



TOWN OF KENTVILLE COUNCIL ADVISORY COMMITTEE May 8, 2023 AGENDA

6:00 p.m.

1. CALL MEETING TO ORDER AND ROLL CALL
2. APPROVAL OF THE AGENDA
3. APPROVAL OF THE MINUTES
 - (a) Council Advisory Committee, April 17, 2023
 - ~~(b) Special Council Advisory Committee Meeting, February 21, 2023~~
4. PRESENTATIONS
 - (a) NKEC Promenade Event – Kathy Boutlier
 - (b) Clean Nova Scotia – Electric Vehicle Infrastructure and Efficiency
5. DEPARTMENT REPORTS AND RECOMMENDATIONS
 - (a) Finance
 1. Director’s Report
 - (b) Planning Department
 1. Staff Report
 2. Proposed Subdivision Bylaw Amendment
 - (c) Parks and Recreation
 1. Director’s Report
 2. Facilities Condition Report
 - (d) Police
 1. Chief’s Report
 - (e) Engineering and Public Works
 1. Director’s Report

(f) Administration

1. Chief Administrative Officer's Report
2. Mentoring Plus Quarterly Report

6. BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS

- (a) Rezoning Application

7. CORRESPONDENCE

- (a) None

8. NEW BUSINESS

- (a) NKEC Prom Event Request
- (b) Lions Club Lease

9. PUBLIC COMMENTS

10. IN-CAMERA

- (a) **Personnel Matter**

11. ADJOURNMENT

DRAFT



TOWN OF KENTVILLE
COUNCIL ADVISORY COMMITTEE
Meeting Minutes: April 11, 2023
Town Hall, 354 Main Street, Kentville Nova Scotia

This meeting was held in person in Town Hall and was livestreamed to Facebook and YouTube with closed captioning.

1. The meeting opened with a land acknowledgement.

Deputy Mayor Cate Savage called the meeting to order at 6:00 p.m., and Chief Administrative Officer (CAO) Dan Troke reported the following members of Council and staff were present:

2. PRESENT

Council:

- Deputy Mayor Cate Savage
- Councillor Craig Gerrard
- Councillor Paula Huntley
- Councillor Cathy Maxwell
- Councillor Gillian Yorke
- Councillor Andrew Zebian

Staff:

- Dan Troke, Chief Administrative Officer
- Rachel Bedingfield, Director of Parks and Recreation
- David Bell, Director of Engineering
- Kirsten Duncan, Planning Technician
- Wanda Matthews, Director of Finance
- Jennifer West, Recording Secretary
- Geoff Muttart, Solicitor

REGRETS

Mayor Sandra Snow

DECLARATIONS OF CONFLICT OF INTEREST

None.

3. APPROVAL OF THE AGENDA

Removal, 6.b.2, Land Use Bylaw Amendment

It was moved that the agenda for the Council Advisory Committee meeting of April 11, 2023 as amended.

DRAFT

MOTION CARRIED

4. APPROVAL OF THE MINUTES

(a) Council Advisory Committee, Meeting Minutes, March 13, 2023.

It was moved that the minutes from the Council Advisory Committee meeting held on March 13, 2023 be approved.

MOTION CARRIED

5. PRESENTATIONS

(a) Annapolis Valley Regional Libraries – Julia Merritt

Executive Director Julia Merritt gave a presentation on the regional library programs, events and collections. She reviewed her experience in the library sector in the Toronto system and also in rural libraries. She introduced the Same Page project, where regional libraries can now share between regional library systems in Nova Scotia.

Presentation available

(b) Valley Community Learning Association – Community Suppers

Judy Lipp gave a presentation on the past year of community suppers in Kentville- a free meal for all who are hungry for food or friendship. The suppers are a regular event open to everyone in the community and have been running for one year.

Presentation available

6. DEPARTMENT REPORTS AND RECOMMENDATIONS

(a) Finance

(1) Directors Report and Projection Report

Director Wanda Matthews presented the report for the period ending March 31, 2023. To this date, overall 100% of the revenue should be recorded. Expenditures are slightly under budget at 99.3%. Audit work has begun and the committee will launch in the coming weeks. The 2023-2024 budgets are being built and will be presented to Council in the coming weeks as well.

See report for more information.

Discussion:

- Council asked if the increase in property valuation been calculated.
- Council asked about the overage in the Conventions and Travel account.

(b) Planning and Development

(1) Staff Report

DRAFT

Planning Technician Kirsten Duncan presented the planning report for March 2023. Highlights included a building valuation of \$3,018,660 for the year thus far, Canada Cup event preparations, Acadia Community Development Students project, hiring for the Visitor Information Centre and preparations for the Multicultural Festival.

See report for more information.

(2) Removed from agenda

(3) Land Use Bylaw Zoning Map Amendment of PID 55247761

Planning Technician Kirsten Duncan presented the report outlining an application from Brighter Community Planning and Consulting on behalf of the property owner Mitch Brison to rezone a vacant parcel of land. This report was a response to some questions from Council from the March 2023 Council Advisory Committee meeting.

See report for more information.

Discussion

- Council would like any additional information from the Centre for Education regarding expanding the school system at KCA and ensuring that the Town will not have to cover any costs.

Council received the report and will consider it at the April 27 2023 meeting for First Reading.

(c) Parks and Recreation

(1) Director's Report

Director Bedingfield presented her report for March 2023. Some of the highlights included a Homeless No More initiative, the Spike Fund, the town's Anti-Discrimination and Anti-Racism Policy, and the Recreation for All Policy.

See report for more information.

(d) Police Report

(1) Chief's Report

Police Chief Jim Butler presented the police commission report, which included a Board of Police Commissioners meeting, and meetings with the Nova Scotia Chiefs.

See report for more information.

(e) Engineering and Public Works

(1) Director's Report

DRAFT

Director Bell submitted his report for March 2023. Some of the highlights included budgets for each department, and activities at Canaan Avenue to address a slope failure.

See report for more information.

Discussion

- Council requested that the Canaan Avenue investigation report be shared with them when it is released, with recommendations for solutions such as a retaining wall.
- Review of town and industry standards for stormwater management and road construction.

(f) Administration

(1) Chief Administrative Officer's Report

CAO Dan Troke submitted his report for February 2023. Highlights included the setting up the Property Assessed Clean Energy (PACE) program, a staff engagement plan, development of the renaming committee, and receiving applications for the grants to community program.

See report for more information.

Discussion

- Council made a request for more detailed information about the energy costs incurred by the electric car charging station at the Kentville arena.

(2) Communications Team Livestreaming Report

CAO Dan Troke reviewed the communication team memo outlining a change in how council meetings are streamed online. Starting at the April 24 meeting of Council, staff will livestream to YouTube and no longer livestream to the Facebook platform.

See report for more information.

7. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS

(a) Committees of Council Policy

CAO Troke reviewed the Committees of Council policy, and the need to update committees outlined in this policy, and some minor administrative edits.

See report for more information.

Discussion

DRAFT

- Council has concerns about including the Student Bursary Committee in this policy statement.

It was moved by Councillor Paula Huntley and Councillor Craig Gerrard

That Council Advisory Committee recommend

To the April 24, 2023 meeting of Council

That Council review and approve the attached revisions to policy statement G57 to include sections on the Heritage Committee, Student Bursary Committee and the Planning Advisory Committee.

Amendment,

That each of these items be addressed separately in this motion

It was moved by Councillor Cathy Maxwell and Councillor Gillian Yorke

That Council Advisory Committee recommend

To the April 24, 2023 meeting of Council

That Council review and approve the attached revisions to policy statement G57 to include a section on the Heritage Committee.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian

It was moved by Councillor Gillian Yorke and Councillor Cathy Maxwell

That Council Advisory Committee recommend

To the April 24, 2023 meeting of Council

That Council review and approve the attached revisions to policy statement G57 to include a section on the Student Bursary Committee.

MOTION FAILED

Councillors who voted against this motion:

Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian

It was moved by Councillor Paula Huntley and Councillor Craig Gerrard

That Council Advisory Committee recommend

To the April 24, 2023 meeting of Council

That Council review and approve the attached revisions to policy statement G57 to include a section on the Planning Advisory Committee.

DRAFT

MOTION CARRIED

*Councillors who voted in favour of this motion:
Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian*

(b) Heritage Committee Council Appointment

CAO Troke explained the vacancy in the Heritage Committee and asked Council for an appointment. Deputy Mayor Cate Savage opened the floor to nominate a member to this committee. Councillor Andrew Zebian briefly described the mandate for this committee, which will meet monthly. Councillor Craig Gerrard nominated himself to this committee. Councillor Cathy Maxwell nominated herself to this committee. CAO Troke distributed ballots and a vote was held.

Councillor Cathy Maxwell was elected to sit on this committee.

See report for more information.

It was moved by Councillor Andrew Zebian and Councillor Paula Huntley

That Council Advisory Committee recommend
To the April 24, 2023 meeting of Council

That Council appoint Councillor Cathy Maxwell to sit on the Heritage Committee.

MOTION CARRIED

*Councillors who voted in favour of this motion:
Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian*

8. CORRESPONDENCE

(a) None.

9. NEW BUSINESS

(a) Physician Community Navigator Annual Report

CAO Troke presented the annual report from the Physician Community Navigator. Some highlights included community tours, new funding partnership and an annual conference. Councillor Paula Huntley sits on this committee and is encouraged by the work moving forward.

See report for more information.

(b) Kentville Fire Area Rate Application

CAO Troke described the area rate presented by the Kentville Volunteer Fire Department for \$0.0397 per \$100 of assessed value for all occupancies to which the rate applies, compared to last years rate of \$0.0378.

See report for more information.

DRAFT

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

That Council Advisory Committee recommend

To the April 24, 2023 meeting of Council

That Council accept the requested area rate for the Kentville Volunteer Fire Department.

MOTION CARRIED

*Councillors who voted in favour of this motion:
Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian*

(c) Request for Decision – Amenity Space

Councillor Zebian described the need for Council to consider waiving the downtown amenity space requirement in section 4.1.3 of the Land Use Bylaw in order to promote residential development and housing.

See report for more information.

It was moved by Councillor Paul Huntley and Councillor Cathy Maxwell

That Council direct the CAO to review the Land Use Bylaw on the matter of amenity space in section 4.1.3 in the Land Use Bylaw and that a staff report come back to Council at the July Council Advisory Committee meeting.

MOTION CARRIED

*Councillors who voted in favour of this motion:
Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian*

(d) Request for Decision – Kentville Recreation Complex

Councillor Andrew Zebian promoted the development of a recreation facility for skating, swimming and other activities, to be built in Kentville. Director Bedingfield will be bringing back a Facilities Condition report and this may contribute to this conversation.

See report for more information.

(e) Warranty Deed Amendment

CAO Troke outlined an application by Bill Denyar for a change to the warranty deed in his Kentville Business Park lot, which would see a slightly smaller building than originally proposed.

See report for more information.

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

DRAFT

That Council Advisory Committee recommend

To the April 24, 2023 meeting of Council

That Council approve the consideration in the reduction in building size and pavement area size as outlined in the request from Indoor Air Solutions.

MOTION CARRIED

*Councillors who voted in favour of this motion:
Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian*

10. PUBLIC COMMENTS

(a) Brent O'Connor

Recommendation that developers contribute funds to transit as a universal service or utility in the proposed rezoning application.
Concerns about Japanese Knotweed in town as a serious concern.
Support for town funds contributing to the Spike Fund.

(b) Jennifer Currie

Concerns about stormwater management in the proposed rezoning application during construction.
Concerns about flooding issues falling to neighbours to resolve.
Concerns about rooms and teacher availability at KCA relating to this development.

(c) Meghan Sabean

She has read the traffic study report and encourages others to read this report. A left turning lane is encouraged at Park and Acadia. Traffic flow should be considered across the entire proposed area. Service delivery may be impacted by this proposal, and should be considered. Concerns about viewing the proposal in a wholesome and long term manner.

(d) Bunny Bennett

Concerns with stormwater management in the proposed development, and events in the future like the 2019 flooding on Condon Avenue. There is nervousness around flooding and property damage from large rain events.

(e) Brian Fitzgerald

Brian is the owner of Paddy's Pub and appreciates Council's work. Concerns with the vacant rail lands downtown that could be used for housing, and other lands that could be used for a recreational centre.
Paddy's is the oldest craft brewer in Atlantic Canada. Asks Council to consider a small, licensed section at the Memorial Park field for baseball games.

DRAFT

11. ADJOURNMENT

There being no further business to discuss,
Council Advisory Committee adjourned at 9:29 p.m.

MOTION CARRIED

Minutes Approved by Town Clerk
Dan Troke

Next
Ride 🙌



What is Next Ride?



- Provincially-funded program
- Promote electric transportation
- Engage the public and businesses through test drives
- Provide resources to educate

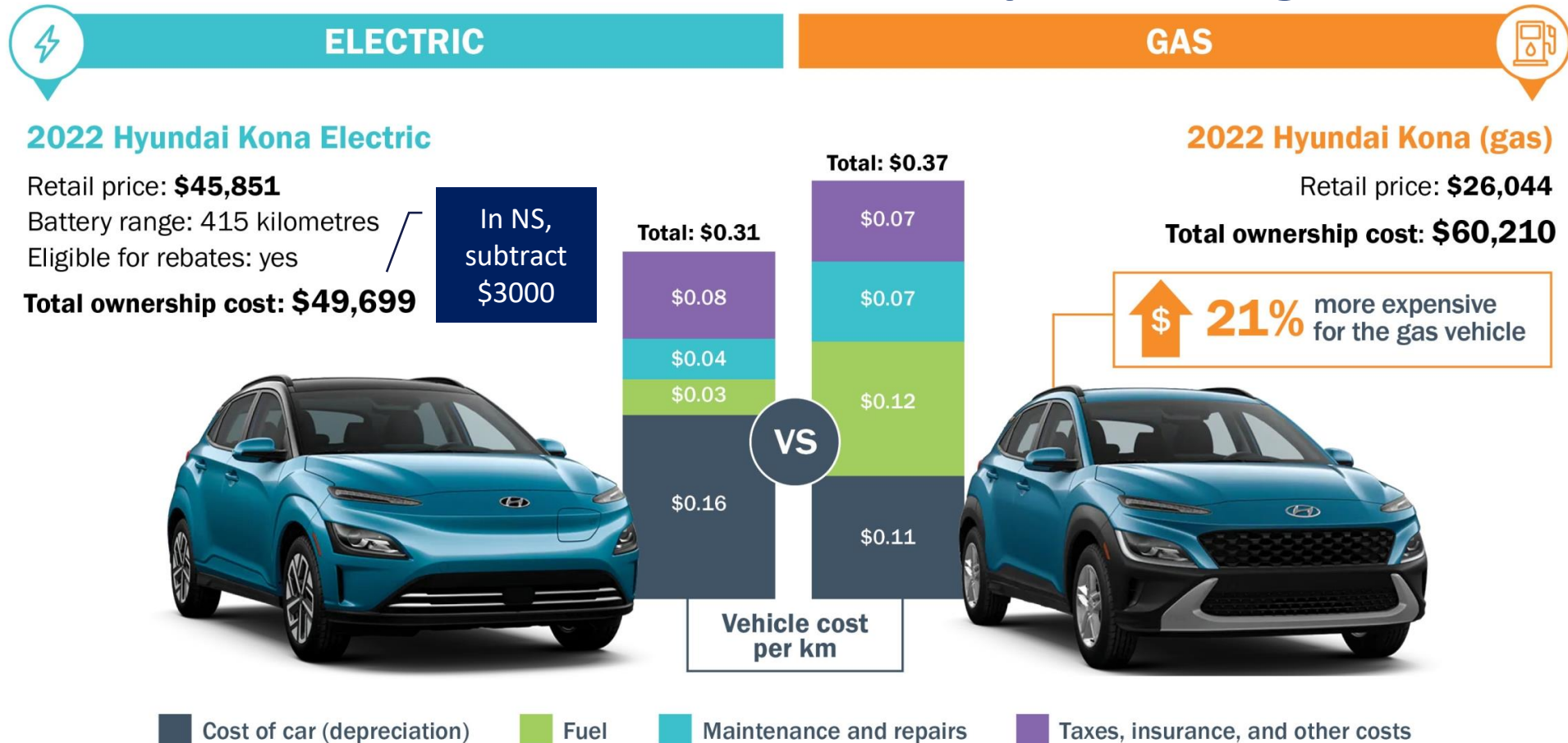


- Promote social equity and support historically marginalized communities
- Develop the green economy workforce
 - Protect the natural environment
 - Inspire action on climate change

Why Go Electric?

