



TOWN OF KENTVILLE COUNCIL ADVISORY COMMITTEE October 10, 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, September 11, 2023
- 4. PRESENTATIONS**
 - (a) The Portal Youth Program
- 5. DEPARTMENT REPORTS AND RECOMMENDATIONS**
 - (a) Finance
Director's Report
 - (b) Planning and Development
Staff Report
 - (c) Parks and Recreation
Director's Report
 - (d) Police
Chief's Report
 - (e) Engineering and Public Works
Director's Report
 - (f) Administration
 1. Chief Administrative Officer's Report
 2. Housing and Community Partnerships Report
 3. Staff report: Request for Decision, Sidewalk Petition Process

4. Staff report: Request for Decision, Amenity Space

6. BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS

- (a) Revised Municipal Planning Strategy Amendment
- (b) Revised Zoning Application

7. CORRESPONDENCE

- (a) None.

8. NEW BUSINESS

- (a) None.

9. PUBLIC COMMENTS

10. IN-CAMERA

- (a) Land

11. ADJOURNMENT

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TOWN OF KENTVILLE

COUNCIL ADVISORY COMMITTEE

Meeting Minutes: September 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.

Mayor Sandra Snow 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:

1. PRESENT

Council:

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

Staff:

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

GUESTS

Caroline Robertson, C+D Consulting, Town Planner
Sherri Lee and Carolyn Campbell, Evangeline Club

REGRETS

None.

DECLARATIONS OF CONFLICT OF INTEREST

None.

CAC Minutes – September 11, 2023

Pending Approval

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2. APPROVAL OF THE AGENDA

It was moved by Councillor Paula Huntley and Deputy Mayor Cate Savage

That the agenda for the Council Advisory Committee meeting of September 11, 2023 be approved.

MOTION CARRIED

3. APPROVAL OF THE MINUTES

(a) Council Advisory Committee, Meeting Minutes, June 12, 2023.

It was moved that the minutes from the Council Advisory Committee meeting held on June 12, 2023 be approved.

MOTION CARRIED

4. PRESENTATIONS

(a) Evangeline Centre

Sherri Lee and Carolyn Campbell from the Evangeline Club presented information about the Club, which aims to provide services to community members who have mental disabilities or are unhoused. The purpose of the club is to have a place to go that is free from stigma and isolation. Sherri wanted to raise awareness around the need for government funding to support non-profits and communities. The Club requires \$150,000 to \$250,000 annually to operate and serves as emergency sheltering through Open Arms.

Presentation available

5. DEPARTMENT REPORTS AND RECOMMENDATIONS

(a) Finance

(1) Directors Report and Operating and Capital Forecasts

Director Wanda Matthews presented the report for the period ending August 31, 2023. To this date 12.6% of the capital budget has been expended. Final tax bills have been sent to residents this month. Cybersecurity insurance has been purchased by the town to ensure the safety of data and personal information.

See report for more information.

(2) Temporary Borrowing Resolution, Kentville Water Commission Capital

Director Matthews presented the report for the temporary borrowing resolution to support work along the Donald E. Hiltz Connector.

See report for more information.

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It was moved by Deputy Mayor Cate Savage and Councillor Paula Huntley

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

That Council approve the temporary borrowing resolution for \$50,000 in support of the ICIP Donald E. Hiltz Connector.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(3) Temporary Borrowing Resolution, Withdrawal from Capital

Director Matthews presented the report for the temporary borrowing resolution to support various capital projects including Protective Services (building), Parks and Recreation (sport fields), Transportation (equipment, trails, streets and sewer).

See report for more information.

It was moved by Councillor Paula Huntley and Deputy Mayor Cate Savage

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

That Council approve the temporary borrowing resolution for \$2,390,000 in support of schedule A capital projects.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(4) Temporary Borrowing Resolution, Sanitary Sewer

Director Matthews presented the report for the temporary borrowing resolution to support work on the MacDonald subdivision sewer system. This item will be brought to Council at the end of the meeting, after review and approval of the sanitary sewer budgets.

See report for more information.

(b) Planning and Development

(1) Department Report

Acting Development Officer Kirsten Duncan presented the planning and development department report for August 2023. Highlights included 14 development permits in August, a building valuation of \$4,894,496.14 for the year thus far, several subdivision applications, and a site plan approval for a

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property in the north end of the town. The Historic Kentville video was completed and released by the Kentville Historic Society. The Pumpkin People theme in 2023 is Under the Sea and is a partnership with Valley Waste around waste reduction and recycling.

See report for more information.

(2) Municipal Planning Strategy Amendment Presentation

Caroline Robertson from C+D Community Design is the Town's Planner and will be presenting reports and recommendations for the Town. Ms. Robertson reviewed options for Planning advisory committees and provided recommendations for updates to the municipal planning strategy.

See report for more information.

It was moved by Councillor Cathy Maxwell and Councillor Gillian Yorke

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

That Council review the proposed MPS policy recommendations and schedule a public participation meeting.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(3) Rezoning Application

Planner Caroline Robertson outlined a proposal for a single detached dwelling in an R5 zone. To facilitate this construction, the deed holders wish to rezone a small section of the property to R1. The Municipal Planning Strategy policy will allow the remainder of the property to develop for more intensive uses. The location of the proposed parcel of land, adjacent to other R1 lots, makes this a good candidate for R1 rezoning.

See report for more information.

It was moved by Councillor Cathy Maxwell and Deputy Mayor Cate Savage

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

That Council approve first reading of the proposal to rezone of a portion of PID 55112999 from large-lot R5 zone to single-unit dwelling (R1) zone as outlined in the attached proposal.

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MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(c) Parks and Recreation

(1) Director's Report

Director Bedingfield presented her report for August 2023. Some of the highlights included the Housing Accelerator Fund application, \$3706.21 raised for the Spike fund, hiring for the Neighbourhood Outreach Program Coordinator and changes in staff organization. The Summer Outreach team and the Active Transportation Coordinator worked all summer to reach out to residents to learn about recreation and active transportation opportunities.

See report for more information.

(2) Deer Haven Greenspace Recommendation

Director Bedingfield presented her report on the greenspace in Deer Haven, which was designed to act as a connector for wildlife and a conduit for runoff. Staff reached out to the residents through a public engagement session and a community survey about the interest in a trail in Deer Haven. Community response was generally in support of a green space, with some landscaping.

See report for more information.

It was moved by Councillor Cathy Maxwell and Deputy Mayor Cate Savage

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

**That Council approve the plan for the Deer Haven greenspace
And further approve mowing and maintenance of a footpath from Deer
Haven Drive connecting the Fenway Court and Whitetail Court Trail**

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(3) Tennis Facility Update

Director Bedingfield presented the report on a proposed tennis facility near the Credit Union Recreation Complex. Regional and national groups have come together to help grow the sports of tennis and pickleball, and they are collaborating to find new facility locations. The Town of Kentville is a community of interest from sites across Canada. The groups asked for a

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commitment from Council around a site in Kentville for a facility to be potentially built.

See report for more information.

It was moved by Councillor Andrew Zebian and Councillor Gillian Yorke

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

**That Council approve in principle of the requested lot at 125 Park Street for the future construction of a tennis-pickleball facility,
And further that staff continue to work with the Kings County Tennis Association to support their efforts in bringing an indoor tennis and pickleball facility to Kentville.**

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(d) Police Report

(1) Acting Chief's Report

Acting Police Chief Marty Smith presented the police commission report, which included human trafficking discussion, Drag Me to Dinner event, and staff changes including hiring of two constables and the retirement of Jim Butler.

See report for more information.

Discussion

- Concerns about perceived changes in community safety due to an increase in unhoused or marginalized persons in the town. The data around call volume does not reflect a change in community safety.
- The job posting for Chief of Police has been posted and will close on September 15th.

(e) Engineering and Public Works

(1) Director's Report

Director Bell submitted his report for August 2023. Some of the highlights included Canaan Avenue repair, lights on the Kentville Bridge, and sidewalk replacement for the AT connector and downtown. Extensive rain in a short time period overwhelmed the stormwater system last week in the south end. The strongest long-term plan for stormwater management is to construct stormwater management features along the new Donlad Hiltz Connector Road.

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See report for more information.

Discussion

- Request for further information on stormwater management options for the south end of town (Condon, Palmeto and KCA).
- The town is able to provide some sandbags for residents in emergency conditions.

(f) Administration

(1) Chief Administrative Officer's Report

CAO Dan Troke submitted his report for August 2023. Highlights included edits to the Property Assessed Clean Energy program, the Joint Regional Transportation Agency, regional sewer discussion with the County of Kings, the Housing Accelerator Fund application, and discussions with the provincial government around service exchange.

See report for more information.

Discussion:

- Concerns about repairs to the Kentville Heritage Centre not being completed. Some work has been completed and the public works team has been assigned to emergency work around flooding events.

(2) Housing and Community Partnerships

CAO Troke presented the first staff report on housing and community partnerships. Alisha Christie, Housing and Community Partnerships Coordinator, will continue to work on community initiatives around the Kentville Housing Plan. Outside of Halifax and Cape Breton communities, Kentville is well positioned to understand issues around housing and homelessness and take action based on known conditions.

See report for more information.

(3) Mentoring Plus Quarterly Update

CAO Troke presented the quarterly report from Mentoring Plus. The program continues to connect mentors and mentorees.

See report for more information.

6. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS

(a) Development Officer Appointment

CAO Troke described the need to formally appoint a Development Officer, and recommended Planning Technician/Assistant Development Officer Kirsten Duncan be given this appointment.

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See report for more information.

It was moved by Councillor Gillian Yorke and Councillor Andrew Zebian

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

That Council approve the appointment of Kirsten Duncan as the Development Officer for the Town of Kentville.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

(b) Treasurer Appointment

CAO Troke described the need to formally appoint a Treasurer and indicated that Director of Finance Wanda Matthews has been given this appointment.

See report for more information.

7. CORRESPONDENCE

(a) None.

8. NEW BUSINESS

(a) Sewer Budget

Directors Bell and Matthews presented the Proposed 2023-2024 Sanitary Sewer Budget. The capital budget is seeking \$400,000 for the Phase 2 of the MacDonald Avenue subdivision, Mill Run and the Kentville Business Park. The proposed operating budget is for \$1,490,900.

See report for more information.

It was moved by Councillor Paula Huntley and Councillor Cathy Maxwell

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

**That Council approve the balanced Sanitary Sewer Area Service Operating Budget in the amount of \$1,490,900 for 2023-2024
And further, conduct a rate study.**

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

It was moved by Deputy Mayor Cate Savage and Councillor Paula Huntley

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That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

That Council approve the Sanitary Sewer Area Service Capital Budget in the amount of \$400,000 including its funding sources for the year 2023-2024.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

It was moved by Deputy Mayor Cate Savage and Councillor Paula Huntley

That Council Advisory Committee recommend

To the September 25 2023 meeting of Council

That Council approve the temporary borrowing resolution for \$180,000 in support of the MacDonald/Henry/Braeside Phase 2.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

9. PUBLIC COMMENTS

(a) Janet Specht, 23 Condon Avenue

Concerns about floods impacting her property and the lack of progress on resolving flood issues. The stormwater runoff in this area is as strong as a river and up to 2 feet deep.

(b) Rai LeCotey, Deer Haven Drive

Concerns about deed owners in Deer Haven Drive landscaping on and changing town property. He asks that a low fence be installed along the new trail in this area to delineate the trail from private property.

(c) Frank Twohig, Canaan Avenue

Concerns about subsidence along Canaan Avenue, and many months of road closures along this route.

(d) Carolyn Houston, Deer Haven Drive

Gratitude for the new trail, and looking forward to features for children to play on. She requests that the property lines along the trail be clearly marked. She volunteered to help with trail maintenance.

10. IN CAMERA – LAND, PERSONNEL AND LAND

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It was moved by Deputy Mayor Cate Savage and Councillor Paula Huntley

That Council move into a closed session at 9:32 pm to discuss a land matter.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

It was moved by Councillor Andrew Zebian and Councillor Gillian Yorke

That Council return to open session at 10:06 pm

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

11. ADJOURNMENT

There being no further business to discuss,

Council Advisory Committee adjourned at 10:06 p.m.

MOTION CARRIED

Minutes Approved by Town Clerk
Dan Troke



TOWN OF KENTVILLE
Staff Report to Council Advisory Committee
For the Month of September 2023
FINANCE

Operations

- 2023-2024 final tax levy bills distributed in August are due October 3rd.
- As Finance provider to the Kentville Volunteer Fire Department (KVFD), financial statements for March 31, 2023 were presented to the Joint Fire Services Committee on September 21, 2023. Audit results were made available at that time, with KVFD receiving an unqualified audit opinion.
- Retirement celebrations were held in honour of Robin Paish, Accountant. Her dedication to the Town and contributions to its financial status and operational stability is greatly appreciated.
- There has been significant turnover in staff within the Finance team in 2023. 50% by October 31, 2023 with the retirement of the Payroll and Benefits Specialist. Risks are being managed, succession plans are being built and opportunities are being optimized. To that end, our former Accountant continues to support onboarding for our recently appointed Accountant and Director of Finance.

Financial

- Department of Municipal Affairs and Housing (DMAH) annual reporting requirements due September 30, 2023 with submissions made as follows:
 - September 27th Statement of Estimates – Assessment (SOE A)
 - September 27th Statement of Estimates – Budget (SOE B)
 - September 27th Audited Consolidated & Non- Consolidated Financial Statements
 - September 27th Audit results
 - TBD Financial Information Return (FIR) yet to be released.
- Nova Scotia Utility and Review Board (NSUARB) annual water utility reporting requirements submitted September 29th including:
 - Approved Three Year Capital Budget 2023-2026
 - Approved Three Year Operating Budget 2023-2026
 - Operations Compliance Certificate 2022-2023
 - Audited Non-Consolidated Financial Statements 2022-2023
- The 2023-2024 sanitary sewer operating fund and capital budget have been entered into our reporting system. September (Quarter 2) results to be provided at next CAC.
- Appendix A includes the preliminary Year to Date August 2023 General Operating Fund Statement of Operations along with an overview analysis.
- 2023-2024 temporary borrowing resolutions for the Town of Kentville General Capital Fund, Kentville Water Commission and Sanitary Sewer were submitted September 26th to DMAH for Ministerial authorization.

Respectfully submitted,

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

Wanda Matthews, CPA, CA
Director of Finance



Town of Kentville Operating Fund
Statement of Operations
For the Period Ending August 2023

Overall

Actual revenue sources and expenditure payments are reported as they are earned or come due. The portion of revenues or expenditures recognized as a percentage of the annual budget is the budget revenue or spend rates. If revenues and expenditures were evenly distributed throughout the year, a 42% revenue or spend rate would be expected in month five (5) of the fiscal year. Spending patterns are often annual, quarterly, or monthly. Timing differences between yearly spend rates and budget compared to actual occur.

Actual results are evaluated against the prior year's revenue and spend rates as well as the current year's budget. Overall YTD results show 40.6% of expenditure budget used and 82% of revenue budget recorded creating an overall surplus of \$6,627,770. Department specific forecasts will be established using September results.

Explanation of significant changes between current year and prior year revenue or spend rates are below.

Revenue

- Final **tax levy** billed in August resulting in a positive 0.14% budget variance.
- **Business property revenue** budget exceeds actual by \$3,313. Forecasting a deficit for this item.
- **Services to local and provincial governments** – Kentville library semi-annual invoicing to County of Kings complete. Provincial billings for protective services secondment are recognized quarterly.
- **Other revenue-own sources** – Return on investments are recorded at year end. Many rentals of space begin in the fall.
- **Unconditional transfer** - HST offset received in the amounts of \$50,765 exceeding budget by \$5,765.
- **Conditional transfer** First quarterly revenue received from the Department of Justice for a specific police service.

Expenditures

- **General Admin**
 - Insurance expenditure is fully recorded in **General Admin** while budget is assigned to multiple departments including **Protective Services, Transportation Services, and Recreation**. Reallocation entries to be completed.
 - One time PACE cost sharing with West Hants, IT MDR solution and grants to community organizations.
- **Debt charges** occur based on a defined payment schedule.

Town of Kentville Operating Fund
Statement of Operations
For the Period Ending August 2023

Expenditures Continued:

- A few internal allocations between departments remain outstanding impacting **Transportation Services** and **General Admin.**
- **Environmental Health Services** includes first two quarter payments to Valley Waste Resource Management.
- A vacant planner position and timing of secondary planning work recorded in **Planning and Zoning** is contributing to its variance from last year's spending and this year's budget.
- **Economic Development** contains a one-time \$25,000 payment to KDCL.
- Seasonal fluctuations in **Recreation and Cultural** expenses.

Town of Kentville Operating Fund

Statement of Operations

For the Period ended August 31, 2023

Revenue	Annual Budget	Preliminary YTD Amount	% Budget Revenue CY	% Budget Revenue PY
TAXES				
Tax (including Industrial Park)				
Assessable property	11,330,300	11,333,080	100.0%	100.0%
Resource	54,200	54,142	99.9%	100.0%
Economic development	112,200	112,344	100.1%	84.5%
	11,496,700	11,499,566	100.0%	99.8%
Area rates and frontages				
Area rates	674,600	684,677	101.5%	101.1%
Special assessments	2,000	9,614	480.7%	397.3%
	676,600	694,291	102.6%	102.5%
Based on revenue				
Business property	34,600	31,317	90.5%	96.6%
TOTAL TAXATION	12,207,900	12,225,174	100.1%	100.0%
PAYMENTS IN LIEU OF TAXES				
Federal and agencies	387,900	-	0.0%	0.0%
Provincial and agencies	178,400	-	0.0%	0.0%
	566,300	-	0.0%	0.0%
SERVICES TO OTHER GOVERNMENTS				
Provincial government	138,300	35,301	25.5%	23.1%
Local government	96,100	-	0.0%	23.2%
	234,400	35,301	15.1%	23.1%
SALES OF SERVICES				
Agencies	1,060,500	437,200	41.2%	42.3%
OTHER REVENUE-OWN SOURCES				
Fines, fees, permits	36,600	20,596	56.3%	57.5%
Rentals	415,400	38,227	9.2%	10.0%
Interest	134,200	131,061	97.7%	64.5%
Return on investments	630,000	-	0.0%	0.0%
Other	43,400	10,754	24.8%	35.2%
	1,259,600	200,638	15.9%	11.1%
UNCONDITIONAL TRANSFERS	223,400	178,024	79.7%	48.4%
CONDITIONAL TRANSFERS	169,900	28,600	16.8%	35.6%
FINANCING AND TRANSFERS				
From reserves	241,900	-	0.0%	100.0%
	241,900	-	0.0%	100.0%
TOTAL REVENUE	\$ 15,963,900	\$ 13,104,937	82.1%	81.9%

Town of Kentville Operating Fund

Statement of Operations

For the Period ended August 31, 2023

Expenditures	Annual Budget	Preliminary YTD Amount	% Budget Expended CY	% Budget Expended PY
GENERAL ADMINISTRATION				
Legislative	287,600	107,049	37.2%	40.3%
General administration	1,734,500	1,008,280	58.1%	44.8%
	2,022,100	1,115,329	55.2%	44.1%
PROTECTIVE SERVICES				
Police- core program	2,976,000	1,149,211	38.6%	45.5%
Police-sales of service	158,900	53,217	33.5%	23.0%
Law enforcement	207,200	83,437	40.3%	39.6%
Fire fighting	908,900	253,000	27.8%	75.2%
Protective service- debt charge	3,600	2,049	56.9%	54.8%
Emergency measures and other	148,100	35,943	24.3%	12.5%
	4,402,700	1,576,857	35.8%	49.3%
TRANSPORTATION SERVICES				
Common services	1,228,000	422,666	34.4%	43.2%
Road transportation	822,400	214,001	26.0%	30.4%
Public transit	408,100	146,968	36.0%	54.9%
Transportation- debt charge	50,400	29,523	58.6%	50.2%
Other	98,700	40,397	40.9%	46.1%
	2,607,600	853,555	32.7%	40.8%
ENVIRONMENTAL HEALTH SERVICES				
Solid waste collection and recycling	729,400	394,338	54.1%	55.5%
PUBLIC HEALTH				
Public health and housing	90,000	-	0.0%	0.0%
ENVIRONMENTAL DEVELOPMENT				
Planning and zoning	242,200	53,615	22.1%	44.3%
Other community development	512,100	242,733	47.4%	45.2%
	754,300	296,348	39.3%	44.9%
RECREATION AND CULTURAL				
Recreation-Administration	766,700	255,766	33.4%	48.1%
-Programmes (net)	195,100	57,408	29.4%	60.0%
-Facilities	760,400	305,401	40.2%	47.0%
-Debt charge	28,900	17,218	59.6%	49.3%
Cultural	140,300	50,238	35.8%	43.7%
	1,891,400	686,031	36.3%	48.5%
EDUCATION	1,805,200	676,370	37.5%	41.4%
FINANCING AND TRANSFERS				
Debt charge- principal	911,700	878,340	96.3%	100.0%
Transfers to allowances and reserves	749,500	0	0.0%	90.8%
	1,661,200	878,340	52.9%	95.7%
TOTAL EXPENDITURE	\$ 15,963,900	\$ 6,477,168	40.6%	51.0%
SURPLUS (DEFICIT)		\$ 6,627,770		



Town of Kentville

Staff Report to Council Advisory Committee

Planning & Development

October 2023

Programs and Operations

- **Development Permits:** 10 Development Permits were issued in the month of September, with a total building valuation of \$655,900.00. Activity & Development Permit Report is attached.
- **Subdivision Applications:** 1 new subdivision file was submitted in September.
- **Site Plan Approval:** Site Plan Approval was completed for a minor addition to a commercial property that abuts residential zoned properties. The appeal period ended on September 12 with no appeals filed.
- The last day of operation for the Kentville Visitor Centre was Saturday October 7th. Staff had organized a community yard sale for the park location on the 8th which was cancelled due to weather. Final reports have been completed and submitted to the Tourism Industry Association for this year's funding.
- Planning and Development is hosting an info session at Town Hall for employers looking to learn more about employer immigration programs. Intro to Immigration Programs for Employers is happening on October 17th in Council Chambers from 12-1:00. RSVP to Community Development.

