

**MUNICIPALITY OF THE COUNTY OF KINGS  
MUNICIPAL COUNCIL**

**July 4, 2017**

**AGENDA**

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

1. Roll Call **00:00**
2. Approval of Agenda **01:12** Page 1
3. Approval of Minutes Page 2
  - a. June 6, 2017 Council **01:38**
4. Business Arising from Minutes Page 2
  - a. June 6, 2017 Council **02:08**
5. Planning Items Page 12
  - a. Application to rezone a portion of the property at 4252 Hwy 12, South Alton, from R7 to C10 (File 16-17) **04:21**
  - b. Application to amend the list of permitted uses in the C10 Zone (File 16-17) **05:27** Page 13
  - c. Appointment of Responsible Organization and Citizen Members to the Centreville Area Advisory Committee (File E-1-2) **06:25** Page 47
  - d. Next Public Hearing Date **07:01**
6. Community Development Page 49
  - a. Street Renaming: Section of Highway 358 to Blackberry Lane **08:15**
7. Engineering and Public Works, Lands and Parks Services Page 52
  - a. Contract Award 17-05 - McKittrick Road Sidewalk **15:35** Page 54
  - b. Enactment of Oak Island Road Wastewater Management District Bylaw (Second Reading/Final Approval) **18:00**
8. Financial Services Page 77
  - a. Amendments to Schedules of Bylaw 99 Tax Exemption for Non-Profit Organizations (Second Reading) **19:54** Page 89
  - b. Amendments to Schedules of Bylaw 93 Private Road Maintenance Charge (First Reading) **21:43** Page 97
  - c. 2017/18 Area Rates **24:22**
9. Committee of the Whole Recommendations June 20, 2017 Page 100
  - a. Community Grant Applications **26:46**
  - b. Village of Greenwood Loan Guarantee **29:11**
  - c. Relationships with New MLAs & Provincial Government **31:02**
  - d. Kings Youth Council Terms of Reference **39:31**
10. Budget and Finance Committee Recommendation June 19, 2017 Page 101
  - a. Budget and Finance Work Plan **40:18**
11. Correspondence - General: **49:49**
  - a. 2017-06-20 Kenville Rotary Club Thank You Page 103
  - b. 2017-06-26 Village of Greenwood Canada 150 Celebrations Page 104
  - c. 2017-06-27 Valley REN 2017-18 Business Plan Page 107

Correspondence - Requests: **54:53**

  - d. 2017-06-16 Clean Annapolis River Project Board Appointment Page 108
  - e. 2017-06-20 Foleaze Park Residents re: J Class Policy Page 109
  - f. 2017-06-23 Paving Glengary Row Page 111
  - g. 2017-06-18 Tom Cosman re: Draft MPS Page 113
12. Other Business **68:40**
13. Comments from the Public **None**
14. Adjournment **72:42**

**MUNICIPAL COUNCIL  
June 6, 2017**

**Meeting Date  
and Time**

A meeting of Municipal Council was held on Tuesday, June 6, 2017 following a Public Hearing at 6:00 pm in the Council Chambers, Municipal Complex, Kentville, NS.

**1. Roll Call**

All Councillors were in attendance.

***Results for Roll Call***

For 10  
Against 0

<b>District</b>	<b>Name</b>	<b>Results</b>
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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
- Jonathan Cuming, Municipal Solicitor
- Janny Postema, Recording Secretary

**2. Approval of Agenda**

**On motion of Councillor Hirtle and Councillor Spicer, that Municipal Council approve the June 6, 2017 agenda.**

No vote was taken on the main motion.

**On motion of Councillor Raven and Councillor Winsor, to move the Municipal Complex Site Selection item up to before the Nominating Committee recommendation.**

**Amendment Defeated.**

***Results***

For 5  
Against 5

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

**On motion of Councillor Best and Councillor Armstrong, to allow Public Comments prior to the decision on Site Selection.**

**Amendment ruled out of order by the Chair.**

**On motion of Councillor Best and Councillor Hirtle, to challenge the ruling of the Chair.  
Motion Defeated.**

**Results**

For 3  
Against 7

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

**3. Approval of Minutes**

**3a. Approval of Minutes  
May 2, 2017**

**On motion of Councillor Armstrong and Deputy Mayor Lutz, that the minutes of the Municipal Council meeting held on May 2, 2017 be approved.**

**Motion Carried.**

**Results**

For 9  
Against 1

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

**3b. Approval of Minutes  
May 25, 2017**

**On motion of Councillor Hirtle and Councillor Allen, that the minutes of the Special Municipal Council meeting held on May 25, 2017 be approved.**

**Motion Carried.**

**Results**

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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 May 2, 2017** Mayor Muttart noted that the second public meeting on Hants Border proposed area rates would be held on June 19.

4b. **Minutes of May 25, 2017** There was no business arising from the May 25, 2017 minutes.

5. **Planning Items**

5a. **Application to rezone property at 1958 Hwy 359, Centreville, from CF to R2 (File 16-18)** Councillor Hirtle presented the report as attached to the June 6, 2017 Council agenda.

**On motion of Councillor Hirtle and Councillor Winsor, that Municipal Council give Second Reading and approve the map amendment to the Land Use Bylaw to rezone the property at 1958 Highway 359 (PID 55055776) in Centreville, from the Community Facilities (CF) Zone to the Residential One and Two Unit (R2) Zone as described in Appendix D of the report dated April 5, 2017.**

**Motion Carried.**

***Results***

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

5b. **Application to rezone property at 1852 Hwy 359, Centreville, from R1 to R4 (File 16-19)** Councillor Hirtle presented the report as attached to the June 6, 2017 Council agenda.

**On motion of Councillor Hirtle and Councillor Best, that Municipal Council give Second Reading and approve the map amendment to the Land Use Bylaw to rezone the property at 1852 Highway 359 (PID 55054787) in Centreville, from the Residential Single Dwelling (R1) Zone to the Residential Medium Density (R4) Zone as described in Appendix D of the report dated April 5, 2017.**

**Motion Carried.**

***Results***

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

5c. **Application to rezone a portion of the property at 4252 Hwy 12, South Alton, from R7 to C10 (File 16-17)**

Councillor Hirtle presented the report as attached to the June 6, 2017 Council agenda.

**On motion of Councillor Hirtle and Deputy Mayor Lutz, that Municipal Council give First Reading and hold a Public Hearing regarding rezoning a portion of the property at 4252 Highway 12, South Alton (PID 55369789), from the Hamlet Residential (R7) Zone to the Hamlet Commercial (C10) Zone, as described in Appendix E of the report dated May 9, 2017.**

**Motion Carried.**

**Results**

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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. **Next Public Hearing Date**

Councillor Hirtle noted that the next Public Hearing was proposed to be held on Tuesday, July 4, 2017 at 6:00 pm (prior to Council).

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

6a. **Contract Award 17-02 - Pump Station Upgrades**

Scott Quinn presented the report as attached to the June 6, 2017 Council agenda and provided a presentation.

**Mid Valley Construction Ltd.**

**On motion of Councillor Best and Councillor Allen, that Municipal Council award Contract 17-02 to Mid Valley Construction (1997) Ltd. for the total price of \$349,000.00 + HST.**

**Motion Carried.**

**Results**

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For

District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

**National Process Equipment Inc.**

**On motion of Councillor Armstrong and Deputy Mayor Lutz, that Municipal Council award the pre-purchase of the pumping equipment related to Contract 17-02 to National Process Equipment Inc. for the total price of \$120,692.00 + HST.**

**Motion Carried.**

***Results***

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

**Surflin Control Systems Ltd.**

**On motion of Councillor Hirtle and Councillor Spicer, that Municipal Council award the pre-purchase of the control panels related to Contract 17-02 to Surflin Control Systems Ltd. for the total price of \$115,980.00 + HST.**

**Motion Carried.**

***Results***

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

6b. **Contract Authorization: 2017-18 J-Class Roads**

Scott Quinn presented the report as attached to the June 6, 2017 Council agenda and provided a presentation.

On motion of Councillor Winsor and Councillor Armstrong, that Municipal Council authorize the Mayor to sign the Notice of Acceptance from DTIR as attached to the report dated June 6, 2017.

**Motion Carried.**

**Results**

For 6  
Against 4

District	Name	Results
Mayor	Peter Muttart	Against
District 1	Meg Hodges	Against
District 2	Pauline Raven	Against
District 3	Brian Hirtle	Against
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

**6c. FCM Climate and Asset Management Network Application**

Scott Quinn presented the report as attached to the June 6, 2017 Council agenda and provided a presentation.

On motion of Councillor Armstrong and Deputy Mayor Lutz, that Municipal Council endorse the Municipality’s participation in the FCM Climate and Asset Management Network Phase 2 project for Life Cycle Management subject to approval of a Green Municipal Fund Grant of \$25,000 and \$25,000 Municipal funding.

**Motion Carried.**

**Results**

For 9  
Against 1

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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	Against
District 9	Peter Allen	For

**6d. Emergency Procurement Lift Station AT6 Forcemain**

Scott Quinn presented the report as attached to the June 6, 2017 Council agenda and provided a presentation.

On motion of Councillor Armstrong and Deputy Mayor Lutz, that Municipal Council receive the report on the Emergency Procurement - Lift Station AT6 Forcemain dated June 6, 2017 for information.

**Motion Carried.**

**Results**

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

6e. **Oak Island Road Wastewater Management District Bylaw**

Scott Quinn presented the report as attached to the June 6, 2017 Council agenda and provided a presentation.

**On motion of Councillor Best and Councillor Spicer, that Municipal Council give First Reading to Bylaw # 103, being the Oak Island Road Wastewater Management District Bylaw of the Municipality of the County of Kings, as attached to the June 6, 2017 Municipal Council agenda.**

**Motion Carried.**

*Results*

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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. **Nominating Committee Recommendation May 29, 2017**

7a. **Citizen Appointments to Race Relations and Anti-Discrimination Committee**

Councillor Raven presented the report as attached to the June 6, 2017 Council agenda.

**On motion of Councillor Raven and Councillor Armstrong, that Municipal Council appoint Violy A. Curry of Forsythe Rd, White Rock and Devon Adams of Coldbrook to the Race Relations and Anti-Discrimination Committee for a term ending November 30, 2019.**

**Motion Carried.**

*Results*

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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 June 6, 2017 Council agenda.

**On motion of Councillor Hirtle and Councillor Allen, that Municipal Council receive the Correspondence as attached to the June 6, 2017 agenda package.**

**Motion Carried.**

**Results**

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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. Village of New Minas re: Municipal Planning Strategy

Referred to staff.

8b. Dr. Allan G. Lees re: New Municipal Complex Location

The Mayor responded.

9. **Administration**

9a. **Decision on New Municipal Complex Site**

Mayor Muttart presented the report as attached to the June 6, 2017 Council agenda.

Committee of the Whole took a short recess from 7:47 pm - 8:04 pm.

Leif Fuchs, Architect and Senior Associate of Stantec, provided a presentation and responded to questions from Councillors.

Scott Quinn provided a presentation and responded to questions from Councillors.

All Councillors stated their positions.

Deputy Mayor Lutz took the Chair at 9:22 pm to allow Mayor Muttart to state his position.

The Mayor resumed the Chair at 9:27 pm and the Deputy Mayor resumed her regular seat.

New Municipal Complex -  
Public Works Building

**On motion of Deputy Mayor Lutz and Councillor Hodges, that Municipal Council confirm that the Municipal Public Works Building be located on a site separate from the Municipal Administration Building.**

**Motion Carried.**

**Results**

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

New Municipal Complex -  
Administration Building

**On motion of Councillor Best and Councillor Hirtle, that Municipal Council confirm that the preferred relocation site for the Municipal Administration Building is River Street, Kentville.**

**Motion Defeated.**

**Results**

For 5  
Against 5

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

**On motion of Deputy Mayor Lutz and Councillor Best, that Municipal Council confirm that the preferred relocation site for the Municipal Administration Building is the Coldbrook Village Park Drive.**

**Motion Carried.**

**Results**

For 9  
Against 1

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	Against
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

10. **Other Business**

There was no other business.

11. **Comments from the Public**

Pierre Clouthier, New Minas, regarding the legality of voting against your own motion.

Merrill Ward, Coldbrook, regarding the New Municipal Complex site selection.

Chris Cann, Baxter's Harbour, regarding voting on issues that are already divided before the voting takes places.

Scott Patrick, Welton's Corner, regarding the New Municipal Complex site selection.

12. **Adjournment**

**On motion of Councillor Armstrong and Councillor Spicer, there being no further business, the meeting adjourned at 10:03 pm.**

**Motion Carried.**

**Results**

For 10  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	Meg Hodges	For
District 2	Pauline Raven	For
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

<b>Results Legend</b>	
-	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.

# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject: Planning Items**

**Date: July 4, 2017**

A	<b>Application to rezone a portion of the property at 4252 Hwy 12, South Alton, from R7 to C10 (File 16-17)</b>	Be it resolved that <b>Municipal Council give Second Reading and approve the map amendment to the Land Use Bylaw to rezone a portion of the property at 4252 Highway 12, South Alton (PID 55369789), from the Hamlet Residential (R7) Zone to the Hamlet Commercial (C10) Zone, as described in Appendix E of the report dated May 9, 2017.</b>
B	<b>Application to amend the list of permitted uses in the C10 Zone (File 16-17)</b>	Be it resolved that <b>Municipal Council give First Reading and hold a Public Hearing regarding the text amendment to the Hamlet Commercial (C10) Zone to delete 'Auto Repair Shops' and add 'Auto Sales and Service' to the list of permitted uses, as described in Appendix E of the report dated May 9, 2017.</b>  * <u>Reports attached</u>
C	<b>Appointment of Responsible Organization and Citizen Members to the Centreville Area Advisory Committee (File E-1-2)</b>	Be it resolved that <b>Municipal Council appoint John 'Jack' Waterbury and Kimberley Foote, members of the Centreville District Community Development Association, to sit on the Centreville Area Advisory Committee for a one (1) year term and citizen members James 'Jim' Hoyt and Beverley Greening to sit on the Centreville Area Advisory Committee for a two (2) year term.</b>  * <u>Report Attached</u>
D	<b>Next Public Hearing Date</b>	<b>Tuesday, September 5, 2017 – 6:00 p.m. (prior to Council)</b>



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

Application to rezone land from the Hamlet Residential (R7) Zone to the Hamlet Commercial (C10) Zone and clarify a permitted use in the C10 Zone to permit ATV and recreational vehicle sales and service at 4252 Highway 12, South Alton (File #16-17)

**May 9 2017**

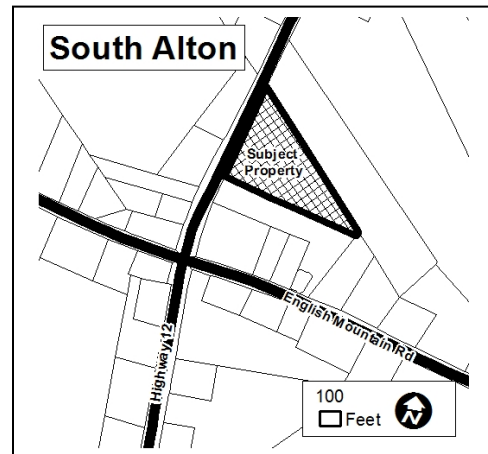
**Prepared by:** Planning and Development Services

<b>Applicant</b>	Corey Trimper – Claw ATVs
<b>Land Owner</b>	Corey Trimper and Laura Trimper
<b>Proposal</b>	Rezone vacant land to the Hamlet Commercial (C10) Zone and edit a permitted use in the C10 zone
<b>Location</b>	4252 Highway 12, Hamlet of South Alton (PID 55369789)
<b>Lot Area</b>	Total lot size approximately 4 acres Area for rezoning 1.4 acres. Remaining to stay in Hamlet Residential (R7) and Forestry (F1)
<b>Designation</b>	Hamlet (H) and Forestry (F)
<b>Zone</b>	Hamlet Residential (R7) and Forestry (F1)
<b>Surrounding Uses</b>	Primarily Residential uses, commercial use and forestry uses nearby
<b>Neighbour Notification</b>	Staff sent notification letters to the 17 owners of property within 500 feet of the subject property

**1. PROPOSAL**

Corey Trimper, owner of Claw ATVs, has applied to legalize the existing business that he has been operating at his home at 4252 Highway 12, South Alton. The proposal is to rezone a vacant portion of the subject property to the Hamlet Commercial (C10) Zone. This rezoning would legalize the business and allow it to expand.

The application also requires a minor text amendment to edit a permitted use in the Hamlet Commercial (C10) Zone. This text amendment is intended to allow either an auto related repair business, or an auto related sales business, to operate independently. The current wording restricts any business to begin with repairs, and only then would sales be an allowable accessory use, associated with the repairs.



## **2. OPTIONS**

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

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

## **3. BACKGROUND**

The applicant has operated his business, Claw ATVs for many years at its current location on Highway 12. Claw ATVs is a business that sells, and services ATVs and other recreational vehicles. This business has primarily operated out of the applicant's driveway and garage, next to his home. The applicant is now looking to move the business onto some vacant land to the north of the dwelling, to allow more space for the business to grow. This vacant land has a separate driveway access and could be subdivided. The subdivision of the property would create two properties – one for commercial use for the business to expand, and the other property would remain residential and cover the applicant's home. See the applicant's subdivision plan attached as Appendix B.

The subject property is in the Hamlet of South Alton. This hamlet is made up of mostly low density residential uses along Highway 12. There are nearby forested areas and one other Hamlet Commercial Zone where a gas station and convenience store has operated, but this business recently closed. The community of South Alton has been a designated hamlet since the original 1979 Municipal Planning Strategy. The subject property has also been located within the hamlet boundary and has always been zoned for rural residential use. The name of these zones has changed over the years, as the Land Use Bylaw was updated.

## **4. INFORMATION**

The property is relatively flat, with two driveway accesses along Highway 12. The main access has been used for the business and the applicant's existing house. The other driveway is to the north, and leads to a vacant field where the applicant plans to move his business, and then subdivide this area on its own property. The entire property is approximately 4 acres in size, which is large enough to allow for subdivision to occur and maintain the Hamlet Residential (R7) Zoning on the applicant's home.

Staff contacted other municipal and provincial departments for comments on the proposed rezoning.

- NSTIR had no concerns regarding the adequacy of the surrounding road network, or access/egress from the site. Provided the new driveway will allow RV trailers, and other large vehicles to pull straight into the property, rather than backing into the driveway, to

help reduce traffic conflicts on this busy road. This requirement will be addressed at the permitting stage and confirmed during the applicant's permit approval with NSTIR for a commercial driveway access.

- Development Control – did not anticipate any barriers to development under the proposed Hamlet Commercial (C10) Zone, and expressed support for keeping the existing house within the Hamlet Residential (R7) zone.

A Public Information Meeting was held on March 14 2017 at the Municipal Complex, 87 Cornwallis Street, in Kentville. There were 5 members of the public in attendance, but there were no comments or concerns raised. See Appendix C for the meeting notes.

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

### **5.1 Enabling Policy**

The Municipal Planning Strategy Policy 3.6.9.3 allows Council to consider amending the Land Use Bylaw to rezone lands within the hamlet, to the Hamlet Commercial Zone in Hamlets that do not have a defined Hamlet Commercial designation.

*“In Hamlets where no Hamlet Commercial sub-designation occurs commercial uses may be permitted, subject to location criteria and an amendment to the Land Use Bylaw in any areas within the Hamlet designation boundary...”*

This policy applies to the Hamlet of South Alton which does not have a Commercial sub-designation. Council can therefore consider rezoning to the Hamlet Commercial Zone, anywhere within the hamlet boundary.

### **5.2 Hamlet Commercial rezoning policies**

Municipal Planning Strategy Policy 3.6.9.5

*“The establishment of new Hamlet Commercial uses will require an amendment to the Land Use Bylaw.” In considering proposals to rezone land in the general Hamlet designation and in or adjacent to areas sub-designated Hamlet Commercial, Council shall consider the following criteria:*

*a. the lot can meet the minimum requirements of the C10 Zone*

*b. the lot fronts on and has direct access to a Rural Collector Road unless located within an area subdesignated Hamlet Commercial*

*c. the proposed rezoning is in keeping with any applicable policy in this Strategy including those pertaining to Land Use Bylaw amendments contained in Part 6 of this Strategy*

*Notwithstanding a. above, lots created prior to the coming into force of this policy may be considered for rezoning subject to c. However, lots smaller than 20,000 square feet will not be eligible for rezoning”*

The proposed rezoning satisfies these criteria, by being located on a Rural Collector Road (Highway 12) and having direct access to that collector road. The property also has a lot area that is large enough to meet the C10 Zone requirements. The intent of the planning strategy is also maintained, these criteria are reviewed below in the General LUB amendment criteria.

### **5.3 General LUB amendment Policies**

MPS Section 6.2.2 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 believe that the proposal satisfies all of these general criteria, although some concern was raised with the applicant on storage of bulk fuels as a potential contamination risk. The applicant keeps minimal amounts of fuel on site, and these small amounts are always stored in appropriate sealed containers. The proposed rezoning would not incur costs to the Municipality, and the site appears to have adequate storm drainage, and capacity for private sewer and water systems. The proposal is appropriately on a Rural Collector Road, with no concerns raised by NSTIR, other than ensuring the driveway can accommodate forward entry of larger vehicles. The business has been operating illegally for several years without any complaints. It is not expected to generate any land use compatibility issues within the community.

In terms of the consistency with the Municipal Planning Strategy, the proposal supports the Goals and Objectives of the Hamlet policies by clustering residential and commercial services within the Hamlet boundaries, and providing commercial services for the rural resource sector of the municipality.

## **6. CONCLUSION**

The proposed rezoning will allow an existing illegal business to expand in a legal way, while remaining in a hamlet setting, serving the local area. The use of selling and servicing recreational vehicles is consistent with the intent of the MPS and the Hamlet policies within it. Staff are making a positive recommendation to PAC because the proposed amendments help maintain an existing business that provides recreational vehicle sales and service, in a compatible location within the rural resource area of the municipality.



## **7. STAFF RECOMMENDATION**

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

### **7.1 – LUB Map Amendment**

**The Planning Advisory Committee recommends that Municipal Council give First Reading and hold a Public Hearing regarding rezoning a portion of the property at 4252 Highway 12, South Alton (PID 55369789), from the Hamlet Residential (R7) to the Hamlet Commercial (C10) Zone, as described in Appendix E of the report dated May 9, 2017.**

### **7.2 – LUB Text Amendment**

**The Planning Advisory Committee recommends that Municipal Council give First Reading and hold a Public Hearing regarding the text amendment to the Hamlet Commercial (C10) Zone to edit a permitted use to allow Auto related sales or service, as described in Appendix E of the report dated May 9, 2017.**

## **8. APPENDIXES**

**Appendix A – Reference Zoning Map**

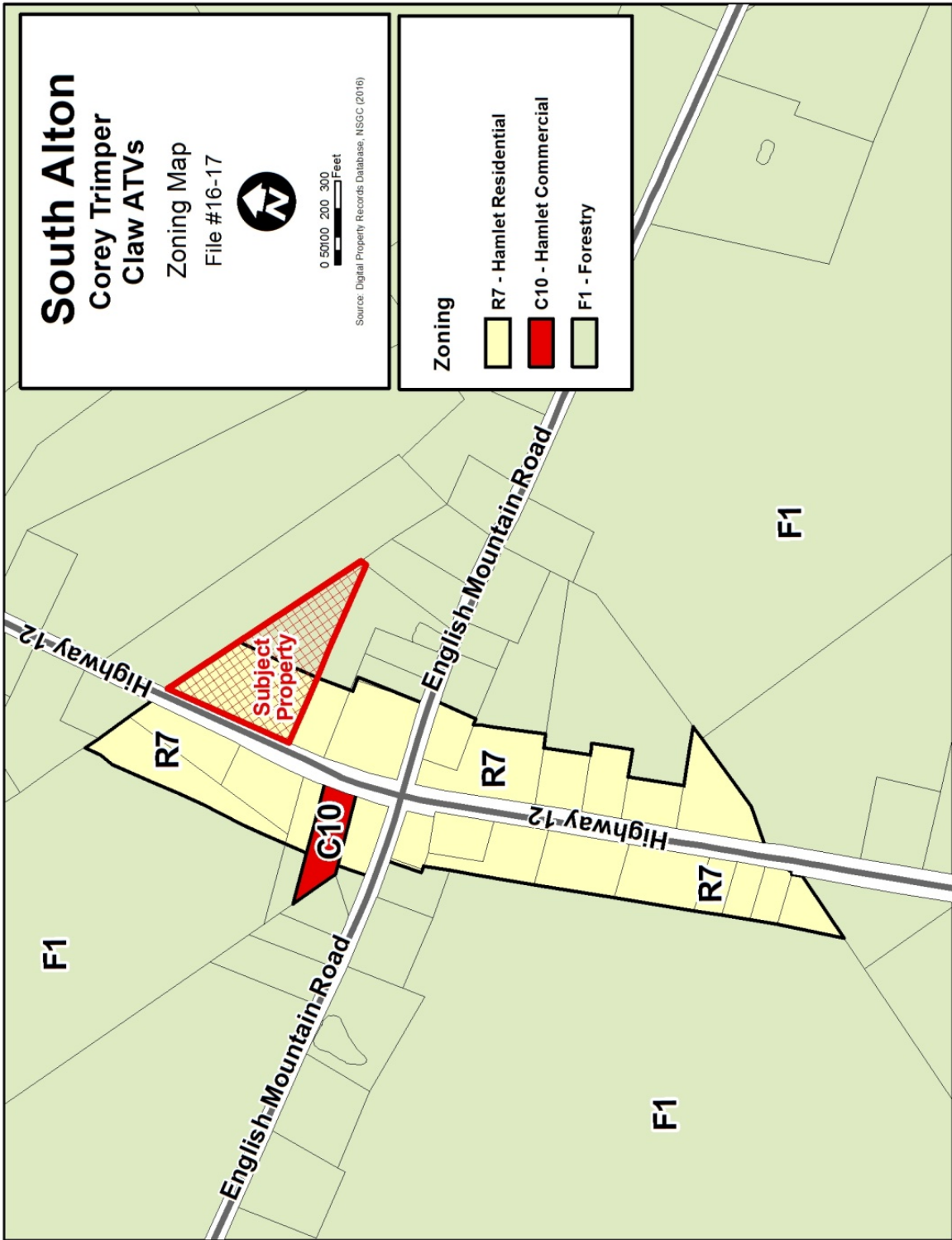
**Appendix B – Applicant’s subdivision plan survey**

**Appendix C – Notes from the March 14, 2017 Public Information Meeting**

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

**Appendix E – Proposed Amendments to the Land Use Bylaw**

Appendix A  
Reference Zoning Map





**Appendix C**  
**Notes from the March 14, 2017 Public Information Meeting**

**MUNICIPALITY OF THE COUNTY OF KINGS**  
**PLANNING AND DEVELOPMENT SERVICES**  
**PUBLIC INFORMATION MEETING NOTES**

**Planning Application to Allow ATV and Other Recreational Vehicle  
Sales and Service at 4252 Highway 12, South Alton (File 16-17)**

<b>Meeting, Date and Time</b>	A Public Information Meeting was held on Tuesday, March 14, 2017 at 1:00 p.m. in the Council Chambers of the Municipal Complex, 87 Cornwallis Street, Kentville, NS.
<b>Attending</b>	In Attendance:
<b>Planning Advisory Committee Members</b>	Councillor Meg Hodges – District 1 Councillor Brian Hirtle – District 3 (Chair) Councillor Bob Best – District 6 Deputy Mayor Emily Lutz – District 7 Councillor Peter Allen – District 9 (Alternate) Emile Fournier – Citizen Member Tom Cosman – Citizen Member Bob Smith – Citizen Member
<b>Regrets</b>	Councillor Pauline Raven – District 2
<b>Planning Staff</b>	Mark Fredericks – GIS Planner Trish Javorek – Manager of Community Development Laura Mosher – Supervisor of Planning and Development Services Cindy Benedict – Recording Secretary
<b>Councillors</b>	Councillor Paul Spicer – District 5
<b>Applicant</b>	Corey Trimper
<b>Public</b>	5 Members
<b>Welcome and Introductions</b>	The Chair, Councillor Brian Hirtle, 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>	Mark Fredericks provided a brief overview of the planning process and the criteria that will be used to evaluate the application from Corey Trimper. The proposal is for a map (rezoning) and text amendment to the

Land Use Bylaw to permit the continued sale of ATVs on the property at 4252 Highway 12 in South Alton (PID 55369789).

