



TOWN OF KENTVILLE COUNCIL

October 1, 2024

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 Meeting Minutes, July 29, 2024
 - (b) Special Council Meeting Minutes, July 29, 2024 (5:00pm)
 - (c) Special Council Meeting Minutes, July 29, 2024 (5:45pm)
 - (d) Special Council Meeting Minutes August 14, 2024
 - (e) Special Council Meeting Minutes August 21, 2024
 - (f) Special Council Meeting Minutes September 9, 2024
 - (g) Special Council Meeting Minutes September 16, 2024
- 4. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS**
 - (a) Land Use Bylaw Amendment, by Order of UARB (February 2024)
 - (b) Land Use Bylaw Amendment, Second Reading, Brison Planning Application
- 5. RECOMMENDATIONS AND REPORTS**
 - (a) Council Advisory Committee – Councillor Cathy Maxwell
 - (1) Capital Funding Request
 - (2) Public Participation Policy Amendment
 - (3) Council Remuneration
 - (b) Councillors’ and Mayor Reports
 - (1) Councillor Gerrard
 - a. Kentville Water Commission
 - b. Board of Police Commissioners
 - c. Joint Fire Services
 - d. Kings Point to Point Transit (alternate)
 - e. Kings Regional Sewer Advisory Committee (alternate)
 - (2) Councillor Huntley
 - a. Kentville Water Commission
 - b. Source Water Protection Plan Advisory Group
 - c. Annapolis Valley Regional Libraries Board (alternate)
 - d. Kings Regional Emergency Management Organization

- e. Valley Regional Enterprise Network, Liaison and Oversight Committee
- f. Kentville Business Community (alternate)
- (3) Councillor Maxwell
 - a. Annapolis Valley Trails Coalition
 - b. Kentville Inclusion and Accessibility Advisory Committee
 - c. Student Bursary Selection Committee
 - d. Kentville Heritage Committee
 - e. Kentville Names List Committee
- (4) Deputy Mayor Savage
 - a. Audit Committee
 - b. Investment Advisory Committee
 - c. Kings Regional Sewer Advisory Committee
 - d. Kings Regional Emergency Management Organization
 - e. Diversity Kings (alternate)
 - f. Kentville Business Community Board
- (5) Councillor Yorke
 - a. Board of Police Commissioners
 - b. Annapolis Valley Regional Library
 - c. Annapolis Valley Trails Coalition (alternate)
 - d. Kings Point to Point Board
 - e. Diversity Kings
 - f. Kentville Inclusion and Accessibility Advisory Committee
 - g. Kentville Names List Committee
 - h. Multi Purpose Facility Feasibility Study Committee
- (6) Councillor Zebian
 - a. Audit Committee
 - b. Kentville Water Commission
 - c. Joint Fire Services
 - d. Kentville Heritage Committee
- (c) Chief Administrative Officer, follow up from Council Advisory Committee
- (d) Mayor Sandra Snow
 - a. Intermunicipal Services Agreement Interim Board
 - b. Audit Committee
 - c. Kentville Water Commission
 - d. Source Water Protection Plan Advisory Group (alternate)
 - e. Kentville Investment Advisory Committee
 - f. Valley Regional Enterprise Network (alternate)

6. NEW BUSINESS

- (a) Appointments to Kentville Inclusion and Access Advisory Committee
- (b) Appointment of Development Officer
- (c) First Reading: Kentville Heritage Bylaw
- (d) Legal Update
- (e) 2024-2025 Sanitary Sewer
 - (1) Operating Budget
 - (2) Capital Budget
- (f) Temporary Borrowing Resolution – 2024-2025 Capital Projects

7. CORRESPONDENCE

- (a) None.

8. PUBLIC COMMENTS

9. IN CAMERA

(a) Legal

10. ADJOURNMENT

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**TOWN OF KENTVILLE
COUNCIL MEETING
Meeting Minutes: July 29, 2024**

Town Hall, 354 Main Street, Kentville Nova Scotia

This meeting was held in Town Hall and was livestreamed on YouTube.

1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 6:00 p.m. and noted that all members of Council were present: Mayor Sandra Snow, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Deputy Mayor Cate Savage and Councillor Gillian Yorke and Councillor Andrew Zebian.

Staff in attendance included Chief Administrative Officer Jeff Lawrence, and Recording Secretary Jennifer West.

REGRETS

None.

DECLARATIONS OF CONFLICT OF INTEREST

None.

2. APPROVAL OF THE AGENDA

Addition: Land, Legal and Land to Section 10, In Camera.

It was moved

That the agenda of July 29, 2024 (6pm) be approved as amended.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

3. APPROVAL OF THE MINUTES

(a) Council meeting held on June 24, 2024

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It was moved that the minutes of the Council meeting on June 24, 2024 be approved as amended.

MOTION CARRIED

(b) Special Council meeting held on July 4, 2024

It was moved that the minutes of the Special Council meeting on July 4, 2024 be approved as distributed.

MOTION CARRIED

(c) Special Council meeting held on July 9, 2024

It was moved that the minutes of the Special Council meeting on July 9, 2024 be approved as distributed.

MOTION CARRIED

(d) Special Council meeting held on July 23, 2024

It was moved that the minutes of the Special Council meeting on July 23, 2024 be approved as distributed.

MOTION CARRIED

(e) Special Council meeting held on July 25, 2024

It was moved that the minutes of the Special Council meeting on July 25, 2024 be approved as distributed.

MOTION CARRIED

4. BUSINESS ARISING FROM THE MINUTES

(a) Correction to Valley Waste Resolution

Mayor Sandra Snow reviewed the correction to the partner shares of the Valley Waste intermunicipal service agreement.

Report available for more information.

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

That Council approve the Valley Waste debenture issuance in the amount of \$1,735,000 with the town of Kentville share of \$178,011.

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MOTION CARRIED

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

5. PRESENTATION

(a) Audited Financial Statements

Andy Forse, Auditor for the Town of Kentville, gave a presentation about the process of the annual audit of financial statements, and the new accounting practices in place for a revised and modernized audit process. He described a thorough level of examination, and how issues are categorized and brought forward. He described the in-depth and engaging conversations held by the audit committee in the review of this audit. The Auditor found no deficiencies or material weaknesses.

Report available

6. RECOMMENDATIONS AND REPORTS

(a) Council Advisory Committee

(1) Rural Tax Rate

At the July 8, 2024 meeting of Council Advisory Committee, Strategic Initiatives Coordinator Alisha Christie reviewed the tax rate of select properties in Kentville on Harrington Road in the Coldbrook area. Staff recommend that these properties be considered for a lower tax rate due to reduced services.
Reports available

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

**That Council approve a rural tax rate
And further that staff draft a bylaw to effect the changes to the residential property on Harrington Road**

MOTION CARRIED

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

(b) Councillors' and Mayor's Reports

Reports were received and are part of the meeting record.

(1) Councillor Craig Gerrard

Highlights included a Board of Police Commissioners meeting, Kentville Volunteer Joint Fire Services meeting which discussed purchase of a new truck, recruitment of new staff, renovations to the kitchen and to the back stairs.

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Report available for more information.

(2) Councillor Paula Huntley

Highlights included meeting of the Valley Regional Enterprise Network meeting, Kings Regional Emergency Management Organization meeting discussing the Nova Scotia Guard initiative, Intermunicipal Service Agreement, and volunteering at the Special Olympics for the province. She attended a meeting related to the provincial Coastal Action Plan to give feedback on this plan, to help provide effective support from the province to municipalities.

Report available for more information.

(3) Councillor Cathy Maxwell

Highlights included meetings of Council, Canada Mountain Bike Championships event, meeting with members of the Oakdene Community Garden Society,

(4) Deputy Mayor Cate Savage

Highlights included an operational budget meeting, Regional Emergency Management Organization meeting focussing on hurricanes and wildfires, Intermunicipal Services Agreement meeting, and a meeting of the Investment Committee.

Report available for more information.

(5) Councillor Gillian Yorke

Highlights included meetings regarding the Regional Recreation Facility, the Board of Police Commissioners, several Council meetings, and participation in campaign school.

Report available for more information.

(6) Councillor Andrew Zebian

Highlights included Kentville Joint Fire Services meeting, the Audit Committee meeting, and the Lions Club social. Concerns about safety issues downtown, as well as flooding.

Report available for more information.

CAO Jeff Lawrence reported that Kings Regional Emergency Management Organization, Year end audit activities, Council orientation post election, and meetings with the director of the Valley Regional Enterprise Network.

(c) Mayor Sandra Snow

Mayor Snow reported on her activities this month with highlights including attending the Low Carbon Leadership Symposium in Truro, Nova Scotia Power

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presentation for Nova Scotia Federation of Municipalities presentation and meetings of the Sourcewater Protection Advisory Group and Kentville Water Commission. She also participated in the Audit Committee process, and the Kings County Academy graduation ceremony.

Report available for more information.

7. NEW BUSINESS

(a) Recommendations from Audit Committee

Mayor Snow reviewed the audit process, the Audit Committee structure and governance. The unqualified audit was prepared in accordance with appropriate recommendations and practices. Mayor Snow described the “Management Letter” which is a document that should be provided to the Audit Committee each year.

Report available

It was moved by Deputy Mayor Cate Savage and Councillor Andrew Zebian

Council Advisory Committee recommends

That Council accept the 2023-2024 audit report and documentation as presented.

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 Deputy Mayor Cate Savage

That Council reappoint the firm of Kent and Duffett chartered professional accountants to provide audit services for the year 2024-2026.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

Discussion

- Audit Committee Chair Sandra Snow described the skills matrix used to evaluate the three applications to the Audit Committee.

It was moved by Councillor Andrew Zebian and Deputy Mayor Cate Savage

That Council appoint the following citizen community members to the 2024-2025 Audit Committee: Mr. Michael McLean and Mr. David Ritcey.

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MOTION CARRIED

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

(b) Ryans Park Appeal Process

Mayor Snow reviewed process for review and appeal of a site plan revision and described the changed proposed at Ryan’s Park to have two 88-unit apartment buildings. The changes to the site plan were presented by Development Officer Raleigh King from C+D Community Planning Consulting. Solicitor Muttart offered some advice and guidance on process.

The appellants presented their concerns:

- Aryan Sarvian outlined concerns around safety, around the process of appeals, traffic and sidewalks. He stated that this amendment is not safe.
- Ashleigh Robinson and Julie MacHattie outlined concerns about the change of the vision of the development, changes to affordability, safety to pedestrians and bikers, stormwater management, sewer and water systems. She stated that the town’s planning policies are inadequate to support this kind of development.

Council comments:

- Council expressed concerns about the speed of reviewing this revised site plan and the change from the original plan in 2019.
- Solicitor Muttart reviewed the process of the meeting and the revised site plan approval, and especially any specific concerns with the Town’s Land Use Bylaw.

Reports available

It was moved by Deputy Mayor Cate Savage and Councillor Andrew Zebian

**That Council table the site plan approval appeal until the next meeting of Council,
And further request information from staff on traffic and sewer capacity.**

MOTION CARRIED

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

8. CORRESPONDENCE

(a) John Lohr, Canadian Community Building Fund

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(b) **Krista Laing, flooding concerns**

9. PUBLIC COMMENTS

(a) **Gary Randall, Kentville**

Concerns with the height of the building proposed at Ryan's Park, and about stormwater management at the property.

(b) **John Burka, Kentville**

Concerns about the proposed expropriation of Ron Cousins' property, and keep traffic speeds low on the Donald Hiltz Connector Road.

(c) **Steven Orr, Kentville**

Concerns about communication to neighbours for the appeals process, and the loss of his view of the valley.

(d) **Ron Cousins**

Expressed that he does not want to sell his land.

10. IN CAMERA

It was moved by Councillor Andrew Zebian and Councillor Paula Huntley

That Council move into a closed session at 8:11 p.m. to discuss legal matters.

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 move back into open session at 8:17 p.m.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

11. ADJOURNMENT

It was moved

That the July 29, 2024 meeting of Council adjourn at 8:17 p.m.

MOTION CARRIED

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Pending Approval

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Approved by CAO Jeff Lawrence

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TOWN OF KENTVILLE
SPECIAL COUNCIL MEETING, 5pm
Meeting Minutes: July 29, 2024

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Gillian Yorke, and Councillor Andrew Zebian.

Present: CAO Jeff Lawrence, Director Dave Bell, Solicitor Geoff Muttart, Solicitor John Shanks

1. CALL TO ORDER

The Special Meeting of Council was called to order at 5:03 pm with one agenda item – legal in camera discussion.

2. AGENDA

It was moved by Councillor Paula Huntley and Councillor Gillian Yorke

That Council accept the agenda as amended.

MOTION CARRIED

3. IN CAMERA

It was moved by Councillor Andrew Zebian and seconded by Councillor Paula Huntley

That council move into a closed session to discuss a legal matter at 5:04pm.

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 move back an open session at 5:38 pm.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

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4. ADJOURNMENT

The Special Council Meeting adjourned at 5:40 pm.

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TOWN OF KENTVILLE
SPECIAL COUNCIL MEETING, 5:45pm
Meeting Minutes: July 29, 2024

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Gillian Yorke and Councillor Andrew Zebian.

Present: CAO Jeff Lawrence, Recording Secretary Jennifer West and Solicitor Geoff Muttart

1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 5:45 p.m. and noted that all members of Council were present: Mayor Sandra Snow, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Deputy Mayor Cate Savage and Councillor Gillian Yorke and Councillor Andrew Zebian.

Staff in attendance included Chief Administrative Officer Jeff Lawrence, Solicitor Geoff Muttart, and Recording Secretary Jennifer West.

REGRETS

None.

DECLARATIONS OF CONFLICT OF INTEREST

None.

2. APPROVAL OF THE AGENDA

Addition: Land, Legal and Land as In Camera items of discussion.

It was moved by Councillor Andrew Zebian and seconded by Deputy Mayor Cate Savage

That the agenda of July 29, 2024 (5:45pm) be approved as amended.

MOTION CARRIED

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

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3. IN CAMERA

It was moved

That Council retire to the closed session at 5:40pm to discuss land, labour and legal issues.

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 Gillian Yorke

That Council retire from the closed session at 5:58pm

MOTION CARRIED

Councillors who voted in favour of this motion:

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

4. NEW BUSINESS

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

That Council direct the CAO to conduct the actions as approved in camera.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

5. ADJOURNMENT

There being no further business to discuss, it was moved

That Council adjourn the meeting at 6:00pm

MOTION CARRIED

Councillors who voted in favour of this motion:

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

DRAFT



TOWN OF KENTVILLE
SPECIAL COUNCIL MEETING, 5pm
Meeting Minutes: August 14, 2024

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Gillian Yorke, and Councillor Andrew Zebian.

Present: CAO Jeff Lawrence, Director Dave Bell, Solicitor Geoff Muttart

1. CALL TO ORDER

The Special Meeting of Council was called to order at 4:54 pm with one agenda item – land in camera discussion.

2. AGENDA

It was moved by Councillor Paula Huntley and Councillor Andrew Zebian

That Council accept the agenda as amended.

MOTION CARRIED

3. IN CAMERA

It was moved by Councillor Cathy Maxwell and by Councillor Paula Huntley

That council move into a closed session to discuss a legal matter at 4:56pm.

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 Craig Gerrard

That council move back an open session at 5:35 pm.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

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CAO Lawrence described the follow up process to choose the alternate route for the Donald E. Hiltz Road.

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

That Council direct the CAO to proceed with option 2 alternate route to realign the Donald E. Hiltz Connector Road and not require expropriation from Mr. Ron Cousins and purchase the required land from Steven S. Healy Investments Ltd.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Yorke and Zebian

Councillors who voted against this motion:

Snow

It was moved by Deputy Mayor Cate Savage and Councillor Gillian Yorke

That Council direct the CAO to inform Mr. Cousins of the expropriation decision.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

4. ADJOURNMENT

The Special Council Meeting adjourned at 5:48 pm.

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TOWN OF KENTVILLE
SPECIAL COUNCIL MEETING, 4:00 pm
Meeting Minutes: August 21, 2024

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, and Councillor Gillian Yorke.

Staff Present: CAO Jeff Lawrence, Solicitor John Shanks, Solicitor Geoff Muttart and Recording Secretary Jennifer West

1. CALL TO ORDER

The Special Meeting of Council was called to order at 4:04 pm with one agenda item – land in camera discussion.

Councillor Andrew Zebian is not present due to a conflict with the matter.

2. AGENDA

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

That Council accept the agenda as amended.

MOTION CARRIED

3. IN CAMERA

It was moved by Councillor Paula Huntley and by Councillor Cathy Maxwell

That council move into a closed session to discuss a legal matter at 4:06 pm.

