronto, May 28, 2013 (Panel with Philip Bryden and Michael Gottheil)

"From Integrity Agency to Accountability Network", Yale Law School Graduate Works in Progress Seminar, New Haven, April 25, 2013

"Farmland Succession and Sustainable Food Systems", Food Law Colloquium, University of Maine Law School, Portland, Maine, February 23, 2013

"Culture, Institutions and Economic Development: Applications to Native Americans", Property and Environment Research Center, Bozeman, Montana, December 9-11, 2012 (Invited roundtable participant)

"Access to Justice as a Social Determinant of Health", Health Promotion Ontario Annual Conference, Ryerson University, Toronto, September 27, 2012 (with Aaron Orkin)

"A Comparative Analysis of the Ontario Civil Legal Needs Survey", Middle Income Access to Justice Colloquium, University of Toronto, February 10, 2011 (with Albert Yoon and Michael Trebilcock)

"International Perspectives on First Nations Land Tenure Reform" Aboriginal Policy Research Conference, Ottawa, March 9, 2009

RESEARCH WORKSHOPS

Land Claims Agreement Coalition Research Planning Conference: Making Treaties Work for Future Generations, December 7-8, 2015, Ottawa

Workshop on Research Design for Causal Inference, Northwestern University School of Law, July 13-17, 2015, Chicago

TEACHING HONOURS

Dalhousie Award for Excellence in Education and Diversity (Nominee)
2017-2018

Hanna & Harold Barnett Award for Excellence in Teaching First Year Law (Nominee)
2016-2017

Hanna & Harold Barnett Award for Excellence in Teaching First Year Law (Nominee)
2015-2016

ACADEMIC HONOURS

Schulich Fellowship, Schulich School of Law
2013-2014

Social Sciences and Humanities Research Council Doctoral Fellowship, Yale Law School
2013

Social Sciences and Humanities Research Council Joseph-Armand Bombardier Graduate Scholarship (declined)
2013

Law Foundation of Ontario Award in Support of Public-Interest Law Career
2010-2011

Aboriginal Policy Research Conference, Best Graduate Student Paper
2010

Borden Ladner Gervais LLP Research Fellow, Faculty of Law, University of Toronto
2008

Laskin Prize in Constitutional Law, Faculty of Law, University of Toronto
2007

Canada-U.S. Fulbright Fellowship
2006-2007

PROFESSIONAL AND COMMUNITY SERVICE

PROFESSIONAL SERVICE WITHIN DALHOUSIE

Member, Research Committee, MacEachen Institute for Public Policy and Governance
2017 –

PROFESSIONAL & COMMUNITY SERVICE OUTSIDE DALHOUSIE

Scientific Committee Member, Food Law Innovations: 3rd Annual Canadian Food Law & Policy Conference, Laval University, Quebec City
2018

Board Member, Ecology Action Centre
2017 -

Editorial Board Member, Journal of Rural Social Sciences
2016 –

Expert Advisor, Membertou First Nation Internal Watercourses Working Group
2017 –

Steering Committee Member, Halifax Food Policy Alliance
2016 –

Peer Reviewer
Queen's Law Journal (2014); Canadian Bar Review (2015); Osgoode Hall Law Journal (2016); University of New Brunswick Law Journal (2016); Canadian Journal of Social Policy (2016); Dalhousie Law Journal (2016); Indigenous Law Journal (2017); University of Ottawa Press (2017); Queen's Law Journal (2017); University of British Columbia Law Review (2017); Canadian Food Studies (2018); Canadian Journal of Law and Society (2018); Ottawa Law Review (2018)

Invited Expert, Agriculture and Agri-Food Canada Eastern Canada First Nation Outreach Session, Montreal
June 1, 2017

Invited Participant, Advisory Panel for Canada's Science Review Roundtable, Halifax
October 17, 2016

External Assessor, Social Sciences and Humanities Research Council Insight Grants Program
2015; 2016

Committee of the Whole Excerpts
June 14, 2022

Nova Scotia Partnership Development Opportunity

The Nova Scotia Department of Municipal Affairs and Housing announced the availability of vacant Provincially owned land for residential developers in Nova Scotia. Thirty-seven(37) lots were identified, two of which include areas in WHRM: one near Tremain Crescent in Windsor and one in Falmouth.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DETERMINES THAT THE DEVELOPMENT OF A PUBLIC STREET IN THE AREA OF THE PRESENT ELEMENTARY SCHOOL DRIVEWAY NEAR TREMAIN CRESCENT BE LEFT TO THE DEVELOPER.

West Hants

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request X	Councillor Activity ☐

To: Committee of the Whole

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: June 14, 2021

Subject: Provincial Partnership Opportunity Notice (PON)

LEGISLATIVE AUTHORITY

MGA Part XII

DECISION REQUEST

That COTW determine:

(a) that it would like Public Works to investigate the costs and process for developing a public street in the area of the present school driveway near Tremain Crescent and report back to COTW; or

(b) determine that the eventual development of a public street should be left to the developer.

BACKGROUND

The Nova Scotia Department of Municipal Affairs and Housing has announced the availability of vacant Provincially owned land for residential developers in Nova Scotia. 37 lots are included in the *"Land for Housing"* initiative which is found at https://housing.novascotia.ca/programs/land-for-housing.

Two areas have been identified in WHRM: one near Tremain Crescent in Windsor (Figures 1 and 2) and one in Falmouth (Figures 3 and 4).

DISCUSSION

A "*Partnership Opportunity Notice"* (PON) has not yet been published for the lots in Falmouth.

A PON has been published for the lots near Tremain Crescent in Windsor (Appendix A). The Province has advised that proposals will be accepted for development of affordable housing on these lands until August 31, 2022. It is up to the Province to accept or refuse any proposal. Proposals must meet the requirements of the Windsor Land Use By-law. Until the Province advises WHRM of specific proposals,

WHRM will not know the specifics of any proposals, or whether a Land Use By-law amendment or development agreement is needed. Any required amendment or development agreement will follow the required public process. As noted in the PON, the small lot, PID 45216983 is zoned Single Unit Residential (R-1). PID 45053337 is zoned High Density Residential (R4). Depending on the proposal, a development agreement may be required for development of this lot. PID 45232261 is designated Community Use (CU) and zoned Institutional (I). For residential development on this lot, an amendment to both the MPS and LUB may be required but depending on the proposal an amendment to the LUB alone may be sufficient and a development agreement without an amendment may be possible (WMPS *Policies 16.1.3 and 16.1.4).*

One issue that appears in the Tremain Crescent PON is frontage and access to PIDs 45053337 and C (Figures 3 and 4). The driveway for the school is located on PIDs 45232253 and 45232261, both of which are owned by WHRM. Development on the two large lots (PIDs 45053337, 45216991) should not take place without the creation of a public street in the location of the school driveway, as neither lot has frontage on or access to a public street now.

In order to create a public street, the Public Works Department would need to investigate the construction and condition of the school driveway and services (water and sewer). At minimum, a cul-de-sac or turning "T" would be required at the end of the public street area.

Council could leave the creation of a public street to the eventual developer of the parcel or could determine that this should be done now at WHRM's expense.

NEXT STEPS

Discussion by and direction from COTW.

FINANCIAL IMPLICATIONS

Should COTW wish to begin the process of investigating and creating a public street, Public Works would need to create cost estimates. No funds have been allocated for this project in the 2022-2023 budget. Ongoing operational costs would also be incurred.

ALTERNATIVES

1. Council may request Public Works to prepare cost and time estimates to create a public street in the location of the existing school driveway.
2. Council may decide to wait and have the public street created by developers at a later time.

ATTACHMENTS

Figures 1-4 Lot locations
Attachment A Tremain Crescent Partnership Opportunity Notice

CHIEF ADMINISTRATIVE OFFICER REVIEW

The Director has asked for Council to consider one of the two noted options that would have Council "investigate" the cost of developing a public street that is currently a driveway to support the "Provincial Partnership Opportunity. I strongly encourage Council to support this request. Investigating the costs will allow Council to consider if they would like to support the project through the provision of the road or not.

Affordable housing in our Province and Region is desperately needed. This provincial initiative very likely will require the added support of the municipality to provide the required incentives to make this housing option a reality. This is a time for the consideration of how an "equitable " level of support can be provided to this development and not and "equal" level of support when compared to other developments. Affordable housing requires a higher level of support from government than other developments. Without these added supports it is very likely the project will be far more challenging, resulting in a reduced probability of providing true affordable housing. Particularly in the current marketplace and with the costs of construction.

I support request (a) as noted above.

Report Prepared by: _____

Madelyn LeMay, Director of Planning and Development

Report Approved by: 

Mark Phillips, Chief Administrative Officer

Figure 1



26. Highway No 1 and 27. Highway No 1, Falmouth, County of West Hants.

Figure 2: PIDs 45026697 & 45388238

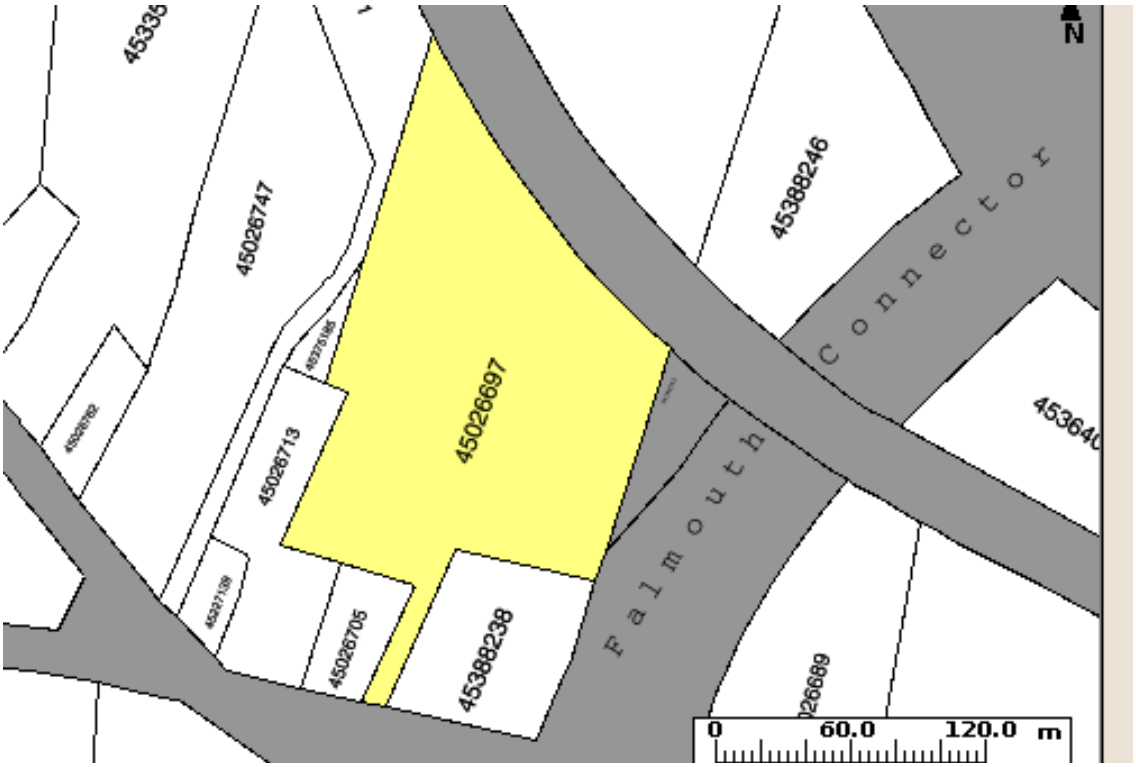


Figure 3



28. Tremain Cres, 29. Tremain Cres, 30. Tremain Cres, Windsor, County of West Hants

Figure 4: PIDs 45053337, 45216991 & 45216983



ATTACHMENT A







Partnership Opportunity Notice

AFFORDABLE HOUSING DEVELOPMENT
TOWN OF WINDSOR

Tremain Crescent

NOVA SCOTIA



Overview

As the provincial entity responsible for the administration and delivery of affordable housing solutions, the Department of Municipal Affairs and Housing (DMAH) supports low-to-modest income Nova Scotians every day through the delivery of programs and services across the housing spectrum. DMAH is requesting responses to this Partnership Opportunity Notice (PON) to have more affordable housing built in communities.

The Nova Scotia Affordable Housing Commission released its report on May 31, 2021, outlining 17 recommendations and 60 key actions for increasing the supply of, and access to affordable housing in Nova Scotia. Specifically, the Commission called for government to 'create a program to use vacant or under-utilized public land suitable for residential use, or buildings for affordable housing and incentivize their development.'

In response to this recommendation, DMAH is making Provincially owned land available to an eligible applicant(s) committed to creating new affordable rental housing in the province. To assist in offsetting some development costs, a long-term land lease for a nominal rent or a sale for a nominal amount will be considered in exchange for a commitment to create and maintain affordable units permanently or over an identified time horizon.

This land contribution will be awarded based on an evaluation of various criteria including the applicant's organizational capacity and depth of affordability proposed. Additional considerations include, but are not limited to, the level of socio-economic, environmental, and accessibility outcomes to be achieved.

Applicants who demonstrate a commitment to exceed the minimum requirements for affordability, energy efficiency, and accessibility while ensuring the long-term financial viability of their project will be prioritized.



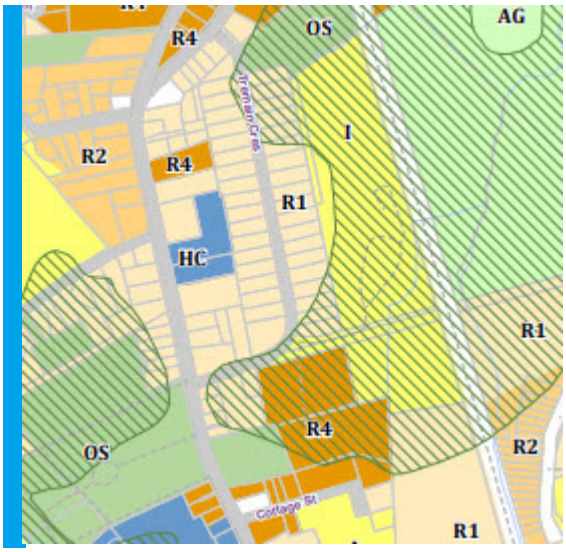


Image 1: Zoning Map. Source: West Hants County.

Parcel Identification: (PID) 45053337, 45216983 and 45216991

Registered Owner: The Province of Nova Scotia

Civic Address: Tremain Crescent, Windsor, NS

Lot Area: 3.80 acres, 0.23 acres and 4.20 acres

Lot Frontage: Tremain Crescent

Site Servicing: Municipal Water & Sewer

PON RELEASE DATE: May 31, 2022
SUBMISSION DEADLINE: August 31, 2022

Property Details

Designation	Town of Windsor Municipal Planning Strategy (MPS): PID 45053337 and PID 45216983 are both designated as Residential (R). PID 45216991 is designated as Community Use (CU).
Zoning	Current zoning in the Town of Windsor Land Use By-Law: PID 45053337 is zoned High Density Residential (R4). PID 45216991 is zoned Institutional (I). PID 45216983 is zoned Single Unit Residential (R1). All three sites also include an Environmental Constraints designation which requires an Environmental Study to be conducted as described in Policy 12.0.2 of the MPS and submitted to the Development Officer.
Proposed Development	The R4 zone permits R1, R2 and R3 uses; boarding and rooming houses; dwellings more than 6 units; and grouped dwellings (more than one building on a site). The R1 zone permits single unit dwellings. The I zone does not permit residential uses and an MPS amendment to designate Residential and a concurrent rezoning, and a Development Agreement process as per Policy 5.4.6 for new multiple unit residential development consisting of 3 or more units, grouped dwellings, boarding houses may be possible. Development potential is also dependent on results of an Environmental Study and variances for frontage. Note: PID 45053337 and PID 45216991 do not have direct road frontage and access to the road needs to be negotiated with West Hants Regional Muncipality.
Current Use	All three sites are undeveloped. PID 45053337 does include an access road and services for 70 Tremain Crescent (Centennial I and II Seniors Residences).
Surrounding Uses	R1 homes and Windsor Elementary School to the north, Tregothic Trail and privately owned undeveloped land to the east, R4 seniors residences and private residences to the south, R1 homes and King Street to the west.

Eligible Property Type

Eligible affordable housing projects include, but are not limited to:

- Mixed-income;
- Mixed-use;
- Mixed-tenure;
- Permanent housing (long-term tenancy, 12 months or more);
- Primary use as residential; and
- Single detached dwellings, standard multi-unit residential, single room occupancy and seniors' independent living housing (i.e., excluding the delivery of health care).

Unit Type	Average Market Rents	Affordable Rents
Bachelor Unit	$ 870	$ 696
1-Bedroom Unit	$ 1,043	$ 834
2-Bedroom Unit	$ 1,255	$ 1,004
3-Bedroom Unit	$ 1,532	$ 1,225

Figure 1. Oct. 2021 private apartment average market rents for Nova Scotia and example of affordable rents (80% of avg. market rent). Data Source: CHMC.
Proposals must reflect current market conditions with rental rates that are representative of the property location.

Eligible Applicants

Applicant must be, or partner with, a Nova Scotia based organization to be eligible for this opportunity.
All types of operating models will be considered, including but not limited to:

- Indigenous governing bodies and organizations (off reserve)
- Community housing organizations
- Non-profit organizations (including co-ops)
- Private corporations

Cross-sectoral partnerships are encouraged.

Mandatory Minimum Criteria

Financial Viability: Projects must demonstrate a means to be financially sustainable or describe how they will obtain subsidy to offset any projected operating losses. All funding sources must be disclosed, and related funding details provided.

Affordability: Designated affordable units must serve households in core housing need with rental rates established at or below 80% of average market rent (AMR). AMR can be found at the CMHC Housing portal: https://www03.cmhc-schl.gc.ca/hmip-pimh/en#Profile/12/2/Nova%20Scotia

Environmental Considerations: National Building Code minimum standards required. Priority will be given to projects incorporating Net-Zero energy performance targets by either:

1. Building to Net-Zero from the onset and including all the necessary energy modelling before and after construction to demonstrate that Net-Zero has been achieved. Or,

2. Building to Passive House Standards with the requirement of having the building Net-Zero ready, i.e. have the infrastructure for PVs to be added at a later date so that the energy consumed by the building is equal to the energy generated.

Accessibility Considerations: National Building Code minimum standards required. However, applicants are highly encouraged to integrate Barrier Free (BF) design requirements and Housing Nova Scotia Visitability Standards within a minimum number of units in their project, found here: https://housing.novascotia.ca/sites/default/files/HNS_Visitability_Requirements.pdf

Property Management: Applicants must have a minimum of five (5) years' property management experience. In lieu of property management experience, applicants may hire or partner with a professional third-party property management firm acceptable to DMAH. Experience in affordable housing property management is an asset.

Real Estate Development Experience: Applicants must have successfully completed a similar project on time and within budget. Alternatively, applicants may hire or partner with a third-party developer, acceptable to DMAH, who has experience building similar projects.

Equity Contribution: Applicants with sufficient assets to contribute a reasonable equity component to support the proposed development and who have a demonstrated ability to accommodate unexpected increases in construction costs will be given priority. A reasonable minimum equity contribution is typically equivalent to twenty percent (20%) of the proposed project's eligible capital development costs, including land. A five (5%) equity contribution may be considered for community housing and non-profits. Where the land for this project is being contributed by DMAH, flexibility will be considered when assessing the applicant's equity contribution.



This PON is available to projects that meet and/or exceed the minimum requirements. Verification of project details and evaluation will determine whether a project is selected. Simply meeting the minimum requirements will not guarantee that a proposal will be selected. Applicants are responsible to provide sufficient documentation that will verify compliance with the eligibility requirements.

Proposals received during the submission period will be ranked in comparison to other concurrent proposals based on the project's overall suitability. More specifically, the following criteria will be used to evaluate, rank, and determine a proposals overall strength and level of project suitability:



Innovation

Does the project utilize innovative construction methods, partnerships, operating models or services?



Project Viability & Sustainability

Is the project feasible and viable, both through capital financial assembly and ongoing operating pro-forma, as well as the project environment (MPS policies, environmental, site constraints etc.)? Is the project aligned with the recommendations of the Affordable Housing Commission, the objectives of the National Housing Strategy, the Nova Scotia environmental and accessibility targets, or other government priorities?



Scale

Is the project of a scale that it may have impact? Priority will be given to projects with a higher density of units and higher scale of affordable units.



Project Stage & Timeline

How rapidly does the proposed timeline bring new affordable housing to market? How realistic is the proposed timeline?



Ability to Deliver

Can the main applicant and its partners deliver the project as per timeline? Overcome any unforeseen obstacles? Assemble proposed funding?



People Served

Does the project serve people who are part of specific vulnerable population? Any cultural community of significance?
Any location of importance?
Visit CMHC for a definition of vulnerable populations.

The successful applicant will be notified to discuss terms and conditions and any other requirements to move the project forward.
Note that DMAH will consider all proposals but is under no obligation to approve any application and move forward with the PON if, in DMAH's opinion, no suitable submissions are received.

Proposal Submission Requirements

Applicants can present their submission in the form and format of their choice. Proposals must be submitted in PDF to HousingLandPartnership@novascotia.ca on or before August 31, 2022 at 5pm (AST). Submissions must be clear, concise and include the following sections:

1. Project Description: Should include, but not limited to:
   a. Innovative approach – describe the project and explain what makes it different.
   b. Any partnership(s), including the names of key individuals and organizations.
   c. Total number of project units, including rental rates.
   d. Meeting or exceeding affordability, environmental, accessibility, etc. standards.
   e. Aligning with Nova Scotia Affordable Housing Commission recommendations.
   f. National Housing Strategy, or other provincial priorities (e.g. health, environment, economic growth, seniors).
   h. If early seed funding is required, what will it be used for? Have you also applied to CMHC or Housing Nova Scotia for other funding opportunities?

2. Applicant & Development Team: should highlight experience in real estate development and property management, with experience in managing affordable housing developments as an asset.

3. DMAH Contributed Site: Describe how the proposed development concept is suitable for the land being contributed and identify the land ownership interest being requested for this project (leasehold, fee simple, or other) and provide all supporting rationale. Note that a lease arrangement is the preferred option.

4. Market Demand & People Served

5. Project Funding & Financing

Appendices should not exceed 20 type written pages and should include:

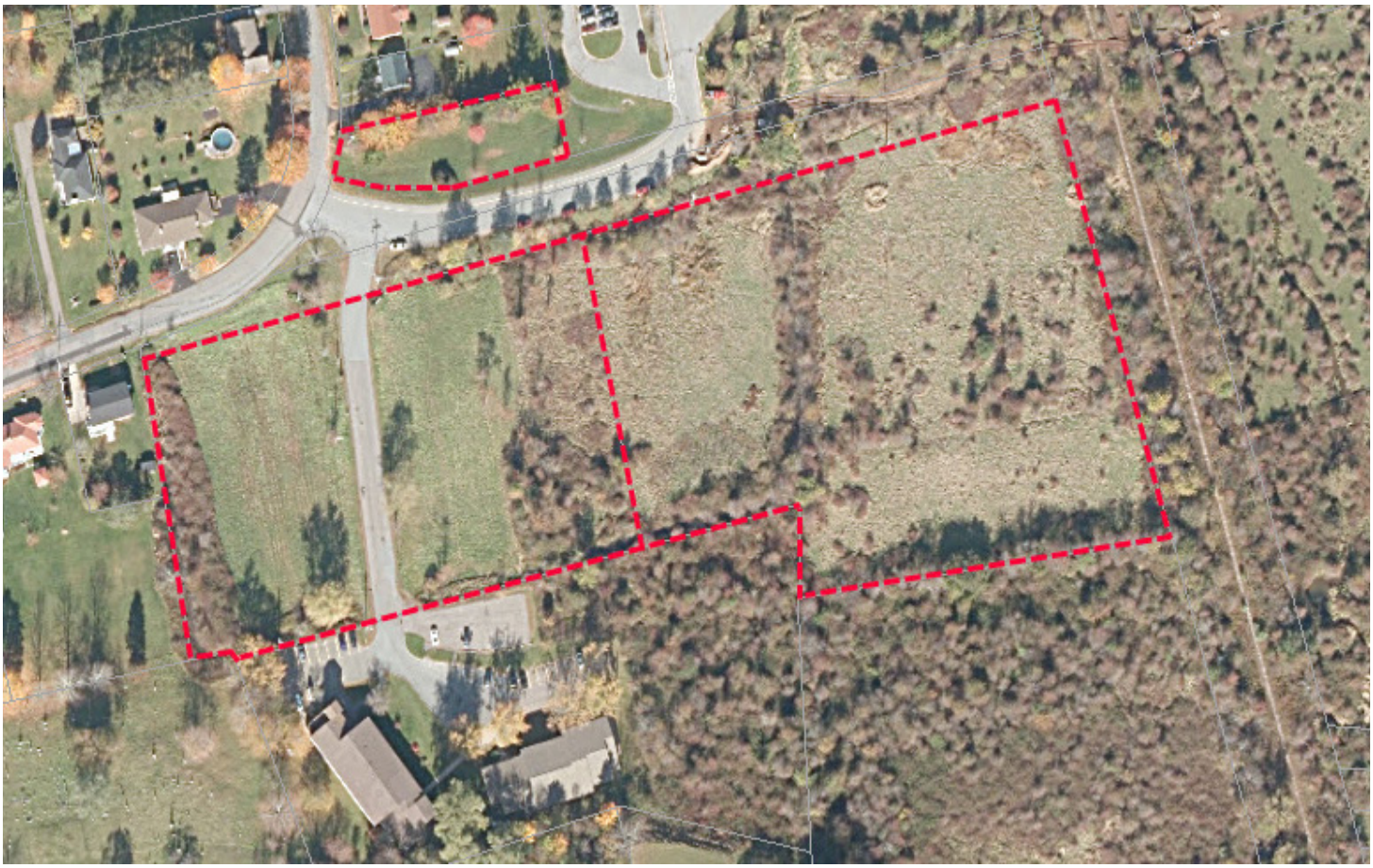
- Drawings and site concept plan
- Proposed Project & Construction Schedule
- Construction Cost Estimates (Class D or higher)
- Confirmation of Project Financing and Funding – Sources of Capital
- Operating Pro-Forma Statements

Letters of Reference can also be submitted to demonstrate your experience in delivery of similar projects.

INQUIRIES

Please direct questions about the opportunity up to 5 business days of deadline to:
housinglandpartnership@novascotia.ca
Answers that may have material impact on submissions will be compiled and answered online at the Housing Nova Scotia website. housing.novascotia.ca

Property Overview



List of included Parcels (PID's): 45053337, 45216983 and 45216991

DISCLAIMER
The PON is a non-binding document. DMAH does not make any representation or provide any undertaking to prospective respondents other than to invite them to submit a proposal. This PON does not oblige DMAH to negotiate or execute an agreement with any prospective respondents, not to grant rights of any sort to any prospective respondents and, DMAH shall incur no liability to any prospective respondent as a result of responding this PON.

DMAH will not be liable for, nor will it reimburse any prospective respondent for costs incurred in the preparation, submission or presentation of any proposal, for interview or any other activity that may be requested as part of the PON process.

Committee of the Whole Excerpts
June 14, 2022

RCOFN-012.00 Grants and Contributions Policy

This policy demonstrates Council's commitment to assist organizations which provide beneficial programs, services or projects to the community while, at the same time, recognizing the financial constraints affecting the Municipality's ability to provide funding to these groups. This policy establishes eligibility requirements, identify types of funding available, explain how this is established each year and outline application, monitoring and reporting requirements.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT STAFF TO LOOK AT THE RCOFN-012.00 GRANTS AND CONTRIBUTIONS POLICY WHEN ONE OFF APPLICATIONS ARE RECEIVED.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

To: Mayor Zebian and Members of West Hants Regional Municipality Council

Submitted by: _____

Sara Poirier, Senior Planner

Date: 2022-06-28

Subject: Development Agreement: Wentworth Road, PID 45059631; File #22-03 B

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to proceed to Public Hearing, the following motion would be in order:

…that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to permit 240 apartment units, 10,000 sq. ft. of commercial space, and 17 townhouse dwellings on PID 45059631 on Wentworth Road in a manner substantively the same as the draft set out in Attachment D of the report to the Planning and Heritage Advisory Committee report #22-03 dated June 9, 2022.

…that Council requires that the development agreement with FH Development Group Inc. 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.

BACKGROUND

Property X	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

A completed application was received on January 20, 2022, from Chrystal Fuller of Brighter Community Planning & Consulting on behalf of the property owner Faisal Al-Hammadi of FH Development Group Inc. The application was to consider permitting a mixed-use development consisting of grouped multiple unit residential buildings and townhouses on the property at PID 45059631 on Wentworth Road. The lot is currently vacant and is owned by FH Development Group Inc.; Mr. Al-Hammadi is the President of that company.

This application was considered by Planning and Development staff in two parts:

1. an amendment to the text of the Windsor Municipal Planning Strategy and Windsor Land Use By-law to enable Council to consider grouped dwellings with three or more dwelling units which may include townhouse dwellings, triplex dwellings and mixed-use apartment dwellings by development agreement in the Wentworth Road Gateway District. This portion of the application was approved by Council on April 26, 2022; and
2. consider the proposed uses by development agreement as per Policy 8.6.15 of the WMPS.

This report corresponds with the second part of the application.

DISCUSSION

A Public Information Meeting was held on May 12, 2022.

On June 9, 2022 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). There was discussion at PAC/HAC on whether the Committee should amend the development agreement to include a buffer along the south lot line of the subject lot, abutting the agricultural zoned land. However, the PAC/HAC recommended in favour of the development agreement as drafted.

The original motion from the staff report dated June 9, 2022 referenced “Attachment C” although the draft development agreement was included at the end of the report as Attachment D. The PAC/HAC approved the correct motion, referencing Attachment D, at the meeting.

NEXT STEPS

The process for this application is as follows:

Process
Staff Review
▼
Public Information Meeting – May 12
▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – June 9
▼
Regional Council First Reading – June 28
▼
Public Hearing & Second Reading – July 26*
▼
Notice of Approval in Local Paper
▼
14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of Council;
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

Appendix A 2022-06-09 Staff Report Development Agreement: Wentworth Road, PID 45059631; File #22-03

CHIEF ADMINISTRATIVE OFFICER REVIEW

N/A

Report Prepared by: _____
Sara Poirier, Senior Planner

Report Reviewed and Approved by: _____
Madelyn LeMay, Director of Planning and Development and Acting CAO

Appendix A

West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Sara Poirier, Senior Planner

Date: 2022-06-09

Subject: Development Agreement: Wentworth Road, PID 45059631; File #22-03

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

To allow the requested development, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

…that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit 240 apartment units, 10,000 sq. ft. of commercial space, and 17 townhouse dwellings on PID 45059631 on Wentworth Road in a manner substantively the same as the draft set out in Attachment C of the report to the Planning and Heritage Advisory Committee report #22-03 dated June 9, 2022.

…that PAC/HAC recommends that Council require that the development agreement with FH Development Group Inc. 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.

BACKGROUND

Property X	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

A completed application was received on January 20, 2022, from Chrystal Fuller of Brighter Community Planning & Consulting on behalf of the property owner Faisal Al-Hammadi of FH Development Group Inc. The application was to consider permitting a mixed-use development consisting of grouped multiple unit residential buildings and townhouses on the property at PID 45059631 on Wentworth Road. The lot is currently vacant and is owned by FH Development Group Inc.; Mr. Al-Hammadi is the President of that company.

This application was considered by Planning and Development staff in two parts:

1. an amendment to the text of the Windsor Municipal Planning Strategy and Windsor Land Use By-law to enable Council to consider grouped dwellings with three or more dwelling units which may include townhouse dwellings, triplex dwellings and mixed-use apartment dwellings by development agreement in the Wentworth Road Gateway District. This portion of the application was approved by Council on April 26, 2022; and
2. consider the proposed uses by development agreement as per Policy 8.6.15 of the WMPS.

This report corresponds with the second part of the application.

DISCUSSION

The 8.43-acre subject lot abuts Wentworth Road in Windsor. The lot is currently designated Commercial on the Generalized Future Land Use Map (Figure 1) of the Windsor Municipal Planning Strategy (WMPS). It is also located in the Wentworth Road Gateway District. Part 8.0 of the WMPS contains the overall intention for properties designated Commercial in Windsor and Section 8.6 describes the intention for development in the Wentworth Road Gateway District.

The subject lot is zoned Wentworth Road Commercial (WR-C) on the Zoning Map of the Windsor Land Use By-law (WLUB) (Figure 2). The Wentworth Road Commercial (WR-C) zone permits a wide range of general commercial and highway commercial uses, as well as large format retail stores within a specified size limit as-of-right. Residential uses are permitted in the Wentworth Road Commercial (WR-C) zone however not on the ground floor. Dwellings grouped on the same lot are also not permitted.

Almost the entire subject lot is located within the Environmental Constraints area and is within the Tregothic Marsh. The Windsor Dykeland's Background Report (2001) specifies that the subject lot, and approximately 40 percent of the properties within the Tregothic Marsh, have been exempted by the Province from the requirements of Section 41 of the *Agricultural Marshland Conservation Act*. The *Agricultural Marshland Conservation Act* (2001) protects

marshland for agricultural purposes. Being exempt from this portion of the Act means that the owner would not have to apply to the marsh body to allow any future construction within the designated area of the subject lot.

Properties within the Environmental Constraints designation must meet more stringent requirements including completing an environmental study before being issued a development permit for any new building. The property owner is proposing to develop a currently vacant lot therefore any of the buildings to be constructed on the Environmental Constraints area of the subject lot would have to meet Section 27.0, Environmental Constraints Areas, of the WLUB. The study should describe site conditions and suitable construction methods for the specific lot. This is also outlined in Section 2.10 (d), *Environmental Study*, of the draft development agreement.

The subject lot directly abuts properties with a variety of zoning and designations. The designation of the properties abutting the subject lot include Agriculture and Commercial and the zoning of these abutting lots is Wentworth Road Commercial (WR-C), General Commercial (GC), and Agriculture (AG).

History of Subject Lot

The subject lot (PID 45059631) was the location of former Windsor High School which was decommissioned in 2004. The subject lot was owned by the Municipality until 2021 when it was deemed to be surplus property and advertised for sale publicly. The lot was sold to FH Development Group Inc. through a Purchase and Sale Agreement.

The Purchase and Sale Agreement requires the proposed development to be 15% complete within two (2) years of the execution of a development agreement. The agreement specifies that construction of the proposed development shall be considered 15% complete once the footings for the initial apartment building are complete. The timelines for commencement in Section 4.1 and phasing in Section 2.3 of the draft development agreement in Attachment C has been drafted with this in mind.

Development Agreement

A development agreement is a contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed permitted use within a zone on a specific lot. The ability for Council to consider a development agreement must be stated in the Land Use By-law and the Municipal Planning Strategy must identify the kinds of uses Council may consider in each area. Uses which Council may consider are those which Council has determined may have sufficient impact on an area that a negotiated process is required to ensure the potential impact is minimized. In the Municipal Planning Strategy Council usually identifies both specific and general criteria which must be considered when making decisions regarding a development agreement.

A proposal being considered must be measured against only the specific and general criteria for the proposal in the Municipal Planning Strategy and not any other criteria.

Windsor Land Use By-law

Section 6.0 of the WLUB, 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:*

> *(j)* development proposals in the Wentworth Road Gateway District in accordance with Policy 8.6.15 of the Municipal Planning Strategy for: comprehensively designed developments of grouped dwellings with three or more dwelling units which may include townhouse dwellings, triplex dwellings and mixed use apartment dwellings, large format retail stores exceeding 50,000 ft2 (4,645 m2) in commercial floor area; regional shopping centres; institutional uses; mixed use; multiple unit residential; or light industrial development;"

Proposed Development Agreement

The applicant proposes to develop three (3) five-storey and two (2) six-storey apartment buildings for a total of up to 240-units within the apartment buildings. One (1) building will include up to 10,000 gross sq. ft. (929 sq. m.) of commercial space on the ground floor. The applicant also proposes to develop up to 17 townhouses on the lot. The site will have a minimum of 60,000 sq. ft. (5,574.2 sq. m.) of usable recreational space for tenants which will include a plaza and central garden. The permitted uses on the lot are outlined in Section 2.1, *Use*, of the draft development agreement (Attachment C).

The property owner is proposing a total of 260 parking spaces on the lot for the apartment buildings with 126 of those spaces being located within the first level of the buildings and the rest of the parking outside at grade. The WLUB currently requires 1.5 parking spaces per dwelling unit at a size of 10 ft by 20 ft. Due to the location of the lot in the community of Windsor and proximity of the lot to surrounding services, staff determined that it would be appropriate to reduce the amount of required parking per dwelling unit. As outlined in Section 2.5, *Parking*, of the draft development agreement, parking will be required at one (1) space per dwelling unit and a minimum of one (1) parking space for every 300 sq. ft. (27.9 sq. m.) gross floor area dedicated to commercial uses. The size of each parking space will be 9 ft. x 20 ft. (2.7 m. x 6.1 m.).

Section 2.4, *Access and Egress*, of the draft development agreement outlines that the developer will be required to construct a 5 ft. (1.52 m.) wide pedestrian walkway from the sidewalk on Wentworth Road to the building entrances. This will ensure pedestrian safety and promote active transportation use to surrounding services.

The WLUB requirements for signs and lighting will be used to regulate signs and illumination on the subject lot, as outlined in Section 2.13, *Signs and Lighting*, of the draft development agreement. Waste collection and snow plowing will be provided privately by the developer (Section 2.10 (a) and (b)). Construction noise is limited to between the hours of 7:00 a.m. and 9:00 p.m. daily, unless construction is being conducted within a wholly enclosed structure (Section 2.11). Section 2.6, *Fire Safety*, was developed based on the Fire Chiefs comments.

To meet the Wentworth Road Gateway intent, policies and criteria, the draft development agreement was written to require:

- a 15 ft. (4.57 m) landscaped area along the lot frontage on Wentworth Road (Section 2.7 (b));
- landscaped islands within parking areas of 20 spaces or more to avoid the appearance of large, uninterrupted expanses of asphalt, which may be used for on-site stormwater management;
- a 5 ft. (1.52 m.) wide pedestrian walkway to the main entrances of each building to ensure safe pedestrian access (Section 2.4 (d)); and
- the building design to incorporate windows and other elements at the street level façade to avoid the appearance of solid blank walls (Section 2.2 (d)).

As per the draft development agreement the developer will be required to provide the following items prior to being issued a development permit:

- a stormwater management plan for the site that satisfies the Municipal Engineer that historical flooding patterns and area drainage systems have been considered and that storm water discharge will not have a negative impact on downstream properties as outlined in Section 2.9, *Site Drainage*;
- an Environmental Study for any portion of the main buildings to be constructed upon lands designated as Environmental Constraints on "Schedule A - Zoning" of the Land Use By-law as outlined in Section 2.10 (d), *Environmental Study;* and
- design plans of the water and sewer servicing connections and layout including location and connection design of any fire hydrant(s) as outlined in the 2.10 (b), *Water and Sewer Services*, and 2.6 (a), *Fire Safety*.

Section 3.3 of the draft development agreement outlines substantive matters of the development agreement. Substantive matters are any items that Council has determined that would significantly alter the intended effect of the development agreement if changed. If a request is received from the developer to change a substantive matter outlined in a development agreement, the request must go through the entire development agreement process including Public Hearing before Council prior to Council making a final decision on the proposed

amendment. Staff have determined the following items in this draft development agreement are substantive matters:

- the uses permitted on the Property as listed in Section 2.1, Use;
- the order of building construction in Section 2.2, Development Location and Design, and the required recreation space for Buildings A, B and C in Section 2.8 (b), Recreation Space;
- the fire safety requirements listed in Section 2.6, Fire Safety;
- the landscaping requirements in Section 2.7, Landscaping; and
- the requirements for a stormwater management plan to be submitted prior to a development permit being issued as listed in Section 2.9, Site Drainage.

