



Town Council Meeting

December 17, 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. Special Town Council Meeting, November 5, 2019
- b. Town Council Meeting, November 19, 2019

3. Comments from the Mayor

4. Presentation:

- a. Vincent Den Hartog, Visitor Information Centre
- b. Marianne Gates, Wolfville Song

5. Public Input / Question Period

PLEASE NOTE:

- Public Participation is limited to 30 minutes
- Each Person is limited to 3 minutes and may return to speak once, for 1 minute, if time permits within the total 30-minute period
- Questions or comments are to be directed to the Chair
- Comments and questions that relate to personnel, current or potential litigation issues, or planning issues for which a public hearing has already occurred, but no decision has been made by Council, will not be answered.



6. Motions/Recommendations from Committee of the Whole, December 3, 2019:

- a. RFD 080-2019: Outdoor Fires Bylaw First Reading
- b. RFD 085-2019: Repeal Open Air Fires Bylaw – First Reading
- c. RFD 045-2019: Minimum Property Standards Bylaw First Reading – Supplemental Report
- d. RFD 067-2019: Committees of Council Citizen Appointments
- e. RFD 066-2019: Committees of Council Meeting Schedule 2020
- f. RFD 079-2019: Appointment of Returning Officer
- g. RFD 082-2019: Delegation of Authority

7. Motions/Recommendations from Special Committee of the Whole, November 26, 2019:

- a. RFD 081-2019 Planning Documents (Draft 3) Direction

8. Motions/Recommendations from Town Council, September 7, 2019:

- a. RFD 058-2019: Electronic Voting Bylaw Second Reading – repeating process

9. New Business

- a. RFD 083-2019: Kings Transit Authority Supplementary Capital Budget Request
- b. RFD 084-2019: VWRM Debt Guarantees
- c. RFD 070-2019: DA and Heritage Alteration – Tattingstone Inn

10. Correspondence:

- a. Correspondence from Douglas Lutz: RE: Sustainable Prosperity Act



- b. Correspondence from Hayden Ehler regarding Valley Peer Tutoring
- c. Correspondence from the Minister of Environment – Sustainability Prosperity Act
- d. Correspondence from C. Chittick- Woodman’s Grove Rezoning
- e. Correspondence from Keith Irving – Physician Retention

**11.Adjournment to In-Camera under the Municipal Government Act
Section 22(2)(e):**

- a. Acadia Code of Conduct

12.Adjournment of In-Camera

13.Regular Meeting Reconvenes

14.Regular Meeting Adjourned

REQUEST FOR DECISION 080-2019

Title: Outdoor Fire Bylaw

Subject: Replacement of Open Air Fires Bylaw

Date: 2019-12-03

Department: Planning & Development



SUMMARY

Outdoor Fire Bylaw

It had become apparent to staff that the “Open Air Fires Bylaw” was falling behind with new trends in recreational fires using natural wood products, propane and other gas appliances. The bylaw allowed for open fires in “acceptable fire pits or portable barbecuing appliances” for the cooking of food only. The use of an acceptable fire pit, with proper clean fuel, used strictly for a social occasion is not allowed. There is no provision for the use of a certified gas appliances for the sole use of a recreational fire in a social setting, either. This previous bylaw does have exemptions for burning in Town owned facilities where fireplaces, stoves and fire pits are approved, burning for training by the Emergency Measures Organization and burning for municipal purposes at the direction of the Fire Chief.

Proposed is a new “Outdoor Fire Bylaw” strengthening the regulation of outdoor fires, defining the recreational use of acceptable outdoor wood burning appliances and clarifying the use of certified propane or other natural gas recreational appliances. The Outdoor Fire Bylaw still prohibits outdoor fires not contained in appropriate appliances, the burning of unacceptable waste and yard products and supports the Nova Scotia Department of Natural Resources burn bans.

To achieve this the bylaw has an expanded definition section and designated sections on prohibited outdoor fires, on permitted outdoor fires and on fire appliance requirements that make the outdoor fires permissible. A further addition is an enforcement section that gives certain authorities to the Fire Chief and Designate to order or extinguish an outdoor fire, enter on land in the performance of their duties, order or have removed an illegal fire appliance, and offers protection for actions carried out under this bylaw.

The penalty section has some increased fines, the first offence will remain at two hundred dollars (\$200.00), but a graduated fine schedule of four hundred dollars (\$400.00) for second offence and a fine of nine hundred dollars (\$900.00) for third or subsequent offences has been added. This wording change will allow for application for a summary offence ticket option from the Department of Justice, Registry of Regulations for violations for this bylaw.

DRAFT MOTION: (N/A)

That Council repeal the Open Air Fires Bylaw. (SEE SEPARATE RFD 085)

DRAFT MOTION:

That Council give first reading to the attached Outdoor Fire Bylaw and direct staff to prepare the notice of intention and set a date for second reading.

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1) CAO COMMENTS

The CAO supports the recommendation of Staff.

2) LEGISLATIVE AUTHORITY

Under Sections 172(1), (a), (b), and (d) of the Nova Scotia Municipal Government Act (NS MGA), Council may make bylaws, respecting the health, wellbeing, safety and protection of persons, the safety and protection of property, and activities that may cause nuisances including burning, odours, and fumes.

3) STAFF RECOMMENDATION

Staff recommends that Council repeal the Open Air Fires Bylaw and approve the Outdoor Fire Bylaw by giving first reading, advertising the notice of intent and considering second reading at the next Council meeting.

REFERENCES AND ATTACHMENTS

1. Outdoor Fire Bylaw, 2019 draft (attached).
2. Open Air Fires Bylaw, Chapter 71, dated January 24th, 2001 (attached) – to be repealed.
3. Outdoor Fires Bylaw, draft “Schedule of Fines” (attached)

4) DISCUSSION

It had become apparent to staff that the “Open Air Fires Bylaw” was falling behind with new trends in recreational fires using natural wood products, propane and other gas appliances. The bylaw allowed for open fires in “acceptable fire pits or portable barbecuing appliances” for the cooking of food only. The use of an acceptable fire pit, with proper clean fuel, used strictly for a social occasion is not allowed. There is no provision for the use of a certified gas appliances for the sole use of a recreational fire in a social setting, either. This previous bylaw does have exemptions for burning in Town owned facilities where fireplaces, stoves and fire pits are approved, burning for training by the Emergency Measures Organization and burning for municipal purposes at the direction of the Fire Chief.

Proposed is a new “Outdoor Fire Bylaw” strengthening the regulation of outdoor fires, defining the recreational use of acceptable outdoor wood burning appliances and clarifying the use of certified propane or other natural gas recreational appliances. The Outdoor Fire Bylaw still prohibits outdoor fires not contained in appropriate appliances, the burning of unacceptable waste and yard products and supports the Nova Scotia Department of Natural Resources burn bans.

To achieve this the bylaw has an expanded definition section, which includes most of the previous bylaw definitions but gives additional clarity on what a burn means, what an outdoor fire means, what a

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recreational fire means and what solid fuel is, as it relates to this bylaw. Definitions include detailing acceptable outdoor appliances including outdoor wood burning appliance, outdoor propane firepit or fireplace and portable barbecuing appliances. A definition on what constitutes suitable fire protection equipment is explained and used within the bylaw. The Fire Chief and Designate are defined with a further additional definition on who is a Designated person under the bylaw.

From the definitions there are two sections on outdoor fires, Section 4 details “Prohibited Fires” and Section 5 details, “Permitted Fires”. Section 4.1 describes a prohibited outdoor fire and makes it an offence to burn on any land in Wolfville unless in an approved outdoor appliance in accordance to Section 5. Section 4.2 prohibits the burning of waste of any kind. New to the bylaw is the citing of the Nova Scotia Department of Natural Resources fire ban and weather conditions in Section 4.3, prohibiting fire during these time periods.

Section 5 deals with “Permitted Outdoor Fires” with the use of acceptable fire appliances. Requirements under Section 5.1 allows for recreational outdoor fires with the use of portable barbecue appliances, outdoor propane fire pit or an acceptable outdoor wood burning appliance for cooking food. Outdoor recreational fires in an outdoor propane firepit or fireplace installed per the manufacturing specifications will be allowed under Section 5.2. Acceptable outdoor wood burning appliances for recreational fires is fully outlined in Section 5.3, detailing the type of fuel, safe distances for appliances to be used and the criteria needed to have an acceptable outdoor wood burning activity. Section 5.4 allows for outdoor fires for the purposes of training by the Emergency Management Organization or the Wolfville Fire Department.

Section 6 details the “Fire Appliance Requirements” with appliance construction materials, the weight of the materials, the size of the materials and the certification of the gas appliances. Section 6.4 requires Propane Fire Pit, Fireplace and Barbecue installations, use and care, shall be in accordance with the manufacturer’s instructions and purpose guidelines. All-natural gas and liquefied propane must be certified by an appropriate certification agency as outlined in Section 6.5. Section 6.6 confirms that all Propane Appliances must conform to the Fuel Safety Regulations passed under the Technical Safety Act of Nova Scotia, which oversees the storage, use and transportation of propane, natural gas and the containers used to contain the same.

A further addition is an “Enforcement” section that gives certain authorities to the Fire Chief and Designate to order or extinguish an outdoor fire, enter on land in the performance of their duties, order or have removed an illegal fire appliance, and offers protection for actions carried out under this bylaw.

The “Penalty” section has some increased fines, the first offence will remain at two hundred dollars (\$200.00), but a graduated fine schedule of four hundred dollars (\$400.00) for second offence and a fine of nine hundred dollars (\$900.00) for third or subsequent offences has been added. This wording change

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will allow for application for a summary offence ticket option from the Department of Justice, Registry of Regulations for violations for this bylaw.

The Town's Fire Chief has been involved throughout the development of this by-law.

This Bylaw is catching up to, and consistent with, trends in outdoor recreational fires. On the proactive side, it is evident that there are many outdoor burning appliances being offered for sale and this Bylaw will target only the ones not being used appropriately allowing for recreational use without the cooking necessity.

FINANCIAL IMPLICATIONS

With the introduction of the summary offence ticket for expeditious and efficient process of violations, prosecution cost should be kept to a minimum.

5) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

- Improving quality of life for all by offering a dynamic quality of life grounded in the Town's leisure, culture and recreation activities.

6) COMMUNICATION REQUIREMENTS

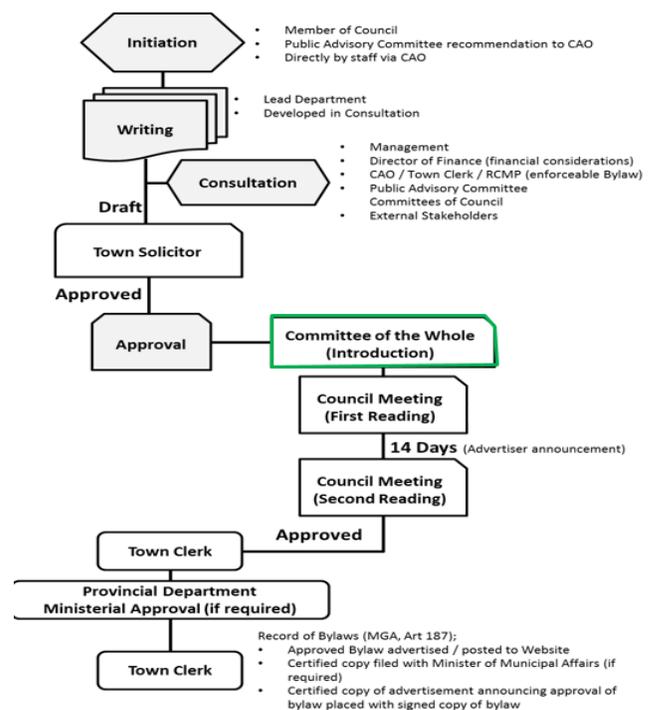
There is a slight need for public communication as the decision is a catch up to the merging trends of recreational fire in the community. There will be little impact on residents, students, landlords, police, enforcement and town staff. Consultation by way of notice of intention should be sufficient for this bylaw.

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

7) ALTERNATIVES

Council may consider alternative options to the recommended decision as follows:

- Approve portions of the bylaw and send back to staff for amendment; or
- Approve the bylaw with other specific conditions.



1. Title

This bylaw shall be known as Chapter 71 and may be cited as the Outdoor Fire Bylaw.

2. References

2.1 Nova Scotia Municipal Government Act (NS MGA):

Whereas under Sections 172(1), (a), (b), and (d) of the Nova Scotia Municipal Government Act (NS MGA), Council may make bylaws, respecting the health, wellbeing, safety and protection of persons, the safety and protection of property, and activities that may cause nuisances including burning, odours, and fumes.

3. Definitions

3.1 In this Bylaw:

- (1) "Acceptable Outdoor Wood Burning Appliance" means an outdoor receptacle with an opening which does not exceed one (1) meter across constructed from bricks, concrete blocks, heavy gauge steel, or stone, to a maximum of 60 centimeters from surface grade and has a one half inch (1/2") or (12 mm) spark arrestor or metal mesh screen covering;
- (2) "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.
- (3) "Burn" means to light, ignite or set fire to any material;
- (4) "Certified" means certified as meeting the standards of the Canadian Standards Association (CSA approved) or another nationally recognized testing organization;
- (5) "Council" means the Council of the Town of Wolfville;
- (6) "Designate" means the person or persons designated by Council to enforce this Bylaw, including the Police, Bylaw Enforcement Officers and Fire Inspectors of the Town of Wolfville;
- (7) "Emergency Measures Organization" means the Emergency Measures Organization as approved and established for the Town of Wolfville;
- (8) "Fire Chief" means the Fire Chief, or his Designate for the Town of Wolfville;
- (9) "Garden and Yard Waste" means any shrubbery, tree pruning, leaves, brush, weeds, grass, roots, tree stumps, turf, and similar vegetation;
- (10) "General Waste" means any rubbish, garbage, treated wood with paint or preservative,

non-wooden material, packaging, containers, bottles, cans, rags, clothing, and petroleum products;

- (11) "Hazard" means a risk of fire or damage to property and/or person(s) which may be caused by the burning of any waste and includes any nuisance;
- (12) "Nuisance" means the causing of any smoke, smells or other emission from any fire permitted under this bylaw, or otherwise, that adversely and unreasonably affects the reasonable enjoyment by other persons of their property;
- (13) "Outdoor Fire" means any combustion, whether or not fire is present or visible, located any place on a property including inside any receptacle outside a building;
- (14) "Outdoor Propane Fire Pit or Fireplace" means a manufactured fire pit or fireplace commonly made of pre-cast concrete or metal and/or a combination of a metal table and stone which are fueled by natural gas, propane (LP) or bio ethanol and used for recreational fires.
- (15) "Portable Barbecuing Appliance" means any appliance sold or constructed for the purpose of cooking food outdoors, fueled by liquefied petroleum gas, natural gas, compressed briquettes, or charcoal;
- (16) "Recreational fire" means an outdoor fire using solid fuels or Liquefied Petroleum Gas or natural gas for cooking or pleasure;
- (17) "Solid fuel" means dry seasoned hard or soft wood, charcoal, mechanically processed fiber wood, pelletized wood and wood chips;
- (18) "Fire protection equipment" means tools or equipment useful in extinguishing fires and preventing the spread of fires including but not limited to fire extinguishers, back tanks, buckets of water and hoses connected to an adequate water supply;
- (19) "Town" means the Town of Wolfville.

4. Outdoor Fires Prohibited:

- 4.1 No person shall be permitted to have an outdoor fire within the Town, unless in accordance to Section 5 of this By-law;
- 4.2 No person shall be permitted to burn general waste, or garden and yard waste on any lands owned or occupied by such person, or on any other lands within the Town;
- 4.3 No person shall ignite an outdoor fire when:
 - i. The Nova Scotia Department of Natural Resources has issued a fire ban for this area of the province; and, or
 - ii. The weather conditions may jeopardize the ability to control the fire.

5. Outdoor Fires Permitted:

5.1 Persons shall be permitted to have a recreational fire to cook food using an Acceptable Outdoor Wood Burning Appliance; Portable Barbecue Appliance, an Outdoor Propane Fire Pit, or an Outdoor Fireplace;

5.2 Persons shall be permitted to have a recreational fire in an outdoor propane fire pit or fireplace, which has been installed pursuant to the manufacturer's specifications;

5.3 Persons shall be permitted to have a recreational fire in an acceptable outdoor wood burning appliance, providing that:

- i. only seasoned dry firewood or other solid fuel is burned;
- ii. a ½ inch or 12 mm spark arrestor or mesh screen covering is used to contain any sparks or blowing debris;
- iii. the acceptable outdoor wood burning appliance is in excess of 15 feet or 4.57 meters from any building, flammable structure, combustibile material or property line and not positioned on a wooden or combustibile material deck or platform;
- iv. only one recreational fire used on the property at one time;
- vi. the fire does not create a nuisance;
- vii. a responsible adult is present on the property while the fire is burning and until the fire is extinguished;
- viii. fire protection equipment is available to extinguish the fire within reasonable distance from where the fire is located.

5.4 Burning for the purpose of training members for the Emergency Management Organization or the Wolfville Fire Department is permitted.

6. Fire Appliance Requirements:

6.1 An acceptable outdoor wood burning appliance must be properly constructed of a minimum of 1/8" (4mm) steel in thickness, natural stone, brick, block or concrete to a maximum of 60 centimeters from surface grade measured on the outside rim of no more than 39.36 inches or one meter (1 m) across.

6.2 The actual size of the interior fire box in an outdoor wood burning appliance shall not be larger than 30 inches (30") or 762 millimeters (762 mm) in any dimension.

6.3 An acceptable outdoor wood burning appliance must be fitted with a spark arrestor mesh that covers the complete top with openings no larger than one half inch (1/2") or 12 millimeters (12mm).

6.4 Outdoor Propane Fire Pit, Fireplace or Portable Barbecues Appliances shall be installed, used and cared for in accordance with the manufacturer's guidelines and shall be only used for the purpose designed by the manufacturer.

6.5 All-natural gas or liquefied propane appliances must be certified by CSA, ULC or any other recognized certification agency.

6.6 Outdoor Propane Fire Pit, Fireplace and Portable Barbecue Appliances must conform to the requirements of the Fuel Safety Regulations as passed under the Technical Safety Act of Nova Scotia.

7. Enforcement:

7.1 The Fire Chief or Designate have control over the prevention and suppression of Outdoor Fires within the Town and shall have the authority to extinguish or ordered extinguished any Outdoor Fire which poses a health or fire hazard to persons or property, or which does not meet the provisions of this Bylaw.

7.2 The Fire Chief or Designate may enter upon any land, at any reasonably necessary time, for the purpose of performing their duties and functions pursuant to this Bylaw.

7.3 The Fire Chief or Designate can order the property owner to dismantle or removal an illegal outdoor burning appliance within a reasonable time and on failure to comply, shall have the appliance removed; the cost recovered by the Town on first lien on the property.

7.4 No action in trespass or nuisance may be brought against a member of a Fire Department, Police Officer, Bylaw Enforcement Officer or Designate for the doing of any act or the carrying out of any operation necessarily incidental to the exercise of any duty or power pursuant to this Bylaw.

8. Penalties:

8.1 Every person who contravenes or fails to comply with any orders or provisions of this Bylaw shall be liable to a penalty of not less than two hundred dollars (\$200.00) for first offence, not less than four hundred dollars (\$400.00) for second offence, and not less than nine hundred dollars (\$900.00) for third and subsequent offences.

9. Compliance with other legislation:

9.1 Nothing in this Bylaw shall exempt any person from obtaining any license, permission, permit, authority or approval required under any other Bylaw or regulation of the Town or any statute or regulation of the Province of Nova Scotia. If this Bylaw conflicts with any other statute or regulation of the Province of Nova Scotia the more restrictive statute shall apply.

10. REPEALS:

10.1 The Open Air Fires Bylaw and amendments thereto are repealed upon the coming into force of this Bylaw.



Clerk's Annotation for Official Bylaw Book

Date of first reading: December 17, 2019

Date of advertisement of Notice of Intent to Consider: _____

Date of second reading: _____

Date of advertisement of Passage of Bylaw: _____

Date of mailing to Minister a certified copy of Bylaw: _____

I certify that this Outdoor Fire Bylaw Chapter 71-was adopted by Council and published as indicated above.

C.A.O./ Town Clerk

Date

DRAFT

Whereas under Sections 172 (a), (b), and (d) of the 1999 Municipal Government Act, Council may make bylaws, respecting the health, well being, safety and protection of persons, the safety and protection of property, and activities that may cause nuisances including burning, odours, and fumes;

Now, therefore, the Council of the Town of Wolfville duly assembled enacts as follows:

1. Interpretation

In this Bylaw:

“Acceptable Fire Pit” means an outdoor receptacle whereby the fire pit opening does not exceed 1 metre in width or in diameter when measured between the widest points or outside edges.

“Council” means the Council of the Town of Wolfville.

“Emergency Measures Organization” means the Emergency Measures Organization as established for the Town pursuant to the provisions of Chapter 57 within the Bylaws and Amendments of the Town of Wolfville.

“Fire Chief” means Fire Chief for the Town of Wolfville.

“Garden and Yard Waste” means any shrubbery, tree prunings, leaves, brush, weeds, grass, roots, tree stumps, turf, and similar vegetation.

“General Waste” means any rubbish, garbage, non-wooden material, packaging, containers, bottles, cans, rags, clothing, petroleum products, manure, human or animal excrement, sewage or the whole or part of an animal carcass.

“Hazard” means a risk of fire or damage to property and/or person(s) which may be caused by the burning of any waste and includes any nuisance.

“Nuisance” means the causing of any smoke by or from any fire permitted or allowed under this Bylaw with compromises surrounding property owners with respect to the quiet enjoyment of their property.

“Portable Barbecuing Appliance” means any appliance sold or constructed for the purpose of cooking food outdoors, normally fuelled by liquefied petroleum gas, natural gas, compressed briquettes, or charcoal.

“Town” means the Town of Wolfville.

2. Open Air Fires Prohibited

- or
- (1) No person shall be permitted to have an open air fire or any other fire upon land owned or occupied by such person, or on any other lands within the Town.
 - (2) No person shall be permitted to burn general waste, or garden and yard waste on any lands owned or occupied by such person, or on any other lands within the Town.
 - (3) Notwithstanding Section 1, persons are permitted under this Bylaw to conduct:
 - (a) the cooking of food using a portable barbecuing appliance;
 - (b) the cooking of food in acceptable fire pits or acceptable fireplaces provided:
 - (i) only clean fuel is used such as natural gas, dry wood or charcoal in

amounts which will be contained within the fire pit or fireplace below the mesh screen;

- (ii) the fire does not create a nuisance, which is offensive to any other person;
- (iii) the fire does not create a hazard to persons or to other properties;
- (iv) a means, acceptable to the Fire Chief, of controlling or extinguishing the fire is available on the property and within reasonable distance from where the fire occurs;
- (v) a responsible adult is present on the property with the fire is burning;
- (vi) the fire is extinguished before supervision of the fire ends;
- (c) burning in fireplaces in or attached to dwellings as provided by legislation;
- (d) burning in Town-owned parks where fireplaces, stoves and fire pits are provided by or approved by the Town;
- (e) burning by the Emergency Measures Organization for the purpose of training members;
- (f) burning for municipal purposes at the direction of the Fire Chief.

3. Requirements for acceptable fire pits, outdoor fireplaces and structures

- (1) Acceptable fire pits, outdoor fireplaces, or structures must meet the following requirements:
 - (a) A minimum of 4.5 metres (15 feet) clearance shall be maintained from buildings;
 - (b) Installations must have enclosed sides made from bricks, concrete blocks, heavy gauge metal, stone, or other suitable non-combustible components;
 - (c) A spark arrestor mesh screen of ½ inch expanded metal (or equivalent) to contain sparks shall be provided over the fire.

4. Offences and Penalties

- (1) Every person who contravenes or fails to comply with any of the provisions of this Bylaw shall be liable to a penalty not exceeding \$250.00.

CERTIFICATE

I, Brian Porter, Town Clerk of the Town of Wolfville do hereby certify that the foregoing is a true copy of the Open Air Fires Bylaw passed at a duly called meeting of the Town Council of the Town of Wolfville on January 15, 2001.

Notice of the said Bylaw passing was published in ***THE ADVERTISER***, a newspaper circulating in the Town of on the 23rd day of January, 2001.

GIVEN under the hand of the Town Clerk and the Corporate seal of the Town of Wolfville this 24th day of January, 2001.

BRIAN PORTER, Town Clerk

*First Reading December 18, 2000
Second Reading January 15, 2001*

Schedule M-27

Town of Wolfville Bylaws

Outdoor Fire Bylaw

Offence	Section	Out of Court Settlement	
Having an Outdoor Fire other than permitted in Section 5	4.1	first offence	\$352.50
		second offence	\$582.50
		third & subsequent offence	\$1157.50
Burning of General Waste, Garden or Yard	4.2	first offence	\$352.50
		second offence	\$582.50
		third & subsequent offence	\$1157.50
Having Outdoor Fire during Provincial Fire Ban	4.3(i)	first offence	\$352.50
		second offence	\$582.50
		third & subsequent offence	\$1157.50
Having Outdoor Fire during weather jeopardizing control of fire	4.3(ii)	first offence	\$352.50
		second offence	\$582.50
		third & subsequent offence	\$1157.50
Contravening provisions of bylaw or failing to comply with order (specify)	8.1	first offence	\$352.50
		second offence	\$582.50
		third & subsequent offence	\$1157.50

REQUEST FOR DECISION 085-2019

Title: Repeal of the Open Air Fires Bylaw Ch.71

Date: 2019-12-17

Department: CAO's Office



SUMMARY

It had become apparent to staff that the “Open Air Fires Bylaw” was falling behind with new trends in recreational fires using natural wood products, propane and other gas appliances. The bylaw allowed for open fires in “acceptable fire pits or portable barbecuing appliances” for the cooking of food only. The use of an acceptable fire pit, with proper clean fuel, used strictly for a social occasion is not allowed. There is no provision for the use of a certified gas appliances for the sole use of a recreational fire in a social setting, either. This previous bylaw does have exemptions for burning in Town owned facilities where fireplaces, stoves and fire pits are approved, burning for training by the Emergency Measures Organization and burning for municipal purposes at the direction of the Fire Chief.

Proposed is a new “Outdoor Fire Bylaw” strengthening the regulation of outdoor fires and this is presented to Council for first reading in RFD 080-2019: Outdoor Fires Bylaw.

DRAFT MOTION:

That Council give first reading to the attached Repeal of Open Air Fires Bylaw and direct staff to prepare the notice of intention and set a date for second reading.

REQUEST FOR DECISION 085-2019

Title: Repeal of the Open Air Fires Bylaw Ch.71

Date: 2019-12-17

Department: CAO's Office



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

Sections 172(1)(a), (c) and (d) authorizes Council to establish Bylaws for Municipal purposes respecting the health, wellbeing, safety and protection of persons; persons, activities and things, in, on or near a public place or place that is open to the public; and nuisances, including burning, odors and fumes.

3) STAFF RECOMMENDATION

Staff recommends that Council give first reading to the attached Repeal of Open Air Fires Bylaw and direct staff to prepare the notice of intention and set a date for second reading.

4) REFERENCES AND ATTACHMENTS

- Repeal of Bylaws and Regulations Ch 104 – Draft bylaw (attached)

5) DISCUSSION

It had become apparent to staff that the “Open Air Fires Bylaw” was falling behind with new trends in recreational fires using natural wood products, propane and other gas appliances. The bylaw allowed for open fires in “acceptable fire pits or portable barbecuing appliances” for the cooking of food only. The use of an acceptable fire pit, with proper clean fuel, used strictly for a social occasion is not allowed. There is no provision for the use of a certified gas appliances for the sole use of a recreational fire in a social setting, either. This previous bylaw does have exemptions for burning in Town owned facilities where fireplaces, stoves and fire pits are approved, burning for training by the Emergency Measures Organization and burning for municipal purposes at the direction of the Fire Chief.

REQUEST FOR DECISION 085-2019

Title: Repeal of the Open Air Fires Bylaw Ch.71

Date: 2019-12-17

Department: CAO's Office



6) FINANCIAL IMPLICATIONS

None.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Council's decision will support the strategic direction by:

- Improving quality of life for all, by harmonizing the diverse lifestyle of choices between all demographics in Wolfville;

Council Strategic Principles:

1. **Affordability** – n/a
2. **Transparency** – the decision of Council will be made during a regularly scheduled meeting that is open to the public
3. **Community Capacity Building** – n/a
4. **Discipline to Stay the Course** – n/a
5. **United Front** – n/a
6. **Environmental Sustainability** – n/a

8) COMMUNICATION REQUIREMENTS

The repeal of a Bylaw is communicated on the Town's website so that the public are aware of the change.

REQUEST FOR DECISION 085-2019

Title: Repeal of the Open Air Fires Bylaw Ch.71

Date: 2019-12-17

Department: CAO's Office



9) ALTERNATIVES

Do not repeal the Open Air Fires Bylaw Ch. 71, which will impact the new Outdoor Fires Bylaw currently presented to Council for first reading.



1. Title

1.1 This Bylaw is entitled “Repeal of bylaws and regulations Ch 95”

2. Repeal

2.1. Be it enacted by the Council of the Town of Wolfville under the authority of the *Municipal Government Act* as follows:

The following Bylaws by Chapter and Description be hereby repealed in their entirety:

Chapter 71 – Open Air Fires Bylaw

Clerk’s Annotation for Official By-law Book

Date of first reading: 2019-12-17

Date of advertisement of Notice of Intent to Consider:

Date of second reading:

Date of advertisement of Passage of By-law:

Date of mailing to Minister a certified copy of Bylaw:

I certify that this **REPEAL OF BYLAWS AND REGULATIONS #104** was adopted by Council and published as indicated above.

