

**MUNICIPALITY OF THE COUNTY OF KINGS**  
**MUNICIPAL COUNCIL**  
**April 4, 2017**  
**AGENDA**

**Audio Recording Times Noted in Red**  
**(Minutes:Seconds)**

1. Roll Call 00:00
2. Approval of Agenda 00:52 Page 1
3. Approval of Minutes  
    a. March 7, 2017 Council 01:45 Page 2
4. Business Arising from Minutes  
    a. March 7, 2017 Council 02:26 Page 2
5. Planning Items Page 9
  - a. Application to enter into a Development Agreement to allow a winery and accessory uses at 677 Oak Island Road, Avonport (File 16-13) 03:11 Page 10
  - b. Application to rezone a portion of the property on the corner of Whittington Drive and Central Avenue, Greenwood, from R1 to R4 (File 16-16) 05:12 Page 39
  - c. Next Public Hearing Date 06:51
6. Administration  
    a. Update on i-Valley Application Community Connectivity Funding 07:44 Page 49  
    b. New Municipal Complex: Interim Report from Consultation #1 52:00 Page 58  
    c. New Municipal Complex Strategy 71:43 Page 63  
    d. Hants Border Area Rate (Fire Capital) 87:35 Page 67
7. Engineering and Public Works, Lands and Parks Services  
    a. Greenwich Heights Street Lighting - Second Reading 99:00 Page 71
8. Recommendations from Committee of the Whole March 21, 2017 100:53 Page 73
  - a. Lyme Disease Awareness Month Proclamation 103:45
  - b. Infographic Competition 104:36 Page 74
  - c. Conference Attendance 2017/2018 106:32
  - d. Pre-Approval of Debenture Funding 115:53
  - e. Federal Gas Tax Program & Approval of a Village Capital Project 117:37
  - f. Federal Gas Tax Program & Approval of a Village Capital Project 118:20
9. Correspondence 119:58  
    a. 2017-03-22 Valley Hospice Foundation Update Page 76  
    b. 2017-03-27 West Hants Withdrawal from Valley Waste Page 77
10. Comments from the Public 125:18/128:05
11. In Camera 130:53  
    a. Sale of Land 132:25
12. Adjournment 135:24

## **MUNICIPAL COUNCIL**

### **March 7, 2017**

#### **Meeting Date and Time**

A meeting of Municipal Council was held on Tuesday, March 7, 2017 at 6:00 pm in the Council Chambers, Municipal Complex, Kentville, NS.

#### **1. Roll Call**

All Councillors were in attendance with the exception of Councillor Raven with notice.

#### ***Results for Roll Call***

For 9  
Against 0

<b>District</b>	<b>Name</b>	<b>Results</b>
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

**On motion of Deputy Mayor Lutz and Councillor Spicer, that Councillor Raven's absence from the March 7, 2017 Council be excused.**

**Motion Carried.**

#### ***Results***

For 9  
Against 0

<b>District</b>	<b>Name</b>	<b>Results</b>
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

Also in attendance were:

- Rick Ramsay, Interim Chief Administrative Officer
- Marc Comeau, Municipal Solicitor
- Janny Postema, Recording Secretary

#### **2. Approval of Agenda**

**On motion of Councillor Spicer and Councillor Hirtle, that item 5a. Lease Agreement Civilian Airpark 14 Wing Greenwood be removed from the agenda.**

**Amendment Carried.**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

**On motion of Deputy Mayor Lutz and Councillor Hirtle, that Race Relations and Anti-Discrimination Committee Terms of Reference be added to the agenda.**

**Amendment Carried.**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

**On motion of Deputy Mayor Lutz and Councillor Allen, that Municipal Council approve the March 7, 2017 agenda as amended.**

**Motion Carried.**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

3. **Approval of Minutes**3a. **Approval of Minutes  
February 7, 2017**

**On motion of Councillor Armstrong and Councillor Hirtle, that the minutes of the Municipal Council meeting held on February 7, 2017 be approved.**

**Motion Carried.**

***Results***

For 9

Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

4. **Business Arising from the Minutes**4a. **Minutes of February 7, 2017**

There was no business arising from the February 7, 2017 minutes.

5. **Administration**5a. **Lease Agreement Civilian  
Airpark 14 Wing Greenwood**

Removed from agenda.

5b. **Executive Recruitment  
Service**

CAO Ramsay presented the report as attached to the March 7, 2017 Council agenda.

**On motion of Councillor Armstrong and Deputy Mayor Lutz, that Municipal Council award the Executive Recruitment Services to Gerald Walsh Associates Inc. for the total price of \$21,000.00 + HST.**

**Motion Carried.**

***Results***

For 8

Against 1

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	Against
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

5c. **Flag Raising Request  
Autism Awareness Day**

Mayor Muttart presented the report as attached to the March 7, 2017 Council agenda.

**On motion of Councillor Hirtle and Councillor Best, that Municipal Council receive the report on the Autism Flag Raising Request dated March 7, 2017 for information purposes.**

**Motion Carried.**

***Results***

For 9

Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

5d. **Purple Day for Epilepsy  
Proclamation**

Mayor Muttart presented the proclamation as attached to the March 7, 2017 Council agenda.

**On motion of Councillor Armstrong and Councillor Spicer, that Council proclaim March 26, 2017 'Purple Day for Epilepsy' in the Municipality of the County of Kings.**

**Motion Carried.**

***Results***

For 9

Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

5e. **Race Relations and Anti-  
Discrimination Committee  
Terms of Reference**

Deputy Mayor Lutz presented the revised Terms of Reference as circulated at the March 7, 2017 Council agenda.

**On motion of Deputy Mayor Lutz and Councillor Hodges, that Council approve the revised Race Relations and Anti-Discrimination Committee Terms of Reference as circulated at the March 7, 2017 Council.**

**Motion Carried.**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

6. **Engineering and Public Works, Lands and Parks Services**

6a. **Greenwich Heights Street Lighting**

Scott Quinn presented the report as attached to the March 7, 2017 Council agenda.

**On motion of Councillor Armstrong and Councillor Hodges, that Municipal Council give First Reading to amend By-Law # 45, being the Street Lighting By-Law of the Municipality of the County of Kings, as noted in the March 7, 2017 Council agenda.**

**Motion Carried.**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

7. **Recommendations from Committee of the Whole February 21, 2017**

Mayor Muttart presented the report as attached to the March 7, 2017 Council agenda.

**On motion of Councillor Hirtle and Councillor Best, that Council approve motions 7a through 7m:**

- a. That Council adopt the Kings Youth Council Terms of Reference as attached to the March 7, 2017 agenda.
- b. That Council proclaim March 21, 2017 'World Down Syndrome Day' in the Municipality of the County of Kings.
- c. That Council proclaim April 2, 2017 'World Autism Awareness Day' in the Municipality of the County of Kings.
- d. That Council approve the transfer of \$7,500 from MEDF Reserves GL # 61-4-460-260 to the MEDF account GL # 01-2-265-920.

- e. That Council approve funding the Halls Harbour Community Development Association in the amount of \$3,000 in support of the engineering consultation services for the construction of a new boardwalk at Halls Harbour.
- f. That Council approve funding the Valley Midget Wildcats Hockey Club in the amount of \$5,000 in support of hosting the Kings Mutual Bantam Wildcats NSMBHL Provincials.
- g. That Council approve funding the Sheffield Mills Community Association in the amount of \$1,000 in support of the Eagle Watch celebration.
- h. That Council approve funding for the Youth Travel Assistance Program in the amount of \$2,900 according to the table attached to the February 21, 2017 agenda package.
- i. That Council approve Community Park Development Program funding to the Aldershot Elementary School on behalf of the Playground Committee in the amount of \$1,600 in support of the purchase of a new baby barn.
- j. That Council approve Community Hall Assistance Program funding to the Weston Community Hall Association as an exception in the amount of \$395.47 to assist with the cost of the completed project.
- k. That Council adopt the proposed amendments to ADMIN-01-003 Comments from the Public Policy as attached to the February 21, 2017 Committee of the Whole agenda.
- l. That \$10,000 be transferred from the MEDF Reserve into our Operational accounts so that we have the operational dollars to fund an application to the federal government for network extension and marketing.
- m. That Council direct staff to meet with the Intelligent Community Association (known as i-Valley) to discuss the support and preparation of an application to the Federal Connect to Innovation Program.

**Motion Carried.****Results**

For 9

Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

**8. Correspondence**

Mayor Muttart gave an overview of the correspondence as attached to the March 7, 2017 agenda.

**On motion of Deputy Mayor Lutz and Councillor Spicer, that Municipal Council receive the Correspondence as attached to the March 7, 2017 agenda package.**

**Motion Carried.****Results**

For 9

Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

- 8a. International Women's Day  
Invite

For information.

- 8b. Commissionaires Nova Scotia  
Corps Rapport

For information.

9. **Comments from the Public**

There were no comments from the public.

10. **Adjournment**

**On motion of Councillor Hodges and Councillor Spicer, there being no further business, the meeting adjourned at 6:34 pm.**

**Motion Carried.****Results**

For 9

Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	-
District 3	Brian Hirtle	For
District 4	Martha Armstrong	For
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

**Approved by:**

Mayor Muttart

Janny Postema  
Recording Secretary

Results Legend	
-	Absent
COI	Conflict of interest
For	A vote in favour
Against	A vote in the negative or any Councillor who fails or refuses to vote and who is required to vote by the preceding subsection, shall be deemed as voting in the negative.



# MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject:** Planning Items

**Date:** April 4, 2017

A	Application to enter into a Development Agreement to allow a winery and accessory uses at 677 Oak Island Road, Avonport (File 16-13)	Be it resolved that <b>Municipal Council</b> give Initial Consideration and hold a <b>Public Hearing</b> to consider entering into a development agreement to allow a winery and accessory uses at 677 Oak Island Road, Avonport (PID 55528558) which is substantively the same (save for minor differences in form) as the draft set out in Appendix E of the report dated March 14, 2017.  * <u>Report Attached</u>
B	Application to rezone a portion of the property on the corner of Whittington Drive and Central Avenue, Greenwood, from R1 to R4 (File 16-16)	Be it resolved that <b>Municipal Council</b> give First Reading and hold a <b>Public Hearing</b> regarding the map amendment to the Land Use Bylaw to rezone a portion of the property on the corner of Whittington Drive and Central Avenue, Greenwood, from the General Commercial (C1) Zone to the Residential One and Two Unit (R2) Zone as described in Appendix A of the report March 14, 2017.  * <u>Report Attached</u>
C	Next Public Hearing Date	Tuesday, May 2, 2017 – 6:00 p.m. (prior to Council)



# Municipality of the County of Kings Report to the Planning Advisory Committee

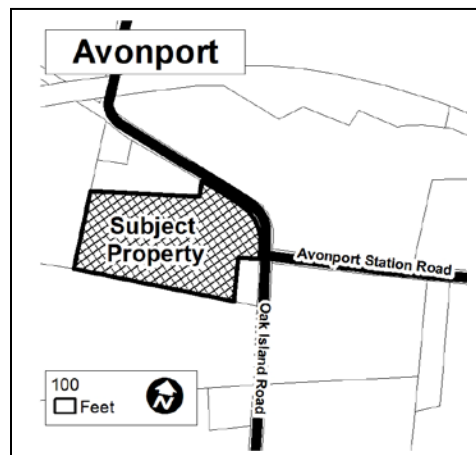
Application: To develop a winery and a number of associated accessory uses at 677 Oak Island Road, Avonport NS (PID 55528558) (File 16-13)  
Date: March 14, 2017  
Prepared by: Planning and Development Services

<b>Applicant</b>	Mr. Chris Morine
<b>Land Owner</b>	L.A.B. Industries
<b>Proposal</b>	Winery and associated accessory uses, including a dwelling
<b>Location</b>	677 Oak Island Road, Avonport NS B4P 2R2; PID 55528558
<b>Lot Area</b>	8.31 acres
<b>Designation</b>	Agricultural
<b>Zone</b>	Agricultural (A1)
<b>Surrounding Uses</b>	Agricultural
<b>Neighbour Notification</b>	Letters were sent to the nine (9) owners of property within 500' of the subject property notifying them of the Public Information Meeting (PIM).

## 1. PROPOSAL

Mr. Chris Morine has made application to enter into a development agreement which would enable him to develop a winery and a number of associated accessory uses at the above location, including:

- tasting room,
- retail sale of wine and other associated goods,
- an event space
- restaurant
- an addition to the building under construction for future wine processing and storage;
- an accessory patio area for outdoor seating and/or a tent to be used as event and restaurant space;
- a single-unit dwelling to be constructed as accessory winery; and
- parking as required for the above uses.



The applicant intends to plant a vineyard on the subject property as a main use to the proposed accessory uses. A development agreement is not required for this agricultural use (vineyard) but the development agreement is required to permit the development of the winery prior to the property being able to supply 60% of the grapes needed to produce wine on the subject property.

## **2. OPTIONS**

In response to the application, the Planning Advisory Committee may:

- A. Recommend that Council approve the development agreement as drafted;
- B. Recommend that Council refuse the development agreement as drafted;
- C. Provide alternative direction, such as requesting further information on a specific topic, or recommending changes to the draft development agreement.

## **3. BACKGROUND**

The subject property is located in the Agricultural District on the Future Land Use Map of the Municipal Planning Strategy and zoned Agricultural (A1) in the Land Use Bylaw. The neighbouring properties are also within this district and zone.

On July 6, 2016, a site plan agreement for a non-farm dwelling on a lot created before August 1, 1994 was entered into with Mr. Dick Haliburton, the then-owner of the lot, and recorded at the Land Registry Office (LRO). The site plan requires development to be within a described building envelope which is located within 100 feet of the Oak Island Road right-of-way, as required by section 11.1.8 of the Land Use Bylaw (LUB).

The construction of the non-farm dwelling began shortly after the site plan was recorded; inspections by Municipal Building Officials show it be the “shell” of a building. No compliance issues were identified for the use of the building as a dwelling, as per the application for permits which was based on the above noted site plan agreement application.

On August 29, 2016, ownership of a portion of the Pre 1994 lot and the shell building was transferred to L.A.B. Industries, of which Mr. Morine is the President. The site plan approval is with the land, not the owner, therefore it carried forward into Mr. Morine’s ownership. Mr. Morine applied on September 8, 2016 for a development agreement to permit the uses described in Part 1 above.

The site plan which is now in effect will need to be discharged prior to permits being issued for uses enabled by the development agreement. The Municipal Government Act establishes the requirements for site-plan approval. Clause 232 (5) specifies: “*A development officer may, with the concurrence of the property owner, discharge a site-plan, in whole or in part*”. Mr. Morine has been requested to provide his written agreement to the discharge of the site plan.

Vineyards and their accessory uses are becoming a more common use of agricultural land in the Municipality, and the above-noted requested agri-tourism uses support the use of the majority of the lot as a vineyard.

## **4. INFORMATION**

### **4.1 Site Information**

The subject property is located on the west side of Oak Island Road, approximately 1,800 feet north of the boundary of the hamlet of Avonport. The subject property is irregularly shaped having approximately 312 feet of frontage on Oak Island Road and a lot area of approximately 8.3 acres, when subdivided in August 2016.

The exterior of the single-unit dwelling for which a building and development permit was obtained was nearly complete by the site visit in November 2016, and considerable landscaping had already been completed in the area around the building (Figure 1).

### **4.2 Site Visit**

A Planner, Development Officer and Business Development Specialist visited the subject property with Mr. Morine on November 16, 2016. Mr. Morine discussed his intentions for the subject property.

