



Town Council Meeting

July 16, 2019

6:30 p.m.

Council Chambers, Town Hall

359 Main Street

Agenda

Call to Order

1. Approval of Agenda

2. Approval of Minutes

- a. Town Council Meeting, June 18, 2019
- b. Rescind motion #23-06-19
- c. In-Camera Meeting June 18, 2019
- d. Emergency Meeting, June 19, 2019
- e. In-Camera Emergency Meeting, June 19, 2019

3. Comments from the Mayor

4. Public Input / Question Period

Procedure: A thirty-minute time period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two-minute time period provided if there is time within the thirty-minute Public Input / Question timeframe.

5. Motions/Recommendations from Committee of the Whole, July 2, 2019:



- a. RFD 039-2019: Landmark MOU
- b. RFD 043-2019: Public Participation at Meetings Policy
- c. RFD 045-2019: Property Minimum Standards Bylaw Amendments
- d. RFD 044-2019: System of Municipal Fire Inspections Amendments

6. New Business

- a. RFD 046-2019: March 31, 2019 Financial Statements
- b. RFD 047-2019: Central Ave Street Closure
- c. RFD 048-2019: Tender 2 Trucks
- d. RFD 049-2019: Compact Loader Tender
- e. RFD 051-2019: Tower Field Park Naming

7. Correspondence:

- a. David Daniels – Public Participation
- b. George Lohnes – Public Participation
- c. Joyce Marshall-Scott – Central Avenue
- d. Beverley Cassidy - Fountain of Health Initiative
- e. Glen Pavelich – Pleasant Street Drainage Issue

8. Public Input / Question Period:

Procedure: A thirty-minute time period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two-minute time period provided if there is time remaining within the thirty-minute Public Input/Question Period timeframe.

9. Regular Meeting Adjourned



APPROVAL OF AGENDA

Moved

Seconded

That the agenda be approved as circulated and/or amended.

APPROVAL OF MINUTES

a. TOWN COUNCIL MEETING, JUNE 18, 2019

Moved

Seconded

That the minutes of the Town Council Meeting of June 18, 2019 be approved as circulated and/or amended.

b. RESCIND MOTION

Moved

Seconded

That Council rescind motion 23-06-19, moved and seconded at the June 18, 2019 Town Council meeting, which approved the Draft Request for Proposal for Public Art, subject to a plain language edit and formatting by staff.

c. IN-CAMERA MEETING, JUNE 18, 2019

Moved

Seconded

That the In-Camera minutes of the Town Council meeting of June 18, 2019 be approved as circulated and/or amended.

d. EMERGENCY MEETING, JUNE 19, 2019

Moved

Seconded

That the minutes of the Emergency Town Council meeting of June 19, 2019 be approved as circulated and/or amended.

e. IN-CAMERA EMERGENCY MEETING

Moved

Seconded

That the in-camera minutes of the Emergency Town Council meeting of June 19, 2019 be approved as circulated and/or amended.

MOTIONS FROM COMMITTEE OF THE WHOLE, JULY 2, 2019

a. RFD 039-2019: LANDMARK MOU

Moved



Seconded

That Council approve the circulated MOU and direct the CAO to sign this agreement.

b. RFD 043-2019: PUBLIC PARTICIPATION AT MEETINGS

Moved

Seconded

That Council adopt Policy #110-010.

c. RFD 045-2019: PROPERTY MINIMUM STANDARDS BYLAW AMENDMENTS

Moved

Seconded

That Council approve the amended wording for the Property Minimum Standards Bylaw and direct staff to prepare the Property Minimum Standards Bylaw for submission to obtain approval, for the issuance of a Summary Offence Ticket (SOT) with Out of Court Settlement (OCS) fines, from the Department of Justice, Registry of Regulations of Nova Scotia.

d. RFD 044-2019: SYSTEM OF MUNICIPAL FIRE INSPECTIONS AMENDMENTS

Moved

Seconded

That Council amend Policy No. 220-002 System of Fire Inspections as follows:

- Add a definition of Single Room Occupancy in section 4.0 Definitions; and
- Add “Single Room Occupancy (four or more rental rooms)” with a frequency of inspection to be every 4 years in section 5.3 Inspection Schedule.

NEW BUSINESS

a. RFD 046-2019: MARCH 31, 2019 FINANCIAL STATEMENTS

Moved

Seconded

That Council approve the 2018/19 Consolidated and Non-Consolidated Financial Statements

b. RFD 047-2019: CENTRAL AVE STREET CLOSURE

Moved

Seconded

That Council direct staff to:



- Encourage temporary closures as part of existing 2019 events and consult partners, including adjacent businesses, Devour, Deep Roots and the WBDC on temporary 2019 closure opportunities.
- Include planned closure(s) of Central Avenue in the 2020-2024 Operations Plan, with specific actions for the summer season of 2020.

c. RFD 048-2019: TENDER 2 ½ TON TRUCKS

Moved

Seconded

That Council approve the purchase of two new ½ ton trucks as tendered, for the total purchase price of \$72,123.81, HST included.

d. RFD 049-2019: COMPACT WHEEL LOADER TENDER

Moved

Seconded

That Council approve the purchase of the compact wheel loader as tendered for the total purchase price of \$140,778.00, HST included.

e. RFD 050-2019: TOWER FIELD PARK NAMING

Moved

Seconded

That Council approve the naming of the newly created recreation space adjacent to the Tower Playing Fields as the *Tower Community Park*. This, with the understanding that Acadia University has final naming rights and could, at a future date, rename the space.

ADJOURNMENT

Moved

Seconded

That the regular meeting be adjourned

ATTENDING

- Mayor Jeff Cantwell
- Deputy Mayor Jodi MacKay
- Councillor Mercedes Brian
- Councillor Wendy Elliott
- Councillor Wendy Donovan
- Councillor Carl Oldham
- Councillor Oonagh Proudfoot
- Chief Administrative Officer Erin Beaudin, and
- Recording Secretary Jean-Luc Prevost

ALSO ATTENDING

- Director Planning & Development Devin Lake,
- Director of Finance Mike MacLean,
- Director of Parks & Recreation Kelton Thomason,
- Manager of Economic Development Marianne Gates,
- Community Planner Jeremy Banks, and
- Administrative Services Coordinator Vanessa Pearson.

CALL TO ORDER

Chair, Mayor Cantwell, called the [Town Council Meeting](#) to order at 6:30 pm

Agenda Item

1. Approval of Agenda

Discussion and Decisions

14-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE AGENDA BE APPROVED AS CIRCULATED

Amendments:

- Move agenda item 6a. 292 Main Street to item 2.
- Move agenda item 4b. Accessibility Awards to item 3.
- Addition of an In-Camera session at the end of the meeting.

CARRIED

2. RFD 017-2019: 292 Main Street

Councillor Oldham left Chambers at 6:34 pm as he was not present at the Public Hearing and will not vote on the matter due to a conflict of interest.

Director Lake and Jeremy Banks began the discussion by addressing the comments heard during the Public Hearing.

- A car-share service would include 2 vehicles on site, available for residents to rent at an hourly rate.
- The Developer did express interest in affordable housing programs through Housing Nova Scotia and would even work to have some

Agenda Item

Discussion and Decisions

units made available to be adopted into the program.

- The entire first floor has been flood-proofed, meaning that in the event of a flood, the first floor is reusable after any clean up.
- The rooftop patio is available to the public via elevator access which is directly across from the main doors.
- The Town has the right to implement any item of the Development Agreement that is not executed and charge to the Developer.
- The Development is away from wells and aquifers.

General comments from Council included:

- Adjusting the words to the Public Art clause to not be vague.
- There needs to be clarity on the crosswalk positioning 292 Main and the East End Gateway.
- It should be made clear if the car share spaces are in perpetuity, the DA will reflect this.

15-06-19 IT WAS REGULARLY MOVED AND SECONDED COUNCIL APPROVE THE DEVELOPMENT AGREEMENT FOR PID 55278675, SUBJECT TO CHANGES IN THE CLAUSES REGARDING PUBLIC ART, CROSSWALK SAFETY AND THE CAR-SHARE SPACES.

CARRIED

3. Accessibility Awards

Mayor Cantwell spoke of the awards the Town has received in recent months, such as the Rick Hansen Difference Maker Award and the Mel Hebb Community Action Award. Additionally, Mayor Cantwell presented the Accessibility Advisory Committee Members in attendance with an official copy of the Accessibility Plan, signed by Rick Hansen.

4. Approval of the Minutes

a. Rescind and reapprove April 16, 2019

17-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL RESCIND MOTION 14-05-19, MOVED AND CARRIED AT THE MAY 21, 2019 TOWN COUNCIL MEETING, WHICH APPROVED THE MINUTES OF THE TOWN COUNCIL MEETING OF APRIL 16, 2019.

CARRIED

18-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE TOWN COUNCIL MEETING OF APRIL 16, 2019 BE

Agenda Item

Discussion and Decisions

APPROVED WITH THE FOLLOWING AMENDMENT: THAT THE PUBLIC COMMENTS STATE THAT KAREN SLATER PADOVANI EXPRESSED CONCERNS ABOUT THE DEVELOPMENT AGREEMENT FOR 292 MAIN STREET. SHE STATED THAT THE FLOOD MITIGATION PLAN IS A GOOD INITIATIVE, BUT QUESTIONED WHY THE DEVELOPMENT AT 292 IS BEING CONSIDERED FOR APPROVAL PRIOR TO COMPLETION OF THE FLOOD MITIGATION PLAN

CARRIED

**b. Public Hearing
May 21, 2019**

19-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE PUBLIC HEARING OF MAY 21, 2019 BE APPROVED AS CIRCULATED AND/OR AMENDED.

CARRIED

**c. Town Council
Meeting
May 21, 2019**

20-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE TOWN COUNCIL MEETING OF MAY 21, 2019 BE APPROVED AS CIRCULATED.

CARRIED

**d. Town Council in-
Camera Meeting
May 21, 2019**

21-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA MINUTES OF THE TOWN COUNCIL MEETING OF MAY 21, 2019 BE APPROVED AS CIRCULATED.

CARRIED

**e. Special Town
Council Meeting
June 4, 2019**

22-06-19 THAT THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING OF JUNE 4, 2019 BE APPROVED AS CIRCULATED.

CARRIED

**5. Comments from the
Mayor**

- Mayor Cantwell noted that the WBDC had their AGM and Jill Delaney is now President with June Pardy as past-president.
- Local radio-thon for Children's Make-a-Wish Foundation raised \$20,000.
- He offered congratulations to all of the nominees at the Women of Excellence Gala.
- Tuesday June 25th is the Horton Prom Parade at the Wolfville Farmers Market.
- Also welcoming newly opened businesses to town. Kings Arms to Main Street and Realm to Elm Avenue.

Agenda Item

Discussion and Decisions

6. Presentations

- a. Glen Bannon
Kings Transit
Authority**

General Manager, Glen Bannon presented the Operating and Capital Budgets for 2019/20.

7. Motions/Recommendations from Committee of the Whole, June 4, 2019.

- a. RFD 033-2019
Public Art
Proposal**

23-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE DRAFT REQUEST FOR PROPOSAL FOR PUBLIC ART OUTLINED IN ATTACHMENT 1, SUBJECT TO A PLAIN LANGUAGE EDIT AND FORMATTING BY STAFF

CARRIED

- b. RFD 031-2019
Electronic Voting**

24-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE THE DEVELOPMENT OF A BYLAW ENABLING VOTERS TO CHOOSE TO EITHER VOTE ELECTRONICALLY IN THE 2020 MUNICIPAL ELECTION, OR TO VOTE WITH THE USE OF PAPER BALLOTS.

CARRIED

- c. RFD 038-2019
Mona Parsons
Funding**

25-06-19 THAT COUNCIL APPROVE INCREASING ALLOCATED CAPITAL SPENDING TO SUPPORT GREEN SPACE AND LANDSCAPE ACCESS IMPROVEMENTS AT 407 MAIN STREET (POST OFFICE SITE) FROM \$20,000 TO A MAXIMUM OF \$51,500. THE INCREASE IN TOWN SPENDING IS THE RESULT OF THE ADDITION OF \$18,500 IN GRANT FUNDING AND A \$13,000 CONTRIBUTION FROM THE WOLFVILLE HISTORICAL SOCIETY.

CARRIED

- d. RFD 037-2019:
East End Gateway**

26-06-19 THAT COUNCIL APPROVE INCREASING ALLOCATED CAPITAL SPENDING TO SUPPORT EAST END GATEWAY IMPROVEMENTS, INCLUDING THE CONSTRUCTION OF A TRAILHEAD STRUCTURE, FROM \$125,000 TO A MAXIMUM OF \$145,000. THE INCREASE IN TOWN SPENDING IS THE RESULT OF THE ADDITION OF \$20,000 IN GRANT FUNDING.

CARRIED

- e. RFD 034-2019:
KTA Budgets**

27-06-19 THAT COUNCIL APPROVE THE KINGS TRANSIT AUTHORITY 2019/20 OPERATING AND CAPITAL BUDGETS WITH THE FOLLOWING CONDITIONS:

Agenda Item

Discussion and Decisions

- THE BOARD DIRECT STAFF TO UNDERTAKE A ROUTE REVIEW TO DETERMINE RIDERSHIP BY SPECIFIC ROUTE, INCLUDING RIDERSHIP VOLUMES BY TIME OF DAY
- THAT THE BOARD CONSIDER ROUTE AMENDMENTS, BOTH DISTANCES TRAVELLED AND FREQUENCY IN ORDER TO BRING FARE/MUNICIPAL CONTRIBUTION REVENUE RATIO CLOSER TO 1:1
- THAT THE CAPITAL BUDGET BE PURSUED ONLY WITH CONFIRMATION OF FEDERAL AND PROVINCIAL GRANT FUNDING
- THAT THE BOARD DEVELOP A PLAN TO ADDRESS THE CAPITAL RESERVE FUND OVERDRAFT POSITION, BEYOND STRICTLY REPLACING IT WITH AN OPERATING RESERVE FUND
- THAT THE BOARD AND/OR IMSA PARTNERS UPDATE THE COST SHARING FORMULA TO REFLECT CURRENT POPULATIONS AND ROUTES IN THE CORE SERVICE AREA

CARRIED

**f. RFD 029-2019:
Nuisance Party Bylaw**

28-06-19 THAT COUNCIL GIVE SECOND READING TO THE NUISANCE PARTY BYLAW.

CARRIED

8. Correspondence

The following correspondence was received by Council and included in the Agenda Package;

- April Jestings-Wallace – Family History
- Devon Bailey – Job Opportunities
- Chaiti Seth – Invitation to Green New Deal
- David Daniels – 6 Prospect
- Terry Drahos – Every Day
- Terry Drahos – Noise Bylaw Violation
- Karen Padovani – Public Comment Amendment
- David Daniels – 6 Prospect
- Lynn Hiltz – Alliance Dental Curb Cut

**9. Public Input / Question
Period**

There was no public in attendance.

Agenda Item
10. Adjournment to
In-Camera

Discussion and Decisions

29-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE TOWN COUNCIL MEETING ADJOURN TO IN-CAMERA UNDER SECTION 22(2)A ACQUISITION, SALE, LEASE AND SECURITY OF MUNICIPAL PROPERTY AT 8:53 PM

CARRIED

11. Adjournment

30-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA AND REGULAR TOWN COUNCIL MEETING ADJOURN AT 9:19 PM.

CARRIED

As recorded by Jean-Luc Prevost, Administrative Assistant, Office of the CAO

DRAFT

ATTENDING

- Mayor Jeff Cantwell
- Deputy Mayor Jodi MacKay
- Councillor Mercedes Brian
- Councillor Wendy Elliott
- Councillor Wendy Donovan
- Councillor Carl Oldham
- Chief Administrative Officer Erin Beaudin

ALSO ATTENDING

- Councillor Oonagh Proudfoot

CALL TO ORDER

Chair, Mayor Cantwell, called the Emergency Town Council Meeting to order at 4:45 pm

Agenda Item

1. Adjournment to In-Camera

Discussion and Decisions

32-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL MOVED TO AN IN-CAMERA MEETING UNDER SECTION 22(2)A OF THE MUNICIPAL GOVERNMENT ACT FOR ACQUISITION, SALE, LEASE AND SECURITY OF MUNICIPAL PROPERTY.

CARRIED

2. Adjournment of In-Camera and Emergency Council meeting

34-06-19 IT WAS REGULARLY MOVED AND SECONDED THAT THE EMERGENCY IN-CAMERA AND EMERGENCY TOWN COUNCIL MEETING ADJOURN AT 5:54 PM

CARRIED

As recorded by Erin Beaudin, Chief Administrative Officer.

REQUEST FOR DECISION 039-2019

Title: Landmark East MOU
Date: 2019-07-02
Department: Planning and Development



SUMMARY

Landmark East School Expansion- One Time Capital Request MOU

In January 2017, Landmark East School formally approached the Town for a capital grant contribution toward their planned facility expansion. Since their presentation at the January 2017 Committee of the Whole Meeting (COW), there have been a number of staff reports and additional presentations provided to Town Council.

In July 2018, Council passed the following motion:

22-07 -18

IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL APPROVE A ONE TIME GRANT OF \$50,000 TO LANDMARK EAST FUNDED FROM THE TOWN OPERATING RESERVE

When discussing this motion, Council asked Staff to work with Landmark to develop a Memorandum of Understanding (MOU) and bring this to Council for consideration prior to issuing the contribution.

In February 2019, the MOU was brought to Council in RFD- 003-2019. Council asked staff to confirm with Landmark East School staff two items:

1. Is it possible to increase facility use daily time during the school year; and
2. Are only organized groups/organizations, with liability insurance, eligible to book the facilities?

DRAFT MOTION:

That Council approve the circulated MOU and direct the CAO to sign this agreement.

REQUEST FOR DECISION 039-2019

Title: Landmark East MOU
Date: 2019-07-02
Department: Planning and Development



1) CAO COMMENTS

Over the past few years, Council has made it a practice to execute MOU's with organizations that receive significant grant contributions from the Town. This practice ensures that it is clear from the beginning what the expectations for both the Town and the grant recipient are. In the case of the Landmark East grant, Council felt that access to the space for the community would help to fill a void in the Town and was an integral part of what was to be covered in the MOU. The key question for Council is does the proposed available community access, and parameters around this, meet the expectation of Council?

2) LEGISLATIVE AUTHORITY

MGA 65 au (V)
Town Policy 710-003 Grants to Organizations

3) STAFF RECOMMENDATION

Staff do not provide recommendations related to one-time capital grants requests.

REFERENCES AND ATTACHMENTS

- a. Request for Decision 046-2018 – attached
- b. MOU

4) DISCUSSION

Council directed Staff to develop a MOU to ensure expectations were clear and that adequate time is secured for community use of the new facilities.

Times and procedures were discussed previously, but this MOU outlines specific items reviewed in detail by school administration. Operation as a school is understandably Landmark East's priority. There is time available to the community when the school is not in session; however, time is very limited and must be strictly controlled when school is in session. There is also concern about general public use of the facility. Only groups or organizations will be able to book the gymnasium and cafeteria space, and they must provide adequate liability insurance and assume liability for all members. Landmark East will develop a procedure for this process and will inform the Town as this unfolds. The maker space facility is only for school use and is not available for booking.

Additionally, a clause was added with timelines to ensure contributed funds would be returned should Landmark East not proceed with the project.

REQUEST FOR DECISION 039-2019

Title: Landmark East MOU
Date: 2019-07-02
Department: Planning and Development



At this time, the Development Agreement application for the proposed new building (gymnasium, cafetorium, additional parking, landscaping, etc) is still being reviewed by Staff and has not been presented to the Planning Advisory Committee for review and recommendation to Council.

The following highlights the pertinent sections of the MOU as follows:

LANDMARK EAST shall:

2.1.a. Ensure that the gymnasium and cafetorium are open to the public during the summer school break and other school holidays as well as limited time during the school term. Note, the maker space will not be available to the public. The gymnasium and cafetorium will be available for booking, for a fee in accordance with 2.1.c, and with provision of a liability insurance certificate, for use by community groups/organizations or Town rental during the following dates/times:

- July-August- Most times available
- Christmas Break- Two weeks, most times available
- Spring Break- Two Weeks, most times available
- September to June, during the school year. A minimum of 10 hours per week as follows:
 - Monday – Friday 1:15pm-3:15pm;
 - Weekends: Not certain of school use, but do not envision much community time on Saturday or Sunday during the school year.

b. Access and Security: Groups/organizations must book the facilities, provide adequate liability insurance and assume responsibility for their members.

c. LANDMARK EAST will set an hourly rate for rental of the facilities. The opening rate will be established at \$30.00 per hour. Subsequently, LANDMARK EAST will inform the Town by January 31 of each year of the rate for the year starting April 1. Town of Wolfville organized events will receive a preferred rate of 50% off the established hourly rate.

d.

e. Collaborate with the Town regarding booking procedures, scheduling and reservation of the facilities by outside parties to ensure equitable access to community groups/organizations.

f. Communicate to the Town of Wolfville any changes in construction plans.

g. Communicate to the Town of Wolfville any changes to schedules or cancellations in regard to the expansion.

h. Acknowledge Town support publicly.

i. Ensure that construction of the project is completed by December 2022. The Town of Wolfville reserves the privilege of extending this deadline, in the Town's sole discretion, if sufficient information is provided to the Town indicating that completion of the facility is imminent. However, if the expansion is not built by March 2023, the \$50,000 will be returned to the Town.

REQUEST FOR DECISION 039-2019

Title: Landmark East MOU
Date: 2019-07-02
Department: Planning and Development



July 2019 Update:

Landmark East staff confirmed the following:

1. The time indicated in the MOU is the only time that can be confirmed at this time. Once the facility opens and regular school use is determined, there may be additional times available. This is unable to be specified at this time.
2. Only organized groups/organizations can rent the facilities. These group must have liability insurance and take full responsibility for their members who partake in activities at Landmark East School.

July 16, 2019 Update

Landmark East School agreed to add the following to the MOU: Town of Wolfville organized events will receive a preferred rate of 50% off the established hourly rate.

5) FINANCIAL IMPLICATIONS

The \$50,000 request is not currently a budgeted request. If Council decides to execute the MOU and provide the grant, the \$50,000 will likely come from reserves.

6) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

None provided here, covered under previous reports.

7) COMMUNICATION REQUIREMENTS

A cheque presentation and media release will be completed.

8) ALTERNATIVES

- Council denies this request at this time, and delays further review of this request for funding until after the proposed development agreement has been resolved.
- Council denies this request at this time, and directs Staff to make significant changes to the MOU and bring back to Council for consideration before the resolution of the proposed development agreement.

MEMORANDUM OF UNDERSTANDING made this ____ day of _____, 2019.

BETWEEN:

Town of Wolfville ("Wolfville")
OF THE FIRST PART
AND

Landmark East Association who operate Landmark School ("LANDMARK EAST")
OF THE SECOND PART

WHEREAS LANDMARK EAST is raising funds to complete a new learning center as an expansion on their current school location;

AND WHEREAS Wolfville and LANDMARK EAST recognize the importance of the provision of facilities to members of the public, and wish to work together to make available such facilities;

AND WHEREAS Wolfville has agreed to provide funding in the amount of \$50,000 to LANDMARK EAST, to be designated towards construction of the expansion;

AND WHEREAS Wolfville and LANDMARK EAST wish to create a transparent governance mechanism to ensure that the facilities at LANDMARK EAST are used safely and with fair access to all parties;

THEREFORE, in consideration of the covenants and agreements contained in this Memorandum of Understanding, the parties agree as follows:

1. PURPOSE

1.1 The purpose of this Memorandum of Understanding is to ensure a clear, transparent and mutually agreeable funding agreement is in place to govern issues related to LANDMARK EAST's use of funds provided by Wolfville for the purpose of building a new learning center as an expansion on their current school location. The new complex will include a high school size gym, a creative maker-space, and cafetorium. The new facility would be an expansion on the site of the current facility.

LANDMARK EAST School is maintained and operated by LANDMARK EAST Association, a non-profit society registered under the Nova Scotia Societies Act. LANDMARK EAST Association is a registered charity, BN 11900 5015 RR 0001.

This Memorandum of Understanding will aid in strengthening the partnership between these two organizations to promote community use of the new facility.

2. RESPONSIBILITIES AND EXPECTATIONS OF LANDMARK EAST

2.1 LANDMARK EAST shall:

- a. Ensure that the gymnasium and cafetorium are open to the public during the summer school break and other school holidays as well as limited time during the school term. Note, the maker space will not be available to the public. The gymnasium and cafetorium will be available for booking, for a fee in accordance with 2.1.c, and with provision of a liability insurance certificate, for use by community groups/organizations or Wolfville rental during the following dates/times:
 - o July-August- Most times available
 - o Christmas Break- Two weeks
 - o Spring Break- Two Weeks
 - o September to June, during the school year. A minimum of 10 hours per week as follows:
 - Monday – Friday 1:15pm-3:15pm;
 - Weekends: Not certain of school use, but do not envision much community time on Saturday or Sunday during the school year.
- b. Access and security: Groups/organizations must book the facilities, provide adequate liability insurance and assume responsibility for their members.
- c. LANDMARK EAST will set an hourly rate for rental of the facilities. The opening rate will be established at \$30.00 per hour. Subsequently, LANDMARK EAST will inform Wolfville by January 31 of each year of the rate for the year starting April 1. Town of Wolfville organized events will receive a preferred rate of 50% off the established hourly rate.
- d. Collaborate with Wolfville regarding booking procedures, scheduling and reservation of the facilities by outside parties to ensure equitable access to community groups/organizations.
- e. Communicate to Wolfville any changes in construction plans.
- f. Communicate to Wolfville any changes to schedules or cancellations in regard to the expansion.
- g. Acknowledge Wolfville support publicly.
- h. Ensure that construction of the is completed by December 2022. Wolfville reserves the privilege of extending this deadline, in Wolfville's sole discretion, if sufficient information is provided to Wolfville indicating that completion of the facility is imminent. However, If the expansion is not built by March 2023, the \$50,000 will be returned to Wolfville.
- i. Provide to Wolfville a certificate indicating proof of insurance on the property, a minimum of \$5,000,000.
- j. Provide, within seven (7) days of a request being made, full and complete answers to all enquiries related to the facility by Wolfville. LANDMARK EAST shall not decline to answer any one or more enquiries related to the facility posed by Wolfville on the basis that the subject of the enquiries relates, in whole or in part, to matters specifically excluded by this Memorandum of Understanding.
- k. Defend, indemnify and save harmless the Town of Wolfville, its elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever, including but not limited to bodily injury, sickness, disease or death or to damage to

or destruction of tangible property including loss of revenue or incurred expense resulting from disruption of service, arising out of or allegedly attributable to the negligence, acts, errors, omissions, misfeasance, nonfeasance, fraud or willful misconduct of LANDMARK EAST, its directors, officers, employees, agents, contractors and subcontractors, or any of them, in connection with or in any way related to the delivery or performance of this Contract. This indemnity shall be in addition to and not in lieu of any insurance to be provided by LANDMARK EAST in accordance with this Contract, and shall survive this Memorandum of Understanding.

- I. Comply with all applicable laws of the Province of Nova Scotia and the Dominion of Canada and all by-laws and policies of Wolfville and any other municipal jurisdiction in which LANDMARK EAST provides Deliverables in accordance with the terms of this Memorandum of Understanding.

2.2 LANDMARK EAST shall not:

- a. Represent that LANDMARK EAST and Wolfville are partners or joint ventures.
- b. Represent that Wolfville guarantees the performance of the Deliverables or provides any control over or oversight of the activities of LANDMARK EAST

2.3 Any other services provided by LANDMARK EAST to Wolfville shall be agreed upon by Wolfville and LANDMARK EAST, and may be at a cost to Wolfville.

3. RESPONSIBILITIES AND EXPECTATIONS OF WOLFVILLE

3.1 Wolfville shall:

- a. Provide \$50,000.00 in funding in total to LANDMARK EAST. Payment will be made within 30 days of the signing of this Memorandum of Understanding.