Why Go Electric?

The full cost of an EV and an equivalent gas car

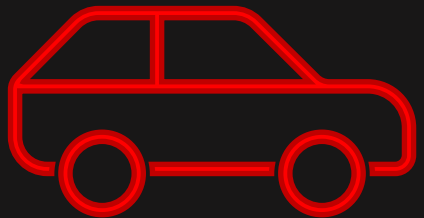


Energy Consumption

1 litre of gas is equivalent energy to 9 kWh of electricity

\$1.50

\$1.45



8.8 L/100km

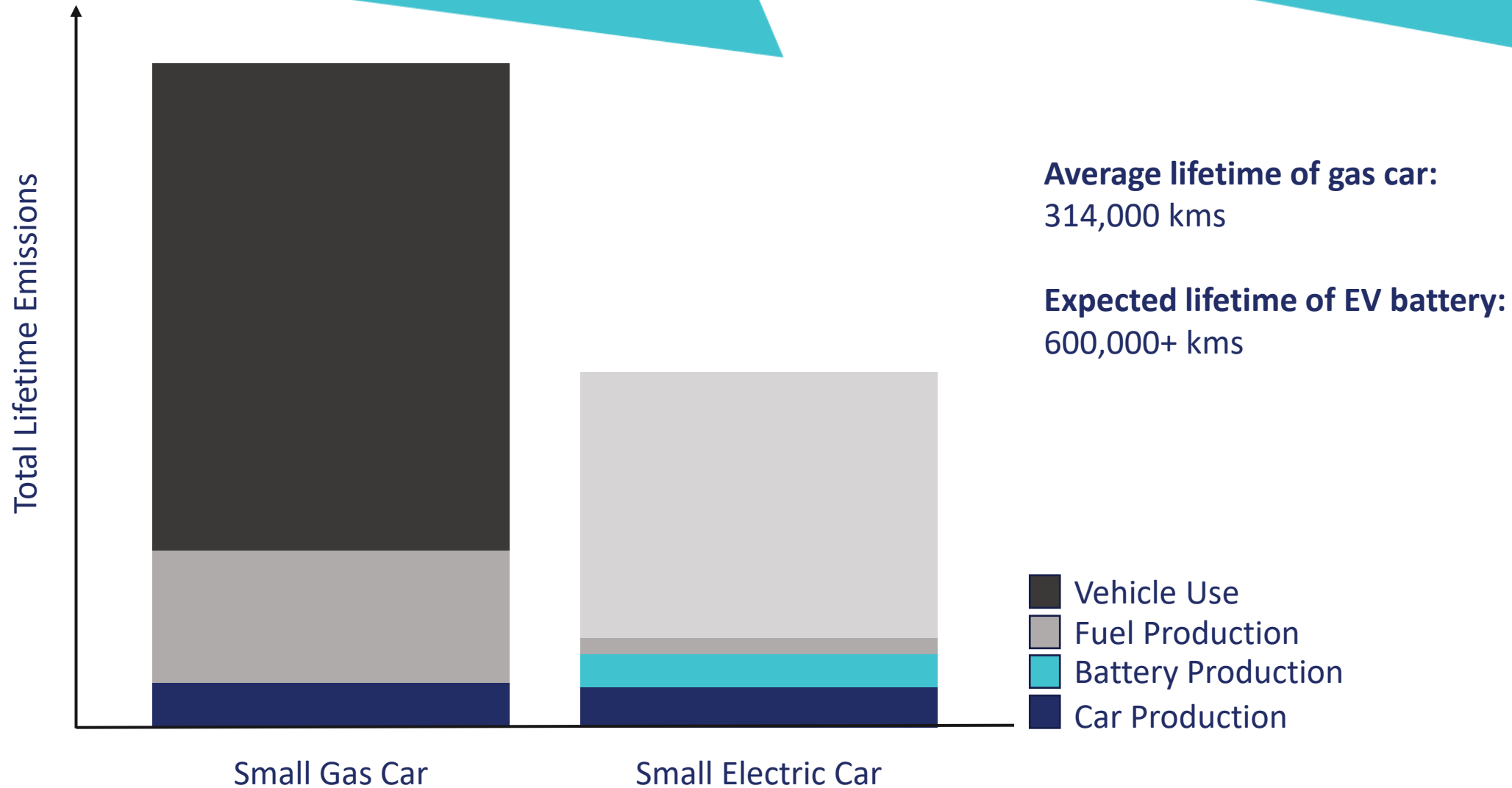
11.4 kms

18 kWh/100km

52.3 kms



Lifetime Emissions Comparison



Lower Maintenance



Fewer Moving Parts

+2000 moving parts in gas engine

~40 moving parts in electric motor

Less maintenance, higher uptime

- Knock sensors
- Flywheels
- Clutches
- Shift linkages
- Vacuum reservoirs or traditional brake boosters
- Fan/drive belts
- Spark plugs
- A multitude of different gaskets
- High tensile bolts for things like the heads rods or crank (which are also redundant)
- Universal joints other than in driveshafts
- Fuel and oil tanks
- Fuel and oil lines
- Fuel level sensors
- Cam chains or belts
- Air, fuel and fuel filters
- Spark plug leads

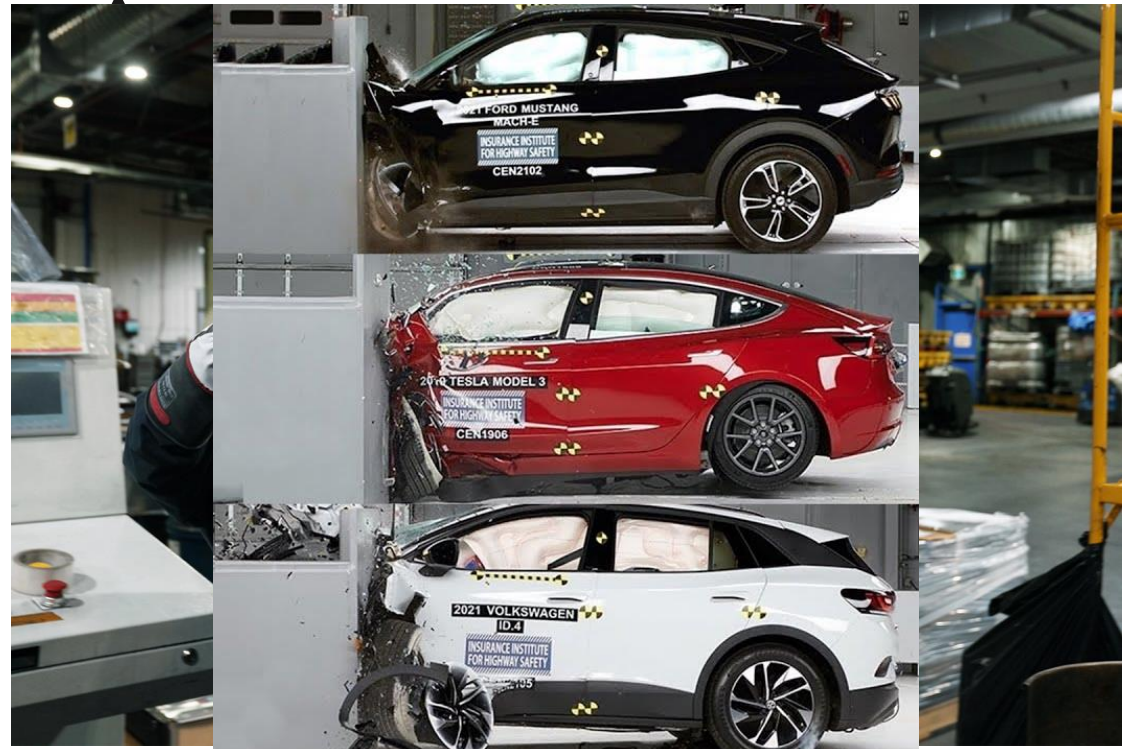
Fleet Benefits - Functional

- Ideal drivetrain for idling
- Strength in local usage
- Variety of body styles



Fleet Benefits - Environmental

- Fewer emissions
- Reduced waste
- Lower health risks
- Often higher safety ratings

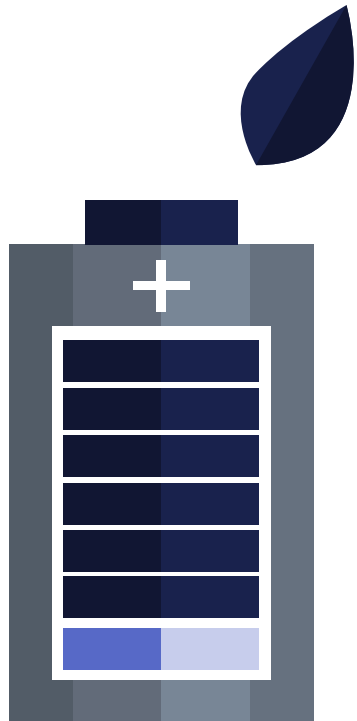


Small Gas Car

Small Electric Car

Public Charging

Charger Types



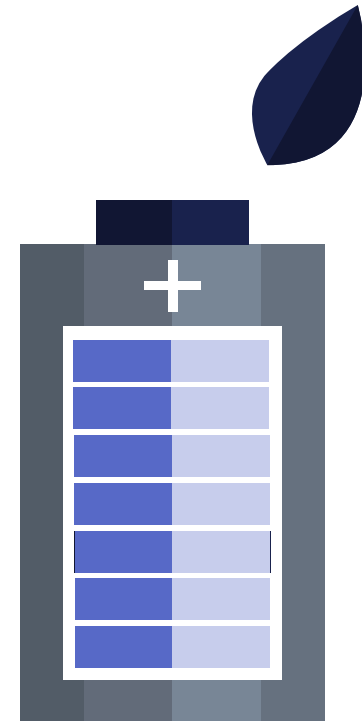
LEVEL 1

Adds ~ 8 km
per hour



LEVEL 2

Adds ~ 30 km
per hour



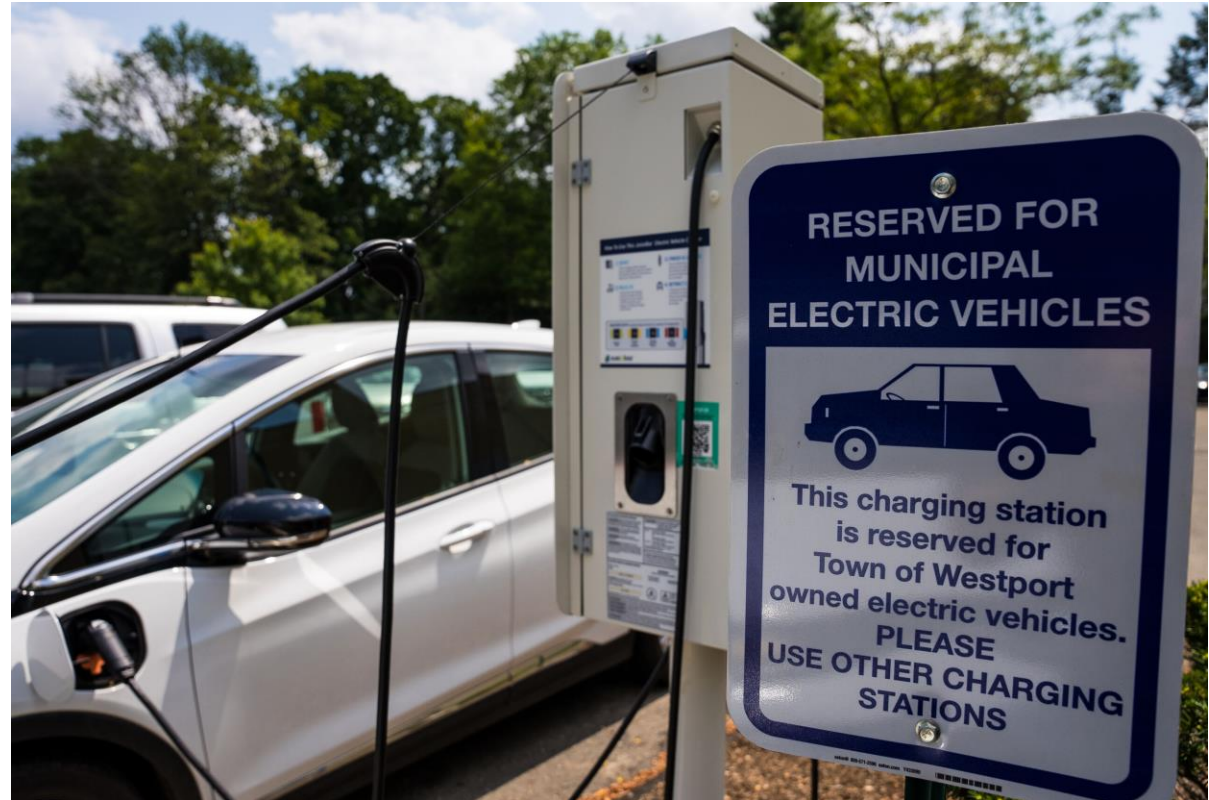
LEVEL 3

Adds ~ 250+ km
per hour

Charging Infrastructure

Level 1 and Level 2

- Ideal for public parking
- Charge a nominal fee or free
- Encourage cycling of vehicles with custom fee structures



Want to Know More About Electric Vehicles?

*Next
Ride* 

www.nextridens.com



EV Assist
NOVA SCOTIA

www.evassist.ca



TOWN OF KENTVILLE
Staff Report to Council Advisory Committee
For the Month of April 2023
DEPARTMENT- FINANCE

Operations

- Fourth quarter utility bills valued at \$358,581 were sent in mid - April with a due date of May 24, 2023.
- Interim 2023-2024 tax bills valued at \$5,736,564 released in mid - April with a due date of May 31, 2023.
- Staff audit preparation began post March 31 fiscal year close. Kent and Duffett are scheduled to begin their audit work on June 19, 2023.
- Reporting to Municipal Affairs regarding HST Offset Revenues completed within reporting deadlines.
- With the addition of a new Director of Finance and the pending retirement of our Accountant; recruitment and team development work is underway.

Financial

- The commitment by Council to participate in the Province's Spring 2023 Debenture Issue, in the amount of \$563,500, was shared with Municipal Finance.
- The Town's Five-Year Capital Investment Plan was ratified at the April 24, 2023 Council Meeting.
- In collaboration with the CAO and Finance, Leadership developed program/service requirements for the 2023 – 2024 fiscal year and the resulting projected staffing complement, materials, supplies and purchased services required to meet them. These formed the basis of the 2023/2024 Operating Budget.
- The Town's 2023/2024 Operating Budget, with a revenue and expenditure level of \$15,924,200, was presented for consideration at a Special Meeting of Council.
- Town of Kentville Water Commission draft three- year budgets are in development for a May presentation to the Commission.
- Unaudited March 31, 2023 year end results are unavailable; however, preliminary results indicate a balanced budget position is anticipated based on known remaining accounting entries.

Respectfully submitted,

A handwritten signature in blue ink that reads "Wanda Matthews".

Wanda Matthews, CPA, CA
Director of Finance





Town of Kentville

Staff Report to Council Advisory Committee

Planning & Development

May 2023

Programs and Operations

- Budget finalization allows us to start moving on some projects and purchases! Planning has some exciting things on the horizon under both the development and tourism umbrellas and staff are looking forward to a busy event and construction season.
- Development Permits: 13 Development Permits were issued in the month of April, with a total building valuation of \$1,789,206.96. Activity & Development Permit Report is attached.
- Subdivision Applications: 1 file has been submitted to the Land Registry Office for final registration this month.
- The Canada Cup rider recruitment web campaign has concluded, and data reports are showing a favourable result that will hopefully translate into increased ridership and registrations overall.
- Tourism marketing content is mostly done and out the door. Some print publications are out now, more to come. Kentville will be featured in all the usual places, SEA NS, Saltscapes Magazine, and this year we also secured the inside cover for the program of the International Tattoo in Halifax. This year's tourism marketing campaign is called "Go Big in a Small Town" and is focused on the many signature festivals and events that happen in Kentville.
- The Planning Department had some great help from Highbury Education Center Students last week as we re-activated Centre Square for the year! Tables, new umbrellas, and alley lights are up. Banners are at the printer now, and there is more décor to come! Our next outdoor work session in the square is scheduled for the week of apple blossom so expect to see a lot more pink than usual for a time.
- Budget passing has allowed us to sign the agreement for the delivery of an entrepreneurship program for black youth. Town of Kentville is partnering with

Blk Women in Excellence and the Portal on this project. The 8-week workshop will run mostly out of the Kentville Recreation Centre this summer and registration is open now.

