

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

April 7, 2020

6:00 pm

AGENDA

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

1. Roll Call **00:00**
2. Approval of Agenda **05:00** Page 1
3. Disclosure of Conflict of Interest Issues **None**
4. Approval of Minutes Page 2
 - a. March 3, 2020 Council **09:11** Page 14
 - b. March 23, 2020 Special Council **11:40**
5. Business Arising from Minutes Page 2
 - a. March 3, 2020 Council **14:11** Page 14
 - b. March 23, 2020 Special Council **None**
6. Planning Advisory Committee Recommendations Page 20
 - a. Application to enter into a substantive amendment to an existing development agreement to permit the development of a permanent structure for the purpose of hosting special events (File 19-21) **16:02** Page 21
 - b. New Minas Secondary Planning Strategy Advisory Group **19:35** Page 58
 - c. Public Hearing Date: April 21, 2020 at 9:00 am **18:35**
7. Administration Page 66
 - a. Policy ADMIN-01-019: Nutrition and Healthy Eating Environment (Final Approval) **109:20**
8. Engineering & Public Works, Lands and Parks Services Page 69
 - a. Contract Authorization: Cost Share Program for Paving of Subdivision (J-Class) Streets **118:20**
9. Recommendations from Committee of the Whole March 11 and 17, 2020 Page 74
 - a. New Minas Secondary Planning Strategy Advisory Group **19:35**
 - b. Climate Change Emergency - Response to Request from Extinction Rebellion Kings-Hants **259:56**
 - c. Proposed By-law 107: Water Conservation (First Reading) **167:00**
 - d. Amendments to Policy FIN-05-009: Personal Property Tax Exemption (Seven Days' Notice) **168:20**
10. Correspondence **172:52** Page 75
 - a. 2020-03-12 Attorney General re: Accessibility Act Page 77
 - b. 2020-03-12 Everett Dalton to Minister of Transportation & Infrastructure Renewal Page 80
 - c. 2020-03-26 Trans County Transportation Society Cease Services Due to COVID-19 Page 81
 - d. 2020-03-31 Absolutely Fabulous at Home re: COVID-19 Crisis
11. Committee of Council Reports Page 82
 - a. Audit Committee **175:15** Page 83
 - b. Diversity Kings County **178:20** Page 90
 - c. Greenwood Water Utility Source Water Protection Committee **178:44** Page 91
 - d. Municipal Elections Advisory Committee **186:24** Page 92
 - e. Regional Sewer Committee **191:37** Page 96
 - f. Kentville Joint Fire Services Committee **192:01**
 - g. Other: See Attached Table
12. Other Business **None**
13. Closed Session **195:33**
 - a. Approval of March 3 and March 23, 2020 Closed Session Minutes
 - b. Contract negotiations
 - c. Legal advice eligible for solicitor-client privilegeMotions from Closed Session: CTI Optical Networking Equipment Contract Award **197:53**
Subdivision (J Class) Roads **199:32**
14. Adjournment **203:40**

MUNICIPALITY OF THE COUNTY OF KINGS
MUNICIPAL COUNCIL
March 3, 2020
MINUTES

**Meeting Date
and Time**

A meeting of Municipal Council was held on Tuesday, March 3, 2020 following a Public Hearing at 6:00 pm in the Council Chambers, Municipal Complex, Coldbrook, NS.

1. Roll Call

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

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

Councillor Absence

On motion of Councillor Hirtle and Councillor Spicer, that Councillor Winsor's absence from the March 3, 2020 Council meeting be excused.

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

Also in attendance were:

- Scott Conrod, Chief Administrative Officer
- Rob Frost, Deputy Chief Administrative Officer
- Marc Comeau, Municipal Solicitor
- Greg Barr, Director, Finance & IT
- Trish Javorek, Director, Planning & Inspections
- Scott Quinn, Director, EPW, Lands & Parks
- Janny Postema, Municipal Clerk/Recording Secretary

2. [Approval of Agenda](#)

On motion of Councillor Hirtle and Councillor Allen, that Municipal Council approve the March 3, 2020 agenda as circulated.

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

Councillor Raven requested an update on the Province's approval of the new Planning Documents (see 'Other Business').

3. **Disclosure of Conflict of Interest Issues**

No Conflict of Interest issues were declared.

4. **Approval of Minutes**4a. [Minutes of February 4, 2020](#)

On motion of Councillor Spicer and Councillor Hirtle, that the minutes of the Municipal Council meeting held on February 4, 2020 be approved as circulated.

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

5. **Business Arising from the Minutes**5a. [Minutes of February 4, 2020](#)

There was no business arising from the February 4, 2020 minutes.

6. [Planning Advisory Committee Recommendations](#)6a. **Application to adjust the boundary of the Environmental Open Space (O1) Zone within PID**

Councillor Armstrong presented the recommendations as attached to the March 3, 2020 Council agenda.

On motion of Councillor Armstrong and Councillor Best, that

55159883, on Lovett Road,
Coldbrook (File 19-14)

Municipal Council give Second Reading to and approve the zone boundary adjustment to the O1 Zone on PID 55159883 in Coldbrook, as described in Appendix A of the report dated January 14, 2020.

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

- 6b. Application to rezone land at 197 JT Morse Road, Harmony (PID 55113179) from Forestry (F1) to Resource Extraction (M7) to allow for an asphalt processing plant (File 19-18)

On motion of Councillor Armstrong and Councillor Spicer, that Municipal Council give First Reading to and hold a Public Hearing regarding the application to rezone the property at 197 JT Morse Road, Harmony (PID 55113179) from the Forestry (F1) Zone to the Resource Extraction (M7) Zone as described in Appendix E of the report dated February 11, 2020.

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

- 6c. Application to enter into a development agreement to permit tourist commercial uses at 555 Ross Creek Road (PID 55015457), Ross Creek (File 18-17)

On motion of Councillor Armstrong and Councillor Best, that Municipal Council give Initial Consideration to and hold a Public Hearing regarding entering into a development agreement to permit tourist commercial facilities at 555 Ross Creek Road (PID 55015457), Ross Creek, which is substantively the same (save for minor differences in form) as the draft set out in Appendix A of the report dated March 3, 2020.

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

6d. **Public Hearing Date**

Councillor Armstrong noted that the next Public Hearing was scheduled to be held on Tuesday, April 7, 2020 at 6:00 pm; there were no objections.

7. **Administration**7a. **Community Flag Raising and Proclamation: World Autism Awareness Day**

The Municipal Clerk presented the Briefing/Request for Decision as attached to the March 3, 2020 Council agenda.

On motion of Deputy Mayor Lutz and Councillor Armstrong, that Municipal Council receive the Briefing on the Community Flag Raising Request: World Autism Awareness Day as attached to the March 3, 2020 agenda for information purposes; and

That Municipal Council proclaim April 2, 2020 'World Autism Awareness Day' 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	For
District 7	Emily Lutz	For
District 8	Jim Winsor	-
District 9	Peter Allen	For

7b. **Community Flag Raising and Proclamation: World Down Syndrome Day**

The Municipal Clerk presented the Briefing/Request for Decision as attached to the March 3, 2020 Council agenda.

On motion of Councillor Armstrong and Councillor Hirtle, that Municipal Council receive the Briefing on the Community Flag Raising Request: World Down Syndrome Day as attached to the March 3, 2020 agenda for information purposes; and

That Municipal Council proclaim March 21, 2020 'World Down Syndrome Day' 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	For
District 7	Emily Lutz	For
District 8	Jim Winsor	-
District 9	Peter Allen	For

7c. [Municipal Election 2020 - Appointment of Returning Officer](#)

The Municipal Clerk presented the Briefing as attached to the March 3, 2020 Council agenda.

On motion of Councillor Hirtle and Councillor Hodges, that Municipal Council accept the Briefing on the appointment of the Returning Officer for the 2020 Municipal Election.

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

8. [Recommendation from Audit Committee December 19, 2019](#)

8a. **Assessment and Appointment of Municipal Auditors**

Councillor Spicer presented the recommendation as attached to the March 3, 2020 Council agenda.

On motion of Councillor Spicer and Councillor Hodges, that Municipal Council reappoint Grant Thornton LLP as the municipal auditors for the Municipality of the County of Kings for the year ending March 31, 2020.

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

9. [Recommendations from Committee of the Whole February 18, 2020](#)

9a. **Proclamation Request:
Purple Day for Epilepsy**

Mayor Muttart presented the recommendations as attached to the March 3, 2020 Council agenda.

On motion of Councillor Armstrong and Councillor Allen, that Municipal Council proclaim March 26, 2020 'Purple Day for Epilepsy' in the Municipality of the County of Kings.

Motion Carried.

Results

For 9
Against 0

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

9b. **Policy ADMIN-01-019:
Nutrition and Healthy Eating
Environment**

On motion of Councillor Allen and Councillor Armstrong, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to adopt Policy ADMIN-01-019: Nutrition & Healthy Eating Environment.

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

9c. **Financial Assistance with
Safe Grad Activities**

On motion of Deputy Mayor Lutz and Councillor Best, that Municipal Council provide financial assistance of up to \$1,000 for each of the five high schools in Kings County, to be used to fund Safe Grad Activities and further, staff will return with grant policy amendments to codify the practice for the future.

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

9d. **School Food Program**

The CAO presented the Request for Decision as attached to the March 3, 2020 Council agenda and provided a [presentation](#).

On motion of Deputy Mayor Lutz and Councillor Armstrong, that Council accept the recommendations contained in the School Food Program Funding Request for Decision dated March 3, 2020.

Motion Amended.

On motion of Councillor Raven and Councillor Hirtle, to add “and that for the first year of 2020-2021 the total amount be \$200,000 with \$100,000 in subsequent years”.

Amendment Carried.***Results***

For 7
Against 2

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

Amended Motion:

That Council accept the recommendations contained in the School Food Program Funding Request for Decision dated March 3, 2020, and that for the first year of 2020-2021 the total amount be \$200,000 with \$100,000 in subsequent years.

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

- 9e. **General Operating Accountability Report (Period Ending December 31, 2019)**

On motion of Councillor Hodges and Councillor Spicer, that Municipal Council receive the General Operating Accountability Report (period ending December 31, 2019) as attached to the February 18, 2020 Committee of the Whole agenda for information.

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

- 9f. **Capital Accountability Report (Period Ending December 31, 2019)**

On motion of Councillor Hirtle and Councillor Spicer, that Municipal Council receive the Capital Accountability Report (period ending December 31, 2019) as attached to the February 18, 2020 Committee of the Whole agenda for information.

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

Council took a short break from 7:46 pm - 8:00 pm.

9g. **Funding Agreement for Valley Search and Rescue**

On motion of Councillor Spicer and Councillor Raven, that Municipal Council enter into an agreement with Valley Search and Rescue with terms and conditions per the agreement attached to the February 18, 2020 Request for Decision.

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

9h. **Funding Agreement for Trans County Transportation Society**

On motion of Councillor Armstrong and Councillor Allen, that Municipal Council enter into an agreement with the Trans County Transportation Society with terms and conditions per the agreement attached to the February 18, 2020 Request for Decision.

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

9i. **Funding Agreement for Kings County Seniors' Safety Society**

On motion of Deputy Mayor Lutz and Councillor Raven, that Municipal Council enter into an agreement with the Kings County Seniors' Safety Society with terms and conditions per the agreement attached to the February 18, 2020 Request for Decision.

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

10. **Correspondence**

Mayor Muttart gave an overview of the correspondence as attached to the March 3, 2020 Council agenda.

On motion of Councillor Allen and Councillor Best, that Municipal Council receive the Correspondence as attached to the March 3, 2020 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	For
District 7	Emily Lutz	For
District 8	Jim Winsor	-
District 9	Peter Allen	For

- 10a. [Glooscap Elementary School re: School Food Program](#) For information.
- 10b. [Northeast Kings Education Centre re: School Food Program](#) For information.
- 10c. [Beverly Grant re: Video Feed for Council Meetings](#) Mayor Muttart noted that IT staff were looking into options and cost.
- 10d. [St. Mary's Elementary School re: School Food Program](#) For information.
- 10e. [Somerset Elementary School re: School Food Program](#) For information.
- 10f. [Aldershot Elementary School re: School Food Program](#) For information.
- 10g. [Western Kings District High School re: School Food Program](#) For information.
- 10h. [Annapolis Valley Regional Library re: Funding Model](#) For information.

- 10i. [L.E. Shaw Elementary School re: School Food Program](#) For information.
11. **Committee of Council Reports**
- 11a. [Audit Committee](#) Councillor Spicer presented the report as attached to the March 3, 2020 Council agenda.
- 11b. [Budget and Finance Committee](#) Councillor Hirtle presented the report as attached to the March 3, 2020 Council agenda.
- 11c. [Regional Sewer Committee](#) Councillor Winsor's report was received for information.
- 11d. **Diversity Kings County** Deputy Mayor Lutz provided a verbal update.
- 11f. **Other: See Attached Table** **On motion of Councillor Spicer and Deputy Mayor Lutz, that Municipal Council receive the Committee of Council reports as attached to the March 3, 2020 Council agenda and as provided verbally.**

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

12. **Other Business** Mayor Muttart provided an update on the Province's approval of the new Planning Documents and noted the amendments approved by the Minister.
13. **Comments from the Public** Kirk Starratt, reporter at the Advertiser/Register, commented on audio and video broadcasting of Council and Committee of the Whole meetings.
14. **Closed Session & Adjournment** **On motion of Councillor Armstrong and Councillor Spicer, that Council adjourn to move into closed session in accordance with Sections 22 (2) (e) and (f) *Municipal Government Act*: 'contract negotiations' and 'litigation or potential litigation'.**

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

Council moved into closed session at 8:22 pm and adjourned at 9:20 pm.

Approved by:

Peter Muttart
Mayor

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.

MUNICIPALITY OF THE COUNTY OF KINGS
SPECIAL MUNICIPAL COUNCIL
March 23, 2020
DRAFT MINUTES

**Meeting Date
and Time**

A Special Meeting of Municipal Council was held on Monday, March 23, 2020 at 10:00 am by telephone.

1. Roll Call

All Councillors participated in the conference call.

Results for Roll Call

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

Also on the conference call were:

- Scott Conrod, Chief Administrative Officer
- Rob Frost, Deputy Chief Administrative Officer
- Greg Barr, Director, Finance and IT
- Scott MacKay, Revenue Manager
- Janny Postema, Municipal Clerk/Recording Secretary

2. [Approval of Agenda](#)

Review of Community Grant Application Deadlines was added to the agenda by consensus.

On motion of Councillor Raven and Councillor Hirtle, that Municipal Council approve the March 23, 2020 agenda as amended.

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

**3. Disclosure of Conflict of
Interest Issues**

No Conflict of Interest issues were declared.

Mayor Muttart provided comments on Municipal operations in light of the

COVID-19 situation.

4. Recommendations from Committee of the Whole March 17, 2020

4a. **Funding Agreement for Kings Point to Point Transit Society**

On motion of Councillor Allen and Deputy Mayor Lutz, that Municipal Council enter into an agreement with the Kings Point to Point Transit Society with terms and conditions per the agreement attached to the March 17, 2020 Request for Decision.

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

4b. **Valley Regional Enterprise Network - Annual Funding**

On motion of Councillor Best and Councillor Raven, that Municipal Council fund the Valley Regional Enterprise Network to the amount of \$164,173 for the 2020-2021 fiscal year.

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

4c. **Valley Regional Enterprise Network - Economic Development Report**

On motion of Councillor Hirtle and Deputy Mayor Lutz, that Municipal Council direct the CAO to develop an Economic Development report that would provide the Valley Regional Enterprise Network with the action items crucial to the continued involvement of the Municipality of the County of Kings within the Inter-Municipal Services Agreement.

Motion Amended.

Amendment:

On motion of Councillor Raven and Councillor Winsor, to remove the words "crucial to the continued involvement of" and add after

“Agreement” the words “would like to see”.

Amendment Carried.

Results

For 8

Against 2

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	Against
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	Against
District 8	Jim Winsor	For
District 9	Peter Allen	For

Amended Motion: *(as adjusted for grammatical context by the Mayor/Chair)*

On motion of Councillor Hirtle and Deputy Mayor Lutz, that Municipal Council direct the CAO to develop an Economic Development report that would provide the Valley Regional Enterprise Network with the action items *the Municipality would like to see evidenced* crucial to the continued involvement of the Municipality of the County of Kings within the Inter-Municipal Services Agreement.

Amended 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

4d. Valley Regional Enterprise Network - Notice of Potential Intent to Withdraw

It was noted that Deputy Mayor Lutz left the call at 10:34 and returned during the discussion at 10:55 am.

On motion of Councillor Best and Councillor Armstrong, that Municipal Council direct the CAO to provide the necessary one year notice to the Valley Regional Enterprise Network of the Municipality of the County of Kings' potential intent to withdraw.

Motion Defeated.

Results

For 3

Against 7

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

4e. **Community Grant
Application Deadlines**

On motion of Councillor Raven and Councillor Hirtle, that the application deadlines for the Park, Playground, and Trail Maintenance and Development Program, Youth Travel Assistance Program, Community Hall Assistance Program, and Kings Vision Grant be adjusted for the 2020/2021 year to June 1, 2020.

