



# Town Council Meeting

December 20, 2022

6:30 p.m.

Council Chambers, Town Hall

359 Main Street

## Agenda

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### Call to Order

#### 1. Approval of Agenda

#### 2. Approval of Minutes

- a. Town Council Meeting, November 15, 2022
- b. Town Council In Camera Meeting, November 15, 2022
- c. Special Town Council, December 6, 2022

#### 3. Comments from the Mayor

#### 4. 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.

#### 5. Motions/Recommendations from Committee of the Whole, December 6, 2022:



- a. RFD RFD67-2022: Council & Committees of Council Schedule 2023
- b. RFD 062-2022: Additional Video Camera
- c. RFD 076-2022: Equity, Diversity & Inclusion (EDI)
- d. RFD 073-2022: Devour Signage
- e. RFD 073-2022: Fire Dept – Pumper Truck – Early Approval to Start Procurement Process

**6. Adjournment to In-Camera under the Municipal Government Act Section 22(2)(c)**

- a. RFD059-2022 Citizen Appointments to Committees

**7. Adjournment of In-Camera**

**8. Regular Meeting Reconvenes**

**9. Motion from In-Camera Meeting**

**10. Regular Meeting Adjourned**

**REQUEST FOR DECISION 067-2022**

Title: Council & Committees of Council Meeting Schedule 2023

Date: 2022-12-06

Department: Office of the CAO

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## **SUMMARY**

### **Council & Committees of Council Meeting Schedule 2023**

The purpose of this RFD is for Council to consider accepting the Committees of Council Schedule for 2023 as attached.

#### **DRAFT MOTION:**

That Council adopt the 2023 Council & Committees of Council Meeting Schedule, as presented in RFD 067-2022.

## REQUEST FOR DECISION 067-2022

Title: Council & Committees of Council Meeting Schedule 2023

Date: 2022-12-06

Department: Office of the CAO

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### 1) CAO COMMENTS

The CAO supports the 2023 Council-Committees of Council meeting schedule as presented.

### 2) LEGISLATIVE AUTHORITY

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 2023 forecast of Council-Committees of Council meetings supports a more strategic view of scheduling.

### 3) STAFF RECOMMENDATION

Staff recommends that Council accept the 2023 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

Policy 110-001 Committees of Council

Policy 110-012 Attendance Policy for Council

Council-Committees of Council meeting schedule 2023 (attached)

### 5) DISCUSSION

The Council, Committee of the Whole and Committees of Council meeting dates for 2023 are recommended as detailed in the attachment to this RFD.

#### Frequency of Meetings:

- |  |  |
|--|--|
| • Committee of the Whole                           | Monthly (quarterly full day sessions – Feb, Apr, Jun, Oct) |
| • Special Budget Committee of the Whole            | Bi-annually  |
| • Town Council                                     | Monthly  |
| • Accessibility Advisory Committee                 | Four times per annum                                       |
| • Planning Advisory Committee                      | Monthly  |
| • Audit Committee                                  | At Least four times per annum                              |
| • Regional Emergency Management Advisory Committee | Quarterly  |
| • RCMP Advisory Board                              | Quarterly  |
| • Source Water Protection Advisory Committee       | Quarterly  |
| • Town & Gown Committee                            | Bi-annually  |

## REQUEST FOR DECISION 067-2022

Title: Council & Committees of Council Meeting Schedule 2023

Date: 2022-12-06

Department: Office of the CAO

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With the understanding meeting dates are subject to change as the year progresses, the proposed 2023 Council-Committees of Council meeting schedule considers the following annual conferences (some dates to be confirmed):

- May 3-5, 2023 (tentative)                      NSFM Spring Workshop
- June 14-16, 2023                                  AMANS Spring Conference
- Oct 17-20, 2023                                    AMANS Fall Conference
- Nov 7-10, 2023 (tentative)                      NSFM Fall Conference

### **COW MEETINGS**

January and October COW dates have been moved to the second week in the month to assist staff with report preparations after vacation & holidays. For the same reason the full day COW which was previously in September has been moved to October.

The all-day COW meeting in February will be used to review the Ops Plan and its linkage to Budget.

### **TOWN COUNCIL MEETINGS**

To accommodate the changes to the COW meetings in January and September, the Town Council meetings for those months have been moved to the 4<sup>th</sup> Tuesday of the month. October's Town Council meeting has also been moved to the 4<sup>th</sup> Tuesday of the month to avoid conflict with the AMANS Fall Conference dates.

### **AUDIT MEETING**

Please note there is a tentative and an alternative date for the Audit Committee meeting at end of June/beginning of July. The timing of this meeting will depend on the Auditors' ability to review year end results and produce the Financial Statements.

## **6) FINANCIAL IMPLICATIONS**

N/A

## **7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS**

This RFD is administrative in nature for establishing the 2023 Council & Committees of Council meeting calendar.

## **8) COMMUNICATION REQUIREMENTS**

Once accepted, the meeting dates contained in the 2023 Council-Committees of Council Calendar will be published to the website.

## **9) ALTERNATIVES**

**REQUEST FOR DECISION 067-2022**

Title: Council & Committees of Council Meeting Schedule 2023

Date: 2022-12-06

Department: Office of the CAO

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Throughout 2023, 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 Meetings

Meeting	Time	Frequency
Committee of the Whole (COW)	8:30am - 11:30am (Quarterly full day: Feb, Apr, Jun, Oct)	Monthly (1st Tuesday of the month except January & September – 2 <sup>nd</sup> Tuesday of the month)
Town Council	6:30pm - 8:30pm	Monthly (3 <sup>rd</sup> Tuesday of the month except January, September & October – 4 <sup>th</sup> Tuesday of the month)
Special Budget COW	All day	Bi-annually

## Committees of Council

Accessibility Advisory Committee (AAC)	4:30pm - 5:30pm	At least 4 times per year ( <b>Mondays</b> )
Audit Committee	9:00am - 11:00am	At least 4 times per year ( <b>Fridays</b> )
Planning Advisory Committee (PAC)	4:00pm - 6:00pm	Monthly from Feb ( <b>Thursdays</b> )
Town and Gown Committee	12:00pm - 1:00pm	Bi-annually ( <b>Mondays</b> )
RCMP Advisory Board	10:00am - 12:00pm	Quarterly ( <b>Tuesdays</b> )
Source Water Protection Advisory Committee	2:30pm - 4:00pm	Quarterly ( <b>Wednesdays</b> )
Regional Emergency Management Advisory Committee	10:00am - 11:30am	Quarterly ( <b>Mondays</b> )

Please note: Above timings are 'regular' timings. Scheduling may be modified by Committee.

