WEST HANTS REGIONAL MUNICIPALITY
Council Meeting Agenda
March 26, 2024 - 6:00 p.m.
In-person, Sanford Council Chambers, 76 Morison Dr, Windsor, NS
Virtual via Zoom (also FB Livestream)

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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
   b) Dashboard Action Items – Dangerous or Unsightly Premises

5. Declaration(s) of Conflict of Interest

6. Approval of Previous Meeting Minutes
   a) 2024-02-27 Council Meeting Minutes
   b) 2024-02-27 Public Hearing Minutes WHLUB Map Amendment: PID 45218658, Armstrong Lake East Road
   c) 2024-02-27 Public Hearing Minutes Bog Road Boundary Review WH-MPS/LUB and H-MPS/LUB Amendment
   d) 2024-02-27 Public Hearing Minutes Wagners Court Development Agreement

7. Presentations
   a) Ardoise Community Hall Funding Request - Susan Wright

8. Public Hearings
   a) WHMPS and WHLUB Amendments to the Hamlet Designation - Planner Fredericks
   b) Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382 – Planner Dunphy

9. Second Readings
   a) WHMPS/WHLUB Amendments to the Hamlet Designation - Planner Fredericks
   b) Payzant Drive, Windsor Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382 – Planner Dunphy

10. Unfinished Business/Postponed Motions
    a) One (1) 5500 Series Truck Purchase for Summerville Fire Department Supplementary Report
    b) Belmont Hall Heat Pumps Recommendation Report – Councillor S. McLean

c) Avon River Heritage Museum Flooding Recommendation Report – Councillor S. McLean
d) Water Utility and Sewer Rates Report – Councillor Ivey
e) Rescind Stormwater Management RFP Motion – Clerk Snair

11. Mayor's Report

12. Committee(s) of Council Excerpts/Recommendations

a) Committee of the Whole Excerpts (March 12, 2024)
   i. Canyon Point Resort (HCC#1)
   ii. Home Flood Resiliency Program
   iii. Mills Lake Watershed Advisory Committee Landowner Appointment
   iv. Parks & Grounds Equipment Pre-approval
   v. Procurement Policy Update
   vi. Temporary Borrowing Resolutions (total of five recommendations)
   vii. Third (3rd) Process Train Windsor WTP Detailed Design
   viii. Two (2) 5500 Series Truck Purchases

b) Planning and Heritage Advisory Committee Recommendations (March 14, 2024) (as it relates to First Readings)
   i. Willow Street, Hantsport HLUB Map Amendment PID 45045879 - Planner Dunphy
   ii. Pesaquid Comprehensive Development District WMPS and WLUB Amendments - Planner Dunphy
   iii. Hwy 215, Summerville, PID 45180635 Development Agreement – Panner Fredericks
   iv. 4236 Hwy 14 Windsor Forks WHLUB Map Amendment – Planner Fredericks
   v. Wentworth Road, Windsor, PID 45059631 Non-Substantive Development Agreement Amendment – Director Poirier

13. Councillor Municipal Business/Activity Reports

a) Councillor Ivey, District 11 Activity Report

14. Correspondence

a) Information
   1. Avon Causeway Activity Log - None

   2. Correspondence Received Activity Log
      i. Avon River Heritage Society Re Flooding March 11th, 2024
      ii. Jennifer Moore Information Report Home Flood Protection program
      iii. Dorothy Read Re Opposition to Willow Street rezoning application
      iv. Maryann Norbury Re Payzant Drive Extension
      v. Joe Alcorn and Donna Smith Re Payzant Road - Roundabout or Extension
      vi. MLA Sheehy-Richard's Response to Mr. Hussey Re Underwood Road Traffic (WHRM copied)

vii. Judi Wilson Re Payzant Connector Road
viii. Cathy and Dave Pemberton Re New builds - roads
ix. Jamie Leopold Re Safety Concern at the West Hants Sportsplex
x. Emme Manuel Re Open Arms New Outreach Program
xi. Kim and John Olejnik Re Payzant Drive extension over to Hwy 1, (sometimes referred to Hwy 14)
xii. Jeanette Poirier Re Payzant Drive Extension
xiii. Avon River Heritage Society, Newport Landing Flooding Letter

b) Requests
   i. Royal Canadian Legion, Hants County Branch No. 9 Re Grant for Veteran Banner Program
   ii. Hantsport Residents Re: Defeat Willow Street Motion

c) Outgoing Correspondence Log – None

15. New Business
   a) Industrial/Commercial lands Recommendation Report - Mayor Zebian
   b) Letter to Provincial Public Works and MLA Re Roadwork from Windsor to St. Croix Recommendation Report – Mayor Zebian
   c) Rural Advisory Committee Recommendation Report – Mayor Zebian

16. In-Camera
   a) MGA 22(2) (a) Personnel Matter

17. Next Meeting Date / Adjournment – April 9th, 2024 Committee of the Whole Meeting 6 p.m.

M - Motion
D - Direction/Discussion

West Hants Regional Municipality
Dashboard (Action List)
March 26., 2024

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

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
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	On-going	Beautification Strategy presentation provided at Nov, 2023 COTW mtg. PRIME has been engaged to create how the signs will look and are working on gathering suitable photos for Hantsport, Windsor and West Hants.	PW/Comm. Dev
W. B Stephens Building Design Project Management Tender Award (Municipal Office) - Draft an RFP that will look at A) the 100 King Street Building B) The 76 Morison Building and C) or an alternative new location is required to facilitate the needs of the Municipality.	2020-10-27	2022-on going	Ongoing - RFQ posted on the NS Procurement website	CAO
Panuke Rd Event - Event to be arranged by Mayor	2021-03-09	Late Spring/Summer 2024	On-going, an event will be scheduled this year.	Mayor
Glooscap First Nation & WHRM Council Meeting - Send formal invite for a meeting to discuss many topics including reconciliation.	2021-06-22		On-going, Item remains on the Dashboard, Awaiting mtg dates from Glooscap	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	Unknown	Item remains on the Dashboard, Mayor will follow up.	Mayor/CAO
Subdivision Street Lighting - Create a policy to come back to Council for review.	2023-01-10	**2024**	Report at October COTW, More information will be presentented to Council for discussion/decisison.	PW
Waste Collection By-Law - initiate the process for consolidating the Windsor and West Hants waste by-law to remove the disparities that exist between the two.	2023-03-28	**2024**	Approved, stafff are gathering information, a report will follow.	PW

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Sidewalk Extension from Wentworth Road to the WH Sports Complex - prepare a report on what is required to extend the sidewalk from Wentworth Rd. to the WH Sports Complex and as a second step to include extending the sidewalk to the end of the block (intersection of Wentworth and Tregothic).	2023-04-11	**2024**	Approved, Report to follow	PW
Noise By-Law/Peace and Good Order - staff revisist the Noise By-Law/Peace and Good Order.	2023-09-12	**2024**	Item to remain on the Dshboard, Work in progress. Staff will provide regular updates/reports for consideration.	CAO
Sewer Odours - staff explore options on masking sewer odours arising from the Combined Storm/Sewer System & report back to Council with recommendations.	2023-10-10	**2024**	Approved, Report to follow	PW
Fresh Water Resources/Explore Ownership of the pond - staff determine if the property known as Town Pond is or was ever a public resource, further if it was a public resource but is no longer, then when and how did it transition from public to private ownerhip.	2023-10-10	**2024**	Verbal update provided. Will remain on the agenda until follow up completed.	PW/PLAN/CAO
Dykeland Lodge Request - staff review possible options for an alternate route in and out of College Road.	2023-11-28	2024	Approved, Pending a report	PW

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Bulk Water and Sewer Rebate - 1. Staff create a regional sewer rebate in the same manner as the low income residential tax rebate that includes a $50/quater rebate with funding avenues to be presented by staff. 2. Staff create a regional bulk water rebate that would be similar to the low income residential tax rebate that includes a $200/yr/residential property owner to be funded through avenues presented by staff.	2023-12-12	2024	Approved, Pending report	Finance
Stormwater Management - Staff come back with more information including a suggested RFP for Council to review utilizing the CBCL report and that the RFP identifies developing a stormwater mitigation plan identifying both short and longer term phased in solutions.	2023-12-19	2024	Approved, See updated motion to reflect alternate procurement being used for CBCL to complete the work. **Motion will be rescinded at the March COTW.**	PW
Floodzones - staff create a "Home Flood Protection Program" to present to Council by the March COTW meeting for viewing and or approval for budgetary implications.	2024-01-09	2024	Approved, report to follow. Report p[resented at March COTW. Additional work needed.	PW
Floodzones - develop an Emergency plan for Windsor and Hantsport Floodzones and could encompass all areas that flood (intended to be a Regional program) and may include diverting of waters from residences and present it to Council by the March COTW meeting.	2024-01-09	2024	Approved, Motion was amended. Report presented at March COTW.	PW

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Windsor Stormwater Management - staff meet with CBCL to expand on the initial work completed to expand the project into a phase 2 stage in the interest of accelerating the process to determine next steps and analysis of work needing to be done for a broader Windsor Storm Water Management plan.	2024-01-09	2024	Approved, Pending a report	PW
Windsor and WH Water Utilities Detailed Audit - CAO to secure an independent firm to undertake a detailed operational and financial audit of WH and Windsor water utilities.	2024-01-23	2024	Approved, Pending an audit report	CAO/Fin
Zwicker Lake - Decision Permit D2023-019 - CAO be directed to engage staff to provide Council with a summary outline of the total cost of legal services incurred by WHRM relating to the Zwicker Lake property land use issue for permit D2023-019.	2024-02-13	2024-03-12	Approved, Report presented at March COTW	CAO/Fin/Plan
WHMPS and WHLUB Amendment Request: Wind Farm Policies - direct staff to follow the planning process to amend the planning documents to include a 4 km setback for wind turbines from residential dwellings.	2024-02-27	2024	Approved, Report to follow	Plan
Parks & Grounds Equipment Pre-approval - an allocation of $14,400 be pre-approved for the 2024/25 Operating budget to support the procurement and lease of an articulating mower and further recommends that an allocation of $60,000 be pre-approved for the 2024/25 Capital Budget to support the procurement and purchase of three sub compact mowers (tractors) to be taken from the Operating Reserve.	2024-03-12	2024-03-26	Pending Approval	CD

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Procurement Policy - approves the updated Procurement Policy RCOFN-003.00 as presented at COTW on March 12, 2024.	2024-03-12	2024-03-26	Pending Approval	Finance
Temporary Borrowing Resolutions - **1.** approves the TBR in the amount of $57,467 for the purchase of fire equipment. **2.** approves the TBR in the amount of $564,068, for the roof at Brooklyn Fire Department Stn 1. **3.** approves the TBR in the amount of $65,252, for the rear parking lots at the Hantsport Fire Department. **4.** approves the TBR in the amount of $285,062, for the purchase of the Dump truck-salt plow. **5.** approves the TBR in the amount of $232,656, for the purchase of sidewalk machine with flail mower.	2024-03-12	2024-03-26	Pending Approval	Finance
Third (3rd) Process Train Windsor WTP Detailed Design - approve awarding the detailed design Phase 1 of the Third Process Train Windsor WTP project, as identified in the 2023/24 Capital Budget to CBCL, for the over budget cost of $208,707.00 plus applicable taxes.	2024-03-12	2024-03-26	Pending Approval	PW
Two (2) 5500 Series Truck Purchases - authorizes staff to purchase two new one ton trucks and have then upfitted to the budgeted amount of $260,000 inclusive of hst, less any trade in value of trucks being replaced.	2024-03-12	2024-03-26	Pending Approval	PW

Matter	Start Date	Deadline / Update	Status/Progess Updates	Resp.
Mill Lakes Watershed Advisory Committee Landowner Appt - approves the following landowner be appointed to the Mills Lake Watershed Advisory Committee for the term April 1, 2024 - October 31, 2026: Greg O'Leary	2024-03-12	2024-03-26	Pending Approval	CAO
Canyon Point Resort (HCC#1) - **1.** CAO write a letter to the province and EMO Minister, John Lohr advocating that full payment of the $200,000 in Disaster Financial Assistance be issued to assit Canyon Point Resort with bridge repairs. **2**. CAO waive all building/development fess associated with constructing a new bridge **3.** CAO contact GFL and request any fess assocaited with the debris and removal of the Canyon Point Resort bridge remnants be waived.		2024-03-26	Pending Approval	CAO
Home Flood Resilience Program - Staff develop a home flood resiliency program offering both flood risk assessmenst and grants for eligable upgrades.	2024-03-12	2024	Pending Approval	Plan/Fin

West Hants Regional Municipality
In-Camera Dashboard (Action List)
March 26, 2024

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

Matter	Meeting	Status
Textile Mill	9/8/2022	Building Officials continues to monitor for ongoing concerns
Site 2	9/11/2023	Ongoing matter


Arbeise
Community Recreation Centre


ARDOISE
COMMUNITY HALL


EXIT


NOTICE
This Parking Lot is
Owned by Ardoise Hall
Parking is for
Events & Patrons
ALL OTHERS MAY BE
TOWED AT OWNERS EXPENSE
SS
396


BROOKLYN
6
TOWER
2016
1250
BROOKLYN
EST
1962
FIRE DEPT.
WEST HANTS
NOVA SCOTIA
RESCUE


USE HANDLES TO PULL
OUT THE UNDER STAGE STORAGE
DRAWERS!!!
DO NOT GRAB BY THE WOODEN
FRAME SECTIONS
NOVA SCOTIA
CRIME
STOPPERS
Crush
Géants


ise
reation Centre
1624-47
NOVASCOTIA '54


EXIT



AED

AUTOMATED
EXTERNAL
DEFIBRILLATOR

EMERGENCY DEFIBRILLATOR

ZOLL
AED PLUS

ZOLL

Proudly donated by
Uniacke Wishgivers

WARNING
ALARMED SYSTEM

Donations are
Tax Deductible

Please use one of these envelopes, to note your name and mailing address so you will be able to receive a tax receipt after the end of the year.

Donation Box

Thank you for your donation.


EXIT


EXIT


BAY WEST

Hall improvements over the years

Hall fully accessible including wheelchair ramp and washroom

2018 New stage and custom-built shelving

2020 Parking lot paved

2021 New LED outdoor sign

2021 Insulation of entire ceiling area

-- 3 new steel doors – including an accessible door

2022 3 Heat pumps installed

--Kitchen upgrade – cupboard, new sink (have 3 now)

--LED lighting replacing 20 fluorscent lights as well as other electrical upgrades

-- plumbing upgrades, including 3 comfort height toilets

2023 Complete painting of interior of hall

2024 Funding in place for new roof this spring

The above costs are well over $150,000 and the only money from West Hants was $5,000 towards the sign. The rest was grants, fundraising, and using contractors that were known by members of the board to give a good pricing.

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RECIPIENT:

Ardoise Community Rec Centre

3 Ardoise School Road
Ellershouse, Nova Scotia B0N 1L0

Estimate #4520

Sent on	Aug 19, 2023
Total	**$29,526.25**

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Generac 18KW Whole Home Option	Scope of Work: Whole Home Option 1 Supply and Install Whole Home Option for Generac generator, includes: -all wiring from generator to transfer switch -18KW generator with 200 amp service rated transfer switch -battery -pad -cold weather kit for battery -cold weather kit for oil -installation of transfer switch and generator -programming and commissioning of generator -NSP permit, 1 inspection, and truck fees -propane and associated work not included -trenching not included, if required. To be determined on site visit. **Generator rated at 275,000 BTU	1	$13,250.00	$13,250.00

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PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Generator Notes	Generac. Promotional offers can expire at any given time. 1st Electric Inc. shall not be held responsible for promotional changes or for any circumstance, out of our control, which disqualifies the customer from receiving the promotional offer from Generac. It is up to the customer to make sure they meet and finalize the terms and conditions of all promotional offers from Generac. It is up to the customer to notify us if they meet the conditions of any promotional offer. Propane and/or Natural Gas hook up is required for the generator. OPTION 1-Upon completion of a generator site visit, we will finalize the initial quote given during the phone consultation for installation of the propane/natural gas pipework for the generator. We will also provide a quote for supplying propane tanks and accessories, if additional are required. OPTION 2- If the customer chooses to go with another provider for tanks/piping, it is up to the customer to make all necessary arrangements for the scheduling, completion, and payment of the gas work. All customer supplied work must be scheduled for the same day as the generator installation. Should additional trips be required due to scheduling irregularities, additional costs will be applied and billed to the customer. 1st Electric Inc. is not responsible or liable for any discussions between the fuel provider and the customer, contract obligations, pricing changes, site work completed, vehicle protection required, or delivery of tanks/fuel to site. We require a $1000.00 down payment, which will position you in our queue and start the process with NSP for the date of installation. Prior to installation date, we will refund the full down payment should the order be cancelled, as long as previous work was not started on your property by us for the generator installation. All approved quotes will be reviewed prior to the date of the installation and will be revised to reflect any equipment or material cost increases. Revised quotes will be sent to the customer for approval. When the generator package includes a 16 circuit transfer switch for a Partial Home Option, arc fault breakers(costs associated with arc fault breakers tripping) are not included in the quote. If arc fault breakers are required for code reasons, they will be billed at $85.00/single breaker. Troubleshooting and other corrective measures required for issues that arise from arc fault breakers tripping due to motorized equipment, will	1	$0.00	$0.00

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PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
				Optional
3x420LB Propane Tanks	Scope: Option for Customer Purchased Tanks -Supply 3X420lb propane tanks -Delivery and placement on composite pad in required location included **If landscape work is required, it will be addressed at the time of the site visit-not included in this price **Tanks are approved for 25 years **Each group of tanks includes 89 litres. The remainder of the fill up is the responsibility of the customer with their fuel provider. **Benefits to the customer: 1. Faster install times than leasing from a fuel provider 2. Removes dependency on fuel provider's schedule and tank availability and ensures the timely completion of the job 3. Approximately half the cost of leasing tanks from a fuel provider for the life of the tanks 4. Not locked in with any fuel provider, allowing you the ability to shop around and find the lowest cost propane 5. Not subject to unexpected leasing rate increases for tanks from a fuel supplier 6. Eliminates long wait times for refilling tanks on extended power outages, such as hurricanes. The customer can order fuel from the provider who can quickly book them in. **Customer would need 3 tanks @1575/tank, if purchasing Scenario 1: Customer Purchased Tanks from 1st Electric Inc. *3 tanks @$1575/tank =$4725+tax *$4725/25 years=$189/year cost to the customer Scenario 2: Customer Leased Tanks from another Fuel Supplier(Approx. cost) *3 tanks @$115.00/tank/year =$345.00/year *$345.00/year x 25years =$8625	1	$4,725.00	$4,725.00
				Optional
Propane Accessories	Supply and install tank regulators, tee blocks and pigtails **If purchasing tanks from us, add this line item. **If leasing tanks, the fuel supplier will supply these items and bill the customer directly.	1	$550.00	$550.00

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PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
				Optional
Above Ground Gas Piping	Scope: Above ground gas piping from propane tanks or natural gas meter to generator. -Supply and Install 3/4" galvanized piping with associated fittings, shut off valve and flexible connector. -Tee blocks, pigtails, 2 stage regulator not included. See separate line item for Propane Accessories. -Installed and inspected by licensed gas tech. -Installed to B-149 national building code for gas appliances. -Pressure tested and signed off by licensed gas technicians. -Includes NS fuel safety installation permit. **Priced for up to 15' between the generator and tanks/natural gas meter **A site visit is required to confirm pricing.	1	$2,000.00	$2,000.00

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PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Labour and Materials	-Extend and connect pipework from service to panel -Rerun new wire from service into panel -Uncover hidden PVC fittings -Bring service to code by extending existing mast **This is an estimate and will be billed as time and material **Repairs** Small holes may be required to be made in drywall or plaster for the purpose of fishing wires. Patching and painting of such holes is not included. All work completed to meet Canadian Electrical Code and NS Power requirements. **Warranty** 1st Electric Inc. warrants that the materials supplied and installed by us shall be free from defects in material and workmanship resulting from normal usage and proper maintenance. This warranty does not cover any materials that have been altered, mistreated or improperly maintained, and is available only if the manufacturer's warranty will cover the product in question. 1st Electric will facilitate repair and replacement (certain conditions may apply). ***WCB Insured***OHES Safety Certified***BBB Accredited*** **Terms of Payment** 100% due upon completion of work.	1	$1,300.00	$1,300.00
50 Amp Smart Management Module	Scope of Work: Generac Smart Management Module -Supply and Install 3-50 amp Smart Management Modules for 3 heat pumps *Smart Management modules automatically monitor individual loads on the generator at all times to prevent overloading of the generator.	3	$350.00	$1,050.00
Concrete Bollards	4-Concrete Bollards to serve as vehicular protection	1	$2,800.00	$2,800.00

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Subtotal	$25,675.00
H (15.0%)	$3,851.25
Total	**$29,526.25**

We appreciate the opportunity to provide an estimate for your project. Please find your price attached.
Please contact us through email or phone should you have any questions or revisions to your work.

Signature: _____ **Date:** _____

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: _____
Mark Fredericks, Senior Planner

Date: March 26, 2024

Subject: WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 205.

RECOMMENDATION

Should Council wish to approve the text amendments following the Public Hearing, the following motion would be in order:

…that Council gives Second Reading to and approves the text amendments to the West Hants Municipal Planning Strategy and West Hants Land Use By-law as shown in Attachment B of the report #23-45 to the Planning and Heritage Advisory Committee dated February 8, 2024.

BACKGROUND

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

An application was received from Andrea Parker, on behalf of *August 16 Developments*, on November 24, 2023. *August 16 Developments* purchased the former Kempt United Baptist Church with the intention of repurposing the building to include 5 residential units at 20 Musgrave Road in Summerville. The property is located within the Hamlet designation. Hamlets are intended to provide limited residential density. With the divestment of some churches in rural communities, an opportunity to repurpose these buildings for residential uses could be a

reasonable balance that would allow slightly more density than currently permitted under the Rural Residential (R-4) zone, while still maintaining the rural character of the Hamlet communities.

A Public Information Meeting was held on January 16, 2024. No concerns were raised during this meeting or the comment period that followed.

On February 8, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The proposed general text amendments would enable the conversion of former churches within the Rural Residential (R-4) zone to include up to 5 residential units, provided most of the building's form is maintained. At this meeting the Committee discussed how notifications to other properties could be improved and how these proposed amendments provided for a creative reuse of the building in Summerville and sets up the potential for others. The PAC/HAC recommended in favour of the text amendments at this meeting.

On February 27, 2024, staff presented the PAC/HAC recommendation to Council for First Reading (Appendix A). During that meeting, Council recommended in favour of the application and held First Reading.

NEXT STEPS

The process for this application is as follows.

Process
Staff Review
▼
Public Information Meeting – Jan 16
▼
PAC/HAC receives staff report and PIM Notes PAC/HAC Review and Recommendation – February 8
▼
Regional Council First Reading – February 27
▼
Public Hearing & Second Reading – March 26
▼
Ministerial Review/Approval
▼
Notice of Approval in Local Paper

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold Second Reading and approve the amendments as drafted;
- consider the application through the creation of a specific policy and DA process; or
- provide alternative direction, such as requesting further information on a specific topic

APPENDICIES

Appendix A	2024-02-27 Council First Reading Report – WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45A

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____
Mark Fredericks, Senior Planner

Report Approved by: _____
Sara Poirier, Director of Planning and Development

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

Appendix A – 2024-02-27 Council First Reading Report: WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45A

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: _____
Mark Fredericks, Senior Planner

Date: February 27, 2024

Subject: WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 205.

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 amending the text of the West Hants Municipal Planning Strategy and West Hants Land Use By-law as shown in Attachment B of the report #23-45 to the Planning and Heritage Advisory Committee dated February 8, 2024.

BACKGROUND

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

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Staff Review
▼
Public Information Meeting – Jan 16
▼
PAC/HAC receives staff report and PIM Notes PAC/HAC Review and Recommendation – February 8
▼
Regional Council First Reading – February 27
▼
Public Hearing & Second Reading – March 26*
▼
Ministerial Review/Approval
▼
Notice of Approval in Local Paper

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted;
- consider the application through the creation of a specific policy and DA process; or
- provide alternative direction, such as requesting further information on a specific topic

APPENDICIES

Appendix A 2024-02-08 Staff Report – WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45

CHIEF ADMINISTRATIVE OFFICER REVIEW

CAO comments may follow.

Report Prepared by: _____
Mark Fredericks, Senior Planner

Report Approved by: _____
Sara Poirier, Director of Planning and Development

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

- **Appendix A – 2024-02-08 Staff Report WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45**

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Mark Fredericks, Senior Planner

Date: February 8, 2024

Subject: WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone File #23-45

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

RECOMMENDATION

To enable the repurposing of the former church at 20 Musgrave Road, Summerville to permit 5 residential units, 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 amending the text of the West Hants Municipal Planning Strategy and West Hants Land Use By-law as shown in Attachment B of the report #23-45 to the Planning and Heritage Advisory Committee dated February 8, 2024.

BACKGROUND

An application was received from Andrea Parker, on behalf of *August 16 Developments*, on November 24, 2023. *August 16 Developments* own the property at 20 Musgrave Road in Summerville, the former Kempt United Baptist Church. The applicants purchased the former church with the intention of repurposing the building to include 5 residential units and to maintain a space in the lower level of the building as community space, which may be used for continued church service or other events.

The property's zoning does not permit more than 2 residential units as-of-right. Staff explored alternatives within the West Hants Municipal Planning Strategy (WHMPS) including the options

for rezoning or a development agreement but did not find any suitable mechanisms to enable the conversion of this structure to include 5 units. The property is within the Hamlet designation. Hamlets are intended to provide limited residential density. It was recognised that with the divestment of churches, an opportunity to repurpose these buildings could be a reasonable policy exception to permit slightly more residential density than currently allowed under the Rural Residential (R-4) zone, while still maintaining the rural character of the Hamlet communities.

DISCUSSION

The subject lot (PID 45207792) is approximately 53,830 sq. ft. or approximately 1.23 acres in size with approximately 197 ft. (60 m.) of road frontage. The lot is currently designated Hamlet on the Generalized Future Land Use Map (GFLUM) of the WHMPS (*Figure 1*). The subject lot is zoned Rural Residential (R-4) on Schedule A of the West Hants Land Use By-law (WHLUB) (*Figure 2*).

Approximately 7 other churches exist within the designated Hamlets. All of these are zoned Rural Residential (R-4). Staff believe a text amendment to the Rural Residential (R-4) zone to permit up to 5 residential units would be a reasonable level of density and provide for the creative repurposing of former churches. Many of these existing churches are often large enough to be split into more than 2 residential units and already include several parking spaces and road access that could support up to 5 residential units.

Surrounding Context

All properties surrounding the subject lot are also within the Rural Residential (R-4) zone and within either the Hamlet or Community Use designations. Some of the surrounding properties are vacant or include low-density single unit dwellings. Two significant community landmarks are on the opposite side of the street, including the Summerville Fire Hall, and Summerville Elementary school. The subject lot is positioned in the centre of the community with close access to a variety of community amenities.

Many of the other churches within the Rural Residential (R-4) zone are located on main roads. If the proposed amendments are approved, the ability would also apply to these properties without the site-specific review of a planning application. However, staff believe that the historic use and nature of these properties would support the conversion of up to 5 residential units without creating land use compatibility issues as these churches are often on larger properties with sufficient parking and a history of community use.

West Hants Municipal Planning Strategy

Section 7 of the WHMPS describes the Council's intention with the 11 designated Hamlets. These rural communities often include low density residential, and a mixture of community amenities and landmarks including schools, fire halls, community halls, parks, and rural services and occasional commercial or industrial uses. The current and former churches within these communities have historic importance or relevance and if they are sold, staff believe it is important to support their re-use as residential which may help preserve the structures and

ensure their community presence is maintained. Staff believe that it is reasonable to permit the conversion of these building to a limited scale of residential development that re-uses the buildings to a density that still maintains the rural character of the designated Hamlets.

For clarity, staff are proposing the following wording be added to Policy 7.1.4 to support the ability to repurpose churches for residential re-use. The specific amendments to the WHMPS can be found in Appendix B.

> ***Policy 7.1.4*** *It shall be the policy of Council not to permit multiple unit residential development in Hamlets, except as provided in Policy 7.1.3 and within repurposed churches in the Rural Residential (R-4) zone.*

West Hants Land Use By-law

The Rural Residential (R-4) zone of the WHLUB also requires amendments to add the land use to the list of permitted uses. These text changes are illustrated in Attachment B. The proposed text amendments add "Former churches to include up to 5 residential units" to the list of permitted uses in the Rural Residential (R-4) zone and clarifies that new windows, doors and minor extensions can be constructed to enable up to 5 residential units within a former church building.

West Hants Municipal Planning Strategy - General Criteria

WHMPS Policy 16.3.1 establishes the general criteria that must be considered for all amendments to the Land Use By-law (Attachment A). In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated;
- adequate schools and fire protection services are available; and
- no concerns with the suitability of the site or the pattern of development the proposal might create.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the subject lot. The subject lot also has a low risk shown on the Seawater Intrusion Vulnerability map.

Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed text amendments have been considered within the context of both the specific Hamlet policies and general amendment policies of the WHMPS and are consistent with the intent, objectives, and policies of the WHMPS. The proposed text amendments meet the general criteria for amendments to the WHLUB or WHMPS. As a result, it is reasonable to permit the requested changes to allow up to 5 residential units to locate within former church buildings in the Rural Residential (R-4) zone.

Approval Process

Staff Review

▼

Public Information Meeting – Jan 16

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – February 8

▼

Regional Council First Reading – February 27*

▼

Public Hearing & Second Reading – March 26*

▼

Ministerial Review/Approval

▼

Notice of Approval in Local Paper

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted or as specifically revised by direction of PAC/HAC;
- consider the application through the creation of a specific policy and DA process; or
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1 West Hants GFLUM Extract

Figure 2	West Hants Zoning Map Extract
Figure 3	West Hants Zoning Map Extract – churches within Hamlets
Attachment A	Policy Summary for WHLUB Amendments
Attachment B	Proposed Text Amendments
Attachment C	Public Information Meeting Notes

Report Prepared by: _____
Mark Fredericks, Senior Planner

Report Reviewed by: _____
Sara Poirier, Director of Planning and Development

Figure 1 - West Hants GFLUM Extract

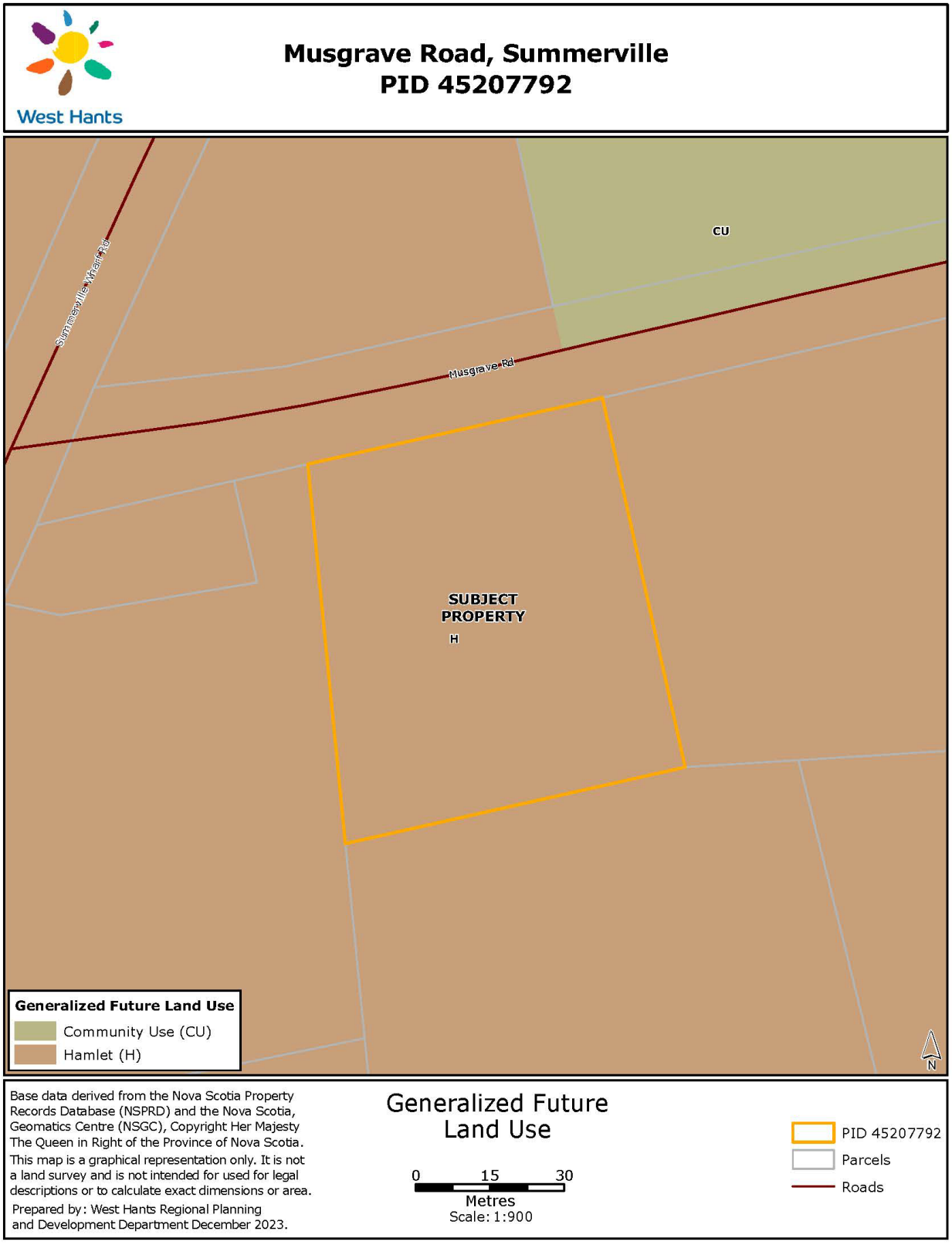


Figure 2 - West Hants Zoning Map Extract

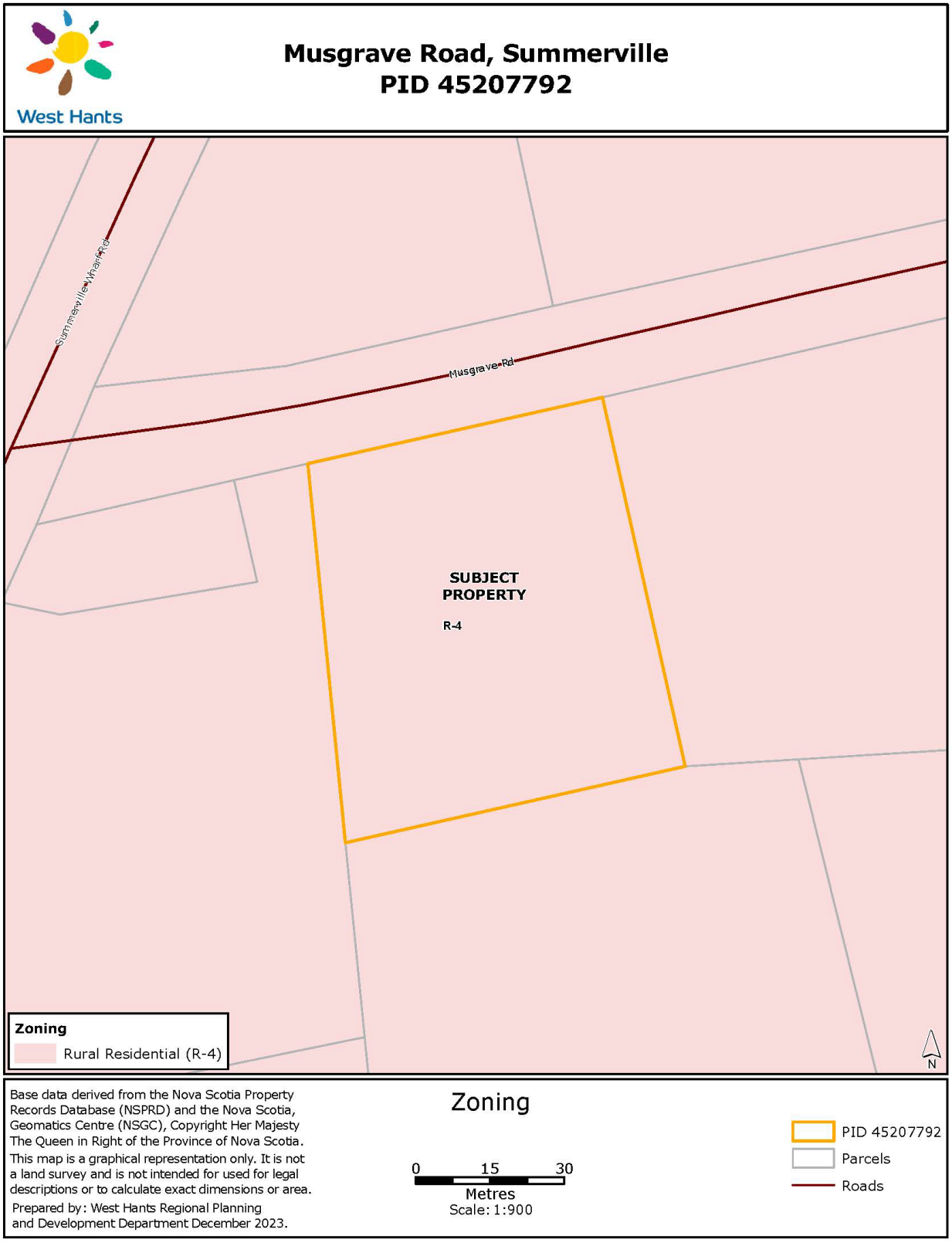
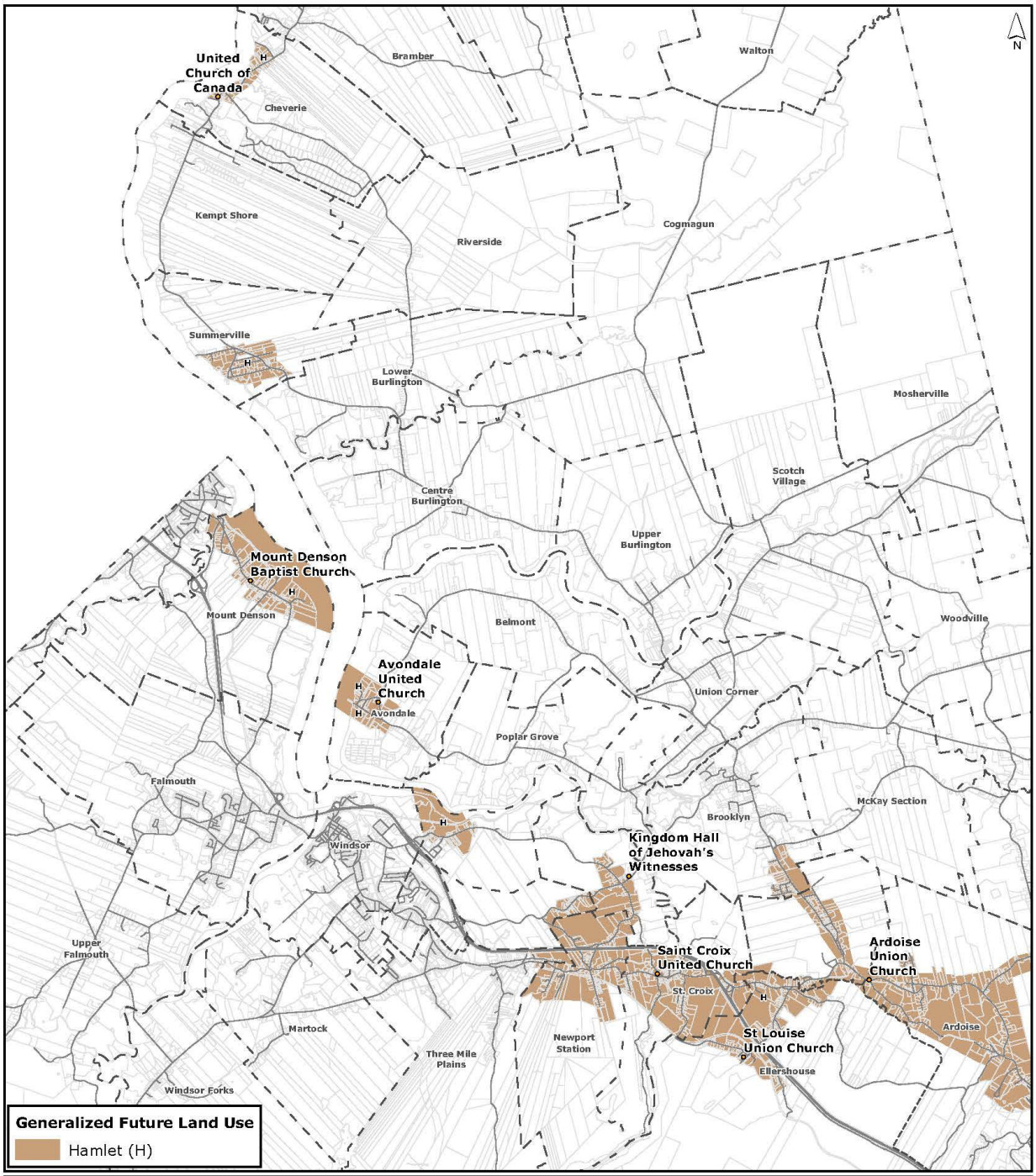


Figure 3 - West Hants Zoning Map Extract – Churches within Hamlets



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia.

This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area.

Prepared by: West Hants Regional Planning and Development Department December 2023.

Hamlet Churches

0 2,000 4,000

Metres

Scale: 1:120,000

Places of Worship

Parcels

Roads

Attachment A - Policy Summary for WHLUB Amendments

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

(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	No central sewer or water services are available in this community or the other designated Hamlets. The subject property has adequate lot area to meet the minimum standard for un-serviced lots. This indicates the lot should be capable of accommodating an on-site well and septic system to service up to 5 residential units. The existing on-site systems may be adequate or may require upgrades, but these details are determined at the time of permitting, with the approval coming from Nova Scotia Department of Environment and Climate Change who has jurisdiction over septic systems and wells. For any other property, the owners will have to determine the suitability of water and sewer services during the permitting process.
(ii) the adequacy of school facilities;	Summerville Elementary School is located across the street from the subject property. The proposed building is intended to provide housing for seniors, but if young families were to live here, 5 units represents a small potential increase in school population which is expected to be accommodated by local schools.
(iii) The adequacy of fire protection and other emergency services;	The Summerville Fire Department is immediately across the street from the subject property.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The Provincial Department of Public Works (DPW) indicated the surrounding road network was adequate for the proposed residential use. They have also confirmed that the existing driveways

	are adequate and appropriate for the proposed use. Other properties would be checked at the permitting stage.
(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) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on site sewage disposal system;	See 16.3.1 (a) (i) above.
(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Provincial DPW indicated they had no concerns with the suitability of the proposed development for automobiles or pedestrians. Generally, in Hamlets there are limited to no sidewalk infrastructure. Suitability for other properties would be considered at the permitting stage.
(d) the adequacy of the dimensions and shape of the lot for the intended use;	The shape of the lot is a rectangle, and similar to the surrounding residential lots and presents no concerns for the proposed use.
(e) the pattern of development which the proposal might create;	The arrangement of properties in this area would be consistent with typical rural residential lots, and changing from a church to 5 residential units should not create any unusual development patterns, as the site has a history of community use, and adequate parking.
(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;	The site and surrounding area appear suitable for the proposed residential development. No concerns with grade or soil conditions as the amendments will apply to existing structures, the site conditions are established.
(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other	All Municipal, Provincial, and Federal regulations will have to be met.

relevant municipal by laws and regulations; and	
(h) any other matter required by relevant policies of this Strategy.	All relevant matters have been addressed in this report.

Attachment B – Proposed Text Amendments

Note: red text indicates a change from the present WHLUB as recommended by staff and is provided only for the convenience of PAC/HAC and Council.

Text amendments to section 11.0 in the West Hants Land Use By-law to allow churches to be converted into a residential use, with up to 5 residential units.

11.0 RURAL RESIDENTIAL (R-4)

Permitted Uses

11.1 The following uses shall be permitted in the Rural Residential (R-4) zone:

- Existing churches, community centres, fire halls, schools and post offices
- Manufactured homes
- Seasonal dwellings subject to the GR zone requirements
- Single and two-unit dwellings
- Former churches to include up to 5 residential units

R-4 Zone General Requirements

11.2 In the R-4 zone, no development permit shall be issued except in conformity with the following:

		Single unit and seasonal dwellings, manufactured homes	Two units	Other uses
Minimum lot area		29,000 ft^2 (2,694.10 m^2)	29,000 ft^2 (2,694.10 m^2)/unit	40,000 ft^2 (3,716.00 m^2)
Minimum lot frontage		100 ft (30.48 m)	100 ft (30.48 m)/unit	100 ft (30.48 m)
Minimum front yard		25 ft (7.62 m)		
Minimum rear yard		25 ft (7.62 m)		
Minimum side yard	**one side**	6 ft (1.83 m)		
	other side	10 ft (3.05 m)		
Maximum height of main building		35 ft (10.67 m)		

11.3 When a church is repurposed, the majority of the building form shall be maintained, with opportunity for alternate window and door alterations and architecturally compatible expansions to accommodate up to 5 residential units.

Note: red text indicates a change from the present WH LUB as recommended by staff and is provided only for the convenience of PAC/HAC and Council.

Text amendments to section 7.0 in the West Hants Municipal Planning Strategy to allow churches to be converted into a residential use, with up to 5 residential units within the Rural Residential (R-4) zone.

> ***Policy 7.1.4*** *It shall be the policy of Council not to permit multiple unit residential development in Hamlets, except as provided in Policy 7.1.3* ***and within repurposed churches in the Rural Residential (R4) zone.***

Attachment C - Public Information Meeting Notes

January 16 – 30, 2024

WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone; File #23-45

Meeting date and time	A Public Information Meeting was held on January 16, 2024 beginning at 6 p.m. in Council Chambers, 76 Morison Drive in Windsor.
Attending	In attendance: • Mayor Zebian • Senior Planner, Mark Fredericks • Planner, Alex Dunphy • Director of Planning and Development, Sara Poirier • Planning Administrative Assistant, Vanessa Lake • Chief Administrative Officer, Mark Phillips • 11 members of the public
WHMPS and WHLUB Text Amendments: Hamlet Designation and Rural Residential (R-4) zone **Origin: 20 Musgrave Road, Summerville.**	Planner Fredericks outlined the request and described the general amendments to permit repurposing of churches within the Hamlet designation. The general text amendments originated from the new owner of the former Kempt United Baptist Church in Summerville. Andrea Parker and Jermey Parker made a presentation describing their intention with the building, including the conversion of the church to 5 residential units, maintaining a community/church space within the building, and providing transportation for weekly trips to Windsor for tenants, energy efficiency and the desire to keep seniors living in their community.
Comments	No comments were made during the Public Information Meeting or following the meeting.
Adjournment	The meeting adjourned at 6:19 p.m.

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: March 26, 2024

Subject: Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive; File # 23-04B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

Should Council wish to approve the development agreement, the following motion would be in order:

…that Council gives Second Reading and approves entering into a development agreement to allow up to 280 units within grouped multi-unit apartment buildings and 18 townhouse units on PIDs 45053030, 45343878, 45343894, and 45234382 on Payzant Drive in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-04 to the Planning and Heritage Advisory Committee dated February 8, 2024.

…that Council requires that the development agreement with Abraham Zebian on behalf of 3324482 NOVA SCOTIA LIMITED for PIDs 45053030, 45343878, 45343894, and 45234382 on Payzant Drive in Windsor 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 ☐

An application was received from Noel Taiani of Parsons Green Developments on behalf of the property owner 3324482 NOVA SCOTIA LIMITED on March 15, 2023. The application was to allow a proposed development including a total of 280 apartment units, across 4 multiple-unit apartment buildings and 18 townhouse units grouped on the subject lots by development agreement. Abraham Zebian is the President of 3324482 NOVA SCOTIA LIMITED.

DISCUSSION

A Public Information Meeting was held on May 11, 2023.

On February 8, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed reduced yard requirements, proposed driveway access, the timeline for the road extension completion, the existing watercourse, and the Traffic Impact Study. During the February 8 meeting, PAC/HAC recommended in favour of the application.

On February 27, 2024, staff presented the PAC/HAC recommendation to Council for First Reading. Council discussed the road reserve within the development agreement, the status of the roundabout at Payzant Drive and Wentworth Road, the municipal services on the subject lots, connectivity between developments and the connections from Payzant Drive to both King Street and Irven Drive. Council recommended in favour of the application at that time.

NEXT STEPS

The process for this application is as follows:

Process
Public Information Meeting – May 11, 2023
▼
Staff Review
▼
PAC/HAC receives staff report and PIM Notes PAC/HAC Review and Recommendation – February 8, 2024
▼
Council First Reading – February 27, 2024
▼
Public Hearing & Second Reading – March 26, 2024
▼
Notice of Approval in Local Paper
▼
14-Day Appeal Period

FINANCIAL IMPLICATIONS

A road extension of Payzant Drive would be required in order to service this proposed development. The developer will be required to construct the extension of Payzant Drive and all associated infrastructure to the extent of the frontage of the subject lots. Separately, during the June 27, 2023 Council meeting, Council directed staff to begin the process of designing the Payzant Drive to King Street connection. Any connection outside of what would be constructed by the developer to provide frontage and access to this development would be a cost to the Municipality.

APPENDICIES

Appendix A	2024-02-27 Staff Report - Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive; File # 23-04A

CHIEF ADMINISTRATIVE OFFICER REVIEW

I encourage Council to revisit the attachments and specifically refer to Attachment A "Policy Summary for Development Agreement", within the February 27, 2024 report to Council recommending First Reading. This section identifies the relevant policies of Council to be considered in relation to the application and the Planner's comments regarding compliance and how the proposal satisfies those requirements. This information addresses parking, road and traffic requirements, buffering, likeness to the existing community, building design, size and scale, infrastructure capacity (water / sewer / storm water), etc.

With respect to roads, Section 2.4 Road and Municipal Services of the Development Agreement speak to the responsibilities of the developer in relation to road construction, water, sewer and storm water requirements. These appear to be the specific areas being raised by Council at this time, most recently at the March COTW meeting.

Anticipating that there will be discussion points surrounding 1. the roundabout scheduled for Payzant and Wentworth intersection, 2. the Payzant to King Connector (the proposed WHRM section) and 3. Payzant extension (Parsons Green's section of Payzant), it is important for the Council to consider only the requirements of the DA in relation to the road requirements identified as 3. Payzant extension. We encourage discussions and clarification on the distinction between the matters if required by Council.

Planner Dunphy will further address in his Public Hearing presentation the language within the DA that directs the parties when the infrastructure installation is to be scheduled in relation to the development phases. Staff have initiated discussions with the applicant as well our solicitor to see what amendments are to be added or alternately provided to ensure all parties understand and agree to a road construction schedule and cost responsibilities should the road be constructed alternatively outside of the schedule suggested in the DA. At the time this report was posted on March 22, 2024 draft terms have not been provided by the solicitor or

reviewed by the applicant. If changes to the DA are requested or alternative language regarding road construction schedule is required by Council before concluding the Public Hearing process or prior to second reading, it would be appropriate to adjourn the public hearing until a later date. If no additional information is required Council may elect to conclude the public hearing and proceed to second reading for a decision from Council on the matter.

We await Councils' direction on this matter.

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Sara Poirier, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Appendix A –
2024-02-27 Staff Report - Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive; File # 23-04A

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: February 27, 2024

Subject: Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive; File # 23-04A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

RECOMMENDATION

Should Council wish to proceed to Public Hearing, the following motions would be in order:

…that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to allow up to 280 units within grouped multi-unit apartment buildings and 18 townhouse units on PIDs 45053030, 45343878, 45343894, and 45234382 Payzant Drive in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-04 to the Planning and Heritage Advisory Committee dated February 8, 2024.

…that Council requires that the development agreement with Abraham Zebian on behalf of 3324482 NOVA SCOTIA LIMITED for PIDs 45053030, 45343878, 45343894, and 45234382 on Payzant Drive in Windsor 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	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐

	Opinion ☐				

An application was received from Noel Taiani of Parsons Green Developments on behalf of the property owner 3324482 NOVA SCOTIA LIMITED on March 15, 2023. The application was to allow a proposed development including a total of 280 apartment units, across 4 multiple-unit apartment buildings and 18 townhouse units grouped on the subject lots by development agreement. Abraham Zebian is the President of 3324482 NOVA SCOTIA LIMITED.

DISCUSSION

A Public Information Meeting was held on May 11, 2023.

On February 8, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed reduced yard requirements, proposed driveway access, the timeline for the road extension completion, the existing watercourse, and the Traffic Impact Study (TIS). Staff have included that TIS as Appendix B in this report. The Traffic Authority indicated that there were no concerns regarding the contents of the TIS.

During the February 8 meeting, PAC/HAC recommended in favour of the application.

NEXT STEPS

The process for this application is as follows:

Process

Public Information Meeting – May 11, 2023

▼

Staff Review

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – February 8, 2024

▼

Council First Reading – February 27, 2024

▼

Public Hearing & Second Reading – March 26, 2024*

▼

Notice of Approval in Local Paper

▼

14-Day Appeal Period

FINANCIAL IMPLICATIONS

A road extension of Payzant Drive would be required in order to service this proposed development. The developer will be required to construct the extension of Payzant Drive and all associated infrastructure to the extent of the frontage of the subject lots. Separately, during the June 27, 2023 Council meeting, Council directed staff to begin the process of designing the Payzant Drive to King Street connection. Any connection outside of what would be constructed by the developer to provide frontage and access to this development would be a cost to the Municipality.

ALTERNATIVES

In response to this 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; or
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

Appendix A	2024-02-08 Staff Report - Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive; File # 23-04
Appendix B	2023-07-26 Traffic Impact Study – Payzant Drive Development

CHIEF ADMINISTRATIVE OFFICER REVIEW

CAO comments to follow.

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Sara Poirier, Director of Planning and Development

Appendix A –
2024-02-08 Staff Report - Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive; File # 23-04

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: February 8, 2024

Subject: Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive; File # 23-04

LEGISLATIVE AUTHORITY

Municipal Government Act Section 230

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 allow up to 280 units within grouped multi-unit apartment buildings and 18 townhouse units on PIDs 45053030, 45343878, 45343894, and 45234382 Payzant Drive in Windsor which is substantively the same as the draft set out in Attachment B of the report File #23-04 to the Planning and Heritage Advisory Committee dated February 8, 2024.

…that PAC/HAC recommends that Council require that the development agreement with Abraham Zebian on behalf of 3324482 NOVA SCOTIA LIMITED for PIDs 45053030, 45343878, 45343894, and 45234382 on Payzant Drive in Windsor 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 ☐

An application was received from Noel Taiani of Parsons Green Developments on behalf of the property owner 3324482 NOVA SCOTIA LIMITED on March 15, 2023. The application was to allow a proposed development including a total of 280 apartment units, across 4 multiple-unit apartment buildings and 18 townhouse units grouped on the subject lots by development agreement. Abraham Zebian is the President of 3324482 NOVA SCOTIA LIMITED.

DISCUSSION

The subject lots are designated Residential on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). The subject lots are zoned Single Unit Residential (R-1) on Schedule A of the Windsor Land Use By-law (WLUB) (Figure 2).

Surrounding Context

Properties surrounding the subject lots are primarily designated Residential and Community Use. The properties designated Residential range in zoning from Single Unit Residential (R-1) to High Density Residential (R-4) and Agriculture (AG). Properties designated Community Use are zoned either Institutional (I) or Open Space (OS). The Avon View High School is located east of the subject lots. The Windsor Baptist Church and two-unit residential dwellings are located north of the subject lots. King Street is located south and west of the subject lots.

Payzant Drive Extension

Staff have been in discussions with the Public Works Engineering Division regarding the required road extension to Payzant Drive in order to service this proposed development. The developer will be required to construct the extension of Payzant Drive to the extent of the frontage of the subject lots. This process has overlapped with the consideration for a connection from Payzant Drive to King Street to provide improved access to the uses currently on Payzant Drive. Work has begun on the design of the connection to King Street and may require a small portion of the land on which the proposed development is sited. This portion of land has been captured in the draft development agreement through a road reserve, which if deemed unnecessary for the connection to King Street, will allow the developer to develop on the road reserve as normal.

Municipal Planning Strategy Document Review

Policy 5.4.6 is one of the two enabling policies to be considered for this application. This policy provides Council with the ability to consider new multiple-unit grouped dwellings by development agreement in the Residential designation. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria since:

- the proposed development is generally consistent with the High Density Residential (R-4) zone standards;

- the future Municipal road, constructed at the cost of the developer, will provide adequate access to the proposed development;
- adequate on-site parking, amenity space, and buffering will be required for the proposal as per the draft development agreement; and
- the Development Officer and the Municipal Traffic Authority have no concerns which have not been addressed in this report.

Policy 5.5.1 is the second enabling policy to be considered for this application. This policy provides Council with the ability to consider permitting dwellings in excess of three storeys by development agreement, in any residential zone. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria since:

- the draft development agreement requires side yards to be at least one-half the height of the buildings above 3 storeys;
- the draft development agreement restricts the apartment buildings to 5 storeys in height and in no instance are they to exceed 80 ft (24.38 m) in height; and
- the proposal building is compatible with the surrounding area in terms of design, height and scale.

Policy 16.3.1 establishes the general criteria that all development agreements must meet. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- the costs relating directly to the development will not impact the Municipality.; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Public Works Engineering Division, and Municipal Traffic Authority have no concerns which have not been addressed in this report.

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, including the western subject lots.

In accordance with the Municipal Services Specifications Manual, the Public Works Engineering Division will require the developer to provide a stormwater management plan showing that the pre- and post-development flows are neutral or better than before the development. Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the draft development agreement has been considered within the context of both the specific and 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 consider permitting a multiple-unit residential development, consisting of 280 apartment units and 18 townhouse units on PIDs 45053030, 45343878, 45343894, and 45234382 in Windsor by development agreement.

Process

Public Information Meeting – May 11, 2023

▼

Staff Review

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – February 8, 2024

▼

Council First Reading – February 27, 2024*

▼

Public Hearing & Second Reading – March 26, 2024*

▼

Notice of Approval in Local Paper

▼

14-Day Appeal Period

FINANCIAL IMPLICATIONS

A road extension of Payzant Drive would be required in order to service this proposed development. The developer will be required to construct the extension of Payzant Drive and all associated infrastructure to the extent of the frontage of the subject lots. Separately, during the June 27, 2023 Council meeting, Council directed staff to begin the process of designing the Payzant Drive to King Street Connection. Any connection outside of what would be constructed by the developer to provide frontage and access to this development would be a cost to the Municipality.

ALTERNATIVES

The Planning and Heritage Advisory Committee (PAC/HAC) may:

- hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of PAC/HAC; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1 Windsor GFLUM Extract

Figure 2	Windsor Zoning Map Extract
Attachment A	Policy Summary for Development Agreement
Attachment B	Draft Development Agreement
Attachment C	Public Information Meeting Notes

Report Prepared by: _____

Alex Dunphy, Planner

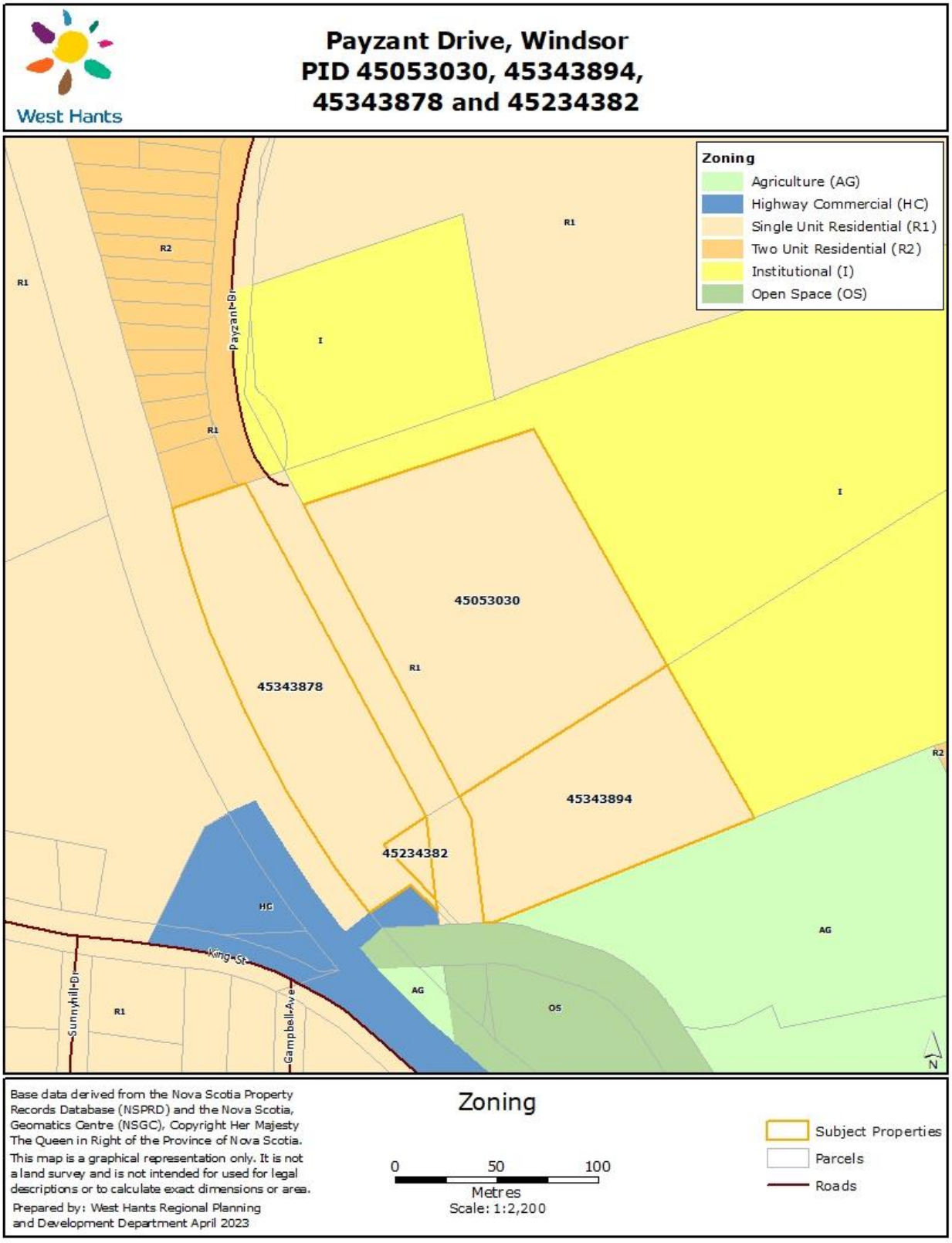
Report Approved by: _____

Sara Poirier, Director of Planning and Development

Figure 1 – Windsor GFLUM Extract



Figure 2 – Windsor Zoning Map Extract



Attachment A – Policy Summary for Development Agreement

Policy 5.4.6 *It shall be the policy of Council to consider entering into a development agreement to allow, in the Residential designation, new multiple unit residential development consisting of three or more units, grouped dwellings, boarding houses and residential care facilities, as well as the conversion of existing buildings to three or more units, subject to the following:*	
(a) the proposed use meets one of the following:	
(i) in the case of a new building or the conversion of an existing non-residential building, that the development is generally consistent with the High Density Residential (R-4) zone standards; or	The development will be generally consistent with the High Density Residential (R-4) zone standards. The front and rear yard setbacks, as well as the minimum lot size have been reduced to allow the proposed density requested. The Development Officer commented that the reduced lot requirements were deemed acceptable.
(ii) in the case of a conversion of an existing residential building, that any addition or enlargement to the building meets the setback requirements of the zone in which it is located, or that any undersized setbacks are not further reduced by the addition or enlargement;	Not applicable as the proposal is for a new construction.
(b) the height, bulk, lot coverage and appearance of any building is compatible with adjacent land uses;	The individual apartment buildings within the proposal are of a similar size or smaller in scale than another multi-unit residential development that have been previously approved by Council on Payzant Drive. In addition, nearby larger buildings include the Avon View High School and the Hants Community Hospital. The height, bulk, lot coverage, and appearance of the buildings within the development are considered to be compatible with the land uses in the area.
(c) the development is considered compatible with the residential character of the area with	A Traffic Impact Study was provided for the proposed development and the study indicated that no improvements

respect to traffic generation and population density;	to accommodate traffic generated by the proposed development were recommended. The Municipal Traffic Authority commented that they have no concerns regarding traffic generation or density for the proposed development as the proposed extension to Payzant Drive will be required to be built to the standard of the Municipal Services Specifications Manual.
(d) consideration is given to the provision of fences and/or landscaping as part of the residential development to minimize effects on adjacent land uses;	The draft development agreement outlines the buffering and landscaping requirements for all parking areas of the development.
(e) adequate on-site parking is provided and parking areas are well designed;	The proposal provides more parking spaces than what is required based on the draft development agreement. The Development Officer commented that they have no concerns regarding the parking proposed to be provided.
(f) there is adequate on-site recreational open space suitable in extent and design to the nature of the development; for conversion of existing buildings, nearby public parks may be deemed sufficient;	The draft development agreement requires that amenity space is provided in accordance with Section 10.5 of the WLUB.
(g) the development abuts an arterial or collector street as shown on the Transportation Map (Map 2), if the development consists of 12 or more units;	As stated in Policy 5.4.6 (c), the proposed extension to Payzant Drive will be required to be built to the standard of the Municipal Services Specifications Manual. That road extension will provide direct access to the proposed development.
(h) the architectural design of the development is reasonably consistent with the provisions of the Architectural Design Manual if the proposed development is located in an Architectural Control District;	Not applicable as the subject lots are not within an Architectural Control District.

(i) in the case of the conversion of an existing structure, renovations can be made to ensure the safety of residents in case of fire;	Not applicable as the proposal is for a new build, not the conversion of an existing building.
(j) any other matter which may be addressed in a development agreement; and	All relevant matters have been addressed in this report.
(k) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.	See below.
Policy 5.5.1 *In any residential zone, Council may consider permitting dwellings in excess of three storeys by development agreement, subject to the following conditions:*	
(a) the side yards are at least one-half the height of the building;	The draft development agreement requires that the side yards for the proposed apartment buildings to be at least one-half the height of the building.
(b) the building will in no instance exceed 80 ft (24.38 m) in height;	The draft development agreement limits the proposal to 5 stories in height. The maximum building height will not exceed 80 ft.
(c) the building design, height and scale is compatible with the surrounding area;	As stated in Policy 5.4.6 (b), larger multi-unit residential development was approved by Council on Payzant Drive and Community Way. As well as other nearby larger uses including the Avon View High School and the Hants Community Hospital. The Development Officer commented that the height, design, and scale of the buildings within the development are considered to be compatible with the surrounding area.
(d) any other matter which may be addressed in a development agreement; and	All relevant matters have been addressed in this report.
(e) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.	See below.

Policy 5.4.5	See Policy 5.4.6 (f).

It shall be the policy of Council to require adequate recreational space for multiple unit residential development.	

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 Public Works Engineering Division commented that the current water and sewer services are adequate for the proposal, however if all potential projects in Windsor were to be constructed all at once, the current infrastructure installed and in service today would be close to an 'uncomfortable state'. In a meeting with the Public Works Engineering Division, staff confirmed that provided the Municipal infrastructure upgrades outlined in the 5-year capital plans stay on track, there should be no water or sewer capacity issues for Windsor.
(ii) the adequacy of school facilities;	The Regional Executive Director for the Annapolis Valley Regional Centre for Education has stated that their facilities will accommodate any new development.
(iii) the adequacy of fire protection;	The Manager of Building and Fire Inspection Services commented that they had no issues, but the apartment buildings would need to have sprinkler systems installed and that comments from the Fire Chief would be required to confirm that they are equipped to handle a 5-storey building. The Public Works Engineering Division confirmed that a fire flow test would be

	required to be conducted. This would likely have to occur after the developer has replaced the water main servicing the development. The local Fire Chief has commented that the proposal has 360 access to the apartment buildings and that beyond the normal mountable curbs and overhead obstruction prevention which are included in the draft development agreement, there were no further concerns regarding firefighting capacity.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	A Traffic Impact Study was requested for the proposed development. The Traffic Impact Study indicated that no improvements to accommodate traffic generated by the proposed development were recommended. In a meeting with the Traffic Authority and the applicant, it was determined that a road reserve was required in order for the Municipality to connect the Payzant Drive road extension to King Street. The Traffic Authority commented that they had no further concerns regarding the road networks adjacent or leading to the development.
(v) the financial capacity of the Town to absorb any costs relating to the development.	A road extension of Payzant Drive would be required in order to service this proposed development. The developer will be required to construct the extension of Payzant Drive and all associated infrastructure to the extent of the frontage of the subject lots. Any connection outside of what would be constructed by the developer to provide frontage and access to this development would be a cost to the Municipality. The costs relating directly

	to the development will not impact the Municipality.
(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic	The Traffic Authority commented that they had no concerns regarding movement suitability for the proposed development. Sidewalks are required on the future Municipal road which will service the proposed development and will connect to the existing sidewalk on Payzant Drive. Pedestrian walkways are required to all building entrances in the draft development agreement. There is no active rail line in the vicinity.
(c) the adequacy of the dimensions and shape of the lot for the intended use	The Development Officer commented that the subject lots are suitable in terms of dimension and shape for this proposal.
(d) the pattern of development which the proposal might create;	The proposal is within the Residential designation, one which Council intends for the ability to consider multi-unit residential developments. The Development Officer commented that they had no concerns regarding the pattern of 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 subject lots are relatively flat and cleared. The subject lots have not been identified to be within either the Dykelands or Environmental Constraints overlays on the Zoning Map for the Windsor Land Use By-law. A small watercourse has been identified on the western portion of the subject lots. The usual watercourse setback for any development will be required.
(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all	All Municipal, Provincial, and Federal regulations will have to be met.

other relevant municipal by-laws and regulations; and	
(g) any other matter required by relevant policies of this Strategy.	All relevant matters have been addressed in this report.

Attachment B – Draft Development Agreement



DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2023.

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 -

3324482 NOVA SCOTIA LIMITED a body corporate, with a head office at 31 Cochrane Lane, Sweets Corner, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Owner")

OF THE SECOND PART

WHEREAS the Owner is the registered Owner of the parcels of land located on Payzant Drive (PIDs 45053030, 45343894, 45343878, and 45234382), hereinafter referred to as the "Properties", which lands are more particularly described in Schedule A attached hereto; and

WHEREAS PIDs 45053030, 45343894, 45343878, and 45234382 are designated Residential on the Generalized Future Land Use Map of the Municipal Planning Strategy and zoned Single Unit Residential (R-1) on the Zoning Map of the Land Use By-law; and

WHEREAS the Owner has requested that the Municipality enter into a development agreement to permit up to 280 apartment units and up to 18 townhouse units grouped on the Properties (the "Development"); and

WHEREAS Policy 5.4.6 of the Municipal Planning Strategy and Section 6.1 (b) of the Land Use By-law enable Council to consider entering into a development agreement to allow new multiple unit residential developments consisting of three or more units in a Residential designation, and Policy 5.5.1 of the Municipal Planning Strategy and Section 6.1 (c) of the Land Use By-law enable Council to consider entering into a development agreement to allow new dwellings in excess of three stories in a residential zone; and

WHEREAS the Council of the Municipality, at a meeting held on Month Day, 2024, 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 By-law, except those defined as follows:

(a) "Active Construction" means that the Owner has active development and building permits for the construction of the apartment building and the associated parking podium, and that construction activity including but not limited to equipment, machinery, and employees, are on-site working towards the necessary building inspections leading to an occupancy permit;

(b) "Ceased Operation" means the stopping of work on a particular building within the Development once active construction has commenced for an extended period of time, but shall not apply to the period of time between phases or stoppages of a seasonal nature or resulting from Force Majeure;

(c) "Commencement" means the date the Owner begins Active Construction on the apartment buildings within this Agreement as permitted by an issued development and building permit;

(d) "Front Lot Line" means the Property line abutting the future public street on PIDs 45213980 and 45234374;

(e) "Mechanical Penthouse" means an enclosed structure and/or area located on the roof surface of the building that may include mechanical equipment such as generators, cooling towers, chillers, electrical equipment, and elevator shafts;

(f) "Minor Change" means an alteration which does not affect the intent of this Agreement or require an amendment to the text of this Agreement;

(g) "Rear Lot Line" means the lot line furthest from or opposite to the front lot line;

(h) "Side Lot Line" means a lot line other than a front or rear lot line;

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, effective on September 21, 2005, as amended, or successor by-laws;

(b) Land Use By-law means the Land Use By-law of the Town of Windsor, effective on September 21, 2005, as amended, or successor by-laws;

(c) Subdivision By-law means the Subdivision By-law of the Town of Windsor, effective on March 21, 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;

(ii) four, five (5) storey apartment buildings, each containing up to 70 dwelling units, up to an aggregate maximum of 280 apartment units on PIDs 45053030 and 45343894;

(iii) townhouse units including up to 18 dwelling units on PID 45343878;

(iii) amenity space contained within the apartment buildings; and

(iv) underbuilding, underground and surface parking for the uses within the buildings.

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 of the townhouse buildings located on PID 45343878 shall follow requirements as listed in Section 2.2 (b). The Development location and design of the apartment buildings located on PIDs 45053030 and 45343894 shall follow the requirements as listed in Section 2.2 (c).

(b) The townhouse buildings shall be limited to a maximum of 18 dwelling units and shall be limited to 6 units per group. The townhouses may include underground and underbuilding parking and shall conform to the following requirements:

Minimum Front Yard	15 ft. (4.57 m.)
Minimum Rear Yard	35 ft. (10.67 m.)
Minimum Side Yard	10 ft. (3.05 m.)*
Maximum Building Height	35 ft. (10.67 m.)
Maximum Height of Accessory Building	15 ft. (4.57 m.)

*No side yard setback is required along the common lot boundary dividing townhouse units

(c) The four (4) apartment buildings shall be limited to a maximum of 280 dwelling units in total. The buildings may include underground and underbuilding parking and shall conform to the following requirements:

Maximum Number of Units per Building	70
Minimum Front Yard	25 ft. (7.62 m.)
Minimum Rear Yard	25 ft. (7.62 m.)
Minimum Side Yard	15 ft. (4.57 m.) or half the height of the main building
Maximum Storey of Main Buildings	5 storeys*
Maximum Height of Accessory Buildings	15 ft. (4.57 m.)

*The building will in no instance exceed 80 ft (24.38 m) in height

(d) Subject to the approval in writing of the Municipal Engineer, the lot for the apartment building located furthest away from the future municipal road may be created on a right-of-way that is at least 19.69 ft. (6 m.) wide and shall not require any frontage. The lots for all other apartment buildings shall have a minimum lot frontage of 100 ft. (30.48 m.) on the future municipal road.

(e) In the event that the Owner chooses to build and occupy one apartment 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.

(f) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*.

(g) Recreational space shall be regulated under Section 10.5 of the Land Use By-law, *Recreational Space*, and may include:

(i) individual balconies;

(ii) dedicated indoor amenity space; and

(iii) common use landscaped areas.

(h) The Owner shall keep all undeveloped areas of the Properties landscaped which may include grass, shrubs, trees or other appropriate vegetative cover.

2.3 Access and Egress

(a) The Owner shall develop, construct, and maintain the two shared driveways in the Development. One driveway shall be required for the first and second apartment building and the second driveway shall be required for the remaining apartment buildings. The distance between the driveways must be approved by the Municipal Engineer in accordance with the Municipal Specifications Manual.

(b) The driveways 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. The vehicular entrance and exit shall be clearly demarcated.

(c) The Owner agrees that it will seek and obtain approval in writing from the Municipality before any driveway from the Development is connected to Payzant Drive or any other public road.

2.4 Road and Municipal Services

(a) Roads and Municipal Services in the development shall conform to the following:

(i) the layout of the street extension within the development shall be as generally shown on Schedule B. The Development Officer, in consultation with the Municipal Engineer, may give consideration to minor incidental

changes to the design of the street extension, without such changes being deemed to be amendments to this development agreement;

(ii) the street extension, municipal services, and stormwater management within the Development shall be designed and constructed in accordance with the requirements of the Municipal Services Specifications Manual. Detailed design plans of the street networks, water and sewer servicing, and storm water systems shall be approved by the Municipal Engineer for each phase of the development prior to construction commencing for that phase;

(c) Prior to the completion of the first phase of the Development, the water main running through PIDs 45213980 and 45234374 must be replaced at the expense of the Owner; and

(d) A 5 ft. (1.52 m.) wide pedestrian walkway shall be provided along the street extension to the main entrances of the apartment buildings. The pedestrian walkways shall be constructed so as to create a stable surface and may use permeable construction materials to assist with stormwater retention.

(e) Construction of the road extension through the entirety of PIDs 45213980 and 45234374 and all relevant infrastructure shall be completed by 2030, to allow the connection of the extension of Payzant Drive to King Street. If by mutual agreement between the Municipality and the Owner, the road extension completion date may be changed.

2.5 Parking

(a) All required parking spaces for the apartment buildings shall be located on the same lot as that building.

(b) All parking spaces for vehicles using the townhouses shall be located on the same lot as the townhouses.

(c) A minimum of one (1) parking space per dwelling unit shall be provided for each apartment building.

(d) Parking may be provided either underbuilding, underground or outside at grade.

(e) 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.

(f) Each required 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 spaces provided in addition to the required parking spaces may be built without meeting the minimum size requirement for the use of a compact vehicle. Parking aisles shall be a minimum of 20 ft. (6.1 m.) wide.

(g) The number of parking spaces may be varied in writing by the Development Officer in accordance with Section 2.13, *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) connected to the municipal water supply has been approved by the water utility, in consultation with the district Fire Chief.

(b) Specific curbs shall be designed to be mountable by emergency services vehicles as determined by the Manager of Building and Fire Inspection Services in consultation with the local Fire Chief.

(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 Properties by emergency services vehicles, unless otherwise agreed to in writing by the Fire Chief.

2.7 Buffering

Outdoor parking for the apartment buildings and townhouses shall be screened from lots outside of the Development, through the use of:

(a) a mix of local species of coniferous trees. At planting, each tree shall have a diameter of at least 2 in. measured at 4.5 ft. (1.37 m.) above the surrounding grade and a minimum height of 5 ft. (1.52 m.); or

(b) a hedge of a variety of coniferous shrubs each of which will reach over 6 ft. (1.83 m.) in height at maturity; or

(c) a wall or an opaque fence which is a minimum of 5 ft. (1.52 m.) in height and of sufficient height to provide a visual buffer to the abutting property; or

any combination of the above, all arranged to form a dense or opaque screen, and shall be maintained to that standard.

2.8 Site Drainage

(a) No development permit shall be issued until the Owner provides to the Development Officer a stormwater management plan that satisfies 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. If the stormwater management plan provided by the Owner does not in fact balance pre-and post-construction flows to ensure the absence of such impacts the Owner shall undertake such remediation as the Municipal Engineer may reasonably require.

(b) 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.

2.9 Servicing

(a) Waste Collection

(i) No Municipal garbage collection will be provided to the apartment buildings. The Owner shall have sole responsibility for collecting, storing and disposing of garbage and other recycling or waste items from the apartment buildings.

(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) The buildings 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 Properties.

(c) Snow Plowing

The Owner shall have sole responsibility for snow plowing within the Development, excluding the street extension to Payzant Drive upon conveyance to the Municipality.

2.10 Maintenance

(a) The Owner shall keep the Properties 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 driveways to a level adequate to allow for access by emergency services vehicles.

2.11 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.

2.12 Subdivision

(a) As noted in Section 2.2 (e) the lot for the apartment building located furthest from the front lot line shall be permitted to be subdivided on a right-of-way approved in writing by the Municipal Engineer.

(b) At the time of subdivision application, the Owner must convey a right-of-way to ensure continued access/egress from the future municipal road and convey easements for any services including but not limited to water, sewer and stormwater, from the lot on which the driveway is constructed in favour of the subsequent lots to ensure continued access/egress and servicing to those lots regardless of future ownership. The Owner acknowledges that the shared driveways from the future Municipal road and the services which may cross the lot on which the driveway is constructed to service the subsequent lots are a joint and several responsibility of each owner of the lots benefiting from the infrastructure.

(c) Subdivision of the properties shall be permitted in accordance with the applicable Subdivision By-law, with the exception of Section 2.12 (a) and the minimum lot size, which shall be 55,000 sq. ft. per lot. No additional parkland or parkland fees shall be required for subdivision or consolidation of the properties subject to this agreement.

(d) Subject to Section 2.2 (b) of this Agreement, any lot(s) subdivided from PID 45343878 that will be developed as townhouses under this Agreement, shall no longer be subject to this Agreement.

2.13 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, excepting side yard setbacks, as required in Section 2.2 (c) of this Agreement;
(ii) minimum required yard dimensions as required in Section 2.2 (d) of this Agreement; and
(iii) number of parking spaces required.

2.14 Road Reserve

In accordance with the Payzant Drive Extension Plan, a road reserve on PID 45343894 will be required to ensure that there is available land to construct the Payzant Drive extension, as shown on Schedule B. In the event that the Municipal Engineer determines in their discretion that the road reserve is unnecessary for the construction of the Payzant Drive extension, the Developer may construct on this portion of the lot with the permission in writing of the Municipal Engineer and the Development Officer, and changes to the Site Plan reflecting this will be deemed not to be an amendment to this agreement.

2.15 Phasing

(a) Construction of the first apartment building and all relevant infrastructure and landscaping as outlined in Section 2.2 (h) of this Agreement shall be completed within seventy-two (72) 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 all apartment buildings and all relevant infrastructure and landscaping as outlined in Section 2.2 (h) of this Agreement shall be completed within one hundred and twenty (120) months of the actual commencement of the Development 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 the

apartment buildings 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.

PART 3 CHANGES AND DISCHARGE

3.1 The Owner shall not increase the number of apartment buildings, or the number of units within any apartment buildings on the Properties 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 this Agreement.

3.3 The following matters are substantive matters:

(a) the maximum number of units permitted within the Development and within each component thereof as listed in Section 2.1, *Use*;
(b) the maximum height and storeys of the apartment buildings as listed in Section 2.2, *Development Location and Design;*
(c) the fire safety requirements listed in Section 2.6, *Fire Safety*;
(d) the landscaping requirements in Section 2.7, *Buffering*; and
(e) the requirements for a stormwater management plan to be submitted prior to a development permit being issued as listed in Section 2.8, *Site Drainage*.

3.4 Upon conveyance of land by the Owner to either:

(a) the Municipality 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 or infrastructure 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 in whole or in part may be given by the Municipality to the Owner following a resolution of Council to give such Notice:

(a) as provided for in 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 Properties is in accordance with the Land Use By-law or a new Agreement has been entered into.

3.7 Council may discharge this Agreement in whole or in part 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. The date of commencement will be determined as the date the Owner begins Active Construction on the building within this Agreement as permitted by an issued development and building permit.

(b) Active Construction shall commence not later than forty-eight (48) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* 30 days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of Development without such an extension being deemed to be an amendment to this Agreement.

(c) If the Owner is bona fide delayed from commencing the Development for reasons which are beyond the Owner's control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owner is excused for the period of the delay and the time period for the Owner

to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

4.2 Material to be Provided

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

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

PART 5 ADMINISTRATION and COMPLIANCE

5.1 Compliance with other By-laws and Regulations

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

(b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Properties (other than the Land Use By-law and Subdivision by-law to the extent expressly 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 Properties 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 have 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 Abraham Zebian at 31 Cochrane Lane, Sweets Corner, NS, B0N 2T0, or at any other address provided in writing or email 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 in writing or email 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	) Mark Phillips, Chief Administrative Officer
	)
	)
	)
_____	) Per: _____
Witness	) Deanna Snair, Municipal Clerk
	)
	)
	)
	) 3324482 NOVA SCOTIA LIMITED
	)
	)

	)
_____	Per:_____
Witness	) Abraham Zebian, President

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2024, 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 presence.

_____

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2024, 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, **Abraham Zebian**, one of the parties thereto, signed, sealed and delivered the same in 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 _____, 2024
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, Abraham Zebian, Nova Scotia, make oath and say that:

1. I, Abraham Zebian, of **3324482 NOVA SCOTIA LIMITED** 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 Ownerhip 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 _____, 2024
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

Abraham Zebian, President

Schedule A
Legal Description

PID 45053030

ALL THAT lot of land and premises, situate, lying and being in the Town of Windsor, County of Hants, Province of Nova Scotia, being PID # 45053030 and bounded and described as follows:

BOUNDED AND LYING north and east of the road allowance owned by the Town of Windsor, shown as Lot A on an Expropriation Plan registered in the Land Registry Office for the County of Hants on January 01, 1971 as Plan # 126, and being PID # 45213980;

BOUNDED AND LYING south and west of those lands owned by HER MAJESTY THE QUEEN and shown on a plan of survey (Field Plot No. P-063/02) signed on the 14th day of June, 2002 by Greg Smith, Nova Scotia Land Surveyor, and filed in the Department of Natural Resources Office, Halifax, Province of Nova Scotia;

AND BOUNDED AND LYING north of the lands more particularly described as follows and being PID # 45343894:

ALL that certain lot, piece or parcel of land situate, lying and being at Windsor in the County of Hants, Province of Nova Scotia and being more particularly described as follows:

BEGINNING at a survey marker placed on a northern boundary of Lot AB-1, land now or formerly of Dwight Banks, situate (by grid bearings referenced to the Nova Scotia Three degree Modified Transverse Mercator Projection, Zone 5, central meridian Sixty-four degrees Thirty minutes West longitude) North Sixty-four degrees Seventeen minutes Zero One seconds East a distance of Two Hundred Twenty-six decimal Nine Six Three metres from Nova Scotia Coordinate Monument No. 8629 having coordinate values (Northing 4,982,024.877 metres, Easting 5,529,748.857 metres);

THENCE (from the place of beginning) South Sixty-seven degrees Zero Zero minutes Zero Zero seconds West following a northern boundary of Lot AB-1, land now or formerly of Dwight Banks, a distance of One Hundred Thirty-six decimal Six Nine Seven metres to a survey marker on a northern boundary of Parcel OHR-2, land now or formerly of the Town of Windsor, formerly the Old Halifax Road;

THENCE South Eighty-six degrees Twenty-one minutes Twenty-three seconds West following a northern boundary of Parcel OHR-2, land now or formerly of the Town of Windsor, formerly the Old Halifax Road, a distance of Four decimal Four Two Eight metres to a southeastern corner of Lot D, land now or formerly of the Town of Windsor;

THENCE northwesterly following an eastern boundary of Lot D, land now or formerly of the Town of Windsor, to a point being the southwest corner of lands now or formerly of Gary Edward Dill;

THENCE following the southerly boundary of lands now or formerly of Gary Edward Dill to a survey marker placed on a southwestern boundary of lands now or formerly of Her Majesty the Queen, in right of the Province of Nova Scotia, being the Avon View High School lands;

THENCE South Twenty-eight degrees Thirty-eight minutes Fifty-one seconds East following a southwestern boundary of the said school land a distance of Eighty-three decimal Two Nine Five metres to the place of beginning.

The parcel is exempt from the requirement for subdivision approval under the Municipal Government Act because it is the remainder parcel after the subdivision of Adjoining lands.

PID 45343878

ALL THAT lot of land and premises, situate, lying and being in the Town of Windsor, County of Hants, Province of Nova Scotia, being PID # 45343878 and bounded and described as follows:

BOUNDED AND LYING south and west of the road allowance owned by the Town of Windsor, shown as Lot A on an Expropriation Plan registered in the Land Registry Office for the County of Hants on January 01, 1971 as Plan # 126, and being PID # 45213980;

AND BOUNDED AND LYING east of the railway lands being PID # 45343894 and shown on Retracement Plan 7004B registered in the Land Registry Office for the County of Hants on January 01, 1993;

AND BOUNDED AND LYING south of the lands conveyed by Annie May Burgess to the Nova Scotia Farm Loan Board by a deed dated the 30th day of September, 1981 and recorded in the Land Registry Office for the County of Hants as Document number 500884241 and being PID # 45358314;

AND BOUNDED AND LYING north and west of the lands conveyed by Phillip Burgess and Patricia Burgess to Gary E. Dill by a deed recorded in the Land Registry Office for the County of Hants on April 14, 2005 as Document number 81731110 and being PID # 45234382;

AND BOUNDED AND LYING north and west of lands owned by the Town of Windsor and described as Part D on a Plan of Survey filed as P-284 in the Land Registry Office for the County of Hants and being PID # 45234416;

AND BOUNDED AND LYING north and west of lands owned by Wilfred J Jodrey as shown on a Plan of Survey filed as P-284 in the Land Registry Office for the County of Hants and being PID # 45053048;

The parcel is exempt from the requirement for subdivision approval under the Municipal Government Act because it is the remainder parcel after the subdivision of adjoining lands.

PID 45343894

ALL that certain lot, piece or parcel of land situate, lying and being at Windsor in the County of Hants, Province of Nova Scotia and being more particularly described as follows:

BEGINNING at a survey marker placed on a northern boundary of Lot AB-1, land now or formerly of Dwight Banks, situate (by grid bearings referenced to the Nova Scotia Three degree Modified Transverse Mercator Projection, Zone 5, central meridian Sixty-four degrees Thirty minutes West longitude) North Sixty-four degrees Seventeen minutes Zero One seconds East a distance of Two Hundred Twenty-six decimal Nine Six Three metres from Nova Scotia Coordinate Monument No. 8629 having coordinate values (Northing 4,982,024.877 metres, Easting 5,529,748.857 metres);

THENCE (from the place of beginning) South Sixty-seven degrees Zero Zero minutes Zero Zero seconds West following a northern boundary of Lot AB-1, land now or formerly of Dwight Banks, a distance of One Hundred Thirty-six decimal Six Nine Seven metres to a survey marker on a northern boundary of Parcel OHR-2, land now or formerly of the Town of Windsor, formerly the Old Halifax Road;

THENCE South Eighty-six degrees Twenty-one minutes Twenty-three seconds West following a northern boundary of Parcel OHR-2, land now or formerly of the Town of Windsor, formerly the Old Halifax Road, a distance of Four decimal Four Two Eight metres to a southeastern corner of Lot D, land now or formerly of the Town of Windsor;

THENCE northwesterly following an eastern boundary of Lot D, land now or formerly of the Town of Windsor, to a point being the southwest corner of lands now or formerly of Gary Edward Dill;

THENCE following the southerly boundary of lands now or formerly of Gary Edward Dill to a survey marker placed on a southwestern boundary of lands now or formerly of Her Majesty the Queen, in right of the Province of Nova Scotia, being the Avon View High School lands;

THENCE South Twenty-eight degrees Thirty-eight minutes Fifty-one seconds East following a southwestern boundary of the said school land a distance of Eighty-three decimal Two Nine Five metres to the place of beginning.

SUBJECT to an easement for access and drainage over the above described lands and known as Easement C and being more particularly described as follows:

BEGINNING at a point situated on a northern boundary of Lot AB-1, land now or formerly of Dwight Banks, said point also being the southwestern corner of Parcel B and situate (by grid bearings referenced to the Nova Scotia Three degrees Modified Transverse Mercator Projection, Zone 5, central meridian Sixty-four degrees Thirty minutes West longitude) North Sixty-four degrees Seventeen minutes Zero One seconds East a distance of Two Hundred Twenty-six decimal Nine Six Three metres from Nova Scotia Coordinate Monument No. 8629 having coordinate values (Northing 4,982,024.877 metres, Easting 5,529,748.856 metres);

THENCE (from the place of beginning) South Sixty-seven degrees Zero Zero minutes Zero Zero seconds West following a northern boundary of Lot AB-1, land now or formerly of Dwight Banks a distance of One Hundred Thirty-six decimal Six Nine Seven metres to a point situated on a northern boundary of Parcel OHR-2, land now or formerly of the Town of Windsor, formerly the Old Halifax Road;

THENCE South Eighty-six degrees Twenty-one minutes Twenty-three seconds West following a northern boundary of Parcel OHR-2, land now or formerly of the Town of Windsor, formerly the Old Halifax Road, a distance of Four decimal Four Two Eight metres to a southeastern corner of Lot D, land now or formerly of the Town of Windsor;

THENCE North Zero Eight degrees Fifty-five minutes Twenty-four seconds West following an eastern boundary of Lot D, land now or formerly of the Town of Windsor, a distance of Nineteen decimal Two Two Six metres to a point;

THENCE North Sixty-seven degrees Zero Zero minutes Zero Zero seconds East a distance of One Hundred Thirty-four decimal Two Zero Nine metres to a point situated on a southwestern boundary of Parcel B, which said Parcel B forms a portion of lands now or formerly of Her Majesty the Queen in right of the Province of Nova Scotia, being the Avon View High School lands;

THENCE South Twenty-eight degrees Thirty-eight minutes Fifty-one seconds East following a southwestern boundary of Parcel B a distance of Twenty decimal Two One Five metres to the place of beginning.

The above described Easement C contains Zero decimal Two Seven Seven hectares.

PID 45234382

All that certain parcel of land situate at Currys Corner, Windsor, in the County of Hants, Province of Nova Scotia being a triangular piece of land lying to the west of Town of Windsor sewer line which said parcel is sketched as Harry Burgess and Ivan Burgess (Nova Scotia Farm Loan Board) on a Plan of Survey entitled Lands shown as Lots A, B, C, D, & E under Conveyance to the Town of Windsor for a Proposed Sewer Line Right-of-Way, said Lands being in or at

Currys Corner, in the Town of Windsor, NS made by E. Elliott, NSLS and recorded at the Office of the Registry of Deeds for the Registration District of Hants County on Januray 2, 1973 under Plan No. P-284, which said parcel may be more particularly bounded and described as follows:

Beginning at the point on the Westerly boundary of lands of the Town of Windsor shown as Lot A on said plan, intersects the northeasterly boundary of lands formerly of John Dill, now of Gary E. Dill;

Thence North 14 degrees 08 minutes East along lands of the Town of Windsor a distance of 102.0 feet to a point;

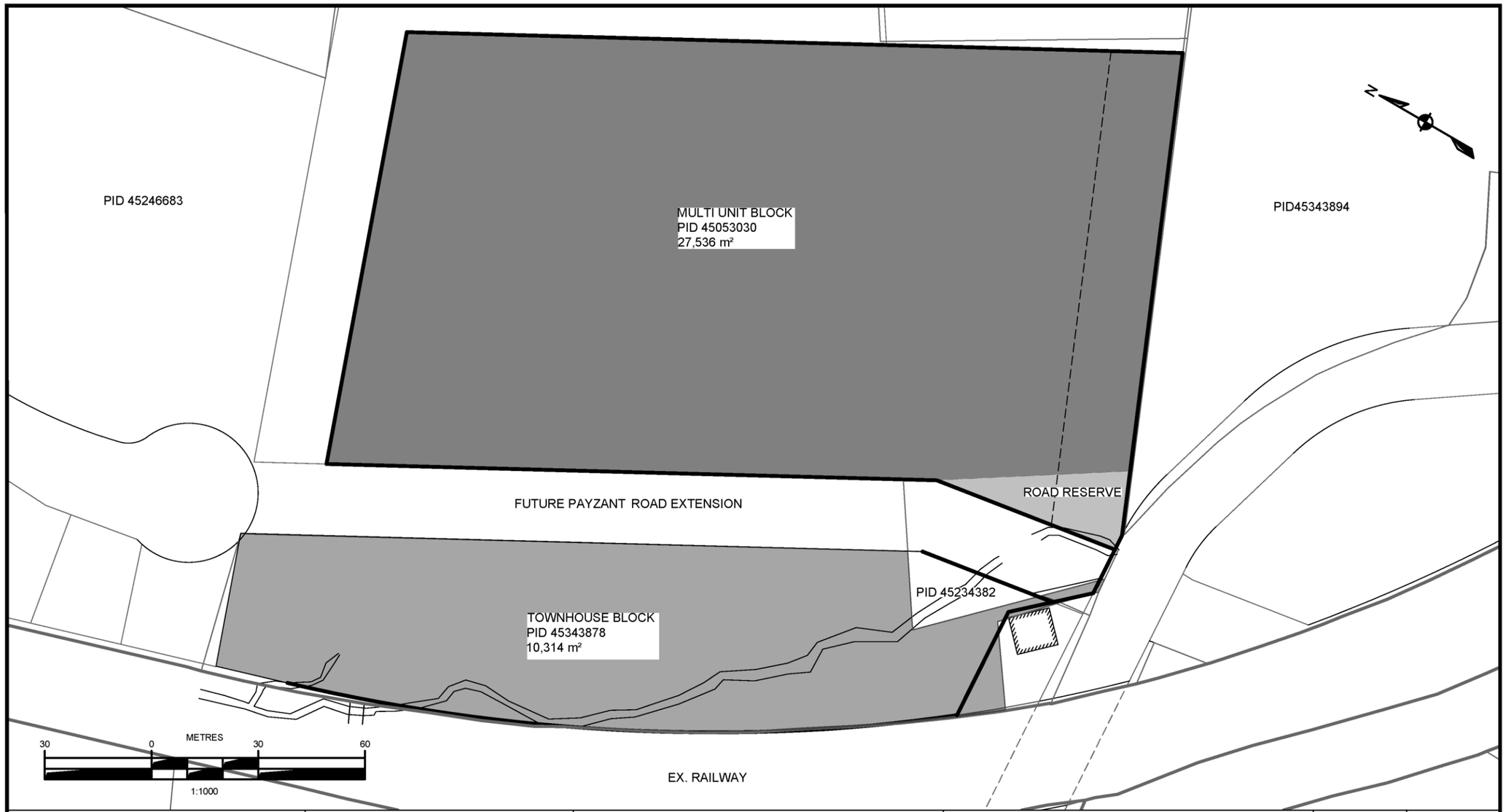
Thence North 7 degrees 45 minutes West continuing along lands of the Town of Windsor a distance of 9 feet, more or less, to a Southeasterly boundary of lands of Gary E. Dill;

Thence South 79 degrees 58 minutes West along lands of Gary E. Dill a distance of 59 feet, more or less to a point;

Thence South 19 degrees 20 minutes East along lands of Gary E. Dill to the place of beginning.

All bearings are magnetic for the year 1971.

Schedule B
Site Plan



CONSULTANT	CLIENT	PROJECT DESCRIPTION	SHEET DESCRIPTION		
DESIGNPOINT engineering • surveying • solutions 902.832.5597 designpoint.ca	PG DEVELOPMENTS	PAYZANT DRIVE EXTENSION WINDSOR, NOVA SCOTIA	SITE PLAN	Engineer: N. FOUGERE Scale: 1:1000 Project No.: 22-269 Filename: 22-269_Phases.dwg	Drawn: S. LOPES Date: Jan. 29, 2024 Drawing No.: 01 1 OF 01

P:\2022\22-269 Parsons Green - Payzant Drive\01 - Drawings\Eng Design\Sheets\22-269_Phases.dwg, Plot Date: 2024-Jan-29, Plot Size: ANSI FULL BLEED B (11.00 X 17.00 INCHES)

Attachment C – Public Information Meeting Notes
May 11 - May 25, 2023
Development Agreement: PIDs 45053030, 45343878, 45343894, and 45234382, Payzant Drive ; File # 23-04

Meeting date and time	A Public Information Meeting was held on May 11, 2023 beginning at 6:22 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for the first meeting: One (1) Chair: • Jennifer Nicholls (Chair) Four (4) members of staff: • Director Poirier • Planner Dunphy • Planner Fredericks • Planning Assistant Lake PAC/HAC Members: • Councillor Ivey • Councillor Murley • Jane Davis • Stefan Palios • Tasha Rogers • Lisa Bland Approximately 15 members of the public.
Applicant Noel Taiani on behalf of Abraham Zebian **Property** Payzant Drive, Windsor Multiple Use Residential (PIDs 45053030, 45343878, 45343894, and 45234382)	Planner Dunphy outlined the application to allow up to 280 apartment units and 18 townhouse units grouped on the subject lots by development agreement. The applicant did not give a presentation.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between May 11 – May 25, 2023. Staff received 2 pieces of written submissions during the comment period, included at the bottom of this chart. 5 members of the public spoke during the Public Information Meeting. The following are the comments from the public.

	Staff, Chair and applicant responses are included in purple text. • Grant Burgess commented that they live nearby and indicated that they were concerned with the sewer line that runs nearby the brook. • Rick Percal indicated that the sewer line runs through the proposal land. Rick also asked if the road would be extended from Payzant and if the road would connect to King Street and had concerns with traffic. Jennifer Nichols responded that concerns would be brought to the appropriate authorities to address issues such as traffic. • Grant Burgess indicated that the trail between the development was not a right-of-way but was being used as such by the public. Grant was concerned with the traffic on this piece of land. • David Pemberton had concerns regarding the traffic and how it would be addressed. Alex Dunphy replied that part of the application process is to address issues such as traffic through consultation with the Public Works Department and the Municipal Traffic Authority. • Kathy Pemberton was concerned with the view from their property being blocked and the value of their property. • Rick Percal asked what would be developed on the smallest property (PID 45234382). Alex Dunphy replied that nothing was indicated to be located on that property in the proposal and that sometimes the project area includes pieces of land that are not developed on. • Kathy Pemberton asked who the developer was and where they were located. Alex Dunphy replied that the developer was Parsons Green Developments and were present at the meeting. • David Cameron asked where the developer was from and how they acquired the property. David also commented that apartment buildings would introduce more cars and garbage to the area.
Adjournment	The presentation portion of the PIM ended at approximately 6:38 p.m.

Public Email Responses Submitted for the Application

May 12, 2023
From Tamara Stevens
To Alex Dunphy

Good day,

I wanted to comment on the proposed rezoning for the area on Payzant Dr. The pictures indicate that the area has been cleared and I am guessing it was probably farmland. I am quite concerned with the amount of farmland that is being rezoned both province-wide and locally. The population is increasing, and we are going to continue to need more food not less. I do not believe farmland should be rezoned at all regardless of how long it has been unused. We should be encouraging groups or individuals to develop any unused farmland for growing food not vineyards, actual food. As well, I would be interested in what level of rent will be demanded of tenants. If these apartments are going to be anything but low income, I don't believe that this is good development as I believe it would encourage people from outside the area rather than address the lack of living space for current residents. We have many struggling to find affordable housing, but the developers are only interested in what they can make a profit on. I think it important for government to determine this information prior to approval.

L.Tamara Stevens

May 25, 2023
From John Edgecombe
To Alex Dunphy

Dear Mr Dunphy, my name is John Edgecombe and live at *ADDRESS REMOVED* as well own the commercial property at *ADDRESS REMOVED*.

I sat through the public meeting on the 11th and after hearing what is proposed I wanted to send you a note.

The property in mention is zoned single family homes and I feel it should remain that way. As we build our community with families and seniors we need to keep our "town" feeling. If I wanted to be in the city I would have lived there. Having four (4) 70 unit apartments in front of high school with one access road seems absurd. Along with de-valuing our properties. I know West Hants wants to grow and we have lots of space to do that, but let's keep it the way it is as a community. We do not need to become a Bayers Lake with apartments everywhere and nobody knowing their neighbors. Plus, we do not have the infrastructure in place for that many more cars, sewer systems or even people.

As well, I have no idea what it will do to the brook that runs through the property environmentally wise either.

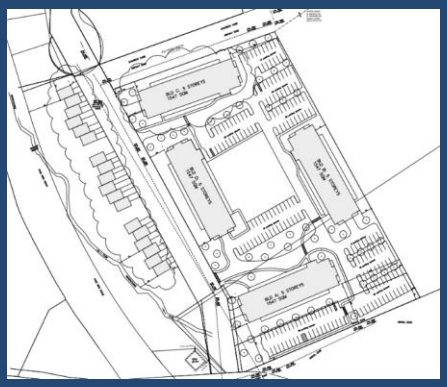
Anyway my two cents worth, I agree to the single family homes but NOT to the apartment buildings.

Sincerely,

John Edgecombe

Appendix B – 2023-07-26 Traffic Impact Study – Payzant Drive Development

DRAFT Traffic Impact Study







July 26, 2023

Payzant Drive Development

Windsor, NS

SUBMITTED BY:

DesignPoint Engineering & Surveying Ltd.

90 Western Parkway, Suite 500
Bedford, NS B4B 2J3

SUBMITTED TO:

4489461 NS Ltd

C/O Parsons Green Developments
PO Box 36116, RPO Spring Garden
Halifax, NS B3J 3S9
Hazelview Investments

TABLE OF CONTENTS

1.0 Introduction 1

1.1 Project Overview 1

1.2 Study Area 1

2.0 Existing conditions 4

2.1 Existing Traffic Volumes 4

2.2 Existing Traffic Operations 5

3.0 Site Generated Traffic 6

3.1 Access Review 6

3.2 Site Generated Traffic 6

3.3 Trip Distribution 7

4.0 Future Conditions 9

4.1 2033 Background Traffic Volumes 9

4.2 2033 Total Traffic Volumes 11

4.3 Future Connection to King Street 13

4.3.1 2033 Background Volumes 13

4.3.2 Trip Distribution 15

4.3.3 2033 Total Traffic Volumes 17

4.3.4 Auxiliary Turn Lane Warrant Analysis 18

5.0 Conclusions 19

6.0 Recommendations 19

Appendix A – Vistro Reports

Appendix B – Auxiliary Turn Lane Warrants

1.0 INTRODUCTION

1.1 PROJECT OVERVIEW

DesignPoint Engineering & Surveying Ltd. has been engaged to complete a traffic impact study for a proposed development on Payzant Drive in Windsor, NS. The development proposes adding 298 residential units through the addition of townhouses and multi-unit buildings. The site will be accessed through an extension of Payzant Drive.

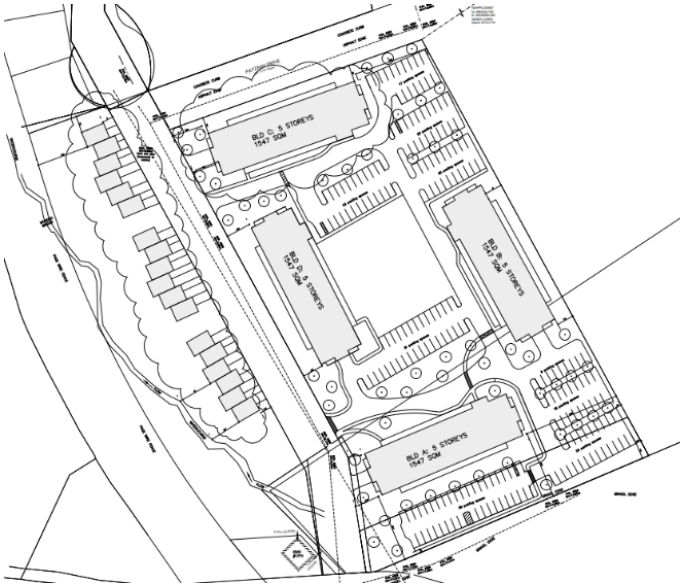


Figure 1 - Proposed Development

1.2 STUDY AREA

The site is located at the end of Payzant Drive, adjacent to Avon View High School, as shown in Figure 2. Payzant Drive at Wentworth Road is considered the critical intersection for this analysis, as all other existing intersections are low density residential intersections.



Figure 2 – Proposed development location on Payzant Drive

Payzant Drive

Payzant Drive is two lanes with a posted speed limit of 50km/h. It serves as a primary connection for two destinations: Avon View High School and Hants Community Hospital. Additionally, there are several residential properties on or connecting to Payzant Drive. A sidewalk on the northeast side of the road extends the length of the road. Payzant Drive currently ends at Avon View High School, though the potential for a future connection with King Street has been identified. Payzant Drive is owned by West Hants Regional Municipality.



Figure 3 - Payzant Drive towards Wentworth Road

Wentworth Road

Wentworth Road is a two-lane road with a posted speed limit of 50km/h. It serves as a direct connection to Highway 101. Sidewalk on both sides of the road extends from Industrial Drive to O'Brien Street, where sidewalk further extends to King Street on the northwest Side.

Properties on Wentworth Road are primarily commercial, though there is an increase in residential properties towards King Street. Both the West Hants Sports Complex and Hants Exhibition Arena are located on Wentworth Road.

Wentworth Road is owned by West Hants Regional Municipality.



Figure 4 - Wentworth Road towards Payzant Drive

Payzant Drive at Wentworth Road

The intersection of Payzant Drive and Wentworth Road is a four-legged, two-way stop-controlled intersection. The commercial driveway on the north side of the intersection acts as the fourth leg. The intersection is stop controlled on Payzant Drive and at the driveway. Payzant Drive and Wentworth Road have left turn lanes with varying storage lengths. The eastbound left turn lane on Wentworth Road has a storage length of 25m, while the westbound left turn lane has a storage length of 80m. The northbound left turn lane on Payzant Drive has a storage length of 60m. Through and right turn movements on Payzant Drive and Wentworth Road share a lane. Through, right, and left turn movements share a lane at the driveway.



Figure 5 - Existing intersection layout of Payzant Drive and Wentworth Road

The Municipality of West Hants is undertaking a detailed design to convert this intersection into a roundabout.

Future Connections

A note that ongoing work is happening to the west of this development as part of the "The Crossing" project by Brison Developments. This development is in varying stages of completion, construction, and design but ultimately will include several new connections from Payzant Drive. Community Way will connect Payzant Drive to Irven Drive, and Underwood Drive will eventually connect with links to Irven Drive and Cole Drive. From these connections, a road user can navigate through the development to both Wentworth Road and King Street.

For the purposes of this study, we have not included traffic redistribution from either of these connections. This is based largely on two main considerations: the first is that these connections are non-direct circuitous routes through residential areas which makes them less attractive as through routes for drivers, and the second is that by directing all of the site development traffic away from these connections, we are representing a conservative traffic scenario (that is, likely a worst case scenario).

2.0 EXISTING CONDITIONS

2.1 EXISTING TRAFFIC VOLUMES

Existing traffic volumes for Payzant Drive at Wentworth Road were obtained from the "Windsor Intersection Infrastructure Needs Assessment" prepared by WSP for the West Hants Regional Municipality. Traffic volumes were collected by WSP on Tuesday, January 19, 2021. Data were collected from 7 AM to 9 AM, 11:30 AM to 1:30 PM, and 3:30 PM to 5:30 PM. A seasonal factor of 1.17 and a COVID-19 factor of 1.05 were applied to the raw count data to account for volume fluctuations on the collection day. Anticipated trips generated by the West Hants Sports Complex and Hants County Exhibition were also added by WSP to the data to finalize the existing intersection volumes for 2021. As part of this traffic study, these volumes were compared with data collected for other private developments in the area and found to be appropriately representative of typical traffic patterns.

To represent 2023 existing volumes, an annual growth of 1.5% was applied to the final existing intersection volumes from the 2021 report. This annual growth was identified in the 2021 WSP assessment as the area's growth based on historical traffic data from Highway 101 Section 60 and accounts for growth from unknown developments.

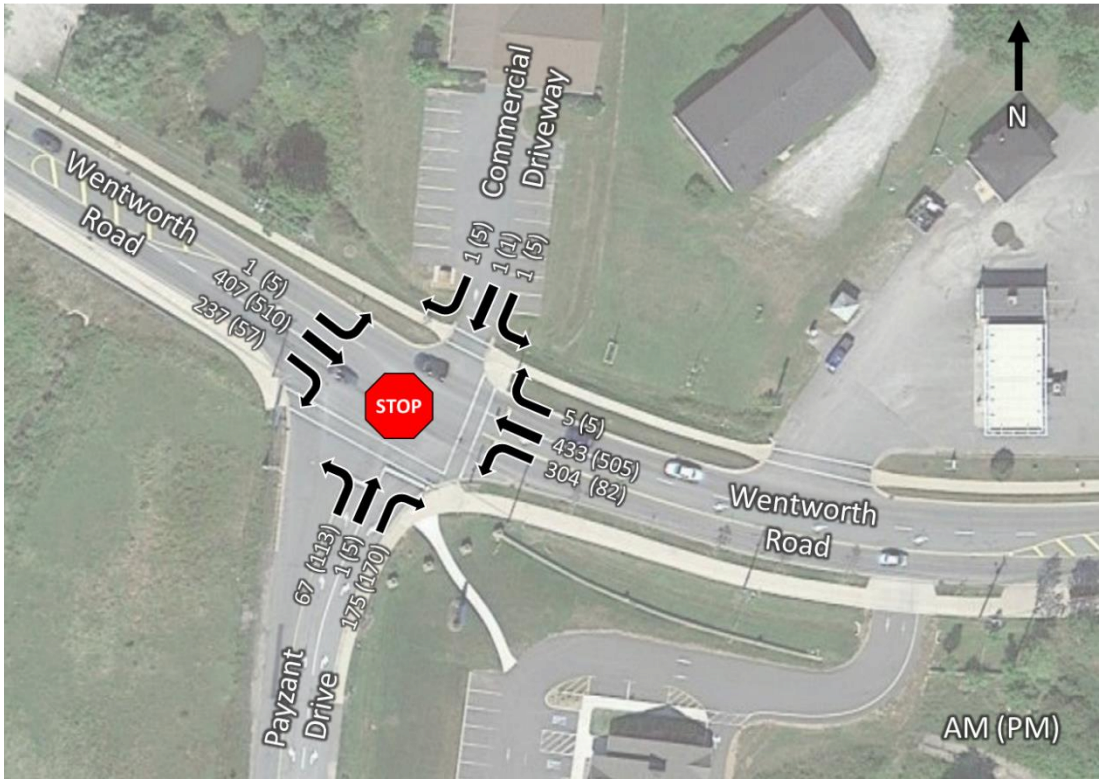


Figure 6 - 2023 existing traffic volumes for the AM & PM peak hours (based on data from Windsor Intersection Infrastructure Needs Assessment, WSP 2021)

2.2 EXISTING TRAFFIC OPERATIONS

A level of service (LOS) analysis is a method to determine how well a transportation facility, typically an intersection, performs from a driver's perspective during a specific period (usually peak hours). The LOS is measured by the average delay of each vehicle travelling through an intersection with grades ranging from A to F, where A is associated with minimal delay, and F is associated with heavily congested conditions. The desired or acceptable level of service can range depending on the location and context of individual streets. Streets within dense urban corridors are expected to experience some level of congestion during peak hours, and a lower level of service (D or E) is usually acceptable. The acceptable level of service of streets within more rural areas would typically be higher (A to C), where congestion and longer delays are unexpected.

The adjacent table provides the level of service criteria as defined in the *Highway Capacity Manual* (Transportation Research Board, 2010) for unsignalized intersections.

Table 1 - Level of Service Criteria for Unsignalized Intersections

Level of Service	Average Control Delay (seconds per vehicle)
A	≤10
B	>10 – 15
C	>15 – 25
D	>25 – 35
E	>35 – 50
F[1]	>50

Source: Highway Capacity Manual 2010, *Transportation Research Board, 2010*

1. If the volume-to-capacity ratio for a lane group exceeds 1.0 LOS F is assigned to the individual lane group for all unsignalized intersections, or minor street approach at two-way stop-controlled intersections. Overall intersection LOS is determined solely by the control delay.

A level of service analysis has been completed for the intersection using PTV Vistro traffic modelling software. A summary of the AM and PM peak hour level of service measures for the intersection of Payzant Drive at Wentworth Road has been provided in Table 2. The northbound left turn movement is overcapacity in the AM Peak hour with a level of service of F. All other movements operate below capacity.

Table 2 - Summary of AM & PM peak hour level of service measures for 2023 existing traffic volumes

AM Peak Hour - 2023 Existing Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	1	407	237	304	433	5	67	1	175	1	1	1	
v/c		0.00	0.00	0.00	0.32	0.00	0.00	1.12	0.01	0.32	0.03	0.02	0.00	
Delay (s)		8.2	0.0	0.0	10.6	0.0	0.0	269.2	56.7	14.8	108.8	64.6	13.4	14.77
LOS		A	A	A	B	A	A	F	F	B	F	F	B	B
95th% Queue (m)		0.02	0.0	0.0	10.7	0.0	0.0	41.8	10.9	10.9	1.1	1.1	1.1	
PM Peak Hour - 2023 Existing Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	5	510	57	82	505	5	113	5	170	5	1	5	
v/c		0	0	0	0	0	0	0.8	0.03	0.31	0.06	0.01	0.01	
Delay (s)		8.43	0	0	8.9	0	0	92.26	30.61	15.29	50.2	29.7	13.36	9.77
LOS		A	A	A	A	A	A	F	D	C	F	D	B	A
95th% Queue (m)		0.1	0.0	0.0	2.0	0.0	0.0	38.2	11.6	11.6	1.8	1.8	1.8	

3.0 SITE GENERATED TRAFFIC

3.1 ACCESS REVIEW

The site plan for the proposed development includes 18 townhouses and four multi-unit mid-rise residential buildings (70 units each), resulting in 298 new residential units. The proposed townhouse driveways will front Payzant Drive, while the multi-unit buildings will be accessed by two driveways at opposite ends of the development. Stopping sight distance at the access driveways has not been reviewed as part of this study since the roadway has not yet been constructed.

The design of the future road extension should consider adequate sight lines at these driveways.

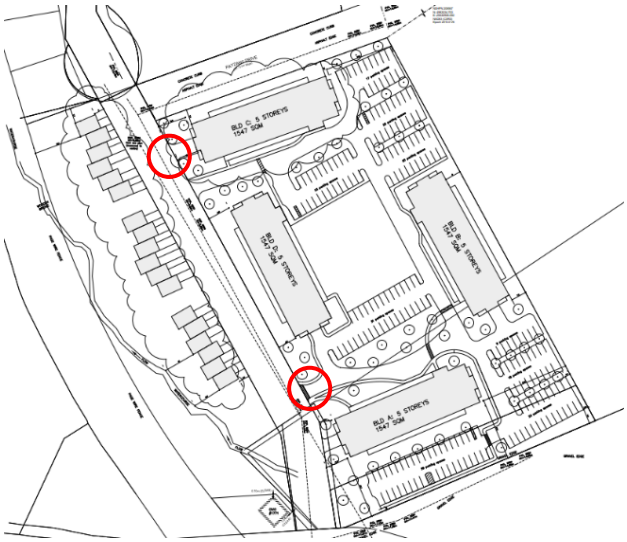


Figure 7 – Proposed access locations to multi-unit site

3.2 SITE GENERATED TRAFFIC

Site generated traffic has been calculated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual,* 11th Edition. Townhouse trips have been represented by the Single-Family Detached Housing land use to better reflect rural travel patterns. The development is estimated to generate 112 two-way vehicle trips in the AM peak hour and 126 two-way vehicle trips in the PM peak hour.

Table 3 - Site generated trip calculations

Land Use	Code	Units	Variable	Trip Generation Rates[1]						Trips Generated			
				AM Peak			PM Peak			AM Peak		PM Peak	
				Rate	In	Out	Rate	In	Out	In	Out	In	Out
Single-Family Detached Housing	210	18	Dwelling Units	0.75	0.26	0.74	0.94	0.63	0.37	4	10	11	6
Multifamily Housing (Mid-Rise)	221	280	Dwelling Units	0.35	0.26	0.74	0.39	0.6	0.4	25	73	66	44
Estimated Site Generated Trips										29	83	76	50
Notes:	Trip generation rates from ITE *Trip Generation Manual* , 11th Edition.												

3.3 TRIP DISTRIBUTION

Trip distribution of site generated trips through the study area has been estimated using the distribution of existing traffic volumes. Existing volumes indicate approximately 70% of trips originating from Payzant Drive in the AM peak hour and 60% of trips in the PM peak hour travel towards Highway 101. Due to the proximity and connectivity of Highway 101, it is anticipated site generated trips will also follow this distribution. The estimated distribution is provided in Figure 8, and the distribution of site generated trips at the Payzant Drive and Wentworth Road intersection is shown in Figure 9.

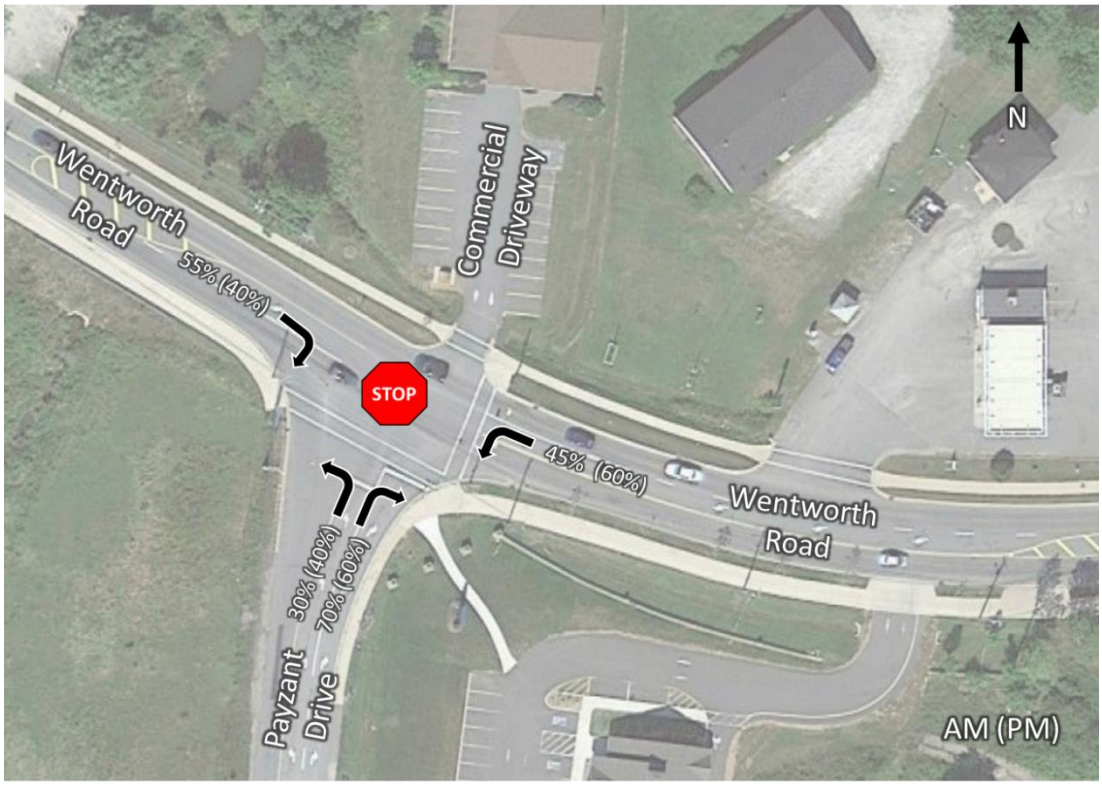


Figure 8 - Estimated distribution of site generated traffic

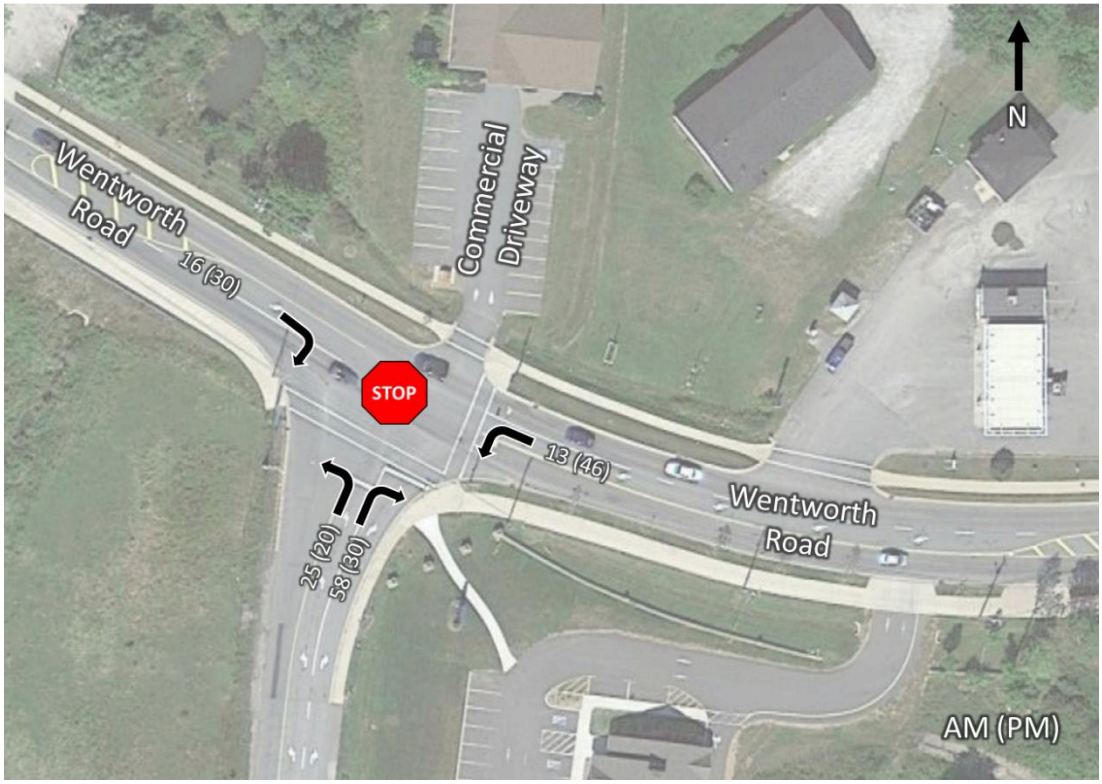


Figure 9 - AM and PM distribution of site generated traffic at the Payzant Drive and Wentworth Road intersection

4.0 FUTURE CONDITIONS

4.1 2033 BACKGROUND TRAFFIC VOLUMES

Background traffic is the traffic added by general annual traffic growth. A 1.5% annual growth rate has been used to calculate background traffic volumes. This annual growth was identified in the 2021 Infrastructure Needs Assessment based on historical traffic trends of Highway 101 Section 60 and to account for growth from unknown developments. All trips from unknown developments are assumed to be captured by this annual growth. This study analyzes a horizon year of 2033 (5 years past an estimated 5-year build out).

As part of the 2021 WSP assessment, the existing intersection was recommended to be upgraded to a roundabout. It is understood that the municipality plans to proceed with this recommendation. Two 2033 background scenarios have been evaluated for this recommendation: the existing two-way stop-controlled intersection and the proposed roundabout. The 2033 Background Traffic Volumes for the two-way stop-controlled scenario are shown in Figure 10, and the 2033 Background Traffic Volumes for the roundabout scenario are shown in Figure 11.