Projects

- **GIS/Mapping:** Mapping support was provided to the upcoming community events of Pumpkin People, Palate Pleaser Promo and the Harvest Festival. Other supports were provided to various departments.

- Trees have been ordered for the Blooms on the Block project supported by additional funds from the Department of Municipal Affairs Beautiful Streets Grant program. We hope to be planning late October or early November depending on delivery times.

Tourism & Special events

- The Kentville Multicultural Festival has been rescheduled for October 21st. Details are posted on the KBC website, Facebook event page, and TOK website.
- Pumpkin People are out and in full swing until October 29th.
- Landmark East School is organizing this year's Pumpkin Walk. There is a change in location from Miner's Marsh to the Harvest Moon Trail that will allow for increased accessibility and safety preparedness. More details are forthcoming, save the date for October 26th.
- We are awaiting a proposal from a local organizer interested in hosting a music festival in Kentville next season. Preliminary discussions and location scouting have been successful.
- Please note the following upcoming 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 Harvest Festival: October 7
 - Pumpkin People Festival "Under the Sea": October 7-29
 - Kentville Multicultural Festival October 21
 - Pumpkin Walk October 26
 - Holly Days Festival: November 17

Meetings/Training

- Staff Meetings
- Housing Accelerator Fund Meeting
- MDOANS Executive Committee Meeting
- Various property owners and business liaisons regarding development opportunities in the Town
- Valley REN Business Supports
- Monthly KBC Board of Directors
- Landmark East School Pumpkin Walk Organizing Committee
- Employer Immigration Program meeting VREN

Public Engagement

- Appointments are encouraged with staff for those looking for support with Development Permit and Subdivision Applications
- Frequent phone calls and email correspondence

Respectfully Submitted,

Kirsten Duncan

Planning Technician/Acting Development Officer

Lindsay Young

Community & Economic Development Coordinator



Town of Kentville
Staff Report to Council Advisory Committee
For the Month of September 2023
Department of Parks and Recreation
Presented on October 10th, 2023

Administration and Operations

- The Town of Kentville received funding of \$38,000 from the Atlantic Canada Opportunities Agency. This funding was received for the 2023 Canadian National XCO/XCC Championship. It will be used to cover two capital projects for the event along with operating expenses.
- Mayor Snow and Craig Langille attended the 2023 Provincial Volunteer Awards in Halifax in September
- Planning for the Hemlock Woolly Adelgid (HWA) treatment has begun
 - Step one will be to conduct tree measurements of the hemlocks at the Gorge Park
 - Step two will be order supplies and insecticide
 - Step three will be to inject trees near waterways and use a spray insecticide for areas that are not near waterways. The spray will be used on the bark around the bottom of the tree
 - There will be communication to the public throughout the process

Facilities and Operations

Operations:

- The team is currently working towards the hiring of a Neighborhood Outreach Coordinator
- The Neighborhood Outreach Coordinator will work towards creating a resilient community through identifying resources and needs in the community along with working with communities to reimagine neighborhoods.

Facilities:

- **Arena**
 - The arena opened on September 18 with limited hours and is in full operation starting October 10
 - Bookings for 2023-2024 season
 - Groups identifying as male 27.5 hours per week
 - Groups identifying as female 26.5 hours per week
 - Public Skates
 - Currently planned on 178.5 hours of non-prime public skate times (before 4pm on weekdays) and 22 hours of prime time skate times (after 4pm on weekdays and weekends). There will be additional prime time public skate times introduced for pop up events throughout the winter
- **Dog Park**
 - Rockwell Home Hardware and Tree Canada provided 12 mature trees for planting at the entrance to the Dog Park and inside of the dog park.

Programs and Operations

Active Living Programming:

- Our very popular Super Happy Active Family Fun Time program is about to launch again. Starting October 14th, the unstructured free-play program will take place each Saturday between 10am-12pm at the Credit Union Recreation Complex in partnership with the Kings County Family Resource Centre.
- In partnership with many local community organizations serving people with disabilities, we've developed the Super Happy Interactive Fun Time program to take place at the Credit Union Recreation Complex. This follows a priority to collaborate with and offer equitable access and direct active living programming options to less active populations and those facing barriers to participation. The partners for this initiative currently include: the Flower Cart, Autism Nova Scotia Annapolis Valley Chapter, Kings Regional Rehabilitation Centre, Evergreen, AVRCE Resource Centres, L'Arche, Community Living Alternative, and the Support Services Group.
- Pickleball programs for the fall have been announced and registration opened yesterday with most sessions filling within minutes.
- Rug Hooking has started back up in September and has been going strong
- Rec Centre rentals have been steady – they usually pick up this time of year – especially for birthday parties and showers, etc. Anyone interested in renting the Rec Centre can contact me at recreation@kentville.ca or by phone at 902-679-2539.

Community Outreach and Events

Kentville Plays Event:

- Our annual Kentville Plays Event is taking place on November 18th (rain date Nov 19) in collaboration with the Acadia University's Community Development students. This event takes place in Oakdene Park and typically reaches over 200 families and community members.
- The annual Pumpkin People event has begun in Kentville. We would like to thank Gerry Little for all of his hard work once again.

Upcoming events for October/November

- Oct 7 – Harvest Festival
- Oct 14/15 – Ktown Classic Pickleball Tournament
- Oct 17 – Pumpkin People Book reading with Grade 3's – KCA school
- Nov 1 – Pumpkin Drop – KCA School

Capital Projects

- 11 capital projects for Parks and Recreation have been completed up to date
- An additional 11 capital projects are in progress, to highlight a few:
 - Grandstand Bleachers – foundation to be poured in October and then bleachers to be assembled
 - Memorial Park Shelter – project awarded
 - Burgher Hill three-sided shelter – project to commence in October

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.
- The September meeting of the KIAAC committee took place on September 8th. Three members of the Committee have completed their terms and have decided not to reoffer. Two members were nominated and at the subsequent Council meeting were appointed to the KIAAC. Additionally, staff have begun community consultations as the Access and Inclusion Plan is up for renewal as proscribed by the Province on or by April 1st 2025. This coming year will entail evaluation of the current Access & Inclusion Action Plan, community consultation, and updating the

Action Plan to capture what has been accomplished and what still needs to be undertaken to build a more inclusive and accessible community.

Kentville's Active Transportation Plan:

- The downtown multi-use trail infrastructure is continuing to be constructed with the latest addition of the protected bike lane on Webster Street, blue line painting along the entire downtown section, realigned crossings at Bridge Street/Justice Way/Station Lane and River Street/Webster Street.
- Bike-to-School rides are being facilitated almost daily by the Active Transportation Facilitator and other community active transportation champions, using the Downtown Multi-use Trail and Harvest Moon Trail to cycle from home to school. On average 10 kids are biking to school daily with the ride groups.
- Regional Recreation Complex:
 - No updates at this time.

Respectfully Submitted,

Craig Langille

A handwritten signature in black ink, appearing to read 'C. Langille', with a stylized, cursive script.

Acting Director of Parks and Recreation

Town of Kentville

Office of the Chief of Police

August 2023



Administration	Time	July 2023	August 2023
	Plate queries	1235	1135
	Training hours	0	10
	Veh. Cks 38's	102	91
	SOT Tickets	55	19
	Foot Patrol Hours	92	85.5
	CC Charges	13	24
	Calls for service	305	337
Training	<ul style="list-style-type: none">Minimal training in August due to Vacation time		
Meetings	<ul style="list-style-type: none">Municipal Chief's MeetingsCPIC Meeting with Chief'sMeeting with Carolyn LandryLivescan InstallMeeting with Virginia and Jamie for BoPCMultiple In-house meetingsDOJ		
CCN	<ul style="list-style-type: none">Attended 9 Agency meetings, i.e., Portal, Youth Community Hub, Homeless no more, Wellness CourtAttended 3 Community EventsReceived 22 referrals from KPS members/other AgenciesAttended 15 other calls and assisted members		
Staffing	<ul style="list-style-type: none">Hiring Process completed and two new members hired and orientation training completed.		



Town of Kentville

Staff Report to Council Advisory Committee

Department of Engineering and Public Works

October 10, 2023

Programs and Operations

- **Kentville Water Commission:** In September, we had another well pump failure in our wellfield. As of last Wednesday, it has been replaced and is up and running. In order to minimize the downtime caused by long delivery times and limited stock by Canadian suppliers, we make it a practice to have a minimum of one deep well pump and one motor "on the shelf" at Public Works after experience prolonged wait times for similar equipment during and after the pandemic.
- **Sanitary Sewer Area Service:** There were no direct operational issues with the Kentville Sanitary Sewer Service in September, however the large ductile iron force main that runs from Kentville to New Minas, owned and operated by the Municipality of Kings as part of the Regional Sewer System experienced several breaks in the line along the east end of the Harvest Moon Trail. These breaks have now been repaired, but it has become more evident that this section of 46-year-old line needs to be replaced, most likely next fiscal year. It was scheduled to be replaced this year but was deferred to shift priority to upgrades to the sewage treatment plant.
- **Public Works:** Canaan Avenue Update: Work is nearly complete on the Canaan Avenue street repair project. The retaining wall is now fully installed and the guardrail & sidewalk replacement should be completed by next week allowing the street to be reopened by late October.
- **Update on Recent Storm Events, Ongoing Remediation and Design Work:** Public Works Crews and various local contractors continue to work on several locations around Town that had infrastructure impacted by recent storm events to make necessary repairs and upgrades. A storm water management consultant has been engaged to recommend upgrades and design Storm Water

Management Areas (SWMA) upstream of the areas repeatedly impacted by these ever intensifying storm events.

- **Traffic Authority:** The Province has erected the lights at both ends of the bridge. As of the writing of this report, we are still waiting for NS Power to energize the new lights.

Projects

- The second phase of the MacDonald Avenue Subdivision rebuild project is progressing well – all pipe work is now complete, with curbing and paving scheduled for later this fall.

The second phase of the Active Transportation Network project which includes Downtown curb & sidewalk replacement as well as a section of sidewalk along the north side of Main Street between Leverett and Cornwallis Streets was came in on budget and has been awarded to Dexter Construction. Work is nearly complete on the Main Street section of the project, but the majority of the work around the Downtown loop will be completed in the spring and early summer of 2024.

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
- September 11th CAC

Respectfully Submitted,

David Bell
Director of Engineering and Public Works



Town of Kentville
CAO Report to Council Advisory Committee
For the Month of September 2023
PRESENTED ON OCTOBER 10TH, 2023

Administration and Operations

- Operations
 - Meetings were held with the previous CAO to support the transition.
 - The Director's committee met to begin the task of evaluating the internal process' that will both support the organizational operations, as well as ways to better empower the community.
 - Interviews have been held for vacant positions, including the Neighbourhood Outreach Coordinator, Chief of Police, and Senior Planner. Interviews are ongoing. A recommendation will be brought to council at tonight's CAC meeting with regards to the Chief of Police position.
 - Staff said goodbye to Robin Paish who was the Town's accountant for 25 years. Robin had a reputation for being generous, loyal, professional, and excellent at her job. We wish to thank her for all her years of dedicated service to the Town of Kentville.
 - Staff met with the Annapolis Valley Regional Library to discuss the future of libraries in the province, and discussions with the province regarding future funding models.
- Council Related
 - Regional Recreation Facility: a meeting was held on September 26th. The committee is gathering more information.
 - Housing Accelerator Fund (HAF) application was submitted.

Respectfully Submitted,

Rachel Bedingfield
Interim CAO



Town of Kentville

Staff Report to Council Advisory Committee

HOUSING AND COMMUNITY PARTNERSHIPS

OCT 10, 2023

Summary: This is the second iteration of the new Council Report – Housing and Community Partnerships - that will be included in Council Advisory Committee (CAC) Meeting Documents. The first report was included in the September 6th, 2023, CAC package. The report is complimentary to the Department of Parks and Recreation Report as the role of Housing and Community Partnership Coordinator resides within the entitled department. Currently, the role reports to the interim Director of Parks and Recreation and interim Chief Administrative Officer.

OPERATIONS

- Attended the Housing for Healthcare event hosted by Health Nova Scotia at Acadia University on September 28th.
- Staff met with municipal partners in Middleton, Wolfville and Lunenburg to begin conversations on housing policy development and community housing solutions for municipal government.
- Met with the Rural Development Network and Acadia University's Community Development Department on local rural homelessness enumeration statistics.
- In partnership with not-for-profits, completed a presentation for the National Canadian Alliance to Need Homelessness 2023 Conference
- Continued the work with Coordinated Access and Local Housing Working Groups

Council Related

- The Town of Kentville has become a member of the Nova Scotia Not-for-profit Housing Association with the intention of relationship building for future not-profit housing opportunities.
- Community of Care – Temporary Sheltering exploring partnership opportunity with the Provincial Government – Department of Community Services (details provided on page 2).

COMMUNITY OF CARE – SHELTER EXPANSION SOLUTIONS

LOCAL AND PROVINCIAL PARTNERSHIP OPPORTUNITY

The 2022 Community Support and Service-based Count on Rural Homelessness between Digby to West Hants indicated that between 2020 and 2022, the **Town of Kentville had a 1.8 times increase in homelessness**. If this trend continues, at least 186 individuals will be experiencing homelessness in Kentville by 2026 (2022 Acadia University). Kentville shelter service providers are reaching capacity; there are approximately 152 households on a local housing waitlist, and there are approximately 20 individuals known to be sleeping rough in the community each evening. These community statistics are intensifying the pressure on the intentional but limited shelter support offered within the municipality.

In response to the community statistics, staff have been working with local not-for-profits and provincial partners from the Department of Community Services to explore potential solutions within the Town of Kentville.

As a provincial and local not-for-profit solution partnership, the aim will be to increase access and enhance shelter service capacity within the Town of Kentville. Kentville is one of many potential partners involved.

The province identified the Town of Kentville as a leader at the municipal level in response to homelessness and at a high state of readiness to partner on the potential project. No decisions have been made; staff are continuing to be in conversation with the province and staff will ensure that the all solutions meet Kentville's Land Use Bylaws and Zoning standards and are committed to thorough community communications.

Identifying solutions is an opportunity for the municipality to support the resiliency of local not-for-profits and to recognize the ongoing dignified and meaningful work they do in the community.

Respectfully Submitted,



Alisha Christie
Housing and Community Partnerships Coordinator



TO: Council Advisory Committee

SUBMITTED BY: Kirsten Duncan, Development Officer/Planning Tech

DATE: October 10, 2023

SUBJECT: Sidewalks

ORIGIN

Council requested information this summer around the process that is available to Town residents to request that a sidewalk be constructed in an area where it was not required to satisfy the requirements of the Subdivision Bylaw as part of the primary and secondary services.

BACKGROUND

The Town of Kentville has an existing bylaw, Chapter 63 – known as Curb and Sidewalk Charges that thoroughly explains the process of how to disseminate costs to adjacent property owners that are affected by a Local Improvement (ie. installation of new curb or sidewalk). However, the Bylaw does not outline the process in which a petition initiated by affected residents is accepted by Town Council. In past projects where this Bylaw has been utilized, work has been initiated at the discretion of the Town.

Section 81 of the NS Municipal Government Act, By-law regarding payment of charges, which allows municipalities to proceed with the creation of such a bylaw, does outline a petitioning process where:

- (3) A by-law passed pursuant to this Section may provide
- (a) that the charges fixed by, or determined pursuant to, the by-law may be chargeable in proportion to frontage, in proportion to area, in proportion to the assessment of the respective properties fronting on the street or according to another plan or method set out in the by-law;
 - (b) that the charges may be made and collected only where
 - i. the persons owning more than fifty per cent of the frontage of the real property fronting on the street or the portion of a street on which the work is performed, or
 - ii. the persons as determined by the method set out in the by-law,have filed with the clerk a petition requesting that the work be performed;

DISCUSSION

Staff have researched local improvements bylaws in other municipal units to gain a better understanding of accepted methods of petitions and have determined that most municipalities require at least two-thirds of the adjacent property owners to be in favour of the proposed local



improvement before agreeing to proceed with the work. However, there are some municipalities that align more with the MGA requirements and only require “more than 50%” of the adjacent property owners to be in favour of the proposed local improvement. As it stands right now, the Town of Kentville would move forward with the process outlined in the MGA, however if Council so chooses, they could direct the CAO to have staff draft proposed amendments to the existing bylaw, Chapter 63 – Curb and Sidewalk Charges, to outline an approved petition process for resident initiated local improvements that better suits the needs of the Town of Kentville.

RECOMMENDATION

That Council receive the staff report relating to sidewalks and proceed with the petition process as identified in section 81 of the NS Municipal Government Act

OR

That Council receive the staff report relating to sidewalks and that Council direct the CAO to have staff draft proposed amendments to the Curb and Sidewalk Bylaw – Chapter 63 regarding an approved petition process for resident initiated local improvements.



TO: Council Advisory Committee

SUBMITTED BY: Kirsten Duncan, Development Officer/Planning Tech

DATE: October 10, 2023

SUBJECT: Land Use Bylaw – Amenity Space Requirements

ORIGIN

Council requested information earlier this year relating to the Land Use Bylaw requirement for Amenity Space within new multi-unit developments containing 4 or more dwelling units.

BACKGROUND

Amenity Space (also referred to as Recreation Space in previous versions of the Town’s Land Use Bylaw) has been a requirement in Kentville’s planning documents dating back to at least 1994. In previous years, amenity space has been required as a part of development in the Multiple Unit Dwelling (R-3) Zone, Residential Converted Multiple Unit Dwelling (R-3A) Zone and within the Commercial General (C-1) Zone when the use was R-3 or R-3A in nature. In 2019, when the new Land Use Bylaw was adopted the language around Amenity Space Requirements was placed in the General Provisions where it provided clarity that the section was to be applied in all zones where there are new multi-unit developments containing 4 or more dwelling units.

Our current Municipal Planning Strategy addresses Amenity Space in the following manner:

“Over the years Council has understood the benefits of adequate outdoor amenity space in relation to multi-unit dwelling residential developments. New multiple unit residential developments are required to provide residents with outdoor amenity space as part of any development proposal. Outdoor amenity space required in conjunction with any development shall consist of usable space that is dedicated for active or passive recreation use. The definition of amenity space shall limit eligible space to areas designed and intended for recreation use and not include front yards or other landscaped areas that have limited recreational potential. However, in certain areas of Town it may not be economically viable to require that new multiple unit residential developments set aside large areas of land for recreation purposes. This is particularly true in the downtown area where lot sizes are small and land values are quite high. Given that the Town is actively seeking to attract multiple unit residential development to the downtown area, it is important that the amenity space provisions allow for some flexibility. Specifically, the Land Use By-law should allow the option of providing such space in the form of internal recreation facilities, such as exercise rooms, pools or balconies rather than outdoor amenity space at grade.”¹

¹ Page 34 of the 2019 Town of Kentville Municipal Planning Strategy, Section 5.7 Amenity Space



DISCUSSION

Staff have researched what other municipal units require for Amenity Space within their Land Use Bylaws to ensure that our documents are on trend meanwhile keeping in mind that the “vision” of our Town’s as adopted within our Municipal Planning Strategy describes Kentville as:

Kentville is a healthy, vibrant, integrated and complete community where citizens can live, work and play in an environment that supports a high quality of life

In conclusion, at a high level most municipalities have some sort of amenity space requirement when it comes to more dense dwelling units, although it’s not the same across the board. Some municipal units have more strict requirements around how the amenity space is designed and provided, and some simply require that a certain amount of land or space is provided for the tenants to utilize to ensure they have access to recreational space in some form. Providing amenity space is a human-centric approach to housing and allows our housing to align with the social determinants of health by providing space for social and environmental connection.

A full analysis of this research can be found in schedule A of this report.

ATTACHMENTS

Schedule A Analysis of Amenity Space requirements in other NS Municipalities

RECOMMENDATION

That Council receive the staff report relating to Amenity Space and further that no amendments are made to the Land Use Bylaw.

