



# Town Council Meeting

June 25, 2024

Immediately After Public Hearings

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, May 21, 2024
- b. Town Council In Camera Meeting, May 21, 2024
- c. Special Town Council In Camera Meeting, June 3, 2024

#### 3. Comments from the Mayor

#### 4. Public Input / Question Period

PLEASE NOTE:

- *Individual members of the public may make comments and ask questions for up to 5 minutes.*
- *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, June 11, 2024:

- a. RFD 030-2024: Municipal Fees Policy
- b. RFD 032-2024: Policy# 120-017, Acknowledgements Policy



- c. RFD 033-2024: Policy# 120-014 Proclamations Policy Amendment
- d. RFD 034-2024: Code of Conduct for Elected Municipal Officials Amendment
- e. RFD 035-2024: Tennis Courts Resurfacing

**6. New Business**

- a. RFD 027-2024 2<sup>nd</sup> Reading Highland Ave Rezoning
- b. RFD 028-2024 2<sup>nd</sup> Reading Gaspereau Ave Rezoning
- c. IR 013-2024 Options for Recycling Yard Waste (*report to Follow*)

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

- a. Personnel

**8. Adjournment of In-Camera**

**9. Regular Meeting Reconvenes**

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

**11. Regular Meeting Adjourned**

**REQUEST FOR DECISION 030-2024**

Title: Municipal Fees Policy 140-015 – Annual Update

Date: 2024-06-11

Department: Finance

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## SUMMARY

### Municipal Fees Policy – Annual Update

The Town’s Municipal Fees Policy (#140-015) notes that the Policy will be reviewed annually, and fees amended as required. Fees are noted in the supporting schedules to the policy and cover various departments within the Town’s operation. The annual review and recommended changes can take place during the budget process, or as a separate process, provided municipal fees are relevant for the commencement of any new fiscal period.

It is staff’s intention to add the **Municipal Fee Policy** review to take place as part of the budget process for future fiscal periods.

The 2024/25 annual **Municipal Fees Policy** update contains **no changes** to municipal fees as reflected in the 2024/25 Town and Water Utility Operating Budgets.

It is important to note that currently user fee rates related to the sanitary sewer system (user pay structure, similar to the Water Utility) was approved during the 2024/25 budget process, as well as confirmation of current fees (or items with no fee attached to the service).

Should circumstances change, staff will be able to bring fee amendments to Council throughout the fiscal year.

### DRAFT MOTION:

**That Council approve the Municipal Fees Policy #140-015 as attached to RFD 030-2024.**

## REQUEST FOR DECISION 030-2024

Title: Municipal Fees Policy 140-015 – Annual Update

Date: 2024-06-11

Department: Finance

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### 1) CAO COMMENTS

The CAO supports the recommendations of staff.

### 2) LEGISLATIVE AUTHORITY

- Nova Scotia Municipal Government Act (MGA)

### 3) STAFF RECOMMENDATION

Staff recommend Council approve the Municipal Fee Policy as attached and recommends a more detailed review of fees occur prior to finalizing the 2025/26 budget in early 2025.

### 4) REFERENCES AND ATTACHMENTS

- Draft Municipal Fees Policy 140-015

### 5) DISCUSSION

As noted in Policy 140-015, this policy is to be reviewed annually. Ideally this would tie into the budget process. Over several years there have been few changes to the schedules, which accompany the ***Municipal Fees Policy***.

For 2024/25 there are no recommended fee changes to the ***Municipal Fees Policy***.

Based on input from members of the management team, current fees are sufficient for 2024/25 and shall plan to undertake a more in-depth review of fees during the coming year with potential changes reviewed with Council prior to the adoption of the 2025/26 Operations Plan and Budget.

### 6) FINANCIAL IMPLICATIONS

The Town Budget reflects the fees as noted in the policy attached. In general terms, the fees deal with small revenue streams to the Town, and therefore they are not of a magnitude that impacts the Town Budget and tax rates.

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

No specific references provided. The annual review process is a matter of business process to ensure key changes are not missed. Part of the more detailed fee review in the coming year will be consideration of areas of social equity, climate action and community wellness.

## REQUEST FOR DECISION 030-2024

Title: Municipal Fees Policy 140-015 – Annual Update

Date: 2024-06-11

Department: Finance

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### 8) COMMUNICATION REQUIREMENTS

One approved, the re-adopted Policy will be posted on the Town’s website for access by the public and the Town’s internal documents will be updated. As it stands Town Staff are using the current fee structure and rates, which are applicable to the fiscal period 2024/25.

### 9) ALTERNATIVES

Changes to the ***Municipal Fees Policy*** could be made without statistical or supporting schedules, and it would not be recommended by staff to do so at this time.



# POLICY

Municipal Fees	
<b>Policy Number</b> 140-015	<b>Supersedes Policy Number</b> Not Applicable
<b>Effective Date</b> 2017-07-18 2018-04-01 2018-10-02 2020-09-03 2021-04-20 2022-03-15 2023-06-20	<b>Approved by Council Motion No.</b> 27-07-17 20-01-18 21-10-18 08-06-20 05-03-21 19-03-22 13-06-23

## 1.0 Purpose

To provide a Policy that sets out and amends the fees the Town of Wolfville charges for certain applications, approvals, permits, licenses and services.

## 2.0 Scope

This Policy applies except to the extent of any conflict with applicable provincial legislation, and where the fee amounts in this Policy differ from those set out in a Bylaw, Recorded Resolution, Policy, or Resolution of the Municipality in effect on the effective date of this Policy, the fee amounts set out in this Policy shall amend those previously in effect.

## 3.0 References

3.1 [Nova Scotia Municipal Government Act](#)

## 4.0 Definitions

4.1 **Fees** are all fees paid to the Town of Wolfville for certain applications, approvals, permits, licenses, and services.

## 5.0 Policy

5.1 The fees to be paid to the Town of Wolfville for licenses, inspections, permits, applications, approvals, animal impoundments, or services are set out in the Schedules attached to this Policy.



## POLICY

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**5.2** Fines issued by Summary Offence Tickets for contravention of any Town Bylaws or Provincial/Federal laws are not within the scope of this Policy.

**5.3 Policy Review**

This policy will be reviewed annually from effective/amended date.

June 13, 2023

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CAO

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Date

**Schedules:**

- A. [Administrative/Financial Services Fees](#)
- B. [Building and Development Permit Fees](#)
- C. [Land Use Planning and Development](#)
- D. [Vending Fees](#)
- E. [Recreation and Tourism](#)
- F. [Public Utility Service](#)

**Schedule A – Administrative/Financial Services Fees**

Description of Licence, Inspection, Permit, Application, Approval, or Service	Fee
Town Seal <ul style="list-style-type: none"> <li>• For affixing the seal to any document to be used outside the Province</li> <li>• For affixing the seal to any document to be used within the Province only</li> <li>• For affixing the seal to any document within the Town of Wolfville only</li> </ul>	\$2.00 \$1.50 \$1.00
Dog Registration (per Annum)	\$25.00
FOIPOP Services <ul style="list-style-type: none"> <li>• Application Fee</li> </ul>	\$5.00
Tax Certificate Fee	\$50.00
Deed Transfer Tax	1.5%
Interest on Overdue Taxes (added on the first of each month)	1.00%
Election Deposit	No Fee
NSF Cheque	\$40.00
Taxi Owner's License Fee	\$25.00
Taxi Driver's License Fee	\$25.00



## Schedule B - Building and Development Permit Fees

Description of Licence, Inspection, Permit, Application, Approval, or Service	Fee
New Construction of, and addition to, residential buildings, community centres and churches.	\$50.00 plus 15 cents per sq. ft.
New construction of and additions to commercial, industrial and other buildings not otherwise specified.	\$75.00 plus 20 cents per sq. ft.
New construction of and additions to sheds, decks, shell storage buildings, garages, barns, and other farm, forestry or fishing buildings not designed for human occupancy.	\$25.00 plus 10 cents per sq. ft.
Repairs, renovations, or alterations to all existing buildings.	\$50.00 plus \$4.00 per \$1000 of estimated value of construction work.
Location or relocation of an existing structure.	\$75.00
Construction or location of a swimming pool including required fencing.	\$100.00
Renewal of an approved permit.	\$25.00
Erection of a business or general sign.	\$50.00
Building or structure demolition.	\$50.00
Development Permit Only (i.e. signage)	\$50.00
Sidewalk Café Fee (Calculated by measuring the total area of the sidewalk in front of the building (building edge to inside curb edge) to be used for the café).	No Fee
Short Term Rental – Renewal every 4 years	\$150.00 (includes development permit fee)
Single Room Occupancy – Renewal every 4 years	\$150.00 plus \$25.00 per rental room after four (includes development permit fee)
Fire Inspection not required under regulations.	\$100.00