DECEMBER 2022

S	M	T	W	T	F	S
				1	2	3
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

FEBRUARY 2023

S	M	T	W	T	F	S
			1	2	3	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				

# JANUARY 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1 New Year's Day	2 New Year's Day STAT	3	4	5	6	7
8	9	10 8:30am - 11:30am COW	11	12	13	14
15	16 10:00am - 11:30am REMAC	17	18	19 9:00am - 4:00pm Special Budget COW	20	21
22	23	24 6:30pm - 8:30pm Town Council	25	26	27 9:00am - 11:00am Audit Committee	28
29	30	31				



JANUARY 2023

S	M	T	W	T	F	S
1	2	3	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				

MARCH 2023

S	M	T	W	T	F	S
			1	2	3	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	

# FEBRUARY 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7	8	9	10	11
		9:00am - 4:00pm COW	2:30pm - 4:00pm Source Water	4:00pm - 6:00pm PAC		
12	13	14	15	16	17	18
	4:30pm - 5:30pm AAC					
19	20	21	22	23	24	25
	Heritage Day	6:30pm - 8:30pm Town Council				
26	27	28				

FEBRUARY 2023

S	M	T	W	T	F	S
			1	2	3	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				

APRIL 2023

S	M	T	W	T	F	S
						1
2	3	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						

# MARCH 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7 8:30am - 11:30am COW	8	9 4:00pm - 6:00pm PAC	10	11
12	13 4:30pm - 5:30pm AAC	14	15	16	17	18
19	20	21 6:30pm - 8:30pm Town Council	22	23	24	25
26	27	28	29	30	31	

MARCH 2023

S	M	T	W	T	F	S
			1	2	3	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	

MAY 2023

S	M	T	W	T	F	S
	1	2	3	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			

# APRIL 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4 9:00am - 4:00pm COW	5	6	7 Good Friday	8
9	10 Easter Monday	11 10am-12:00pm RCMP Advisory	12	13 4:00pm - 6:00pm PAC	14 9:00am - 11:00am Audit Committee	15
16	17 10am - 11:30am REMAC 4:30pm - 5:30pm AAC	18 6:30pm - 8:30pm Town Council	19	20	21	22
23	24	25	26	27	28	29
30						

APRIL 2023

S	M	T	W	T	F	S
						1
2	3	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						

JUNE 2023

S	M	T	W	T	F	S
				1	2	3
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	

# MAY 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
		8:30am - 11:30am COW	Tentative NSFM Spring Conference May 3-5			
7	8	9	10	11	12	13
	12:00pm - 1:00pm Town and Gown		2:30pm - 4:00pm Source Water	4:00pm - 6:00pm PAC		
14	15	16	17	18	19	20
		6:30pm - 8:30pm Town Council				
21	22	23	24	25	26	27
	Victoria Day					
28	29	30	31			

MAY 2023

S	M	T	W	T	F	S
	1	2	3	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			

JULY 2023

S	M	T	W	T	F	S
						1
2	3	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					

# JUNE 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6 9:00am - 4:00pm COW	7	8 4:00pm - 6:00pm PAC	9	10
11	12	13	14	15	16	17
			AMANS Spring Conference June 14-16			
18	19	20 6:30pm - 8:30pm Town Council	21	22	23	24
25	26	27	28	29	30 9:00am - 11:00am Audit Committee <i>(tentative)</i>	

JUNE 2023

S	M	T	W	T	F	S
				1	2	3
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	

AUGUST 2023

S	M	T	W	T	F	S
		1	2	3	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		

# JULY 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1 Canada Day
2	3 Canada Day STAT	4 8:30am - 11:30am COW	5	6	7 9:00am - 11:00am Audit Committee <i>(alternative)</i>	8
9	10 4:30pm - 5:30pm AAC	11 10am-12:00pm RCMP Advisory	12 2:30pm - 4:00pm Source Water	13 4:00pm - 6:00pm PAC	14	15
16	17 10:00am - 11:30am REMAC	18 6:30pm - 8:30pm Town Council	19	20	21	22
23	24	25	26	27	28	29
30	31					

JULY 2023

S	M	T	W	T	F	S
						1
2	3	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					

SEPTEMBER 2023

S	M	T	W	T	F	S
					1	2
3	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

# AUGUST 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 Natal Day STAT	2	3	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		

AUGUST 2023

S	M	T	W	T	F	S
		1	2	3	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		

# SEPTEMBER 2023

OCTOBER 2023

S	M	T	W	T	F	S
1	2	3	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				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4 Labour Day STAT	5	6	7 4:00pm - 6:00pm PAC	8	9
10	11	12 8:30am - 11:30am COW	13	14	15 9:00am - 11:00am Audit Committee	16
17	18	19 10am-12pm RCMP Advisory	20	21	22	23
24	25	26 6:30pm - 8:30pm Town Council	27	28	29	30 National Day for Truth and Reconciliation



SEPTEMBER 2023

S	M	T	W	T	F	S
					1	2
3	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

NOVEMBER 2023

S	M	T	W	T	F	S
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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		

# OCTOBER 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2 Truth & Reconciliation STAT DAY	3 9:00am - 4:00pm COW	4	5	6	7
8	9 Thanksgiving	10	11 2:30pm - 4:00pm Source Water	12 4:00pm - 6:00pm PAC	13	14
15	16 10:00am - 11:30am REMAC 4:30pm - 5:30pm AAC	17	18	19	20	21
		AMANS Fall Conference Oct 17-20				
22	23	24 6:30pm - 8:30pm Town Council	25	26	27 9:00am - 11:00am Audit Committee	28
29	30	31				

OCTOBER 2023

S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

DECEMBER 2023

S	M	T	W	T	F	S
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3	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						

# NOVEMBER 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7	8	9	10	11
		<i>Tentative NSFM Fall Conference Nov 7-10</i>				
		8:30am - 11:30am COW		4:00pm - 6:00pm PAC		<b>Remembrance Day</b>
12	<b>13 Remembrance Day STAT</b>	14	15	16	17	18
				9:00am - 4:00pm Special Budget COW		
19	20	21	22	23	24	25
		6:30pm - 8:30pm Town Council				
26	27	28	29	30		

NOVEMBER 2023

S	M	T	W	T	F	S
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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		

JANUARY 2024

S	M	T	W	T	F	S
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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			

# DECEMBER 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5 8:30am - 11:30am COW	6	7	8	9
10	11	12 10am-12:00pm RCMP Advisory	13	14 4:00pm - 6:00pm PAC	15	16
17	18	19 6:30pm - 8:30pm Town Council	20	21	22	23
24	25 Christmas Day	26 Boxing Day	27	28	29	30
31						

## REQUEST FOR DECISION 062-2022

Title: Additional Video Cameras

Date: 2022-12-06

Department: Office of the CAO

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## SUMMARY

### Community Video Camera Pilot Project Addition

The Community Video Camera Pilot Project has been active for over three months. Eleven cameras were installed on August 25<sup>th</sup>, 2022. The footage captured by these cameras has been utilized to view criminal activity on multiple occasions. Since the installation of the eleven cameras, there has been a request from residents for two additional cameras to be added to the pilot. After reviewing these locations and the incidents that occurred, staff has recommended that Council consider adding these two locations after the pilot is complete if the final decision is to keep the Community Video Cameras following the one-year pilot.

While reviewing the events and referring to the Community Video Camera Policy, staff must take measures, other than the installation of a camera system, to address identified concerns regarding safety, security, and/or loss of, or damage to, property.

Staff does recommend the re-positioning of one camera located on Bay Street. When the initial placement was chosen, the exact range of the camera was unknown, until tested. After receiving and reviewing the footage from this location, we have realized the quality and lighting make it difficult to capture the area originally intended. This is partly due to the lack of lighting when most of the violations are taking place. By moving this camera westwards, the intended pilot area would be captured.

#### DRAFT MOTION:

That Council approve the relocation of the video camera on Bay Street, and consider the placement of additional cameras on Balcom Drive and Sherwood Drive, after the pilot is complete, as noted in RFD 062-2022

## REQUEST FOR DECISION 062-2022

Title: Additional Video Cameras

Date: 2022-12-06

Department: Office of the CAO

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### 1) CAO COMMENTS

The CAO supports the recommendations of staff.

