



Town Council Meeting

October 24, 2023

6:30 p.m.

Wolfville Fire Hall

Locust Ave entrance

Agenda

Call to Order

1. Approval of Agenda

2. Approval of Minutes

- a. Town Council Meeting, September 26, 2023
- b. Town Council in Camera Meeting, September 26, 2023
- c. Public Hearing, October 4, 2023
- d. Special Town Council Meeting, October 4, 2023

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,
October 3, 2023:**

- a. RFD 050-2023: First Reading Revised Building Bylaw Ch. 65
- b. RFD 048-2023: Citizen Application to PAC Committee
(Environmental Representative)
- c. IR 020-2023: Council Attendance Report (Q3)

6. New Business

- a. Deputy Mayor Expressions of Interest

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

- a. Contract Negotiations

8. Adjournment of In-Camera

9. Regular Meeting Reconvenes

10. Regular Meeting Adjourned

REQUEST FOR DECISION 050-2023

Title: Revision of Wolfville Building Bylaw Ch. 65

Date: 2023-10-24

Department: Planning & Development



SUMMARY

Revision of Wolfville Building Bylaw Ch. 65

Staff succession planning within the organization has seen the Town's Senior Building Inspector, Mark Jamieson, move into an advisory and support role as James Collicutt received Level-2 certification in May of this year. His scope of work covers all aspects of building inspection within the Town.

The existing Building Bylaw for the Town, passed in 2017, unnecessarily duplicates much of what is already found in the Nova Scotia Building Code Regulation (NSBCR). In doing so the existing bylaw is prone to falling out of sync with Provincial regulations as amendments are made to the NSBCR. The attached revision to the Town's Building Bylaw heavily references the NSBCR rather than repeating it, resulting in a more streamlined and effective Building Bylaw.

DRAFT MOTION:

That Council give first reading to the updated Wolfville Building By-law Ch. 65 (attached to RFD 050-2023).

REQUEST FOR DECISION 050-2023

Title: Revision of Wolfville Building Bylaw Ch. 65

Date: 2023-10-24

Department: Planning & Development



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

Under Section 7 of the Building Code Act. R.S., c. 46, s. 1., Council may pass bylaws not inconsistent with the Act.

3) STAFF RECOMMENDATION

Staff recommend that the attached revision of the Town's Building Bylaw be adopted as a replacement to the current bylaw.

4) REFERENCES AND ATTACHMENTS

1. Revised Town of Wolfville Building By-law Ch. 65.

5) DISCUSSION

As part of the Town's Operations Plan staff regularly review policies and by-laws. It was noted that the current Building By-law was no longer complimentary to the NSBCR. Rather than duplicating the efforts of the province by replicating sections of provincial regulations (e.g. required documents to be submitted with an application), it was determined that the most effective approach in terms of staff hours and enforceability was to reference the NSBCR wherever possible. If adopted, the revised bylaw will require very little in terms of future amendment.

[Proposed Amendments to the Nova Scotia Building Code Regulations](#)

Upcoming amendments to the NSBCR proposed to come into effect January 1st, 2024 focus heavily on accessibility and energy conservation. Some points of interest within these amendments include:

- All entrances to be barrier-free for buildings or parts thereof requiring barrier-free access.
- Buildings constructed as "roofed accommodations" (e.g. hotels, inns, etc.) to have 1:10 suites constructed as barrier-free.
- All larger multi-unit residential buildings will be required to have barrier-free units.
- Barrier-free path of travel to buildings from a public thoroughfare.
- Introduction of tiered requirements intended to improve the energy efficiency of new construction gradually. There will not be an immediate increase associated with the January adoption date; however, it is proposed that Tier 2 be adopted in January 2025 and Tier 3 in January 2028.

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In addition to the upcoming NSBCR amendments, the provincial government is moving forward with the implementation of the [Built Environment Accessibility Standard Regulations](#), intended to become effective in 2026. The extent of application for these regulations is noted as “Government of Nova Scotia, Prescribed Public Sector Bodies, and other organizations prescribed by the Regulations”. A few examples from the current draft:

- Accessible exterior stairs for barrier-free paths of travel not associated with a building.
- Accessible parking spaces for parking areas not associated with a building.
- Outdoor public eating areas must have a minimum of 20% accessible tables where provided.
- Snow and ice control standards for pedestrian facilities must be made publicly available.
- Compliance with national standards for design specifications of sidewalks.

[Link to public Review of the proposed Built Environment Accessibility Standard](#)

6) FINANCIAL IMPLICATIONS

Limited to cost of advertisement as per requirements of the *Nova Scotia Municipal Government Act* (NS MGA).

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Ensuring compliance with relevant regulations is a primary Town responsibility.