## Schedule C – Land Use Planning and Development

Description of Licence, Inspection, Permit, Application, Approval, or Service	Fee
Site Plan Approval	\$150.00
Subdivision Application Fee	\$100 plus \$10.00 for each additional lot beyond one.
Development Agreement	\$2000.00 (includes advertising costs)
Plan Amendments	\$2000.00 (includes advertising costs)
Heritage Applications	No Fee
Zoning Certificate	\$50.00

**Schedule D – Vending Fees** ([Vending Bylaw, Chapter 99](#))

Description of Licence, Inspection, Permit, Application, Approval, or Service	Fee
Mobile Canteen (fee/canteen/event)	\$75.00
Stand (fee per stand/event)	\$75.00
Vending on Private Property (fee/application with timeline set by Development Officer)	\$75.00
Non-Profit Fundraising Activity	No Fee

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<sup>1</sup> Vending Bylaw fees may be amended by Resolution of Council from time-to-time

## Schedule E – Recreation & Tourism

Description of Licence, Inspection, Permit, Application, Approval, or Service	Fee
Street Banner Installation (plus HST)	No Fee
Recreation Centre Rental (plus HST if applicable) <ul style="list-style-type: none"><li>• Half Day</li><li>• Full Day</li></ul>	\$20.00 \$35.00
Field, Park and Open Space Rentals	No Fee

## Schedule F – Public Utility Service

Description of Licence, Inspection, Permit, Application, Approval, or Service	Fee
Sanitary Sewer connection fee If combined with Water Utility hookup, fee is recorded in Water Utility accounts	\$6,500
Sanitary Sewer Usage (per 1,000 gallons of water used by customer)	\$6.00
Sanitary Sewer minimum quarterly charge for any metered customer	\$29.85
Sanitary Sewer Flat Rate Fee (per quarter)	\$115.00

**Water Utility** – please refer to the Town’s Nova Scotia Utility & Review Board (NSUARB) approved Rates and Regulations.

**REQUEST FOR DECISION 032-2024**

Title: Acknowledgements Policy #120-017

Date: 2024-06-11

Department: Council Policy Review Task Force

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## SUMMARY

### Policy #120-017 Acknowledgements Policy

Council is often requested to acknowledge and share information on significant events and dates with the community. These requests can come from members of the community, council members, staff and organizations. Some of those organizations may not be in Wolfville or Kings County and may not be of relevance to our community.

To provide a consistent response and process to manage these requests, an Acknowledgements Policy is recommended as attached.

The policy looks at the type of request being made, where it is coming from, whether it is relevant to the Town, and gives examples of the types of requests that may be declined as well as the process to follow including identifying who is responsible to manage the requests.

Council makes the final decision on whether an event or date will be recognized.

Staff recommend the attached policy be adopted.

### DRAFT MOTION:

That Council approve Policy #120-017 Acknowledgements Policy as attached to RFD 032-2024.

## REQUEST FOR DECISION 032-2024

Title: Acknowledgements Policy #120-017

Date: 2024-06-11

Department: Council Policy Review Task Force

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### 1) CAO COMMENTS

The CAO supports the recommendations of staff.

### 2) LEGISLATIVE AUTHORITY

Municipal Government Act 1998, Section 28

### 3) STAFF RECOMMENDATION

The recommendation for Council is to approve Policy #120-017 Acknowledgements Policy.

### 4) REFERENCES AND ATTACHMENTS

Draft Policy#120-017, Acknowledgements Policy

### 5) DISCUSSION

From time to time, council is requested to share and celebrate information on significant events/dates or activities that are taking place. These requests come from a variety of people and organizations. The purpose of an Acknowledgement Policy is to provide a framework on the type of request which Council may wish to acknowledge. Some requests received may not be appropriate, for example if they are in support of a political party or an event that has no direct relevance to the Town.

To provide a consistent method of response and a process detailing the responsibility of staff and council within that process, an Acknowledgements Policy #120-017 has been created and is being recommended for adoption.

### 6) FINANCIAL IMPLICATIONS

N/A

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

N/A

### 8) COMMUNICATION REQUIREMENTS

Should council approve this policy, it will be posted on the Town's website.

### 9) ALTERNATIVES

Council could choose not to approve this policy or approve with amendments.



## POLICY

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Acknowledgements	
<b>Policy Number:</b> 120-017	<b>Supersedes Policy Number:</b> Not Applicable
<b>Effective Date:</b> 2024-XX-XX	<b>Approved By Council Motion Number:</b>

### 1.0 Purpose

To establish guidelines to deal with requests for the Town to acknowledge special events/occurrences/occasions.

### 2.0 Scope

This Policy covers all requests for acknowledgements received by the Town. Its provisions extend to all staff involved in the process of managing such requests.

### 3.0 References

Not applicable

### 4.0 Definitions

4.1 **Acknowledgement** is a recognition of the importance of a date/event/special occasion that may be of interest and/or benefit to the Town community.

### 5.0 Policy

#### 5.1 Requests for Special Lighting of Town Hall

The Town does not light up any of its buildings to commemorate special dates/events/occurrences.

#### 5.2 Request for Acknowledgement

5.2.1 The Town from time to time may receive requests from external groups to acknowledge certain events.





## POLICY

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- 5.2.2 The decision to make an acknowledgement is made by consensus of council.
- 5.2.3 The Town of Wolfville will not approve acknowledgements for any of the following groups or intentions:
- a. Political parties or organizations.
  - b. Religious parties or organizations.
  - c. Promotion of business or commercial enterprise.
  - d. If the intent is contrary to the Town's policies or bylaws.
  - e. If the intent is to defame the integrity of the Town; or
  - f. If the event or organization has no direct interest or relationship to the Town.

### 5.3 Responsibilities

- 5.3.1 Any person, organization or a Town department wishing consideration of an acknowledgement will do so in writing at least six weeks in advance of the event. Requests received with less advanced notice may not make the cut off for the Town Council agenda and may not be considered. Each request will be judged on its own merit.
- 5.3.2 All requests for an acknowledgement will be received by the Town Clerk and circulated to council for consideration.
- 5.3.3 By consensus, council shall consider making acknowledgement of requests received.
- 5.3.4 Approved acknowledgements are shared at Town Council meetings.
- 5.3.5 All requests for an acknowledgement must contain detailed information supporting the nature of the request.
- 5.3.6 Requests must meet the following criteria:
- not-for-profit organization located or having a presence within the Town or region,
  - endorsed by a citizen of the Town, and
  - align with the Council's strategic priorities.



## POLICY

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5.3.7 The Town has the right to refuse any request for acknowledgement.

5.3.8 Council shall approve any amendments to this policy.

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CAO or Town Clerk

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Date

DRAFT

## REQUEST FOR DECISION 033-2024

Title: Policy #120-014 Proclamations Policy - Amendment

Date: 2024-06-11

Department: Council Policy Review Task Force

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## SUMMARY

### POLICY #120-014, PROCLAMATIONS POLICY - AMENDMENT

The Town has a Proclamation Policy which deals with how proclamation requests are managed.

Proclamations can be seen as old fashioned and insincere due to their colonial history, the outdated language and repetitive format which is used regardless of the subject matter. Their format could be seen as a barrier to residents whose first language is not English.

They are not legally binding documents. Their purpose is to simply recognize or bring awareness to a specific date, time period or event that is important to the Town. This is already done in a variety of other ways such as during Mayor comments in Town Council meetings or posted on our website and social media. There is no requirement in the Municipal Government Act for council to make proclamations.