Other items such as engineered building design, accessible parking, elevators, sprinkler systems, and barrier free units will be required by the Manager of Building and Fire Inspection Services as per the National Building Code requirements. A full review of the building plans would be conducted when the property owner applies for development and building permits. These items are not listed in the draft development agreement as the National Building Code would take precedence over the development agreement as outlined in Section 5.1, *Compliance with other By-laws and Regulations*, in the draft development agreement.

Public Comments

Staff received comments from the public during the Public Information Meeting (PIM) comment period from May 12-27, 2022. All comments received were considered by staff when drafting this report and draft development agreement. A copy of the complete comments can be found in Attachment D.

Windsor Municipal Planning Strategy

Part 8.0 of the WMPS contains the overall intention for properties designated Commercial in Windsor and Section 8.6 describes the intention for development in the Wentworth Road Gateway District. Policy 8.6.15 establishes Council's intention to consider proposals for comprehensively designed developments of grouped dwellings with three or more dwelling units which may include townhouse dwellings, triplex dwellings and mixed-use apartment dwellings within the Wentworth Road Gateway District by development agreement. Proposals for this type of development in the Wentworth Road Gateway District are to be reviewed against Policy 8.6.16. Staff have reviewed these criteria in Attachment A.

WMPS Specific Criteria

Policy 8.6.16 outlines the specific crtieria to be considered by Council, which are examined in detail in Attachment A.

In summary, the specific criteria are met since:

- the development agreement is consistent with the intent of Policies 8.6.15, 8.6.16, 8.6.4 and 8.6.8 and other relevant policies of the WMPS; and
- the development agreement is consistent with the intent of the Wentworth Road Gateway District ensuring that the development will include landscaping, safe pedestrian access, and be designed to enhance the streetscape.

WMPS General Criteria

The proposed development meets the general criteria for development agreements set out in the WMPS Policy 16.3.1. These criteria are examined in detail in Attachment 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, Development Officer, Manager of Building and Fire Inspection Services, Municipal Project Engineer, and Manager of Public Works Operations have no concerns which have not been addressed in the development agreement.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) highlights two simulated flooding scenarios. The first scenario is based on a storm surge that occurred in 1997, which shows the expected damage is to occur along the coastline. The second scenario shows the simulated flooding extent for probable maximum flood due to climate change. Under this scenario most of the community of Windsor will experience extensive flooding. The Wentworth Road Gateway District appears to experience flooding in this scenario.

As the majority of the subject lot is located within the Environmental Constraints area and is within the Tregothic Marsh the property owner must complete an environmental study before being issued a development permit for any new building. This is outlined in Section 2.10 (d), *Environmental Study*, of the draft development agreement. The environmental study will ensure that the proposed development is constructed in a manner suitable for the site conditions and in a way that addresses any potential flooding issues. The Public Works Department has also required the developer to provide a stormwater management plan prior to being issued development permits for the subject lot, as outlined in Section 2.9, *Site Drainage*, of the draft development agreement. The stormwater management plan will ensure the stormwater is managed by the developer on-site and will not impact abutting properties.

NEXT STEPS

As noted above, the proposed development agreement has been considered within the context of the general policies of the WMPS and is consistent with the intent, objectives, policies and criteria of the WMPS. As a result, it is reasonable to enter into a development agreement to

permit 240 apartment units, 10,000 sq. ft. of commercial space and townhouse dwellings grouped on the lot at PID 45059631 on Wentworth Road.

Process

Staff Review

▼

Public Information Meeting – May 12

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – June 9

▼

Regional Council First Reading – June 28*

▼

Public Hearing & Second Reading – July 26*

▼

Notice of Approval in Local Paper

▼

14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	Windsor GFLUM Extract
Figure 2	Windsor Zoning Map Extract
Figure 3	Environmental Constraints Extract
Attachment A	Specific Criteria for Development Agreement
Attachment B	General Criteria for Development Agreement

Attachment C	Public Information Meeting Notes
Attachment D	Draft Development Agreement

Report Prepared by: _____
Sara Poirier, Senior Planner

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Figure 1
Windsor GFLUM Extract

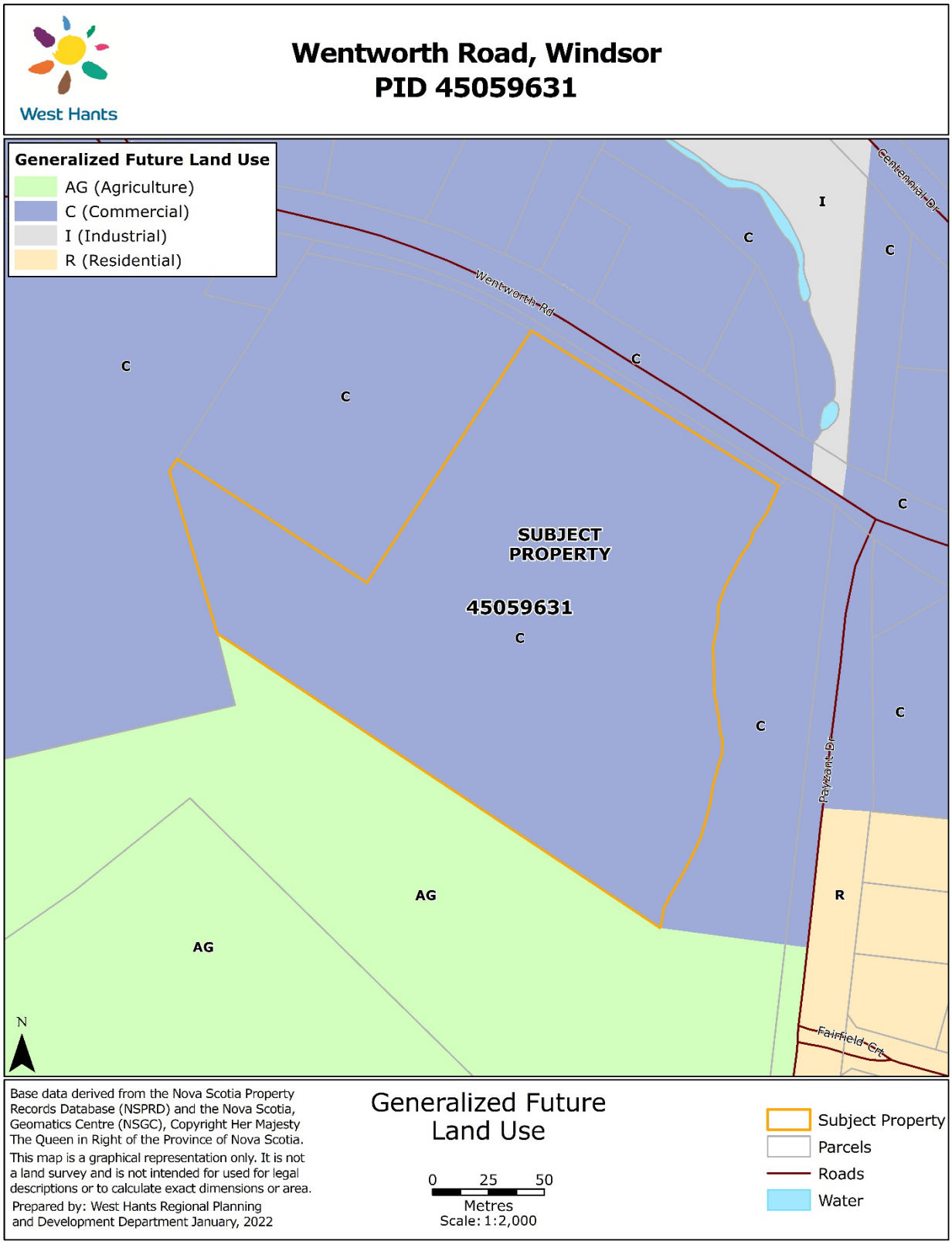


Figure 2
Windsor Zoning Map Extract

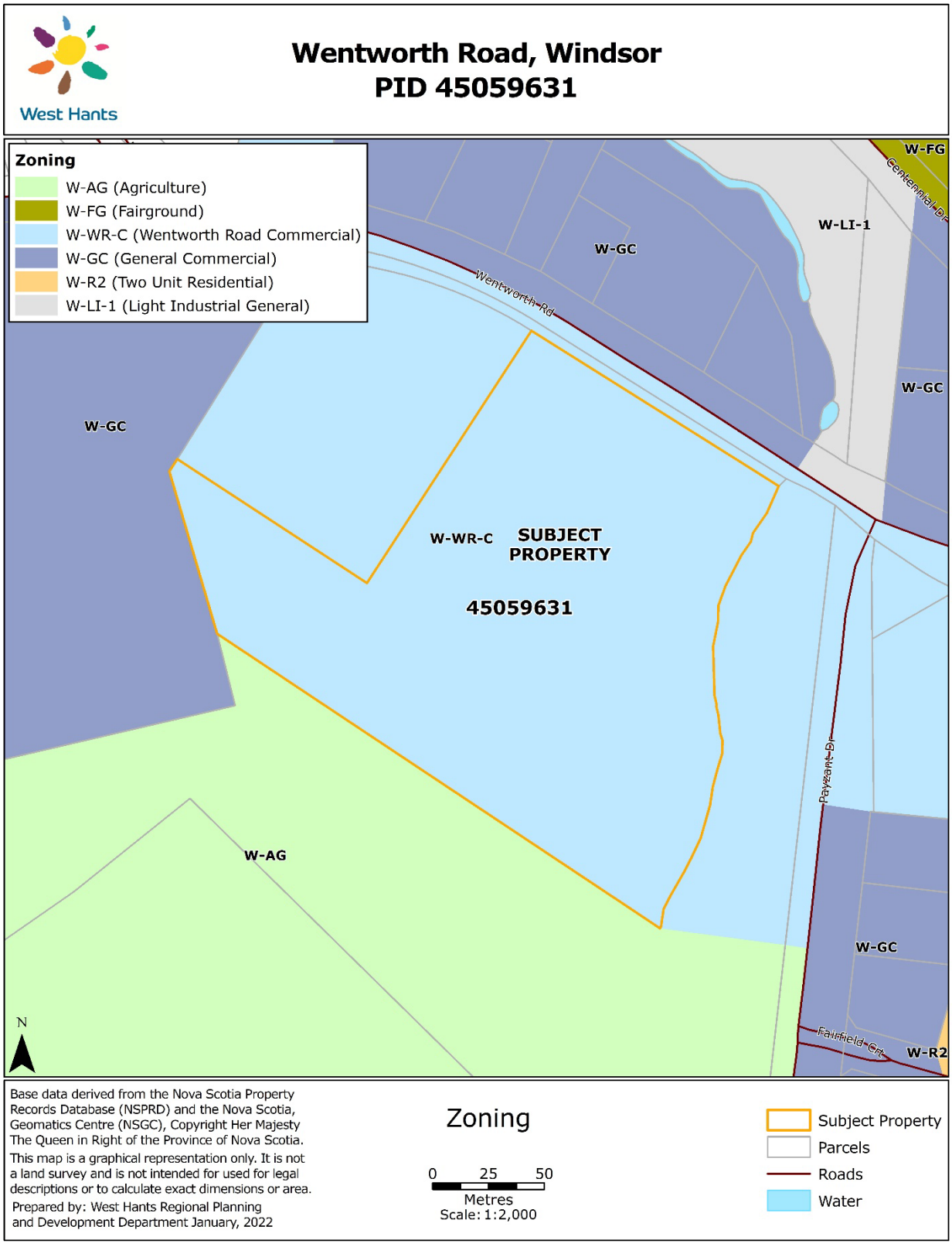
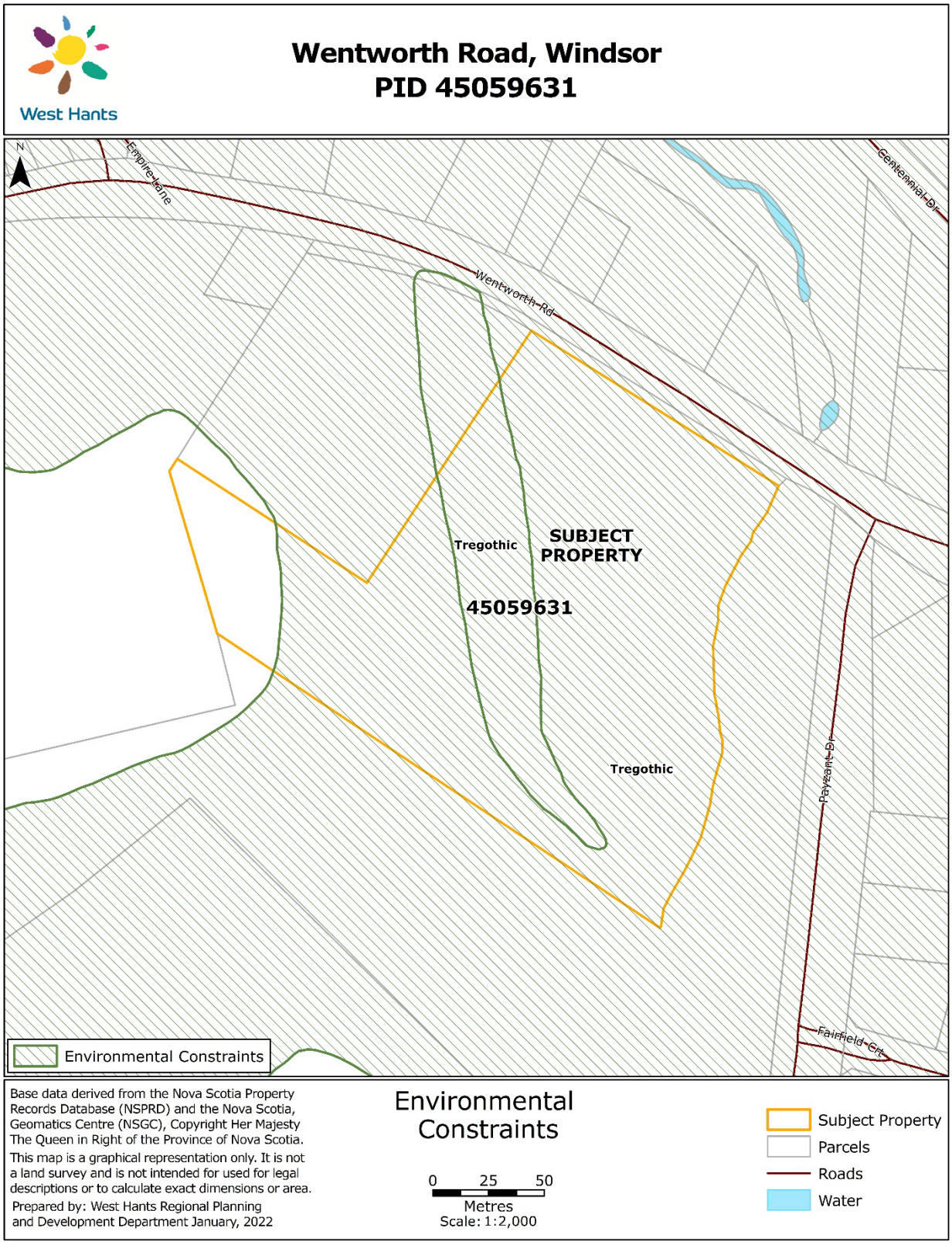


Figure 3
Environmental Constraints Extract



Attachment A
Specific Criteria for Development Agreement

Policy 8.6.15 It shall be the policy of Council that within the Wentworth Road Gateway District, Council will consider proposals for comprehensively designed developments of grouped dwellings with three or more dwelling units which may include townhouse dwellings, triplex dwellings and mixed use apartment dwellings, large format retail stores exceeding 50,000 ft2 (4,645 m2) in commercial floor area, regional shopping centres, institutional uses, mixed use, multiple unit residential, or light industrial development by development agreement in accordance with the relevant policies of this Strategy and the specific provisions for development in the Wentworth Road Gateway District as contained in Policy 8.6.16.

COMMENT
This development proposal includes grouped mixed-use and multi-unit apartment buildings and townhouses on the subject lot.

Policy 8.6.16 It shall be the policy of Council to have due regard to the following in reviewing proposals in the Wentworth Road Gateway District for rezoning to the WR-C zone pursuant to Policy 8.6.14 or development agreements pursuant to Policy 8.6.15:

CRITERIA	**COMMENT**
(a) the proposed use will not conflict with neighbouring uses;	The subject lot directly abuts properties with a variety of zoning and designations. The designation of the properties abutting the subject lot include Agriculture and Commercial, and the zoning of these abutting lots is Wentworth Road Commercial (WR-C), General Commercial (GC), and Agriculture (AG). The subject lot is zoned Wentworth Road Commercial (WR-C) which permits a wide range of general commercial and highway commercial uses, as well as large format retail stores within a specified size limit as-of-right. To the north of the subject lot are small scale commercial and residential uses and a church. There is a vacant property to the east of the subject lot and small scale commercial on the east side of Payzant Drive. The lots south of the subject lot are vacant

	agricultural land, and there is vacant land and the West Hants Education Centre to the west of the subject lot. Section 2.11, *Construction Noise*, of the draft development agreement outlines the hours permitted for construction to take place on the site. Wentworth Road is designated an arterial road on the Transportation Map of the Windsor Municipal Planning Strategy which means the road is built to a higher standard and expected to handle more traffic than collector or local roads. The Manager of Operations for the Municipal Public Works Department commented that they have no concerns with the adequacy of roadways leading to the development or the increased traffic associated with the proposal. When requested for comment the Municipal Development Officer stated "In my opinion this proposed development does not propose any conflict with neighboring uses."
(b) the architectural design and scale of the proposed development is compatible with surrounding commercial and/or residential buildings and enhances the appearance of the streetscape, consistent with the objectives of the Wentworth Road Gateway District;	The subject lot is within the Wentworth Road Gateway District where Council created the following objectives: • to identify Wentworth Road as an important entrance route into Windsor, for pedestrians and cyclists as well as for vehicles; • to promote a sense of welcome and arrival to town; and • to assist in visitor orientation and direction to the Town Centre, as the main business district. To achieve these objectives, new developments within this special development area are required to provide landscaping and other features that contribute to the overall attractiveness of the

	streetscape and create a safe and pleasant pedestrian environment, as well as allowing for efficient traffic movement. These items have been addressed in Sections 2.4, *Access and Egress,* 2.7, *Landscaping*, and 2.8, *Recreation Space,* of the draft development agreement. Wentworth Road hosts a variety of uses including the Hants County Exhibition Arena, West Hants Sports Complex, West Hants Centre for Education, commercial uses including gas stations, banks and retail stores, and a number of residential uses. The proposed mixed-use and multi-unit apartment buildings are taller than any surrounding buildings. The Wentworth Road Commercial (WR-C) zone permits a maximum height of 3 storeys (35 ft. or 10.68 m.). This proposed development will include mixed-use and multi-unit apartment buildings; three of these buildings are proposed to be 5 storeys (55 ft. or 16.76 m.) in height, and two of the buildings are proposed to be 6 storeys (65 ft. or 19.8 m.) in height. Although these grouped dwellings are different than the current development pattern in the area and the proposed buildings are taller, staff believe the scale of development is compatible with the surrounding buildings and will enhance the appearance of the streetscape which aligns with the intent of the Wentworth Road Gateway District. The proposal places the 5 storey buildings closer to Wentworth Road with the higher storey buildings being located at the back of the subject lot farthest from the road. The mixed-use apartment building on Wentworth Road will be set back from the front lot line

	and be required to provide a 15 ft. (4.57 m) landscaped area as specified in Section 2.7 (b), *Landscaping*, of the draft development agreement. This will provide a more human scale to the 5 storey building and allow the commercial businesses on the ground floor to have some space for customers entering / exiting that is not on the public sidewalk.
(c) the building design incorporates windows and other elements in the street level façade to avoid the appearance of solid blank walls;	To meet this criteria, Section 2.2 (d) of the draft development agreement specifies that the mixed-use and multi-unit apartment building design must incorporate windows and other elements at the street level façade to avoid the appearance of solid blank walls. The developer could utilize a number of methods to accomplish this including public art, creative landscaping and vegetation, windows, and/or façade treatments.
(d) the developer provides a traffic study, acceptable to the Town and conducted by a qualified person, which demonstrates that the surrounding street network will efficiently accommodate the anticipated traffic flows and that the development will not necessitate major infrastructure improvements such as traffic lights at the expense of the Town;	The Manager of Operations for the Municipal Public Works Department has stated that WSP completed a Windsor Intersection Infrastructure Needs Assessment for the Municipality which incorporated this proposed development in the traffic study. The study was prepared due to the planned reconstruction of the Exit 5A ramp for Highway 101 by the Provincial Department of Transportation and Active Transit. The study recommended upgrades to the intersection of Payzant Drive and Wentworth Road to include a roundabout. The Manager of Operations noted that these upgrades are being designed and will be discussed during the 2023-24 budget deliberations. They stated that an additional study would not be required to be provided by the developer.
(e) the provisions of Policies 8.6.4 and 8.6.8;	See below.

(f) any other matter which may be addressed in a development agreement or land use by-law; and	The Municipal Project Engineer specified that the "Developer must provide engineered stormwater plans to meet all municipal requirements". A stormwater management plan is required prior to any development permit being issued for the proposed uses, as outlined in Section 2.9, *Site Drainage*, of the draft development agreement. They also specified that "External services are considered commercial, therefore services such as garbage collection and snow plowing would be the responsibility of the property owner." This requirement is outlined in Section 2.10 (a), *Waste Collection*, and (c), *Snow Plowing*, of the draft development agreement. The Canadian Helicopters Base Manager for EMS Operations has been contacted to comment on whether the proposed development will have any impact on the helicopter landing pad at the Hants Community Hospital in Windsor. No response has been received at this time of filing this report. It is the responsibility of the property owner to ensure the site is suitable for the proposed uses. All other matters are addressed elsewhere in this report.
(g) the provisions of Policy 16.3.1.	Please see Attachment B for further details.

As stated in Policy 8.6.16 (e) the development agreement should be considered against the provisions of Policy 8.6.4 and 8.6.8 of the Municipal Planning Strategy. These policies are reviewed below.

Policy 8.6.4 It shall be the policy of Council to treat the Wentworth Road Gateway District as a special development area where new developments shall be required to provide landscaping and other features that contribute to the overall

attractiveness of the streetscape and create a safe and pleasant pedestrian environment, as well as allowing for efficient traffic movement.

COMMENT
These items have been addressed in Sections 2.4, *Access and Egress,* 2.7, *Landscaping*, and 2.8, *Recreation Space,* of the draft development agreement. See Section 8.6.16 (b).

Policy 8.6.8 It shall be the intention of Council that, within the Wentworth Road Gateway District, the following matters will be addressed through Land Use By-law requirements and development agreement provisions:

CRITERIA	**COMMENT**
(a) landscaping along the street frontage to enhance the overall attractiveness of the streetscape and provide a buffer between the sidewalk and commercial or other development;	The mixed-use apartment building on Wentworth Road will be set back from the front lot line and be required to provide a 15 ft. (4.57 m) landscaped area as specified in Section 2.7 (b), *Landscaping*, of the draft development agreement. This will provide a more human scale to the 5 storey building and allow the commercial businesses on the ground floor to have some space for customers entering / exiting that is not on the public sidewalk.
(b) landscaping within parking lots to avoid the appearance of large, uninterrupted expanses of asphalt;	Section 2.7 (d) of the draft development agreement requires landscaped islands to be provided within parking areas of 20 spaces or more to avoid the appearance of large, uninterrupted expanses of asphalt.
(c) safe pedestrian access from the sidewalk to new developments by means of walkways or clearly defined trails;	The draft development agreement requires a 5 ft. (1.52 m.) wide pedestrian walkway from the sidewalk on Wentworth Road to the main entrances of each building, as outlined in Section 2.4 (d), *Access and Egress,* to ensure safe pedestrian access.
(d) other similar provisions.	All other provisions have been addresses elsewhere in this report.

Attachment B
General Criteria for Development Agreement

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

CRITERIA	**COMMENT**
(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Municipal Project Engineer stated the lot is currently serviced with municipal sewer and water, and that "Public Works may choose that separate laterals be extended to each of the buildings." They have no concerns with the adequacy of sewer and water services in the area.
(ii) the adequacy of school facilities;	The Director of Operations for the Annapolis Valley Regional Centre for Education has stated they "have capacity for growth in the area noted", adding that they "would always make more space available if needed."
(iii) the adequacy of fire protection;	In response to an inquiry, the Manager of Building and Fire Inspection Services stated that "the main points at this time are Fire Department access, water supply for sprinkler systems and sewer adequate to handle the extra flow". As noted in 16.3.1 (a) (i) the Municipal Project Engineer did not have any concerns with respect to the adequacy of sewer and water services in the area to meet the demand of the proposed uses. Upon application for a development and building permit, the Manager of Building

	and Fire Inspection Services will go through a full building plan review to ensure the proposed development meets the Building and Fire Codes prior to issuing a building permit. Section 5.1, *Compliance with other By-laws and Regulations*, ensures that the Building Code requirements must be met. The local Fire Chief stated their immediate concerns would be: 360 degree access for aerial apparatus, particularly to the higher buildings; hydrant locations and Fire Department connection locations; and, rolling curbs to allow apparatus to mount curbs without possible tire damage. Section 2.6, *Fire Safety*, of the draft development agreement was developed based on comments received from the local Fire Chief. Staff drafted Section 2.6 (b) and (c) to ensure there is unimpeded access for emergency services vehicles.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	Wentworth Road is an arterial road on the Transportation Map of the Windsor Municipal Planning Strategy which means it is built to a higher standard and is expected to accommodate more traffic than a collector or local road. The Manager of Operations for the Municipal Public Works Department commented that they have no concerns with the adequacy of road networks adjacent to or leading to the development. They added that the Municipality recently completed a Windsor Intersection Infrastructure Needs Assessment which included this area and incorporated the traffic counts of the proposed development.
(v) the financial capacity of the Town to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.

(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Manager of Operations has stated they have no concerns with regard to the adequacy of road networks adjacent to, or leading to the development, or the impact of the development on traffic generation or traffic safety. In terms of pedestrian traffic movement, there are sidewalks on both sides of Wentworth Road and the draft development requires a 5 ft. (1.52 m.) wide pedestrian walkway from the sidewalk on Wentworth Road to the main entrances of each building, as outlined in Section 2.4 (d), *Access and Egress.* This will ensure suitable infrastructure for safe pedestrian movement within the site. There is no active rail transportation in the vicinity.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	The lot is approximately 8.43-acres in size which would be adequate to accommodate the proposed development.
(d) the pattern of development which the proposal might create;	The proposal from FH Development Group Inc. aligns with the intent of the Wentworth Road Gateway District and is not anticipated to create a pattern of development that is unusual for the area.
(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;	The subject lot is relatively flat. The east boundary of the lot follows the Tregothic Creek. Almost the entire subject lot is located within the Environmental Constraints area and is within the Tregothic Marsh. Any new buildings proposed on that portion of the site would be required to meet Section 27.0 of the Windsor Land Use By-law. This is also outlined in Section 2.10 (d), *Environmental Study,* of the draft development agreement. The Public Works Department has requested that a stormwater management plan for the

	site be required prior to development permits being issued to ensure that historical flooding patterns and area drainage systems have been considered and that storm water discharge will not have a negative impact on downstream properties. This is outlined in Section 2.9 (a), *Site Drainage*, of the draft development agreement. It is the responsibility of the property owner to ensure the site is suitable for the proposed uses.
(f) 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	All Municipal, Provincial and Federal regulations will have to be met.
(g) any other matter required by relevant policies of this Strategy.	There are no other relevant policies of this Strategy.

Attachment C
Public Information Meeting Notes
May 12 – May 27, 2022
File 22-03
Wentworth Road, Windsor PID 45059631

Meeting date and time	A virtual Public Information Meeting was held on May 12th, 2022 beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
Attending	In attendance: One (1) Councillor: • Councillor Sherman (Vice Chair) Two (2) members of staff: • Director LeMay • Meeting Secretary Lake Applicant: • Darren Shupe, Brighter Community Planning (Applicants Planner) The following members of the public attended the PIM via Zoom: • Karen Hosking • Mark Higgins Three (3) members of the public attended the meeting in-person.
Applicant Faisal Al-Hammadi, FH Development Group Inc. **Property** Wentworth Road, PID 45059631	Director LeMay outlined the development agreement application to permit 240 apartment units, 10,000 sq. ft. of commercial space and townhouse dwellings grouped on the lot at PID 45059631 on Wentworth Road. A formal presentation was made by Darren Shupe of Brighter Community Planning on behalf of the applicant.
Comments	Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between May 12 – 27, 2022. 2 members of the public spoke at the Public Information Meeting and 1 written comment was received via email. The questions and comments from the public are summarized below. The email response is attached.

	The following comments were made at the Public Information Meeting: • will there be low rental apartments? What does "affordable" mean to the developer? Darren noted rent prices have not yet been established • how soon can it get started? The members of the public in-person at the meeting were there to support the project in general • one individual indicated the area is very wet Darren indicated the storm water management plan would address this • a PAC/HAC member asked whether the façade had been designed yet? They wanted to see care be taken in design of the facade to ensure it would age well and suit the area Darren said early stages yet and the developer would be looking at options • PAC member asked if EV chargers would be included? Darren commented that this had been done in other developments and would be considered for this
Adjournment	The meeting was adjourned at 6:28 p.m.

Public Email Responses Submitted for the Application PIM

May 18, 2022

From: Sara Poirier

To: Connor Wallace

Cc: Dino Lanzo

Hi Connor,

Thank you for the comments. I will ensure they are passed along to the Planning and Heritage Advisory Committee for consideration.

To answer your question on setbacks, in the draft development agreement I will be proposing a minimum 15 ft front yard and a minimum 25 ft rear and side yards. Our Manager of Building and Fire Inspection Services has been contacted for comment on the proposal. The Building Officials will ensure the buildings meet the National Building Code requirements prior to building permits being issued.

I have reviewed the access easement and requested comment from our Director of Public Works and CAO, and the new property owner. I will let you know once I hear back from them with direction.

All the best,

Sara

May 16, 2022

From: Connor Wallace

Cc: Dino Lanzo

To: Sara Poirier

Hi Sara,

Thanks again for sending along this update on the active planning application at PID 45059631.

I have spoken with my client, Canadian Tire Real Estate Limited, and offer the following feedback on their behalf.

- Concern with proximity of multi-unit residential dwellings to Canadian Tire Real Estate Property.

    - Concern with regards to compatibility of land uses and noise impact from potential future commercial operation (loading, deliveries, compacter etc.)
    - It is difficult to tell from the scale of the concept drawings – however could you clarify what the minimum setback distance is between these buildings and the Canadian Tire property lines?
    - The buildings look close to internal property lines as it pertains to limiting distance / unprotected openings (windows) requirements of the National Building Code. It may be difficult for the developer to have adequate unprotected openings for the proposed use, due to the buildings close proximity to internal property lines.
    - Suggestions:
        - Increase setback from internal property line
        - Implement transition measures along the property line such as opaque fencing and landscaping
- Easement
    - There is currently an access easement on the Canadian Tire Lands that is in favor of PID 45059631 (attached). We understand this easement was put in place when the town of Windsor owned these lands. Ownership has now changed and it doesn't look like the proposed development requires any access over the Canadian Tire lands. Therefore, we are wondering if this easement could now be relinquished and if so what the process is involved in doing so.

Look forward to hearing from you once you have had a chance to review these comments.

Regards,

Connor

From: Sara Poirier

To: Connor Wallace

Cc: Dino Lanzo

Good morning Connor,

Please find attached the PIM presentations made by staff and the applicants planners on May 12 for the application at PID 45059631 on Wentworth Road in Windsor. Please note that any comments or questions on the proposal can be submitted to me by noon on May 27.

All the best,

Sara

From: Connor Wallace

Cc: Dino Lanzo

To: Sara Poirier

Hey Sarah,

Following up on our phone chat this afternoon. As discussed, could you please circulate the plans/concept for this planning application following next weeks public meeting ?

Thanks,

Connor

ZZap Architecture and Planning

Attachment D

West Hants

DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2022.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, 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 -

FH DEVELOPMENT GROUP INC. a body corporate, with a head office at 153 Sackville Drive, Suite 1, Lower Sackville, 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 on Wentworth Road, PID 45059631, hereinafter referred to as the "Property", which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Property is designated Commercial on the Generalized Future Land Use Map of the Municipal Planning Strategy, zoned Wentworth Road Commercial (WR-C) on the Zoning Map of the Land Use By-law, within the Wentworth Road Gateway District and within the Environmental Constraints overlay; and

WHEREAS the Owner has requested that the Municipality enter into a development agreement to permit up to 240 apartment units, 10,000 sq. ft. of commercial space, and 17 townhouse dwellings grouped on the Property (the "Development"); and

WHEREAS Policy 8.6.15 of the Municipal Planning Strategy and Section 6.1 (j) of the Land Use By-law enable Council to consider entering into a development agreement to allow comprehensively designed developments of grouped dwellings with three or more dwelling units which may include townhouse dwellings, triplex dwellings and mixed use apartment dwellings in the Wentworth Road Gateway District; and

WHEREAS the Council of the Municipality, at a meeting held on Month Day, 2022 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:

PART 1 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 Bylaw, except those defined as follows:

(a) "Commencement" means the date the Owner begins actively constructing a particular building within this Agreement as permitted by an issued development and building permit; and

(b) "Constructed wetland" means an engineered body of water that has specific plant species, soil types and microorganisms to treat water and aid in on-site stormwater management.

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 Town of Windsor, approved on August 23, 2005, as amended, or successor by-laws;

(b) *Land Use By-law* means the Land Use By-law of the Town of Windsor, approved on August 23, 2005, as amended, or successor by-laws;

(c) *Subdivision By-law* means the Subdivision By-law of the Town of Windsor, approved on January 24, 2012, as amended, or successor by-laws.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

(a) The Parties agree that uses on the Property shall be limited to the following:

(i) those uses permitted by the underlying zoning in the Land Use By-law excluding car washes and drive-through restaurants;

(ii) residential development consisting of a maximum of 240 apartment dwelling units and 17 townhouse dwelling units;

(iii) under-building ground-level parking and surface parking for the uses within the buildings;

(iv) outdoor recreation space including but not limited to a plaza and central garden; and

(v) a constructed wetland which may be used for on-site stormwater management.

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 Municipality and the Owner acknowledge that the Development as shown on Schedule B is a phased Development. The Development location and design shall, subject to section 2.2(j), be generally consistent with the site plan shown in Schedule B.

(b) The mixed-use apartment building fronting on Wentworth Road shown as Building A on the site plan in Schedule B is limited to a maximum of 40 dwelling units and 10,000 sq. ft. gross floor area on the ground floor for commercial uses and shall be the first building to be constructed on the Property.

(c) The multi-unit apartment buildings shown as Building B, C, D and E on the site plan in Schedule B shall be limited to a maximum of 160 dwelling units. The buildings may include one storey of under building parking on the ground floor and may be constructed in an order suitable to the developer.

(d) The mixed-use apartment building and the multi-unit apartment buildings permitted in Section 2.2 (b) and (c) shall incorporate windows and other elements in the street level façade to avoid the appearance of solid blank walls.

(e) The 17 townhouse dwelling units shown as Buildings F on the site plan in Schedule B may be constructed any time after Building A and one of the multi-unit apartments, as identified as Buildings B-E on the site plan in Schedule B, are complete and have received occupancy permits.

(f) In the event that the Owner chooses to build and occupy one building at a time, the following infrastructure is required for that building:

(i) the necessary services for the proper use and enjoyment of the building including but not limited to a driveway and access, landscaping, pedestrian walkways, parking, lighting, and water and sewer services; and

(ii) the required usable recreation space as per Section 10.5, *Recreational Space*, of the Land Use By-law.

(g) Development shall conform to the following requirements:

Minimum Front Yard	15 ft. (4.57 m.)
Minimum Rear Yard	25 ft. (7.62 m.)
Minimum Side Yard*	25 ft. (7.62 m.) *No side yard shall be required along the common wall dividing a townhouse dwelling.

(h) Development height shall conform to the following requirements:

Type of Building as shown on Schedule B	**Maximum Height**	**Maximum Storey of Main Building**
Building A: Mixed-use multiple unit apartment building	55 ft. (16.76 m.)	5 storeys
Building B and C: Multiple unit apartment buildings	55 ft. (16.76 m.)	5 storeys
Building D and E: Multiple unit apartment buildings	65 ft. (19.8 m.)	6 storeys
Buildings F: Townhouse dwellings	35 ft. (10.67 m.)	3 storeys

(i) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*. The maximum height of an accessory building shall be 15 ft. (4.57 m.).

(j) The Development Officer may approve in writing minor changes to the location of the main buildings or other aspects of the site plan provided the side yards are not decreased. Changes to the site plan may also be approved in writing in accordance with reports generated in Section 2.9, *Site Drainage*, and 2.10 (d), *Environmental Study,* of this agreement provided the side yards are not decreased.

(k) No structure shall be located closer than 50 ft. (15.24 m.) from a watercourse.

(l) A minimum of 60,000 sq. ft. (5,574.2 sq. m.) of usable recreation space as outlined in Section 2.8, *Recreational Space*, shall be required.

2.3 Phasing

(a) Construction of Building A and all relevant infrastructure and landscaping as outlined in Section 2.2 (f) and 2.7 (c) of this Agreement shall be completed within twenty-four (24) months of the commencement of Development outlined in Section 4.1 of this Agreement. If, in the opinion of the Development Officer, this time limit has not been met, Development as per this agreement shall no longer be permitted and this Agreement may be discharged in part at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* thirty (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.

(b) Construction of Buildings B-F and all relevant infrastructure and landscaping as outlined in Section 2.2 (f) of this Agreement shall be completed within ninety-six (96) months of the actual commencement of Development of Building A provided that such commencement is within the time limit prescribed in Section 4.1 of this Agreement. If, in the opinion of the Development Officer, this time limit has not been met, Development of Buildings B-F shall no longer be permitted and this Agreement may be discharged in part solely at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* thirty (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.

2.4 Access and Egress

(a) The Owner shall, subject to Section 2.2 (j), develop, construct, and maintain the driveway in the Development in general conformance with the driveway shown on Schedule B.

(b) The driveway shown on Schedule B shall provide a minimum street allowance of 50 ft. (15.24 m.) and shall be paved with a minimum paved surface of 20 ft. (6.09 m.). The vehicular entrance and exit shall be clearly demarcated and paved.

(c) The Owner agrees that it will seek and obtain approval in writing from the Municipality before any other driveway from the Development is connected to Wentworth Road or any other public road.

(d) A 5 ft. (1.52 m.) wide pedestrian walkway shall be provided from the sidewalk on Wentworth Road to the main entrances of each building. The pedestrian walkways shall be constructed so as to create a stable surface and may use permeable construction materials to assist with stormwater retention.

2.5 Parking

(a) All parking spaces for vehicles using the Property shall be located on the lot and shall, subject to Section 2.2 (j), be generally located as shown on Schedule B.

(b) A minimum of one (1) parking space shall be provided per dwelling unit and a minimum of one (1) parking space shall be provided for every 300 sq. ft. (27.9 sq. m.) gross floor area dedicated to commercial uses on the Property.

(c) Parking may be provided either within the buildings or outside at grade.

(d) Outside parking aisles and spaces shall be constructed so as to create a stable surface for vehicle traffic and be clearly demarcated and lined by the Owner. They may be constructed using permeable construction materials to assist with stormwater retention.

(e) Each parking space shall be a minimum of 9 ft. by 20 ft. (2.7 m. by 6.1 m.) exclusive of driveways and manoeuvring aisles. Parking aisles shall be a minimum of 20 ft. (6.1 m) wide.

(f) The number, location and arrangement of parking spaces, aisles and driveways may be varied in writing by the Development Officer in accordance with Section 2.15, *Variance*, of this Agreement.

2.6 Fire Safety

(a) No development permit shall be issued until the location and connection design of any fire hydrant(s) to the municipal water supply has been approved by the water utility, in consultation with the district Fire Chief.

(b) All curbs shall be designed to be mountable by emergency services vehicles.

(c) All access routes shall be kept clear of overhead obstructions and wires and be maintained by the Owner to allow unimpeded access to the Property by emergency services vehicles, unless otherwise agreed to in writing by the Fire Chief.

2.7 Landscaping

The Owner shall:

(a) keep all undeveloped areas of the Property landscaped which may include grass, shrubs, trees or other appropriate vegetative cover.