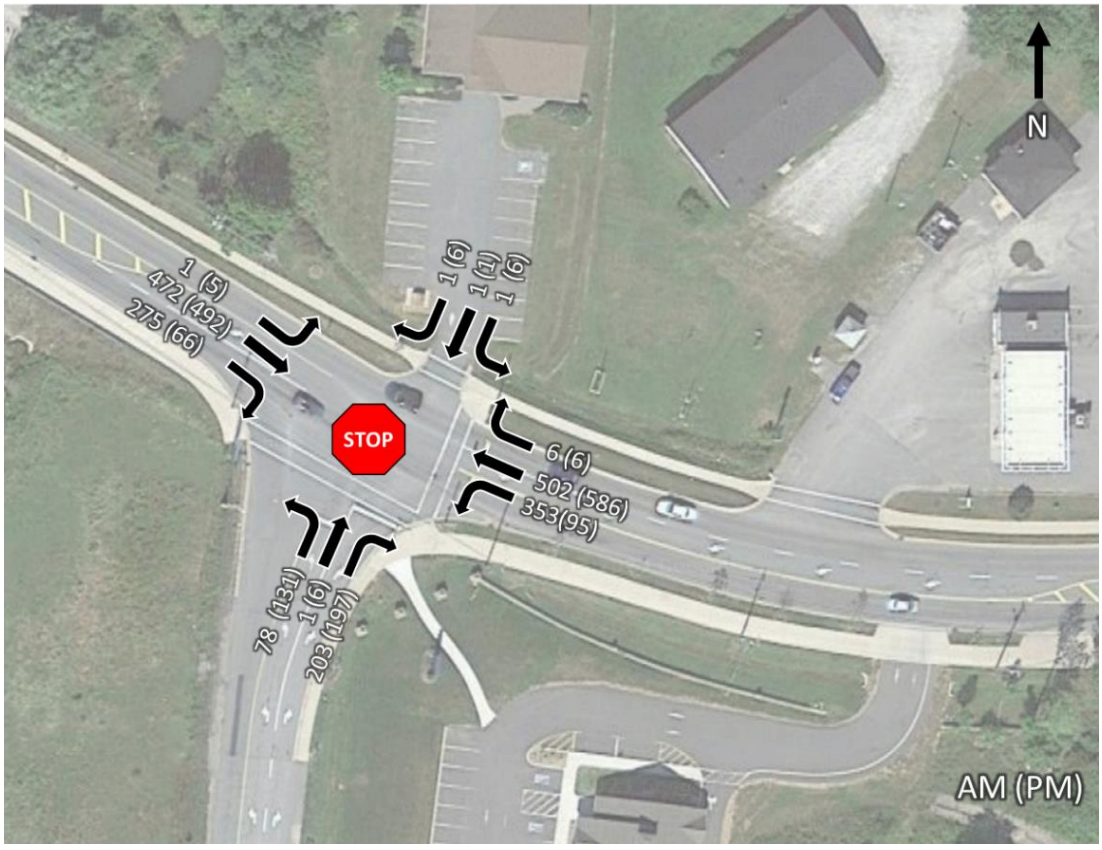


Figure 10 – 2033 background traffic volumes for the AM & PM peak hours two-way stop-controlled scenario

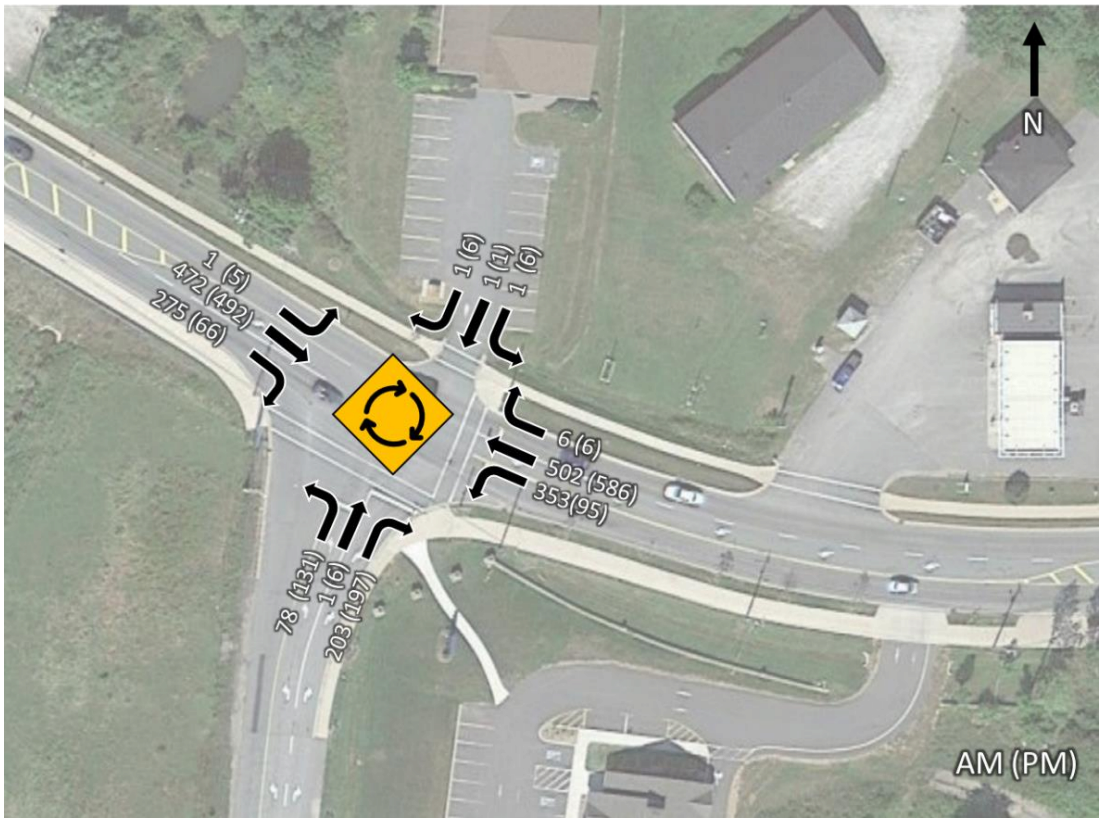


Figure 11 – 2033 background traffic volumes for the AM & PM peak hours roundabout scenario

A level of service summary has been completed for the 2033 background traffic volumes to determine how the Payzant Drive at Wentworth Road intersection operates without site generated traffic. A summary of the two-way stop-controlled intersection is provided in Table 4, and a summary of the roundabout is provided in Table 5. In the two-way stop-controlled scenario, northbound left turn movements operate above capacity in the AM and PM peak hours with a level of service of F. With the roundabout, all movements operate below capacity.

Table 4 - Summary of AM & PM peak hour level of service measures for 2033 two-way stop-controlled background traffic volumes

AM Peak Hour - 2033 Background Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	1	472	275	353	502	6	78	1	203	1	1	1	
v/c		0.00	0.00	0.00	0.41	0.00	0.00	2.26	0.02	0.41	0.06	0.03	0.00	
Delay (s)		8.4	0.0	0.0	12.1	0.0	0.0	826.0	90.0	18.0	222.4	110.8	20.9	38.97
LOS		A	A	A	B	A	A	F	F	C	F	F	C	E
95th% Queue (m)		0.02	0.0	0.0	15.4	0.0	0.0	66.9	16.4	16.4	2.0	2.0	2.0	
PM Peak Hour - 2033 Background Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	6	592	66	95	586	6	131	6	197	6	1	6	
v/c		0.01	0.00	0.00	0.10	0.00	0.00	1.31	0.05	0.41	0.12	0.01	0.01	
Delay (s)		8.7	0.0	0.0	9.3	0.0	0.0	272.6	41.1	19.0	84.2	42.2	18.5	24.32
LOS		A	A	A	A	A	A	F	E	C	F	E	C	C
95th% Queue (m)		0.1	0.0	0.0	2.6	0.0	0.0	70.2	17.8	17.8	3.6	3.6	3.6	

Table 5 - Summary of AM & PM peak hour level of service measures for 2033 background roundabout background traffic volumes

AM Peak Hour - 2033 Background Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count		1	472	275	353	502	6	78	1	203	1	1	1	
v/c		0.47	0.47	0.27	0.69	0.69	0.69	0.77	0.77	0.77	0.01	0.01	0.01	
Delay (s)		9.1	9.1	6.3	12.6	12.6	12.6	21.5	21.5	21.5	7.1	7.1	7.1	13.6
LOS		A	A	A	B	B	B	C	C	C	A	A	A	B
95th% Queue (m)		19.69	19.7	8.6	45.6	45.6	45.6	59.0	59.0	59.0	0.1	0.1	0.1	
PM Peak Hour - 2033 Background Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count		6	592	66	95	586	6	131	6	197	6	1	6	
v/c		0.47	0.47	0.05	0.59	0.59	0.59	0.46	0.46	0.46	0.02	0.02	0.02	
Delay (s)		7.7	7.7	3.3	10.4	10.4	10.4	11.5	11.5	11.5	6.5	6.5	6.5	9.35
LOS		A	A	A	B	B	B	B	B	B	A	A	A	A
95th% Queue (m)		19.8	19.8	1.3	30.7	30.7	30.7	18.7	18.7	18.7	0.5	0.5	0.5	

4.2 2033 TOTAL TRAFFIC VOLUMES

The 2033 Total Traffic Volumes result from 2033 Background volumes plus site-generated traffic added by the development. Total Traffic Volumes for the stop-controlled scenario are shown in Figure 12, and the Total Traffic Volumes for the roundabout scenario are shown in Figure 13.

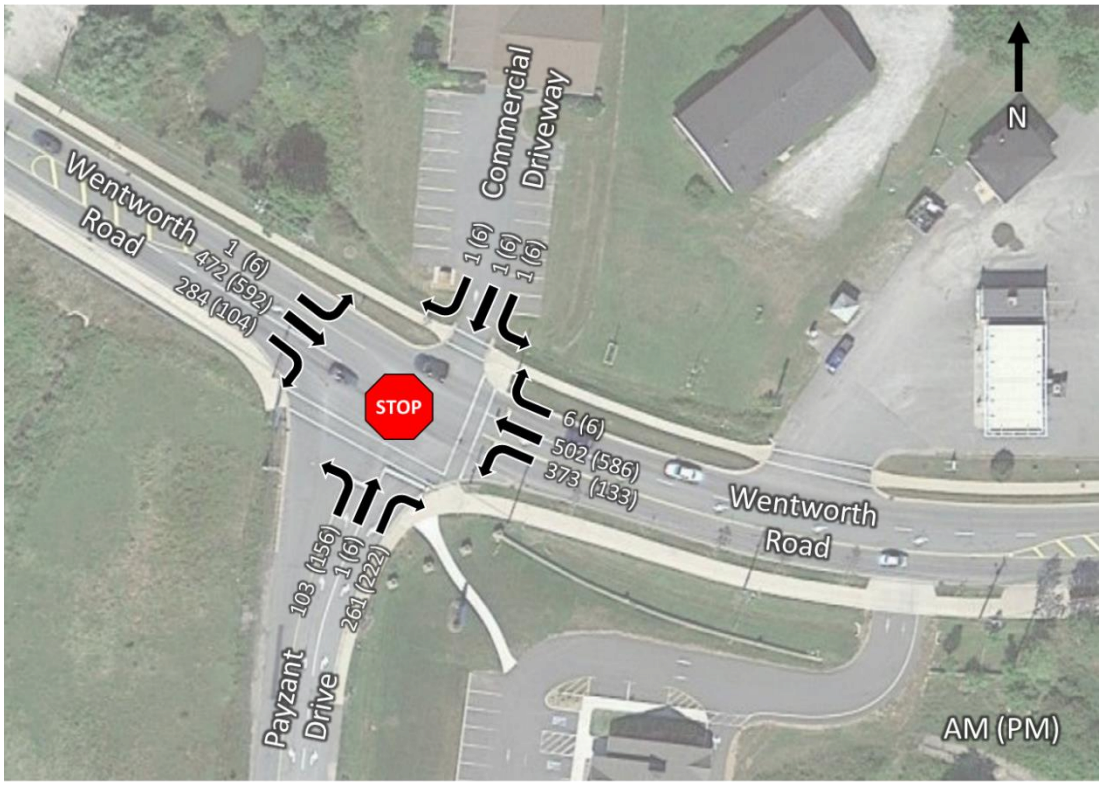


Figure 12 - 2033 future volumes for the AM and PM peak hours two-way stop controlled scenario

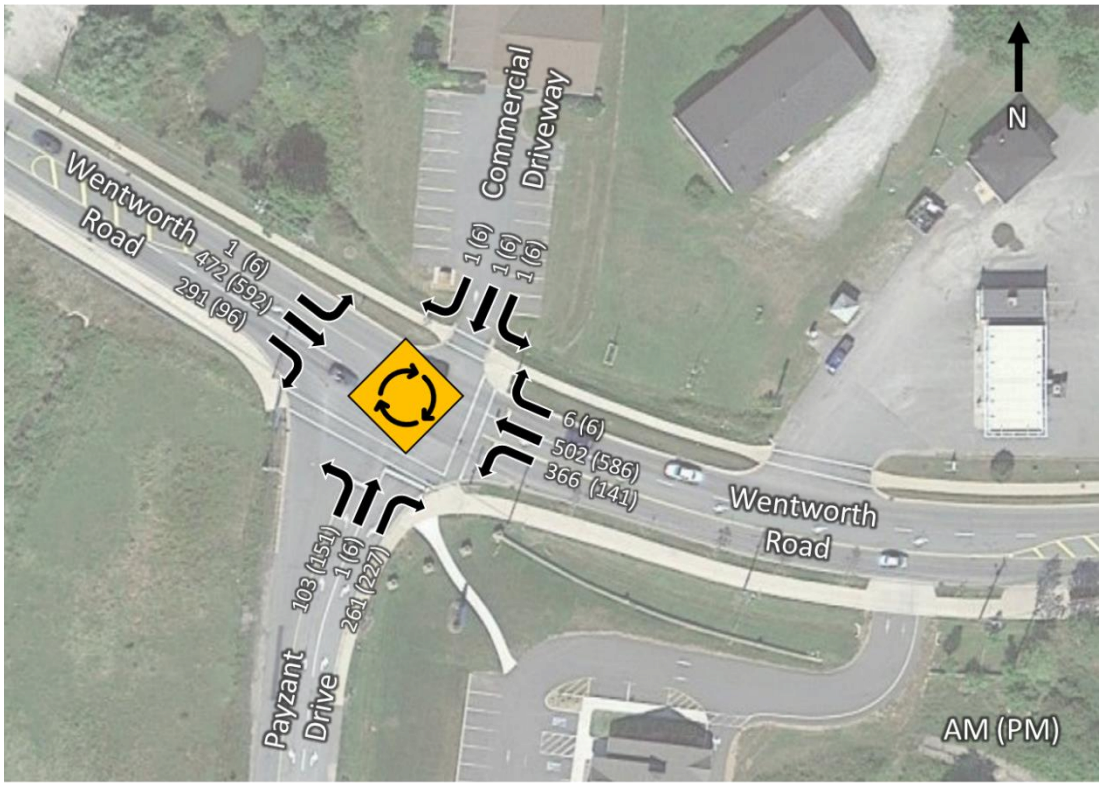


Figure 13 - 2033 future volumes for the AM and PM peak hours roundabout scenario

A level of service analysis has been completed for AM and PM peak hours using total traffic volumes to evaluate the impact of traffic added by the development. The analysis has been completed for the existing two-way stop-controlled intersection and the proposed roundabout. The two-way stop-controlled scenario is shown in Table 6, and the roundabout scenario is shown in Table 7. In the AM and PM stop-controlled scenario, northbound left turn movements operate above capacity at a level of service of F. The overall intersection operates at a level of service of F. In the AM and PM roundabout scenario, all movements operate below capacity at a high level of service.

Table 6 - Summary of AM & PM peak hour level of service measures for 2033 two-way stop-controlled total traffic volumes

AM Peak Hour - 2033 Total Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	1	472	291	366	502	6	103	1	261	1	1	1	
v/c		0.00	0.00	0.00	0.43	0.00	0.00	3.28	0.02	0.53	0.08	0.03	0.00	
Delay (s)		8.4	0.0	0.0	12.4	0.0	0.0	1289.0	100.6	21.6	324.1	128.3	28.6	71.55
LOS		A	A	A	B	A	A	F	F	C	F	F	D	F
95th% Queue (m)		0.02	0.0	0.0	16.7	0.0	0.0	92.4	25.5	25.5	2.7	2.7	2.7	
PM Peak Hour - 2033 Total Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	6	592	96	141	586	6	151	6	227	6	1	6	
v/c		0.01	0	0	0.16	0	0	1.91	0.06	0.48	0.18	0.01	0.01	
Delay (s)		8.7	0.0	0.0	9.7	0.0	0.0	539.9	50.8	21.9	126.7	57.6	25.8	48.90
LOS		A	A	A	A	A	A	F	F	C	F	F	D	E
95th% Queue (m)		0.1	0.0	0.0	4.2	0.0	0.0	101.1	23.7	23.7	5.2	5.2	5.2	

Table 7 - Summary of AM & PM peak hour level of service measures for 2033 roundabout total traffic volumes

AM Peak Hour - 2033 Total Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count		1	472	291	366	502	6	103	1	261	1	1	1	
v/c		0.48	0.48	0.29	0.72	0.72	0.72	0.44	0.44	0.44	0.01	0.01	0.01	
Delay (s)		9.3	9.3	6.6	13.8	13.8	13.8	10.0	10.0	10.0	7.4	7.4	7.4	11.00
LOS		A	A	A	B	B	B	A	A	A	A	A	A	B
95th% Queue (m)		20.1	20.1	9.4	50.9	50.9	50.9	17.4	17.4	17.4	0.1	0.1	0.1	
PM Peak Hour - 2033 Total Traffic														
LOS Criteria	Intersection Control	Wentworth Road			Wentworth Road			Payzant Drive			Driveway			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count		6	592	96	141	586	6	151	6	227	6	1	6	
v/c		0.49	0.49	0.08	0.64	0.64	0.64	0.53	0.53	0.53	0.02	0.02	0.02	
Delay (s)		8.3	8.3	3.6	11.9	11.9	11.9	13.2	13.2	13.2	6.9	6.9	6.9	10.48
LOS		A	A	A	B	B	B	B	B	B	A	A	A	B
95th% Queue (m)		21.4	21.4	2.0	37.4	37.4	37.4	24.2	24.2	24.2	0.6	0.6	0.6	

4.3 FUTURE CONNECTION TO KING STREET

4.3.1 2033 Background Volumes

The 2021 WSP assessment evaluated the impacts of extending Payzant Drive to connect to King Street as a stop-controlled T-intersection. The proposed intersection geometry includes a warranted eastbound left turn lane on King Street and separated right and left turning movements on Payzant Drive.

The WSP report evaluated the intersection for 2030 background traffic volumes, where 1.5% annual growth was applied between 2021 and 2030. The background volumes also consider the redistribution of trips caused by the Payzant Drive connection and trips generated by the Hants County Exhibition Expansion.

The 1.5% annual growth was applied for three additional years to reach 2033 background volumes. The 2033 Background Traffic Volumes for the intersection are shown in Figure 15.



Figure 14 - Approximate location of the future Payzant Drive connection

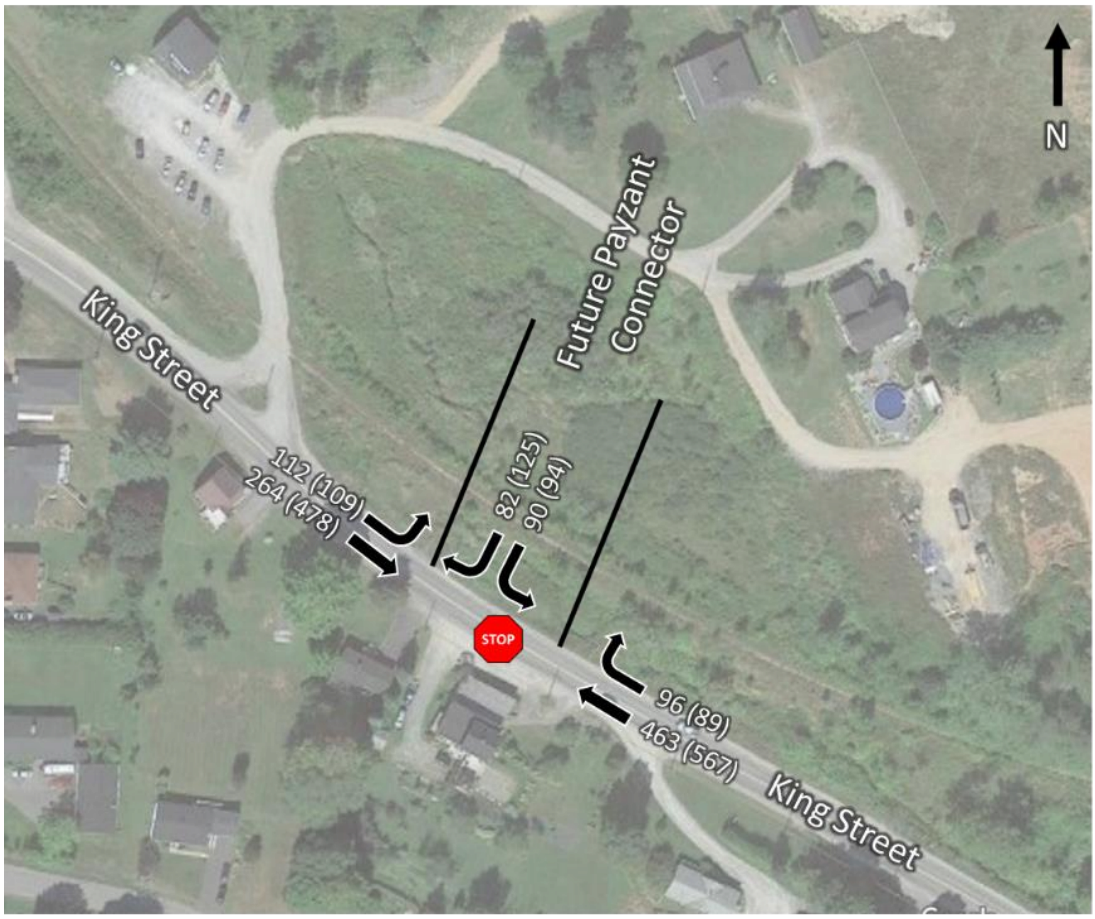


Figure 15: 2033 background volumes for the AM and PM peak hours at King Street

A level of service analysis has been completed for AM and PM peak hours using background traffic volumes to evaluate the impact the connection has on traffic operations. A summary of the intersection is shown Table 8. Though the southbound left turn movement experiences a level of service of F and high delays, it operates below capacity.

Table 8 - Summary of AM & PM peak hour level of service measured for 2033 King Street background traffic volumes.

AM Peak Hour - 2033 Background Volumes														
LOS Criteria	Intersection Control	King Street			King Street						Payzant Drive			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	112	276			463	96				90		82	
v/c		0.12	0.00			0.00	0.00				0.39		0.15	
Delay (s)		9.0	0.0			0.0	0.0				30.1		12.5	4.26
LOS		A	A			A	A				D		B	A
95th% Queue (m)		2.98	0.0			0.0	0.0				13.2		3.9	
PM Peak Hour - 2033 Background Volumes														
LOS Criteria	Intersection Control	King Street			King Street						Payzant Drive			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	109	478			567	89				94		125	
v/c		0.12	0			0	0				0.6		0.25	
Delay (s)		9.38	0			0	0				58.43		14.75	5.72
LOS		A	A			A	A				F		B	A
95th% Queue (m)		3.0	0.0			0.0	0.0				24.6		7.9	

4.3.2 Trip Distribution

Considering the distribution of site generated trips to the future intersection of Payzant Drive and King Street, we have assumed an even split between vehicles heading north and south. In this scenario there is 50% of site generated trips are assigned to the new intersection.

Distribution of trips at the future Payzant Drive and King Street intersection has been estimated using the distribution proposed in the 2021 Infrastructure Needs Assessment. The turning movement distribution at Payzant Drive and King Street is shown in Figure 16. The site generated trip distribution is shown in Figure 17.

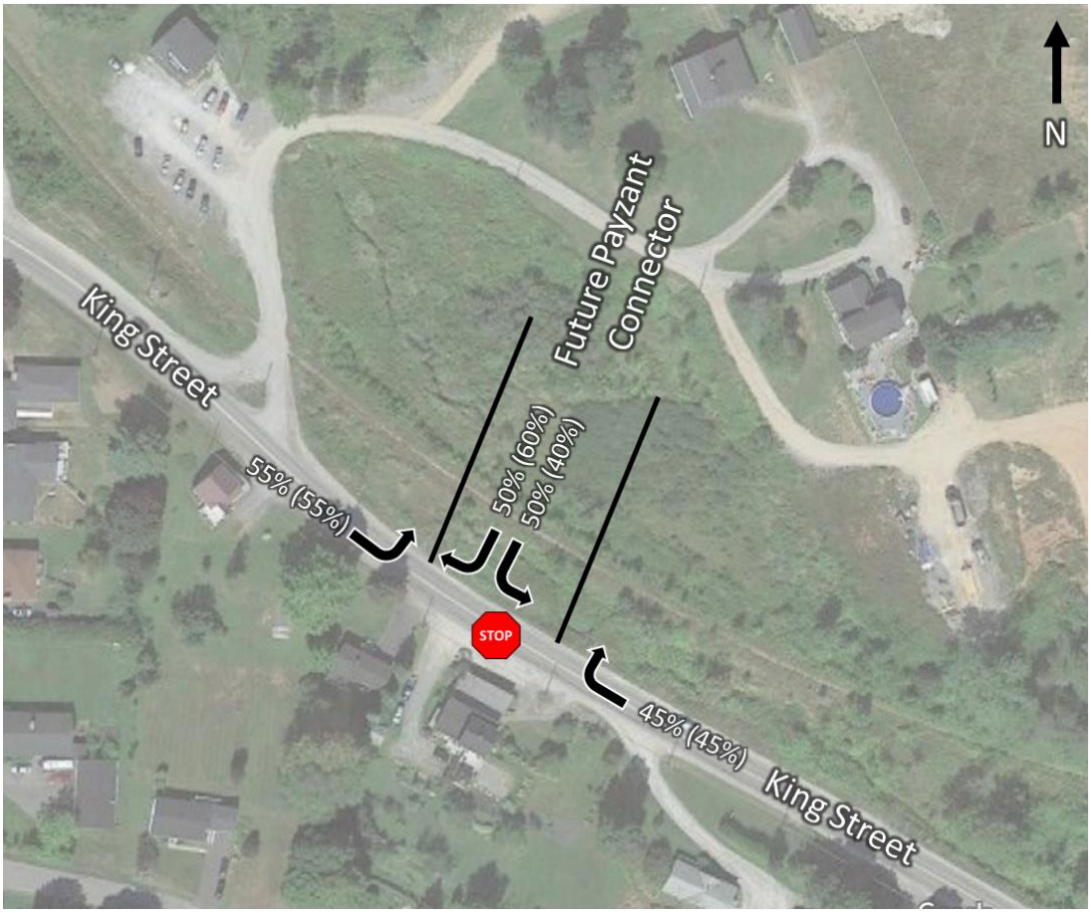


Figure 16 - AM and PM distribution of traffic at the future Payzant Drive and King Street intersection

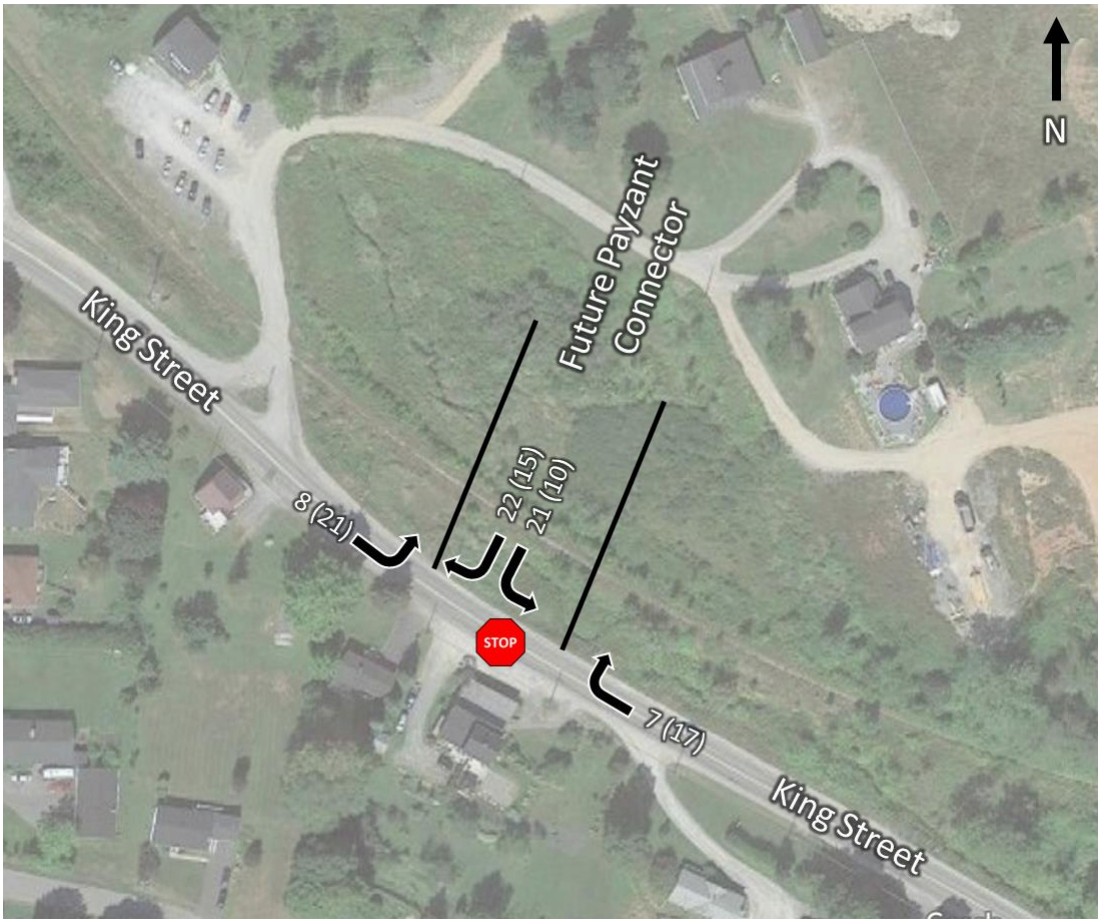


Figure 17 - Estimated distribution of site generated traffic at King Street

4.3.3 2033 Total Traffic Volumes

The 2033 Total Traffic Volumes result from 2033 Background volumes plus site-generated traffic added by the development. The 2023 Total Traffic Volumes are shown in Figure 18.



Figure 18 - 2033 future volumes for the AM and PM peak hours at King Street

A level of service analysis has been completed for AM and PM peak hours using total traffic volumes to evaluate the impact site generated traffic will have on the proposed intersection. A summary of the intersection is shown in Table 9. The southbound left turn movement experiences increased delay but still operates below capacity. The southbound right turn movement experiences a decrease in level of service from B to C due to site generated traffic.

From these results, we can conclude that site generated trips do not result in a significant impact on this intersection in the future scenario. The southbound left LOS 'F' for the PM Peak Hour is observed under both the future background growth and total traffic scenario and is not created by the new trips generated by this development. We recommend that once this intersection is constructed, the Municipality monitors the location to determine if traffic signals are warranted in the future.

Table 9 - Summary of AM & PM peak hour level of service measures for 2033 King Street total traffic volumes

AM Peak Hour - 2033 Future Volumes														
LOS Criteria	Intersection Control	King Street			King Street						Payzant Drive			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	125	276			463	103				111		104	
v/c		0.12	0.00			0.00	0.00				0.50		0.19	
Delay (s)		9.1	0.0			0.0	0.0				36.1		12.9	5.48
LOS		A	A			A	A				E		B	A
95th% Queue (m)		3.23	0.0			0.0	0.0				19.2		5.2	
PM Peak Hour - 2033 Future Volumes														
LOS Criteria	Intersection Control	King Street			King Street						Payzant Drive			
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	Intersection
Vehicle Count	STOP	130	478			567	106				104		140	
v/c		0.14	0			0	0				0.74		0.29	
Delay (s)		9.57	0			0	0				81.08		15.32	7.75
LOS		A	A			A	A				F		C	A
95th% Queue (m)		3.8	0.0			0.0	0.0				33.2		9.0	

4.3.4 Auxiliary Turn Lane Warrant Analysis

Turn lane warrants are not required for this site until the extension to King Street has been completed.

The site access has been reviewed for a southbound left turn lane and a northbound right turn lane into the development for the future scenario with this connection made.

Left Turn Lane

Site generated trips and the anticipated trips at the Payzant Drive and King Street intersection were used to evaluate a left turn lane into the development. The MTO Design Supplement for TAC 2017 was used to identify the need for a left turn. Based on the analysis, a southbound left turn lane into the development is not warranted. This analysis is included in Appendix B.

Right Turn Lane

Site generated trips and the anticipated trips at the Payzant Drive and King Street intersection were used to evaluate a right turn lane into the development. The Ohio Department of Transportation's State Highway Access Management Manual right turn lane warrant analysis was used to identify the need for a right turn lane. Based on the analysis, a northbound right turn lane into the development is not warranted. This analysis is included in Appendix B.

5.0 CONCLUSIONS

The following conclusions were developed from this traffic impact study:

- The proposed development will add four mid-rise multi-unit buildings (280 units) and 18 townhouses for a total of 298 units.
- Townhouses will front Payzant Drive, and multi-unit buildings will be accessed from a driveway connecting to Payzant Drive.
- The proposed development is estimated to generate 112 two-way vehicle trips (29 entering and 83 exiting) in the AM peak hour and 126 two-way vehicle trips (76 entering and 50 existing) in the PM peak hour.
- Sight distance was not measured at the proposed access locations since this street has not yet been constructed.
- The Payzant Drive and Wentworth Road intersection is the critical intersection for this analysis. The traffic analysis shows that northbound left turn movements exceed capacity in the AM peak hour under existing conditions.
- Two scenarios were evaluated for background and future conditions: the existing two-way stop control and a proposed roundabout. Northbound left turn movements continue to operate above capacity in the AM and PM peak hours under two-way stop control in the background and total traffic volumes. The intersection operates at a level of service F under total traffic volumes in the AM peak hour. These issues are resolved with the construction of the planned roundabout.
- The proposed Payzant Drive connection to King Street was evaluated for background and total traffic volumes. Under both scenarios, the southbound left turn movements operate below capacity but have high delays. The overall intersection operates at an acceptable level of service.
- Auxiliary left and right turn lanes entering the site are not warranted.

6.0 RECOMMENDATIONS

There are no recommended improvements to accommodate traffic generated by the proposed development.

The street network, under future conditions, can accommodate traffic generated by the proposed development without upgrades beyond those already planned by the Municipality. We recommend that if the Payzant Drive extension is completed and a new intersection is constructed at King Street, the Municipality monitors the location to determine if traffic signals are warranted in the future.

APPENDIX A – VISTRO REPORTS

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Two-way stop	Delay (sec / veh):	269.2
Analysis Method:	HCM 7th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	1.122

Intersection Setup

Name											
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	1	0	0	0	0	0	1	0	0	1	0	0
Entry Pocket Length [m]	60.00	30.48	30.48	30.48	30.48	30.48	25.00	30.48	30.48	80.00	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	65	1	170	1	1	1	1	395	230	295	420	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	67	1	175	1	1	1	1	407	237	304	433	5
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	17	0	44	0	0	0	0	102	59	76	108	1
Total Analysis Volume [veh/h]	67	1	175	1	1	1	1	407	237	304	433	5
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Stop	Free	Free
Flared Lane	No	No		
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No	No		
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	1.12	0.01	0.32	0.03	0.02	0.00	0.00	0.00	0.00	0.32	0.00	0.00
d_M, Delay for Movement [s/veh]	269.21	56.67	14.82	108.79	64.59	13.39	8.21	0.00	0.00	10.64	0.00	0.00
Movement LOS	F	F	B	F	F	B	A	A	A	B	A	A
95th-Percentile Queue Length [veh/ln]	5.49	1.43	1.43	0.14	0.14	0.14	0.00	0.00	0.00	1.41	0.00	0.00
95th-Percentile Queue Length [m/ln]	41.81	10.93	10.93	1.07	1.07	1.07	0.02	0.00	0.00	10.72	0.00	0.00
d_A, Approach Delay [s/veh]	85.13			62.26			0.01			4.36		
Approach LOS	F			F			A			A		
d_I, Intersection Delay [s/veh]	14.77											
Intersection LOS	F											

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Two-way stop	Delay (sec / veh):	92.3
Analysis Method:	HCM 7th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.803

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	1	0	0	0	0	0	1	0	0	1	0	0
Entry Pocket Length [m]	60.00	30.48	30.48	30.48	30.48	30.48	25.00	30.48	30.48	80.00	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	110	5	165	5	1	5	5	495	55	80	490	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	113	5	170	5	1	5	5	510	57	82	505	5
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	28	1	43	1	0	1	1	128	14	21	126	1
Total Analysis Volume [veh/h]	113	5	170	5	1	5	5	510	57	82	505	5
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Stop	Free	Free
Flared Lane	No	No		
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No	No		
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.80	0.03	0.31	0.06	0.01	0.01	0.00	0.01	0.00	0.08	0.01	0.00
d_M, Delay for Movement [s/veh]	92.26	30.61	15.29	50.20	29.74	13.36	8.43	0.00	0.00	8.90	0.00	0.00
Movement LOS	F	D	C	F	D	B	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	5.01	1.52	1.52	0.24	0.24	0.24	0.01	0.00	0.00	0.27	0.00	0.00
95th-Percentile Queue Length [m/ln]	38.16	11.55	11.55	1.83	1.83	1.83	0.11	0.00	0.00	2.03	0.00	0.00
d_A, Approach Delay [s/veh]	45.76			31.59			0.07			1.23		
Approach LOS	E			D			A			A		
d_I, Intersection Delay [s/veh]	9.77											
Intersection LOS	F											

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Two-way stop	Delay (sec / veh):	826.0
Analysis Method:	HCM 7th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	2.263

Intersection Setup

Name											
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	1	0	0	0	0	0	1	0	0	1	0	0
Entry Pocket Length [m]	60.00	30.48	30.48	30.48	30.48	30.48	25.00	30.48	30.48	80.00	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	65	1	170	1	1	1	1	395	230	295	420	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	78	1	203	1	1	1	1	472	275	353	502	6
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	20	0	51	0	0	0	0	118	69	88	126	2
Total Analysis Volume [veh/h]	78	1	203	1	1	1	1	472	275	353	502	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Stop	Free	Free
Flared Lane	No	No		
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No	No		
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	2.26	0.02	0.41	0.06	0.03	0.00	0.00	0.00	0.00	0.41	0.01	0.00
d_M, Delay for Movement [s/veh]	825.97	90.04	17.96	222.38	110.80	20.89	8.41	0.00	0.00	12.05	0.00	0.00
Movement LOS	F	F	C	F	F	C	A	A	A	B	A	A
95th-Percentile Queue Length [veh/ln]	8.77	2.15	2.15	0.27	0.27	0.27	0.00	0.00	0.00	2.02	0.00	0.00
95th-Percentile Queue Length [m/ln]	66.86	16.36	16.36	2.02	2.02	2.02	0.02	0.00	0.00	15.39	0.00	0.00
d_A, Approach Delay [s/veh]	241.71			118.02			0.01			4.94		
Approach LOS	F			F			A			A		
d_I, Intersection Delay [s/veh]	38.43											
Intersection LOS	F											

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Two-way stop	Delay (sec / veh):	272.6
Analysis Method:	HCM 7th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	1.311

Intersection Setup

Name											
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	1	0	0	0	0	0	1	0	0	1	0	0
Entry Pocket Length [m]	60.00	30.48	30.48	30.48	30.48	30.48	25.00	30.48	30.48	80.00	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	110	5	165	5	1	5	5	495	55	80	490	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	131	6	197	6	1	6	6	592	66	95	586	6
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	33	2	49	2	0	2	2	148	17	24	147	2
Total Analysis Volume [veh/h]	131	6	197	6	1	6	6	592	66	95	586	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Stop	Free	Free
Flared Lane	No	No		
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No	No		
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	1.31	0.05	0.41	0.12	0.01	0.01	0.01	0.01	0.00	0.10	0.01	0.00
d_M, Delay for Movement [s/veh]	272.64	41.11	19.01	84.22	42.17	18.46	8.68	0.00	0.00	9.31	0.00	0.00
Movement LOS	F	E	C	F	E	C	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	9.21	2.33	2.33	0.47	0.47	0.47	0.02	0.00	0.00	0.34	0.00	0.00
95th-Percentile Queue Length [m/ln]	70.21	17.76	17.76	3.60	3.60	3.60	0.14	0.00	0.00	2.59	0.00	0.00
d_A, Approach Delay [s/veh]	118.88			50.63			0.08			1.29		
Approach LOS	F			F			A			A		
d_I, Intersection Delay [s/veh]	24.32											
Intersection LOS	F											

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Roundabout	Delay (sec / veh):	13.6
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes		

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	1	0	0	0
Entry Pocket Length [m]	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	65	1	470	1	1	1	1	395	230	295	420	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Proportion of CAVs [%]	0.00											
Growth Factor	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	78	1	561	1	1	1	1	472	275	353	502	6
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	20	0	140	0	0	0	0	118	69	88	126	2
Total Analysis Volume [veh/h]	78	1	561	1	1	1	1	472	275	353	502	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Number of Conflicting Circulating Lanes	1			1			1			1		
Circulating Flow Rate [veh/h]	483			952			362			82		
Exiting Flow Rate [veh/h]	642			8			593			1055		
Demand Flow Rate [veh/h]	78	1	561	1	1	1	1	472	275	353	502	6
Adjusted Demand Flow Rate [veh/h]	78	1	561	1	1	1	1	472	275	353	502	6

Lanes

Overwrite Calculated Critical Headway	No	No	No	No	No
User-Defined Critical Headway [s]	4.00	4.00	4.00	4.00	4.00
Overwrite Calculated Follow-Up Time	No	No	No	No	No
User-Defined Follow-Up Time [s]	3.00	3.00	3.00	3.00	3.00
A (intercept)	1380.00	1380.00	1420.00	1420.00	1380.00
B (coefficient)	0.00102	0.00102	0.00091	0.00091	0.00102
HV Adjustment Factor	0.98	0.98	0.98	0.98	0.98
Entry Flow Rate [veh/h]	653	4	483	281	879
Capacity of Entry and Bypass Lanes [veh/h]	843	523	1022	1022	1270
Pedestrian Impedance	1.00	1.00	1.00	1.00	1.00
Capacity per Entry Lane [veh/h]	827	513	1002	1002	1245
X, volume / capacity	0.77	0.01	0.47	0.27	0.69

Movement, Approach, & Intersection Results

Lane LOS	C	A	A	A	B
95th-Percentile Queue Length [veh]	7.74	0.02	2.58	1.12	5.98
95th-Percentile Queue Length [m]	58.96	0.13	19.69	8.55	45.59
Approach Delay [s/veh]	21.47	7.09	8.10		12.56
Approach LOS	C	A	A		B
Intersection Delay [s/veh]	13.60				
Intersection LOS	B				

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Roundabout	Delay (sec / veh):	9.4
Analysis Method:	HCM 7th Edition	Level Of Service:	A
Analysis Period:	15 minutes		

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	1	0	0	0
Entry Pocket Length [m]	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.00	30.48	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	110	5	165	5	1	5	5	495	55	80	490	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Proportion of CAVs [%]	0.00											
Growth Factor	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	131	6	197	6	1	6	6	592	66	95	586	6
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	33	2	49	2	0	2	2	148	17	24	147	2
Total Analysis Volume [veh/h]	131	6	197	6	1	6	6	592	66	95	586	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Number of Conflicting Circulating Lanes	1			1			1			1		
Circulating Flow Rate [veh/h]	616			828			104			146		
Exiting Flow Rate [veh/h]	165			18			737			811		
Demand Flow Rate [veh/h]	131	6	197	6	1	6	6	592	66	95	586	6
Adjusted Demand Flow Rate [veh/h]	131	6	197	6	1	6	6	592	66	95	586	6

Lanes

Overwrite Calculated Critical Headway	No	No	No	No	No
User-Defined Critical Headway [s]	4.00	4.00	4.00	4.00	4.00
Overwrite Calculated Follow-Up Time	No	No	No	No	No
User-Defined Follow-Up Time [s]	3.00	3.00	3.00	3.00	3.00
A (intercept)	1380.00	1380.00	1420.00	1420.00	1380.00
B (coefficient)	0.00102	0.00102	0.00091	0.00091	0.00102
HV Adjustment Factor	0.98	0.98	0.98	0.98	0.98
Entry Flow Rate [veh/h]	341	14	610	68	701
Capacity of Entry and Bypass Lanes [veh/h]	737	593	1292	1292	1190
Pedestrian Impedance	1.00	1.00	1.00	1.00	1.00
Capacity per Entry Lane [veh/h]	722	582	1267	1267	1166
X, volume / capacity	0.46	0.02	0.47	0.05	0.59

Movement, Approach, & Intersection Results

Lane LOS	B	A	A	A	B
95th-Percentile Queue Length [veh]	2.46	0.07	2.60	0.16	4.03
95th-Percentile Queue Length [m]	18.74	0.52	19.83	1.26	30.72
Approach Delay [s/veh]	11.53	6.45	7.28		10.36
Approach LOS	B	A	A		B
Intersection Delay [s/veh]	9.35				
Intersection LOS	A				

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Two-way stop	Delay (sec / veh):	1,289.0
Analysis Method:	HCM 7th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	3.278

Intersection Setup

Name											
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	1	0	0	0	0	0	1	0	0	1	0	0
Entry Pocket Length [m]	60.00	30.48	30.48	30.48	30.48	30.48	25.00	30.48	30.48	80.00	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	65	1	170	1	1	1	1	395	230	295	420	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	25	0	58	0	0	0	0	0	16	13	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	103	1	261	1	1	1	1	472	291	366	502	6
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	26	0	65	0	0	0	0	118	73	92	126	2
Total Analysis Volume [veh/h]	103	1	261	1	1	1	1	472	291	366	502	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Stop	Free	Free
Flared Lane	No	No		
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No	No		
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	3.28	0.02	0.53	0.08	0.03	0.00	0.00	0.00	0.00	0.43	0.01	0.00
d_M, Delay for Movement [s/veh]	1288.99	100.59	21.56	324.14	128.27	28.57	8.41	0.00	0.00	12.41	0.00	0.00
Movement LOS	F	F	C	F	F	D	A	A	A	B	A	A
95th-Percentile Queue Length [veh/ln]	12.13	3.34	3.34	0.35	0.35	0.35	0.00	0.00	0.00	2.19	0.00	0.00
95th-Percentile Queue Length [m/ln]	92.44	25.48	25.48	2.65	2.65	2.65	0.02	0.00	0.00	16.70	0.00	0.00
d_A, Approach Delay [s/veh]	379.43			160.32			0.01			5.19		
Approach LOS	F			F			A			A		
d_I, Intersection Delay [s/veh]	71.55											
Intersection LOS	F											

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Two-way stop	Delay (sec / veh):	539.9
Analysis Method:	HCM 7th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	1.910

Intersection Setup

Name											
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	1	0	0	0	0	0	1	0	0	1	0	0
Entry Pocket Length [m]	60.00	30.48	30.48	30.48	30.48	30.48	25.00	30.48	30.48	80.00	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	110	5	165	5	1	5	5	495	55	80	490	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	20	0	30	0	0	0	0	0	30	46	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	151	6	227	6	1	6	6	592	96	141	586	6
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	38	2	57	2	0	2	2	148	24	35	147	2
Total Analysis Volume [veh/h]	151	6	227	6	1	6	6	592	96	141	586	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Stop	Stop	Free	Free
Flared Lane	No	No		
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance	No	No		
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	1.91	0.06	0.48	0.18	0.01	0.01	0.01	0.01	0.00	0.16	0.01	0.00
d_M, Delay for Movement [s/veh]	539.92	50.75	21.86	126.65	57.56	25.80	8.68	0.00	0.00	9.70	0.00	0.00
Movement LOS	F	F	C	F	F	D	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	13.26	3.11	3.11	0.69	0.69	0.69	0.02	0.00	0.00	0.55	0.00	0.00
95th-Percentile Queue Length [m/ln]	101.05	23.70	23.70	5.24	5.24	5.24	0.14	0.00	0.00	4.19	0.00	0.00
d_A, Approach Delay [s/veh]	226.03			74.79			0.08			1.87		
Approach LOS	F			F			A			A		
d_I, Intersection Delay [s/veh]	48.90											
Intersection LOS	F											

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Roundabout	Delay (sec / veh):	11.0
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes		

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	1	0	0	0
Entry Pocket Length [m]	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.00	30.48	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	65	1	170	1	1	1	1	395	230	295	420	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Proportion of CAVs [%]	0.00											
Growth Factor	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	25	0	58	0	0	0	0	0	16	13	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	103	1	261	1	1	1	1	472	291	366	502	6
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	26	0	65	0	0	0	0	118	73	92	126	2
Total Analysis Volume [veh/h]	103	1	261	1	1	1	1	472	291	366	502	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Number of Conflicting Circulating Lanes	1			1			1			1		
Circulating Flow Rate [veh/h]	483			990			375			107		
Exiting Flow Rate [veh/h]	671			8			618			749		
Demand Flow Rate [veh/h]	103	1	261	1	1	1	1	472	291	366	502	6
Adjusted Demand Flow Rate [veh/h]	103	1	261	1	1	1	1	472	291	366	502	6

Lanes

Overwrite Calculated Critical Headway	No	No	No	No	No
User-Defined Critical Headway [s]	4.00	4.00	4.00	4.00	4.00
Overwrite Calculated Follow-Up Time	No	No	No	No	No
User-Defined Follow-Up Time [s]	3.00	3.00	3.00	3.00	3.00
A (intercept)	1380.00	1380.00	1420.00	1420.00	1380.00
B (coefficient)	0.00102	0.00102	0.00091	0.00091	0.00102
HV Adjustment Factor	0.98	0.98	0.98	0.98	0.98
Entry Flow Rate [veh/h]	373	4	483	297	892
Capacity of Entry and Bypass Lanes [veh/h]	843	503	1010	1010	1238
Pedestrian Impedance	1.00	1.00	1.00	1.00	1.00
Capacity per Entry Lane [veh/h]	827	493	990	990	1213
X, volume / capacity	0.44	0.01	0.48	0.29	0.72

Movement, Approach, & Intersection Results

Lane LOS	A	A	A	A	B
95th-Percentile Queue Length [veh]	2.28	0.02	2.64	1.23	6.68
95th-Percentile Queue Length [m]	17.40	0.14	20.12	9.39	50.92
Approach Delay [s/veh]	9.97	7.38	8.29		13.81
Approach LOS	A	A	A		B
Intersection Delay [s/veh]	11.00				
Intersection LOS	B				

Intersection Level Of Service Report
Intersection 1: Payzant at Wentworth

Control Type:	Roundabout	Delay (sec / veh):	10.5
Analysis Method:	HCM 7th Edition	Level Of Service:	B
Analysis Period:	15 minutes		

Intersection Setup

Name												
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	0	0	0	0	0	0	0	0	1	0	0	0
Entry Pocket Length [m]	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.48	30.00	30.48	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28			48.28			48.28			48.28		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	110	5	165	5	1	5	5	495	55	80	490	5
Base Volume Adjustment Factor	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300	1.0300
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Proportion of CAVs [%]	0.00											
Growth Factor	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	20	0	30	0	0	0	0	0	30	46	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	151	6	227	6	1	6	6	592	96	141	586	6
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	38	2	57	2	0	2	2	148	24	35	147	2
Total Analysis Volume [veh/h]	151	6	227	6	1	6	6	592	96	141	586	6
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Number of Conflicting Circulating Lanes	1			1			1			1			
Circulating Flow Rate [veh/h]	616			896			151			166			
Exiting Flow Rate [veh/h]	243			18			758			842			
Demand Flow Rate [veh/h]	151	6	227	6	1	6	6	592	96	141	586	6	
Adjusted Demand Flow Rate [veh/h]	151	6	227	6	1	6	6	592	96	141	586	6	

Lanes

Overwrite Calculated Critical Headway	No	No	No	No	No
User-Defined Critical Headway [s]	4.00	4.00	4.00	4.00	4.00
Overwrite Calculated Follow-Up Time	No	No	No	No	No
User-Defined Follow-Up Time [s]	3.00	3.00	3.00	3.00	3.00
A (intercept)	1380.00	1380.00	1420.00	1420.00	1380.00
B (coefficient)	0.00102	0.00102	0.00091	0.00091	0.00102
HV Adjustment Factor	0.98	0.98	0.98	0.98	0.98
Entry Flow Rate [veh/h]	392	14	610	98	748
Capacity of Entry and Bypass Lanes [veh/h]	737	554	1238	1238	1165
Pedestrian Impedance	1.00	1.00	1.00	1.00	1.00
Capacity per Entry Lane [veh/h]	722	543	1214	1214	1142
X, volume / capacity	0.53	0.02	0.49	0.08	0.64

Movement, Approach, & Intersection Results

Lane LOS	B	A	A	A	B
95th-Percentile Queue Length [veh]	3.17	0.07	2.81	0.26	4.91
95th-Percentile Queue Length [m]	24.18	0.56	21.43	1.96	37.39
Approach Delay [s/veh]	13.18	6.92	7.63		11.83
Approach LOS	B	A	A		B
Intersection Delay [s/veh]	10.48				
Intersection LOS	B				

Intersection Level Of Service Report
Intersection 3: Payzant at King

Control Type:	Two-way stop	Delay (sec / veh):	30.1
Analysis Method:	HCM 7th Edition	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.389

Intersection Setup

Name						
Approach	Southbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	0	1	1	0	0	0
Entry Pocket Length [m]	30.48	30.48	30.48	30.48	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28		48.28		48.28	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		Yes		Yes	

Volumes

Name						
Base Volume Input [veh/h]	86	78	112	264	443	92
Base Volume Adjustment Factor	1.0457	1.0457	1.0457	1.0457	1.0457	1.0457
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	90	82	117	276	463	96
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	23	21	29	69	116	24
Total Analysis Volume [veh/h]	90	82	117	276	463	96
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.39	0.15	0.12	0.00	0.00	0.00
d_M, Delay for Movement [s/veh]	30.10	12.49	9.02	0.00	0.00	0.00
Movement LOS	D	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	1.74	0.51	0.39	0.00	0.00	0.00
95th-Percentile Queue Length [m/ln]	13.23	3.87	2.98	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	21.70		2.69		0.00	
Approach LOS	C		A		A	
d_I, Intersection Delay [s/veh]	4.26					
Intersection LOS	D					

Intersection Level Of Service Report
Intersection 3: Payzant at King

Control Type:	Two-way stop	Delay (sec / veh):	58.4
Analysis Method:	HCM 7th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.605

Intersection Setup

Name						
Approach	Southbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	0	1	1	0	0	0
Entry Pocket Length [m]	30.48	30.48	30.48	30.48	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28		48.28		48.28	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		Yes		Yes	

Volumes

Name						
Base Volume Input [veh/h]	90	120	104	457	542	85
Base Volume Adjustment Factor	1.0457	1.0457	1.0457	1.0457	1.0457	1.0457
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	94	125	109	478	567	89
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	24	31	27	120	142	22
Total Analysis Volume [veh/h]	94	125	109	478	567	89
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.60	0.25	0.12	0.00	0.01	0.00
d_M, Delay for Movement [s/veh]	58.43	14.75	9.38	0.00	0.00	0.00
Movement LOS	F	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	3.23	1.00	0.40	0.00	0.00	0.00
95th-Percentile Queue Length [m/ln]	24.62	7.59	3.02	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	33.50		1.74		0.00	
Approach LOS	D		A		A	
d_I, Intersection Delay [s/veh]	5.72					
Intersection LOS	F					

Intersection Level Of Service Report
Intersection 3: Payzant at King

Control Type:	Two-way stop	Delay (sec / veh):	36.1
Analysis Method:	HCM 7th Edition	Level Of Service:	E
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.497

Intersection Setup

Name						
Approach	Southbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	0	1	1	0	0	0
Entry Pocket Length [m]	30.48	30.48	30.48	30.48	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28		48.28		48.28	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		Yes		Yes	

Volumes

Name						
Base Volume Input [veh/h]	86	78	112	264	443	92
Base Volume Adjustment Factor	1.0457	1.0457	1.0457	1.0457	1.0457	1.0457
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	21	22	8	0	0	7
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	111	104	125	276	463	103
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	28	26	31	69	116	26
Total Analysis Volume [veh/h]	111	104	125	276	463	103
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.50	0.19	0.12	0.00	0.00	0.00
d_M, Delay for Movement [s/veh]	36.09	12.89	9.09	0.00	0.00	0.00
Movement LOS	E	B	A	A	A	A
95th-Percentile Queue Length [veh/ln]	2.52	0.68	0.42	0.00	0.00	0.00
95th-Percentile Queue Length [m/ln]	19.17	5.15	3.23	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	24.86		2.83		0.00	
Approach LOS	C		A		A	
d_I, Intersection Delay [s/veh]	5.48					
Intersection LOS	E					

Intersection Level Of Service Report
Intersection 3: Payzant at King

Control Type:	Two-way stop	Delay (sec / veh):	81.1
Analysis Method:	HCM 7th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.739

Intersection Setup

Name						
Approach	Southbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [m]	3.66	3.66	3.66	3.66	3.66	3.66
No. of Lanes in Entry Pocket	0	1	1	0	0	0
Entry Pocket Length [m]	30.48	30.48	30.48	30.48	30.48	30.48
No. of Lanes in Exit Pocket	0	0	0	0	0	0
Exit Pocket Length [m]	0.00	0.00	0.00	0.00	0.00	0.00
Speed [km/h]	48.28		48.28		48.28	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		Yes		Yes	

Volumes

Name						
Base Volume Input [veh/h]	90	120	104	457	542	85
Base Volume Adjustment Factor	1.0457	1.0457	1.0457	1.0457	1.0457	1.0457
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	10	15	21	0	0	17
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	104	140	130	478	567	106
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	26	35	33	120	142	27
Total Analysis Volume [veh/h]	104	140	130	478	567	106
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.74	0.29	0.14	0.00	0.01	0.00
d_M, Delay for Movement [s/veh]	81.08	15.32	9.57	0.00	0.00	0.00
Movement LOS	F	C	A	A	A	A
95th-Percentile Queue Length [veh/ln]	4.35	1.18	0.49	0.00	0.00	0.00
95th-Percentile Queue Length [m/ln]	33.18	8.96	3.75	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	43.35		2.05		0.00	
Approach LOS	E		A		A	
d_I, Intersection Delay [s/veh]	7.75					
Intersection LOS	F					

APPENDIX B – AUXILIARY TURN LANE WARRANTS

Estimated Left Turning Traffic Scenarios for Proposed Development

Data and Assumptions:

Posted Speed: 50 km/h
Design Speed: 60 km/h

Assume 50% of site generated trips turn left into development

Assume 50/50 split from development

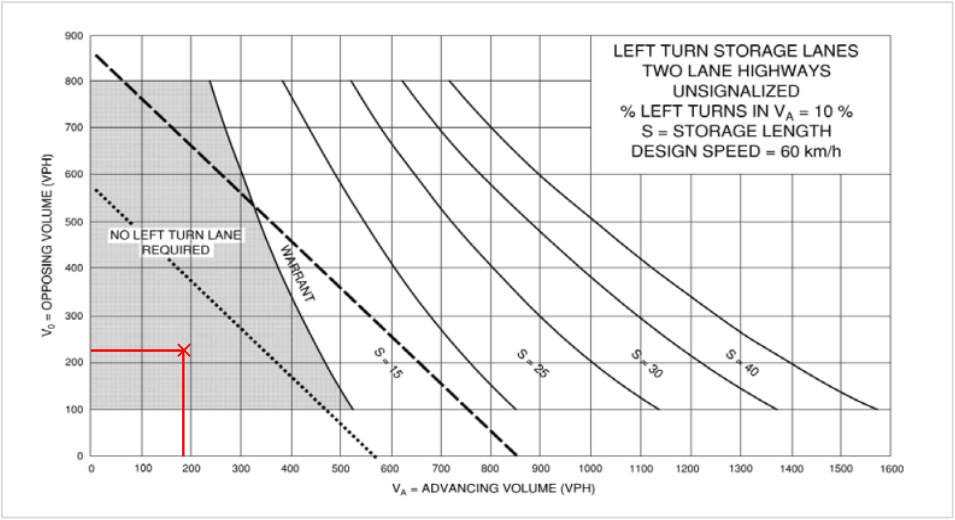
Left turn volume= 15 (based off Trip Generation rates)

V_A = Southbound volume + Left turn volume

V_O = Northbound volume

2033 Future Traffic Volumes

2-way Peak Hour Volume =	415 vph
V_A =	187 vph
V_O =	228 vph
% Left Turns in V_A=	8%



Estimated Left Turning Traffic Scenarios for Proposed Development

Data and Assumptions:

Posted Speed: 50 km/h
Design Speed: 60 km/h

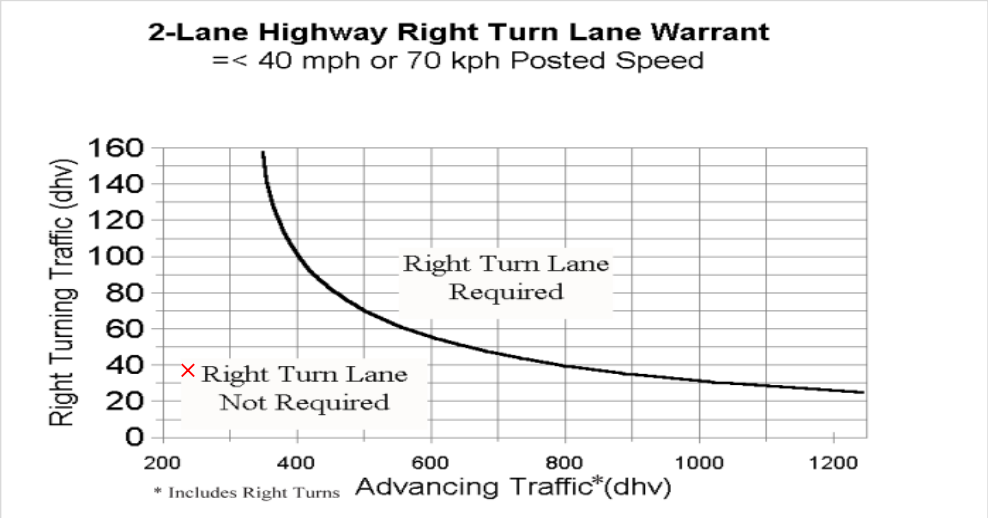
Assume 50% of site generated trips turn right into development

Right Turn Volume = 38 (based off Trip Generation rates)

V_A = Northbound Volume
V_O = Southbound Volume

2033 Future Traffic Volumes

2-way Peak Hour Volume =	493 vph
V_A =	236 vph
V_O =	257 vph



Estimated Left Turning Traffic Scenarios for Proposed Development

Data and Assumptions:

Posted Speed: 50 km/h
Design Speed: 60 km/h

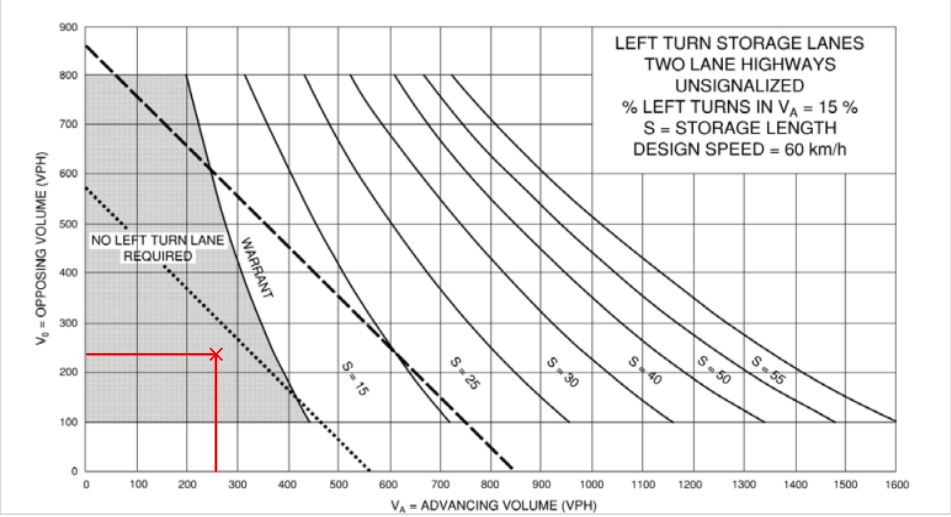
Assume 50% of site generated trips turn left into development

Left turn volume= 38 (based off Trip Generation rates)

V_A = Southbound volume + Left turn volume
V_O = Northbound volume

2033 Future Traffic Volumes

2-way Peak Hour Volume =	493 vph
V_A =	257 vph
V_O =	236 vph
% Left Turns in V_A=	15%



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐

To: Council

Submitted by: _____

Shelleena Thornton, Municipal Operations Supervisor

Date: March 26, 2024

Subject: Summerville Fire Rescue Truck Alternative Procurement – Supplementary Recommendation Report

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LEGISLATIVE AUTHORITY

Municipal Government Act, Section 65A - Authorized municipal expenditures.

RECOMMENDATION or DECISION REQUEST

…that Committee of the Whole recommends to Council the purchase of the 2024 5500 Ram Chassis Tradesman 4x4 Crew Cab from Kentville Chrysler Dodge Jeep (2005 Inc) at the total quoted price of $97,932.72.

…that Committee of the Whole recommends to Council to approve Rocky Mountain Phoenix doing the build for this Chassis at a total quoted price of $146,799.00 plus applicable taxes.

BACKGROUND

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

In 2021, two RFPs were issued on the NS Procurement website for the replacement of Summerville Fire Department's Fire Rescue Truck, one in May 2021 and again October 2021. There were no responses to the May RFP; hence the re-tender. In October, only one proposal was received from Rocky Mountain Phoenix.

In December 2021, a report was presented to both Committee of the Whole and Council recommending award of the tender.

At the December 16, 2021 Council meeting, council made the following motions:

Moved by Deputy Mayor P. Morton and Councillor Jannasch that council award tender WHRMAD 20-07A for a Fire Rescue Truck to Rocky Mountain Phoenix at a net cost of $215,137.00 plus applicable taxes. Motion Carried.

Moved by Deputy Mayor P. Morton and Councillor Sherman that council approve a temporary borrowing resolution in the amount of $202 878.00 for the Fire Rescue Truck for the Summerville Fire Department. Motion Carried.

DISCUSSION

Since Council's approval, a 5500 chassis has attempted to be secured; however, supply chain issues have been unprecedented.

On February 16, 2024, Pothier Motors, Rocky Mountain Phoenix, WHRM staff, and Chief Spencer received word that there was zero allocation for Canada and that the only option was to wait for unknown production capacity.

This delay has affected this project by:

- No chassis; no build slot.
- Chassis costing has risen several times since December 2021 and Pothier's cannot confirm what a new selling price will be; however, can confirm it won't be as originally quoted to Rocky Mountain Phoenix as of the purchase order date.
- Tri-Star Industries indicates that build times are at approximately 19 months from if/when a chassis arrives.
- Tri-Start Industries' body pricing has also increased significantly since Council's approval and the purchase order was issued.

Rocky Mountain Phoenix has pursued many options to get this project on track by seeking out suitable alternatives.

- A chassis that meets Summerville Fire's needs has become available at Kentville Chrysler. Chief Spencer has checked it out and agrees that it will meet their needs.
- Instead of Tri-Star completing the final upfit stage of the project in Yarmouth, Rocky Mountain Phoenix would take on that work at the Bridgewater facility.
- There would be minor modifications required but would be quite close to the original build proposed by Tri Star Industries.
- Rocky Mountain Phoenix and Chief Spencer (and Chief Spencer with the Summerville Fire Dept Truck Committee) remain in communication to ensure that the Department's needs are met.
- Total build of this truck will take approximately seven (months) from the time of order (PO is issued and chassis is in Rocky Mountain's possession).

NEXT STEPS

If the recommendation is supported by Council:

- WHRM will cancel the existing purchase order with Rocky Mountain Phoenix, recognizing that the project has changed (both in scope and pricing)
- WHRM will issue a purchase order and procure the 5500 Chassis Tradesman 4x4 Crew Cab from Kentville Chrysler Dodge Jeep
- Issue a new purchase order to Rocky Mountain Phoenix for the build of the Fire Rescue Truck for Summerville Fire Department.

FINANCIAL IMPLICATIONS

The total cost is $255,230.71 including applicable taxes.

2023-24 Capital Budget – SFD – Light Rescue Utility Vehicle (deferred from 2020-21)

	Original	Proposed	Variance
Tender Pricing	$215,137.00	$244,731.72	$29,594.72
Non-Recoverable Tax *(4.29%)*	$9,229.38	$10,498.99	$1,269.61
Tender Total	**$224,366.38**	**$255,230.71**	**$30,864.33**
Less: 2020-24 Debt Financing	($21,487.04)	($52,466.93)	($30,979.89)
Total to Debt Finance*	**$202 878**	**$202,764**	**(114)**
2023-24 Budget Value		$224,366.00	
Variance (over budget)		$21,602.22	

*Rounded to the nearest dollar.

In the 2020-21 Capital Budget this apparatus was scheduled to be funded through debt servicing and since the approval of the 2020-21 the Operating Budgets have accounted for debt servicing costs associated to the acquisition of this approved apparatus. Since 2020-21 the debt servicing costs associated to this acquisition has grown to $52,467.

Though, the new options presented in this report, come in over the original budget, taking away the amounts that have already been contributed to the debt servicing brings the total value needing to be borrowed down to $202,764, which lowers the overall debt servicing costs by $114.

Further, if Council approves the new options presented in this report, it will not be completed in 2023-24. Meaning the capital amount and associated debt servicing will be carried

forwarded into 2024-25 and will be updated to reflect the new totals. Upon completion, the final borrowing amount will be further reduced by the 2024-25 debt servicing costs estimate.

ALTERNATIVES

1. Council may choose not to support this.

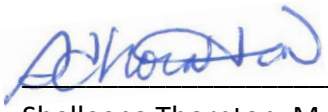
This alternative is not being recommended to Council.

ATTACHMENTS

1. December 7, 2021 *Summerville Fire Rescue Truck – Tender Award* Recommendation Report

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: 
Shelleena Thornton, Municipal Operations Supervisor

Report Reviewed by: _____
Chris Spencer, Fire Chief, Summerville Volunteer Fire Dept.

Report Reviewed by: _____
Diana Gibson, Manager, Accounting and Financial Reporting

Report Reviewed by: _____
Carlee Rochon, Director of Financial Services

Report Approved by: 
Mark Philips, Chief Administrative Officer (CAO)

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐

To: Committee of the Whole

Submitted by: _____

Shelleena Thornton, Municipal Operations Supervisor

Date: December 07, 2021

Subject: Summerville Fire Rescue Truck – Tender Award

LEGISLATIVE AUTHORITY

Municipal Government Act, Section 65A - Authorized municipal expenditures.

RECOMMENDATION or DECISION REQUEST

…that Committee of the Whole recommends to Council the award of Tender WHRMAD20-07A for a Fire Rescue Truck to Rocky Mountain Phoenix at a net cost of $215,137.00 plus applicable taxes.

…that Committee of the Whole recommends to Council to approve a temporary borrowing resolution in the amount of $202 878.00 for the Fire Rescue Truck for the Summerville Fire Department.

BACKGROUND

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

In 2019, Goudreault Associates was hired for a Regional Fire Services Review.

The November 2019 report prepared by Goudreault Associates is an accumulation of local information measured against current legislation, regulations, recognized standards, and guidelines. Included was a compiled 'table of recommendations' that identified suggested responsibilities and timeframes.

At the January 27, 2020 Co-ordinating Committee Meeting, the consultant's report was adopted including the attached recommendations which included Recommendation # 145 – Scheduled Fire Apparatus Replacements (p. 290 of the Regional Fire Services Review).

DISCUSSION

Tenders were called for on the NS Procurement website twice.

May 18, 2021 - First call for proposals was issued; however, received no responses primarily due to unknown timelines on behalf of vendors to be able to get specific parts due to COVID-19 and the delays faced by many manufacturers.

October 15, 2021 – Second call for proposals was issued on the NS Procurement website, in which one proposal was received from Rocky Mountain Phoenix for the unit price identified in the recommendation. This tender closed November 18, 2021.

The proposal was reviewed by the Summerville Fire Department's Truck Committee and rated to ensure the vendor could meet the specifications identified as well as operational requirements. One highlight of mention is that with respect to timelines, the proponent identifies that delivery of the Fire Rescue Truck would be within 300 days after they received the chassis, as it is recognized there are still some delays in acquiring components. This is satisfactory to the fire department.

The truck being replaced is a 19-year-old (2003) FORD F350 Rescue Utility Truck, which has been more of a Rescue than Utility truck and near (or at) weight capacity for equipment needing to be carried on the unit. Further, a couple of years ago, it was out of service for 12 days due to engine failure which cost over $6,000 and is but one issue experienced supporting its near end-of-life expectancy and reliability.

The replacement Fire Rescue Truck will be

- on a heavier dual rear wheel Chassis, providing for greater capacity to meet the needs of the Department.
- increased internal and external compartment storage space adding functionality to the Rescue by providing easier accesses to transport items to and from the scene.
- provide members area to shelter in-place and rehab while on fire scenes.

This proposal is quite similar to the recent build completed for South West Hants Fire Station, less the costing of the pump and water system. That Rescue truck was tendered at $252,299.68 plus applicable taxes.

NEXT STEPS

If the recommendation is supported, notify the vendor to proceed.

FINANCIAL IMPLICATIONS

Purchase cost of this tender exceeds the spending authority of the CAO.

For the 2020/21 fiscal period, the amount of $175,000 was approved under the Summerville Fire Department section within the capital budget, for the replacement of a 19-year-old Utility truck. In the 2020/21 Capital Budget the Fire Rescue Truck is funded by long-term borrowing through Municipal Finance Corporation (MFC). The operating budget has been budgeted

21,488 ($10,744 yearly) in debt servicing costs over the last two years for this truck purchase, which will be applied to reduce the amount borrowed.

The incurred cost of the proposed Fire Rescue Truck would be $224,366.38 including applicable taxes (non-recoverable portion), resulting in 202,878 to be funded through long-term borrowing less the debt servicing costs carried over. The additional amount of $27,878 will add $1,711 to the 2022/2023 Operating Budget debt servicing costs.

The additional amount of $27,878 is calculated by ($224,366.38 (incurred cost) - $175,000.00 (budgeted) - $21,488 (budgeted operationally over past two years) = $27,878 (additional amount needed).

ALTERNATIVES

1. Council may choose not to fund or award this contract.

This alternative is not being recommended to Council.

ATTACHMENTS

1. Recommendations approved at the January 27, 2020 Co-ordinating Committee Meeting
2. TBR Fire Rescue Truck Summerville Fire Dept.

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report is thorough and reflects the various steps carried out in procuring this truck by the Summerville Fire Department. The report and recommendation is further in alignment with the Fire Study and comparable in cost to the truck recently sourced for the South West Hants Fire Department.

I support the recommendation.

Report Prepared by: _____
Shelleena Thornton, Municipal Operations Supervisor

Report Reviewed by: _____
Carlee Rochon, Director of Financial Services

Report Approved by: _____
Mark Philips, Chief Administrative Officer (CAO)

WWH Fire Study Recommendations

2020-01-23

	PRIORTY		ACTION
CC = Coordinating Committee or Council Responsibility	Immediate (I)	CC Responsibility	RECOMMEND ADOPTION
FS = Fire Service Responsibility	Short-term (S)	0 to 1 year	RECOMMEND ADOPTION WITH REVISIONS
Joint = CC or Council and FS Responsibility	Long-term (L)	1 year +	RECOMMEND ADOPTION IN PRINCIPLE
			NOT RECOMMENDING

The following table references only 25 of 151 recommendations identified in the fire study.

	REC #	Recommendations	Priority	Report Page	Joint CAO(s) and Fire Chief(s) Position
1	10	GA recommends that the current **1.5 FTE fire-inspectors in Planning and Development be reassigned to the regional fire service.**	I	xv	NOT RECOMMENDING
2	61	GA recommends the hiring of a full-time Assistant Fire Chief.	I	127	NOT RECOMMENDING
3	62	GA recommends the hiring of a part-time Divisional Chief.	I	127	NOT RECOMMENDING
4	65	GA recommends the transfer of 1.5 FTE Fire-Inspectors from Planning & Development, Building, to the regional fire services.	I	127	NOT RECOMMENDING
5	63	GA recommends the hiring of a full-time Administrative Assistant.	I	127	NOT RECOMMENDING (CAPACITY WITHIN EXISTING WWH STAFFING)
6	64	GA recommends the hiring of four part-time paid on call fire-investigators.	I	127	NOT RECOMMENDING (TRAINING SCHEDULE TO BE DEVELOPED)
7	7	GA recommends that all **purchasing of significant-cost items be coordinated.**	I	xiv	RECOMMEND ADOPTION
8	99	GA recommends, based on the travel-time predictions, the following fire station response districts. {detail on page}	I	197	RECOMMEND ADOPTION
9	1	GA recommends the **hybrid organizational model** because it is the best compromise in providing regional coordination and efficiencies yet maintains the local volunteer character of the fire department.	I	xiv	RECOMMEND ADOPTION
10	3	GA recommends a **District Fire Chief management committee** as a key recommendation, to bring together all the local fire district management personnel; so that plans and decisions on common issues of concern and service delivery can be made.	I	xiv	RECOMMEND ADOPTION
11	13	GA recommends that when the new regional municipality officially comes into being April 1, 2020, **that all the fire departments, municipal or otherwise, providing fire and rescue services within the region,** including those that are contracted by the municipality, register with the new municipality on an annual basis.	I	11	RECOMMEND ADOPTION
12	15	GA recommends that a review of the current **registration form used by the Municipality of West Hants be used as the base registration document,** and that it be amended to reflect the new regional municipality and its needs.	I	12	RECOMMEND ADOPTION
13	122	GA recommends that these Minor Capital expenditures be treated differently in future budgets and will address this recommendation in the benchmark portion of this analysis.	I	254	RECOMMEND ADOPTION
14	140	GA recommends that Windsor's other aerial (ALF) be scrapped without direct replacement and an unsuitable wildland/urban interface pumper be sold.	I	284	RECOMMEND ADOPTION
15	6	GA recommends the proposed **20-year capitalization plan**, primarily for fire apparatus replacements, using a standardized approach to specification and group purchasing.	I	xiv	RECOMMEND ADOPTION IN PRINCIPLE
16	39	GA recommends that the Regional municipality **register their volunteer firefighters with WCB** before the eventual requirement for such registration occurs.	I	38	RECOMMEND ADOPTION IN PRINCIPLE
17	107	GA recommends that the following replacement schedule be adopted for the purposes of determining fire apparatus suitability for continued service. {detail on page}	I	215	RECOMMEND ADOPTION IN PRINCIPLE
18	110	GA recommends a standardized vehicle specification be used Region-wide. Standardized apparatus descriptions are included in Appendix IX; Standardized Fire Apparatus Features starting on page 377.	I	216	RECOMMEND ADOPTION IN PRINCIPLE
19	111	GA recommends that specifications for the major classes of fire apparatus be standardized across all stations in the new regional municipality. This will generate savings in total cost of ownership for the municipality.	I	219	RECOMMEND ADOPTION IN PRINCIPLE
20	139	GA recommends that the following fire apparatus replacement schedule be adopted for the purposes of determining fire apparatus suitability for continued service and as a budget planning tool for fire apparatus replacement. {detail on page}	I	283	RECOMMEND ADOPTION IN PRINCIPLE
21	145	GA recommends the following table of scheduled fire apparatus replacements. {detail on page}	I	290	RECOMMEND ADOPTION IN PRINCIPLE
22	9	GA recommends that **all fire prevention activities, including ~~fire inspection~~, fire-investigation, and fire-safety education be brought inhouse.** These are mandated services and require coordination, proper execution, and prioritizing in order to meet legislative mandates.	I	xv	RECOMMEND ADOPTION WITH REVISIONS
23	2	GA recommends providing **centralized administration support**, management and leadership. A full-time ~~Director~~ Manager of Public Safety Services – Regional Fire Chief, ~~and a full-time Assistant Fire Chief with primary responsibilities for fire prevention are recommended. A part-time Divisional Chief is also recommended to take responsibility for developing and coordinating of firefighter qualifications and training.~~	I	xiv	RECOMMEND ADOPTION WITH REVISIONS
24	59	GA recommends the implementation of Model 3; Hybrid Regional Fire Service, for all of the reasons discussed starting on page 120.	I	127	RECOMMEND ADOPTION WITH REVISIONS
25	60	GA recommends the hiring of a full-time ~~Director~~ MANAGER of Protective Services/Fire Chief.	I	127	RECOMMEND ADOPTION WITH REVISIONS

MUNICIPAL COUNCIL OF THE

Werst Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: $ 202,878 Purpose: Summerville Fire - Light Rescue Truck

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHERAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of Summerville Fire - Light Rescue Truck;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding Two Hundred and Two Thousand Eight Hundred and Seventy-Eight Dollars ($ 202,878) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding Two Hundred and Two Thousand Eight Hundred and Seventy-Eight Dollars ($ 202,878) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the 16 day of December, 2021.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this _____ day of _____, 2021.

_____

Clerk

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☑	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: Mayor Zebian and members of the West Hants Regional Municipal Council

Submitted by: _____
Scott McLean, Councillor District 2

Date: March 21, 2024

Subject: Belmont Hall Heat Pump Funding Request

LEGISLATIVE AUTHORITY

Municipal Government Act sections 65

RECOMMENDATION or DECISION REQUEST

For Discussion - To be Determined by Council

BACKGROUND

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

Belmont Hall requesting $7,023.49 to cover the cost of installing heat pumps in the hall. They received a quote of $14,099 and Efficiency Nova Scotia approved the quote and will provide a rebate in the amount of $7,075.51.

DISCUSSION

The grant will expire on May 9th, 2024 and Municipal grants do not come out until September. The Belmont Hall does not have the funds to cover the costs at this time. If they are unable to secure the funds required, they may lose this heat pump grant.

Should Council wish to proceed with supporting this request, the following motion would be required to be made **"COUNCIL APPROVE A 2024-25 GRANT TO BELMONT HALL, IN THE AMOUNT OF $7,023.49, PROVIDING THAT ALL GRANT SUBMISSION REQUIREMENTS ARE MET UNDER THE GRANTS AND CONTRIBUTIONS POLICY RCOFN-012.00".**

NEXT STEPS

To be determined by Council

FINANCIAL IMPLICATIONS

Should Council support the above recommendation the $7,023.49 will be added to the 2024-25 operating budget.

ALTERNATIVES

To be Determined

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: _____
Scott McLean, Councillor District 2

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation ☐	Decision Request X	Councillor Activity X

To:

Submitted by: Scott McLean, Councillor District 2 _____

Date: **March 12, 2024**

Subject: **Flooding of Avon River Heritage Society Museum, Boat house and Belmont Road**

LEGISLATIVE AUTHORITY

RECOMMENDATION or DECISION REQUEST

For discussion – to be determined

BACKGROUND

During high tides on March 11, 2024, high tides have breached berms that were constructed a few years ago by West Hants Public Works dept. This has caused extensive flooding of the museum building, boat house and municipal lands

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

DISCUSSION

Looking for an immediate, short turn solution to stop flooding of Avon River Heritage Society Museum and boat house infrastructure and Municipal owned park land beside the museum property.

I will bring a report back to council in the near future asking for staff to investigate a long term solution

NEXT STEPS

Direct staff to investigate constructing higher berms around the museum property. You can see from the pictures where the tide water has breached and overflowing the berms into museum infrastructure

FINANCIAL IMPLICATIONS

TBD

ALTERNATIVES

TBD

ATTACHMENTS

Pictures of flooding are attached in email sent to council earlier today

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.)

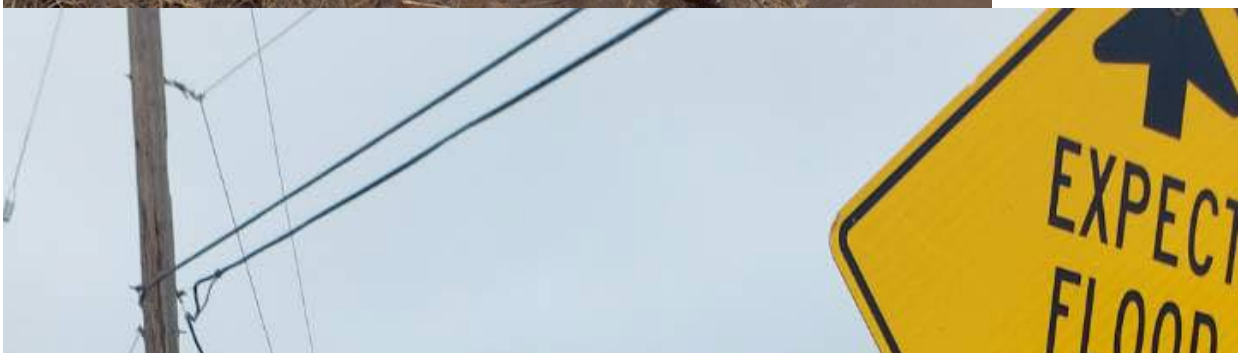
Report Prepared by: _____Councillor S.McLean_____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

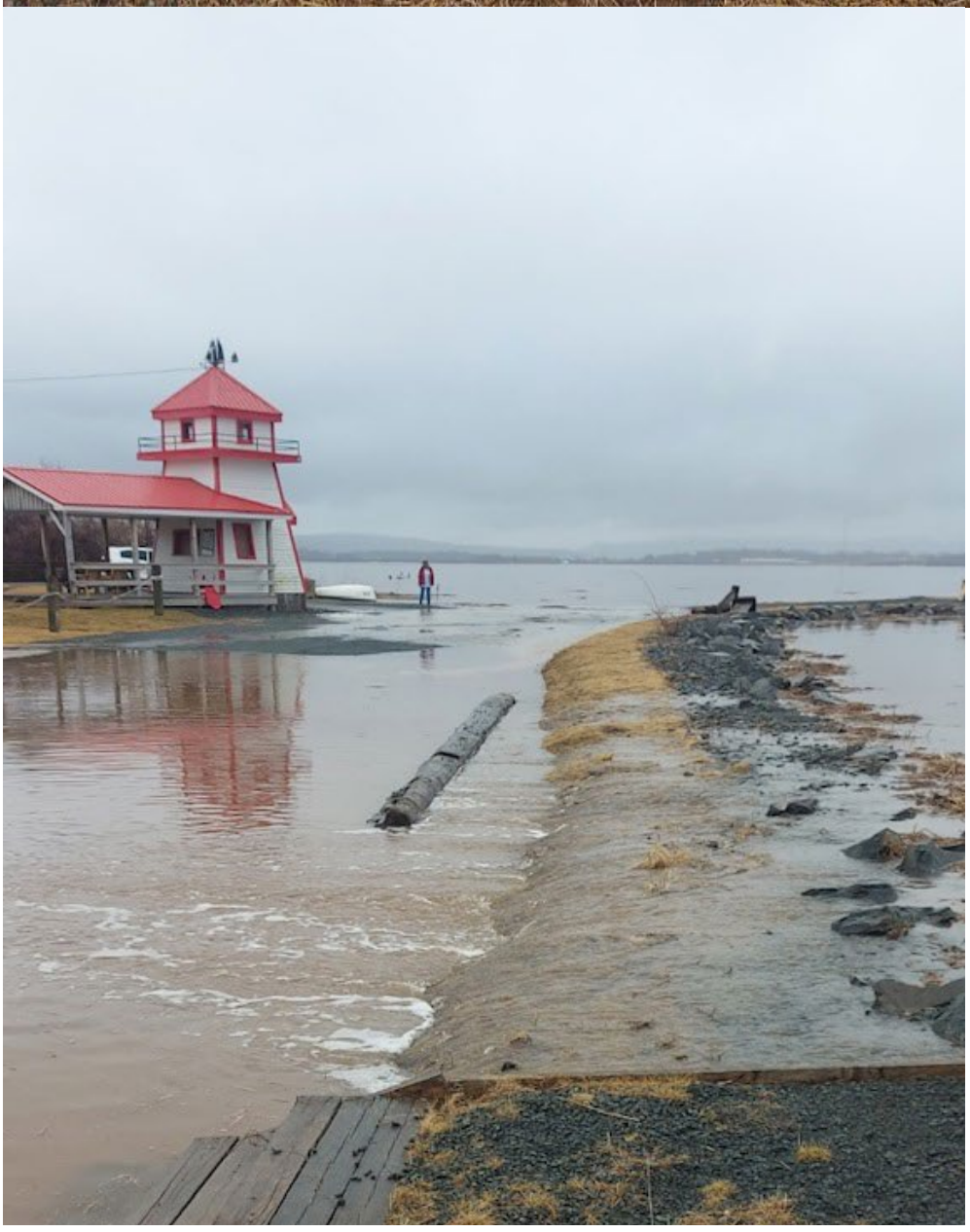





EXPECT
FLOOD


CONDITION



























WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ✓	Recommendation	Decision Request	Councillor Activity ✓

To: Council Meeting – West Hants Regional Municipality

Submitted by: **Jim Ivey, Councillor, Windsor South, District 11**

Date: March 26, 2024

Subject: Water Utility and Sewer Rates Report

LEGISLATIVE AUTHORITY

MGA 30 (1) (2) (3)

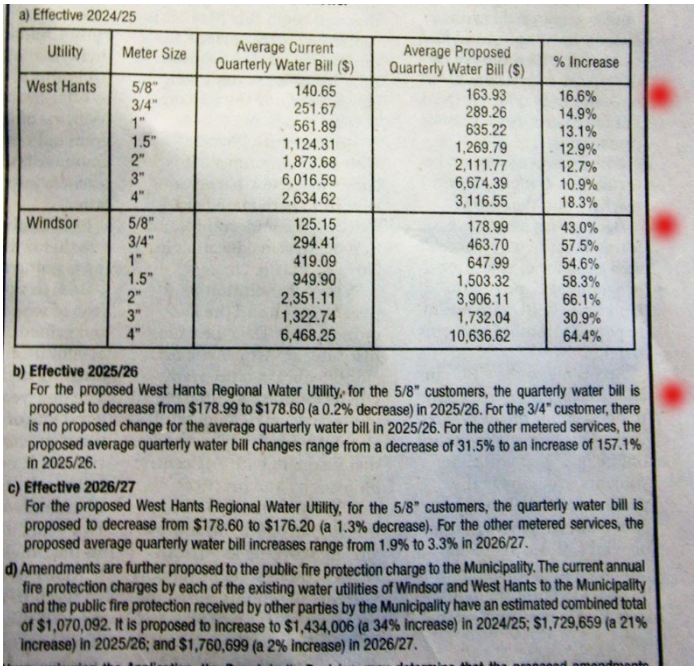
RECOMMENDATION or DECISION REQUEST

For discussion - to Be Determined

BACKGROUND

Between November and January the West Hants Regional Council reviewed draft revisions to water and sewer rates as individual municipal water utilities and sewer services (Windsor and West Hants) as well as combined / consolidated operations. The detailed studies were undertaken with staff input through the joint consulting services operated by Gerry Isenor and Blaine Roone.

Water rates were ultimately approved as noted in newspaper ad attached on the right and with the full ad immediately below on the following page for 2024/25. Consolidated sewer rates were also approved and while they were included in the review, they are not regulated and not part of this discussion.



a) Effective 2024/25

Utility	Meter Size	Average Current Quarterly Water Bill ($)	Average Proposed Quarterly Water Bill ($)	% Increase
West Hants	5/8"	140.65	163.93	16.6%
	3/4"	251.67	289.26	14.9%
	1"	561.89	635.22	13.1%
	1.5"	1,124.31	1,269.79	12.9%
	2"	1,873.68	2,111.77	12.7%
	3"	6,016.59	6,674.39	10.9%
	4"	2,634.62	3,116.55	18.3%
Windsor	5/8"	125.15	178.99	43.0%
	3/4"	294.41	463.70	57.5%
	1"	419.09	647.99	54.6%
	1.5"	949.90	1,503.32	58.3%
	2"	2,351.11	3,906.11	66.1%
	3"	1,322.74	1,732.04	30.9%
	4"	6,468.25	10,636.62	64.4%

b) Effective 2025/26

For the proposed West Hants Regional Water Utility, for the 5/8" customers, the quarterly water bill is proposed to decrease from $178.99 to $178.60 (a 0.2% decrease) in 2025/26. For the 3/4" customer, there is no proposed change for the average quarterly water bill in 2025/26. For the other metered services, the proposed average quarterly water bill changes range from a decrease of 31.5% to an increase of 157.1% in 2025/26.

c) Effective 2026/27

For the proposed West Hants Regional Water Utility, for the 5/8" customers, the quarterly water bill is proposed to decrease from $178.60 to $176.20 (a 1.3% decrease). For the other metered services, the proposed average quarterly water bill increases range from 1.9% to 3.3% in 2026/27.

d) Amendments are further proposed to the public fire protection charge to the Municipality. The current annual fire protection charges by each of the existing water utilities of Windsor and West Hants to the Municipality and the public fire protection received by other parties by the Municipality have an estimated combined total of $1,070,092. It is proposed to increase to $1,434,006 (a 34% increase) in 2024/25; $1,729,659 (a 21% increase) in 2025/26; and $1,760,699 (a 2% increase) in 2026/27.

Notice of Rate Changes and Public Hearing

NOVA SCOTIA UTILITY AND REVIEW BOARD
NOTICE OF PUBLIC HEARING

THE WEST HANTS REGIONAL MUNICIPALITY, on behalf of the existing two water utilities (Windsor and West Hants) applied to amalgamate the two utilities into one utility named the West Hants Regional Water Utility and for an Order authorizing and approving a new Schedule of Rates and Charges for Water and Water Services and a Schedule of Rules and Regulations.

This matter will be considered in a public hearing as follows:

Hearing starts: **Thursday, May 23, 2024**
10:30 AM

Hearing Location: **Council Chambers**
76 Morrison Drive
Windsor, Nova Scotia

Depending on the circumstances (such as COVID-19), this public hearing may be held by GoToWebinar video conferencing.

Board Hearings are open to the public and you may participate as follows:

- You may speak at the hearing. You must notify the Board by **Wednesday, May 1, 2024**.
- You may make written comments by sending a letter to the Clerk of the Board at P.O. Box 1692, Unit "M", Halifax, NS B3J 3S3, or by email at: board@novascotia.ca, or by fax at (902) 424-3919 by **Wednesday, May 1, 2024**.
- You may request formal standing as an Intervener, subject to Board approval. This will allow you to present evidence or cross-examine witnesses. Your request must be received by the Board by **Monday, March 4, 2024** and a copy of your written evidence by **Wednesday, April 10, 2024**.

Additional information about the matter is as follows:

a) Effective 2024/25

Utility	Meter Size	Average Current Quarterly Water Bill ($)	Average Proposed Quarterly Water Bill ($)	% Increase
West Hants	5/8"	140.65	163.93	16.6%
	3/4"	251.67	289.26	14.9%
	1"	561.89	635.22	13.1%
	1.5"	1,124.31	1,269.79	12.9%
	2"	1,873.68	2,111.77	12.7%
	3"	6,016.59	6,674.39	10.9%
	4"	2,634.62	3,116.55	18.3%
Windsor	5/8"	125.15	178.99	43.0%
	3/4"	294.41	463.70	57.5%
	1"	419.09	647.99	54.6%
	1.5"	949.90	1,503.32	58.3%
	2"	2,351.11	3,906.11	66.1%
	3"	1,322.74	1,732.04	30.9%
	4"	6,468.25	10,636.62	64.4%

b) Effective 2025/26

For the proposed West Hants Regional Water Utility, for the 5/8" customers, the quarterly water bill is proposed to decrease from $178.99 to $178.60 (a 0.2% decrease) in 2025/26. For the 3/4" customer, there is no proposed change for the average quarterly water bill in 2025/26. For the other metered services, the proposed average quarterly water bill changes range from a decrease of 31.5% to an increase of 157.1% in 2025/26.

c) Effective 2026/27

For the proposed West Hants Regional Water Utility, for the 5/8" customers, the quarterly water bill is proposed to decrease from $178.60 to $176.20 (a 1.3% decrease). For the other metered services, the proposed average quarterly water bill increases range from 1.9% to 3.3% in 2026/27.

d) Amendments are further proposed to the public fire protection charge to the Municipality. The current annual fire protection charges by each of the existing water utilities of Windsor and West Hants to the Municipality and the public fire protection received by other parties by the Municipality have an estimated combined total of $1,070,092. It is proposed to increase to $1,434,006 (a 34% increase) in 2024/25; $1,729,659 (a 21% increase) in 2025/26; and $1,760,699 (a 2% increase) in 2026/27.

Upon reviewing the Application, the Board, in its Decision, may determine that the proposed amendments should be as requested, higher, or lower.

A copy of the Application and any timetable applying to this matter may be viewed on the Board's website at https://nsuarb.novascotia.ca/, by clicking on "Matters & Evidence", and in the "Go To Files and Documents", enter Matter No. **M11538.**

To assist the Board in using correct forms of address and pronouns in our hearings and decisions, we invite all parties, lawyers, and all other participants to share their pronouns and titles with the Board and each other if they are comfortable doing so. There is no requirement to provide this information.

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

DISCUSSION

A few points of concern for Council and staff to consider.

1. In the rate notification on the previous page the footnote for the 2025 / 26 it suggests:

   " For the proposed West Hants Water Utility, for the 5/8" customers, the quarterly water bill is proposed to decrease from 178.99 to 178.60 (a 0.02% decrease) in 2025/26. For the 3/4" customer there is no proposed change for the average quarterly water bill in 2025/26. For the other metered services the proposed average quarterly water bill changes range from a decrease of 31.5% to an increase of 157.1% in 2025/26."

   The initial statement in italics is not accurate. All other West Hants Water Utility customers with 5/8" service (Hantsport, Falmouth and Three Mile Plains) will experience an 8.9% increase in 2025 / 26, thereby aligning their rates with the new 5/8" rate of $178.60.

2. The initial impetus for this discussion is based on the significant rate increase being implemented to the users of the Windsor water Utility as part of the consolidation process. While the aggregate of the base rate and consumption is anticipated to be 43% in 2024/25. The net increase is the result of a 13.6 % increase in the base rate with 80.1% increase in the commodity / consumption rate (Worksheet D1 Jan 18 Study). This is not a reasonable increase for a Utility that has performed as it has for the past decade.

3. The cost of capital construction and its resulting depreciation expense is driving operating expense in the utility operations. Concern must however be identified that all the capital projects cannot be squeezed in at the same time. Delays already experienced with some capital projects cannot simply be caught up all at once. As an example, in the current rate study, we reflect $6 million in capital plant installed in 2023 / 24 which has only just been tendered. Unless it is approved and installed in the next two to 3 weeks, it cannot be considered "Utility Plant in Service" for the current fiscal year as reflected in the present rate study. It has to also be noted that the allocation of costs within the utilities flows significantly through the fire protection rates and impacts the rates of the residents of all connection sizes.

4. On the revenue performance side of the Utilities, growth of revenues is greatly impacted by the meager allocation to the water utility connections (only 15 new connections per year). Quick analysis reflects we have experienced 197 new connections over the last three years in West Hants alone, at an average of 65 connections per year (2018/19 West Water Utility consolidation study connections (M09013) with the current study) . A conservative average of 50 new connections per year over the next thee-years could reflect new revenues at a level yet to be determined that would not have to be born by the existing 5/8" customer base.

5. The base rates for water services in 2020/21, and for 2021/22 were pro-rated which was not in keeping with the approved rates of the Windsor and West Hants Water Utilities. While the charges appear to have ultimately been adjusted, the net effect was a change of rates during that time.

6. As per the prior point, similar change in rates occurred with the more recent billing adjustment of $297K, that was implemented for the wholesale rates between the Windsor

Water Utility and the Three Mile Plains water utility during the 2021 / 22 /23 fiscal years. This correction effectually resulted in changes to the rates and thus the revenues for the Windsor Utility and the expenses for the Three Mile Plains Utility that should not have occurred to the extent that they did. Both rates and capital surplus funds are impacted by this. The wholesale rates between the utilities are a regulated matter and adjustments to the rates billed through the meters are a specific matter addressed by the NSUARB.

7. In closing, the depth of details associated with the water utilities are both complex and voluminous. Without intending to be critical I do not believe we have done the best we could with this rate / pricing initiative. It would be my suggestion we bring the consultants and staff back together to determine a more graduated increase in rates as was initially presented with estimates at the Nov 14 2023 Committee of the Whole meeting. Although there were some uncertain inputs with those numbers, the smoothing of the rates over the three year period, were more in keeping with an acceptable level that should be sought.

NEXT STEPS
TBD

FINANCIAL IMPLICATIONS

TBD

ALTERNATIVES

(State any option to the recommendation and implication of the options, if anything)

ATTACHMENTS:

CHIEF ADMINISTRATIVE OFFICER REVIEW

Staff have met to discuss the various points raised by Councillor Ivey and will be prepared to discuss matters if directed by Council at the Council meeting or as directed. Some of the items raised are from a retrospective point of view highlighting past discussions of council surrounding the consolidation of the utilities and rate changes with the consultants and staff, while other points may more easily be addressed with clarification from staff.

Staff will await Council's direction of the report and points raised.

Report Prepared by: _____

Jim Ivey, Councillor, Windsor South, District 11

Report Reviewed by: _____

Mark Phillips, Chief Administrative Officer

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☑	Decision Request ☐	Councillor Activity ☐

To: Mayor Zebian and Members of the West Hants Regional Municipal Council

Submitted by: _____
Deanna Snair, Municipal Clerk

Date: March 26, 2024 Council

Subject: Rescind Stormwater Management Motion

LEGISLATIVE AUTHORITY

Municipal Government Act, R.S.N.S. 1998, c. 18:
47 (1) The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

RECOMMENDATION or DECISION REQUEST

… **THAT COUNCIL MOVES THAT THE DECEMBER 19TH 2023 SPECIAL COUNCIL MOTION "THAT COUNCIL DIRECTS STAFF TO COME BACK WITH MORE INFORMATION INCUDING A SUGGESTED RFP FOR COUNCIL TO REVIEW UTILIZING THE CBCL REPORT AND THAT THE RFP TO DEVELOP A STORMWATER MITIGATION PLAN IDENTIFYING BOTH SHORT AND LONG TERM PHASED IN SOLUTIONS" BE RESCINDED.**

BACKGROUND

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

At the March 12th Committee of the Whole meeting notice was provided that the original Stormwater Management motion made at the December 19th Special Council meeting would need to be rescinded.

Currently the Dashboard has two (2) motions related to Stormwater Management. At the December 19th Special Council meeting, a motion was made and approved that ***"COUNCIL DIRECT STAFF TO COME BACK WITH MORE INFORMATION INCLUDING A SUGGESTED RFP FOR COUNCIL TO REVIEW UTILIZING THE CBCL REPORT AND THAT THE REPORT TO DEVELOP A STORMWATER MITIGATION PLAN IDENTIFYING BOTH SHORT AND LONGER TERM PHASED IN SOLUTIONS.*** *Nays: Ivey and Smith*

Following this meeting stormwater management discussions continued in an effort to expedite the process and utilized CBCL (who had been contracted to complete the original study and had historical knowledge of the systems) vs issuing an RFP, which resulted in the following motion being made ***"COUNCIL DIRECT STAFF TO MEET WITH THE STORMWATER CONSULTANTS TO EXPAND UPON THE INITIAL WORK DONE TO DATE TO EXPAND THE PROJECT INTO A PHASE 2 STAGE IN THE INTEREST OF ACCELERATING THE PROCESS FOR DETERMINING NEXT STEPS AND ANALYSIS OF THE WORK THAT NEEDS TO BE DONE FOR THE BROADER WINDSOR STORMWATER MANAGEMENT PLAN."***

Staff confirmed that CBCL were able to expand the project's work and carry out the scope of the work being requested.

DISCUSSION

In order to rescind a motion, the following key points need to be considered:

A "Notice to Rescind" must be provided at a previous meeting not the meeting in which it is to be considered and is typically done at a regular session of council versus a special session of council. (this was provided at the March 12th Committee of the Whole meeting).

The motion to be rescinded cannot have been acted on in a way that makes it, or parts thereof, irreversible. Of the two (2) motions on the Dashboard, the most recent motion has been acted upon resulting in the need to rescind the original December 2023 motion.

Only someone who voted in-favour of the approved motion can give a "Notice to Rescind".

A motion to rescind requires a 2/3 majority vote to pass.

NEXT STEPS

A member of Council will need to rescind the motion made at the December 19th Special Council meeting.

FINANCIAL IMPLICATIONS

There are no financial implication associated with this report.

ALTERNATIVES

At the discretion of Council

ATTACHMENTS

Not Applicable

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____

Deanna Snair, Municipal Clerk

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Committee of the Whole Excerpts
March 12, 2024

CANYON POINT RESORT EXCERPT

During the March 12th, 2024 Committee of the Whole meeting HCC#1 Board presented a request for assistance relating to bridge repairs needed resulting from the July 2023 flood. The July 22, 2023 flood resulted in critical damage to the Canyon Point bridge which left residents stranded/unable to access their properties and the bridge was deemed structurally unsalvageable.

The high-level budget to replace the bridge was approximately $650,000.00. Canyon Pont Resort has allocated $130,000 to the bridge replacement, while DFA has provided $77,966 in financial assistance. Without further financial assistance, residents could experience significant financial hardship as residents could be expected to pay an additional $9,000 or more.

The group was requesting assistance; either through advocacy for EMO to provide the full DFA payment of $200,000, a financial contribution, property taxes be deferred, assist with financing the bridge replacement, waive permit/building or development fees or assist by providing equipment or resources for the project and waive tipping fees.

The Municipal Government Act and Policies did not permit grants (money or provisions of resources) for organization designations deemed for profit, there were other avenues in which the municipality may be able to assist with this matter.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT THE CAO TO WRITE A LETTER TO THE PROVINCE AND EMO MINISTER JOHN LOHR ADVOCATING THAT FULL PAYMENT OF THE $200,000 IN DISASTER FINANCIAL ASSISTANCE BE ISSUED TO ASSIST CANYON POINT RESORT WITH BRIDGE REPAIRS.

DIRECT THE CAO TO WAIVE ALL BUILDING/DEVELOPMENT FEES ASSOCIATED WITH CONSTRUCTING A NEW BRIDGE.

DIRECT THE CAO TO CONTACT GFL AND REQUEST THAT ANY FEES ASSOCIATED WITH THE DEBRIS AND REMOVAL OF THE CANYON POINT RESORT BRIDGE REMNANTS BE WAIVED.

Presentation to West Hants Municipal Council
March 12, 2024



History of Canyon Point Resort

- HCCC#1 commonly referred to as Canyon Point Resort is a bare land condominium property located in Vaughan, NS and has been in effect since 2005.
- It has 59 homes half of which are full time residences. There are also residents who are long term renters.
- Condo fees paid by the owners go towards the upkeep of Canyon Point Resort including the bridge at the entrance to the property which links the residents to Pioneer Drive. In addition to condo fees, each homeowner contributes road fees to FLWOA for the maintenance of Pioneer Drive.
- The former bridge was a single lane roadway, with a 20 feet span with a galvanized steel primary structure, bridge railings, approach railings and reinforced concrete abutments. The bridge has a wood deck and asphalt wearing surface which is covered by gravel.

Canyon Point Resort Bridge



2023 Assessment of Canyon Point Bridge

- In the spring of 2023, the former Canyon Point Bridge was examined and assessed by an engineering firm.
- The assessment report stated that all concrete, steel and timber elements were in good condition.
- That with proper maintenance of the bridge deck (every 15 years) the bridge was assessed to have an indefinite service life.

Timeline of Events

- On July 22, 2023, an intense rain and thunderstorm resulted in massive flooding in West Hants, NS.
- A result of this flooding was critical damage to the Canyon Point Bridge leaving residents stranded in their community and other residents unable to access their properties.
- On July 24 & 25, 2023 a temporary laneway was constructed allowing residents to access Pioneer Drive. It also allowed emergency services, NSP and various other agencies access to Canyon Point Resort.
- On August 1, 2023, a structural engineer deemed the bridge to be unsalvageable and therefore a total loss.
- On August 2, 2023, we engaged with a qualified licensed person to create a water diversion plan and erosion control measures. An application for in-stream structure removal was submitted to the Department of Environment and the Department of Fisheries.

Timeline of Events Continued

- On August 9, 2023, we submitted permit applications to the Department of Environment & the Department of Fisheries and Oceans.
- On August 14, 2023, an application for funding was made to EMO for the Disaster Financial Assistance program.
- On August 25, 2023, a permit was granted from the Department of Environment for removal of the existing in-stream structure (collapsed bridge) as well as the eventual removal of the temporary laneway.
- On September 8, 2023, the asphalt topping, timber decking and steel substructure of the bridge were removed.
- On September 11, 2023, a permit was granted from Department of Fisheries & Oceans for the removal of existing in-stream components (concrete foundations) as well as the eventual removal of the temporary laneway.
- On September 12, 2023, a consultant was engaged to perform all required regulatory surveys, studies, preliminary & detailed design drawings, cost estimate and Engineer of record services.

Bridge Damage



Bridge Damage



Bridge Damage



Bridge Damage



Temporary Laneway



Bridge Deconstruction



Bridge Deconstruction



Bridge Deconstruction



Financial Impact from Bridge Destruction

- To date, Canyon Point Resort has spent and /or committed to approximately $130,000.00 to costs associated with the bridge replacement.
- The current high-level budget for the replacement of this bridge is approximately $650,000.00. This budget was prepared by the HCCC#1 board in consultation with an engineering firm and estimates from local vendors and includes costs for geotechnical surveys, hydrological studies, and design costs, along with the costs to have the temporary laneway removed, footings installed for the new bridge replacement.
- Canyon Point Resort has received $77,966 through the Disaster Financial Assistance Fund and has also spent $48,000 of our own resources after having the reserve fund study redone to free up those additional funds.
- Without financial assistance, additional owner cost could be $9,000 or more per residence, causing significant financial hardship to many homeowners in the community.

How Can the Municipality of West Hants Assist Us

- Advocate on our behalf to EMO for full payment of the $200,000 in Disaster Financial Assistance (this would result in an additional $122,000 to the community for use in the bridge replacement).
- A financial contribution towards the cost of the replacement of the bridge.
- Defer property taxes paid by residents of Canyon Point Resort into a special fund and allow those funds to be used towards the cost of the bridge replacement.
- Finance the bridge replacement and recoup the costs through direct taxation of Canyon Point Resort community members over a period of 5-7 years.
- Waive all building/development fees.
- Help by providing equipment/resources for the bridge project and waive tipping fees for construction material removed when the temporary laneway is dismantled.

Urgency- Time is of the Essence

- On Thursday, February 29, 2024, the temporary laneway currently in place in lieu of the bridge flooded again, effectively making it impossible to leave the community of Canyon Point Resort. Approximately 30 people were trapped with no way out, and conditions were very dangerous until the water subsided enough to allow repair work to be completed so that the laneway could be used again.
- DFO has issued a permit requiring the bridge replacement and all associated work to be completed by the end of 2025. Per the Department of the Environment guidelines, work being done in/on/around any waterway in Nova Scotia can only take place between June 1st and September 30th, so we have limited time to complete this project, and the temporary laneway cannot be a long-term solution without significant risk of failure. Bridge components must also be ordered before starting construction, and a minimum 30% payment of the costs of these components will have to be paid up front, with the balance of 70% owing once construction begins.

February 29, 2024, Laneway Flooding



February 29, 2024, Laneway Flooding



February 29, 2024, Laneway Flooding



February 29, 2024, Laneway Flooding



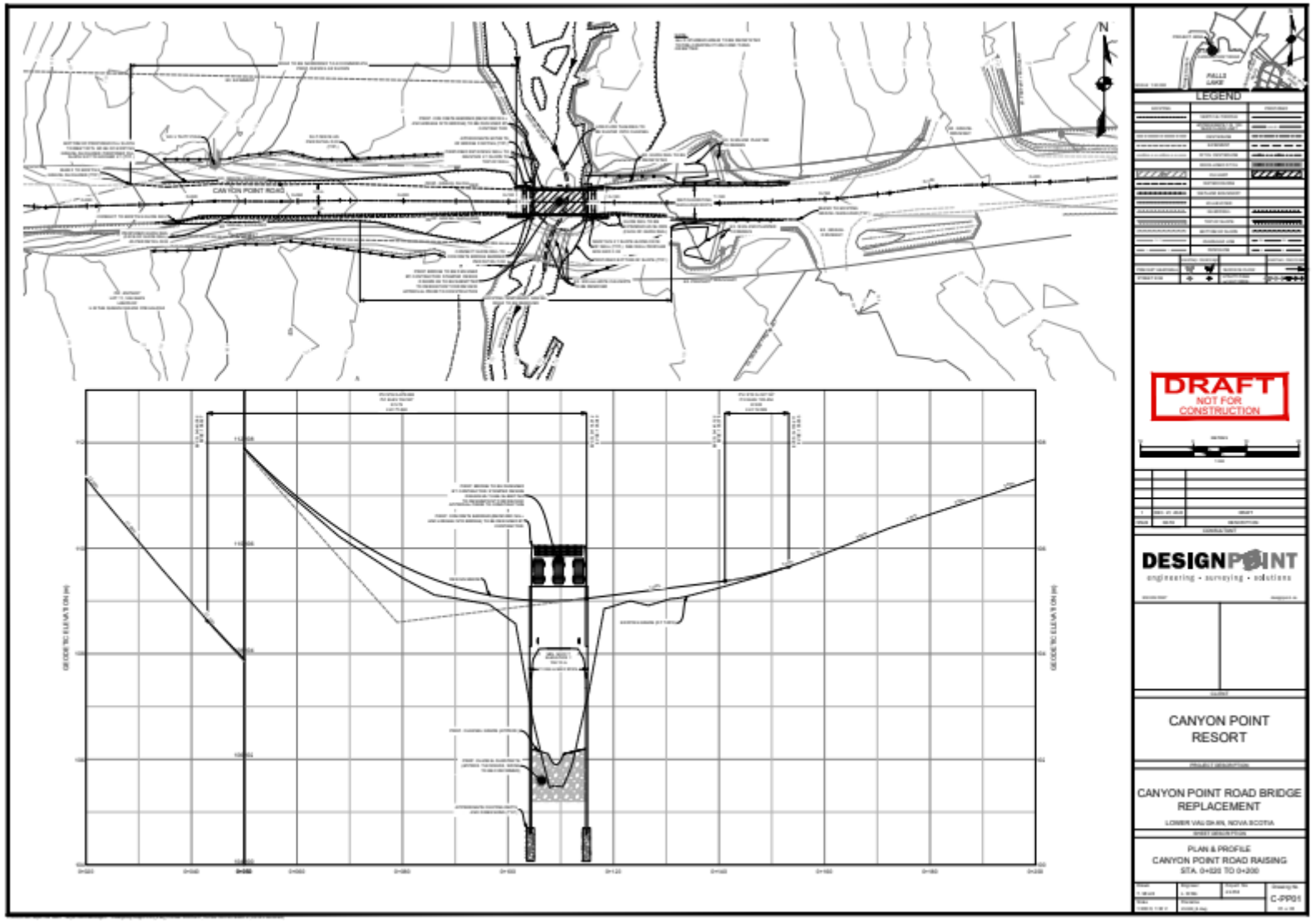
February 29, 2024, Laneway Flooding



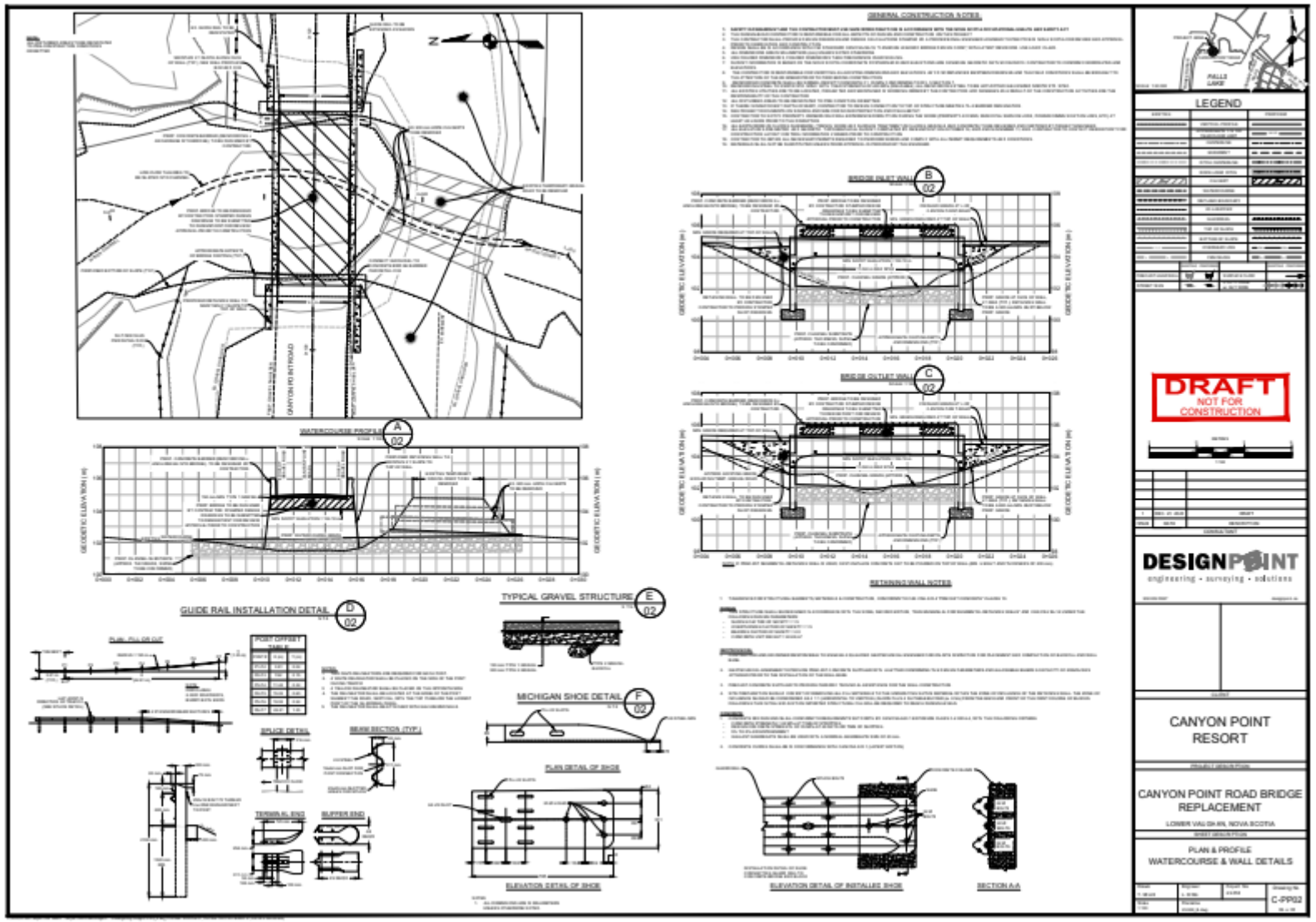
Impact & Necessity

- The bridge allows access into the community of Canyon Point and its necessity cannot be stressed enough. Allowing residents access to assistance in the event of a medical emergency, fire, police, NSP and employment as well as providing them with a safe exit in the event of wildfire is of extreme importance.
- The residents of Canyon Point Resort support the Municipality of West Hants not only with their tax dollars, but also local businesses and contractors. Anything from groceries, clothing, hardware, furniture, restaurants and gasoline are more than likely purchased within the municipality.
- The construction work that will be done to replace the bridge is being contracted primarily through local contractors, and all bridge components will be manufactured in Nova Scotia as well.

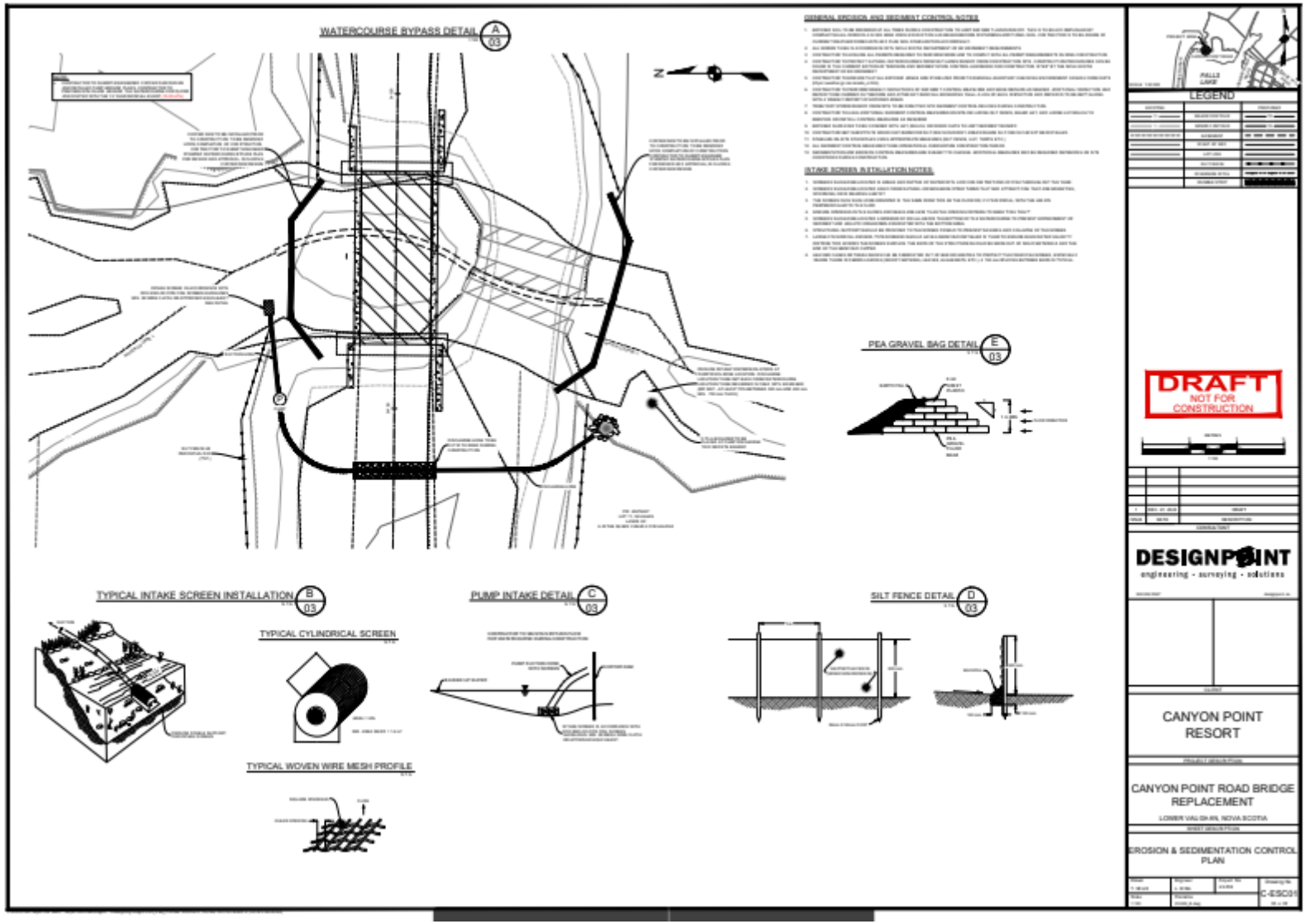
Plans for New Canyon Point Bridge



Plans for New Canyon Point Bridge



Plans for New Canyon Point Bridge



Thank you for your time.
The HCCC1 Board of Directors and the residents of Canyon Point Resort.

Committee of the Whole Excerpts
March 12, 2024

HOME FLOOD RESILIENCE PROGRAM EXCERPT

Information was provided for consideration and feedback on potential options for a Municipal Home Flood Protection Program. The report outlined programs within Colchester County, New Glasgow and a couple of Ontario programs that offered assistance to residents who experience flooding. While the information presented focused more on loans vs grants, there was no interest in creating a program that included having first liens on homes or a financing programs.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL DIRECT STAFF TO DEVELOP A HOME FLOOD RESILIENCY PROGRAM OFFERING BOTH FLOOD RISK ASSSESSMENTS AND GRANTS FOR ELIGIBLE UPGRADES.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
John Ogilvie, Climate Action Coordinator

Date: 2024-03-12

Subject: Information Report: Home Flood Protection Program

LEGISLATIVE AUTHORITY

Municipal Government Act (*MGA*) Sections 81A (1) and 65A, C

DECISION REQUEST

Staff require Council direction on program intent and funding commitment.

BACKGROUND

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

At the January 23, 2024, Council meeting, Council passed the following motion:

> "Council direct staff to create a home flood protection program and present it to Council by the March Committee of the Whole meeting for viewing and/or approval for budgetary implications".

Based on this motion, staff gathered information and prepared this report to provide Council additional information on a home flood protection program and to gather further feedback from Council such as program intent and funding commitment, to create a complete program for recommendation.

DISCUSSION

Legislative Authority

Upon review of the *MGA*, staff have determined two avenues for a home flood protection program for residents. The first would be to use Section 81A of the *MGA* to allow the Municipality to provide a loan to property owners for specific items mentioned in Sections 81 (1) (c, d). The second option is to create the program as a grant to property owners that meet specific criteria, as determined by Council.

Section 81A (1) of the *MGA* states the following:

> "The council may make by-laws imposing, fixing, and providing methods of enforcing payment of charges for the financing and installation of any of the following on private property with the consent of the property owner:
>
> a) energy-efficiency equipment;
> b) renewable energy equipment;
> c) equipment for the supply, use, storage, or conservation of water; and
> d) on-site sewage disposal equipment".

This section of the Act provides the legislative authority for the Property Assessed Clean Energy (PACE) program, Switch West Hants. Switch West Hants pays for residential home upgrades directly and enables homeowners to repay the cost of the upgrades over 10-year terms, with an interest rate to cover the cost of financing. Specifically using subsection (c), the same mechanism could be used to finance a specific subset of upgrades that store water and encourage infiltration/absorption, such as rain gardens and bioswales. Subsection (d) may be applicable to items such as backflow prevention valves, which would be beneficial for areas with municipal sewer collection. Borrowing for a home flood protection program will impact the Municipality's borrowing ratios and debt servicing, depending on program uptake.