The recommendation being made is to discontinue the practice of making proclamations and to amend the current Policy #120-014, Proclamations Policy to reflect this.

### DRAFT MOTION:

That Council approve amendments to the Policy #120-014 Proclamations Policy as attached to RFD 033-2024.

## REQUEST FOR DECISION 033-2024

Title: Policy #120-014 Proclamations Policy - Amendment

Date: 2024-06-11

Department: Council Policy Review Task Force

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### 1) CAO COMMENTS

The CAO supports the recommendations of staff.

### 2) LEGISLATIVE AUTHORITY

Municipal Government Act 1998, Section 28

### 3) STAFF RECOMMENDATION

The recommendation for Council is to adopt the amendments made to Policy #120-014, Proclamations Policy.

### 4) REFERENCES AND ATTACHMENTS

- Amended Policy #120-014 Proclamations Policy Draft

### 5) DISCUSSION

As part of the Council Policy Review Task Force workplan, the Town's Proclamations Policy 120-014 was reviewed.

A Proclamation can be made to raise awareness of an event or date that has significance to the Town. It is not a legally binding document and there is no requirement for council to issue a proclamation.

As a Town, we are actively looking to be inclusive and welcoming. Some of the ways we do this is by breaking down potential barriers, such as language barriers. Wolfville is made up of a diverse population with people coming from all over the world and where English is not the first language of many. One of the ways we can break down a barrier is by using plain language in our documents and correspondence to help promote the Town as a welcoming environment to all.

Proclamations are colonial in nature with outdated language that can be hard to read and understand. They could be seen as insincere due to their use of a standard template that is used regardless of topic.

A jurisdictional scan was done to assess what other municipalities' practices are when dealing with proclamation requests. The approach throughout the province varies. Some have a policy

## REQUEST FOR DECISION 033-2024

Title: Policy #120-014 Proclamations Policy - Amendment

Date: 2024-06-11

Department: Council Policy Review Task Force

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to proclaim, some have a policy not to proclaim, others list proclamation requests in the council agenda package or post a list of events on a calendar.

There are other, more authentic ways council can raise awareness of significant events or dates, which show the uniqueness of each event, such as a subject specific post on our website, or using their own words when sharing the significance of event or date at a council meeting. Therefore, the recommendation from staff is to adopt the amendments in the attached Policy #120-014, Proclamations Policy.

### 6) FINANCIAL IMPLICATIONS

N/A

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

N/A

### 8) COMMUNICATION REQUIREMENTS

The policy, whether amendments are accepted or not will be updated on the website showing review date and containing any amendments made.

### 9) ALTERNATIVES

Council could choose not to accept the amendments, accept some of the amendments, suggest different amendments or keep the Proclamations Policy the same.



## POLICY

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### Requests for Proclamations

**Policy Number:**  
120-014

**Supersedes Policy Number:**  
Not Applicable

**Effective Date:**  
2015-10-20  
Amended: 2024

**Approved By Council Motion Number:**  
2015-10-20

#### 1.0 Purpose

To ensure a consistent response to the handling of requests for proclamations.

#### 2.0 Scope

This Policy covers all requests for proclamations received by the Town of Wolfville. Its provisions extend to all staff involved in the management of requests for Proclamations.

#### 3.0 References

Not applicable

#### 4.0 Policy Statement

4.1 The Town of Wolfville does not issue proclamations. There is limited benefit to the community by declaring proclamations and no provision for them in the Municipal Government Act.

#### 5.0 Procedure

Office of the CAO will:

5.1 Receive all correspondence requesting a proclamation.

5.2 Send a response advising of this policy.

5.3 Advise council of the nature of the request should they wish to acknowledge it another way.

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CAO or Town Clerk

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Date

## REQUEST FOR DECISION 034-2024

Title: Code of Conduct for Elected Municipal Officials Policy

Date: 2024-06-11

Department: Office of the CAO

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## SUMMARY

### CODE OF CONDUCT FOR ELECTED MUNICIPAL OFFICIALS' POLICY

In 2023, Council revised the Code of Conduct for Elected Municipal Officials Policy, to align with the work of the NSFM (Nova Scotia Federation of Municipalities)/Provincial Code of Conduct Working Group.

Upon review of a separate council policy (Virtual Meeting Policy), discussions revealed that council would like more robust language around expectations of members commitment including being physically present in the Town. While this has not been a concern with the current council, it was noted that there have been tales of incidences in the past and within other municipalities where council members were out of province for the winter months. This did not promote confidence in the communities they served.

As such, an amendment has been made to the policy to help solidify the expectations of the role of a councillor.

### DRAFT MOTION:

That Council approve the amended Policy 110-011, Code of Conduct for Elected Municipal Officials Policy, as attached to RFD 034-2024.

## REQUEST FOR DECISION 034-2024

Title: Code of Conduct for Elected Municipal Officials Policy

Date: 2024-06-11

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.

### 3) STAFF RECOMMENDATION/RECOMMENDATION OF POLICY WORKING GROUP

It is recommended that Council approve the amended Code of Conduct for Elected Municipal Officials Policy 110-011.

### 4) REFERENCES AND ATTACHMENTS

Draft amended Code of Conduct for Elected Municipal Officials Policy 110-011

### 5) DISCUSSION

While the current Policy was reviewed in 2023 to be better aligned with the draft recommendations of the NSFM/Provincial Municipal Elected Official Code of Conduct Working Group, council expressed desire to strengthen language around expectations of Councillors and their commitment to the community by being physically present in the Town for the majority of their time in the role.

While it is acknowledged that policies are in place to improve inclusivity and promote barrier free environments, it is understood that the intent is not to enable council members to be absent from the community for lengthy periods of time by virtue of having the ability to attend meetings of council virtually.

The intent of the amendment to this policy is to clarify that to better serve the community and to make informed decisions, council members must be engaged and present in the Town.

### 6) FINANCIAL IMPLICATIONS

N/A

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

N/A

### 8) COMMUNICATION REQUIREMENTS

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**REQUEST FOR DECISION 034-2024**

Title: Code of Conduct for Elected Municipal Officials Policy

Date: 2024-06-11

Department: Office of the CAO

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If approved, the amended Policy will be posted on the Town's website.

**9) ALTERNATIVES**

Council can choose not to approve the recommended amendments or can make changes to the draft policy before it is approved.



## POLICY

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<b>Code of Conduct for Elected Municipal Officials Policy</b>	
<b>Policy Number:</b> 110-011	<b>Supersedes Policy Number:</b> Not Applicable
<b>Effective Date:</b> March 3, 2020  <b>Amended Date:</b> July 19, 2022 November 21, 2023	<b>Approval By Council (Motion Number):</b> 17-07-22 26-11-23

### 1.0 Purpose

To ensure that all elected Town of Wolfville municipal officials adhere to a Code of Conduct as per legislative and Town requirements.

### 2.0 Scope & Responsibility

This Policy is applicable to all elected municipal officials. The Council Policy Review Task Force is the Administrator of this policy.

### 3.0 References

- 3.1 Municipal Elections Act 1989
- 3.2 Municipal Government Act 1998
- 3.3 The Code of Conduct for Elected Officials Regulation, AR 200/2017 (Regulation)
- 3.4 Policy 130-818 Respectful Workplace Policy

### 4.0 Definitions

- 4.1 **Administrator** is defined as the staff position delegated by the CAO, responsible for the implementation and co-ordination of review of a specific Policy. For legislative policies, Council, or a delegated Council Policy Committee, is considered the **Administrator**.
- 4.2 **Council** means the Council of the Town of Wolfville
- 4.3 **Members of Council** include(s) the Mayor



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- 4.4 Mayor** is the Mayor of the Town of Wolfville
- 4.5 Policy** is defined as a generalized statement of interest based upon a body of principles, which describes what is to be done now and in the future.
- 4.6 Procedure** is defined as a statement(s) arising from policy which sets out who does what, how, and in what sequence, the method of carrying out the policy.
- 4.7 Town** means the Town of Wolfville

## 5.0 Policy

### 5.1 Guiding Principles

The below guiding principles are intended to underlie the specific standards established for the conduct of members:

- 5.1.1 **Collegiality:** members of council will work together to further the best interests of the Town in an honest and honourable way.
- 5.1.2 **Respect:** members of council will demonstrate respect towards one another, the democratic decision-making process, and the role of staff.
- 5.1.3 **Integrity:** members of council are expected to be lawful and adhere to strong ethical principles by giving the Town interests priority over private individual interests.
- 5.1.4 **Professionalism:** members of council will create and maintain an environment that is respectful and free from all forms of harassment, including sexual harassment and discrimination. They must show consideration for every person's values, beliefs and contributions, while supporting and encouraging others to participate in council activities.
- 5.1.5 **Transparency:** members of council will be truthful and open regarding their decisions and actions and make every effort to accurately communicate information openly to the public.
- 5.1.6 **Responsibility:** members of council are responsible for the decisions that they make and must be held accountable for their outcomes.



