

**MUNICIPALITY OF THE COUNTY OF KINGS**

**SPECIAL COUNCIL**

**July 26, 2018**

**AGENDA**

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

1. Roll Call 00:00
2. Approval of Agenda 01:10 Page 1
3. Approval of Minutes Page 2
  - a. July 11, 2018 Special Council 01:50 Page 2
  - b. July 17, 2018 Special Council 02:27 Page 4
4. Business Arising from Minutes Page 2
  - a. July 11, 2018 Special Council None Page 2
  - b. July 17, 2018 Special Council None Page 4
5. Planning Item Page 9
  - a. Application for a development agreement to permit tourist accommodations, tourist cabins and an event venue at 440 Canaan Road, Nicholasville (File 18-03) 03:25
6. Development Services Page 22
  - a. Hearing re: Appeal of the Decision of the Development Officer to Approve a Site Plan Agreement - Northview Drive, Waterville, PID 55504260 04:58
7. Administration Page 34
  - a. Proposed Non-Unionized Employee Vacation Policy HR-06-017 19:56
8. Engineering and Public Works, Lands and Parks Services Page 38
  - a. Proposed Amendments to By-law 98: Wastewater Sewer (Second Reading) 23:55
9. Financial Services Page 51
  - a. Proposed Amendments to By-law 93: Private Road Maintenance Charge (Second Reading) 25:23 Page 51
  - b. Valley Region Solid Waste Resource Management Authority Budget 2018/19 27:19 Page 58
10. Councillor Item Page 71
  - a. Proposed Motion re: Municipality of Shelburne's Letter on Offshore Oil and Gas Exploration 43:02
11. Correspondence 62:02 Page 72
  - a. 2018-07-11 Kings Regional Rehabilitation Centre Annual Report 2017-18 (click [here](#)) Page 72
  - b. 2018-07-12 École Rose-des-Vents Thank You Page 73
  - c. 2018-07-17 Annapolis Valley Regional Library Annual Report 2017-2018 (click [here](#)) Page 75
12. Other Business:
  - Retirement of Kings Regional Rehabilitation Centre CEO 62:56
  - Grand View Manor Transfer to New Entity 63:52
13. Comments from the Public None
14. Adjourn to move in camera re: contractual matter 64:20

**SPECIAL COUNCIL  
July 11, 2018  
MINUTES**

**Meeting Date  
and Time**

A Special Meeting of Council was held on Wednesday, July 11, 2018 at 9:00 am in the Council Chambers, Municipal Complex, Kentville, NS.

**1. Attendance**

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:

- Scott Conrod, Chief Administrative Officer
- Rob Frost, Deputy Chief Administrative Officer
- Janny Postema, Municipal Clerk/Recording Secretary

**2. Move into Closed Session  
per *Municipal Government  
Act* Section 22 (2) (e)  
Contractual Matter**

**On motion of Councillor Spicer and Councillor Allen, that Council move into closed session in accordance with Section 22 (2) (e) *Municipal Government Act* to discuss a contractual matter.**

**Motion Carried.**

***Results***

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

Council moved into closed session at 9:03 am.

**3. Return to Open Session**

Council returned to open session at 11:00 am.

**4. Adjournment**

**On motion of Councillor Hodges and Councillor Armstrong, there being no further business, the meeting adjourned at 11:00 am.**

**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 Peter Muttart

Janny Postema  
Municipal Clerk/Recording Secretary

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

**SPECIAL COUNCIL  
July 17, 2018  
MINUTES**

**Meeting Date  
and Time**

A Special Council Meeting was held on Tuesday, July 17, 2018 at 11:16 am in the Council Chambers, Municipal Complex, Kentville, NS.

**1. Attendance**

All Councillors were in attendance with the exception of Councillor Best.

***Results for Roll Call***

For 9  
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	-
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

Also in attendance were:

- Scott Conrod, Chief Administrative Officer
- Rob Frost, Deputy Chief Administrative Officer
- Scott Quinn, Director, EPW, Lands & Parks Services
- Wendy Salsman, Interim Director, Finance & IT
- Karen Kluska, Financial Analyst
- Janny Postema, Municipal Clerk/Recording Secretary

**2. [Approval of Agenda](#)**

**On motion of Councillor Hirtle and Councillor Spicer, that Municipal Council approve the July 17, 2018 agenda.**

**Motion Carried.**

***Results***

For 9  
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	-
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

**3. Approval of Minutes**

**3a. [July 3, 2018](#)**

**On motion of Councillor Hodges and Councillor Spicer, that the minutes of the Council meeting held on July 3, 2018 be approved.**

**Motion Carried.**

**Results**

For 9  
Against 0

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

4. **Business Arising from Minutes**

4a. [July 3, 2018](#)

Mayor Muttart reported that the Development agreement to permit tourist accommodations, tourist cabins and an event venue at 440 Canaan Road, Nicholasville would go to a Public Hearing and Council’s final consideration on July 26, 2018.

5. **Recommendations from Committee of the Whole July 17, 2018**

5a. [National Drowning Prevention Week Proclamation Request](#)

On motion of Councillor Hodges and Councillor Spicer, that July 15-21, 2018 be proclaimed ‘National Drowning Prevention Week’ in the Municipality of the County of Kings.

**Motion Carried.**

**Results**

For 9  
Against 0

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

5b. [Village of Cornwallis Square Loan Guarantee](#)

On motion of Councillor Hirtle and Councillor Armstrong, that Municipal Council approve the Guarantee Resolution for the Village of Cornwallis Square in the amount of \$650,000 as attached to the Request for Decision dated July 17, 2018.

**Motion Carried.**

**Results**

For 9  
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	-
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

5c. [Capital Investment Plan and Village Gas Tax Allocations](#)

On motion of Councillor Armstrong and Councillor Spicer, that Municipal Council approve the 2018/19 Gas Tax allocations and Gas Tax use for Village projects as included in Appendix A attached to the Request for Decision dated July 17, 2018.

**Motion Carried.**

*Results*

For 9  
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	-
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

On motion of Councillor Armstrong and Councillor Spicer, that Municipal Council approve the 2018/19 Five Year Capital Investment Plan attached to the Request for Decision dated July 17, 2018 as Appendix B.

**Motion Carried.**

*Results*

For 9  
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	-
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

5d. [2018 Village Sidewalk Funding](#)

On motion of Councillor Armstrong and Councillor Allen, that Municipal Council approve the prorated Village Sidewalk Funding Requests as shown in Appendix A attached to the Request for Decision dated July 17, 2018, which total \$51,300.

Motion Carried.

*Results*

For 9  
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	-
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

On motion of Councillor Hirtle and Deputy Mayor Lutz, that Municipal Council receive for information purposes the Village Sidewalk funding forecast for 2019/20 through 2022/23 as shown in Appendix B attached to the Request for Decision dated July 17, 2018.

Motion Carried.

*Results*

For 9  
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	-
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

6. **Other Business**

There was no other business to come before Council.

7. **Comments from the Public**

No members of the public were present.

8. **Adjournment**

On motion of Councillor Raven and Deputy Mayor Lutz, there being no further business, the meeting adjourned at 11:23 am.

Motion Carried.

*Results*

For 9  
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	-
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

**Approved by:**

Mayor Peter Muttart

Janny Postema  
Municipal Clerk/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 26, 2018**

A	<b>Application for a development agreement to permit tourist accommodations, tourist cabins and an event venue at 440 Canaan road, Nicholasville (File 18-03)</b>	<b>Be it resolved that Municipal Council give Final Consideration to enter into a development agreement to permit tourist commercial facilities and an event venue at 440 Canaan Road (PID 55526461), Nicholasville, which is substantively the same (save for minor differences in form) as the draft set out in Appendix E of the report dated June 15, 2018.</b>  <b><u>Report attached.</u></b>
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# THE MUNICIPALITY OF THE COUNTY OF KINGS

## REPORT TO MUNICIPAL COUNCIL

**Subject:**     **Public Hearing – Development Agreement**  
Application to enter into a development agreement to permit tourist accommodations, tourist cabins and an event venue at 440 Canaan Road, Nicholasville (PID 55526461) (File 18-03)

**From:**        Planning and Development Services

**Date:**         July 17th, 2018

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### **Background**

Michelle and Jason Dingwall have applied for a development agreement to permit tourist accommodations, tourist cabins and an event venue at 440 Canaan Road, Nicholasville. The proposed use includes up to 5 tourist cabins each with no more than two guest rooms, three guest rooms within the existing dwelling, and the use of an existing barn as an event venue.

The application and staff report were reviewed by the Planning Advisory Committee on June 15<sup>th</sup>, 2018. The Committee forwarded a positive recommendation to Council. On July 3<sup>rd</sup>, 2018 Council gave Initial Consideration to the proposed development agreement and forwarded it on to this Public Hearing. The proposed development agreement is attached as Appendix A.

### **Public Hearing**

At this Public Hearing members of the public have the opportunity to present opinions on the proposal directly to Municipal Council. Council is scheduled to consider approving the development agreement by giving it Final Consideration at the Municipal Council meeting immediately following this Public Hearing. If approved, a Notice of Passing will be published in the local paper, at which time a 14 day appeal period will begin.

THIS DEVELOPMENT AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2018

BETWEEN:

**JASON C. DINGWALL AND MICHELLE L. DINGWALL**, of Nicholsville, Nova Scotia, hereinafter called the "Property Owner"

of the First Part

and

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

of the Second Part

WHEREAS the Property Owner is the owner of certain lands and premises (hereinafter called the "Property") which lands are more particularly described in Schedule 'A' attached hereto and which are known as Property Identification (PID) Number 55526461; and

WHEREAS the Property Owner wishes to use the Property for tourism commercial and ancillary uses; and

WHEREAS the Property is situated within an area designated Forestry on the Future Land Use Map of the Municipal Planning Strategy, and zoned Forestry (F1); and

WHEREAS Policy 4.4.8.5 and Policy 6.3.2.1 of the Municipal Planning Strategy and Clause 5.4.1 of the Land Use Bylaw provide that the proposed use may be developed only if authorized by development agreement; and

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

WHEREAS the Municipality by resolution of Municipal Council passed at a meeting on \_\_\_\_\_, 2018, approved this Development Agreement;

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

## **PART 1 AGREEMENT CONTEXT**

### **1.1 Schedules**

The following attached schedules shall form part of this Agreement:

Schedule A	Property Description
Schedule B	Site Plan

## 1.2 Municipal Planning Strategy and Land Use Bylaw

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

## 1.3 Definitions

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

- (a) *Development Officer* means the Development Officer appointed by the Council of the Municipality.
- (b) *Development Envelope* means the portion of the Property within which the development may take place.
- (c) *Indoor Event Venue* means an indoor location for the hosting of weddings, conferences, galas, and other similar events. Such a use may include a commercial kitchen serving such events. For greater clarity, this definition does not include a restaurant serving the traveling public.
- (d) *Tourist Cabin* means overnight accommodations within separate buildings servicing the travelling public.

## PART 2 DEVELOPMENT REQUIREMENTS

### 2.1 Site Plans

The Developer shall develop and use the lands in general conformance with the Site Plan attached as Schedules 'B' to this Agreement.

### 2.2 Use

2.2.1 The Property Owner's use of the Property shall be limited to:

- (a) those uses permitted by the underlying zoning in the Land Use Bylaw (as may be amended from time to time); and

- (b) tourist commercial uses wholly contained within the Development Envelope, consisting of one or more of the following uses and in accordance with the terms of this Agreement:
  - i. Tourist accommodations contained within the existing residential dwelling and containing no more than three (3) guest rooms;
  - ii. Up to five (5) Tourist Cabins. Each cabin may not exceed 500 square feet in size and shall contain no more than two guest rooms each. Cabins shall be located within the treeline south of the dwelling; and,
  - iii. An Indoor Event Venue that is wholly contained within the existing barn as identified on Schedule B - Site Plan. The existing barn may be expanded by as much as 50% of the existing building footprint to accommodate a commercial kitchen and bathrooms in the future.

2.2.2 Except as otherwise provided in this Agreement, the provisions of the Land Use Bylaw, as may be amended from time to time, apply to any development undertaken pursuant to this Agreement.

### **2.3 Signs**

- (a) The total sign area of a ground sign shall not exceed 12 square feet if single sided, and 24 square feet if double sided;
- (b) The total sign area of a facial sign shall not exceed 16 square feet;
- (c) The total sign area of a projecting sign shall not exceed 12 square feet;
- (d) The total number of signs on the property shall not exceed two;
- (e) Internally illuminated signs are prohibited; and
- (f) The Developer shall obtain a development permit from the Development Officer prior to the erection or installation of any sign.

### **2.4 Appearance of Property**

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

### **2.5 Lighting**

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

## **2.6 Parking**

The Developer shall meet the following criteria and standards for parking and shall locate all parking in general conformance with Schedule 'B':

- (a) Parking spaces shall be provided at the following rates:
  - a. one space for each guest room within the tourist accommodations;
  - b. one space for each guest room within each Tourist Cabin;
  - c. one space for every 60 (sixty) square feet of floor area for the Indoor Event Venue; and
  - d. one space for every employee, up to a total of 10 spaces.
- (b) The parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles.
- (c) Parking locations shall comply with the *National Building Code, Part 3, Fire Truck Access Route*.

## **2.7 Access and Egress**

- (a) Vehicle access and egress shall be in general conformance with Schedule 'B'.
- (b) The Property Owner must submit current permits from Nova Scotia Transportation and Infrastructure Renewal, or any successor body, before receiving any development or building permits for uses permitted by this Agreement.
- (c) Road access points shall comply with the *National Building Code, Part 3, Fire Truck Access Route*.

## **2.8 Architectural Design**

Construction and any subsequent alterations of a proposed structure or structures shall be constructed in a manner which is architecturally compatible with other buildings in the surrounding area. Construction of all buildings shall feature a pitched roof and use natural cladding materials including, but not limited to, wood, stone, stucco or brick.

## **2.9 Buffering**

The Property Owner shall provide buffering on the Property in the following locations:

- (a) the area located between the western property line in proximity to the parking area, being no less than 50 feet in width, shall be maintained in a natural vegetated state;

If vegetation acting as a buffer is destroyed or removed for any reason, including vegetation in the treeline area in proximity to the location of the tourist cabins, the Property Owner shall replace it with vegetation or an opaque fence. Replacement vegetation shall be at least four (4) feet in height and capable of growing to at least six (6) feet in height. A replacement fence shall have a height of 6 feet. The replacement shall be completed within 1 month.

## **2.10 Servicing**

- (a) The Property Owner shall be responsible for providing adequate water and sewage services to the standards of the authority having jurisdiction and at the Property Owner's expense.

## **2.11 Hours of Operation**

The hours of operation for the Indoor Event Venue permitted in Section 2.2.1 (b) iii. of this Agreement shall be between the hours of 7:00 am and 11:00 pm Sunday through Thursday, inclusive, except when a Sunday precedes a holiday Monday when the hours of operation shall be between the hours of 7:00 am and 12:00 am, inclusive. Hours of operation on Fridays and Saturdays shall be between the hours of 7:00 am and 12:00 am, inclusive.

## **2.12 Erosion and Sedimentation Control**

- (a) During any site preparation or construction of a structure or parking area, all exposed soil shall be stabilized immediately and all silt and sediment shall be contained within the site as required by the Municipal Specifications and according to the practices outlined in the Department of Environment *Erosion and Sedimentation Control Handbook for Construction*, or any successor documents, so as to effectively control erosion of the soil.

## **PART 3 CHANGES AND DISCHARGE**

- 3.1** The Property Owner shall not vary or change the use of the Property, except as provided for in Section 2.2, Use, of this Agreement, unless a new development agreement is entered into with the Municipality or this Agreement is amended.
- 3.2** Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed by Council without a public hearing.
- 3.3** The following matters are substantive matters:

- (a) Changes to the uses permitted on the property by Section 2.2 of this Agreement; and
- (b) Changes to or substitution of the Site Plan contained in Schedule 'B' of this Agreement.