3.2 Wolfville shall not:

- a. Direct the manner in which LANDMARK EAST fulfills its obligation to users of the expanded facilities, as set out in the Memorandum of Understanding.
- b. Provide any control over or oversight of LANDMARK EAST in the fulfillment of its obligations as set out in this Memorandum of Understanding.
- c. Provide any guarantee of the performance of LANDMARK EAST.

3.3 Any other support provided by Wolfville shall be agreed upon by Wolfville and LANDMARK EAST, and may be at a cost to LANDMARK EAST.

4. RELATIONSHIP BETWEEN WOLFVILLE AND LANDMARK EAST

- 4.1 Wolfville and LANDMARK EAST are not partners or co-ventures and nothing in this Memorandum of Understanding or otherwise constitutes either party as a partner or co-venture of the other party to this Memorandum of Understanding.

- 5.1 Any notice under this Memorandum of Understanding shall be properly served if provided to:

To LANDMARK EAST LANDMARK EAST Association
ADDRESS

notice. The parties agree to share equally the costs and expenses of the mediation (which shall not include the expenses incurred by each party for its own legal representation in connection with the mediation).

6.0 TERM

6.1 This Memorandum of Understanding will be valid on the last day signed by an authorized representative of Wolfville or LANDMARK EAST.

IN WITNESS WHEREOF the parties hereto have caused this Memorandum of Understanding to be properly executed on the dates hereinafter set forth

SIGNED, SEALED AND DELIVERED

in the presence of

Erin Beaudin, Chief Administrative Officer

Town of Wolfville

Date

Witness

Date

Name, Title

LANDMARK EAST Association

Date

Witness

Date

REQUEST FOR DECISION 046-2018

Title: Landmark East Expansion – Request Grant Contribution

Date: 2018-07-03

Department: Finance



SUMMARY

Landmark East School Expansion- One Time Capital Request

In January 2017 Landmark East School formally approached the Town for a capital grant contribution toward their planned facility expansion. Since their presentation at the January 2017 Committee of the Whole Meeting (COW), there have been a number of staff reports and additional presentations provided to Town Council.

This report follows the most recent Landmark East presentation which occurred at last month's COW meeting. The original request for grant funding was \$100,000, and since January 2017 different amounts have been discussed, with an amount of \$50,000 recently being included as an early draft of the Town's 2018/19 Operating Budget. Council set aside any final decision on a grant as the 2018/19 budget was finalized, with the understanding that an RFD would come back to Council once additional information was obtained by staff to help inform Council's decision.

As per the Grants to Organization Policy, 710-003, staff is not making a recommendation regarding the grant request. This report (as well as referenced documents) should provide Council sufficient information to decide whether Council believes a grant is appropriate, and if appropriate at what dollar level.

DRAFT MOTION:

None provided as no recommendation provided.

REQUEST FOR DECISION 046-2018

Title: Landmark East Expansion – Request Grant Contribution

Date: 2018-07-03

Department: Finance



1) CAO COMMENTS

No additional comments are provided at this time.

2) LEGISLATIVE AUTHORITY

- MGA 65 au (V)
- Town Policy 710-003 Grants to Organizations

3) STAFF RECOMMENDATION

No recommendation provided, as per Policy guidelines for this type of request.

4) REFERENCES AND ATTACHMENTS

- Minutes – January 17, 2017 COW meeting – Landmark East presentation - attached
- Direction Request 001-2017 (February 2017 COW meeting) – attached
- Request for Decision 018-2017 (March 2017 COW meeting) - attached
- Request for Decision 065-2017 (December 2017 COW meeting) - attached
- Presentation documents (eg. Economic Impact analysis provided at June 2018 COW)
- Wolfville Indoor Recreation Facilities Assessment & GAP Analysis – attached

5) DISCUSSION

As illustrated by the number of reference documents and related meetings, this topic has been before Council numerous times in the last year and a half. As noted at their presentation during the June 5th COW meeting, Landmark East is looking for a decision from Council. Each of the above noted documents contains information that councilors may want to consider in making a decision as to whether or not to Town provide direct financial support to this project.

This RFD will attempt to cover points of clarification from previous discussions, but it will not repeat all information noted in those reports. As a matter of summary, the following are the motions passed (or direction given) at COW or Council during the period since the 1st presentation:

Motions/direction from March 2017 COW

20-03-17 IT WAS REGULARLY MOVED AND SECONDED THAT THE COMMITTEE OF THE WHOLE FORWARD THE GRANT FOR LANDMARK EAST SCHOOL IN THE AMOUNT OF \$100,000 TO THE 2017/18 OPERATING BUDGET PROCESS

21-03-17 IT WAS REGULARLY MOVED AND SECONDED THAT THE COMMITTEE OF THE WHOLE TAKE THE LANDMARK EAST SCHOOL EXPANSION MOTION 20-03-17 OFF THE TABLE

CARRIED

REQUEST FOR DECISION 046-2018

Title: Landmark East Expansion – Request Grant Contribution
Date: 2018-07-03
Department: Finance



22-03-17 IT WAS REGULARLY MOVED AND SECONDED THAT COMMITTEE OF THE WHOLE FORWARD THE FOLLOWING MOTION TO COUNCIL FOR DECISION: THAT COUNCIL APPROVE FUNDING OF LANDMARK EAST SCHOOL UNDER THE ONE-TIME CAPITAL GRANT REQUEST

CARRIED

23-03-17 IT WAS REGULARLY MOVED AND SECONDED THAT THE COMMITTEE OF THE WHOLE FORWARD THE GRANT FOR LANDMARK EAST SCHOOL IN THE AMOUNT OF \$100,000 TO THE 2017/18 OPERATING BUDGET PROCESS

CARRIED

k. RFD 022-2017: 2017/18 BUDGET AND OPERATIONAL PLAN

Version 4 of the 2017/18 Operating Budget will be brought forward to Council at the March 21st Town Council meeting. Committee of the Whole directed staff to put forward a Motion for the 2017/18 Operating Budget that would include the following:

- A one-time grant request to Wolfville School Playground in the amount of \$50,000, and
- A one cent (\$0.01) tax increase to residential assessments

Committee of the Whole discussed that the one-time grant request for Landmark East School would be deferred until the 2018/19 Operating Budget.

December 2017 COW

b. RFD 065-2017
Landmark East
Association
One-Time Capital
Grant Request

05-12-17 IT WAS REGULARLY MOVED AND SECONDED THAT THE COMMITTEE OF THE WHOLE FORWARD THE GRANT FOR LANDMARK EAST ASSOCIATION IN THE AMOUNT OF \$50,000 TO THE 2018/19 OPERATING BUDGET PROCESS

CARRIED

February 2018 COW

- Additional use of Operating Reserves
- Grants to Organizations – Landmark East School (\$50,000) – Council to await further information before making a decision

June 2018 COW

Presentation made by Landmark East School regarding the school expansion and their fundraising goals.

In addition to the information contained in the staff reports noted under the reference section of this report, the presentation in June provided an opportunity to clarify when the new facility would most likely be available for use by the community at large. One of the questions from council in June was around availability during daytime hours, to which Landmark indicated that would likely be possible.

REQUEST FOR DECISION 046-2018

Title: Landmark East Expansion – Request Grant Contribution
Date: 2018-07-03
Department: Finance



Subsequent to the June presentation, staff sought clarification/refinement of the likely hours the facility would be available, what if any restrictions might be in place in giving public access while students are around, and whether the Indoor Recreation Facilities & Gap Analysis Report noted access to day time facilities as a weakness within the Town.

Access time and process

Staff looked to not only clarify the times available, but also how the school might handle members of the public coming into a facility while students are on campus. Generally speaking, most schools do not allow members of public (parents most times) to enter school property without checking in at the office. Landmark school indicates the following:

- Access and security: We will definitely have a guest sign in system but because this building will be separate from our existing academic centre we do not foresee having every guest completing a criminal records check before they can enter and use the facilities.
- The facility will be available for public use or town rental during the following dates/times:
 - Summer- Most times available
 - Christmas Break- Two weeks
 - Spring Break- Two Weeks
 - September to June, during the school year:
 - Monday - Friday
 - Available 7:00am-9:15am; 10:30am-12:00noon; 1:00pm-3:40pm;
 - Weekends: Not certain of school use at this time, but do not envision too much community time on Saturday or Sunday during the school year. There may be some early morning availability on these days.

Findings of the Indoor Recreation Facilities Report

The Direction Request 001-2017 made reference to the facilities report, essentially noting there were no clear findings that indicated the Landmark East facilities would address. Staff have gone back and reviewed the report and found that there were waiting lists for Gym time as demonstrated by town staff, but this is not quantified in the report. Wolfville School Gym was closed for renovations when the assessment was completed. The only recommendation regarding gymnasium space was to suggest a regional rec assessment.

At this point in time, it is clear that some hours of use would be made available by Landmark to the community. It is less clear that those times resolve high priority weaknesses within current town facilities.

REQUEST FOR DECISION 046-2018

Title: Landmark East Expansion – Request Grant Contribution

Date: 2018-07-03

Department: Finance



General Discussion Points

It is important for members of Council to review the previous staff reports, as there are details in those documents that may assist in arriving at a decision point.

With regard to financial implications, if the grant is approved, staff believe the most practical approach would be to approve a withdrawal from the Town Operating Reserve account to cover the cost of the grant, assumed to be \$50,000 at this time. This is consistent with the direction/discussion that occurred during budget deliberations. Given the initial shortfall in the 2018/19 budget, the use of reserves makes sense.

Note, with the March 31st year end Financial Statements almost complete, the Town's Unrestricted Operating Reserve balance will be in the area of \$2 million. Equally important to note, current projects show that all available reserve funds (operating and capital) have been identified as needed funding for the Town's 10 Year Capital Investment Plan.

Council does have the authority to approve a grant to the school. The reasons for providing the grant, or any grant, can vary. In order to reach a decision within a timeframe that might assist Landmark in future fundraising efforts, Council should consider making the decision with the information at hand. If the grant is provided, that decision should be made with the understanding that the funding is going to a valued facility in the Town, and also that the facility itself may not fill an identified niche as covered in the Town's Indoor Facilities review.

6) FINANCIAL IMPLICATIONS

The implications have been covered in earlier reports. A couple of brief points to keep in mind would be:

- The Economic Impact Report provided by Dr. VanBlarcom illustrates the positive impact a project like this can have in the immediate future (construction phase) as well as longer term view (additional payroll/salary and related multiplier effect on the economy).
- Dr. VanBlarcom's report does not quantify how much, if any, dollars the Town would recover directly thru property taxes. Generally speaking the positive spinoff from these projects attribute to private business (as illustrated in the report), and federal/provincial governments through increased income taxes (both corporate and personal). Municipal units see very little direct benefit.
- Landmark East School is an exempt assessment, i.e. the Town does not derive any property taxes related to that location. This contrasts with L'Arche in which their new facility is taxable assessment and the Town now receives approximately \$24,000 a year in tax revenue (net of tax relief provided by Town Policy).

REQUEST FOR DECISION 046-2018

Title: Landmark East Expansion – Request Grant Contribution

Date: 2018-07-03

Department: Finance



The above points highlight that the amount of grant provided, via reserves, are dollars that will not be recovered in the foreseeable future.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

None provided here, covered under previous reports.

8) COMMUNICATION REQUIREMENTS

Letter should be sent advising Landmark East of Council decision.

9) ALTERNATIVES

Generally speaking the options are:

- Approve the grant in the amount of \$50,000 (or other amount if Council desires)
- Turn down the grant request
- Defer decision to a future date is more information required by Council

REQUEST FOR DECISION 043-2019

Title: Public Participation at Meetings
Date: 2019-07-02 – Updated following COW July 2nd, 2019
Department: Office of the CAO



SUMMARY

Public Participation at Council and Committee Meetings Policy

The Town of Wolfville currently does not have a formal written policy on how often, and for how long the public can participate and ask questions and offer comments, at regular Council and Committees of Council meetings.

The current practice is to have two public input sessions on the agenda, one after approval of previous minutes at the front of the meeting and one towards the end of the meeting. The public is provided with two x thirty (30) minute sessions and each person is permitted to speak for two (2) minutes maximum at each session. If there is sufficient time available during the session members of the public can return to the podium to make further comment/question for another two (2) minute period. This practice has not been formally reviewed by Council since its inception.

If Council adopts a policy to clarify the configuration and rules of public participation/input at future council and committee meetings, this Policy will be incorporated as part of a draft Procedures of Council Bylaw being brought to Council later in the fall 2019.

The original draft policy was revised following discussions at Committee of the Whole meeting on July 2nd, 2019, and the new version is attached to this RFD. Key changes to the Policy are:

- Two public participation sessions for Committee of the Whole meetings, one session at the front of other Council Committee meetings;
- Three (3) minutes per speaker with an additional one (1) minute where time permits a return to speak;
- For clarity, comments have been added to the Policy regarding expressions of emotion, Routine Access, written submissions and talking directly with staff.

DRAFT MOTION:

That Council adopt Policy # 110-010.

REQUEST FOR DECISION 043-2019

Title: Public Participation at Meetings
Date: 2019-07-02 – Updated following COW July 2nd, 2019
Department: Office of the CAO



1) COMMENT / RECOMMENDATION – CAO

The CAO support the recommendations of staff.

2) LEGISLATIVE AUTHORITY

[Nova Scotia Municipal Government Act](#) (NS MGA)

3) STAFF RECOMMENDATION

Staff recommends that Council approve the motion to create a policy as outlined in this report.

4) REFERENCES AND ATTACHMENTS

- [Township of Clearview, Ontario](#)
- [Municipality of the District of Chester, NS](#)
- [Town of Kentville, NS](#)
- [Municipality of the County of Kings, NS](#)

5) PURPOSE OF REPORT

The purpose of this report is to provide Council with current information on public participation and input practice at Council meetings and request that Council adopt a new Policy 110-010 to ensure clarity for Council, staff and the public in future.

6) DISCUSSION

Historically, the Town had one Question Period per meeting and up until September 2017, this fell at the end of each Council and/or Committee of Council meeting. In October 2017 the Question Period was changed to be closer to the beginning of the meeting, and in April 2018 a further Question Period was added to each meeting allowing for questions and comments at the beginning and end of each meeting. All agendas currently read:

Procedure: A thirty minute time period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two minute time period provided if there is time remaining within the thirty minute Public Input/Question Period timeframe.

There are various configurations of public participation and input sessions across Canadian Municipalities. Some municipal units do not offer any time for public input at regular Council

REQUEST FOR DECISION 043-2019

Title: Public Participation at Meetings
Date: 2019-07-02 – Updated following COW July 2nd, 2019
Department: Office of the CAO



meetings; some choose to have shorter public participation times than Wolfville; some offer less time or more time for an individual to speak; some have just one public input period per meeting.

Below are some quick examples for comparison and discussion purposes:

Town of Clearview, ON – 15 minute public participation session with individuals having 5 minutes to speak

Municipality of the District of Chester, NS – 15 minute Public Input session

Town of Kentville, NS – 10 minute public session

Municipality of the County of Kings, NS – 2 minutes allowed per individual with one 'Comments from the Public Session', and no overall time noted for the session.

Public attendance at Wolfville Council and Committees of Council meetings vary depending upon the subject matter. In the interest of being open and transparent about how and when members of the public can provide comments and questions, the following suggested wording will be included in Council and Committee meeting agendas if this policy is adopted:

Public Participation/Input

PLEASE NOTE:

- Public Participation is limited to 30 minutes
- Each Person is limited to 3 minutes
- Questions or comments are to be directed to the Chair
- Questions shall not refer to personnel matters, litigation or potential litigation or planning matters that have already had a public hearing or any item considered confidential.

Remember, please share the time with your fellow citizens.

There are a number of items for Council discussion and agreement including:

- the number of Public Participation sessions per Council meeting with the options being no session, one session or two sessions
- the length of time each speaker is allowed and whether they are allowed to return to the podium during the same public participation session
- that Council will accept both questions and comments from the public
- that in the event the member of the public presenting a question or comment is disrespectful to proceedings that the Chair will close down the public participation session immediately
- that some comments questions will not be answered at the meeting but a response will be provided in a subsequent CAO Report to Committee of the Whole

7) FINANCIAL IMPLICATIONS

Not Applicable

REQUEST FOR DECISION 043-2019

Title: Public Participation at Meetings
Date: 2019-07-02 – Updated following COW July 2nd, 2019
Department: Office of the CAO



8) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Council Strategic Principles:

1. **Affordability:** N/A
2. **Transparency:** This decision supports municipal involvement in the Town of Wolfville Committees of Council
3. **Community Capacity Building:** Community involvement in the Committees of Council decision-making process
4. **Discipline to Stay the Course:** N/A
5. **United Front:** N/A
6. **Environmental Sustainability:** N/A

9) COMMUNICATION REQUIREMENTS

Communication on Meeting agendas and having the Policy on the website if adopted.

10) ALTERNATIVES

To not approve the Policy.

To approve the Policy with amendments.

Public Participation at Council and Committee Meetings

Policy Number: 110-010	Supersedes Policy Number:
Effective Date	Approved By Council (Motion Number):

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1.0 Purpose

To establish a policy for the effective management of public participation during Council and Committee meetings.

2.0 Scope

This Policy is applicable to all Town Council and Committee of Council Meetings. This Policy does not apply to the Town and Gown Committee.

3.0 Definitions

3.1 **Public Participation Session** – a period of time during public meetings when members of the public can offer their comments and ask questions of Council

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3.2 **Chair** – Mayor or designated Chair of a Committee of Council.

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4.0 Policy

4.1 Members of the public will have the opportunity to make comments and ask questions during two, thirty (30) minute public participation sessions at Committee of the Whole meetings. Public participation sessions will be scheduled at the beginning of each meeting after the adoption of the minutes of previous meetings, and towards the end of the meeting before any in-camera session.

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4.2 Members of the public will have the opportunity to make comments and ask questions during one, thirty (30) minute public participation session at Council meetings and all Advisory Committees of Council meetings. A public participation session will be scheduled at the beginning of each meeting after the adoption of the minutes of previous meetings.

4.3 Individual members of the public can speak for a maximum of three (3) minutes during the public participation session and may return to speak once, for one (1) minute, if time permits within the total of the 30-minute session and all other members of the public who wish to speak have had a chance to do so.

4.4 Members of the public will address the Chair directly with questions and comments.

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4.5 Comments and questions that relate to personnel, current or potential litigation issues, or planning issues for which a public hearing has already occurred will not be answered.

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4.6 The Chair, in consultation with the CAO and/or staff designate, will determine if a question posed can be immediately answered or if it needs to be referred to staff for further follow up. Any responses not immediately provided will be provided either in writing directly to the member of the public with a copy to Council, or in a subsequent CAO Report to Committee of the Whole.

4.7 Members of the public participating in public participation sessions will conduct themselves in a respectful manner. Should this not occur, the Chair will advise them to end their questions and/or comments immediately.

4.8 In order to ensure that no member of the public feels discouraged, intimidated or otherwise prevented from delivering their comments or questions, no applause or other expressions of emotion will be permitted during public participation sessions.

4.9 Members of the public are encouraged to send written submissions to Council in advance of meetings where their concern or issue warrants more than the allotted time for feedback will permit.

4.10 Members of the public are reminded that Policy Number 120-010 Routine Access clarifies which Town records are available routinely upon request.

4.11 Members of the public are encouraged to talk to staff at the Town directly if they have concerns or need information.

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Erin Beaudin

CAO

Date

REQUEST FOR DECISION 045-2019

Title: Property Minimum Standards Bylaw

Date: 2019-07-02

Department: Planning & Development



SUMMARY

Property Minimum Standards By-law Amendments

The Property Minimum Standards Bylaw was passed on October 8th, 2013. The proposed amendments are minor in nature and do not propose any substantial changes.

On review it was determined that the wording in the Bylaw could be more clear to avoid interpretation issues. Staff would like to have the bylaw offence sections designated under the Summary Offence Tickets (SOT) Regulations as an alternative to a long form information process. The SOT process would allow for an out of court settlement (OCS) option for the offences in the bylaw. The OCS would be the minimum penalty set out in the Property Minimum Standards Bylaw, plus victim fine surcharge of 15% and court costs for a single offence. Multiple offence incidents would be handled by the long form process.

The requested action to update and strengthen the Property Minimum Standards Bylaw is expected to assist the staff in dealing with substandard properties within the Town in an expeditious and efficient manner.

DRAFT MOTION:

That Council approve the amended wording for the Property Minimum Standards Bylaw and direct staff to prepare the Property Minimum Standards Bylaw for submission to obtain approval, for the issuance of a Summary Offence Ticket (SOT) with Out of Court Settlement (OCS) fines, from the Department of Justice, Registry of Regulations of Nova Scotia.

REQUEST FOR DECISION 045-2019

Title: Property Minimum Standards Bylaw

Date: 2019-07-02

Department: Planning & Development



1) CAO COMMENTS

The CAO supports the recommendation of Staff.

2) LEGISLATIVE AUTHORITY

Authority for the Town to adopt such a bylaw is found in Sections 172 and 181 of the Municipal Government Act (MGA). Section 8 of the Summary Proceedings Act of Nova Scotia permits offences contained in municipal by-laws to be designated as SOT offences.

3) STAFF RECOMMENDATION

Staff's recommendation to Council is to approve the amended wording and have the bylaw sent to the Department of Justice, Registry of Regulations for approval for the issuance of a SOT with an OCS for offences under the Property Minimum Standards Bylaw.

4) REFERENCES AND ATTACHMENTS

1. Copy original of Property Minimum Standards Bylaw passed on October 8th, 2013 (attached).
2. Amended Draft of the Property Minimum Standards Bylaw (attached).
3. Draft of the Schedule M-27 wording for Summary Offence booklet (attached).

5) DISCUSSION

The Property Minimum Standard Bylaw was passed in October 8th, 2013. On review it is felt by staff that a revision of some of the wording would be appropriate to clarify any possible interpretation issues in the by-law. Furthermore, staff would like to have the bylaw offence sections designated under the Summary Offence Tickets (SOT) Regulations as an alternative to a long form information process under the Summary Proceedings Act. The SOT process would allow for the immediate notice of an offence charge, the exact circumstances of the offence, a date to pay the out of court-settlement (OCS) or inform the courts the intent to challenge the offence and the amount of the OCS if they decided to pay. The OCS would be the base penalty set out in the Property Minimum Standards Bylaw, of two hundred dollars (\$200.00) plus victim fine surcharge of 15% and court costs to a final OCS of three hundred and fifty-two dollars and fifty cents (\$352.50) for a single offence. The OCS would have a graduated fine schedule for a second offence of four hundred dollars (\$400.00) plus victim fine surcharge of 15% and court cost to an OCS of five hundred and eighty two dollars and fifty cents (\$582.50) and third or subsequent offences of nine hundred dollars (\$900.00) plus victim fine surcharge of 15% and court costs to an OCS of one thousand, one hundred and fifty seven dollars and fifty cents (\$1157.50).

More complicated multiple offence incidents would still be handled by the long form process which requires a mandatory court appearance.

REQUEST FOR DECISION 045-2019

Title: Property Minimum Standards Bylaw

Date: 2019-07-02

Department: Planning & Development



The requested action to update and strengthen the Property Minimum Standards Bylaw is expected to assist the staff in dealing with substandard properties within the Town. The Summary Offence Ticket with an out of court-settlement (OCS) will ensure an expeditious and efficient process for the simple singular Property Minimum Standards Bylaw offences.

Changes to the Property Minimum Standards Bylaw starts with the correction of the Municipal Government Act sections for authority to establish the bylaw. Further general amendments updated the reference sections to the appropriate statutes and codes throughout, to reflect standards of the Nova Scotia Building Code, National Building Code of Canada and the National Plumbing Code of Canada.

The definition section of the bylaw received an addition of “land, and “property” sections. These two clarifications in the definitions which are utilized throughout the bylaw replaced wording, like “buildings, grounds, yards, lawns which are included in these two new definitions. Additionally, the definition of “Single Room Occupancy” has been included to clarify what these living arrangements mean.

The Section of General Duties and Obligations, Section 4(b) is changed to clarify the standard that older buildings are to be maintained which is at the time of the original build. The addition of Section 4(d) allows for testing of materials, equipment, devices, construction, and remedial methods if needed as for a determination as a requirement of the Bylaw. As Section 4(d) relates to all sections of the Bylaw, Sections 6(2)(b), Structural Soundness and 6(12)(c), Electrical Services, are removed due to redundancy.

Standards for Buildings, Section 6(1)(a), under Fire Prevention is clarified to read, “other Town of Wolfville Bylaws or any Provincial legislation”. Drainage and Prevention of Dampness, Section 6(3)(b) has been amended to add “moisture” but remove mold and mildew, the result of the moisture and dampness. Experts are not needed for the detection of dampness and moisture which is the cause of the for mold or mildew. “Property” has replaced “building” in Pest Prevention and Control, Section 6(4). Interior Walls, Ceiling and Floors, Section 6(5)a) had “the ceiling” added to the section. Stairs, Decks and Balconies, Section 6(9)(b) is a clarification of the standard expected that guards and handrails will be repaired or replaced with the appropriate legislation.

The Heating Section, 11(a) has been updated to reflect the National Building Code of Canada standards of 22 degrees Celsius in all living spaces and 18 degrees Celsius in unfinished basements during outside winter temperatures. This is an increase of 2 degrees in all living spaces and an additional standard for unfinished basements.

Most important changes are in the Penalties, Section 8(2) and 8(3) of the Bylaw. Section 8(2) is the addition of the authority of a Bylaw Enforcement Officer on probable grounds to issue a Summary Offence Ticket (SOT) for a single violation. The amendment to 8(3) sets out the base penalty for the issuance of a SOT for first, second, third and subsequent offences under this bylaw.

REQUEST FOR DECISION 045-2019

Title: Property Minimum Standards Bylaw

Date: 2019-07-02

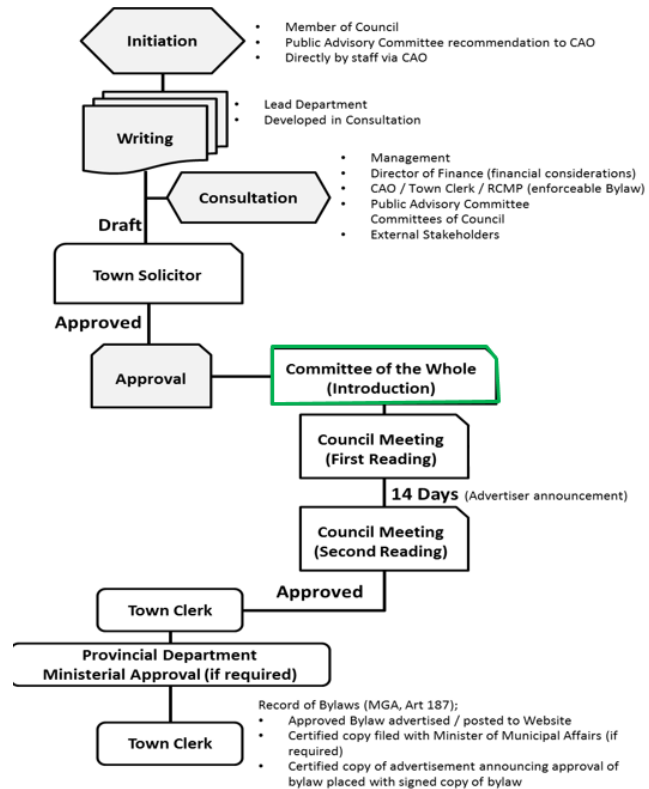
Department: Planning & Development



6) PROCESS AND COMMUNICATION REQUIREMENTS

This decision does not warrant communication requirements as the changes are minor in nature and do not change the intention of the bylaw only a clarification of wording. The change to the use of the Summary Offence Ticket with an out of court settlement for minor single offences would not affect the community but makes internal processes more expeditious and efficient.