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They must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.

### 5.2 Standards

The below outlines the set of standards for the conduct of members, set out by general topic, that must be adhered to:

#### 5.2.1 General Conduct

- Members of council must be truthful and forthright, and not deceive or knowingly mislead Council, the CAO, or the public.
- Members of council will respect the presiding officers, colleagues, staff and members of the public that present during the council meeting or other proceedings/meetings of the Town.
- Members of council will adhere to procedure and direction of presiding officers in respect to rules of procedure.
- Members of council must conduct council business and all of the member's duties in an open and transparent manner, other than for those matters which Council is authorized by law to deal with in private.
- Members of council must ensure that they are not impaired by alcohol or drugs while attending any meeting of the Town.
- Members of council must come to each meeting fully prepared to participate, having read the pre-circulated reports and information contained in the agenda packages.
- Members of council have a duty to inspire public confidence by being present and engaged in and with the members of this Town to effectively carry out the role of being their representative.

#### 5.2.2 Confidential Information

- No Member of Council will disclose or release by any means to any member of the public, any confidential information acquired by



## POLICY

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virtue of their office, in either oral or written form, except where required by policy or law or authorized by the Council to do so.

- No Member of Council will use confidential information for personal or private gain or for the gain of any other person or entity.
- Members of Council should not access or attempt to access confidential information in the custody of the Town unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the by-laws or policies of the Town.

### 5.2.3 Gifts and Benefits

- No member of Council shall accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:
  - i. gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation.
  - ii. a suitable memento of a function honouring the member of Council.
  - iii. sponsorships and donations for community events organized or run by a member of Council or by a third party on behalf of a member of Council.
  - iv. compensation authorized by the Town.
- A fee or advance paid, or a gift or benefit provided, with the Member's knowledge, to a person closely connected to a member is deemed to be a gift to the Member of Council.

### 5.2.4 Use of Municipal Property, Equipment and Services

- No member of Council shall use, or request the use of, any Town property, including surplus material or equipment for personal convenience or profit, unless the property is:
  - i. available for such use by the public generally and the



## POLICY

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member of Council is receiving no special preference in its use; or,

ii. made available to the member of Council in the course of carrying out council activities and duties.

- No Member of Council shall use, or request the use of, for personal purpose any Town property, equipment, services, supplies or other Town-owned materials, other than for purposes connected with the discharge of Town duties.
- No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of Town-developed intellectual property.
- No Member of Council shall use information, or attempt to use information, gained in the execution of their duties that is not available to the public for any purposes other than carrying out their official duties.
- No Member of Council, or person closely connected to a member, shall tender on such items such as the sale of older and extra equipment.

### 5.2.5 Planning or Procurement Proposals before Council

- No Members of Council shall solicit or accept support in any form from an individual, group or corporation with any planning or procurement proposal before Council.

### 5.2.6 Improper Use of Influence

- No Member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.

### 5.2.7 Business Relations

- No Member of Council shall allow the prospect of their future employment by a person or entity to affect the performance of their duties to the Town.



## POLICY

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- No Member of Council shall borrow money from any person who regularly does business with the Town unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.
- No Member of Council shall act as an agent of a person or entity before Council or a committee of Council or any agency, board or committee of the Town.

### 5.2.8 Employment of Persons Closely Connected to Members of Council

- No member of Council shall attempt to influence any Town employee to hire or promote a person closely connected to the member.
- No member of Council shall make any decision or participate in the process to hire, transfer, promote, demote, discipline, or terminate any person closely connected to.

### 5.2.9 Fairness

- No member of Council shall give special consideration, treatment, or advantage to any individual or entity beyond that which is accorded to all.
- No member of Council shall give special consideration, treatment or advantage to an organization or group due to the member or person closely connected to the member being involved with or a member of the organization or group.

### 5.2.10 Adherence to Policies, Procedures, Bylaws and Other Laws

- Members of Council will adhere to:
  - i. applicable national and provincial legislation.
  - ii. procedures, policies and bylaws of the Town.
  - iii. expense and hospitality policies of the Town.

### 5.2.11 Respect for Council as a decision-making body

- A member of council must abide by and act in accordance with



## POLICY

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any decision made by council, whether the member voted in favour of the decision or not.

- Members of Council must not encourage non-compliance with a bylaw, policy or procedure.

### 5.2.12 Communicating on behalf of Council

- A member, other than the Mayor, must not claim to speak on behalf of Council unless the member has been authorized to do so.
- The Mayor may speak on behalf of Council and must make every effort to convey the intent of councils' decision accurately.

### 5.2.13 Interactions of Council with Staff and Service Providers

- Members of Council must respect the role of the CAO as head of the administrative branch of government of the Town and must not involve themselves directly in the administration of the affairs of the Town, including, without limitation, the administration of contracts.
- No member of Council shall direct, or attempt to direct, the CAO, other than through a direction provided by the Council as a whole.
- Members of Council shall be respectful of the role of CAO and Town employees to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.
- Members of Council must not direct or influence or attempt to direct or influence any Town employees in the exercise of their duties or functions.
- Council cannot direct Town employees except through the CAO.
- Members of Council are not to issue instructions to any of the contractors, tenderers, consultants, or other service providers to the Town.
- No member of Council shall require or request that a Town





## POLICY

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employee undertake personal chores or tasks for the member unrelated to Town business.

- Members of Council must not make public statements reflecting negatively on identifiable groups of individuals.

### 5.2.14 Respectful Interactions

- A member of Council must not engage in discrimination or harassment on the grounds articulated in the Human Rights Act of Nova Scotia.
- A member of Council must not sexually harass any person.
- A member of Council must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at one or more individuals or groups that creates a poisoned environment.

### 5.2.15 Reprisal

- A member of Council must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under this Code of Conduct, or any person providing relevant information in relation to a matter under this Code of Conduct.

## 5.3 Breach of Code of Conduct

### 5.3.1 Considerations

- An elected official must evaluate the following 7 considerations before imposing a sanction on a member:
  1. The nature of the code contravention.
  2. The length or persistence of the code contravention.
  3. If the member knowingly contravened the code of conduct.
  4. If the member has taken any steps to remedy the contravention.
  5. If the member previously contravened the code of conduct.
  6. Any external factors that exist to the member's contravention.
  7. The resources the member will need to complete their job.



## POLICY

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### 5.3.2 Sanctions

- Sanctions can be administered in accordance with legislation.

### 5.4 Complaint and Investigator Process

- 5.4.1 The Town will appoint a person or entity other than a Council member or an employee to receive and investigate complaints.
- 5.4.2 The person or entity appointed must have experience in conducting investigations and in applying the principles of natural justice. No conflict of interest can exist between the investigator and the parties involved.
- 5.4.3 A complaint will be submitted to the investigator no later than 6 months from discoverability.
- 5.4.4 Any complaints brought forward during the municipal election period of nomination day until ordinary polling day will not be investigated until the election has concluded.
- 5.4.5 The CAO/Clerk will be notified by the investigator that a complaint has been received.
- 5.4.6 The investigator will determine if there is validity to the complaint. If there is no validity, then the complaint can be dismissed.
- 5.4.7 If the complaint is valid, the investigator will begin their investigation and Council will be notified about the investigation in camera.
- 5.4.8 The investigator shall present a report to council, no later than 6 months from the time the complaint is brought forward, on the investigation and include a recommendation regarding the validity of



## POLICY

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the complaint and, if applicable, a recommendation regarding an appropriate sanction:

- i. If complaint is brought forward during the municipal election period of nomination day until ordinary polling day it will not be investigated until the election has concluded.
- ii. Council may grant the investigator an extension on when the report can be brought to Council for extenuating circumstances.
- iii. Council can discuss the investigators report in-camera.