(b) provide a landscaped area at least 15 ft. (4.57 m.) deep that runs the length of and directly abuts the front lot line along Wentworth Road, excluding driveway openings and walkways.

(c) the landscaped area required in Section 2.7 (b) shall be grassed, or other appropriate vegetative ground cover used, and trees shall be planted at intervals no greater than 50 ft. (15.24 m.) on centre. New trees shall have a minimum diameter of 2 in. (5.08 cm.) measured at 4.5 ft. above the surrounding grade and a minimum height of 5 ft. (1.52 m.). Where possible, existing trees may be retained and included in the calculation of plantings required.

(d) For parking lots containing 20 or more spaces, landscaped islands with a minimum permeable surface area of 100 sq. ft. (9.29 sq. m.) shall be provided within the parking lot at a rate of one island per 20 parking spaces. Islands may be located at the end of banks of parking stalls or separating banks of parking stalls. Landscaped islands may include shrubs, perennials, annuals or ground cover and shall include at least one tree, having a minimum diameter of 2 in. (5.08 cm.) measured at 4.5 ft. above the surrounding grade and a minimum height of 5 ft. (1.52 m.), per island. These landscaped islands may be used for on-site stormwater management.

2.8 Recreational Space

(a) A minimum of 60,000 sq. ft. (5,574.2 sq. m.) of usable recreation space shall be provided on the Property and may include:

(i) individual balconies; and

(ii) common-use landscaped areas in accordance with the Site Plan attached as Schedule B.

(b) The plaza shown on the site plan in Schedule B shall be completed before an occupancy permit is issued for Building A. The central garden on the site plan in Schedule B shall be completed in conjunction with Building B and C. The plaza and central garden shall be included in the useable recreation space calculations.

2.9 Site Drainage

(a) No development permit shall be issued until the Owner provides a stormwater management plan that will satisfy the Municipal Engineer that historical flooding patterns and area drainage systems have been considered and that storm water discharge will balance pre- and post-construction flows to ensure there is no negative impact on downstream properties.

(b) No development permit shall be issued for the constructed wetland until the Owner submits engineered drawings to the Municipal Engineer for approval prior to construction.

(c) The Owner shall undertake all construction activities in accordance with an erosion and sedimentation control plan prepared by a Professional Engineer, unless otherwise directed by Nova Scotia Environment, and also agrees to assume sole responsibility for compliance with all regulations of Nova Scotia Environment.

2.10 Servicing

(a) Waste Collection

(i) No Municipal garbage collection will be provided to the Development. The Owner shall have sole responsibility for collecting, storing and disposing of garbage and other recycling or waste items from the Development.

(ii) The Owner shall keep any outdoor storage of garbage in an enclosed structure or in some way adequately screened so as not to be visible from or cause a nuisance to nearby properties and abutting roads and it shall not be located closer than 10 ft. (3.05 m.) to an abutting property.

(b) Water and Sewer Services

(i) Any of the proposed uses on the lot shall be serviced with water and sewer services provided by West Hants Regional Municipality authorized by the Municipal Engineer. Detailed design plans of the water and sewer servicing connections and layout shall be in accordance with the Municipal Services

Specifications Manual and shall be submitted to the Municipal Engineer for approval prior to construction.

(ii) The Owner shall be responsible for constructing, installing and maintaining the water and sewer services on the Property.

(c) Snow Plowing

The Owner shall have sole responsibility for snow plowing within the Development.

(d) Environmental Study

For any portion of the main buildings shown on Schedule B of this Agreement that is intended to be constructed upon lands designated as Environmental Constraints on "Schedule A - Zoning" of the Land Use By-law, the Owner must provide the Development Officer with a completed Environmental Study as outlined in Policy 12.0.2 of the Municipal Planning Strategy prior to a development permit being issued.

2.11 Construction Noise

Construction on the lot shall only be permitted between the hours of 7:00 a.m. and 9:00 p.m. daily unless construction is being conducted within a wholly enclosed structure.

2.12 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.

2.13 Signs and Lighting

Signage and illumination shall be regulated under Sections 5.18 and 7.0 of the Land Use By-law, *Illumination* and *Signs*, which controls lighting, size, location, and number of signs. Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

2.14 Subdivision

No alterations to the lot configuration or subdivision are permitted except those required by the Municipality for the purpose of creating or expanding open space within

the Property or those required by the road authority for the purpose of creating or expanding a public street over the Property.

2.15 Variance

In accordance with Section 5.40 of the Land Use By-law, *Variance*, the Development Officer may grant a variance for one or more of the following requirements subject to the requirements of the *Municipal Government Act*:

(i) minimum required yard dimensions except side yard requirements as required in Section 2.2 (g) of this Agreement;
(ii) number of parking spaces required; and
(iii) floor area occupied by a home-based business.

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*;
(b) the order of building construction in Section 2.2, *Development Location and Design*, and the required recreation space for Buildings A, B and C in Section 2.8 (b), *Recreation Space*;
(c) the fire safety requirements listed in Section 2.6, *Fire Safety*;
(d) the landscaping requirements in Section 2.7, *Landscaping*; and
(e) the requirements for a stormwater management plan to be submitted prior to a development permit being issued as listed in Section 2.9, *Site Drainage*.

3.4 Upon conveyance of land by the Owner to either:

(a) the road authority for the purpose of creating or expanding a public street over the Property; or

(b) the Municipality for the purpose of creating or expanding any municipally owned facility over the Property;

registration of the deed reflecting the conveyance shall be conclusive evidence that that this agreement shall be discharged as it relates to the public street or public facility, as

the case may be, as of the date of registration with the Land Registry Office, but this Agreement shall remain in full force and effect for all remaining portions of the Property.

3.5 Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council without a public hearing.

3.6 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 Development,* 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.

3.7 Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

PART 4 IMPLEMENTATION

4.1 Commencement of Development

(a) The Owner may not commence any construction or use on the Property 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 eighteen (18) 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) The footings for Building A shall be completed, the determination of which shall be at the sole discretion of the Municipal Building Official, within twenty-four (24) months from the date this Agreement is signed.

(d) 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.

(c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

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 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 Faisal Al-Hammadi, FH Development Group Inc., 153 Sackville Drive, Suite 1, Lower Sackville, NS, B4C 2R3, 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, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Owner.

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	**) WEST HANTS REGIONAL**
In the presence of:	**) MUNICIPALITY**
	)
	)
	)
	)
	)
_____	Per: _____
Witness	) Abraham Zebian, Mayor
	)
_____	) Per: _____

Witness	)	Deanna Snair, Municipal Clerk
	)	
	)	
	)	
	)	**FH DEVELOPMENT GROUP INC.**
	)	
	)	
	)	
_____	Per:	_____
Witness	)	Faisal Al-Hammadi, President

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2022, 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 **WEST HANTS REGIONAL MUNICIPALITY**, 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 h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2022, 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 **WEST HANTS REGIONAL MUNICIPALITY**, 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 h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2022, 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, **Faisal Al-Hammadi**, one of the parties thereto, signed, sealed and delivered the same in h presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK

WEST HANTS REGIONAL MUNICIPALITY

I, Deanna Snair of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (the "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. The Municipality is a body corporate pursuant to the *Municipal Government Act*, S.N.S. 1988, c.18, as amended.

3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the *Municipal Government Act*, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.

4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

I certify that on this _____, 2022
the Municipal Clerk, Deanna Snair came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____
A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

_____
Deanna Snair, Clerk

Canada
Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Faisal Al-Hammadi, Nova Scotia, make oath and say that:

1. I Faisal Al-Hammadi of FH DEVELOPMENT GROUP INC. the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.

2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.

3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.

4. The Corporation is a resident of Canada under the Income Tax Act (Canada).

5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 2022
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

FAISAL AL-HAMMADI, President

Schedule A
Legal Description – PID 45059631

ALL that lot of land situate at Windsor, in the County of Hants and Province of Nova Scotia shown as Block A1 on a Plan of Survey prepared by Bruce Lake, N.S.L.S. entitled "Plan of Survey Parcel A lands conveyed to The Town of Windsor, The Municipality of the District of West Hants" dated the 23rd day of March, 2005, and recorded at the Registry of Deeds in Windsor on the 7th day of September, 2005 as document #82939779.

Together with an easement in favour of the Town of Windsor, over Lot B, lands of Canadian Tire Real Estate Limited, as defined and described in the Access Easement Agreement recorded on July 2, 2010 as Document 96268132.

Subject to the Restrictive Covenants as defined and described in the Restriction Agreement between the Town of Windsor the Canadian Tire Real Estate Limited, recorded on July 2, 2010 as Document 96268009.

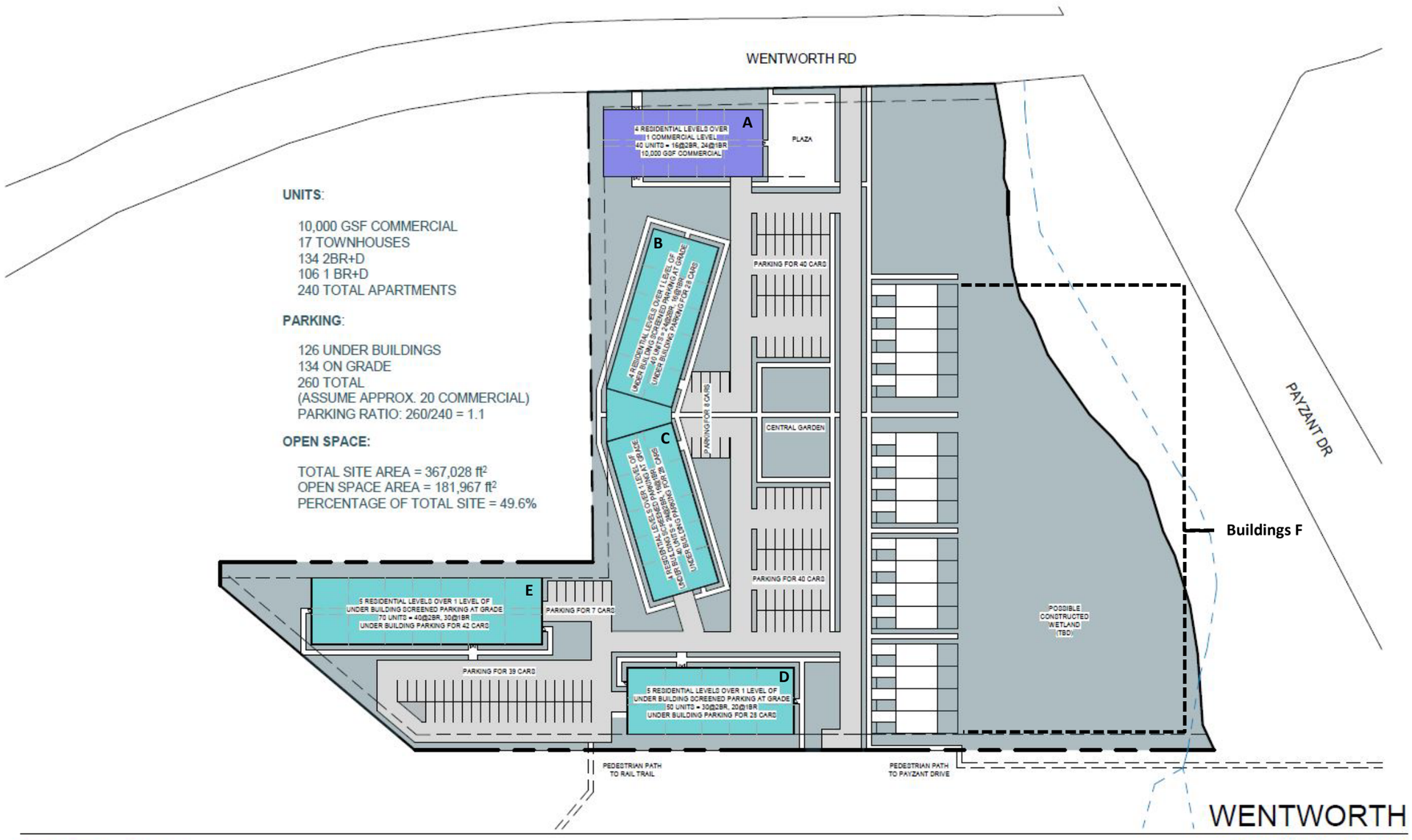
Subject to an Easement in favour of Bell Aliant Regional Communications Inc., in its capacity as general partner for Bell Aliant Regional Communications, Limited Partnership dated the 13th day of June, 2008 and recorded at the Land Registration Office for the district of Hants on the 15th day of September 2009 as Document No. 94276905.

SAVING and EXCEPTING LOT B as shown on registered Plan No. 94946069 at the Land Registration Office for Hants County.

The parcel originates with an approved plan of subdivision that has been filed under the Registry Act or registered under the Land Registration Act at the Land Registration Office for the registration district of Hants as plan or document number 94946069

The MGA compliance statement has been applied by SNSMR during the processing of the abovementioned plan 94946069

Schedule B
Site Plan



UNITS:

10,000 GSF COMMERCIAL
17 TOWNHOUSES
134 2BR+D
106 1 BR+D
240 TOTAL APARTMENTS

PARKING:

126 UNDER BUILDINGS
134 ON GRADE
260 TOTAL
(ASSUME APPROX. 20 COMMERCIAL)
PARKING RATIO: 260/240 = 1.1

OPEN SPACE:

TOTAL SITE AREA = 367,028 ft²
OPEN SPACE AREA = 181,967 ft²
PERCENTAGE OF TOTAL SITE = 49.6%

WENTWORTH

PRELIMINARY SITE PLAN
02 FEBRUARY 2022

ASK-1

Architects+Planners Inc.

N
0 10 m

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ✓

To: Council Meeting, West Hants Regional Municipality

Submitted by: Jim Ivey, Windsor South, District 11

Date: June 28, 2022

Subject: Councillor Information Activity Report

A standard busy month as always with resident inquiries, local events / activities in the West Hants Regional Municipality.

Some of the items that have surfaced, been brought to my attention or attended over the last month or two include the following

- Resident related matters including issues or:
  - Parking: '…Enforced too much…', '…. Not business friendly…' Not enforced enough', '…not consumer friendly', '…increase fines to prevent abuse…', '…If we are not going to enforce the regulation, then remove them',

- Land Use bylaws – Parking of large commercial vehicles in residential neighborhoods

- Water bills
  a. Base rate changes can appear to occur with residents due to the monthly pro-rating based on billable days when in fact no changes in the base rate have occurred at all.
  b. Increased consumption of water
  c. Flood questions related to last years flooding in town and plans for the coming year.

- NSFM Submission of perspectives on specific areas relating to the Service Exchange Renegotiations and MGA Review Committee (priorities and areas of review).

- Star Tourism Program – pros & cons of increased tourism levels; further engagement of the VREN consultant for local visit and touring of the region this summer

determining areas of priority to address into a shared strategy.

- River / Lake related items including:
    - Planting on the sand bars taking root
    - Questions relating to the river / lake; what is the status and what will become of it? (Nobody is happy with the current state.)
    - Debris along the beach – old bridge remnants

- Brooklyn Fire Training – attended / viewed vehicle, grass fire and vehicle extraction training at the Wentworth Gypsum quarry.

- Valley Community Fiber Network (VCFN) Board Meeting and the VCFNA (Authority) Meeting – June 27, 2022
    - Meeting update on operational matters
    - AGM schedule July 21, 2022

- Hants County Pride Parade – proud to be able to witness a first in the area – very well done and organized with local volunteers and West Hants staff.

- Graduation parade on Saturday night – with graduation this week A Congratulations to all the graduates in our region

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

First Name	Last Name	Correspondence Date	Meeting / logged
Danny	Dill	2020-06-30	2020-07-14 COTW
Quentin	Davison	2020-07-06	2020-07-14 COTW
Alyson	Bremner	2020-07-07	2020-07-14 COTW
Cecil	Rolfe	2020-07-13	2020-07-14 COTW
Pat	Porter	2020-07-13	2020-07-14 COTW
Nikki-Marie	Lloyd	2020-08-02	2020-09-08 COTW
Heather	Boylan (Martock)	2020-09-01	2020-09-08 COTW
Greg	O'Leary	2020-09-03	2020-09-08 COTW
Dr. Abby	Kirumira	2020-09-02	2020-09-08 COTW
Dean	Manning	2020-09-08	2020-09-08 COTW
David & Michelle	Rideout	2020-09-08	2020-09-08 COTW
Colleen	Walsh-Bouman	2020-09-08	2020-09-08 COTW
Nicholas & Alyson	Juurlink/Bremner (Linked Farms)	2020-09-08	2020-09-22 Council
Tasha	Rogers	2020-09-08	2020-09-22 Council
Brad	Carrigan	2020-09-23	2020-10-13 COTW
Karen	Carrigan	2020-09-23	2020-10-13 COTW
Elaine	Morehouse	2020-09-24	2020-10-13 COTW
Gary	Morehouse	2020-09-24	2020-10-13 COTW
Dr. A	Kirumira	2020-09-24	2020-10-13 COTW
Blake	Sarsfield	undated	2020-10-13 COTW
Greg	Webster	2020-10-01	2020-10-13 COTW
Bobby	Kidston	2020-10-02	2020-10-13 COTW
NSTIR	(Province of NS)	2021-01-13	2021-01-26 Council
Darren	Porter	2021-03-19	2021-03-23 Council
Rylan	Carrigan	2021-03-29	2021-04-13 COTW
Robin	Bremner-Popma (Hants Co Fed of Agri)	2021-03-29	2021-04-13 COTW
Roslyn	MacDuff	2021-03-29	2021-04-13 COTW
Darlene	Taylor	2021-03-23	2021-04-13 COTW
Daniel	Oulton	2021-03-26	2021-04-13 COTW
Karen	Carrigan	2021-03-26	2021-04-13 COTW
Marie & Andrew	Connolly	2021-03-26	2021-04-13 COTW
Robin	Thomson (Atlantic Division Canoe Kayak Canada)	2021-03-30	2021-04-13 COTW
Barbara	Hughes	2021-03-29	2021-04-13 COTW
Laura	Fisher	2021-04-01	2021-04-13 COTW

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

First Name	Last Name	Correspondence Date	Meeting / logged
Nikki-Marie	Lloyd	2021-04-06	2021-04-13 COTW
Ken	Donnelly (Hwy 101 Twinning CLC)	2021-04-01	2021-04-13 COTW
Darren	Porter	2021-04-06	2021-04-13 COTW
Karen	Lynch	2021-04-09	2021-04-13 COTW
Carilee	Eddy	2021-04-15	2021-04-27 Council
Nikki-Marie	Lloyd	2021-04-19	2021-04-27 Council
Sheldon	Hope	2021-04-19	2021-04-27 Council
Adrienne	Wood	2021-04-22	2021-04-27 Council
Magda	Montgomery	2021-04-22	2021-04-27 Council
Sheldon	Hope	2021-04-26	2021-04-27 Council
Andrew	Smiley	2021-05-02	2021-05-11 COTW
Carrilee	Eddy	2021-05-03	2021-05-11 COTW
Denise	Forand	2021-04-27	2021-05-11 COTW
Erin	Naugler	2021-05-02	2021-05-11 COTW
Janet	Comeau	2021-05-02	2021-05-11 COTW
Kristyn	Anderson	2021-05-02	2021-05-11 COTW
Laura	Fisher	2021-04-01	2021-05-11 COTW
Nick	Rafuse	2021-05-03	2021-05-11 COTW
Nicole	McLeod	2021-05-02	2021-05-11 COTW
Robyn	Cook	2021-05-02	2021-05-11 COTW
Sheldon	Hope	2021-05-02	2021-05-11 COTW
Tammy	Hilden	2021-05-02	2021-05-11 COTW
Tracey	Sexton	2021-05-03	2021-05-11 COTW
Ginette	Pitcher	2021-05-03	2021-05-11 COTW
Greg	Miller	2021-05-05	2021-05-11 COTW
David & Michelle	Rideout	2021-05-05	2021-05-11 COTW
Sylvia & Vince	Burgess	2021-05-05	2021-05-11 COTW
Scott (Adrienne)	Miniou (Wood)	2021-05-03	2021-05-11 COTW
Barbara	Sullivan	2021-05-06	2021-05-11 COTW
Sandra & Skip	Hogan	2021-05-06	2021-05-11 COTW
Marie & Andrew	Connolly	2021-05-06	2021-05-11 COTW
Karen	Carrigan	2021-05-07	2021-05-11 COTW
Adrienne	Wood (Petition)	2021-05-07	2021-05-11 COTW
Lisa	Hines	2021-05-07	2021-05-11 COTW

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

First Name	Last Name	Correspondence Date	Meeting / logged
Cam	Hartley	2021-05-07	2021-05-11 COTW
Troy & Vicki	Harvie	2021-05-07	2021-05-11 COTW
Jenn	McDermott	2021-05-08	2021-05-11 COTW
Jennifer	Daniels	2021-05-09	2021-05-11 COTW
Krista & Colin	Duncan	2021-05-09	2021-05-11 COTW
Robin	Bremner-Popma	2021-05-07	2021-05-11 COTW
Roslyn (Darlene) [Barb]	MacDuff (Taylor) [Hughes]	2021-05-08	2021-05-11 COTW
Wayne & Dianne	Hines	2021-05-09	2021-05-11 COTW
Bob & Sandra	Langdon	2021-05-10	2021-05-11 COTW
Brad	Hood	2021-05-10	2021-05-11 COTW
Ed & Cathy	Kerr	2021-05-10	2021-05-11 COTW
Ann	MacArthur	2021-05-10	2021-05-11 COTW
Carole Anne	Casey	2021-05-10	2021-05-11 COTW
Sarah	MacDonald	2021-05-10	2021-05-11 COTW
Andre & Donna	Arsenault	2021-05-11	2021-05-11 COTW
Aaron	Leblanc	2021-05-12	2021-05-25 Council
Adrian	Rooney	2021-05-19	2021-05-25 Council
Adrienne	Wood	2021-05-12	2021-05-25 Council
Barb	Sullivan	2021-05-16	2021-05-25 Council
Barbara	Beck	2021-05-15	2021-05-25 Council
Bethany	Rozee	2021-05-12	2021-05-25 Council
Carl	Siler	2021-05-12	2021-05-25 Council
Carol	Bradley	2021-05-16	2021-05-25 Council
Carol	McKinley	2021-05-12	2021-05-25 Council
Chad	Pothier	2021-05-18	2021-05-25 Council
Chris	Cann	2021-05-21	2021-05-25 Council
Connie	Shay	2021-05-15	2021-05-25 Council
Conrad	Mullins	2021-05-18	2021-05-25 Council
Darlene	Taylor	2021-05-15	2021-05-25 Council
Darren	Porter	2021-05-12	2021-05-25 Council
Darren	Woods	2021-05-13	2021-05-25 Council
Dawson	Sheehy	2021-05-16	2021-05-25 Council
Deanna	Hamilton	2021-05-15	2021-05-25 Council
Debbie	Porter-Wood	2021-05-13	2021-05-25 Council
Debbie	Siler	2021-05-15	2021-05-25 Council
Denise	Forand	2021-05-13	2021-05-25 Council

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

First Name	Last Name	Correspondence Date	Meeting / logged
Devan	Archibald	2021-05-18	2021-05-25 Council
Diane	Ogilvie	2021-05-13	2021-05-25 Council
Erin	Naugler	2021-05-13	2021-05-25 Council
Ernest	Eddy	2021-05-15	2021-05-25 Council
Gerry	Young	2021-05-15	2021-05-25 Council
Gina	Cochrane	2021-05-12	2021-05-25 Council
Harry	Ullock	2021-05-15	2021-05-25 Council
Hope	Moon	2021-05-12	2021-05-25 Council
Ian	Shaw	2021-05-16	2021-05-25 Council
J	Davis (and J Griffith)	2021-05-17	2021-05-25 Council
Jacqueline	Farvacque	2021-05-12	2021-05-25 Council
Jayne	Murray	2021-05-16	2021-05-25 Council
Jeff	Redden	2021-05-17	2021-05-25 Council
Jennifer	Shaw	2021-05-16	2021-05-25 Council
Jocelyne	Marchand	2021-05-12	2021-05-25 Council
John & Sarah	Monette	2021-05-19	2021-05-25 Council
Jordan	Macumber	2021-05-12	2021-05-25 Council
Josette	Dugue	2021-05-12	2021-05-25 Council
Judy	Lynch	2021-05-13	2021-05-25 Council
June	Pedersen-LaPierre	2021-05-15	2021-05-25 Council
Justin	Cochrane	2021-05-12	2021-05-25 Council
Karen	Lynch	2021-05-18	2021-05-25 Council
Kathryn	Bergeron	2021-05-16	2021-05-25 Council
Kathy	Veinot	2021-05-15	2021-05-25 Council
Kyle	Pellegrini	2021-05-12	2021-05-25 Council
Lachlan	Riehl	2021-05-12	2021-05-25 Council
Laura	Stewart	2021-05-19	2021-05-25 Council
Lee	Billington	2021-05-12	2021-05-25 Council
Lee	Millett	2021-05-12	2021-05-25 Council
Lexie	Barkhouse	2021-05-12	2021-05-25 Council
Linda	Card	2021-05-11	2021-05-25 Council
Monique	Wood	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-18	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-12	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-17	2021-05-25 Council

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

First Name	Last Name	Correspondence Date	Meeting / logged
Olena	Kharytonova	2021-05-15	2021-05-25 Council
Pat	Porter	2021-05-12	2021-05-25 Council
Paula	Lake	2021-05-12	2021-05-25 Council
Robert	Bowkett	2021-05-18	2021-05-25 Council
Roslyn	MacDuff	2021-05-15	2021-05-25 Council
Ruth	Angevine	2021-05-13	2021-05-25 Council
Scotch Village	Farm	2021-05-19	2021-05-25 Council
Shirley	Pineo	2021-05-12	2021-05-25 Council
Stephen	Brooks	2021-05-12	2021-05-25 Council
Trudy	Sheehy	2021-05-17	2021-05-25 Council
Steven	Bouman	2021-05-17	2021-05-25 Council
Sue	Sheehy	2021-05-14	2021-05-25 Council
Susie	Smith	2021-05-12	2021-05-25 Council
Tasha	Rogers	2021-05-12	2021-05-25 Council
Tera	Brommit	2021-05-17	2021-05-25 Council
Toni-Lee	Burns	2021-05-12	2021-05-25 Council
Tony	Wood	2021-05-18	2021-05-25 Council
Tracey	Sexton	2021-05-16	2021-05-25 Council
Trevor	Levy	2021-05-12	2021-05-25 Council
Tricia	Brommit	2021-05-17	2021-05-25 Council
Vince & Sylvia	Burgess	2021-05-16	2021-05-25 Council
Loretta	MacEachern	2021-05-20	2021-05-25 Council
Tim & Jennifer	Bayers	2021-05-21	2021-05-25 Council
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darren	Porter (forwarded email from/to another source)	2021-05-27	2021-06-08 COTW
Dawn	Allen	2021-05-25	2021-06-08 COTW
John	Monette	2021-05-25	2021-06-08 COTW
Richard	Dunham	2021-05-25	2021-06-08 COTW
Carrilee	Eddy	2021-06-06	2021-06-22 Council
Darlene	Taylor	2021-06-09	2021-06-22 Council
Darren	Porter	2021-06-06	2021-06-22 Council
Lisa	Bland	2021-06-08	2021-06-22 Council
Krista & Scott	Lloy	2021-06-07	2021-06-22 Council
Nancy	Sheehy	2021-06-06	2021-06-22 Council
Karen	Beazley	2021-07-06	2021-07-13 COTW

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

First Name	Last Name	Correspondence Date	Meeting / logged
Quentin	Davison	2021-07-13	2021-07-13 COTW
Iain (Hon.)	Rankin	2021-07-16	2021-07-27 Council
Karen	Beazley	2021-07-15	2021-07-27 Council
G.E.	Morehouse	2021-07-22	2021-07-27 Council
Darlene	Taylor	2021-07-26	2021-09-14 COTW
Heather	MacLean	2021-08-13	2021-09-14 COTW
Kim (Hon)	Masland	2021-09-22	2021-10-12 COTW
Darren	Porter	2022-02-01	2022-02-08 Council
Hon. Steve	Craig	2022-03-02	2022-03-08 COTW
Hon. Greg	Morrow	2022-03-08	2022-03-22 Council
Sheldon	Hope	2022-03-10	2022-03-22 Council
Darren	Porter	2022-06-02	2022-06-14 COTW
Darren	Porter	2022-06-27	2022-06-28 Council

From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: Two adult inner bay of fundy salmon captured and dna sampled out side the gates in Windsor today
Date: Monday, June 27, 2022 11:50:25 AM

From: darren porter
Date: June 27, 2022 at 11:36:26 AM ADT
To: PublicOnlyCouncilEmail <allcouncil@westhants.ca>
Subject: Two adult inner bay of fundy salmon captured and dna sampled out side the gates in Windsor today

Caution
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

This is big news in the endangered species world. These are our panda bears.

Best fishes
Darren

Sent from my iPhone

Correspondence Received

First Name	Last Name	Correspondence Date	Meeting / logged
Katherine	Mcleod, P.Eng, Dept. Environment and climate change	2021-10-28 (Received)	2022-01-11 COTW
Hants County Legion		2021-11-25	2021-12-07 COTW
Hon. Melissa	Sheehy-Richard	2021-11-30	2021-12-07 COTW
Hon. John	Lohr	2021-11-30	2021-12-07 COTW
Hon. Kim	Masland	2021-12-01	2021-12-16 Council
NSUARB		2021-12-10	2021-12-16 Council
Bennet	Mary Lou	2021-12-13	2021-12-16 Council
Hon. Kim	Masland	2021-12-17	2022-01-11 COTW
Bland	Lisa	2021-01-17	2022-01-11-COTW
Wilson	John	2021-12-21	2022-01-11 COTW
Pineo	Shirley	2021-12-17	2022-01-11 COTW
Nelson	Gary	2022-01-11	2022-01-25 Council
Hon. Kody	Blois	2022-01-13	2022-01-25 Council
Denise	Forrand	2022-01-19	2022-01-25 Council
Dawn	Allen	2022-01-18	2022-01-25 Council
Sarah	Brothers	2022-01-19	2022-01-25 Council
Roland	Newcombe	2022-01-20	2022-01-25 Council
Valerie	Newcombe	2022-01-20	2022-01-25 Council
Andrea	Moore	2022-01-21	2022-01-25 Council
Gary	Nelson	2022-01-26	2022-02-08 COTW
Hon. Minister	Johns	2022-01-27	2022-02-08 COTW
Hon. John	Lohr	2022-02-01	2022-02-08 COTW
Hon. Joyce	Murray	2022-02-02	2022-02-08 COTW
Kim	MacQuarrie	2022-02-06	2022-02-22 Council
Sheldon	Hope	2022-02-08	2022-02-22 Council
Brad	Carrigan	2022-01-24	2022-03-08 COTW
Dr. Gordon	Haliburton	2022-02-14	2022-03-08 COTW
Hon. Kim	Masland	2022-03-01	2022-03-08 COTW
East Hants		2022-03-01	2022-03-08 COTW
Hon. John	Lohr	2022-03-22	2022-04-12 COTW
Andrea	Parker	2022-03-28	2022-04-12 COTW
Bulk Water Haulers		2022-03-30	2022-04-12 COTW
Mark	Wainman	2022-04-04	2022-04-12 COTW
Jeff	Houser	2022-03-23	2022-04-12 COTW
Kathrin	Winkler	2022-04-05	2022-04-12 COTW
Joseph, PVSC	Feeney	2022-04-14	2022-04-26 Council

Correspondence Received

Darren	Porter	2022-04-21	2022-04-26 Council
Daphnee	de Lamirande	2022-04-29	2022-05-10 COTW
Hon. John	Lohr	2022-05-02	2022-05-10 COTW
Ann- Marie	Mathieu, Annapolis Valley Regional Library	2022-05-05	2022-05-10 COTW
2022-05-11 Yves	Arsenault re Information session for Hosting of 44th annual Final des Jeux de l'Acadie for 2025	2022-05-11	2022-05-26 Council
Anna	Allen	2022-05-22	2022-06-14 COTW
Seamus	Marriott, Community Petition re Zwicker lake	2022-05-31	2022-06-14 COTW
Scott	Carson (Presenting letter in person to Council)	2022-06-03	2022-06-14 COTW
Hon. John	Lohr (DMA)	2022-06-10	2022-06-14 COTW
Nancy	Sherwood	2022-06-14	2022-06-28 Council
Bobby	Best	2022-06-16	2022-06-28 Council
Hon. Kim	Masland	2022-06-21	2022-06-28 Council
Sherri	Bulger	2022-06-28	2022-06-28 Council

Deanna Snair

From: Abraham Zebian
Sent: Thursday, June 16, 2022 8:19 AM
To: Deanna Snair
Subject: Fwd: Canoe Club in Upper Vaughan

Mayor Abraham Zebian
West Hants Regional Municipality
76 Morrison Drive
Windsor NS
B0N 2T0
902-790-1566

Begin forwarded message:

From: Nancy
Date: June 14, 2022 at 8:33:13 PM ADT
To: azebian@westhants.ca
Cc: David Cameron
Subject: Canoe Club in Upper Vaughan

Caution
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Dear Mr Zebian,
I was in touch with you previously about the fish passage on the Avon River and appreciate how this issue has been progressing. . We also discussed the loss of the recreational lake for use, and now I am glad to say that I find that a good solution has been found in having the canoe club come to Zwicker Lake. Some of us residents feel having the club come here is very good for our community.

My husband David Cameron and I endorse the idea that young people benefit from exposure to outdoor activity: it gives them inspiration, enjoyment, fitness, and pride of accomplishment. If there is going to be development in our area, I believe this club potentially brings more vitality to our village..
If the "permanent" racing lane goes in front of our place, the one next door, and the canoe club, there's room for activities at the other end of the lake. That is the end where the public beach is and the location of most of the cottage owners who are challenging the club's right to be here. Our next door neighbour welcomes youth and the kayaks to have access to his section of lakefront, and with the club being next to him, there's a way to give room to multi-use.

I hope that there can be a win-win situation for everyone, and we adults can set a good example for the younger people. I am grateful for all the work that has gone into this solution so far.

Regards,
Nancy Sherwood



June 16, 2022

The Classic Heritage Beef Show board of directors would like to extend our gratitude for your consideration and approval of our grant application, in the amount of $2500.00.

This show started back in 2015 at the 250th Hants County Exhibition with a few local beef farmers putting their thinking caps on and hoping for the best. Since then, the show has become one of the most sought out events in the Maritime's. This show wouldn't be possible if it wasn't for our donations and sponsors.

All major sponsors are given arena space for their company banners. If you have a banner we could hang, please let us know.

We would like to extend an invite to Mayor Abraham Zebian and to the councilors of West Hants to attend next year's auction, May 6th at the Windsor Legion. We're working with a local artist to hopefully provide live music to extend the evening, so bring your dancing shoes.

We look forward to seeing you at the show Sept 23rd to the 26th, 2022.

Sincerely,

Bobby Best

NOVA SCOTIA

Public Works
Office of the Minister

PO Box 186, Halifax, Nova Scotia, Canada B3J 2N2

JUN 0 9 2022

His Worship Abraham Zebian
Mayor, West Hants Regional Municipality
PO Box 3000
76 Morison Drive
Windsor, NS B0N 2T0

Dear Mayor Zebian:

Thank you for your letter dated April 28, 2022, concerning the eastbound off ramp closure at Exit 6 on Highway 101.

Shortly after the Department of Public Works (DPW) was made aware of the downtown Windsor business community's concerns of the lengthy ramp closure, DPW staff collaborated with the Windsor Township Association to find possible solutions. The outcome was for DPW to create and install a large highway sign in advance of Exit 7, Falmouth, to direct eastbound traffic to downtown Windsor via Exit 7. The sign has been ordered and is anticipated to be installed by the end of May.

Exit 5A will remain the official detour route for reasons previously discussed with West Hants Municipal Public Works' staff.

DPW does not anticipate significant ramp closures in the westbound direction at Exit 6. The intention is for the existing westbound off ramp to remain in service until the new off ramp is connected to Nesbitt Street. Throughout the project, DPW staff will keep West Hants Municipal Public Works' staff informed of the contractor's activities that may impact traffic in this area.

DPW appreciates your patience as construction progresses. Our staff will continue to work with the downtown Windsor business community to minimize impacts resulting from the Highway 101 twinning project.

If you have any further concerns, please contact Gary Rafuse, Acting District Director Central, by phone at 902-424-2129 or email at gary.rafuse@novascotia.ca.

Yours sincerely,

Kim D. Masland
Minister

c: Melissa Sheehy-Richard, MLA Hants West
West Hants Regional Municipality Council
Mark Phillips, Chief Administrative Officer, West Hants Regional Municipality
Gary Rafuse, Acting District Director, Central
Robyn Homans, Area Manager, Hants

Deanna Snair

From: Jim Ivey
Sent: Tuesday, June 28, 2022 11:14 AM
To: Deanna Snair
Cc: WWH Council
Subject: Correspondence if able

Received via Messenger
Monday June 27 5:39 pm

Hi Jim,went for a walk with my 4 yr old nephew along to water on the Falmouth side to the bridge and what a mess.there is scrap metal everywhere.some just sticking out of the ground,old nails in beams. A lot of people are walking out there now and it is not safe,all it would take is for someone to trip and fall on scrap metal.maybe it should be removed before someone gets hurt.
Thanks
Sherri Bulger

Fort Edward Lands Correspondence

First Name	Last Name	Correspondence	Meeting/Logged
Theresa	Newcombe	11/23/2021	2022-03-22 Council
Gary	Nelson	12/17/2021	2022-01-11 COTW
Lisa	Bland	12/17/2021	2022-01-11 COTW
John	Wilson	12/21/2021	2022-01-11 COTW
Gary	Nelson	1/11/2022	2022-01-25 Council
Andrea	Moore	1/21/2022	2022-01-25 Council
Valerie	Newcombe	1/21/2022	2022-03-22 Council
Gary	Nelson	1/26/2022	2022-02-08 COTW
Sara	Brothers	1/19/2022	2022-01-25 Council
Dawn	Allen	1/17/2022	2022-01-25 Council
Marty	Fougarty	2/5/2022	2022-03-22 Council
Dr. Gordon	Haliburton	2/14/2022	2022-03-08 COTW
Theresa	Newcombe	3/11/2022	2022-03-22 Council
Marie	Claude-Roiux	3/9/2022	2022-03-22 Council
Barbara	Gallagher	No Date	2022-03-22 Council
Roland	Newcombe	1/20/2022	2022-01-25 Council
Liz	Galbraith	12/16/2021	2021-12-16 COTW
Mary Lou	Bennet	12/13/2021	2021-12-16 COTW
Jean	Scotney	2/25/2022	2022-03-22 Council
Denise	Forand	3/16/2022	2022-03-22 Council
Jonathan Fowler	Fowler	3/13/2022	2022-03-22 Council
Heather	Pick	3/17/2022	2022-03-22 Council
Wanda	Donelle	2/22/2022	2022-04-12 COTW
Teresa	Newcombe	3/22/2022	2022-04-12 COTW
Patti	Quinn	3/22/2022	2022-4-12 COTW
Martin	Theberge	4/6/2022	2022-04-12 COTW
Rene	Cormier	4/12/2022	2022-04-26 Council
Daphnee	de Lamirande	4/29/2022	2022-05-12 COTW
Carol	Bradley	6/23/2022	2022-06-28 Council
Ruth	Angevine	6/24/2022	2022-06-28 Council
Denise	Forand	6/28/2022	2022-06-26 Council

Deanna Snair

From: Abraham Zebian
Sent: Friday, June 24, 2022 12:46 PM
To: Deanna Snair
Subject: Fwd: Retaining the former pool site for public use: citizen input.

From: Carol Bradley
Date: June 24, 2022 at 12:23:20 PM ADT
To: Abraham Zebian <AZebian@westhants.ca>, Bob Morton <bmorton@westhants.ca>
Subject: Retaining the former pool site for public use: citizen input.

Caution
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Dear Mayor, and Councillor Bob Morton,
I am totally in support of the Historical Society.
Selling this bit of our land for a development that will NOT add to the area is a very bad idea.
Theoretically, Parks Canada should acquire this lot to add to its site, but in the absence of that, the Historical Society's concept works best.