- The CEDC is working on a few minor projects with Kings Transit related to route changes and the relocation of existing bus shelters. Kings Transit is looking at some potential changes to the downtown Kentville route that will shorten ride times and help them get back to the hour timeframe they aim for. Some stop locations may be altered, and we will stay in touch with Kings Transit and support them with public messaging and communications as they work through their plans and eventually roll them out.
- The Planning Department continues to field a high volume of inquiries from parties interested in relocating or opening new businesses in Town, and from property owners looking to retrofit/upgrade or add residential units. The Department is currently assisting multiple groups with inquiries about available space, permit requirements, and other start up and reno related items.
- Hiring for summer VIC staff is ongoing, interviews are happening later this week. One position is being partially supported with funding from Canada Summer Jobs. The VIC will open for the season on May 29th, and there will be a grand opening event including a "Sit and Chat" bench unveiling on Friday June 2nd. Details to come, please save the date.

Tourism & Special events

- The Apple Blossom Festival Team Logistics meeting was held April 26th and included Planning, Public Works, Kentville Police, Kings REMO, Kings RCMP and Apple Blossom Board representatives. There are a few new items on the list for festival week including a concert scheduled at the Arena for May 27th. The dance previously held downtown has been moved to the Old Orchard Inn barn venue. Parades and road closures related to those events are expected to be status quo. The Planning dept. will ensure proper messaging about traffic interruptions and road closures will be communicated through the regular channels.
- A reminder that the Blk Women in Excellence Pop-Up is back for Apple Blossom again this year and will be operating in Centre Square from 10-3 on Parade Day, May 27th. We are expecting double the number of business participants this year and we encourage everyone to stop by!
- The Historic Kentville video is still in editing and is expected to be ready for release in early-mid June.

- Please note the following dates for special and signature events in Kentville:
 - Apple Blossom Festival: May 25-27 (Kentville)
 - Devil's Half Acre Motorcycle Rally: June 25-26
 - Kentville Mural Festival: July 14-16
 - Canada Cup Mountain Bike Nationals: July 20-23
 - Kentville Multicultural Festival: September 9
 - Pumpkin People Festival: October 7-29
 - Kentville Harvest Festival: October 7

Projects

- **McDougall Heights Rezoning:** Staff have received comments from the third-party planner regarding the application and further correspondence from the Applicant. A report is available later in this meeting.
- **Subdivision Bylaw Amendments:** Staff have drafted a minor amendment to the Subdivision Bylaw. A report explaining the requested amendment and outlining the process can be found later in this meeting.
- **Hibou Court:** Staff and Solicitor Muttart have been working together to prepare a Subdivision Agreement for the acceptance of the new road, Hibou Court.
- **Public Washroom/Bike Shelter Project:** Staff have been working with various departments to put together an RFP Tender Package with a mock-up of a design to help clearly communicate the Town's needs.

Meetings/Training

- Weekly Staff Meetings
- MDOANS Conference Planning
- Meeting with multiple property owners and business liaisons regarding development opportunities in the Town
- JRTA Meeting
- Apple Blossom Festival Logistics Meeting
- Kentville Business Community Board of Directors (monthly)
- Valley REN Business Response Team (monthly)
- Start-up business consultation
- Canada Cup Committee monthly planning meeting
- Seasonal Marketing planning meeting (KBC + Media)
- AT Staff team check-in meeting
- STORM (strategic operations related to media)
- Façade Program re-vamp planning meeting with committee chair
- Procurement Training
- PDX Webinar through PVSC

Public Engagement

- Frequent phone calls and email correspondence (ongoing)
- Appointments are encouraged with staff for those looking for support with Development Permit Applications and Subdivision Applications
- Highbury Student group outdoor work experience

Respectfully Submitted,

Lindsay Young

Community & Economic Development Coordinator

Kirsten Duncan

Planning Technician/Acting Development Officer

Activity Report

Planning & Development

April 2023



<i>PERMITS</i>	<i>PERMITS ISSUED</i> April 2023		<i>PERMITS ISSUED</i> April 2022	
	Month Total	Year Total	Month Total	Year Total
Number of Permits	13	30	24	46
Total Building Value	\$ 1,789,206.96	\$ 5,520,880.96	\$ 3,617,310.00	\$ 14,303,240.00
Permit Revenue	\$ 2,233.49	\$ 9,454.80	\$ 3,621.05	\$ 11,106.88

Permit Report

Planning & Development

April 2023



Permit #:	4130	Permit Date:	4/19/2023
Value of Construction:	\$3,000.00	Fee:	\$0.00
New Accessory Construction - Installing a 5' tall chainlink fence in the rear yard.			

Permit #:	4131	Permit Date:	4/19/2023
Value of Construction:	\$6,500.00	Fee:	\$0.00
New Accessory Construction - Installing a 5' tall chainlink fence in the rear yard.			

Permit #:	4132	Permit Date:	4/26/2023
Value of Construction:	\$32,106.96	Fee:	\$50.00
Solar Panels - Installing 33 Solar Panels on the roof of an existing dwelling.			

Permit #:	4133	Permit Date:	4/21/2023
Value of Construction:	\$477,500.00	Fee:	\$234.72
New Residential Construction - Constructing a Single Unit Dwelling, residential space is 1,772 sq ft and garage space is 450 sq ft.			

Permit #:	4134	Permit Date:	4/21/2023
Value of Construction:	\$350,000.00	Fee:	\$790.00
Renovations - Renovations include the replacement of windows, exterior doors, siding, soffits, gutters, decking boards and railings.			

Permit #:	4136	Permit Date:	4/26/2023
Value of Construction:	\$3,700.00	Fee:	\$0.00
New Accessory Construction - Installing a 5' tall chainlink fence in the rear yard.			

Permit #:	4137	Permit Date:	4/24/2023
Value of Construction:	\$50,000.00	Fee:	\$50,000.00
New Accessory Addition - Constructing an attached garage 384 sq ft in total area.			

Permit #:	4138	Permit Date:	4/26/2023
Value of Construction:	\$12,100.00	Fee:	\$0.00
New Accessory Construction - Installing a 6' tall wooden fence in the rear and side yard of the property.			

Permit #:	4139	Permit Date:	4/26/2023
Value of Construction:	\$10,000.00	Fee:	\$0.00
New Accessory Construction - Installing a 5' tall fence made of wood and metal in the rear yard.			

Permit #:	4140	Permit Date:	4/27/2023
Value of Construction:	\$18,000.00	Fee:	\$67.52
Renovations/New Accessory Construction - Renovating the lower level of the dwelling to finish the basement, create a bathroom and install a bay window. Also constructing a 9' x 20' deck.			

Permit #:	4141	Permit Date:	4/28/2023
Value of Construction:	\$500,000.00	Fee:	\$790.00
New Commercial/Industrial Construction - Constructing a 100' x 50' (5,000 sq ft) Warehouse Facility with 1 office and 1 washroom.			

Permit #:	4143	Permit Date:	4/28/2023
Value of Construction:	\$293,000.00	Fee:	\$214.35
New Residential Construction - Constructing a Single Unit Dwelling, residential space is 1,535 sq ft and garage space is 580 sq ft.			

Permit #:	4144	Permit Date:	4/28/2023
Value of Construction:	\$33,300.00	Fee:	\$50.00
Solar Panels - Installing 24 Solar Panels on the roof of an existing dwelling.			



TO: Council Advisory Committee

SUBMITTED BY: Kirsten Duncan, Acting Development Officer/Planning Tech

DATE: May 4, 2023

SUBJECT: Proposed Subdivision Bylaw Amendments

BACKGROUND

The Town’s Municipal Planning Strategy acknowledges the Subdivision Bylaw as a supporting document that helps carry out the intent of the Strategy. The Subdivision Bylaw sets out standards for the subdivision and consolidation of land, the orderly progression of land development, standards for the extension of services to new lots, street and sidewalk design, and the provision of open space. The Subdivision Bylaw was adopted in 2002 and has been amended a few times as deemed necessary.

DISCUSSION

The 2002 Subdivision Bylaw outlined the provision for a sidewalk on both sides of the road for new arterial roads, and a sidewalk on one side of the road for new collector roads in Appendix B – Municipal Services Standards & Specifications, Part 2 – Street Specifications, as followed:

2.12 Sidewalks shall be incorporated into the construction of new collector and arterial roadways as per the following:

Arterial Roadways - Both Sides
Collector Roadways - One Side

In 2008, the Bylaw was amended to remove the requirement for sidewalks on new collector roads. The Active Transportation Plan, prepared by Upland Planning in 2019 recommended that we change it back to the original 2002 Subdivision Bylaw language, which required a sidewalk on one side of the road for new collector roads. Staff are supportive of this recommendation and would like to move forward with the process.

Staff would also like to amend the current provision for sidewalks on Arterial Roads, from sidewalks on both sides of the road, to a sidewalk on one side of the road only. With the support of Council, staff would like to begin the process to amend the Bylaw to reflect both of these changes.

To satisfy Policy G62 – Public Participation Policy, Staff will need to adhere to the following process:



If Council is in agreeance to begin the process, Staff would anticipate scheduling a Public Participation Meeting around the fourth week of May 2023.

Respectfully Submitted,

Kirsten Duncan
Acting Development Officer/Planning Technician



**Town of Kentville
Staff Report to Council Advisory Committee
For the Month of April 2023
DEPARTMENT OF PARKS AND RECREATION
PRESENTED ON MAY 8TH, 2023**

Administration and Operations

- Homeless No More (HNM)
 - Reminder: On May 25th the Homeless No More (HNM) initiative will host a follow-up conversation for decision makers to present the recent data and proposed actions moving forward. The “Homeless No More Calls To Action” event will present the calls to action for policy and decision makers as determined through engagement with community and community organizations.

- Spike Fund
 - A total of \$286.24 has been processed so far this fiscal with 9 more application having been received and waiting to be processed, with a current total ask of \$1075.00.

Facilities and Operations

OPERATIONS:

- Staff have transitioned to parks and open spaces maintenance. With this season change, along with the start of 3 additional season staff, we are able to start Spring clean-up on all trails and parks.

FACILITIES:

- Arena
 - The arena continues to receive bookings for summer events. These events support the overall revenue for the operations of the arena.

- Parks and Trails

- Trails remain open (with the exception of the Kentville Ravine Trail). Expect spring conditions that include mud and soft sections.
- Invasive species, including the HWA, continue to be an ongoing concern in our parks. Staff continue to explore external funding opportunities to support the council committed amount of \$40,000.
- Sport Fields
 - Fields are open and in use by user groups.
- Tennis Courts:
 - The nets are up and both outdoor tennis and pickleball have resumed.

Programs and Operations

- Operations:
 - We are excited to have our Summer Recreation Manager Sara D’Arcy start on Monday May 8th. If anyone has any summer programming questions she can be reached at 902-599-0965 or summerrec@kentville.ca. Sara has recently moved here from Alberta with her family and will be teaching at the Booker School in the Fall.
 - Kentville Rec Text is continuing to grow in popularity. This program was created in response to community requests asking for a more accessible and direct way to receive information from our department. Text “Rec” to 855-939-9625 to receive text from Ashley about upcoming activities and events.
 - Summer programming registration date is Monday May 15th at 9am. The swimming registration opening date has not been set yet but will be announced once when the schedule is finalized.
- Programs
 - The last of the winter 2022/2023 Memory Café sessions was held here in Kentville at Petite Patrie. We were spoiled with chocolate covered strawberries, cookies, coffee, tea and live music performed by John Theriault. This program has received accolades through Doctor’s Nova Scotia for its support of persons who experience memory loss.
 - Spring programs that focus on music and active living have begun.

Community Outreach and Events

- 2023 National Mountain Biking Championships Taking Place July 20th-23rd
 - Registration for athletes opened April 3
 - Volunteers: the committee is looking to recruit up to 100 volunteers.
- Parks and Trails Egg Hunt took place in April. Staff hid 20 eggs in 5 different parks and trails. Each found egg was exchanged for KBC Bucks to support local shopping.
- The Kentville Home Show was held April 21-23. Although final information is not in, initial feedback tells us that we had over 500 more people through the door this year than in 2022.

CAPITAL PROJECTS

- Burgher Hill
 - To be completed by the end of the month, the upgraded bike trail will be safe and rideable for all ages and skills but advanced enough to challenge and engage advanced cyclists.
- Fencing projects
 - Mosquito field and Tennis court fencing should be completed by May 4
- Memorial Park Mountain Bike Trail
 - Work has begun and will be completed by the end of May.
- Dog Park
 - Work is taking place on a fencing adjustment followed by hydroseeding and path being built to ensure accessibility. Signage will be added. We are aiming for a July opening.
- Gorge Park Trail Upgrades
 - Work has begun and will be completed by the end of May.

Council Related

- Kentville's Accessibility Action Plan
 - *Kentville Access and Advisory Committee (KIAAC)*: This committee continues to meet. The public is encouraged to contact members of KIAAC

with any concerns, suggestions and queries: accessibility@kentville.ca, or visit our website at www.kentville.ca/accessibility for more information.

- A KIAAC meeting was held on April 15th. This meeting focused on education. Discussions were also had around sidewalk accessibility, including adjustments and communication during construction season; accessibility and supportive funding options; community engagement and evaluation regarding our updated plan.
- Council will be receiving memos from the committee pertaining to some of these topics.
- “How To Be an Aly” training took place May 2nd and it was agreed that this should be hosted again so that more people are able to take it.
- Kentville’s Active Transportation Plan
 - Staff continue to work on the implementation plans required for the 2023/2024 project line-up. There is no project update at this time.
- Regional Recreation Complex:
 - No updates at this time.

Respectfully Submitted,



Rachel Bedingfield
Director of Parks and Recreation



Presented May 8th, 2023

Director of Parks and Recreation
Rachel Bedingfield

RE: Kentville Recreation Facilities: Asset Update

To support council in making future decisions with regards to investment in our facilities, staff have put together a high-level overview of the current state of our facilities based on the following areas: accessibility, functionality (including energy efficiency), revenue generation, current and potential future capital investments based on this assessment. Specifically, this report looks at the Centennial Arena, the Kentville Memorial Pool, and Kentville Recreation Center, along with our green spaces and outbuildings.

Kentville Centennial Arena: Built 1967. Future investments for the facility would include floor replacement, new boards, plumbing and electric upgrades. The floor replacement doesn't consider that the facility will not meet the facility standards of today for length (200 feet long vs. 185 feet). This means that our ability to host larger events is greatly diminished. Though we have invested in both accessibility and energy efficiency, the basic structure of the building does not allow for more upgrades. Demand for ice rental is increasing during primetime hours and we currently have more demand than we can accommodate. During daytime hours, we are working on a different solution to fill timeslots.

Kentville Memorial Pool: Built in 1954. Accessible features include the purchase of a pool lift (to support the inaccessible water entry) and upgrades to the changing rooms. Currently the pool leaks at a rate of about 3-4 inches/day. A new pump was installed last year to upgrade the circulation of the system. Until we complete the exploratory we are unable to understand the full scope of work that is needed to support a more efficient system. It should also be noted that this pool is measured in yards, therefore being able to host any type of large sporting event is not possible. In 2019 prior to the pandemic, we had to turn the public away as there was not enough room to fit everyone in the pool. This demonstrates a need for a larger facility to support our growing (and changing demographic) community. Demand for pool usage exceeds our current capacity.