5.4.9 Council determines if a breach occurred and determines the sanction(s) to impose. The member who had the complaint lodged against them will not participate in the vote.

5.4.10 The section under the code of conduct the complaint was lodged and the investigators recommendations are made public.

5.4.11 The decision or penalty of Council on a code of conduct matter is final and binding on all parties.

### 6.0 Policy Review

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

Appendices:

- [Appendix A](#) – Statement of Commitment to Councillors Code of Conduct

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CAO or Town Clerk

**2023-11-21**  
Date

**APPENDIX A**

**STATEMENT OF COMMITMENT TO COUNCILLORS' CODE OF CONDUCT**

I, (Full Name) \_\_\_\_\_ declare that as a Councillor of the  
Town of Wolfville I acknowledge and support the Councillors' Code of Conduct.

Signed:

Declared this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Before me:

\_\_\_\_\_  
Chief Administrative Officer/Town Clerk

**REQUEST FOR DECISION 035-2024**

Title: Tennis Courts Resurfacing – Funding Confirmed to Supplement Budget

Date: 2024-06-05

Department: Community Development/Finance

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## SUMMARY

### Tennis Courts Resurfacing – Funding Confirmed to Supplement Budget

The Request for Proposals to resurface the Town’s tennis courts at Rotary Park returned one proposal that included a menu of options with varying price levels. The most attractive option included a dual base layer and a five-year warranty (compared to two or three years with other options). The price of this option is \$169,000 + HST including a \$10,000 contingency allowance. The total cost to the Town would, considering the HST rebate, would be \$176,250. The Town’s budget for this project is \$125,000. The Wolfville Tennis Club has committed up to \$45,000 towards the project in order to achieve the best possible product and treatment.

#### DRAFT MOTION:

That Council approve an increase to the budgeted amount for the resurfacing of the tennis courts from \$125,000 to \$176,250 (including HST) and allow the preferred option 2 work to be carried out. The Tennis Club has committed \$45,000 to the cost of this work resulting in an increase of \$6,250 to the Town.

## REQUEST FOR DECISION 035-2024

Title: Tennis Courts Resurfacing – Funding Confirmed to Supplement Budget

Date: 2024-06-05

Department: Community Development/Finance

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### 1) CAO COMMENTS

The CAO supports the recommendations of staff.

### 2) LEGISLATIVE AUTHORITY

- Municipal Government Act (MGA) 65A(a)

### 3) STAFF RECOMMENDATION

That Council consider this request given the approved budgeted amount and funds added by the Wolfville Tennis Club.

### 4) REFERENCES AND ATTACHMENTS

1. Request for Proposals Abstract, including base option plus additional advanced options and pricing.
2. Letter of commitment from Wolfville Tennis Club pledging additional funding towards project.

### 5) DISCUSSION

The Town's tennis courts are in need of resurfacing, having last been done in 2018. There are obvious signs of wear on the surface, which is normal for facilities of this kind but needs to be addressed in order to preserve the courts and ensure safe use. The recent Request for Proposals returned one submission, from Bourassa Sport Technologie, which includes a menu of options with different price levels. These are outlined in Attachment 1 and show that the base level of resurfacing would cost \$90,000 plus a \$10,000 contingency allowance (\$100,000 budgeted total) and would include a two-year warranty. The Proposal submission offers 'upgrade' options that include additional material and treatment to the surface as well as longer warranty periods:

- Option 1 would cost an additional \$33,000 on top of the base level (\$133,000 total) and would include a three-year warranty.
- Option 2 would cost an additional \$69,000 (\$169,000 total) and would include a five-year warranty.
- The specifics of the additional materials and treatments are outlined in Attachment 1.

Replacement of the net post sleeves and caps was included in the RFP as a standard item and were quoted in the Proposal submission at a cost of \$27,000, however, upon further inspection and consultation with the Wolfville Tennis Club it was determined that these do not require replacement. Eliminating this cost would allow us to explore and consider Option 1 while remaining within budget.

In consultation with the Wolfville Tennis Club, it was determined that the Club would consider making a financial contribution to the project in order to ensure the highest quality product and warranty could

## REQUEST FOR DECISION 035-2024

Title: Tennis Courts Resurfacing – Funding Confirmed to Supplement Budget

Date: 2024-06-05

Department: Community Development/Finance

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be obtained (Option 2). Club representatives contacted a reference organization (Waegwoltic Club in Halifax) that has recently had courts resurfaced by Bourassa Sport Technologie with an identical system to what is proposed in Option 2. They are very happy with the product and have had warranty repairs successfully completed under their contract and to their satisfaction. The Wolfville Tennis Club has committed to providing up to \$45,000 towards the resurfacing of the courts to supplement the Town's budget of \$125,000 for a total budget of \$170,000 to secure Bourassa Sport Technologie to provide Option 2 in the Proposal submission. The Club's written commitment is included in Attachment 2.

### 6) FINANCIAL IMPLICATIONS

As noted above, the Town's approved budget for this project is \$125,000 and the additional spending above this amount required to secure the highest quality option with the longest warranty (\$45,000) would be offset by the funds committed by the Wolfville Tennis Club. This represents a significant contribution from the Club and, while they can afford it, their available cash flow would be largely depleted. Considering this, as well as the Town's already approved budget amount of \$125,000, it is suggested that any savings incurred as a result of some or all of the contingency allowance not being used be passed along to the Club (i.e. the Town remains committed to spending \$125,000 before taxes and the Club covers any amount over this figure, up to but not necessarily equal to \$45,000).

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

In terms of strategic directions (2021-2024 Strategic Plan), this project directly and/or indirectly aligns with Council priorities through the preservation of a space that will positively impact Economic Prosperity and Social Equity, as well as contributing to Community Wellness by providing residents and visitors with a quality recreational facility and opportunities to participate in physical activity. The courts are available to the public, free of charge, outside of hours that the Wolfville Tennis Club books for their membership. Time booked by the Club equates to less than 40% of the total available time, leaving over 60% of the time available to the public. The Club also partners with the Town regularly to provide tennis programming, "Try It" opportunities and other events, and has contributed funds towards improvements to the facility in years past.

### 8) COMMUNICATION REQUIREMENTS

The proponent of the RFP will be notified of Council's decision in order to determine the level of service to be provided. The Wolfville Tennis Club will be notified as to whether their funding commitment will be required.

### 9) ALTERNATIVES

Options available:

**REQUEST FOR DECISION 035-2024**

Title: Tennis Courts Resurfacing – Funding Confirmed to Supplement Budget

Date: 2024-06-05

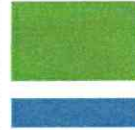
Department: Community Development/Finance

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- Not approve the request to accept funds from the Wolfville Tennis Club for the purpose of increasing the total amount to spend on this project, leaving the budget at \$125,000 and selecting Option 1 from the Proposal
- Approve additional funds from the Town of Wolfville toward this project, decreasing or eliminating the amount of funding required from the Wolfville Tennis Club to obtain Option 2 from the Proposal





May 23, 2024

To: Karen Outerleys  
 THE TOWN OF WOLFVILLE

### Submission for WOL006-2024 – TENNIS COURT RESURFACING

Hello Karen,

We are excited to respond to the mentioned above tender. Here is the scope of work meeting the Scope of Requirements:

- Clean with pressure wash machine all entire courts
- Filling the cracks with Laykold Crack Filler and Qualicaulk
- Install Riteway crack repair system on every structural cracks
- Proceed to water test for surface planarity
- Correction of all depressions identified after the planarity test, with Laykold Deep Patch Binder
- Install a coat of adhesion promoter with Laykold bond-kote on the entire surface.
- Seal around all net posts and sleeves with Laykold qualicaulk
- Install 1 coat of Laykold Nusurf G2 on entire surface.
- Install 3 coats of Colors with Laykold Colorflex
- Install Lines with Laykold Line prime and Line paint
- 2-year warranty on coating system and Riteway crack repair system
- Includes a visit and report in 2025