Following the presentation, the floor was opened for comments from the public.

***Comments from  
the Public***

There were no comments from the public.

**Adjournment**

There being no discussion, the Chair thanked those in attendance and adjourned the meeting at 1:10 p.m.

---

Cindy L. Benedict  
Recording Secretary

**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:*

<b>Criteria</b>	<b>Comments</b>
<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>	The proposed development is not expected to incur costs to 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>	The property has existing private water and sewer systems in place. Additional wells or septic systems may be required, and the site appears to have adequate size and soil type to accommodate these additional services as needed.
<i>iii. the potential for creating, or contributing to, a pollution problem including the contamination of watercourses</i>	The sale of ATVs and other recreational vehicles may involve storage of fuels and other petroleum based contaminants. However the applicant keeps all fuels and oils in sealed containers and only keeps minimal amounts on the site. The potential for watercourse contamination is low, as the nearest watercourse is approximately 1000ft away from the subject property.
<i>iv. the adequacy of storm drainage and the effect on adjacent uses</i>	Existing storm drainage appears adequate. Road ditches along highway 12 currently accommodate surface runoff from the property.
<i>v. the adequacy and proximity of school, recreation, and any other community facilities</i>	Not applicable for a commercial rezoning
<i>vi. the adequacy of street or road networks in, adjacent to, or leading to the subject site</i>	NSTIR is satisfied with the existing road network leading to and surrounding the property.

<p>vii. <i>the potential for the contamination of a watercourse due to erosion or sedimentation</i></p>	<p>The nearest watercourse is approximately 1000ft away from the subject property; the land is mostly flat and not likely to create erosion problems.</p>
<p>viii. <i>creating extensive intervening parcels of vacant land between the existing developed lands and the proposed site, or a scattered or ribbon development pattern as opposed to compact development</i></p>	<p>The proposal will not create a scattered development pattern. The proposal helps to fill in the existing hamlet area.</p>
<p>ix. <i>traffic generation, access to and egress from the subject site, and parking</i></p>	<p>NSDTIR is satisfied with the existing road network leading to and surrounding the property. They have expressed their intentions to require a commercial driveway access permit that will ensure the ability for forward entry of RV trailers and other large vehicles.</p>
<p>x. <i>incompatibility with adjacent uses and the existing development form of the surrounding area</i></p>	<p>The use may have compatibility problems in a dense urban area, but in the rural hamlet setting, the sales and service of recreation vehicles is not expected to cause any compatibility issues. The business has also been operating on the property for several years and the Municipality has never received a complaint about the operation.</p>
<p>xi. <i>the potential for overcrowding on lakeshores or the reduction of water quality</i></p>	<p>Not applicable</p>
<p>xii. <i>the potential for contamination of, or interference with a designated groundwater supply protection area</i></p>	<p>The property is not within or near a ground water supply protection area.</p>
<p>c. <i>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></p>	<p>The vacant land on the property is generally flat and appears to be ideally suited for the use. No swamps, bogs, rights of way, or watercourse would interfere with potential development.</p>

**Appendix E**  
**Proposed Amendments to the Land Use Bylaw**

**THE MUNICIPALITY OF THE COUNTY OF KINGS**

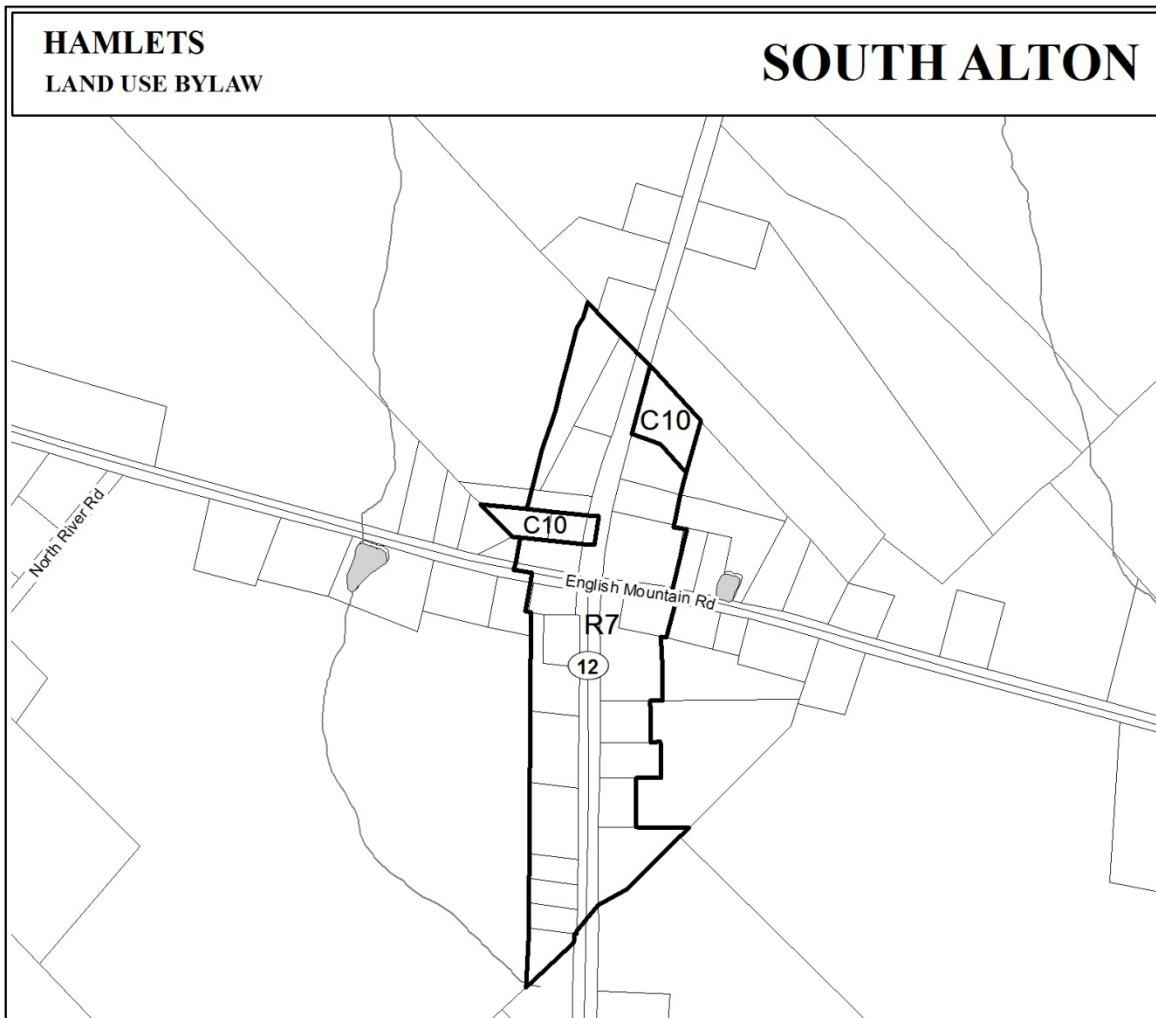
**AMENDMENT TO BYLAW #75**

**COUNTY OF KINGS LAND USE BYLAW**

**Proposed map amendment to rezone a portion of the property at 4252 Hwy 12, South Alton (PID 55369789) from Hamlet Residential (R7) to Hamlet Commercial (C10)**

**BYLAW #75**

1. Amend LUB Schedule 15h, the Zoning map for the Hamlet of South Alton, by rezoning a portion of the property at 4252 Hwy 12, South Alton (PID 55369789), from the Hamlet Residential (R7) Zone to the Hamlet Commercial (C10) Zone, as shown on the inset copy of a portion of Schedule 15h below.





**Proposed text amendment to edit a permitted use in the Hamlet Commercial (C10) Zone to allow either auto related repairs or auto related sales, independently of each other**

**BYLAW #75**

2. From the LUB Section 12.3.2, the list of permitted uses in the C10 Zone - Delete **Auto Repair Shops** from the permitted uses list, and replace it with **Auto Sales and Service**, as shown on an inset copy of Section 12.3.2 below.

---

12.3 **HAMLET COMMERCIAL (C10) ZONE**

12.3.1 **Purpose**

The purpose of the Hamlet Commercial (C10) Zone is to provide for the development of commercial uses providing basic conveniences to surrounding rural residents, commercial uses serving resource industry and tourist oriented uses.

12.3.2 **Permitted Uses**

No Development Permit shall be issued in a Hamlet Commercial (C10) Zone except for one or more of the following uses and subject to the following requirements:

Agricultural Equipment Parts, Sales and Service  
Antique Shops  
Arts and Craft Shops  
Auto Sales and Service  
Bakery  
Beverage Rooms  
Building Contractors  
Business Offices  
Community Facilities  
Convenience Stores  
Permitted Commercial Use  
Day Care Facilities  
Drug Stores  
Existing Dwellings



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

Application to rezone land from the Hamlet Residential (R7) Zone to the Hamlet Commercial (C10) Zone and amend a permitted use in the C10 Zone to permit ATV and recreational vehicle sales and service at 4252 Highway 12, South Alton (File #16-17)

June 13, 2017

Prepared by: Planning and Development Services

<b>Applicant</b>	Corey Trimper – Claw ATVs
<b>Land Owner</b>	Corey Trimper and Laura Trimper
<b>Proposal</b>	Text amendment to a permitted use in the Hamlet Commercial (C10) zone
<b>Location</b>	4252 Highway 12, Hamlet of South Alton (PID 55369789)
<b>Lot Area</b>	Total lot size approximately 4 acres Area for rezoning 1.4 acres. Remaining to stay in Hamlet Residential (R7) and Forestry (F1)
<b>Designation</b>	Hamlet (H) and Forestry (F)
<b>Zone</b>	Hamlet Residential (R7) and Forestry (F1)
<b>Surrounding Uses</b>	Primarily Residential uses, commercial use and forestry uses nearby
<b>Neighbour Notification</b>	Staff sent notification letters to the 17 owners of property within 500 feet of the subject property

### 1. BACKGROUND

On Tuesday May 9<sup>th</sup> 2017, the Planning Advisory Committee considered a two part Land Use Bylaw amendment application for Corey Trimper's business, Claw ATV's located at 4252 Highway 12 in the Hamlet of South Alton. Claw ATV's sells and services ATV's and other recreational vehicles. This business currently operates out of a residential driveway, and is not a permitted use. The applicant has requested a portion of his property be rezoned from the Hamlet Residential (R7) Zone to the Hamlet Commercial (C10) Zone, to legalize the business and allow room for the business to expand.

Staff also identified a permitted use in the C10 zone that could be amended to permit a business to specialize in either auto 'sales' or 'service'. The current wording in the C10 Zone requires that an auto-related business must start as an Auto Repair Shop, and auto sales can then follow as an accessory use. Staff recommended a text change to the C10 Zone that would switch **Auto Repair Shops**, to **Auto Sales and Service**. This text amendment would allow a business to begin operating, by specializing in either aspect of the auto related industry.

At the May 9<sup>th</sup> session, PAC recommended that Council approve the map amendment to rezone a portion of the applicant's property to the C10 zone, but requested more information on the text amendment, and the potential impact this change could have on the other C10 Zones across the Municipality.

## 2. INFORMATION

### Hamlet Commercial

The Hamlet Commercial (C10) Zone permits a wide variety of commercial uses, intended to serve the rural residents in small communities and more remote areas of the Municipality. The current list of permitted uses in the C10 zone includes:

- *Agricultural Equipment Parts, Sales and Service*
- *Antique Shops*
- *Arts and Craft Shops*
- *~~Auto Repair Shops~~ (Proposed to change to Auto Sales and Service)*
- *Bakery*
- *Beverage Rooms*
- *Building Contractors*
- *Business Offices*
- *Community Facilities*
- *Convenience Stores*
- *Custom Woodworking Accessory to a Permitted Commercial Use*
- *Day Care Facilities*
- *Drug Stores*
- *Existing Dwellings*
- *Existing Industrial Electrics Business in Greenwich*
- *Existing Sod Operation in Greenwich*
- *Farm Markets*
- *Fixed Roof Overnight Accommodation*
- *Food Stores*
- *Forestry Equipment Parts, Sales and Service*
- *Full Service Restaurants*
- *Gas Bars*
- *General Merchandise Stores*
- *Hamlet Indoor Recreation*
- *Lounges*
- *Marine Equipment, Parts, Sales and Service*
- *Mini Warehousing*
- *Nurseries and Garden Centres*
- *Personal Service Shops*
- *Post Offices*
- *Private Clubs*
- *Professional Offices*
- *Residential Units in Commercial Buildings*
- *Service Shops*
- *Service Stations*
- *Storefront Recycling Uses*
- *Take-Out Restaurants*
- *Veterinary Clinics*

The C10 Zone is only found within designated Hamlets. There are 21 Hamlets in the Municipality, of which 19 of them contain properties located in the C10 zone.

These Hamlet communities include:

**Hamlets with C10 Zones:**

1. Auburn
2. Avonport
3. Gaspereau
4. Grafton
5. Greenwich
6. Halls Harbour
7. Harbourville
8. Kingsport
9. Lakeville
10. Millville
11. Morden
12. Pereau
13. Somerset
14. South Alton
15. South Berwick
16. Steam Mill
17. White Rock
18. Wolfville Ridge
19. Woodville

**Hamlets without C10 Zones**

20. Sheffield Mills
21. Grand Pre

The current range of land uses on properties within C10 zones, include large commercial operations in communities like South Berwick and Greenwich, and also cover small convenience stores and vacant lots in other communities like Morden or Steam Mill. In some of the other Hamlets, there are older buildings that have been converted from a former commercial use, and are now primarily residential, or the building remains vacant.

The number and intensity of C10 uses appears to depend on the location of the Hamlet, and its proximity to larger Towns, Growth Centres and Villages. The more isolated Hamlets generally support fewer and smaller commercial uses and the Hamlets located closer to larger designated growth areas generally support more commercial uses that tend to be larger.

**C10 Examples and Hamlet Maps**

- The Hamlet Maps, attached to this report as Appendix A, highlight the C10 Zones within the context of each Hamlet. These maps also identify the majority of the businesses that exist in the C10 zones.
- The following images help demonstrate the variety of businesses, buildings and land uses, that are located within the C10 Zones, including several auto-related businesses:



**Figure 1 – Energy Distribution Company (Somerset)**



**Figure 2 – Former commercial building (Somerset)**



**Figure 3 - Vacant building (White Rock)**



**Figure 4 - Auto Sales (accessory) (Auburn)**



**Figure 5 - Auto Repair Shop (Auburn)**



**Figure 6 – General Merchandise Store (Auburn)**



**Figure 7 – Commercial / Residential Building (Wolfville Ridge)**



**Figure 8 - Tire and auto equipment dealer (South Berwick)**



**Figure 9 – Home Building Contractors (South Berwick)**



**Figure 10 – Full-service/Take-out Restaurant (South Berwick)**



**Figure 11 – General Merchandise Store (South Berwick)**



**Figure 12 - Auto Repair Shop (South Berwick)**





**Figure 13 - Auto Body Repair Shop (Woodville)**



**Figure 14 - Nursery / Garden Centre (Greenwich)**



**Figure 15 – General Merchandise Store (Avonport)**



**Figure 16 - Farm Market (Greenwich)**



**Figure 17 - Gas Bar / General Merchandise Store (Gaspereau)**



**Figure 18 - Gas Bar (Greenwich)**

### 3. POLICY REVIEW

#### ***Hamlet – Objectives***

*MPS 3.6.5.1 To provide a residential, commercial and social focal point for the resource based sector of the Municipality containing convenience commercial services to the resource sector.*

The intent of designating Hamlets is partly to allow for a mixture of land uses to occur in our small communities. This mixing of uses can produce a cluster of residential and commercial uses that help to support the rural resource sector. These rural communities that include a mixture of land uses can then act as a supportive service-centre to the more isolated parts of the Municipality. This is achieved by the wide variety of uses permitted in the Hamlet zones.

#### ***Hamlet Commercial Policies***

*MPS 3.6.9.4 Council shall establish the Hamlet Commercial (C10) Zone in the Land Use Bylaw. Permitted uses in the C10 Zone will be limited to those providing basic conveniences and essential services to the surrounding rural residents, commercial uses serving and supporting resource industries and custom craft related uses*

The C10 Zone is intended to provide essential services, conveniences, and commercial uses that help to serve and support the resource industries and rural residents. Council developed the current list of permitted uses for the C10 zone. This list includes a wide variety of land uses including sales and servicing of mechanical equipment, farm markets, convenience stores, veterinary clinics, restaurants, warehousing, and gas bars / service stations etc.

Staff believe that changing ‘**Auto Repair shop**’ to ‘**Auto Sales and Service**’ within the list of permitted uses in the C10 zone, would be consistent with the intent of the zone, and would have a comparable impact as many of the other uses that are permitted in the C10 zone.

### 4. CONCLUSION

Staff consider the proposed text amendment to be consistent with the intent of the Hamlet policies and the purpose and intent of the C10 Zone. The proposed amendment would allow greater flexibility for businesses to get established under either specialization of the auto related business. The amendment would not introduce a new type of land use to the C10 Zone, as the sale of automobiles and auto related accessories is already permitted in the C10 Zone. This usually occurs as *accessory to* another use that appears on the list of permitted uses.

Staff believe that the sale and service of vehicles and equipment is consistent with the intent of the zone and the purpose of the Hamlets to act as a service centre for rural residents and resource sectors.

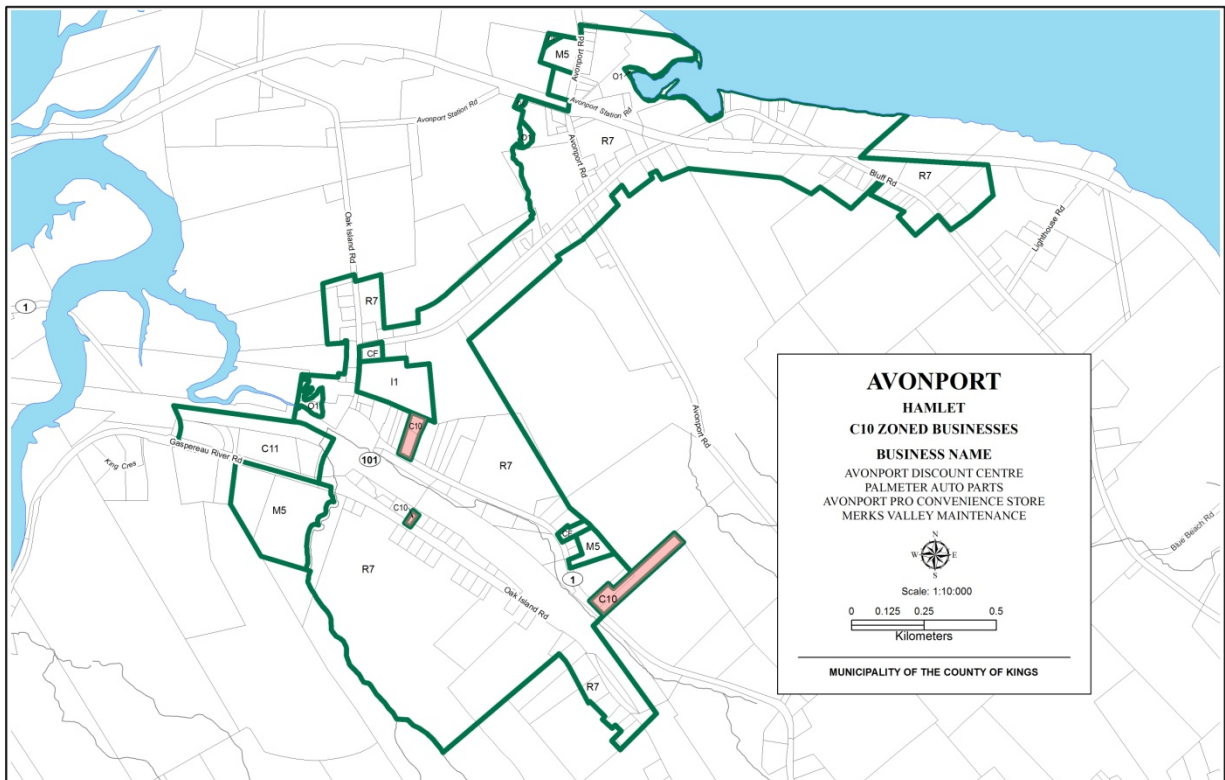
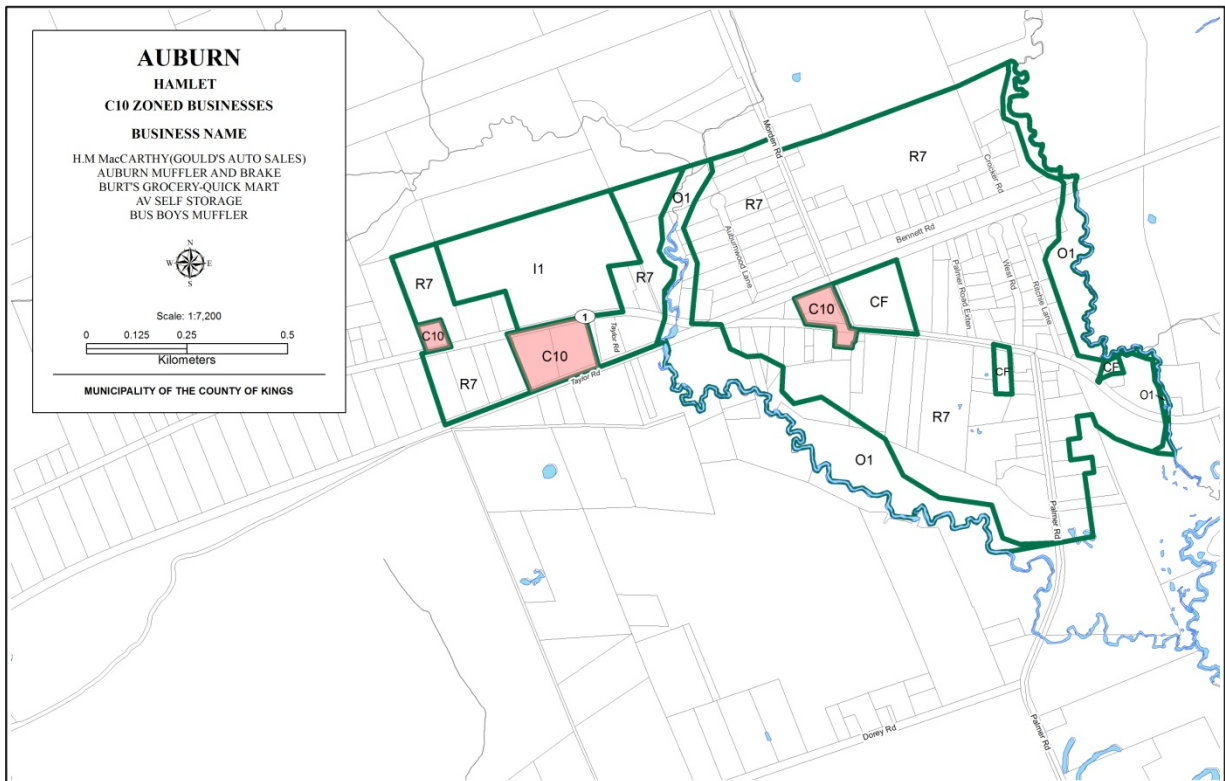
## 5. STAFF RECOMMENDATION