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

The Director of Finance and IT reported that the release of the Draft Operating Budget and Greenwood Water Utility Budget would go ahead as planned on March 25th, with a potential delay of one or two days. The Special Committee of the Whole meeting for presentation and deliberation of these budgets scheduled for April 1st would also go ahead by video or telephone.

Mayor Muttart noted that meetings of Municipal Standing and Advisory Committees would be cancelled until further notice. The staff support person, in consultation with the Chair for each committee, would determine if remote meetings were necessary to deal with substantial business. Citizen members would be notified.

5. **Closed Session**

On motion of Councillor Hirtle and Councillor Allen, that Council move into closed session in accordance with Section 22 (2) *Municipal Government Act*.

Motion Carried.

Results

For 10
Against 0

District	Name	Results
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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 took a short break at 11:53 am and moved into closed session at 12:07 pm.

Council returned to open session at 1:08 pm.

Councillor Absence

On motion of Deputy Mayor Lutz and Councillor Hodges, that Councillor Armstrong's absence from the March 23, 2020 Special Council meeting at the start of the closed session be excused.

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	-
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

2020/2021 Interim Property Tax Billing

On motion of Councillor Raven and Deputy Mayor Lutz, that Municipal Council:

- Approve a due date of July 31st for the 2020/2021 interim property tax bills being issued on May 1st and municipal water bills (failing payment being made on or before July 31st, interest would be applied on August 1st for the month of July and thereafter);
- Approve that interest charges for tax and water accounts currently in arrears not be levied for the month of March up to and including July 31st (failing payment being made on or before July 31st, interest would be applied on August 1st for the month of July and thereafter); and
- Authorize the Director of Finance and IT, between the date of this resolution and July 31, 2020, to transfer funds from the General Operating Reserve and/or the Municipal Sewer Operating Reserve to the General Municipal Operating Fund if in the opinion of the Director a transfer is necessary to address Municipal cash flow deficiencies.

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	-
District 5	Paul Spicer	For
District 6	Bob Best	For
District 7	Emily Lutz	For
District 8	Jim Winsor	For
District 9	Peter Allen	For

6. Adjournment

On motion of Councillor Winsor and Deputy Mayor Lutz, there being no further business, the meeting adjourned at 1:22 pm.

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	-
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:

Peter Muttart
Mayor

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.

THE MUNICIPALITY OF THE COUNTY OF KINGS

REPORT TO COUNCIL

Subject: Planning Advisory Committee Recommendations

Date: April 7, 2020

A	Application to enter into a substantive amendment to an existing development agreement to permit the development of a permanent structure for the purpose of hosting special events (File 19-21)	<i>Be it resolved that Municipal Council give Initial Consideration and hold a Public Hearing to amend an existing development agreement to permit the development of a permanent event venue building at 11827 Highway 1 (PIDs 55231641 and 55231658), Grand Pré, which is substantively the same (save for minor differences in form) as the draft set out in Appendix G of the report dated March 10, 2020.</i> <u>Report Attached</u>
B	New Minas Secondary Planning Strategy Advisory Group	<i>Be it resolved that Municipal Council appoint Dave Chaulk, Mary Munroe and James Redmond as Village Commissioners, and Mark Redmond, John Owen and John Bourgeois as citizen members to the New Minas Secondary Planning Strategy Advisory Group for an undefined term.</i> <u>Report Attached</u>
C	Public Hearing Date	Tuesday, April 21, 2020 at 9:00 am



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

Application to enter into a substantive amendment to an existing development agreement for lands at PID# 55231641 and 55231658 (File# 19-21)

March 10th, 2020

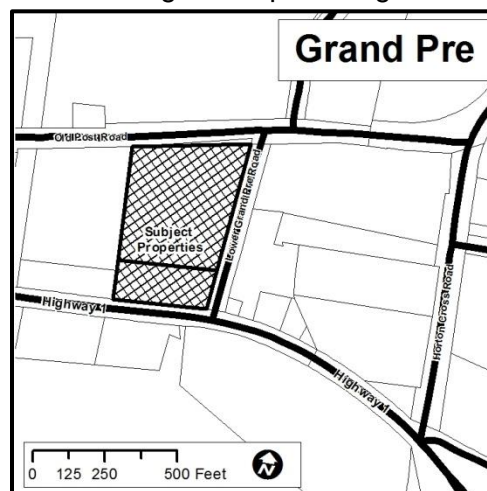
Prepared by: Planning and Development Services

Applicant	Beverly McClare
Land Owner	Beverly McClare
Proposal	Application to enter into a substantive amendment to an existing development agreement to permit the development of a permanent structure for the purpose of hosting special events, e.g. weddings.
Location	11827 Highway #1, (PID# 55231641 and 55231658), Grand Pré, Nova Scotia
Lot Area	Total: 4.66+/- acres
Designation	Agricultural
Zone	Agricultural (A1) Zone
Surrounding Uses	Primarily agricultural and residential. There is an institutional use (cemetery) adjacent to the Property and an agri-tourism use located approximately 3000 feet from the Subject Property.
Neighbour Notification	Staff sent notification letters to the 23 owners of properties within 500 feet of the subject property and held a Public Information Meeting on January 21 st , 2020.

1. PROPOSAL

Beverly McClare has applied for a substantive amendment to an existing development agreement for two properties located 11827 Highway #1, (PID# 55231641 and PID# 55231658) Grand Pré. The substantive amendment would permit the development of a permanent structure for hosting special events such as weddings. The site plan for the development agreement would be updated to reflect this change, but other uses enabled through the existing development agreement would remain unchanged.

The applicant operates an existing commercial and agri-tourism operation on the subject properties that produces herbs that are processed into consumable, value-added products such as jellies, vinegars, liquors, and ice cream. A retail store sells the products produced as well as locally made art and crafts. The initial application for a development agreement was submitted to the Municipality in 2018 because the applicant had sought a letter from the Municipality confirming compliance with the Land Use Bylaw to obtain a liquor license for a tea room. When it was confirmed that the tea room had been operating in contravention of the Land Use Bylaw the applicant submitted a planning application. The Municipality and the applicant entered into a development agreement in November 2018 which legalized the tea room and permitted for the expansion of the commercial and agri-tourism uses including the use of the property for special events.



2. OPTIONS

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

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

3. BACKGROUND

The Subject Property is located within Grand Pré, founded in the late 1600s by Acadian settlers. During the 20th Century, Grand Pré was developed as a tourist destination, principally due to its connection to Acadian culture, its pastoral scenery and preserved Acadian dyke-land. In 2012 the Landscape of Grand-Pré was named a World Heritage Site by UNESCO. The subject properties are located within the buffer zone for the heritage site.

Tangled Garden was established roughly 30 years ago on a property that fronts onto Highway #1 (PID# 55231641) as an herb garden and retail location for value-added products and folk art. The second lot (PID# 55231658) was acquired in 2001, expanding the area for herb production and the development of a labyrinth used by visitors to the subject property.

4. INFORMATION

4.1 Subject Property Information

The subject properties consist of two lots. The southerly lot is approximately 1 acre in area and has approximately 320 feet of road frontage on Highway #1 running generally in an east-west direction and an additional 140 feet of frontage on Lower Grand Pré Road running generally in a north-south direction. The northerly lot is approximately 4 acres in size and features approximately 460 feet of frontage on Lower Grand Pré Road, running generally in a north-south direction and approximately 415 feet of road frontage on Old Post Road running generally in a east-west direction. Both properties abut a cemetery on the west boundary of the properties.

There is a commercial building located on the southerly lot containing space for commercial production of goods as well as an area for retail sales. There is a gravel parking area consisting of 10 parking spaces, along with signage for the business along the Highway 1 frontage. There is a single-unit residential dwelling located on this lot, a portion of which has been converted into an accessible washroom facility and small interpretive centre for tour groups. Located in a separate structure, behind the commercial and residential structure is a tea room. There are two garden

sheds used for storage located on the northerly lot as well as a parking area for staff, tour buses and special events, accessed off of Lower Grand Pré Road.

Both lots feature landscaped vegetative gardens that contain the herbs and other vegetables used in the production of goods, retailed by Tangled Garden. There are pathways and a labyrinth for visitors to walk amongst. The topography of the subject properties gradually slopes upwards in a northwesterly direction, away from Highway # 1 and Lower Grand Pré Road. There is a pond located in the northeast portion of the northerly lot and a level parking area, accessed from Old Post Road with 50 parking spaces. This parking area designated for guests attending special events at the venue. There are two washroom facilities for guests, connected to Municipal sewer. The applicant is intending on developing the area currently noted on Schedule B - Site Plan of the existing Development Agreement as a temporary special event venue (tent), with a permanent structure.

Both lots are in the Agricultural District as denoted on the Future Land Use Map, as are the abutting properties. The subject properties are located in the Agriculture (A1) Zone and the properties that abut the subject properties are also within the Agricultural (A1) Zone. The subject properties are approximately 400 feet from the boundary of the Grand Pré Heritage Conservation District. Further, the subject properties are in proximity to the area eligible for inclusion in the Heritage Conservation District on the western property line. The Subject Properties are within the boundaries of the Grand Pré Community Plan.

4.2 Comments from Public Information Meeting

Council's Planning Policy PLAN-09-001 requires a Public Information Meeting (PIM) for a substantive amendment to an existing development agreement. The required Public Information Meeting was held on January 21st, 2020 at the Horton Community Centre, with eight members of the public in attendance, along with the Planner and Councillor for the area.

The planner made a brief presentation on the application. Members of the public were generally supportive of the proposed development. Concerns were raised regarding increased noise levels, vehicular traffic, and parking.

The complete notes from the PIM are attached as Appendix C.

4.3 Requests for Comments

Staff requested comments from both internal and external departments on the application. Comments were requested from the following groups with the results as described:

4.4.1 Department of Transportation and Infrastructure Renewal (DTIR)

Department of Transportation and Infrastructure Renewal offered the following comments:

- An access permit has not been issued for the proposed building and will be required from DTIR at the time of permitting
- The adjacent road networks are adequate for the proposed development

- There are no concerns with the volume of traffic and access to the site for special events provided access is from Old Post Road only
- There is no need for any additional traffic study and/or analysis

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

Engineering and Public Works commented on the following:

- Municipal sewer is available for the proposed building if the applicant wishes to connect via an existing lateral; a sewer permit will be required at the time of permitting.

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

Building and Enforcement provided the following comments:

- The proposed structure will require additional engineering in order to meet code as an assembly use.
- Building plans will be reviewed for compliance with the National Building Code at the time of permitting.
- The Wolfville Fire Chief has confirmed that fire service equipment is more than adequate to fight fire at this location.

4.4.4 Municipality of the County of Kings Development Control

The Planner on this file has worked closely with development control throughout the processing of this application. The Municipal Development Officer had no concerns with relation to the ability of issuing permits for the proposed development provided it adheres to the conditions of the agreement.

4.4.5 Nova Scotia Environment

Nova Scotia Environment was contacted regarding this application and did not provide comment.

5. POLICY REVIEW – Development Agreement

5.1 Development Agreement

A development agreement is a contract between a landowner and the Municipality to permit a use not normally permitted within the zone applied to a property. In turn, the Municipality is able to require additional controls to minimize and mitigate potential negative impacts that may be associated with the use(s) enabled within the development agreement. The ability for Council to consider a development agreement must be stated in the Land Use Bylaw (LUB) and the Municipal Planning Strategy (MPS). The MPS must also identify the types of uses Council may consider under each development agreement. Uses that Council may consider are those that Council has determined has increased potential for negative impacts on an area that a negotiated process is required to ensure the potential negative impacts are minimized. In the MPS Council

identifies both specific and general criteria that must be considered when making decisions regarding a development agreement.

5.2 Land Use Bylaw (Bylaw 75)

Section 5.2 of the LUB states that *“Within Hamlets, Country Residential, Forestry, and Agricultural Districts the following shall be permitted by development agreement: Expansion of non-conforming commercial and industrial uses as provided for in Policy 3.7.10.2 of the Municipal Planning Strategy.”*

It is Staff's opinion that Ms. McClare's proposal qualifies under this provision of the Land Use Bylaw to be considered by development agreement.

5.2.1 Land Use By-law (By-law 106)

8.3.5 Pursuant to the Municipal Planning Strategy, the uses noted below may be considered within the Agriculture (A1) Zone:

(a) Event venues and restaurants accessory to an operating farming business in accordance with policy 3.4.15 of the Municipal Planning Strategy.

It is Staff's opinion that Ms. McClare's proposal qualifies under this provision of the Land Use By-law to be considered by development agreement.

5.3 Municipal Planning Strategy (Bylaw 56)

Policy 3.7.10.2 of the Municipal Planning Strategy states that *“Within the Country Residential, Forestry, and Agricultural Districts as well as Hamlets, Council may provide for the expansion of a non-conforming use referred to in Policy 3.7.10.1 by Development Agreement pursuant to the Municipal Government Act.”*

In considering the terms of a development agreement, Council shall have regard to the following:

- a. *The expansion is to a related use; that is, a new product, service, or additional line of business complementary to the original business*
The proposed uses are complementary to the existing business.
- b. *The expansion does not limit nor interfere with adjacent agricultural, forestry or non-resource uses*
The proposed uses would all be contained on the property owned by Ms. McClare and would not interfere with adjacent land uses
- c. *The expansion does not exceed or extend beyond the property lines that were in existence at the time the use became non-conforming (i.e. not on a consolidated lot or lot addition)*
The expansion would not exceed or extend beyond the property lines which were in existence at the time the use became non-conforming

- d. *A subsequent plan of subdivision which involves the severance of land from a parcel containing a non-confirming use and bound by a Development Agreement shall be subject to an amendment to the agreement executed by a resolution of Council*
A clause stating this is written into the draft development agreement
- e. *The Proposal can meet all other requirements of this Strategy, including Policies contained within Part 6 of this Strategy.*

5.3.1 Municipal Planning Strategy (By-law 105)

Policy 3.4.15 of the Municipal Planning Strategy states that: *“consider only by development agreement proposals for event venues or restaurants to be developed within the Agricultural (A1) Zone. In evaluating such development agreements Council shall be satisfied that the proposal:”*

- (a) *Is accessory to an operating farm business and the owner’s income from the farming business for the previous year exceeds the income from all other sources;*
The applicant has submitted financial statements that show farming income from the previous year exceeds income from non-farming sources.
- (b) *Establishes a maximum setback from the road for any proposed structure to minimize disruption to land in production;*
DA limits the area of the event venue through the site plan.
- (c) *Includes the conversion of a building existing on the date of adoption or the construction of a new building. If the proposal includes a new building, Council shall be satisfied that the location of the new building minimizes potential negative impacts on current or future farming practices;*
Proposed location for new building is located on a portion of the subject properties that minimises the loss of total agricultural land.
- (d) *Includes, if the ability to use temporary structure is requested:*
 - i. *a maximum number of times each year that temporary structures may be located on the lot;*
 - ii. *a maximum duration for each time temporary structures are located on the lot;*
 - iii. *the location on the lot of any proposed temporary structure.*

A temporary structure for the purpose of hosting special events may be located within the event venue development envelope as identified on Schedule B – Site Plan until the permanent structure is constructed. .
- (e) *Excludes the ability to obtain or use a cabaret license or its equivalent;*
The amended development agreement does not enable any uses that require a cabaret license.
- (f) *Includes sufficient parking for the proposed permanent structure and any proposed temporary structures. Council shall be satisfied that the parking areas:*

- i. Are flat, stable surfaces;*
- ii. Are in close proximity to the restaurant or event venue; and*
- iii. Are designed for easy reversion back to agricultural production; and*

Parking area for special events is not proposed to be changed or enlarged. Parking for events is accessed from Old Post Road, is within 100 feet of the development envelope of event space and is located on an area constructed of a permeable surface.

(g) The proposal may include small-scale accessory fixed-roof accommodation; and

Under the terms of the existing development agreement, a tourist cabin is permitted to be developed.

(h) The proposal meets the general development agreement criteria set out in section 5.3 Development Agreements and Amending the Land Use By-law;

5.4 Grand Pré Heritage Conservation District and Community Plan

5.4.1. Grand Pré Heritage Conservation District

In the 1990s, at the behest of residents of Grand Pré, a Heritage Conservation District was established in order to provide protection of historic buildings and settings within the community and enhance the attractiveness of the community as a tourist destination. While the subject property is in close proximity to the Grand Pré Heritage Conservation District, with the boundary of the district located approximately 400 feet from the closest property line of the Subject Properties, it is outside of the current bounds of the Heritage Conservation District.

5.4.2 Grand Pré Community Plan

The Subject Property is located within the boundaries of the Grand Pré Community Plan. This plan is specific to four distinct communities within the overall Grand Pré area: Grand Pré, Hortonville, North Grand Pré, and Lower Wolfville. Consultations for the community plan commenced in 2008 with the overall goal of developing policies that reflect the needs and wishes of the local community members throughout the area; the overall objectives outlined in Policy 4.4.9.1 of the plan, embedded within the Municipal Planning Strategy, are to support the initiatives of the Community Plan, support protection of the area as a unique cultural resource, and to provide opportunities for tourism development in the area. With specific regard to the proposed development agreement, the plan, noted in Policy 4.4.9.4, outlines the objectives of encouraging agricultural industries and appropriate related business. Further, the plan also notes, in Policy 4.4.9.7, the business objectives of ensuring that commercial activity serves the local community, as well as visitors to the area. The proposed uses meet these objectives and are consistent with the policies of the Grand Pré Community Plan.