Pricing : \$90,000.00 + taxes

CLIENT: Town of Wolfville

	Weeks:																				
	Days:																				
	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T					
Anticipated Date for Execution of Agreement: <u>October 3, 2024</u>	18	19	20	21	22	23	24	25	26	27	28	29	30	1	2	3					
<u>Activity</u>																					
Clean with pressure wash machine all entire courts																					
Filling the cracks with Laykold Crack Filler and Qualicaulk																					
Install Riteway crack repair system on every structural cracks																					
Proceed to water test for surface planarity																					
Correction of all depressions identified after the planarity test,																					
Install a coat of adhesion promoter with Laykold bond-kote on the entire surface.																					
Seal around all net posts and sleeves with Laykold qualicaulk																					
Install 1 coat of Laykold Nusurf G2 on entire surface.																					
Install 3 coats of Colors with Laykold Colorflex																					
Install Lines with Laykold Line prime and Line paint																					
Substantial Performance Date: <u>July 28th 2024</u>	COMMENTS: We aloted extra days for any problems that may occur. ie; weather, deliverables, possible testing etc...																				

### PRIMARY PROPOSAL FORM

**Proposed Costs to Deliver Scope**

ITEM	DESCRIPTION	LUMP SUM PRICE
1.	Resurface three tennis courts in accordance with the project specifications described in this Request for Proposal	\$ 90,000.00
2.	Supply and install replacement post sleeves and caps [PROVISIONAL]	\$ 27,000.00
3.	Contingency Allowance	\$ 10,000

*Optional proposed upgrade costs or additional costing details (as required) may be provided by the Proponent on a separate sheet(s) in the Supplementary Submissions.*

Subtotal	\$ 127,000.00
HST (15%)	\$ 19,050.00
<b>TOTAL PRICE</b>	<b>\$ 146,050.00</b>

**Schedule of Services**

Anticipated award date: May 31, 2024

**Anticipated Start Date:** SEPTEMBER 18, 2024 *Schedule to be based on the anticipated award date above. If the scope of work is awarded later than the anticipated award date, the proposed dates will be adjusted accordingly in coordination with the successful proponent.*

**Completion Deadline:** October 31, 2024

<b>Company Name:</b>	BOURASSA SPORT TECHNOLOGIE INC.	
<b>Mailing Address:</b>	20916 RUE DE LA VISITATION SAINT-CHARLES-BORROMÉE (QUÉBEC) J6E 7Y8	
<b>Contact and Title:</b>	MARTIN BOURASSA, V-P SALES AND MARKETING	
<b>Telephone Number:</b>	1-888-276-1033	<b>Email Address:</b> <span style="border: 1px solid black; padding: 2px;">MBOURASSA@BOURASSASPORT.CA</span>

MARTIN BOURASSA
05-13-2024

Signature
Print Name
Date

## Option 1

### **Single Membrane System combined with Laykold Colorflex**

- Install Polites 140 fiberglass mesh on the entire 3 courts glued with Laykold Nusurf G2
- install 1 coat of Laykold Acrylic Resurfacer Black
- install 3 coats of Laykold Cushion Plus Powder
- 3-year Warranty (rather than 2)

Pricing: \$33,000.00 (in extra)

## Option 2

### **Double Membrane System combined with Laykold Extreme Cushion System**

- install 2 coats Polites 140 fiberglass mesh on the entire courts glued with Laykold Nusurf G2
- install 4 coats Laykold cushion Plus Granule
- install 3 coats of Laykold Cushion Plus Powder
- 5-year Warranty (rather than 2)

Pricing: \$69,000.00 (in extra)

*Martin Bourassa*



Stephen LeDrew, President  
Wolfville Tennis Club  
email: wolfvilletennisclub@gmail.com  
tel: (709) 764-5441

June 6, 2024

To Members of Wolfville Town Council:

On behalf of Wolfville Tennis Club, I am writing this letter to indicate our willingness to provide financial support for the resurfacing of the Rotary Park tennis courts. We can commit to contributing up to \$45,000 to the cost of the proposal from Bourassa Sport Technologie (for Option 2: Double Membrane System), based on the assumption that the first \$125,000 will be covered by the Town of Wolfville.

Please contact me by any of the means listed above if you would like to discuss this further.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen LeDrew", written in a cursive style.

Stephen LeDrew, President  
Wolfville Tennis Club



## SUMMARY

### Supplemental Report - Highland and Gaspereau Rezoning Applications

#### (supplement #2 to RFDs 027 and 028-2024)

A supplemental Report was prepared for First Reading on these files to provide clarification on points raised at Committee of the Whole. This Supplemental report #2 simply provides the Public Benefit agreements, as negotiated as per PAC and Council discussions, and reviewed by the Town's Solicitor.

A Staff presentation will accompany these files being considered at the Public Hearing and 2<sup>nd</sup> Reading/approval by Council on June 25<sup>th</sup>.

#### Background:

RFDs 027 and 028 consider rezoning properties adjacent Highway 101 on Highland Avenue and Gaspereau Avenue. The nature of the rezoning requests are similar – changing the zoning from R-3 to R-MDU. Going from a medium density zone to a high density zone to accommodate additional housing units and provide more options to meet our housing needs. Both of these applications are being brought forward to help us meet our Housing Accelerator Fund commitments.

The Planning Advisory Committee has provided a positive recommendation on these applications. The Committee of the Whole (Council) has also motioned to move their consideration to First Reading and on to a Public Hearing. This report is meant to provide a final package of information coming out of the Committee of the Whole discussion and First Reading and sets up both files for a Public Hearing and decision (2<sup>nd</sup> Reading) by Council.

Note: Additional information on these applications can be found in RFD 027-2024 and 028-2024, the Supplemental Report #1 for First Reading along with their associated Planning Advisory Committee reports.

#### **DRAFT MOTIONS:**

##### Highland Ave

1. That Council give Second Reading to a land use by-law amendment to change the zoning of properties on Highland Avenue (PIDs 55271738 and 55350045), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1, and that the rezoning be conditional upon the owners of the properties entering into the attached Public Benefit agreement.



**SUPPLEMENTAL REPORT #2 FOR PUBLIC HEARING (RFD 027 and 028-2024)**

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-25

Department: Planning & Economic Development



2. That Council approve the attached Public Benefit agreement associated with the rezoning of PIDs 55271738 and 55350045 and direct the CAO to sign the agreement.

Gaspereau Avenue

1. That Council give Second Reading to a land use by-law amendment to change the zoning of a property on Gaspereau Avenue (PID 55274575), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1, and that the rezoning be conditional upon the owner of the property entering into the attached Public Benefit agreement.
2. That Council approve the attached Public Benefit agreement associated with the rezoning of PID 55274575 and direct the CAO to sign the agreement.

**SUPPLEMENTAL INFORMATION FOR PUBLIC HEARING AND DECISION:**

- **Public Benefit Details** – the attached agreements outline the improvements to the public realm associated with these projects and formalizes a process and expectations for Staff to work with the Developers moving forward.