MOTION CARRIED

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

It was moved by Councillor Gillian Yorke and Deputy Mayor Cate Savage

That council move back an open session at 5:11 pm.

MOTION CARRIED

Councillors who voted in favour of this motion:

DRAFT

Gerrard, Huntley, Maxwell, Savage, Snow and Yorke

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

That Council direct the CAO and Solicitor to proceed as directed in camera to resolve the Robinson Property legal matter

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Maxwell, Savage, Snow and Yorke

Councillors who voted against this motion:

Gerrard

4. ADJOURNMENT

The Special Council Meeting adjourned at 5:13 pm.

DRAFT



TOWN OF KENTVILLE SPECIAL COUNCIL MEETING Meeting Minutes: September 9, 2024 Town Hall, 354 Main Street, Kentville Nova Scotia

This meeting was held in Town Hall and was livestreamed on YouTube.

1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 5:11 p.m. and noted that all members of Council were present: Mayor Sandra Snow, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Deputy Mayor Cate Savage and Councillor Gillian Yorke and Councillor Andrew Zebian.

Staff in attendance included Chief Administrative Officer Jeff Lawrence, Solicitor Geoff Muttart, Director of Planning and Development Darren Shupe, Director of Engineering and Public Works, Planner Caroline Roberston, and Recording Secretary Jennifer West.

REGRETS

None.

DECLARATIONS OF CONFLICT OF INTEREST

None.

2. APPROVAL OF THE AGENDA

Removal of 3.b First Reading, Cogs
Removal of 4.0 In camera
Removal 5.0 Public Comments

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

That the agenda of the Special Meeting of Council on September 9, 2024 (5pm) be approved.

MOTION CARRIED

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

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3. RECOMMENDATIONS AND REPORTS

(a) First Reading, Brison Development Rezoning and Policy Amendment

At the September 6, 2024 Special Meeting of Council Advisory Committee, Mayor Sandra Snow reviewed the application by Brison Development Ltd to rezone a parcel of land near the Kentville Business Park from Industrial to Residential, and to amend a planning policy that would allow clarity and consistency during the application process.

Report available

Discussion

- Clarification of when a development agreement could be used in different parts of the site. The proposed amendments were based on council's priorities around development agreements, and requiring this to proceed as a D.A. would require a completely new staff report, engagement meetings and review.
- Clarification of the purpose of the town's planning documents (MPS and LUB). After a development permit or site plan approval has been approved, it follows the planning documents that were in effect at the time of that approval.
- Concerns about using an out-of-date planning document and keeping policies current.
- A change to land use designation is much more significant than a change in land use zoning.
- Members expressed consideration of the housing crisis, lack of housing diversity, and declining demand for industrial land in making this decision, and the desire to move the conversation to a public hearing.

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

**That the Council approve First Reading of the application to change the future designation of PID 5551774 from Industrial to Residential zoning at the September 9 Special Meeting of Council; and
Further to rezone the area marked Phase 1 on the map in the planner's report to a mixture of R3 & R4 and the Phase 2 remainder to High Density R5 residential; and
Further amend the MPS and make necessary policy changes as outlined in both the Planner's report and the additional recommendation from the Public Participation meeting document labeled additional recommendations;
and
Further schedule a Public Hearing on September 25, 2024.**

DRAFT

MOTION CARRIED

Councillors who voted in favour of this motion:

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

4. ADJOURNMENT

It was moved by Councillor Gillian Yorke and Deputy Mayor Cate Savage

That the September 9, 2024 Special Meeting of Council adjourn at 5:38 p.m.

MOTION CARRIED

Approved by CAO Jeff Lawrence

DRAFT



TOWN OF KENTVILLE
SPECIAL COUNCIL MEETING, 4:30pm
Meeting Minutes: September 16, 2024

Present: Mayor Sandra Snow, Deputy Mayor Cate Savage, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, and Councillor Gillian Yorke.

Present: CAO Jeff Lawrence, Director Dave Bell, Solicitor John Shanks

Absent: Councillor Andrew Zebian due to a conflict of interest with this meeting topic

1. CALL TO ORDER

The Special Meeting of Council was called to order at 4:30 pm with one agenda item – legal in camera discussion.

2. AGENDA

It was moved by Deputy Mayor Cate Savage and Councillor Gillian Yorke

That Council accept the agenda as amended.

MOTION CARRIED

3. IN CAMERA

It was moved by Councillor Gillian Yorke and by Deputy Mayor Cate Savage

That council move into a closed session to discuss a legal matter at 4:30pm.

MOTION CARRIED

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

It was moved by Councillor Cathy Maxwell and Councillor Gillian Yorke

That council move back an open session at 5:56pm.

MOTION CARRIED

Councillors who voted in favour of this motion:

DRAFT

Gerrard, Huntley, Maxwell, Savage, Snow and Yorke

4. ADJOURNMENT

The Special Council Meeting adjourned at 5:56 pm.



TO: Council

SUBMITTED BY: Darren Shupe, Director of Planning and Development

DATE: October 1, 2024

SUBJECT: Council Approval for Brison Developments Ltd. Rezoning Application for PID 55247761 (MacDougall Heights)

ORIGIN

The Nova Scotia Utility and Review Board issued its decision on the appeal of Council’s decision refusing to approve a rezoning application for PID 55247761. The Board decided that the appeal is allowed and directed Council to pass a resolution to approve the rezoning application.

BACKGROUND

In February 2023, Brighter Community Planning & Consulting, on behalf of Brison Developments Ltd., submitted a revised concept plan for the rezoning on PID 55247761. This revised plan was reviewed at the Council Advisory Committee in March 2023 and received First Reading at the May 30, 2024, Council Meeting. A Public Hearing was held on June 21, 2024, and at a Special Meeting of Council, held on July 10, 2023, Council decided that the application was not consistent with the intent of the Municipal Planning Strategy and denied the application.

On October 10, 2023, in an in-camera session, Council passed a motion providing three reasons for their refusal of the application. The applicant appealed Council’s decision and the NSUARB held an appeal hearing over the course of November and December of 2023.

The Board provided their decision on May 13, 2024, and directed Council to approve the rezoning application.

DISCUSSION

MGA Section 251(1)(c) provides direction on the power of the Board with regards to appeals on amendments to the Land Use By-law where the Board may:

allow the appeal and order the council to amend the land-use by-law in the manner prescribed by the Board or order the council to approve the development agreement, approve the development agreement with the changes required by the Board or amend the development agreement in the manner prescribed by the Board;

The Board’s decision was to allow the appeal and to direct Council to approve the application. There are no other options available to Council.

POLICY IMPLICATIONS

The Town’s zoning map will be revised to reflect the requested amendments of the revised concept plan submitted in February 2023.

BUDGET IMPLICATION

None

ATTACHMENTS

Zoning map

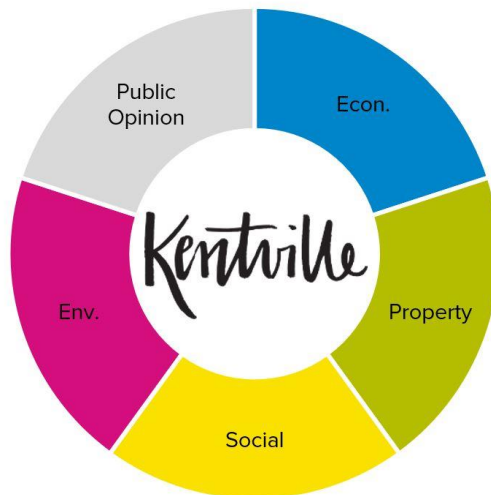
RECOMMENDATION

WHEREAS the Utility and Review Board overturned Council’s decision to deny approval of an application by Brison Developments Ltd. to rezone property identified as PID 55247761 from Large Lot Residential (R5) to Single Family Dwelling (R1), One-and-Two-Unit Dwelling (R2), and High Density Residential (R4);

AND WHEREAS the Board ordered that Council approve the application;

BE IT RESOLVED THAT Council approves the application by Brison Developments Ltd. to rezone property identified as PID 55247761 from Large Lot Residential (R5) to Single Family Dwelling (R1), One-and-Two-Unit Dwelling (R2), and High Density Residential (R4) as shown on the attached map of zoning amendments.

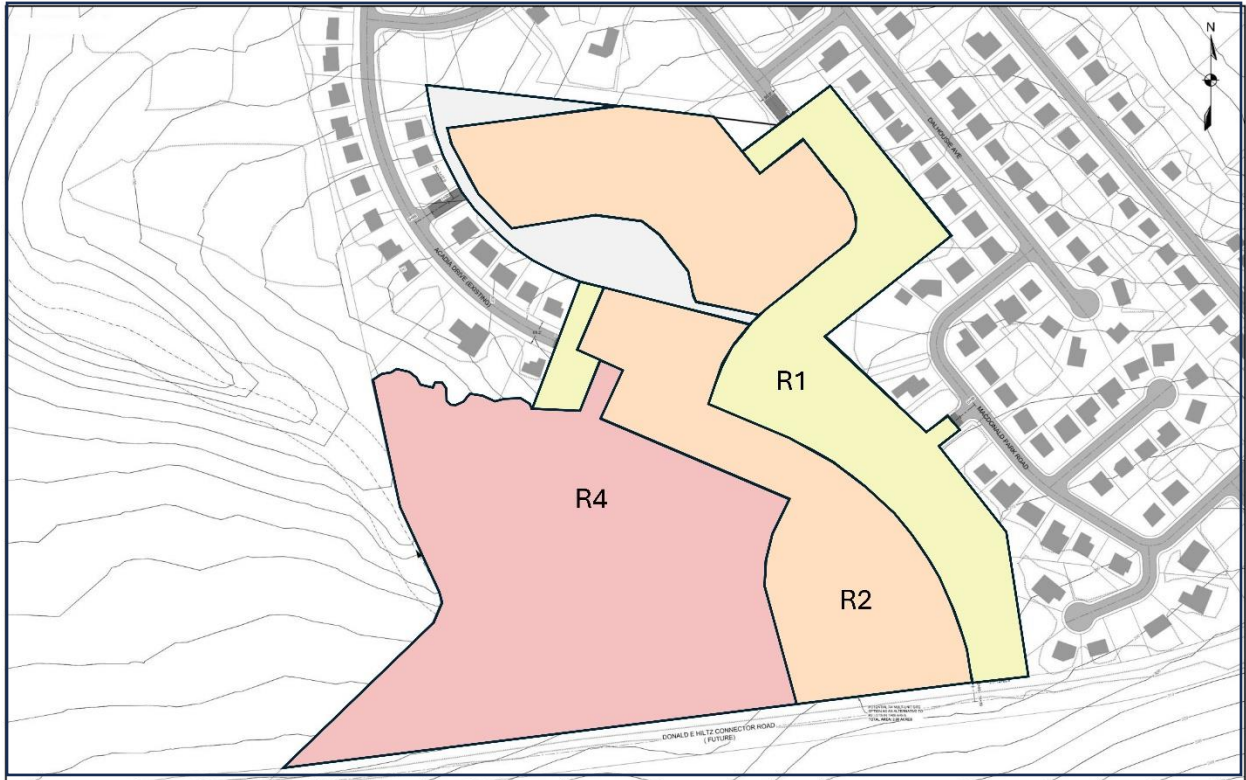
Town of Kentville Decision Wheel:



Map of Zoning Amendments

Kentville

A BREATH OF FRESH AIR





Application to Amend MPS & Rezone

Application in West Kentville (PID 55551774)

Submitted to: Council, Town of Kentville

Prepared by: Caroline Robertson, CIP, LPP & Reviewed by Elora Wilkinson CIP, LPP
March 22, 2024

Applicant: Brighter Community Planning & Consulting
on behalf of Brison Developments



C+D community design

REPORT OVERVIEW

Request	<p>The Town has received a request from Brison Developments to alter the Future Generalized Land Use Designation and rezone PID 55551774. This is a large industrial property located off Park Drive. The purpose of the request is to accommodate a proposed high-density residential development, specifically designed for seniors. The development plan will include amenities, open spaces, and a comprehensively planned residential community.</p>
Description	<p>Given the significant housing challenges affecting Nova Scotia, particularly in the Annapolis Valley region encompassing Kentville, this report aims to explore the effects of converting industrial zones to residential use. With a current housing shortage of 25,000 to 30,000 units, adjusting zoning regulations could open doors for sustainable residential growth, aligning with the Provincial Government's long-term housing strategies. In this unprecedented period, it's challenging to find direct comparisons between industrial and residential zoning benefits. <i>Through thorough research and analysis of similar municipalities, staff recommend prioritizing, well planned, housing opportunities wherever feasible.</i></p> <p>The Applicant has presented three appeals to Council:</p> <ol style="list-style-type: none"> 1. Request to change the Future Designation from Industrial to Residential for the entire PID, with Phase 1 to be rezoned to a mixture of Residential (R3 & R4) as indicated on the map. 2. Seek adjustments to rezoning requirements to allow for initial submission flexibility, with full compliance required during the permit process upon rezoning approval 3. Propose rezoning the remaining Phase 2 to Residential (R5) as depicted on the map. <p>This report is centered on future housing developments in Kentville and providing Council the opportunity to consider good developments, as they arise. <i>Staff considered the developer's proposal while recognizing the pressing need for housing within the town.</i> Existing policies pose challenges for Council and staff in evaluating new proposals. <i>The suggested adjustments aim to facilitate future housing projects for Council's consideration and offer the applicant various options for phased development if the request is granted.</i></p> <p>A significant portion of land within the town is currently designated for residential development, while a smaller portion (12.3%) has been designated for industrial use in a segregated cluster to prevent conflicts. Much of the existing land that is designated as residential is serviced and offers development opportunities. The existing industrial land designation provides the potential for large-scale industrial development, which could bring jobs and inject new funds into the economy. While prioritizing housing development may meet the immediate needs of residents, unless changes are considered carefully and well-planned, fewer employment options and services may be available for the new residents due to an unbalanced land use map.</p>

<p>Recommendation</p>	<p>Given the significant housing shortage and the need for sustainable community growth, it is advised that the Council review the following proposals:</p> <ol style="list-style-type: none"> 1. Change the designation of PID 55551774 from Industrial to Residential to encourage diverse housing developments. 2. Rezone the area marked as Phase 1, on the map, to a mixture of R3 & R4. 3. Add more specific language to Policy IM-2 in order to provide Council with the ability to request any necessary studies to make an informed decision for a Municipal Planning Strategy Amendment. <i>This is intended to replace the less enforceable language in IM-7 & IM-8 for Land Use By-Law Amendments</i> 4. Streamline Policies IM-7 & IM-8 to facilitate rezoning applications and rely on alignment of developments with the Municipal Planning Strategy vision. 5. Strengthen existing policies GD-30 and GD-5 to allow for the approval of large-scale housing developments on a single lot through either site plan approval or development agreement at the developer's discretion, or across multiple lots through a Development Agreement. 6. Introduce a policy that permits local commercial uses in the R4 Zone to service high density residential areas 7. Rezone the remaining portion of PID 55551774 to High-Density Residential R5. 8. Implement a policy allowing the consideration of extensive development in the R5 Zone through a Development Agreement.
<p>Relevant Policies and Legislation</p>	<p>Municipal Planning Strategy Land Use By-Law Subdivision By-Law Public Participation Program Policy (G62) Municipal Government Act</p>
<p>Follow Up Action</p>	<ol style="list-style-type: none"> 1. Present to CAC (July 8th, 2024) 2. Advertise (Advertise 14 days) & Host Public Participation Meeting at CAC 3. 1st Reading of Council 4. Public Hearing 5. 2nd Reading of Council

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Background

The applicant bought a large piece of industrial land on Park Drive, designated as an industrial area by the Municipal Planning Strategy and zoned as such by the Land Use By-Law. They wish to develop the site with a mix of residential uses. However, before proceeding, Council must approve a change to the Municipal Planning Strategy and Land Use By-Law. This change would remove the Industrial Designation and allow for residential development in the front portion of the lot while zoning the back portion as High-Density Residential (R5), intended as a holding zone for future residential development. The applicant's goal is to develop the entire lot for residential use in the future.

The Municipal Planning Strategy allows Council to consider changes to the plan if there are changing circumstances (See IM-1 a)). The applicant has requested that Council process their application using Policy IM-4. This policy eliminates the need to provide reasoning for changing the zoning from industrial to residential based on the zoning of the adjacent property. However, the proposed application considers significant changes, such as the lot size, change of use, and service capacity. Therefore, staff believe Policies IM 1-3 should be included in the application analysis. This will give Council a more thorough analysis to help inform their decision-making process. In particular, Policy IM-2 provides Council with the authority to require the applicant to submit sufficient information and argument in support of a proposed Municipal Planning Strategy Amendment. This policy is essential and may even benefit from additional and more specific language.