Erin Beaudin, CAO & Town Clerk

Date

REQUEST FOR DECISION 045-2019 (Supplemental)

Title: Property Minimum Standards Bylaw

Date: 2019-12-03

Department: Planning & Development



SUMMARY

Supplemental Report - Property Minimum Standards Bylaw Amendment

The Property Minimum Standards Bylaw has been before Council previously; however, was not advertised properly and was sent back by the Province. Staff would like to take this opportunity (having to go through the process again) to introduce another housekeeping amendment regarding parking enforcement to this by-law.

The original RFD (045) is included and this supplemental report provides information on the proposed parking enforcement amendment being introduced.

As staff have been reviewing the Land Use Bylaw, there is a gap in enforcing illegal parking (on front lawns, etc). It was determined that the issue was better suited to the Property Minimum Standards Bylaw. It is proposed to amend Section 5(2)(b) of the Property Minimum Standards Bylaw which states, “parking vehicle on yards in accordance with the requirements of the Town of Wolfville Land Use Bylaw” to now read “The owner or occupier shall not allow any vehicle to park on any area of a lot other than a parking area”. A new definition of “Parking Area” will also be inserted into the Property Minimum Standards Bylaw and will alleviate the use of Section 5.6.2 of the Land Use Bylaw and the need for a judicial hearing in such cases of violation. With the Property Minimum Standards Bylaw being prepared for a Summary Offence Ticket (S.O.T.), payment option for this violation can be easily administered.

DRAFT MOTION:

That Council give first reading to the attached revised Property Minimum Standards Bylaw and direct staff to prepare the notice of intention and set a date for second reading.

REQUEST FOR DECISION 045-2019 (Supplemental)

Title: Property Minimum Standards Bylaw

Date: 2019-12-03

Department: Planning & Development



1) CAO COMMENTS

The CAO supports the recommendation of Staff.

The purpose of this RFD coming back to Council is to now consider the parking enforcement amendments and bring this Bylaw through the formal approval process of first and second readings.

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 to approve the addition of the definition of "Parking Area" and the amendment to Section 5(2)(b) of the proposed amended Property Minimum Standards By-law

4) REFERENCES AND ATTACHMENTS

1. Original RFD 045-2019 (attached).
2. Copy original Property Minimum Standards Bylaw approved on October 8th, 2013 (attached).
3. Amended Draft of the Property Minimum Standards Bylaw (attached).
4. Draft of the Schedule M-27 wording for Summary Offence booklet (attached).

5) DISCUSSION

The Property Minimum Standards Bylaw has been before Council previously; however, was not advertised properly and was sent back by the Province. Staff would like to take this opportunity (having to go through the process again) to introduce another housekeeping amendment regarding parking enforcement to this by-law.

As staff have been reviewing the Land Use Bylaw, there is a gap in enforcing illegal parking (on front lawns, etc). It was determined that the issue was better suited to the Property Minimum Standards Bylaw. It is proposed to amend Section 5(2)(b) of the Property Minimum Standards Bylaw which states, "parking vehicle on yards in accordance with the requirements of the Town of Wolfville Land Use Bylaw" to now read "The owner or occupier shall not allow any vehicle to park on any area of a lot other than a parking area". A new definition of "Parking Area" will also be inserted into the Property Minimum Standards Bylaw and will alleviate the use of Section 5.6.2 of the Land Use Bylaw and the need for a judicial hearing in such cases of violation. With the Property Minimum Standards Bylaw being prepared for a Summary Offence Ticket (S.O.T.), payment option for this violation can be easily administered.

REQUEST FOR DECISION 045-2019 (Supplemental)

Title: Property Minimum Standards Bylaw

Date: 2019-12-03

Department: Planning & Development



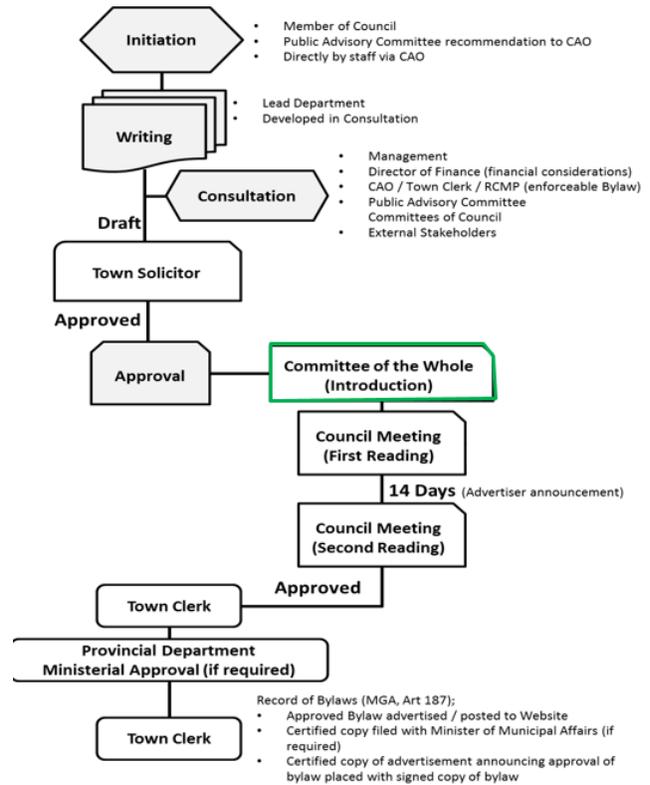
6) COMMUNICATION REQUIREMENTS

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 not to include this supplemental definition and amendment to the proposed Property Minimum Standards Bylaw as outlined in original RFD 045-2019.



REQUEST FOR DECISION 045-2019

Title: Property Minimum Standards Bylaw

Date: ~~2019-07-02~~ October 15, 2019

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 clearer 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.

MOTION Carried at September 17, 2019 Council meeting:

That Council give first reading to the attached Property Minimum Standards Bylaw and direct staff to prepare the notice of intention and set a date for second reading.

DRAFT MOTION – October 15, 2019 Council meeting:

That Council give second reading to the attached Property Minimum Standards Bylaw and direct staff to prepare the Passage of Bylaw notification.

REQUEST FOR DECISION 045-2019

Title: Property Minimum Standards Bylaw

Date: ~~2019-07-02~~ October 15, 2019

Department: Planning & Development



1) CAO COMMENTS

The CAO supports the recommendation of Staff.

Council discussed this Bylaw in July and was satisfied with the proposed changes. The purpose of this RFD coming back to Council is to now bring this Bylaw through the formal approval process of first and second readings.

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

That Council give first reading to the attached Property Minimum Standards Bylaw and direct staff to prepare the notice of intention and set a date for second reading.

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 bylaw. 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).

REQUEST FOR DECISION 045-2019

Title: Property Minimum Standards Bylaw

Date: ~~2019-07-02~~ October 15, 2019

Department: Planning & Development



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

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~~ October 15, 2019

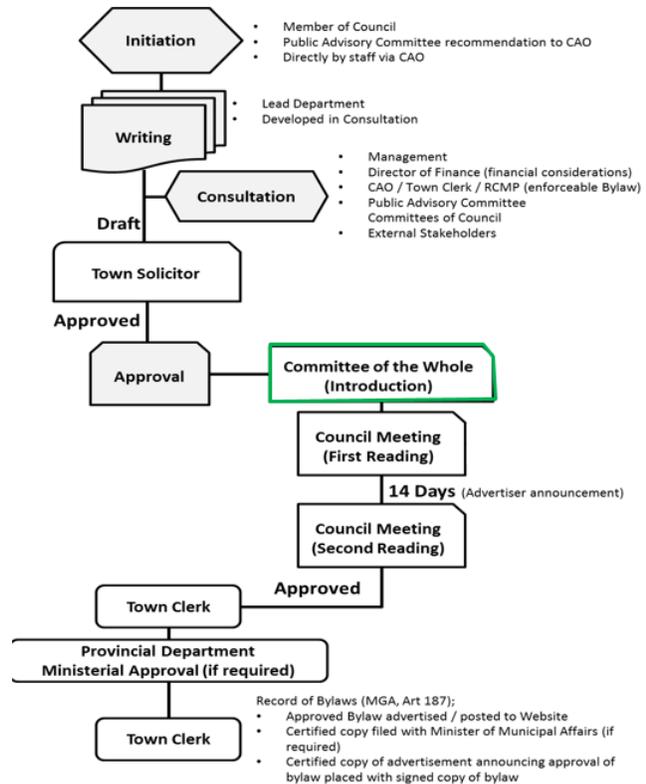
Department: Planning & Development



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 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(1) of The Municipal Government Act gives Council the authority to establish bylaws. 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 bylaws 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 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, Bylaw 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) "Bylaw 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) "Land" means grounds, lawns and yards of developed properties and 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) "Parking Area" means any portion of a lot used for the parking of vehicles and includes the driveway and circulation areas used to access any parking space.
- 13) "Property" means land and any buildings, structures, or part of a building or structure, erected on land, and includes vacant land.
- 14) "Single Room Occupancy" means a rental housing type wherein one or two people are housed in 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 acceptable building practice at the time of the original build or building code at the time of the original build.
- (c) The standards of this Bylaw are minimum standards and this Bylaw shall not be construed to lessen the requirements for the construction, repair, or alteration of

property imposed by any other Town of Wolfville By-Law 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 bylaw.

5 General Property Standards

1) Grounds and Lawns

- (a) Property 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 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 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 placed of storage.
- (c) Nothing in this bylaw 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) The Owner or Occupier shall not allow any vehicle to park on any area of a lot other than a Parking Area.

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

(a) 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 a 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 be capable of sustaining 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, Eavestroughs 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 repairs 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 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 a window or door operable from inside without requiring keys or specialized knowledge as required by the Nova Scotia Building Code.
- (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 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 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 as required by the Canadian Electrical Code.
- (b) Lighting fixtures shall be installed throughout all buildings of adequate number, location and size to provide enough 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 as required by the National Plumbing Code 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 harbour 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
- (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

- (a) Every Dwelling Unit shall contain a kitchen area equipped with a sink, served with hot and cold running water, storage facilities, and a countertop 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; and
- (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 Bylaw.

- (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 bylaw shall constitute a separate and distinct offence.
- (2) Any By-law Enforcement Officer, who believes on reasonable grounds that there has been a violation of this bylaw, 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 amendments thereto are repealed upon coming into force of this Bylaw.

Clerk's Annotation for Official Bylaw Book

Date of first reading: 2019-12-17

Date of advertisement of Notice of Intent to Consider:

Date of second reading:

Date of advertisement of Passage of Bylaw:

Date of mailing to Minister a certified copy of Bylaw:

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

C.A.O./Town Clerk

Date

DRAFT

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 067-2019

Title: Committees of Council - Appointments
Date: 2019-12-03
Department: Office of the CAO



SUMMARY

Committees of Council - Appointments

The purpose of this RFD is to provide to Council applications from citizens who want to participate as representatives on a Committee of Council where a vacancy exists at the end of December. Council are asked to consider the applications attached and select representatives to fill vacancies.

DRAFT MOTION:

That Council appoint, effective January 1, 2020, the following community members to the Committees of Council for the terms indicated below. The terms will expire at the end of December of the applicable year:

- Beverly Ann Boyd – Art in Public Spaces Committee three-year appointment
- David Crabb – Audit Committee two-year appointment
- Alice Cohen – Planning Advisory Committee three-year appointment
- David MacKinnon – Planning Advisory Committee three-year appointment
- Jennifer Kershaw – Source Water Protection Advisory Committee two-year appointment
- Shane Warner – Source Water Protection Advisory Committee, County Rep two-year appointment
- Laura Fisher – RCMP Advisory Board two-year appointment
- Max Abu-Laban – Environmental Sustainability Committee Youth Rep two-year appointment

Other Committee:

- Susan Cater - Western Regional Housing Authority (WRHA)

REQUEST FOR DECISION 067-2019

Title: Committees of Council - Appointments
Date: 2019-12-03
Department: Office of the CAO



1) COMMENT / RECOMMENDATION – CAO

The CAO recommends that Council review the attached Committee Application forms and select members to fill the Committee vacancies for the time period indicated in the Draft Motion.

2) LEGISLATIVE AUTHORITY

[Nova Scotia Municipal Government Act](#)

3) STAFF RECOMMENDATIONS

Staff recommends that Council approve the Committee appointments as outlined in this report.

4) REFERENCES AND ATTACHMENTS

- [Policy 760-002](#) (Public Art)
- [Policy 140-007](#) (Audit Committee)
- [Policy 610-002](#) (Planning Advisory Committee)
- [Bylaw Ch 87](#) (RCMP Advisory Board)
- [Policy 910-001](#) (Source Water Protection Advisory Committee)
- [Policy 120-015](#) (Environmental Sustainability Committee)

5) PURPOSE OF REPORT

Council is required to appoint Committee representatives to the various internal and external committees that require representation by the Town.

6) DISCUSSION

In total there is a requirement to appoint seven new members (including one County appointment) to the various Committees of Council, and one appointment to an external Committee to represent the Town.

The vacancies for Committee members exist on five Committees of Council outlined below – highlighted in yellow:

a. [Art in Public Spaces Committee \(APSC\)](#)

Reference: [Policy No. 760-002](#)

- One (1) Committee appointment
 - One appointment – three-year term

Name	Appointed	Expiry
Councillor Wendy Elliott (Chair)	2016-11	2020-12

REQUEST FOR DECISION 067-2019

Title: Committees of Council - Appointments
Date: 2019-12-03
Department: Office of the CAO



<u>Mayor Jeff Cantwell</u>	Not Applicable	Not Applicable
<u>Sally Benevides Hopkins</u>	2019-06	2022-12
<u>Vacant</u> (ex. Dr. Laurie Dalton -2017/12 – 2019/12)	2019-12	2022-12
<u>Sara-Lee Lewis</u>	2018-12	2020-12
<u>Jessie Forman</u>	2017-12	2020-12

Ex-Officio Members

- Erin Beaudin, Chief Administrative Officer non-voting
- Jeremy Banks, Community Planner non-voting

b. Audit Committee

Reference: Policy No. 140-007

- One (1) Committee appointment
 - One (1) appointment – two-year term

Name	Appointed	Expiry
<u>Councillor Oonagh Proudfoot (Chair)</u>	2018-11	2020-12
<u>Mayor Jeff Cantwell</u>	Not Applicable	Not Applicable
<u>Councillor Wendy Donovan</u>	2018-11	2020-12
<u>Vacant</u> (ex. Gordon Joice)	2019-12	2021-12
<u>Frank Lussing</u>	2018-12	2020-12

Ex-Officio Members

- Erin Beaudin, Chief Administrative Officer non-voting
- Mike MacLean, Director Financial Services non-voting

c. Planning Advisory Committee (PAC)

Reference: Policy No. 610-002

- **Two (2)** Committee Appointments

REQUEST FOR DECISION 067-2019

Title: Committees of Council - Appointments
Date: 2019-12-03
Department: Office of the CAO



- Two appointments – three-year term

Name	Appointed	Expiry
Deputy Mayor Jodi MacKay (Chair)	2018-10	2020-12
Councillor Wendy Donovan	2018-11	2020-12
Councillor Oonagh Proudfoot	2018-11	2020-12
Mark Bishop	2019-04	2022-12
Stephen Mattson	2017-12	2020-12
Vacant (ex Melinda Norris)	2019-12	2022-12
Vacant (ex Mary Costello)	2019-12	2022-12
Isabel Madeira-Voss	2018-12	2020-12*

Ex-Officio Members

- [Mayor Jeff Cantwell](#) voting
- [Erin Beaudin](#), Chief Administrative Officer non-voting
- [Devin Lake](#), Director of Planning non-voting

*A member with a three-year term needed to be replaced due to a resignation. This appointment will conclude the remaining two years and the appointment will return to a three-year appointment in 2020.

d. [Source Water Protection Advisory Committee \(SWPA\)](#)

Reference: [Policy No. 910-001](#)

- Two (2) Committee Appointment
 - Two appointments – two-year terms

Name	Appointed	Expiry
Councillor Carl Oldham (Chair)	2018-11	2020-12
Deputy Mayor Jodi MacKay	2018-11	2020-12
Vacant (ex Jennifer Kershaw – if she cannot continue having completed 2 terms already – she wants to continue)	2019-12	2021-12
John Brzustowski	2017-03	2020-12

Ex-Officio Members

REQUEST FOR DECISION 067-2019

Title: Committees of Council - Appointments
Date: 2019-12-03
Department: Office of the CAO



- Councillor Peter Allen-Kings County Council voting
- Marcel Falkenham, Acadia University, voting
- **VACANT -Member-at-Large, County of Kings, voting**
- Town of Wolfville, Director of Planning non-voting
- Town of Wolfville, Water System Operator non-voting
- Planning Staff, Kings County non-voting
- Nova Scotia Department of Environment & Labour non-voting
- Terry Hennigar, Consultant non-voting
- Outside Resources as needed, NSDTIR, NS Agriculture non-voting

e. [Wolfville RCMP Advisory Board](#)

Reference: [Town of Wolfville Bylaw Ch 87](#)

- One (1) Committee Appointment
 - One appointment – two-year term

Name	Appointed	Expiry
<u>Councillor Wendy Elliott</u>	2018-11	2020-12
<u>Councillor Oonagh Proudfoot</u>	2018-11	2020-12
<u>Kathy Bird</u>	2018-07	2020-12
<u>Michael Jeffrey</u>	2018-12	2020-12
<u>Vacant (Ex. Robert Lutes)</u>	2019-12	2021-12

Ex-Officio Members

- [Mayor Jeff Cantwell](#) voting
- [Erin Beaudin](#), Chief Administrative Officer non-voting
- **[Vacant](#), Department of Justice Consultant / Advisor non-voting**
Provincially appointed – they are currently advertising.
- [Sgt Andy Buckle](#), Wolfville RCMP non-voting

f. [Environmental Sustainability Committee \(ESC\)](#)

Reference: [Policy No. 120-015](#)

- Formally appoint the Committee Youth Member at Large Max Abu-Laban
 - One appointment – two-year term

Name	Appointed	Expiry
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REQUEST FOR DECISION 067-2019

Title: Committees of Council - Appointments
Date: 2019-12-03
Department: Office of the CAO



<u>Councillor Mercedes Brian (Chair)</u>	2018-11	2020-12
Jodie Noiles, Acadia University	2018-12	2020-12
Bill Zimmerman, Member At-Large	2018-12	2020-12
Janet Eaton, Member At-Large	2018-12	2020-12
Howard Williams, Member At-Large	2018-12	2020-12
Max Abu-Laban, Youth Member At-Large	2019-12	2021-12

Ex-Officio Members

- Jeff Cantwell, Mayor voting
- Erin Beaudin, Chief Administrative Officer non-voting
- Devin Lake, Director Planning and Development non-voting

g. Other Committee Appointments:

- a) Western Regional Housing Authority (WRHA) (**one vacancy**)

7) FINANCIAL IMPLICATIONS

Not Applicable

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

REQUEST FOR DECISION 067-2019

Title: Committees of Council - Appointments

Date: 2019-12-03

Department: Office of the CAO



9) COMMUNICATIONS REQUIREMENTS

Once appointed, the new Committee appointments will be updated to the Town of Wolfville website upon being effective. Letters acknowledging appointments will be drafted for Mayoral signature.

10) ALTERNATIVES

Not Applicable – Council is required to appoint replacements to Committees of Council

REQUEST FOR DECISION 066-2019

Title: Council – Committees of Council Meeting Schedule 2020

Date: 2019-12-03

Department: Office of the CAO



SUMMARY

Council-Committees of Council Meeting Schedule 2020

The purpose of this RFD is for Council to consider accepting the Committees of Council Schedule for 2020 as attached.

DRAFT MOTION:

That Council adopt the 2020 Council-Committees of Council Meeting Schedule as presented in RFD 066-2019.

REQUEST FOR DECISION 066-2019

Title: Council – Committees of Council Meeting Schedule 2020
Date: 2019-12-03
Department: Office of the CAO



1) CAO COMMENTS

The 2020 Council-Committees of Council calendar was reviewed by Management and the CAO supports the meeting schedule as presented.

2) LEGISLATIVE AUTHORITY

The Nova Scotia Municipal Government Act, Section 19(2), states that Council members must be notified at least three days in advance of council meetings, and the clerk is to give at least two days' public notice of the meetings. A long-term 2020 forecast of Council-Committees of Council meetings supports a more strategic view of scheduling.

3) STAFF RECOMMENDATION

Staff recommends that Council accept the 2020 Council-Committees of Council meeting schedule as detailed within this RFD, with the understanding that throughout the year there may be the requirement to adjust scheduled meetings.

4) REFERENCES AND ATTACHMENTS

Appendix A – 2020 Council-Committees of Council meeting schedule (attached)

5) DISCUSSION

The Council, Committee of the Whole and Committees of Council meeting dates for 2020 are recommended as detailed in Appendix A to this RFD.

Frequency of Meetings:

- | | |
|--|---------------|
| • Committee of the Whole | Monthly |
| • Town Council | Monthly |
| • Accessibility Advisory Committee | Quarterly |
| • Planning Advisory Committee | Monthly |
| • Environmental Sustainability Committee | Quarterly |
| • Art in Public Spaces Committee | Quarterly |
| • Audit Committee | Quarterly |
| • Regional Emergency Management Advisory Committee | Quarterly |
| • RCMP Advisory Board | Quarterly |
| • Source Water Protection Advisory Committee | Quarterly |
| • Town & Gown Committee | Semi-Annually |

REQUEST FOR DECISION 066-2019

Title: Council – Committees of Council Meeting Schedule 2020
Date: 2019-12-03
Department: Office of the CAO



With the understanding the meeting dates may change as the year progresses, the proposed 2020 Council-Committees of Council meeting schedule considers the following annual conferences (NSFM dates to be confirmed):

- May 2020 NSFM Spring Workshop
- June 10-12 AMA Spring Conference
- September 22-25 AMA Fall Conference
- November 2020 NSFM Fall Conference

6) FINANCIAL IMPLICATIONS

Not Applicable

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

This RFD is administrative in nature for establishing the 2020 Council & Committees of Council meeting calendar.

8) COMMUNICATION REQUIREMENTS

Once accepted, the 2020 Council-Committees of Council schedule will be published to the Town of Wolfville website "[Meeting Calendar](#)".

9) ALTERNATIVES

Throughout 2020, there may be the requirement to adjust scheduled meetings based on unforeseen scheduling conflicts that arise – these will be dealt with on a case-by-case basis.

Council-Committees of Council Meetings

Meeting	Time	Frequency
Committee of the Whole (COW)	8:30am - 11:30am	Monthly - 1st Tue of the Month
Town Council	6:30pm - 8:30pm	Monthly (Tuesdays)
Committees of Council		
Accessibility Advisory Committee	4:30pm - 5:30pm	Quarterly (Mondays)
Art in Public Spaces Committee	9:00am - 10:30am	Quarterly (Thursdays)
Audit Committee	9:00am - 11:00am	Quarterly (Fridays)
Planning Advisory Committee (PAC)	4:00pm - 6:00pm	Monthly (Thursdays)
Town & Gown Committee	12:00pm - 1:00pm	Semi-Annually (Mondays)
RCMP Advisory Board	10:00am - 12:00pm	Quarterly (Tuesdays)
Source Water Protection Advisory Committee	2:30pm - 4:00pm	Quarterly (Wednesdays)
Environmental Sustainability Committee	2:30pm - 4.30pm	Quarterly (Mondays)
Regional Emergency Management Advisory Committee	10:00am - 11:30am	Quarterly (Mondays)
Note: Above timings are 'regular' timings. Scheduling may be modified by Committee.		

January 2020

December '19							February '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7							1
8	9	10	11	12	13	14	2	3	4	5	6	7	8
15	16	17	18	19	20	21	9	10	11	12	13	14	15
22	23	24	25	26	27	28	16	17	18	19	20	21	22
29	30	31					23	24	25	26	27	28	29

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1 NEW YEARS DAY	2	3	4
5	6	7 COW 8:30-11:30	8	9	10	11
12	13 Environmental Sustainability - 2:30-4:30	14	15 Source Water 2:30-4:30	16 Planning Advisory 4:00-6:00	17 Special COW Budget 2020/21 - 9 - 11	18
19	20 REMAC 10:00-11:00	21 Town Council 6:30	22	23	24 Audit 9 - 11 am	25
26	27	28	29	30	31	1
2	3	Notes				

February 2020

January '20							March '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4	1	2	3	4	5	6	7
5	6	7	8	9	10	11	8	9	10	11	12	13	14
12	13	14	15	16	17	18	15	16	17	18	19	20	21
19	20	21	22	23	24	25	22	23	24	25	26	27	28
26	27	28	29	30	31		29	30	31				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	1
2	3	4 COW 8:30-11:30	5	6	7	8
9	10	11	12	13 Art in Public Spaces 9-10.30	14	15
16	17 HERITAGE DAY	18 Town Council 6:30	19	20 PAC 4:00-6:00	21	22
23	24	25	26	27	28	29
1	2	Notes				

March 2020

February '20							April '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	
2	3	4	5	6	7	8	5	6	7	8	9	10	11
9	10	11	12	13	14	15	12	13	14	15	16	17	18
16	17	18	19	20	21	22	19	20	21	22	23	24	25
23	24	25	26	27	28	29	26	27	28	29	30		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 COW 8:30-11:30	4	5	6	7
8	9 Accessibility 4:30-5:30	10	11	12	13	14
15	16	17 RCMP Advisory 10-12 Town Council 6:30	18	19 PAC 4-6	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5	6	Notes				

April 2020

March '20							May '20							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
1	2	3	4	5	6	7							1	2
8	9	10	11	12	13	14	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	17	18	19	20	21	22	23	
29	30	31					24	25	26	27	28	29	30	
							31							

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3	4
5	6 Environment 2:30-4:30	7 COW 8:30-11:30	8	9	10 GOOD FRIDAY	11
12	13 EASTER MONDAY	14	15 Source Water 2:30-4:30	16 PAC 4-6	17 Audit 9-11	18
19	20 REMAC 10-11:30	21 Town Council 6:30	22	23	24	25
26	27	28	29	30	1	2
3	4	Notes				

May 2020

April '20							June '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4		1	2	3	4	5	6
5	6	7	8	9	10	11	7	8	9	10	11	12	13
12	13	14	15	16	17	18	14	15	16	17	18	19	20
19	20	21	22	23	24	25	21	22	23	24	25	26	27
26	27	28	29	30			28	29	30				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	1	2
3	4	5 COW 8:30-11:30	6	7	8	9
10	11 Town & Gown 12-1	12	13	14 Art in Public Spaces 9-10.30	15	16
17	18 VICTORIA DAY	19 Town Council 6:30	20	21 PAC 4-6	22	23
24	25	26	27	28	29	30
31	1	Notes				

June 2020

May '20							July '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2				1	2	3	4
3	4	5	6	7	8	9	5	6	7	8	9	10	11
10	11	12	13	14	15	16	12	13	14	15	16	17	18
17	18	19	20	21	22	23	19	20	21	22	23	24	25
24	25	26	27	28	29	30	26	27	28	29	30	31	
31													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	1	2 COW 8:30-11:30	3	4	5	6
7	8 Accessibility 4:30-5:30	9	10	11	12	13
14	15	16 RCMP Advisory 10-12 Town Council 6:30	17	18 PAC 4-6	19	20
21	22	23	24	25	26	27
28	29	30	1	2	3	4
5	6	Notes				

July 2020

June '20							August '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6							1
7	8	9	10	11	12	13	2	3	4	5	6	7	8
14	15	16	17	18	19	20	9	10	11	12	13	14	15
21	22	23	24	25	26	27	16	17	18	19	20	21	22
28	29	30					23	24	25	26	27	28	29
							30	31					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	1 CANADA DAY	2	3 Audit 9-11	4
5	6 Environment 2:30-4:30	7 COW 8:30-11:30	8	9	10	11
12	13	14	15 Source Water 2:30-4:30	16 Art in Public Spaces 9-10.30 PAC 4-6	17	18
19	20 REMAC 10-11:30	21 Town Council 6:30	22	23	24	25
26	27	28	29	30	31	1
2	3	Notes				

August 2020

July '20							September '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4			1	2	3	4	5
5	6	7	8	9	10	11	6	7	8	9	10	11	12
12	13	14	15	16	17	18	13	14	15	16	17	18	19
19	20	21	22	23	24	25	20	21	22	23	24	25	26
26	27	28	29	30	31		27	28	29	30			

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	1
2	3 NATAL DAY	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	Notes NO MEETINGS IN AUGUST				

September 2020

August '20							October '20							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
						1						1	2	3
2	3	4	5	6	7	8	4	5	6	7	8	9	10	
9	10	11	12	13	14	15	11	12	13	14	15	16	17	
16	17	18	19	20	21	22	18	19	20	21	22	23	24	
23	24	25	26	27	28	29	25	26	27	28	29	30	31	
30	31													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	1 COW 8:30-11:30	2	3	4 Audit 9-11	5
6	7 LABOUR DAY	8	9	10	11	12
13	14 Accessibility 4:30-5:30	15 RCMP Advisory 10-12 Town Council 6:30	16	17 PAC 4-6	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3
4	5	Notes				

October 2020

September '20							November '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5	1	2	3	4	5	6	7
6	7	8	9	10	11	12	8	9	10	11	12	13	14
13	14	15	16	17	18	19	15	16	17	18	19	20	21
20	21	22	23	24	25	26	22	23	24	25	26	27	28
27	28	29	30				29	30					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	1	2	3
4	5 Environment 2:30-4:30	6 COW 8:30-11:30	7	8 Art in Public Spaces 9-10:30	9	10
11	12 THANKSGIVING	13	14	15 PAC 4-6	16	17
18	19 REMAC 10-11:30	20 Town Council 6:30	21 Source Water 2:30-4:30	22	23 Audit 9-11	24
25	26	27	28	29	30	31
1	2	Notes				

November 2020

October '20							December '20						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3			1	2	3	4	5
4	5	6	7	8	9	10	6	7	8	9	10	11	12
11	12	13	14	15	16	17	13	14	15	16	17	18	19
18	19	20	21	22	23	24	20	21	22	23	24	25	26
25	26	27	28	29	30	31	27	28	29	30	31		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 COW 8:30-11:30	4	5	6	7
8	9	10	11 REMEMBRANCE DAY	12	13	14
15	16	17 Town Council 6:30	18	19 PAC 4-6	20	21
22	23 Town & Gown 12-1	24	25	26	27	28
29	30	1	2	3	4	5
6	7	Notes				

December 2020

November '20							January '21							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
1	2	3	4	5	6	7							1	2
8	9	10	11	12	13	14	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	17	18	19	20	21	22	23	
29	30						24	25	26	27	28	29	30	
							31							

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	1 COW 8:30-11:30	2	3	4	5
6	7 Accessibility 4:30-5:30	8	9	10	11	12
13	14	15 RCMP Advisory 10-12 Town Council 6:30	16	17 PAC 4-6	18	19
20	21	22	23	24	25 CHRISTMAS DAY	26
27	28	29	30	31	1	2
3	4	Notes				

REQUEST FOR DECISION #079-2019

Appointment of Returning Officer

Date: December 3, 2019

Department: Office of the CAO



SUMMARY

Appointment of the Returning Officer

The *Municipal Elections Act* is the main statute governing all elections for municipal councils and school boards. The Act outlines when a decision of Council is required as part of the process. The Returning Officer is appointed by Council to conduct regular and special elections. If the returning officer is being appointed for the first time, the appointment must be completed before March 15th in a regular election year.