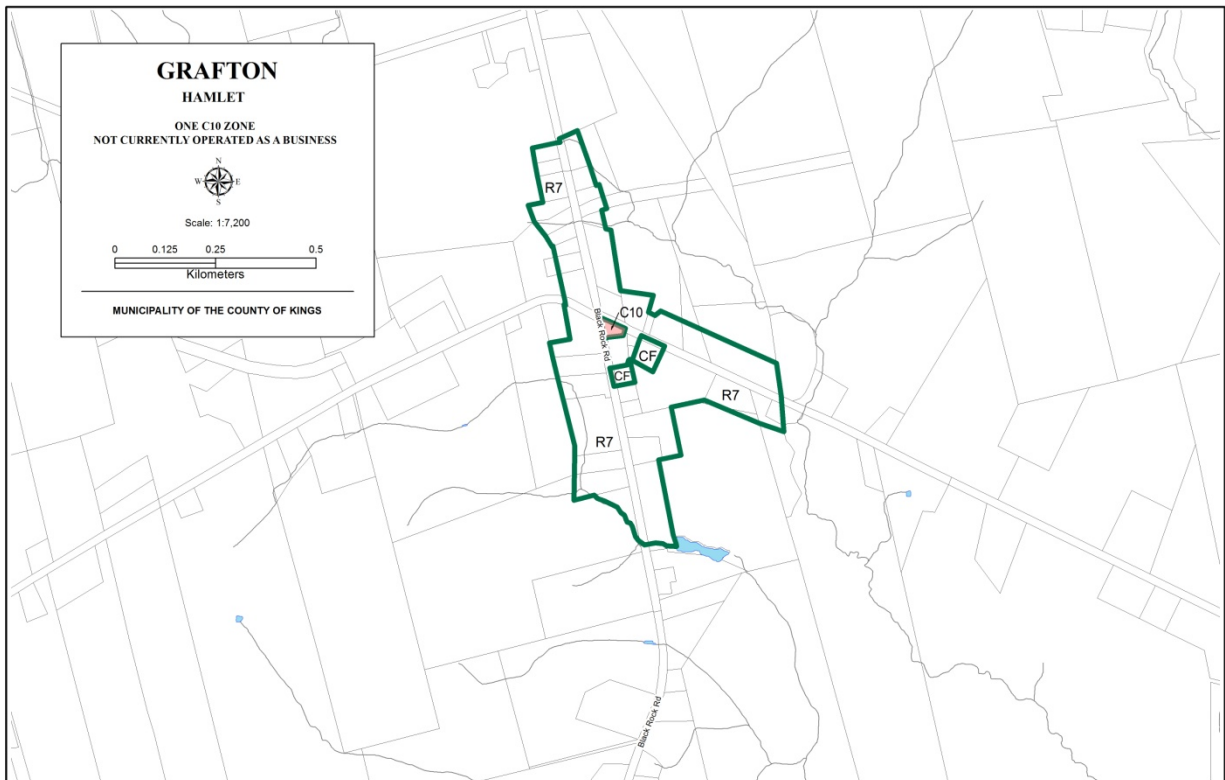
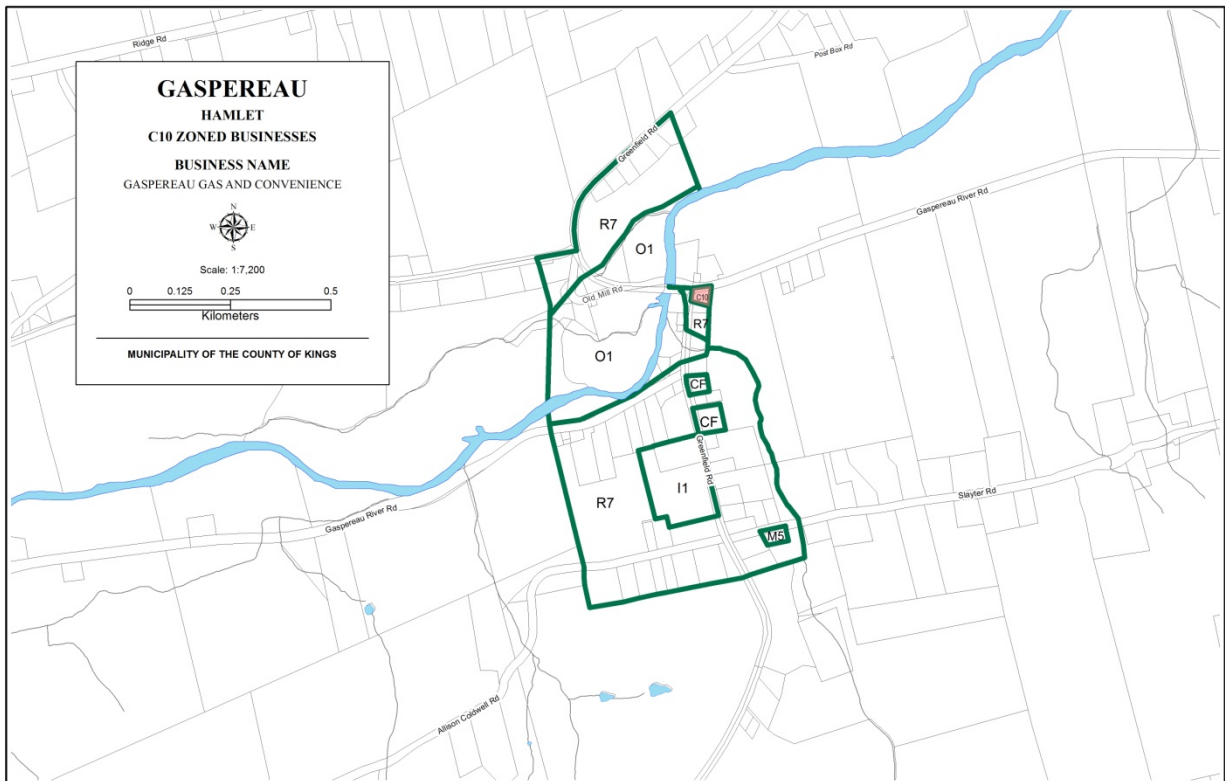
Staff recommend that the Planning Advisory Committee forward a positive recommendation by passing the following motion.

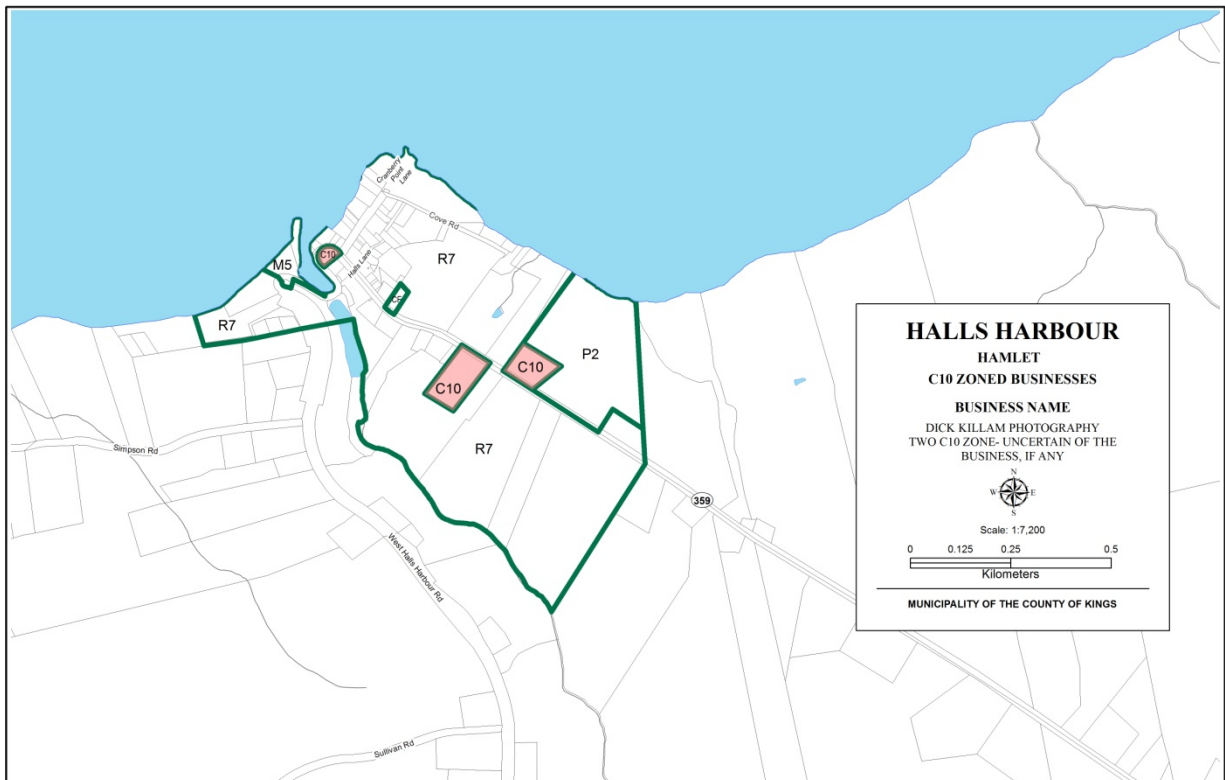
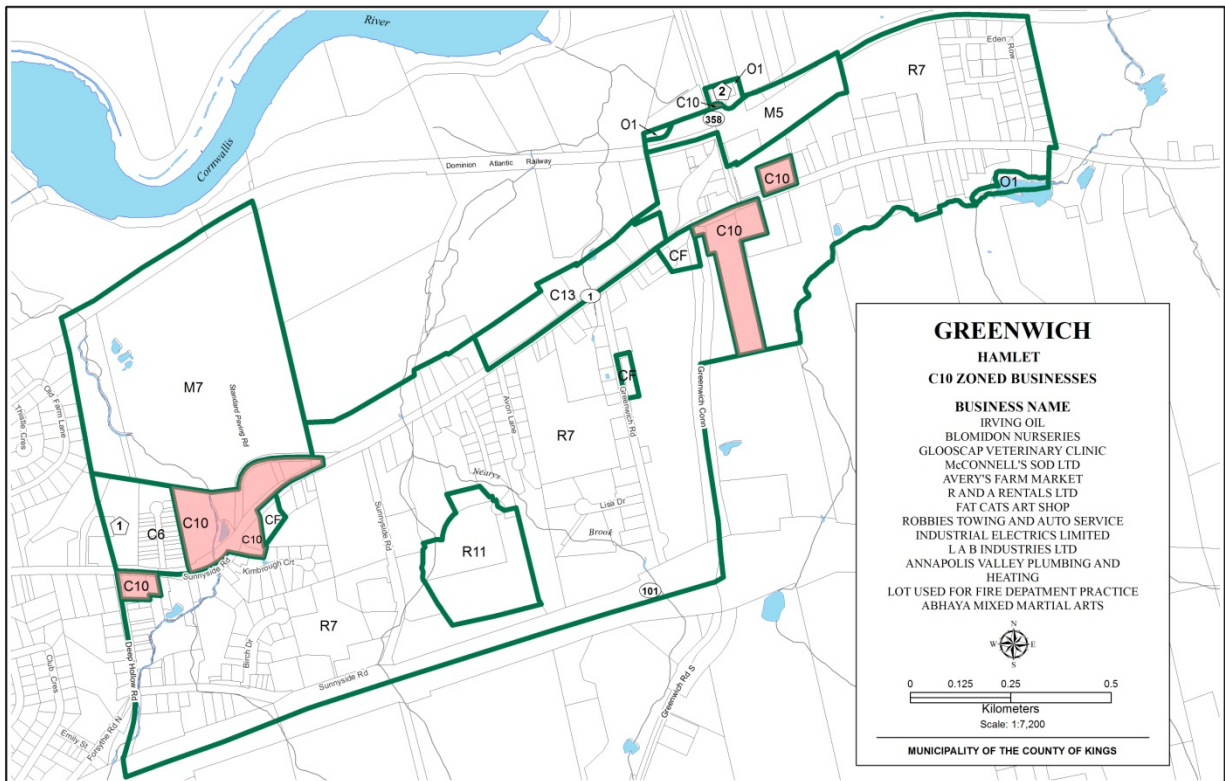
**The Planning Advisory Committee recommends that Municipal Council give First Reading and hold a Public Hearing regarding the text amendment to the Hamlet Commercial (C10) Zone to delete 'Auto Repair Shops' and add 'Auto Sales and Service' to the list of permitted uses, as described in Appendix E of the report dated May 9, 2017.**

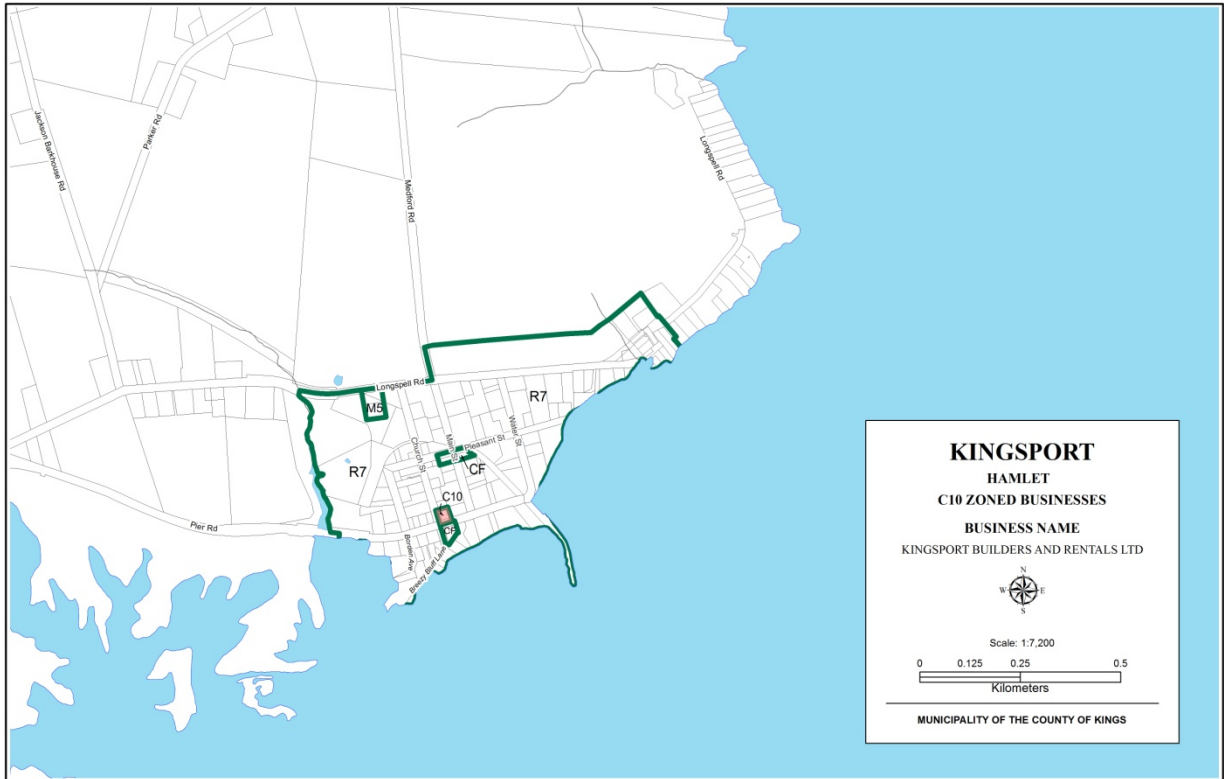
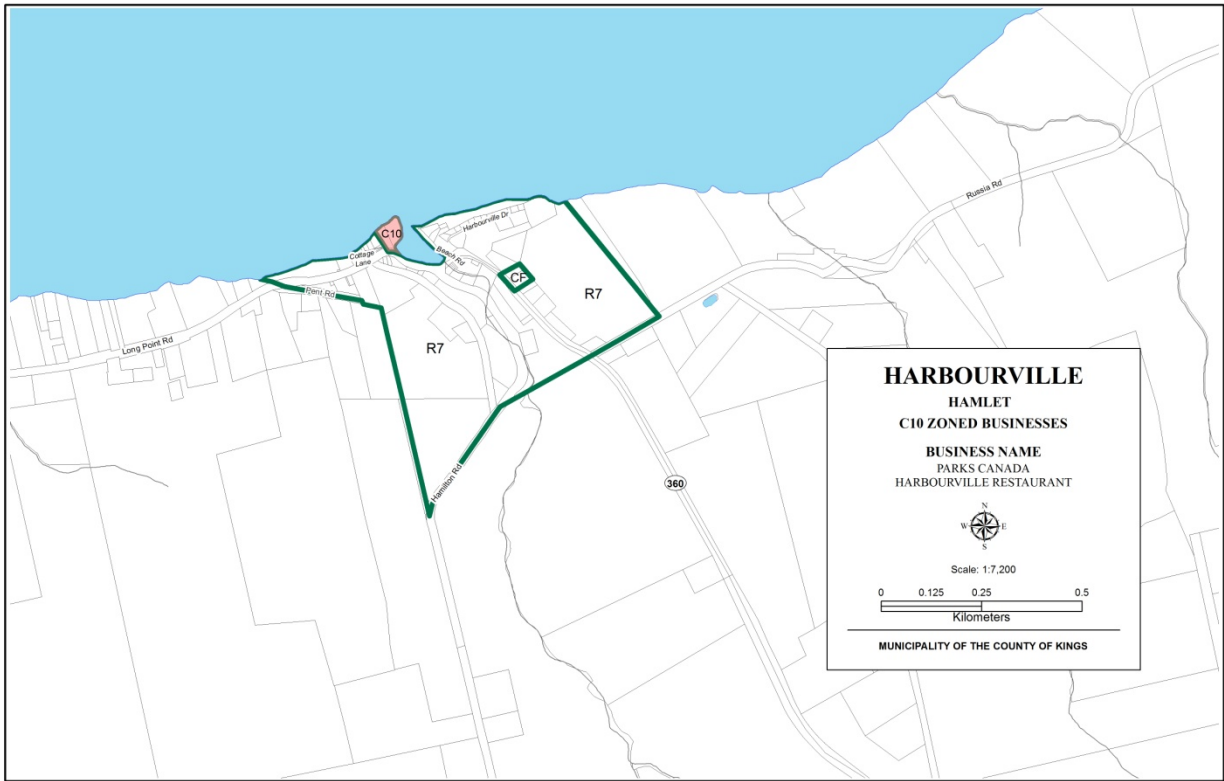
## 6. APPENDIXES

**Appendix A – Hamlet Maps**

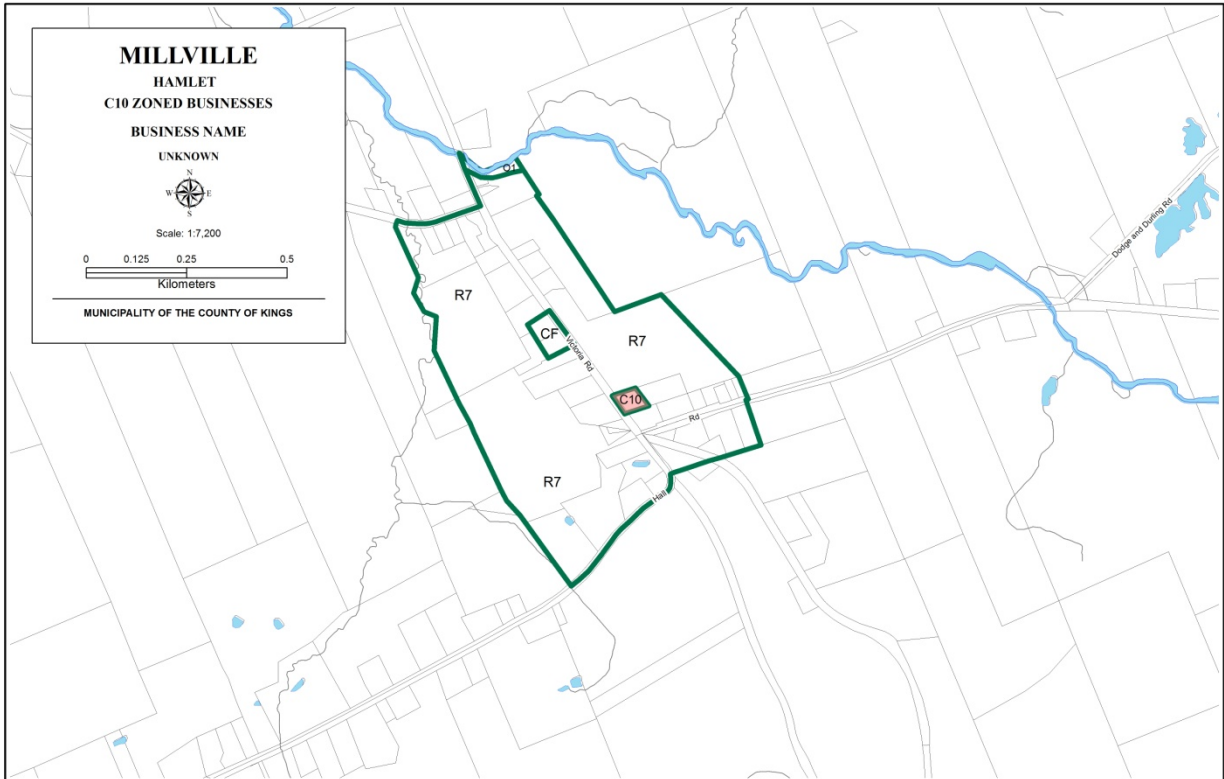
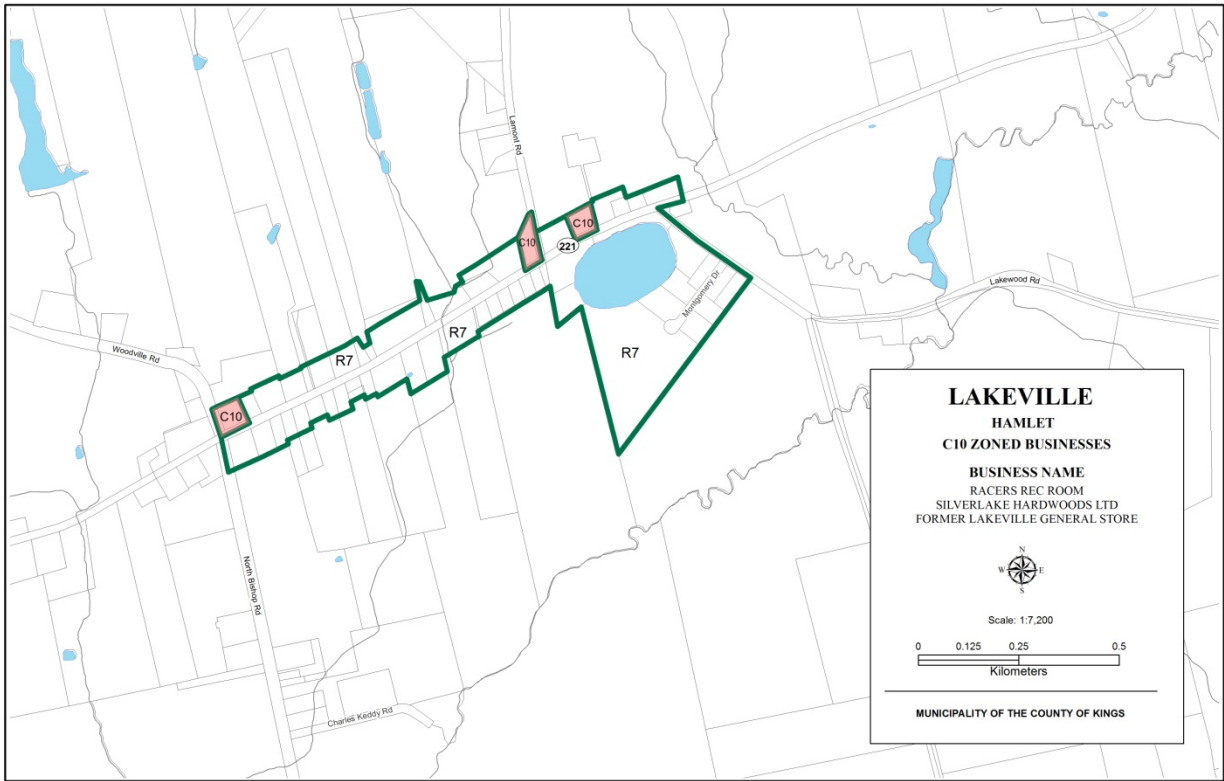