There isn't a universally accepted standard mix ratio of industrial, residential, and commercial land use designations for towns. The appropriate mix can vary greatly depending on various factors, including the town's size, population, economic base, geographic location, and growth objectives.

However, urban planners often use certain principles to guide their decisions. For example, the Urban Land Institute recommends a balanced approach that considers the needs of the community, the local economy, and the environment¹. This could mean ensuring sufficient residential space to house the local workforce, enough commercial space to support local businesses and meet consumer demand, and ample industrial space to accommodate existing and anticipated industries.

In addition, it's common for towns to use zoning regulations to separate different types of land use and minimize conflicts. For instance, industrial areas might be placed away from residential areas to reduce noise,

¹": <https://uli.org/>

MPS Policy References

Policy IM-1 It shall be the intention of Council to consider amendments to the Municipal Planning Strategy when;

- a) An adjustment is necessitated due to changing circumstances;*
- b) Additional information is identified or studies have been undertaken which identify the need for change that should be incorporated into the strategy or which recommend an amendment to the strategy; or*
- c) A Provincial Policy change requires a change in policy by the Town*

Policy IM-2 It shall be the intention of Council to require the applicant to submit sufficient information and argument in support of any proposed Municipal Planning Strategy Amendment

Policy IM-3 It shall be the intention of Council to, subject to Policies IM-1 and IM-2, consider amending the Future Land Use Map by changing a parcel's future land use designation in order to permit a proposed rezoning. The proposed map amendment and rezoning may be considered concurrently.

Policy IM-4 It shall be the intention of Council to consider an application to amend the Land Use By-Law Zoning Map and Rezone lands abutting a given designation on the Future Generalized Land Use Map to a Zone supported by that Designation without requiring a Municipal Planning Strategy Amendment, provided such an application is consistent with other policies in this strategy.

traffic, and pollution. Buffer zones, such as parks or commercial areas, might be used to separate these uses further².

It's also worth noting that many towns are moving towards mixed-use development, which combines residential, commercial, and sometimes industrial uses in the same area. This approach can promote walkability, reduce transportation costs, and create more vibrant, diverse communities³.

Although having a diverse land use map that includes various types of land use is a good practice in today's planning, there may be situations where one type of land use needs to be prioritized over others. This decision will depend on the economic and environmental conditions of the community and the surrounding region. *The Government of Nova Scotia has declared a housing crisis and is working with Federal and Municipal entities to speed up and streamline shelter options.* This shift in focus requires Municipal Councils to assess which types of land use are essential and when housing should be given priority over other uses while still keeping in mind the potential for future uses that can create job opportunities and resources for the community. How can we maintain a positive balance of land use that is unique and effective for the current and future needs of our specific community?

SITE SUITABILITY

The site's suitability hinges on various factors. Initially, the specified land is part of an Industrial land cluster, the only designated industrial area for the Town. Nonetheless, this zone has primarily remained undeveloped, likely due to insufficient services or lack of market demand. Typically, maintaining a comprehensive plan for diverse land utilization with a well-thought-out segregation of functions to prevent disruptions is a standard practice in land use planning, as evident in the current Future Generalized Land Use Map for the Town of Kentville. Despite this, the Town hasn't experienced development pressure for new industrial purposes but rather a surge in requests for additional residential developments. Is permitting a blend of residential and industrial progress in the area slated for future industry feasible? Is the designated land suitable for industrial purposes? How does the presence of a well-field impact the site's appropriateness? What land uses would be less disruptive to the environment and meet the needs of today's community?

MPS Policy References

Policy M-4 It shall be the intention of Council to include in the Land Use By-Law and Industrial (M1) Zone. This zone will permit a range of industrial uses appropriate to a fully serviced, modern industrial/business park area. Specifically, no heavy, polluting industry will be permitted within the Industrial/Business Park Zone.

The Town's Planning documents consider the existing well-field sites by limiting the types of industrial uses permitted in the industrial designation. This has been addressed using MPS policy M-4.

TRAFFIC STUDY

The Town's Policy T8, of the Municipal Planning Strategy requires a traffic impact study as part of rezoning or subdivision approval if the development is projected to generate 100 or more two-way trips at the site entrance during peak hours.

² "Zoning and Land Use Planning." [Online] Available:

<https://www.planning.org/divisions/planningandlaw/propertytopics.htm#zoning>

³ "Mixed-Use Development." [Online] Available:

<https://www.planning.org/knowledgebase/mixedusedevelopment/>

The applicant submitted a traffic scoping plan, [found in the additional materials](#), based on details of a proposed residential development by Brison Developments Ltd on Park Street in Kentville. The development includes 675 residential units of various housing types. Access to the site will be via new streets, with future connections planned. Full build-out is expected within five to ten years as part of Phase 2. GAALCO Traffic Engineering will conduct a traffic impact analysis.

The study will focus on the intersection of Road A and Park Street in the new development. Traffic conditions from 2024 to 2039 will be analyzed, covering full build-out phases. Additional years may be considered based on intersection service levels and highway needs.

Analyses for each horizon year will involve obtaining morning, afternoon, and noon hour counts to meet TAC traffic signal warrants. Turning movement counts will ensure accurate traffic volumes at the Park Street intersection on select weekdays in good weather. Counts will be adjusted to DHVs using weekly factors based on Nova Scotia's Permanent Counters.

Establishing traffic growth rates for highways in the study area will be based on historical traffic counts provided by DPW.

Trip generation rates from the Institute of Transportation Engineers (ITE) will guide traffic analysis for residential units. It is anticipated that senior adults will occupy a significant portion of the land, which will influence the use of specific land use codes.

Trips from the new development will be assigned to Park Street based on turning movements at the Acadia Drive intersection in October 2022. A manual site traffic assignment will allocate trips east and west on Park Street.

An analysis of service level (LOS) using Synchro-SimTraffic software will ensure a minimum LOS of 'D' with a v/c ratio of 0.90. Traffic control devices and lane warrants will be specified for the intersection design review.

A more detailed traffic study that is cohesive with the applicant's fully developed plans for the area will be required as part of the development permit process. Currently, the Developer has not fine-tuned his development intentions. Requiring a more detailed traffic study would increase the developer's cost and provide little information for Council and Staff at this stage.

RECREATION STUDY

The proposed development's scale and intended use will result in a significant influx of new residents to an area that is currently not serviced. The developer has indicated his intent for the new residents to be primarily seniors. Having appropriate recreation facilities within a short and accessible walking distance will be an important element to include within the planning process for both Phase 1 and Phase 2. A standard walking distance would be between 0 to 1 km from the center of the development, allowing residents from the center out to access the facilities they need. Some examples of recreational infrastructure beneficial to seniors include walking tracks, wide-paved shoulders for active transportation, increased seating areas along important routes, and amenity spaces that allow for social interaction. It is important to note that the community should cater to all age ranges, not just seniors, and that amenities and recreation should reflect this.

From: Craig Langille <clangille@kentville.ca>

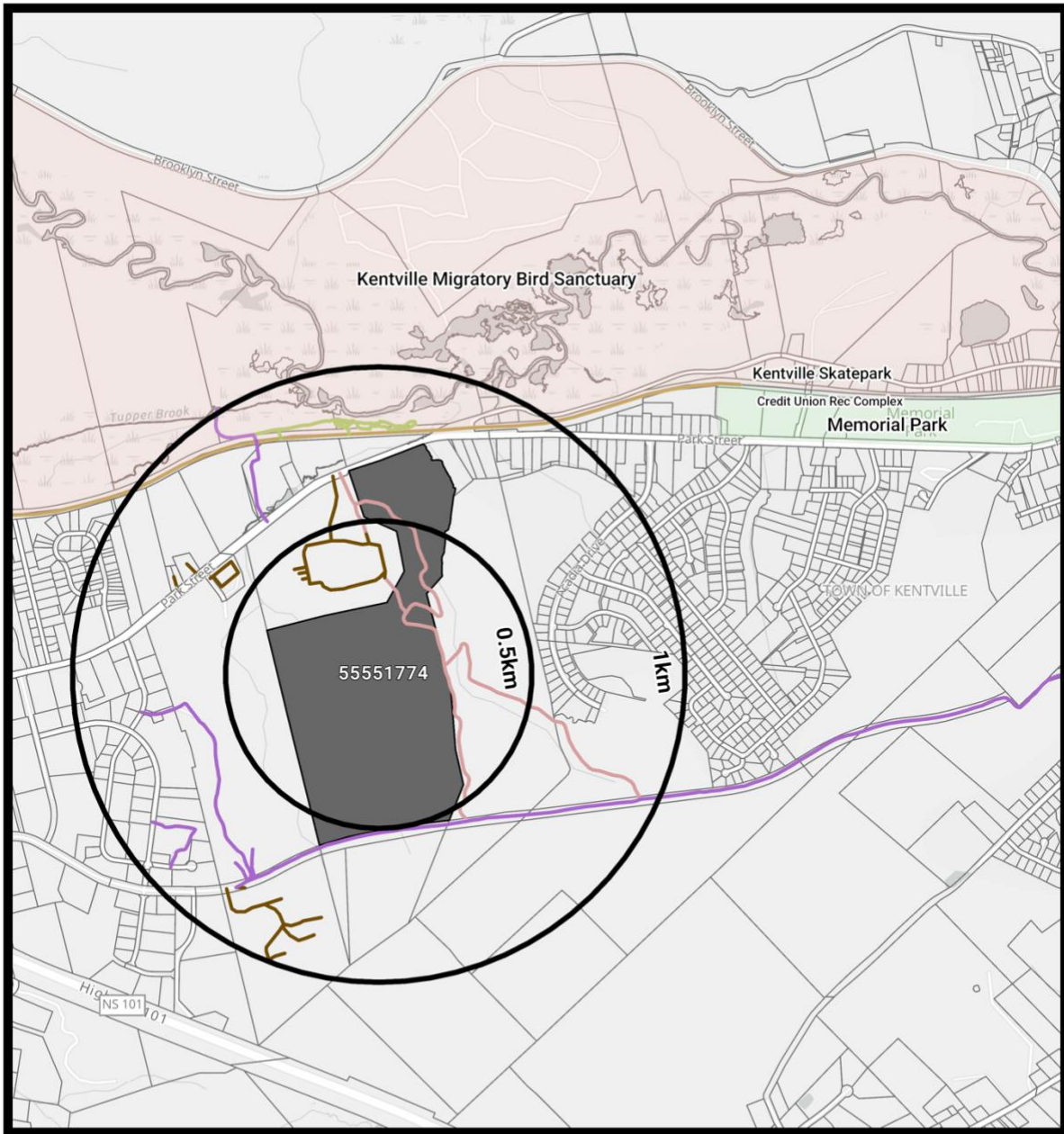
Sent: Friday, March 8, 2024 8:43 AM

To: Lindsay Young <lyoung@kentville.ca>

Subject: RE: Brison Development Report for CAC

The parkland space being proposed in Phase 1 would be unlikely to be developed by the Parks and Recreation Department, and it would be considered conservation if this development went forward. Due to the severe slopes in the area and the department/s experience with developing park spaces behind residential properties, it would be best to keep the parkland space natural. Staff suggest that Road A be used as an active transportation route and be accompanied into the Active Transportation plan if this project goes forward and this would connect the Donald E. Hiltz Connector Road to Park Street and potentially the Harvest Moon Trail.

For phase 2 (remainder), the preference is to have the two small parkland spaces that connect into one larger parkland space.



Proposed Area for Rezoning - PID: 55551774

- | | | |
|--------------------------------|------------------------------------|--------------------------|
| From Industrial to Residential | cycleway | Credit Union Rec Complex |
| footway | Kentville Migratory Bird Sanctuary | Kentville Skatepark |
| path | Memorial Park | |
| service | | |
| track | | |

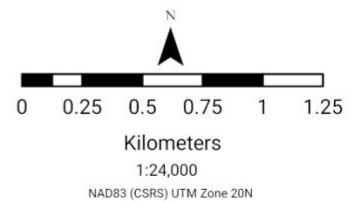


Figure 1 Analysis of Walking Distance to Existing Recreation for Proposed Development

STORMWATER MANAGEMENT

The proposed site, with Property Identification Number (PID) 55551774, is situated within the Wellfield protection zone of the Town of Kentville. An essential aspect to consider in this area is not only the amount of stormwater produced but also the infrastructure in place to handle runoff and prevent pollution. The nature of the development on the site can significantly impact the volume of stormwater runoff. Nevertheless, it is crucial to recognize that the site layout, landscaping decisions, and paving choices can also wield significant influence on stormwater management. Well-designed communities with features such as bioswales are essential to protect residents and their assets from increasing extreme weather and flooding trends.

The Municipal Planning Strategy for the Town of Kentville outlines a comprehensive approach to sustainable, fiscally responsible development. Recognizing the high upfront costs and ongoing maintenance associated with expanding infrastructure, the Council has prioritized development in areas where existing infrastructure already has capacity. This approach not only minimizes costs but also allows for quicker housing unit construction by reducing the need for extensive preliminary infrastructure work.

A key facet of the Strategy is the logical and efficient extension of municipal services into currently un-serviced areas. This includes upgrades to the regional sewage collection system and treatment plant, enforcement of water protection regulations to ensure safe, clean water for residents, and measures for stormwater management to prevent flooding.

The Strategy's residential goal emphasizes the importance of future residential development occurring in suitable locations with adequate water, sanitary sewer, storm sewer, transportation, and recreational services. *It discourages development further away from existing services and mandates that any new development must be located on incremental extensions of existing services that can handle the additional capacity.*

Most importantly, *the Strategy stipulates that developers or landowners should bear the costs of municipal service extensions.* This ensures that public funds are used efficiently and promotes responsible, sustainable growth. Kentville is taking a proactive, strategic approach to urban planning and infrastructure development by focusing on developing existing areas before expanding outwards.

MPS Policy References

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.

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 the use of said services.

Policy MS-20 It shall be the intention of Council to require that the developer/landowner pay the costs of municipal service extensions.

ENVIRONMENTAL CONSTRAINTS OVERLAYS

In Part 10 of the Land Use By-Law, there are Environmental Constraint Overlays. This section aims to limit land uses and development in areas with a higher risk of flooding, erosion, slope failure, or other unique features that make them sensitive to development pressures. In the proposed Phase 1 development, there is an area covered by policy 10.2 which has a Steep Slopes 25% overlay. This means that only conservation and related projects, passive recreation, walkways and trails, and public works and utilities are permitted in this area reducing the overall area that may be developed as R4 and R3.

Land Use By-Law Policy References

Part 10 Environmental Constraints Overlays

10.1 Overlay Purpose

The purpose of the Environmental Constraint Overlays is to restrict land uses and development which have an increased risk of flooding, erosion, slope failure or other unique features which cause them to be environmentally sensitive to development pressures. The Environmental Constraint Overlay Map 3 of the Municipal Planning Strategy, identify lands at risk of flooding and/or erosion due to steep slopes based on the best information available to the Town. The Town does not make any representations about the accuracy of this information or provide any assurances that flooding or erosion risks will not exceed these predictions or occur in other areas. Property owners are responsible for all risks associated with development, the effectiveness of flood resistant measures and the impacts of the development on neighbouring properties.