5.5 General Development Agreement Criteria Policies

Both Municipal Planning Strategy (Bylaw 56) and Municipal Planning Strategy (By-law 105) contain policies which address general criteria used in evaluating all proposals to enter into, or to amend existing, development agreements. Broadly, these criteria evaluate the proposal against the impact it will have on any direct costs to the Municipality, concerns of traffic or access,

suitability of the site and surrounding land uses and raises no concerns regarding emergency services.

Subsections of these policies provide the opportunity for specification on a number of controls a new or amending development agreement may put in place in order to reduce potential land use conflicts. Controls have been placed on the location of the proposed building for special events, the hours of operation, and the parking areas. These controls have been placed on the subject property and business in order to reduce potential land-use conflicts with neighbouring properties.

The general criteria for evaluating development agreement proposals are attached as Appendix D and Appendix E of this report.

6. SUMMARY OF DRAFT AMENDING DEVELOPMENT AGREEMENT

The proposed changes reflect the desire of the applicant to amend some of the provisions in the existing development agreement to permit the development of a permanent structure for hosting special events.

The proposed amendments would necessitate changes in the following sections of the existing development agreement:

Section	Content
1.3	Definitions
2.1	Uses
2.3	Architecture
2.9	Parking and Loading Areas
2.13	Hours of Operation
2.14	Waste Collection
2.15	Amplified Noise
Schedule B	Site Plan

1. Redundant definitions, as a result of the amendments to the existing development agreement, would be removed and a new definition for *special event* that would specify they take place within an event venue would be inserted.
2. Outdoor event venue is removed as a permitted use and replaced with a development envelope for an event venue.

3. Section 2.3 (Architecture) is removed and replace with a new section which controls the height of the special event venue.
4. Section 2.9 (Parking and Loading Areas) is removed and replaced with a new section 2.9 of the development agreement.
5. Section 2.13 (Hours of Operation) is removed and replace with a new section 2.13 of the development agreement
6. Section 2.14 (Waste Collection) is added through amending agreement to existing development agreement to address proper storage and timely collection of organic and non-organic waste generated by special events.
7. Section 2.15 (Amplified Noise) is added through amending agreement to existing development agreement in an attempt to limit amplification of sound (e.g. speakers) from occurring outside of a tent or permanent event venue.
8. Replacement of “Schedule B – site plan” with an updated site plan to reflect the development envelope for an event venue.

7. CONCLUSION

The proposal and the terms of the draft development agreement are in keeping with the intent of both the old and new Municipal Planning Strategies. The proposal is enabled by Council's rural non-conforming uses policies and agricultural policies, and is consistent with the criteria of those policies. The proposal meets all other general criteria for amending an existing development agreement. As a result, a positive recommendation is being made to the Planning Advisory Committee.

8. STAFF RECOMMENDATION

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

The Planning Advisory Committee recommends that Municipal Council give Initial Consideration to and hold a Public Hearing to amend an existing development agreement to permit the development of a permanent event venue building at 11827 Highway 1 (PID 55231641 and 55231658), Grand Pré which is substantively the same (save for minor differences in form) as the draft set out in Appendix G of the report dated March 10, 2020.

9. APPENDIXES

Appendix A: Reference Zoning Map (Bylaw 75)

Appendix B: Reference Zoning Map (By-law 106)

Appendix C: Notes from the January 21st, 2020 Public Information Meeting

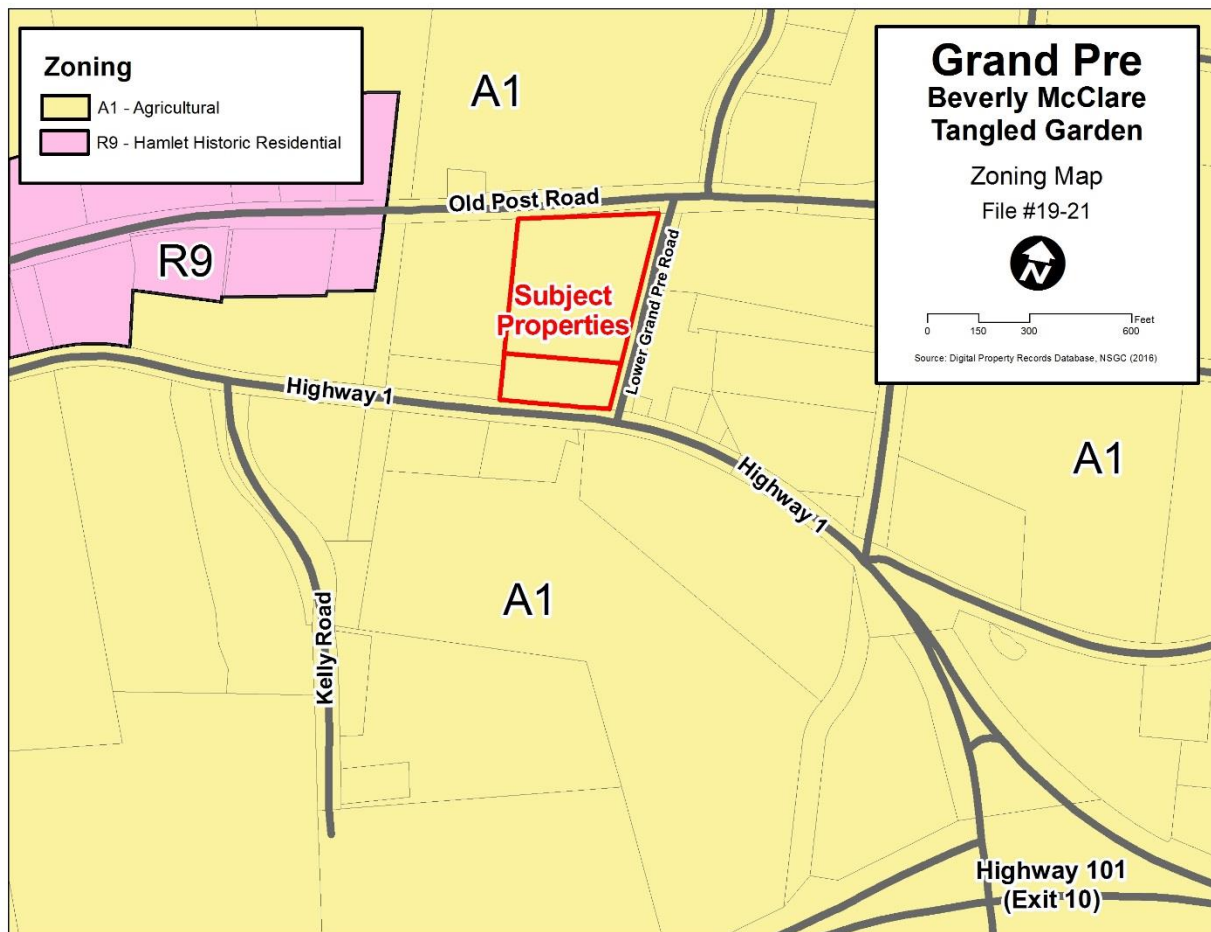
Appendix D: Municipal Planning Strategy, Section 6.3.3.1 – General Development Agreement Criteria

Appendix E: Municipal Planning Strategy, Policy 5.3.7 and 5.3.8 – General Criteria to Consider for all Development Agreements and Land Use By-law Amendments

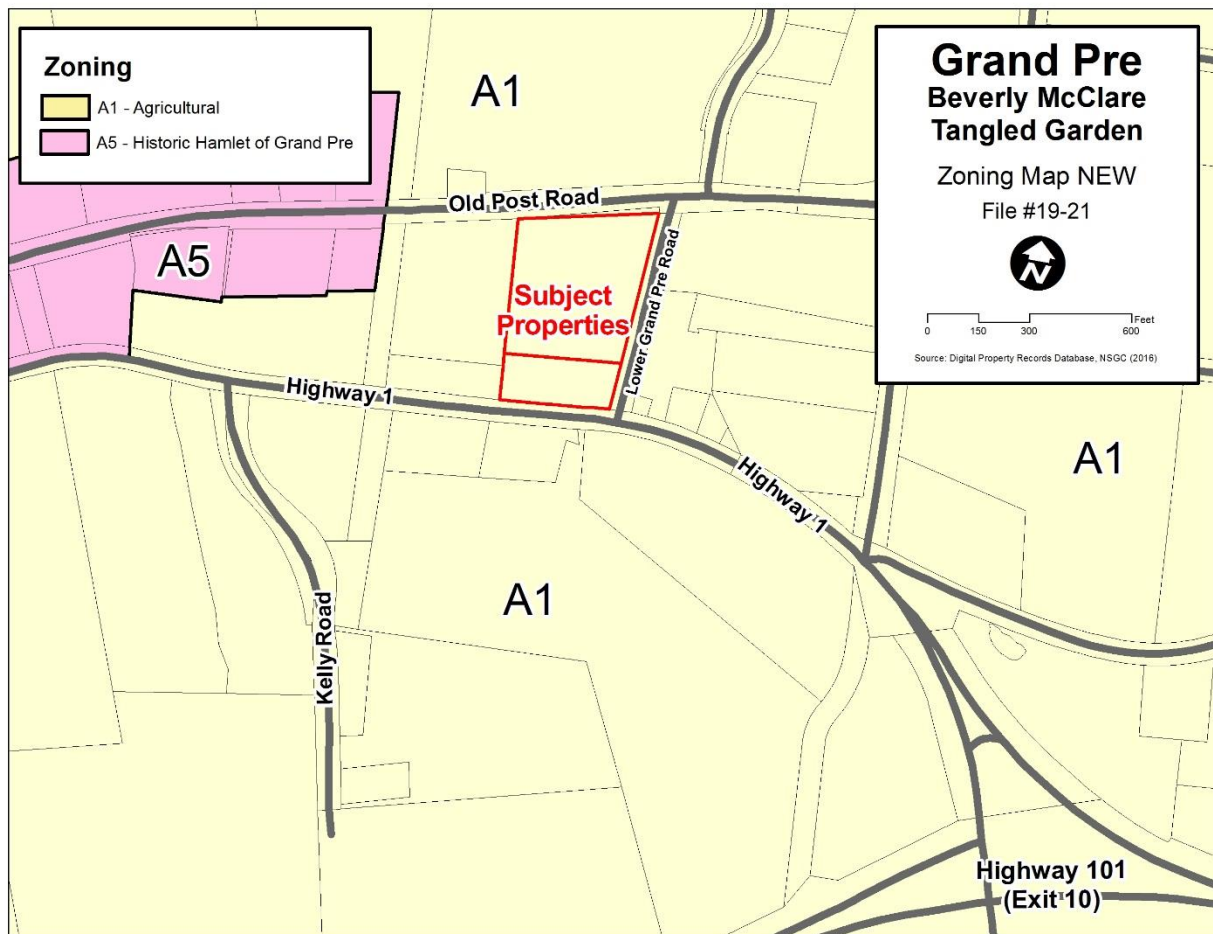
Appendix F: Existing Development Agreement

Appendix G: Amending Development Agreement

Appendix A: Reference Zoning Map (Bylaw 75)



Appendix B: Reference Zoning Map (By-law 106)



MUNICIPALITY OF THE COUNTY OF KINGS

PLANNING AND DEVELOPMENT SERVICES

PUBLIC INFORMATION MEETING NOTES

Planning Application to amend the existing development agreement for Tangled Garden – 11827 Highway #1, Grand Pré (File 19-21)

<i>Meeting, Date and Time</i>	A Public Information Meeting was held on Tuesday, January 21 st , 2020 at 7:00 p.m. at the Horton Community Hall, 11794 Highway #1, Grand Pré, Nova Scotia.
<i>Attending</i>	In Attendance:
<i>Councillors</i>	Councillor Peter Allen – District 9 (Chair)
<i>Planning Staff</i>	Will Robinson-Mushkat – Planner, Planning and Development Services
<i>Public</i>	6 Members
<i>Welcome & Introductions</i>	The Chair, Councillor Peter Allen, called the meeting to order, introductions were made and the members of the public were welcomed to the meeting. The Public Information Meeting provides an opportunity for the public to express concerns and/or receive clarification on any aspect of the proposal. No evaluation has been completed and no decisions have been made at this point.
<i>Presentations</i>	Will Robinson-Mushkat provided a brief overview of the planning process and the criteria that will be used to evaluate the application from Beverly McClare to amend the existing development agreement to permit the development of a permanent event venue structure the Tangled Garden – 11827 Highway #1, (PID 55231641 and PID 55231658) Grand Pré, Nova Scotia.
<i>Comments from the Public</i>	<p>Barbara Kaiser – 287 Old Post Road, Grand Pré</p> <ul style="list-style-type: none">• Concern with impact of development on sewer line and with disposal of food waste from special events. <p>Will Robinson-Mushkat indicated that the existing washroom facilities are connected to the existing sewer line through a lateral located on the property and there was no intention of increasing the number of guests attending events than already permitted by the existing development agreement.</p> <p>Martin Hallett – 287 Old Post Road, Grand Pré</p>

- Questions that if intention is to convert a temporary structure into a permanent structure for events if the total area would be larger.
- Concerns with parking alongside of Old Post Road, versus on the property itself.

Will Robinson-Mushkat showed that the envelope as noted on the existing site plan would be the same size as permitted in the amended development agreement. Further, he confirmed that the new building would be required to conform with the setbacks requirements for the underlying zone. Also notes that Old Post Road is a provincial road and that, as part of the planning process, the Municipality seeks comment from DTIR with regarding to access and parking.

Bibianna Burton – 316 Old Post Road, Grand Pré

- Shares concerns with previous speakers regarding traffic and parking along Old Post Road.
- Inquires about number of guests for events, total area, hours of operations.
- Notes she moved to area for quiet and tranquility.
- Comments that she believes Tangled Garden is an asset to community, despite concerns with special event use.

Will Robinson-Mushkat notes that the current terms of the Development Agreement pertaining to hours of operations would remain in effect. Notes he cannot speak to frequency of events except that the DA does not limit the number.

Leslie Goodwin – 315 Old Post Road, Grand Pré

- Like applicant and Tangled Garden but has concerns with number of guests, frequency of events, liquor license, hours of operations, traffic generation.
- Mentions she has lost sleep due to events.
- Notes she has attended events at the Tangled Garden in the past.

Adjournment

There being no further discussion, the Chair thanked those in attendance and adjourned the meeting at 7:40 p.m.



Will Robinson-Mushkat, Recorder

APPENDIX D: Bylaw 56 - Municipal Planning Strategy, Section 6.3.3.1 General Development Agreement Criteria

Policy 6.3.3.1

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

Criteria	Comments
<i>a. the proposal is in keeping with the intent of the Municipal Planning Strategy, including the intent of any Secondary Planning Strategy</i>	The proposal is in keeping with the intent of the MPS as discussed in Part 5 of this report as well as the objectives of the Grand Pré Community Plan.
<i>b. that the proposal is not premature or inappropriate by reason of:</i>	
<i>i. the financial capability of the Municipality to absorb any costs related to the development of the subject site</i>	The proposal does not involve any development costs to the Municipality.
<i>ii. the adequacy of municipal sewer and water services if services are to be provided. Alternatively, the adequacy of the physical site conditions for private on-site sewer and water systems</i>	There is an existing sewer lateral on the subject properties associated with the existing buildings. If a connection to the proposed building is intended, a sewer permit application will be required.
<i>iii. the potential for creating, or contributing to, a pollution problem including the contamination of watercourses or the creation of erosion or sedimentation during construction</i>	The proposal does not cause concern regarding pollution or contamination of watercourses.
<i>iv. the adequacy of storm drainage and the effect of same on adjacent uses</i>	Property owner is required to contain all post-development storm water flow on site.
<i>v. the adequacy of street or road networks in, adjacent to, and leading to, the development</i>	The Department of Transportation and Infrastructure Renewal provided comments and did not raise concerns with the proposed use. DTIR did comment that access for guests for events is permitted from Old Post Road only and that a new access permit would be required at time of new building construction.
<i>vi. the adequacy, capacity and proximity of schools, recreation and other community facilities</i>	Not applicable.
<i>vii. adequacy of municipal fire protection services and equipment</i>	Wolfville Fire was consulted and has confirmed that local fire services have sufficient equipment to adequately serve the proposal.
<i>viii. creating extensive intervening parcels of vacant land between the existing developed lands and the proposed site, or a scattered or</i>	Not applicable.

<i>ribbon development pattern as opposed to compact development</i>	
<i>ix. the suitability of the proposed site in terms of steepness of grades, soil and/or geological conditions, and the relative location of watercourses, marshes, swamps or bogs</i>	The lot is suitable for the proposed development with regard to geological conditions.
<i>x. traffic generation, access to and egress from the site, and parking</i>	The Department of Transportation and Infrastructure Renewal is satisfied that the proposed use will not generate an undue amount of traffic on the surrounding roads.
<i>xi. compatibility with adjacent uses</i>	The existing development agreement includes restrictions on the hours of operation for the uses permitted by the agreement to reduce any potential compatibility issues.
<i>c. the Development Agreement may specify that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:</i>	
<i>i. the type of use</i>	The draft amending development agreement specifies the uses permitted.
<i>ii. the location and positioning of outlets for air, water and noise within the context of the Land Use Bylaw</i>	No special requirements are necessary.
<i>iii. the height, bulk and lot coverage of any proposed buildings or structures</i>	No special requirements are necessary.
<i>iv. traffic generation</i>	No special requirements are necessary.
<i>v. access to and egress from the site and the distance of these from street intersections</i>	The existing development agreement specifies that access and egress must be in general conformance with the site plan.
<i>vi. availability, accessibility of on-site parking</i>	The existing development agreement requires a minimum on-site parking for special events.
<i>vii. outdoor storage and/or display</i>	No outdoor storage and/or display is permitted on the properties beyond that associated with uses permitted in underlying zoning.
<i>viii. signs and lighting</i>	The existing development agreement places restrictions on signs and lighting, consistent with the requirements of the LUB
<i>ix. the hours of operation</i>	The existing development agreement places restriction on the hours of operation.
<i>x. maintenance of the development</i>	The existing development agreement requires reasonable maintenance of the Subject Property.
<i>xi. buffering, landscaping, screening and access control</i>	No buffering, landscaping or screening has been required in the existing development agreement.