**3.4** Upon conveyance of land by the Property Owner to either:

- (a) the road authority for the purpose of creating or expanding a public street over the Property; or
- (b) the Municipality for the purpose of creating or expanding open space within the Property;

registration of the deed reflecting the conveyance shall be conclusive evidence that that this Agreement shall be discharged as it relates to the public street or open space, as the case may be, as of the date of registration with the Land Registry Office but this Agreement shall remain in full force and effect for all remaining portions of the Property.

**3.5** Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council at the request of the Property Owner without a public hearing.

## **PART 4 IMPLEMENTATION**

### **4.1 Commencement of Operation**

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

### **4.2 Expiry Date**

- (a) The Property Owner shall sign this Agreement within 180 calendar days from the date the appeal period lapses or all appeals have been abandoned or disposed of or the development agreement has been affirmed by the Nova Scotia Utility and Review Board or the unexecuted Agreement shall be null and void.

## **PART 5 COMPLIANCE**

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

Nothing in this Agreement shall exempt the Property Owner from complying with Federal, Provincial and Municipal laws, bylaws and regulations in force or from



obtaining any Federal, Provincial, or Municipal license, permission, permit, authority or approval required thereunder.

## **5.2 Municipal Responsibility**

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

## **5.3 Warranties by Property Owner**

The Property Owner warrants as follows:

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

## **5.4 Costs**

The Property Owner is responsible for all costs associated with recording this Agreement in the Registry of Deeds or Land Registration Office, as applicable.

## **5.5 Full Agreement**

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

## **5.6 Severability of Provisions**

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

## **5.7 Interpretation**

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

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

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

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

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

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

**MUNICIPALITY OF THE COUNTY OF KINGS**

\_\_\_\_\_  
Witness

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

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Janny Postema, Municipal Clerk

SIGNED, SEALED AND DELIVERED  
In the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Jason C. Dingwall

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Michelle L. Dingwall

**Schedule 'A'**  
**Property Description**

*Copied from Property Online on May 14, 2018*

PID 55526461

All that lot of land situate at Nicholsville/Morristown, in the County of Kings, and Province of Nova Scotia, more particularly bounded and described as follows:

Beginning at a point on the south sideline of the Canaan Road, at the northeast corner of lands conveyed by Hilton Lutz to Phyllis Lutz, by deed dated March 6, 1996, and recorded in the Registry of Deeds for Kings County on March 11, 1996 in Book 1051 at Page 312 as Document number 1850;

Thence in a southerly direction along the east side line of lands of Phyllis Lutz, and lands conveyed by Nellie Lutz to Hilton Lutz by deed dated June 17, 2008 and recorded in the Registry of Deeds for Kings County on June 17, 2008, as Document number 90936841, a total distance of 1,100 feet;

Thence in an easterly direction, and parallel to the south sideline of the Canaan Road, a distance of 1,100 feet to a point;

Thence in an northerly direction, and parallel to the east sideline of lands of Hilton Lutz and Phyllis Lutz, a distance of 1,100 feet to the south sideline of the Canaan Road;

Thence in a westerly direction, along the south sideline of the Canaan Road, a distance of 1,100 feet to the point of Beginning. Containing 27.778 acres.

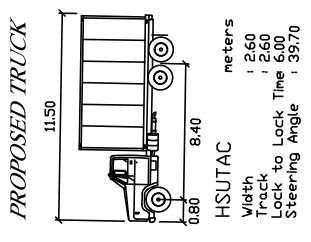
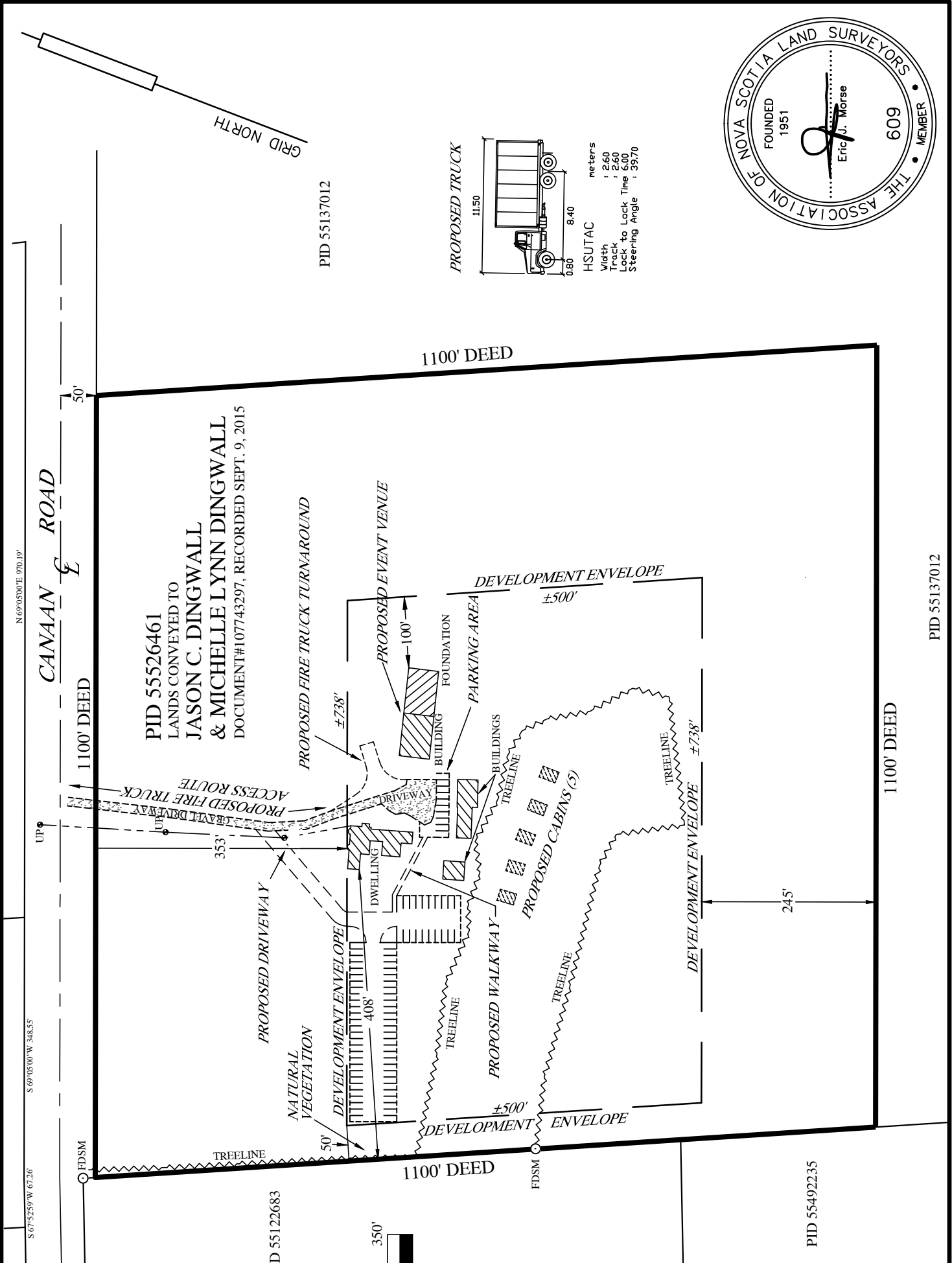
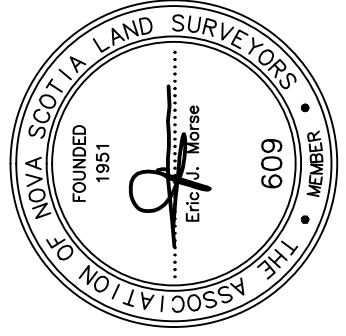
\*\*\* Municipal Government Act, Part IX Compliance \*\*\*

Exemption:

The parcel is exempted from subdivision approval under the Municipal Government Act because the parcel was created by a subdivision

Reason for exemption:

Clause 268(2)(a) where all lots to be created, including the remainder lot exceed ten hectares in area.



**SITE PLAN SHOWING**  
**PID 55526461**  
 LANDS CONVEYED TO  
**JASON C. DINGWALL**  
 & **MICHELE LYNN DINGWALL**  
 440 CANAAN ROAD  
 NICHOLSVILLE

**NOTES**  
 1. PARKING SPACES ARE 9' X 18'

SCALE 1" = 175'  
 175' 0' 175' 350'  
 FEET

DATE: JUNE 5, 2018  
 PLAN No. 2018-059 Rev2

**LEGEND**

SURVEY MARKER	.....SMO
IRON PIPE	.....IP O
WITNESS	.....WIT
FOUND	.....FD
UTILITY POLE	.....UP
OVERHEAD WIRES	.....OHW
NOT TO SCALE	.....
FIELD MEASUREMENT	.....F
PLAN MEASUREMENT	.....P
DEED MEASUREMENT	.....D

**DeWOLFE & MORSE**  
**SURVEYING LIMITED**  
 P. O. BOX 520  
 MIDDLETON  
 NOVA SCOTIA  
 BOS 1P0

PID 55122683

PID 55137012

PID 55492235

PID 5526461  
 LANDS CONVEYED TO  
**JASON C. DINGWALL**  
 & **MICHELE LYNN DINGWALL**  
 DOCUMENT#107743297, RECORDED SEPT. 9, 2015



# Municipality of the County of Kings

## Request for Decision

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**TO** Municipal Council

**PREPARED BY** Mandy Burgess, Development Officer

**MEETING DATE** July 26, 2018

**SUBJECT** Appeal of the Decision of the Development Officer to Approve a Site Plan Agreement - Northview Drive, Waterville, PID 55504260

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### **ORIGIN**

- Section 232 (3) *Municipal Government Act* requires Council to hear the appeal of a Site Plan Approval.
- This hearing is an independent item; there are no prior reports or motions on the item.
- Site Plan Agreement - Northview Drive, Waterville, PID 55504260.
- Appeal Letter from Shannon Graves received June 25, 2018.

### **RECOMMENDATION**

Council is to consider the appeal and must decide, based on the criteria laid out in the Land Use By-law, to either uphold the Development Officer's decision to approve the site plan agreement, with the following proposed motion:

**The appeal against the Development Officer's decision is unsuccessful and Council upholds the decision of the Development Officer to approve the site plan agreement for the development of a non-farm dwelling in the Agricultural (A1) Zone, submitted by Ervin and Doris Penner.**

OR

Council may overturn the Development Officer's decision to approve the site plan agreement. Staff have prepared the following motion for that outcome.

**The appeal against the Development Officer's decision is successful and Council overturns the decision of the Development Officer to approve the site plan agreement for the development of a non-farm dwelling in the Agricultural (A1) Zone submitted by Ervin and Doris Penner.**

### **BACKGROUND**

The subject property originates from a 1975 deed description. It has only recently been mapped as a separate parcel when the independent land description was discovered through the Land Registry's property migration process. For many years and still today, the property has been used in conjunction with an adjoining farming operation for cropland.

The lot configuration predates the regulations and lot standards of the Land Use By-law. The subject property is configured such that it has approximately 70 feet of frontage on Northview Drive, making the property a legally existing undersized lot based on frontage. The total area of the lot is approximately 2.3 acres. An approved driveway access permit from the Department of Transportation was provided as part of the application for site plan approval. An approved Municipal sewer permit has confirmed the property can be connected to the Municipality's central sewer system through the sewer main on Northview Drive.



# Municipality of the County of Kings

## Request for Decision

The subject property falls in the Agricultural (A1) Zone of the County of Kings Land Use By-law. The property is currently vacant and appears to have been used for hay production over the past number of years. The property is active CLI class 2/3 soils and has been in the ownership of the Penner family since 2016.

The minimum setback requirements in the Land Use By-law for a dwelling in the Agricultural (A1) Zone are 45 feet from the front lot line, 40 feet from the rear lot line and 20 feet from the side lot lines. On April 25, 2018, a variance of 10 feet from the required rear yard setback was granted, allowing the non-farm dwelling to be located 30 feet from the rear property line rather than the 40 feet as required in the Land Use By-law. As part of this process, notification of the approval was sent to neighbouring properties within 30 metres. The notification triggered some inquiries into the potential development, but the decision to grant the variance was not appealed.

A non-farm dwelling (containing one or two units) is a permitted use subject to conditions in the Agricultural (A1) Zone. The property must first meet one of the qualifiers contained in Section 11.1.8.1 of the Land Use By-law. Any non-farm dwelling permitted through one of the qualifiers is then subject to site plan approval prior to a Development Permit being granted.

### **DISCUSSION**

This lot, amongst others throughout the Municipality, is considered an existing undersized lot as the Agricultural (A1) Zone requires 100 feet of frontage. When adopting the current Land Use By-law, Council acknowledged that lots may have been created prior to the adoption of the 1992 Land Use By-law lot requirements and did not want to exclude these lots from development by nature of their dimensions and/or size. Therefore, Section 3.3.2 of the Land Use By-law permits lots created prior to May 5, 1992 having less than the minimum frontage or area or both required by the zone to be used for a purpose permitted in the zone provided all other applicable provisions in the Land Use By-law are satisfied.

In reviewing the lot in relation to its configuration and the minimum setback requirements, the property owner felt constrained and therefore requested a variance prior to requesting and negotiating site plan approval.

Properties in the Agricultural (A1) Zone which qualify for and develop a non-farm dwelling still maintain their right to use the property for an agricultural purpose such as cropping or the keeping of livestock.

As per section 11.1.8.1 of the Land Use By-law, lots in the Agricultural (A1) Zone whose boundaries have not been altered since August 1, 1994 may be used for the construction of a non-farm dwelling. This lot meets this qualifier, thereby allowing a non-farm dwelling to be developed subject to the site plan approval process.

The *Municipal Government Act* identifies guidelines under which a Land Use By-law may consider site plan approvals. A site plan approval is an agreement between the Municipality and the property owner, where items like site layout and site conditions are controlled. Some of the criteria are written into the agreement, while others are negotiated up front. In the Land Use By-law, site plan approvals in the Agricultural (A1) Zone are considered using the following criteria:

*11.1.8.3 Any non-farm dwellings permitted under Part 11.1.8.1 shall be permitted by site plan approval in accordance with the following criteria:*

- a. Dwellings are encouraged to locate as close to the front lot line as possible and shall be within 100 feet from the front lot line, unless restricted by topography or it is shown that the impact on agricultural lands is greater than if the dwelling was placed elsewhere.*



## Municipality of the County of Kings Request for Decision

*b. The lot, or portions of the lot, that is to be used for a residential use shall have, where necessary, vegetative buffering between it and surrounding croplands to minimize the spread of fertilizer, pesticides and other sprays, and to provide a visual and sound buffer. This shall be a consideration even where there is a common ownership of the lot in question and surrounding properties.*

*c. Any required vegetative buffer should include deciduous or coniferous trees that are a minimum of 4 feet tall at the time of planting and shall be no more than 30 feet apart. Existing vegetation may be deemed sufficient to meet the buffering criteria if it is clearly demonstrated that the existing vegetation provides an adequate visual, sound and spray buffer.*

*d. The dwelling shall not be within 600 feet of an existing intensive livestock operation or and intensive livestock operation that has received a development permit, with the exception of dwellings proposed to be developed on properties located within the Hortonville Historic Grid, defined as properties located east of Lower Grand Pre Road, north of Hwy 1, west of the Gaspereau River and its tributaries and south of the old railway line.*

*e. Written acknowledgement by the property owner that the dwelling is located in an agricultural area.*

As part of the evaluation process, Development Staff review the application using the above criteria as a guideline.

### ***a. Location of the Development Envelope***

The negotiated building envelope is located 45 feet from the front lot line consistent with the minimum required front yard setback. Further, the envelope is located towards one end of the property, potentially allowing the remaining portion of the property to continue to be used for agricultural purposes.