10.2 Steep Slopes > 25% (SS) Overlay

10.2.1 Permitted Uses

- a) Conservation and Related Projects*
- b) Passive Recreation*
- c) Walkways and Trails*
- d) Public Work and Utilities*

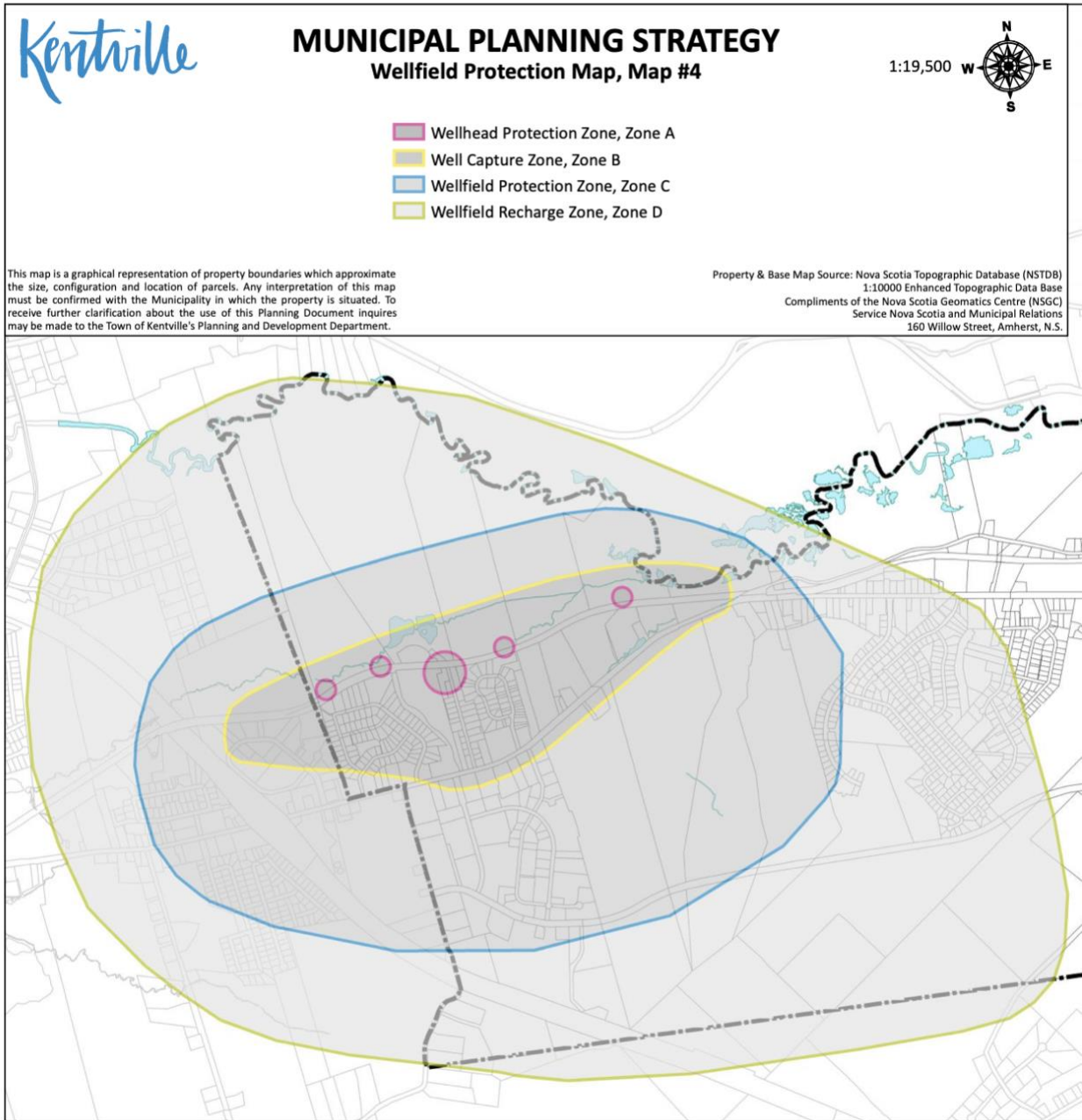


Figure 2 Wellfield Protection Map

Request to change the Future Designation from Industrial to Residential for the entire PID, with Phase 1 to be rezoned to Residential (R4) as indicated on the map.

CHANGING CIRCUMSTANCES

Housing need

The province of Nova Scotia is currently facing significant housing challenges within the Annapolis Valley region, including Kentville, being particularly affected⁴. The demand for affordable housing has increased due to various factors such as economic growth, demographic changes, and urban migration. The housing shortage is most prominent in Halifax Regional Municipality but also impacts all other regions of the province.

According to a housing needs assessment report, there is a shortage of 25,000 to 30,000 housing units in the province, including a shortage in Kentville⁵. In response, the provincial government is planning to reduce the shortage by funding 222 public housing units across five communities.

Various initiatives are being implemented to tackle this issue, focusing on sustainable development that meets the community's diverse needs without compromising the ability of future generations to meet their own housing requirements⁶. However, experts warn that there are no easy solutions to Nova Scotia's housing shortage and long-term comprehensive strategies are needed to address the crisis adequately.

The housing crisis in Kentville has escalated due to a combination of factors. The demand for affordable housing has increased due to rising costs, new development demographic changes, and residents choosing to live outside of Halifax to reduce their housing costs. Additionally, an influx of new residents, an aging population, and an increase in single-person households have further complicated the situation⁷.

The provincial government has committed to investing \$3 million in establishing shelter communities in Lower Sackville, **Kentville**, and Whitney Pier to address the crisis. However, these initiatives have received mixed reactions from residents. While some support the efforts, others have expressed concerns about potential adverse effects on property values and community dynamics⁸. This is also only one type of housing intended to address the most vulnerable; diverse housing options are required to address the crisis.

To address these concerns, the government has also announced plans to work closely with municipalities to create zoning bylaws that encourage affordable housing developments. This will involve identifying suitable lands and incentivizing developers to build affordable units. Additionally, partnerships with non-profit organizations and private developers are being encouraged to increase the supply of affordable housing throughout the province, including Kentville⁴.

⁴ <https://www.cbc.ca/news/canada/nova-scotia/municipalities-react-first-local-housing-needs-assessments-1.7046742>

⁵ <https://novascotia.ca/action-for-housing/>

⁶ <https://www.saltwire.com/atlantic-canada/news/perfect-storm-of-factors-contributed-to-current-housing-crisis-in-nova-scotia-100916472/>

⁷ <https://globalnews.ca/news/10042994/nova-scotia-housing-plan-to-reduce-shortage/>

⁸ <https://www.cbc.ca/news/canada/nova-scotia/shelter-community-nova-scotia-1.7101760>

Furthermore, initiatives have been launched to support vulnerable populations, such as seniors and individuals experiencing homelessness. This includes funding for programs that provide rental subsidies, home repairs, and supportive housing services⁴.

Despite these efforts, experts stress the need for a more comprehensive approach to tackle the housing crisis in Kentville. This includes addressing systemic issues such as income inequality, lack of affordable rental units, and gentrification. Additionally, a long-term plan for sustainable and inclusive development is necessary to ensure that the housing needs of all residents are met⁴.

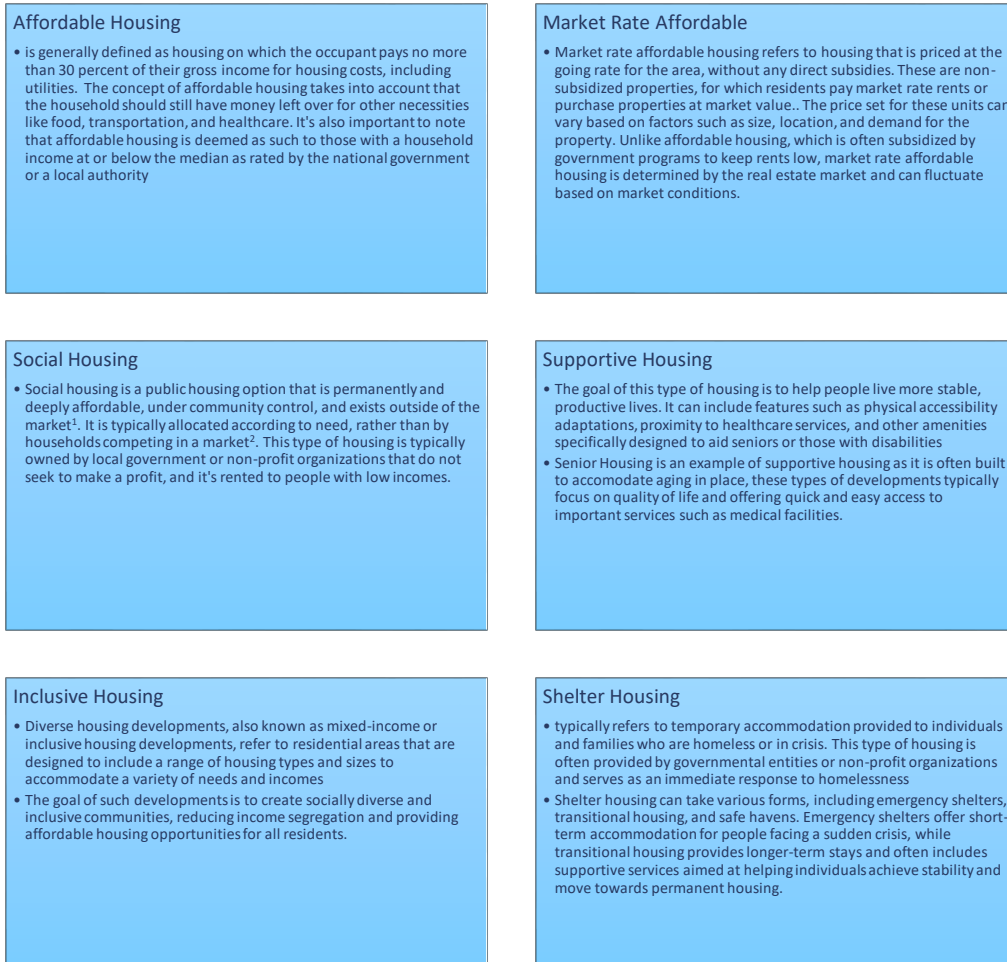


Figure 3 Common Housing Language with Definitions

The Generalized Future Land Use Map and Zoning Map, as shown in the following pages, can provide valuable information about what types of development are planned for different areas of the town. To prevent conflicts, the town has designated a smaller portion of the land for industrial use (12.3%), while most land is set aside for residential development. This means that developers have opportunities to build new homes in serviced areas while also leaving space for potential large-scale industrial development that could create job opportunities and boost the local economy.

In conclusion, while there have been efforts to address the affordable housing crisis in Nova Scotia and Kentville, more work needs to be done. It will require collaboration between various levels of government⁴ and rethinking land-use regulations. Overall, the housing crisis in Nova Scotia and the future demand for housing within the Town of Kentville underscores the need for various housing types, including affordable and senior housing projects, to accommodate the community's diverse needs. Sustainable and inclusive solutions must be prioritized to ensure all residents can access suitable accommodations.

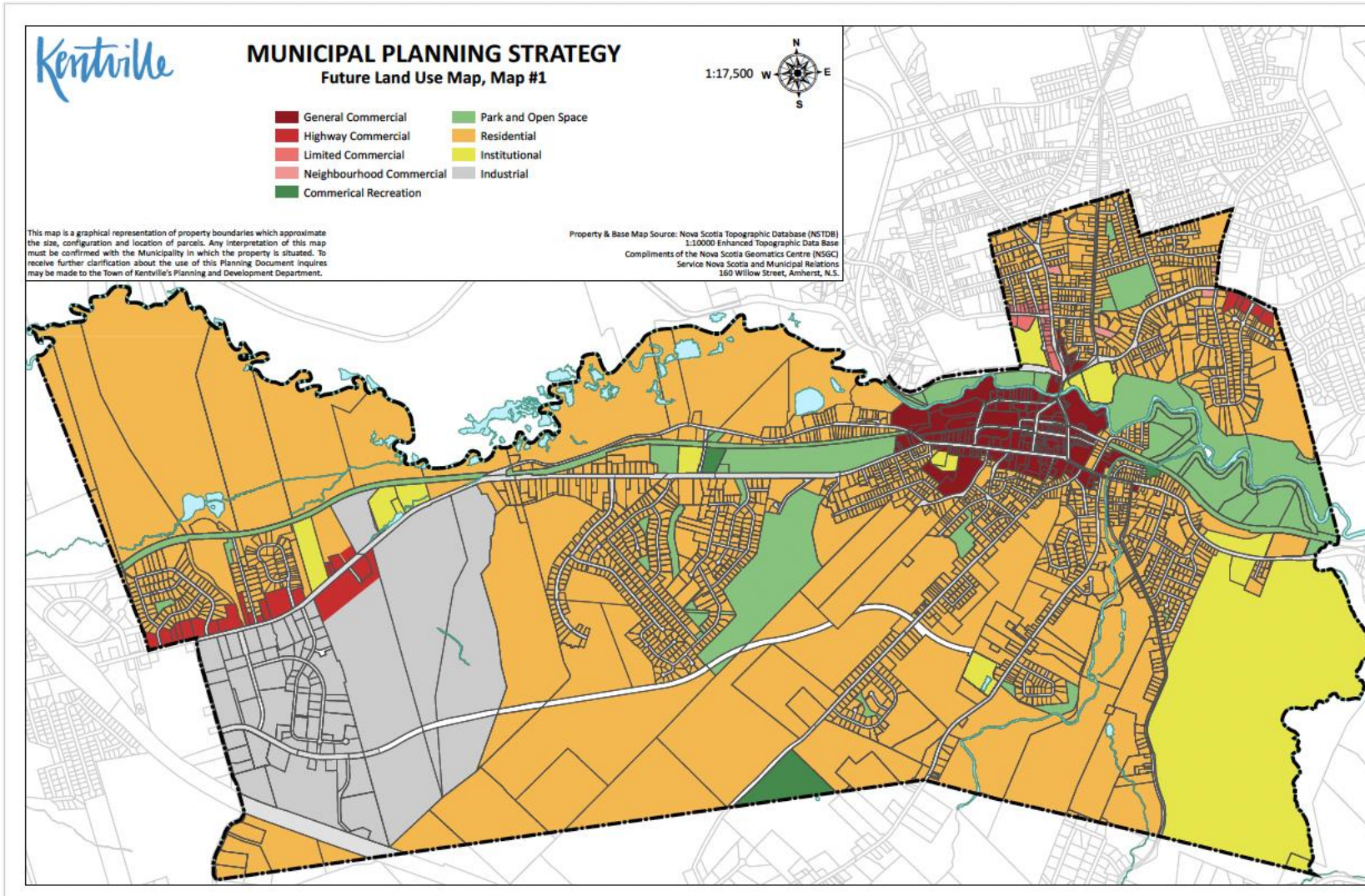


Figure 4 Future Generalized Land Use Map Town of Kentville -Orange is Existing Residential Designation

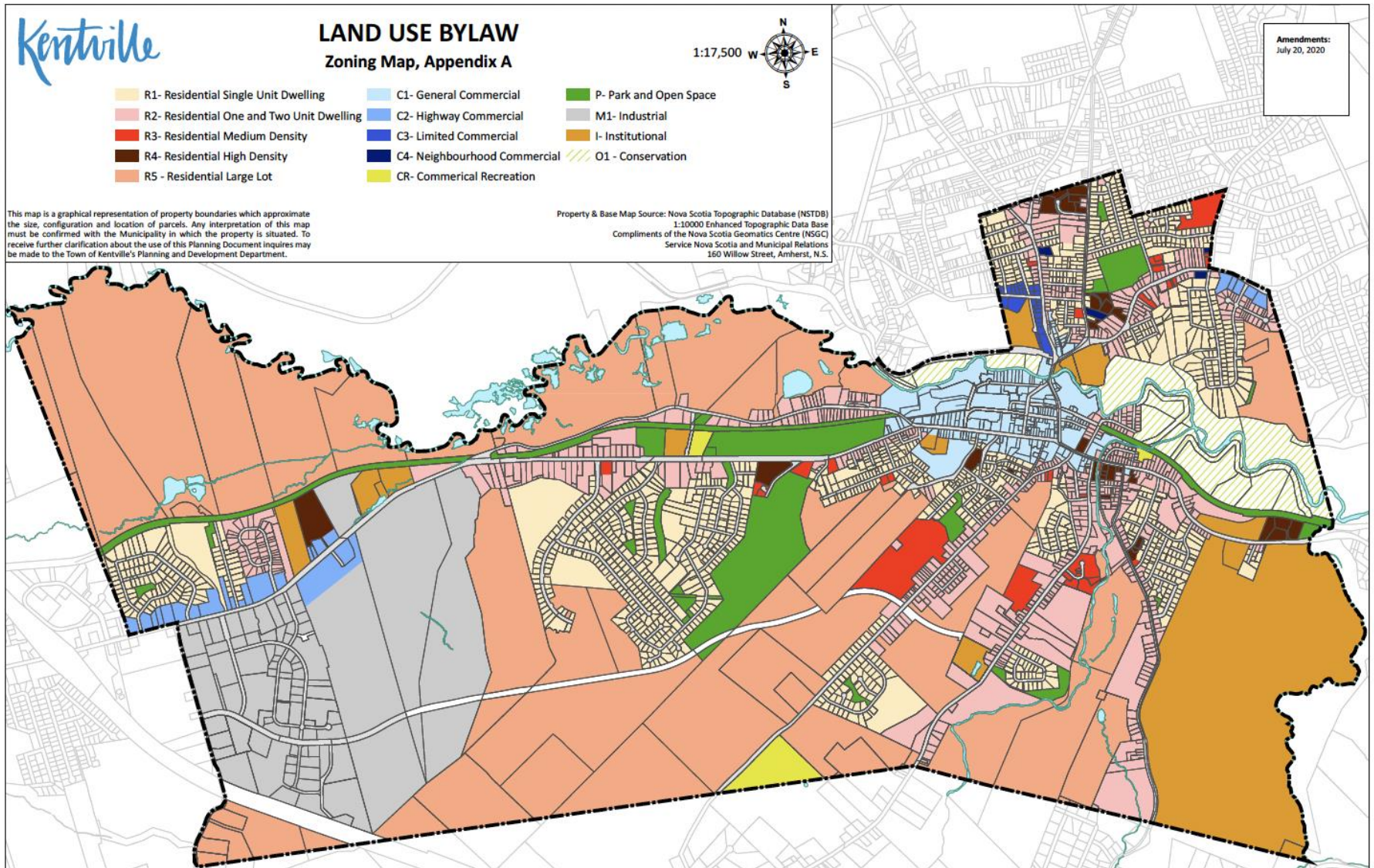


Figure 5 Existing Land Use Map for Town of Kentville, Residential Uses are Yellow (R1), Pink (R2), Red (R3) and Maroon (R4), Unserviced Residential is Marked as Peach (R5)

Industrial Need

For various reasons, Nova Scotia's municipalities, such as the Town of Kentville, often necessitate industrial land. Planning industrial land is essential as it supports economic development, job creation, and local economic growth. By designating specific zones for industrial purposes, towns can attract businesses, stimulate investment, and boost their local economies⁹. Many industrial uses export to larger communities, bringing new money into the local community's economy and supporting residents.