### 2) LEGISLATIVE AUTHORITY

- Municipal Government Act  
<https://nslegislature.ca/sites/default/files/legc/statutes/municipal%20government.pdf>
- Nova Scotia FOIPOP  
<https://nslegislature.ca/sites/default/files/legc/statutes/freedom%20of%20information%20and%20protection%20of%20privacy.pdf>
- OIPC Nova Scotia Video Surveillance Guidelines  
[https://oipc.novascotia.ca/sites/default/files/publications/Video%20Surveillance%20Guidelines%20\(16%20March%202017\).pdf](https://oipc.novascotia.ca/sites/default/files/publications/Video%20Surveillance%20Guidelines%20(16%20March%202017).pdf)

### 3) STAFF RECOMMENDATION

That Council approves the request to relocate the current camera on Bay Street and consider adding cameras on Balcom Drive and Sherwood Drive after the completion of the pilot.

### 4) REFERENCES AND ATTACHMENTS

1. Map of presented additional / relocated video cameras
2. RFD 013-2022 Community Video Camera Pilot Project
3. 215-004 Community Video Camera Policy

### 5) DISCUSSION

The Community Video Camera Pilot Project has been active for over three months. Eleven cameras were installed on August 25<sup>th</sup>, 2022. The footage captured by these cameras has been utilized to view criminal activity on multiple occasions. The RCMP requested footage twice since the cameras have been active. Out of these two requests, no charges have been laid. Compliance Staff has reviewed the footage following reports of Nuisance Parties, Homecoming 2022, a vehicular hit-and-run, a report of unwanted guests trying to gain entry to a dwelling, and the attempted removal of Town street blades.

Since having these cameras installed and operational, there have been requests for additional cameras. Two requests have been received from residents in areas not currently covered by the cameras to have them installed due to vandalism on personal property.

## REQUEST FOR DECISION 062-2022

Title: Additional Video Cameras

Date: 2022-12-06

Department: Office of the CAO

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### **Balcom Drive**

A request has come forward from a resident for the installation of a video camera on Balcom Drive. As noted below, we have received reports of vandalism at 576 Main Street, which is on the corner of Main Street and Balcom Drive.

<b>March 1<sup>st</sup> 2022</b>	2021 Mercedes SUV – Stolen Mercedes logo stolen	\$450 not including installation
<b>March 2022</b>	2019 Mercedes – the vehicle was ‘keyed’	Approx. \$1,000
<b>September 17<sup>th</sup> 2022</b>	Large flowering dogwood tree – uprooted	An estimated loss of \$1,500 for the two trees.
<b>September 30, 2022</b>	Maple tree - uprooted Large white pumpkin	\$10 cost, but is concerned that offenders are getting more brazen, and encroaching further onto their property

Staff has identified two options for placement on Balcom Drive.

#### ***Option 1:***

The video camera would be placed on the pre-existing light fixture in front of 1 Balcom Drive. This would capture the roadway from north to south. Also in view, would be the intersection of Balcom Drive and Main Street, as well as Westwood Avenue and Main Street.

The current light fixture is facing eastwards but does not run perpendicular to the roadway. Consultation with LED Roadway Lighting and Livable Cities is underway to ensure that the video cameras can rotate during installation to ensure optimal coverage of the desired areas. If this is not available, we would need to install a power tap accessory, which connects to the streetlight receptacle and then would be fixed to the pole for optimal placement of the camera. Liveable Cities staff also noted concern about the tree growth and how it may impede the camera's view. This would have to be addressed as both sides of the light fixture have significant growth. This accessory was not used for any of the current video cameras.

Once a video camera is placed on the pole, the coverage of the property where vandalism and property damage occurred will be very minimal, if any. Due to the light fixture facing eastwards, a small portion of the side lawn of 576 Main Street may be visible. If any unlawful activity were to happen again, capturing the suspected individual(s) would ultimately depend on their direction of travel.

**REQUEST FOR DECISION 062-2022**

Title: Additional Video Cameras  
Date: 2022-12-06  
Department: Office of the CAO

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Westwood Avenue was not included in the request for additional video cameras, but due to the proposed placement on Balcom Drive, the south end of Westwood Avenue would be in view. Due to video camera graphics and lighting, the quality would decrease as you travel northwards on Westwood Avenue.

Westwood Avenue has a history of Nuisance Party Orders along with Parking and Property Minimum Standard violations as noted below:

<b>In 2022</b>	<b>Between 2020 – 2021</b>
0 Nuisance Party Orders	6 Nuisance Party Orders
<b>In 2022</b>	<b>Between 2020 - 2021</b>
7 Minimum Property Standard files	9 Minimum Property Standard files

There are currently no Nuisance Party files for any property on Westwood Avenue, for this calendar year.

The camera would also capture portions of the sidewalk, a crosswalk, and the intersections where stop signs and street blades are placed. As noted in the Council meeting on November 15<sup>th</sup>, 2022, the crosswalk on Main Street between Westwood Avenue and Balcom Drive is very heavily used. Although our current bylaw is not written in a way that makes this a qualifying condition, it is still an area of concern for many.

There are no supporting files surrounding Nuisance Party Orders on Balcom drive in the last 3 years.

***Option 2:***

The second option would be placing the video camera in front of 3 Westwood Avenue. By doing so, the east side of 576 Main Street would be in view. As the video camera is a further distance away from 576 Main Street, staff predict the detail and quality of the footage could make it difficult to obtain identification of the involved individual(s) if any unlawful activities do occur.

A greater area of Westwood Avenue would be captured by placing the video camera in front of 3 Westwood Avenue. As per the Community Video Camera Policy, Westwood Avenue does not currently meet the criteria for a video camera.

**Sherwood Drive**

In early July 2022, there were reported acts of vandalism occurring at 100 Sherwood Drive, near Reservoir Park. This included vehicle and private property damage. Since then, the affected homeowners have started files with the RCMP and the Town. These damages include a decorative fence, with lights attached (approx. \$60 cost). The property owner reported her private garden being

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vandalized, and debris she put at the end of her driveway for pick-up was intentionally moved and thrown around.

Compliance has not received any further complaints to date regarding suspicious activity or acts of vandalism at this address.

The owner of 96 Sherwood also experienced vandalism in early August 2022 and made a report to the RCMP and Compliance. There have been no further reports made to Compliance since.

Staff has identified two options for placement on Sherwood Drive.

### ***Option 1:***

The placement of a camera on the pre-existing light fixture in front of 100 Sherwood Drive means the camera would face eastward, capturing footage going north-south along Sherwood Drive, encompassing the intersection of Sherwood and Pleasant. Due to the location of the light fixture, it would not capture the area of concern that is expressed by the property owner at 100 Sherwood.

### ***Option 2:***

If a video camera were to be placed in front of 15 Pleasant Street, this would capture the roadway running west to east and the parking lot for Reservoir Park. 100 Sherwood would also be in view, but due to the distance of the camera, the quality and details could decrease. Also, note that there is a green space between 100 Sherwood and the proposed camera location with multiple trees which can act as a blind spot when trying to review the footage if any unlawful activities were to happen again.

There are no recent reports of nuisance parties, vandalism, property damage, or other qualifying conditions in this area, other than the previous events mentioned above.

### **Bay Street Repositioning**

The current video camera has been operational for just over three months now. After having this time to view footage and follow up on complaints, moving the camera on Bay Street to the next existing light fixture to the west would be beneficial. When the initial placement was chosen, the exact range of the camera was unknown, until tested. After receiving complaints about certain areas that we hoped this camera would capture, we have come to realize it does not. This is partly due to the lack of lighting when most of the violations are taking place. Moving this camera westwards would capture the area that was originally intended with greater detail.