The Bylaw Development Process (as per the Municipal Government Act) is as follows:



7) ALTERNATIVES

- Council could decide to have all Property Minimum Standards Bylaw offences dealt with by way of a long form process to ensure a mandatory court appearance for all infractions regardless of the severity.
- Council could decide to approve the wording change but not to move forward to the Summary Offence Ticket process.



PROPERTY MINIMUM STANDARDS BYLAW

Be it enacted, by the Council of the Town of Wolfville under the authority of Section 172 and Section 181 of the Municipal Government Act, as amended:

1 Title

This bylaw shall be titled and referred to as the 'Property Minimum Standards Bylaw'.

2 Background

Section 172 of The Municipal Government Act gives Council the authority to establish by-laws. Section 172(a) allows by-laws to be created for the health, well-being, safety and protection of persons, whilst Section 172(jb) allows by-laws to be created that set standards for the maintenance and sightliness of property and section 181 allows by-laws to be created to prescribe minimum standards for buildings occupied for residential and commercial purposes.

The purpose of this bylaw is to establish a set of minimum standards for properties in The Town of Wolfville and outline the responsibilities of property owners in this regard.

3 Definitions

In this Bylaw:

- (1) "Accessory Building" means a subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use.
- (2) "Appointed Person" means the Building Inspector, By-Law Enforcement Officer of the Town of Wolfville, or any other person appointed by the Chief Administrative Officer who is empowered by legislation to enforce this By-law.
- (3) "Building" means any structure, whether temporary or permanent, used or capable of use for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes the grounds, lawns and accessory buildings on the property of the building.
- (4) "Building Inspector" means the building inspector of the Town of Wolfville.
- (5) "By-Law Enforcement Officer" means a person appointed by the Chief Administrative Officer who is a Special Constable or By-Law Enforcement officer pursuant to the Police Act or similar legislation and empowered by such appointment to enforce this By-law.
- (6) "Council" means the Council of the Town of Wolfville.



- (7) “Dwelling Unit” means one or more habitable rooms used or capable of use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- (8) “Habitable Room” means a room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes.
- (9) “Occupier” means any person who resides in or uses a Dwelling Unit and includes, but is not limited to, a tenant or the owner of the Dwelling Unit.
- (10) “Owner” includes any one or combination of the following as defined in the Municipal Government Act:
 - (a) A part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building,
 - (b) In case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building,
 - (c) A person who occupies shores, beaches or shoals, and
 - (d) In the absence of proof to the contrary, the person assessed for the property.

4 General Duties and Obligations

- (a) The Owner of a building shall maintain the building to the standards as provided in this By-Law.
- (b) The Owner of a building shall maintain the building to the standard to which it was required to be built.
- (c) The standards of this By-Law are minimum standards and this By-Law shall not be construed so as to lessen the requirements for the construction, repair, or alteration of a building imposed by any other Town of Wolfville By-Law or any other applicable legislation.



5 General Property Standards

(1) Grounds and Lawns

- (a) Grounds and lawns and the general landscaping of a property shall be maintained in a clean and tidy condition and shall not be unsightly in relation to neighboring properties.
- (b) Without limiting the generality of paragraph 5(1)(a), the following standards shall apply to grounds and lawns:
 - (i) Any vehicle, trailer, boat, furniture or equipment that is discarded, derelict, dismantled, or in an abandoned condition shall not be parked, stored or left in any yard.
 - (ii) Lawns, hedges, bushes and landscape plantings shall be maintained as required to prevent them from becoming overgrown or unsightly.
 - (iii) Yards shall be maintained free of rubbish and debris.
 - (iv) Any furniture that is designed and manufactured for indoor use shall not be placed outside of a dwelling.
 - (v) Appliances including, but not limited to, refrigerators, stoves, and freezers shall not be left in yards, interior stairways, or hallways and shall not be used as placed of storage.
- (c) Nothing in this by-law shall prevent a building owner from establishing vegetable gardens or other non-conventional landscape treatments such as tall ornamental grasses and perennial flowers, provided that such installations are appropriately maintained and tended commensurate with a residential setting.

(2) Walks, Steps, Driveways & Parking Areas

- (a) Steps, walks, driveways, and parking areas and similar areas of a yard shall be maintained to:
 - (i) afford safe passage under normal use and weather conditions,
 - (ii) keep the surface free of loose, unstable or uneven surfaces,
 - (iii) keep the surface free of water ponding.
- (b) Parking of vehicles in yards shall be in accordance with the requirements of the Town of Wolfville Land Use By-Law in force and as amended from time to time.

(3) Storage of Waste/Resource Materials

Every building shall be provided with adequate storage facilities for storage of waste/resource materials in accordance with the Town of Wolfville Solid Waste/Resource



Management By-Law and such facilities shall be maintained in a clean and sanitary condition.

(4) Accessory Buildings

Accessory buildings shall be maintained in good repair and free from hazards or conditions which may affect health or cause fire or unsafe conditions.

6 Standards for Buildings

(1) Fire Prevention

- (a) The Owner of every building shall provide fire and smoke alarm systems as required by the Town of Wolfville Building By-Law.
- (b) Fire and smoke alarm systems shall be maintained in an operational condition at all times.
- (c) All required fire separations shall be maintained so as to adequately prevent the spread of fire from one compartment to the next.

(2) Structural Soundness

- (a) Every part of a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any load to which it may normally be subjected.
- (b) The Appointed Person may direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundation conditions be made or sufficient evidence or proof be submitted, at the expense of the owner, where such evidence or proof is necessary to determine whether the material, equipment, devices, construction or foundation meets the prescribed requirements.

(3) Drainage and Prevention of Dampness

- (a) Every basement, cellar, crawl space and similar space shall be adequately ventilated and drained.
- (b) Every floor, ceiling, both sides of every interior wall and the interior side of every exterior wall in a building shall be maintained free from excessive dampness and mould and mildew.



(4) Pest Prevention and Control

Buildings shall be kept reasonably free of rodents and insects.

(5) Interior Walls, Ceilings and Floors

- (a) Every wall in a building shall be reasonably smooth and level and maintained so as to be free of all protruding, broken or decayed structural components or wall coverings.
- (b) Shower walls and walls abutting bathtubs shall be impervious to water.
- (c) Every floor in a building shall be reasonably smooth and level and maintained so as to be free of all protruding, broken or decayed structural subfloor or floor coverings.
- (d) Finish flooring in kitchens, bathrooms, toilet rooms, shower rooms and laundry rooms shall be maintained to be reasonably impervious to water.

(6) Foundations and Exterior Walls

- (a) All foundation supports forming part of a building shall be maintained in good repairs so as to prevent settlement of the building.
- (b) The components of every exterior wall of a building and the exterior wall shall be maintained, weather tight, free of loose or unsecured objects and materials, prevent the entrance of insects and animals and prevent deterioration due to weather, insects and animals.

(7) Roofs, Eaves troughs and Gutters

- (a) Roofs shall be kept weather tight and free from leaks.
- (b) Every eaves trough, roof gutter and down pipe shall be kept in good repair.
- (c) Every roof shall be kept free from loose or unsecured objects and materials, dangerous accumulations of snow and ice, and all other fire and accident hazards.

(8) Windows and Doors

- (a) Windows, doors, skylights and basement or cellar hatchways shall be maintained in a good repair, weather tight and reasonably draft free.
- (b) All windows that are operable and exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside.
- (c) At least one window in each sleeping room shall meet egress standards as required by the Provincial Building Code.



- (d) Doors between an attached garage and the remainder of the building shall be fitted with weather stripping and a self-closing device to prevent the passage of gases into the remainder of the building.

(9) Stairs, Decks and Balconies

- (a) Interior and exterior stairs, porches, balconies, decks and landings shall be maintained in good repair so as to be free of holes, cracks, and other defects which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are decayed or deteriorated shall be repaired or replaced.
- (b) Guards and handrails in accordance with the requirements of the Town of Wolfville Building By-Law shall be provided on all stairs, porches, balconies, decks and landings.

(10) Egress

- (a) Every building and dwelling unit shall have a safe, continuous and unobstructed passage from the interior of the building or dwelling unit to the exterior grade level.
- (b) Buildings using a fire escape as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through an operable window or door operable from inside without requiring keys or specialized knowledge.
- (c) Any required egress shall not pass through a room in another dwelling unit or a service room, or a private room or space within the same dwelling unit.

(11) Heating

- (a) Every dwelling unit shall be provided with suitable heating facilities for maintaining a minimum indoor ambient temperature of 20 degrees Celsius throughout the dwelling unit.
- (b) The heating facilities shall be maintained in good working condition so as to be capable of heating the dwelling unit safely to the required standard.
- (c) Where a heating system or part thereof or any auxiliary heating system or unit burns solid or liquid fuel, a place or receptacle for storage of the fuel shall be provided and maintained in a convenient and safe location free from fire and accident hazards.



- (d) Fuel fired heating appliances shall be located in areas and locations so as not to create a fire or accident hazard or obstruct an egress from a dwelling or dwelling unit.
- (e) Heating appliances relying on combustion for heat production shall be provided with an adequate source of make-up air.
- (f) Every dwelling unit shall have a thermostat, or other suitable means for the purpose of controlling heat within the dwelling unit.
- (g) Chimneys, smoke pipes, connections, etc., shall be maintained in good working order and be capable of conveying spent gases to the exterior of the building safely.

(12) Electrical Services

- (a) The electrical wiring, fixtures, switches, receptacles and appliances located or used in every building shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards
- (b) Lighting fixtures shall be installed throughout all buildings of adequate number, location and size to provide sufficient illumination so as to avoid health or accident hazards in the normal use of the building.
- (c) If in the opinion of the Appointed Person, there is doubt as to the safety of the electrical system or parts thereof, the Appointed Person may direct that tests of materials, equipment, devices and construction methods be made, or sufficient evidence or proof be submitted at the expense of the owner, where such evidence or proof is necessary to determine whether the material, equipment, device or construction meets the prescribed requirement.

(13) Plumbing

- (a) All water supply pipes shall be provided with an adequate supply of potable running water from the Town of Wolfville Municipal water system.
- (b) All bathroom, kitchen and laundry plumbing fixtures shall be provided with an adequate supply of hot and cold running water. Hot water shall be capable of being supplied at a temperature of not less than 43 degrees Celsius and not greater than 60 degrees Celsius. A mixing valve shall be provided where required by the Town of Wolfville Building By-Law.
- (c) All plumbing, including drains, water supply pipes, toilets and other plumbing fixtures shall be maintained in good working condition, free of leaks and defects and all water pipe and appurtenances thereto shall be protected from freezing.



- (d) Every fixture shall be of such materials, construction and design that will ensure the exposed surfaces of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, or other imperfections that may harbor germs or impede thorough cleansing.
- (e) All plumbing fixtures shall be connected to the Town of Wolfville sanitary sewage collection system through water seal traps and be appropriately vented.
- (f) All appliances intended to supply the hot water to plumbing fixtures shall be equipped with a temperature relief valve.

(14) Natural Light and Ventilation

- (a) All basements, cellars, and attics and roof spaces shall be ventilated.
- (b) All dwelling units shall provide windows for natural light in accordance with the Town of Wolfville Building By-Law.
- (c) All dwelling units shall be adequately ventilated in accordance with the requirements of the Town of Wolfville Building By-Law.
- (d) All systems of mechanical ventilation shall be maintained in good working order.

(15) Bathroom Facilities

- (a) Every Dwelling Unit shall be provided with at least one bathroom which includes a water closet, lavatory and bathtub or shower, connected to a piped supply of potable water and an acceptable means of sewage disposal.
- (b) Every bathroom shall be fully enclosed and provided with a door equipped with a privacy latch.

(16) Sleeping Rooms

A room to be used for sleeping purposes shall:

- (a) have a minimum floor area of 7.0 square metres;
- (b) have a minimum floor area of 5.0 square metres per occupant where occupied by more than one person;
- (c) have a minimum ceiling height of 2.0 metres over at least 60% of the floor area;
- (d) not serve any other uses such as a lobby, hallway, closet, bathroom, laundry room, stairway, kitchen or service room.



(17) Kitchens

Every Dwelling Unit shall contain a kitchen area equipped with a sink, served with hot and cold running water, storage facilities, and a counter top work area covered with material that is easily cleanable. Space shall be provided for a stove and a refrigerator including appropriate electrical connections.

(18) Cleanliness

The Occupier of a Dwelling Unit shall maintain its contents, fixtures and fittings to a standard that does not present a hazard to persons, health or property. The Occupier shall ensure that:

- (a) Areas used for the preparation or cooking of food shall be kept reasonably clean;
- (b) Garbage and waste shall be cleared away and not allowed to accumulate, rot or fester;
- (c) Bathrooms, sinks, showers and tubs shall be maintained in a sanitary manner;
- (d) Feces from domestic pets will be cleared away and disposed of in an appropriate manner;
- (e) Used sanitary items, diapers, birth control devices, medicines and other potentially hazardous items will be disposed of in an appropriate manner.

7 Enforcement

Any *Appointed Person* is authorized to enforce this By-Law.

- (1) An *Appointed Person* may enter a property in order to carry out an inspection to ensure compliance with this Bylaw, so long as such entry is made in accordance with the requirements of Part XXI, Section 503(3) of the Municipal Government Act, as amended.
- (2) If after an inspection, an *Appointed Person* is satisfied that in some respect, the building or the property or the both of them, do not conform to the standards prescribed in this By-Law, the *Appointed Person* shall serve or cause to be served by personal delivery or registered mail to the owner(s) of the property, an Order to Comply and may at the same time provide all occupants of the building with a copy of the Order.
- (3) Every Order to Comply shall contain:
 - (a) the standards to which the building does not comply;
 - (b) the date after which the building must comply with the order and will be subject to a reinspection to ascertain compliance with the Order.



- (c) The action that will be taken against the owner should the building not comply with the prescribed standards at the time of the reinspection.
- (4) Where an order has been served upon an owner, and the owner provides the Appointed Person with a schedule outlining specific time frames within which the work specified in the Order will be completed, the Appointed Person may accept or amend the schedule at which time the schedule will become a part of the Order.
- (5) An owner may appeal an Order to the Town Council within seven days after the Order is served.
- (6) Where an owner fails to comply with the requirements of an Order within the time specified in the Order, the Appointed Person may have a contractor enter upon the property and carry out the work specified in the Order.
- (7) Where the Town carries out the work specified in the Order, the Town may charge and collect the costs thereof as a first lien on the property affected.

8 Penalties

- (1) Failure to meet each and every standard specified in this By-Law shall constitute a separate and distinct offence.
- (2) Any person who contravenes any provision of this Bylaw, or fails to comply with the terms of an Order issued subject to this Bylaw commits an offence that is punishable on summary conviction by a fine of not less than \$200 and not more than \$10000 and to imprisonment of not more than 30 days in default of payment thereof.
- (3) In any prosecution or proceeding in respect to any contravention of, or failure to comply with any provision of this By-Law, which contravention or failure of compliance continues from day to day, the Court or Judge before whom the matter of such contravention or failure of compliance is heard, may, in addition to the penalty imposed for such contravention or failure, impose a further penalty for each day during which such contravention or failure has been continued.

9 REPEAL

The Minimum Housing and Maintenance Standards Bylaw passed by Town Council on 16th November 1981 and approved by the Minister on 27th November 1981 is repealed.



FIRST READING: September 10, 2013

SECOND READING: October 8, 2013

CERTIFICATE

I, Michael MacLean, Town Clerk of the Town of Wolfville, do hereby certify that the Bylaw of which the foregoing is a true copy was duly passed at a duly called meeting of the Town Council of the Town of Wolfville held on the 8th day of October, 2013.

Notice of the said Bylaw passing was published in **THE ADVERTISER**, a newspaper circulating in the said Town on the 22nd day of October, 2013.

Given under the hand of the Town Clerk and the corporate seal of the Town of Wolfville this 23rd day of October, 2013.

MICHAEL MACLEAN
Town Clerk

PROPERTY MINIMUM STANDARDS BY-LAW

Be it enacted, by the Council of the Town of Wolfville under the authority of Section 172 and Section 181 of the Municipal Government Act, as amended:

1 Title

This bylaw shall be titled and referred to as the 'Property Minimum Standards By-law'.

2 Background

Section 172(1) of The Municipal Government Act gives Council the authority to establish by-laws. Section 172(1)(a) allows by-laws to be created for the health, well-being, safety and protection of persons, whilst Section 172(1)(jb) allows by-laws to be created that set standards for the maintenance and sightliness of property and section 181 allows bylaws to be created to prescribe minimum standards for buildings occupied for residential and commercial purposes.

The purpose of this by-law is to establish a set of minimum standards for properties in The Town of Wolfville and outline the responsibilities of property owners in this regard.

3 Definitions

In this Bylaw:

- (1) "Accessory Building" means a subordinate building or structure on the same lot as the main building devoted exclusively to an accessory use.
- (2) "Appointed Person" means the Building Inspector, By-law Enforcement Officer of the Town of Wolfville, or any other person appointed by the Chief Administrative Officer who is empowered by legislation to enforce this By-law.
- (3) "Building" means any structure, whether temporary or permanent, used or capable of use for the shelter, accommodation or enclosure of persons, animals, materials or equipment and includes the grounds, lawns and accessory buildings on the property of the building.
- (4) "Building Inspector" means the building inspector of the Town of Wolfville.
- (5) "By-law Enforcement Officer" means a person appointed by the Chief Administrative Officer who is a Special Constable or By-law Enforcement officer pursuant to the Police Act or similar legislation and empowered by such appointment to enforce this Bylaw.



- (6) “Council” means the Council of the Town of Wolfville.
- (7) “Dwelling Unit” means one or more habitable rooms used or capable of use by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- (8) “Habitable Room” means a room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes.
- (9) “Land” means grounds, lawns, and yards of developed properties and includes undeveloped property lots.
- (10) “Occupier” means any person who resides in or uses a Dwelling Unit and includes, but is not limited to, a tenant or the owner of the Dwelling Unit.
- (11) “Owner” includes any one or combination of the following as defined in the Municipal Government Act:
- a) A part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building,
 - b) In case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building,
 - c) A person who occupies shores, beaches or shoals and
 - d) In the absence of proof to the contrary, the person assessed for the property.
- (12) “Property” means any buildings, structures, part of a building or structure erected on land, and includes vacant land.
- (13) “Single Room Occupancy” means a rental housing type wherein one or two people are housed in a single room within a dwelling unit, wherein the tenants share bathroom and kitchen facilities.

4 General Duties and Obligations

- a) The Owner of property shall maintain the property to the standards as provided in this Bylaw.



- b) The Owner of a building shall maintain the building to the accepted building practice at the time of the original build or building code requirements at the time of the original build.
- c) The standards of this Bylaw are minimum standards and this By-Law shall not be construed to lessen the requirements for the construction, repair, or alteration of a property imposed by any other Town of Wolfville Bylaw or any other applicable legislation.
- d) The Appointed Person may direct that tests of materials, equipment, devices, construction and remedial methods be made, or sufficient evidence or proof be submitted, at the expense of the owner, where such evidence or proof is necessary to determine whether the material, equipment, devices, construction or remedial actions meets the prescribed requirements of this By-law.

5 General Property Standards

(1) Grounds and Lawns

- (a) Property shall be maintained in a clean and tidy condition and shall not be unsightly in relation to neighboring properties.
- (b) Without limiting the generality of paragraph 5(1)(a), the following standards shall apply to land:
 - (i) Any vehicle, trailer, boat, furniture or equipment that is discarded, derelict, dismantled, or in an abandoned condition shall not be parked, stored or left on land.
 - (ii) Lawns, hedges, bushes and landscape plantings shall be maintained as required to prevent them from becoming overgrown or unsightly.
 - (iii) Property shall be maintained free of rubbish and debris.
 - (iv) Any furniture that is designed and manufactured for indoor use shall not be placed outside of a dwelling.
 - (v) Appliances including, but not limited to, refrigerators, stoves, and freezers shall not be left in yards, interior stairways, or hallways and shall not be used as places of storage.
- (c) Nothing in this by-law shall prevent a building owner from establishing vegetable gardens or other non-conventional landscape treatments such as tall ornamental grasses and perennial flowers, provided that such installations are appropriately maintained and tended commensurate with a residential setting.

(2) Walks, Steps, Driveways & Parking Areas

- (a) Steps, walks, driveways, and parking areas and similar areas of a yard shall be maintained to:

- (i) afford safe passage under normal use and weather conditions,
 - (ii) keep the surface free of loose, unstable or uneven surfaces,
 - (iii) keep the surface free of water ponding.
- (b) Parking of vehicles in yards shall be in accordance with the requirements of the Town of Wolfville Land Use By-Law in force and as amended from time to time.

(3) Storage of Waste/Resource Materials

Every building shall be provided with adequate storage facilities for storage of waste/resource materials in accordance with the **Valley Region Solid Waste-Resource Management Bylaw** and such facilities shall be maintained in a clean and sanitary condition.

(4) Accessory Buildings

Accessory buildings shall be maintained in good repair and free from hazards or conditions which may affect health or cause fire or unsafe conditions.

6 Standards for Buildings

(1) Fire Prevention

- a) The Owner of every building shall provide fire and/or smoke alarm systems as required by **the Nova Scotia Building Code**.
- b) Fire and/or smoke alarm systems shall be maintained in an operational condition at all times.
- c) All required fire separations shall be maintained to adequately prevent the spread of fire from one compartment to the next.

(2) Structural Soundness

- a) Every part of a building shall be maintained in a structurally sound condition to can sustain safely its own weight and any load to which it may normally be subjected.

(3) Drainage and Prevention of Dampness

- a) Every basement, cellar, crawl space and similar space shall be adequately ventilated and drained.

- b) Every floor, ceiling, both sides of every interior wall and the interior side of every exterior wall in a building shall be maintained free from excessive moisture and dampness.

(4) Pest Prevention and Control

- a) Property shall be kept reasonably free of rodents and insects.

(5) Interior Walls, Ceilings and Floors

- a) Every wall and ceiling in a building shall be reasonably smooth, level and maintained to be free of all protruding, broken or decayed structural components or wall coverings.
- b) Shower walls and walls abutting bathtubs shall be impervious to water.
- c) Every floor in a building shall be reasonably smooth and level and maintained to be free of all protruding, broken or decayed structural subfloor or floor coverings.
- d) Finish flooring in kitchens, bathrooms, toilet rooms, shower rooms and laundry rooms shall be maintained to be reasonably impervious to water.

(6) Foundations and Exterior Walls

- a) All foundation supports forming part of a building shall be maintained in good repairs to prevent settlement of the building.
- b) The components of every exterior wall of a building and the exterior wall shall be maintained, weather tight, free of loose or unsecured objects and materials, prevent the entrance of insects and animals and prevent deterioration due to weather, insects and animals.

(7) Roofs, Eaves troughs and Gutters

- a) Roofs shall be kept weather tight and free from leaks.
- b) Every eaves trough, roof gutter and down pipe shall be kept in good repair.
- c) Every roof shall be kept free from loose or unsecured objects and materials, dangerous accumulations of snow and ice, and all other fire and accident hazards.

(8) Windows and Doors

- a) Windows, doors, skylights and basement or cellar hatchways shall be maintained in a good repair, weather tight and reasonably draft free.

- b) All windows that are operable and exterior doors shall have suitable hardware to allow locking or otherwise securing from inside.
- c) At least one window in each sleeping room shall meet egress standards as required by the Nova Scotia Building Code.
- d) Doors between an attached garage and the remainder of the building shall be fitted with weather stripping and a self-closing device to prevent the passage of gases into the remainder of the building.

(9) Stairs, Decks and Balconies

- a) Interior and exterior stairs, porches, balconies, decks and landings shall be maintained in good repair to be free of holes, cracks, and other defects which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are decayed or deteriorated shall be repaired or replaced.
- b) Guards and handrails in unsafe condition shall be repaired or replaced in accordance with the requirements of the Nova Scotia Building Code.

(10) Egress

- a) Every building and dwelling unit shall have a safe, continuous and unobstructed passage from the interior of the building or dwelling unit to the exterior grade level.
- b) Buildings using a fire escape as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through an operable window or door operable from inside without requiring keys or specialized knowledge.
- c) Any required egress shall not pass through a room in another dwelling unit or a service room, or a private room or space within the same dwelling unit.

(11) Heating

- a) Every dwelling unit, during outside winter design temperatures, shall be provided with heating facilities capable of maintaining a minimum indoor ambient temperature of no less than;
 - (1) 22 degrees Celsius in all living spaces, and
 - (2) 18 degrees Celsius in unfinished basements,as required by the National Building Code of Canada.



- b) The heating facilities shall be maintained in good working condition to can heat the dwelling unit safely to the required standard.
- c) Where a heating system or part thereof or any auxiliary heating system or unit burns solid or liquid fuel, a place or receptacle for storage of the fuel shall be provided and maintained in a convenient and safe location free from fire and accident hazards.
- d) Fuel fired heating appliances shall be in areas and locations so as not to create a fire or accident hazard or obstruct an egress from a dwelling or dwelling unit.
- e) Heating appliances relying on combustion for heat production shall be provided with an adequate source of make-up air.
- f) Every dwelling unit shall have a thermostat, or other suitable means for the purpose of controlling heat within the dwelling unit.
- g) Chimneys, smoke pipes, connections, etc., shall be maintained in good working order and can convey spent gases to the exterior of the building safely.

(12) Electrical Services

- a) The electrical wiring, fixtures, switches, receptacles and appliances located or used in every building shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards
- b) Lighting fixtures shall be installed throughout all buildings of adequate number, location and size to provide sufficient illumination to avoid health or accident hazards in the normal use of the building.

(13) Plumbing

- a) All water supply pipes shall be provided with an adequate supply of potable running water from the Town of Wolfville Municipal water system.
- b) All bathroom, kitchen and laundry plumbing fixtures shall be provided with an adequate supply of hot and cold running water. Hot water shall be capable of being supplied at a temperature of not less than 49 degrees Celsius and not greater than 60 degrees Celsius. A mixing valve shall be provided not to exceed 49 degrees Celsius in tubs and showers where required by the National Plumbing Code Act of Canada.
- c) All plumbing, including drains, water supply pipes, toilets and other plumbing fixtures shall be maintained in good working condition, free of leaks and defects and all water pipe and appurtenances thereto shall be protected from freezing.
- d) Every fixture shall be of such materials, construction and design that will ensure the exposed surfaces of all parts are hard, smooth, impervious to hot and cold

water, readily accessible for cleansing and free from blemishes, cracks, or other imperfections that may harbor germs or impede thorough cleansing.

- e) All plumbing fixtures shall be connected to the Town of Wolfville sanitary sewage collection system through water seal traps and be appropriately vented.
- f) All appliances intended to supply the hot water to plumbing fixtures shall be equipped with a temperature relief valve.

(14) Ventilation

- a) All basements, cellars, and attics and roof spaces shall be ventilated.
- b) All dwelling units shall be adequately ventilated in accordance with the requirements of the **Nova Scotia Building Code Act**.
- c) All systems of mechanical ventilation shall be maintained in good working order.

(15) Bathroom Facilities

- a) Every Dwelling Unit shall be provided with at least one bathroom which includes a water closet, lavatory and bathtub or shower, connected to a piped supply of potable water and an acceptable means of sewage disposal.
- b) Every bathroom shall be fully enclosed and provided with a door equipped with a privacy latch.

(16) Sleeping Rooms

A room to be used for sleeping purposes shall:

- a) have a minimum floor area of 7.0 square metres;
- b) have a minimum floor area of 5.0 square metres per occupant where occupied by more than one person;
- c) have a minimum ceiling height of 2.0 metres over at least 60% of the floor area;
- d) not serve any other uses such as a lobby, hallway, closet, bathroom, laundry room, stairway, kitchen or service room.