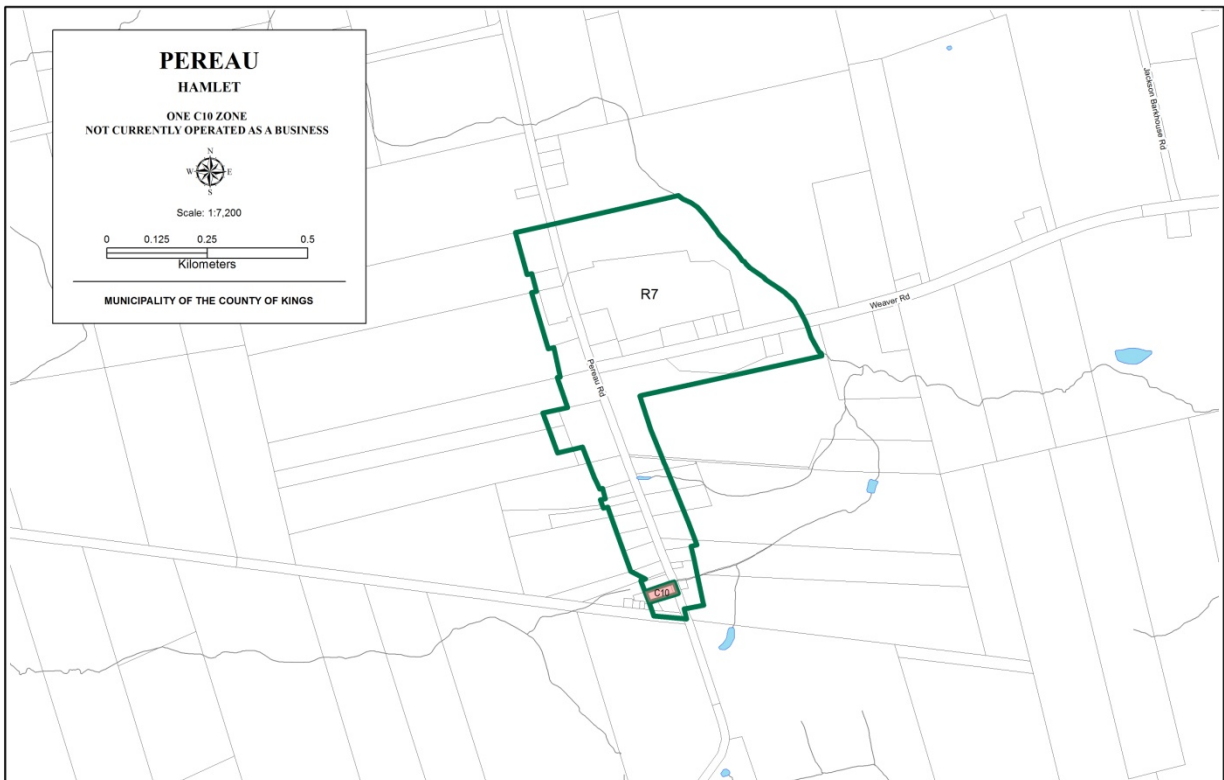
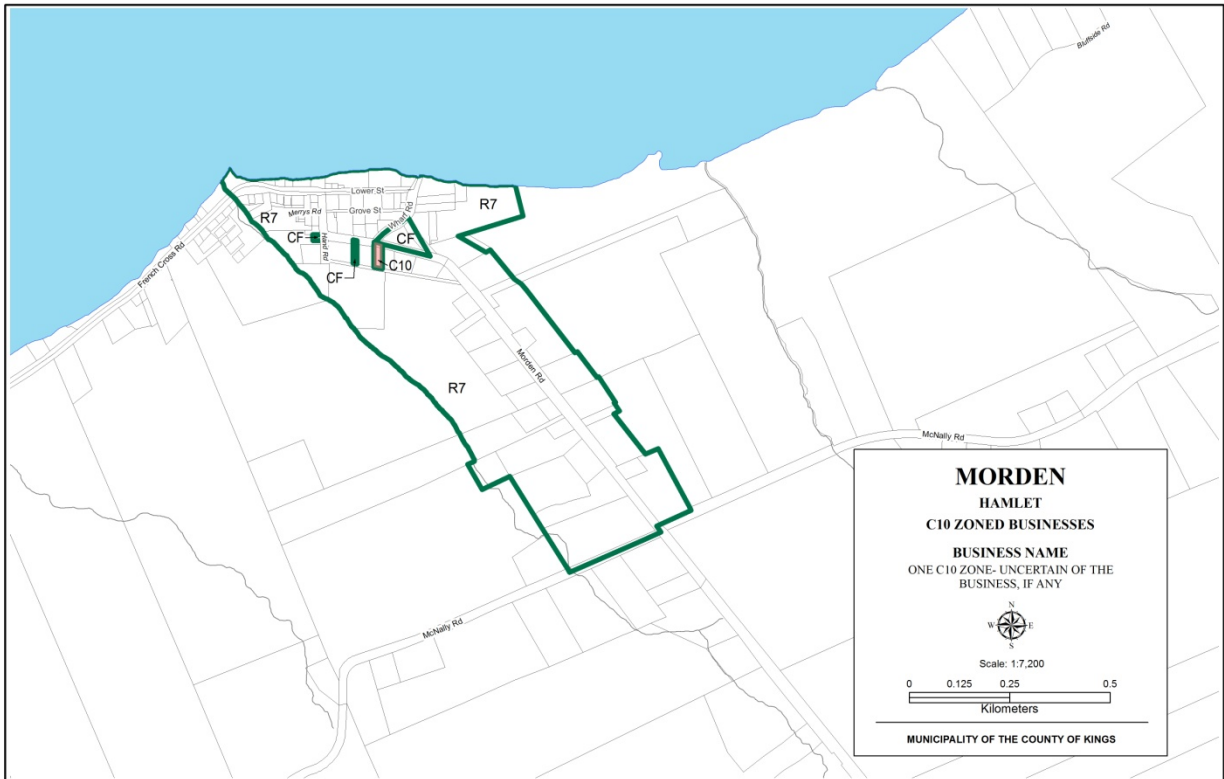


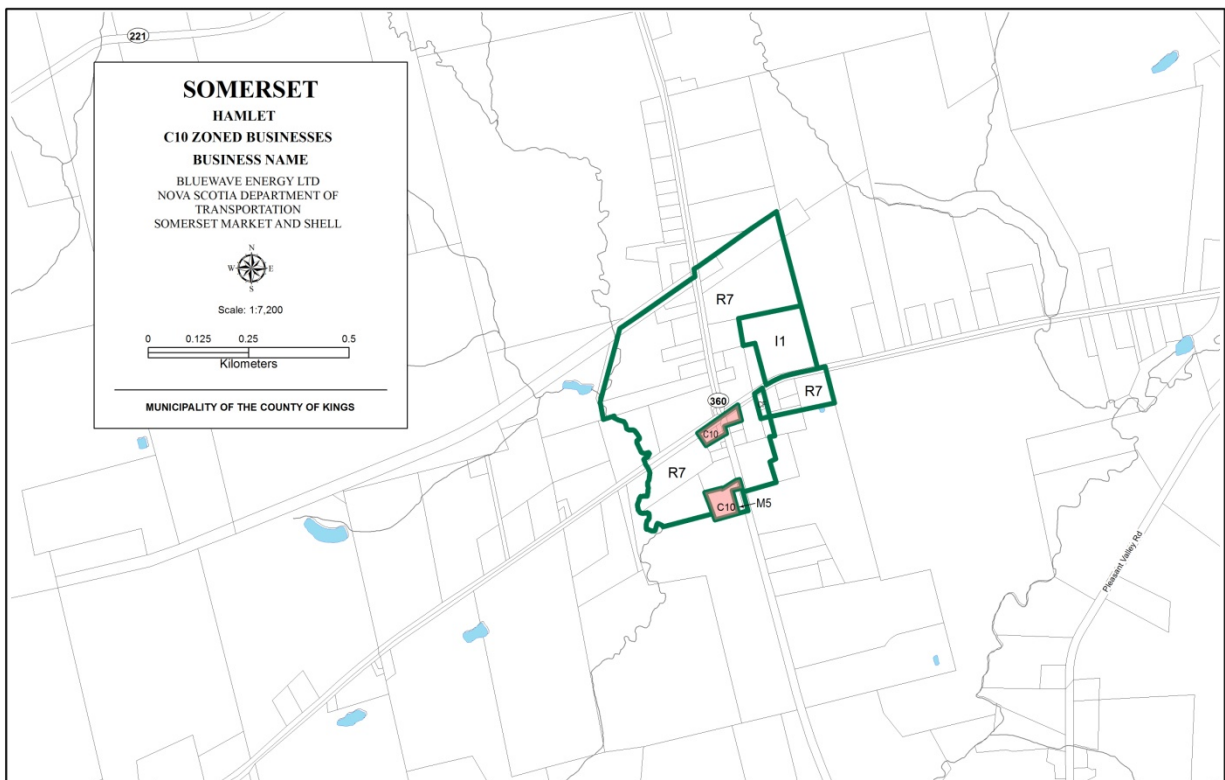
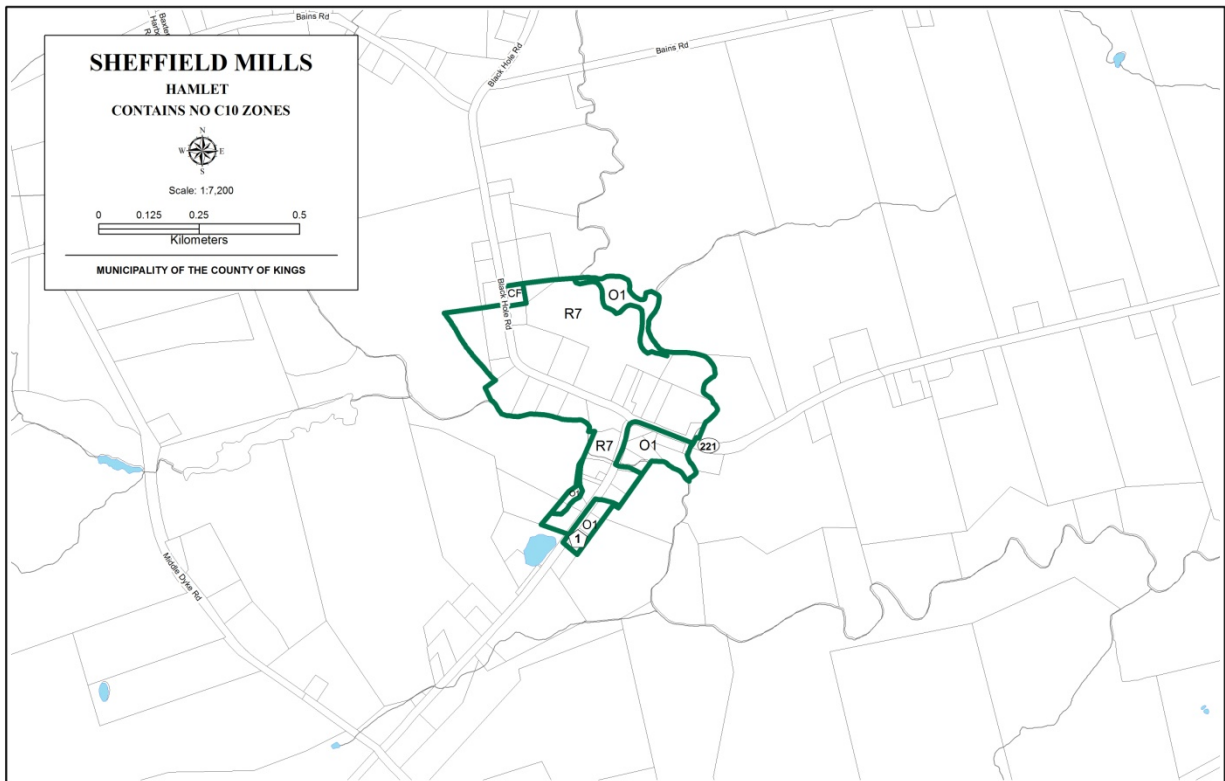


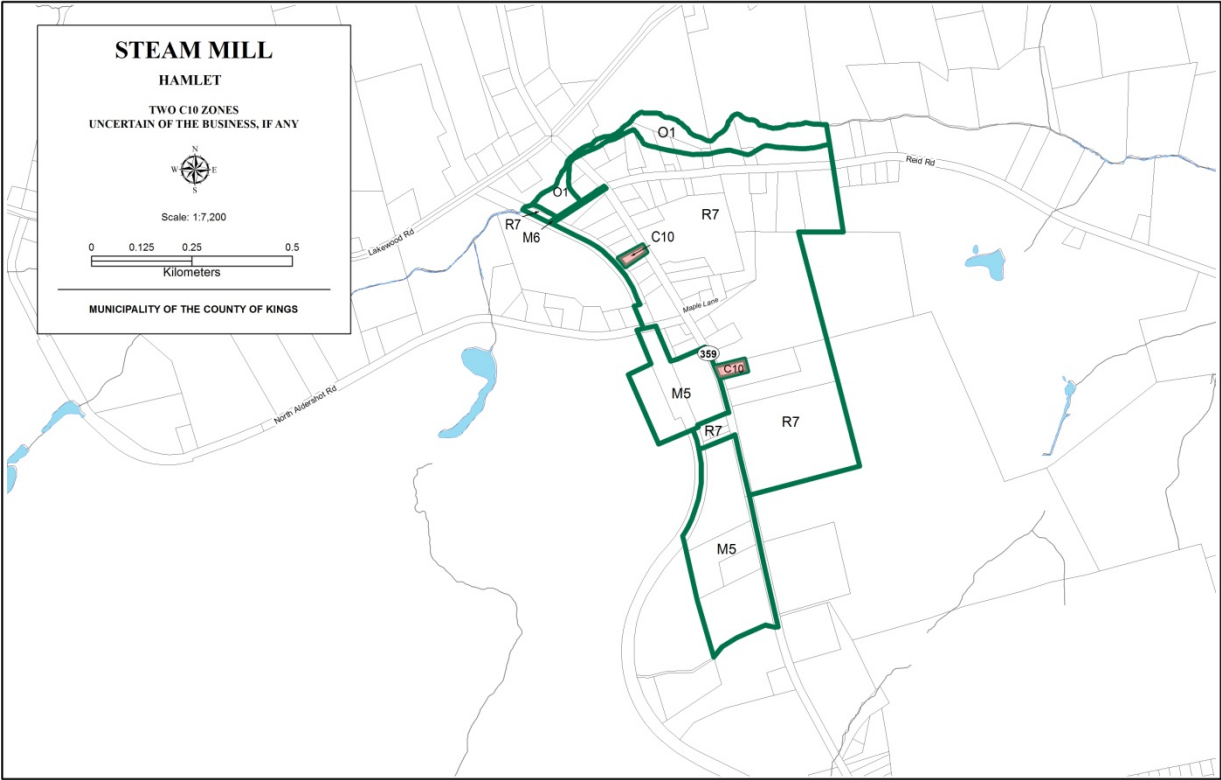
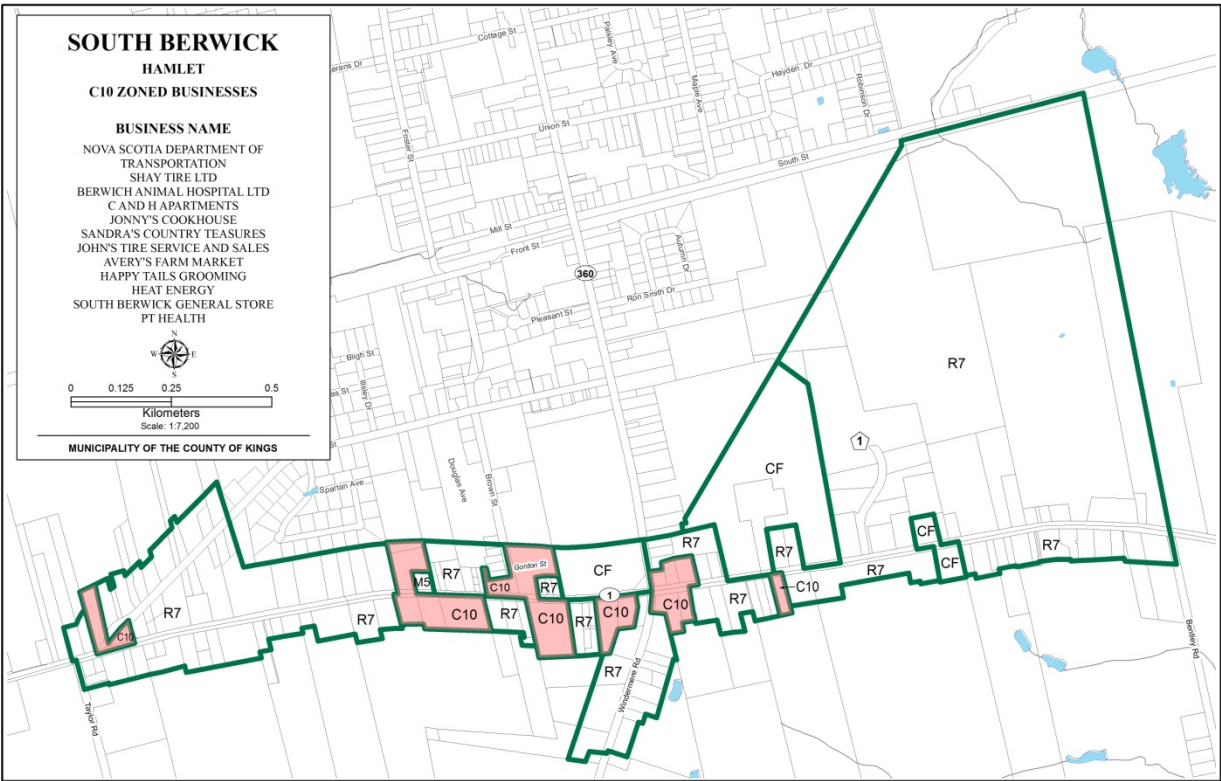


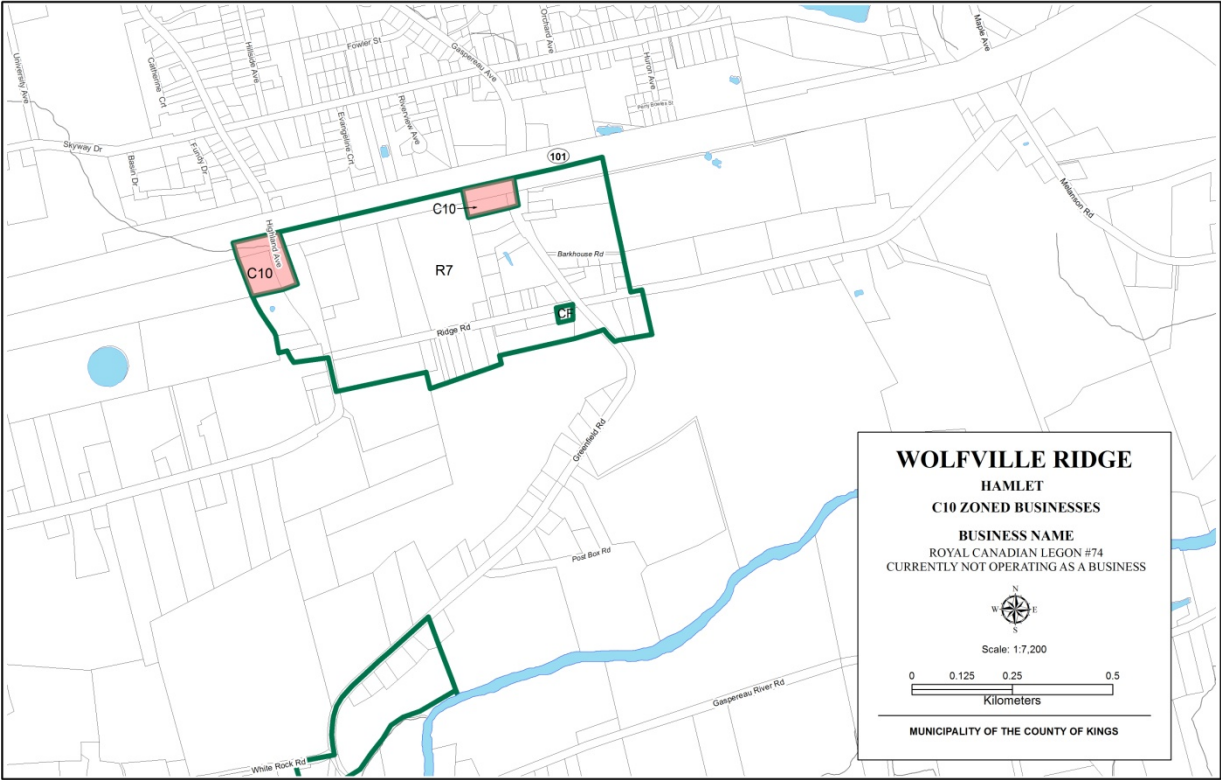
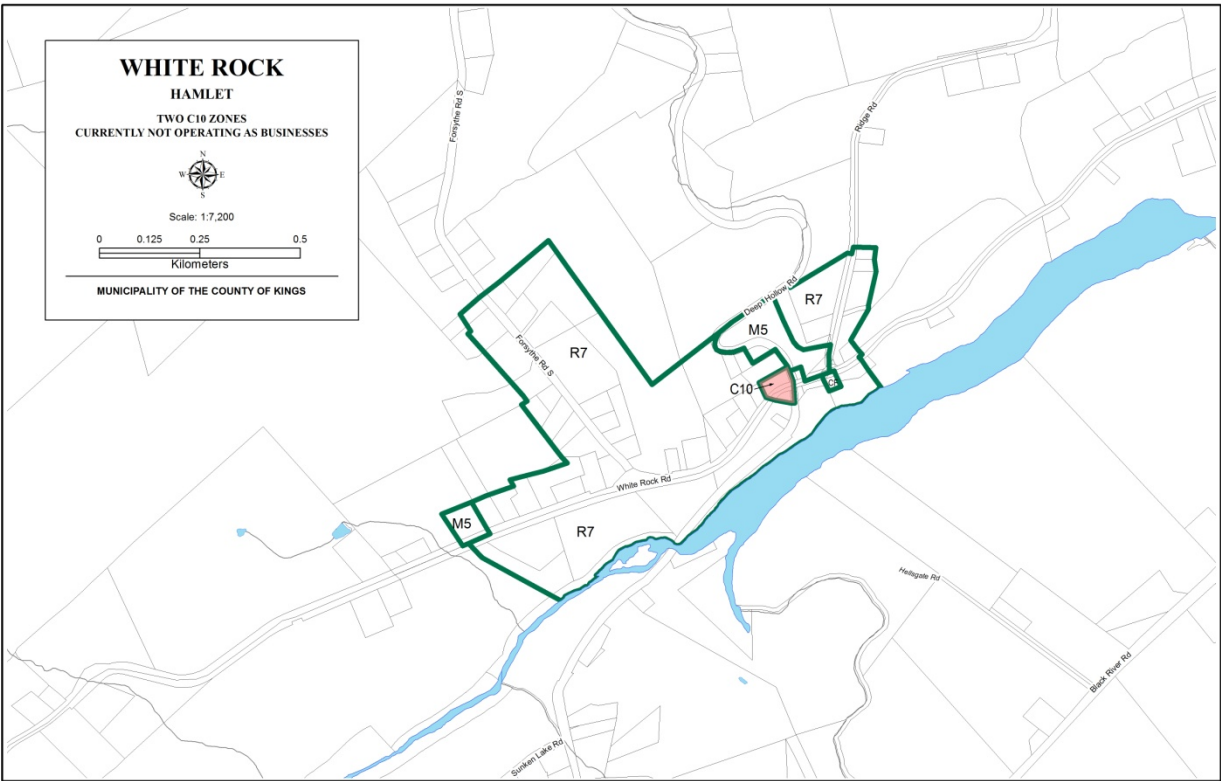


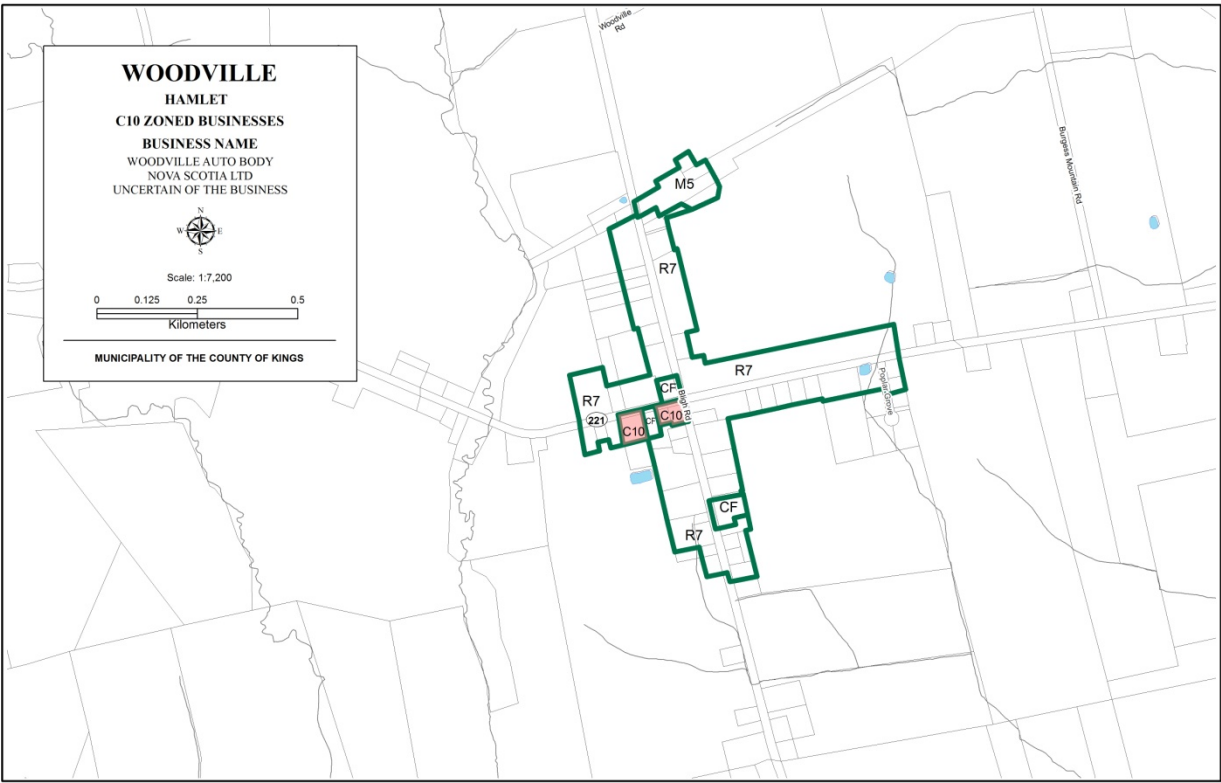












# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO PLANNING ADVISORY COMMITTEE

**Subject:** Appointment of Responsible Organization Members and Citizen Members to the Centreville Area Advisory Committee  
File E-1-2

**From:** Planning and Development Services

**Date:** June 13, 2017

---

### Issue

The Centreville District Community Development Association (CDCDA) is requesting the appointment of two of its members, John 'Jack' Waterbury and Kimberley Foote and two citizen members, James 'Jim' Hoyt and Beverley Greening, to sit on the Centreville Area Advisory Committee. The letter from the Centreville District Community Development Association is attached.

### Recommendation

**The Planning Advisory Committee recommends that Council appoint John 'Jack' Waterbury and Kimberley Foote, members of the Centreville District Community Development Association, to sit on the Centreville Area Advisory Committee for a one (1) year term and citizen members James 'Jim' Hoyt and Beverley Greening to sit on the Centreville Area Advisory Committee for a two (2) year term.**



Centreville  
Kings County  
Nova Scotia  
A Good Place to  
Live and Grow

Centreville District Community Development Association  
P.O. Box 17  
Centreville NS B0P 1J0

June 3, 2017

Planning and Development Services  
Municipality of the County of Kings  
PO Box 100  
87 Cornwallis Street  
Kentville NS B4N 3W3

To Whom it May Concern:

Following the annual meeting held May 31, 2017, the Centreville District Community Development Association (CDCDA) requests that the Planning Advisory Committee recommend to Municipal Council the appointment of the following to sit on the Centreville Area Advisory Committee:

CDCDA members 2017-2018  
(1-year term)

John 'Jack' Waterbury  
Kimberley Foote

Members at Large 2017-2019  
(2-year term)

James 'Jim' Hoyt  
Beverley Greening

Sincerely,

Anne-Marie Waterbury,  
Secretary CDCDA



# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject:** Street Renaming: Section of Highway 358 to Blackberry Lane

**From:** Community Development Services

**Date:** July 4, 2017

---

### Introduction

The Municipality adopted the Civic Address and Street Name Bylaw on August 2, 2011. This Bylaw covers the assigning of civic numbers, posting of civic numbers, street naming, street renaming, General Service Area (GSA) delineation, posting of Private Road signs, Multi Unit development addressing, and the requirement to post civic numbers.

### Discussion

A street naming issue, located in Greenwich, has just been brought to our attention by its residents. These residents who live on what is currently a piece of Highway 358 have approached the Municipality about getting a proper road name for the piece of road that now comes off Hwy 358 near the Irving Station (see red arrow on Image A below).