Section 65A of the *MGA* gives Council the authority to spend money on items that are included in the Operating or Capital Budgets. Section 65C of the *MGA* states the following regarding grant disclosure policies:

"1) The council shall adopt a policy that requires the municipality to disclose to the public a list of recipients of grants made by the municipality and the amounts of those grants.

2) A policy adopted under subsection (1) must include the
    a) frequency and timing of disclosure;
    b) content to be included in a disclosure; and
    c) form in which the disclosure must be made.
3) A policy adopted under subsection (1) may include any other matter that the council considers necessary or advisable to carry out effectively the intent and purpose of the policy."

This section of the Act requires the Municipality to publicly disclose the recipients of grants, and the amount of the grants. Grants could be used to provide home flood risk assessments to residents, which would be the first step in determining potential upgrades to make homes more resilient to flooding.

Programs in Other Jurisdictions

There are various programs other municipalities created to address flooding and erosion damage on private properties, some within Nova Scotia and others across the country.

Colchester County Small Flood Damage Reduction

- Guided by a municipal policy (Attachment A) and overseen by the Flood Advisory Committee.
- Provides cost-sharing on projects based on the property type i.e. residential, commercial, farmland, etc. The percentage of municipal contribution is 75% for residential projects and decreases to a low of 10% for projects that protect vacant land.
- Property owner's contribution constitutes a first lien on the property and is collectible like taxes.
- One-year repayment plan is offered for the participants' contribution.
- Annual municipal budget of ~$100,000.

Resilient Home Retrofits

- A pilot program offered in the Town of New Glasgow and Spryfield and Upper Hammonds Plains of Halifax Regional Municipality in partnership with Clean Foundation.
- Offers free home flood risk assessments along with home energy assessments for up to 20 households.
- Provides free upgrades to selected homeowners such as repairing foundation cracks, bioswales, rain gardens, gutter alignment, and more.
- Funded by the Province with ~$400,000.

City of Windsor, Ontario, Home Flood Protection Program

- A pilot program offering subsidized home flood protection assessments to up to 100 households.
- Resident applicants must provide a $200 refundable security deposit, which is returned following implementation of some recommended upgrades/actions.
- Provided in partnership with AET, an environmental consulting firm.
- Offers a detailed report to homeowners of actions that can be taken.

City of Burlington, Ontario, Home Flood Protection

- Offers subsidized in-person or virtual home flood protection assessments.
- The City provides up to 50% of the cost of the assessment, making homeowner contributions $212.50 for virtual assessments and $237.50 for in-person assessments.
- Provided in partnership with AET, an environmental consulting firm.
- Maximum of 20 applicants for the subsidy.

- The City also offers a plumbing permit fee grant program to waive building permit fees associated with installing sump pumps, backwater valves, and repair/replacement of a sanitary line when including installation of a backwater valve. WHRM does not require permits for sump pumps or backwater valves, and so this type of support is not needed.

The Province also has various programs to assist homeowners who meet specific income thresholds. The programs include Homeowner Residential Rehabilitation Assistance, Emergency Repair Program (for rural households), Provincial Housing Emergency Repair Program, and the Small Loans Assistance Program. These programs offer grants or low-interest loans for home repairs related to health and safety, which can include basement foundation and roofing repairs to mitigate water infiltration. Other possible repairs are numerous, and a municipal home flood protection program should complement these existing programs.

Governance and Administration

The establishment of a holistic residential home flood protection program may require an enabling by-law and policy to govern participant eligibility, eligible upgrades, and an outline of the program process. Administering a home flood protection program would require dedicated staff or third-party resources to inspect homes and provide recommendations. As noted above, both the City of Windsor and the City of Burlington have partnered with environmental consulting firm AET to perform home inspections and draft recommendations for homeowners. This process is very similar to home energy assessments performed for the PACE program, which qualify participants for federal and provincial grants/rebates.

Absent a by-law and policy, WHRM is well-placed to amplify messaging about actions homeowners can take to become more resilient to flooding. This could include using the extensive reach of the municipal Facebook page, monthly email updates, quarterly newsletters, and water utility bills. This is currently done but a more dedicated focus on communication would be an immediate action to improve homeowner awareness of flood resiliency, before launching a holistic municipal program.

Homeowner Eligibility

A home flood protection program for the Municipality should include homeowner and property eligibility. These eligibility requirements could consider:

1) That the home is located within WHRM;
2) Eligibility for existing residential construction (dated as of program launch);
3) That the homeowner is in good standing with respect to all municipal taxes, rates, or charges;
4) The flood history of a specific area/community;
5) The flood history of the applicants' home; and
6) That the flooding is specifically impacting homes, not land such as fields, lawns, etc.

These eligibility criteria would help make best use of limited municipal resources and ensure that residents who are the most affected by flooding can get assistance as needed. By excluding new construction, WHRM will not be incentivizing construction that is at risk of flooding; this

will complement any upcoming changes during the Plan Review that discuss coastal protection and potential development restrictions in at-risk areas.

Home Flood Risk Assessment

A municipal home flood protection program should prioritize offering grants to residents for a free home flood protection assessment, as a pilot project. An assessment would review the homeowner's property for opportunities to reduce the risk of flooding and provide a list of suggested upgrades. The report for the homeowner presents projects the homeowner can undertake to reduce flooding risk, the homeowner will select the upgrades they want to undertake, and then get quotes from qualified contractors for the projects. The pilot program could operate for a specific period as determined by Council. If Council opts to provide grants for upgrades that reduce the impacts of flooding to a homeowner, the eligibility should be based on recommendations of the home flood protection assessment.

Offering a pilot project to a specific number of residential properties will allow Council and staff to assess the feasibility of continuing and/or growing the program.

Home Upgrades and Impacts

Possible home upgrades range from low cost with minimal intervention to high cost with greater intervention (Table 1).

Table 1: Home Upgrades to Enhance Flood Resiliency

Low Cost, Potentially Small Intervention	High Cost, Potentially Large Intervention
	Eavestrough improvements/repositioning
Backwater valve	French drains
Window well covers	Bioswales and rain gardens
Flood alarms	Repairing foundation cracks
	Sump Pump
Sealing building envelope	

Many upgrades will have small individual impacts, but when implemented on a community-level scale they can create measurable differences. Upgrades such as sealing the building envelope, backwater valves, sump pumps, and window well covers will help keep water out of homes during rain and flooding events. Larger upgrades such as bioswales and rain gardens are considered green infrastructure that can improve absorption of rain and flood water; these upgrades are generally more feasible on residential properties with enough vacant space to construct these improvements. None of these improvements listed above are mutually exclusive, and they will complement each other.

Funding

As noted elsewhere, home flood protection assessments in Ontario cost approximately $500. Detailed discussions with qualified home flood risk assessors within Nova Scotia would provide a better cost estimate locally. Starting with a program to provide free home flood protection assessments would give Council and staff an indication of budgetary requirements and program interest, as well as provide recommendations for homeowners to make their own changes. As an example, if Council allocated $25,000 for a pilot project, WHRM could provide up to 50 home flood protection assessments as long as the cost remains similar to Ontario. Lower-cost upgrades such as a sump pump can range from approximately $100 to more than $700, depending on the pump capacity. High-cost upgrades such as drainage improvements would depend on excavation and labour costs but would likely be thousands of dollars.

External funding opportunities may exist for this type of program, such as the Nova Scotia Sustainable Communities Challenge Fund. This fund has a stream for adaptation projects, and I expect it to open for another round of applications this spring. This would require detailed discussions with fund staff to confirm WHRM's project eligibility.

NEXT STEPS

Council needs to provide direction to staff on program intent and funding commitment for staff to continue the development of a municipal home flood protection program.

If Council directs staff to continue exploring a home flood protection pilot program, beginning with home flood risk assessments, staff anticipate:

- Discussing with potential program partners to perform home flood protection assessments, including determining the cost of assessments;
- Drafting an enabling by-law and policy as needed for approval by Council; and
- Exploring external funding opportunities to offset or enhance the Municipal contribution to such a program.

Staff will continue to amplify messaging from other sources about flood risk and resilience.

FINANCIAL IMPLICATIONS

As noted above, based on the examples from Ontario, providing home flood risk assessments may cost $500 each. A pilot project could be to provide free assessments to up to 50 homes within the Municipality, which would cost approximately $25,000. These flood risk assessments will provide an indication of the options for residents to mitigate the impacts of flooding and quotes would indicate the costs involved for each project. This information will help Council and staff develop a home flood risk assessment program budget and potential cost-sharing framework.

Staff need to investigate if there are any external funding opportunities available to help pay for a home flood resilience program, which could significantly reduce the impacts on municipal finances.

Depending on Council's direction, any potential costs associated with this program and potential funding sources will need to be added to the operating budget during the 2024-25

budget deliberations. Borrowing for a home flood protection program will impact the Municipality's borrowing ratios, debt servicing, and may limit future borrowing capacity depending on program uptake.

ALTERNATIVES

Council may:

- direct staff to develop a home flood resilience program for approval, beginning with a pilot project offering home flood risk assessments;
- direct staff to continue exploring a home flood resilience program, offering both home flood risk assessments and grants for eligible upgrades;
- request further information on a specific topic; or
- maintain the status quo of staff sharing information from various sources such as Environment and Climate Change Canada.

ATTACHMENTS

Attachment A	Colchester County Small Flood Damage Reduction Projects Policy
Attachment B	Sample Home Flood Protection Assessment Package

CHIEF ADMINISTRATIVE OFFICER REVIEW

The coordinator's report has been well researched and provides plenty of considerations for Council to review. Loans vs grants or a hybrid, resources required to deliver the program, and applicant eligibility are some of the key topics for discussion. Staff are requesting specific direction or a comment from Council that we are on the right track with this proposed program.

I support the suggestion that a home risk assessment be the foundation for assessing the need for a more encompassing program (a place to start) or as the mandatory requirement as part of a wider scale program (something bigger). The eligibility section highlights six (6) criteria as preliminary considerations. This section and any additional criteria ensure that those having a greater need for assistance are addressed more immediately.

We look forward to Council's comments on the coordinator's work to-date.

Report Prepared by: _____
John Ogilvie, Climate Action Coordinator

Report Reviewed by: _____
Sara Poirier, Director of Planning and Development

Report Reviewed by: _____
Carlee Rochon, Director of Financial Services

Report Approved by: 

Mark Phillips, Chief Administrative Officer

Attachment A

Municipality of the County of Colchester

Small Flood Damage Reduction Projects Policy

1. Introduction

The Flood Advisory Committee approves and manages small flood damage reduction projects in the County on an annual basis. The Committee has limited resources and as such feels it is important for property owners who benefit from this Policy to cost share in projects. This will allow for the completion of more projects per year. The following Policy outlines the process for applying for a small flood damage reduction project as well as the available cost reduction options available to the various landowners.

2. Definitions

In this Policy:

a. "Active Farmland" is property which is identified as farmland on the Assessment Roll and is currently being farmed.

b. "Commercial Property" is property which is identified as commercial on the Assessment Roll and has a business located on the property.

c. "Flood Advisory Committee" is a Committee of Council (the "Committee").

d. "Non-Municipal Infrastructure" is infrastructure that is privately owned or publicly owned (by the Province or Federal Government) and which serves the general public, including but not limited to, railway infrastructure and properties, bridges, electric power supply grids, and cable-TV service infrastructure.

e. "Owner" includes:

(i) the person assessed for the property;

(ii) a person who holds title to the property including a part owner, joint owner, tenant in common, or joint tenant of the property;

(iii) a person having the care or control of the property through adverse possession; and

(iv) a person with a life interest in the property.

f. "Principal Residence" is a family home ordinarily inhabited by owner and which owner has designated as principal residence for legal and tax purposes.

g. "Residential Property" is property which is identified as residential on the Assessment Roll and is occupied by the owner as the owner's principal residence.

h. "Shoreline" is any area which is exposed to the influence of saltwater, including the downstream areas of watercourses which are influenced by the tide.

i. "Small Flood Damage Reduction Project" is a project which will mitigate or eliminate the negative effects of flooding and erosion on a property and which takes place:

(i) Along a watercourse, or
(ii) Along a defined stormwater drainage course which carries water from a public road right of way.

j. "Stormwater" is defined as the runoff generated from precipitation events such as rain and snow melt which flows over land or impervious surfaces and does not soak into the ground.

k. "Vacant Land" is property which may be identified as residential, commercial or farmland on the Assessment Roll, but which has no principal residence or business located on the property and is not actively being used for farming.

l. "Watercourse" is the bed and shore of every river, stream, lake, creek, pond, spring, lagoon or any other natural body of water and the water therein, whether it contains water or not. When the presence of a watercourse is unclear, the matter shall be referred to Nova Scotia Environment for a final decision.

3. Budget Amount

On an annual basis, the Municipality will identify an amount to be allocated for Committee projects.

4. Application Process

'Request for Work' forms are available from the Municipal Office, 1 Church Street, Truro, or from the Mayor or Councillors. Completed forms must be returned to the Municipality c/o the Committee, for consideration. Applications received after April 30 may not be considered for inclusion in the list of projects for that year and the applicants may be required to re-apply for consideration in subsequent or future year(s).

a. Members of the Committee and Municipality staff shall carry out site visits to assess the work to be carried out under each proposed project for valid applications received under this Policy.

b. Following site visits, staff shall process the applications received and prepare a priority list of all proposed projects for applications received under this Policy and present them to the Committee for approval, and for inclusion in an invitation for bids for the work required for the approved projects. Bids for work for the projects shall be invited in accordance with the Municipality's Policy on Purchasing and Tendering for Goods, Services and Construction Projects and announced through the Municipality's website and/or local print media. Depending upon budgetary constraints, the Committee may or may not include all projects listed in the priority list in the information package for bidders of work for the calendar year. Any projects that could not be included in the tender announcement shall be carried over to the priority list for the succeeding year and re-prioritized with the project applications received in that year. The Committee may also elect to seek

competitive bids on an hourly rate basis, to be applied to all approved projects within a given fiscal year.

c. Applicants whose applications have been shortlisted for inclusion in the priority list of projects that will be carried out in the current year shall be advised in writing of the total cost of the project and the applicant's share of the cost of the project determined in accordance with Section 7 of this Policy. Applicants will have two weeks from the date of the letter advising of the approval and cost of the project to:

   (i) Withdraw their application in writing; or

   (ii) Confirm their acceptance of the project costs in writing, and to execute the "Agreement for Cost Sharing Expenses" and the "License to Enter upon Land and Release from Liability." If the project is not accepted in writing and if the Agreement and the Liability Release documents are not executed by the date stipulated in this Section, the project will be considered to have been withdrawn by the applicant and will be removed from the priority list of projects to be carried out.

d. Following response from applicants as required by Section 4(c), staff will present the final priority list of projects for the year to the Committee for approval. Construction work will be awarded to successful bidders based on the final approved priority list of projects under the Policy.

5. Criteria

a. The Committee will not consider, except in emergency situations, the following:

   (i) Projects on resource or forest land;

   (ii) Projects that threaten non-municipal infrastructure;

   (iii) Projects on property owned by another level of government;

   (iv) Projects whose purpose is to alter a naturally changing watercourse in which no flooding is threatened; or

   (v) Projects necessitated due to shoreline erosion.

b. The Committee will have the authority to pay:

   (i) The full cost of any approved project(s) submitted by not-for-profit organizations for work on their property; and

   (ii) The full cost of any approved project the Committee deems appropriate.

6. Prioritizing Projects

a. In order to assist the Committee in the recommendation process, applications will be prioritized as follows:

Type of Property Threatened	Priority
residential property	1
commercial property	2
active farmland	3
vacant land	4

7. Project Cost Reduction

a. Once projects have been approved by the Committee, the following reductions will be applied to the final project cost, reducing the portion of the cost payable by the applicant:

Property Type Threatened	Available Reduction in Applicant's Costs
residential property	75%
commercial property	50%
active farmland	25%
vacant residential land	10%
vacant commercial land	10%
vacant farmland	10%

b. Other public funding:

(i) It is the intent of this Policy that the Municipality will provide funding up to the maximum reduction in costs as set out in this Policy. The Applicant's costs will be those costs not covered by the Municipality's funding ("Applicant's Costs"). Should the Applicant receive funding for the approved work from another public agency(ies), the Applicant may apply that funding to the Applicant's Costs provided the amount of funding does not exceed the total of the Applicant's Costs. If the funding available to the Applicant from another public agency(ies) exceeds the Applicant's Costs, then the Municipality's costs shall be reduced by the full amount of excess funding or if the costs have already been paid the Applicant shall reimburse the Municipality the full amount of excess funding.

(ii) The Applicant shall immediately advise the Municipality of other sources of public funding available for the approved work, whether the funding is received before or after signing the Cost Sharing Agreement.

(iii) In all cases, and regardless of the total cost of the project, if the structure being threatened is a principal residence, the property owners will not be required to pay more than $2,500 for the project.

c. Applicants will be required to execute an "Agreement for Cost Sharing Expenses" to receive a reduction in accordance with this section.

8. Payment of Costs by Property Owners

a. Property owners will be notified, in writing, of their actual cost of the project, based on staff estimates or bids received and as calculated in Section 7. Should the property owners accept the costs and agree to sign the "Agreement for Cost Sharing Expenses" and the "License to Enter upon Land and Release from Liability" as per Section 4(c) of the Policy, property owners shall be required to:

   (i) Pay 50% of their share before any work is carried out on their property,

   (ii) Pay the remaining 50% of their share of the project cost in a lump-sum amount if they have opted for the single lump-sum payment plan in the "Agreement for Cost Sharing Expenses", or

   (iii) Pay the first installment of the remaining 50% of their share of the project cost if they have opted for the one-year repayment plan in the "Agreement for Cost Sharing Expenses."

   (iv) If the Applicant(s) receive funding from another public agency(ies) in advance of the approved work being carried out, they will be required to deposit the entire amount of public funding received in lump sum from the third party at the time of signing of the "Agreement for Cost Sharing Expenses." The applicant(s) will have the option to pay the balance amount of their share of the project cost either in a lump sum amount or in installments as specified in (ii) and (iii) above. The amount deposited against third-party assistance received by the applicant(s) shall not count towards the first installment if the applicant(s) decide to exercise their option as per (iii) above.

b. Property owners shall be required to pay their share of the costs of the project as per Section 8(a) by March 1 in the fiscal year the project is completed. Should property owners fail to meet this deadline, the outstanding amounts shall be placed as a lien on the property.

9. First Lien

a. The property owner's outstanding cost for a project shall constitute a first lien against the property from the time the cost is due on March 1 in the fiscal year the project is completed, and is collectible in the same manner as other taxes, and, at the option of the Municipal Treasurer may be collected at the same time and in the same proceedings as other taxes. The lien remains in effect until the costs, and any interest thereon, has been paid in full.

b. In the event of subdivision after a first lien comes into being, the lien shall attach to the lot or parcel bearing the same Property Identification Number as the original property, or to such other property as may be determined or deemed by the Municipality to be the successor property.

10. Payment of Costs over Time and Interest

a. If the property owner(s) opt to pay their remaining 50% share of the total project costs in installments as permitted by Section 8, the costs may be paid in 1 to 12 monthly installments together with interest on the unpaid balance at 7% per annum or such other interest rate determined by Council by resolution, compounded annually, computed from March 1 in the fiscal year the project is completed, subject to the provisos that:

(i) In the event of default of payment of any installment, the entire unpaid balance, including interest, becomes due and payable;

(ii) In the event of default of payment of any installment, the interest on the amount of the default shall be computed at the same rate prescribed for the late payment of other real property taxes payable to the Municipality; and

(iii) A property owner may pay off their cost of the project and extinguish the lien at any time by paying the entire balance, including interest.

Clerk's Annotation For Official Policy Book

~~Date of Notice to Council Members of Intent~~ to ~~Consider (7 days minimum):~~ ~~January 10, 2022~~

Date of Passage of Current Policy: January 27, 2022

I certify that this Policy was adopted by Council as indicated above.

Rob Simonds — Municipal Clerk

February 15, 2022 — Dated

amended January 27, 2022
amended November 28, 2019
amended January 31, 2019
amended January 29, 2015
amended November 24, 2011
originally approved September 24, 2009

Attachment B

HOME FLOOD PROTECTION PROGRAM

UNIVERSITY OF WATERLOO

Prepared for
Sally Homeowner
113 Lucky Lane, Kitchener, ON



Date Completed: November 15, 2018
Assessor Name: Sample Assessor
Assessor Email: sample@aetgroup.ca
1-519-123-4567

Prepared on behalf of AET Group
www.aet98.com
1-877-876-9235

TABLE OF CONTENTS

1. Introduction to Report

2. Definition of Terms

4. Outside Assessment Summary

8. Inside Assessment Summary

15. Additional Flood Protection Resources

16. Appendices

16. Client Information Summary

17. Reported Past Water Damage Summary

18. Outside Assessment Form

25. Inside Assessment Form

INTRODUCTION TO REPORT

What Does This Report Include?

This report includes an easy to read summary of top ranked items for priority action that have received a "poor/ needs further investigation" score or require specific mention based on questions asked by the homeowner. It also provides a record of all gathered information and provides additional helpful resources to help homeowners take action to reduce flood risk.

How Are Assessed Features Scored?

Assessors use the standardized assessment tool provided to guide them through a visual assessment of the property and to ask a list of preventative maintenance questions to homeowners. The information gathered is then compared to the tool's scoring definitions, developed by the University in Waterloo in concert with a wide variety of national experts in the area of basement flood risk reduction. Assessed Features are assigned scores of "Good- Best Practice", "Intermediate" or "Poor/ Needs Further Investigation" based on where they fall within these definitions. Any Assessed Features not accessible for observation and any preventative maintenance questions that are not completed by the homeowner are marked "Not Recorded."

What Does This Report Not Include?

Beyond summarizing the report findings related to assessed items that received a score of "poor/needs further investigation" or require specific mention based on questions asked by the homeowner the report does not formally state a prioritized approach for addressing deficiencies. It is up to Homeowner to decide which actions they will take and in what order.

To ensure program impartiality the report does not recommend specific contractors, suppliers or products. The report also does not provide in-depth drawings or tailored step-by-step instructions to complete projects at the home to address deficiencies.

How Was Information for this Report Gathered?

The contents of this report have been gathered by examining the physical condition of a variety of features inside and outside the home using simple tools such as a moisture meter, humidity gauge, flashlight and measuring tape. A verbal preventative maintenance questionnaire has also been completed with the homeowner or their designate.

Reporting Time Frame

This report documents the observed condition of physical features of the home and the preventative maintenance information gathered from the Homeowner on the day of the Assessment only.

Follow-Up Support Provided

Your assessment fee includes the equivalent of a 15 minute email follow-up conversation with your Assessor. Our customer service team can also answer your basic questions at 1-877-876-9235. For ongoing support, visit homefloodprotect.ca to register for our e-newsletter that includes important preventative maintenance reminders. For do-it-yourself tips and Homeowner Success stories, like us on Facebook@HomeFloodProtect.

What is Included in the Additional Resources Section?

A list of easy to read, highly practical, online links is provided to help Homeowners take action to reduce flood risk. These include how-to fact sheets and videos, local subsidy information, questions to ask your insurance provider and tips about hiring contractors.

DEFINITION OF TERMS

Scoring of Assessment

Each assessed item is assigned a score based on the standardized criteria laid out in the Home Flood Protection Assessment ranking system.

Score	Description
Good – Best practice	Observed or reported in good condition or reported maintenance practice
Intermediate	Observed or reported in intermediate condition or reported maintenance practice
Poor / Needs Further Investigation	Observed or reported in poor condition or reported maintenance practice or needs further investigation
Not Reported	Unobserved or unreported observed condition or reported maintenance practice
Out of Scope	Out of scope for this assessment but worthy of further consideration

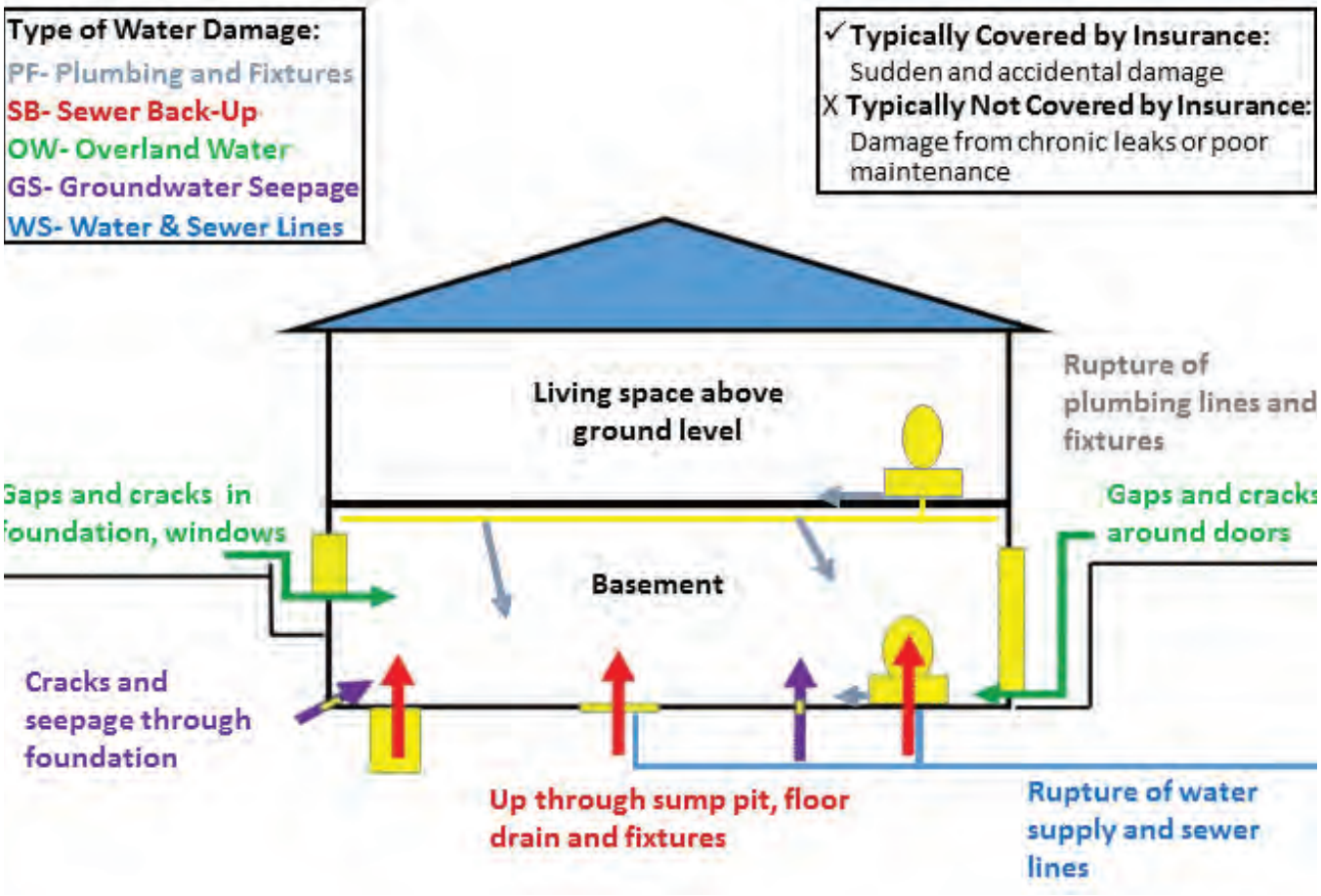
UNDERSTANDING DIFFERENT TYPES OF WATER DAMAGE RISKS AT YOUR HOME

The diagram and the definitions below are provided to help you understand the types of water damage that may affect any home due to deterioration of physical features, lack of preventative maintenance or water backup from municipal sewer systems during extreme weather events.

These water damage types are referenced in your Home Flood Protection Assessment Report to help you understand the types of water damage risks that have been identified at your home and your opportunities to reduce risk. Please see the customized list of maintenance best practices listed in your report to help you develop your preventative maintenance routine.

Insurance Coverage Considerations:

Sudden and accidental water damage is typically covered by insurers, however damage due to slow leaks or lack of preventative maintenance is typically not covered. Since there is no industry-wide, standard language used to define water damage types you may find using the terms and descriptions in this document helpful when working with your insurer to determine which coverage is best for you. Please note that not all insurance companies provide all types of coverages for all homes. See the "Questions for Your Insurance Provider" document in the Additional Resources section of the report for additional information.

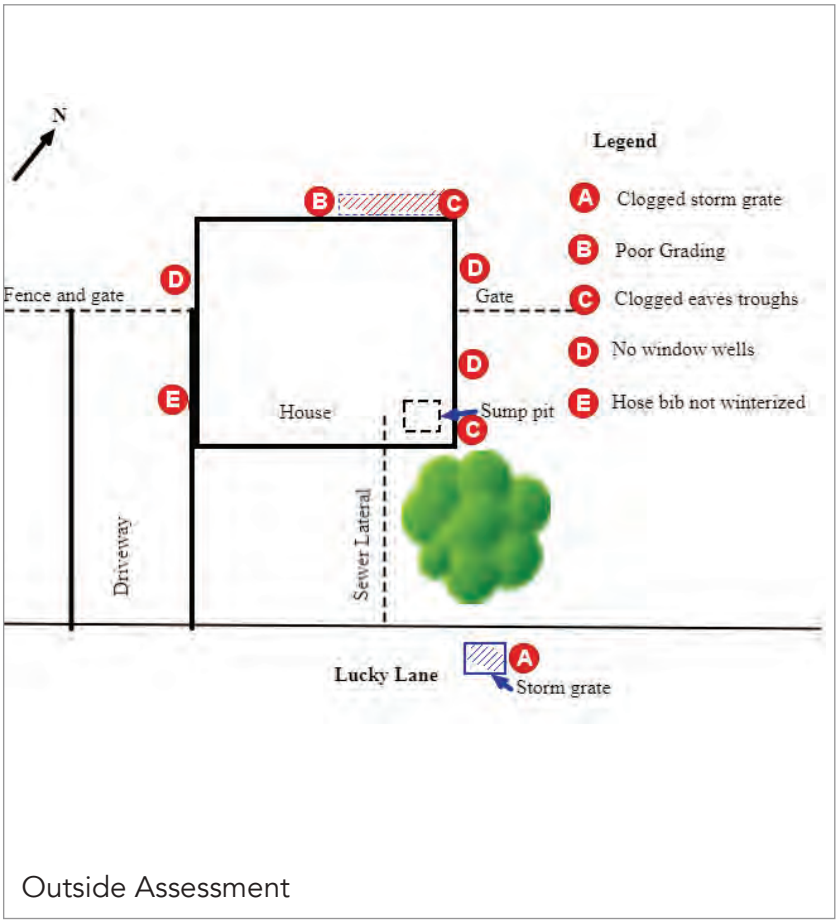


Typical Insurance Policy Coverage for Sudden and Accidental Damage	Code	Type of Water Damage	Simple Definition
Included	PF	Plumbing and Fixtures	Water that enters your home from a tear or rupture of plumbing pipes or fixtures (e.g. toilets, hot water heaters, dish washers)
Optional	SB	Sewer Back-Up	Water that flows from the sanitary or storm sewer or your home's foundation drains and backs up into your home through the sump pit, toilets and drains
Optional	OW	Overland Water	Water that flows from a lake or river, heavy rain or rapid snow melt and enters through cracks and gaps in your home's exterior from a point at or above ground level
Optional	GS	Ground Water	Water that has saturated the ground and enters your home below ground level through gaps, cracks and seepage through your home's foundation
Optional	WS	Water and Sewer Lines	Water that enters your home due a tear or rupture of a water supply and/or sewer lines

4

OUTSIDE ASSESSMENT SUMMARY
TOP-RANKED OPPORTUNITIES TO REDUCE FLOOD RISK

All features and maintenance practices that were assessed as "poor/ needs further investigation", require specific mention based on questions asked by the homeowner or are marked as "out of scope" but deserve further consideration, have been compiled into this summary.



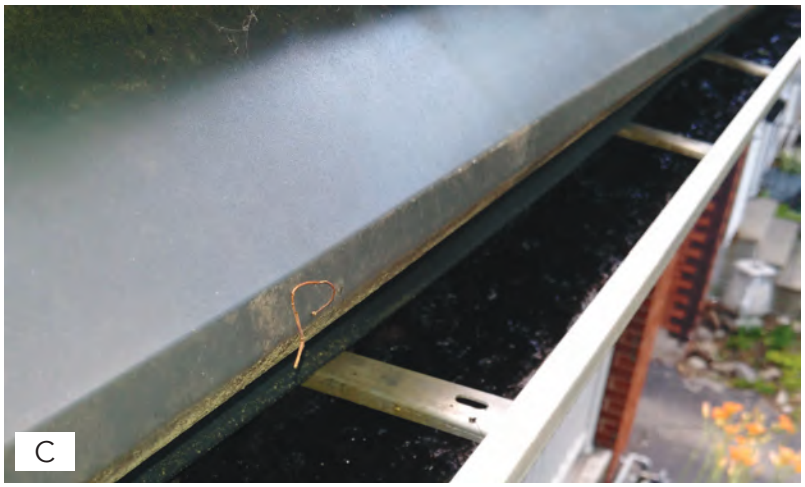
Outside Assessment



A



B



C



D

ASSESSED FEATURES

Fig	Assessed Feature and Best Practice	Type of Water Damage	Assessment	Opportunity to Reduce Risk
B	**Grading at foundation- After a heavy rain, does the grading within 1.8m (6') of your foundation walls direct water away or do you see water pooling?** The grading within 1.8 m (6') of the foundation walls slopes a minimum of 5% to direct water away from the foundation. The foundation surface does not easily soak up water.	OW, GS	The grading is flat or slopes toward the foundation OR The foundation surface is highly water absorbent OR Needs further investigation.	See B on **Outside Assessment** diagram. The grading beside your home directs water toward the foundation. The line in the soil indicates eaves troughs are overflowing and adding additional risk. Correct grading to achieve at least a 5% slope away from the foundation. Consider replacing the surface with non-water absorbent material. See comments related to eaves trough maintenance.
D	**Window wells - Are window wells installed in such a way that they reduce flood risk?** For each window that is less than 10-15cm (4-6") above the ground surface, a window well is present and sits at least 10-15cm (4-6") above grade. The window well is sealed at the foundation and the grading adjacent to wells slopes away from the home at a minimum of 5%. Consider installing window wells covers to further reduce risk.	OW	For each window that is less than 10-15cm (4-6") above the ground surface, a window well is not present. OR Window wells sit less than 10-15cm (4-6") above grade or are not sealed at foundation or grading at the window wells does not slope away from home at a minimum of 5%. Window well covers are not present OR Requires further investigation.	See D on **Outside Assessment** diagram. The windows are only 2.5 cm above grade and there is no formal window well, placing windows at higher risk of water inflow during heavy rains and spring melts. Work with a qualified professional to install a window well with adequate drainage. Correct grading adjacent to the window wells to slope 5% away from home. Consider installing window well covers to further reduce risk.

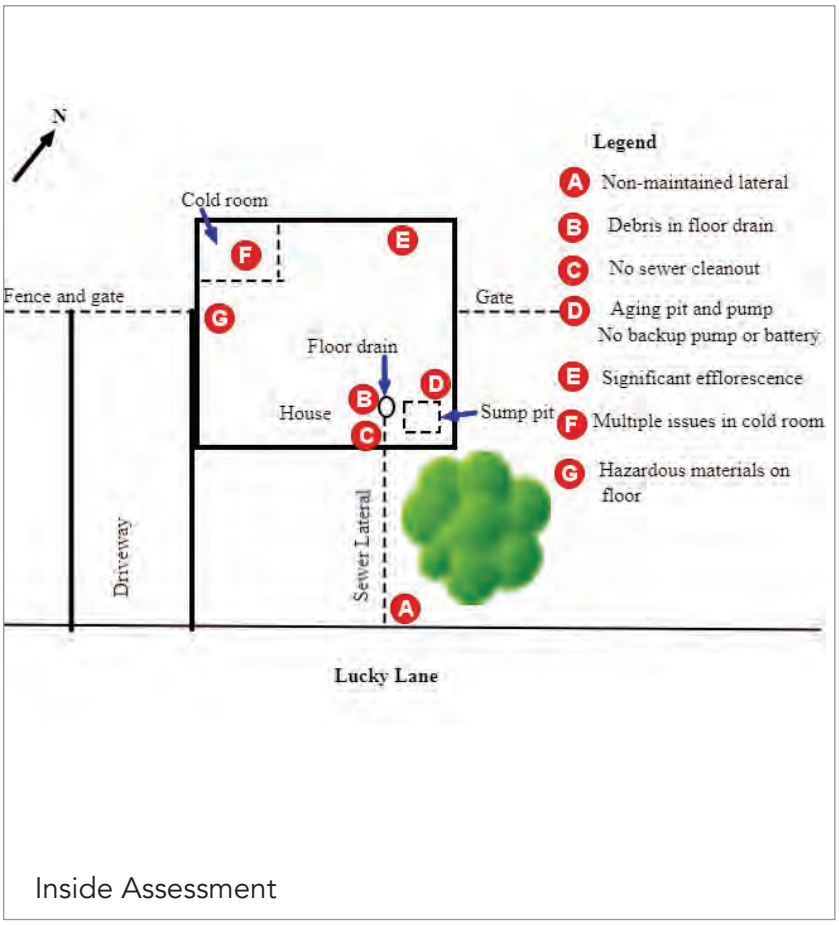
ASSESSED MAINTENANCE

Fig	Maintenance Feature and Best Practice	Type of Water Damage	Assessment	Opportunity to Reduce Risk
A	**Overland drainage maintenance –** Once per season or when major storm events are predicted, the homeowner checks for and removes debris and obstructions from the water flow paths including swales, nearby storm drains, culverts and drainage ditches.	OW	The homeowner never checks for or removes debris and obstructions from the water flow paths including swales, nearby storm drains, culverts and drainage ditches.	See **A** on **Outside Assessment** diagram. Once per season or when major storm events are predicted, check for and remove debris and obstructions from the water flow paths including swales and nearby storm drains. If nearby storm drains are free of debris but are still not draining within 24 hours, contact the government department with jurisdictional authority.
	Grading at foundation maintenance – Each season the homeowner checks for signs of water pooling or ice formation and corrects grading to achieve at least 5% slope away from the foundation	OW, GS	The homeowner never checks for signs of water pooling or ice formation nor corrects grading to achieve at least 5% slope away from the foundation.	Each season, check for signs of water pooling or ice formation at foundation. Correct grading to achieve at least 5% slope away from foundation.

C	**Eaves trough maintenance** – Each season during heavy rainfalls, the homeowner checks the eaves troughs for leaks, debris and blockage. Repairs and debris removal are completed as needed.	GS	The homeowner never checks the eaves troughs for leaks, debris and blockage. Repairs and debris removals are not completed as needed.	See **C** on **Outside Assessment** diagram. Each season during heavy rainfalls, check for leaks, debris and blockage. Repair, replace and clean out as needed.
	Downspout maintenance – Once per season the homeowner checks to make sure the downspout extensions are secured, free of leaks, depositing water at least 1.8m (6') from the foundation or to a drainage swale and that water is not flowing onto adjacent properties	GS	The homeowner never checks to make sure the downspout extensions are secure, free of leaks, depositing water at least 1.8m (6') from the foundation or to a drainage swale and that water is not flowing onto adjacent properties.	Once per season check to make sure the downspout extensions are secure, free of leaks, deposit water at least 1.8m (6') from the foundation or to a drainage swale and that water is not flowing onto adjacent properties.
	Window maintenance – Once per season the homeowner checks the condition of the frames, glass and seals, and completes repairs as necessary.	OW	The homeowner never checks the condition of the frames, glass and seals, or completes repairs as necessary.	Once per season check the condition of the frames, glass and seals. Repair as necessary.
	Hose bib maintenance – Spring, summer and fall the homeowner checks for leaks and completes repairs as necessary. Before winter, the outdoor water supply is shut off and the water line is drained. The hose is drained and removed.	OW, GS	The homeowner never checks for leaks or completes repairs as necessary. They never shut off the exterior water supply, drains the line or remove the hose.	See **E** on **Outside Assessment** diagram. Spring, summer and fall check for leaks and complete repairs as needed. Before winter freeze up shut off the outdoor water supply and drain the water line. Drain and remove the hose.

INSIDE ASSESSMENT SUMMARY
TOP-RANKED OPPORTUNITIES TO REDUCE FLOOD RISK

All features and maintenance practices that were assessed as "poor/ needs further investigation", require specific mention based on questions asked by the homeowner or are marked as "out of scope" but deserve further consideration, have been compiled into this summary.



Inside Assessment



B



D



E



F



G

ASSESSED FEATURES

Fig	Assessed Feature and Best Practice	Type of Water Damage	Assessment	Opportunity to Reduce Risk
	Sanitary sewer lateral- Is your sanitary sewer lateral in good condition and is it free of blockages? Inspection of sanitary sewer lateral with a closed circuit television (CCTV) is best practice if a home is over 25 years old, if the home has experienced sewer backup or if the home experiences chronic drain backup. Note: Determining the condition of the sewer lateral is outside the scope of this assessment. Consult a qualified professional.	SB, WS	Note: Only a qualified professional can formally identify the condition and the connection status of this item. Note: Work with a qualified professional and check with the government department having jurisdictional authority to determine the availability and your eligibility for any subsidies.	You have noted that you sometimes get drain backups when you do laundry. This indicates restricted flow through your lateral. Consider a closed circuit television (CCTV) inspection by a qualified professional for assessment and repair or replacement to address this issue.
	Basement sanitary sewer lateral cleanout – A basement sanitary sewer lateral cleanout is present and easily accessible.	SB	A basement sanitary sewer lateral cleanout is not accessible OR not present OR Needs further investigation.	See **C** on **Inside Assessment** diagram. Consider working with a plumber to install an easily accessible hatch to improve inspection and maintenance access. This will make it more cost-effective for regular inspection, maintenance and repair.
	Backwater valve- Is a backwater valve appropriate for use in your home or if it is in place, is it in good condition? Consider working with a qualified professional to determine if a backwater valve is suitable for your home or to evaluate the condition of your backwater valve. **If you have a backwater valve or install one, consider installing an alarm to let you know when the valve is closed to prevent flooding from in-home sources. Note: This item is outside of scope of this assessment. Consult a qualified professional.**	SB	**Note: Only a qualified professional can formally identify if a backwater valve would be right for your home and the condition of an existing unit. Note: Check with the government department having jurisdictional authority to determine the availability of a subsidy for installation and your eligibility.**	Consider working with a qualified professional to determine if a backwater valve is suitable for your home. If you install a backwater valve remember to complete seasonal maintenance and consider installing a backwater valve alarm to let you know when the valve is closed to prevent flooding from in-home sources. Check with your insurance provider regarding eligibility for premium discounts for installing a backwater valve and/or an alarm.

	Foundation drain- Is a foundation drain (weepers) present? Is foundation drain functioning properly to drain water away from your foundation? Note: Foundation drains are not common before 1960. Depending on the age of your house it may or may not have a foundation drain or it may have a drain that is old and in poor condition. Missing or clogged drains increase the risk of basement infiltration flooding. Foundation drains that are connected to sanitary or storm sewers increase the risk of sewer backup related flooding. Note: Determining the condition and the plumbing connection of the foundation drain is outside the scope of this assessment. Consult a qualified professional	GS, OW, SB	Note: Only a qualified professional can formally identify the condition of this item or recommend if one would be right for your home. Note: Check with the check with the government department having jurisdictional authority to determine the availability of a subsidy and your eligibility.	The foundation weepers that enter your sump pit are made of clay. It is likely that these are over 50 years old. Symptoms such as dampness where the basement wall meets the floor are common when these are in poor condition so please monitor these areas regularly. Consider working with a qualified professional to inspect and/or repair your foundation drains to improve the rate of removal of water from your foundation. Check with the government department having jurisdictional authority to determine the availability of subsidy and your eligibility.
D	Sump pit- Does your sump pit have a sealed cover and is it in good repair? The sump pit has a sealed cap, is in good condition (free of cracks and holes) and is free of debris.	SB	The sump pit is in poor condition (cracks, holes greater than 6mm (1/4”) present), there is no sealed cap, a large amount of debris is evident OR Needs further investigation.	See D on Inside Assessment diagram. You have an older sump pit without plastic walls and without a sealed plastic lid. Consider upgrading your sump pit to improve storage capacity and to decrease humidity levels in the basement by installing a unit with a sealable lid. Work with a qualified professional to complete this work.
	Sump pump- Is your sump pump in good condition and does it run infrequently? A sump pump is present and the homeowner reports it is functioning well and runs a maximum of 5 times per year. Consider installing an alarm to reduce flood risk.	SB	A sump pump is present and the homeowner reports it is not functioning well. AND/ OR The sump pump runs more than 10 times per year OR Needs further investigation.	Your sump pump is over 20 years old and you report that it does not always function well. Consider replacing your sump pump. Consider installing a ground fault interrupter (GFI) outlet to reduce the risk of electric shock. Hire a qualified professional for installation. Consider installing and maintaining alarms to reduce flood risk. Note: Check with the government department with jurisdictional authority regarding availability and eligibility for subsidy. Also check regarding plumbing permits requirements. Check with your insurance provider about discounts for installing alarm systems.

	Back-up sump pump- Is there a backup sump pump and is it in good condition? A back-up sump pump is present and the homeowner reports it is functioning well.	SB	A back-up sump pump is NOT present OR Back-up sump pump is present but the homeowner reports it is not functioning well OR Needs further investigation.	Purchase a back-up sump pump. Consider hiring a qualified professional for installation.
	Back-up power source – A back-up battery or generator is present, can generate electricity for a minimum of 72 hours and is reported by the homeowner to be functioning properly. A backup power source is elevated above anticipated flood levels. **Consider installing an alarm to further reduce risk.**	SB	There is no back-up power supply. OR A back-up battery or generator is present and is reported by homeowner to be functioning poorly AND/OR it is not elevated above the anticipated flood level OR Needs further investigation.	Purchase and install a 72 hour back-up power supply and maintain it each season. Raise the power source above the anticipated flood level. Consider installing and maintaining an alarm to reduce flood risk. Check with your insurance professional about discounts for installing sump pump backup batteries and alarm systems.
E	**Unfinished wall efflorescence- Is there evidence of efflorescence on your walls, indicating water movement through the foundation?** Foundation walls are free of efflorescence.	GS	There is significant evidence of efflorescence (large areas of solid coverage of white flakes) OR Needs further investigation.	See **E on Inside Assessment** diagram. Significant evidence of efflorescence was noted at the rear of the house where the grading is poor. Correct drainage, clean out eaves troughs and remove snow in winter. Remove efflorescence and seal the surface with masonry waterproofing paint.
F	**Cold Rooms- Are cold rooms properly ventilated, with all surfaces maintaining consistent temperature to reduce mold and mildew risk?** The door, frame and seals are all in good condition and there is no evidence of water entry. The door is adequately insulated. The air circulation level is good with adequate venting and all items are off the floor and away from walls by at least 15cm (6”). Space is unheated.	OW	Door, frame and seals are in poor condition, evidence of significant water entry and/or door is not insulated, air circulation is poor with restricted venting and items are stored against the walls or on the floor OR Needs further investigation.	See **F** on **Inside Assessment** diagram. Seal cracks in the door, frame and repair/replace seals. Improve insulation of the door or consider replacing them. Improve ventilation and raise items off of floor and away from walls by a minimum 15cm (6”). Consider working with a qualified contractor to remove plywood from the walls, to examine and address sources of water infiltration.

	Finished walls- Are water stains or high moisture levels indicating source of water infiltration? Walls are free of water stains. There is no evidence of mold (smell or visual evidence). The audible moisture meter indicates no concerns	GS	Walls show major evidence of water entry, clear evidence of mold (smell or visual evidence), moisture meter indicates higher concern OR Needs further investigation.	Major evidence of moisture has been noted on plywood walls inside cold room. Remove the source of water buildup at the foundation as needed (correct drainage, repair eaves troughs and/or remove snow in winter, seal foundation from outside in extreme cases). Remove and replace damaged materials. Consult a professional if you are concerned about mold. If you are considering refinishing your basement, refer to Water-Resistant Building Materials fact sheet.
	Furniture and electronics- Are furniture and electronics at risk of damage in the event of a flood? Furniture items have non-absorbent surfaces up to 30cm (12") and electronics are stored at least 30cm (12") off the floor (or to exceed anticipated flood levels).	N/A	Furniture items have absorbent surfaces in contact with the floor and electronics are stored on the floor OR Needs further investigation.	Carpet on floors, couches with absorbent legs and electronics on the floor are at risk of damage in the event of a flood. Select furniture items that have non-absorbent surfaces up to 30cm (12") and store electronics at least 30cm (12") off the floor (or to exceed anticipated flood levels).
	Relative humidity, air movement and temperature - Are the moisture, humidity and temperature levels in your basement optimum to reduce mold and mildew risk? A 30-50% relative humidity reading is taken in the basement. Air circulation is good. A minimum regular temperature above 15C (60F) is maintained.	N/A	Over 60% relative humidity reading is taken in basement OR Air movement is highly restricted OR The temperature is kept below 10C (50F) OR Needs further investigation.	The relative humidity reading is 65. This exceeds the recommended maximum of 50%. Reduce sources of moisture and run one or more dehumidifiers to maintain 30-50% relative humidity. Improve air circulation. Maintain minimum temperature of 15C (60F).
G	**Hazardous materials- Are hazardous materials stored in a way that represents a contamination risk during a flood?** No hazardous materials are stored in the basement and/or materials are stored in waterproof containers at least 30 cm (12") off the floor (or to exceed anticipated flood levels). Heating fuel tanks are secured to the floor.	N/A	Hazardous materials are not sealed in waterproof containers and/or are stored on the floor and/or heating fuel tanks are not secured to the floor OR Needs further investigation.	See **G** on **Inside Assessment** diagram. Remove paint, chemicals and other hazardous material from basement or seal hazardous materials in waterproof containers and store at least 30 cm (12") off the floor (or to exceed anticipated flood levels).

ASSESSED MAINTENANCE

Fig	Maintenance Feature and Best Practice	Type of Water Damage	Assessment	Opportunity to Reduce Risk
	Sanitary sewer lateral maintenance – If the home is over 25 years of age, has experienced sewer backup or has experienced chronic drainage issues, the homeowner has completed closed circuit television (CCTV) inspection of the sanitary sewer lateral. Based on recommendations of a qualified professional, the homeowner has cleaned out, lined or replaced damaged lateral as needed. The homeowner prevents clogging by preventing fats, oils, flushable wipes and grease from going down the drain.	SB, WS	Homeowner has a sanitary sewer lateral that is over 25 years old AND/ OR has experienced sewer lateral backup but has not completed a camera inspection or related repairs and upgrades. OR Needs further investigation. The homeowner regularly puts fats, oils, flushable wipes and grease down the drain.	See **A** on **Inside Assessment** diagram. Once a home has reached 25 years of age, a camera inspection of the sanitary sewer lateral is recommended every 5-10 years as a preventative measure. Based on the recommendations of a qualified professional, clean out, line or replace a damaged lateral as needed. Prevent clogging by preventing fats, oils, flushable wipes and grease from going down the drain.
B	**Floor drain maintenance** – Each season the homeowner removes obstacles to water flowing freely to the drain, tops up standing water in the trap and removes any debris from the drain. In case of blockage, strange smell, lack of water in trap, the homeowner contacts a licensed plumber.	SB	The homeowner never removes obstacles to water flowing freely to the drain, tops up standing water in trap or removes any debris from the drain. In case of blockage, strange smell, lack of water in trap, they do not contact a licensed plumber.	See **B** on **Inside Assessment** diagram. Each season remove obstacles that prevent water from flowing freely to the drain, top up standing water in the trap and remove any debris from the drain. In case of blockage, strange smell and/or lack of water in trap, contact a licensed plumber.
	Sump pit maintenance – Each season the homeowner checks the sump pit, repairs cracks or damage, and removes debris.	SB	The homeowner never checks the sump pit, repairs cracks or damage or removes debris.	Each season check the sump pit, repair cracks or damage and remove debris.

	Sump pump(s) maintenance – Each season, before vacation and when an extreme rain or melt event predicted, sump pump(s) and alarms are tested, repaired or replaced as required.	SB	Sump pump(s) are never tested, repaired or replaced as required.	Each season, before vacation and when an extreme rain or melt event is predicted, test the sump pump(s). Clean, repair or replace these items as required. Consider installing and maintaining an alarm each season to further reduce risk.
	Unfinished wall efflorescence maintenance –- Once per season the homeowner checks for evidence of efflorescence, addresses sources of water buildup at foundation, and cleans and repaints with masonry waterproofing paint as required.	GS	The homeowner never checks for evidence of efflorescence, addresses the sources of water buildup at the foundation, cleans and repaints the surface with masonry waterproofing paint as required.	Once per season check for evidence of efflorescence. Address sources of water buildup at the foundation. Clean and repaint the surface with masonry waterproofing paint as required.
	Finished wall maintenance – Each season homeowner checks for high levels of moisture and water stains. If high levels of moisture or water damage and/or mold is evident, consults a professional for remediation. Monitor during heavy downpours and spring melts for signs of dampness.	GS	The homeowner never checks for high levels of moisture and water stains. If high levels of moisture or water damage and/or mold is evident, they do not consult a professional for remediation. The homeowner does not monitor for signs of dampness during heavy downpours and spring melts.	Each season check for high levels of moisture and water stains. If high levels of moisture or water damage and/or mold is evident, consult a professional for remediation. Monitor for signs of dampness during heavy downpours and spring melts.
	Indoor plumbing and fixtures maintenance – Each season toilets, taps, pipes and water heaters are inspected by the homeowner and are repaired by a plumber as needed. Consider installing and maintaining flood alarms.	PF	Toilets, taps, pipes and water heaters are not inspected by the homeowner or repaired by a plumber as needed.	Each season inspect toilets, taps, pipes and water heaters for leaks and signs of wear. Repair or replace items with the assistance of a plumber as needed. Consider installing and maintaining flood alarms to reduce flood risk. Check with your insurance professional about discounts for installing alarm systems.

ADDITIONAL FLOOD PROTECTION RESOURCES

Regional Resources

Saskatoon Key Flood Protection Resources

Saskatoon Contractor List

Burlington Key Flood Protection Resources

Burlington Contractor List

Toronto Key Flood Protection Resources

Get Emergency Ready Guide- City of Toronto

Toronto Contractor List

Oakville Key Flood Protection Resources

Hamilton Key Flood Protection Resources

Waterloo Region Flood Protection Resources

National Resources

Self-Help Resources for Outside and Inside the Home

Seasonal Maintenance Checklist

Infographic- Top Tips For Reducing Flood Risk

Infographic- Understanding Flood Insurance Coverage

Questions to Ask Your Insurance Providers

Estimated Cost Ranges for Completing Flood Protection Projects

Water Resistant Building Materials for Your Basement

Temporary Flood Barriers for Your Home

CMHC Guide for Understanding and Fixing Interior Moisture Problems

Emergency Preparedness Resources

APPENDICES

Appendix A. Client Information Summary

Type of Home	Single Detached
Ownership	Owner
Type of Ownership	Freehold
Consents To Study	No
Length of Time in Home	0-5 years
Plan to Stay in Home	Over 10 years
Year Home Was Built	1950
Era of Neighbourhood development	Between 1940 and 1970
Home Layout	1.5 Storey
Home Size	Between 1000 to 2000 sq ft
Lot Size	Between 1/4 acre and 1/2 acre
Basement Type	Partly finished
Foundation Type	Rubble
Soil Type	Sand
Property within CA Regulated Area	No
Water Supply	Municipal
Sewage Service	Municipal
Weather Conditions	Clear and 5C

Appendix B. Reported Past Water Damage Summary

Past Water Damage to Your Lot and Exterior Structures	
Have you experienced any type of water damage to your lot and/or exterior structures (decks, garages, sheds) in the past?	No
What was the cause of the water damage?	
What category would the water damage fit into (total damage to structures or content)	$0
What actions did you take to reduce your risk of future water damage outside your home?	
What is your level of concern about experiencing water damage to your lot or exterior structures in the future?	Low
Please list your top 2 water damage-related questions you have about your lot or exterior structures	Is there anything I should do to protect my windows from leaking? How often should I clean out my eaves troughs?
Past Water Damage To Your Home	
Have you experienced water in your basement or any type of water damage inside your home in the past?	Yes
What was the cause of the water damage?	Leaking pipes or appliances, Sewer backup through toilet or drains, Sump pump failure, High humidity causing mould or mildew growth.
What category would the water damage fit into (Total damage to structures or content)	Under $5,000
What actions did you take to reduce your future risk of indoor water damage?	Completing maintenance activities.
What is your level of concern about experiencing water damage to your home is in the future?	Medium
Please list top 2 water-damage related questions you have about your home	How do I keep water from backing up through my floor drain? How do I make sure my sump pump will work when I need it in the spring?

Appendix C. Outside Assessment Form

Assessed Feature and Best Practice	Type of Water Damage	Assessment	Opportunity to Reduce Risk
Overland Drainage of Property			
Overland drainage of property – Twenty four hours after a heavy rain do you see ponding or pooling on your property or in nearby storm drains or drainage ditches? Twenty four hours after a heavy rain, water does not pool on the subject property or in nearby storm drains or drainage ditches. If drainage swales are present on the property they are unblocked and are at least 15cm (6") deep.	OW	Twenty four hours after a heavy rain, some water pooling is seen on the subject property or in nearby storm drains or drainage ditches. If drainage swales are present on the property, they are unblocked and are at least 15cm (6") deep.	Homeowner reports water pooling near the storm drain for several hours after a heavy rain. Contact the government department with jurisdictional authority if storm drain is not emptying within 24 hours. Please see preventative maintenance comment below.
Overland drainage maintenance – Once per season or when major storm events are predicted, the homeowner checks for and removes debris and obstructions from the water flow paths including swales, nearby storm drains, culverts and drainage ditches.	OW	The homeowner never checks for or removes debris and obstructions from the water flow paths including swales, nearby storm drains, culverts and drainage ditches.	See **A** on **Outside Assessment** diagram. Once per season or when major storm events are predicted, check for and remove debris and obstructions from the water flow paths including swales and nearby storm drains. If nearby storm drains are free of debris but are still not draining within 24 hours, contact the government department with jurisdictional authority.

Landscaping			
Condition and location of trees – Would falling limbs due to strong winds or ice accumulation pose any risk of property damage to the home or hydro lines? Does their location pose potential risk to the home's foundation or sewer lateral? Trees appear to be in good condition. Their limbs do not hang over the home, driveway or hydro lines. Trees are in a position where the risk of root damage to the home's foundation or sewer lateral is unlikely.	SB, WS, GS	Trees appear to be in good condition. Their limbs do not hang over the home, driveway or hydro lines. Trees are in a position where they likely do not pose a root damage risk to the home's foundation or sewer lateral.	No action is required.
Tree maintenance – Once per season, the homeowner checks the condition of trees, prunes as required and waters during drought periods.	SB, WS, GS	Once per season the homeowner checks the condition of trees, prunes as required and waters during drought periods.	Once per season, check the condition of trees and prune as required. Water during drought periods. If concerned about a tree on public property, contact the government department with jurisdictional authority for assistance. If concerned about a tree on your property, contact a certified arborist for help.
Garden beds adjacent to home – Do garden beds leave a minimum of 20 cm (8") of your foundation exposed? Do foundation plantings provide adequate light exposure and air movement to foundation? Foundation plantings provide good light and air circulation between the plantings and the foundation. A minimum 20 cm (8") of foundation remains exposed. Trees that will reach a height of 10m (30') or more are a minimum of 5m (15') from the foundation and shrubs are a minimum of 1.8m (6') from the foundation. Water drains freely away from the foundation.	GS	Foundation plantings allow for good light and air circulation between the plantings and the foundation. A minimum 20cm (8") of foundation remains exposed. Trees that will reach a height of 10m (30') or more are minimum of 5m (15') from the foundation and shrubs are minimum of 1.8m (6') from the foundation. Water drains freely away from the foundation.	No action required

Landscaping maintenance – Once per year the homeowner removes barriers which impede water flowing away from the foundation. **Consider applying mulch to garden beds and aerating the lawn to improve the ability of the soil to soak up water.**	GS	Once per year homeowner removes barriers which impede water flowing away from foundation.	Once per year remove barriers which impede water from flowing away from the foundation. Consider applying mulch to garden beds and aerating lawns to improve the ability of the soil to soak up water.
Driveways, Walkways and Patios			
Impermeable (waterproof surface such as asphalt and interlocking pavers) driveway – Is your driveway free of cracks and does it slope away from your home at a minimum of 1-2%? The driveway is sloped away from the foundation walls at a slope of 1-2% and is free of cracks and gaps.	GS	The impermeable driveway directs water away from the foundation (1-2% slope) and is free of cracks and gaps.	No action is required.
Impermeable (waterproof) driveway maintenance – Once per season the homeowner checks for evidence of pooling and ice buildup, repairs grading, seals cracks, fills gaps and removes weeds.	GS	Once per season the homeowner checks for evidence of pooling and ice buildup, repairs grading, seals cracks, fills gaps, and removes weeds.	Once per season check for evidence of pooling and/or ice buildup. Repair grading, seal cracks, fill gaps and remove weeds.
Walkways and patios – Do your walkways and patios slope a minimum of 1-2% away from foundation walls? Are they free of cracks and gaps? The walkway slopes a minimum of 1-2% to direct water away from foundation and is free of cracks and gaps.	OW, GS	Walkway slopes a minimum 1-2% to direct water away from the foundation and is free of cracks and gaps.	No action is required.
Walkways and patios maintenance – Once per season the homeowner checks for evidence of pooling and ice buildup. Grading is repaired, cracks and gaps are sealed, and weeds are removed.	OW, GS	Once per season the homeowner checks for evidence of pooling and ice buildup. They repair grading, seal cracks, fill gaps and remove weeds.	Once per season check for evidence of pooling and/or ice buildup. Repair grading, seal cracks, fill gaps and remove weeds. Replace if the surface is in very poor condition.

Grading at Foundation			
Grading at foundation – After a heavy rain, does the grading within 1.8m (6') of your foundation walls direct water away or do you see water pooling? The grading within 1.8 m (6') of the foundation walls slopes a minimum of 5% to direct water away from the foundation. The foundation surface does not easily soak up water.	OW, GS	The grading is flat or slopes toward the foundation OR The foundation surface is highly water absorbent OR Needs further investigation.	See **B** on **Outside Assessment** diagram. The grading beside your home directs water toward the foundation. The line in the soil indicates eaves troughs are overflowing and adding additional risk. Correct grading to achieve at least a 5% slope away from the foundation. Consider replacing the surface with non-water absorbent material. See comments related to eaves trough maintenance.
Grading at foundation maintenance – Each season the homeowner checks for signs of water pooling or ice formation and corrects grading to achieve at least 5% slope away from the foundation.	OW, GS	The homeowner never checks for signs of water pooling or ice formation nor corrects grading to achieve at least 5% slope away from the foundation.	Each season, check for signs of water pooling or ice formation at foundation. Correct grading to achieve at least 5% slope away from foundation.
Eaves Troughs and Downspouts			
Eaves troughs – Are eaves troughs adequately sized and in adequate condition to reduce flood risk? Eaves troughs wrap around the entire building, are in good repair and have downspouts placed a minimum of 9-12m (30-40'). Eaves trough of 13cm (5") are present for asphalt shingles or 15cm (6") for a metal roof.	GS	Eaves troughs wrap around the entire building, are in good repair, and have downspouts placed a minimum of every 9-12m (30-40'). Eaves trough of 13cm (5") is present for asphalt shingles or 15cm (6") for metal roof.	No action is required.
Eaves trough maintenance – Each season during heavy rainfalls, the homeowner checks the eaves troughs for leaks, debris and blockage. Repairs and debris removal are completed as needed.	GS	The homeowner never checks the eaves troughs for leaks, debris and blockage. Repairs and debris removals are not completed as needed.	See **C** on **Outside Assessment** diagram. Each season during heavy rainfalls, check for leaks, debris and blockage. Repair, replace and clean out as needed.

Disconnected downspouts – Are downspouts (that are not presently connected into underground pipes) directing water at least 1.8m (6') away from your home or the nearest drainage swale? For downspouts that have been disconnected, caps are securely in place to block the movement of water into underground pipes. The downspouts extend at least 1.8m (6') away from the foundation or to a drainage swale. Water is not directed onto hard surfaces or adjacent properties.	GS	For downspouts that have been disconnected, caps are securely in place to block the movement of water into underground pipes. Downspouts extend at least 1.8m (6') away from the foundation or to a drainage swale. Water is not directed onto hard surfaces or adjacent properties.	Consider connecting downspouts to a French drain, rain garden, bioswales or infiltration gallery to soak up water at least 5m (15') away from foundation. Check with government department with jurisdictional authority about drainage by-laws if any significant change to grading or drainage of property is being considered.
Downspout maintenance – Once per season the homeowner checks to make sure the downspout extensions are secured, free of leaks, depositing water at least 1.8m (6') from the foundation or to a drainage swale and that water is not flowing onto adjacent properties.	GS	The homeowner never checks to make sure the downspout extensions are secure, free of leaks, depositing water at least 1.8m (6') from the foundation or to a drainage swale and that water is not flowing onto adjacent properties.	Once per season check to make sure the downspout extensions are secure, free of leaks, deposit water at least 1.8m (6') from the foundation or to a drainage swale and that water is not flowing onto adjacent properties.
Foundation			
Foundation structure – Is your foundation free of cracks and gaps? The foundation appears to be in good condition and is free of cracks and finishing gaps (e.g. missing parging). Foundation penetrations are well sealed and sit above anticipated flood levels.	GS	The foundation appears to be in good condition and is free of cracks and finishing gaps (e.g. no missing parging). The foundation penetrations are well sealed and sit above anticipated flood levels.	No action is required.
Foundation structure maintenance – Once per season the homeowner checks for cracks and gaps, and completes repairs as required.	GS	Once per season the homeowner checks for cracks and gaps, and completes repairs as required.	Once per season check for cracks and gaps, complete repairs as required. Contact a qualified foundation repair contractor to repair cracks greater than 6mm (1/4").

Foundation clearance maintenance – Stored items are kept at least 15cm (6") from the foundation. As dictated by snow storm events, the homeowner clears snow 1m (3'6") away from the foundation, keeps window openings clear of snow and ensures that vents are clear.	GS	Stored items are kept at least 15cm (6") from the foundation. As dictated by snow storm events, the homeowner clears snow 1m (3'6") away from the foundation, keeps window openings clear of snow piles and ensures that vents are clear.	Store item at least 6" from foundation. At intervals dictated by snow storms, regularly keep snow piles 3' (1m) away from foundation and keep window openings clear of snow piles. Ensure vents are clear.
Foundation efflorescence – Are there signs of efflorescence on the foundation that could indicate moisture problems? Efflorescence (mineral deposits) indicate water moving through masonry, evaporating and leaving minerals behind. The presence of efflorescence can indicate water issues that can lead to spalling or structural damage.	GS	There is minor evidence of efflorescence.	Reduce the flow of water to the masonry by correcting the grading, maintaining eaves troughs, repairing foundation drains, sealing cracks on driveway, shoveling snow away from the walls in the winter, and minimizing salt use.
Efflorescence maintenance – Once per season the homeowner checks for evidence of efflorescence, addresses the sources of water buildup at foundation, and cleans and repaints the surface with masonry waterproofing paint as required.	GS	Once per year the homeowner checks for evidence of efflorescence, addresses the sources of water buildup at the foundation, and cleans and repaints the surface with masonry waterproofing paint as required.	Once per season check for evidence of efflorescence. Address the sources of water buildup at the foundation. Clean and repaint the surface with masonry waterproofing paint as required.
Foundation moisture content – Is your foundation showing high levels of water retention? Low levels of moisture at the surface are indicated.	GS	Moderate levels of moisture at the surface are indicated.	Reduce the flow of water to masonry by correcting the grading, maintaining eaves troughs, repairing foundation drains, sealing cracks on driveway, and shoveling snow away from walls in the winter. Improve drying of the foundation by referring to the landscaping best practices. Contact a qualified foundation repair contractor if the problem persists.
Windows			
Condition of windows – Are windows in adequate condition to help reduce risk of basement flooding? Frames, glass and seals are all in good condition.	OW	Frames, glass and seals are all in good condition.	No action is required.

Window maintenance – Once per season the homeowner checks the condition of the frames, glass and seals, and completes repairs as necessary.	OW	The homeowner never checks the condition of the frames, glass and seals, or completes repairs as necessary.	Once per season check the condition of the frames, glass and seals. Repair as necessary.
Window wells – Are window wells installed in such a way that they reduce flood risk? For each window that is less than 10-15cm (4-6”) above the ground surface, a window well is present and sits at least 10-15cm (4-6”) above grade. The window well is sealed at the foundation and the grading adjacent to wells slopes away from the home at a minimum of 5%. Consider installing window wells covers to further reduce risk.	OW	For each window that is less than 10-15cm (4-6”) above the ground surface, a window well is not present. OR Window wells sit less than 10-15cm (4-6”) above grade or are not sealed at foundation or grading at the window wells does not slope away from home at a minimum of 5%. Window well covers are not present OR Requires further investigation.	See **D** on **Outside Assessment** diagram. The windows are only 2.5 cm above grade and there is no formal window well, placing windows at higher risk of water inflow during heavy rains and spring melts. Work with a qualified professional to install a window well with adequate drainage. Correct grading adjacent to the window wells to slope 5% away from home. Consider installing window well covers to further reduce risk.
Exterior Water Sources			
Hose bib maintenance – Spring, summer and fall the homeowner checks for leaks and completes repairs as necessary. Before winter, the outdoor water supply is shut off and the water line is drained. The hose is drained and removed.	OW, GS	The homeowner never checks for leaks or completes repairs as necessary. They never shut off the exterior water supply, drains the line or remove the hose.	See **E** on **Outside Assessment** diagram. Spring, summer and fall check for leaks and complete repairs as needed. Before winter freeze up shut off the outdoor water supply and drain the water line. Drain and remove the hose.
Sump pump discharge – Does your sump pump drain pipe deposit water at least 1.8m (6’) from foundation or to the nearest drainage swale? Does pipe exit the home’s exterior above anticipated flood levels? Sump pump drain pipe is present and deposits water at least 1.8m (6’) from foundation or to drainage swale. It does not direct water onto a hard surface or onto adjacent property. The discharge pipe’s exit point through the home’s exterior is above anticipated flood levels.	OW, GS	Sump pump drain pipe is present and deposits water at least 1.8m (6’) from foundation or to drainage swale and is not directing water onto a hard surface or adjacent property. The discharge pipe’s exit point through the home’s exterior is above anticipated flood levels.	No action is required.

Appendix D. Inside Assessment Form

Assessed Feature and Best Practice	Type of Water Damage	Assessment	Opportunity to Reduce Risk
Sewer and Storm Lateral			
Sanitary sewer lateral – Is your sanitary sewer lateral in good condition and is it free of blockages? Inspection of sanitary sewer lateral with a closed circuit television (CCTV) is best practice if a home is over 25 years old, if the home has experienced sewer backup or if the home experiences chronic drain backup. **Note: Determining the condition of the sewer lateral is outside the scope of this assessment. Consult a qualified professional.**	SB, WS	**Note: Only a qualified professional can formally identify the condition and the connection status of this item. Note: Work with a qualified professional and check with the government department having jurisdictional authority to determine the availability and your eligibility for any subsidies.**	You have noted that you sometimes get drain backups when you do laundry. This indicates restricted flow through your lateral. Consider a closed circuit television (CCTV) inspection by a qualified professional for assessment and repair or replacement to address this issue.
Sanitary sewer lateral maintenance – If the home is over 25 years of age, has experienced sewer backup or has experienced chronic drainage issues, the homeowner has completed closed circuit television (CCTV) inspection of the sanitary sewer lateral. Based on recommendations of a qualified professional, the homeowner has cleaned out, lined or replaced damaged lateral as needed. The homeowner prevents clogging by preventing fats, oils, flushable wipes and grease from going down the drain.	SB, WS	Homeowner has a sanitary sewer lateral that is over 25 years old AND/OR has experienced sewer lateral backup but has not completed a camera inspection or related repairs and upgrades. OR Needs further investigation. The homeowner regularly puts fats, oils, flushable wipes and grease down the drain.	See **A** on **Inside Assessment** diagram. Once a home has reached 25 years of age, a camera inspection of the sanitary sewer lateral is recommended every 5-10 years as a preventative measure. Based on the recommendations of a qualified professional, clean out, line or replace a damaged lateral as needed. Prevent clogging by preventing fats, oils, flushable wipes and grease from going down the drain.

Floor Drain			
Floor drain – Is your floor drain clear of physical barriers to water flow and in adequate condition to reduce flood risk? Note: Some homes built before 1950 do not have a floor drain. A floor drain is present and demonstrates a clear flow path of water to the drain. The drain is in good condition, free of debris and standing water is present in trap.	SB	A floor drain is present but demonstrates a partly blocked water flow path to the drain. The drain appears to be in moderate condition, minor debris is evident, and standing water is present in the trap.	Some minor debris was seen in the floor drain and an oily film water noted on the surface of the water. Remove stored boxes blocking path of water flow to drain, clean out debris in trap. Repair the drain as needed.
Floor drain maintenance – Each season the homeowner removes obstacles to water flowing freely to the drain, tops up standing water in the trap and removes any debris from the drain. In case of blockage, strange smell, lack of water in trap, the homeowner contacts a licensed plumber.	SB	The homeowner never removes obstacles to water flowing freely to the drain, tops up standing water in trap or removes any debris from the drain. In case of blockage, strange smell, lack of water in trap, they do not contact a licensed plumber.	See B on **Inside Assessment** diagram. Each season remove obstacles that prevent water from flowing freely to the drain, top up standing water in the trap and remove any debris from the drain. In case of blockage, strange smell and/or lack of water in trap, contact a licensed plumber.
Basement sanitary sewer lateral cleanout – A basement sanitary sewer lateral cleanout is present and easily accessible.	SB	A basement sanitary sewer lateral cleanout is not accessible OR not present OR Needs further investigation.	See **C** on **Inside Assessment** diagram. Consider working with a plumber to install an easily accessible hatch to improve inspection and maintenance access. This will make it more cost-effective for regular inspection, maintenance and repair.
Backwater Valve			
Backwater valve – Is a backwater valve appropriate for use in your home or if it is in place, is it in good condition? Consider working with a qualified professional to determine if a backwater valve is suitable for your home or to evaluate the condition of your backwater valve. **If you have a backwater valve or install one, consider installing an alarm to let you know when the valve is closed to prevent flooding from in-home sources. Note: This item is outside of scope of this assessment. Consult a qualified professional.**	SB	**Note: Only a qualified professional can formally identify if a backwater valve would be right for your home and the condition of an existing unit. Note: Check with the government department having jurisdictional authority to determine the availability of a subsidy for installation and your eligibility.**	Consider working with a qualified professional to determine if a backwater valve is suitable for your home. If you install a backwater valve remember to complete seasonal maintenance and consider installing a backwater valve alarm to let you know when the valve is closed to prevent flooding from in-home sources. Check with your insurance provider regarding eligibility for premium discounts for installing a backwater valve and/or an alarm.

Foundation Drain (Weepers)			
Foundation drain – Is a foundation drain (weepers) present? Is foundation drain functioning properly to drain water away from your foundation? Note: Foundation drains are not common before 1960. Depending on the age of your house it may or may not have a foundation drain or it may have a drain that is old and in poor condition. Missing or clogged drains increase the risk of basement infiltration flooding. Foundation drains that are connected to sanitary or storm sewers increase the risk of sewer backup related flooding. **Note: Determining the condition and the plumbing connection of the foundation drain is outside the scope of this assessment. Consult a qualified professional.**	GS, OW, SB	**Note: Only a qualified professional can formally identify the condition of this item or recommend if one would be right for your home. Note: Check with the check with the government department having jurisdictional authority to determine the availability of a subsidy and your eligibility.**	The foundation weepers that enter your sump pit are made of clay. It is likely that these are over 50 years old. Symptoms such as dampness where the basement wall meets the floor are common when these are in poor condition so please monitor these areas regularly. Consider working with a qualified professional to inspect and/or repair your foundation drains to improve the rate of removal of water from your foundation. Check with the government department having jurisdictional authority to determine the availability of subsidy and your eligibility.
Sump Pit and Pump			
Sump pit – Does your sump pit have a sealed cover and is it in good repair? The sump pit has a sealed cap, is in good condition (free of cracks and holes) and is free of debris.	SB	The sump pit is in poor condition (cracks, holes greater than 6mm (1/4") present), there is no sealed cap, a large amount of debris is evident OR Needs further investigation.	See **D** on **Inside Assessment** diagram. You have an older sump pit without plastic walls and without a sealed plastic lid. Consider upgrading your sump pit to improve storage capacity and to decrease humidity levels in the basement by installing a unit with a sealable lid. Work with a qualified professional to complete this work.
Sump pit maintenance – Each season the homeowner checks the sump pit, repairs cracks or damage, and removes debris.	SB	The homeowner never checks the sump pit, repairs cracks or damage or removes debris.	Each season check the sump pit, repair cracks or damage and remove debris.
Sump pump connection – Does your sump pump discharge water to the surface of your property and does it have a backflow valve? The sump pump discharges water to the lot surface and has a backflow preventer installed.	OW, GS	The sump pump discharges water to the lot surface and has a backflow preventer installed.	No action required.

Sump pump – Is your sump pump in good condition and does it run infrequently? A sump pump is present and the homeowner reports it is functioning well and runs a maximum of 5 times per year. **Consider installing an alarm to reduce flood risk.**	SB	A sump pump is present and the homeowner reports it is not functioning well. AND/ OR The sump pump runs more than 10 times per year OR Needs further investigation.	Your sump pump is over 20 years old and you report that it does not always function well. Consider replacing your sump pump. Consider installing a ground fault interrupter (GFI) outlet to reduce the risk of electric shock. Hire a qualified professional for installation. Consider installing and maintaining alarms to reduce flood risk. Note: Check with the government department with jurisdictional authority regarding availability and eligibility for subsidy. Also check regarding plumbing permits requirements. Check with your insurance provider about discounts for installing alarm systems.
Back-up sump pump – Is there a backup sump pump and is it in good condition? A back-up sump pump is present and the homeowner reports it is functioning well.	SB	A back-up sump pump is NOT present OR Back-up sump pump is present but the homeowner reports it is not functioning well OR Needs further investigation.	Purchase a back-up sump pump. Consider hiring a qualified professional for installation.
Sump pump(s) maintenance – Each season, before vacation and when an extreme rain or melt event predicted, sump pump(s) and alarms are tested, repaired or replaced as required.	SB	Sump pump(s) are never tested, repaired or replaced as required.	Each season, before vacation and when an extreme rain or melt event is predicted, test the sump pump(s). Clean, repair or replace these items as required. Consider installing and maintaining an alarm each season to further reduce risk.
Back-up power source – A back-up battery or generator is present, can generate electricity for a minimum of 72 hours and is reported by the homeowner to be functioning properly. A backup power source is elevated above anticipated flood levels. Consider installing an alarm to further reduce risk.	SB	There is no back-up power supply. OR A back-up battery or generator is present and is reported by homeowner to be functioning poorly AND/OR it is not elevated above the anticipated flood level OR Needs further investigation.	Purchase and install a 72 hour back-up power supply and maintain it each season. Raise the power source above the anticipated flood level. Consider installing and maintaining an alarm to reduce flood risk. Check with your insurance professional about discounts for installing sump pump backup batteries and alarm systems.
Exposed Foundation Walls, Floors and Cold Rooms			
Unfinished wall cracks – Are your foundation walls free of cracks and stains? Foundation walls are free of cracks and water stains.	GS	The foundation walls are free of cracks and water stains.	No action is required.

Unfinished wall crack maintenance – The homeowner checks for cracks once per season, fills cracks and removes sources of water buildup at the foundation as needed (corrects drainage, repairs eaves troughs and/or removes snow in winter, seals foundation from outside in extreme cases). The homeowner consults with a qualified professional in case of major problems.	GS	Once per year the homeowner checks for cracks, fills cracks and removes the sources of water buildup at the foundation as needed (corrects drainage, repairs eaves troughs and/or removes snow in winter, seals foundation from outside in extreme cases). The homeowner consults with a professional in case of major problems.	Once per season, check for cracks, fill cracks and remove sources of water buildup at the foundation as needed (correct drainage, repair eaves troughs and/or remove snow in winter, seal foundation from outside in extreme cases). Consult with a qualified professional in case of major problems.
Unfinished wall efflorescence – Is there evidence of efflorescence on your walls, indicating water movement through the foundation? Foundation walls are free of efflorescence.	GS	There is significant evidence of efflorescence (large areas of solid coverage of white flakes) OR Needs further investigation.	See **E** on **Inside Assessment** diagram. Significant evidence of efflorescence was noted at the rear of the house where the grading is poor. Correct drainage, clean out eaves troughs and remove snow in winter. Remove efflorescence and seal the surface with masonry waterproofing paint.
Unfinished wall efflorescence maintenance – Once per season the homeowner checks for evidence of efflorescence, addresses sources of water buildup at foundation, and cleans and repaints with masonry waterproofing paint as required.	GS	The homeowner never checks for evidence of efflorescence, addresses the sources of water buildup at the foundation, cleans and repaints the surface with masonry waterproofing paint as required.	Once per season check for evidence of efflorescence. Address sources of water buildup at the foundation. Clean and repaint the surface with masonry waterproofing paint as required.
Unfinished wall moisture – Are there high levels of moisture on the surface of your walls below windows, near cracks and where walls meet floor? Low moisture levels are indicated on all tested areas of the wall surface. Monitor for signs of dampness during heavy downpours and spring melts.	GS	Moderate moisture levels are present on noted areas of the wall surface.	Moderate moisture levels were noted where the wall meets the floor at the rear of the home. Examine sources of moisture from inside and outside the home. Hire a qualified professional as needed to diagnose and repair moisture or mold problems. Monitor for signs of dampness during heavy downpours or spring melts.
Unfinished floor cracks – Are there cracks in your floor that provide potential water entry sites to your basement? Unfinished floors are free of cracks and water stains.	GS	Unfinished floors are free of cracks and water stains.	No action is required.

Unfinished floor crack maintenance – Once per season homeowner checks for cracks, fills cracks, removes source of water buildup at foundation as needed (corrects drainage, repairs eaves troughs and/or removes snow in winter, seals foundation from outside in extreme cases). Homeowner consults with professional regarding major concerns.	GS	The homeowner checks for cracks once per season, fills cracks and removes source of water buildup at the foundation as needed (corrects drainage, repairs eaves troughs and/or removes snow in winter, seals foundation from outside in extreme cases). The homeowner consults with a qualified professional regarding major concerns.	Check for cracks once per season, fill cracks, and remove the source of water buildup at the foundation as needed (correct drainage, repair eaves troughs and/or remove snow in winter, seal foundation from outside in extreme cases). Check with a qualified professional regarding major concerns.
Unfinished floor efflorescence – Is there evidence of efflorescence on floors, indicating water movement through the foundation? Floors are free of efflorescence.	GS	Floors are free of efflorescence.	No action is required.
Unfinished floor efflorescence maintenance – Once per season the homeowner checks for evidence of efflorescence, addresses sources of water buildup at foundation, and cleans and repaints with masonry waterproofing paint as required.	GS	Once per year the homeowner checks for evidence of efflorescence, addresses sources of water buildup at foundation, cleans and repaints with masonry waterproofing paint as required.	Once per season check for evidence of efflorescence. Address sources of water buildup at the foundation. Clean and repaint with masonry waterproofing paint as required.
Unfinished floor moisture – Are there high levels of moisture, indicating water entry into the basement? Low moisture levels are present on the floor surface. Monitor for signs of dampness during heavy downpours and spring melts.	GS	Low moisture levels are present on the floor surface.	Monitor for signs of dampness during heavy downpours and spring melts.
Cold Rooms – Are cold rooms properly ventilated, with all surfaces maintaining consistent temperature to reduce mold and mildew risk? The door, frame and seals are all in good condition and there is no evidence of water entry. The door is adequately insulated. The air circulation level is good with adequate venting and all items are off the floor and away from walls by at least 15cm (6”). Space is unheated.	OW	Door, frame and seals are in poor condition, evidence of significant water entry and/or door is not insulated, air circulation is poor with restricted venting and items are stored against the walls or on the floor OR Needs further investigation.	See **F** on **Inside Assessment** diagram. Seal cracks in the door, frame and repair/replace seals. Improve insulation of the door or consider replacing them. Improve ventilation and raise items off of floor and away from walls by a minimum 15cm (6”). Consider working with a qualified contractor to remove plywood from the walls, to examine and address sources of water infiltration.

Finished Walls and Floors			
Finished walls – Are water stains or high moisture levels indicating source of water infiltration? Walls are free of water stains. There is no evidence of mold (smell or visual evidence). The audible moisture meter indicates no concerns.	GS	Walls show major evidence of water entry, clear evidence of mold (smell or visual evidence), moisture meter indicates higher concern OR Needs further investigation.	Major evidence of moisture has been noted on plywood walls inside cold room. Remove the source of water buildup at the foundation as needed (correct drainage, repair eaves troughs and/or remove snow in winter, seal foundation from outside in extreme cases). Remove and replace damaged materials. Consult a professional if you are concerned about mold. If you are considering refinishing your basement, refer to Water-Resistant Building Materials fact sheet.
Finished wall maintenance – Each season homeowner checks for high levels of moisture and water stains. If high levels of moisture or water damage and/or mold is evident, consults a professional for remediation. Monitor during heavy downpours and spring melts for signs of dampness.	GS	The homeowner never checks for high levels of moisture and water stains. If high levels of moisture or water damage and/or mold is evident, they do not consult a professional for remediation. The homeowner does not monitor for signs of dampness during heavy downpours and spring melts.	Each season check for high levels of moisture and water stains. If high levels of moisture or water damage and/or mold is evident, consult a professional for remediation. Monitor for signs of dampness during heavy downpours and spring melts.
Finished floors – Are there high levels of moisture, indicating water entry into basement? Low levels of moisture are present, there is no evidence of mold or mildew and no musty smell is present.	GS	Low levels of moisture are present on floors, no evidence of mold or mildew I present and no musty smell is present.	No action is required. If you are considering refinishing your basement, refer to Water-Resistant Building Materials fact sheet.
Finished floor maintenance – Each season homeowner the checks for water damage and signs of mold growth. If water damage and/or mold is evident, the homeowner consults with a professional for remediation.	GS	Each season the homeowner checks for water damage and signs of mold growth. If water damage and/or mold is evident, they consult a professional for remediation.	Each season check for water damage and signs of mold growth. If water damage and/or mold are evident, consult a professional for remediation.
Windows			
Basement windows – Are windows in adequate condition to reduce risk of overland flooding? Glass, frames and seals are all in good condition and there is no evidence of water entry.	OW	Glass, frames and seals are all in good condition. There is no evidence of water entry.	No action is required.

Basement window maintenance – The homeowner checks once per season for cracked glass, broken seals and rotting frames. They repairs and/or replaces these as required.	OW	The homeowner checks once per year for cracked glass, broken seals and rotting frames, repairs AND/OR replaces these as required.	Once per season check for cracked glass, broken seals and rotting frames. Repair AND/OR replace these as required.
Plumbing Fixtures			
Indoor plumbing and fixtures maintenance – Each season toilets, taps, pipes and water heaters are inspected by the homeowner and are repaired by a plumber as needed. **Consider installing and maintaining flood alarms.**	PF	Toilets, taps, pipes and water heaters are not inspected by the homeowner or repaired by a plumber as needed.	Each season inspect toilets, taps, pipes and water heaters for leaks and signs of wear. Repair or replace items with the assistance of a plumber as needed. Consider installing and maintaining flood alarms to reduce flood risk. Check with your insurance professional about discounts for installing alarm systems.
Additional Considerations for Limiting Risk of Water Damage, Mold and Mildew Growth			
Furniture and electronics – Are furniture and electronics at risk of damage in the event of a flood? Furniture items have non-absorbent surfaces up to 30cm (12") and electronics are stored at least 30cm (12") off the floor (or to exceed anticipated flood levels).	N/A	Furniture items have absorbent surfaces in contact with the floor and electronics are stored on the floor OR Needs further investigation.	Carpet on floors, couches with absorbent legs and electronics on the floor are at risk of damage in the event of a flood. Select furniture items that have non-absorbent surfaces up to 30cm (12") and store electronics at least 30cm (12") off the floor (or to exceed anticipated flood levels).
Stored valuables – Are your valuables at risk of damage during a flood or at risk of mold and mildew growth? Valuables are stored in sealed, non-absorbent containers at least 30cm (12") off the floor (or to exceed anticipated flood levels), at least 15cm (6") away from walls to provide good air circulation OR no valuables are stored in the basement.	N/A	Valuables are stored in sealed, non-absorbent containers at least 15cm (6") off the floor, at least 10cm (3") away from walls that provide moderate air circulation.	Store items in sealed, non-absorbent containers at least 30 cm (12") off the floor (or to exceed anticipated flood levels) and 15 cm (6") away from walls. Consider moving most valuable items above the basement.
Relative humidity, air movement and temperature – Are the moisture, humidity and temperature levels in your basement optimum to reduce mold and mildew risk? A 30-50% relative humidity reading is taken in the basement. Air circulation is good. A minimum regular temperature above 15C (60F) is maintained.	N/A	Over 60% relative humidity reading is taken in basement OR Air movement is highly restricted OR The temperature is kept below 10C (50F) OR Needs further investigation.	The relative humidity reading is 65. This exceeds the recommended maximum of 50%. Reduce sources of moisture and run one or more dehumidifiers to maintain 30-50% relative humidity. Improve air circulation. Maintain minimum temperature of 15C (60F).

Indoor Sources of Moisture–Are indoor sources of moisture limited to reduce mold and mildew risk? If a bathroom with a shower is present, a fan is present and when it is running it is strong enough to hold a piece of tissue. Fan is run for 30-60 minutes after a bath or shower. Furnace humidifiers do not operate in the summer. Wood is not stored, laundry is not hung, boots are not dried etc. in the basement.	N/A	If a bathroom with a shower is present, a fan is present and when running it is strong enough to hold a piece of tissue. The fan is run for 30-60 minutes after bath or shower use. Furnace humidifiers do not operate in the summer. Wood is not stored, laundry is not hung, boots are not dried etc. in the basement.	No action required.
Hazardous Materials			
Hazardous materials – Are hazardous materials stored in a way that represents a contamination risk during a flood? No hazardous materials are stored in the basement and/or materials are stored in waterproof containers at least 30 cm (12") off the floor (or to exceed anticipated flood levels). Heating fuel tanks are secured to the floor.	N/A	Hazardous materials are not sealed in waterproof containers and/ or are stored on the floor and/or heating fuel tanks are not secured to the floor OR Needs further investigation.	See **G** on **Inside Assessment** diagram. Remove paint, chemicals and other hazardous material from basement or seal hazardous materials in waterproof containers and store at least 30 cm (12") off the floor (or to exceed anticipated flood levels).

Committee of the Whole Excerpts
March 12, 2024

MILLS LAKE WATERSHED ADVISORY COMMITTEE LANDOWNER APPOINTMENT EXCERPT

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, Curry's Corner, Garlands Crossing, and Wentworth Creek.
The committee consists 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 and one (1) Nova Scotia Environment Representative (voting).
Due to unforeseen circumstances a vacancy has occurred resulting in a need to fill the vacancy.
One landowner expressed interest in becoming a member of the committee.

The recommended motion was that Committee of the Whole recommends to …

COUNCIL APPROVES THE FOLLOWING LANDOWNER BE APPOINTED TO THE MILLS LAKE WATERSHED ADVISORY COMMITTEE FOR THE TERM APRIL 1, 2024 TO OCTOBER 31, 2026: GREG O'LEARY.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☑	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Deanna Snair, Municipal Clerk

Date: March 12, 2024

Subject: Landowner Appointment to Mills Lake Watershed Advisory Committee – Recommendation Report

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LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act – Sections 24-27 (Standing, special and advisory committees; Vacancy on Boards, Commissions and Committees; Citizen Advisory Committees; and Community Committees).

RECOMMENDATION or DECISION REQUEST

… that Council approves the following landowner be appointed to the Mills Lake Watershed Advisory Committee for the term April 1, 2024 to October 31, 2026: Greg O'Leary.

BACKGROUND

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

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, Curry's 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.

DISCUSSION

Mills Lake Watershed Advisory Committee is 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)

Due to unforeseen circumstances a vacancy has occurred.
Committee members must be landowners and through both advertisement and word-of-mouth, one landowner expressed interest in becoming a member of the committee, Mr. Greg O'Leary. Should Council support this recommendation, the committee composition would be met.

NEXT STEPS

Landowner(s) will be contacted and notified of their appointments.

FINANCIAL IMPLICATIONS

Resident 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.

ALTERNATIVES

Council could choose to not support the recommendation and direct staff to advertise the vacancy. This is not the recommendation from staff.

ATTACHMENTS

Appendices from the Meeting and Committee Procedural Policy: Appendix J – Mill Lakes Watershed Advisory Committee

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____

Deanna Snair, Municipal Clerk

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

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.

Committee of the Whole Excerpts
March 12, 2024

PARKS & GROUNDS EQUIPMENT PRE-APPROVAL EXCERPT

Community Development Department were seeking approval to procure the lease of an articulating mower before the start of the mowing season and were also requesting to procure three Sub Compact mowers before the 2024-25 budget deliberations, to ensure availability for the 2024 mowing season (May-September) and to replace the 1995 John Deere tractor that was stolen from the Windsor Community Center storage building in the fall of 2023. These mowers provide the strength and versatility of a compact utility tractor, however, typically have engines with less than 25hp and have the mower deck mounted between the front and rear axle.

The recommended motion was that Committee of the Whole recommends to …

COUNCIL THAT AN ALLOCATION OF $14,400 BE PRE-APPROVED FOR THE 2024/25 OPERATING BUDGET TO SUPPORT THE PROCUREMENT AND LEASE OF AN ARTICULATING MOWER AND FURTHER RECOMMENDS THE THAT AN ALLOCATION OF $60,000 BE PRE-APPROVED FOR THE 2024/25 CAPITAL BUDGET TO SUPPORT THE PROCUREMENT AND PURCHASE OF THREE SUB COMPACT MOWERS (TRACTORS) TO BE TAKEN FROM THE OPERATING RESERVE.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐

To: Committee of the Whole

Submitted by: Kevin Bennett, Manager of Parks & Recreation Facilities

Date: March 5, 2024

Subject: Request for Pre-Approval for Parks & Grounds Maintenance Equipment

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LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION

Committee of the Whole recommends to Council that an allocation of $14,400 be pre-approved for the 2024/25 Operating Budget to support the procurement and lease of an articulating mower and further recommends the that an allocation of $60,000 be pre-approved for the 2024/25 Capital Budget to support the procurement and purchase of three sub compact mowers (tractors) to be taken from the Operating Reserve.

BACKGROUND

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

The Community Development Department currently has three older residential lawn mowers (2011 Cub Cadet; 2015 Cub Cadet (tractors) and a 2011 Woods zero turn mower) that due to the maintenance issues are not worth repairing and no longer meet the demands and needs of the department. Further, in the fall of 2023 the 1995 John Deere tractor was stolen from the Windsor Community Center storage building where it was being stored. This tractor has not been recovered and was not covered under the insurance policy for replacement.

DISCUSSION

Due to the time required to tender and purchase and or lease this necessary maintenance equipment, staff are making this request to procure the equipment before 2024-25 budget deliberations, to ensure they are available for the 2024 mowing season (May-September).

The three Sub Compact mowers would provide the strength and versatility of a compact utility tractor, however, typically have engines with less than 25hp and have the mower deck mounted between the front and rear axle.

In addition to the three sub compact mowers (tractors) that we are seeking approval to replace, the department is requesting positive consideration be given to the approval to procure the lease of an articulating mower before the start of the mowing season. An articulating mower features a pivotal connection between the front and rear sections, allowing for superior maneuverability, particularly on challenging terrain within the municipality.

NEXT STEPS

Pending council approval, staff will commence the procurement process.

FINANCIAL IMPLICATIONS

The approximate cost to lease an articulating mower ($1,200 per month) and to purchase three sub compact tractors (approx. $20,000 each) all of which are currently included in the 2024-25 operating and capital budgets.

The WHRM operating reserve is estimated balance on March 31, 2024, of $2.9 million.

ALTERNATIVES

1. Council can choose not to pre-approve this request understanding that WHRM does not currently have enough mowing equipment to maintain our parks and green spaces and the service level will be significantly reduced until such time that the 2024/25 budget is approved and the equipment can be sourced. This is not the course of action recommended but it is within the Council's purview.
2. Council could choose to pre-approve only some of the equipment requested recognizing this may also impact service delivery.

ATTACHMENTS

WHRM Parks & Grounds Mower Equipment List

CHIEF ADMINISTRATIVE OFFICER REVIEW

The municipality receives many comments regarding the care of green spaces and athletic fields. The recommendation will help support the current maintenance program.

I support the recommendation.

Report Prepared by: _____
Kevin Bennett, Manager Parks & Recreation Facilities

Report Reviewed by: _____
Kathy Kehoe, Director, Community Development

Report Reviewed by: _____
Carlee Rochon, Director, Financial Services

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

Community Development Department Parks Maintenance Equipment

QTY	Equipment/Vehicle	Year	Current Status
1	Kubota Zero Turn mower	2023	Leased
1	Kioti 30 HP Tractor	2022	Leased
1	Three-point hitch gear for this tractor		
	- 1 - 5' bushhog - 1 6' finish mowers - 1- 6' landscapers rake - 1 – 5' box blade - 1 – 4' tiller - 1 – post auger - 1 – drum aerator - 1 – fertilizer spreader - (without the midsize 30HP tractor or one similar most of the 3-point hitch gear is not of use to us)		
1	Vantrac 4520Y	2022	Leased
1	Kubota BX mower with loader implement	2018	Good working order
	Kubota BX with mower & backhoe implements (Maplewood)	2012	Good working order
1	Cub Cadet mower (used in Windsor (residential mower)	2011	Not dependable/should surplus
1	John Deere mower (St Croix)	2010	Not dependable/might get one more summer out of this.
1	Kubota Zero turn mower	2015	Fair working order
	TRACTORS NO LONGER IN USE		
1	Cub Cadet residential mower (Riverbank Cemetery)- not worth fixing… should surplus	2015	Not worth fixing
	Woods Zero turn mower	2011	Not working
1	John Deere	1995	Stolen

Committee of the Whole Excerpts
March 12, 2024

PROCUREMENT POLICY UPDATE EXCERPT

The Procurement and Tendering Policy RCOFN-003.00 was approved March 23, 2020, by the Coordinating Committee on behalf of the West Hants Regional Municipality.
The purpose of the revised Procurement Policy is to provide guidelines for the procurement of all goods and services for the Municipality. Procurement methods are to be open, fair, transparent, and consistent with being both efficient and effective. This policy has been updated to modernize and bring us into alignment with our peers.

The recommended motion was that Committee of the Whole recommends to …

COUNCIL APPROVES THE UPDATED PROCUREMENT POLICY RCOFN-003.00 AS PRESENTED TO COMMITTEE OF THE WHOLE ON MARCH 12, 2024.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation √	Decision Request ☐	Councillor Activity ☐

To: West Hants Regional Municipality's Committee of the Whole

Submitted by: _____
Diana Gibson, Manager, Accounting & Financial Reporting

Date: March 12, 2024

Subject: Procurement Policy Update Recommendation Report

LEGISLATIVE AUTHORITY

- Municipal Government Act, Part IV, Finance
- Atlantic Procurement Agreement
- Canada Free Trade Agreement

RECOMMENDATION or DECISION REQUEST

Committee of the Whole recommends that . . .

. . . Council approves the updated Procurement Policy RCOFN-003.00 as presented to Committee of the Whole on March 12, 2024.

BACKGROUND

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

The Procurement and Tendering Policy RCOFN-003.00 was approved March 23, 2020, by the Coordinating Committee on behalf of the West Hants Regional Municipality. At this time, the policy was updated to match current practices of both former units.

DISCUSSION

The purpose of the Procurement Policy is to provide guidelines for the procurement of all goods and services for the Municipality. Procurement methods are to be open, fair, transparent, and

consistent with being both efficient and effective. This policy has been updated to modernize and bring us into alignment with our peers. The policy has been updated in the following ways:

- Policy name has been updated to remove the word tendering, to bring the name in line with the purpose of the policy.

- The overall formatting of the policy has been updated to match West Hants Regional Municipality's formatting standards.

- Overall wording of the policy has been updated to bring in consistent terminology.

- Definitions were updated to remove a number of unnecessary terms and add in a number of new terms, such as alternative procurement, asset retirement obligation, best value, bid, bidder, competition, entrenched incumbent, invitational competition, limited competition, open competition, piggyback procurement, procurement value, public advertisement, single source procurement, social considerations, sole source procurement, standing offer, supplier, and sustainable procurement.

- In Section 5, the dollar value threshold for requiring a purchase order has been increased from $500 to $1,000. This update has been suggested because of the costs of goods and services at this time, we are finding the $500 threshold to be limiting at this time.

- A sub-section in Section 7 has been added to direct staff on how to handle a new asset that may have an asset retirement obligation.

- A sub-section in Section 7 has been added for Architects and Engineering procurement. This sub-section explains the importance these professionals have on overall projects and supports staff in using qualifications based selection overall lowest value when awarding contracts.

- Section 8 – Sustainable Procurement has been added to the policy. West Hants Regional Municipality's Climate Action Committee assigned a task in the 2024-25 workplan to update the Municipal procurement policy to include more sustainable requirements. During this update of the policy Financial Services worked with the Climate Action Coordinator to apply sustainability requirements to procurement.
    - These requirements include using sustainable listings before purchasing, ensure suppliers are setting their own sustainability goals, and ensuring new facilities or facility upgrades are as close to net-zero emissions as possible.

- Section 9 has been updated to include a check list for each type of procurement available to West Hants Regional Municipality, to assist staff with selection the correct method for their purchase.

    - Two new procurement types have been added in the cooperative procurement section – Canoe Procurement and Piggyback Procurement.

- Section 10 has been updated to move the full alternative procurement listing to Appendix I

- Section 11 – Entrenched Incumbent has been added to the policy. This allows the CAO and staff to determine specific vendors that may extend agreements past typical procurement timelines (typically 5 years), due to the undue hardship the Municipality would have to change vendors.

- Section 12 has been updated to amend the Privilege Clause and the Bidder to Investigate sub-sections to match industry wording.

- Section 12 has been updated to add a Change Order sub-section, detailing the process of approval for change orders.

NEXT STEPS

Should Council approve the suggested amendments to the Procurement Policy RCOFN-003.00, Financial Services will:

- Update all competition templates, including creating new templates for each type of procurement.
- Update the administrative Accounts Payable Procedure to match the new Procurement Policy.

FINANCIAL IMPLICATIONS

There are no financial implications to updating the Procurement Policy RCOFN-003.00.

ALTERNATIVES

- Council could choose not to update the policy.
- Council could direct staff on additional changes to the policy.

ATTACHMENTS

- Proposed new Procurement Policy RCOFN-003.00.

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and policy reflect modernization and improved accountability measures for the purchase of goods and services.

I support the recommendation.

Report Prepared by: _____
Diana Gibson, Manager, Accounting & Financial Reporting

Report Reviewed by: _____
Carlee Rochon, Director, Financial Services

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

1. PURPOSE

The purpose of this policy is to establish how West Hants Regional Municipality will fulfill their obligations under the *Public Procurement Act,* Nova Scotia. This policy is designed to drive best value for the expenditure of public funds on the acquisition of goods, services, and construction through maximizing competition, adopting commercially reasonable business practices which reflect the needs of the citizens of West Hants Regional Municipality, through open, fair, and transparent procurement processes.

2. DEFINITIONS

The following definitions are used within this policy:

Term	Definition
Alternative Procurement Practice	The specialized or exceptional practices that allow for deviation from the procurement processes that the value or nature of the goods, services, or construction would normally require. This could include non-competitive procurement in the place of a competitive process, and a limited competition in place of an open competition.
Asset Retirement Obligation (ARO)	Legal obligation associated with the retirement of a tangible capital asset.
Best Value	Determined by evaluating all the factors which may affect the value to West Hants Regional Municipality for goods, services, or construction. In some cases, best value will be limited to lowest cost. In other cases, West Hants Regional Municipality will evaluate a number of pre-defined criteria which they will publish in the competition. These criteria will look not only at verifying the capacity and capability of a supplier to deliver the goods, services, or construction, but also at the life-cycle costs, environmental considerations, social considerations, sustainability, delivery, quality, and other factors specific to procurement.
Bid	Supplier response to a competition document. Synonymous with proposal, response, tender submission, quotation, or offer.
Bidder	A person, firm, or corporation who submits a bid. Synonymous with proponent, respondent, or tenderer.
Competition	A general term referring to the various methods of procuring goods, services, and construction. This term will encompass each of the various request types. Synonymous with solicitation.

Construction	Construction, reconstruction, demolition, repair, or renovations of a building, structure, road, or other engineering or architectural work, excluding professional consulting services related to the construction contract, unless they are included in the procurement document.
Contract	An enforceable binding legal agreement that is a voluntary arrangement between two or more parties, which is formally documented.
Entrenched Incumbent	Suppliers whose goods or services are integral to the operation of West Hants Regional Municipality and where change to or removal of the supplier would result in severe disruption to Municipal activities. To qualify, the potential change of supplier would not be advisable for economic or technical reasons AND would cause significant inconvenience or substantial duplication of costs to West Hants Regional Municipality.
Goods	Materials, furniture, merchandise, equipment, stationery, and other supplies required by a department for the transaction of its business and affairs and includes services that are incidental to the provision of such supplies.
Invitational Competition	A competitive process in which an invitation to submit bids is issued to at least three (3) suppliers.
Life Cycle Cost	The total costs associated with a product or asset over its life span, including the cost of maintenance, repairs, operation, disposal, or retirement.
Limited Competition	An alternative procurement practice that may be used where circumstances permit the procurement of goods, services, or construction through invitational competition when open competition would otherwise be required.
Local Bidder	A Nova Scotia based supplier, as per the Canada Free Trade Agreement and the Atlantic Procurement Agreement.
Open Competition	The solicitation of bids through a publicly posted competition document.
Piggyback Procurement	Post-award use of a contract or competition process that allows a Public Sector Entity that was not specifically named in the contract/process to enter into a new contract to purchase the same goods or services as if they were a party to the contract/process.
Procurement Value	The value of the total contract excluding taxes but including all options whether exercised or not. In service contracts this value is determined by the maximum fees payable over the term of the contract. For facilities, this value is determined by the monthly lease/rent multiplied by the term of the contract.

Public Advertisement	Advertising public competition notices on the Nova Scotia Procurement Portal.
Purchase Order	A document used to finalize purchase or competition for goods, services, and construction.
Purchasing Authority	The person with the appropriate level of signing authority.
Services	A service required by a department for the transactions of its business and affairs but does not include services provided by an employee of the Municipality through a personal services contract, as per Canada Revenue Agency guidelines.
Single Source	An alternative procurement practice in which two or more suppliers can supply the goods and/or perform the services required, but where one supplier is selected over the others for reasons such as expertise, previous municipal, or other related experience and NOT through a competitive process.
Social Considerations	Factors associated with the purchasing or manufacturing of a product or asset that relates to the rights or interests of the workers involved, such as working conditions, fair wages, and compliance with human rights legislation and conventions.
Sole Source Procurement	An alternative procurement practice in which it is evident that only one supplier can supply the goods and/or perform the services required and an award is made to that supplier.
Standing Offer	A continuous offer of rates from a pre-approved supplier to supply goods and/or services, as requested.
Supplier	A person carrying on the business of providing goods, services, or construction.
Sustainable Procurement	A holistic approach to government procurement that considers the environmental, economic, and social factors related to the goods, services, and construction that are procured. Factors may include, but are not limited to: • Fair/Living Wages • Community Benefits • Environmental Benefits • Socially Responsible Production • Advanced Health and Safety Practices

3. APPLICATION

This policy applies to all procurement activities of the Municipality. The CAO is responsible for ensuring compliance with this policy. All Municipal personnel who have responsibility for the

procurement of goods, services, or construction must adhere to this policy. Failure to adhere may result in a temporary or permanent loss of procurement privileges or in more extreme cases, disciplinary actions and/or dismissal.

Elected Municipal Officials, employees of the Municipality, or their agents, will not be permitted to bid on the procurement of goods and services for the Municipality, unless their interest is declared and they remove themselves from the decision-making process, as stated in the terms of the *Municipal Conflict of Interest Act* or applicable employee policy.

4. PURCHASING AUTHORITY

Chief Administrative Officer (CAO)

The CAO is authorized to make purchases for goods, services, or construction for the purposes of carrying on the business of the Municipality, where:

- the amount of the expenditure does not exceed the values stated below (excluding HST), and

	Maximum
Goods	$50,000
Services	$50,000
Construction	$100,000

- such expenditure has been included in the approved budget.

Any purchase for goods, services, or construction that exceeds the amounts listed above, or is outside of the approved budget, must be accompanied by approval from Council.

Nothing in this policy prevents the CAO from seeking advice or direction from Council in relation to the awarding a competition or from recommending that Council itself award a competition.

Should the CAO be unavailable to approve purchases at these values, the Director, Financial Services is authorized to make approvals on their behalf. For instance, if the CAO is away for vacation, meetings, or conference, etc.

Directors

Directors are authorized to make purchases for goods, services, or construction for the purposes of carrying on the business of the department, where:

- the amount of the expenditure does not exceed $14,999.99 (excluding HST), and
- such expenditure has been included in the approved budget.

Senior Management

Directors may delegate the purchasing authority to senior management within their department corresponding with each individual's duties and responsibilities, where:

- the amount of the expenditure does not exceed $5,499.99 (excluding HST),
- such expenditure has been included in the approved budget, and
- a formal request form is completed, signed by the designate, Director, and CAO and returned to Manager, Accounting & Financial Reporting.

Designated Staff

Directors may delegate the purchasing authority to designated staff within their department corresponding with each individual's duties and responsibilities, where:

- the amount of the expenditure does not exceed $2,499.99 (excluding HST),
- such expenditure has been included in the approved budget, and
- a formal request form is completed, signed by the designate, Director, and CAO and returned to Manager, Accounting & Financial Reporting.

5. GRANTS, CONTRACTS, AND PURCHASE ORDERS

Purchase Orders

A purchase order will be utilized for any purchase over $1,000 (excluding HST). A purchase order should describe the item or service to be ordered, anticipated cost, delivery date, and the account to which the purchase will be allocated in the financial records. Full details on using and creating purchase orders can be found in the *Accounts Payable Procedure*.

Contracts

Contracts will be utilized for any purchases over $25,000 (excluding HST).

- A contract is a tool used to finalize the purchase or tendering process for all goods, services, construction, and facilities.
- The contract should include all specific requirements, deadlines, terms, financial commitments, and outline the responsibilities of both parties.
- Contracts may be in the form of tender agreements, service agreements, lease agreements, etc.

Copies of all agreements, quotations, and contracts must be kept with the Director or designate, and the Manager, Accounting & Financial Reporting, with originals filed with the Municipal Clerk.

Grants

Any community group, organization, or club receiving funding of $25,000 or higher from the Municipality for any single capital project must use procurement practices which meet or exceed those used by the Municipality. A copy of this policy will be provided to the group or organization. If the organization is following an alternative policy, the policy must be provided to the Municipality prior to initiating the financial transaction. Community groups receiving funding agree to provide documentation of expenses upon request.

Grants under the $25,000 threshold for any single capital project will be evaluated on a per application basis. If deemed necessary for the nature of the project, the community group, organization, or club will be asked to meet the minimum procurement standards either through their own policy or this policy.

6. PAYMENT METHODS

Petty Cash

Any purchase made below $25, can be reimbursed by the petty cash fund. Original receipts with manager's approval must be submitted for reimbursement. Please see Manager, Revenue & Cash Management should petty cash be needed.

Purchase Cards

Purchase cards include credit cards and account cards. Council shall approve available credit. Acquisition of financial institution credit cards and supplier account cards will be approved by the CAO or Director, Financial Services. These cards will be used in compliance with the *Municipality Act,*

Section 65A – Authorized Municipal Expenditures and Section 67 – Expenditure for Municipal Purposes. These cards will be placed in a secured location when not in use. Procedure to use these cards is as follows:

- A purchase order needs to be approved **before** a purchase can be placed on the card. *
- Once the purchase transaction has been completed, the card will be returned to its secure location.
- A purchase order and transaction documentation supporting the transaction will be given to Directors (or designate) within two (2) working days of the transaction.
    - This documentation should include a description of the item or service, date of transaction, department, account number to be charged, and signed by the appropriate signing authority.
- Each Director (or designate) will verify/reconcile the monthly credit card statement with supporting documentation prior to submitting to Manager, Accounting & Financial Reporting, or designate.
    - Any discrepancies will be brought back to the staff member using the card.
- Supplier purchase card documentation will be verified with the relevant statements or invoice copies.
    - Any discrepancies will be brought back to the staff member using the card.
- Misuse of Municipal credit cards or account cards could result in a suspension in use of these cards.

* The only exception in waiting for the purchase order approval would be in emergencies, or where timeliness of the purchase is required. At which time the card holder or Manager, Accounting & Financial Reporting must be notified, with the best estimate of cost and why it could not wait for purchase order approval.

Cheque/Electronic Fund Transfers

The Municipality's payment terms are net 30 days, unless other arrangements have been requested and approved by the CAO, Director, Financial Services, or designate. The Municipality will make every effort to ensure timely issuance of payment.

Further guidelines on the purchase processes can be found in the *Accounts Payable Procedure*.

7. PROCUREMENT OF GOODS, SERVICES, AND CONSTRUCTION

West Hants Regional Municipality must procure goods, services, and construction in accordance with the following tables to ensure fair and open competition. The amounts shown exclude HST.

Spending Category	Low-Value Procurement	Mid-Value Procurement		High-Value Procurement
	Regular Purchasing	Quotations	Invitational Competition	Open Competition
Goods	<$5,000	$5,000 - $10,000	$5,000 - $24,999	$25,000 and above
Services	<$5,000	$5,000 - $10,000	$5,000 - $24,999	$25,000 and above
Construction	<$5,000	$5,000 - $10,000	$5,000 - $24,999	$25,000 and above

Dividing procurement activity to reduce or keep the procurement value below certain thresholds is not permitted.

Low-Value Procurement

Directors have authority to purchase goods, services, and construction as approved in their annual budgets, on an as-needed basis.

For purchases less than $5,000 (excluding HST)

- Supplies and services required to maintain on-going and existing operations.
- Formal price comparisons are not required, but from time-to-time some comparison should be done to ensure the Municipality is getting the best value.
- Directors must approve these purchases and appropriate documentation.
    - Such as receipts, invoices, etc.
- Purchase orders are required for purchases above $1,000 (excluding HST), as per **Section 5** of this policy.
- Where possible, group purchasing between departments should be considered.

Mid-Value Procurement

For purchases between $5,000 and $9,999.99 (excluding HST)

- Three (3) informal quotes, verbal, faxed, or emailed, will be sought from supplies.
- The decision to award is at the discretion of the Director.
- The quotations are to be recorded and kept on file, in accordance with the Records Management Policy RCOGE-002.00

For purchases between $10,000 and $24,999.99 (excluding HST)

- Invitation competition is to be used to receive a minimum of three (3) formal quotes.
- Up to $14,999.99 the decision to award is at the discretion of the Director, as long as the purchase was approved in the budget.
    - If the amount exceeds 10% of the approved budget, the decision is at the discretion of the CAO.
- $15,000 and above the decision to award is at the discretion of the CAO.
- Formal bids are to be kept on file, in accordance with the Records Management Policy RCOGE-002.00

Only the quote from the successful supplier will be disclosed to other suppliers, upon request. Purchase orders are required for all purchases made under mid-value procurement.

The CAO can approve exceptions to the mid-value procurement section of this policy for the following reasons:

- Certain goods, services, or construction projects may only be provided by one qualified supplier or in limited cases only a few suppliers are known, in which case discretion can be given for inviting bids that normally would exceed $25,000.
- Further phases of a similar project or service may be best completed by a supplier familiar with the service or project.
- An emergency may require immediate action.
- Directors may recommend that the open competition process should be used for goods, services, or construction projects that would qualify for an invitational competition.

<u>High-Value Procurement</u>

For purchases greater than, and including, $25,000 (excluding HST)

- Open competition must be conducted.
- Open competition will be solicited through public advertisement.
- If the competition is within the approved budget, and within the CAO signing authority, the decision to award is at the discretion of the CAO.
- Should the competition be outside of the approved budget, or over the CAO signing authority, a formal recommendation report must be submitted to Committee of the Whole and the decision to award is at the discretion of Council.

- The recommendation report must include:
  - Competition timelines
  - List of all bidders with pricing
  - Scoring to support the recommendation.

- There are several options for open competition, which will be detailed in **Section 9** of this policy.

Asset Retirement Obligations

Should the Municipality procure an item with asset retirement obligations (ARO), the cost of these obligations is required to be accounted for as per *RCOFN-014.00* - Asset *Retirement Obligation Policy*.

Architects and Professional Engineering Services

West Hants Regional Municipality recognizes that certain professional services, such as design services, may have a significant influence on a project's construction requirements and specification. The extent of this influence is often disproportionate to the direct price value of the professional services. Further, there are a variety of different methodologies, including Qualifications Based Selection (QBS), which can be used to recognize quality over cost.

Therefore, West Hants Regional Municipality, in their sole discretion and where reasonable to do so, will emphasize the recognition of skill, qualifications, and expertise in their competitive processes, by limiting the value of cost as a factor of award and by using elimination methods to prevent suppliers who do not meet minimum requirements from being considered for award.

8. SUSTAINABLE PROCUREMENT

To align with the Municipality's Climate Action Committee's goals to reduce negative impacts on the environment, departments shall consider suppliers and contractors that meet the following when making purchases:

- Environmentally responsible business conduct, created by offering or using environmentally responsible products and services to the extent available, with the goal of reducing any negative impact on the environment.

- Greenhouse Gas (GHG) emissions mitigation, which may include establishing a reduction target, focusing on operational efficiencies and technological improvements, and offering low carbon products and services.
- Promote environmental responsibility through initiatives such as implementing policies and programs to reduce water usage, waste, energy, and resource consumption.
- Incorporate climate change risk assessments into risk management procedures.

When procuring goods or services priority shall be given to options that have reduced environmental impacts, have sustainable certifications such as those below, meet operational requirements, and are similar in cost to traditional options, when such options exist.

Low to Mid-Value Sustainable Procurement

When making low to mid-value procurement purchases, departments will use appropriate standards to achieve environmental outcomes and value for money.

Recommended Standards:

EPeat	A free online database that lists electronic products that are certified sustainable by meeting specific international standards. There are three (3) levels of certification: Bronze, Silver, and Gold. Staff procuring electronics shall search the database for their desired product or options that meet operational requirements and are similar in cost to the specified product.
FSC	An international certification for forestry-related products, which certifies the products are sourced from responsibly managed forests. These products can include, but are not limited to, lumber, stationery, cardboard, and furniture. Most products will have an FSC label attached, which describes the sourcing material. FSC certified products that meet operational requirements and are similar in cost to the desired product shall be given priority.

High-Value Sustainable Procurement

Staff will ensure appropriate environmental specifications are prepared for the goods, services, and construction to be acquired. These specifications may include, but are not limited to, GHG emission targets, sustainable certifications, exclusion of environmentally harmful materials, and targets for improving the circular economy through reduction, reuse, and recycling.

For facility renewal and construction, competition documents should reflect requirements for facilities to be net-zero or near net-zero emissions, reduce or eliminate the consumption of fossil fuels, and increase usage of renewable energy. LEED, an international standard for green building construction to reduce emissions and resource consumption, provides guidelines for sustainable building construction. LEED certification may be implemented for Municipal facilities to demonstrate the Municipality's commitment to sustainability.

9. PROCUREMENT METHODS

West Hants Regional Municipality can utilize a number of different types of competition when procuring goods, services, or construction. This section of the policy serves to provide an overview of each of these types and when it is appropriate to use in competition.

Competition Method	Description & When to Use
Request for Standing Offer (RFSO)	A procurement process that establishes a qualified list of suppliers who are eligible to perform certain work or supply certain goods at set prices, under terms and conditions defined by the standing offer documents. Standing offers reduce the number of individual bids and reduce overall cost due to the higher volume gained by combining the requirements of a number of departments. Standing offers include a contract signed by both parties. Standing offers may not exceed five (5) years in total duration. <u>When to Use:</u> ☐ Low to Mid-Value purchases of goods, services, and construction. ☐ Common, regularly purchased goods and services.
Invitational Competition	
Request for Quotation (RFQ)	A competitive process in which an invitation to submit bids is issued to at least three (3) suppliers. <u>When to Use:</u> ☐ Mid-Value purchases of goods, services, and construction. ☐ Specification or requirements for the purchase are well known. ☐ Contract terms are clear. ☐ Bidder ranking is based on the lowest price.
Open Competition	

Request for Quotation (RFQ)	An open competition process in which a public advertisement is posted to the Nova Scotia Procurement Portal inviting suppliers to provide quotes on a specific item or service the Municipality is interested in purchasing. Submissions will be opened in public. After opening, a list of bidders and total pricing will be published on the Nova Scotia Procurement Portal. <u>When to Use:</u> ☐ High-Value purchases of goods, services, and construction. ☐ Specification or requirements for the purchase are well known. ☐ Contract terms are clear. ☐ Bidder ranking is based on the lowest price. ☐ All the contract requirements and performance terms and conditions can be clearly defined and incorporated into the competition documents to permit the finalizations of the contract with the successful bidder without negotiations.
Request for Construction (RFC)	Open competition for construction, reconstruction, demolition, remediation, repair, or renovation of a building, structure, road, bridge, or other engineering or architectural work. The competition documents usually contain a set of terms and conditions and a separate bid form that applies to the specific project. An RFC usually does not include professional consulting services related to the construction contract unless they are included in the competition specification. Submissions will be opened in public. After opening, a list of bidders and total pricing will be published on the Nova Scotia Procurement Portal. <u>When to Use:</u> ☐ High-Value purchases of goods, services, and construction. ☐ Specification or requirements for the purchase are well known. ☐ Bidder ranking is based on a number of factors described in the competition documents. ☐ One envelope submissions are acceptable.
Request for Proposal (RFP)	An open competition process in which a public advertisement is posted to the Nova Scotia Procurement Portal inviting suppliers to describe how their services, methods, equipment, or products can address or meet the needs of the Municipality.

	To preserve confidentiality or sensitive commercial information contained in a submission, the submission will not be opened in public, but must be opened in the presence of at least two (2) representatives of the Municipality. After opening, a list of bidders and total pricing will be published on the Nova Scotia Procurement Portal. <u>When to Use:</u> ☐ High-Value purchases of goods, services, and construction. ☐ Complex goods and services, which the Municipality may be unable to clearly or completely specify the goods or services required. ☐ Bidder responses may help inform the final specification or performance terms. ☐ Bidder rank is based on highest score. ☐ Contract negotiations are allowed after the submissions have been opened, subject to complying with the terms of the RFP. The Municipality must award the procurement contract to the supplier whose proposal is determined to provide the best value to the Municipality based on the evaluation criteria set out in the RFP and equitably applied to all proposals.
Two-Phase Competition	An open competition process in which two submissions are received from each bidder: • Phase 1 – one or more steps in which bidders submit proposals for evaluation. • Phase 2 – those bidders who submissions are determined to be acceptable based on a preset pass mark (80%) will be entitled to submit priced bids for consideration. This type of competition has the advantage of an RFP in phase one and an RFQ in phase two. Submissions will be opened in public. After opening, a list of bidders and total pricing will be published on the Nova Scotia Procurement Portal. **This is the Municipality's preferred method of procurement, as it achieves the best value.** <u>When to Use:</u> ☐ Any RFP, RFQ, or RFC can be a two-phase competition.

	☐ Bidders are required to provide detailed information on what they can supply/provide for the Municipality. ☐ Weight will be given to the proposal meeting municipal needs in the scoring as well as to the pricing component.
Request for Expression of Interest (RFEI)	Like an RFP and is sometimes referred to as a pre-qualification. RFEI invites suppliers to propose a solution to a problem. The RFEI is only the first stage in the competition process and does not typically include pricing. Bidders responding to the RFEI will be short-listed according to their scoring. Those on the short list will be invited to response to an RFP. After opening, the successful bidders will be posted to the Nova Scotia Procurement Portal, only if a short list is created. <u>When to Use:</u> ☐ Purchasing goods, services, or construction through a two-phase RFP ☐ To ensure potential bidders are qualified and experienced to undertake and successfully complete the project prior to inviting them to bid on the detailed requirements. ☐ There is potential for a large number of bidders, and you want to narrow the field prior to requesting bids. ☐ A minimum threshold score must be achieved before a potential bidder will be considered eligible to participate in the second stage of the competition.
Cooperative Procurement	
Canoe Procurement	A cooperative procurement process used to aggregate purchases for a large group with similar buying needs. This allows each group to secure better pricing and service due to increased value. Canoe procurement is a Canada-wide cooperative, joining municipalities, public agencies, and not-for-profit organizations with similar requirements and expenses. Canoe Procurement is used in place of a traditional open competition process; however, it is still an RFP. Canoe has completed the initial stages and have vetted all the suppliers and products. All RFP documents can be found on their website. Please see *Accounts Payable Procedure* for the process to follow when using Canoe Procurement. <u>When to Use:</u>

	☐ Purchasing goods, and some limited services through an RFP or RFQ ☐ Goods or services that are straightforward with limited modifications.
Piggyback Procurement	A cooperative procurement process that enables the Municipality to use an awarded contract or competition process that it was not originally named in to enter a new contract to purchase the same goods or services as if they were a party of the original contract/process, so long as the contract includes a piggyback clause. <u>When to Use:</u> ☐ Municipality is looking to purchase the same goods or services that another public sector entity has a valid contract for. ☐ The contract time period must still be valid. ☐ The originating public sector entity went through competition to award the contract. ☐ Contract includes a piggyback clause.

10. ALTERNATIVE PROCUREMENT PRACTICES

Alternative Procurement Practices are not intended to avoid a competition or discriminate against specific suppliers, but are an alternative method of procuring goods, services, and construction which are required when circumstances prevent obtaining competitive bids.

Appendix I provides the Alternative Procurement Practices which are acceptable and when they are permitted to be used.