### **4.3 Public Information Meeting**

Council's Planning Policy PLAN-09-001 requires a Public Information Meeting (PIM) for all new uses which are to be considered by development agreement. The required Public Information Meeting was held on October 27, 2016 with 11 people in attendance. The issues raised by members of the public present included the time it takes to "process" a development agreement application and the noise from the cannons used to keep the birds away from the vineyards, which is increasing with the increasing number of vineyards in the area. The complete notes from the PIM are attached as Appendix A.

### **4.4 Request for Comments**

Comments were requested from the following groups with the results as described:

#### **4.4.1 Department of Transportation and Infrastructure Renewal (DTIR)**

The Department of Transportation and Infrastructure Renewal has approved an access permit for a commercial access on the subject property with the following conditions:

1. The site must be constructed in accordance with the site plan provided by the Applicant's engineer.
2. No customer parking shall be permitted on the roadside or in the road right-of-way.
3. Tour busses must be parked on the subject property and not on the roadside or in the road right-of-way and as per the site plan approved by DTIR.
4. The road shoulder must be reinstalled to the original condition prior to the construction of the entrance.
5. Any redevelopment, change of plan or expansion to the winery must be approved by the Department of Transportation and Infrastructure Renewal.

#### 4.4.2 Municipality of the County of Kings Engineering and Public Works(EPW)

Regarding the driveway, EPW noted that at a minimum it recommends:

- *DTIR be asked to perform a sight line study to confirm whether the Applicant's proposed location is suitable; and*

EPW has also commented:

- *the road network seems adequate. We have not received traffic complaints in other comparable areas in Kings County where wineries or other agri-businesses of similar scale are located. We are not immediately aware of any conditions in the area that would limit the road network's ability to support this application*
- *no Traffic Information Study has been requested at this time*
- *With Council's direction, we will be proceeding with the development of a waste water management district bylaw for this area. The exact governance and ownership models will be set in the bylaw once passed by Council. In the meantime, EPW can continue with a design review of the proposed system which will need to allow for other properties in the immediate area to connect as per Council deliberations.*
- *EPW will require a sanitation plan, to the satisfaction of the Municipal Engineer, that includes information including technical specifications on sanitizers and expected discharge volumes into the Municipal system.*
- *applicant is required under the Environment Act to ensure that they follow Nova Scotia Environment's Erosion Control guidelines during construction*
- *the site appears suitable for the proposed development. The property is 400 metres away from the nearest drainageway or possible watercourse (so any drainage easements that are required shall be the responsibility of the Owner.*

#### 4.4.3 Municipality of the County of Kings Building and Enforcement (B & E)

B & E has commented:

- *the most recent building inspection for the dwelling under construction was conducted on November 16, 2016 and passed compliance for a single family dwelling;*
- *We have no concerns regarding the proposed development but do require full compliance with the Nova Scotia Building Code, Act and Regulations. Converting and changing the use of the single family dwelling to commercial use will trigger additional plans, engineering and code compliance to meet what the use will be.*

#### 4.4.4 Municipality of the County of Kings Fire Services

Fire Services has commented that the Fire Chief for the area reports that *"no issues are foreseen with their ability to fight fire, especially with our mutual aid service and fire service equipment."*

#### 4.4.5 Nova Scotia Environment (NSE)

NSE has responded that *"Nova Scotia Environment has no comment to provide with respect to potential developments. The owners would be required to ensure they are able to obtain sufficient water and treat effluents based on their requirements for operation."* Should the

owner not connect into the municipal sewer system, he would then need to apply for permits from Nova Scotia Environment for the commercial use.

#### **4.5 Requirements of Other Groups and Agencies**

In addition to the Municipality, there are a number of groups from whom Mr. Morine will need to obtain approval. These are not addressed through the development agreement process as these are the requirements of other agencies, not the Municipality. It is up to the owner to ensure that these requirements are met. The following may not be a comprehensive list, but permission from the following will be required for this development:

- Nova Scotia Alcohol and Gaming regarding licensed restaurant or wine-tasting premises;
- Nova Scotia Liquor Commission regarding the sale of bottled wine; and
- Department of Agriculture – Food Safety for the accessory restaurant use.

### **5. POLICY REVIEW – DEVELOPMENT AGREEMENTS**

#### **5.1 Development Agreements**

A development agreement is a contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed permitted use within a zone, on a specific lot. The ability for Council to consider a development agreement must be stated in the Land Use Bylaw (LUB) and the Municipal Planning Strategy (MPS) must identify the kinds of uses Council may consider in each area. Uses which Council may consider are those which Council has determined may have sufficient impact on an area that a negotiated process is required to ensure the potential impact is minimized. In the MPS Council identifies both specific and general criteria which must be considered when making decisions regarding a development agreement.

A proposal being considered must be measured against only the criteria for the specific proposal in the MPS and not any other criteria.

#### **5.2 Land Use By-law**

Although “agri-tourism” is not defined in the LUB, the MPS describes agri-tourism as “the combination of agriculture with economic activity that promotes visits to farm areas. In addition, interpretation and education of agricultural activities are often components of agri-tourism that help to give visitors a complete farm visit ‘experience’.” It is Staff’s opinion that Mr. Morine’s proposal fits within this description.

Section 5.2.13 of the LUB states “Council shall provide for agri-tourism uses within the Agricultural (A1) Zone by development agreement pursuant to Policy 3.2.8.2 of the Municipal Planning Strategy” and enables Council to consider Mr. Morine’s proposal.

### **5.3 Municipal Planning Strategy**

From the time Council approved the first version of the MPS in 1979 to the present, one of Council's stated primary goals has been the preservation of agricultural land. This is also consistent with the Province's more recently developed *Statement of Provincial Interest* regarding *Agriculture*. The preservation of agricultural land has been balanced by Council against the need of individual owners to use land in a reasonable fashion and the need for economic growth within the Municipality.

#### **5.3.1 Specific Development Agreement Policies**

In the present MPS, this balance is in part achieved through policy 3.2.8.2, referred to in the LUB, which enables the development of "*wineries, farm market outlets, and other similar uses that involve the sampling and sale of wines or other foods, that are not permitted pursuant to Policy 3.2.8.1.1(b) due to the amount of produce or foods sold which are from off the farm*". Restaurants and uses accessory to these uses may also be considered by development agreement under this policy (Appendix B).

Mr. Morine's application for a winery fits within this specific policy as he has requested the winery and has not yet established the vineyard, so that at least initially the grapes for the wine will not come from off the lot.

Policy 3.2.8.2.2 establishes Council's specific criteria for the uses Council may consider within the Agricultural (A1) Zone by development agreement. (Appendix C). Council must be satisfied the proposal meets these criteria. The restriction of structures to within 175 feet of Oak Island Road is included in order to meet the criteria in that the proposal encourages an active agricultural use on the majority of the property and restricts those parts of the development which will have a negative impact on arable land to a small portion of the lot which is in close proximity to the existing road, where the agricultural potential had been effectively extinguished by the construction of the dwelling.

#### **5.3.2 General Development Agreement Policies**

Municipal Planning Strategy section 6.3.3.1 contains the criteria to be used when considering all development agreement proposals (Appendix D). These consider the impact of the proposal on the road network, services, development pattern, environment, finances, and wellfields, as well as the proposal's consistency with the intent of the Municipal Planning Strategy. The proposal meets the general criteria in that it will not result in any direct costs to the Municipality, raises no concerns in terms of traffic or access, is suitable for the development and appears to be free of hazards, will be connected to municipal sewer service or be serviced by an approved private sanitary septic system, is compatible with adjacent uses, and raises no concerns regarding emergency services.

MPS subsection 6.3.3.1 (c) specifies a number of controls a development agreement may put in place in order to reduce potential land use conflicts. Controls have been placed on the size and location of the use, and signs. Outdoor storage not associated with farming activities has been prohibited in order to reduce potential land use conflict.

## 6. SUMMARY OF DRAFT DEVELOPMENT AGREEMENT

The draft development agreement (Appendix E) would allow the applicant to utilize the property for an agri-tourism commercial use which could include within one building:

- a winery;
- accessory tasting room;
- accessory retail sales;
- accessory event space; and
- accessory a restaurant.

In addition to the above noted uses, the following additional uses and structures are also proposed:

- an addition to the building under construction for the purposes of wine processing and storage;
- a patio area up to 1,000 square feet in area for outdoor seating and/or a tent to be used as event and restaurant space;
- a single-unit dwelling to be constructed in the future as accessory to the winery; and
- parking as required for the above uses.

All of the uses enabled by the development agreement must be located within 175 feet of the front property line. All accessory uses listed above are to be accessory to the winery use which shall meet the requirements of, and receive a permit from, the Nova Scotia Liquor Corporation for a Farm Winery or Small Farm Winery as defined in the Nova Scotia Farm Winery Policy (2007).

The draft development agreement would also allow the property owner to use the property for any use permitted by the underlying zoning on the lot.

The main specific content of the proposed development agreement includes:

<b>Draft Development Agreement Location</b>	<b>Content</b>
2.1	use of the property as a vineyard and winery, including a number of accessory uses.
2.2	specifies a site plan and regulation of the location of structures
2.3	controls the appearance of the buildings
2.4	Subdivision resulting in a reduced lot area other than that which may be required by DTIR or the Municipality is prohibited in order to ensure that the uses allowed on the lot remain accessory to the proposed winery.
2.5	regulates signs



2.9	Regulates parking areas
3.3	<p>Substantive matters in a development agreement are those that would require the entire process, including a public hearing, in order to change them within the development agreement.</p> <p>In the draft development agreement the substantive matters are the uses allowed on the property, and the location of the uses on the lot.</p>
6	the applicant acknowledges that standard agricultural practices in the area can generate traffic, noise, dust, and odors.

## 7. CONCLUSION

The proposal and the terms of the draft development agreement are in keeping with the intent of Council's Municipal Planning Strategy.

The proposal is enabled by Council's agri-tourism commercial policies, and fits within the criteria of those policies.

The proposal meets all other general development agreement criteria.

As a result, a positive recommendation is being made to the Planning Advisory Committee.

## 8. STAFF RECOMMENDATION

Staff recommends that the Planning Advisory Committee forward a positive recommendation by passing the following motions:

**PAC recommends that Municipal Council give Initial Consideration and hold a Public Hearing to enter into a development agreement which is substantively the same (save for minor differences in form) as the draft set out in Appendix E of the report dated March 14, 2017 which would allow a winery and associated uses at 677 Oak Island Road, Avonport, PID 55528558.**

## 9. APPENDICES

Appendix A	Public Information Meeting Notes
Appendix B	MPS Policy 3.2.8.2.1
Appendix C	MPS Policy 3.2.8.2.2 (Specific Development Agreement Criteria)
Appendix D	MPS Policy 6.3.3.1 (General Development Agreement Criteria)
Appendix E	Draft Development Agreement

**APPENDIX A**  
**MUNICIPALITY OF THE COUNTY OF KINGS**  
**PLANNING AND DEVELOPMENT SERVICES**  
**PUBLIC INFORMATION MEETING NOTES**  
**Planning Application to Allow a Winery and Associated Uses at**  
**677 Oak Island Road, Avonport (File 16-13)**

<b>Meeting, Date and Time</b>	A Public Information Meeting was held on Thursday, October 27, 2016 at 7:00 p.m. at the Avonport Baptist Church, 508 Oak Island Road, Avonport, NS.
<b>Attending</b>	In Attendance:
<b>Councillors</b>	Councillor Mike Ennis – District 12
<b>Planning Staff</b>	Madelyn LeMay – Planner Cindy Benedict – Recording Secretary
<b>Applicant</b>	Chris Morine
<b>Public</b>	11 Members
<b>Welcome and Introductions</b>	The Chair, Councillor Mike Ennis, called the meeting to order, introductions were made and the members of the public were welcomed to the meeting. The Public Information Meeting provides an opportunity for the public to express concerns and/or receive clarification on any aspect of the proposal. No evaluation has been completed and no decisions have been made at this point.
<b>Presentation</b>	<p>Madelyn LeMay provided a brief overview of the planning process and the criteria that will be used to evaluate the application from Chris Morine. The proposal is to allow a winery and associated uses at 677 Oak Island Road, Avonport. The winery will include a process and tasting room, a kitchen, an event room and staff room, and a restaurant all contained within one building 30' x 38'.</p> <p>The proposal also includes a future 35' x 30' addition for wine processing and storage; a patio area 35' x 25' for outdoor seating and/or a tent for event and restaurant space; a future single-unit dwelling and parking for all of these uses.</p> <p>Following Ms. LeMay's presentation, the Chair inquired if there were any comments from the public.</p>
<b>Comments from the Public</b>	<p>Ken Sharpe – Avonport Road, Avonport</p> <ul style="list-style-type: none"> <li>Inquired about the length of time to have the process finalized citing that it took a year before Haliburton Farms was able to enter into a</li> </ul>

Development Agreement and get a building permit to rebuild the poultry barn that burnt. Sees the process for the subject application taking a minimum of six months.

Madelyn LeMay responded that the Haliburton Farms application was processed in a timely manner and she reiterated that such applications are dependent on approvals from outside agencies such as the Department of Transportation. In terms of the County timeframe for this application, it is expected that the Development Agreement could be finalized by early spring as long as the comments from outside agencies are received in time for the item to be brought to the Planning Advisory Committee in December.

Chris Morine commented that he heard the process will be closer to eight months and voiced that the process seems to drag on unnecessarily. There has to be a process to facilitate making applications quicker as they are too drawn out and are too labour intensive. Changes have to be made to allow people to move forward.

Madelyn LeMay responded that the process is primarily mandated by the *Municipal Government Act (MGA)* and the County has to abide by the regulations set forth by the Province, e.g., from First Reading of Council. Council sets the overall process for uses that are not allowed under the Land Use Bylaw but considered by development agreement and wants a lot of input from the public when considering allowing these types of uses to occur.

When the Chair asked Chris Morine if he was going to make a presentation, Mr. Morine responded that there was no need to make a presentation at this point.

Edith Parkin – Oak Island Road

- Voiced concern over the number of wineries in the area that create noise from the cannons to keep the birds away from the vineyards. She stated that this situation makes it uncomfortable for the residents especially when the cannons are used before 7 am. Inquired if Council is considering having a bylaw which will put a curfew on the times the cannons can be used.

The Chair commented that he is not presently aware of any cannons that are going off before 8 am. He is only aware of one complaint in his district over the past 7 years and in that case the complainant approached the vineyard owner who did everything possible to fix the situation with the cannon.

Mike Lightfoot – owner of a vineyard in Lower Wolfville

- Explained that the cannons can skip their timing and can be reset. He stated that he would check the cannons in the morning.

Chris Morine commented that even though cannons are a necessity at times, he would do everything possible to take care of any nuisances with noise.

**Adjournment**

There being no further discussion, the Chair thanked those in attendance and adjourned the meeting at 7:20 p.m.