SCHEDULE A

Municipality	Requirements relating to Amenity Space
Town of Kentville	<p><i>All new Multi-Unit Developments containing four or more dwelling units shall provide On-Site Amenity Space in accordance with the following requirements:</i></p> <ul style="list-style-type: none"> ▪ Bachelor and One Bedroom 200 ft² per unit (18.58 m² per unit) ▪ Two bedroom 225 ft² per unit (20.90 m² per unit) ▪ Three or more bedrooms 255 ft² per unit (23.69 m² per unit)
Town of Wolfville	15 sq.m. (161.46 sq ft) of amenity space be provided for each dwelling unit in excess of four dwelling units.
Town of Bridgewater	<p>All new multi-unit residential developments containing five or more dwelling units shall provide on-site amenity space in accordance with the following requirements:</p> <ul style="list-style-type: none"> ▪ Bachelor & One Bedroom Units 15m² (162ft²) per unit ▪ Two Bedroom Unit 20m² (216ft²) per unit ▪ Three Bedroom Unit 25m² (269ft²) per unit ▪ Units with Four or More Bedrooms 30m² (323ft²) per unit
County of Kings	<p>Except for grouped dwellings and townhouses, any development on a single lot with five (5) or more residential units shall meet the conditions noted below.</p> <p>a) An amenity area or areas equivalent to 100 square feet per residential unit or ten (10) per cent of the lot area, whichever is greater, shall be provided.</p>
Town of Truro	<p>Amenity space shall be provided for each unit based on the following amenity space requirements set out in Table 5.1.</p> <p>Table 5.1: Amenity Space Requirements</p> <p>Bachelor Apartment 14.0 m² per unit/151 ft² per unit</p> <p>1 Bedroom Apartment 18.5 m² per unit/199 ft² per unit</p> <p>2 Bedroom Apartment 23.0 m² per unit/248 ft² per unit</p> <p>3 Bedroom Apartment 28.0 m² per unit/301 ft² per unit</p> <p>Apartment with 4 or more Bedrooms 37.0 m² per unit/398 ft² per unit</p>
Municipality of East Hants	<p>Amenity areas shall be provided for residential uses in accordance with the table below:</p> <p><u>Townhouse dwelling unit (grade-level unit)</u> 40 m² per unit</p> <p>Developments with 8 units or more: Greater of 100 m² or 10 m² per unit.</p> <p>Common outdoor amenity area is not required for onstreet townhouses.</p> <p><u>Townhouse dwelling unit (above-grade unit)</u> 40 m² per unit</p> <p>Developments with 12 units or more: 10 m² per unit</p> <p><u>Multiplex dwelling unit</u></p> <p>Required only for developments above 16 units: an average of 2 m² per unit which is not required to be evenly distributed between units.</p> <p>Developments between 3-8 units: Greater of 50 m² or 10 m² per unit of common outdoor amenity area</p> <p>Developments of 9 units or more: 10 m² of common outdoor amenity area per unit,</p>

	<p>Developments with 24 units or more: 50 m² of common indoor amenity area is required.</p> <p><u>Cottage Housing Development dwelling unit</u> Greater of 150m² total or 25m² per unit of common outdoor amenity area. Common outdoor amenity areas shall not be divided into more than two pieces. Each common outdoor amenity area shall have minimum size of 150 m²</p>
Halifax Regional Municipality	<ol style="list-style-type: none"> 1) Any new building containing a high-density dwelling use shall be required to provide amenity space, at a rate of 5.0 m² (53.82 ft²) per dwelling unit, for use by the building's residents. No less than 50% of all required amenity space shall be provided within the building. 2) An addition to a building containing a high-density dwelling use shall be required to provide amenity space, at a rate of 5.0 m² (53.82 ft²) per dwelling unit, for use by the building's residents. No less than 50% of all required amenity space shall be provided within the building. <p><i>* high-density dwelling use is 13 or more units in a multi-unit development.</i></p>

Name:	Councilor Andrew Zebian		
Date:	March 10/23	Date Submitted to CAO:	April 1/23

Request for Decision – Initial – to be completed by Council Member

Detail	Synopsis				
Decision Requested:	<p>I would like to Council to review 4.1.3 in the Land Use Bylaw.</p> <p>And further propose an amendment.</p>				
Background: What? Who? How? When?	Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>
	<p>Like everywhere else, we are experiencing a housing shortage. 4.1.3 (see attached) in the Land Use Bylaw states that all new multi-unit development containing 4 or more dwelling units shall provide On-Site Amenity Space.</p> <p>This works fine with newer buildings or any buildings with land. However, many of the buildings in our Downtown Core are older and do not have any land with them. If a landlord wanted to add more than 3 residential units to a building Downtown and didn't have land, they would have to sacrifice between 200 and 255 square feet per unit to be used as an amenity space. If a Developer wanted to construct 5 residential 1 bedroom apartments, they would have to give up 1000 square feet of space to accommodate this bylaw. This would mean that you could be losing the possibility of 2 extra residential units by giving up this space.</p> <p>With this housing crisis, we shouldn't be turning Developers away. We know that our Downtown is very quiet after 5 pm and it would be great to see more activity in the evenings with more people living Downtown. With the prospect of more people living Downtown, it will feel safer and we will be doing our part in helping with the housing shortage. Why would we ever want to discourage development?</p>				
Strategic Implication: with Dashboard	Current <input type="checkbox"/>		Short Term <input type="checkbox"/>		Long Term <input checked="" type="checkbox"/>
Budget:	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>		Policy:		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Desired Outcome:	
Recommendation:	I recommend that we amend this bylaw so that it does not apply to pre-existing buildings in the Downtown Core. This will allow any potential Developers to convert some of the upper levels of these older buildings into more residential units.

Request for Decision – CAO Initial Review

Detail	Synopsis
Department: select all that apply	Governance/Legislative <input type="checkbox"/> Protective Services <input type="checkbox"/> Administration <input type="checkbox"/> Planning <input type="checkbox"/> Engineering Public Works <input type="checkbox"/> Parks and Recreation <input type="checkbox"/> Finance <input type="checkbox"/> Economic Development <input type="checkbox"/>
Decision Requested:	Operational Matter <input type="checkbox"/> Decision of Council Required <input type="checkbox"/> Policy Change <input type="checkbox"/> Other <input type="checkbox"/>
Background:	
Budget:	
Staff Workload:	
Policy:	
Response Options:	
Preferred Strategy:	
CAO Comments:	

TO: Council

SUBMITTED BY: Planning Department

DATE: October 10, 2023

SUBJECT: MPS Amendment Report Update

ORIGIN

At the September 11, 2023 meeting of the Council advisory Committee, Caroline Robertson presented the proposed amendments to the Municipal Planning strategy.

DISCUSSION

The attached report is an update to the September report, with minor changes outlined in red.

POLICY IMPLICATIONS

None.

BUDGET IMPLICATION

None.

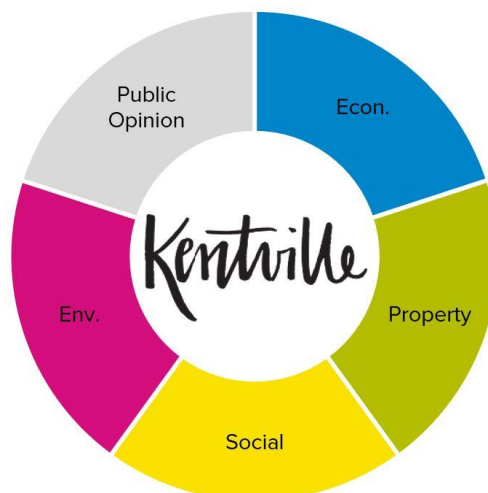
ATTACHMENTS

Revised MPS Amendment Report

RECOMMENDATIONS

None.

Town of Kentville Decision Wheel:





Municipal Planning Strategy Amendment Application

Consultation of neighbouring governing bodies

Applicant: Town of Kentville, as required by Department of Municipal Affairs

Presented to: Town of Kentville, Council

Date: August 15th, 2023

Prepared by: Fuki Asai, Junior Planner (Reviewed & Approved by Caroline Robertson, CIP LPP)



C+D community design

REPORT OVERVIEW

Request	<p>The existing Municipal Planning Strategy of the Town of Kentville does not comply with the Municipal Government Act. The province has made an amendment to the Municipal Government Act requiring that all Municipalities adopt planning documents and that the documents include policies on how they will engage with abutting municipalities when considering planning amendments.</p> <p>The Town of Kentville missed the deadline to meet this requirement and has been provided with an extension till fall 2023 to complete it.</p>
Description	<p>Engagement with Abutting Municipalities Municipal Government Act (MGA) Section 204A (1) requires engagement with abutting municipalities.</p> <p>To include this policy within the Town's Planning Documents, an amendment to the Municipal Planning Strategy (MPS) is required.,</p> <p><u>To determine the best recommendation for the Town of Kentville, our team compiled a document that reviewed other Nova Scotia Municipalities planning documents and compared the policies they adopted to meet the provincial requirements.</u></p> <p>In addition, our team worked with the Town of Kentville staff to identify abutting governing bodies as well as any shared resources or buildings,</p> <p>Council must now consider what policy would be the most suitable for the Town of Kentville to adopt.</p> <ol style="list-style-type: none"> 1. Who are the governing bodies surrounding the Town of Kentville that it would be essential to communicate planning matters with? 2. Are there municipalities that border Kentville or that your government frequently collaborates with? 3. Do you have any shared buildings, services, or resources? Is there a nearby reserve that should be included in planning matters? 4. How much would you like to engage the other municipalities in planning matters? 5. Would you want to notify them whenever a development agreement or planning amendment is considered within a certain distance of the municipal boundary or a shared asset? Or would you prefer only to engage them during Municipal Planning Strategy reviews and amendments?
Recommendation	<p>Our team has developed several policy recommendations for Council to consider adopting into their Municipal Planning Strategy.</p> <ol style="list-style-type: none"> 1. It is recommended that Council consider adopting a policy that will support planning cooperation between the Town and the Municipality of Kings County. 2. The province offers a list of Statements of Interest to which Municipalities are expected to incorporate into their Planning Documents. One of these statements is to protect the quality of drinking water within municipal water supply

	<p>watersheds. Working with the Municipality of Kings County to ensure that all watersheds are adequately protected would be an excellent use of this policy.</p> <p>3. We have prepared draft policy amendment outlining how abutting municipalities will be notified in the future.</p>
Relevant Policies and Legislation	<p>Municipal Government Act 214(1)(d) & 204A (1)(2)(3)</p> <p>Municipal Planning Strategy Chapters 11 & 15</p> <p>G62 Public Participation Policy (Policy will require revisions)</p> <p>G64 Public Engagement and Participation at Council Meetings</p>
Follow Up Action	<p>The Municipal Government Act requires that Municipalities adopt a Public Participation Program Policy that outlines their public engagement process at the Planning Advisory Committee level when considering an amendment to their planning document. Section 214 (4) of MGA, Section 4 (d) of the Minimum Planning Requirements Regulations, “a statement of policy describing the procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice” s required.</p> <p>The Town of Kentville has policy G62 Public Participation Policy. As the Town does not have a Planning Advisory Committee, the requirements of this policy are completed at Council’s committee meetings.</p> <p>This application will require the following steps:</p> <ol style="list-style-type: none"> 1. Public Participation Program to consider the proposed amendments. 2. 1st Reading (Council) 3. Public Hearing (Council) 4. 2nd Reading (Council)

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Policy Regarding Municipal Cooperation

The Proposal

Add new policies guiding cooperation with the abutting municipalities in part for Municipal Service (Chapter 11 in the MPS 2019) and Implementation (Chapter 15).

The Town of Kentville MPS will comply with Section 204A (1) from MGA by adding the proposed new policies.

Proposed Policies:

A) New Policy MS-2 (Chapter 11 –11.2.1)

Council shall inform the Municipality of the County of Kings when improvements and/or major maintenance are planned for the shared water utility owned by the Town that extends into the County of Kings.

B) Amend Existing Policy MS-5 (Chapter 11 –11.2.1)

It shall be the intention of Council to work cooperatively with municipalities and other levels of government to promote the conservation, protection and management of groundwater resources through committees and authorities such as Kentville Water Commission, Kings Regional Sewer Committee, and Valley Regional Solid Waste-Resource Management Authority (Inter-Municipal Service Agreement).

C) Amend Existing Policy MS-15 (Chapter 11 -11.2.1.6)

It shall be the intention of Council to request support and encourage that the Municipality of the County of Kings to implement planning and land use control provisions that protect the quality of water supply from the Wellfield area and Lake McGee, consistent with the recommendations of the Kentville Water Commission Source Water Protection Plan (SWPP) and the Source Water Protection Advisory Group Standing Committee of Council, which includes Staff from the Municipality of Kings County, for those lands in the County which are located within the Wellfield area.

D) New Policy IM-17 (Chapter 15 –15.11)

Council shall notify the Municipality of the County of Kings when considering amendments to the Municipal Planning Strategy. This will include sending a copy of the Planner's report to their Council. If an amendment to the Municipal Planning Strategy, with a site-specific focus, is within 150 m from a shared boundary. In that case, Council shall include a letter requesting feedback to the County of Kings Council and a copy of the Planner's report.

Policy Analysis

A review of Municipal Planning Strategies from towns throughout Nova Scotia showed that most towns are cooperating with the abutting municipalities for shared municipal services (e.g., drinking water, sewage, etc.), protection of the quality of drinking water, and implementation of significant changes that may impact the abutting municipalities.

From these examples, we have proposed four policies: A and B are for cooperation of municipal services, C is for protecting the water quality, and D is a statement to cooperate when significant changes to planning are being considered within the Town.

Proposal Policy A)

Add as new Policy MS-2 (Chapter 11, 11.2.1 -after current MS-1 in page 54)

Council shall inform the Municipality of the County of Kings when improvements and/or major maintenance are planned for the shared water utility owned by the Town that extends into the County of Kings.

Currently, the Town's Municipal Planning Strategy (MPS) lacks a statement on the cooperation with the Municipality of the County of Kings on the water service. The water service owned by the Town of Kentville extends into the County of Kings to the north and south. However, the policies in the MPS do not cover communication with the County; when improvements or maintenance are planned for the service, the residents of the County of Kings may be affected. To prevent conflicts between two municipalities, the Town shall be transparent about the plans for the water service.

This proposed policy will cover the cooperation and communication between the Town and the County. By being more transparent on the plans for the water services, the Councils and residents of the County will be updated on the condition of the infrastructure and any improvements as necessary.

Based on this proposed policy, the Town shall communicate with the County and refer to the County's opinion through letters and meetings through Kentville Water Commission. To incorporate the opinions from the County, this communication shall be done in the early stages of the planning process.

Once the draft plans on the maintenance or future water service plans are made, it shall be sent to the County for their review which can be done through the Kentville Water Commission. Comments from the Town will be considered on any relevant plans.

Proposal Policy B)

Amend Existing Policy MS-5 (Chapter 11, 11.2.1 in page 57)

It shall be the intention of Council to work cooperatively with municipalities and other levels of government to promote the conservation, protection, and management of groundwater resources through resources through committees and authorities such as

Kentville Water Commission, Kings Regional Sewer Committee, and Valley Regional Solid Waste-Resource Management Authority (Inter-Municipal Service Agreement).

In the current Municipal Planning Strategy, there is the policy MS-5 stating:

“It shall be the intention of Council to work cooperatively with municipalities and other levels of government to promote conservation, protection and management of groundwater resources.”

However, this policy does not explain how the Town will work cooperatively with the municipalities. The Town has functioned in collaboration with the Kentville Water Commission, Kings Regional Sewer Committee, and Valley Regional Solid Waste-Resource Management Authority in the past. By adding the specific names of committees and authorities, the policy will become clearer on the positioning of the Town and the ways that the Town is operating the municipal services.

Proposal Policy C)

C) Amend Existing Policy MS-15 (Chapter 11 -11.2.1.6)

***It shall be the intention of Council** to ~~request support and encourage~~ ~~that~~ the Municipality of the County of Kings to implement planning and land use control provisions that protect the quality of water supply from the Wellfield area and Lake McGee, consistent with the recommendations of the Kentville Water Commission Source Water Protection Plan (SWPP) and the Source Water Protection Advisory Group Standing Committee of Council, which includes Staff from the Municipality of Kings County, for those lands in the County which are located within the Wellfield area.*

The proposed amendment policy C protects the water supply under 11.2.1.1 (page 54) of the Municipal Planning Strategy.

The backup water supply for the Town of Kentville comes from McGee Lake, located outside the town’s boundary. The primary water source is the collection of wells on the west side of Town. The Source Water Protection Plan states the groundwater protection on the town's western side, the Wellfield area adjacent to the Town’s boundary.

While these water sources are either in the County or overlapping the Town and the County’s boundaries, there are no adopted policies in the Municipal Planning Strategy that states cooperation between the Town and the County to protect the water quality. Without cooperation, the water quality standards, and the level of water protection between the Town and the County may differ. When one has lower standards, the water quality will not be protected and is hard to maintain since the water pollution can flow through the ground into another. Additionally, by working together, the water quality will be protected more efficiently.

Based on this policy, the Town will support and encourage the County to protect the quality of their water supply. As the lake within the County’s boundary is a potential water source, the Town cannot directly impact development around the lake. However, the surrounding

environment may impact the water quality, such as forests and land uses; the Town shall support by monitoring developments and environmental changes that may impact the water quality. Because of this, by adding this policy to cooperate with the County, the water source will be adequately protected more efficiently.

Proposal Policy D)

Add as new Policy IM-17 (Chapter 15, 15.11 -after current IM-16 in page 78)

D) New Policy IM-17 (Chapter 15 –15.11)

Council shall notify the Municipality of the County of Kings when considering amendments to the Municipal Planning Strategy. This will include sending a copy of the Planner's report to their Council. If an amendment to the Municipal Planning Strategy, with a site-specific focus, is within 150 m from a shared boundary. In that case, Council shall include a letter requesting feedback to the County of Kings Council and a copy of the Planner's report.

The Town is surrounded by the Municipality of County of Kings; significant developments within the Town boundary may impact the County of Kings. To prevent potential conflicts between the Town and the County, it is essential to provide notification of Municipal Planning Strategy amendments and provide the opportunity to incorporate the opinions of the Municipality of County of Kings' Councils and residents for Development Agreements or Municipal Planning Strategy Amendments within 150m of a shared boundary.

Examples of planning subjects that may impact the County are industrial and recreational developments. There is an opportunity to collaborate and connect recreational infrastructure between the two municipalities. Industrial uses may impact air and water quality within the County.

Recommendation

It is recommended that Council adopt the proposed policy additions to adhere to the Municipal Government Act Requirements for engaging abutting Municipalities as we move through the amendment process. A policy amendment is required.

Public Participation Process Requirements

G62 Public Participation Policy (Planning) states below:

1. One Public Participation Meeting shall be held before placing the first notice for a public hearing for amendment of Planning documents, including Municipal Planning Strategy Amendments, concurrent Land Use By-Law amendments, and changes to the Subdivision By-law.
2. Advertise the date and time for the meeting and a description of the proposed amendment in the local newspaper once a week for two consecutive weeks—the first ad to appear at least fourteen clear days before the meeting.
3. A notice of the meeting will be posted at the Town Hall on or before the date of the first newspaper advertisement.
4. The meeting will be open to all members of the public and will allow the public to ask staff or Councillors questions and make a presentation to staff of no more than 10 minutes.
5. Information regarding the proposed amendments will be made available to the public at the Town Hall, which will include such things as staff reports, drafts of the proposed amendment and the submissions made by the applicant.

Policy Regarding Public Consultation in the Review Process of MPS

The Proposal

The Municipal Government Act requires that a Municipality adopt a policy to provide public consultation when reviewing their planning documents. This process is called the Public Participation Program.

The Current policy “Town of Kentville Policy Statement G62 Public Participation Policy (Planning) require that for any new Municipal Planning Strategy and concurrent Land Use by-Law approvals, or amendments thereto; or any new Subdivision By-Law, or amendment thereto, on Public Participation Meeting shall be held (before placing the first notice for a public hearing). The date and time for the meeting and a description of the proposed planning document shall be advertised in the local newspaper once a week for two consecutive weeks.

It is recommended that Council add to section 4.0 Procedures of the policy if the above changes be adopted into the Municipal Planning Strategy.

Recommended statement addition:

When a Public Participation Program is required, Council shall notify the Municipality of the County of Kings of the public meeting and send a copy of the Planner’s report to their Council. If a Public Participation Program has a site-specific focus and is within 150 m of a shared boundary, then Council shall request feedback from the County of Kings Council.

Timeline:

A policy amendment requires a motion at Council, the CAO will review and approve any necessary policy changes.

Policy Examples

	Amherst	Annapolis Royal	Antigonish	Bridgewater	Digby	Lunenburg	Mahone Bay	New Glasgow
Municipalities Cooperation			X	X	X	X		
Municipal Infrastructure	X	X			X	X	X	X
Environment Climate Change		X			X			
Residential								
Economic/Industrial					X		X	
Transportation			X	X				
Implementation								

	Oxford	Port Hawkesbury	Stewiacke	Trenton	Truro	Wolfville	Yarmouth	Inter-Munic*
Municipalities Cooperation					X	X		
Municipal Infrastructure		X	X	X	X		X	X
Environment Climate Change		X			X	X	X	
Residential		X		X				
Economic/Industrial		X		X		X		
Transportation					X			
Implementation				X				
Others	X	X		X	X			X

*Town of New Glasgow, Pictou, Stellarton, Trenton, and Westville have Inter-Municipal Planning Strategy.

*MPS was not found for Town of Clark's Harbour, Mulgrave, and Shelburne.

*There are no policy related to cooperation with abutting municipalities in the MPS for Town of Berwick, Lockeport, and Middleton

Municipal Planning Strategies from Towns in NS

Policies related to cooperation with abutting municipalities.