Dear Community/Cultural Representative
I am writing to invite you and your organization to participate in an important project we are attempting in the Windsor area.
As you may be aware, Fort Edward National Historical Site in Windsor, Nova Scotia, is one of few remaining forts built by the British in the 1740's. The fort was a strategic post guarding the waterways and land routes between Halifax and Port Royal during a time of conflict between Britain and France and Britain and the United States. Since 1921, Parks Canada has managed and protected the fort grounds, which include the oldest blockhouse of its kind in North America.
The lands upon which the fort is situated have been integral to this region since before colonization. Not all the roles the fort has played have been positive or glorious. In fact, there are many interesting and dark tales that have yet to be fully disclosed and reconciled. With only a modest blockhouse, a few interpretative

panels throughout the grounds, and innumerable historical artifacts protected underground, visitors and locals are offered little in terms of interpretation, education or accommodation.

To remedy this, over it's nearly 50 years of existence, the West Hants Historical Society has attempted to partner with local governments to enhance the visitor experience and educational value of the fort. Our biggest and best opportunity in a generation has been in attempting to secure recently cleared, publicly owned land adjacent to the fort for the community to collaborate on a Welcome/Interpretative focal point. Unfortunately, this land has been listed by the municipality as being "surplus" and is in the process of being rezoned and sold to a private developer to build two apartment buildings overlooking the fort.

Our Historical Society, along with hundreds of concerned citizens are attempting to halt the rezoning, sale and subsequent high-density development next to the fort. We wish to have this parcel of historically and culturally significant land maintained as publicly owned and accessible to tell the stories of our ancestors and cultures not expressed through the existing historical site. We know from our own research that your community's stories are among those that should be featured.

As with most non profit cultural and historical organizations, human and financial resources are few while opportunities for participation in cross cultural projects are plentiful. For that reason, we understand that you and your organization may not currently have the capacity to join this project at the planning stages. However, as noted in the opening, we invite your participation if and when you are able and to reassure you there will be space for you and your group to contribute to this project in a way that you can define as you see appropriate.

As well, I commit to keep you and your organization appraised of our progress toward our goal in securing the land adjacent to Fort Edward for enhanced community use.

Please feel free to contact me at any time with any ideas, preferences, questions or concerns you may have with this project.

I hope one day soon we will have the opportunity to work together in a meaningful way in bringing forward a multitude of historical and cultural perspectives for the benefit of current and future generations.

Respectfully yours,

Shirley Pineo
President
West Hants Historical Society
info@westhantshistoricalsociety.ca

--

Carol Bradley

From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: Lands next to fort edward
Date: Friday, June 24, 2022 11:50:30 PM

From: ruth angevine
Date: June 24, 2022 at 11:45:39 PM ADT
To: "allcouncil@westhants.ca" <allcouncil@westhants.ca>
Subject: Lands next to fort edward
Reply-To: ruth angevine

Caution
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Regarding the sale of the land next to Fort Edward. We are asking for them to stop the rezoning and sale to leave it as public lands for future generations. There are enough new residential developments being undertaken in our area for now. Delay this for at least a year to give all stakeholders a chance to form a plan for the future. You all should think about the residents you represent and stop this, as once the land is gone, it is gone forever.
Thank you
Ruth Angevine

Sent from Yahoo Mail on Android

Deanna Snair

From: Laurie Murley
Sent: Tuesday, June 28, 2022 10:48 AM
To: WWH Council; Deanna Snair
Subject: Fwd: Fort Edward PID's # 45059797 and # 45059805

From: Denise Forand
Date: June 28, 2022 at 10:39:08 AM ADT
To: Laurie Murley <lmurley@westhants.ca>
Subject: Fort Edward PID's # 45059797 and # 45059805

Dear Mayor, CEO and deciding council,

Stop the rezoning. keep the OS designation for **our** future community needs.

Fort Edward is a national historic site because of its role in the struggle for predominance in North America from 1750 to the war of 1812.

Artefacts stemming from excavations on the site are in storage at the Parks Canada conservation facilities. Resources of local, regional, or other historical significance include some of the earthworks, a curatorial collection, and some of the site's archaeological collection.

The visitor experience offer at Fort Edward National Historic Site (includes the opportunity to see, touch, and experience the oldest remaining blockhouse in Canada as well as to witness the extraordinary views and vantage points that were critical to the military function of the site. An exhibit inside the blockhouse contains information on the history of Fort Edward NHS. Outside, on the bastions, interpretive panels present the story of Fort Edward's role in the history of the area The Fort Edward property also serves as a community green space and includes the Canada Remembers Trail that was jointly funded by the Town of Windsor and the Royal Canada Legion.

Parks Canada has had a contract with the West Hants Historical Society since the late 1990s to deliver the visitor experience offer at Fort Edward. As a stakeholder, the organization also contributes valuable input in the overall management of the site.

Many people within the community of Windsor – area residents, members of the West Hants Historical Society, town councilors, and staff, among others – have a strong interest in the future of Fort Edward National Historic Site as evidenced by a strong sense of pride and of ownership. They see Fort Edward as a valuable community asset. Parks Canada will work with the community and welcome their use of and engagement with the site as a cherished community gathering place.

Above are the written words from Parks Canada.

I firmly believe that these 2 parcel's that were part of the main parcel of Fort Edward are not surplus for the new regional municipal council to sell to developers as
These lands were separated and given to the community of Windsor for its citizens needs from Parks Canada.

Windsor township has a 250+ year history that should not be swept under by the tides of change but promoted especially where our History all started, at the Fort Edward , chosen for its view plains.

WHRM list: "Supporting Policy
There are no anticipated costs to the Municipality regarding this development.
All Municipal, Provincial, and Federal regulations will have to be met.
All relevant matters have been addressed in this report.
Policy 11.0.1
It shall be the policy of Council to establish a Community Use designation as shown on the Generalized Future Land Use Map (Map 1) to be applied to existing institutional uses, municipal recreation uses and open space areas.

Following the demolition of the former pool site, the use of the property as a vacant gravel lot does not match the intention of the Community Use designation. During the previous request for Expressions of Interest, the only proposal received was for a residential development."

Fact checker: reading the word Community use does not mean selling it to a residential developer as this is not in the communities best interest, Plus we also had a proposal from the Jewish legion showing interest and we have a letter of intent from them, so not the only proposal.

This is community land . It's for our future needs. Windsor's area is a growing community that will require more services and especially on high ground in the future.

The regional municipality is financially very secure so it's not like our regional council needs the money plus we cannot make land of that significance reappear anywhere else.

We will need to replace our tourist bureau in our future, this could be a great spot to combine that along with more of the history of the Fort with Parks Canada and the Jewish Legion and other stakeholders.

Basically, I see no valid or good conscientious reasoning to sell these lots as surplus when they have too much value to the community and it's future historic enhancements.
Leave it designated as Open space for us the residents and not residential apartments that would destroy the integrity of its 250 + year historic designation, the oldest blockhouse in North America with an amazing view plain.

Sincerely, Denise Forand
Sent from my iPad

Combined Overflow System Correspondence

First Name	Last Name	Date Received	Meeting/Logged
Katherine	MacLeod	10/27/2021	2022-01-11 COTW
Katherine	MacLeod	10/28/2021	2022-01-11 COTW
Carrilee	Eddy	3/13/2022	2022-03-22 Council
Anna	DeNicola	3/12/2022	2022-03-22 Council
Darren	Porter	3/13/2022	2022-03-22 Council
Ellen	Hart	3/13/2022	2022-03-22 Council
Jennifer	Davidson	3/13/2022	2022-03-22 Council
Felicia	McNeil	3/14/2022	2022-03-22 Council
Darren	Porter	3/15/2022	2022-03-22 Council
Susie	Smith	3/15/2022	2022-03-22 Council
Carol	Bradley	3/17/2022	2022-03-22 Council
Felicia	McNeil	3/21/2022	2022-04-12 COTW
Felicia	McNeil	4/11/2022	2022-04-26 Council

Correspondence Sent

First Name	Last Name	Correspondence Date	Meeting / logged
Katherine MacLeod	MacLeod, Dept. Envir. and Climate Change	2021-10-27	2022-01-11 COTW
Robyn	Homans	2021-11-23	2021-12-07 COTW
Hon. Kim	Masland	2022-01-20	2022-01-25 Council
Hon. Kim	Masland re: clarity on correspondence sent 2022-02-20	2022-02-16	2022-02-08 COTW
Hon. Joyce	Murray	2022-02-02	2022-02-08 COTW
Hon. Greg	Morrow	2022-02-04	2022-02-08 COTW
VREN		2022-03-10	2022-03-22 Council
Station Food Hub		2022-04-28	2022-05-10 COTW
MLA Melissa	Sheehy-Richard re: Avon River Eco/Tourism	2022-05-02	2022-05-02 COTW
MLA Melissa	Sheehy-Richard re: exit 6	2022-05-02	2022-05-02 COTW
Hon. Joyce	Murray	2022-05-06	2022-05-10 COTW
KMK Assembly Mi'kmaw Chiefs		2022-05-06	2022-05-10 COTW

as of June 23 2022

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

To: Council

Submitted by: J. Richard

Todd Richard, Director, Public Works

Date: June 28, 2022

Subject: Sidewalk Machine Replacement

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended that…

…**that Council approves the purchase of a replacement Trackless Sidewalk Machine and attachments at a cost of $216,600 plus tax and a 5% contingency from Saunders Equipment Limited.**

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

During this past winter our 2006 Trackless MT 5, Sidewalk Machine suffered a combination of mechanical failures which rendered it unusable due to the high cost of repair and the fact it was scheduled to be replaced in the 2022-23 budget year. A less effective rental machine was used for the remainder of the winter season.

DISCUSSION

A replacement machine was previously forecasted in the 2021-22Capital Budget and remained as high priority during the 2022-23 Capital Budget deliberations. Council approved the budget for the replacement of Unit #67, along with a flail mower and necessary attachments. On June 16, 2022, the City of Miramichi, in New Brunswick closed a competitive public tender that included a "piggy back" clause, under the provincial piggyback guidelines, which was extended to WHRM on the updated quote. This clause allows WHRM to purchase a new machine at the same tendered price as was tendered to the City of Miramichi.

NEXT STEPS

FINANCIAL IMPLICATIONS

Council approved in 2022-23 Capital Budget, $280,000 for the purchase a new sidewalk machines with flail mower to be funded through long-term borrowing. The 2022-23 Operating Budget has $31,581 budgeted for the debt servicing costs associated to this purchase.

The total cost of the machine and attachments, with applicable taxes and contingency is $237,187. Reducing the estimated debt servicing cost by $4,829.

ALTERNATIVES

- Council could direct Staff to post a public tender specific to WHRM, however this would delay the process approximately one to two months. This is not recommended as it would prolong the delivery of the replacement machine until an estimated time of February or March and impact the level of service and the operations budget during the upcoming winter until a new machine arrives.

ATTACHMENTS

- Page 8 of the City of Miramichi Tender Document
- Saunders Equipment quote with the exact spec and note extending the "piggy back" clause to WHRM
- Saunders Equipment quote; flail mower, dual wheels and auto greasing system

CHIEF ADMINISTRATIVE OFFICER REVIEW

N/A

Report Prepared by: _____

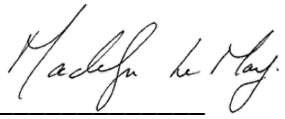
Troy Burgess, Manager, PW Operations

Report Reviewed by: 

_____

Todd Richard, PW Director

(Name and Title)

Report Approved by: 

_____

City of — Ville de
MIRAMICHI

TENDER # 22-025

EQUIPMENT PURCHASE
One New Municipal Sidewalk Tractor

City of Miramichi
141 Henry Street
Miramichi, NB
E1V 2N5

Telephone: (506) 623-2208

Tender Closing Date: June 16, 2022 @ 11:30 a.m.

TENDER # 22-025	APPEL D'OFFRES 22-025
CITY OF MIRAMICHI **EQUIPMENT PURCHASE** **ONE (1) NEW MUNICIPAL SIDEWALK TRACTOR**	**VILLE DE MIRAMICHI** **ACHAT D'ÉQUIPEMENT** **UN (1) NOUVEAU TRACTEUR MUNICIPAL POUR TROTTOIRS**
The City of Miramichi will be accepting tenders for the purchase of one (1) new municipal sidewalk tractor as per specifications.	La ville de Miramichi acceptera les soumissions pour l'achat d'un nouveau tracteur de trottoir municipal selon les spécifications.
Specifications must be obtained from the City Clerk's Office by emailing clerk@miramichi.org.	Les spécifications doivent être obtenues auprès du bureau du greffier municipal en envoyant un courriel à clerk@miramichi.org.
Tenders will be received by the undersigned until **11:30 a.m., local time, June 16, 2022**. Tender will be opened publicly immediately following the closing time.	Les soumissions seront reçues par le soussigné jusqu'à **11 h 30, heure locale, le 16 juin 2022**. Les soumissions seront ouvertes publiquement immédiatement après l'heure de clôture.
The City reserves the right to accept or reject any and all tenders and the lowest or any tender will not necessarily be accepted.	La Ville se réserve le droit d'accepter ou de refuser toute offre. L'offre la moins élevée ou toute offre ne sera nécessairement acceptée.
Rhonda Ripley City Clerk	Rhonda Ripley secrétaire municipale

TENDER # 22-025
EQUIPMENT PURCHASE
ONE (1) NEW MUNICIPAL SIDEWALK TRACTOR

1. BACKGROUND:

a) The City of Miramichi Public Works Department new 2022 One New Municipal Sidewalk Tractor.

2. GENERAL INFORMATION:

a) The terms "City" and "Miramichi" in the present document refer to the City of Miramichi and the term "Bidder, Prospective Proponent, Tenderer or Tendering Party" in the present document refers to parties who have obtained tender documents from the City and submit a tender.

b) Inquiries relating, in any way whatsoever, to this tender shall be sent in writing to:

Clerk's Department
City of Miramichi
141 Henry Street
Miramichi, NB E1V 2N5
506-623-2201 (facsimile) or by email to clerk@miramichi.org

3. TENDER SUBMISSIONS:

a) Tender documentation will be issued by the Clerk's Office for the City of Miramichi. Said documentation will only be issued to a prospective proponent upon the Clerk's Office being provided with the prospective proponent's contact name, address, facsimile number and email address. This contact name, address, facsimile number and email address will be used for any communication by the City to the prospective proponent(s).

b) Tenders will only be accepted from prospective proponents who have provided the Clerk's Office with the information set out in paragraph 3 a) above. Parties are not entitled to copy the tender documentation issued by the Clerk's Office for dissemination to other prospective proponents.

c) Tenders must be made on the forms provided, if any, and be delivered to the address below, in a sealed envelope with the closing date, tender number and tender name on the front of the envelope. The front of the envelope should also have the company name affixed thereto.

City Clerk
City of Miramichi
141 Henry Street
Miramichi, NB E1V 2N5

d) Tendering parties shall be solely responsible for the delivery of their tenders in the manner and time prescribed.

e) All tenders shall be delivered to the office of the City Clerk whereupon they will be dated and time stamped. It is the responsibility of the tendering party to ensure that tenders are in possession of the City Clerk or delegated staff member on or before the closing date and time stated in the tender documents. A tender shall be deemed to have been received when the tender has been stamped with the time and date of receipt.

f) Tenders received after the closing date and time specified shall be rejected.

4. TENDER CLOSING:

a) Tenders must be received at the office of the City Clerk not later than 11:30 a.m., Local Time, June 16, 2022 ("the tender closing date and time") at which time there will be a public opening in the 3rd Floor Conference Room at City Hall.

5. TENDER SIGNING:

a) Tenders must be signed by an authorized signing authority of the tendering party.

6. TENDER OFFER:

a) Tenders shall be irrevocable and subject to acceptance by the City for sixty (60) days following the tender closing date and shall be retained by the City of Miramichi. The City of Miramichi shall endeavor to keep the contents of all tenders confidential, other than total bid price, unless the tender of a tendering party is accepted by the City, in which case the contents of the tender shall be considered public knowledge.

7. PRICING:

a) The tender price shall be in Canadian funds and include taxes and charges which are applicable at the time of tender submission. It is the responsibility of the tendering party to find out from the appropriate authorities what taxes, rates and charges are applicable to this tender.

b) The amount of the Harmonized Sales Tax (H.S.T.) shall be included in the tender price but shown separately on the tender submission form.

c) In the event of award, the tender amount shall constitute the full and complete amount which shall be paid to the tendering party for the purpose of this tender.

d) Tendering parties must set out their tender price upon the attached tender submission form, if any.

8. INFORMATION TO ACCOMPANY TENDERS:

a) Tendering parties will be required to include, with their tender, various documents pursuant to the terms of this tender call. All tenders must be accompanied by any and all documentation, the provision of which is made mandatory by the terms of this tender call, and failure to provide said documentation will lead to the bidding party's tender being rejected. It shall be the sole responsibility of the bidding party to determine what documentation must be submitted with their tender.

9. ADDENDA:

a) Addenda or Clarifications may be issued prior to the closing date. All Addenda or Clarifications will become part of the tender documentation and contract documents. Tendering parties, where applicable, must include associated costs with respect to requirements of addenda or clarification.

b) Clarifications requested by proponents must be in writing, and received by the City not less than seven (7) days before final date set for receipt of tenders. The reply will be made in the form of an Addendum or Clarification, a copy of which will be forwarded to each person or firm registered as having contract documents. No other interpretation or explanation shall be valid.

c) Tendering parties are requested to acknowledge receipt of all Addenda or Clarifications issued by the City by completing the "Acknowledgement of Receipt" form accompanying said Addenda or Clarifications and returning this form to the City immediately after receipt of the Addenda or Clarification.

d) Addenda or Clarifications will be issued through facsimile transmission or email. Said transmissions shall be sent to the contact person identified in paragraph 3 a) of the "**TENDER SUBMISSIONS**" herein. It is the responsibility of the tendering party to ensure that the City is in possession of their facsimile number and email address.

e) It is also the tendering party's responsibility to ensure that they have received all addenda or clarifications issued by the City.

10. AMENDMENTS TO TENDER:

a) A tendering party submitting a tender may amend their tender, subsequent to the deposit of the tender, and prior to the closing date and time, by either:
   (1) facsimile transmission, signed by an authorized signing authority, and provided to the City, in accordance with the following:
      (a) The City shall not accept responsibility for faxed amendments not received by the City by the closing date and time due to equipment failure, inability to access facsimile line, or for any other reason.
      (b) Amendments shall be forwarded to the attention of the City Clerk at fax (506) 623-2201.

(c) It is the responsibility of the tendering party to ensure that their amendment has been received by the Office of the City Clerk.

(d) The facsimile shall be deemed to have been received upon receipt of the entire document setting out the amendment.

or

(2) depositing, in the tender box, the letter of amendment, signed by an authorized signing authority of the tendering party, prior to the closing date and time of tender.

11. OPENING OF TENDER SUBMISSIONS

a) Rejection of tender submissions:

(1) The person designated to open tender submissions shall reject a tender submission for any of the following reasons:

(a) the tender submission is not signed;

(b) the tender submission is not accompanied by a security deposit in the form and in the amount required by the tender documents (if any);

(c) if more than one item is being procured, the tender submission does not contain a total price if one was required by the tender documents; or

(d) the tender submission is illegible.

b) Examination for compliance:

(1) Following the opening of tender submissions, a tender submission shall be evaluated to determine if it complies with the mandatory requirements of the tender documents and shall be rejected if it does not comply.

(2) A tender submission may be found not to be in compliance for reasons that include, but are not limited to, the following:

(a) the submission contains substantive qualifications or conditions that are contrary to the terms of the tender documents;

(b) the submission is from a disqualified prospective supplier;

(c) the submission does not satisfy the mandator requirements of the tender documents;

(d) the submission contains a change in price that was not initialled by the person who signed the submission; or

(e) the procuring entity determines that the information submitted with respect to the qualifications of the prospective supplier are false or misleading.

c) Minor Non-Compliance

(1) A failure to comply with the mandatory requirements of the tender document is a minor non-compliance if it:

(a) affects the form of the tender submission, rather than its substance;

(b) does not affect the tender's price, delivery quality or quantity; and

(c) if waived, would not give the prospective supplier an unfair advantage over other prospective suppliers who submitted tenders.

d) All tenders will be evaluated for compliance and irregularities in accordance with the *Procurement Act*.

e) Subject to item (a), a tender may be accepted notwithstanding that it contains errors in mathematics, in which case the proper computation will be carried out and the resultant total used in determining the tender price.

f) In order to obtain the most advantageous offer for the City of Miramichi, the City of Miramichi reserves the right in its sole discretion:

(1) To waive irregularities and/or minor non-compliance by any proponent with the requirements of this tender;

(2) to request clarification and/or further information from one or more proponents after closing without becoming obligated to offer the same opportunity to all proponents; and

(3) To enter into negotiations with one or more proponents without being obligated to negotiate with, or, offer the same opportunity to all proponents, should the City of Miramichi not receive any proposals satisfactory to the City of Miramichi.

Proponents are advised, however, to submit a complete offer as their proposal. Any waiver, clarification or negotiation will not be considered as an opportunity for proponents to correct errors in their proposal.

12. CANCELLATION OF TENDER:

a) The City of Miramichi reserves the right to cancel this tender and not award in the following circumstances:

(1) Prior to the close of the tender, for any reason deemed necessary by the City of Miramichi;

(2) After the close of the tender, if there are no compliant tenders, or if all tenders received contain a bid price in excess of the City of Miramichi's established budget.

13. AWARD OF TENDER:

a) The City shall notify the successful tendering party, if any, by facsimile transmission and/or mail that they are the successful tendering party.

b) The City of Miramichi has a set budget for the supply of the goods and/or services sought by this tender call. Should all tenders received exceed the budgeted amount, the City reserves the right not to make an award and, if the City so chooses, to revise this tender and to reissue the revised request.

c) The City reserves the right, in the event that the successful tendering party fails to comply with the terms and conditions set out herein, or to comply with the terms and conditions set out in their tender, to: (1) cancel the contract or award, if any, and accept the tender of another tendering party, without penalty or action against the City, and/or (2) bring an action against the original successful tendering party for damages.

d) The City reserves the right to award in its best interest. Tenders with the lowest price, or any, need not necessarily be accepted. The City also reserves the right to waive any informality contained in any tender as to item or class.

14. INVOICING:

a) Invoices shall be directed to the City of Miramichi, 141 Henry Street, Miramichi, NB E1V 2N5 **Attention: City of Miramichi, Finance Department.** In addition to their G.S.T./H.S.T. Registration Number, the successful tendering party is required to provide the amount of H.S.T., if applicable.

15. GENERAL REQUIREMENTS:

a) The City of Miramichi invites tenders on the purchase of:

Qty	Description
1	One New Municipal Sidewalk Tractor

b) Vehicles offered under this tender, other than new models, will not be considered in compliance with these specifications.

c) The bidder must either be a manufacturer, a factory branch, or a dealer engaged in the business of selling, dealing and servicing the equipment tendered upon and must maintain a full stock of parts and service.

d) As only major components are specified in this tender, it is the supplier's responsibility to deliver vehicles with appropriate components which will provide dependable and efficient service.

e) All portions of tender shall be completely filled out including descriptions and details where requested. **Failure to complete all portions of tender will result in bid disqualifications.**

f) Warranty shall be dated the day the units are put into service.

g) The City of Miramichi will be responsible for the registration and license.

h) As a condition of award, the bidding party agrees that other New Brunswick municipalities may have the advantage of the price(s) accepted by the City of Miramichi. This in no way commits these municipalities to accepting this tender but provides them with the opportunity to take advantage of the City of Miramichi's pricing, subject to the Supplier having a unit available they are prepared to sell at said price.

The City of Miramichi is not responsible for payment of equipment supplied to other municipalities.

The Supplier shall invoice the individual municipalities directly for any products supplied to them under this tender.

TENDER # 22-025
EQUIPMENT PURCHASE
ONE (1) NEW MUNICIPAL SIDEWALK TRACTOR

SPECIFICATION CONFIRMATION AND TENDER SUBMISSION FORM

Specify Compliance / Deviations

The following specifications are required:

1.	A new, four-wheel drive articulating, oscillating, rubber tired, diesel-powered multi-purpose utilizing various attachments shall be supplied.	Yes: _____ No: _____
2.	Tractor shall be no wider than 50-1/2" (1.3 m), including fenders and no higher than 88" (2.26 m) to top of roof guard.	Yes: _____ No: _____
3.	Engine shall have a displacement of no less than 4.5 LT. Minimum horsepower 74 HP. The engine must be a Tier 4 final turbocharged diesel, not requiring the use of urea injection or DEF fluid. State make/model of engine.	Yes: _____ No: _____
4.	Tractor shall have sufficient hydraulic capability to power manufacturers own hydraulically driven angle sweeper, cold planer, 14 ft wide rotary mower, etc.	Yes: _____ No: _____
5.	Tractor shall be equipped with a mechanically driven front PTO.	Yes: _____ No: _____

1. State year, make & model of unit

_____

"Commercial Product" with not less than 3 years production and a minimum of 200 units in operation.

UNITS PRODUCED: _____ NUMBER OF YRS PRODUCED: _____

Certified dealer: Yes:_____ No: _____

Number of year as a recognized dealer: _____

2. CUSTOMER REFERENCES:

Bidder must submit a list of at least (4) four different references presently using quoted unit.

1._____

2._____

3._____

4._____

3. FACTORY TRAINING:

3.1 A factory training school for technicians shall be available at no charge. Training is to include hands on repair techniques and diagnostic training for technicians.

Yes: _____
No: _____

3.2 Training for operators on safe operations, daily responsibilities of operator, training to include classroom, in field training for min of 4 hours.

Yes: _____
No: _____

.

4. MANUALS:

4.1 An operator's manual, parts manual and service manual printed in English, shall be supplied at time of delivery along with a digital copy.

Yes: _____
No: _____

5. SAFETY FEATURE REQUIREMENTS:

5.1 A neutral safety start system shall prevent the engine from starting unless shifted into neutral.

Yes: _____
No: _____

5.2 A seat safety switch must automatically shut down the PTO shaft & shut off any hydraulically powered attachment if the operator leaves the driver's seat.

Yes: _____
No: _____

5.3 If the operator leaves the seat without placing the shifter into neutral, the engine will shut down.

Yes: _____
No: _____

5.4 When using a rotary mower attachment with side wings, the circuits which power the hydraulically driven mower wings must kick off automatically when wings are raised to a pre-determined angle. When lowered, they must be re-started. This feature must be designed into the tractor for future additional attachment purchases.

Yes: _____
No: _____

5.5 Cab must be ROPS certified and have a certification tag attached to the structure. (No exception allowed).

Yes: _____
No: _____

5.6 The engine fan must be enclosed with a wire protection guard.

Yes: _____
No: _____

5.7 The tractor shall have reflective striping on both sides of cab and rear side hoods, as well as on the rear hood below the taillights. Must be equipped with a rear facing "slow moving vehicle" warning sign.

Yes: _____
No: _____

5.8 Tractor shall have a backup alarm activated by the forward/neutral/reverse switch.

Yes: _____
No: _____

5.9 The tractor shall be equipped with a heated back-up camera automatically show the image on the digital dash display while in reverse.

Yes: _____
No: _____

5.10 The tractor to be equipped with all of the necessary safety, danger, caution and pinch point decals.

Yes: _____
No: _____

5.11 PTO shaft can be supported by a stand on the push frame so that no one is required to hold up the shaft

Yes: _____
No: _____

while the operator drives the tractor forward into the attachment.

5.12 Equipped with an external lift cylinder switch on the front of the cab which the operator can bump up or down to align the lift cylinder pins.

Yes: _____
No: _____

5.13 Access to the PTO shaft connection and shear bolt shall be from inside the cab.

Yes: _____
No: _____

5.14 Equipped with a seat belt interlock which does not allow the tractor to exceed 5 km/hr unless the belt is buckled.

Yes: _____
No: _____

6. ENVIRONMENTAL

6.1 Tier 4 final engine must be programmed for anti-idle which shuts off the engine automatically when operating temperature is reached.

Yes: _____
No: _____

6.2 Due to operation within residential areas, sound levels are extremely important. Tractor noise with no attachments connected must be no greater than:

Yes: _____
No: _____

(a) 69 dBA at 2,100 rpm, measured 15 metres (49 ft) directly behind the tractor.

Yes: _____
No: _____

7. COST OF OPERATION:

7.1 Tractor will have a fuel saver mode which reduces fuel consumption by up to 3 .5 litres per hour when driving, plowing, sweeping or any other function that does not require constant full engine RPM.

Yes: _____
No: _____

7.2 Tractor shall have an auto run switch which automatically shuts off the sand / salt spreader when the tractor stops at an intersection, stops moving for any reason or is shifted into reverse.

Yes: _____
No: _____

7.3 For sand application at rear unit to be equipped with a rotary Switch to adjust amount of material being spread.

Yes: _____
No: _____

8. DIMENSIONS and WEIGHTS:

8.1 Dimensions are not to exceed the following:

(a) Overall length including rear bumper 149.5 inches SPECIFY: _____

(b) Maximum height (to top of AC roof guard)	88.0 inches	SPECIFY: _____
(c) Track width with winter tires	49.5 inches	SPECIFY: _____
(d) Overall width including fenders	50.5 inches	SPECIFY: _____
(e) Inside turning radius	90.0 inches	SPECIFY: _____

8.2 Weight of tractor is to be no less than 6,000 lbs. (2721.5 kg.)

STATE WEIGHT: _____ Lbs.

_____ Kgs.

9. ENGINE COMPARTMENT:

9.1 The top hood, two side hood panels, and rear grill tools.

Yes: _____
No: _____

9.2 air breather pre-cleaner permanently attached to the top hood.

Yes: _____
No: _____

9.3 The left side hood panel hinged access doors for access to daily fluid checks, battery, filters, battery disconnect switch and main breakers.

Yes: _____
No: _____

9.4 Hoods and panels must be heavy gauge steel to withstand rough operation and contact with tree branches, signs, and other obstructions encountered.

Yes: _____
No: _____

9.5 Complete rear grill shall open for easy access to clean oil cooler and radiator. Must be able to lift off when rear sander is attached.

Yes: _____
No: _____

9.6 The tractor shall have a horizontal, all stainless steel exhaust system. Protected from the environment & behind the side hood where there is no danger of some-one touching it while hot.

Yes: _____
No: _____

10. COOLING:

10.1 Engine shall be water cooled by radiator and an 18" diameter electropneumatic fan which automatically reverses, to prevent dirt, salt and grass clippings from building up on the oil cooler and radiator fins.

Yes: _____
No: _____

10.2 A two-piece cooler for cooling hydraulic oil and engine coolant.

Yes: _____
No: _____

11. P.T.O.

11.1 PTO drive system to be mechanical by way of a clutch, 11-1/2" over-centre type preferred. Must be electric over hydraulic actuation with indicator light

Yes:_____
No:_____

11.2 The front PTO is to be 1-3/8 inch diameter, 6-spline.

Yes:_____
No:_____

12. IMPLEMENT HITCHES:

12.1 Tractor shall be supplied with a front quick hitch system. Implement height shall be controlled by two double acting hydraulic cylinders which are operated from the joystick. Spring load lift latches to hold the implement frame in place.

Yes;_____
No:_____

12.2 Must be capable of attaching existing Trackless attachments already owned by the municipality.

Yes:_____
No:_____

13. TRANSMISSIONS:

13.1 The tractor shall be propelled by a hydrostatic transmission and controlled by a single electronic foot pedal. The electronic pedal controls the hydro-static transmission and the engine RPM when in fuel saver mode. If switched to work mode, a throttle lever overrides the pedal control of the engine RPM allowing full RPM to power the PTO shaft to run the attachment.

Yes: _____
No: _____

13.2 The tractor shall have a 2 speed mechanical transmission which provides speed ranges of:

Yes:_____
No:_____

LOW RANGE 0 - 13 km / hr.

HIGH RANGE 0 - 30 km / hr.

13.3 The transmission shift lever, inside the cab must have a neutral position allowing the tractor to be towed without danger of damaging the hydrostatic transmission.

Yes: _____

No: _____

14. AXLES:

14.1 Shall be Dana model 60 full float with track-lok differentials (limited slip) front and rear. (Rated at 7,000 lbs. capacity each).

Yes: _____
No: _____

14.2 Each axle shaft shall have a minimum of (8) wheel studs.

Yes:_____
No: _____

15. BRAKING SYSTEMS:

15.1 Tractor shall have no less than (3) braking systems; hydrostatic dynamic braking, hydraulic driveline brakes, and mechanically actuated emergency / parking brakes.

Yes:_____
No: _____

15.2 Parking brake is to be applied by way of an adjustable parking brake lever. It must be able to apply the brakes mechanically in the event that the hydraulic system for applying the service brakes fail._____

Yes: _____
No: _____

15.3 The parking brake must sound a warning buzzer when applied and a warning message

Yes: _____
No: _____

15.4 The brake lines must be constructed of rust resistant copper-nickel.

Yes: _____
No: _____

16. WHEELS / TIRES:

16.1 The tractor shall be equipped with new 10 ply radial winter tires (LT245/75R16) mounted on steel rims.

Yes: _____
No:_____

17. FUEL TANK:

17.1 The tractor shall have a single fuel tank with not less than 94 litre (24.83 US Gallon) capacity.

Yes:_____
No:_____

17.2 An independent engineering report shall be included with the tender verifying that the tractor is equipped with a fuel saver mode. The report shall also include the fuel saving statistics.

Yes:_____
No:_____

18. HYDRAULIC SYSTEMS:

18.1 The hydraulic gear pump shall be driven by the engine and produce a minimum of 20 gpm .

Yes:_____
No:_____

18.2 A second hydraulic pump is to be engaged only when the PTO is engaged.

Yes:_____
No: _____

18.3 Tractor shall be supplied with manufacturer electronic Joystick with padded arm rest

Yes: _____
No: _____

18.4 The Joystick must also have a forward - neutral - reverse button for the tractor which will allow the operator to shift from forward to reverse with the flick of a switch without removing their hand from the joystick.

Yes:_____
No:_____

18.5 Tractor shall have a low hydraulic oil warning system When low, a message shall appear on the digital display.

Yes:_____
No:_____

18.6 (7) all hydraulic couplers are to be supplied for operating the control features on attachments. With Auto Shut down

Yes:_____
No:_____

18.7 In addition to the (7) couplers for operational controls there shall be (4) HIGH VOLUME front couplers to power hydraulically driven attachments. They can power two separate attachments such as mower wings, or be combined for attachments requiring higher flows. One switch engages the left pair, and a second switch engages the right pair. Switches for the hydraulic circuits are to be located to the left and right of the front PTO engagement switch.

Yes:_____
No:_____

18.8 Rear of tractor shall have (1) pair of hydraulic couplers with an output of 16 gpm.

Yes:_____
No:_____

18.9 All hydraulic hoses to have NPT, SAE straight thread or SAE split flange fittings (no metric).

Yes:_____
No:_____

18.10 Hydraulic oil filter shall be cartridge type, mounted at highest point in the hydraulic system for dry changes. Spin on filters are not accepted.

Yes:_____
No:_____

18.11 Hydraulic tank to be minimum 75 litres (19.81 US Gal.) capacity with sight gauge.

Yes: _____
No: _____

19. ELECTRICAL:

19.1 Tractor shall have a 12v, neg ground system with a 950 - 1000 CCA group 31 battery, minimum 200 amp alternator and main breaker switch protection.

Yes:_____
No:_____

19.2 Battery shall be equipped with a battery disconnect switch inside the engine compartment.

Yes: _____
No: _____

19.3 There shall be a 7" LED digital display screen in cab with the following features:

Yes: _____
No: _____

(a) Back-up camera when in reverse gear.
(b) Tachometer indicating engine RPM & PTO RPM.
(c) Speedometer

(d) Hourmeter
(e) Coolant temperature
(f) Engine oil pressure
(g) Hydraulic oil temperature
(h) Voltmeter
(i) Fuel level
(j) Turn signals, 4-way flashers
(k) High / Low beams
(l) Forward / neutral / reverse
(m) Low range / high range
(n) Large text warning messages for low hydraulic oil, low coolant level, air breather service required, park brake engaged, parked regen required, seat belt icon.

Yes:_____
No:_____

19.4 Due to the complexity of the wiring systems in tractors with Tier 4 engine management systems and other electronic management systems, the following specifications must be complied with in order to assist with efficient diagnostic and electrical repairs over the life of the tractor:

(a) Wiring harnesses must be professionally manufactured with terminals which are machine crimped to ISO standards.

Yes:_____
No:_____

(b) Codes and numbers must be shown on all parts manual exploded views and wiring schematic drawings & charts.

Yes:_____
No:_____

(c) All fuses are to be mini blade type and must be contained within an IP67 watertight enclosure.

Yes:_____
No:_____

(d) All harness plug connectors shall be standard Packard weatherproof type. Bulkhead connectors must be twist lock type.

Yes:_____
No:_____

19.5 Tractor must be equipped with a block heater.

Yes:_____
No:_____

20. LIGHTING:

20.1 There shall be (4) headlights and (1) backup lights All (5) lights are to be adjustable, halogen or LED and identical. Headlights must be equipped with hi/low beam.

Yes:_____
No:_____

20.2 There shall be LED signal lights, 4 way flashers, and shock proof rubber mounted LED taillights.

Yes:_____
No:_____

20.3 There shall be eight (8) flush mounted LED amber flashing high visibility lights installed within the HVAC system branch guard for a full 360 degree visibility. (2 lights per side).

Yes:_____
No:_____

20.4 There shall be an interior dome light.

Yes:_____
No:_____

20.5 Turn signal lights must be self-cancelling type. Yes:_____ No:_____

21. CAB:

The cab shall be equipped with the following:

21.1 An HVAC system to be controlled by a digital climate control LED screen which allows the operator to select heat, AC or defrost and set the desired temperature. A cab pressurizer is also mandatory. Yes:_____ No:_____

21.2 The exterior temperature must be shown on the display. Yes:_____ No:_____

21.3 Two individual heaters totaling 63,000 BTU shall supply heat through (10) adjustable louvres. Yes:_____ No:_____

21.4 A 24,000 BTU AC also runs with heat while in defrost mode to remove in-cab humidity for better defrosting. Yes:_____ No:_____

21.5 Heater must include a minimum of (2) outlets Yes:_____ No:_____

21.6 Intermittent 3 speed pantograph wiper and washer and a single rear wiper & washer. Yes:_____ No:_____

21.7 Inside rear-view mirror must be fixed in cab. Yes:_____ No:_____

21.8 (2) outside vibration free side mirrors must fold back, without operator having to exit the cab. Yes:_____ No:_____

21.9 A 3-point seat belt, including shoulder harness. Must be high visibility safety orange & retractable. Yes:_____ No:_____

21.10 AM/FM/MP3 stereo with aux. plug, dual speakers and Bluetooth capable, to be mounted in the upper dash panel. Yes:_____ No:_____

21.11 Flush mounted door handle. Yes:_____ No:_____

21.12 Gas strut door closer and safety strap. Yes:_____ No:_____

21.13 Rear license plate holder and light. Yes:_____ No:_____

21.14 Steel fenders - 10 gauge or heavier. Yes:_____ No:_____

21.15 DOT approved, tinted, tempered safety glass for replacement in an emergency situation.

Yes:_____
No:_____

21.16 Side windows shall be slider type contained within an aluminum frame and be lockable.

Yes:_____
No:_____

21.17 There shall be floor matting and sound deadening material within the cab.

Yes:_____
No:_____

21.18 The cab shall be " ROPS certified " and bear a certification label so stating. An engineering ROPS test report is required for verification.

Yes:_____
No:_____

21.19 Tractor shall have an air ride, high back fabric covered seat with lumbar and adjustable left armrest, large padded right armrest. Air ride switch to be remote mounted in the side switch panel beside cruise control switch.