Kentville Recreation Center: Recently installed heat pumps, replaced windows frames, fixed leaks and flooding have meant that we are better able to serve our community. However, the facility needs new floors on both levels, accessible access to the upper floor, and more storage space. We also require a more secure entry system. Area and ceiling height limit activities. The community has access to the school gym, which we facilitate bookings, however this facility is not available in the summer, and is reliant on AVRCE policies and decisions (for example when the school is closed the community does not have access to the gym). There is no fitness facility in the Town of Kentville.

Green Spaces: Green spaces include sport fields, parks, outbuildings, playgrounds, and trails. Our sport fields are currently meeting the needs of our community, and with some small upgrades could be more accessible. Our parks are seeing more of a strain as more and more users spend time in them, and book them for events. This pressure will only increase as we lose natural spaces to invasive species. We continually need to invest in our playgrounds to keep up with safety standards. Currently the Town of Kentville does not have a fully accessible playground.

With the facility needs and asset study to be completed this year, we will have a much more robust idea of the lifespan of our facilities, how they are or are not meeting the needs of our community, and what future opportunities lie ahead for facility upgrades or development.

Respectfully,

A handwritten signature in black ink that reads "Rachel Bedingfield". The signature is written in a cursive style with a large, stylized initial "R".

Rachel Bedingfield
Director of Parks and Recreation



Kentville Recreation Facilities: asset status at a glance

Facility	Accessibility	Functionality (including energy efficiency)	Revenue Generating Opportunities (Special events, multi-use)	Current year capital investment (\$)	Future Investment (\$)
Arena	Red	Yellow	<ul style="list-style-type: none"> • Special events, • Facility ice rentals • Advertising boards and walls. 	\$130,000 - Zamboni pit and drain, rubber flooring, ceiling fans; outdoor sign; glycol cooling	\$2,500,000
Pool	Yellow	Red	<ul style="list-style-type: none"> • Programming • Rentals 	\$50,000 - exploratory	TBD
Recreation Center	Yellow	Yellow	<ul style="list-style-type: none"> • Facility Rentals 	\$6,000 - floor resurface	\$ 500,000
Green Spaces	Yellow	Green	<ul style="list-style-type: none"> • Field rentals 	\$803,000 – bleachers, fencing and trail development	\$3,000,000
Out Buildings	Yellow	Green	<ul style="list-style-type: none"> • Facility Rentals 	\$0	\$300,000

Green: Little to no investment is needed, other than future expansion

Yellow: Some investment is needed to meet the needs, mandated accessibility standards

Red: Immediate investment is needed.

Town of Kentville

Office of the Chief of Police

February 2023



Administration	Time	February 2022	March 2023
	Plate queries	747	1219
	Training hours	80	204
	Veh. Cks 38's	78	136
	Warning tickets	2	0
	SOT Tickets	39	50
	Foot Patrol Hours	94	104
	CC Charges	5	22
	Calls for service	195	246
Training	<ul style="list-style-type: none"> • DV Conference • IARD training • Crime Scene management • Sexual assault investigation 		
Meetings	<ul style="list-style-type: none"> • Human Trafficking discussions • CAC • NS Chiefs • Multiple In-house meetings • BoPC meeting • DOJ • Body Worn Video webinar with Privacy Office • Mental Health Crisis Team • RUSI event • MCC briefing • Police/EHS 		

Staffing	<ul style="list-style-type: none">• Officer RTW from long term illness



Kentville Police Service Bylaw Report March 2023

Municipal Bylaw Investigations	3
Loitering -Warnings	3
Assist Police	7
Taxi Inspections	23
Animal Control	2
Smoking-Charges	7
Smoking-Warnings	1
Parking-Charges	40
Parking- Warnings	30



Town of Kentville

Staff Report to Council Advisory Committee

Department of Engineering and Public Works

May 8, 2023

Programs and Operations

- **Kentville Water Commission:** The Kentville Water Commission meeting scheduled in late April was rescheduled to this Wednesday May 8th so it could follow the presentation and approval of the Town's operating budget. Operationally in March there were no issues with the Water Commission.
- **Sanitary Sewer Area Service:** Similarly, there were no operational issues with the Kentville Sanitary Sewer Service.
- **Budgets:** Budgets, budgets!
- **Public Works:** It took a bit of in-house mechanic work and the tracking down of an out of production radiator, but the street sweeper is back on the road and in use every day either cleaning our streets and curbs or performing maintenance on various catch basins, manholes, water services or safely excavating around buried power and communication lines.

Canaan Avenue Update: We are awaiting a recommendation and design for the repair and rebuild of the Canaan Avenue slope failure.
- **Traffic Authority:** I received notice from NSPW (formerly NS Transportation) last week that lights have been ordered for the "new bridge" with an expected installation this summer.

Projects

- Work has begun on curb & sidewalk improvements and replacements in various locations starting with the areas on Park Street, Main Street and West Main Street. The next phases of MacDonald Avenue Subdivision rebuild and the Active Transportation Network are set to start in the coming weeks.

Public Engagement

- Frequent phone calls and site visits.
- Appointments are now being accepted for in person meetings.
- Letter & email correspondence – As required.

Meetings and Events

- Senior Staff meetings every Tuesday
- April 5th OHS Meeting
- CUPE Contract Negotiations over several days
- April 21st Regional Sewer Committee Meeting

Respectfully Submitted,

David Bell
Director of Engineering and Public Works



Town of Kentville
CAO to Council Advisory Committee
MAY 8, 2023

Community Grants: Submissions received. With the operational budget passed the grant information will go to council.

Human Resources: Job postings for new positions for new positions are going out.

Freedom of Information Requests: Over the last two months an extensive number of requests have come in with a few requiring extensions because of the scope of the requests. Should the numbers remain high we will need to look at a permanent resource to respond to these requests.

Performance Reviews: Each year when the budget is passed key considerations of the budget form the work for the coming year for the Directors. The Directors then use this information to put formal reviews in place for the staff that work in each Department.

Meetings: Regional Sewer Committee, budget preparation and year end financials.

Respectfully Submitted,

Dan Troke, CAO Town of Kentville



The Mentoring Plus Strategy Regional Quarterly Report*

Quarter 4: January – March 2023

Submitted by Coordinator Julianne Misner

At a Glance:

<i>Activity (Valley Region)</i>	<i>Quarterly Jan-March 2023</i>
Social Inclusion	
• # Of Seniors Reached	150
• # Of New Mentors Engaged	4
• # Of Mentees Engaged	218
Future of Work	
• # Of <u>New</u> Agencies/Organizations Reached	15
• # Of Agencies/Organizations Engaged	9
Knowledge Exchanges	
• # Of Mentoring Sessions	32
• # Of Mentor Orientation Sessions	2
Stronger Communities	
• # Of Mentor Social Events	23
• # Of Mentor Regular Meetings (weekly, monthly)	53

Final Quarterly Stats and Year to Date Summary

Mentoring Plus Strategy - Kentville & Kings County Statistics Summary					
<i>Activity</i>	<i>Apr - Jun 2022</i>	<i>July - Sept 2022</i>	<i>Oct-Dec 2022</i>	<i>Jan-Mar 2023</i>	<i>Year to Date</i>
1 # of New Seniors Reached	45	60	145	150	400
2 # of New Mentors Engaged	4	3	8	4	19
3 # of New Mentees Engaged	92	13	337	218	660
4 # of New Agencies/Organizations Reached	19	12	55	15	101
5 # of Agencies/Organizations Engaged	9	0	21	9	39
6 # of Mentoring Sessions (knowledge exchange)	26	0	23	32	81
7 # of Orientation Sessions held for Mentors	2	0	3	2	7
8 # of Mentor Social Events	12	22	10	23	67
9 # of Mentors Regular Meetings (weekly, monthly)	9	12	14	53	88

*** Please Note:** The Town of Kentville Council was presented a Program Progress Report in March 2023 provided by Gordon Michael, Executive Director Mentoring Plus Strategy. Therefore, this report is intended to provide additional details that are usually included in the Quarterly Report that may not have been included, at that time. Information has been organized under the reporting sections requested by our Federal funders.

1. Success Stories / Lesson Learned

a. Describe the success stories or lessons learned that occurred this period:

add text here

Community at Large: This quarter the Valley team has focused on connecting with community-based networking groups and Service clubs, most with a majority of members identifying as seniors. By joining their meetings, presenting as guest speakers, hosting sessions etc. we have had the opportunity to further share our success stories and encourage other seniors to consider themselves mentors. While everyone is quick to think it's a good idea for others, many hesitate to think they 'have what it takes to be a mentor'. Seeing seniors and themselves as valuable seems to be contradictory to the belief system that has been created by years of conditioning.

Presenting to the Lion's Club special meeting of regional leadership (50 people in attendance 30 were 55+) provided the opportunity for Lions to ask about current concerns of youth and resulted in a group conversation about what this could mean for the community in the future, as young people age into active citizens. Head Lions acknowledged the benefit that seniors volunteering as Mentors could also provide: an increased understanding of youth today. The concept of everyone becoming *intergenerational knowledge exchangers* seems to be gaining traction.

2. Additional Information as per program specific requirements

a. If applicable, indicate the progress of participants for this period. Provide examples of how participants are developing their skills and knowledge and are working towards meeting their employment goals.

Add text here

To support continued Mentor Development a Peer Mentor Guide was created and shared with Mentors in the Valley Region at the Mentor Lounge. The tool includes descriptions of skills needed in mentoring, information about communicating with those with different levels of life experience, and suggestions on how to ask open ended questions to mentees to help build relationship, encouraging them to open up and share.

This quarter the Valley Region has been using electronic student feedback surveys to share insights of students' preferences with Mentors. Reviewing feedback in real time Mentors can adjust and adapt according to students requests. Mentors and host High Schools were very impressed with the effectiveness of the survey and the real time use of the collected data.

Active volunteer Mentors provide regular reflections on the impacts they attribute to participating in Mentoring Sessions. **Commenting on participating as a Mentor in their mid 80's, one senior said: "I love connecting with the students. It keeps me feeling young...which is funny, because I HAVE to be 'old' to do this!" (Referring of course to being 55+ to qualify as a Mentor volunteer).**

b. If applicable, indicate the impact that your project results are having on the lives of Canadians. Provide project results and explain how the information, programs and services are being accessed by

individuals (include: children, youth, parents, seniors, caregivers), families, organizations, communities, etc.) If workshops were delivered, indicate the number of attendees.

Add text her

For Seniors: Co-hosted with Seniors Safety Services a Social Media training workshop for community champions. The event was a hands on learning and practice session for those who help rural community groups promote their activities. A previous mentee from MPS was hired by our community partner to help organize the event and co-facilitate. The session was attended by over 30 seniors representing 15+ different community groups.

For Business: Business Mentor Session- held a Speed Networking with 6 team members from CBDC so they could meet our Mentors and learn about each Mentors professional profile and personalities. CBDC staff said this was extremely helpful for themselves as well as for imagining which of their clients could benefit from different mentors skillsets.

Post Secondary:

>>**With Partners:** Community partner Valley REN was asked to bring volunteers in to NSCC business class to host mock interviews. Valley REN reached out to MPS to ask if we could provide mentors to help with this. 2 Mentors met with 6 students each to provide students with mock interview practice.

>>**With Programs:** At Acadia, The Path project continues to call on our Mentors to provide mentorship to their entrepreneurial teams. 6 Mentors met with 3 teams of students in January and again in March. Mentors received wonderful feedback from students thanking them for their insights. The Path coordinator sent thankyou gifts to our MPS mentors as a sign of appreciation. MPS Mentors felt very valued.

High Schools:

Central Kings: 10 mentors spent the day meeting 55 grade 12 students to discuss plans after high school. Mentors offered reassurance to students who hadn't decided on next steps; encouragement to students who had skills they were unsure how to utilizing; and enthusiasm to students who had clear goals and plans for how to get there. Mentors expressed their sense of inspiration from the students who showed a wonderful variety of aspirations and ambitions.

North Kings Education Centre: One Entrepreneurship class has a rotating group of mentors joining class once a week to offer real-world perspective and hindsight from life experience to students during project planning and case studies. Covering topics such as diversity, ethics, marketing, and more Mentors report that they 'learn as much as the students' and many look forward to participating on a regular basis. 2-6 mentors meet a class of 25 students every Monday for second semester.

Horton High School: In collaboration with the school guidance counsellor, the NS Works School Liaison, the administration and teaching staff, Mentors have been helping develop a Career Café planned as a weekly lunch-hour club. This effort will actualize a vision from the guidance counselor and will include 5-10 students meeting with 2-5 mentors/week. The sessions have included an introduction of a podcasting project to record intergenerational knowledge exchange conversations.

Avon View High: MPS has established a monthly visit to a high school on the region’s boarder. Mentors have become regulars 3-6 mentors/visit in the classroom (20+ students/class), sharing stories to expand perspective on various industries. The school guidance counselor has reached out to mentors directly asking to book them for special guest appearances in other classes and the mentors have met students from grades 9 – 12.

c. If applicable, provide the number and type of partnerships/networks that have been developed this period. Describe the partnership/network activities that occurred during this reporting period i.e. exchange of business cards, financial nature, someone who provides advice on construction activities.

Add text here

To support industry and economic development Mentors participated in community engagement sessions focused on Strategic Tourism for Areas and Rural Regions hosted by the Valley Regional Economic Network. A working group of volunteers recognized that they have an important role to play in community knowledge exchange. Mentors see themselves as being a bridge between community needs and needs of youth. By participating in both community information sessions and mentoring sessions with youth they position themselves as being able to share information gathered in each area with those in the other.

MPS participated in community hosted International Women’s Day Tea Social- 60 guests, 20 MPS info packs handed out, connects with 3 community groups, 6+ active mentors attended.

* Meeting with MP Kody Blois re: Promotion of Mentoring Plus Strategy & we were promoted by picture and caption on the Blois Voice (4000 followers on social media)

Mentoring Plus

Last week, I was pleased to meet with Councillor Paula Huntley from the Town of Kentville to discuss Mentoring Plus.

The Mentoring Plus Strategy draws upon the skills and knowledge of the retired and near retired population (aged 55+) to help support individuals (aged 16 - 35+) to explore and connect to career paths.

Mentoring Plus also supports business sectors, non-profit groups, training programs, secondary and post-secondary institutions and sector councils as they develop strategies and programming to meet the specific needs of the clientele, participants, and communities they serve.

[Please visit the Mentoring Plus website here to learn more](#)



3. Other information

a. is there any other information about your project’s progress that you want to share with us?

Add text here

Annapolis Valley Partners:

Community Suppers celebrates! One year ago an effort of 4 collaborating community partners imagined an event of hosting and serving a community supper. In April 2022 we cooked our first meal and served 25 people. Since then, we have served over 3800 meals (an average of 73 people per week). We've had food from around the world (over 20 cultures represented) while staying true to our local food supplies. And many spin-off activities and community sessions have been established. Over the past year many MPS mentors volunteer at the suppers regularly and many seniors have been met over supper and have since signed on as active Mentors in the program!

One senior who attends community supper regularly spoke at the 1 year celebration and said “this is a place to go, to get out of the house, I wouldn’t go many places alone but here I can come and have conversations with lots of new people”

As a sample – when stats were taken in the first 12 weeks over 150 meals were served to seniors.