### **Summary**

These requests are a result of reoccurring vandalism in the noted areas above. Since installation, the cameras have assisted the RCMP with investigations, a vehicular hit and run has been documented, and

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evidence of nuisance parties is available if needed. As it is still early in the pilot, it is not possible to give a definite answer as to if the cameras are reducing criminal activity compared to before the pilot started, but they do give us the evidence needed to support an investigation when placed properly. Considering these two locations for future placements, it covers areas that are beneficial for separate reasons as well. When we near the end of the Community Video Camera Pilot, we will bring back an evaluation to Council, and will also have recommendations to improve the Community Video Camera Policy. As we work through this pilot, we learned many things that staff did not anticipate when drafting the current policy. Currently, these two locations meet the qualifying conditions for events that occurred around the dates mentioned above. But we must also look at measures other than the installation of a camera system to address these concerns, as per the policy. Since each event has been reported, Compliance has increased patrols in the identified areas, and each property owner was encouraged to open files with the RCMP.

### FINANCIAL IMPLICATIONS

- Nominal cost to relocate the Bay Street video camera
- If Council decides to add the additional cameras now, this will reflect the current price of \$72/month per camera with the additional cost for installation.

### REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

- Economic Prosperity – Crime prevention is important to our business and residents in the Town of Wolfville. Recently, there have been reports of vandalism to our local businesses and private property.
- Social Equity – Everyone who chooses to live in Wolfville has the right to a livable and safe community. The theft of street blades put our residents in danger of not receiving emergency care due to First Responders not being able to find civic addresses.
- Community Wellness – A calm, livable neighborhood, free from crime, will increase the well-being of Wolfville's residents.

### 6) COMMUNICATION REQUIREMENTS

If Council approves the relocation of the Bay Street camera, no further communication would be necessary as consultation with this area was completed prior to the beginning of the pilot.

If Council decides to go ahead with the additional cameras, community engagement with those in the proposed locations would be completed. Signs will also be posted in the general vicinity of the new cameras. Staff will also continue to update the community through all regular communication channels, including our website, social media, and through our electronic newsletter

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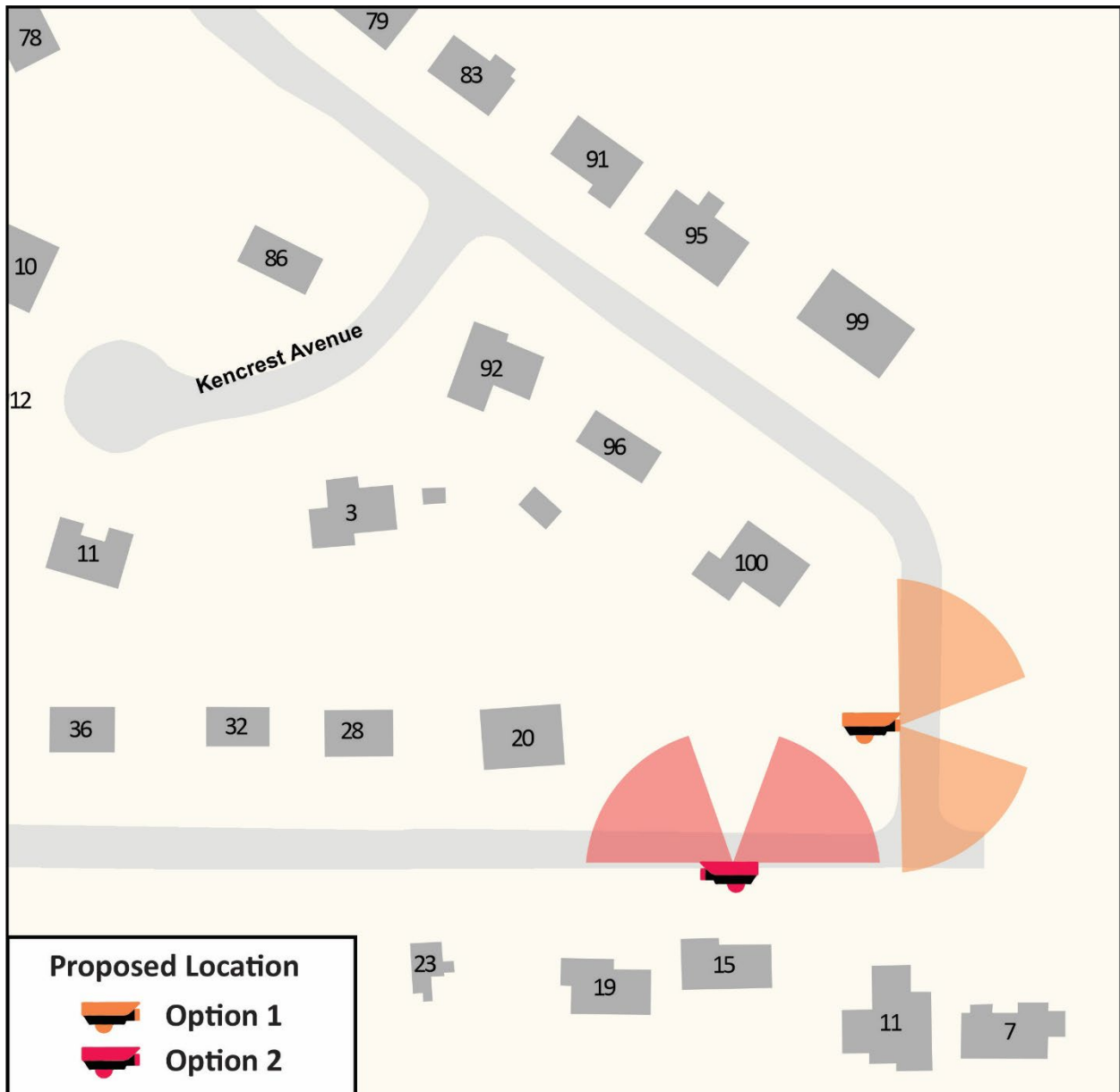
Department: Office of the CAO



**7) ALTERNATIVES**

Council can deny any part or some parts of this request

**Sherwood Drive**



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**Balcom Drive**



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**Bay Street relocation**





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## SUMMARY

### 360 Main Street – Devour Studios – Digital Signage Proposal Development Agreement Application

For Committee of the Whole to consider the PAC recommendation regarding the draft development agreement amendment 360 Main Street (PID 55278758) to erect and operate a digital marquee sign at 360 Main Street – Devour Studios.

PAC Motion (September 9<sup>th</sup>, 2022):

**MOTION:**

**MOTION: THAT THE PLANNING ADVISORY COMMITTEE PROVIDE A POSITIVE RECOMMENDATION TO COUNCIL THAT THE DRAFT DEVELOPMENT AGREEMENT FOR PID 55278758 BE SUBMITTED FOR ADDITIONAL INFORMATION FROM THE DESIGN REVIEW COMMITTEE AND FOR IT TO BE FURTHER RECOMMENDED TO THE COMMITTEE OF THE WHOLE BY THE DESIGN REVIEW COMMITTEE.**

*CARRIED*

This report was held by Staff between PAC and Committee of the Whole so additional work could be carried out – including going back to the Design Review Committee (as suggested by PAC) and to allow the applicant to complete additional design development. Meetings were held September 26<sup>th</sup> and November 23<sup>rd</sup> with the Town’s Design Review Committee to refine the design and work with the applicant. The Draft Development Agreement has been updated – and is attached to this report – to reflect the PAC and DRC discussions.