---

Cindy L. Benedict  
Recording Secretary

## **APPENDIX B**

### **Municipal Planning Strategy Policy 3.2.8.2.1**

3.2.8.2.1 It shall be the policy of Council to permit the following agri-tourism related commercial uses by development agreement, subject to the conditions in 3.2.8.2.2:

- a. antique shops, antique restoration, craft shops, craft production, wood furniture production, gift shops, and farm markets
- b. wineries, farm market outlets, and other similar uses that involve the sampling and sale of wines or other foods, that are not permitted pursuant to Policy 3.2.8.1.1(b) due to the amount of produce or foods sold which are from off the farm
- c. lodging
- d. restaurants; and,
- e. accessory uses to the above

## APPENDIX C

### Municipal Planning Strategy Policy 3.2.8.2.2

#### Specific Development Agreement Criteria

In considering a development agreement enabled under 3.2.8.2.1, Council shall be satisfied that the development, its uses and any associated structures:

a.will involve the conversion of existing buildings, building additions, or new buildings in yards that are not used, or could not be reasonably used, for the cultivation of crops	There is a single family dwelling currently under construction on the property. The applicant is proposing to convert this structure to the proposed winery. An addition to this building has been requested for future construction along with a patio area which may also contain a tent, and associated parking. The ability to use this area for crops was effectively lost when the owner exercised his as-of-right ability to develop a dwelling on this lot created before 1994.
b.will not create compatibility problems with any adjacent farming operations and agricultural activities that may be undertaken, such as spraying of pesticides and the spreading of manure	The lot is surrounded by active agricultural uses; the primary use of this lot as a vineyard will also be agricultural. No conflict among the uses is anticipated.
c.signage will only be constructed of wood or metal. No internally illuminated signage will be permitted	Signs are regulated by the proposed development agreement in a manner similar to other wineries in the area.
d.any new buildings or building additions will be sensitive to the surrounding rural architectural style. Preference will be given to traditional cladding materials such as wood or stone. Preference will also be given to traditional roof, door and window styles of the area; and,	The building under construction is clad in wood and plans have been approved. No further restrictions were placed on the appearance of the building. The future dwelling and any addition to the existing building must reflect the roof, door and window style of the existing building.
e.can meet all the applicable policies of this Strategy, including those in Part 6	Please see Appendix D, following.

## APPENDIX D

### Municipal Planning Strategy Policy 6.3.3.1

#### General Development Agreement Criteria

#### Policy 6.3.3.1

*A Development Agreement shall not require an amendment to the Land Use Bylaw but shall be binding upon the property until the agreement or part thereof is discharged by the Municipality. In considering Development Agreements under the Municipal Government Act, in addition to all other criteria as set out in various policies of this Strategy, Council shall be satisfied:*

Criteria	Comments
<i>a. the proposal is in keeping with the intent of the Municipal Planning Strategy, including the intent of any Secondary Planning Strategy</i>	<p>The proposal is in keeping with the intent of the MPS as discussed in part 5 of this report.</p> <p>There is no Secondary Planning Strategy in this area.</p>
<i>b. that the proposal is not premature or inappropriate by reason of:</i>	
<i>i. the financial capability of the Municipality to absorb any costs related to the development of the subject site</i>	The proposal does not involve any development costs to the Municipality.
<i>ii. the adequacy of municipal sewer and water services if services are to be provided. Alternatively, the adequacy of the physical site conditions for private on-site sewer and water systems</i>	The applicant is required to provide sanitary services on site unless a waste water management district bylaw is adopted for the area.
<i>iii. the potential for creating, or contributing to, a pollution problem including the contamination of watercourses or the creation of erosion or sedimentation during construction</i>	The proposal does not cause concern regarding pollution or contamination of watercourses. Provincial regulations require controls for erosion and sedimentation controls during construction.
<i>iv. the adequacy of storm drainage and the effect of same on adjacent uses</i>	The lot does not raise any immediate concern regarding storm drainage.
<i>v. the adequacy of street or road networks in, adjacent to, and leading to, the development</i>	The proposal is not expected to contribute to a reduction in the adequacy of the adjacent road network
<i>vi. the adequacy, capacity and proximity of schools, recreation and other community facilities</i>	Not applicable as this is a commercial use.
<i>vii. adequacy of municipal fire protection services and equipment</i>	Fire departments in the area have the capacity to provide fire fighting services to the subject property.
<i>viii. creating extensive intervening parcels of vacant land between the existing developed lands and the proposed site, or a scattered or</i>	Since the proposed use is an agri-tourism use within an agricultural area this criterion is not applicable.

<i>ribbon development pattern as opposed to compact development</i>	
ix. <i>the suitability of the proposed site in terms of steepness of grades, soil and/or geological conditions, and the relative location of watercourses, marshes, swamps or bogs</i>	The lot is suitable for development, and staff are not aware of any soil or geological conditions in the area that would have a negative impact on development.
x. <i>traffic generation, access to and egress from the site, and parking</i>	The Department of Transportation and Infrastructure Renewal has approved an access permit, with conditions, and is satisfied that the proposed use will not generate an undue amount of traffic on the surrounding roads.
xi. <i>compatibility with adjacent uses</i>	<p>The draft Development Agreement includes a statement that the Property Owner recognizes the proposed use is in an agricultural area and recognizes the right of surrounding farms to carry on operations.</p> <p>Since this commercial use is based on an agricultural operation, no conflicts are anticipated.</p> <p>The issue of “cannon” used to frighten birds from vineyards arose during the PIM. The Municipality does not have a noise By-law. This activity is considered to be associated with agricultural practices. Such matters are also regulated by the Department of Agriculture.</p>
c. <i>the Development Agreement may specify that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:</i>	
i. <i>the type of use</i>	The draft development agreement specifies the uses permitted.
ii. <i>the location and positioning of outlets for air, water and noise within the context of the Land Use Bylaw</i>	No special requirements are necessary.
iii. <i>the height, bulk and lot coverage of any proposed buildings or structures</i>	The draft development agreement includes a site plan and elevations which limit the height of buildings and structures. The location of all structures is specifically restricted to within 150 feet of Oak Island Road.
iv. <i>traffic generation</i>	Please see 6.3.3.1 v., above.
v. <i>access to and egress from the site</i>	Please see 6.3.3.1 v., above.



<i>and the distance of these from street intersections</i>	
<i>vi. availability, accessibility of on-site parking</i>	The draft development agreement requires parking to be in conformity with the LUB.
<i>vii. outdoor storage and/or display</i>	None was requested; none is permitted on the lot.
<i>viii. signs and lighting</i>	The draft development agreement regulates the number and size of signs and requires all outdoor lighting to be directed away from streets and neighbouring properties.
<i>ix. the hours of operation</i>	The hours of operation will be controlled by The Alcohol and Gaming Authority. The draft development agreement does place any further restriction on the hours of operation.
<i>x. maintenance of the development</i>	The draft development agreement requires reasonable maintenance.
<i>xi. buffering, landscaping, screening and access control</i>	No buffering, landscaping or screening have been required in the draft development agreement.
<i>xii. the suitability of the proposed site in terms of steepness of grades, soil and/or geological conditions, and the relative location of watercourses, marshes, swamps, or bogs</i>	Since the lot does not appear to contain any site conditions that would have an impact on development, no special requirements are needed.
<i>xiii. the terms of the agreement provide for the discharge of the agreement or parts thereof upon the successful fulfillment of its terms</i>	The draft development agreement provides for discharge of the agreement.
<i>xiv. appropriate phasing and stage by stage control</i>	Phasing is not needed and has not been requested or included within the draft development agreement.
<i>d. performance bonding or security shall be included in the agreement if deemed necessary by Council to ensure that components of the development such as, but not limited to, road construction or maintenance, landscaping or the development of amenity areas, are completed in a timely manner</i>	No performance bonding or security is needed.

**APPENDIX E**  
**Draft Development Agreement**

THIS DEVELOPMENT AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, A.D.

BETWEEN:

**L.A.B. INDUSTRIES LIMITED**, of Greenwich, Nova Scotia, hereinafter called the "Property Owner"

of the First Part

and

**MUNICIPALITY OF THE COUNTY OF KINGS**, a body corporate pursuant to the Municipal Government Act, S.N.S., 1998, Chapter 18, as amended, having its chief place of business at Kentville, Kings County, Nova Scotia, hereinafter called the "Municipality",

of the Second Part

WHEREAS the Property Owner is the owner of certain lands and premises (hereinafter called the "Property") which lands are more particularly described in Schedule A attached hereto and which are known as Property Identification (PID) Number 55528558; and

WHEREAS the Property Owner wishes to convert a single family dwelling currently under construction on the Property for an agri-tourism use; and

WHEREAS the Property is situated within an area designated Agricultural on the Future Land Use Map of the Municipal Planning Strategy, and zoned Agricultural (A1) on the Zoning Map of the Land Use By-law; and

WHEREAS policy 6.3.2.1 and policy 3.2.8.2.1 of the Municipal Planning Strategy and section 5.2.13 of the Land Use Bylaw provide that the proposed use may be developed only if authorized by development agreement; and

WHEREAS the Property Owner has requested that the Municipality of the County of Kings enter into this development agreement pursuant to Section 225 of the Municipal Government Act so that the Property Owner may develop and use the Property in the manner specified; and

WHEREAS the Municipality by resolution of Municipal Council passed at a meeting on **DATE**, approved this Development Agreement;

Now this Agreement witnesses that in consideration of covenants and agreements contained herein, the parties agree as follows:

**PART 1 AGREEMENT CONTEXT**

**1.1 Schedules**

The following attached schedules shall form part of this Agreement:

Schedule A	Property Description
Schedule B	Site Plan

## **1.2 Municipal Planning Strategy, Land Use Bylaw and Subdivision Bylaw:**

- (a) Municipal Planning Strategy means Bylaw 56 of the Municipality, approved on August 6, 1992, as amended, or successor bylaws.
- (b) Land Use Bylaw means Bylaw 75 of the Municipality, approved on August 6, 1992, as amended, or successor bylaws.
- (c) Subdivision Bylaw means Bylaw 60 of the Municipality, approved September 5, 1995, as amended, or successor bylaws.

## **1.3 Definitions**

Unless otherwise defined in this Agreement, all words used herein shall have the same meaning as defined in the Land Use Bylaw. Words not defined in the Land Use Bylaw but used herein are:

- (a) Development Officer means the Development Officer appointed by the Council of the Municipality.
- (b) *Marquis Tent* means a covered, open-air building—whether permanent or temporary—such as a tent or pergola intended for use by the public for events such as weddings and receptions.
- (c) *Event Space* means a location for the hosting of weddings, conferences, galas, and other similar events. Such use may include conference rooms, banquet halls, a chapel or other ceremonial space for events, outdoor tents, and/or commercial kitchens serving such events. For greater clarity this definition does not include a restaurant serving the traveling public.
- (d) *Farm winery* means farm winery as defined by the Nova Scotia Farm Winery Policy (2007), as amended from time to time. For the purposes of this agreement, a farm winery shall include a small farm winery as defined by the Nova Scotia Farm Winery Policy (2007).
- (e) *Farm winery retail store* means a farm winery retail store as defined by the Nova Scotia Farm Winery Policy (2007) as amended from time to time.

## **PART 2 DEVELOPMENT REQUIREMENTS**

### **2.1 Use**

The use of the Property shall be limited to:

- (a) those uses permitted by the underlying zoning in the Land Use Bylaw;
- (b) farm processing within the building identified on Schedule B, Site Plan as 'Proposed Winery' ;

- (c) farm winery, in accordance with Nova Scotia Farm Winery Policy, as amended from time to time, and with a valid permit from the Nova Scotia Liquor Corporation;
- (d) uses accessory to the farm winery up to 2,000 square feet of gross floor area and located within the building identified on Schedule B, Site Plan and any future addition including:
  - (i) farm winery retail store;
  - (ii) tasting room;
  - (iii) a kitchen;
  - (iv) an event room/space; and
  - (v) a restaurant.
- (e) outdoor patio area up to 1,000 square feet in area used for outdoor seating and/or a marquis tent accessory to the farm winery;
- (f) one single-unit dwelling and accessory uses and structures accessory to the farm winery and located in the area identified as 'Residential Building Envelope' on Schedule B, Site Plan; and
- (g) parking, loading and driveways as required for the above main and accessory uses.

Except as otherwise provided in this Agreement, the provisions of the Land Use Bylaw apply to any development undertaken pursuant to this Agreement.

## **2.2 Site Plan**

- (a) All uses enabled by this Agreement on the Property shall be developed generally in accordance with Schedule B, Site Plan;
- (b) All uses enabled by this Agreement except those uses permitted by the Land Use Bylaw in the underlying zone, shall be located within 175 feet of the front property line as depicted on Schedule B, Site Plan;
- (c) Any future changes to Schedule B, Site Plan must be approved by the Department of Transportation and Infrastructure Renewal or any successor body.

## **2.3 Architecture**

- (a) The building identified as 'Proposed Winery' as identified on Schedule B, Site Plan shall appear generally as shown on Schedule C, Concept Elevations.
- (b) All buildings enabled by this Agreement shall be clad in horizontal or vertical clapboard or equivalent, or wood, masonry, stone, or metal, in any combination and shall generally reflect the roof, door and window style of the existing building shown in Schedule C, Concept Elevations.

## **2.4 Subdivision**

- (a) No alterations to the lot configuration that would result in a reduced lot area are permitted without a substantive amendment to this agreement except as may be required by the road authority for the purpose of creating or expanding a public street over the Property.

## **2.5 Signs**

- (a) Signs shall be constructed only of wood and/or metal.
- (b) Internally illuminated signs shall be prohibited.
- (c) The following signs shall be permitted:
  - (i) one fascia (wall) sign with a maximum sign area of 100 square feet.
  - (ii) one ground sign with a maximum sign area of 40 square feet and maximum height of 20 feet.
  - (iii) a changeable copy sign (automatic) and/or a changeable copy sign (manual) shall not be permitted
- (d) Signs shall be located at least 5 feet from any property line.
- (e) Signs otherwise permitted in all zones shall be permitted in accordance with the Land Use Bylaw.

## **2.6 Appearance of Property**

The Property Owner shall at all times maintain all structures and services on the Property in good repair and in a useable state and maintain the Property in a neat and presentable condition.

## **2.7 Lighting**

The Property Owner shall ensure that any lights used for illumination of the Property or signs shall be arranged so as to divert light away from streets and neighbouring properties.

## **2.8 Outdoor Storage and Display**

Outdoor storage and display are prohibited except for outdoor storage associated with uses permitted in the underlying zone.

## **2.9 Parking and Loading Areas**

- (a) Parking spaces and loading areas for each use developed shall be developed in accordance with the requirements of the Land Use Bylaw for the use and shall be located generally in accordance with Schedule B, Site Plan; and
- (b) All parking and loading spaces for the uses must be located entirely on the lot and located both a minimum of 10 feet from any property line, with the exception

of the front property line, and shall be within 175 feet of the right-of-way for Oak Island Road.

## **2.11 Access and Egress**

- (a) The Property Owner must submit current permits from Nova Scotia Transportation and Infrastructure Renewal, or any successor body, to the Municipality before receiving any development or building permits for uses enabled by this Agreement.
- (b) The property owner is responsible for supplying engineered access designs if required by Nova Scotia Transportation and Infrastructure Renewal, or any successor body.

## **2.12 Servicing**

The Property Owner shall be responsible for providing adequate water services and wastewater disposal services to the standards of the authority having jurisdiction and at the Property Owner's expense.

## **PART 3 CHANGES AND DISCHARGE**

- 3.1 The Property Owner shall not vary or change the use of the Property, from that provided for in Section 2.1 of this Agreement, unless a new Agreement is entered into with the Municipality or this Agreement is amended.
- 3.2 Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.
- 3.3 The following matters are substantive matters:
  - (a) the uses permitted on the property as listed in Section 2.1 of this Agreement;
  - (b) development generally not in accordance with Schedule B, Site Plan
- 3.4 Upon conveyance of land by the Property Owner to the road authority for the purpose of creating or expanding a public street over or adjacent to the Property, registration of the deed reflecting the conveyance shall be conclusive evidence that this Agreement shall be discharged as it relates to the public street, as of the date of registration with the Land Registry Office but this Agreement shall remain in full force and effect for all remaining portions of the Property.
- 3.5 Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council without a public hearing.

## **PART 4 IMPLEMENTATION**

### **4.1 Commencement of Operation**

No construction or use may be commenced on the Property for a use enabled by this Agreement until the Municipality has issued any Development Permits, Building Permits and/or Occupancy Permits that may be required.