Week	Date	No of meals	TOTAL partic	Seniors	Adults	Youth	Children	Team
Week 1	April 12	50	25	6	9	1		9
Week 2	April 19	50	16		6	2	4	4
Week 3	April 26	65	60	19	23	3	10	5
Week 4	May 3	65	56	18	17	4	10	7
Week 5	May 10	65	55	15	13	7	12	8
Week 6	May 17	65	55	17	18	4	11	5
Week 7	May 24	90	85	22	22	14	19	8
Week 8	May 31	85	58	14	19	4	14	7
Week 9	June 7	80	45	13	16	2	9	5
Week 10	June 14	62	58					
Week 11	June 21	90	74	27	24	5	11	7
Week 12	June 28		67					
TOTALS - Spring		767	654	151	167	46	100	65
Spring average		70	59					

MENTORING PLUS VALLEY REGION - QUARTERLY REPORT - WINTER 2023



Grade 12 Career Share @ CK



Integrating into Community Education

Career Cafe @ Horton High



Valley REN - STAR session

Womens Day Tea

Wellness Day Planning

Building Age Friendly Communities

Peer Mentors & Podcasting



Creating Spaces for Intergenerational Conversations

Weekly Business Class @ NKEC



Community Tables @ nssc



Monthly Guests @ Avon View



Networking with CBDC



Increasing Senior Engagement

Seniors Safety & Social Media



Helping Youth Find their Path

TO: Council Advisory Committee

FROM: Kirsten Duncan, Acting Development Officer and Planning Technician

DATE: May 2023

SUBJECT: Supplemental information for the Application for Land Use Bylaw Zoning Map Amendment (Rezoning) of PID 55247761



BACKGROUND

An application was received from Brighter Community Planning & Consulting on behalf of the property owner, Mitch Brison of Brison Developments Limited to rezone a vacant parcel of land identified as PID 55247761. The submitted application is to consider amending the Zoning Map of the Kentville Land Use Bylaw to rezone a vacant parcel of land identified as PID 55247761 (“the subject property”) to Single Unit Dwelling (R1), One and Two Unit Dwelling (R2), and High Density Residential (R4). The subject property is currently zoned Large Lot Residential (R5). Staff reports were compiled for March and April CAC providing information regarding this file. The intention of this report is to provide further information to Council around the rezoning application so that it can be considered for first reading at the end of the month.

DISCUSSION

Staff have been working diligently over the past few months compiling information for Council’s consideration as it relates to the rezoning application for PID 55247761 in the McDougall Heights subdivision. The Town engaged C + D Community Design to provide an opinion on the content of the rezoning application from the standpoint of a Licensed Professional Planner, the analysis can be found at the end of this report in Appendix B. Staff appreciate the effort put into the review from C + D Community Design. There were some pieces of information that were recommended to be submitted during the planners review, however staff are confident that we are able to work with the applicant and developer throughout the Subdivision process to satisfy these items.

ATTACHMENTS

Appendix A	Memo from Director of Public Works and Engineering
Appendix B	Letter from C + D Community Design, Review of Rezoning Application for PID 55247761
Appendix C	Letter from Brighter Community Planning & Consulting, on behalf of Brison Developments Limited

APPENDIX A



Telephone (902) 679-2521
Fax (902) 679-2375
354 Main Street
Kentville, Nova Scotia
B4N 1K6

INTER OFFICE MEMO

To: Kirsten Duncan, Development Officer
From: Dave Bell, Director of Engineering & Public Works
Date: May 4, 2023
Subject: Rezoning of PID 55247761, Brison Developments Limited, Kentville

.....

Hi Kirsten,

The Engineering & Public Works Department has received sufficient information from Brison Development's engineering consultant with respect to the balancing of pre-development and post-development storm water flows for the rezoning stage. Detailed engineering plans for all aspects of water, sewer, storm and street & sidewalk design will be required at the Tentative Subdivision application stage should the rezoning application be successful.

Yours truly,

A handwritten signature in blue ink that reads "Dave Bell".

Dave Bell, P. Eng.
Director of Engineering & Public Works



Dan Troke, CAO

APPENDIX B

Town of Kentville
354 Main Street, Kentville, B4N
1K6

April 20, 2023

Caroline
Robertson, MPS
BCD HONOURS

MCIP, LPP

Phone:

(902)742-5300

Email:

Caroline@CDCo
mmunityDesign
.CA

Re: Rezoning Application for PID 55247761 Kentville

Dear Mr. Troke,

As you know, Maurice Lloyd and Peter Connor engaged C+D Community Design to review the documents related to a rezoning application in the Town of Kentville and provide my opinion on how these relate to your Planning Documents. I checked all the records provided and discussed them with the above-noted Planners. Based on our conversation and a phone chat with you on April 12th, 2023. I'd recommend the following approach for processing the rezoning application.

Based on Policy RS-23 of the Town's Municipal Planning Strategy, I believe the application received is incomplete. The application was received in Sept 2022, and the Developer has yet to provide all the relevant information. The Municipal Government Act through Policy 210 states that where Council has not, within 120 days of receipt of a complete application, commenced the procedure required for amending the land use by-law through the publishing of the required public hearing, the application is then deemed to have been refused.

For the application to be complete, the applicant must consider the Town's vision for residential development outlined within the Municipal Planning Strategy. For this reason, it is reasonable for Council to request further information:

- The Stormwater Management Plan includes grey and green infrastructure elements to address concerns raised by residents at the recent public discussion held at the Council Advisory Committee.
 - In addition, extra consideration should be given to the Mitchell Brook Watercourse System. How the construction process and overall development are approached will impact the flow and quality of the watercourse, affecting the neighbouring properties.



Dan Troke, CAO

Town of Kentville
354 Main Street, Kentville, B4N
1K6

April 20, 2023

Caroline
Robertson, MPS
BCD HONOURS

MCIP, LPP

Phone:

(902)742-5300

Email:

Caroline@CDCommunityDesign
.CA

Re: Rezoning Application for PID 55247761 Kentville

- The transportation infrastructure plan considers traffic calming and the efficient, safe movement of pedestrians and cyclists. To prevent the “sidewalk to nowhere” or infrastructure choices that are not the most appropriate for this community, Council may wish to consider working with the developer to extend infrastructure outside the demands of the new development.
- The parks and other community assets required under Policy P-10 for this development should be included in the rezoning and indicated as allocated for Parks and Open Space. These allocated spaces must be in safe and central lots approved by the Town’s Recreation Department.

Should the applicant provide the above information to the satisfaction of the Council, I recommend Council approve the rezoning application. The Municipal Planning Strategy supports diverse residential developments, and the R5 zoning indicates the intent to permit residential development in this area.

I should note that generally, large lots are only split-zoned into multiple zones with a concurrent subdivision application. The approach of processing the rezoning first has made the application difficult for the community and staff to process. However, due to time constraints, I would continue to process this application with the subdivision after the rezoning to avoid extending the administration unnecessarily.

All my best,

Caroline

TABLE OF CONTENTS

- Subdivision Application pid 55247761.....4**
- Timeline* 4**
- Municipal Government Act.....4**
- Public Participation Program Policy5**
- Response* 6**
- Storm Water Management7**
 - Mitchell Brook Watercourse 8
- Safe Movement of Pedestrians and Cyclists9**
- Safe and Central Parks & Community Assets9**
- Evaluation CRITERIA10**
 - Policy RS-22 Affordable housing units 10
 - Policy RS-23 Residential Area Design..... 10
 - 10.2.6 Open Space for New Subdivisions 10
 - Traffic Impact Studies 10
 - Policy T-8 & T-9..... 11
 - Statements of Provincial Interest..... 11

SUBDIVISION APPLICATION PID 55247761

The Town of Kentville has received an application to Re-Zone PID 55247761 from Brighter Community Planning & Consulting on behalf of Brison Developments. The application seeks zoning changes for a mixed-density development near Acadia Drive.

TIMELINE

The Town has been considering this application for some time, as it was initially received in September 2022.

In agreement with the piece written by Maurice Lloyd, residential development and demand have changed drastically within Nova Scotia. There is a great need for diverse residential types surrounding Halifax. The regions selected for residential growth within the Town of Kentville have been chosen to concentrate and intensify development in established settlement areas such as Kentville, Berwick, Wolfville and New Minas, where a wide range of existing urban infrastructure and services already exist. This approach is intended to protect the existing agricultural land in Kings County. The Town of Kentville's policy is to direct residential development to Residential Designation areas on the future designated land use map.

The subject property is currently zoned Large Lot Residential R5. This land is projected as residential by Policy RS-14 & RS-15, per the Developer's application. Council and Staff should do their best to consider the application and decide quickly while ensuring the best possible development for new and existing residents.

MUNICIPAL GOVERNMENT ACT

The Municipal Government Act provides Council with 120 days after receiving a completed land use by-law amendment application to respond; if no response is given, the application shall be considered refused.

The Municipal Government Act also outlines how Council may consider a land use by-law amendment. Council is provided with the discretion to adopt a public participation program. The Town of Kentville has adopted a Public Participation Program policy that outlines how public engagement will be handled for amendments to their planning documents.

210 Amendment of Land Use By-Law

(2) the procedure for adopting an amendment to a land use by-law is the same as for adopting planning documents. Still, a public participation program is at the council's discretion, and the amendment may be adopted. The amendment may be approved or refused by a majority of vote of the Council members at the public hearing.

(6) where the Council has not, within one hundred and twenty days after receipt of a completed application to amend a land-use bylaw referred to in subsection (1), commenced the procedure required for amending the land-use by-law by

publishing the required notice of public hearing, the application is deemed to have been refused.

Appeals to the Boards (247) of the Municipal Government Act

An appeal shall be served on the board within fourteen days after the date of either the publication notices of the adoption or of written notice of the Council's decision refusing.

PUBLIC PARTICIPATION PROGRAM POLICY

The Town of Kentville Policy Statement G62 Public Participation Policy (Planning) outlines that Council does not intend to implement a Public Participation Program for land use by-law amendments that do not correspond with a Municipal Planning Strategy or Subdivision By-Law amendment.

For this reason, the application is required to adhere to the following process:

1. First Reading at Council
2. Public Hearing (Council)
3. Second Reading at Council
 - A. Approval
 - B. Refusal

**** As Council does not have a Planning Advisory Committee, they are permitted to consider an application at a meeting of the Council Advisory Committee that is open to the public.

The Town Clerk has seven (7) days to notify the applicant of the Council's decision.

Upon adopting an amendment to the land-use by-law, the Town Clerk will place a notice in the newspaper circulating within the Municipality stating that the amendment has been adopted and setting out the right to appeal.

RESPONSE

The Municipal Planning Strategy stresses the importance of efficient and economic extension of utilities, safe movement of pedestrians and cyclists, and safe and central community parks and amenities, all of which should be addressed in the rezoning and subdivision application phases. The rezoning application should incorporate these elements to the best of the Developers ability, as the Town may need to plan to accept ownership of land and right-a-ways. Clearly outlining these pieces may also support the public with their concerns expressed during the Council Advisory Committee session.

One of the concerns expressed by residents was how long construction would take place, the impact of construction vehicles on the road, and safety concerns for children in the area. The Municipal Government Act allows Council to adopt a By-Law related to when and how construction may occur; this could provide an option for Council to regulate and reduce the impact on existing properties' quality of life.

The most critical piece to convey is that the Town's Municipal Planning Strategy supports diverse residential developments, and the R5 zoning indicates the intent to permit residential development in this area. Council should approve the current application using all available tools to address residents' concerns.

5.9 Residential Area Design

Policy RS-23

Council shall intend to encourage and promote the provision of affordable housing units, following the Land Use By-law, within residential areas of the Town by:

- a) Provide for the efficient use of land;
- b) Provide for the efficient and economic extension of existing water, storm sewer and sanitary sewer systems and other utilities;
- c) Provides for the efficient and safe movement of pedestrians and cyclists; and
- d) Provides for parks and other community uses in safe and central locations.

STORM WATER MANAGEMENT

The Town may request a stormwater management plan for a rezoning or subdivision application. The developer has offered a net zero stormwater management system.

Policy RS-23 Provides for the efficient and economic extension of existing water, sewer, and sanitary services (plus other utilities)

I feel strongly that utilities such as grey and green stormwater infrastructure and transportation infrastructure are necessary when ensuring the efficiency and economic extension of existing services.

The green infrastructure approach to stormwater management relies on source control runoff. To employ source controls, the developer must use existing means to hold and infiltrate stormwater or create them. The most successful source control measures are infiltrations such as garden beds and grass-lined swales combined with current opportunities such as permeable soils with grading, soil treatments and planting schemes as part of site planning and design. There is an opportunity to ask more about the stormwater management plan. With the Brook on-site and the recent feedback from the community, I recommend Council request additional green infrastructure elements. It's up to the Town Engineer and other development staff if they accept what is provided.

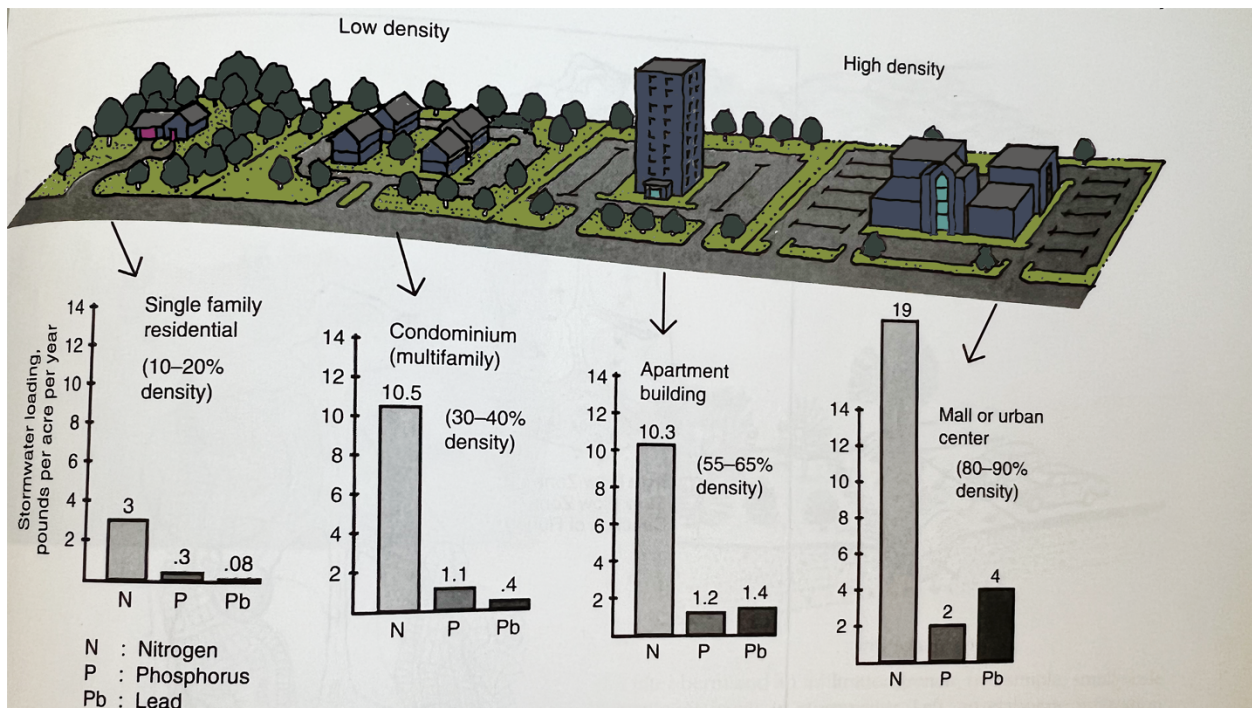


Figure 1 Contamination by Density Level

Mitchell Brook Watercourse

The subject property will require re-grading; the developer must provide detailed reports on how this will impact the Brook. Understanding the hydraulic behaviour of the brook will involve measuring the velocity of the water flow, taking slope, depth of water and roughness of the channel into consideration. If sediment from the proposed development is transported into the brook, it could cause bed shear stress, requiring the areas to be scoured, or another method must be taken to dissolve the load. Removing existing vegetation, re-grading the property and paving all create storm water run-off that could impact the brook's natural path and result in flooding. The stormwater management plan should prevent contaminated water from flowing directly into the brook.

Residents have expressed concern about how wet this area can become during different parts of the year. Green solutions to stormwater management would help beautify the site and manage wet ground concerns. Stormwater management plans should consider more than just the engineering and piping solutions. The first step is to survey the watershed and record its hydrological systems and essential biophysical features. Land use planning and design should honour these watershed attributes and integrate them functionally, seeking balance with predevelopment performance levels. It should work with the watershed and not rely solely on engineering features. Most small watersheds function as partial area systems receiving much less stormwater than rainfall produces, therefore directing large flows into these systems from development can disrupt the overall system leading to consequences for adjacent properties.

Policy 4.1.4 Alteration of Land shall apply to this development at the process's Development Permit and Site Planning portion. However, it would be good for the developer to consider this requirement early and include as many measures as possible in the stormwater management plan.

4.1.4 Alteration of Land

Alteration to the level of land resulting from any excavation or filling activity for the preparation of the land for development or in conjunction with any permitted development which involves the removal or addition of more than 20 yd² (15.3 m²) of material from the site shall require a Development Permit before commencement and shall comply with the following:

A) All excavation and filling activities for which a Development Permit is required be wholly contained within the property affected;

B) No alteration in the level of land resulting from any excavation or filling for preparation of land for development for which a Development Permit is required shall cause water to shed to an adjacent property.