**Draft Motion:**

That the Committee of the Whole recommend the Development Agreement application to erect a digital marquee sign at Devour Studios (360 Main Street) be forwarded to a Public Hearing before a decision is made on the application by Council.

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## CAO COMMENTS

The CAO supports the recommendation of Staff.

### 1) LEGISLATIVE AUTHORITY

The *Municipal Government Act* and Municipal Planning Strategy establishes the ability to enter into development agreements.

### 2) STAFF RECOMMENDATION

Staff considers the application consistent with the relevant policies of the Municipal Planning Strategy (MPS) and have spent significant time with the applicant and the design review committee on design development. Staff recommends that it be forwarded to a Public Hearing before a decision is made by Council on the application. A legal review on the Draft DA would take place before the Public Hearing is advertised.

### 3) REFERENCES AND ATTACHMENTS

- Attachment 1: **Updated** DRAFT Development Agreement
- Reference 1: September 8, 2022 PAC report – see [here](#) (includes 1<sup>st</sup> Draft of DA)

### 4) DISCUSSION

The Applicant is seeking to erect and operate a digital marquee sign at 360 Main Street. The Design Review Committee and Planning Advisory Committee have reviewed the application and provided positive recommendations. See attached/referenced PAC Staff report for additional details.

#### **Planning Advisory Committee:**

PAC were in support of the application in general but requested that the application be brought back to DRC for a more fulsome review prior to moving the application to Committee of the Whole.

During the PAC meeting, members asked whether the DA could include regulations for the signage to ensure the information shared on the sign is up to date. Members asked whether the signage will include 3 different advertisements across the 3 LED panels and suggested limiting the number of events promoted to 1 as 3 events would appear cluttered and disorganized. Members also asked if the sign will be used to promote off-site events.



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The Draft Development Agreement has been updated to reflect the PAC comments.

Motion:

That the Planning Advisory Committee provide a positive recommendation to Council for the Draft Development Agreement for PID 55278758 with additional information being provided by the Design Review Committee that is brought to Committee of the Whole and then be forwarded to Council for initial consideration.

**Design Development:**

Initially gathered comment by email, before the PAC meeting. There has now been 2 reviews by the Design Review Committee.

There have been 2 designs proposed. The first had a few ways of using the fork as part of the signage and a different support system for the sign that went beyond the parapet and through the canopy. This concept was preferred by most – being more playful and less literal. See concepts shown below:

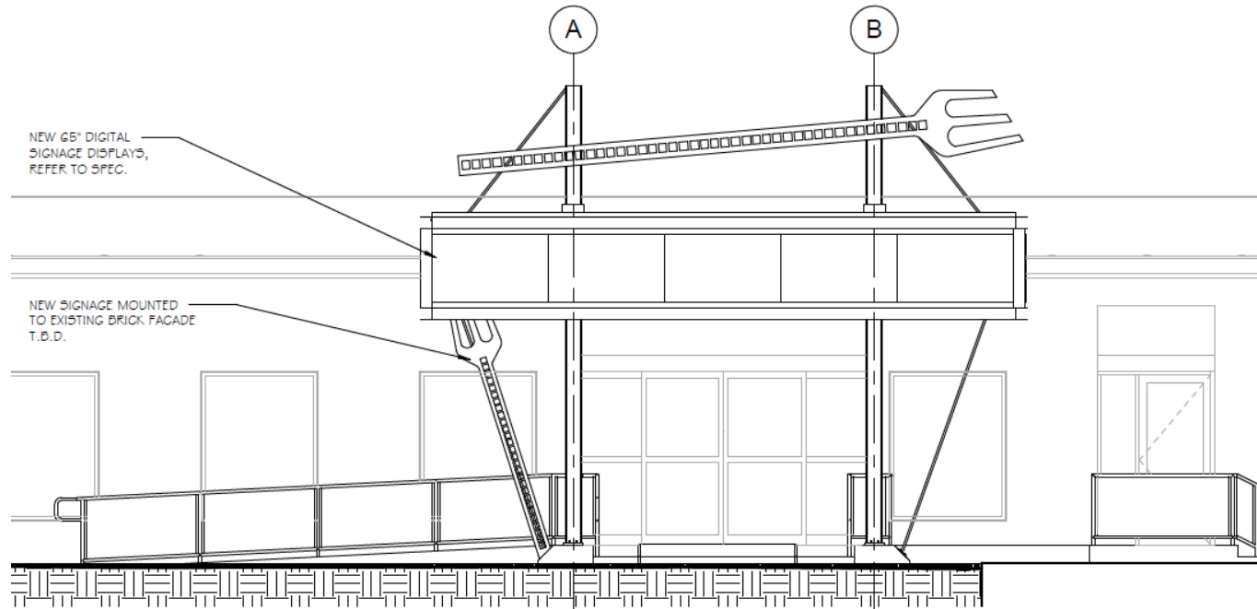


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After an initial meeting with the design review committee, the Architect completed some additional design development and came back with a revised design, similar but with some key differences, such as nothing protruding beyond the parapet/above the canopy; details on the east and west sides of the sign (no digital component), and other details/finishes on canopy. The forks in this version are more utilitarian and are used as supports for the canopy structure.



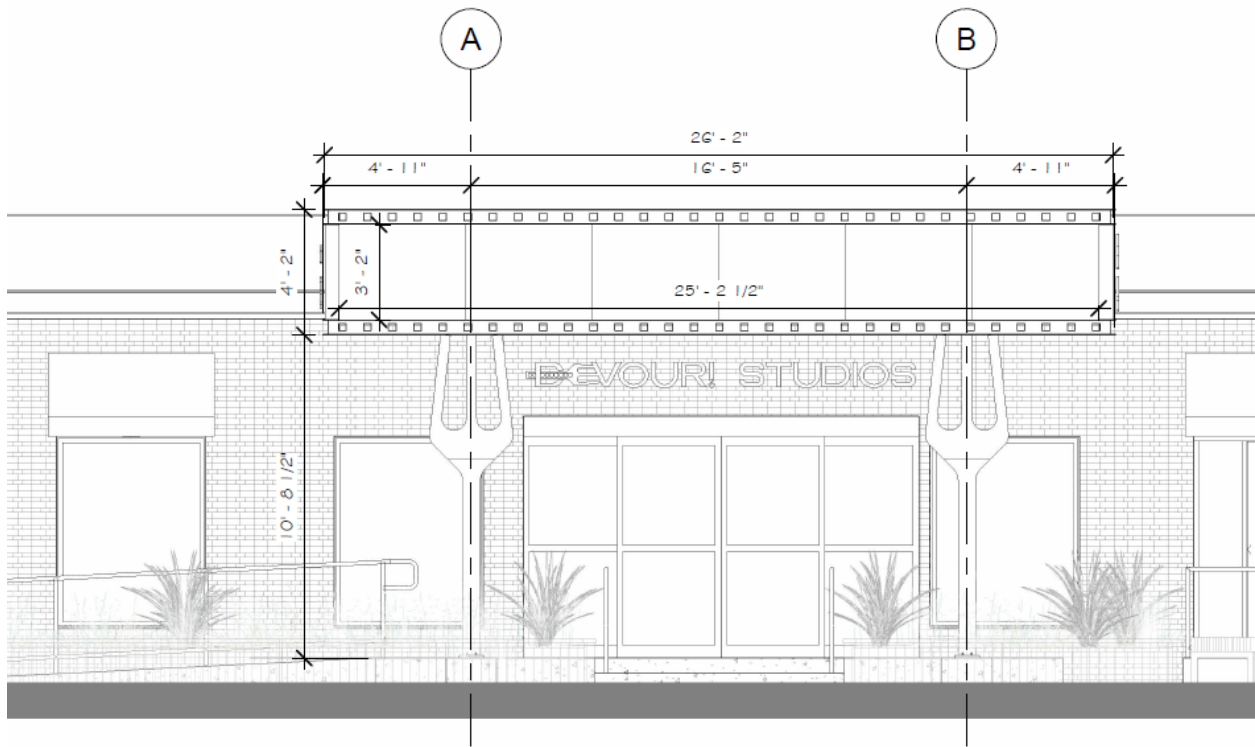
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Supported by discussions with the Design Review Committee, the applicant will continue to develop the way the fork is used and smaller details but generally, the design will be some combination of the 2 concepts shown here. The general feeling of the group was the use of the fork in the first concept was preferred while other details from the second would carry forward. The DA has been drafted to provide the applicant some flexibility in the way the signage is detailed/finished. See attached DA for details.