### Image A



The residents are reporting that the issue began in 2005 when DTIR rerouted the Highway 358 intersection to align with the Greenwich Connector and their properties on an orphaned section of Highway 358. The timing of this request is because Canada Post is currently updating mailing addresses in the Wolfville area, so to have the street name change at the same time would be the most convenient for the residents.

Attached is a petition presented to the Municipality of the County of Kings. It is a request submitted by residents, who wish to have a portion of Highway 358 - affecting civic numbers 5, 11, 15, and 20 - officially renamed to Blackberry Lane.

The Municipality's civic addressing requires 80% of affected residents to be in favour of a street name change. The attached petition meets this requirement with 100% support from the residents.

We are also able to confirm that the Department of Transportation and Infrastructure Renewal (DTIR) has no issues with the renaming, and also are the owners of civic #5 on this street.

This street is located in Greenwich, District 8. The proposed renaming does not create issues for 911. The Department of Transportation Authority Number is #NS0358.

#### **Financial Impact**

There is no financial impact to the Municipality on this issue, as it is both owner driven and a 911 Emergency Response issue.

#### **Recommendation**

**BE IT RESOLVED THAT MUNICIPAL COUNCIL approve the renaming of a portion of Highway 358, affecting civic numbers 5, 11, 15 and 20 to Blackberry Lane.**

## PETITION TO RENAME ROAD

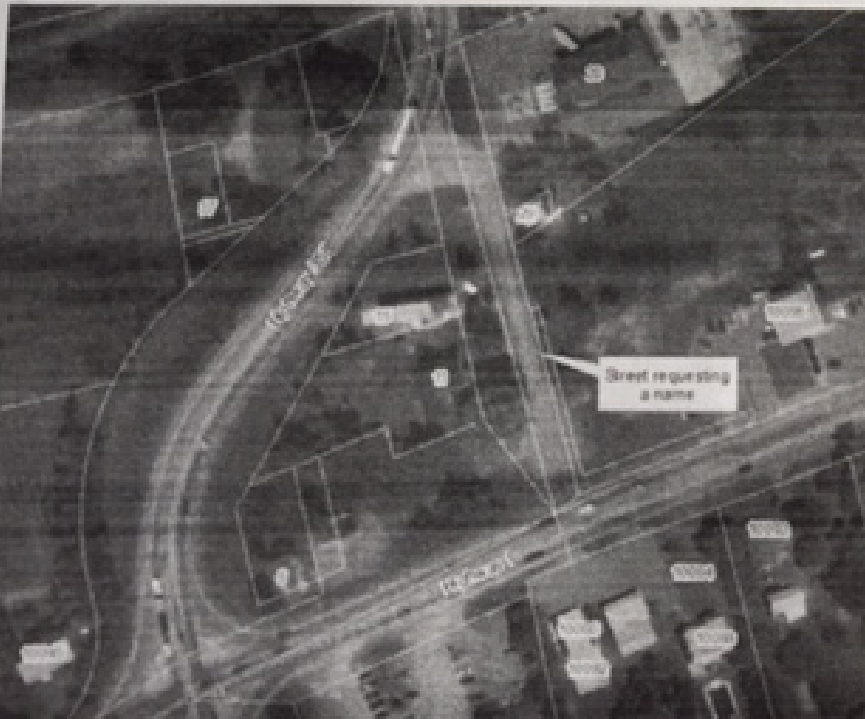
We, the affected property owners of a road known as Highway 358, wish to have our section of road officially recognized as:

### Blackberry Lane

The section to be named would be the cul-du-sac in Greenwich effecting civic #20 to #5 currently addressed off Highway 358 (see map below).

The Department of Transportation Authority Number is # NS0358. The Department of Transportation currently has this listed as Highway 358.

<u>Civic#</u>	<u>Owner Names</u> (Print Please)	<u>Signature</u>
#20	margaret Forsey Michael Boazky	Margaret Forsey Mike Boazky
#15/11	FRANCIS HAWLEY Carmen Hawley	Francis Hawley Carmen Hawley
#11	Kenneth White Sandra White	Kenneth White Sandra White



# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO MUNICIPAL COUNCIL

**Subject:** Contract Award: 17-05 — McKittrick Road Sidewalk

**From:** Engineering and Public Works

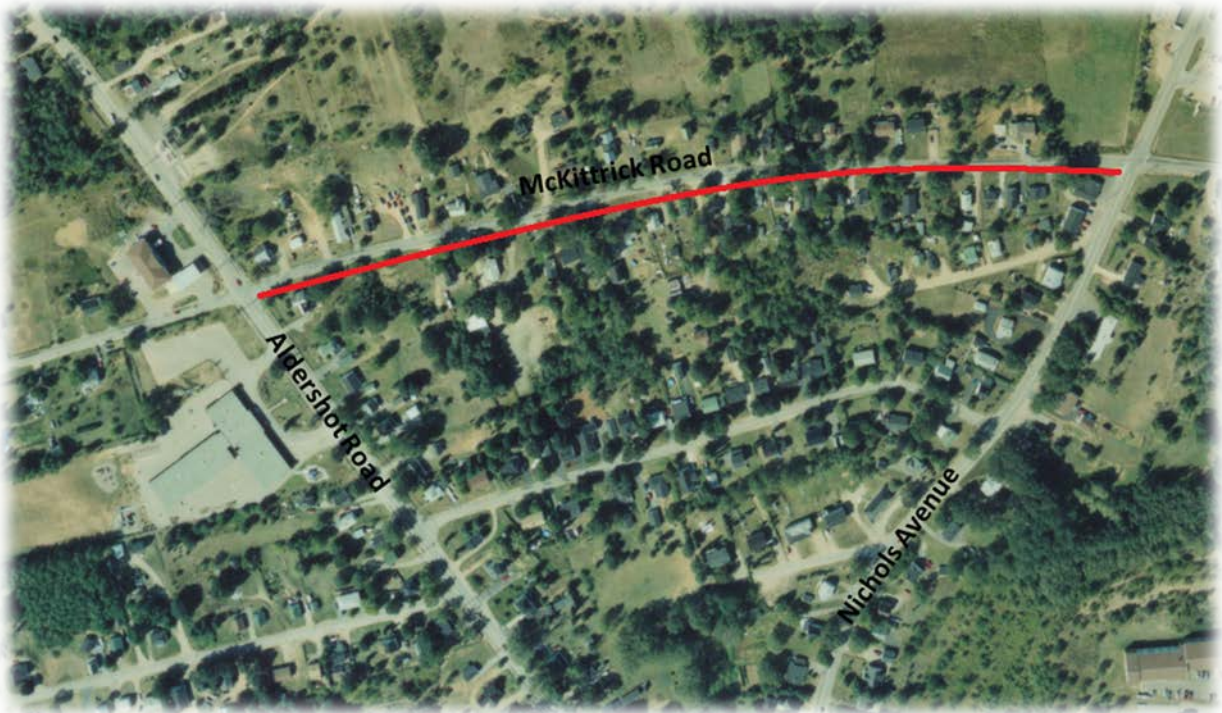
**Date:** July 4, 2017

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### **Background**

On June 22, 2017, tenders were received for the construction of a sidewalk on the south side of McKittrick Road, in North Kentville, Nova Scotia. This sidewalk will extend between Aldershot Road and Nichols Avenue, and will connect two existing sections of sidewalk owned by the Municipality. This project is currently the top priority on Council's sidewalk construction list, and was included by Council in the 2017/18 Capital Budget. This report is being submitted to Council for the award of Contract 17-05. An aerial photo of the project location is shown below:

### **Project Location**



## **Discussion**

The tender results were as follows:

<b>Tenderer</b>	<b>Tenderer's Location</b>	<b>Price (before HST)</b>
Atlantic Road Construction & Paving Ltd.	Eastern Passage, NS	\$715,010.00
Dexter Construction Ltd.	Wolfville, NS	\$408,770.00
G.K. Morse Trucking Ltd.	Centreville, NS	\$363,170.00
Howard Little Excavating Ltd.	Cambridge, NS	\$405,379.09
Mid Valley Construction (1997) Ltd.	Kingston, NS	\$428,000.00
Provincial Pavement Markings Inc.	Bedford, NS	\$503,096.00

Tenders were reviewed for mathematical checks and compliance by Engineering Services staff.

## **Financial Impact**

This work will be funded from the following account in the approved 2017/18 Capital Budget:

<b>Account Name</b>	<b>GL#</b>	<b>Budget Amount</b>	<b>Committed to Date</b>
Sidewalk & Crosswalk Construction Program	21-3-372-101	\$400,000	\$0.00

## **Recommendation**

**BE IT RESOLVED MUNICIPAL COUNCIL award Contract 17-05 to G.K. Morse Trucking Ltd. for the total price of \$363,170.00 + HST.**

# MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO MUNICIPAL COUNCIL

**Subject:** Proposed New Bylaw 103 Oak Island Road Wastewater Management District Bylaw - Second Reading

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

**Date:** July 4, 2017

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### **Synopsis**

Council authorized staff to develop a wastewater management district bylaw serving a winery and accessory uses on Oak Island Road in Avonport. The bylaw is necessary to accommodate the proposed sewer service for the proposed development which has been enabled through a development agreement. The preference for an extension of the public sewer system was identified during the processing of the application for a development agreement. The proposed bylaw was submitted to Council for consideration on June 6, 2017.

### **Background**

On January 10, 2017, the Planning Advisory Committee (PAC) considered a staff presentation regarding the request for sewer service that was part of an application for a development agreement by Chris Morine for a winery and accessory uses located at 677 Oak Island Road in Avonport (the "Application"). As noted in the attached February 7, 2017 report to Council, PAC had a "lively discussion" regarding the request to extend sewer service to the property and the potential implications to the surrounding agricultural lands.

PAC ultimately passed a motion recommending to Council that they should authorize staff to develop a wastewater management district bylaw to accommodate the Application. Council accepted PAC's recommendation on February 7, 2017. Staff, along with external legal counsel, has developed the attached Bylaw #103, the Oak Island Road Wastewater Management District Bylaw (the "Bylaw"). The Bylaw was passed for first reading at the June 6, 2017 Council. This report is being submitted to Council for second reading of the Bylaw.

### **Discussion**

The Bylaw (see attached) has been drafted to facilitate the proposed sewer service in the Application. It also provides a number of safeguards to protect the agricultural nature of the area and to address potential future issues related to wastewater management. These features include:

- Clear delineation of the responsibilities of both property owners and the Municipality regarding the sewer system
- Limited geographic scope to service the affected property
- Ability to respond to failing sewer systems
- Additional controls to ensure new sewer systems are compatible with the proposed sewer system
- Ties all sewer development requirements to other applicable Municipal bylaws
- Ability to set sewer charges specific to the District

### **Financial Impact**

No direct impact since the proposed Bylaw has provisions to allow full cost recovery from customers within the proposed district.

**Recommendation**

**BE IT RESOLVED THAT MUNICIPAL COUNCIL give Second Reading to Bylaw # 103, being the Oak Island Road Wastewater Management District Bylaw of the Municipality of the County of Kings, as attached to the July 4, 2017 Municipal Council agenda.**

# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject:** Waste Water Management District Bylaw related to an application for a development agreement for LAB Industries (Chris Morine) (File 16-13)

**From:** Planning and Development Services and Engineering and Public Works

**Date:** February 7, 2017

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### 1. Background

At its meeting on January 10<sup>th</sup>, 2017, the Planning Advisory Committee was presented with an item for discussion related to the development of a Waste Water Management District Bylaw. A report presented to the Planning Advisory Committee for information is included directly following this covering memorandum outlining the origin of the request as well as information related to a waste water management district bylaw. There was no staff recommendation included in the report since the item was intended for discussion and for the committee to provide some direction to staff.

Following a lively discussion, the Planning Advisory Committee passed the following motion:

**The Planning Advisory Committee recommends to Municipal Council that a Waste Water Management District Bylaw be drafted for an extension of the Avonport sewer system.**

### 2. Discussion

This memorandum has been prepared to provide additional information to Council in light of the motion from the Planning Advisory Committee related to the application from LAB Industries. The sewer extension requested by the Applicant would extend north approximately 1,850 feet from the end of the sewer system on Oak Island Road. A map illustrating this is included as Appendix A to this memorandum.

The application for a development agreement was made to permit a winery and accessory uses on the property located at 677 Oak Island Road. The winery is proposed to be located in a structure currently under construction that was issued a permit as a single family dwelling. The proposal for the winery includes seeking permission to construct another structure in the future to be used as an accessory single family dwelling.



The winery is proposed to be established in order to process grapes grown on a vineyard to be located on the same property as well as another property nearby. At this time, the vineyard has not yet been established which is why the winery is not permitted as-of-right, since the Municipal Planning Strategy requires a minimum of 60% of the grapes used for the wine production to be grown on site.

A preliminary site servicing plan prepared by the Applicant indicated that, in addition to the winery, the sewer extension would also provide service to the future accessory dwelling on the property as well as the single family dwelling located at 659 Oak Island Road.

Due to these considerations, staff recommends that Council include in the bylaw provisions that the extension is intended to service a use associated with economic development (i.e., the winery) and not exclusively for residential development. Should an economic development use not be established on the property or, if such a use ceases to exist, staff recommends that the extension be decommissioned at that time. Staff also recommends that, for the extension to proceed, that the Development Agreement be in place prior to any work on the sewer line extension is commenced as this is the only way to ensure the economic development aspect rather than just servicing dwellings outside the Hamlet/sewer serviced area.

Since the January 10<sup>th</sup> Planning Advisory Committee meeting, staff has become aware of another property owner in the vicinity of the proposed sewer extension is also proposing the establishment of an agricultural processing use that would benefit from a sewer connection. It is Staff's opinion that this merits consideration for inclusion in the wastewater management district bylaw.

### **3. Recommendation**

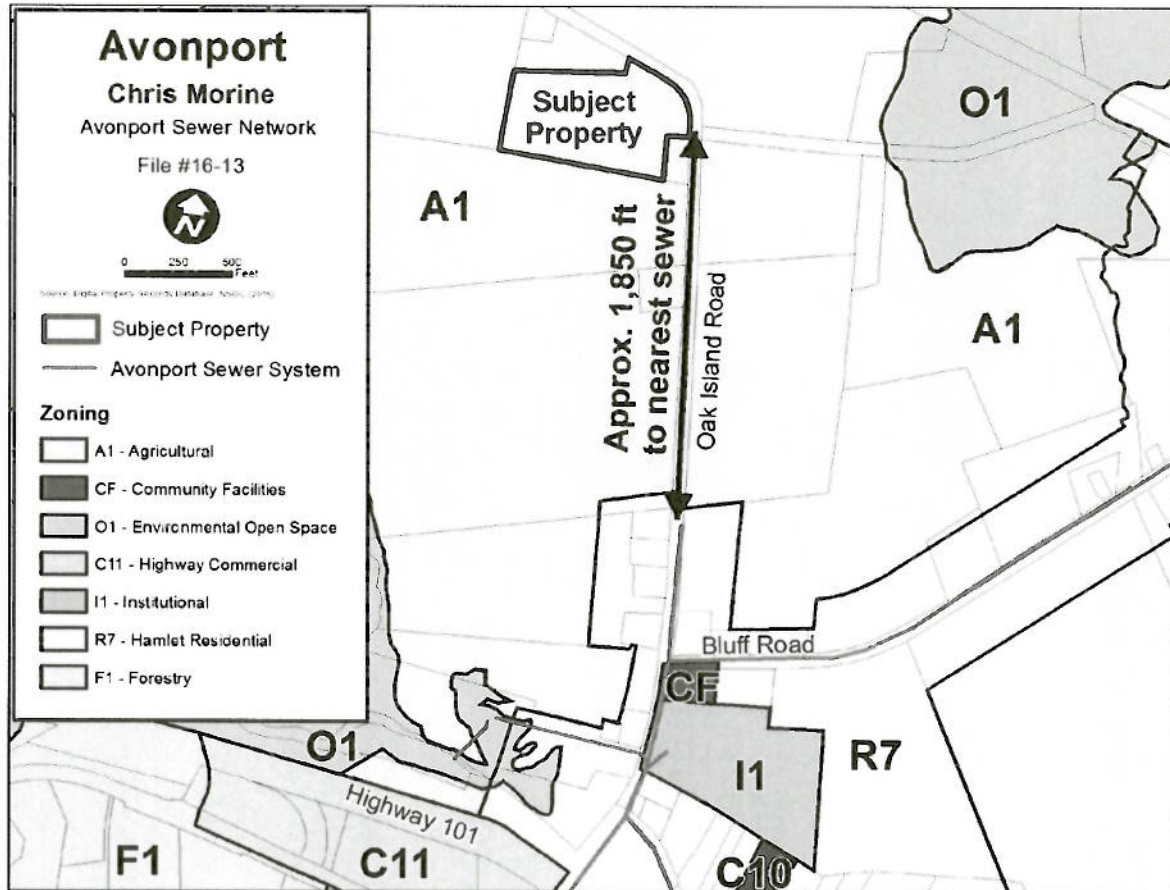
Based on the information provided in the staff report dated January 10<sup>th</sup>, 2017 and the information contained in this memorandum, staff is now providing the following recommendation:

**That Municipal Council directs staff to draft a Waste Water Management Bylaw for an extension of the Avonport sewer system to be associated with a winery, or other economic development use permitted by the Land Use Bylaw or by development agreement on the property located at 677 Oak Island Road (PID 55528558).**

### **4. Appendices**

**Appendix A – Area Map**

# Appendix A – Area Map



# MUNICIPALITY OF THE COUNTY OF KINGS



For By-Law information contact the Municipal Clerk

Tel: (902) 678-6141 Fax: (902) 678-9279 E-mail: [municipalclerk@countyofkings.ca](mailto:municipalclerk@countyofkings.ca)

## BY-LAW # 103

### OAK ISLAND ROAD WASTEWATER MANAGEMENT DISTRICT BY-LAW

#### SUBTITLE

A By-law to regulate the design, construction, use and operation of a septic tank effluent pump sewer system serving certain properties along Oak Island Road in Avonport, Kings County, Nova Scotia.

#### PREAMBLE & ENACTMENT

WHEREAS the Municipality has legislative authority under Part XIV, Section 342 of the *Municipal Government Act* with respect to the establishment of a Wastewater Management District within a certain area, as well as imposing, fixing and providing methods of enforcing payment of charges, all to recoup the operating and maintenance costs of such wastewater facilities;

AND WHEREAS the Municipality desires to enact a by-law to regulate the design, construction, use and operation of a septic tank effluent pump sewer system serving certain properties along Oak Island Road in Avonport, Kings County, Nova Scotia;

AND WHEREAS the Municipality desires to enact a by-law to impose, fix and provide for such a system and methods of enforcing payment of all such charges and fees in Oak Island Road Wastewater Management District requesting sewer services;

BE IT ENACTED by the Council of the Municipality as follows:

#### **Part 1: TITLE**

This By-law may be cited as the “Oak Island Road Wastewater Management District By-law” for the Municipality of the County of Kings.

#### **Part 2: INTERPRETATION AND SCOPE**

In this By-law the word “shall” is mandatory and not permissive. Words used in the present tense shall include the future. Words used in the singular shall include the plural except where otherwise indicated, and words used in the plural shall include the singular.

This sewer system is owned and maintained by the Municipality of the County of Kings. The boundary of which is described in the attached Schedule “A” and shown on the attached Schedule “B”.

**Part 3: DEFINITIONS**

- 3.1 BUILDING means a type of structure, whether temporary or permanent, that is roofed and that is used for the shelter or accommodation of persons, animals, material or equipment, excluding frames for sheltering crops, may require sewer services.
- 3.2 COUNCIL means the Council of the Municipality.
- 3.3 EVENT SPACE means a location for hosting of weddings, conferences, galas and other similar uses.
- 3.4 FARM WINERY means a Farm Winery as defined by the Nova Scotia Farm Winery Policy (2007), as amended from time to time. For the purpose of this By-law, a Farm Winery shall include a small farm winery as defined by the Nova Scotia Farm Winery Policy (2007).
- 3.5 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.
- 3.6 FIXED ROOF OVERNIGHT ACCOMMODATION means a Building or Buildings providing overnight accommodation to the travelling public, which may or may not contain an eating establishment.
- 3.7 FOOD ESTABLISHMENT means a food service facility such as a restaurant, canteen, or cafeteria where foods are prepared and/or sold.
- 3.8 GROSS FLOOR AREA means the aggregate of the floor areas of a Building above or below grade, measured between the exterior faces of the exterior walls of the Building at each floor level but excluding car parking areas within the Building, and for the purpose of this clause, the walls forming a court yard shall be deemed to be exterior walls.
- 3.9 LATERAL means the section of a Service Connection from the Sewer Main to the property line.
- 3.10 LOT means any parcel of land that is contained as a separate lot description in a deed of land or as shown as an approved lot on an approved plan of subdivision filed in the Registry of Deeds /Land Registry Office.
- 3.11 MUNICIPAL ENGINEER means the Engineer of the Municipality and includes a person acting under the supervision and direction of the Engineer.
- 3.12 MUNICIPAL SERVICES SPECIFICATIONS MANUAL means the Manual adopted by Council pursuant to the Subdivision By-Law #60.
- 3.13 MUNICIPALITY means the Municipality of the County of Kings.

- 3.14 ONE UNIT DWELLING means a dwelling containing one residential unit, including a mini-home or mobile home but excluding a recreational vehicle.
- 3.15 OWNER as it refers to the Owner of the property includes:
- i. A part owner, joint owner, tenant in common or joint tenant of the whole or any part of any Lot or Building;
  - ii. In the case of the absence or incapacity of the Person having title to the Lot or Building, a trustee, an executor, an administrator, a guardian, an agent, a mortgagee in possession or other Person having the care or control of any Lot or Building; and
  - iii. In the absence of proof to the contrary, the Person assessed for the property.
- 3.16 PERSON includes a corporation and the heirs, executors, administrators or other legal representatives of a Person, but specifically excludes the Municipality.
- 3.17 PRIVATE SEWER shall mean a sewer system that is located on private property and is not owned or maintained by the Municipality.
- 3.18 PRESSURE SEWER LATERAL shall mean the pressure pipe designed and installed to convey sewage from the Septic Tank to the Sewer Main.
- 3.19 PUBLIC SEWER means the Municipality owned structures, pipes, meters, devices, equipment or other things used, or intended, for the collection, transportation, pumping or treatment of Wastewater, including but not limited to sewer connection laterals in a Road right-of-way up to a Lot line.
- 3.20 SANITARY SEWAGE shall mean Wastewater generated from Buildings, including dwellings and industrial, commercial, agricultural and institutional establishments but excludes Storm Water.
- 3.21 SEMI DETACHED DWELLING means a dwelling that contains two residential units, which is divided vertically by a wall extending ground to roof and which is separated by open space from other Buildings, and each residential unit has an independent entrance.
- 3.22 SEPTIC TANK means the portion of a Private Sewer used for the holding of Wastewater prior to being discharged through the Public Sewer.
- 3.23 SERVICE CONNECTION means a pipe and the necessary valves and protective boxes, connections, thaw wires, meters and any other material necessary and actually used to connect a Building to a Sewer System.
- 3.24 SEWAGE TREATMENT PLANT means the bacteria plant connected to the Sewer System for the purpose of treating the Wastewater flowing through the Oak Island Road Sewer System.

- 3.25 SEWER MAIN means the primary pipe owned by the Municipality that is used, or intended, for the collection and transportation of Wastewater.
- 3.26 SEWER SYSTEM shall mean the collection of all Private Sewer and Public Sewer elements which are the subject of this By-law.
- 3.27 STORM WATER shall mean naturally occurring ground and surfaces waters, rainfall run-off, as well as industrial heating and cooling, process water.
- 3.28 TREASURER means the Treasurer of the Municipality, and includes a person acting under the supervision and direction of the Treasurer.
- 3.29 WASHROOM FACILITY means a bathroom containing toilet(s) connected to the Sewer System.
- 3.30 WASTEWATER shall mean a combination of liquid or water-carried wastes removed from residential dwellings, industrial, commercial, agricultural, and institutional establishments, together with such ground, surface and rainfall runoff waters, as may be present.

#### **Part 4: ESTABLISHMENT OF WASTEWATER MANAGEMENT DISTRICT**

- 4.1 The Municipality hereby establishes the Oak Island Road Wastewater Management District (the “District”), the boundaries of which are described in Schedule “A” and identified by PID and which boundaries are shown in Schedule “B”.
- 4.2 When the Municipal Council deems it necessary that an individual on-site sewage disposal system be constructed in the Wastewater Management District Area, the Council may order, by resolution, and without the authorization of any petition of the owners, that such individual on-site sewage disposal system be constructed and all the provisions of the By-laws related to and regulating the use of such systems in force in the Municipality by and are hereby made applicable to any such systems constructed by virtue of such resolution.
- 4.3 The Municipal Council may, by resolution, order the repair and improvement of any individual on-site sewage disposal system whenever the same shall be considered necessary or desirable, and to lay out, excavate and complete such system within the Wastewater Management District Area and for any other work necessary to be done in connection therewith.

#### **Part 5: OTHER WASTEWATER BY-LAWS AND SEWER SERVICE CHARGE**

- 5.1 Unless specified otherwise in this By-law, the requirements of By-law 98 – Wastewater Sewer and By-law 91 – Sewer Discharge (both as amended from time to time) shall apply

in all respects to the District and are to be read in conjunction with this By-law's requirements. The Sewer Service Charge pursuant to this By-law shall be set through the Fee Policy of Council as may be amended from time to time.

- 5.2 Every charge or tax imposed under the provisions of this By-law shall constitute a first lien upon the real property, and may be collected in the same manner as other taxes and, at the option of the Treasurer, be collectable at the same time, and by the same proceedings, as taxes, pursuant to Section 81 of the *Municipal Government Act*.

#### **Part 6: TYPE OF SEWER SYSTEM**

The Wastewater management system may consist of a Sewer System and individual on-site sewage disposal systems as contained within the District.

#### **Part 7: CONNECTIONS**

- 7.1 The lands identified in Schedule "A" and currently identified as PIDs 55528558, 55229595 and 55229587 shall be permitted to connect to the Oak Island Road Sewer System. Any other Lots wishing to connect to the Oak Island Road Sewer System shall only be permitted where the use of such Lot is not a residential use including any Lots which may be subdivided from the PIDs noted above after the coming into force of this By-law.