Town of Amherst		Issued in 2005, amended in 2020
Municipal Service	<p>Municipal Service Policy MSW Corporation (MS-8) (page 29)</p> <p>“It shall be the intention of Council to continue to cooperate with the Municipality of the County of Cumberland regarding the protection of the North Tyndal Wellfield where appropriate.”</p>	
Town of Annapolis Royal		Issued in 2019
Provincial Interest	<p>(page 6)</p> <p>“Policies relating to encouraging the protection of the Town’s source water supply, which is located outside of the Town in the adjacent Municipality, through municipal cooperation”</p>	
Part 7	<p>7. Environment and Conservation Areas Development (page 30)</p> <p>“Continue to co-operate with the Municipality of the County of Annapolis where the water supply is located.”</p> <p>7.10</p> <p>“Council shall encourage and support the Municipality to adopt source water protection plans and the adoption of land use regulations for the purposes of protecting the quality of water utilized for the Town’s municipal water supply.”</p>	
Part 13	<p>13. Town Infrastructure (page 41)</p> <p>Shared maintenance and operating cost responsibilities for town sewer system, which is the joint service agreements with the Municipality of the County of Annapolis.</p> <p>13.1.8</p> <p>“The Town will cooperate with the Municipality of the County of Annapolis to promote and ensure the protection of the Town’s source water supply area.”</p>	
Town of Antigonish		Issued in 2020
Section C C1 -Shaping the Town	<p>1.5 Engagement with Antigonish County (page C-8)</p> <p>Goal – Work together with Antigonish County to achieve mutual goals and remain the strong communication. Goal of Council to engage with and consider comments from Antigonish County in some decisions that will affect both, the Town and the County.</p> <p>ST22</p> <p>“Council shall complete required engagement with Antigonish County prior to the first notice for a public hearing being placed in any newspaper circulating in the Town.”</p> <p>ST23</p> <p>“Council shall engage with Antigonish County on matters concerning:</p>	

	<ul style="list-style-type: none">• Regional Transportation Planning and construction projects• Development proposals in the Fringe area• Facility Development• Economic Development Planning• Flood Mitigation and Stormwater Management Planning• James River Watershed Protected Water Area• Infrastructure Planning• Youth Engagement in Decision-Making”
Section C C8 - Transportation and Mobility	8.1 Mobility and Connectivity (page C-41) TM3 “Council shall seek cooperation with Antigonish County to promote the requirement of transportation impact studies for all proposed suburban development applications in the Fringe Area to consider impacts within the Town as well as the County. Studies provided by the applicant shall prioritize connectivity with the Town’s active transportation network.”
<u>Town of Berwick</u> Issued in 2012, amended in 2018	
Part 2	2.1 Community Context, Goals and Provincial Interests “The ability to solidify and enhance the role and position of the community of Berwick within the context of the ongoing growth within the Valley region represent a significant opportunity.” -> No specific policy for cooperation with abutting municipalities.
<u>Town of Bridgewater</u> Issued in 2014, amended in 2022	
Section 14 Transportation	14.4 Public Transportation Objectives (page 128) 14.4.1 Partnerships Explore the possibility initiating a regional public transportation system in the South Shore with the province, other municipal units and local groups and organizations. T-21 “It shall be a policy of Council to partner with different levels of government and stakeholders, where possible, to explore opportunities to help initiate a regional public transportation service in Lunenburg County.”
Section 17 Implementation	17.5 Public Participation Processes (page 139) IM-8 “It shall be the policy of Council to require the following notification standards when consulting with abutting municipalities as required by the Municipal Government Act: a) Notification shall occur under the following circumstances directed by Council: i. The creation or review of a Municipal Planning Strategy; or ii. The creation or review of a Land Use By-law; or iii. The creation or review of a Subdivision By-law; or

	<p>iv. The preparation of a draft Development Agreement, where the property is located within 500m of the Town Boundary; or</p> <p>v. The preparation of amendments to a Municipal Planning Strategy or Land Use By-law, where the amendment is for a property located within 500m of the Town boundary, or where the amendment has potential to impact a property located within 500m of the Town boundary; or</p> <p>vi. The preparation of amendments to a Municipal Planning Strategy or Land Use By-Law, where the amendment is associated with the Statements of Provincial interest.</p> <p>b) Notification shall be sent by regular mail or electronic mail to the Clerk to the adjacent municipality. The notice shall provide a general summary of the proposed work and provide an opportunity for the abutting municipality to submit comments on the proposal.</p> <p>c) Comments received from the abutting municipality shall be considered at a Council meeting prior to Council giving first reading.</p> <p>d) The notification and opportunity to submit comments prior to the date of the first reading shall be deemed as having solicited comments, regardless of whether a written response is received.</p>
Town of Clark's Harbour	
MPS not found.	
Town of Digby	Issued in 2012
Part 2	<p>2.2.1 Key Environmental Sustainability Issues Integration with the Municipality of the District of Digby's treatment system for sewage treatment plant. (page 10)</p> <p>2.3 ICSP (Integrated Community Sustainability Plan) projects (page 23-) Upgrading of Wastewater Treatment Plant, Collection System, Industrial Drive including sewer, water and road Construction, Household Hazardous Waste Depot -> Cooperative undertaking with the Municipality of the District of Digby.</p>
Part 3 Objectives	<p>Commercial and Industrial Objectives (page 29) Cooperate with the Municipality of District of Digby to promote new industrial activities.</p>

Part 3 Policies	<p>Municipal Infrastructure and Environmental Protection Policies (page 43)</p> <p>MI 3</p> <p>“It shall be the intention of Council to work cooperatively with the Municipality of the District of Digby in relation to the extension, integration and future development of municipal infrastructure and services, and in particular with respect to the Digby Area Industrial Park and the upgrading of the Town’s wastewater management system, to ensure fiscally and environmentally responsible growth within and adjacent to the Town.”</p>
<p>Town of Lockeport Issued in 1986 -only one available</p>	
No policies for cooperation with abutting municipalities.	
<p>Town of Lunenburg Issued in 2021</p>	
Chapter 1	<p>Drinking Water (page 3)</p> <p>As the water supply comes from outside of the Town’s boundary, the town is partnering with the Municipality of District of Lunenburg to protect the water.</p>
Chapter 3	<p>3.3 Infrastructure</p> <p>3.3.4 Service Extensions Outside of Town</p> <p>Policy 3-6</p> <p>Council shall, when considering a request for service extensions outside the Town boundary, have regard for:</p> <ul style="list-style-type: none"> (a) cost recovery to the Town for both capital and operational costs; (b) the effects on servicing capacity and serviceability of lands within the Town boundary; and (c) input from the Municipality of the District of Lunenburg.
Chapter 6	<p>Implementation and Review</p> <p>6.1 Administration</p> <p>6.1.5 Effective Date (page 37)</p> <p>Policy 6-3</p> <p>“This Municipal Planning Strategy and implementing Land Use By-law shall come into effect on the date that a notice is published in a newspaper, circulating in the Municipality, informing the public that the planning documents are in effect.”</p> <p>6.2 Regional Cooperation (page 37)</p> <p>6.2.1 Consultation with Adjacent Municipality</p> <p>While the MPS applies only to the lands within the Town. However, the activities in the town have potential to affect lands within the Municipality of the District of Lunenburg.</p> <p>Policy 6-4</p> <p>“Council shall consult with the Municipality of the District of Lunenburg when:</p>

	(a) adopting a new Municipal Planning Strategy to replace this one; and (b) when considering amendments to this Municipal Planning Strategy that would affect lands within 500 metres of the Town boundary”
Town of Mahone Bay	Issued in 2008, amended in 2016
Section 3	3.2 Water Supply (page 4) 3.2.5 “To continue to improve the protection of the Oakland Lake water supply through an Oakland Lake Watershed Advisory Committee including representatives from the affected landowners and the Council of the Municipality of the District of Lunenburg.” 3.9 Economic and Physical Growth (page 9) 3.10.4 “To continue to work co-operatively within groups such as the Regional Development Authority to promote economic development in and near the Town.”
Town of Middleton	Issued in 2018
No policies for cooperation with abutting municipalities.	
Town of Mulgrave	Issued on
MPS not found.	
Town of New Glasgow - Secondary Planning Strategy (Part of Inter-Municipal Planning Strategy)	Issued in 2015
Chapter 6	Water and Wastewater Services (page 15) NG-S-10 “Implementation of a regional Sewer Use By-law with other Towns that use the ERECC will be encouraged.” NG-S-13 “The Town shall work in concert with the other Towns through the East River Environmental Control Centre (ERECC) to ensure an efficient sewage collection and treatment program.”
Town of Oxford	Issued in 2009 (plan for 2009-29)
Part 4	Rural Development Objective (page 32) “To ensure that peripheral areas have a land use compatible with adjacent County lands.”
Town of Pictou	
MPS is under Inter-Municipal Planning Strategy – summary at the end of this doc	
Town of Port Hawkesbury	Issued in 2010, amended in 2022

Part 3	<p>Cape Breton Regional Housing Authority (page 21) The Town is working with the Cape Breton Regional Housing Authority. L-1.16.0 “It shall be the intention of Council to work with the Cape Breton Regional Housing Authority as the appropriate means for direct involvement in the management of residential development projects.”</p> <p>Supporting Regional Industry (page 32) L-3.5.0 “It is the intention of Council to support the Strait of Canso Port Master Plan. Council will continue to work with other municipalities to guide the development of this project.”</p>
Part 4	<p>Drinking Water (page 38) CD-2.1 “It shall be the intention of Council to seek the assistance of the Councils of the Municipalities of Inverness and Richmond to restrict development in the Landrie Lake Watershed. Further, Council shall urge the Department of Environment to maintain the protection of the Landrie Lake Watershed Area by prohibiting all development not compatible with watershed protection regulations.”</p> <p>Wastewater Treatment (page 38) CD-2.3 It shall be the intention of Council to invest in a generator for the wastewater treatment plant to protect against untreated sewage dumps in the Strait in the event of a prolonged power outage. Solid waste disposal is currently handled on a cooperative arrangement with the other municipalities in the Canso Strait area by a single solid waste site located in Guysborough County.”</p> <p>Inter-municipal Interests (page 43) CD-4.16 “It shall be the intention of the Town to continue cooperating with the other municipal units to provide programs and services for the benefit of all residents within the Strait area.”</p> <p>Action on Climate Change (page 46) CD-5.2.6 “It shall be the intention of Council to investigate the feasibility of hiring a regional sustainability coordinator, either alone or in cooperation with other Strait Area municipalities, to implement the numerous initiatives suggested in the Partners for Climate Protection Milestone 3 Report.”</p>
Town of Shelburne	

MPS not found.	
Town of Stewiacke	Issued date: NA
Part 8 (page 47)	<p>Water Supply Policies</p> <p>Policy WS-6</p> <p>“With respect to the watershed area located outside of the Town, Council shall encourage the Municipality of the County of Colchester to again consider establishing planning controls to protect the water supply, consistent with the goals and objectives of the Provincial Water Strategy.”</p>
Town of Trenton	Issued in 2002
Municipal Infrastructure	<p>Water Supply</p> <p>Policy MI-11 Protection (page 15)</p> <p>“To ensure adequate measures are undertaken to provide for the long term viability and protection of the Town's water supply including:”</p> <p>“2. the development of a inter-municipal strategy between the Town of Trenton, the County of Pictou and the Town of New Glasgow to ensure the long term protection of the groundwater recharge area for Trenton's well-field;”</p> <p>“6. inter-municipal co-operation with other municipalities in Pictou County to develop a regional strategy for the supply of water services to Pictou County.”</p> <p>Policy MI-16 East River Pollution Abatement System (page 16)</p> <p>“To continue to co-operate with other municipalities in Pictou County through the East River Pollution Abatement System to provide an efficient sewage collection and treatment program.”</p> <p>Policy MI-20 Solid Waste Disposal (page 16)</p> <p>“It shall be the intention of Council to continue to co-operate with the other municipalities in Pictou County through the Pictou County Solid Waste Management System to provide a regular and efficient waste management collection program which meets or exceeds provincial standards and to maintain a safe and efficient site for its disposal.”</p> <p>Policy MI-21 Recycling (page 17)</p> <p>“It shall be the intention of Council to continue to co-operate with the other municipalities in Pictou County through the Pictou County District Planning Commission to provide a regular and efficient recycling program”</p> <p>Policy MI-22 Composting (page 17)</p> <p>“It shall be the intention of Council to continue to co-operate with the other municipalities in Pictou County through the Pictou County District Planning Commission System to provide a regular and efficient composting program.”</p>

Future Residential Development	Policy R-22 Municipal Cooperative Planning (page 25) “To undertake studies and engage in discussions with the Municipality of the County of Pictou and/or the Municipality of the Town of New Glasgow to evaluate the benefits of co-operative planning and annexations of lands for future residential development.”
Airport Operation	Policy AP-10 Inter-municipal Regulations on Height (page 37) “Council shall cooperate with County of Pictou, the Town of New Glasgow and Transport Canada to ensure regulations to control the height of development are observed.”
Industrial Development	Policy M-1 Industrial Land Requirements (page 40) “In co-operation with economic development agencies in Pictou County, to assess the volume and type of medium and long term industrial land requirements for Pictou County and examine the role of the Town in meeting these needs.”
Implementation	Land Use By-Law Administration Policy IM-7 “It shall be the intention of Council that the Development Officer, employed by the Pictou County District Planning Commission or one appointed by Council to act as its Development Officer, shall administer the land use By-law and issue development permits.”
Town of Truro Issued in 2018, amended in 2018	
Part 5 Commercial	5.6 Intermunicipal Planning Strategy (page 5-27) Policy C-61 “It shall be a policy of Council to honour its obligations under the Truro-Colchester Inter-Municipal Planning Strategy on Interjurisdictional Properties and work with the County on applications requiring planning approvals within the Inter-Jurisdictional Boundary as shown on Figure 5.1.”
Part 9 Environmental Management	9.2.5 Ongoing Flood Monitoring (page 9-5) Policy E-8 “It shall be a policy of Council to consider participating in any flood monitoring initiatives designed to record flood event characteristics and pursuing partnerships with the County of Colchester, the Province of Nova Scotia, Government of Canada and any other interest group that has a stake in flood related issues.”
Part 10 Infrastructure	10.3 Transportation Projects Policy IN-12 (page 10-6) “It shall be a policy of Council to, in conjunction with Colchester County and the Department of Transportation and Infrastructure Renewal, to undertake a regional transportation plan to develop a list of priority infrastructure projects in the Truro Region.” Policy IN-17 (page 10-9)

	<p>“It shall be a policy of Council to encourage the Provincial Department of Transportation and Public Works and the County of Colchester to work toward securing rights-of-way for the future ring road.”</p> <p>10.7 Solid Waste Management Policy IN-35 (page 10-17) “Therefore it shall be a policy of Council to continue to work with the Municipality of the County of Colchester with respect to the capital costs, operation and maintenance of the Colchester Balefill Facility.”</p>
Town of Westville	
MPS is under Inter-Municipal Planning Strategy – summary at the end of this doc	
Town of Wolfville	Issued in 2020
Part 1	<p>1.4 Provincial and Regional Coordination (page 12) 1.4.2 Regional Coordination “1. To have regard for the Statements of Regional Interest as outlined in the Kings 2050 Regional Approach Report. 2. To be open to collaborating with the County of Kings and other regional partners on regional land use planning, climate change mitigation on and adaptation, environmental protection, recreation, transit, economic development and other matters. 3. To include in the Town’s Public Participation on Program Policy provisions to ensure engagement with abutting municipalities.”</p>
Part 2	<p>2.3.2 Economic Prosperity “To encourage a range of local and regional partnerships that enhance economic development within the Town.”</p>
Part 4	<p>4.3 Agriculture and Greenbelt (page 36) 4. “To encourage co-operation on with the Municipality of the County of Kings in the protect on and preservation on of agricultural land in the areas adjacent to the Town boundary.”</p>
Town of Yarmouth	Issued in 2016, amended in 2023
Part 8	<p>Open Space Zone (page 93) Policy 8.8 “(2) To encourage and support the efforts of the Municipality of Yarmouth to continue the linear park system along Yarmouth Harbour to Bunker’s Island to the south as well as along Lake Milo to the north and the extension of the railway rights-of-way to create a regional park trail network.”</p>
Part 9	<p>Water Treatment (page 105) Policy 9.11 “It shall be the intention of Council to cooperate with the Municipality of Yarmouth to preserve and enhance the watershed environment so as to maintain water quality and quantity for future generations.”</p>

	<p>Policy 9.13 “It shall be the intention of Council to cooperate with the Municipality of Yarmouth to promote efficiently planned extensions of the municipal water services into the municipality by mutual agreement where such extensions are deemed mutually appropriate, timely and financially beneficial.”</p> <p>Policy 9.14 “It shall be the intention of Council to service new areas in the Municipality of Yarmouth by requiring water distribution main extensions to be connected to the 60.9 mm (24 in.) water transmission main”</p> <p>Fire Protection (page 114) Policy 9.38 “To work with the Yarmouth Fire Department* to ensure that the Town continues to maintain adequate fire protection services.” *The Yarmouth Fire Department is part of the Municipality of Yarmouth and Acadia First Nation reserve.</p> <p>Emergency Readiness (page 115) Policy 9.40 “Update and implement the Town and Municipality of Yarmouth Joint Emergency Measures Organization Emergency Readiness Plan as and when necessary.”</p>
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Town of New Glasgow, Pictou, Stellarton, Trenton, and Westville

Inter-Municipal Planning Strategy		Effective from 2016
Chapter 5.1 Municipal Infrastructure	<p>Policy SW-1 Solid Waste Disposal (page 17) “The Towns shall continue to co-operate and promote through public education a viable Pictou County solid waste management system, including refuse, recyclable and compostable materials, to provide a regular and efficient curb-side waste management collection program to provincial and municipal legislative standard.”</p>	
Chapter 5.9 Recreation	<p>Policy P-3 Co-operation with School Board, NSCC, and Others “Chignecto Central Regional School Board, Nova Scotia Community College and other organizations and the Towns shall cooperate to provide recreational opportunities and shared use of recreational facilities.”</p>	

TO: Council

SUBMITTED BY: Planning Committee

DATE: October 10, 2023

SUBJECT: Rezoning Report Update

ORIGIN

At the September 11, 2023 meeting of the Council advisory Committee, Caroline Robertson presented a rezoning application for a property on Prospect Avenue to permit a single-unit dwelling.

DISCUSSION

The attached report is an update to the September report, with minor changes outlined in red.

POLICY IMPLICATIONS

None.

BUDGET IMPLICATION

None.

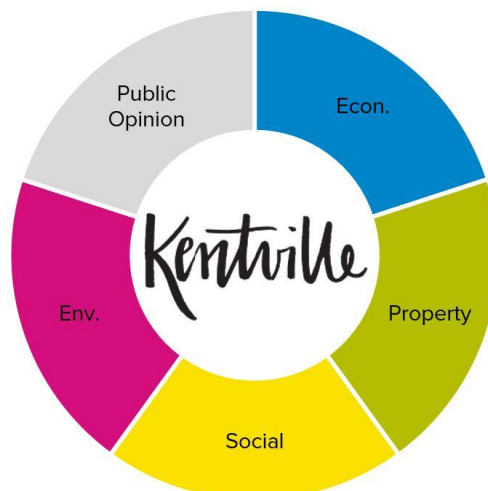
ATTACHMENTS

Revised Rezoning application.

RECOMMENDATIONS

None.

Town of Kentville Decision Wheel:





PROPOSED SINGLE UNIT DWELLING

Application to Amend the Land Use By-Law to Rezone to R1

PID # 55112999

Prospect Avenue, Kentville

Applicant:

Date: August 2023

Prepared by: Fuki Asai, Planner

Presented to the Planning Advisory Committee



C+D community
design

REPORT OVERVIEW	
Request	We have received an application to rezone PID #55112999 (Prospect Avenue) to permit the development of a single-unit dwelling.
Description	<p>The Authorized Agent, Stuart Kennie (on behalf of Bentley Built Homes), has applied to rezone a portion of PID 55112999 from a Large Lot Residential (R5) zone to a Single Unit Dwelling (R1) zone to develop a single-unit dwelling.</p> <p>This rezoning was requested to allow the proposed single-unit dwelling to be constructed on the property. The Large Lot Residential (R5) zone has a minimum area of 60,000 ft² and frontage of 200 ft, while the minimum lot area and frontage requirements in the Single Dwelling (R1) zone are 5,000 ft² and 50 ft. By rezoning this property, the proposed development will be possible.</p> <p>The subject property is zoned “Large Lot Residential” (R5). Council applied this zoning to several large tracts of land in Kentville. Many of the R5 lots are not serviced, and there are no immediate plans for development.</p> <p>In the Town of Kentville, the property owner is responsible for the cost of running the required services. The property owner can build a single-family dwelling with R5 or R1 zoning. If development occurs, these services must be installed.</p> <p>The proposal meets all the requirements of the single-unit dwelling zone. The proposal is consistent with existing uses in the area. In addition, this rezoning aligns with the Council’s vision to increase residential development thoughtfully, which is stated in the Municipal Planning Strategy; by rezoning to R1, the remaining area of the property will be left available for future development. For this reason, it is recommended that the Council approve the application.</p>
Recommendation	<p>It is recommended that council APPROVE the proposal to:</p> <p>To rezone <u>a portion of</u> PID 55112999 from Large Lot Residential (R5) zone to Single Unit Dwelling (R1) zone.</p>
Relevant Policies and Legislation	<ul style="list-style-type: none"> • Municipal Planning Strategy • Land Use By-Law • Town of Kentville Policy Statement G62 Public Participation Policy (Planning) • Town of Kentville Policy Statement G64 Public Engagement and Participation at Council Meeting
Follow Up Action	<p>As the Town does not have a Planning Advisory Committee, the requirements of this policy are completed at Council’s committee meetings.</p> <p>This Application Requires the Following Steps: *** A public participation program is not required for a land use by-law amendment (rezoning)</p> <ol style="list-style-type: none"> 1. 1st Reading (Council) 2. Public Hearing (Council) 3. 2nd Reading (Council)

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Application

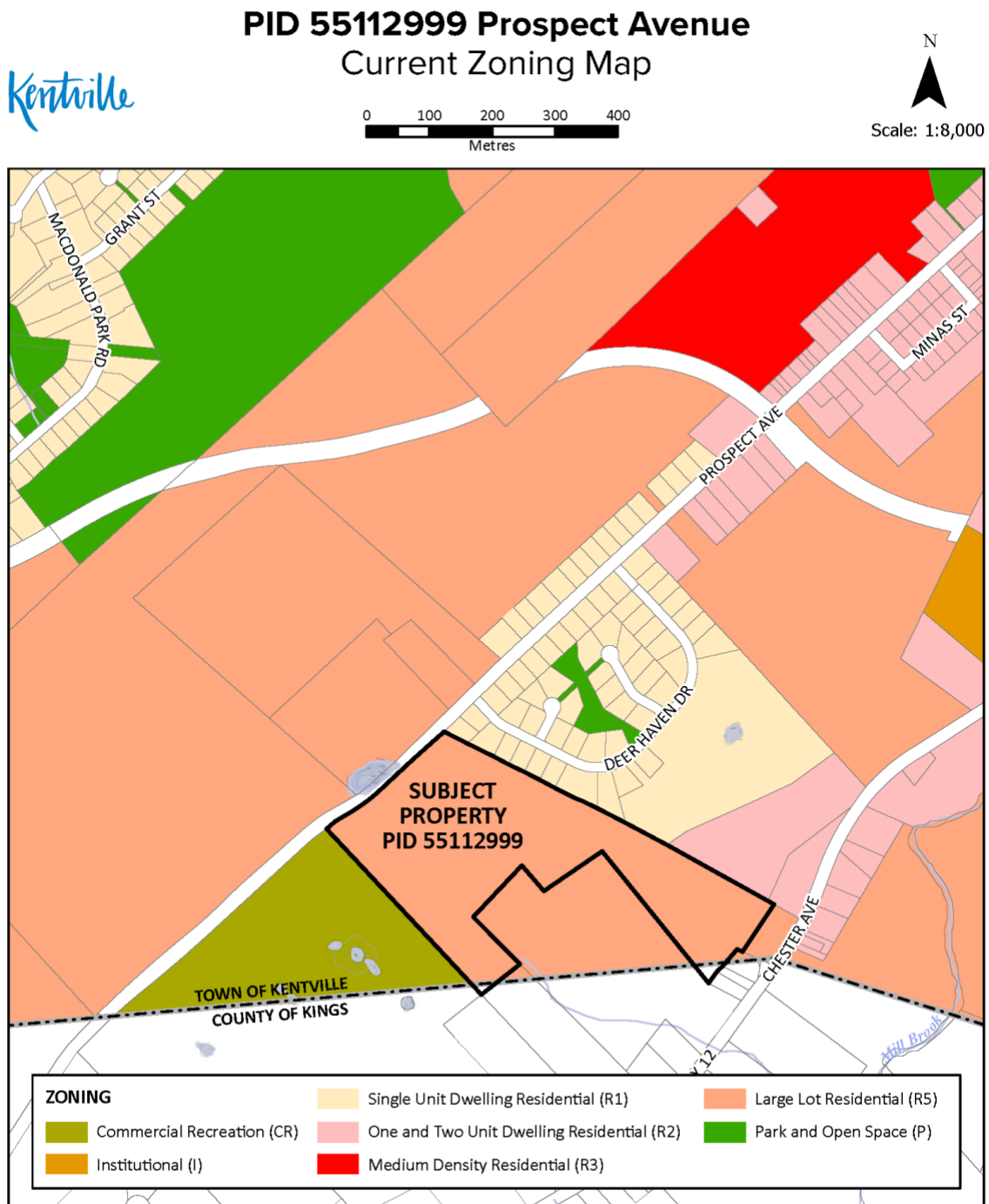
We have received an application to rezone a portion of PID 55112999, Prospect Avenue. The rezoning will be from a Large Lot Residential (R5) to a single-unit dwelling (R1) zone to reduce the lot area and frontage requirements for a single-family home.