I. Notwithstanding 4.1.4(b), water may be shed to any existing ditch, culvert, watercourse, or stormwater drainage system upon approval from the Town Engineer. and An approved site drainage plan may be required by the Development Officer and approved by the Town Engineer before the granting of a Development Permit.

SAFE MOVEMENT OF PEDESTRIANS AND CYCLISTS

The Town of Kentville, through Policy RS-23, requires the safe movement of pedestrians and cyclists to be considered with a residential rezoning application; this also applies within the subdivision application. Walking paths, trails, and the park buffer between the two road extensions are worth considering. The Town should be given a right-of-way for this area and even consider owning and maintaining this piece if the Developer considers incorporating it.

A traffic study recommended a sidewalk linking Acadia Drive with the Donald Hiltz Connector Road. It mentioned that pedestrians are using the grass on the side of the arterial road to access services. TIS states that the proposed density will require no further infrastructure improvements.

At this point, I would not consider the requirement of the LUB/MPS for a traffic study satisfied. The Development application must show sufficient infrastructure within the subdivision application to ensure the safe movement of pedestrians and cyclists.

SAFE AND CENTRAL PARKS & COMMUNITY ASSETS

The parkland dedication piece is not immediately crucial because it is a requirement of the subdivision application. However, The Town's policies require that parks and community assets be in safe and central locations when considering a rezoning; the applicant still needs to meet this requirement.

The proposed parks must be in safe and central areas. Council can ask that the proposed parkland and open space be indicated as part of the rezoning process to ensure it meets the central and safe requirement.

In response to policy IM-8, the developer has stated that there are considerable recreational amenities in Kentville and chose not to include anything new in their proposal. If this concerns Council, I recommend that staff analyze the existing recreation facilities and the distance between the proposed buildings. Recreation facilities should be within walking distance (2.5 km) of the high-density portion.

EVALUATION CRITERIA

Policy RS-22 Affordable housing units

- Appropriate for the area and in keeping with surrounding development.
- Makes efficient use of existing infrastructure and road networks.
- Is anticipated to impact the housing supply within Kentville positively.

Policy RS-23 Residential Area Design

- Provide for the efficient use of land.
- Provide for the efficient and economic extension of existing water, sewer, and sanitary services (plus other utilities)

There is a potential argument that this requirement's "other utilities" element must still be met.

- Provides for the efficient and safe movement of pedestrians and cyclists.

Based on the subdivision application, this requirement still needs to be met.

- Provide for parks and other community uses in safe and central locations.

Based on the subdivision application, this requirement still needs to be met.

10.2.6 Open Space for New Subdivisions

To ensure that Kentville's open spaces and trail networks are extended into newly developed areas, Council shall require the developer subdividing land to dedicate a portion of that land to the Town as open space. The Development Officer shall ensure that the dedicated land meets the Town's minimum requirements for usable open space as defined in the Subdivision By-law. Suppose the available land doesn't satisfy those minimum requirements. In that case, the Town shall require cash-in-lieu of parkland of equivalent value or an acceptable combination of cash-in-lieu and open space.

Traffic Impact Studies

A significant part of evaluating a development proposal is understanding its potential impact on the existing transportation network. Council feels it is essential to assess this impact early, particularly if development could create or contribute to a need for costly infrastructure improvements such as traffic lights, turning lanes, intersection realignment or other significant changes. To ensure Council has accurate information upon which to base its decision, a traffic impact study will be required as part of the rezoning application; or before tentative subdivision approval where the nature or location of the development warrants such a study.

Generally, the development proponent is financially responsible for transportation system changes required to accommodate the proposal or to mitigate adverse impacts of the proposal. Typically, such changes will be included as conditions of development approval. In cases where improvements are necessary due to several developments, a cost-sharing arrangement may be possible.

Policy T-8 & T-9

A Traffic Impact Study may be required to be prepared by a qualified engineer.

Traffic impact studies should consider all types of transport requirements in the area. There is mention of a high volume of pedestrians using the grass on the side of the road to access their destinations. Council may request more information regarding the needs of cyclists, traffic calming, transit needs, separation of pedestrians from traffic, etc.

Statements of Provincial Interest

Statements of Provincial Interest outline the province's vision for protecting Nova Scotia's land and water resources; and address issues related to the growth of our communities. They are intended to help provincial government departments and municipalities make land use decisions with province-wide implications and support the principles of sustainable development.

Drinking Water: To protect drinking water quality within municipal water supply watersheds.

Council has adopted policies to protect the wellfields and recharge areas that provide the town's water supply. There is a backup water supply within a protected watershed around McGee Lake in the Municipality of the County of Kings. It is unknown whether this water supply will be used in the future. However, Council will encourage the County to limit new development within the watershed.

The water commission has an adequate supply for the proposed development.

Flood Risk Areas: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.

Kentville is not designated as a flood risk area under the Canada-Nova Scotia Flood Damage Reduction Program. However, the Town has identified areas at risk of flooding. These are established as overlay zones within the Zoning Map and have related policies with standards and permitted uses. The Town has adopted policies outlining environmental constraints and how development can be accommodated in flood-risk areas. Kentville has also been proactive with constructing a 10.5 m high dyke along a portion of the Cornwallis River to mitigate anticipated flooding in the future, as identified through the Town's Municipal Climate Change Action Plan (MCCAP).

I don't believe the community concerns have been fully addressed in this requirement. A stormwater management plan aims to protect neighbouring properties from stormwater runoff from the paving required for the new development. Also, the book on the property would act as a natural flood deterrent. An additional development unaware of the Brook's importance could violate this statement.

Agriculture Land: Protect agricultural land from developing a viable and sustainable agriculture and food industry.

According to Agriculture and Agri-Food Canada, Land Capability for Agriculture has some class 2 and 3 soils; however, most, if not all, have been cleared and urbanized. As an urban settlement, Kentville has limited agricultural potential. Council will support small-scale food production through the Land Use By-law; however, Council believes that concentrating and intensifying development in established settlement areas such as Kentville, Berwick, Wolfville and New Minas, where a wide range of existing urban infrastructure and services exists, is the most sustainable approach to protecting agricultural land in Kings County.

Housing: To provide housing to meet the needs of all Nova Scotians

This Municipal Planning Strategy recognizes the changing demographics, the need for a full range of housing types, and the growing demand for affordable housing. Town Council will support infill housing on undersized lots, reduced parking requirements in the downtown, and increased density where affordable housing is contained.

This development provides diverse housing options.

Infrastructure: To make efficient use of municipal water supply and municipal wastewater disposal systems

An infrastructure asset management plan has been started to map our assets and record our different system components. A five-year capital plan (with annual adjustments as necessary) has been compiled, which looks to infrastructure renewal and future expansion within the Town of Kentville. The Town's water system extends outside the Town boundaries per the Stead Agreement between the Town and the Municipality of the County of Kings. However, Council believes that concentrating development where a wide range of existing urban infrastructure and services already exists is the most effective way to maximize the life and efficiency of this infrastructure and does not support a further extension of this infrastructure outside its boundaries.

Based on all the reports, the development will not place any additional strain on existing infrastructure, and there are minimal needs for the new buildings and residents. However, active transportation should be more of a consideration.

2023-05-02

Kirsten Duncan
Acting Development Officer
Town of Kentville

Re: Response to request for additional information for rezoning application - McDougall Heights

Dear Kirsten,

The Town of Kentville has identified three issues where additional information or commentary is required regarding the rezoning application submitted by Brison Developments ("Applicant") for McDougall Heights. As we understand it, once the Town receives this additional information then the application will be complete and Council will consider the rezoning request for First Reading.

The three issues identified are:

1. Stormwater management;
2. Transportation infrastructure; and
3. Park land.

We understand that these requests for additional information arose based on a reconsideration of MPS Policy RS-23, which states:

Policy RS-23 It shall be the intention of Council to ensure that new residential areas:

- a) Provide for the efficient use of land;*
- b) Provide for the efficient and economic extension of existing water, storm sewer and sanitary sewer systems and other utilities;*
- c) Provides for the efficient and safe movement of pedestrians and cyclists; and*
- d) Provides for parks and other community uses in safe and central locations.*

In my opinion, Policy RS-23 establishes broad general policies with which the more specific policies criteria should align. The more specific policies contained in policy IM-8 are the evaluative criteria that are the most relevant for Council's consideration.

The Town has asked for plans to support the rezoning application, which have been previously provided. The Town, in its MPS, states that it understands that any plans that are reviewed as part of the rezoning application are conceptual and subject to change. The MPS does indicate a preference for detailed plans as part of the rezoning process, and Policy IM-7 states what is required.:

- a) the location, area, and dimensions of the subject property;*
- b) the proposed location, dimensions, height, and proposed use of all buildings;*
- c) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;*
- d) the location of any parking stalls, driveways, walkways, lighting, fencing, refuse containers, and snow storage;*
- e) landscaping elements including existing and proposed shrubs and trees; and*
- f) architectural features where such features are regulated by the planning document.*

IM-7 does not required detailed stormwater calculations, identification of parkland or road construction details (including sidewalks and bike lanes).

To assist Council, we have responded to each item identified by the Town in its letter dated May 1, 2023. For ease of reference, I have quoted the Town's request (*shown in italics*) and included a response below:

Stormwater Management:

The Town's Request:

Greater detail of your anticipated Stormwater Management Plan is requested utilizing both engineered and "green infrastructure" elements, where possible. Additionally, whereas the Mitchell Brook watercourse is present on the property, it would be beneficial for your application to address and acknowledge the responsibility to protect this watercourse and detail your anticipated plans to adhere to the Subdivision Bylaw, Appendix B – Municipal Services Standards and Specifications, Part 12 – Erosion Control Measures.

Applicant's Response:

We note that the MPS does not have any specific stormwater management policies. Section 11.2.4 provides a general discussion of stormwater but no policies to guide Council's consideration of stormwater. Policy IM-8 establishes the evaluation criteria for rezoning and does require Council to "have regard for" the adequacy of stormwater management. Section 15.9.2 again provides text about requiring conceptual plans but no policies that require detailed

submissions and defers to the policy in IM-8. In my opinion, Council has no requirement to consider detailed stormwater plans at this time. Recognizing that a development plan/site plan submitted for subdivision approval will change in response to more detailed engineering studies and market condition, the provision of detailed stormwater plans at this stage is unnecessary.

It is my opinion that the letter from DesignPoint on February 22, 2023 confirming that the applicant, "will incorporate on site storage to balance the pre-and post development flows" is sufficient to evaluate the rezoning request under IM-8. However, to further understand your stormwater comments, I have undertaken a review of the Municipal Planning Strategy and Subdivision By-law to seek guidance regarding "green infrastructure" and what exactly that will entail. I was unable to find any specific reference. If the Municipal Specifications has requirements or suggestions that can be considered during detailed design, please provide these to the applicant for their engineering team to consider.

For larger developments such as this, especially where market conditions may alter the detailed site designs, requiring a developer to spend many thousands of dollars for detailed stormwater calculations adds to the cost of the development, which is passed on to purchasers if the rezoning is approved. We acknowledge the importance of managing stormwater and have repeatedly stated the applicant's intention to comply with all provincial and municipal regulations. Requiring developers to prepare plans which are likely to be changed during subdivision only adds to the costs of housing. This is not in the public interest.

The Town is also requesting erosion and sedimentation information at this stage. Erosion and sedimentation plans will be provided to the Town at the time of tentative subdivision when the specific lot configuration and road alignment will be reviewed by the Town for approval. It is only at this point that specific information about how stormwater will be managed in relation to Mitchell Brook will be reviewed by the Town's Engineer. The applicant fully intends to comply with the regulations Nova Scotia Environment and Climate Control and the Town have at the time the application is made for tentative approval.

Transportation Infrastructure

Town Request:

After a preliminary review with the Town's Engineer, it has been agreed that the optimal location for the addition of a sidewalk to the existing Acadia Drive would be on the westside of the road. A 1.5-metre wide bike lane on both the north bound and south-bound lanes of the existing road will be painted to provide efficient and safe movement of cyclists. The developer should submit a plan showing the intention to continue these pieces of transportation infrastructure in your application.

Applicant Response:

The applicant is open to the approach suggested above and understand that they are responsible for the costs of sidewalks and bike lanes within the new development area. Since the site plans submitted as part of a rezoning request have no regulatory enforceability, the bike lane and sidewalk location will be included as part of any tentative subdivision application if the above request continues to be the Town's position. We understand that the Donald Hiltz Collector is still in the planning stages and acknowledge that the Town's position on sidewalks and bike lanes may change as the future collector road is constructed and opened for public usage. Depending on the timing of this development, we further understand that the Municipal Specifications in place at the time of subdivision will be the final determinant of the Town's requirement for sidewalks and bike lanes.

Parkland

Town Request:

The Director of Parks and Recreation has expressed interest in an area of land between the existing Acadia Drive and this new proposed phase, on both sides of the road and abutting existing parkland (PID 55540959) to satisfy the "safe and central lots" aspect of Policy RS-23 in the MPS. Using the concept plan to obtain tentative figures for parkland purposes, I've calculated the developable area, exclusive of streets, to be 39.138 acres. A further 5% calculation of that would bring us to 1.957 acres or 85,246.92 sq ft of parkland. We recognize this is a significant area of land and would like to discuss the opportunity to consider a combination of land and a sum of money to satisfy the 5% parkland dedication requirement.

Applicant Response:

The applicant is open to this approach and has invested heavily in parkland development in many other developments outside of Kentville. The applicant understands that park space, trails, and AT links are part of what makes development attractive and is important to supporting a vibrant community where people want to live.

Detailed discussions regarding parkland are not typically part of rezoning applications and at this point, there are no locations for parks specified on the site plan. I draw your attention to the specific evaluative criteria for rezonings. The policy referred to in Policy RS-23 is a general enabling policy that guides development. Since this is a rezoning request not a development agreement, there is no requirement at this stage to determine the exact parkland contribution approach.

Policy P-10 clearly establishes the Subdivision By-law as the method through which parkland is conveyed, either through cash in lieu, land, or a combination of both.

Transportation Policies T-4, T-5, T-6, and T-7 establish the general policy approach for active transportation, including pedestrian pathways and non-motorized trails. Since there is no ability

to regulate trails, parks, and pathways through a rezoning process, these policies will help inform staff during the subdivision process.

I further caution that any calculations prepared by the Town regarding parkland is premature, as the site plan submitted as part of the rezoning request is conceptual in nature. Detailed engineering and market conditions will likely require adjustment to the development plan and the parkland calculations.

In my opinion, it may be best to consider open space, pedestrian pathways and other similar park land requirements within the context of a broader planning process for the large undeveloped area around the new collector road. As I understand it, Council is considering a Secondary Planning process to guide development for this area and open space planning is normally done during this time. The applicant is very interested in supporting recreational and open space planning that protects Mitchell Brook and the ecosystems that surround it.

Summary

The Town provided a positive staff report to CAC in March 2023 indicating the rezoning is generally consistent with the MPS; however, the Town has now interpreted Policy RS-23 as specific criteria for the evaluation of the rezoning and has requested additional information. In my opinion, Policy RS-23 is about the general intent of the MPS which informs how development is to occur in the Town. The specific criteria of IM-8 guide Council's decisions on rezoning applications which should be informed by Policy RS-23's intent. Other by-laws and plans, such as the LUB and Subdivision by-laws are also guided by the general policy intent of the MPS. In fact, these by-laws have specific regulations that are intended to carry out the policy directions of the MPS.

The Town of Kentville has indicated that a secondary planning process may commence in the near term for the lands surrounding the Donald Hiltz Collector road. The Town's positions on stormwater, parks and transportation will be informed by the SPS policies and plans once adopted by Council, the input and consultation with the public who will contribute to the final SPS, and the technical studies that are required for the creation of the SPS. Creating specific stormwater, park and street plans at this time when the detailed planning and engineering for the larger area has yet to really begin is unnecessary.

With this additional information and policy analysis we believe the application is complete. The applicant requests that this application be forwarded to first reading at the next Council meeting, and if supported by Council, to a public hearing.