11. ENTRENCHED INCUMBENT

Entrenched incumbents are suppliers whose goods or services are integral to Municipal operations and where a change or removal of the supplier would result in severe disruption to Municipal activities. To qualify, the potential change of supplier would not be advisable for economic or technical reasons AND would cause significant inconvenience or substantial duplications of costs to West Hants Regional Municipality. Such suppliers may include, but are not limited to, banking services and insurance coverage.

Departments may request an exemption for an entrenched incumbent, from the CAO or designate, where it can be demonstrated that a change of supplier will create economic or technical inefficiencies and cause significant inconvenience or substantial duplication of costs.

Suppliers on this list must be reviewed every five (5) years, by the CAO or designate, to ensure the reasons for exemption from regular competition as presented in this policy are still valid. If the reasons are found to be invalid, the department responsible for the goods or services must plan to procure as per this policy in the next instance they are required.

12. OPEN COMPETITION PROCESS

Directors will ensure appropriate specifications are prepared for the goods, services, and construction to be acquired. Specifications should be in sufficient detail to allow bidders to prepare a clear and complete response. Where possible, all requirements should be specific rather than implied (i.e. insurance, warranties, environmental issues, safety requirements, quality of materials, and equipment supplied, etc.). Where specifications or details are not readily available, Directors will ensure a sufficient and appropriate description of the desired outcome is included.

Procurement Documents

Procurement documents will include the following:

- Form of Instructions to Bidders
- Form of Procurement (see **Section 9** for appropriate process)
- Form of Contract Agreement
- Form of General Conditions
    - Include the method for which bids are evaluated, and the evaluation criteria. It will also include the set pass mark (80%) for the proposal evaluation process.
- Project drawings and/or specifications, where required.

Certain competitions follow prescribed processes. In the case of competitions where the specification for goods or services is clearly stated the minimum instruction to bidders will include:

- Closing date and time.
- The fact that all bids must be submitted in sealed envelopes, clearly marked with the purpose of the competition number.
- All information necessary for the bidder to prepare the bid on the specific requirements for completion of the project.

Other methods of competition may require a two-envelope process. Submissions must be sealed in an envelope separate from the bid. The proposal will be opened prior to the bids and evaluated. Only bidders who have passed the evaluation will have their bid reviewed.

The detailed internal process of procurement competition can be found in the *Accounts Payable Procedure*.

Privilege Clause

A statement will be included in the advertisement and the tender document that states:

> ***"The Municipality reserves the right to accept or to reject any or all bids received, or to select a bid which is deemed by the Municipality to be in its best interests. The Municipality reserves the right to negotiate with the lowest compliant bidder in the event that all bids are higher than anticipated."***

Bidders to Investigate

Bidders are responsible to know the work sites and conditions discussed in the competition. A statement will be included in the competition documents that states:

> ***"Before bidding, bidders shall have examined the site of the work and shall have satisfied themselves as to the working conditions, including labour conditions and labour rules, the nature and kind of work to be done, any special risks associated therewith and all other matters which may be necessary in order to form a proper conception under which the work will be required to be performed. Bidders shall not be entitled to claim at any time after closing of competition that there was any misunderstanding in regard to all such conditions."***

Competition Advertisement

Potential bidders are to be notified by posting on the Nova Scotia Procurement Portal and other means of soliciting potential bidders, such as the use of newspaper advertising, and/or direct contact if necessary.

Single Envelope Openings

- All bids will be received by the Municipality at the location, date, and time identified in the competition advertisement.

- Staff receiving the documents will stamp or mark the received date and time on the envelope and place the tender in a secure location.
- No bids will be received by fax; however, amendments will be accepted if the price is not revealed in the fax.
- At the appointed time of opening the Manager, Accounting & Financial Reporting, department Director, or designate, and Administrative Assistant will meet in the prescribed location.
- The Directors or designate will bring the bids (which have been securely stored until the hour of closing) to the prescribed location for opening.
- The public is permitted to view the opening. The Municipality will record the proceedings at the opening, including the names of those persons in attendance, names of those who submitted a bid, the document submitted, and the amounts of the bids, if declared at the time of the opening.
- Opened bids will then be referred to the appropriate Director and/or staff member for review and analysis, along with the Manager, Accounting & Financial Reporting.
- A recommendation will be made to the CAO who will ensure that an appropriate written report and recommendation to Council is completed, if required.
    - Manager, Accounting & Financial Reporting will review and provide financial information to this report before the Director, Financial Services signing.
- Bids received after the closing will be returned unopened to the bidders.
- Any information pertaining to the bid including the names and numbers of bidders will not be divulged until after the opening.
- Once a bid has been awarded, the names of bidders and total prices of bid will be posted to the Nova Scotia Procurement Portal.

<u>Two-Phase Envelope Openings</u>

- During the opening process, only the proposal envelope will be opened at the appointed time.
- Price Criteria Envelopes will be opened only following an evaluation of all qualified proposals.
- Only those proposals which achieve pass mark (80%) established in the competition documents will be opened.

- The opening of Price Criteria Envelopes will be done in the presence of the Manager, Accounting & Financial Reporting, department Director, or designate, and Administrative Assistant who will record the process.
- Opened cost envelopes will then be referred to the appropriate Director and/or staff member for review, analysis, along with the Manager, Accounting & Financial Reporting.
- A recommendation will be made to the CAO who will ensure that an appropriate written report and recommendation to Council is completed, if required.
    - Manager, Accounting & Financial Reporting will review and provide financial information to this report before the Director, Financial Services signing.
- Individual bidders will only be provided with summary information of the successful bidder's score as it related to their own score. At the request of the bidder a meeting may be held to discuss the bidder's score.
- Once a bid has been awarded, the names of bidders and total prices of bid will be posted to the Nova Scotia Procurement Portal.

<u>Competition Awarding</u>

Depending on the evaluation method defined in the competition documents, it will be customary to award the bidder of the lowest price or the highest cumulative score meeting the specifications. However, the Municipality reserves the right to accept or reject any offer; if it is in the best interest of the Municipality to reject the lowest bid and accept another, this may be done. The reasons for the decision must be clearly documented.

The evaluation criteria should be used in cases where price is not the only factor to be considered:

- References.
- Past performance history.
- Capability to conduct the project.
- Whether the bid is realistic.
- Completion date of bids.
- Any other criteria that the Municipality may consider necessary that will be weighed in addition to costs.

Specific evaluation criteria shall be included in each of the competition documents to ensure bidders and staff are aware of the requirements.

If all the bids received exceed the approved budgeted one of the following must be done:

- Cancel or postpone the project.
- Recommend to the CAO (through to Council) that an additional allocation be made to the affected budget.
- Undertake negotiations in the scope of the work with the bidder submitting the accepted bid to reduce or alter the scope and advise the CAO of the change in work scope.

In the case of a tie bid where there is no local bidder, the names of the bidders will be placed on equal sized pieces of paper and placed in a box. One name will be drawn, by a person chosen by the CAO, and will be the successful bidder.

In the case of a tie bid where there is a local bidder, the bid will be awarded to the local bidder in compliance with the Sustainable Procurement Policy of the Province of Nova Scotia.

All bidders will be notified of the decision. The winning bidder will be notified, and the agreement will be signed. Copies of the contract will be kept with the appropriate Director and Manager, Accounting & Financial Reporting, and originals filed with the Municipal Clerk.

After the awarding of a contract, the bids are open for public inspection except to the extent otherwise stated in the competition documents and subject to the Freedom of Information and Protection of Privacy Act of Nova Scotia. All submissions must be kept in accordance with the Records Management Policy.

Amendment or Withdrawal of Submissions

Submissions may be amended or withdrawn by letter, e-mail, or fax. Amendment of individual unit prices is the only acceptable price amendment. Amendments will not disclose either original or revised total price and will be submitted in the form specified in the “Instructions to Bidders” section of the contract document.

Progress Payments

All progress payments submitted on projects will be approved by the consultant (if any) and the CAO or responsible Director. West Hants Regional Municipality will make payments based on a term of net 30 days.

Change Orders

All change orders requests must be approved by the CAO prior to the work being completed.

- All change orders should be forwarded to Manager, Accounting & Financial Reporting for review and recording.
- Manager, Accounting & Financial Reporting will ensure the CAO gets these in a timely manner for approval.
- All change orders are required to have a new PO created and approved by CAO.

APPENDIX I - ALTERNATIVE PROCUREMENT PRACTICES

The following circumstances provided by the Canada Free Trade Agreement (CFTA) – Alternative Procurement Awards, when applicable, are allowable exceptions to this policy, provided they are within the budget or a result of an emergency AND have CAO approval:

1. Insofar as is strictly necessary where, for reasons of urgency brought about by events unforeseeable by West Hants Regional Municipality, the goods, services, or construction could not be obtained in time using an open competition.

2. Where goods or services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open competition could reasonable be expected to compromise confidentiality, result in the waiver of privilege, cause economic disruption, or otherwise be contrary to public interest.

3. To ensure compatibility with existing products, or to maintain specialized products that must be maintained by the manufacturer or its representative.

4. To ensure the protection of patents, copyrights, or other exclusive rights.

5. Due to an absence or competition for technical reasons.

6. For the procurement of goods or services that are controlled by a supplier that has a monopoly.

7. For goods purchased on a commodity market. A commodity market is a physical or virtual marketplace for buying, selling, and trading raw or primary products.

8. For work performed on a leased building or property that may be performed only by the lessor.

9. For work to be performed on a property by a contractor according to provisions of a warranty or guarantee held in respect of the property of the original work.

10. Where a procuring entity procures a prototype of a first good or service that is developed in the course of, and for a particular contract for research, experiment, study, or original development. This may include limited production or supply in order to incorporate the results of field testing and to demonstrate that the good and service is suitable for production or supply in quantity to acceptable quality standards but does not include quantity production or supply to establish commercial viability or to recover research and development costs.

11. For purchases made under exceptionally advantageous conditions that only arise in the very short term in the case of unusual disposals such as those arising from liquidation, receivership, or bankruptcy but not for routine purchases from regular suppliers.

12. The requirement is for a work of art.

13. Where a contract is awarded to a winner of a design contest provided the contest has been organized in a manner consistent with the principals of this policy, in particular related to the publication of notices; and the participants are judged by an independent jury with a view to a design contract being awarded to a winner.

14. For the procurement of subscriptions to newspapers, magazines, or other periodicals.

15. For additional deliveries by the original supplier of goods or services that were not included in the initial procurement, where a change of supplier for sub additional goods, services, or construction cannot be made for economic or technical reasons such as requirements for interchangeability or interoperability with existing equipment, software, services, or installations procured under the initial procurement, and would cause significant inconvenience or substantial duplication of costs for the Municipality.

16. No bids were submitted, or no suppliers requested participation; no bids that conform to the essential requirements of the competition documentation were submitted; no suppliers satisfied the conditions for participation.

17. For the procurement or acquisition of fiscal agency or depository services, liquidation, or management services for regulated financial institutions, or services related to the sale,

redemption, and distribution of public debt, including loans, government bonds, notes, and other securities.

18. For the procurement of goods and services for commercial sale or resale, or for use in the production or supply of goods or services for commercial sale or resale.

19. For the procurement of goods and services financed primarily from donations that are subject to conditions that are inconsistent with this policy.

20. Procurement of goods or services from another government body.

21. Procurement from philanthropic institutions, non-profit organizations, prison labour, or persons with disabilities.

22. Where compliances with the normal methods of procurement would interfere with the Province's ability to maintain security or order or to protect human, animal, or plant life or health.

23. The procurement supports a measure adopted with respect to Aboriginal peoples.

Under the Canada Free Trade Agreement (CFTA), Alternative Procurement Awards for the above circumstances, 1 and 3 to 16 inclusively must be publicly posted to the Nova Scotia Procurement Portal within 72 hours of being awarded, if the award value is greater than the CFTA thresholds of goods or services greater than $101,100 and construction greater than $252,700. The posting must include the supplier's name, award amount, circumstance description and number, and the project description.

I, **Deanna Snair**, Municipal Clerk of the West Hants Regional Municipality, in 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 **March**, **2024**.

_____

Deanna Snair, Municipal Clerk

Adoption	
Notice to Council:	March 9, 2020
Approval:	March 23, 2020
Description: Initial approval of the Procurement and Tendering Policy, RCOFN-003.00. Approved by the Co-ordinating Committee of the Region of Windsor and West Hants Municipality.	
First Amendment	
Notice to Council:	March 12, 2024
Approval:	March 26, 2024

Description:
• Amend Policy Name from "*Procurement and Tendering Policy"* to "*Procurement* Policy"
• Amend overall policy formatting and updated to use more standard wording, such as competition instead of tender.
• Amend definitions to remove:
  ○ Bid by Invitation
  ○ Council
  ○ CAO
  ○ Director
  ○ Employee
  ○ Municipality
  ○ Public Tender
• Amend definitions to add:	

  - Alternative Procurement
  - Asset Retirement Obligations (ARO)
  - Best Value
  - Bid
  - Bidder
  - Competition
  - Entrenched Incumbent
  - Invitational Competition
  - Limited Competition
  - Open Competition
  - Piggyback Procurement
  - Procurement Value
  - Public Advertisement
  - Single Source Procurement
  - Social Considerations
  - Sole Source Procurement
  - Standing Offer
  - Supplier
  - Sustainable Procurement
- Amend *Section 5* to increase the Purchase Order value threshold from $500 to $1,000.
- Amend *Section 7* title from *Methods of Procurement* to *Procurement of Goods, Services, and Construction*.
  - Add sub-section on ARO.
  - Add sub-section on Architects and Engineering procurement.
- Add *Section 8 – Sustainable Procurement* to align with the Climate Act Committees work.
- Amend *Section 9* to display the different types of procurement competition options, including check lists on when to use each.
  - New Procurement Types added:
    - Canoe Procurement
    - Piggyback Procurement
- Amend *Section 10* to move Alternative Procurement list to *Appendix I*

- Add *Section 11 – Entrenched Incumbent* to allow the Municipality to extend relationships with certain suppliers that would cause undue hardship or cost to change.
- Amend *Section 12* from *Procurement Procedure* to *Open Competition*
    - Amend Privilege Clause and Bidder to Investigate sub-sections to adjust wording to match industry.
    - Add Change Order sub-section.

Committee of the Whole Excerpts
March 12, 2024

TEMPORARY BORROWING RESOLUTION (TBR) EXCERPT

The Spring Debenture call has been scheduled for April 25th. A Temporary Borrowing Resolution (TBR) is a required step in the process to secure the necessary borrowing to support the purchase of items of significant cost required by the Municipality and requires Council approval to move forward. Five finished capital projects will require approved temporary borrowing resolutions in advance of the call date.

The recommended motion was that Committee of the Whole recommends to …

COUNCIL APPROVES THE RENEWAL OF A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF $57,467 FOR THE PURCHASE OF FIRE EQUIPMENT.

COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF $564,068, FOR THE ROOF AT BROOKLYN FIRE DEPARTMENT STATION 1.

COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT OF $65,252, FOR THE REAR PARKING LOTS AT HANTSPORT FIRE DEPARTMENT.

COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT $285,062, FOR THE PURCHASE OF DUMP TRUCK – SALT/PLOW.

COUNCIL APPROVES A TEMPORARY BORROWING RESOLUTION IN THE AMOUNT $232,656, FOR THE PURCHASE OF SIDEWALK MACHINE W/FLAIL MOWER.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☑	Decision Request ☐	Councillor Activity ☐

To: WHRM Council

Submitted by: _____
Carlee Rochon, Director, Financial Services

Date: March 12, 2024

Subject: Temporary Borrowing Resolutions

LEGISLATIVE AUTHORITY

Municipal Government Act, Part VI, Power to Spend Money 65 (A) & Power to Borrow Money 66.

RECOMMENDATION or DECISION REQUEST

Committee of the Whole recommends that …

… Council approves the renewal of a temporary borrowing resolution in the amount of $57,467 for the purchase of Fire Equipment.

… Council approves a temporary borrowing resolution in the amount of $564,068, for the Roof at Brooklyn Fire Department Station 1.

… Council approves a temporary borrowing resolution in the amount of $65,252, for the rear parking lots at Hantsport Fire Department.

… Council approves a temporary borrowing resolution in the amount $285,062, for the purchase of Dump Truck – Salt/Plow.

… Council approves a temporary borrowing resolution in the amount $232,656, for the purchase of Sidewalk Machine w/Flail Mower.

BACKGROUND

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

A Temporary Borrowing Resolution (TBR) is a required step in the process to secure the necessary borrowing to support the purchase of items of significant cost required by the Municipality. A TBR requires Council approval to move forward.

West Hants Regional Council approved the following capital projects:

Item		Budget Amount	Budget Approval	Total Cost
BFD 2 - Boiler Replacement	TBR 1	$ 20,000	2022-23 Budget	$ 16,050
HFD - SCBA		$ 25,000	2022-23 Budget	$ 21,050
HFD - Thermal Imaging Cameras		$ 15,018	2023-24 Budget	$ 13,197
HFD - Master Intake Valve Repair		$ 6,500	2023-24 Budget	$ 7,170
Total Fire Equipment		$ 66,518		$ 57,467
BFD 1 - Roof Replacement	TBR 2	$ 568,804	2023-24 Budget	$ 564,068
HFD - Rear Parking Lot	TBR 3	$ 120,000	2023-24 Budget	$ 65,252
Replace 2011 Salt/Plow - Dump Truck*	TBR 4	$ 250,000	2023-24 Budget	$ 285,062
Replace 2006 Sidewalk Machine with Flail Mower	TBR 5	$ 280,000	2022-23 Budget	$ 232,656

*An increase in value was approved during the procurement process, bringing the total approved to $350,000.

Announced February 26th, the Spring Debenture call has been scheduled for April 25th. And these three finished capital projects will require approved temporary borrowing resolutions in advance of the call date.

DISCUSSION

Municipal Finance offers favorable fixed lending rates for municipal capital purchases. To meet the necessary lending requirements a Temporary Borrowing Resolution (TBR) is required, which needs Council and Minister approval.

To be able to participate in the upcoming Municipal Finance semi-annual debenture call, a 'Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate' must be approved by Council. Approving this now would qualify the Municipality to take part in the Spring debenture call.

It should be noted that the Minister approval date of the TBR in the resolution document has been left blank. The resolution document is a Municipal Finance's procedural step and should be left blank for Municipal Finance Division staff to complete.

NEXT STEPS

1. Minister approval of the temporary borrowing resolutions.

2. Recommendation report to West Hants Regional Council to apply for the Spring 2024 Debenture call, scheduled for April 25th.

FINANCIAL IMPLICATIONS

The full financing charges for all the above projects are included in the 2023-24 operating. budget, so they will have no impact on the current fiscal year.

ALTERNATIVES

- Council could reject the proposed TBRs, but in doing so would have to direct staff as to how the items will be funded.

ATTACHMENTS

- Temporary Borrowing Resolution #1
- Temporary Borrowing Resolution #2
- Temporary Borrowing Resolution #3
- Temporary Borrowing Resolution #4
- Temporary Borrowing Resolution #5

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendations.

Report Prepared by: _____
Carlee Rochon, Director, Financial Services

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

MUNICIPAL COUNCIL OF THE

West Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: $ 57,467 Purpose: Fire Equipment (Bulk)

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHERAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of Fire Equipment (Bulk);

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding Fifty-seven four hundred sixty-seven Dollars ($ 57,467) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding Fifty-seven four hundred sixty-seven Dollars ($ 57,467) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the _____ day of _____, 2024.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this _____ day of _____, 2024.

_____

Clerk

MUNICIPAL COUNCIL OF THE

West Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: $ 564,068 Purpose: BFD 1 Roof Replacement

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHERAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of BFD 1 Roof Replacement;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding Five hundred sixty-four thousand and sixty-eight Dollars ($ 564,068) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding Five hundred sixty-four thousand and sixty-eight Dollars ($ 564,068) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the _____ day of _____, 2024.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this _____ day of _____, 2024.

_____

Clerk

MUNICIPAL COUNCIL OF THE

West Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: $ 65,252 Purpose: HFD - Rear Parking Lot

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHERAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of HFD - Rear Parking Lot;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding sixty-five thousand two hundred fifty-two Dollars ($ 65,252) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding sixty-five thousand two hundred fifty-two Dollars ($ 65,252) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the _____ day of _____, 2024.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this _____ day of _____, 2024.

_____

Clerk

MUNICIPAL COUNCIL OF THE

West Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: $ 285,062 Purpose: Dump Truck - Salt/Plow

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHERAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of Dump Truck - Salt/Plow;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding two hundred eighty-five thousand and sixty-two Dollars ($ 285,062) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding two hundred eighty-five thousand and sixty-two Dollars ($ 285,062) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the _____ day of _____, 2024.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this _____ day of _____, 2024.

_____

Clerk

MUNICIPAL COUNCIL OF THE

West Hants Regional Municipality

TEMPORARY BORROWING RESOLUTION

Amount: $ 232,656 Purpose: Sidewalk Machine with Flail Mower

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHERAS the Council of the West Hants Regional Municipality has determined to borrow for the purposes of Sidewalk Machine with Flail Mower;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding two hundred thirty-two thousand six hundred fifty-six Dollars ($ 232,656) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding two hundred thirty-two thousand six hundred fifty-six Dollars ($ 232,656) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the _____ day of _____, 2024.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this _____ day of _____, 2024.

_____

Clerk

Committee of the Whole Excerpts
March 12, 2024

THIRD (3RD) PROCESS TRAIN WINDSOR WTP DETAILED DESIGN EXCERPT

A Third Process Train for the water treatment plant was deemed necessary through consultations with CBCL Consulting Engineers as part of a future needs assessment by the Windsor Water Utility. The current treatment facility does not meet the regulatory requirements for filter redundancy.
Adding the third process train will meet the regulatory requirement by having complete filter redundancy to meet the peak water demands with one filter out of service as well as meet future demands as commercial and residential development continues in the Windsor and Three Mile Plains growth centres.

The recommended motion was that Committee of the Whole recommends to …

COUNCIL APPROVE AWARDING THE DETAILED DESIGN PHASE 1, OF THE THIRD PROCESS TRAIN WINDSOR WTP PROJECT, AS IDENTIFIED IN THE 2023/24 CAPITAL BUDGET TO CBCL, FOR THE OVERBUDGET TOTAL DESIGN COST OF $208,707.00 PLUS APPLICABLE TAXES.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☑	Decision Request ☐	Councillor Activity ☐

To: Committee of the Whole

Submitted by: J. Richard

Todd Richard, Director of Public Works

Date: March 5, 2024

Subject: Windsor Water Treatment Plant – Addition of Third Process Train

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LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 23 authorizes Council to make policies for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

Council approve awarding the Detailed Design Phase 1, of the Third Process Train Windsor WTP Project, as identified in the 2023/24 capital budget to CBCL, for the over budget total Design cost of $208,707.00 plus applicable taxes.

BACKGROUND

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

This additional Process Train for the water treatment plant was deemed necessary through consultation with CBCL Consulting Engineers as part of a future needs assessment by the Windsor Water Utility. The current treatment facility does not meet a regulatory requirement for filter redundancy. Adding the third process train will meet the regulatory requirement by having complete filter redundancy to meet the peak water demands with one filter out of

service. Continued commercial and residential development in our Windsor and Three Mile Plains growth centres has required an additional water treatment process train to meet our future demands.

The addition of a 3rd process train is part of an integral phased plan approach on consolidation of water utilities. Identified capital projects to continue to meet regulatory and water production requirements are as follows:

- Source water control and intake improvements. These are currently taking place within the Mill Lakes Watershed, new watershed road construction, water intake and screening improvements along with earthen dam and sluice gate modifications.
- New Water Storage Tank Construction – Planned for summer 2024.
- Falmouth – Windsor Water Distribution System interconnection – Currently in detailed design phase.
- 3rd Process Train addition at the Windsor Water Treatment Facility.

Future longer-term planning is to explore additional source water and or increasing current source water storage.

Through this integrated plan, major capital improvements that would have been required previous to the Windsor / West Hants consolidation can now be deferred or eliminated by the regional approach and having the systems interconnected with more storage and production capacity as a combined connected utility along with greater redundancy & resiliency though required upgrades. Having the 3rd process train will allow the treatment operations to maintain water production on a more consistence basis when dealing with such things as, process maintenance, process equipment breakdowns, process upsets and filter backwashing.

DISCUSSION

This project consists of the addition of a complete third process train including, static mixer, flocculation system, clarification with dissolved air flotation (DAF), and filtration requiring an addition to the existing building, an upgraded saturator/recycle system and PLC would also be required.

This additional process train will be housed in a new building immediately adjacent to the existing. To avoid increasing the load on the existing structure and the difficult connection of the new roof onto the existing wall, it is recommended that the new structure be built. The new building will be approximately 7m wide (east-west direction) by 20m long and 7m high. In an effort to match the existing buildings throughout the site, the new building will have a precast concrete roof (hollow core planks) with concrete block walls and brick cladding, all supported on a concrete foundation.




Location for Access to Expansion, Platform (Above) and Floor (Below)

The third DAF train shall contain the same design specifications of the existing trains with the exception of a sump hole or sloped DAF floor with a central hole for draining/cleaning. The train will be integrated into the existing clearwell and backwash/waste systems and contain all necessary inline instrumentation to meet NSECC requirements. The third DAF system will be supported by a larger saturator and recycling pumping system that will also support the existing DAF tanks. Sizing of this equipment will be determined during the design phase.
The PLC would see the replacing of existing hardware in the existing PLC panel to Allen Bradley CompactLogix, upgrading all controls with modern equipment and incorporate new I/O into the panel.

In December 2023 West Hants Regional Municipality requested proposals for Engineering Services for the Windsor Water Treatment Plant Third Process Train to support this project from Design through final construction. This closed on January 18, 2024. The only submission received was from CBCL.

Staff have reviewed the CBCL proposal and have determined that it does meet requirements set out in the RFP. CBCL is experienced and well equipped to handle this design as they have been involved with the operations and design of the Windsor Water Treatment plant for many years. CBCL has been involved in several assessment, optimization and upgrade projects at the Windsor Water Treatment Plant including the development of the Third Train Conceptual design. They are very familiar with WHRM's intentions, options and the overall scope of work involved in this project.

This project has two distinct phases that could occur in different fiscal periods; Design in 2024/25 and Tendering and Construction planned for 2025/26. Therefore, WHRM Engineering staff requested the sole proponent, CBCL, to further clarify and requote on their proposal to separate Phase 1 (Design) from Phase 2 (Tendering & Construction Management Services).

The municipality plans to be prepared to call for construction tenders by late Fall 2024 or early winter. Projected start date for construction is Spring 2025, with Project Completion by late Fall 2025.

NEXT STEPS

Upon approval by Council, staff will award the Engineering Services to CBCL so they may proceed with the Detailed Design of the Construction Tender Documents.

FINANCIAL IMPLICATIONS

Tendering Timeline:

Posted to Procurement	December 18, 2023
Closing Date	January 18, 2024
Price Expiry Date	March 18, 2023
Days Remaining	6 Days

2023-24 Capital Budget – Filter Redundancy WTP – 3rd Process Train

Tender Pricing	$208,707.00
Non-Recoverable Tax *(4.29%)*	$8,953.53
Tender Total	**$217,660.53**
2023-24 Budget Value	$150,000.00
Variance (over budget)	($67,660.53)

This project will not be completed in 2023-24 and will be carried over into the 2024-25 Capital Budget. The 2024-25 Capital Budget will reflect the new amount to be funded through the Depreciation fund. This project will increase the filter redundancy and bring the Utility in compliance with regulatory requirements.

ALTERNATIVES

1. Council may choose not to proceed with this planned project.

ATTACHMENTS

- CBCL Third Process Train Submittal Jan 18, 2024
- CBCL Proposal Revision Feb 7, 2024

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____

Erin Amirault, P.Eng. Project Engineer Public Works

Report Reviewed by: _____

Report Approved by: _____

Mark Phillips, Chief Administrative Officer



Request for Proposals

Engineering Services for Windsor Water Treatment – Third Process Train Design

Proposal

CBCL

West Hants
something inspiring awaits

238310.00• January 2024

January 18, 2024

West Hants Regional Municipality
76 Morison Drive, PO Box 3000
Windsor, NS B0N 2T0

To whom it may concern:

RE: Request for Proposals Engineering Services for Windsor Water Treatment Plant – Third Process Train Design (WWHPW23-18)

CBCL Limited (CBCL) is pleased to offer the following proposal to the West Hants Regional Municipality (WHRM) in response to the Request for Proposals Engineering Services for Windsor Water Treatment Plant – Third Process Train Design (WWHPW23-18).

We thank you for the opportunity to submit this proposal, and hope that we will be given the opportunity to further our relationship and commitment through the professional services described in this proposal. We are available at your convenience to discuss any aspect of our submission.

Yours very truly,

CBCL Limited

Prepared by:
Ben Bickerton, M.A.Sc., P.Eng.
Process Engineer
Direct: (902) 492-7979, Ext. 2271
E-Mail: bbickerton@cbcl.ca

Reviewed by:
Mike Chaulk, M.A.Sc., P.Eng.
Manager, Process Department

Proposal No.: 238310.00

This document was prepared for the party indicated herein. The material and information in the document reflects CBCL Limited's opinion and best judgment based on the information available at the time of preparation. Any use of this document or reliance on its content by third parties is the responsibility of the third party. CBCL Limited accepts no responsibility for any damages suffered as a result of third-party use of this document.

Contents

1 Technical Ability / Staff Resources 1

1.1 Corporate Profile 1

1.2 Water Treatment 1

1.3 Staff Team 2

1.4 Organizational Chart 5

2 Proposed Approach & Project Plan 7

2.1 Project Understanding 7

2.1.1 Design Challenges/Considerations 7

2.2 Proposed Approach 8

2.3 Project Schedule 16

3 Key Representative Project Reference 18

4 Other Project References for Proposed Team Members 20

4.1 Safe Clean Drinking Water 20

4.2 Corner Brook Water Treatment Plant Design 21

4.3 Moncton WTP Clarifier Retrofit 22

4.4 Windsor Water Treatment Plant & Expansion 23

5 Proposal Cost 24

Appendices

A Corporate Profile

B Insurance

C Curricula Vitae

D Potlotek Tender Package

1 Technical Ability / Staff Resources

1.1 Corporate Profile

As an employee-owned firm, we are committed to creating a positive and lasting impact on people and our planet by providing world-class multidisciplinary engineering and environmental consulting services.

Since 1955, CBCL has focused on making meaningful global contributions. With experience in over 100 countries, our multi-talented team creates innovative solutions for our clients that positively shape tomorrow.

CBCL has 12 offices in five provinces. Our diverse team of over 400 employees is committed to providing technical excellence and exceptional service. We consider the short and long-term social, environmental, and sustainable effectiveness of every project. Our teams deliver in excess of 1,500 projects a year in multiple sectors, including Bridges, Buildings, Climate Resilience, Coastal, Environmental, Geotechnical, Industrial, Municipal, Ports & Marine, Sustainability, Transportation, and Water.

1.2 Water Treatment

Municipal infrastructure, including water and wastewater treatment, has been the cornerstone of CBCL's work for the past 60 years. Our Process Engineering staff have in-depth experience in all aspects of water and wastewater collection, monitoring, and treatment, including:

- Pumping.
- Waste stream characterization.
- Flow gauging.
- Treatability testing.
- Process selection and development.
- Feasibility studies.
- Pre-design.
- Detailed design.
- Cost estimation.
- Permitting.
- Decommissioning and demolition.
- Construction inspection and administration.

- Plant commissioning and start-up.
- Operator training.
- Evaluation and optimization of existing treatment systems, and more.

Our water and wastewater treatment projects are consistently recognized as standing out for their positive impact on communities and for the quality of infrastructure they provide. CBCL are leaders in the Atlantic Canada Water and Wastewater Association – a community of professionals committed to water and wastewater infrastructure in the region, and our team of engineers and technicians live and work among the projects we deliver. CBCL has designed over $200M worth of water and wastewater infrastructure in the region over the last 10 years, including projects that incorporate new groundwater supplies into small and medium size communities to improve supply, treatment, and monitoring. We bring this expertise and experience to each project we deliver to the benefit of all parties involved.

1.3 Staff Team

CBCL has assembled a qualified team of professionals selected based on a depth of experience in water treatment plant design. All staff have extensive experience in their area of speciality. The work will be executed by the personnel listed in this proposal. Team members' experience, roles, and responsibilities are summarized in the following paragraphs. CVs are provided in Appendix C.

Ben Bickerton, M.A.Sc., P.Eng. – Project Manager



Mr. Bickerton is an Engineer in the Process Engineering Department at CBCL. He holds a B.Eng. in Environmental Engineering from Dalhousie University, and a M.A.Sc. in Civil Engineering from Dalhousie University specializing in water quality and treatment. Since joining CBCL in 2012, Mr. Bickerton has been involved in dozens of water treatment plant and water treatment system design projects, ranging from the very small in residential/commercial applications to the largest facilities in Atlantic Canada. Ben has been involved in several assessment, optimization and upgrade projects at the Windsor WTP including the development of the Train 3 conceptual design upgrade preceding this RFP and is therefore uniquely familiar with WHRM's intentions, options and the overall scope of work involved in the expansion.

As project manager, Ben will provide overall management, coordinate project team activities, leading consultations with stakeholders, ensure deliverables are submitted on schedule, and oversee quality assurance throughout the project. Ben will chair project meetings and provide routine status reports, and during the construction phase will act as the primary point of contact to the contractor on behalf of the municipality.

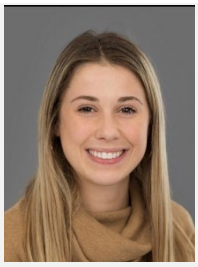
Andrew Gates, P.Eng. – QA/QC Advisor



As VP of Infrastructure at CBCL Limited, Andrew has corporate responsibility for the successful delivery of all projects within the sector. At CBCL this sector includes active practices in Transportation, Marine, Bridges, Municipal, Coastal and Water Resources and Climate Change. Andrew has over 30 years of experience in the consulting engineering field and had led the development of CBCL's expertise in alternate project delivery and in particular P3 projects. This has included transportation, composting, water, health care and district heating projects. Andrew has also led design–build water and wastewater projects, and has many years' experience in organizing large multi-disciplinary project teams.

Andrew has recently been involved in several WHRM initiatives to improve, expand and interconnect WHRM linear infrastructure and was notably CBCL's Project Manager for the original design and construction of the WTP in 2000/2001, providing him a unique understanding of the existing facility and any site-specific issues encountered during construction and commissioning.

Meghan Lea, B.Eng., M.A.Sc. – Process Design



Ms. Lea joined CBCL in 2023 as a Process Engineer-In-Training. Prior to joining CBCL, Ms. Lea had completed a Bachelor of Mechanical Engineer from Queen's University in 2018, followed by a Master of Applied Science in Civil and Resource Engineering from Dalhousie University in 2023. Meghan also worked for CBCL as a Mechanical Engineering Intern from 2015 to 2017. Meghan's research focused on Pb^{2+} adsorption and removal of microplastics in wastewater, raw water, and drinking water.

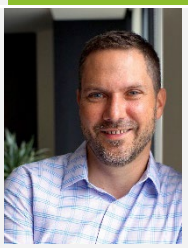
Judy Fowler, M.A.Sc., P.Eng. – Structural Design



Judy is a structural engineer with sixteen (16) years' progressive design experience. She has completed her Master's degree in Structural Engineering with a focus on bridges. She has received several awards including the Dr. S. K. Malhotra Scholarship, Dr. H. W. L. Doane FEIC Scholarship, George Geoffrey Meyerhoff Award, as well as Research and Faculty of Graduate Studies Scholarships.

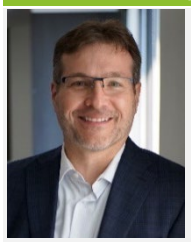
At CBCL, Judy's responsibilities have included the preparation of tender drawings, cost estimates, technical specifications, design calculations, structural assessments, and client liaison. Her design and assessment work includes the development of loads on structures including all climatic loads. She has participated in a wide range of projects including: design of treatment facilities, design of industrial structures (electrical substation and bus structures), design of pipe supports for bridges, design of cable/pipe tray supports, inspection, assessment and design of bridges, design and renovation of buildings, design of marine structures, underground chambers and retaining walls.

Chris Ruddick, P.Eng. – Mechanical Design



Mr. Ruddick is a registered Professional Mechanical Engineer working in the fields of building design, construction, commissioning, and energy efficiency. Mr. Ruddick received his degree from Dalhousie University in 2000 and has been working in this field since 2001. Prior to joining CBCL Limited in 2008, he worked for ADI in Fredericton, NB, and Stantec in Vancouver, BC. Chris is regularly involved in design of water and wastewater treatment plants, working with CBCL's process group and leading the design effort for the buildings-mechanical aspects of these facilities.

Lohn Hick, P.Eng. – Electrical Designer



Mr. Hick is an electrical design engineer with thirty (30) years of experience in all aspects of a project including planning, design, project management, construction documentation, site services and commissioning. He has acted as the lead electrical engineer on numerous multi-discipline industrial, commercial, and municipal projects including manufacturing plants, oil and gas facilities, water and wastewater treatment plants, water booster stations, well water sites, wastewater pumping stations, laboratories, and office spaces. Mr. Hick is involved with the planning, design, and implementation of SCADA systems and PLC/RTU based automation systems in the water and wastewater treatment industry. His design responsibilities include power distribution, emergency power, lighting, controls, fire alarm systems, and telecommunications. He has also conducted various studies and analysis including project feasibility studies, equipment assessments, short circuit, and protection coordination studies.

Notably, Lohn was the lead designer for the electrical and instrumentation design of the Windsor WTP in 2000/2001.

Kristien Praest, CET – Automation Specialist



Mr. Praest is an electrical technologist with twelve (12) years of experience in automation. He graduated from the Nova Scotia Community College in 2009 with a diploma in Electrical Engineering Technology and joined CBCL Limited in August 2014. Since graduating in 2009, Mr. Praest has programmed and commissioned over fifteen (15) new SCADA systems of varying complexity. He has extensive experience programming PLC's and HMI's from various vendors, including Allen Bradley, Schneider Electric, General Electric, and Maple Systems. As well as SCADA and visualization platforms Trihedral VTScada, FactoryTalk View, and FactoryTalk VantagePoint EMI. Mr. Praest is knowledgeable in serial and ethernet communication protocols, including Ethernet/IP, Modbus, DNP3, and has been involved in several projects to modify and upgrade the existing SCADA system at the Windsor WTP, giving him a strong understanding of the current systems and any requirements for upgrades to accommodate Train 3.

1.4 Organizational Chart

The following organizational chart (Figure 1.1) has been prepared to demonstrate how we anticipate organizing our team to execute the scope of work identified in the RFP. The project team's experience will help to ensure that we can provide the engineering and professional resources needed to deliver the project on time and on budget. Key personnel are qualified for their roles on this project and have worked together on similar assignments.

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Project Manager
Ben Bickerton, M.A.Sc., P.Eng.

QA/QC Advisor
Andrew Gates, P.Eng.

Process Support
Meghan Lea, B.Eng., M.A.Sc.

Structural Design
Judy Fowler, M.A.Sc., P.Eng.

Mechanical Design
Chris Ruddick, P.Eng.

Electrical Design
Lohn Hick, P.Eng.

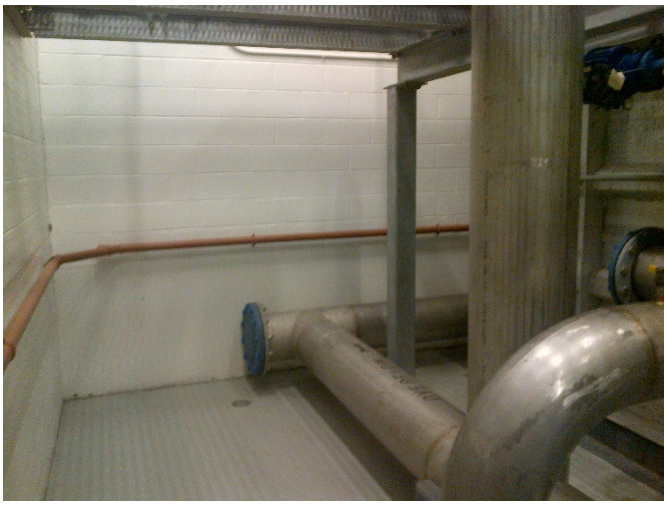
Automation Specialist
Kristien Praest, CET

2 Proposed Approach & Project Plan

2.1 Project Understanding

The project entails designing and constructing a third process train to complement the existing two-train plant, with major components including a package flocculation, DAF clarification and multimedia filtration system as well as PLC upgrade and clarifier recycle system equipment. To implement these upgrades, an expansion of the existing building, including foundations, superstructure, mechanical and electrical components are required.

Furthermore, the project involves incorporating a larger saturator and recycling pumping system, aligning with existing systems. Upgrading the PLC hardware to Allen Bradley CompactLogix, ensuring compliance with regulatory requirements, and providing comprehensive inspection services during construction are integral aspects of the proponent's understanding. The proponent is committed to delivering detailed designs, cost estimates, and project schedules in adherence to municipal, provincial, and federal standards. The proposal also acknowledges the importance of SCADA/PLC programming and the production of accurate record drawings during and post-construction. Overall, the proponent is poised to provide a thorough and compliant solution to meet the project's objectives.



2.1.1 Design Challenges/Considerations

There are several pipes that exit the existing building and are buried underground or connect into a below grade overflow chamber (located at the north end of the west wall) which will make constructing a foundation in this area challenging.

Several options have been considered in the conceptual design report, summarized as follows:

1. Remove a portion of the overflow chamber and re-route the pipes to allow for the new foundation wall construction.
    a. This option would allow for the position of the new treatment train to be in line with the two existing trains and allow for a direct extension of the existing trench into the new building. However, the north wall of the new building will be close to existing underground tanks (base slab of the tanks is deep relative to the minimum required footing depth for frost protection on the new building) and design checks will be required to ensure any surcharges imposed on the tank wall will not cause overstress. An alternative is to drop the new footing elevation down to match the base slab of the tank. Checks will also be required on the existing underground chamber where the foundation passes over top.
2. Construct a combination of foundation walls, footings and a grade beam to span over/under or connect into the existing overflow chamber and re-route pipes as required to suit construction.
    a. This option may minimize the disruption of the existing pipes and overflow chamber but may provide challenges to provide a suitable foundation to support the new building as it is dependent on the strength of the overflow chamber. The overflow chamber is also susceptible to being undermined if a new grade beam/shoring is required below, therefore underpinning options may be explored.
3. Locate the new building to the south of the overflow chamber and pipes.
    a. This option minimizes the disruption of the existing pipes and overflow chamber. Since the new foundation will be further from the underground tanks at the north end of the building it reduces the level of concern for surcharging the tank wall. Due to the building offset, an underground chamber may be required outside between the new and existing buildings to facilitate easy access to the below grade pipes. This option also requires slightly longer pipe runs to connect the new and existing treatment trains.

Early in the project, a decision on the project delivery approach should be made. Based on the project's primary goal of installing a third package treatment train, it may be beneficial to plan for an equipment pre-selection approach to allow finalization of the design of this key project component prior to the completion of the 'balance-of-plant' design. This, along with the final design approach for building expansion and integration will be confirmed following advancement of the preliminary design options and discussions with WHRM.

2.2 Proposed Approach

The following sections outline our proposed methodology in delivering the scope of work and phases described in the RFP.

Phase 1.0: Concept Phase

Task 1.1: Project Initiation & Management

Upon award, CBCL will coordinate a kick-off meeting with WHRM. The purpose of the meeting is to:

- Obtain background information.
- Review project objectives, the proposed schedule, and budget.
- Establish communication protocols.
- Identify key issues for consideration.

If required, CBCL will adjust the scope of work to accommodate WHRM's needs. Meeting minutes summarizing the key points of discussion, action items, and parties responsible will be provided to attendees.

As part of the ongoing project management, CBCL will provide the following services each month:

- Design meetings with minutes and action items.
- Project status updates including details on the work completed, progress, schedule, and budget updates.
- Schedule design and report review meetings for each submission. Recording comments and resolutions to same.

Task 1.2: Review Background Information

While we are very familiar with the site and have written the reports referenced in the RFP, we will re-review all relevant background documentation provided by WHRM, including but not limited to:

- Current as-built drawings.
- Conceptual Design Assessment.
- 2023 Water System Assessment Report.
- Windsor-West Hants Water System Review.
- Operator log sheets.
- SCADA data.
- Shop drawings.
- Original equipment specifications.
- O&M manuals.

Task 1.3: Site Assessment

Following the kick-off meeting, CBCL will arrange for site visits from the various discipline leads to the WTP. These visit will be used to:

- Assess infrastructure to determine specifications/location of new foundation.
- Conduct a geotechnical investigation (and provide a detailed report on findings).
- Provide a topographic survey (if necessary – this may not be required based on existing information).

- Solicit input from operations staff with respect to operational/maintenance issues to be considered during design.
- Flag any items requiring further investigation.
- Gather additional information, if required.

During the site visit we will liaise with WHRM staff to ascertain details about existing and potential new systems, as well as operational considerations.

Phase 2.0: Preliminary Design Phase

Task 2.1: Assess Environmental Impacts

During the preliminary design phase, CBCL will conduct a thorough analysis of the project's potential effects on the environment. We are dedicated to identifying and addressing any adverse impacts, proposing effective mitigation measures throughout the construction and operational phases. Our strategy includes the adoption of sustainable construction practices, minimizing disruption to natural habitats and to the existing source water reservoir, and implementing erosion control measures to prevent soil runoff.

Ongoing monitoring during the construction phase will allow us to promptly identify and address any unforeseen impacts, demonstrating our commitment to responsible environmental practices that contribute to the long-term sustainability of the surrounding ecosystem.

Task 2.2: Heating/HVAC Options Analysis

To fulfill the heating and HVAC options analysis, our approach involves an evaluation of potential new systems, focusing on both the new expansion area and the entire Water Treatment Plant (WTP). We will provide a summary report that outlines potential upgrades, including detailed descriptions, efficiencies, estimated construction cost impacts, maintenance requirements, and other pertinent considerations. As described in the RFP, the base engineering fee scope is structured around the incorporation of new air source heat pumps, unit heaters, and a Heat Recovery Ventilation (HRV) system tailored specifically for the new space. It is our priority to align the heating system with the West Hants Regional Municipality's Municipal Climate Change Action Plan, striving for zero emissions where feasible. Additionally, our design will be future-oriented, ensuring compatibility with potential expansions to the existing WTP. This proactive approach reflects our dedication to sustainability, energy efficiency, and the long-term viability of the infrastructure.

Task 2.3: Preliminary Design Report (50% Design)

Following discussion on the project scope and WHRM’s preferred approach to various items described above, design work will be advanced to the 50% completion level and a Preliminary Design Report will be prepared for review purposes. The draft report will

describe the process used to develop the preliminary design. All data gathered, analysis conducted, and findings of the study will be compiled and summarized in a report.

The report will specifically include the following:

- Architectural drawings.
- Structural plans.
- Mechanical and electrical system layouts.
- Integration to existing pipework systems.
- Network architecture and I/O list.
- Preliminary material selections.
- Cost estimates.
- Updated Project Schedule.

Phase 3.0: Detailed Design Phase

The purpose of this phase of the project is to advance the detailed design of the proposed WTP expansion to the tender-ready stage. A general description of the work is outlined below, pending confirmation of WHRM's preference with respect to the project delivery approach (i.e. inclusion of a pre-selection stage).

Task 3.1: Preliminary Design Confirmation and Pre-Selection

After the preliminary design direction has been confirmed, the project will advance to the detailed design phase. The first task will be to prepare a Request for Proposals or Request for Quotation for the primary process equipment package. The pre-selection package will include the appropriate drawings, specifications and background information required to allow a range of equipment suppliers to prepare a proposal. CBCL will provide the pre-selection package to WHRM for public tender, or solicit proposals from a number of potential vendors. Once proposals are received, CBCL will provide a summary and recommendation on the preferred equipment supplier. Typically, we arrange for a separate initial contract directly between the equipment supplier and the Owner to facilitate the production of detailed shop drawings; once these are approved, these are integrated into the overall design package. This allows for certainty of key design parameters (e.g. power requirements, dimensions) as well as helping to improve confidence in the estimated overall project cost earlier in the design schedule.

Task 3.2: Geotechnical Investigation

A geotechnical investigation will be undertaken to determine the subsurface conditions on-site. Boreholes will be used to characterize the subsurface conditions within the proposed area of construction. Drilling of boreholes will be performed by a track mounted drill rig. Drilling crew will be supervised by Conquest Engineering (a division of CBCL). Incidences of rock and ground water will be noted. Soil samples will be collected during the field investigation for laboratory analysis. Following completion of the field/laboratory work, a geotechnical report will be issued summarizing the conditions encountered in the field and

recommendations for design and construction. Geotechnical information will supplement the preliminary/detailed design process.

Task 3.3: Detailed Design Development (95%)

An updated design report and engineering drawings will be prepared based on the previously technical information that has been gathered and compiled along with the pre-selected equipment details. The design report will present the rationale supporting the project and will include design criteria, capacity, and physical dimensions for each unit operation within the recommended treatment process, as well as:

- Project approvals summary.
- Process flow diagrams and preliminary P&IDs.
- Site plans.
- Electrical, instrumentation and controls plans.
- Construction sequence and operations during construction.
- Ancillary components and spaces.
- General arrangement drawings for treatment facility component.
- General arrangement drawings for demolition components.
- Capital cost assessment, risk identification and mitigation strategies.

The report will be presented to regulatory agencies for review and engagement into the approvals process. We will provide digital (PDF and AutoCAD) copies of the drawings and reports for review.

Drawings anticipated for inclusion in the 95% submission include:

Task 3.2.1: Architectural Design

Architectural drawings will include:

- Floor plan.
- Reflected ceiling plan.
- Roof plan.
- Sections.
- Elevations.
- Details.
- Room finish schedule.
- Door/frame & hardware schedule.

Task 3.2.2: Process Design

Process drawings will include:

- Process Flow Diagram
- P & I Drawings
- Process Piping Plans & Sections
- Schedules and Miscellaneous Details

Task 3.2.3: Structural Design

Structural drawings will include:

- General Arrangement Plans and Notes
- Building Cross Sections
- Floor Plans
- Sections
- Miscellaneous Details

Task 3.2.4: Electrical & Instrumentation Design

Electrical and instrumentation drawings will include:

- Partial Single Line Diagram
- Power and Instrumentation Layout
- Lighting Layout
- I/O List and Cabling
- Panel Upgrade Drawings
- Block Diagrams and Control Schematics
- Details

Task 3.2.5 Mechanical Design

Mechanical drawings will include:

- Plumbing Plan
- HVAC Plan
- Details

In addition to drawings, we will also develop a Class A Cost Estimate as part of the 95% Detailed Design submission. CBCL has two Registered Quantity Surveyors (RQS) on staff full-time supported by professional engineers in process, civil, structural, mechanical, electrical, instrumentation and control, and chemical disciplines. In addition to participating in cost planning activities for projects, our quantity surveyors maintain our construction costs database. CBCL has developed and maintained a proprietary cost database for municipal construction work for over 30 years. We track construction costs specific to Atlantic Canadian municipal projects. All the data is gathered from historical tender results for mid-sized to large sized projects in the region.

Following this submission of we have allowed for a period of review and comment by the Municipality. We will hold a meeting to discuss and review the contents of the design package which should build on previously submitted technical information developed through the preliminary design process. Following review, we will finalize the document.

Approval applications will be made prior to the construction tender call-in order to allow for processing by requisite regulatory agencies including Nova Scotia Environment and Climate Change and related environmental and utility agencies. CBCL will work to secure the required approvals to construct and operate the treatment facilities on behalf of the Municipality.

Phase 4.0: Tender Phase

Task 4.1: Finalize Tender Documents

The 95% documents will be updated based on any further feedback from WHRM and an "Issued for Tender" package (100%) will be prepared. The drawings and specifications will be stamped by a Professional Engineer licensed to practice in the province of Nova Scotia. The tender package will include contract documents, design drawings, and technical specifications which adhere to the Municipal and Provincial Standard Specifications.

CBCL will provide the final tender documents (including the tender drawings, bid documents, bid forms, and technical specifications) to WHRM (AutoCAD and PDF).

Task 4.2: Tender Period Technical Support

CBCL will receive queries from the contractor community regarding the tender package. We will record all tender period queries in a register. We will respond to bidder questions by providing technical clarification or modifications to the tender documents by way of addendum, as required. Our project team partners will be consulted throughout the tender period in response to questions received.

Following confirmation of the design criteria, consideration will be given to how best to undertake the equipment procurement process. Options will include the traditional project delivery method (design/bid/build), hard specification (standard of acceptance – no equal), or equipment pre-selection (RFQ process). CBCL will offer recommendations on which procurement strategy to take and will provide alternative procurement documents based on the selected approach.

Task 4.3: Review of Tender Submittals

CBCL will review the tender packages and assist WHRM with award, including any post-tender negotiation. Upon selection of a successful contractor, CBCL will prepare signing documents.

Phase 5.0: Construction Phase

Task 5.1: Construction Administration

As part of the Construction Administration phase for this project, CBCL will complete the following:

- Maintain communication channels.
- Facilitate receipt of pre-contract submittals.
- Review, approve, and track shop drawings.
- Respond to Requests for Information (RFIs).

- Review progress payment requests and certify payment.
- Review requests for changes to the contract and develop Contemplated Change Orders, Change Orders, and Change Directives, with WHRM's approval.

Task 5.2: Construction Observation & Inspection

CBCL will employ a part-time site inspector who will oversee the administration and inspection of key construction activities. Our site inspector, as per the RFP, will:

- Be available to inspect significant components such as time-sensitive tasks and work that is concealed once complete.
- Monitor progress periodically or as needed.
- Ensure conformance to design specifications.

It is anticipated that construction observation will be required full-time for a number of weeks, covering site preparation and excavation, formwork and rebar installation, and concrete pours for the foundations and new floor slab. It is then expected that part time inspection would be continued for the duration of the project on an as-appropriate basis, to review progress related to building construction and M&E work.

Task 5.3: Automation

SCADA/PLC programming will be completed by the consultant's automation expert. There are several options for automation design and a final approach will be determined with approval from WHRM in the early design phase, but the current proposed approach used for the purposes of this proposal is to have the equipment supplier design and provide a new PLC control panel in accordance with CBCL's specifications, as determined during the pre-selection phase. CBCL will design an upgrade to the existing PLC panel to ensure that the new PLC is equivalent. The new arrangement will result in two PLCs dividing the plant functions – the new PLC primarily being used to control new equipment and instruments, with the existing upgraded PLC covering the balance of plant functions and communicating with the new PLC over a network connection.

CBCL's automation team will be responsible to completely integrate the new process equipment control systems with existing WTP control equipment and to provide additional process monitoring features beyond those being provided as part of vendor equipment supply.

Phase 6.0: Closeout Phase

Task 6.1: Record Drawings

CBCL will use the as-built drawings, supplied manuals, and operation and maintenance manual to prepare record drawings for the system, which will include changes made during construction. CBCL will then provide digital copies (PDF and CAD formats).

Task 6.2: Final Deficiency Report

Items that are identified as not complying with the relevant standard will be noted and options to bring the item into compliance, including costs and timelines, will be investigated. In the event that a major deficiency is identified which will require a pre-design to determine costs, the corrective action will be noted as a pre-design requirement. In this case, some possible options may be identified but costing will not be provided.

2.3 Project Schedule

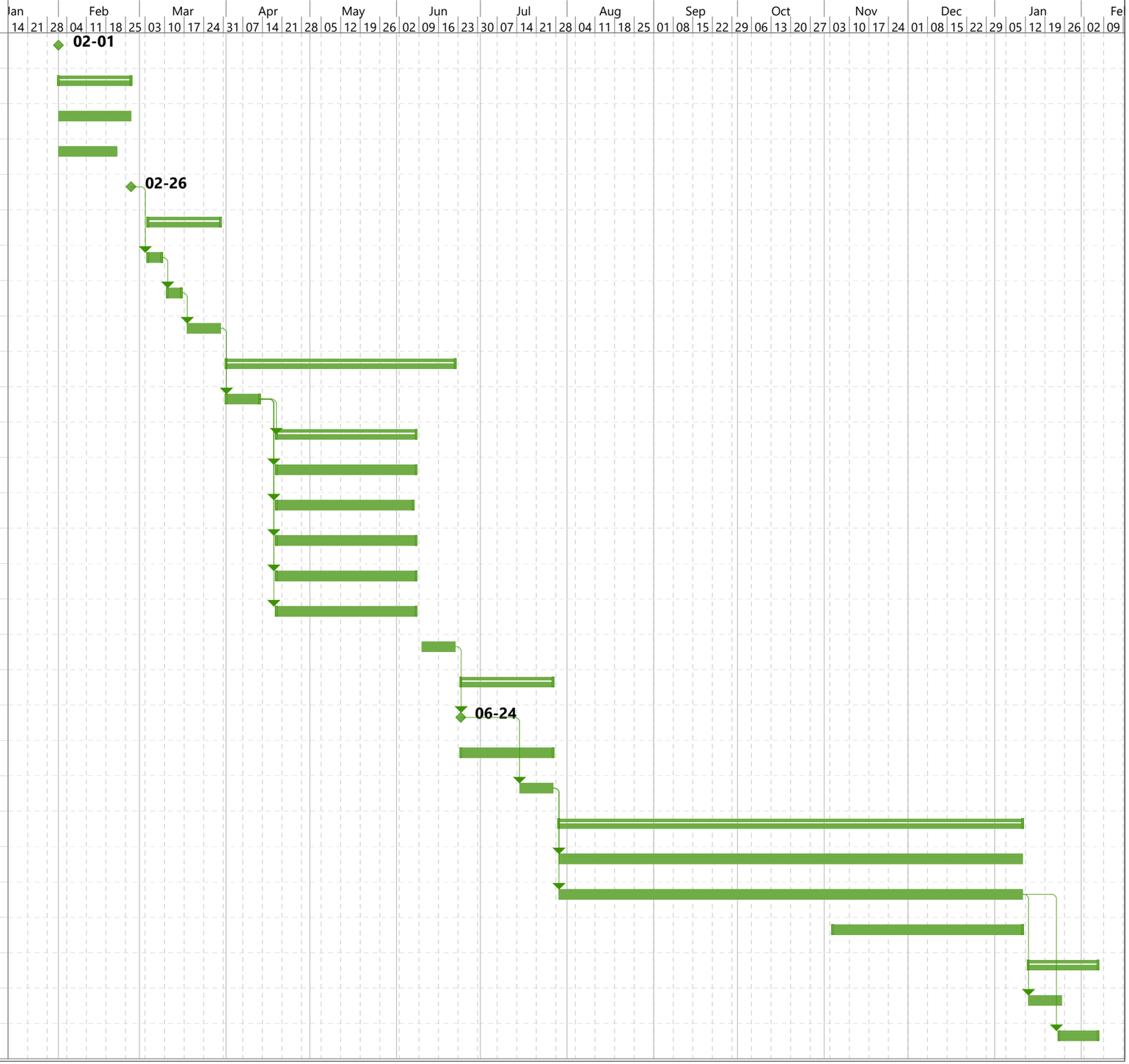
At the outset of project execution, we will establish a process for continual control and monitoring of the schedule. The key to effective schedule control is to measure actual progress and compare it to planned progress on a timely and regular basis and to take necessary corrective action immediately.

Our proposed project schedule is presented as Figure 2.1. CBCL will endeavor to maintain these project milestones, however, should unforeseen circumstances result in scheduling issues, CBCL will communicate these issues with WHRM as they arise, and adjust the schedule as/if required.

West Hants Regional Municipality

Request for Proposals for Engineering Services for Windsor Water Treatment Plant - Third Process Train Design (WWHPW23-18)

ID	WBS	Task Name	Start	Finish
1	N/A	Approval/Award	2024-02-01	2024-02-01
2	**1.0**	**Concept Phase**	2024-02-01	2024-02-26
3	1.1	Project Initiation & Management	2024-02-01	2024-02-26
4	1.2	Review Background Information	2024-02-01	2024-02-21
5	1.3	Site Assessment	2024-02-26	2024-02-26
6	**2.0**	**Preliminary Design Phase**	2024-03-04	2024-03-29
7	2.1	Assess Environmental Impacts	2024-03-04	2024-03-08
8	2.2	Heating/HVAC Options Analysis	2024-03-11	2024-03-15
9	2.3	Preliminary Design Report (50% Design)	2024-03-18	2024-03-29
10	**3.0**	**Detailed Design**	2024-04-01	2024-06-21
11	3.1	Preliminary Design Confirmation	2024-04-01	2024-04-12
12	3.2	Detailed Design Development (95%)	2024-04-19	2024-06-07
13	3.2.1	Architectural Design	2024-04-19	2024-06-07
14	3.2.2	Process Design	2024-04-19	2024-06-06
15	3.2.3	Structural Design	2024-04-19	2024-06-07
16	3.2.4	Electrical & Instrumentation Design	2024-04-19	2024-06-07
17	3.2.5	Mechanical Design	2024-04-19	2024-06-07
18	3.3	Geotechnical Investigation	2024-06-10	2024-06-21
19	**4.0**	**Tender Phase**	2024-06-24	2024-07-26
20	4.1	Finalize Tender Documents	2024-06-24	2024-06-24
21	4.2	Tender Period Technical Support	2024-06-24	2024-07-26
22	4.3	Review of Tender Submittals	2024-07-15	2024-07-26
23	**5.0**	**Construction Phase**	2024-07-29	2025-01-10
24	5.1	Construction Administration	2024-07-29	2025-01-10
25	5.2	Construction Observation & Inspection	2024-07-29	2025-01-10
26	5.3	Automation	2024-11-04	2025-01-10
27	**6.0**	**Closeout Phase**	2025-01-13	2025-02-06
28	6.1	Record Drawings	2025-01-13	2025-01-24
29	6.2	Final Deficiency Report	2025-01-24	2025-02-06



3 Key Representative Project Reference

We have included the Potlotek Tender Package in Appendix D.

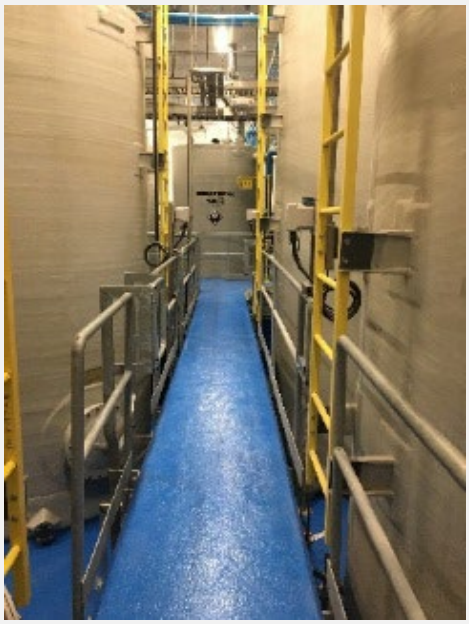
Project Name	Potlotek First Nation Water Treatment Plant
Project Location	Chapel Island, NS
Client	Kriss Sarson Indigenous Services Canada Engineer Phone: (902) 661-6248 Email: kriss.sarson@sac-isc.gc.ca
Completion Date	2020
Description	Potlotek First Nation, located in Chapel Island, NS, installed a nanofiltration treatment system in 1999 to provide potable water to the community of 600. Since that time, water quality issues including elevated manganese and low chlorine residual were persistent. In 2014, CBCL Limited was engaged to provide an assessment of the existing facility, and subsequently to prepare a preliminary design report for plant upgrade options. Interim upgrades to the existing facility to extend its functional life were designed and installed, and CBCL was then tasked with the design and construction administration services for a new water treatment plant, constructed in 2021. This also included a new raw water intake, new treated water transmission main, new water storage tower and associated infrastructure, and demolition of the existing water plant and tower. CBCL provided assessment, interim upgrade design, detailed design, construction phase services, as well as complete operation and maintenance management plans and operator training for the first year of plant operation. Design work for this project included a multi-disciplinary team, including environmental assessment, civil, treatment process and building design and the full range of tendering and construction administration services on behalf of Potlotek.

	 CBCL was involved throughout the development and execution of the water treatment upgrade in Potlotek, corrected drinking water issues which were widely publicized in national media as an unacceptable standard of service on a First Nation. The detailed design requirements were developed by CBCL in the course of establishing difficulties of the existing plant, including both treatment technology, condition and issues related to operational complexity and staffing requirements. Aside from technical challenges related to a wholesale replacement of the drinking water treatment and storage infrastructure, there was significant pressures to complete the project on time and budget, and for the completed systems to function as intended, as the project garnered significant media attention. These objectives were achieved, and the plant has been online since late 2021 without any service interruptions or Boil Water Advisories in the community.
Key Team Members	Ben Bickerton, Mike Chaulk, Lohn Hick

4 Other Project References for Proposed Team Members

4.1 Safe Clean Drinking Water

Project Name	Safe Clean Drinking Water Project – Owner's Engineer
Project Location	Saint John, NB
Client	City of Saint John
Completion Date	2019
Description	Since 2014 CBCL has been working on behalf of the City of Saint John to develop the Safe Clean Drinking Water Project. The project value approaches $100 million and includes the construction of a new 75 MLD surface water treatment plant to provide the City with improved quality drinking water. CBCL developed concept design, project specifications, and completed design and construction oversight in advance of commissioning. The project includes 6 bulk chemical storage tanks: each in the range of 25,000 L for storage of coagulant, caustic, and sodium hypochlorite. The tanks are fitted with fill lines, drains, overflows, level measurement, process supply, vent, and safety features. Included in this project was extensive review of potential residuals handling for the new facility. Options considered included discharge to near by freshwater bodies, discharge to sewer and possible recycle within the WTP. Due to regulatory constraints and public perceptions, filter backwash recycling within the WTP was selected

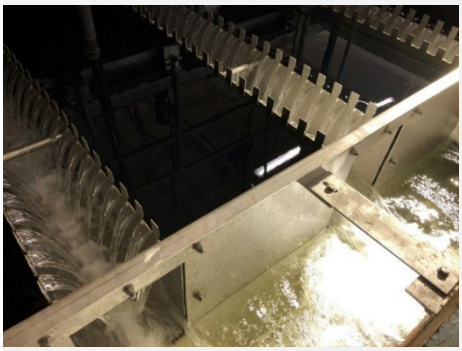


	and implemented. Dissolved air flotation (DAF) is used to treat the WTP residuals streams, with the clarified water returned to the front of the plant. CBCL was heavily involved in the process, which saw one of the first implementations of filter backwash recycle at a WTP in Atlantic Canada.
Key Team Members	Ben Bickerton, Andrew Gates, Judy Fowler, Lohn Hick, Marty Hiltz, Archie Thibault

4.2 Corner Brook Water Treatment Plant Design

Project Name	Corner Brook Water Treatment Plant Design
Project Location	Corner Brook, NL
Client	City of Corner Brook
Completion Date	2017
Description	 CBCL worked with the City of Corner Brook to develop a re-defined WTP project beginning in 2014. Prior efforts to design and construct the facility did not meet budget requirements. Through a focused methodology CBCL reviewed plant capacity, treatment goals, facility standards, residuals management and operability features to develop a detailed project description and specifications. The plant was constructed as a 3 train DAF process with 3 gravity media filters, UV disinfection, chlorination, and corrosion control. The corrosion control program was developed in detail and the original proposed lime/CO2/caustic system was replaced with soda ash and orthophosphate to reduce capital and operating costs.
Key Team Members	Ben Bickerton, Andrew Gates, Mike Chaulk, Lohn Hick

4.3 Moncton WTP Clarifier Retrofit

Project Name	Moncton WTP Clarifier Retrofit
Project Location	Moncton, NB
Client	City of Moncton
Completion Date	2021
Description	In 2017 CBCL completed an initial condition assessment of the 20-year-old Moncton WTP (capacity – 90 MLD). Concurrent with this assessment the facility source water experienced a significant blue-green algae bloom that threatened the safety of the regional water supply. This event resulted in a series of subsequent undertakings that have defined an overall Harmful Algal Bloom (HAB) treatment strategy for the City. CBCL developed this strategy working with the City and evaluated needs for removal of algal matter and cyanotoxins. Conceptual design and equipment pre-selection was completed based on upgrade to a DAF process with conventional filtration.  The first phase of the HAB strategy evolved to include the retrofit of the existing four clarification basins to convert the old upflow contact clarifiers to an Actiflo ballasted flocculation process capable of treating algae, and adaptable to future enhanced treatment methods. While originally planned as a DAF project the Actiflo process was selected based on ability to fit within existing plant constraints and following pilot testing. This phase is currently nearing completion with two of the four Actiflo trains in operation and a third in commissioning. The value of Phase 1 is approximately $5.0M.  Phase 2 of the HAB strategy, which has commenced, includes the enhacement of the treatment process to add resiliency for algal toxin treatment. This phase requires a period of research and pilot testing to select the appropriate enhancement process, which could include options of absorption, oxidation, or a combination thereof. The estimated value of Phase 2 is $20M.
Key Team Members	Ben Bickerton, Judy Fowler, Lohn Hick, Marty Hiltz, Mike Chaulk

4.4 Windsor Water Treatment Plant & Expansion

Project Name	Windsor Water Treatment Plant & Expansion
Project Location	Windsor, NS
Client	Town of Windsor / West Hants Regional Municipality
Completion Date	2002
Description	CBCL Limited completed the preliminary and detailed engineering design for the Windsor WTP and the plant was constructed in 2001, serving the Town of Windsor using a two train flocculation/DAF/gravity filtration. While several members of the original design team are still actively involved in treatment plant design at CBCL (Andrew Gates, Kevin Murphy and Lohn Hick), more recent engagement of CBCL by the (amalgamated) West Hants Regional Municipality is focusing on overall regional planning for the water utility, incorporating CBCL studies for expansion of the Windsor WTP with a third DAF train and filter (2019) and distribution system growth and interconnection feasibility (2020). 
Key Team Members	Andrew Gates, Lohn Hick

5 Proposal Cost

Based on the scope of work outlined in Section 2.2, we have developed a summary of proposed fees and disbursements as Table 5.1. The proposed total lump sum cost for this project is $398.727.00, including expenses and disbursements, exclusive of HST.

We appreciate the opportunity to work with WHRM on this project. We are available to review or provide supplemental proposal information as needed to clarify our project approach, level of effort, assumptions, and budget.



Prepared by:
Ben Bickerton, M.A.Sc., P.Eng.
Process Engineer



Reviewed by:
Mike Chaulk, M.A.Sc., P.Eng.
Manager, Process Department

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BEST MANAGED COMPANIES
Platinum member

February 7, 2024

Erin Amirault, P.Eng.
Project Engineer
West Hants Regional Municipality
76 Morison Drive, PO Box 3000
Windsor, NS B0N 2T0

Dear Ms. Amirault:

RE: ***Amendment to CBCL's Proposal for Engineering Services – Windsor Water Treatment Plant – Third Process Train Design (WWHPW23-18)***

Following submission of CBCL's proposal for engineering services in response to the subject RFP, CBCL prepared a summary of potential scope and budget refinement options aimed to reduce the overall cost in the design phase and the value of the initial engineering consulting engagement. These options were discussed with WHRM staff on January 29th, 2024 and summarized in an email dated January 30th, 2024. Based on the discussions and feedback to potential scope reduction items, the purpose of this letter is to formally modify the proposed scope of services and cost for each phase as detailed herein and in the attached Revised Work Breakdown Structure (Time-Task Matrix).

Concept Phase

No changes are proposed to the initial scope and budget ($15,080 + HST). The services proposed in this phase are necessary to allow the project team to review the facility, the proposed upgrades, identification of potential design issues, etc. and complete site visits as necessary for members of the muti-discipline design team.

Preliminary Design Phase

The preliminary design phase included Task 3.1: Assessment of Environmental Impacts, Task 3.2: Heating/HVAC Options Analysis, and Task 3.3: Preliminary (50%) Design Report. CBCL proposes removing Task 3.1 from the scope and deleting the associated budget ($3,651 + HST). The level of effort associated with Task 3.3 will be reduced significantly to produce a design report suitable for regulatory approval only, rather than a comprehensive record of work completed to the 50% level as described in the original proposal. This reduction in scope/level of effort will reduce the original budget for this task by $5,115 + HST.

Detailed Design Phase

The detailed design phase includes a level of effort which we propose is appropriate for the detailed engineering of this significant expansion of the existing treatment facility. The detailed design phase requires significant collaborative input from architectural, structural, geotechnical, process, mechanical, electrical and instrumentation design groups within CBCL. No changes to the original RFP response in terms of scope and budget are proposed.

Tender Phase

The original RFP repose included "Task 4.1: Finalize Tender Documents" under the tender phase. Assistance with the preparation and compilation of technical specifications and contract front-end documents requires input from the Project Services group within CBCL and we presented their effort separate from the tasks listed under the "detailed design" phase. However, the preparation of these documents (technical specifications in particular) is typically done alongside the engineering drawing development, and therefore should not be considered a separate activity following the design phase. We propose to include this task and its associated budget in the modified scope of work but remove/defer the remaining tasks from the original proposal, reducing the current proposed budget by $8,427 + HST.

This approach will also provide a tender-ready design package (including design drawings, technical specifications, and front-end contract documents) which WHRM can then proceed to tender immediately, or delay release to better suit budgets, funding opportunities and/or market conditions. This is a relatively common approach to engineering design scoping as a natural "cut-off" point for significant design projects. CBCL will re-offer tender phase services as needed if and when WHRM proceeds to a public tender procurement phase.

Construction Phase

All proposed construction phase services will be removed/deferred from the current scope of work, resulting in a budget reduction of $157,832 + HST.

Closeout Phase

All proposed closeout phase services will be removed/deferred from the current scope of work, resulting in a budget reduction of $14,996 + HST.

Erin Amirault, P.Eng.
February 7, 2024

The revised engineering scope is associated with a total cost reduction of $190,020.00 + HST, resulting in a current proposed lump sum cost of $208,707.00, including expenses and disbursements, exclusive of HST. A summary of proposed time required by members of the CBCL project team, professional fees, expenses and disbursements by phase and task is appended to this letter in Attachment A.

We appreciate the opportunity to work with WHRM on this project. We are available to review or provide further supplemental proposal information as needed to clarify our project approach, level of effort, assumptions, and budget.

Yours very truly,

CBCL Limited

Prepared by:
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E-Mail: bbickerton@cbcl.ca

Reviewed by:
Mike Chaulk, M.A.Sc., P.Eng.
Manager – Process Engineering

Attachments: Revised Work Breakdown Structure (Time-Task Matrix)

CC: Todd Richard, WHRM
Martin Croney, WHRM

Proposal No: 238310.00

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Committee of the Whole Excerpts
March 12, 2024

TWO (2) 5500 SERIES TRUCK PURCHASES EXCERPT

At the July 25, 2023 Council meeting a motion was approved to purchase the tendered equipment from Pothier Motors Ltd who were the only tender submission. Following the meeting a purchase order was issued to Pothier Motors Ltd (PML).

On February 22, 2024 staff advised the trucks were no longer available and vendor was unable to guarantee or estimate a future delivery date.

As per WHRM's Procurement Policy and N.S. Procurement Guidelines, WHRM has the ability to approach other vendors (known to have the required trucks) and request quotes. as the vendor is no longer able to fulfill the tendered items.

Staff were requesting direction to permit the purchase of two new trucks and upfit them to meet minimum tendered specification needs, warranty, and service availability within budget.

The recommended motion was that Committee of the Whole recommend that …

COUNCIL AUTHORIZE STAFF TO PURCHASE TWO NEW ONE TON TRUCKS AND HAVE THEM UPFITTED UP TO THE BUDGETED AMOUNT OF $260,000 INCLUSIVE OF HST, LESS THE ANY TRADE IN VALUE OF TRUCKS BEING REPLACED.

West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☑	Decision Request ☐	Councillor Activity ☐

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

To: Committee of the Whole

Submitted by: _____
Todd Richard, Director, Public Works

Date: March 11, 2024

Subject: Purchase of Equipment

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

Council authorize staff to purchase two new one ton trucks and have them upfitted up to the budgeted amount of $260,000 inclusive of HST, less the any trade in value of trucks being replaced.

BACKGROUND

The equipment tendered (WHPW23-6) was identified and approved in the 2023/24 Capital budget. On July 25, 2023 Council moved to purchase the tendered equipment from Pothier Motors Ltd who were the only tender submission.

July 26, 2023 Staff issued a purchase order to Pothier Motors Ltd (PML).

On February 22, 2024 Staff received word from PML that the trucks are no longer available and PML are unable to guarantee or estimate a future delivery date.

DISCUSSION

As per the West Hants Regional Municipality's Procurement Policy and Nova Scotia Procurement Guidelines, as the vendor is no longer able to fulfill the tendered items and were the only vendor to submit a tender in July 2023, WHRM is within their rights to approach vendors who are known to have the required trucks and request quotes.

As such, staff are requesting direction to allow for the purchase of two new trucks and upfit them to meet minimum tendered specification needs, warranty, and service availability within budget. These trucks, if found could be from different dealers at different times. Availability of this type of truck is very low, however staff believe a successful search can be achieved.

Pothier Motors has already received and paid WHRM, $25,000 for truck 35. Therefore, the only trade value remaining is for truck 41.

Estimated Trade-In Values – Approved in July 2023:
2023-24 Capital Budget – Truck Replacement – Unit 41 $20,000
2023-24 Capital Budget – Truck Replacement – Unit 35 $25,000 (Received)
Total Estimated Trade in Value $45,000

The estimated trade value for until 41 may have changed since the initial RFP.

NEXT STEPS

Pending approval of Council; staff would issue Purchase Orders to appropriate vendors for purchasing of trucks along with upfitting unit with required equipment.

FINANCIAL IMPLICATIONS

As these trucks were budgeted for in the 2023-24 Capital Budget there are no financial implications to purchase two different trucks, within the same budget amount. Should Council

move not to continue with the search we would have $260,000 less of a draw on capital reserves. This would not be recommended.

ALTERNATIVES

1. Council may choose not to proceed with one or both of the vehicle purchases.

ATTACHMENTS

- Previous recommendation report – July 2023.

CHIEF ADMINISTRATIVE OFFICER REVIEW

The equipment purchases are in alignment with the 2023/24 Capital budget approvals.

I support the recommendation.

Report Prepared by: _____
Troy Burgess, Manager of Public Works Operation

Report Reviewed by: _____
Todd Richard, Director of Public Works

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

West Hants
something inspiring awaits

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☑	Decision Request ☐	Councillor Activity ☐

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

To: Committee of the Whole

Submitted by: _____
Todd Richard, Director, Public Works

Date: July 11, 2023

Subject: Purchase of Equipment (WHRMPW22-06)

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act, Section 65 authorizes Council to expend funds for municipal purposes.

RECOMMENDATION or DECISION REQUEST

It is recommended for Committee of the Whole to recommend to Council that:

Council approves the award of tender for the purchase of two 1 Ton Trucks, upfitted as tendered (WHPW23-06) from Pothier Motors Ltd for the tendered price of $105,744.22, and $130,642.92 plus applicable taxes less trade in values of $45,000.

BACKGROUND

The equipment tendered (WHPW23-6) was identified and approved in the 2023/24 Capital budget.

DISCUSSION

As per the West Hants Regional Municipality's Procurement Policy and the evaluation formula set out in the tenders document the following are the results after review and evaluation of the above-mentioned tenders.

Tender #WHPW23-06 had one tender submission for the 1 Ton Trucks. After evaluation both trucks met tendered specification needs, warranty, service availability and the combined price was within budget.

NEXT STEPS

Pending approval of Council; staff would award the equipment tender and issue Purchase Orders to the successful proponent.

FINANCIAL IMPLICATIONS

Tendering Timeline:

Posted to Procurement	May 1, 2023
Closing Date	May 18, 2023
Price Expiry Date	August 10, 2023
Days Remaining	22 Days

2023-24 Capital Budget – Truck Replacement – Unit 41

Tender Pricing	$105,744.22
Non-Recoverable Tax *(4.29%)*	$4,536.43
Tender Total	**$110,280.65**
Less: Trade in Value	($20,000.00)
Total Cost to WHRM	**$90,280.65**
2023-24 Budget Value	$130,000.00
Variance (over budget)	$39,719.35

Within the 2023-24 Capital Budget, this Unit 41 replacement truck is scheduled to be funded through the WHRM Vehicle Reserve. This reserve has a projected March 31, 2024, reserve balance of $8,571. With this vehicle coming in $39,719.35 under budget, this will increase our expected year-end reserve balance to $48,290.35.

2023-24 Capital Budget – Truck Replacement – Unit 35

Tender Pricing	$130,642.92
Non-Recoverable Tax *(4.29%)*	$5,604.58
Tender Total	**$136,247.50**
Less: Trade in Value	($25,000.00)
Total Cost to WHRM	**$111,247.50**
2023-24 Budget Value	$130,000.00
Variance (over budget)	$18,752.50

Within the 2023-24 Capital Budget, this Unit 35 replacement truck is scheduled to be funded between the WHRM Vehicle Reserve and the former Town of Windsor Public Works Equipment Reserve. With this vehicle coming in $18,752.50 under budget, it is my suggestion to continue to withdrawal the full $68,541 from the Windsor Public Works Equipment Reserve, as this reverse is scheduled to have a zero balance on March 31, 2024, reflect the savings in the WHRM Vehicle Reserve. This will further increase our expected March 31, 2024, balance for this reserve, up to 67,042.85.

ALTERNATIVES

1. Council may choose not to proceed with the purchases.

ATTACHMENTS

- None

CHIEF ADMINISTRATIVE OFFICER REVIEW

The equipment purchases are in alignment with the 2023/24 Capital budget approvals and are under budget.

I support the recommendation.

Report Prepared by: _____

Troy Burgess, Manager of Public Works Operation

Report Reviewed by: _____

Todd Richard, Director of Public Works

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

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: March 26, 2024

Subject: HLUB Map Amendment: PID 45045879, Willow Street, Hantsport; File # 24-01A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

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 amending Schedule A of the Hantsport Land Use By-law to rezone PID 45045879 on Willow Street in Hantsport, from the Single Unit Residential (R-1) zone to the Multiple Unit Residential (R-3) zone as shown in the report #24-01 to the Planning and Heritage Advisory Committee dated March 14, 2024.

…that Council gives First Reading and will hold a Public Hearing to consider amending the Hantsport Land Use By-law to clarify the minimum lot frontage requirement for the Multiple Unit Residential (R-3) zone in Section 8.4 in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated March 14, 2024.

BACKGROUND

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

A completed application was received from Tom Lavers on January 8, 2024. The application was to rezone the subject lot from Single Unit Residential (R-1) to Multiple Unit Residential (R-3) to allow for the potential to develop a 15-unit residential apartment building.

DISCUSSION

A Public Information Meeting was held on February 6, 2024.

On March 14, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed zone requirements, other uses surrounding the subject lot, the criteria of Policy RP-7, the challenging conditions of the subject lot, the feedback received from neighbours, stormwater concerns, potential negative affects on residents and the lack of proposal information. During the meeting, the Committee recommended against the rezoning of PID 45045879 on Willow Street in Hantsport and recommended in favour of the text amendments to the Hantsport Land Use By-law.

NEXT STEPS

The process for this application is as follows:

Process
Staff Review
▼
Public Information Meeting – February 6
▼
PAC/HAC receives staff report and PIM Notes PAC/HAC Review and Recommendation – March 14
▼
Regional Council First Reading – March 26
▼
Public Hearing & Second Reading – April 23*
▼
Notice of Approval in Local Paper
▼
14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the amendment as drafted or as specifically revised by direction of Council;
- provide alternative direction, such as requesting further information on a specific topic.

APPENDIX

Appendix A	2024-03-14 Staff Report - HLUB Map Amendment: PID 45045879, Willow Street, Hantsport; File # 24-01

CHIEF ADMINISTRATIVE OFFICER REVIEW

Staff have forwarded a report that reflects the position of the PAC/HAC committee. I will remind Council to reflect on the attached report to the PAC /HAC dated, March 14, 2024, form Planner Dunphy (attached).

Specifically, as Planner Dunphy states, "As noted above, the proposed amendment has been considered within the context of the general policies of the HMPS, and is consistent with the intent, objectives, policies and criteria of the HMPS. As a result, it is reasonable to amend the zoning of PID 45045879 to the Multiple Unit Residential (R-3) zone."

As the First Reading Phase and Public Hearing Phase support the final decision-making environment of Council (Second Reading), approving First Reading is typically the default position of staff so that concerns from the Public Information Meeting can be addressed and that any changes that the landowner may make, or address can be presented at the Public Hearing. To proceed with the Public Hearing will ensure all comments are captured including all existing comments as well as any new or modified points of view. To not proceed with First Reading may expose the Municipality to not following a thorough process before making a decision.

Staff do not speak in favor or against applications but comment on the level of compliance or consistency of the application in relation to the current general policies of the municipality and in this case the Hantsport Municipal Planning Strategy. Council does in all cases have the authority for final decision making.

I would suggest that Council consider proceeding with First Reading to ensure a thorough review of the application is conducted. If there are questions, concerns or interpretations of the planning language staff are available to provide support and answers at Council's request.

Report Prepared by: _____
Alex Dunphy, Planner

Report Approved by: _____
Sara Poirier, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Attachment A –

2024-03-14 Staff Report - HLUB Map Amendment: PID 45045879, Willow Street, Hantsport;

File # 24-01

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: March 14, 2024

Subject: HLUB Map Amendment: PID 45045879, Willow Street, Hantsport; File # 24-01

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

Staff recommend 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 amending Schedule A of the Hantsport Land Use By-law to rezone PID 45045879 on Willow Street in Hantsport, from the Single Unit Residential (R-1) zone to the Multiple Unit Residential (R-3) zone as shown in the report #24-01 to the Planning and Heritage Advisory Committee dated March 14, 2024.

…that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Hantsport Land Use By-law to clarify the minimum lot frontage requirement for the Multiple Unit Residential (R-3) zone in Section 8.4 in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated March 14, 2024.

BACKGROUND

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

A completed application was received from Tom Lavers on January 8, 2024. The application was to rezone the subject lot from Single Unit Residential (R-1) to Multiple Unit Residential (R-3) to allow for the potential to develop a 15-unit residential apartment building.

DISCUSSION

The subject lot is currently designated Residential on the Generalized Future Land Use Map (GFLUM) of the Hantsport Municipal Planning Strategy (HMPS) (Figure 1). The subject lot is zoned Single Unit Residential (R-1) on Schedule A of the Hantsport Land Use By-law (HLUB) (Figure 2).

All properties surrounding the subject lot are designated Residential and zoned Single Unit Residential (R-1). Adjacent properties are single unit dwellings, with other lots zoned Recreation Open Space (ROS) and Institutional (I) located on School Street.

Municipal Planning Strategy Review

Policy RP-7 is the primary enabling policy to be considered for this application. This policy provides Council with the ability to allow new multi-unit residential uses within the Serviced Residential Designation by rezoning to the Multiple Unit Residential (R-3) zone provided proposed rezoning will not have a negative impact on adjacent residential uses and subject to the criteria contained in Section 11.3.1. The full policy analysis is included with this report in Attachment A. In summary, the proposal meets this policy since there are no concerns described by the Development Officer and there are other regulatory requirements to address potential impacts on surrounding properties.

Policy IM-3 establishes the general criteria that must be considered for all amendments to the Hantsport Land Use By-law. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered 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, Area Manager of the Nova Scotia Department of Public Works, and Public Works Engineering Division have no concerns which have not been addressed in this report.

Minimum Lot Frontage Requirement

During the evaluation of lot suitability, staff discovered an ambiguity in the Minimum Lot Frontage requirement for Apartment Buildings and Grouped Homes category in the Multiple Unit Residential (R-3) zone in the Hantsport Land Use By-law (HLUB). The current section reads as follows:

	Townhouse Development	**Apartment Buildings and Grouped Homes**
Minimum Lot Frontage	22 metres (72.2 feet) for the first two units, plus 19.6 feet (6 metres) for the third and each additional unit	22 metres (72.2 feet) for the first two units, and 30 metres (98.4 feet) for three or more units

As seen in the above table, the word 'and' is used between the minimum lot frontage measurements for two units and three or more units. In all other circumstances in *Subsection 8.4.2, Lot* Specifications, the word 'plus' is used to indicate that the measurement for the first two units is to be added to the measurement for three and more units. The use of 'and' instead of 'plus' indicates to staff that the intention of the requirement is to separate the minimum lot frontage measurement for two units, in comparison to three or more units. Additionally, in both the Multiple Unit Residential (R-3) zone of the West Hants Land Use By-law (WHLUB) and the High Density Residential (R-4) zone of the Windsor Land Use By-law (WLUB), the minimum lot frontage is listed as 100 ft. (30.48 m.). The consistency of this measurement also indicated to staff that the intention of the HLUB is to maintain this requirement.

To address the ambiguity described above, staff suggest replacing the use of the word 'and' with the word 'or', as seen in Attachment B.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property. The property is not included with the Wetlands designation on the Hantsport GFLUM or the Conservation Open Space (COS) zone on the Hantsport Zoning Map.

Staff were advised by the Public Works Engineering Division that a stormwater management plan would be required during the permitting process.

Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed amendment has been considered within the context of the general policies of the HMPS, and is consistent with the intent, objectives, policies and criteria of the HMPS. As a result, it is reasonable to amend the zoning of PID 45045879 to the Multiple Unit Residential (R-3) zone.

Process

Staff Review

▼

Public Information Meeting – February 6

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – March 14

▼

Regional Council First Reading – March 26*

▼

Public Hearing & Second Reading – April 23*

▼

Notice of Approval in Local Paper

▼

14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, the PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the amendments 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	Hantsport GFLUM Extract
Figure 2	Hantsport Zoning Map Extract

Figure 3	Hantsport Proposed Zoning Map Extract
Attachment A	Policy Summary for HLUB Amendments
Attachment B	Draft Amendments
Attachment C	Public Information Meeting Notes

Report Prepared by: _____
Alex Dunphy, Planner

Report Approved by: _____
Sara Poirier, Director of Planning and Development

Figure 1 – Hantsport GFLUM Extract

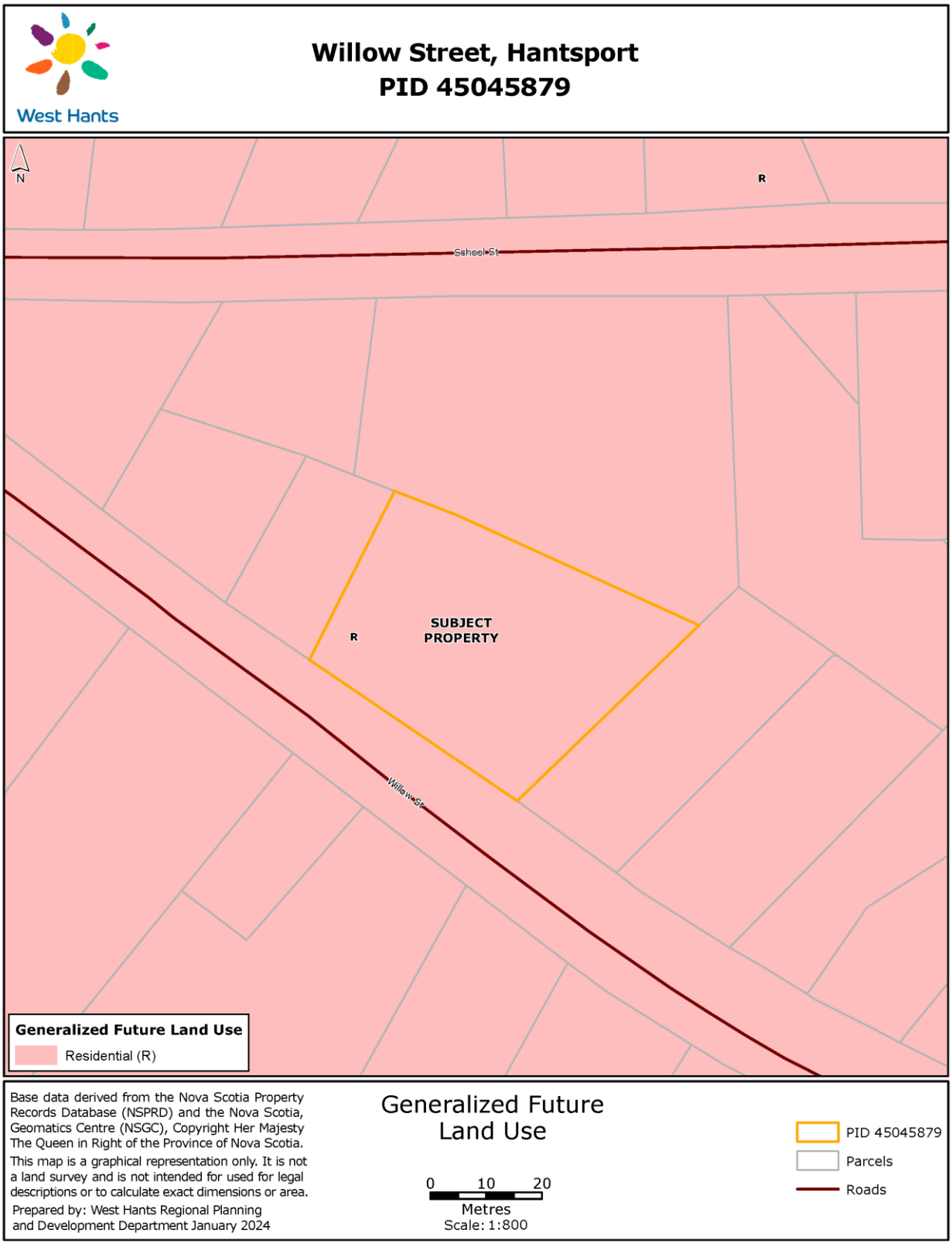


Figure 2 – Hantsport Current Zoning Map Extract

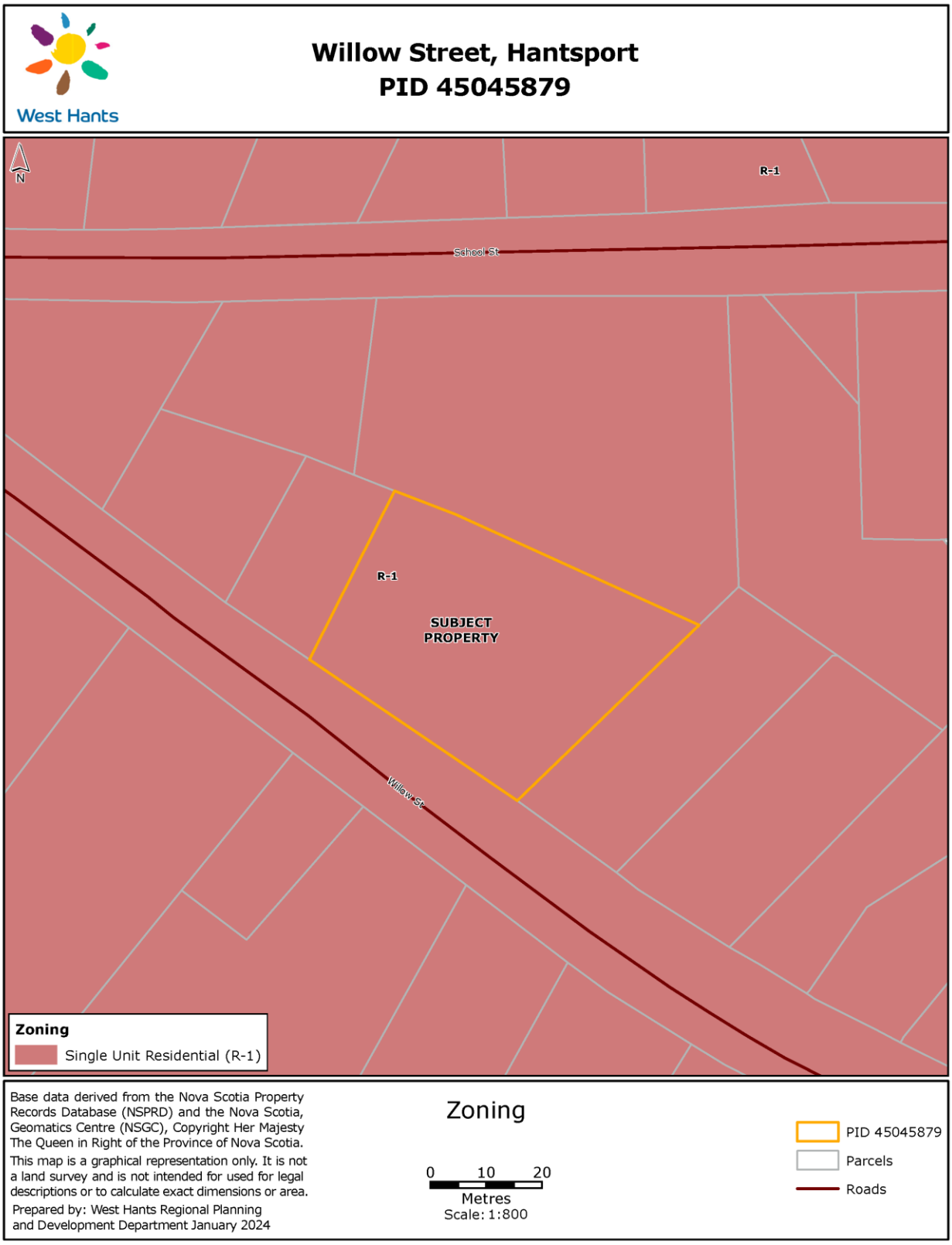
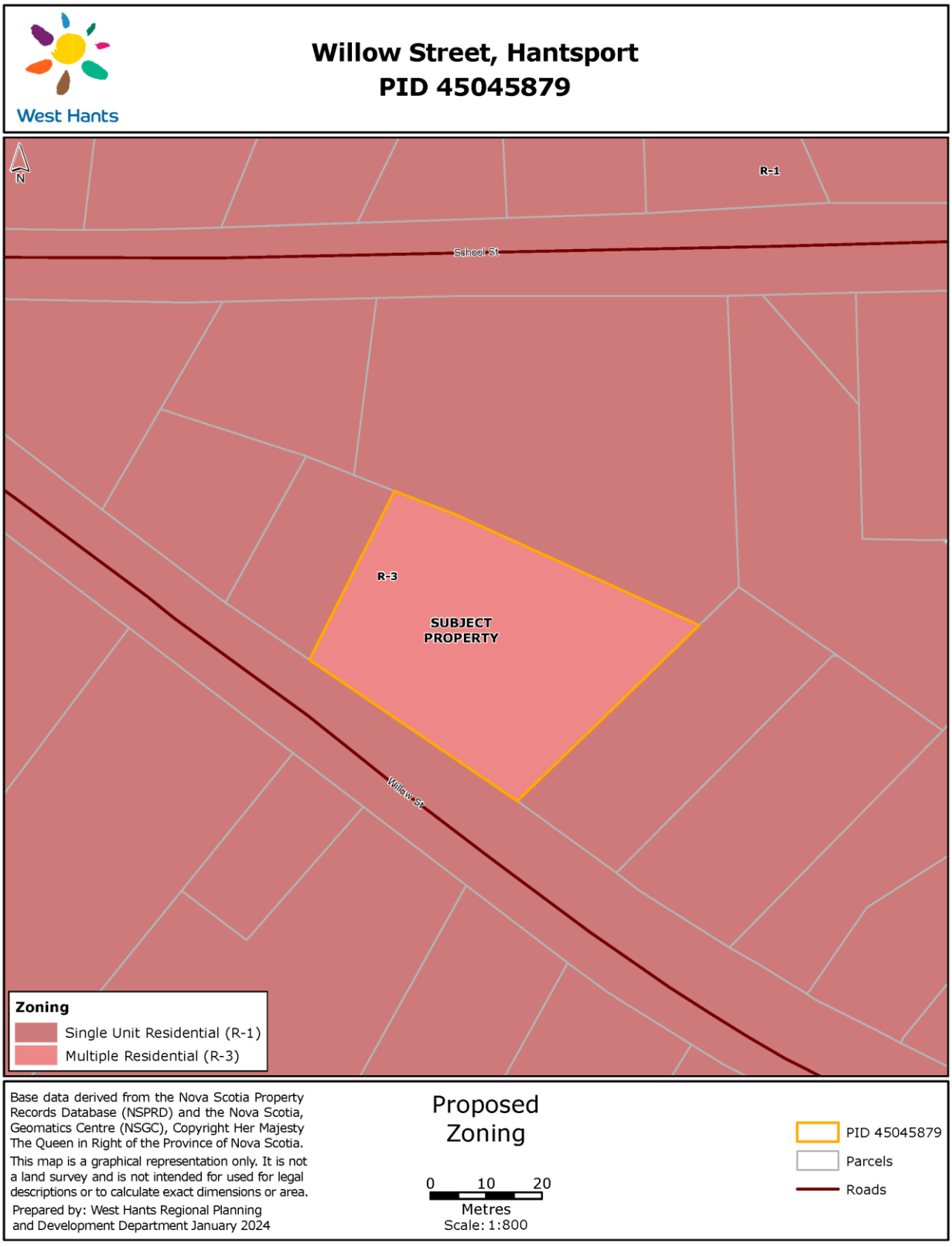


Figure 3 – Hantsport Proposed Zoning Map Extract



Attachment A – Policy Summary for Amendments

Policy RP-7 *It shall be the policy of Council to allow new multi-unit residential uses within the Serviced Residential Designation by rezoning to the R-3 zone provided proposed rezoning will not have a negative impact on adjacent residential uses and subject to the criteria contained in Section 11.3.1*	The Development Officer commented that they had no concerns regarding the impact on surrounding uses. Of the potential impacts of the proposed development identified by the public, staff have been advised that there are adequate measures to ensure that surrounding properties are not affected by the development of this lot. This includes stormwater management, adequate on-site parking, building setbacks, maximum height, traffic capacity of Willow Street, municipal service capacity, and geotechnical requirements for the land. The proposal will be required to meet the zone requirements of the Multiple Unit Residential (R-3) zone and the designation is intended for residential development of varied density.

Policy IM-3 *In considering amendments to the Town of Hantsport 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 appropriate in terms of:	
(i) the adequacy of sewer and water services;	The Public Works Engineering Division commented that any sewer to a dwelling on the lot would likely require a domestic pump system to meet municipal specifications. The property owner has been notified of this requirement. Also, there is sufficient water capacity for domestic use, however, if a sprinkler system is

	required that the current service connection would not be sufficient and that a fire flow study would be required along with comment from the Municipal Building Official. The Manager of Building and Fire Inspection Services responded that there are alternative options for a developer to address issues with water capacity relating to fire safety, one option is for an engineered holding tank. Due to the alternative options available to address water and sewer servicing, staff consider this criterion met.
(ii) the adequacy of school facilities;	The Director of Operations for the Annapolis Valley Regional Centre for Education has stated that projected capacity for student enrollment and student transportation appears sufficient to accommodate the proposed development.
(iii) the adequacy of fire protection;	The local Fire Chief commented that they had no concerns. The Manager of Building and Fire Inspection Services commented that an apartment building on the subject lot would require a sprinkler system if a 15-unit, 3-storey building had a footprint larger than 6,458 sq. ft. (600 sq. m.), otherwise no sprinkler system would be required. They had no concerns regarding the adequacy of fire protection.
(iv) the impact on adjacent uses;	See Policy RP-7.
(v) the adequacy of road networks adjacent to, or leading to the development; and	The Traffic Authority commented that Willow Street is an arterial road designed to handle high volumes of

	traffic and they had no concerns regarding the adjacent road network.
(vi) 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 had no concerns regarding the suitability of movement and traffic or the proposed clarification of the minimum lot frontage requirement. A sidewalk is present on Willow Street directly abutting the subject lot, providing pedestrian access to Main St. There is no active rail line in the vicinity.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	The Development Officer commented that provided the minimum lot frontage of the Multiple Unit Residential (R-3) zone in the HLUB is amended as drafted, they had no concerns regarding the adequacy of the dimensions and shape of the lot for the intended use.
(d) the pattern of development which the proposal might create;	The Development Officer commented that they had no concerns regarding the pattern of development which the proposal might create. The proposed zoning matches the intent of the Residential designation, which the subject lot is included within.
(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;	There are some existing challenges for construction on the subject lot. The first is the sloping to the rear of the subject lot, which would require some form of infilling to provide a stable base

	for construction. The Manager of Building and Fire Inspection Services advised staff that a geotechnical report would be required to be submitted to ensure that the infill is stable and will support the proposed structure. No waterbodies or wetlands appear to be present on the mapping for the subject lot, however, there have been comments from the public that there are wet conditions on the property. The Public Works Engineering Division commented that they would be requesting a stormwater management plan as part of the permitting process to ensure that pre- and post-development flows are neutral or better. Based on the correspondence received, staff consider this criterion met.
(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;	All Municipal, Provincial, and Federal regulations will have to be met.
(g) the impact of not only the use being proposed, but all uses permitted in the zone;	The proposed use is the maximum density of the lot which could be considered as-of-right in the Multiple Unit Residential (R-3) zone if rezoned. Any other uses permitted in the proposed zone would be considered less intensive.
(h) the site meets all of the zone requirements for the zone sought; and	See Policy IM-3 (c).

(i) any other matter required by relevant policies of this Strategy.	All relevant matters have been addressed in this report.

Attachment B – Draft Amendments

Note: purple text indicates a change from the present HLUB as recommended by staff and is provided only for the convenience of PAC/HAC and Council.

Hantsport Land Use By-law

Text amendment to Section 8.4 of the Hantsport Land Use By-law to clarify the minimum lot frontage requirement for the Multiple Unit Residential (R-3) zone.

Amend 8.4.2, *Lot Specifications*, in the Hantsport Land Use By-law to replace the word 'and' with the word 'or', in the minimum lot frontage for apartment buildings and grouped homes, so that 8.4.2, *Lot Specifications*, reads as follows:

8.4.2 Lot Specifications

The following minimum specifications apply to all lots:

	Townhouse Development	**Apartment Buildings and Grouped Homes**
Minimum Lot Area	660 square metres (7104.4 square feet) for the first two units, plus 150 square metres (1614.5 square feet) for the third and each additional unit	660 square metres (7104.4 square feet) for the first two units, plus 100 square metres (1076 square feet) for the third and each additional unit
Minimum Lot Frontage	22 metres (72.2 feet) for the first two units, plus 19.6 feet (6 metres) for the third and each additional unit	22 metres (72.2 feet) for the first two units, ~~and~~ or 30 metres (98.4 feet) for three or more units
…		

Attachment C – Public Information Meeting Notes

February 6 – 20, 2024

HLUB Map Amendment: PID 45045879, Willow Street, Hantsport; File # 24-01

Meeting date and time	A Public Information Meeting was held on February 6, 2024 beginning at 6:00 p.m. in Council Chambers at 76 Morison Drive in Windsor. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for the meeting: Chair: • Mayor Zebian Four (4) members of staff: • Planner Dunphy • Planner Fredericks • Planning Assistant Lake • Director Poirier Approximately 9 members of the public, as well as the applicant.
Applicant Tom Lavers **Property** PID 45045879, Willow Street, Hantsport	Planner Dunphy outlined the application to rezone the subject lot to the Multiple Unit Residential (R-3) zone. The applicant, Tom Lavers, did not provide a formal presentation but provided answers to questions from the public.
Comments	Comments from the public could be submitted by mail, e-mail and telephone between February 6 –20, 2024. Staff received 1 phone call and 15 written submissions during the comment period. The phone call was to outline the caller's disapproval of the rezoning. 4 members of the public spoke during the Public Information Meeting. Staff and applicant responses are in purple. • Ryan Faulkner asked how drainage on the subject lot would be fixed. Alex responded by explaining that staff reach out to subject matter experts to address concerns and that a stormwater management plan would be required. Tom Lavers responded that the stormwater would be

	addressed through municipal requirements. Ryan asked about how his property value would be affected. Tom replied that the building would be well maintained. Ryan commented that policing is currently an issue and asked if the rezoning would only affect the lot and not the surrounding area. Mayor Zebian replied that this process is only for the individual lot. Ryan commented that there is flooding issues in that area that should be addressed. • Larry LeCouter commented that the subject lot is heavily sloped and that infill would be required. Larry was not in favour of the apartment building as the surrounding buildings are single-unit. Larry indicated that the property is swamp land, would require 300 loads of fill, and it is not suitable for a development. Larry was concerned with the lack of information in the proposal. • Barb LeCouter commented that Willow Street is heavily used when the highway is blocked and asked why this lot was chosen. Tom responded the property was the piece of land that was available. Barb was concerned with the pedestrian safety and the potential for issues with tenants. Tom responded that the same issues could occur with a single unit dwelling. Barb also indicated that flooding is an issue. • Jane Davis commented that there was another property available in McCully Pines that would be more suitable. Jane commented that the neighbourhood is quiet and asked about parking spaces as well as site plan availability so that the Planning Advisory Committee could consider more information. Jane asked what the square footage of the apartments would be and if the units would be

	affordable housing. Tom responded that the intent was for the units to be market rate and that the details for the plan are not developed yet as he was looking to complete the rezoning first. The 15-unit number was chosen due to that being the maximum unit density permitted, but it may be less than 15. Jane indicated support for housing, but in the right context, as this lot is in a low-density neighbourhood.
Adjournment	The Public Information Meeting was adjourned at approximately 6:27 p.m.

Public Email Responses Submitted for the Application

February 12, 2024
From Judith Swaine
To Alex Dunphy

Good morning

I am concerned about an apartment building being built on Willow Street.

I live close to where it is to be built and I don't want it there so I do not approve of the apartment building. I have lived at *ADDRESS REMOVED* since 1979. I hope this note makes a difference.

Thank you

Judith Swaine

February 12, 2024
From Cathy Ridge
To Alex Dunphy

Good morning Alex,

This letter is in concern for the proposal of a 15 unit apartment building on Willow Street, Hantsport NS.

I request that this lot be Not rezoned to R3. My reasoning is as follows:

The lot is not suitable for development, neither financially, size or for the water issues. Currently that land is like a swamp, aiding as a place for the rain waters to go to stay away from neighboring (house dwelling) properties.

The steep slope off the road will require hundreds of loads of fill, which is very costly. This will push more rain water into the neighboring properties causing severe damage. The cost of living is too high now, let alone having to pay extra for preventable damages.

There is a very large, very old cherry tree on this property. Building anything on this lot would require the destruction of natural resources and beauty. That would be a sin.

The nearest R2 is in "downtown commercial" district, as the neighbourhood is made of low density, single family homes. Our property values will drop considerably if there is an addition of an apartment building in the middle of our sweet single family dwellings.

I live on one side of this lot. I've been happy for 20 years, feeling confident that the lot will always be empty due to the high cost of filling in to build. It's my golden piece of people free nature within the community.

I do not approve of the zoning and building of an apartment building on this lot.

Thank you,

Cathy

February 12, 2024
From Laura Oickle
To Alex Dunphy

Hello Alex,

I completely agree that there should be no rezoning of this property for the development of an apartment building. There are other suitable places closer to the commercial spaces in the community. There is no need of an apartment building in this neighborhood. It is not warranted or wanted and plain doesn't really make any sense. My request is for this lot to not be approved for rezoning for an apartment building on Willow St. Hantsport.

Sincerely,

Laura Oikle

ADDRESS REMOVED

Hantsport, N.S.

February 15, 2024
From Jason Tucker
To Alex Dunphy

Good morning,

I am a long-time resident of Hantsport, and I'm writing to express my hope that the West Hants council will approve the rezoning of PID 45045879 to allow for the building of an apartment building.

Hantsport desperately needs new development and more housing. It makes perfect sense that additional housing should be built as close as possible to the shops and services in the "downtown" core.

There are already two other R-3 zoned units within about 500m of this location (on Main St. & Holmes Hill Rd.), though they are both many years old. The proposed property would be only about 800m from the centre of town. This is an ideal, walkable location for additional residents.

While the area has traditionally been only single-family homes, it's time to welcome a larger population into our community, and there is no way to do this without adding multi-until dwellings wherever possible, especially ones that are this close to all services.

I have heard from more than a few long-time residents that they would love to sell their Hantsport homes and stay in the community, but their options to do so are virtually zero. Until there are comfortable, new, modern apartments in this community, our existing housing stock will be underutilized by one or two senior citizens in 3-4 bedroom family homes that they can't sell because there's nowhere else to move.

As long as the professionals who evaluate proposals for West Hants don't see any physical reason to prevent this construction, I hope that they approve this and any other acceptable proposals that come before them. Hantsport can only benefit from adding new housing--lots of people want to live here, and for that I am grateful.

Thank you for your time.

--Jason Tucker

Hantsport.

February 15, 2024
From Candice Stark
To Alex Dunphy

Hi Alex,

I am writing to oppose the development of the lot on Willow Street. That area that a complete swamp and often floods the basements and backyards of those on school street. I personally know one family on school street that has significant flooding in their basement due to the marshy area and I know the municipality is aware of this issue. I understand that housing is needed but it should not be too the detriment of current homeowners.

There are many places in Hantsport that could be developed. Just not this particular lot.

Thank you for your time,

Candice Bowman

Hantsport resident

February 15, 2024
From Shaynna Crosby
To Alex Dunphy

Mr. Dunphy,

I am writing this letter upon hearing of the potential 15 unit apartment building complex to be built on Willow Street, in Hantsport. Although I no longer live in Hantsport, the proposed apartment building is to be built next door to my childhood home of *ADDRESS REMOVED*. The home my senior parents still reside in.

The lot that the proposed apartment building is to be built on is not suitable for development. It is a very steep slope off of the main road and would require massive amounts of fill to bring it up to street level. Growing up this lot was always considered bog land and would often flood. My parents basement also floods during the rainy season and I'm concerned that building up of this lot would force more run off into my parents property and then in to their basement causing further problems.

This neighbourhood has always been low density, single family homes. In approving the build of an apartment complex in this area is to greatly decrease the resale value of the surrounding homes and would be a slap in the face for the families who currently reside in the immediate and surrounding area.

There is a suitable zoned R3 building lot in the downtown area that is large enough for the proposed building. From my understanding it is also a serviced lot. I'm asking you to please reconsider approving the re-zoning of the lot on Willow Street. Please take in to consideration the families that this will greatly affect and the housing values that will be affected by this build. I agree that there is currently a housing crisis and that the building of a new apartment complex would be of great value however not on the proposed lot on Willow Street.

With kind regards,

Shaynna Crosby

February 16, 2024
From Dorothy Read
To Alex Dunphy

As the owner of the Francis deSilva property at *ADDRESS REMOVED* which is nearly directly opposite of the proposed development I have a vested interest in this proposal.

I feel this type of development is wildly inappropriate for a block that features a pleasant mix of historic & contemporary homes. A modern high rise would ruin the streetscape, increase traffic and dEstroy the wetlands that comprise most ofthat lt. The wEtlands is home to ducks, deer, turtles and other wIldlife.

Please suugest to deVeloper the apartment building would be better located elsewhere!

Thank you

Dorothy Read

February 17, 2024
From Larry LeCouter
To Alex Dunphy

please see attached letters regarding the proposed rezoning on Willow Street in Hantsport

Letters attached below

February 17, 2024
From Sheila Rafuse
To Alex Dunphy

Dear Mr. Dunphy,

After viewing the meeting on February 6, 2024 about the proposal to change Willow Street from single (R-1) dwelling to multi unit residential (R-3) dwelling, I submit these comments:

This is a low density single unit street and is not suitable for such a proposal. With there being an (R-3) property already in Hantsport, that location should be considered first.

Being a property owner directly across from this lot, I and other properties adjacent have been notified, but all the residents on Willow Street should be made aware as it will affect the quiet and slower pace of traffic. Parking will be a problem as the lot is at least 25 feet below street level, and is not suitable for any development,whether single or multi. This is why it has remained vacant for over 70 years except for a garden that existed many decades ago.

From the meeting, I heard the property owner directly behind this lot is having an issue with flooding and drainage being addressed after expressing his concerns for several years now. This poses many more problems to come from the lot being developed as (R-3) zone.

As of this year, my property will be up for sale, but I see this proposal as a deterrent for potential future buyers as this would not be suitable for someone looking for a small lot to build a single dwelling on. Please first consider the (R-3) multi unit lot which is already available with a sewer.

In summary, there are issues with parking, traffic and noise that cannot be disregarded. Please reconsider and notify all residents on Willow street, their concerns should also be heard.

February 18, 2024
From Therese Geizer
To Alex Dunphy

I'm writing regarding the purposed 15 unit apartment building on willow st in hantsport. My husband and I own two properties on school st. *ADDRESS REMOVED*, ever since we moved here we have had water issues in our basement.

We had to pour a new cement floor with gravel and drainage as the original floor was crumbing with water bubbling up from underneath. We also had to dig a dry well in our backyard as we were told there is an underground spring that runs under our properties. To this day we still have water coming into our basement with any rainfall despite these measures! I know that 8 homes across the street and adjoining to ours have water in the basements which are all within 300 ft of this purposed development. Water runs downhill and school st is at the bottom of the hill, this lot on willow is natural catch basin which disperses gradually when it overflows to other properties connected to it. Also when all those trees are cut down on that lot, that's more water that isn't getting absorbed and pooling there. The Faulkner's have had the worst flooding ever

since that house was built there as it backs onto that lot. I'm not an expert but I think if they put a bunch of fill and build a large structure on that lot the underground water will have to go somewhere and the only logical place would be to our properties and over time compromise the large building itself. Furthermore, whenever there is an accident on the 101 hwy and traffic is diverted into town, it runs up willow st. Not many cars park on willow but when they do there isn't enough room to pass them with on coming traffic, I can't imagine what a mess it would be having cars parked in front of a 15 unit apartment building with tenants and all their visitors parking on the street!

I agree we need more housing

but at what cost? With climate change we already have seen more water on our properties and if this development goes thru it will only get worse for our homes.

We are against this development for these reason's. Unfortunately, like the Faulkner's it's buyer beware (the town has done very little to help them) and for the developer who purchase this useless lot. I sincerely hope you take our very real concerns into your final decision. Our homes are our largest investments of our lives.

Regards

Therese & Tom Geizer

February 18, 2024
From Tiffany Faulkner
To Alex Dunphy

Dear Alex,

I hope this email finds you well. I am writing to express my concerns regarding the proposed construction of an apartment building behind our residence. Ryan & I strongly do not agree with this proposal.

As a neighbor, I have thoroughly considered the potential impacts that such a development could have on our community, and I am deeply worried about several aspects:

Privacy: The construction of an apartment building behind our house would significantly compromise our privacy. Increased foot traffic and the proximity of other residents could disrupt the peaceful environment we currently enjoy.

Noise and Disruption: The construction process itself would undoubtedly cause noise and disruption to our daily lives. This could be especially concerning if it occurs during early mornings or late evenings.

Traffic Congestion: A new apartment building would likely lead to an increase in traffic in our neighborhood, potentially causing congestion and safety hazards on our streets. If the 101 were to be shut down for any reason all traffic would be rerouted that direction which would cause a huge congestion of vehicles in that spot. When there is no room right now on that road for traffic to get by when cars are parked on side of the road.

Flooding Risk: Our property is particularly susceptible to flooding, as water naturally runs towards it. The construction of an apartment building could exacerbate this issue, leading to further flooding and potential damage to our property.

Impact on Property Values: There is a concern that the presence of a large apartment complex behind our residence could negatively impact the value of our property.

Questions: If the land we're to be filled in with a large amount of fill, how could you keep it from back filling on our property over a period of time?

For the size of the building compared to the small lot. How far off the property lines would a building that size have to be? The lot size doesn't seem big enough that it would be far enough off all the property lines.

Our biggest concern is if the land gets filled in, it will displace the water that layed in there before.

I hope the municipality gets an environmental assessment on that land before considering the proposed construction.

I understand the need for development and growth within our community, but I urge you to consider alternative locations or designs for the proposed apartment building that would minimize its impact on existing residents.

Thank you for your attention to this matter.

Sincerely,

Tiffany & Ryan Faulkner

February 19, 2024
From Adam Quinn
To Alex Dunphy

Hey Alex,

My family and I live near where this rezoning request is taking place. It was only recently brought to our attention that there is a possible apartment building proposal in place for this unfit for a residence lot that has been there for as far back as my grandparents can remember. From what I've been told it was a junk yard for many years before other houses started being developed around it.

I'm concerned on why this was not brought to the attention of the whole town and only to a select few houses neighbouring the property? If such an apartment building is placed in this location. Is it going to affect property values? Are we expecting increased value in our homes? For some that would be great. For others it's a burden due to higher taxes paid each year.

Is this going to affect our water and sewage system? That's a large number of new families to provide for and we already just had a water line issue on Riverview at the start of the winter.

Clarification on these matters would be greatly appreciated. Also would like clarification on what the plans are for this structure and its parking accommodations. The lot is not even half an acre in size. It is on a drastic hill and at the bottom of the hill is a soft marsh land. If the intentions are

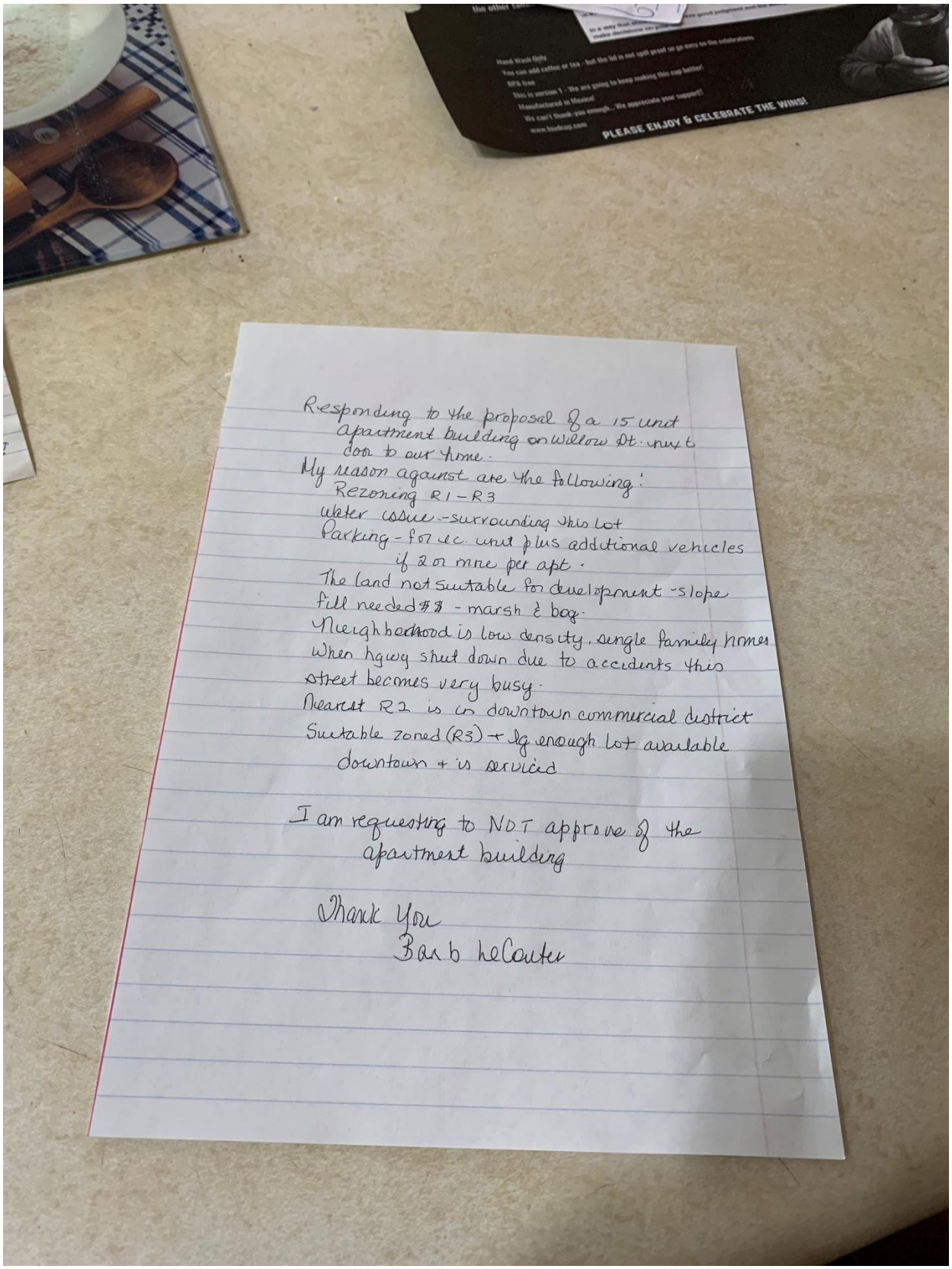
to build this land up for proper foundation for the structure then that will lead to major water run off for the houses behind and off the side of this lot on school street. Not to mention that it could even lead to damages to the ball field or with major rainfall even reach the school itself. Maybe if this does get rezoned then it will be in the best interest of the municipality to look into connecting a drainage runoff right into the sewage portion of the construction plans.

To end this letter of concern. I want to be clear that we do need more housing. A development of this size would be great for the area if located on a better plot of land that will not have a direct effect on citizens that have been here for years. Take into consideration the families that will have to deal with the decision you make and hear their concerns.

Thank you for your time and all you do for our area.

Best regards

Adam Quinn



Responding to the proposal of a 15 unit apartment building on Willow St. next door to our home.

My reason against are the following:

Rezoning R1 – R3

water issue - surrounding this lot

Parking - for 15 unit plus additional vehicles if 2 or more per apt.

The land not suitable for development - slope

fill needed $$ - marsh & bog.

Neighborhood is low density, single family homes

When hgwy shut down due to accidents this street becomes very busy.