The Proposal

The proposed property is vacant and yet to be developed. The municipality has approved a development permit to construct a single-unit dwelling on this property. However, construction has yet to commence. The property is now zoned Large Lot Residential (R5) zone because of the size of the lot and the lack of access to municipal services. The adjacent properties are zoned Residential Single Unit Dwelling (R1) and Commercial Recreation (CR) zones (See figure 1)

The applicant has proposed a new building that will be used as a single-unit dwelling on the subject property with 12,940 ft² and 80 ft frontage with the hopes of split zoning a portion of the larger property from R5 to R1, permitting higher density on the lot and allowing the property owner to build closer to the road and maintain future possibilities for the remainder of the lot.

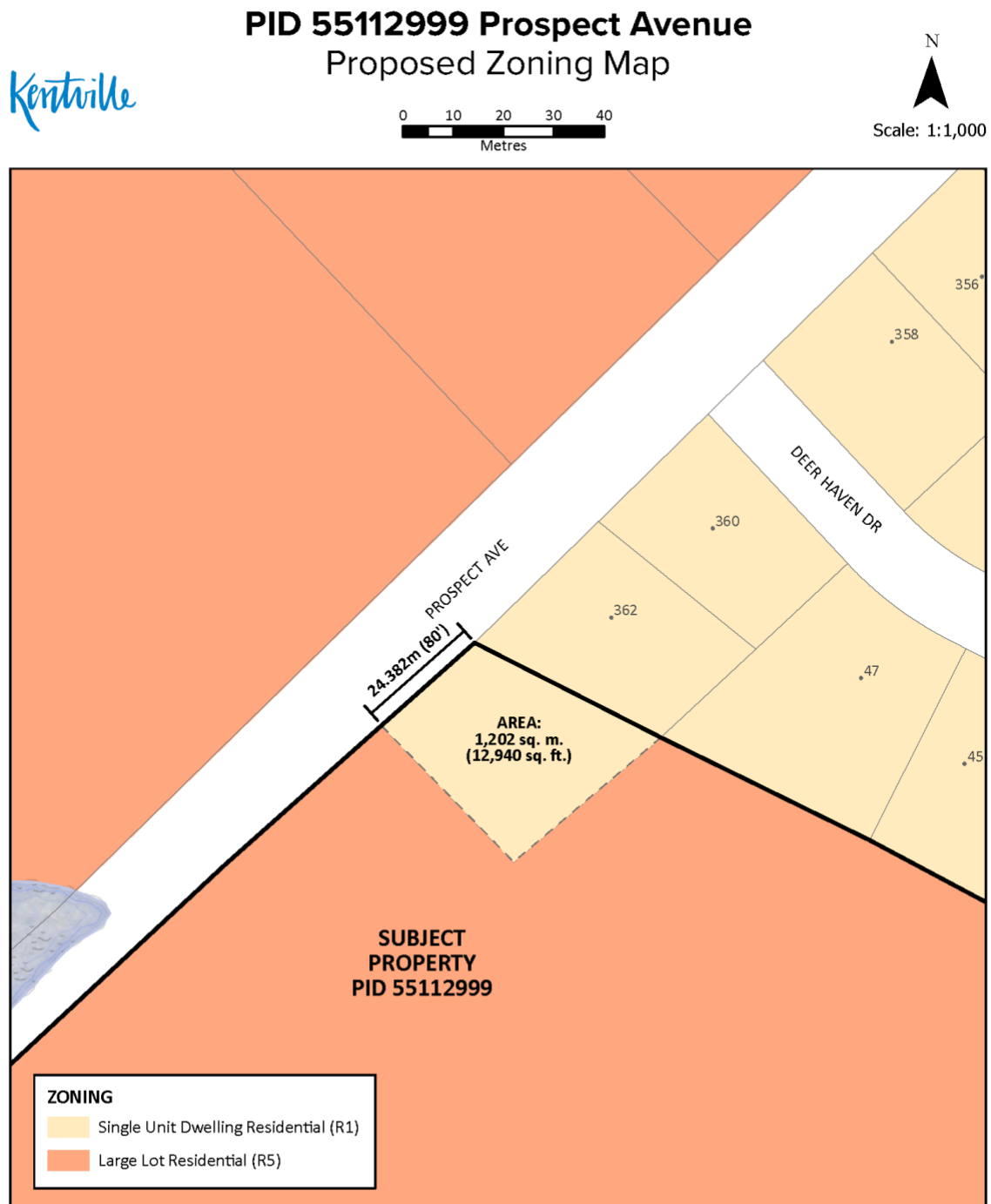
The existing R5 zoning permits single-unit dwellings; however, the applicant wants to rezone to a smaller portion to better utilize minimum frontage and lot requirements. R5 Zoning was created to be applied to larger lots that do not have Municipal Services. The property owners will be responsible for the cost to extend the water, sewer, and storm services to the end of their property, regardless of a re-zoning approval from Council. Council intends to pave the extension of Prospect Avenue.



This map is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Any interpretation of this map must be confirmed with the Municipality in which the property is situated. To receive further clarification about the use of this Planning Document inquiries may be made to the Town of Kentville's Planning and Development Department.

Property Source: Nova Scotia Property Records Database (NSPRD), Compliments of the Nova Scotia Geomatics Centre (NSGC), Service Nova Scotia and Municipal Relations, 160 Willow Street, Amherst, Nova Scotia, Canada

Figure 1 Existing Zoning Adjacent to Subject Property



This map is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Any interpretation of this map must be confirmed with the Municipality in which the property is situated. To receive further clarification about the use of this Planning Document inquiries may be made to the Town of Kentville's Planning and Development Department.

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Figure 2 Proposed Re-Zoning Map

MADDIE & BRANDON GALLANT

PROPOSED NEW HOME PROJECT



Figure 3 Proposed Home Design

Policy Analysis

Land Use By-Law

The Land Use By-Law permits Single Unit Detached Dwellings in R1 and R5 zones. Requirements for lot area, frontage, and yard size differ between these zones. Policy 5.6.4 of the Land Use By-Law, R5 zones require a larger lot area of 60,000 ft² with 200 ft of frontage. Policy 5.2.4 of the Land Use By-Law sets the minimum requirements for the R1: a minimum of 5,000 ft² for the lot area and 50 ft for the frontage. (See Table 1 for the comparison.)

The subject property, PID 55112999, has a lot area of 28.39 acres, and the frontage is over 243 meters. The proposed area of the lot requesting a split rezoning is 12940 sq ft and 80 ft of frontage. Town staff have reviewed the application to ensure that all requirements listed in the Municipal Planning Strategy have been met. **If Council approves this application to re-zone a portion of PID 55112999 from R5 to R1, the property owner would be permitted to move forward with the intended single-family dwelling development following the R1 lot requirements.**

Table 1 Comparison of Lot Requirements between Zones

	R1 zone -proposed zone-	R5 zone -current zoning-	Subject Property
Lot Area (ft ²)	(minimum) 5,000 ft ²	(minimum) 60,000 ft ²	12,940 ft ²
Frontage (ft)	(minimum) 50 ft	(minimum) 200 ft	80 ft

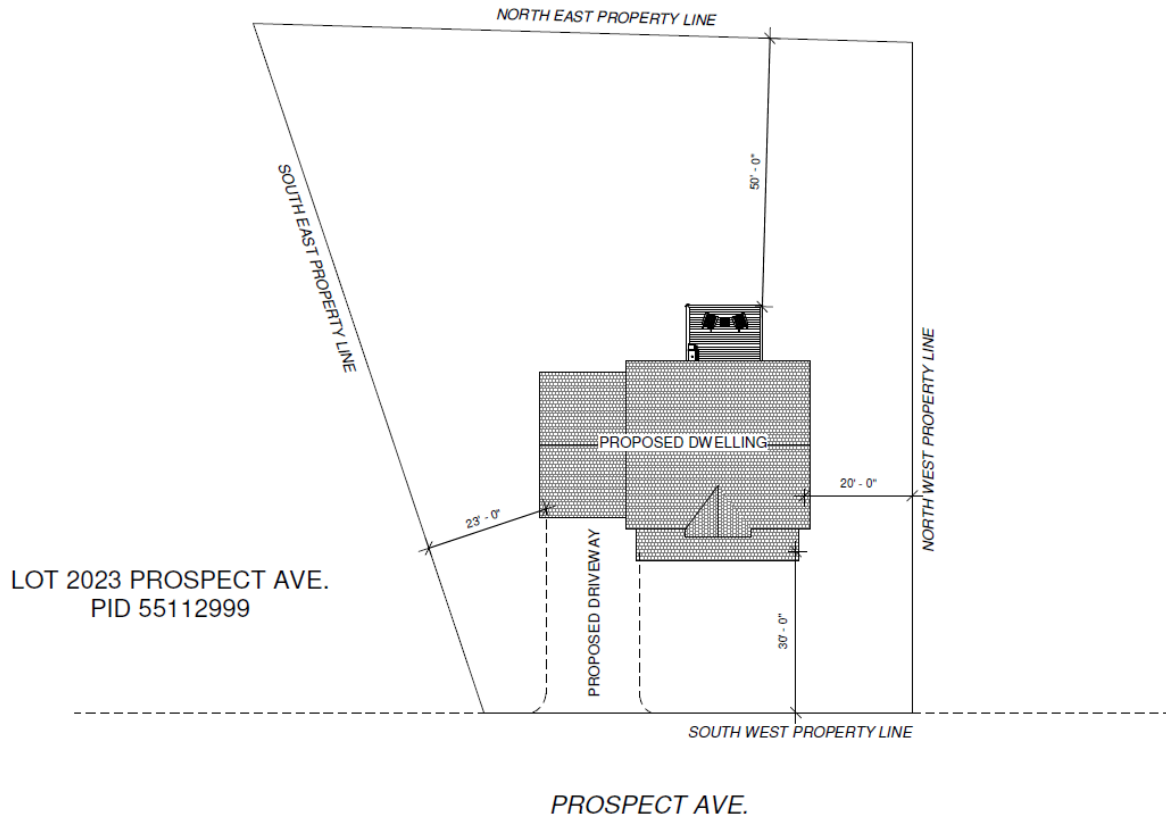


Figure 4 Proposed Lot Configuration for Single-Family Dwelling Development

Additional relevant policies from the Land Use By-Law for this application are listed in [additional materials](#).

Municipal Planning Strategy

Based on the Municipal Planning Strategy 5.1 and 5.2.2.5 in Chapter 5 Residential, **this rezoning aligns with the Council's vision to increase residential development thoughtfully.**

(Added on Sept 20)

(5.1 Objectives and Goals)

Goal: To provide housing to meet the needs of all Nova Scotian's

This Municipal Planning Strategy recognizes the changing demographics and the need not only for a full range of housing types, but also the growing need 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 within.

Objectives:

- 1. To meet the mandate of the Province relating to housing opportunities for all of Kentville's citizens, particularity for those citizen of low to moderate income;*
- 2. To provide a variety of housing types to accommodate the various needs and desires of Town residents;*
- 3. To protect the character and development form of established residential neighbourhoods;*
- 4. To encourage residential infill development on appropriate under-utilized lands;*
- 5. To ensure that future residential development occurs in suitable locations with adequate water, sanitary sewer, storm sewer, transportation and recreational services available;*
- 6. To actively promote and facilitate the development of housing within the town in order to attract a greater proportion of the regional housing market; and*
- 7. To encourage the conservation, retention and improvement of the existing housing stock.*

(5.2.2.5 Large Lot Residential (R5) Zone)

Council wishes to encourage the orderly development of these lands to accommodate future growth while avoiding costly extensions to municipal infrastructure and services.

According to the Municipal Planning Strategy 11.2.6.3, Policy MS-20, **whether this application is approved or not, the owners must pay the total cost of extending the water, sewer, and storm services to the end of their property.**

(Added on Sept 20)

(11.2.6.3 Financing Responsibilities)

Policy MS-20

It shall be the intention of Council to require that the developer/land owner pay the costs of municipal service extensions.

The Municipal Planning Strategy 15.9.2 states that **the rezoning will allow the property to develop for more intensive use.** Council will undertake a detailed evaluation of the proposed development before deciding on a rezoning application. To ensure that all potential land use impacts are considered, Council will adopt evaluative criteria specifically designed to assess rezoning applications.

It is important to note that based on the statements in the Municipal Planning Strategy 15.9.2.1 and Policy IM-8, **a rezoning differs from a development agreement** and that the detailed plans provided by the developer will not necessarily result from the re-zoning process.

(Added on Sept 20)

(15.9.2.1 Rezoning Requirements)

Council is aware that there is no legal agreement binding the developer to a proposal submitted as part of rezoning application, but this exercise will help Council evaluate potential land use impacts related to the rezoning request.

Policy IM-7

The Council's Rezoning Application Requirements are as follows:

1. The request must be submitted in writing to the Town.
2. Detailed plans concerning servicing, stormwater drainage, traffic management, landscaping and other design elements shall be included.
 - a. Where a proposal involves dimensional or aesthetic issues, the application must include a written and professionally prepared site plan and graphic representation drawn to scale. Site plans must indicate.
 - i. The location, area and dimensions of the subject property
 - ii. The proposed location, dimension, height, and proposed use of buildings
 - iii. How the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities.
 - iv. The location of all parking stalls, driveway, walkways, lighting, fencing, refuse and snow storage.
 - v. Landscaping elements, including existing and proposed shrubs and trees and
 - vi. Architectural features where the planning document regulates such features.

(15.9.2.2 Evaluation Criteria for Rezoning)

Policy IM-8

Council's evaluation criteria for a rezoning are as follows:

1. Compatibility of the proposed land use with adjacent uses
2. Compatibility of the development with adjacent properties in terms of scale
3. The proposed development resolves any potential compatibility issues with nearby land uses resulting from lighting, signage, outdoor display, outdoor storage, traffic, vehicle lights, and noise through good site plan design.
4. Adequate sewer services, water services, waste management services and stormwater management services.
5. The proposal contributes to an orderly and compact development pattern that efficiently uses existing municipal infrastructure.
6. Proximity to schools, recreation, and community facilities
7. Adequacy of the road network
8. Potential for erosion or the contamination or sedimentation of watercourses
9. Environmental impacts such as air and water pollution and soil contamination
10. Previous uses of the site may have contamination.
11. Suitability of site features

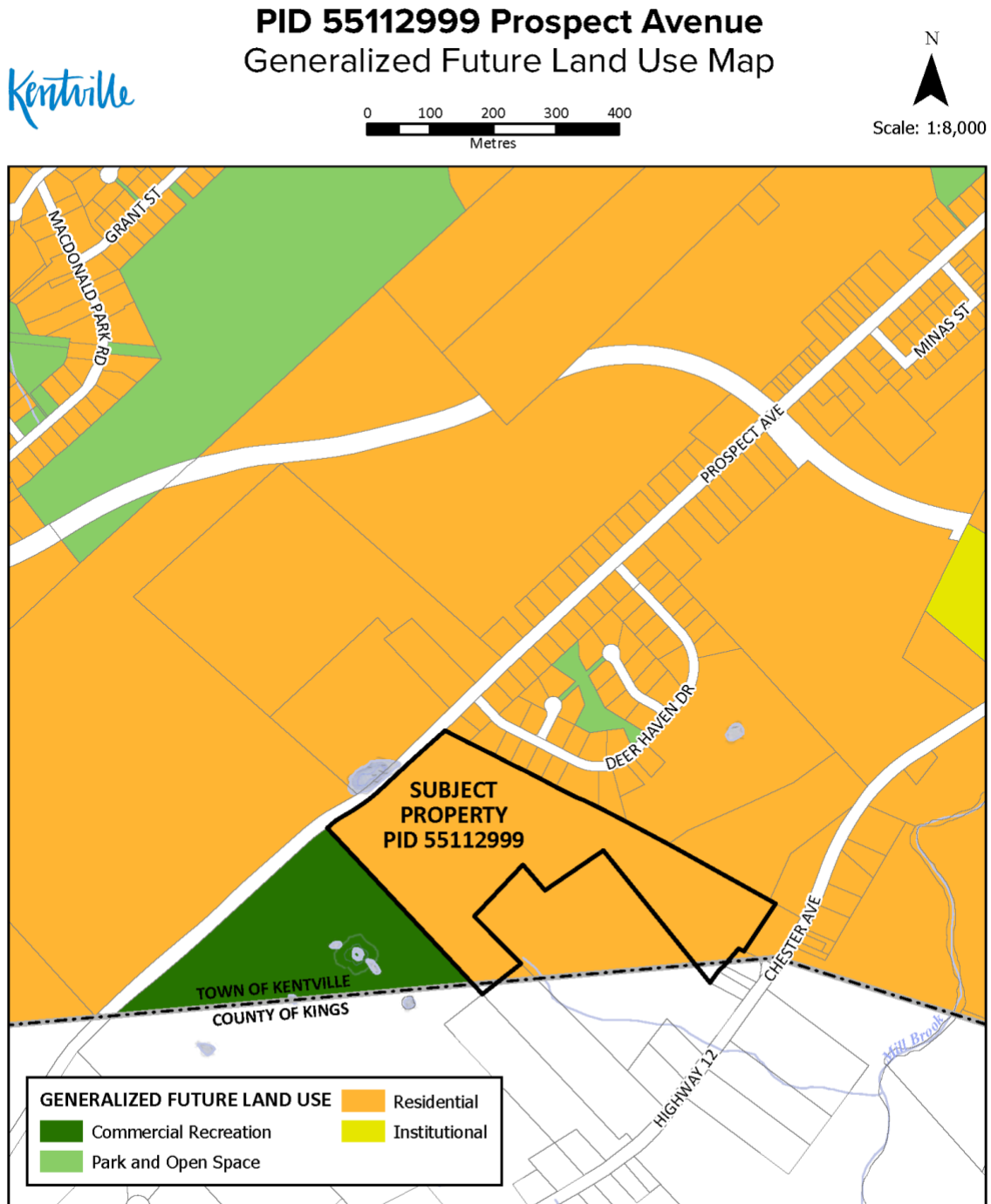
12. Emergency services may respond to an emergency.
13. In conformance with the intent of the planning strategy
14. Development can be regulated in a way that meets the guidelines established in the Kentville Water Commission Source Water Protection Plan
15. The financial ability of the Town to absorb related costs.

While a clear development proposal must accompany a rezoning application, no legal agreement requires a landowner to conform to the proposal as presented. ([See Additional Information for details on these criteria](#))

Town of Kentville staff have reviewed all the above criteria and have, through their professional opinions established that the application is suitable and meets all of Council's requirements. Further details should Council wish to review, under the [Evaluation Criteria Section](#) within [Additional Information](#).

Another piece reviewed when processing a rezoning is how the property is designated on the Municipality's Future Generalized Land Use Map. This map guides the future of all property within the Town. If the designation on the property did not suit the re-zoning request, then a Municipal Planning Strategy Amendment would have to be considered, which is a much larger process. In this situation, the subject property is designated as residential, which permits any residential zoning to be considered.

Additional relevant policies from the Municipal Planning Strategy for this application are listed in [additional materials](#).



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Property Source: Nova Scotia Property Records Database (NSPRD), Compliments of the Nova Scotia Geomatics Centre (NSGC), Service Nova Scotia and Municipal Relations, 160 Willow Street, Amherst, Nova Scotia, Canada

Figure 5 Generalized Future Land Use Map

Recommendation

It is recommended that Council rezone a portion of PID 55112999 to a Single Unit Dwelling (R1) zone as outlined in the proposal.

Follow Up Actions:

- 1. 1st Reading (Council)**
2. Public Hearing (Council)
3. 2nd Reading (Council)

Additional Materials

Relevant Municipal Planning Strategy Policies

5.1 Objectives and Goals (Residential)

Residential development is one of the mainland uses in a town. The Town of Kentville has a relatively diversified, young, and healthy household demographic and residential growth has been consistent over the past 10 years. This Strategy's goal, in terms of housing and residential neighborhoods, is to promote and accommodate an array of dwellings with different prices, locations, and tenure. Furthermore, the Town is committed to protecting each neighborhoods sense of identity and diversity as well as fostering connectivity within the different neighborhoods.

For many years residential development within the Town has primarily consisted of traditional Single Family Dwellings. However, over the last few years there has been a significant shift away from this demand for traditional single family homes towards semi-detached dwellings, townhouses and apartments. This trend is indicative of the changing demographics: an ageing population, an increase in single-parent families, people living alone, all of which has contributed to the increasing need for alternative and affordable housing. Although this trend suggests a need for more diversity in the residential sector, single unit detached dwellings are anticipated to continue to supply the majority of housing in Kentville.