(17) Kitchens

Every Dwelling Unit shall contain a kitchen area equipped with a sink, served with hot and cold running water, storage facilities, and a counter top work area covered with material that is easily cleanable. Space shall be provided for a stove and a refrigerator including appropriate electrical connections.

(18) Cleanliness

The Occupier of a Dwelling Unit shall maintain its contents, fixtures and fittings to a standard that does not present a hazard to persons, health or property. The Occupier shall ensure that:

- a) Areas used for the preparation or cooking of food shall be kept reasonably clean;
- b) Garbage and waste shall be cleared away and not allowed to accumulate, rot or fester;
- c) Bathrooms, sinks, showers and tubs shall be maintained in a sanitary manner;
- d) Feces from domestic pets will be cleared away and disposed of in an appropriate manner;
- e) Used sanitary items, diapers, birth control devices, medicines and other potentially hazardous items will be disposed of in an appropriate manner.

7

Enforcement

Any *Appointed Person* is authorized to enforce this By-law.

- (1) An *Appointed Person* may enter a property to carry out an inspection to ensure compliance with this Bylaw, so long as such entry is made in accordance with the requirements of Part XXI, Section 503(3) of the Municipal Government Act, as amended.
- (2) If after an inspection, an *Appointed Person* is satisfied that in some respect, the building or the property or the both of them, do not conform to the standards prescribed in this Bylaw, the *Appointed Person* shall serve or cause to be served by personal delivery or registered mail to the owner(s) of the property, an Order to Comply and may at the same time provide all occupants of the building with a copy of the Order.
- (3) Every Order to Comply shall contain:
 - a) the standards to which the building does not comply;
 - b) the date after which the building must comply with the order and will be subject to a re-inspection to ascertain compliance with the Order.
 - c) The action that will be taken against the owner should the building not comply with the prescribed standards at the time of the re-inspection.
- (4) Where an order has been served upon an owner, and the owner provides the Appointed Person with a schedule outlining specific time frames within which the work specified in

the Order will be completed, the Appointed Person may accept or amend the schedule at which time the schedule will become a part of the Order.

- (5) An owner may appeal an Order to the Town Council within seven days after the Order is served.
- (6) Where an owner fails to comply with the requirements of an Order within the time specified in the Order, the Appointed Person may have a contractor enter upon the property and carry out the work specified in the Order.
- (7) Where the Town carries out the work specified in the Order, the Town may charge and collect the costs thereof as a first lien on the property affected.

8 Penalties

- (1) Failure to meet every standard specified in this Bylaw shall constitute a separate and distinct offence.
- (2) Any Bylaw Enforcement Officer, who believes on reasonable and probable grounds that there has been a violation of this by-law, may issue a Summary Offence Ticket.
- (3) Any Owner or Occupier, who contravenes any provision of this Bylaw, or fails to comply with the terms of an Order issued subject to this Bylaw, shall be liable to a penalty of no less than two hundred dollars (\$200.00) for the first offence, not less than four hundred dollars (\$400.00) for the second offence, and not less than nine hundred dollars (\$900.00) for the third and subsequent offences.
- (4) In any prosecution or proceeding in respect to any contravention of, or failure to comply with any provision of this Bylaw, which contravention or failure of compliance continues from day to day, the Court or Judge before whom the matter of such contravention or failure of compliance is heard, may, in addition to the penalty imposed for such contravention or failure, impose a further penalty for each day during which such contravention or failure has been continued.

9 REPEAL

- (1) Any previous Property Minimum Standards Bylaws and amendments thereto are repealed upon coming into force of this Bylaw.



Clerk's Annotation for Official Bylaw Book

Date of first reading: 2019-06-00

Date of advertisement of Notice of Intent to Consider: 2019-06-00

Date of second reading: 2019-06-00

Date of advertisement of Passage of By-law: 2019-06-00

Date of mailing to Minister a certified copy of By-law: 2019-06-00

I certify that this **PROPERTY MINIMUM STANDARD BYLAW # 46** was adopted by Council and published as indicated above.

Town Clerk

Date

Schedule M-27

Town of Wolfville Bylaw

Property Minimum Standards, Chapter 46

Offence	Section	Out of Court Settlement
Owner failing to maintain buildings to the by-law minimum standard (specify).	4(a)	
first offence		\$352.50
second offence		\$582.50
third or subsequent offence		\$1157.50
Owner failing to maintain the building to the accepted building practice or building code of the original build.	4(b)	
first offence		\$352.50
second offence		\$582.50
third or subsequent offence		\$1157.50
Owner or occupier failing to comply with terms of an issued Order.	8(2)	
first offence		\$352.50
second offence		\$582.50
third or subsequent offence		\$1157.50
Owner or Occupier contravening provisions of bylaw (specify)	8(2)	
first offence		\$352.50
second offence		\$582.50
third or subsequent offence		\$1157.50

REQUEST FOR DECISION 044-2019

Title: System of Fire Inspections Policy Amendment –
Single Room Occupancies
Date: 2019-07-02
Department: Planning & Development



SUMMARY

System of Municipal Fire Inspections Amendment – Single Room Occupancies

The purpose of this report is to amend the System of Municipal Fire Inspections Policy to include Single Room Occupancies in the occupancy class for fire and life safety inspections.

DRAFT MOTION:

That Council amend Policy No. 220-002 System of Fire Inspections as follows:

- Add a definition of Single Room Occupancy in section 4.0 Definitions; and
- Add “Single Room Occupancy (four or more rental rooms)” with a frequency of inspection to be every 4 years in section 5.3 Inspection Schedule.

REQUEST FOR DECISION 044-2019

Title: System of Fire Inspections Policy Amendment –
Single Room Occupancies
Date: 2019-07-02
Department: Planning & Development



1) CAO COMMENTS

The CAO supports the recommendation of Staff.

2) LEGISLATIVE AUTHORITY

The Nova Scotia Fire Safety Act and Regulations provide guidance to Municipalities for creating a System of Municipal Fire Inspections policy.

3) STAFF RECOMMENDATION

Staff recommend that Council approve amending the System of Municipal Fire Inspections Policy 220-002 to include Single Room Occupancies.

4) REFERENCES AND ATTACHMENTS

1. Policy 220-002 System of Fire Inspections
2. May 2018 Staff Presentation on Rental Licensing

5) DISCUSSION

Fire Inspections Background

As of February 2003, Sections 13 & 14 of the Nova Scotia Fire Safety Act & Regulations require that municipal units implement a system of fire inspections for specific buildings within their boundaries. In 2016, a System of Municipal Fire Inspections Policy was updated and adopted (attachment 1).

Improving our Fire Inspections has been a process. This area of the planning and development department has been given much more attention and focus since the hiring of a senior building official in 2018. Recent actions include:

- FIANS training has been undertaken by Staff and will continue in order to obtain Fire Inspector certifications.
- A physical review of potential properties to be entered into the fire inspection program has been undertaken in order to obtain details of existence, number and type of occupancies in Wolfville. A web-based GIS fire inspection tracking system has been created.
- Existing fire inspection files have been reviewed and the information now resides in the GIS.
- Forms have been created for internal use as well as others for property owner/manager's use in completing their monthly maintenance reports (alarms, exits & extinguishers).
- Staff have met with Fire Officials from other municipal units to gain knowledge on how they conduct fire inspections and what systems they have in place for managing their files.
- Additional resources have been hired – a P/T casual Fire inspector.

REQUEST FOR DECISION 044-2019

Title: System of Fire Inspections Policy Amendment –
Single Room Occupancies
Date: 2019-07-02
Department: Planning & Development



- Inspections have been carried out (requests and from existing files). Most recently properties have been identified in the west end of Town that require fire inspections and have started scheduling and conducting inspections on these properties. Letters to property owners indicating deficiencies have been prepared.
- Met multiple times with the provincial Fire Marshall, Fred Jeffers, to discuss the Town's approach and gain additional insight onto how they should be addressed. All appeals of fire inspection orders are through the Fire Marshal's Office.

Single Room Occupancies

Over the course of the Municipal Planning Strategy (MPS) review there has been discussion regarding single unit (and multi-unit) dwellings where individual rooms are rented, with or without an owner/manager living on the premises, otherwise known as “boarding houses,” “Lodging Houses” or Single Room Occupancies (SRO) – see attachment 2 for additional background. A separate Rental Licensing Bylaw has been considered as a means of regulating and inspecting these uses; however, Staff felt that the building blocks of a Rental Licensing program were not in place and incremental improvements required before a full licensing system is considered:

- Creating a definition that is common to multiple by-laws – “Single Room Occupancies”
- Work on advancing work on Short-term rentals in the LUB
- Improving our System of Municipal Fire Inspections Policy to include these dwelling types.
- Including Single Room Occupancies in the Minimum Property Standards By-law.
- Including regulation in the new Land Use By-law (LUB) for these dwelling types.

A new section will be added to the LUB to include regulation for dwellings being used for SROs with four or more rental rooms to comply with the following:

- In areas zoned R-2 – maximum of 6 rental rooms per detached dwelling unit. A maximum of 3 rental rooms per unit of semi-detached or duplex.
- In areas zoned R-3, R-4 and C-2 – the floor area of rental rooms will be limited to 50% of the floor area of the associated dwelling unit to a maximum of 10 rental rooms.
- A current Fire and Life Safety Inspection Report showing compliance with the Fire Safety Act.
- A fee (yet to be determined).
- Parking requirements in compliance with part 6 of the LUB.

Dwellings with three or less rental rooms are exempt from these requirements and will be permitted in all zones.

Existing dwellings with SROs that exceed the number of rental rooms will be permitted to continue as a non-conforming use, provided they meet all other SRO and LUB requirements.

REQUEST FOR DECISION 044-2019

Title: System of Fire Inspections Policy Amendment –
Single Room Occupancies
Date: 2019-07-02
Department: Planning & Development



Staff met with the Provincial Fire Marshall and he agreed that the term “single room occupancy” is synonymous with “boarding houses” and the inspection requirements for “boarding houses” under the Fire Safety Act and Regulations would apply to SROs.

Staff are proposing the following amendments to the System of Fire Inspections Policy to provide the Fire and Life Safety Inspector with the authority to perform inspections of dwellings being used for SRO's:

Add to 4.0 Definitions

Single Room Occupancy means a rental housing type wherein one or two people are housed in single rooms within a dwelling unit, wherein tenants share bathroom and kitchen facilities.

Add to section 5.3.1:

<u>Occupancy Class</u>	<u>Frequency of Inspection</u>
Single Room Occupancy (four or more rental rooms)	Every 4 years

Other Tools

Since the initial discussions on a Rental Licensing System or By-law the Town has made progress in other areas that can contribute to improved quality of life for residents and respond to concerns, including:

- Partnership Agreement with Acadia
- Nuisance Party By-law
- Enforcement and Landlord compliance
- Alcohol Working Group

The amendments to the System of Municipal Fire Inspections proposed are another tool to move us toward improved neighbourhood harmony, better building maintenance and life safety.

6) PROCESS

An amendment to the System of Municipal Fire Inspections requires a motion of Council (anticipated at the regular July Council meeting).

7) ALTERNATIVES

That Council not approve the amendment to the System of Fire Inspections Policy.



POLICY

System of Municipal Fire Inspections

Policy Number: 220-002	Supersedes Policy Number: Not Applicable
Effective Date 2016-02-16	Approval By Council Resolution No. 16-02-16

1.0 Purpose

The objectives of this policy are:

- 1.1 Improve Fire Safety within the Town of Wolfville; and
- 1.2 To meet our obligations as stated in the Nova Scotia *Fire Safety Act and Regulations*; and
- 1.3 To implement the system of Fire Inspections in a manner which acknowledges the finite resources of the Town through application of a risk-based approach; and
- 1.4 To do so in a manner which least inconveniences tenants and businesses.

2.0 Scope

This Policy is applicable to Town of Wolfville Municipal Staff involved in conducting Fire Inspections.

3.0 References

- 3.1 Nova Scotia Fire Safety Act

4.0 Definitions

- 4.1 **Municipal Fire Inspector** is a person appointed by a Municipality as a Municipal Fire Inspector pursuant to the Fire Safety Act.
- 4.2 **The Fire Safety Act** is an Act to educate and encourage persons and communities to apply the principles of fire safety so as to prevent fires, preserve human life and avoid unwarranted property loss due to the destructive forces of fire as amended from time to time, cited Fire Safety Act 2002,c.6.s.1.
- 4.3 **Fire Safety Regulations** mean regulations respecting fire safety made by the Governor in Council as amended from time to time pursuant to Section 51 of Chapter 6 or the Acts 2002, the Fire Safety Act.
- 4.4 **Assembly Occupancy (Group A)** is defined by the National Building Code of Canada as meaning the occupancy or the use of a building, or part thereof, by gathering of persons



POLICY

for civic, political, travel, religious, social, educational, recreational or like purposes, or for the consumption of food and drink.

- 4.5 **Residential Occupancy (Group C)** is defined by the National Building Code of Canada as meaning the occupancy or use of a building or part thereof by persons for whom sleeping accommodation is provided but who are not harboured or detained to receive medical care or treatment or are not involuntary detained.
- 4.6 **Business and Personal Service Occupancy (Group D)** is defined by the National Building Code of Canada (2010) as meaning the occupancy or use of a building or part thereof for the transaction of business or the rendering or receiving of professional or personal services.
- 4.7 **Mercantile Occupancy (Group E)** is defined by the National Building Code of Canada as meaning the occupancy or use of a building or part thereof for the displaying or selling of retail goods, wares or merchandise.
- 4.8 **Industrial Occupancy (Group F)** is defined by the National Building Code of Canada as meaning the occupancy or use of a building or part thereof for assembling, fabricating, manufacturing, processing, repairing or storing of goods and material.

5.0 Policy

- 5.1 Pursuant to Section 19 of the *Fire Safety Act* this Policy establishes a “system of Municipal Fire Inspections” to provide compliance with the Act and Fire Safety Regulations and that recognizes municipal resources and priorities based on a risk assessment.
- 5.2 Pursuant to Section 19 of the *Fire Safety Act*, Council shall appoint one or more Municipal Fire Inspectors, whom shall carry out the System of Municipal Fire Inspections in accordance with the requirements of the *Fire Safety Act and Fire Safety Regulations*.

5.3 Inspection Schedule

- 5.3.1 Inspections shall be carried out initially, and then upon the cycles noted below:

Occupancy Class	Frequency of Inspection
Assembly Occupancies (Group A)	Every 3 years
Residential Occupancies (Group C) 4 or more units	Every 4 years
Business and Personal Service Occupancies (Group D)	Every 5 Years
Mercantile occupancies (Group E)	Every 5 years
Industrial Occupancies (Group F)	Every 5 years



POLICY

- 5.4 While it is anticipated that the Town will be asked to inspect particular buildings for the purpose of increasing fire safety from time to time, it will not carry out pre-purchase fire inspections.
- 5.5 Notwithstanding s5.4 herein, the Municipal Fire Inspector may deem that in order to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.
- 5.6 Where a building contains Group D or E occupancies as well as residential occupancies, it shall be inspected at the appropriate interval to the residential occupancy.
- 5.7 Order to Comply.**
- 5.7.1 Upon inspection of land or premises, the Municipal Fire Inspector may, under Section 25(1) of the Fire Safety Act, issue to the owner of the land or premises, an order directing compliance within a set time frame to rectify a condition, depending upon the circumstances, including the criteria in para 5.7.2 below;
- 5.7.2 Further to para 5.7.1 above, time for compliance will be determined by the Municipal Fire Inspector based on the following criteria:
- a) The degree of risk to life and safety;
 - b) Occupancy type;
 - c) Number of occupants;
 - d) Serving of alcohol;
 - e) The amount of time reasonably required by the owner to comply, including whether the deficiency has been subject to previous compliance requests or directives from any source.
- 5.7.3 The owner of the land or premises regarding which an order for compliance has been issued will contact the Municipal Fire Inspector's office to arrange an inspection within 5 working days prior to the time limit of the order or when the work has been completed, whichever comes first.
- 5.7.4 Where the owner of a building, land or premises fails to comply with an order issued by the Municipal Fire Inspector the Municipality shall take action as set out in Section 44 and Schedule 32 of the NS Fire Safety Act.
- 5.8** The Fire Inspector shall keep fire inspection records on behalf of the municipal unit that includes inspection reports, correspondence and orders. These records shall be made available to the Provincial Fire Marshall upon request.



POLICY

5.9 Policy Review

This policy will be reviewed every year from effective/amended date.

CAO

February 19, 2016

Date



Rental Licensing

Committee of the Whole Discussion

May 1, 2018

- Plan review began in 2015. Residential Rentals (specifically Boarding or Lodging Houses) a primary concern
- FoTenn focused on this aspect and produced background work (Housing Symposium) and a draft by-law
- Issue was proceeding toward first reading:

07-06-17 IT WAS REGULARLY MOVED AND SECONDED THAT THE COMMITTEE OF THE WHOLE FORWARD THE FOLLOWING MOTION TO COUNCIL FOR DECISION ON OCTOBER 17, 2017: THAT COUNCIL GIVE FIRST READING TO THE RESIDENTIAL RENTAL REGISTRATION BYLAW, CH101 CARRIED

- After a review by current Staff, seeking direction from Council moving forward.

What's the problem?



- Rental properties have a combination of residential and commercial characteristics.
 - Parking, Noise, etc.
- Rental Conversion pressure – large older homes
- Life Safety (Fire Inspections)
- Meeting Student Housing Needs – safe, adequate housing
- Shift to smaller household sizes and aging demographics
- Short-term Rentals and Tourism
- Lifestyle conflicts / renter and homeowner tensions
- Impacts on Affordability
- Impacts on housing options and choice
- Neighbourhood Character
- Property Maintenance

- Workshop on student housing issues– Jan 30, 2015
- [Sticky Issues workshop with PAC and Council](#) – December 2015
- [Fotenn Discussion paper on RRRBs](#) – February 2016
- [Core Area Consultation](#) – June 2016
- [Meeting with Landlords](#) – Fall 2016
- Many one on one consultations with individual property owners/residents concerned about property standards -
Ongoing
- [White Paper on RRRB's prepared for Symposium](#) – January 2017
- [Housing Symposium](#)- January 2017
- [Jurisdictional Scan](#) – Ongoing

Symposium Conclusion

The day's discussion provided various points of view on what is residential rental housing. Much of the discussion was focused on single family home owners, particularly home values and whether they would be increasing or decreasing with this form of change if implemented. However, consensus was formed that a registration or licensing rental housing for this type of use is required to keep parties accountable. Consensus regarding registration and licensing details were not confirmed and still need to be reviewed at a later date.

What are others doing?



Residential Rental Licence By-Law

Purpose of By-law

To address sub-standard housing conditions in rental units and protect the amenity, character and stability of residential areas

What Units Require a Licence

Any building containing four or less rental units and converted dwellings. Apartment and townhouse buildings are exempt.

Contact Us

General By-Law Inquiries
Phone: 519-930-3510
E-mail: building@london.ca

General Licence Inquiries
Phone: 519-930-3515
E-mail: licensing@london.ca

Register a Complaint
Phone: 519-661-4660
E-mail: enforcement@london.ca

[Residential Licensing By-Law](#)

Related Content

- [Fire Inspection](#)
- [Property Standards](#)
- [Zoning](#)
- [Rental Licence Documents](#)

How Do I...

- [Obtain or renew a licence?](#)
- [Report a non-licensed unit?](#)
- [Find a licensed rental unit?](#)



Rental licensing defeated 5-4, but beefed up enforcement approved

"You'll have three dedicated people who'll be able to respond," Mayor Drew Dilkens said

BRIAN CROSS

Published on: February 6, 2018 | Last Updated: February 6, 2018 9:11 AM EST

Residential Rental Licences



City considers residential rental licensing system



By [Elliot Ferguson](#), Kingston Whig-Standard
Monday, December 18, 2017 4:36:42 EST PM

The City of Waterloo's [residential rental housing licensing by-law](#) (no. 2011-047) give us the ability to manage low-rise residential rental housing in the City.

It balances the needs of property owners with those of residents looking for safe, adequate and properly maintained rental accommodation, while limiting the impact of large rental housing units on residential neighbourhoods.

Under this program, landlords must apply for a licence and renew it annually by April 1. If a rental property sells, the new owner must apply for a new licence, ons.

Quick Links

- ▶ [By-laws](#)
- ▶ [Careers](#)
- ▶ [Council and Committee Meetings](#)
- ▶ [Facilities](#)
- ▶ [News Centre](#)

Halifax landlord licensing studied to prevent 'ongoing safety issues'

Work to-date has been focused on a particular land use – Boarding or Lodging Houses

“Lodging House” means a Dwelling with three (3) or more Lodging Units which are provided to persons in return for remuneration. Lodging Houses exclude Accommodations, Bed and Breakfasts, Nursing Homes and Residential Care Facilities.

“Lodging Unit” means a room in a Lodging House that is used or designed to be used primarily for sleeping accommodations, which: a) Is provided to a person or persons in exchange for remuneration; b) Is used exclusively by the resident or residents of the room; c) Is not normally accessible to persons other than the resident or residents of the room; d) Has access to a kitchen, but does not have exclusive use thereof; and e) Has access to sanitary facilities, but may or may not have exclusive use thereof.

“Household” means one or more persons living together as a single independent housekeeping unit, with common use of and access to all areas of a Dwelling Unit.

- Clearly define a Lodging House as having 4 or more units
- Require licenses for all lodging houses that contain 4 or more lodgers
- License would be issued upon demonstration of the following:
 - Compliance with the Land Use Bylaw, including parking
 - Submission of a floor plan that complies with the LUB
 - Compliance with the Fire Code
- The circumstances under which the Development Officer may refuse a licensing application, and appeal provisions. Grounds for refusing a license include:
 - Non-compliance with Fire and LUB
 - Breach of other Town bylaws
 - Outstanding enforcement orders
- Yearly renewal of the license and a yearly registration fee
- An enforcement section that enables suspension or revocation of the license for noncompliance with the LUB or Fire Code

Identified Issues



- The bylaw would only apply to a small number “Lodging House” (or Boarding House) properties (approx. 15-20 at most). The scope is very limited in Staff’s view.
- Short-term rentals would not be addressed and have been a topic of discussion / issue of concern.
- Building Official / Fire and Life Safety Inspector is being hired and should be involved in formulating the overall approach. This new Staff person would play a key role in any licensing system implemented.
- Staff lacks an overall understanding on the location and number of lodging units in the Town and the proposed approach would not contribute to an improved understanding of the overall rental market.
- Much of what is in the proposed bylaw is already covered in other legislation such as the Land Use Bylaw, Minimum Housing Standards Bylaw and Fire Safety Act, Waste Management.
- Better enforcement provisions required – penalties need to be added to the Bylaw in order to be able to write Summary Offence Tickets.

- Status Quo (do nothing)
- Proceed with first reading with By-law as written
- Explore amendments to existing By-laws to regulate Lodging/Boarding Houses
- **Bring revised approach with MPS in the Fall of 2018 (Recommended)**

Staff are recommending that time be taken to explore a revised Rental Licensing approach.

Goals:

- Life safety
- Better handle on short- term rentals
- Better understanding of the overall rental market
- Improve communication and compliance with Landlords

Revised approach - Next Steps



- Apply the by-law to all rental properties to create a Residential Rental Licensing System.
 - Focus on Life Safety (“the safest student housing in the Province”) through the use of our System of Municipal Fire Inspections.
 - Get a handle on short-term rentals (AirBnB).
 - Work toward a better understanding of the overall rental market.
- There needs to be additional investigation into the mechanics of applying a licensing system to all rentals – this would include large apartment buildings all the way down to someone renting a room in their house or a short-term rental. Iterations of this and phasing need to be explored further. Exemptions for homeshare and other situations need to be explored. Short-term rentals (Airbnb) in different formats (e.g. whole house, just a room, separate dwelling) needs to be understood.
- Amend the Land Use By-law to define and enable land uses – e.g. “Lodging Houses” and “Lodging Units” as part of MPS Draft 2 presented in July. Need to ensure consistency with other relevant bylaws. Can and should move forward with MPS process.
- Focus groups with Landlords and property owners to discuss the approach and issues
- Amend Fire Inspections Policy and System of Municipal Fire Inspections to allow inspections for fewer units/lodging units
- Work on legal issues (e.g. enforcement)
- Think through realistic roll-out given our capacity (phased-in, buy-in from owners, fines for non-compliance, application requirements, etc)

**e. RFA 002-2017
Options to Hold
Landlords
Accountable**

**26-11-17 IT WAS REGULARLY MOVED AND SECONDED THAT
COUNCIL DIRECT STAFF TO ASSESS OPTIONS TO HOLD PROPERTY
OWNERS/LANDLORDS ACCOUNTABLE FOR ACTIONS OF THEIR
TENANTS THAT INTERFERE WITH THE ENJOYMENT OF ADJACENT
RESIDENT'S PROPERTIES**

CARRIED

A more robust rental licensing system would contribute to better communication with Landlords. The Landlord would be required to sign off on certain terms and conditions as part of acquiring a license. An [educational component](#) could also be included. The Town would have the ability to revoke a rental license under certain circumstances. In addition to this, a rental licensing system and the addition of a full time Building/Fire Official would lead to more of a presence on properties through a system of rental unit inspections.

That Council direct Staff to explore a revised Rental Licensing approach that would be brought back to Council for consideration in the fall of 2018 **with the Municipal Planning Strategy and Land Use By-law.**

REQUEST FOR DECISION 046-2019

Title: March 31, 2019 Financial Statements

Date: 2019-07-05 – Audit Committee **UPDATED FOR COUNCIL**

Department: Finance



SUMMARY

March 31, 2019 Financial Statements

Annually the Town's Finance Department prepares and presents the financial statements of the Town for its most recent March 31 year end. In accordance with the MGA and the province's Financial Reporting and Accounting Manual (FRAM), municipalities are **required to have audited Consolidated Financial Statements**. The Town of Wolfville also prepares Non-Consolidated Financial Statements for the benefit of Council and citizens. The RFD that follows, and the draft motion, deals with these two sets of financial statements.

This RFD goes first to Audit Committee for review with the Town's Auditor, and then to Council for approval. At the time of preparing this RFD for Audit Committee, the draft statements are still being compiled. Staff will be reviewing the statements between Audit Committee and final Council approval to ensure consistency between the two sets of financial statements.

The Audit Committee met on July 5th to review the year end consolidated (audited) and non-consolidated financial statements for the year ended March 31, 2019. The Town's auditors, PwC, were in attendance to review their findings and draft audit report. The Committee also reviewed this RFD with staff during the July 5th meeting. After review and discussion, the Audit Committee passed the following motion:

That the Audit Committee forward the following motion to Council for Decision: That Council approve the 2018/19 Consolidated and Non-Consolidated Financial Statements.

DRAFT COUNCIL MOTION:

That Council approve the 2018/19 Consolidated and Non-Consolidated Financial Statements.

REQUEST FOR DECISION 046-2019

Title: March 31, 2019 Financial Statements

Date: 2019-07-05 – Audit Committee **UPDATED FOR COUNCIL**

Department: Finance



1) CAO COMMENTS

Finance staff have done a thorough job of outlining the key points arising from the March 31, 2019 statements. As has been the past practice for several years, it is helpful for Council to consider the draft FCI's as part of this process as a snapshot of the overall financial health of the Town and to identify areas that may require further attention.

I want to thank those that were involved in the preparation of the statements as this has been a significant task for Finance staff over the past few months.

2) LEGISLATIVE AUTHORITY

- MGA 44 (Audit Committee)
- FRAM 4.1 - 4.3 and 5.1 – 5.3

3) STAFF RECOMMENDATION

That the Audit Committee forward the Consolidated and Non-Consolidated Financial Statements to Council for approval.

UPDATE: After review with the Audit Committee, staff recommends the attached draft March 31, 2019 financial statements be approved by Council.