### ***b. Vegetative Buffer***

The site plan approval agreement identifies an area along the south-west property line where vegetation will be planted to buffer the residential use from surrounding agricultural uses.

### ***c. Standards for Vegetative Buffer***

As there is no existing vegetation between the property and surrounding agricultural uses, conditions requiring new vegetation have been included in the agreement. The vegetative buffer must include coniferous or deciduous trees that are a minimum of 4 feet tall at the time of planting and shall be planted no more than 30 feet apart.

### ***d. Distance from Intensive Livestock***

Property mapping indicates that the building envelope is greater than 600 feet from the nearest livestock operation.

### ***e. Acknowledgement of Agricultural Area***

An acknowledgement has been made in the agreement to ensure that the property owner is aware they are developing in an agricultural area. As such, the residents of the dwelling should expect agricultural uses to continue with no expectation of compromise from the farming use given the introduction of a residential use.

Given that the site plan application was compliant with the criteria, the site plan was approved on June 8, 2018 and Development Staff proceeded with the next step of notifying all property owners within 30 metres of the property boundary and identified the steps to appeal the decision of the Development Officer on the basis that the criteria of the Land Use By-law were not met. During the appeal period, 1 of the 10 notified property owners submitted an appeal of the site plan approval (see Appendix C).





# Municipality of the County of Kings

## Request for Decision

### **FINANCIAL IMPLICATIONS**

- There are no financial implications for the Municipality.

### **COMMUNITY ENGAGEMENT**

- Staff sent notification letters to the 10 property owners within 30 metres of the subject property as required in the *Municipal Government Act*.

### **ALTERNATIVES**

- There are no alternative outcomes to this hearing; Council must make a decision following the hearing.

### **IMPLEMENTATION**

- No further action will be required by Council following the decision. The decision of Council is final and cannot be appealed to the Utility and Review Board.

### **APPENDICES**

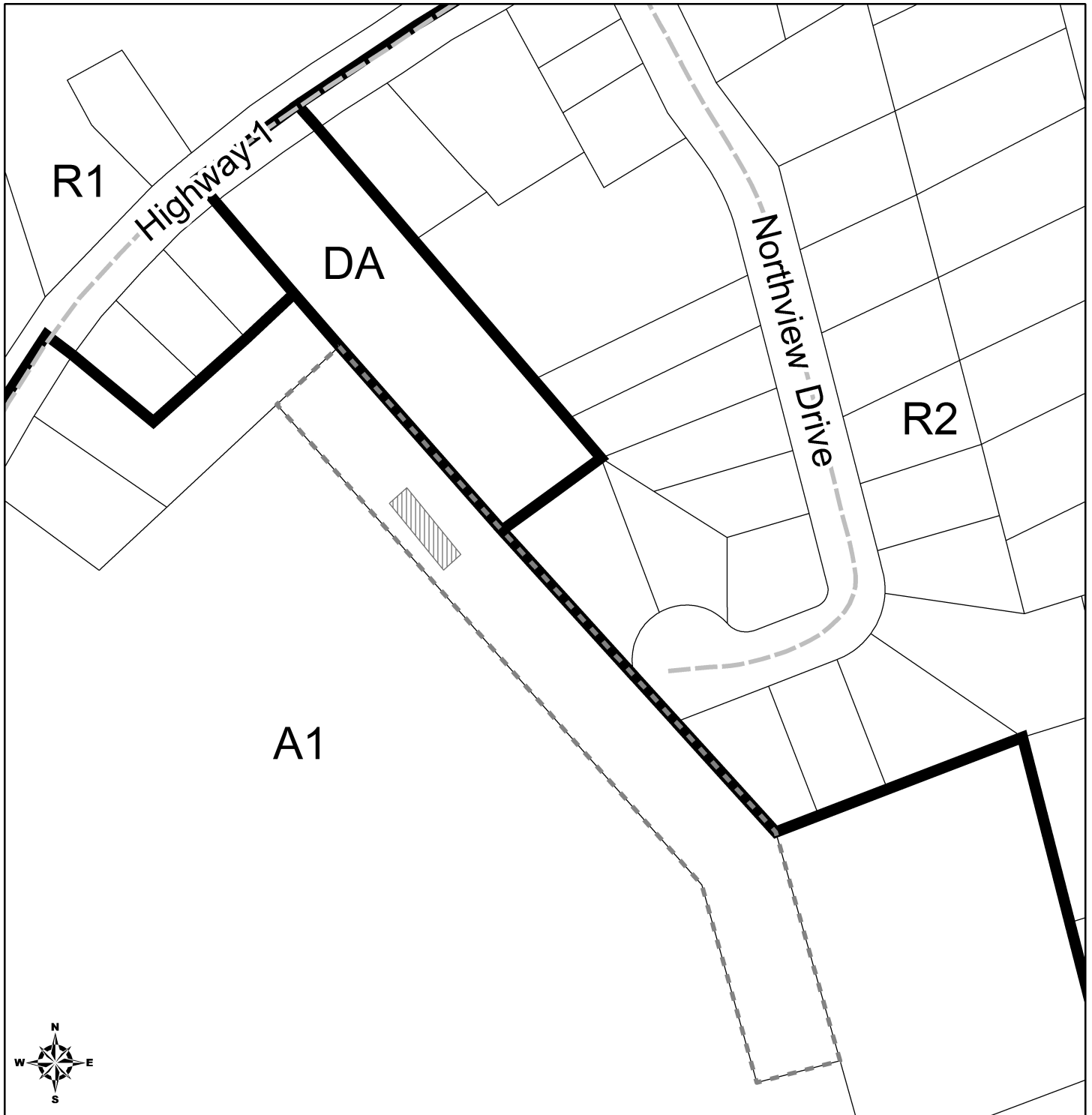
- Appendix A: Zoning Map of the Subject Property
- Appendix B: Site Plan Approval Agreement
- Appendix C: Appellant Letter

### **APPROVALS**

Laura Mosher, Manager of Planning and Development      Date: July 17, 2018

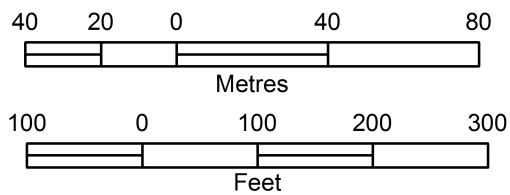
Trish Javorek, Director of Community Development      Date: July 19, 2018





Scott Conrod, Chief Administrative Officer      Date: July 19, 2018



### Site Plan Approval

#180007 - PID 55504260



-  Building Envelope
-  Subject Property
-  Water Feature
-  Zoning Boundary

### Zoning

- A1** Agricultural
- DA** Development Agreement
- R1** Residential Single Dwelling
- R2** Residential One and Two Unit

Source:  
 Digital NSPRD (2017), 1:50,000 Resource Map Series & 1:10,000 NSTDB - NS Geomatics Centre (2008) Zoning (2017) & Barn Locations (2017) - Municipality of Kings  
 Protected Soils: Digital 1:20,000 Soils - NS Dept. of Agriculture (1987) & Active Agriculture - Municipality of Kings/NS Dept of Agriculture (1999)

Appendix B

Site Plan Undertaking

We, Ervin R Penner and Doris Penner, of Waterville, Nova Scotia, being the owners of the lands known as PID 55504260, located at Northview Drive, Waterville, Nova Scotia, as shown on the Site Plan, hereby undertake to carry out the terms of the Site Plan with respect to any development of the lands; and to comply with the Land Use Bylaw. We understand that the development permit issued for development of the lands is subject to the Site Plan (Schedule A), the Terms and Conditions (Schedule B), and the Land Use Bylaw, and failure to comply with the Site Plan or Land Use Bylaw is an offence pursuant to the Municipal Government Act. We also understand that approval of the Site Plan does not imply compliance with the Building Code Act, Fire Safety Act, or any other legislation, and we understand that it is my sole obligation to ensure compliance with all legislation.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
ERVIN R PENNER  
OWNER

CANADA  
PROVINCE OF NOVA SCOTIA  
COUNTY OF KINGS

ON THIS \_\_\_\_ day of \_\_\_\_\_, A.D., 2018, before me, the subscriber personally came and appeared \_\_\_\_\_, a subscribing witness to the foregoing Indenture, who have been duly sworn, made oath and said that ERVIN R PENNER, a party thereto, signed, sealed and delivered the same in the presence of the said witness.

\_\_\_\_\_  
COMMISSIONER OF OATHS

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
DORIS PENNER  
OWNER

CANADA  
PROVINCE OF NOVA SCOTIA  
COUNTY OF KINGS

ON THIS \_\_\_\_ day of \_\_\_\_\_, A.D., 2018, before me, the subscriber personally came and appeared \_\_\_\_\_, a subscribing witness to the foregoing Indenture, who have been duly sworn, made oath and said that DORIS PENNER, a party thereto, signed, sealed and delivered the same in the presence of the said witness.

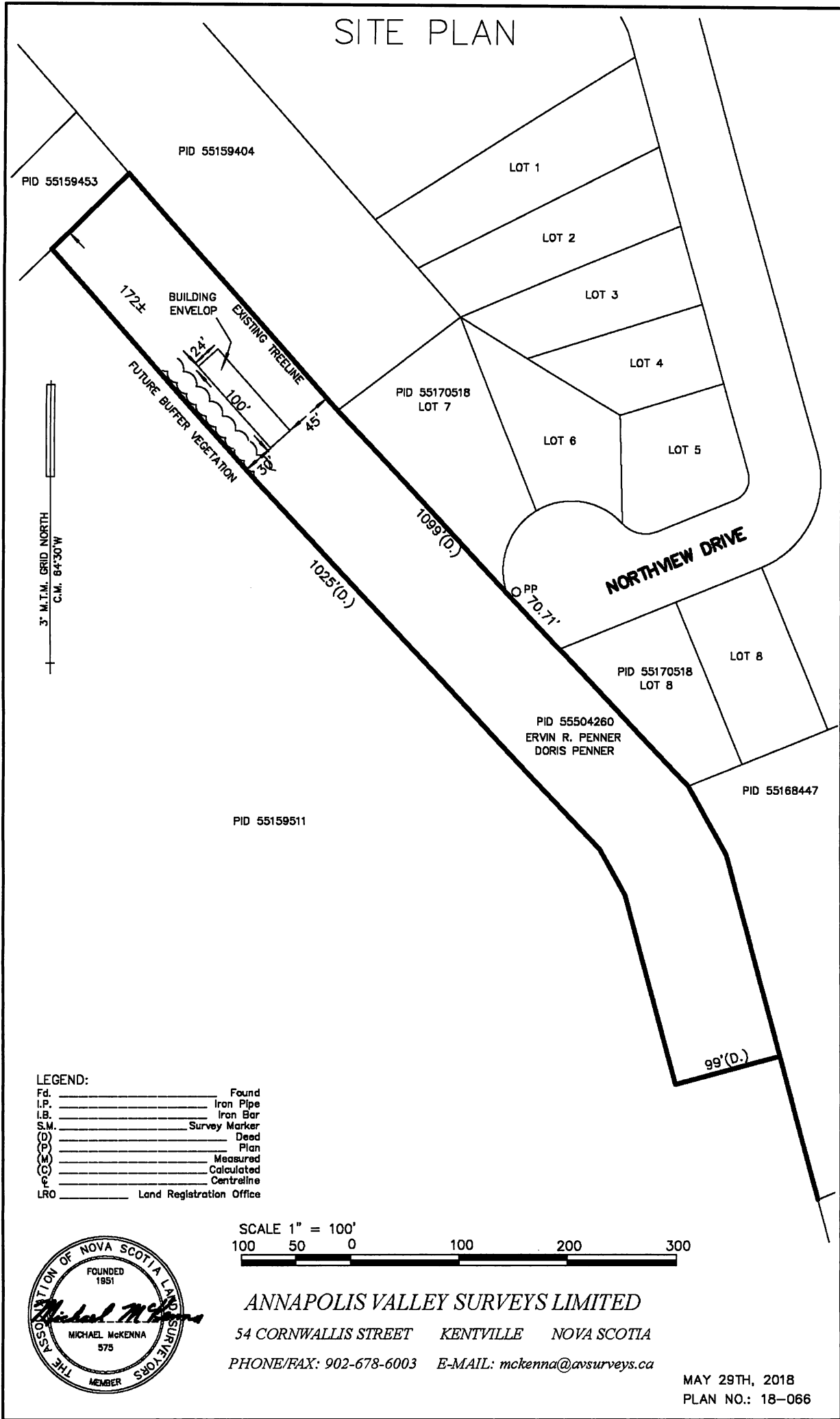
\_\_\_\_\_  
COMMISSIONER OF OATHS

I hereby approve this Site Plan pursuant to Municipal Government Act, s. 232.

Date: June 8, 2018

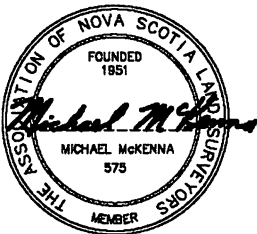
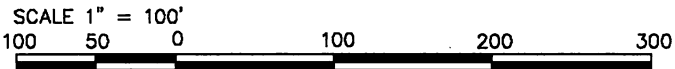
Mandy Burgess  
DEVELOPMENT OFFICER

Schedule "A" – Site Plan



LEGEND:

—	Found
—	Iron Pipe
—	Iron Bar
—	Survey Marker
—	Dead
—	Plan
—	Measured
—	Calculated
—	Centreline
—	Land Registration Office



**ANNAPOLIS VALLEY SURVEYS LIMITED**  
 54 CORNWALLIS STREET KENTVILLE NOVA SCOTIA  
 PHONE/FAX: 902-678-6003 E-MAIL: mckenna@avsurveys.ca

MAY 29TH, 2018  
 PLAN NO.: 18-066

Applicant Initials

## **Schedule "B" - Terms and Conditions**

Municipality of the County of Kings  
Site Plan for PID 55504260, Northview Drive, Waterville

The purpose of this Site Plan Agreement is to allow for a non-farm dwelling, not exceeding two (2) units, and accessory structures as provided for in Section 11.1.8.3 of the Municipality of the County of Kings Land Use Bylaw, as it is amended from time to time, located in the Agricultural (A1) Zone on the property identified as PID 55504260, Northview Drive, Waterville. The property owner agrees to construct and maintain the said development in accordance with the Site Plan and the following terms and conditions.

- 1.0 A non-farm dwelling, not exceeding two (2) units, may be constructed within the area shown as "Building Envelop" on the Site Plan provided.
- 2.0 All non-residential uses normally permitted in the A1 Zone are permitted in accordance with the requirements of the Land Use Bylaw as amended from time to time.
- 3.0 Accessory buildings normally permitted in the A1 Zone are permitted in accordance with the requirements of the Land Use Bylaw as amended from time to time.
- 4.0 The areas identified as "Future Buffer Vegetation" on the site plan shall serve as the vegetative buffer between the residential dwelling(s) and surrounding agricultural lands to the west. This area must include deciduous and/or coniferous trees, a minimum of four feet in height and be no more than thirty feet apart.
- 5.0 The property owners acknowledge that the dwelling permitted in section 1.0, above, is located in an agricultural area.
- 6.0 The property owners agree to construct and maintain the said development in accordance with the Site Plan.
- 7.0 Failure to comply with the Site Plan will constitute a breach of the Land Use Bylaw.
- 8.0 Any failure of the Municipality to insist upon strict enforcement of any requirement or conditions contained in this Site Plan shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this site plan.

\_\_\_\_\_  
**Applicant Initials**



June 24, 2018

King's County Municipal Council

Re: Appeal Site Plan Approval # 180007 – PID 55504260

My name is Shannon Graves . I live in a subdivision next to a farm in Waterville, which is directly adjacent to a strip of land on which the development of a non-farm dwelling has been proposed. I have had several discussions with the county's Development Officer about the usage of this property with regards to its impact on nearby residents of the subdivision. During our latest discussion, she informed me that the subject property is considered to be separate from the farm and is not permitted to be used in the farm's ongoing practices, especially with regards to heavy farm equipment/machinery.