<i>xii. the suitability of the proposed site in terms of steepness of grades, soil and/or geological conditions, and the relative location of watercourses, marshes, swamps, or bogs</i>	The site is suitable with regard to topographical and geological conditions as well as the relative location of watercourses, marshes, swamps, or bogs.
<i>xiii. the terms of the agreement provide for the discharge of the agreement or parts thereof upon the successful fulfillment of its terms</i>	The existing development agreement provides for discharge of the agreement.
<i>xiv. appropriate phasing and stage by stage control</i>	Not applicable
<i>d. performance bonding or security shall be included in the agreement if deemed necessary by Council to ensure that components of the development such as, but not limited to, road construction or maintenance, landscaping or the development of amenity areas, are completed in a timely manner</i>	No performance bonding or security is needed.

APPENDIX E: By-law 105 - Municipal Planning Strategy, Policy 5.3.7 General Criteria to Consider for all Development Agreements and Land Use By-law Amendments

Policy 5.3.7

Council expects to receive applications to amend the Land Use By-law or enter into a development agreement for development that is not permitted as-of-right in the Land Use By-law. Council has established criteria to ensure the proposal is appropriate and consistent with the intent of this Strategy.

Council shall be satisfied that a proposal to amend the Land Use By-law or to enter into a development agreement:

Criteria	Comments
<i>a. is consistent with the intent of this Municipal Planning Strategy, including the Vision Statements, relevant goals, objectives and policies, and any applicable goals, objectives and policies contained within a Secondary Plan;</i>	
<i>b. is not in conflict with any Municipal or Provincial programs, By-laws, or regulations in effect in the Municipality;</i>	
<i>c. that the proposal is not premature or inappropriate by reason of:</i>	
<i>i. the Municipal or village costs related to the proposal;</i>	The proposal does not involve any development costs to the Municipality.
<i>ii. land use compatibility with surrounding land uses;</i>	The primary land use on the subject property is agri-tourism, a compatible use. The event venue is accessory to the primary use.
<i>iii. the adequacy and proximity of school, recreation and other community facilities;</i>	Not applicable.
<i>iv. the creation of any excessive traffic hazards or congestion due to road or pedestrian network adequacy within, adjacent to, and leading to the proposal;</i>	The Department of Transportation and Infrastructure Renewal provided comments and did not raise concerns with the proposed structure/use. DTIR did comment that access for guests for events is permitted from Old Post Road only and that a new access permit would be required.
<i>v. the adequacy of fire protection services and equipment;</i>	Wolfville Fire was consulted and has confirmed it has sufficient equipment to adequately serve the proposal.
<i>vi. the adequacy of sewer and water services, including but not limited to on-site services;</i>	Municipal Engineering and Public Works has confirmed the existing sewer service has the capacity to serve the proposed use should the connection be desired.
<i>vii. the potential for creating flooding or serious drainage problems either</i>	Property owner is required to contain all post-development storm water flow on site.

<i>within the area of development or nearby areas;</i>	
<i>viii. negative impacts on identified wellfields or other groundwater supplies for the area;</i>	There are no identified wellfields in the area, nor groundwater supplies. The area is serviced by private wells.
<i>ix. pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or</i>	EPW has commented the applicant will be required to follow Municipal specifications regarding soil erosion at the time of construction.
<i>x. negative impacts on lake water quality or nearby wetlands;</i>	Not applicable.
<i>xi. negative impacts on neighbouring farm operations;</i>	The current and proposed uses will not have an impact on neighbouring farm operations
<i>xii. the suitability of the site regarding grades, soils and geological conditions, location of watercourses, marshes, bogs and swamps, and proximity to utility rights-of-way.</i>	The subject property is suitable in terms of grades, soils, geological conditions, and proximity to natural features and rights-of-way.

Policy 5.3.8

Establish controls that may be needed to adequately address any concerns raised by the criteria set out in Policy 5.3.7 above, including but not limited to controls regarding:

Criteria	Comments
<i>a. the type of uses permitted on the lot;</i>	The types of uses are controlled by the existing and proposed amending development agreement.
<i>b. the location, height, bulk, and lot coverage of any proposed buildings or structures;</i>	Proposed building would be controlled by land use by-law zone standards
<i>c. access, egress and parking requirements including, but not limited to the following:</i>	
<i>i. the location of parking areas on the lot;</i>	Areas for parking are identified on site plan.
<i>ii. off-road parking and loading spaces, that do not require consistency with the Land Use By-law requirements;</i>	Parking and loading is not permitted off-site.
<i>iii. waiving parking requirements;</i>	Not applicable.
<i>iv. the acceptance of cash-in-lieu for required parking provided there is adequate street or parking on other sites to serve the commercial uses; and;</i>	Not applicable.
<i>v. shared parking arrangements;</i>	Not applicable.
<i>c. hours of operation;</i>	Regulated by existing development agreement.
<i>d. signs and lighting;</i>	Regulated by existing development agreement.
<i>e. phasing of the development;</i>	Not applicable.
<i>f. integrating the proposal into the surrounding area by means of good landscaping, buffering, sensitive site orientation and screening;</i>	Not applicable.

<i>g. reducing the impacts of noise, odour, dust, or light or any other form of emission on other properties in the area;</i>	
<i>h. reducing the potential for contamination of, or interference with, wellfields or other designated groundwater supply protection area;</i>	Not applicable.
<i>i. reducing contamination risk and damage to either the natural or built environment;</i>	Not applicable.
<i>j. managing lighting to reduce glare, light trespass, and skyglow;</i>	Regulated by existing development agreement.
<i>k. architectural features, including but not limited to bulk, scale, height, roof shape, building materials, exterior cladding, and shape and size and placement of doors and windows, to ensure they are visually compatible with nearby buildings in the case of a new building, or with the original building in the case of an addition;</i>	Terms in the amending agreement provide regulation for proposed permanent event venue, to replace the permitted tent for special events permitted in the existing development agreement.
<i>l. ensuring the proposal provides sufficient park and trail features consistent with the applicable policies of section 2.7 Recreation and within the Subdivision By-law;</i>	Not applicable.
<i>m. the location of structures on the lot to ensure minimal interference with sunlight received by abutting properties, including but not limited to potential impact on solar collectors;</i>	Not applicable.
<i>n. management of garbage collection and industrial waste disposal;</i>	Section 2.14 is added to the existing development agreement through amending agreement to address collection of food waste.
<i>o. ensuring no part of the area of the development agreement will be developed so as to prejudice or compromise future development on site or on nearby lands;</i>	The location of the proposed building falls within the special event envelope identified in the existing development agreement.
<i>p. on-going maintenance of the development;</i>	Not applicable.
<i>q. time limits for construction;</i>	Regulated by existing development agreement. Only limit is applied to construction of tourist cabin.
<i>r. requirements for adequate performance bonding or security to ensure that major components of the development, including but not limited to, road construction or maintenance, landscaping, or development of amenity areas, are completed in an appropriate and timely manner and maintained for a specific time period;</i>	Not applicable.
<i>s. the discharge of the agreement or parts thereof; and</i>	Not applicable.
<i>t. any other matter determined by Council.</i>	Not applicable.

APPENDIX F: Existing Development Agreement

THIS DEVELOPMENT AGREEMENT made this _____ day of _____, A.D.

BETWEEN:

Beverly McClare, of Grand Pré, 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) Numbers 55231658 & 55231641; and

WHEREAS the Property Owner wishes to develop a tearoom, permanent location for special events, accessible washroom facilities for special events, accessible washroom within the building footprint of an existing dwelling, tourist cabin; and

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

WHEREAS policies 3.7.10.2 and 3.2.8.2 of the Municipal Planning Strategy and sections 5.2.7 and 5.2.14 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 November 6th, 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, Land Use Bylaw and Subdivision Bylaw

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

1.3 Definitions

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

- (a) *Development Officer* means the Development Officer appointed by the Council of the Municipality.
- (b) *Tent* means a covered, open-air building—that can be disassembled—intended for use by the public for events such as weddings and receptions.
- (c) *Special Outdoor Event* means an event which takes place in an outdoor setting, with or without the use of a tent and which is limited to: themed celebration, wedding, festival, or other similar uses.
- (d) *Tea Room* means a location for the preparation and serving of tea, coffee, and other alcoholic and non-alcoholic beverages and the serving, but not preparation, of food such as sandwiches, cookies, scones, and other foods that do not require utensils and/or cutlery for their consumption.
- (e) *Tourist Cabin* means a building which primarily provides fixed roof accommodations for the travelling public and may or may not contain kitchen facilities.
- (f) *Interpretive Area* means an area used for providing tour groups with information respecting of the activities that occur on site.

PART 2 DEVELOPMENT REQUIREMENTS

2.1 Use

The use of the Property shall be limited to:

- (a) Those uses permitted by the underlying zoning in the Land Use Bylaw, as amended from time to time;
- (b) A commercial building with a total floor area no greater than 1,800 square feet containing areas for the production and retail sale of goods. Although permitted to be reconstructed in the event of destruction, the commercial building shall continue to be a non-conforming structure pursuant to the *Municipal Government Act* and the Land Use Bylaw provisions affecting non-conforming structures. In the event of destruction the building will be required to meet Agricultural (A1) Zone setback requirements;
- (c) Tea room with a total floor area no greater than 600 square feet;
- (d) Special outdoor events in the area identified on Schedule B - Site Plan;
- (e) Washroom facilities to be used in conjunction with the special outdoor event site;
- (f) A tourist cabin with a footprint no greater than 40 feet by 40 feet;
- (g) Interpretive area no greater than 500 square feet, located within the existing residence for tour groups; and,
- (h) Agritourism uses and garden tours.

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

2.2 Site Plan

- (a) All uses enabled by this Agreement on the Property shall be developed generally in accordance with Schedule B, Site Plan;
- (b) Any future changes to Schedule B - Site Plan that would result in a change to the access and/or parking configuration must be approved by the Department of Transportation and Infrastructure Renewal or any successor body;
- (c) Schedule B - Site Plan is a graphical illustration only. In the event of the destruction of structures noted on Site Plan it is the responsibility of the Property Owner to prove the location of structures on the property; and,
- (d) Access from Lower Grand Pre Road and Old Post Road as shown on Schedule B – Site Plan are conceptual only and are subject to approval from road authority. The access points may be located in a different location along each frontage without an amendment to this Agreement.

2.3 Architecture

All buildings enabled by this Agreement shall be clad in horizontal or vertical clapboard or equivalent, or wood, masonry, stone, or metal, in any combination and shall generally reflect the roof, door and window style of the existing buildings located on the Property.

2.4 Subdivision

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

2.5 Signs

- (a) Permitted ground signs shall be constructed only of wood and/or metal.
- (b) Internally illuminated signs shall be prohibited.
- (c) The following signs shall be permitted:
 - (i) one facia (wall) sign, per building, with a maximum sign area of 20 square feet; and,
 - (ii) one ground sign with a maximum sign area of 40 square feet and maximum height of 8 feet.
- (d) Signs shall be located at least 5 feet from any property line.
- (e) Signs otherwise permitted in the underlying zone shall be permitted in accordance with the Land Use Bylaw.

2.6 Appearance of Property

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

2.7 Lighting

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

2.8 Outdoor Storage and Display

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

2.9 Parking and Loading Areas

- (a) Parking spaces and loading areas for each use shall be provided in accordance with the requirements of the Land Use Bylaw for the applicable use and shall be located generally in accordance with Schedule B - Site Plan.
- (b) In addition to the spaces provided for pursuant to paragraph 2.9(a), a minimum of 50 parking spaces, inclusive of barrier-free spaces, as required by the National Building Code, shall be provided for the purposes of the area for special outdoor events. Required spaces shall be provided within the general area designated in

accordance with Schedule B - Site Plan.

- (c) Loading areas are accessed from Lower Grand Pre Road, and shall be provided within the general area designated in accordance with Schedule B - Site Plan.

2.10 Access and Egress

The Property Owner must submit current permits from Nova Scotia Transportation and Infrastructure Renewal, or any successor body, to the Municipality before receiving any Development or Building Permits for uses enabled by this Agreement.

2.11 Servicing

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

2.12 Erosion and Sedimentation Control

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.

2.13 Hours of Operation

The hours of operation for the special outdoor events use listed in Section 2.1 (d) of this Agreement shall be from 9 am to 9 pm, inclusive, from Sunday to Thursday and from 9 am to 12 am, inclusive, on Friday, Saturday and holidays.

PART 3 CHANGES AND DISCHARGE

- 3.1 The Property Owner shall not vary or change the use of the Property, from that provided for in Section 2.1 of this Agreement, unless a new Agreement is entered into with the Municipality or this Agreement is amended.

- 3.2 Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.

- 3.3 The following matters are substantive matters:

- (a) the uses permitted on the property as listed in Section 2.1 of this Agreement;
- (b) development that would result in any change to Schedule B - Site Plan for uses specifically enabled by this Agreement. Uses and structures permitted by the underlying zoning on the Property shall not require any amendment to this Agreement

- (c) a subsequent plan of subdivision which involves the severance of land from the subject properties containing a non-conforming use and bound by this Agreement
- 3.4 In the event the tourist cabin is converted into a private residence, the current private residence is not permitted to be occupied as a dwelling or converted into an area accessed by the public, other than the interpretive area permitted by this Agreement. Manufacturing and storage uses are permitted in the converted area.
- 3.5 Upon conveyance of land by the Property Owner to the road authority for the purpose of creating or expanding a public street over or adjacent to the Property, registration of the deed reflecting the conveyance shall be conclusive evidence that this Agreement shall be discharged as it relates to the public street, as of the date of registration with the Land Registry Office but this Agreement shall remain in full force and effect for all remaining portions of the Property.
- 3.5 Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council without a public hearing.

PART 4 IMPLEMENTATION

4.1 Commencement of Operation

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

4.2 Drawings to be Provided

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

4.3 Completion and Expiry Date

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

PART 5 COMPLIANCE

5.1 Compliance With Other Bylaws and Regulations

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

5.2 Municipal Responsibility

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

5.3 Warranties by Property Owner

The Property Owner warrants as follows:

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

5.4 Costs

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

5.5 Full Agreement

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

5.6 Severability of Provisions

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

5.7 Interpretation

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

5.8 Breach of Terms or Conditions

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

PART 6 ACKNOWLEDGEMENT OF FARMING PRACTICES

The Property Owner acknowledges that the Property is located in an area of active agricultural practices and agricultural processing industries, which may generate traffic,

noise, dust, and odors. The Property Owner recognizes the right of surrounding landowners to carry on activities normally associated with farming and related businesses.

THIS AGREEMENT shall ensure 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:

BEVERLY MCCLARE

Witness

Beverly McClare

Schedule A
Property Description
Taken from Property Online June 13, 2018

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

BOUNDED on the North, East and South by Roads, and

ON the West by lands now or formerly belonging to Frank B. Fuller and lands now or formerly belonging to the Lower Horton Cemetery Company, containing five (5) acres, more or less.

SAVING AND EXCEPTING that lot of land conveyed to George Walford recorded at the Kings County Registry of Deeds in Book 604 at Page 356 and more particularly described as follows:

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

COMMENCING at a survey marker set on the western boundary of the Lower Grand Pre Road at a point North 82 degrees 14 minutes 40 seconds West a distance of 792.26 feet from Nova Scotia Control Monument No. 8391;

THENCE South 84 degrees 54 minutes 10 seconds West a distance of 338.02 feet to a survey marker set on the eastern boundary of lands of the Lower Horton Cemetery Company;

THENCE South 04 degrees 13 minutes 00 seconds East a distance of 135.52 feet to a survey marker set on the northern boundary of Highway No. 1;

THENCE in an easterly direction following the northern boundary of the said Highway No. 1 along an arc having a radius of 3,410 feet, a distance of 323.63 feet to a survey marker set at the point of intersection of the northern boundary of Highway No. 1, aforesaid, and the western boundary of the Lower Grand Pre Road, aforesaid;

THENCE along the western boundary of the Lower Grand Pre Road, aforesaid, North 01 degrees 53 minutes 00 seconds East a distance of 136.57 feet to a survey marker set being the point of commencement.

CONTAINING in all an area of 1.03 acres.

BEING AND INTENDED TO BE Parcel I.F.M.-1 as shown on a plan of survey drawn by Valley Surveys Limited dated September 14, 1981, as Plan No. 81-1330, said Plan being on file at the Kings County Registry of Deeds, Kentville, NS as Plan No. P-4818

BEING AND INTENDED TO BE part of those lands conveyed to Ivan Frank Morine and Muriel E. Morine by Deed recorded at the Kings County Registry of Deeds in Book 471 at Page 179.