4) REFERENCES AND ATTACHMENTS

- CICA accounting standards per Public Sector Accounting Handbook, and where appropriate CICA Handbook
- Province of Nova Scotia Financial Reporting and Accounting Manual (FRAM)
- Fiscal 2018/19 Quarterly Financial Updates, including year-end forecasts
- Draft Consolidated Financial Statements (audited) for the year ended March 31, 2019 (attached)
- Draft Non-Consolidated Financial Statements for the year ended March 31, 2019 (attached)

5) DISCUSSION

UPDATE: As part of the process in finalizing the statements, there is one change that has been made post Audit Committee meeting. This relates to Note 3 and the percentage share noted for Valley Waste Resource Management Authority. It has been corrected from 6.46% to 6.55%. This is not considered a material change in any respect, hence no change in Audit Opinion or need to go back to Audit Committee.

REQUEST FOR DECISION 046-2019

Title: March 31, 2019 Financial Statements

Date: 2019-07-05 – Audit Committee **UPDATED FOR COUNCIL**

Department: Finance



The firm of PricewaterhouseCoopers LLP (PWC) was appointed to carry out the audit of the March 31, 2019 Consolidated Financial Statements. This represented a one-year extension beyond the original four-year term of the 2014/15 Request for Proposals.

Field work at Town Hall started June 3rd with on-site work wrapping up on June 11th. Subsequent to that date staff continued to provide supporting information for transactions selected by the auditors for verification. As of the time of writing this report (June 30th) there are still a few outstanding audit questions being cleared. It is anticipated that these will be finalized prior to the Audit Committee meeting on July 5th. The final Auditor's Report (opinion on financial statements) will only be issued once all outstanding questions have been cleared

As stated each year, It is important to note that the ***financial statements are the responsibility of Town management***, and that PWC's responsibility is to audit and express an opinion on those statements.

Consistent with the regulations outlined in the provincial FRAM, the Audit Committee will review the *Draft Consolidated Financial Statements* and the *Auditors Report to the Audit Committee*. This meeting allows the audit firm, and Town staff, to review significant financial figures and to respond to any questions coming from the Committee.

The auditor's report relates to the consolidated financial statements, which includes the Town General Operating Fund (for which tax rates are established), Town Capital Fund, Town Operating Reserve Fund, Town Capital Reserve Fund, Town Water Utility Operating Fund, and Town Water Utility Capital Fund. Refer to Notes 1 & 2 to the Consolidated Financial Statements for further information on accounting policies used in the preparation of the statements.

The non-consolidated financial statements are also reviewed with the Audit Committee. These statements more closely relate to the manner in which the Town budgets, i.e. separate budgets for Town and Water Utility Operating Funds, and Town and Water Capital Funds.

What follows in this RFD is summary financial information and analysis to assist in the review of the actual draft financial statements.

Provincial Financial Index Reporting

The Town has annually reviewed draft FCI's updated with the most recent year end data. Not all Town's carry out this process, however staff believe this is an important part of the year end process, i.e. timely review of the FCI's and early identification of any change in trends on a year over year basis.

Although the Financial Condition Indicators (FCI) are not part of the year end financial statements, a review of the FCI can provide a high level overview of the Town's financial condition. The province has issued Indicators for municipalities up to March 31, 2018 year end and staff are providing ***internally calculated estimates*** of what Wolfville's FCI will look like later in the year when the province issues the

REQUEST FOR DECISION 046-2019

Title: March 31, 2019 Financial Statements

Date: 2019-07-05 – Audit Committee **UPDATED FOR COUNCIL**

Department: Finance



2018/19 updated values. Over the last few years the officially released FCI's do not differ from the draft calculations provided by town staff.

The following table shows Wolfville's draft calculation for 2018/19, compared to the previous five years. Generally speaking, there are no surprises in the draft results compared to prior years. The Town of Wolfville continues to show a strong financial standing, both against provincial benchmarks and other towns.

There are now twelve indicators overall.

	Per PNS Publication					Internal	2017/18	
	2013/14	2014/15	2015/16	2016/17	2017/18	Draft Calc. 2018/19	Threshold	Towns ave
Reliance on Gov't Transfers	1.3%	1.5%	1.7%	1.9%	1.4%	1.1%	Moderate Risk 15%-20%	9.70%
Uncollected Taxes	3.9%	5.2%	4.8%	4.9%	4.8%	5.7%	10%-15%	6.90%
3 Yr change in Tax Base	10.8%	13.7%	12.70%	11.90%	8.30%	7.50%	< CPI (4.4%)	5.20%
Comm Property Assessment	8.2%	8.1%	7.9%	n/a	n/a			
Reliance on Single Business	0.7%	0.6%	0.6%	0.6%	0.6%	0.6%	10%-15%	6.30%
Residential Tax Effort	4.3%	4.4%	4.50%	4.10%	4.20%	4.20%	4%-6%	3.80%
# of deficits	-	-	-	-	-	-	at least 1 in 5 yrs	0.5/5
Budget Expense Accuracy	4.5%	-0.1%	2.3%	4 out of 5	5 out of 5	5 out of 5	1 out of 5 > 5%	4 out of 5
Liquidity Ratio	2.5	2.8	1.8	2.7	4.5	3.7	1 - 1.5	2.3
Operating Reserves	22.4%	22.0%	25.4%	24.5%	26.4%	25.5%	10%-20%	14.70%
Combined Reserves				53.7%	52.6%	69.0%	30%-40%	35.20%
Debt Service Ratio	5.8%	5.6%	5.9%	6.7%	7.1%	7.6%	10%-15%	7.10%
Outstanding Operating Debt				0.0%	0.0%	0.0%	25%-50%	2.50%
Outstanding debt	0.5%	0.6%	0.7%	n/a	n/a			
Undepreciated Assets	58.3%	58.1%	58.1%	58.0%	57.4%	56.4%	35%-50%	53.10%
5 Yr Capital Purchases	191.0%	191.8%	205.7%	n/a	n/a			
5 Yr contr. To Capital Reserves	61.5%	76.6%	91.0%	n/a	n/a			

n/a = no longer reported

As noted in past years, staff believe some indicators have more relevance than others. For example, the Undepreciated Assets indicator for the Town has been approximately the same value for years but has gone from a "red (higher risk)" assessment to "green (low risk)" assessment.

Wolfville continues to be one of the least dependent Town's on operating grants from other levels of government. It is anticipated that indicator should drop to 1.1% compared to the Town's average of 9.7% (2017/18 data). Eleven towns received 10% or greater in Gov't Transfers in their overall revenue stream with the highest percentage being 19%.

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In addition to the Reliance on Gov't Transfers, Wolfville exceeds the risk benchmarks by comfortable margins in eight other indicators. Two indicators are more closely within the low risk benchmark, and one indicator is in the moderate risk result. The moderate risk result is in Residential Tax Effort with a measure of 4.2% estimated for the March 31/19 year end. Moderate risk in this indicator is a range of 4%-6%, so the Town's result rests closer to green (low risk) than red (high risk).

For those that are interested, the FCI annual report can currently be found at the following web address:

<https://beta.novascotia.ca/documents/municipal-indicators-municipality-reports-2018>

Non-Consolidated Financial Results

Non-consolidated statements provide additional information for both Council and the public. As individual funds they tie directly to the tax rate setting process and annual approved budgets.

Actual results for the two operating funds were:

- | | | |
|---|-------------------|--------------------------|
| • Town operating fund, surplus (page 1) | <u>\$178,768</u> | (forecast \$47,300) |
| • Water Utility operating fund, deficit (page 13) | <u>\$(18,973)</u> | (forecast loss \$20,600) |

With regard the Town Operating Fund, the final year end result is 1.3% better than the amount reported to Audit Committee and Council back in January. The single biggest factor providing higher than expected surplus relates to Deed Transfer Tax Revenue. That revenue source had run lower than budget throughout fiscal 2018/19, however one real estate transaction closing in early March generated approximately \$107,000 Deed Transfer Tax. Other notes include:

- Overall revenues ended the year \$162,500 higher than forecast, with the Deed Transfer Tax contributing the most to the additional revenue.
- Expenditures ended the year \$31,000 higher than forecast. Actual use of winter road salt was higher than forecast, coming in \$17,600 more than budget and forecast. Other smaller variances make up the balance of the additional spending.

Consolidated March 31, 2018 Financial Statements - Audited

The following are comments which should assist Committee members reviewing the Consolidated Statements:

Page 3 Statement of Financial Position

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- Cash balances increased \$845,000 overall. Refer to page 6 for details on cash flow changes. The increase was mainly in Capital Reserve funds as fewer projects were completed than planned and therefore fewer dollars required from reserves to fund projects.
- Receivables increased \$236,000. Other receivables made up almost \$158,000 of this increase. This group of receivables includes all non-property tax and water billings, as well as year end accruals. For March 31, 2019 there were two amounts that don't usually show up at that time of year or at least not in the amount set up for 2018/19. There were accruals for \$20,600 for the Grant In Lieu of Taxes for the Post Office (this was submitted later than usual to the Post Office property management company), and Deed Transfer Tax accrued receivable was \$116,000 at March 31st (a balance much higher than usual at year end, due to one large transition noted above in non-consolidated financial discussion. Beyond Other Receivables, outstanding property taxes were \$78,000 higher than a year ago.
- Temporary Bank Indebtedness is \$42,000 at year end. This relates to temporary borrowings from the Bank of Montreal utilized within the Town's Capital Fund as partial/temporary funding for the 2018/19 capital projects. Note that the Town utilizes its overall bank balances to minimize borrowings from the bank. Subsequent to year end, borrowings were replaced with cash from the 2019 spring Debenture issue.
- Payables were up \$240,600 compared to a year ago. Capital projects contribute \$181,000 toward this increase with a number of invoices being submitted late and therefore payment could not be made before year end. The Finance Department has added new procedures to year end to ensure all relevant costs are picked up before the year end books are closed off.
- The Town has returned to a Net Asset position after a couple of years in a Net Debt position, sitting at Net Assets of \$220,700 at year end. As noted in past years, a Net Debt position is not necessarily an unhealthy position to be in. The year end balance should be looked at in relation to the Town's total non-financial assets which now sit at \$26.5 million at March 31/19. As noted last year..... *The key is to ensure the Net Debt position stays within the Town's ability to repay long term debt. Referring to the provincial FCI's, the Town is still well within its ability to manage its debt load. Note, based on the financial data published by the province, using fiscal 2014/15 results, 20 of 30 Towns are in a Net Debt position. This ratio is unchanged from the previous year data. Notwithstanding a restricted investment on their balance sheet (per NSUARB regulations) one additional town would be in a net debt position as well.* Clearly the March 31/19 position is slightly healthier than a year ago, however it is an only an overall 1.8% improvement.

Page 4 Statement of Operations

- Total revenues \$352,800 more than budget, a variance of 3.5%
 - Property tax revenue was \$18,300 higher than budget with residential taxes being the main contributor.

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- Deed Transfer Tax revenue were \$45,000 higher than budget, after lagging below budget for the first 11 months of the year. See notes above for details of increase.
 - Grants in Lieu of Taxes from the province were \$12,000 more than budget as the Acadia Grant in lieu was based on a higher assessed value than the budget utilized.
 - Revenue From own Sources,
 - interest revenue earned on bank balances was \$65,600 more than budget. This is a function both of increasing rates and continued high reserve balances (which has no revenue budget).
 - The Town shows a \$54,000 unbudgeted Gain on Disposal of capital assets. This is the fire pumper truck sold this past winter in anticipation of the new replacement arriving in 2019/20. The truck sold had a Net Book Value of nil, therefore the proceeds on disposal show as a gain on disposal.
 - Miscellaneous revenue is \$47,000 more than budget with a recovery of legal fees thru the insurance policy and recovery of grant funds comprising the largest variances from budget.
 - Under Conditional Transfers from Other Gov'ts and Org's the Town received \$66,800 more than budget. This increase includes additional Gas Tax grant, employment grants, provincial capital grants, and other smaller provincial grants.
- Total expenditures show as \$1,132,600 over budget however this includes \$1,198,700 in amortization expense that is not a budgeted amount (related to Town Capital Fund). Removing this from the variance yields actual expenditures ending the year \$66,100 under budget, less than a 1% variance from budget.
 - General Government was \$115,000 under budget (excluding amortization). Legislative expenses were \$6,400 under budget, Professional Development contributing the most to these savings with smaller savings throughout other line items. Administrative expenses (Office of CAO, Finance, IT, GIS and Town Hall) were \$87,600 under budget. The organizational restructuring carried out last fall resulted in lower salary costs in administration (although this was offset by additional wages with the addition of a Director of Parks and Recreation). Legal fees were less than budget in this segment, and budget allowances for programming and contracted services were not utilized. Less was spent on Town Hall Maintenance and general supplies. Grants to Organization was \$16,000 less than budgeted.
 - Protective Services was within \$1,100. This covers policing, fire, EMO, Bylaw, and animal control.

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- Transportation Services were \$70,000 over budget. There are a number of variances, both over and under budget, that contribute to this result.
 - In terms of savings, less was incurred for building maintenance than budgeted, with smaller savings in a couple of other line items.
 - Costs for Roads and Streets were \$68,800 overbudget with both street/sidewalk maintenance (mill & pave and pothole patching) and winter salt ending the year over budget.
 - Public Transportation ended the year \$44,000 over budget with Kings Point to Point cost on budget and Kings Transit contributions over budget. Note \$12,500 was accrued at March 31/19 in anticipation of a deficit result for Kings Transit for the 2018/19 fiscal year.
- Environmental Health Services ended the year \$28,900 under budget. Savings were realized in sewage collection costs as well as with the lift stations. Offsetting the savings somewhat were higher than budget expenditures in sewage treatment. In addition, costs for Garbage/waste collection were higher than budget (Valley Waste Resource Management).
- Environmental Development Services ended the year \$50,000 under budget.
 - Planning costs were \$20,000 under budget, comprised of a number of variances. Seasonal/term wages were \$22,600 under budget, with permanent salary costs \$8,800 over budget. Legal cost were \$31,400 over budget due mainly to issues around a couple of developments and related DA process. Less than budget was spent on Contracted Services, most notably around the MPS process.
 - Community development administration (economic development in the Town's internal financial reports and budget) was \$25,000 under budget. Budgeted dollars for downtown amenities were not spent and a budget allowance for contracted service was not utilized.
 - Tourism costs were \$6,300 under budget with wages making up the majority of these savings.
- Recreation and cultural services ended the year \$30,800 over budget.
 - Administration costs were \$18,000 over budget mainly to salaries. As noted above, the addition of the new Director of Parks and Recreation position was not contemplated in the budget.
 - Programming costs were over budget by \$10,000. The costs to contract summer programming was missed in the budget estimates.
 - Parks ended the year \$16,000 over budget. Wages & benefits were over budget by \$36,000 as a result of the new collective agreement signed in fall 2018.

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- Repairs and maintenance of vehicles/equipment was \$3,000 over budget. These cost over runs were offset by savings in contracted services. Planned costs were not all incurred, eg. Stump/brush grinding, before year end.
- Other costs (festival and events) ended the year \$16,000 under budget. Decorative banners were not purchased until after year end, and overall costs for Wolfville 125 celebrations were less than budget.
- The Water Utility ended the year with a \$19,000 deficit (compared to a budgeted surplus of \$20,100. This was a combination of lower than budget metered sales and cost overruns in a couple of areas.
 - Metered sales were almost \$30,000 under budget. The Town's Rate Application did not come before the UARB until fall and approved increases were not effective until the 4th quarter.
 - Other revenues were higher than budget driven by more water hookups in the year (2 budgeted and 5 billed) and interest earned on bank balances bringing in \$8,700 more than budget.
- Power and pumping costs were \$11,300 over budget, due entirely to utility costs. This line item has varied year over year. For 2019/20 the budget has been increased to \$91,000 to reflect higher costs during the last two years.
- Water Treatment costs were \$16,000 under budget with less contracted service dollars being incurred. Planned work to clean the water reservoir tank was not incurred in 2018/19 and has been carried over to fiscal 2019/20.
- Transmission and distribution costs continue to run higher than budget with more wages allocated to this area than budgeted. The number of water line breaks continues to stay higher than historic trends.
- Administrative costs ended the year over budget with salaries being higher than budget. The majority of these wages are allocations from the Town's Finance and Public Works departments. The budget amount did not accurately reflect the annual allocation.

Summary

Overall the Town's operations (town and water) ended the year on a positive financial position. The completion and approval of the Water Rate Study should provide sufficient/stable revenues for the Water utility for the next 3 to 5 years. Long term interest rates continue to remain historically low providing some additional capital funding room over the next ten years compared to assumptions built into budget estimates.

There were a few areas of cost overruns that require attention in the coming year(s). These include insurance, legal, street maintenance (mill and pave maintenance), and winter salt. Insurance costs are

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more than double what they were five years ago. If the Town can improve its claims experience in coming years, then premium savings should be realized. Legal expenses are almost double what they were less than ten years ago. Savings in these two areas could equate to one cent on the tax rate. Improved internal controls on the mill/paving contracted work should help ensure this works stays within budget parameters. Winter salt costs have been higher than budget two of the last three years, which may indicate a trend and need to adjust salt budget upwards.

It appears the Town's role of maintaining the accounting records for the VCFN (Valley Community Fibre Network) will end sometime in 2019/20. This should provide additional time/resources to be focused on Town related data to help support pure financial analysis. The goal is to build on data related to water/sewer billings, water volume being treated, sewer treatment plant volumes, and winter salt use in relation to weather. Additional time will also be focused on the Town's long term capital budgeting and financing impacts of added street infrastructure being taken over in new developments.

6) FINANCIAL IMPLICATIONS

This RFD does not have financial implications itself. Of key importance is the results reflected in the year end statements that show that the Town continues to be well positioned moving forward to address the capital infrastructure needs of the Town, as well as to mitigate material increases in tax burdens. The new rate structure in the Water Utility should stabilize the financial position of the Utility for the next few years.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Annual, audited financial statements assist Council in demonstrating accountability to the community. Adequate review of the reasons why the financial results occurred can aide Council in future budget iterations.

8) COMMUNICATION REQUIREMENTS

Once approved, there are several areas of communication that will occur:

- Internally the statements will be made available to all staff, including senior management, and all members of Council.
- Externally a copy of the statements will be posted to the Town's website.
- The Town will also file the appropriate financial statement copies, and auditors report, with the province. The information contained in the year end records will also be used to complete the Financial Information Return required by the Province.

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- A further copy will be sent to BMO as part of the Town's reporting requirement with its banking institution.

9) ALTERNATIVES

No practical alternatives exist given the nature of the report, and the associated Auditors Report. Notwithstanding a qualified audit opinion, there is no reason not to approve the financials. Even in an instance where there is a qualified audit opinion, there may be reason to still approve the statements. That would depend on the nature of any qualification. This is not an issue with the Town's statements this year as there is no qualification of the opinion.

Approval of the year end consolidated statements is a required step in the financial reporting of the Town of Wolfville. Once the Audit Committee has recommended their approval, and Council has formally approved them, the firm of PWC will issue the Independent Auditors' Report and final Internal Control Letter. This will allow the Town to complete its annual financial reporting to the Province.

Consolidated Financial Statements

Town of Wolfville

March 31, 2019



A cultivated experience for the mind, body, and soil



Independent auditor's report

To the Mayor and Council of the Town of Wolfville

Our opinion

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the financial position of Town of Wolfville (the Entity) as at March 31, 2019 and the results of its operations, changes in its net debt and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

What we have audited

The Entity's consolidated financial statements comprise:

- the consolidated statement of financial position as at March 31, 2019;
- the consolidated statement of operations for the year then ended;
- the consolidated statement of changes in net financial assets (debt) for the year then ended;
- the consolidated statement of cash flows for the year then ended; and
- the notes to the consolidated financial statements, which include a summary of significant accounting policies.

Basis for opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the consolidated financial statements* section of our report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Independence

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada. We have fulfilled our other ethical responsibilities in accordance with these requirements.

Responsibilities of management and those charged with governance for the consolidated financial statements

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control

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"PwC" refers to PricewaterhouseCoopers LLP, an Ontario limited liability partnership.



as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditor's responsibilities for the audit of the consolidated financial statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.



- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Entity to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

DRAFT

Chartered Professional Accountants, Licensed Public Accountants

Halifax, Nova Scotia
July 16, 2019

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Town of Wolfville

Consolidated Statement of Financial Position

As at March 31, 2019

	2019 \$	2018 \$
Assets		
Current assets		
Cash and cash equivalents	2,694,495	2,669,820
Cash – Capital reserve fund (note 12)	3,685,247	2,863,994
Receivables (note 4)	859,718	623,307
	<u>7,239,460</u>	<u>6,157,121</u>
Liabilities		
Bank indebtedness	42,011	223,085
Payables and accruals	602,128	361,449
Deferred revenue	287,942	224,667
Other	48,612	54,546
Long-term debt (note 5)	<u>6,037,995</u>	<u>5,644,236</u>
	<u>7,018,688</u>	<u>6,507,983</u>
Net financial asset (debt)	<u>220,772</u>	<u>(350,862)</u>
Non-financial assets		
Tangible capital assets (note 6)	25,926,387	25,865,353
Prepaid expenses	60,087	51,385
Inventories	23,133	24,526
Work-in-process	<u>556,842</u>	<u>274,244</u>
	<u>26,566,449</u>	<u>26,215,508</u>
Accumulated surplus	<u>26,787,221</u>	<u>25,864,646</u>

Commitments (note 13)

On Behalf of the Town

Mayor

Chief Administrative Officer

The accompanying notes are an integral part of these consolidated financial statements

Town of Wolfville

Consolidated Statement of Operations

For the year ended March 31, 2019

	Budget 2019 \$ (unaudited)	Actual 2019 \$	Actual 2018 \$
Revenue			
Taxes	6,866,900	6,979,010	6,874,852
Grants in lieu of taxes	980,000	992,920	987,242
Sale of services	779,900	795,424	761,370
Other revenue from own sources	167,100	340,828	210,443
Unconditional transfers from other governments	71,100	71,014	70,988
Conditional transfers from governments and others	364,500	413,386	423,385
Metered sales	694,000	664,292	657,700
Sprinkler services	7,900	8,883	8,253
Other	14,500	32,902	10,161
	<u>9,945,900</u>	<u>10,298,659</u>	<u>10,004,394</u>
Expenses			
General government services	1,462,500	1,387,489	1,516,017
Protective services	1,947,600	2,043,660	2,094,324
Transportation services	1,537,800	2,337,736	2,266,847
Environmental health services	851,800	1,028,721	909,727
Environmental development services	836,000	896,766	928,892
Recreational and cultural services	751,300	798,022	691,911
Water			
Administrative	237,300	257,300	240,577
Amortization	150,200	137,699	142,300
Interest and other debt charges	22,400	21,594	17,385
Power and pumping	100,800	112,171	117,833
Transmission and distribution	231,400	256,798	241,441
Treatment	114,400	98,128	82,641
	<u>8,243,500</u>	<u>9,376,084</u>	<u>9,249,895</u>
Annual surplus	<u>1,702,400</u>	922,575	754,499
Accumulated surplus – Beginning of year		25,864,646	25,110,147
Accumulated surplus – End of year		<u>26,787,221</u>	<u>25,864,646</u>

The accompanying notes are an integral part of these consolidated financial statements.

Town of Wolfville

Consolidated Statement of Changes in Net Financial Assets (Debt)

For the year ended March 31, 2019

	Budget 2019 \$ (unaudited)	Actual 2019 \$	Actual 2018 \$
Annual surplus	1,702,400	922,575	754,499
Acquisition of tangible capital assets	(3,512,300)	(1,399,913)	(2,399,592)
(Gain) loss on disposal	-	(54,015)	28,039
Proceeds on disposal	-	56,522	17,000
Amortization	150,200	1,336,372	1,386,036
	<u>(3,362,100)</u>	<u>(61,034)</u>	<u>(968,517)</u>
Prepaid expenses	-	(8,702)	15,153
Inventory	-	1,393	(730)
Work-in-process	-	(282,598)	(26,559)
	<u>-</u>	<u>(289,907)</u>	<u>(12,136)</u>
Change in net financial assets (debt)	<u>(1,659,700)</u>	571,634	(226,154)
Net financial assets (debt) – Beginning of year		<u>(350,862)</u>	<u>(124,708)</u>
Net financial assets (debt) – End of year		<u>220,772</u>	<u>(350,862)</u>

The accompanying notes are an integral part of these consolidated financial statements.

Town of Wolfville

Consolidated Statement of Cash Flows

For the year ended March 31, 2019

	2019 \$	2018 \$
Cash provided by (used in)		
Operating activities		
Annual surplus	922,575	754,499
Charges to annual surplus not involving cash		
Gain (loss) on disposal of tangible capital assets	(54,015)	28,039
Impairment of work-in-process	-	139,971
Amortization of tangible capital assets	1,336,372	1,386,036
	2,204,932	2,308,545
Change in non-cash working capital		
Decrease (increase) in receivables	(236,411)	225,245
Increase (decrease) in payables and accruals	144,101	(520,964)
Increase (decrease) in other liabilities	57,341	31,754
Decrease (increase) in prepaid expenses	(8,702)	15,153
Decrease (increase) in inventories	1,393	(730)
	2,162,654	2,059,003
Capital transactions		
Acquisition of tangible capital assets	(1,399,913)	(2,399,592)
Change in payables and accruals for tangible capital assets and work-in-process	96,578	(333,238)
Decrease (increase) in work-in-process	(282,598)	(166,530)
Proceeds on disposal of tangible capital assets	56,522	17,000
	(1,529,411)	(2,882,360)
Financing activities		
Increase (decrease) in temporary bank indebtedness	(181,074)	223,085
Proceeds from debt issuance	1,029,750	1,367,500
Long-term debt principal repayments	(635,991)	(575,116)
	212,685	1,015,469
Net increase (decrease) in cash	845,928	192,112
Cash and cash equivalents – Beginning of year	5,533,814	5,341,702
Cash and cash equivalents – End of year	6,379,742	5,533,814
Cash and cash equivalents represented by:		
Cash and cash equivalents	2,694,495	2,669,820
Cash – Capital reserve fund (note 12)	3,685,247	2,863,994
	6,379,742	5,533,814

The accompanying notes are an integral part of these consolidated financial statements.

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

1 Status and nature of activities

The consolidated financial statements of the Town of Wolfville (the “Town”) are prepared by management in accordance with Public Sector Accounting Standards, as recommended by the Public Sector Accounting Board of CPA Canada. Significant accounting policies adopted by the Town are as follows:

2 Summary of significant accounting policies

a) Reporting entity

The consolidated financial statements reflect the assets, liabilities, revenues, expenditures and changes in fund balances and in financial position of the reporting entity. The reporting entity is comprised of all organizations and enterprises accountable for the administration of their affairs and resources to the Town and which are owned or controlled by the Town.

Inter-departmental and organizational transactions and balances are eliminated.

Trust funds are excluded from the consolidated financial statements, but are disclosed on pages 30 and 31.

b) Basis of accounting

The basis of accounting followed in the consolidated financial statement presentation includes revenues in the period in which the measurable transactions or events occurred that gave rise to the revenues and measurable expenditures in the period the goods and services are acquired and a liability is incurred or transfers are due. Government transfers are recognized as revenue in the period that the events giving rise to the transfer occurred; provided the transfers are authorized, any eligibility criteria have been met by the Town, and reasonable estimates of the amounts can be made.

c) Fund accounting

Funds within the consolidated financial statements consist of the Town Operating, Town Capital, Water Operating, Water Capital, Operating Reserve fund and Capital Reserve fund. Transfers between funds are recorded as adjustments to the appropriate fund balance.

d) Valuation allowance

For uncollected taxes and rates, the Town provides a valuation allowance for estimated losses that will be incurred in collecting receivables outstanding.

e) Cash and cash equivalents

Cash and cash equivalents include cash on hand and balances with banks, bank overdrafts and short-term deposits with original maturities of three months or less.