Yes:_____
No:_____

21.20 There shall be a horn button mounted in the centre of the steering wheel.

Yes:_____
No:_____

22. WATER / CHEMICAL PUMP

22.1 All hoses, wiring, switch and quick coupler shall be installed for future optional water pump.

Yes:_____
No:_____

23. GPS / DATA TRACKING PORT:

23.1 A 4-pin connector must be supplied inside the cab to plug in a GPS system for logging data to record the location when a snowblower or plow is down in the working position and the tractor is moving, when the rear sander is on or off and whether the PTO is on or off. (GPS system is not to be supplied). Pin #1 is to supply 12 v. Pin #2 is ground. Pin # 3 & 4 is CAN communication.

Yes:_____
No:_____

24. DIAGNOSTICS:

24.1 The tractor shall have an on board diagnostic system which constantly monitors and self diagnoses all electrical and electronic components, hydrostatics, hydraulic valves, joystick, switches, sensors and the entire engine ECU. Any fault that occurs is diagnosed and sent to the message centre on the digital dash screen where it can be retrieved by clicking on the message envelope icon. All messages are recorded

Yes:_____
No:_____

permanently and archived. The message centre also allows access to all ECU's directly. All diagnostics can be done without having to plug in a laptop or any other device.

25. PAINT, FINISH:

25.1 All steel fabricated parts including the cab and all frames are to be prepped in a 4-stage phosphate wash prior to paint. All parts are to receive a 2-part epoxy primer with rust inhibitor. The top coat is to be a 2-part polyurethane automotive quality finish which is oven baked.

Yes:_____
No:_____

25.2 Paint colour shall be OEM highway yellow

Yes:_____
No:_____

26. WARRANTY:

26.1 Manufacturer's min warranty shall be 12 months or 600 hours, or greater.
Include warranty statement with tender.
State Warranty:

Yes:_____
No:_____

26.2 Engine shall be warranted by the engine manufacturer for 2 years or 2,000 hours, whichever occurs first. Include warranty statement with tender.
State Warranty:

Yes:_____
No:_____

26.3 Emission control warranty is 5 years or 3,000 cover the DPF and other components developed to control emissions.
Include warranty statement with tender.
State Warranty:

Yes:_____
No:_____

27. SERVICE:

Bidder must provide a report on how you intend to service the tractor, including service depot location (s), number of factory trained technicians on staff, and number of staffed mobile service vehicles in your fleet.

_____

_____

_____

_____

SUPPLIER: _____

ADDRESS: _____

_____

PHONE: _____ **FAX:** _____

CELL: _____ **EMAIL:** _____

To Furnish and deliver equipment in accordance with specifications attached hereto.

The undersigned has carefully examined the Tender Form and specifications to furnish & deliver the equipment listed below and described in the attached specifications and will accept in full payment the following price:

1. Purchase One (1) New Municipal Tractor

State Year: _____ **Make:** _____ **Model:** _____

FOB – City of Miramichi

PRICE:

One New Municipal Sidewalk Tractor	**$**_____
HST (15%)	**$**_____
Total	**$**_____

PRICE WRITTEN IN WORDS: _____

_____ **DOLLARS AND** _____ **CENTS. + HST**

2. Optional Equipment:

1- Unit 51" Ribbon Blower Front mount PTO Driver	**$**_____
HST (15%)	**$**_____
Total	**$**_____
1 - Unit 14' Rotary Finish Mower, PTO Driven	**$**_____
HST (15%)	**$**_____
Total	**$**_____

3. Delivery Date: _____
(Number of calendar days in which delivery will be made after receipt of order)

4. Warranty: _____

Warranty certificate(s) must be attached with tender submission.

5. Signed: _____ **Print:** _____

Authorized Signing Officer Print Name of Signing Officer

Title: _____ **Phone:** _____

Signed: _____ **Print:** _____

Witness Signature Print Name of Witness

To furnish and deliver two (1) new, unused 2022 or newer One New Municipal Sidewalk Tractor

The undersigned bidder has carefully examined the form of tender and the specifications to furnish and deliver the equipment listed below and described in the above specifications and will accept in full payment the following price.

One New Municipal Sidewalk Tractor	**$**_____
Quantity	**x**_____
Subtotal	**$**_____
HST (15%)	**$**_____
Total	**$**_____

THE LOWEST OR ANY TENDER NOT NECESSARILY ACCEPTED.
THE TENDER MAY BE AWARDED IN WHOLE OR IN PART.

DELIVERY DATE _____
(Number of calendar days in which delivery will be made after receipt of order.)

Submitted By: _____
(Company Name)

_____
(Mailing Address) (Postal Code)

_____
(Phone No.) (Fax No.)

_____ _____
(Signature) (Date)

_____
(Print Name)

CITY OF MIRAMICHI **CLERK'S DEPARTMENT**

TENDER OPENING CHECKLIST

Tender #: 22-025 **Tender Title: EQUIPMENT PURCHASE - ONE SIDEWALK TRACTOR**

Closing Date: 2022-06-16 (dd/mm/yyyy) **Closing Time:** 11:30am **Location:** 3rd Floor Conference

Required Bid Deposit: _0_ **No. of Addenda Issu** **No. of Clarifications Issued:** 0

Addenda #'s and Description or Purpose (for information only):

DATE:

Present at Opening:

OWNERS REP.: Glen Greenfield, Asst. Brenda Ripley

During today's opening we will be: (1) Opening the Tenders (2) Publicly name the Proponent(s) (3) Advise those present of the overall price of each Tender. (4) We will not be evaluating these Tenders for compliance. (5) We will not be discussing details of any Tender nor will anybody present be entitled to review the Tender documents. (6) The unsealing of these Tenders and the declaration of the prices does not mean that they are compliant or accepted by the City. (7) All Tenders will be reviewed to evaluate compliance.

The following items (where applicable) must be included with Tender.	Tenderer's Name	Saunders Equipment Ltd.	Karcher Municipal			
Envelope Properly Addressed		✓	✓			
Tenderer on Bidders List		✓	✓			
Tender Properly Signed		✓	✓			
	Tender Price - HST Incl.	$174,167.50	$175,153.78			

OTHER REPRESENTATIVES:

OTHER REPRESENTATIVES:

SAUNDERS EQUIPMENT LTD.

57 Pepin Road
Fredericton, NB E3B 8J9
Ph. (506) 458-9460
Fax (506) 458-0186
Website: www.saundersequipment.com

Quote **Date:** June 22, 2022

To: West Hants Regional Municipality
Phone:
Email:

From: Saunders Equipment Ltd.
Dale Gennette
Phone: 902-943-1060
Email: dgennette@saundersequipment.com

1- New 2022/2023 Trackless MT7 Articulating Municipal Tractor $ 151,450.00 + Hst
Pricing matches City of Miramichi Tender # 22-025 (Closing Date: June 16, 2022) which states that other municipalities may have advantage of the prices accepted by the City of Miramichi.



Trackless VEHICLES

John Deere Tier 4 Final Turbocharged Diesel Engine, 4.5 Litre
Sauer Danfoss Hydrostatic/Electronic Transmission & Motor
Trackless Mechanical Trans. with High/Low Range & Neutral
Front PTO, 6 Spline 540 rpm, Twin Disc Over Centre Clutch
Front Inching Switch for Safe Pinning of Attachments
Front Trackless Quick Hitch with Dual Lift Cylinders
16" Radial Winter Tires (LT245/75R16)
A/C, Heat & Pressurizer w- (8) LED Alternating, Flashing Lights
Extra Hyd. Pump & Valve Kit, Low Hydraulic Oil Warning
Reversing Engine Fan, Anti-Idle Feature
(4) Halogen Headlights, LED Taillights & Signal Lights
Improved Joystick with Forward/Reverse Button
Joystick Auto Attachment Configure
Intermittent Front Wipers, Rear Wiper & Washer
Articulated Steering, Load Sensing Steering
Back-Up Camera, Cruise Control, Driveline Brake System
Remote Battery Terminal , Battery Disconnect Switch
Articulation Lock, Variable Flow Sander Switch
Multiplex Electrical System, Self-Diagnostic System
Quick Release Hoods, SMV Sign
Ergonomic Cab Interior with Digital Dash, GPS/AVL Tractor Connector
Centre Frame Large Bearing, Rear License Plate Bracket & Light
AM/FM Radio with Aux. Port & Bluetooth
12 Months or 600 Hours Warranty
John Deere Engine Warranty - 2 Year or 2,000 Hours

Attachments (Not Included in Tractor Price):

~~51" Ribbon Snow Blower with Sidewalk Chute~~	~~$ 20,900.00~~
~~5 ft Angle Plow~~	~~$ 6,750.00~~
5 Position Folding Plow	$ 8,400.00
~~Rear Salt & Sand Spreader with Single Agitator~~	~~$ 7,920.00~~
Rear Salt & Sand Spreader with Single Agitator (Galvanized Finish)	$ 9,100.00

SAUNDERS EQUIPMENT LTD.

57 Pepin Road
Fredericton, NB E3B 8J9
Ph. (506) 458-9460
Fax (506) 458-0186
Website: www.saundersequipment.com

FOB - West Hants (Freight Included). Current Delivery = Approx. 6 + Months

Pricing and specifications are subject to change. All prices quoted, plus tire levy (if applicable), registration and Hst. Training provided on the operation and maintenance of the Trackless MT7 by our factory trained, licensed technician upon delivery.

SAUNDERS EQUIPMENT LTD.
57 Pepin Road
Fredericton, NB E3B 8J9
(506) 458-9460
www.saundersequipment.com

QUOTE

Date	Quote #
2022-06-22	2001

Customer
West Hants Regional Municipality PO Box 3000, 76 Morison Drive West Hants, NS B0N 2T0

Sales Representative
Dale Gennette, Territory Manager Nova Scotia Cell (902) 943-1060 dgennette@saundersequipment.com

Requested by	Troy B.
Phone	

FOB	West Hants
Terms	Net 30

Item	Description	Qty	Price	Total
ZB457-1	TRACKLESS BOOM FLAIL MOWER (NOTE-REQUIRES DUAL LOADER LUG TIRES)	1	40,900.00	40,900.00
OPTW17	TRACKLESS DUAL LOADER LUG TIRES & RIMS (SET OF 4 DOUBLE)	1	6,900.00	6,900.00
EP-0	CPL AUTOMATIC GREASING SYSTEM, EP-0, INSTALLED ON A TRACKLESS MT7, 11 POINTS	1	3,523.84	3,523.84
OPH33	TRACKLESS RIDE CONTROL OPTION (FOR MT7)	1	2,820.00	2,820.00

GST/HST No. 104730163

Specifications/pricing subject to change without notice. All pricing quoted, plus applicable taxes.

Subtotal	CAD 54,143.84
HST	CAD 8,121.58
Total	**CAD 62,265.42**

ZAMBONI labrie Labrie Enviroquip Group Trackless VEHICLES BUCHER municipal AQUATECH

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

To: Council

Submitted by: J. Richard

Todd Richard, Director, Public Works

Date: June 28, 2022

Subject: Salt/Dump Body Replacement

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended to Council;

> **To approve the purchase a replacement salt/dump body for truck #51 at a cost of $49,542.70 plus tax plus a 10% contingency, for the supply and installation of a Larochelle salt dump body from XL Truck & Equipment Services as quoted.**

BACKGROUND

Property ☑	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

During the winter months of 2022 the salt dump body of truck #51 suffered a catastrophic failure due to metal fatigue. A temporary repair was made to allow the truck to salt for the remainder of the season, albeit at less than half capacity. Given the age and condition of the dump body it has been recommended for replacement.

DISCUSSION

A replacement body was added to the 2022-23 Capital Budget requests and approved during the 2022-23 Capital Budget deliberations. As soon as the Capital Budget was approved Staff reached out to applicable vendors for updated quotes. A formal tender process was not used due to ongoing market volatility, supply chain delays, increased demand for steel, and short window before the beginning of the winter season, staff are recommending alternative procurement under Section E.1, due to the impacts a delay in procuring this item would have.

These factors together create a heightened urgency as these circumstances are out of our control affecting when equipment can be obtained along with our need to be prepared for the upcoming winter season to provide the public service. Delaying the purchase of the salt box would increase cost to provide the service as less efficient equipment would need to be used requiring more labour and equipment to provide the same level of service. Based on staff research there are very few if any options for rental equipment, contracted services may be an option however this would be an increased cost over projected budget.

Although no tender was issued because of the urgent requirement to have this unit in service, a competitive and fair process was followed to obtain quotes with XL Truck & Equipment Services being the lowest price. At the present time none of the vendors could give an estimated freight cost due to the instability and fluctuation of the market. Staff are recommending a 10% contingency to cover the cost of freight along with any extra unforeseen costs that may be incurred with the installation of the new salt box.

This piece of equipment is a primary salt truck for use in winter snow and ice control on municipal street throughout WHRM.

Vendor	**Price**	**Freight**	**Met Spec**
XL Truck & Equip.	$49542.70	Unable to Quote	Yes
East Coast International	$54021.79	Unable to Quote	Yes
Saunders Equipment LTD	$42130.05	Unable to Quote	No
Parts for Trucks	Unable to Quote	Unable to Quote	No

NEXT STEPS

Council approval

FINANCIAL IMPLICATIONS

In the 2022-23 Capital Budget, Council approved a new dump truck body for Truck #51, in the amount of $50,000 to be funded through vehicle capital reserves. XL Truck & Equipment Services has quoted $43,042.70 for parts, and $6,500 for installation, for a total of $49,542.70 before applicable taxes. With applicable taxes the cost is $51,668. Freight, and any unexpected extra costs could increase the costs, so a 10% contingency has been added, in the amount of $5,177 for a total cost estimate of $56,835

ALTERNATIVES

- Council could direct Staff to post a formal tender which would delay the order, delaying the installed date. This is not recommended as it would likely place the truck out of service for a period during the winter months, with the high potential of decreasing the level of service and/or increasing operational cost.

ATTACHMENTS

- Salt Dump Box Quote results

CHIEF ADMINISTRATIVE OFFICER REVIEW

Report Prepared by: _____
Troy Burgess, Manager, PW Operations

Report Reviewed by: _____
Todd Richard, PW Director

Report Approved by: _____
(Name and Title)

DEPUIS • SINCE 1956
LAROCHELLE
PHIL LAROCHELLE ÉQUIPEMENT INC.
250, 2nd Avenue, Quebec City, G1L 3A7
Ph: 418-522-8222, Fax : 418-522-3115

QUOTE

Number BH22029-02

Date May 31, 2022

Sold To	Ship To
XL Truck & Equipment Services Jason Casey 43 Tregothic Drive P.O. Box 316 Windsor, NS B0N 2T0 Canada **Phone** (902) 798-1360 **Fax**	**West Hants Regional Municipality** Troy Burgess 76 Morison Drive P.O. Box 3000 Windsor, NS B0N 2T0 Canada **Phone** (902) 798-8391 **Fax**

Please see our quotation for the supply only of Larochelle snow/ice equipment, with the following specifications.

Salesperson	P.O. Number	Ship Via	Terms
Brandon			NET 30

Qty	Description	Unit Price	Ext. Price
1	BTU1036, basic configuration including: Front panel, tailgate, sides, floor and conveyor cover made of 3/16" thick , grade 450 steel Sloped front panel for better material flow Pintle type longitudinal conveyor chain, pitch : 2.609" breaking strength : 49,000 lbs Chain tension adjustment by means of grease cylinders Ladder on LH side at the rear of the body 3/16" thick, grade 450 welded conveyor floor wear plate Speed reducer : 25 to 1 ratio with hydraulic motor (3) section telescopic cylinder Rear body hinge and cylinder cradle Safety prop on dump body 10 ga HSLA sloped fenders In-cab pneumatic tailgate opening device (straight air valve operated) Side board pockets (2) sets of mud flaps with brackets Summer plate to cover the longitudinal conveyor chain Lighting system to meet FMVSS108 regulations Tailgate spreader chains Body entirely sandblasted (2) part epoxy primer Final paint coating : Yellow urethane paint Overall length : 139" Inside length : 120" Side height : 36" Tailgate height : 48" Recommanded C.A. : 96" (single axle)		
1	24" cab protector made of 10 ga steel		
1	Removable conveyor steel sub plate (return of chain) installed on the full length of the longitudianl conveyor in order to protect underneath chassis components		

All goods sold are subject to the terms and conditions of sale of PHIL LAROCHELLE EQUIPMENT INC and remain the property of PHIL LAROCHELLE EQUIPMENT INC until fully paid for.
All our sales are, or depending on agreement, FOB Quebec City , payable at delivery via wire transfer, taxes not included
Prices and specifications are subject to change without notice
No returned goods will be accepted without an authorization number from the manufacturer.
All returned goods will be subject to a minimum of 20% re-stocking charge

Qty	Description	Unit Price	Ext. Price
1	Chain type cross conveyor ass'y including : Pintle type chain, model : 667X Shafts and sprockets Chain tension adjustment via grease cylinders 35" high, side mounted spinner ass'y, poly spinner and poly chute		
1	Complete electric driven tarpaulin system with electric winch, wiring and in-cab control		
1	(1) coal door installed in center of tailgate		
1	Shovel holder installed on front panel		
1	Spinner motor hydraulic quick coupler (2 sets) hoses		
1	Adjustable spinner deflector		
1	(3) LED lights (amber or blue/red and white) installed in each box rear corner post		
1	Rotative beacon or strobe warning light installed on cab protector including support,wiring and in-cab switch		
2	Each auxiliary LED light to shine either the spinner, the conveyor or the wing plow		
1	Installation of cab protector		
1	Installation of rotative beacon or strobe warning light		
1	Installation of one of the auxiliary light		

Total unit price, FOB Quebec, QC, taxes not included.

Financing available.

Price based on supply only. Larochelle assumes no responsibility for project engineering or integration of equipment quoted on truck chassis.

SubTotal	$43,042.70
GST Extra	$0.00
PST Extra	$0.00
Shipping extra	$0.00
Total	**$43,042.70**

Customer Approval: _____

Date: _____

- 6,500 install
- no freight.

Brandon Harvey
Regional Manager, Atlantic Canada
Phil Larochelle Equipment Inc.
Ph: (506) 230-0805
Email: atlanticsales@larochelle.ca

All goods sold are subject to the terms and conditions of sale of PHIL LAROCHELLE EQUIPMENT INC and remain the property of PHIL LAROCHELLE EQUIPMENT INC until fully paid for.
All our sales are, or depending on agreement, FOB Quebec City , payable at delivery via wire transfer, taxes not included
Prices and specifications are subject to change without notice
No returned goods will be accepted without an authorization number from the manufacturer.
All returned goods will be subject to a minimum of 20% re-stocking charge

East Coast International Trucks, Inc.
376 Wilkinson Ave, Dartmouth, NS B3B 0J4
T: 902-468-7160 | **F:** 902-468-7167
www.eastcoastint.com

Service Repair Estimate

(Estimate valid for 30 days)

DATE:	17-Jun-22
CUSTOMER:	West Hants
UNIT #:	
Work Order	

QTY		PARTS	LABOUR
	Remove old body, hoist, cradle and hinge		
	Remove old spinner assembly		
	Install new supplied hinge and cradle		
	Install new junction box for wiring		
	Install all lights, mount & install new strob in rear ports & cab shield		
	Install new backup lights on rear of body		
	Supply and install new hoist		
	Replace any bad hydraulic hoses (extra to quote)		
	Install new body		
	Hook up hoist, weld body to hinge, install new spinner assembly		
	Temco combo dump side spreader	$ 42,938.89	
	Total parts	$ 3,397.90	
	Misc. fittings, hoses etc	$ 600.00	
	Labour		$ 6,500.00

TOTAL PARTS	**$ 46,936.79**
TOTAL LABOUR	**$ 6,500.00**
SHOP SUPPLIES:	**$ 585.00**
SUB-TOTAL:	**$ 54,021.79**
HST:	**$ 8,103.27**
TOTAL ESTIMATE:	**$ 62,125.06**

Estimate only - This does not cover additionals parts and labour that may be required after disassembly)

Estimate made by: Doug Matheson Date: June 17-2022

Authorized Signature: _____ Date: _____

(ECI is authorized to make the above repairs)

Tenco_12M Combination Dump/Side Dump Spreader 52930012.

	Tenco Body Specs & Inclusions:		
	Body is Constructed of Hardox HB450 wear plates.		
	Body is 10ft. Long, with 27" high sides and 39" high tailgate		
	Body has a water level capacity of 5.92 CY		
	Body has a 24" cabshield.		
	Body tailgate is equipped with two asphalt chutes.		
	Body has a Main Conveyor chain of 667X Pintel chain on the left of body.		
	Right body wall is tipped by means fo two D.A. Clyinders.		
	Body comes with spinner and chute assembly.		
	Body kit includes rear tipping hinge and hoist cradle (Hoist Not Included)		
	Body is sandblasted, epoxy primed and Painted in Black Polyurethane.		

Municipality West Hants.

Multiplex Catalog Quick Reference Crash Parts

Line Set Ticket

VIN Number	3HAWDSTR9*HL521197*	Model	7400 SFA 4X2	Build Date	9/7/2016
Eng Srl Number	2U3554843	Model Code	SA52500	Order Qty	1
Dealer Number	278077	Order Number/Suffix	206596	Starting Job Number	521197
Sold To	MUNICIPALITY OF WEST	Sales Region	920	Paint Code	9219
GVWR	43000	Ignition Key	Z103	Wheel Base	159.4 in / 405.0 cm
AF Dimension	63 in / 160.0 cm	Gear Ratio	6.14	Recall Pending	Yes

Grp	Unit	Description	Cost Code
01	0001CAJ	FRAME RAIL 120,000 PSI YIELD 456.0" OAL	
01	0001LLA	FRT BPR SWEPT BACK STL HD	
01	0001WDS	20" INTEGRAL FRONT FRAME EXTENSION	
		FRONT CROSSMEMBER W/MTG FLANGE FOR	

Quote ... Remove and reinstall Dump Body
2016 Int. 5 Yd c Axle Dump Truck
Tailgate Salt Spreader.

SAUNDERS EQUIPMENT LTD.

57 Pepin Road
Vanier Industrial Park
Fredericton, NB E3B 8J9
Ph. (506) 458-9460 Fax (506) 458-0186
Website: www.saundersequipment.com

QUOTE **Date:** Feb 22/22

To: Windsor

Phone:
Email:

From: Saunders Equipment Ltd.
Dale Gennette
Phone: 902-943-1060
Email: dgennette@saundersequipment.com

Subject: Quote – Viking Dump Body

CAB SHIELD
A-36 10g.
Std - style 625
Front mount
Windscreen
SIDE
HARDOX 450 1/8"
Top Rail: Folded steel ins. Ladder: 910F-36-42-I
FRONT Cylinder model Cylinder Surcharge Tarp kit selection Mesh - tarp kit Mounting kit model
Additional ladder - other
SIDES
Close top of fold
TAILGATE
Air cylinder kit
Coal door
BOTTOM Body prop kit
SURFACE FINISH Sandblast

ACCESSORIES
HARDOX 450 1/8"
45 deg. corners
Recess: 12" deep
FLOOR
HARDOX 450 0.177" Heatable, Underneath
HARDOX 450 0.177"
48in chains, 3/8 banjos and shackles loose Slope: 7"
Latch Mec.: Air
Hinge: Std 3/4"
3 oval Light Holes: Top Side Light Holes: Yes Standard Bumper
SILLS
44-W 0,2242"

SAUNDERS EQUIPMENT LTD.

57 Pepin Road
Vanier Industrial Park
Fredericton, NB E3B 8J9
Ph. (506) 458-9460 Fax (506) 458-0186
Website: www.saundersequipment.com

QUOTE

Date: Feb 22/22

To: Windsor

Phone:
Email:

From: Saunders Equipment Ltd.
Dale Gennette
Phone: 902-943-1060
Email: dgennette@saundersequipment.com

Subject: Quote – Viking Slide in Spreader (Includes Prewet)

Hoppers & Options

** VBS-10 Slide in 6.1 cu yd hopper.All slide in hoppers include: Galvanized material screens, tie down kit,constructed of 10 ga corten steel & a single rear chute and spinner assembly w/ anti coning device.*
** Qty (10) of body ft, Stainless steel 304L*
** VBS rubber side shield install kit c/w stainless steel mounting brackets*
** Spinner clean off/anti coning device*
** Stainless steel VBSAB leg stand assembly*
** Misc. hydraulic lines and quick couplers*
** 681 litre (180 US gal) VBS hopper pre wet tank c/w pressure fill plumbing kit (qty 2 x 340.5 litre (90 US gal) tanks)*
** 11 litre (3 US gal) flush tank system for pre wet lines and pump*
** Liquid test sample capture "drop hose catch test kit"*
** VCL Pre Wet power unit in stainless enclosure, w/ enclosure mounting brackets and nozzle kit*

Total:$ 42,130.05 +HST (Quote does not include install or freight)

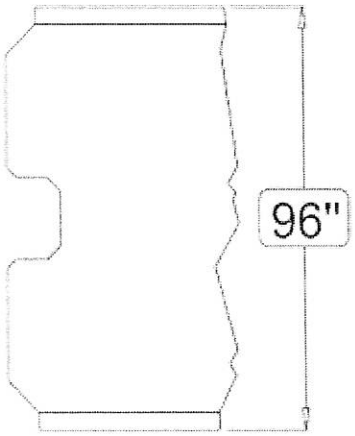
Delivery date to be determined upon order.

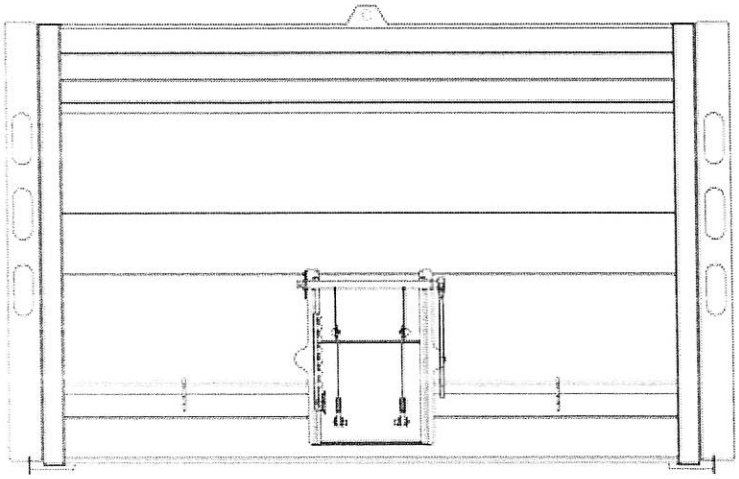
SAUNDERS EQUIPMENT LTD.

57 Pepin Road
Vanier Industrial Park
Fredericton, NB E3B 8J9
Ph. (506) 458-9460 Fax (506) 458-0186
Website: www.saundersequipment.com

Total:$ 27,750.20 +HST (Quote does not include install or freight)

Delivery date to be determined upon order.

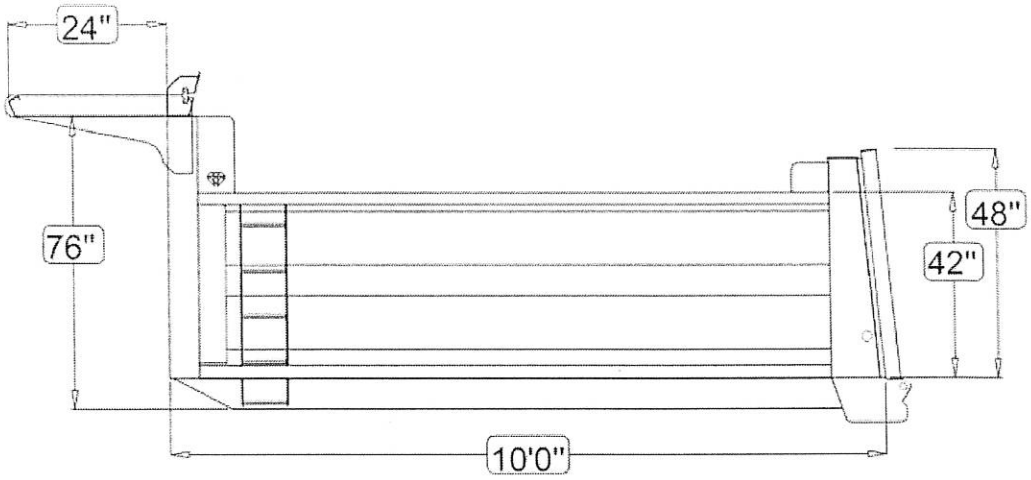




ZAMBONI labrie Labrie Envirequip Group trackless Johnston

SAUNDERS EQUIPMENT LTD.

57 Pepin Road
Vanier Industrial Park
Fredericton, NB E3B 8J9
Ph. (506) 458-9460 Fax (506) 458-0186
Website: www.saundersequipment.com



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ✓	Decision Request ☐	Councillor Activity ☐

To: **Members of West Hants Regional Council**

Submitted by: **Abraham Zebian, Mayor**

Date: June 28, 2022

Subject: Committee of the Whole Chair, Amendment to the Meeting and Committee Procedural Policy

---

LEGISLATIVE AUTHORITY

Municipal Government Act, Sections 23, 24, and 48

RECOMMENDATION or DECISION REQUEST

…Council direct staff to amend the Committee and Procedural Policy, RCOGE-03.00, Section 8.1 to read "The Chair of Council will be the Mayor and the Chair of Committee of the Whole will be the Deputy Mayor except:

a) In the absence of the Mayor at Council, the Deputy Mayor will be the Chair
b) In the temporary absence of both the Mayor and Deputy Mayor, a Chair will be appointed from the Councillors present at the meeting.

.

BACKGROUND

Property ☐	Public Opinion ✓	Environment ☐	Social ☐	Economic ☐	Councillor Activity ✓

The Meeting and Committee Procedural Policy was approved on March 23, 2020 by the Coordinating Committee and has been amended since multiple times by Council. The Policy

outlines the administration and procedures to be used during meetings and establishes the permanent Committees of Council.

DISCUSSION

After having experimented with having the Mayor as Chair for both Council and Committee of the Whole meetings, I feel it is time to allow the Mayor an opportunity to join Council in regular debate to better allow an overall voice for all districts during Committee of the Whole meetings. I feel it's important for the Mayor to be able to debate freely with Council unhindered by the rules of being chair.

NEXT STEPS

Should Council approve this motion, staff will amend the Meeting and Committee Procedural Policy, RCOGE-003.00, to reflect the approved motion to take effect for the Committee of the Whole Meeting in July, 2022.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the proposed motion.

ALTERNATIVES

- Council may choose not to support the recommendation and proceed as status quo.
- Council may choose to suggest a different composition.

ATTACHMENTS

Meeting and Committee Procedural Policy, RCOGE-003.00

CHIEF ADMINISTRATIVE OFFICER REVIEW

N/A

Report Prepared by: _____
Abraham Zebian, Mayor

Report Reviewed by: _____
Madelyn LeMay, Director, Planning and Development and Acting CAO

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1. General

1.1. This Policy will be known and cited as the "Meeting and Committee Procedural Policy".

1.2. The purpose of this Procedural Policy is to:

a) provide direction to Council and Staff members on conducting Council and Committees of Council meetings. This Policy does not apply to boards, commissions and committees of which the Municipality may be a member, but which was not established solely by the Municipality;
b) establish the Committee of the Whole as a Committee of Council; and
c) establish various other Committees of Council.

1.3. In this Policy:

a) "Act" means the Municipal Government Act, Stats. N.S. 1998, C. 18
b) "Business day(s)" means a day which the administrative offices of the Municipality are open for business;
c) "Chair" means the presiding officer of Council or a Committee of Council;
d) "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Municipality;
e) "Clerk" means the Clerk of the Municipality;
f) "Closed Meeting" means a meeting which is not open to the public and may be known as in-camera.
g) "Committee of Council" means a committee formed pursuant to a resolution or policy of Council;
h) "Council" means all Council members of the Municipality;
i) "Councillor" means a Council member and includes the Mayor and Deputy Mayor unless the context indicates otherwise;
j) "Majority" means more than one-half of those present
k) "Meeting Package" means the package prepared for a meeting consisting of the agenda and associated agenda item material;
l) "Motion" means the formal mode in which a Council member submits a proposed measure or resolve for the consideration and action of Council or Committee of Council;
m) "Municipal or Municipality" means the West Hants Regional Municipality;

n) "Pecuniary interest "means a situation where there is a reasonable likelihood or expectation of appreciable financial loss or gain to the person, or to other persons;
o) "Planning document" means a Municipal Planning Strategy, Land Use By-law, or Subdivision By-law;
p) "Question" means the subject matter of a motion; when the question is called, the motion is put to a vote without further debate;
q) "Quorum" means the majority of members required to hold a meeting.
r) "Resolution" means a formal expression of the opinion or the will of the Council or a Committee of Council adopted by vote, and is a result of an approved motion;
s) "Staff" means a person employed by the Municipality;
t) "Two-thirds vote" means a vote where at least two-thirds of the members present and entitled to vote at the meeting vote in favor of the motion.

2. Mandate of Council and Committee of the Whole

2.1. The mandate of Council is:

a) to exercise the powers of the Municipality as set out in the *Act* through the approval of motions, policies and by-laws;
b) to provide strategic planning for the Municipality with the goals:
   i. to provide good government;
   ii. to provide services, facilities and other things that in the opinion of Council are necessary or desirable for all parts of the Municipality;
   iii. to develop and maintain safe and viable communities;
   iv. to work with other municipal units for the best interests of the Municipality within the province;
   v. to provide active programs of training and upgrading of staff and Council; and
   vi. such other goals as from time to time are determined;
c) to conduct the official business of the Municipality;
d) to carry out any statutory public hearings as required by the *Act* and other legislation;
e) to provide strategic direction to the CAO through resolutions, policies and by-laws.

2.2. The mandate of the Committee of the Whole is:

a) to discuss, consider, advise and make recommendation to Council for approval concerning the affairs of the Municipality in advance of Council making decisions or taking actions on such matters, except where

Council has determined that consideration by Committee of the Whole is unnecessary or inadvisable, and except that the following matters will normally be dealt with by Council without having to be forwarded to the Committee of the Whole for its recommendations:

i. first and second readings of a by-law enactment, amendment or repeal; and
ii. matters which are the subject of statutory hearing of Council;

b) to carry out the duties and responsibilities of Council set forth in Part XV Dangerous and Unsightly Premises of the *Act*;
c) to carry out the duties of the Regional Emergency Management Advisory Committee as set forth the Regional Emergency Management By-law of the Municipality;
d) to take such steps not inconsistent with this Policy that the Committee of the Whole reasonably deems necessary to carry out this mandate;
e) except for an Order under the Act for Dangerous and Unsightly Premises and specific tasks or matters assigned by Council from time to time to the Committee, all resolutions of the Committee of the Whole will be recommendations to Council for Council's approval.

3. Time, Place, Date and Notice of Meetings

3.1. All meetings of Council and Committees of Council will be public meetings, except as provided for under Sections 22 (2) and 203(1) of the Act and Section 14 of this Policy.

3.2. Unless otherwise specified pursuant to Section 3.5 of this Policy a regular meeting of the Committee of the Whole will be held:
a) at the location set by the Committee of the Whole,
b) on the second Tuesday of each month, except for August,
c) commencing at 6:00 p.m. unless otherwise directed by Council.

3.3. Unless otherwise specified pursuant to Section 3.5 of this Policy, a regular meeting of Council will be held:
a) at the location set by Council,
b) on the fourth Tuesday of each month except for August,
c) commencing at 6:00 p.m. unless otherwise directed by Council.

3.4. Unless otherwise specified pursuant to Section 3.5 of this Policy, regular meetings of other Committees of Council will be determined in the Administrative Terms of Reference for the Committee.

3.5. Meetings may be rescheduled, relocated or cancelled:

a) by resolution or consensus, including a contingent resolution or consensus of Council or a Committee of Council at a previous meeting three (3) or more business days in advance of the meeting;
b) at the request of majority of the members of Council or Committee of Council;
c) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to inclement weather or unforeseen circumstances provided the Mayor, Deputy Mayor, or Chair believes the majority of members would support such a step.

3.6. Additional or special meetings of Council or a Committee of Council may be convened:

a) by resolution or consensus, including contingent resolution or consensus of Council or Committee of Council at a meeting three (3) or more business days in advance of the additional or special meeting;
b) at the request of the Chair;
c) at the request of the majority of members;
d) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to unforeseen circumstances, provided the Mayor, Deputy Mayor or Chair believes that the majority of members would support such a step; or
e) where the Mayor determines there is an emergency, Council may meet without notice or with such notice as is possible in the circumstances.

3.7. Notice to Councillors and the Public of meetings:

a) subject to any statutory relaxation of the notice requirements, at least three (3) business days' notice to Councillors will be provided for additional or special meetings by telephone, the email address provided by the Municipality or other email address, fax number or messaging service;
b) subject to any statutory relaxation of the notice requirements, at least two (2) business days' notice to the public will be provided for additional or special meetings by posting a notice of the meeting on the Municipal website and social media pages;
c) Councillors and the public will be deemed to have received any notice within one (1) day of being notified pursuant to this section;
d) meeting notice need not be provided of:
    i. regular meetings held pursuant to Sections 3.2 and 3.3 of this Policy;

ii. regular meetings of a Committee of Council whose regular meeting date is contained in a policy or by-law of Council or posted on the Municipal website; or

iii. meetings held pursuant to Sections 3.5 (a) and Section 3.6 (a) of this Policy;

e) notice of meeting cancellations will be provided to Council and the public as soon as possible in the same manner;

3.8. In accordance with Section 19 (7)(a)(b) of the Act no meeting of Council or Committee of Council is illegal or invalid by failure to give notice or by meeting elsewhere than provided in this Policy or the notice of meeting.

3.9. Within thirty (30) days following the first meeting of Council after an election or by-election each Councillor will provide the Clerk the following:

a) a telephone number with answering machine/voicemail which the Councillor has and will maintain and will check at least once per day;

b) the unique email address provided by the Municipality, where all municipal notices and correspondence will be forwarded and which the Councillor will check at least once per day;

c) any other email address, fax number, or messaging service which the Councillor has and will maintain and will check at least once per day.

4. Communications

4.1. The Mayor is the official spokesperson of Council and the CAO is the official spokesperson of staff.

4.2. Council communication to the public is:

a) through the Mayor, as the official spokesperson for the Municipality regarding decisions approved by Council unless another Councillor is designated;

b) through Councillors as chief spokespersons for explaining policies, priorities and decisions; and

c) through Committee Chairs as chief spokesperson for matters dealt with under the authority of their committee, unless another Councillor is designated;

d) media interview requests will be referred to the Mayor or the CAO to determine who is the most appropriate spokesperson for the interview.

4.3. Council communication to staff is:

a) through a resolution of Council or Committee of Council for advice, information or recommendations on matters which require thoughtful

research and review. Staff will normally provide their response through a written information or recommendation report like that in Appendix A;

b) through resolutions from Council to the CAO.

4.4. Committees will communicate to Council:

a) through a written information or recommendation report by Chairs to Committee of the Whole like that found in Appendix A.

b) where all Councillors are members; may communicate using excerpts sheets of the motions being recommended to go straight to Council with the previous committee report (referred to in the excerpt), attached as a supporting document.

4.5. All Councillors are expected to provide a monthly report to Council stating the Municipal business they were involved in over the previous month, using the report form in Appendix A.

4.6. The CAO or designate may, on behalf of Council or Committee of Council, receive correspondence from the public and deliver a copy of the correspondence to all Councillors within a reasonable time provided:

a) the correspondence is directed to a Councillor or Committee of Council member;

b) is in writing and received by mail or email;

c) is legible;

d) is not libelous, irrelevant, offensive or improper; and

e) is signed by the writer's name.

5. Meeting Attendance and Quorum

5.1. Councillors are expected to attend all meetings of Council and Committees of Council to which they are appointed.

5.2. Subject to changes of the Act Section 17 (4), Councillors who without leave of Council are absent from three (3) consecutive regular meetings of Council ceases to be qualified to serve as a Councillor.

5.3. Councillors who without leave of a Committee of Council and are absent from three (3) consecutive regular meetings of a Committee of Council to which they are appointed, may be removed from the Committee. This also applies to resident members appointed to a Committee of Council.

5.4. Council or a Committee of Council will not refuse the leave of a Councillor if such leave is due to employment issues, illness, other Municipal business, or an unforeseen event needing immediate attention.

5.5. Sections 5.1, 5.2 and 5.3 do not apply to Councillors on a parental accommodation leave of absence in accordance with Section 17 (4A) of the Act.