FURTHER SAVING AND EXCEPTING THEREFROM ALL that certain lot, piece or parcel of land situate, lying and being at or near the District of Grand Pre, County of Kings, Province of Nova Scotia, as shown on Sheet 1 of 1 of the Province of Nova Scotia Department of Transportation plan Mitchell Hill Road from Grand Pre Road Easterly, dated November 5, 1971, latest revision July 10, 1986, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the boundary between lands of the Grantor and lands now or formerly of Lower Horton Cemetery with the south-western boundary of the reconstruction of Mitchell Hill Road and 33 feet perpendicularly distant from the center line of reconstruction thereof;

THENCE in a southeasterly direction parallel to said center line, a distance of 410 feet, more or less, to meet the northwestern boundary of Lower Grand Pre Road, so called;

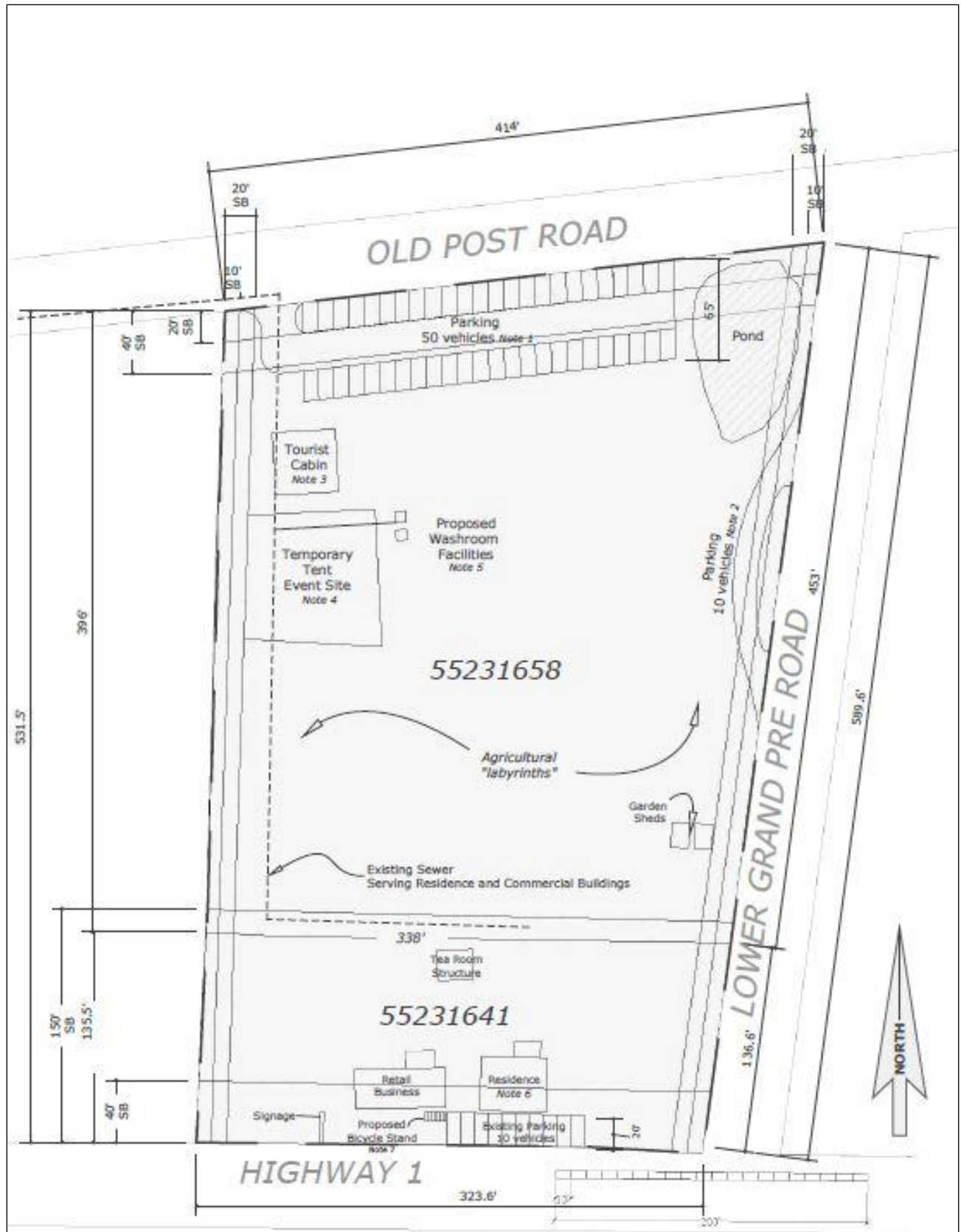
THENCE in a northeasterly direction along the last mentioned road boundary, a distance of 17 feet, more or less, to meet the original southwestern boundary of aforesaid Mitchell Hill Road;

THENCE in a northwesterly direction following the several courses of the last mentioned road boundary, a distance of 415 feet, more or less, to meet the aforesaid boundary between lands of the Grantor and lands now or formerly of the Lower Horton Cemetery, being the point of beginning.

The above parcel of land contains in total 0.08 acre, more or less, and is shown on the aforementioned plan recorded at the Registry of Deeds Office for the County of Kings as plan number P-6519

The description for this parcel originates with a deed dated October 18, 1945, registered in the registration district of Kings County in Book 168 at Page 290 and the subdivision is validated by Section 291 of the Municipal Government Act.

Schedule B Site Plan



Appendix G - Amending Development Agreement

THIS AMENDING AGREEMENT made this _____ day of _____, _____.

BETWEEN:

Beverly McClare, of Grand Pré, 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 parties entered into a Development Agreement registered at the Kings County Land Registration Office as Document 113760368 on December 18, 2018, affecting land described therein and now known as PID 55231641 and PID 55231658 ("Property");

WHEREAS the parties wish to amend the Development Agreement as hereinafter set forth; and

WHEREAS policies 3.7.10.2 and 3.2.8.2 of the Municipal Planning Strategy (Bylaw 56) and sections 5.2.7 and 5.2.14 of the Land Use Bylaw (Bylaw 75) provide that the proposed use may be developed only if authorized by development agreement; and

WHEREAS the amendments are identified in the Development Agreement as matters that are substantive matters; and

WHEREAS policy 3.4.15 of the Municipal Planning Strategy (By-law 105) and section 8.3.5. 9(a) of the Land Use By-Law (By-law 106) provide that the use proposed through amending the existing development agreement may be permitted if authorized by a development agreement

WHEREAS the Municipality by resolution of Municipal Council passed at a meeting on XX of 2020, approved this amending agreement.

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

1. Section 1.3, Definitions, is deleted and replaced with the following:

- (a) *Development Officer* means the Development Officer appointed by the Council of the Municipality.
- (b) *Tent* means a covered, open-air building—that can be disassembled—intended for use by the public for events such as weddings and receptions.
- (c) *Special Event* means an event that takes place in an event venue and which is limited to: themed celebration, wedding, festival, or other similar uses
- (d) *Tea Room* means a location for the preparation and serving of tea, coffee, and other alcoholic and non-alcoholic beverages and the serving, but not preparation, of food such

as sandwiches, cookies, scones, and other foods that do not require utensils and/or cutlery for their consumption.

(e) *Tourist Cabin* means a building which primarily provides fixed roof accommodations for the travelling public and may or may not contain kitchen facilities.

(f) *Interpretive Area* means an area used for providing tour groups with information respecting of the activities that occur on site.

2. Section 2.1 (d), is deleted and replaced with the following:

(d) Special Events wholly contained within the area identified on Schedule B – site plan and may occur within a tent, permanent building, or a combination thereof;

3. Section 2.3, Architecture, is deleted and replaced with the following:

All buildings enabled by this Agreement, with the exception of temporary structures, shall be clad in horizontal or vertical clapboard or equivalent, or wood, masonry, stone, or metal in any combination and shall generally reflect the roof, door, and window style of the existing buildings on the Property and shall be a maximum of 35 feet in height.

4. Section 2.9, Parking and Loading Areas, is deleted and replaced with the following:

(a) Parking spaces and loading areas for each use shall be provided in accordance with the requirements of the Land Use By-law for the applicable use and shall be located generally in accordance with Schedule B - Site Plan.

(b) In addition to the spaces provided for pursuant to paragraph 2.9(a), a minimum of 50 parking spaces, inclusive of barrier-free spaces, as required by the National Building Code, shall be provided for the purposes of the area for Special Events. Required spaces for Special Events shall be provided within the general area designated in accordance with Schedule B - Site Plan and shall only be accessed via Old Post Road.

(c) Deliveries for Special Events shall only take place from Old Post Road or Lower Grand Pré Road, within the parking areas as identified on Schedule B - Site Plan.

5. Section 2.13, Hours of Operation, is deleted and replaced with the following:

The hours of operation for Special Events listed in Section 2.1 (d) of this Agreement shall be from 9 am to 9 pm, inclusive, from Sunday to Thursday and from 9 am to 1159 pm, inclusive, on Friday, Saturday, and Sunday when preceding a holiday.

6. Section 2.14: Waste Collection, is added to the existing agreement through the amending agreement:

All organic and in-organic waste generated through the Special Events use shall be stored in appropriate containers for curbside collection.

7. Section 2.15: Noise Amplification, is added to the existing agreement through the amending agreement:

The amplification of sound (e.g. speakers) for Special Events shall be prohibited from occurring outside of an event venue structure.

8. Site Plan:

Schedule B – site plan, attached to the Development Agreement, is deleted and replaced with Schedule B – site plan attached to this Amending Agreement and which forms part of the Agreement.

This Amending Agreement is to be read and construed with the Development Agreement and be treated as part thereof, and for such purpose and so far as may be necessary to give effect to this Amending Agreement the Development Agreement, is hereby amended, and the Development Agreement as so amended, together with all the covenants and provisions thereof, which shall remain in full force and effect.

THIS AGREEMENT shall ensure 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 on 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:

BEVERLY MCCLARE

Witness

Beverley McClare

Schedule A

Property Description – Taken From Property On-line: February 14th, 2020

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

BOUNDED on the North, East and South by Roads, and

ON the West by lands now or formerly belonging to Frank B. Fuller and lands now or formerly belonging to the Lower Horton Cemetery Company, containing five (5) acres, more or less.

SAVING AND EXCEPTING that lot of land conveyed to George Walford recorded at the Kings County Registry of Deeds in Book 604 at Page 356 and more particularly described as follows:

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

COMMENCING at a survey marker set on the western boundary of the Lower Grand Pre Road at a point North 82 degrees 14 minutes 40 seconds West a distance of 792.26 feet from Nova Scotia Control Monument No. 8391;

THENCE South 84 degrees 54 minutes 10 seconds West a distance of 338.02 feet to a survey marker set on the eastern boundary of lands of the Lower Horton Cemetery Company;

THENCE South 04 degrees 13 minutes 00 seconds East a distance of 135.52 feet to a survey marker set on the northern boundary of Highway No. 1;

THENCE in an easterly direction following the northern boundary of the said Highway No. 1 along an arc having a radius of 3,410 feet, a distance of 323.63 feet to a survey marker set at the point of intersection of the northern boundary of Highway No. 1, aforesaid, and the western boundary of the Lower Grand Pre Road, aforesaid;

THENCE along the western boundary of the Lower Grand Pre Road, aforesaid, North 01 degrees 53 minutes 00 seconds East a distance of 136.57 feet to a survey marker set being the point of commencement.

CONTAINING in all an area of 1.03 acres.

BEING AND INTENDED TO BE Parcel I.F.M.-1 as shown on a plan of survey drawn by Valley Surveys Limited dated September 14, 1981, as Plan No. 81-1330, said Plan being on file at the Kings County Registry of Deeds, Kentville, NS as Plan No. P-4818

BEING AND INTENDED TO BE part of those lands conveyed to Ivan Frank Morine and Muriel E. Morine by Deed recorded at the Kings County Registry of Deeds in Book 471 at Page 179.

FURTHER SAVING AND EXCEPTING THEREFROM ALL that certain lot, piece or parcel of land situate, lying and being at or near the District of Grand Pre, County of Kings, Province of Nova Scotia, as shown on Sheet 1 of 1 of the Province of Nova Scotia Department of Transportation plan Mitchell Hill Road from Grand Pre Road Easterly, dated November 5, 1971, latest revision July 10, 1986, and being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the boundary between lands of the Grantor and lands now or formerly of Lower Horton Cemetery with the south-western boundary of the reconstruction of Mitchell Hill Road and 33 feet perpendicularly distant from the center line of reconstruction thereof;

THENCE in a southeasterly direction parallel to said center line, a distance of 410 feet, more or less, to meet the northwestern boundary of Lower Grand Pre Road, so called;

THENCE in a northeasterly direction along the last mentioned road boundary, a distance of 17 feet, more or less, to meet the original southwestern boundary of aforesaid Mitchell Hill Road;

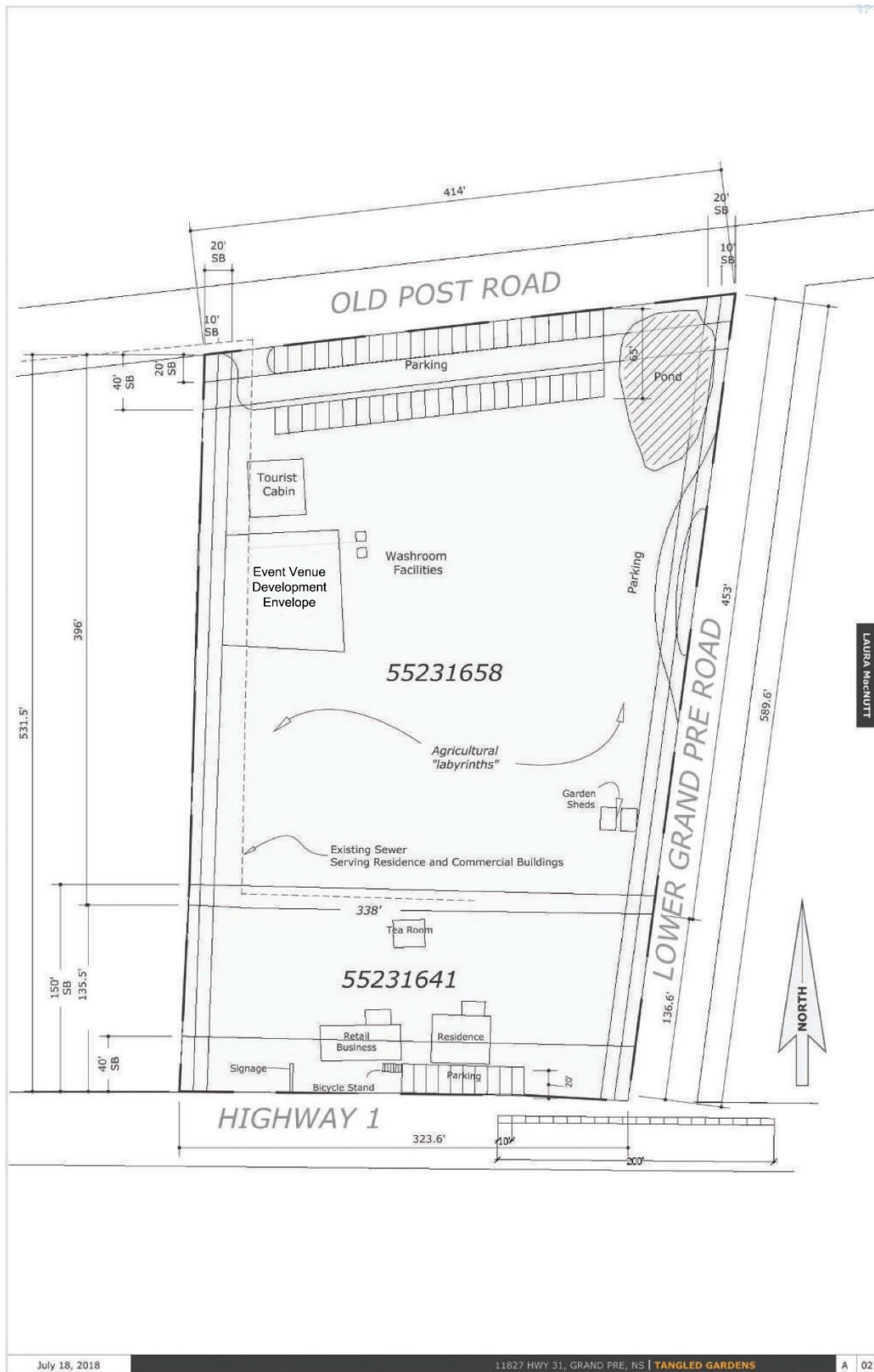
THENCE in a northwesterly direction following the several courses of the last mentioned road boundary, a distance of 415 feet, more or less, to meet the aforesaid boundary between lands of the Grantor and lands now or formerly of the Lower Horton Cemetery, being the point of beginning.

The above parcel of land contains in total 0.08 acre, more or less, and is shown on the aforementioned plan recorded at the Registry of Deeds Office for the County of Kings as plan number P-6519

The description for this parcel originates with a deed dated October 18, 1945, registered in the registration district of Kings County in Book 168 at Page 290 and the subdivision is validated by Section 291 of the Municipal Government Act.