The average percentage of land dedicated to industrial use in Nova Scotia towns' Generalized Future Land Use Map (GFLUM) can vary. Each municipality evaluates its unique economic landscape, industrial needs, and land availability to determine the suitable proportion of land to allocate for industrial development¹⁰. As an illustration, the Town of Truro has opted to allocate a considerable portion of its land for industrial purposes, reflecting its strategic emphasis on strengthening the local economy and generating job opportunities¹¹. Conversely, the Town of Amherst may allot a different proportion of its land for industrial use, depending on its distinct economic landscape and industrial requirements¹².

These disparities in the allocation of industrial land underscore the importance of a customized approach to land use planning. *It is vital to consider each municipality's specific needs and goals when deciding the proportion of land to dedicate for industrial use.* By doing so, towns can effectively support economic growth, attract industries, and create employment opportunities for their residents¹³.

Planning for industrial land is not just about supporting economic development; it also involves ensuring a balanced land-use approach. Striking a balance between industrial, residential, commercial, and natural areas is crucial to developing sustainable and vibrant communities¹⁴. By incorporating diverse land uses into the planning process, towns can foster a healthy and well-rounded environment that caters to the community's evolving needs¹⁵.

The Valley region has potential industrial uses for agriculture and the food industry. Many Municipal units in the area are interested in protecting land that can be used for growing food. Although the land is capable of agriculture in the Town of Kentville, including some class 2 and class 3 soils, most of it has been cleared and urbanized. As a result, Council has decided that there is limited agricultural potential within the Town. However, Council does support small-scale food production through community gardens, greenhouses, farmers' markets, and through industrial uses that permit the processing of raw materials or goods.

In conclusion, Nova Scotia towns require industrial land to promote economic development, create job opportunities, and bolster local economies. The average percentage of land dedicated to industrial use

⁹ "2020 Industrial Employment Lands Strategy." [Online] Available:

<https://www.shapeyourcityhalifax.ca/12651/widgets/91889/documents/74297>

¹⁰ " <https://www.bridgewater.ca/images/stories/planning/planningreview/cir/cirpart2.pdf>

¹¹ " https://novascotia.ca/nse/ea/melford.international.terminal/MIT_Section-05.0.Description.ExistingEnvironment.Section-5.11.pdf

¹² <https://nsfa-fane.ca/wp-content/uploads/2017/07/Statistical-Profile-of-Halifax-County.pdf>

¹³ <https://www.shapeyourcityhalifax.ca/37947/widgets/158173/documents/109456>

¹⁴ <https://novascotia.ca/nse/12percent/docs/12.percent.our.wild.spaces.pdf>

¹⁵ https://en.wikipedia.org/wiki/Halifax,_Nova_Scotia

in the GFLUM of Nova Scotia towns may vary based on their specific economic landscapes and industrial requirements¹⁶. Industrial land plays a pivotal role in supporting economic growth and job creation in Nova Scotia's towns. While the exact percentage of land dedicated to industrial use can vary, a thoughtful and balanced approach to land use planning can contribute to the Town of Kentville's long-term success and sustainability¹⁷. Notably, the Town of Kentville has allocated large tracts of land to the southwest of the town that are currently unserviced and back onto the Donald E. Hiltz Connector Road and the highway. This land is grouped together in a collection and represents 12.3% of land within the Town and the only available industrial land.

Nova Scotia Policy Examples

Town of Berwick

The Town of Berwick's Generalized Future Land Use Map (GFLUM) indeed designates certain areas within the town boundaries as Commercial Industrial Expansion (CIE)¹⁸. This zoning category is typically utilized to accommodate future growth and expansion of commercial and industrial activities.

The CIE designation suggests that Berwick is preparing for economic growth and development, allowing room for businesses to establish, expand, and thrive. The aim is likely to foster a robust local economy, create job opportunities, and enhance the town's fiscal health.

This strategy also indicates that Berwick is taking a proactive approach to planning, anticipating future needs, and ensuring that sufficient land is available to meet these needs. It's an important part of creating a sustainable, resilient community that can adapt to changing circumstances and seize new opportunities.

However, it's worth noting that while this kind of land use designation can bring significant benefits, it also comes with challenges. These may include managing potential impacts on surrounding land uses, ensuring adequate infrastructure and services, and balancing economic development goals with environmental sustainability and quality of life considerations^{19,20}.

¹⁶ " <https://www.buylandns.ca/category/statistics/>

¹⁷ https://www.halifax.ca/sites/default/files/documents/business/planning-development/applications/HalifaxMainland_LUB.pdf

¹⁸ <https://www.berwick.ca/planning/maps/659-2023-05-09-map-3-general-future-land-use-map-arche-1/file.html>

¹⁹ https://www.un.org/esa/sustdev/publications/industrial_development/3_1.pdf

²⁰ <https://www.ocaf-faco.ca/news-post/economic-social-environmental-benefits-of-smart-growth/>

The Town of Truro

The Town of Truro has crafted an Economic Development Vision and Strategy to promote sustainable economic activity and support local business growth²¹. Their strategy reveals that two-thirds of housing units are second-homeowner units, with the median average housing price experiencing a surge of 12.5% from 2021 to 2022²².

Over the past decade, Truro's industry mix has remained relatively unchanged. Residential properties account for 30% of the land, while commercial properties make up 2%. Notably, a significant 71% of the Town's revenues are sourced from local property taxes, predominantly residential²³.

The Truro Economic Development Committee has produced a report focusing on industry trends and potential solutions aimed at maintaining a diverse and thriving local economy²⁴. The resulting policies aim to encourage a variety of housing types through land use planning and also advocate for policies that foster a sustainable business environment in Truro. These policies support well-established business sectors in Truro that provide jobs and a living wage²⁵.

The Municipal Planning Strategy for the Town of Truro serves as a guiding policy document for decisions on land use and development matters in the town²⁶. The strategy is designed to foster sustainable economic activity and support local businesses.

Regarding industrial designation, the strategy reflects the town's commitment to industrial growth and improved employment opportunities. This is evident in the significant amount of land designated for industrial use in the town's Generalized Future Land Use Map (GFLUM), particularly in the Millbrook area west of the town²⁷.

The strategy appears to balance industrial growth with other considerations such as housing, economic development, and community sustainability. It emphasizes the creation of an innovative, sustainable community with socio-economic and cultural diversity²⁸.

²¹ <https://www.truro-ma.gov/economic-development-committee/files/truro-economic-development-vision-strategy>

²² <https://www.zolo.ca/truro-real-estate/trends>

²³ <https://www.truro.ca/budget-highlights.html>

²⁴ https://www.truro-ma.gov/sites/g/files/vyhlf9766/f/uploads/edc_report_2017.pdf

²⁵ https://www.truro-ma.gov/sites/g/files/vyhlf9766/f/uploads/final_draft_local_comprehensive_plan_9-18-2023.pdf

²⁶ <https://www.truro.ca/documents/pln/815-municipal-planning-strategy-jun-18>

²⁷ <https://www.truro.ca/planning-documents.html>

²⁸ <https://www.truro-ma.gov/economic-development-committee/agenda/economic-development-committee-agenda-and-packet-10>

Town of Amherst

The Town of Amherst's Generalized Future Land Use Map (GFLUM) strategically separates the Industrial Designation, situating it to the West²⁹. Future commercial land will be used as a buffer zone between industrial and residential uses to ensure compatibility and maintain the quality of residential areas³⁰. The Town has chosen to designate 20.6% of its available land for Industrial Designation³¹.

The industrial objectives of this plan aim to facilitate the continued development of the Amherst Industrial Park in a manner that harmonizes with the surrounding area³². As part of their economic development strategy, land for future industrial development will be set aside and serviced when appropriate. This proactive planning approach reflects the town's anticipation of successful economic growth³³.

Given the town's compact size and the proximity of available industrial land to the built-up residential areas, noxious, polluting industries will not be permitted within the town boundaries³⁴. This policy reflects Amherst's commitment to maintaining a healthy, safe, and pleasant environment for its residents while supporting sustainable industrial growth³⁵.

Town of Wolfville

The Municipal Planning Strategy for the Town of Wolfville seems to prioritize agricultural use over industrial use in its land-use planning. This is reflected in the Generalized Future Land Use Map (GFLUM), which designates a large portion of land to the North on the Cornwallis River as Agriculture³⁶. The Town of Wolfville has chosen to designate 28% of available land for future Agricultural purposes³⁷.

The vision for the Agriculture designation in the Municipal Planning Strategy likely focuses on sustaining and enhancing the agricultural sector as a vital component of the town's economy, landscape, and identity³⁸. The strategy might aim to protect and promote agricultural lands and activities, ensuring they continue contributing to the local economy and providing local food sources³⁹.

The Agricultural designation may also be intended to protect these lands from development pressures that could lead to their conversion to non-agricultural uses⁴⁰. This can ensure the long-term viability of agriculture within the town boundaries and maintain the rural character of the area⁴¹.

²⁹ <https://www.amherst.ca/planning-documents.html>

³⁰ <https://www.amherst.ca/documents/pln/815-municipal-planning-strategy-jun-18>

³¹ Toben Laux, Land Use Planner Town of Amherst

³² <https://www.amherst.ca/industrial-park.html>

³³ <https://www.amherst.ca/economic-development.html>

³⁴ <https://www.amherst.ca/documents/pln/816-land-use-by-law-jun-18>

³⁵ <https://www.amherst.ca/sustainability-plan.html>

³⁶ " <https://www.wolfville.ca/planning-documents.html>

³⁷ Trevor Robar, GIS Coordinator, Town of Wolfville

³⁸ <https://www.wolfville.ca/documents/pln/815-municipal-planning-strategy-jun-18>

³⁹ <https://novascotia.ca/agri/programs-and-services/land/agricultural-land-use/>

⁴⁰ " <https://novascotia.ca/agri/programs-and-services/land/agricultural-land-use/>

⁴¹ <https://nsfa-fane.ca/issues/agricultural-land-protection/>

PHASED DEVELOPMENT

Brison Developments is applying for amendments to both the Municipal Planning Strategy and Land Use By-Law to permit a multi-unit development along the front of PID 55551774. Currently, the land is designated and zoned for industrial purposes. The development of this property is proposed in two phases. Phase 1 includes the potential for four high-density buildings at the front of the lot, accommodating approximately 300 units. However, the developer has expressed an interest in following market trends, therefore this intention may change. The Developer has provided a plan for Phase 1 and has requested a mixture of residential R3 & R4 Zoning. Should Council rezone this portion, any uses permitted in these zones will be allowed. The aim is for this development to mirror The Crossing in Windsor, with target residents being empty nesters and seniors. The current renderings for Phase 1 depict three high-density buildings instead of the proposed four (4). Additionally, the site plan doesn't show any public amenities or pedestrian spaces. As there is no site plan approval requirement for this development, there will be limited control over the design of Phase 1.

Ultimately, the goal is to develop the entire property, linking Park Street to the Donald Hiltz Connector to ensure vehicle and pedestrian connectivity. The comprehensive development will encompass amenities, open spaces, and a well-planned residential community, which will feature a variety of housing types, parks, trails, and new streets and sidewalks. There is also potential for a community centre. This lot has numerous sensitive areas that will necessitate environmental consideration. It will be important that these features be considered and incorporated into Phase 1 as well as Phase 2 of the development.

Policy Analysis

Policy IM-2 provides Council the ability to require the applicant to submit sufficient information and argument in support of any proposed Municipal Planning Strategy.

Policies GD-1 and GD-2 empower the Council to create a Future Generalized Land Use Map as part of the Municipal Planning Strategy. The map will outline future plans for each piece of land within the Town. Through Chapter 6, the Council aims to foster opportunities in the commercial, industrial, and institutional sectors, intending to diversify the economy for the benefit of municipal residents.

Section 8.2 of the Municipal Planning Strategy addresses Industrial Land Use Policies. It stipulates that the Industrial Zone should accommodate a range of industrial uses suitable for a fully serviced modern

LUB Policy References

5.5 High Density Residential (R4) Zone

5.5.1 Permitted Uses

The following Uses shall be permitted as-of-right in the High Density Residential R4 Zone subject to the following requirements:

- *Single Unit Detached Dwelling*
- *Two Unit Dwelling*
- *Day Care Centres and Nursery Schools*
- *Residential Care Facilities, Home for Special Care or Group Homes*
- *Multi-Unit Dwellings*

5.5.2 Permitted Uses with Conditions

The following uses shall be permitted in the R4 Zone subject to the requirements of this By-Law:

- a) Home based businesses.*
- b) Bed and Breakfast*
- c) Inns*
- d) Accessory Neighbourhood Commercial Uses in accordance with Section 5.1.8 of this by-law*

See Table 5.4 R4 Zone Requirements for Lot Area and Yard requirements.

5.5.4 On-Site Amenity Space

Useable Amenity Space shall be required for the Development of multiple unit apartment buildings containing four or more dwelling units in accordance with Section 4.1.3 of this by-law.

5.5.6 Landscaping Requirements

a) Where a parking area abuts a lower density residential zone, a landscaped buffer that is at least 8 ft (2.44m) wide shall be provided.

b) Notwithstanding Section 5.5.7(a) , the landscaped strip may be reduced by 50% where i. a minimum 6ft (1.83m) opaque wooden fence is provided; or, an earth berm of a minimum of 6 ft above grade

industrial/business park area. Notably, heavy or pollutant industries are prohibited within the business park. Additionally, Site Plan Approval is mandatory for new developments within the Industrial Zone if they border residential use.

The Municipal Planning Strategy, via Policy RS-11, mandates that Council establish a High-Density Residential (R4) Zone within the Residential Designation of the Municipal Planning Strategy. *The Municipal Planning Strategy also includes Policy RS-11, which requires the Council to establish a High-Density Residential (R4) Zone within the Residential Designation. Policy RS- 12 allows the Council to set zone standards for the R4 Zone and RS-13 expresses the Council's intention to ensure sufficient recreational amenity space for High-Density Residential developments.*

In reviewing planning best practices and strategies adopted by other towns within Nova Scotia, it's challenging to decide whether the Town of Kentville should retain its industrial land or adapt to changing circumstances.

Several sources underscore the importance of maintaining industrial land, such as "Smart growth's blind side: Sustainable cities need productive urban industrial land"⁴² and "The application of industrial ecology principles and planning guidelines for the development of eco-industrial parks: an Australian case study."⁴³ These studies stress the value of preserving industrial land while promoting innovation.

However, the current housing situation is unique, with no modern examples of successful strategies, as many of the changes being made are novel and future oriented. For instance, "Building maintenance strategies: planning under uncertainty"⁴⁴ suggests a potential need to revise traditional planning approaches and maintenance strategies.

In summary, changing the designation of PID #55551774 from industrial to residential requires a thorough evaluation of community needs, economic conditions, and environmental factors. This is particularly important because the lot is part of a preserved future Industrial land cluster but borders a Residential property to the East.

MPS Policy References

Policy GD-1 It shall be the intention of Council to provide for the overall development of the Town in accordance with the Generalized Future Land Use Map which constitutes Map 1 of this document.

Policy GD-2 It shall be the intention of Council to designate on the Generalized Future Land Use Map areas to be predominantly used for residential, commercial, industrial and other purposes.

Policy M-3 It shall be the intention of Council to establish within the Industrial (M) Designation, an Industrial (M1) Zone as shown on the Zoning Map of the Land Use By-law.