Town of Wolfville**Notes to Consolidated Financial Statements****For the year ended March 31, 2019**

2 Summary of significant accounting policies (continued)**f) Use of estimates**

In preparing the Town's consolidated financial statements, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the consolidated financial statements and reported amounts of revenue and expenses during the period. Actual results could differ from these estimates.

g) Financial instruments

The estimated fair value of cash and cash equivalents, receivables, bank indebtedness and payables approximates carrying value due to the relatively short-term nature of the instruments and/or floating interest rates on the instruments. The estimated fair value of long-term debt also approximates carrying value due to interest rates that are based on the lenders rate.

h) Work-in-process

Work-in-process ("WIP") is recorded at cost and occurs with instances where a capital project is not complete as at year end. Costs include any costs applicable to tangible capital assets. The capital cost reported as WIP as at year end becomes capitalized to tangible capital asset costs when the project is subsequently complete. In some cases, the costs are related to pre-construction engineering design for projects identified through the Town's Ten Year Capital Investment Plan. The Town annually reviews the engineering costs for future projects to ensure there are no indicators of impairment.

i) Tangible capital assets

Tangible capital assets are recorded at cost which includes all amounts that are directly attributable to the acquisition, construction, development or betterment of the asset. Donated assets are recorded at their estimated fair market value upon acquisition.

The cost, less residual value, of the tangible capital asset is amortized on a straight-line basis over its useful life. Assets under construction are not amortized until the asset is put into use. Amortization is recorded as an expense commencing in the year of acquisition.

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

2 Summary of significant accounting policies (continued)

i) Tangible capital assets (continued)

The estimated useful lives are as follows:

Town general capital

Land Improvements (includes LED Street lights)	10-25 years
Traffic lights	25 years
Small and office equipment	4-5 years
Motor vehicles	10-15 years
Fixed and moveable equipment	10 years
Streets, road and curbs	25 years
Sidewalks	25 years
Operating plants (sewage treatment)	25-50 years
Lift stations	25 years
Municipal buildings	40 years
Other infrastructure	50 years

Water utility

Structures, improvements and wells	25-75 years
Equipment	1-10 years
Transmission, distribution and hydrants	50-75 years
Services	50 years
Meters	25 years

j) Employee future benefits

Defined benefit plan

The Town maintains a contributory defined benefit pension plan for a past employee that provides pensions based on length of service and annual earnings. The Town uses the immediate recognition approach to account for its defined benefit pension plan. The accrued benefit obligations are determined using the most recent actuarial valuation report prepared for funding purposes.

An actuarial valuation of the plan was completed for January 1, 2018 and has been updated by extrapolation to March 31, 2019. Actuarial valuations are performed every three years.

Plan assets are measured at fair value.

The Town would recognize the plan funded deficiency if the accrued obligation was greater than the fair value of the plan assets on the consolidated statement of financial position.

Actuarial gains and losses and past service costs are included in the cost of the plan for the year in the consolidated statement of operations.

Defined contribution plan

The Town offers a defined contribution pension plan to employees. An expense is recorded in the period when the Town is obligated to make contributions for services rendered by the employee. Any unpaid contributions are included in payables and accruals on the consolidated statement of financial position.

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

2 Summary of significant accounting policies (continued)

k) Inventories

Inventories of materials and supplies held for consumption are valued at the lower of cost and net realizable value, with cost determined by the average cost method.

l) Capital reserve fund

Capital reserve funds represent the amounts set aside to finance future capital expenditures. Reserves are established at the discretion of Council and/or in accordance with the Province of Nova Scotia Financial Reporting and Accounting Manual ("FRAM"). Transfers from the reserve funds are restricted in use in accordance with FRAM.

3 Contributions to Boards and Commissions

Other Boards and Commissions - less than 100% interest

The Town is required to finance the operation of the various Boards and Commissions, along with the other Municipal Units in Kings County, to the extent of its participation based on assessment or population formula. The financial results of these Boards and Commissions are not consolidated in the Town's financial statements.

In addition to any budgeted contributions, the Municipal Units share in the deficits or surpluses of these Boards based on their sharing percentages. Where shareable deficits or surpluses are measureable, they are accrued in the current year results, otherwise they are recorded in the following year results.

Annapolis Valley Regional Housing Authority

For the year ended March 31, 2019, the Town's share of the deficit was \$38,924 (2018 - \$46,063).

Annapolis Valley Regional Centre for Education (School Board) — 4.99%

For the year ended March 31, 2019, the Town contributed \$738,012 (2018 - \$674,808) to the Board as its share of the operating expenditures.

Valley Regional Enterprise Network ("REN") — 7.7%

For the year ended March 31, 2019, the Town contributed \$22,766 (2018 - \$22,766) to the REN.

Valley Waste Management Authority — 6.55%

For the year ended March 31, 2019, the Town's share of the Authority's capital and operating expenditures was \$515,526 (2018 - \$435,550).

Annapolis Valley Regional Library — 3.5%

For the year ended March 31, 2019, the Town's share of the deficit was \$24,320 (2018 - \$24,320).

Kings Transit Authority — 15%

For the year ended March 31, 2019, the Town's share of the Authority's capital and operating expenditures was \$178,757 (2018 - \$142,812).

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

4 Receivables

	2019 \$	2018 \$
<u>Taxes receivable</u>		
Balance – Beginning of year	256,920	259,150
Current year's levy	7,397,236	7,211,452
	7,654,156	7,470,602
Collections	(7,319,406)	(7,213,682)
Balance – End of year	334,750	256,920
Water rates (net of \$3,500 valuation allowance)	141,591	140,047
Sewer rates (net of \$1,000 valuation allowance)	109,298	110,103
Other receivables (net of \$3,500 valuation allowance)	274,079	116,237
	859,718	623,307

5 Long-term debt

	2019 \$	2018 \$
MFC debenture, bearing interest from 2.06% to 3.50%, payable in annual instalments of \$64,150 to May 2033, with \$67,500 to be refinanced in 2033, payable in annual instalments of \$13,500 thereafter, plus interest, maturing in fiscal 2038	1,029,750	-
MFC debenture, bearing interest from 1.20% to 3.21%, payable in annual instalments of \$95,875 to May 2022, \$80,875 to 2032, with \$79,375 refinanced in 2032, payable in annual instalments of \$15,875 thereafter, plus interest, maturing in fiscal 2037	1,271,625	1,367,500
MFC debenture, bearing interest from 1.15% to 3.48%, payable in annual instalments of \$111,617 to May 2021, \$109,612 thereafter, plus interest, maturing in fiscal 2032	1,431,016	1,542,633
MFC debenture, bearing interest from 4.49% to 4.88%, payable in annual instalments of \$49,300, plus interest, maturing in fiscal 2019	-	49,300
MFC debenture, bearing interest from 3.21% to 4.89%, payable in annual instalments of \$61,400, plus interest, maturing in fiscal 2020	61,400	122,800
MFC debenture, bearing interest from 3.15% to 4.50%, payable in annual instalments of \$85,200, plus interest, maturing in fiscal 2021	170,400	255,600
MFC debenture, bearing interest from 2.49% to 4.21%, payable in annual instalments of \$34,800, plus interest, maturing in fiscal 2022	104,400	139,200
MFC debenture, bearing interest from 1.93% to 3.48%, payable in annual instalments of \$13,000, plus interest, maturing in fiscal 2023	52,000	65,000

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

5 Long-term debt (continued)

	2019 \$	2018 \$
MFC debenture, bearing interest from 1.33% to 3.49%, payable in annual instalment of \$36,733, plus interest, maturing in fiscal 2029	367,335	404,068
MFC debenture, bearing interest from 1.25% to 3.80%, payable in annual instalment of \$56,733, plus interest, maturing in fiscal 2030	624,068	680,801
MFC debenture, bearing interest from 1.25% to 3.79%, payable in annual instalment of \$91,333 to June 2025, \$57,333 thereafter, plus interest, maturing in fiscal 2031	926,001	1,017,334
	<u>6,037,995</u>	<u>5,644,236</u>

Principal repayments required during the next five years are as follows:

	\$
Year ending March 31, 2020	650,841
2021	589,441
2022	504,241
2023	469,441
2024	456,441

All long-term debt outstanding at year-end has been authorized by the Department of Municipal Affairs.

Subsequent to March 31, 2019, the Town placed an additional debenture with Municipal Finance Corporation totalling \$976,100 to finance streets, sidewalks, storm & sanitary sewer and water distribution system.

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

6 Tangible capital assets

	Cost March 31, 2018 \$	Additions \$	Disposals \$	Cost March 31, 2019 \$	Accumulated depreciation 2018 \$	Adjustments \$	Amortization expense \$	Accumulated depreciation 2019 \$	Net book value \$
Town General Capital									
Land	1,397,548	-	-	1,397,548	-	-	-	-	1,397,548
Land improvements	3,227,615	39,253	-	3,266,868	1,500,832	-	138,579	1,639,411	1,627,457
Buildings and structures	3,810,917	-	-	3,810,917	1,681,588	-	89,486	1,771,074	2,039,843
IT infrastructures	147,695	-	-	147,695	123,915	-	14,037	137,952	9,743
Equipment	484,762	62,953	-	547,715	165,309	-	47,862	213,171	334,544
Traffic lights and poles	176,385	-	-	176,385	75,865	-	6,722	82,587	93,798
Sewer systems	7,181,092	360,292	(14,384)	7,527,000	2,835,170	(14,384)	145,269	2,966,055	4,560,945
Sewer plant(s)	1,126,873	-	-	1,126,873	721,867	-	25,884	747,751	379,122
Sidewalks	1,168,891	70,069	(9,650)	1,229,310	499,416	(9,650)	45,627	535,393	693,917
Streets	10,390,663	530,883	(91,416)	10,830,130	4,010,911	(91,416)	405,235	4,324,730	6,505,400
Vehicles and heavy equipment	4,209,122	16,681	(354,451)	3,871,352	2,676,161	(354,451)	279,972	2,601,682	1,269,670
	33,321,563	1,080,131	(469,901)	33,931,793	14,291,034	(469,901)	1,198,673	15,019,806	18,911,987
Water Utility									
Land and land rights									
Source of supply	15,226	-	-	15,226	-	-	-	-	15,226
Structures and improvements									
Source of supply	609,016	-	-	609,016	237,681	-	10,374	248,055	360,961
Power and pumping	85,066	-	-	85,066	43,847	-	1,106	44,953	40,113
Dist. Reservoirs and standpipes	1,845,986	-	-	1,845,986	615,784	-	23,859	639,643	1,206,343
Equipment									
Pumping	235,859	-	-	235,859	211,306	-	3,507	214,813	21,046
Water treatment	93,348	-	-	93,348	88,569	-	1,104	89,673	3,675
Transportation	28,079	-	-	28,079	28,079	-	-	28,079	-
Tools and work equipment	325,509	-	-	325,509	325,509	-	-	325,509	-
Office furniture and equipment	21,378	-	-	21,378	21,378	-	-	21,378	-
Mains									
Transportation	734,962	-	-	734,962	363,580	-	9,555	373,135	361,827
Distribution	5,846,035	300,938	(8,772)	6,138,201	1,275,040	(6,265)	77,048	1,345,823	4,792,378
Services	63,748	-	-	63,748	33,479	-	1,274	34,753	28,995
Meters	373,071	9,001	-	382,072	264,822	-	6,913	271,735	110,337
Hydrants	148,731	9,843	(159)	158,415	82,116	(159)	2,959	84,916	73,499
	10,426,014	319,782	(8,931)	10,736,865	3,591,190	(6,424)	137,699	3,722,465	7,014,400
	43,747,577	1,399,913	(478,832)	44,668,658	17,882,224	(476,325)	1,336,372	18,742,271	25,926,387

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

7 Pension plans

Defined benefit plan — Deferred Pension Plan Asset

The Town established a pension plan for a retired town clerk to provide for pension benefits based upon years of service. The most recent actuarial valuation for funding purposes was January 1, 2018.

The significant actuarial assumptions adopted in measuring the Town's accrued benefit obligation as at March 31, 2019 are as follows:

Expected long-term rate of return on plan assets	5%
Rate of compensation increase	2.5%

There were no significant changes to the plan during the year.

All plan assets are held in funds administered by Standard Life. The Town's current period benefit cost was \$nil (2018 - \$nil).

	2019 \$	2018 \$
Accrued benefit obligation – Closing balance	452,700	456,400
Pension fund assets – Closing balance	424,100	442,300
Plan deficit	(28,600)	(14,100)
Unamortized actuarial losses	30,400	17,500
Net pension asset calculated	1,800	3,400
Net pension asset recorded	-	-

Defined contribution plan

All of the Town's full-time employees, as well as part-time employees meeting certain requirements, are members of a defined contribution pension plan. The Town's obligation is to contribute 6% of employees' earnings to the pension plan.

During the year, the Town's required contribution was \$123,437 (2018 - \$114,425) to the plan.

8 Remuneration and expenses

The total remuneration paid to member of the council and senior management official is as follows:

	2019 \$	2018 \$
Mayor Cantwell	33,994	32,756
Deputy Mayor/Councillor MacKay	19,638	17,886
Councillor/Deputy Mayor Donovan	19,985	20,141
Councillor Brian	18,634	17,886
Councillor Elliott	18,634	17,886
Councillor Oldham	18,634	17,976
Councillor Proudfoot	18,634	17,886
	148,153	142,417
Chief Administrative Officer	131,384	129,950

Town of Wolfville**Notes to Consolidated Financial Statements****For the year ended March 31, 2019**

9 Rate of return on rate base

For the year ended March 31, 2019, the Water Utility had a rate of return on rate base of 2.55% (2018 - 2.56%).

10 Segmented information

The Town is a diversified municipal government institution that provides a wide range of services to its citizens. For management reporting purposes, the Government's operations and activities are organized and reported by fund. Funds were created for the purpose of recording specific activities to attain certain objectives in accordance with special regulations, restrictions or limitations.

Town services are provided by departments and their activities are reported in those segments. The following departments have been separately disclosed in the segmented information along with the services they provide:

General government services

Includes the Mayor and Council, the CAO's office, human resources, finance and information technology. Council collectively determines policies to be administered by Town employees, Boards and Commissions and establishes the direction and approves matters in conducting Town affairs. The administrative departments assist the Council with the development of policies and ensure proper management and utilization of financial resources in a legally correct and responsible way, following all guidelines as they pertain to municipal finance.

Protective services

Provides police protection through contracted services with the Royal Canadian Mounted Police; enforcement of bylaws through Bylaw Enforcement Officer; fire protection by a volunteer based department; supports both local and regional emergency measures organizations; and includes other protective services for animal control and crosswalk guards.

Transportation services

Provides the administration and provision of engineering and works; provides services to maintain the roadway systems, the waste water systems and street lighting; and preserves the investment made in infrastructure and equipment.

Environmental health services

Provides sanitary sewer collection and treatment service; collection of solid waste and recyclables in an efficient and environmentally friendly manner.

Environmental development services

Provides civic planning for future development and administers the building inspection services for the Town; contributes to regional planning; and promotes tourism and economic development activities.

Recreational and cultural services

Provides and facilitates quality leisure services for citizens of all ages in the Town; provides the widest possible variety of constructive leisure pursuits including parks, trails, tennis, soccer and playground facilities; and provides for cultural facilities such as a library and museum.

Water services

The Wolfville Water Utility provides the delivery of drinking water through the supply, pumping, treatment and distribution of water to its users.

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

10 Segmented information (continued)

Water services (continued)

Certain allocation methodologies are employed in the preparation of the segmented financial information. The General Operating Fund reports on municipal services that are funded primarily by property taxation and rates. The Wolfville Water Operating Fund reports on municipal services that are funded primarily by water rates.

The accounting policies used in these separate segments are consistent with those followed in the preparation of the consolidated financial statements as disclosed in note 2.

11 Financial instruments

The Town's financial instruments consist of cash and cash equivalents, receivables, payables and accruals, short-term borrowings and long-term debt. It is management's opinion that the Town is not exposed to significant interest or currency risks arising from these consolidated financial statements.

The Town is subject to credit risk with respect to taxes and grants in place of taxes receivables and trade and other receivables. Credit risk arises from the possibility that taxpayers and entities to which the Town provides services may experience financial difficulty and be unable to fulfill their obligations. The large number and diversity of taxpayers and customers minimizes the credit risk.

12 Cash capital reserves

	2019 \$	2018 \$
Source of funds		
External sources		
Federal gas tax grant	335,199	320,804
Interest earned	47,802	29,435
Contributions/donations	6,735	26,477
Internal sources		
Allocation from Town Operating Fund	898,800	914,700
Allocation from Water Operating Fund – Depreciation	137,699	142,300
	<u>1,426,235</u>	<u>1,433,716</u>
Use of funds		
Capital project funding – Town Capital	506,900	1,314,544
Capital project funding – Water Capital	98,082	92,917
	<u>604,982</u>	<u>1,407,461</u>
Net increase to capital reserves	821,253	26,255
Balance – Beginning of year	<u>2,863,994</u>	<u>2,837,739</u>
Balance – End of year	<u>3,685,247</u>	<u>2,863,994</u>

Town of Wolfville

Notes to Consolidated Financial Statements

For the year ended March 31, 2019

13 Commitments

The Town guaranteed its share of the loans taken by Valley Waste Resource Management Authority for purposes of capital projects. The Town is only required to make payments on these debentures if Valley Waste Resource Management defaults on their repayment obligations. The Minister of Municipal Affairs has authorized all loan guarantees.

The details of the guarantees are:

Debenture number and date	Principal and interest outstanding	Share %	Amount \$
34A-1, June 5, 2014	40,004	6.47	2,588
36A-1, May 16, 2016	731,047	6.47	47,299
37A-1, Nov 9, 2017	1,381,133	6.46	89,234
38A-1, May 30, 2018	641,904	6.50	41,695
			<hr/>
			180,816

Town of Wolfville

Schedules to the Consolidated Statement of Operations

For the year ended March 31, 2019

	Budget 2019 \$	Actual 2019 \$	Actual 2018 \$
Taxes			
Assessable property			
Residential	5,738,300	5,756,291	5,628,391
Commercial			
Commercial property	1,150,400	1,159,912	1,097,860
BID area rate	100,000	105,583	100,466
Resource	10,200	9,480	9,563
Fire protection area rate	380,000	365,970	375,172
	<u>7,378,900</u>	<u>7,397,236</u>	<u>7,211,452</u>
Business property			
Based on revenue (Aliant)	16,000	20,280	18,882
Nova Scotia Power Inc. (GILT)	3,500	3,668	3,615
NSPI (HST rebate)	40,000	55,525	42,812
	<u>59,500</u>	<u>79,473</u>	<u>65,309</u>
Deed transfer tax	<u>340,000</u>	<u>385,183</u>	<u>424,411</u>
Total tax levied	<u>7,778,400</u>	<u>7,861,892</u>	<u>7,701,172</u>
Taxes collected on behalf of others			
Regional school board	(765,500)	(738,012)	(674,808)
Provincial correctional service	(81,000)	(81,626)	(81,129)
Regional housing authority	(40,000)	(38,924)	(46,063)
Regional library board	(25,000)	(24,320)	(24,320)
	<u>(911,500)</u>	<u>(882,882)</u>	<u>(826,320)</u>
	<u>6,866,900</u>	<u>6,979,010</u>	<u>6,874,852</u>
Grants in lieu of taxes			
Federal government agencies (Post office)	20,000	20,615	20,573
Provincial government			
Property of supported institution (Acadia University)	960,000	972,305	966,669
	<u>980,000</u>	<u>992,920</u>	<u>987,242</u>
Sales of services			
General government	1,200	2,200	6,662
Protective services	278,600	291,900	273,200
Transportation	10,000	7,100	2,630
Environmental health	414,200	404,347	389,878
Environmental development	48,100	49,187	68,987
Recreation, tourism and cultural	27,800	40,690	20,013
	<u>779,900</u>	<u>795,424</u>	<u>761,370</u>

Town of Wolfville

Schedules to the Consolidated Statement of Operations ...continued

For the year ended March 31, 2019

	Budget 2019 \$	Actual 2019 \$	Actual 2018 \$
Other revenue from sources			
Licenses and permits	23,500	19,820	32,695
Fines and fees	35,600	46,032	49,368
Rentals	23,000	19,765	22,184
Interest on investments	15,000	80,608	41,106
Interest on taxes and charges	65,000	68,453	72,997
Gain (loss) on disposal capital assets	-	54,015	(28,039)
Miscellaneous	5,000	52,135	20,132
	<u>167,100</u>	<u>340,828</u>	<u>210,443</u>
Unconditional transfers from other governments			
Provincial government			
Municipal Grant Act – Equalization	70,000	69,869	69,869
Farm property acreage	1,100	1,145	1,119
	<u>71,100</u>	<u>71,014</u>	<u>70,988</u>
Conditional transfers from other governments and organizations			
Federal government			
Federal gas tax program	316,900	335,199	320,804
Other federal	-	5,480	23,718
Provincial government			
Capital project grants	-	18,752	20,000
Other provincial	1,600	14,395	15,853
Other	46,000	39,560	43,010
	<u>364,500</u>	<u>413,386</u>	<u>423,385</u>

Town of Wolfville

Schedules to the Consolidated Statement of Operations ...continued

For the year ended March 31, 2019

	Budget 2019 \$	Actual 2019 \$	Actual 2018 \$
General government services			
Legislative			
Mayor remuneration	33,100	34,000	32,756
Council remuneration	111,800	115,122	109,661
Other expenses	49,000	38,309	32,842
	<u>193,900</u>	<u>187,431</u>	<u>175,259</u>
General administrative			
Administrative	1,010,000	922,405	917,300
Audit	16,000	15,841	14,578
Taxation			
Reduced taxes	104,600	103,527	77,034
Transfer provincial assessments	76,000	76,005	75,359
	<u>1,206,600</u>	<u>1,117,778</u>	<u>1,084,271</u>
Debt charges			
Interest and other debt charges	10,000	9,073	5,990
Valuation allowances			
Doubtful receivables other	2,500	-	-
Other general government services			
Grants to organizations	49,500	33,250	55,000
Loss on impairment of asset – WIP	-	-	139,971
	<u>49,500</u>	<u>33,250</u>	<u>194,971</u>
Amortization	-	39,957	55,526
	<u>1,462,500</u>	<u>1,387,489</u>	<u>1,516,017</u>

Town of Wolfville

Schedules to the Consolidated Statement of Operations ...continued

For the year ended March 31, 2019

	Budget 2019 \$	Actual 2019 \$	Actual 2018 \$
Protective services			
Contracted service police	1,426,100	1,420,986	1,408,965
By-law enforcement	109,600	97,103	108,449
Building maintenance	10,000	8,692	5,927
Other	10,500	8,193	5,747
	<u>1,556,200</u>	<u>1,534,974</u>	<u>1,529,088</u>
Fire protection			
Firefighting	<u>337,400</u>	<u>353,004</u>	<u>346,170</u>
Emergency measures	<u>10,800</u>	<u>21,648</u>	<u>4,198</u>
Debt charges	<u>-</u>	<u>6,562</u>	<u>9,455</u>
Other	<u>43,200</u>	<u>30,385</u>	<u>26,248</u>
Amortization	<u>-</u>	<u>97,087</u>	<u>179,165</u>
	<u>1,947,600</u>	<u>2,043,660</u>	<u>2,094,324</u>

Town of Wolfville

Schedules to the Consolidated Statement of Operations ...continued

For the year ended March 31, 2019

	Budget 2019 \$	Actual 2019 \$	Actual 2018 \$
Transportation services			
Common services			
Administration	114,100	98,407	95,062
Buildings and equipment	54,100	56,308	75,852
	<u>168,200</u>	<u>154,715</u>	<u>170,914</u>
Road transportation			
Roads and streets	997,500	1,066,229	1,035,261
Street lighting	36,800	27,233	38,625
Traffic services	44,700	39,792	38,016
Other road transport	24,300	11,632	24,608
	<u>1,103,300</u>	<u>1,144,886</u>	<u>1,136,510</u>
Public transportation	<u>144,400</u>	<u>188,499</u>	<u>152,588</u>
Debt charges	<u>121,900</u>	<u>120,443</u>	<u>114,529</u>
Amortization	<u>-</u>	<u>729,193</u>	<u>692,306</u>
	<u>1,537,800</u>	<u>2,337,736</u>	<u>2,266,847</u>
Environmental health services			
Sewage collection and disposal			
Administration	24,200	27,700	27,700
Sewage collection	123,400	93,497	69,909
Sewage left stations	47,400	26,739	42,659
Sewage treatment	117,900	133,792	107,037
	<u>312,900</u>	<u>281,728</u>	<u>247,305</u>
Garbage and waste collection and disposal			
Garbage and waste collection	501,000	515,526	435,550
Other	28,900	13,635	21,296
	<u>529,900</u>	<u>529,161</u>	<u>456,846</u>
Debt charges	<u>9,000</u>	<u>12,003</u>	<u>9,681</u>
Amortization	<u>-</u>	<u>205,829</u>	<u>195,895</u>
	<u>851,800</u>	<u>1,028,721</u>	<u>909,727</u>

Town of Wolfville

Schedules to the Consolidated Statement of Operations ...continued

For the year ended March 31, 2019

	Budget 2019 \$	Actual 2019 \$	Actual 2018 \$
Environmental development services			
Planning and zoning	480,900	459,446	446,918
Community development			
Transfer to Regional Development	25,000	22,766	22,766
Grant – Business Development Corp	100,000	100,000	100,000
Transfer to Valley Community Fibre	1,000	5,814	1,975
	<u>606,900</u>	<u>588,026</u>	<u>571,659</u>
Community development administration	<u>146,700</u>	<u>121,780</u>	<u>173,571</u>
Tourism	<u>82,000</u>	<u>75,722</u>	<u>77,757</u>
Debt charges	<u>400</u>	<u>511</u>	<u>941</u>
Amortization	<u>-</u>	<u>110,727</u>	<u>104,964</u>
	<u>836,000</u>	<u>896,766</u>	<u>928,892</u>
Recreational and cultural services			
Recreation			
Administration	96,800	114,959	90,011
Program expenses	50,300	60,061	44,937
Parks, playgrounds, and sports fields	424,700	440,535	393,359
Grants to organizations	68,900	66,650	63,450
Other	78,200	61,797	51,183
	<u>718,900</u>	<u>744,002</u>	<u>642,940</u>
Cultural buildings and facilities			
Library – Local branch	20,300	20,421	19,283
Museums and cemetery	10,000	10,000	10,000
	<u>30,300</u>	<u>30,421</u>	<u>29,283</u>
Debt charges	<u>2,100</u>	<u>7,719</u>	<u>3,808</u>
Amortization	<u>-</u>	<u>15,880</u>	<u>15,880</u>
	<u>751,300</u>	<u>798,022</u>	<u>691,911</u>

Town of Wolfville

Schedules to the Consolidated Statement of Operations ...continued

For the year ended March 31, 2019

	Budget 2019 \$	Actual 2019 \$	Actual 2018 \$
Administrative			
Salary and benefits	145,200	170,598	155,829
General office expenses	42,500	11,224	8,877
Audit	5,700	5,500	5,736
Building and vehicle expenses	40,900	66,191	69,064
Doubtful accounts recovery	1,000	-	-
Training and travel	2,000	3,787	1,071
	<u>237,300</u>	<u>257,300</u>	<u>240,577</u>