7.2

- a) No Person shall make any opening or openings to uncover any Public Sewer or individual on-site sewage disposal system or connect a Building sewer, private drain or sewer within the Public Sewer or individual on-site disposal system within the Wastewater Management District Area, without first obtaining a permit therefore from the Municipality. Notwithstanding the issuance of any such permit, the Person to whom any such permit is issued shall be liable for any damage or injury to the Public Sewer or individual on-site sewage disposal system caused by him, his servants, agents or workmen in making any such connection.
- b) It shall be the duty of any Person who connects any on-site sewage disposal system, or drain while excavating, to securely protect the excavation in such manner as may be directed by the Municipal Engineer, and to use a licensed installer for the purpose of such work.

- 7.3 All costs and expenses incidental to the installation and connection to the Sewer System shall be borne by the Owner. The Owner shall indemnify the Municipality from any loss or damage that may directly or indirectly be occasioned by the connection to the Sewer System.

**Part 8: MUNICIPALITY RESPONSIBILITY**

The Municipality shall undertake the ongoing maintenance, repair and component replacement of the Sewer System within the Oak Island Wastewater Management District, to the standard of recognized Canadian wastewater engineering practice, including the portions of the system located on public land, as well as those portions located on private lands, but limited to the Septic Tank, pump, controls, filter and related appurtenances and the Pressure Sewer Lateral.

**Part 9: OWNER RESPONSIBILITY**

- 9.1 At the time of construction of the Public Sewer, the entire capital cost of such construction and installation shall be borne by every Owner seeking connection to the system at the time of construction in such proportion as the Municipal Engineer shall determine based on the proposed uses and wastewater flows of the Lots being connected.
- 9.2 Each Owner shall be liable for the entire cost of any Private Sewer and connection to the Public Sewer.
- 9.3 Each Owner shall be responsible for providing and maintaining clear access to authorized Municipal personnel for on-going inspections, maintenance, repair and component replacement of those portions of the Oak Island Road Sewer System located on the Owner's property.
- 9.4 Each Owner will be responsible for maintaining the plumbing system in the building served by the "building service connection" such that no portion of the system is compromised, damaged or disrupted in any way. The Owner shall further be responsible for maintaining all portions of the Private Sewer connecting the building to the Septic Tank such that no portion of the system is compromised, damaged or disrupted in any way.
- 9.5 The electrical power consumption charges for the septic tank pump shall be the Owner's and the Owner shall maintain the electrical power supply and distribution system in the building served by the building service connection such that the septic tank pump operation is not compromised.
- 9.6 The Owner will not disrupt, relocate, modify, remove, damage or destroy any portion of the Oak Island Road Sewer System located on either private or public property, without written approval of the Municipal Engineer.
- 9.7 Any capital expenditures made to remedy any failure of the Sewage Treatment Plan shall be borne by and chargeable to every Owner connected to the system in proportion to each Owner's use of the Oak Island Road Sewer System based on the product of each Owner's discharge of Wastewater divided by overall discharge of Wastewater through the Sewer System unless the Municipal Engineer can determine the cause of the failure, then the applicable Owner(s) will be charged as noted above.



- 9.8 Discharge of Wastewater into the Oak Island Road Sewer System with respect to contents and volume shall be subject to the requirements of By-law #91, Sewer Discharge By-law.
- 9.10 In the event an Owner fails to appropriately discharge their responsibilities pursuant to this By-law in the sole determination of the Municipal Engineer, the Municipality shall have the right, but not the obligation to perform any of the Owner's responsibilities and levy any costs associated with doing so as a charge against the Owner's property and may be collected in the same manner as other taxes.

**Part 10: EFFECTIVE DATE**

- 10.1 This By-Law comes into force and effect on the tenth day of July 2017.

**SCHEDULE "A"**

## SCHEDULE "A"

000710

PID 55229595

ALL that certain lot, piece or parcel of land and premises situate, lying and being on the West side of the Oak Island Road at Avenport, in the County of Kings, Province of Nova Scotia and more particularly bounded and described as follows:

BEGINNING at a large Ash Tree on the West side of the Oak Island Road at Avenport, in the County of Kings, Province of Nova Scotia, thence in a Westerly direction at a right angle to the said road a distance of 105 feet to a small Ash Tree; thence in a Southerly direction and parallel to the said Road a distance of 210 feet; thence in an Easterly direction and at a right angle to the said Road a distance of 105 feet to the said road; thence in a northerly direction along the western Boundary of the said Road to the place of beginning and containing  $\frac{1}{2}$  acre more or less.

BEING AND INTENDED TO BE the same lands conveyed to Herman Morine by Henry C. Childers by Quit Claim Deed dated 25 November 1960, recorded in the Kings County Registry Office, Kentville, NS, in Book 256, at page 26.

PID 55229587

000380

SCHEDULE "A"

ALL that certain lot, piece or parcel of land and premises situate at Avonport, in the County of Kings and Province of Nova Scotia, bounded and described as follows:

BEGINNING at an iron pipe driven in the ground on the western limit of the highway leading from Highway No. 1 to Oak Island and in the southern line of lands now or formerly owned by Henry G. Childers and also a distance of twenty-seven feet (27.0') northeasterly from the northeast corner of a house erected on the herein described lot;

THENCE north eighty-one degrees and fifty minutes west ( $N81^{\circ} 50'W$ ) a distance of two hundred and twenty feet (220.0') along a wire fence to an iron pipe driven in the ground;

THENCE south eight degrees and ten minutes west ( $S8^{\circ} 10'W$ ) a distance of two hundred feet (200.0') to an iron pipe driven in the ground;

THENCE south eighty-one degrees and fifty minutes east ( $S81^{\circ} 50'E$ ) a distance of one hundred and ninety-eight and four-tenths feet (198.4') to an iron pipe driven in the ground on the western limit of the above said highway;

THENCE north fourteen degrees and twenty minutes east ( $N14^{\circ} 20'E$ ) a distance of two hundred and one and one-tenth feet (201.1') more or less to the place of BEGINNING;

CONTAINING ninety-five one hundredths of an acre (95/100 Ac.) more or less, being a part of the lands conveyed by Winnifred D. Irving et al to Mabel C. Holmes by deed dated August 23, 1952 and recorded at the Registry of Deeds for Kings County on November 16, 1955 at Book 187, Page 357.

BEING AND INTENDED TO BE the lands conveyed by Winnifred D. Irving, Frances L. Comeau and Joan M. Geddes to Winnifred D. Irving and Frances L. Comeau, as tenants in common, by Trustees' Deed dated February 1, 1990 and recorded at the Registry of Deeds, Kentville, in Book 808 at Page 482.

**PARCEL DESCRIPTION REPORT**

2017-05-26 09:37:29

**PID:** 55229348  
**CURRENT STATUS:** ACTIVE  
**EFFECTIVE DATE/TIME:** 2016-08-23 12:55:21

ALL that certain lot, piece or parcel of land situate, lying and being at Avonport, in the County of Kings, Province of Nova Scotia, and more particularly bounded and described as follows:

BOUNDED on the east by a highway;

ON the north by a highway by lands now or formerly of Martha Allen and by lands now or formerly of Ashley Cox;

ON the west by lands now or formerly of Clarence Holmes;

ON the south by lands now or formerly of Clarence Holmes.

CONTAINING 50 acres more or less.

EXCEPTING AND RESERVING THEREFROM the lands conveyed to Herman Morine by Henry C. Childers per Attorney by deed dated November 25, 1960 and recorded in the Registry of Deeds at Kentville in Book 256, at Page 26, and being one-half acre more or less, and being identified in the Nova Scotia Property Online system as PID 55229595.

SAVING AND EXCEPTING Lot 2016-1 as shown on registered plan no. 109442898 recorded in the Land Registration Office for Kings County.

\*\*\* 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

The MGA compliance statement has been applied by SNSMR during the processing of Land Registration Plan

**External Comments:**

**Description Change Details:**

**Reason:**  
**Author of New or**  
**Changed Description:**  
**Name:**

**Registered Instruments:**

**Comments:**

**PARCEL DESCRIPTION REPORT**

2017-05-26 09:36:28

**PID:** 55528558  
**CURRENT STATUS:** ACTIVE  
**EFFECTIVE DATE/TIME:** 2017-04-13 11:42:19

Registration County: KINGS COUNTY  
Street/Place Name: OAK ISLAND ROAD /AVONPORT  
Title of Plan: PLAN OF S/D SHOWING PARCEL A S/D OF LANDS OF ALAN B SPONAGLE & FAYE C SPONAGLE PID 55499628 TO BE ADDED TO LOT 2016-1 LANDS OF LAB INDUSTRIES LTD PID 55528558 TO FORM LOT 2016-1A  
Designation of Parcel on Plan: LOT 2016-1A  
Registration Number of Plan: 110598415  
Registration Date of Plan: 2017-04-12 15:33:18

\*\*\* 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: 2017  
Plan or Document Number: 110598415

**External Comments:**

**Description Change Details:**

**Reason:**  
**Author of New or Changed Description:**  
**Name:**

**Registered Instruments:**

**Comments:**

**PARCEL DESCRIPTION REPORT**

2017-05-26 09:37:40

**PID:** 55229645  
**CURRENT STATUS:** ACTIVE  
**EFFECTIVE DATE/TIME:** 2011-08-18 09:44:43

ALL that piece or parcel of land situate at Avonport, in the County of Kings and Province of Nova Scotia, bounded as follows:

ON the north by lands now or formerly of Isaac Huntley;  
 ON the east by the road running north past the Avonport Church;  
 ON the south by lands now or formerly in possession of Fred Borden; and  
 ON the west by the Gaspereau River;  
 CONTAINING 40 acres, more or less.

EXCEPTING AND RESERVING out of and therefrom the following lot, piece or parcel of land more particularly described as follows:

BEGINNING at an iron pipe driven in the ground on the western limit of the highway leading from Highway No. 1 to Oak Island and in the southern line of lands now or formerly owned by Henry C. Childers and also a distance of 27.0 feet northeasterly from the northeast corner of a house erected on the herein described lot;

THENCE North 81 degrees 50 minutes West a distance of 220.0 feet along a wire fence to an iron pipe driven in the ground;

THENCE South 8 degrees 10 minutes West a distance of 200.0 feet to an iron pipe driven in the ground;

THENCE South 81 degrees 50 minutes East a distance of 198.4 feet to an iron pipe driven in the ground on the western limit of the above said highway;

THENCE North 14 degrees 20 minutes East a distance of 201.0 feet more or less to the place of beginning.

Containing 95/100 of an acre, more or less.

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

Not Subject To:

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

PARCEL WAS CREATED IN DEED RECORDED IN BOOK 193, PAGE 462 (RESERVED BY MABEL HOLMES)

**External Comments:**

**Description Change Details:**

**Reason:**

**Author of New or**

**Changed Description:**

**PARCEL DESCRIPTION REPORT**

2017-05-26 09:38:01

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**PID:** 55305502  
**CURRENT STATUS:** ACTIVE  
**EFFECTIVE DATE/TIME:** 2016-03-14 09:20:32

All that piece or parcel of land situate at Avonport, Kings County, Nova Scotia, being more particularly bounded as follows:

On the north by lands formerly of the late James Borden and now or formerly in possession of Brenton Borden;

On the east by lands now or formerly of Albert Reid and James Payzant;

On the south by lands now or formerly of James Payzant;

On the west by the road leading north past the Avonport Church;

Containing 20 acres, more or less.

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

Compliance:

The parcel originates with an instrument (registration details below) and the subdivision is validated by Section 291 of the Municipal Government Act

Registration District: KINGS COUNTY  
Registration Year: 1985  
Book: 638 Page: 143 Document Number: 12354

---

**External Comments:**

**Description Change Details:**

**Reason:**

**Author of New or**

**Changed Description:**

**Name:**

**Registered Instruments:**

**Comments:**

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**PARCEL DESCRIPTION REPORT**

2017-05-26 09:37:51

PID: 55525901  
 CURRENT STATUS: ACTIVE  
 EFFECTIVE DATE/TIME: 2016-04-26 10:28:37

All that certain lot, piece or parcel of land situate, lying and being at Avonport, in the County of Kings and Province of Nova Scotia, bounded and described as follows:

That certain lot of land known as the Homestead lot, bounded as follows:

Beginning on the highway near W. W. Taylors barn;

Thence Northerly by said highway to lands now or formerly of Freeman Huntley;

Thence Northerly by lands of said Freeman Huntley opposite to the old barn;

Thence North 24 degrees East 18 chains;

Thence North about 18 degrees West 18 chains, 77 links to Northwest corner of the young orchard;

Thence North about 84 degrees East 11 chains and 71 links;

Thence South 19 degrees about 11 chains;

Thence North 84 degrees East across the dyke to Oak Island;

Thence North 31 degrees West about 5 chains 30 links;

Thence North 54 degrees East across Oak Island to Avon River;

Thence Southerly by the said River to the aboiteau;

Thence by the creek Westerly by lands now or formerly occupied and owned by Robert Shaw and Mrs. W. A. Reid;

Thence South by the dyke land 23 degrees 2/10 West by land now or formerly owned and occupied by Mrs. W. A. Reid to the Dominion Atlantic Railway;

Thence Westerly by lands now or formerly of Mrs. W. A. Reid to the new road;

Thence Southerly by lands now or formerly occupied by Mrs. W. A. Reid to lands now or formerly of W. W. Taylor;

Thence Westerly by lands now or formerly of W. W. Taylor to the first mentioned bounds, containing 160 acres more or less.

EXCEPTING AND RESERVING thereout and therefrom all of those lands to the north of the south limit of the Avonport Station Road;

EXCEPTING AND RESERVING thereout and therefrom all of those lands to the west of the east bound of the Oak Island Road.

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

Not Subject To:

**PARCEL DESCRIPTION REPORT**

2017-05-26 09:37:51

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The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

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**External Comments:**

**Description Change Details:**

**Reason:**

**Author of New or**

**Changed Description:**

**Name:**

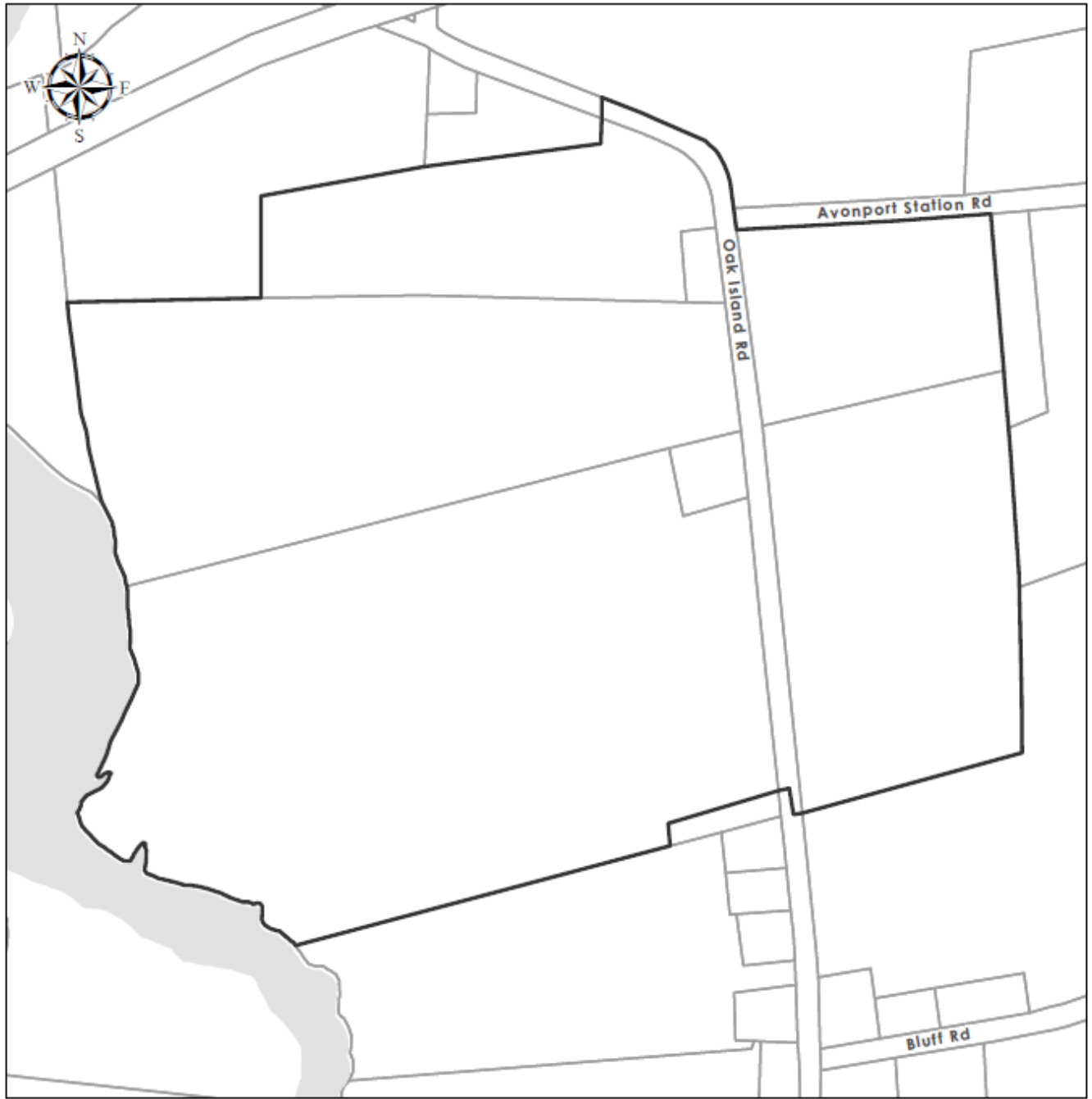
**Registered Instruments:**




**Comments:**

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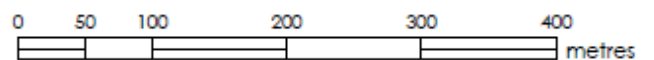
### Schedule B: Wastewater Management District

Oak Island Road, Avonport



-  Wastewater Management District
-  Property Line
-  Waterbody

Scale 1 : 5 000



Sources: 1:10000 planimetric data and basemap data courtesy of NSTDB; Road data courtesy of NSRN; Property data courtesy of NSPRD; all other data is the property of the Municipality of the County of Kings. For graphic purposes only. June 2017.

**SCHEDULE "C"****a) Avonport**

As per By-law #98, Wastewater Sewer By-law, any person effecting a connection made within the Oak Island Road Wastewater Management District shall pay a Sewer Capital Charge of Four Thousand Ninety-Six Dollars (\$4,096) for each Lot.

# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject:** Amendments to the Schedules of By-Law 99, Tax Exemption for Non-Profit Organizations By-Law (Second Reading)

**From:** Financial Services

**Date:** July 4, 2017

---

### **Background**

On May 25, 2017 Council gave First Reading to the amendments to the Schedules of Bylaw 99, the Tax Exemption for Non-Profit Organizations Bylaw.

This report is being submitted to Council for Second Reading of the amendments to the Schedules of Bylaw 99.

### **Recommendation**

**That Council approve Second Reading of amendments to the Schedules of Bylaw 99 to add the United Church of Canada North Mountain Tapestry property (PID 55095434; AAN# 04718119); to remove the Valley Search & Rescue now inactive property in Cambridge (PID# 55517668; AAN# 10474426); and to remove the Garland Community Hall (PID# 55071252; AAN# 01642278) which has been sold.**

# MUNICIPALITY OF THE COUNTY OF KINGS



**For By-Law information contact the Municipal Clerk**

Tel: (902)678-6141 Fax: (902)678-9279 E-mail: [municipalclerk@county.kings.ns.ca](mailto:municipalclerk@county.kings.ns.ca)

## BY-LAW 99

### TAX EXEMPTION FOR NON PROFIT ORGANIZATIONS BY-LAW

1. This By-law is enacted by the Municipality of the County of Kings under the authority of Section 71 (1) (a) and (b) and Section 71 (2) of the Municipal Government Act, Chapter 18, S.N.S. 1998.
2. This By-Law shall be known as the "Tax Exemption For Non-Profit Organizations By-Law."
3. The Council of the Municipality of the County of Kings has determined that the property identified and belonging to the named Canadian charitable organization listed in Schedule A is used directly and solely for a charitable purpose and is therefore granted a tax exemption to the extent and under the conditions listed in Schedule A.
4. The Council of the Municipality of the County of Kings is of the opinion that each of the following non-profit community, charitable, fraternal, educational, recreational, religious, cultural or sporting organizations provides a service that might otherwise be a responsibility of the Council, and the property of each organization to the extent and under the conditions as listed in Schedule B, is therefore granted a tax exemption.
5. The property of those non-profit community, charitable, fraternal, educational, recreational, religious, cultural or sporting organizations or institutions to the extent and under the conditions as listed in Schedule C to this by-law that would otherwise be classified as commercial property shall be reduced to the tax that would otherwise be payable if the property were residential property.
6. The full or partial tax exemption provided in Sections 3, 4 and 5 shall apply only to that portion of the properties specified in Schedules A, B and C.
7. Unless the description of the property in the By-law identifies that the tax exemption applies in regards to a specific percentage of the assessment for the property, the exemption is for 100% of taxes and rates levied by the Municipality to a maximum of \$ 30,000 of taxes and/or rates per property, excluding Area Rates. Where the description of a property in the By-Law makes reference to a percentage of assessment, the property is exempt from such taxes and rates only to the extent of the percentage referenced in the By-Law.
8. When a property or part thereof, listed in the By-Law ceases to be occupied by the non-profit association identified as the owner or the property is no longer exclusively used for the community, charitable, fraternal, educational,

recreational, religious, cultural or sporting purposes identified at the time of application for the exemption, then the partial or total exemption from taxation shall cease and the owner of the property shall immediately be liable for the real property tax on such property or part thereof for the portion of the year then unexpired.

9. Nothing in this By-Law shall relieve the owners of the properties in the By-Law from paying Area Rates and Capital Charges.
10. Owners of the properties listed in the By-Law shall report to the Municipality's Treasurer any change in the status of the ownership or use of the property which would affect or could reasonably be interpreted as affecting its eligibility for tax exemption pursuant to this By-Law within 30 days of such change.
11. Owners of properties seeking to make use of the tax exemption provided in Section 3, Section 4 or Section 5 shall make application to the Municipality outlining the nature of activities and or services offered in their organization, the benefit to the community and a current financial statement. Any exemption granted under this Bylaw is at the sole discretion of Council.
12. Applications made pursuant to Section 11 of this Bylaw must be received by the Municipality on or before February 28<sup>th</sup> in any year.

**TAX EXEMPTION FOR NONPROFIT ORGANIZATIONS BY-LAW PROPERTY LIST**

## Schedule A

Properties must be owned by a named registered Canadian charitable organization, and used directly and solely for a charitable purpose.