Policy M-4 It shall be the intention of Council to include in the Land Use By-law an Industrial (M1) Zone. This zone will permit a range of industrial uses appropriate to a fully serviced, modern industrial/business park area. Specifically, no heavy, polluting industry will be permitted within the Industrial/Business Park Zone.

Policy M-5 It shall be the intention of Council to include in the Land Use By-law provisions to regulate signage, setbacks, building height and bulk, parking and landscaping within the Industrial (M1) Zone.

Policy RS-11 It shall be the intention of Council in the Residential Designation to establish a High Density Residential (R4) Zone as shown in Appendix A, the Zoning Map, of the Land Use By-law.

Policy RS-12 It shall be the intention of Council to establish zone standards and permitted uses for the High Density Residential (R4) Zone in accordance with the Land Use By-law.

Policy RS-13 It shall be the intention of Council to require adequate recreational amenity space for High Density Residential developments.

⁴² <https://www.tandfonline.com/doi/abs/10.1080/01944363.2011.645274>

⁴³ <https://www.sciencedirect.com/science/article/abs/pii/S095965260400085X>

⁴⁴ <https://www.emerald.com/insight/content/doi/10.1108/02637471211198152/full/html>

Council must also consider that a designation change and re-zoning to R4 would introduce multiple development opportunities, not just those proposed in the developer's application found in [supplementary materials](#).

RECOMMENDATION

1. Change the zoning and future designation from industrial to residential, focusing on mixed-housing developments.
2. Re-zone the area marked as Phase 1 on the map to a mixture of R3 & R4.

A zoning change from industrial to residential use in Kentville could significantly help alleviate the housing crisis in the province. However, this transition must be executed with care, keeping in mind sustainability, economic balance, and social welfare. It is important to ensure that the solutions implemented today do not create new problems in the future. The leadership of Council is crucial in making this decision in order to create a future where all members of the community can find a safe and comfortable home.

After an in-depth review of the current and evolving circumstances and the consideration of additional information and studies presented, it is recommended that Council change the designation of the subject property to residential in light of the Government of Nova Scotia's current housing goals. Furthermore, it is advised that the area identified as Phase 1 on the application received from the Applicant be rezoned as a mixture of Medium Density (R3) & High-Density Residential (R4).

However, Council should be aware that by rezoning this portion of the property to the R3 & R4 Zones, the Developer may proceed with any use permitted within the R3 & R4 Zones on the property as zoned, provided the development complies with the development requirements of the assigned zone.

Staff have expressed concerns about potential issues such as stormwater run-off management, recreation and amenity needs, screening between industrial and residential uses, parking, landscaping, driveway access, etc. These concerns may be addressed with greater control later through the subdivision application process or via Land Use By-Law requirements for **Site Plan Approval** or **Development Agreements**.

Community Impact

Positive: Rezoning industrial land to residential use provides an immediate opportunity to increase the available land for housing development. This shift aligns with the government's funding initiatives and can potentially accelerate the provision of affordable housing options.

Negative: Potential displacement of industrial activities could affect local employment and economic output. However, careful planning and a phased approach could mitigate these risks.

Environmental Impact

Positive: Residential areas generally encompass lower pollution levels than industrial zones, leading to potential improvements in air quality and overall environmental health.



Negative: The conversion must attempt to preserve the ecological balance, taking into consideration stormwater runoff and green spaces and ensuring that infrastructure development does not overtax natural resources



Figure 6 Phase 1 & Remainder – Request R3, R4 & R5 Zoning



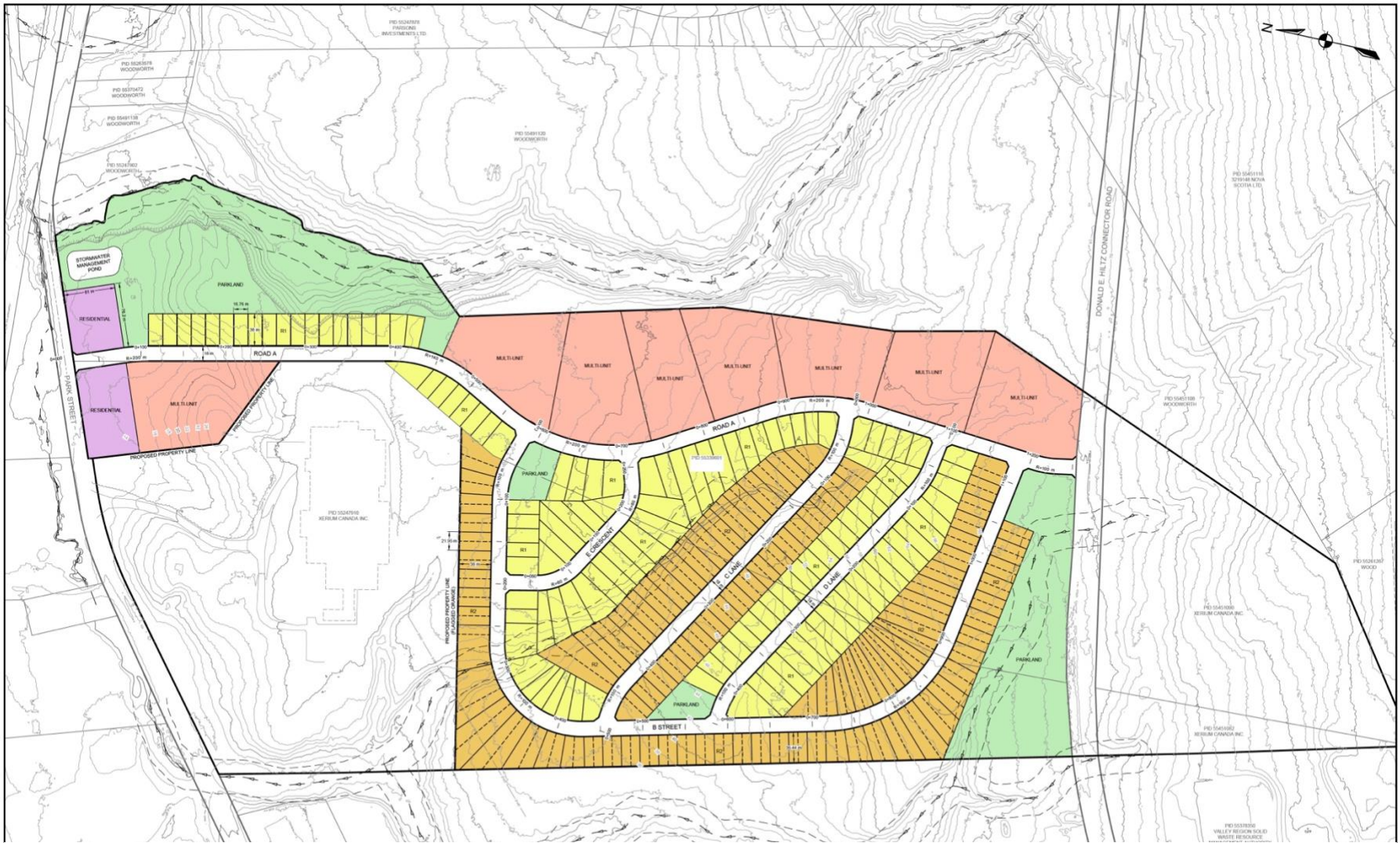
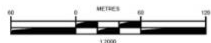


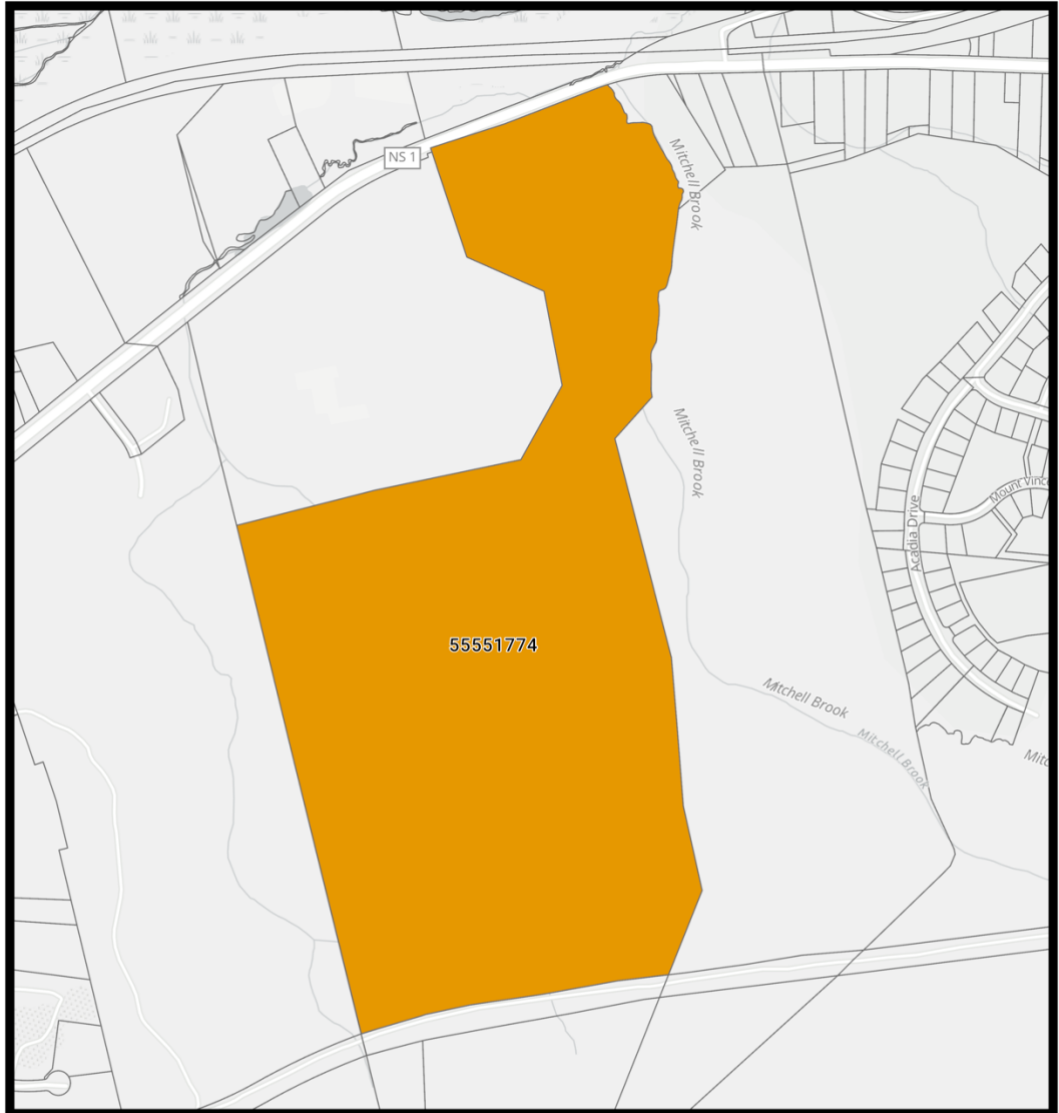
Figure 7 Brison Developments Tentative Site Plan




NOTES 1. CONTOURS (±) IN INTERNAL SYSTEM PROVINCIAL LEAS. 2. PROPERTY LINES FROM PROVINCIAL PROPERTY MAPS (APPROXIMATE ONLY). NOTE: Concept Plan altered on February 1, 2024 by BCP to (a) show the lots along Park Street will not include a driveway. (b) show the current property owner as Brison Developments. No other aspect of this plan was altered.	PREPARED FOR 	PREPARED BY 	PROJECT CONCEPT PLAN: KENTVILLE LANDS KENTVILLE, NOVA SCOTIA	Engineer G. WOODFORD Scale 1:2000 Project No. 22-302 Filename 22-302 CP.dwg	Drawn S. HANNAM Date Jun. 27, 2023 Drawing No. CP01 1 OF 1
	902-822-5567 designpoint.ca				

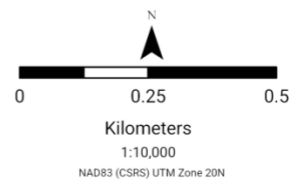
Proposed Amendments

MPS Map Change from Industrial to Residential



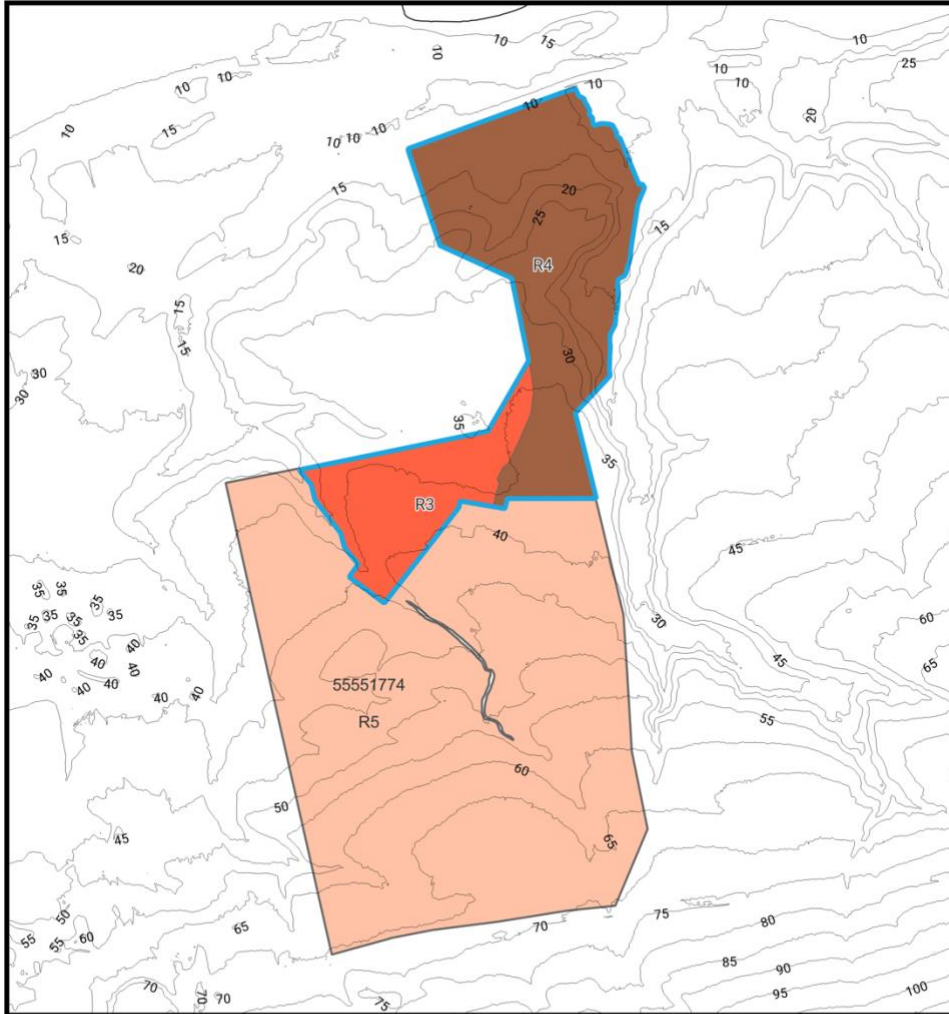
Proposed Area for Rezoning - PID: 55551774

 From Industrial to Residential

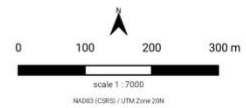




LUB Map Change from Industrial to R3 & R4



PROPOSED ZONING - PID 55551774



Site Plan Approvals

In Nova Scotia, a site plan is a detailed proposal that outlines the layout and use of a specific piece of land. It typically includes details about buildings, landscaping, access routes, parking, and other proposed development features. This tool is pivotal in urban planning as it allows authorities to manage and control how land is developed, ensuring that it aligns with the community's goals and standards¹.

The authority to approve site plans comes from the Municipal Government Act (MGA) of Nova Scotia. This act grants municipalities the power to oversee and regulate land development within their jurisdiction, including approving site plans.

Site plans are crucial for large housing developments because they ensure that these projects meet community standards and accommodate necessary infrastructure, such as roads, utilities, and recreational spaces¹. They also allow councils to negotiate certain site-specific items with developers as a condition of approval, which can help address community needs and concerns.

Moreover, site plans help balance various factors, including economic conditions and environmental considerations. For instance, a site plan might dictate the preservation of certain natural features or the inclusion of amenities that enhance residents' quality of life.

Site plans are an essential tool for councils to manage land development in a way that aligns with community values, fulfills local requirements, and safeguards the environment. However, the site plan approval process is currently underutilized in the Town of Kentville's planning documents. Policy GD-30 specifies the permitted uses for site plan approval, which includes new constructions in the R3, R4, C1, C2, C3, M1, and CR zones that abut low-density housing areas. Additionally, it permits Daycare Centers in the R1, R2, and R3 zones and Multi-Unit Residential Dwellings up to 50 units per acre in the C1 zone.