Town of Wolfville

Schedule of Water Utility Operating Fund

Consolidated Statement of Operations

For the year ended March 31, 2019

	Budget 2019 \$	Actual 2019 \$	Actual 2018 \$
Revenue			
Metered sales	694,000	664,292	657,700
Public fire protection	380,000	382,417	372,467
Sprinkler services	7,900	8,883	8,253
Other	14,500	34,102	10,161
	<u>1,096,400</u>	<u>1,089,694</u>	<u>1,048,581</u>
Expenditures			
Power and pumping	100,800	112,171	117,833
Treatment	114,400	98,128	82,641
Transmission and distribution	231,400	256,798	241,441
Administrative	237,300	257,300	240,577
Amortization	150,200	137,699	142,300
Taxes	56,100	56,002	55,875
	<u>890,200</u>	<u>918,098</u>	<u>880,667</u>
Non-operating expenditures			
Debt-charges			
Principal	93,700	98,975	83,100
Interest	21,900	21,519	17,330
Other debt changes	500	75	55
Capital expenditures out of operations	70,000	70,000	70,500
	<u>186,100</u>	<u>190,569</u>	<u>170,985</u>
Excess of revenue over expenditures (expenditures over revenue)	<u>20,100</u>	(18,973)	(3,071)
Surplus – Beginning of year		<u>943,389</u>	<u>946,460</u>
Surplus – End of year		<u>924,416</u>	<u>943,389</u>

Town of Wolfville

Schedule of Water Utility Operating Fund

Statement of Financial Position

As at March 31, 2019

	2019 \$	2018 \$
Assets		
Current assets		
Cash	646,412	552,553
Receivables		
Rates, net of allowance for doubtful accounts	141,591	140,046
Own funds and agencies		
Town Capital Fund	-	8,477
Town Operating Fund	9,837	-
Water Capital Fund	151,700	270,000
Prepaid expenses	2,530	3,840
Work-in-process	12,449	12,449
Inventory, at cost	23,133	24,526
	<u>987,652</u>	<u>1,011,891</u>
Liabilities		
Current liabilities		
Payables and accruals	43,505	43,791
Customer deposits	18,950	19,730
Own funds and agencies		
Town Capital Fund	781	-
Town General Operating Fund	-	4,981
	<u>63,236</u>	<u>68,502</u>
Surplus	<u>924,416</u>	<u>943,389</u>
	<u>987,652</u>	<u>1,011,891</u>

Town of Wolfville

Schedule of Water Utility Capital Fund

Statement of Financial Position

As at March 31, 2019

	2019 \$	2018 \$
Assets		
Current assets		
Cash	94,016	54,399
Utility plant and equipment	10,736,865	10,426,013
	<u>10,830,881</u>	<u>10,480,412</u>
Liabilities		
Current liabilities		
Due to Water Operating Fund	151,700	270,000
Long-term debt	698,125	527,100
Accumulated allowance for depreciation	<u>3,722,465</u>	<u>3,591,189</u>
Equity		
Reserve fund balance	94,016	54,399
Investment in capital assets	6,164,575	6,037,724
	<u>6,258,591</u>	<u>6,092,123</u>
	<u>10,830,881</u>	<u>10,480,412</u>

Town of Wolfville

Schedule of Water Utility Capital Fund
Statement of Investment in Capital Assets
For the year ended March 31, 2019

	2019 \$	2018 \$
Balance – Beginning of year	6,037,724	5,938,852
Add:		
Term debt retired	98,975	83,100
Loss on disposal of tangible capital assets	(2,507)	(5,345)
Capital from Capital Reserve	98,082	92,917
Capital from operations	70,000	70,500
	264,550	241,172
Less:		
Amortization of capital assets	137,699	142,300
Balance – End of year	6,164,575	6,037,724

Town of Wolfville
Trust Fund Balance Sheet
As at March 31, 2019

						2019	2018
	South Mountain Nature Trust \$	Lucy Massery Trust \$	Jessie L. Bishop Trust \$	Doug Cochrane Trust \$	Chipman Jefferson Trust \$	Total \$	Total \$
Assets							
Cash	27	5,018	-	69	-	5,114	5,086
Accounts receivable	-	-	-	-	50,884	50,884	50,030
Dominion of Canada bonds 3% perpetual	-	-	100	-	-	100	100
	27	5,018	100	69	50,884	56,098	55,216
Liabilities							
Reserves	27	5,018	100	69	50,884	56,098	55,216

Town of Wolfville

Statement of Trust Fund Reserve

As at March 31, 2019

						2019	2018
	South Mountain Nature Trust \$	Lucy Massery Trust \$	Jessie L. Bishop Trust \$	Doug Cochrane Trust \$	Chipman Jefferson Trust \$	Total \$	Total \$
Balance – Beginning of year	27	4,990	100	69	50,030	55,216	54,663
Revenues							
Investment income	-	83	-	-	854	937	573
Expenses							
Sundry adjustment	-	15	-	-	-	15	-
Bank fees	-	40	-	-	-	40	20
	-	55	-	-	-	55	20
	27	5,018	100	69	50,884	56,098	55,216

Non-Consolidated Financial Statements

Town of Wolfville

March 31, 2019

DRAFT



A cultivated experience for the mind, body, and soil

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Town of Wolfville
Operating Fund
Statement of Operations
Year Ended March 31

			2019	2018
	<u>Page</u>	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenue				
Taxes	3	\$ 7,069,000	\$ 7,179,881	\$ 7,082,239
Grants in lieu of taxes	3	980,000	992,920	987,242
Services provided other government	3	-	-	-
Sales of services	3	779,900	795,424	761,372
Other revenue from own sources	4	386,700	455,611	421,142
Unconditional transfers from other governments	4	71,100	71,014	70,988
Conditional transfers from other governments	4	20,600	28,249	56,104
		<u>9,307,300</u>	<u>9,523,099</u>	<u>9,379,087</u>
Expenditures				
General government services	5	1,573,000	1,455,032	1,418,070
Protective services	6	2,408,600	2,411,747	2,368,755
Transportation services	7	1,646,900	1,717,643	1,683,341
Environmental health services	7	851,800	822,892	713,832
Public health and welfare services	8	40,000	38,924	46,063
Environmental development services	8	836,000	786,039	831,279
Recreational and cultural services	8	776,300	806,462	700,351
		<u>8,132,600</u>	<u>8,038,739</u>	<u>7,761,691</u>
Net revenue		<u>1,174,700</u>	<u>1,484,360</u>	<u>1,617,396</u>
Financing and transfers				
Principal repayment of long term debt		(537,000)	(537,016)	(492,016)
Transfers (to) from other funds				
Capital reserves		(898,800)	(898,800)	(914,700)
Operating reserves		261,100	130,225	183,700
		<u>(1,174,700)</u>	<u>(1,305,591)</u>	<u>(1,223,016)</u>
Change in fund balance		<u>\$ -</u>	178,769	394,380
Surplus, beginning of year			<u>0</u>	
			178,769	394,380
Transferred to operating reserve per Provincial FRAM requirement			<u>(178,769)</u>	<u>(394,380)</u>
Surplus, end of year			<u>\$ -</u>	<u>\$ -</u>

Town of Wolfville**Operating Fund****Statement of Financial Position**

March 31

2019**2018****Assets**

Cash	\$ 146,982	\$ 440,450
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Receivables

Taxes	334,750	256,920
-------	---------	---------

Other receivables	383,377	226,341
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Own funds and agencies		
------------------------	--	--

Water Operating Fund	-	4,982
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	<u>718,127</u>	<u>488,243</u>
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	<u>865,109</u>	<u>928,693</u>
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Liabilities

Payables

Trade and accruals	414,896	288,987
--------------------	---------	---------

Own funds and agencies		
------------------------	--	--

Capital Fund	1,564	33,389
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Water Operating Fund	9,837	-
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Operating Reserve	178,769	394,380
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Deferred revenue	232,426	224,667
------------------	---------	---------

Other payables	85,174	34,815
----------------	--------	--------

	<u>922,666</u>	<u>976,238</u>
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NET ASSETS

	(57,557)	(47,545)
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Non-Financial Assets

Prepaid expenses	57,557	47,545
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ACCUMULATED SURPLUS

\$ -	\$ -
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Town of Wolfville

Operating Fund

Schedules to Statement of Operations

Year Ended March 31

		2019	2018
	Budget	Actual	Actual
Taxes			
Assessable property			
Residential	\$ 5,738,300	\$ 5,756,291	\$ 5,628,391
Commercial			
Commercial property	1,206,500	1,215,913	1,153,735
BID Area Rate	100,000	105,583	100,466
Resource	10,200	9,480	9,563
Fire protection area rate	380,000	365,970	375,172
	<u>7,435,000</u>	<u>7,453,237</u>	<u>7,267,327</u>
Business property			
Business occupancy			
Based on revenue (Aliant)	16,000	20,280	18,882
Nova Scotia Power Inc. (GILT)	3,500	3,668	3,615
NSPI (HST rebate)	40,000	55,525	42,812
	<u>59,500</u>	<u>79,473</u>	<u>65,309</u>
Deed transfer tax	<u>340,000</u>	<u>385,183</u>	<u>424,411</u>
Taxes collected on behalf of others			
Appropriation to regional centre for education	<u>(765,500)</u>	<u>(738,012)</u>	<u>(674,808)</u>
	<u>\$ 7,069,000</u>	<u>\$ 7,179,881</u>	<u>\$ 7,082,239</u>
Grants in lieu of taxes			
Federal government agencies	\$ 20,000	\$ 20,615	\$ 20,573
Provincial government			
Property of supported institution	960,000	972,305	966,669
	<u>\$ 980,000</u>	<u>\$ 992,920</u>	<u>\$ 987,242</u>
Sales of services			
General government	\$ 1,200	2,200	\$ 6,663
Protective services	278,600	291,900	273,200
Transportation	10,000	7,100	2,630
Environmental health	414,200	404,347	389,878
Environmental development	48,100	49,187	68,988
Recreation, tourism and cultural	27,800	40,690	20,013
	<u>\$ 779,900</u>	<u>\$ 795,424</u>	<u>\$ 761,372</u>

Town of Wolfville**Operating Fund****Schedules to Statement of Operations**

Year Ended March 31

	2019		2018
	Budget	Actual	Actual
Other revenue from own sources			
Cost recovery - Water Utility	\$ 219,600	\$ 216,600	\$ 213,700
Licenses and permits	23,500	19,820	32,695
Fines and fees	35,600	46,032	49,368
Rentals	23,000	19,765	22,184
Interest on Investments	15,000	32,806	10,144
Interest on tax arrears	65,000	68,453	72,997
Miscellaneous	5,000	52,135	20,054
	<u>\$ 386,700</u>	<u>\$ 455,611</u>	<u>\$ 421,142</u>
Unconditional transfers from other governments			
Provincial government			
Municipal Grant Act - equalization	\$ 70,000	\$ 69,869	\$ 69,869
Farm property acreage	1,100	1,145	1,119
	<u>\$ 71,100</u>	<u>\$ 71,014</u>	<u>\$ 70,988</u>
Conditional transfers from other governments & agencies			
Federal government	\$ 14,000	5,480	\$ 18,718
Provincial government	1,600	14,395	15,853
Other	5,000	8,374	21,533
	<u>\$ 20,600</u>	<u>\$ 28,249</u>	<u>\$ 56,104</u>

Town of Wolfville

Operating Fund

Schedules to Statement of Operations

Year Ended March 31

		2019	2018
	Budget	Actual	Actual
General government services			
Legislative			
Mayor remuneration	\$ 34,700	34,000	\$ 32,756
Council remuneration	110,200	115,122	109,661
Other expenses	49,000	38,309	32,842
	<u>193,900</u>	<u>187,431</u>	<u>175,259</u>
General administrative			
Administration, finance, common costs	1,120,500	1,029,905	1,014,850
Audit	16,000	15,841	14,578
Taxation			
Reduced taxes	104,600	103,527	77,034
Transfer provincial assessments	76,000	76,005	75,359
	<u>1,317,100</u>	<u>1,225,278</u>	<u>1,181,821</u>
Debt charges			
Interest, bank and other debt charges	10,000	9,073	5,990
Valuation allowances			
Doubtful receivables other	2,500	-	-
	<u>2,500</u>	<u>-</u>	<u>-</u>
Other general government services			
Grants to organizations	49,500	33,250	55,000
	<u>49,500</u>	<u>33,250</u>	<u>55,000</u>
	<u>\$ 1,573,000</u>	<u>\$ 1,455,032</u>	<u>\$ 1,418,070</u>

Town of Wolfville**Operating Fund****Schedules to Statement of Operations**

Year Ended March 31

		2019	2018
	Budget	Actual	Actual
Protective services			
Contracted police service	\$ 1,426,100	\$ 1,420,986	\$ 1,408,965
By-law enforcement	109,600	97,103	108,449
Building maintenance	10,000	8,692	5,927
Other	10,500	8,193	5,747
	<u>1,556,200</u>	<u>1,534,974</u>	<u>1,529,088</u>
 Transfer to Province			
Correctional service	<u>81,000</u>	<u>81,626</u>	<u>81,129</u>
 Fire protection			
Water supply and hydrants	380,000	382,417	372,467
Fire fighting	<u>337,400</u>	<u>353,004</u>	<u>346,170</u>
	<u>717,400</u>	<u>735,421</u>	<u>718,637</u>
 Emergency measures	<u>10,800</u>	<u>22,779</u>	<u>4,198</u>
 Debt charges	<u>-</u>	<u>6,562</u>	<u>9,455</u>
 Other	<u>43,200</u>	<u>30,385</u>	<u>26,248</u>
	<u>\$ 2,408,600</u>	<u>\$ 2,411,747</u>	<u>\$ 2,368,755</u>

Town of Wolfville**Operating Fund****Schedules to Statement of Operations**

Year Ended March 31

		2019	2018
	Budget	Actual	Actual
Transportation services			
Common services			
Administration	\$ 173,300	\$ 177,607	\$ 154,262
Buildings and equipment	74,100	56,308	95,852
	<u>247,400</u>	<u>233,915</u>	<u>250,114</u>
Road transport			
Roads and streets	1,027,400	1,096,129	1,064,861
Street lighting	36,800	27,233	38,625
Traffic services	44,700	39,792	38,016
Other road transport	24,300	11,632	24,608
	<u>1,133,200</u>	<u>1,174,786</u>	<u>1,166,110</u>
Public transport	<u>144,400</u>	<u>188,499</u>	<u>152,588</u>
Debt charges	<u>121,900</u>	<u>120,443</u>	<u>114,529</u>
	<u>\$ 1,646,900</u>	<u>\$ 1,717,643</u>	<u>\$ 1,683,341</u>
Environmental health services			
Sewage collection and disposal			
Administration	\$ 24,200	\$ 27,700	\$ 27,700
Sewage collection	123,400	93,497	69,909
Sewage lift stations	47,400	26,739	42,659
Sewage treatment	117,900	133,792	107,037
	<u>312,900</u>	<u>281,728</u>	<u>247,305</u>
Garbage and waste collection and disposal			
Garbage and waste collection	501,000	515,526	435,550
Other	28,900	13,635	21,296
	<u>529,900</u>	<u>529,161</u>	<u>456,846</u>
Debt charges	<u>9,000</u>	<u>12,003</u>	<u>9,681</u>
	<u>\$ 851,800</u>	<u>\$ 822,892</u>	<u>\$ 713,832</u>

Town of Wolfville

Operating Fund

Schedules to Statement of Operations

Year Ended March 31

		2019	2018
	Budget	Actual	Actual
Public health and welfare services			
Regional Housing Authority	40,000	38,924	46,063
	<u>\$ 40,000</u>	<u>\$ 38,924</u>	<u>\$ 46,063</u>
Environmental development services			
Planning and zoning	\$ 480,900	\$ 459,446	\$ 454,268
Community development			
Transfer to Regional Development	25,000	22,766	22,766
Transfer to Business Development Corp	100,000	100,000	100,000
Transfer to Valley Community Fibre	1,000	5,814	1,975
Community development administration	146,700	121,780	173,571
Tourism	82,000	75,722	77,757
Debt charges	400	511	942
	<u>\$ 836,000</u>	<u>\$ 786,039</u>	<u>\$ 831,279</u>
Recreational and cultural services			
Recreation			
Administration	\$ 96,800	\$ 114,959	\$ 90,011
Program expenses	50,300	60,061	44,937
Parks, playgrounds, and sports fields	424,700	440,535	393,359
Grants to organizations	68,900	66,650	63,450
Festival and events	78,200	61,797	51,183
	<u>718,900</u>	<u>744,002</u>	<u>642,940</u>
Cultural buildings and facilities			
Library	20,300	20,421	19,283
Transfer to regional library board	25,000	24,320	24,320
Museums and cemetery	10,000	10,000	10,000
	<u>55,300</u>	<u>54,741</u>	<u>53,603</u>
Debt charges	2,100	7,719	3,808
	<u>\$ 776,300</u>	<u>\$ 806,462</u>	<u>\$ 700,351</u>

Town of Wolfville**Capital Fund****Statement of Financial Position**

March 31

2019**2018****Assets**

Receivables

Grant funding and other

Own funds and agencies

General operating fund

\$ 1,564

\$ 33,389

Water Utility operating fund

781

Tangible capital assets

Work in progress

544,393

261,795

Property and equipment

18,911,987

19,030,529

19,458,725

19,325,713

Liabilities

Short-term borrowing

55,660

236,733

Payables

Trade accounts

143,730

28,671

Own funds and agencies

Water Operating Fund

-

8,477

Capital Reserve

-

Long-term debt

Municipal Finance Corporation

5,339,870

5,117,136

5,539,260

5,391,017

Equity

Investment in capital assets (Page 10)

13,919,465

13,934,696

\$ 19,458,725

\$ 19,325,713

-

Town of Wolfville**Capital Fund****Statement of Investment in Capital Assets**

Year Ended March 31

	2019	2018
Balance, beginning of year	<u>\$ 13,934,696</u>	<u>\$ 13,508,695</u>
Add:		
Debt retired	537,016	492,016
Transfer from reserve funds	230,000	1,003,483
Grant funding	350,652	336,900
Gain (loss) on disposal of assets	56,522	(22,691)
Loss on impairment of value - WIP	-	(139,971)
Capital contributions	9,252	-
	<u>1,183,442</u>	<u>1,669,737</u>
Less:		
Amortization of capital assets	<u>1,198,673</u>	<u>1,243,736</u>
Balance, end of year	<u>\$ 13,919,465</u>	<u>\$ 13,934,696</u>

Town of Wolfville
Reserve Fund
Statement of Operations
Year Ended March 31

			2019	2018
	<u>Capital</u>	<u>Operating</u>	<u>Total</u>	<u>Total</u>
Revenue				
Interest	\$ 46,273	\$ -	\$ 46,273	\$ 30,962
Contributions/donations	8,264	-	8,264	26,477
Federal gas tax grant	335,199	-	335,199	320,804
Other	-	200	200	78
	<u>389,736</u>	<u>200</u>	<u>389,936</u>	<u>378,321</u>
Expenses				
Bank charges and sundry	-	-	-	-
Net Revenue	<u>389,736</u>	<u>200</u>	<u>389,936</u>	<u>378,321</u>
Transfer from				
General operating fund - accumulated surplus	-	178,769	178,769	394,380
General operating fund	<u>898,800</u>	<u>5,000</u>	<u>903,800</u>	<u>919,700</u>
	<u>898,800</u>	<u>183,769</u>	<u>1,082,569</u>	<u>1,314,080</u>
Transfer to				
General operating fund		(135,225)	(135,225)	(188,700)
General capital fund	<u>(506,900)</u>	<u>(40,000)</u>	<u>(546,900)</u>	<u>(1,314,544)</u>
	<u>(506,900)</u>	<u>(175,225)</u>	<u>(682,125)</u>	<u>(1,503,244)</u>
Change in fund balance	781,636	8,744	790,380	189,157
Balance, beginning of year	<u>2,809,595</u>	<u>2,090,686</u>	<u>4,900,281</u>	<u>4,711,124</u>
Balance, end of year	<u>\$ 3,591,231</u>	<u>\$ 2,099,430</u>	<u>\$ 5,690,661</u>	<u>\$ 4,900,281</u>

Town of Wolfville**Reserve Fund****Statement of Financial Position**

March 31

			2019	2018
	<u>Capital</u>	<u>Operating</u>	<u>Total</u>	<u>Total</u>
Assets				
Cash	\$ 3,591,231	\$ 1,920,661	\$ 5,511,892	\$ 4,505,901
Due From own funds and agencies				
Town operating, current year surplus	-	178,769	178,769	394,380
Liabilities				
Own funds and agencies				
Town capital fund	-	-	-	-
Reserves	<u>\$ 3,591,231</u>	<u>\$ 2,099,430</u>	<u>\$ 5,690,661</u>	<u>\$ 4,900,281</u>

Town of Wolfville
Water Utility Operating Fund

Statement of Operations

Year Ended March 31

	Page	Budget	2019 Actual	2018 Actual
Revenue				
Metered sales		\$ 694,000	\$ 664,292	\$ 657,700
Public fire protection		380,000	382,417	372,467
Sprinkler services		7,900	8,883	8,253
Other		14,500	34,102	10,161
		<u>1,096,400</u>	<u>1,089,694</u>	<u>1,048,581</u>
Operating expenditures				
Source of supply		-	-	-
Power and pumping		100,800	112,171	117,833
Treatment		114,400	98,128	82,641
Transmission and distribution		231,400	256,798	241,441
Administrative	15	237,300	257,300	240,577
Depreciation		150,200	137,699	142,300
Taxes		56,100	56,002	55,875
		<u>890,200</u>	<u>918,098</u>	<u>880,667</u>
Operating profit		<u>206,200</u>	<u>171,596</u>	<u>167,914</u>
Non-operating expenditures				
Debt charges				
Principal		93,700	98,975	83,100
Interest		21,900	21,519	17,330
Other debt charges		500	75	55
Capital expenditure out of operations		70,000	70,000	70,500
Dividend to town		35,000	-	-
		<u>221,100</u>	<u>190,569</u>	<u>170,985</u>
Change in Fund Balance		<u>\$ (14,900)</u>	<u>\$ (18,973)</u>	<u>\$ (3,071)</u>
Surplus, beginning of year			\$ 943,389	\$ 946,460
Change in Fund Balance			<u>(18,973)</u>	<u>(3,071)</u>
Surplus, end of year			<u>\$ 924,416</u>	<u>\$ 943,389</u>

Town of Wolfville
Water Utility Operating Fund
Statement of Financial Position
March 31

	2019	2018
	<u>Actual</u>	<u>Actual</u>
Assets		
Cash	\$ 646,412	\$ 552,553
Receivables		
Rates, net of allowance for doubtful accounts	141,591	140,046
Own funds and agencies		
Town Capital Fund	-	8,477
Town Operating Fund	9,837	-
Water Capital Fund	151,700	270,000
Prepaid expenses	2,530	3,840
Work In Progress	12,449	12,449
Inventory, at cost	23,133	24,526
	<u>\$ 987,652</u>	<u>\$ 1,011,891</u>
Liabilities		
Payables and accruals	\$ 43,505	\$ 43,791
Customer deposits	18,950	19,730
Own funds and agencies		
Town Capital Fund	781	-
Town General Operating Fund	-	4,981
	<u>63,236</u>	<u>68,502</u>
Surplus	<u>924,416</u>	<u>943,389</u>
	<u>\$ 987,652</u>	<u>\$ 1,011,891</u>

-

Town of Wolfville
Water Utility Operating Fund
Schedule to Statement of Operations
Year Ended March 31

		2019	2018
	Budget	Actual	Actual
Administrative			
Salary and benefits	\$ 145,200	\$ 170,598	\$ 155,829
General office expenses	33,900	11,224	8,877
Audit	5,700	5,500	5,736
Building and vehicle expenses	48,600	66,191	69,064
Doubtful accounts expense (recovery)	1,000	-	-
Training and travel	2,900	3,787	1,071
	<u>\$ 237,300</u>	<u>\$ 257,300</u>	<u>\$ 240,577</u>

DRAFT

Town of Wolfville
Water Utility Capital Fund
Statement of Financial Position
March 31

	2019	2018
Assets		
Cash (depreciation fund)	\$ 94,016	\$ 54,399
Utility plant and equipment	10,736,865	10,426,013
	<u>\$10,830,881</u>	<u>\$10,480,412</u>
<hr/>		
Liabilities		
Long term debt	\$ 698,125	\$ 527,100
Due to Water Operating Fund	151,700	270,000
Accumulated allowance for depreciation	3,722,465	3,591,189
Equity		
Reserve fund balance	94,016	54,399
Investment in capital assets (Page 17)	6,164,575	6,037,724
	<u>\$10,830,881</u>	<u>\$10,480,412</u>

Town of Wolfville**Water Utility Capital Fund****Statement of Investment in Capital Assets**

Year Ended March 31

2019**2018**

Balance, beginning of year	<u>\$ 6,037,724</u>	<u>\$ 5,938,852</u>
Add:		
Term debt retired	98,975	83,100
Gain (Loss) on disposal of assets	(2,507)	(5,345)
Capital from Depreciation Reserve	98,082	92,917
Capital from operations	70,000	70,500
	<u>264,550</u>	<u>241,172</u>
Less:		
Amortization of capital assets	<u>137,699</u>	<u>142,300</u>
Balance, end of year	<u>\$ 6,164,575</u>	<u>\$ 6,037,724</u>

REQUEST FOR DECISION 047-2019

Title: Central Avenue Pedestrian Street – Pilot Project

Date: 2019-07-10

Department: Office of the CAO



SUMMARY

Central Avenue Pedestrian Street – Pilot Project

At the July 2, 2019 Committee of the Whole meeting a request for an agenda item was submitted by Mayor Cantwell (Attachment 1) that recommended:

Committee of the Whole recommend to Council to direct Staff to accept Central Avenue as a “Pedestrian” (including bikes + scooters) only street for a period of 4 to 6 weeks during August and September.

It was agreed to by Council at Committee of the Whole that a Staff Report be brought for Council’s consideration on the topic.

DRAFT MOTION:

That Council direct staff to:

- Encourage temporary closures as part of existing 2019 events and consult partners, including adjacent businesses, Devour, Deep Roots and the WBDC on temporary 2019 closure opportunities.
- Include planned closure(s) of Central Avenue in the 2020-2024 Operations Plan, with specific actions for the summer season of 2020.

REQUEST FOR DECISION 047-2019

Title: Central Avenue Pedestrian Street – Pilot Project
Date: 2019-07-10
Department: Office of the CAO



1) CAO COMMENTS

Council is to be commended for looking for ways to improve walkability in the Core Area. As noted in the 2019-2023 Operations Plan, a priority for 2019-20 is to “focus on making the Core Area more walkable by identifying and highlighting key destinations... (and) piloting placemaking initiatives. There is a commitment to making walking safe, enjoyable and interesting”. Considering the closure of Central Avenue, on a temporary trial basis, is an example of a type of initiative that would serve to meet this goal. This initiative was also identified in the Downtown Development Plan (2014).

With this specific initiative, there are several concerns that staff have in rolling out a pilot project closure for four-six weeks before the end of September. These include:

- (1) concerns have been expressed about a temporary closure by adjacent businesses during a preliminary discussion on this issue;
- (2) the WBDC passed a motion in early 2016 not supporting the closure of Central Avenue and there has not been sufficient time between the COW and Council meetings for the WBDC to re-consider this and provide feedback to Council; and
- (3) that programming opportunities for Central Avenue should go hand-in-hand with any closure to enhance the pedestrian experience and ensure a value proposition for adjacent businesses. Staff have not planned or organized any of these to date, however some ideas have been presented in this RFD.

If the street is to be closed, whether on a temporary or a more permanent basis, it is key that communication, outreach and programming be done to ensure the value of the initiative is maximized. Without this, staff are concerned that there would not be a significant value proposition for adjacent businesses or for the travelling public, during the temporary closure. Staff feel that shorter and targeted closures that coincide with existing events and opportunities for 2019 should be implemented where feasible, with more robust planning for an extended trial closure in the summer of 2020.

2) LEGISLATIVE AUTHORITY

Municipal Government Act

3) STAFF RECOMMENDATION

- Encourage temporary closures as part of existing 2019 events and consult partners, including adjacent businesses, Devour, Deep Roots and the WBDC on temporary 2019 closure opportunities.

REQUEST FOR DECISION 047-2019

Title: Central Avenue Pedestrian Street – Pilot Project

Date: 2019-07-10

Department: Office of the CAO



- Include planned closure(s) of Central Avenue in the 2020-2024 Operations Plan, with specific actions for the summer season of 2020.