On Saturday, June 23<sup>rd</sup>, baling of hay was taking place on the farm, including the severed strip of land, which is approximately 100 feet wide and is directly behind several properties in the subdivision.

If you refer to the photos enclosed, they clearly show farm activity taking place in close proximity to the subdivision, as can be seen near the community mailbox, as well as a row of trees, both of which are next to one of its' houses.

As a result, I feel compelled to lodge a complaint in the form of an appeal due to the obvious violation of land use bylaws with regards to the subject property.

I thank you for your time and consideration in this matter. Below please find my contact information.

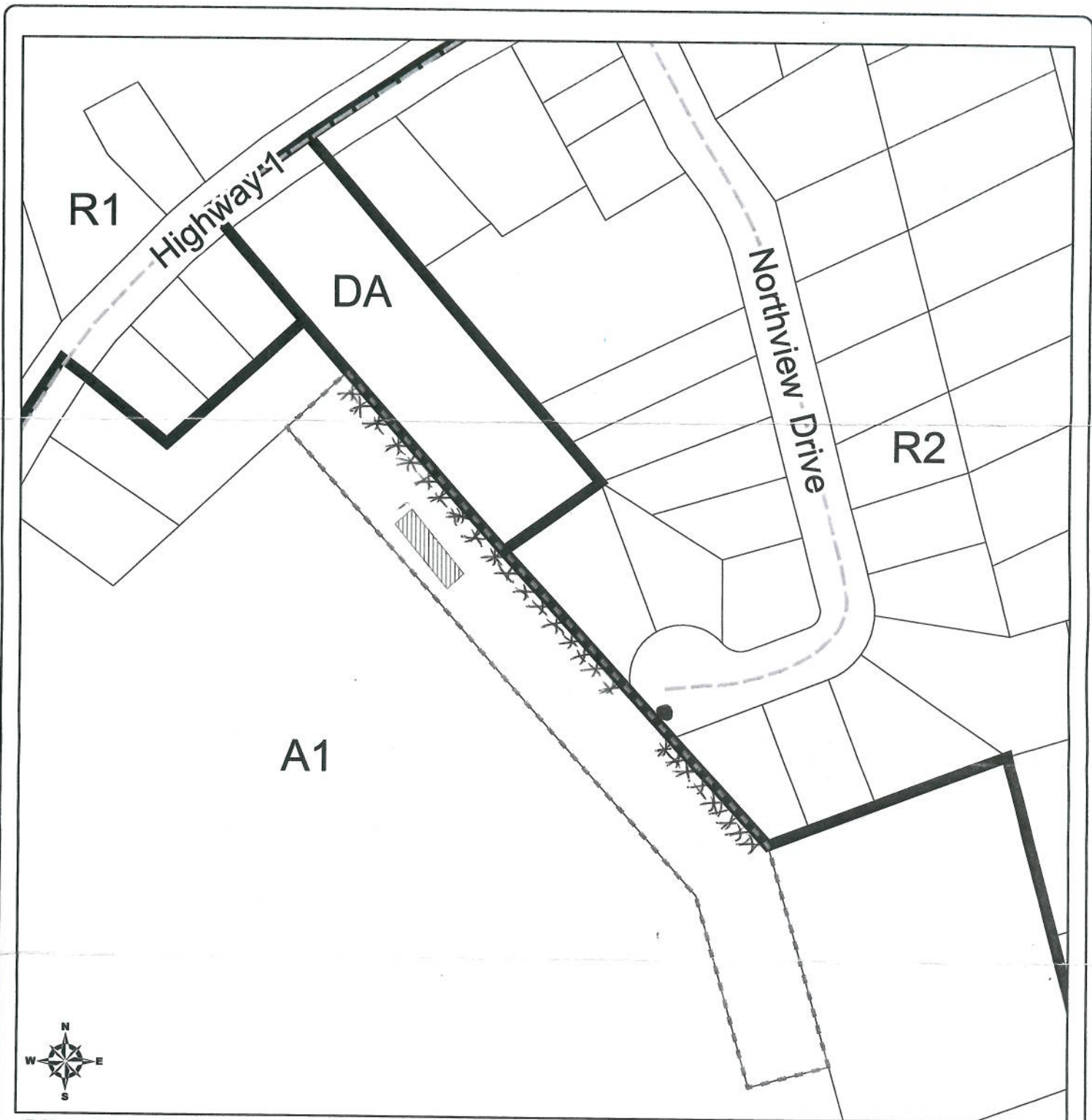


Address : 966 Northview Drive  
Waterville, N.S.  
B0P 1V0

Respectfully yours,

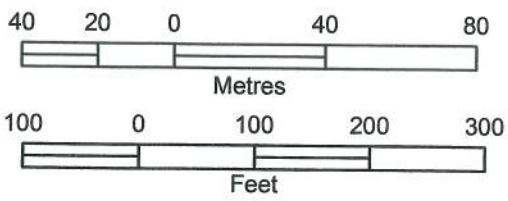
A handwritten signature in blue ink that reads "Shannon Graves".

Shannon Graves



### Site Plan Approval

#180007 - PID 55504260



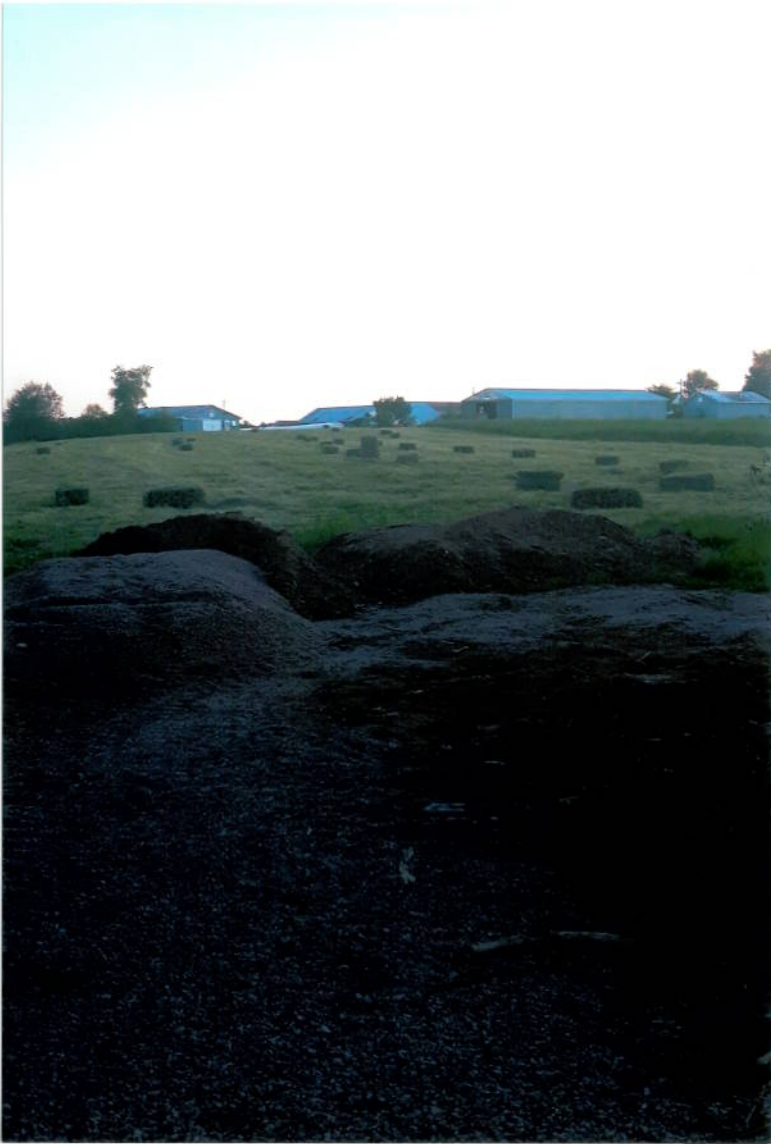
- Building Envelope
- Subject Property
- Water Feature
- Zoning Boundary
- Mailbox
- Trees

- #### Zoning
- A1** Agricultural
  - DA** Development Agreement
  - R1** Residential Single Dwelling
  - R2** Residential One and Two Unit

Source:  
 Digital NSPRD (2017), 1:50,000 Resource Map  
 Series & 1:10,000 NSTDB - NS Geomatics Centre (2008)  
 Zoning (2017) & Barn Locations (2017) - Municipality of Kings  
 Protected Soils: Digital 1:20,000 Soils - NS Dept. of  
 Agriculture (1987) & Active Agriculture - Municipality  
 of Kings/NS Dept of Agriculture (1999)









**MUNICIPALITY OF THE COUNTY OF KINGS**

**Non-Unionized Employee Vacation Policy**

<b>Creation Date</b>	March 2018	<b>Policy Category</b>	Human Resources
<b>Approval Date</b>	To be Determined	<b>Next Review Date</b>	Two years after approval
<b>Revision Date</b>	Not Applicable	<b>Replaces</b>	HR Policy 5.001

**1. Purpose**

The Municipality of the County of Kings (the “Municipality”) recognizes the need for rest and relaxation on the part of its employees and encourages employees to use allotted vacation time each year. An annual vacation provides employees with a break from the workplace and an opportunity to rejuvenate such that they are able to return to work refreshed and more productive.

It is the Municipality’s policy to provide fair amounts of annual vacation time and to ensure employees are enabled to take vacation in the year that it is earned. This Policy provides a consistent approach to managing vacation. It is the joint responsibility of an employee and the employee’s Manager or Director to ensure that vacation leave is scheduled and taken at a mutually agreeable time.

**2. Scope**

This Policy applies to all non-unionized employees. The Collective Agreement shall determine vacation for unionized employees.

**3. Policy Statements**

**Vacation Year & Allotments**

3.1 The vacation year shall be January 1 - December 31, inclusive.

3.2 All employees shall be entitled to receive annual vacation leave with pay as follows:

From commencement of employment to start date of the next vacation year	Three (3) weeks prorated to hire date
1 <sup>st</sup> full vacation year through 4 <sup>th</sup> full vacation year	Three (3) weeks
5 <sup>th</sup> full vacation year through 8 <sup>th</sup> full vacation year	Three (3) weeks and two (2) days (17 days total)



**MUNICIPALITY OF THE COUNTY OF KINGS**

**Non-Unionized Employee Vacation Policy**

9 <sup>th</sup> full vacation year through 14 <sup>th</sup> full vacation year	Four (4) weeks
15 <sup>th</sup> full vacation year through 18 <sup>th</sup> full vacation year	Four (4) weeks and two (2) days (22 days total)
19 <sup>th</sup> full vacation year through 24 <sup>th</sup> full vacation year	Five (5) weeks
25 <sup>th</sup> full vacation year and thereafter	Six (6) weeks

Part-Time, Temporary, and Seasonal Employees shall be entitled to vacation leave with pay as set out above, on a pro-rata basis based on the actual time worked.

Note: 1<sup>st</sup> full vacation year means hired on or before January 15<sup>th</sup>.

- 3.3 Probationary Employees may not take any vacation beyond what they accumulate until successful completion of the probation period.

**Vacation Requests**

- 3.4 Employees shall submit their vacation leave preference to their Manager or, in the case of Managers, their Director, prior to April 30<sup>th</sup> of each year. The Employer shall prepare a vacation schedule subject firstly to the operational requirements of the Service Area and then Employee preferences.

Any vacation entitlement not requested prior to April 30<sup>th</sup> or any change in request after April 30<sup>th</sup> shall be scheduled at the Employer's discretion after consultation with the Employee.

**Change in Employment Status**

- 3.5 An Employee terminating employment at any time in the year, prior to using allotted vacation, shall be entitled to payment of wages in lieu of such vacation, prior to termination.
- 3.6 An Employee whose employment with the Employer terminates for any cause shall compensate the Employer for vacation leave taken, but to which the Employee at that time is not entitled. Where possible, this shall be deducted from any final payment to which the Employee is entitled at the time of termination.



## **MUNICIPALITY OF THE COUNTY OF KINGS**

### **Non-Unionized Employee Vacation Policy**

#### **Vacation Carry Over**

- 3.7 An Employee may apply to his/her Manager or, in the case of Managers, his/her Director, who may authorize the Employee to carry over up to a maximum of five (5) working days annual vacation if circumstances permit.

In exceptional circumstances, as determined at the sole discretion of the Chief Administrative Officer (CAO), an Employee may carry over additional vacation days. The Employee must apply by November 15 and may request a maximum carry over of fifteen (15) vacation days. The Employer will make every effort to approve or deny such request no later than ten (10) business days after the request. The vacation carried over shall be taken in the following vacation year at the rate of pay prevailing when the vacation is taken.

#### **Interruptions, Cancellations, and Advance Pay for Vacation Time**

- 3.8 If a paid holiday falls or is observed during an Employee's vacation period, the Employee shall be allowed an additional vacation day at a time mutually agreed upon between the Employee and the Employer.
- 3.9 Where an Employee qualifies for court leave or jury duty (Policy HR-06-010 Court Leave) during vacation, it shall not be deducted from vacation allotments. Vacation shall be taken at a mutually agreed upon later date.
- 3.10 Upon giving the Employer at least one (1) week's notice, an Employee shall be permitted to cancel a period of vacation. This vacation will be rescheduled to a later time and will be subject to operational requirements and already scheduled vacations of other Employees.
- 3.11 An Employee may request advance pay for vacation purposes. Such request must be made at least one pay period in advance of the vacation period and shall be directed to the Human Resources Specialist who may grant such a request.

#### **Additional Vacation in Employment Offer**

- 3.12 The CAO may take into account a candidate's past relevant work experience and award an additional three weeks of vacation beyond the standard three weeks for a new employment contract.

Example: If a new Director is hired with 20 years of past municipal experience in a Director's role, the CAO may accept these years of service towards the vacation schedule listed in Section 3.2 of this Policy.



**MUNICIPALITY OF THE COUNTY OF KINGS**

**Non-Unionized Employee Vacation Policy**

**4. Responsibilities**

- 4.1 Council will:
- 4.1.1 ensure the Municipality has a current and comprehensive Policy to address vacation for non-unionized employees;
  - 4.1.2 review and amend this Policy as needed.
- 4.2 The Chief Administrative Officer will:
- 4.2.1 administer and implement this Policy;
  - 4.2.2 identify necessary revisions to the Non-Unionized Employee Vacation Policy.
- 4.3 Non-unionized Employees will:
- 4.3.1 be familiar with and act in accordance with this Policy.

**5. Related Policies, Procedures, and Legislation**

- Policy HR-06-010 Court Leave.

# 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 # 98

### WASTEWATER SEWER BY-LAW

#### SUBTITLE

A By-law to 1) prescribe standards and specifications for connecting to wastewater facilities owned by the Municipality of the County of Kings, 2) the conditions under which connections may be made, and 3) providing for the Recovery of Capital Costs of Installing a Sanitary Sewer System in certain communities in the Municipality of the County of Kings.

#### PREAMBLE & ENACTMENT

WHEREAS the Municipality has legislative authority and responsibility with respect to levying a Sewer Service Charge on taxable property assessments 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 Municipality owned wastewater facilities;

AND WHEREAS the Municipality has legislative authority and responsibility with respect to levying a Sewer Service Charge on taxable property assessments within a certain area, as well as imposing, fixing and providing methods of enforcing payment of charges, all to recoup the municipal portion of the capital costs of installing a Sewer System;

AND WHEREAS the Municipality desires to enact a by-law to prescribe standards and specifications for connections to municipal wastewater facilities;

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 the communities requesting sewer services;

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

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

This Bylaw may be cited as the Wastewater Sewer Bylaw for the Municipality of the County of Kings, and shall apply to the Municipality of the County of Kings.