Development Agreements

A Development Agreement is a legally binding contract between a property owner or developer and a local government. It often includes terms not usually addressed in standard zoning or subdivision regulations¹. This agreement is voluntary, and it's typically used for large-scale projects or complex developments that need special considerations¹.

In Nova Scotia, the authority for a municipal unit to use Development Agreements comes from the Municipal Government Act (MGA). The MGA provides the legislative framework for municipalities to enter into such agreements with developers.

Development Agreements offer several benefits, making them particularly suitable for large tracts of land. They allow for more flexibility than traditional zoning, as they can cater to the unique characteristics of the land and the specifics of the proposed development¹. They also provide certainty for both the developer and the community about what will be built and how the site will function¹.

In the town of Kentville, Development Agreements are not frequently used. Policy GD-5 allows Council to consider applications for Development Agreements that comply with Policies IM-10 and IM-11. These policies apply to Mini Home Parks, the change of use of a non-conforming use to another non-conforming use, and the expansion or alteration of a non-conforming structure. If Council wishes, there is the opportunity to use this tool more in the town's planning documents. This would allow Council to consider housing developments as they arise, taking into account the specific features of the lot.

Request for adjustments to rezoning requirements to allow for initial submission flexibility

ACCOUNTABILITY

Brison Developments has requested changes to the policy to allow for greater flexibility in the submission requirements of re-zoning applications. The applicant is not yet prepared to provide detailed engineering information on matters such as stormwater, infrastructure, road design, or parkland. Developing these plans can be expensive and is already mandated as part of the subdivision and site plan approval process.

POLICY ANALYSIS

Currently, Council has Policies IM-7 & IM-8, which require detailed applications for Land Use By-Law amendments, but Council is unable to hold the developer accountable. Land Use By-Law amendments must align with the vision of the Municipal Planning Strategy. Therefore, importantly the Municipal Government Act gives Council the authority to request studies and details related to Municipal Planning Strategy Amendments.

Policy IM-2 gives Council the authority to require the applicant to submit sufficient information and argument in support of a proposed Municipal Planning Strategy Amendment.

As Council is aware and has experienced recently, the Town's Planning Documents require, through Policy IM-7 & IM-8, applications for rezonings to provide detailed proposals, including both a written and a professionally prepared site plan. These plans can be extremely costly to the developer. *Policy IM-9 states that Council is mindful that other development scenarios may be possible*

MPS Policy Reference

Policy IM-7 It shall be the intention of Council to require the submission of a detailed proposal as part of any rezoning application or amendment application that affects a specific property or properties. Where such a proposal involves dimensional or aesthetic issues, it shall include both a written and a professionally prepared site plan and graphic representation that are drawn to scale. Such graphic proposal must clearly indicate the following;

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

under rezoning proposals, and all eventualities outside of the detailed proposal must be considered as part of rezoning applications.

Municipalities can require detailed development plans for rezoning, although the extent of the requirements can vary based on the municipality's zoning regulations and the nature of the proposed project⁴⁵. For instance, a Council may request to know the proposed use for a re-zoning application, but it is not typical to require detailed design criteria as this will likely change in the future.

There are several reasons why a council might require a detailed development plan for a rezoning, even if the plan is not legally binding and all uses permitted in the new zone may be possible should a rezoning application be approved⁴⁶:

1. **Guide Development:** A detailed development plan provides a roadmap for how the land will be used and developed. It can help guide the developer's actions and ensure that the development aligns with the municipality's overall goals and vision.
2. **Assess Impact:** The plan allows Council to assess the potential impact of the proposed development on the community and the environment⁴⁷. This can include impacts on traffic, noise, air quality, natural resources, public services, and more.
3. **Engage Stakeholders:** The process of creating and reviewing the plan can

⁴⁵ <https://marsh-partners.com/blog/the-property-rezoning-need-to-know>

⁴⁶ <https://txplanningguide-ojs-utexas.tdl.org/txplanningguide/>

⁴⁷ <https://canons.sog.unc.edu/2021/08/comprehensive-guide-to-rezoning/>

MPS Policy Reference

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 the 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, outdoors storage, traffic, vehicle headlights, and noise through appropriate site design and 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 and proximity 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.*

provide opportunities for stakeholder engagement. This can include public hearings or meetings where community members can voice their opinions and concerns.

4. **Ensure Consistency:** The plan can help ensure that the development is consistent with the municipality's general plan or comprehensive plan⁴⁸. This is important for maintaining a cohesive and well-planned community.

Although a detailed development plan is not legally binding, it is crucial to comprehend the applicant's development intentions when considering rezoning. Therefore, implementing a less restrictive policy may aid in promoting responsible and beneficial development while continuing to guide the community and encourage stakeholder engagement, as per the Council's objectives. Other elements, such as assessing the impact and ensuring consistency, can be addressed by the zone's Land Use By-Law requirements.

Existing Requirements of Subdivision & Site Plan Approval

The developer has expressed their opinion that the current rezoning requirements are too strict. They believe this because the detailed plans are not legally binding and can be expensive to create. If the Council does not approve the rezoning, it could potentially become a risky investment for the developer. Moreover, even after the property has been rezoned, in most cases, there are still Site Plan and Subdivision Requirements that require detailed engineered plans. These requirements typically come up during the Subdivision and Development Permit application phase, when there is much to consider.

If you are planning to construct a new building in the R3 and R4 zones that are adjacent to an R1 zone, you must submit a site plan. Additionally, our proposal includes multi-unit dwellings with six (6) or more units on a lot as part of this requirement. The Town adheres to the guidelines for Site Plan Approval, which are similar to the ones described in Policy IM-7 & IM-8. It is essential to note that Site

⁴⁸ https://opr.ca.gov/docs/OPR_C9_final.pdf

Plans are a crucial and legally binding component of the Development Permit process. Therefore, site plan approval is binding, whereas the existing rezoning requirements are not.

As per policy P-10, Section 10.2.6, any new subdivision must offer the Town with either public open space or cash in-lieu for a park, playground, or similar public use. During this stage, both Staff and Council have the opportunity to request public park and amenity space to be incorporated. It's important to note that this process is a legally binding component of the Subdivision process.

MPS Policy Reference

An application for Site Plan Approval shall be as prescribed by the Development Officer and shall incorporate the following matters into a site:

- a) The location of structures on a lot;*
- b) The location of off street loading and parking spaces;*
- c) The location, number, and width of driveway access to streets;*
- d) The type, location and height of walls, fences, hedges, trees, shrubs ground cover or other landscaping elements necessary to protect and minimize the land use impacts on adjoining lands;*
- e) The retention of existing vegetation;*
- f) The location of walkways, including the type of surface material and all other pedestrian access*
- g) The type and location of outdoor lighting*
- h) The location of facilities for the storage of solid waste*
- i) The location of easements*
- j) The grading or alteration in elevation contour of the land and provisions for the management of storm and surface water*
- k) The type, location, number and size of sign structures*
- l) The provision for the maintenance of any of the items referred too in this section*

RECOMMENDATION

3. Add more specific language to Policy IM-2 to allow the council to request any necessary studies to make an informed decision about a Municipal Planning Strategy Amendment. This is intended to replace the less enforceable language in IM-7 and IM-8 for Land Use By-Law Amendments.
4. Streamline Policies IM-7 & IM-8 to facilitate rezoning applications and rely on alignment of developments with the Municipal Planning Strategy vision.
5. Strengthen existing policies GD-30 and GD-5 to allow for the approval of large-scale housing developments on a single lot through either site plan approval or development agreement at the developer's discretion, or across multiple lots through a Development Agreement.
6. Introduce a policy that permits a balance of local commercial uses based on market demand in high-density residential developments.

It is recommended that Council consider enhancing Policy IM-2 to give Council the opportunity and authority to request the necessary studies when considering a change to the Municipal Planning Strategy in the future rather than relying on the existing implementation policies (IM-7 & IM-8).

This will provide Council and staff with the option to require additional studies such as traffic studies, environmental site assessments, and water/waste infrastructure needs as part of the decision-making process. This change will also provide Council with greater authority than the existing implementation policies and may even replace IM-7 and IM-8, which require significant investment from the developer but have little authority from Council at the development stage.

Understanding why a developer applies for rezoning and determining whether the proposed development aligns with the Municipal Planning Strategy's vision and the requirements of the new zone within the land use by-law is crucial. Usually, the compatibility and suitability requirements for development are included as part of the Land Use By-Law for a specific zone. These requirements must then be included in the Development Permit application as they are legally required. Therefore, it is recommended that Council Consider amending Policy IM-7 & Policy IM-8 to facilitate development and reduce costs for developers.

It is recommended that the Council approve the updated Policies GD-30 and GD-5. These updates would allow for the approval of large-scale housing developments on a single lot through either site plan approval or development agreement at the developer's discretion, or across multiple lots through a Development Agreement.

Additionally, these policies should consider incorporating some commercial uses within the development to service residents and support the local economy, particularly where industrial land is being repurposed. This approach would ensure

that the Town's Planning Documents continue to support our community's growth and vitality,

Proposed Amendments

Municipal Planning Strategy Amendments

Policy IM-2 states Council may require the applicant to submit sufficient information and argument in support of any Municipal Planning Strategy Amendment. As staff feel this policy is of high importance for Council's decision-making process, staff feel that an amendment to add more specific language is necessary.

Policy IM-2 It shall be the intention of Council to require the applicant to submit sufficient information and argument, *including a traffic impact study, environmental site assessment, storm water management and any other relevant study,* in support of any proposed Municipal Planning Strategy amendment.

4.2.4 Development Agreements

Kentville has used Development Agreements in a limited fashion since the adoption of the 1994 Municipal Planning Strategy and will continue to do so for specific uses. A Development Agreement is a contract between the Town and a property owner within Town. The purpose of the Agreement is to specify the standards and conditions that will govern the development of the property, where conventional zoning may not be advantageous.

Policy GD-5 It shall be the intention of Council that the following uses be permitted only by the Development Agreement in accordance with the

MPS Policy References

Policy IM-10 It shall be the intention of Council to require the submission of a detailed proposal as part of any Development Agreement application. The proposal shall include any information or materials required by Council in order to effectively evaluate the submission. The submission shall be accompanied by professionally prepared plans that effectively illustrate the proposal and include details such as, but not necessarily limited to, the following:

- a) the location, area, and dimensions of the subject property based on a survey or location certificate prepared by a licensed surveyor.;*
- b) elevation drawings of the proposed structure or structures;*
- c) the proposed location, dimensions, height, and proposed use of all buildings;*
- d) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;*
- e) the proposed location and nature of any outdoor storage or display;*
- f) the proposed location, design, and content of any signage;*
- g) the proposed location and dimensions of any parking stalls, driveways, and walkways;*
- h) the proposed location of any fencing, refuse containers, and snow storage;*
- i) the proposed location and type of any exterior lighting,*
- j) the proposed location of any outdoor amenity space;*
- k) landscaping elements including the type and location of any existing and proposed trees or other vegetation;*
- l) architectural features including type of materials,*
- m) the location of any watercourses on or near the site;*
- n) existing and proposed drainage patterns including any stormwater management measures;*
- o) the delineation of any 1:20 and 1:100 flood elevations and a description of any proposed flood proofing measures; and*
- p) any proposed phasing of the development.*

Municipal Government Act and Policies IM-10 and IM-11:

- a) Mini Home Parks/Land Leased Communities in the Large Lot Residential (R5) Zone;
- b) The change in use of a non-conforming use of land or a non-conforming use in a structure, to another non-conforming use;
 - c) The expansion, enlargement or alteration of a non-conforming structure; and

d) Multi-unit dwelling community constructed on multiple adjoining lots or single lots within the High Density (R4) Zone at the developer's discretion.

Policy GD-30 *It shall be the intention of Council* to empower the Development Officer to negotiate a Site Plan Approval, as per Section 231 of the MGA, for the development or re-development of a lot for the following uses:

- a) New structures or additions in a (R3), (R4), (C1), (C2), (C3), (M1), and (CR) Zone, when such developments abuts a Single Unit Dwelling (R1) Zone or a One and Two Unit Dwelling (R2) Zone;
- b) Day Care Centres to a maximum of 14 persons in the (R1), (R2) and (R3) Zones;
- c) Multi-Unit Residential Dwellings up to 50 units per acre in the (C1) Zone;

"D) Multi-unit residential dwellings with six or more units on a single lot located within the Multi-unit Residential (R4) Zone. Developments must comply with amenity requirements for multi-unit residential buildings, as well as subdivision parkland requirements, where applicable. If the developer prefers, the development may proceed through a development agreement in place of site plan approval, per Policy GD-5 d)."

MPS Policy Reference

An application for Site Plan Approval shall be as prescribed by the Development Officer and shall incorporate the following matters into a site:

- a) The location of structures on a lot;*
- b) The location of off street loading and parking spaces;*
- c) The location, number, and width of driveway access to streets;*
- d) The type, location and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements necessary to protect and minimize the land use impacts on adjoining lands;*
- e) The retention of existing vegetation;*
- f) The location of walkways, including the type of surfacing material, and all other means of pedestrian access;*
- g) The type and location of outdoor lighting;*
- h) The location of facilities for the storage of solid waste;*
- i) The location of easements;*
- j) The grading or alteration in elevation or contour of the land and provision for the management of storm and surface water;*
- k) The type, location, number and size of signs or sign structures;*
- l) The provision for the maintenance of any of the items referred to in this section.*

Policy IM-7 It shall be the intention of Council to consider amendments to the map of the Land Use By-law when the proposed zoning change is not specifically prohibited within this Plan and at least one of the following three conditions is true:

a) the proposed zone is enabled by this Plan for use within the same designation.

b) a non-conforming use appears to have been created by an inadvertent administrative oversight in the Municipal Planning Strategy and Land Use By-law preparation process, resulting in a property being zoned inconsistent with stated policies in this Plan; or

c) The land to be rezoned is adjacent to a designation that permits the proposed use.

~~to require the submission of a detailed proposal as part of any rezoning application or amendment application that affects a specific property or properties. Where such a proposal involves dimensional or aesthetic issues, it shall include both a written and a professionally prepared site plan and graphic representations that are drawn to scale. Such graphic proposal must clearly indicate the following;~~

~~a) the location, area, and dimensions of the subject property;~~

~~b) the proposed location, dimensions, height, and proposed use of all buildings;~~

~~c) the means by which the site is to be serviced by sanitary and storm sewers, water, electrical service and other utilities;~~

~~d) the location of any parking stalls, driveways, walkways, lighting, fencing, refuse containers, and snow storage;~~

~~e) landscaping elements including existing and proposed shrubs and trees; and~~

~~f) architectural features where such features are regulated by the planning document.~~

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

c) all existing buildings are in compliance with the proposed zone requirements

~~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.~~

Land Use By-Law Amendments

5.5.1 Permitted Uses

The following uses shall be permitted as-of-right in the High-Density Residential (R4) Zone subject to the requirements of the Bylaw:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Day Care Centres and Nursery Schools
- Residential Care Facilities, Home for Special Care or Group Homes
- Multi-Unit Dwellings (under six (6) units)

5.5.2 Permitted Uses with Conditions

a) The following uses shall be permitted in the High Density Residential (R4) Zone subject to the requirements of this By-law:

- I. Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law
- II. Bed and Breakfast, in accordance Section 5.1.4 of this By-law
- III. Inns, in accordance with Section 5.1.5 of this By-law
- IV. Accessory Neighbourhood Commercial Uses in accordance with Section 5.1.8 of this Bylaw.

b) The following uses shall be permitted by Site Plan Approval in compliance with the Municipal Government Act and Policy GD-30 :

- I. Multi-Unit Residential Dwellings of six (6) or more units on a single lot within the Multi-Unit Residential (R4) Zone. If the developer prefers, the development may proceed through a development agreement in place of site plan approval, per 5.5.2 c).
- c) Council shall consider entering into a Development Agreement for the following uses, in compliance with the Municipal Government Act and Policies IM-10 and IM-11:
 - a. Multi-unit dwelling community constructed on multiple adjoining lots or single lots within the High Density (R4) Zone at the developer's discretion.

LUB Amendment for Local Commercial Use

Determining the best practice percentage of residential units to commercial units in large-scale housing developments can be quite complex, and it varies greatly by location, project, and local market conditions. However, some general guidelines are often used in the planning and development fields.

One common approach is the 80/20 rule, where 80% of the development is residential and 20% is commercial. This ratio is often used in mixed-use developments to ensure a healthy balance of living and commercial spaces⁴⁹

However, it's important to note that these percentages are not fixed rules, but rather starting points for discussion. The actual ratio can be adjusted based on a variety of factors, including the size and location of the development, the needs of the community, the local market conditions, and the specific goals of the project.