**Design Review Discussion:**

The Design Review Committee is a benefit to both Staff and Council as we navigate proposals in the downtown and along Main Street in our design guidelines areas. The group met on September 26<sup>th</sup> meeting and November 23<sup>rd</sup> – there were also comments solicited via email before the September 9<sup>th</sup> PAC meeting.

The Design Review have endorsed the digital signage – broadly – at meetings held or comments received from the group. The discussions have focused on the details of the design (e.g. making this a landmark, fun, artistic addition to the downtown). The committee endorsed some flexibility in the DA language while ensuring the fork element is included. The end product will be a combination of the 2 concepts developed to-date. Most preferred the initial concept.

## 4.0 Design Review Checklist

The following checklist shall be considered when an applicant is subject to these guidelines. Example questions/considerations are provided, based on the Design Principals this document is based on.



### CHARACTER

Does the proposed development maintain clear development patterns and continuous built form within the area? Is the existing scale and rhythm of buildings and open spaces respected?



### PEDESTRIAN EXPERIENCE

Will the proposed development improve the pedestrian experience, and safety, of residents and visitors to the Town of Wolfville?



### DIVERSITY

Does this proposed development increase the diversity of housing types, land uses and architectural styles within the Town of Wolfville while reflecting local values and culture? Does the edge on the street show diversity?



### PATTERNS

Will the proposed development maintain or create a pattern of trees or building walls? Does it include a landscaped public sphere?



### PUBLIC REALM

Does the proposed development improve the quality of the public realm and contribute to a safe and vibrant community?



### SUSTAINABILITY & RESILIENCE:

Will this proposed development reduce fossil fuel use and/or contribute to low carbon community outcomes.

## FINANCIAL IMPLICATIONS

None

## 5) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Full policy review provided in the referenced PAC Staff Report.

## 6) COMMUNICATION REQUIREMENTS

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

For past communications regarding the application, see referenced PAC report.



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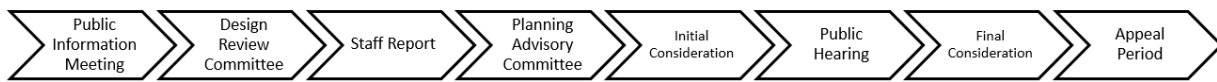
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The next step in the Development Agreement application process is for the application to go forward to a public hearing, which will be scheduled (date TBD). This step provides the opportunity for Council to hear directly from the public regarding the proposal. Notification of the public hearing will be mailed to neighbouring property owners, ads will be placed in the newspaper, and information posted to the Town's website and social media. The existing sign will remain placed on the property indicating the property is subject to a planning application. Following the public hearing, Council will then give consideration/make a decision on the development agreement.



**ALTERNATIVES**

1. COTW forwards the application to Council to refer the application to the Planning Advisory Committee with specific direction or questions for consideration.
2. COTW forwards the application to Council with a recommendation to reject the application.



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**ATTACHMENT 1 – Draft Development Agreement (subject to legal review)**  
**Updated from Planning Advisory Committee Version**

This **Development Agreement** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BETWEEN:

**Devour! Studios (Slow Motion Food Film Fest Society)**  
(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 55278758) 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 \_\_\_\_\_, 2022 approved entering into this Development Agreement to permit a lounge as licensed by the Province of Nova Scotia, 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" – Property Description

Schedule "B" – Request and Proposed Elevation (to be updated)

Schedule "C" – Design Guidelines Areas Map

## 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 digital signage, generally in accordance with the concepts provided to-date and provisions of this DA

"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.

"Innovative Development" means a development type that does not meet the zone requirements for as-of-right or site plan approval permissions but is still consistent with the overall intent of the municipal planning strategy and may be considered by development agreement.

"Lands" means the real property in the Town of Wolfville owned by the Developer, PID 55278758, 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



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of the *Municipal Government Act*. At the date of this Development Agreement, it is the Land Use By-Law as adopted by Council on June 30, 2020, effective September 3, 2020.

“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 as adopted by Council on June 30, 2020, effective September 3, 2020.

“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.

“Sign, Digital Marquee” means any sign made as part of a marquee and designed to have changeable copy.

- 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 enter into a development agreement to erect and operate a digital marquee sign to promote events, activities and organizations and groups that use the Devour Studios building at 360 Main Street. Illuminated signs or reader board signs are not permitted under

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the land use bylaw in the Core Commercial zone, however Council may consider unique and site-specific uses in the Core Commercial (C-1) zone through Development Agreement.

## **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.

#### **5.1.2 Land Use**

- 5.1.2.1** The following uses are permitted:

- (a)** A digital marquee sign subject to the requirements as laid out in this development agreement.

- (b)** Other uses in accordance with the zone standards of the Land Use By-law.

#### **5.1.3 General 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** The Developer agrees that no scrolling, flashing or moving lights, text, images or videos may be illuminated on the signage.
- 5.1.3.3** The Developer agrees that no noise shall be produced by the signage.



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**5.1.3.4** The Developer agrees that the sign must revert to an unlit, black screen during any malfunction.

**5.1.3.5** The Developer agrees that the sign shall not advertise or promote events or happenings that are not happening on the 360 Main Street property or as part of Devour programming.

**5.1.3.6** Text or graphics may only change every 2 hours.

**5.1.3.7** The night time brightness of the sign must not exceed 100 NITS and may not operate between 1:00am and 7:00am

**5.1.3.8** The sign must be equipped with a sensor which automatically lowers light output in accordance with atmospheric conditions and so not to exceed the maximum number of NITS permitted.

**5.1.3.9** The applicant shall submit the operational specifications at the time of permit application demonstrating compliance with the requirements of this agreement

#### **5.1.4 Design Requirements**

**5.1.4.1** The signage shall be generally in accordance with the Design Concepts – some combination of the packages, at the discretion of the Director of Planning during the Development Permit process.

**5.1.4.2** The digital component shall only be permitted on the south side of the signage (not all 3 sides of the canopy).

**5.1.4.3** The signage shall include a fork element(s), generally in accordance with the concepts provided during design development.

#### **5.1.5 Utility Equipment**

**5.1.5.1** Utility equipment such as mechanical and electrical equipment related to the digital sign shall be visually screened by fencing or landscaping.