#### **Part 2: INTERPRETATION**

In this Bylaw the word “shall” is mandatory and not permissive. Word 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.

**Part 3: DEFINITIONS**

- 3.1 BACKFLOW VALVE means a check valve or other mechanical device designed to allow wastewater to flow in one direction and mitigate against wastewater backing up into a Building.
- 3.21 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.
- 3.32 CAR WASH FACILITY means a Lot to be used primarily to clean the exterior and/or interior of vehicles, including washing by hand, automated equipment, and automobile detailing.
- 3.42 SELF-STORAGE FACILITY means a building or a part of a building consisting of separate, individual, small, self-contained units that are leased or owned for the storage of business or household goods or contractor supplies.
- 3.53 COUNCIL means the Council of the Municipality.
- 3.64 ENGINEER means the Engineer of the Municipality and includes a person acting under the supervision and direction of the Engineer.
- 3.75 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.
- 3.86 FOOD ESTABLISHMENT means a food service facility such as a restaurant, canteen, or cafeteria where foods are prepared and/or sold.
- 3.97 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.
- 3.10 HOME BASED BUSINESS means an accessory use of a residential dwelling and/or structures for employment involving the provision or sale of good or services or both goods and services to the public and where the dwelling is the principal residence of the business operator.
- 3.118 LATERAL means the section of a Service Connection from the Sewer Main to the property line.
- 3.129 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.

- 3.13~~10~~ MUNICIPAL SERVICES SPECIFICATIONS MANUAL means the Manual adopted by Council pursuant to the Subdivision By-Law #60.
- 3.14~~11~~ MUNICIPALITY means the Municipality of the County of Kings.
- 3.15~~12~~ ONE UNIT DWELLING means a dwelling containing one residential unit, including a mini-home but excluding a mobile home or a recreational vehicle.
- 3.16~~13~~ 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.
- 3.17~~14~~ PERSON includes a corporation and the heirs, executors, administrators or other legal representatives of a Person, but specifically excludes the Municipality.
- 3.18~~15~~ PERSONAL SERVICE SHOP means a Building or part of a Building related to personal health and grooming are provided to individuals and, without limiting the generality of the foregoing, may include such establishments as barber shops, hair and nail salons, tattoo shops, massage therapy clinics, reflexology clinics, acupuncture clinics or tanning salon but excludes facilities for the manufacturing or fabrication of goods for sale.
- 3.19~~16~~ SEMI DETACHED DWELLING means a residential building 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.
- 3.20~~17~~ 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.
- 3.21~~18~~ SEWER MAIN means the primary pipe owned by the Municipality that is used, or intended, for the collection and transportation of wastewater.
- 3.22~~19~~ SEWER SYSTEM 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.
- 3.23 THREE UNIT DWELLING means a residential building that contains three residential units and each residential unit has an independent entrance.



- 3.2420 TREASURER means the Treasurer of the Municipality, and includes a person acting under the supervision and direction of the Treasurer.
- 3.2521 WASHROOM FACILITY means a bathroom containing toilet(s) connected to the Sewer System.
- 3.2622 WATER UTILITY means a public water utility in any given area responsible for the delivery of water in that area.

#### Part 4: CONNECTIONS

- 4.1 No connection to the Sewer System shall be made unless a Sewer Permit has been issued by the Engineer and the Permit has not expired. A permit is valid for 365 days from the date of issuance, inclusive of that date. The Owner or his/her agent shall submit an application for a Sewer Permit allowing a Service Connection. The application shall be in the form prescribed by the Engineer. A Sewer Permit Application Fee, as set out by Policy of Council, shall be submitted with the application. An application is not complete until all supporting documentation and all fees required by Policy of Council are received by the Engineer. Complete applications received by the Engineer before the effective date of this Bylaw shall be applications for the purposes of this Bylaw. Within 30 business days of receipt of a complete application, the Engineer shall approve the application if it complies with this Bylaw. If the application is refused, the Engineer shall inform the applicant, in writing, of the reason(s) for the refusal.
- 4.2 Where a Service Connection is not installed or only a Lateral is installed, the Owner shall be responsible for the construction of the Service Connection from the property line to the Building. A Backwater Valve shall be installed on the Service Connection. The applicant shall not connect to the Sewer System without complying with the provisions of this Bylaw.
- 4.3 Where a Service Connection is installed, the Owner is responsible for the ongoing maintenance from the Sewer Main to the Building and, where necessary, the upgrade or replacement of the Service Connection from the property line to the Building and any related costs. In the case of an upgrade or replacement of a Service Connection, the Owner shall install a Backwater Valve at their expense.
- 4.4 The Municipality is responsible for the upgrade or replacement of a Lateral. If the Municipal Engineer determines that a repair or replacement of a Lateral is required due to objects or debris discharged by the Owner, the Owner is responsible for all costs incurred by the Municipality for said repair or replacement. If the Owner fails pay, all costs incurred by the Municipality shall form a first lien upon the lands in respect of which it is payable and shall have priority over every grant, deed, lease or other conveyance, and over every judgment, mortgage or other lien or encumbrance whatsoever affecting the property or the title thereto.
- 4.54 Every Person connecting to a Lateral or a Sewer Main shall construct the Service Connection according to the requirements of the Municipal Services Specifications

Manual, Municipal Building By-Law #72, and the National Plumbing Code of Canada, as determined by the Municipal Engineer.

- 4.65 A ~~Backflow Valve~~ check-valve shall be installed on the Service Connection in an accessible location if the basement floor elevation of the Building being connected is below the elevation of the manhole cover downstream of the point where the Service Connection enters the Sewer System.
- 4.76 A separate and independent Service Connection shall be provided for every Building except that multiple buildings on the same Lot may utilize a common Lateral if all of the following conditions are met:
- All Buildings utilizing a common Lateral are located in whole on a single Lot.
  - Provisions have been made that are satisfactory to the Engineer to prevent backflow conditions in the Buildings utilizing a common Lateral.
  - Provisions have been made that are satisfactory to the Engineer to allow for mechanical cleaning of the common Lateral.
  - Prior to installation, the Owner must submit a scaled site plan including property boundaries, easements, proposed and existing Building locations, driveway(s), and other topographical features of the Lot relevant to the installation as well as the proposed Service Connection and Lateral arrangement, proposed pipe sizes, slopes and connection details.
  - The Owner must submit detailed “fixture unit” calculations as described in the current edition of the Canadian Plumbing Code for each Building in a form acceptable to the Engineer.
- 4.87 The Owner of multiple buildings on the same Lot utilizing a common Lateral is responsible for all repairs and maintenance of the entire Service Connection up to the connection of the Sewer System Main.
- 4.98 All charges as described in this By-Law shall apply separately to all Buildings utilizing a common Lateral as if each Building had an independent Lateral.
- 4.109 The Engineer is authorized to enter at all reasonable times with reasonable notice upon any premises that are subject to this By-Law to ascertain compliance with this By-Law, including collection and verification of water meter readings, and inspection, repair or replacement of Municipality supplied water meters.
- 4.1140 The Person to whom a permit has been issued, or his authorized agent or successor, shall notify the Engineer when the subject Service Connection is ready for inspection and connection to the Sewer System.
- 4.1241 The Engineer shall inspect the subject Service Connection within three (3) business days of the receipt of notice. If the subject Service Connection or any portion thereof is not in compliance with this By-Law, the Engineer shall notify the Owner of the failed inspection and provide a description of all deficiencies noted and remedial actions required. Once all

the remedial actions have been completed, the Owner may start the inspection process again.

- 4.13~~12~~ Where a Service Connection is not to be installed in whole on a single Lot, the Owner of that Lot shall obtain and record at the Land Titles Registry Office or the Registry of Deeds a legal easement to allow for the installation and maintenance of the proposed Service Connection prior to its installation. A copy of this easement must be filed with the Engineer with the application.

## Part 5: SEWER SERVICE CHARGE

- 5.1 Every Owner of a Lot upon which is located a Building connected to a Sewer System, or a Lot which fronts on any street or highway within which a Sewer System has been installed, shall pay to the Municipality a charge known as the Sewer Service Charge for the construction, operation, and maintenance of the Sewer System.

~~In this Section, Sewer Service Connection means a charge known as the Sewer Service Charge to be paid to the Municipality for the construction, operation, and maintenance of the Sewer System and calculated and paid in accordance with the provisions of Part 5 of this Bylaw.~~

### 5.2

- ~~a) Every Owner of a Lot upon which is located a Building connected to a Sewer System, or a Lot which fronts on any street or highway within which a Sewer System has been installed, shall pay to the Municipality a charge known as the Sewer Service Charge.~~

- a) The Sewer Service Charge for a One Unit Dwelling and for each unit in a Semi-Detached Dwelling, a Three-Unit Dwelling, and Hockey Arenas shall be determined in accordance with the following formula: Sewer Service Charge = Multiplier x Base Rate where "Multiplier" is determined from Schedule "A" and "Base Rate" is set by Policy of Council.

- b) The Sewer Service Charge for Car Wash Facilities shall be determined in accordance with the following formula:  
Sewer Service Charge = 1.5 x Base Rate + Discharge x Discharge Rate where "Discharge" is the amount of wastewater exceeding the volume of forty thousand (40,000) imperial gallons per year according to a water meter and where the "Base Rate" and "Discharge Rate" are both set by Policy of Council.

i) Where a water meter is not installed, the Owner shall be responsible for installing a water meter(s) subject to the conditions in subsection 5.2 (g). With respect to new Car Wash Facilities must install the water meter(s) at time of construction.

ii) If the Car Wash Facility is a metered customer of a Water Utility, the Owner shall authorize the Water Utility to provide the Municipality the

water meter data for the Car Wash Facility for purposes of calculating the Sewer Service Charge.

~~i) The Owner of a Car Wash Facilities that is in legal operation and where there is no water meter installed at the time this Bylaw becomes effective must, at their expense, install a water meter, supplied by the Municipality, on each well that the Car Wash Facility receives water from by June 30, 2017.~~

~~ii) New Car Wash Facilities must, at their expense, install a water meter, supplied by the Municipality, at time of construction if they are not a metered customer of a Water Utility.~~

**cd)** The Sewer Service Charge for each Building except for One Unit Dwellings, Semi-Detached Dwellings, Three Unit Dwellings, Hockey Arenas, and Car Wash Facilities, shall be determined in accordance with the following formula: Sewer Service Charge = Multiplier x Base Rate where “Multiplier” is determined from Schedule “A” and “Base Rate” is set by Policy of Council.

**de)** The Owner of a Building described in 5.1 **cd)** may apply to the Engineer, no later than March 31 of each year, for a Sewer Service Charge Variance to permanently have their Sewer Service Charge calculated and charged based on water meter readings.

i) The application shall be in the form prescribed by the Engineer. A Sewer Service Charge Variance Fee, as set out by Policy of Council, shall be submitted with the application. An application is not complete until all supporting documentation and all fees required by Policy of Council are received by the Engineer. Complete applications received by the Engineer before the effective date of this Bylaw shall be applications for the purposes of this Bylaw.

ii) Within 20 business days of receipt of a complete application, the Engineer shall approve the application if it complies with this Bylaw. If the application is refused, the Engineer shall inform the applicant, in writing, of the reason(s) for the refusal.

iii) If the Engineer approves the Service Charge Variance, the Sewer Service Charge shall be determined in accordance with the following formula: Sewer Service Charge = 1.5 x Base Rate + Discharge x Discharge Rate where “Discharge” is the amount of wastewater exceeding the volume of forty thousand (40,000) imperial gallons per year according to a water meter and where the “Base Rate” and “Discharge Rate” are both set by Policy of Council.

- iv) If the Building is a metered customer of a Water Utility, the Owner shall authorize the Water Utility to provide the Municipality the water meter data for the Building for purposes of calculating the Sewer Service Charge.
- v ii) Where a water meter is not installed, the Owner shall be responsible for installing a water meter(s) subject to the conditions in subsection 5.2 (f). The Sewer Service Charge Variance shall not take effect until all water meters are installed in compliance with this By-Law. ~~at their expense, install a meter, supplied by the Municipality, on each well that the Building receives water. The Owner must install the meter(s) within 40 business days of the Engineer approving the Service Charge Variance.~~
- v iii) Once a Service Charge Variance has been approved by the Engineer, the Owner cannot apply to have their Sewer Service Charge changed to the method specified in 5.1 (cd).
- ~~iv) The Sewer Service Charge Variance Fee, as set by Policy of Council, must be paid at the time the Owner submits their application to the Engineer.~~
- ef) In making the calculation referred to in subsection 5.1 (c) and 5.1 (d) ~~and 5.1 (e)~~, the total Sewer Service Charge for each individual Building on the same Lot shall be calculated and charged for separately from any other Buildings on that Lot.
- ~~g) In making the calculation referred to in subsection 5.1 (d) and 5.1 (e), if the Building is a metered customer of a Water Utility, the Owner shall authorize the Water Utility to provide the Municipality the water meter data for the Building for purposes of calculating the Sewer Service Charge.~~
- f) In making the calculation referred to in subsections 5.1 (b) and 5.1 (d), where a water meter is not installed:
- i) The Owner shall be responsible for installing a water meter, supplied by the Municipality, on each well that the Building receives water from. All water meters will be installed by May 15 unless otherwise authorized by the Engineer.
  - ii) The Owner shall be responsible for cost of the water meter(s) and installation.
  - iii) The Owner or their authorized agent or successor, shall notify the Engineer when the subject water meter(s) is ready for inspection.
  - iv) The Engineer shall inspect the subject water meter(s) within three (3) business days of the receipt of notice. If the subject water meter(s) or any accessories thereof are not in compliance with this By-Law, the Engineer shall notify the Owner of the failed inspection and provide a description of all deficiencies noted and remedial actions required. Once all the remedial actions have been completed, the Owner may start the inspection process again.

- 5.3 The Owner of a property situated within one hundred (100) feet of the upper end of termination of a Sewer System shall pay the same rate as if the Sewer System was to pass in front of such property.
- 5.4 The Sewer Service Charge shall form a first lien upon the lands in respect of which it is payable and shall have priority over every grant, deed, lease or other conveyance, and over every judgment, mortgage or other lien or encumbrance whatsoever affecting the property or the title thereto.
- 5.5 The Sewer Service Charge shall be due from the date by which the Service Connection is made, and in the case of a connection existing at the time that this Bylaw is adopted, shall be due from that date.
- 5.6 Sewer Service Charge shall be payable on the dates for payment of the taxes in each year.
- 5.7 The Sewer Service Charge and interest thereon is collectable in the same manner as taxes and, at the option of the Treasurer, be collected at the same time, and by the same proceedings, as taxes.
- 5.8 In the event that any property liable for Sewer Service Charge is sold for non-payment of property taxes, the Municipality may deduct from the proceeds of such sale the full amount, for which such property is then liable for Sewer Service Charge, although the whole may not have been then payable.
- 5.9 Every Person connecting to the Sewer System shall pay a non-refundable Sewer Permit Application Fee as set out by Policy of Council.
- 5.10 Every Person connecting to the Sewer System who requires the installation of a Service Connection from the property line to the Sewer System shall pay the Sewer Service Connection Fee as set out by Policy of Council for each Sewer Connection. The Sewer Service Connection Fee must be paid prior to the approval of the application.
- 5.11 For any other service requests such as dye tests, the fees are as set out by Policy of Council.
- 5.12 Notwithstanding sections 5.1 and 5.2, the Sewer Service Charge does not apply to any part of Wolfville Ridge Hamlet Phase 1 except those properties listed in Part 7.1.

#### **Part 6: SEWER CAPITAL CHARGE**

- 6.1 Part 6 shall apply only to those Sewer Systems as described in “Schedule B” and is limited to Sewer Connections applied for subsequent to the enactment of this By-Law.
- 6.2 Notwithstanding Part 5 and in addition to the requirements of Part 5 there shall be Sewer Capital Charge as herein described.