### **4.2 Drawings to be Provided**

When an engineered design is required for any portion of the development, record drawings shall be provided to the Development Officer within ten days of completion of the work which requires the engineered design.

### **4.3 Completion and Expiry Date**

- (a) The Property Owner shall sign this Agreement within 60 calendar days of the date the appeal period lapses or all appeals have been abandoned or disposed of or the development agreement has been affirmed by the Nova Scotia Utility and Review Board or the unexecuted Agreement shall be null and void.
- (b) The Property Owner shall develop the farm winery and accessory use(s) within ten (10) years of this Agreement being recorded at the Registry of Deeds.

## **PART 5 COMPLIANCE**

### **5.1 Compliance With Other Bylaws and Regulations**

Nothing in this Agreement shall exempt the Property Owner from complying with Federal, Provincial and Municipal laws, bylaws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority or approval required thereunder.

### **5.2 Municipal Responsibility**

The Municipality does not make any representations to the Property Owner about the suitability of the Property for the development proposed by this Agreement. The Property owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the development.

### **5.3 Warranties by Property Owner**

The Property Owner warrants as follows:

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

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

#### **5.4 Costs**

The Property Owner is responsible for all costs associated with recording this Agreement in the Land Registration Office.

#### **5.5 Full Agreement**

This Agreement constitutes the entire agreement and contract entered into by the Municipality and the Property Owner. No other agreement or representation, oral or written, shall be binding.

#### **5.6 Severability of Provisions**

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

#### **5.7 Interpretation**

Where the context requires, the singular shall include the plural, and the masculine gender shall include the feminine and neutral genders.

#### **5.8 Breach of Terms or Conditions**

Upon the breach by the Property Owner of the terms or conditions of this Agreement, the Municipality may undertake any remedies permitted by the Municipal Government Act.



## **PART 6 ACKNOWLEDGEMENT OF FARMING PRACTICES**

The Property Owner acknowledges that the Property is located in an area of active agricultural practices and agricultural processing industries, which may generate traffic, noise, dust, and odors. The Property Owner recognizes the right of surrounding landowners to carry on activities normally associated with farming and related businesses.

THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, their respective agents, successors and assigns.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto and is effective as of the day and year first above written.

SIGNED, SEALED AND ATTESTED to be the proper signing officers of the Municipality of the County of Kings, duly authorized in that behalf, in the presence of:

MUNICIPALITY OF THE COUNTY OF KINGS

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Peter Muttart, Mayor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Richard G. Ramsey, Municipal Clerk

SIGNED, SEALED AND DELIVERED

In the presence of:

L.A.B. INDUSTRIES

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Chris Morine, President

**Schedule 'A'**  
**Property Description**  
**Taken from Property Online November 7, 2016**

Registration County: KINGS COUNTY

Street/Place Name: OAK ISLAND ROAD /AVONPORT

Title of Plan: PLAN OF S/D SHOWING LOT 2016-1 S/D OF LANDS OF  
HALIBURTON FARMS LTD

Designation of Parcel on Plan: LOT 2016-1

Registration Number of Plan: 109442898

Registration Date of Plan: 2016-08-18 14:44:44

\*\*\* Municipal Government Act, Part IX Compliance \*\*\*

Compliance:

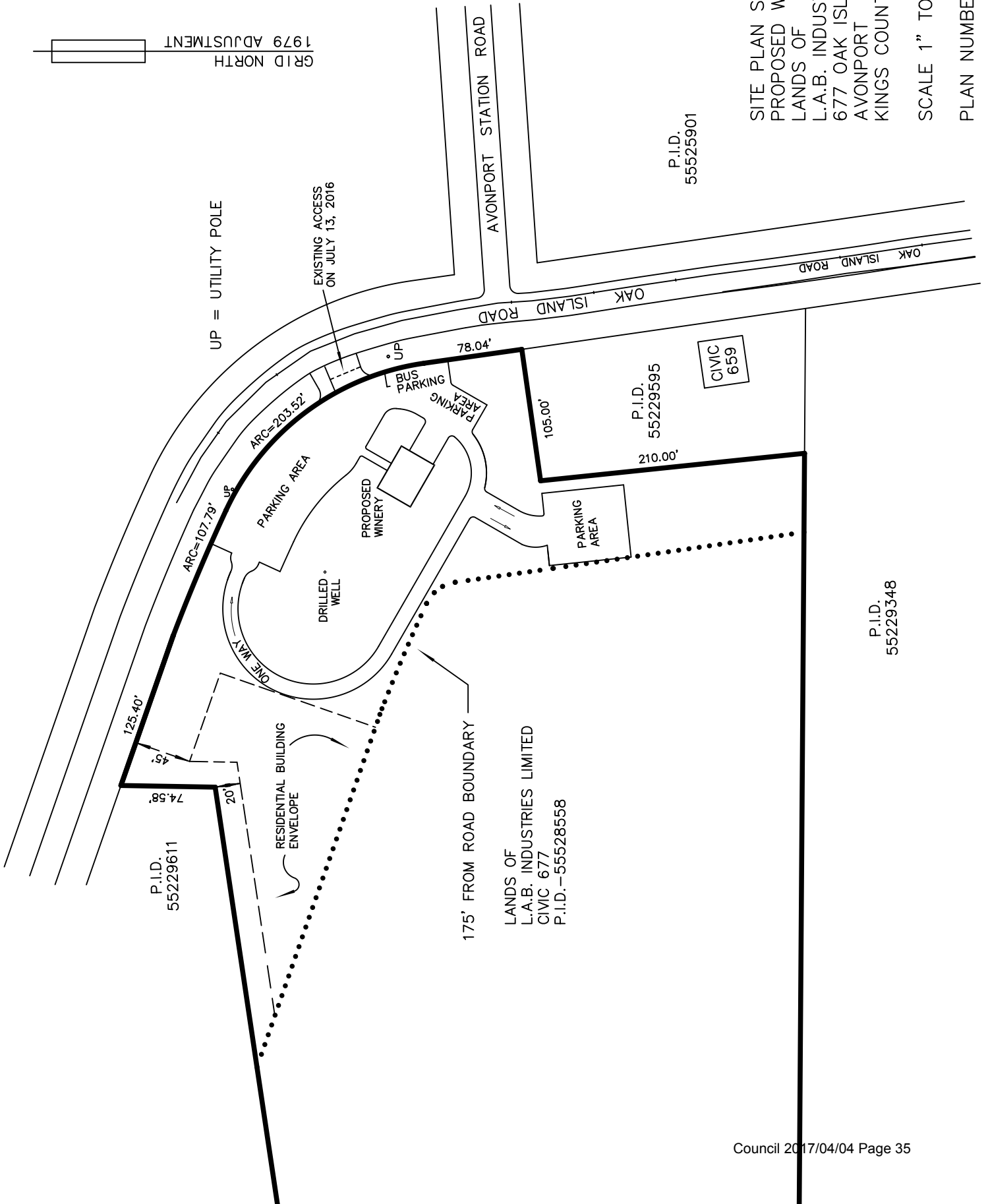
The parcel is created by a subdivision (details below) that has been filed  
under the Registry Act or registered under the Land Registration Act

Registration District: KINGS COUNTY

Registration Year: 2016

Plan or Document Number: 109442898

# Schedule B Site Plan

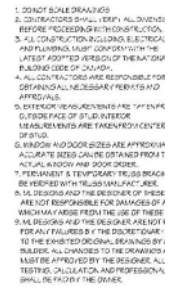


SITE PLAN SHOWING  
PROPOSED WINERY  
LANDS OF  
L.A.B. INDUSTRIES LIMITED  
677 OAK ISLAND ROAD  
AVONPORT  
KINGS COUNTY, NOVA SCOTIA

SCALE 1" TO 100'

PLAN NUMBER 15-135D

**MUST BE  
ONENT  
ETHODS**



**LEFT ELEVATION**

ENERGY BUILDING CODES MUST BE  
ID FOR MATERIAL / COMPONENT  
N AND CONSTRUCTION METHODS

VENTED RIDGE

~2'-6"

1'-0"

5'-6"

3-2"x10" BEAM

6"x6" POSTS

6" CORNERS

WALL FLASHING

1'-0"

8'-0"

9'-2 1/2"

8'-7"

30'-0"

4'-0"

3-1/2" BRICKMOLD

GRANITE RETAINING WALLS

9.15.3.6 SITE FOOTING

9) WHEN STEP FOOTINGS ARE USED,  
a) THE VERTICAL RISE BETWEEN HORIZON  
SHALL NOT EXCEED 60MMAL AND  
b) THE HORIZONTAL DISTANCE BETWEEN  
NOT BE LESS THAN 60MMAL

LEFT ELEVATION

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FIGURE 1







## Municipality of the County of Kings Report to the Planning Advisory Committee

Application to rezone a portion of the property at the corner of Whittington Drive and Central Avenue, Greenwood, from the General Commercial (C1) Zone to the Residential One and Two Unit (R2) Zone. (File #16-16)

**March 14, 2017**

**Prepared by:** Community Development Services

<b>Applicant</b>	Rob Parker and George Hutt - Hutt Parker Land Development Limited
<b>Land Owner</b>	Hutt Parker Land Development Limited
<b>Proposal</b>	Rezone the rear portion of property, to allow for residential development
<b>Location</b>	Northwest corner of Whittington Drive and Central Ave, Greenwood
<b>Lot Area</b>	Area to be rezoned approx. <b>27,470 sq ft</b> Total Lot area approx. <b>61,662 sq ft</b>
<b>Designation</b>	General Commercial (G)
<b>Zone</b>	General Commercial (C1)
<b>Surrounding Uses</b>	Mostly Commercial uses along Central Avenue. Residential uses along Whittington Drive.
<b>Neighbour Notification</b>	Staff sent notification letters to the 38 property owners, located within 500 feet of the subject property

### 1. PROPOSAL

Rob Parker and George Hutt of Hutt Parker Land Development Limited have applied to rezone the rear portion of their property (PID 55511075) on the northwest corner of Whittington Drive and Central Ave, from the General Commercial (C1) Zone to the Residential One and Two Unit (R2) Zone. They have requested this change to allow the construction of semi-detached residential units on the rear portion of the subject property. The front portion of the property, facing Central Avenue, would remain in the General Commercial (C1) Zone.



### 2. OPTIONS

In response to the application, the Planning Advisory Committee may:

- Recommend that Council approve the map amendment, as drafted
- Recommend that Council refuse the map amendment,
- Provide alternative direction, such as requesting further information on a specific topic, or making changes to the map amendment,

### 3. BACKGROUND

The subject property is zoned General Commercial (C1) and is a corner lot, with road frontage along both Central Avenue, and Whittington Drive. The property is large, having approximately 394 feet of frontage on Whittington Drive and 144 feet of frontage on Central Avenue. The total lot area is approximately 61,662 square feet (~1.4 acres). The property is currently occupied by a residential building, which is accessed from Central Avenue. This building would remain in the General Commercial (C1) Zone, while the rear portion of the property is considered for a rezoning to the Residential One and Two Unit (R2) Zone. This rear portion of the subject property is currently vacant, and is approximately 27,470 sq ft (~0.6 acres). See the portion of the property under consideration in Appendix C.

The applicants also own several of the properties adjacent to the subject property and have developed a number of semi-detached homes nearby. The applicants have indicated that they would continue this form of residential development along Whittington Drive, onto the subject property, if rezoned.

The subject property has always been on the edge of commercial / residential zones and districts. In the 1979 Planning Strategy, the subject property was within a Residential District and zoned Residential Single Unit (R1), but fell near the edge of the Commercial District to the east. In 1992, the Municipality updated the MPS and LUB, and expanded the Commercial District to the west onto the subject property. Council applied the General Commercial (C1) Zone to properties with frontage along Central Avenue in this area. The properties on Whittington Drive remained within the Residential District and were zoned Residential One and Two Unit (R2). This expansion of the Commercial District has not seen significant commercial growth, although Greenwood has experienced significant commercial growth in other parts of the community.

### 4. INFORMATION

The subject property is mostly level and cleared of most vegetation. The existing building appears to be vacant. The surrounding properties are a mixture of one and two unit residential uses and some commercial uses nearby, along Central Avenue.





Under Planning Policies PLAN-09-001 any Land Use Bylaw map amendment application does not require a PIM, when the area of land to be rezoned is less than 1 acre in size. The rezoning applies to an area approximately 0.63 acres in size and therefore did not require a Public Information Meeting.

Staff requested comments from internal and external agencies on the proposed rezoning:

- Development Control Staff were asked what potential the remaining commercial portion would hold if the property was split zoned or subdivided. They were also asked how many dwelling units could fit on the residential portion.
  - Staff indicated that the remaining commercial portion could accommodate a use within the existing building, or the land could be re-developed to accommodate other commercial uses. If a commercial use were to be developed, there would be landscape screening requirements between the commercial use and any residential development to the north.
  - Staff also indicated there would be potential to subdivide the rezoned area into 3 residential lots, each lot would be eligible for one or two dwelling units, for a total potential of 6 residential units.
- Engineering Staff were asked whether the property could be serviced by water and sewer services. Staff confirmed that the property can access both municipal water and sewer services.
- NS Transportation and Infrastructure Renewal (NSTIR) were asked about the adequacy of the road network and access to and from the property as well as any concerns they had about the proposed rezoning. NSTIR Staff expressed no concerns and confirmed that the existing road network was adequate and that access to the property was suitable.
- The Village of Greenwood was asked if they had any concerns with the proposed rezoning and the potential loss of commercial land. The Village expressed no concerns and passed a motion on December 14, 2016 to provide their support for the rezoning.

## **5. POLICY REVIEW – LUB amendments**

### **5.1 Enabling Policy**

The Municipal Planning Strategy (MPS) enables Council to consider the proposed rezoning through MPS policy 6.1.3.2

*“6.1.3.2 Lands contiguous to a District may be considered for a rezoning to a zone permitted within that Designation without an amendment to this Strategy provided all other policies of this Strategy are met.”*

The subject property is in a commercial zone that is contiguous to the Residential District, and can be considered for a rezoning to any zone permitted within the Residential District, including the requested Residential One and Two Unit (R2) Zone.

## **5.2 General LUB amendment Policies**

MPS Section 6.2.2.1 contains a number of general criteria for considering all applications (Appendix D). These criteria consider the impact of the proposal on the road network, services, development pattern, environment, finances, and wellfields, as well as the proposal's consistency with the intent of the planning strategy. Staff have found the proposal to be consistent with the intent of the MPS and meets these general amendment criteria. The specific criteria are reviewed in detail in Appendix D.

## **5.3 Greenwood Secondary Planning Strategy**

In the mid 1990's the community of Greenwood went through a Secondary Planning Strategy (SPS) process to establish policy direction for their community. These policy themes addressed Transportation, Sewer and Water systems, Open Spaces and the Fales River Corridor. These translate into a set of goals, objectives and policies that strive to create a prosperous and healthy community. These policies guide development, although do not specifically guide the extent of commercial/residential areas. Therefore the proposed rezoning would remain consistent with the overall objectives and intent of the Greenwood SPS.

## **6. CONCLUSION**

The requested residential zoning would apply to a portion of the subject property. The resulting zone boundaries would maintain commercial land on the Major Collector Road frontage (Central Avenue), and provide an opportunity for flexibility in the development and redevelopment of the subject property. This could lead to development that uses the land and available services more efficiently. The proposed rezoning meets the intent of the Municipal Planning Strategy, as well as the Greenwood SPS and the general amendment criteria.

## **7. STAFF RECOMMENDATION**

Staff recommend that the Planning Advisory Committee forward a positive recommendation by passing the following motion.