#### **5.1.6 Timing**

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**5.1.6.1** 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.

**5.1.6.2** 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.

**5.1.6.3** 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.

**5.1.7 Amendment**

**5.1.7.1** 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.

**5.1.7.2** 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 5.1.6.3.

**(b)** Design in accordance with concepts, as per 5.1.4.1

**5.1.8 Expenses**

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

**5.1.9 Liability**

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**5.1.9.1** 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.

**5.1.10 Default**

**5.1.10.1** 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.

**5.1.10.2** 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 5.1.10.1 above; or,
- (c)** Take no action.

**5.1.10.3** 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.

**5.1.10.4** Any expenses incurred by the Town in exercising its rights under sections 5.1.10.1 and 5.1.10.2, or either of them, shall be paid by the Developer to the Town.

**5.1.11 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:

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Devour! Studios (Slow Motion Food Film Fest Society)

360 Main Street

Wolfville, NS

B4P 1E2

**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
	)	
	)	

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SIGNED AND DELIVERED )

In the presence of:

) By \_\_\_\_\_

DEVOUR! STUDIOS (SLOW MOTION FILM  
FEST SOCIETY)

\_\_\_\_\_  
Witness

CANADA  
PROVINCE OF NOVA SCOTIA  
COUNTY OF KINGS

I certify that on \_\_\_\_\_, 2022, \_\_\_\_\_  
a witness to this agreement came before me, made oath, and swore that the **TOWN OF WOLFVILLE**, 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 \_\_\_\_\_, 2022, \_\_\_\_\_  
a witness to this agreement came before me, made oath, and swore **that DEVOUR! STUDIOS (SLOW MOTION FILM FEST SOCIETY)**. 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.



**REQUEST FOR DECISION (DA 2022-001)**  
**Development Agreement Proposal**

360 Main Street PID 55278758

Date: December 8<sup>th</sup> 2022

Department: Planning & Development



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A Commissioner of the Supreme Court of Nova Scotia

**Schedule "A" – Property Description**

Parcel is as described as of Plan 8381, registered 1990-10-22.

Municipality/County: Town of Wolfville

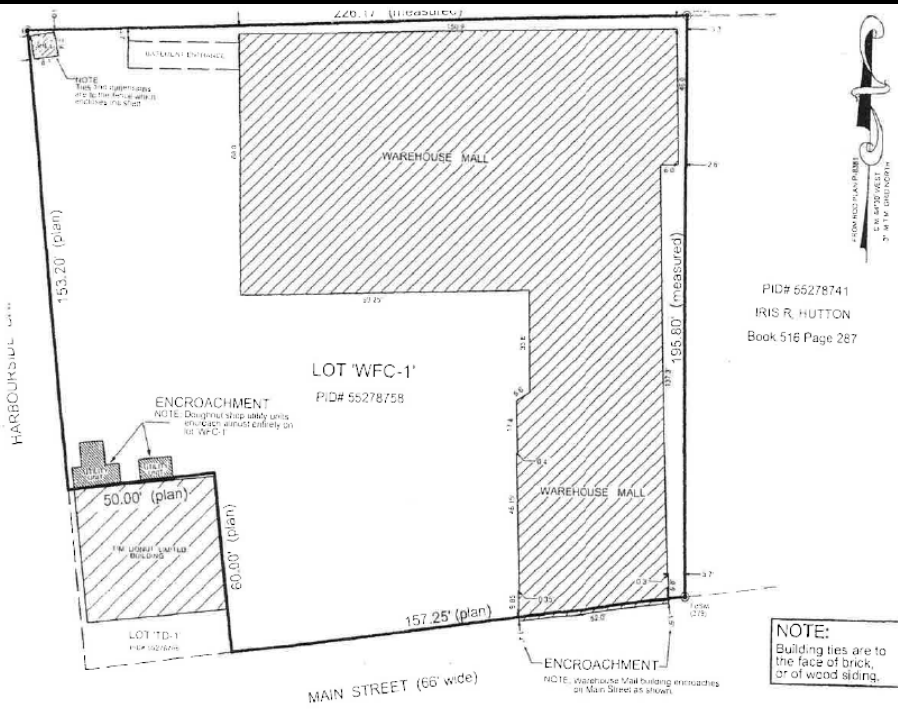
Designation of Parcel on Plan: Lot WFC-1

Registration County: Kings County

Registration Number of Plan: P-8381

Registration Date of Plan: 1990-10-22

**REQUEST FOR DECISION (DA 2022-001)**  
**Development Agreement Proposal**  
 360 Main Street PID 55278758  
 Date: December 8<sup>th</sup> 2022  
 Department: Planning & Development



PID# 55278741  
 IRIS R. HUTTON  
 Book 518 Page 287

**NOTE:**  
 Building ties are to  
 the face of brick,  
 or of wood siding.

I, Ronald S. Higgins, Nova Scotia Land Surveyor, certify that this Surveyor's Location Certificate is under my supervision and in accordance with Part 10 of the Nova Scotia Land Surveyors Regulations, under Section 8 of the Nova Scotia Land Surveyors Act.

Dated 28 JULY, 2005.

*Ronald S. Higgins*

This Surveyor's Location Certificate shall not be a boundary definition or as a reference document in preparation of legal descriptions.

Certified to:  
 ALTIMAX BUILDER LIMITED  
 190 Victoria Road  
 Dartmouth, Nova Scotia

Regarding:  
 PID# 55278758 (LOT 'WFC-1')  
 Warehouse Mall  
 Main Street and Harbourside Drive  
 Wolfville, Nova Scotia

I certify that the buildings shown hereon are located entirely within the boundaries of the subject lands, except that the southern extremity of the Warehouse Mall building encroaches on Main Street as shown. Boundaries are as defined by the boundary monument together with plan and deed information.

Deed reference, book 635, page 500.  
 Registry of Deeds, County of Kings.

This survey was carried out 22 July, 2005.

SCHEDULE 'B'