8) COMMUNICATION REQUIREMENTS

The key message intended to be conveyed by this bylaw amendment is that the Town seeks to streamline the approach to building bylaw administration within the jurisdiction, keeping in-sync with other municipalities across the province via the NSBCR.

As per the requirements of the *Nova Scotia Municipal Government Act*, s. 168 – A by-law shall be read twice with public notice given in a locally-circulating newspaper at least 14 days before second reading. A bylaw will have force of law once notice is published in the manner provided in the NS MGA.

9) ALTERNATIVES

The alternative will be for Staff to continue administering the current Building By-law.

BE IT ENACTED by the Town Council of the Town of Wolfville that the following Bylaw be enacted and that the Town Clerk file a copy with the office of the Minister pursuant to Section 7 of the Building Code Act, R.S., c. 46, s.1.

The Town of Wolfville hereby adopts the Nova Scotia Building Code, Nova Scotia Building Code Regulation and amendments as adopted by the province from time to time.

1. Title

This bylaw shall be known as Bylaw Chapter 65 and may be cited as the Building Bylaw.

2. References

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

2.2 [Policy 140-015, Municipal Fees Policy](#)

2.3 [Nova Scotia Building Code Regulation \(NSBCR\)](#)

2.4 [Nova Scotia Building Code Act \(the Act\)](#)

3. Definitions

3.1 Definitions contained in the Building Code Act, NSBCR and Nova Scotia Building Code (NSBC) apply to this Bylaw.

4. Bylaw

4.1 Permits

- 1) A building permit, occupancy permit or demolition permit shall be in such form and contain such information as may be required for the proper administration of this bylaw by the Town's building official, the Act, the NSBCR and the NSBC.
- 2) To obtain a permit the owner shall file an application as prescribed by the building official.
- 3) Every application for a permit shall include the information that is required by the NSBCR.
- 4) An application for a permit may be deemed to have been abandoned if it has not been completed in conformance with the requirements of this bylaw within six months of filing.
- 5) A permit may be revoked where, after one year, the construction or demolition in respect of which it was issued has not been seriously commenced; or where the construction or demolition of the building is substantially suspended or discontinued.

- 6) To allow the occupancy of a building or part thereof for the accepted use, an occupancy permit may be issued before construction or demolition work is started or completed, subject to compliance with provisions to safeguard persons in or about the premises.
- 7) Before issuing a building permit, a complete application shall be approved by the building official.
- 8) Before issuing a building permit, the building official shall be satisfied that a development permit has been issued, site plan approval granted, or a development agreement entered into where required pursuant to the Land Use Bylaw of the Town of Wolfville.
- 9) The building official shall, in the case of the construction of new buildings or structures, withhold an occupancy permit until satisfied that any approvals required by the Town of Wolfville's Department of Engineering and Public Works have been granted.
- 10) A permit for a temporary building must be posted on the building and shall not be issued for a period exceeding one year.
- 11) The building official may allow, at the risk of the owner, for excavation or construction to proceed in part where found to be in conformance with the NSBCR.
- 12) Where applicable, a location certificate must be approved by the Development Officer before inspections beyond the footings interval will be carried-out. Construction beyond this stage is not permitted to take place until this approval is received unless otherwise granted by the building official.

4.2 Permit Fees

Fees for permits are outlined in Policy 140-015, Municipal Fees Policy.

4.3 Inspections

The building official shall be notified no less than 48 hours prior to a required inspection in accordance with the NSBCR.

4.4 Demolition and Disposal

A copy of any permit issued in relation to a demolition project shall be forwarded to Valley Waste Resource Management.

5. Repeal Section:

Chapter 65, Town of Wolfville Building Bylaw passed by Town Council on October 25th, 2017 is hereby repealed upon publication of this revised Bylaw under Section 169(2) of the NS MGA.

Clerk's Annotation for Official Bylaw Book

Date of first reading: *

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 **Building Bylaw 65** was adopted by Council and published as indicated above.

*, Town Clerk

*
Date

REQUEST FOR DECISION 048-2023

Title: Citizen Application for PAC (Enviro Rep)

Date: 2023-10-24

Department: Office of the CAO



SUMMARY

Citizen Application to PAC (Environmental Rep)

The purpose of this RFD is to assist Council to find a citizen representative for the Planning Advisory Committee (PAC) as the Environmental Representative. This vacancy has come about due to a previous citizen member finishing their term unexpectedly early.

This position will run from now until December 2025.

As per Town policy, applications were invited by public advertisement. The posting went out on July 28th on our website and social media platforms and remained open until August 25th. No applications were received during that time.