DRAFT MOTION:

That Council appoint Vanessa Pearson as the Returning Officer for the Town of Wolfville for the 2020 Municipal Elections.

REQUEST FOR DECISION #079-2019

Appointment of Returning Officer

Date: December 3, 2019

Department: Office of the CAO



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

Section 4(1) of the *Municipal Elections Act* states “the council shall appoint a returning officer, who may be the clerk, another municipal employee or another person who is not a municipal employee, to conduct all regular and special elections required under this Act.”

3) STAFF RECOMMENDATION

That Council appoint Vanessa Pearson as the Returning Officer for the Town of Wolfville.

4) REFERENCES AND ATTACHMENTS

- [Municipal Elections Act](#)

5) PURPOSE OF REPORT

To request that Council appoint Vanessa Pearson as the Returning Officer for the Town of Wolfville.

6) DISCUSSION

The *Municipal Elections Act* is the main statute governing all elections for municipal councils and school boards. The Act outlines when a decision of Council is required as part of the process. Section 4(1) of the Act requires Council to appoint a returning officer to conduct all regular and special elections required under the Act. The Act allows the returning officer to be an employee of the municipality.

The Town has appointed an employee of the municipality, at least the last three municipal elections, as the Returning Officer. For the previous election the tasks were completed as part of the employee’s work plan for the given year.

Staff is requesting that Council appoint the Returning Officer at this time so that work can begin on the preparations for the 2020 Municipal Elections. If Council decides they want to appoint a person who is not a municipal employee this will allow sufficient time to advertise and recruit a returning officer prior to the March 15th deadline.

7) FINANCIAL IMPLICATIONS

The Returning Officer regular duties will be compensated as part of the Coordinator, Administrative Services regular pay. A stipend for duties performed on election day may be considered as part of the tariff of fees and covered in the 2020 municipal elections budget, which will be approved as part of the 2020/21 operating budget.

8) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Strategic Goal #5: Efficient and Effective Leadership from a Committed and Responsive Executive and Administrative Team

REQUEST FOR DECISION #079-2019

Appointment of Returning Officer

Date: December 3, 2019

Department: Office of the CAO



9) COMMUNICATION REQUIREMENTS

N/A

10) ALTERNATIVES

- That Council decides to appoint a person who is not a municipal employee as the returning officer for the Town of Wolfville.



SUMMARY

Delegation of Authority

The *Municipal Elections Act* is the main statute governing all elections for municipal councils and school boards. The Act outlines when a decision of Council is required as part of the process. The Act also enables Council to delegate authority to the Chief Administrative Officer (CAO) to perform specific duties and/or make decisions as part of the election. Staff is recommending that Council delegate authority to the CAO to appoint an assistant returning officer and set a tariff of fees for the election.

DRAFT MOTION:

That Council delegate the power to appoint an assistant returning officer, if applicable, to the Chief Administrative Officer.

That Council delegate the authority to make, revise and amend the tariff of fees and expenses to be paid to any person for their services and expenses under the *Municipal Elections Act* and may similarly revise and amend the tariff and provide for a method of rendering and verifying accounts for payment as part of the 2020 Municipal Election for the Town of Wolfville and Electoral District 10 for the Nova Scotia School Board Elections, if applicable, to the Chief Administrative Officer.

REQUEST FOR DECISION #082-2019

Delegation of Authority

Date: December 3, 2019

Department: Office of the CAO



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

The following sections of the *Municipal Elections Act* enable Council to delegate authority to the Chief Administrative Officer to perform specific powers:

Appointment of Assistant Returning Officers

Section 4(1C) The Council may delegate its powers of appointment pursuant to this Section to the clerk or Chief Administrative Officer.

Fees and Tariffs

Section 193(1A) The Council may delegate its authority to make, revise and amend the tariff of fees and expenses and approve for a method of rendering and verifying accounts for payment pursuant to subsection (1) to the clerk or Chief Administrative Officer.

3) STAFF RECOMMENDATION

Staff recommends that Council delegate the power to appoint an assistant returning officer, if applicable, and the authority to make, revise and amend the tariff of fees and expenses incurred as part of the 2020 Municipal Election for the Town of Wolfville and Electoral District 10 for the Nova Scotia School Board Elections (if applicable).

4) REFERENCES AND ATTACHMENTS

- [Municipal Elections Act](#)

5) PURPOSE OF REPORT

To request that Council delegate authority to the Chief Administrative Officer to perform specific powers under the *Municipal Elections Act* for the 2020 Municipal Election for the Town of Wolfville.

6) DISCUSSION

The *Municipal Elections Act* is the main statute governing all elections for municipal councils and school boards. The Act outlines when a decision of Council is required as part of the process. The Act also enables Council to delegate authority to the Chief Administrative Officer to perform specific duties and/or make decisions as part of the election. Staff is recommending that Council delegate authority to the CAO to appoint an Assistant Returning Officer and set a tariff of fees for the election.

Appointment of an Assistant Returning Officer is not mandatory and not being requested by Council at this time. However, as Council and Staff identify the priorities for 2020/21 the time of the Returning

REQUEST FOR DECISION #082-2019

Delegation of Authority

Date: December 3, 2019

Department: Office of the CAO



Officer may be required on additional projects and therefore, appointing an Assistant Returning Officer to assist in carrying out required duties would be beneficial. Therefore, staff is requesting that the CAO be given the authority to appoint an Assistant Returning Officer if necessary.

A tariff of fees and expenses and the method of rendering and verifying accounts for payment is another power that can be delegated to the CAO. The items usually included in the tariff are stipends payable to the Returning Officer, Assistant Returning Officer, Deputy Returning Officers, Poll Clerks, or other election workers assisting the Returning Officer. This power also allows the CAO to authorize payment of services or expenses incurred but not covered in the tariff. In addition to a tariff of fees and expenses, the budget for the 2020 municipal election will be approved by Council as part of the 2020/21 operating budget and the Returning Officer will be responsible for managing the budget with direction from the CAO. Therefore, delegating the authority allows the CAO to approve expenditures, in accordance with the budget, and eliminates the need to receive approval of council for expenditures outside the tariff but within the overall budget.

7) FINANCIAL IMPLICATIONS

The tariff of fees and expenditures will be prepared and considered as part of the 2020 municipal elections budget, which will be approved as part of the 2020/21 operating budget.

8) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Strategic Goal #5: Efficient and Effective Leadership from a Committed and Responsive Executive and Administrative Team

9) COMMUNICATION REQUIREMENTS

N/A

10) ALTERNATIVES

- That Council does not delegate authority to the CAO.

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



SUMMARY

Draft 3 Planning Documents

This report summarizes feedback received on the Draft 3 Planning Documents – Municipal Planning Strategy, Land Use By-law, Subdivision By-law and Design Guidelines. The Draft 3 planning documents have been on the Town’s website since early September (<https://www.wolfville.ca/draft-documents.html>) and various individuals, groups, and committees have provided feedback for Council’s consideration.

There are issues where direction is required before Staff finalize the documents for First Reading and a Public Hearing. A potential timeline and communications are also included in this report for discussion.

A tremendous amount of time, effort and resources has gone into this process – our review has been ongoing since 2015. It is anticipated that this will be the final push before the documents are adopted.

Important to note: **Recommended Actions** are provided throughout this report. These are included in most sections to provide guidance for Council on decision points and clarification required by Staff to move forward.

DRAFT MOTION:

That Council direct staff to proceed with finalizing the Town’s planning documents for First Reading (Municipal Planning Strategy, Land Use By-law, Subdivision By-law, Design Guidelines, Public Participation Program Policy) with changes outlined in this report and proceed with the preparation of the outlined communications materials to accompany the documents prepared for First Reading.

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



1) CAO COMMENTS

The CAO supports the recommendation of Staff.

2) LEGISLATIVE AUTHORITY

The *Municipal Government Act* (MGA) provides legislative authority for the Town to develop and adopt a Municipal Planning Strategy, Land Use By-law, Subdivision By-law and Design Guidelines. This review has been ongoing since 2015. The current documents were adopted in 2008.

3) STAFF RECOMMENDATION

Staff are recommending that Council consider/discuss the Draft 3 feedback outlined in this report and provide clear direction for Staff to finish the documents for First Reading and a Public Hearing.

4) REFERENCES AND ATTACHMENTS

- Attachment 1: Letter from Acadia University re: Building Height
- Attachment 2: Development Processes Overview (from Open House event)
- Attachment 3: Land Use Zoning Statistics (based on Attachment 4)
- Attachment 4: Revised Land Use Zoning Map with Changes outlined in this report
- Reference: Draft 3 documents and presentations to Committees and Groups as part of the Draft 3 review are included on the Town's website <https://www.wolfville.ca/draft-documents.html>
- Reference: Various background information and previous drafts have been compiled (since 2015) as part of our planning document review: <https://www.wolfville.ca/growing-together.html>

5) TIMELINE AND COMMUNICATIONS

Proposed Timeline and Workplan

Review of the Town's Planning Documents has been ongoing since 2015 (see [here](#) for background, previous drafts, previous consultation, etc). Staff have gathered feedback on the Draft 3 documents since September and is the purpose of this report. A potential timeline from November 26th, 2019 to adoption (late February) is included below for Council's consideration.

POTENTIAL TIMELINE TO COMPLETE PLANNING DOCUMENTS (2019-2020)	
Date	Action
Nov. 26 th , 2019	<u>Special Committee of the Whole Meeting:</u> Council considers Staff Report outlining feedback on the Draft 3 Planning Documents and provides direction to Staff on completing the documents for First Reading.

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



Dec. 3 rd , 2019	<u>Regular Committee of the Whole Meeting</u> : IF REQUIRED – Council to continue discussion of Draft 3 Feedback and provide direction to Staff.
Throughout December and into January	Director of Planning available to meet with individuals or groups on specific issues. <u>Note</u> : Given the time involved, formal/advertised public meetings are not proposed until the First Reading documents are completed (January 14 th). At this time Council may wish to direct Staff to have consultation with specific groups, zones, etc. before they give First Reading.
Throughout December and into January	Director of Planning working with consultant on completing documents for First Reading and preparing communications materials.
January 14 th , 2020	<u>First Reading documents completed</u> (Municipal Planning Strategy, Land Use By-law, Subdivision By-law, Design Guidelines, Public Participation Program, Stormwater Guidelines) and posted to the website and included in the Council package. Communications materials begin to be rolled out.
January 21 st , 2020	<u>Regularly scheduled Council Meeting</u> : Council considers First Reading of final documents, including a Staff Report with explanations on certain topics. It is important to note that Council will have the option of delaying First Reading if additional conversations (eg topic specific meetings or other engagement such as R1A owners or C2 owners) or clarifications (eg issue specific reports) are required. If First Reading is given, the intent would be that Council is comfortable with the documents and we would advertise for a Public Hearing.
After January 21 st , 2020	<u>Once First Reading is given</u> , Staff would send communications to all assessed property owners in the Town and fully roll out the communications materials outlined below (Ads, Postering, Social Media, Letters, etc). There would also be a moratorium placed on new applications under our existing planning documents at this time.
Mid-End February (3-4 weeks from First Reading)	Public Hearing scheduled, advertised and held
End of February	Documents Adopted (existing documents repealed) and new documents sent for Provincial Review and completion

If Council would like to proceed with additional work outside of this timeline, an amended timeline and dates can be brought back for consideration.

Communications - Public education and information

Public dialogue and discourse are important in Wolfville. Staff have gone to great lengths to be transparent throughout this process and have had many conversations on an exhaustive list of issues.

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



The mix of demographics and contemporary issues faced by municipalities creates a need for probing and questioning that should be welcomed – it creates better policy and regulations. This can sometimes seem frustrating but it is this dialogue (and genuine passion people have for the community) that creates the dynamic place that is Wolfville. Good urban design and town planning is about trying to foster this dialogue. It is not about bringing in experts to create a singular vision for the Town, instead it is about raising the level of understanding that can widen the perspective of residents, businesses, Town Council and Staff.

Change is hard. There is an inherent magnetism in small, beloved Towns such as Wolfville to maintain the status quo. Change – whether with new development, policies, recreation programs, or otherwise – will always invite a variety of opinions for Council to consider. As we approach the end to what has been a substantial process (beginning in 2015) the message sent out should be clear and focused on the community benefits while trying to address the issues that may scare individual property owners (like change).

With this in mind, Staff are recommending a focused launch of the final documents with accompanying communications materials as follows:

1. EXECUTIVE SUMMARY – Master plain language explanation document.

This would go live with the launch of the final documents (printed copies could be provided). A helpful guide for Council and those not able to pour over the volume of material that has been prepared. It is envisioned this would include:

- What are the planning documents and why are they important?
- What trends are we responding to?
- What's the vision and what priorities are we focused on?
- What are the big moves?
 - We'll try to make the important stuff accessible (infographics)
 - Some PAC 'Discussion Topics' (see below) explained

2. DIRECT MAIL – after First Reading to be sent to all assessed owners

- Abridged Executive Summary and direction to planning office or website for more information
- Information on Public Hearing
- Information on how their individual property is being impacted + other complementary FAQ info such as:
 - Why do we need to accommodate growth?
 - Property Values?

3. POSTERS / ADS – Develop campaign for Postering/Social Media – downtown businesses, telephone poles, University sites, website and social media, etc. Newspaper advertising (as per MGA) and other outreach would also take place.

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

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4. CONVERSATIONS – As outlined above Staff will be available for individual and small group meetings through December and into January. After the documents are to Council for consideration of First Reading, topic specific meetings can be discussed and arranged before we move to a Public Hearing and Adoption.

Recommended Action: Review and discuss the timeline and communications outlined above. Provide additional direction as required.

6) PLANNING ADVISORY COMMITTEE AND DISCUSSION TOPICS

Planning Advisory Committee Recommendation and Discussion Topics

The Planning Advisory Committee took part in a joint workshop with Council on September 10, 2019 and identified key issues that were discussed on September 10th, September 19th and October 24th. A Public Participation meeting in front of the Planning Advisory Committee was also held on October 24th, 2019 (see summary below) and an Open House held on October 10, 2019 (see summary below).

At the October 24, 2019 meeting of the PAC the following motion was passed in support of the Planning documents being referred to Council:

PLANNING ADVISORY COMMITTEE RECOMMEND THAT THE DRAFT 3 PLANNING DOCUMENTS BE REFERRED TO COUNCIL AND ADDITIONAL CONSIDERATION BE GIVEN TO THE DISCUSSION TOPICS COVERED AS PART OF THE DRAFT 3 REVIEW.

Each discussion topic is provided here for Council's consideration with 'recommended action' provided for each.

Regional Coordination

Various regional issues within the Draft 3 documents (or related to the Kings 2050 process) were presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation) including:

- Policy excerpts from the Draft 3 documents pertaining to the "Statements of Regional Interest"
- An overview of the Kings 2050 process and growth projections from their plans
- Proposed zoning in the County surrounding the Town
- Source Water protection information
 - See Source Water Committee Review outcomes below
 - The County will amend their documents with our Source Water regulations once we have them finalized and adopted
- Information on servicing beyond our borders in the County

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- Currently provide limited services in the County
- Formal Policy is on Staff's workplan but until then requests will be handled by Council on a case-by-case basis similar to Lightfoot and Wolfville Winery.

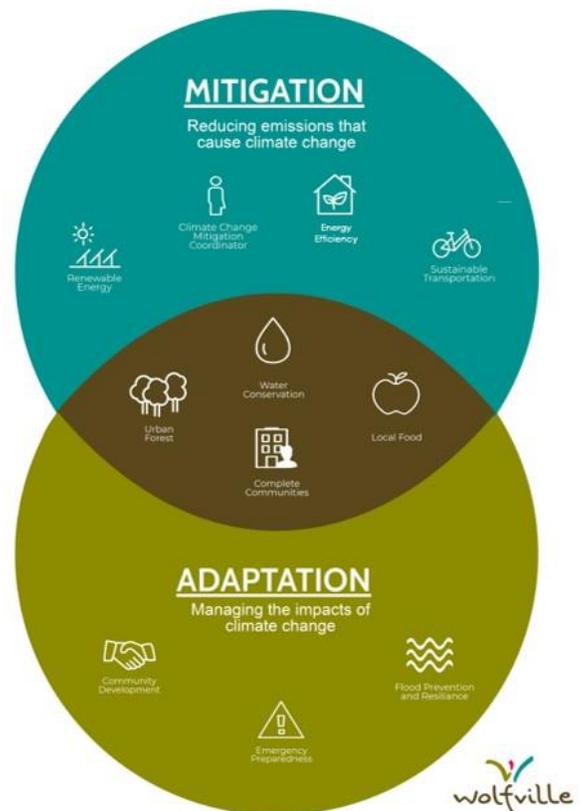
Staff also gave a presentation and provided a report to Council at the November 5, 2019 Committee of the Whole meeting (see [here](#) RFD 072-2019) pertaining to the Public hearing being held by the County on the adoption of their planning documents (Kings 2050). A formal submission was provided as part of the public hearing on behalf of the Town.

Recommended Action: In terms of the Draft 3 documents, no action recommended on the Regional Coordination content. Consistent with the letter sent to the County as part of their Public Hearing, Council recognizes that “our region can be a leader in regional cooperation. We must move beyond the general ‘statements of interest’ into more concrete actions that can move us toward better outcomes for future generations.”

Climate Change and Flood Risk

Draft 3 Climate Change and Flood Risk policy and regulations were presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation). The presentation primarily focused on Flood Risk and Development Constraints mapping. It is important for Council to keep in mind the following:

- The Planning documents set up the work being carried out by the Town's Climate Change mitigation coordinator.
- Staff are close to issuing an RFP for more detailed Climate Adaptation/Flood Risk information around our Harbour that is not part of the Agricultural Dyke system. This work will provide additional data and information.
- The Province (Department of Environment) is working on their Coastal Protection Act regulations and Staff have been engaged with Department of Environment Staff to understand where they are going with both vertical and horizontal setbacks and how this will impact low lying areas such as the Town of Wolfville. It is important to understand this work and how it may impact the approach proposed in our planning documents. Both a 1/100 (1% chance)



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and a 1/20 year flood line (5% chance) may be presented in the documents presented for First Reading.

- We must acknowledge our reliance on the dykes for flood protection and focus on ensuring they meet our needs over time.
- Staff will work on finalizing the guidelines and definitions for flood resistant or “flood proofing” that is proposed in the Land Use By-law. After feedback from local design professionals additional clarity is required.

Recommended Action: Staff to provide additional clarity on proposed regulation, meet with Department of Environment on Coastal Protection Act and implement into final documents to be presented for First Reading.

Site Plan Approval

Draft 3 Site Plan approval information was presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation – Site Plan information starts on page 40). The Open House event also focused on this process with generalized development process information provided as Attachment 2. Moving away from the Development Agreement process has been a key component of this plan review and substantial time has been put into making this transition understandable. There has been support from the PAC on moving to Site Plan approval; however, the communication aspect of the applications has been a concern. Council should consider:

- Currently our Development Agreement process is onerous on all parties and sets unrealistic expectations. Often a very basic application becomes unnecessarily politicized and Staff are spending a tremendous amount of time on these files.
- A major focus of our plan review has been to decide now what it is we feel is appropriate to be built and make our requirements clear and concise. If someone can clearly meet the established requirements – their application can proceed either “as-of-right” (minor applications like decks, sheds, etc) or by “site plan” approval.
- For Site Plan approval, Draft 3 proposes substantial submission requirements (eg must have an architect involved); can involve the Design Review Committee and the use of the design guidelines; has notification to surrounding property owners; and there is an appeal mechanism to Council (Council is not involved in this process otherwise).
- Development Agreements are still proposed to be used for large scale or complex projects.

Recommended Action: Staff will clarify the communication/notification aspect of site plan approval and update in the First Reading documents. The intent is that when an application is received, a sign will be placed on a property, information would be posted on the website, and once a decision is made, notification would be sent owners within 30m of the property.

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Building Height and Bonusing

The Draft 3 provisions pertaining to Building Height and Bonusing were presented on September 10, 2019 (see [here](#) for presentation – building height starts on pg 44). Staff took direction during Draft 2 to limit building heights to 3-storeys. This has been detailed in Draft 3 with the ability in certain areas (R-4, CDD, C-1, C-3, I-1, I-2) to apply for a partial 4th storey - consistent with the height of many existing buildings in the Town - by Development Agreement. A 4th storey would be a negotiated process with Council and have to involve a 'bonus' in the form of affordable housing, net zero buildings, increased accessibility, or cash-in-lieu for other public benefit.

The Planning Committee did not have any issues with this approach to building height; however, Staff have received a request from Acadia University (see Attachment 1) to consider allowing up to 5 full stories by Development Agreement in the I-2 University zone.

Recommended Action: Consider the Draft 3 requirements with the Acadia request in mind. Some clarification on grade changes will be done by Staff during the final work of the Land Use By-law.

NOTE: As part of this process Staff have recommended the consideration of 5 storeys by Development Agreement (with bonusing) so are comfortable with the Acadia request. Clear direction from Council is needed on this issue.

Parking

The proposed Draft 3 parking regulations were presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation – parking starts on pg 47). The Planning Committee were comfortable with the approach outlined in the Draft 3 documents. Clear requirements have been established with more flexibility on meeting the requirements in the Core Area, C-2 and Institutional zones. Existing buildings would be exempt from the requirements and cash-in-lieu, as they are now. Some concern was raised regarding the amount of cash-in-lieu (\$4,000/parking spot) with some feeling this is too low. Any cash-in-lieu collected would go toward public parking lot improvements. Staff are comfortable with the cash-in-lieu number and the approach to parking presented in Draft 3.

Recommended Action: Staff to fine tune areas of the parking section as identified by the Design Review Committee around small car provisions and underground parking. Staff will do a detailed review of the requirement tables 6.2-6.4. Staff will clarify how existing buildings in the C-1 zone would not be subject to the requirement.

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Live-Work (Neighbourhood Commercial C-2 Zone)

The expanded C-2 zone was presented to the Planning Advisory Committee on September 10, 2019 (see [here](#) for presentation). The C-2 zoning expansion was presented with a broader discussion on infill development and Bill 177.

The Draft 3 [Zoning Map](#) establishes the C-2 Neighbourhood Commercial zone for any existing commercial use within the neighbourhood designation (Inns, Commercial Schools, Convenience store, etc) and has also expanded C-2 Zoning within the Core area south of Main Street between Gaspereau and Highland where sidewalks currently exist. The C-2 zone was also extended to 12 properties going east from the Core along Main street (north and south side of street). The 7 properties to the north of Railtown have also been zoned to this category.

Given the very low percentage of land where commercial opportunities are permitted (see Attachment 3), a priority of this plan review has been to look for additional opportunities for small scale business opportunities, particularly live-work opportunities. Within the core area, the C-2 expansion has also been a conscious move to curb the homogenous nature of certain areas that face student housing conversion pressures. The intended outcome is a more diverse set of uses and demographics in these areas. Combined with the ability to create smaller units, this direction has been seen as a positive step forward in creating opportunities for housing and entrepreneurship.

The expansion of C-2 has brought with it various concerns – proposed uses in proximity to the Wolfville School, parking, certain uses (eg nano breweries in certain areas or cafes not being included), deliveries, loading, traffic.

Recommended Action: Staff to develop specific restrictions to differentiate uses and restrictions between lower order streets (Summer, Acadia) and Main Street and consideration to uses in proximity to the school for things like alcohol production or sales, uses that require large vehicle deliveries, and hours of operation. The Wolfville Business Development Corporation have also been sent the C-2 uses that are proposed in Draft 3 and may have some suggestions that can be considered in the documents prepared for First Reading.

BILL 177

Bill 177 was presented to the Planning Advisory Committee on September 10, 2019 with the above C-2 expansion and infill discussion (see [here](#) for presentation). Bill 177 is new NS Legislation (May 2016) that enables Nova Scotia Towns to phase-in commercial assessment increases over a period not exceeding 10 years in an area designated as a commercial development district. In essence this would provide a incentive for properties to convert (and hopefully remain) as commercial uses.

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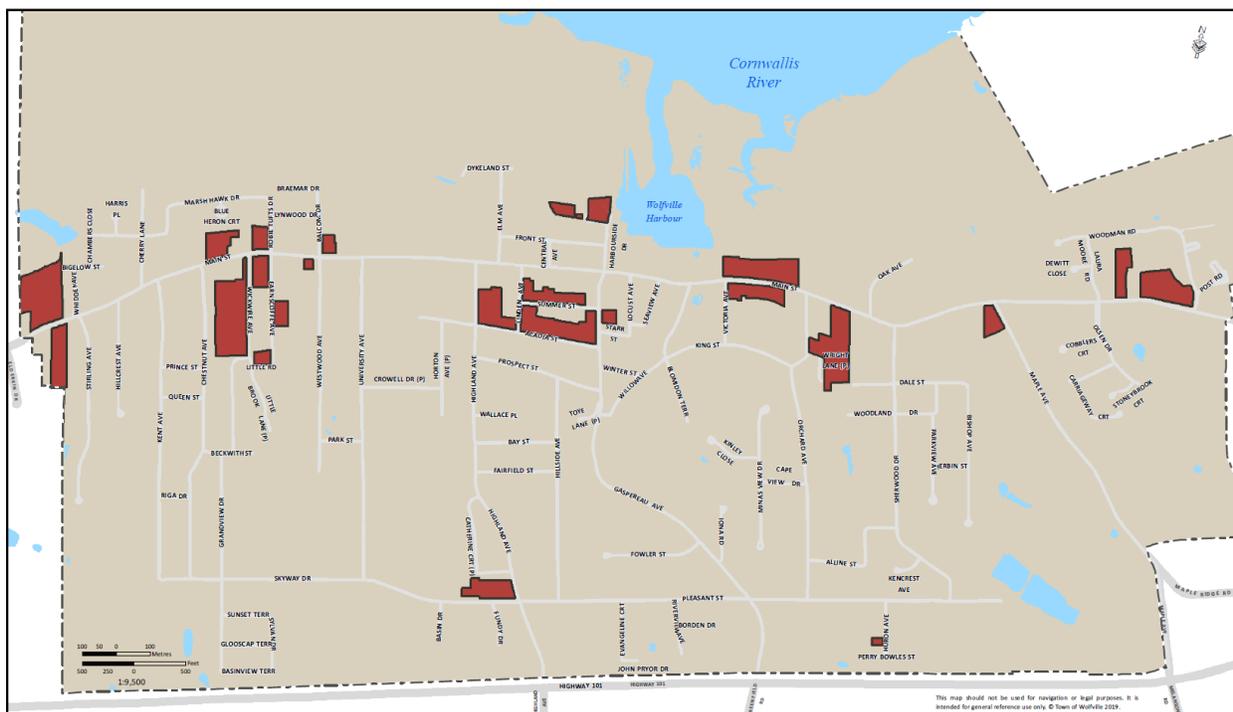
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Part of enabling the use of Bill 177 is to establish a Commercial Development District in the Municipal Planning Strategy. A separate By-law would be required to establish the process mechanics and other details for property owners who may want to take advantage of this incentive – this would come after the adoption of our planning documents. The Town of Windsor has adopted such a by-law – found [here](#) as an example of a “Commercial Development District Improvement Plan” by-law. The Planning Advisory Committee supported the recommendation to focus on C-2 zoned properties for the Bill 177 incentive program. The map below shows the properties where this incentive would be applicable after a by-law was developed.