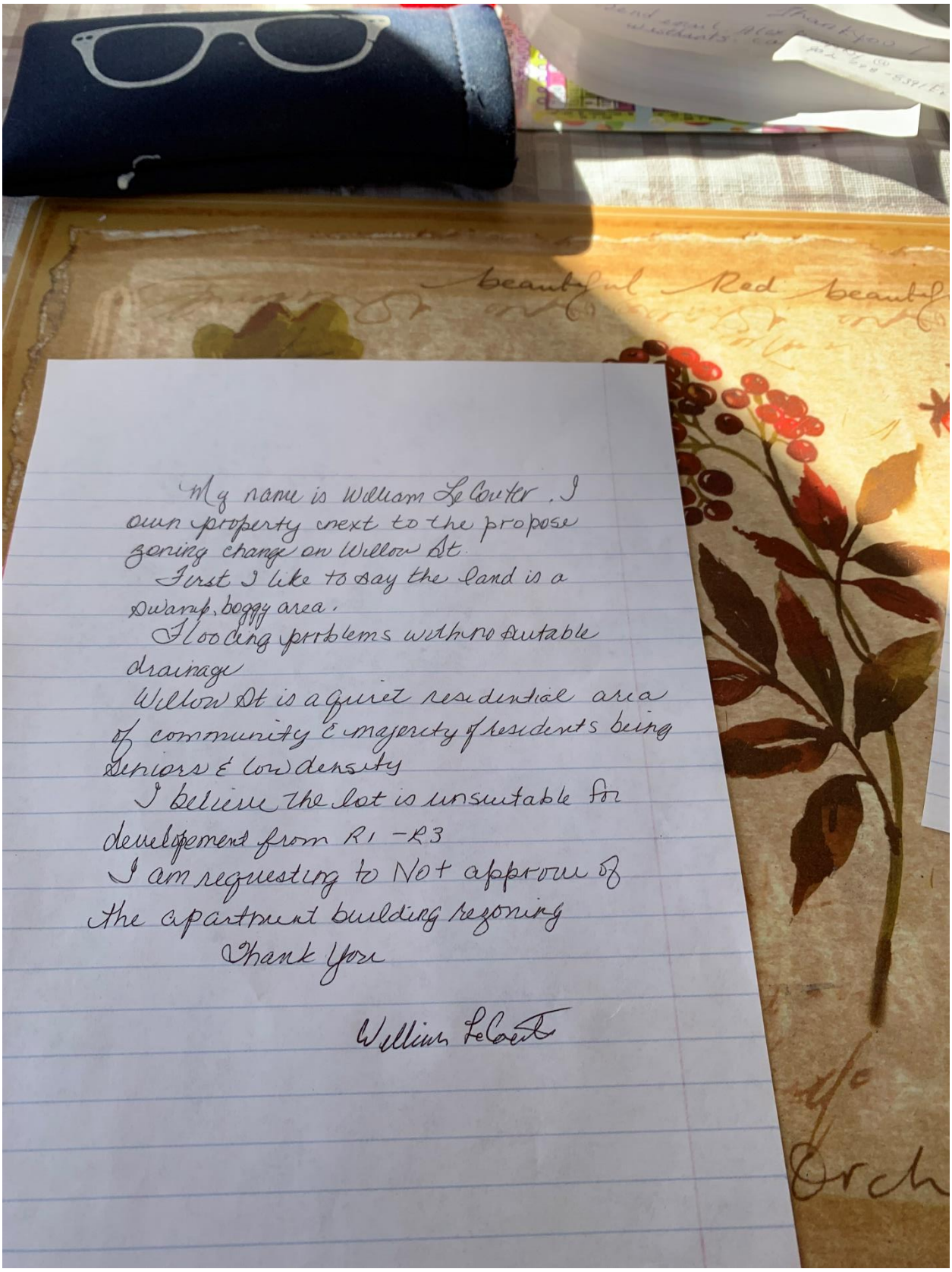
Nearest R2 is in downtown commercial district

Suitable zoned (R3) + lg enough lot available downtown + is serviced

I am requesting to NOT approve of the apartment building

Thank You

Barb McCarter



My name is William LeCuyer. I own property next to the propose zoning change on Willow St.

First I like to say the land is a swamp, boggy area.

Flooding problems with no suitable drainage

Willow St is a quiet residential area of community & majority of residents being Seniors & low density

I believe the lot is unsuitable for development from R1 - R3

I am requesting to Not approve of the apartment building rezoning

Thank You

William LeCuyer

To: Whom It may concern!

I am one of the homeowners on Willow Str. I disagree with the building of a 15 unit apartment on a piece of land between 2 houses with a steep hill that would not be appropriate for people living behind there.

neighborhood hood is low density and there would have to be lots of fill needed.

There is a suitable lot zoned (R3) & large enough building lot available in town & is serviced.

Please request to not approve of apartment building

Thank you!

Send email: Alex Dunphy @ westhants.ca 902-798-8391 Ext 118

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: March 26, 2024

Subject: WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39C

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

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 amending the Windsor Municipal Planning Strategy and Land Use By-law to consider residential uses behind commercial uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District (P-CDD) zone by development agreement in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated March 14, 2024.

BACKGROUND

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

A completed application was received from Chad and Mandy Singleton on October 19, 2023. The application is to permit residential units behind commercial units on the ground floor.

DISCUSSION

A Public Information Meeting was held on December 7, 2023.

On January 11, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) to allow the requested change as-of-right, through amendments to the Windsor Land Use By-law. As there are only 16 properties within the Pesaquid Comprehensive Development District (PCDD) zone, the commercial uses will remain on the street frontage and the amendment only intended to add the option to include residential units without affecting the ability for commercial development, staff recommended text amendments to the Pesaquid Comprehensive Development District (PCDD) zone. The Committee discussed the wording for the location of the residential units, fire safety requirements, residential unit configuration, application background, and waterfront development. The Committee discussed the ability for this proposal to be considered by development agreement instead of through an amendment to the Pesaquid Comprehensive Development District (PCDD) zone at length. During the January 11 PAC/HAC meeting, the Committee recommended in favour of the amendments as drafted by staff.

During the January 23 Council meeting, direction was given to staff to draft a policy to permit the request to be considered by development agreement instead.

On March 14, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A) to allow the requested change through the development agreement process, by amending the Windsor Municipal Planning Strategy and Land Use By-law. During that meeting, the Committee recommended in favour of the amended policies.

NEXT STEPS

The process for this application is as follows:

Process
Staff Review
▼
Public Information Meeting – December 7, 2023
▼
PAC/HAC Review and Recommendation – January 11, 2024
▼

Council First Reading – January 23, 2024
Direction given by Council to reconsider policy options
▼
PAC/HAC Review and Recommendation – March 14, 2024
▼
Council First Reading – March 26, 2024
▼
Public Hearing & Second Reading – April 23, 2024*
▼
Ministerial Review/Approval
▼
Notice of Approval

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted or as specifically revised by direction of Council; or
- provide alternative direction, such as requesting further information on a specific topic.

APPENDIX

Appendix A	2024-03-14 Staff Report - WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39B

CHIEF ADMINISTRATIVE OFFICER REVIEW

To ensure a thorough planning process is conducted it is recommended that First Reading be supported by Council. It will allow for public feedback during the public hearing. Information at the Public Hearing will reflect public feedback from the PIM, comments from staff regarding MPS compliance and provide the public a formal opportunity to express their opinions on the amendment before Second Reading when a final decision is made by Council.

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Sara Poirier, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Appendix A –

2024-03-14 Staff Report - WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39B

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: March 14, 2024

Subject: WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39B

LEGISLATIVE AUTHORITY

Municipal Government Act Section 205 & 210

RECOMMENDATION

Staff recommend 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 amending the Windsor Municipal Planning Strategy and Land Use By-law to consider residential uses behind commercial uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District (P-CDD) zone by development agreement in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated March 14, 2024.

BACKGROUND

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

A completed application was received from Chad and Mandy Singleton on October 19, 2023. The application is to permit residential units behind commercial units on the ground floor.

Staff reviewed the WMPS and WLUB and determined there were no policy options to consider the proposed use by development agreement. Staff reviewed the application and determined the request was similar to the Commercial (C-1) zone in Hantsport where residential uses are permitted with located behind, above, or below a commercial use. Staff originally drafted amendments based on the Commercial (C-1) zone from the Hantsport Land Use By-law which, if approved, would have allowed the requested residential use behind a commercial use on the ground floor to be permitted as-of-right.

During the January 11 PAC/HAC meeting, the committee recommended in favour of the amendments as drafted by staff.

During the January 23 Council meeting, direction was given to staff to draft policy to permit the request through consideration by development agreement. Staff have drafted amendments to the WMPS and WLUB, as seen below.

DISCUSSION

The applicants are owners of a business on Water Street in Windsor and would like to convert a portion of the ground floor to residential uses. The commercial use would still front on Water Street, with the residential uses being located in the rear of the ground floor.

The applicant's lot is designated Town Centre and Commercial Development District on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS). The subject lot is zoned Pesaquid Comprehensive Development District (P-CDD) and is included in the Architectural Control District on Schedule A of the Windsor Land Use By-law (WLUB). Currently, the WMPS and WLUB do not allow residential uses on the ground floor in the Pesaquid Comprehensive Development District (P-CDD) zone.

Windsor Municipal Planning Strategy

Policy 7.5.2 and 7.5.3 of the Windsor Municipal Planning Strategy (WMPS) outline the types of uses that Council will consider by development agreement within the Pesaquid Comprehensive Development District (P-CDD) zone.

To permit the proposed residential uses behind commercial uses on the ground floor by development agreement as requested by Council, the following changes are required to the WMPS:

- Adding to Policy 7.5.2, residential uses behind commercial uses on the ground floor of existing buildings to the list of developments considered by development agreement;
- Adding wording to Policy 7.5.3 (c) to include residential uses to be located behind commercial uses on the ground floor of existing buildings; and
- Inserting a new policy in Section 7.5 to create the criteria to evaluate development agreement applications for residential uses to be located behind commercial uses on the ground floor of existing buildings.

The full set of changes can be found in Attachment B.

Windsor Land Use By-law

Section 6.1 of the Windsor Land Use By-law (WLUB) lists developments that may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy.

To permit the proposal, the following addition to the WLUB is required:

- Adding residential uses behind commercial uses on the ground floor of existing buildings to clause (g) of Section 6.1

The full set of proposed amendments can be found in Attachment B.

Impact of Proposed Changes

The proposed changes would only affect properties within the Pesaquid Comprehensive Development District (P-CDD) zone. There are currently only 16 properties within the P-CDD zone and they are all located on the north-west side of Water Street in Windsor (Figure 1). The existing uses located in this zone are primarily 1-2 storey buildings with ground floor commercial uses and residential units above. Allowing residential uses behind commercial uses on the ground floor to be considered by development agreement will not impact the intended streetscape experience, as commercial uses will still be required at the front of the buildings on the ground floor.

Based on inquiries to the local Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Traffic Authority, and Public Works Engineering Division, these changes did not raise any concerns which are not otherwise addressed in this report.

General Criteria

Policy 16.1.1 allows Council to review and make amendments to the WMPS. Amendments may be considered when the GFLUM is required to be changed, in order to bring the Strategy in line with the Statements of Provincial Interest, or when Council deems it necessary because of a change in policy intentions or the development environment. In this circumstance, the request for a ground level residential use within a commercial district is not permitted within the

current planning documents and provides Council with the option to consider the proposal as a change in the development environment. The proposal also aligns with the Statement of Provincial Interest Regarding Housing as the amendment will provide additional opportunities for residential development which would not have otherwise been permitted.

Policy 16.3.1 establishes the general criteria that must be considered for all amendments to the WLUB. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered 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, Traffic Authority, and Public Works Engineering Division have no concerns which have not been otherwise addressed in this report.

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, including the entirety of the Pesaquid Comprehensive Development District (P-CDD) zone.

As the proposal is intended to be contained within existing buildings, no impact to the flow of stormwater from properties in the Pesaquid Comprehensive Development District (P-CDD) zone is expected.

Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed amendments have 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 permit the requested changes to consider residential uses behind commercial uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District (P-CDD) zone by development agreement.

Process
Staff Review

▼

Public Information Meeting – December 7

▼

PAC/HAC Review and Recommendation – January 11

▼

Council First Reading – January 23

Direction given by Council to reconsider policy options

▼

PAC/HAC Review and Recommendation – March 14

▼

Council First Reading – March 26*

▼

Public Hearing & Second Reading – April 23*

▼

Ministerial Review/Approval

▼

Notice of Approval

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, the PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the amendments 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 Zoning Map Extract
Attachment A	Policy Summary for Planning Document Amendments
Attachment B	Draft Amendments
Attachment C	Public Information Meeting Notes

Attachment D 2024-01-23 Staff Report - WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39A

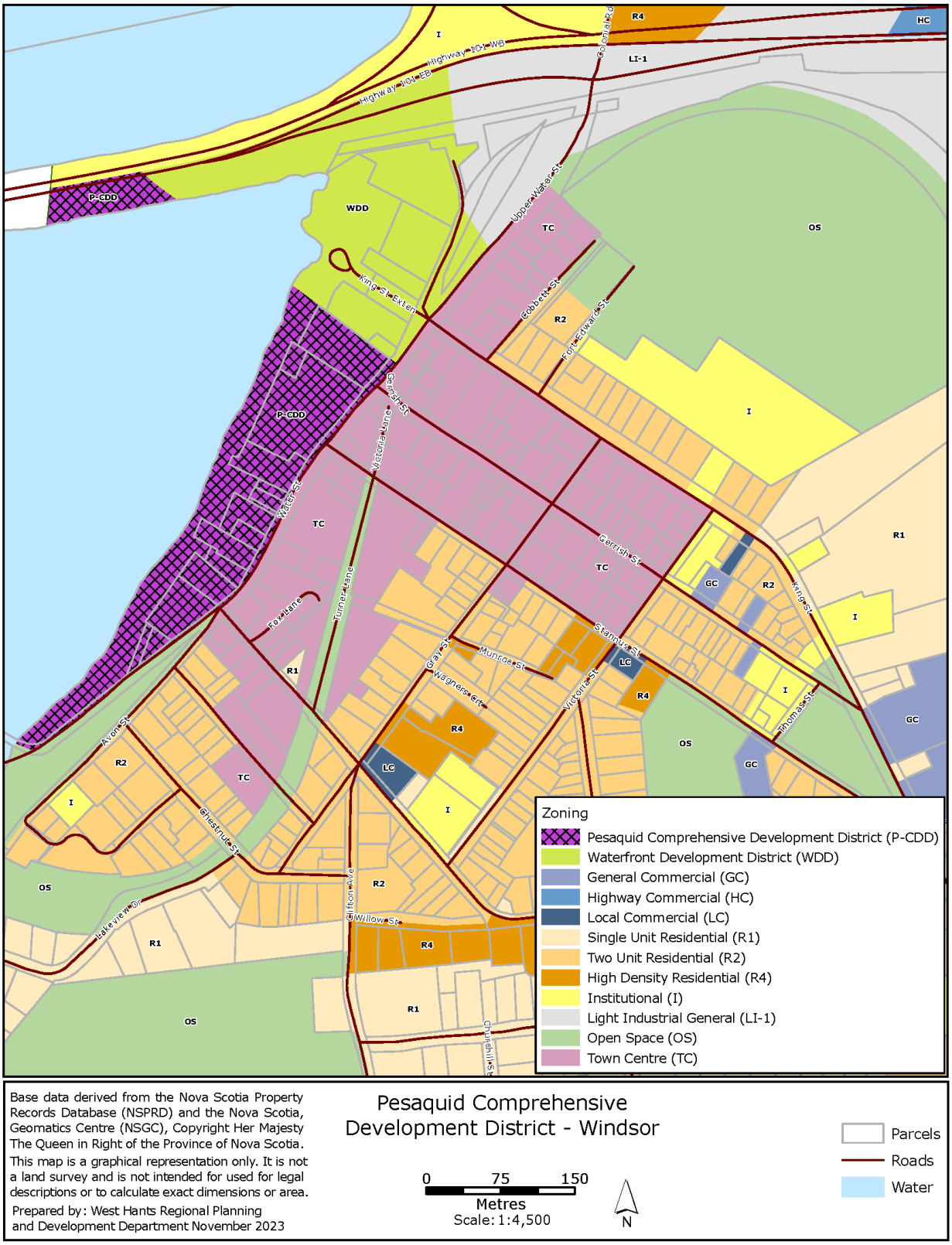
Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Sara Poirier, Director of Planning and Development

Figure 1 – Windsor Zoning Map Extract



Attachment A – Policy Summary for Planning Document Amendments

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 appropriate in terms of:	
(i) the adequacy of sewer and water services;	The Public Works Engineering Division commented that they had no concerns regarding ground level residential uses on Water Street or the capacity of water and sewer services.
(ii) the adequacy of school facilities;	The Regional Executive Director of the Annapolis Valley Regional Centre for Education stated that "We have a responsibility to provide public education for students living in the catchment areas served by these schools. We therefore expect our facilities to accommodate any new development."
(iii) the adequacy of fire protection;	The Manager of Building and Fire Inspection Services commented that any residential unit would require a fire separation from the commercial space. This fire separation is implemented to ensure that there is adequate fire protection between the residential and commercial uses. The local Fire Chief commented that any residential unit would require unimpeded access, which is already a requirement of the permitting process.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The Municipal Traffic Authority commented that they did not have any

	concerns regarding the adequacy of the road networks provided that off-street parking is provided for the residential units. Off-street parking is required in the WLUB for as-of-right developments.
(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 has no concerns regarding the suitability of movement for properties in the Pesaquid Comprehensive Development District (P-CDD) zone, provided that off-street parking is provided for the residential units. Sidewalks are provided on Water Street for pedestrian traffic and there is no active rail line in the vicinity.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	The Development Officer commented that they did not have any concerns regarding the adequacy of the dimensions and shape of the lots for the proposal. As the proposal intends to permit a residential use to occur within an existing building, this would not change the adequacy of the lots which the existing building is located.
(d) the pattern of development which the proposal might create;	The Development Officer commented that they did not have any concerns regarding the pattern of development that the proposal may create. The proposal is not anticipated to affect the streetscape of the Pesaquid Comprehensive Development District (P-CDD) zone, as the changes would only permit residential units to be built

	behind the commercial use on the ground floor of existing buildings.
(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;	As the proposal is intended to be contained within existing buildings, no impact to the suitability in terms of grade, soil, geological conditions, water bodies, or flooding of properties in the Pesaquid Comprehensive Development District (P-CDD) zone is expected.
(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;	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.

Attachment B – Draft Amendments

Note: purple text indicates a change from the present WMPS or WLUB as recommended by staff and is provided only for the convenience of PAC/HAC and Council.

Windsor Municipal Planning Strategy

Text amendments to Section 7.5, *Pesaquid Comprehensive Development District*, of the Windsor Municipal Planning Strategy to allow residential developments to be located on the ground floor, behind a commercial use within an existing building.

1. **Amend Policy 7.5.2 in the Windsor Municipal Planning Strategy to include residential development behind commercial uses on the ground floor of existing buildings, so that Policy 7.5.2 reads as follows:**

Policy 7.5.2 *It shall be the policy of Council that the following categories of development proposals in the Pesaquid CDD will be considered by development agreement subject to Policies 7.5.3, 7.5.4, and 7.5.5:*

(a) a change in use in an existing building to a use which is not permitted in the Town Centre (TC) zone;

(b) new main buildings;

(c) additions in excess of 1,000 ft2 (92.9 m2) in floor area.

(d) accessory structures in excess of 500 ft2 (46.5 m2) in floor area; or

(e) residential uses behind commercial uses on the ground floor of existing buildings.

2. **Amend Policy 7.5.3 in the Windsor Municipal Planning Strategy to include residential development behind commercial uses on the ground floor of existing buildings, so that Policy 7.5.3 reads as follows:**

Policy 7.5.3 *It shall be the policy of Council that within the Pesaquid CDD, Council will consider a mix of uses including:*

(a) commercial development including retail, service, office and entertainment uses;

(b) recreational facilities to accommodate passive and active recreational activities or special events;

(c) *residential development as a secondary focus, located behind the commercial uses on the ground floor or on the upper floors of existing commercial buildings; other types of residential development, such as apartment buildings or town houses, will be considered, but will not be the dominant feature of the development.*

3. Insert Policy 7.5.5 in the Windsor Municipal Planning Strategy following Policy 7.5.4 so that Policy 7.5.5 reads as follows:

Policy 7.5.5 *It shall be the intention of Council when evaluating a development agreement for residential uses behind commercial uses on the ground floor within the Pesaquid CDD, as enabled through Policy 7.5.2, to have regard to the following:*

(a) the residential uses on the ground floor of an existing building shall occupy no more than 50% of the ground floor area of the structure;

(b) the residential uses must be located behind a commercial use. The commercial use must have frontage on the street;

(c) the provisions of Policy 16.3.1

4. All policies following the new Policy 7.5.5 in Section 7.5 shall be renumbered.

Windsor Land Use By-law

Text amendment to the Section 6.1 of the Windsor Land Use By-law to include residential uses behind existing commercial uses on the ground floor within the Pisaquid Comprehensive Development District in the list of developments to be considered by development agreement.

1. Amend Clause (g) of Section 6.1, *Development Agreements*, in the Windsor Land Use By-law to include residential uses behind existing commercial uses on the ground floor within the Pesaquid Comprehensive Development District, so that clause (g) of Section 6.1 reads as follows:

6.1 The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:

…

(g) development proposals in the Pesaquid CDD in accordance with Section 7.5 of the Municipal Planning Strategy for: signs in addition to those outlined in Section 7.18 of the Land Use By-law (Amendment WLUB 17-01 Effective March 6, 2018); new main buildings; additions in excess of 1,000 ft2 (92.90 m2) floor area; accessory structures in excess of 500 ft2 (46.45 m2) floor area; a change in use in an existing building to a use not permitted in the TC zone; or residential uses behind commercial uses on the ground floor of existing buildings;

…

Attachment C – Public Information Meeting Notes

December 7 - 21, 2023

WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39

Meeting date and time	A Public Information Meeting was held on December 7, 2023, beginning at 6:14 p.m. in Council Chambers at 76 Morison Drive in Windsor. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for the meeting: Two (2) Councillors: • Councillor Francis (Chair) • Councillor Ivey Four (4) members of staff: • Planner Dunphy • Planner Fredricks • Planning Assistant Lake • Director Poirier 3 members of the public and the applicants.
Applicant Chad and Mandy Singleton **Property** Not Applicable	Planner Dunphy outlined the application to amend the text of the Windsor Municipal Planning Strategy and Land Use By-law to permit residential uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District. The applicant presented on their plan to develop an additional residential unit within their property at 198 Water Street in Windsor, provided that the proposal is successful.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between December 7 - 21, 2023. Staff received no comments or questions from the public. 1 member of the public and the applicants spoke during the December 7, 2023, Public Information Meeting. Staff responses are included in purple text. • Paul Beazly asked about an option to build the residential unit through a development agreement.

	Alex clarified that there were no policies to allow Council to consider the proposed residential use by development agreement. • The applicant, Mandy Singleton, asked about how the change to the text of the planning documents would be determined. Alex responded that the wording of the proposed amendments has not yet been determined. A change is required due to the planning documents prioritizing commercial development in the Pesaquid Comprehensive Development District (P-CDD).
Adjournment	The PIM was adjourned at approximately 6:28 p.m.

Attachment D - 2024-01-23 Staff Report - WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39A

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: January 23, 2024

Subject: WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39A

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

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 amending the Windsor Municipal Planning Strategy and Land Use By-law to allow residential units at the rear of commercial uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District (P-CDD) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated January 11, 2024.

BACKGROUND

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

A completed application was received from Chad and Mandy Singleton on October 19, 2023. The application is to permit residential units behind commercial units on the ground floor.

DISCUSSION

A Public Information Meeting was held on December 7, 2023.

On January 11, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed the wording for the location of the residential units, fire safety requirements, residential unit configuration, application background, and waterfront development. The Committee discussed the ability for this proposal to be considered by development agreement instead of through an amendment to the Pesaquid Comprehensive Development District (PCDD) zone at length. As there are only 16 properties within the Pesaquid Comprehensive Development District (PCDD) zone, the commercial uses will remain on the street frontage and the amendment only intends to add the option to include residential units without affecting the ability for commercial development, staff are recommending the amendments to the Pesaquid Comprehensive Development District (PCDD) zone.

Staff also relayed the feedback received from both the Fire Chief and the Public Works Engineering Division. The Fire Chief commented that residential units would require unimpeded access, which is already a requirement of the permitting process, and the Public Works Engineering Division commented that they did not have any concerns regarding the capacity of municipal services for the proposed amendment.

During the January 11 meeting, PAC/HAC recommended in favour of the application.

NEXT STEPS

The process for this application is as follows:

Process
Staff Review
▼
Public Information Meeting – December 7, 2023
▼
PAC/HAC Review and Recommendation – January 11, 2024
▼
Council First Reading – January 23, 2024
▼
Public Hearing & Second Reading – February 27, 2024*
▼
Ministerial Review/Approval
▼
Notice of Approval

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted or as specifically revised by direction of Council; or
- provide alternative direction, such as requesting further information on a specific topic.

APPENDIX

Appendix A	2023-01-11 Staff Report - WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39

CHIEF ADMINISTRATIVE OFFICER REVIEW

This matter has been reviewed by the PAC / HAC. The amendment will assist with the provision of residential units in the downtown area. For the noted property owner, it will allow for residential use on the back side of the property but not requiring it should they elect to re-establish a commercial use.

First reading will allow for the formal public hearing process that will ultimately support the final decision-making phase, SECOND READING.

I support the recommendation.

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Sara Poirier, Director of Planning and Development

Report Approved by: 

Mark Phillips, Chief Administrative Officer

Appendix A –

2023-01-11 Staff Report - WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39

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: January 11, 2024

Subject: WMPS and WLUB Text Amendments: Pesaquid Comprehensive Development District; File # 23-39

LEGISLATIVE AUTHORITY

Municipal Government Act Section 210

RECOMMENDATION

Staff recommend 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 amending the Windsor Municipal Planning Strategy and Land Use By-law to allow residential units at the rear of commercial uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District (P-CDD) zone in a manner substantively the same as Attachment B of the staff report to the Planning and Heritage Advisory Committee report dated January 11, 2024.

BACKGROUND

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

A completed application was received from Chad and Mandy Singleton on October 19, 2023. The application is to permit residential units behind commercial units on the ground floor.

DISCUSSION

The applicants are owners of a business on Water Street in Windsor and would like to convert a portion of the ground floor for residential uses. The commercial use would still face the street. The applicant's lot is designated Town Centre and Commercial Development District on the Generalized Future Land Use Map (GFLUM) of the Windsor Municipal Planning Strategy (WMPS). The subject lot is zoned Pesaquid Comprehensive Development District (P-CDD) and are included in the Architectural Control District on Schedule A of the Windsor Land Use By-law (WLUB). Currently, the WMPS and WLUB do not allow residential uses on the ground floor in the Pesaquid Comprehensive Development District (P-CDD) zone. Staff reviewed the WMPS and WLUB and determined there were no policy options to consider the proposed use by development agreement. Staff reviewed the application and determined the request was similar to the Commercial (C-1) zone in Hantsport where residential uses are permitted with located behind, above, or below a commercial use. Staff have drafted the following amendments based on the Commercial (C-1) zone from the Hantsport Land Use By-law which, if approved, would allow the requested residential use behind a commercial use on the ground floor.

Windsor Municipal Planning Strategy

Policy 7.5.3 and 7.5.5 of the Windsor Municipal Planning Strategy (WMPS) outlines the types of uses that Council will consider within the Pesaquid Comprehensive Development District (P-CDD) zone.

> *Policy 7.5.3 It shall be the policy of Council that within the Pesaquid CDD, Council will consider a mix of uses including:*
>
> *(a) commercial development including retail, service, office and entertainment uses;*
>
> *(b) recreational facilities to accommodate passive and active recreational activities or special events;*
>
> *(c)* ***residential development as a secondary focus, located on the upper floors of commercial buildings; other types of residential development, such as apartment buildings or town houses, will be considered, but will not be the dominant feature of the development****.*

Policy 7.5.5 It shall be the policy of Council that within the Pesaquid CDD, minor development such as a change in use in an existing building, a small addition or accessory building, and

repairs or renovations, shall be permitted as-of-right in accordance with the provisions of the Town Centre (TC) zone. In summary, to permit the proposed residential use, the following changes are required to the WMPS:

- Adding wording to Policy 7.5.3 (c) to include residential developments to be located behind an existing commercial use; and
- Adding wording to Policy 7.5.5 to allow residential developments to be located behind existing commercial uses.

The full set of changes can be found in Attachment B.

Windsor Land Use By-law

Section 15.1 of the Windsor Land Use By-law (WLUB) permits the following categories of development in the Pesaquid Comprehensive Development District (P-CDD) zone as-of-right:

(a) change in use in an existing building, provided the use is permitted in the Town Centre (TC) zone;
(b) additions not exceeding 1,000 ft2 (92.90 m2) in floor area, alterations, repairs and renovations to existing buildings, subject to Town Centre (TC) zone requirements;
(c) accessory structures not exceeding 500 ft2 (46.45 m2) in floor area, subject to Town Centre (TC) zone requirements; and
(d) temporary retail sales and food service kiosks subject to Section 15.2. The current parking requirement for apartment buildings is a ratio of 1.5 parking spaces per dwelling unit.

In summary, to permit the proposal, the following addition to the WLUB is required:

- Adding residential uses on the ground floor not exceeding 50% of the ground floor area, located behind commercial use to Section 15.1.

The full set of proposed amendments can be found in Attachment B.

Impact of Proposed Changes

The proposed changes would only affect properties within the Pesaquid Comprehensive Development District (P-CDD) zone. There are currently only 16 properties within the P-CDD zone and they are all located on the north-west side of Water Street in Windsor (Figure 1). The existing uses located in this zone are primarily 1-2 storey buildings with ground floor commercial uses and residential units above. Allowing residential uses to be built behind existing commercial uses on the ground floor will not impact the intended streetscape experience, as commercial uses will still be required at the front of buildings at street level.

Based on inquiries to the local Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Traffic Authority, and Public Works Engineering Division, these changes did not raise any concerns which are not otherwise addressed in this report.

General Criteria

Policy 16.1.1 allows Council to review and make amendments to the WMPS. Amendments may be considered when the GFLUM is required to be changed, in order to bring the Strategy in line with the Statements of Provincial Interest, or when Council deems it necessary because of a change in policy intentions or the development environment. In this circumstance, the request for a ground level residential use within a commercial district is not permitted within the current planning documents and provides Council with the option to consider the proposal as a change in the development environment. The proposal also aligns with the Statement of Provincial Interest Regarding Housing as the amendment will provide additional opportunities for residential development which would not have otherwise been permitted.

Policy 16.3.1 establishes the general criteria that must be considered for all amendments to the WLUB. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- the proposal is not considered 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, Traffic Authority, and Public Works Engineering Division have no concerns which have not been otherwise addressed in this report.

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, including the entirety of the Pesaquid Comprehensive Development District (P-CDD) zone.

As the proposal is intended to be contained within existing buildings, no impact to the flow of stormwater from properties in the Pesaquid Comprehensive Development District (P-CDD) zone is expected.

Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed amendments have 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 permit the requested changes to allow residential units behind commercial uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District (P-CDD) zone.

Process

Staff Review

▼

Public Information Meeting – December 7

▼

PAC/HAC Review and Recommendation – January 11

▼

Council First Reading – January 23*

▼

Public Hearing & Second Reading – February 27*

▼

Ministerial Review/Approval

▼

Notice of Approval

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, the PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the amendments 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 Zoning Map Extract

Attachment A	Policy Summary for Planning Document Amendments
Attachment B	Draft Amendments
Attachment C	Public Information Meeting Notes

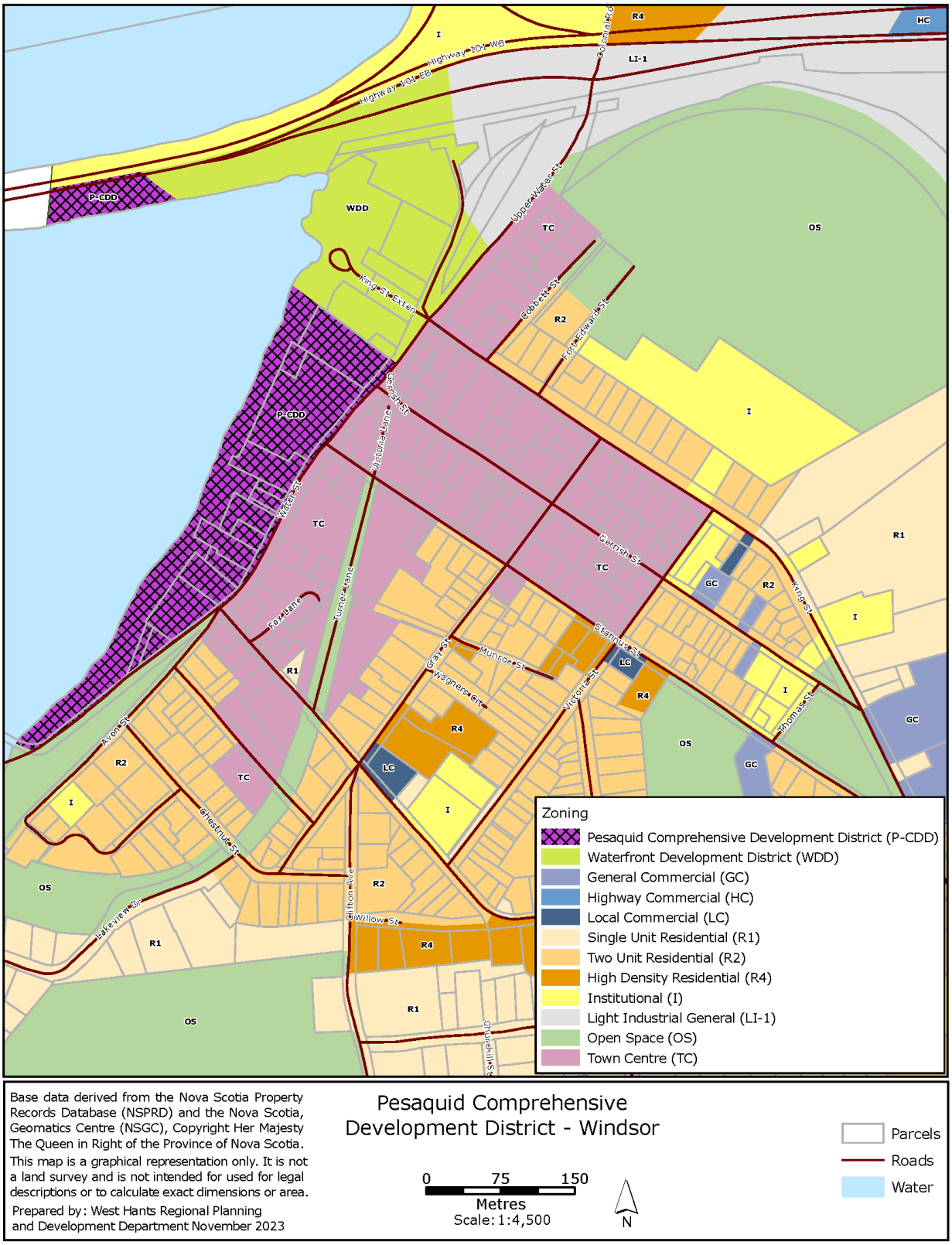
Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Sara Poirier, Director of Planning and Development

Figure 1 – Windsor Zoning Map Extract



Attachment A – Policy Summary for Planning Document Amendments

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 appropriate in terms of:	
(i) the adequacy of sewer and water services;	The Public Works Engineering Division commented that they had no initial concerns regarding ground level residential uses on Water Street. The Director of Public Works was unable to provide comment at the time of the writing of this report. Staff hope to have that feedback prior to the Planning and Advisory Committee Meeting.
(ii) the adequacy of school facilities;	The Regional Executive Director of the Annapolis Valley Regional Centre for Education stated that "We have a responsibility to provide public education for students living in the catchment areas served by these schools. We therefore expect our facilities to accommodate any new development."
(iii) the adequacy of fire protection;	The Manager of Building and Fire Inspection Services commented that any residential unit would require a fire separation from the commercial space. This fire separation is implemented to ensure that there is adequate fire protection between the residential and commercial uses. At the time of writing this report, staff have yet to receive comment from the

	Windsor Fire Chief. Staff hope to have that feedback prior to the Planning and Advisory Committee Meeting.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The Municipal Traffic Authority commented that they did not have any concerns regarding the adequacy of the road networks provided that off-street parking is provided for the residential units. Off-street parking is required in the WLUB for as-of-right developments.
(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 has no concerns regarding the suitability of movement for properties in the Pesaquid Comprehensive Development District (P-CDD) zone, provided that off-street parking is provided for the residential units. Sidewalks are provided on Water Street for pedestrian traffic and there is no active rail line in the vicinity.
(c) the adequacy of the dimensions and shape of the lot for the intended use;	The Development Officer commented that they did not have any concerns regarding the adequacy of the dimensions and shape of the lots for the proposal. As the proposal intends to permit a residential use to occur within an existing building, this would not change the adequacy of the lots which the existing building is located.
(d) the pattern of development which the proposal might create;	The Development Officer commented that they did not have any concerns regarding the pattern of development that the proposal may create. The

	proposal is not anticipated to affect the streetscape of the Pesaquid Comprehensive Development District (P-CDD) zone, as the changes would only permit residential units to be built behind the commercial use on the ground floor of existing buildings.
(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;	As the proposal is intended to be contained within existing buildings, no impact to the suitability in terms of grade, soil, geological conditions, water bodies, or flooding of properties in the Pesaquid Comprehensive Development District (P-CDD) zone is expected.
(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;	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.

Attachment B – Draft Amendments

Note: purple text indicates a change from the present WMPS or WLUB as recommended by staff and is provided only for the convenience of PAC/HAC and Council.

Text amendments to Section 7.5 of the Windsor Municipal Planning Strategy to allow residential developments to be located on the ground floor, behind a commercial use within an existing building.

Windsor Municipal Planning Strategy

1. **Amend Policy 7.5.3 in the Windsor Municipal Planning Strategy to include residential development behind commercial uses on the ground floor of existing buildings, so that Policy 7.5.3 reads as follows:**

Policy 7.5.3 *It shall be the policy of Council that within the Pesaquid CDD, Council will consider a mix of uses including:*

(a) commercial development including retail, service, office and entertainment uses;
(b) recreational facilities to accommodate passive and active recreational activities or special events;
(c) residential development as a secondary focus, located behind the commercial uses on the ground floor or on the upper floors of existing commercial buildings; other types of residential development, such as apartment buildings or town houses, will be considered, but will not be the dominant feature of the development.

2. **Amend Policy 7.5.5 in the Windsor Municipal Planning Strategy to include residential development behind commercial uses on the ground floor of existing buildings, so that Policy 7.5.5 reads as follows:**

Policy 7.5.5 *It shall be the policy of Council that within the Pesaquid CDD, minor development such as a change in use in an existing building, a small addition or accessory building, and repairs or renovations, in accordance with the provisions of the Town Centre (TC) zone, as well as residential units located behind the commercial uses on the ground floor of existing buildings shall be permitted as-of-right.*

Text amendment to the Section 15.1 of the Windsor Land Use By-law to allow residential developments to be located on the ground floor, behind commercial uses within an existing building.

Windsor Land Use By-law

1. **Amend Section 15.1, *As-of-Right Development*, in the Windsor Land Use By-law to include residential developments on the ground floor to the permitted uses list, so that Section 15.1 reads as follows:**

As-of-Right Development

15.1 The following categories of development shall be permitted in the Pesaquid Comprehensive Development District (P-CDD) zone as-of-right:

(a) change in use in an existing building, provided the use is permitted in the Town Centre (TC) zone;

(b) additions not exceeding 1,000 ft2 (92.90 m2) in floor area, alterations, repairs and renovations to existing buildings, subject to Town Centre (TC) zone requirements;

(c) accessory structures not exceeding 500 ft2 (46.45 m2) in floor area, subject to Town Centre (TC) zone requirements;

(d) temporary retail sales and food service kiosks subject to Section 15.2;

(e) residential uses on the ground floor of existing buildings in accordance with 15.1.1.

2. **Create Subsection 15.1.1, *Requirements for Ground Floor Residential Uses*, in the Windsor Land Use By-law to include provisions for ground floor residential uses, so that Subsection 15.1.1 reads as follows:**

Requirements for Ground Floor Residential Uses

15.1.1 Residential uses on the ground floor of existing buildings shall occupy no more than 50% of the ground floor area of the structure and be located behind or below a commercial use. The commercial use must have frontage on the street.

Attachment C – Public Information Meeting Notes

December 7 - 21, 2023

WMPS and WLUB Text Amendments:
Pesaquid Comprehensive Development District; File # 23-39

Meeting date and time	A Public Information Meeting was held on December 7, 2023 beginning at 6:14 p.m. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance for the meeting: Two (2) Councillors: • Councillor Francis (Chair) • Councillor Ivey Four (4) members of staff: • Planner Dunphy • Planner Fredricks • Planning Assistant Lake • Director Poirier 3 members of the public and the applicants.
Applicant Chad and Mandy Singleton **Property** Not Applicable	Planner Dunphy outlined the application to amend the text of the Windsor Municipal Planning Strategy and Land Use By-law to permit residential uses on the ground floor of existing buildings in the Pesaquid Comprehensive Development District. The applicant presented on their plan to develop an additional residential unit within their property at 198 Water Street, Windsor, provided that the proposal is successful.
Comments	Comments from the public could be submitted to Alex Dunphy by mail, e-mail and telephone between December 7 - 21, 2023. Staff received no comments or questions from the public. 1 member of the public and the applicants spoke during the December 7, 2023, Public Information Meeting. Staff responses are included in purple text. • Paul Beazly asked about an option to build the residential unit through a development agreement. Alex clarified that there were no policies to allow

	Council to consider the proposed residential use by development agreement. • The applicant, Mandy Singleton, asked about how the change to the text of the planning documents would be determined. Alex responded that the wording of the proposed amendments has not yet been determined. A change is required due to the planning documents prioritizing commercial development in the Pesaquid Comprehensive Development District (P-CDD).
Adjournment	The PIM was adjourned at approximately 6:28 p.m.

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: _____
Mark Fredericks, Senior Planner

Date: March 26, 2024

Subject: Development Agreement: PID 45180635, Hwy 215, Summerville; File #23-07A

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to proceed to Public Hearing and Second Reading, the following motions would be in order:

… that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to permit a paintball facility on PID 45180635 on Highway 215 in Summerville, in a manner substantively the same as the draft set out in Attachment B of the report to the Planning and Heritage Advisory Committee regarding File # 23-07 dated March 14, 2024.

…that Council requires that the development agreement with Marlene Hill 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 complete application was received on March 21, 2023, from Patrick Hill. Initially this application came with a letter of authorization from Marlene Hill, who was not the landowner at the time, but through a recent probate court decision in February of 2024, Marlene Hill is now the owner of the land and has appropriate authority to authorize Patrick Hill to apply for a development agreement to be entered into with the Municipality.

The planning application was needed to establish a paintball facility on PID 45180635 on Highway 215 in Summerville. This type of use can be considered by Council through a development agreement, as paintball facilities are not a listed permitted use (as-of-right) in the underlying zone.

A Public Information Meeting was held on June 6, 2023. Several public comments were received at the meeting and during the public comment period that followed. The concerns related to the proximity of the proposed paintball facility to the adjacent cemetery and questions about enforcement, environmental impact of the paintballs, fencing, buffering, parking, and support for bringing an outdoor activity to the community. Many of these issues were able to be addressed in the development agreement by using large setbacks and buffering requirements as well as a development area that constrains the paintball activity to a specific portion of the property.

A significant delay occurred between the Public Information Meeting and bringing the application to the Planning and Heritage Advisory Committee (PAC/HAC). The delay was caused by the legal requirement in establishing the family ownership as a Will needed to be processed through the Probate Court to recognize Marlene Hill as the owner of the land.

On February 14, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee briefly discussed the buffering requirements and planting densities, start/stop sounds, and confirming that the development agreement does require netting for playing courses.

The PAC/HAC recommended in favour of the application at this meeting.

NEXT STEPS

The process for this application is as follows.

Process
Staff Review ▼ Public Information Meeting – June 6, 2023 ▼ PAC/HAC receives staff report and PIM Notes

PAC/HAC Review and Recommendation – March 14, 2024

▼

Regional Council First Reading – March 26, 2024

▼

Public Hearing & Second Reading – April 23, 2024*

▼

Notice of Approval in Local Paper

▼

14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the development agreement; or
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

Appendix A	2024-03-14 Staff Report – Development Agreement: PID 45180635, Hwy 215, Summerville; File #23-07

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation and the application proceed through to the Public Hearing stage. This will allow for an up-to-date presentation of all information pertaining to the application for both Council and residents. Further, it will allow for a thorough review of that information at second reading when Council is asked to make a final decision on this matter.

Report Prepared by: _____

Mark Fredericks, Senior Planner

Report Approved by: _____

Sara Poirier, Director of Planning and Development

Report Approved by: _____

Mark Phillips, Chief Administrative Officer

Appendix A – 2024-03-14 Staff Report - Development Agreement: PID 45180635, Hwy 215, Summerville; File #23-07

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Mark Fredericks, Senior Planner

Date: March 14, 2024

Subject: Development Agreement: PID 45180635, Hwy 215, Summerville; File #23-07

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 motions:

…that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit a paintball facility on PID 45180635 on Highway 215 in Summerville, in a manner substantively the same as the draft set out in Attachment B of the report to the Planning and Heritage Advisory Committee regarding File # 23-07 dated March 14, 2024.

…that PAC/HAC recommends that Council require that the development agreement with Marlene Hill 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

A complete application was received on March 21, 2023, from Patrick Hill. Initially this application came with a letter of authorization from Marlene Hill, who was not the landowner at the time, but through a recent probate court decision in February of 2024, Marlene Hill is now the owner of the land and has appropriate authority to authorize Patrick Hill to apply for a development agreement to be entered into with the Municipality.

The planning application was needed to establish a paintball facility on PID 45180635 Highway 215, Summerville. This type of use can be considered by Council through a development agreement, as paintball facilities are not a listed permitted use (as-of-right) in the underlying zone.

DISCUSSION

PID 45180635 is approximately 400 acres (1,618,744 sq. m.) in size. The applicant intends on using a small portion of the property for the proposed paintball facility. This portion is near the front of the property where a field and forest can provide varied terrain for two versions of the sport.

- 'Speed Ball' being played in an enclosed field, with placed obstacles.
- 'Woods Ball' being played in a forested area with vegetation and terrain as obstacles.

The property is located within the Resource Designation on the Generalized Future Land Use Map (Figure 1) of the West Hants Municipal Planning Strategy (WHMPS) and zoned General Resource (GR) on the Zoning Map (Figure 2) of the West Hants Land Use By-law (WHLUB).

The General Resource (GR) zone permits a wide range of land uses as-of-right, including automotive and forestry uses, churches and restaurants, retail stores and residential uses. These uses could introduce traffic, noise, or other impacts on the surrounding community without requiring a development agreement.

Surrounding Context

The subject property is adjacent to the Loyal Hill Cemetery, in a rural area, just outside of the Hamlet of Summerville. The property includes a cleared field and forested areas. The properties to the south are generally located within the Summerville Hamlet and are zoned Rural Residential (R-4) and Rural Commercial (RC). The subject lot is well separated from the Hamlet of Summerville with approximately 400 feet of wooded area to the nearest dwelling. The subject property also has an increased elevation and a large, forested area that surrounds much of the proposed paintball facility.

Most of the properties outside of the Summerville Hamlet are zoned General Resource (GR) except for the Loyal Hill Cemetery, which is zoned Open Space (OS). The surrounding General Resource (GR) zone includes rural residential uses and an equestrian facility and riding ring across the street from the subject property.

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 Bylaw and the Municipal Planning Strategy (MPS) and 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 MPS, Council usually identifies both specific and general criteria which must be considered when making decisions regarding a development agreement.

A development proposal being considered must be measured against only the specific and general criteria for the proposal in the MPS and not any other criteria.

The draft development agreement in Attachment B enables the paintball facility with the following requirements, as a summary:

- Parking – a minimum of 20 parking spaces to be provided. No on-street parking permitted.
- Size – parking, playing courses etc. must be contained within the *development area*.
- Setbacks – all activity must be setback a minimum of 100 ft. (30.5 m.) from all property lines.
- Buffers – vegetated buffer in the yard abutting the cemetery if any playing course is in the field. The buffering requirement would not apply if playing courses are fully located within the wooded area.
- Hours of operation – limits commercial play to occur between 9am – 9pm.
- Recognition of the abutting cemetery

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:

- Any change in the permitted uses list; and
- Any increase in the size of the facility, beyond the *development area*.

Document Review

WHLUB

New Recreation Commercial uses, including paintball facilities can be considered in any designation except the Village Core designation by development agreement. This type of development agreement is listed in Section 6.1 of the WHLUB.

WHLUB 6.1 Development Agreements

The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:

…

(y) Recreation Commercial uses in any designation, except the Village Core, in accordance with Policy 13.3.2 of the Municipal Planning Strategy;

WHMPS

Part 9.0 of the WHMPS contains the overall intention for properties within the Resource designation and Section 9.1 describes the intention for areas zoned General Resource (GR). These areas are not considered prime agricultural land but are intended to encourage the utilization of natural resources and provide for a range of rural land uses. In addition to resource-based uses, other land uses can be considered by development agreement. Certain uses like a paintball facility may benefit from a rural location as large lot sizes and wooded areas can often provide separation from existing uses.

Specific Criteria

Policy 9.1.7 is the enabling policy to be considered for this application. This policy provides Council with the ability to consider new Recreation Commercial uses in the General Resource Zone, by development agreement. The full list of criteria is included in Attachment A. In summary, the criteria are met since:

- The use will not adversely affect existing resource uses in the area; and
- The use is well suited for a rural location and is not more appropriately located in a Growth Center, Village or Hamlet.

In addition to the criteria outlined in this policy, Council must also consider the criteria from Policies 13.3.2 and 13.3.3. Policy 13.3.3 does not apply to this situation and is intended only for off-highway vehicle courses or similar uses.

Policy 13.3.2 provides Council with the specific criteria to consider new Recreation Commercial uses through a development agreement. In summary, the criteria are met since:

- The use is a recreation facility open to the public;
- The use does not include frequent use of motor vehicles like a racetrack or motocross course;
- The lot dimensions and structures are appropriately sized;
- The property can accommodate a safe roadway access as determined by the Nova Scotia Department of Public Works;
- Adequate parking is to be provided on-site;
- 100-foot setbacks and buffering requirements, ensure that neighbouring uses will not be adversely affected by excessive noise, littering, lighting or other visual intrusion;

- Adequate landscaping and buffering requirements are included in the draft development agreement.

WHMPS General Criteria

Policy 16.3.1 establishes the general criteria that must be considered for all development agreement applications. In summary, the proposal meets the criteria as:

- the proposal is not considered 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 Public Works Engineering Division, and Nova Scotia Department of Public Works have no concerns which have not been addressed in this report.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the subject lot. The subject lot also has a low risk shown on the Seawater Intrusion Vulnerability map.

Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

NEXT STEPS

As noted above, the proposed development agreement has been considered within the context of both the specific and general policies of the WHMPS and is consistent with the intent, objectives and policies of the WHMPS. The development agreement meets the specific and general criteria. As a result, it is reasonable to permit a development agreement for the proposed paintball facility.

Approval Process

Staff Review

▼

Public Information Meeting – June 6, 2023

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – March 14, 2024

▼

Regional Council First Reading – March 26, 2024*

▼

Public Hearing & Second Reading –April 23, 2024*

▼

Notice of Approval in Local Paper

▼

14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

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; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Attachment A	Policy Summary for Development Agreement
Attachment B	Draft Development Agreement
Attachment C	Public Information Meeting Notes

Report Prepared by: _____

Mark Fredericks, Senior Planner

Report Reviewed by: _____

Sara Poirier, Director of Planning and Development

Figure 1 – West Hants GFLUM Extract

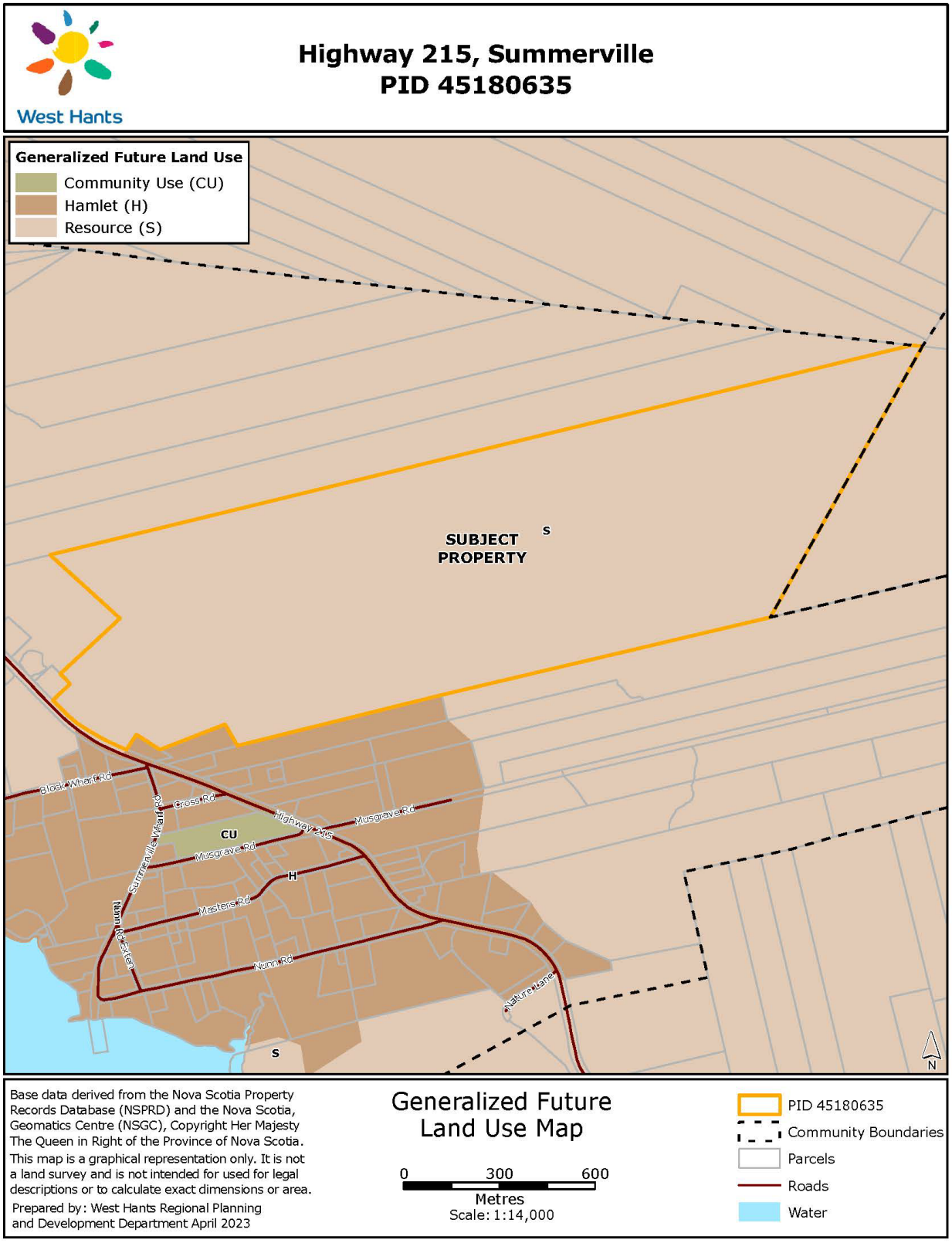
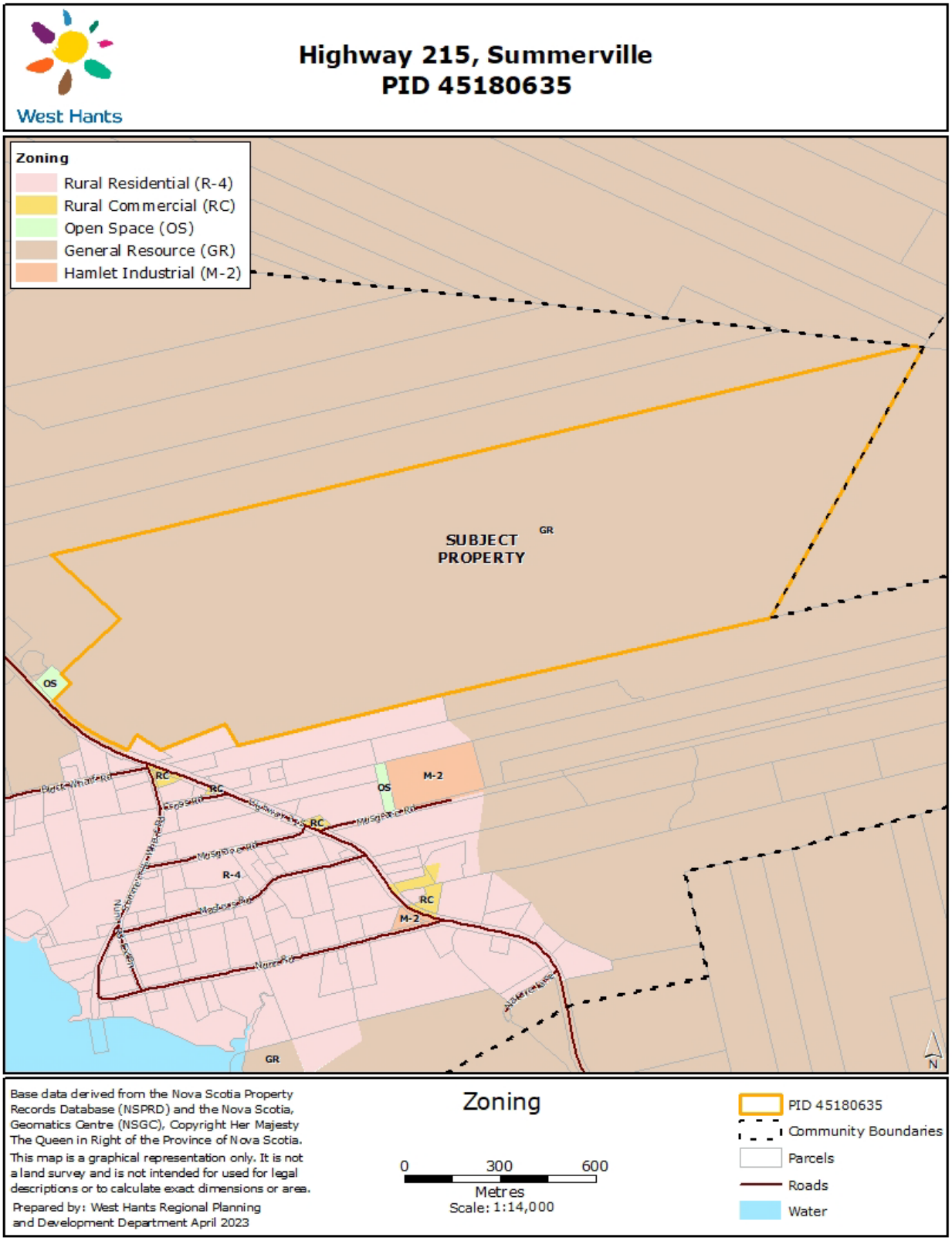


Figure 2 – West Hants Zoning Map Extract



Attachment A

Policy Summary for Development Agreements

West Hants Municipal Planning Strategy

Policy 9.1.7 It shall be the policy of Council that new Recreation Commercial uses may be considered in the General Resource (GR) zone by development agreement subject to Policies 13.3.2 and 13.3.3, provided:

CRITERIA	**COMMENT**
(a) the use will not adversely affect existing resource uses in the area; and	The proposed Paintball Facility is not expected to affect any existing resource uses in the area. With the use of 100-foot setbacks and buffering requirements, the impact on existing uses is expected to be minimal. The development area is located within the boundaries of a very large (400 acres) mostly wooded property. This provides separation from existing uses.
(b) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet.	The proposed Paintball Facility would not be better suited within a Growth Centre, Village or Hamlet. The proposed location, on the outer edge of the Hamlet of Summerville provides a large wooded property with more natural buffering and separation from existing uses.

Policy 13.3.2 It shall be the policy of Council to consider the establishment of new Recreation Commercial uses by development agreement in any designation except the Village Core subject to the following criteria:

CRITERIA	**COMMENT**
(a) the proposed use is a campground, golf course, driving range or other commercial entertainment or recreation facility which is open to the public and privately owned;	The proposed Paintball Facility is a recreation facility that will be open to the public and privately owned.
(b) the use shall not include race tracks, motocross courses or other establishments which require	The proposal does not include a race track, motocross course, or other frequent use of motor vehicles.

the continued or frequent use of motor vehicles;	
(c) the lot dimensions and any structures are adequate for the use at proposed capacity;	The property is 400 acres in size and the development area is intended to accommodate the structures and activity within a confined area.
(d) safe and efficient roadway access is provided;	The Nova Scotia Department of Public Works has no concerns regarding the road network and recommended a driveway location toward the southeast corner of the lot.
(e) adequate on site parking is provided;	A minimum number of on-site parking spaces is required in the draft development agreement.
(f) if the proposed development is located in a Growth Centre, the property has adequate frontage on an arterial or collector road;	Not applicable as the property is not located in a Growth Centre.
(g) neighbouring uses will not be adversely affected as a result of traffic generation, visual intrusion, hours of operation, noise, lighting, littering, dust or other impacts;	With the use of 100-foot setbacks and buffering requirements, the impact on existing uses is expected to be minimal.
(h) adequate landscaping, fencing or buffering, and separation distances will be provided;	The use of 100-foot setbacks and buffering requirements are included in the development agreement.
(i) any other matter which may be addressed by development agreement; and	No additional requirements considered.
(j) Policy 16.3.1.	See below

Policy 13.3.3 Notwithstanding clause (b) of Policy 13.3.2, Council may consider permitting off highway vehicle courses as Recreation Commercial uses by development agreement subject to the criteria of Policy 13.3.2 (excluding clauses (b) and (f)) and the following:

This policy is not applicable as the proposed Paintball Facility does not include any use of off highway vehicles or courses.

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

(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	The Municipal Public Works Engineering Division confirmed that no central sewer or water services are available at this location. The development agreement requires compliance with the Provincial authority regarding on-site water/sewer facilities.
(ii) the adequacy of school facilities;	Not applicable as the proposal does not include any residential units.
(iii) the adequacy of fire protection and other emergency services;	The Manager of Building and Fire Inspection Services has no issues with fire protection for the proposed uses. The local Fire Chief has stated that there is adequate fire protection for the proposed use and had no concerns.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The Nova Scotia Department of Public Works has no concerns regarding the road networks adjacent or leading to the development.
(v) the financial capacity of the Municipality to absorb any costs relating to the development.	There are no anticipated costs to the Municipality regarding this development.
(b) whether the development is serviced, or capable of being serviced, by a potable water	No central sewer or water services are available at this location. The

supply and either central sewer or an approved on-site sewage disposal system;	development agreement requires compliance with the Provincial authority regarding on-site water/sewer facilities.
(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	The Nova Scotia Department of Public Works has no concerns regarding movement suitability on the subject lot. There are no sidewalks leading to the site, however it is not anticipated that many people will walk to the Paintball Facility. There is no active rail transportation in the vicinity.
(d) the adequacy of the dimensions and shape of the lot for the intended use;	The Development Officer commented that the subject lot is suitable for this proposal.
(e) the pattern of development which the proposal might create;	The Development Officer has no concerns regarding the pattern of development.
(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;	The portion of the subject lot where the development area is located is relatively flat. There are no known water courses or wetlands on the property. No concerns were recorded during the site visit and the MCCAP report does not show any potential for inland or coastal flooding or saltwater intrusion.
(g) 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.
(h) any other matter required by relevant policies of this Strategy.	All relevant matters have been addressed in this report.

Attachment B – Draft Development Agreement

DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of , 2024.

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 –

MARLENE BONITA HILL, of Summerville, West Hants, 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 Highway 215, Summerville (PID 45180635) hereinafter referred to as the "Property", which lands are more particularly described in Schedule A attached hereto; and

WHEREAS the Property is designated Resource on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (the "Municipal Planning Strategy") and zoned General Resource (GR) on the Zoning Map of the West Hants Land Use By-law (the "Land Use By-law"), and

WHEREAS the Owner has requested that the Municipality enter into a development agreement to permit a Paintball Facility on the Property (the "Development"); and

WHEREAS Policy 9.7.1 of the Municipal Planning Strategy and Section 6.1 (v) of the Land Use By-law enable Council to consider entering into a development agreement to allow a Recreation Commercial use within the General Resource (GR) zone; and

WHEREAS the Council of the Municipality, at a meeting held on Month Day, 2024 approved this request and adopted this Agreement by policy, subject to the execution of this development agreement by the parties hereto and the other conditions herein;

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 as defined as follows:

(a) "*Paintball Facility*" means a recreation commercial use open to the public and operated for profit by private individuals. The facility may include more than one paintball course, and various stations for rental equipment, storage, player rest areas and spectator viewing areas. The paintball courses are intended to host a game that simulates military combat with players on one team trying to eliminate players on an opposing team by shooting capsules of paint at them.

(b) "*Development Area*" means the portion of the property illustrated on Schedule B to this Agreement.

1.2 Schedules

The following attached schedules shall form part of this Agreement:

Schedule A - Legal Description

Schedule B – Site Plan

1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law

(a) *Municipal Planning Strategy* means the Municipal Planning Strategy of the Municipality of the District of West Hants, effective on June 26, 2008, as amended, or successor By-laws;

(b) *Land Use By-law* means the Land Use By-law of the Municipality of the District of West Hants, effective on June 26, 2008, as amended, or successor By-laws;

(c) *Subdivision By-law* means the Subdivision By-law of the Municipality of the District of West Hants, approved on June 26, 2008, 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; and

(ii) a Paintball Facility.

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

2.2 Development Location and Design

(a) The Development shall be arranged within the *Development Area* as shown on the Site Plan in Schedule B.

(b) The Owner shall design the Development to minimize impact on nearby existing uses with vegetation and large setbacks as described in this Agreement.

(c) The Owner shall recognize the nearby Loyal Hill Cemetery and make reasonable efforts to pause or delay activity during funerals or other events in the cemetery.

2.3 Site Requirements

(a) Any temporary or permanent structures, parking areas and playing courses shall conform to the following requirements, and be located within the *Development Area* shown on the Site Plan:

Minimum Front Yard	100 feet (30.5m)
Minimum Rear Yard	100 feet (30.5m)
Minimum Side Yard	100 feet (30.5m)
Maximum Building Height	35 feet (10.6m)
Maximum Height of Accessory Building	25 feet (7.6m)

(b) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, *Accessory Buildings and Structures*.

(c) The Owner shall keep all undeveloped areas of the Property landscaped or forested.

2.4 Access and Egress

The main access/egress to the lot shall be directly from Highway 215. The driveway shall be approved by the Nova Scotia Department of Public Works prior to the Paintball Facility opening to the public. The vehicular entrance and exit shall be clearly demarcated and maintained to a level adequate to the standard set by the Nova Scotia Department of Public Works.

2.5 Parking

(a) The Owner shall provide a minimum of twenty (20) parking spaces on the Property.

(b) No on-street parking shall be permitted.

(c) Each parking space shall be a minimum of 10 feet by 20 feet (3m by 6m)

(d) Parking shall be located within the *Development Area* as shown on the Site Plan in Schedule B.

(e) The number of parking spaces may be varied by the Development Officer in accordance with section 2.13 of this Agreement.

2.7 Vegetated Buffers, Netting and Fencing

(a) The Owner shall enclose all paintball course areas with safety netting that is appropriately sized to capture any stray paint capsules.

(b) If a paintball course is developed within the open field portion of the *Development Area* shown on the Site Plan, then the Owner shall also provide a wide vegetated buffer along any property line that abuts the Loyal Hill Cemetery.

(c) If all paintball courses are developed entirely within the wooded portion of the *Development Area* shown on the Site Plan, then the Owner does not need to provide a wide vegetated buffer.

(d) If required, wide vegetated buffers shall be a minimum of 20 ft. (6 m.) wide and include:

  (i) A mixture of local deciduous and coniferous trees, shrubs, and berms to form a dense or opaque screen, and maintained for as long as the paintball facility is active.

  (ii) The tree species within the vegetated buffer shall include predominately White Spruce. Secondary tree varieties may include Grey Birch, Red Pine, and White Pine. Other local tree species may also be included.

  (iii) At the time of planting, each tree shall have a minimum height of 4 ft. and each shrub shall have a minimum height of 1.5 ft.

  (iv) Additional plantings may include Ninebark, Rosa Rugosa, Lilacs, Boxwoods or other local species.

2.9 Servicing

(a) Waste Collection

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

The Owner shall provide water and sewer services to the property in a manner that is compliant with the provincial authority.

(c) Snow Plowing

The Owner shall have sole responsibility for snow plowing within the Development.

2.10 Maintenance

(a) The Owner shall keep the Property and facilities 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 standard adequate to allow for access by emergency services vehicles.

2.11 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 control 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.

2.12 Hours of Operation

The hours of operation for the commercial uses within this Development shall be limited to between 9:00 a.m. and 9:00 p.m. daily, inclusive.

2.13 Variance

In accordance with Section 5.48 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) number of parking spaces required; and
(ii) height and area of a sign.

2.14 Subdivision

No alterations to the lot configuration, within the *Development Area* shown on the Site Plan 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.

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.

3.3 The following matters are substantive matters:

(a) the uses permitted on the Property as listed in Section 2.1, *Use*;

(b) increase in size of the paintball facility beyond the boundaries of the *Development Area* as shown on the site plan.

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

(c) If the Owners are bona fide delayed from commencing the development for reasons which are beyond the Owners' control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owners is excused for the period of the delay and the time period for the Owners 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.

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-laws 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 by-laws shall be deemed to be references to any successor legislation and by-laws 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 **Marlene Hill, and Patrick Hill, 4850 Highway 215, Summerville NS B0N 2A0** 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
)
)

)
) Marlene Hill
)
)
_____ Per:_____
Witness) Property Owner

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2024, 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 presence.

_____
A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2024, 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 presence.

_____
A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2024, 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, **MARLENE HILL**, one of the parties thereto, signed, sealed and delivered the same in 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 _____, 2024
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
HANTS COUNTY

AFFIDAVIT & PROOF OF EXECUTION (INDIVIDUAL)

I, Marlene Hill, the "Deponent", make oath and swear that:

1. **I acknowledge that I executed the foregoing instrument on the date of this affidavit; this acknowledgement 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 s.79(1)(a) of *the Land Registration Act* as the case may be.**
2. I am nineteen years of age or older and am a resident of Canada under the *Income Tax Act* (Canada).
3. For the purpose of this affidavit "spouse" means an individual who is married to another individual; is married to another individual by a marriage that is voidable and has not been voided by a declaration of nullity; has gone through a form of marriage with an individual, in good faith, that is void and they are cohabiting or have cohabited within the preceding year; or is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* as amended, but does not include an individual who becomes a former domestic partner pursuant to section 55(1) of the Act.
4. I am not a spouse and, with respect to the within property, I have no former domestic partner with the rights contemplated by section 55 of the *Vital Statistics Act*, nor any former spouse with rights in the within property under the *Matrimonial Property Act*, as amended.

I certify that on this _____, 2024
the Deponent came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

_____ _____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA
Print name/affix seal

MARLENE HILL

Schedule A
Legal Description
Taken from Property Online June 2023

Deed.pdf

Schedule B
Site Plan



Attachment C

Public Information Meeting Notes
June 6 – June 20, 2023
Development Agreement –PID 45180635, Highway 215, Summerville; File #23-07

Meeting date and time	A Public Information Meeting was held on June 6, 2023 beginning at 6 p.m. in Council Chambers at 76 Morison Drive in Windsor. The meeting was broadcast live on the Municipal Facebook page.
Attending	In attendance: Three (3) Councillors: • Councillor Jannasch (Chair) • Councillor Ivey • Mayor Zebian Four (4) members of staff: • Planner Mark Fredericks • Planner Alex Dunphy • Planning Administrative Assistant Vanessa Lake • Chief Administrator Officer Mark Phillips Applicant: • Patrick Hill Approximately 25 members of the public attended the meeting in-person.
Applicant Patrick Hill **Property** Highway 215, Summerville PID 45180635	Senior Planner Mark Fredericks outlined the request from Patrick Hill to establish a Paintball Facility on PID 45180635, Highway 215, Summerville. The applicant made a formal presentation. Patrick presented his intention to provide an outdoor recreation opportunity for members of the public to experience and try the sport of paintball. He explained that the paintballs are bio-degradable and that only intends to operate Friday-Sunday 9am – 5pm. The operation would be seasonal from May – October and closed during the winter months. Decibel readings of paintball guns are approximately 40-50 decibels, which is comparable to rural traffic noise.
Comments	Comments from the public could be submitted to Senior Planner Fredericks by mail, e-mail and telephone between June 6 – June 20, 2023. Approximately 10 members of the public spoke at the Public Information Meeting. Seven (7) comments or questions were

	received via mail, email or phone. The questions and comments from the public are summarized below. Email responses are attached. Staff and applicant responses are included in purple. Members of the public present at the Public Information Meeting asked about the proximity to the cemetery, and driveway access and location. Comments from the public also included questions about the environmental impact of the paintballs, which the applicant indicated he planned to only use food-grade biodegradable paint capsules. Discussion points included parking and maximum capacity of players. • Horses and noise impact • Any plans to expand • Support for the idea of the business • Ideas for vegetation, fencing and noise buffering • Parking, ensuring all parking is contained on-site • Question about tournament and ensuring adequate parking is provided • Funeral notification process to Patrick who agreed to close the paintball fields during funerals • Questions about who would enforce/control these issues
Adjournment	The meeting was adjourned at 6:48 p.m.

Email and letter correspondence:

From: Lola Velden
To: Mark Fredericks
Date: June 6, 2023

Good evening,

After attending tonights public information meeting, I wanted to reach out and address some of my concerns and more of my questions I had surrounding the permit for the paintball facility. My questions/concerns are as follows:

-How will Mr. Hill communicate to his customers that there is a cancellation or that the facility will be closed due to a funeral service? I worry this will result in more issues concerning traffic, parking, and respect to the grave yard.

-Is there any proof that noise will "not be an issue." Yes, Mr. Hill did claim that a singular paintball gun should be no louder than local traffic, however where is this proof and can we be sure of this. After doing some research of my own, paintball guns and the facilities themselves are not a noise free activity. From the sound of the guns firing, people yelling, to the whistle and sirens that wail to inform the players that games are starting/ending. How can we ensure that respect will be kept for the other members of the community who will be affected by this.

-In relation to noise, what sort of "props" will be on the grounds of the facility. Will the facility be metal, blow-up, plastic? These props that will be used during the games will affect the noises that occurs. For example, if metal is used, then the noise of paintball shells hitting the siding of metal containers will be amplified and could cause more disruption for the community.
The community of Summerville is beautiful because of its simple beauty. Many tourists rave about the beauty of the community. Building large and odd parts for this facility would make the paintball area look out of place, and would not match the surrounding area.

-In the meeting, many people were concerned with the traffic, parking, and amount of people that would be commuting on the very narrow and low visibility part of the 215 highway. Again, Mr. Hill claimed that all of that would be dealt with and that safety would be ensured. I guess my question is, what is being done to ensure that safety is a number one priority. As well, is Mr. Hill willing to take responsibility for if there is a car accident due to the placement of the facility.

-Also in regards to safety, who will be monitoring the facility to insure proper safety is being implemented. Also what about maintenance of the facility, rule following, and the environmental state of the land?

-A comment came up in the meeting concerning the pond that is located behind the grave yard. Based on the layout for the proposed map of the facility, the playing fields and equipment storages will be in very close proximity to this pond. This pond has been known for years to have fish, frogs, and a beaver community. How can we ensure that this wildlife will be safe and remain protected?

-Mr. Hill mentioned that washrooms would be available on site. Will these be portable toilets? If so, how will they be taken care of and how will they be ensured they are maintained. Also, who is in charge of overseeing this part of the facility?

-One of my biggest concerns regarding the new facility is its proximity to the grave yard. Mr. Hill claimed that he would make proper arrangements to allow for the proper respect of those who might be visiting the grave yard due to a funeral. However, many members of the community visit the grave yard daily to pay their respects. I feel that having the paintball facility so close would impact the experience for those trying to mourn loved ones.
There is also concern of destruction to the tombstones due to the paintball guns. Again, Mr. Hill claimed that netting would be in place to protect this area, but there was no proof or further discussion around the matter during the meeting, which left me questioning what was actually going to be done to prevent this.

Overall, I just would like to state that I think the idea of a paintball facility in the community of Summerville is not a good idea. The fact that Mr. Hill was present at the meeting with no evidence of research, no written out plan, no details of the facility, and more seemed to be that he had no true plan of action and was just making promises to the public. How can we ensure that all these so called promises he has made will be met in this new facility.

Thank you for your time,
Lola Velden

…

From: Mark Fredericks
To: Lola Velden
Date: June 6, 2023

Hi Lola,
Thanks for reaching out.
We have not determined how the relationship with the cemetery will work yet. This is something we are investigating and recognize there may be visits beyond funerals that could be impacted by the Paintball facility. The paintball course props are not intended to be loud sheet metal but may include wood pallets and inflatable obstacles. Parking and road access will be controlled within the development agreement and road safety is the responsibility of the Provincial road authority who will issue a commercial access permit, only if the driveway location can meet their safe stop sight distance requirements. Setbacks from the road, property lines and watercourses will also be controlled within the development agreement to minimize impact on any ponds, streams, and adjacent properties. Portable toilets are being proposed, and we are investigating this aspect with the provincial department of environment who regulates septic systems and drinking water wells. If appropriate, these facilities can be controlled within the development agreement through a maintenance schedule to ensure any portable facilities are maintained regularly.

I've captured your concerns contained in this email and we aim to address many of these issues through the development agreement process.
Thanks

From: Pam Paterson-Hill
To: Mark Fredericks
Date: June 19, 2023

Good morning.
I am writing to give my support to the idea of a paintball range in the community of Summerville. I am a resident of Summerville.
Summerville is an area of West Hants that is prime for growth. It is 30 minutes from Windsor. An easy drive in the summer. Summerville and “the shore” have often felt like a forgotten region when it comes to development. This would be a step in the right direction. It would also be another activity to draw people to the area. Summerville has a wonderful restaurant and fantastic bass fishing. There is a campground in Kempt and a golf course in Cambridge. This paintball course would be another benefit to the area, providing entertainment and employment opportunities.
I cannot express my support more strongly. The naysayers my be vocal, but they are wrong. This is an opportunity that should be given support by the community and allowed the chance thrive for the benefit of future growth.
Pam Patterson

From: Carolyn Smith
To: Mark Fredericks
Date: June 14, 2023

Re: Proposed Paintball Facility in Summerville

Dear Mr. Fredericks:

In follow-up to the information meeting held on June 6, 2023, I would like to reiterate my position on the above-noted proposal.

I am President of the Loyal Hill/Musgrove Road Cemeteries Committee. I have only been involved with this group since November 2020 and am amazed at the amount of volunteer work that goes into keeping our cemeteries looking well. I have lived in this community for 60 years and I am not against a Paintball Facility and perhaps it would be a good thing for the community but why does it need to go directly beside the Loyal Hill Cemetery? They appear to own alot of acreage and I am sure they could find another spot that would be more suitable, other than the fact that this land is already cleared.

I do not know Patrick Hill personally and therefore cannot express an opinion on his behavior. At the meeting he appeared to want to be respectful of the cemetery and I can only hope that this will continue to be the case. I know that he told our local funeral director that he will not operate during a funeral. Who will be responsible to notify him when a funeral is taking place? It is not going to be anyone from our group.

Although most of the funerals are conducted by Reed Allen, there are other funeral homes who do conduct services there and last year a funeral home from Truro did a burial. How will these people know to contact Patrick? Again, we are not going to be responsible for this.

Unfortunately, most funerals are held on the weekend and this will be prime paintball activity time. I just cannot see the viability in shutting down for an hour or two. If anyone travels any distance to play and then finds out they have to stop for a period of time, I think that is when the problems will start. My fear is that they will take it out on the cemetery. We rely solely on donations and do a small amount of fundraising but we are a very small group and most of us are seniors. We do not have the means to start replacing or repairing headstones and we will be the first ones that the lot owners or family members will complain too. Will Patrick be required to carry liability insurance in the event that damage does occur?

In speaking with local residents, most were not aware that this was being proposed. Only those who have property within a certain distance were notified. Will you be holding a local meeting in the community perhaps at the Summerville Fire Hall or the Flying Apron so that other people can hear the pros and cons? Patrick did give some details but he really didn't have any

information to back up what he said. He said the paintballs cannot go over a 12 foot fence, which he plans to erect but where are the facts to prove this? I think we need alot more information as people are of differing opinions about how much damage can be done to the environment or to individuals. I would say that this is on him to prove to the community that this will be a good thing and he needs to present it with facts.

Also, has the local fire department been notified of this? There are acres of woodland around this area. Is there a possibility that a fire could occur due to paintball activity?

In closing, my main concern is that the cemetery remain protected and I think we need more information backed up by facts that will address everyones fears before granting approval to this request.

Thank you.

Carolyn Smith

From: Shauna Thompson
To: Mark Fredericks
Date: May 29, 2023

Hi Mark,

I understand you're looking after the file regarding the business proposal for the property described below. We're trying to understand how close the proposed business would be to our property. Are you able to disclose the site on the property they intend to develop? We operate an equestrian business across the road and proximity will determine the degree of impact (if any).

Thank you,

Shauna Thompson

…

From: Mark Fredericks
To: Shauna Thompson
Date: May 30, 2023

Hi Shauna and Glen,

Thanks for reaching out. I understand you have an equestrian riding ring across the street from the graveyard and the proposed paintball facility is planned to locate on the property to the south of the graveyard. Most of the activity is intended to locate towards the back of the field and in the wooded area. The *attached* sketch/site plan was submitted as part of the application and helps illustrate the proposed layout.

There is opportunity to adjustment or revise this layout in ways that could include additional buffering or fencing to help minimize the impact on the surrounding properties. For example, one revision will relate to the proposed driveway, which the road authority has asked to be moved further south to comply with their stop sight distance requirements.

Please let me know if you have any questions.

You can reach me at the number below if you'd like to discuss in more detail.

Thanks

From: Shauna Thompson
To: Mark Fredericks
Date: June 19, 2023

Mark Fredericks June 19, 2023
Senior Planner
West Hants Regional Municipality
Re: Paintball Permit for PID 45180635

Dear Mr. Fredericks,
My husband Glen Thompson and I live at 4993 Highway 215 and our property is across the road from the proposal indicated above. After attending the information session and doing some subsequent research on this type of business, we have the following feedback regarding the proposal for the Planning Committee's consideration:

Noise Concern

We are gravely concerned about the noise that will be created by the combat simulated, high intensity sport recognized as an extreme sport. Since neither of us have played speedball or paintball, we did some researching. After looking into the sport, noise from not only the guns, but from sirens, whistles, yelling, etc. is expected. Mr. Hill mentioned at the information session that 5 on 5 speedball would be played in the field area. There are countless videos easily found on YouTube that demonstrate the game. Please take a few minutes to watch the links below in order to get a sense of what this activity sounds and looks like (note; we picked the first two that weren't overlayed with music but there are many more available).
https://www.youtube.com/watch?v=8kqf9g3sl1o
https://www.youtube.com/watch?v=6mcyHx4TfBU
Based on what you see in videos such as these and what we've learned about paintball, we strongly believe that the disruption to Red Ridge Farm's equestrian business, operating out of the arena directly across the road, the Loyal Hill Cemetery adjacent to the proposed site and the surrounding community would be substantial. I am an Equestrian Canada Licensed Coach who uses the riding arena almost daily to teach and train riders and horses. Students range in age from children to adults at all levels of skill including beginner level and the arena is also rented out to other coaches who bring riders with a range of skill and ability. Young and inexperienced horses are also using the arena. Anyone who has equine experience will tell you that loud popping and cracking noises can easily startle horses putting the rider and horse at risk. A startled horse may run blindly and there are countless incidents citing injuries to horse and/or rider which can be severe enough to cause permanent disability or even death. Even if more experienced riders and horses handle the noise better, the noise and commotion from the paintball park would certainly have a negative impact on our growing business resulting in lost revenue.
The riding arena is used 6-7 days a week and I observe visitors at the Loyal Hill Cemetery several times a week during that time. It is likely that the frequency of visitors is much higher. Although there could be a way to accommodate funerals, it would be impossible to do this for the visitors and they would have to listen to combat type noise in the background. This could be especially upsetting, if not unbearable, for veterans.

From: Mark Fredericks
To: Shauna Thompson
Date: June 20, 2023

Hi Shauna and Glen,

Thank you for attending the Public Information Meeting and for submitting this letter. I can confirm the municipality has received it and saved it as part of the application.

We recognize the same concerns and are exploring options for a revised layout with the applicant. We are also reviewing buffering and setback requirements to provide adequate separation between the different uses in this part of the community.

More information will be presented to the Municipality's Planning Advisory Committee at an upcoming meeting. You can preview this committee's agendas, here:

https://westhants.ca/planning-advisory-committee-1/planning-advisory-committee-meeting-packages/2023.html

Let us know if you have any questions.

Thanks

Received by mail:

June 13, 2023

Mark Fredericks
West Hants Regional Municipality
76 Morrison Dr., PO Box 3000
Windsor, NS
B0N 2T0

Re: Paintball Facility, Summerville, NS

Dear Mr. Fredericks:

I have been a volunteer with the Loyal Hill and Musgrove Road Cemeteries for approximately 25 years and have served as Treasurer for 23 years.

In the past, we have always worked sucessfully with the owner of the adjoining property, the late Bradley Lake. Since his death, we have had interference from his daughter, Marlene Hill on several occasions. She has always expressed concern about how any maintenance work carried out at the cemetery will affect the pond or the adjoining property. I feel that now since she is the acting agent, she will have influence on how this facility will be managed. Now it appears that her worries regarding how the land is maintained will be on the back burner.

I am also concerned regarding the potential noise that could come from the Paintball Facility. Because Summerville does not have a Noise Bylaw, this could take away from the cemetery being a peaceful place.

We had issues before regarding partying on the adjoining property which spilled over into the cemetery and vandalism occurred. We asked that they keep off the cemetery property, however this did not work and we had to report the damage to the RCMP. The only suggestion they had was to erect a fence and to put up "Keep Out" and "No Parking" signs. This is not acceptable for a cemetery. We feel that if similar issues occur because of this Paintball Facility, we will have little support from the RCMP.

We pride ourselves in the appearance of this cemetery and work hard to maintain this. I feel that the equipment on this Paintball Facility will take away from the peaceful appearance we as a group are striving for.

Please take into consideration all of my concerns when determining if this Paintball Facility will be granted.

Yours truly,

Juliette Spencer

Received by mail:

June 14, 2023

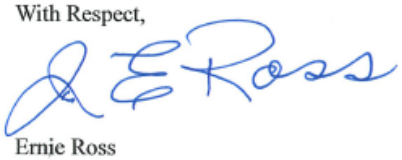
Submission to: Mark Fredericks

Re: The proposed zoning for a Paintball Operation on Hwy 215 Summerville.

Attached are three concers regarding the operation of a Paintball business.

Thank you for the oppportunity to submit this package.

With Respect,



Ernie Ross

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: _____
Mark Fredericks, Senior Planner

Date: March 26, 2024

Subject: WHLUB Map Amendment: 4236 Highway 14 (PID 45329851), Windsor Forks; File #23-41A

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to proceed to Public Hearing and Second Reading, the following motion would be in order:

…that Council gives First Reading and will hold a Public Hearing to consider amending Schedule A of the West Hants Land Use By-law to rezone PID 45329851 at 4236 Highway 14 in Windsor Forks from the Rural Commercial (RC) zone to the General Resource (GR) zone as shown in the report #23-41 to the Planning and Heritage Advisory Committee dated March 14, 2024.

BACKGROUND

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

A completed application was received on January 8, 2024, from the owner of the property, Sheldon Musseau. The application requests Council consider rezoning the subject lot from the current Rural Commercial (RC) zone to the General Resource (GR) zone to support the potential sale of the property for residential uses. The property currently includes a single unit dwelling and a large barn. The zoning change reduces the possible permitted uses as the proposed

General Resource (GR) zone permits fewer land uses than the current Rural Commercial (RC) zone.

In the early 2000's, the previous owners used the barn as an antiques shop and the Highway Commercial (HC) zoning was applied prior to the 2008 planning documents, to reflect the commercial nature of this business. The current owners no longer operate any commercial use on the property and have requested a zone change to the General Resource (GR) zone which is consistent with the surrounding area.

A Public Information Meeting was held on February 6, 2024. No public comments were received at the meeting or during the public comment period that followed.

On February 14, 2024, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The PAC/HAC recommended in favour of the application at this meeting.

NEXT STEPS

The process for this application is as follows.

Process

Staff Review

▼

Public Information Meeting – February 6

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – March 14

▼

Regional Council First Reading – March 26

▼

Public Hearing & Second Reading – April 23*

▼

Notice of Approval in Local Paper

▼

14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to this application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the map amendment; or
- provide alternative direction such as requesting further information on a specific topic.

APPENDICIES

Appendix A — 2024-03-14 Staff Report – WHLUB Map Amendment: 4236 Highway 14 (PID 45329851), Windsor Forks; File #23-41

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation and the application proceeding through to the Public Hearing stage. This will allow for an up-to-date presentation of all information pertaining to the application for both Council and residents. Further, it will allow for a thorough review of that information at second reading when Council is asked to make a final decision on this matter.

Report Prepared by: _____
Mark Fredericks, Senior Planner

Report Approved by: _____
Sara Poirier, Director of Planning and Development

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

Appendix A – 2024-03-14 Staff Report - WHLUB Map Amendment: 4236 Highway 14 (PID 45329851), Windsor Forks; File #23-41

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X	Decision Request ☐	Councillor Activity ☐

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

Submitted by: _____
Mark Fredericks, Senior Planner

Date: March 14, 2024

Subject: WHLUB Map Amendment: 4236 Highway 14 (PID 45329851), Windsor Forks; File #23-41

LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

RECOMMENDATION

To enable the rezoning of the subject lot to the General Resource (GR) zone, 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 amending Schedule A of the West Hants Land Use By-law to rezone PID 45329851 at 4236 Highway 14 in Windsor Forks from the Rural Commercial (RC) zone to the General Resource (GR) zone as shown in the report #23-41 to the Planning and Heritage Advisory Committee dated March 14, 2024."

BACKGROUND

A completed application was received on January 8, 2024, from the owner of the property, Sheldon Musseau. The application requests Council to consider rezoning the subject lot from the current Rural Commercial (RC) zone to the General Resource (GR) zone to support the potential sale of the property for residential uses. The property currently includes a single unit dwelling and a large barn. The zoning change reduces the possible permitted uses as the proposed

General Resource (GR) zone permits fewer land uses than the current Rural Commercial (RC) zone.

In the early 2000's, the previous owners used the barn as an antiques shop and the Highway Commercial (HC) zoning was applied prior to the 2008 planning documents, to reflect the commercial nature of this business. The current owners no longer operate any commercial use on the property and have requested a zone change to the General Resource (GR) zone which is consistent with the surrounding area.

DISCUSSION

The subject lot is approximately 1.88 acres in size with approximately 337 feet (103m) of road frontage on Highway 14. The lot is currently designated Resource on the Generalized Future Land Use Map (GFLUM) of the West Hants Municipal Planning Strategy (WHMPS) (*Figure 1*). The subject lot is zoned Highway Commercial (HC) on Schedule A of the West Hants Land Use By-law (WHLUB) (*Figure 2*).

Surrounding Context

The subject lot is within the community of Windsor Forks along Highway 14, at the intersection of Sangster Bridge Road, near Ski Martock Road. The properties immediately surrounding the subject lot are also designated Resource and mostly zoned General Resource (GR). There are other properties nearby that have Rural Commercial (RC) zoning and on the other side of Highway 14 is a large area of Agricultural Priority 2 (AR-2) zoning. The immediately surrounding properties host a mixture of rural residential and agricultural uses.

Document Review

The intention of the Resource designation is outlined in Section 9 of the WHMPS. The purpose of the Resource designation and the General Resource (GR) zone is to prioritize resource based land uses and accommodate rural residential development.

> ***Policy 9.1.1*** *It shall be the policy of Council to establish a General Resource (GR) zone which will apply to areas of West Hants in the Resource designation which are outside the Growth Centres, Village and Hamlets and are not zoned for agricultural, mineral or water supply uses. This includes large parcels of Crown land, land owned by forestry companies, areas of seasonal residential development which are accessed by private roads, and rural areas which are not considered to be under intense development pressure.*

The subject lot is part of the existing fabric of the Windsor Forks community, which is located outside of the Growth Centres, Villages/Hamlets and is well suited to accomodate rural residential dwellings or certain resource type uses if rezoned to the General Resource (GR) zone.

General Criteria

WHMPS Policy 16.3.1 establishes the general criteria that must be considered for all amendments to the WHLUB (Attachment A). In summary, the proposed rezoning meets the criteria as:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Development Officer, Manager of Building and Fire Inspection Services, and Nova Scotia Public Works have no concerns with the proposed rezoning which have not been addressed in this report.

MUNICIPAL CLIMATE CHANGE ACTION PLAN

The West Hants Municipal Climate Change Action Plan (MCCAP) does not recognize the Windsor Forks area to be at risk from coastal flooding or sea water intrusion, as this community is located inland and far from the coast. The subject lot is near a watercourse that is located on an adjacent property. The subject lot's buildings are upland from this watercourse, which appears to drain storm water effectively towards the northeast. The MCCAP report does not show any climate change related flood risk on the subject lot.

Property owners are responsible for ensuring that the lot is suitable for the proposed use.

NEXT STEPS

As noted above, the proposed amendment has been considered within the context of both the intent of the Resource designation and the general amendment criteria of the WHMPS and is consistent with the intent, objectives, and policies of the WHMPS. As a result, it is reasonable to amend the zoning of PID 45329851 from the Rural Commercial (RC) zone to the General Resource (GR) zone.

Approval Process

Staff Review

▼

Public Information Meeting – February 6

▼

PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation – March 14

▼

Regional Council First Reading – March 26*

▼

Public Hearing & Second Reading – April 23*

▼

Notice of Approval in Local Paper

▼

14-Day Appeal Period

*anticipated dates; final dates set by Council

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the WHLUB map amendment as drafted or as specifically revised by direction of PAC/HAC; or
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract - Current
Figure 3	West Hants Zoning Map Extract – Proposed
Attachment A	Policy Summary for WHLUB Amendments
Attachment B	Public Information Meeting Notes

Report Prepared by: _____

Mark Fredericks, Senior Planner

Report Reviewed by: _____

Sara Poirier, Director of Planning and Development

Figure 1 - West Hants GFLUM Extract

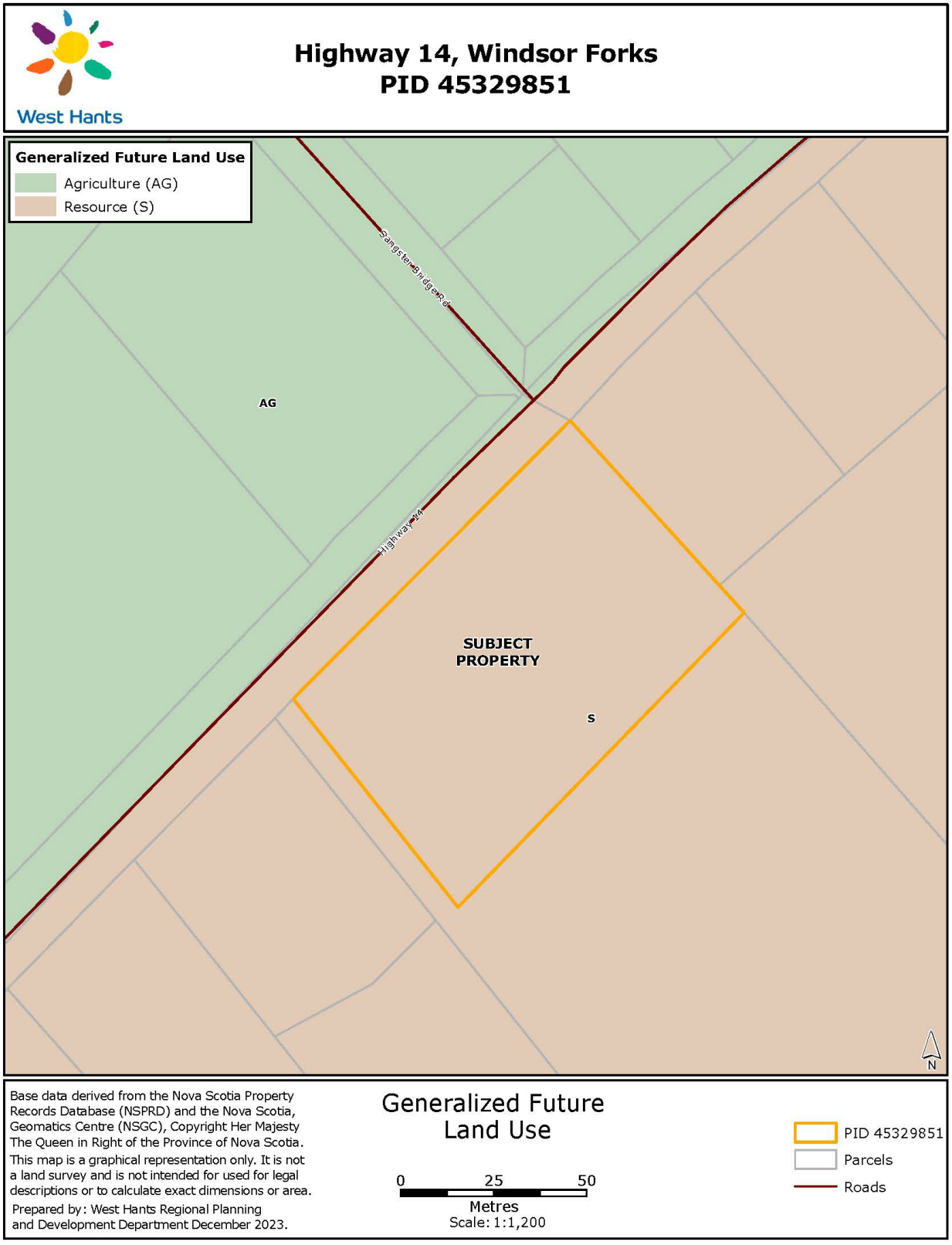


Figure 2 - West Hants Zoning Map Extract - Current

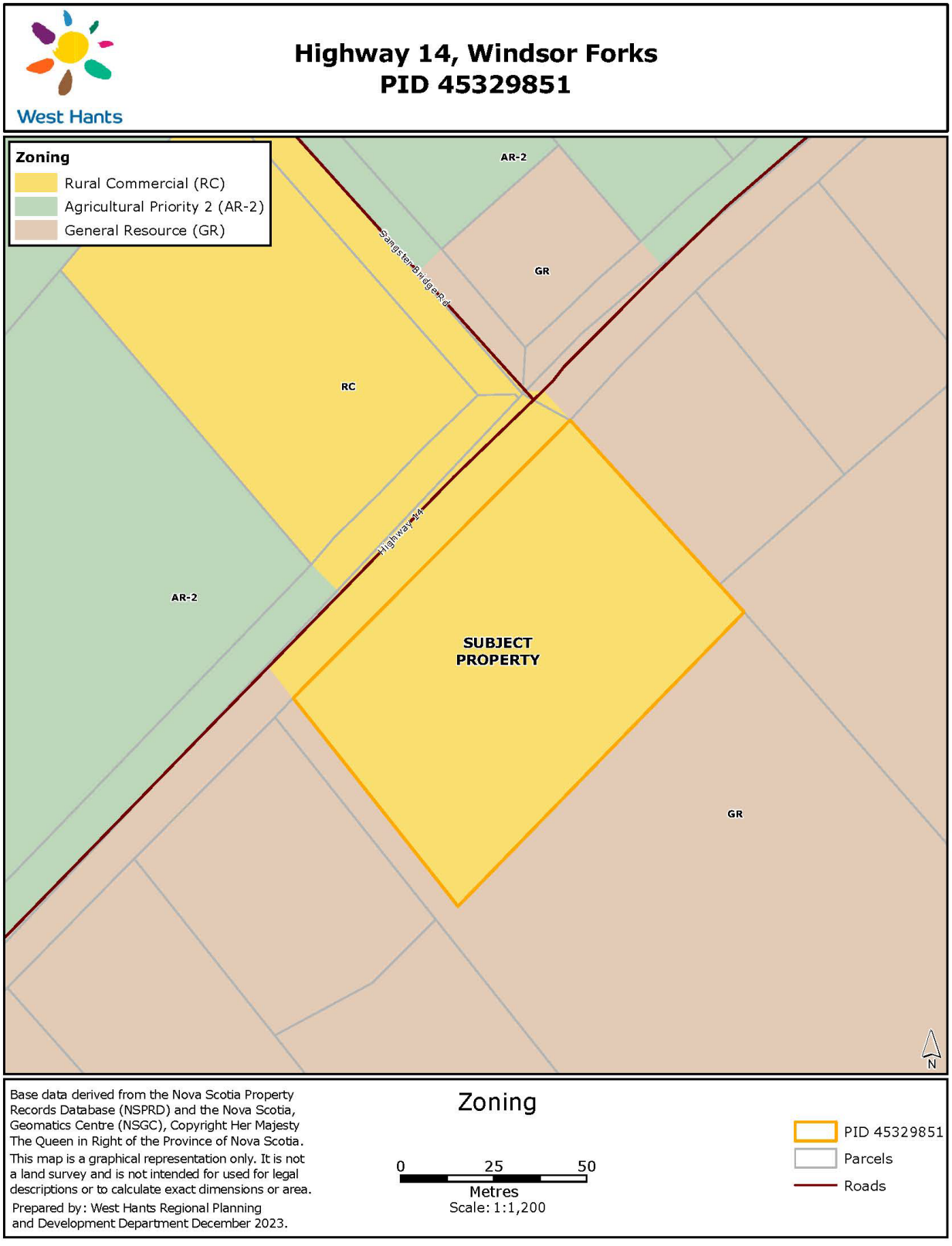
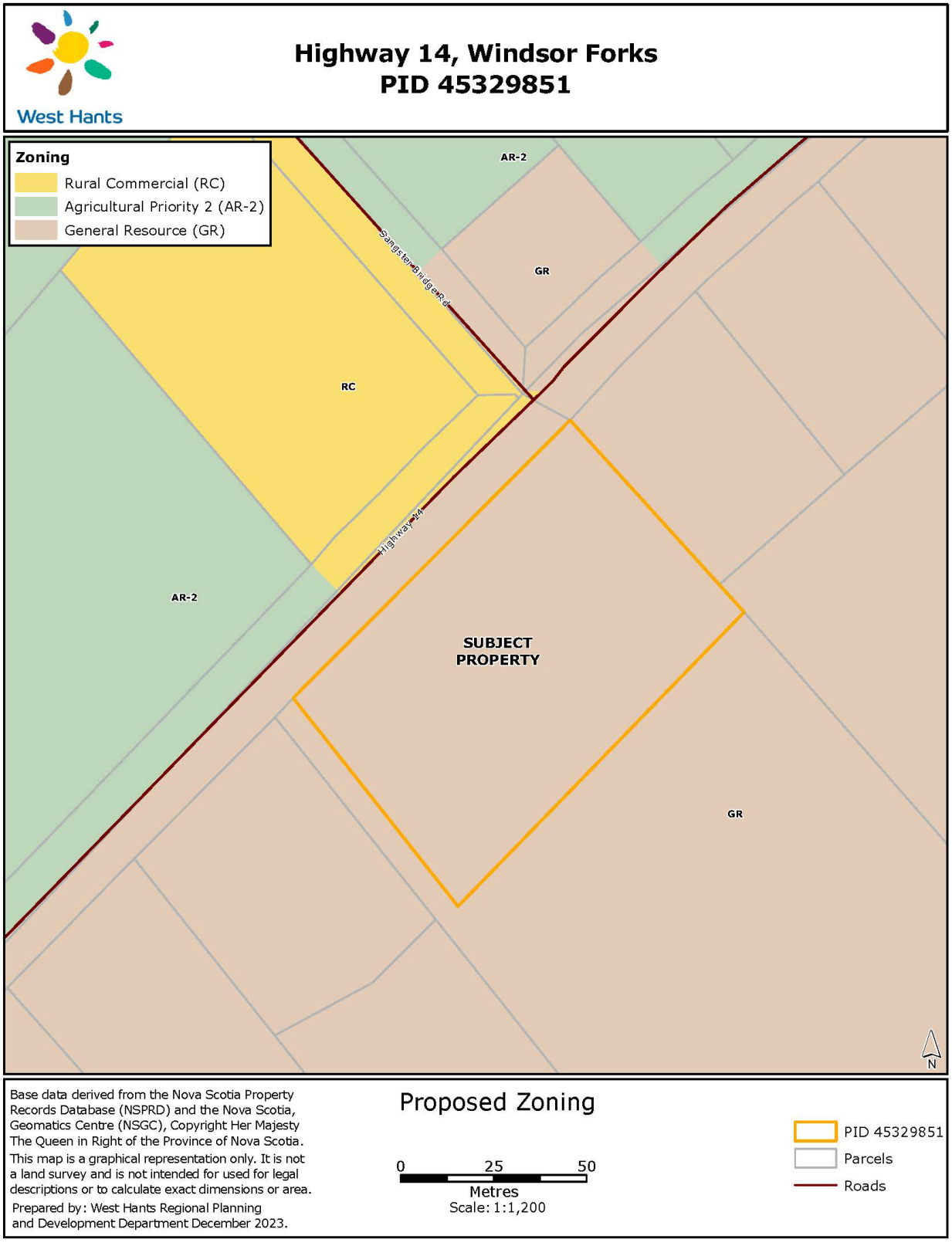


Figure 3 - West Hants Zoning Map Extract - Proposed



Attachment A - Policy Summary for WHLUB Amendments

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

(a) whether the proposal is considered premature or inappropriate in terms of:	
(i) the adequacy of sewer and water services;	No Municipal sewer or water services are available in Windsor Forks. The property has an existing septic and well. The approval for these on-site services is within the jurisdiction of Nova Scotia Department of Environment and Climate Change.
(ii) the adequacy of school facilities;	The proposed rezoning does not represent a change in school population.
(iii) The adequacy of fire protection and other emergency services;	The subject lot is located within the Brooklyn Fire District. Staff reached out to the Fire Chief but have not yet received any feedback. It is unlikely that the proposed zoning change would create any new issues with adequacy of emergency equipment or response time due to the existing conditions of the site.
(iv) the adequacy of road networks adjacent to, or leading to the development; and	The subject lot has an existing driveway access to Highway 14. Nova Scotia Public Works has indicated the have no concerns with the current driveway or the surrounding road network.
(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) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on site sewage disposal system;	See (a)(i) above.
(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;	Nova Scotia Public Works has indicated they have no concerns with the surrounding road network and the movement of automobiles. There is no active rail transportation in the vicinity.

	There is no sidewalk or other pedestrian infrastructure in the vicinity.
(d) the adequacy of the dimensions and shape of the lot for the intended use;	The Development Officer had no concern with the lot or the proposed rezoning. The lot has adequate lot area and more than double the required minimum lot frontage for the General Resource zone.
(e) the pattern of development which the proposal might create;	The rezoning would not create any unusual development patterns.
(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;	The subject lot appears suitable. No changes are being proposed to the existing buildings, or uses on the property.
(g) 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.
(h) any other matter required by relevant policies of this Strategy.	All relevant matters have been addressed in this report.

Attachment B - Public Information Meeting Notes

February 6 – 20, 2024
WHLUB Map amendment:4236 Highway 14 (PID 45329851), Windsor Forks; File 23-41

Meeting date and time	A Public Information Meeting was held on February 6, 2024 beginning at 6:26 p.m. in Council Chambers at 76 Morison Drive in Windsor.
Attending	In attendance: • Mayor Zebian • Senior Planner, Mark Fredericks • Planner, Alex Dunphy • Director of Planning and Development, Sara Poirier • Planning Administrative Assistant Vanessa Lake • Chief Administrative Officer, Mark Phillips • Sheldon Musseau, Applicant No members of the public were present for the Public Information Meeting.
WHLUB map amendment: Rezone 4236 Highway 14 (PID 45329851) in Windsor Forks from Rural Commercial (RC) to General Resource (GR)	Planner Fredericks outlined the request and described the proposed rezoning process to change from the Rural Commercial (RC) zone to the General Resource (GR) zone. The applicant did not make a formal presentation.
Comments	No comments were made during the Public Information Meeting.
Adjournment	There being no further business, the meeting was adjourned at 6:36 p.m.

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, Director of Planning and Development

Date: 2024-03-26

Subject: Non-Substantive Development Agreement Amendments: PID 45059631, Wentworth Rd.; File #24-06 A

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

Should Council wish to approve the non-substantive amendments to the development agreement the following motions would be in order:

…that Council approves the non-substantive development agreement amendments on PID 45059631 on Wentworth Road in a manner substantively the same as the draft set out in Attachment B of the report File #24-06 to the Planning and Heritage Advisory Committee dated March 14, 2024.

…that Council requires that the development agreement amendment 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 development agreement with FH Development Group Inc. was approved by Council on July 26, 2022. The development agreement permits a residential development consisting of a maximum of 240 apartment dwelling units and 17 townhouse dwelling units, as well as 10,000 sq. ft. gross floor area on the ground floor of Building A for commercial uses. The details of the original application, considerations and development agreement can be found in the staff report #22-03 to the Planning and Heritage Advisory Committee dated June 9, 2022 (Attachment A).

A completed application was received on February 1, 2024, from Ahsan Khan of FH Development Group Inc. on behalf of the property owner Faisal Al-Hammadi of FH Development Group Inc. The application was to consider an amendment to the recently approved development agreement with FH Development Group Inc. on PID 45059631, Wentworth Road, to increase the number of apartment units permitted in Building A from 40 to 43 and reduce the gross floor area on the ground floor for commercial uses from 10,000 sq. ft. to 5,000 sq. ft. due to financing considerations.

A revision to the application was received on February 20, 2024, from Ahsan Khan to consider allowing the commercial space to be converted to residential apartment units if it is unable to be leased within one year of framing the commercial space as the developers are unsure of the demand for commercial space in Windsor.

Another revision to the application was received on March 7, 2024, from Ahsan Khan to consider removing the plaza and revising the site plan to show the driveway closer to Building A due to recommendations of a Geotechnical Engineer.

DISCUSSION

Development Agreement Amendments

A property owner can apply for an amendment to a development agreement registered on their property at any time. Section 3.3 of the development agreement with FH Development Group Inc. outlines substantive matters of the development agreement. Substantive matters are any items that Council has determined would significantly alter the intended effect of the development agreement if changed. When a request is received from the property owner 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. Section 3.3 of the development

agreement with FH Development Group Inc. states that 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.

Increasing the number of apartment units permitted in Building A, reducing the gross floor area on the ground floor for commercial uses, and allowing the conversion of the commercial space to residential apartment units if it is unable to be leased within one year of framing does not impact any matter listed as substantive in this development agreement. Additionally, removing the plaza and revising the site plan to show the driveway closer to Building A is a non-substantive amendment to the development agreement and does not reduce the overall recreation space to be provided on site. These requested amendments will not change the intent of the overall maximum number of apartment dwelling units permitted on the site or the order in which buildings are constructed. Therefore, this application can follow the process for a non-substantive development agreement outlined in the *Next Steps* section of this report.

Proposed Amendments

There are four (4) amendments proposed to this agreement:

1. attach an updated site plan specifying the increased number of apartment units in Building A and the reduction of gross floor area for commercial uses;
2. increase the number of apartment units permitted in Building A from 40 to 43 and reduce the gross floor area on the ground floor for commercial uses from 10,000 sq. ft. to 5,000 sq. ft. in Section 2.2, *Development Location and Design*;
3. remove the requirement for the plaza or central garden in Section 2.8, *Recreation Space;* and
4. add a new Section 2.16, *Building A Commercial Space*, which will outline the parameters to be met by the Owner for the Development Officer to consider allowing the commercial space to be converted to residential apartment units.

All remaining terms and conditions of the development agreement will remain in full force and effect.

The application was presented to the Planning and Heritage Advisory Committee (PAC/HAC) on March 14, 2024. The PAC/HAC discussed the non-substantive development agreement amendments in detail including:

- concerns with the removal of commercial space on Wentworth Road and the current Windsor commercial market;
- removal of the plaza and recreation space requirements of the development agreement;
- the Geotechnical Engineer assessment, the history and challenges of the lot;
- commencement period for construction in the development agreement; and
- sidewalk requirements of the development agreement.

The PAC/HAC recommended in favour of the proposed non-substantive development agreement amendments at this meeting.

NEXT STEPS

The process for this non-substantive development agreement amendment is as follows:

Process
Staff Review
▼
PAC/HAC Review and Recommendation – March 14
▼
Council Decision – March 26
▼
Notice of Approval in Local Paper
▼
14-day Appeal Period

FINANCIAL IMPLICATIONS

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

ALTERNATIVES

In response to the application, Council may:

- approve the development agreement amendments as drafted or as specifically revised by direction of Council;
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A	2024-03-14 Staff Report - Non-Substantive Development Agreement Amendments: PID 45059631, Wentworth Rd.; File #24-06

Chief Administrative Officer Comments

The development and amendments are in keeping with the Development Agreement and the original proposal. Commencement is anticipated this year as noted by the developer and conditions in the DA.

I support the recommendation.

Report Prepared by: _____
Sara Poirier, Director of Planning and Development

Report Reviewed by: _____
Mark Fredericks, Senior Planner

Report Approved by: _____
Mark Phillips, Chief Administrative Officer

Attachment A

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, Director of Planning and Development

Date: 2024-03-14

Subject: Non-Substantive Development Agreement Amendment: PID 45059631, Wentworth Rd.; File #24-06

LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

RECOMMENDATION

Staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

…that PAC/HAC recommends that Council approve the non-substantive development agreement amendment on PID 45059631 on Wentworth Road in a manner substantively the same as the draft set out in Attachment B of the report File #24-06 to the Planning and Heritage Advisory Committee dated March 14, 2024.

…that PAC/HAC recommends that Council require that the development agreement amendment 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 February 1, 2024, from Ahsan Khan of FH Development Group Inc. on behalf of the property owner Faisal Al-Hammadi of FH Development Group Inc. The application was to consider an amendment to the development agreement with FH Development Group Inc. on PID 45059631, Wentworth Road, to increase the number of apartment units permitted in Building A from 40 to 43 and reduce the gross floor area on the ground floor for commercial uses from 10,000 sq. ft. to 5,000 sq. ft.

A revision to the application was received on February 20, 2024, from Ahsan Khan to consider allowing the commercial space to be converted to residential apartment units if it is unable to be leased within one year of framing the commercial space.

Another revision to the application was received on March 7, 2024, from Ahsan Khan to consider removing the plaza and revising the site plan to show the driveway closer to Building A. The applicant provided the following reasoning: this request is made "as per the recommendations of the Geotech Engineer. The geotechnical investigation consisted of test pits and boreholes, field testing, and laboratory testing, which help to characterize the subsurface conditions at the site. This information concludes that the proposed multi-storey apartment Building A is located on fairly good land. However, the proposed access road and proposed townhouse units on the eastern side of the site are on land with poor-quality subsurface conditions. There are organic silts extending to almost 3 m depth. In order to safeguard the flow of sewer uninterrupted, avoid settlement of the soil and the potential for sinkholes risk in this general area, we need to remove the Plaza and shift the driveway towards Building A. By this we will be able to achieve relatively better soil then as compared to its present location. The bearing capacity and sub soil conditions are forcing to take this variation in the overall site plan."

A development agreement with FH Development Group Inc. was approved by Council on July 26, 2022. The development agreement permits a residential development consisting of a maximum of 240 apartment dwelling units and 17 townhouse dwelling units, as well as 10,000 sq. ft. gross floor area on the ground floor of Building A for commercial uses. The details of the original application, considerations and development agreement can be found in the staff report #22-03 to the Planning and Heritage Advisory Committee dated June 9, 2022 (Attachment A).

Following approval by Council, the property owner discussed financing for the project with Canada Mortgage and Housing Corporation (CMHC). In order to receive adequate financing from CMHC for the construction of the first building (Building A), the developer needs to reduce the percentage of commercial space within Building A. FH Development Group Inc. would like Council to consider increasing the number of apartment units permitted in Building A from 40 to 43 and

reducing the gross floor area on the ground floor for commercial uses from 10,000 sq. ft. to 5,000 sq. ft. with the additional allowance that the property owner can convert the commercial space to residential apartment units if the commercial space is unable to be leased within one year of framing.

DISCUSSION

The 8.43-acre subject lot abuts Wentworth Road in Windsor. The lot is designated Commercial on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (WMPS). It is also located 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). Almost the entire subject lot is located within the Environmental Constraints area and is within the Tregothic Marsh. 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.

Policy 8.6.15 of the WMPS and Section 6.1 (j) of the WLUB enable Council 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 by development agreement.

Development Agreement Amendments

A property owner can apply for an amendment to a development agreement registered on their property at any time. Section 3.3 of the development agreement with FH Development Group Inc. 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. When a request is received from the property owner 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. Section 3.3 of the development agreement with FH Development Group Inc. states that 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.

Increasing the number of apartment units permitted in Building A, reducing the gross floor area on the ground floor for commercial uses, and allowing the conversion of the commercial space to residential apartment units if it is unable to be leased within one year of framing does not impact any matter listed as substantive in this development agreement. Additionally, removing the plaza and revising the site plan to show the driveway closer to Building A is a non-substantive amendment to the development agreement. These requested amendments will not change the intent of the overall maximum number of apartment dwelling units permitted on the site or the order in which buildings are constructed. Therefore, this application can follow the process for a non-substantive development agreement outlined in the *Next Steps* section of this report.

Proposed Amendments

There are four (4) amendments proposed to this agreement. The first amendment is to attach an updated site plan specifying the increased number of apartment units in Building A and the reduction of gross floor area for commercial uses. The second amendment is proposed to Section 2.2, *Development Location and Design*, to increase the number of apartment units permitted in Building A from 40 to 43 and to reduce the gross floor area on the ground floor for commercial uses from 10,000 sq. ft. to 5,000 sq. ft. The third amendment is to remove the requirement for the plaza or central garden in Section 2.8, *Recreation Space*. The fourth amendment is to add a new Section 2.16, *Building A Commercial Space*, which will outline the parameters to be met by the Owner for the Development Officer to consider allowing the commercial space to be converted to residential apartment units.

All remaining terms and conditions of the development agreement will remain in full force and effect.

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, 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"* within the Wentworth Road Gateway District.

The proposal has previously been considered in relation to the specific criteria in Policy 8.6.15 and the general criteria in Policy 16.3.1 (Attachment A). As this is a non-substantive amendment to the development agreement, the application has not been reevaluated against the specific or general criteria in the WMPS.

NEXT STEPS

As noted above, the proposed development agreement amendment is non-substantive in nature and has been considered within the context of the development agreement and is consistent with the intent, objectives, and policies of the WMPS. As a result, it is reasonable to enter into an amended development agreement to increase the number of apartment units permitted in Building A from 40 to 43, reduce the gross floor area on the ground floor for commercial uses from 10,000 sq. ft. to 5,000 sq. ft., and add the allowance for the property owner to convert the commercial space on the ground floor of Building A to residential apartment units if it is unable to be leased within one year of framing.

Process

Staff Review

▼

PAC/HAC Review and Recommendation – March 14

▼

Council Decision – March 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:

- approve the development agreement amendment as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A	2022-06-09 Staff Report Development Agreement: Wentworth Road, PID 45059631; File #22-03
Attachment B	Draft Development Agreement Amendment

Report Prepared by: _____

Sara Poirier, Director of Planning and Development

Report Reviewed by: _____

Mark Fredericks, Senior Planner

Attachment A

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

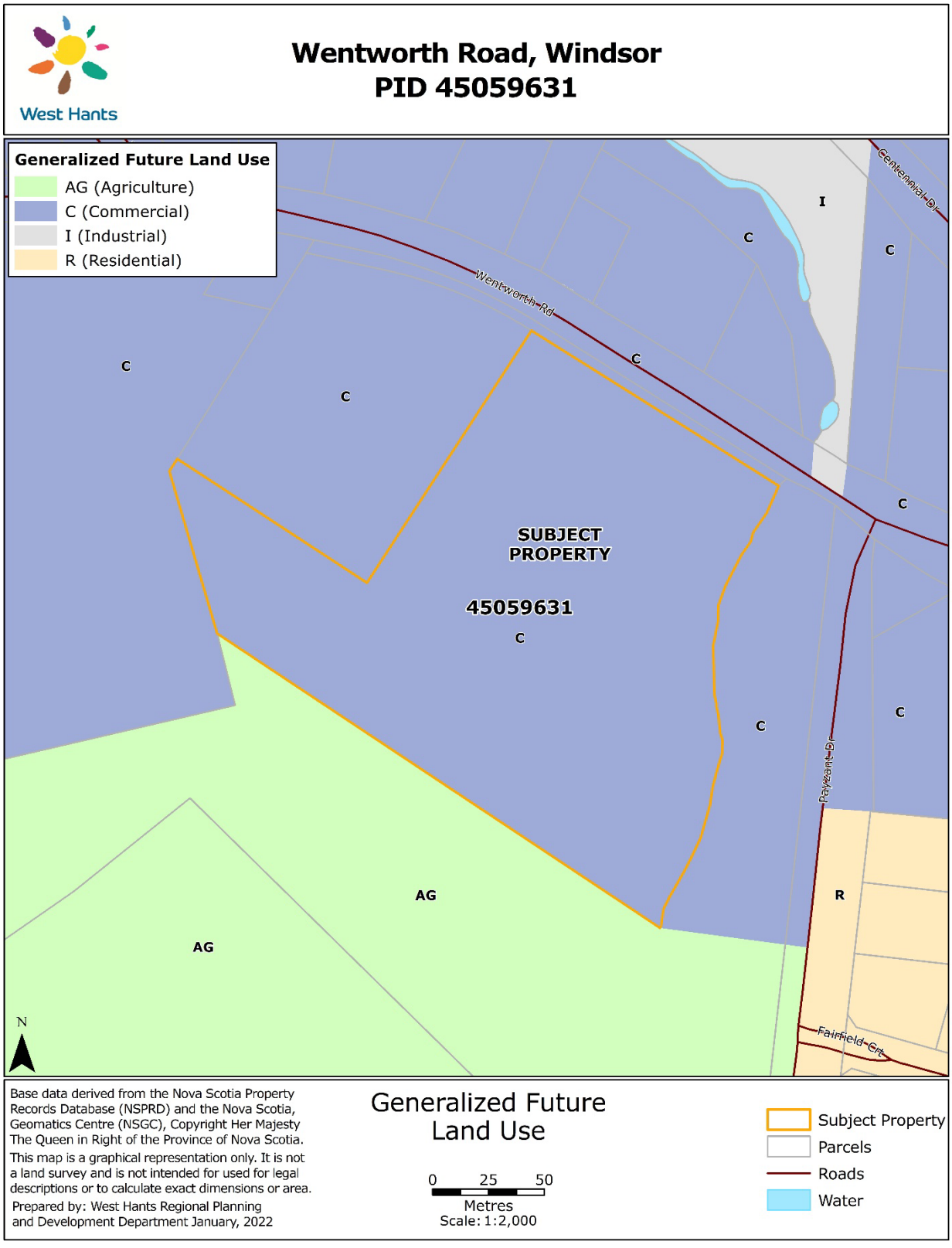


Figure 2
Windsor Zoning Map Extract

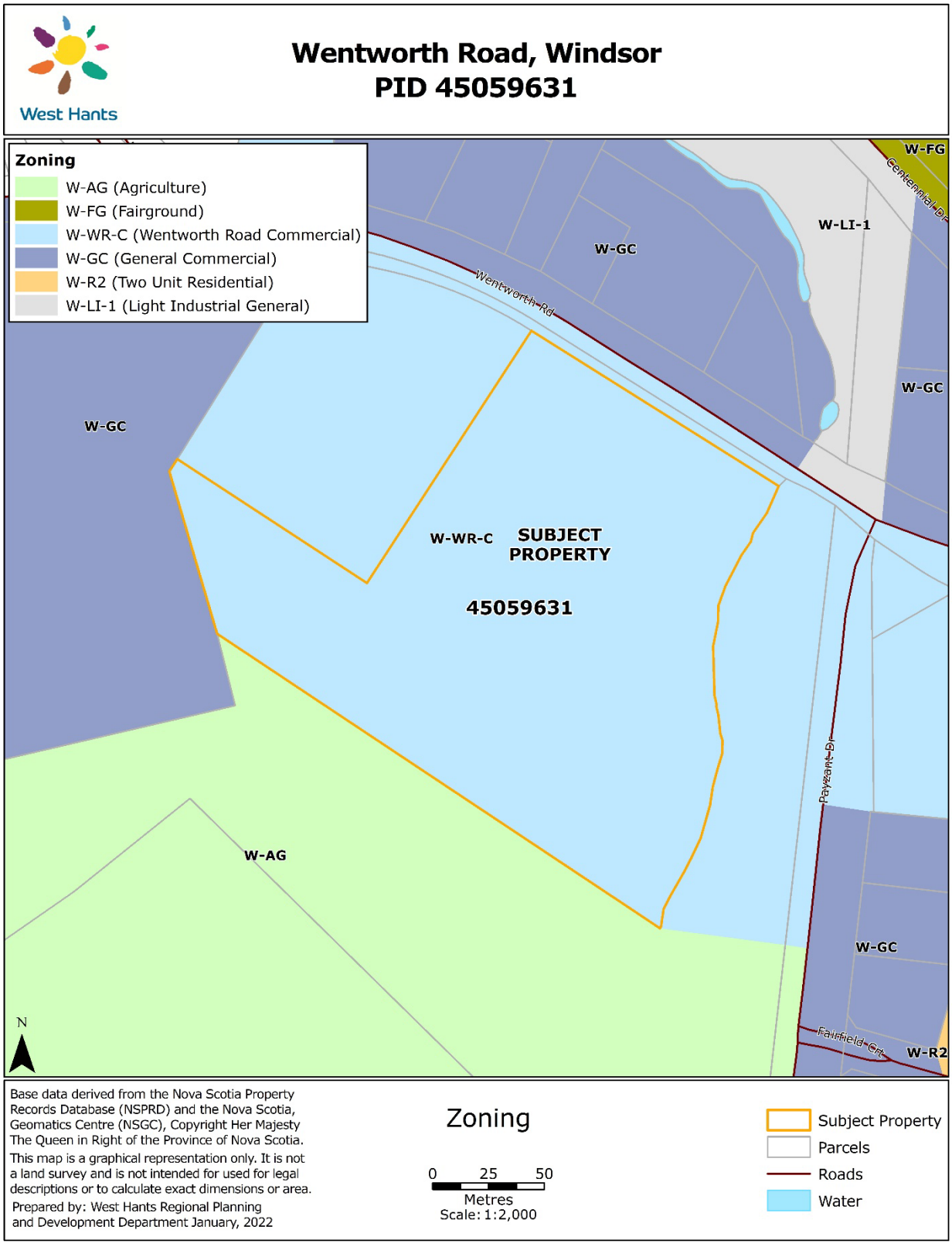
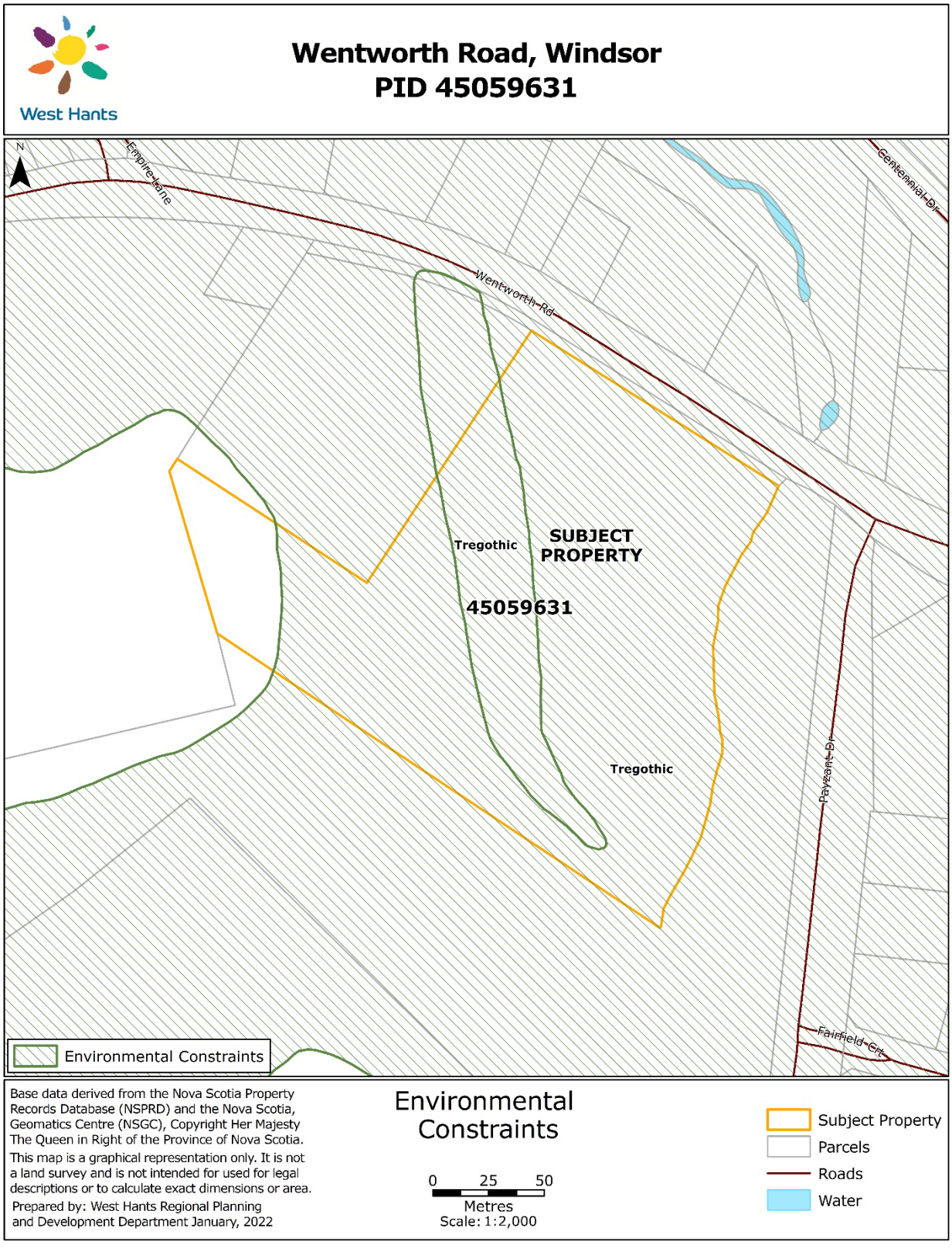


Figure 3
Environmental Constraints Extract



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.