Schedule B

Site Plan





Municipality of the County of Kings

Request for Decision

TO Council

PREPARED BY Laura Mosher, MCIP LPP, Manager of Planning

MEETING DATE April 7, 2020

SUBJECT New Minas Secondary Planning Strategy Advisory Group

ORIGIN

- March 11, 2020 Committee of the Whole recommendation

RECOMMENDATIONS

That Municipal Council appoint Dave Chaulk, Mary Munroe and James Redmond as Village Commissioners, and Mark Redmond, John Owen, John Bourgeois and John Sutcliffe as citizen members to the New Minas Secondary Planning Strategy Advisory Group for an undefined term; and

That Municipal Council appoint the Councillor for the area and one other Councillor to the New Minas Secondary Planning Strategy Advisory Group.

INTENT

In accordance with the recommendation passed at the March 11, 2020 meeting of the Committee of the Whole, to appoint members of the New Minas Secondary Planning Strategy Advisory Group per the method set out in the March 11, 2020 Committee of the Whole Request for Decision:

- Two MOK Councillors, one of whom is the Councillor for the area (appointed by Municipal Council);
- Three VNM Commissioners (appointed by the VNM); and
- Four Citizen Members (nominated by the VNM and appointed by Municipal Council).

DISCUSSION

On March 11, 2020, Committee of the Whole passed the following recommendation:

That Municipal Council:

- Approve the composition and method of appointing members to the New Minas Secondary Planning Strategy Advisory Group as detailed in the March 11, 2020 Request for Decision;
- Appoint two Municipal Councillors to serve on the Advisory Group; and
- Pursuant to 48(1) *Municipal Government Act*, serve seven days' notice to amend Policy PLAN-09- 002: Area Advisory Committee by removing references to New Minas.

FINANCIAL IMPLICATIONS

- Additional travel expenses

STRATEGIC PLAN ALIGNMENT

Check Applicable	Strategic Priority	Description
	Good Governance	
	Environmental Stewardship	
	Economic Development	



Municipality of the County of Kings

Request for Decision

✓	Strong Communities	New Minas Community Plan
	Financial Sustainability	
	Supports a Strategic Project	
	Supports a Core Program Enhancement	
	Not Applicable	

ALTERNATIVES

- None

IMPLEMENTATION

- None

COMMUNITY ENGAGEMENT

- No community engagement informed this recommendation. Community engagement will be a central element of the Advisory Group's work.

APPENDICES

- Appendix A: March 11, 2020 Committee of the Whole Request for Decision

APPROVALS

Patricia Javorek, Director, Planning and Inspections March 25, 2020

Scott Conrod, Chief Administrative Officer April 7, 2020



Municipality of the County of Kings

Request for Decision

TO	Committee of the Whole
PREPARED BY	Laura Mosher, MCIP LPP, Manager of Planning and Development Services
MEETING DATE	March 11, 2020
SUBJECT	New Minas Secondary Planning Strategy Advisory Group

ORIGIN

- Planning Advisory Committee motion of January 22, 2018:

That the Planning Advisory Committee direct staff to identify the area of the Village of New Minas south of Highway 101 as part of the Growth Centre of New Minas and apply a holding zone to this area, and that background studies begin now to inform the development of a Community Plan in consultation with the Village of New Minas.

RECOMMENDATION

That Committee of the Whole recommend Municipal Council:

- Approve the composition and method of appointing members to the New Minas Secondary Planning Strategy Advisory Group as detailed in the March 11, 2020 Request for Decision;
- Appoint two Municipal Councillors to serve on the Advisory Group; and
- Pursuant to 48(1) *Municipal Government Act*, serve seven days' notice to amend Policy PLAN-09-002: Area Advisory Committee by removing references to New Minas.

INTENT

To provide Council with an update on the progress of the New Minas Secondary Planning Strategy and to prepare for the next phase of the project by establishing the membership on the Advisory Group.

DISCUSSION

The Municipality (MOK) and the Village of New Minas (VNM) are collaborating to prepare a Secondary Planning Strategy for the expanded Growth Centre of New Minas in recognition of its unique planning character within the Municipality. The VNM has retained SNC Lavalin to prepare engineering studies and drawings related to sanitary sewer services, water services, and stormwater management services. Upland Planning and Design has also been retained to assist in the consultation for, and preparation of, the Secondary Planning Strategy. Upland will further be providing project management services related to additional technical studies that are to inform the development of the Secondary Planning Strategy and resource the work of the Advisory Group.

As a result of the recent repeal of the New Minas Land Use By-law (By-law 57), Planning Policy PLAN-09-002 no longer applies to New Minas. Therefore, the Policy should be amended and the New Minas Area Advisory Committee disbanded until the completion of the Secondary Planning Strategy.

It is expected that a new Area Planning Advisory Committee for New Minas will be established following the completion of the Secondary Planning Strategy, the composition of which will be reviewed with the Advisory Group. Until that time, all planning applications will only be reviewed by the Planning Advisory Committee prior to being submitted to Council. Staff will continue to consult with the VNM on pertinent aspects of planning applications within the Growth Centre of New Minas.

MOK has found it useful in the past to have an Advisory Group of Municipal Councillor(s), Commissioners, and citizen members. Staff at both MOK and VNM are recommending that this approach be maintained. The suggested composition and method of appointment are as follows:



Municipality of the County of Kings

Request for Decision

- Two MOK Councillors, one of whom is the Councillor for the area (appointed by Municipal Council);
- Three VNM Commissioners (appointed by the VNM); and
- Four Citizen Members (nominated by the VNM and appointed by Municipal Council).

It is expected that the Advisory Group will meet on an ad hoc basis. The Advisory Group will assist in identifying key issues and stakeholders for consultation, review major deliverables, and provide feedback on reports and work-in-progress. Consensus-based decision-making will be utilized by the Advisory Group whenever possible.

FINANCIAL IMPLICATIONS

- Additional travel expenses

STRATEGIC PLAN ALIGNMENT

Check Applicable	Strategic Priority	Description
	Good Governance	
	Environmental Stewardship	
	Economic Development	
✓	Strong Communities	New Minas Community Plan
	Financial Sustainability	
	Supports a Strategic Project	
	Supports a Core Program Enhancement	
	Not Applicable	

ALTERNATIVES

- None

IMPLEMENTATION

- Council appoints two of its members to serve on the Advisory Group.
- VNM Commission appoints three Commissioners and nominates four citizen members.
- Council appoints the four citizen members.

COMMUNITY ENGAGEMENT

- No community engagement informed this recommendation. Community engagement will be a central element of the Advisory Group's work.

APPENDICES

- Appendix A: Policy PLAN-09-002: Area Advisory Committee

APPROVALS

Patricia Javorek, Director, Planning and Inspections March 5, 2020

Scott Conrod, Chief Administrative Officer March 9, 2020



MUNICIPALITY OF THE COUNTY OF KINGS

Area Advisory Committee Policy

Creation Date: August 28, 2012
Approval Date: October 26, 2012
Revision Date: April 1, 2014
 November 1, 2016
XXX X, 2020

Policy Category: Planning
Next Review Date: As needed
Replaces: All Area Advisory Committee
 Terms of Reference

1. Objective:

The purpose of this Policy is to establish the roles and responsibilities for the Area Advisory Committees for different areas of the Municipality.

2. Applicability:

The Policy applies to:

- The Centreville Area Advisory Committee
- The Kingston Area Advisory Committee
- ~~The New Minas Area Advisory Committee~~
- The Port Williams Area Advisory Committee

3. Definitions:

- 3.1 *Applicable Area* means the lands of concern for an Area Advisory Committee.
- 3.2 *Responsible Organization* means a Village or community group responsible for maintaining the Area Advisory Committee, as set out in this Policy.
- 3.3 *Area Advisory Committee* means a committee established by Municipal Council, as enabled by Section 201 of the Municipal Government Act (MGA).
- 3.4 *Planning Services* means the Municipal service area responsible for reviewing all land use planning matters.

MASTER

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MUNICIPALITY OF THE COUNTY OF KINGS

Area Advisory Committee Policy

4. Area Advisory Committees

4.1 Centreville Area Advisory Committee	
Responsible Organization	Centreville District Community Development Association (CDCDA)
Applicable Area	Growth Centre of Centreville
Membership	<ul style="list-style-type: none"> • Two (2) members of CDCDA • Two (2) citizen members • The Councillors for Districts 2 and 3

4.2 Kingston Area Advisory Committee	
Responsible Organization	Village of Kingston
Applicable Area	Village of Kingston
Membership	<ul style="list-style-type: none"> • Three (3) members of the Kingston Village Commission • Three (3) citizen members • The Councillor for District 4

4.3 New Minas Area Advisory Committee	
Responsible Organization	Village of New Minas
Applicable Area	All lands located within the Village of New Minas, plus all lands located within the Growth Centre of New Minas and the New Minas Wellfield Zones that are not located within the Village.
Membership	<ul style="list-style-type: none"> • Three (3) members of the New Minas Village Commission • Four (4) citizen members • The Councillor for District 8

4.4 4.3 Port Williams Area Advisory Committee	
Responsible Organization	Village of Port Williams
Applicable Area	Village of Port Williams
Membership	<ul style="list-style-type: none"> • Three (3) members of the Port Williams Village Commission • Three (3) citizen members • The Councillor for District 1

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MUNICIPALITY OF THE COUNTY OF KINGS

Area Advisory Committee Policy

5. Membership

- 5.1 Duration of Terms
 - a. Responsible Organization Members – One (1) year terms
 - b. Citizen Members – Two (2) year terms
 - c. Council Members – No term limits
- 5.2 There are no limits to the number of times that a Responsible Organization member or citizen member may be re-appointed to an Area Advisory Committee
- 5.3 Vacant positions shall be filled as soon as reasonably possible for the remainder of the unexpired term. An exception may be made when a position becomes vacant less than six (6) months from the scheduled end of the members term.

6. Responsibilities:

- 6.1 **Council** will:
 - a. Appoint members of the Area Advisory Committees by resolution.
- 6.2 **Planning Advisory Committee** will
 - a. Receive and consider all Area Advisory Committee recommendations
- 6.2 The **Area Advisory Committees** will:
 - a. Review and provide recommendations to the Planning Advisory Committee with respect to all Land Use Bylaw map and text amendment, development agreement and amending development agreement applications located within the Committee's Applicable Area.
 - b. Advise the Planning Advisory Committee concerning periodic changes to the Municipal Planning Strategy ~~or New Minas Sector Plan~~ and any other matters of planning concern.
 - c. Where specifically requested, seek the opinions of the residents within the Committee's Applicable Area regarding planning issues.
 - d. Follow the policies and procedures contained in Council's Planning Process Policy, PLAN-09-001

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MUNICIPALITY OF THE COUNTY OF KINGS

Area Advisory Committee Policy

- e. Take minutes at each of its Area Advisory Committee meetings. These minutes shall be made available to the Municipality and public.
 - f. Provide meeting space for each of its Area Advisory Committee meetings.
 - g. Meet as required.
- 6.3 The **Responsible Organizations** will
- a. Recruit and recommend its citizen and Responsible Organization members to the Planning Advisory Committee.
- 6.4 **Planning Services** will:
- a. Schedule Area Advisory Committee meetings, as required.
 - b. Present planning reports to the Area Advisory Committees, as required.
 - c. Provide support for service and project priorities as directed by Council or at the discretion of the Manager of Planning Services

7. Procedures

- 7.1 The Chair and Vice Chair shall be appointed by the Area Advisory Committee at its first meeting and annually thereafter.
- 7.2 Quorum for all meetings shall be established as the number of members needed to have greater than 50% of eligible Committee participants. (if 7 members then 4 are needed; if 5 then 3 are needed; if 8 then 5 are needed etc.)
- 7.3 No remuneration shall be paid to members.
- 7.4 As set out in Section 203 of the Municipal Government Act (MGA), all meetings shall be open to the public with the exception of personnel matters or legal opinions discussed, or development proposals before formal application is made.

MASTER



MUNICIPALITY OF THE COUNTY OF KINGS

Nutrition & Healthy Eating Environment Policy

Creation Date: February 2020
Approval Date:
Revision Date:

Policy Category: Administration
Next Review Date: February 2021

1. Purpose

The Municipality of the County of Kings ("the Municipality") is committed to creating and supporting a healthy eating environment where opportunities for nutritious and healthy food are fostered and encouraged. The Municipality will support access and consumption of healthy foods and beverages, and work to establish a culture and environment of nutritious and healthy eating.

This Policy:

- Establishes norms and expectations for nutritious and healthy food offerings at events, meetings, community engagement programs, and facilities under the Municipality's control;
- Demonstrates the Municipality's commitment to promoting, modeling, and facilitating nutritious and healthy eating; and
- Identifies the Municipality and its facilities as breastfeeding-friendly.

2. Scope

This policy applies to all Municipality of the County of Kings' events and facilities. Facilities and events supported by the Municipality are encouraged to comply with provisions of this Policy.

3. Policy

3.1 Availability and Access of Nutritious and Healthy Foods and Drinks

- 3.1.1 The Municipality of the County of Kings will follow the Canada Food Guide as a means to determine what variety and proportion of each food group provided at events and facilities under the Municipality's purview.
- 3.1.2 At Municipal facilities and events, the Municipality will increase availability and access of healthy foods and drinks.
- 3.1.3 The Municipality will endeavour to provide a variety and diversity of foods and beverages at events, meetings, community engagement programs,

DRAFT



MUNICIPALITY OF THE COUNTY OF KINGS

Nutrition & Healthy Eating Environment Policy

and facilities under the Municipality's control.

- 3.1.4 In selecting foods and beverages, the Municipality will provide more nutritious and nutrient-dense foods than processed, unwholesome, or convenience foods.

3.2 Local Foods & Products

- 3.2.1 At Municipal facilities and events, the Municipality will endeavour to provide local and fair trade foods and products over imported goods.

3.3 Environmental Sustainability

- 3.3.1 Whenever possible, the Municipality will provide and use re-usable dishware.
- 3.3.2 Per SOP ADMIN-01-003, the Municipality will endeavour to limit access and use of single use plastics and readily-disposable items.

3.4 Education

- 3.4.1 When providing food and beverages at events and facilities, the Municipality will endeavour to provide nutritional and relevant allergen information and recommended serving sizes.
- 3.4.2 At Municipal events and facilities where food is provided, the Municipality will provide a copy of the current Canada Food Guide as a means to inform guests and staff on nutritious and healthy eating.
- 3.4.3 When possible and applicable, the Municipality will provide recipe cards for foods and beverages provided.

3.5 Equity

- 3.5.1 The Municipality will support equitable access to nutritious and healthy food at facilities and events by never charging for food items or for admission to Municipal events where food and beverages are served.
- 3.5.2 The Municipality will advocate for lower prices for healthy and nutritious foods and/or *pay what you can* food pricing at events and facilities funded by the Municipality.

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MUNICIPALITY OF THE COUNTY OF KINGS

Nutrition & Healthy Eating Environment Policy

- 3.6 Breastfeeding Friendly
The Municipality recognizes that breast milk is the recommended and normal food for healthy growth and development of infants and young children. The Municipality supports parents' rights to breastfeed at any Municipal event for facility.

4. Roles and Responsibilities

- 4.1 Municipal Council will:
- 4.1.1 Ensure the Municipality has a current and comprehensive policy on supporting nutrition and healthy eating environments;
 - 4.1.2 promote awareness of this Policy and support efforts to create an environment and culture of nutritious and healthy eating;
 - 4.1.3 periodically review and update this Policy.
- 4.2 The Chief Administrative Officer will:
- 4.2.1 adhere to this Policy in managing Municipal facilities or planning any event where food or drink is to be provided;
 - 4.2.2 promote awareness of this Policy and undertake work to create an environment and culture of nutritious and healthy eating; and
 - 4.2.3 identify necessary revisions to this Policy.

DRAFT



Municipality of the County of Kings

Request for Decision

TO	Council
PREPARED BY	Scott Quinn, Director Engineering & Public Works, Lands and Parks
MEETING DATE	April 7, 2020
SUBJECT	Contract Authorization: Contract 2018-014, Paving of Subdivision (J Class) Roads

ORIGIN

- Department of Transportation and Infrastructure Renewal (DTIR) / Municipality of the County of Kings Cost Share Agreement 2018-014 (Agreement).
- October 2018 Municipal J-Class Road priority list.
- March 20, 2020 – letter from the Minister for DTIR.

RECOMMENDATION

That Municipal Council approve the Municipality's portion of the Cost Share Program for Paving of Subdivision (J Class) Roads for fiscal year 2020/21 totalling \$504,500.

That Municipal Council authorize the Mayor to sign the *Notice of Acceptance* from the Minister of Municipal Affairs and Housing for the Department of Transportation and Infrastructure Renewal for J Class roads to be resurfaced in Fiscal Year 2019-20 per Cost Share Agreement 2018-014, as included in the April 7, 2020 Council agenda package.

INTENT

For Council to approve the Municipality's portion of the cost sharing for J Class road resurfacing for FY2020/21. In addition, to authorize the Mayor to sign the Notice of Acceptance provided by DTIR.