At a public engagement session at the Farmers Market, a resident spoke with staff and expressed an interest in volunteering for the Town. He was advised of this vacancy, for which he proceeded to submit an application which is attached to this RFD for your review. This is the only application we have received for this vacancy currently.

If a recommendation is made to appoint this applicant, the appointment would commence in November 2023.

DRAFT MOTION:

That Council approves the appointment of JASON HALL as a member at large on the Planning Advisory Committee as the Environmental Representative to serve from November 2023 until December 2025.

REQUEST FOR DECISION 048-2023

Title: Citizen Application for PAC (Enviro Rep)

Date: 2023-10-24

Department: Office of the CAO



1) CAO COMMENTS

Staff do not make a recommendation but have provided the application to Council for consideration.

2) LEGISLATIVE AUTHORITY

[Nova Scotia Municipal Government Act](#)

3) STAFF RECOMMENDATIONS

After an unexpected vacancy occurred on PAC (Environment Rep), the vacancy was advertised for the month of August. No applicants were received before the closing date of August 25th. A resident approached a member of staff at a community engagement session looking for ways to volunteer. He was directed to the website and submitted a late application.

The Director of Planning & Economic Development advised that this position is to fill an environmental role/purpose as defined in the Terms of Reference. While it is unclear to staff from the application whether this applicant has strengths in those areas, staff can work with them to provide support if they understand the role.

Council to determine whether this applicant is a good fit for the position or if further work is required to find more applicants.

4) REFERENCES AND ATTACHMENTS

- Application (***attached***)
- [Policy#110-010 Committees of Council Policy](#)

5) DISCUSSION

The posting for this vacancy was from July 28th until August 25th, 2023. It was advertised on social media and the Town's website and resulted in zero responses. At another event a resident of the Town approached staff and expressed interest in volunteering with the Town. This person was advised of the vacant position. As a result, the resident applied for the PAC (Environmental Rep) position which is a term until December 2025. Council is asked to consider the application submitted and decide whether this is a suitable candidate. If not, Council can direct staff to do further outreach.

REQUEST FOR DECISION 048-2023

Title: Citizen Application for PAC (Enviro Rep)

Date: 2023-10-24

Department: Office of the CAO



6) FINANCIAL IMPLICATIONS

Not Applicable

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Not Applicable.

8) COMMUNICATIONS REQUIREMENTS

If appointed, a letter acknowledging the appointment will be drafted for Mayoral signature to the new member and the membership updated on the Committees page on the Town of Wolfville website.

9) ALTERNATIVES

Not Applicable – Council is required to appoint a replacement to this committee.

INFORMATION REPORT #IR020-2023

Title: Quarterly (Q3) Attendance Report for Council

Date: 2023-10-24

Department: Office of the CAO



SUMMARY

QUARTERLY (Q3) ATTENDANCE REPORT FOR COUNCIL

In line with the Attendance Policy for Council #110-012, the quarterly attendance report has been prepared and attached to be presented to Council and will be shared on the Town's website.

These reports will show attendance for all Council and Committee of Council meetings with absences being recorded as approved or unapproved based on the criteria in the policy.

Attached to this report are records for the third quarter (calendar year) of 2023 (Jul-Sep).

INFORMATION REPORT #IR020-2023

Title: Quarterly (Q3) Attendance Report for Council

Date: 2023-10-24

Department: Office of the CAO



1) CAO COMMENTS

For information purposes.

2) REFERENCES AND ATTACHMENTS

- Attendance Policy for Council #110-012
- Quarterly Attendance Report for Q3 (attached)

3) DISCUSSION

As per Council policy #110-012 Attendance Policy for Council, quarterly reports are prepared and presented to Council showing the attendance record for Council members for all Council and Committee meetings. As well these reports will be posted on the website.

4) FINANCIAL IMPLICATIONS

N/A

5) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

These reports assist Council in maintaining one of their guiding principles - **Transparency**.

6) COMMUNICATION REQUIREMENTS

Reports will be posted quarterly to the Town website.

7) FUTURE COUNCIL INVOLVEMENT

N/A

Quarterly Attendance Report for Mayor & Councillors

Q3 (calendar year) Jul-Sept 2023

Mayor Wendy Donovan

Meeting Date	Attended	Approved Absence	Unapproved Absence
Committee of the Whole & Council Meetings			
2023-07-04 COW	X		
2023-07-18 TOWN COUNCIL	X		
2023-09-12 COW	X		
2023-09-26 TOWN COUNCIL	X		
Committee Meetings			
2023-07-07 Audit	X		
2023-07-11 RCMP Advisory Board	X		
2023-07-13 Planning Advisory (PAC)	X		
2023-07-19 IMSA Board	X		
2023-09-05 IMSA Audit Committee	X		
2023-09-06 IMSA CUTA Transit Session	X		
2023-09-12 RCMP (GDPRM Presentation)	X		
2023-09-14 Planning Advisory (PAC)	X		
2023-09-15 Audit Committee	X		
2023-09-19 RCMP Advisory Board	X		
2023-09-20 IMSA Board	X		
2023-09-26 Recreation Task Force	X		
2023-09-26 IMSA Investment Committee	X		