PROPERTY	PROPERTY NUMBER	OWNER	EXTENT OF APPLICATION OF SECTION 3	CHARITABLE NUMBER
Land Arena 1035 J Jordan Rd Canning	PID # 55008676 AAN # 02372789	Annapolis Valley Regional School Board	100 %	889967592 Canning District Recreational Commission
Land Building 4120 Hwy 359 Halls Harbour	PID # 55040513 AAN # 01619616	Fundy View Community Centre	100 %	118934348
Land Arena 1490 Westwood St Kingston	PID # 55084784 AAN # 04876717	Western Kings Rink Association	100 %	127946036
Land 1204 Ridge Rd Wolfville Ridge	PID # 55319966 AAN # 09312587	Rotary Club of Wolfville Society	100 %	119125755 Rotary Club of Wolfville Charitable Trust
Land Educational 9412 Commercial St. New Minas	PID # 55209654 AAN # 02372851	The Flower Cart	100 %	107390676
Fellowship Halls 2080 Bishop Mountain Rd N Kingston	PID # 55086961 AAN # 03538826	Multi Addiction Centre Society	100 %	892111782
Lot 1A Building, Fire Hall 3580 Hwy 359	PID # 55040125 AAN # 04682874	Halls Harbour District Firefighters Association (exempt)	100 %	133978148
Lot ABC-1, Fire Station 6 Jones Rd	PID # 55385710 AAN # 03491226	New Minas Volunteer Fire Department (exempt)	100 %	11905630
Lot 298 9798 Hwy 1 Greenwich	PID # 55378434 AAN # 01809822	Greenwich Fire Commissioners (exempt)	100 %	118947720
Land Fire Station/Hall Garage 570 Sparky St Kingston	PID # 55083273 AAN # 00112364	Kingston District Fire Commission (exempt)	100 %	886929991
Land Fire Station/Hall 1083 Park Street	PID # 55091441 AAN # 00163805	Aylesford Fire District (exempt)	100 %	118797851



PROPERTY	PROPERTY NUMBER	OWNER	EXTENT OF APPLICATION OF SECTION 3	CHARITABLE NUMBER
Lot Daycare 1063 J Jordan Rd Canning	PID # 55020820 AAN # 08074372	Apple Tree Landing Family Education Centre	100 %	106718984
Land Fellowship Hall 1951 Hwy 359 Centreville	PID # 55038806 AAN # 00704326	Centreville Community Hall Association	100 %	85816771
Land Garage 485 Gibson Woods Rd	PID # 55044663 AAN # 01693646	Gibson Woods United Baptist Church	100 %	89080323
Land Building 342 Bligh Rd Woodville	PID # 55077176 AAN # 05004047	Woodville Community Centre	100 %	863422796
Land Fellowship Hall 3083 Aylesford Rd Lake Paul	PID # 55126874 AAN # 02412608	Lake Paul and Lake George Community Club	100 %	888532793
Land 1542 White Rock Rd White Rock	PID # 55192595 AAN # 04906799	White Rock Community Assoc	100 %	888136843
Land Fellowship Hall 1159 Woodville Rd Lakeville	PID # 55077309 AAN # 02414899	Trustee of the Lakeville BR WINS	100 %	875150781
Land Fellowship Hall 11794 Highway 1 Grand Pré	PID # 55231674 AAN # 02079615	Horton Community Centre Association	100 %	881098032
Land Fellowship Hall 410 West Brooklyn Mtn Rd West Brooklyn	PID # 55236574 AAN # 06381332	West Brooklyn Community Association	100 %	134112366
Lot 1 29 Main St Kingsport	PID # 55017016 AAN # 02575221	Kingsport Community Association	100 %	889936910
Land Incorp Farm 551 Ross Creek Rd Ross Creek	PID # 55015457 AAN # 04816587	Coastarts Association Ross Creek Centre for the Arts	100 %	139921563
Lot Fellowship Hall 2564 Hwy 360 Harbourville	PID # 55071633 AAN # 01883739	Harbourville Community Hall Sewing Circle	100 %	891388548
Lot 10 Dwelling 56 Eden Row Greenwich	PID # 55193619 AAN # 01393421	Wolfville Homefires Society	100 %	108219106

PROPERTY	PROPERTY NUMBER	OWNER	EXTENT OF APPLICATION OF SECTION 3	CHARITABLE NUMBER
Lot 1-2 Building 1172 Huntington Point Rd Halls Harbour	PID # 55041214 AAN # 04913582	Charles MacDonald House of Centreville Society	100 %	880862966
Land Museum 19 Saxon St Centreville	PID # 55054183 AAN # 02673401	Charles MacDonald House of Centreville Society	100 %	880862966
Land Cottage/Cabin 1224 Baxters Harbour Rd Baxters Harbour	PID # 55011449 AAN # 03716457	Fundy Camp Society	100 %	891410797
Land Baxters Harbour Rd Baxters Harbour	PID # 55011423 AAN # 03716384	Fundy Camp Society	100 %	891410797
Lot Buildings 8 Q-7 Rd Lake George	PID # 55125488 AAN # 02373998	Kingswood Camp	100 %	107273740
Lot 1 Museum 1158 Steadman Rd Billtown	PID # 55437693 AAN # 09309918	Northville Farm Heritage Centre	100 %	894693712
Lot 6 Dwellings Building 1014 Scott Dr North Kentville	PID # 55033609 AAN # 04327985	Community Living Alternatives Society, CLAS	100 %	106962749
Land Barley St Burlington	PID # 55097869 AAN # 00814423	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land Hardwood Lake Rd S Lake Paul	PID # 55148068 AAN # 08070644	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land Brow of Mnt Rd W Aylesford Mnt	PID # 55097810 AAN # 00814415	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land Nollett Beckwith Rd Viewmount	PID # 55097836 AAN # 00814431	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land Incorp Farm Ridge Rd Wolfville Ridge	PID # 55374789 AAN # 08118787	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land Ridge Rd Wolfville Ridge	PID # 55392583 AAN # 09311165	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land White Rock Rd Gaspereau	PID # 55323612 AAN # 08124205	Nova Scotia Nature Trust (exempt)	100 %	889627691

PROPERTY	PROPERTY NUMBER	OWNER	EXTENT OF APPLICATION OF SECTION 3	CHARITABLE NUMBER
Land White Rock Rd Gaspereau	PID # 55323745 AAN # 08124183	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land 1 White Rock Rd Gaspereau	PID # 55193031 AAN # 00816957	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land White Rock Rd Gaspereau	PID # 55193064 AAN # 00816981	Nova Scotia Nature Trust (exempt)	100 %	889627691
Land Educational Lot CDL-7 11 Opportunity Lane Coldbrook	PID # 55476881 AAN # 09803831	Peopleworx Society	100 %	130015258
Lot CDL-8A Opportunity Lane Coldbrook	PID # 55476899 AAN # 09803858	Communityworx Society	100%	859292054
Land Dwelling 9809 Main Street, Canning	PID # 55021729 AAN # 03997995	Fieldwood Heritage Society	100 %	895986057
Land Ridge Rd Wolfville Ridge	PID # 55191001 AAN # 04989767	Rotary Club of Wolfville Society	100 %	119125755
Lot SPCA 1285 County Home Rd Cambridge	PID # 55437743 AAN # 09309969	Kings County Branch, Nova Scotia Society for the Prevention of Cruelty	100 %	888698065
Land Warehouse 1119 Station Rd Aylesford	PID # 55373872 AAN # 03076504	The Beehive Adult Service Centre	100 %	119215481
Lot GKK-1 Dwlg Bldg 113 Cornwallis Ave New Minas	PID # 55477913 AAN # 02310937	Crosbie House Society	100%	857415806
Lot CC-1 Aylesford Rd Lake Paul	PID # 55517510 AAN # 10487560	Lake Paul and Lake George Community Club	100 %	888532793

## Schedule B

Properties must be owned by non-profit community, charitable, fraternal, educational, recreational, religious, cultural or sporting organizations providing a service that might otherwise be the responsibility of council.

PROPERTY	PROPERTY NUMBER	OWNER	EXTENT OF APPLICATION OF SECTION 4
Lot Building Glenmont	PID # 55012363 AAN # 01726862	Glenmont Women's Community Club Trustees of	100 %
Land and Hall 2521 Pereau Rd Lower Blomidon	PID # 55007009 AAN # 00356743	White Waters Community Association	100 %
Lot S-1 5790 Hwy 358 Scots Bay	PID # 55376701 AAN # 04206061	Scots Bay Women's Institute	100 %
Land Sports Park 1042 Sherman Belcher Rd Centreville	PID # 55056345 AAN # 00704393	Centreville Community Park Recreation Commission	100 %
Lot 6A Fellowship Hall 4404 Black Rock Rd	PID # 55068340 AAN # 05830419	Trustees Black Rock Community Association	100 %
Land Building 5350 Brooklyn St Grafton	PID # 55059273 AAN # 01768727	Grafton Community Association	100 %
Land Building 4361 Hwy 221 Welsford	PID # 55076608 AAN # 04862244	Welsford Community Club	100 %
Land Fellowship Hall 3157 Hwy 1 Aylesford East	PID # 55077846 AAN # 00163791	Aylesford East Community Club	100 %
Land Hall 3469 Brooklyn St Weston	PID # 55077614 AAN # 04880188	Weston Community Hall	100 %
Fellowship Halls 2122 Long Point Rd Burlington	PID # 55094619 AAN # 00552763	Burlington Community Hall	100 %
Land Bishop Mountain Rd North Kingston	PID # 55086987 AAN # 03538834	North Kingston Community Hall	100 %
Land Building 2321 Morden Rd Morden	PID # 55099733 AAN # 03301273	Morden Community Hall	100 %
Land Hall 1481 East Dalhousie Rd East Dalhousie	PID # 55128292 AAN # 01077252	Dalhousie Community Center	100 %
Land Hall 659 Victoria Rd Millville	PID # 55116164 AAN # 03255107	Millville 60 Plus Community Group	100 %
Lot Building 8464 Brooklyn St North Kentville	PID # 55047641 AAN # 03187861	Meadowview Development Association	100 %

Land Fellowship Hall 10 Prospect Rd Morristown	PID # 55124325 AAN # 03323978	Morristown Community Club	100 %
Lot NCC-1 Fellowship Hall 413 Victoria Rd Nicholsville	PID # 55103360 AAN # 03508374	Nicholsville Community Club	100 %
Land Fellowship Hall 5961 Hwy 1 Cambridge	PID # 55157812 AAN # 00597821	Cambridge Community Centre	100 %
Land Buildings 1015 Maple St Waterville	PID # 55162994 AAN # 04828097	Waterville Recreation Club	100 %
Lot 1A 402 Windermere Rd Windermere	PID # 55144075 AAN # 04978668	Windermere Community Club	100 %
Land Fellowship Hall 1458 Bishopville Rd Bishopville	PID # 55216204 AAN # 00334057	Bishopville Daisy Club Trustees of	100 %
Land Fellowship Hall 2833 Lovett Rd Coldbrook	PID # 55159891 AAN # 00839124	Coldbrook Recreation Comm	100 %
Land Fellowship Hall 4528 Prospect Rd North Alton	PID # 55195838 AAN # 03538419	North Alton Community Hall	100 %
Land Fellowship Hall 3992 Highway 12 South Alton	PID # 55195440 AAN # 04373022	South Alton Community Association	100 %
Land Fellowship Hall 106 Greenwich Rd Greenwich	PID # 55194435 AAN # 01809814	Greenwich Community Center	100 %
Land 1211 Gospel Rd Glenmont	PID # 55012173 AAN # 01726889	Glenmont Hillcrest Club	100 %
Land 5796 Highway 358 Scots Bay	PID # 55014484 AAN # 04206053	Scotts Bay Community Hall Assoc	100 %
Land 2176 Prospect Rd South Waterville	PID # 55168629 AAN # 04364015	South Waterville Community Hall	100 %
Land Fellowship Hall 2940 Prospect Rd Prospect	PID # 55165922 AAN # 03830357	Prospect Community Hall	100 %
Land Fellowship Hall 989 Deep Hollow Rd Black River	PID # 55188197 AAN # 00337692	Black River Community Club	100 %
Fellowship Halls 2806 Greenfield Rd Gaspereau	PID # 55218218 AAN # 00890006	Gaspereau Community Centre Trustees of	100 %
Land 59 English Mountain Rd Canaan	PID # 55181689 AAN # 04990943	Canaan Community Club Association	100 %
Lot SMCA-1 98 Black Hole Rd Sheffield	PID # 55021422 AAN# 04241703	Sheffield Mills Community Association	100 %
Land Sports Park 792 Meadowvale Rd Tremont	PID # 55104525 AAN # 04876695	Western Kings Community Club	100 %

Land Fellowship Hall 204 Hutchinson Rd Lockhartville	PID # 55226039 AAN # 00889768	Lockhartville Community Hall	100 %
Land 2739 Pereau Rd White Water	PID # 55019822 AAN # 04685377	Canadian Sunday School Mission Truth for Youth Bible Society	100 %
Land Fellowship Hall 4320 Brooklyn St Somerset	PID # 55074207 AAN # 04370406	Somerset Community Hall	100 %
Land Fellowship Hall 588 Victoria Dr Kingston	PID # 55121735 AAN # 03037037	Markland Lodge 99 A F & AM	100 %
Land 1290 Victoria Rd Aylesford	PID # 55092688 AAN # 01892568	Harmony Lodge 52 AF & AM	100 %
Land 4158 Highway 1 South Berwick	PID # 55141295 AAN # 04373049	South Berwick Community Club	100 %
Fellowship Hall Steadman Road Billtown	PID # 55042212 AAN # 05195691	Apple Valley Riders	100 %
Land 1684 Victoria Rd Dempseys Corner	PID # 55090997 AAN # 05555957	Dempsey Corner Community Hall	100 %
Land 13893 Hwy 1 Hants Border	PID # 55235741 AAN # 05605407	Hants Border Community Club	100 %
Land 4078 Black Rock Rd Whites Corner	PID # 55068266 AAN # 00337943	Jolly Workers of Black Rock	100 %
Land Dwelling 377 White Rock Rd Canaan	PID # 55323455 AAN # 00092584	Annapolis Valley Shooting Sports Club	100 %
Land Hall 1599 Baxters Harbour Rd Baxters Harbour	PID # 55011001 AAN # 04717988	Baxters Harbour Community Association	100 %
Land French Cross Rd Morden	PID # 55324941 AAN # 08132682	Morden Community Association	100 %
Land Morden Rd Morden	PID # 55450902 AAN # 09429085	Morden Community Association	100%
Land 1152 Hwy 12 Murphy Lake	PID # 55175129 AAN # 00357405	Blue Mountain Field Day Association	100 %
Land Treatment Fac 1040 Meadowvale Rd East Tremont	PID # 55105969 AAN # 03399788	Greenwood Water Utility	40%
Lions Hall Auburn	PID # 55116255 AAN # 00163783	Aylesford District Lions Club	100%
Land Fellowship Hall 1000 Seminary Ave Canning	PID # 55007231 AAN # 00650889	Canning District Lions Club	100 %
Lot 3 Fellowship Hall Garage 1482 Veterans Lane Kingston	PID # 55121917 AAN # 02565056	Lions Club of Kingston	100%

Land Bigelow St Canning	PID # 55301451 AAN # 08126879	Canning District Lions Club	100%
Land Seminary Ave Canning	PID # 55019970 AAN # 03567753	Canning District Lions Club	100%
Land Bigelow St Canning	PID # 55301444 AAN # 08126860	Canning District Lions Club	100%
Land Building 9806 Main Street Canning	PID#55016448 PID#55003305 AAN#02154749 AAN#02154706	Canning Library and Heritage Centre	100%
Lot Building 5687 Hwy # 1 Cambridge	PID # 55158505 AAN # 05885191	Plank Industries	100%
Lot Building 177 Middle Dyke Rd Kentville	PID # 55031147 AAN # 05283248	Valley Search and Rescue	100%
Lot Building 5324 Hwy # 1 Waterville	PID # 55159404 AAN # 03399699	Hadassah House Society	100%
Land Fellowship Hall 3201 Long Point Road Harbourville	PID # 55095434 AAN # 04718119	United Church of Canada (Trustees of)	100%

Schedule C



# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject:** Amendments to Schedule A of By-Law 93, Private Road Maintenance Charge By-Law (First Reading)

**From:** Financial Services

**Date:** July 4, 2017

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### **Background**

Section 81 of the MGA gives the Municipality the authority to impose charges for the purpose of maintaining private roads where the cost is incurred under an agreement between the Municipality and an applicant. Specific recommendations are included below relating to charges from road associations.

### **Discussion**

The private road maintenance fee does not continue automatically from year to year. An application must be submitted each year for the continuation of the rate with the requirement for the rate outlined in By-Law 93. All applications from the Road Associations have included the necessary documents required under the By-Law. Table 1 reflects the charges by area for the prior year (2016/17) and the recommended charges for 2017/18.

**Table 1 - Road Maintenance Fees**

<b>Area</b>	<b>2016/17 rate</b>	<b>Proposed 2017/18 rate</b>
Tupper Lake - Seasonal residents	232.00	232.00
Tupper Lake - Permanent residents	660.00	660.00
Murphy Lake - Seasonal residents	350.00	350.00
Murphy Lake - Permanent residents	495.00	495.00
Aylescott Village - Lot with Dwelling	100.00	175.00
Aylescott Village - Vacant Lot	40.00	50.00
Aylescott Village - Permanent Dwelling	0.00	350.00
North Lake Paul	100.00	100.00
Armstrong Lake - Lot with Dwelling	224.00	264.00
Armstrong Lake - Vacant Lot	75.00	88.00
Gooseneck Road Association	200.00	200.00
West Lake Torment - Developed Lots	150.00	150.00
West Lake Torment - Undeveloped Lots	75.00	75.00
Nature Haven Road - Permanent resident	500.00	500.00
Nature Haven Road - Seasonal resident	250.00	250.00
Nature Haven Road - Vacant Lot	50.00	50.00
Loon Lake Drive	200.00	200.00

Sunrise Ridge Property Owners Permanent Dwelling	600.00	600.00
Sunrise Ridge Property Owners Seasonal Dwelling	450.00	450.00
Sunrise Ridge Property Owners Seasonal Lot	300.00	300.00
Sunrise Ridge Property Owners Vacant Lot	150.00	150.00
South Side Mack Lake - Lot	0.00	200.00
South Side Mack Lake - Undeveloped Lot	0.00	50.00

**Financial Impact**

The road maintenance fees are set to raise the necessary funds for external organizations for the purpose of maintaining private roads. The Municipality levies and collects the funds on behalf of the organizations. There is no direct impact on the Municipality’s operating budget; however, the Municipality does impose the 4% administrative fee to offset its costs.

Please see below for the amendments made to Schedule “A” of By-Law 93, Private Road Maintenance Charge By-Law.

**Recommendation:**

**BE IT RESOLVED that Council give First Reading to amendments to Schedule A of By-Law 93, being the Private Road Maintenance Charge By-Law of the Municipality of the County of Kings, as attached to the July 4, 2017 Council agenda.**

# MUNICIPALITY OF THE COUNTY OF KINGS



**For By-Law information contact the Municipal Clerk**

Tel: (902) 678-6141 Fax: (902) 678-9279 E-mail: [municipalclerk@countyofkings.ca](mailto:municipalclerk@countyofkings.ca)

## BY-LAW # 93

### PRIVATE ROAD MAINTENANCE CHARGE BY-LAW

#### **Policy Statement**

Private road maintenance will ensure the safety and long-term serviceability of roads shared by private land-owners. Road maintenance includes all work required to maintain the road in a serviceable condition year round. The Municipality will consider entering into an agreement with a community organization to provide a means for collecting charges for the maintenance of private roads.

#### **1.0 Definitions**

**Administration Fee:** means an administration fee of 4% which shall be charged by the Municipality to offset the costs involved in billing, collecting and administering the private road maintenance charge.

**Applicant:** means a community organization incorporated pursuant to the Societies Act, R.S.N.S., c.435, which submits an application for a private road maintenance charge.

**Municipality:** means Municipality of the County of Kings

**Owner:** means an owner of land as defined in the Municipal Government Act.

**Private road:** means a road that is not public and requires maintenance to ensure continuing safe access for residents and emergency vehicles.

**Resident Owner:** means an Owner who is not a Seasonal Owner.

**Seasonal Owner:** means an Owner who lives in a secondary residence not intended for year round occupancy nor occupied for greater than six months per year.

#### **2.0 Authority**

2.0 Pursuant to section 81 of the *Municipal Government Act*, the Municipality has the authority to impose, fix and provide methods for the enforcement of charges for the purpose of maintaining private roads, curbs, sidewalks, gutters, bridges, culverts, and retaining walls that are associated with private roads, where the cost is incurred under an agreement between the Municipality and an Applicant.

#### **3.0 Private Road Maintenance Charge Application**

3.1 An Application for the establishment or continuation of a private road maintenance charge shall be submitted to the Municipal Director of Corporate Services by an Applicant.

3.2 The Application for the establishment of a charge shall:

- I. Provide evidence of the Applicant's good standing under the *Societies Act*.
- II. Define the area to which the charge is to apply with sufficient clarity to allow for proper implementation of the charge for billing purposes.
- III. Include a budget in support of the charge, including the Administration Fee, and also include the Applicant's financial statements for its preceding fiscal year.
- IV. The method of calculating the charge, which may include different charges for seasonal use of lots as opposed to year-round use of lots, and different charges for lots with and without a residence located on them, and different charges for different types of uses of lots.
- V. Be submitted prior to May 1<sup>st</sup> of the fiscal year to which the charge applies.
- VI. Be accompanied by an agreement to perform the maintenance, in the form approved by the Municipality, and executed by the Applicant.

3.3 Public Meeting

- 3.3.1 Prior to the submission of an Application, an Applicant shall call a public meeting of all Owners of land which may be subject to the private road maintenance charge. This meeting must be held prior to March 1<sup>st</sup> in each year.
- 3.3.2 Notice of said meeting shall be posted in no fewer than 5 conspicuous places in the area to which the charge is to be applied, no less than 14 days prior to the meeting. Notice of the meeting will also be made through direct mail to all Owners of land which may be subject to the private road maintenance charge.

The notice shall contain:

- I. The date, time and location of the public meeting
  - II. The name of the Applicant
  - III. The charge requested in the Application
  - IV. The area to which the charge applies
  - V. That the Owners are entitled to a vote (limited to one vote per lot)
  - VI. The methods of voting
- 3.3.3 Notice to an Owner who does not live year-round on a lot, or to multiple Owners of one lot, shall be sent by post to the address used for the Property Tax Bill.
  - 3.3.4 The public meeting will be conducted by the Applicant. The Applicant will keep a register of Owners, recording Owners' names and addresses and lots owned by the Owners within the area to which the charge will apply.

- 3.3.5 The Applicant will make a presentation to the meeting, which will outline the reasons for and purposes of a private road maintenance charge and the amount of and the method of calculating the suggested charge, and present a budget.
- 3.3.6 Following the Applicant's presentation to the meeting, support for the charge shall be determined by majority vote of the Owners present at the meeting. Proxy voting, telephone voting, and electronic voting or other reasonable means of voting as determined by the meeting will be allowed for those Owners unable to attend the meeting in person. Each Owner shall have one vote for each lot they own, limited to one vote per lot if there are multiple Owners of one lot.

#### **4.0 Annual Application**

- 4.1 Applications must be submitted annually if an Applicant wants a charge to continue into the next fiscal year of the Municipality. Charges are not automatically renewed.

#### **5.0 Responsibility of the Municipality**

- 5.1 The Municipality limits its involvement in the private road maintenance to the administration of the charge. The Municipality will not provide engineering advice or technical assistance for the private road maintenance. The Director of Corporate Services is authorized to execute an agreement entered into with an Applicant for the maintenance of private roads.

#### **6.0 Private Road Maintenance Charges**

- 6.1 Every Owner of land which is located within a private road maintenance area described in Schedule "A" attached to and forming part of this Bylaw shall pay the private road maintenance charge applicable to said area as set out in Schedule "A".
- 6.2 All charges under this By-law shall be due and payable from the date they are assessed.
- 6.3 The Director of Corporate Services shall notify Owners liable for the charge of the charge and the account payable by either mailing notice by regular post to the last known address of such Owners or by posting it on the property in respect of which the charge is levied.
- 6.4 All charges remaining unpaid for more than thirty days subsequent to being due and payable shall bear interest at the same rate as charged by the Municipality for unpaid rates and taxes.
- 6.5 All charges and interest thereon shall be a first lien on the property in respect of which such is payable.

#### **7.0 Effect**

This Bylaw shall take effect upon publication.

SCHEDULE ASchedule of Charges

- a) The Tupper Lake Road Maintenance Area is defined as all properties located on Tupper Lake Road, Lakeside Drive, Point Drive, Lake Drive and Welton Court. The Municipality will:
  - a) Transfer to the Tupper Lake Property Owners Association and charges to the area defined as Tupper Lake District the amount requested by the residents at a public meeting held on August 13, 2016.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 on each dwelling unit as follows:
    - a. Seasonal residents \$ 232.00
    - b. Permanent residents \$ 660.00
- b) That the Murphy Lake Road Maintenance Area is defined as all properties on Murphy Lake Road. The Municipality will:
  - a) Transfer to the Murphy Lake Road Owners Association and charges to the area defined as Murphy Lake Road District the amount requested by the residents at a public meeting held on March 29, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 on each dwelling unit as follows:
    - a. Seasonal residents \$ 350.00
    - b. Permanent residents \$ 495.00
- c) The Aylescott Village Road Maintenance Area is defined as all properties located at Aylesford Lake on Yacht Club Road, Maple Drive, Sunrise Trail, Village Road, Loon Lane, Hilltop Lane, Aspen Drive, plus properties identified as PIDs 55177414 and 5519406. The Municipality will:
  - a) Transfer to the Aylescott Village Lot Owners Association and charges to the area defined as Aylescott Village Lot Owners District the amount requested by the residents at a public meeting held on July 30, 2016
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:
    - a. Lot with Dwelling \$ 175.00
    - b. Vacant Lot \$ 50.00
    - c. Permanent Dwelling \$ 350.00
- d) The North Lake Paul Road Maintenance Area is defined as all properties on North Lake Paul Road, Serenity Lane and Raven Crest Road. The Municipality will:
  - a) Transfers to the North Lake Paul Lot Owners Association and charges to the area defined as North Lake Paul Road District the amount requested by the residents at a public meeting held on June 18, 2016
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:
    - \$ 100.00 per property

- e) The Armstrong Lake Road Maintenance Area is defined as being lots numbered 2 thru 68 situated on Lakecrest Drive and Birth Point Road in Armstrong Village at Armstrong Lake, plus five additional properties whose boundaries border on or in Armstrong Lake and whose owners use the common right of way connecting Lakecrest Drive to the public road known as Lakeview Road. The Municipality will:
- a) Transfer to the Armstrong Lake Road Owners Association and charges to the area defined as Armstrong Lake District the amount requested by the residents at a public meeting held on August 6, 2016.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:
    - a. Lot with Dwelling \$ 264.00
    - b. Vacant Lot \$ 88.00
- f) The Gooseneck Road Maintenance Area is defined as being the private portions of Black River Road, Cove Road and Oak Hill Road at Black River Lake. The Municipality will:
- a) Transfer to the Gooseneck Road Association and charges to the area defined as the private portion of Black River Road, Cove Road, and Oak Hill Road at Black River Lake the amount requested by the residents at a public meeting held on February 25, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:  
\$200.00 per Lot
- g) The West Lake Torment Property Owners Association Area is defined as being all properties on Lakeside Drive, Torment Spur, Hillcrest Road and Forest Drive excluding PID 55132716 & PID 55132724. The Municipality will:
- a) Transfer to the West Lake Torment Property Owners Association and charges to the area defined as West Lake Torment District the amount requested by the residents at a public meeting held on June 5, 2016.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:
    - a. Developed Lots \$ 150.00
    - b. Undeveloped Lots \$ 75.00
- h) The Nature Haven Road Association is defined as being properties on Natures Haven Road beginning with PID 55126866 and extending to PID 55126767 and PID 55126510 located on Nature Haven Road. The Municipality will:
- a) Transfer to the Nature Haven Road Association and charges to the area defined as Nature Haven Road Association District the amount requested by the residents at a public meeting held on October 5, 2016.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:
    - a) Permanent Residents \$ 500.00
    - b) Seasonal Residents \$ 250.00
    - c) Vacant Lot \$ 50.00

- i) The Loon Lake Drive Property Owners Association is defined as all properties on Loon Lake Drive excluding PID 55338081. The Municipality will:
  - a) Transfer to the Loon Lake Drive Property Owners Association and charges to the area defined as Loon Lake Drive District the amount requested by the residents at a public meeting held on April 15, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:
    - a) \$200.00 per property
  
- j) The Sunrise Ridge Property Owners Association is defined as all properties on Sunrise Ridge, Spruce Drive, and Birch Lane in the Sunrise Ridge Development excluding PID 55336564. PID 55336374, PID 55336366, PID 55336572 and PID 55336630. The Municipality will:
  - c) Transfer to the Sunrise Ridge Property Owners Association and charges to the area defined as Sunrise Ridge District the amount requested by the residents at a public meeting held on July 23, 2016
  - d) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:
    - Permanent Dwelling \$ 600.00
    - Seasonal Dwelling \$450.00
    - Seasonal Lot \$300.00
    - Vacant Lot \$150.00
  
- k) The South Side Mack Lake Property Owners Association is defined as all properties on Stoddart Drive to Easy Street, Easy Street, Stoddart Lane and Pine Point Road. The lot numbers being, 3 – 7, 9 -27, 36, 37, 40 and 121. The Municipality will:
  - e) Transfer to the South Side Mack Lake Property Owners Association and charges to the area defined as South Side Mack Lake District the amount requested by the residents at a public meeting held on September 11, 2016
  - f) Approve the levying of a uniform charge for the year ended March 31, 2018 as follows:
    - Lot \$ 200.00
    - Undeveloped Lot \$ 50.00

#### History of this By-law

- Enacted - February 4, 2009
- Amended - August 3, 2010
- August 2, 2011
- July 3, 2012
- July 30, 2013
- July, 2014
- July 2015
- July 2016
- July 2017



# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject:** 2017/18 Area Rates

**From:** Financial Services

**Date:** July 4, 2017

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### **Background**

Each year Council is requested to approve the levying of area rates for fire departments, fire protection rates (hydrant rates), and uniform charges for recreation rates. Section 75 of the MGA gives Council the authority to recover the rate on the assessed value of the property or as a uniform charge on each property or dwelling unit in the area. Specific recommendations are included below relating to levying requirements from Fire Departments and Recreation Associations.