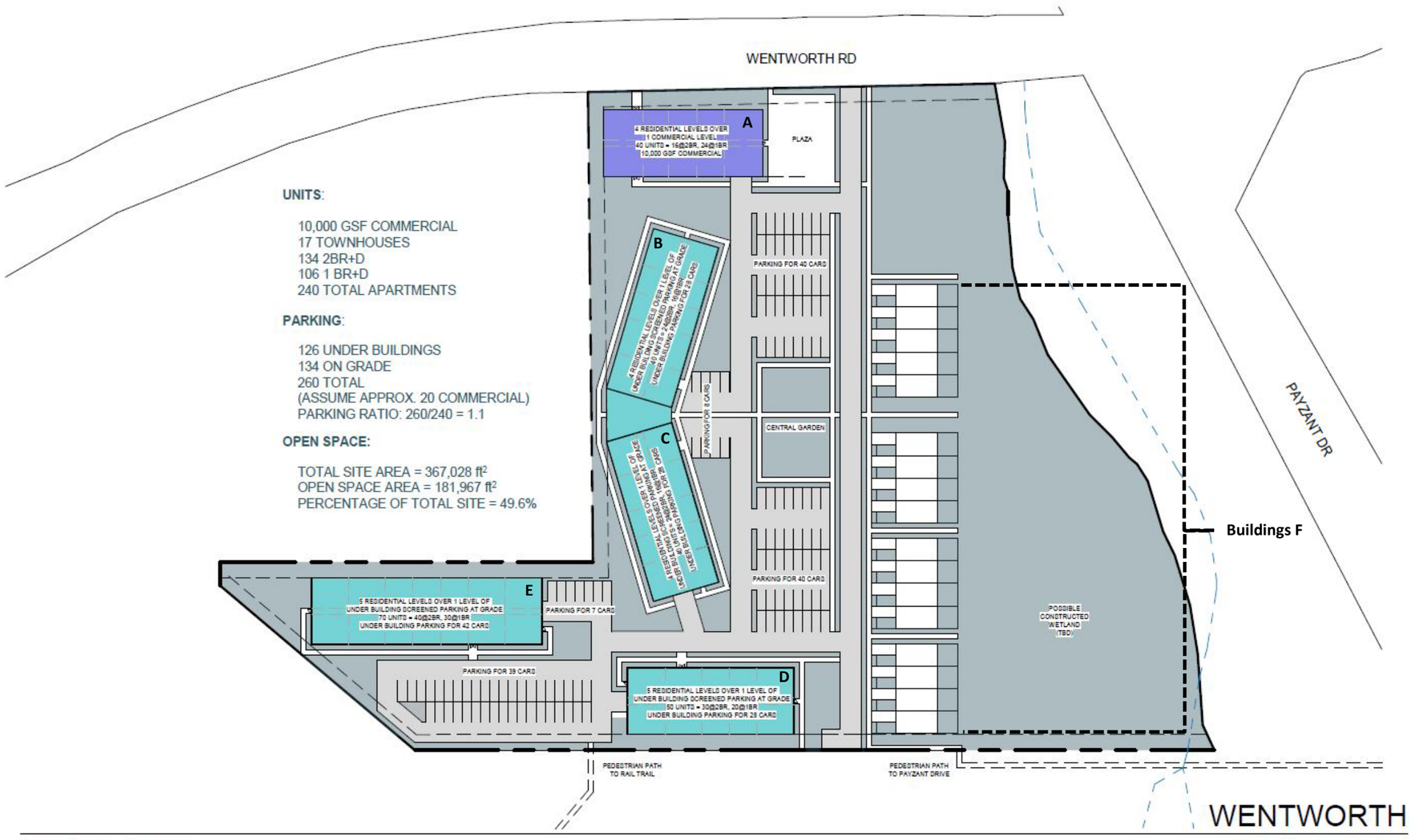
Subject to an Easement in favour of Bell Aliant Regional Communications Inc., in its capacity as general partner for Bell Aliant Regional Communications, Limited Partnership dated the 13th day of June, 2008 and recorded at the Land Registration Office for the district of Hants on the 15th day of September 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

Attachment B

West Hants
something inspiring awaits

AMENDING DEVELOPMENT AGREEMENT

THIS AMENDING AGREEMENT made this day of , 2024.

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 Municipality and Owner entered into a Development Agreement, said Agreement being attached hereto as Schedule "A", dated the July 26, 2022, and recorded at the Land Registry Office on October 3, 2022, as document number 121392436;

AND WHEREAS the Owner wishes to amend the Development Agreement to increase the number of apartment dwelling units within Building A to 43, reduce the gross floor area of

commercial uses on the ground floor of Building A to 5,000 sq. ft. and to allow the conversion of the commercial space to residential if it is not leased within one year of framing;

AND WHEREAS the Council of the Municipality, at a meeting held on Month Day, 2024, approved this request, pursuant to Policy 8.6.15 of the Windsor Municipal Planning Strategy and Section 6.1 (j) of the Windsor Land Use By-law;

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

1. The following Schedules to the Development Agreement shall be replaced with the schedules attached hereto:

   Schedule B – Site Plan

2. Section 2.2, *Development Location and Design*, of the Development Agreement shall be amended by deleting subclause 2.2 (b) and inserting a new subclause 2.2 (b) as follows:

   (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 43 dwelling units and 5,000 sq. ft. gross floor area on the ground floor for commercial uses and shall be the first building to be constructed on the Property. The ground floor area dedicated to commercial uses shall front on Wentworth Road.

3. Removing subsection (b) in Section 2.8, *Recreation Space*, of the Development Agreement so Section 2.8 reads as follows:

   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, which may include a plaza or central garden, in accordance with the Site Plan attached as Schedule B.

4. Inserting a new Section 2.16, *Building A Commercial Space,* of the Development Agreement as follows:

(a) The Municipality and the Owner acknowledge that commercial uses on the ground floor of Building A, fronting on Wentworth Road, would make a more vibrant streetscape and every effort should be made by the Owner to ensure there is a commercial component on the ground floor of Building A, fronting on Wentworth Road.

(b) The commercial space within Building A, fronting on Wentworth Road, may only be converted to residential apartment units if the following parameters are met:
   (i) A WHRM Building Official has conducted and approved the framing inspection on the commercial space; and
   (ii) The commercial space has been publicly advertised for lease by a licensed real estate agent for a period of at least 1-year from the approved framing inspection outlined in 2.16 (b) (i).

(c) Should the Owner wish to request the commercial space within Building A, fronting on Wentworth Road, be converted to residential apartment units, the Owner shall submit such request in writing with any supporting documentation to the Development Officer. The Development Officer will only approve such a request if the parameters outlined in Section 2.16 (b) are met.

(d) If the Owner is approved to convert the commercial space on the ground floor of Building A to residential, a maximum of 5 additional apartment units shall be permitted within Building A.

5. The parties hereby agree that all remaining terms and conditions of the Development Agreement recorded on October 3, 2022 shall remain in full force and effect.

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 MUNICIPALITY**
In the presence of:	)
	)
_____	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. 2024, 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 presence.

_____
A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2024, 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 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 _____, 2024
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 _____, 2024
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 B
Site Plan

UNITS:

5000 GSF COMMERIAL
3 3BR TOWNHOUSES
14 2BR STACKED TOWNHOUSES

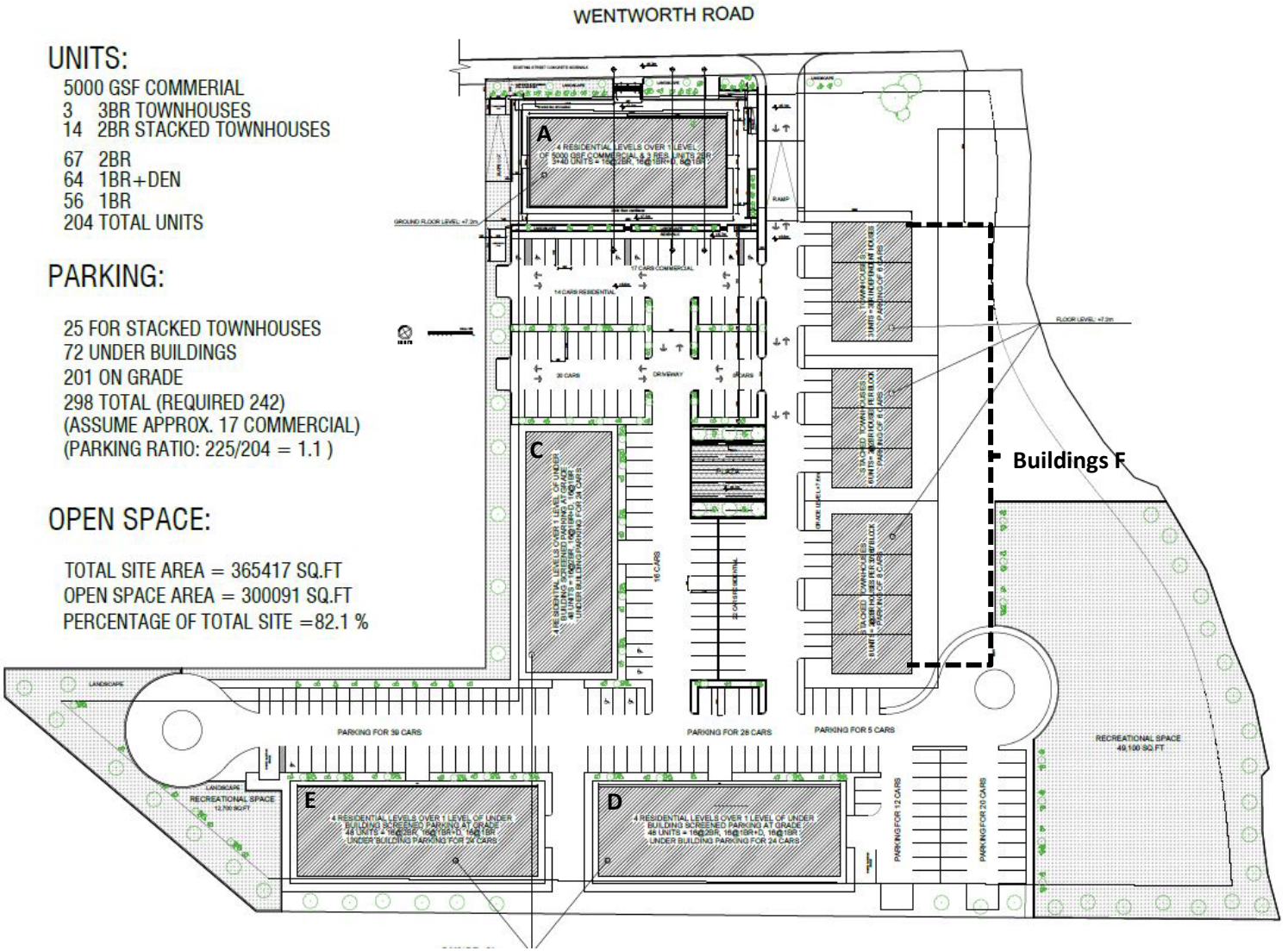
67 2BR
64 1BR+DEN
56 1BR
204 TOTAL UNITS

PARKING:

25 FOR STACKED TOWNHOUSES
72 UNDER BUILDINGS
201 ON GRADE
298 TOTAL (REQUIRED 242)
(ASSUME APPROX. 17 COMMERCIAL)
(PARKING RATIO: 225/204 = 1.1)

OPEN SPACE:

TOTAL SITE AREA = 365417 SQ.FT
OPEN SPACE AREA = 300091 SQ.FT
PERCENTAGE OF TOTAL SITE =82.1 %



West Hants
something inspiring awaits

AMENDING DEVELOPMENT AGREEMENT

THIS AMENDING AGREEMENT made this day of , 2024.

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 Municipality and Owner entered into a Development Agreement, said Agreement being attached hereto as Schedule "A", dated the July 26, 2022, and recorded at the Land Registry Office on October 3, 2022, as document number 121392436;

AND WHEREAS the Owner wishes to amend the Development Agreement to increase the number of apartment dwelling units within Building A to 43, reduce the gross floor area of

commercial uses on the ground floor of Building A to 5,000 sq. ft. and to allow the conversion of the commercial space to residential if it is not leased within one year of framing;

AND WHEREAS the Council of the Municipality, at a meeting held on Month Day, 2024, approved this request, pursuant to Policy 8.6.15 of the Windsor Municipal Planning Strategy and Section 6.1 (j) of the Windsor Land Use By-law;

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

1. The following Schedules to the Development Agreement shall be replaced with the schedules attached hereto:

   Schedule B – Site Plan

2. Section 2.2, *Development Location and Design*, of the Development Agreement shall be amended by deleting subclause 2.2 (b) and inserting a new subclause 2.2 (b) as follows:

   (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 43 dwelling units and 5,000 sq. ft. gross floor area on the ground floor for commercial uses and shall be the first building to be constructed on the Property. The ground floor area dedicated to commercial uses shall front on Wentworth Road.

3. Removing subsection (b) in Section 2.8, *Recreation Space*, of the Development Agreement so Section 2.8 reads as follows:

   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, which may include a plaza or central garden, in accordance with the Site Plan attached as Schedule B.

4. Inserting a new Section 2.16, *Building A Commercial Space,* of the Development Agreement as follows:

(a) The Municipality and the Owner acknowledge that commercial uses on the ground floor of Building A, fronting on Wentworth Road, would make a more vibrant streetscape and every effort should be made by the Owner to ensure there is a commercial component on the ground floor of Building A, fronting on Wentworth Road.

(b) The commercial space within Building A, fronting on Wentworth Road, may only be converted to residential apartment units if the following parameters are met:

  (i) A WHRM Building Official has conducted and approved the framing inspection on the commercial space; and

  (ii) The commercial space has been publicly advertised for lease by a licensed real estate agent for a period of at least 1-year from the approved framing inspection outlined in 2.16 (b) (i).

(c) Should the Owner wish to request the commercial space within Building A, fronting on Wentworth Road, be converted to residential apartment units, the Owner shall submit such request in writing with any supporting documentation to the Development Officer. The Development Officer will only approve such a request if the parameters outlined in Section 2.16 (b) are met.

(d) If the Owner is approved to convert the commercial space on the ground floor of Building A to residential, a maximum of 5 additional apartment units shall be permitted within Building A.

5. The parties hereby agree that all remaining terms and conditions of the Development Agreement recorded on October 3, 2022 shall remain in full force and effect.

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 MUNICIPALITY**
In the presence of:	)
	)
_____	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. 2024, 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 presence.

_____
A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HANTS

ON THIS day of , A.D. 2024, 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 presence.

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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 _____, 2024
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 _____, 2024
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

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Site Plan

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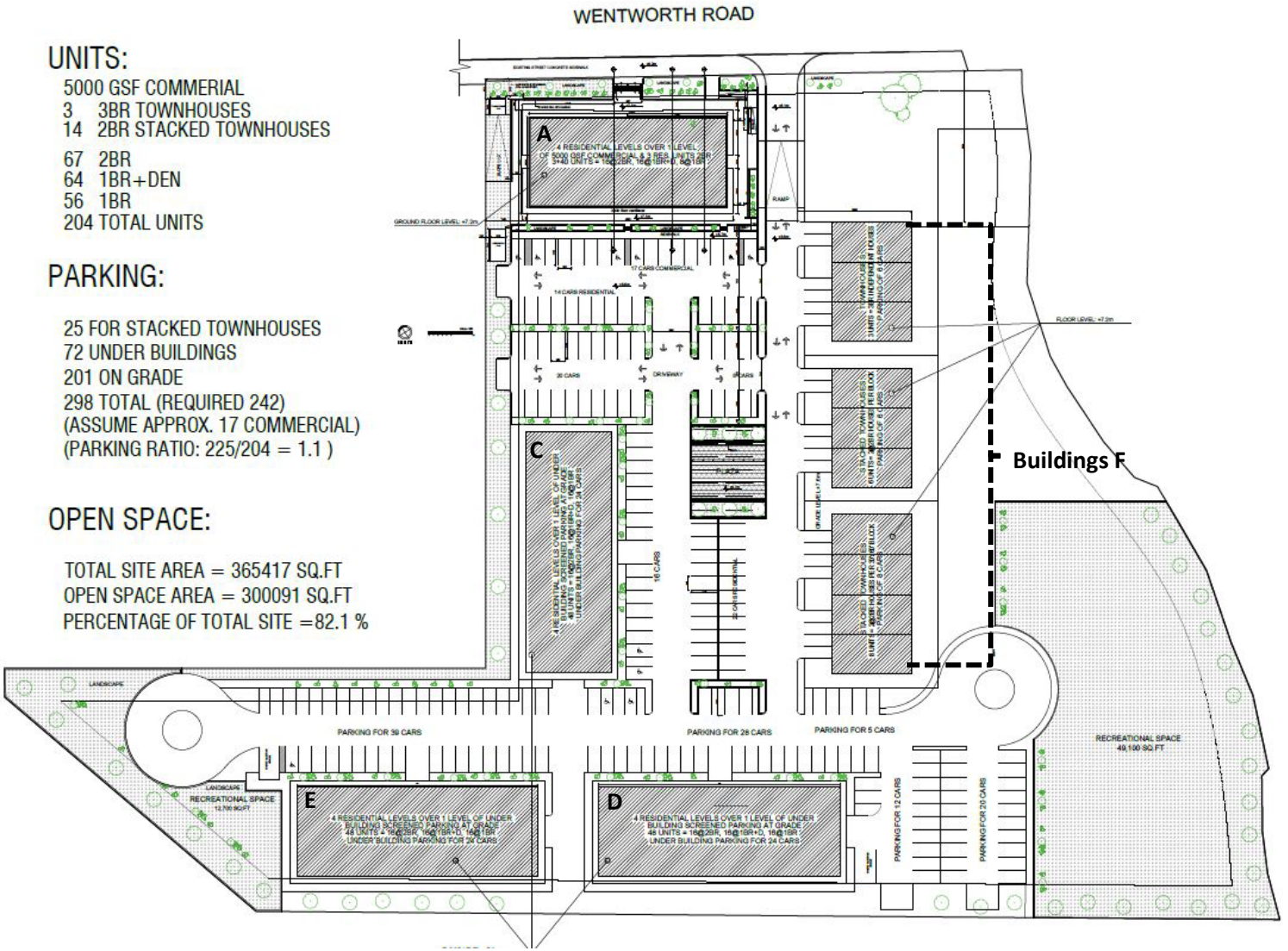
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298 TOTAL (REQUIRED 242)
(ASSUME APPROX. 17 COMMERCIAL)
(PARKING RATIO: 225/204 = 1.1)

OPEN SPACE:

TOTAL SITE AREA = 365417 SQ.FT
OPEN SPACE AREA = 300091 SQ.FT
PERCENTAGE OF TOTAL SITE =82.1 %



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
Hon. Joyce	Murray	2022-07-12	2022-07-26 Council
Jennifer	Allen	2022-08-30	2022-09-13 COTW
Hon. Kody	Blois	2022-10-07	2022-10-11 COTW
K Salter	Salter	2022-10-28	2022-11-08 COTW
Hon. Kody	Blois	2023-06-02	2023-06-13 COTW
Andre	Arsenault	2023-06-02	2023-06-13 COTW
Darlene	Taylor	2023-06-02	2023-06-13 COTW
Kevin	Walsh	2023-06-03	2023-06-13 COTW
Alyson and Nicholas	Bremner/Juurlink	2023-06-03	2023-06-13 COTW
Hants County Federation of Agriculture		2023-06-03	2023-06-13 COTW
Al	Mailman	2023-06-03	2023-06-13 COTW
Greg	O'Leary	2023-06-03	2023-06-13 COTW
Lisa	Bland	2023-06-04	2023-06-13 COTW
Karen	Lynch	2023-06-04	2023-06-13 COTW
Judy	Lynch	2023-06-04	2023-06-13 COTW
Greg	Miller	2023-06-04	2023-06-13 COTW
Darren	Porter	2023-06-04	2023-06-13 COTW
Monique	Wood	2023-06-04	2023-06-13 COTW
Lana	Patterson	2023-06-04	2023-06-13 COTW
Dr. AK.	Kirumira	2023-06-04	2023-06-13 COTW

Bonnie	O'Leary	2023-06-04	2023-06-13 COTW
Robyn	Bremner-Popma	2023-06-04	2023-06-13 COTW
Traci and Elizabeth	Curry	2023-06-04	2023-06-13 COTW
Sheldon	Hope	2023-06-05	2023-06-13 COTW
Wilf and Diane	Ogilvie	2023-06-05	2023-06-13 COTW
Aaron	Ewing	2023-06-05	2023-06-13 COTW
Cara	Pfeffer	2023-06-05	2023-06-13 COTW
Maxine	Chandler	2023-06-05	2023-06-13 COTW
Pat	Porter	2023-06-05	2023-06-13 COTW
Shannon	Cunningham	2023-06-05	2023-06-13 COTW
Anna	DeNicola	2023-06-06	2023-06-13 COTW
Jen	Murphy	2023-06-06	2023-06-13 COTW
Karen	Beazley	2023-06-06	2023-06-13 COTW
Linda	Card	2023-06-06	2023-06-13 COTW
Richard	Dunham	2023-06-06	2023-06-13 COTW
Doug	Symonds	2023-06-06	2023-06-13 COTW
Krista	Lunn	2023-06-06	2023-06-13 COTW
Barbara	Hughes	2023-06-06	2023-06-13 COTW
Andrew	Smiley	2023-06-06	2023-06-13 COTW
Nikki	Lloyd	2023-06-06	2023-06-13 COTW
Aaron	Ewing	2023-06-07	2023-06-13 COTW
Jim	White	2023-06-07	2023-06-13 COTW
Sasha	Stevens	2023-06-07	2023-06-13 COTW
Chris	Phillips	2023-06-07	2023-06-13 COTW
Chad	Pothier	2023-06-07	2023-06-13 COTW
Darlene	Taylor	2023-06-07	2023-06-13 COTW
Nancy and Bruce	Cameron	2023-06-07	2023-06-13 COTW
James	Pothier	2023-06-07	2023-06-13 COTW
Abe	Zebian	2023-06-07	2023-06-13 COTW
Judith	Kazmirski	2023-06-08	2023-06-13 COTW
Nikki Lloyd	Lloyd	2023-06-08	2023-06-13 COTW
Darren	Porter	2023-06-09	2023-06-13 COTW
Ashley Imlay	Imlay	2023-06-09	2023-06-13 COTW
Valerie	Wilcox	2023-06-11	2023-06-13 COTW

Colleen	Walsh-Bouman	2023-06-12	2023-06-13 COTW
G. Wayne	Hines	2023-06-12	2023-06-13 COTW
Sharon	Johnson	2023-06-12	2023-06-13 COTW
Nicholas	Juurlick	2023-06-11	2023-06-13 COTW
Ed and Cathy	Kerr	2023-06-12	2023-06-13 COTW
Tracey	Sexton	2023-06-12	2023-06-13 COTW
Peter	Nicol	2023-06-12	2023-06-13 COTW
Jennifer	Shaw	2023-06-13	2023-06-13 COTW
Jayne	Murray	2023-06-13	2023-06-13 COTW
Reid & Roslyn	MacDuff	2023-06-13	2023-06-13 COTW
Monique	Wood	2023-06-13	2023-06-13 COTW
Dean	Manning	2023-06-13	2023-06-13 COTW
Karen	Beazley	2023-06-14	2023-06-27 Council
Carrilee	Eddy	2023-06-15	2023-06-27 Council
Maria DeNicola	DeNicola	2023-06-15	2023-06-27 Council
Anna	DeNicola	2023-06-16	2023-06-27 Council
Karen F.	Beazley	2023-06-16	2023-06-27 Council
Lisa	Bland	2023-06-16	2023-06-27 Council
Duncan	Armour	2023-06-19	2023-06-27 Council
Gwendolyn	Aker	2023-06-19	2023-06-27 Council
Laura	Fisher	2023-06-19	2023-06-27 Council
Barbara	Hughes	2023-06-21	2023-06-27 Council
Reid & Roslyn	MacDuff	2023-06-21	2023-06-27 Council
Kim	Jansen	2023-06-22	2023-06-27 Council
Brian and Sandra	Hogan	2023-06-22	2023-06-27 Council
Maria	DeNicola Re Concerns of Racism, Bullying and Slander	2023-06-22	2023-06-27 Council
Karen	Langille	2023-06-22	2023-06-27 Council
Anne	Desneiges	2023-06-22	2023-06-27 Council
Darren	Porter	2023-06-25	2023-06-27 Council
Barbara	Hughes	2023-06-27	2023-07-11 COTW
Louis	Coutinho	2023-06-28	2023-07-11 COTW
Darlene	Taylor	2023-06-29	2023-07-11 COTW
Eric	D-Entremont	2023-07-10	2023-07-11 COTW
Canadian Wildlife Federation Letter		2023-07-10	2023-07-11 COTW

Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

Beth	McBrine	2023-07-14	2023-07-25 Council
Judi	Wilson	2023-07-19	2023-07-25 Council
Dr. AK. Kirumira (WHRM copied)		2023-07-21	2023-07-25 Council
Dawn	Allen (WHRM copied)	2023-07-23	2023-07-25 Council
Denise	Forand	2024-03-10	2024-03-12 COTW

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	Forand	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

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
Hon. John	Lohr	2022-06-30	2022-07-12 COTW
Domenic	Padula	2022-07-07	2022-07-12 COTW
Hon. Joyce	Murray	2022-07-12	2022-07-26 Council
Diana	Gibson re: RCMP & Fort Edward Information	2022-06-29	2022-07-26 Council
Acute Care	Tanya Penney	2022-07-19	2022-07-26 Council
Darren	Porter	2022-07-27	2022-09-13 COTW
PVSC		2022-08-02	2022-09-13 COTW
DMA		2022-08-04	2022-09-13 COTW
Breaking Barriers Together		2022-08-17	2022-09-13 COTW
Bill	Preston	2022-08-18	2022-09-13 COTW
Alix	Munro (POSSE)	2022-09-01	2022-09-13 COTW
County of Annapolis	Letter to Premier Tim Houston and Hon. Tim Halman re Moratorium on Aerial Herbicide Spraying	2022-09-14	2022-09-27 Council
Darren	Porter	2022-09-14	2022-09-27 Council
Darren	Porter	2022-09-16	2022-09-27 Cour

Philip	Hyam	2022-09-17	2022-09-27 Council
Mash Up Lab re: Opportunity for Aspiring Entrepreneurs in West Hants		2022-10-17	2022-10-25 Council
Minister Masland	Re: Potential Mi'kmaq Burial site	2022-10-19	2022-10-25 Council
Heather Hughes,	Executive Director Re: Proposed changes to Weed Control Act	2022-09-13	2022-11-08 COTW
Minister of Finance and Treasury Board	Re: Provincial Non-Resident Deed Transfer Tax	2022-10-21	2022-11-08 COTW
Home Hardware	Re: Security Cameras	2022-10-21	2022-11-08 COTW
Windsor Township	Re: Security Cameras	2022-10-24	2022-11-08 COTW
Dawna MacIvor	Re: November is Crohn's and Colitis Awareness Month	2022-10-28	2022-11-08 COTW
Waye Mason	re Concerns and Information regarding Bill 225 and HRM Noise By-Law	2022-11-02	2022-11-08 COTW
Peter Gregg	Re Information on Bill 212, An Act to Amend Public Utility Act	2022-11-02	2022-11-08 COTW
Andrea Parker	Re Road repair work needed	2022-11-06	2022-11-22 Council
WAEFA Recipient Confirmation - 2022	(Awards sponsored by the West Hants Regional Municipality)	2022-11-07	2022-11-22 Council
CAO Letter	Comfort Centre Designation - Garden of Eden Community Centre	2022-11-10	2022-11-22 Council
David Old,	President Hantsport Seniors and Elders Club re Community Generator Program	2022-11-10	2022-11-22 Council
Juanita Wilcox	re Expression of Thanks	2022-11-12	2022-11-22 Council
Emily McNeil	re Renewal of the Operating Approval for the Avon Hydro System	2022-11-14	2022-11-22 Council
Paul Beazley	re Boundary Review Questions	2022-11-16	2022-11-22 Council
West Hants Historical Society	Re Old Parish Burying Ground Letter	2022-11-16	2022-12-06 COTW
Graham Sanford	Re Road Concerns	2022-11-16	2022-12-06 COTW
Fidelis House	Re financial assistance request	2022-11-30	2022-12-06 COTW
Lawrencetown Education Centre	Re Big Chill Donation request	2022-12-06	2022-12-13 Council
Kate Sircom, Secretary, St. Andrew's Church Council	Re Community Comfort Centre proposal	2022-12-06	2022-12-13 Council
NSFM	Re: Code of Conduct - Summary of content from consultation	2022-12-14	2023-01-10 COTW

Correspondence Received

Graham Sandford	Re: response to outstanding concerns sent after the presentation to Council on December 13th, 2022.	2023-01-09	2023-01-10 COTW
Graham Sanford	Re: File to Rezone Lots along Bog Road	2023-01-24	2023-01-24 Council
Nova Scotia Department of Public Works Request	Re: Pothier Motors Crosswalk Request	2023-02-03	2023-02-14 COTW
Windsor Township Business Association	Re: Expression of Thanks and Continued Conversations	2023-02-09	2023-02-14 COTW
Hants County Federation of Agricultural and the Great Falmouth Marsh Body	Re: Remaining ACOA funds	2023-02-23	2023-02-28 Council
Seamus Marriot (Zwicker Lake Property Owners)	Re Permit Clarification	2023-02-17	2023-03-14 COTW
Windsor Lions Club	Re Tourist Bureau Park Request	2023-02-23	2023-03-14 COTW
Carrilee Eddy	Re Affordable Housing	2023-02-28	2023-03-14 COTW
Graham Sanford	Re: Don't Be The Dirt Advocacy Presentation	2023-02-28	2023-03-14 COTW
Andrew Hardman	Re 997 Highway 14 Distribution Depot - Trans-World Concerns	2023-03-02	2023-03-14 COTW
Seamus Marriot (Zwicker Lake Property Owners)	Re Permit Clarification	2023-03-02	2023-03-14 COTW
FCM Executive Decision	Re Green Municipal Fund application	2023-03-03	2023-03-14 COTW
Avondale Hall	Re Floor repair and renovation request	2023-03-08	2023-03-14 COTW
Letter From Private Road Development	Re Petition for Waste Collection Services	2023-03-09	2023-03-14 COTW
Hon. Greg Morrow	Response to Expenses incurred due to fencing	2023-03-14	2023-03-28 Council
Sarah Reddington	Re Hantsport Memorial Community Center and Pickleball Facility	2023-03-14	2023-03-28 Council
Core Committee - Zwicker Lake Property Owners	Re Permit Clarification	2023-03-14	2023-03-28 Council
Hantsport Community Rep	Re: Apple Blossom Festival Sponsorship Request	2023-03-15	2023-03-28 Council
MLA Sheehy-Richard	Request for a Nomination for the Order of Nova Scotia	2023-03-15	2023-03-28 Council
VREN I	Re Response to continued partnership and IMSA	2023-03-16	2023-03-28 Council
NS Power	Re Avon Hydro System Relicensing	2023-03-20	2023-03-28 Council
Public Health	Re New alcohol guidance on harms and risks for residents	2023-03-20	2023-03-28 Council
Kody Blois	Re: Letter to the Hon. Kim Masland	2023-03-21	2023-03-28 Council

Correspondence Received

Margot Bureaux	Re Cancellation of ABF Leadership Competition	2023-03-21	2023-03-28 Council
Shawna Nichols	Re: Lego program	2023-03-23	2023-03-28 Council
West Hants Historical Society	Proclamation Request	2023-03-23	2023-03-28 Council
Pisiquid Canoe Club	Re: Funding Request	2023-03-24	2023-03-28 Council
KMK Negotiation Office	Re: Expression of interest to meet and discuss the Avon River and downtown waterfront	2023-03-28	2023-04-11 COTW
Markus Kehoe	Re Expression of appreciation	2023-03-29	2023-04-11 COTW
Chantelle Hill	Re Proclamation of Parental Alienation Bubbles of Love Day April 25 2023 Request	2023-03-30	2023-04-11 COTW
Communities in Bloom	Re Invitation to participate	2023-03-30	2023-04-11 COTW
David Simpson	Re Rails-to-trails to Windsor	2023-03-30	2023-04-11 COTW
Mark Kehoe	Re Permit D2023-019 Pisiquid Canoe Club Day Camps - Not Valid	2023-03-30	2023-04-11 COTW
Minister Lohr DMA	Re Sustainability Services Growth Fund (SSGF)	2023-03-30	2023-04-11 COTW
Hon. Masland	Re Intersection Lighting	2023-04-03	2023-04-11 COTW
Brenda Shiers Chair West Hants Uniacke Community Health Board	Re Request for Funding Support	2023-04-04	2023-04-11 COTW
Windsor Township Business District	Reimagine Lake Pisiquid	2023-04-04	2023-04-11 COTW
Poplar Grove Community Hall	Funding Request	2023-04-06	2023-04-11 COTW
Heather Lake	Re Cogmagun and Beaver Pond Petition	2023-04-11	2023-04-11 COTW
Laurent Breault, General Director	Re International Day Against Homophobia and Transphobia, May 17, 2023	2023-04-09	2023-04-25 Council
Trudy Flynn	Re Light up Municipal office Purple for May 12 Fibromyalgia Awareness Day.	2023-04-10	2023-04-25 Council
Zwicker Lake Core Committee	Re Letter of Complaint - Disrespectful Behaviour	2023-04-10	2023-04-25 Council
Gloria Shanks	Re Old Shanks Road dated March 30, 2023	2023-04-10	2023-04-25 Council
Response to MP Blois	Re Highway 101 Twinning	2023-04-11	2023-04-25 Council
Hants County Federation of Agriculture	Re Expression of Appreciation for meeting	2023-04-11	2023-04-25 Council
Trevor Levy	Re Scotch Village Station Road Development	2023-04-14	2023-04-25 Council
Mark Kehoe	Re 2023-24 Tax Exemption Concern - Upper Vaughan	2023-04-16	2023-04-25 Council

Correspondence Received

Tom Levy	Re 301 Station Road Development	2023-04-16	2023-04-25 Council
Roberto Gueli and Anke Kungl	Re Community feedback for Sustainable Hill proposal	2024-04-17	2023-04-25 Council
Glooscap First Nation	Letter of Intent Re Proposed Addition to Reserve, Glooscap First Nation	2023-04-18	2023-04-25 Council
VREN to WHRM	Re Regional Enterprise Networks Review	2023-04-18	2023-04-25 Council
Mike Smith	Re Support of the Proposal from Sustainable Hill Campground and Yoga Dome	2023-04-20	2023-04-25 Council
Kathy Blois, Chair Hants County Senior Safety Association	Re Letter of Notice	2023-04-20	2023-04-25 Council
Seamus Marriot	Re FOIPOP Follow up	2023-04-20	2023-04-25 Council
Erin Naugler	Re Falmouth Highway Access	2023-04-23	2023-04-25 Council
Jessica and Allan Hill	Re Additional Considerations for Sustainable Hill's Application	2023-04-24	2023-04-25 Council
Karen Bourque-Ward and Art Ward	Re Scotch Village Station Road PID 45166915	2023-04-24	2023-04-25 Council
Wesley Petite	Re MPSA Retroactive Pay	2023-04-24	2023-04-25 Council
Hants County Federation of Agriculture	Re Scotch Village Rezoning Application	2023-04-25	2023-04-25 Council
Andrew Hardman	Re 997 Highway 14 - Zoning Change challenge	2023-04-26	2023-05-09 COTW
Guide Furlani	Re Concerns re 20 deer roaming and eating anything they can	2023-04-26	2023-05-09 COTW
Trevor Levy	Re Scotch Village Station Rd. PID 45166915	2023-04-26	2023-05-09 COTW
Denise Forand	Re Windsor Causeway and my Windsor's township waterfront vision	2023-04-27	2023-05-09 COTW
Barry Maxner	Re 50% Tax Reduction Request pertaining to Zwicker Lake Property and Pisiquid Canoe Club Concerns	2023-04-29	2023-05-09 COTW
Margot Bureaux	Re Banners	2023-05-02	2023-05-09 COTW
Grant Thomas	Re Theft	2023-05-03	2023-05-09 COTW
Aissa Thomas	Re Windsor Textile Development	2023-05-04	2023-05-09 COTW
Art Ward	Re Scotch Village Station Road PID 45166915	2023-05-06	2023-05-09 COTW
Core Committee Zwicker Lake Property Owners	Re CCBF Funding and the Canoe Club	2023-05-08	2023-05-09 COTW

John Fitzgerald	Re Scotch Village yoga retreat	2023-05-10	2023-05-23 Council
Karen Fitzgerald	Re Yoga resort plan	2023-05-10	2023-05-23 Council
Bill Preston	Re Unsightly etc.	2023-05-11	2023-05-23 Council
Garret Johnston	Re Avon Street Erosion Hantsport Nova Scotia	2023-05-11	2023-05-23 Council
Margy Fletcher	Re Expansion to King Street from Payzant Drive	2023-05-11	2023-05-23 Council
Art Ward and Karen Bourque-Ward	Re Scotch Village Station Road PID 45166915 and PID 45148608.	2023-05-15	2023-05-23 Council
Letter to NSFM from the Minister of Municipal Affairs and Housing	Re 12 Month Notice	2023-05-15	2023-05-23 Council
Andrew Hardman	Re Property Tax Exemption List	2023-05-15	2023-05-23 Council
Upper Vaughan Property Owners	Re 997 Highway 14, Permit #C2020-371	2023-05-15	2023-05-23 Council
Denise Forand	Re Waterfront options are ours to design for generations to come. Ebb n Flow.	2023-05-16	2023-05-23 Council
Warden Nickerson	Re RCMP Retroactive Costs - Copy	2023-05-18	2023-05-23 Council
Art Ward	Re Proposed DA for Scotch Village Station Road PID 45166915 and PID 45148608.	2023-05-19	2023-05-23 Council
Shelley Arsenault	Re Rezoning and Development of Agricultural Land	2023-05-19	2023-05-23 Council
Lee and Debbie Watson	Re Old Railway, Collapse in Mt Denson	2023-05-21	2023-05-23 Council
Dave Smith	Re Zwicker Lake Petition	2023-05-22	2023-05-23 Council
Seamus Marriott	Re Petition to Reconsider Canoe Club Tax Exemption	2023-05-22	2023-05-23 Council
Denise Thibault	Re Concerned property owner and taxpayer	2023-05-23	2023-06-13 COTW
Glooscap First Nation	Re Proposed Addition to Reserve, Bishopville Road	2023-05-25	2023-06-13 COTW
Mark Kehoe	Re Property Tax Exemption Community Center	2023-05-26	2023-06-13 COTW
Barry Maxner	Follow up Re Definition of Community Centre and the Pisaquid Canoe Club	2023-05-29	2023-06-13 COTW
Will Balser, Coastal Adaptation Coordinator	Re Joint Statement Call to Release the Coastal Protection Act Regulations	2023-06-01	2023-06-13 COTW
Chrystal Fuller on behalf of Mitch Brison	Re connecting Payzant and King Street request to Council	2023-06-02	2023-06-13 COTW
Carrilee Eddy	Re World Ocean Day	2023-06-07	2023-06-13 COTW

Carrilee Eddy	Re Fire Protection	2023-06-07	2023-06-13 COTW
Mark Peck, CEO of Joint Regional Transportation Agency	Re Invite to Municipal Working Group	2023-06-07	2023-06-13 COTW
Wayne and Edith.	Re the Gate and the Crossing.	2023-06-07	2023-06-13 COTW
Steph Sedgwick	Re the Gate and the Crossing.	2023-06-08	2023-06-13 COTW
Debbie Stoddard-Pageau	Re the Gate and the Crossing.	2023-06-08	2023-06-13 COTW
Rachelle Trudel	Re Garlands Crossing - Access Roads	2023-06-09	2023-06-13 COTW
Mike MacDonell	Re Agritourism and Rural Development - Sustainable Hill Resort	2023-06-11	2023-06-13 COTW
Melissa Levy	Re Appeal	2023-06-12	2023-06-13 COTW
Paul and Amy Brown	Re Gate in the crossing	2023-06-13	2023-06-13 COTW
Jason Tucker and Tim Carr	Re Canada Day Events in Hantsport	2023-06-13	2023-06-13 COTW
Kimm Kent, POSSE	Re Addressing housing insecurity and homelessness	2023-06-13	2023-06-27 Council
Paul Pierce	Re Award of Tender	2023-06-15	2023-06-27 Council
Nova Scotia Provincial Housing Agency	Re Priority Access to Housing	2023-06-09	2023-06-27 Council
Core Committee Zwicker Lake Property Owners	Re CCBF Funding	2023-06-14	2023-06-27 Council
Adriane Salah	Re Request for letter of support Re Tremaine Crescent	2023-06-20	2023-06-27 Council
Barry Maxner	Re No replies - Concerns with the Pisiquid Canoe Club.pdf	2023-06-23	2023-06-27 Council
Honourable Timothy Halman	Response Re Coastal Protection Act	2023-06-25	2023-06-27 Council
Core Committee Zwicker Lake Property Owners	Re Seeking clarity	2023-06-27	2023-06-27 Council
Core Committee Zwicker Lake Property Owners (Seamus Marriott)	Re Seeking clarity	2023-06-29	2023-07-11 COTW
Lisa Bland	Re Safety Measures during this Emergency (Request)	2023-06-30	2023-07-11 COTW
Nancy Sheehy	Re State of Emergency (Request)	2023-06-30	2023-07-11 COTW
Pat Miller	Re Fireworks and Calming your dog	2023-06-30	2023-07-11 COTW
Carrilee Eddy	Re Avon River Fish Passage (Request)	2023-07-03	2023-07-11 COTW
Maria DeNicola	Re clarification on health and safety issue	2023-07-05	2023-07-11 COTW
Nova International	Re Letter to West Hants	2023-07-05	2023-07-11 COTW

NSEMO - Emergency Management Preparedness Office	Re Region 3 Resignation	2023-07-06	2023-07-11 COTW
Chris Shields	Re Construction on the 101 and Lake Pisiquid	2023-07-07	2023-07-11 COTW
Carrilee Eddy	Re Declining to meet with Nikki-Marie Lloyd	(WHRM copied) 2023-07-12	2023-07-25 Council
East Hants Letter	Re Bill 236 - Railways Act - Windsor Hantsport Rail	(WHRM copied) 2023-07-19	2023-07-25 Council
Matt Dunfield	Re Question Re Falmouth Family Park	2023-07-20	2023-07-25 Council
Laura de Boer	Re St. Croix Dam Evacuation - Flood Mapping Request	2023-07-23	2023-07-25 Council
Benjamin Dykeman	Re Municipal Funding to Community Crisis Response	2023-07-24	2023-07-25 Council
Louis Coutinho	Re EMO and Torrential Rain & Flooding	2023-07-24	2023-07-25 Council
Peter Moore	Re Where's the pump X 4	2023-07-24 and July 25, 2023	2023-07-25 Council
Denise Forand	Re Questions re Cunnable Creek and overflow	2023-07-24 and 2023-08-14	2023-09-12 COTW
CCBF	Re Confirmation of Funding Re Pisiquid Canoe Club	2023-08-01	2023-09-12 COTW
Municipality of Kings County	Re Flood Event	2023-07-28	2023-09-12 COTW
Hants County Condominium Corp.	Re Damages to Critical infrastructure	2023-08-09	2023-09-12 COTW
UARB	Re 2023 Municipal Boundary Notice of Approval	2023-08-10	2023-09-12 COTW
Virginia Deering	Re Flooding on Chittick Ave.	2023-08-09 and 2023-08-11	2023-09-12 COTW
Hon. Greg Morrow response to Correspondence Re Fresh water resource for the Agricultural Community	Re Fresh water resource for the Agricultural Community	2023-08-14	2023-09-12 COTW
Jacqueline and Ryan Heffler	Re Bus transportation needed	2023-08-25	2023-09-12 COTW
MP Kody Blois	Re Letter to Minister Morrow re Dyke Land (WHRM copied)	2023-08-31	2023-09-12 COTW
Darren Porter	Re Water Testing and follow up emails	2023-08-14 and 2023-09-05	2023-09-12 COTW
Pamela DeNicola	Re Agricultural land preservation and protection	2023-09-06	2023-09-12 COTW
Jean Sanford	Re chairs	2023-09-12	2023-09-26 Council
Keith Aucoin	Re Impact of Hurricane Lee	2023-09-12	2023-09-26 Council

Correspondence Received

Luke Garagan	Re Transportation for West Hants	2023-09-12	2023-09-26 Council
Maria Medioli	Re Response to Blaise Fraser and Jackie Doucet Re Kings Meadows (WHRM copied)	2023-09-13	2023-09-26 Council
Peter Moore	Re Unprecedented weather event and Preparedness	2023-09-13 and 2023-09-14	2023-09-26 Council
Jennifer Moore	Re Preparedness	2023-09-14 x 2	2023-09-26 Council
Steve Turner	Re Windsor Hantsport Railway (WHRM copied)	2023-09-14	2023-09-26 Council
Laura Moore	Re Abuse of Emergency Management Act	2023-09-16	2023-09-26 Council
Daniel Steeves	Re Short Term Rental	2023-09-21	2023-09-26 Council
Kings County	Re Notice of Public Hearing	2023-09-21	2023-09-26 Council
Colleen Rogers	Re Transportation in West Hants	2023-09-23	2023-09-26 Council
Selling Scotia	Re Discussions around banning STRs	2023-09-25	2023-09-26 Council
Hants Health and Wellness Team	Re Transportation Options and Municipal Staff to undertake a Feasibility Study	2023-09-28	2023-10-10 COTW
Sherry Williams	Re Concern for Kings Meadows Closing (WHRM copied)	2023-09-29	2023-10-10 COTW
Peter Moore	Re CBC, below sea-level	2023-09-30	2023-10-10 COTW
Denise Forand x2	Re CBCL	2023-10-04	2023-10-10 COTW
Peter Moore	Re Weather	2023-10-05	2023-10-10 COTW
Peter Moore	Re A Study or Plan and why it matters	2023-10	2023-10-24 Council
NS Public Works	Response to Reimagine the Windsor and Falmouth Waterfront area	2023-10-11	2023-10-24 Council
Shelburne Counties	To NSFM Re Cellular Coverage (WHRM copied)	2023-10-11	2023-10-24 Council
Glen LeBlanc	Re Poor Cellular Service	2023-10-13	2023-10-24 Council
Letter mailed to WHRM	Re 35 William Street Developer	2023-10-16	2023-10-24 Council
Response from Maria Medioli	Re King’s Meadows (WHRM copied)	2023-10-17	2023-10-24 Council
King's Meadows Residence	Re Non Profit Options	2023-10-25	2023-11-14 COTW
Premier Tim Houston	Re Future Energy Security for NS letter to Councillor	2023-10-25	2023-11-14 COTW
Premier Tim Houston	Re YourHealthNS app	2023-11-02	2023-11-14 COTW
Sheldon Hebb	Re Curbside Waste Collection	2023-10-25	2023-11-14 COTW
VREN	Re Land and Asset Database Update and User	2023-11-06	2023-11-14 COTW

	Integration		
Kelsey MacNeil	Re Wind Strength Update	2023-11-08	2023-11-14 COTW
Steven Hart (Protect Vaughans Community)	Re Amendment to Policy 4.22.4 (3 emails)	2023-11-02	2023-11-14 COTW
Mandy Singleton	Re Riverview Drive Rezoning Brooklyn	2023-11-09	2023-11-14 COTW
Ian Daniels	Re Windsor Elementary School	2023-11-13	2023-11-14 COTW
Sandra Watson	Re Rezoning PID 45215290 Riverview Drive Brooklyn	2023-11-15	2023-11-28 Council
Steven Hart	Re Follow-up to Policy Amendment 4.22.4 (4 emails)	2023-11-16	2023-11-28 Council
Amanda Dunfield	Re Windsor Stormwater: CSO Outfall Signage	2023-11-20	2023-11-28 Council
Hon. Kim Masland	Re Provincial Intersection Street lighting	Sent 2023-04-03 and resent 2023-11-21	2023-11-28 Council
Amanda Dunfield	Re Minas Basin Sessions/Requests Recording of Community Events	2023-11-23	2023-11-28 Council
Kelsea MacNeil, Director, Public Relations & Business Development Membertou Development Corporation	Re Bear Lake Wind Project Information Session	2023-11-23	2023-11-28 Council
Residents of the Concerned Citizens	Call to Action	2023-11-24	2023-11-28 Council
MADD Annapolis Valley	Re Red Ribbon Request	2023-11-16	2023-11-28 Council
Dykeland Lodge	Re Request for a Secondary Exit from College Road	2023-11-21	2023-11-28 Council
Protect Vaughans Community (Steven Hart)	Re Follow-Up To Wind Farm	2023-11-21	2023-11-28 Council
Kelsey McNeil	Re Bear Lake Wind Information - Tax Memo & Community Benefits	2023-11-30	2023-12-05 COTW
Lubna Jamshaid	Re Support Ceasefire in Gaza!	2023-11-28	2023-12-05 COTW
Jill Pasquet	Re Cease Fire	2023-11-28	2023-12-05 COTW
Shawkat Ali	Re Support for Ceasefire in Palestine	2023-11-28	2023-12-05 COTW

Correspondence Received

Youseff Rafih	Re Ceasefire Now! Not Pause	2023-11-30	2023-12-05 COTW
Ahmed Nassrat	Re Motion for Peace	2023-11-29	2023-12-05 COTW
Andrew Zebian	Re Call For Ceasefire	2023-11-30	2023-12-05 COTW
Jennifer Crawford	Re West Hants call for ceasefire in Gaza	2023-11-30	2023-12-05 COTW
Kody Blois to the Premier	Re Marshlands (WHRM copied)	2023-12-01	2023-12-05 COTW
Amanda Dunfield	Re 2023.11.30 Stormwater Discussions Formal Request for Presentation Materials	2023-11-30	2023-12-05 COTW
Elizabeth Tuck	Re In Support of a Ceasefire	2023-12-03	2023-12-05 COTW
Frank Bezanson	Re A call for a permanent ceasefire	2023-12-03	2023-12-05 COTW
Mohammed Barrah	Re Urgent Letter to Mayor Zebian and WHRM Council	2023-12-04	2023-12-05 COTW
Lubna Jamshaid	Re: Support Ceasefire in Gaza	2023-12-05	2023-12-12 Council
Andrea Parker	Re Health Plan Survey Opportunity	2023-12-06	2023-12-12 Council
MLA Sheehy-Richard	Re: Response Re Additional Carpool Parking Lot	2023-12-12	2023-12-12 Council
Myra Stephen	Re: When you know better, do better	2023-12-13	2024-01-09 COTW
Katherine Wadden	Re: PID 45215290 Riverview Drive Brooklyn	2023-12-13	2024-01-09 COTW
Jeff Dunfield	Re: Council Meeting Called for Next Week (Dec. 19, 2023)	2023-12-15	2024-01-09 COTW
Peter Moore	Re December 19th Special Council Meeting	2023-12-18	2024-01-09 COTW
NSFM	Re: Letter To Minister Morrow Re Dyke System (WHRM copied)	2023-12-20	2024-01-09 COTW
Peter Moore	Re: COTW - October 12, 2021	2023-12-20	2024-01-09 COTW
Minister Rushton	Re: Response to WHRM Re Smiley's Park	2023-12-21	2024-01-09 COTW
Robert Crow	Re: Lot 13 Rezoning Milliard Crt	2024-01-03	2024-01-09 COTW
Annapolis Valley Regional Library	Re: Letter to Minister MacMaster (WHRM copied)	2023-12-05, Received 2024-01-04	2024-01-09 COTW
Emily Seaboyer	Re: Application for Rezone of OS lot, Millard Court, Union Corner	2024-01-04	2024-01-09 COTW
Denise Forand	Re: The rezoning of gifted lands for subdivisions and our Historic Architectural zone	2024-01-06	COTW2024-01-09
Elizabeth Rondhuis	Re: Land Rezoning PID45236601	2024-01-07	2024-01-09 COTW
Karl Coutino	Re Request for Postponement of Commercial Wine Support Program Announcement	2024-01-08	2024-01-09 COTW

Correspondence Received

Peter Moore	Re Rainfall Warning	2024-01-09	2024-01-09 COTW
Christina Hudgins	Re Millard Court	2024-01-09	2024-01-23 Council
Emily Seaboyer, Shawn Seaboyer & Family	Re Application for Rezone of OS lot, Millard Court, Union Corner	2024-01-09	2024-01-23 Council
Phil Pidgeon	Re Rezoning of PID 45236601 Millard Court, Union Corner	2024-01-12	2024-01-23 Council
Haley Brown	Re Urgent Request for Postponement of Commercial Wine Support Program Announcement	2024-01-12	2024-01-23 Council
Wine Growers Nova Scotia (WGNS)	Re Important Update on Nova Scotia Farm Wine Industry Developments with attached letters	2024-01-16	2024-01-23 Council
Mary Penner	Re Thank You to Citizens of Windsor	2024-01-18	2024-01-23 Council
West Hants Historical Society Letter to WHRM	Re Paris Name	2024-01-17	2024-01-23 Council
Andrew Hardman	Re Supreme Court Decision re Permit D2023-019	2024-01-23	2024-01-23 Council
2024 Update	Re Regional Chairs Coordinators activities at the Provincial level for Waste Management.	2024-01-18	2024-02-13 COTW
Avon Street Erosion Society	Re Registered as a Not-for-Profit Society	2024-01-18	2024-02-13 COTW
Cathy Illsley	Re Discontinuing Aquafit Classes	2024-01-25	2024-02-13 COTW
Denise Forand	Re Opposed to Rezoning PID 45215290 Riverview Drive Brooklyn	2024-01-25	2024-02-13 COTW
Debbie Spears	Re Aqua fitness	2024-01-26	2024-02-13 COTW
HCCC #1 Letter to WHRM Re Request for Financial Support	Re Request for Financial Support	2024-02-01	2024-02-13 COTW
Jennifer Enright	Proclamation Request Re Amyloidosis Awareness Month	2024	2024-02-13 COTW
Denise Forand Re	Re Snow removal from the causeway highway	2024-02-08	2024-02-13 COTW
Birthplace of Hockey Tournament Costs		2024-02-09	2024-02-13 COTW
Amanda Dunfield	Re Windsor Stormwater Municipal Snow Storage	2024-02-09	2024-02-13 COTW
Response from Minister Lohr	Re WHRM Affordable Housing Letter	2024-02-09	2024-02-13 COTW
Carrilee Eddy	Re Assembly of NS Mi'kmaw Chiefs	2024-02-13	2024-02-13 COTW
Kjeld Mizpah Conyers-Steede	Re Valley REN Board Member Connection	2024-02-14	2024-02-27 Council
Andrew Hardman	Re Ken No. 522430 - Hardman et al v. West Hants Regional Municipality	2024-02-15	2024-02-27 Council
Mike Murphy	Re 2-hour parking on Stannus Street	2024-02-15	2024-02-27 Council

Correspondence Received

Keith Aucoin	Re Excessive Property Evaluation	2024-02-17	2024-02-27 Council
Wine Growers NS	Re Letter to the Premier Re Consequences of the Government of Nova Scotia's Commercial Wine Support Program	2024-02-22	2024-02-27 Council
Mimi O'Handley	Re Coastal Announcement from the Province	2024-02-26	2024-02-27 Council
Letter from the Province to Mayors, Wardens, Councillors	Re Coastal Protection	2024-02-26	2024-02-27 Council
Letter from Chief Paul	Letter to West Hants Council Re Bear Lake Wind Farm	2024-02-27	2024-02-27 Council
Lloyd Blagdon	Re Windmill project Vaughan	2024-02-27	2024-02-27 Council
From HCCC#1 Board of Directors	Re Canyon Point Road Community Temporary Laneway Flooded	2024-02-29	2024-03-12 COTW
Peter Moore	Re Capped Property Assessment (WHRM copied)	2024-02-29	2024-03-12 COTW
Randy Hussey	Re Underwood Road Traffic Safety Issue	2024-03-07	2024-03-12 COTW
Jennifer Moore	Re Home Flood Protection Program Information Report	2024-03-12	2024-03-12 COTW
Avon River Heritage Society	Re Flooding March 11th, 2024	2024-03-12	2024-03-26 Council
Jennifer Moore	Re Information Report Home Flood Protection program	2024-03-12 and 13th	2024-03-26 Council
Maryann Norbury	Re Payzant Drive Extension	2024-03-12	2024-03-26 Council
Dorothy Read	Re Opposition to Willow Street rezoning application	2024-03-14	2024-03-26 Council
Royal Canadian Legion, Hants County Branch No. 9	Re Grant for Veteran Banner Program	2024-03-14	2024-03-26 Council
Joe Alcorn and Donna Smith	Re Payzant Road - Roundabout or Extension	2024-03-18	2024-03-26 Council
Judi Wilson	Re Payzant Connector Road	2024-03-19	2024-03-26 Council
Response to Mr. Hussey from MLA Sheehy-Richard	Re Underwood Road Traffic (WHRM copied)	2024-03-19	2024-03-26 Council
Cathy and Dave Pemberton	Re New builds - roads	2024-03-20	2024-03-26 Council
Jamie Leopold	Re Safety Concern at the West Hants Sportsplex	2024-03-21	2024-03-26 Council
Emme Manuel	Re Open Arms New Outreach Program	2024-03-21	2024-03-26 Council
Petition from Hantsport Residents	Re: Request to defeat Williow Street Application	2024-03-21	2024-03-26 Council
Kim and John Olejnik	Re Payzant Drive extension over to Hwy 1, (sometimes referred to Hwy 14)	2024-03-25	2024-03-26 Council
Jeanette Poirier	Re Payzant Drive Extension	2024-03-25	2024-03-26 Council
Avon River Heritage Society Newport Landing	Re Flooding	2024-03-25	2024-03-26 Council

From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: Flooding March 11th, 2024
Date: Tuesday, March 12, 2024 11:50:35 AM

From: Avon River
Date: March 12, 2024 at 11:44:09 AM ADT
To: Abraham Zebian <AZebian@westhants.ca>, Mark McLean <mmclean@westhants.ca>
Subject: Re: Flooding March 11th, 2024

Caution [External Email]
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

On Tue, Mar 12, 2024 at 11:41 AM Avon River wrote:

> Hi Abe and Mark,
>
> I'm sure you're well aware of the extreme tides and flooding we experienced yesterday and on February 11th of 2024.
>
> Attached are photos of yesterday's flooding at Newport Landing Waterfront Park. These last two extreme floods have seen the water breaching the berm, engulfing the area around the museum and shipyard.
>
> The berm, which was last topped up in 2020 and previously in 2013, is now in dire need of replenishing.
>
> Currently there are two weak spots (not including the boat launch itself), one near the rear right hand corner of the shipyard and one near the telephone pole, where the berm meets the intersection of Belmont Road and New Town Road.
>
> I expect you'll be receiving further correspondence shortly from Kim Lake and the board for the heritage society about the necessary next steps for flood protection. In the meantime I wanted to provide photos of these flood events.
>
> I will forward the February 11th flood photos in a separate email.
>
> Cheers,
> Tacha Reed
> --
> Avon River Heritage Society
>
> ***Get off the beaten path... explore the Avon River!***
>
> www.avonriverheritage.com

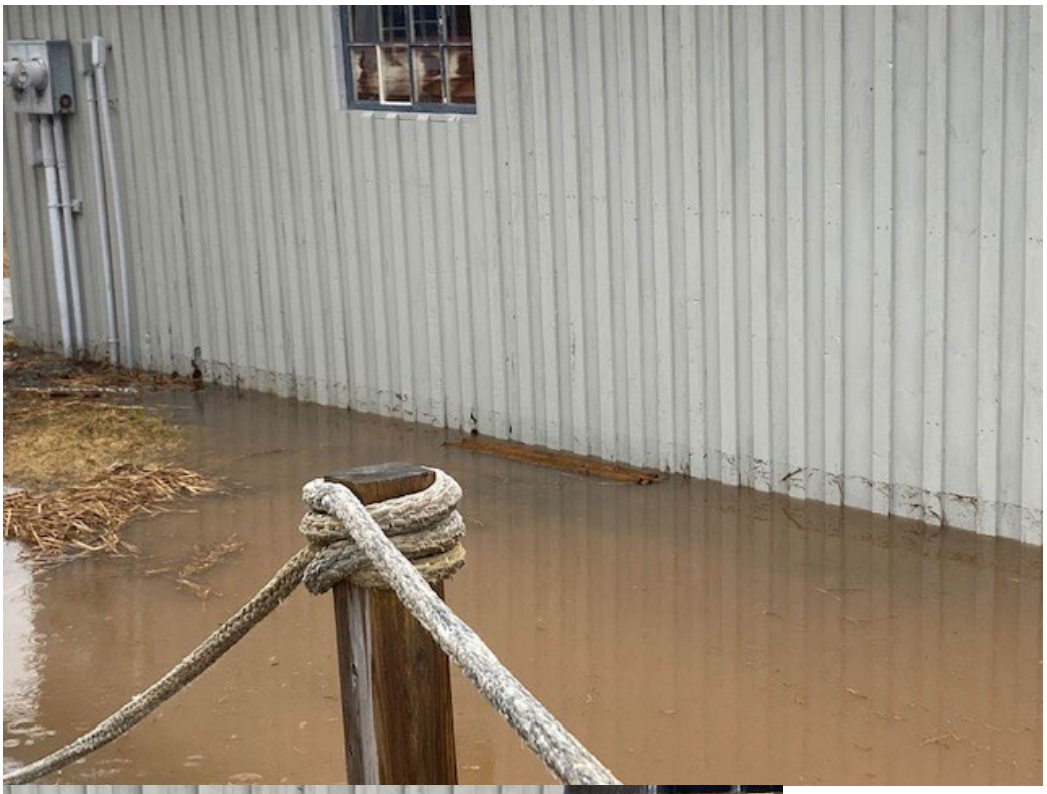
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Avon River Heritage Society

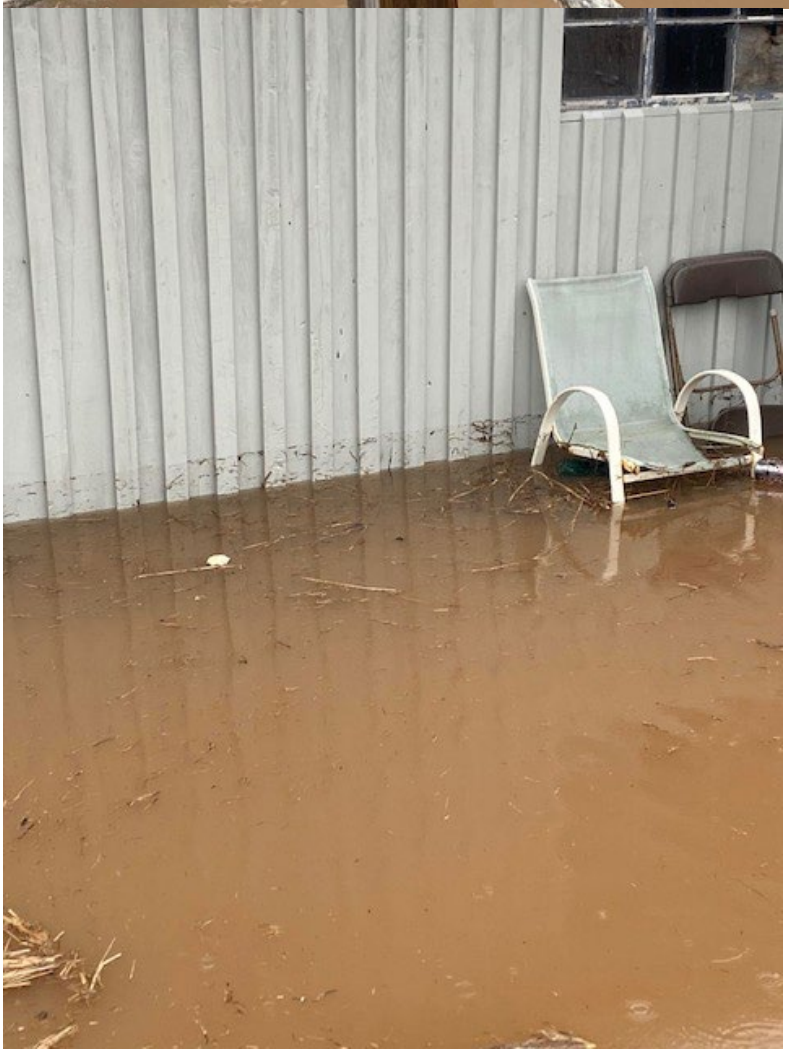
Get off the beaten path... explore the Avon River!

www.avonriverheritage.com









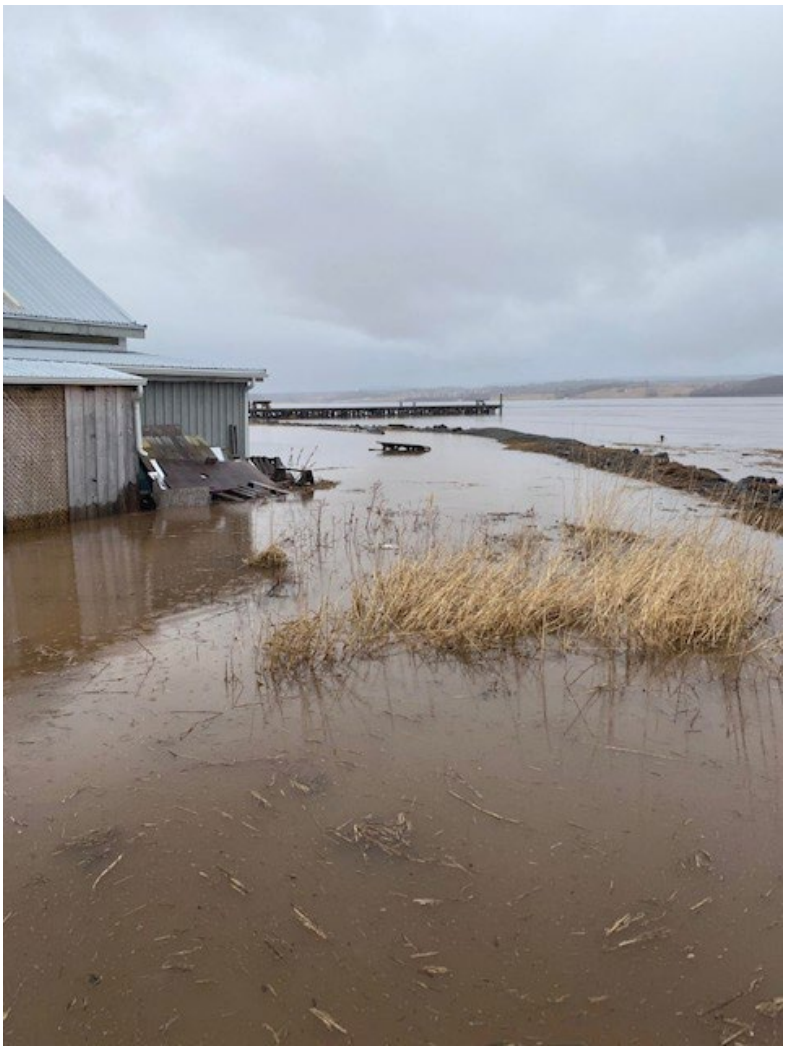













NO
EXIT


Avon River
Heritage Museum
17









From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: Information Report: Home Flood Protection program
Date: Saturday, March 23, 2024 2:24:23 PM

From: Windsor Floodzone
Date: March 14, 2024 at 8:00:12 AM ADT
To: Laurie Murley <lmurley@westhants.ca>
Cc: Abraham Zebian <AZebian@westhants.ca>, Rupert Jannasch <RJannasch@westhants.ca>, Scott McLean <smclean@westhants.ca>, Mark McLean <mmclean@westhants.ca>, Jeff Hartt <jhartt@westhants.ca>, Debbie Francis <DFrancis@westhants.ca>, Bob Morton <bmorton@westhants.ca>, Ed Sherman <esherman@westhants.ca>, Paul Morton <PMorton@westhants.ca>, John Smith <JSmith@westhants.ca>, Jim Ivey <jivey@westhants.ca> **Subject: Re: Information Report: Home Flood Protection program**

Caution [External Email]
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Good morning,

Thank you for supporting the concerns of residents, as presented in my email, at the Committee of the Whole meeting on March 12th.

It was disheartening to learn that the motion to develop an emergency plan was not fulfilled. We were hoping for some practical support that could be available and implemented when our properties are affected by CSO overflow. As indicated by staff, this was a two part motion.

Such things as closing streets or sandbagging driveways would help us. As an example, my daughter and I were splashed, head to toe, during a combined sewer overflow, by a vehicle while we were adjusting hoses in our driveway. Our street has never been closed, not even during the two July floods which potentially poses a health and safety issue.

Given our history in this area, we will experience more flooding and overflow events during heavy rainfall before work can be done to divert water.

Thanks again.
We do appreciate the efforts of councilors on our behalf.

Jennifer

On Tue, Mar 12, 2024 at 2:31 PM Windsor Floodzone wrote:

Good day Councillor Murley,

After reviewing the agenda package for tonight's meeting, specifically the Information Report for a home flood protection program, some residents have a few questions/ concerns. As our representative, could you voice these questions at the meeting this evening?

The report does not address the serious and ongoing damage to homes and properties caused by CSO overflow during heavy rainfalls. Many of the suggestions included in the report have been implemented already by homeowners, at their own expense, and do little good when the overwhelmed system backs up and floods properties with combined storm and sewer water. This, of course, poses a risk to the health and safety of residents.

Certainly, properties dealing with saturated grounds due to rainfall require sump pumps, back flow valves and other remediation as outlined in the report being offered for council's consideration. Notwithstanding the long term goal of upgrading the infrastructure, the added component of the CSO overflows onto properties needs to be addressed and remedied, within a flood protection program, so the municipality can fulfill its responsibilities.

Also, it goes without saying, the package should offer grants to property owners, not loans, considering the undersized and outdated system is causing flooding.

Please suggest, council direct staff to further develop this package to include protections from the CSO overflows onto residential properties.

With thanks,

Jennifer Moore

From: Abraham Zebian
To: Deanna Snair; Sara Poirier; Mark Fredericks; Alexander Dunphy
Subject: Fwd: Strrongly oppose Willow Street rezoning application
Date: Thursday, March 14, 2024 8:17:05 AM

From: Dorothy Read [redacted]
Date: March 14, 2024 at 7:31:22 AM ADT
To: Abraham Zebian <AZebian@westhants.ca>
Subject: Strrongly oppose Willow Street rezoning application

Caution [External Email]
This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Dear Mayor Zebian,

I am strongly opposed to rezoninf a property on Willw Sr, Hantsport from residential to commercil.

Therre were no artist rederings od the proposed apartment buildinf presented to thevzoning group. Veryunusual!

The steep property is avwetland, some call it a swap. It s hke to ducks, turtle, and wildadad
Ife..lontvsuitable for bulding.

Yours, truly,
Dorothy Read
[redacted]

From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: Payzant Drive Extension
Date: Tuesday, March 12, 2024 11:45:55 AM

From: Maryann Norbury
Date: March 12, 2024 at 10:11:38 AM ADT
To: Abraham Zebian <AZebian@westhants.ca>
Cc: Bob Morton <bmorton@westhants.ca>
Subject: Payzant Drive Extension

Caution [External Email]
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Dear Mayor,

I'm writing to you regarding the proposed Payzant Drive Extension.

Irven Drive is blocked as you well know. I have heard those that live there or whom own homes there do not want it opened due the the amount

of traffic that will pass their homes.... but we at the Crossing on certain streets can bare the brunt!!!!!!

I am disappointed that you and the council would even consider such an approval while
Windsor is not in anyway ready for this sort of dense building.
My reasons and those of many of my neighbours are as follows albeit not all the concerns some may have.

* extreme traffic that will flow through the streets that have no side walks for those walking their dogs or just out getting exercise
* Irven road is blocked/locked, it should be available for traffic to go through there to ease the flow.
* If Irven Rd was opened up it would serve two purposes, first it would ease the flow of traffic and second allow emergency vehicles to quickly access the Crossing.

* The council approved the apartment buildings to accommodate more empty nesters/seniors and now you intend to add far more strain on the medical system or
shall I say the lack thereof. You already have an emergency that puts a sign up saying "emergency closed" and you want to compound that severe problem?

I do hope that the council has not already decided and will just rubber stamp the approval. One would hope that more time would be allotted to allow the residents
to become more involved. The road infrastructure must be a priority so the traffic is not going through the Crossing.

Kind regards,

Maryann Norbury

From: Joe Alcorn and Donna Smith
To: Abraham Zebian; Bob Morton
Cc: PublicOnlyCouncilEmail
Subject: FW: Crossing
Date: Saturday, March 16, 2024 11:28:11 AM

Caution [External Email]
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Mr. Mayor and fellow councilors,

Letter for Consideration

Re: Payzant Road - Roundabout or Extension

Payzant is currently a dead-end road off of the Wentworth Road leading to the hospital and ending at the high school. It services the school, hospital and some small subdivisions. Soon Community Way will connect to Payzant as well, which will connect our seniors community at the "Crossing" to Payzant. The Crossing is a 55 plus retirement community developed with municipal input and approval with local streets, no sidewalks or lighting at night. Payzant is a main, albeit dead end road servicing school and hospital. With the connection of Communty Way that will no longer be the case and a new route connecting Hwy 14 to Payzant along Underwood and through the Crossing will be created. This will essentially turn our retirement community into a short cutting route for a large area of the municipality to access the school and hospital which will mean excess vehicular traffic including trucks and buses. As well there's a proposed development of more than 800 units, which I have no opposition too, at the high school end of Payzant Road. Without the proper road infrastructure in place to support this change this will further add to the potential traffic problems we will see in our small retirement community.
Payzant currently ends near route 1 and as I understand has the ability to be connected to that major route. That connection alone would provide easy access from Three Mile Plains and beyond to the high school and hospital and would allow Payzant to function as the main road it is designed to be… this alone should be an absolute priority for the municipality to undertake before allowing a massive development to be built at the end of Payzant without proper access. As previously mentioned The Crossing is a retirement community without major arterial roads to handle traffic we have no sidewalks or lighting, and it will be no time at all before increased higher speed traffic will result in the possibility of injury or even death of our residents. Council should not turn a blind eye to what will be created by not prioritizing the connection of Payzant and Route 1. The proposed roundabout at Wentworth Road and Payzant will do absolutely nothing to help people from Three Mile Plains and outlying areas to get to the hospital quicker in case of emergency or to the school and in fact while construction is underway it will hinder everyone requiring urgent medical assistance to get to the hospital.
To cut to the chase the extension to Route 1 makes more sense versus the roundabout at Wentworth Road, the cost of the roundabout will far outweigh the cost and benefits of the extension, the time alone for construction of the roundabout should also be a factor to be consider but most importantly the extension of Payzant to Route 1 will be so much more convenient for all members of the community of West Hants!

Warmest regards,

Joe Alcorn and Donna Smith
[redacted]
Garlands Crossing, [redacted]
[redacted]

From: MLA Office
To: Randy Hussey
Cc: PublicOnlyCouncilEmail; Ashley Imlay; Troy Burgess
Subject: Re: Underwood Road Traffic
Date: Tuesday, March 19, 2024 11:08:31 AM
Attachments: Underwood Road Traffic Safety Issue.pdf
Importance: High

Caution [External Email]
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Good morning Randy,

I received a response from my area manager with regard to your concerns along Underwood Road and the surrounding area and have included it below for your information.

I took a look through this letter, and most of the requests seem to be municipal jurisdiction, but I can provide comments on the items that are applicable to us.

1. **Installation of sidewalks along Underwood Road:** The province does permit the installation of Municipal sidewalk infrastructure along Provincial roadways where possible. It is the responsibility of the Municipality to install and maintain this infrastructure.

2. **Installation of 3-way stop signs at intersections of Underwood Road with Jared Court and Bailey Drive:** The Provincial portion of Underwood Road, which intersects Jared Court would be considered the primary road, and Jared Court the secondary. In situations like this, it is common that a stop sign would be present on the secondary road (Jared Court) and Underwood remain a through road (no stop signs), which is the current configuration. I will have this intersection reviewed by our District Traffic Supervisor. However, I do not suspect that there will be a change warranted. Underwood Road becomes a Municipal road where it intersects with Bailey Drive (also Municipally owned). This would be solely Municipal jurisdiction, but the configuration is currently similar to that of Jared Court, and I do not suspect a change would be warranted for them at this location either.

3. **Removal of the gate between Edward Drive and Underwood Drive to facilitate smoother traffic flow:** These are Municipal roads and would be the jurisdiction of the Municipality.

4. **Prompt opening of the new road on Community Way:** The Municipality is responsible

for overseeing developments and construction of new roads. I suspect things are progressing as fast as possible.

5. **Urging the developer to expedite completion and opening of the road from Edward Drive to Super 8 Motel:** Similar to above, this is Municipal jurisdiction. Again, I suspect things are progressing as fast as possible.

I hope this information helps. Please let me know if there are any further questions or additional information required.

In kindness,

Melissa Sheehy-Richard, MLA
Hants West

58 Gerrish Street
Windsor, Nova Scotia
melissa.mlaoffice@gmail.com
902.798.0121

On Mar 7, 2024, at 7:59 PM, Randy Hussey wrote: Please see

attached letter concerning traffic on underwood road. Thanks

Mayor Abraham Zebian
Melissa Sheehy-Richard MLA
Municipal Councilors of West Hants

March 7, 2024

I hope this letter finds you well. I am writing to urgently address the longstanding traffic challenges plaguing Underwood Road in Garlands Crossing. Despite repeated appeals from residents, the situation remains unresolved, posing significant safety risks to our community.

It is evident that the primary obstacle lies in the ownership of the road by the province, making progress elusive. However, overcoming this hurdle requires nothing more than political will and collective advocacy. We cannot continue to overlook the pressing need for action while our streets witness alarming incidents, such as the unfortunate accident during last year's Halloween.

The absence of adequate lighting and sidewalks exacerbates the perilous conditions, compounded by the limited accessibility with only one entry and exit point. While the amalgamation of our townships has streamlined administrative processes, the lingering divide persists, hindering effective collaboration.

To address these pressing concerns, we implore immediate consideration and implementation of the following proposals put forth by residents:

1. Installation of sidewalks along Underwood Road
2. Installation of 3-way stop signs at intersections of Underwood Road with Jared Court and Bailey Drive
3. Removal of the gate between Edward Drive and Underwood Drive to facilitate smoother traffic flow
4. Prompt opening of the new road on Community Way
5. Urging the developer to expedite completion and opening of the road from Edward Drive to Super 8 Motel

The clamor for action grows louder each passing year, yet our pleas seem to fall on deaf ears. The residents of Garlands Crossing have reached their limit and refuse to remain silent any longer. It is time for our council to heed our voices and take decisive action to address the traffic woes plaguing our community.

I trust you will give these proposals the urgent attention they warrant and work towards tangible solutions to ensure the safety and well-being of our residents.

Sincerely

Randy Hussey
Resident of Garlands Crossing

From: Judi Wilson
To: PublicOnlyCouncilEmail
Subject: Payzant Connector Road
Date: Tuesday, March 19, 2024 2:04:34 PM

Caution [External Email]
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To Council Members, I understand that there will be a development at the end of Payzant Road near the high school. I also understand that the continuation of Payzant Road through to Highway 1 has been in the community plan for a long time. Given the amount of development in the area, it would be beneficial to complete the continuation of Payzant Road when the planned development commences.
Thank you, Judi Wilson
[redacted]
Garlands Crossing

From: cathy pemberton
To: PublicOnlyCouncilEmail
Subject: New builds /roads
Date: Wednesday, March 20, 2024 2:29:23 PM

Caution [External Email]
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To all the council members of west hants I have contact Bob Morton to go to the next meeting on our behalf to voice our concerns about the road coming out in from of our house on King st .It is far to dangerous now and to put more traffic on this part of the road is not wise .We have school age kids walking this road all the time as well as elderly.We have attended every meeting on this but unfortunately will be away to attend this one .So I'am asking if someone could please go and voice our concerns on this issue once again .
Thank
Cathy & Dave Pemberton

From: Abraham Zebian
To: Jamie Leopold
Cc: PublicOnlyCouncilEmail; Kevin Bennett; Mark Phillips
Subject: Re: West hants Sportsplex
Date: Thursday, March 21, 2024 12:17:21 PM

On Mar 21, 2024, at 12:07 PM, Jamie Leopold wrote:

Caution [External Email]
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Good day council.
I am writing this as to bring attention to a serious safety risk at the Sportsplex. In every dressing room under the benches there are pieces of sharp pointed steel that the benches are mounted on That are in a position to seriously injure someone or even kill a small child should one hit their head on them . There have been multiple leg injuries caused by these pieces of steel ,most recently last evening my son slashed his leg open on one .
As a safety representative for our minor hockey team i am requesting this be rectified immediately.
I have brought this up multimes with the staff at the rink and jim ivey but nothing has been done in 3 years to fix the problem.
Please go in to the rink and have a look for yourself .

Thanks
Jamie leopold
Manager West Hants Warriors U13A

From: Emme Manuel
To: Abraham Zebian
Cc: PublicOnlyCouncilEmail
Subject: Open Arms Outreach Project (NEW)
Date: Thursday, March 21, 2024 1:14:35 PM

Caution [External Email]
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Good afternoon,
We recently started an Outreach program through Open Arms in Kentville. This is currently a pilot project, with hopes to be extended long term. As a part of Infrastructure Canada to Reaching Home: Canada's Homelessness Strategy, we have been provided funding to provide Outreach services to unsheltered homeless individuals (people living in literal homelessness and living on the streets, encampments or other locations not fit for human habitation) from Windsor to Middleton. We have two outreach workers out daily (Monday-Friday) 8am-4pm in a mobile van filled with supplies and resources (including a hotspot for filing applications etc.,). I just wanted to send off the information to service providers and community leaders in the area so you can connect us with people you know. Just to be clear, our funding is only for people not currently with shelter- so unfortunately this excludes those couch surfing, or in emergency shelters/ living in poverty. I have also attached a flyer with some information for your viewing.

I look forward to hearing from you. Please let me know if you have any questions, or would like to discuss things further.

Our contact is 902 300 7681 and email: outreachcoordinator@openarms.ca

Open Arms Outreach Services

Are You Experiencing Homelessness?

IF YOU ARE SOMEONE WHO IS LIVING ROUGH (THIS COULD BE ANY WHERE OUTSIDE, IN A TENT, YOUR VEHICLE, ETC.) OUR OUTREACH TEAM CAN HELP YOU:

- **Meet with you where you are at;**
- **Get connected with community resources that you need to get housing supports;**
- **Work with you to obtain shelter accommodations;**
- **Find community drop-in centers as a place to escape the weather;**
- **Bring you with supplies that you may need (food, water, ensure, personal hygiene, hand warmers, socks/hat/mitts, tarps, rain Panchos etc.)**
- **Provide Wi-Fi hotspot services for filling out applications/forms etc.**
-

For more information on the services, we provide please call or email us at 902 300 7681 or outreachcoordinator@openarms.ca



From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: Payzant Drive extension over to hwy 1, (sometimes referred to hwy 14)
Date: Monday, March 25, 2024 11:23:08 AM

From: Kim Olejnik
Date: March 25, 2024 at 11:09:51 AM ADT
To: Bob Morton <bmorton@westhants.ca>, Abraham Zebian <AZebian@westhants.ca>
Subject: Payzant Drive extension over to hwy 1, (sometimes referred to hwy 14)

Caution [External Email]
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Good morning

We are sending this email in regards to this matter. We live on Community Way and have been made aware that with all the planned construction of new dwellings in the area of Payzant Drive it will have a substantial effect of much more traffic on our street and throughout our community. There are safety, noise and many other concerns that should be realized if the extension was not made. Our residents are seniors and with that comes people with walkers, scooters, canes and other devices they require to maneuver our streets. The number of our residents using our roads to walk is increasing every month. The extension of Payzant therefore needs to be completed so to alleviate extra traffic from outside our community that would be using our streets to cut through is not at all an option. We have been told that this extention is not considered important and could not happen for a number of years. Our safety should be considered of utmost importance. Would you like your parents or grandparents not feeling safe to use their streets to walk on because of so much traffic coming through? And because of this safety issue they could decide that they are afraid to walk because of this? Either because they are elderly or handicapped which is totally unfair and this is why we have come to this community to begin with so that we are safe.

We will be attending the meeting tomorrow. Please take our safety and noise concerns into your decision and please make this extension in the very near future.

Thank you
John & Kim

From: Abraham Zebian
To: Deanna Snair
Subject: Fwd: Payzant Drive Extension
Date: Monday, March 25, 2024 1:48:47 PM

From: Jeanette Poirier
Date: March 25, 2024 at 1:46:05 PM ADT
To: Abraham Zebian <AZebian@westhants.ca>
Subject: FW: Payzant Drive Extension

Caution [External Email]
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From: Jeanette Poirier
Sent: March 25, 2024 10:44 AM
To: bmorton@westhants.ca
Cc: Rebecca Sanford
Subject: Payzant Drive Extension

Dear Mayor and Councillor,
I am a resident of The Crossing, I live on Goosie Loop.
Thus I have a great interest in the topic of entrances and exits to our community. I am strongly in favour of creating the extension of Payzant Drive to Hwy 1/14 as another exit for our community. Also, that Irvin Drive also be extended to either Payzant Drive or to the said Hwy 1-14. And both of these as soon as possible.
There is the issue of the increased traffic within our community if this extension is not made as quickly as possible. That is a valid concern and one I share. But I have other concerns that should be on all our minds – and that includes the leadership of West Hants Municipality and the citizens within as well as residents of The Crossing.
Last summer, Nova Scotia experienced unprecedented wild fires and then flooding. Our community was fortunate that West Hants did not experience wild fires, but we DID experience the flooding and the deaths and destruction this brought about. We know that these extreme events will happen again as this is the pattern due to climate change.
We need to have adequate exits from The Crossing should events like these befall us. Extending Payzant Drive is very important in this regard. I want to also add another point with regard to extending Irven Drive to Payzant and/or Hwy 1. Those of us living on Goosie Loop or on the far end of Irvin Drive need this exit, otherwise, in a time of emergency, we would have to drive further into the community and possibly endanger ourselves in order to leave the crossing. (For instance, if a wild fire should break out that threatens our community and is in close proximity or already invading the middle of The Crossing.)
I urge you and the other Council members to consider this thoughtfully and carefully. I am confident that you will act in the best interest of your citizens.

Respectfully,
Jeanette Poirier

Avon River Heritage Society
17 Belmont Rd
Avondale, NS
B0N 2A0

March 25, 2024

To: Kody Blois, Melissa Sheehy, Mark Phillips, Abraham Zebian and all Council

We are writing to urgently request action on the persistent flooding issues affecting several key areas in Newport Landing, specifically the Avon River Heritage Society site, Avondale Wharf/Boat Launch, Municipal Park and adjacent Belmont and New Town Roads. Recent high tide events on February 11th and March 11th (please refer to attached photos) have exacerbated the situation, prompting our **plea for immediate, interim measures to prevent further damage to our facility until a comprehensive, long-term solution can be implemented through collaboration between the municipality, province, and adjacent landowners.**

We acknowledge the complexity of this situation, with the Museum and Shipyard under our management situated on municipally owned land adjacent to a municipal park, wharf, and public boat launch, while the provincial government oversees the Belmont and New Town Roads. This area serves as a focal point for numerous visitors drawn to events, festivals, weddings, scenic views, recreational activities, local businesses (including the Avondale Sky Winery), and more. Moreover, our museum serves as a vital educational resource on local history and has evolved into an essential arts and cultural hub in the region.

Recently, our staff participated in a meeting with CBCL consultants and Provincial Staff regarding the Belmont Road and New Town Road intersection adjacent to the museum. While we understand the necessity for careful design and planning, it is imperative to address the immediate challenges we face. We hope to engage in further discussions with both the Municipality and the consulting team to ensure that our concerns are adequately addressed.

The Municipality has previously conducted a flood risk study for the area, including the wharf, park, and museum site, which involved CBCL. **While we appreciate the complexities involving studies, engineering, and budget allocations, we are currently experiencing immediate impacts that demand swift action.** It was after local volunteers filled sandbags to protect the museum in 2021 that the berm was topped with material by the municipality. We would appreciate similar intervention again **to prevent unnecessary flood damage during anticipated high tides, such as the upcoming event on April 8th, which is expected to reach a height of 14.9m.**

The Avon River Hertiage Society comprises a dedicated group of volunteers with one paid staff member. We are deeply committed to fostering community connections, promoting arts and culture, and preserving history for future generations. Our ongoing efforts include launching a capital campaign to address necessary repairs and upgrades to our facility. Its success hinges upon investments in the existing infrastructure, surrounding berm, roads, culverts, and other vital components.

We envision a collaborative endeavor that not only addresses immediate concerns but also enhances the entire area. Imagine improved road and drainage infrastructure, an enhanced boat launch and parking area, a boardwalk atop a fortified berm, a revitalized community events space, and essential repairs to our museum. Through a unified approach, this site can evolve into a premier arts and culture destination within the region.

We express our sincere gratitude in advance for any support you can offer in your respective capacities to improve our region. We eagerly anticipate the opportunity to collaborate with you towards realizing this vision.

Thank you for your attention to this matter.

Warm regards,

Sincerely,



Kim Lake, Chair of the Board
Avon River Heritage Society

Attached: ARHS Winter Flooding photos



Flooding at Avon River Heritage Centre, Newport Landing Park, and Belmont Rd / New Town Rd (Feb 11 and March 11, 2024)


GMC
SHUTTLE CRAFT
SPORT DECK














NO
EXIT







HANTS COUNTY BRANCH No. 9
The Royal Canadian Legion

PO BOX 28
WINDSOR, NS
B0N 2T0
PHONE: (902) 798-2031
Email: windsorlegion009@eastlink.ca

March 13, 2024

West Hants Municipality
Windsor, Nova Scotia

Dear Counsil Members,

RE: Grant for Veteran Banner Program

The Veteran Banner Committee recently applied for a Grant to help cover the costs of brackets for our new Veteran Banners for this year (2024). Somehow, we had a glitch or hiccup with the online application, and it did not go through. We attempted to resend the application, however, the link is now closed. I am hoping that this letter of request will be accepted as our application in replacement of your online application process.

This year, we will be accepting 50 new families for the Veteran Banner Program and each of these Banners will require a set of brackets. The cost of these brackets is $169.00 each plus HST, for a total of $9,717.50. I have included a copy of the quote from Flag Emporium for your viewing.

A Banner can be purchased by the families for $210.00 each. This covers the cost of the actual banner and minor housekeeping fees. We have had assistance through Grants and funds from West Hants Municipality in our previous years to cover costs of the brackets instead of adding it to the family's invoice. We are hoping to obtain a Grant again this year to keep our costs at the same price as previous years. Having the cost at an affordable level will keep it from causing a financial burden for families to participate.

Our Veteran Banner Program has raised much attention to our Community, showing our respect and pride in our Veterans. It is a program that we hope to continue in the years to come.

I thank you in advance for your consideration and hope to hear from you in the near future.

Kind regards,

Comrade Harry Jackson
Veteran Banner Program Chairperson

Flag Emporium

95 Akerley Blvd
Dartmouth, NS
B3B 1R7, 902 468 9697
sales@flagemporium.ca

QUOTE

Quote No.: 202403068
Date: 06/03/2024
Page: 1
Ship Date:

Sold To:

RCL # 9 - Hants County (Windsor)
35 Empire Lane, PO Box 28
Windsor, Nova Scotia B0N 2T0

Ship To:

RCL # 9 - Hants County (Windsor)
Pick Up Dartmouth
Harry Jackson
harry_h_jackson@yahoo.com

Business No.: 134488915RP0001

Item No.	Quantity	Unit	Description	Tax	Unit Price	Amount
PBHD37	50	each	Adjustable pole banner hardware - 2 adj brackets Approximately 3 " x 6.75" in size 2 fiberglass pole 13 / 16" x 37" solid fiberglass rods may be cut to desired length	T	169.00	8,450.00
			Subtotal:			8,450.00
			T - HST 15% TAX			1,267.50
Flag Emporium TAX: #R134488915						

Shipped by
Terms: Net 30. Due 05/04/2024.
Comments Visit us at www.flagemporium.ca

Sold By:

Total Amount 9,717.50

March 15, 2024

Dear Mayor and Councillors,

This letter is to ask for your support in defeating a motion that will come to you for First Reading at the March 26th, 2024, council meeting and 2nd Reading in April.

Staff will be presenting a report on the request to rezone a lot on Willow Street, Hantsport, from R1 to R3 in an interest to construct a 3 story, 15 unit apartment building.

The staff report was presented at PAC/HAC on March 14, 2024, where it was discussed at length, with the result that PAC/HAC members voted to defeat the recommendation.

As per municipal policy, rezoning can only be considered if "*it will not have a negative impact on adjacent residential uses*" and we believe it will.

This request is not to suggest that R3 zoning would not be suitable in an R1 neighbourhood, as we already have such a neighbourhood in town. Rather this request is due to the fact that the lot where the proposed rezoning might occur is completely unsuitable for any development, let alone a 3 story, 15 unit apartment building, for the following reasons: *(Staff Report Findings)*

1. *There are existing challenges for construction of the lot. The first is the sloping to the rear, which will require some form of infilling to provide a stable base for construction. A geotechnical report would be required to be submitted to ensure that the infill is stable and will support the proposed structure.* The lot drops approximately 25 feet below street level where it meets the sidewalk on Willow Street. It has never been developed because of this fact.
2. There is no mention in the staff report about the steepness of the driveway that must access parking to the rear. Will there be any type of retaining wall not only to contain the infill but to stop any cars from sliding down into a neighbouring back yard?
3. *The Manager of Building and Fire Inspection Services indicated if the footprint of the structure were over 6500 sq.ft., that a sprinkler system would be required, but according to Public Works, the current service connection would not be sufficient and that a fire flow study would be required.* One option was a holding tank, but where would the holding tank be located? On the roof? Would extra support be required to accommodate that? In the rear or to the side of the building? Would it take up precious parking space and require the need to reduce the number of units. Without a site plan there are too many unknowns.
4. Public Works also indicated that *any sewer on the lot would likely require a domestic pump system to meet municipal specifications.*
5. *There have been comments from the public that there are wet conditions on the property. Public works commented that they would be requesting a storm water management plan.* Currently storm water does encroach on abutting properties and the municipality has been notified on several occasions with no mitigating measures having been taken. With the removal of vegetation that has helped absorb some of the storm water, the level of encroachment will only increase to these properties. There is no confidence in a suggested storm water management plan for this site.
6. The rezoning will also adversely affect properties to the west and north with increased shading due to the proposed height of the development.

Creating opportunities for housing must be considered to be reasonable and responsible. This rezoning application is neither and will have a negative impact on adjacent residential uses. Please help to support us and the PAC/HAC by following established processes to ensure this recommendation is ultimately defeated.

Thank you,

Robert & Shelley Best

[redacted]

March 15, 2024

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Creating opportunities for housing must be considered to be reasonable and responsible. This rezoning application is neither and will have a negative impact on adjacent residential uses. Please help to support us and the PAC/HAC by following established processes to ensure this recommendation is ultimately defeated.

Thank you,

[redacted]

March 15, 2024

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Thank you,

Jeff [redacted]

March 15, 2024

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Thank you,

Tamara Hudgins

[redacted]

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Thank you,

Tiffany & Ryan Faulkner

[redacted]

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Thank you,

T.C. Brothers

[redacted]

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Thank you,

Margie Klein

[redacted]

March 15, 2024

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Thank you,

Rosalie Singleton

[redacted]

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Thank you, Doug Church.
Eileen Church.

[redacted]

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Thank you,

Kurt Korthaus

[redacted]

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6. The rezoning will also adversely affect properties to the west and north with increased shading due to the proposed height of the development.

Creating opportunities for housing must be considered to be reasonable and responsible. This rezoning application is neither and will have a negative impact on adjacent residential uses. Please help to support us and the PAC/HAC by following established processes to ensure this recommendation is ultimately defeated.

Thank you,

Alex W. Lamplier

[redacted]

March 15, 2024

Dear Mayor and Councillors,

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Staff will be presenting a report on the request to rezone a lot on Willow Street, Hantsport, from R1 to R3 in an interest to construct a 3 story, 15 unit apartment building.

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As per municipal policy, rezoning can only be considered if "*it will not have a negative impact on adjacent residential uses*" and we believe it will.

This request is not to suggest that R3 zoning would not be suitable in an R1 neighbourhood, as we already have such a neighbourhood in town. Rather this request is due to the fact that the lot where the proposed rezoning might occur is completely unsuitable for any development, let alone a 3 story, 15 unit apartment building, for the following reasons: *(Staff Report Findings)*

1. *There are existing challenges for construction of the lot. The first is the sloping to the rear, which will require some form of infilling to provide a stable base for construction. A geotechnical report would be required to be submitted to ensure that the infill is stable and will support the proposed structure.* The lot drops approximately 25 feet below street level where it meets the sidewalk on Willow Street. It has never been developed because of this fact.
2. There is no mention in the staff report about the steepness of the driveway that must access parking to the rear. Will there be any type of retaining wall not only to contain the infill but to stop any cars from sliding down into a neighbouring back yard?
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Thank you,

Alex Wheadon

[redacted]

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Thank you,

Jennifer Benjamin

[redacted]

March 15, 2024

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Thank you,

Tammy Zwicker

[redacted]

March 15, 2024

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Thank you,

Barb & Larry LeCouter

[redacted]

March 15, 2024

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Thank you,

Thomas B. [redacted]

March 15, 2024

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Thank you,

Susan Gillis [redacted]

Martin Gillis

March 15, 2024

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Thank you,

Audrey Michaud March 16, 2024

[redacted]

March 15, 2024

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Thank you, Dorothy Read

[redacted]

March 15, 2024

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[redacted]

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Thank you,

Kim White

[redacted]

March 15, 2024

Dear Mayor and Councillors,

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As per municipal policy, rezoning can only be considered if "*it will not have a negative impact on adjacent residential uses*" and we believe it will.

This request is not to suggest that R3 zoning would not be suitable in an R1 neighbourhood, as we already have such a neighbourhood in town. Rather this request is due to the fact that the lot where the proposed rezoning might occur is completely unsuitable for any development, let alone a 3 story, 15 unit apartment building, for the following reasons: *(Staff Report Findings)*

1. *There are existing challenges for construction of the lot. The first is the sloping to the rear, which will require some form of infilling to provide a stable base for construction. A geotechnical report would be required to be submitted to ensure that the infill is stable and will support the proposed structure.* The lot drops approximately 25 feet below street level where it meets the sidewalk on Willow Street. It has never been developed because of this fact.
2. There is no mention in the staff report about the steepness of the driveway that must access parking to the rear. Will there be any type of retaining wall not only to contain the infill but to stop any cars from sliding down into a neighbouring back yard?
3. *The Manager of Building and Fire Inspection Services indicated if the footprint of the structure were over 6500 sq.ft., that a sprinkler system would be required, but according to Public Works, the current service connection would not be sufficient and that a fire flow study would be required.* One option was a holding tank, but where would the holding tank be located? On the roof? Would extra support be required to accommodate that? In the rear or to the side of the building? Would it take up precious parking space and require the need to reduce the number of units. Without a site plan there are too many unknowns.
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6. The rezoning will also adversely affect properties to the west and north with increased shading due to the proposed height of the development.

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Thank you,

Susan Dickie

[redacted]

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Thank you,

Bill Sharp

[redacted]

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Thank you,

N Soucotte

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Thank you,

Sue & Reed Spencer

[redacted]

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Thank you,

Shaun Lockhart

[redacted]

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Thank you,

Sheela Lafleur

[redacted]

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Thank you,

Jenna MacDonald

[redacted]

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Thank you, Amy Peters

[redacted]

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Thank you,

Shawna Crosby

[redacted]

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This request is not to suggest that R3 zoning would not be suitable in an R1 neighbourhood, as we already have such a neighbourhood in town. Rather this request is due to the fact that the lot where the proposed rezoning might occur is completely unsuitable for any development, let alone a 3 story, 15 unit apartment building, for the following reasons: *(Staff Report Findings)*

1. *There are existing challenges for construction of the lot. The first is the sloping to the rear, which will require some form of infilling to provide a stable base for construction. A geotechnical report would be required to be submitted to ensure that the infill is stable and will support the proposed structure.* The lot drops approximately 25 feet below street level where it meets the sidewalk on Willow Street. It has never been developed because of this fact.
2. There is no mention in the staff report about the steepness of the driveway that must access parking to the rear. Will there be any type of retaining wall not only to contain the infill but to stop any cars from sliding down into a neighbouring back yard?
3. *The Manager of Building and Fire Inspection Services indicated if the footprint of the structure were over 6500 sq.ft., that a sprinkler system would be required, but according to Public Works, the current service connection would not be sufficient and that a fire flow study would be required.* One option was a holding tank, but where would the holding tank be located? On the roof? Would extra support be required to accommodate that? In the rear or to the side of the building? Would it take up precious parking space and require the need to reduce the number of units. Without a site plan there are too many unknowns.
4. Public Works also indicated that *any sewer on the lot would likely require a domestic pump system to meet municipal specifications.*
5. *There have been comments from the public that there are wet conditions on the property. Public works commented that they would be requesting a storm water management plan.* Currently storm water does encroach on abutting properties and the municipality has been notified on several occasions with no mitigating measures having been taken. With the removal of vegetation that has helped absorb some of the storm water, the level of encroachment will only increase to these properties. There is no confidence in a suggested storm water management plan for this site.
6. The rezoning will also adversely affect properties to the west and north with increased shading due to the proposed height of the development.

Creating opportunities for housing must be considered to be reasonable and responsible. This rezoning application is neither and will have a negative impact on adjacent residential uses. Please help to support us and the PAC/HAC by following established processes to ensure this recommendation is ultimately defeated.

Thank you,

[redacted]

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
The Premier	The Hon. Tim Houston	2022-06-27, sent 2022-06-30	2022-07-09 COTW
The Premier	The Hon. Tim Houston	2022-06-30	2022-07-09 COTW
Hon. Kim	Masland	2022-08-23	2022-09-13 COTW
POSSE		2022-09-14	2022-09-27 Council
Minister Murray	re Pumpkin Regatta	2022-10-20	2022-10-25 Council
VREN	Re: IMSA and request for a presentation to Council	2022-12-20	2023-01-10 COTW
MLA Sheehy-Richard	Re: Invitation to meet with Council re: Highway 101 Twinning project	2022-12-21	2023-01-10 COTW
MP Kody Blois	Re: Invitation to meet with Council re: Highway 101 Twinning project	2022-12-21	2023-01-10 COTW
Deputy Minister of Environment and Climate Change	Re: Costs incurred for fencing at 417 Wentworth Road	2023-02-15	2023-02-24 Council
VREN	Re Continued Partnership and lntermunicipal Service Agreement (IMSA}	2023-03-03	2023-03-14 COTW
Minister Masland	Re Provincial Intersection Street Lighting	2023-03-10	2023-03-14 COTW
Hockey Hall of Fame	Re Letter of Support John Paris Jr	2023-03-14	2023-03-28 Council
Premier Tim Houston	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
Hon. Joyce Murray	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council

Correspondence Sent

First Name	Last Name	Correspondence Date	Meeting / logged
Hon. Steve Craig	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
Hon. Tim Halman	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
Hon. Susan Corkum-Greek	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
Hon. Kim Masland	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
MP Blois	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
MLA Sheehy-Richard	Re Reimagine Lake Pisiquid, Windsor, Nova Scotia	2023-03-24	2023-03-28 Council
MLA Sheehy-Richard, Premier, NS Public Works Minister(Kim Masland), District Area Manager (Robyn Homans)	Re Support to pave Cogmagun and Beaverpond Roads	2023-05-17	2023-05-23 Council
Hon. Tim Halman, Premier, MLA Sheehy-Richard	Re Coastal Protection Act Regulations	2023-05-23	2023-05-23 Council
Indigenous Services Canada	Re Response to the Proposed Addition to Reserve, Glooscap First Nation	2023-06-27 Sent 2023-06-30	2023-07-11 COTW
Premier Tim Houston, Hon. Joyce Murray, Hon. Steve Craig, Hon. Tim Halman, Hon. Susan Corkum-Greek, Hon. Kim Masland, MP Blois, MLA Sheehy-Richard	Re Follow up to correspondence sent on March 23, 2023 Re Reimagination Strategy Exercise	2023-06-29	2023-07-11 COTW
Hon. Kim Masland	Re The Railways Act- Bill 236	2023-07-05	2023-07-11 COTW
NS Minister of Agriculture, Premier of NS, Minister of Fisheries, Oceans and the Canadian Coast Guard, Minister of Fisheries and Aquaculture, Minister of Public Works, MP Blois, MLA Sheehy-Richard, Nic Juurlick, President of the Hants County Federation of Agriculture	Re Permanent Freshwater Resource for Agricultural Communities	2023-07-20	2023-07-25 Council

Correspondence Sent

Federal and NS Ministers of Environment and Climate Change, Premier of NS, Minister of Fisheries, Oceans and the Canadian Coast Guard, Minister of Public Works, MP Blois, MLA Sheehy-Richard, Municipality of Kings County	WHRM Letter of Support for the Residents of Avon Street, Hantsport Re Erosion	Sent 2023-07-21	2023-07-25 Council
CRTC and Innovation Science and Economic Development Canada Re Poor Cellular Service	Re Poor Cellular Service Connectivity	Sent via mail August 9, 2023	2023-09-12 COTW
MLA Sheehy-Richard	Re Additional Carpool Parking Lot	2023-11-27	2023-11-28 Council
Minister Masland	Re Smileys Provincial Park	2023-11-30	2023-12-05 COTW
Prime Minister of Canada	Re Call for an immediate ceasefire by all parties in the occupied Gaza Strip and Israel	2023-12-18	2024-01-09 COTW
Annapolis Valley Regional Centre for Education	Re School Bus Cancellation Concerns	2023-12-18	2024-01-09 COTW
Premier, Minister Lohr, MP Blois and MLA Sheehy-Richard	Re Affordable Housing	2024-01-18	2024-01-23 Council

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: **Council**

Submitted by: **Mayor Abraham Zebian**

Date: **March 26, 2024**

Subject: **Industrial/Commercial Lands**

LEGISLATIVE AUTHORITY

Municipal Government Act

RECOMMENDATION or DECISION REQUEST

Council direct staff to report back to council on potential future industrial/commercial lands for further discussion/direction.

BACKGROUND

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

In the past, discussion had taken place between the former Towns of Windsor and Hantsport and the Municipality of West Hants on future industrial/commercial land. This translated into reports and studies that are attached. No results were ever achieved from the past work.

DISCUSSION

West Hants Regional Municipality has experienced great growth in residential development and Council has approved an unprecedented number of Development Agreements over the last 4 years. It's been quite incredible and I give Council great credit. With the growth in residential development, I believe Council should begin to now focus on identifying potential industrial/commercial lands to help service the current and future growth of residential

development. The Planning Advisory Committee has discussed industrial lands over the past months but no further direction has been given. I believe this will be crucial to the continued growth and sustainability of West Hants and that Council should lead this initiative.

NEXT STEPS

If council approves this recommendation, Staff will prepare a report with relevant information.

FINANCIAL IMPLICATIONS

There are no financial implications with the preparation of this report other than staff time.

ALTERNATIVES

Council may not approve the recommendation.

Council may request something different.

ATTACHMENTS

Relevant past studies/reports

CHIEF ADMINISTRATIVE OFFICER REVIEW

Staff are happy to support this initiative as directed by Council. Land and space enquiries are currently being facilitated ongoingly through staff of the WHRM, other agencies such as the WTBA, the Chamber or The Valley Regional Enterprise Network.

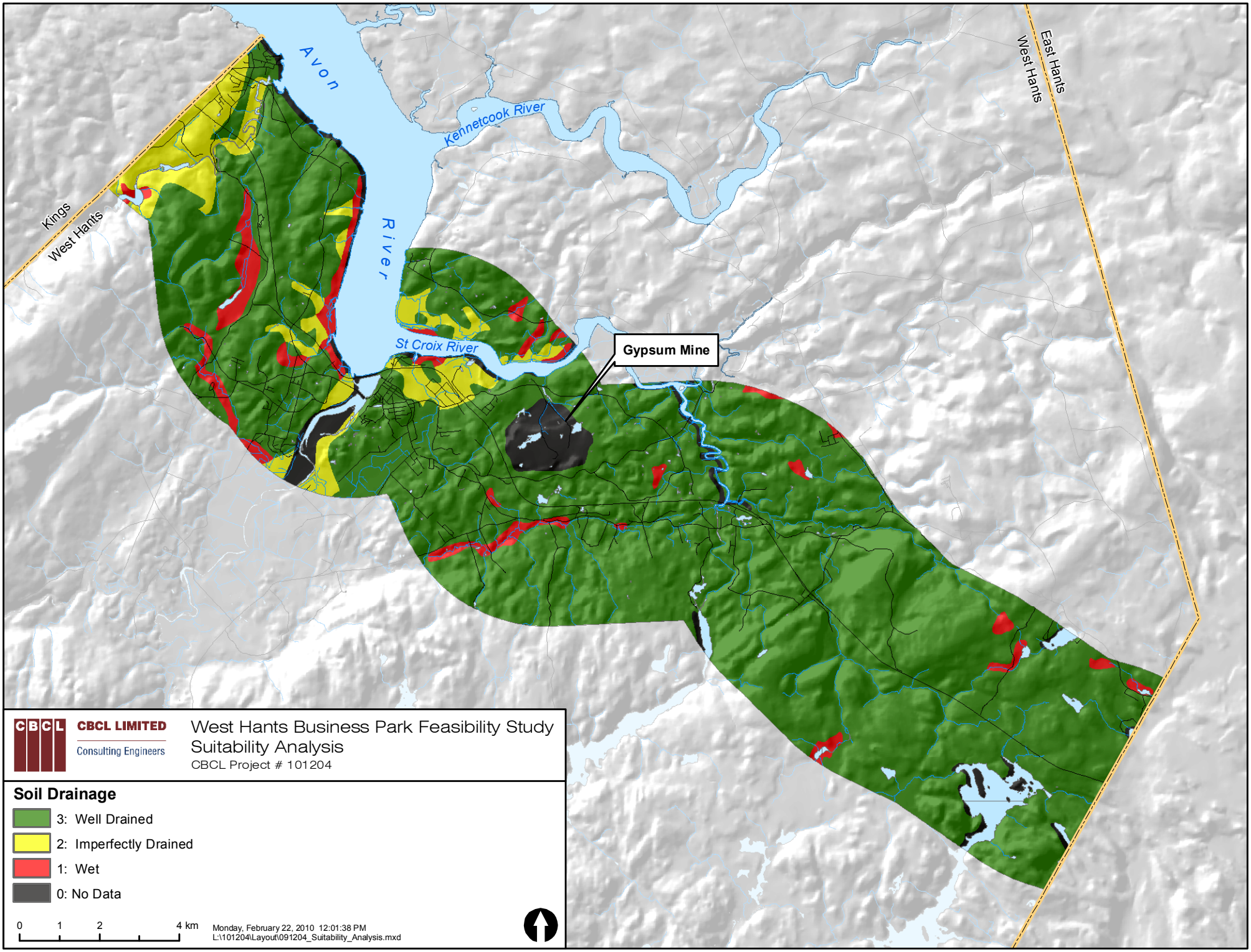
Vacant land or commercial / industrial development is dependent on private and public landowners making land available to the market for purchase and development. We as well as the VREN maintain land inventory banks. These initiatives help to identify vacant lands and current zoning.

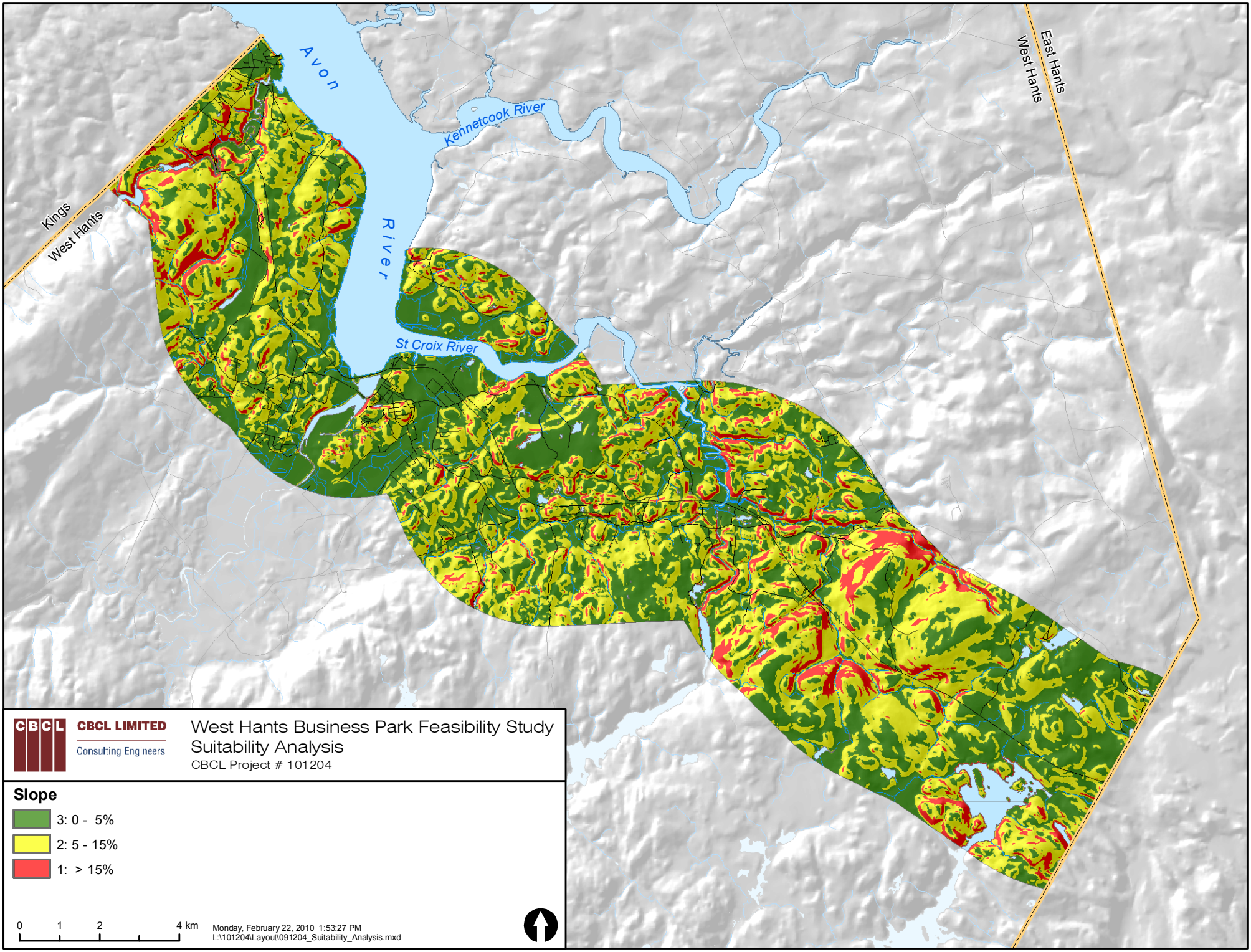
Pending the discussions and direction from Council existing surplus WHRM lands may be sold on the market to developers or the WHRM may take on a more active role as the developer for larger parcels of land. Further, the WHRM may play a role in purchasing and selling vacant lands to help facilitate or stimulate industrial and commercial growth.