5.6. Quorum for meetings of Council and Committee of the Whole will be the majority of elected Councillors, or seven (7) Councillors.

5.7. Quorum of other Committees of Council will be the majority of the voting members unless otherwise stated in a policy or by-law of Council or administrative terms of reference.

5.8. Councillors or resident members of Committees of Council may participate in meetings by electronic means such as teleconference or video conference and will be considered present for purposes of quorum and voting, provided:

a) the Councillor or resident members physically present at the meeting location are at minimum one less than quorum;
b) a maximum of two Councillors, resident members or combination may use electronic means during a meeting at one time;
c) the Chair will be physically present at the meeting location;
d) the Councillor or resident member notifies the Chair and appropriate staff at least 24-hours in advance of their intent to use electronic means, to ensure provision of the electronic means at the meeting location;
e) it is the responsibility of the Councillor or resident member to ensure provision of electronic means at their location;
f) if used during a closed meeting, the member will ensure confidentiality is maintained at all times;
g) no Councillor or resident member will participate by electronic means in more than four (4) meetings of any kind per year;
h) the Councillor or resident member does not interfere and/or disrupt the meeting, and if such occurs the Chair has the right to end the electronic participation;
i) the Chair will ensure those participating by electronic means have an opportunity to verbally declare any conflicts of interest;
j) the Councillor or resident member will notify the Chair of their intended departure (either temporary or permanent) from the meeting before leaving the meeting;

k) the Councillor or resident member will be marked as absent if electronic connection is not made or if it is lost and is unable to be reconnected.

5.9. All Councillors or resident members of Committees of Council may participate by electronic means as described in 5.8 during a local and/or world-wide crisis. This would not count towards the four (4) electronic meetings per year as identified in 5.8(g).

5.10. If a quorum is not present fifteen (15) minutes following the scheduled start time of a meeting and it is not reasonable that quorum will be present within a reasonable time, the meeting will be deemed cancelled and a record of the cancellation along with the names of the members present will be recorded in the minutes.

5.11. Where there is a permanent vacancy on Council or a Committee of Council, Councillors may make a decision if a quorum is present at the meeting.

5.12. If the number of Council members is reduced to below the number required for a quorum due to vacancies in Council, Council may not pass a by-law or policy, borrow money, set a tax rate, acquire or sell property, for make any other decision that has an effect after or for a term extending beyond the date of the election to fill a vacancy on Council

6. Election Process for Deputy Mayor, Chair or Vice-Chair

6.1. At the first meeting of Council after an ordinary election, all Councillors will be sworn in and the Deputy Mayor will be elected as follows:

a) the Mayor will call the meeting to order and call for nominations for the position of Deputy Mayor three times;
b) Councillors may nominate a fellow Councillor for the position of Deputy Mayor, but may not nominate themselves; nominations do not have to be seconded;
c) after the third and final call for nominations, the Mayor will declare nominations closed;
d) the Mayor will ask each nominee if they accept the nomination for Deputy Mayor;
e) if only one Councillor was nominated and accepted the nomination, that Councillor is declared the Deputy Mayor;
f) if there is more than one nominee, the Mayor will provide each of the nominees an opportunity to speak and Councillors will elect the Deputy Mayor by secret ballot;

g) two volunteers are asked to be scrutineers, one of which must be a staff member. Ballots are distributed to Councillors, votes will be cast, then the scrutineers will collect and count the ballots;
h) the scrutineers announce the overall result of the election (not the number of votes for each Councillor). The Deputy Mayor is determined by majority of the number of Councillors present;
i) if there is not a winner by majority and there are three (3) or more nominees, another vote will occur by dropping the nominee with the lowest votes and voting again until only two (2) nominees remain. If there is not a winner by majority and there are only two (2) nominees, the Deputy Mayor will be determined by a draw by the Clerk or designated staff member.
j) once the Deputy Mayor has been declared elected, a motion will be made to destroy the ballots.

6.2. The term of office for the Deputy Mayor will be two (2) years; the very first term being April 1, 2020 - October 31, 2022 and the nomination process be held again for a term of November 2022 – October 2024, at which time it will re-align with municipal elections in Nova Scotia

6.3. The election of a Chair for a Committee of Council will be completed in a similar manner to the election of the Deputy Mayor except that a staff member will perform the duties of the Chair until the Chair of the Committee of Council is elected. Nominees for Chair will be given an opportunity to speak to the members of the Committee of Council before the vote is held.

6.4. Once a Chair of a Committee of Council is elected, they may perform the election in the same manner for a Vice-Chair.

6.5. The term of office for a Chair or Vice Chair will be two years unless otherwise stated in a policy of Council or administrative terms of reference.

7. Meeting Agendas and Packages

7.1. At Council meetings, unless a majority consents to a different order for that meeting, business will be conducted in the following order:
a) Call to Order
b) Attendance
c) Approval of Agenda, including additions or deletions
d) Declaration(s) of Conflict of Interest
e) Announcements

f) Approval of previous meeting's minutes
g) Public Hearings
h) Unfinished Business/Postponed Motions
i) Mayor's Report
j) Committees of Council Recommendations
k) Councillor Municipal Business Reports
l) Correspondence
m) New Business
n) In-Camera
o) Next Meeting Date / Adjournment

7.2. At Committee of the Whole, unless a majority consents to a different order for that meeting, business will be conducted in the following order:

a) Call to Order
b) Attendance
c) Approval of Agenda, including additions and deletions
d) Declaration(s) of Conflict of Interest
e) Announcements
f) Approval of the Minutes
g) Presentations
h) Unfinished Business/Postponed Motions
i) Reports
j) Correspondence
k) New Business
l) Public Participation Period
m) In-Camera
n) Next Meeting Date / Adjournment

7.3. Agendas of other Committees of Council and Public Hearings will be determined as needed or detailed in the Committee's Administrative terms of reference.

7.4. All topics and supporting material for an agenda will be submitted to the staff member preparing the agenda by 12:00 noon ten (10) business days before a regular scheduled meeting. Councillors will be required to submit a "Report Form" (Appendix A) to be included in the agenda package.

7.5. All agendas will be approved by the Mayor or Chair of the Committee of Council and the CAO or designate.

7.6. All agenda items should have an associated report, excerpt sheet, and/or other material outlining the purpose and background of the agenda item put together in one PDF document.

7.7. Meeting packages will be provided to Councillors and resident members of Committees of Council by 12:00 noon at least three (3) business days before the meeting by internal communication systems or email.

7.8. Meeting packages will be provided to the public by 4:00 pm two (2) business days before a meeting by posting the meeting package to the Municipal website.

7.9. Meeting packages for a special meeting of Council or a Committee of Council will be provided to Councillors, resident members and the public in accordance with Sections 7.7 and 7.8 should time permit, or by 12:00 noon one (1) business day before the special meeting.

7.10. If an agenda item's associated material is not distributed in the meeting package it will be distributed electronically or by hard copy during or after the meeting.

7.11. Late additions to the agenda will be accepted for consideration until 12:00 noon two (2) business days before the meeting. No late additions will be accepted for special meetings.

7.12. Agenda items may also be added at the meeting if it is time sensitive or concerning a matter where life, property or the environment is at immediate risk and cannot be dealt with at a later meeting. All meeting package material for these items will be distributed electronically or by hard copy during or after the meeting.

7.13. For instances when a requested agenda item may be outside the jurisdiction of the Municipality, require more research, or should be dealt with in a different forum or meeting, the Mayor or Chair will have the authority to delete, defer, or refer the agenda item. The Mayor or Chair will advise the person requesting the agenda item of the action taken.

7.14. All material in a meeting package which is posted on the Municipal website will be deemed received at the time of agenda approval during the meeting. All material not publicly posted that is read or visually presented during the

meeting will be deemed received and amended to the posted meeting package posted on the Municipal website

7.15. Once an agenda item has been dealt with it should not be put on the agenda again for at least six (6) months unless there is a follow up report on actions taken, or a proper motion is made to reconsider, rescind or amend something previously adopted.

8. Council and Committee Chair Duties

8.1. The Chair of Council and Committee of the Whole will be the Mayor except:

a) in the absence of the Mayor, the Deputy Mayor will be the Chair
b) in the temporary absence of both the Mayor and Deputy Mayor, a Chair will be appointed from the Councillors present at the meeting.

8.2. The Chair of a Committee of Council will be the Councillor or resident member elected and, in their absence, the Vice-Chair elected.

8.3. It will be the duty of the Chair to:

a) open the meeting by taking the chair and calling the members to order and announcing the business before Council or the Committee of Council;
b) ask members to declare any Conflicts of Interest;
c) receive and put to a vote all motions presented and announce the results;
d) decline to put to a vote a motion which infringes upon rules of procedure established by this Policy;
e) restrain Councillors when engaged in debate, within the rules of conduct established by this Policy or Robert's Rules of Order;
f) protect the rights of those attending the meeting and enforce the rules of order; preserve order, and decide on point of order;
g) call by name any Councillor or resident member persisting in a breach of this Policy, and thereby ordering them to vacate the meeting room;
h) permit the CAO to speak on any point upon request;
i) permit staff and invited guests to speak when appropriate on the agenda and at the request of Councillors and/or CAO;
j) permit proper questions to be asked through the Chair of any Councillor, CAO, staff member, or invited guest in attendance relevant to the issue under discussion in order to provide information to assist debate;
k) declare a meeting dissolved if no quorum has been achieved;

l) adjourn to another place and/or time without ending the meeting with the consent of Council;
m) adjourn the meeting when the business is concluded and a motion to adjourn has been approved by the majority vote; or
   i. adjourn the meeting when an adjournment time has been set and approved by majority vote or consensus, when the time has been reached except when it is extended by unanimous consent; or
   ii. adjourn the meeting at the Chair's sole discretion due to inclement weather conditions to a time and date set by the Chair.

9. Minutes and Recordings

9.1. Written minutes of Council and all Committee of Council meetings, including in-camera meetings, will be kept providing a permanent and historical record of the Municipality's business. When required, these minutes may be recognized in court as evidence of decisions made and actions taken.

9.2. Written minutes kept will:
a) record the names of the members or participants and the time when any member joins or leaves a meeting which is in progress;
b) contain all motions and decisions by consensus and will record the outcome of each vote;
c) record the names of all Councillors or resident members who voted "Nay" to a motion put to a vote;
d) summarize key points of a discussion and mention reports, petitions, correspondence, presentations and other papers submitted only by their respective title, or a brief description of the content;
e) be clear, accurate, concise, and formatted to be readable;
f) be written in past-tense;
g) flow logically in accordance with the agenda, even if the meeting itself had been fragmented and confusing.

9.3. a) To assist with accurate composition of draft minutes, all public and in-camera meetings of Council or Committees of Council will be recorded using audio recording equipment. Once minutes are approved, the audio recording will be kept for at least seven (7) years after which it may be destroyed in accordance with the Records Management Policy of the Municipality.
b) To maintain confidentiality, prior to going into an in-camera meting session, the ZOOM meeting for all public meetings will be ended. A new ZOOM meeting will begin for the in-camera session and recordings of this session will commence. Only invitations to required participants will be extended.

9.4. Draft minutes of Council and Committee of the Whole will be reviewed by the Clerk and CAO.

9.5. Draft minutes of other Committees of Council will be reviewed in accordance with the Committee of Council's Administrative Terms of Reference.

9.6. Minutes of all meetings will be posted in draft electronic form on the Municipality's website for the public and to the internal communication system for Councillors and staff for information.

9.7. The minutes of the last preceding regular meeting and subsequent special meetings will be reviewed at the next meeting of Council or Committee of Council and after all necessary corrections and amendments have been noted, be approved and signed by the Mayor or Chair.

9.8. To correct the minutes at the time of approval, the word or words will be crossed out and the corrections written in and initialed before being signed by the Chair. The digital form of the minutes posted to the Municipality's website and internal communication system will be changed accordingly in red font and a footnote of the changes will be added to the electronic minutes stating "Amended".

9.9. The press will be allowed to only use audio recording equipment during public meetings.

9.10. A request for copies of the audio recordings of public meetings may be submitted in writing or electronic mail to the Clerk of the Municipality and will be provided, if available, for a prescribed fee.

9.11. Council and Committees of Council may choose to live-stream video on the internet of any or all meetings, with no obligation to live-stream video of a meeting. There will be no audience participation using the live-streamed video, but residents may leave messages; however, staff will be unable to address said messages.

9.12. Except for Section 9.3, 9.9 and 9.11 of this Policy, audio and video recordings and the taking of photos by any device will not be allowed during meetings except by permission of the Chair.

10. Meeting Decorum and Rules of Debate

10.1. Robert's Rules of Order will govern the proceedings of Council and Committees of Council in all cases not provided for in this Policy or an Administrative Terms of Reference.

10.2. Members of the public present in the meeting room will maintain order and quiet and will not address the Council or Committee of Council except with permission of the Chair.

10.3. All cellular phones and electronic devices which emits a sound will be set to silent or turned off during a meeting, with the exception of equipment required for specific use related to the matter (i.e. issued tablets that would contain the agenda and related documents).

10.4. No one may bring any sign, poster, placard, banner or other like device into a meeting place without the prior permission of the Chair, subject to an objection by a majority of the members of Council or Committee of Council present.

10.5. All Councillors, resident members, or other persons presenting to Council or a Committee of Council will not:

a) speak disrespectfully of any person;
b) use offensive language
c) speak on any subject other than the subject for which they received approval to speak;
d) disobey any decision of the Chair;
e) enter a cross debate with another member; or
f) willfully distract the member speaking, unless it is regarding a point of order or to raise a question of privilege.

10.6. A Council or a Committee of Council member or other persons may speak to a subject or motion at a meeting only if that member first addresses the Chair.

10.7. The Chair may ask questions and speak on a matter in the same manner as all Council or Committee of Council members without leaving the seat of the Chair.

10.8. Every Council or Committee of Council member or other person, prior to speaking on any question or motion, will signal their desire to speak by raising their hand or other acceptable manner and wait to be recognized by the Chair. When two or more members signal to speak, the Chair will

designate who has the floor based on the opinion of the Chair as to who signaled first.

10.9. No Council or Committee of Council member or other person will speak more than twice (and the second time only to raise new information), for a maximum of five (5) minutes each time, without permission of Council on any motion except to explain misconception of his remarks. When a member wishes to explain a misconception, the member will signal to the Chair and ask permission of the Chair, without further comment, and if permitted by the Chair, will explain only an actual misunderstanding of language.

10.10. A Council or Committee of Council member may request the motion under consideration be read at any time during debate but may not interrupt while another member is speaking.

10.11. The mover of a motion will have the right to reply and sum up in closing the debate.

10.12. The Chair, after having called attention of Council or Committee of Council to the conduct of a member who persists in irrelevant or repetition of an argument during debate, may direct a member to discontinue speaking.

10.13. A Council or Committee of Council member, member of the public or other person willfully disregarding the meeting decorum or rules of debate or obstructing the business of the Council or Committee of Council meeting, may be ordered by majority vote of the members present, to leave the meeting, which for clarity means leaving the property of the meeting location.

10.14. Formal presentations will be made at any meeting of Council or Committee of Council meeting, with no individual presentation exceeding fifteen (15) minutes plus a period for questions. For purposes of efficiency and time management it will be the goal when setting an agenda to limit a maximum of three (3) formal presentations at any one meeting.

10.15. When a report, by-law, petition or other document is read or received, including those deemed received upon approval of the agenda, the Clerk or appropriate staff member will endorse upon it:

a) a note of the reading;
b) the date;
c) the way it was dealt with.

10.16. A meeting of Council or a Committee of Council will adjourn at 10:00 pm unless otherwise determined by a majority vote of the members present. If the meeting agenda is not completed as of 10:00 pm, the members may vote to adjourn to another date and time to complete the meeting.

11. Conflict of Interest

11.1. In accordance with the Municipal Conflict of Interest Act each Councillor and resident member must self-identify and disclose any pecuniary interest in any item before Council, Committee of Council or external committee or board.

11.2. Where a Councillor or resident member, either on their own behalf or while acting for, by or with and/or through, another person has any pecuniary interest, direct or indirect on a subject they will:

a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature there of;
b) leave their seat and sit in the gallery or exit the meeting room for the duration of the discussions pertaining to the matter;
c) not take part in the discussion of or vote on any question with respect to the matter;
d) not in any way before, during and/or after the meeting influence the voting on any question pertaining to the matter.

11.3. If the meeting is a closed meeting, in addition to complying with the requirements in Section 11.2, the Councillor or resident member will leave the meeting place for the part of the meeting during which the matter is under consideration.

11.4. Where the interest of a member has not been disclosed by reason of their absence from the particular meeting, the member will disclose the interest and otherwise comply at the next meeting they attend of Council, Committee of Council or external committee or board where the matter was discussed.

11.5. The Clerk or responsible staff member will record the name of the member, the meeting, the time they left their seat and returned, and the nature of the conflict of interest in the minutes of the meeting and a central registry of disclosure.

12. Motions and Voting

12.1. The types of motions which may be made at a Council or Committee of Council meeting are:

a) Main motions – reflects the proposed decision or action to be taken regarding a subject;
b) Subsidiary motions – facilitates or modifies the main motion;
c) Incidental motions – relates to a question of procedure regarding a main motion;
d) Privileged Motions – a motion which does not relate to the main motion but takes immediate priority.

12.2. The following are common but not all Subsidiary motions:
a) Postpone indefinitely – if approved this motion stops the main motion without a vote;
b) Amend – changes something within the main motion;
c) Postpone definitely – sets the main motion aside until a specified time;
d) Refer – sends the main motion to a specific committee or staff for further investigation and report back;
e) Limit or extend debate – shortens or lengthens the time for debate;
f) Previous Question – closes debate and brings the main motion to a vote;
g) Lay on the Table – puts the main motion aside temporarily for more urgent business and is taken up after the urgent business is dealt with.

12.3. The following are common but not all incidental motions:
a) Point of Order – asked the Chair to enforce the rules; more details in Section 13;
b) Appeal – takes the decision of the Chair away and gives it to members of Council or Committee of Council;
c) Suspend the rules – allow Council or Committee of Council to do something it normally cannot do without breaking the rules;
d) Objection to consideration of the question – avoids the main motion if Council or Committee of Council thinks the motion should never have been made or is outside the its mandate;
e) Division of a question – separate parts of a main motion into separate motions that can stand on their own for consideration.

12.4. The following are common but not all privilege motions:
a) Raising a question of privilege – is an emergency motion which deals with the rights and privileges of members;
b) Recess – provides a short break in the meeting;
c) Fix the time to adjourn – sets a time to adjourn the meeting;
d) Adjourn – closes the meeting.

12.5. All business before Council or Committee of Council for consideration will be made in the form of main motions which proposes specific action be taken.

12.6. All main motions will be provided to the Chair or Clerk in writing before being debated.

12.7. A motion must be seconded, and when requested read by the Chair or Clerk, before it is debated; except a motion raising a question of privilege or point of order.

12.8. Council or a Committee of Council may have informal discussions on a subject prior to making a main motion for consideration.

12.9. A motion may at any time after it is seconded and before the Council or Committee of Council has voted on it, be withdrawn or modified by the mover with consent of Council or Committee of Council.

12.10. When any main motion is being considered, the only motions in order will be:
a) to amend;
b) to refer;
c) to postpone either definitely or indefinitely; or
d) to limit or extend debate;
e) the previous question.

12.11. Amendments will be put in the reverse order of which they are made. Only one amendment will be allowed at a time and one sub-amendment will be allowed to an amendment. Every amendment submitted will be decided on or withdrawn before the main question is put to a vote.

12.12. A motion to adjourn will always be in order except in the following cases:
a) when a Council or Committee of Council member is in possession of the floor;
b) when the "yeas" and "nays" are being called;
c) while the Council or Committee of Council members are voting; or
d) when the motion to adjourn was the last preceding motion.

12.13. The following motions will be decided without debate:
a) a motion to reconsider;
b) all motions as to priority of business or as the suspension of the order of the day;
c) applications to speak more than the prescribed number of times;

d) a motion to allow any person other than a Council member to address the Council;
e) a motion to postpone definitely;
f) a motion to lay on the table when claiming a privilege over another person; and
g) a motion to adjourn.

12.14. Before putting the motion to a vote, the Chair will ask "Are you ready for the question" and if no member offers to speak on the motion or they make a motion for the Previous Question, the Chair will put the question, after which no member will be permitted to speak upon it.

12.15. The usual form of voting on any motion will be by the Chair calling for "yeas" and "nays", and members indicating their choice by show of hands or, if provided, by electronic means; but any Council or Committee of Council member, before or after the vote can call for, a recorded vote with each members vote entered into the minutes.

12.16. No motion committing the Municipality to the expenditure of funds will be accepted by the Chair for the consideration of Council, unless there is unanimous consent of Council members present, except for matters arising from correspondence, Committee of Council or other reports, agenda items, notices of motions or other material circulated to Council members on or before the day before the meeting, and except for matters arising from a closed meeting.

12.17. A majority vote of those present will determine all questions arising in Council and a Committee of Council, except motions to approve a planning document and those requiring a two-thirds (2/3) vote.

12.18. The adoption of planning documents or amendment thereof by Council at Second Reading requires a majority vote of number of Council members elected, regardless of number present to achieve quorum. And only those members present during a public hearing are permitted to vote on the matter at which a public hearing was held.

12.19. The following motions require a two-thirds vote:
a) to suspend the rules;
b) to limit or extend debate;
c) to amend or rescind something previously adopted;
d) to object to the consideration of the question; or

e) to close nominations.

12.20. Subject to the *Municipal Conflict of Interest Act*, all Council or Committee of Council members present including the Chair will vote on a motion and may not abstain.

12.21. A member of Council or Committee of Council who fails or refuses to vote on a motion is deemed to have voted in the positive.

12.22. In the event of a tie in a vote on a motion, the motion is determined in the negative.

12.23. Any notice of motion given by a Council or Committee of Council member for a subsequent meeting may, in the absence of the member giving such notice, be taken up by another member.

12.24. The following motions may bring a motion for consideration again:
a) Take from the table – takes up the motion previously laid on the table;
b) Rescind – takes back a motion or policy; for a by-law this is called a repeal, a notice to rescind must be given at a previous meeting;
c) Amend something previously adopted – modifies a motion previously presented and adopted;
d) Discharge a committee – takes a matter sent to a committee back before a report has been presented;
e) Reconsider – allows reconsideration due to new information or situation so the true will of the members is acted on.

12.25. No motion can be reconsidered if the actions cannot be undone.

12.26. After any main motion has been decided, any Council or Committee of Council member who voted on the winning side may, after the decision has been announced from the Chair, but before adjournment of the meeting may give notice of an intention to move reconsideration at the next meeting. The giving of such a notice operates as a stay or suspension of the decision.

12.27. In the event that Council or a Committee of Council member fails to give notice of reconsideration at the same meeting, the member will give notice in writing to the Clerk least 14 days prior to the next meeting but not thereafter, of Notice of Motion to reconsider the motion of a previous meeting, stating the reasons therefore, and if the motion for reconsideration is seconded, the same

will be put to a vote after debate (unless it is an undebatable motion) and if carried, the question for reconsideration will then be read and disposed of.

12.28. No discussion of the main question will be allowed during the motion for reconsideration.

12.29. The following matters are not eligible for reconsideration:

a) a motion approving the first or second reading of a by-law enactment, amendment or repeal;
b) a motion to decide on a matter which was the subject of a statutory hearing by Council;
c) a motion which is or was considered by the Committee of the Whole or the Planning Advisory Committee in substantially the same form in which it is being or will be considered by Council, irrespective of whether Council has adopted or rejected or may adopt or reject, the recommendation;
d) a matter which has already been reconsidered once;
e) a vote to reconsider; and
f) a motion to reconsider or rescind a motion approving the annual budget of the Municipality or a motion authorizing any legal proceedings.

12.30. Any rule concerning motions and voting may be suspended for a specific matter with a motion, passed by two-thirds (2/3) vote of Council or Committee of Council members present, stating the specific rule to suspend and the matter for which it is suspended.

12.31. A summary of the rules for common motions can be found in Appendix B.

13. Points of Order (also refer to Code of Conduct Policy)

13.1. A point of order asks the Chair to rule on or enforce the rules if a Council or Committee of Council member thinks the rules of this Policy have been broken.

13.2. A point of order does not need to be seconded but must specify which rule is being broken and must be decided upon before the subject under consideration is proceeded with.

13.3. When a Council or Committee of Council member is called to order, the member will be seated and remain silent until the point is determined or until called upon by the Chair to be heard on the point of order.

13.4. A point of order is not debatable amongst other Council or Committee of Council members, unless the Chair invites discussion to assist in making a ruling. Where the Chair permits discussion on a point of order, no member will speak more than once.

13.5. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the meeting room pursuant to Sections 13.6 and 13.8, are not debatable but are appealable to Council or Committee of Council by any member. When an appeal is made of the decision of the Chair, the Chair will simply put the question, "Will the decision of the Chair be sustained?"

13.6. If a Council or Committee of Council member resists:

a) the rules contained in this Policy;
b) willfully obstructs the business of Council or the Committee of Council;
c) disobeys the decision of the Chair, or of Council or Committee of Council on appeal, on any question of order or practice or upon the interpretation of the rules after being called to order by the Chair; or otherwise disrupts the meeting proceedings;

the member may be ordered by the Chair to leave their seat.

13.7. If the Council or Committee of Council member refuses to leave the Council members seat, the Chair may, after majority vote is made to support the expulsion, order the member to be expelled and removed from the meeting room.

13.8. Such Council or Committee of Council member may, by vote of the members, later in the meeting or at a subsequent meeting be permitted to re-enter the meeting room and to resume participation in Council or Committee of Council business with or without conditions.

13.9. Persons who are not Council or Committee of Council members, staff, or invited guests of the Municipality will observe silence and order in the meeting room, unless given permission to speak. Any such persons disturbing the proceedings of Council or Committee of Council will be called to order by the Chair and, if they fail to comply, will be expelled and excluded from the meeting room by the Chair, provided that a majority vote will be required to sustain the expulsion.

13.10. Such members of the public, by vote of the members, later in the meeting or at a subsequent meeting, may be permitted to re-enter the Council Chambers with or without conditions.

13.11. An order of the Chair to expel a person from the meeting room pursuant to Sections 13.6 and 13.8 of this Policy constitutes a direction from the Municipality to leave the premises for the purpose of the Protection of Property Act and other applicable laws.

14. In-Camera Meetings

14.1. Notwithstanding Section 3.1, Council or a Committee of Council may meet in-camera as per Section 22(2) of the Act, for the following reasons:

a) acquisitions, sale, lease and security of municipal property;
b) setting minimum price to be accepted by the municipality at a tax sale;
c) personnel matters;
d) labour relations;
e) contract negotiations;
f) litigation or potential litigation;
g) legal advice eligible for solicitor-client privilege;
h) public security.

14.2. No decision will be made while in-camera except decisions on matters of procedure or to give direction to the CAO or Solicitor. All other decisions will be made during a public meeting.

14.3. The meeting decorum and rules of debate of Section 10 apply during an in-camera meeting.

14.4. A record which is open to the public will be made, noting the fact that Council or Committee of Council had met in-camera, the type of matter as set out in Section 22(2) of the Act, and the date, but no other information.

14.5. Discussions held by those in attendance of an in-camera meeting are confidential unless required for Municipal, legal purposes pursuant to other regulatory requirements or released by motion of Council or the Committee of Council.

14.6. An agenda and documentation for the in-camera meeting will be provided to Council or Committee of Council members only, in a manner similar to Section 7 of this Policy or may be handed out during the in-camera meeting. Such

material will be deleted from the internal communication system or collected after the meeting.

14.7. Minutes of the in-camera meeting will be taken by the Clerk, or other responsible staff member, and approved at the next in-camera meeting of Council or Committee of Council. Such minutes and meeting packages will be securely kept and will not be subject to mandatory public disclosure unless required for Municipal, legal purposes pursuant to other regulatory requirements, or released by motion of Council or the Committee of Council.

14.8. The Mayor, Deputy Mayor, Chair, Solicitor, CAO or designate, or Clerk will have authority to brief one another or any member of Council or Committee of Council who is absent from the closed session.

15. Setting Direction

15.1. To practice good governance and ensure that decisions are made in the best interest of the Municipality, businesses and residents; decisions should be assessed through the lenses of property, environment, economics, social and public opinion before recommending an action or making a decision. Appendix C has further details on the decision-making lenses.

15.2. Council may set direction and make decisions through resolutions, policies and by-laws. Committees of Council may make motions recommending a direction, policy, or by-law to Council.

15.3. The process to approve a resolution at a Council meeting does not require notice or public consultation. A motion becomes a resolution upon approval.

15.4. Approval of Policies:

a) The process for Council to approve a policy requires seven (7) days notice to all Council members but does not require public consultation. Notice may be given in one of the following manners:

i. Through a notice of motion regarding the policy at a Council meeting for approval at the next Council meeting, provided there are at least seven (7) days between meetings;

ii. Through a recommendation from Committee of the Whole to Council, provided there is at least seven (7) days between the meetings;

iii. Through a recommendation from Planning Advisory /Heritage Advisory Committee to Council, where such notice will be

emailed to Councillors at least seven (7) days before the meeting.

15.5. Approval of By-laws and Planning Documents:

a) The process for Council to approve a by-law, other than a planning document, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 168 (2) of the Act.

b) The process for Council to approve a planning document or amendment there of, after the requirements of the public participation program for planning documents have been met, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 206 of the Act.

c) Council will receive no new information regarding the by-law or planning matter once a public hearing is complete.

d) Only the Council members present at the Public Hearing may vote on the Second Reading of the by-law and planning document.

15.6. Public Hearings are separate meetings which are held immediately before the Council meeting at which the Second Reading of the by-law or planning document is held. The agenda for the Public Hearing will be similar to the following:

a) Overview of by-law or planning document to be approved – by staff
b) Owner or Developer Presentations (if applicable)
c) Written Submissions in Favour or Against
d) Questions or Comments from the Public in Favour or Against
e) Concluding Remarks

15.7. Council may reverse a resolution or policy through a motion to rescind or repeal in the same manner it was created. The process to reverse a by-law is to create a new by-law stating the repeal.

15.8. The resolution, policy or by-law to be rescinded or repealed:

a) will have been approved at a previous Council meeting, and
b) will not have been carried out to the extend that it is too late to undo for the future.

16. Receiving Public Input

16.1. Council and Committees of Council members may obtain public input and opinions from residents in the following manner:

a) speaking with a resident directly;
b) at public consultation and information meetings;
c) during Public Hearings;
d) through formal presentation during meetings, requests which have been received by staff may be placed on the meeting agenda and approved by the Chair, prior to the meeting;
e) during the allotted twenty (20) minutes of Public Participation on the Committee of the Whole Agenda. A member of the public may speak for a maximum of five (5) minutes each during this period;
f) through formal petitions and written applications to Council.

16.2. Petitions and applications to Council will be:

a) legibly written or printed on paper;
b) will have endorsed upon it the name, address and signature of one or more petitioners, applicants or required persons, and the substance of the matter contained in it.
c) be presented by a Council member or staff member who will inform Council of the contents and ask permission of Council for it to be read on behalf of petitioners;
d) Council may decide to hear a summary of a petition or written application in lieu of hearing the reading of the entire petition or written application.

17. Committees

17.1. The Council of the Municipality may establish Committees of Council for various matters.

17.2. Committees of Council are advisory in purpose and may only make recommendations to Council for final approval and action; unless otherwise enabled under this Policy or by Provincial Legislation.

17.3. In addition to the Committee of the Whole, the following Committees of Council are here by established and details of the establishment can be found in the respective appendix to this Policy:

a) Accessibility Advisory Committee – Appendix D
b) Audit Committee – Appendix E
c) Davidson Lake Watershed Committee - F

d) French Mill Brook Watershed Advisory Committee – Appendix G
e) Fences Arbitration Committee – Appendix H
f) Repealed
g) Repealed
h) Mill Lakes Watershed Advisory Committee – Appendix J
i) Planning Advisory/Heritage Advisory Committee – Appendix K
j) Municipal Climate Change Action Plan Committee – Appendix L
k) Diversity and Inclusion Committee – Appendix M

17.4. Council may also form Committees of Council as required under a by-law or agreement approved by Council.

17.5. Council may agree to participate in external boards and committees which are established by the Province, legal agreement or is of significant interest to the Municipality.

17.6. Council will not be bound by the by-laws or articles of incorporation adopted by an external committee or board providing for the appointment of a member to the committee or board.

17.7. Council agrees to participate in the following external boards and committees:
a) Annapolis Valley Regional Library Board
b) Hants County Residence for Senior Citizens Board
c) Landfill Liaison Committee
d) Region 6 Solid Waste Management Board
e) Valley Communication Fibre Network
f) Valley Regional Enterprise Network

17.8. Councillors are elected to various committees and boards every two (2) years, or as required by other legislation, policies or agreement, at the November Council meeting. For clarification, the first appointment after April 1, 2020 will be in November 2022. The number of Councillors to be elected:
a) for Committees of Council one (1) or more Councillors may be elected in accordance with the Committee structure set by Council;
b) for external boards and committees, one (1) Councillor and one (1) alternate Councillor may be elected.

17.9. The election of Councillors to various committees and boards will be conducted in similar manner as the election of Deputy Mayor in Section 6.

17.10. Councillors not elected to a Committee of Council or external committee or board will not be permitted to participate in the committee debate or the vote; but are authorized to make comments, presentations, and participate in the committee meeting, to the extent authorized by the Chair.

17.11. A Councillor ceases to be a member of a Committee of Council or external committee or board when they cease to be a Councillor or as per poor conduct as per the Code of Conduct Policy.

17.12. Council may appoint residents to serve on Committees of Council or to represent the Municipality on external board and committees.

17.13. All resident appointments will be advertised publicly with a request for those interested to submit a letter of interest and application for a committee. The letter of interest will be reviewed by the CAO or designate and staff who will then submit a recommendation to Council for appointment.

17.14. Committees of Council will be governed in accordance with this Policy, unless this Policy states that an alternate arrangement may be provided in the Administrative Terms of Reference of the Committee of Council.

17.15. Each member of a Committee of Council is to receive a copy of this Policy and the Committee of Council's Administrative Terms of Reference at the first duly called meeting of the Committee of Council after the regular election or appointment of members.

17.16. The Clerk will keep a record of all Councillor and resident appointments to Committees of Council and external committees and boards.

17.17. Councillors and resident members who sit on an external committee and board that has not been a result of an appointment by Council, will disclose the name of the external committee or board to the Clerk. The Clerk will keep a public record and will update the information in November of each year.

17.18. Council may by majority vote remove any Councillor or resident member of a Committee of Council or external committee or board who was elected or appointed by Council.

17.19. Council will fill any vacancy on a Committee of Council or external committee or board as soon as practicable after the vacancy occurs.

18. Conferences and Training

18.1. Up to six (6) Council members plus Mayor (and their spouses), and the CAO (or delegate) may attend the Spring conference held by the Nova Scotia Federation of Municipalities (NSFM). And, up to six (6) Council members plus Mayor (and their spouses), and the CAO (or delegate) may attend the Fall conference held by the NSFM; however, will be based on opportunity. The schedule of attendance will be revisited annually to promote fairness.

18.2. Annually, Council will approve participation in a conference held by the Federation of Canadian Municipalities (FCM), including the number of Council and staff members to participate through the provision of funding during budget deliberations.

18.3. Councillors may attend and be reimbursed for other related training opportunities with prior approval of Council.

18.4. Remuneration for conferences and training will be in accordance with the Remuneration Policy.

18.5. There will be an annual budgeted amount for Committees of Council members to attend conferences relevant to the committee in which they are appointed. This may include up to one resident member per Committee of Council.

18.6. The CAO will be responsible for promoting conference and professional development opportunities and for devising a system ensuring overall fairness for the opportunity to attend.

19. Repeal

19.1. The following policies of the former Municipality of the District of West Hants are hereby repealed effective April 1, 2020:

a) The Council Procedural Policy, COGE-003.00, dated February 14, 2017 as amended to September 10, 2019;
b) Audit Committee Policy, COFN-007.00, dated May 8, 2018;
c) Policy Establishing Davidson Lake Watershed Advisory Committee, COPW-003.00, dated December 8, 2015 as amended to June 12, 2018;
d) Establishment of the Falmouth Watershed Advisory Committee Policy COPW-002.00, dated February 13, 2018 as amended to June 12, 2018;
e) Policy to Establish the Fences Arbitration Committee, COGE-008.00, dated June 12, 2018;

f) Policy Establishing West Hants Planning Advisory Committee, COPL-006.00, dated December 11, 2018; and
g) Policy Establishing the Hantsport Area Advisory Committee, COPL-005.00.

19.2. The following policies of the former Town of Windsor are hereby repealed effective April 1, 2020:
a) Meeting Attendance via Video/Virtual Policy dated September 26, 2017;
b) Appointment of Deputy Mayor Policy dated November 25, 2014; and
c) Audit Committee Policy dated November 28, 2017.

20. Related Legislation, Policies, Procedures

20.1. The following is a list of related legislation, policies and procedures:
a) Municipal Government Act
b) Municipal Conflict of Interest Act
c) Freedom of Information and Protection of Privacy Act
d) Protection of Property Act
e) Robert's Rules of Order

APPENDIX A
Report Form

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: (Name of Committee)

Submitted by: _____
(Name and Title)

Date: (Date)

Subject: (Title or Subject of Report)

LEGISLATIVE AUTHORITY
(State where ability for consideration comes from if applicable)

RECOMMENDATION or DECISION REQUEST
(State the recommendation or decision request in the form of a motion, if not applicable because it is an Information Report or Councillor Activity Report, state so)

BACKGROUND

Property☐	Public Opinion☐	Environment☐	Social☐	Economic☐	Councillor Activity ☐

(Provide the Who, What, When, Where and Why. If a Councillor Activity Report check "Councillor Activity" and provide your update/info below in the "Discussion" section.)

DISCUSSION
(Provide new information about the subject, Councillor activity, strategic implications, desired outcome.)

NEXT STEPS

(State what will be done next if anything.)

FINANCIAL IMPLICATIONS

(Inform of any financial implications it may have on current or future budgets of the Municipality, or to residents, if anything.)

ALTERNATIVES

(State any option to the recommendation and implication of the options, if anything)

ATTACHMENTS

(List any attachment to the report, if anything.)

CHIEF ADMINISTRATIVE OFFICER REVIEW

(For use if report is from a Councillor. CAO to provide additional comments on background, department/staff responsible and workload, budget, options, preferred strategy. State "Not Applicable" if report is from staff which already incorporates CAO review.)

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

APPENDIX B

Rules of Common Motions

Privilege and Subsidiary motions are listed in the order of their precedence, with the highest ranking at the top. After the Chair states a motion, higher ranking motions are in order but not lower ranking motions, except to Amend and Previous Question can be applied to amendable and debateable motions of higher rank than themselves. Incidental Motions have no ranking order. These are the general rules relating to motions, special rules may apply in accordance with Roberts Rules of Order.