**Schedule B: Request and Proposed Elevation (to be updated):**

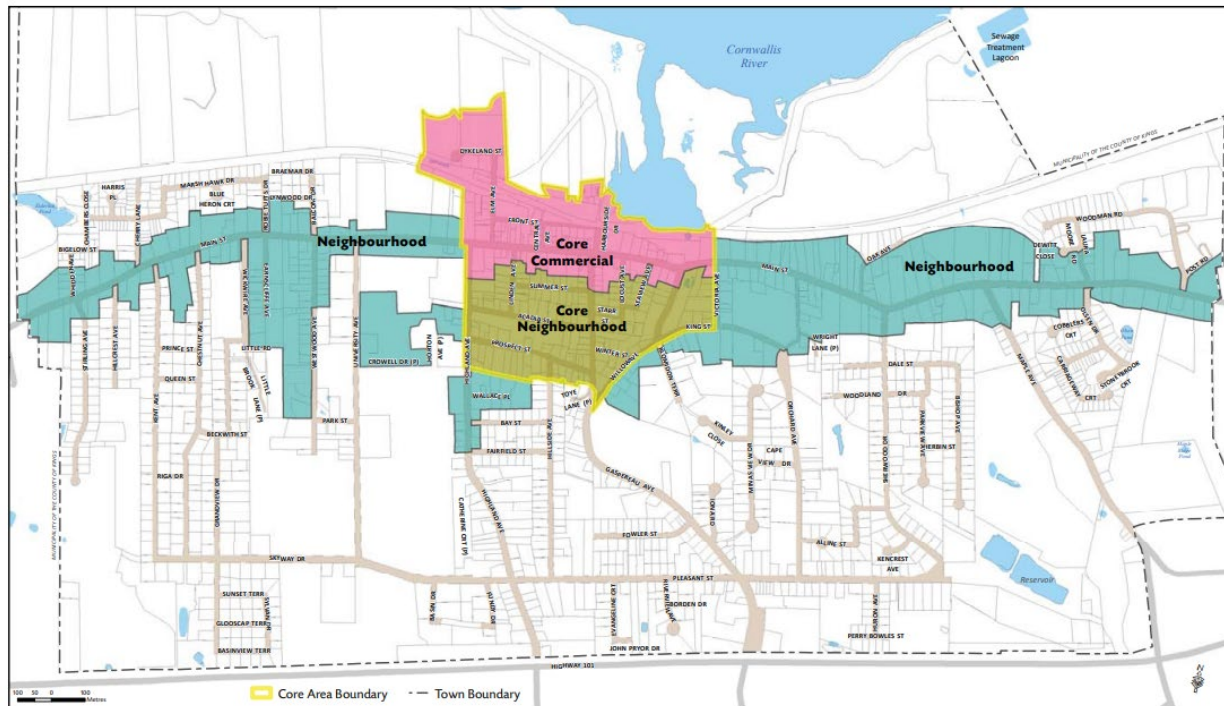


The Devour Studios (Slow Motion Food Film Fest Society) project is requesting a development agreement with The Town to erect and operate a Theatre marquee- like digital sign to promote events, activities and organizations and groups that will utilize the Devour Studios. It can be used as a community bulletin board for all events and activities in town.

The sign will be erected over the entrance to 1-360 Main street, facing south and set back from Main Street by 50 meters with no direct visual impact affecting drivers on Main Street. The marquee is envisioned as three separate digital panels that can be programmed to showcase events and tenants at the studios, in Waterfront Park and throughout town. In keeping with cultural buildings like the Confederation Centre in Charlottetown and the National Arts Centre in Ottawa (both of which have digital marquees) signage elevates these buildings to international stature with the use of new technology.

**TO BE UPDATED BEFORE FINALIZING** (showing both concepts)

**Schedule C: Design Guidelines Area Map**



**REQUEST FOR DECISION (DA 2022-001)**  
**Development Agreement Proposal**  
360 Main Street PID 55278758  
Date: December 8<sup>th</sup> 2022  
Department: Planning & Development

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## REQUEST FOR DECISION 077-2022

Title: Pumper 11 – Approval to Start Procurement Process

Date: 2022-12-06

Department: Fire Dept/Finance

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## SUMMARY

### Fire Dept - Pumper Truck – Early Approval to Start Procurement Process

As part of the annual budget process, Council approves a Capital Budget which includes specific Year 1 project spending noted in the annual budget motion. In addition, the general multi-year capital spending plan noted, Ten Year Capital Investment Plan (CIP), is adopted as part of the overall Operations and Budget Plan. The current 2022/23 CIP (pages 113 to 117 of 2022-2026 Operations Plan) notes replacement of a Fire Dept. pumper truck in fiscal 2024/25.

Given the impact of the post-pandemic COVID world on prices and supply chains, Fire Chief Crowell has started looking into what the market looks like for their needs in the Department, most notably the next pumper due to be replaced. Indications are that the lead time on purchase, once a purchase decision is made, can be over a year and up to two years. In addition, cost of fire trucks are rising dramatically similar to other segments of the economy. In order to ensure a replacement truck would be ready for use in 2024/25 work needs to formally begin on the procurement process now. Typically procurement process does not start until the year of acquisition. This RFD is being brought to Council recognizing that in this area of the Town's operations, an earlier start is required and therefore Council approval is sought.

The truck to be replaced is Pumper 11, a 2003 vehicle purchased in the 2002/03 year at a cost of \$458,000. The CIP includes a replacement schedule for trucks reaching 20 years of age. By the time this new pumper is acquired, it will be 22 years old.

### DRAFT MOTION:

That Council authorize staff to formally begin the procurement process for the acquisition of a new pumper truck for the Fire Department with an expected delivery date in the 2024/25 fiscal year.

## REQUEST FOR DECISION 077-2022

Title: Pumper 11 – Approval to Start Procurement Process

Date: 2022-12-06

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### 1) CAO COMMENTS

The CAO supports the recommendations of staff.

### 2) LEGISLATIVE AUTHORITY

- Municipal Government Act (MGA) Section 65A

### 3) STAFF RECOMMENDATION

Staff recommend Council approve the motion allowing the process to begin on a purchase that is technically in Year 3 of the current 2022/23 Capital Investment Plan refer to page 113 of 2022-2026 Operations Plan approved in March 2022). This will allow the Fire Chief to formally look into what options exist in the market, consider letters of commitment if applicable, and to identify local Fire Departments that may also be looking to acquire a new pumper truck in the same timeframe.

### 4) REFERENCES AND ATTACHMENTS

- 2022-2026 Operations Plan

### 5) DISCUSSION

This RFD is being brought forward seeking Council approval of a future purchase, not one that would occur in the current approved budget year. Council approves formal spending authorization in annual budget approvals. The required asset replacement is in year 3 of the current multi-year financial plan. Refer to page 113 of the Operations Plan.

The specific truck to be replaced is a 2002 E-One Pumper Truck acquired back in 2002/03 at a then cost of \$458,000. By the time a new replacement is received, the current vehicle will be 22 years old, slightly older than the desired 20 year lifespan for fire vehicles.

As with many things, the cost of fire trucks is rising quickly. The 2022/23 CIP has an estimated cost of \$900,000 and only two years ago the CIP noted an estimated cost of \$800,000. The Chief has looked into updated estimates and a cost estimate of \$1.4 million is now suggested as more likely to reflect actual cost. Refer to working draft copy of the CIP reviewed with Council during the Special all day budget Committee of the Whole meeting held November 17<sup>th</sup>.

A truck to be purchased will need to meet the specifications required by the Wolfville Volunteer Fire Department and as such alternative procurement processes may be needed. Staff believe there is at least one other local Fire Dept. that is looking to acquire a truck and joint tendering may be possible. Typically this can lead to some savings compared to a one off purchase.

## REQUEST FOR DECISION 077-2022

Title: Pumper 11 – Approval to Start Procurement Process

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If the draft motion is approved, the procurement process will parallel the current 2023/24 budget process and updated cost information will be incorporated into that document. Ultimately the formal decision to purchase the new truck will occur by early 2023/24, at least a year ahead of the expected year of delivery.

### 6) FINANCIAL IMPLICATIONS

The updated cost estimate of \$1.4 million is already reflected in the draft 2023/24 CIP and it will become part of an approved 2023/24 budget by March 2023. The decision before Council is to allow staff to begin formal procurement process for an item that is not discretionary but required. The impact on the budget is possibly reduced by allowing an early procurement process as it is expected that cost will only continue to rise over time and delivery time delayed.

### 7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Nothing provided at this time. This RFD relates to a required service, Fire, and ensuring the Department continues to have an updated fleet to service the community.

### 8) COMMUNICATION REQUIREMENTS

None required at this time.

### 9) ALTERNATIVES

Council can decide not to allow the procurement process to start early. This would likely mean a missed opportunity to partner with another local department in a joint tender and it will also mean likely delay in receiving a new truck within the 2024/25 year, two years later than the goal of 20 year replacement schedule.