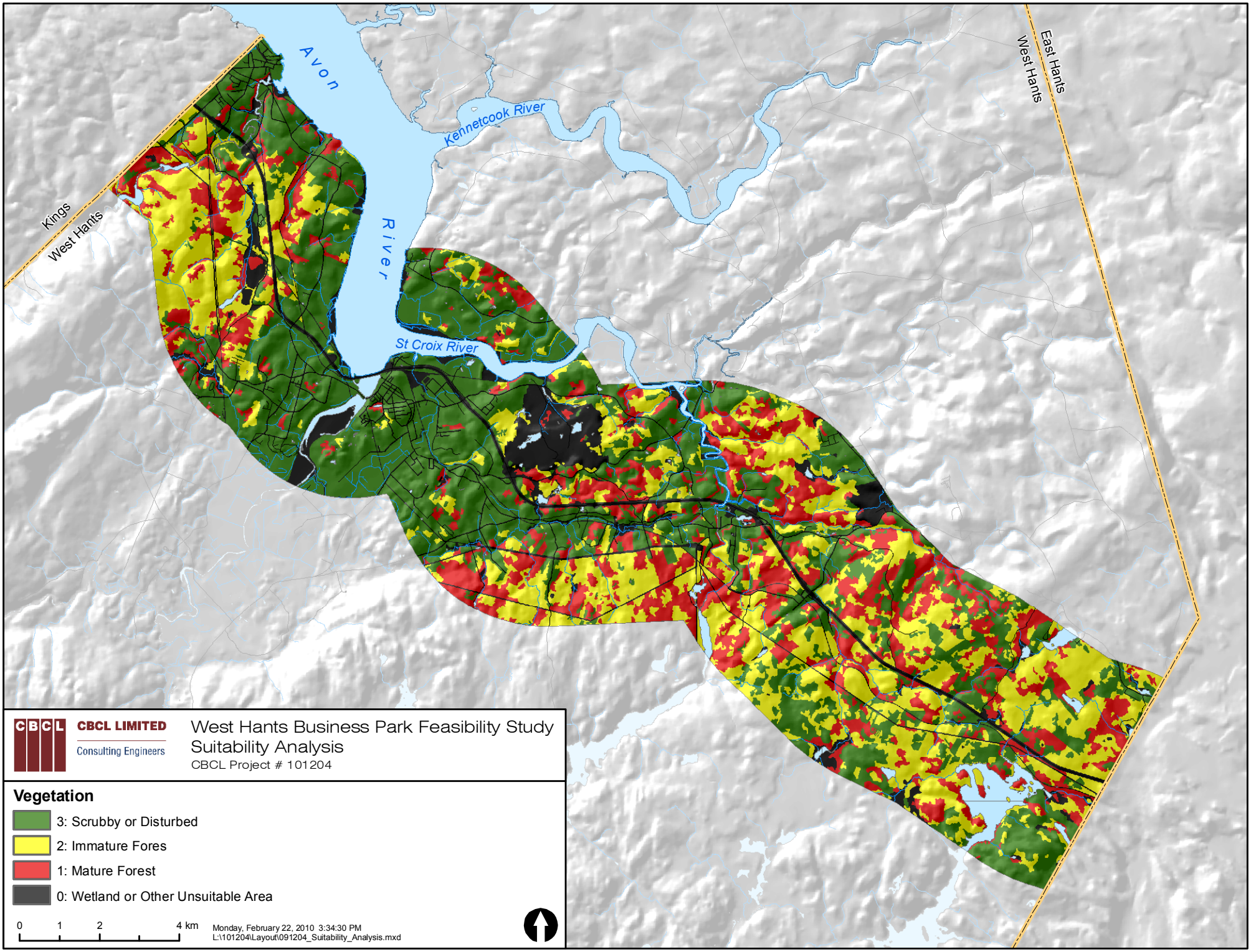
Report Prepared by: Abraham Zebian, Mayor

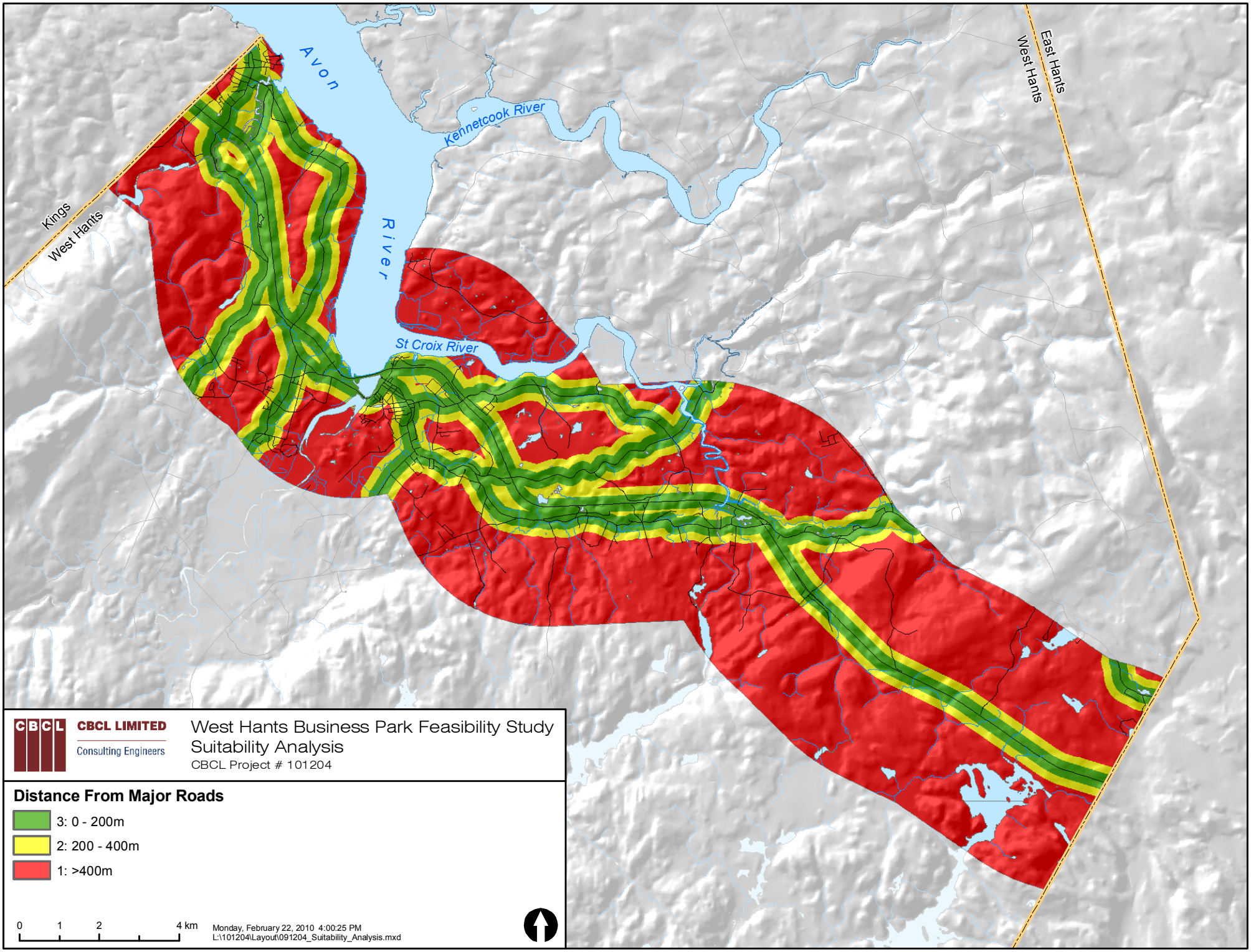
Report Reviewed by: 

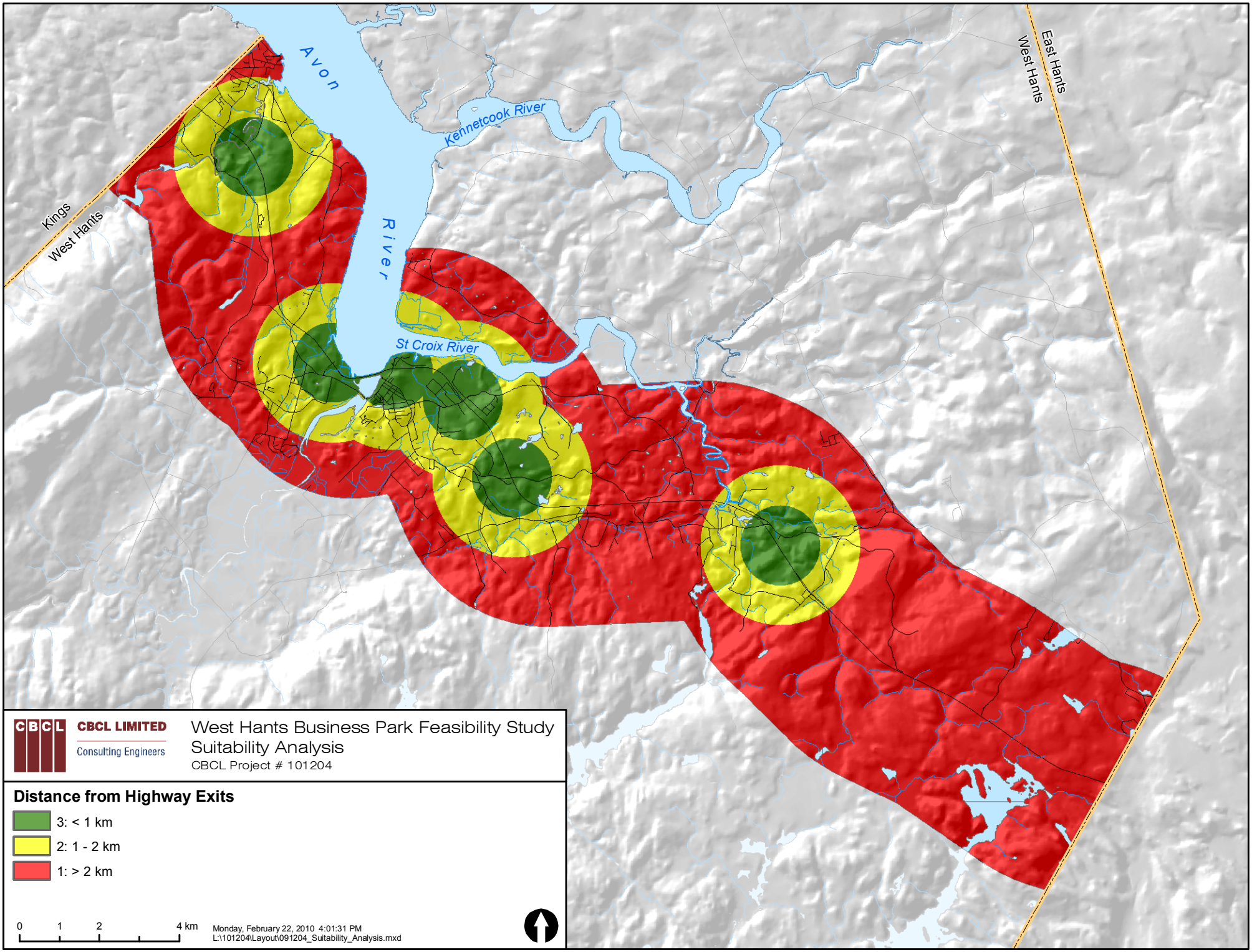
Mark Phillips, Chief Administrative Officer

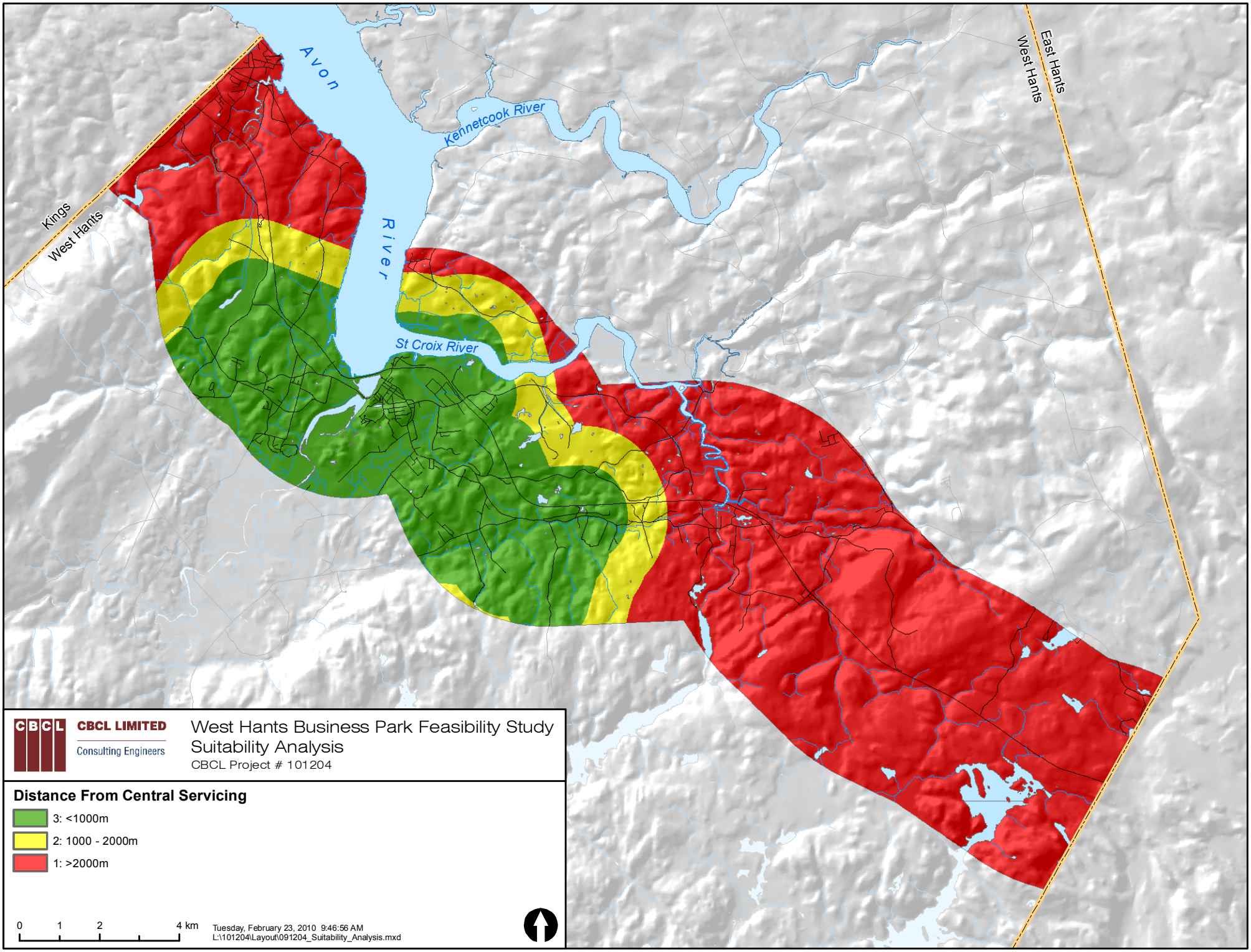

Avon River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
Gypsum Mine
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Soil Drainage
3: Well Drained
2: Imperfectly Drained
1: Wet
0: No Data
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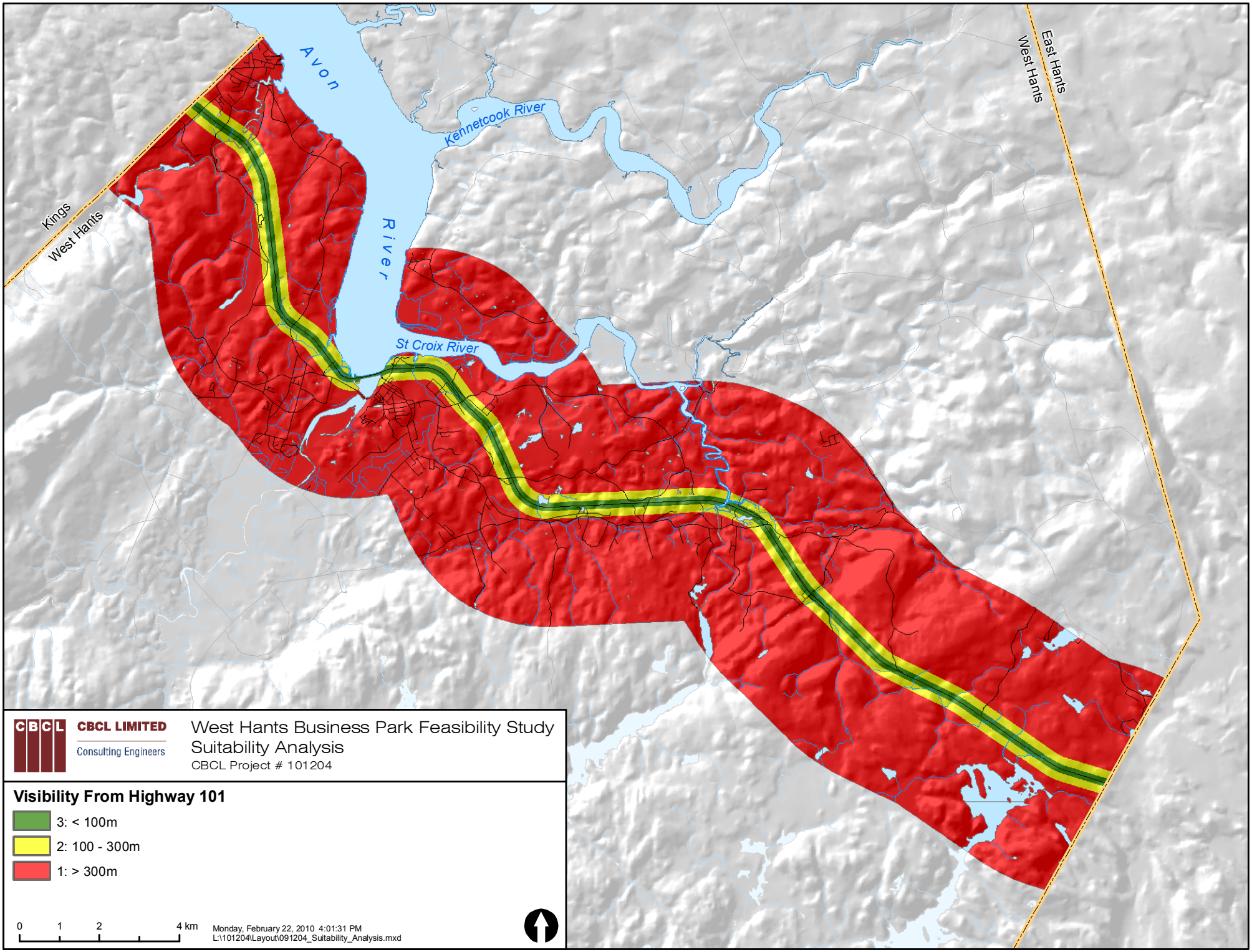

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Kennetcook River
St Croix River
Kings
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West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Slope
3: 0 - 5%
2: 5 - 15%
1: > 15%
0
1
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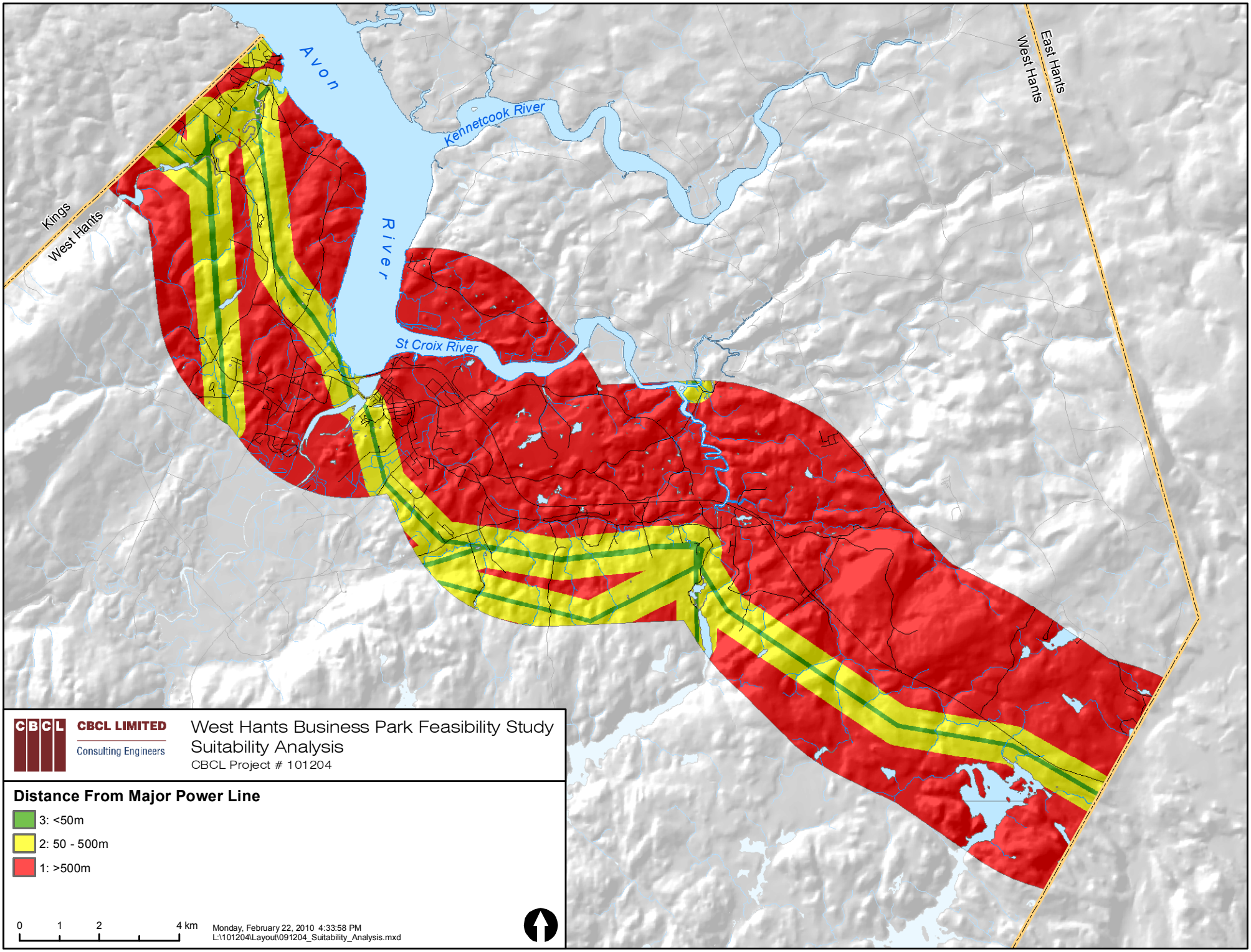

Avon River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Vegetation
3: Scrubby or Disturbed
2: Immature Fores
1: Mature Forest
0: Wetland or Other Unsuitable Area
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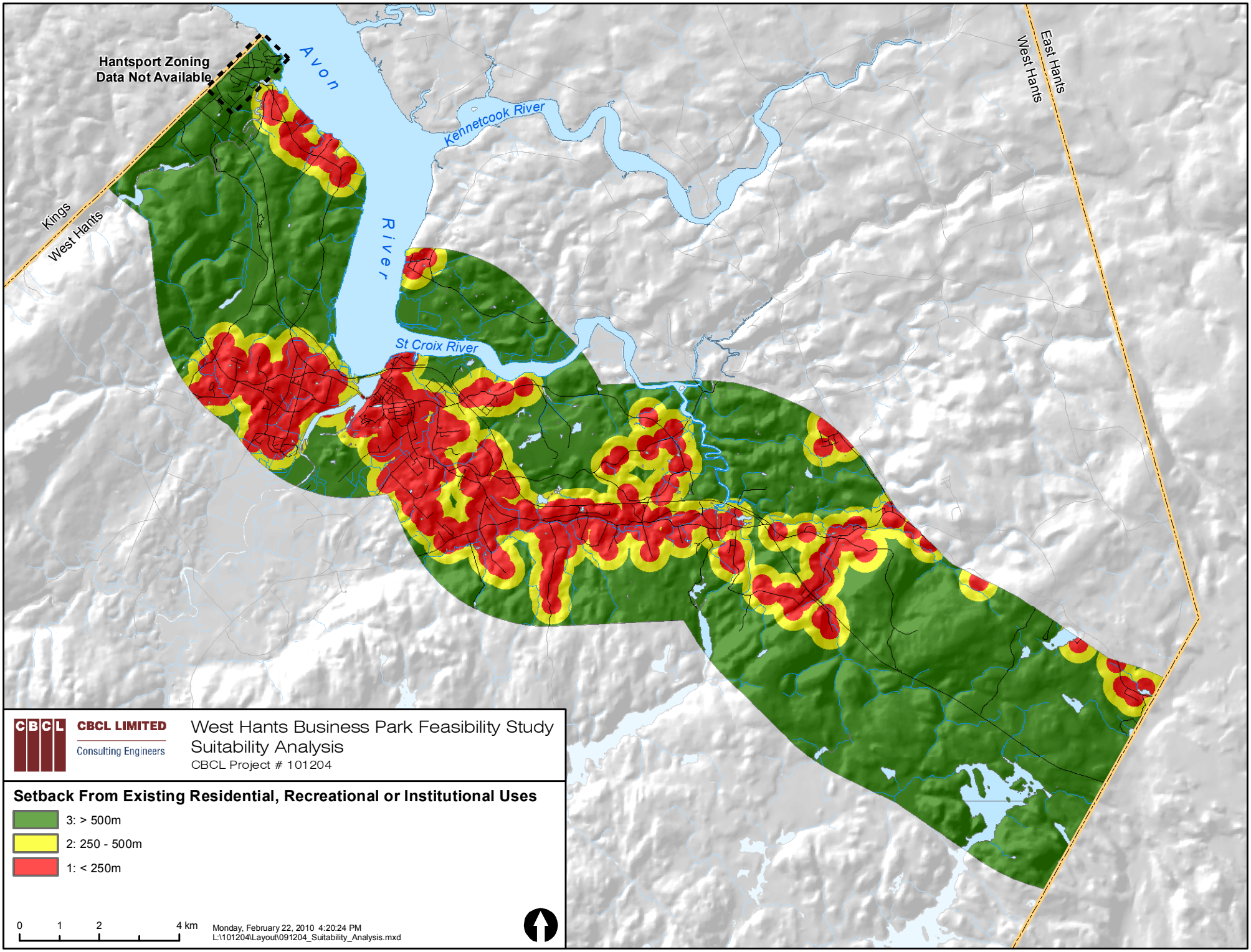

Avon River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Distance From Major Roads
3: 0 - 200m
2: 200 - 400m
1: >400m
0
1
2
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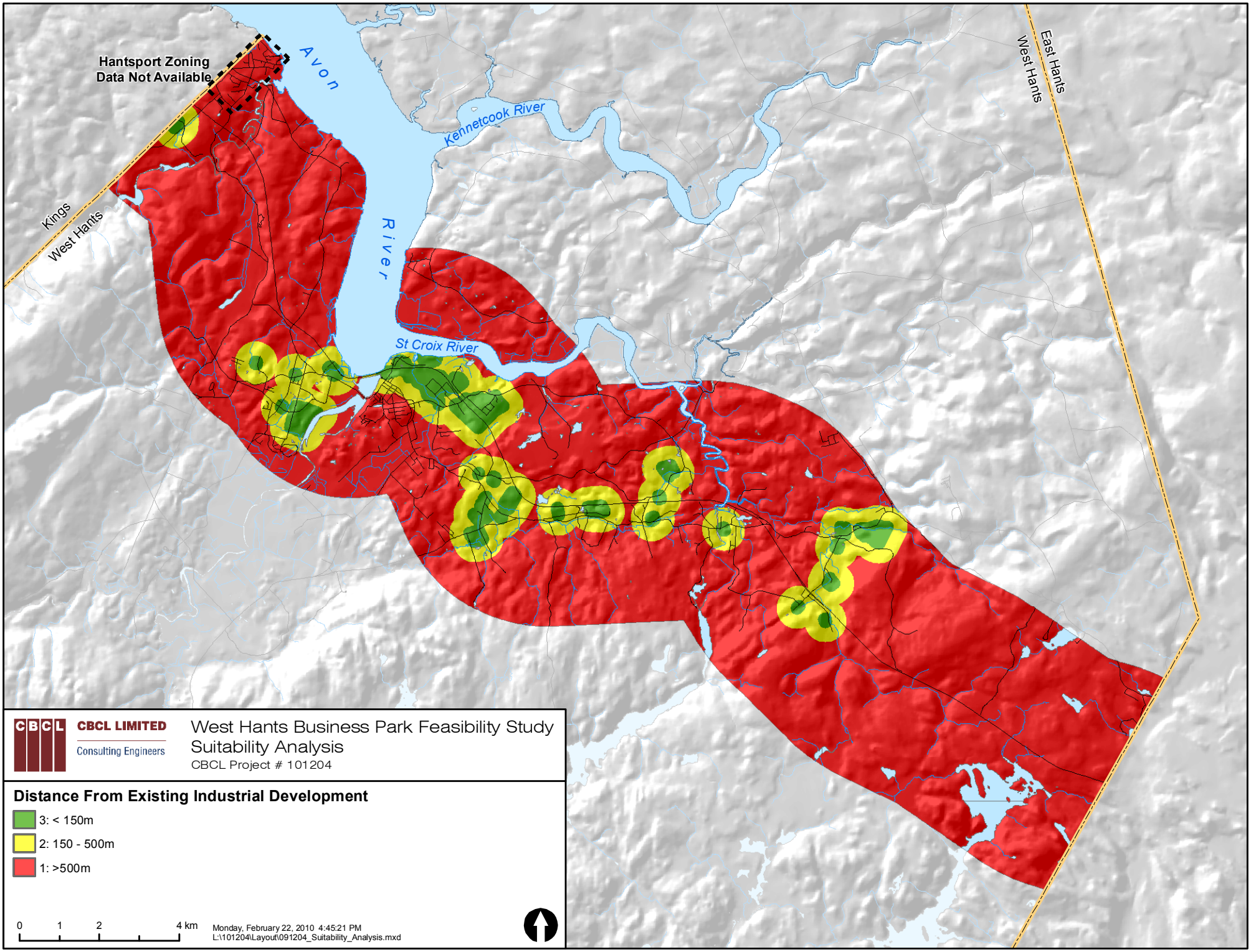

Avon River
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St Croix River
Kings
West Hants
West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Distance from Highway Exits
3: < 1 km
2: 1 - 2 km
1: > 2 km
0
1
2
4 km
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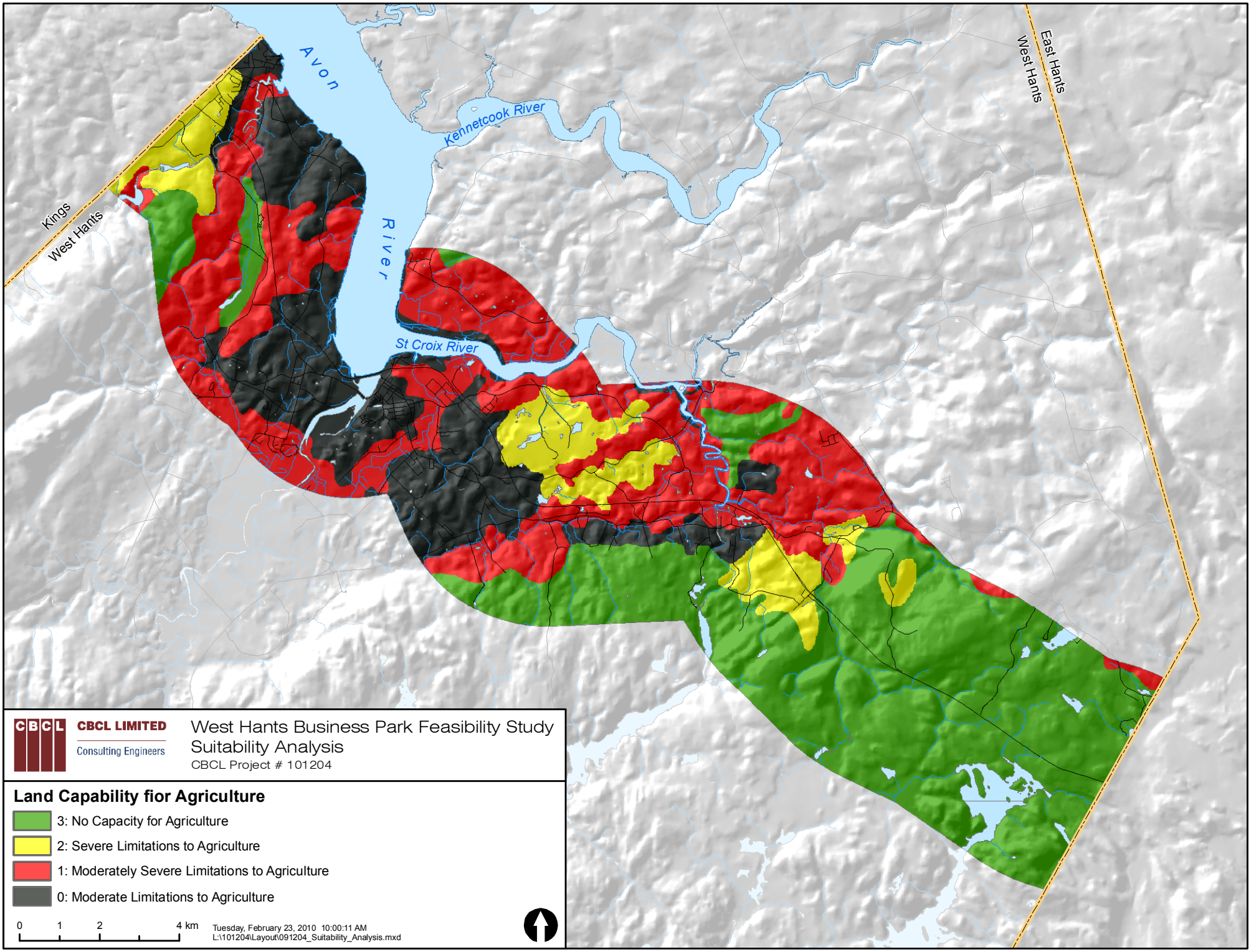

Avon River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Distance From Central Servicing
3: <1000m
2: 1000 - 2000m
1: >2000m
0
1
2
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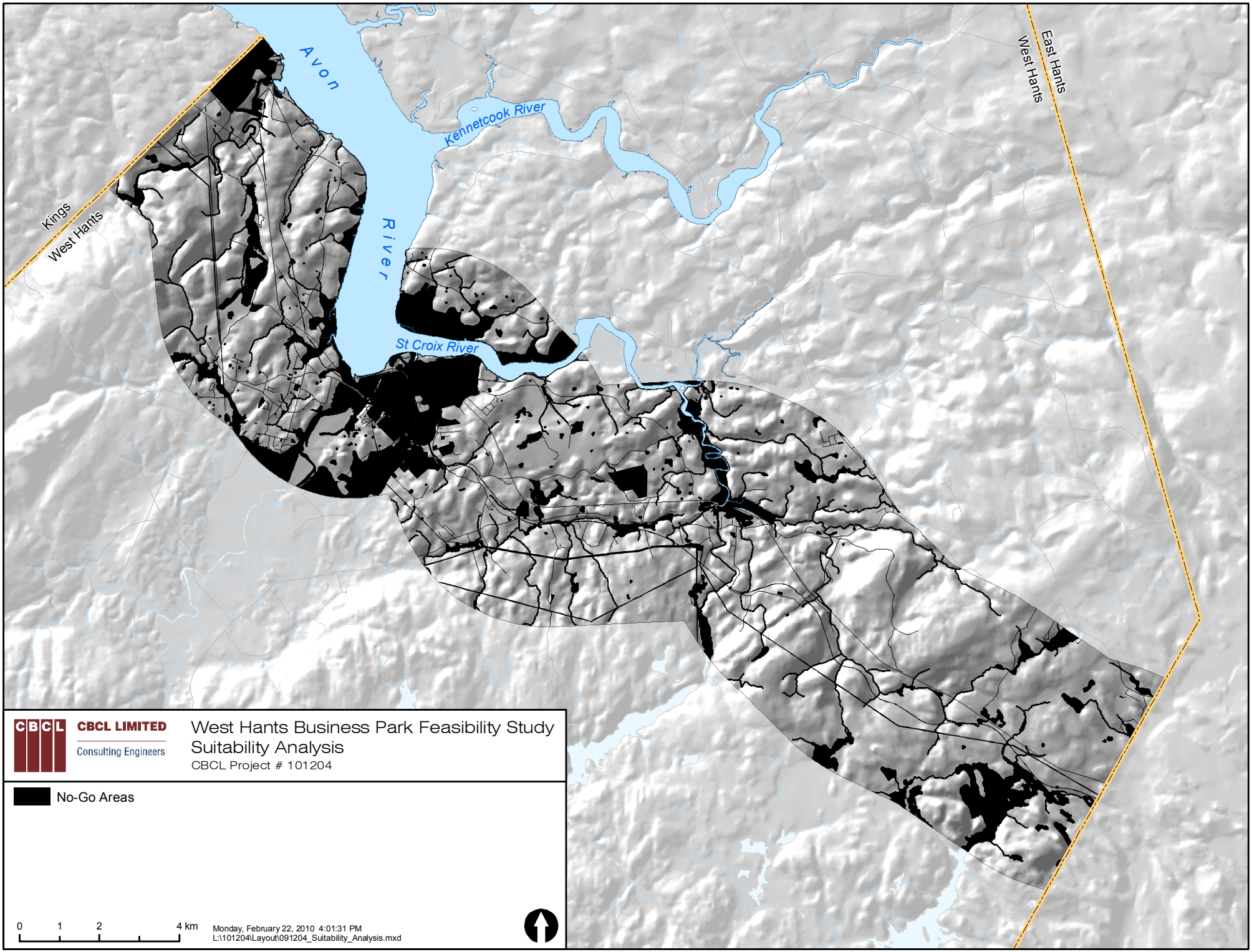

Avon River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Visibility From Highway 101
3: < 100m
2: 100 - 300m
1: > 300m
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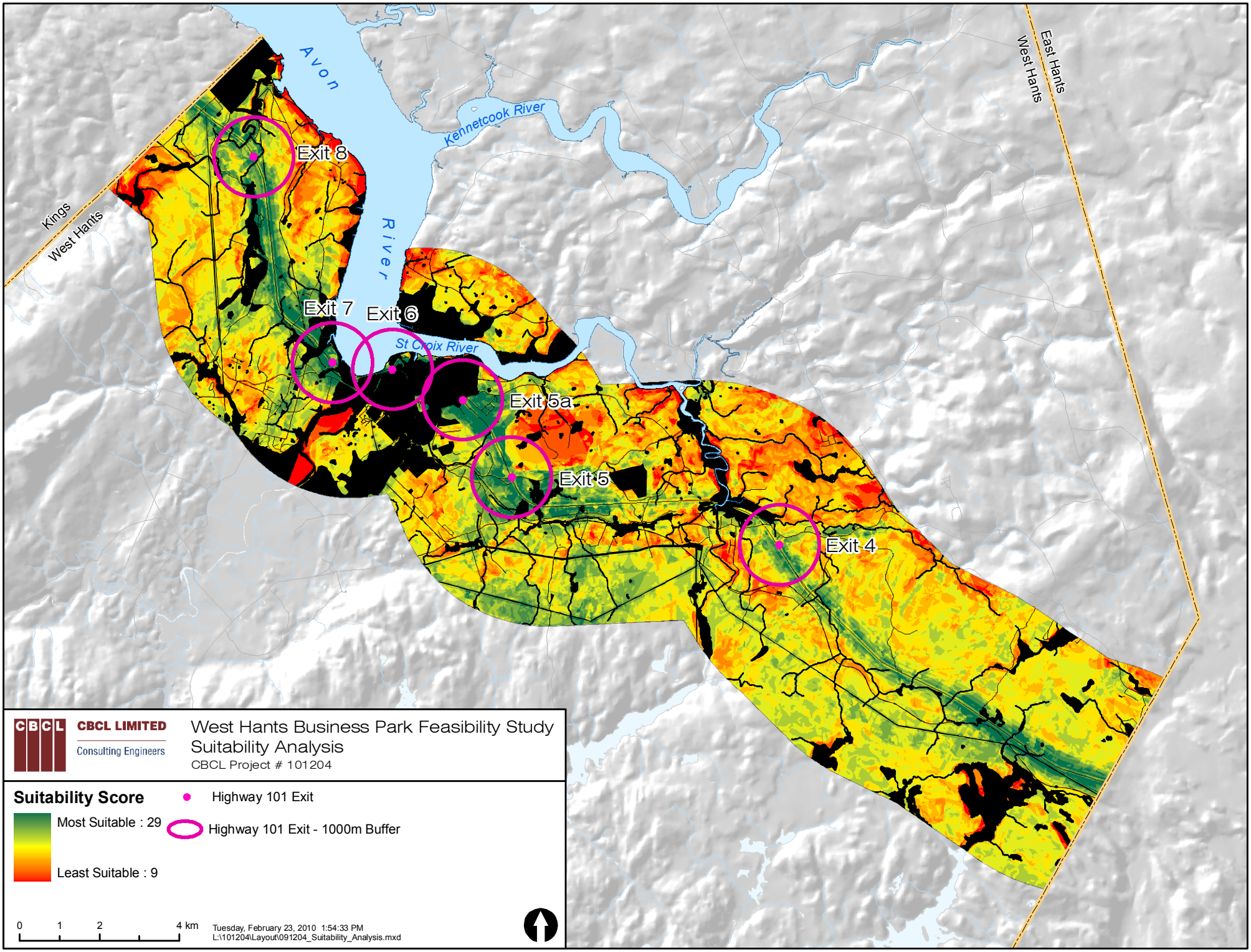

Avon River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Distance From Major Power Line
3: <50m
2: 50 - 500m
1: >500m
0
1
2
4 km
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Hantsport Zoning
Data Not Available
Avon
River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Setback From Existing Residential, Recreational or Institutional Uses
3: > 500m
2: 250 - 500m
1: < 250m
0
1
2
4 km
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Hantsport Zoning
Data Not Available
Avon
River
Kennetcook River
St Croix River
Kings
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East Hants
West Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Distance From Existing Industrial Development
3: < 150m
2: 150 - 500m
1: >500m
0
1
2
4 km
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Avon River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Land Capability fior Agriculture
3: No Capacity for Agriculture
2: Severe Limitations to Agriculture
1: Moderately Severe Limitations to Agriculture
0: Moderate Limitations to Agriculture
0 1 2 4 km
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Avon River
Kennetcook River
St Croix River
Kings
West Hants
East Hants
West Hants
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
No-Go Areas
0
1
2
4 km
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Avon River
Kennetcook River
St Croix River
Kings
West Hants
West Hants
East Hants
Exit 8
Exit 7
Exit 6
Exit 5a
Exit 5
Exit 4
CBCL LIMITED
Consulting Engineers
West Hants Business Park Feasibility Study
Suitability Analysis
CBCL Project # 101204
Suitability Score
Most Suitable : 29
Least Suitable : 9
Highway 101 Exit
Highway 101 Exit - 1000m Buffer
0 1 2 4 km
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PLANNING

ENGINEERING

ECONOMICS

Prepared for:
Hants Regional Development Authority

Project Number: 101204

June 2010

CBCL LIMITED
Consulting Engineers

Hants West Business Park Feasibility Study

Final Report



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Contents

Executive Summary

Chapter 1 **Introduction** **1**

1.1 Purpose of this document 1

1.2 Background Information 2

1.2.1 Municipality of West Hants 2

1.2.2 Town of Windsor 2

1.2.3 Town of Hantsport 2

Chapter 2 **Industrial / Commercial Land Requirements** **3**

2.1 Demographic Profile and Projections 4

2.1.1 Annapolis County Demography 5

2.1.2 Kings County Demography 6

2.1.3 Hants County Demography 7

2.2 Industrial, Commercial, and Institutional Development Projects 8

2.2.1 Current Projects Windsor and West Hants 9

2.3 Employment Projections 10

2.3.1 Projected Employment Levels in the Region, 2011 - 2031 12

2.3.2 Employment Potentially Located in Business/Industrial Parks, Annapolis Valley Region 14

2.3.3 Employment Potentially Located in Business/Industrial Parks in Hants County 14

2.4 Potential Demand for Space in Business/Industrial Parks 15

2.4.1 Potential Growth in the Annapolis Valley Region 15

2.4.2 Potential Growth in Building Space in Business/Industrial Parks in Hants County 16

2.4.3 Potential Growth in Hectares in Business/Industrial Parks in Kings County 16

2.4.4 Potential Land Demand in Existing Parks in West Hants and a New Industrial/Commercial Park 17

2.4.5 Summary of Demand for Land 21

Chapter 3 **Existing Conditions** **23**

3.1 Zoning 23

3.1.1 West Hants Zoning 23

3.1.2 Town of Windsor Zoning 23

3.1.3 Hantsport Zoning 23

3.2 Land Use 23

3.2.1 Town of Windsor 23

3.2.2 West Hants 24
3.2.3 The Windsor West Hants Joint Industrial Park 25
3.2.4 Town of Hantsport 26
3.3 Infrastructure 26
3.3.1 Transportation 26
3.3.2 Sewer and Water 27
3.4 Geologic Constraints 28
Chapter 4 Initial Site Selection 30
4.1 Highway Exits 30
4.2 Industrial Park Suitability Analysis 30
4.3 Potential Industrial Park Sites 32
4.3.1 Highway Exit 4 32
4.3.2 Highway Exit 5 32
4.3.3 Highway Exit 5A 33
4.3.4 Highway Exit 6 34
4.3.5 Highway Exit 7 34
4.3.6 Highway Exit 8 35
Chapter 5 Preferred Site, Development Benefits and Costs 36
5.1 Preferred Site 36
5.1.1 Property Owners and Zoning 36
5.1.2 Surrounding Land Uses 36
5.1.3 Existing Services 36
5.1.4 Access 37
5.1.5 Phasing 37
5.1.6 Karst Topography 37
5.2 Site Development Costs 38
5.3 Benefit/Cost Analysis 39
5.4 Summary of Economic and Community Development Impacts 44
5.4.1 Economic Development 44
5.4.2 Summary of Cost and Benefits 44
5.5 Potential Challenge 45
5.6 Sites for Potential Future Expansion 45
5.6.1 Highway Exit 5A 45
5.6.2 Highway Exit 5 46
Chapter 6 Market Positioning 47

6.1 Factors Affecting Business Location Decisions....47
6.1.1 Common Factors Affecting Location Decisions....47
6.1.2 Policy Factors Affecting Location Decisions....49
6.1.3 Local Positioning Factors....52
Chapter 7 **Conclusions and Recommendations....55**
7.1 Conclusions....55
7.2 Recommendations and Next Steps Forward....56

Appendices

A Suitability Analysis Component Maps

B Efforts Made to Collect Commercial / Industrial Land Availability Information and Implications for Economic Growth in the AVR

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Executive Summary

This study was undertaken s a joint project funded by the Municipality of the District of West Hants, the Town of Hantsport and the Town of Windsor to determine the feasibility of a joint industrial / business park expansion or the development of a new industrial / business park in Hants West. It:

- examines the market potential of a joint business park expansion or the development of a new joint business park in the region;
- investigates possible sites and site considerations for a joint business park expansion or new joint business park development; and
- provides a framework of actionable items, to move forward with a joint business park development.

Despite significant effort, it was not possible to find sufficient information on available land, acres occupied or absorption rates at existing business parks in the Annapolis Valley Region. This is a tremendous shortcoming, as potential purchasers would not expend the level of effort required to find out about land and would move on to other areas. This also makes projections of demand more difficult.

Based on statistical analyses of economic conditions since 1988, there appears to be moderate demand for industrial and commercial land in the area. However, the projections can be highly influenced if the Client Group engages in active marketing and sell of land, and if additional demand occurs as a result of the extension of the divided highway to Windsor.

In the absence of public sector subsidies, the selling price of prepared industrial/commercial land will need to be high, if the client group wishes to achieve simple payback on the cost of land, site development, and marketing/selling costs. The land price can be lower if the client group is willing to allow property tax revenue generated within the park to be applied to its operations. Assuming the land in the park expansion's asking price is similar to the NSBI asking price at the Windsor-West Hants Industrial Park (about $50,000 per ha) the Client Group will earn about $314,624 in net municipal financial benefits over the next 22 years.

The preferred site for the development of additional industrial / business park land is located in the Town of Windsor, adjacent to Exhibition Park and is bounded by Wentworth Road, Centennial Drive, and Tregothic Drive (see Figure E.1 [5.3 in report]). A number of factors have influenced the decision to choose this area as the preferred development site:

- the current landowner is apparently willing to sell a portion of their land;
- the low development cost due to existing services in the area; and
- the benefit of a logical expansion of the existing Windsor Industrial Park.

While this site cannot fully accommodate the land demand projected by the high growth scenario (13.9 ha until 2031), it can satisfy almost all of the 7.3 ha land demand projected by the mid-growth scenario until 2031). Both of these demand estimates assume that the 3.9 ha vacant in the Windsor-West Hants Industrial Park will be sold before the Windsor Industrial Park is expanded. If a high growth scenario is

achieved additional land will need to be brought on stream. Possible sites for this expansion are described in Section 5.3.

The opportunities uncovered in this study depend on a cooperative approach among the Town of Hantsport, Town of Windsor and the Municipality of the District of West Hants. None of the three has all the resources (land and financial) or location attributes to undertake an appropriately aggressive development, marketing and selling plan.

Recommendations and Next Steps Forward

- The client group should enter into negotiations with the Windsor Agricultural Centre to purchase lands that front on Centennial Drive and Tregothic Drive;
- The client group should undertake the environmental study required under Policy 12.0.2 of the Town of Windsor Municipal Planning Strategy to describe the susceptibility of flooding, drainage problems, and the bearing capacity and suitability for construction of soils at the site, and will identify suitable construction methods, including flood proofing measures, to overcome the constraints which are found to exist at the site;
- Based on the results of the study and if a suitable price can be negotiated, the Client Group should acquire the lands from the Windsor Agricultural Centre;
- The zoning of the area should be changed from FG: Fairground to LI-1: Light Industrial to match existing zoning in the area;
- The client group must establish a formal marketing and selling function that targets the Windsor Industrial Park and the Windsor-West Hants Industrial Park. The function should be controlled by the Town of Windsor, the Town of Hantsport, and the Municipality of the District of West Hants. This study provides a notional budget of $37,500 per year (2009$) for this function. It should be established immediately to take advantage of the vacuum of marketing and selling functions among Annapolis Valley Region parks and thus raise the sales rate of the Windsor and Windsor-West Hants parks;
- The Town of Windsor, Town of Hantsport and Municipality of West Hants need to enter into negotiations to share the costs and benefits that stem from the park(s) expansion(s);
- In the meantime, the Client Group should continue negotiations to acquire or encourage the industrial development of potential expansion sites around Exits 5A and 5;
- The client group should continue to support the private development efforts occurring at Exit 5; and
- Pricing for the land in the park expansion should naturally take into consideration local market conditions, as well as the willingness of the Client Group to accept risk. Therefore we suggest as a starting point that asking land prices in the expansion be close to the current NSBI $50,000 per ha (about $20,000 per acre) asking price for land in the Windsor West Hants Industrial Park.

Chapter 1 **Introduction**

1.1 Purpose of this document

This study was undertaken as a joint project funded by the Municipality of West Hants, the Town of Hantsport and the Town of Windsor, to determine the feasibility of a joint industrial / business park expansion or the development of a new industrial / business park in Hants West. It:

- examines the market potential of a joint business park expansion or the development of a new joint business park in the region;
- investigates possible sites and site considerations for an expanded or new park;
- provides recommendations on market positioning; and
- provides a framework of actionable items, to move forward with a joint business park development.

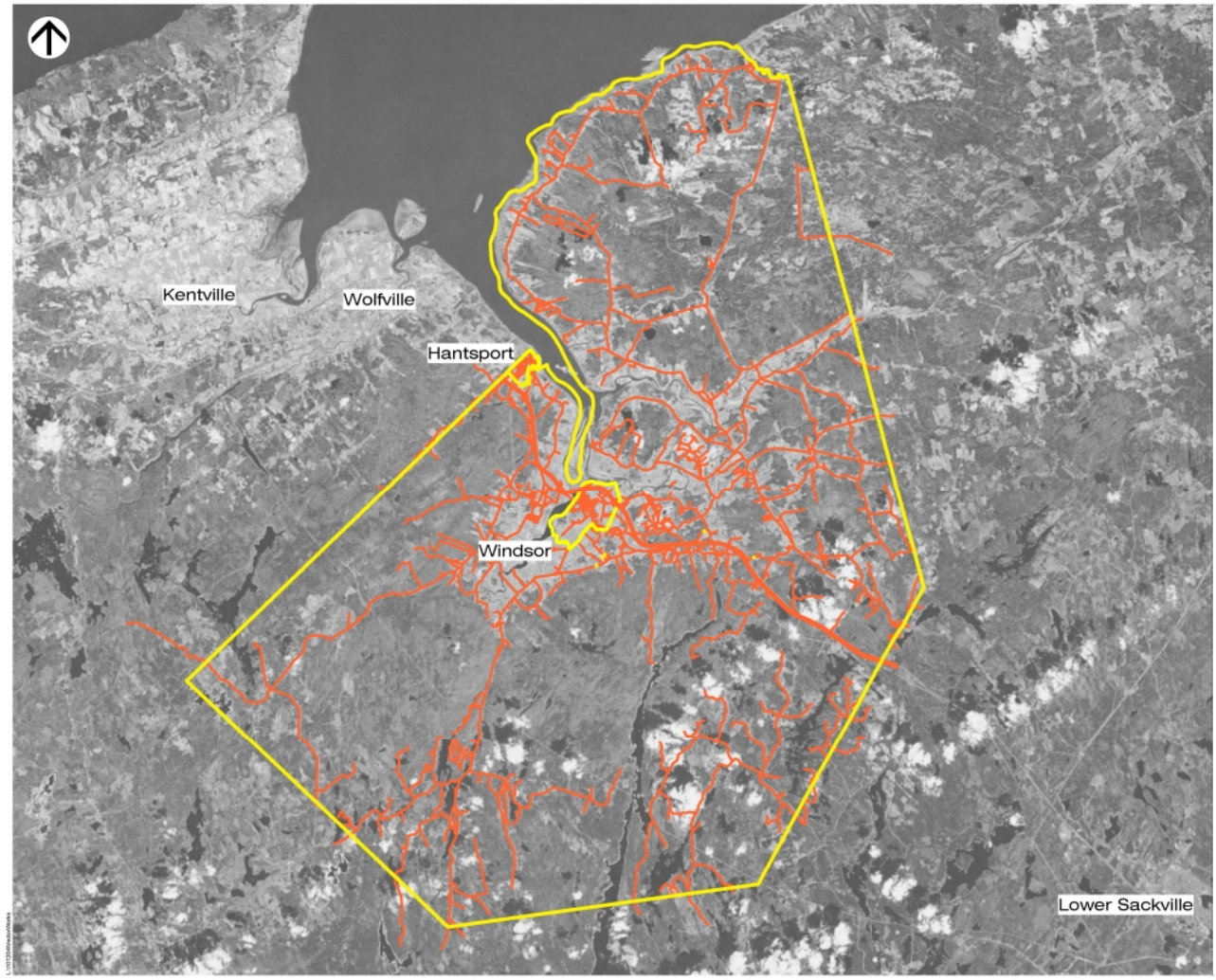


Figure 1.1: Municipal Boundaries

1.2 Background Information

The area included in this study is comprised of three municipalities, the Municipality of the District of West Hants, the Town of Windsor and the Town of Hantsport.

1.2.1 Municipality of West Hants

The Municipality of the District of West Hants is a primarily rural municipality bordered by the municipalities of East Hants, Kings, Chester, Halifax Regional and the Town of Hantsport. Development is concentrated around the Town of Windsor in Three Mile Plains and Falmouth, and in communities near Highway 101.

1.2.2 Town of Windsor

The Town of Windsor is located in the centre of the District of West Hants where the Avon and St. Croix Rivers meet and empty into the Minas Basin. The community act as a regional services centre for the area.

1.2.3 Town of Hantsport

The Town of Hantsport encompasses approximately 2.6 km^2 (1 $mile^2$) within Hants County. The Town has developed and remains primarily an industrial-residential area and therefore continues to play an important role in the economic well-being of West Hants and Kings Counties.[1]

[1] community – Town of Hantsport, accessed from the world wide web on 19 February 2010 at http://www.hantsportnovascotia.com/community/.

Chapter 2 **Industrial / Commercial Land Requirements**

Figure 2.1 provides an overview of the size and location of Annapolis, Kings and Hants Census Divisions in Nova Scotia (NS), herein after referred to as the Annapolis Valley Region (AVR). The population and private dwelling counts are derived from the 2006 Census. Throughout this overview and the projections, we examine the three counties because they are closely tied by geography and economic and social structures.

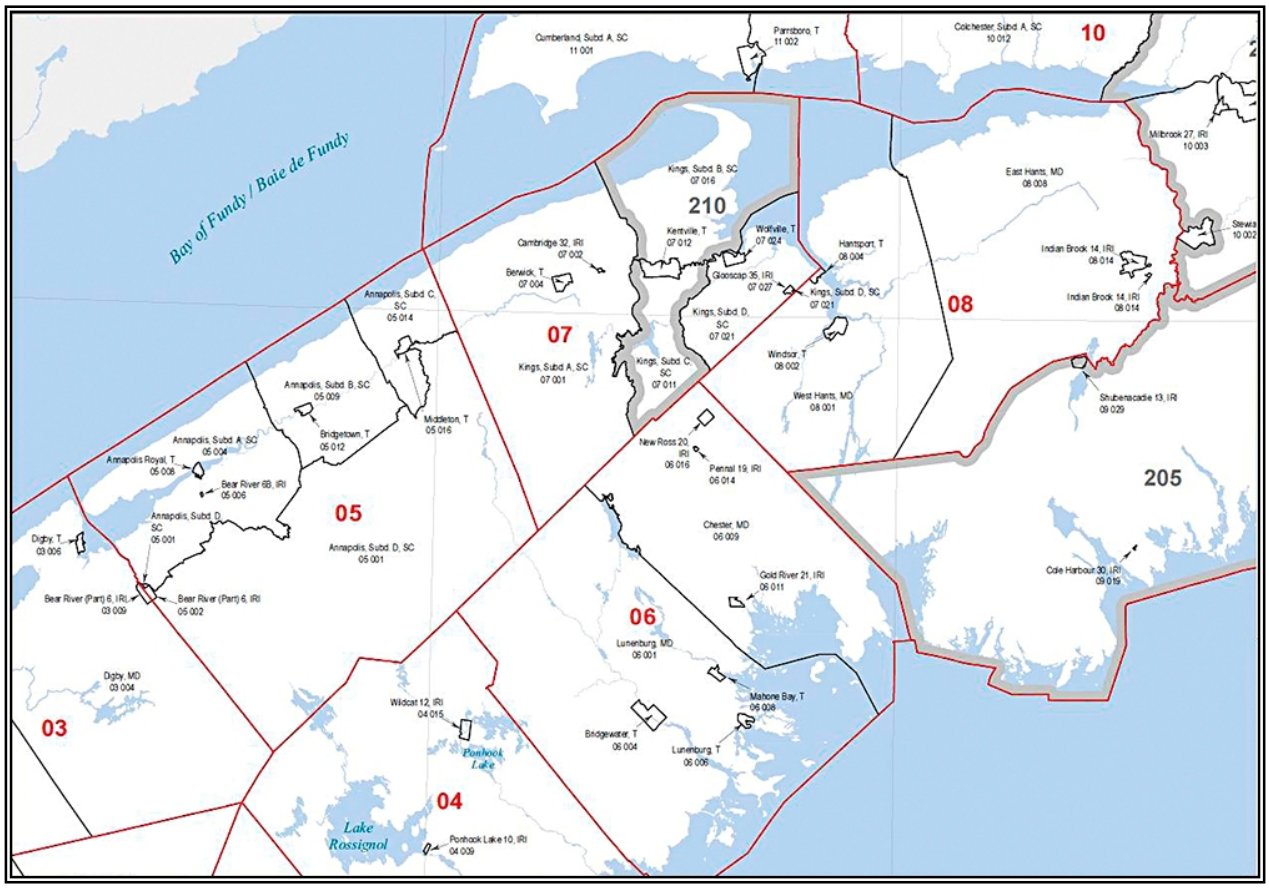


Figure 2.1: Annapolis, Kings and Hants Census Divisions' Location (1:800,000)

The 2006 population and dwelling counts in 2006 were as follows:

- Annapolis County (Census Division 05), population 21,438 11,038 private dwellings;
- Kings County (Census Division 07), population 60,035, 27,177 private dwellings; and
- Hants County (Census Division 08), population 41,182, private dwellings 17,277; of which;
  - West Hants[2] had a 2006 population of 18,781 and 8,188 private dwellings; and
  - East Hants[3] had a population of 22,401 and 9,089 private dwellings.

[2] West Hants includes the Municipality of the District of West Hants, the Town of Windsor and Village of Hantsport.
[3] East Hants includes the Municipality of the District of East Hants and the Indian Brook Indian Reserve.

2.1 Demographic Profile and Projections

Nova Scotia. The province's population has grown by only 1.5% since 1991, to stand at about 913,465 in 2006. The combination of declining fertility rates and negative net migration has also shifted upward the age profile of the province.

Estimates for 2006 indicate that NS, among the provinces and territories, has the highest proportion of its population aged 65 years and older, at 14.6%.[4]

Despite NS having the highest percentage of population aged 65 and older, it is Newfoundland and Labrador (NL) that has the oldest population of the provinces and territories, with a median age of 41.3 years. Between 2001 and 2006, the NL median rose by 3.2 years, the fastest increase in the country. However, NS was close behind with a median age of 41.0 years and an increase in its median age of 2.5 years between 2001 and 2006.[5]

The following pages focus on the demography of the Annapolis, Kings and Hants Counties and make references to the overall demographic conditions in NS.

The following figures describe the population of the three counties from 1991 to 2006 and provide projection to 2031.

In 2006, the population of the Annapolis Valley Region stood at 122,655 and accounted for 13.4% of the NS population. The projections indicate that Valley Region's population could decline marginally to about 116,006 by 2031, at which point it would account for about 12.9% of the NS population.

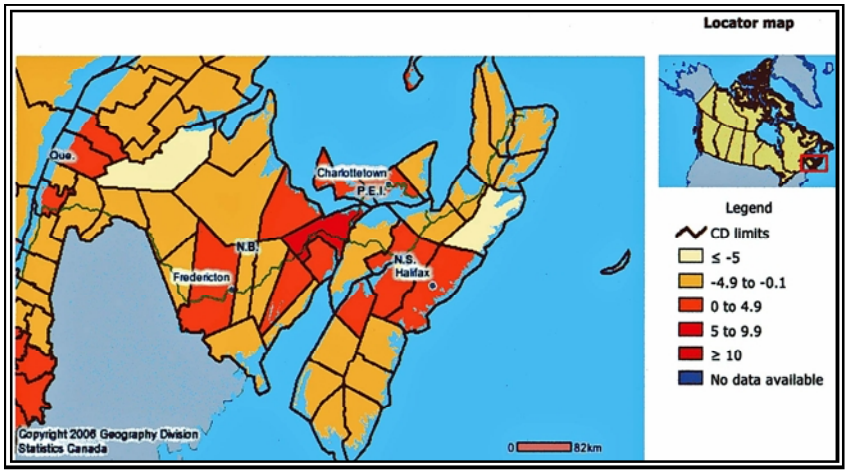


Figure 2.2: Maritime Canada Population Change

Figure 2.2 shows that the rural areas of the Nova Scotia (NS) and the rest of the Maritimes suffered from population decline between 2001 and 2006. However, Kings and Hants Counties showed population growth from 2001 to 2006. Population growth from 2001 to 2006 was centred on Census Metropolitan Areas (CMAs) and Census Agglomeration Areas (CAA).

[4] "Canada's Population by Age and Sex", The Daily, Statistics Canada's Thursday, October 26, 2006.

[5] Ibid.

2.1.1 Annapolis County Demography

In 2006, the population of Annapolis County was 21,438 and accounted for 2.3% of the NS population. The projections indicate that Annapolis County's population could decline marginally to about 18,926 by 2031, at which point it would account for about 2.1% of the NS population.

2.1.1.1 Population Age Structure (Annapolis)

Figure 2.3 provides an overview of the past and projected population of Annapolis County, and the relative contribution of selected age groups to the total population.

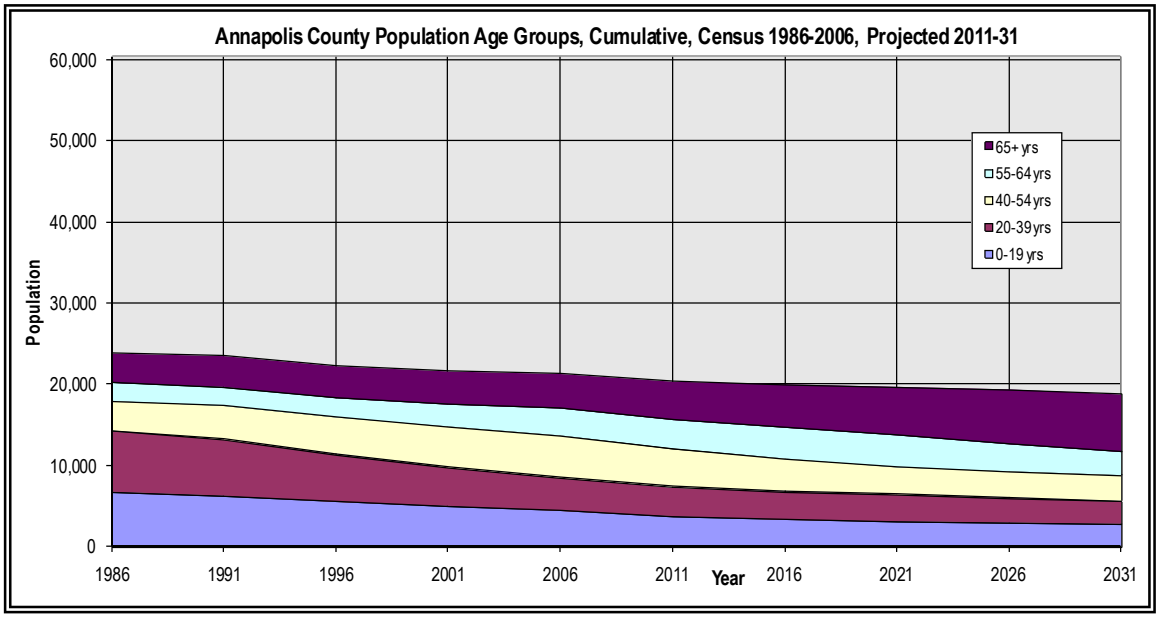


Figure 2.3: Annapolis County Population Age Groups

Age 65 Plus (Annapolis)

In 2006, about 20.1% of the population of Annapolis County was aged 65 years and older. In the Rest of Nova Scotia (RoNS), about 15.7% of the population was aged 65 years and older. However, just like the RoNS, projections indicate that the proportion of population aged 65 years and older will increase in Annapolis County. Information from recent projections provided by the NS Department of Finance indicates that the proportion of population aged 65 and over in Annapolis County could rise to about 37.8% by 2031 compared to 28.1% for the RoNS.

Age 20 to 64 (Annapolis)

In 2006, in terms of the prime working age group aged 20 to 64 years, about 58.8% of the population of Annapolis County was in their prime working years, compared to 64.9% for the RoNS. By 2031, about 47.1% of Annapolis County's population will be from 20 to 64 years old (vs. 54.6% in the RoNS).

Age 0 to 19 (Annapolis)

In 2006, about 21.2% of the population of Annapolis County was 19 years of age or younger. In the RoNS, about 23.8% of the population was aged 19 years or younger. By 2031, about 15.1% of Annapolis County's population will be from 0 to 19 years old (vs. 17.3% for RoNS).

2.1.2 Kings County Demography

In 2006, the population of Kings County was 60,035 and accounted for 6.6% of the NS population. The projections indicate that its population could decline marginally to about 57,914 by 2031, at which point it would account for approximately 6.4% of the NS population.

2.1.2.1 POPULATION AGE STRUCTURE (KINGS)

Figure 2.4 provides an overview of the past and projected population of Kings County, and the relative contribution of selected age groups to the total population.

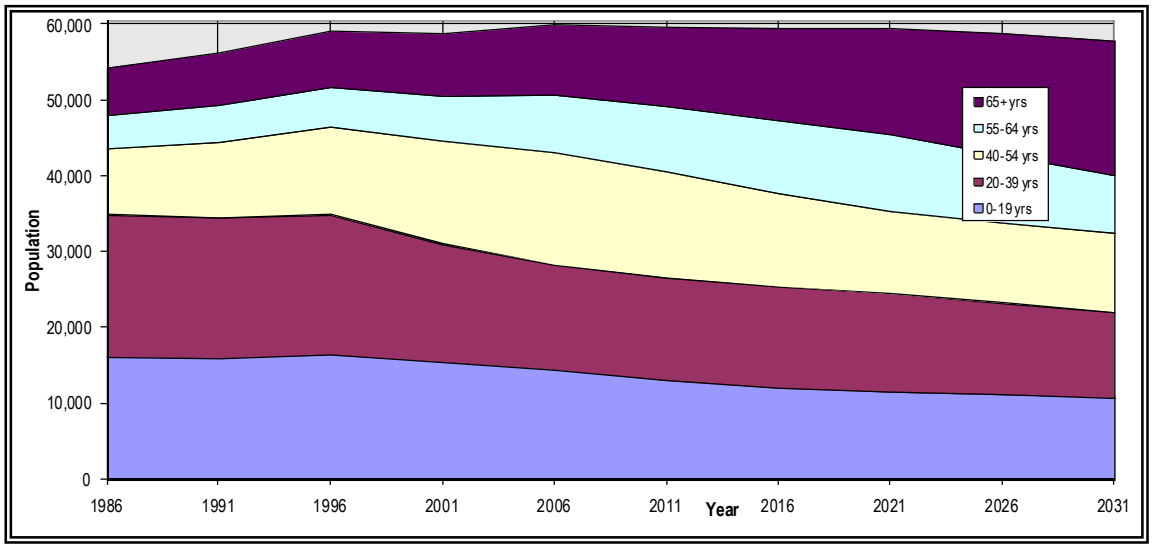


Figure 2.4: Kings County Population Age Groups, Cumulative Census 1986-2006. Projected 2011-31

AGE 65 PLUS (KINGS)

In 2006, about 15.5% of the population of Kings County was aged 65 years and older. In the RoNS, about 15.1% of the population was aged 65 years and older. However, just like the RoNS, projections indicate that the proportion of population aged 65 years and older will increase in Kings County. Information from recent projections provided by the NS Department of Finance indicates that the proportion of population aged 65 and over in Kings County could rise to about 30.8% by 2031, compared to 28.2% for the RoNS.

AGE 20 TO 64 (KINGS)

In terms of the prime working age group, aged 20 to 64 years, about 60.2% of the population of Kings County was in their prime working years, compared to 62.2% for the RoNS. The difference in the proportion of persons in their core working years accounts for a substantial portion of the lower household incomes in Kings County compared to, for example, the Halifax Regional Municipality. By 2031, about 50.6% of Kings County's population will be from 20 to 64 years old (vs. 54.7% in the RoNS).

AGE 0 TO 19 (KINGS)

In 2006, about 24.3% of the population of Kings County was 19 years of age or younger. In the RoNS, about 22.6% of the population was aged 19 years or younger.

By 2031, about 18.7% of Kings County's population will be from 19 years old or younger (vs. 17.1% for the RoNS).

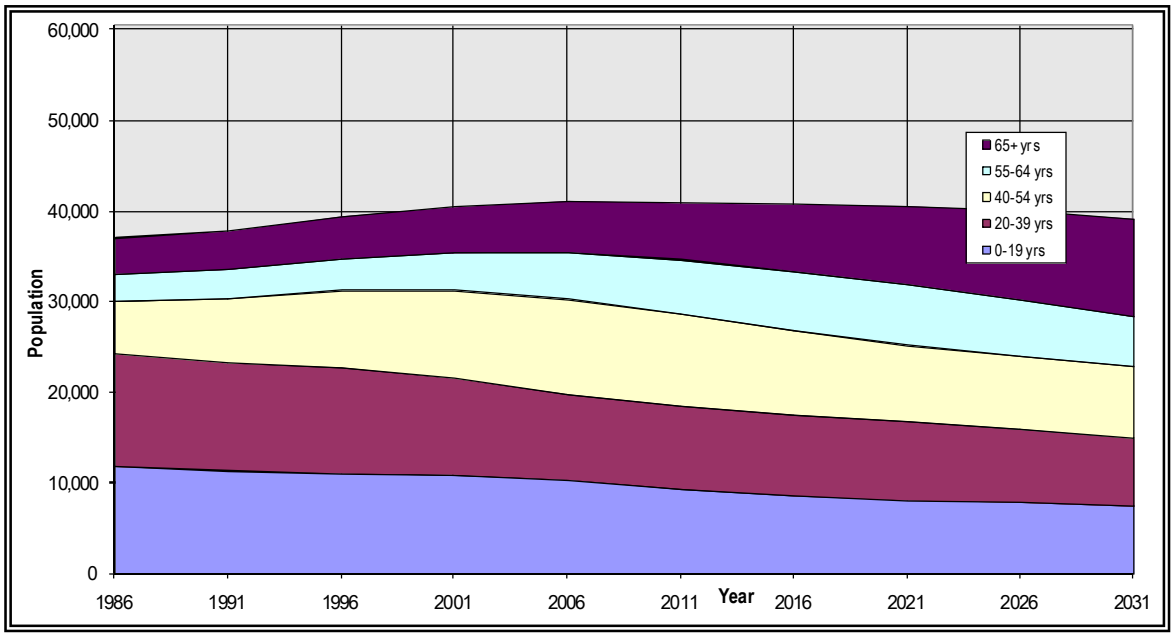


Figure 2.5: Hants County Population Age Groups, Cumulative, Census 1986-2006, Projected 2011-31

2.1.3 Hants County Demography

In 2006, the population of Hants County was 41,182 and accounted for 4.5% of the NS population. The projections indicate that Hants County's population could decline marginally to about 39,167 by 2031, at which point it would account for about 4.4% of the NS population.

2.1.3.1 Population Age Structure (Hants)

Figure 2.5 provides an overview of the past and projected population of Hants County and the relative contribution of selected age groups to the total.

Age 65 Plus (Hants)

In 2006, about 13.8% of the population of Hants County was aged 65 years and older. In the RoNS, about 27.6% of the population was aged 65 years and older. Projections indicate that the proportion of population aged 65 years and older will increase in Hants County. Information from recent projections provided by the NS Department of Finance indicates that the proportion of population aged 65 and over in Hants County could rise to about 27.6% by 2031, compared to 28.4% for the RoNS.

Age 20 to 64 (Hants)

In 2006, the prime working age group, aged 20 to 64 years, about 60.9% of the population of Hants County was in their prime working years, compared to 62.2% for the RoNS. By 2031, about 53.1% of Hants County's population will be from 20 to 64 years old (vs. 54.5% in the RoNS).

AGE 0 TO 19 (HANTS)

In 2006, about 25.4% of the population of Hants County was 19 years of age or younger. In the RoNS, about 22.6% of the population was aged 19 years or younger. By 2031, about 19.3% of Hants County's population will be from 19 years old or younger (vs. 17.1% for the RoNS).

2.2 Industrial, Commercial, and Institutional Development Projects

Figure 2.6a provides an overview of the annual value of industrial, commercial, institutional (ICI) and agricultural building permits from 1992 to 2009. Given the relatively small number and the range of values of the permits, a three year average (Figure 2.6b) smoothes out the annual discontinuities and reveals a significant upward trend in after-inflation value over the last 18 years. Regression analyses indicate that the trend in real growth in the value of ICI permits is about 9.0% per year.

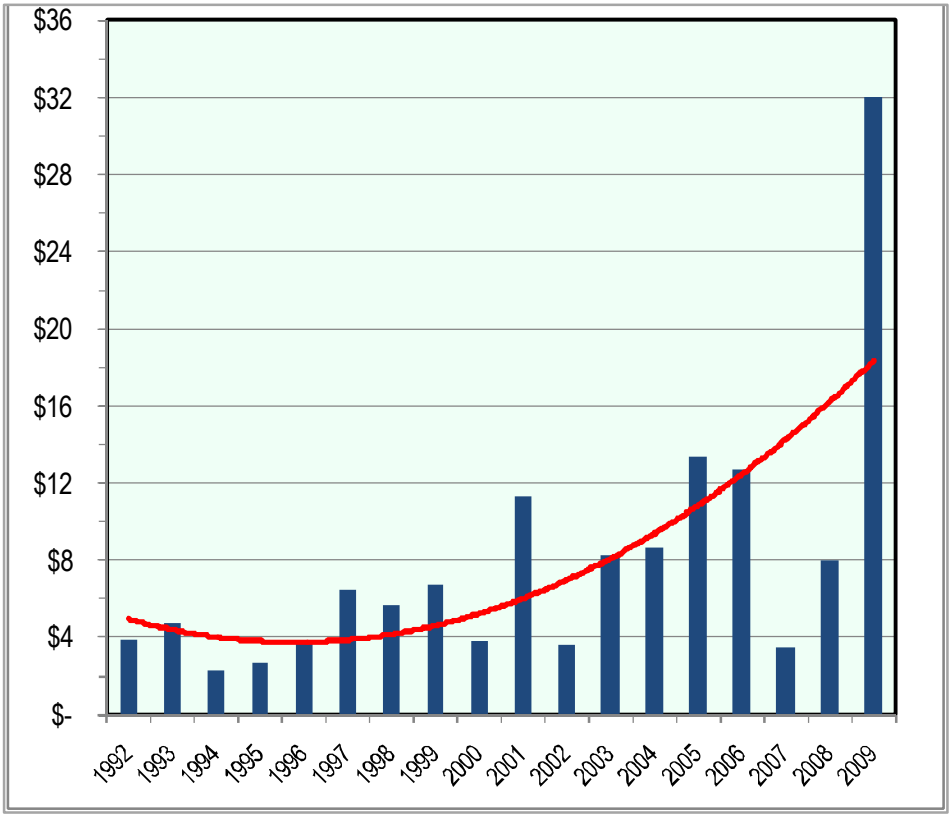


Figure 2.6a: ICI Building Permit Value (million 2009$) Municipality of West Hants and Town of Windsor. Sources: Windsor-West Hants Joint Planning Advisory Committee and Jozsa Management and Economics

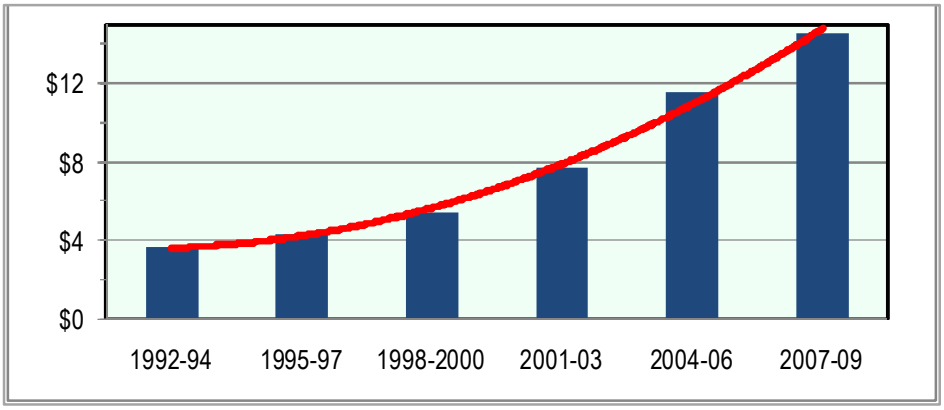


Figure 2.6b: ICI Building Permit Value (millions 2009$, 3 Yr. Ave.) Municipality of West Hants and Town of Windsor. Sources: Windsor-West Hants Joint Planning Advisory Committee & Jozsa Management & Economics

2.2.1 Current Projects Windsor and West Hants

Table 2.1 shows the ICI and agricultural building permits issued by the Town of Windsor and the Municipality of the District of West Hants from 2005 to early February 2010.[6] The data was provided by the Windsor-West Hants Joint Planning Advisory Committee.

As evidenced in the employment profile of the Valley Region and the labour force by industry data for the census sub-division of West Hants, the majority of the investment has been in the commercial and institutional sectors.

[6] RESIDENTIAL

Cottage Country: 118-unit bare land condominium development (currently under construction) previous projects: Canyon Point 59-unit bare land condo development (completed 2009); conventional subdivision and development of Chateau Village, Chalet Hamlet and Falls Lake West.

Anahid Investments (Armco Communities): approx. 30 single and two-unit lots approved in 2006; Phase 3 not yet submitted for approval.

Brison Developments: The Crossing Mini-home Park, Garlands Crossing, 220 units (under construction); Bailey Drive, Garlands Crossing, 16 single unit lots (under construction); Halewood Dr., Falmouth (58 single unit lots, approx 25 not developed) previous projects include: Mountain View Park subdivision, Falmouth.

Table 2.1: Current Projects: Town of Windsor and Municipality of the District of West Hants

LARGE COMMERCIAL / INDUSTRIAL (PERMITS >$150,000)[1]

WINDSOR

Armstrong's Auto Sales: new construction, $235,000 (2006)
Lawton's Drugs: addition and interior renovations, $629,000 (two permits 2006)
Subway Restaurant: new construction $220,000 (2006)
Mill Island: mixed commercial/residential, renovation of former NS Textiles Mill, Windsor, $2.2 million (three permits 2008).
Vaughan's Market & Petro-Can Gas Bar: new construction and renovations, $1 .0 million (2006 and 2009)
Hants Equipment: New construction for heavy equipment sales & service business, $290,000 (2009).
Crombie Developments: Fort Edward Mall, interior renovations, $593,000 (two permits 2009)

WEST HANTS

KJC Development: new construction medical/dental offices, $200,000 (2005)
Super 8 Motel (Pacrim): new construction $3.0 million (2006)
Sustainable Fish Farming Ltd.: new construction, $750,000 (two permits 2007)
Sepracor Canada: renovations and additions, $5.5 million (four permits 2005, 2006, 2008)
Orion Electronics (now Cobham Tracking): addition and renovations, $570,000 (two permits, 2006 and 2008)
Nova Ski Ltd.: accessory buildings for ski operation, $300,000 (two permits 2008 & 2009)
Windsor Home Hardware: Interior renovation at Ft Edward Mall location, $300,000 (2010).

OTHER COMMERCIAL / INDUSTRIAL & MIXED USE

Asset Management Ltd.: commercial / residential (four apartments), Development Agreement approved; not yet under construction.
Clark Wilkins: mixed commercial / residential, ground floor commercial in one apartment building and a second apartment building (66 units total), Development Agreement in application stage.
Brison Developments: mixed commercial / residential, four commercial lots and 15 single and two-unit residential lots, subdivision application by proponent in progress.

As evidenced in the employment profile of the Valley Region and the labour force by industry data for the census sub-division of West Hants, the majority of the investment has been in the commercial and institutional sectors.

2.3 Employment Projections

Table 2.2 provides an overview of annual average employment by industry in the Annapolis Valley Region from 1988 to 2009, and for January 2010. Figure 2.8 shows annual historical and projected annual average employment levels by major industry group.

The projections stem from regression analyses weighted to give more recent years greater influence over the trends described by the regressions. The logic is as follows:

- Other things equal, the longer a data history the better, in terms of assessing trends. However, our data series extends back 24 years. Since the early years, there have been significant changes in the structure of the Valley and overall NS economies and in economies outside NS. In addition, there have been substantial improvements and innovations in communications and land transportation that affected the economic structure of the Valley Region as its relationship to the overall NS economy;

- Future changes in the Valley Economy are more likely hinted at in the more recent trends in employment growth;
- Standard regression analysis gives equal weight to each data point; and
- By weighting more highly the recent data, the regression analysis of trends takes more direction from trends in the last 11 or so years (versus trends during 1988-98).

The projections contain the additional following assumptions:

- High
  - Nova Scotia's economy exhibits high employment growth, in the range of 1.34% per year until 2031, well above its trend rate of about 1.16% per year from 1988 to 2009; and
  - Economic growth rates in some of the ex-urban areas of the Halifax Census Metropolitan Area, such as the Annapolis Valley Region and Halifax–Truro-Moncton corridor, modestly exceed those of the Halifax CMA. The Annapolis Valley Region's share of NS employment rises from 12.7% in late 2009 to about 13.2% in 2031.
- Mid
  - Nova Scotia's employment growth averages about 1.12% per year until 2031, just a fraction below it long run trend rate; and
  - The rate of centralization of the NS economy into the Halifax Census Metropolitan Area slows substantially or halts and the Annapolis Valley Region show a very slight increase in its share of NS employment from about 12.7% in late 2009 to about 12.8% in 2031.
- Low
  - Nova Scotia's employment growth averages about 1.06% per year until 2031, below its average growth rate of 1.16% per year from 1988 to 2009; and
  - The rate of centralization of the NS economy into the Halifax Census Metropolitan Area accelerates, and the Annapolis Valley Region's share of NS employment declines from 12.7% in late 2009 to about 11.8% by 2031.

Table 2.2: Annapolis Valley Region Employment by Industry, Actual

Annapolis Valley Region, Employment ('000s) by Industry, Labour Force Survey, 1988 - 2009 Annual Average & January 2010																							
	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Jan. 2010
All Industries	**47.0**	**48.3**	**48.8**	**49.7**	**46.9**	**45.8**	**46.5**	**49.1**	**47.7**	**48.0**	**49.0**	**51.5**	**51.3**	**54.3**	**56.3**	**55.5**	**58.2**	**56.9**	**55.3**	**58.8**	**57.7**	**57.1**	**56.9**
Goods Producing Sector	**14.6**	**15.5**	**15.0**	**15.6**	**14.1**	**13.5**	**14.5**	**14.1**	**13.2**	**13.2**	**14.6**	**15.4**	**15.5**	**16.4**	**16.9**	**15.8**	**15.7**	**14.7**	**14.9**	**16.0**	**15.3**	**14.9**	**14.8**
Agriculture				3.3	3.6	3.0	2.9	3.1	2.5	2.4	3.2	3.1	3.1	3.1	3.3	3.3	2.2	2.5	1.8	2.0	2.4	2.8	
Forestry, Fishing, Mining, Oil & Gas				1.6	1.5	1.2	1.4	1.0	1.5	1.1	1.3	1.1	1.4	1.6	1.3	1.4	1.3	1.4	1.2	1.3	1.2	1.5	
Utilities				0.3	0.3	0.2	0.2	0.2	0.2	0.2	0.1	0.2	0.3	0.4	0.4	0.3	0.3	0.3	0.1	0.1	0.1	0.2	
Construction				3.7	3.5	3.4	3.6	3.1	3.4	3.4	3.1	3.3	3.3	4.6	4.7	4.1	5.0	3.9	4.6	4.4	4.4	4.7	
Manufacturing				6.7	5.2	5.7	6.4	6.7	5.6	6.1	6.9	7.7	7.4	6.7	7.2	6.7	6.9	6.6	7.2	8.2	7.2	5.7	
Service Producing Sector	**32.4**	**32.8**	**33.8**	**34.1**	**32.8**	**32.3**	**32.0**	**35.0**	**34.5**	**34.8**	**34.4**	**36.1**	**35.8**	**37.9**	**39.4**	**39.7**	**42.5**	**42.2**	**40.4**	**42.8**	**42.4**	**42.2**	**42.1**
Trade				8.4	8.0	7.9	6.5	8.1	8.6	8.9	8.5	9.9	9.1	9.4	9.6	9.7	10.1	10.8	9.9	10.8	10.9	10.0	
Transportation & Warehousing				2.8	2.7	2.0	2.3	2.3	2.5	2.4	2.5	2.8	2.3	3.5	3.0	3.1	2.9	2.9	1.7	2.4	2.3	1.8	
Finance, Insurance, Real Estate & Leasing				1.8	1.8	1.5	1.9	2.1	2.0	2.3	2.5	2.3	2.2	2.3	2.6	2.4	1.7	2.0	2.2	2.4	1.9	2.0	
Professional, scientific and technical services				1.0	1.1	1.3	1.3	1.9	1.3	1.2	1.6	1.1	1.7	1.6	1.7	1.8	1.9	1.7	1.7	1.3	2.5	2.1	
Business, building and other support services				1.0	0.8	1.0	1.3	1.7	1.5	1.4	1.5	1.2	1.5	1.3	1.8	1.7	2.2	1.8	2.1	2.2	2.7	3.4	
Educational services				4.2	3.5	3.7	4.0	2.7	3.0	3.0	2.8	3.4	3.9	3.9	4.0	4.8	5.6	4.4	4.4	5.0	4.2	4.5	
Health care and social assistance				5.6	5.8	5.4	5.4	5.9	4.9	5.6	4.8	5.6	6.0	6.5	6.2	7.0	7.4	6.7	7.0	7.6	6.9	7.7	
Information, culture and recreation				1.3	1.2	1.0	1.9	1.5	2.1	1.2	1.5	1.3	1.2	1.3	1.6	1.2	1.4	1.8	1.2	1.6	1.8	1.4	
Accommodation and food services				2.1	2.0	2.3	2.4	2.9	3.0	2.7	3.0	3.2	2.7	3.2	3.2	3.2	3.0	3.5	3.6	4.0	3.9	3.0	
Other services				2.7	2.7	2.8	2.0	2.7	3.0	3.2	2.6	2.5	2.6	2.2	2.7	2.7	3.0	3.2	3.0	2.8	2.4	2.9	
Public Administration				3.2	3.2	3.4	3.0	3.2	2.6	2.9	3.1	2.8	2.6	2.7	3.0	2.1	3.3	3.4	3.6	2.6	2.9	3.4	

Source: CANSIM, Table 282-0061, Labour force survey estimates (LFS), employment by economic region and North American Industry Classification System (NAICS), annual (persons)

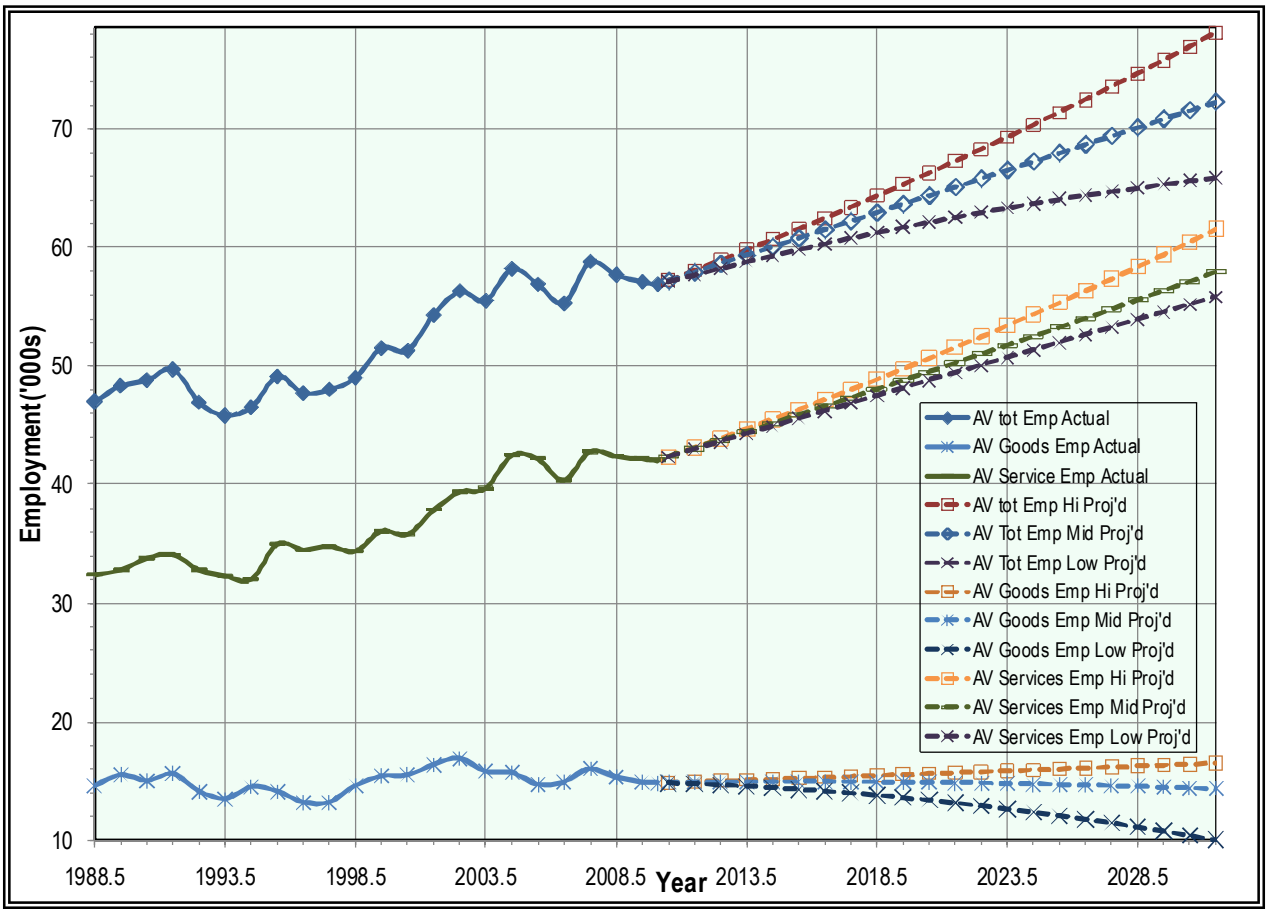


Figure 2.7: Employment by Industry, Annapolis valley Region. (Ave. Annual 1988-2009, Jan. 2010; Actual) (Ave. Annual 2010-31; Projected) Source: Jozsa Management & Economics

2.3.1 Projected Employment Levels in the Region, 2011 - 2031

Table 2.3 summarizes projections for employment levels ('000s) by major industry groupings in the Annapolis Valley Region.

Table 2.3: Annapolis Valley Region, Employment Levels 2011-31 ('000s)

	2011	2016	2021	2026	2031
All Industries					
High	57.3	62.5	67.3	72.5	78.1
Trend	57.2	61.5	65.1	68.7	72.3
Low	57.1	60.3	62.6	64.4	65.9
Goods					
High	15.0	15.3	15.7	16.1	16.5
Trend	14.9	14.9	14.9	14.7	14.4
Low	14.8	14.1	13.2	11.8	10.1
Services					
High	42.4	47.2	51.6	56.4	61.6
Trend	42.3	46.6	50.2	54.0	57.9
Low	42.3	46.2	49.4	52.6	55.8

Source: *Jozsa Management & Economics*

Table 2.4 shows the Hants County's historical and projected shares of employment in the goods and services producing sectors. These percentages were used to estimate Hants County's projected employment. Those employment projections were further resolved into estimates of the number of jobs that would locate in commercial/industrial parks in Hants County.

Table 2.4: Hants County Share of Annapolis Valley Region Employment by Industry Sector (1991-2006 Actual) (2010-2031 Projected)

Sector	Scenario	Year								
		1991	1996	2001	2006	2010-11	2012-16	2017-21	2022-26	2027-31
Goods Producing	High					39.2%	40.0%	41.2%	42.4%	43.8%
	Mid	35.8%	36.6%	37.3%	38.3%	39.0%	39.6%	40.5%	41.3%	42.2%
	Low					39.0%	39.6%	40.4%	41.3%	42.1%
Service Producing	High					33.3%	33.9%	34.8%	35.7%	36.6%
	Mid	30.2%	31.4%	32.3%	32.6%	33.3%	33.8%	34.6%	35.4%	36.2%
	Low					32.4%	32.0%	31.0%	29.5%	27.5%

Sources: Historical - Census 1991, 1996, 2001, 2006; Projections - *Jozsa Management & Economics*

2.3.1.1 Implications of Risk and Uncertainty

Projecting economic trends far into the future is replete with risk and uncertainty. Projections for the growth in industrial, commercial, institutional and agricultural employment and the sectors' demand for building space are subject to more uncertainty than other indicators, such a demographic change, hence the range between high and low scenarios is quite large. Cyclical forces affecting economic change can change abruptly and their affects readily flow across international borders. Demographic shifts, on the other hand, are somewhat constrained by national policies and the greater resistance of people to change location than investment.

Projecting economic trends far into the future is replete with risk and uncertainty as they are subject to:

- short-term cyclical changes that may differ from those in the past, such as the ebbs and flows associated with changes in relative currency values or demand for primary commodities such as newsprint; and
- long-term structural changes, such as a shift by primary agriculture to less land-intensive, more value added oriented production; changes in response to global warming, to major changes in public infrastructure such as the creation of Highway 101, or to the growing demand for bio-fuels.

Growth in the demand for bio-fuels could have a significant impact on the primary agriculture sector and on manufacturing in the Annapolis Valley Region. More modest but important expansions can be expected due to the growth in the number and size of farm wineries and the growth path to 1,000 ha of grapes planted (vs. about 250 ha in 2010). The winery and grape growing expansions could also provide a boost to the Valley Region's tourism sector.

2.3.2 Employment Potentially Located in Business/Industrial Parks, Annapolis Valley Region

To estimate the potential number of jobs that would locate in a business/industrial park, we examined the typical location practices of the industry types shown in Table 2.2. As a group, about 60.8% of the employment from the Goods Producing Sector could potentially locate in a business/industrial park. Similarly about 18.0% of the employment represented by growth in the Service Producing Sector could potentially locate in an industrial/commercial park. These are conservative numbers based on experience; therefore we assume that these percentages of growth would locate to parks in the Annapolis Valley Region.

Table 2.5 shows the projection for new employment locating in industrial/commercial parks in the Annapolis Valley Region during each five-year period until 2031.

Table 2.5: Annapolis Valley Region, Potential Employment ('000s) Located in Industrial/ Commercial Parks 2010-31

	2010-11	2012-16	2017-21	2022-26	2027-31	Cumulative
All Industries						
High	0.15	1.16	1.09	1.17	1.26	4.84
Trend	0.08	0.87	0.73	0.75	0.77	3.20
Low	0.07	0.76	0.64	0.64	0.64	2.76
Goods						
High	0.08	0.26	0.27	0.28	0.28	1.17
Trend	0.02	0.07	0.03	0.03	0.03	0.20
Low	0.01	0.03	0.03	0.03	0.03	0.13
Services						
High	0.07	0.89	0.82	0.90	0.98	3.67
Trend	0.06	0.79	0.69	0.72	0.74	3.01
Low	0.06	0.73	0.61	0.61	0.61	2.63

Source: *Jozsa Management & Economics*

Conversely, concerted marketing and land use planning can raise the portion of growth that locates in planned business/industrial areas. The examples of the Bayer's Lake Business Park, Burnside Industrial Park and Burnside Business Park in the Halifax Regional municipalities are cases in point where land use plans' strong marketing efforts helped to direct the ICI growth to the planned business parks.

We assume that about 0.08% of existing employment will relocate each year to industrial/commercial parks. This assumption is based on historical trends in Canada.

2.3.3 Employment Potentially Located in Business/Industrial Parks in Hants County

The projections for potential employment in industrial/commercial parks in Hants County, shown in Table 2.6, are based on Hants County's growth in goods and service producing employment and the propensity of sub-sectors within the two to locate in commercial/industrial parks, as detailed in sections 2.3.1 and 2.3.2.

Table 2.6: Hants County, Potential Employment Growth in Industrial/Commercial Parks 2010-31

	2010-11	2012-16	2017-21	2022-26	2027-31	2010-31
Total						
High	53	409	398	438	482	1,779
Trend	29	298	254	268	282	1,130
Low	25	246	202	192	179	844
Goods						
High	30	105	111	117	124	488
Trend	8	30	14	14	14	79
Low	5	13	13	12	11	54
Services						
High	23	304	287	321	358	1,292
Trend	21	269	240	254	268	1,051
Low	19	233	189	181	168	790

Source: *Jozsa Management & Economics*

2.4 Potential Demand for Space in Business/Industrial Parks

2.4.1 Potential Growth in the Annapolis Valley Region

Based on the average space needs of the types of businesses in each of the industry groupings[7], Table 2.7 shows the metres^2 of building space that would be required to accommodate the jobs in industrial/ commercial parks in the Annapolis Valley Region.

Table 2.7: Annapolis Valley Region, Potential Growth in Building Footprint Space (m^2) 2010-31

	2010-11	2012-16	2017-21	2022-26	2027-31	Cumulative
All Industries						
High	5,586	40,552	38,547	41,235	44,145	170,065
Trend	2,938	29,071	23,992	24,751	25,501	106,253
Low	2,538	25,106	21,268	21,180	21,054	91,146
Goods						
High	3,368	11,452	11,727	12,009	12,297	50,852
Trend	879	3,255	1,479	1,467	1,443	8,522
Low	589	1,441	1,366	1,254	1,104	5,754
Services						
High	2,218	29,100	26,820	29,227	31,848	119,213
Trend	2,059	25,816	22,514	23,284	24,058	97,731
Low	1,949	23,665	19,902	19,926	19,950	85,392

Source: *Jozsa Management & Economics*

[7] Based on information from:

- "Employment Densities: A Full Guide, Final Report" Arup Economics + Planning, 2001;
- "Nova Scotia Statistical Review 2006, Office and Industrial Market, 2002 to 2006" Nova Scotia Department of Finance;
- "Official Community Plan" Town of Burnaby, British Columbia, 2007;
- the types of businesses most likely to expand and locate in Hants County; and
- current employment densities in parks in Hants County.

We estimate that about 45.1 m^2 and 32.5 m^2 of building space are required per employee in the goods producing and service producing sectors, respectively.

2.4.2 *Potential Growth in Building Space in Business/Industrial Parks in Hants County*

Table 2.8 provides projections of the growth in building footprints in meters squared (m^2) for parks in Hants County.

Table 2.8: Hants County Potential Growth in Building Footprint Space (m^2) Located in Industrial Commercial Parks 2010-31

	2010-11	2012-16	2017-21	2022-26	2027-31	Cumulative
All Industries						
High	2,059	14,449	14,157	15,521	17,033	63,218
Trend	1,028	10,026	8,395	8,853	9,317	37,620
Low	861	8,133	6,714	6,387	5,942	28,037
Goods						
High	1,320	4,578	4,827	5,097	5,390	21,212
Trend	343	1,290	598	606	609	3,446
Low	230	571	552	517	465	2,336
Services						
High	739	9,871	9,330	10,423	11,642	42,006
Trend	685	8,737	7,797	8,247	8,708	34,174
Low	631	7,562	6,161	5,870	5,477	25,701

Source: *Jozsa Management & Economics*

Two opposing forces will affect this projection:

- The first suggests that the projection could be on the low side because the proposed industrial/commercial park should make the Hants County more attractive place to expand and locate;
- The second suggests that projection could be on the high side because, despite the reported shortage of planned industrial/commercial space in Hants County, there is room for more businesses in the existing parks in the Annapolis Valley Region, which will compete for new land sales with parks in Hants County. The vacant developed space in Annapolis Valley parks that was ready for sale at the time of writing is as follows:
  - Annapolis Valley Regional Industrial Park, about 3.0 ha;
  - Bridgetown Development Centre, 1.4 ha;
  - Coldbrook Village Park, about 6.3 ha;
  - East Hants Business Park, about 2.1 ha;
  - Kespuwick Industrial and Business Park, 4.5 ha;
  - Kings County Municipal Airport Business Park, about 0.5 ha;
  - Middleton Industrial Park, 2.5 ha;
  - Port Williams Industrial Park, about 5.1 ha;
  - Uniacke Business Park, 25.6 ha; and
  - Windsor-West Hants Industrial Park, 3.9 ha.

2.4.3 *Potential Growth in Hectares in Business/Industrial Parks in Kings County*

The projections of the expansion of demand for land in industrial/commercial parks in Hants County (Table 2.9) are based on the following assumptions:

- Goods producing establishments;
  - require 45.1 m^2 of building space per job,

- have a coverage ratio of about 12.6% (i.e., for every 1.0 m^2 of building footprint, an additional 7.9 m^2 is taken up by open work area/storage space, parking, landscaping around buildings, sidewalks, roads, utility corridors for common use services such as power lines and on-site sewage treatment, buffer space, and so on); and

- Services producing establishments;
  - require about 32.5 m^2 of building space per job
  - have a coverage ratio of about 22.1% (i.e., for every 1.0 m^2 of building footprint an additional 4.5 m^2 is required).[8]

Table 2.9: Hants County Potential Industrial/Commercial Parks Expansions (ha sold), 2010-31

	2010-11	2012-16	2017-21	2022-26	2027-31	2010-31
Total						
High	1.8	11.0	10.9	11.9	13.0	48.7
Mid	0.8	7.0	5.7	6.0	6.3	25.8
Low	0.6	5.5	4.6	4.3	4.0	19.1
Goods						
High	1.3	4.6	4.8	5.1	5.4	21.3
Mid	0.3	1.3	0.6	0.6	0.6	3.5
Low	0.2	0.6	0.6	0.5	0.5	2.3
Services						
High	0.5	6.4	6.1	6.8	7.6	27.4
Mid	0.4	5.7	5.1	5.4	5.7	22.3
Low	0.4	4.9	4.0	3.8	3.6	16.8

Source: *Jozsa Management & Economics*

2.4.4 Potential Land Demand in Existing Parks in West Hants and a New Industrial/Commercial Park

Table 2.10 provides an overview of the commercial/industrial parks that would be the most immediate competitors to a new park in Hants County. However, despite the consultant's extensive efforts, we were unable to collect information for 85% of the parks in the AVR. Moreover, only partial information could be collected for the other 15% of the parks. We found virtually no evidence of marketing, selling or administrative efforts being applied to park in the AVR.

[8] The average coverage ratio at parks in the Annapolis Valley region tends to be lower. We assume that a new park will follow the current trend towards increased densities.

Table 2.10: Overview of Industrial/Commercial Parks in the Annapolis Valley Region

Park Name	Location	Administration	Years Open	Gross Area (developed + undeveloped) (ha)	Sold (ha)	Vacant (ready for sale) (ha)	Roads & Open Space (% of net developed)
Annapolis Valley Regional Industrial Park	Kentville	NSDT&PW, NS Business Inc.	28	78.9	41.1	3.0	18.6
Annapolis Valley Business Mall	Kentville	Real Property Services NSDT&PW	15	0.09	0.6	-	N/A
Bridgetown Development Centre	Bridgetown	Real Property Services NSDT&PW	11	3.1	1.4	1.4	N/A
Coldbrook Village Park	Kentville	Coldbrook Developments Ltd.	17	18.8	7.8	6.3	33.0
East Hants Business Park	Mun. of East Hants	East Hants	25	79.4	11.1	2.1	15.3
Kepuswick Industrial. & Business Parks	Cornwallis	Kepuswick Developments	13	57.9	7.7	4.5	N/A
Kings County Municipal Airport Business Park	Waterville	Kings Cty.- Waterville Airport Co-op	29	38.1	0.7	0.5	56.2
Middleton Industrial Park	Middleton	Town of Middleton	24	32.4	10.2	2.5	28.4
Port Williams Industrial Park	Port Williams	Starr's Point Developments Ltd.	19	10.1	3.9	5.1	13.1
Uniacke Business Park	Mt. Uniacke	Municipality of East Hants	<10	49.9	16.8	25.6	17.81
Windsor Industrial Park	Windsor	Windsor-Municipality of West Hants	40	53.0	19.9	-	16.9
Windsor-West Hants Industrial Park	Windsor	NSDT&PW	29	23.6	12.0	3.9	3.1 (roads not included)
Windsor-West Hants Industrial Mall	Windsor	Real Property Services – NSDT&PW	23	0.09	0.6 tot	-	N/A

Parks double underlined are within 35 km (road distance) of Windsor

Within 35 km by road from Windsor, there are a number of industrial parks. Most were developed with federal government funding 20 to 30 years ago and are a range of sizes. There are also two industrial malls which house administrative and commercial offices located within the larger parks. None of the parks have a specific economic sector focus, but frequent uses include transportation, manufacturing, food processing and commercial businesses such as construction suppliers. Some parks are operated by private developers, but most are run by a municipality, the Nova Scotia Department of Transportation and Public Works (NSTPW), or through a government or public/ private partnership.

Less than the 50.4 hectares that are developed and vacant in parks within 35 km (road distance) from Windsor are effectively available to development because:

- The Annapolis Valley Regional Industrial Park has land use constraints to protect the Park's well-field area (the Park was previously supplied by surface water sources). Moreover, our analysis assumes that Kings County, and this park and other parks located in Kings County, continue to attract employment based on Kings County's projected share of goods and service producing employment in the Valley Region[9];
- The space at the Windsor- West Hants Industrial Park would presumably be sold, or included in the land supply of a new Windsor – West Hants industrial park, before major expansions are considered by Windsor and West Hants; and
- Despite being seven road minutes closer to Windsor than Downtown Halifax, the Uniacke Business Park in Hants County is more oriented to servicing demand that would otherwise locate in the commercial/industrial parks that ring Halifax and Dartmouth.

Existing parks in the Annapolis Valley Region have historically shown job densities that are much lower than in modern parks (about 30.9 jobs/ha sold vs. about 57.6 expected for a new park).[10] The increasing average job density stems from four forces:

- increasing land cost;
- improved land use and infrastructure planning;
- rapid growth of the service and commercial sectors; and
- slow growth in the goods producing sectors.

We assume that in the future, new businesses moving into existing parks will reach modern job densities. Therefore, although the existing parks in Hants County are assumed to absorb their historical share of employment in Hants County, they will do so via smaller land sales.[11] Based on their historical job absorption rates and more modern job densities, Table 2.11 demonstrates the existing parks in Hants County's projections for sales in existing parks during 2010-31.

[9] The same assumptions are made for Annapolis County.

[10] Average annual land absorption rates for parks within 35 km. of Windsor are:

- Annapolis Valley Regional Industrial Park, about 1.17ha/year for the period 1975 – 2009;
- Annapolis Valley Business Mall, about 0.03 ha/yr, for the period 1992 to 2009;
- Coldbrook Village Park, about 0.39 ha/yr for the period 1990 – 2009;
- Port Williams Industrial Park, about 0.18 ha/year for the period 1988 – 2009;
- Uniacke Business Park, about 0.58 ha/yr for the period 1981 to 2009;
- Windsor Industrial Park, about 0.40 ha/yr for the period 1960 to 2009;
- Windsor – West Hants Industrial Mall, about 0.02 ha/yr for the period 1982 to 2009; and
- Windsor – West Hants Industrial Park, about 0.39ha/yr for the period 1983 to 2009.

As described in the body of the report and Appendix B, current data on land sales, occupancy rates and supply of serviced land were not available. Therefore these absorption rates were estimated.

[11] Recall the employment growth in the Rest of the Annapolis Valley Region has already estimated based on overall employment growth in the Valley Region and projections the changing share of goods producing and service producing employment between Hants County and the Rest of the Valley Region. Therefore calculations from this point on need to deal with only the location of Hants County employment growth in or outside of existing Hants County Parks.

Table 2.11: Potential Growth in Existing Hants County Parks (ha sold) 2010-31

	2010-11	2012-16	2017-21	2022-26	2027-31	2010-31
Total						
High	1.7	10.3	10.2	11.1	12.2	45.5
Mid	0.7	5.8	4.7	5.0	5.2	21.5
Low	0.5	4.6	3.8	3.6	3.4	15.9
Goods						
High	1.2	4.3	4.5	4.8	5.1	19.9
Mid	0.3	1.1	0.5	0.5	0.5	2.9
Low	0.2	0.5	0.5	0.4	0.4	1.9
Services						
High	0.5	6.0	5.7	6.4	7.1	25.6
Mid	0.4	4.7	4.2	4.5	4.7	18.6
Low	0.3	4.1	3.3	3.2	3.0	13.9

Source: *Jozsa Management & Economics*

Table 2.12 shows the remaining potential for land sales (not including common user space) in a new commercial/industrial park in Hants County. The resulting annual sales rates are as follows:

- high, 0.81 ha/year;
- mid, 0.51 ha/year; and
- low, 0.38 ha/year.

Table 2.12 assumes that existing parks maintain their relative absorption rates as compared to the employment growth trends. That is, higher employment growth rates lead to higher absorption rates, and vice versa. It also assumes that an expanded Windsor or Windsor-West Hants industrial park would, by virtue of its location and enhanced marketing and sales functions, increase its absorption rate to accommodate demand that exceeds the trend absorption rates of competing parks in Hants County.

Table 2.12 shows the demand in terms of hectares sold. The actual expansion would be larger due to the room needed for common spaces (roads, power lines, green space, etc.).

Table 2.12: Potential Hectare Sales at an Expanded Windsor Industrial Park (ha sold) 2010-31

	2010-11	2012-16	2017-21	2022-26	2027-31	2010-31
Total						
High	-	1.4	3.4	4.2	4.9	13.9
Mid	-	-	2.0	2.5	2.8	7.3
Low	-	-	0.8	1.8	1.8	4.5
Goods						
High	-	0.6	1.5	1.8	2.1	5.9
Mid	-	-	0.2	0.3	0.3	0.7
Low	-	-	0.1	0.2	0.2	0.5
Services						
High	-	0.8	1.9	2.4	2.9	8.0
Mid	-	-	1.8	2.3	2.5	6.6
Low	-	-	0.7	1.6	1.6	3.9

Source: *Jozsa Management & Economics*

2.4.5 Summary of Demand for Land

There are now about 5.5 hectares of prepared land at the Windsor-West Hants Industrial Park that are ready for sale. Therefore, the park will not need to expand until about 2016, that is, until most of the vacant prepared land has been sold.

From about 2016 to 2031, the following amounts of prepared land for sale will need to be added to the current supply:

- High growth scenario, add about 13.9 ha of land for sale, plus common use space (roads, utility corridors, green space, etc.), leaving the park fully occupied by about 2031;
- Mid growth scenario, add about 7.3 ha of land for sale, plus common use space (roads, utility corridors, green space, etc.), leaving the park fully occupiedby about 2031; and
- Low growth scenario, add about 4.5 ha of land for sale, plus common use space (roads, utility corridors, green space, etc.), leaving the park with about 2.6 ha of vacant land available for sale by about 2031.

To allow a vacancy rate to ensure that the park has some land 'in stock' ready for sale in the high and mid growth scenarios, additions of net ha (i.e., land for sale) should be increased by at least 5%.

These demand levels remain after allowances for:

- Projections of employment growth that will locate in Annapolis and Kings Counties regardless of the creation of more planned commercial/industrial space in West Hants; and
- Projected absorption of employment by other parks in Hants County, regardless of the creation of more planned commercial/ industrial space in West Hants.

The land use and development plan for the new park must be able to accommodate the following factors:

- The annual demand for land will not reveal itself at an even annual pace; purchases of land in the new park will be sporadic. The development phasing will accommodate expansions that do not occur at an even annual pace;
- Aggregate demand for land in the new park will likely fall within the range of the projections. Actual trends in demand will need to be followed closely to help determine if the park is developing along the high trend or low demand scenarios. Scheduling of the development phases should then be adjusted accordingly;
- The final size of the park will be about 5% larger than demand to allow for a modest vacancy rate. Potential buyers generally have already made the decision to build new or relocate. Therefore prepared land must be "in stock" or the park risks losing the sale; and
- The new park will make West Hants a more attractive place to expand and create new businesses. However, the new park must also expect significant competition from existing business/industrial parks. The existing parks will likely change their marketing strategies to deal with the competition offered by a new park.

In addition, the new park will need to be supported by a broader infrastructure development and marketing/selling plan to:

- Increase the Annapolis Valley Region's attractiveness for economic growth, thus increasing its traditional share of growth in the NS economy; and
- Maintain and build on the 1991 – 2006 trends that show Hants County becoming home to increasing shares of the Valley Region's goods producing and service producing employment.

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Chapter 3 **Existing Conditions**

3.1 Zoning

3.1.1 West Hants Zoning

The Municipality of the District of West Hants Municipal Planning Strategy and Land Use Bylaw are the legislative documents which control land use and development within the District. Industrial land uses area permitted and regulated in six different zones (see Figure 3.1):

- Resource Industrial (M-1);
- Hamlet Industrial (M-2);
- Local Industrial (LI);
- Light Industrial (LI-1);
- Joint Industrial Type Two (LI-2); and
- Joint Industrial Type Three (LI-3).

3.1.2 Town of Windsor Zoning

The Town of Windsor Municipal Planning Strategy and Land Use Bylaw guide development in the Town of Windsor located in the centre of Hants West. Industrial land uses area permitted and regulated in three different zones (see Figure 3.2):

- Light Industrial (LI-1);
- Joint Industrial Type Two (LI-2); and
- Joint Industrial Type Three (LI-3).

3.1.3 Hantsport Zoning

Zoning for Hantsport was not available.

3.2 Land Use

The study area within West Hants is a primarily rural area with development concentrated in the Town of Windsor, Three Mile Plains and Falmouth.

3.2.1 Town of Windsor

With a population of approximately 3,800, the Town of Windsor is the primary community within the study area. In its role as a regional services centre, "approximately 60 percent of the total retail trade activity occurring in the West Hants area takes place in Windsor. In addition, many government and other administrative offices are located in Windsor."[12] Most of the developed area of Windsor is serviced with municipal water and sewer. The development principles outlined in the Windsor Municipal Planning Strategy relevant to the expansion of an industrial park lands in the study area include:

- Providing more flexibility in allowing consideration of mixed use development;

[12] Town of Windsor Municipal Planning Strategy, September 3 2009, p. 2.

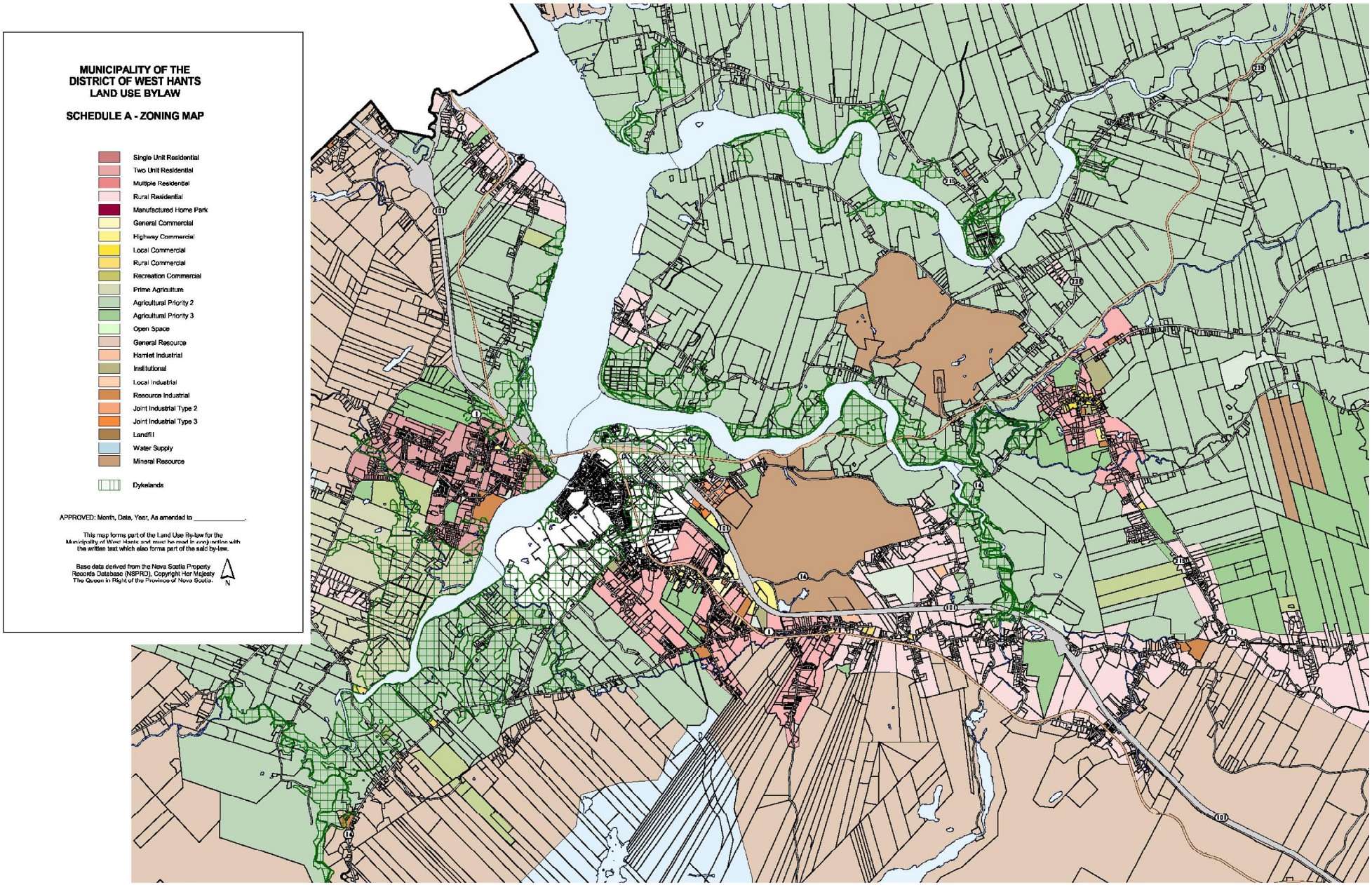


Figure 3.1 - West Hants Zoning

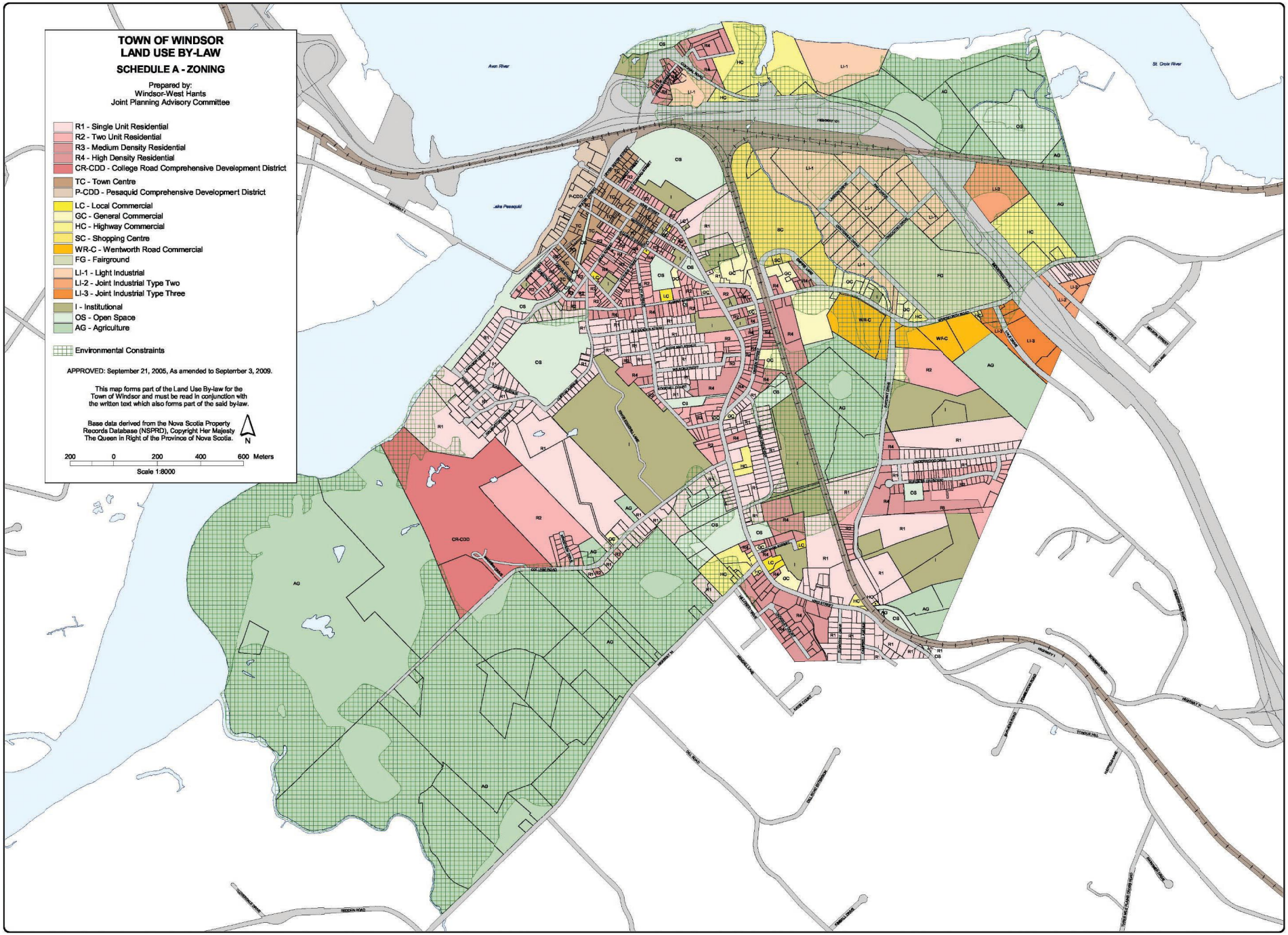


Figure 3.2 - Windsor Zoning

- Encouraging compact residential and commercial growth similar to existing development in the older sections of the Town, which makes best use of municipal infrastructure including roads, sidewalks and water and sewer services;
- Allowing for a broader range of uses in the Windsor Industrial Park;
- Maintaining and promote the downtown as the main business district;
- Establishing development standards for the Wentworth Road area which control the type, location, scale and design of new development and enhance its role as one of the main entrances to the Town; and
- Protecting active farms and agricultural dyke land from encroaching development.

Specific policies in the MPS reacted to industrial development include:

Policy 10.0.1 It shall be the policy of Council to work jointly with the Municipality of West Hants and other provincial and federal agencies in the provision and maintenance of sufficient industrial lands to meet the needs of a growing population.

Policy 10.0.2 It shall be the policy of Council to encourage and where possible to actively support efforts which promote industrial development in appropriate areas of the Town of Windsor and Municipality of West Hants.

Policy 10.0.3 It shall be the policy of Council to encourage the development of light industrial uses that are not obnoxious by reason of sight, sound, smell, dust or fumes.

3.2.2 West Hants

The Municipal Planning Strategy for the Municipality of the District of Hants designates four distinct character areas for the future development in the District: Growth Centres, Villages, Hamlets, and Resource Areas. Growth Centres are intended to accommodate most of the future non-rural development which will occur in West Hants, with the intent to relieve development pressure from non-renewable resource lands.

The Municipal Planning Strategy for West Hants includes the following general goals[13]:

- Encourage more dense development in the Growth Centre designation within servicing boundaries;
- Encourage large-scale commercial and industrial development to locate in the Growth Centres and industrial parks, and work with the Town of Windsor to maintain commercial service centres for both West Hants and the Town;
- Encourage development which does not place undue strain on the existing facilities or financial resources of West Hants; and
- Identify areas with constraints for development because of soil conditions, topography, risk of flooding, subsidence or other conditions.

The Municipal Planning Strategy for West Hants states that Three Mile Plains, located immediately south of the Town of Windsor, is fully serviced with municipal water and sewer and has the capacity to accommodate a considerable amount of new commercial and residential development. Falmouth, located on the west side of the Avon River, has developed as a mainly residential area and contains a significant amount of serviced land still available for future development.

[13] Municipality of the District of West Hants Municipal Planning Strategy, June 26, 2008, p. 5.

While the village of Brooklyn has historically provided commercial and institutional services to the surrounding communities, and it includes a densely developed core area of residential and commercial uses, it is not designated a Growth Centre. The West Hants MPS states that:

> "Because of the expense involved in constructing, extending and maintaining municipal water and sewer infrastructure, these services will be provided only in the two existing Growth Centres of Three Mile Plains and Falmouth, as well as the Windsor-West Hants Joint Industrial Park."[14]

The West Hants MPS recognizes the importance of agriculture to the area and states that there "are close to 6,000 acres of dyke land in the county, representing some of the most productive agricultural land in the province,"[15] and that it is important to preserve these lands in agricultural use.

> "Recent development pressures have meant, however, that some of these areas are beginning to be considered for non-farm uses. Non-farm development on dyke lands is a concern, not only because it means the loss of valuable agricultural land, but also because of the risk of flooding and the drainage problems associated with these lands."[16]

The MPS recognizes that the county contains significant gypsum deposits and that the gypsum industry plays an important role in the economy of the area.[17] The Fundy Gypsum Company owns large tracts of land in the county. It was operating two mining sites, but recently announced that the one in Miller Creek would be closed.[18]

The MPS also recognizes that large portions of the southern and north-eastern part of the county are Crown land or owned by large forestry companies. The former importance of the forest industry to the area is demonstrated by the presence of Minas Bay Pulp and Paper in Hantsport, which now produces 100% recycled paperboard products.

3.2.3 The Windsor West Hants Joint Industrial Park

The Windsor-West Hants Joint Industrial Park is located at Exit 5A (Wentworth Road) on Highway 101, and straddles the boundary of West Hants and the Town of Windsor. The Park consists of approximately 100 acres of land, most of which is developed.

As noted in the Windsor MPS

> "The portion of the Park to the east of Highway 101, containing approximately 68 acres, will be developed primarily for light industrial uses; however, limited highway commercial uses and other commercial uses which provide support to the park will also be permitted in this portion of the Joint Industrial Park. The portion of the park located on the western side of Highway 101 and containing approximately 33 acres is intended to permit uses which are primarily Highway Commercial in nature, as well as a limited range of light industrial uses considered to be

[14] Ibid, p. 6.
[15] Ibid. p. 8.
[16] Ibid, p. 92.
[17] Ibid. p. 9.
[18] Fundy Gypsum set to lay off workers, The Chronicle Herald, accessed on the world wide web on 20 February 2010 at http://thechronicleherald.ca/NovaScotia/1168571.html.

compatible with retail/commercial uses. Other light industrial uses shall be encouraged to locate in the portion of the Joint Industrial Park on the eastern side of Highway 101."[19]

The Town of Windsor and the District of West Hants have a history of cooperation when it comes to the provision of serviced industrial land. The park was established in 1978 by the provincial government and both municipal units recognize the park as a special entity, where their respective Municipal Planning Strategies reference each other in regards to the park, and the Windsor-West Hants Joint Planning Advisory Committee reviews planning issues, development proposals and amendments that may impact the Joint Industrial Park.

Policy 10.2.7 The expansion of the Joint Industrial Park may be permitted by amendment to this Strategy and to the Land Use By-law subject to the following considerations:

(a) the land becomes part of the Joint Industrial Park;

(b) the amendment is carried out concurrently by the Town of Windsor[20]

3.2.4 Town of Hantsport

The Town of Hantsport contains a fairly active downtown area primarily surrounded by residential development. Adjacent to the downtown area is the Minas Basin Pulp and Power Company plant. The rail line and switching yards associated with the plant run through the middle of town.

3.3 Infrastructure

3.3.1 Transportation

West Hants is bisected by Highway 101, which leads to Halifax to the south, and the Annapolis Valley to west. The Town of Windsor is immediately adjacent to the Highway and the Windsor –West Hants Industrial Park straddles the route. Hantsport is located approximated 1.5 kilometres from the Exit 8 interchange. The Nova Scotia Department of Transportation and Infrastructure Renewal is continuing to upgrade Highway 101, and twinning of the highway from Halifax to Windsor is expected to be completed in the Spring of 2010. This highway also connects to Highway 102 in Bedford, providing easy access to the Halifax Robert L. Stanfield International Airport. Estimated average annual daily traffic along Highway 101 in the area for 2005 was 14,900 vehicles per day, with an estimated increase to 16,500 by 2010.[21]

The Windsor and Hantsport Railway operate a marshalling yard adjacent to Highway 101 in Windsor. The railway connects with the Canadian National (CN) railway mainline at Windsor Junction, just north of Halifax, providing access to the Port of Halifax marine facilities and westward throughout Canada and the United States.

The Halifax Robert L. Stanfield Airport is approximately a one hour drive away. This airport offers full service to passengers and cargo clients including U.S. customs pre-clearance.

[19] Town of Windsor Municipal Planning Strategy, p. 48.
[20] Ibid, p. 50.
[21] West Hants Community Profile, Hants Regional Development Authority

Kings Transit provides a public bus service through the area providing connections from Brooklyn, Windsor, Falmouth, and Hantsport through the major communities of the Annapolis Valley to Weymouth. Kings Transit recently issued a request for proposals to look at extending a connection to Mount Uniacke and onwards to connect with Halifax Metro Transit in Sackville.

3.3.2 Sewer and Water

Most of West Hants uses private wells and on-site sewage disposal, although the central developed areas of Windsor, Three Mile Plains and Falmouth as well as the adjacent hamlet of Wentworth Creek have central services. It is assumed that Hantsport offers central services.