DISCUSSION

In 2020/21, there are three different J Class Road matters before Municipal Council:

1. The Municipality's participation in the annual Cost Shared Program for Paving of Subdivision (J Class) roads, a \$2M Provincial program (Agreement 2018-014);
2. The request from the Province for the Municipality to submit additional roads beyond the 10 roads covered by the \$2M program; and
3. Municipal participation in the one-time \$10M program to repave existing Provincially-owned J Class roads.

This Request for Decision addresses the Minister of DTIR March 20, 2020 letter, listing the roads approved under the annual Cost Sharing Program enabled by the Agreement.

In a letter dated March 20, 2020, the Minister for DTIR confirmed that approximately 4.638km of roads have been approved for resurfacing in fiscal year 2020-21 (Appendix A). DTIR approved all ten roads on the Priority List for 2020-21 as approved by Council at the October 15, 2019 meeting. The funding proposed for fiscal year 2020/21 (\$1,009,000 total cost) is higher than anticipated based on funding levels in previous years.

Under the Agreement, the Municipality has 20 business days to confirm its participation in the approved projects.

FINANCIAL IMPLICATIONS

- Total cost estimate for the approved roads is \$1,009,000 with the Municipality contributing \$504,500.



Municipality of the County of Kings

Request for Decision

- J-Class Expense GL 01-2-232-309
- Council will need to approve this outside of the normal budget process since the Agreement requires a response within 20 business days. Otherwise, the Municipality risks losing the funding for 2020/21.

STRATEGIC PLAN ALIGNMENT

Check Applicable	Strategic Priority	Description
	Good Governance	
	Environmental Stewardship	
	Economic Development	
✓	Strong Communities	J Class Roads are an identified project under this Priority
	Financial Sustainability	
	Supports a Strategic Project	
	Supports a Core Program Enhancement	
	Not Applicable	

ALTERNATIVES

- None recommended.

IMPLEMENTATION

- Mayor will sign and return the Notice of Acceptance to DTIR.
- DTIR is responsible for contract administration/management under the Agreement.
- DTIR will seek Municipality's direction if bid price greater than 10% of new cost estimate.
- DTIR will invoice the Municipality after construction is completed and final costs are confirmed.
- Engineering & Public Works, Lands will be primary contact with DTIR during tender and construction phases.

COMMUNITY ENGAGEMENT

- There was no community engagement initiative for this as 2019-20 Priority List was deliberated at the October 2, 2019 Council meeting.

APPENDICES

- Appendix A: March 20, 2020 Letter from Minister for DTIR

APPROVALS

Greg Barr, Director of Finance and IT	March 31, 2020
Scott Conrod, Chief Administrative Officer	March 31, 2020



**Transportation and Infrastructure Renewal
Office of the Minister**

PO Box 186, Halifax, Nova Scotia, Canada B3J 2N2

Mayor Peter Muttart
Municipality of the County of Kings
P.O. Box 100
Kentville, NS B4N 3W3

Dear Mayor Muttart:

Thank you for your Municipality's submission under the Cost Shared Program for Paving of Subdivision (J Class) Streets for fiscal year 2020/21.

We are pleased to inform you that the roads listed below have been approved under this program:

Road Name	Description	KM's	Total Cost Estimate (excludes HST)	Cost Share Estimate (excludes HST)
Water Street	from Longspell Road to Pier, paving	0.322	\$74,000	\$37,000
Church Street	from Route 221 to Longspell Road, paving	0.360	\$70,000	\$35,000
Kaiser Lane	from Cambridge Mountain Road to cul-de-sac, paving	0.897	\$250,000	\$125,000
Chapel Street	from Route 221 to Route 358 (Scotts Bay Road), repaving	1.29	\$200,000	\$100,000
Applecrest Drive	from Belcher Street to Charles Street, repaving	0.34	\$88,000	\$44,000
Richard Street	from Morton Street to cul-de-sac, repaving	0.268	\$62,000	\$31,000
Frank Street	from Charles Street to end of listing, repaving	0.104	\$40,000	\$20,000
Stead Street	from Charles Street to cul-de-sac, repaving	0.293	\$65,000	\$32,500
Morton Street	from Charles Street to end of pavement, repaving	0.264	\$60,000	\$30,000
Pleasant Street	from Route 221 to Water Street, repaving	0.5	\$100,000	\$50,000
Total		4.638	\$1,009,000	\$504,500

Mayor Peter Muttart
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Under the terms of Cost Share Agreement 2018-014, the Municipality has agreed to notify the Department within 20 Business Days from the time of receipt, whether it accepts the approved projects and the cost estimates. If a notice of acceptance is not received within this time period, the Municipality is deemed to not accept the approved projects and the cost estimates, and the Province will proceed no further with the projects.

If you choose to accept the list and cost estimates, please complete and sign the attached Notice of Acceptance and return to the attention of Laura Cunningham, Capital Program Administration Officer.

Sincerely,



Lloyd P. Hines
Minister

cc Scott Quinn, Director of Engineering and Public Works – Municipality of Kings
 Greg Newell, District Director – TIR Western
 Craig Smith, Construction Manager – TIR Western
 Laura Cunningham, TIR Capital Program Administration Officer

NOTICE OF ACCEPTANCE:

The Municipality of the County of Kings accepts the cost estimates of the projects listed as "Yes" below for fiscal year 2020-21 and wishes to proceed with construction as per the terms of Agreement 2018-014.

Road Name	Description	KM's	Total Cost Estimate (excludes HST)	Cost Share Estimate (excludes HST)	Accept: Yes / No / (please write in)
Water Street	from Longspell Road to Pier, paving	0.322	\$74,000	\$37,000	
Church Street	from Route 221 to Longspell Road, paving	0.360	\$70,000	\$35,000	
Kaiser Lane	from Cambridge Mountain Road to cul-de-sac, paving	0.897	\$250,000	\$125,000	
Chapel Street	from Route 221 to Route 358 (Scotts Bay Road), repaving	1.29	\$200,000	\$100,000	
Applecrest Drive	from Belcher Street to Charles Street, repaving	0.34	\$88,000	\$44,000	
Richard Street	from Morton Street to cul-de-sac, repaving	0.268	\$62,000	\$31,000	
Frank Street	from Charles Street to end of listing, repaving	0.104	\$40,000	\$20,000	
Stead Street	from Charles Street to cul-de-sac, repaving	0.293	\$65,000	\$32,500	
Morton Street	from Charles Street to end of pavement, repaving	0.264	\$60,000	\$30,000	
Pleasant Street	from Route 221 to Water Street, repaving	0.5	\$100,000	\$50,000	
Total		4.638	\$1,009,000	\$504,500	

Name (Print)

Name (Signature)

Title

Date

Please ensure the yellow highlighted column is filled in and return signed document via email to:

Laura Cunningham

Capital Program Administration Officer

PO Box 186

Halifax, NS B3J 2N2

Tel: (902) 424-0897

Fax: (902) 424-0570

laura.cunningham@novascotia.ca

THE MUNICIPALITY OF THE COUNTY OF KINGS

RECOMMENDATIONS FROM COMMITTEE OF THE WHOLE March 11, 2020

a.	New Minas Secondary Planning Strategy Advisory Group	<p>That Municipal Council:</p> <ul style="list-style-type: none"> • Approve the composition and method of appointing members to the New Minas Secondary Planning Strategy Advisory Group as detailed in the March 11, 2020 Request for Decision; • Appoint two Municipal Councillors to serve on the Advisory Group; and • Pursuant to 48(1) <i>Municipal Government Act</i>, serve seven days' notice to amend Policy PLAN-09- 002: Area Advisory Committee by removing references to New Minas.
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RECOMMENDATIONS FROM COMMITTEE OF THE WHOLE March 17, 2020

b.	Climate Change Emergency - Response to Request from Extinction Rebellion Kings-Hants	<p>That Municipal Council adopt the Climate Emergency resolution as attached to the March 17, 2020 Committee of the Whole agenda, and to substitute the word 'Emergency' with 'Crisis' in two places in the resolution and change the title from 'Climate Crisis' to 'Climate Crisis Declaration'.</p>
c.	Proposed By-law 107: Water Conservation	<p>That Municipal Council give first reading to proposed By-law 107 Water Conservation as attached to the March 17, 2020 Committee of the Whole agenda package.</p>
d.	Amendments to Policy FIN-05-009: Personal Property Tax Exemption	<p>That Municipal Council provide seven days' notice, per s.48(1) <i>Municipal Government Act</i>, to adopt the amendments to Policy FIN-05-009: Personal Tax Exemption as attached to the March 17, 2020 Committee of the Whole agenda.</p>



**Attorney General
Justice
Office of the Minister**

PO Box 7, Halifax, Nova Scotia, Canada B3J 2L6 • Telephone 902 424-4044 Fax 902 424-0510 • www.gov.ns.ca

MAR 09 2020

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



Mayor Muttart,

The Accessibility Act was proclaimed in 2017, demonstrating the Nova Scotia government's commitment to a more equitable and barrier free province. The Act recognizes accessibility as a human right, and sets a goal of an accessible Nova Scotia by 2030.

Since the Act was proclaimed, the Accessibility Directorate has been working closely with the municipal sector to keep you informed of your obligations under the Act and to provide you with the support you need.

On December 3, 2019, the Government of Nova Scotia announced that the Municipality of the County of Kings will be prescribed as a public sector body under the Act as of April 1, 2020. This means that the Municipality of the County of Kings must form an accessibility advisory committee and have an accessibility plan in place by April 1, 2021.

Note that prescribed bodies are permitted to form a joint accessibility advisory committee and develop a joint accessibility plan with other prescribed public sector bodies that share similar interests.

We are pleased to share with you the Accessibility Planning Toolkit for Municipalities. This resource offers a recommended approach to forming an accessibility advisory committee and developing an accessibility plan. We have also enclosed Wolfville: Access By Design. The Accessibility Directorate worked closely with the Town of Wolfville to pilot the development of Nova Scotia's first municipal accessibility plan under the Accessibility Act. Both these resources are also available on our website at novascotia.ca/accessibility.


We look forward to working together to achieve our ambitious goal of an accessible province by 2030. For assistance or further information, please contact Gerry Post, Executive Director, Accessibility Directorate at 902-424-6975, or gerry.post@novascotia.ca.

Thank you for your commitment to accessibility and creating an inclusive province for all Nova Scotians.

Yours truly,



Mark Furey
Minister of Justice



Chuck Porter
Minister of Municipal Affairs

March 10, 2020

Hon. Lloyd P. Hines
Minister TIR & Highways Programs
2nd Floor, Johnston Building,
1672 Granville Street,
P.O.Box 186, Halifax, N.S.
B3J 2N2



Dear Mr. Minister;

Since my letter to you of July 4, 2017 and your answer through your New Minas, King's Co. office on August 2, 2017 (see copy enclosed) there has been no mention of Gravel Prospect Road, Kings Co. in your Gravel Road Program since 2017 to and including present 2020-21 program.

Commercial traffic has increased significantly since my letter of 2017 and in some situations has created problems for residents and residential traffic particularly at the entrance to Lloyd South Road (no exit) which leads to Ledgerock Quarry.

Many sections of Gravel Prospect Road are creating now and in the past conditions that are TOTALLY UNSAFE to residents, drivers of ALL vehicles and to vehicles proper.

WOULD YOU PLEASE ADVISE why Gravel Prospect Road, Kings Co. has not been part of your FIVE (5) YEAR Gravel Road Program since 2017.

Thank you for perhaps re-considering and including Gravel Prospect Road as part of your 2020-21 Gravel Road Program.

Sincerely

A handwritten signature in blue ink that appears to read "Everett Dalton".

Everett Dalton

2611 Prospect Road, Prospect, N.S. B0P 1G0

c/o Tim Houston, MLA, Conservative Leader, Opposition
Keith Irving, MLA, Kings South
Leo Glavine, MLA, Kings West
Emily Lutz, District 7, Mun. of Kings (Prospect Road)
Richard Lloyd, Area Manager, TIR.
✓ Peter Muttart, Mayor, Mun. of Kings.

RURAL ROADS IGNORED

Our local transportation folks do a great job with the money they receive but the problem is that year after year rural Nova Scotia has been getting less and less from Halifax.

I have watched in disgust as the McNeil Liberals have desperately doled out pre-election money (almost \$100 million so far) but it was their comments on roads that really got me.

As you are out driving the terrible roads this long weekend, keep this statement from a recent McNeil Liberal press release in mind: "Gravel roads

are a top concern for many Nova Scotia residents living in rural areas, and that's why it's a top concern for your Liberal government."

In June 2015, I challenged the McNeil Liberals, saying that "If the premier wants to show leadership he would find a way to restore the rural impact mitigation budget for road maintenance. This important program has been decimated under the NDP and Liberals and our rural roads are suffering as a result."

The roads have only gotten worse. Year after year the Liberals cut spending on rural roads. Traditionally, \$20 million a year was spent on rural roads. The Liberals cut that to \$15 million, which means that over their four years they cut \$20 million from our roads. But now roads are a "top" priority? Putting just \$10 million of the \$20 million you cut "back" into roads is too little too late!

The premier had money for boats and ferries, but nothing for the roads we travel every day, until the eve of an election. We are not naïve. We see

what is happening. And very soon we will get to have our say.

Tim Houston, MLA Pictou East

August 2, 2017

Everett R Dalton
2611 Prospect Road,
Prospect, N.S.
B0P 1G0
902-538-3405
Email: ewi@country.tv

Dear Mr. Dalton:

Thank you for your letter dated July 4th, 2017, concerning the dirt section of Prospect Road on the South Mountain. The Minister has asked that I respond on his behalf.

The sections of Prospect Road described in your correspondence have been graded and treated for dust control within the last few weeks to improve the driving conditions. In accordance with TIR policy, this road will be graded and treated in the fall time frame as well. We will monitor the road for other routine maintenance concerns and take corrective action as required in the interim period.

In addition, Prospect Road will be considered for inclusion into the gravel road capital program in future years as this program is developed in accordance with other priorities and funding levels.

Thank you for taking the time to convey your concerns with respect to this matter. For additional information or to report additional maintenance requests, please contact the TIR Operations Contact Center at: TIR-OCC@novascotia.ca or 1 844 696 7737.

Sincerely,


Richard Lloyd P. Eng
Area Manager, Transportation and Infrastructure Renewal

c: Lloyd P. Hines, Minister
Greg Newell, District Director – Western



26 Bay Road, PO Box 193
Bridgetown, NS B0S 1P0

gm@tcts.ca

Ph: (902) 665-2154 FX: (902) 665-4029

TRANS COUNTY TRANSPORTATION SOCIETY

March 26, 2020

Mayor and Council

Municipality of the County of Kings

181 Coldbrook Village Park Drive

Coldbrook, NS B4R 1B9

Dear Mayor Muttart,


As you are all aware, with every passing day the Province of Nova Scotia's response to the danger from the COVID-19 crisis has intensified. TCTS has taken the following decision in order to protect the health and well-being of our staff and families.

Therefore:

Please be advised that Trans County Transportation Society (TCTS) will cease its transportation services from March 29, 2020 until such time as we receive assurances from the Province of Nova Scotia that it is safe for our service to resume.

Management will continue working to prepare for month end, fiscal year end, budgets, general caretaking, etc.

Thank you for your understanding,



John F. Langmead, GM-TCTS

March 31, 2020

Letter of Appeal to Municipality of Kings County, Nova Scotia, and the Village of New Minas

I am a small business owner in New Minas. I opened Absolutely Fabulous Bed, Bath & Linens in October of 1998. Over the past two decades the store expanded to nearly twice the original size and is now operating as Absolutely Fabulous at Home. I employ 2 full-time and four part-time staff, with extra staff at Christmas. This is a well established business, typical of many in the county. I am writing to you as one of the many.

We are facing a crisis, as is the entire county, province and country, with Covid-19 ravaging not just our lives but our livelihoods. While this disease marches on, our businesses are either shuttered or reduced or in other ways impacted by the 'stay home' orders of our provincial government. Rightly so. We must beat this invasion. We have to do it together in a variety of ways and means.

What we also must do is understand the impact of lost sales and revenues. Our staff have been laid off or are on reduced hours. Our utilities and rents continue. Our accounts payable are falling behind. As a small business owner, my income is not secured by a salary. I pay for all my benefits and insurances myself. When the sales fail, so do I. So do many, many others in similar positions.

Now is the time to show leadership and innovation. My role as a business owner is to find new revenue opportunities and venues. This takes time and financial support. I have time, thanks to Covid-19, but I don't have money. Our Federal and Provincial governments are working on packages of support. Unfortunately, much of it is coming in the form of loans or deferrals of payments such as GST/HST, or other taxes. This will only delay the demise of many small businesses. There will not be any 'making up sales' or incomes. With margins tighter than ever, minimum wages set to increase again, and a very uncertain immediate future, we need more.

The Municipality of Kings County, together with the Village of New Minas, set the property taxes for our strip mall. Commercial taxes are higher than residential, and with the Village tacking on a surcharge, my portion of the property taxes for my lease represents 25% of my monthly rent. HST is added on top of rent and property taxes. My landlord, who is very aware of the difficulties his tenants face, can reduce rent, how can he reduce this property tax burden? This is not within his authority.

What is the Municipality of Kings and the Village of New Minas intending to do to support their merchants who are struggling right now? There has been little to nothing in the media about this level of grassroots government intentions. It's like you don't care. Will you care more when your tax base is fully decimated? I think not. Prevention is always a preferred option of action.