**SUPPLEMENTAL REPORT #2 FOR PUBLIC HEARING (RFD 027 and 028-2024)**

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-25

Department: Planning & Economic Development



**SUMMARY:**

**Highland Avenue Public Benefit Inclusions**

- AT connection + Streetscape
- Signage (Welcome to Wolfville)
- Contribution to Evangeline Park
  - Natural Playground structure
  - Park signage / wayfinding
  - Community Gardens
  - Trail connectivity
  - Fence modification for connections
  - Landscaping



**Gaspereau Avenue Public Benefit Inclusions**

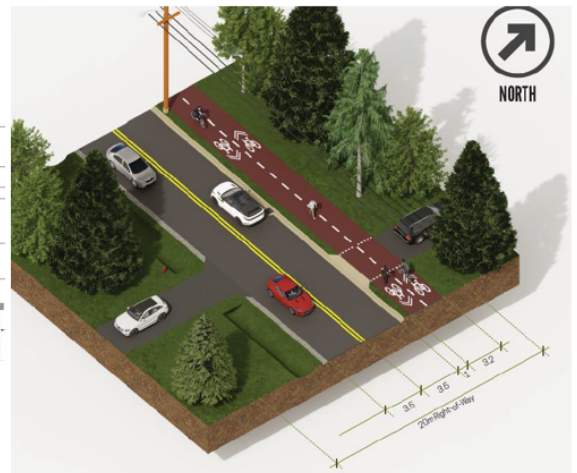
- AT connection + Streetscape
- Linear Park
  - Seating
  - Parking Stalls. Park and Ride. Future Commercial.
  - Landscape / tree planting / screening
  - Raised crossing
  - AT path to Pleasant
  - Public Art
- Trail connections along Highway 101
  - To Evangeline Park
  - To Reservoir Park



Existing Wolfville Brand / Main Street signage



Fence for highway trail



AT Network: East-West Concept of ICIP funded connectivity along Pleasant



### Gapereau former Road Reserve Linear Park

- AT connection
- Parking Stalls – park and ride or future commercial
- Seating
- Raised Crossing to development
- Signage/Gateway
- Public Art
- Landscape and Buffers
- Access to properties that exist



Further explanation will be provided by Staff on the public benefit inclusions through a presentation.

See other details on these files outlined in RFDs 027 and 028-2024 and the supplemental report #1 presented at first reading.

### DRAFT MOTIONS:

#### Highland Ave

1. That Council give Second Reading to a land use by-law amendment to change the zoning of properties on Highland Avenue (PIDs 55271738 and 55350045), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1, and that the rezoning be conditional upon the owners of the properties entering into the attached Public Benefit agreement.



**SUPPLEMENTAL REPORT #2 FOR PUBLIC HEARING (RFD 027 and 028-2024)**

Title: Highland and Gaspereau Rezoning Applications

Date: 2024-05-25

Department: Planning & Economic Development

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2. That Council approve the attached Public Benefit agreement associated with the rezoning of PIDs 55271738 and 55350045 and direct the CAO to sign the agreement.

Gaspereau Avenue

1. That Council give Second Reading to a land use by-law amendment to change the zoning of a property on Gaspereau Avenue (PID 55274575), from R-3 Medium Density Residential to High Density Residential– Multi Dwelling Unit (R-MDU) as outlined in the Resolution - Attachment 1, and that the rezoning be conditional upon the owner of the property entering into the attached Public Benefit agreement.
2. That Council approve the attached Public Benefit agreement associated with the rezoning of PID 55274575 and direct the CAO to sign the agreement.

**REFERENCES AND ATTACHMENTS**

- Public Benefit Agreements
  1. Highland Avenue
  2. Gaspereau Avenue
- Background: See RFDs 027 and 028-2024 + Supplemental Report #1 (First Reading) + Planning Advisory Committee reports

**ALTERNATIVES**

1. That Council do not give Second Reading and provide clear direction to Staff.

## Agreement to Establish Public Benefit Framework and Commitment

Complimentary to the Highland Avenue Rezoning Application

Between:

Town of Wolfville (“the Town”)

- and -

123 Highland Avenue Apartments Inc. and 3195433 Nova Scotia Limited (collectively, “the Developer”)  
Or Assignee

**Whereas** the Council of the Town of Wolfville approved a rezoning of PIDs 55271738 and 55350045 (“the Lands”) on Highland Avenue on **XXX, 2024** from R-3 to R-MDU, as defined in the Town’s Land Use By-law;

**And whereas** the Developer intends to develop the Lands– (including any future subdivision of the Lands and new PIDs) in accordance with the Town’s Municipal Planning Strategy and Land Use By-law (“the Development”);

**And whereas** this Agreement is complementary to the rezoning approval and establishes a framework and commitment around the public benefits that will be carried out by the Developer and have been defined through the rezoning process, including public information meetings, reviews by the Planning Advisory Committee and Town Council;

**And whereas** Schedule A to this Agreement provides the conceptual framework for the public benefits in the Development;

**And whereas** the rezoning of these lands was carried out as part of the Town’s Housing Accelerator Fund Action Plan; and

**And whereas** the Council for the Town of Wolfville acknowledges that clear expectations about how private investment can contribute to the public realm is important and must be coordinated and agreed to by both parties.

### **The parties agree as follows:**

#### General requirements

1. The Developer shall develop the Lands in accordance with the Town’s Planning documents.
2. The Developer must provide engineered plans (or other plans prepared by qualified persons) for all improvements outlined in this Agreement, and before work proceeds to a finished state such plans must be approved by the Town’s Director of Engineering and Director of Planning & Development.

3. All planted and landscaped areas outlined in this Agreement must have a landscape plan prepared by a qualified professional (e.g. landscape architect or other qualified professional) as approved by the Town. Before work proceeds, final layouts shall be approved by the Town's Director of Engineering and Director of Planning & Development.
4. The Town may file this Agreement at the Land Registration Office and this Agreement shall form a charge or encumbrance on the Lands.
5. This Agreement shall be binding upon the Developer's assigns, mortgagees, lessees, and successors of the Lands, and the Developer agrees to assign this Agreement to any transferee of the Lands or any portion of the Lands.

#### Town's obligations

6. The Town shall consider this Agreement to cover the requirements of Subdivision By-law section 6.1.1(c) for open space contribution requirements should the Lands be further subdivided in the future.
7. The Town shall maintain ownership and work collaboratively with the Developer to ensure improvements are enabled on Town owned land (as shown on Schedule A). Once improvements are completed, where on Town land, the Town will take on maintenance and ownership of the improvements.
8. Some variation to the design and/or location of trails, parks and open space from the concept shown on Schedule A may be granted by the Town's Director of Engineering and Director of Planning & Development, at the Town's discretion, subject to the intent of the overall framework.

#### Developer's obligations

9. The Developer shall, subject to paragraphs 3 and 4:
  - a. Complete an Active Transportation Connection and Streetscape improvements along Highland Avenue that includes:
    - i. A landscaping plan prepared with the Town – showing the improvements, submitted as part of the site plan approval process;
    - ii. Tree planting every 10-15 m of species and caliber approved by the Town
    - iii. Active Transportation connection (asphalt sidewalk minimum width of 2.4m) as approved by the Town's Director of Engineering. A total length of approximately 220m along Highland is required, as shown on Schedule A.
  - b. Purchase and install Signage ('Welcome to Wolfville' at Town boundary) as per the Town's brand standards, with accompanying landscape treatment around the signage, as per paragraphs 2 and 3.

- i. All details of signage installation must be coordinated with Town Staff.
  - ii. The Town may execute the purchase of the signage, as part of a broader signage program, and invoice the cost of this particular sign to the Developer.
- c. Consult with local residents (led by the Town in partnership with the Developer) and make contributions to Evangeline Park, in the form of, at minimum:
  - i. A landscape plan – prepared with the Town – showing the improvements, submitted as part of the site plan approval process;
  - ii. A Natural Playground feature(s) or structure installed by a qualified person, as approved by the Town;
  - iii. Public Art, as approved by the Town’s Director of Planning;
  - iv. Community Gardens – partially located on the Developer’s land (if required) and integrated into Evangeline Park for public use.
  - v. Connections to the Park – from Highway 101 trail and into the Development or elsewhere.
  - vi. Fence modifications and improvements for connectivity.
  - vii. Park signage, buffering, and planting.
- d. Work with the Town and Acadia University collaboratively on implementing a public car share program in the Town. The timing of the car share program, given the partnerships involved, is not tied to the landscape, park and other improvement timing outlined in Part 11. of this agreement.

#### Timing

- 10. The improvements, save and except the car share program, outlined in this Agreement shall be completed before an occupancy permit is issued for the first building constructed on the Lands.
  - a. Town Staff will work with the Developer on bonding or other instruments to deal with seasonal constraints.

#### Acceptance of Improvements

- 11. The Town’s acceptance of the improvements set out in this Agreement and shown on Schedule A shall be subject to approval of the Director of Planning and Director of Engineering.