**Planning Advisory Committee recommends that Municipal Council give First Reading and hold a Public Hearing regarding the proposed map amendment to rezone a portion of the property on the corner of Whittington Drive and Central Avenue, Greenwood (PID #55511075) from the General Commercial (C1) Zone to the Residential One and Two Unit (R2) Zone as described in Appendix A of the report dated March 14<sup>th</sup> 2017.**

## **8. APPENDIXES**

**Appendix A – Proposed Map Amendment**

**Appendix B – Reference Zoning Map**

**Appendix C – Applicant Drawing**

**Appendix D – General LUB Amendment Criteria**

**Appendix A – Proposed Map Amendment  
Proposed Land Use Bylaw Map Amendment**

**THE MUNICIPALITY OF THE COUNTY OF KINGS**

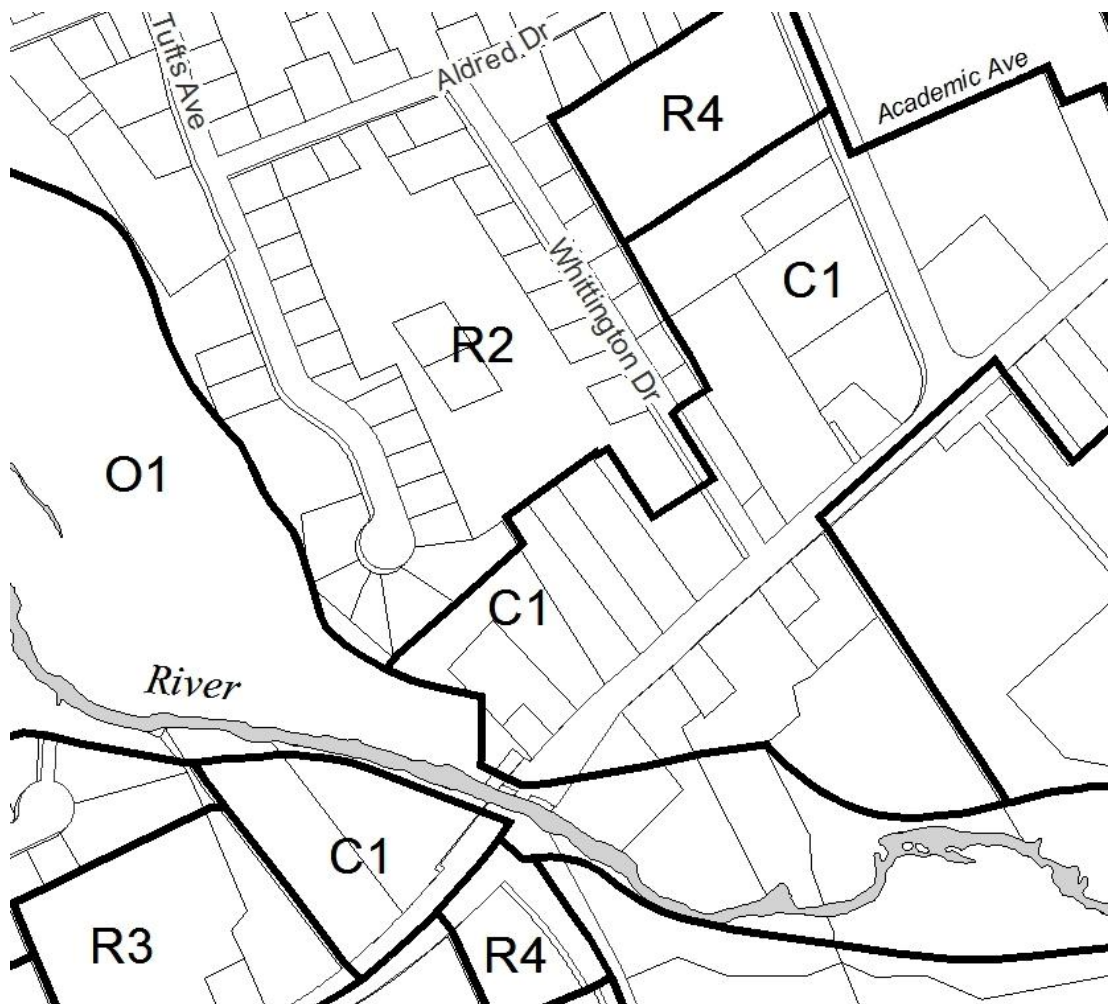
**AMENDMENT TO BYLAW #75**

**COUNTY OF KINGS LAND USE BYLAW**

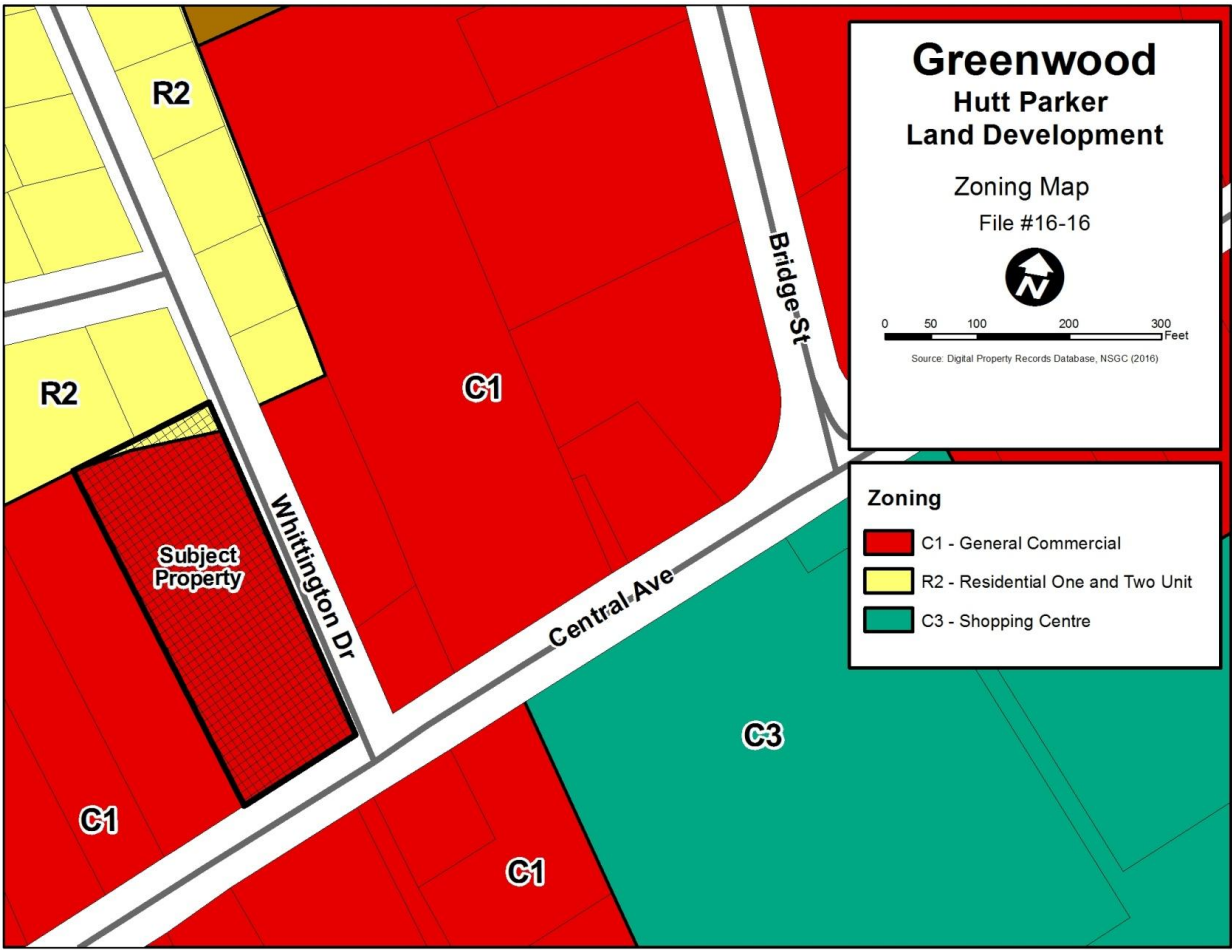
**Proposed map amendment to rezone a portion of a property on Whittington Drive and Central Ave (PID #55511075) from the General Commercial (C1) Zone to the Residential One and Two Unit (R2) Zone**

**BYLAW #75**

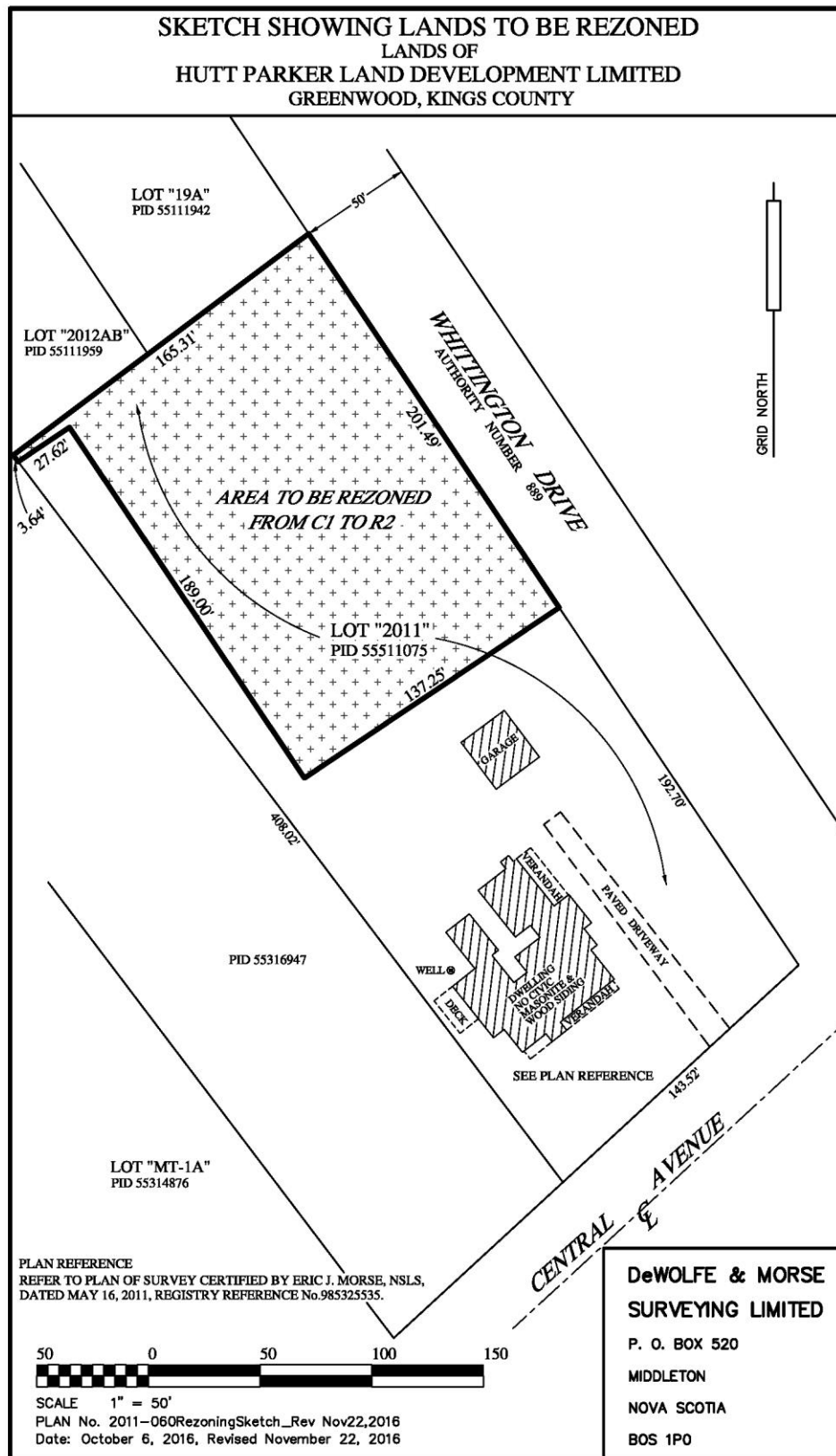
1. Amend LUB Schedule 6g, the Zoning map for the Growth Centre of Greenwood, by rezoning a portion of a property on Whittington Drive and Central Ave (PID #55511075) from the General Commercial (C1) Zone to the Residential One and Two Unit (R2) Zone, as shown on the inset copy of a portion of Schedule 8g below.



Appendix B – Reference Zoning Map



## Appendix C – Applicant Drawing



## Appendix D – General Land Use Bylaw Amendment Criteria – MPS 6.2.2.1

*In considering amendments to the Land Use Bylaw, in addition to all other criteria as set out in various policies of this Strategy, Council shall be satisfied:*

Criteria	Comments
<i>a. the proposal is in keeping with the intent of the Strategy, including the intent of any Secondary Planning Strategy, and can meet the requirements of all other Municipal Bylaws and regulations</i>	
<i>b. that the proposed rezoning is not premature or inappropriate by reason of:</i>	
<i>i. the financial capability of the Municipality to absorb any costs related to the development of the subject site</i>	Not Applicable, there would be no financial impact on the Municipality.
<i>ii. the impact on, or feasibility and costs of, sewerage and water services if central services are to be provided, or adequacy of physical site conditions for private on-site sewer and water systems</i>	Municipal Engineering staff confirmed that the property can access Municipal sewer and Municipal water services and did not express any concerns regarding negative impacts on these systems.
<i>iii. the potential for creating, or contributing to, a pollution problem including the contamination of watercourses</i>	Not expected to create a pollution problem. The nearest watercourse is 800-900 feet away.
<i>iv. the adequacy of storm drainage and the effect on adjacent uses</i>	The development of the land will establish new storm drainage requirements. The land appeared well drained.
<i>v. the adequacy and proximity of school, recreation, and any other community facilities</i>	The community of Greenwood has several nearby community facilities, schools and recreation opportunities.
<i>vi. the adequacy of street or road networks in, adjacent to, or leading to the subject site</i>	NSTIR had no concerns with the adequacy of the road network adjacent or leading to the property.
<i>vii. the potential for the contamination of a watercourse due to erosion or sedimentation</i>	Extensive erosion is not expected because the land is flat and mostly level. The nearest watercourse is 800-900 feet away.
<i>viii. creating extensive intervening parcels of vacant land between the existing</i>	Not applicable, this rezoning would help fill in vacant land between existing development.