Type Of Motion	Motion in Order of Precedence	Seconded Needed?	Amendable?	Debatable?	Decided by?	Reconsider?	Interrupt?
Incidental Motions	Point of Order	No	No	No (unless Chair Permits)	Chair	No	Yes
	Appeal	Yes	No	Yes	Majority (Nays)	Yes	Yes (at time of ruling)
	Suspend the Rules	Yes	No	No	2/3	No	No
	Objection to the Consideration of the Question	No	No	No	2/3 (Nays)	Yes (Nays Only)	Yes (unless debate has begun)
	Division of the Question	Yes	Yes	No	Majority	No	No
Privilege Motions	Fixing the Time to Adjourn	Yes	Yes	No	Majority	Yes	No
	Adjourn	Yes	No	No	Majority	No	No
	Recess	Yes	Yes	No	Majority	No	No
	Raise a question of Privilege	No	No	No	Chair	No	Yes
Subsidiary Motion	Lay on the Table	Yes	No	No	Majority	No	No
	Previous Question	Yes	No	No	2/3	Yes	No
	Limit or Extend Debate	Yes	Yes	No	2/3	Yes	No
	Postpone to a Definite Time	Yes	Yes	Yes	Majority	Yes	No
	Refer	Yes	Yes	Yes	Majority	Yes	No

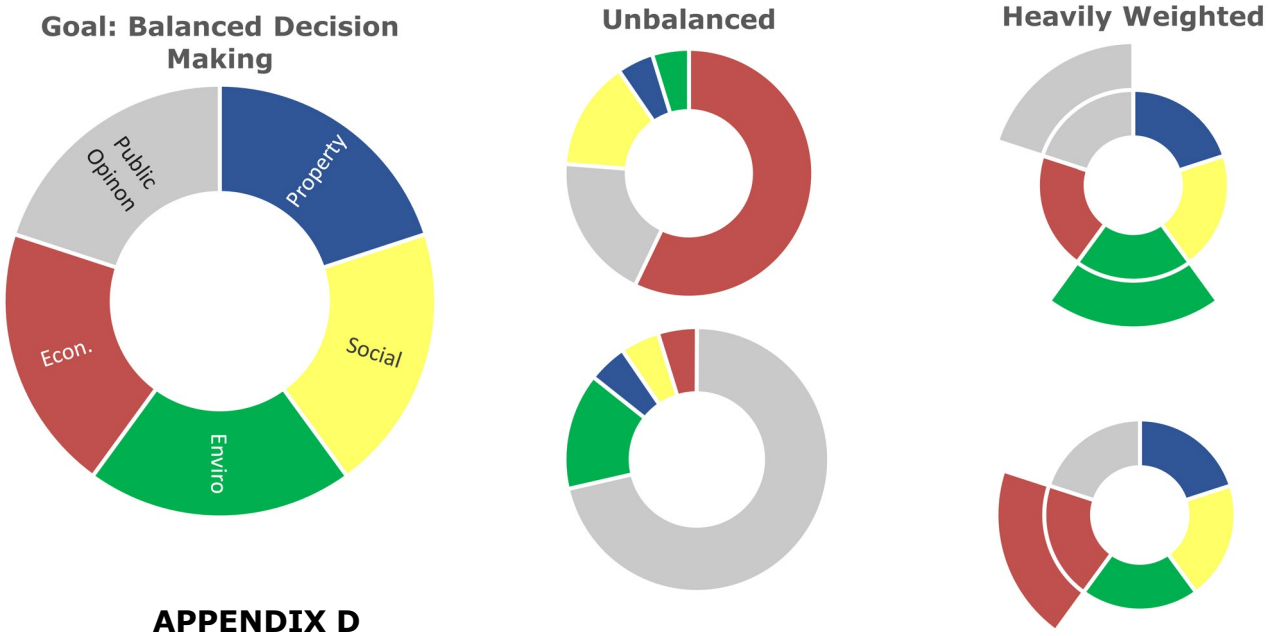
	Amend	Yes	Yes	Yes	Majority	Yes	No
	Postpone Indefinitely	Yes	No	Yes	Majority	Yes	No
Main	Original Motion	Yes	Yes	Yes	Majority	Yes	No

APPENDIX C

Decision Making by Council and Committee of Council

Council and resident members should assess every issue presented through the lenses of property, environment, economics, social, and public opinion before making a decision or recommendation for action. Council and residents have the responsibility to research all lenses in order to make a balanced and respectful decision. Information on an issue can become heavily weighted around a single lens, leaving out other factors that will influence the community as a whole. Council and resident members strive to make recommendations that are balanced and unbiased, without emotion, which reflect all lenses, to protect the best interests of the Municipality and the people it serves.

- **Property:** "something at the disposal of a person, a group of persons, or the community or public". Examples: single use, shared use, noise, beautification, traffic, zoning, regulations
- **Environment:** "the air, water, minerals, organisms, and all other external factors surrounding and affecting a given organism at any time". Examples include regulatory requirements and land use.
- **Economic:** "pertaining to the production, distribution, and use of income, wealth, and commodities". Examples: cost savings or expense with decision, property taxation, spending in community, tourism, assessments, market impacts
- **Social:** "of or relating to human society". Examples: Acceptance, limited available or benefit, values
- **Public Opinion:** "the collective opinion of many people on some issue, problem, etc., especially as a guide to action, decision, or the like". Examples: feedback, communication, media, other municipal units
- **Other:** In some cases, other lenses may be required to fully understand an issue. Examples: chance of success, innovation.



APPENDIX D

Accessibility Advisory Committee

1. PURPOSE

1.1. The Accessibility Advisory Committee provides advice to Council on identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping the West Regional Hants Municipality become a barrier-free community and ensuring obligations under "An Act Respecting Accessibility in Nova Scotia (2017)" are met.

2. SCOPE

2.1. This Policy is applicable to all members appointed to the Municipality's Accessibility Advisory Committee.

3. DEFINITIONS

3.1. In Appendix D,

a) "AAC" means the Accessibility Advisory Committee of the Municipality;
b) "Act" means the *Accessibility Act*;
c) "Barrier" means anything that hinders or challenges the full and effective participation in society of persons with disabilities including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice;
d) "Council" means the Council for the Municipality;

e) "Disability" includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability; that, in interaction with a barrier, hinders an individual's full and effective participation in society;

f) "Municipality" means the West Hants Regional Municipality.

4. COMMITTEE COMPOSITION

4.1. The AAC will consist of seven (7) members as follows:

- To a two-year term – One (1) members of Council
- To a two-year term – four (4) Resident members
- To a three-year term – two (2) Resident members.

4.2. Resident members will not be members of Council or employees of the Municipality.

4.3. At least one half of the members of the AAC must be persons with disabilities or representatives from organizations representing persons with disabilities.

4.4. If a member vacates AAC for any reason at any time before that member's term would normally expire, Council will promptly appoint a new member to the Committee to hold office for the unexpired term.

4.5. The Chair and Vice-Chair will be appointed annually by the members of AAC.

5. MANDATE AND RESPONSIBILITIES

5.1. AAC has the following responsibilities:

a) Advise Council in the preparation, implementation and effectiveness of its accessibility plan. In accordance with the Act, the plan must include:

- A report on measures the Municipality has taken and intends to take to identify, remove and prevent barriers;
- Information on procedures the Municipality has in place to assess the following for their effect on accessibility for persons with disabilities:

i. Any of its proposed policies, programs, practices and services, and

ii. Any proposed enactments or bylaws it will be administering; and

- Any other prescribed information.

b) Advise Council on the impact of the Municipality's policies, programs and services on persons with disabilities;

c) Review and monitor existing and proposed Municipal by-laws to promote full participation of persons with disabilities, in accordance with the Act;

d) Identify and advise on the accessibility of existing and proposed municipal services and facilities;

e) Advise and make recommendations about strategies designed to achieve the objectives of the Municipality's Accessibility Plan;

f) Receive and review information directed to it by Council and its committees, and to make recommendations as requested;

g) Monitor Federal and Provincial government directives and regulations; and,

h) Host community consultations related to accessibility in the Municipality.

6. ADMINISTRATION

6.1. AAC will meet no less than six times per year, or otherwise as required to fulfill the duties as outlined.

6.2. A quorum for AAC will be a majority, four (4) members.

6.3. The AAC may receive presentations from the public upon approval of the Chair.

6.4. The AAC may establish Working Groups to explore specific issues related to the accessibility plan and/or to other responsibilities. Members of the Working Group may consist of additional members of the community. A member of the AAC shall chair the Working Group.

APPENDIX E

Audit Committee

1. PURPOSE
   1.1. The primary purpose of the Audit Committee (the "Committee") is to provide advice to Council on all matters relating to audit and finance. The objective of the Committee is to:
      a) fulfil the requirements outlined in Section 44 of the *Municipal Government Act*; and
      b) assist Council in meeting its oversight responsibilities by ensuring the adequacy and effectiveness of financial report, risk management and internal controls.

2. SCOPE
   2.1. This Policy is applicable to all serving members Audit Committee.

3. DEFINITIONS
   3.1. In Appendix E,
      a) "Auditor" means the External Auditor conducting the audit of the Municipality;
      b) "CAO" means the Chief Administrative Officer for the Municipality;
      c) "Director of Finance" means the Director of Financial Services for the Municipality;
      d) "Municipality" means the West Hants Regional Municipality.

4. COMMITTEE COMPOSITION

4.1. Council will annually appoint members to an Audit Committee.

4.2. The Audit Committee will consist of five (5) members: the Mayor, two Council members, and two resident members who are not members of Council or Municipal Staff.

a) Resident members should be sufficiently versed in financial matters to understand the Municipality's account practices and policies and the major judgements involved in preparing the financial statements.

b) Where an audit committee does not include any resident members, the audit committee will continue to meet and perform its duties and may exercise its powers. The Municipality will advertise to recruit resident members at least once every six months until the requirement is met.

c) The Mayor will chair the Audit Committee meetings, and in their absence, another appointed Council member will chair.

d) The CAO and/or Director of Financial Services will provide staff support to the Committee. They are not voting members of the Committee.

e) The Council Renumeration Policy will be followed regarding any remuneration for the two resident members.

f) All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by CAO.

5. DUTIES AND RESPONSIBILITIES

5.1. Audit:

a) Review the qualifications, independence, quality of service, performance, and fees of the auditors and recommend the appointment of an auditor to Council.

b) Carry out the responsibilities of the Audit Committee contained in Section 44 of the *Municipal Government Act*, in consultation with Management.

5.2. Finance and Risk Management

a) Review with Management the quarterly financial updates and recommend to Council to be received.

b) Management will give a presentation on all financial policies used in the preparation of the external financial statements; at the first annually meeting of the year.

c) Review with Management the adequacy of internal controls.

d) Review with Management annually risk management practices including insurance coverage.

6. ADMINISTRATION

6.1. Meetings of the Audit Committee will be held at least quarterly. Additional meetings may be necessary to review items relating to the audit and will be called by the Chair.

APPENDIX F

Davidson Lake Watershed Advisory Committee

1. PREAMBLE
   1.1. The Davidson Lake Watershed Advisory Committee was established in 2007 in response to the requirement of Nova Scotia Environment (NSE) to develop and prescribe regulations for the Protected Water Area, as well as a Source Water Protection Plan (SWPP). The SWPP was adopted by the former Hantsport Town Council on July 4, 2013. The draft Regulations were submitted to Nova Scotia Environment and at this time awaits Provincial review and approval.

2. DEFINITIONS
   2.1. In Appendix F,
      a) "Committee" means the Davidson Lake Watershed Advisory Committee;
      b) "Councillor" means an elected member of the Council of the Municipality;
      c) "Municipality" means the West Hants Regional Municipality.

3. PURPOSE
   3.1. The primary objective of the Davidson Lake Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other stakeholders to work cooperatively to maintain the water quality and quantity in the Davidson Lake Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.

3.2. The mandate of the Davidson Lake Watershed Advisory Committee is to advise and make recommendations to Council concerning issues of the management and protection of the Davidson Lake Watershed.

4. ROLE OF THE DAVIDSON WATERSHED ADVISOTY COMMITTEE

4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Davidson Lake Watershed.

4.2. In addition, the Committee will:

a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
b) assist with revisions of the regulations for the Protected Water Area as required;
c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
f) advise on forest matters and other land use issues;
g) develop Best Management Practices (BMP) for activities in the Davidson Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Davidson Watershed;
j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

5.1. The Committee members will be comprised of:

- One (1) Landowner Representative

- One (1) Councillor and one alternate
- One (1) Nova Scotia Department of Lands and Forestry Representative
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Environment Representative

5.2. The Landowner Representative must own land in the Davidson Lake Watershed and will not include the Municipality.

6. ADMINISTRATION

6.1. A quorum for the Committee will be four (4) members; of which one (1) must be a Councillor.

6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Davidson Lake Watershed Advisory Committee to Committee of the Whole.

6.3. The Committee will meet semi-annually. The Chair may call additional meetings as required.

6.4. Administrative services for the Committee will be provided by the Municipality.

6.5. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX G

French Mill Brook Watershed Advisory Committee

1. PREAMBLE

1.1. In 1983, the area surrounding French Mill Brook, Hants County was designated as a Protected Water Area at the request of the former Municipality of the District of West Hants. Regulations were also enacted for the designated area to protect the water supply. The French Mill Brook Watershed Protected Area supplies potable water to the community of Falmouth and covers approximately 2814 acres of land (1139 hectares), according to the plan prepared in 1974.

1.2. The former Falmouth Watershed Advisory Committee was established in 1992 to manage the French Mill Brook Watershed through the involvement of all stakeholders, including landowners, municipal staff and government representatives.

2. DEFINITIONS

2.1. In Appendix G,

a) "Committee" means the Falmouth Watershed Advisory Committee;
b) "Councillor" means an elected member of the Council of the Municipality;
c) "Municipality" means the West Hants Regional Municipality.

3. PURPOSE

3.1. The primary objective of the French Mill Brook Watershed Committee is to provide a forum for the Landowners, the Municipality, and other stakeholders to work cooperatively to maintain the water quality and quantity in the French Mill Brook Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.

3.2. The mandate of the Committee is to advise and make recommendations to Council concerning issues of the management and protection of the French Mill Brook Watershed.

4. ROLE OF THE FRENCH MILL BROOK WATERSHED ADVISORY COMMITTEE

4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the French Mill Brook Watershed.

4.2. In addition, the Committee will:

a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
b) assist with revisions of the regulations for the Protected Water Area as required;
c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
f) advise on forest matters and other land use issues;
g) develop Best Management Practices (BMP) for activities in the French Mill Brook Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the French Mill Brook Watershed;
j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

5.1. The Committee members will be comprised of:

- Three (3) Landowners Representatives

- One (1) Councillor and one (1) alternate
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Department of Lands and Forestry Representative
- One (1) Nova Scotia Transportation and Infrastructure Renewal Representative
- One (1) Nova Scotia Environment Representative

5.2. The Landowner Representatives must own land in the French Mill Brook Watershed and will not include the Municipality.

6. ADMINISTRATION

6.1. A quorum for the Committee will be six (6) members; of which one (1) must be Councillor and two (2) Landowner Representatives.

6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Falmouth Watershed Advisory Committee to the Committee of the Whole.

6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.

6.4. Administrative services for the Committee will be provided by the Municipality.

6.5. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX H

Fences Arbitration Committee

1. PURPOSE
   1.1. The purpose is to establish the Fences Arbitration Committee in accordance with the Fences and Detention of Stray Livestock Act.

2. DEFINITIONS
   2.1. In Appendix H,
   a) "Act" means the Fences and Detention of Stray Livestock Act, as amended from time to time;
   b) "Clerk" means the Municipal Clerk of the Municipality;
   c) "Committee" means the Fences Arbitration Committee of the Municipality;
   d) "Council" means the Council of the Municipality;
   e) "Livestock" means cattle, sheep, swine, goats, horses, ponies, mules, ratites, farmed deer and game farm animals and other livestock designated by the Minister;
   f) "Minister" means the Minister of Agriculture;
   g) "Municipality" means the West Hants Regional Municipality;
   h) "Non-livestock farm" means land upon which no livestock is maintained.
   i) "Owner" includes
      i. With respect to livestock, any person who has lawful custody of the livestock
      ii. With respect to a farm, the person occupying or operating a farm.

3. FORMATION OF THE FENCES ARBITRATION COMMITTEE

3.1. The Committee will consist of two (2) members, of which one member is appointed by Council and one member of the Municipality appointed by the Nova Scotia Federation of Agriculture.

3.2. The member appointed by Council will be the Chair of the Committee and may be an employee of the Municipality.

3.3. Alternate members of the Committee may be appointed at the request of the member appointed by the Municipality or the Nova Scotia Federation of Agriculture.

3.4. All members or alternates will be residents of the Municipality.

3.5. Non-Council members will be paid remuneration in accordance with the Council Remuneration Policy.

3.6. The Committee will meet on an as needed basis.

3.7. Two (2) members of the Committee will form a quorum.

3.8. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

4. DUTIES

4.1. The Committee will perform the duties as required by and in accordance with the Act, which include but not limited to:

a) Hearing fencing disputes between the owners of a livestock farm(s) or between the owner of a livestock farm and a non-livestock farm; who have notified the Clerk in writing and paid the accompanied fee. With respect to the matter referred to the Committee, the Committee may, by written order,

i. Determine the location, height and material of construction of any fence;

ii. Determine the manner of maintenance of a fence;

iii. Direct the owner of a farm to construct or maintain any fence in accordance with the Act;

iv. Determine the proportion of costs of building and maintaining any fences and common boundaries to be borne by each of the adjoining livestock farm owners pursuant to the Act;

v. Take any immediate action necessary including, but not limited to, the removal and boarding of livestock if it is determined there is a risk to the public, the livestock or property.

b) Directing a sale or other disposition of stray livestock, provided subsections (2), (3), and (4) of Section 9 of the Act have been complied with.

c) Disposing of stray livestock in such as manner as it deems fit, should no offer or reasonable offer be made at sale.

d) Distributing the proceeds of the sale or disposal of stray livestock in accordance with the Act.

e) Settling disputes regarding ownership and expenses of stray livestock that arise between the owner of the livestock, the person detaining it or the Municipality.

5. CONFLICT

5.1. Where there is a conflict between this Policy and the Act, the Act will prevail.

APPENDIX I

Repealed

APPENDIX J

Mill Lakes Watershed Advisory Committee

1. PREAMBLE

1.1. The Mill Lakes Watershed supplies the reservoir from which the Windsor Water Utility, operated by the Municipality, withdraws water. The Windsor Water Utility currently supplies water to the community of Windsor and the Three Mill Plains Water Utility. The Three Mile Plains Water Utility services communities of Three Mile Plains, Currys Corner, Garlands Crossing, and Wentworth Creek.

In 1964, the area surrounding Mill Lakes, Hants County, was designated a Protected Water Area. Regulations were also enacted for the designated area to protect the water supply. The regulations were updated in 1986 under the Water Act. The Mill Lakes Watershed Protected Water Area contains four thousand three hundred ninety-four and a half (4394.5) acres of land (1778.4ha).

The Mill Lakes Watershed Committee was first established in 2005 by the former Town of Windsor in response to the need to develop a Source Water Protection Plan.

2. DEFINITIONS

2.1. In Appendix J,

a) "Committee" means the Mills Lakes Watershed Advisory Committee;
b) "Councillor" means an elected member the Council of the Municipality;
c) "Municipality" means the West Hants Regional Municipality;
d) "Staff" means a person employed by the Municipality.

3. PURPOSE

3.1. The primary objective of the Mill Lakes Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other Stakeholders to work cooperatively to maintain the water quality and quantity in the Mill Lakes Watershed. The Committee recognizes that the protection of source water is the first step in the multi-barrier approach to clean, safe drinking water.

4. ROLE OF THE MILL LAKES WATERSHED ADVISORY COMMITTEE

4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Mill Lakes Watershed.

4.2. In addition, the Committee will:

a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
b) assist with revisions of the regulations for the Protected Water Area as required;
c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
f) advise on forest matters and other land use issues;
g) develop Best Management Practices (BMP) for activities in the Mill Lakes Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Mill Lakes Watershed;
j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

5.1. The Committee members will be comprised of:

- Four (4) Landowner Representatives
- One (1) Councillor and one (1) alternate

- One (1) Nova Scotia Department of Lands and Forestry Representative
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Environment Representative (voting)

5.2. The Landowner Representatives must own land in the Mill Lakes Watershed and will not include the Municipality.

6. ADMINISTRATION

6.1. A quorum for the Committee will be five (5) members; of which two (2) must be a Landowner Representatives and one (1) must be a Councillor. .

6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Committee to the Committee of the Whole. The Committee Chair will be elected every two years on even numbered years by the Committee.

6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.

6.4. All Landowners are welcome to attend Committee meetings as observers.

6.5. A General Meeting of landowners may be called every two (2) years at the discretion of the Committee.

6.6. Administrative services for the Committee will be provided by the Municipality.

6.7. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX K

Planning Advisory/Heritage Advisory Committee

1. PURPOSE

1.1. To establish an advisory committee in accordance with Sections 200 and 202 of the *Municipal Government Act*.

The Planning Advisory/Heritage Advisory Committee will advise the Council of the Municipality on planning and heritage matters requiring a decision of Council affecting the Municipality, including the preparation and amendment of planning documents.

2. DEFINITIONS

2.1. In Appendix K,

a) Repealed.

b) "Municipality" means the West Hants Regional Municipality;

c) "PAC/HAC" means the Planning Advisory/Heritage Advisory Committee of the Municipality;

d) Repealed.

3. COMMITTEE COMPOSITION

3.1. The PAC/HAC will be established under the following terms:

a) The Committee will consist of thirteen (13) members as follows:

- six (6) members of Council;
- two (2) resident members of Windsor;
- two (2) resident members of Hantsport; and
- three (3) members resident in the remainder of the Region and who is not members of Council or Municipal employees.

b) Council members will be appointed to the Committee in November for a term of one (1) year and the term will expire following the October meeting the next year. The appointments made as of April 2021 will expire October 2022.

c) Non-Council members will be appointed to the Committee in November for a term of two (2) years and the term will expire following the October meeting of the second year. The appointments made as of April 2021 will expire October 2022.

4. ADMINISTRATION

4.1. The PAC/HAC will appoint a Chair and Vice-Chair annually from among its members at the November meeting.

4.2. All non-Council members of the Committee will be remunerated for attendance at meetings of the Committee in accordance with the Remuneration Policy.

4.3. The PAC/HAC will present recommendations directly to the Council of the Municipality.

APPENDIX L

Municipal Climate Change Action Plan Committee

1. PURPOSE

1.1. The Municipal Climate Change Action Plan Committee provides a forum for all municipal departments and Council representatives to work co-operatively on implementing and evaluating the adaptation and mitigation actions outlined in the Municipal Climate Change Action Plans of the Municipality hereafter referred to as "the MCCAP". These policy and adaptation procedures help protect people, properties, special places, and municipal infrastructure from the negative impact of climate change.

2. DEFINITIONS

2.1. In Appendix L,

a) "MCCAP Committee" means the Municipal Climate Change Action Plan Committee;

b) "Municipality" means the West Hants Regional Municipality.

3. COMMITTEE COMPOSITION

3.1. The Committee consists of ten (10) members:

- Three (3) Councillors;
- Two (2) resident members, who are not members of Council
- Chief Administrative Officer or designate;
- Director of Public Works or designate;
- Director of Planning and Development or designate;
- Director of Community Development or designate;
- Protective Services Manager or designate.

3.2. Each Councillor, appointed by Council, serves on the Committee for a designated term. Members are eligible for reappointment.

3.3. Designates and alternates are at the discretion of the Chief Administrative Officer.

4. ADMINISTRATION

4.1. The Chair and the Vice-Chair are elected by a majority of the members. Those persons elected hold office for a one-year term.

4.2. The Chair of the Committee acts as the liaison in providing recommendations to Council, as required from time to time.

4.3. The duties and procedures of the MCCAP Committee will be as set out in the relevant Terms of Reference for the MCCAP Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

APPENDIX M

Diversity and Inclusion Committee

1. PURPOSE
   1.1. The purpose of the Diversity and Inclusion Committee is to engage the community and formulate action plans to address issues concerning social marginalization, equity, racism, and discrimination within the Municipality. The Committee will also examine issues and barriers in creating a community that is inclusive and welcoming to all.

2. DEFINITIONS
   2.1. In Appendix M,
   a) "Municipality" means the West Hants Regional Municipality.

3. COMPOSITION
   3.1. The Committee will consist of ten (10) voting members and two (2) non-voting members as follows:
   - 2 Councillors
   - 4 resident members of diverse race and ethnicity (from the Black Nova Scotian, Acadian, Glooscap First Nation, LGBTQ+ and newcomers communities)
   - 1 resident over the age of 60
   - 1 resident between the ages of 15-19
   - RCMP Representative
   - Provincial Government Representative
   - 2 non-voting staff members appointed by the Chief Administrative Officer

4. ADMINISTRATION
   4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.

   4.2. All non-Council and non-staff members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.

   4.3. Administrative services for the Committee will be provided by the Municipality.

   4.4. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

I, Deanna Snair, Municipal Clerk of the West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **26th** day of **April, 2022.**

Deanna Snair
Municipal Clerk

Adoption	
Notice to Council:	March 9, 2020
Approval:	March 23, 2020
Description: Initial approval of the Meeting and Committee Procedural Policy, RCOGE-003.00. Approved by the Co-ordinating Committee of the Region of Windsor and West Hants Municipality.	
First Amendment	
Notice to Council:	October 13, 2020
Approval:	October 27, 2020
Description: Amended Policy to add the Diversity and Inclusion Committee, changed the report form, terminology changes and amend agenda package procedures.	
Second Amendment	
Notice to Council:	February 9, 2021
Approval:	February 23, 2021
Description: Amended Policy to delete the words "and December" from Sections 3.2(b) and 3.3 (b), to enable meetings in December.	
Third Amendment	
Notice to Council:	March 9, 2021
Approval:	March 23, 2021
Description: Amended Policy to remove the Hantsport and Windsor Area Advisory Committee, change the membership of Planning Advisory /	

Heritage Advisory Committee, and change the definition of "Municipality" within the Appendices.	
Fourth Amendment	
Notice to Council:	April 12, 2021
Approval:	April 26, 2021
Description: Amended Policy to add that the in-camera meeting sessions be recorded Section 9(a)(b), ensuring all meetings are recorded to reflect accuracy and confidentiality.	

Annual Report

2021-2022



the valley REGIONAL ENTERPRISE NETWORK

Greetings from the Valley REN



It is my pleasure to share with you the 2021/22 Annual Report of the Valley Regional Enterprise Network and to acknowledge the hard work our team has been engaging in despite the challenges of navigating the COVID 19 pandemic.

As we push through the halfway point of our three-year strategic plan, we have accomplished a lot, and while we still have so much more to do, our team is excited to share all the details. Please take the time today to meet with everyone to fully grasp our current projects and the outcomes they will present for our region.

It has been an exciting year as we advanced significant projects, such as the Strategic Tourism for Areas and Regions and MIT REAP. One of our most rewarding changes has been our move to the Valley Business Hub with the Annapolis Valley Chamber of Commerce and the Hants-Kings CBDC. We are now perfectly positioned with key partners to collaborate on active economic development in all the areas we serve.

I want to thank all our stakeholders for their support and engagement throughout the past year as we look forward to a promising future. I look forward to seeing you throughout 2022.

Paul Dixon,
Valley REN Board Chair



The Liaison and Oversight Committee represents the municipal and First Nation Band Councils, the corporate owners in the Valley REN. The words "Liaison" (communication between the REN and its partners) and "Oversight" (representing partner's concerns and objectives in the REN's strategic plans) primarily define the LOC's role.

The REN continues to support our businesses' growth, assist new entrepreneurs in advancing their plans and provide relevant economic development information through social media, workshops and surveys.

The REN continues to work with industry, educational institutions and governments to find creative ways to deal with the unprecedented interruptions of labour, materials and housing shortages.

The strength and effectiveness of the REN remain its regional focus and the collective voice of the partners with which it can deal with other governments, their agencies and the business community generally.

Jim Winsor,
LOC Chair



The 2021-2022 fiscal year saw many of the pandemic-related challenges continue. Luckily, the Valley is rich in opportunities and full of people and communities built with strength, resiliency, and pride in place. We are excited to continue working with partners to build the region better than before.

We feel privileged to carry out this work for the Annapolis Valley region. We could not accomplish this without the expertise and dedication of the Valley REN Staff, the strategic direction and support of the Board and the collaborative commitment of our municipal, first nation and provincial funding partners.

We thank you all for believing in the power of regional partnership. We truly are better by working together.

Jennifer Tufts,
Valley REN CEO

About Us

The Valley Regional Enterprise Network (Valley REN), incorporated in March 2014, is the regional economic development organization for the Annapolis Valley Region. Valley REN's funding is provided by its members and matched by the Province of Nova Scotia to support economic development on a regional level.

We carry out our members' economic development priorities, including Glooscap First Nation, the Municipality of the County of Kings, West Hants Regional Municipality, and the Towns of Berwick, Kentville, and Middleton.

Summary

We are pleased to present highlights from the 2021 - 2022 fiscal year (April 1, 2021, to March 31, 2022). The 2021-2022 fiscal year continued to be a year unlike any we've seen. The Valley REN adapted and pivoted projects, programs and services to focus efforts to best support the Annapolis Valley region. We completed our 2021 – 2024 Strategic Plan, which focuses on four strategic priorities:

Regional Development

We focus on enhancing our collective and collaborative environment for greater efficiency and effectiveness, strengthening relationships and leveraging opportunities. An example is the Regional Economic Recovery Taskforce efforts which can be found on page 3.

Business Development

We focus on providing support for new, emerging and existing businesses and work to enhance the entrepreneurial culture in the Valley. More information can be found on pages 4 & 5.

Sector Development

We work to support the strengthening, interconnectedness and diversification of the economic sectors. We provided strategic sector support; you can learn more on pages 6 & 7.

Workforce Development

Labour continues to be a critical challenge for businesses and organizations throughout the Valley. We work to attract and retain employees/workers while identifying and helping to fill current and future needs/gaps for local employers.

We completed a Regional Workforce Development Strategy, and details can be found on page 8.

We also continued to work on the regional marketing initiative to promote the Annapolis Valley. More information can be found on page 9.

Regional Economic Recovery Taskforce



As the world learns to live with an ongoing pandemic, the Valley REN continued to lead the Regional Economic Recovery Taskforce. Established in May 2020, in partnership with regional municipalities, organizations and partners to collaboratively assist Annapolis Valley businesses in recovering from the economic impact of the COVID-19 pandemic.

As of March 31st the Taskforce of forty organizations has met one hundred nine times.

Taking Care of the Valley Project

Challenges related to caregiving, which are primarily shouldered by women, have been a recurring theme throughout the pandemic in the Annapolis Valley region.

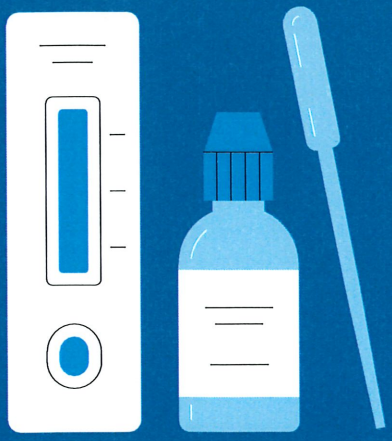
In 2021, we worked with Pier Labs on a funding submission to the Feminist Response and Recovery Fund through Women and Gender Equality Canada (WAGE). The project, Taking Care of the Valley, received $350,000 to facilitate a women-led participatory research and design project.

Taking Care of the Valley will be led by Pier Labs and bring together stakeholders and caregivers to learn, generate and test new initiatives to integrate women's caregiving duties and participation in the local economy.

The project will address systemic barriers for women within the economic system by integrating caregiving responsibilities and work that women primarily shoulder into a rural region's economic recovery.

The Valley REN will remain an active steering committee member throughout the project.

> *"As we work towards economic recovery, this is a timely initiative that is taking an inclusive and participatory approach to work directly with women impacted by Covid-19, who we know from the evidence faced more challenges associated with maintaining their jobs and caring for loved ones.*
>
> *This project will help us better understand the broad wellbeing impacts of these situations and look at the integration of care issues into economic development, using a broader quality of life lens than has traditionally been used."*
>
> *Mike Davis, CEO, Davis Pier and Board Chair, Pier Labs.*



Workplace Screening Program

The Valley REN, in partnership with the Annapolis Valley Chamber of Commerce and Avon Chamber of Commerce, acted as the distribution hub for the Provincial Workplace Screening Program for the Annapolis Valley region.

We supported 109 businesses and organizations accessing workplace screening supplies and distributed 11,344 COVID-19 tests.

The province changed its testing strategy to augment the health system's testing capacity and meet provincial needs during a significant outbreak in December. It redeployed the tests to meet high-priority needs.

BusinessNOW Program

The BusinessNOW service is a core activity of Regional Enterprise Networks in Nova Scotia. This free service provides one-on-one support to businesses of any size and at any stage of operation. BusinessNOW was established to be the first line of support for businesses and entrepreneurs to assist them with navigating available resources and connecting them with relevant supports.

The BusinessNOW service aligns with the continuous model of Business Retention & Expansion (BRE) implementation, as it is an ongoing approach to support efforts for businesses to grow here, thrive here and remain here. The continuous approach to BRE is recognized as a successful model. Its strength is developing and maintaining relationships with businesses and business service organizations within a region. The long-term benefits are, establishing a fixed and known point of contact for businesses when an opportunity or challenge arises, saving businesses precious time and increasing the effectiveness of response efforts.

The Valley REN has been building efficiencies in delivering BusinessNOW, tracking the type of service requests and using this data to source programming responsive to regional business climate needs. In November 2021, we added the position of BusinessNOW Officer to fill the primary navigation role and further expand a team approach to delivering this core service.



Total Business Engagement
644

Business Retension Expansion
175

Regional Entrepreneurship Acceleration Program
59

Continuous Improvement & Contemporary Leadership in Manufacturing
7

BusinessNOW
76

Succession Planning
4

Workplace Screening Program
109

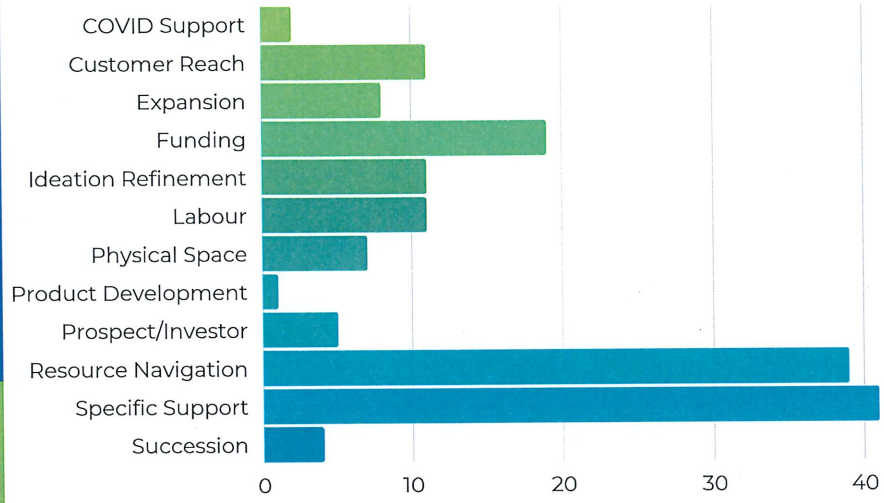
Strategic Tourism for Areas and Regions
23

Regional Workforce Development Strategy
191

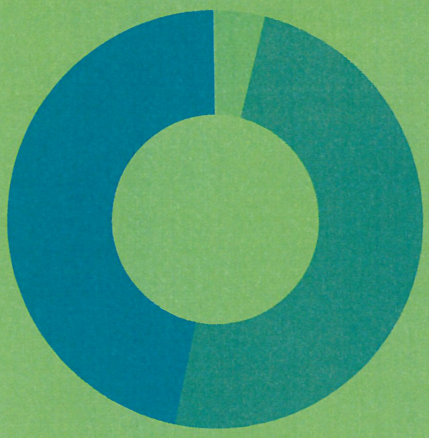
BusinessNOW Program



Summary of Service Themes



COMMUNITY INTEREST COMPANIES
3

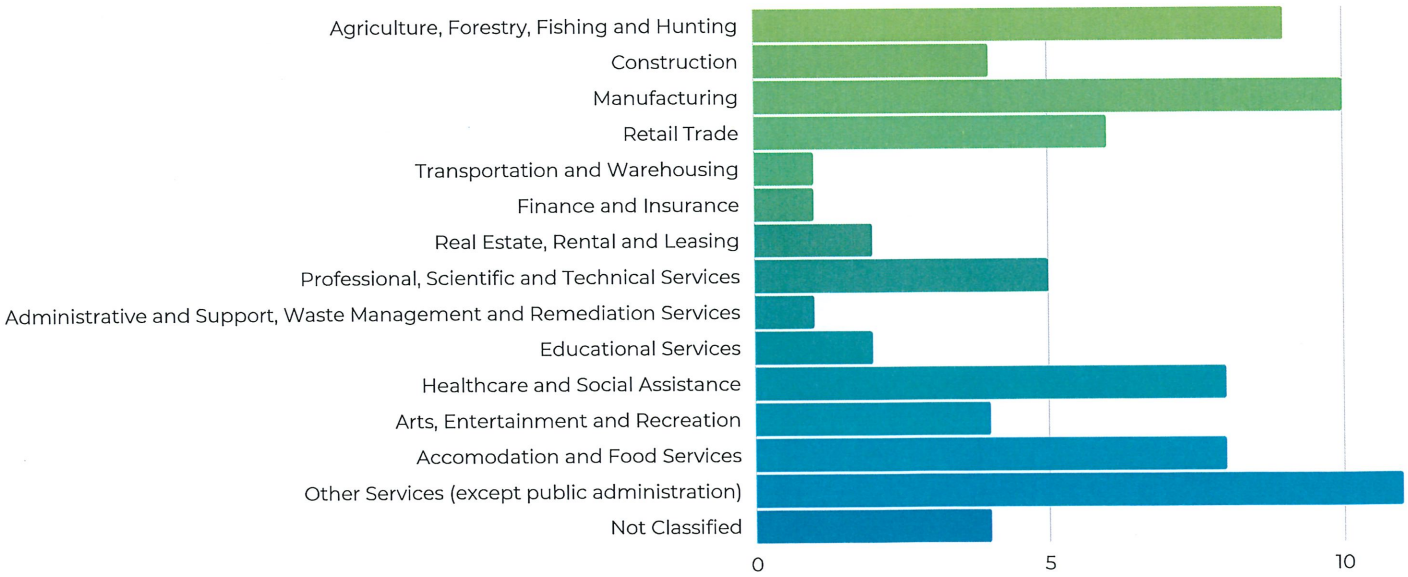


EXISTING
35

START UPS (>1YEAR)
37



NAICS Sector Served

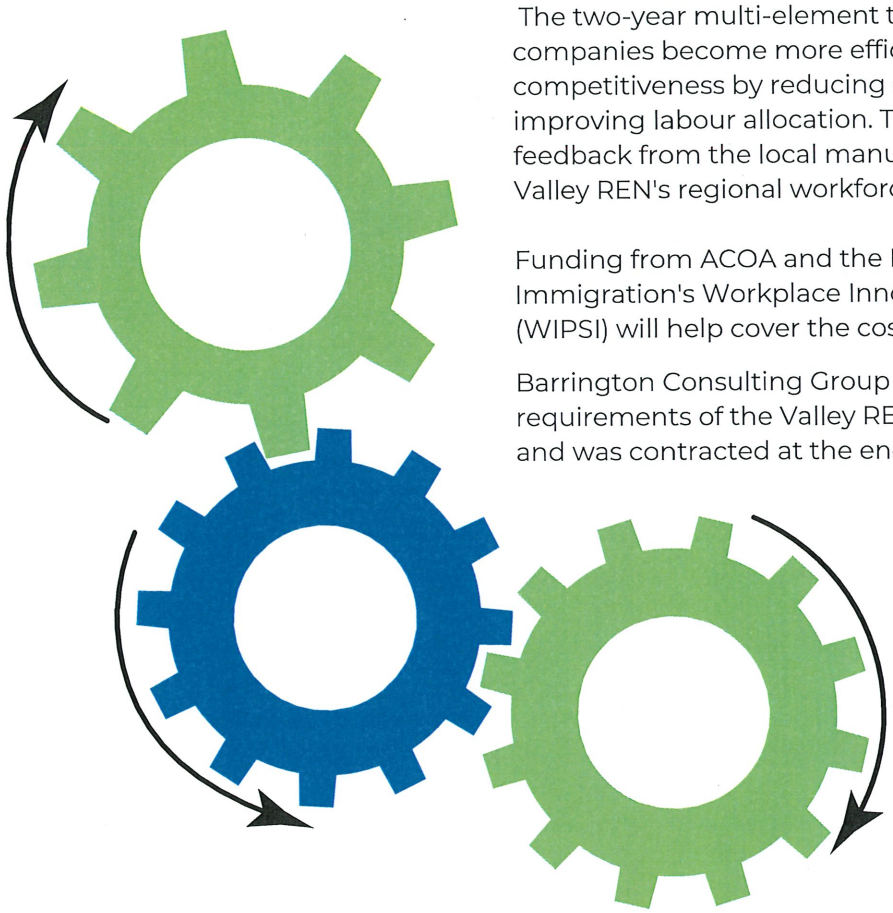


Sector Supports

The Valley REN continued to provide strategic support to the major sectors in the Annapolis Valley by implementing activities that help solve the challenges and capitalize on identified opportunities.