Objectives

1. To meet the mandate of the Province relating to housing opportunities for all of Kentville's citizens, particularity for those citizen of low to moderate income;
2. To provide a variety of housing types to accommodate the various needs and desires of Town residents;
3. To protect the character and development form of established residential neighbourhoods;
4. To encourage residential infill development on appropriate under-utilized lands;
5. To ensure that future residential development occurs in suitable locations with adequate water, sanitary sewer, storm sewer, transportation and recreational services available;
6. To actively promote and facilitate the development of housing within the town in order to attract a greater proportion of the regional housing market; and
7. To encourage the conservation, retention and improvement of the existing housing stock.

5.2.2.5

11.2.6.1 Service Extensions

Policy MS-18

It shall be the intention of Council to ensure that new development be located on incremental extensions of existing services and that such existing services can handle the additional capacity generated by the new development.

11.2.6.2 Service Capacity

Policy MS-19

It shall be the intention of Council to require that new municipal water, sanitary sewer and storm sewer services be built to a capacity capable of providing service to undeveloped lands beyond the immediate development area, when the development of such an area is dependent upon use of said services.

11.2.6.3 Financing Responsibilities

Policy MS-20

It shall be the intention of Council to require that the developer/land owner pay the costs of municipal service extensions.

15.9.2 Rezoning's

A rezoning or map amendment involves the rezoning of a particular property to another zone; usually in order to allow the property to develop to a more intensive use. This type of amendment may substantially alter the type of development and uses which may be permitted on that site. Because this type of amendment may involve a specific property and include a detailed development proposal, there is an opportunity for Council to assess the land use impacts of the proposed development as part of the rezoning application. Council will, therefore, undertake a detailed evaluation of the proposed development prior to making a decision concerning a rezoning application. This detailed assessment will require that the applicant submit a conceptual development plan and details with respect to servicing, stormwater drainage, traffic management, landscaping, and other design elements. To ensure that all potential land use impacts are considered, Council will adopt evaluative criteria that is specifically designed to assess rezoning applications.

15.9.2.2 Evaluative Criteria for Rezoning's

Council will evaluate rezoning applications and other site specific Land Use By-law Amendment applications using specific evaluation criteria. The full use of the criteria set out below will ensure that the amendment is in conformity with all policies of this Strategy and will help to ensure that any resulting development has a positive impact on the community. These criteria are to be considered in addition to any applicable criteria found elsewhere in this document and included in the enabling policy for a specific development application. Council recognizes that they have limited ability to require a developer to undertake any of the design elements included in a rezoning application. Nevertheless, Council considers it to be prudent to consider the potential land use implications as part of any rezoning application and assumes that developers will generally conform to their submitted proposal. Council is mindful that other development scenarios may be possible under a particular rezoning proposal and all eventualities will be considered as part of a rezoning application.

Policy IM-8

It shall be the intention of Council when considering a rezoning application or other Land Use By-law amendment application that includes a specific development proposal to have regard for the following matters:

- a) compatibility of the proposed land use with adjacent land uses;
- b) compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk;
- c) that the proposed development resolves any potential compatibility issues with nearby land uses resulting from lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise through appropriate site design, landscaping, buffering and fencing;
- d) the adequacy of sewer services, water services, waste management services and storm water management services;
- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure;
- f) the adequacy and proximity of schools;
- g) the adequacy and proximity of recreation and community facilities;
- h) the adequacy of the road network in, adjacent to, or leading to the development;
- i) the potential for erosion or for the contamination or sedimentation of watercourses;
- j) environmental impacts such as air and water pollution and soil contamination;
- k) previous uses of the site which may have caused soil or groundwater contamination.

- l) suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs.
- m) the ability of emergency services to respond to an emergency at the location of the proposed development.
- n) that the proposal is in conformance with the intent of this strategy and with the requirements of all other Town By-laws and regulations.
- o) development can be regulated in such a way as to meet or exceed the guidelines established in the Kentville Water Commission Source Water Protection Plan (SWPP) and
- p) the financial ability of the Town to absorb any costs relating to the amendment.

While a rezoning application must be accompanied by a clear development proposal, there is no legal agreement which requires a landowner to conform to the proposal as presented.

Policy IM-9

It shall be the intention of Council, therefore, to consider the other potential development scenarios that may be permitted as a result of a proposed zone change when evaluating a rezoning application.

Land Use By-Law Policies

****** Please remember that with a re-zoning, all uses permitted within the proposed zone will be permitted should Council approve the application.**

5.2 Single Unit Dwelling (R1) Zone

5.2.1 Permitted Uses

The following uses shall be permitted as-of-right in the Single Unit Dwelling (R1) Zone subject to the requirements of the Bylaw:

- Single Unit Detached Dwelling (but shall not include a mobile home)
- Residential Care Facility, Home for Special Care, Small Option Home or Group Home to a maximum of 4 bedrooms devoted to residential care use.

5.2.2 Permitted Uses with Conditions

The following uses shall be permitted in the Single Unit Dwelling (R1) Zone subject to the requirements of this By-law:

- a) Ancillary Dwelling Units subject to Section 5.1.1 of this By-law
- b) Home-Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law

5.2.3 Permitted Uses by Site Plan Approval

The following uses shall be permitted in the Single Unit Dwelling (R1) Zone subject to the requirements of this By-law:

- a) Day Care Centres to a maximum of 14 persons.

5.2.4 Single Unit Dwelling (R1) Zone Requirements

In a Single Unit Dwelling (R1) Zone, no Development Permit shall be issued except in conformity with the following requirements:

Table 5.1 R1 Zone Requirements

Minimum Lot Area	5 000 ft ²	464.52 m ²
Minimum Lot Frontage	50 ft	15.24 m
Minimum Front Yard	20 ft	6.10 m
Minimum Rear Yard	15 ft	4.57 m
Minimum Flankage Yard	10 ft	3.05 m
Minimum Side Yard	4 ft	1.22 m

5.6 Large Lot Residential (R5) Zone

5.6.1 Permitted Uses

The following uses shall be permitted as-of-right in the Large Lot Residential (R5) Zone subject to the requirements of the Bylaw:

- Single Unit Detached Dwelling
- Homes for Special, Group Homes or Small Option Homes to a maximum of 4 bedrooms devoted to the use
- Animal Kennels
- R-1 uses as herein set out.

5.6.2 Permitted Uses with Conditions

The following uses shall be permitted in the Large Lot Residential (R5) Zone subject to the requirements of this By-law:

- a) Ancillary Dwelling Units subject to Section 5.1.1 of this By-law
- b) Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law
- c) Bed and Breakfast, in accordance Section 5.1.4 of this By-law
- d) Special Events, in accordance with Section 5.1.7 of this By-law

5.6.3 Permitted Uses by Development Agreement

The following developments shall be considered only by development agreements in accordance with Policies IM-10 and IM-11 of the Municipal Planning Strategy

- a) Manufactured Home Parks/Land Lease Communities.

5.6.4 Large Lot Residential (R5) Zone Requirements

In a Large Lot Residential (R5) Zone, no Development Permit shall be issued except in conformity with the following requirements:

Table 5.5 R5 Zone Requirements

Minimum Lot Area	Single Unit Detached Dwelling	60 000 ft ²	5 574.18 m ²
	Homes for Special and Group Homes	60 000 ft ²	5 574.18 m ²
	Animal Kennels	60 000 ft ²	5 574.18 m ²
	Land Lease Community	5 acres	2.02 hectares
Minimum Lot Frontage	Single Unit Detached Dwelling	200 ft	60.96 m
	Animal Kennels	200 ft	60.96 m
	Homes for Special and Group Homes	200 ft	60.96 m
	Land Leased Community	200 ft	60.69 m
Minimum Front Yard	Single Unit Detached Dwelling	25 ft	7.62 m
	Homes for Special Care	25 ft	7.62m
	Land Leased Community	25 ft	7.62 m
	Animal Kennels	40 ft	12.19 m
Minimum Rear Yard	Single Unit Detached Dwelling	20 ft	6.10 m
	Homes for Special Care	20 ft	6.10 m
Minimum Rear Yard	Land Leased Community	20 ft	
	Animal Kennels	40 ft	12.19 m
Minimum Flankage Yard	Single Unit Detached Dwelling	10 ft	3.05 m
	Homes for Special Care	10 ft	3.05
	Land Leased Community	25ft	7.62m
	Animal Kennels	25 ft	7.62 m
Minimum Side Yard	Single Family Detached Dwelling	15 ft	4.57 m
	Homes for Special Care	15 ft	4.57m
	Land Leased Community	15ft	4.57m
	Animal Kennels	40 ft	12.19 m

Schedule A Property Description

ALL that certain piece or parcel of land situate, lying and being in Kentville in the County of Kings and Province of Nova Scotia, and shown as Lot “2023” on a Plan of Subdivision certified by Eric J. Morse, NSLS, Plan Number 2023-238P, dated July 26th, 2023, and bounded and described as follows:

COMMENCING at Active Control Station Number 250001;

THENCE North 86 degrees 31 minutes 30.1 seconds East, a distance of 9395.966 metres, to a survey marker, said survey marker being the POINT OF BEGINNING;

THENCE South 45 degrees 25 minutes 30 seconds East, a distance of 38.343 metres to a survey marker;

THENCE North 46 degrees 03 minutes 04 seconds East, a distance of 37.710 metres to a survey marker;

THENCE North 64 degrees 08 minutes 10 seconds West, a distance of 41.510 metres, along the South boundary of Lot “23”, PID 55478226 to a survey marker;

THENCE South 44 degrees 34 minutes 18 seconds West, a distance of 24.382 metres, along the East boundary of Prospect Avenue to a survey marker, said survey marker being the POINT OF BEGINNING.

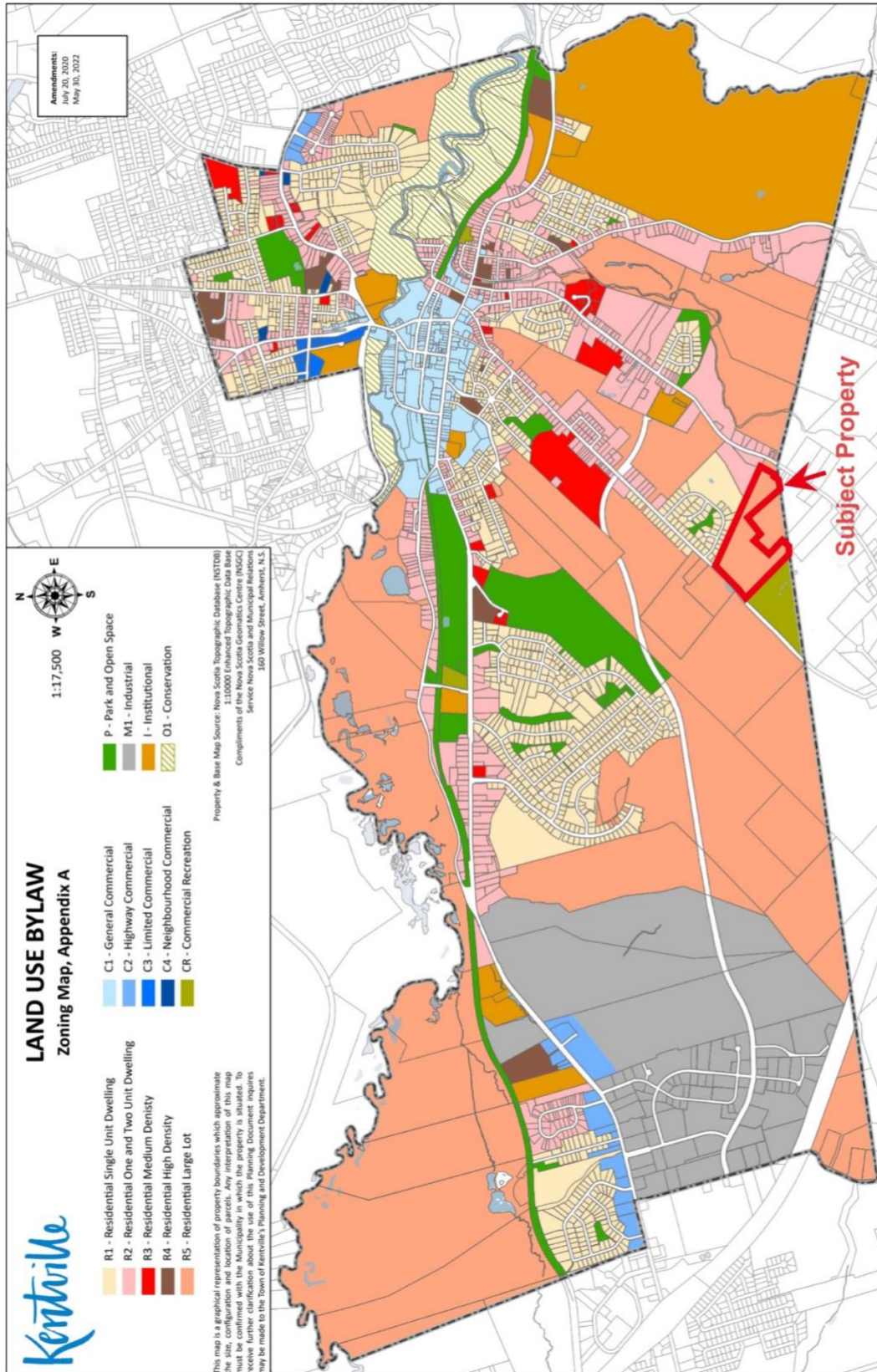
A tract of land containing an area of 1202.0 square metres.

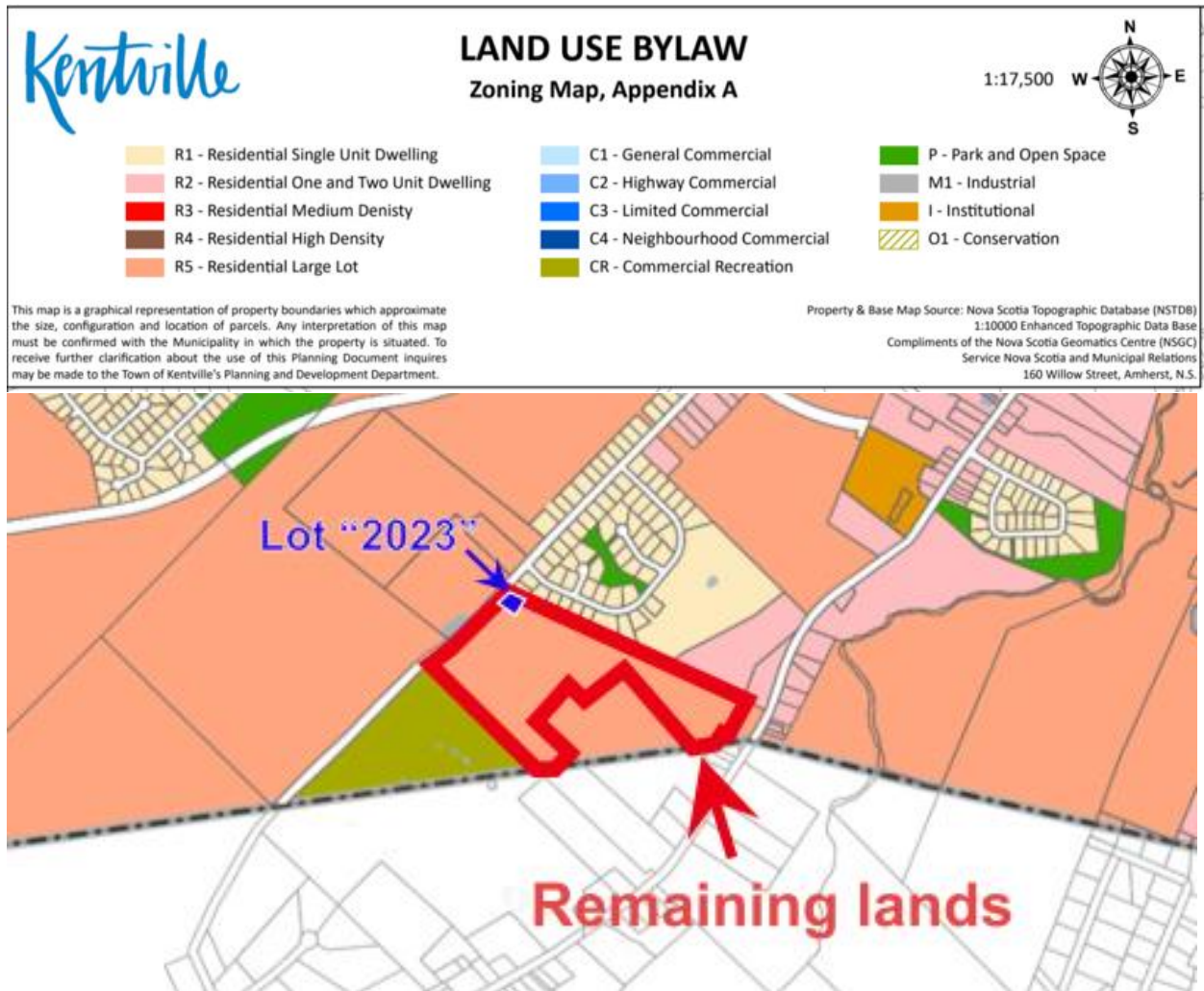
All distances are horizontal grid distances, combined scale factor 0.999902 applied.

All bearings are Grid, based on a 3 degree Modified Transverse Mercator Projection, Zone 5, Central Meridian 64 degrees 30 minutes West Longitude, NAD 83 (CSRS) 2010.0 V7 and are referred to Nova Scotia Active Control Monument Number 250001.