Recommendation: That Staff integrate the proposed C-2 properties (shown above) into the MPS and LUB as an area where Bill 177 could apply, once a Commercial Development Incentive by-law is developed.

Public Participation Program Policy

Public Participation was presented to the Planning Advisory Committee on September 19, 2019 (see [here](#) for presentation – public participation starts on pg 31). The MPS outlines Council’s intent for Public Participation in Section 11.7 (included below).

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IT SHALL BE THE POLICY OF COUNCIL:

1. To adopt an updated Public Participation Program policy with the Adoption of this Municipal Planning Strategy, consistent with the Municipal Government Act to outline notification requirements for Development Agreements, MPS and Land Use By-law Amendments, and for Site Plan approval.
2. To work on an improved Public Engagement framework for the Town and make amendments to this plan, if warranted, once this Public Engagement Framework has been adopted by Council.
3. To adhere to all public engagement (e.g. development notification and other planning requirements) as outlined in the Municipal Government Act and establish clear processes that enable additional public input, where appropriate.
4. To consider a Public Information Meeting as an initial step in Development Agreement and Amendment applications to provide an early opportunity to identify issues and outline policy and process for all stakeholders.
5. To strive for plain language in documents to ensure process is understood by all stakeholders.

The Public Participation Program Policy (Draft 3 version found [here](#)) relates to how we meet legislative requirements and manage public expectations as we move through development processes and amendments. Additional work is to come on a broader engagement framework for the Town along with monitoring and reporting of key performance indicators.

At the Planning Advisory Committee, it was noted that the Public Participation policy should include a section on site plan approval and Staff support this change.

Recommended Action: Staff to create a site plan section in the Public Participation Policy and have ready with First Reading documents.

Zoning Issues

Various comments and concerns have been raised about the Draft 3 Land Use zoning map (found [here](#)). The table below summarizes requests received or issues identified by Staff with a proposed action included for each. The table goes from West to East and corresponds to Attachment 4, an updated zoning map that highlights the changes to the Draft 3 zoning map recommended by Staff.

Zoning Issue	Proposed Action
WEST SIDE OF TOWN	
63 Wickwire Ave – existing R-1 property	This property is at the bottom of Wickwire, surrounded by multi-unit housing or commercial and on a bus route. It is isolated from the R-1 zone that starts going up the hill. It is recommended this property be changed to R-2. This may allow for a future live-work opportunity if rezoned (R-1 would not be permitted to be rezoned). Alternatively this property could be zoned C-2. Recommended Action: Zone to R-2 in final documents.
Lower Westwood Ave (see Attached map for extents) – Draft 3 was proposed to be R-2	The lower part of Westwood has seen single unit housing converted into “Single Room Occupancy”

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	<p>housing being rented by the room. Given the issues with large houses and large common areas, Staff feel a move to R-3 may facilitate the creation of some smaller units on these properties and provide additional opportunity for a large parcel that exists behind properties fronting Westwood. The conversion of these homes to rental properties is largely based on the proximity to the University.</p> <p>Recommended Action: Zone to R-3 in final documents.</p>
Parcel behind (to the west) of Stirling Avenue properties – proposed C-2 in Draft 3	<p>This is an odd parcel that is connected to 705 Main Street (Wolfville Nursing Home).</p> <p>Recommended Action: Zone parcel to R-2 and a rezoning could be considered in the future if expansion from the nursing home into this area was desirable.</p>
Chambers Close, Bigelow, Whidden Ave, Harris Place Development Agreement area – proposed R-3 in Draft 3	<p>The area shown on the map was proposed R-3 in the Draft 3 documents. The Development Agreement is R-2 where semi detached and single unit dwellings have been built. Given the new construction of R-2 uses, this zone seems more appropriate upon further review.</p> <p>Recommended Action: Zone parcels to R-2 in final drafts and bring forward a full or partial discharge of the development agreement.</p>
14 Cherry Lane – proposed R-3 in Draft 3 documents	<p>This is a public housing parcel (NS Housing) that is being proposed as R-4 (high density) to accommodate potential growth of units in the future.</p> <p>Recommended Action: Zone parcel R-4 in final drafts.</p>
CENTRAL AND CORE AREA	
17 Gaspereau Avenue – proposed R-2 in Draft 3	<p>The new owner of 17 Gaspereau Avenue has requested a change to C-2 zoning given it is adjacent to the Town Hall and C-1 and C-2 properties. The owner feels a commercial use will be a better fit for the large property than turning the home into a student rental or 2 unit.</p> <p>Recommended Action: Zone to C-2 in final documents</p>
Acadia University Parcel adjacent to Highway 101 – proposed P-2 in Draft 3	<p>This is a parcel owned by the University that is not part of their trail system or green space network and their desire is to leave the parcel zoned Institutional University (I-2).</p>

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	Recommended Action: Zone to I-2 in final documents
Library Parcel – proposed C-1 in Draft 3	The Wolfville Memorial Library is shown to be zoned Institutional (I-1) given its public nature, consistent with the Town Hall parcel. Recommended Action: Zone to I-1 in final documents
EAST SIDE OF TOWN	
Woodman’s Grove Development Agreement Area – proposed R-2 and R-4 in Draft 3	Low density area dealt with through a motion of Council in early November. Entire area can be looked at in terms of zoning and development agreement discharge once completed. Recommended Action – Zone all of Woodman’s land as CDD in final drafts
Carriageway Court (Whispering Creek) – Proposed R-2 in Draft 3	This area is still being built out. The Development Agreement is consistent with R-2 and R-3 uses (semi detached and townhomes) but can be looked at once completed. The larger undeveloped parcels are proposed to remain as R-3, as indicated in Draft 3, to facilitate townhouse development. Recommended Action – zone majority of parcels as CDD in final drafts.
Inn Wolfville (56 Main Street) – proposed R-2 in Draft 3	This is an established Inn. The C-2 zoning has been applied to all other similar uses and should be for this property as well. Recommended Action – zone C-2 in final drafts.
Perry Bowles Development Agreement area (adjacent to Reservoir Park off of Pleasant) – proposed R-3 in Draft 3	This area is an existing R1-A area that should have been R-2 (mapping error). Recommended Action – zone R-2 in final drafts.

It should be noted that other full or partial discharges of Development Agreements (some very dated) are being looked at as part of the final document package that will be adopted by Council.

Other requests received but not recommended:

Zoning Request	Proposed Action
Bay and Fairfield Area – proposed R-2 in Draft 3	Staff were approached about this area moving to R-3 but felt given the proximity of the R-1 zone (Wallace Place) and direction not to make changes to this zoning category that this area should remain as R-2 to facilitate a buffer. Recommended Action – leave as R-2 in final documents
13, 15, 17 Highland Avenue – proposed as C-2 in	The owners presented a letter at the Open House

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Draft 3	<p>that outlines the desire to pursue a streetscape heritage designation for this area. Also included was a desire to be zoned R-2. Staff are of the opinion that the C-2 zoning proposed provides more opportunities for these properties and nothing stops them from remaining single unit or 2- unit dwellings.</p> <p>The heritage streetscape would not be something pursued through this plan review – it is a process we would go through under the Heritage Property Act. Staff have discussed this with Heritage Staff at the Province. Examples of Heritage streetscapes can be found here and here. Staff will reach out to these residents to bring a formal request to Council and open a dialogue on that process.</p> <p>Recommended Action: Leave as C-2 in final documents, bring information to Council on the heritage streetscape request, separate from this review.</p>
628 and 630 Main Street – proposed as R-3 in Draft 3	<p>These properties are owned by a rental company requesting a high density (R-4) zone change. Given the nature of the existing buildings (non-registered heritage assets) and the development rights of the R-3 zone, Staff are not recommending a change to these properties and have met with the owner to communicate this. The owner seemed fine with the R-3 zoning after a conversation.</p> <p>Recommended Action: Leave as R-3 in final documents</p>

At the September 19, 2019 PAC meeting where the zoning issues were highlighted, some of the above issues were highlighted without a strong recommendation from the Committee on any of the changes. It should be noted that time was also spent with the Planning Committee discussing the status quo for the R-1 zone and changes that came out of the removal of the existing R-2/4 zone and R-1A zone to create R-2 and R-3 zoning.

Single Room Occupancies and Short-term Rentals

The proposed approach for Single Room Occupancies (Section 4.32 of the Land Use By-law) and Short-Term Rentals (Section 4.30 of the Land Use By-law) were discussed with the Planning Advisory

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Committee on September 19, 2019 (presentation found [here](#)). The Planning Advisory Committee did not have any issues with the proposed approach with some questions being raised around taxation.

Recommendation: Staff have identified some minor issues with the wording in the Single Room Occupancy section that should be clarified around bedroom counts and areas where the use is permitted. Similar clarification is needed in the Short Term Rentals section where some clarification is required between full house rentals perhaps having a maximum days/year clause to differentiate between someone just renting a single room or two. These pieces would be presented in the final draft at First Reading.

Subdivision and Lot Requirements

Subdivision and lot requirements were presented to the Planning Advisory Committee On October 24, 2019 (presentation found [here](#)). The discussion focused on the mechanics of subdivision and we went into looking at the existing and proposed lot requirements in detail. Also discussed were flag lots and analysis of lot size, by zone, that was provided for the Committee to better understand the bigger picture (see [presentation slides](#) for maps of lot size by zoning category). It was pointed out during the Draft 3 review that some lot requirement information was not clear or missing in the Draft 3 documents. The following lot requirements are proposed for the final documents:

Zone	Lot Size (min)	Frontage (min)	Setbacks (min)	Coverage/Hard Surface
R-1	Singles: 560 sqm (6027sqft)	18m (60')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage	40% and 50%
R-2	Single: 372sqm (4,000 sqft) Semi: Semis: 280 sqm (3,014 sq ft) Duplex: 372 sqm (4000 sq ft)	Single: 12m (40') Semis: 9m (29.5') Duplex: 12m (40')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage Front yards may be varied based on conforming with existing street setbacks	40%* and 50%* for all (additional 10% anywhere else)
R-3, R-4, C-2	Single: 300sqm (3,229 sqft) Semi: 280 sqm (3,014 sq ft) Duplex: 372 sqm (4000 sq ft) Townhouse: 137 sqm (1,474 sqft) Multi-Unit: 100sqm (1,076sq ft)	Single: 11m (36') Semis: 9m (29.5') Duplex: 12m (40') Townhouse: 6m (20') Multi-unit: 12m (40')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage Front yards may be varied based on conforming with existing street setbacks	40%* and 50%* for all (additional 10% possible)
C-1	185 sqm (1,991sq ft)	8m (26')	4m maximum front	100% lot coverage
C-3	1000 sqm (10,763 sq ft)	25m (82')	2m sides, 5m front, 4m rear, 3m flankage	50% lot coverage
I-1	560 sqm (6027sq ft) * Use dependant	18m (60')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage	40%* and 50%* for all (additional 10% possible)
I-2	560 sqm (6027sq ft)	18m (60')	2m, 2m sides, 4.5m front, 4m rear, 4m flankage	

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Recommended Action: Edit the zoning diagrams to reflect the table above, make minor revision to flag lot provisions consistent with Design Review suggestion on shared access (see below).

Lounges

“Lounges” were discussed at the October 24, 2019 Planning Advisory Committee meeting (presentation found [here](#)). “Lounge” as a specific land use does not exist in Wolfville – it is a liquor license held by Restaurants. We went through recent amendments to our existing documents and followed with DA amendments to all the restaurants to remove seating restrictions. The other prohibitions from previous documents have been maintained (must close at 1am, no adult entertainment, buffering provisions - see 14.3 of LUB Draft 3). “New” lounges are still proposed to require a Development Agreement while existing restaurants seeking just a lounge liquor license will be as-of-right. Beverage Room (beer and wine only) and Tasting Rooms have also been introduced in the Draft 3 documents (see Land Use Table 4.1 in Draft 3 Land Use By-law). ‘Cabarets’ have not included but seem to be the worry of the original Lounge prohibitions – this is a license for large drinking establishments, live music type venues (not restaurants).

Recommended Action: Maintain the Draft 3 direction for these uses in the final documents.

Signage

The proposed signage approach from the Draft 3 documents was presented to the Planning Advisory Committee on October 24, 2019 (presentation found [here](#)). The signage section is mostly the same as our existing planning documents but we have tried to clarify certain aspects. Sandwich Board or “Portable” signs are an issue that has to be dealt with. Staff met with the WBDC on this issue and they are very interested in working together to address this issue. It was agreed that a complementary wayfinding program needs to come with any type of prohibition on these signs.

Recommended Action: Staff will work with WBDC on refining the approach and a complementary wayfinding program and bring this information with the First Reading documents.

Design and Heritage

Design and Heritage was the last topic discussed at the October 24, 2019 meeting (presentation [here](#)). This included an explanation of the design guidelines, use of the Heritage Property Act with registered properties and the move away from prescriptive requirements and the use of the Design Review Committee.

Recommendation: maintain approach outlined in Draft 3 in final documents.

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7) OTHER FEEDBACK AND DISCUSSION

Draft 3 Public Open House (October 10, 2019)

This was a well-attended event (40+ in attendance) where people were asked to circulate through presentation boards and Staff were on hand to discuss specific aspects. Some written comments received at this event have been reflected in other parts of this report (eg zoning issues). Other feedback received on comment sheets and sticky notes are included (verbatim) below:

- *3.2 Policy 5 – Yes to being able to use heritage houses in many ways – great way to preserve them.*
- *Love the “mortgage helper” idea – but seems only limited areas can do this. If mortgage helpers are not allowed in R1, which is most of our single homes, how many non apartment homes are really affordable? CDD new builds are often expensive as developers want/need profit.*
- *3.2 Policy 6 – Great! Assuming is allows serious refitting.*
- *Mixed Use – both in terms of income and residential/commercial is great!*
- *I like the idea of:*
 - o *Diversifying what people are allowed to do in homes (including Home Based Business!) This helps more people afford to live here.*
 - o *Utilizing Acadia space more for the overall community*
 - o *Developing entrepreneurial opporuntiiies – but let’s make sure it is in line with protecting farm land and the environment!*
- *Love it all! Thank you for the hard work. Should have a policy on ensuring corner lots are given more attention.*

The presentation boards from the Open House event can be found [here](#).

Draft 3 Public Participation meeting (October 24, 2019)

When considering new or amended planning documents, our existing Public Participation program requires a public meeting in front of the Planning Advisory Committee. This was done on October 24, 2019 in advance of the Committee’s regular meeting. This meeting was largely focused on the Woodman’s Grove proposed R-2 zoning issue, which has since been resolved. Other issues raised included:

- *Someone stated that Multi-unit development is positive for the Town and they supported the direction of Draft 3*
- *How can we do more to protect trees in the Town?*
- *How can we better enforce illegal parking (eg on front lawns)*
- *Concerns over R-3 zoning altering the character of neighbourhoods*
- *Parking supply concerns*

The presentation from this meeting can be found [here](#).

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Source Water Protection Committee

The Source Water Protection Committee reviewed the Draft 3 documents on October 16th, 2019. The presentation to the Committee can be found [here](#). Outcomes of the meeting were the following:

- Work with Provincial representative on the Committee to make minor revisions to definitions and risk mitigation plan requirements.
- Identify any issues with the County adopting our requirements once our documents have been approved.
- Work with Acadia University to better understand and define their existing uses within the Source Water protection zones.
- Account for impacts of private wells (for water) and geothermal projects within our Source Water protection zones.

Recommended Action: Staff to work with partners and make minor updates to be integrated into final documents presented for First Reading.

Design Review Committee

The Design Review Committee was presented the updated [Core Area + Neighbourhood Design Guidelines](#) on October 3, 2019. The Committee also discussed the new application processes (sit eplan) and the Land Use By-law. The Committee is supportive of the principals and guidance contained within the guidelines and also that this document is not meant to be prescriptive but to be used as a guidance tool as part of the application process. The Committee will play a key role in reviewing applications in our Architectural Control areas both through Site Plan and with Development Agreements. The Committee supports the Heritage Architecture Style Guide, included in the guidelines, that provides information on the historic architectural styles contained in the Town. Other comments, primarily on the Land Use By-law provisions, included:

- Avoid triggering Development Agreements for minor site plan issues that can be resolved at the Staff level and through Design Review Committee involvement (Land Use By-law Section 2.9).
- Provide a maximum square footage distinction between Home Occupations (Restricted) and Home Based Businesses (Land Use By-law Sections 4.18 and 4.19).
- Take advantage of our Main Street by encouraging certain types of commercial, not just in the core.
- Allow 2 adjacent Flag Lot driveways if a maximum opening to the street is regulated and a shared easement is provided between the 2 properties (Land Use By-law Section 4.14)
- Consider more detailed provisions or flexibility when dealing with sloping site conditions for both building height requirements and underground or at-grade parking conditions (Land Use By-law Sections (Land Use By-law Sections 4.17 and 6.6).

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- Reconsider the 'Corner Building Triangle' provisions for lots in the downtown (Land Use By-law Section 4.5)
- Should create provision for small car parking spaces (Land Use By-law 6.5 (8))

Recommended Action: Staff to work on finalizing the Core Area + Neighbourhood Design Guidelines and integrate the above suggestions while finalizing the Land Use By-law for First Reading.

Environmental Sustainability Committee

The Environmental Sustainability Committee has been involved in the review of our planning documents through both Draft 2 and Draft 3. Multiple presentations have been given to the Committee on key issues from Draft 2 and continued with Draft 3 (presentation given September 19, 2019 to this Committee on Draft 3). Some Committee members also provided more detailed document review (eg copy editing) and comments and these have been or will be considered as we move from Draft 3 to final documents.

The Draft 3 documents have been shaped by this Committee's input in various sections but primarily Parts 4 and 5 (The Environment and Mobility) of the MPS and Part 4 (Development Constraints) of the Land Use By-law.

The Environmental Sustainability Committee is supportive of the Draft 3 documents but also recognize that there is much more work to be done. As we move forward with the milestones of the Partners for Climate Protection Program or as new science and data emerge, Council may seek to make future amendments to our planning documents to ensure we are positioned as a leader in climate action at a local level.

Recommended Action: None required - Committee guidance has been integrated or will be in final documents for First Reading (eg copy editing and wording suggestions).

Wolfville Business Development Corporation

Staff met with the Board of the Wolfville Business Development Corporation on the morning of October 24, 2019 (presentation can be found [here](#)). An overview of the documents was provided and discussion focused on:

1. Signage: This was a positive discussion around portable signs (sandwich boards) and working together on the regulations and a complementary wayfinding program for businesses off of Main Street.
2. C-2 Expansion: This idea was supported by the group depending on the types of uses with concerns around hours, parking, garbage. Staff are sending the proposed uses to the group for additional ideas and feedback.

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Title: Planning Documents (Draft 3) Direction

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3. Parking: It was noted that individual members may have issues with the approach (eg the amount of cash-in-lieu) but support was there for existing businesses and changes of use in these buildings not being subject to the requirement or cash-in-lieu. Discussion also turned to future parking supply and the end of the Dykeland cul-de-sac as a quick win for the Town and WBDC to work together on an all day parking lot to support the Draft 3 approach.

Recommended Action: Staff to continue dialogue with WBDC while completing documents and integrate sandwich board/portable sign work and suggestions on C-2 zone uses. Staff will include a WBDC section in the report that will come with the completed documents at First Reading.

Acadia University

Staff have consulted with Senior Administration at Acadia on the Draft 3 documents. Discussion topics have included the inclusion of their green space in our zoning (P-2 zone), source water protection, and permitted uses on the campus. These conversations are reflected in the Draft 3 documents or are outlined for changes above in the 'zoning issues' or 'source water' committee sections.

The University does have an issue with the Draft 3 Building Height requirements (maximum 3 storey + partial 4th storey bonus height by Development Agreement only). The University have provided a letter – included as Attachment 1 – outlining this concern and requesting that a full 5 stories be enabled for consideration on campus by Development Agreement, consistent with their other existing buildings and future plans.

Recommended Action: Council consider the 5th storey request and provide direction to Staff. Staff are comfortable with the request given previous recommendations provided on building height and 5 storeys.

Individual Requests and Feedback

Copy editing and minor comments/feedback on wording have been provided by some generous residents (and Councillors) and these will be integrated into the final draft. Individual zoning requests or requests related to issues outlined previously have been included above.

Other Draft 3 Recommended Changes (copy editing, formatting, definitions, diagrams)

All of the documents (Municipal Planning Strategy, Land Use By-law, Subdivision By-law, Design Guidelines) will require copy editing and formatting updates. Staff will also be reviewing very closely items such as the land use table contained in the Land Use By-law, diagrams and definitions. Any substantial change coming from this work would be outlined in the report that will accompany the final documents prepared for First Reading.

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Recommended Action: Staff to carry out final document edits, formatting, etc.

8) SUMMARY

A tremendous amount of work has gone into these documents by both Town Planning Staff and a number of professional consultants (FoTenn, Ekistics). Direction has been provided by Council and then thinking/deep dive into issues has been typical.

Overall, Planning Staff believe these documents are a good fit with where the community is at and address a number of key issues proactively. There is, and will continue to be, tension on certain issues. Examples include Parking vs Walkability; Commercial “Creep” vs Expansion; and Social inclusion and ecological footprints vs Exclusionary zoning practices.

This is just the start on many issues and monitoring and future work will be required. Council has acknowledged that this should be a living document and ongoing dialogue.

9) FINANCIAL IMPLICATIONS

All work outlined will be carried out using existing departmental operating budgets.

10) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Almost all of the existing Town Reports and all of Council’s Strategic Plan is impacted by finalizing the plan review. This has been a substantial process that should be completed in early 2020 after the final push outlined in this report.

11) ALTERNATIVES

- Council may wish to defer making a recommendation on November 26th and continue discussions at the December 3rd, 2019 Committee of the Whole - if additional discussion required;
- Council may request additional information on a specific topic or specific actions to be taken before providing direction;
- Council may want to direct Staff to move forward with finalizing the documents with specific recommendations not included in this report;
- Other alternatives are also plausible given the scope of topics covered by this plan review.

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



ATTACHMENT 1 – LETTER FROM ACADIA UNIVERSITY RE: BUILDING HEIGHT



grow exponentially



November 20, 2019

Devin Lake LPP, MCIP
Director of Planning + Development
Town of Wolfville
200 Dykeland Street
Wolfville, NS B4P 1A1

Dear Mr. Lake,

I am writing on behalf of Acadia University to provide feedback on applicable elements of the Town of Wolfville Draft Municipal Planning Strategy (MPS) and Land Use By-law (LUB) as they pertain to the University and its strategic plans moving forward. As such these comments are confined to Part 10 of the Draft MPS and Parts 21 & 23 of the Draft LUB.

The proposed “as of right” uses and provision for developments by the site plan approval process are a welcome addition and should help to simplify process for the scale of projects outlined with the development agreement process reserved for larger scale initiatives.

It is recognized that one of the goals of the MPS is establishing appropriate setbacks for new buildings and limiting the heights to ensure greater architectural compatibility with the current core of the campus as well as town and neighbors. However, the building height constraints outlined in the LUB do not align with the current composition of facilities in the campus core with many of the Universities most heavily utilized facilities.

Most of the University’s existing facilities would not meet the proposed guideline of a maximum three stories with a reduced footprint fourth story. This includes not only the University’s primary academic and administrative buildings (University Hall, Vaughan Memorial Library, Patterson Hall, Biology Building, Huggins Science Hall and the K.C. Irving Environmental Science Centre as examples) but also the vast majority of the University’s Student Housing residential infrastructure. These buildings include Chase Court, Dennis House, Chipman House, Roy Jodrey Hall, Eaton House and the oldest institutional facility on campus, Seminary House. It is understood that the LUB constraints would apply to new developments and not existing however I highlight the fact that this restriction contradicts the MPS stated policy of:

“9) To limit, in the Land Use By-law, building heights in the Institutional University (I-2) zone in deference to the type of use and scale of present buildings located in the core of the University campus.”

REQUEST FOR DECISION 081-2019

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The current campus master plan which is slated for updating and revision (also noted in the MPS) includes new developments beyond existing infrastructure that would predominantly be in the four to five story range for new residences and academic buildings.

In light of the above I would ask that it be considered in the finalized LUB for the Town of Wolfville that in the Institutional I-2 zone up to five full story developments be permitted by development agreement in keeping with the existing predominant architecture of the campus and anticipated future needs.

Yours truly,

A handwritten signature in blue ink, appearing to read "M. Falkenham".

Marcel Falkenham, P. Eng.

Executive Director of Facilities & the K.C. Irving Environmental Science Centre
Acadia University, Wolfville NS. B4P 2R6



REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



ATTACHMENT 2 – DEVELOPMENT PROCESSES OVERVIEW

DEVELOPMENT PROCESSES

Managing growth for all stakeholders



Does your project.... Then you need a: How complicated is it?

Not have a lot of complexity and can clearly meet the use and rules of the Land Use By-law?

Development Permit



Development and Building Permits required. Short approval period.

Meet the rules of the Land Use By-law yet need a small, minor variation?

Variance Approval



If approved, involves notification of neighbours within 30m. Appeal mechanisms to Council for applicant and neighbours.

Have more complexity but still meets intent of Land Use By-law rules? Is larger scale or located in an architectural control area?

Site Plan Approval



Negotiated process with Staff; more stringent submission requirements; requires public notification; can be appeal to Council.

Have unique, site specific considerations? Is very complex? Very large scale? An innovative proposal?

Development Agreement



Negotiated site specific land use contract with Council; substantial process with public hearing and appeals to the UARB.

Meet the intent of the MPS but you desire a zone change or text amendment to make it work?

Bylaw Amendment



Substantial process; public notification and meetings; approval by Council required.

Involve large areas of land zoned Comprehensive Development District?

Secondary Plan



Substantial process involving sustainability checklist; detailed studies; land owner coordination; public engagement; and Council approval.