The applicant is available to attend the next CAC and answer any questions that Council or staff may have. We hope this satisfies the Town's request for further information.

Respectfully,



Chrystal Fuller, LPP, MCIP

Brighter Community Planning & Consulting

cc: Dan Troke, CAO - Town of Kentville
David Bell (P. Eng) - Engineer - Town of Kentville
Mitchell Brison - Brison Developments
Glenn Woodford (P. Eng) - DesignPoint Engineering

Council Advisory Committee

TO: Council Advisory Committee

SUBMITTED BY: CAO Dan Troke

DATE: May 4, 2023

SUBJECT: Road Closure Requests: Process and Decision making

ORIGIN

In late April of 2023 members of Town Council were contacted by members of the community who wanted to discuss an application made by a group for a public event permit. At Council's request, a general outline of the public event permit application process and summary of decision making by staff around the specific application is provided in this report for Council's information.

BACKGROUND

A public event is defined as any event being advertised to the public that is held on public property and encourages public attendance and/or participation. The process of obtaining a public event permit includes the submission of a completed application form which is then reviewed by all departments via email. If wider discussion is warranted, the application is then discussed by department representatives at the weekly Senior Admin staff meeting. Approvals or denials are then communicated to the applicant. It is standard procedure for staff to encourage groups requesting road closures as part of their event hosting plans to consider alternatives wherever possible for reasons of participant and public safety, economic impact, accessibility, and equitable resource allocation.

POINTS FOR DISCUSSION

What was requested:

- Closure of Webster Street from 6:00pm-8:00pm for a red-carpet walk.
- Community celebration gathering in Centre Square.

What was encouraged / offered by TOK:

- Full access to Centre Square for both the red-carpet walk and community celebration portions of the planned event.
- Coordinated early closure of centre square for set-up. Late access for any tear down required.
- Staff assistance with set-up and tear down as available or requested
- Use of TOK owned décor assets and pre-ordering of additional theme or colour specific lighting (provided by TOK).
- Additional seating in the form of chairs and/or bleacher sets for the creation of red-carpet spectator/viewing areas.
- Access to power and sound equipment as needed.
- Assistance with communications and promotions ahead of the event.

How we communicated:

- Initial emails received by staff from various parent group representatives requesting road closure.
- Staff returned emails asking for more detail and encouraging use of centre square.
- Follow up email from School admin to book centre square.

Council Advisory Committee

- Follow up planning meeting with Student Prom Committee Chair. Road closure discussed. Brainstorming session resulted in consideration of alternative options including other streets and/or Centre Square. Settled on student suggestion for a Main to Webster pathway through the square, student intended to pitch that option to larger prom group at a later meeting
- Additional email from parent contact requesting the road closure. Staff returned email and encouraged a group meeting.
- Parent group meeting included student prom committee chair. Centre Square encouraged by staff and supported by Student Chair. Alternative option discussions with parent group not successful.
- Parent group requested the application to make the road closure request formal. Permit application was provided by staff to parent contact.
- Permit application submitted, evaluated, and approved for all components with the exception of the road closure. Communicated to applicant by email.
- Correspondence received by Town Council members from parent group members.
- Appeals process initiated by parent group & follow up correspondence with CAO.

Points considered by staff team during decision making related to the parent group request:

- It is standard practice since March of 2022 (lifting of State of Emergency) for staff to encourage all groups to use free pavilion space in lieu of hosting on street activities downtown.
- Closure of Webster on June 10th will make 4 weekend road closures downtown in a 30-day period and create a total of 6 planned road closures in Kentville in 45 days. This does not include *unanticipated* closures for things like water breaks or other emergent situations.
- There is a significant amount of sidewalk work scheduled for downtown this season related to the AT plan rollout. The sidewalk work will impact our residents and businesses downtown. Staff feel a heightened responsibility to mitigate any additional disruptions to downtown travellers and operators wherever possible.
- Staff deemed this event to be easily executed without a road closure based on the description provided on the application and previous meetings and discussions with multiple contacts.
- Staff prioritized minimizing the impact on downtown residents and operators, and the travelling public, over the desire of the applicant to be active in the roadway.
- The section of Webster Street required to be closed is approximately 210 linear meters. The road area requested for the red-carpet walk is approx. 45 linear meters. Centre Square allows for approx. 75 meters of linear red-carpet pathway.
- Centre Square can accommodate multiple large, designated spectator areas, one on either side of the red carpet pathway. (49 metres long by 24 deep, and 44 meters long by 15 metres deep) with ample room for additional activity.
- Staff recommend to Council that the red-carpet event would be safer, more accessible, and less disruptive to people living and operating downtown if hosted in the Centre Square event space.
- The Town has invested significant capital over the last 6 years into the activation of centre square to create an environment conducive to hosting large and small events downtown, in hopes of attracting this type of community activity.
- Necessary infrastructure and amenities required for event hosting exist in Center Square, including a cover for rain, ample access to power, the ability to bring in additional seating and create viewing areas using bleachers.

Council Advisory Committee

- A weekend road closure will require call outs for staff on unscheduled days, likely about a 9-hour value. (OT rates apply on weekends and evenings).
- Coordination with agencies like Kings Transit, EHS, and Fire Services are necessary when a road is closed. Those agencies are then also required to modify their operating procedures to accommodate.
- The request for road closure was listed at 2 hours, but staff anticipate the group will actually require 4-6 hours to accommodate set-up and tear down. (In 2021 the closure occurred from 4:00 - 8:30 pm).

We've done it before, what's different?

- 2020 & 2021: declared state of emergency in place preventing schools from hosting any event. Municipalities stepped in to ensure there were options for students graduating in those years.
- 2020 & 2021: all Town of Kentville supported signature events were cancelled (ABF, DHA, Multicultural Fest, Canada Cup) or scaled back due to covid. This freed up both staff capacity and available budget in those years.
- 2021: only one other planned road closure occurred downtown that season making a total of 2 closures downtown that year.
- In 2021 the event was held on a weekday evening vs a Saturday

BUDGET IMPLICATION

The Town does not typically pass along the cost of road closures or event support to organizing groups. For the purposes of discussion only, the internal cost absorbed for the street closure is estimated to be about \$1000.00.

ATTACHMENTS

1. Form submitted by applicant Tyra MacLeod
2. Visual representation of the student suggested alternative layout (Approved & recommended by TOK staff)

Respectfully Submitted.



Public Event Permit Application Form

Applications must be received a minimum of 15 business days prior to event date to allow for internal processing and approvals by administration. Please review the last page of this document to determine if you need this type of permit before completing and submitting this form. Completed forms should be sent to info@kentville.ca or dropped to Town Hall at 354 Main Street.

NAME OF EVENT: NKEC Prom Parade

DATE OF EVENT: June 10th 2023 START TIME: 6pm END TIME: 8pm

LOCATION: Miners Marsh, Webster St, Cen. Sq OCCUPATION ALREADY BOOKED: ~~YES~~ NO

Host organization (if applicable): NKEC Graduating Class

PRIMARY CONTACT FOR EVENT

NAME: Tyra MacLeod Phone: [REDACTED] Email: [REDACTED]

Phone number where contact can be reached during the event: [REDACTED]

Phone number of back-up contact in case of emergency: [REDACTED]

EVENT DETAILS

Purpose of event (fundraiser, awareness, for profit, etc.) Community celebration of graduates

Main activity (parade, vendors, performance, etc.) Prom promenade

Number of people expected to attend: 1000 Number of supervisors on site during event: 20

Are the supervisors paid staff or volunteers? Volunteers

Do you have event insurance? YES NO X

Insurance Provider: _____ Policy #: _____

List the ways you are promoting: (Facebook, radio, etc.) Facebook/Instagram, invatations to feeder schools and municipalities

Please use the space below OR attach a separate document to provide a **detailed description** of your public event including all planned activities. Include any safety measures being taken by organizers and list any partner organizations you may be working with. Incomplete forms will be returned to applicants requesting more information. Feel free to attach your event promo or advertising materials in addition to your description. Parade/walk-a thon applicants must include a route map. More is better here!

The prom parade is a celebration for the seniors to acknowledge four years of learning, friendship and school spirit. This event is a milestone that signifies leaving childhood behind and entering adulthood. It is a night of self expression which is unique, creative and inclusive. The word prom comes from the word promenade and is meaningful in the senior experience. It is also very meaningful for students to feel celebrated and honoured by their town. June 10th 2023 is the NKEC prom celebration. The grad class is very excited to have the event in down town Kentville. Graduates will meet at Miners Marsh at 5:30pm for group photos. From there, they will proceed up to Cornwallis St. along the sidewalk to Webster Court. They will cross from Webster Court to Webster St. which we are requesting to have closed for 2 hours for the grand march. As the graduates promenade down Webster St. their names will be announced to family, friends and community members to acknowledge them. From here, they would proceed into Center Square. The celebration in Center Square allows for a closing in an intimate setting for more photo opportunities with our photographer and a good segue into their prom at The Kentville Fire Hall.

The march down Webster St. allows for the pomp and ceremony of a large community celebration for a group of students who have been largely impacted by the pandemic almost every year of their high school career.

The width of Webster St. allows for many family, friends and community members to gather and the graduates to promenade as a focal point with unobstructed views. In the recent past this graduation march, with the accessibility of Webster St. enabled residents from Evergreen Home For Special Care to attend and enjoy the festivities.

We would have volunteers in safety vests controlling crowds and directing students. This parade on Webster St. was such a lovely event two years ago, the students are very excited for this opportunity. Thanks for your consideration.

ADDITIONAL SUPPORT REQUESTS

Please use the space below to list any special or additional support requests from your group. Please note that additional supports requested from the Town may have associated fees attached, and not all support requests can be accommodated. Street closures, police escorts, barricades, tables and chairs, staff support, and use of power are all examples of supports that may require the payment of additional fees or the coordination of extra resources. These items are evaluated and approved on a case-by-case basis considering budgets, staff availability, nature of the request, available resources and other operational considerations.

We would need barricades for the street closure for the two hours

PERMITS ARE ISSUED UNDER THE FOLLOWING CONDITIONS:

Applicants agree to comply with all municipal, provincial, and federal rules, laws, and regulations during the execution of the Public Event

It is the responsibility event organizers to ensure that all necessary precautions are taken to protect the safety and well being of participants and any other member of the public who may be sharing the public space during the event

Children under the age of 8 participating in a street parade, sidewalk parade, or walk-a-thon event must be accompanied by an adult

Applicants understand that smoking is not permitted on public property in the Town of Kentville and will ensure this rule is communicated to participants

Event organizers and participants must obey all applicable provisions under the motor vehicle act at all times. This permit does not convey any special privileges or rights to exempt any portion of the act

Permit applicants agree that the information provided on this application form will be shared within the organization to all necessary departments including the Kentville Police Service

Applicants agree to provide any additional information requested by the Town of Kentville about this public event at any time as required

A public event permit is permission from the Town to use the property for the purposes outlined in the application but does not supersede any bylaw, ordinance, or facility policy that may be in place

I, Tyra MacLeod on behalf of Nkec Grad class submit that the information contained in this application is full and complete to the best of my understanding. I agree to follow all guidelines and regulations as outlined above during the execution of the public event in Kentville to which this application refers.

Tyra MacLeod

X

Applicant

APPROVAL (for internal use only)

The Town of Kentville, after having reviewed the information contained in this application with all necessary department contacts, hereby issues permission for the above noted event to take place in Kentville on the above noted dates in the above noted location.

X

Dan Troke
Chief Administrative Officer

PLEASE REVIEW THIS SECTION BEFORE SUBMITTING AN APPLICATION

DO I NEED A PUBLIC EVENT PERMIT FOR MY KENTVILLE PROGRAM, ACTIVITY, OR EVENT?

This form should be filled out and submitted by any group, individual, or organization intending to host a large-scale **public** event on public property within the Town of Kentville. A **public** event is defined as any event being **advertised to the general public** that is held on Public Property and encourages public attendance and/or participation. This permit application should also be submitted if you are intending to hold any event in Kentville that includes components that will affect public safety, traffic, and/or parking, or is expected to attract a significant number of people to a public area. (Street parades, walk-a-thons, rallies, etc.) Private functions (invite only, intended for specific people vs. all people) do not require a Public Event permit.

If you are intending to run a recurring or one time program or small-scale event hosted in a town owned facility, you most likely do not require this permit. However, you may be required to book that facility with the proper town contact depending on the type of activity. To book a park, greenspace, field, rec centre or other recreation facility contact the Recreation Department: 902-679-2540. To book Centre Square or the downtown Public Garden contact Community and Economic Development: 902-679-2549.

Still not sure if you need to submit this form? Call us and ask! We are very happy to help. 902-679-2500

WHAT HAPPENS AFTER I SUBMIT THIS FORM?

Once your form has been submitted, staff will review it to determine that it is complete. If deemed complete, it will be circulated to all departments for review and be considered for approval. If approved by all relevant departments a signed copy of the application will be sent back to the applicant, and any follow up required will be initiated. If an application is not approved, a department head or the CAO will contact the applicant directly to communicate the concerns and look to determine if there are potential solutions for the barriers preventing the approval.

OTHER TIPS

Insurance. Do you need it? Short answer is yes! But we can help you get some if you don't have any, and it's easier and less expensive than you might think depending on the type of event you need to cover. Call us for guidance if you need some assistance getting coverage.

We require 15 business days notice for public event permit application approvals, but more time is always better. Especially if your application is for a street parade or other type of activity that will affect traffic or require the coordination of staff or emergency services. The more notice we have, the more efficient we can be with our response.

In addition to more notice, more details are also better! Complete and detailed applications prevent the need to go back and forth on additional info requests and save everyone a lot of time, so that you can get on with running your event. Be thorough!



TO: Council

SUBMITTED BY: Chief Administrative Officer Dan Troke

DATE: April 24, 2023

SUBJECT: Lions Club Lease Renewal

ORIGIN

The Kentville Lions Club has been in a lease relationship with the Town of Kentville circa 2009. The Lions Club runs programs and events out of the town-owned building located at 78 River Street (PID 5549852).

BACKGROUND

The Lease governing use of the property at 78 River Street by the Kentville Lions Club is up for renewal. The draft lease is attached for Council’s review and approval, the terms have remained mostly unchanged since the inception of the agreement.

COST

The monthly rent as per agreement from the Lions Club to the Town is \$1 per month beginning in May, 2023. The agreement also allows for the town to collect “additional rent”. The amount of “additional rent” is calculated annually based on the property taxes that would be collected, and the town’s cost to insure the property. In 2022/23 that amount was \$6,375.87, and in 2023/24 it is estimated to be \$6417.86. Additionally, the Lions are billed directly for utilities and power. The cost of utilities for the property is unknown to staff at the time of this report.

The lease terms also dictate that the Lions Club (tenant) is responsible for all repairs and maintenance of the building and the property at their own cost. This includes snow removal, minor and major repairs, and any required upgrades to the building. Last year the Lions put in a new accessible entrance system, painted the outside of the building, replaced a toilet, installed new windows, and laid down a new interior floor.

EXECUTIVE SUMMARY LEASE TERMS

Tenant’s Name:
Kentville Lions Club

Use of Leased Premises:
Lions Club Operations

Term:
The tenant will hold the Leased Premises for the term of 3 years commencing in May of 2023.

Rent:
Rent of \$1 per month



Insurance: Costs incurred by the Town to insure the property and building will be paid by the Tenant determined annually by the Director of Finance.

Taxes:

All applicable taxes will be paid by the Tenant determined annually by the Director of Finance based on property assessment. Item 3. (3) in the attached lease document.

Utilities:

All utilities will be the responsibility of the tenant

Maintenance and repairs:

All required maintenance and repairs will be the responsibility of the tenant

ADDITIONAL CONSIDERATIONS

It may be relevant to note within this report that lease agreement terms across town owned buildings are not consistent from group to group. For example, the lease terms at 66 station lane outline 1500.00 in rent per year. There is no additional rent applied, and the taxes, power, utilities, maintenance, and repairs are all covered by the Town. This may be something for council to consider as we look to create and maintain a balance pertaining to providing equitable town support and funding to these community groups.