Treated water is supplied to the Town of Windsor, Three Mile Plains and along the Wentworth Road (including the Joint Industrial Park) to the Fundy Gypsum plant at Wentworth Creek from Mill Lake, which can yield between two and three million imperial gallons per day. Usage in 2002 was 700,000 imperial gallons per day, when a new treatment plant with a capacity of 1.5 million imperial gallons per day was completed. Residents of Falmouth receive treated water from the French Mill Brook reservoir, which consists of a mechanical feed to a 700,000-gallon stand pipe. The District of West Hants is planning for upgrades to this water treatment facility, as a 2002 study found that it will not be able to meet projected demand beyond 2016.[22]

Sewage treatment is provided for approximately 450,000 imperial gallons of raw sewage per day from the eastern end of Windsor and Three Mile Plains, where the storm water and sewage collection are separated. The plant has the capacity to treat another 100,000 imperial gallons per day. In the downtown and western end of Windsor, where the storm water and sewage collection systems are combined, in an area comprising about two-thirds of Windsor, sewage is discharged without treatment at one outlet near the convergence of the St. Croix and Avon Rivers. Approximately 500 homes in Falmouth have central sewage service. A 2005 study concluded that the plant was at capacity and in need of replacement.[23]

The Windsor MPS states that

> "The provision of water and sewer services for commercial or industrial development will be considered as the need arises. In particular, the Windsor-West Hants Joint Industrial Park may be considered for future extension of services."[24]

The West Hants MPS states that

> "Council will establish service area boundaries beyond which sewer and water lines will not be extended. As in earlier planning strategies, the boundaries of the Three Mile Plains and Falmouth Growth Centres and the Windsor-West Hants Joint Industrial Park will be treated as the service area boundaries."[25]

[22] Municipality of the District of West Hants Municipal Planning Strategy, June 26, 2008, p. 105.
[23] Ibid, p105.
[24] Town of Windsor Municipal Planning Strategy, p. 65.
[25] Municipality of the District of West Hants Municipal Planning Strategy, June 26, 2008, p. 105.

3.4 Geologic Constraints

The West Hants MPS states that

> "Areas … especially around Upper Falmouth and the Highway 101 corridor may be subject to subsidence due to geological formations and surface and groundwater activity. The most visible evidence of this is the abundance of sinkholes or karst topography."[26]

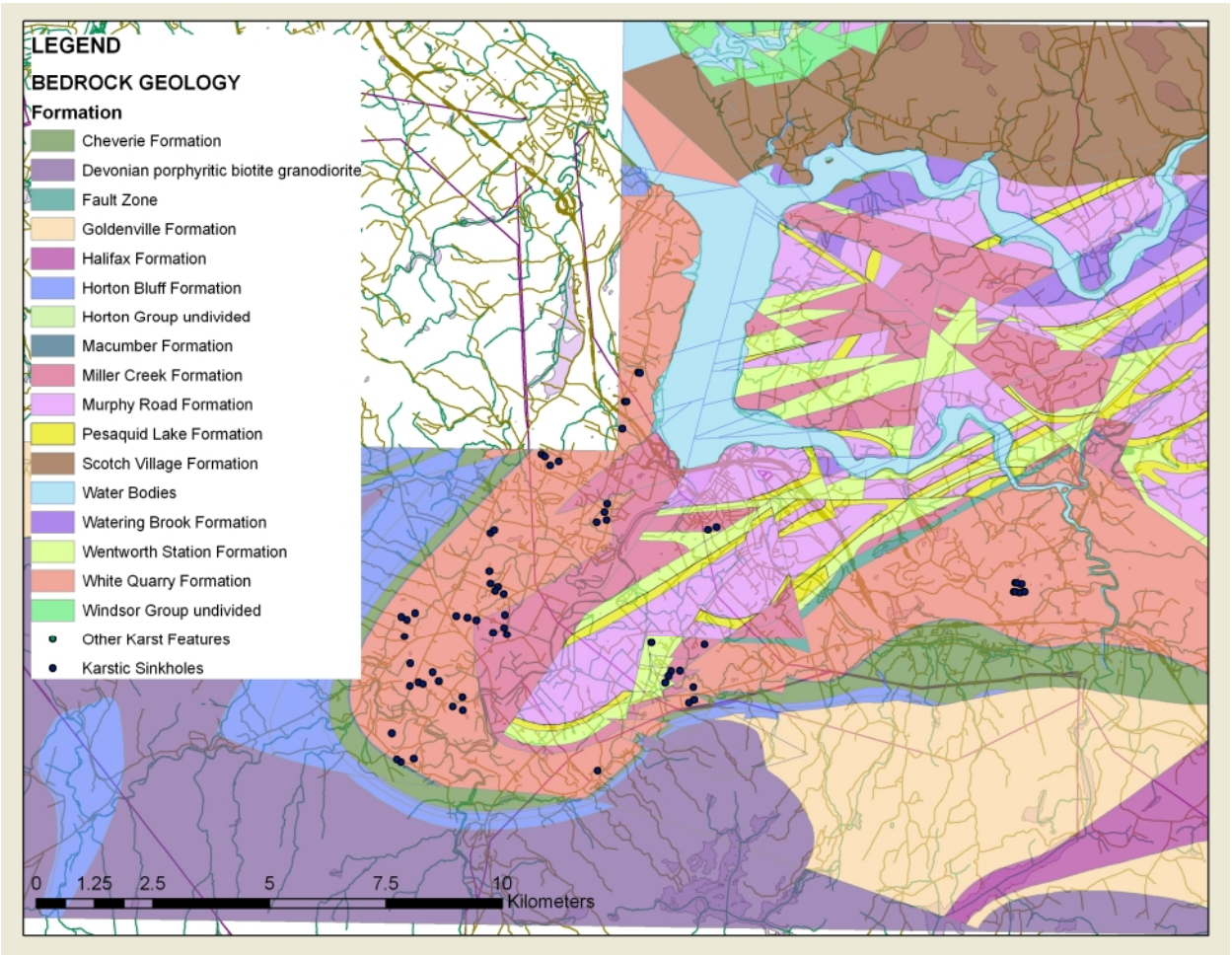


Figure 3.1: Bedrock Geology in Hants West Region

Karst features are concentrated in the areas underlain by the White Quarry Formation. White Quarry bedrock is described as anhydrite with minor dolostone and salt. The following formations are also composed primarily of gypsum and anhydrite, the rock types which most commonly result in sinkholes in Nova Scotia:

1. Wentworth Station Formation: gypsum, minor siltstone, limestone, dolostone, and the following sequence of carbonate rocks: North 60 Dolostone N60, Dimock Limestone D, Phillips Limestone P, St. Croix Limestone StC

[26] Ibid, p. 95.

2. Miller Creek Formation: gypsum, minor siltstone, limestone, dolostone, and following sequence carbonate and a siltstone bed: Sandford Lmst S, Big Red Sltst BRSlt, Chambers Lmst C, Belmont Lmst B, Mantua Lmst Man, Fisher Lmst F, McCulloch Dolst McC

There are two other formations observed in the study area. These rock types are composed primarily of siltstone with minor gypsum or limestone, resulting in a lesser tendency to form karst features:

- Pesaquid Lake Formation: siltstone and the following sequence of limestones: Lebreau L, Pesaquid Psq; and
- Murphy Road Formation: siltstone, minor gypsum and the following sequence of limestones: Kennetcook K, Wallace Point WP, Meander River MR, Avon A, Brooklyn Station BS, Herbert River HR.

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Chapter 4 **Initial Site Selection**

4.1 Highway Exits

Excellent transportation linkages are a critical quality of any business park. Highway 101 traverses the western region of Hants. Six highway exits afford convenient access to the region, all of which provide the opportunity for excellent connectivity to a potential new business park.

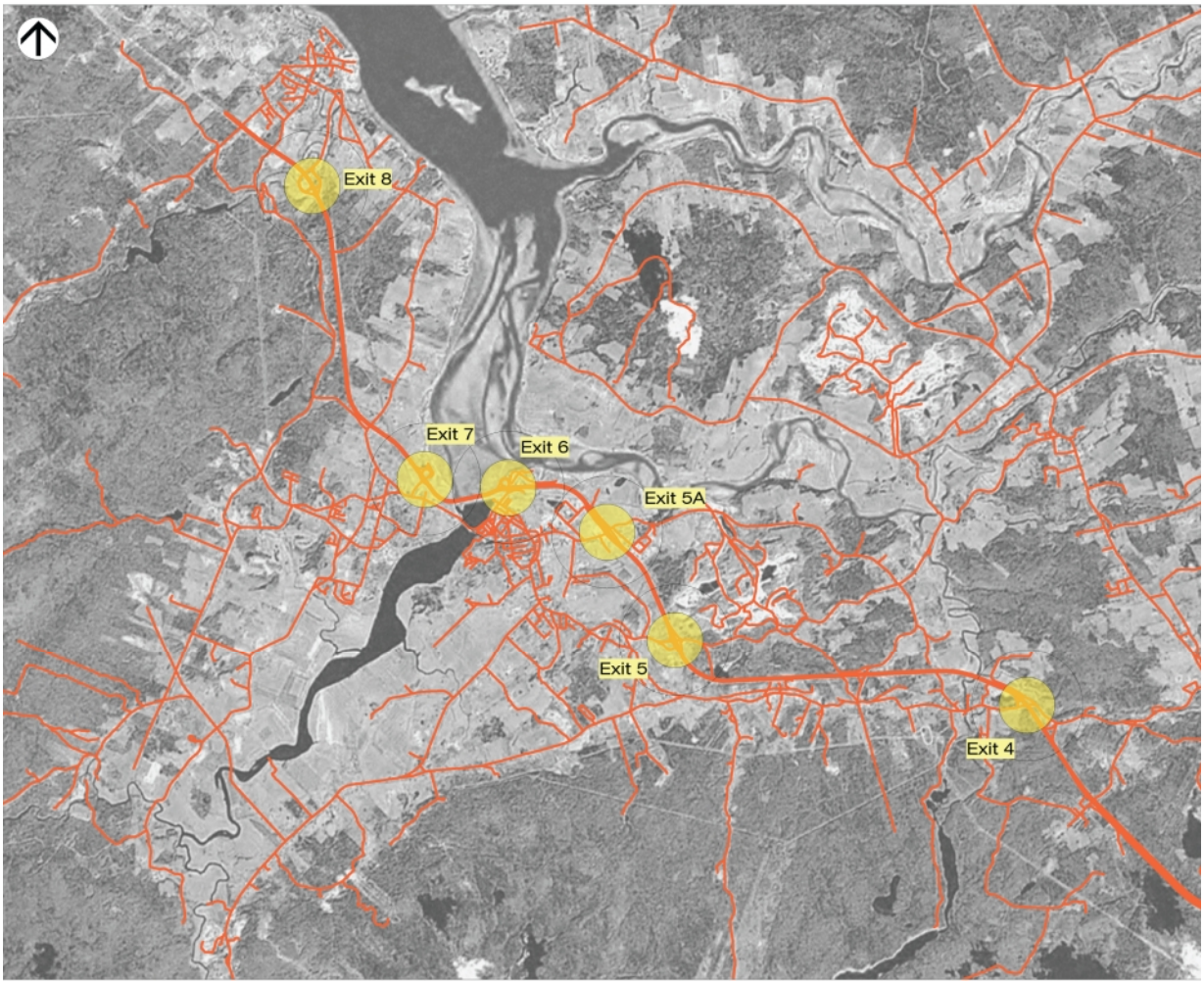


Figure 4.1: Highway Exits within Hants West Region

4.2 Industrial Park Suitability Analysis

Computer-based suitability analysis can determine the best potential locations for the development of a joint industrial park. Suitability analysis determines the fitness of a given tract of land for a defined use.

Generally, future industrial lands should consist of poor agricultural lands, level topography, good access to hard surfaced roads, dry soils, insignificant woodlands, excellent transportation linkages in every direction and should be relatively isolated from concentrated residential land uses. As noted in the table below, criteria fall into one of three categories:

- Environmental Perspective;

- Development Perspective; and
- Community Perspective.

General Industrial Suitability			
	Best	**Middle**	**Worst**
Environmental Perspective			
Soils	Dry	Imperfectly Drained	Wet
Slope	0-5%	5-15%	>15%
Vegetation	Disturbed or scrubby	Immature Forest	Mature Forest
Land Capability for Agriculture	No Capacity for Agriculture	Moderate to Severe Limitations to Agriculture	Minor Limitations to Agriculture
Development Perspective			
Distance to Major Road	Within 200 m	200-400 m	> 400 m
Distance to Highway Exit	Within 1 km	1– 2 km	>3 km
Distance to Central Services	Within 1 km	1 – 2 km	> 2 km
Visibility from Highway 101	Within 100 m	100-300 m	>300 m
Distance to Major Power Line	Within 50 m	50 -500 m	> 500 m
Community Perspective			
Setback from Residential / Recreational / Institutional Uses (Building Footprints)	>500 m	250-500 m	<250 m
Proximity to existing industrial development	Within 50 m	50 - 500 m	> 500 m

Unsuitable Areas
Waterbodies, watercourses and wetlands with 20m buffers
Windsor town core
Dykelands
Open Space zones
Recreational areas
Institutional zones
Power line corridors
Railway corridors
Coastal habitat

Unfortunately, it was not possible to obtain information on the location of potential sinkholes, which could impact the suitability of a particular site for development.

Figure 4.2 is a synthesis of these factors. It provides a relative comparison of the land's physical capability to support industrial development for all lands within a 3 km distance from Highway 101 in the Hants West region. Mapping of individual suitability criteria can be found in Appendix A.

Based on a review of the suitability analysis, locations along Highway 101 are more suitable for the development of an industrial park than other locations in the study area. Areas adjacent to exits 5, 5a and 7 appear to be the most suitable, although an area further from Highway 101, south of Three Mile Plains and further east along Highway 101, where unfortunately there is no highway exit, appear to have some highly suitable lands as well. Given that easy highway access is very important to the success of a park, the analysis provided below focuses on lands adjacent to a highway interchange.

4.3 Potential Industrial Park Sites

Figure 4.3 through 4.8 depict 10 different opportunity sites situated close to Highway 101 exits. Pros and cons for each individual site are summarized below.

4.3.1 Highway Exit 4

Located in Municipality of the County of West Hants (Figure 4.3):

Site 1A : Evangeline Trail / Hartville Road	
Pros	**Cons**
• High visibility • Easy access to Highway 101 • No need to drive through residential area to access site • Lots of room for expansion • Only one land owner with whom to negotiate land sale	• Currently zoned Agricultural Priority 3 (land with a lower productive capability – CLI Class 4) - would require rezoning to allow full industrial development • Highly visible location could negatively affect rural character of the area • No central services in immediate area

Located in Municipality of the County of West Hants:

Site 1B : Rocks Road	
Pros	**Cons**
• Potential exists to create high visibility • No need to drive through residential area to access site • Lots of room for expansion • Only one land owner with whom to negotiate land sale	• Difficult access to and from Highway 101 • Currently zoned Agricultural Priority 2 **(**land with a high productive capability – CLI Classes 2 and 3) - would require rezoning of agricultural land and would open up a new previously undisturbed area to development • Highly visible location could negatively affect rural character of the area • No central services in immediate area

4.3.2 Highway Exit 5

Located in Municipality of the County of West Hants (Figure 4.4):

Site 2A : Highway 14 west of Highway 101	
Pros	**Cons**
• High visibility • Easy access to Highway 101 • Some room for expansion • Multiple private land owners – land assembly required • Large portions zoned Resource Industrial, Highway Commercial, General Commercial • Site is in close proximity to central services	• Close to residential uses • Partially zoned Two Unit Residential - would require rezoning

Located in Municipality of the County of West Hants (Figure 4.4):

Site 2B : Highway 14 east of Highway 101	
Pros	**Cons**
• High visibility • Easy access to Highway 101 • Opportunity for future reuse of gypsum mine lands[27] • Lots of room for expansion if gypsum mine site can be used • Some land owned by Municipality of West Hants; only two other land owners • Portion south of Highway 14 is zoned Highway Commercial Site is close to central services although a highway crossing through the underpass would be required	• Business park would be divided by Highway 14 • Portion north of Highway 14 is zoned Mineral Resource - would require rezoning • Too small an area for total build out if portion north of Highway 14 cannot be used

4.3.3 Highway Exit 5A

Located in Municipality of the County of West Hants (Figure 4.5):

Site 3A : Wentworth Road east of Highway 101	
Pros	**Cons**
• Expansion of existing business park • Designated in MPS for expansion of municipal services • High visibility • Easy access to Highway 101 • Some room for expansion • Only one land owner with whom to negotiate land sale • Portion of area Partially zoned Wentworth Road Commercial (Windsor)	• Site may not become available depending on future of gypsum mine • Portion of area zoned Mineral Resource - would require rezoning

[27] West Hants MPS states that "it is important to West Hants to work with Fundy Gypsum and other mining companies to promote the reclamation of closed mine sites". Section 3.6.2

Partially located in Town of Windsor and Municipality of the County of West Hants:

Site 3B : Wentworth Road west of Highway 101	
Pros	**Cons**
• Easy access to Highway 101 • Next to highway commercial development • Some room for expansion • Only one land owner with whom to negotiate land sale • Partially zoned Wentworth Road Commercial (Windsor) • Site is in close proximity to central services	• Set back from Highway 101 • Portion of site close to residential uses • Partially zoned Agriculture (Windsor) and Agricultural Priority 3 (West Hants) - would require rezoning

4.3.4 Highway Exit 6

Located in Town of Windsor (Figure 4.6):

Site 4A and 4B : Colonial Road north of Highway 101	
Pros	**Cons**
• High visibility • Relatively easy access to Highway 101 • Close to downtown Windsor • Remediation of contaminated site for industrial use • Potential to continue efforts of stalled Mill Islands development, albeit as a light industrial condominium rather than residential • Zoned Light Industrial General and Highway Commercial • Site is very close to central services	• Too small – cannot accommodate projected land demand • Divided into two sites separated by a non-developable area • Portion 4B is in the midst of residential development and access to portion 4A is through a residential area

4.3.5 Highway Exit 7

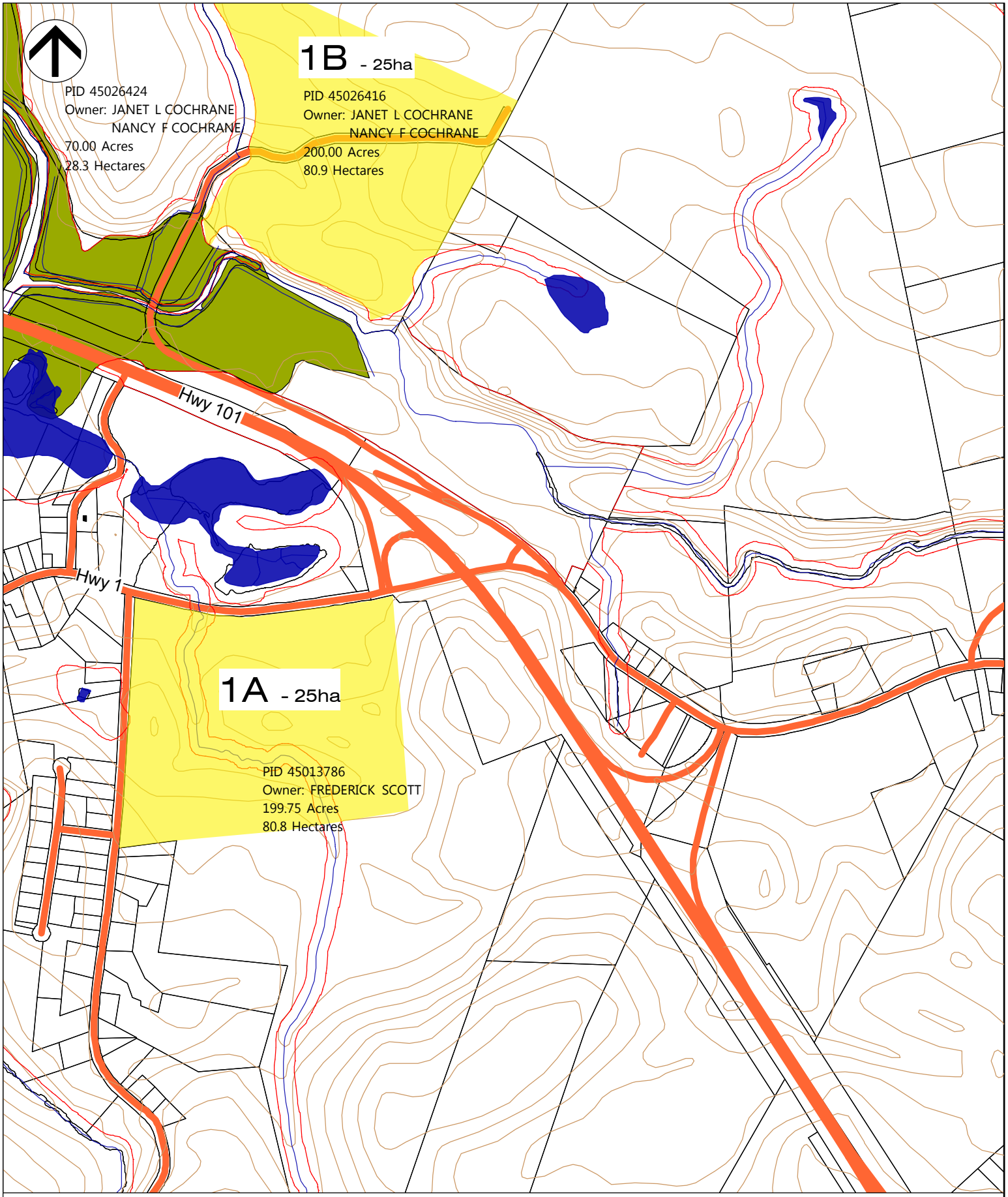
Located in Municipality of the County of West Hants (Figure 4.7):

Site 5A : Evangeline Trail / Falmouth Connector west of Highway 101	
Pros	**Cons**
• Excellent frontage along Highway 101 • Relatively easy access to Highway 101 • Only two land owners with whom to negotiate land sale • Partially zoned General Commercial • Site is immediately adjacent to central services	• MPS intends development which maintains "quiet, rural atmosphere" • Too small – cannot accommodate total projected land demand • Backs on residential uses • Fragmented by rail right-of-way and residential development • Large portions zoned Two Unit Residential, and Prime Agricultural, which would require rezoning

4.3.6 Highway Exit 8

Located in Municipality of the County of West Hants (Figure 4.8):

Site 6A : West of exit from Highway 101	
Pros	**Cons**
• Good visibility • Highway exit ramp could be extended to create access road • Lots of room for expansion • Relatively easy access to Highway 101 • Local access can also be created off Bog Road • Only one land owner with whom to negotiate land sale for lands initially required • Zoned General Resource, which allows Council to consider rezoning to Resource Industrial (M-1)	• Northern portion located at low elevation near river – potential flood risk • May threaten character of river valley • Portions of site are separated by steep slopes • No central services in immediate area



West Hants Business Park Feasibility Study

Opportunity Site 1: Highway Exit 4

Figure 4.3

Dykelands

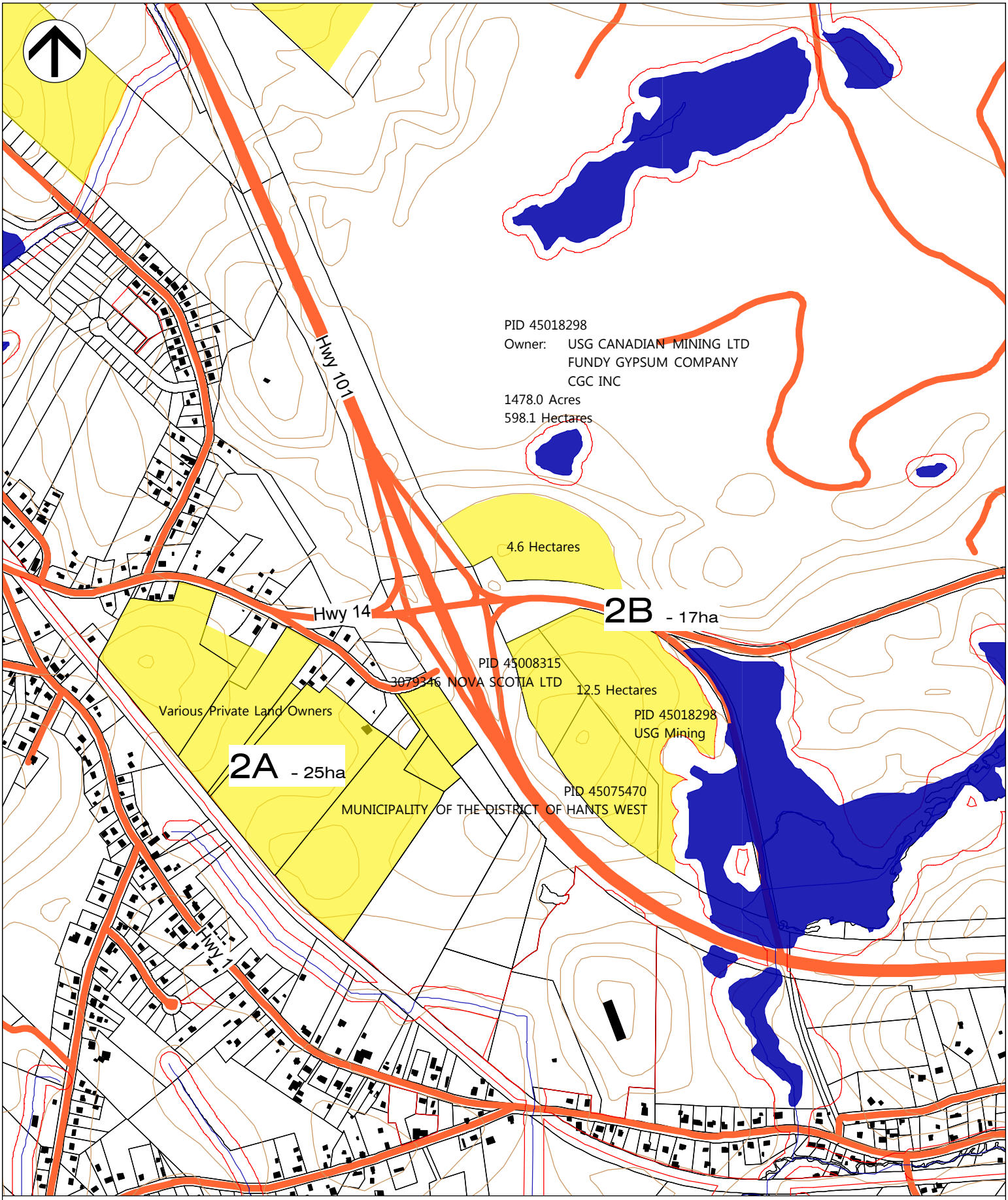
Other No-Go Areas

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Date: February 2010

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West Hants Business Park Feasibility Study

Opportunity Site 2: Highway Exit 5

Figure 4.4

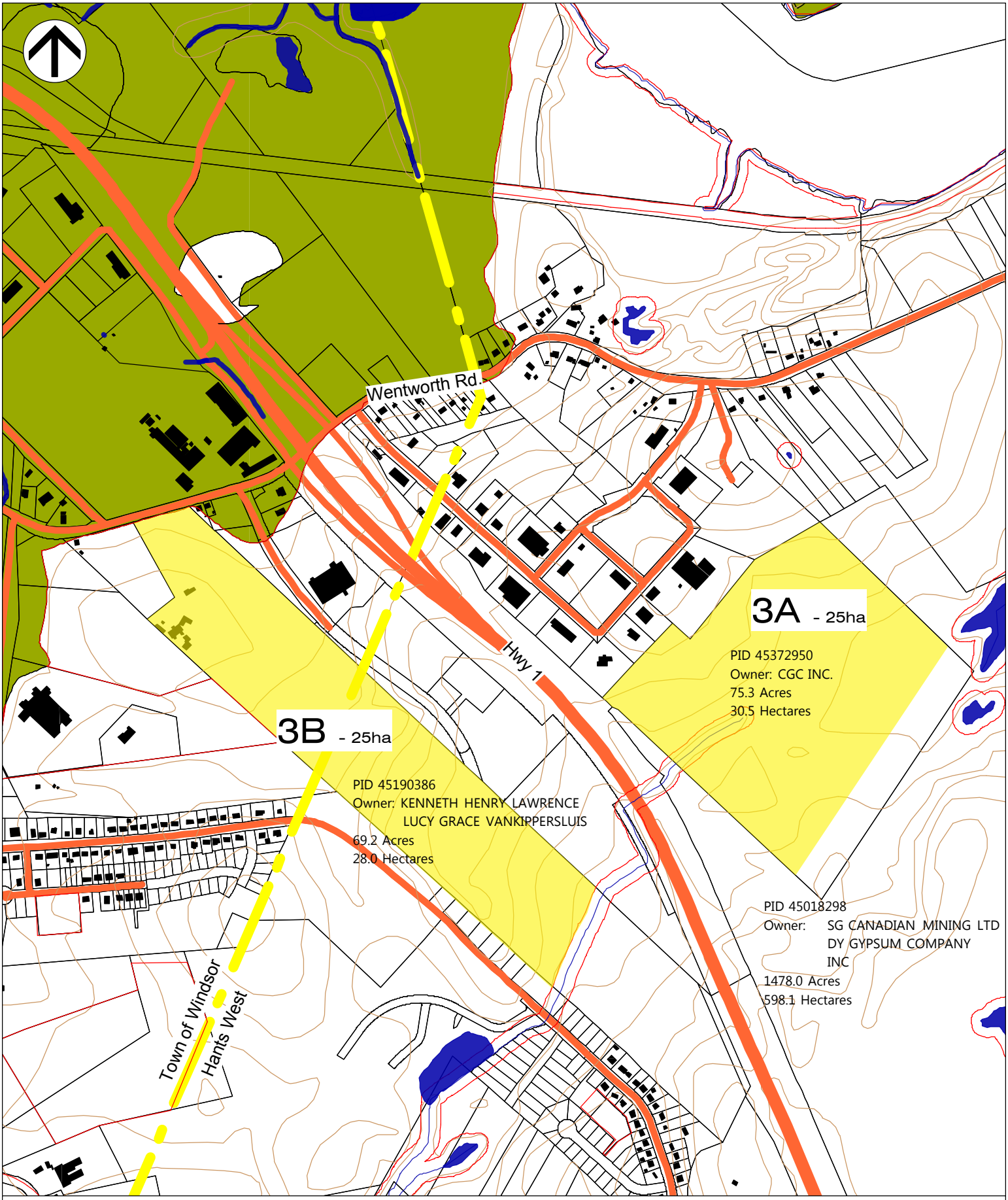
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West Hants Business Park Feasibility Study

Opportunity Site 3: Highway Exit 5A

Figure 4.5

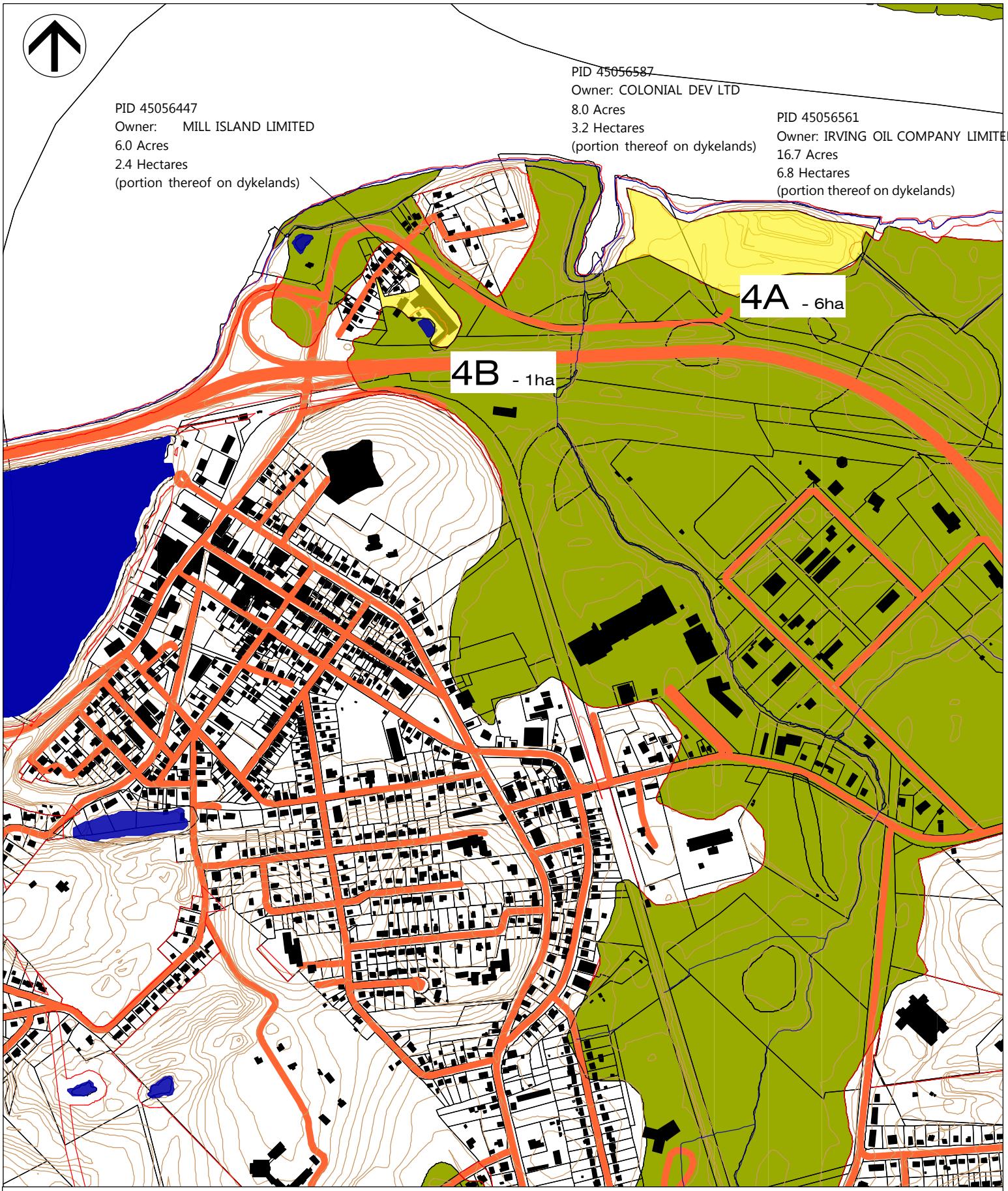
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Dykelands
Other No-Go Areas

0 200 500 m

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West Hants Business Park Feasibility Study

Opportunity Site 4: Highway Exit 6

Figure 4.6

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Date: February 2010

Dykelands
Other No-Go Areas

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West Hants Business Park Feasibility Study

Opportunity Site 5: Highway Exit 7

Figure 4.7

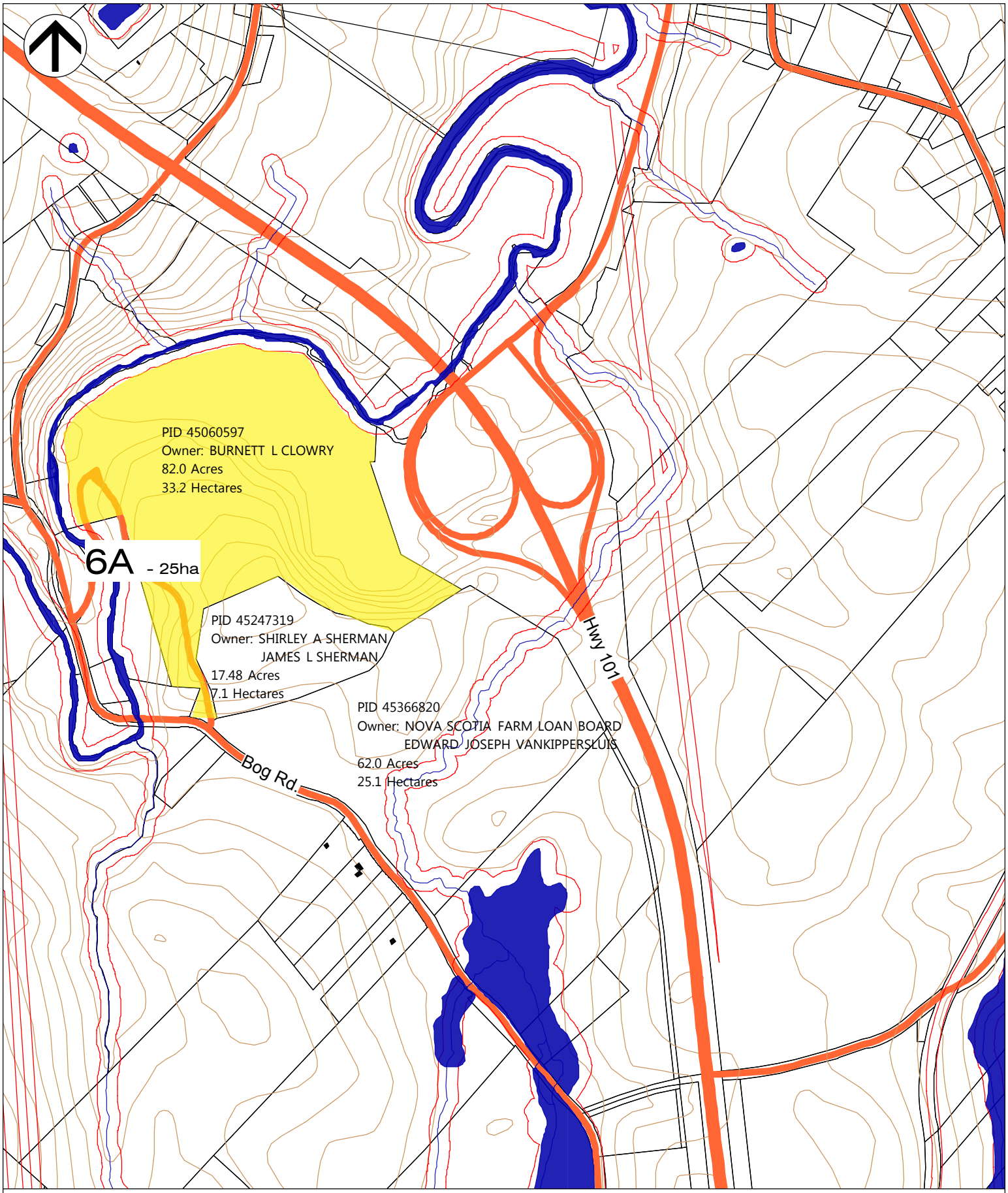
Project: 101204
Date: February 2010

Dykelands
Other No-Go Areas

0 200 500 m

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West Hants Business Park Feasibility Study

Opportunity Site 6: Highway Exit 8

Figure 4.8

Project: 101204
Date: February 2010

Dykelands
Other No-Go Areas

0 200 500 m

Scale: 1:10000

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Chapter 5 Preferred Site, Development Benefits and Costs

5.1 Preferred Site

Over the course of this project, the consultation process and discussions with the Client revealed another possible development site, which was not included in the initial selection of opportunity sites. The site is located in the Town of Windsor, adjacent to Exhibition Park and is bounded by Wentworth Road, Centennial Drive, Tregothic Drive and Industrial Drive (see Figure 5.1).

A number of factors have influenced the decision to choose this area as the preferred development site:

- It is understood that the current landowner is willing to sell off a portion of their land;
- the low development cost due to existing services in the area; and
- the benefit of a logical expansion of the existing Windsor Industrial Park.

While this site cannot fully accommodate the land demand projected by the high growth scenario (13.9 ha until 2031), it can satisfy the land demand projected by the mid-growth scenario (7.3 ha until 2031). Land demand under the high growth scenario can be almost fully accommodated until 2026 (7.6 ha). If a high growth scenario is achieved additional land will need to be brought on stream. Possible sites for this expansion are described in Section 5.3.

5.1.1 Property Owners and Zoning

The 12.7 ha parcel (PID 45055498) is under ownership of the Windsor Agricultural Centre. The development area is located within the Town of Windsor by-law area and is currently zoned FG (Fair Ground).

The area also falls within a Special Overlay Zone titled Environmental Constraints. This is in essence an overlay generally used to prevent development on low-lying dyke lands. However, large portions of the Environmental Constraints Zone within the Town of Windsor fall within a variance overlay issued by the Province (Figure 5.2). Council can allow development within those variance areas provided an environmental study is submitted which identifies constraints to construction at the site (Policy 12.0.3. Town of Windsor MPS).

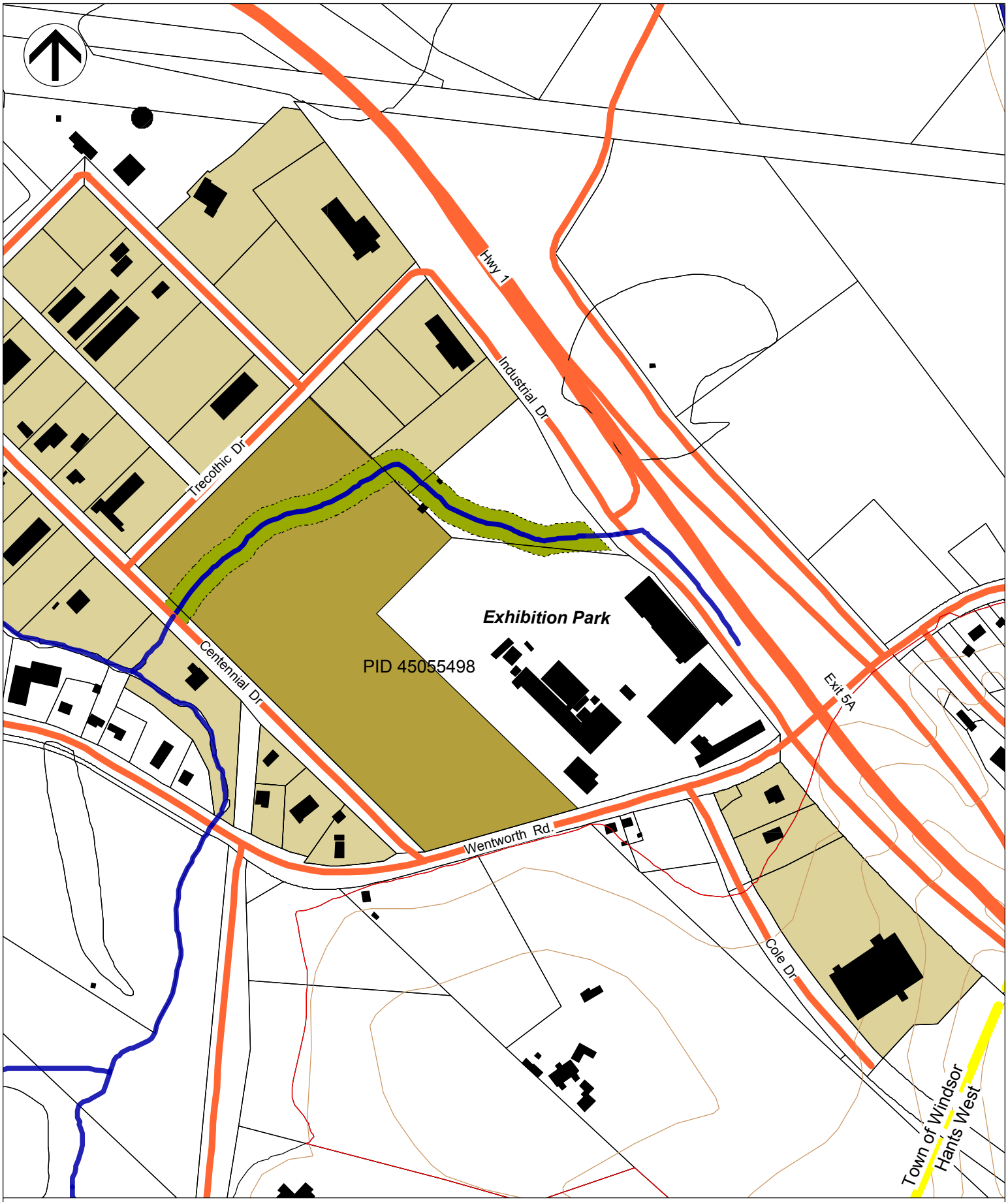
5.1.2 Surrounding Land Uses

The preferred business park site is in large part surrounded by the existing Windsor Industrial Park, namely along Centennial Drive and Tregothic Drive. The existing Exhibition Park would be retained along with the waterslide on Industrial Drive. The area directly across Wentworth Road is largely undeveloped and currently zoned WR-C (Wentworth Road Commercial), while the area between Highway 1 and Cole Drive is developed and zoned LI-3 (Joint Industrial Type Three).

5.1.3 Existing Services

5.1.3.1 WATER

The town's source of water supply is Mill Lake, located 9 km to the south of town. Water at the treatment plant is chlorinated, filtered and pH adjusted with lime treatment, and soda ash for post filter pH



West Hants Business Park Feasibility Study

Preferred Business Park Site

Existing Windsor Industrial Park

Possible New Business Park Development

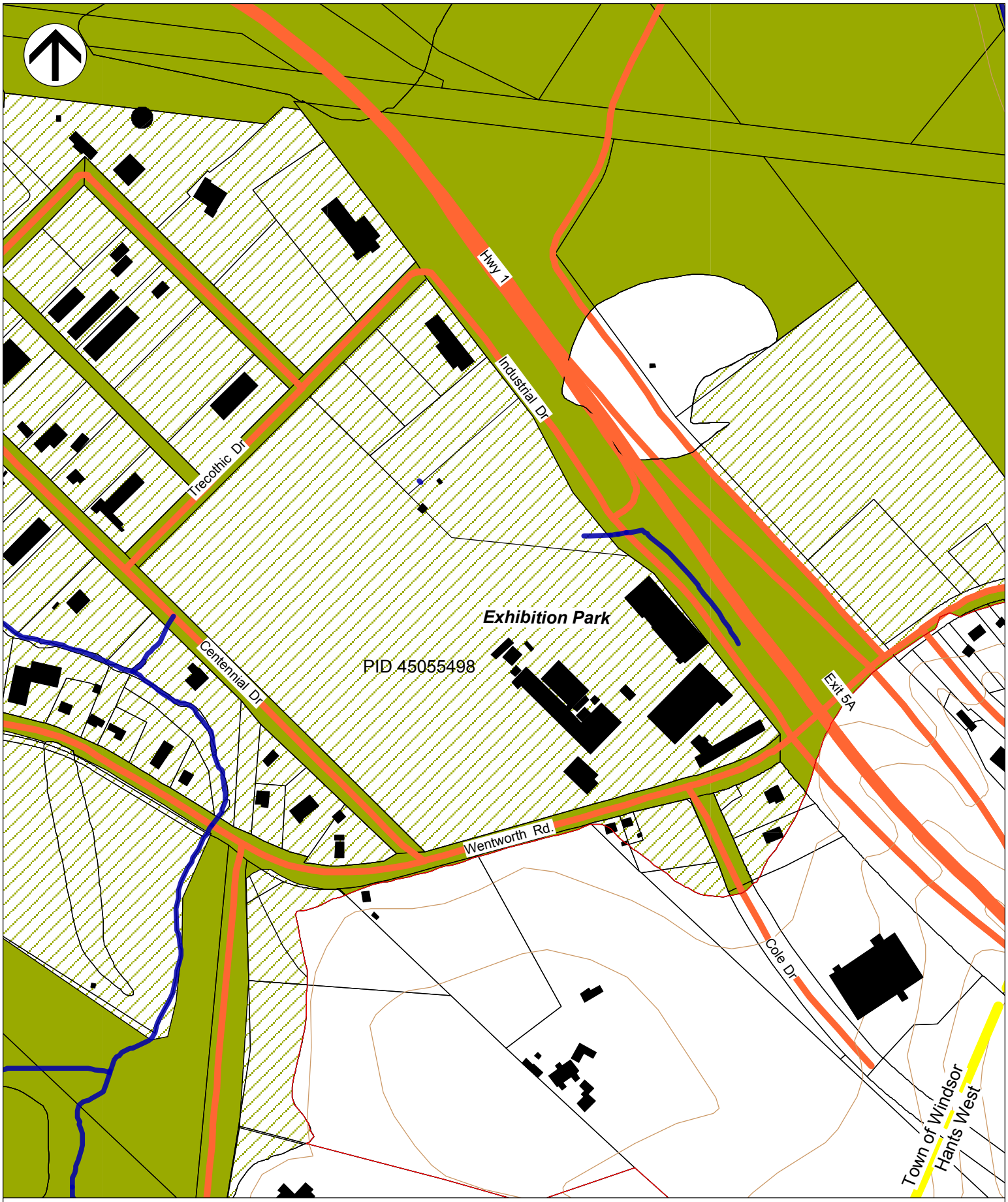
Figure 5.1

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West Hants Business Park Feasibility Study

Environmental Constraints Overlay

Figure 5.2

Dykelands

Dykelands with Variance

0 50 0 100 m 50 100 m

Scale: 1:5000

Project: 101204
Date: May 2010

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adjustment. This source is more than adequate to supply present maximum daily demand of the existing Windsor Industrial Park.

The current capacity of the system is 1.5 million gallons per day with present maximum daily demand of approximately 750,000 gallons per day. The park has 100 pounds of pressure per square accommodate inch (PSI).

The water storage system consists of a 400,000 gallon tank at the water treatment plant and a 310,000 standpipe for both the Windsor and Windsor-West Hants Industrial Park. The distribution system within the town consists of a looped network of 10 and 12 inch mains. The Windsor Industrial Park water main is 10 inches in diameter with 6 inch and 8 inch distribution lines.

5.1.3.2 SEWER AND STORM SEWER

Sewer lines in the Windsor Industrial Park are 10" in diameter, with a 30" sanitary trunk sewer line serving the town running along Centennial Drive. The sewage flows to a pumping station at the end of Centennial Drive, immediately adjacent to the lagoon. The Town of Windsor treats raw sewage at its aerated two-cell sewage treatment lagoon, immediately north of the park. The sewage lagoon provides an average 18 hour retention before the effluent is discharged into the St. Croix River. The lagoon's treatment capacity is 900,000 GPD, with current demand averaging 340,000 GPD. Storm water in the older section of the Windsor Industrial Park north of Wentworth Road is collected through an open-ditch storm water system. The newer section of the park south of Wentworth Road has continuous concrete curbing and gutters for storm water collection, with 15"and 36" sewer mains.

5.1.4 Access

Access to the new business park would be available through Wentworth Road. The business park would be located about 400 meters west of Highway Exit 5A. Some lots would front directly on Wentworth Road, while the remainder would be accessed through road network of the existing Windsor Industrial Park, where all streets are paved with asphalt, have landscaped open ditches and compacted gravel shoulders. Street lighting is provided throughout the existing park.

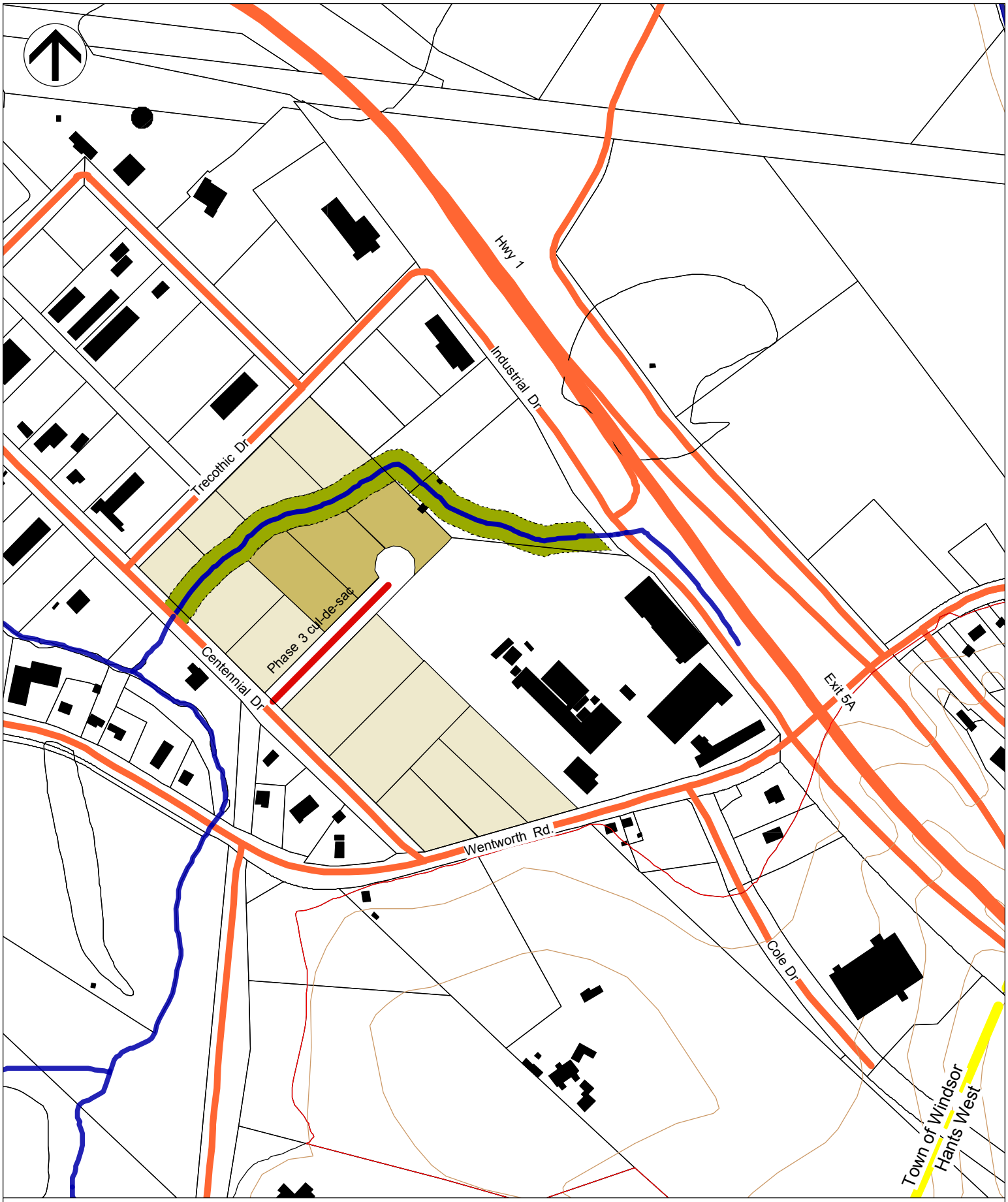
5.1.5 Phasing

The proposed phasing takes advantage of the existing road network and services (Figure 5.3). Lots with the highest street exposure at the corner of Wentworth Road and Centennial Drive and all other lots with street frontage and existing services would be developed in Phase 1 and would yield 5.7 hectares (14.0 acres) of land for sale. The lots in Phase 2 would be accessed by a 175 m long cul-de-sac, which has the potential to be extended and connected to Cole Drive, should the remaining Exhibition Park lands become available in the long-term future. Phase 2 adds 1.4 hectares (3.5 acres) to the business park.

When all three phases are completed, the new business park would provide 7.1 hectares (17.5 acres) of land for sale.

5.1.6 Karst Topography

By and large the Windsor – West Hants area is characterized by geological formations with Karst features (see also section 3.4 Geological Constraints). The preferred business park site is located in an area with



West Hants Business Park Feasibility Study

Conceptual Park Layout

Project: 101204
Date: April 2010

Phase 1: 5.7 ha (14.0 ac)

Phase 2: 1.4 ha (3.5 ac)

Figure 5.3

0 50 100 m

Scale: 1:5000

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rock types that could result in sink holes. The geological formations found are the Wentworth Station Formation and the Miller Creek Formation (Figure 5.4). Geo-technical studies prior to the purchase of the land by the Client Group should assess the risk for sinkholes to occur.

5.2 Site Development Costs

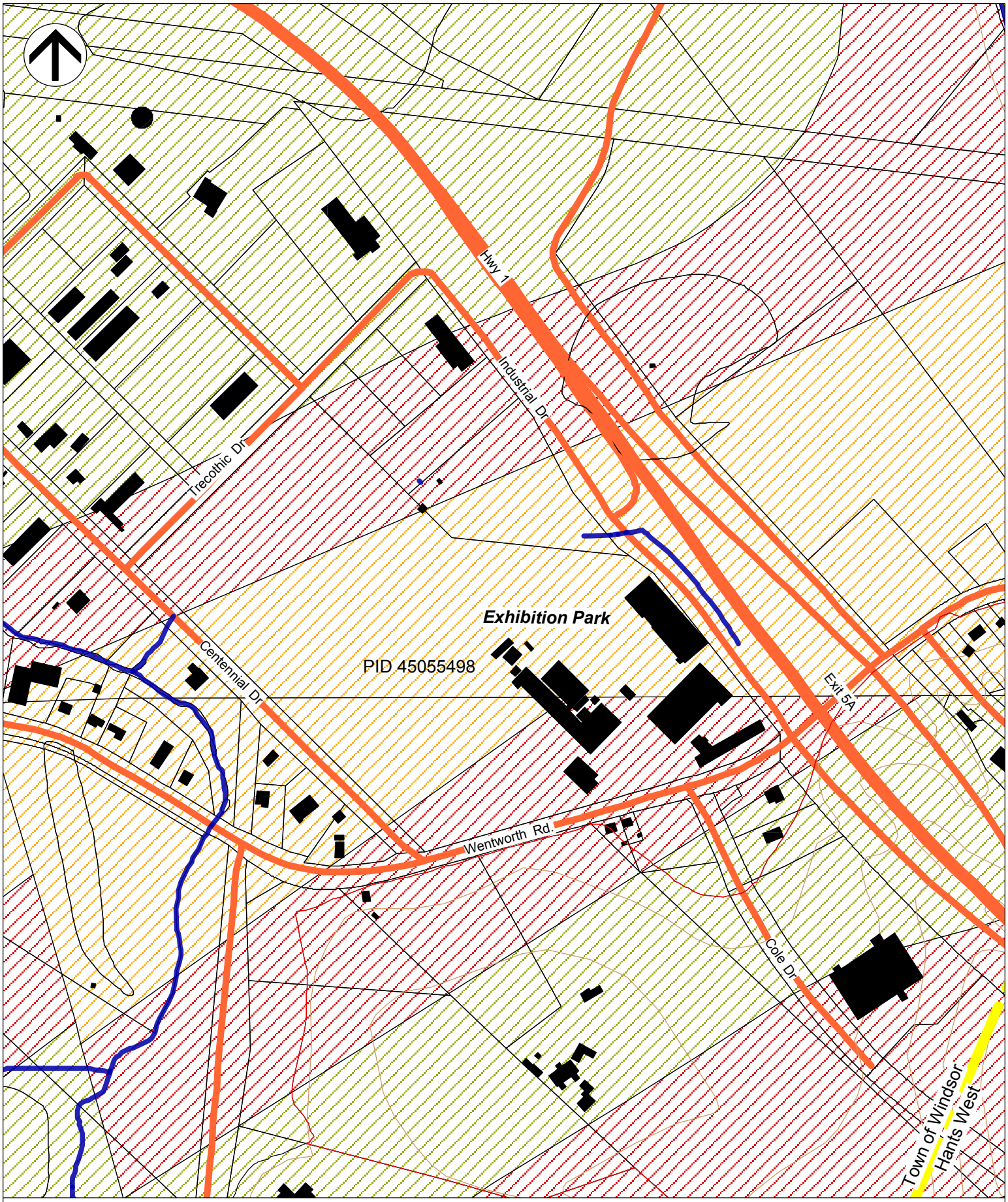
The preferred development site is in effect an extension of the older section of the Windsor Industrial Park north of Wentworth Road and takes advantage of existing water and sewer services of the surrounding roads. However, geotechnical conditions in this dyke lands area might cause additional land development costs. In addition to increased land preparation cost, an environmental study needs to be conducted pursuant to Policy 12.0.2 of the Town of Windsor Municipal Planning Strategy. The environmental study will describe the susceptibility of flooding, drainage problems, and the bearing capacity and suitability for construction of soils at the site, and will identify suitable construction methods, including flood-proofing measures, to overcome the constraints which are found to exist at the site.

Prior to purchasing the land from the current landowner, the Client Group should carry out the environmental study as required by the Municipal Planning Strategy to ensure that the land can be made suitable for business park development. This information will also provide data that will help to determine a reasonable purchase price. Also, if the environmental study is properly packaged, it could be given to prospective purchasers to provide them with useful information on constructing buildings in the area. The ability of the Client Group to provide such information will help to make the area more attractive to prospective tenants.

If the land is found suitable, it is recommended that the Client Group sells the land in as-is condition to interested parties. The land buyers/developers would be fully responsible for site preparation (clearing, grubbing, grading and foundations).

Table 5.1: Opinion of Probable Construction Costs

Item	*Total 7.1ha Construction Cost*	*Phase 1 5.7ha Construction Cost ($)*	*Phase 2 1.4ha Construction Cost*
Roads with Sod Ditches	$170,000	N/A	$170,000
Watermain	$80,000	N/A	$80,000
Sanitary sewer	$70,000	N/A	$70,000
Power	$150,000	N/A	$150,000
Contingency	$117,500	N/A	$117,500
Engineering	$47,000	N/A	$47,000
TOTAL ($)	$634,500	0	$634,500



West Hants Business Park Feasibility Study

Bedrock Geology

Figure 5.4

Wentworth Station Formation
Pesaquid Lake Formation
Miller Creek Formation
Murphy Road Formation

0 50 100 m

Scale: 1:5000

Project: 101204
Date: May 2010

CBCL LIMITED
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5.3 Benefit/Cost Analysis

The benefit/cost analysis finds that to breakeven on their investment in the park expansion based on the money received from the sale of the land only, the Client Group would need to sell land for about $314,765 (2009$) per hectare ($127,384 per acre) (see Table 5.2). The price per Ha for simple cost recovery covers the cost of raw land and estimated construction and operating costs.

Table 5.2: Development Costs

Item	Cost (2009$)
Construction Costs	
Construction Costs	$634,500
Land	$179,199
Financing (interest)	$391,724 to 20 year payout
Subtotal Construction Cost	$1,205,423
Operating Costs	
Capital Replacement Fund	$587,500, assumes 20 year capital life
Road Maintenance	$142,755, 20 years
Administration, Promotion, Sales	$825,000 to 2031
Subtotal Operating Costs	$1,555,255
Total Costs	$2,189,755
Price/ Ha - Simple Cost Recovery (land + construction cost + interest + admin., promotion, sales)	$291,240

This price is above competing parks in the Annapolis Valley region[28] and provides a measure of the extent of the subsidy to business provided by industrial parks. Prices in more competitive markets do breach the $300,000 per hectare range. For example, prices in the Burnside Industrial Park and the City of Lakes Business Park in Halifax are in the range of $336,929 per ha ($136,353 per acre).

However, we do not believe that the expanded park could sell land at the posted prices for parks in Metropolitan Halifax. For the purposes of this analysis, and based on comparisons with industrial park sales prices in the Valley region, we assume that the land in the expanded park will be sold at cost, which would be about $23,579 per Ha. Tables 5.3, 5.4 and 5.5 show pricing land at the level would leave the expanded park in a negative cash position throughout its life.

The park expansion will hold about $4,108,156 (2009$) in taxable assessment by 2030 at which point under the mid growth scenario it will be fully occupied. For this analysis we assume that once the expansion reaches capacity (in 2023) the Client Group will then consider the advisability of further land acquisitions and capital investment.

We believe the majority of the revenue derived from the park would be incremental, that is, it would come from property tax revenues, spin-off effects on existing businesses, improved employment prospects; population attraction and retention, etc.

[28] The asking price of $86,485 per hectare at the Annapolis Valley Regional Industrial Park.

Table 5.3: Benefit/Cost Analysis (2009$) Land Development, Sales and Assessment

Year	Area (ha)			Annual Land Sales & Vacant for Sale				Park Expansion Taxable Assess.
	Developed*	Net**	Land Reserve for Future Development	Goods Producing	Service Producing	Total Annual	Vacant	
2010	0.0	0.0	0.0	-	-	0.0		$ -
2011	0.0	0.0	0.0	-	-	0.0		$ -
2012	0.0	0.0	0.0	-	-	0.0		$ -
2013	0.0	0.0	0.0	-	-	0.0		$ -
2014	0.0	0.0	0.0	-	-	0.0		$ -
2015	5.7	5.7	1.9	-	-	0.0	5.7	$ -
2016	5.7	5.7	1.9	-	-	0.0	5.7	$ -
2017	5.7	5.7	1.9	0.05	0.40	0.44	5.3	$ 260,292
2018	5.7	5.7	1.9	0.05	0.40	0.44	4.8	$ 520,583
2019	5.7	5.7	1.9	0.05	0.40	0.44	4.4	$ 780,875
2020	5.7	5.7	1.9	0.05	0.40	0.44	3.9	$ 1,041,166
2021	5.7	5.7	1.9	0.05	0.40	0.44	3.5	$ 1,301,458
2022	5.7	5.7	1.9	0.05	0.45	0.50	3.0	$ 1,597,341
2023	5.7	5.7	1.9	0.05	0.45	0.50	2.5	$ 1,893,225
2024	5.7	5.7	1.9	0.05	0.45	0.50	2.0	$ 2,189,108
2025	5.7	5.7	1.9	0.05	0.45	0.50	1.5	$ 2,484,992
2026	7.6	7.1	1.9	0.05	0.45	0.50	2.4	$ 2,780,875
2027	7.6	7.1	0.0	0.05	0.51	0.56	1.8	$ 3,112,696
2028	7.6	7.1	0.0	0.05	0.51	0.56	1.3	$ 3,444,516
2029	7.6	7.1	0.0	0.05	0.51	0.56	0.7	$ 3,776,336
2030	7.6	7.1	0.0	0.05	0.51	0.56	0.1	$ 4,108,156
2031	7.6	7.1	0.0	-	-	0.0	0.1	$ 4,108,156
22 Year Total				0.7	6.3	7.0		

* Developed inlcudes area for occupancy plus area for roads, sidewalks, utilities, buffers and open space.

** Net includes area for occupancy.

Source: *Jozsa Management & Economics*

As the tables below show, the tax and other revenues earned due to the park expansion would offset the negative cash position of the expanded park. Table 5.3 provides details on the development schedule for the park expansion, projected land sales and taxable assessment.

The calculations are based on the following assumptions:

- The demand for land from 2007 to 2031 inclusive will be as shown in Table 2.12;
- 3.9 ha of vacant land in the Windsor-West Hants Industrial Park will be sold before an expansion is undertaken;
- 7.6 ha will be purchased (we assume the 'fairgrounds' land, for expansion of which;
  - 7.1 ha available for sale,
- By 2030, no land will be left for sale in the expansion;
- Sales will begin at about 0.44 ha/year in 2017, rise to about 0.50 ha/year by 2022, rise further to about 0.56ha/year by about 2027 and fall to 0.0 ha/year in 2031 when the expansion is fully occupied;
- The park will be developed in two stages;

    - Stage 1 will see the purchase of 7.6 ha (which is the recommended parcel at the Fairgrounds), which should be fully occupied by about 2030;
    - Stage 2 would be undertaken at about 2030, after consideration of the prospects for further growth and the development costs of further expansion;
- The lot coverage ratios will be about:
    - 12.6% for goods producing business;
    - 22.1% for service producing businesses;
- Taxable assessment, on a square metre of lot basis will be about:
    - $54.07 for goods producing businesses (which implies that the land is assessed at about 75.8% of its market price and the buildings are assessed at about $75.00 per square metre); and
    - $59.48 for service producing businesses (which implies that the land is assessed at about 75.8% of its market price and the buildings are assessed at about $107.95 per square metre).

Based on the projections of employment and demand for industrial/commercial park land, we project that by 2030 the park will have sold 7.0 ha and will have a taxable assessment value of about $4,108,156 (2009$). About 0.1 ha will be vacant.

Table 5.4 shows the schedule for capital investments and the annual costs and benefits directly associated with the expanded park. These results are based on the following assumptions:

- The total capital cost will be $813,699 (2009$) as per Table 5.2.
- The park will be financed with 100% debt.
    - The all-in borrowing rate is assumed to be 4.25%, which is approximately the current rate offered by the Nova Scotia Municipal Finance Corporation.
    - The debt will be amortised over 20 years.
    - Blended payments of principal and interest will be made twice yearly.
- Incremental operating costs will be composed of;
    - road maintenance,
    - payment into a capital replacement fund, which assumes a 20 year useful life for the infrastructure, and
    - administration, promotion and selling costs of $37,500 per year.
- Land will be priced at $23,579 per hectare, that is the approximate purchase cost to the Client Group.

Table 5.4: Benefit/Cost Analysis (2009$) Park Expansion Costs and Benefits

Year	Costs						Benefits		Net Financial Benefits
		Annual Cash Costs							
	Capital Investment	Principal & Interest	Replace. Fund	Road Maint.	Admin, Promo., Sales	Total Costs	Land Sales Rev.	Total Annual Benefits	
2010	$ -	$ -	$ -	$ -	$ 37,500	$ 37,500	$ -	$ -	-$ 37,500
2011	$ -	$ -	$ -	$ -	$ 37,500	$ 37,500	$ -	$ -	-$ 37,500
2012	$ -	$ -	$ -	$ -	$ 37,500	$ 37,500	$ -	$ -	-$ 37,500
2013	$ -	$ -	$ -	$ -	$ 37,500	$ 37,500	$ -	$ -	-$ 37,500
2014	$ -	$ -	$ -	$ -	$ 37,500	$ 37,500	$ -	$ -	-$ 37,500
2015	$ 179,199	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ -	$ -	-$ 50,773
2016	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ -	$ -	-$ 50,773
2017	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 10,419	$ 10,419	-$ 40,354
2018	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 10,419	$ 10,419	-$ 40,354
2019	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 10,419	$ 10,419	-$ 40,354
2020	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 10,419	$ 10,419	-$ 40,354
2021	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 10,419	$ 10,419	-$ 40,354
2022	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 11,840	$ 11,840	-$ 38,934
2023	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 11,840	$ 11,840	-$ 38,934
2024	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 11,840	$ 11,840	-$ 38,934
2025	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 11,840	$ 11,840	-$ 38,934
2026	$ -	$ 13,273	$ -	$ -	$ 37,500	$ 50,773	$ 11,840	$ 11,840	-$ 38,934
2027	$ 634,500	$ 60,271	$ 29,375	$ 7,138	$ 37,500	$ 134,284	$ 13,272	$ 13,272	-$ 121,012
2028	$ -	$ 60,271	$ 29,375	$ 7,138	$ 37,500	$ 134,284	$ 13,272	$ 13,272	-$ 121,012
2029	$ -	$ 60,271	$ 29,375	$ 7,138	$ 37,500	$ 134,284	$ 13,272	$ 13,272	-$ 121,012
2030	$ -	$ 60,271	$ 29,375	$ 7,138	$ 37,500	$ 134,284	$ 13,272	$ 13,272	-$ 121,012
2031	$ -	$ 60,271	$ 29,375	$ 7,138	$ 37,500	$ 134,284	$ -	$ -	-$ 134,284
22 Year Total	$ 813,699	$ 460,636	$ 146,875	$ 35,689	$ 825,000	$ 1,468,200	$ 164,383	$ 164,383	-$ 1,303,817

Source: *Jozsa Management & Economics*

Table 5.5 shows that with the industrial/commercial development in the park, the Client Group will see a change in net revenue of-$5,963 in 2010, which will rise to $183,709 in 2023 at which point no further land is left for sale unless a second expansion is undertaken. The 22 year total net change in revenue will be about $2,746,946 (2009$).

The net revenue change cannot be considered incremental to what would have happened if the park had not been built, i.e., there would likely still be some commercial / industrial development occur in the area, even if the park was not built. However, our research found that space for industrial/commercial development within the area is at a premium. Therefore, we expect that the majority, in the range of 75%, of the expanded park related municipal revenue would be incremental to the Client Group, leaving a net incremental revenue change of $2,060,210.

The calculations in Table 5.5 are based on the following assumptions:

- The expanded park will result in foregone property taxes and other municipal revenue (i.e. taxes from current land uses given up in favour of commercial property in the park) of $9,024 per year.
    - Foregone property tax assumes that the land purchased for the park would have remained at its 2009 use and assessment from 2010 to 2031.

- Property tax rates and area rates from the Town were applied to the assessment in the expanded park.
- Other revenue estimates were based on the ratio of other and own source revenue to property tax revenue in a cross-section of municipal jurisdictions.

- The tax rate used to estimate park property tax revenue is the current Town of Windsor commercial property tax rate.

Table 5.5: Benefit/Cost Analysis (2009$) Change in Tax and Other Revenues & Net Financial

Year	Change in Tax, Licenses, Fees, Own Source Revenue									Net Change After Net Fin'l. & Net Rev. Chng.	
	Foregone Revenue					Park Related Revenue					
	Town		Municipality		Total Foregone Revenue	Property Tax	Other Revenue	Total Revenue	Net Revenue Change	Annual	Cumulative
	Property Tax	Other Revenue	Property Tax	Other Revenue							
2010	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	-$ 37,500	-$ 37,500
2011	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	-$ 37,500	-$ 75,000
2012	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	-$ 37,500	-$ 112,500
2013	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	-$ 37,500	-$ 150,000
2014	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	-$ 37,500	-$ 187,500
2015	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ -	$ -	$ -	-$ 8,467	-$ 59,241	-$ 246,741
2016	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ -	$ -	$ -	-$ 8,467	-$ 59,241	-$ 305,982
2017	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 10,151	$ 2,148	$ 12,299	$ 3,832	-$ 36,522	-$ 342,504
2018	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 20,303	$ 4,296	$ 24,598	$ 16,131	-$ 24,223	-$ 366,727
2019	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 30,454	$ 6,443	$ 36,897	$ 28,430	-$ 11,924	-$ 378,651
2020	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 40,605	$ 8,591	$ 49,197	$ 40,729	$ 375	-$ 378,276
2021	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 50,757	$ 10,739	$ 61,496	$ 53,028	$ 12,674	-$ 365,602
2022	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 62,296	$ 13,180	$ 75,477	$ 67,009	$ 28,076	-$ 337,526
2023	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 73,836	$ 15,622	$ 89,458	$ 80,990	$ 42,056	-$ 295,470
2024	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 85,375	$ 18,063	$ 103,439	$ 94,971	$ 56,037	-$ 239,432
2025	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 96,915	$ 20,505	$ 117,419	$ 108,952	$ 70,018	-$ 169,414
2026	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 108,454	$ 22,946	$ 131,400	$ 122,933	$ 83,999	-$ 85,415
2027	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 121,395	$ 25,684	$ 147,079	$ 138,612	$ 17,600	-$ 67,815
2028	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 134,336	$ 28,422	$ 162,758	$ 154,291	$ 33,279	-$ 34,535
2029	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 147,277	$ 31,160	$ 178,437	$ 169,970	$ 48,958	$ 14,423
2030	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 160,218	$ 33,898	$ 194,116	$ 185,649	$ 64,637	$ 79,060
2031	$ 6,989	$ 1,479	$ -	$ -	$ 8,467	$ 160,218	$ 33,898	$ 194,116	$ 185,649	$ 51,365	$ 130,425
22 Year Total	$ 118,809	$ 25,137	$ -	$ -	$ 143,946	$ 1,302,591	$ 275,596	$ 1,578,188	$ 1,434,242	$ 130,425	

Source: *Jozsa Management & Economics*

The final two columns of Table 5.5, "Net Change After Net Fin'l. & Net Rev. Chng." combines the net financial position of the expanded park and the net revenue position earned by the Town due to increased assessment. The annual cash flow does not turn positive until 2013 and the cumulative.

5.4 Summary of Economic and Community Development Impacts

5.4.1 Economic Development

The new park will encourage businesses to remain and grow in West Hants and will attract new investment that might have gone to other parks outside the area. Figure 5.5 shows the projected growth of employment in the new park and the associated multiplier employment effects in West Hants.[29] Should the expansion of the park be stopped at about 7.0 Ha of new sales, then the employment in the expanded area of the park would level off at about the number shown for 2017-21. Should the expansion be continued to accommodate the trend growth to 2031 the employment in the expanded park would grow to about the number shown in 2027-2031.

Figure 5.1 shows the portion of the direct jobs that could be incremental to West Hants, that is, were it not for the expanded park they would not have located in West Hants. Because a portion of the direct jobs could be incremental to West Hants, the figure also shows the incremental multiplier effects for West Hants. [30, 31]

5.4.2 Summary of Cost and Benefits

As noted above, the new industrial/commercial park expansion would bring the following anticipated benefits:

- an efficient location for industrial and commercial enterprises in West Hants;
- a business and environmentally friendly industrial commercial park, a unique selling point for the area;

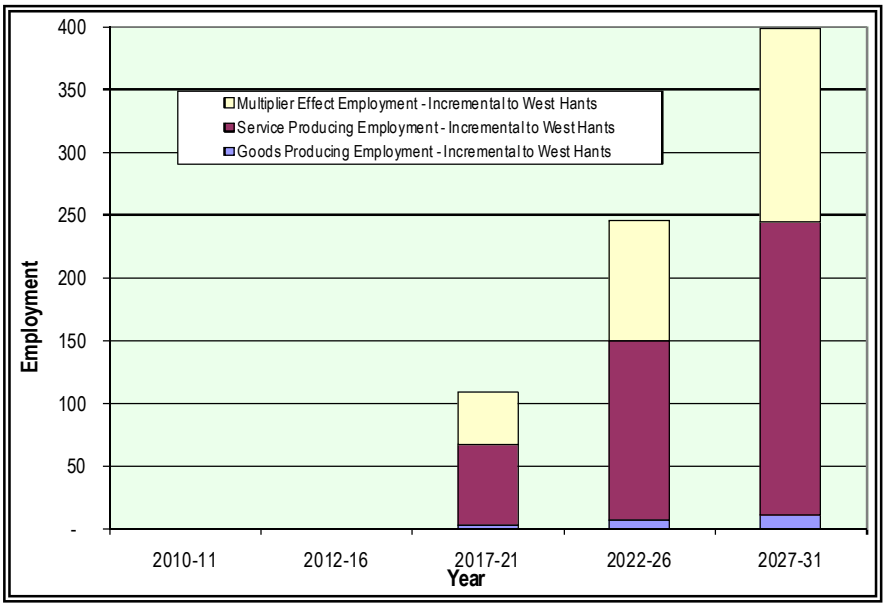


Figure 54.31: Incremental Direct + Multiplier Employment in the Expansion of the Windsor Industrial Park~~Benefit/Cost Analysis (2009$) Land Development, Sales, Assessment~~

[29] The multiplier effects were calculated using employment based multipliers for the goods and service producing sectors, respectively, as modeled in the Nova Scotia 1996 input-output tables. The latest version, based on 2000 data, did not readily provide the multipliers in the form used in this estimate.

[30] The consultants assumed that 75% of the direct employment in the new park would have located outside of West Hants because:

- We assume that other parks in Hants County fill their vacant space but do not prepare more land for sale; and
- West Hants, at the time of writing, has virtually no vacant industrial park space.

[31] The portion of multiplier effect that is incremental to West Hants was calculated based on a logarithmic relationship estimated from data provided by 22 runs of the Statistics Canada's inter-provincial input-output impact model. Two identical projects were assumed to be operated in each province and territory. About 99% of the variance in the eight smallest provinces' and territories' ability to capture spin-off effects from projects in their jurisdictions was described by a logarithmic relationship with the percent of Canadian employment in the jurisdictions as the independent variable. The equation is internally consistent because it indicates that as a jurisdiction's share of Canadian employment approaches 100% it becomes able to capture 100% of the spin-off effects. (All direct effects are by definition resident in the project's home jurisdiction.)

- support for other commercial activities in the area including the core of the Town of Windsor that also serves surrounding Municipality and communities;
- improved land use planning because the expanded park will help,
  - minimize conflicts with agricultural and residential land use throughout West Hants;
  - reduce the pressure on agricultural land by industrial and commercial uses because the expanded park is planned for higher densities than existing parks in the Annapolis Valley Region;
- new industrial/commercial development in the form of incremental jobs, about 244 direct and 154 spin-off; and
- net positive incremental municipal revenue.

5.5 Potential Challenge

The major challenge faced by the Client Group will come as the first Stage of expansion, the addition of about 7.1 Ha of saleable space, becomes occupied by about 2030. The Client Group will then need to consider the feasibility of purchasing additional land and incurring much higher development costs on that land because it is unlikely to have a complete system of existing streets and services that that be used, which was the benefit in Stage One.

5.6 Sites for Potential Future Expansion

Should the need for further expansion arise in the future, the following sites around Highway Exits 5 and 5A could be considered.

5.6.1 Highway Exit 5A

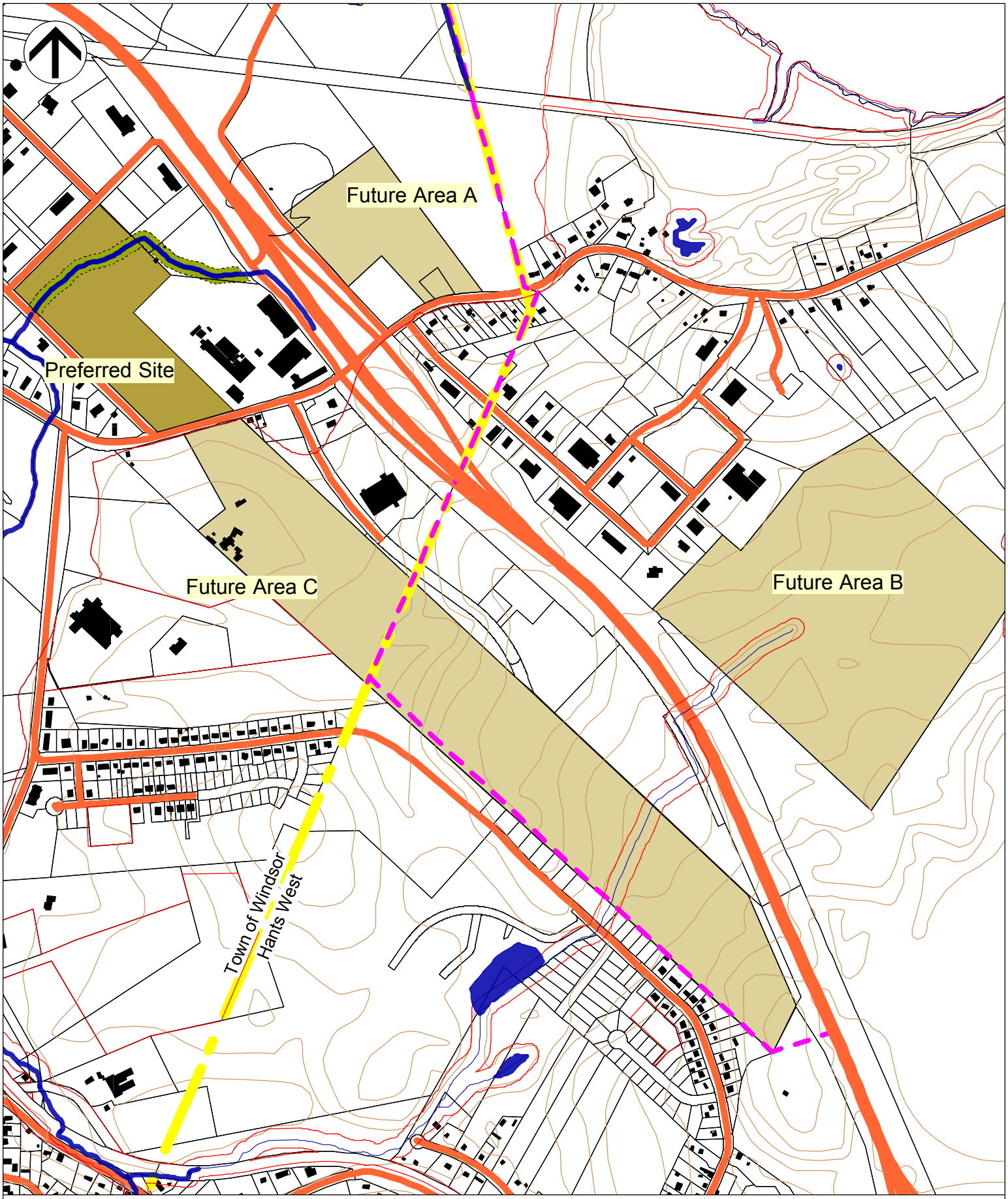
5.6.1.1 Future Area A

Future Area A is located east of Highway 101 and north of Wentworth Road and would approximately 6 gross hectares of developable land (Figure 5.6). Business park development in the area would take advantage of existing services in Wentworth Road and would continue the trend of developing a business park cluster around Highway Exit 5A. Future Area A is located in an area with rock types, the Wentworth Station Formation, that can result in sink holes (Figure 5.7). Geo-technical studies prior to the purchase of the land by the Client Group should assess the risk for sinkholes to occur.

5.6.1.2 Future Area B

Future Area B is in effect an extension of the Windsor-West Hants Industrial Park to the south of the existing park and would yield approximately 29 gross hectares of developable land (Figure 5.6). Existing services from the Windsor-West Hants Industrial Park could be extended.

The park water main is 10 inches in diameter with 6 inch and 8 inch distribution lines. The park has 100 pounds of pressure per square inch (PSI). Sewer lines in the Windsor-West Hants Industrial Park are 10" in diameter with a 30 inch sanitary trunk sewer line running to the same sewage lagoon that services Windsor Industrial Park. Storm water in the industrial park flows northwest through low profile in-ground water mains and is channelled towards a storm water retention pond located near the park



West Hants Business Park Feasibility Study

Sites for Potential Future Expansion - Highway Exit 5A

Service Boundary

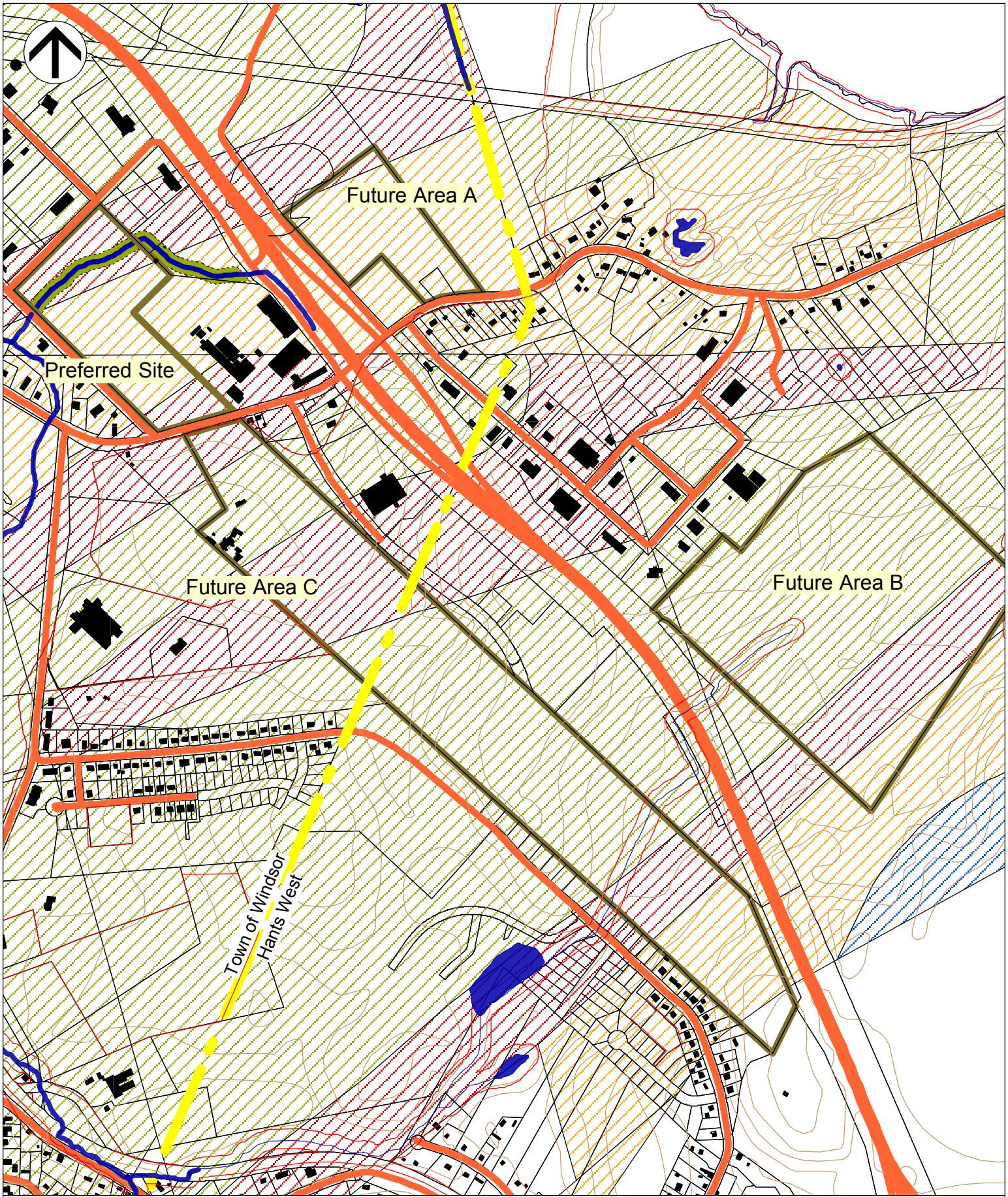
Project: 101204
Date: April 2010

Figure 5.6

0 200 500 m

Scale: 1:10000

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West Hants Business Park Feasibility Study

Potential Karst Topography - Exit 5A

Figure 5.7

0 200 500 m

Wentworth Station Formation

Pesaquid Lake Formation

Miller Creek Formation

Murphy Road Formation

Project: 101204
Date: April 2010

Scale: 1:10000

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entrance. All streets in the existing Windsor-West Hants Industrial park have continuous concrete curbs and gutters with sidewalks.

The majority of Future Area B is located in an area of rock types (Murphy Road Formation) with a lesser tendency to form karst (Figure 5.7). The southern end of the site is located in an area of rock types that more commonly result in sink holes. Geo-technical studies prior to the purchase of the land by the Client Group should assess the risk for sinkholes to occur.

5.6.1.3 FUTURE AREA C

Future Area C is located west of Highway 101 and south of Wentworth Road. It is in effect an extension of the new portion of the Windsor Industrial Park to the west and south and would yield approximately 33 gross hectares of developable land (Figure 5.6). The site would take advantage of existing services in Wentworth Road and Cole Drive.

Large portions of Future Area C are located in an area of rock types (Murphy Road Formation) with a lesser tendency to form karst (Figure 5.7). Smaller portions of the site appear more susceptible to sink hole development. Geo-technical studies prior to the purchase of the land by the Client Group should assess the risk for sinkholes to occur.

5.6.2 Highway Exit 5

5.6.2.1 FUTURE AREA D

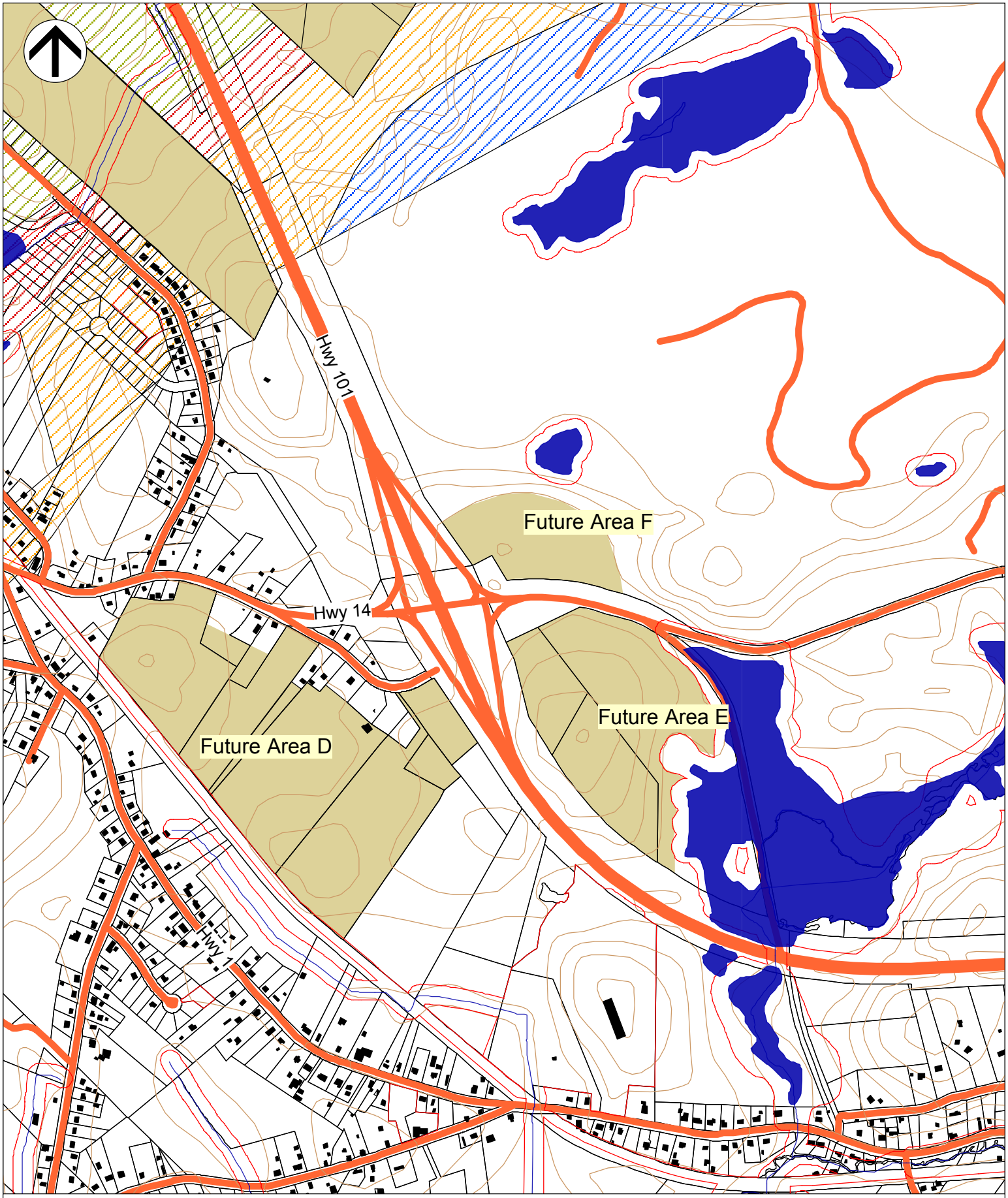
Future Area D is located west of Highway 101 and south of Highway 14 (Figure 5.8). The area could yield approximately 19 gross hectares of developable land. The Client Group should support the private developer in his efforts to develop the lands at the end of Old Brooklyn Road and in the areas indicated in Figure 5.8. Water and sewer infrastructure could be extended from the existing lines in Highway 14 and Old Brooklyn Road. No karst topography can be found in this area.

5.6.2.2 FUTURE AREA E

Future Area E is located east of Highway 101 and south of Highway 14 (Figure 5.8). The area could yield approximately 12 gross hectares of developable land. Services could be extended from Old Brooklyn Road underneath Highway 101, albeit with an added coast for the necessary channelling. No karst topography can be found in this area.

5.6.2.3 FUTURE AREA F

Future Area F is located east of Highway 101 and north of Highway 14 (Figure 5.8). The area could yield approximately 5 gross hectares of developable land. Services could be extended from Old Brooklyn Road underneath Highway 101, albeit with an added coast for the necessary channelling. No karst topography can be found in this area.



West Hants Business Park Feasibility Study

Potential Karst Topography - Exit 5

Figure 5.8

0 200 500 m

Project: 101204
Date: May 2010

Wentworth Station Formation
Miller Creek Formation
Pesaquid Lake Formation
Murphy Road Formation

Scale: 1:10000

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Chapter 6 **Market Positioning**

This chapter assesses the positioning and unique selling points that a new industrial/commercial park in West Hants could bring to the market. We begin with a discussion of the principal positioning issues associated with the common factors of production and then assess the impact of policy decisions on those location factors.

We conclude with an assessment of the unique selling points that will help sell a new industrial park.

6.1 Factors Affecting Business Location Decisions

> *"...local strategies and not broad economic trends or conditions are a key factor in attracting new investment and improving the local standard of living. The expanding body of knowledge on quality of life indicators also confirms this conclusion. The result is a wide range of local needs-focused strategies are being pursued across Canada around "new localism" or managed change models".*[32]

The following section describes:

- how factors that influence business location decisions can be affected by local policies and actions for the betterment of the local economy; and
- how a new industrial/commercial park could be positioned as an instrument to affect change.

6.1.1 Common Factors Affecting Location Decisions

6.1.1.1 LABOUR

Businesses are, other things equal, attracted to areas whose local wages are lower than those in competing jurisdictions. However, the tendency to search for areas with low wages is being offset by the growing demand and need for highly skilled and educated labour, that is, an efficient and productive labour supply. Therefore, an educated workforce is becoming the primary location factor for growing companies. Declining firms and firms in stagnant or declining sectors, still generally, seek out low-wage areas to be able to compete.

However, in areas of that have relatively lower costs of living, the labour force can accept lower wage rates and still maintain a relatively equal level of purchasing power vis-à-vis competing areas that have higher costs of living. This factor plays to the advantage of healthy firms and firms that are growing.

West Hants, by virtue of its location at a moderate distance from the Halifax Census Metropolitan Area, is able to boast relatively lower costs of living especially as they relate to property ownership. The area shows a relatively higher level of education than other areas outside of the Halifax Census Metropolitan Area. In addition West Hants and has high quality university and Nova Scotia Community College campuses close by. These two facilities provide the existing labour force with access to training and education as well as upgrading and extension opportunities.

[32] "Local Government Resource Handbook", Service Nova Scotia and Municipal Relations, 2006, p. 20.

In addition, research has shown that regions that have top quality universities tend to be more able to retain an educated and skilled labour force than those without such an educational institution.

6.1.1.2 LAND

Land requirements differ among industry types. A new park in Hants County would be able to offer:

- firms with significant research and development needs a location that is close to a major university as well as the Agriculture Canada research station in Kentville;
- distribution and manufacturing firms ready access to a four-lane 100 series highway;
- distribution and manufacturing firms, which often require larger areas of than other types of businesses, with relatively lower land costs for expansion; and
- higher technology manufacturing firms close proximity to urban and professional services combined with a pleasing location in a type of suburban industrial/commercial park.

The advent of high-speed data connections throughout will be an important asset to potential park tenants. The rapid growth of internet based business and just in time delivery and production logistics have made businesses more dependent than ever on high-speed communications. Even the traditional storage and warehousing business is no longer simply a storage facility but a delivery and distribution service that depends on high-speed data communications.

6.1.1.3 LOCAL INFRASTRUCTURE

There is a strong positive relationship between the quality of local economic infrastructure (transportation, water and sewer, power, industrial commercial land and buildings, and so on) and economic growth. The creation of a new industrial park will help to demonstrate that the local governments are committed to increasing the quantity and quality of public infrastructure necessary for efficient and profitable business operations.

The provision of quality public infrastructure is, obviously, expensive, and therefore tax rates tend to be higher than what might be considered the minimum level. Cutbacks in local services and infrastructure with a view to lowering tax rates are often counterproductive. The reduced quality and quantity of public infrastructure makes the area less attractive for business expansion and investment. The net effect on excessive tax cuts on economic growth is often negative.

6.1.1.4 ACCESS TO MARKETS

With the advent of lower transportation costs, facilitated by improvements in truck and marine transportation technology, highway networks and logistics methods, transportation costs are becoming a less important factor in business location decisions. This remains the case even with the recent rise in fuel prices. Transportation, as a fraction of the cost of production, continues to decline.

The new industrial/commercial park can effectively position itself by demonstrating its relative close location to tidewater ports, an international airport as well as a network of 100 series highways. The proximity of transportation infrastructure combined with lower land and operating costs in West Hants could be shown to overcome higher transportation costs relative to, say, a location in the Halifax Census Metropolitan Area.

6.1.1.5 MATERIALS

The rise of the role of the service economy in developed countries reduces the influence of the location of raw materials on the location decisions of the majority of types of modern lines of business. In addition, the location of a new industrial park at the eastern end of the Annapolis Valley puts it in a good position to attract businesses interested in using the Valley's agricultural output as part of their value added manufacturing processes and then shipping to Lower Sackville and thence by road to eastern and central North America or to Halifax and thence internationally by marine transport, rail or air.

6.1.2 Policy Factors Affecting Location Decisions

Locally and regionally controlled policies can help overcome local deficiencies in the common location factors. Most importantly, unlike the common factors that affect business location decisions, policies related to tax rates, business regulation and financial incentives are largely within the control of local and regional governments.

6.1.2.1 REGULATIONS

A new industrial park in West Hants could improve its competitive position if regulations for the location and expansion of businesses in the area, and in particular, in the new industrial park, are clearly specified and are supported by a process that promotes efficient processing of permits and approvals. The research shows that investors and business owners have greater concerns for unclear regulatory processes and inefficient processes than they do for strict controls that have clear objectives and are clearly specified and implemented efficiently.

The short-term cost of appropriate and effective regulatory controls is often outweighed by the longer-term benefits associated with the protection they afford to the quality of the environment and community life, which in turn benefit businesses. Therefore, the new industrial park could further improve West Hants' competitive position if the regulatory controls governing the use and location of businesses in the park can be shown to be in the long-term best interests of businesses and investors.

6.1.2.2 TAXES

Other things being equal, taxation levels that are higher than in competing jurisdictions tend to discourage economic growth. However, other things are rarely equal. The new industrial park could improve its competitive position if it can be shown that the cost of taxes, levies and permits associated with locations in the park are worth the value they provide in terms of local infrastructure and related business support services.

This point is especially important because location decisions within small regions are much more sensitive to variations in tax rates than location decisions made between regions. In other words, business owners and investors tend to first, choose a region and then, find the most tax efficient location within that region.

6.1.2.3 FINANCIAL INDUCEMENTS

In general, financial inducements are more effective in influencing the location decision within regions than that between regions. Financial inducements will have relatively less affect on attracting a firm to

Canada or to the Maritimes than they would on the location of the firm within Canada or within the Maritimes.

This situation, unfortunately, places sub-provincial regions in direct competition with each other and the net benefits generally fall to the firm because the firm has already decided to locate in the broader region and is able to "play-off" sub-regions (e.g., the Maritimes vs. the Prairies, or New Brunswick vs. Nova Scotia, or Hants County vs. Kings County).

To avoid engaging in costly "beggar thy neighbour" financial inducement activities, the municipal units within the County should consolidate the management of the existing industrial/commercial parks under local government control. While this management arrangement would not eliminate destructive competition between counties it could, at least, eliminate destructive competition between parks within Hants County.

Research has shown that, at the margin, the tax benefits from employment resulting from financial inducements are often less than the cost of the financial inducements. In addition, it is more often declining companies or companies in declining industries that are most attracted by financial inducements. Strong firms, and companies in growing sectors, are less attracted by the short-term benefits of financial inducements and more attracted by the long-term potential for successful operation at their chosen location.

6.1.2.4 AGGLOMERATION ECONOMIES

It has become a truism that businesses prefer to locate close to other businesses. This is true, obviously, for businesses that benefit from ready access to supporting business services and suppliers but is also true for businesses that are in direct competition. Businesses agglomerate for three main reasons:

- first, to benefit from a large pool of labour supply;
- second, to have ready access to inputs that may be unique to their operations; and
- third, to take advantage of formal and informal information networks.

Industry agglomerations are not defined in a clear-cut way as individual industries are defined. Industry agglomerations usually have cross-memberships, that is, industries are members of multiple agglomeration groups. For example, the wine industry agglomeration cannot be described only as wineries and vineyards integrated with and owned by wineries. The full industry agglomeration includes material and equipment suppliers, distributors and elements of the tourism sector. Similarly, equipment supplies, distributors and elements of the tourism sector may be members of agglomerations that do not include wineries. The new park needs to be able to demonstrate to potential buyers that they:

- will have access to a large and educated/trained labour pool;
- have the transportation and communication networks they need to efficiently access inputs;
- will be part of an agglomeration that suits their line of business;
- can take advantage of advantage of existing business information networks; and
- can access services to facilitate the creation of new networks.

6.1.2.5 QUALITY OF LIFE

The fact is that the vast majority of Canada offers locations with high quality of life. Natural advantages combined with effective public sector policies with respect to education, public safety, health care, social and community amenities and environmental protection will serve as an attraction to business and labour. Other things equal, the combination of healthy economic growth and the aging of the Baby Boomers indicates that Canada is likely headed for a long period of constrained labour supply. However, the combination of the:

- fact that Baby Boomers are nearing traditional retirement age;
- severe impact of the current recession on retirement savings; and
- tendency for "seniors" to live longer and remain more active;

suggests that the constraints on labour supply may be less severe, at least over the next 10 years, than would otherwise have been the case. Baby Boomers may stay in the labour force longer out of either choice or necessity.

Therefore, the new park should position itself as an attractive location for businesses and labour by marketing to the types of business and labour that most value the unique selling points of West Hants. For example, the combination of:

- access to good jobs in Hants County;
- access to alternative job sources in the Halifax CMA; and
- life in a well serviced but still "rural" area

would be especially attractive to labour force members who have young families. These people are normally well established in the work force and are in their most productive working years. In addition, because they are relatively young they are better able to accommodate the risks associated with relocation.

In addition, older members of the labour force age group who need to work or wish to work for longer periods could find the rural nature of West Hants with ready access to health care in the County and 'big-city' services in Halifax attractive as a place to extend their working life or even to re-locate to begin a 'second career'.

6.1.2.6 INNOVATION AND ENTREPRENEURSHIP

In general, people and businesses are attracted to areas that demonstrate a culture they value and that facilitate creativity. They are attracted to areas that show the ability and willingness to welcome change and adapt to change.

The new park needs to be able to demonstrate that it exists in a social and business environment that welcomes new ideas, different ways of doing things and at the same time offers a dependable environment in which families, and businesses can prosper and develop. The park can begin this positioning by demonstrating links to Acadia University, the NSCC campuses and the agricultural research station in Kentville. The new park needs to show that the area's community and economic planning policies work hard to combine the best of the ability to seek and welcome change and the value associated with a dependable and open social and economic environment.

6.1.3 Local Positioning Factors

Virtually all of the positioning factors already discussed can largely be developed in most locations. The establishment of strong positions on these more widely held factors ensure that local areas stay on the radar for further consideration, but they are not sufficient to rise above the competition to attract business expansions and new investment. The objective of being strong with respect to the common and public policy positioning factors is to ensure that the local area stays on the list of potential investment sites long enough for it to market its unique selling points.

There are at least three unique selling points that could be claimed by a new park in Hants County.

6.1.3.1 AVAILABILITY

As was described in earlier sections, although they are other parks in the AVR, much of the available space is effectively unavailable to the majority of the service and manufacturing activities that would be most attracted to a commercial/industrial park or much more distant from the Halifax CMA and international airport than West Hants. These activities include food and beverage manufacturing, equipment and machinery repair facilities, climate controlled storage facilities, materials removal facilities and so on.

The new park should position itself as being specifically designed to accommodate multiple uses in a safe and economically efficient manner. It must be able to demonstrate that businesses wishing to locate in the park will not face restrictions that eliminate the park as their location of choice.

6.1.3.2 LOCATION

The new park would be able to position itself as being uniquely able to serve the needs of the AVR because it is at the continent-side exit of the Annapolis Valley and on the main transport route to the Halifax CMA. A location at the eastern exit of the Valley provides a mustering point for businesses moving raw materials, intermediate products and finished products out of and into the Valley.
The new park would be able to maintain easy access to the Halifax CMA and to provide easy access to all areas in the central and western areas of the Annapolis Valley region.

6.1.3.3 PLANNING AND DESIGN FOR THE FUTURE

The park should be planned, designed and managed to be able to accommodate emerging elements of the economy. For example, the park should be planned, designed and managed in such a way that it allows firms located in the park to use alternative energy sources such as energy from biomass, solar and wind of sources. It should be ready to accommodate alternative methods of resource use such as the use of "grey water", district heating and supply of electric power, and so on. It needs to able to provide the size and shapes of spaces and road turning radii required by manufacturers of equipment that will be needed in the coming renewable energy economy. It needs to be designed for multiple uses because no one industry sector will likely grow large enough Valley in the next 20 years to dominate a park. The park needs to be able to accommodate food manufacturers as easily as machine and welding shops and large metal fabricators.

6.1.3.4 Formal Marketing and Selling Function

As we noted above an in Appendix B, at the time of writing there was not clearly established locus of responsibility for marketing and selling industrial park land at the park in the AVR. In addition, it is not reasonable to expect that central agencies, NSBI or the local regional development agency, will aggressively market and sell any one park in the AVR. They cannot do so because each has multiple parks and multiple municipal units within its jurisdictional boundaries. If they were to promote one park over another claims of bias would immediately arise.

Therefore, a formal marketing and selling function must be established. It should be funded by, and work solely on behalf of, the Windsor-West Hants Industrial Park and the Windsor Industrial Park. It is necessary because:

- there is no locus of responsibility now among the AVR's parks; and
- this study's e projections for the sale of the remaining land in the Windsor-West Hants Industrial Park and the land in the expanded Windsor Industrial Park will not be met without proper marketing and selling activities.

The lack of marketing and selling for AVR parks brings with it the opportunity for the Town of Windsor and the Municipality of the District of West Hants to gain a competitive edge over competing municipalities in the AVR.

6.1.3.5 Pricing Flexibility that Stems from the Town of Windsor's Commercial Tax Rate

Other things equal businesses prefer lower commercial property tax rates. However, when a business decision requires the purchase of land the situation can change.

Serviced industrial and commercial land is expensive, as this report demonstrates. However, the commercial property tax rate of the Town of Windsor enables it to offer a lower selling price for serviced industrial and commercial land if it is willing to recoup its investment over time via commercial property taxes. The same is not the case in Municipality of the District of West Hants. While its substantially lower commercial property tax rate is attractive to existing businesses it is not high enough to allow it to sell serviced land at a lower price and then recoup its investment over time via property taxes.

In this study we calculate that the Town of Windsor could sell serviced park land for $23,579 per ha, roughly the cost of raw land and still show net benefits of about $130,425 at the end of the study period. The Municipality of the District of West Hants would have to raise the price to about $144,900 per ha to reach the same net benefits by the end of the study period. Given the choice of paying $23,579 and then higher taxes in the 20 years versus $144,900 upfront and then lower taxes in the next 20 years every accountant would recommend the former. The business will pay the same total amount, but deferring expenses is almost always preferable to payment up front in lump sums because the financial exposure of the business is reduced. However, the financial exposure of the Town is increased because it must rely on the business staying in operation in the long-run in order to recoup the impact of lower land prices.

In earlier sections we assessed the impact on net benefits of selling land in the expanded park ranging:

- from a high of $291,240 per ha ($117,863 per acre), which would recover all costs associated with developing and marketing the expansion; and

- to a low of $23,579 per ha ($9,542 per acre), which would recover the cost of the raw land needed for the expansion.

In both situations the Client Group would likely earn positive net municipal tax and revenue benefits from the expansion. At the high land price net benefits after 22 years would be about $1,996,465 (2010$) and at the low land price net benefits would be about $130,425 (2010$).

However, the true asking price for land at the expanded park will be driven by:

- local competitive conditions; and
- the willingness of the Client Group to accept the risk associated with lower up-front land prices combined with a tax rate that will allow the Client Group to recover all costs and show net benefits over a 22 year period.

Therefore, as a starting point we suggest using the NSBI's $50,000 per ha (about $20,000 per acre) asking price for land at the Windsor-West Hants Industrial Park. This price would result in the park expansion paying approximately $314,624 (2010$) in net municipal tax and revenue benefits over 22 years.

Chapter 7 **Conclusions and Recommendations**

7.1 Conclusions

Our research leads to the following conclusions:

- There is some demand for industrial and commercial land in West Hants, although due to the inability of prospective purchasers to gain any information on available industrial land, it is difficult to determine the actual level of demand;
- In the absence of public sector subsidies the cost of prepared industrial/commercial land will be high. Therefore, the ability to allow commercial / industrial development in appropriate areas that already have services would be attractive;
- The completion of the four-lane separated highway to the area will make it more attractive to prospective tenants and it would be advisable to have land available for purchase.
- A portion of the Fairground lands in Windsor (see Section 5.1 and Figure 5.1) is the preferred development site, because:
  - it is understood that the current landowner is willing to sell off a portion of their land;
  - the low development cost due to existing services in the area; and
  - the benefit of a logical expansion of the existing Windsor Industrial Park.

If this site can be purchased, it should provide land for the next few years, which will allow the Client Group to seek out other developable lands and bring them on stream. Potential additional sites are described in Section 5.3 and on Figures 5.5 and 5.7. Potential expansion sites around Exit 5A are preferred due to the attractiveness of having new business park development associated with the existing business park development in the area. Supporting the growth of the existing private commercial / light industrial development at Exit 5 is also recommended.

- The opportunities uncovered in this study depend on a cooperative approach among the two Towns and the Municipality. None of the three has all the resources or capacity to undertake an appropriately aggressive development, marketing and selling plan.
  - The Town of Windsor has essentially no land beyond the 7.6 ha that would work well for an expansion of the Windsor and Windsor-West Hants park complex. In addition, the total cost of the development within it boundary, including the cost of marketing and selling, may unnecessarily expose it to more financial risk than is appropriate for its 'fiscal' size.
  - The Municipality has 3.9 vacant ha ready for sale in the Windsor-West Hants Industrial Park but needs the support of a well funded and well run marketing and selling function to sell its remaining land and gain a competitive advantage over other municipal units in the AVR who do not now have marketing or selling functions for parks in their boundaries. The Municipality does not have ready access to well-located park expansion land within its boundaries.
  - The Town of Hantsport has no land left to develop for industrial and commercial investment. It does have a strong commercial tax base that should enable it to contribute investment and operating funds to the expanded park(s), in return for a share of the benefits. It's contribution would reduce the risk exposure of Windsor and West Hants.
  - By cooperating, the two Towns and the Municipality could more easily absorb the risk of offering lower up front land prices in return for higher potential tax revenue in the future.

- By cooperating, the two Towns and the Municipality can mount an aggressive land acquisition, site development and marketing/selling program that singly, they cannot.

7.2 Recommendations and Next Steps Forward

It is recommended that:

- The Client Group enter into negotiations with the Windsor Agricultural Centre to purchase lands that front on Centennial Drive and Tregothic Drive;
- The Client Group undertake the environmental study required under Policy 12.0.2 of the Town of Windsor Municipal Planning Strategy to describe the susceptibility of flooding, drainage problems, and the bearing capacity and suitability for construction of soils at the site, and will identify suitable construction methods, including flood proofing measures, to overcome the constraints which are found to exist at the site;
- Based on the results of the study and if a suitable price can be negotiated, the Client Group should acquire the lands from the Windsor Agricultural Centre;
- The zoning of the area should be changed from FG: Fairground to LI-1: Light Industrial to match existing zoning in the area;
- The Client Group must establish a formal marketing and selling function that targets the Windsor Industrial Park and the Windsor-West Hants Industrial Park. The function should be controlled by the Town of Windsor and the Municipality of the District of West Hants;
  - This study provides a notional budget of $37,500 per year (2009$) for this function. It should be established immediately to take advantage of the vacuum of marketing and selling functions among AVR parks and thus raise the sales rate of the Windsor and Windsor-West Hants parks;
- The Town of Windsor, Town of Hantsport and Municipality of West Hants need to enter into negotiations to share the costs and benefits that stem from the park(s) expansion(s);
- In the meantime, the Client Group should continue negotiations to acquire or encourage the industrial development of potential expansion sites around Exits 5A and 5; and
- The Client Group should continue to support the private development efforts occurring at Exit 5.

Appendix A

Suitability Analysis Component Maps

Appendix B

Efforts Made to Collect Commercial / Industrial Land Availability Information and Implications for Economic Growth in the AVR

Determining Current Industrial / Commercial Park Conditions in the Annapolis Valley Region

To better understand the forces behind location decisions of businesses in the Annapolis Valley Region, and especially decisions to locate in industrial / commercial business parks we attempted to interview those responsible for marketing and selling space in the Region's parks. We also wished to gather basic information on land availability in the parks, prices and absorption rates.

After numerous attempts and methods to gather information, even the basic information, we were able to update information on only two parks. A potential buyer would certainly be dissuaded from locating in any of the Region's parks if they could not obtain easily even the most basic information on availability and price.

We found that the parks in the Region are not marketed and potential buyers could not find information on prices of availability.

The following paragraphs describe our efforts to collect information. They are presented to demonstrate the difficulties that would face potential customers.

Site selection professionals make the point that the first goal of communities vying to attract new investment is to avoid being among the first to be taken of the initial long list of potential locations. Businesses have many alternatives for locations and many locations have nearly equivalent advantages and disadvantages. Therefore, site selection consultants quickly reduce the 'long list' of possibilities to a manageable shorter list that deserves closer inspection. The difficulties in collecting even the most basic information about industrial / commercial parks would certainly see communities in the Region taken off the long list. Only investors that must locate in the Region or have local "connections" would persist in their efforts to find space in the parks.

Therefore, one of the first steps in the decision to expand the Windsor and / or Windsor – West Hants Industrial Parks must be to establish an aggressive and effecting marketing and selling function.

Methodology and Information Sources

The following sources were referenced, using the methodology as described throughout.

1. Target Nova Scotia: At the time of this writing, the web site http://142.176.62.107/industrialparkpdfs.htm provides an ostensibly consolidated list of all industrial parks in Nova Scotia. This site, part of Target Nova Scotia, indicates: "This is a full list of Industrial Parks and Malls in the province. Each park has an associated PDF file outlining its location, amenities, services and other information."

A review of the functioning links to the PDFs reveals that the information provided through this web site is current as of 2003 or 2004. Attempts to reach individuals indicated on the PDFs as the park contact lead to disconnected or incorrect phone numbers.

The PDFs available online provided no new information relevant for this study and in fact provided misinformation, as many of the details contained in these PDFs are outdated or wrong.

2. Web Searches: We then conducted a series of web searches based on various word combinations around industrial parks in the study area, included searches based on the park names. Apart from the partially defunct Target Nova Scotia web site, we found no useful information on individual parks or a consolidated inventory of park information in Nova Scotia.

   We also visited web sites of selected municipalities and Regional Development Authorities to identify information pertaining to available land in industrial parks. This search identified current contact information for several parks however, no information was found online that would allow us to identify land developed, available, sold or available for development.

3. Telephone Interviews: A number of phone calls were placed to organizations or individuals that could be identified as relevant contacts for industrial parks. This required web searches for each of the 11 parks in the study area, as well as identification of each of the relevant municipalities with jurisdiction over the parks or in which the parks were located. As specific individuals could not be identified through the web searches, the majority of the phone calls were 'cold calls'.

   Our team made phone calls to the following organizations:
   a. Nova Scotia Business Inc.
   b. RDAs in the Valley Region
   c. Municipalities in Valley Region that are homes to industrial parks
   d. Listed contact at the Department of Transportation and Infrastructure Renewal (number no longer in service)
   e. Additional contacts provided to us for the Department of Transportation and Infrstructure Renewal (Manager of Industrial Malls, Province of Nova Scotia – Calls not returned as of this writing)
   f. Listed contact for the Windsor-West Hants Industrial Park (no longer the contact person for the park).

   Several of these phone calls were followed up with e-mails.

Interview Results

Of the 11 parks located in the Region, we were only able to update those that are under the authority of NSBI.

With respect to the lack of current information available on park spaces municipal contacts and RDAs often responded to the effect that:

- 'when this [updating this information] becomes a priority for the province, it will become a priority for us'; or
- this information is not maintained by their organization because it changes so frequently; or
- the information does not change that much form year-to-year and therefore data provided in a January 2008 CBCL/JME report is considered the most current.

New Information

The following information was provided by NSBI.

Annapolis Valley Regional Industrial Park – The industrial park is owned by NSBI and is one of their more active parks in the region. NSBI currently owns:

- Lot 7F, 1.46 ha (3.61 acres);
- Lot 66 and 67, consolidated as 0.81 ha (2 acres);
- Lot 50A and 49, consolidated as 0.73 ha (1.8 acres); and
- Lot 7F, and consolidated lots 66 and 67, are under agreements to purchase.

NSBI also owns the "future development areas" which includes a parcel near Lot 7-F of 1.5 ha (3.7 acres) for sale. The total future development area is approximately 8.09 ha (20 acres) and includes a 2.42 ha (6 acre) lot and a 3.64 ha (9 acre) lot.

Toward the Highway 101 off ramp, there are two parcels or 0.81 ha (2 acres) and 6.07 ha (15 acres) and a piece across highway (2.63 ha) that cannot be developed or sold because it does not have road access.

About 7.08 ha (17.5 acres) are not serviced.

Bridgetown Development Centre – he Bridgetown Development Centre consists of one large building with a connected large warehouse (backside of the property). There is no land available for development within the property. About 85% of the available commercial space is occupied. The warehousing space, about 3,440 m^2 (37,000 $ft.^2$) is vacant. Specifications for this facility are:

- Date Constructed: 1968
- Property Size: 3.06 ha (7.55 acres)
- Gross Floor Area: 5,340 m2 (57,500 ft2);
  - Floorplate: 4,620 m^2 (49,700 ft^2) (Base)
  - 650 m^2 (7,000 ft^2) (2nd Floor Mezzanine)
  - Leasable Space: 5,710 m^2 (61,464 ft^2)

www.town.bridgetown.ns.ca/site/btowndocs/bdc2008.pdf

Windsor-West Hants Industrial Park - During the 1990s this area turned to industrial land and NSBI has since been approached regarding re-conveyance to local authorities.

NSBI does not own 32 and 28 as one lot 9.74 acres, which are ready for sale.

NSBI owns the pond, which cannot be developed.

The remainder of the park space is sold.

NSBI's land price is about $50K/ha ($20K/acre).

The contact person listed on the web site informed us that she is no longer the contact for the park.

Conclusion

The process of updating information on available industrial park space in the Annapolis Valley Region could barely have been more difficult. The difficulties stem from the existence of information that is, unfortunately, readily available online, which is outdated or incorrect and the inability to identify persons who could tell us what land was available and at what price. In addition, we were regularly 'bounced' between municipalities and regional development authorities, and still could not find information on land prices or availability.

In the end, we were only able to update information on the three parks over which NSBI has some ownership/control. NSBI was the only organization we encountered where there is a designated individual who oversees such information.

Apart from NSBI, we were referred to our team's own work from 2008, which we were told is the most current source of information on industrial parks in the study area.

As researchers unable to identify information sources for industrial land available, sold, vacant, or set aside for future development, it is disturbing to imagine what a bona fide investor might think as they seek out a suitable site for development in the study area.

There is no evidence of organised marketing, selling and administration industrial park land in the AVR.

Municipalities within which industrial parks are located appear to assume that someone else, the local regional development agency, NSBI or even the NS Department of Transportation and Infrastructure Renewal will market and sell land on behalf of the park in their municipality. Even if these agencies had such a mandate it would be extremely difficult for them to market and sell land in any one park because each of these agencies has multiple parks and municipalities within their jurisdiction. Charges of bias and favouritism would immediately rise. If a municipality wants the park(s) within its jurisdiction to compete with other parks in NS then it must take on this task.

This is the reason we have included a budget for marketing, selling and administration in our financial analysis. The success of an extension of the Windsor and/or Windsor-West Hants parks depends on an aggressive marketing and selling effort to compete with other parks in the AVR.

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: **Council**

Submitted by: **Mayor Abraham Zebian**

Date: **March 26, 2024**

Subject: **Letter to Provincial Public Works and MLA RE: Roadwork from Windsor to St. Croix**

LEGISLATIVE AUTHORITY

Municipal Government Act

RECOMMENDATION or DECISION REQUEST

Council direct staff to write a letter within the next week to the Provincial Department of Public Works and MLA Sheehy Richard expressing the concerns, as well the desire to have an opportunity to discuss the work at a town hall style meeting, of property and businesses owners within West Hants Regional Municipality, along the route of the planned Provincial work, in regards to changes being proposed with planned road upgrades this spring/summer.

BACKGROUND

The Province of Nova Scotia owns and maintains Highway 1, among many other roadways, starting at the Windsor boundary. While this roadway is owned by the Province, it runs through West Hants Regional Municipality affecting many local property owners and businesses.

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

DISCUSSION

Just recently, work planned by the Provincial Dept. of Public Works was brought to my attention by concerned residents, property, and business owners. It was reinforced just this past week at the public town hall for District 6. It appears the work entails paving, the creation

of bike/pedestrian lanes for Blue Route, and installation of new curbs along some properties. The proposed curb designs are being questioned by these concerned parties who were caught off guard with the recent notice of work from the Province. They feel they have had no opportunity to give feedback or consult on the project affecting their properties and wish to have an opportunity to do so. They have attempted to reach out to the proper authorities but have expressed they have not been granted an opportunity. They have requested the help of Council to advocate for an opportunity for them to give their feedback before the project goes to tender.

NEXT STEPS

If council approves this recommendation, Staff will write the letter within the next week.

FINANCIAL IMPLICATIONS

There are no financial implications with writing this letter with the exception of the cost for staff time.

ALTERNATIVES

Council may not approve the recommendation.

Council may request something different.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

Staff will take direction from Council on the matter. A presentation from the Nova Scotia Department of Public Works to Council may also be a consideration.

Report Prepared by: Abraham Zebian, Mayor

Report Reviewed by: 

Mark Phillips, Chief Administrative Officer

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐

To: **Council**

Submitted by: **Mayor Abraham Zebian**

Date: **March 26, 2024**

Subject: **Rural Advisory Committee**

LEGISLATIVE AUTHORITY

Municipal Government Act

West Hants Regional Municipality Committee and Procedural Policy RCOGE-003.00, Section 17.1

RECOMMENDATION or DECISION REQUEST

Council direct staff to begin the process of forming a Rural Advisory Committee

BACKGROUND

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

During the consolidation of Windsor/West Hants, there was a clear articulation from residents that they wanted council to remain focused on improvements to rural living within West Hants Regional Municipality to compliment the growth in the urban areas. Through the RAD report, engagement sessions, one on one conversations with residents, among other forms of expressions…the formation of a rural advisory committee was discussed.

DISCUSSION

Council has been very busy with multiple projects and endeavours over the last four years. These have led to many great results for our region and residents are experiencing the benefits.

As all council members know, meetings have lasted well beyond 10:00pm regularly, with great discussion and debate by council members on most topics. If one pays close attention, agendas are predominantly composed of topics relating to the urban areas creating a perception that "nothing is happening in the rural areas." This would be my opinion and has also been expressed to me by many.

One avenue for council to address this would be the creation of a Rural Advisory Committee that would advise council and keep it appraised of rural issues.

NEXT STEPS

If council approves this recommendation, Staff will begin the process of forming the Rural Advisory Committee.

FINANCIAL IMPLICATIONS

There will be budgetary implications to future budgets if council approves this recommendation.

ALTERNATIVES

Council may not approve the recommendation.

Council may request something different.

ATTACHMENTS

None

CHIEF ADMINISTRATIVE OFFICER REVIEW

Pending Council direction, it would a first step to create a terms of reference for the committee to ensure Council's goals are met and the purpose of the committee is clearly defined for participating Council members, any citizen members that may participate and staff members required for support. Researching other Municipal units and their committee structure will be a first step as well.

Staff await Council's direction on the matter.

Report Prepared by: Abraham Zebian, Mayor

Report Reviewed by: 

Mark Phillips, Chief Administrative Officer