- 6.3 Every Owner of a Lot upon which is located a Building connected to a Sewer System identified in Schedule "B", or which Lot fronts on any street or highway within which a Sewer System identified in Schedule "B" has been installed, shall pay a charge known as the Sewer Capital Charge for the construction of the Sewer System. The Sewer Capital Charge relating to each such Sewer System is set out in Schedule "B".
- 6.4 The Sewer Capital Charge shall form a first lien upon the lands in respect of which it is payable and shall have priority over every grant, deed, lease or other conveyance, and over every judgment, mortgage or other lien or encumbrance whatsoever affecting the property or the title thereto.
- 6.5 The Treasurer shall notify the Owner of any such lands of the basis of the Sewer Capital Charge assessment and the amount payable.
- 6.6 In the event that any property liable for Sewer Capital Charge is sold for nonpayment of property taxes, the Treasurer may deduct from the proceeds of such sale the full amount for which such property is then liable for Sewer Capital Charge although the whole may not have been then payable.
- 6.7 The Sewer Capital Charge levied under this By-law shall be due sixty (60) days after filing of a certificate of completion by the Engineer, and payable on the date for payment of general rates in each year.
- 6.8 The Sewer Capital Charge shall form a first lien upon the lands in respect of which it is payable and shall have priority over every grant, deed, lease or other conveyance, and over every judgment, mortgage or other lien or encumbrance whatsoever affecting the property or the title thereto.
- 6.9
- a) If an application for a Sewer Permit is received by the Municipality within 365 days of the date that the Engineer signed the certificate of completion, the Sewer Capital Charge may, at the election of the Owner of a property, be paid in installments over a period of up to ten (10) years, subject to an interest rate as set out by Policy on a declining balance;
  - b) If the Sewer Permit application is received after the 365-day period, the entire amount of the Sewer Capital Charge shall be due and payable upon application for the Sewer Permit;
  - c) If the Owner defaults in any one annual installment, the entire balance of the Sewer Capital Charge becomes due and payable; and
  - d) The Sewer Capital Charge will be indexed upwards yearly by the Sewer Capital Charge Index Rate as set out by Policy.

## Part 7: EXCEPTIONS

- 7.1 Notwithstanding any other part of this Bylaw, no new Service Connections shall be permitted to that part of the Sewer System located in Wolfville Ridge Hamlet Phase 1. The

six properties in that Hamlet which currently benefit from a Service Connection are as follows:

- i. 3288 Greenfield Road, AAN 02543966, PID 55224018;
- ii. 3284 Greenfield Road, AAN 02111985, PID 55224000;
- iii. 3264 Greenfield Road, AAN 03889084, PID 55223994;
- iv. 3275 Greenfield Road, AAN 05257824, PID 55190722;
- v. 3287 Greenfield Road, AAN 04547233, PID 55190730;
- vi. 3295 Greenfield Road, AAN 01901907, PID 55190755.

#### **Part 8: REPEAL**

- 8.1 Sewer Charge By-Law # 27A of the Municipality of the County of Kings entitled Sewer Charge By-Law and By-Law # 27B of the Municipality of the County of Kings entitled Sewer Connection By-Law is hereby repealed.

#### **Part 9: EFFECTIVE DATE**

- 9.1 This By-Law comes into force and effect on the first day of October 2016.

#### History of this By-law

Enacted - November 15, 2013

Amended - October 1, 2016



**SCHEDULE "A" - SEWER SERVICE CHARGE UNITS (Effective April 1, 2018)**

<b>Feature</b>	<b>Multiplier</b>
One Unit Dwelling or Home Based Business (subject to determination of the Engineer)	1.0
Each unit in a Semi-Detached Dwelling or Three Unit Development	1.0
Multi-unit Development	1.5
Each unit in a Multi-unit Development	0.6
Each Academic Classroom in an Education Facility	1.0
Mobile Home or Mini Home not in a Licensed Park	1.0
Each site in a Mobile Home Park as per Municipal License	1.0
Commercial Campground and Trailer Parks	1.5
For each twenty (20) camp sites <b>or fraction thereof</b> add	1.0
Church, Church Hall, and Community Hall	1.0
Laundromat	1.5
For each washing machine add	0.2
Picnic Parks and Fairgrounds with Washroom Facility	1.0
Fixed Roof Overnight Accommodation	1.5
For each guestroom add	0.1
Food Establishment not licensed by NSLC or Alcohol & Gaming with up to twenty (20) seats	1.5
For each additional ten (10) seats <b>or fraction thereof</b> add	0.2
Premise licensed by NSLC or Alcohol & Gaming with up to ten (10) seats	1.5
For each additional five (5) seats <b>or fraction thereof</b> add	0.2
Drive-through Restaurant or Theatre with or without Canteen with one (1) Washroom Facility	1.5
For each additional Washroom Facility add	0.5
Service Station, Gas Station, and Gas Bar	1.5
For each convenience store add	0.5
For each automatic car wash bay	0.5
Personal Service Shop	1.5
For each Chair add	0.2
Hospital (includes any accessory uses such as a cafeteria)	1.5
For each fixed adjustable Chair in which personal services are administered to customers add	0.4
Institutional Care and Vocational Facility other than a Hospital	1.5
For each Food Establishment add	1.0
For each five (5) bed <b>or fraction thereof</b> add	1.0
Day Care Facility providing care for more than four (4 people) on a daily basis without overnight accommodation	1.5
Self-Storage Facility	1.0
Hockey Arenas	1.5
Other Commercial or Institutional use up to 1,000 m <sup>2</sup>	1.5
For each additional 1,000 m <sup>2</sup> of Gross Floor Area <b>or fraction thereof</b> add	0.5
Each Lot upon which no building has been constructed and not subject to final approval as a subdivision	
For every 200 feet of frontage or portion thereof that is not in active agricultural use	0.30
For every 1,000 feet of frontage or portion thereof that is in active agricultural use	0.30

**SCHEDULE "B"****a) Greenwich Road South**

All Lots at Greenwich serviced by a Sewer System and without limiting the foregoing, the applicable portions of the following shall pay a Sewer Capital Charge of four thousand dollars (\$4,096) for each Lot and, in the case of public schools the sum of four thousand dollars (\$4,096) for each Academic Classroom.

**b) Avonport**

All Lots at Avonport serviced by a Sewer System and without limiting the foregoing, the applicable portions of the following shall pay a Sewer Capital Charge of four thousand dollars (\$4,096) for each Lot and, in the case of public schools the sum of four thousand dollars (\$4,096) for each Academic Classroom.

**c) Wolfville Ridge Hamlet Phase 1**

The six properties to which the Capital Charge of five thousand dollars (\$5,120) applies to are the following.

- i. 3288 Greenfield Road, AAN 02543966, PID 55224018;
- ii. 3284 Greenfield Road, AAN 02111985, PID 55224000;
- iii. 3264 Greenfield Road, AAN 03889084, PID 55223994;
- iv. 3275 Greenfield Road, AAN 05257824, PID 55190722;
- v. 3287 Greenfield Road, AAN 04547233, PID 55190730;
- vi. 3295 Greenfield Road, AAN 01901907, PID 55190755.

# 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 July 29, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 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 April 29, 2018.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 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 29, 2017
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 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 as PID 55526370 to PID 55126692. 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 May 20, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 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 12, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 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 March 3, 2018.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 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 May 28, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 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 18, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 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 21, 2018.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 as follows:
    - a) \$350.00 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; all properties on Dodge Island which have a right of way over sunrise Ridge and Spruce Drive; all properties on Blue Lane which have a right of way over Sunrise Ridge and Spruce Drive, The Municipality will:
  - a) 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 8, 2017
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 as follows:
    - a) Permanent Dwelling \$ 500.00
    - b) Seasonal Dwelling \$375.00
    - c) Seasonal Lot \$250.00
    - d) Vacant Lot \$125.00
  
- 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:
  - a) 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 May 26, 2018.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 as follows:
    - a) Lot \$ 200.00
    - b) Undeveloped Lot \$ 50.00
  
- l) The Rivers End Park Association is defined as being properties on River Lane (5 through 137), Crescent Point Road (3 through 76), Lake End Drive (Lot S-2 and 52 through 85) The Municipality will:
  - a) Transfer to the Rivers End Park Association and charges to the area defined as Rivers End Park Association District the amount requested by the residents at a public meeting held on November 19, 2017.
  - b) Approve the levying of a uniform charge for the year ended March 31, 2019 as follows:
    - a) Developed Lots \$ 200.00
    - b) Undeveloped Lots \$ 100.00



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
  - XXX 2018



# Municipality of the County of Kings

## Request for Decision

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**TO** Municipal Council

**PREPARED BY** Karen Kluska, Financial Analyst, CPA,CA

**MEETING DATE** July 26, 2018

**SUBJECT** Valley Region Solid Waste Resource Management Authority Budget 2018/19

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### **ORIGIN**

- Memo dated July 5, 2018 from Erin Beaudin, CAO Town of Wolfville, Acting General Manager – Valley Region Solid Waste-Resource Management Authority (VWRM).
- Municipality of the County of Kings Operating Budget 2018/19 approved May 15, 2018.
- Budget Binder, Volume 1, Tab 6 containing VWRM Operating Budget Detail including March 21, 2018 draft budget.

### **RECOMMENDATIONS**

1. That Municipal Council approve the 12-month 2018-19 VWRM Operating Budget with revenues and expenditures totaling \$11,416,330 respectively, as outlined in the attached Appendix A, including the implementation of a \$121.00 per tonne residual waste tipping fee effective October 1, 2018.
2. That Municipal Council approve the VWRM 2018/19 Capital Budget with expenditures totaling \$694,200, as outlined on page 9 of the attached Appendix A.
3. That Municipal Council approve the Municipality's share of the VWRM Operating Budget, in the amount of \$4,608,777, to be funded \$4,400,749 from Operating Income and \$208,028 from the Valley Waste Operating Reserve account GL# 61-4-460-350.

### **INTENT**

To provide Council with information about the revised Valley Waste budget and the increased contribution required from the Municipality, for approval by Council.

### **DISCUSSION**

Due to staffing changes, VWRM did not have an approved budget in place at the time Council approved our Operating Budget for the 2018/19 fiscal year. VWRM had developed several interim budgets. Finance staff relied upon the most recent (at that time) budget dated March 21, 2018, which budgeted total revenues & expenditures of \$11,119,136 respectively, and a Municipal contribution of \$4,400,749.

Appendix A to this report contains the VWRM Operating and Capital budgets for the 2018/19 fiscal year, which were approved by the VWRM Board on June 29, 2018.



## Municipality of the County of Kings Request for Decision

Finance staff compared the 2018/19 budget with the 2017/18 Budget, the 2017/18 preliminary actual results and the March 21, 2018 earlier version of the budget and met with VWRM staff to obtain clarification of the changes. Finance staff provide the following comments:

The total change between the March 21 budget and the current budget version is approximately a \$359k increase in total expenses, primarily composed of a \$195k transfer to reserves, and \$101k of capital expenditures paid from Operating Revenues, neither of which was included in the March 21 version. These expenditures were omitted until VWRM developed their capital budget.

Other departmental expenses have changed from the March 21 budget version, with increases in some areas, generally offset by decreases in others, as the consultant and VWRM staff reviewed each line item and evaluated in light of changes to operations and the actual 2017/18 results. The Municipality owns 59% of VWRM, and is thus responsible for 59% of the net increase in total budgeted expenses, or \$208,028.

Comparing the 2018/19 Budget with the 2017/18 Budget, the significant changes are:

Current Year Budget v. Prior Year Budget	2018/19 Budget	2017/18 Budget	\$ Change	% Change	Reason
East Management Centre	2,223,216	1,835,300	387,916	21%	
West Management Centre	544,552	474,000	70,552	15%	
Total Tipping Fee Revenue	2,767,768	2,309,300	458,468	20%	Increased volumes & 10% increase in rates
Other revenue	837,076	854,800	(17,724)	-2%	
<b>Total Program Revenues</b>	<b>3,604,844</b>	<b>3,164,100</b>	<b>440,744</b>	<b>14%</b>	
Residuals	2,726,015	1,954,900	771,115	39%	Higher volume & increase in tipping fee
Organics	966,988	1,026,040	(59,052)	-6%	New contract - lower rate
Recyclables	728,978	838,700	(109,722)	-13%	New contract - lower rate
Fiscal Services	512,956	431,599	81,357	19%	Increased borrowing for capital projects
Capital out of Revenue	101,200	16,000	85,200	533%	Change in method of financing capital projects
Other expenses with little significant change	6,380,193	6,349,261	30,932	0%	
<b>Total Expenses</b>	<b>11,416,330</b>	<b>10,616,500</b>	<b>799,830</b>	<b>8%</b>	
<b>Net Partner Contributions</b>	<b>7,811,486</b>	<b>7,452,400</b>	<b>359,086</b>	<b>5%</b>	

The VWRM Board has approved an increase in their tipping fee rates by 10% from \$110.00 per tonne to \$121.00 per tonne effective October 1, 2018. Although the tipping fees that VWRM will pay to MODC are increasing by 26%, VWRM does not believe that they could pass that increase along this year to their customers. However, the 10% increase in rates, together with



## Municipality of the County of Kings Request for Decision

increased tonnage when compared to the prior year budget, is expected to generate approximately \$458k of additional revenue to help offset some of the increased charges.

The 2018/19 budget is approximately \$800k higher in total expenditures than the 2017/18 budget. The primary difference is a \$771k increase in the cost of processing residuals at the Kaiser Meadow landfill, due to increased tipping fees, as well as an increase in volume of materials.

The 2017/18 budget for residuals was based on a rate of \$70.78 per metric tonne (mt). However, the actual rate for 2017/18 was \$74.44 per mt. The Municipality of the District of Chester (MODC) is increasing the tipping fee to 94.07 in 2018/19, related to an increase in the estimated cost of their closure/post closure expenses for previous landfill use, together with significant increases in operational costs as their agreement with Sustane Technologies comes online. MODC has entered into an agreement with Sustane to process residuals, which they anticipate will result in between a 50% and a 90% reduction in residual volume. Transferring residuals to Sustane is expected to reduce landfill use, the need for new landfill cells, and the cost of future landfill closure/post closure expenses.

In 2017/18, the budgeted volume was 22,000mt, while the actual was 24,222mt. VWRM is budgeting a slightly lower volume of 23,895mt in 2018/19, as they are assuming there will be some reduction in volume due to the withdrawal of Hantsport from the VWRM agreement, effective April 1, 2018.

While tipping fees for Residuals will increase, VWRM is budgeting a 6% decrease in the cost of processing Organic materials and a 13% decrease in the cost of processing Recyclables, for total budgeted savings of nearly \$170k. These cost savings relate to two new contracts that VWRM expects will result in lower costs per tonne. The Organics contract is in effect April 1, while the Recyclables contract has yet to be signed, but is estimated to begin August 1.

The other two areas with significant budget changes are Fiscal Services with an \$81k or 19% increase, and Capital Out of Revenue with an \$85k or 533% increase. Both of these changes relate to the method of financing the capital budget for the year. The total Capital Budget for 2018/19 is \$694k, which includes \$391k carried over from the previous year. \$553k is budgeted to be financed by long-term debt. Increased principal and interest payments will be required as a result. \$101k of the capital budget is budgeted to be paid from Operating Income.

The 2018/19 budget assumes some changes in staffing, with the continued vacancy in the General Manager position and the Manager of Policy, Planning & Legal. The budget assumes the replacement of the General Manager effective October 1, and covers the cost of the interim General Manager until that time. The compensation for the Manager of Operations position has been transferred out of General Administration and allocated between the West Management Centre (WMC) and the East Management Centre (EMC). The net effect of all of the departmental salary & benefit changes is negligible when compared to the prior year's budget.