ATTACHMENT

Renewal Lease, Town of Kentville and Lions Club of Kentville

RECOMMENDATION

That Council review and approve the attached renewal lease between the Town of Kentville and the Kentville Lions Club.

THIS RENEWAL LEASE made the ____ day of _____, 2023 between

TOWN OF KENTVILLE (the "Town")

and

THE LIONS CLUB OF KENTVILLE (the "Club")

WHEREAS the Club is a non-profit organization incorporated pursuant to the *Societies Act* of Nova Scotia;

AND WHEREAS the Club carries on the following activities that are beneficial to the Town and which the Town might undertake if not for the activities of the Club, that is to say: donations of money and person hours to worthy projects and deserving persons for the betterment of the physical and social growth of the Town;

AND WHEREAS the Council of the Town resolved at a meeting of Council on the ____ day of _____, 20__ to lease the property described herein to the Club at less than market value on the terms contained herein, and the resolution was passed by at least a two thirds majority of the Council present and voting;

IN CONSIDERATION of the rents and covenants contained in this renewal lease on the part of the Club, the Town continues to lease to the Club the lands and premises described in the attached Schedule "A" (the "Premises") on the terms set out herein.

1. **TERM**

To hold the Premises for the term of **three** years commencing the 1st day of May 2023 and terminating at noon on the 30th day of April 2026, unless sooner terminated as provided in this lease.

2. **RENT**

- (1) The Tenant paying yearly and every year during the term as Rent the sum of \$12 plus HST, if applicable, in twelve equal monthly instalments of \$1 in advance, the first of such instalments to be due and payable on the 1st day of May 2023.

- (2) The Tenant paying as Additional Rent the moneys and other charges, costs and expenses herein provided to be paid by the Tenant within 30 days of an invoice being presented to the Club by the Town.

3. **TENANT'S COVENANTS**

The Club covenants with the Town:

- (1) *Activities* – to continue to carry out the aforesaid activities which are beneficial to the Town;
- (2) *Rent* – to pay Rent;
- (3) *Taxes and Utilities* – as Additional Rent in each year during the term, to pay and discharge as they become due all taxes (including local improvement rates), rates, duties and assessments that may be assessed against the Premises or any part of them and every other tax, charge, rate, assessment or payment which may become a charge or encumbrance upon or levied or collected upon or in respect of the Premises or any part of them, whether charged by any municipal, parliamentary or other body during the term, excepting only from them taxes on the income of the Town. The Club to pay as they become due all charges for public utilities, including water, gas, electrical power, energy, steam and hot water, used in the Premises and for fittings, machines, apparatus, meters or other things leased in respect of them, and for all work or services performed by any corporation or commission in connection with the public utilities; provided further that the Club shall have the right to contest by appropriate legal proceedings the validity of any tax, rate (including local improvement rates), assessment or other charges referred to in this paragraph;
- (4) *Maintenance of Premises* – at its own expense to maintain the Premises, including the walks and grounds and every part of them, in good order, appearance and condition and promptly make all needed repairs and replacements and to keep the Premises well painted, clean and in good condition;
- (5) *Condition of Premises* – to keep the Premises and every part of them in a clean and tidy condition and not to permit garbage, ashes, water or objectionable material to accumulate on them, and at its own expense, to keep the driveways, walks, grounds, sidewalks and curbs forming part of or adjoining the Premises clean and free of snow and ice;
- (6) *Inspection and repair* – to permit the Town at all reasonable times to enter the Premises to inspect the condition of them and where such inspection reveals that repairs are necessary to repair in a good and workmanlike manner within

one calendar month from the date of delivery of notice from the Town requiring repair;

- (7) *Overloading floors* – not to bring upon the Premises machinery, equipment, articles or things that by reason of their weight, size or use might damage the Premises and not at any time to overload the floors of the Premises and if damage is caused to the Premises by machinery, equipment, articles or things or by overloading or by any act, neglect or misuse on the part of the Club, its servants, agents or employees or any person having business with the Club, forthwith to repair or pay to the Town the cost of making good the damage;
- (8) *Heating* – to heat the Premises in a reasonable manner at its own expense;
- (9) *Compliance with by-laws* – at its own cost and expense to comply with the requirements of every applicable by-law, statute, law or ordinance, and with every applicable regulation or order with respect to the condition, equipment, maintenance, use and occupation of the Premises;
- (10) *Assignment* – not to assign or sublet without the prior written permission of the Town, which permission may be withheld for any reason
- (11) *Nuisance* – not to do or omit to do or permit to be done or omitted anything on or in respect of the Premises the doing or omission of which (as the case may be) shall be or result in a nuisance;
- (12) *Fire insurance, etc.* – to keep the Premises insured during the term against loss or damage by fire, lightning, explosion, sprinkler leakage, steam boiler explosion, and standard supplementary perils. The insurance to be carried in an amount of not less than 100% of the replacement value of the Premises through insurers acceptable to the Town and all policies for insurance shall be in a form satisfactory to the Town. Premiums for all insurance shall be payable by the Club, and all loss claimed thereunder shall be payable to the Town, and the insurance policies, or certificates of them, shall be deposited with the Town. If the Club fails to keep insured, as provided in this paragraph, the Town may effect insurance at the cost and expense of the Club, and sums expended for the insurance by the Town (as determined in the sole discretion of the Treasurer for the Town) shall be Additional Rent;
- (13) *Liability insurance* – to provide the Town with a certificate of liability insurance covering the Club in respect of the Premises and its operations in them to the extent of not less than \$2,000,000 inclusive of all injuries or death to persons and damage to property of others arising from any one occurrence;

- (14) *Indemnity* – to indemnify the Town from liabilities, damages, costs, claims, suits or actions resulting from
- (a) a breach, violation, or non-performance of any covenant or proviso of this lease on the part of the Club;
 - (b) damage to property occasioned by the use and occupation of the Premises; or
 - (c) injury to person or persons, including death resulting at any time therefrom, occurring in or about the Premises, and on the roads or sidewalks adjacent to them.

Indemnification in respect of any breach, violation or non-performance, damage to property, injury or death occurring during the term shall survive termination of this lease; provided, however, that indemnification shall in no event extend to the direct, primary and proximate results of the negligent, reckless or wilful conduct of the Town, its agents, employees or representatives;

- (15) *Notice of intention to terminate* – to notify the Town at least six months before the date of termination of this lease or any renewal of it, that it intends to vacate the Premises upon the termination of the lease or any renewal of it, and upon notice being given, the Town shall have the right to show the Premises to prospective tenants at all reasonable times.

4. **LANDLORD'S COVENANTS**

The Town covenants with the Club:

- (1) *Quiet enjoyment* – for quiet enjoyment;
- (2) *Alterations by Tenant* – to permit the Club to make with the written consent of the Town, such consent not to be unreasonably withheld, alterations, additions and improvements to the Premises that will, in the judgment of the Club, better adapt them to the Club's purposes; provided, however, that the alterations, additions and improvements shall not impair the structural strength of the building. All fixtures, whether trade fixtures or otherwise, improvements, erections or alterations made to the Premises by the Club shall be made at its own expense and shall be the property of the Town, and shall only be removed with the written consent of the Town; provided that such fixtures shall, upon the written request of the Town, be removed from the Premises by the Club upon or at any time before the termination of this lease; provided further that if any injury or damage is caused to the Premises by removal of the fixtures, the Club shall forthwith cause the injury or damage to be repaired at its expense

and if the Club does not make the repairs or cause them to be made promptly, they may be made by the Town for the account of the Club and shall be Additional Rent.

5. PROVISOS

Provided always, and it is agreed between the parties:

- (1) *Forfeiture of lease* – If, without the written consent of the Town:
 - (1) the Premises remain vacant or not used for a period of thirty days, or
 - (2) if the term or any of the goods and chattels of the Club are seized or taken in execution or in attachment by a creditor of the Club or
 - (3) if the Club makes an assignment for the benefit of creditors or if the Club becomes bankrupt or insolvent or takes the benefit of any Act now or hereafter in force for bankrupt or insolvent debtors or
 - (4) if an order is made for the winding-up of the Club, or
 - (5) if the Club fails to maintain and repair in accordance with its obligations herein,then in every case the current-month's rent and the next ensuing three-months' rent shall immediately become due and, at the option of the Town, this lease shall terminate and the term shall immediately become forfeited, in which event the Town may re-enter and take possession of the Premises as though the Club or any occupant or occupants of the Premises was or were holding over after the expiration of the term without any right.
- (2) *Exemption re distress* – Notwithstanding the benefit of any present or future statute taking away or limiting the Town's right of distress, none of the goods and chattels of the Club on the Premises at any time during the term shall be exempt from levy by distress for rent in arrears.
- (3) *Non-liability of Landlord* – The Town shall not be liable or responsible in any way for personal injury or death suffered by any member of the Club or any employee of the Club or any other person who may be upon the Premises or for any loss of or damage or injury to property belonging to the Club or its employees or to any other person while it is on the Premises and, in particular the Town shall not be liable for any damage to property caused by steam, water, rain or snow which may leak into, issue or flow from any part of the building or adjoining property or from the water, steam, sprinkler or drainage pipes or plumbing works of the building or from any other place or quarter or for damage caused by electrical or other wiring; provided, however, that this paragraph shall not apply to injuries, damages or death caused directly by the

negligent, reckless, or wilful conduct of the Town, its employees, agents or representatives.

- (4) *Holding over* – If the Club holds over after the term or any extended term, the holding over shall be construed to be a tenancy from month to month only and shall have no greater effect, any custom, statute, law or ordinance to the contrary notwithstanding. The month-to-month tenancy shall be governed by the terms and conditions of this lease notwithstanding any statutory provision or rule of law to the contrary; provided, however, that during a period of holding over the Club shall pay only the monthly rent payable during the month immediately preceding the expiration or termination of this lease.
- (5) *Evidence of payments* – The Club shall from time to time at the request of the Town produce to the Town satisfactory evidence of the due payment of all amounts required to be paid by the Club under this lease.
- (6) *Landlord's right to pay Tenant's obligations* – If the Club fails to pay any taxes, rates, insurance premiums or charges which it has covenanted to pay in this lease, the Town may pay them and charge the sums paid to the Club as Additional Rent. All arrears of Rent and Additional Rent and moneys paid by the Town under this lease shall bear interest at the rate adopted by Council for outstanding property taxes from the time the sums become due until paid to the Town.
- (7) *Additions and fixtures* – Subject to paragraph 4(2), any building, erection or improvement placed or erected upon the Premises shall become a part of them and shall not be removed and shall be subject to all the provisions of this lease, but no building, erection, or improvement shall be erected upon the Premises without the prior written consent of the Town.
- (8) *Damage to Premises* – If during the term the Premises are damaged by fire, lightning or tempest, or any of the perils insured against under the provisions of paragraph 3(12), then and in every such event if the damage or destruction is such that the Premises are rendered wholly unfit for occupancy, or it is impossible or unsafe to use and occupy it, and if in either event the damage, in the opinion of the Town's Engineer to be given to the Club within ten days of the happening of the damage,
 - (a) cannot be repaired with reasonable diligence within 30 days from the happening of the damage, either party may within five days next succeeding the giving of the opinion terminate this lease by giving to the other notice in writing, in which event this lease shall cease as of the date of the damage and the Rent shall be apportioned and paid in full to the date of damage. If neither the Town nor the Club terminates this lease, then the Town shall repair the Premises with all reasonable

speed and the Rent and Additional Rent shall abate from the date of the happening of the damage until the damage shall be made good and the Club can again use and occupy the Premises; or

- (b) can be repaired with reasonable diligence within 30 days from the happening of the damage, then the Rent shall abate from the date of the happening of the damage until the damage shall be made good and the Club can again use the Premises and the Town shall repair the damage with all reasonable speed; or
- (c) is such that the Premises are capable of being partially used for the purposes for which they are leased, then until the damage has been repaired the Rent shall be reduced by the fraction that the area of that part of the Premises which is rendered unfit for occupancy is to the area of the Premises, and the Town shall repair the damage with all reasonable speed.

- (9) *Re-entry by Landlord* – Proviso for re-entry by the Town on non-payment of rent or non-performance of covenants.
- (10) *Inspection by interested parties* – During the term the Premises and all parts of them may be inspected at all reasonable times on the production of a written notice to that effect signed by the Town or its agents.
- (11) *Signs* – The Club may from time to time during the term erect, paint, display, maintain, alter or remove advertising signs on the exterior and interior of the walls of the Premises. All signs shall be dignified in appearance and shall comply with the requirements of municipal and governmental authorities. They shall remain the property of the Club and shall be removed by it upon the termination of this lease. Upon the removal of signs the Premises shall be restored to their the prior condition. The Club shall indemnify the Town against any loss or damage caused to any person or thing as a result of the placing or use of a sign on the Premises.
- (12) *Waiver of breaches* – The failure of the Town to insist upon a strict performance of any of the covenants and provisos shall not be deemed a waiver of any rights or remedies that the Town may have or a waiver of any subsequent breach or default.
- (13) *Adjustment of taxes* – The taxes and local improvement rates in respect of the first and last years of the term shall be adjusted between the Town and the Club.
- (14) *Net lease* – It is the intention of the parties that the rent to be paid in this lease together with the performance of the Tenant’s covenants shall result in a ‘triple

net' lease and, for greater clarity – but not so as to limit the generality thereof, the Tenant shall be responsible all taxes, costs and charges arising from or relating to the Premises and the Club shall pay all charges, impositions and expenses of every kind relating to the Premises.

- (15) *Structures* – Whenever in this lease reference is made to the Premises it shall include all structures, improvements and erections in or upon the Premises or any part of them from time to time.
- (16) *Place for payment* – All payments required to be made by the Club shall be made to the Town at the Town's office in Kentville or to the agents of the Town or at such other place as the Town shall from time to time direct in writing.
- (17) *"For Sale" sign* – The Town may within six months from the termination of the term, or any renewal of it, place upon the Premises a notice, of reasonable dimensions and placed so as not to interfere with the Club's activities, stating that the Premises are for sale or to let, which notice the Club shall not remove or permit to be removed.
- (18) *Acknowledgment by Tenant* – The Club shall when reasonably required by the Town, and at the Town's expense, consent to and become a party to any instrument relating to this lease which may be required by or on behalf of a purchaser, bank or mortgagee of the Premises; provided always that the rights of the Club as set out in this lease shall not be varied by such instrument.
- (19) *Notices* – Any notice, request or demand provided for in the lease shall be sufficiently given or made if mailed by registered mail, postage prepaid, addressed, if to the Town at 354 Main Street, PO Box 218, Kentville, NS B4N 3W4 and if to the Club at 78 River Street, PO Box 121, Kentville, NS B4N 1N7. Any notice mailed as aforesaid shall be conclusively deemed to have been given on the fifth business day following the day it was mailed. Either of the parties may at any time give notice in writing to the other of any change of address and thereafter all notices shall be mailed to the new address so notified.
- (20) *Right of renewal* – So long as the Club is not in default in the performance of any of the covenants and provisos contained in this lease, it shall have the right, to be exercised by notice in writing to the Town at least six months before the expiration of the term granted by the lease, to renew this lease for one further period of five years on the same conditions as in the lease except this right of renewal.
- (21) *Interpretation* – Words importing the singular number only shall include the plural and vice versa, words importing the masculine gender shall include the feminine gender and words importing persons shall include firms and corporations.

SCHEDULE "A"

PID NUMBER: 55498521

Municipality: Town of Kentville

Designation of Parcel: Lot TOK-1B

Registration County: Kings County

Registration No. Plan: 92448837

Registration Date of Plan: 2008-12-23

TOGETHER WITH an easement 20 feet in width burdening Lot TOK-1A and benefiting Lot TOK-1B for the installation, maintenance and replacement of sanitary sewer and water lines, the centreline of which easement shall be the existing sanitary sewer line leading from River Street to the building shown as Civic 78 on said Plan (which is also shown on said Plan as Services Kelco & Lions Club Bldg.'s approximate underground sanitary sewer line).

RESERVING HOWEVER to The Dominion Atlantic Railway Company, its successors and assigns, all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist within, upon or under the said lands and premises.

The subdivision of Lot TOK-1B does not require subdivision approval because the subdivision results from an acquisition of land by a municipality for municipal purposes pursuant to Municipal Government Act, s. 268(2)(e).