I look forward to hearing from you, as do all the small, medium and large businesses who make a home in this county, and in the Village. The time to act is now, with sizable reductions, not deferrals, on taxes for commercial properties struggling to find a way to the other side.

Catherine Reid
Owner of Absolutely Fabulous at Home
902-681-2284

Cc Premier of Nova Scotia
Finance Minister of Nova Scotia
John Lohr MLA
Keith Irving MLA
Annapolis Valley Chamber of Commerce
Valley REN
NS Business COVID-19 Info + Solutions

THE MUNICIPALITY OF THE COUNTY OF KINGS

To: Municipal Council
Subject: Report of the Audit Committee
From: Paul Spicer, Chair
Date: April 7, 2020

The March Audit Committee meeting was cancelled.

Next meeting is tentatively scheduled for April 23, 6pm.

Respectfully submitted,

Paul Spicer
Councillor District 5

Committee Reports – Jim Winsor
Reporting period – April 7, 2020 Council Meeting

Diversity Kings Committee

Last meeting was March 2. The focus was on the development of a work Plan and Budget as attached.

MUNICIPALITY OF THE COUNTY OF KINGS

DIVERSITY KINGS COUNTY WORK PLAN AND BUDGET

Fiscal Year 2020 – 2021... and beyond

Context:

Kings County has strongly demonstrated its commitment to eliminating racism and discrimination in our Community in several ways, first by the creation of the Diversity Committee (formerly, Race Relations & Anti-Discrimination Committee) several years ago. Subsequently in 2008 Council formally approved a Declaration to join the Canadian Coalition of Municipalities against Racism and Discrimination (CCAMRD) and through the process adopt the UNESCO Declaration. The Town of Kentville formally approved a Declaration to join CCMARD in November 2010. In adopting the UNESCO Declaration, the Municipality and Town of Kentville agreed to address the following UNESCO commitments:

1. Increase vigilance against systemic and individual racism and discrimination;
2. Monitor racism and discrimination in the community more broadly as well as municipal actions taken to address racism and discrimination;
3. Inform and support individuals who experience racism and discrimination;
4. Involve citizens by giving them a voice in anti-racism initiatives and decision-making;
5. Support measures to promote equity in the labour market;
6. Provide equal opportunities as a municipal employer, service provider and contractor;
7. Support measures to challenge racism and discrimination and promote diversity and equal opportunity housing;
8. Support measures to challenge racism and discrimination and promote diversity and equal opportunity in the education sector and other forms of learning;
9. Promote respect, understanding, and appreciation of cultural diversity and inclusion of Aboriginal and racialized communities into the cultural fabric of the municipality; and
10. Support policing services in their efforts to be exemplary institutions in combating racism and discrimination.

In November 2012, Kings County approved its “Action Plan for Ending Racism and Discrimination in the Municipality of the County of Kings”. As noted in the “Acknowledgements” section of the Report;

“The Action Plan will be a living document. It is not cast in stone. It will be honed and changed as circumstances change. It will not be allowed to languish because no one cares. We care and we challenge each and every citizen of Kings County to join us and have the courage to stand up and address discrimination and marginalization.”

The Diversity Committee believes that times and circumstances have changed and that this County through its commitment to ending racism and discrimination has already made a difference in our Community. You will note the first item in the following work plan call for the update of this plan and we anticipate that will provide fresh fodder for the 2021/22 update of this work plan and budget. The work plan and budget put forward for the 2020/21 fiscal year is intended to make great strides in a more total community engagement and approach to making our community a safer, more inclusive and welcoming place for each and every resident that live and work here or are contemplating to live and work here.

PROJECT TITLE (Intended Outcomes)	LEAD	TASK	BUDGET	COMPLETION	STATUS
Updated Action Plan	Diversity & Outreach Specialist, Committee Chair	<ul style="list-style-type: none"> Update the Municipality's Action Plan. (In November 2012 the County established an Action Plan for Ending Racism and Discrimination in the Municipality of the County of Kings. This is outdated and requires to be updated). 	\$20,000	Nov. 2020	<ul style="list-style-type: none"> This task would be undertaken by a consultant through a call for proposal process.
<i>i. Personal Declarations</i>		i. Develop various campaigns to inspire residents to engage in Equity, Diversity and Inclusion.			
<i>ii. Declarations for Businesses & Organizations</i>		ii. Develop a Declaration, process and program to engage and inspire Businesses and Organizations.			
<i>iii. Diversity Communications Plan</i>		iii. Develop a Communications Plan to keep our partners and community informed about the issues, directions and activities related to diversity and inclusion.			
Update Terms of Reference	Diversity & Outreach Specialist, Policy Analyst, Sub-Committee	<ul style="list-style-type: none"> Use existing internal resources to update the Committee Terms of Reference to be consistent with 	Funded Staff		

		the evolution of diversity and inclusion.			
Review Process for Municipal Documents	Policy Analyst	<ul style="list-style-type: none"> Recommend that Council directs the CAO to establish and implement a review process for all internal and external documents to ensure all records reflect the community as a safe and welcoming environment for all; regardless of age, race, ability, ethnicity, religion, gender, language, sexual orientation or socio-economic status. 	Funded Staff	Ongoing	
Cultural Literacy/ Competence Training	Diversity & Outreach Specialist	<ul style="list-style-type: none"> Increase cultural competence and cultural safety of municipal Councillors municipal staff and other service providers through the provisions of training & supports. 	\$5,000	June 2021	
	Committee Chair	<ul style="list-style-type: none"> Develop Diversity and Inclusion presentations and commence delivery to businesses, community groups and other stakeholders as an educational and engagement tool as part of the process to develop partnerships and 	Funded Staff	May 2020	

		commitments to the Awareness Campaign.			
Build Relationship with the Towns	Diversity & Outreach Specialist, Committee Chair, Deputy CAO	<ul style="list-style-type: none"> Refine and establish more formal relationships with the Towns. The intent would be to have the Towns formally commit to the Diversity and Inclusion mandate, to formally nominate members of our Committee and perhaps participation funding initiatives... perhaps a similar relationship to REMO. This also fits with building partnerships recommended in the current Work Plan. 	Funded Staff	Mar. 2021	
Build Relationship with the Business Community	Diversity & Outreach Specialist, Committee Chair	<ul style="list-style-type: none"> Develop and implement programming that provides local businesses' and organizations with opportunities to make a commitment to creating a safe and welcoming community. 	\$1,000	Sept. 2020	<ul style="list-style-type: none"> This task can be in collaboration with the Awareness Campaign below.
		<ul style="list-style-type: none"> Develop messaging around the Committees work in Equity, Diversity and Inclusion 			
Build Relationship with the Community at Large	Diversity & Outreach Specialist, Diversity Committee	<ul style="list-style-type: none"> Implement a messaging strategy for individuals and community groups who have made a commitment to create safe, 	\$1,000	Feb. 2021	

		diverse, inclusive and welcoming communities.			
		<ul style="list-style-type: none"> Develop an Awareness Campaign to promote the Committee's work in Equity, Diversity and Inclusion. 			
Increase Responsiveness of the Diversity Committee	Diversity & Outreach Specialist	<ul style="list-style-type: none"> Establish partnerships with the Royal Canadian Mounted Police, Human Rights Commission and the Valley African Nova Scotian Development Association to monitor and track incidents of discrimination and racism in our community to inform policy, programs and resource allocators. 	Funded Staff	Sept. 2021	
Community Events, Conferences & Workshop Participation	Diversity & Outreach Specialist, Diversity Committee	<ul style="list-style-type: none"> Become a more visible and active partner for annual events to celebrate and promote diversity and inclusion; including industry and community conferences where we may be able to get on the agendas (i.e. International Women's Day, Pride, African Heritage Month etc.) 	\$5,000	Dec. 2020	
General Financial Support of Community Diversity & Inclusion Initiatives		<ul style="list-style-type: none"> From time to time community groups request financial support for the various initiatives that are conducting that would have 	\$5,000	Ongoing	

		strong diversity and inclusion element. The Committee recommends the development of a Grant program to appropriately allocate funds.			
Total Work Plan Budget Requirement			\$37,000		

THE MUNICIPALITY OF THE COUNTY OF KINGS

To: Municipal Council

Subject: Report of the Greenwood Water Utility Source Water Protection Committee

From: Paul Spicer, Chair

Date: April 7, 2020

The Greenwood Water Utility Source Water Protection Committee meeting was held on March 12 in Greenwood.

Discussion around the status of the Water Conservation By-law.

New well update.

Next meeting date TBA.

Respectfully submitted,

Paul Spicer
Councillor District 5

THE MUNICIPALITY OF THE COUNTY OF KINGS

To: Municipal Council
Subject: Municipal Elections Advisory Committee
From: Chloe Austin, Recording Secretary
Date: April 7, 2020

The Municipal Elections Advisory Committee met on March 18, 2020 in person and by teleconference.

Barb Illsley-Jess, Returning Officer, was named Chair of the Committee.

The work plan was reviewed. Next steps include hiring an Assistant Returning Officer and reviewing and updating polling divisions.

Next meeting: April 22, 2020 (by video or telephone).

Chloe Austin
Administrative Assistant
Municipality of the County of Kings

Committee Reports – Jim Winsor
Reporting period – April 7, 2020 Council Meeting

Kings Regional Sewer Committee

Last meeting was Feb 20. The next meeting was scheduled for April 2 at which time we were expected to have approvals of the Capital and Operating budgets in place. The Committee would then recommend the Budget to Council for the approval through the Budgets being submitted are attached.

The Committee will not be meeting on April 2. We will get approvals through an email process.

If the Shutdown continues, we should be looking at alternate ways for the Committee to meet through the electronic media.



Municipality of the County of Kings

Request for Decision

TO Regional Sewer Committee

PREPARED BY Mike Livingstone, CPA, Manager of Financial Reporting

MEETING DATE February 20, 2020

SUBJECT Regional Sewer Operating and Capital Budgets 2020/21

ORIGIN

- February 13, 2020, Presentation of Draft Operating and Capital Budgets to Regional Sewer Technical Subcommittee

RECOMMENDATION

That Regional Sewer Committee recommend their respective organizations recommend the proposed 2020/21 fiscal Operating & Capital Budgets to the partners for their consideration and approval.

INTENT

To provide the Regional Sewer Committee representatives and member organizations with information to enable them to recommend approval of the proposed operating and capital budgets.

DISCUSSION

The attached Appendix C provides a review of the current year actual operating results to date, forecast to year-end, and comparison with budget, together with the proposed operating (Appendix A) and capital (Appendix B) budgets for the 2020/21 Regional Sewer service. The budgets were presented to the Regional Sewer Technical Subcommittee on February 13, 2020.

Based on the contracts in place between the organizations represented on the Regional Sewer Committee, and the Municipality of the County of Kings, the member organizations contribute to the capital and operating costs of the Regional Sewer service. The practice has been that each member organization considers the recommended budget and their proportional share, calculated in accordance with the cost-sharing agreements, and votes to recommend the budgets to the Municipality of the County of Kings Council for approval.

FINANCIAL IMPLICATIONS

- Operating & Capital Budget Cost Share for the 2020/21 Fiscal Year:

	Contributions	% Share
Town of Kentville	757,100	50%
Village of New Minas	325,800	22%
PepsiCo Canada	200,500	13%
Municipality of Kings	229,200	15%
	1,512,600	100%



Municipality of the County of Kings

Request for Decision

STRATEGIC PLAN ALIGNMENT

Check Applicable	Strategic Priority	Description
	Good Governance	
✓	Environmental Stewardship	Support the continued provision of sewer services to the industrial, commercial, and residential communities of Kentville, New Minas, Coldbrook and Greenwich to prevent environmental contamination.
	Economic Development	
	Strong Communities	
	Financial Sustainability	
	Supports a Strategic Project	
	Supports a Core Program Enhancement	
	Not Applicable	

ALTERNATIVES

- The Regional Sewer Committee could recommend additional review of budget assumptions.

IMPLEMENTATION

- Regional Sewer Committee members will present the proposed budgets to their respective organizations for approval.
- Following partner organizational approval, the members will so advise the Regional Sewer Committee, which will then recommend the budgets to the Municipality of the County of Kings Council for approval.

COMMUNITY ENGAGEMENT

- No specific community engagement initiatives have been undertaken.

APPENDICES

- Appendix A: Proposed 2020/21 Regional Sewer Operating Budget
- Appendix B: Proposed 2020/21 Regional Sewer Capital Budget
- Appendix C: Report to Regional Sewer Committee February 20, 2020

	Draft Budget 2020/21	Forecast Actual 2019/20	Approved Budget 2019/20	Forecast to Budget 2019/20		Budget to Budget	
				\$	%	\$	%
Revenue							
Operating							
Town of Kentville	757,100	727,000	727,000	-	0%	30,100	4%
Village of New Minas	325,800	338,400	338,400	-	0%	(12,600)	-4%
PepsiCo Canada	200,500	186,800	186,800	-	0%	13,700	7%
Municipality of Kings	229,200	213,800	213,800	-	0%	15,400	7%
Total Operating	1,512,600	1,466,000	1,466,000	-	0%	46,600	3%
Non- Operating							
Transfer from operating reserve	-	(1,900)	-	(1,900)	-	-	0%
Interest on reserve funds	-	20,100	-	20,100	-	-	0%
Total non-operating	-	18,200	-	18,200	-	-	0%
Total Revenue	1,512,600	1,484,200	1,466,000	18,200	1%	46,600	3%
Expenditures							
Operating							
Support Services	76,800	67,900	67,900	-	0%	8,900	13%
Insurance	12,000	11,800	12,900	(1,100)	-9%	(900)	-7%
Monitoring	2,300	2,200	2,300	(100)	-4%	-	0%
Wages	153,200	169,500	142,200	27,300	19%	11,000	8%
Benefits	29,200	32,300	27,100	5,200	19%	2,100	8%
Power - Pumping	57,500	56,000	54,700	1,300	2%	2,800	5%
Treatment	77,000	76,800	85,000	(8,200)	-10%	(8,000)	-9%
Power - Treatment	339,600	330,500	325,500	5,000	2%	14,100	4%
Vehicle Expense	25,300	20,200	31,400	(11,200)	-36%	(6,100)	-19%
Maintenance	150,000	150,000	150,000	-	0%	-	0%
Total Operating	922,900	917,200	899,000	18,200	2%	23,900	3%
Non - operating							
Debenture - Interest	18,600	24,700	24,700	-	0%	(6,100)	-25%
Debenture - Principal	188,300	212,800	212,800	-	0%	(24,500)	-12%
Transfer to Depreciation Reserves	382,800	329,500	329,500	-	0%	53,300	16%
Total non-operating	589,700	567,000	567,000	-	0%	22,700	4%
Total Expenditures	1,512,600	1,484,200	1,466,000	18,200	1%	46,600	3%
Surplus (Deficit)	-	-	-	-	-	-	0%

Committee of Council Reports - April 7, 2020

Board/Committee	Reporting Councillor/Chair	Date Last/Next Meeting	Written Report
Asset Management Committee	Brian Hirtle	*November 25, 2019 Next: TBD	*Written report provided December 3, 2019
Audit Committee	Paul Spicer Jim Winsor, Vice Chair	March cancelled Next: April 23 TBD	✓
Budget and Finance Committee	Brian Hirtle Emily Lutz, Vice-Chair	*February 10, 2020 Next: TBD	*Written report provided March 3, 2020
Centreville Area Advisory Committee	Brian Hirtle, Pauline Raven	*June 24, 2019 Next: TBD	*Written report provided July 2, 2019
Diversity Kings County	Jim Winsor	March 2, 2020 Next: TBD	✓
Fire Services Advisory Committee	Emily Lutz	*January 23, 2020 Next: March 5, 2020	*Written report provided February 4, 2020
Greenwood Water Utility Source Water Protection Committee	Paul Spicer	March 12, 2020 Next: TBD	✓
Kings Youth Council	Meg Hodges, Emily Lutz	No recent meetings	
Kingston Area Advisory Committee	Martha Armstrong	No recent meetings?	
Lake Monitoring Committee	Emily Lutz Paul Spicer - Alternate	No recent meetings?	
McMaster Mill Historic Park Committee	Paul Spicer	No recent meetings	
Municipal Elections Advisory Committee	Janny Postema	March 18, 2020 Next: April 22, 2020	✓
New Minas Area Advisory Committee	Jim Winsor	No recent meetings?	
Nominating Committee	Martha Armstrong Meg Hodges, Vice-Chair	*Oct. 22 & Nov. 5, 2019 Next: TBD	*Written report/ Recommendations provided November 5, 2019
Planning Advisory Committee	Martha Armstrong Jim Winsor, Vice-Chair	*October 8, 2019 Next: Nov. 12, Dec. 10, 2019, Jan. 14, Feb. 11, March 10, 2020	*Written report provided November 5, 2019
Police Services Advisory Committee	Brian Hirtle Peter Allen, Vice-Chair	*December 18, 2019 Next: Feb. 19, 2020	*Written report provided January 7, 2020
Port Williams Area Advisory Committee	Meg Hodges	June 24, 2019	
Port Williams Source Water Protection Committee	Meg Hodges	No recent meetings?	
Regional Sewer Committee	Jim Winsor Peter Allen - Alternate	February 20, 2020 Next: TBD	✓
Sandy Court Source Water Protection Committee	Martha Armstrong	*March 27, 2019 Next: TBD	*Written report provided April 2, 2019