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



ATTACHMENT 3 – LAND USE ZONING STATISTICS (BASED ON ATTACHMENT 4)

ZONING INVENTORY				
Description	Zone	SqM	Acres	%
Agriculture	A	1719272.533	425	28.1%
Active Transportation Corridor	AT	97320.80207	24	1.6%
Core Commercial	C-1	100039.3756	25	1.6%
Neighbourhood Commercial	C-2	173211.22	43	2.8%
Core Commercial - Large Format	C-3	20765.5579	5	0.3%
Comprehensive Development District	CDD	599879.15	148	9.8%
Institutional General	I-1	152186.17	38	2.5%
Institutional University	I-2	348335.5255	86	5.7%
Parks and Open Space	P-1	392997.404	97	6.4%
University Open Space	P-2	363512.8825	90	5.9%
Low Density Residential - Restricted	R-1	638929.2777	158	10.4%
Low Density Residential - General	R-2	599238.3745	148	9.8%
Medium Density Residential	R-3	691572.109	171	11.3%
High Density Residential	R-4	225197.29	56	3.7%
1512 Acres of land				
134 Acres of Street Surface				

RESIDENTIAL ZONING			
Total Residential	Zone	Acreage	Total
		681	45.0%
Low Density Residential - Restricted	R-1	158	23.2%
Low Density Residential - General	R-2	148	21.8%
Medium Density Residential	R-3	171	25.1%
High Density Residential	R-4	56	8.2%
Comprehensive Development District	CDD	91	21.8%

Total Vacant Residential	Zone	Acreage	Total
		179	26.4%
Low Density Residential - Restricted	R-1	16	8.9%
Low Density Residential - General	R-2	17.7	9.9%
Medium Density Residential	R-3	40.56	22.6%
High Density Residential	R-4	13.2	7.4%
Comprehensive Development District	CDD	91	50.7%

REQUEST FOR DECISION 081-2019

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Date: 2019-11-26

Department: Planning & Development



COMMERCIAL ZONING			
Description	Zone	Acres	Total
		73	4.81%
Core Commercial	C-1	25	34.41%
Neighbourhood Commercial	C-2	41	56.43%
Core Commercial - Large Format	C-3	5	6.88%

Vacant	Zone	Acres	Total
		9.8	13.49%
Core Commercial	C-1	4.6	46.94%
Neighbourhood Commercial	C-2	4	40.82%
Core Commercial - Large Format	C-3	1.2	12.24%

REQUEST FOR DECISION 081-2019

Title: Planning Documents (Draft 3) Direction

Date: 2019-11-26

Department: Planning & Development



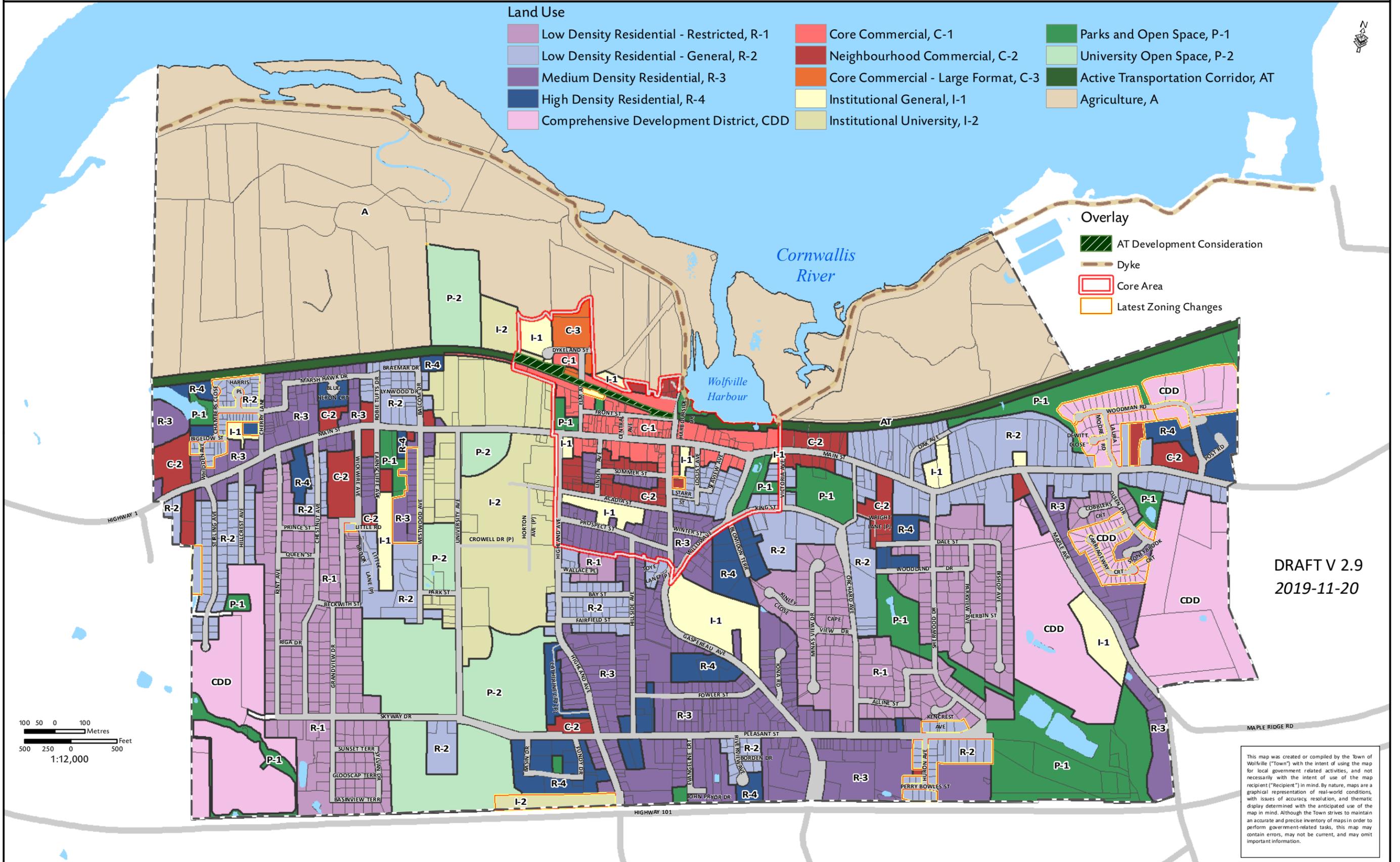
ATTACHMENT 4 – REVISED LAND USE ZONING MAP (WITH CHANGES OUTLINED IN THIS REPORT)

Land Use

- | | | |
|---|---|--|
|  Low Density Residential - Restricted, R-1 |  Core Commercial, C-1 |  Parks and Open Space, P-1 |
|  Low Density Residential - General, R-2 |  Neighbourhood Commercial, C-2 |  University Open Space, P-2 |
|  Medium Density Residential, R-3 |  Core Commercial - Large Format, C-3 |  Active Transportation Corridor, AT |
|  High Density Residential, R-4 |  Institutional General, I-1 |  Agriculture, A |
|  Comprehensive Development District, CDD |  Institutional University, I-2 | |

Overlay

-  AT Development Consideration
-  Dyke
-  Core Area
-  Latest Zoning Changes



DRAFT V 2.9
2019-11-20

This map was created or compiled by the Town of Wolfville ("Town") with the intent of using the map for local government related activities, and not necessarily with the intent of use of the map recipient ("Recipient") in mind. By nature, maps are a graphical representation of real-world conditions, with issues of accuracy, resolution, and thematic display determined with the anticipated use of the map in mind. Although the Town strives to maintain an accurate and precise inventory of maps in order to perform government-related tasks, this map may contain errors, may not be current, and may omit important information.

REQUEST FOR DECISION 058-2019

Electronic Voting Bylaw

Date: ~~September 17, 2019~~ ~~October 15th, 2019~~ December 17, 2019

Department: Office of CAO



SUMMARY

ELECTRONIC VOTING BYLAW

October 2020 is the next municipal election for Nova Scotia and in preparation municipalities can decide if they will be offering voters an option to vote electronically, vote at the polling stations on paper, or a combination of both.

Providing an option to vote from a computer or phone in your own home, or using a local Library designated computer, or a computer booth at the polling station is an important part of ensuring all voters have easy and efficient access to the electoral process.

Following the Committee of the Whole meeting on June 4th, 2019 and the Town Council Meeting on June 18th, 2019, Motion # 24-06-19 was carried and approved the request from staff to develop an Electronic Voting Bylaw. The draft Bylaw is now attached to this RFD with the request it be considered for first reading.

The goal of this Bylaw is to offer voters a combination of electronic voting and paper ballots at the 2020 Municipal Elections

The following motion was carried at the September 17th 2019 Council meeting with amendments to the wording in Section 3.b. of the Bylaw to remove dates and include '6th day prior to regular voting day'. The revised Bylaw is attached to this RFD showing the changes made.

MOTION CARRIED AT COUNCIL MEETING September 17th 2019:

That Council give first reading to the Electronic Voting Bylaw and direct staff to prepare the notice of intention and set a date for second reading.

There was a technical error with the dates of posting the notice of second reading and it was necessary to repeat that stage of the process.

DRAFT MOTION FOR COUNCIL MEETING December 17, 2019:

That Council give second reading to the Electronic Voting Bylaw and direct staff to prepare the Passage of Bylaw notification.

REQUEST FOR DECISION 058-2019

Electronic Voting Bylaw

Date: ~~September 17, 2019~~ ~~October 15th, 2019~~ December 17, 2019

Department: Office of CAO



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

Section 146A of the *Municipal Elections Act* bestows municipal council with the legislative authority to select the method and system of voting. “*Section 146A(1) A council may by by-law authorize voters to vote by mail, electronically or by another voting method.*”

3) STAFF RECOMMENDATION

Staff recommends that Council approve the bylaw authorizing voters to vote electronically or via paper ballot for the 2020 Municipal Election.

4) REFERENCES AND ATTACHMENTS

- [Municipal Elections Act](#)
- [Part II: Benefits, Drawbacks and Risks Associated with Internet Voting](#)
- [ENS Strategic Plan 2018-2023](#)
- [Annual Report of the Chief Electoral Officer 2017-2018](#)
- [Public Opinion Survey following June 30, 2014 Federal by-elections](#)

5) PURPOSE OF REPORT

The purpose of this report is to ask Council to consider first reading of the draft Bylaw following their decision at the Town Council Meeting on June 18th, 2019 to approve the development of an Electronic Voting Bylaw.

6) DISCUSSION

Discussion took place at the Town Council Meeting on June 18th, 2019.

7) FINANCIAL IMPLICATIONS

Please refer to the previous RFD 031-2019 discussed at the Town Council meeting on June 18th, 2019.

8) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Strategic Direction #5: Efficient and Effective Leadership from a Committed and Responsive Executive and Administrative Team.

9) COMMUNICATION REQUIREMENTS

Staff will include an educational component in the voter engagement plan to ensure that voters are aware that evoting will be used and know how to use it.

REQUEST FOR DECISION 058-2019

Electronic Voting Bylaw

Date: ~~September 17, 2019~~ ~~October 15th, 2019~~ December 17, 2019

Department: Office of CAO



10) ALTERNATIVE

- That Council does not provide second reading of this Bylaw.

1. Title:

This Bylaw shall be titled and referred to as the “Electronic Voting Bylaw”.

2. Definitions:

In this Bylaw;

“Town” means the Town of Wolfville;

“Municipal Elections Act” means the Nova Scotia Municipal Elections Act that:

WHEREAS Subsection 146A (1) of the Municipal Elections Act, 1989 R.S.N.S. c300, as amended, states that the Council of a local municipality may pass bylaws to authorize voters to vote by mail, electronically or by any other voting method; and

WHEREAS Subsection 146 (3) (ca) of the Municipal Elections Act, states that the Council of a local municipality may pass bylaws to authorize electors to use an alternative voting method, such as voting by Telephone, via Internet, or by any other electronic means, including a combination of different electronic means that does not require electors to attend at a voting place in order to vote; and

WHEREAS Subsection 146(6) of the Municipal Elections Act states that where a bylaw provides for voting via the Internet through the supervised use of a personal computing device, the bylaw must also permit voting by some other means on each advance polling day and on ordinary polling day; and

WHEREAS the Council of the Town of Wolfville wishes to adopt the process of electronic voting to ensure greater accessibility for all voters to exercise their individual and democratic right to vote;

“Electronic Voting” means the public can vote via the internet or telephone.

“Friend-voter” means a friend who votes for an elector pursuant to section 7.a. of this Bylaw;

“Internet ballot” means an image of a ballot on a computer screen including all the choices available to an elector and the spaces in which an elector marks a vote;

“Regular polling day” means the third Saturday in October in a regular election year and in the case of another election means the Saturday fixed for the election;

“PIN” means the Personal Identification Number issued to an elector for electronic voting;

“Rejected ballot” means an internet ballot or telephone ballot that has not been marked for any candidate;

“Returning Officer” means a Returning officer appointed pursuant to the Act;

“Seal” means to secure the virtual ballot box and prevent internet and telephone ballots from being cast;

“System” means the technology, including software, that:

- Records and counts votes; and
- Processes and stores the results of electronic voting

“Virtual ballot box” means a computer database in the system where cast internet ballots and telephone ballots are put;

3. Electronic Voting Bylaw:

The purpose of this Bylaw is to enact as follows:

- a. That the Municipal Election process for the October 2020 elections utilize the alternative voting method known as Electronic Voting in accordance with the Municipal Elections Act;
- b. That the electronic voting period, being the advance vote, shall be for a term of six full days including Regular Polling Day;
- c. That for clarity, electronic voting will be open for six full days but that traditional method paper ballots will be available during the Regular Polling Day, from 8 a.m. to 7 p.m.;

4. Polling Station for Alternative Voting:

- a. The Returning Officer shall establish at least one polling station for electronic voting that is equipped with a computer or other device to permit voting by internet ballot and a telephone to permit voting by telephone ballot;
- b. The polling station for electronic voting shall be available for electors who are voting with friend voters and for any other electors, and open on each advance polling day and on regular polling day.

5. Form of Telephone and Internet Ballots:

A telephone ballot and internet ballot shall:

- a. Identify by the title “Election for Mayor” or “Election for Councillor” or “Election for School Board Member”; as the case may be;
- b. Identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names; and
- c. Warn the elector to “vote for one candidate only” or “vote for not more than (the number of candidates to be elected) candidates”; as the case may be;

- d. No title, honour, decoration or degree shall be included with a candidate's name on an internet ballot or telephone ballot;

6. Proxy Voting:

- a. There shall be no voting by proxy by electronic voting;

7. Friend Voting:

- a. A friend voter shall only vote for an elector by electronic voting if:
 - i. An elector is unable to vote because the elector is blind, the elector cannot read, or the elector has a physical disability that prevents them from voting by electronic voting; and
 - ii. The elector and the friend appear, in person, before the Returning Officer and take the prescribed oaths.
- b. A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- c. The elector shall take an oath in the prescribed form to this Bylaw providing that they are incapable of voting without assistance.
- d. The friend of the elector shall take an oath in the prescribed form to this Bylaw that:
 - i. The friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - ii. The friend will mark the ballot as requested by the elector; and
 - iii. The friend will keep secret the choice of the elector.
- e. Where the elector requests assistance, the Returning Officer may act as a friend of the elector but shall not be required to take the oath referred to above.
- f. The Returning Officer shall enter in the poll book:
 - i. The reason why the elector is unable to carry out their vote themselves;
 - ii. The name of the friend; and
 - iii. The fact that oaths were taken.

8. Voting:

The system shall put internet ballots and telephone ballots cast by an elector in the virtual ballot box.

9. Seal:

The system shall seal the virtual ballot box at the close of regular polling day.

10. List of persons who voted:

Following the close of regular polling day, the system shall generate a list of all electors who voted by electronic voting, and this list shall be delivered to the Returning Officer within 24 hours.

11. Counting:

- a. At the close of regular polling day, the system shall generate a count of the total telephone ballots and internet ballots in the virtual ballot box that were cast for each candidate;
- b. In counting the votes that were cast for each candidate the system shall not count rejected ballots.

12. Tallying of Rejected Ballots:

At the close of regular polling day the system shall tally the number of rejected ballots that were cast during polling days and the tally shall be delivered to the Returning Officer.

13. Recount by System:

In the event of a recount:

- a. At the close of regular polling day, the system shall generate a count of the total telephone ballots and internet ballots in the virtual ballot box that were cast for each candidate;
- b. In counting the votes that were cast for each candidate the system shall not count rejected ballots;
- c. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by electronic voting.
- d. If the regenerated count and the initial count do not match, the Returning Office shall:
 - i. Direct one final count be regenerated by the system of the votes case by electronic voting, and
 - ii. Attend while the final count is being regenerated
- e. The regenerated final count shall be the final count of the votes cast by electronic voting.

14. Secrecy:

- a. The Returning Officer shall maintain and aid in maintaining the secrecy of the voting;
- b. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.



15. Severability:

If a court of competent jurisdiction should declare any section or part of a section of this Bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the Bylaw and it is hereby declared that the remainder of the Bylaw shall be valid and shall remain in force.

16. Prohibitions:

No person shall:

- a. Use another person's PIN to vote or access the system unless the person is a friend voter;
- b. Take, seize, or deprive an elector of their PIN; or
- c. Sell gift, transfer, assign or purchase a PIN.
- d. Interfere or attempt to interfere with an elector who is casting an electronic ballot;
- e. Interfere or attempt to interfere with electronic voting; or
- f. Attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.
- g. At any time communicate or attempt to communicate any information as to the candidate for whom any other person has voted.

17. Offences and Penalty:

A person who violates any provision of this Bylaw; or permits anything to be done in violation of any provision of this Bylaw; is guilty of an offence.

Clerk's Annotation for Official Bylaw Book

Date of first reading: September 17, 2019

Date of advertisement of Notice of Intent to Consider: November 26, 2019

Date of second reading: December 17, 2019

Date of advertisement of Passage of By-law:

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

I certify that this **Electronic Voting Bylaw 102--** was adopted by Council and published as indicated above.

Town Clerk/CAO

Date

REQUEST FOR DECISION 083-2019

Title: KTA Supplemental Capital Budget Request

Date: 2019-12-17

Department: Finance



SUMMARY

Kings Transit Authority (KTA) Supplemental Capital Budget Request

In June of this year, Council passed a motion approving the 2019/20 KTA budgets. Included in the original budget documents was a capital requirement to purchase new buses. One of the buses was for the CORE owners (Kings County, Berwick, Kentville and Wolfville), while another two buses were for the service partners at the Western end of the Valley.

The capital budget estimated the costs of the buses to be \$400,000/bus. Actual tender results came in much higher with the recommended bus (as per KTA GM report) costing over \$600,000/bus.

The tender results are outside the spending authority that KTA received thru the approval of their 2019/20 budget and therefore KTA requires approval of the CORE owners, if the Board is to authorize the purchase of the new buses.

DRAFT MOTION:

That Council approve the Kings Transit Authority request to acquire a new ENC El Dorado EZ Rider II at a cost not to exceed (after HST Rebate) \$627,120.00.

REQUEST FOR DECISION 083-2019

Title: KTA Supplemental Capital Budget Request

Date: 2019-12-17

Department: Finance



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

Kings Transit Authority Inter-Municipal Services Agreement, specifically section 7 (Decisions) and 15 (Operating Budget) and 17 (supplemental budget estimates). Section 7, Decisions, notes:

DECISIONS

7. Any decision requiring the agreement of the parties hereto shall be decided by a majority of the participating municipalities. Decisions requiring consent of the parties according to this formula include: borrowing (clause 11(d)); the disposal of capital assets valued at more than one hundred thousand dollars (\$100,000) (clause 12); approval of the annual operating plan and budget (clause 15); approval of supplementary budget estimates (clause 17); addition of new parties to this agreement (clause 24); dissolution of Kings Transit Authority (clause 26); and alteration of this agreement (clause 30).

3) STAFF RECOMMENDATION

Given the conditions noted with previous budget approvals, with regard to the acquisition of new buses staff believe it's important to proceed with caution. The replacement of the older elements of the KTA fleet makes sense, as it is a similar approach to the Town's own 10 Year Capital Investment Plan and Asset Management Plan, i.e. prudent upgrade in capital equipment/infrastructure before end of useful life issues create critical operational issues. The specifics of are the new buses the right size for current service demand, environmentally beneficial, and consistent with the long term goal of KTA service levels do not yet appear to be clear.

In summary, Staff recommend the approval of the additional dollars required for the CORE area bus acquisition, but with the concerns noted in Council motion 27-06-19 (June Council meeting) reiterated. In addition, KTA Board confirms the Capital Reserve has the cash in hand, i.e. not based on expected funding not yet confirmed.

4) REFERENCES AND ATTACHMENTS

REQUEST FOR DECISION 083-2019

Title: KTA Supplemental Capital Budget Request

Date: 2019-12-17

Department: Finance



1. RFD 034-2019 and related KTA budget documents
2. Council motion 27-06-19
3. Previous year RFD's dealing with KTA budget issues
4. KTA RFD 002-19 Supplementary Capital Budget Request for Decision (attached)

5) DISCUSSION

Staff have outlined concerns with regard to KTA operations in past RFD's to Council. Although many of those concerns are operational in nature, they do indirectly relate to capital bus acquisitions. KTA has started to work with the Inter-Municipal Service Agreement (IMSA) funding partners to carry out a transit service study. It is hoped that such a study will provide information as to best fit service levels for the community being served, as well as recommendations on changes in communities served. This could be the addition or deletion of service areas. The study should help the long-term direction of transit service in this area.

In the short term, KTA has an aging fleet which has created operational issues for the organization in providing consistent, reliable service to existing routes. Some level of bus replacement is needed to ensure service can be adequately maintained. With the tender results coming in 57% higher than budget (\$227,000 higher than the budget estimate of \$400,000) it will be essential for KTA to review it's long term CIP estimates and develop a strategy around replacement.

The GM's report is attached, along with a revised CIP. Effectively any new bus purchase will occur in 2020/21 as the delivery time, once ordered is effectively a year. As such, the GM has moved bus purchases out a year (for 20/21 & 21/22) compared to the previously approved budget.

In terms of funding the additional cost, the GM has indicated KTA has sufficient Capital Reserve Funds. Based on the budget documents previously presented to Councils, the KTA CORE portion of the Capital Reserves had \$538,000 at the start of the year. Additional funding was to come from CORE partners and \$365,200 from provincial grant. No purchase should occur until this funding is received and in the bank.

Given the IMSA Councils have already approved the 2019/20 KTA Operational and Capital budgets, the acquisition of the bus itself has been accepted as a needed purchase. The issue in front of Councils now is whether the need for the bus justifies an additional \$227,000 over the budget original budget estimate of \$400,000. And if not are there any reasonable alternatives in the short term.

6) FINANCIAL IMPLICATIONS

There is no immediate impact to the Town's budget if the KTA bus replacement is approved. The proposed funding is to come from KTA Capital Reserves. At this point in time this does not require any additional funding from the IMSA group.

REQUEST FOR DECISION 083-2019

Title: KTA Supplemental Capital Budget Request

Date: 2019-12-17

Department: Finance



Over the next few years, the added costs will have an impact directly or indirectly. If KTA requires a quicker bump up in Capital Reserve Funding (which the IMSA group contributes to), then the Town budgeted cost will increase. If the new bus purchases in the future are partially funded from long term debt, then the town's cost will increase in relation to it's share of LTD repayments (similar to VWRM).

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Nothing provided at this time.

8) COMMUNICATION REQUIREMENTS

Advise KTA GM of Council's decision.

9) ALTERNATIVES

The KTA RFD 002-2019 notes there are no alternatives. To maintain a workable fleet this is an accurate statement, unless the IMSA partners want to look at altering the route structure in the short term to reduce km driven and wear and tear on the buses.

The GM's report also notes two sizes of bus. An alternative would be to purchase the lower cost option of the two El Dorado buses.



REQUEST FOR DECISION

Supplementary Capital Budget in Support of

RFP KTA 19-05 Supply and Deliver Three 9.75 Metre Transit Buses

INTRODUCTION

On September 12th, 2019, Request for Proposal (RFP) KTA #19-05 was publicly issued inviting proponents to submit a proposal to supply and deliver three 9.75 metre transit buses. Though not stated in the RFP document, the primary objective of this RFP is to replace the three Grande West Vicinity Buses that are currently owned by Kings, Annapolis and Digby Counties (one each). Secondary objectives include obtaining robust warranty coverage that is appropriate for a high mileage rural transit system, and a procurement complimentary to our aim for logistical and operational efficiencies. In addition, the RFP requested costed options for 10.67 metre variants of the vehicles proposed, as the shorter wheel base vehicles currently owned are a challenge to handle at highway speeds (safety implications) and it is anticipated that increased passenger capacity will be required as the service expands.

The RFP has closed and the two bids received have been evaluated. As outlined in this document, the cost of the recommended bid exceeds the amount budgeted for this procurement effort (an explanation follows); therefore, before an award can be contemplated, approval of a Supplementary Capital Budget by the Owner Councils is required as outlined in the Inter Municipal Service Agreement for the Kings Transit Authority.

DRAFT MOTION

That the Kings Transit Board of Directors recommend for approval the attached Supplementary Capital Budget necessary to support the award of RFP KTA 19-05.

DISCUSSION

RFP KTA #19-05 was publicly advertised on the Nova Scotia tenders portal and the Municipality of the County of Kings website; it closed on November 1st, 2019. Proposals were received before the published deadline as follows:

- City View Bus Sales and Service (proposing the ENC El Dorado EZ Rider II model)
- Grande West (proposing the Vicinity model)

Request for Decision 002-19

Title: Supplementary Capital Budget

Date: 2019-12-02

The proposals were evaluated independently by an internal team of four persons using the evaluation criteria and scoring structure outlined in the RFP document. A final score was developed by the team via consensus. A two envelope system was used, with the Technical Proposal in Envelope 1 and the Cost Proposal in Envelope 2.

Proponent Scores on the Technical Proposal are summarized as follows:

- City View Bus Sales and Service 56/70 (80%)
- Grande West Transportation Group 30/70 (42.8%)

Given the low score awarded for the Grande West proposal, only the City View cost proposal was seriously considered, with prices for each option as follows:

ENC El Dorado EZ Rider II – 9.75 Metre Variant	\$589,525.71
ENC El Dorado EZ Rider II – 10.67 Metre Variant	\$601,345.71

Considering the factors discussed in the Introduction and the relatively small cost difference between the two variants, the 10.67 Metre variant of the bus is the option that would be recommended by staff when appropriate; however, there are financial implications associated with this option that are outlined in the following section.

FINANCIAL IMPLICATIONS

With the FY 2019/20 budget process, a total of \$400,000 was allocated from the Kings Transit Authority Capital Account for this purpose (Kings County bus only, separate approval was obtained for the Annapolis and Digby County buses); the cost of the staff recommended option would exceed the amount budgeted by approximately \$200,000 per unit. Factors that contribute to the dollar value in excess of budget include (but are not exclusive to):

- The amount budgeted was an estimate based on imperfect market related information and assumptions on the range of vendors that could respond;
- The terms of the warranty specified far exceed what is typical for bus procured for an urban environment; while a robust warranty offers improved peace of mind, there is a price of a warranty of this nature;
- Improved mechanical and structural specifications were included based on past experience, intended to simplify the planned and corrective maintenance requirements and extend the life of the vehicles procured;
- Accessories such as six spare wheels and six spare tires per bus were required (not typical);
- Improved passenger amenities were specified, such as two modern securing systems for mobility devices and USB ports accessible to the passengers; and
- The vehicle proposed is longer than what was contemplated in the base specification, which adds to the cost.

Related, given the anticipated build period for these buses (365 days after a Purchase Order is submitted) and no milestone payments are required, there should be no funding outlays related to this procurement until January 2021 at the earliest. With these factors in mind, a Supplementary Capital Budget approved by three of the four Owner Councils is required.

Request for Decision 002-19

Title: Supplementary Capital Budget

Date: 2019-12-02

Based on the highest scoring proponent's cost of \$601,345.71 plus net HST of \$25,773.67 for a total of \$627,119.38 for the Kings County bus, costs will be included in the proposed Kings Transit Authority Supplementary Capital Budget for 2020/21 (attached).

ALTERNATIVES

There are no alternatives to this Request for Decision, unless the Board of Directors does not support proceeding with the procurement of the recommended bus.

DRAFT

Kings Transit Authority
Supplementary Capital Budget 2019/20 to 2027/2028 as of December 2nd, 2019

Funding	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	Total
Federal - PTIF - Core			1,400,000				375,000			1,775,000
Federal - PTIF - Annapolis			350,000	320,000						670,000
Federal - PTIF - Digby				320,000						320,000
Provincial - PTAP - CORE	365,200	365,200	250,500	250,500	250,500	250,500	250,500	250,500	250,500	2,483,900
Provincial - PTAP - Annapolis	140,800	140,800	96,000	96,000	96,000	96,000	96,000	96,000	96,000	953,600
Provincial - PTAP - Digby	44,000	44,000	28,500	28,500	28,500	28,500	28,500	28,500	28,500	287,500
Municipal/Debt - CORE	80,000	80,000	520,961	80,000	80,000	80,000	80,000	80,000	80,000	1,160,961
Municipal/Debt - Annapolis		625,000								625,000
Municipal/Debt - Digby		625,000		90,257						715,257
Total funding	630,000	1,880,000	2,645,961	1,185,257	455,000	455,000	830,000	455,000	455,000	8,991,218

Capital purchases	Model	Year Purchased	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2024	2025/2026	2025/2026	2025/2026	2025/2026
Buses - CORE												
Bus 49	Vicinity	2014		630,000								630,000
Bus 51	New Flyer D40LF	2005			700,000							700,000
Bus 52	New Flyer D40LF	2005			700,000							700,000
Bus 53	New Flyer D40LF	2005	20,000		700,000							720,000
Bus 55	New Flyer D40LF	2005			700,000							700,000
Bus 59	Nova LFS/L581	2011							750,000			750,000
Bus 60	Eldorado EZ Rider	2017										-
Bus 61	Eldorado EZ Rider	2017										-
Buses - Annapolis												
Bus 46	Vicinity	2014		630,000								630,000
Bus 56	New Flyer D40LF	2005			700,000							700,000
Bus 57	Eldorado EZ Rider	2007				625,000						625,000
Buses - Digby												
Bus 50	Vicinity	2014		630,000								630,000
Bus 58	Eldorado EZ Rider	2007				625,000						625,000
Equipment - CORE			25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	75,000	275,000
Equipment - Annapolis			-									-
Equipment - Digby			-									-
Buildings - CORE			25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	225,000
Total purchases			70,000	1,940,000	3,550,000	1,300,000	50,000	50,000	800,000	50,000	100,000	7,910,000

Kings Transit Authority
Supplementary Capital Budget 2019/20 to 2027/2028 as of December 2nd, 2019

Funding	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027	2027/2028	Total
CORE Capital Account										
Opening Balance - Core	538,139	913,339	678,539	-	280,500	561,000	841,500	747,000	1,027,500	538,139
Plus Funding	445,200	445,200	2,171,461	330,500	330,500	330,500	705,500	330,500	330,500	5,419,861
Less Capital Purchases	(70,000)	(680,000)	(2,850,000)	(50,000)	(50,000)	(50,000)	(800,000)	(50,000)	(100,000)	(4,700,000)
Closing Balance - Core	913,339	678,539	-	280,500	561,000	841,500	747,000	1,027,500	1,258,000	1,258,000
Annapolis Capital Account										
Opening Balance	317,865	458,665	594,465	340,465	131,465	227,465	323,465	419,465	515,465	317,865
Plus Funding	140,800	765,800	446,000	416,000	96,000	96,000	96,000	96,000	96,000	2,248,600
Less Capital Purchases	-	(630,000)	(700,000)	(625,000)	-	-	-	-	-	(1,955,000)
Closing Balance - Annapolis	458,665	594,465	340,465	131,465	227,465	323,465	419,465	515,465	611,465	611,465
Digby Capital Account										
Opening Balance - Digby	74,743	118,743	157,743	186,243	-	28,500	57,000	85,500	114,000	74,743
Plus Funding	44,000	669,000	28,500	438,757	28,500	28,500	28,500	28,500	28,500	1,322,757
Less Capital Purchases	-	(630,000)	-	(625,000)	-	-	-	-	-	(1,255,000)
Closing Balance - Digby	118,743	157,743	186,243	-	28,500	57,000	85,500	114,000	142,500	142,500
Totals	930,747	1,490,747	1,430,747	526,708	411,965	816,965	1,221,965	1,251,965	1,656,965	930,747
	630,000	1,880,000	2,645,961	1,185,257	455,000	455,000	830,000	455,000	455,000	8,991,218
	(70,000)	(1,940,000)	(3,550,000)	(1,300,000)	(50,000)	(50,000)	(800,000)	(50,000)	(100,000)	(7,910,000)
	1,490,747	1,430,747	526,708	411,965	816,965	1,221,965	1,251,965	1,656,965	2,011,965	2,011,965

Capital Purchase Notes

The Capital Budget assumes:

Resolution/funding of the amount "Due To Capital" as outlined in the Kluska Report
\$500k of long-term debt or additional capital contribution from the Core owners in 2021/22, which cannot be Gas Tax funds because we are assuming PTIF funding for 50%
\$630,000 of Gas Tax Funding from Annapolis and Digby Counties towards the purchase of new buses (one each)
\$175,000 of additional PTAP funds will be available for the 2019/20 and 2020/21 fiscal years
PTIF2 (or ICIP: Public Transit) funding will be available at 50% of the capital cost of the five 40-foot buses in the 2021/22 fiscal year
PTIF2 (or ICIP: Public Transit) funding will be available at 50% of the capital cost of the two 30-foot buses in the 2022/23 fiscal year (Annapolis & Digby)
PTIF2 (or ICIP: Public Transit) funding will be available at 50% of the capital cost of the Core 40-foot bus in the 2025/26 fiscal year
Total PTIF2 funding expected between 4/1/19 and 3/31/28 is approximately 1.67% of \$289,589,324 or \$4.8 million. The above budget assumes \$2.5 million of PTIF funds, leaving the remaining \$2.3 million available for expansion of service

REQUEST FOR DECISION 084-2019

Title: VWRM Debt Guarantees

Date: 2019-12-17

Department: Finance



SUMMARY

Valley Waste Resource Management Debt Guarantees

Earlier this year Council approved two debt guarantees related 2018 and 2019 debenture issues. Refer to RFD 060-2019.