#### Enforcement

- 12. If the Developer does not complete the improvements as required by this Agreement, the Town may, after 30 days’ notice to the Developer, undertake the improvements at the Developer’s expense.
- 13. The obligations of 123 Highland Avenue Apartments Inc. and 3195433 Nova Scotia Limited under this Agreement are joint and several.

#### Warranty

14. The Developer's warranty of the trails, parks, plantings, and open space set out in this Agreement and shown on Schedule A shall be 3 years.

Notices

15. Any notices required or permitted to be provided under this Agreement shall be in writing and shall be hand delivered or emailed as follows:

To the Town at: 359 Main Street, Wolfville, NS – Attention: Director of Planning & Development. [dlake@wolfville.ca](mailto:dlake@wolfville.ca).

To the Developer at: 123 Highland Avenue Apartments Inc. Attention: Francisco Wulff – Director of Project Development. [Fwulff@s2etech.com](mailto:Fwulff@s2etech.com)

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In witness whereof, the parties have caused their duly authorized representatives to execute and deliver this Agreement.

TOWN OF WOLFVILLE

Per: \_\_\_\_\_  
\_\_\_\_\_ CAO

Per: \_\_\_\_\_  
Mayor Wendy Donovan

123 Highland Avenue Apartments Inc.

Per: \_\_\_\_\_  
\_\_\_\_\_  
(print name and title)

3195433 Nova Scotia Limited

Per: \_\_\_\_\_  
\_\_\_\_\_  
(print name and title)

**SCHEDULE A**



## Agreement to Establish Public Benefit Framework and Commitment

Complimentary to the Gaspereau Avenue Rezoning Application

Between:

Town of Wolfville (“the Town”)

- and -

Polycorp Properties Inc. (“the Developer”)  
Or Assignee

**Whereas** the Council of the Town of Wolfville approved a rezoning of PID 55274575 (“the Lands”) on Gaspereau Avenue on **XXX, 2024** from R-3 to R-MDU, as defined in the Town’s Land Use By-law;

**And whereas** the Developer intends to develop the Lands (including any future subdivision of the Lands and new PIDs) in accordance with the Town’s Municipal Planning Strategy and Land Use By-law (“the Development”);

**And whereas** this Agreement is complementary to the rezoning approval and establishes a framework and commitment around the public benefits that will be carried out by the Developer and have been defined through the rezoning process, including public information meetings, reviews by the Planning Advisory Committee and Town Council;

**And whereas** Schedules A to C to this Agreement provides the conceptual framework for the public benefits in the Development;

**And whereas** the rezoning of these lands was carried out as part of the Town’s Housing Accelerator Fund Action Plan; and

**And whereas** the Council for the Town of Wolfville acknowledges that clear expectations about how private investment can contribute to the public realm is important and must be coordinated and agreed to by both parties.

### **The parties agree as follows:**

#### General requirements

1. The Developer shall develop the Lands in accordance with the Town’s Planning documents (Land Use By-law, Subdivision By-law, and Municipal Planning Strategy Planning).
2. The Developer must provide engineered plans (or other plans prepared by qualified persons) for all improvements outlined in this Agreement, and before work proceeds to a finished state such plans must be approved by the Town’s Director of Engineering and/or Director of Planning & Development.



3. All planted and landscaped areas outlined in this Agreement must have a landscape plan prepared by a qualified professional (e.g. landscape architect or other qualified professional) as approved by the Town. Before work proceeds, final layouts shall be approved by the Town's Director of Engineering and Director of Planning & Development.
4. The Town may file this Agreement at the Land Registration Office and this Agreement shall form a charge or encumbrance on the Lands.
5. This Agreement shall be binding upon the Developer's assigns, mortgagees, lessees, and successors of the Lands, and the Developer agrees to assign this Agreement to any transferee of the Lands or any portion of the Lands.

#### Town's obligations

6. The Town shall consider this Agreement to cover the requirements of Subdivision By-law section 6.1.1(c) for open space contribution requirements should the Lands be further subdivided in the future.
7. The Town shall maintain ownership and work collaboratively with the Developer to ensure improvements are enabled on Town owned land (as shown on Schedule A). Once improvements are completed, where on Town land, the Town will take on maintenance and ownership of the improvements.
8. Some variation to the design and/or location of trails, parks and open space from the concept shown on Schedules A to C may be granted by the Town's Director of Engineering and Director of Planning & Development, at the Town's discretion, subject to the intent of the overall framework.
9. The Town will work on ensuring the AT pathway and Streetscaping treatment can extend along the frontage of PID 55274617 and PID 55520696 to have continuity to from Highway 101 to Pleasant Street.
10. The Town shall partner with the Developer to gain final approvals for the Highway 101 adjacent trail connections (located on Provincial land) with the design/build led by the Developer, subject to approval by the Town's Director of Engineering and/or Director of Planning.

#### Developer's obligations

11. The Developer shall, subject to paragraphs 3 and 4:
  - a. Complete an Active Transportation Connection and Streetscape improvements along Gaspereau Avenue that includes, at minimum, those items outlined in Schedule B and:
    - i. A landscape plan– prepared with the Town – showing the improvements, submitted as part of the site plan approval process;
    - ii. Consultation with adjacent properties;

- iii. Public Art that is approved by the Director of Planning;
  - iv. Tree planting every 10-15 m of species and caliber approved by the Town
  - v. Active Transportation connection (asphalt sidewalk minimum width of 2.4m) as approved by the Town's Director of Engineering. A total length of approximately 230m along Gaspereau is required, as shown on Schedules A and B.
- b. Purchase and install Signage ('Welcome to Wolfville' at Town boundary) as per the Town's brand standards, with accompanying landscape treatment around the signage, as per paragraphs 2 and 3.
- i. All details of signage installation must be coordinated with Town Staff.
  - ii. The Town may execute the purchase of the signage, as part of a broader signage program, and invoice the cost of this particular sign to the Developer.
- c. Trail connectivity, along Highway 101, from Reservoir Park and/or Maple Avenue to Highland Avenue, as shown in Schedule C, including fencing or other Provincial requirements. Minimum built requirement is a crusher dust trail 1.5-2.5m minimum width, with details approved by the Town before construction.

#### Timing

12. The improvements outlined in this Agreement shall be completed before an occupancy permit is issued for the first building constructed on the Lands.
- a. Town Staff will work with the Developer on bonding or other instruments to deal with seasonal constraints.

#### Acceptance of Improvements

13. The Town's acceptance of the improvements set out in this Agreement and shown on Schedules A to C shall be subject to approval of the Director of Planning and Director of Engineering.

#### Enforcement

14. If the Developer does not complete the improvements as required by this Agreement, the Town may, after 30 days' notice to the Developer, undertake the improvements at the Developer's expense.

#### Warranty

15. The Developer's warranty of the trails, parks, plantings, and open space set out in this Agreement and shown on Schedules A to C shall be 3 years.

#### Notices

16. Any notices required or permitted to be provided under this Agreement shall be in writing and shall be hand delivered or emailed as follows:

To the Town at: 359 Main Street, Wolfville, NS – Attention: Director of Planning & Development. [dlake@wolfville.ca](mailto:dlake@wolfville.ca).

To the Developer at: Polycorp Properties Inc. Attention: Peter Polley ([peter@polycorp.com](mailto:peter@polycorp.com))

[The remainder of this page is deliberately left blank]

In witness whereof, the parties have caused their duly authorized representatives to execute and deliver this Agreement.

TOWN OF WOLFVILLE

Per: \_\_\_\_\_  
\_\_\_\_\_ CAO

Per: \_\_\_\_\_  
Mayor Wendy Donovan

Polycorp Properties Inc.

Per: \_\_\_\_\_

\_\_\_\_\_  
(print name and title)

**SCHEDULE A**



SCHEDULE B

Gapereau former Road Reserve Linear Park

- AT connection
- Parking Stalls – park and ride or future commercial
- Seating
- Raised Crossing to development
- Signage/Gateway
- Public Art
- Landscape and Buffers
- Access to properties that exist





**SCHEDULE C**



**Highway 101 Trail (Approx. 1,400m)**