4) REFERENCES AND ATTACHMENTS

1. Request for Agenda Item (Attachment 1)
2. Core Area Traffic Study (2016)
3. Downtown Development Plan (2014)

5) DISCUSSION

Background and Previous Motion of Council

In 2015-2016 the Town commissioned WSP Consulting Engineers to conduct a Core Area Traffic Study. A piece of that work was a look at a Central Avenue closure, with the following conclusion noted (pg 29):

Central Avenue Closure

Based on the traffic counts that were conducted there is currently very little traffic using Central Avenue, and discussions with the Town indicate that the street does not serve any special functional purpose. It does accommodate some delivery vehicles, the demand for which is expected to continue.

Based on a review of the street network in the Study Area, it is not expected that closing Central Avenue to vehicular traffic will have a significant impact to traffic operation in downtown Wolfville. If the Town does pursue permanent closure of the block to through vehicular traffic, options may be considered to retain access for periodic access by delivery vehicles.

At the January 26, 2016 Council meeting, the following motion was passed to accept the Core Area Traffic Study – with the exception of certain recommendations, including the Central Avenue closure.

b. RFD 057-2015 CORE AREA TRAFFIC STUDY

26-01-16 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL ACCEPT THE CORE AREA TRAFFIC STUDY AS PRESENTED, WITH THE EXCEPTION OF THE RECOMMENDATIONS FOR ACADIA STREET AND CENTRAL AVENUE, AND AUTHORIZE STAFF TO PROCEED WITH IMPLEMENTATION OF RECOMMENDATIONS CONTAINED IN THE STUDY BASED ON BUDGETARY APPROVAL.

CARRIED

In the lead up to Council's consideration and acceptance of the Core Area Traffic Study, the WBDC were consulted and the following was included for Council in 2016:

REQUEST FOR DECISION 047-2019

Title: Central Avenue Pedestrian Street – Pilot Project
Date: 2019-07-10
Department: Office of the CAO



As per direction, the WBDC was engaged to provide feedback on the draft report prior to COW forwarding the motion to Council for consideration. On January 7, 2016, the Town received the following motion from the WBDC Board: *"We the WBDC Board of Directors agree with all the recommendations as stated in, 5.2 Traffic Study Recommendations, of the Town of Wolfville Downtown Core Traffic Study, with the exception of "7. Closure of Central Avenue to Motorized Traffic".*

This motion has been moved by Scott and seconded by Peter.

Those who voted in favour - Scott, Iain, James, Ian, Lis, Peter, Jeremy

Those who voted against – none

Abstentions - Jeff

*Motion **PASSED**"*

2019 Business Community Consultation

Given the background, Town and WBDC Staff sought preliminary opinions from business owners on or adjacent to Central Avenue. The majority of business on Central Avenue were visited. The following outlines the concerns and indicates there is a general consensus on the following among those consulted:

1. The street should not be permanently closed to vehicular traffic.
2. There are great concerns about access to owner private parking that is used by owners, tenants or customers. This is generally used during daytime hours.
3. There is strong concern over deliveries. These are typically made Monday to Friday between 8:00-5:00.
4. There is concern over closing the street to vehicular traffic to hold events Monday-Friday, before 5:00, or on weekends before mid-afternoon.
5. Most did not have concern over closing the street periodically to hold events provided: Business were provided a least one week notice and events were held on evenings or weekends.

The WBDC Board will attempt to provide a position in advance of the July 16th meeting of Council.

Parking, Loading, Enforcement

Central Avenue includes the following in terms Parking and Loading:

- 9 off-street parking spaces currently:
 - 3 regular spaces and one accessible space on the east side (Bank of Montreal property)
 - 1 residential parking space on the east side behind the former La Torta Pizzeria
 - 2 residential spaces behind 430 Main Street
 - 2 Business spaces in front of #2 Central Avenue
- No Street Parking but a designated Loading/Unloading Zone on the west side of the Street.

REQUEST FOR DECISION 047-2019

Title: Central Avenue Pedestrian Street – Pilot Project

Date: 2019-07-10

Department: Office of the CAO



- This loading zone is used by Joe's Food Emporium, Kings Arms Commons and the Armored truck delivery to the Bank of Montreal.
- This is the only loading zone in the central Main Street area and mitigates some delivery and parking issues on Main Street.
- Enforcement Staff have been challenged with illegal parking on this street due to the convenience for the central Main Street businesses.



REQUEST FOR DECISION 047-2019

Title: Central Avenue Pedestrian Street – Pilot Project

Date: 2019-07-10

Department: Office of the CAO



Considerations

Staff have not had adequate time to plan for the impacts of a lengthy closure (4-6 weeks). Staff time is required to properly work with landowners to come up with alternatives to parking and delivery concerns.

Rather than “closing” Central Avenue we may want to work toward a better shared arrangement where deliveries and traffic are limited during certain times (see Halifax’s Argyle Street pilot project ([link](#))).

A full closure, or closures for extended periods of time, usually starts with programmed “pilot projects”, or light projects to develop interest and prepare residents and businesses for the change. When there is sufficient demand the street can be closed (based on measured data or qualitative proof).

Ideas moving forward may include weekly (summer) evening night markets, refreshment space, kiosks, placement of furniture, public art, lighting – things that can help stakeholders acclimatize and draw additional pedestrians to the area.

6) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Working toward an improved pedestrian experience on Central Avenue is aligned with some of Council’s strategic plan, depending on one’s perspective on the issue (e.g. “To make the downtown core more user friendly” or “To foster the success of our existing business community”).

The Downtown Development Plan (2014) states (pg 27, 28):

REQUEST FOR DECISION 047-2019

Title: Central Avenue Pedestrian Street – Pilot Project

Date: 2019-07-10

Department: Office of the CAO



4. Create a strong pedestrian connection along Central Street to connect Front Street to Main Street – explore the feasibility of a seasonal or permanent pedestrian only connection (Pilot Project).
13. Consider extending the decorative paving treatment of Central Street into the intersection with Front Street and adding a crosswalk on the east side.
14. Look for land assembly opportunities to facilitate infill.

7) COMMUNICATION REQUIREMENTS

Depending on the outcome, communication with stakeholders will be important.

8) ALTERNATIVES

1. Take no action
2. Close Central Avenue for 4-6 weeks (as suggested)
3. Close Central Avenue for a shorter time frame
4. Other options as determined by Council

REQUEST FOR DECISION 048-2019

Title: WOL019-2019 tender (2) ½ ton trucks

Date: 2019-07-16

Department: Public Works



SUMMARY

WOL019-2019 TENDER (2) ½ TON TRUCKS

The 2019/20 capital budget includes \$30,000 each for two new ½ ton trucks for the Public Works and Parks & Recreation Departments. Tenders closed June 27th. We received one tender and the tendered price is over the budgeted amount and requires Council's approval to proceed with the scheduled purchase of the two vehicles.

DRAFT MOTION:

That Council approve the purchase of two new ½ ton trucks as tendered, for the total purchase price of \$72,123.81, HST included.

REQUEST FOR DECISION 048-2019

Title: WOL019-2019 tender (2) ½ ton trucks

Date: 2019-07-16

Department: Public Works



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Procurement policy 140-001
- Approved 2019/20 Capital Budget

3) STAFF RECOMMENDATION

That Council approve the purchase of the two new ½ ton trucks as tendered and as scheduled in the 2019/20 capital budget.

4) REFERENCES AND ATTACHMENTS

1. 2019/20 Capital Budget

5) DISCUSSION

Each year the Town replaces equipment as required, to ensure the fleet inventory is maintained in a cost-effective manner and is sufficient to provide the level of services mandated. As service demands and staff levels have increased the need for two new ½ ton trucks has become increasingly evident. The two additional vehicles will allow the Lead Hands flexibility to inspect and manage work throughout town and better utilize staff and optimize crew size.

Currently, the Lead Hands do not always have access to a vehicle when required and have been scheduling crews based on vehicle availability and not necessarily the optimum crew size. The addition of the two ½ tons will address these issues and reduce inefficiencies currently being experienced.

The tender has been reviewed by staff to ensure compliance with the tender documents and the requirements of the Public Works and Parks & Recreation Departments.

6) FINANCIAL IMPLICATIONS

The purchase of the two new ½ tons was included in the 2019/20 capital budget. \$30,000 was budgeted for each truck, for a total capital cost of \$60,000. We received one tender and the total tender price is \$72,123.81 - \$12,123.81 over the budgeted amount. This is outside the ten percent above budget the CAO is permitted to approve in accordance with the Town's procurement policy, therefore Council's approval is required to proceed with the purchase. The original funding for the purchase of these

REQUEST FOR DECISION 048-2019

Title: WOL019-2019 tender (2) ½ ton trucks

Date: 2019-07-16

Department: Public Works



vehicles was from capital reserves and it is suggested the added funds come from the capital reserve as well.

7) COMMUNICATION REQUIREMENTS

Once a decision has been provided the supplier will be advised accordingly.

8) ALTERNATIVES

Approve the purchase of the two ½ tons as recommended

Not approve the recommendation which would result in staff continuing to experience difficulties with scheduling and responding to requests in an efficient manner.

REQUEST FOR DECISION 049-2019

Title: WOL001-2019 Compact Wheel Loader

Date: 2019-07-16

Department: Public Works



SUMMARY

WOL001-2019 COMPACT WHEEL LOADER

The 2019/20 capital budget includes \$120,000 for a compact wheel loader to replace an existing skid steer loader due for replacement. Tenders closed June 27th. We received one tender and the tendered price is over the budgeted amount and requires Council's approval to proceed with the scheduled purchase of the equipment.

DRAFT MOTION:

That Council approve the purchase of the compact wheel loader as tendered for the total purchase price of \$140,778.00, HST included.

REQUEST FOR DECISION 049-2019

Title: WOL001-2019 Compact Wheel Loader

Date: 2019-07-16

Department: Public Works



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Procurement Policy 140-001
- Approved 2019/20 Capital Budget

3) STAFF RECOMMENDATION

That Council approve the purchase of the compact wheel loader as tendered and as scheduled in the 2019/20 capital budget.

4) REFERENCES AND ATTACHMENTS

1. 2019/20 Capital Budget

5) DISCUSSION

Each year the Town replaces equipment as required, to ensure the fleet inventory is maintained in a cost-effective manner and is sufficient to provide the level of services mandated. The replacement schedule is reviewed annually and as part of the review, staff consider the machine being replaced and is it still necessary and still the best option available. Staff recommended the compact wheel loader as a better option than the skid steer loader due to its versatility and being a more efficient piece of equipment for the intended uses. The original budget was based on preliminary costs provided by suppliers however the tendered price is higher than was anticipated.

The tender has been reviewed by staff to ensure compliance with the tendered documents and the requirements of the Public Works Department.

6) FINANCIAL IMPLICATIONS

The purchase of the compact wheel loader was included in the 2019/20 capital budget. \$120,000 was budgeted. We received one tender and the total tender price is \$140,778.00 – \$20,778 over the budgeted amount. This is outside the ten percent above budget the CAO is permitted to approve in accordance with the Town's procurement policy, therefore Council's approval is required to proceed with the purchase. The original funding for the equipment purchase was from capital reserves and it is suggested the added funds come from the capital reserve as well.

7) COMMUNICATION REQUIREMENTS

REQUEST FOR DECISION 049-2019

Title: WOL001-2019 Compact Wheel Loader

Date: 2019-07-16

Department: Public Works



Once Council direction has been provided the supplier will be advised accordingly.

8) ALTERNATIVES

Approve the purchase of the compact wheel loader as recommended.

Not approve the purchase or defer the purchase. The existing skid steer will eventually need to be replaced and there is no anticipated cost savings to deferring the purchase.



SUMMARY

Tower Community Park Naming

The Parks and Recreation staff along with our CAO have been in discussions with the University regarding naming the new park space that has been created in and around the Tower playing fields. Ultimately, the University has control over the naming rights for spaces on the campus. From their perspective there is no immediate need to name the space.

In the short term the Town would like to market and promote the space, including placement of signage to recognize those responsible for the creation of the space. With that the University has agreed to name the space: *Tower Community Park*.

This RFD is supporting a request to name (in the short term) the newly created recreation space adjacent to the Tower playing fields the *Tower Community Park*.

DRAFT MOTIONS:

That Council approve the naming of the newly created recreation space adjacent to the Tower Playing Fields as the *Tower Community Park*. This, with the understanding that Acadia University has final naming rights and could, at a future date, rename the space.



1) CAO COMMENTS

No Comments Required.

2) LEGISLATIVE AUTHORITY

The Municipal Government Act Section 47 enables Council to make decisions in the exercise of its powers on behalf of the Municipality, which includes directing staff.

3) STAFF RECOMMENDATION

As Draft Motion.

4) REFERENCES AND ATTACHMENTS

See sample of sign. Draft only.

5) DISCUSSION

The Town is nearing the end of the major construction phase of the new recreation park that was conceived to relocate the Skateboard Park from the downtown core. After discussions with Acadia University and working with the MOU, space was identified on campus to house the skateboard park along with some additional recreation amenities. With that, signage needs to be ordered that not only provides safety guidelines for use, but also welcomes users to the space. A park name is essential to identify the space, as well as to use in marketing and promotion.

The University holds ultimate naming rights to the space and is not looking to name the area at this time. They are supportive of the purposed interim name – *Tower Community Park*.

This name offers several benefits as far as staff is concerned: it locates the park to a familiar landmark and, more importantly, it speaks to this being a community space. The addition of *A Town and Gown Project* continues to reinforce the importance of the relationship between Acadia University and the Town.

Each sign will recognize the contributions of key stakeholders that made this project possible (see draft). Additional signage in the greenspace will acknowledge the Class of 2019 support.

6) FINANCIAL IMPLICATIONS

Not applicable

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Council Strategic Principles:

- a. **Affordability:** n/a.

REQUEST FOR DECISION #051-2019

Tower Community Park Naming

Date: 2019-07-10

Department: Parks and Recreation



- b. **Transparency:** The Town has modeled this project by working with partners and ensuring the process is open and transparent.
- c. **Community Capacity Building:** When the Town invests in recreation and recreation infrastructure, we continue to build capacity in terms of health and wellness opportunities for our residents and visitors.
- d. **Discipline to Stay the Course:** Creating opportunities to build on the Town and Gown MOU.
- e. **United Front:** Open space and supporting community engagement is specific to the Town's Strategic Plan.

8) COMMUNICATION REQUIREMENTS

Town staff will advise potential users of the site when construction is complete. It is the intention of staff to have an opening celebration.

9) ATTACHMENT



10) ALTERNATIVES

The Draft Motion provides a name to recognize the space and those that made it possible. Any alternatives will require approval by Acadia University and may delay the signage.

From: David Daniels
Sent: June 28, 2019 3:06 PM
To: Town Council
Subject: public meeting question period

June 28, 2019

Dear Council Members:

Please accept the following comments and questions concerning the proposed public participation policy.

1. The Council should either include in this policy or adopt a separate policy that deals with the Town's response to letters, etc. received from the public.
2. The numbering is wrong for policies 3.0 and 4.0.
3. Policy 5.5 (sic) states:

Comments and questions will not be entertained that relate to personnel, current or potential litigation issues, or planning issues for which a public hearing has already occurred.

Does “will not be entertained” mean that if someone starts to ask a question or make a comment related to, for example, personnel, he or she will be cut off, and told that is not an appropriate question or comment? Or does it mean that such a question or comment may be posed, but the response in the CAO’s report would be that such a question or comment is not going to be responded to.

Who will decide and how will it be decided what comments or questions are related to “potential litigation.” Many, if not all, decisions made by council may be subject to litigation; that is, challenged by judicial review. If someone were to ask about the cost of litigation, would that be entertained?

If someone comments that a named employee of the Town made a questionable recommendation or made a mistake in a report, would that be considered a matter related to “personnel”?

Does this policy take into account the Town’s commitment accessibility?

If an individual is disrespectful, why should it prevent others from speaking? Is there an alternative to “closing” the public participation session?

In the event that numerous residents wish to express their views, and the 30 minute limit has been reached, why not allow them all time to speak? It may not be fair to those who patiently waited to speak.

David A. Daniels

From: George Lohnes >
Sent: June 28, 2019 5:56 PM
To: Town Council
Cc: Erin Beaudin
Subject: Public Participation at Council Meetings - Proposed Policy

Importance: High

Mayor Cantwell & Members of Council,

I write in support of the adoption of a Public Participation Policy applicable to Town Council meetings and Committee meetings.

The formal adoption of a policy is a natural follow through to the Public's statutory right to attend open sessions of Town Council and Committee meetings as provided for in the *Municipal Government Act*.

Civic engagement is to be encouraged and the opportunity for a citizen to address issues of the day before Council and its Committees is to be applauded.

As I will be out of the Province on July 2, 2019, I am submitting this letter for your consideration.

I have addressed my position to the items raised in the Staff Report highlighted in red as follows:

There are a number of items for Council discussion and agreement including:

- the number of Public Participation sessions per Council meeting with the options being no session, one session or two sessions – **Support an absolute minimum of one session immediately following adoption of Council or Committee minutes;**
- the length of time each speaker is allowed and whether they are allowed to return to the podium during the same public participation session – **Three minutes is reasonable, provided an opportunity to speak a second time for two minutes in the event the 30-minute time frame has not been exhausted;**
- that Council will accept both questions and comments from the public **-Essential that opportunity be given for both questions and comments;**
- that in the event the member of the public presenting a question or comment is disrespectful to proceedings that the Chair will close down the public participation session immediately. – **I strongly disagree with this proposal – Why should my rights under the proposed policy be denied by the behaviour of another person? I respectfully submit this proposed provision is anti-democratic and should not be adopted. Surely, the Chair can caution the presenter and if necessary, rule the presenter out of order and ask for the presenter to end the presentation. The Chair would then request the next presenter, if any, to make their submission.**
- that some comments questions will not be answered at the meeting but a response will be provided in a subsequent CAO Report to Committee of the Whole. **This does not provide for a firm time frame. With respect, the request should be dealt with and responded to at the next meeting of Council or committee meeting at the latest. If not, the answer may be moot as Council or the committee may deal with the matter at their next Council or Committee meeting , not some indefinite meeting of the Committee of the Whole.**

I understand that the Town & Gown Committee is a “special” committee, nevertheless, I would encourage Council to request the Town & Gown Committee to adopt a similar Public Participation policy for its meetings.

All of which is respectfully submitted.

George Lohnes
Wolfville Nova Scotia

From: Joyce Marshall-Scott
Sent: July 4, 2019 8:00 PM
To: Town Council
Subject: Central Ave

To Whom It May Concern

I am the business owner of What's The Buzz Barber Shop on Central Ave. and am much concerned with the proposal of closing Central Ave to vehicle traffic.

I have several concerns.

1. Allowance of Fire Engines onto the Street in the unfortunate event that they are needed.
2. In my business I have several older customers that have to be dropped off for their haircuts as they have mobility problems and can't walk any distance. I have noticed that many of the patients/clients at FYI are also in need of being dropped off at their office. As are their Handy Bus customers.
3. Joe's Food Emporium and The Kings Arms Common have deliveries that can only come from access to Central Ave, of those vehicles
4. Parking. This is already a huge issue for businesses downtown. I have a parking spot at my shop, Joe Rafi and Julie Page of Retro Runway share a spot. The Kings Arms has their parking as well as the parking for the upstairs resident(s). There is also a parking lot for the BMO which is always much used.
5. In the winter this Street is hardly ever plowed. I realize this may dig up the pavers but it makes it extremely icy and slippery underfoot for any walkers.

I would like to thank you for your consideration of these issues.

Sincerely

Joyce Marshall-Scott
Owner and Operator of What's the Buzz Barber Shop
2 Central Ave.
Wolfville, N.S.

From: Beverley Cassidy
Sent: June 18, 2019 7:33 AM
To: Town Council; Marianne Gates; Keith Irving
Subject: The Fountain of Health Initiative

Hello Jeff, Marianne, Keith and Counsellors,

Thanks for the fun evening last night! And great to chat about strategies to optimise community health. As background for any counsellors not at the get together, I am a geriatric psychiatrist and have worked for 20 years here in community mental health and also work with Dalhousie University Dept of Psychiatry and with The Fountain of Health project. FoH is a long- term health and resilience initiative that started at Dalhousie Department of Psychiatry in 2011 and has grown into a national non-profit resilience strategy over the past 8 years. It is adaptable at a municipal level as is currently happening in the town of Chester for example. Also I am attaching a link to The Wellness App that supports health behavior change in key health areas shown to support long term physical and mental wellbeing. Feel free to try it out yourselves! We developed and tested the prototype app in collaboration with a primary care team here at the Wolfville Professional Centre, including Dr Alison Wellwood, Dr Roger Hamilton, Dr Barbara Ross and Dr Chris Toplack. So it has home grown valley roots!

Currently we also partner with Acadia University to support student mental health and well-being with a project called Acadia You 101- it's about "majoring in yourself : developing skills to optimise physical, emotional and cognitive fitness while at university. So there are many potential applications across the lifespan, and your perspectives on potential applications within the community would be useful synergies. I also enclose a recent paper on testing and validation of Fountain of Health tools in community samples in case anyone wants a more in- depth read.

Thanks again for including Wolfville physicians in the community dialogue.
Sincerely,
Beverley Cassidy

www.fountainofhealth.ca
<https://wellnessapp.ca>

The Fountain of Health: Effective Health Promotion Knowledge Transfer in Individual Primary Care and Group Community-based Formats. Amy Gough, Beverley Cassidy, Kiran Rabheru, David Conn, Keri-Leigh Cassidy, in International Psychogeriatrics, Positive Psychiatry Special Edition, 2018. DOI: 10.1017/S1041610218000480. DOI: <https://doi.org/10.1017/S1041610218000480>

From: Glen Pavelich
Sent: July 10, 2019 8:46 AM
To: Jeff Cantwell; Oonagh Proudfoot; Wendy Elliott; Kevin Kerr; Town Council
Subject: Pleasant Street Drainage Issue - Town Statement Requested

July 10th, 2019

Mayor and Councillors, Town of Wolfville, & Department of Public Works:

- **Jeff Cantwell** – Mayor - Email: jcantwell@wolfville.ca
- **Oonagh Proudfoot** – Councillor - Email: oproudfoot@wolfville.ca
- **Wendy Elliott** – Councillor - Email: welliott@wolfville.ca

Kevin Kerr – Department of Public Works – Email - KKerr@wolfville.ca

- **All Councillors:** Email: TownCouncil@wolfville.ca

Additions to this letter:

1. Letter we originally prepared to present our case in the simplest way possible.
2. Tim MacLeod made an appeal to Public Works, on everyone's behalf, to have Town assist in this matter. We received an unacceptable response.

What is not being acknowledged by Kevin Kerr's response to the letter noted above is that the water is not from our properties at all. We (Pavelich) attempted to rectify our 'drainage issue' with the French Drain installed last fall (2018). We had approval by the Public Works office to proceed with this since it followed the same path as the disintegrated culvert we took out. However, because this slows down the flow it has caused an unending seepage to Elke Willman's property and this is not what anyone expected.

Only minor seepage results directly from the properties the French drain services. As stated in the original letter, we had no idea that we were receiving water from 4 properties away and from the old spray pond which (as of the 1st week in July) has not stopped running since last fall. Quite clearly the French drain, that was to handle only the amount of water that drains from the back of our properties (MacLeod, Pavelich, Anderson), cannot handle the unforeseen deluge that ends up here in unimaginable amounts to the point of flooding.

No matter how much we improve the drainage on our properties (MacLeod, Pavelich, Anderson) our efforts will not end the water Elke Willmann has to deal with and that affects her frontage. She is accustomed to the large volumes that can flow through during the spring runoff or a heavy rain which quickly disappears to the storm drain, but the constant flow afterward is unacceptable to her.

A: Seepage Issue:

- 1) The French drain we had permission to install is causing unforeseen issues.
- 2) Even if we had installed a culvert (which we now propose to do after ..already spending approx. \$2700), instead of a French drain, the end result would be the same since the drainage from above the MacLeod property would drain past ours via an improved and functioning system. As stated in the 1st

letter, the old pipe was rusted, heaved, and broken causing, not only pooling on the MacLeod and Pavelich properties, but pooling along the line itself, and at the lower border of the Anderson property.

B: Flooding Issue:

Ditch and culvert are absolute necessary on the Pavelich and Anderson lands as it is now apparent, but we are caught with the problem of unresolved seepage to Elke's property.

The water has had to flow overland this past Fall, Winter and Spring ...and you can see the results from the images in the first letter. A restored ditch and culvert throughout is the only way to handle the volumes of water that end up here.

We have consulted ABLE Engineer who also advised the ditch and culvert be restore to channel the water, but unless it produced NO residual seepage it was unacceptable to Elke. We have also had extensive meetings with the Department of the Environment who confirm this drainage is not considered a 'water course' and thus not within their control. This meeting was in response to Elke's accusation that we altered a water course.... We did not.

How is it reasonable that the property owners at the end of this flow should be expected to manage and dispute this water when it is coming from such a wide area and not originating on our properties.

The easiest and most efficient solution is for the Town to, at the very least, put in culvert across Elke's land so she doesn't have to have a wet ditch, and thus the home owners above her can effectively drain their properties to this ditch as they have historically done.

C: The larger issue:

The lots on Pleasant were sold without there being a proper easement in place for a large channel of water. Instead the water needed to cross and exit private land to a town storm sewer while the town declares/allows that home owners can do anything they want on their own land in regards to it. We understand Elke's complaint, but her complaint impedes us from draining our water.

If Elke Willmann ever exercises her *supposed* right to block this water coming through her ditch, then we need another storm sewer. The water coming down the hill from the old Sherwood Spray pond and surrounding slope has no where to go but to the storm sewer in front of Elke Willmann's property. There is no other grade or flow channel we know of that can be used to divert it. If there is then we request Town advisement and immediate involvement to make secondary accommodation for this flow. However, the suggestion above is by far the easiest and less expensive route.

Should this flow be blocked from accessing the storm sewer then 3-5 backyards, including 3 basements, will flood. Thus home owners, with no other recourse to prevent property damage, will be pumping excessive amounts of water onto the street. Thus, this becomes a town issue and an expensive one.

A clear "Prescriptive rights" statement from the Town of Wolfville should apply in the case of this drainage. Evidence is in place to show the historical use and assumed rights to this water drainage. We have a copy of a 2001 Survey that shows the drainage path from as far as the old Sherwood spray pond in place to handle the water coming downhill from that point, and which the town of Wolfville accommodated via a storm sewer at its end. (Survey done by Hiltz and Seamone Co. Lt, Consulting Engineers, Kentville, NS, Nov 30, 2001 - Dwg No. Y2001-113-01). We also have a photo taken in 1986 which shows the drainage ditch before the culvert was installed. Home owners should have assurances that it cannot be blocked.

If we can do, as previously advised, 'anything we want on our own land' then we can put in the proposed system and have it drain along the path it always had, but if Elke can also do anything she wants on her own land and opposes or blocks it, we will have gone to great expense to no avail and 3+ property owners are in the same situation.

From: Glen Pavelich
Sent: July 10, 2019 8:53 AM
To: Jeff Cantwell; Oonagh Proudfoot; Wendy Elliott; Kevin Kerr; Town Council
Subject: Re: Pleasant Street Drainage Issue - Town Statement Requested

Sorry this was not complete before it was mistakenly sent.

Further to the letter..

The attachments here in PDF:

<https://fireflywebs.ca/private/1-An-outline-of-the-water-drainage-and-flooding-issue-May-15th.pdf>

<https://fireflywebs.ca/private/2-Email-sent-to-Tim-MacLeod-June-4th.pdf>

<https://fireflywebs.ca/private/4-Pictures-of-the-Pleasant-Street-Water-Issue.pdf>

Regards

Glenda and Gene Pavelich

On Wed, Jul 10, 2019 at 8:46 AM Glen Pavelich wrote:

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