The request before Council with this report relates to the 2019/20 Capital program, for which VWRM would expect to participate in next spring's Municipal Finance Corporation's spring debenture issue. The first step for VWRM is to have their TBR #19/20-03 approved through the Minister's Office (Municipal Affairs). Part of this process is to have the IMSA partners sign off on debt guarantee resolutions.

DRAFT MOTION:

That Council guarantees share of the Valley Waste Resource Management Authority's TBR #19/20-03 (in the amount of \$88,000), with Wolfville's share being 8.23% or \$7,242.

REQUEST FOR DECISION 084-2019

Title: VWRM Debt Guarantees

Date: 2019-12-17

Department: Finance



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act
- Valley Waste Resource Management (VWRM) Intermunicipal Service Agreement (IMSA)

3) STAFF RECOMMENDATION

That Council provide the loan guarantees requested by VWRM to address their 2019/20 capital requirements.

4) REFERENCES AND ATTACHMENTS

- Standard Loan Guarantee Resolution provided by VWRM
- VWRM TBR 19/20-03, including schedule A showing breakdown of guarantees.

5) DISCUSSION

Similar to the Town, VWRM must go through the process required to access debenture funding for its capital program. As one of the IMSA parties, Wolfville must guarantee its share of any long term borrowings of VWRM. This paperwork deals with the documentation needed to ensure the TBR can be approved by the Minister.

The breakdown of guarantees by the IMSA group is:

Guarantees

The Municipal Guarantee percentages and amounts for each of the six municipal parties are:

Municipality of Kings County:	74.72%	\$65,754
Town of Kentville:	9.97%	\$8,774
Town of Wolfville:	8.23%	\$7,242
Town of Berwick:	3.53%	\$3,106
Town of Middleton:	2.52%	\$2,218
Town of Annapolis Royal:	1.03%	\$906
Total	100.0%	\$88,000

REQUEST FOR DECISION 084-2019

Title: VWRM Debt Guarantees

Date: 2019-12-17

Department: Finance



6) FINANCIAL IMPLICATIONS

There is no immediate budget impact to the Town as the capital program was already considered as part of the approval of for the VWRM 2019/20 Budget.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

None provided at this time.

8) COMMUNICATION REQUIREMENTS

Advise VWRM staff of Council's decision.

9) ALTERNATIVES

Not provide the guarantee. This option would require VWRM to seek a different mechanism to fund it's 2019/20 capital budget.

TOWN OF WOLFVILLE
GUARANTEE RESOLUTION

\$7,242

Valley Region Solid Waste-Resource
Management Authority

WHEREAS the Valley Region Solid Waste-Resource Management Authority was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

AND WHEREAS the Authority has determined to borrow the aggregate principal amount of Eighty-Eight Thousand Dollars (\$88,000) for the purpose of Capital and has applied to the Town of Wolfville for its guarantee;

AND WHEREAS the Authority has requested the Town of Wolfville, a municipality that executed the instrument of incorporation of the Valley Region Solid Waste-Resource Management Authority, to guarantee the said borrowing;

AND WHEREAS Section 88 of the Municipal Government Act, provides that no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs and Housing has approved of the proposed borrowing or debenture and of the proposed guarantee;

BE IT THEREFORE RESOLVED

THAT the Town of Wolfville does hereby approve the borrowing of Eighty-Eight Thousand Dollars (\$88,000) for the purpose set out above;

THAT subject to the approval of the Minister of Minister of Municipal Affairs and Housing of the borrowing by the Authority and the approval of the Minister of Municipal Affairs and Housing of the guarantee, the Town does unconditionally guarantee repayment of Seven Thousand Two Hundred Forty-Two Dollars (\$7,242) for the purpose set out above;

THAT upon the issue of the Temporary Borrowing Resolution, the Mayor and Clerk of the Town do sign the guarantee attached to the Temporary Borrowing Resolution of the Valley Region Solid Waste-Resource Management Authority and affix hereto the corporate seal of the Town.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the Town of Wolfville held on the day of _____ 2019.

GIVEN under the hands of the Mayor and the Clerk and under the Seal of the Town this _____ day of _____ 2019.

Mayor

Clerk

For DMA Use Only

VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY
TEMPORARY BORROWING RESOLUTION

\$88,000

File No. 19/20 - 03
Capital - Various Purposes

WHEREAS the Valley Region Solid Waste-Resource Management Authority (hereinafter referred to as the Authority) was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act.

AND WHEREAS the Town of Berwick, the Town of Kentville, the Town of Middleton, the Town of Wolfville, the Town of Annapolis Royal, and the Municipality of the County of Kings entered into an inter-municipal services agreement pursuant to Section 60 of the Municipal Government Act;

AND WHEREAS the Authority pursuant to the inter-municipal agreement states that the body corporate shall be vested with the power to borrow money for the purpose of:

- the acquisition of equipment, materials, vehicles, machinery, apparatus, implements and plant
- solid waste management facilities

AND WHEREAS the specific amounts and descriptions of the projects as well as percentages and amounts of guarantee for each of the parties are contained in Schedule "A" (attached);

AND WHEREAS any borrowing and/or entering into debt obligations of the municipal body corporate must be approved by the municipal units;

AND WHEREAS pursuant to the Municipal Government Act Section 88, no money shall be borrowed by a municipality, village, committee by an inter-municipal agreement or service commission pursuant to this Act or another Act of the Legislature until the proposed borrowing has been approved by the Minister of Municipal Affairs and Housing;

AND WHEREAS pursuant to the Municipal Government Act, Section 88(3) a guarantee by or on behalf of a municipality, village or service commission of a borrowing or debentures is not effective unless the Minister of Municipal Affairs and Housing has approved the proposed guarantees;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 92 of the Municipal Government Act the Authority borrow a sum or sums not exceeding Eighty-Eight Thousand Dollars (\$88,000) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Authority of an amount as the Authority deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Authority borrow from time to time a sum or sums not exceeding Eighty-Eight Thousand (\$88,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

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

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

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Valley Region Solid Waste-Resource Management Authority held on the _____ day of _____ 2019.

GIVEN under the hands of the Chairman and the Secretary and under the seal of the Authority this _____ day of _____ 2019.

Chairman

Secretary

**VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY
TEMPORARY BORROWING RESOLUTION**

\$88,000

File No. 19/20 - 03
Capital - Various Purposes

SCHEDULE A

Requirements

Replacement of Ford F250 4x4 pickup truck:	\$38,000
Paving at Eastern Management Centre:	\$50,000
Total	\$88,000

Guarantees

The Municipal Guarantee percentages and amounts for each of the six municipal parties are:

Municipality of Kings County:	74.72%	\$65,754
Town of Kentville:	9.97%	\$8,774
Town of Wolfville:	8.23%	\$7,242
Town of Berwick:	3.53%	\$3,106
Town of Middleton:	2.52%	\$2,218
Town of Annapolis Royal:	1.03%	\$906
Total	100.0%	\$88,000

REQUEST FOR DECISION 070-2019

Title: Development Agreement and Heritage Alteration
620 Main Street – Tattingstone Inn
Date: ~~2019-11-05~~ December 17, 2019
Department: Planning and Development



SUMMARY

The applicant is seeking a development agreement to allow for expansion of a registered heritage building beyond 10% of the total floor area. This application is a part of the ongoing improvements and expansion to the Tattingstone Inn at 620 Main Street.

Motion from Planning Advisory Committee and Heritage Advisory Committee (24-10-2019):

THAT THE HERITAGE ADVISORY COMMITTEE AND THE PLANNING ADVISORY COMMITTEE PROVIDE A POSITIVE RECOMMENDATION TO COUNCIL REGARDING THE DRAFT DEVELOPMENT AGREEMENT FOR PID 55383137 AND HERITAGE ALTERATIONS AS OUTLINED IN THE DRAFT DEVELOPMENT AGREEMENT AND THAT IT BE FORWARDED TO COUNCIL FOR INITIAL CONSIDERATION BEFORE A PUBLIC HEARING IS HELD.

CARRIED

DRAFT MOTION:

THAT COMMITTEE OF THE WHOLE GIVE INITIAL CONSIDERATION AND FORWARD THE DRAFT DEVELOPMENT AGREEMENT AND HERITAGE ALTERATION FOR 620 MAIN STREET (PID 55383137) TO A PUBLIC HEARING BEFORE A FINAL DECISION BY COUNCIL.

DRAFT MOTION – December 17, 2019 Town Council meeting

THAT COUNCIL APPROVE THE DEVELOPMENT AGREEMENT FOR PID 55383137 TO ALLOW FOR EXPANSION OF THE EXISTING DINING ROOM AREA.

REQUEST FOR DECISION 070-2019

Title: Development Agreement and Heritage Alteration
620 Main Street – Tattingstone Inn
Date: ~~2019-11-05~~ December 17, 2019
Department: Planning and Development



1) CAO COMMENTS

None required.

2) LEGISLATIVE AUTHORITY

See PAC Staff report (attached).

3) STAFF RECOMMENDATION

As above.

4) REFERENCES AND ATTACHMENTS

- (a) See PAC Staff report (attached) – including the Heritage Property Information and Draft Development Agreement.

5) DISCUSSION

The Tattingstone Inn is seeking to expand the existing dining room area to improve the overall offering on the site. The Design Review Committee, Heritage Advisory Committee and Planning Advisory Committee have all reviewed the application and provided positive recommendations.

See attached PAC Staff Report for additional details.

6) FINANCIAL IMPLICATIONS

N/A

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

See PAC Staff report (attached).

8) COMMUNICATION REQUIREMENTS

If approved, a public hearing will require advertising and direct mail to residents.

9) ALTERNATIVES

Alternatives to the above recommendation may include:

- a. Recommend the proposal, subject to specific changes.
- b. Recommend specific changes and that another review by the Planning Advisory Committee take place.

REQUEST FOR DECISION 070-2019

Title: Development Agreement and Heritage Alteration
620 Main Street – Tattingstone Inn
Date: ~~2019-11-05~~ December 17, 2019
Department: Planning and Development



ATTACHMENT (A)

PAC STAFF REPORT AND DRAFT DA – October 24, 2019

REPORT TO PLANNING ADVISORY COMMITTEE
Development Agreement Proposal (Heritage Property)
620 Main Street

Date: October 24, 2019

Department: Planning & Development



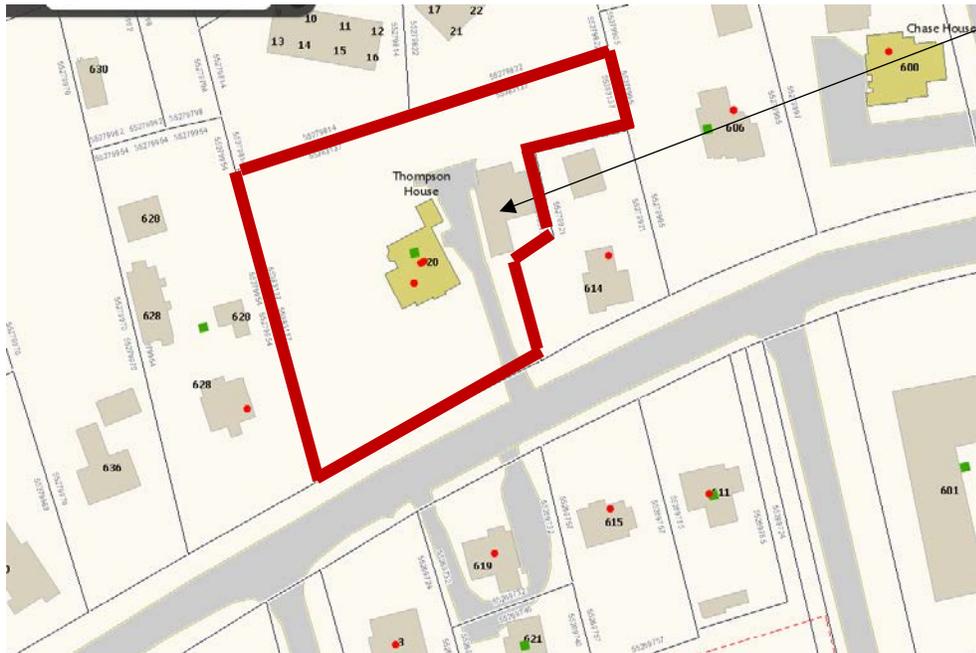
APPLICANT	Randy Banting on behalf of 3290408 Nova Scotia Ltd.
PROPOSAL	To allow for the expansion of an existing registered heritage building beyond 10% of the total floor area.
LOCATION	620 Main Street, PID 55383137
LOT SIZE	5620 Square Meters
DESIGNATION	Medium Density Residential (MDR)
ZONE	Special Commercial (C-4)
SURROUNDING USES	Residential, Special Commercial (bed and breakfast, inns), Long term care facility.
ARCHITECTURAL GUIDELINES	The existing property is within the 'West Main Street' Architectural Control area.
NEIGHBOUR NOTIFICATION	Email list from PIM meeting; Newspaper ads and notices mailed to surrounding property owners within 100 metres; Sign placed on property

REPORT TO PLANNING ADVISORY COMMITTEE
Development Agreement Proposal (Heritage Property)
620 Main Street

Date: October 24, 2019
Department: Planning & Development



PROPERTY LOCATION



620 Main Street is located west of the commercial core, as shown in Figure 1.

Figure 1 – Context Map

PROPOSAL

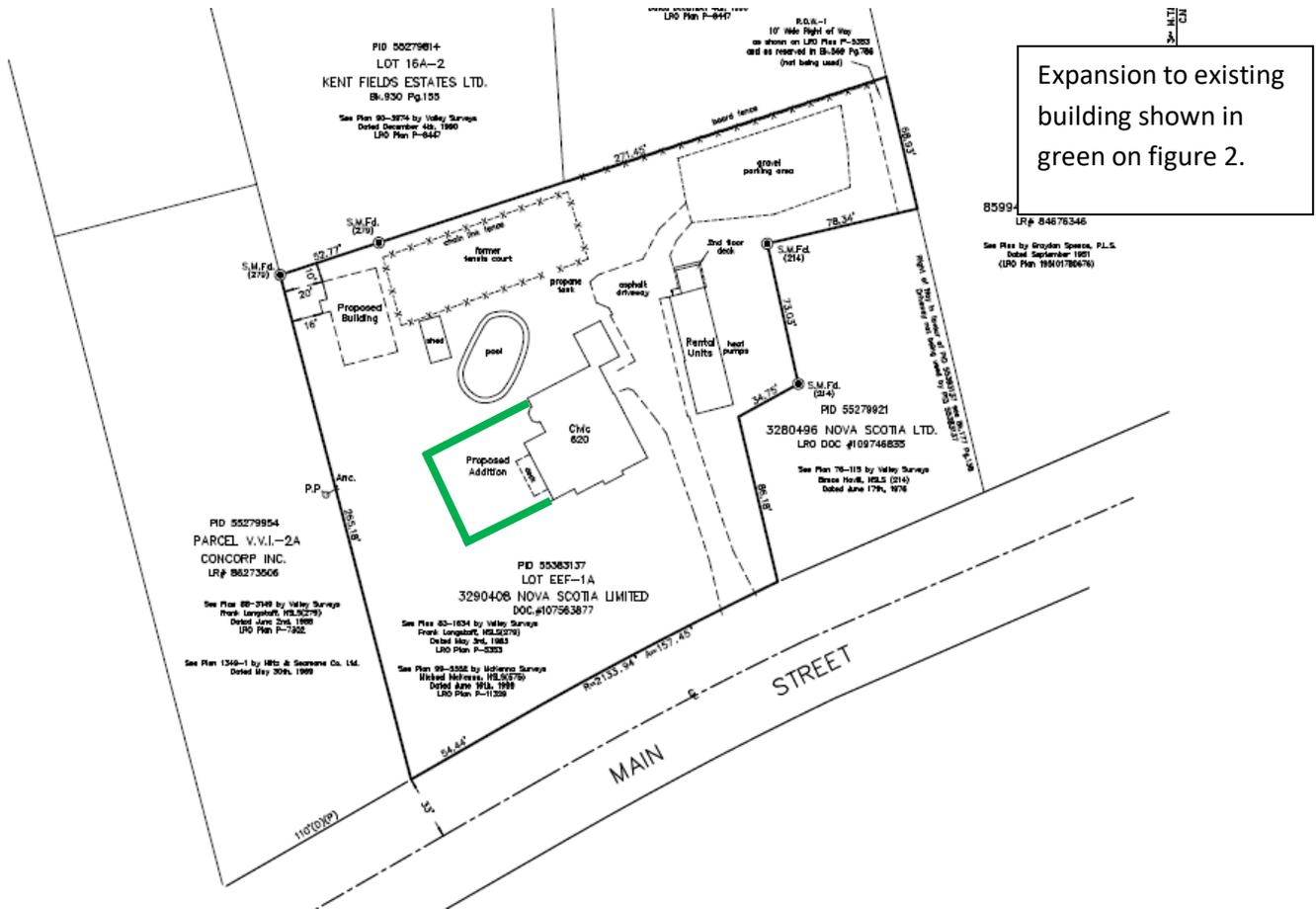
The applicant is seeking a development agreement that would permit an expansion to what is currently the dining area as part of an expansion of the existing hospitality services offered.

REPORT TO PLANNING ADVISORY COMMITTEE
Development Agreement Proposal (Heritage Property)
620 Main Street

Date: October 24, 2019
 Department: Planning & Development



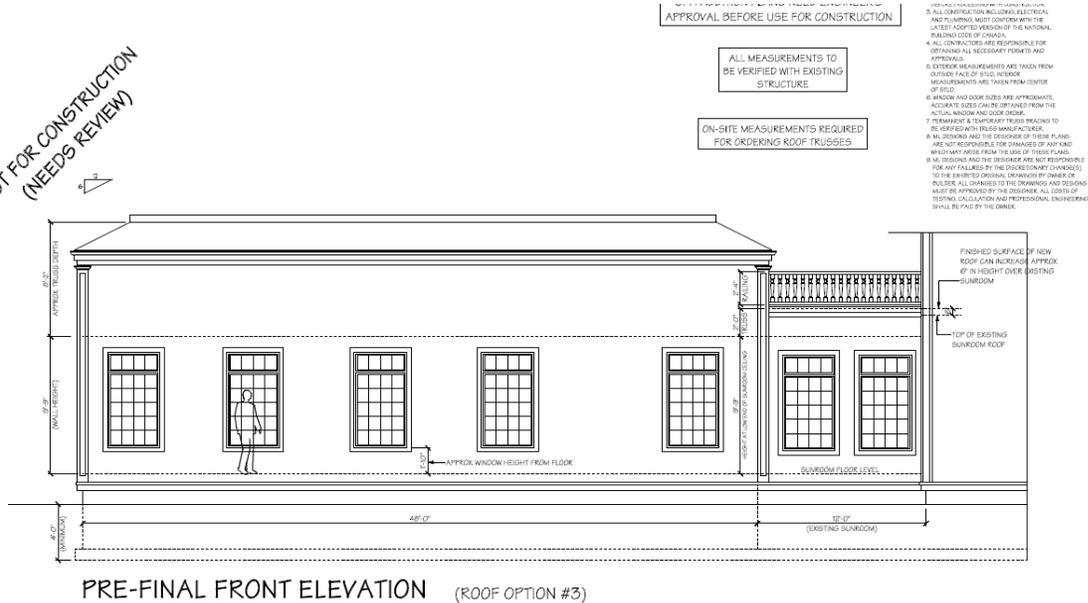
Proposed Site/Landscaping Plan (Figure 2)



Proposed Elevations of the expansion (Figure 3&4)



NOT FOR CONSTRUCTION
(NEEDS REVIEW)



PRE-FINAL FRONT ELEVATION (ROOF OPTION #3)

APPROVAL BEFORE USE FOR CONSTRUCTION

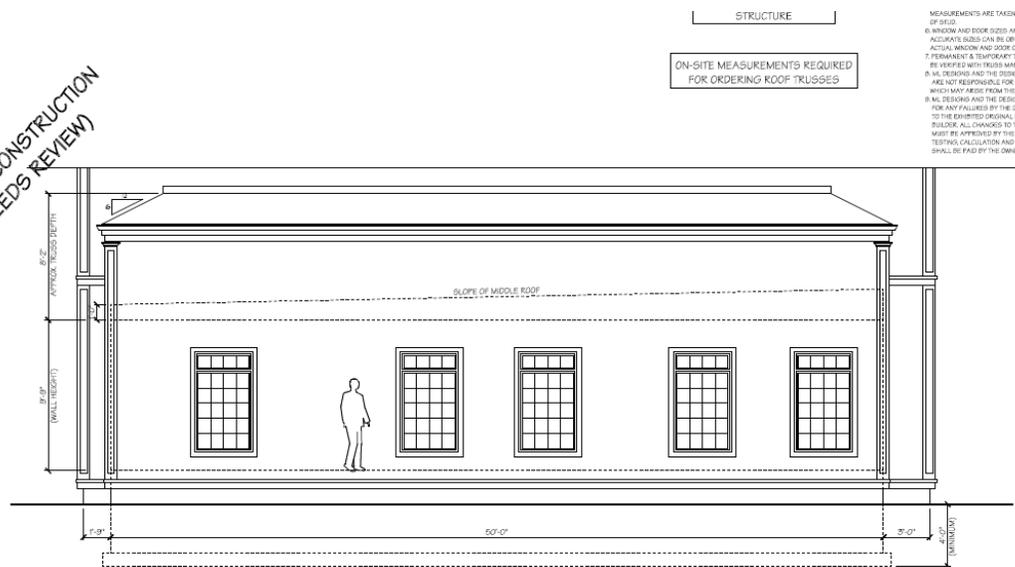
ALL MEASUREMENTS TO BE VERIFIED WITH EXISTING STRUCTURE

ON-SITE MEASUREMENTS REQUIRED FOR ORDERING ROOF TRUSSES

VERIFIED MEASUREMENTS BY LAND SURVEYOR
 3. ALL CONSTRUCTION INCLUDING ELECTRICAL AND PLUMBING MUST CONFORM WITH THE LATEST ADOPTED VERSION OF THE NATIONAL BUILDING CODE OF CANADA.
 4. ALL CONTRACTORS ARE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 5. EXISTENCE MEASUREMENTS ARE TAKEN FROM OUTSIDE FACE OF BRICK WORK. MEASUREMENTS ARE TAKEN FROM CENTER OF WALL.
 6. WINDOW AND DOOR SIZES ARE APPROXIMATE. ACCURATE SIZES CAN BE OBTAINED FROM THE ACTUAL WINDOW AND DOOR ORDER.
 7. PERMANENT & TEMPORARY TRUSSES REACHED TO BE VERIFIED WITH TRUSS MANUFACTURER.
 8. M/L DESIGNER AND THE DESIGNER OF THESE PLANS ARE NOT RESPONSIBLE FOR DAMAGES OF ANY KIND WHICH MAY ARISE FROM THE USE OF THESE PLANS.
 9. M/L DESIGNER AND THE DESIGNER ARE NOT RESPONSIBLE FOR ANY FAILURES BY THE STRUCTURE CHARGED TO THE EXISTING ORIGINAL DRAWINGS BY OWNER OR BUILDER. ALL CHANGES TO THE DRAWINGS AND DESIGN MUST BE APPROVED BY THE DESIGNER. ALL COSTS OF TESTING, CALCULATION AND PROFESSIONAL ENGINEERING SHALL BE PAID BY THE OWNER.

Historic Photo Database, S&P 1000 Main Street, Suite 103 Wolfville, NS B0V 1L0 Phone: 902-207-2037 Email: info@wolfvillephoto.com	
PRE-FINAL SOUTH ELEVATION DRAWN BY: MICHAEL LAVRENE DATE: JUNE 12, 2019	PLAN NO.: 2019-10 SCALE: N.T.S. REVISIONS:
PROPOSED SPA ADDITION FOR KANDY & ERIKA BANTING 35 STONE INN WOLFVILLE, N.S.	DRAWN BY: MICHAEL LAVRENE DATE: JUNE 12, 2019

NOT FOR CONSTRUCTION
(NEEDS REVIEW)



PRE-FINAL WEST ELEVATION (ROOF OPTION #3)

STRUCTURE

ON-SITE MEASUREMENTS REQUIRED FOR ORDERING ROOF TRUSSES

MEASUREMENTS ARE TAKEN FROM CENTER OF WALL
 6. WINDOW AND DOOR SIZES ARE APPROXIMATE. ACCURATE SIZES CAN BE OBTAINED FROM THE ACTUAL WINDOW AND DOOR ORDER.
 7. PERMANENT & TEMPORARY TRUSSES REACHED TO BE VERIFIED WITH TRUSS MANUFACTURER.
 8. M/L DESIGNER AND THE DESIGNER OF THESE PLANS ARE NOT RESPONSIBLE FOR DAMAGES OF ANY KIND WHICH MAY ARISE FROM THE USE OF THESE PLANS.
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PRE-FINAL WEST ELEVATION DRAWN BY: MICHAEL LAVRENE DATE: JUNE 12, 2019	PLAN NO.: 2019-10 SCALE: N.T.S. REVISIONS:
PROPOSED SPA ADDITION FOR KANDY & ERIKA BANTING 35 STONE INN WOLFVILLE, N.S.	DRAWN BY: MICHAEL LAVRENE DATE: JUNE 12, 2019

PROCESS & NEXT STEPS

Section 230 of The Municipal Government Act (MGA) establishes the process for the approval of a Development Agreement. This process requires review by the Planning Advisory Committee and the holding of a Public Hearing by Council prior to a decision by Council to approve or reject the proposal. The

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decision by Council may be appealed to the Nova Scotia Utility and Review Board by an aggrieved person or by the Applicant.

The first stage of the application review process began at the Public Information Meeting (PIM) held on July 3, 2018. Property owners within 100 metres of the development were notified by mail, indicating that the site was subject to a development agreement application. The purpose of the PIM was to provide the public with an opportunity to offer preliminary feedback on the request and allow the applicant to answer any questions that would arise. The subject property is located within the 'East Main Street Architectural Control Area requiring review by the Town's Design Review Committee (DRC). The Application was reviewed by the DRC on July 2018, June 2019, and September 2019. Following each DRC meeting Staff provided comments to the Applicant on design. Subsequently, the Applicant provided a revised design that is included herein for consideration by PAC and Council.

The next step in the Development Agreement process (as shown below), will be to have the Planning Advisory Committee (PAC) review this report and provide a recommendation to Council. Council will then provide Initial Consideration, and if passed, a Public Hearing will be scheduled prior to a decision on the proposal from Council.

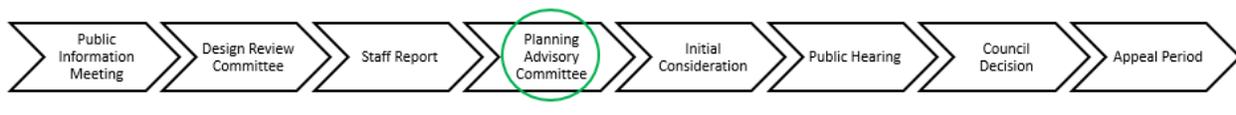


Figure 5 – Development Agreement Process

POLICY REVIEW & DISCUSSION

The property is designated Medium Density Residential (MDR) in the [Municipal Planning Strategy](#) (MPS) and zoned Special Commercial (C-4) in the [Land Use Bylaw](#) (LUB). Bounded by Main Street to the south, the property is an existing building on approximately 5620 square meters, just outside the Tidal Flood Risk boundaries.

The Municipal Planning Strategy (MPS) includes several policies for Council to consider when reviewing such an application. This section provides relevant policies for this development proposal and discussion on criteria set out within these policies.

Municipal Planning Strategy – Part 5 – Objectives

Within the list of objectives outlined in Part 5 of the MPS, the two objectives most relevant to the proposed development are 5.1.9 and 5.1.12. These objectives read as follows:

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“5.1.12 to encourage the preservation of the architectural and cultural heritage of the Town and minimize the impact of new development on this heritage.”

“5.1.13 to encourage opportunities for development and employment which foster the Town as a regional cultural, tourism and educational centre.”