<i>developed lands and the proposed site, or a scattered or ribbon development pattern as opposed to compact development</i>	
<i>ix. traffic generation, access to and egress from the subject site, and parking</i>	NSTIR had no concerns with traffic generation or access to the property
<i>x. incompatibility with adjacent uses and the existing development form of the surrounding area</i>	The proposed use is consistent and compatible with adjacent uses. The resulting residential development would likely match the established building form on Whittington Drive and Harley Court
<i>xi. the potential for overcrowding on lakeshores or the reduction of water quality</i>	Not applicable
<i>xii. the potential for contamination of, or interference with a designated groundwater supply protection area</i>	Not applicable. The property is not located within any of the Greenwood well field protection zones.
<i>c. the proposed site is suitable for development in terms of steepness of grades, soil and geological conditions, location of watercourses, marshes, swamps, or bogs and proximity of highway ramps, railway rights-of-way and other similar factors that may pose a hazard to development</i>	The property is level and appears to be well suited for residential development





# Change The Network, Change The World

**Municipality of the County of Kings**

**Application to**

**“Connect To Innovate”**



## Connect to Innovate

From Innovation, Science and Economic Development Canada

### \$500-million Federal Program

- New and upgraded backbone & last-mile for rural/remote
- Eligible communities get 75% for new backbone & new last-mile
  - (50% for capacity upgrades)

### The Plan

- Context: Households, Internet Speed, Anchor Institutions
- Network
- Cost

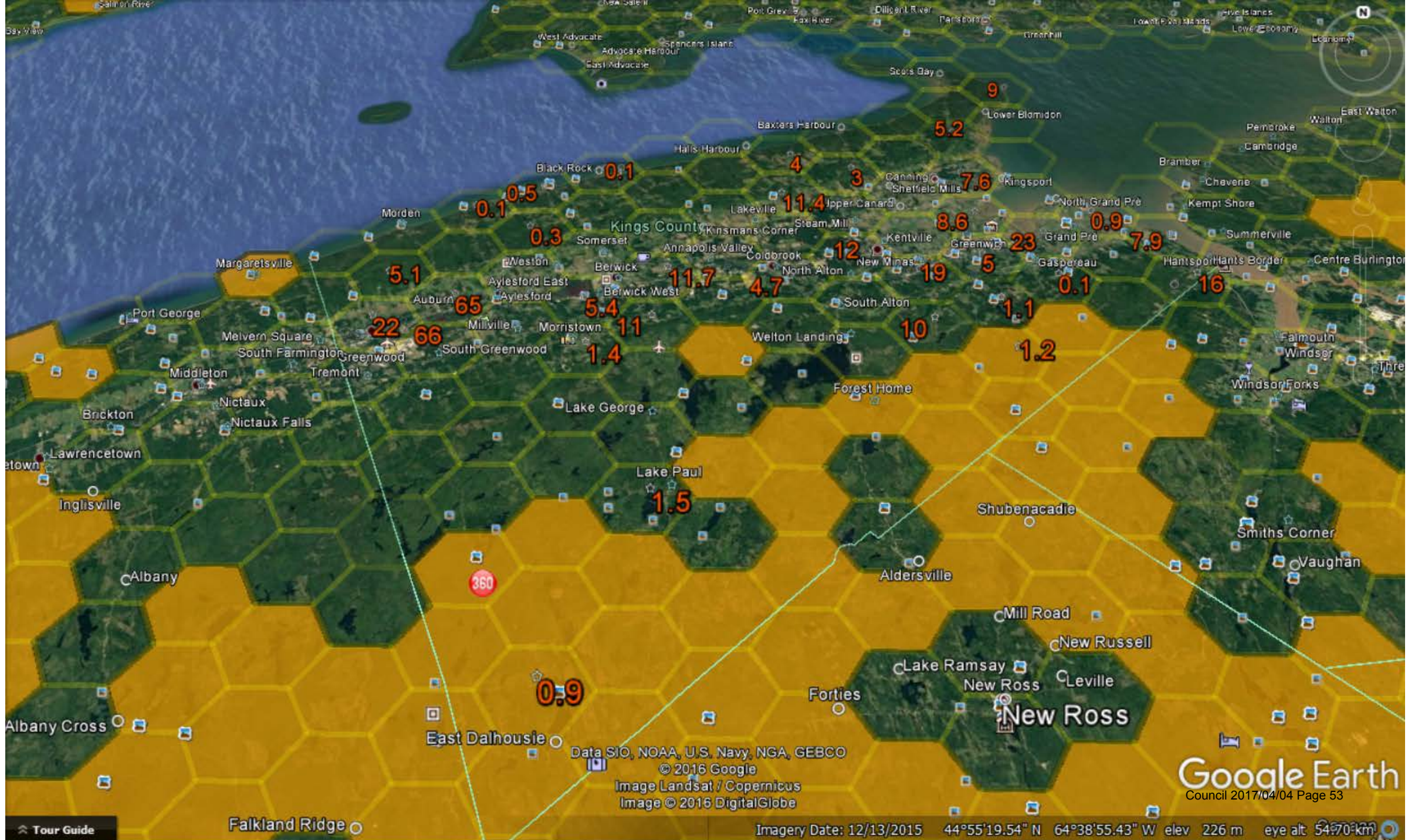




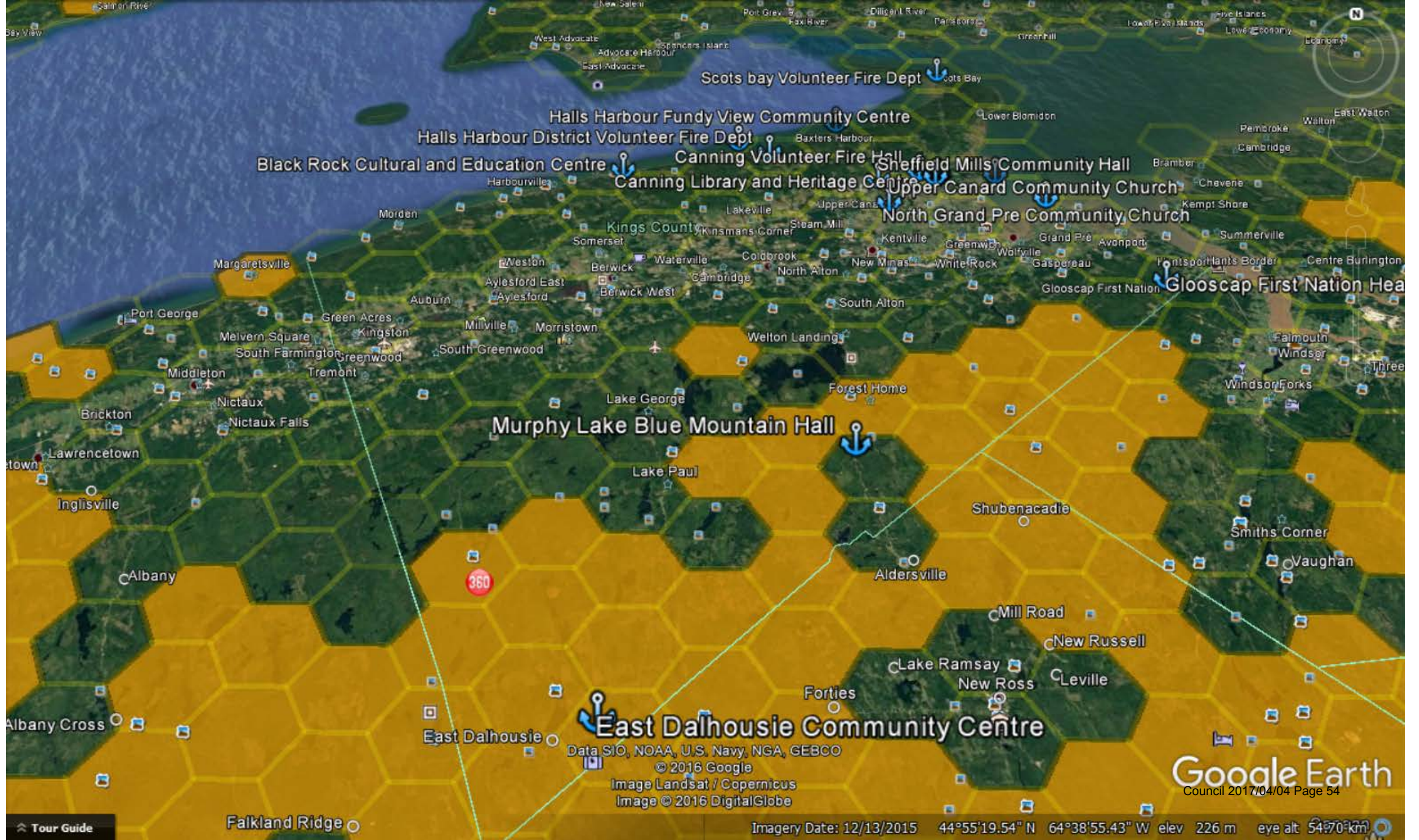












Scots bay Volunteer Fire Dept

Halls Harbour Fundy View Community Centre

Halls Harbour District Volunteer Fire Dept

Black Rock Cultural and Education Centre

Canning Volunteer Fire Hall

Canning Library and Heritage Centre

Sheffield Mills Community Hall

Upper Canard Community Church

North Grand Pre Community Church

Glooscap First Nation Health Centre

Murphy Lake Blue Mountain Hall

East Dalhousie Community Centre

Data SIO, NOAA, U.S. Navy, NGA, GEBCO

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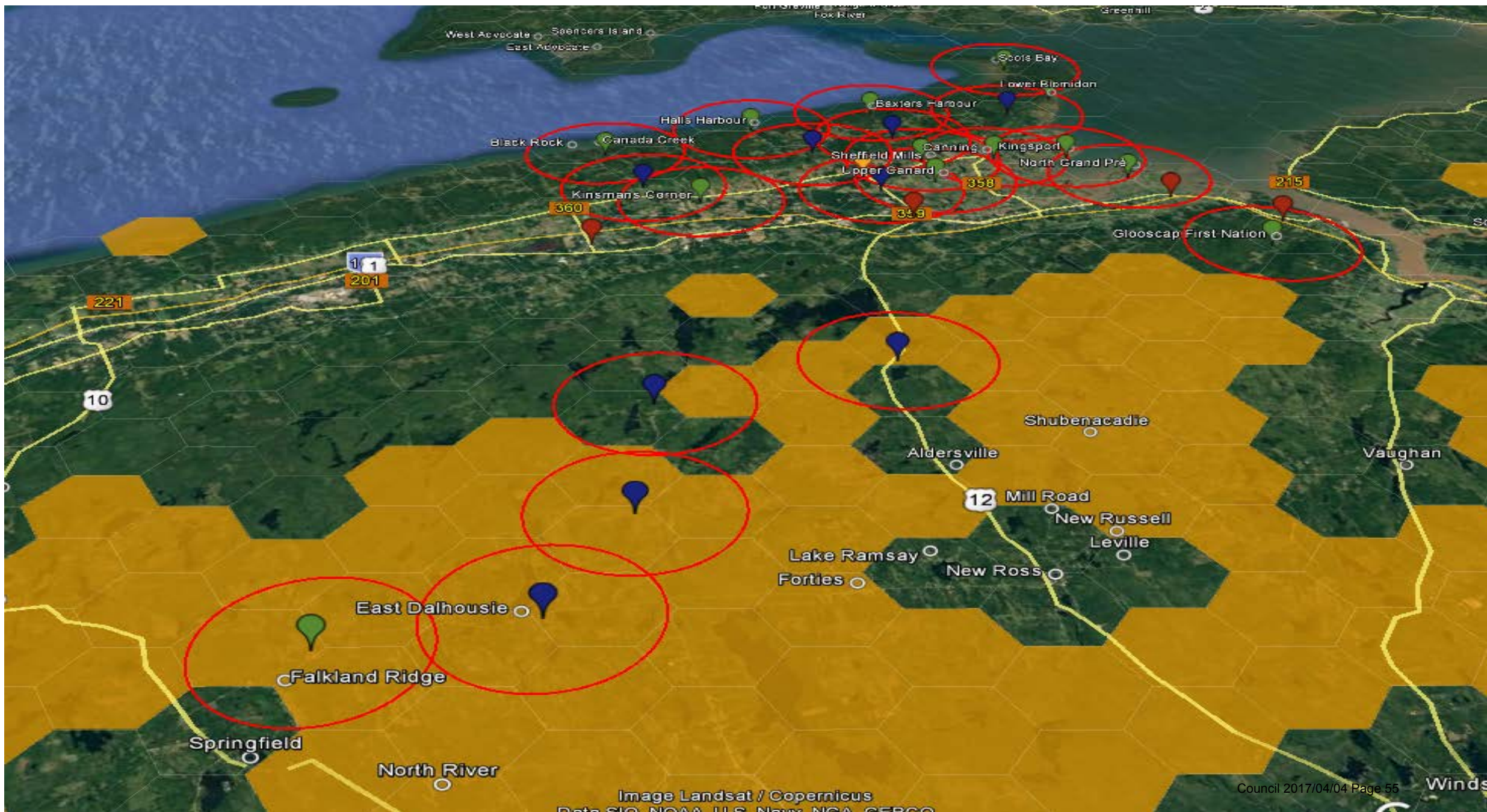
Image Landsat / Copernicus

Image © 2016 DigitalGlobe

Google Earth

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# Costing: Construction Estimate

- Open Access Fibre VCFN Extension: \$3,600,000
- PoPs for Eligible Communities: \$1,360,000
- LTE Tower Sites: \$660,000
- VCFN Repeater Sites: \$600,000
  
- Total Construction Estimate: \$6,220,000



# Need From Kings...

- Applicant LOI
- Kings Registration
- Financial records – 3 years
- Funding intent
- Design sign-off

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To:	Mayor and Members of Council Municipality of the County of Kings	From:	John Heseltine, Senior Planner Stantec Consulting Ltd.
File:	140170144.700	Date:	April 4, 2017

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**Reference: Consultation Summary – Kings Municipal Complex Consultation Workshop #1**

Stantec is pleased to report on the results of its consultations concerning the Kings Municipal Complex with municipal staff on Wednesday, March 29, and with the public at the Waterville Fire Hall on Thursday, March 30, from 6:30 pm to 9:30 pm.

**Staff Consultation**

Stantec held two workshop sessions with Kings staff on March 29. Both sessions were held in the Orchards Room in the Kings Municipal Complex. The first meeting, which 40 to 50 staff attended, began at 9:45 am and concluded at 11:30 am. The second began at 1:00 pm and adjourned shortly after 3:00 pm. It attracted 20 to 25 staff who could not attend the morning session.

Stantec posed the following four questions in order at both sessions:

1. What are the most important factors to consider in selecting a site for a new building?
2. What features would you like to see included in the lands outside the building?
3. Public areas of the building will include Council Chambers and Point of Service. What else should be included in the building?
4. There are many ways to design council chambers. How should they be laid out? What design features should be included?

In addition, Stantec discussed energy efficiency and sustainability issues, although time limited staff feedback.

With more participants in the morning session, input was more detailed than in the afternoon. Input through the two sessions in response to each question was consistent.

- **Location/Site** – Staff would like a visible, safely accessible site on which the municipal complex can grow or be adapted to meet future needs. Staff considered a central location desirable and expressed favourable opinions toward both Kentville and Coldbrook as potential sites. Concerns were expressed with co-location of the Public Works garage with municipal offices. On the whole, staff would prefer the garage to be separate.
- **Exterior/Grounds** – Staff were clearly interested in having amenities on the building grounds that would allow them to spend time outdoors. Green spaces with picnic tables and recreation/playground opportunities appeared to be a high priority. Staff would also like to see trees incorporated on the site, perhaps including an orchard with fruit trees and/or community garden plots. Staff expressed interests in a range of transportation modes in

**Design with community in mind**

**Reference: Consultation Summary – Kings Municipal Complex Consultation Workshop #1**

terms of concerns for parking provisions (handicapped and electric charging stations, as well as conventional spaces), and desire for a bus shelter, bike racks, and sidewalks and onsite trails to facilitate pedestrian access.

- **Building Interior** – Staff would like to see flexible office space recognizing the need to provide for identifiable department areas supported by spaces for meetings and production processes (e.g., photocopying/print area, filing spaces). They would also like to see supportive amenities like a lunch room or cafeteria, gym or fitness space. Some were open to the incorporation of non-municipal uses or sharing of uses of interest to them, such as a fitness centre, a day care, or a cafeteria, with the public. Others suggested the incorporation of a tourist information centre or a business incubation centre, which would also complement municipal functions. While staff were conscious of cost and suggested, for example, that some current office furniture could be retained, some also hope for a building with natural light decorated with art work.
- **Council Chambers** – Most staff members are very familiar with Council Chambers and provided direct recommendations concerning their design. A major concern was arranging public seating to view Council and staff during meetings and to allow Council and citizens speaking to Council to face the public audience. Staff also recognized the importance of accommodating technology particularly the rising importance of video recording. Staff also suggested enlarging the lunch area provided for Council members. Several participants noted the importance of ensuring the space is adaptable particularly because it is expected to be used as an administrative centre for emergency situations.