Deputy Mayor Isabel Madeira-Voss

Meeting Date	Attended	Approved Absence	Unapproved Absence
Committee of the Whole & Council Meetings			
2023-07-04 COW	X		
2023-07-18 TOWN COUNCIL	X		
2023-09-12 COW	X		
2023-09-26 TOWN COUNCIL	X		
Committee Meetings			
2023-07-11 RCMP Advisory Board	X		
2023-07-13 Planning Advisory (PAC)	X		
2023-08-22 Council Policy Review Task Force	X		
2023-09-12 RCMP (GDPRM Presentation)	X		
2023-09-14 Planning Advisory (PAC)	X		
2023-09-15 Council Policy Review Task Force	X		
2023-09-19 RCMP Advisory Board	X		

Quarterly Attendance Report for Mayor & Councillors

Q3 (calendar year) Jul-Sept 2023

Councillor Mike Butler

Meeting Date	Attended	Approved Absence	Unapproved Absence
Committee of the Whole & Council Meetings			
2023-07-04 COW	X		
2023-07-18 TOWN COUNCIL	X		
2023-09-12 COW	X		
2023-09-26 TOWN COUNCIL	X		
Committee Meetings			
2023-07-07 Audit Committee	X		
2023-07-11 RCMP Advisory Board	X		
2023-07-19 Kings Point to Point (KPPT)	X		
2023-07-19 Kings Point to Point (KPPT) AGM	X		
2023-08-16 Kings Point to Point (KPPT)	X		
2023-08-22 Council Policy Review Task Force	X		
2023-09-12 RCMP (GDPRM Presentation)	X		
2023-09-15 Audit Committee	X		
2023-09-15 Council Policy Review Task Force	X		
2023-09-19 RCMP Advisory Board	X		
2023-09-20 Kings Point to Point (KPPT)	X		

Councillor Jodi MacKay

Meeting Date	Attended	Approved Absence	Unapproved Absence
Committee of the Whole & Council Meetings			
2023-07-04 COW	X		
2023-07-18 TOWN COUNCIL	X		
2023-09-12 COW	X		
2023-09-26 TOWN COUNCIL	X		
Committee Meetings			
2023-07 REMO			X
2023-08-22 Council Policy Review Task Force	X		
2023-08 WBDC	X		
2023-08 WBDC AGM	X		
2023-09-01 IMSA Board	X		
2023-09-12 RCMP (GDPRM Presentation)	X		
2023-09-15 Council Policy Review Task Force	X		

Quarterly Attendance Report for Mayor & Councillors

Q3 (calendar year) Jul-Sept 2023

Councillor Jennifer Ingham

Meeting Date	Attended	Approved Absence	Unapproved Absence
Committee of the Whole & Council Meetings			
2023-07-04 COW	X		
2023-07-18 TOWN COUNCIL	X		
2023-09-12 COW	X		
2023-09-26 TOWN COUNCIL	X		
Committee Meetings			
2023-07-13 Planning Advisory (PAC)	X		
2023-07-17 REMAC	X		
2023-08-09 Diversity Kings	X		
2023-08-22 Council Policy Review Task Force	X		
2023-09-06 Diversity Kings	X		
2023-09-14 Planning Advisory (PAC)	X		
2023-09-15 Council Policy Review Task Force	X		

Councillor Wendy Elliott

Meeting Date	Attended	Approved Absence	Unapproved Absence
Committee of the Whole & Council Meetings			
2023-07-04 COW	X		
2023-07-18 TOWN COUNCIL	X		
2023-09-12 COW	X		
2023-09-26 TOWN COUNCIL	X		
Committee Meetings			
2023-07-13 Planning Advisory (PAC)	X		
2023-09-14 Planning Advisory (PAC)	X		

Councillor Ian Palmeter

Meeting Date	Attended	Approved Absence	Unapproved Absence
Committee of the Whole & Council Meetings			
2023-07-04 COW	X		
2023-07-18 TOWN COUNCIL	X		
2023-09-12 COW	X		
2023-09-26 TOWN COUNCIL	X		
Committee Meetings			
2023-07-07 Audit Committee	X		
2023-09-11 WBDC	X		
2023-09-14 Planning Advisory (PAC)	X		
2023-09-19 Audit Committee	X		