Municipal Planning Strategy – Part 9 – Commercial Development and Land Use

*“9.5.2 to permit in areas zoned Special Commercial (C-4):.....
.... uses in existence before the date of approval of this Municipal Planning Strategy
and listed in the Special Commercial (C-4) Zone of the Land Use By-law.”*

*“9.5.3 to consider only by development agreement in areas zoned Special Commercial
(C-4), proposals for....
....” Bed & Breakfasts in excess of 3 guestrooms and Inns provided that the
proposed use is located within an Architectural Control Area and is in
accordance with policies 12.1.4, 12.1.5 and 18.6.1.”*

Municipal Planning Strategy – Part 12 – Architectural Heritage

“12.1.4 to require that all developments located within a designated Architectural Control Area be consistent with the design principles and guidelines contained in the appropriate Architectural Guidelines Manual.”

“12.1.5 to ensure that when considering development agreements, the architectural character of any proposed new building, or the addition to or alteration of any building is visually compatible with the established architectural character of other buildings in the neighbourhood, in terms of height, bulk, scale, roof shape, materials, and relationships of windows and doors and architectural details. Require that the applicable Design Review checklist contained in the Architectural Guidelines Manuals be satisfactorily completed as part of the development agreement application.”

“12.1.7 to consider only by development agreement in the area designated as Downtown Architectural Control Area proposals for new main buildings in excess of 100 square metres, additions to existing buildings that constitute more than 25% of the building floor area of the existing building, and additions to registered heritage properties that constitute more than 10% of the building floor area of the existing heritage building in accordance with policy 18.6.1.”

A review of Policy 18.6.1 in the MPS is included below.

See below for discussion and comments from the Design Review Committee in the Attachments.

Municipal Planning Strategy – Part 16 – Landscaping, Lighting, Open Storage and Accessory Structures

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“16.1.1 to require landscaping in any development subject to a development agreement and to establish time frames for its installation, in order to enhance or preserve the character and environment of the neighbourhood, to provide screening or buffers and to reduce conflict with adjacent land uses...”

Municipal Planning Strategy – Part 18 – Implementation

The policies 9.2.4 & 12.1.7 outlined in the MPS states that a “development is in accordance with Policy 18.6.1.” Policy 18.6.1 of the MPS contains general policies that are to be considered for all development agreement applications. An overview of issues arising from these general criteria is reviewed below in Table A while a summary of the entire policy, with Staff comment to each criterion, is provided as *Attachment 1*.

Table A – Discussion of MPS Policy 18.6.1	
Select Criterion	Discussion
1. Conflict with adjacent land uses	<p>Section 18.6.1 (b) of the MPS states:</p> <p><i>“to ensure that the development does not cause conflict with adjacent land uses, disturb the quiet enjoyment of adjacent lands, or alter the character and stability of surrounding neighbourhoods...”</i></p> <p><i>(i) The type and intensity of use;”</i></p> <p>Uses surrounding the lot are similar to the proposed development – a mix of residential and commercial-accommodation services.</p> <p>The proposed development of this vacant lot should not cause conflict with adjacent land uses, nor would it be out of character with the surrounding neighbourhood as it is intended for the same purposes as the previously existing building.</p>
2. Architectural Features	<p>Section 18.6.1 (g) of the MPS states:</p> <p><i>“to ensure that the proposed site and building design provides the following:</i></p>

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	<p>(viii) <i>architectural features, including but not limited to, mass, scale, roof style, trim elements, exterior cladding materials, and the shape, size and relationship of doors and windows; that are visually compatible with surrounding buildings in the case of a new building or with the existing building in the case of an addition;</i>"</p> <p>The property is located within the Downtown Architectural Control Area, which consists of commercial uses and historic facades.</p> <p>Staff worked with the Applicant and the Design Review Committee to ensure this proposal meets the intent of the Architectural guidelines and maintains the Heritage Character of the registered heritage property.</p>
--	--

Staff believe the development proposal is consistent with the intent and criteria set out in Policy 18.6.1 of the MPS. A summary table for MPS Policy 18.6.1 with Staff comment to each criterion is provided in *Attachment 1*.

Heritage Property Act

In addition, all registered Heritage Properties are subject to the Heritage property act which states:

17 Approval to alter or demolish municipal heritage property:

- (1) Municipal heritage property shall not be substantially altered in exterior or public-building interior appearance or demolished without the approval of the municipality.
- (2) An application for permission to substantially alter the exterior or public-building interior appearance of or demolish municipal heritage property shall be made in writing to the municipality.
- (3) Upon receipt of the application, the municipality shall refer the application to the heritage advisory committee for its recommendation.
- (4) Within thirty days after the application is referred by the municipality, the heritage advisory committee shall submit a written report and recommendation to the municipality respecting the municipal heritage property.

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(5) The municipality may grant the application either with or without conditions or may refuse it.

(6) The municipality shall advise the applicant of its determination. *R.S., c. 199, s. 17; 2010, c. 54, s. 13.*

When looking to what is ‘substantial’ we refer to the guidelines for determining substantial alterations from the Province’s guide to registering heritage properties. This guide defines a ‘substantial alteration’ as “any change that alters in an important way the exterior appearance of a registered heritage property.” Specifically stated are:

- Any change in the exterior surface material; and
- Any alteration of a feature identified at the time of registration as especially interesting, very rare, or unique.

The expansion of building is considered a substantial alteration due to scale. According to the “*Standards and Guidelines for the Conservation of Historic Places in Canada*” The following factors should be considered in making any recommendation(s) or decisions on the request to alter an existing registered heritage property:

Guideline	Staff Comment
<p>Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place</p>	<p>The request is to expand the building and business, to better serve patrons of Tattingstone Inn. Noted character defining elements are not altered.</p>
<p>Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and</p>	<p>The materials used shall conform to existing historical styles, with modern materials, as approved by the Development Officer</p>

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visually compatible with, subordinate to and distinguishable from the historic place.	
Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.	This expansion is not anticipated to dramatically alter the original building structure.

More information on the Tattingstone’s Heritage Property Act registration (“Thompson House”) can be found here: <https://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=6515>

REVIEW FROM OTHER DEPARTMENTS

Forthcoming review by Public Works department before Public Hearing is held.

PUBLIC INFORMATION MEETING

The Town held a Public Information Meeting on July 3, 2018. Results of this meeting are not included no one attended.

DESIGN REVIEW COMMITTEE

The Design Review Committee reviewed multiple renditions of this proposal over the past 18 months. Feedback from each meeting was incorporated to a limited extent. At this time, the Design Review Committee believes that PAC should provide a positive recommendation as this is a positive outcome for this process.

SUMMARY OF DRAFT DEVELOPMENT AGREEMENT PROVISIONS

- To allow for the expansion of the existing heritage-registered main-building

COMMENTS & CONCLUSIONS

The proposal is for an expansion of an existing heritage building, with the intention to maintain heritage design and character in the new expansion.

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Staff believe the development proposal meets the overall intent of the Municipal Planning Strategy and is consistent with relevant policies.

STAFF RECOMMENDATION

Staff recommends that the Planning Advisory Committee provide a positive recommendation to Council regarding the Draft Development Agreement for PID 55383137 and that the attached Draft Development Agreement be forwarded to Council for Initial Consideration before a Public Hearing is held.

A recommendation from both the Planning Advisory Committee (PAC) and the PAC acting in their role as Heritage Advisory Committee (as per the *Heritage Property Act*) will be sought at the October 24th, 2019 Planning Advisory Committee meeting.

ATTACHMENTS

1. Policy Summary Tables
2. Draft Development Agreement (with site plan)

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ATTACHMENT 1 – Policy Summary Tables

Policy 18.6.1 of the MPS states the general policies for all development agreements. As part of the review for this section, staff may have contacted other departments or outside agencies to seek specific information. The following table outlines the policy and provides Staff comment:

General Development Agreement Policies of the MPS (Section 18.6.1)	Staff Comment
<p>(a) <i>to ensure that the proposal conforms to the intent of the MPS and to all other applicable Town By-Laws and regulations, except where the application for a development agreement modifies the requirements of the LUB or Subdivision By-Law.</i></p>	<p>This proposal is enabled for consideration by development agreement and in Staff’s opinion the proposal is consistent with the intent of the MPS.</p>
<p>(b) <i>to ensure that the development does not cause conflict with adjacent land uses, disturb the quiet enjoyment of adjacent lands, or alter the character and stability of surrounding neighbourhoods through:</i></p>	
<p><i>i) the type and intensity of use</i></p>	<p>Uses surrounding the lot are similar to the proposed development – a mix of residential and commercial-accommodation services.</p> <p>The proposed development should not cause conflict with adjacent land uses, nor would it be out of character with the surrounding neighbourhood as it is intended for the same purpose as the previously existing building.</p>
<p><i>ii) the height, mass or architectural design of proposed buildings</i></p>	<p>The proposal includes maintaining the existing character of the heritage building.</p> <p>The proposed development has been reviewed by the Design Review Committee and is compliant with the Architectural guidelines.</p> <p>See <i>Design Review Committee</i> section above.</p>
<p><i>iii) hours of operation of the use</i></p>	<ul style="list-style-type: none"> • No change.

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iv) <i>outdoor lighting</i>	<ul style="list-style-type: none"> outdoor lighting will be required to not cause negative impacts to adjacent properties
v) <i>noise, vibration, or odour</i>	<ul style="list-style-type: none"> the dwelling units on this property may result in minimal increased noise
vi) <i>vehicles and pedestrian traffic</i>	<ul style="list-style-type: none"> Public Works to Review.
vii) <i>alteration of land levels/or drainage patterns</i>	<ul style="list-style-type: none"> Public Works to Review.
viii) <i>deprivation of natural light</i>	<ul style="list-style-type: none"> No issues anticipated.
(c) <i>to ensure that the capacity of local services is adequate to accommodate the proposed development and such services will include, but not be limited to the following:</i>	
i) <i>sanitary and storm sewer systems</i>	<ul style="list-style-type: none"> Adequate capacity
ii) <i>water systems</i>	<ul style="list-style-type: none"> Adequate capacity
iii) <i>schools</i>	<ul style="list-style-type: none"> No issues
iv) <i>recreation and community facilities</i>	<ul style="list-style-type: none"> No issues
v) <i>fire and police protection</i>	<ul style="list-style-type: none"> No issues
vi) <i>street and walkway networks</i>	<ul style="list-style-type: none"> No issues
vii) <i>solid waste collection and disposal systems</i>	<ul style="list-style-type: none"> No issues
(d) <i>to ensure that the proposal is not premature or inappropriate by reason of the financial ability of the town to absorb capital and/or maintenance costs related to the development.</i>	<ul style="list-style-type: none"> No costs to be incurred by the Town
(e) <i>to ensure that the proposal does not cause environmental damage or damage to adjacent properties through:</i>	
i) <i>pollution of soils, water or air</i>	<ul style="list-style-type: none"> No issues

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<i>ii) erosion or sedimentation</i>	<ul style="list-style-type: none"> • Public Works to Review.
<i>iii) interference with natural drainage systems</i>	<ul style="list-style-type: none"> • See above
<i>iv) flooding</i>	<ul style="list-style-type: none"> • See above
(f) <i>to ensure that the proposal protects and preserves matters of public interest such as, but not limited to:</i>	
<i>i) historically significant buildings</i>	<ul style="list-style-type: none"> • No issues
<i>ii) public access to shorelines, parks and public and community facilities</i>	<ul style="list-style-type: none"> • No issues
<i>iii) important and significant cultural features, natural land features and vegetation</i>	<ul style="list-style-type: none"> • No issues
(g) <i>to ensure that the proposed site and building design provides the following:</i>	
<i>i) useable active transportation networks that contribute to existing active transportation links throughout the community</i>	<ul style="list-style-type: none"> • Adjacent to sidewalks and near active transportation trails (Harvest Moon Trail).
<i>ii) functional vehicle circulation and parking and loading facilities designed to avoid congestion on or near the property and to allow vehicles to move safely within and while entering and exiting the property</i>	<p>As the proposed building is intended for the same purposes as the previously existing building, Staff believe parking, traffic, and egress are suitable for this development.</p> <p>Public Works to Review</p>
<i>iii) facilities for the safe movement of pedestrians and cyclists</i>	<ul style="list-style-type: none"> • Not applicable
<i>iv) adequate landscaping features such as trees, shrubs, hedges, fences, flower beds and lawns to successfully integrate the new development into the surrounding area</i>	<ul style="list-style-type: none"> • Landscaping and buffering shall be required as per existing policy.

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<p>v) <i>screening of utilitarian elements, such as but not limited to; mechanical and electrical equipment, and garbage storage bins</i></p>	<ul style="list-style-type: none"> • No change
<p>vi) <i>safe access for emergency vehicles</i></p>	<ul style="list-style-type: none"> • No issues
<p>vii) <i>adequate separation from, and consideration of, public and private utility corridors to ensure their continued safe and functional operation</i></p>	<ul style="list-style-type: none"> • Not applicable
<p>viii) <i>architectural features, including but not limited to, mass, scale, roof style, trim elements, exterior cladding materials, and the shape, size and relationship of doors and windows; that are visually compatible with surrounding buildings in the case of a new building or with the existing building in the case of an addition</i></p>	<p>The property is located within an Architectural Control Area.</p> <p>Staff worked with the Applicant and the Design Review Committee to ensure this proposal meets the intent of the Architectural guidelines and maintains the Heritage Character of the registered heritage property.</p>
<p>ix) <i>useable outdoor amenity space for use of residents in a residential development</i></p>	<ul style="list-style-type: none"> • Not applicable
<p>x) <i>accessible facilities for the storage and collection of solid waste materials</i></p>	<ul style="list-style-type: none"> • No change.
<p>xi) <i>appropriate consideration for energy conservation</i></p>	<ul style="list-style-type: none"> • No change.
<p>xii) <i>appropriate consideration of and response to site conditions, including but not limited to; slopes, soil, and geological conditions, vegetation, watercourses, wet lands, and drainage</i></p>	<ul style="list-style-type: none"> • site conditions have been taken into consideration

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(h) where Council determines, on the advice of a licensed professional, that there is a significant risk of environmental damage from any proposed development which does not require an assessment under the Environmental Assessment Act, environmental studies shall be carried out at the expense of the developer for the purpose of determining the nature and extent of any environmental impact and no agreement shall be approved until Council is satisfied that the proposed development will not create or result in undue environmental damage

- No issues identified

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Policy 18.6.2 establishes what conditions may be established in the development agreement. The conditions are limited to those listed, and to the specific policies guiding the particular type of development.

Policy 18.6.2 of the MPS	
SECTION 18.6.2	STAFF COMMENT
<p>18.6.2 that a development agreement may contain such terms and conditions that are provided for in Section 227 of the Municipal Government Act which ensures that the proposed development is consistent with policies of this Municipal Planning Strategy. The agreement may include some or all of the following:</p> <ul style="list-style-type: none"> (a) the specific type of use; (b) the size of the structure(s) within a development; (c) the percentage of land that may be built upon and the size of yards, courts, or other open spaces; (d) the location of structure(s) in relation to watercourses, steep slopes and development constraint areas; (e) storm water drainage plans; (f) the maximum and minimum density of the population within the development; the architectural design or external appearance of structures, in 	<ul style="list-style-type: none"> • The draft Development Agreement includes terms and conditions in relation to many of the items included in 18.6.2.

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<p><i>particular its compatibility with adjacent structures, where required by policy;</i></p> <p>(g) <i>traffic generation, access to and egress from the site and impact on abutting streets and parking;</i></p> <p>(h) <i>landscape design plan indicating the type, size and location of all landscaping elements that buffer or screen the development. This may also include fencing, walkways and outdoor lighting;</i></p> <p>(i) <i>open storage and outdoor display;</i></p> <p>(j) <i>public display or advertising;</i></p> <p>(k) <i>maintenance of the development;</i></p> <p>(l) <i>any other matter which may be addressed in the Land Use By-law or Subdivision By-Law, such as parking requirements, yard requirements, etc.;</i></p> <p>(m) <i>site specific information relating to soils, geology, hydrology and vegetation.</i></p>	
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ATTACHMENT 2 – Draft Development Agreement

This **Development Agreement** is made this _____ day of _____, 2019.

BETWEEN:

3290408 Nova Scotia Ltd.

(Hereinafter called the “Developer”)

OF THE FIRST PART

- and -

TOWN OF WOLFVILLE

A municipal body corporate,

(Hereinafter called the “Town”)

OF THE SECOND PART

WHEREAS the Developer has requested that the Town enter into a Development Agreement relating to the use and development of the Lands (PID 55383137) pursuant to the provisions of the Municipal Government Act and the Municipal Planning Strategy for the Town of Wolfville;

AND WHEREAS a condition of granting approval for the development of the Lands is that the parties enter into this Development Agreement;

AND WHEREAS the Town Council of the Town, at its meeting on **October 16th, 2018** approved entering into this Development Agreement to permit the establishment of one commercial unit, and one residential unit on the Lands, subject to the registered owner of the Lands entering into this Development Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in consideration of the covenants made in this Development Agreement and other valuable consideration the Developer and the Tenant and the Town agree to the following terms.

1. Schedules

The following schedules form part of this Development Agreement:

Schedule “A” – Legal Parcel Description of Lands

Schedule “B” – Site Plan

Schedule “C” – Architectural Design

2. Definitions

2.1 In this Development Agreement:

“Building By-Law” means Chapter 65 of the By-Laws of the Town of Wolfville.

“Developer” means the owner(s) of the lands, their heirs, successors, assigns, and all subsequent owners of the lands.

“Development” means the expansion of the existing heritage property.

“Development Officer” means the Development Officer appointed by the Town of Wolfville under the provisions of the *Municipal Government Act*.

“Engineer” means the Engineer appointed by the Town of Wolfville under the provisions of the *Municipal Government Act*.

“Effective date” means the date on which this Development Agreement is deemed to be entered into under the terms of this Development Agreement.

“Lands” means the real property in the Town of Wolfville owned by the Developer, PID 55383137, and as described in Schedule “A”.

“Land Use By-Law” means the Land Use By-Law of the Town of Wolfville in force from time to time, adopted and amended by the Wolfville Town Council under the provisions of the *Municipal Government Act*. At the date of this Development Agreement, it is the Land Use By-Law adopted by Council on September 23, 2008, and recorded at the Kentville Land Registry Office on November 6, 2008, as Document Number 92078600.

“Municipal Planning Strategy” means the municipal planning strategy of the Town of Wolfville in force from time to time, adopted and amended by the Wolfville Town Council under the provisions of the *Municipal Government Act*. At the date of this Development Agreement, it is the Municipal Planning Strategy adopted by Council on September 23, 2008, and recorded at the Kentville Registry of Deeds Office on November 6, 2008, as Document Number 92078543.

“MGA” means the *Municipal Government Act*, S.N.S. 1998, c. 18, as amended.

“Planning Documents” means Land Use Bylaw, Municipal Planning Strategy, and Subdivision Bylaw.

2.2 Where terms (words or phrases) are not defined in this Development Agreement, definitions in the Town’s planning documents shall apply. Where terms are not

defined in the planning documents, definitions in the MGA shall apply. Where terms are not defined in the aforementioned sources, their ordinary meaning shall apply.

3. Relevance of Planning Documents and Other Regulations

3.1 This Development Agreement contains definitions and regulations for the Development. It complements the Town's Planning Documents. Unless specified in this Development Agreement, requirements in the Town's Planning Documents shall apply. Where there is a conflict between this Development Agreement and the Planning Documents, this Development Agreement shall prevail.

3.2 Regulations outside of this Development Agreement or the Town's Planning Documents may be applicable to the Development. However, the terms of this Development Agreement shall not be materially changed in order to comply with such regulations without an amendment to this Development Agreement.

4. Background

The Developer wishes to expand the existing heritage building at 620 Main Street to accommodate the growing business.

5. Terms

5.1 Development Conditions

5.1.1 Permits and Approvals

5.1.1.1 This Development Agreement allows the Developer to obtain development permits, other permits, and permissions to allow uses permitted by this Agreement.

5.1.1.2 The Developer shall be responsible for obtaining all necessary permits and approvals required by law for the Development, including but not limited to development permits, building permits, and any approvals required from the Province of Nova Scotia.

5.1.1.3 Obligations or other requirements in this Development Agreement are those of the Developer, unless otherwise specified.

5.1.1.4 No occupancy permit shall be granted for this Development until all provisions of this agreement are met, except for landscaping requirements that cannot be met due to seasonal restrictions.

5.1.2 Land Use

5.1.2.1 The following uses are permitted:

- (a)** Continuation of existing use and,
- (b)** other accessory uses permitted as by the Land Use Bylaw for the corresponding zone.

5.1.3 Landscaping & Site Requirements

5.1.3.1 The Development shall conform to the zone standards of the Land Use By-law, except as otherwise established by this Agreement.

5.1.3.2 All Development shall occur on the Lands.

5.1.3.3 Development on the Lands shall be built generally in accordance with the Site Plan and Specifications of Schedule "B", which may be varied to accommodate location of outdoor decks, patios, porches and vegetation.

5.1.3.4 The Developer shall establish and maintain all non-hard surface areas on the Lands as landscaped areas.

5.1.3.5 Storm water runoff from the Lands shall not be directed onto adjacent properties unless permission is obtained from the adjacent property owner for the direction of such storm water runoff.

5.1.3.6 No parking shall be permitted on non-hard surfaced areas of the site.

5.1.3.7 The Developer shall provide sufficient onsite lighting for all driveways and walkways on the Lands to provide for the reasonable safety and security of vehicles and pedestrians. All exterior lighting fixtures shall direct light toward the ground as to prevent the unreasonable illumination of adjacent properties.

5.1.4 Municipal Services

5.1.4.1 The parties agree that municipal sanitary sewer and water services are available.

5.1.4.2 The Town makes no warranties, guarantees or claims as to the adequacy of the Town's water supply to provide the recommended Fire Flow amounts for protection of the building from fire. The Developer shall satisfy itself that the available fire flows are satisfactory to meet its needs.

5.1.5 Refuse Storage and Utility Equipment

5.1.5.1 Refuse, compost, recyclables, and other similar matters shall be stored within the building(s), or within accessory structures or containers pursuant to the requirements of the Land Use Bylaw, Valley Region Solid Waste-Resource Management By-Law, and other applicable regulations.

5.1.5.2 Containers referenced in 5.1.5.1 shall be located so that they are visually screened.

5.1.5.3 Utility equipment such as mechanical and electrical equipment shall be visually screened by fencing or landscaping.

5.1.6 General Maintenance and Operation

5.1.6.1 Buildings, landscaping, and other related features shall be maintained in good condition, pursuant to the Town's Property Minimum Standards By-law.

5.1.7 Architecture

5.1.7.1 The developer shall build the development generally as illustrated in Schedule "C", Architectural Design.

5.1.8 Timing

5.1.8.1 This Development Agreement shall be deemed entered into on the day following the day on which the time for appeal of Town Council's approval has elapsed, or the day on which any appeals have been disposed of and the policy of the Wolfville Town Council approving this Development Agreement has been affirmed by the Nova Scotia Utilities and Review Board, under the provisions of the MGA, or other judiciary body as applicable.

5.1.8.2 This Development Agreement does not come into effect until the requirement of Section 228(3) of the Municipal Government Act are fulfilled and this development agreement is filed in the Registry of Deeds. All other time requirements imposed in this Development Agreement shall be calculated from that date, the effective date.

5.1.8.3 All Development enabled by this Agreement shall be completed within three (3) years. Upon failure to meet this timing requirement, the Town may discharge this Development Agreement without the consent of the Developer or Tenant.

5.1.9 Amendment

5.1.9.1 With the exception of matters which the Town and the Developer do not consider to be substantive, the amendment of any other matter in this Development Agreement can only be made under the provisions of Section 230 of the MGA, including the holding of a Public Hearing.

5.1.9.2 Following are matters in this Development Agreement which the Town and the Developer do not consider to be substantive:
(a) The requirements for completion imposed by section 5.1.8.3.

5.1.10 Expenses

5.1.10.1 The Developer shall pay all costs and expenses incurred by the Town related to this Development Agreement.

5.1.11 Liability

5.1.11.1 The Developer shall be liable for any damage caused to persons or public or private property by the Developer or any contractor or other individual doing work related to the Development. The Developer shall indemnify the Town and save it harmless from any claim, cause of action, or liability in any way relating to the Development. The Developer shall obtain and maintain in force throughout the course of construction on the Development, liability insurance coverage to insure the responsibilities which the Developer is assuming in this section.

5.1.12 Default

5.1.12.1 If the Developer fails to comply strictly with any term of this Development Agreement or any legislation applicable to this

Development Agreement, the Town may, after 30 days notice in writing to the Developer, enter the lands and perform any obligation with which the Developer has failed to comply strictly. All expenses arising out of the entry of the Lands and performance of the obligations may be recovered by the Town from the Developer by direct suit and shall form a charge upon the Lands. The Developer shall pay interest on any sum so expended by the Town at the same monthly rate charged by the Town for tax arrears on the outstanding balance from time to time. Such interest costs shall be treated as an expense.

5.1.12.2 If the Developer breaches any of the terms of this Development Agreement, the Town, at its sole option, may:

- (a)** Terminate this Development Agreement;
- (b)** Exercise its rights under paragraph 5.1.12.1 above; or,
- (c)** Take no action.

5.1.12.3 Any election by the Town to take no action on a breach of this Development Agreement by the Developer shall not bar the Town from exercising its rights under this Development Agreement on any other breach.

5.1.12.4 Any expenses incurred by the Town in exercising its rights under sections 5.1.12.1 and 5.1.12.2, or either of them, shall be paid by the Developer to the Town.

5.1.13 Administration

The Development Officer administers this Agreement. His/Her decision is final and binding on all parties.

6. Warranties by the Developer

6.1 Title and Authority

6.1.1 The Developer warrants as follows:

- (a)** The Developer has good title in fee simple to the Lands or good beneficial title subject to a normal financing encumbrance or is the sole holder of a Registered Interest in the Lands. No other entity has an interest in the Lands which would require their signature on this Development Agreement to validly bind the Lands or the Developer has obtained the approval of every

other entity which has an interest in the Lands whose authorization is required for the Developer to sign this Development Agreement to validly bind the Lands.

- (b) The Developer has taken all steps necessary to, and it has full authority to, enter this Development Agreement.

7. Full Agreement

7.1 Other Agreements

7.1.1 This Development Agreement constitutes the entire agreement and contract entered into by the Town and the Developer. No other agreement or representation, whether oral or written, shall be binding.

7.1.2 This Development Agreement shall not be a precedent for any other agreement either between the Town and the Developer or between the Town and any other party.

8. Notice

Any notice to be given under this Development Agreement shall be made in writing and either served personally or forwarded by courier or by registered mail, postage prepaid, if to the Town to:

Town of Wolfville
359 Main Street
Wolfville, Nova Scotia
B4P 1A1
Attention: Development Officer

and if to the Developer:

3290408 NOVA SCOTIA LTD
C/O Randy Banting
620 Main Street
Wolfville NS CA
B4P 1E8

9. Headings

The headings used in this Development Agreement are for convenience only. If any of the headings are inconsistent with the provisions of the Development Agreement which it introduces, the provisions of the Development Agreement shall apply.

10. Binding Effect

This Development Agreement shall ensure to the benefit of and be binding upon the parties to this Development Agreement, their respective successors, administrators, and assigns.

11. Execution

In witness of this Development Agreement the parties have signed and delivered it to each other on the date set out at the top of the first page.

SIGNED AND DELIVERED)	
In the presence of:)	
)	
)	TOWN OF WOLFVILLE
)	
)	
)	By _____
)	MAYOR
_____)	
Witness)	
)	
)	By _____
)	TOWN CLERK
)	
)	
SIGNED AND DELIVERED)	
In the presence of:)	
)	By _____
)	Randy Banting on behalf of
)	3290408 NOVA SCOTIA LTD
_____)	
Witness)	

CANADA
PROVINCE OF NOVA SCOTIA
COUNTY OF KINGS

I certify that on _____, 2018, _____
a witness to this agreement came before me, made oath, and swore that the **TOWN OF WOLFWILLE**, caused the same to be executed by its proper officers who affixed its Corporate Seal and subscribed their hands in its name and in its behalf in his/her presence.

A Commissioner of the Supreme Court of Nova Scotia

CANADA
PROVINCE OF NOVA SCOTIA
COUNTY OF KINGS

I certify that on _____, 2019, _____
a witness to this agreement came before me, made oath, and swore that **Randy Banting of 3290408 NOVA SCOTIA LTD.** caused the same to be executed by its proper officers who affixed its Corporate Seal and subscribed their hands in its name and in its behalf in his/her presence.

A Commissioner of the Supreme Court of Nova Scotia

Schedule "A" – Property Description

Place Name: Main Street, Wolfville, Nova Scotia

Municipality/County: Municipality of the County of Kings

Designation of Parcel on Plan: Lot E.E.F.-1A

Title of Plan: Lot 16A-1 Lands of Town of Wolfville to be added to Lot E.E.F.-1 Lands of Culinary Enterprises Ltd. to form Lot E.E.F.-1A.