In our opinion, the process with staff over both sessions was very positive and productive. Staff clarified their expectations from the new complex and generated many good ideas that should assist Stantec to prepare an enhanced design. The sessions were also an effective rehearsal for the public consultation session that took place the following evening.

**Public Consultation**

The public consultation in Waterville followed a similar structure to the staff sessions the preceding day. Discussion focused on three of the four questions posed to staff (see appendix). The question concerning design of the Council Chambers was excluded because of concerns with the time available. Participants were organized into tables of 6 to 8 people as they entered the hall. The agenda allocated 20 minutes for participants to discuss each question at their tables. Facilitators, who were largely drawn from Kings staff but who included one Stantec team member and a few volunteers who were drafted to handle the added tables, moderated the discussions and encouraged all participants to contribute to the discussion.

Efforts by County staff to promote the meeting were very effective. Staff counted 80 to 90 meeting participants. With three Stantec team members, municipal councilors and staff members, and representatives of the Waterville Fire Department, roughly 100 people were in the room. We were initially concerned with the management issues presented by the crowd, which was about twice the number we expected. Stantec team members and municipal staff worked effectively to add discussion tables. Gathering input from the eleven table groups that we eventually set up was

**Reference: Consultation Summary – Kings Municipal Complex Consultation Workshop #1**

surprisingly efficient. The group completed all items on the meeting agenda within planned timeframes (see appended PowerPoint for agenda and meeting guide).

Overall, the World Café format selected for conduct of the session worked well. Many participants told organizers it was a positive experience. A panel at the exit to the meeting hall asked participants to rate the session in terms of timing (Rushed to Enough Time) and effectiveness (Ineffective to Productive). Responses suggest that most participants considered the meeting very effective, although some felt it was a bit rushed.

The meeting facilitator asked participants to contribute ideas in response to each question in the sequence set out in the attached PowerPoint. During the last five minutes of the discussion, the table groups were asked to identify their five highest priority ideas in response to each question and select a single highest priority. In the following 20 minutes, each table reported their five leading ideas and their highest priority. These were then placed on poster boards so that all participants could review them.

The facilitator asked participants to change tables between each question to ensure that they shared their perspectives with a variety of people. Most participants complied very easily with the facilitator's request to move. We are very appreciative of the ease with which the entire process was managed thanks to the positive attitudes and cooperation of attendees.

Discussion of the three questions concluded on time at 9:00 pm. The room stayed open until 9:30 to allow participants to review the ideas on the poster boards. Each participant was given six sticky green dots and six sticky red dots to apply to upvote (green) or downvote (red) posted ideas. This voting process, which is called "dotmocracy" and is frequently used in workshop processes, gives a measure of support for ideas and an indicator of ideas that may face some opposition.

Stantec staff are processing the information recorded on the poster boards in detail. A quick review of the posters by Stantec identified the following highlights:

- **Location/Site** – Groups of participants split over support for an urban site in Kentville versus a site in the county, which was usually identified as a "central location" in the county. One tag simply identified a central location without stating whether it should be in a town or the county. Voting however showed a strong preference for a central county location (47 green dots/7 red) or "finish[ing] off" the Coldbrook site (13 green/3 red). Suggestions of Kentville or "an urban area" attracted 13 green dots but 33 red ones.

Group tables also favoured a visible, accessible location that could accommodate parking. One table suggested that the Public Works garage should be on as separate site but eight participants downvoted the suggestion and none supported it.

- **Building Interior** – Participants suggested the interior of the building should reflect the community and incorporate all municipal departments, partners and tenants, as well as local art. They also indicated that energy efficiency and eco-friendliness should be priorities. The strength of support for these ideas is however uncertain as relatively few participants choose to "vote" for suggested interior features.

**Reference: Consultation Summary – Kings Municipal Complex Consultation Workshop #1**

- **Exterior/Grounds** – Groups suggested modest treatment of the building exterior emphasizing natural landscaping and local materials. They also expressed support for good lighting and adequate parking. While ideas were advanced for exterior wifi, ecofriendly features, and statues on the grounds, votes in response were mixed. One table suggested a dog park but objections in terms of red dots (18) significantly outweighed green dots (2).

While the Stantec team and municipal staff were pleased with attendance at the meeting and the information derived through the process, we feel there is room for improvement. In particular, now that we are aware of the level of attendance to expect, we should be better able to prepare the room. We would also like to increase dialogue between the consultants and citizen participants. We have discussed with Kings staff bringing in a specialist facilitator to manage the next meeting, which should allow Stantec staff to focus on feedback from the audience and comment on citizen input as it is received.

The second consultation meeting is scheduled for Wednesday, April 12. It will be at the Waterville Fire Hall again. We have not fully defined the agenda yet. We expect to report the results of the March 30 session and dig deeper into the siting priorities and the uses to be incorporated in the building. We also hope to initiate discussions of sustainability issues. We are discussing whether to continue with the World Café format or employ other approaches to consultation.

**Online Input**

The County has established a PlaceSpeak site (<https://www.placespeak.com/en/topic/5224-county-of-kings-welcome-to-placespeak/#/overview>) to facilitate online dialogue with citizens on topics of interest such as the Municipal Complex, which is specifically referenced in the current introduction to the site. To date, PlaceSpeak has recorded more than 3,000 views of the topic page New Municipal Complex. The platform has captured 118 comments and 80 individuals have connected to the topic meaning they are following it and receiving updates.

A discussion of the Municipal Complex was open on PlaceSpeak from 9:30 am, March 21, until approximately 6:00 pm on March 31. It asked visitors to the site if they had any questions about the process and posed five questions about the location and features of the complex. These included the same questions concerning site and location (Question 1), and the exterior grounds of the building (Question 3) as we posed to staff and attendees at the Waterville public meeting. The other three questions were different. Question 2 asked "Are there any uses or features that you feel should be included in the complex in addition to the Council Chamber and municipal offices?" and Question 5 asked "How important are energy efficiency and sustainability of the municipal complex to you?" Question 4 was a broader version of the last question put to municipal staff concerning the design of the council chambers addressing publicly accessible spaces in general: "What are the most important features you would like the Municipality to consider for the lobby/indoor public space of the building? The Council Chambers and public seating area?"

**Reference: Consultation Summary – Kings Municipal Complex Consultation Workshop #1**

Key themes from the comments received were as follows:

- **Location/Site** – Comments reflected a lively debate over the choice between an urban location and a rural one. Several emphasized a "central location" along with accessibility from the highway. Some individuals expressed support for the Coldbrook site, while others favoured staying in the Town of Kentville.
- **Building Uses** – While some offering input on PlaceSpeak would like to the building to be focused on "county services," others noted the importance of meeting rooms in the existing Municipal Complex. Additional respondents expressed interest in recreational and community facilities ranging from a day care centre to a fitness centre to a pool.
- **Exterior/Grounds** – Respondents would like to see ample parking, green spaces and trails, a community orchard and/or gardens, and a small park or recreation centre.
- **Public Areas** – Citizens are hoping for a warm, well-lit building, incorporating local art. One respondent suggested that the new Chambers should keep the positive features of the current Chambers in Kentville. Others emphasized that the Chambers should be adaptable to purposes other than Council meetings, should be accessible to all citizens, and should incorporate current technology.
- **Energy/Sustainability** – Nearly all comments emphasized the importance of energy efficiency. Fewer references were made to sustainability but it was also identified as an important value to many.

A poll taken through PlaceSpeak asked if citizens would prefer a building with offices only a complex incorporating a variety of uses. Respondents favoured a complex over a single-purpose office building by 33 to 15.

**Stantec Consulting Ltd.**



John Heseltine  
Senior Planner  
Phone: (902) 481-1477  
Fax: (902) 468-9009  
John.Heseltine@stantec.com

Attachment: Consultation Meeting PowerPoint Presentation

# MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO MUNICIPAL COUNCIL

**Subject: Proposed Amendments – New Municipal Complex Strategy**

**From: Engineering and Public Works, Land & Parks**

**Date: April 4, 2017**

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### **Synopsis**

Council paused the New Municipal Complex project on January 10, 2017 to do a fresh round of stakeholder engagement. Amendments to the New Municipal Complex Strategy, originally approved by Council in December 2015, are needed to facilitate the new engagement process.

### **Background/Discussion**

On December 15, 2015 Council adopted the New Municipal Complex Strategy (the “Strategy”). The Strategy outlined Council’s intended path forward for the construction of a new Municipal Complex. It provided direction on several core parameters to be incorporated into the overall design.

On January 10, 2017, Council decided to pause the project to allow for a fresh stakeholder engagement process to ensure that there was sufficient feedback for Council to base any further decisions upon. Council indicated that they want more consultations on the Complex location and design elements. The Strategy in its current form does not readily allow for this since the requirements for several parameters are very specific. Thus, Staff is presenting this report to gain Council approval for several amendments to the Strategy.

The proposed amendments to the Strategy are attached to this report. Council has indicated its desire to get further feedback from Staff and the public on the design of the Complex and its potential location. The intent is the re-engage Staff and the public, as much as practical, with a “clean slate”. The proposed amendments, developed in consultation with Council and Senior Management, will realign the Strategy to meet this goal.

### **Financial Impact**

The only direct financial impact from the proposed amendments is due to advertising and related costs for the new engagement process. Otherwise, the changes simply inform how the Municipality intends to proceed with the project.

### **Recommendation**

**BE IT RESOLVED THAT MUNICIPAL COUNCIL approve the amendments to the December 2015 New Municipal Complex Strategy as attached to the April 4, 2017 Municipal Council agenda.**

# Municipal Complex Strategy Review

Approved Dec 2015 Strategy	Suggested Changes
<p>1. Council confirms that the MOK shall proceed with the construction of the new Municipal Complex in Coldbrook at the property purchased in Coldbrook Village Park.</p>	<p><u>Recommended text:</u>  <i>Council and Senior Management will approve new site selection criteria developed utilizing information from the new engagement process and input from Stantec. The Coldbrook Village Park location may still be considered.</i></p>
<p>2. Council approves a Project Budget for the New Municipal Complex Project (including the complex, garage, fixtures, fittings, equipment, etc) with an upside limit in the amount of \$7.5 million (excluding all expenses incurred to date).</p>	<p><u>Staff recommends no changes at this time.</u>  Any change may bias the new engagement process. Any budget adjustments should be deferred to after Council receives the Final Engagement Report.</p>
<p>3. Council authorizes the CAO to procure professional and construction services necessary for the design and construction of the New Municipal Complex using the "Design-Bid-Build" procurement method.</p>	<p><u>Staff recommends no changes.</u>  We are committed to this action.</p>



# Municipal Complex Strategy Review (Continued)

Approved Dec 2015 Strategy	Suggested Changes
<p>4. Council authorizes the CAO to issue procurement documents and solicit proposals and/or bids as per Policy FIN 05-006 (Procurement Policy) to obtain the necessary professional and contract services to execute the design and construction of the New Municipal Complex.</p>	<p><u>Recommended text revisions:</u> Council authorizes the CAO to issue procurement documents and solicit proposals and/or bids as per Policy FIN 05-006 (Procurement Policy) <i>and the Project Charter</i> to obtain the necessary professional and contract services to execute the design and construction of the New Municipal Complex.</p>
<p>5. Council authorizes the CAO to negotiate and/or award contracts to the successful proponent or bidder (as the case may be) as per clause 4 above provided the total budget stipulated in clause 2 above is not exceeded.</p>	<p><u>Staff recommends deleting this clause in its entirety.</u></p>

# Municipal Complex Strategy Review (Continued)

## Approved Dec 2015 Strategy

6. Council confirms and approves that the baseline design parameters for the design of the new Municipal Complex shall be as stipulated in the table below.

Criteria	Approved Requirement	Suggested Change
<i>Methodology</i>	Design-Bid-Build	<u>Staff recommends no changes.</u>
<i>Energy Efficiency (See note below)</i>	Min 10-15% under 2011 National Energy Code for Buildings (Does not include PW Garage)	<u>Staff recommends no changes.</u>
<i>LEED Certification</i>	No certification, only select element (i.e., HVAC, lighting) match	<u>Staff recommends no changes.</u>
<i>Structure</i>	Tilt-up, steel, masonry or combination including hurricane resistant design	<u>Staff recommends no changes.</u>
<i>Building Size</i>	Main Complex 24,000 square feet (gross) + Garage	<u>Recommended text:</u>  <i>Building Size to be determined</i>
<i>Public Engagement</i>	Architect Led	<u>Staff recommends no changes.</u>
<i>Note: This element was amended at the August 2, 2016 Council session.</i>		

# MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject:** Hants Border Area Rate (Fire Capital)

**From:** Administration

**Date:** April 4, 2017

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### **Background:**

The Municipality collects an area rate for several Fire Districts within the County to help cover the cost of capital purchases. The residents in the Hants Border fire area have not remitted a capital area rate since 2008. This previous rate was \$.0248/100 of assessment. Public meetings, with the most recent being May 26, 2016, were held for the rate payers to vote on an area rate for fire services capital expenditures. The residents who were present did not approve the area rate.

On February 7, 2017, Chief Administrative Officers for both The Municipality of the District of West Hants (West Hants) and The Municipality of the County of Kings (MOK), as well as the Manager, Finance and IT Services for MOK, met to discuss the need for assistance in levying and collecting an area rate from the residents of Hants Border to help defray capital costs being borne by the municipality in support of The Hantsport Fire Department. The meeting was preceded by a letter addressed to the former CAO dated May 26, 2016 asking for similar assistance; which resulted in discussions taking place, but no resolution being reached.

### **Discussion:**

Section 75 of The Municipal Government Act (MGA) provides that area rates may be used to finance all or part of the cost of any municipal service or facility that Council deems to be beneficial to the area. This rate may be on the assessed value of the property or as a uniform charge on each property or dwelling unit in the area.

Below is a chart showing the area rate for other fire departments in the Municipality. The residents in each area pay this capital area rate on their property tax bill and the Municipality then forwards the funds to each fire department.

Area	Rate
Waterville/Cambridge/Grafton	0.1000
Canning	0.0900
Berwick	0.0800
Waterville (outside)	0.0650
Greenwich	0.0600
Greenwich (outside)	0.0600
Wolfville	0.0600
Halls Harbour	0.0500
Kingston	0.0600
Aylesford	0.0500
Aylesford (outside)	0.0500
<b>Hants Border</b>	<b>0.0489 (pending)</b>
New Minas	0.0425
Kentville	0.0279

Please note the calculations above have been provided by MOK Finance, and the same calculations determine the area rate for Hants Border residents to be \$.0489/100 of assessment; lower than all but New Minas and Kentville.

The CAO for West Hants has indicated an inability to reach an agreement with residents of the area and is asking MOK to intervene on behalf of the Hantsport Fire Department. Council must determine how to address the issue, understanding that residents have been receiving fire protection for over eight years without any capital remittances.

The options available to Council include:

1. Direct the Mayor to meet with residents of the area to discuss obstacles, confirm calculations and to conduct another vote in asking area residents to support the rate;
2. Impose an area rate on Hants Border residents in the amount noted above for furtherance to The Hants Border Fire Department; or
3. Do nothing

#### **Recommendation:**

**It is recommended that Municipal Council direct the Mayor and Manager of Finance to meet with area residents to propose the above area rate.**





**WEST HANTS**  
NOVA SCOTIA

May 26, 2016

Mr. Tom MacEwan  
Chief Administrative Officer  
Municipality of the County of Kings  
PO Box 100  
87 Cornwallis Street  
Kentville, NS B4N 3W3

Dear Mr. MacEwan,

I am writing to you, on behalf of the Hantsport Fire Department, as the applicant of a request for an area rate for capital purchases to be levied on those properties located within Kings County which are served by the Hantsport Fire Department.