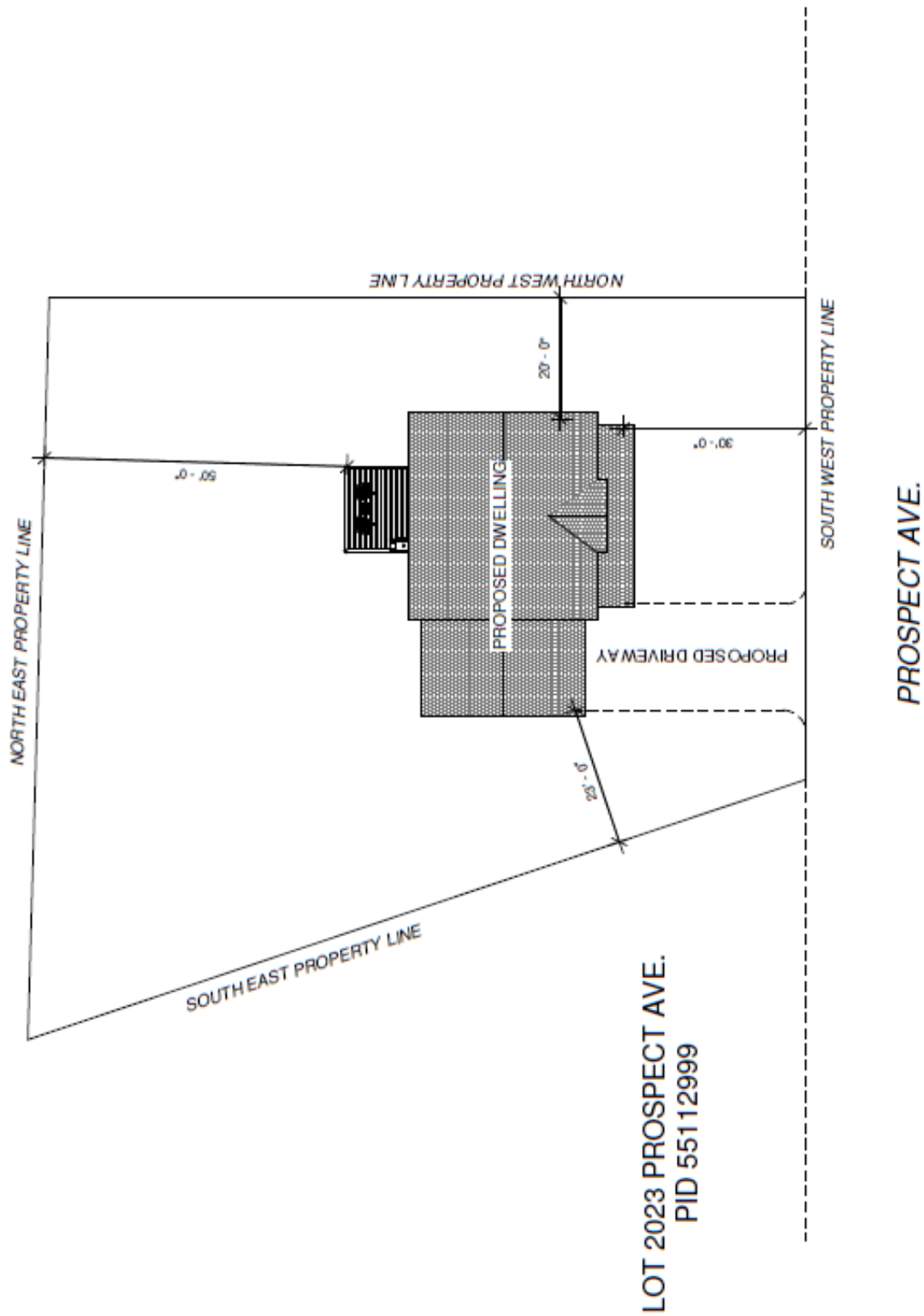


Schedule B Zoning Map



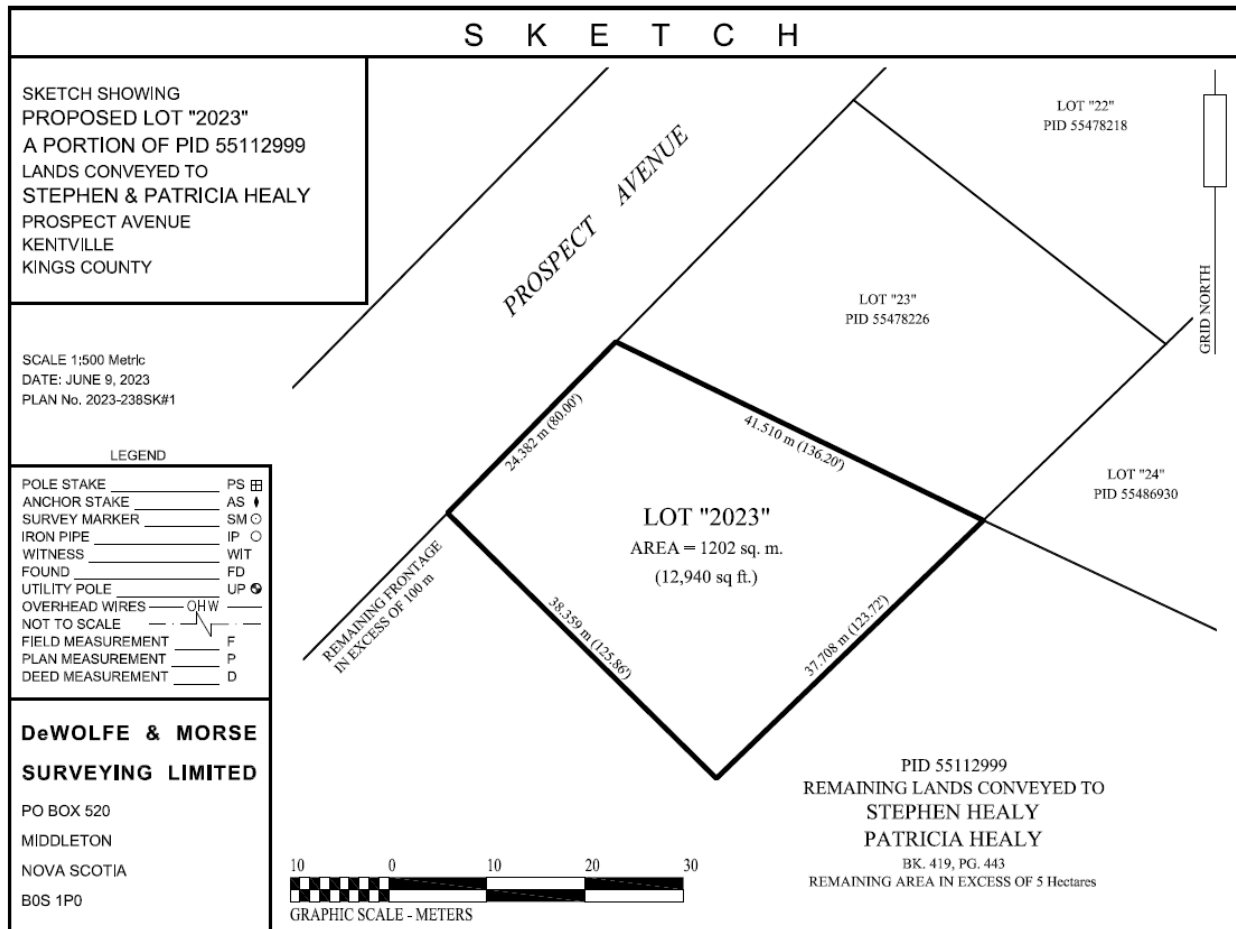


Schedule C Site Plan



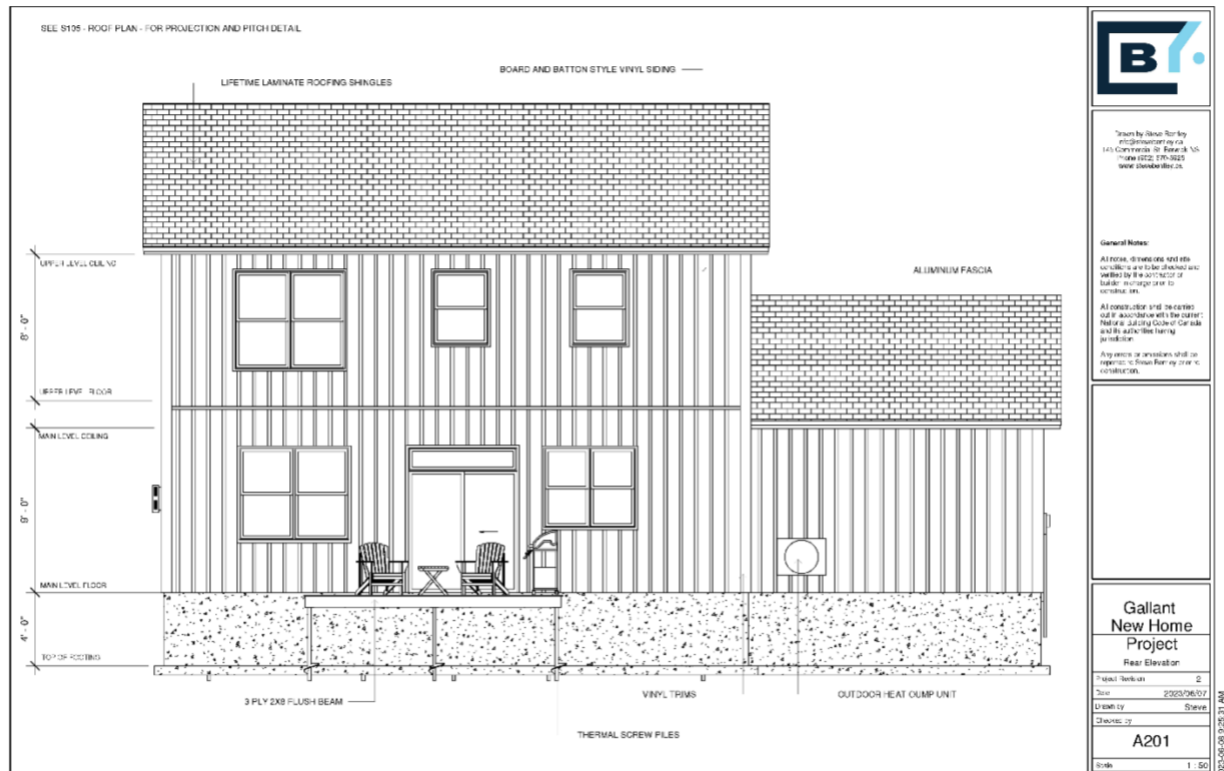
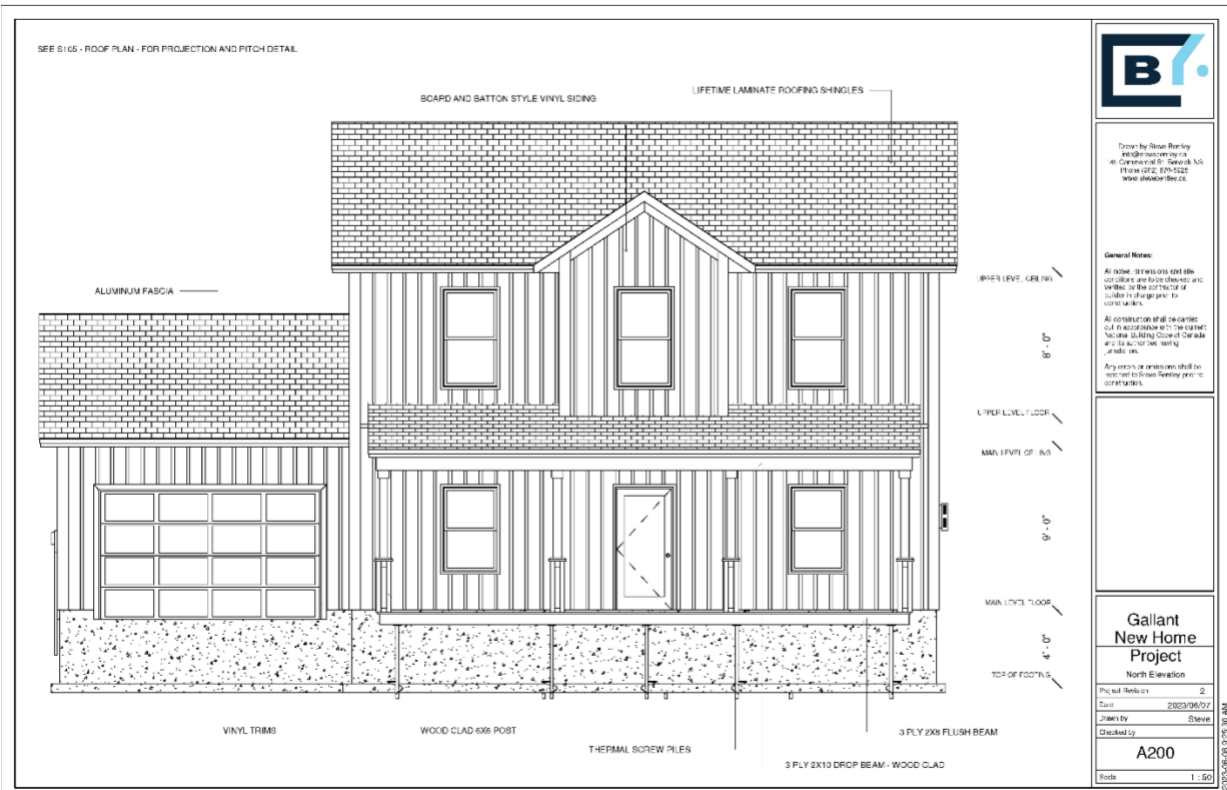
Additional Information & Concept

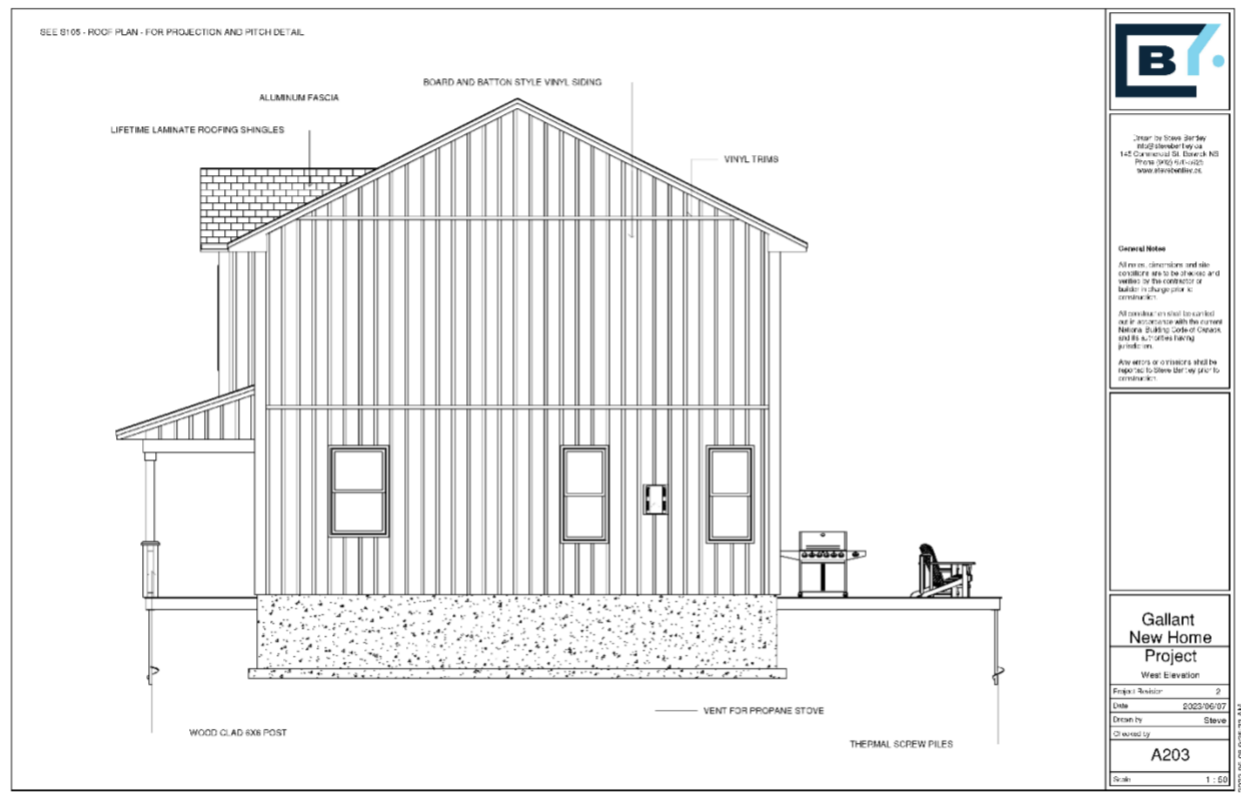
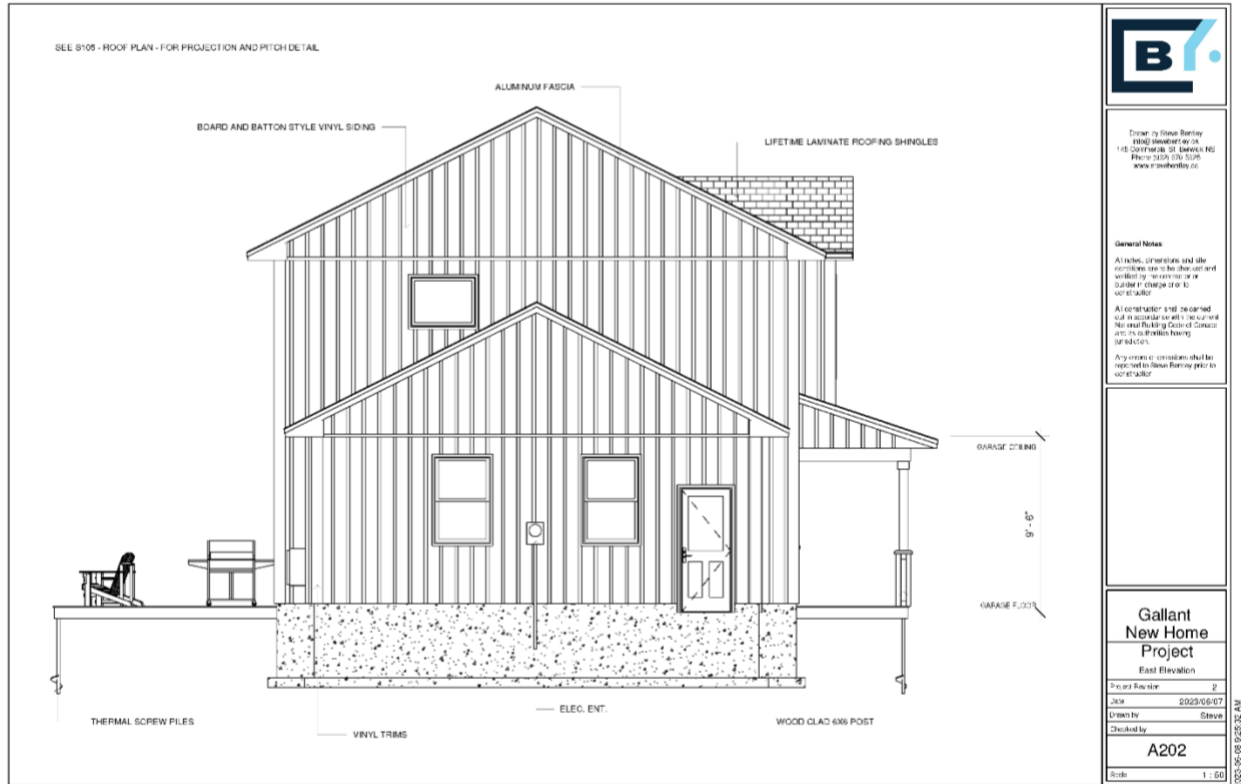
Proposed Location & Land Survey

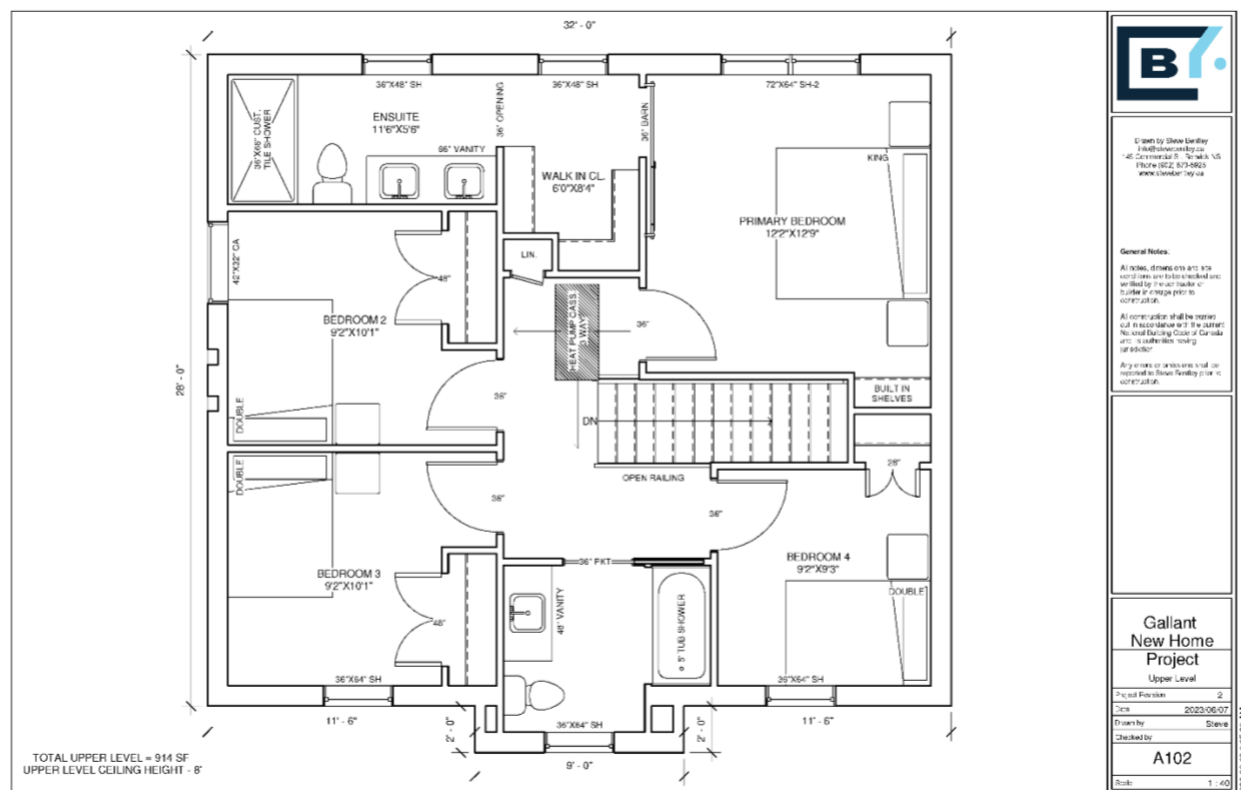
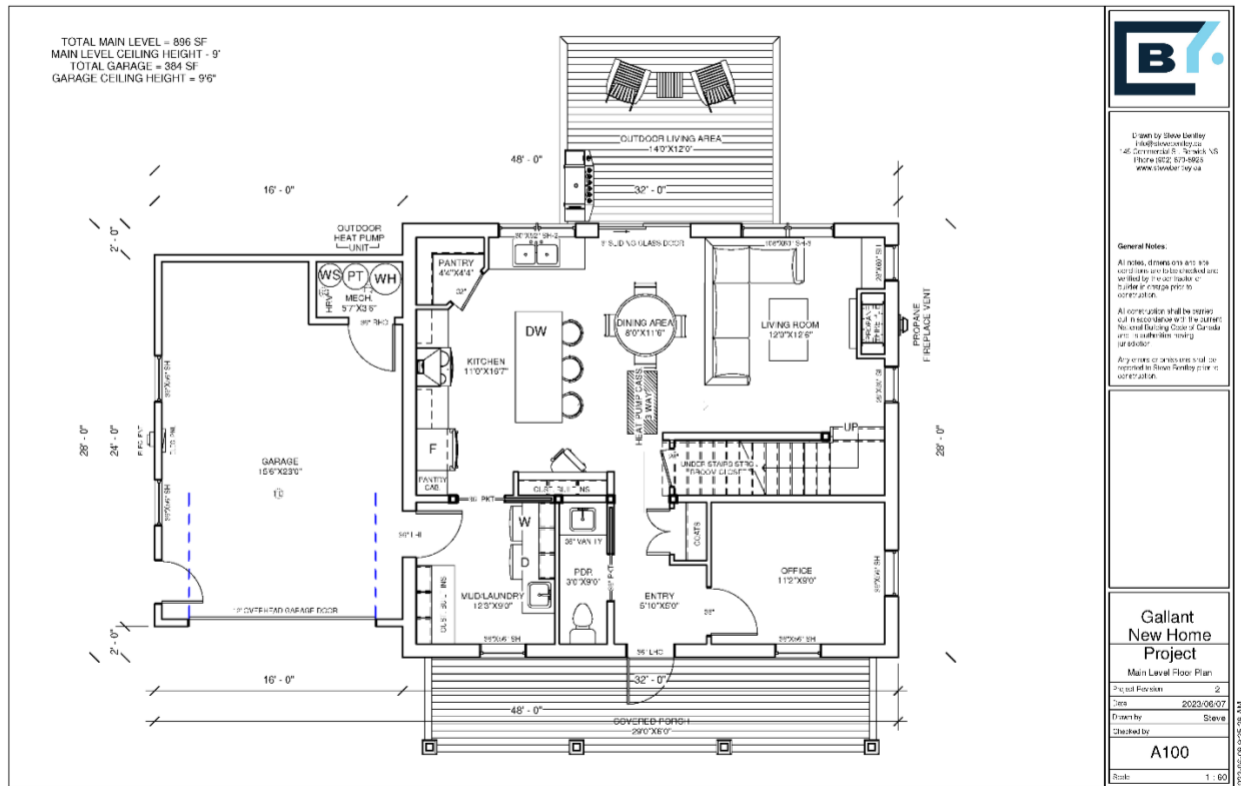