The VWRM Capital Budget includes vehicle & equipment replacements due to age and condition, as well as building or facility upgrades required for health & safety reasons, (e.g. WMC tipping floor & EMC organics containment structure) or to enable accurate tipping charges (e.g. Replace outgoing scale WMC).



# Municipality of the County of Kings

## Request for Decision

### **FINANCIAL IMPLICATIONS**

The Municipality previously included a contribution to VWRM of \$4,400,749 in the 2018/19 Operating Budget, and will now be required to pay \$4,608,777. As Council has already set the tax rate for 2018/19, the only other option to fund the additional \$208,028 payment is to draw down Operating Reserves.

The Municipality has a Valley Waste Operating Reserve GL# 61-4-460-350 previously set up by Council to help absorb spikes in funding requirements. The account has a balance of \$496,740.08. Staff recommends that Council fund the additional contribution to VWRM from this reserve.

Council may replenish the reserve from any operating surplus that may arise during the year, subject to the provisions of the Surplus Allocation Policy FIN-05-014, or as a consideration in the 2019/20 Operating Budget.

### **COMMUNITY ENGAGEMENT**

- There was no specific community engagement initiative for the additional contribution as the request for budget approval originated from correspondence from VWRM to Municipal Council. The original VWRM budget contribution was approved as part of the 2018/19 Operating Budget. The community had the opportunity to provide public comments as part of that process.

### **ALTERNATIVES**

- No alternatives are recommended.

### **IMPLEMENTATION**

- Advise VWRM administration, which will incorporate the approved budget into the quarterly invoices to the Municipality.

### **APPENDICES**

- Appendix A: Memo dated July 5, 2018 from Erin Beaudin, CAO Town of Wolfville, Acting General Manager – VWRM to VWRM Party Councils, CAO's, Authority Members and Alternates.

### **APPROVALS**

Scott Conrod, Chief Administrative Officer

Date: July 25, 2018



Memo

**TO: Valley Region Solid Waste-Resource Management Authority  
Party Councils, CAO's, Authority Members and Alternates**

**FROM: Erin Beaudin**

**DATE: July 5, 2018**

**SUBJECT: 12-Month 2018-2019 Operating and Capital Budget**

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Dear Party Council:

As a Party to the Inter-Municipal Services Agreement which created Valley Waste-Resource Management Authority (VWRM), your Council has been made aware of the recent challenges facing the organization to provide well-managed and affordable waste resource services. To achieve these ends, the Intermunicipal Services Agreement requires the Administration of VWRM to create an annual operating and capital budget which is reviewed by the Board for recommendation to the parties for final approval.

At the June 29, 2018 Authority Board meeting, a final proposed 12-month budget was considered and recommended for approval of the parties. The proposed 2018-2019 12-month Budget is a complete rewrite of previous versions and was prepared by Kevin Matheson, CPA, CA, with staff input. Kevin had the advantage of the draft 2017-2018 financial statements and actual operating expenses for the first quarter of the 2018-2019 year for comparison and validation. The Board is confident this proposed budget reflects the financial requirements of the Authority needed to provide mandated services.

The proposed budget maintains the current level of Authority approved programs and services while addressing a number of concerns such as the roll out of the organization salary review, capital improvements necessary for NSE regulation and occupational health and safety. The greatest adjustment in the proposed 2018-2019 budget pertains to increases in residual disposal costs at the Chester Landfill over the 2017-2018 Approved Budget. The following paragraphs highlight the major changes.

**Expenses:**

Major contract costs have increased, as compared to the 2017-2018 Approved Budget. Residential collection has increased by \$99,454 due to new serviced units and fuel price adjustments. Residual disposal costs have increased due to anticipated tonnage increases of 184,089 tonnes and per tonne disposal costs at the Chester Landfill of \$94.07/tonne versus the 2017-2018 rate of \$70.78 (32.9% increase). This amounts to an additional \$695,725 in disposal and transportation costs of \$54,390 (\$750,115). Savings from organics and recycling processing offset these costs by approximately \$168,774. This still results in an increase in contract costs of \$679,795.

Salary costs are proposed to increase by 1.12% CPI and benefits by a 1% pension adjustment. This has been offset with vacancy savings resulting from the delay in hiring the General Manager and Manager of Policy and Planning positions, for a net savings of \$16,199. As part of this budget, the Board agreed to continue the oversight and management of the VRWM until September 30<sup>th</sup>, with the CAO committee and part-time consulting services funded from vacancy savings.

**Revenues:**

The increase in residual disposal costs means the residual tipping fee charged at the scale houses of VWRM are less than what must be paid to transport and dispose at the Chester Landfill. The proposed 2018-2019 budget addresses this inequity with an increase in tipping fees to members of \$11 to \$121.00 per tonne from the current \$110.00, effective October 1, 2018.

The last rate approved by the Authority was in 2014 when the disposal fee paid to Chester was \$85.02, plus transportation costs. Increases in volume over 2017-2018 budget numbers and the rate increase is anticipated to bring in \$454,475 which will help offset disposal costs.

**Capital and Capital from Revenue:**

The proposed 2018-2019 Operating Budget includes capital from revenue of \$85,000 to purchase a grinder attachment for the loader which is anticipated to result in \$66,400 in operating savings, in its first year of operation. Another \$16,200 has been budgeted to replace the incoming scale house window at the East Management Centre to address occupational health and safety issues with the current pull up window.

The remainder of the proposed Capital Budget has been pared down to only operational essentials and safety and is proposed to be funded \$25,000 from Equipment Reserve; \$15,000 from the Capital Reserve and debt financing of \$553,000.

**Financing Costs:**

Debt servicing costs are anticipated to increase by \$81,357 due to planned debentures to finance recent acquisitions plus interest on short term borrowings over the 9 months. The Board is also recommending a transfer of funds to the Capital Reserve, in keeping with the Capital Reserve and Capital Funding Policy.

**Summary:**

We believe this proposed budget takes a balanced approach to VWRM service obligations and the ability of the parties to fund these services. It considers the impact to commercial service providers by delaying a tipping fee increase until October 1<sup>st</sup> ensuring residential property owners are not subsidizing commercial suppliers. It acknowledges the value of VWRM staff with a small increase in salary and pension while focusing on efficient operations and health and safety considerations in its capital budget.

Included with this letter are the following documents which we hope provide sufficient information to encourage your Council to approve the Valley Region Solid Waste-Resource Management Authority's Proposed 2018-2019 12-Month Operating and Capital Budgets.

**Enclosures:**

1. Proposed 2018-2019 12-Month Budget (summary) with comparison to Actual 2017-2018, Budget 2017-2018, Actual 2016-2017
2. Proposed 2018-2019 12-Month Budget, Detail
3. Proposed 2017-2018 Capital and Capital from Revenue Budget
4. Motions of Authority Board

**Municipal Contributions:**

Given we are now in the 2<sup>nd</sup> quarter of the 2018-2019 fiscal period, time is of the essence in receiving approval for the budget. We would appreciate if this matter could be taken before your Council as soon as possible. We would

also appreciate receiving formal notice of the passing (or not) of the proposed budget so we have an official record for the files. The following table outlines the past and required contributions from each of the parties for the proposed 2018-2019 12-Month Budget.

Adjustments made to municipal contributions were primarily due to the release of Hantsport/West Hants and changes in Uniform Assessment. We continue to use the 2016 Stats Canada population statistics, as they are still the most recent released.

Municipal Unit	Percentage 2018-2019 <sup>1</sup>	Proposed Budget 2018-2019	Forecast 2017-2018	Budget 2017-2018	Actual 2016-2017
<b>Municipality of Kings</b>	59.00%	\$4,608,777	\$4,332,080	\$4,332,080	\$4,332,175
<b>Municipality of Annapolis</b>	21.02%	\$1,641,974	\$1,543,392	\$1,543,392	\$1,553,829
<b>Town of Kentville</b>	7.86%	\$ 613,983	\$ 584,268	\$ 584,268	\$ 577,989
<b>Town of Wolfville</b>	6.55%	\$ 511,652	\$ 481,425	\$ 481,425	\$ 485,454
<b>Town of Berwick</b>	2.78%	\$ 217,159	\$ 204,196	\$ 204,196	\$ 201,579
<b>Town of Middleton</b>	2.00%	\$ 156,230	\$ 149,048	\$ 149,048	\$ 145,245
<b>Town of Annapolis Royal</b>	0.79%	\$ 61,711	\$ 58,874	\$ 58,874	\$ 57,515
<b>Community of Hantsport</b>	0.00%		\$ 99,117	\$ 99,117	\$ 98,970
	100%	\$7,811,487	\$7,452,400	\$7,452,400	\$7,452,756

<sup>1</sup>percentage values are current at time of budget development and subject to changed based on updated UA values.

Should you have additional questions or concerns, or if you would like to arrange to have staff provide a proposed budget presentation to your Council, please contact myself or Geoff McCain, Manager of Finance.

Sincerely,

Erin Beaudin  
 CAO Town of Wolfville  
 Acting General Manager - Valley Waste-Resource Management



**Valley Region Solid Waste-Resource Management Authority Motions – June 29, 2018:**

**2018-2019 OPERATING BUDGET**

ON MOTION OF ERIC BOLLAND AND SECONDED BY BARRY CORBIN THAT THE VALLEY REGION SOLID WASTE RESOURCE MANAGEMENT AUTHORITY FORWARD THE 12-MONTH 2018-2019 DRAFT OPERATING BUDGET TO THE PARTIES UNDER THE INTERMUNICIPAL SERVICES AGREEMENT FOR CONSIDERATION AND APPROVAL.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY BARRY CORBIN THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY AMEND THE MOTION ABOVE TO INCLUDE THE AUTHORITY'S APPROVAL OF THE OPTION TO IMPLEMENT A \$121.00 PER TONNE RESIDUAL WASTE TIPPING FEE EFFECTIVE OCTOBER 1, 2018.

MOTION CARRIED. – NAY VOTE RECORDED BY MICHAEL GUN

The question was called on the main motion.

MOTION CARRIED. – NAY VOTE RECORDED BY MICHAEL GUNN

**2018-2019 CAPITAL BUDGET**

ON MOTION OF WENDY ELLIOTT AND SECONDED BY ERIC BOLLAND THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY ADOPT THE PROPOSED CAPITAL EXPENDITURES AS PRESENTED.

ON MOTION OF BRIAN HIRTLE AND SECONDED BY GAIL SMITH THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE PROPOSED CAPITAL EXPENDITURES AS PRESENTED WITH THE FUNDS ASSOCIATED WITH THE DRY STORAGE BUILDING REMOVED.

MOTION CARRIED.

ON MOTION OF BARRY CORBIN AND SECONDED BY BRIAN HIRTLE THAT THE VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY APPROVE THE PROPOSED CAPITAL EXPENDITURES AS PRESENTED WITH THE FUNDS ASSOCIATED WITH THE REAR COMPACTOR UNIT REMOVED.

MOTION CARRIED.

**Valley Region Solid Waste-Resource Management Authority**  
**Operating Budget**  
**For the Year Ending March 31, 2019**

	Budget 2018-19	Actual 2017-18	Budget 2017-18	Actual 2016-17
<b>Revenues</b>				
East Management Centre	\$ 2,223,216	\$ 2,026,763	\$ 1,835,300	\$ 1,889,953
West Management Centre	544,552	516,379	474,000	493,688
Communications and Enforcement	222,928	215,630	220,500	229,467
Conditional Transfers - Administration	480,648	503,138	494,300	448,397
RRFB Approved Programs	84,000	86,875	80,000	81,473
Wind Turbine	46,000	45,922	50,000	42,001
Return on Investment	3,500	10,629	10,000	11,054
Prior Year Surplus Retained	-	-	-	-
<b>Total Program Revenues</b>	<b>3,604,844</b>	<b>3,405,336</b>	<b>3,164,100</b>	<b>3,196,033</b>
Municipal Partner Contributions <sup>1</sup>	7,811,487	7,452,400	7,452,400	7,452,756
<b>Total Revenues</b>	<b>\$ 11,416,330</b>	<b>\$ 10,857,736</b>	<b>\$ 10,616,500</b>	<b>\$ 10,648,789</b>
<b>Expenses</b>				
Residential Collection	3,013,824	2,965,802	2,939,770	2,838,216
Residual Transportation and Disposal	2,726,015	2,258,773	1,954,900	1,988,038
Organics Processing and Transportation	966,988	1,021,683	1,026,040	981,605
Recyclable Processing and Transportation	728,978	814,839	838,700	825,441
Construction and Demolition Debris Processing	103,677	162,786	199,750	157,770
East Management Centre Operations	1,273,878	1,121,473	1,176,361	1,060,779
West Management Centre Operations	689,498	686,547	657,452	648,638
Communications and Enforcement	628,286	691,688	621,827	593,599
Wind Turbine	11,977	14,477	9,200	35,979
General Administration	426,979	551,164	534,595	503,084
Information Technology	37,205	30,587	33,150	33,235
Transfer to Reserves	194,872	177,156	177,156	343,264
Fiscal Services Financing Costs	512,956	411,450	431,599	79,667
Capital out of Revenue	101,200	16,000	16,000	-
RRFB Approved Programs	-	-	-	139
<b>Total Expenses</b>	<b>\$ 11,416,330</b>	<b>\$ 10,924,426</b>	<b>\$ 10,616,500</b>	<b>\$ 10,089,454</b>
Municipal Funding Required	7,811,487	7,519,090	7,452,400	6,893,421
<b>Total Revenues</b>	<b>\$ 11,416,330</b>	<b>\$ 10,857,736</b>	<b>\$ 10,616,500</b>	<b>\$ 10,648,789</b>
<b>Total Expenditures</b>	<b>11,416,330</b>	<b>10,924,426</b>	<b>10,616,500</b>	<b>10,089,454</b>
<b>Net Surplus (Deficit)</b>	<b>\$ -</b>	<b>\$ (66,690)</b>	<b>\$ -</b>	<b>\$ 559,335</b>

	Percentage 2018-19	Budget 2018-19	Actual 2017-18	Budget 2017-18	Actual 2016-17
<sup>1</sup> Revenues from Municipal Partners					
Municipality of Kings	59.00%	\$ 4,608,777	\$ 4,332,080	\$ 4,332,080	\$ 4,332,175
Municipality of Annapolis	21.02%	1,641,974	1,543,392	1,543,392	1,553,829
Town of Kentville	7.86%	613,983	584,268	584,268	577,989
Town of Wolfville	6.55%	511,652	481,425	481,425	485,454
Town of Berwick	2.78%	217,159	204,196	204,196	201,579
Town of Middleton	2.00%	156,230	149,048	149,048	145,245
Town of Annapolis Royal	0.79%	61,711	58,874	58,874	57,515
Community of Hantsport	0.00%	-	99,117	99,117	98,970
<b>Total Revenues from Municipal Partners</b>	<b>100.00%</b>	<b>\$ 7,811,487</b>	<b>\$ 7,452,400</b>	<b>\$ 7,452,400</b>	<b>\$ 7,452,756</b>