On May 25<sup>th</sup> a duly called public meeting was held at the Hantsport Fire Station to present the merits of the area rate. Kings County ratepayers attending the meeting represented 83 properties and casted 75 ballots. Unfortunately, only 21 cast in favour and 54 voted against the area rate. The Hantsport Fire Department is very disappointed with these results as we believe the merits of the request speak for themselves. Many who spoke at the meeting raised past issues or accusations against the County, the Town of Hantsport and the fire department, none of which can be verified.

The majority of comments at the meeting pertained to the process outlined in the MOK Fire and Recreation Area Rates Policy. Attendees did not feel we had provided sufficient notice, were concerned that they were not involved with the discussion on the actual purchase of the apparatus before it was purchased and appeared to have difficulty in understanding the difference between the operations and capital funding processes. Brian Deloges did an admirable job explaining the process and policy on numerous occasions, as did Councillor Ennis who was also in attendance.

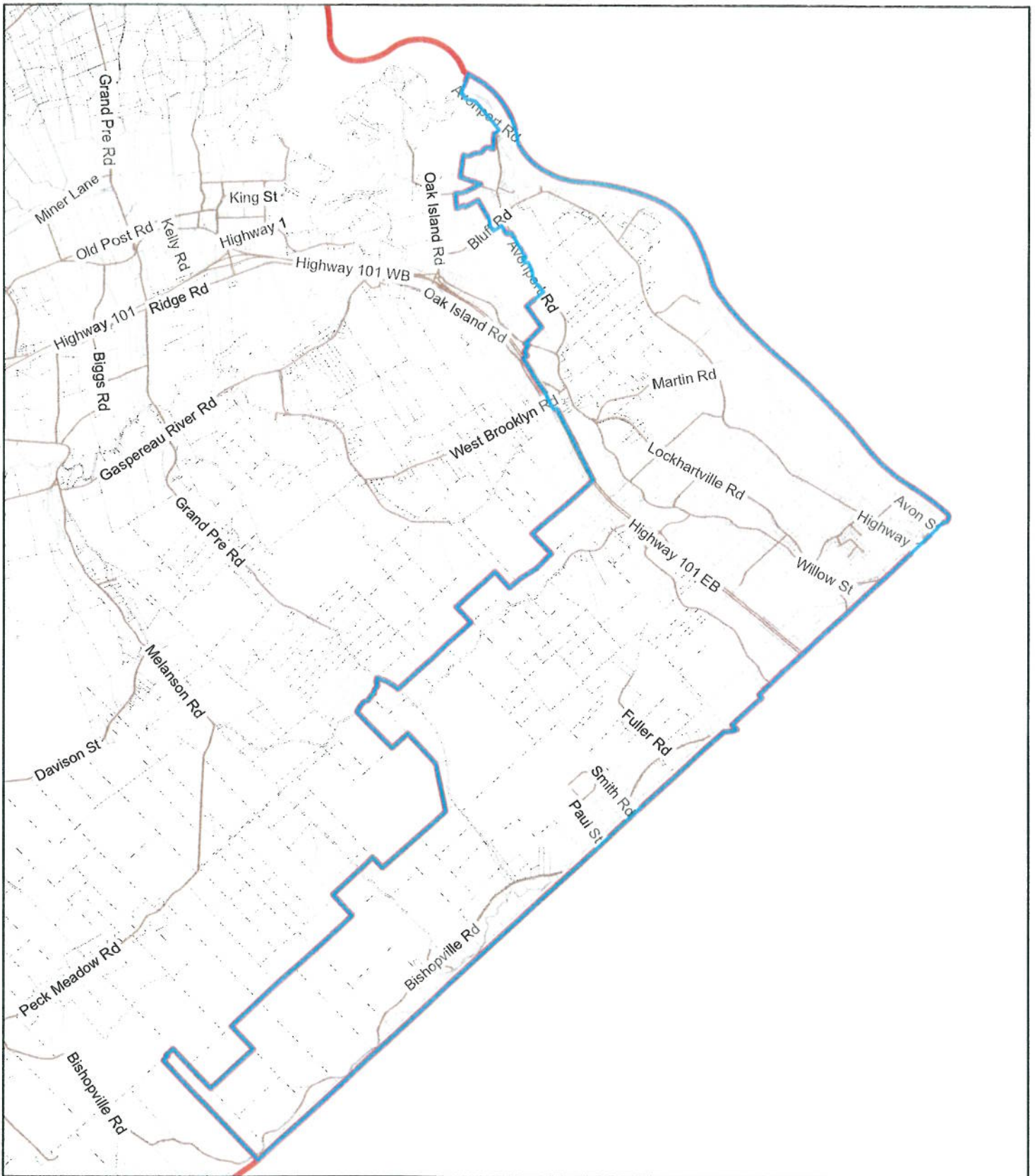
With respect to the Public Participation process (7) described in the MOK policy, I can assure you we have complied with all the requirements, including posting notices in 6 conspicuous places instead of the five required and posting to our website and Facebook pages.

The financial request was for \$40,857.11 per year over a ten year period, including the mandatory administration fee and HST.

As background, we presented the following facts:

1. 45.93% of all calls by Hantsport Fire Department occur in Kings County (past 5-year average)

# Hantsport Fire District



0 50 100  
Metres

Source:  
Property Records Database (NS  
Geomatics Centre - 2011)  
Finance Service Areas (Municipality  
of the County of Kings - 2011)  
Council 2017/04/04 Page 70

## REPORT TO COUNCIL

**Date:** April 4, 2017

In June 2016, the Municipality received a request for street lights to be installed in Greenwich Heights (see Figure 1-1). The properties were subsequently petitioned and the results of the petition, which closed on June 17, 2016, were favourable. This report is being submitted to Council for acceptance and adoption of an amendment to By-Law 45 - Street Lights to enable this project to proceed.



## **Discussion**

The petition was mailed to 15 property owners, with the following responses:

- 13 property owners voted in favour (86%)
- 1 property owner did not respond (7%)
- 1 property owner voted not in favour (7%)

Per by-law, petitions require majority support. Thus there is sufficient support among the property owners to proceed with the project.

## **Proposed Amendment to By-Law 45 - Street Lights**

The By-Law only requires a minor change to Schedule "A" to enable street lights being installed on Kimbrough Court. The proposed amendment to Schedule "A", Part 7 is shown in yellow/highlighted below.

### **SCHEDULE "A"**

#### **7. Greenwich**

All property at Greenwich upon which there is a dwelling or which is a commercial property all or any portion of which has frontage on a street, road or highway and within 100 feet of the extremities of the area serviced by street lighting and without limiting the foregoing, the applicable portion of:

1. Highway No. 1 and lying between the west boundary of the Town of Wolfville and the east boundary of the Village of New Minas.
2. Greenwich Road (also known as the Greenwich Ridge Road).
3. Eden Row.
4. Gale Street.
5. Rawding Street.
6. Avon Lane.
7. Sunnyside Road.
8. Kimbrough Court.

## **Financial Impact**

The cost to operate the street lights will be recouped from the property owners via an annual street light charge added to their tax bill as a separate line item. The estimated annual charge for the street lights is approximately \$57.00 per dwelling/commercial property.

On March 7, 2017 Council gave First Reading to amend By-Law 45.

## **Recommendation**

**BE IT RESOLVED THAT MUNICIPAL COUNCIL give Second Reading to amend By-Law # 45, being the Street Lighting By-Law of the Municipality of the County of Kings, as noted in the April 4, 2017 Council agenda.**



## RECOMMENDATIONS FROM COMMITTEE OF THE WHOLE

March 21, 2017

a.	Lyme Disease Awareness Month Proclamation	That Council proclaim May 2017 'Lyme Disease Awareness Month' in the Municipality of the County of Kings.
b.	Infographic Competition	That Council hold an Infographic Competition for Kings County residents aged 13-30 years with contest prizes not to exceed \$1,500 from the Administration budget line.  <u>*Revised report attached</u>
c.	Conference Attendance 2017/2018	That Council approve the attendance of any interested Councillors at the 2017 UNSM Spring Workshop and 2017 UNSM Fall Conference and the attendance of the Mayor (or his designate) and two Councillors at the 2017 FCM Annual Conference.
d.	Pre-Approval of Debenture Funding	That Council give preapproval of the Spring 2017 Debenture Issue for \$225,000 at an interest rate not to exceed 5.5%.
e.	Federal Gas Tax Program & Approval of a Village Capital Project	That Council approve the addition of the Port Williams Asset Management Project to the Capital Investment Plan.
f.	Federal Gas Tax Program & Approval of a Village Capital Project	That Council approve the Village of Port Williams to use their Gas Tax allocation towards two thirds (2/3's) of the Eligible Expenditures associated with their Asset Management project, which are estimated at \$21,681.06.

# MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject: Infographic Competition**

**From: Administration**

**Date: April 4, 2017**

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### **Background:**

The Municipality of the County of Kings is inviting all Kings County residents to create an original infographic featuring Kings County data from the 2016 Statistics Canada Census. Participants can work alone or in teams of up to three participants. Your infographic can be on any topic of your choice as long as it features Kings County specific data. The top three entries will be awarded cash prizes of \$500 and will be featured online with further exposure opportunities as applicable.

The main objective of this contest is to receive new education tools to improve awareness of topics relevant to Kings County. The contest will be advertised locally and on social media as the secondary objective is to encourage local residents to get involved.

### Description of an infographic

An infographic uses a 2D static graphic format to transform information and data into a visual story that is easy to understand.

### Submission Requirements

1. Your original infographic in the software it was created in.
2. A pdf copy of your infographic.
3. A 200 to 300 word description of your infographic and its purpose along with appropriate citation of your data source(s).
4. A copy of proof of age and address or school must be submitted with entry.

### Eligibility

1. The infographic must be representative of data specific to Kings County.
2. Participants must be between the ages of 13-30 and reside (or go to school) in the Municipality of the County of Kings or the Town of Berwick, Kentville or Wolfville.
3. Teams can include a maximum of three individuals.
4. Each contestant is limited to only one infographic submission. You cannot submit one yourself and one as part of a team.
5. All correspondence will be done by e-mail: TBD.
6. All entries must be submitted online at: TBD.
7. All entries become the property of the Municipality of the County of Kings upon

- submission and may be edited, modified and used by the County.
8. The data used in your infographic must be current from the 2016 Statistics Canada Census and your infographic must be your own original work.
  9. The infographic must not infringe upon or violate any laws or any third party rights, including, but not limited to, copyright, patent, trademark, trade secret or other proprietary rights and must not constitute material that would be considered libeling, defamatory, a privacy violation, tortuous or a contract breach.
  10. Contestants must not include any personal information on the infographic.

**Deadline:** May 1<sup>st</sup>, 2017 by Noon.

#### To Submit Entry

1. Go to: TBD.
2. Fill in the required information and upload the required documents.
3. Agree to the terms.
4. Click submit!

The winners will be announced by May 31<sup>st</sup>, 2017.

#### Evaluation Criteria

A panel of judges from the Municipality will evaluate submissions based on the following:

- ~~Relevance to Kings County - 5pts~~ **Note: If the infographic is not relevant to Kings County it will be disqualified from the competition.**
- Accuracy (of data analysis and citation) - 20pts
- Design (clarity, artistry and originality) - 30pts

#### **Further Discussion:**

The original intent was for a young adult or young professional demographic. If we want to be inclusive to high school aged students, 16 is too high of an age. To keep the competition competitive to the 30 year old young adult a bottom age is necessary. The Kings Youth Council, a Committee of Council soon to form, whose Terms of Reference were approved by Council, will be made up of members ages 13-30. To remain consistent in our chosen youth demographic, consideration should be given to change the bottom age to 13.

By specifying the Towns in our area, we are also able to include students who may be attending school in the area, making our participant pool larger and more inclusive. By allowing the option to produce either proof of address or a school ID, we will eliminate the barrier to participation as some of the students may not have a valid ID showing their address.

#### **Recommendation:**

**That Municipal Council hold an Infographic Competition for Kings County residents aged 13-30 years with contest prizes not to exceed \$1,500 from the Administration budget line.**

March 8, 2017

Mr. Peter Muttart  
Municipality of the County of Kings  
Box 100, 87 Cornwallis St  
Kentville, NS B4N 3W3



Dear Mr. Muttart,

I am writing to provide you with an update on the Valley Hospice Foundation's project to establish a Hospice and Palliative Care Centre in the Annapolis Valley, which you have so generously supported.

I am pleased to report that soon following the August announcement from Premier Stephen McNeil, a Project Advisory Committee was formed to plan the construction of our Hospice. Don Wells, Vice-Chair of the Hospice Foundation and I are on the committee, which also includes Nova Scotia Health Authority (NSHA) engineers and senior staff, noted members of our community and front line staff who deliver palliative care every day in our community. The Hospice will be built by NSHA with the funds we raised within our community and will follow regulations and requirements of the Nova Scotia Department of Transportation, Infrastructure Renewal. This Project Advisory Committee has been meeting weekly since the end of September.

The first phase of the committee has been to complete a "Functional Plan" that includes outlining the many special features of the Hospice and the specific spaces required to support the unique services that will be provided there. The goal of this phase is to be as detailed as possible to avoid additional costs later. The input from those working in palliative care has proven to be invaluable in this process, as they know firsthand the complex issues that might arise for the patients who will be served in the Hospice setting.

It is exciting to see our shared vision for our Hospice starting to take shape. We look forward to the next phase of the work which will result in designs on paper. I would have liked to be more definitive in informing you of a construction schedule, but unfortunately cannot do so as yet.

I would like to sincerely thank you, the community, for your ongoing patience and understanding. I would also like to reassure you that we will continue to do everything we can to ensure the Valley community receives the vision of hospice it so generously supported. Your generosity for this project has been overwhelming and we are committed to keeping you informed as the project unfolds.

I would like to take this opportunity to let you know about our 5<sup>th</sup> annual Hike for Hospice slated for May 7, 2017. This year the Hike will support a planned approach for the addition of trained volunteers to serve palliative patients in the community and to assist in our future Hospice. The Valley Hospice Foundation acknowledges the vital role of volunteers in achieving our vision for excellence for hospice palliative care in the Annapolis Valley. I encourage you to visit our website to learn more about the Hike. [www.valleyhospice.ca](http://www.valleyhospice.ca)

Thank you again. It is important to keep our eye on the prize – a facility that will give patients and their families comfort and dignity as they cope with end of life. Please do not hesitate to call me should you have any questions.

Sincerely,



Diana Patterson, Chair





**WEST HANTS**  
NOVA SCOTIA

**COPY**

RECEIVED

MAR 27 2017

Michael Coyle, Acting General Manager  
Valley Waste Resource Management  
90 Donald Hiltz Road  
PO Box 895  
Kentville, NS  
B4N 4H8

March 21, 2018

Re: Inter-Municipal Services Agreement for Waste Services

Mr. Coyle;

As part of the alignment of services for the Municipality of the District of West Hants, we wish to advise Valley Waste Resource Management of our notice to withdraw from our agreement for Solid Waste-Resource Management Services for the community of Hantsport, effective March 31, 2018.

The Municipality will be undertaking the task of Waste Collection Services by a single contractor throughout the Municipality of West Hants, including the former Town of Hantsport, and the 8 remaining houses on Bishopville Road that are currently being serviced by Valley Waste.

Thank you for your kind cooperation throughout this partnership.

Best regards,

Cathie Osborne, CPA, CGA  
Chief Administrative Officer  
Municipality of the District of West Hants

cc. Town of Berwick  
Town of Kentville  
Town of Middleton  
Town of Wolfville  
Town of Bridgetown  
Municipality of the County of Annapolis  
Municipality of the County of Kings