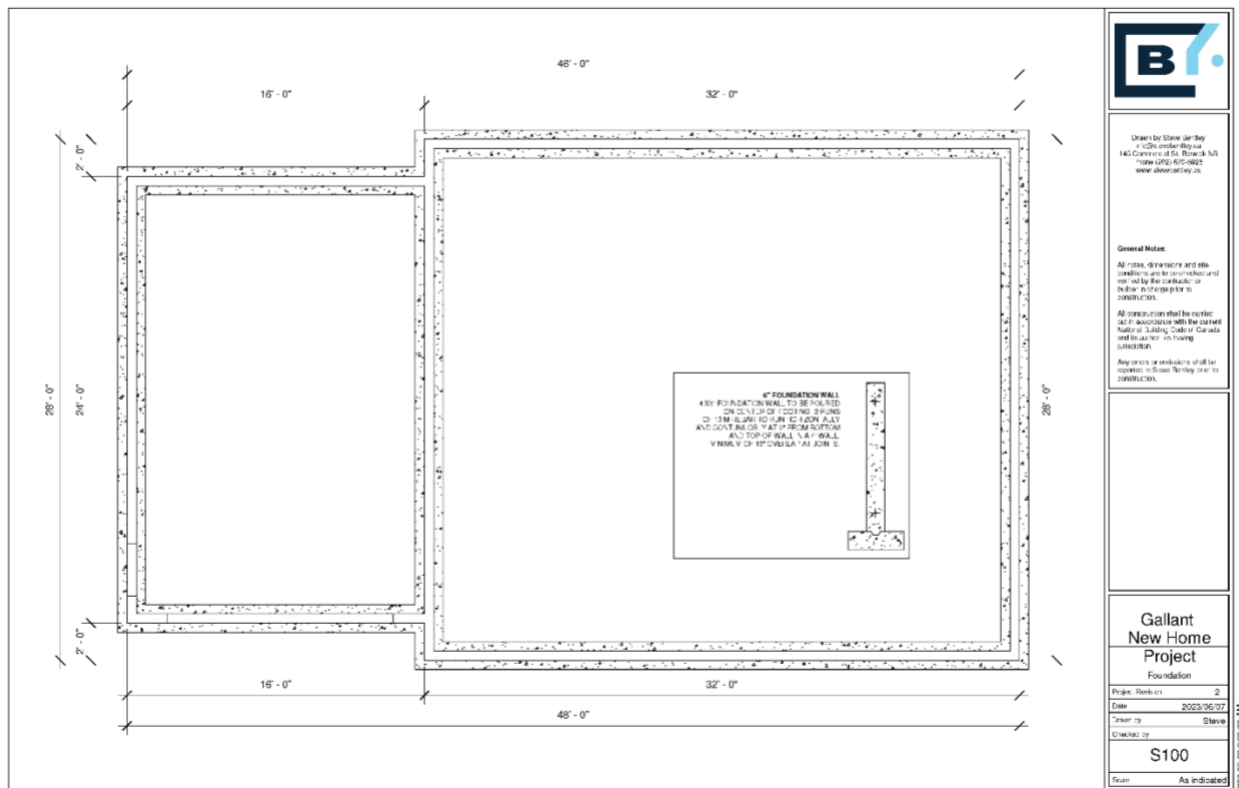
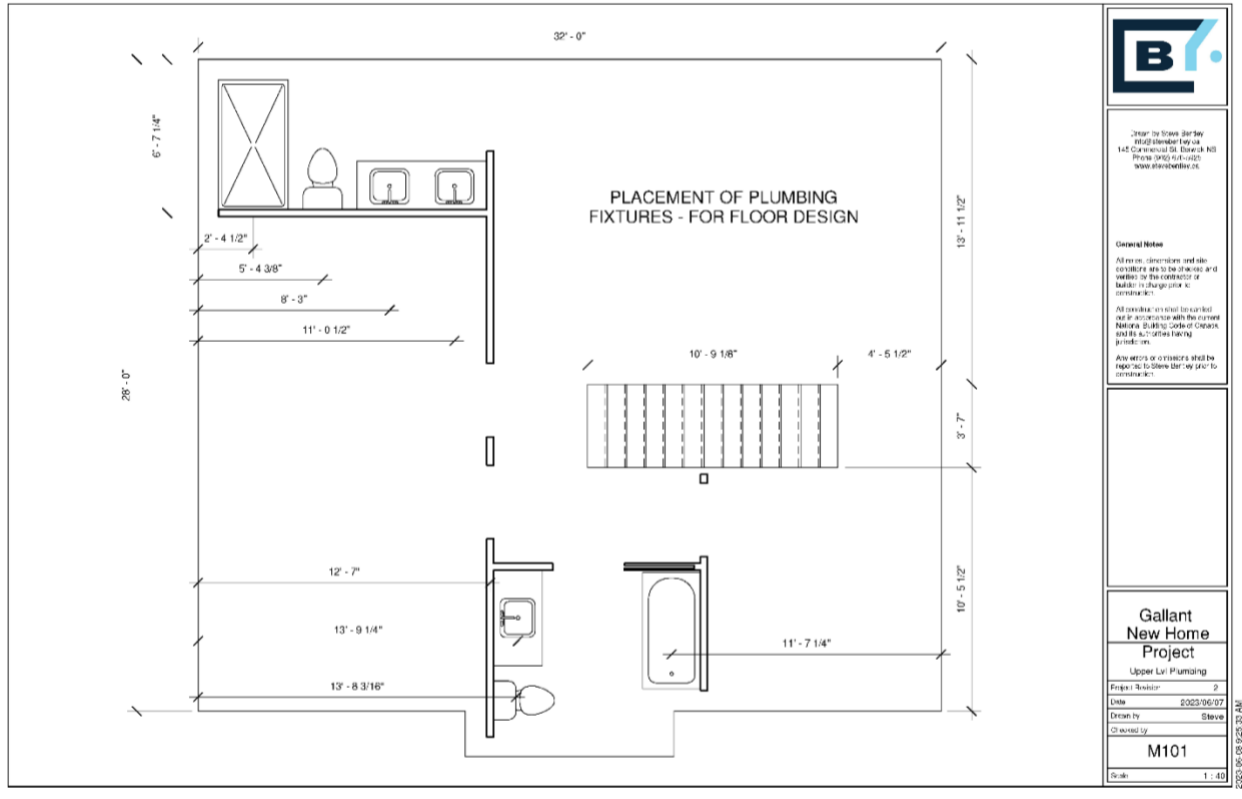


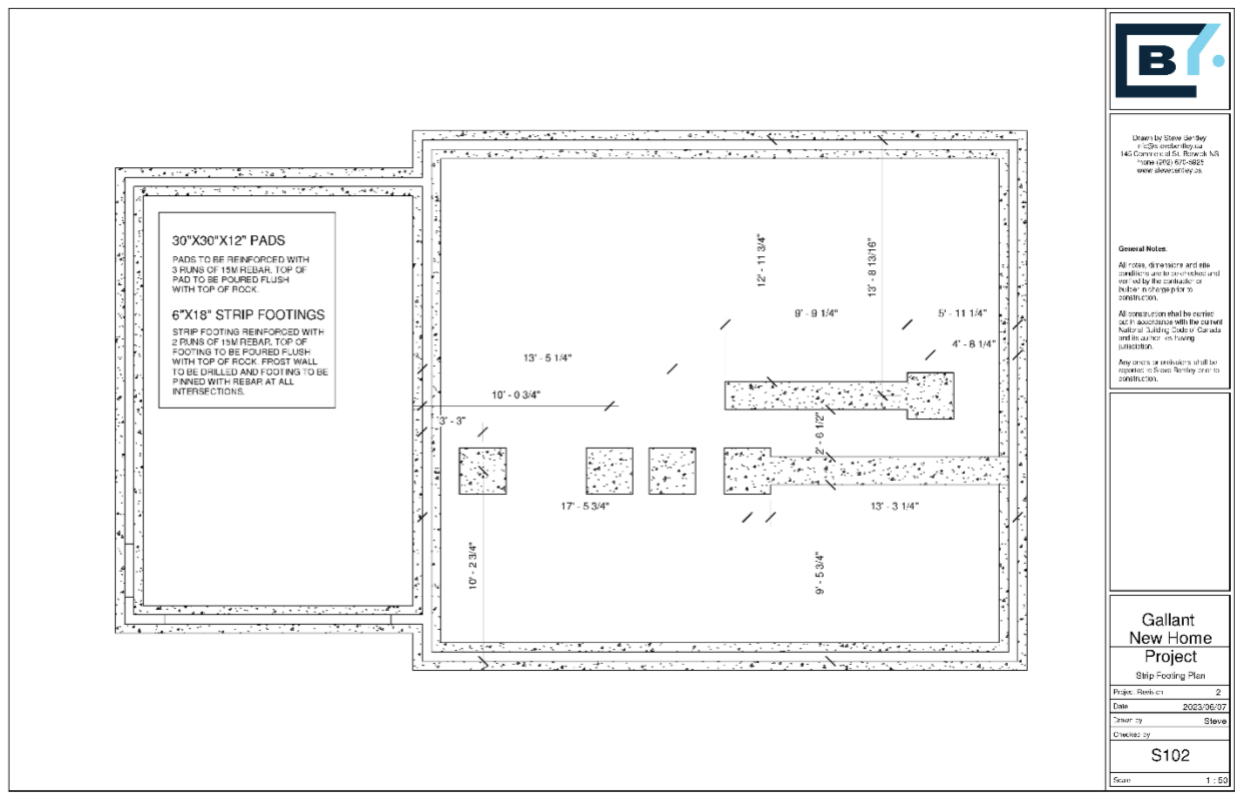
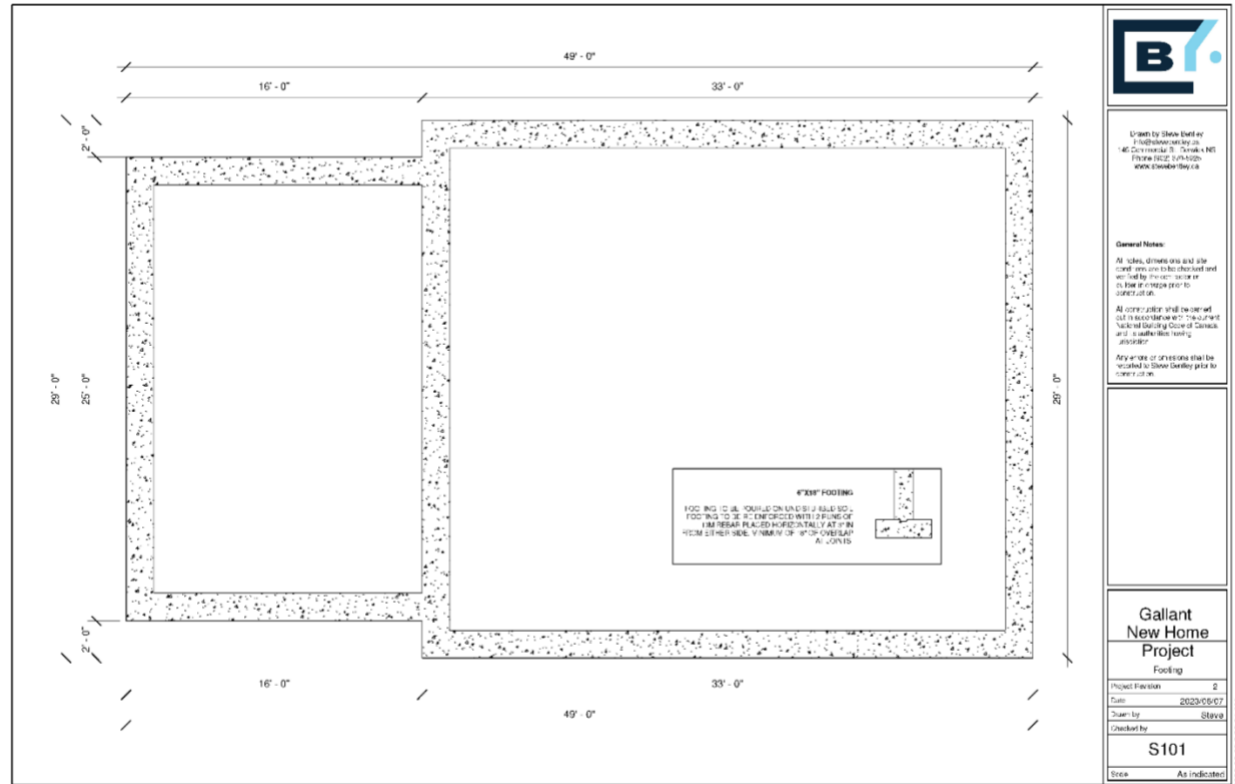
Proposed Home Design and Floor Plan

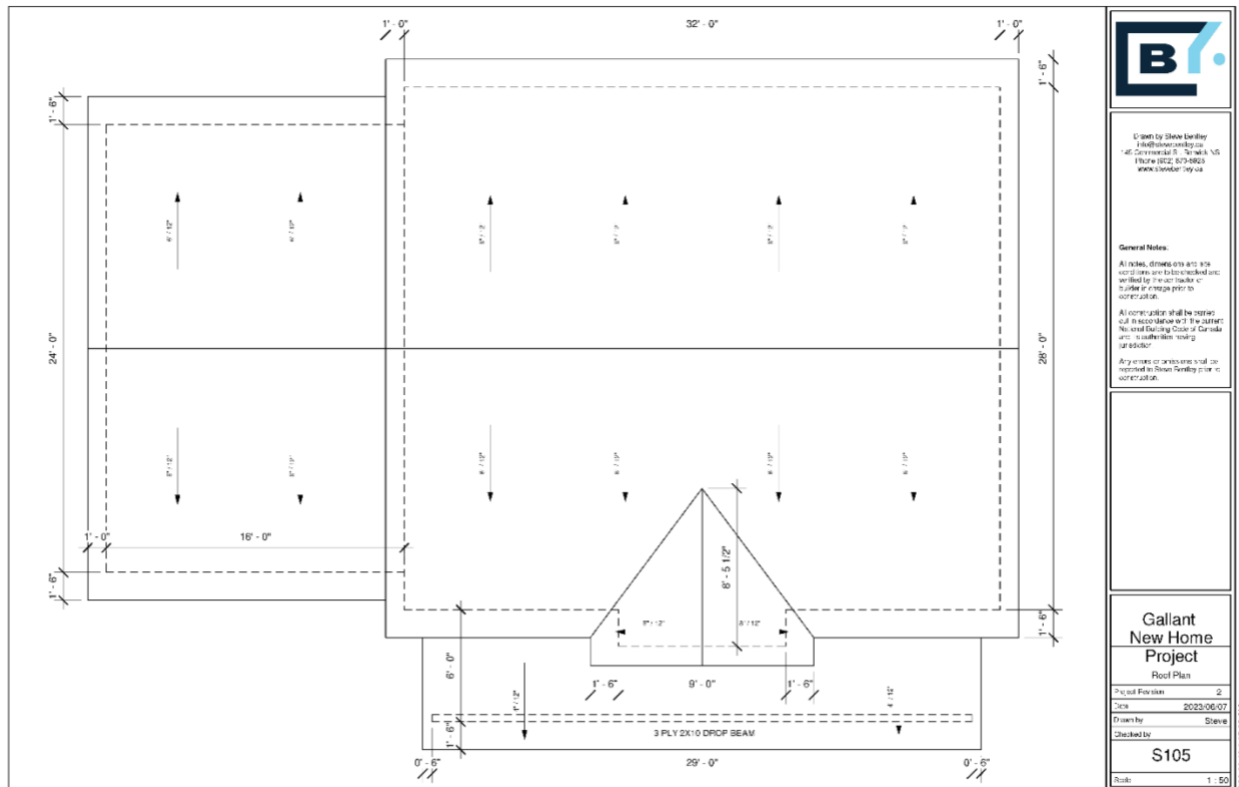
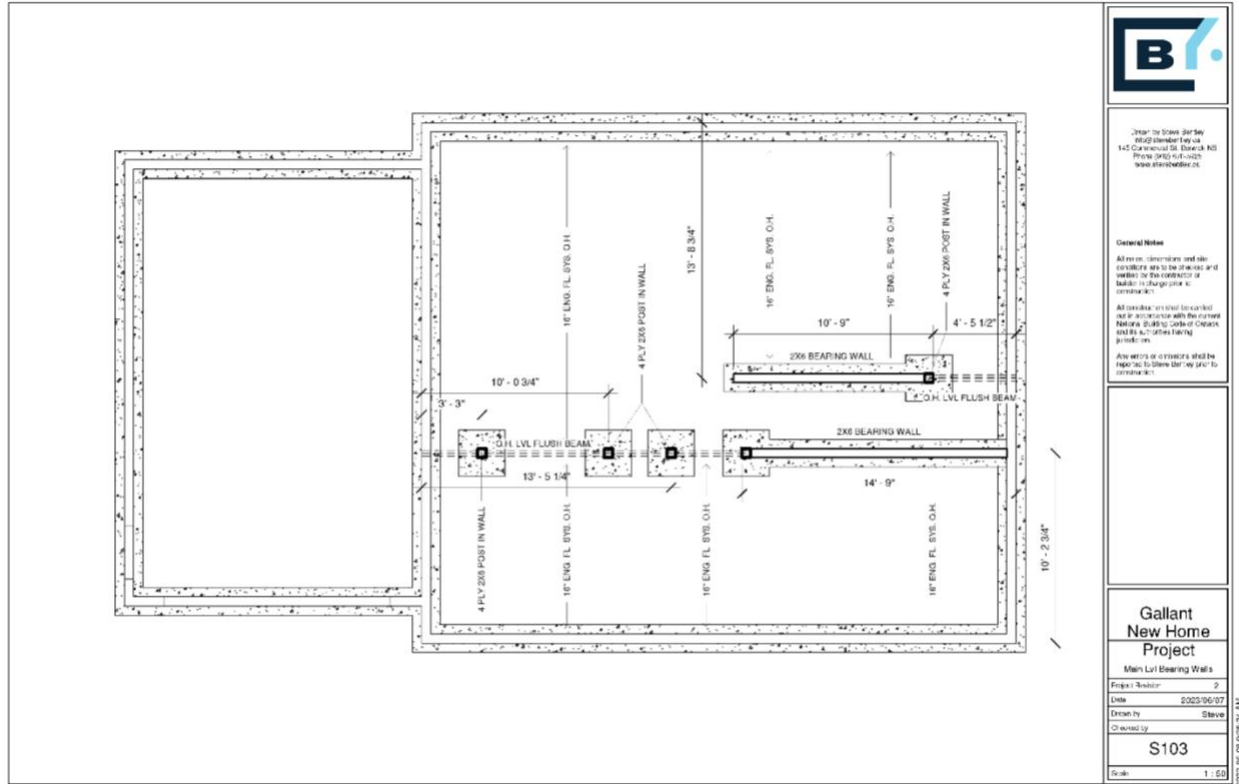














Review of Evaluation Criteria

The Municipal Planning Strategy 15.9.2.2 states the evaluation criteria of rezoning approval. The table below shows how this rezoning application reflects the criteria.

a)	compatibility of the proposed land use with adjacent land uses; - See current zoning map on page 5 and page 6
b)	compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, and bulk; - Addressed on page 5, 8 and 10. As the development will be single-family residential, similar scale to existing buildings, and meet the R1 lot requirements.
c)	that the proposed development resolves any potential compatibility issues with nearby land uses resulting from lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise through appropriate site design, landscaping, buffering and fencing; -NA
d)	the adequacy of sewer services, water services, waste management services and storm water management services; - No, addressed throughout the report as the R5 zoning prompted this.
e)	that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure; - Yes, we addressed this as reasoning to permit the split zoning; the proposed area would be adjacent to similar uses and to the same scope and scape while leaving a remainder lot that has potential for the future.
f)	the adequacy and proximity of schools; - Referenced by the connection to CR and Park and Open space development. But again, we relied on staff information.
g)	the adequacy and proximity of recreation and community facilities; - Same as (f)
h)	the adequacy of the road network in, adjacent to, or leading to the development; - Town staff reviewed the site and stated this was not a concern.
i)	the potential for erosion or for the contamination or sedimentation of watercourses; - No nearby watercourse, the permit process will require stormwater consideration, and the development is smaller scale and complementary. Town staff again, reviewed and approved.
j)	environmental impacts such as air and water pollution and soil contamination; - Again, small-scale development, is nothing that would be outside of the scope of the existing permitted developments within the area.
k)	previous uses of the site which may have caused soil or groundwater contamination; - Staff reviewed and approved.
l)	suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps or bogs; - This is addressed by the fact that it is the appropriate scale and placement to the adjacent single residential family uses.

m)	the ability of emergency services to respond to an emergency at the location of the proposed development;
	- Plans were provided to staff, again, this is more a part of the permit process or a development agreement. However, the Town staff approved.
n)	that the proposal is in conformance with the intent of this strategy and with the requirements of all other Town By-laws and regulations;
	Yes. This is in fitting with the MPS policies related to residential designation, which was addressed through the Generalized Future Land Use Map on page 12
o)	development can be regulated in such a way as to meet or exceed the guidelines established in the Kentville Water Commission Source Water Protection Plan (SWPP)
	- Staff approved this on the basis that the developer/property owner must cover the cost of the extension.
p)	the financial ability of the Town to absorb any costs relating to the amendment.
	- No anticipated costs to the Town; financial implications would be tax dollars revenue.

Letter from Staff Regarding the Extension of Road

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

INTER OFFICE MEMO

To: Caroline Robertson, MCIP & LLP, C + D Community Design
From: Dave Bell, Director of Engineering & Public Works
Date: September 22, 2023
Subject: Rezoning of a portion of PID 55112999 from R5 to R1

Caroline,

The Engineering & Public Works Department has determined the length of Prospect Avenue that will require curb and paving as a result of the extension for the single unit dwelling development and approval of the subsequent rezoning application, will be approximately 65 ft. The **estimated** cost for the paving will be as followed:

65 ft of pavement x \$250 per ft = \$16,250 total

130 ft of curb and gutter x \$60 per ft = \$7,800 total*

**Curb and gutter expenses to be collected back in betterment charges*

Prices are subject to actual contract prices at the time of installation.

Should the rezoning not be successful, then Prospect Road will need to be extended 165 ft, which would increase the **estimated** cost as followed:

165 ft of pavement x \$250 per ft = \$41,250 total

330 ft of curb and gutter x \$60 per ft = \$19,800 total*

**Curb and gutter expenses to be collected back in betterment charges*

Prices are subject to actual contract prices at the time of installation.

In addition, I can confirm that this is currently a water serviceable lot. The property owner is responsible for extending the sanitary sewer and storm mains.

Yours truly,

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

Dave Bell, P. Eng.

Director of Engineering & Public Works