**Valley Waste-Resource Management  
Operating Budget Detail  
For the Year Ending March 31, 2019**

Account Name and Number	Budget 2018-19	Actual 2017-18	Budget 2017-18
<b>Revenues:</b>			
41000 Services Provided Other Governments			
41100 Municipality of the County of Kings	\$ 4,608,777	\$ 4,332,080	\$ 4,332,080
41105 Town of Kentville	613,983	584,268	584,268
41110 Town of Wolfville	511,652	481,425	481,425
41115 Town of Berwick	217,159	204,196	204,196
41120 Municipality of Annapolis County	1,641,974	1,543,392	1,543,392
41125 Town of Middleton	156,230	149,048	149,048
41138 Community of Hantsport	-	99,117	99,117
41139 Town of Annapolis Royal	61,711	58,874	58,874
<b>Total 41000 Services Provided Other Governments</b>	<b>7,811,487</b>	<b>7,452,400</b>	<b>7,452,400</b>
41200 Western Management Centre			
41201 WMC Tipping Fees	501,322	470,394	442,500
41204 WMC Sale of Materials	28,330	26,219	15,000
41205 WMC RRFB Funding Allocations	8,400	8,251	8,300
41206 WMC Scale Rental Fees	6,500	11,516	8,000
41290 WMC Miscellaneous	-	-	100
41299 WMC Uncollectable Bad Debt Recovery	-	-	100
<b>Total 41200 Western Management Centre</b>	<b>544,552</b>	<b>516,379</b>	<b>474,000</b>
41300 Eastern Management Centre			
41301 EMC Tipping Fees	2,087,316	1,908,436	1,692,000
41304 EMC Sale of Materials	110,000	95,286	110,000
41305 EMC RRFB Funding Allocations	14,500	14,528	13,500
41306 EMC Scale Rental Fees	2,400	2,330	2,600
41390 EMC Miscellaneous	-	-	100
41392 EMC Scotia Contract-Shared Site	9,000	6,183	17,000
41399 EMC Uncollectable Bad Debt Recovery	-	-	100
<b>Total 41300 Eastern Management Centre</b>	<b>2,223,216</b>	<b>2,026,763</b>	<b>1,835,300</b>
41500 Return on Investment			
41501 Return on Investments	3,500	10,629	10,000
<b>Total 41500 Return on Investment</b>	<b>3,500</b>	<b>10,629</b>	<b>10,000</b>
41600 Conditional Transfers - Administration			
41601 RRFB - Diversion Credits	365,000	380,855	368,000
41633 Dairy Agreement	72,800	73,194	95,000
41635 Cart and Mini Bin Sales	1,800	1,625	1,700
41650 CFC Removal for Outside Groups	4,500	4,565	-
41691 Bylaw Tickets	5,000	4,934	2,000
41698 General Admin - Miscellaneous	-	5,111	500
41699 Collections - Residential (7 units West Hants; 3 First Nation Reserves)	31,548	32,854	27,100
<b>Total 41600 Conditional Transfers - Administration</b>	<b>480,648</b>	<b>503,138</b>	<b>494,300</b>
41800 Communications & Enforcement			
41801 C&E RRFB Regional Coordinator	42,028	42,028	41,000
41805 C&E RRFB Enforcement Funding	82,500	83,049	83,000
41825 C&E RRFB Other Funding Assistance	-	-	10,000
41860 C&E RRFB Education Contract	59,000	59,454	60,000
41880 C&E Reuse Centre	39,400	31,099	26,500
<b>Total 41800 Communications &amp; Enforcement</b>	<b>222,928</b>	<b>215,630</b>	<b>220,500</b>
42000 Wind Turbine			
42010 WT Energy Production	46,000	45,922	50,000

Account Name and Number	Budget 2018-19	Actual 2017-18	Budget 2017-18
Total 42000 Wind Turbine	46,000	45,922	50,000
46000 RRFB Approved Programs			
46020 RRFB Restructured Approved Programs	84,000	86,875	80,000
Total 46000 RRFB Approved Programs	84,000	86,875	80,000
<b>Total Revenues</b>	<b>\$ 11,416,330</b>	<b>\$ 10,857,736</b>	<b>\$ 10,616,500</b>
<b>Expenses:</b>			
61000 General Administration			
61001 GA Salaries	229,161	318,427	325,974
61002 GA Benefits	43,061	51,010	77,695
61004 GA Office Supplies	12,000	16,119	9,000
61005 GA Utilities	13,500	12,328	15,000
61007 GA Training & Conferences	12,400	14,593	5,000
61008 GA Membership & Association Fees	5,000	7,783	3,500
61013 GA Professional Services	45,640	90,492	35,400
61028 GA Insurance	14,950	323	-
GA Sum of small balance accounts	51,266	40,090	63,026
Total 61000 General Administration	426,979	551,164	534,595
61140 Wind Turbine			
61141 WT Operation and Maintenance	7,500	10,131	4,200
61143 WT Insurance	4,477	4,346	5,000
Total 61140 Wind Turbine	11,977	14,477	9,200
61150 Fiscal Services Financing			
61151 FS Financing Cost	496,956	395,502	420,599
61152 FS Bank Charges	16,000	15,948	11,000
Total 61150 Fiscal Services Financing	512,956	411,450	431,599
61200 Western Management Center			
61201 WMC Salaries	381,765	411,905	358,035
61202 WMC Benefits	81,125	83,363	81,829
61205 WMC Insurance	25,867	26,643	26,100
61211 WMC Electricity	16,084	15,870	17,000
61230 WMC Site/Building Maintenance	45,500	13,512	42,000
61231 WMC Scale Maintenance	10,000	12,202	12,000
61232 WMC Vehicle & Equipment Repairs and Maintenance	40,000	41,098	43,135
61240 WMC Gasoline & Diesel Fuel	42,000	41,242	36,500
61267 WMC HHW Operations	9,500	9,768	10,000
WMC Sum of small balance accounts	37,656	30,943	30,853
Total 61200 Western Management Center	689,498	686,547	657,452
61300 Eastern Management Center			
61301 EMC Salaries	766,631	654,971	701,940
61302 EMC Benefits	173,455	141,541	161,446
61305 EMC Insurance	32,227	31,288	28,900
61311 EMC Electricity	22,000	21,236	23,000
61330 EMC Site/Building Maintenance	32,400	25,417	18,000
61332 EMC Vehicle and Equipment Repairs and Maintenance	56,100	78,604	60,110
61340 EMC Gasoline & Diesel Fuel	68,300	58,821	62,000
61367 EMC HHW Operations	53,000	48,774	60,000
EMC Sum of small balance accounts	69,765	60,821	60,965
Total 61300 Eastern Management Center	1,273,878	1,121,473	1,176,361
61400 Residential Collection Contract			
61401 Residential Collection	2,775,769	2,732,021	2,727,870
61402 Residential Collection Fuel Adjustment	(30,672)	(82,293)	(80,000)

Account Name and Number	Budget 2018-19	Actual 2017-18	Budget 2017-18
61403 Residential Collection Green Carts	43,000	99,455	65,000
61405 Residential Collection Spring/Fall Clean-ups	189,627	188,797	187,400
61421 Residential Collection Seasonal Bin Control Monitoring	20,000	18,050	20,000
61440 Residential Collection Advertising and Notices	13,000	8,912	13,000
Residential Collection Sum of small balance accounts	3,100	860	6,500
<b>Total 61400 Residential Collection Contract</b>	<b>3,013,824</b>	<b>2,965,802</b>	<b>2,939,770</b>
61500 Construction & Demolition Debris			
61521 C&D Transportation East	32,870	89,267	85,700
61522 C&D Processing East	54,696	71,782	83,200
61532 C&D Processing West	15,316	4,495	14,900
C&D Sum of small balance accounts	795	(2,758)	15,950
<b>Total 61500 Construction &amp; Demolition Debris</b>	<b>103,677</b>	<b>162,786</b>	<b>199,750</b>
61600 Recyclables			
61605 Recyclable Processing East	510,289	527,991	538,400
61615 Recyclable Processing West	218,688	286,848	300,300
<b>Total 61600 Recyclables</b>	<b>728,978</b>	<b>814,839</b>	<b>838,700</b>
61700 Organics			
61701 Organics Processing East	966,988	684,802	681,640
61711 Organics Processing West	-	336,880	344,400
<b>Total 61700 Organics</b>	<b>966,988</b>	<b>1,021,683</b>	<b>1,026,040</b>
61800 Residuals			
61801 Residuals Disposal East	1,646,225	1,324,164	1,100,500
61805 Residuals Transportation East	347,725	341,694	297,200
61810 Residuals Disposal West	604,400	483,125	454,400
61815 Residuals Transportation West	127,665	124,831	124,800
Residuals Fuel Adjustment	-	(15,041)	(22,000)
<b>Total 61800 Residuals</b>	<b>2,726,015</b>	<b>2,258,773</b>	<b>1,954,900</b>
61900 Communications & Enforcement			
61901 C&E Salaries	449,971	512,964	433,780
61902 C&E Benefits	90,424	100,028	91,094
61905 C&E RRFB Regional Enforcement Program	14,000	9,390	16,000
61920 C&E Advertising	13,500	13,940	18,000
61924 C&E Calendar Design & Printing	18,500	16,320	16,300
C&E Sum of small balance accounts	41,891	39,048	46,653
<b>Total 61900 Communications &amp; Enforcement</b>	<b>628,286</b>	<b>691,688</b>	<b>621,827</b>
62300 Transfer to Capital Reserve			
62301 Transfer to Capital Reserve	194,872	177,156	177,156
<b>Total 62300 Transfer to Capital Reserve</b>	<b>194,872</b>	<b>177,156</b>	<b>177,156</b>
62400 Capital From Operations			
62401 Capital From Operations	101,200	16,000	16,000
<b>Total 62400 Capital From Operations</b>	<b>101,200</b>	<b>16,000</b>	<b>16,000</b>
64000 Information Technology			
64010 IT Hardware	6,000	3,489	6,900
64020 IT Maintenance Contracts	9,765	6,804	4,850
64021 IT Consulting Fees	16,000	15,454	16,000
IT Sum of small balance accounts	5,440	4,840	5,400
<b>Total 64000 Information Technology</b>	<b>37,205</b>	<b>30,587</b>	<b>33,150</b>
<b>Total Expense</b>	<b>\$ 11,416,330</b>	<b>\$ 10,924,426</b>	<b>\$ 10,616,500</b>
<b>Net Surplus (Deficit)</b>	<b>\$ -</b>	<b>\$ (66,690)</b>	<b>\$ -</b>

**Valley Region Solid Waste-Resource Management Authority  
Capital Budget  
For the Year Ending March 31, 2019**

	<u>From 2017-18 Budget</u>	<u>From 2018-19 Budget</u>	<u>Equipment Reserve</u>	<u>Capital Reserve</u>	<u>Operations</u>	<u>Debt</u>
Replace 2009 Ford F250 4X4	38,000					38,000
Replace 2011 Ford F250 4X4	38,000					38,000
Organics Containment Structure EMC	40,000					40,000
WMC tipping floor	60,000					60,000
Replace 2008 Freightliner Roll off Truck	215,000	25,000	25,000			215,000
Incoming Scale house window EMC		16,200			16,200	
Loading bay enclosure EMC		15,000		15,000		
Replace Utility Dump Trailer		20,000				20,000
Replace RTV Unit 19		26,000				26,000
Replace 2010 Ford F150 4x4		38,000				38,000
Grinder attachment for loader		85,000			85,000	
Replace outgoing scale WMC		78,000				78,000
	<u>\$ 391,000</u>	<u>\$ 303,200</u>	<u>\$ 25,000</u>	<u>\$ 15,000</u>	<u>\$ 101,200</u>	<u>\$ 553,000</u>

**From:** [Pauline Raven](#)  
**To:** [Peter Muttart](#)  
**Cc:** [Councillors](#); [Scott Conrod](#); [Janny Postema](#)  
**Subject:** Proposed Motion Regarding Shelburne's Letter  
**Date:** July-19-18 12:33:47 PM

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Dear Mayor: I am writing to follow up on providing notice of a motion regarding Shelburne's letter.

I'd appreciate the opportunity to move this motion at the July 26th council meeting. Please let me know at your earliest convenience if there might be any barriers to placing this on the agenda.

**MOTION:**

"That the Municipality of the County of Kings write a letter stating our council shares the concerns expressed and acknowledges the risks outlined by the Municipality of the District of Shelburne in its letter of June 28, 2018, regarding offshore oil and gas exploration (as attached to council's July 17, 2018) and that:

This letter be addressed to Johnathon Wilkinson, Minister of Fisheries, Oceans and the Canadian Coast Guard, as well as Catherine McKenna, Minister of Environment and Climate Change and copied to NS Municipalities, Scott Brison, MP Kings-Hants and Kings County MLAs"

The letter is at this link:

[http://www.countyofkings.ca/upload/All\\_Uploads/COUNCIL/Meeting\\_Documents/COTW/2018/2018-07-17%20COTW/agenda/2018-07-17%20COTW%20Agenda%20Package.pdf](http://www.countyofkings.ca/upload/All_Uploads/COUNCIL/Meeting_Documents/COTW/2018/2018-07-17%20COTW/agenda/2018-07-17%20COTW%20Agenda%20Package.pdf)

Pauline Raven

Phone: 670-2949 (area code 1-902); Skype: paulineraven

Twitter @paulineraven

Facebook <https://www.facebook.com/paulineraven>

Burnley "Rocky" Jones Revolutionary... An important Canadian, revealing that the idealism of the sixties was not a passing phenomenon but a factor that continues to influence the lives of many Canadians and our institutions.

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Kings  
Regional  
Rehabilitation  
Centre

Developing Potential ~ Improving Lives

1349 County Home Road  
PO Box 128, Waterville  
Nova Scotia B0P 1V0

Phone: 902-538-3103  
Fax: 902-538-7022  
Web: [www.krrc.ns.ca](http://www.krrc.ns.ca)

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JUL 11 2018

July 2018

You are receiving a copy of the Kings Regional Rehabilitation Centre Annual Report for 2017-2018 as a communication initiative of the Centre to reach out to local organizations, businesses, government representatives and community partners.

Please take a few moments to review at your leisure the many activities of the Centre over the past year.

*(Should you wish to redirect this report in future to another contact, to receive an electronic version rather than print, or to be removed from distribution, please email [info@krrc.ns.ca](mailto:info@krrc.ns.ca) with the subject line Annual Report)*

Thank you.





École Rose-des-Vents  
Comité de Parents  
Greenwood N-E  
comiteparentsrdv@gmail.com



RECEIVED  
JUL 12 2013

Dear Lisa Amon,

On behalf of the Parent Committee of École Rose-des-Vents, I want to express our sincere appreciation for the 1,375\$ given to our committee through your Community Park Development Program.

As you know, our goal over the past five years has been to fund the purchase of playground equipment and all associated landscaping fees. There was a need for a safe, fun and updated playground for the students at École Rose des Vents. The playground is now complete with swings, a climbing dome and monkey bars and the children are thrilled. This wonderful space for our students could not have been realized without your generous contributions.

Thanks you once again for your support.

Kind Regards,

  
Marie-Eve Durand  
President Parent Committee

  
Judy Streach  
Principal école Rose-des-Vents

*On behalf of all the kids at  
École Rose-des-Vents...*

*Thank you!*

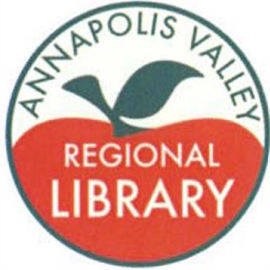


*Community Park and Development Program  
Municipality of the County of Kings*



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JUL 17 2018



## Annapolis Valley Regional Library

P.O. Box 510 236 Commercial Street Berwick, NS B0P 1E0

Phone 1-866-922-0229

www.valleylibrary.ca email: administration@valleylibrary.ca

July 10, 2018

Municipality of the County of Kings  
87 Cornwallis Street, PO Box 100  
Kentville, Nova Scotia  
B4N 3W3

Dear Mayor Peter Muttart,

I am pleased to present you with the **Annapolis Valley Regional Library Annual Report: April 1, 2017 – March 31, 2018.**

As the results indicate, AVRL continues to have a positive impact on the communities we serve.

I would be more than willing to attend a Council meeting to present this information in person, and to answer any questions you might have about the services that AVRL delivers to your constituents.

I hope that you enjoy perusing it.

Kindest regards,

A handwritten signature in blue ink that reads "Ann-Marie Mathieu".

Ann-Marie Mathieu  
Chief Executive Officer  
(902) 698-9447