Continuous Improvement Program

The Valley REN aims to foster a culture of continuous improvement in the region by providing support to businesses and industry through the Continuous Improvement Program.



The two-year multi-element training program is designed to help companies become more efficient and sustainable and improve their competitiveness by reducing costs, increasing productivity, and improving labour allocation. The program design was informed by feedback from the local manufacturing sector and insights from the Valley REN's regional workforce development work.

Funding from ACOA and the Department of Labour, Skills and Immigration's Workplace Innovation & Productivity Skills Incentive (WIPSI) will help cover the cost of the program delivery.

Barrington Consulting Group successfully responded to and met the requirements of the Valley REN's request for proposals for this project and was contracted at the end of March 2022.



The Continuous Improvement Program offers multiple entry points designed to meet various levels of business and industry needs through five elements of training and support:

- Awareness – Introduction and Theory
- Connection – Tours
- Peer Learning – Hands-On Case Study
- In-Depth Support - Site-Specific Learning
- Implementation Coaching - Site Project Learning

Recognizing the value of applying continuous improvement practices across all sectors, the Valley REN was pleased to offer its program design to the provincial agricultural sector. The Nova Scotia Federation of Agriculture offers continuous improvement programing that mirrors the five elements; this broadens the program reach, highlights the importance of the training, and is more user-friendly when organizations provide consistent programming.

The Annapolis Valley Continuous Improvement Program kicked off at the start of the 2022 – 2023 fiscal year with an Awareness – Introduction and Theory session held in April.

Contemporary Leadership in Manufacturing Training



The Valley REN received funding from ACOA to have NSCC develop this industry-responsive training program. Local manufacturers provided input into the early program development. The Contemporary Leadership in Manufacturing Program has been designed to train facilities' existing employee talent that can be prepared to assume senior management roles. This upskilling protects against knowledge loss in the manufacturing sector, as senior managers' attrition rates are high due to pending retirements.

Unfortunately, COVID-19 greatly impacted education systems, and it did cause delays in the delivery of the program. NSCC has developed the curriculum for this 120-hour program to be delivered through five training modules. Participants will receive a Certificate of Professional Studies. The program will be available for Fall 2022.

STAR Program

The Atlantic Canada Opportunities Agency (ACOA) approved the Valley REN's STAR Program (or Strategic Tourism for Areas and Regions Program) application. The Annapolis Valley is the first region in the province to go through this ACOA program. Richard Innes, the founder of the consultancy firm Brain Trust, and a Certified Trainer for ACOA was selected in November 2021 to carry out the program work.

The program launch had to adapt to the challenges and barriers of COVID-19; however, in early December, Richard facilitated community engagement sessions across the region through a mix of in-person and virtual delivery.

The regional research process was ongoing through the winter months, with municipalities, the Valley REN, and provincial entities supplying input. Tourism Nova Scotia provided data specific to the project's geographic scope, all areas within West Hants, Kings, and Annapolis. Stakeholder and key informant interviews have been ongoing through late winter and spring.

A nine-member steering committee with cross-regional representation from the industry was formed to support and inform the process; they use their networks to broaden engagement.

At the close of fiscal 2021 – 2022, twelve visioning sessions were planned to be held in April with the support of the steering committee.



Regional Workforce Development Strategy

Development of the Regional Workforce Development Strategy continued into the early 2021-2022 fiscal year. MDB Insight, known as Canada's premier economic development, workforce development and market research consultancy, collected over 700 points of engagement. Surveying of businesses, jobseekers, Annapolis Valley Regional Centre for Education (AVRCE) grade 12 students and post-secondary students at Acadia University and NSCC locations in Kentville, Middleton and Lawrencetown concluded by June. Key informant interviews with the supply and demand side stakeholders and an education sector roundtable concluded by July. In August, MDB Insight facilitated a virtual community validation session. The Steering Committee received the final draft in September for review.

Towards Workforce Prosperity, Valley Regional Enterprise Network, Regional Workforce Development Strategy, circulated among stakeholders in the fall, was launched publicly in February. The Strategy provides a roadmap to guide decision-making. It proposes implementation actions based on four key goals: strengthen the foundation, invest in human capital, enhance employer connections and secure workforce prosperity vision.



The workforce support ecosystem continues to be vibrant, demonstrating a commitment to maintaining connectedness. Multiple stakeholders are using the strategy in the course of their work. The Workforce Supports Response Team met 19 times in the 2021-2022 fiscal year. Meetings were held with the organizations that will make up the Workforce Alliance, the group that will oversee the implementation of the strategy.

The Valley REN has secured access to hyper-local data via the Vicinity Jobs database for the most up-to-date labour market information to support the work moving forward.

> *Opportunities for job seekers and employers alike, who are clients of PeopleWorx, benefit from our membership in the Regional Workforce Development Team, as do all those living and working in the Valley. The collaboration to find creative solutions during these times and with a view to the future and efforts coming from the strategy to maximize opportunities will strengthen the community for years.*
>
> *Kim L. Aker, Executive Director, PeopleWorx*

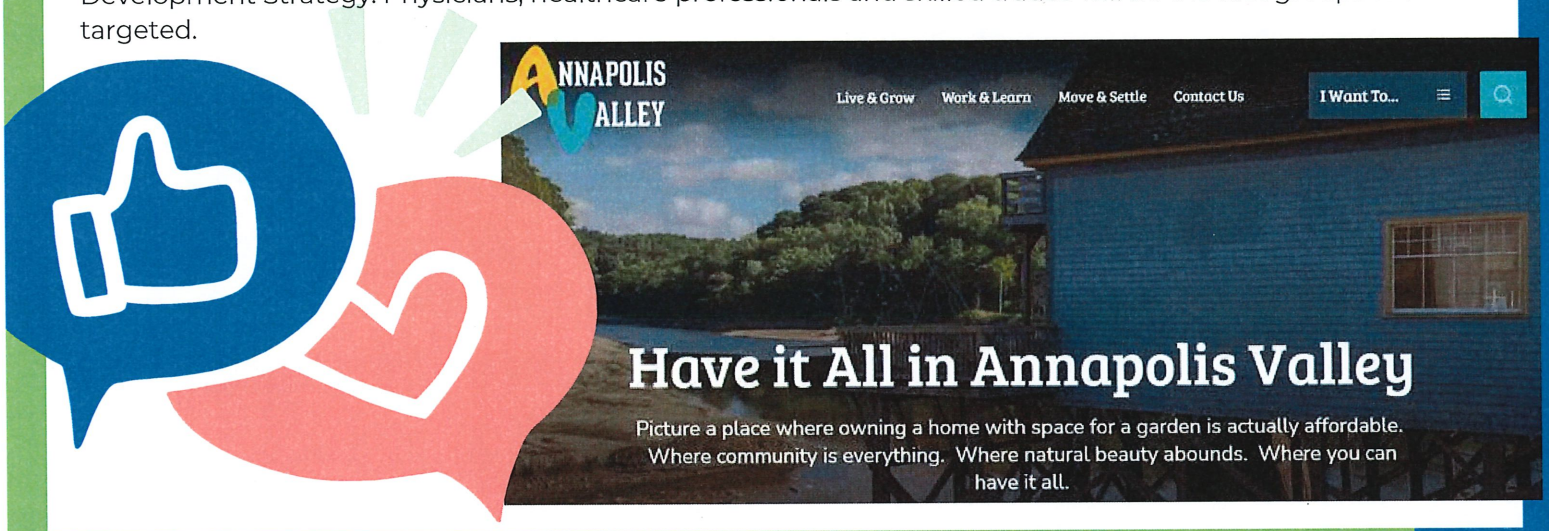
Regional Marketing

We continue to work in partnership with the Annapolis Valley Chamber of Commerce to help promote the region from a business and labour force attraction, residential attraction and tourism attraction standpoint.

Due to the ongoing pandemic and labour challenges, we refocused the regional marketing initiative strategy and in 2021-2022, worked to completely redevelop the regional marketing website.

The website holds information, including an amenities map, for those looking to move, live, work, or start a business in the Annapolis Valley. We also have plans to increase our presence on the social media platforms linked with the marketing initiative including Instagram, and Facebook which allows the opportunity to showcase our beautiful region.

In 2022, work began on a marketing campaign targeting the skills gaps identified in the Regional Workforce Development Strategy. Physicians, healthcare professionals and skilled trades will be the first groups to be targeted.



Connector Program

The Valley Connector Program works with newcomers and recent post-secondary graduates as a resource to grow their professional network. The Program addresses local workforce needs by supporting emerging talent to advance them in securing meaningful employment within the region.

During the 2021 – 2022 fiscal year, the Program faced barriers due to COVID restrictions but continued to offer services and programming virtually.

Connections with partner organizations across the region were enhanced, resulting in new initiatives for post-secondary students, recent graduates, and newcomers.

> *"I am so glad I found you. The Connector Program is such a cool thing.*
>
> *Once I get my feet under me, I would be interested in being a connector myself."*
>
> *Teresa, Connectee and newcomer*

25 Connectees
10 Connectors
12 Connections
3 Jobs found
40+ events

MIT REAP Focus Nova Scotia

The faculty and staff of the MIT Regional Entrepreneurship Accelerator Program (REAP) Focus Nova Scotia Program kicked off in the 2021 – 2022 fiscal year by launching the learning and assignments of Action Phase 1 and delivering the corresponding workshop.

The Valley Team has had consistently strong representation from Government, Entrepreneurs, Post-Secondary, Corporate and Risk Capital sectors, completing all assignments and attending all workshops.

Annapolis Valley REAP Strategy



Vision

Establish an agricultural technology testing, demonstration and advancement accelerator for sustainably produced quality foods and beverages.

In addition to the core elements offered through the Program, the Valley Team actively participated in additional events made possible through the MIT Global Network, connecting them with teams in the United Kingdom, Austrailia and the Unitied States.

The Valley Team also participated in offerings through ONSIDE, the provincial coordinator of the MIT REAP Focus Nova Scotia Program; these included the Nova Scotia Innovation Tour Virtual Series, Foundations in Investing Training, and an Innovation Tour in Halifax as a lead-up to the second workshop in September.

The Valley Team engaged government departments and crown corporations as they moved toward the refinement of a meaningful initiative to further innovation-driven entrepreneurship in the region. As part of the MIT REAP work, research and analysis of available data were done along with the Team collecting data through administering an MIT Entrepreneurship Survey to the region and holding focus groups targeting various stakeholder groups.



The Team held a well-attended Ag Tech Forum in November, which solidified support for the Team's must-win battle for the region. Through the winter months, the Team's vision to establish an ag tech accelerator strengthened. An Annapolis Valley Ag Tech Accelerator will leverage the region's comparative advantages and stakeholder support to test, demonstrate and advance agriculture technologies.

The Valley REN has been the backbone organization for the MIT REAP Valley Team from inception. It will continue as the interim backbone through the 2022 – 2023 fiscal year. At the close of fiscal 2021 – 2022, the Team was preparing final documents for MIT and readying to pursue funding opportunities to support initial steps toward establishing an Ag Tech Accelerator. The Valley REN wishes to thank all team members for volunteering their time for this project.

Looking Ahead to 2023



Valley Business Hub

In February, we moved office locations and now reside in the newly renovated Valley Business Hub at 448 Main Street in Kentville.

VALLEY BUSINESS HUB
the place for business support

Being co-located with the Annapolis Valley Chamber of Commerce and the Hants-Kings CBDC, we are the place to go for business support. There are also rental opportunities in our beautiful new collaborative space!

Immigration Program Navigator

In the coming year, we will be pursuing funding for an Immigration Program Navigator to promote all Provincial immigration programs.

The Navigator, in alignment with the outcomes of the Regional Workforce Development Strategy, will help employers navigate and connect to immigration-related program resources.

Continuous Improvement Initiative

We will complete year 1 of this 2-year program in the coming year. With five programming elements offered, we hope to create a culture of continuous improvement in the Annapolis Valley.



More information on how the initiative can benefit your business can be found on our website or by contacting Richelle at rbrownredden@valleyren.ca.

MIT REAP Focus Nova Scotia

The focus of the Valley Team in the MIT REAP Focus Nova Scotia program now shifts to implementation.

The Team continues to bring in partners to work towards their identified must-win battle - to promote the Annapolis Valley as an agricultural technology testing bed and demonstration site and create an agricultural technology accelerator.

Regional Workforce Development Strategy



With the Strategy complete, work will now shift to forming the Workforce Alliance to implement the recommendations.

The Strategy intends to have all workforce support organizations throughout the region involved and engaged in various ways of implementing the Strategy.

Tools and resources, such as the regional marketing initiative and the new Immigration Program Navigator, will assist with the success.

STAR Program



The STAR Program's Regional Tourism Strategic Plan will be complete in the Fall of 2022.

Richard Innes of Brain Trust will be in the region during the peak 2022 tourist season. In addition to deliving a regional plan, capacity building workshops will be provided as part of the STAR program. The timing and type of topics of workshops will be determined based on industry need.

Updated information on the project can be found on our website. Be sure to follow our social media channels for upcoming engagement opportunities!

2021-2022 Board, Staff & LOC Members

Board of Directors

Paul Dixon, Chair
- Owner/Operator at Safeguard Property Management & Services

Gerard d'Entremont (past Chair)
- Community Innovation Lead, NSCC

Mike Bannister, Vice Chair
- President & CEO of Atlantic Poultry Inc.

Carrie Bernard, Director
- Plant Manager, Michelin North America (Waterville)

Jessica Clahane, Director
- Senior Manager, Assurance Services, Grant Thornton LLP

Valerie Connell, Director
- Realtor, Exit Realty Town & Country

Ashley Crocker, Director
- Director of Finance, Glooscap First Nation & Glooscap Ventures

Heather Delage, Director
- Chief Commercial Officer, BioVectra

Rick Dunham, Director
- Maritime Pressureworks, Spitfire Arms

Bob Gaudet, Director
- Former Production Manager, Michelin North America (Waterville)

Sue MacDougall, Director
- CEO, Windsor Elms Village

Anna Redden, Director
- Associate Vice President of Research & Dean of Graduate Studies, Acadia University

Dave Ritcey, Director
- Senior Wealth Advisor, Scotia Wealth

Stephen Shaw, Director
- Executive Director, CBDC Hants-Kings

Cris Shirritt, Director
- Founder, BTW Law

Our Team

Jennifer Tufts
CEO

Richelle Brown Redden
Economic Development Officer

Brennan Fitzgerald
Economic Development Officer

Burnell Lyons
BusinessNOW Officer

Chrystal Remme
Communications & Executive Support

Andrea Hamilton
Office Administrator

Project Staff:

Taylor de Vries
Connector Program Coordinator

Meagan Hancock
Communications Coordinator

Dan Surette
Taskforce Coordinator/BRE Coordinator

Liaison & Oversight Committee

Glooscap First Nation	Chief Sidney Peters, Michael Peters
Municipality of the County of Kings	Councillor Jim Winsor, Mayor Peter Muttart
Town of Berwick	Mayor Don Clarke, Councillor Derrick Jamieson
Town of Kentville	Mayor Sandra Snow, Councillor Paula Huntley
Town of Middleton	Councillor John Bartlett, Councillor Michael Fairn
West Hants Regional Municipality	Mayor Abraham Zebian, Councillor Jeff Hartt
Municipal Affairs	Jason Haughn
Labour, Skills and Immigration	Joe Brown

VALLEY REGIONAL ENTERPRISE NETWORK

Financial Statements

Year Ended March 31, 2022

VALLEY REGIONAL ENTERPRISE NETWORK
Index to Financial Statements
Year Ended March 31, 2022

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MANAGEMENT'S RESPONSIBILITY FOR FINANCIAL REPORTING

March 31, 2022

The accompanying financial statements of the Valley Regional Enterprise Network are the responsibility of the Organization's management and have been prepared in accordance with Canadian Public Sector Accounting Standards. Management is also responsible for all of the notes and schedules to the financial statements, and for ensuring that this information is consistent, where appropriate, with the information contained in the financial statements. A summary of the significant accounting policies are described in Note 2 to the financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

Management is also responsible for implementing and maintaining a system of internal controls to provide reasonable assurance that reliable financial information is produced. The internal controls are designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for the preparation of the financial statements.

The Audit Committee meets with management and the external auditors to review the financial statements and discuss significant financial reporting or internal control matters prior to recommending approval of the financial statements to the Board of Directors.

The financial statements have been audited by Bishop & Company Chartered Professional Accountants Inc., independent external auditors appointed by the Organization. The accompanying Auditors' Report outlines their responsibilities, the scope of their examination and their opinion on the Organization's financial statements.

_____

Chief Executive Officer

Kentville, NS
June 21, 2022

AC Bishop & Company
Chartered Professional Accountants
Member of The AC Group of Independent Accounting Firms

PO Box 2104, 102-24 Harbourside Drive
Wolfville, Nova Scotia, Canada B4P 2N5
P 902 542 7665 F 902 542 4554 E info@bcica.ca

INDEPENDENT AUDITORS' REPORT

To the Board of Directors of Valley Regional Enterprise Network

Opinion

We have audited the financial statements of Valley Regional Enterprise Network (the Organization), which comprise the statement of financial position as at March 31, 2022, and the statements of operations and accumulated surplus, changes in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Organization as at March 31, 2022, and the results of its operations, its changes in net financial assets, and its cash flows for the year then ended in accordance with Canadian Public Sector Accounting Standards (PSAS).

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditors' Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Organization in accordance with ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other Matter

Our audit was conducted for the purpose of forming an opinion on the financial statements of the Valley Regional Enterprise Network. The budget figures were not audited and are presented for comparative purposes only.

Other Information

Management is responsible for the other information. The other information comprises the information, other than the financial statements and our auditors' report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with PSAS, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

(continues)

In preparing the financial statements, management is responsible for assessing the Organization's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Organization or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Organization's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Organization's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Organization to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Bishop & Company

CHARTERED PROFESSIONAL ACCOUNTANTS

Wolfville, NS
June 21, 2022

VALLEY REGIONAL ENTERPRISE NETWORK
Statement of Financial Position
March 31, 2022

	2022	2021
FINANCIAL ASSETS		
Cash	**$ 500,628**	$ 543,945
Accounts receivable *(Note 4)*	**82,330**	66,747
Harmonized sales tax recoverable	**43,125**	29,129
	626,083	639,821
FINANCIAL LIABILITIES		
Accounts payable	**52,647**	84,912
Deferred contributions *(Note 5)*	**53,022**	74,813
	105,669	159,725
NET FINANCIAL ASSETS	**520,414**	480,096
NON-FINANCIAL ASSETS		
Tangible capital assets *(Note 6)*	**10,955**	4,730
ACCUMULATED SURPLUS *(Note 7)*	**$ 531,369**	$ 484,826

PROJECT COMMITMENTS *(Note 8)*

LEASE COMMITMENTS *(Note 9)*

On Behalf of the Valley Regional Enterprise Network

_____

_____

See accompanying notes to financial statements

VALLEY REGIONAL ENTERPRISE NETWORK
Statement of Operations and Accumulated Surplus
Year Ended March 31, 2022

	Budget	2022	2021
REVENUES			
Municipalities and First Nation	$ 295,183	**$ 295,183**	$ 295,183
Province of Nova Scotia	295,183	**295,183**	295,183
Funded projects contributions *(Note 5)*	399,856	**148,261**	183,708
Interest	-	**732**	752
Rent recovery *(Note 9)*	-	**9,401**	-
	990,222	**748,760**	774,826
EXPENSES			
Amortization *(Note 6)*	-	**3,348**	3,494
Board of Directors	8,000	**1,767**	1,672
Economic development and strategic marketing	501,491	**169,052**	215,294
Funded projects expenses *(Note 5)*	534,862	**168,561**	183,708
Human resources *(Note 10)*	325,500	**279,219**	241,943
Operations	105,195	**70,869**	77,993
Rental sub-lease *(Note 9)*	-	**9,401**	-
	1,475,048	**702,217**	724,104
ANNUAL SURPLUS (DEFICIT)	(484,826)	**46,543**	50,722
ACCUMULATED SURPLUS - BEGINNING OF YEAR	484,826	**484,826**	434,104
ACCUMULATED SURPLUS - END OF YEAR *(Note 7)*	$ -	**$ 531,369**	$ 484,826

See accompanying notes to financial statements

VALLEY REGIONAL ENTERPRISE NETWORK
Statement of Changes in Net Financial Assets
Year Ended March 31, 2022

	2022	2021
ANNUAL SURPLUS	**$ 46,543**	$ 50,722
Amortization of tangible capital assets *(Note 6)*	**3,348**	3,494
Purchase of tangible capital assets *(Note 6)*	**(9,573)**	-
	(6,225)	3,494
INCREASE IN NET FINANCIAL ASSETS	**40,318**	54,216
Net financial assets - beginning of year	**480,096**	425,880
NET FINANCIAL ASSETS - END OF YEAR	**$ 520,414**	$ 480,096

See accompanying notes to financial statements

VALLEY REGIONAL ENTERPRISE NETWORK
Statement of Cash Flows
Year Ended March 31, 2022

	2022	2021
OPERATING ACTIVITIES		
Annual surplus	**$ 46,543**	$ 50,722
Item not affecting cash:		
Amortization of tangible capital assets *(Note 6)*	**3,348**	3,494
	49,891	54,216
Changes in non-cash working capital:		
Accounts receivable	**(15,583)**	63,489
Harmonized sales tax recoverable	**(13,996)**	(10,256)
Accounts payable	**(32,265)**	63,811
Deferred contributions	**(21,791)**	31,763
	(83,635)	148,807
Cash flow from (used by) operating activities	**(33,744)**	203,023
INVESTING ACTIVITY		
Purchase of tangible capital assets *(Note 6)*	**(9,573)**	-
Cash flow from (used by) investing activity	**(9,573)**	-
INCREASE (DECREASE) IN CASH FLOW	**(43,317)**	203,023
Cash - beginning of year	**543,945**	340,922
CASH - END OF YEAR	**$ 500,628**	$ 543,945

See accompanying notes to financial statements

1. PURPOSE OF THE ORGANIZATION

Valley Regional Enterprise Network (the "Organization") is incorporated provincially under the Municipal Government Act of Nova Scotia. The Organization is an inter-municipal services corporation currently made up of the Municipality of the County of Kings, West Hants Regional Municipality, the Towns of Berwick, Kentville, and Middleton, and the Glooscap First Nation. It was created for the purpose of promoting economic development opportunities within the region, and is governed by an Inter-Municipal Agreement.

Pursuant to the terms of the Inter-Municipal Agreement, the West Hants Regional Municipality provided twelve (12) months' written notice on March 2, 2021 of its intent to withdraw from the Organization. On March 8, 2022 the West Hants Regional Municipality rescinded their notice to withdraw and provided an additional twelve (12) months' written notice of its intent to withdraw from the Organization. This withdrawal is effective March 31, 2023. Under the Agreement, the Organization is required to calculate the withdrawing party's share of the net assets as at the date of withdrawal. This allocation is based upon the total amount of funding provided by the withdrawing party as compared to the total amount of funding provided by all parties. As at March 31, 2022, 11.64% of the funding was provided by the West Hants Regional Municipality and its predecessors.

CORE FUNDING

Inter-Municipal Agreement
The Liaison and Oversight Committee, as defined in the Inter-Municipal Agreement, approved the funding formula on July 23, 2015. Percentage contributions by each partner are based on population and uniform assessment.

The following table summarizes each partner's percentage of interest for the years ended March 31, 2022 and 2021.

	2022	2021
Municipality of the County of Kings	**55.6 %**	55.6 %
West Hants Regional Municipality	**22.9 %**	22.9 %
Town of Berwick	**5.0 %**	5.0 %
Town of Kentville	**9.7 %**	9.7 %
Town of Middleton	**4.3 %**	4.3 %
Glooscap First Nation	**2.5 %**	2.5 %

Contribution Agreement
The Organization is a party to a Contribution Agreement with the Province of Nova Scotia. The Agreement is for a one year term commencing on April 1, 2021 and terminating on March 31, 2022, for an amount not to exceed the lesser of $295,183 or 100% of the funding per the Inter-Municipal Agreement.

Any surplus that is retained by the Organization from the Province of Nova Scotia, must be reallocated and expended in the subsequent fiscal year, unless deposited to and maintained in an internally restricted fund that shall only be used by the Organization for eligible costs in future years and/or as a reserve fund for dissolution costs in the possible event of the Organization's closure and/or a reserve for contingency costs, as approved by the Province in writing. *(Note 7)*

If the surplus exceeds the greater of the contribution or $150,000, the Province may reduce the contribution in the subsequent year by the amount the surplus exceeds the greater of the contribution or $150,000.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Significant accounting policies adopted by the Organization are as follows:

Basis of presentation

These financial statements have been prepared in accordance with Canadian Public Sector Accounting Standards (PSAS), as recommended by the Public Sector Accounting Board (PSAB) of Chartered Professional Accountants of Canada.

Revenue and expenditure recognition

Revenues and expenditures are reported using the accrual basis of accounting. This basis of accounting recognizes revenues as they become available and measurable; expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

Funded project contributions are recognized as revenue in the year in which the related expenses are incurred, and when there is a reasonable assurance that all conditions necessary to receive the contribution have been complied with. Contributions which are advanced to the Organization but which are not fully utilized at year-end are included in deferred contributions.

Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

All other revenues are recognized in the period in which the transactions or events occurred that gave rise to the revenues.

Transfers from government entities

Transfers from the Province, Municipalities, Towns, and First Nation are recognized in the period in which the events giving rise to the transfer occur, providing transfers are authorized, any eligibility criteria have been met, and reasonable estimates of the amounts can be made.

Cash and cash equivalents

Cash and cash equivalents include cash on hand and balances with banks.

Financial instruments policy

Financial instruments are recorded at fair value when acquired or issued and are subsequently reported at amortized cost, and tested for impairment when there are indicators of impairment.

Transaction costs on the acquisition, sale, or issue of financial instruments are amortized over the expected life of the instrument.

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2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES *(continued)*

Tangible capital assets

Tangible capital assets are stated at cost which includes all amounts that are directly attributable to the acquisition, construction, development or betterment of the asset.

The cost, less residual value, of the tangible capital asset is amortized on the straight-line basis over its useful life. Assets under construction are not amortized until the asset is placed into use.

The estimated useful lives are as follows:

Office furniture and small equipment	5 years
Electronic data equipment	3 years
Leasehold improvements	7 years

Amortization in the year of purchase is recorded at one-half the normal rate.

Measurement uncertainty

The preparation of financial statements in conformity with Canadian Public Sector Accounting Standards requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. Such estimates are periodically reviewed and any adjustments necessary are reported in earnings in the period in which they become known. Actual results could differ from these estimates.

Allocation of expenses

The Organization allocates certain human resources expenses proportionately on the basis of the time spent, to funded projects listed on the Statement of Operations and Accumulated Surplus for which funding has been specifically provided. The allocation of the human resources expenses does not exceed the revenue received and/or receivable for each project.

The basis of allocation is applied consistently each year.

3. ECONOMIC DEPENDENCE

As described in *Note 1*, the Organization is an inter-municipal services corporation which is funded by its partners. The ability of the Organization to continue operations is dependent upon the continuation of this funding.

4. ACCOUNTS RECEIVABLE

	2022	2021
Core contributions receivable	**$ 59,036**	$ 29,519
Funded project contributions receivable *(Note 5)*	**11,467**	37,228
Reimbursements receivable	**11,827**	-
	$ 82,330	$ 66,747

5. DEFERRED CONTRIBUTIONS AND FUNDED PROJECTS

Funding was awarded from Federal, Provincial and Municipal governments for the following projects:

	Opening balance	Funds received	Expenses incurred	Externally funded	Internally funded	**Ending balance**
Contributions receivable						
Taskforce	$ 27,023	$ 26,437	$ 3,670	$ 3,670	$ -	**$ 4,256**
Leadership in Manufacturing	10,205	10,205	-	-	-	**-**
STAR	-	15,202	27,379	19,165	8,214	**3,963**
CI	-	-	3,248	3,248	-	**3,248**
	37,228	51,844	34,297	26,083	8,214	**11,467**

	Opening balance	Funds received	Expenses incurred	Externally funded	Internally funded	**Ending balance**
Deferred contributions						
Connector Program	(43,164)	75,387	80,928	80,928	-	**(37,623)**
BRE	(15,649)	-	27,735	15,649	12,086	**-**
Tourism marketing	(16,000)	-	16,000	16,000	-	**-**
REAP	-	25,000	9,601	9,601	-	**(15,399)**
	$ (74,813)	$ 100,387	$ 134,264	$ 122,178	$ 12,086	**$ (53,022)**
			$ 168,561	**$ 148,261**	**$ 20,300**	

Regional Economic Recovery Taskforce (Taskforce)
In 2021 the Organization was awarded a grant totaling $69,250 from Atlantic Canada Opportunities Agency (ACOA) through the Regional Innovation Ecosystem Program and the Regional Relief and Recovery Fund for this project which concluded September 2021.

Leadership In Manufacturing
In 2020 the Organization was awarded a grant totaling $18,000 from ACOA to provide funding under the Innovative Communities Fund to support a pilot project to develop and deliver contemporary leadership in manufacturing training for operators in the Annapolis Valley. The Organization will carry out the project in partnership with Nova Scotia Community College. The projected cost of the project is $28,400. This project concludes March 2023.

Strategic Tourism For Areas and Regions (STAR)
In May 2021, an agreement was reached with Atlantic Canada Opportunities Agency (ACOA) to provide funding under the Innovative Communities Fund to support this program. The projected cost of the project is $167,500. Maximum assistance under this program is the lessor of 70% of eligible costs and $117,250 with a completion date of September 30, 2023.

(continues)

5. DEFERRED CONTRIBUTIONS AND FUNDED PROJECTS *(continued)*

Continuous Improvement (CI)
In June 2021, an agreement was reached with Atlantic Canada Opportunities Agency (ACOA) and the Province of Nova Scotia to provide funding to support this program. The projected cost of the program is $198,050. Maximum assistance under this program is $158,050 with a completion date of July 31, 2023.

Connector Program
Since 2019 the Organization has been awarded annual funding from the Province of Nova Scotia Labour and Advanced Education for this project. The total awarded in 2022 was $191,474 (2021 - $100,823). The ending balance of $37,623 is comprised of a surplus balance of $23,320 and an advance payment of $14,303 from the Province of Nova Scotia for the subsequent year. This project concludes March 2023.

Business Retention and Expansion (BRE)
In 2020 the Organization was approved for funding up to $100,000 from the Municipality of the County of Kings for this project which concluded September 2021.

Tourism Marketing
In 2020 the Organization received funding from three Municipal partners which was matched by the Province of Nova Scotia, totaling $16,000, for this project. Due to uncertainty around the COVID-19 pandemic, these funds were not spent in the 2020 tourism season and were held for future seasons. The full amount $16,000 was spent during the 2022 fiscal year.

Regional Entrepreneurship Acceleration Program (REAP)
In October 2021, an agreement was reached with the Organization for Nova Scotia Innovation Drive Entrepreneurship (ONSIDE) under the IDE Community Acceleration Challenge. Maximum assistance under this program is $25,000 with completion expected during the 2023 fiscal year.

6. TANGIBLE CAPITAL ASSETS

Cost	2021 Balance	Additions	Disposals	**2022 Balance**
Office furniture and small equipment	$ 22,471	$ -	$ 448	**$ 22,023**
Electronic data equipment	13,616	1,593	9,743	**5,466**
Leasehold improvements *(Note 9)*	-	7,980	-	**7,980**
	$ 36,087	$ 9,573	$ 10,191	**$ 35,469**

Accumulated amortization	2021 Balance	Amortization	Accumulated Amortization on Disposals	**2022 Balance**
Office furniture and small equipment	$ 18,106	$ 2,147	$ 448	**$ 19,805**
Electronic data equipment	13,251	631	9,743	**4,139**
Leasehold improvements	-	570	-	**570**
	$ 31,357	$ 3,348	$ 10,191	**$ 24,514**

Net book value	**2022**	2021
Office furniture and small equipment	**$ 2,218**	$ 4,365
Electronic data equipment	**1,327**	365
Leasehold improvements	**7,410**	-
	$ 10,955	$ 4,730

7. ACCUMULATED SURPLUS

	2022	2021
Invested in tangible capital assets	**$ 10,955**	$ 4,730
Province of Nova Scotia restricted surplus *(Note 1)*	**260,207**	240,048
Operating surplus	**260,207**	240,048
	$ 531,369	$ 484,826

8. PROJECT COMMITMENTS

In March 2022, amounts totaling $62,285 were committed to the CI project and a consultant was engaged to initiate the project work. The advance payment was issued in April 2022.

In March 2022, amounts totaling $74,000 were committed for the Regional Marketing Initiative Media campaign beginning in the 2022-2023 fiscal year. These funds were disbursed in April 2022.

In August 2021, an agreement was reached with Atlantic Canada Opportunities Agency (ACOA) to provide funding to support the Manufacturing Supply Chain Analysis Program. The projected cost of the program is $121,000. Maximum assistance under this program is the lessor of 86.36% of eligible costs and $95,000 with a completion date of February 28, 2023.

In September 2019, a memorandum of understanding was reached with Annapolis Valley Chamber of Commerce (AVCC) to carry out a pilot project, called the Valley Business Partnership to Sustain the Regional Marketing Initiative. The Organization has agreed to provide funding up to $10,000 and to allocate its annual regional marketing budget to the Valley Business Partnership for this purpose. AVCC agrees to provide up to $10,000 in transition funding. The working relationship shall remain in force until September 2022. During the year, the Organization invested in excess of the required $10,000 towards the Regional Marketing Initiative.

9. LEASE COMMITMENTS

Effective February 1, 2022 the Organization executed a 7-year lease for premises located at 448 Main Street, Kentville. Monthly payments are $6,153 plus HST for years one and two with a 2% increase per annum beginning February 1, 2024. If property taxes increase by more than 15% above 2017 amounts during the term of this lease the Landlord will increase monthly rent, based on the proportionate share of building size, beginning with the first month of the next lease year.

Effective February 1, 2022 the Organization executed two 7-year sub-leases with sub-tenants for premises located at 448 Main Street, Kentville. Monthly recovery amounts total $4,369 plus HST for years one and two with a 2% increase per annum beginning February 1, 2024. Sub-tenants will cost share utilities and other operating costs proportionately.

Leasehold improvements reported in *Note 6* are the Organization's contribution to the overall cost which is shared with the sub-tenants.

The minimum lease payments including HST are due as follows:

2023	$ 84,918
2024	85,201
2025	86,905
2026	88,643
2027	90,416

10. ALLOCATION OF HUMAN RESOURCES

As described in *Note 2*, human resources expenses are allocated proportionately on the basis of time spent on funded projects.

	2022	2021
Total human resources	**$ 364,518**	$ 380,540
Allocation to projects	**(85,299)**	(138,597)
	$ 279,219	$ 241,943

11. PUBLIC SECTOR COMPENSATION

Under the provisions of the Nova Scotia Public Sector Compensation Disclosure Act ("the Act") the Organization is required to report the name and amount of compensation for employees paid in excess of $100,000 per year. For the purpose of the Act, compensation means the total amount or value of all cash and non-cash salary, wages, payments, allowances, bonuses, commissions and perquisites, other than a pension, pursuant to any arrangement, including an employment contract. During the year, no employees were paid in excess of $100,000.

12. FINANCIAL INSTRUMENTS

The Organization is exposed to the following significant risk through its financial instruments:

Credit risk

Credit risk is the risk that one party to a financial instrument will cause a financial loss of the other party by failing to discharge an obligation. The Organization's main credit risk relates to contributions receivable. In order to reduce its credit risk, the Organization maintains open communication with its provincial and municipal partners, and ensures that it complies with the conditions of all funding agreements.

13. IMPACT DUE TO COVID

The outbreak of the novel strain of coronavirus, specifically identified as "COVID-19", has resulted in governments worldwide enacting emergency measures to combat the spread of the virus. These measures, which include the implementation of social and physical distancing, travel bans, and self-imposed quarantine periods, have caused material disruption to businesses globally resulting in an economic slowdown. Global equity markets have experienced significant volatility and weakness. Governments and central banks have reacted with significant monetary and fiscal interventions designed to stabilize economic conditions.

In late March 2020, the Organization's focus pivoted to one of immediate response to help mitigate the impact of COVID-19 on the businesses in its region. The Organization worked diligently to distribute information on all of the available supports and resources. Direct contact was made with clients and support was provided to all businesses seeking assistance. The Regional Economic Recovery Taskforce was formed in May 2020 and has been leading a coordinated approach to recovery for the region. In consultation with all regional stakeholders, the regional economic recovery plan was created.

The COVID-19 pandemic has disrupted expected timelines of projects and forced the Organization to adjust activities and outcomes of projects. As Nova Scotia works through the waves of COVID-19 and vaccination efforts, it is anticipated that the Organization must continue to be nimble and flexible with projects through the 2022-2023 fiscal year and beyond.

The duration and impact of the COVID-19 outbreak is unknown at this time, as is the efficacy of the government and central bank interventions. It is not possible to reliably estimate the length and severity of these developments and the impact on the financial results and condition of the Organization in future periods.

14. COMPARATIVE FIGURES

Certain prior year comparative figures have been reclassified in order to conform with the financial statement presentation adopted for the current year. In particular, deferred contributions have been reclassified as financial liabilities.



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West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐

To: West Hants Regional Municipality Council

Submitted by: Kathy Kehoe, Director Community Development

Date: June 24, 2022

Subject: **Tender Award – Community Development - Parks & Grounds ½ Ton Truck**

LEGISLATIVE AUTHORITY

Municipal Government Act, Section 65, Powers to expend funds for a municipal purpose

RECOMMENDATION

Council approve the award of tender WWHCD22-01 to Pothier Motors Ltd. to supply 1 (one) new ½ ton 4x4 truck at a net cost of $57,676 plus applicable taxes.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☐

During the 2022-23 Capital Budget process it was approved by West Hants Regional Council that a ½ ton truck be purchased for the Community Development Department to support Parks & Grounds services. Tenders were called on the Provincial Procurement site and closed on June 23, 2022.

DISCUSSION

One proponent responded to the public tender, as follows:

Item Number	Item Description	Unit of Measure	Quantity	Price/Unit	Total Price
001	WWHCD22-01 Supply of One (1) New ½ Ton 4x4 Truck	Each	One (1)	$57,676	$57,676
				Total Price	$57,676 plus hst

The tender was reviewed by Community Development Staff to confirm compliance with our requested specifications and that it would meet our operational requirements.

The truck is available for purchase and delivery, immediately.

Purchase of this truck exceeds the capital budgeted amount.

NEXT STEPS

If approved staff will proceed with the purchase.

FINANCIAL IMPLICATIONS

Allowance for the purchase of this truck in the amount of $55,000 was approved under the Community and Development Capital Budget. The total expense portion of this after the rebate is $60,150.30 which is $5,150.30 over the approved capital budgeted amount. There is capacity within the Vehicle Reserve to accommodate the over budgeted amount, changing the ending balance of that reserve from $133,571 to $128,421.

ALTERNATIVES

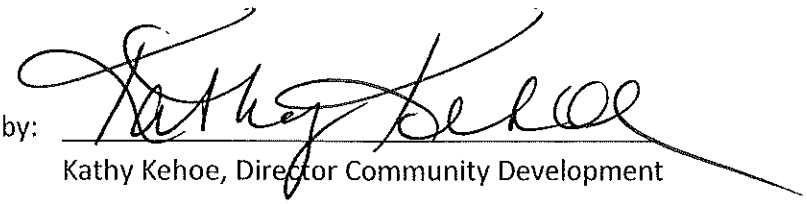
Council may choose not to fund or award this contract; this alternative is not being recommended by staff.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

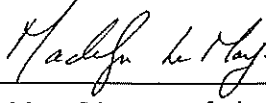
N/A

Report Prepared by: 

Kathy Kehoe, Director Community Development

Report Reviewed by: 

Diana Gibson, Acting Director, Financial Services

Report Approved by: 

Madelyn LeMay, Director of Planning & Acting Chief Administrative Officer