### **Discussion**

An area rate does not continue automatically from year to year. An application must be submitted each year for the continuation of the rate with the requirements for the rate outlined in the Policy Statement approved by Council. Appendix A reflects the charges by area for the prior year (2016/17) and the recommended charges for 2017/18.

### **Fire & Recreation Rates**

Recreation Groups and Fire Departments may apply to the Municipality to levy and collect area rates on their behalf. Each organization must hold a public meeting with support for the proposed area rate determined by majority vote of the ratepayers present and voting at the meeting.

### **Fire Protection Rates (Hydrant Rates)**

The Nova Scotia Utility and Review Board requires the Municipality of Kings to make a contribution to fund the operations of a Water Utility. This contribution is used to fund the hydrant costs incurred by the Utility. The hydrant charges are recovered by a special "Fire Protection" area rate that the Municipality of Kings levies on all properties that are located within 1,000 feet of a hydrant.

An area rate does not continue automatically from year to year. An application must be submitted each year for the continuation of the rate with the requirements for the rate outlined in the Policy Statement approved by Council. Appendix A reflects the charges by area for the prior year (2016/17) and the recommended charges for 2017/18.

### **Financial Impact**

The Fire and Recreation Area rates are set to raise the necessary funds for external organizations. The Municipality levies and collects the funds on behalf of the external organizations. There is no direct impact on the Municipality's operating budget; however, the Municipality does impose the 4% administrative fee to offset its costs.

### **Recommendation**

**BE IT RESOLVED that Municipal Council approve the levying, collection and remittance of Area Rates as shown in Appendix 1 - Area Rates 2017/18 as attached to the report dated July 4, 2017.**

## Appendix 1 - Area Rates 2017/18

### Recreation Rates

Approve the levying, collection and remittance of a uniform charge for the year ending March 31, 2018 on each dwelling unit assessed on the Assessment Roll in the said area.

Area	2016/17 rate/dwlg	Proposed 2017/18 rate/dwlg
Canning Recreation	25.00	25.00
Greenwich Recreation	25.00	25.00
Fox Hill Recreation	60.00	60.00
Coldbrook Recreation	20.00	20.00
Canaan Heights Recreation	100.00	100.00
Centreville Recreation	20.00	20.00

### Fire Area Rates

Approve the levying, collection and remittance of an area rate for the year ending March 31, 2018 on each \$100 of the assessed value of commercial, resource, residential property assessed on the Assessment Roll in the said area.

Area	2016/17 rate/\$100	Proposed 2017/18 rate/\$100
New Minas Fire	.0425	.0425
Greenwich Fire	.06	.06
Wolfville Fire	.06	.051
Halls Harbour Fire	.05	.05
Waterville & District Fire	.065	.065
Aylesford & District Fire Outside	.05	.05
Aylesford & District Fire	.05	.05
Kentville Fire	.0279	.0303
W/C/G Fire	.10	.10
Kingston Fire	.06	.06
Berwick Fire	.08	.08
Canning Fire	.09	.09
Hantsport Fire	.00	.0319

### Fire Protection Rate (Hydrant) Area Rate

Approve the levying collection and remittance of an area rate for the year ended March 31, 2018 on each \$100 of the assessed value on all assessable property within or a portion of which is within 1,000 feet of a fire hydrant that is property of a Water Utility.

Area	2016/17 rate/\$100	Proposed 2017/18 rate/\$100
Greenwood Hydrant	.17	.151
North Kentville Hydrant	.083	.083
Hants Border Hydrant	.075	.09
Canning Hydrant	.08	.102
Greenwich Hydrant	.05	.071

**RECOMMENDATIONS FROM  
COMMITTEE OF THE WHOLE  
June 20, 2017**

a.	Community Grant Applications	That Council approve funding to the Community Grant Organizations in the total amount of \$426,472 as outlined in the report attached to the June 20, 2017 Committee of the Whole agenda with contingencies of all regulatory conditions being met as outlined.
b.	Village of Greenwood Loan Guarantee	That Council approve the Guarantee Resolution for the Village of Greenwood to borrow up to \$600,000 for sidewalk construction.
c.	Relationships with New MLAs & Provincial Government	<p>That Municipal Council:</p> <ol style="list-style-type: none"> <li>1. Direct the Mayor to write a letter to Premier Stephen McNeil to: <ol style="list-style-type: none"> <li>a. Congratulate him on his personal re-election and the election of his Party as the Government of Nova Scotia;</li> <li>b. Identify key files that are of significant importance to Kings County and where appropriate request his commitment/position; With copies to each of the local MLAs.</li> </ol> </li> <li>2. Direct the Mayor to write each of the re-elected MLAs to: <ol style="list-style-type: none"> <li>a. Congratulate them on their victories;</li> <li>b. Identify key files that are of significant importance to Kings County and where appropriate request their commitment/position;</li> <li>c. Request their attendance at a Councillor/MLA Meeting at a future COTW (or Council) Meeting at a time to be mutually agreed to.</li> <li>d. Discuss setting up a regular forum for Council and the MLAs to meet.</li> </ol> </li> </ol>
d.	Kings Youth Council Terms of Reference	That the Kings Youth Council's Terms of Reference be amended to reflect that the first meeting of the Youth Council shall be held no later than November 30, 2017.

# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO COUNCIL

**Subject: Budget & Finance Committee Recommendation**

**Date: June 19, 2017**

<b>BF-1</b>	<b>Budget &amp; Finance Work Plan</b>	Be it resolved that <b>Council direct the CAO</b> to review with the Management Team the work plan as attached to the July 4, 2017 Council agenda to assist in identifying priorities and bring a suggested work plan back to the Budget and Finance Committee for consideration and recommendation to Council.
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**Suggested Strategies and Agenda Items for  
Budget and Finance Committee Work Plan**

**June 19, 2017**

**Item:**

1. **Rationalize chargeback recovery formulas for provision of Services to other organizations and Municipalities** - Kings County provide specialty services to and on behalf of other entities including information Technology Services, Inspection Services, etc.
2. **Review of County Rates and Fees** - Fees and charges should be structured to conform with clearly established principles of the policy and should be reviewed from time to time to ensure that they are achieving policy objectives.
3. **Review Budget Development Process** - The budgets for the County must be developed based on strategic direction, objectives, environmental influences as considered by Council if it is to meet the needs and aspirations of this County and its People.
4. **Review of Program Expenditures for Gas Tax Spending** - Our program should be designed to maximize our taxpayers benefit.
5. **Review of County use of Federal Infrastructure Program** - Traditionally, this funding has been most often directed to water and sewer projects. There are many other areas of need where this money can also be utilized to result in a more balanced distribution of benefits to our citizens.
6. **Sidewalk Program Funding** - Establish a fair, open and transparent program to ensure that the needs for sidewalk construction, rehabilitation, reconstruction and maintenance are met in accordance with County Policy.
7. **Grants Policy** - Develop/redevelop policy for the efficient, transparent and consistent operation of the County's various Grant Programs.
8. **Development of a Cyclical Audit Program for the various programs of the County** - Audits and other specified reviews (other than the financial statements audit) are a tool available to Management for the review, validation and improvements of the financial accounting and management practices and policies of the County. They can have a focus to evaluate the compliance with existing programs, policies and practices. They can also have a focus to evaluate the effectiveness of programs and policies towards the meeting of County Objectives.
9. **Compliance audit or specified program review of the County's Procurement Process** - The County spends much of its discretionary budget through the procurement process.

# ROTARY CLUB OF KENTVILLE

SERVICE  
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P.O. BOX 85  
KENTVILLE, NOVA SCOTIA, CANADA B4N 3V9  
www.kentvillerotary.org



June 19, 2017

Mr. Peter Muttart - Mayor  
Municipality of the County of Kings  
87 Cornwallis Street  
Kentville, Nova Scotia

Dear Mr. Muttart

On behalf of Kentville Rotary (Host Club) and the District 7820 Conference Committee we wish to thank you and express how grateful we are for your financial contribution by the Municipality of the County of Kings.

Your contribution supported the quality keynote speakers, work-shop leaders, and Rotary Youth Program we facilitated for our visiting delegates from the Atlantic Region.

Thank you for helping Rotary move "Boldly Forward" in our future work in our local communities and worldwide.

Sincerely,

Two handwritten signatures in blue ink. The first signature is on the left and the second is on the right.

Pierre Hoebers and Brian Smith – Co-chairs District Conference 2017

Cc/District Governor Elva Heyge

# Canada 150



904 Central Ave, PO Box 1068  
Greenwood NS B0P 1N0  
902-765-8788  
villageoffice@greenwood.ns.ca

Dear Mayor Muttart,

As a follow-up to our letter of December 12, 2016, the multi-community committee for Canada 150 celebrations in Greenwood invites you and your families to attend our festivities to celebrate Canada together, July 1<sup>st</sup>, 2017. Our celebration is called *Canada 150: Before & Beyond*, recognising centuries of contributions to our country, and celebrating a future of endless possibilities.

We would very much appreciate having you attend all events, and request in particular that you be our honoured guests for the arrival of the small historical procession and opening ceremony. We would also like to have you share a *few* words of celebration. Please meet us at the soccer field bleachers on the Civic Field by 11:00am. If you are able to stay a while longer, we'd love to have you help serve the birthday cake, too! Please note that part of Central Avenue will be closed between 10:30 and 11:30am.

Attached is a schedule of events and a poster for the celebration. Please feel free to print and post them, to help us with advertising. This year's day-long event represents the culmination of months of preparation by volunteers representing twenty-two different communities, organisations, associations, and churches.

We are grateful to *Nova Scotia 150 Forward* and *Celebrate Canada* for their generous support, and to local businesses and associations for their very kind contributions to our all-inclusive endeavour.

The four themes of this year's national sesquicentennial festivities are diversity and inclusion, reconciliation, youth, and the environment. By honouring these themes here in Greenwood we hope to develop a stronger sense of community belonging, for everyone. This celebration represents the union of diverse groups within our country and our region. Moving forward through the next 150 years, we are stronger together.

Please RSVP Marian Elsworth at the village office and let us know who is coming with you.

Celebrating Canada together,

Heather Parker  
Greenwood Commissioner,  
Chair, Canada 150 Committee





Greenwood, Harmony, Kingston and Wilmot  
invite you to celebrate

# CANADA DAY 2017

Civic Field, 904 Central Ave, Greenwood, Nova Scotia



**CANADA 150**  
BEFORE & BEYOND

## HAPPY BIRTHDAY

Wear your most incredible Canada Day Costume!

**ALL ACTIVITIES ARE FREE**

*Thank you to local associations,  
organisations, churches and businesses  
for their contributions to our community*



Canada

For further information, to  
donate, or to volunteer:

[villageoffice@greenwoodns.ca](mailto:villageoffice@greenwoodns.ca)

902-765-8788



GreenwoodCanadaDay

## Schedule of Events



7:30-9:00am Flag-raising & Breakfast  
@the Kingston Legion

Greenwood Civic Field: times may vary

8:00-9:30am Fun Run & Walk

10am-3:00pm Artisan Market

10:30am Historical Procession  
Baker's Corner to Civic Field

11:30am Human Flag Formation

11:45am Opening Ceremony

12-2:30pm BBQ Lunch

12:30pm Canada 150 Birthday Cake

12:30-1:45pm 14 Wing Band

12:30-5:30pm Invitational Cruise-In

1pm-10pm Sobey's #ChairShare  
& Cold Treats

1-2pm; 3-4:00pm Soccer Matches  
(Youth vs Adult)

1:00-5:00pm Children's Corner  
Face Painting  
Balloon Animals  
Canada Colouring Pages

2:00-7:00pm Lemonade & Sweets

2:00-8:00pm Bounce Kingdom

2:00-3:00pm Canada Trivia--Youth  
3:00-4:00pm Canada Trivia--Adult

4:00-5:00pm BMX Cool Riders

5:00-7pm Chicken BBQ \$8

6:00-8pm Live Entertainment  
Jelyne Samson  
Frank Dobbin & Friends

8:00-10:00pm **Kevin Davison**

10:00pm

**SPECTACULAR FIREWORKS!**

·Respect our children: no smoking, \* toking, vaping, alcohol or drugs on Civic Grounds · Respect your pets: leave them home

\*A designated smoking/vaping area is located behind the Village Civic Building



CANADA 150

Greenwood, Harmony, Kingston & Wilmot invite you to celebrate

# CANADA 150: BEFORE & BEYOND

Featuring Canadian Country Music Artist  
**Kevin Davison**

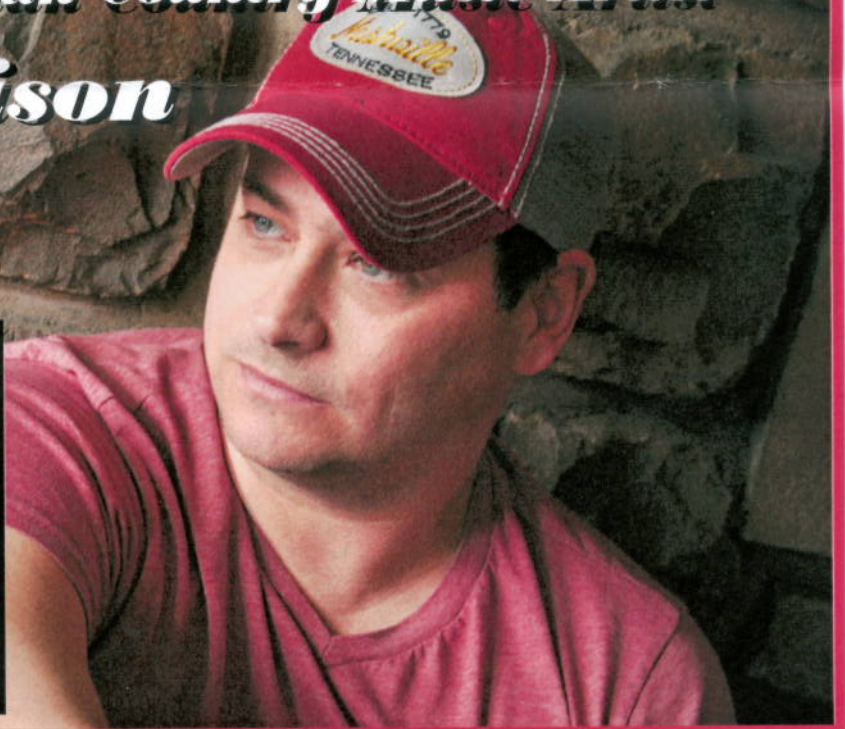
With special guests...



Frank Dobbins



Jelyne Samson



**Saturday, July 1<sup>st</sup> 2017 7:30am – 10:00pm**

**Greenwood Civic Field - 904 Central Ave**

7:30-9:00am	Flag Raising and Breakfast @ Kingston Legion	12:30-1:45pm	14 Wing Band	2:00-8:00pm	Bounce Kingdom
8:00am	Greenwood: Fun Run & Walk	12:30-5:30pm	Invitational Cruise-In	2:00-3:00pm	Canada Trivia-Youth
10:00-3:00pm	Artisan Market	1:00-10:00pm	Sobeys#ChairShare&ColdTreats	3:00-4:00pm	Canada Trivia-Adult
10:30am	Historical Procession Baker's Corner to Civic Field	1:00-5:00pm	Children's Corner Face Painting Balloon Animals Canada Colouring Pages	4:00-5:00pm	BMX Cool Riders
11:30am	Human Flag Formation	1:00-2:00pm	Soccer Matches (Youth vs Adult)	5:00-7:00pm	Chicken BBQ (\$8.00)
11:45am	Opening Ceremony	3:00-4:00pm	Lemonade & Sweets	6:00-8pm	<b>Live Entertainment:</b> Jelyne Samson Frank Dobbins & Friends
12:00-2:30pm	BBQ Lunch	2:00-7:00pm		8:00-10:00pm	<b>Kevin Davison</b>
12:30pm	Canada 150 Birthday Cake			10:00pm	<b>Spectacular Fireworks</b>



*Wear your most incredible Canada Day Costume!*



## All activities are free

# SPECTACULAR FIREWORKS @ 10pm !

Thank you to local associations, organisations, churches and businesses for their contributions to our community



GreenwoodCanadaDay

For further information, to donate, or to volunteer:

villageoffice@greenwoodns.ca 902-765-8788



Respect our children: no smoking,\* toking, vaping, alcohol or drugs on Civic Grounds - Respect your pets: leave them home  
\*A designated smoking/vaping area is located behind the Village Civic Building

June 22, 2017

**RE: Valley Regional Enterprise Network 2017-18 Business Plan**

**Please share with your Mayor and Council**

Dear Rick Ramsay

The Valley REN is delighted to present to you, Mayor Muttart and the Kings County Council copies of our 2017-18 Business Plan.

Highlights from our first quarter of 2017-18, include:

- Launching the “Invest in Annapolis Valley” interactive map, a first step in a campaign to attract investment to the region
- Hosting a Start-up ecosystem round table in partnership with Innovacorp, to build capacity within the IT start-up community
- Completing the Business Survey, providing a wealth of knowledge about the business climate to support evidence based decision making
- Commissioning a map of the Annapolis Valley in partnership with the Annapolis Valley Chamber of Commerce enabling tourists to navigate our region (expect to be completed late June/early July)
- Hosting IT and Sustainable Energy sector table meetings to report on advances to the priorities set out at the December workshop and identify new initiatives to advance the sector to ensure businesses are supported and positioned to grow.
- Hosting a Manufacturer’s Exchange in partnership with Excellence in Manufacturing Consortium to share challenges and solutions around the topic of transportation of goods
- Hosting a “Buy Local Foods” panel with guest Peter Smith, and in partnership with Farmworks, exploring opportunities to grow this movement in our region, helping locally produced foods businesses

Please visit our website and social media pages to learn more about these and other activities.

Sincerely



Kelly RM Ells, CEO

Valley Regional Enterprise Network



# Clean Annapolis River Project

314 St. George Street  
P.O. Box 395 Annapolis Royal, NS  
B0S 1A0

Toll Free: 1-888-547-4344  
Phone: 902-532-7533  
Fax: 902-532-3038



Municipality of the County of Kings  
PO Box 100  
87 Cornwallis Street  
Kentville NS  
B4N 3W3

June 5, 2017

Dear Mayor and Councilors,

We are writing you on behalf of Clean Annapolis River Project in order to invite you to participate in achieving our organization's mission to restore and enhance the ecological health of the Annapolis River watershed through science, leadership, and community engagement.

Clean Annapolis River Project is a charitable, non-profit organization established in 1990 that strives to facilitate a science-based, integrated, watershed-scale approach to ecological management. As such, we recognize that there are many stakeholders and decision makers, including municipal governments, businesses, industry, and individuals whose needs, priorities, and expertise must contribute to a shared strategy and approach that ensures our collective resources and environment are well managed for all generations.

In an effort to build a board of directors that is representative of the population and interests in the Annapolis River watershed, whose origins are the Caribou Bogs in Kings County, we wish to request that you consider appointing a representative to CARP's board of directors from among your council members. We believe that CARP, Kings County, and the residents of the Annapolis River watershed stand to benefit from a strengthened relationship, and enhanced collaboration between our organizations.

Respectfully,

Murray Freeman  
President

Levi Cliche  
Executive Director



June 19, 2017

Council of the Municipality of the County of Kings  
P.O. Box, 100, 87 Cornwallis Street  
Kentville, NS  
B4N 3W3

**Re: FOLEAZE PARK SUB-DIVISION ROADS**

Dear Mayor and Councilors,

We are residents of Foleaze Park and as you know, have been trying to have our three roads resurfaced under The Provincial/ Municipal Cost Sharing Agreement for J-Class Roads. We very much appreciate all the hard work that has gone into the Proposed New Policy – J-Class Road Priority List (The Report) dated June 20, 2017.

We continue to believe that our roads at 40+ years of age are almost 20 years past their “best before date” by DTIR standards and need to be resurfaced ASAP. Throughout the process of working with MOK staff and councilors and the DTIR, we have found the rules, guidelines, criteria and process very difficult to understand. With this in mind, the draft New Policy is a very good step in the direction of clarity. We do however find both with the DTIR and this draft New Policy, that residents who are trying to understand why their roads are not being cared for, need more clarity in how their roads are evaluated both by DTIR and MOK. They need to know not only what the survey and evaluation results are but also what each data point means. Within the New Policy, we have confusion with the methodology in Paragraphs 5.1 and 5.2 on pages 2, 3 and 4 of the draft Policy and would appreciate if you could find answers to the following questions:

Reference: Paragraph 5.1 Step 1: “The Manager will reclassify...per Section 5.2 of this policy.”

- Question 1: There may be many cases where there is no need to reclassify; should “will” read “may”?
- Question 2: The sentence as is appears to imply that all roads initially placed in the High Priority cohort due to DTIR data will be reclassified to a lower cohort unless saved by the Manager and paragraph 5.2. Is this correct?
- Question 3: The EPW staff is “to evaluate all roads eligible for resurfacing” then the Manager will use the results to “reclassify”. Given that The Report of June 20, 2017 calls for “transparent methodology” and “provide clearer and more transparent guidelines”, would it be possible to outline the criteria parameters the EPW staff and Manager will use to evaluate and reclassify the roads prior to applying 5.2?
- Question 4: What does paragraph 5.2 c) ii mean and how will it affect reclassification of a road?

Question 5: What does paragraph 5.2 c) iii mean and how will it affect reclassification of a road?

Thank you for your consideration.

Best regards,

Roger Bennett  
Lesley Sweet  
Greg Foley  
For the residents of Foleaze Park

**From:** [glengary@ns.sympatico.ca](mailto:glengary@ns.sympatico.ca) [<mailto:glengary@ns.sympatico.ca>]  
**Sent:** Friday, June 23, 2017 1:20 PM  
**To:** Councillors  
**Subject:** Greenwood paving

**Paving Glengary Row should be a priority.**

The last time it was paved was 1972 with a low grade paving. (45 years).

Glengary Row is main travel road in this S/D as it is the main route from Robie, Magee, Brittany, William, & Tufts, going to Kingston. This area contains approx. 93 houses.

Attached is a set of 4 photos to indicate:

Glengary is too narrow for 2 vehicles to pass without moving off the paved surface.  
Without sidewalks people with strollers and youngsters must travel on the road.  
School Buses travel it daily.

Since most of the traffic from the S/D traveling to or from Kingston, travels via Glengary and Neily.

I propose instead of doing William St which is in the back part of the S/D with little traffic,

Pave Neilly from Bridge to Glengary and Glengary to Tufts Ave.  
William St and Neilly to Aldred can be done at a later date.

This change should not increase the overall cost.

Sincerely  
Fred Tappen  
574 Glengary Row  
Greenwood, NS  
902 765-2421





Greenwich, NS  
June 18, 2017

Dear Mayor and Councillors:

When PAC met last Tuesday there was no mention of upcoming meetings regarding the draft MPS although the question of upcoming meetings on the subject was specifically asked. In the days following two meetings have suddenly materialized, the first a workshop for PAC and Council this coming Tuesday, the second a special PAC meeting to plan the public information sessions for the MPS. I hope this does not indicate a sudden fast tracking of the MPS review process with the draft document as it stands now.

Before these meetings take place I want to repeat my concern that the current draft MPS document is unworthy of public discussion. In previous letters I have made clear my view this document is deeply flawed insofar as the protection of agricultural land is concerned. I went into some detail of why I have reached this conclusion...the ill-conceived policies and the weak and contradictory language which will fail to adequately protect our farmland resource from permanent losses.

I know am not alone in my objection. In several letters and in their 2015 Position Paper on land use policy in Kings, the Kings County Federation of Agriculture, the organization which represents Kings County farmers who actually own the bulk of the County's land, spoke forcefully for protecting our agricultural resource. Their most recent letter states:

Throughout the process of creating a new Municipal Planning Strategy ("MPS") for our municipality, individual farmers and the Board of the Kings County Federation of Agriculture ("KCFA") have contributed effort and ideas to ensure that agricultural land is protected as completely as possible from unnecessary loss to residential or other uses that would prevent farming from taking place now or into the future.

Upon review of the draft MPS it appears, that in general, the feedback provided through the KCFA's 2015 position paper (which is attached for your reference) was not reflected in the latest revisions to the draft MPS. Nor does it appear that the consensus view of farmers to protect our farmland and the future of food security of our region, as expressed at the Kings 2050 agricultural forum and through individual submissions, were taken into consideration.

In December 2016, Dr. David Connell of the University of Northern British Columbia made two presentations regarding his study of agricultural land protection frameworks across Canada. These presentations were made at the annual general meeting of the Nova Scotia Federation of Agriculture in Truro, and again at the Municipality of Kings("MOK") building in Kentville. Included in his study was a detailed analysis of the 1979 MOK MPS which was praised for its original and ground-breaking work in agricultural land protection at that time.

In the interest of creating the best MPS and related Land Use By-laws (“LUB”) possible, the Board of the KCFA respectfully requests that the MOK Council consult with Dr. Connell to analyze the current draft MPS /LUB to identify weaknesses and strengths and to recommend improvements that will preserve agricultural land, and ultimately the future of food security and economic prosperity for generations to come.

Echoing KCFA's request, I implore Council to try and hire this expert in the field of agricultural land protection to analyze and recommend improvements to the document prior to the proceeding with the MPS process. Who better could there be, and why would we not call on the expertise of Dr. Connell to ensure we get our new MPS right? (I note that during the creation of the draft MPS the planning department hired experts on the subject of wind power. It seems to me that our agricultural land, the greatest of our resources, is worthy of expert advice.)

In conclusion, my suggestion to Council at this time is to first hire this expert in agricultural land protection, then to direct staff to rewrite the draft with a serious intent to protect our agricultural resource in the forefront, before proceeding to the public information sessions and other stages of the new MPS process.

Sincerely,  
Tom Cosman, PAC Citizen member

cc  
CAO  
Manager of Community Development  
PAC Citizen Members