Registration County: Kings County

Registration Number of Plan: P-11329

Registration Date of Plan: June 17, 1999

BENEFITS

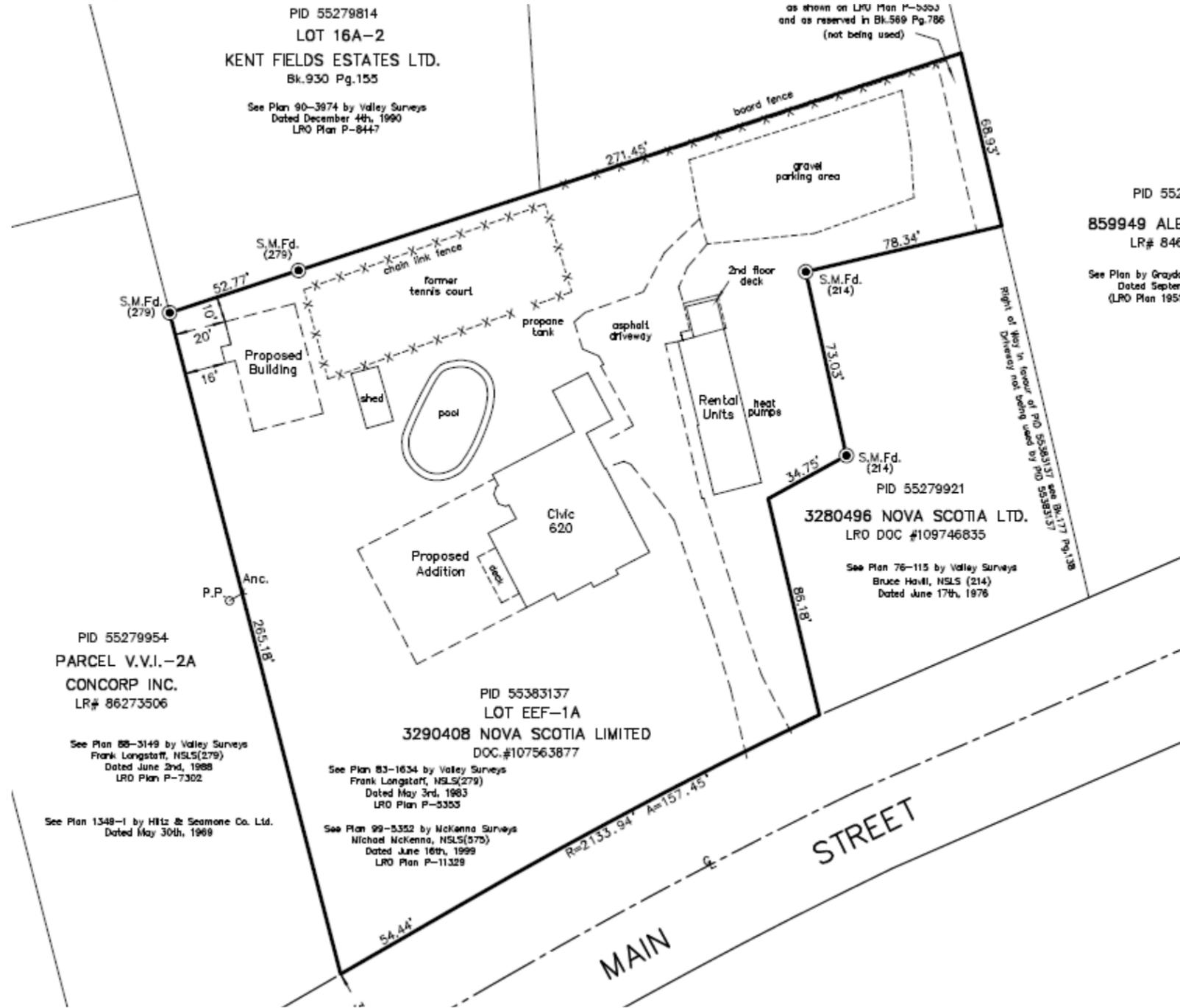
Together with a Right-of-Way for ingress and egress to Main Street as shown on a Plan of Survey prepared by Valley Surveys dated May 3, 1983 and recorded as Plan number P-5353 at the Kings County Registry of Deeds office on June 24, 1983. Said right of way being more fully described in a Deed recorded on November 25, 1949 at the Kings County Registry of Deeds in Book 177 at Page 138.

BURDENS

Subject to a right of way in favour of Lot E.E.F.-2 for the purpose of vehicular and pedestrian traffic as shown on a plan of survey prepared by Valley Surveys dated May 3, 1983 and recorded as Plan number P-5353 at the Kings County Registry of Deeds office on June 24, 1983. Said right of way being more fully described in a Deed recorded at the Kings County Registry of Deeds in Book 569 at Page 786 as Document Number 7044.

The parcel originates with an approved plan of subdivision that has been filed under the Registry Act or registered under the Land Registration Act at the Land Registration Office for the registration district of Kings County as plan or document number P-11329.

Schedule "B" Site Plan



PID 552
 859949 ALE
 LR# 846
 See Plan by Gray
 Dated Septen
 (LRO Plan 1951)

PID 55279954
 PARCEL V.V.I.-2A
 CONCORP INC.
 LR# 86273506

See Plan 85-3149 by Valley Surveys
 Frank Longstaff, NSLS(279)
 Dated June 2nd, 1988
 LRO Plan P-7302

See Plan 1348-1 by Hillz & Seamore Co. Ltd.
 Dated May 30th, 1969

PID 55383137
 LOT EEF-1A
 3290408 NOVA SCOTIA LIMITED
 DOC.#107563877

See Plan 83-1634 by Valley Surveys
 Frank Longstaff, NSLS(279)
 Dated May 3rd, 1983
 LRO Plan P-3355

See Plan 99-3332 by McKenna Surveys
 Michael McKenna, NSLS(375)
 Dated June 16th, 1999
 LRO Plan P-11328

PID 55279921
 3280496 NOVA SCOTIA LTD.
 LRO DOC #109746835
 See Plan 76-115 by Valley Surveys
 Bruce Havel, NSLS (214)
 Dated June 17th, 1976

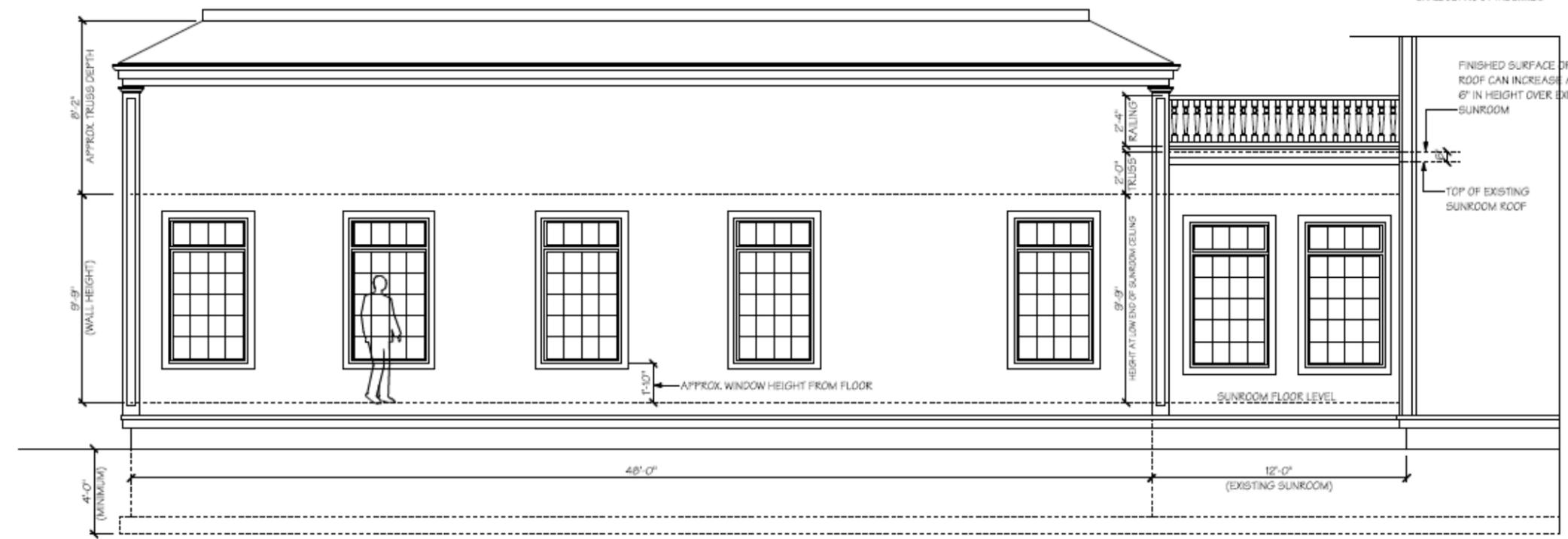
NOT FOR CONSTRUCTION
(NEEDS REVIEW)

SPA ADDITION PLANS NEED ENGINEER'S
APPROVAL BEFORE USE FOR CONSTRUCTION

ALL MEASUREMENTS TO
BE VERIFIED WITH EXISTING
STRUCTURE

ON-SITE MEASUREMENTS REQUIRED
FOR ORDERING ROOF TRUSSES

- GENERAL NOTES:
1. DO NOT SCALE DRAWINGS
 2. CONTRACTORS SHALL VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH CONSTRUCTION.
 3. ALL CONSTRUCTION INCLUDING, ELECTRICAL AND PLUMBING, MUST CONFORM WITH THE LATEST ADOPTED VERSION OF THE NATIONAL BUILDING CODE OF CANADA.
 4. ALL CONTRACTORS ARE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 5. EXTERIOR MEASUREMENTS ARE TAKEN FROM OUTSIDE FACE OF STLD. INTERIOR MEASUREMENTS ARE TAKEN FROM CENTER OF STLD.
 6. WINDOW AND DOOR SIZES ARE APPROXIMATE. ACCURATE SIZES CAN BE OBTAINED FROM THE ACTUAL WINDOW AND DOOR ORDER.
 7. PERMANENT & TEMPORARY TRUSS BRACING TO BE VERIFIED WITH TRUSS MANUFACTURER.
 8. M.L. DESIGNS AND THE DESIGNER OF THESE PLANS ARE NOT RESPONSIBLE FOR DAMAGES OF ANY KIND WHICH MAY ARISE FROM THE USE OF THESE PLANS.
 9. M.L. DESIGNS AND THE DESIGNER ARE NOT RESPONSIBLE FOR ANY FAILURES BY THE DISCRETIONARY CHANGE(S) TO THE EXHIBITED ORIGINAL DRAWINGS BY OWNER OR BUILDER. ALL CHANGES TO THE DRAWINGS AND DESIGNS MUST BE APPROVED BY THE DESIGNER. ALL COSTS OF TESTING, CALCULATION AND PROFESSIONAL ENGINEERING SHALL BE PAID BY THE OWNER.



PRE-FINAL FRONT ELEVATION (ROOF OPTION #3)

LATEST ENERGY BUILDING CODES MUST BE
FOLLOWED FOR MATERIAL / COMPONENT
SELECTION AND CONSTRUCTION METHODS

Home Plan Design Services
RR#3 Aylesford
Nova Scotia, B0p 1C0
Phone: (902)598-4007
lavergne.mike@hotmail.com

ML DESIGNS

PLAN NO: 2019-10
SCALE: N.T.S.
REVISED

DRAWING: PRE-FINAL SOUTH ELEVATION
DRAWN BY: MICHAEL LAVERGNE
DATE: JUNE 12, 2019

PROPOSED SPA ADDITION
FOR
RANDY & ERIKA BANTING
TATTONSTONE INN WOLFVILLE, N.S.

PAGE NO:
OF 6 **1**

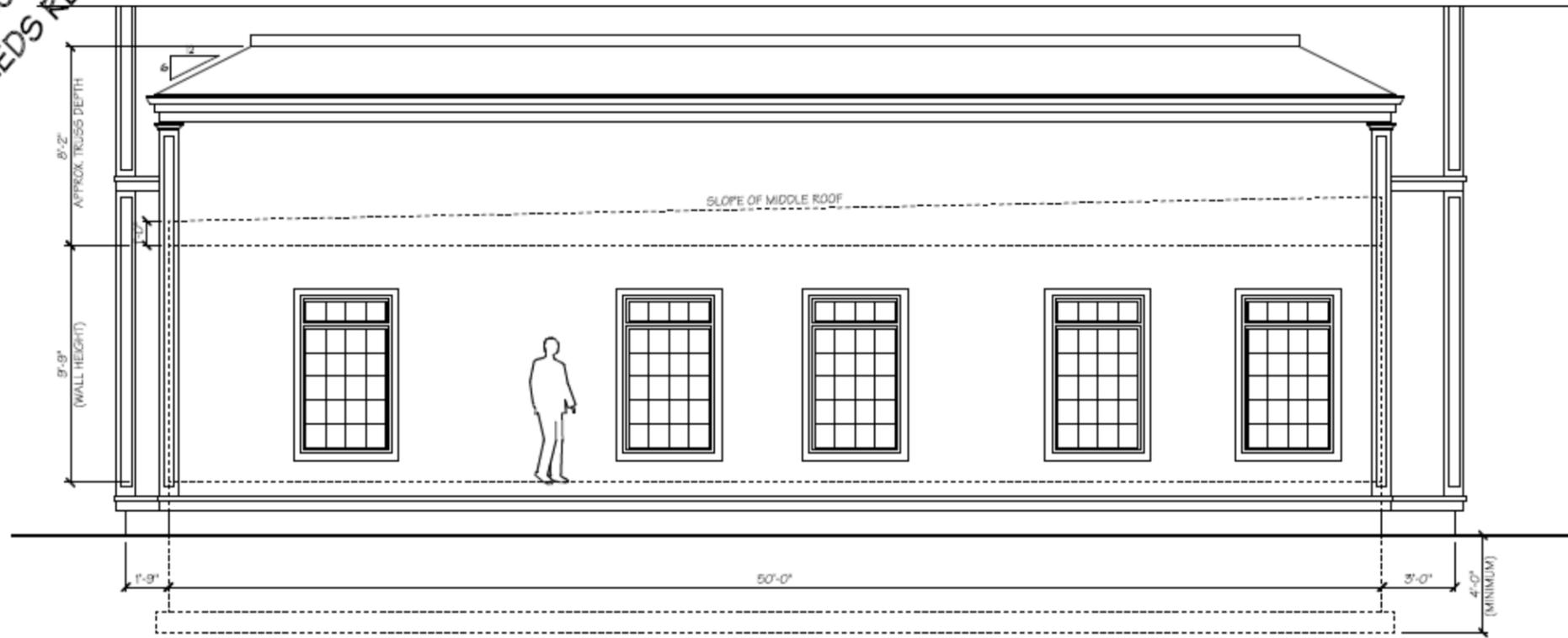
NOT FOR CONSTRUCTION
(NEEDS REVIEW)

SPA ADDITION PLANS NEED ENGINEER'S
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 4. ALL CONTRACTORS ARE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 5. EXTERIOR MEASUREMENTS ARE TAKEN FROM OUTSIDE FACE OF STUD. INTERIOR MEASUREMENTS ARE TAKEN FROM CENTER OF STUD.
 6. WINDOW AND DOOR SIZES ARE APPROXIMATE. ACCURATE SIZES CAN BE OBTAINED FROM THE ACTUAL WINDOW AND DOOR ORDER.
 7. PERMANENT & TEMPORARY TRUSS BRACING TO BE VERIFIED WITH TRUSS MANUFACTURER.
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 9. M.L. DESIGNS AND THE DESIGNER ARE NOT RESPONSIBLE FOR ANY FAILURES BY THE DISCRETIONARY CHANGE(S) TO THE EXHIBITED ORIGINAL DRAWINGS BY OWNER OR BUILDER. ALL CHANGES TO THE DRAWINGS AND DESIGNS MUST BE APPROVED BY THE DESIGNER. ALL COSTS OF TESTING, CALCULATION AND PROFESSIONAL ENGINEERING SHALL BE PAID BY THE OWNER.



PRE-FINAL WEST ELEVATION (ROOF OPTION #3)

LATEST ENERGY BUILDING CODES MUST BE
FOLLOWED FOR MATERIAL / COMPONENT
SELECTION AND CONSTRUCTION METHODS

Home Plan Design Services
1888 Alveston
New Scotia Bldg 100
Phone: (902) 599-4007
lavergne.mike@hotmail.com



PLAN NO:	2019-10
SCALE:	N.T.S.
REVISION:	
DATE:	JUNE 12, 2019
DRAWN BY:	MICHAEL LAVERGNE

PROPOSED SPA ADDITION
FOR
RANDY & ERIKA BANTING
TATTINGSTONE INN WOLFVILLE, N.S.

PAGE NO.:
2
OF 6

To: Wolfville Mayor and Town Council

December 12, 2019

From: D. W. Lutz

Statement of the Issue

I recently attended two meetings which directly or indirectly concerned policing in Wolfville. In both instances the prevailing sentiment was concern with the policing service being provided by the RCMP. Lack of a police presence, lack of attention to Wolfville's priorities and the feeling that the RCMP was providing municipal policing in name only prevailed.

I share these concerns and believe that Council should undertake a review of the entire question of RCMP policing in our town, the service, the cost and alternative models for policing.

Background

In 2012 the Province of Nova Scotia and the Government of Canada entered into the Provincial Police Services Agreement (PPSA). The PPSA provides that the RCMP shall be the provincial police force for Nova Scotia. Under the Agreement the province pays 70% of the cost and the federal government pays 30% of the cost. The cost lumps all personnel, operating, capital, salary and benefit expenses into a single, aggregate, per member expense.

The PPSA contemplates municipalities entering into agreements for the RCMP to provide municipal police services. In return, the municipality pays to the province 70% of the per member cost multiplied by the number of members assigned to municipal policing in the community.

The province pays for all "common services" i.e. those RCMP services which are of general application in the province, for example, highway patrol, forensic investigation, tactical units etc., based on the number of members assigned to those tasks. The same cost sharing formula with the federal government applies.

Municipalities which elect to have the RCMP perform policing for their communities assume the responsibility for paying the 70% contribution to the per member cost. Payments are made quarterly to the provincial government.

Wolfville's Cost

Wolfville's budget for policing services for 2019 is approximately \$1.4MM. Note that the Town of Wolfville provides the building which houses the RCMP and the cost of that infrastructure is in addition to the per member cost. The \$1.4MM is paid to the Province in quarterly installments.

Wolfville's assigned contingent of members is 9. Dividing the annual cost by 9 I calculate the per member cost for municipal policing as \$155,555. In its recent presentation to the Police Advisory Committee the RCMP/Department of Justice reported a per member cost of approximately \$145,000. I cannot explain the difference.

Wolfville's \$1.4MM is 70% of the aggregate cost per member with the other 30% being paid by the Government of Canada. This means that the actual total cost for the 9 members assigned to Wolfville is \$2MM and the per member total cost is \$222,222.

By comparison, Kentville's budget for policing for 2019 is \$2.3MM. This is the cost to the taxpayers of Kentville for, it appears, 20 full-time equivalent personnel. The per officer cost using the same all-inclusive methodology is \$115,000. That figure is 100% of the Kentville cost.

Service Standards/Priorities

At the recent Council meeting concerning the use/renovation of the RCMP building the overwhelming view of the public in attendance was that they desired a visible police presence in Wolfville. Changing the purpose of the RCMP building away from housing the police force was seen as a step away from a police presence in our Town.

The Council minutes of January 19, 2000, accepting the RCMP proposal to replace the municipal police force, reported the following observation from Councillor Wrye:

"The RCMP would provide 24/7 service with 9 officers being located in Wolfville.... With regard to by-law enforcement he said there would be no change. A community office would be maintained in the Town at the Town's expense. ... There would be 6 hours of bicycle and foot patrols per day."

As we are all aware, the police service in Wolfville has not been maintained at that level. The agreement under which that arrangement was made expired in 2012. In 2012 the Province and the Government of Canada signed the current PPSA.

Many residents of Wolfville are unhappy with the nature and extent of policing services being provided by the RCMP. Quite apart from the cost, there is, I believe, an overwhelming feeling that the RCMP are not delivering "municipal policing" to Wolfville as that concept was understood when the Town elected to terminate the municipal force in 2000. It seems quite apparent that Wolfville is simply one paying element of a

Kings County regional police force operated by the RCMP from the New Minas detachment. Berwick and Kings County are the other municipal units paying for the municipal police services of the RCMP located in New Minas.

The result of this arrangement is that the priorities of the RCMP do not reflect the priorities of the Town of Wolfville. Town Council has no ability to direct or, indeed, influence the manner in which the RCMP define and perform their duties, apart from the quarterly meetings of the RCMP Advisory Committee. There is no assurance of a police presence in Wolfville and the Town Council has no ability to direct the work of the RCMP in our community.

I believe that the Town would be better, and more cost effectively, served by a dedicated municipal police force. The force would be answerable to Council which could set the priorities and expectations for the force, including requirements for visibility and by-law enforcement.

Common Services

Currently, the Province pays for 70% of the cost of all RCMP services which are not defined as "municipal policing". That includes all the specialized services such as forensics, dog unit, tactical force etc. Those services are made available to municipal police forces in Nova Scotia irrespective of whether the municipal policing is being provided by the RCMP. While the representative of the Department of Justice at the recent meeting suggested that the Province could, in the future, decide to bill municipalities for such services, they have not done so to date.

The argument that having the RCMP as the municipal police service guarantees the provision of the specialized services is, I believe, misleading, based upon the statements from the Provincial representatives. The common services are being paid by the province however they are employed and the only question is whether, in the future, the province would attempt to require municipal police forces, whether RCMP or otherwise, to reimburse the province for making the common services available when needed.

Analysis/Alternatives

In view of the recent expressions of concern from the citizens of Wolfville, I request that Council and staff undertake a complete review of the structure of policing in Wolfville. I believe we should consider replacing the current PPSA arrangement with the RCMP with a dedicated municipal police force.

The fundamental problem is the disconnect between the quality of the police service being provided by the RCMP and the legitimate expectations and desires of the

community. An effort should be undertaken to understand the expectations of the community for policing as compared with what the RCMP is providing.

Given the reported cost of the RCMP as compared with the Kentville example, I do not believe that the issue is one of cost, but is, rather, one of service delivery and performance expectations.

If Wolfville were to elect to terminate its relationship with the RCMP, what is the alternative? This too needs to be explored and analyzed but I think it likely that attempting to establish a new municipal police force in Wolfville from scratch, even recognizing that we do have the necessary infrastructure already, would be a very complex and expensive process. On the other hand, investigating a joint municipal force with Kentville might address both the service issues as well as providing some cost relief for both towns.

Thank you for your consideration of this matter.

D.W. Lutz

Amanda Brown

Subject: FW: Valley Peer Tutoring

From: Hayden

Sent: November 25, 2019 4:40 PM

To: Town Council <towncouncil@wolfville.ca>

Subject: Valley Peer Tutoring

Hey there!

My name is Hayden Ehler, and I'm currently a grade 12 student at Horton High School and serving as the school's President this year. I wanted to ask whoever is available if they'd be able to help with an issue I'm having. Here's a bit of pretext:

At the beginning of this year, I started my own organization called Valley Peer Tutoring, where we act as a contracting service for students to find peer tutors for an affordable price. I've always been interested in business management, and since I've been tutoring students by myself for a few years this seemed like a good idea! While I can't register as a non-profit because I'm not 18, all of our revenue goes back to our tutors and the operating costs of the business.

I'm happy to say that we've really taken off, and we're currently averaging around 25 hours a week of helping students succeed. I currently employ 8 students, mostly from my high school, but others from Acadia as well, and I'm hoping to expand into NKEC and CK soon. Last week I also signed a deal with my school, agreeing to receive three or more students sponsored by a local baptist church, and that'll happen next month.

I'm writing to you today because I've been struggling with the accommodations for our organization. When we were smaller we would find available rooms at the KC Irving Centre to work, but as you can imagine that gets difficult for 3-5 tutors every day after school. I've already written to Acadia to see if they had any unused office space on campus, but they said no. I also asked the EKM but they are fully booked.

Do you know of any rooms in Wolfville that are currently of no use? I'd be willing to pay a small monthly fee if necessary, we just really need a single location to get organized and not worry about having to book a room every day of the week. If there was room for a computer and chair that'd be even better; anything helps.

Thanks so much for your consideration. If there's anything I can do for you please let me know, I'd be more than happy.

Regards,

Hayden Ehler

Student

Horton High School



Environment
Office of the Minister

PO Box 442, Halifax, Nova Scotia, Canada B3J 2P8 • www.novascotia.ca/nse

Our File number:
10700-40-55128

NOV 26 2019

Mayor Jeff Cantwell
Town of Wolfville
abrown@wolfville.ca

Dear Mayor Cantwell:

Thank you for your letter of September 20th, 2019 regarding the Sustainable Development Goals Act.

The goals in the new Sustainable Development Goals Act, which was passed on October 30, include a 53% reduction in greenhouse gas emissions by 2030 and a commitment to achieving net-zero emissions by 2050. These goals align with the Intergovernmental Panel on Climate Change's recommendations for limiting global temperature increases to 1.5 degrees Celsius and are now the most aggressive provincial targets in the country.

The introduction of this legislation followed a month of on-line consultation as a result of which we heard from many Nova Scotians and organizations. This initial process helped us shape the general form of the Act. Regrettably we were unable to extend the consultation period as requested by Wolfville's Environmental Sustainability Committee and still fulfill the commitment we made at the opening of the legislature to pass legislation renewing our Province's commitment to renewing sustainable Prosperity legislation during the Fall sitting of the Legislature. However, the new act requires the government to conduct further public consultation as we develop regulations to establish additional goals.

The Act states, as a principle, that achieving sustainable prosperity is a shared responsibility of all levels of government, the private sector and every Nova Scotian. We recognize the important role that Municipalities will continue play in achieving sustainable development goals and note that the Act establishes the Sustainable Communities Challenge Fund to create competitive opportunities to encourage communities in their climate change mitigation and adaptation efforts.

I look forward to engaging with municipalities and Nova Scotians on these critical issues in the months ahead. We are working on our plans in this regard and will have more to share soon.

Sincerely,

Gordon Wilson, MLA
Minister of Environment

Amanda Brown

Subject: FW: Woodmans Grove Rezoning

-----Original Message-----

From: C. Chittick

Sent: November 13, 2019 4:58 PM

To: Devin Lake <DLake@wolfville.ca>

Cc: Town Council <towncouncil@wolfville.ca>; Jeff Cantwell <JCantwell@wolfville.ca>; Jodi MacKay <JMacKay@wolfville.ca>; Mercedes Brian <MBrian@wolfville.ca>; Carl Oldham <COldham@wolfville.ca>; welliot@wolfville.ca; Oonagh Proudfoot <OProudfoot@wolfville.ca>; Wendy Donovan <WDonovan@wolfville.ca>

Subject: Woodmans Grove Rezoning

Mr Devin Lake

Thanks to you, your committee and Town Council for allowing the residents of Woodman's Grove the opportunity to voice our concerns. We appreciate your considering and accepting our position for our community to maintain the RCDD, R-1 designation.

We appreciate living in a town that gives voice to it's citizens.

Sincerely,

Charles and Carole Chittick

Amanda Brown

Subject: FW: Physician Retention and Recruitment
Attachments: CCF20191125_0001.pdf

From: Keith Irving
Sent: November 25, 2019 4:56 PM
To: Town Council <towncouncil@wolfville.ca>; councilandmayor@kentville.ca; councillors@countyofkings.ca
Subject: Physician Retention and Recruitment

Hi folks,

Please see attached letter from Keith regarding efforts to retain and recruit more physicians to Kings County.

Thank you,

Carman

Carman Kerr

Constituency Assistant to Keith Irving, MLA

[3-24 Harbourside Dr.](#)

[Wolfville NS B4P 2C1](#)

Tel (902) 542-0050

E-mail: keith@irvingmla.ca
Facebook: www.facebook.com/irvingmla
Webpage: keithirving.ca



November 25, 2019

RE: Doctor Recruitment

Dear Mayor Cantwell and Council
Mayor Snow and Council, and
Mayor Muttart and Council

As you are undoubtedly aware, over the past few months a collaborative effort has been undertaken in Kings County to recruit and **retain more doctors**. A committee comprising Wolfville Deputy Mayor, Jodi MacKay; Kings County Deputy Mayor, Emily Lutz; Kentville Councillor, Cate Savage along with Mark Vardy, Board member from the Annapolis Valley Chamber of Commerce, and myself, have been meeting to advance ideas and coordinate actions on doctor recruitment. It is clear, even at this early phase, that hands-on, proactive initiatives organized by local community representatives, is an effective tool in recruitment.

Also emerging from our work, is the idea of a **Residency Retention Program** targeted at the 10 physician residents that complete their 2-year residency in the Valley. A coordinated effort to connect and integrate these professionals into our communities can only strengthen the opportunity for retention.

There is a possibility of provincial support for this work. We are developing a proposal to the *Culture Innovation Fund: Healthy Communities Stream*. However, this program does not fund staff time, and this has emerged as a much-needed gap in our plans as an inter-agency committee. Though we are confident much of the work can be done by volunteers, a part-time staff person is needed to advance work between committee meetings. The role of the staff person would be to coordinate any funding received for recruitment, coordinate recruitment efforts in consultation with the NS Health Authority's recruiter for our region and support the ongoing work of our committee.

As this is a collaborative effort, we are confident that there are solutions, such as one municipality contributing a staff person for 1 day of week, cost-shared by other municipalities. I am writing therefore to ask if one of your municipalities would consider taking the lead on identifying a staff person to support the committee's work 1 day/week, to be cost-shared by the other two municipalities. I am also reaching out to Mayor Don Clark to ask if the Town of Berwick would like to join this initiative.

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Ideally, we would like staff person support in place as soon as possible.

One thing is clear. Collaboration is needed on doctor recruitment for Kings County. I hope your municipalities can find a means to support this important initiative.

Yours truly,



Keith Irving
MLA – Kings South

p.s If you want the Health Authority's latest Family Practice data it is available at:
http://www.nshealth.ca/sites/nshealth.ca/files/finding_a_primary_care_provider_in_ns_-_public_-_nov_2019.pdf