In addition, it's also essential to consider other factors beyond the simple ratio of residential to commercial units. For example, the design and layout of the development, the types of commercial uses included, and the integration of public spaces can all significantly impact the success of a mixed-use development.

Allowing local commercial uses to be permitted, based on market demand, within the areas where high-density residential uses are permitted is the simplest approach to ensure new residents are serviced by their commercial needs. For this reason, it is recommended that Council add a list of commercial uses to be permitted as of right within the High Density (R4) Zone.

4.1.3 Amenity Space

- a) All new Multi-Unit Developments containing four or more dwelling units shall provide On-Site Indoor or Outdoor Amenity Space in accordance with the following requirements:

Bachelor and One Bedroom	200 ft ² per unit	18.58 m ² per unit
Two bedroom	225 ft ² per unit	20.90 m ² per unit
Three or more bedrooms	255 ft ² per unit	23.69 m ² per unit

- b) Amenity space may include decks, balconies, gardens, landscaped open space, gyms, pools and other.
- c) Useable outdoor recreation amenity space shall be located in the side or rear yards and the recreation space must be usable space, meaning it shall be cleared, levelled, and grassed or otherwise landscaped to create an

⁴⁹ <https://www.planning.org/pas/reports/report68.htm>

attractive outdoor recreation space for the amenity of the residents on the lot.

- d) Amenity space shall be waived for all residential conversions.

~~5.1.8 Accessory Neighbourhood Commercial Uses~~

~~In the High Density Residential (R4) Zone, cafes, neighbourhood grocery and convenience stores permitted subject to the following requirements:~~

- ~~a) The maximum commercial floor area within the residential structure used for display and sales does not exceed 1000ft² (92.9m²)~~
~~b) The primary service area for the use is the immediate residential area in which the neighbourhood commercial use is located;~~
~~c) Parking shall be required in accordance with table 4.2 herein; and~~
~~d) One ground sign not to exceed 4 ft (1.219m) in height and not to exceed 10 ft² (0.93m²).~~

5.5.1 Permitted Uses

The following uses shall be permitted as-of-right in the High Density Residential (R4) Zone subject to the requirements of the By-Law:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Day Care Centres and Nursery Schools
- Residential Care Facilities, Home Special Care or Group Homes
- Multi-Unit Dwellings

5.5.2 Permitted Uses with Conditions

The following uses shall be permitted in the High Density Residential (R4) Zone Subject to the following requirements of this By-Law:

- a) Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-Law
- b) Bed and Breakfast, in accordance with Section 5.1.4 of this By-Law
- c) Inns, in accordance with Section 5.1.5 of this By-Law
- ~~d) Accessory Neighbourhood Commercial Uses with Section 5.1.8 of this By-Law~~
- e) Local commercial uses shall include the following and be approved as part of the site plan approval process, in accordance with 5.1.12.
- Animal Hospital
 - Automobile Service Station
 - Bakery
 - Catering Establishment

- Club (Commercial or Private)
- Convenience Store
- Commercial schools & recreation
- Craft Products
- Day-Care & Nursery Schools
- Dog Grooming
- Dry Cleaning
- Garden Centres
- Golf Courses and Driving Ranges
- Small Scale Grocery Stores (Under 3,000 square feet)
- Medical Clinics
- Restaurant
- Small Scale Retail Space (Under 3,000 square feet)

5.5.4 On-Site Amenity Space

a) Useable Amenity Space shall be required for the development of Multiple Unit Apartment Buildings containing four or more dwelling units in accordance with Section 4.1.3 of this By-law;

Amenity Space means a designated area or facility within a large-scale residential development that is intended to enhance the quality of life for residents and visitors. This includes both indoor and outdoor spaces that are accessible and benefit the community.

Indoor Amenity Space is a common area within residential buildings that is exclusively for residents' use. These spaces may include but are not limited to, lounges, fitness centres, meeting rooms, or other communal facilities.

Outdoor Amenity Space is an area designed for recreational and leisure activities. These include parks, landscaped open spaces, playgrounds, sports facilities, or other recreational areas that contribute to the green space and outdoor enjoyment of the community.

~~any space intended to support the yard space capable of being used for recreational purposes, and may include landscaped areas, patios, verandas, balconies, communal lounges, swimming pools, play areas and similar uses.~~

Request re-zone the remainder of the PID is to be intended for future residential R5

PHASED DEVELOPMENT

Brison Developments is applying for amendments to both the Municipal Planning Strategy and Land Use By-Law to permit multi-unit developments along the front of PID 55551774. Currently, the land is designated and zoned for industrial purposes. The development of this property is proposed in two phases.

The Second Phase of the Development will include developing the remainder of the property as residential. However, the details for Phase 2 have not yet been decided. The developer's goal is to link Park Street to the Donald Hiltz Connector to ensure vehicle and pedestrian connectivity.

The Developer has requested that the remainder of the PID be designated and zoned Large Lot R-5, showing the intention to develop this land for residential purposes in the future but leaving time to complete a more detailed plan for this area.

POLICY ANALYSIS

Holding large tracts of land for future residential development until services are available is a strategic approach often undertaken by councils like that of the Town of Kentville. This practice is based on several key considerations:

1. **Value Appreciation:** raw or undeveloped land often appreciates in value over time due to limited supply and growing demand⁵⁰. By holding land until services are available, Council can potentially increase the value of its investment⁵¹.
2. **Strategic Planning:** Preparing land-use plans and establishing land banks are important strategies for managing growth and meeting community needs⁵². Holding land allows Council to plan for the future and ensure that development aligns with the community's long-term goals⁵³.

⁵⁰ <https://leaddeveloper.com/raw-land-development-what-you-need-to-know/>

⁵¹ https://rocketmortgage.ca/?utm_source=rmus_redirect

⁵² <https://www.oas.org/pgdm/document/BITC/papers/dthomas.htm>

⁵³ <https://localhousingsolutions.org/housing-policy-library/land-banks/>

Control Over Development: By either owning or creating a zone that holds the land, Council can control when and how development occurs⁵⁴. This can help to ensure that development is sustainable and beneficial for the community⁵⁵.

The Town's Municipal Planning Strategy acknowledges the existence of several large tracts of land in Kentville that are not yet serviced and have no immediate plans for development. Council realizes that housing needs and preferences are constantly evolving and that much of this land won't be developed for some time. To avoid costly extensions to municipal infrastructure, the Large Lot Residential (R5) Zone has been created to acknowledge the possibility of future residential development. Limited development will be allowed in the R5 zone until services become available.

MPS Policy Reference

Policy RS-14 It shall be the intention of Council in the Residential Designation to establish a Large lot Residential (R5) Zone as shown in Appendix A, the Zoning Map, of the Land Use By-Law

Policy RS-15 It shall be the intention of Council to establish zone standards and permitted uses for serviced and unserviced lots in the Large Lot Residential (R5) Zone in accordance with the Land Use By-Law.

⁵⁴ <https://www.fortunebuilders.com/raw-land-investing/>

⁵⁵ <https://marsh-partners.com/blog/the-guide-to-a-real-estate-development-feasibility-study>

RECOMMENDATION

7. Rezone the remaining portion of PID 55551774 to High-Density Residential R5.
8. Add a policy allowing the consideration of extensive development in the R5 Zone through a Development Agreement.

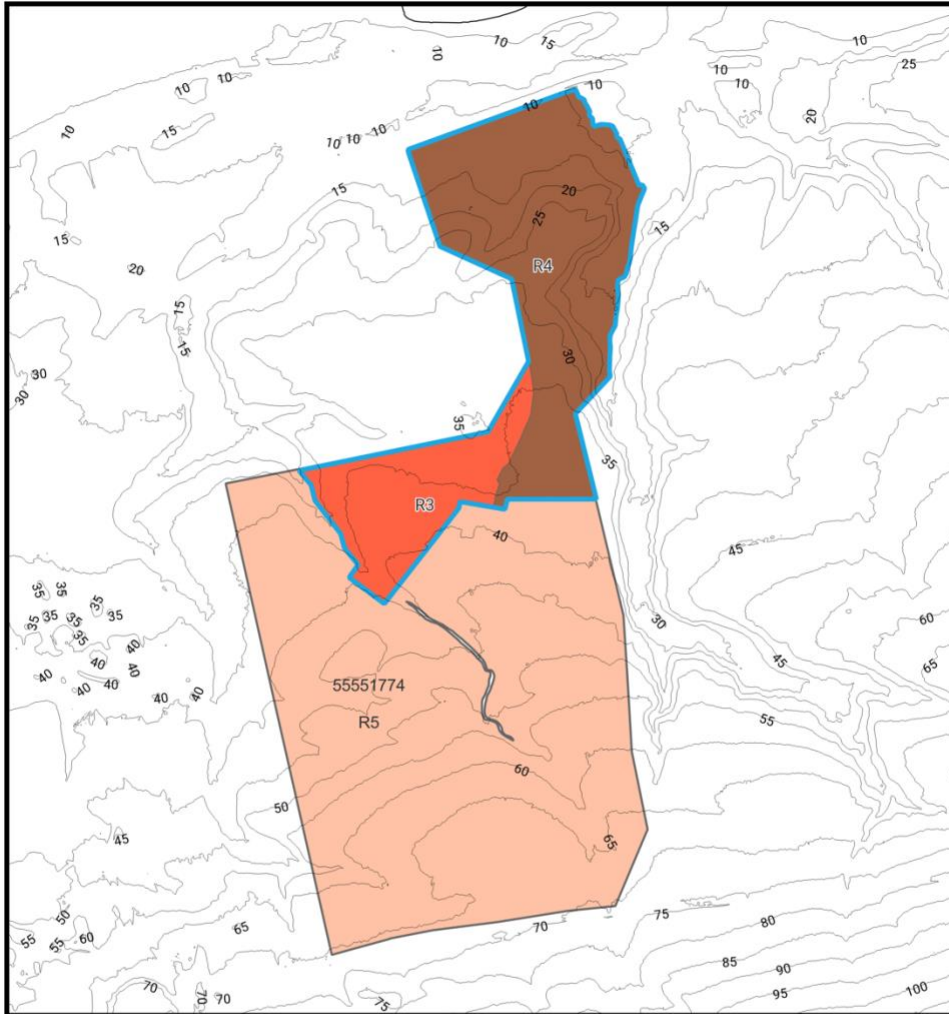
It is recommended that Council consider rezoning the remaining portion of the lot to Large Lot Residential (R5) to demonstrate their support for the proposed future development of the PID 55551774 while allowing time for the development of a Secondary Housing Strategy as planned by Council.

Depending on the circumstances, a reasonable approach to considering development on these lands may be to consider a Development Agreement. Development agreements can provide a flexible framework for negotiating the terms of development, including the timing, scale, and nature of the development and the provision of public benefits. They can also inform the developer and community about what will be built and when.

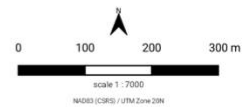
It is recommended that Council consider allowing for the consideration of a Development Agreement in the R5 Zone, provided the Developer is willing to pay for the required Municipal Services; this is in keeping with the zone's intent as outlined within the Municipal Planning Strategy and would enable more housing development opportunities.

Proposed Amendments

Proposed Land Use By-Law Map Change



PROPOSED ZONING - PID 55551774



Proposed Land Use By-Law Amendments

Council established the Large Lot Residential Zone to show support for residential development while keeping in mind the inadequate municipal services available for these large lots. *It would be reasonable for Council to have the power to consider the development of these lots through the Development Agreement process, as long as they comply with the requirements specified in Policies IM-10 and IM-11 and there is the ability to place the costs of the additional services on the Developer.*

Should a developer wish to develop an R5 piece of land without a development agreement or undertake the cost of running municipal services, they may always apply to Council to rezone the property to alternative residential zoning and subdivide. The proposed amendment provides more options to consider housing development within the Town of Kentville.

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.
- b) A large-scale housing and community development

Summary of Recommendation

In light of the considerable housing shortage, teamed with the necessity for sustainable community development, it is recommended that Council consider the following:

1. Change the designation of PID 55551774 from Industrial to Residential to encourage diverse housing developments.
2. Re-zone the area marked as Phase 1 on the map to a mixture of R3 & R4.
3. Add more specific language to Policy IM-2 in order to provide Council with the ability to request any necessary studies to make an informed decision for a Municipal Planning Strategy Amendment. *This is intended to replace the less enforceable language in IM-7 & IM-8 for Land Use By-Law Amendments.*
4. Streamline Policies IM-7 & IM-8 to facilitate rezoning applications and rely on alignment of developments with the Municipal Planning Strategy vision.
5. Strengthen existing policies GD-30 and GD-5 to allow for the approval of large-scale housing developments on a single lot through either site plan approval or development agreement at the developer's discretion, or across multiple lots through a Development Agreement.
6. Introduce a policy that permits a balance of local commercial uses based on market demand in high-density residential developments.
7. Rezone the remaining portion of PID 55551774 to High-Density Residential R5.
8. Add a policy allowing the consideration of extensive development in the R5 Zone through a Development Agreement.

These proposed changes are focused on future housing developments in the Town of Kentville and aim to give Council the opportunity to consider good housing developments as they arise. While evaluating the developer's proposal, staff recognized the urgent need for housing within the Town. However, existing policies pose challenges for Council and staff in assessing new proposals. The suggested amendments mentioned above aim to facilitate future housing projects for Council's consideration and offer the applicant various options for phased development if the request is granted.

Parcel Description

ALL that certain piece or parcel of land situate, lying and being on the South side of Park Street in Kentville in the County of Kings and Province of Nova Scotia, and shown as Lot 101 on a Plan of Subdivision certified by Derik R. De Wolfe, NSLS, Plan Number 2022-348P, dated August 24, 2023 and bounded and described as follows:

BEGINNING at a survey marker on the southern side of Park Street, at the Northeast corner of Lot 100 as shown on aforementioned plan, said survey marker being the POINT OF BEGINNING;

THENCE North 14 degrees 17 minutes 42 seconds West, a distance of 5.221 metres to a survey marker;

THENCE North 68 degrees 58 minutes 29 seconds East, a distance of 245.673 metres along a southern boundary of Park Street to a survey marker;

THENCE following a curve to the right an arc distance of 19.30 metres more or less along the southern boundary of Park Street to a calculated point on the western side of Mitchell Brook, said calculated point being North 70 degrees 41 minutes 54 seconds East, a chord distance of 19.30 metres more or less, from the aforesaid survey marker;

THENCE southerly following the western side of Mitchell Brook, a distance of 506.4 metres more or less to a calculated point;

THENCE South 07 degrees 59 minutes 05 seconds East, a distance of 13.59 metres more or less along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 42 degrees 00 minutes 44 seconds West, a distance of 76.702 metres along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 14 degrees 30 minutes 34 seconds East, a distance of 310.620 along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 04 degrees 44 minutes 37 seconds East, a distance of 87.416 metres

along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 04 degrees 27 minutes 49 seconds East, a distance of 117.516 metres along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 12 degrees 35 minutes 24 seconds East, a distance of 118.684 metres along the western boundary of lands now or formerly of Parsons Investments Limited to a survey marker;

THENCE South 21 degrees 48 minutes 13 seconds West, a distance of 126.381 metres to the northern side of Parcel "W.X.-1", lands now or formerly of The Town of Kentville, to a survey marker;

THENCE South 82 degrees 49 minutes 33 seconds West, a distance of 200.582 metres along the northern boundary of Parcel "W.X.-1", lands now or formerly of The Town of Kentville to a survey marker;

THENCE following a curve to the left an arc distance of 231.094 metres, a radius of 1015.130 metres along the northern boundary of Parcel "W.X.-1" to a survey marker on the eastern boundary of lands now or formerly of Parsons Investments Ltd., said survey marker being South 76 degrees 18 minutes 14 seconds West, a chord distance of 230.595 metres from the aforesaid survey marker;

THENCE North 13 degrees 50 minutes 53 seconds West, a distance of 395.298 metres along the eastern boundary of lands now or formerly of Parsons Investments Ltd. to an iron pipe;

THENCE North 13 degrees 40 minutes 25 seconds West, a distance of 329.173 metres along the eastern boundary of lands now or formerly of Parsons Investments Ltd. to a survey marker;

THENCE North 77 degrees 48 minutes 26 seconds East, a distance of 400.873 metres to a survey marker;

THENCE North 28 degrees 59 minutes 57 seconds East, a distance of 122.049 metres



to a survey marker;

THENCE North 12 degrees 41 minutes 46 seconds West, a distance of 126.327 metres to a survey marker;

THENCE North 66 degrees 40 minutes 08 seconds West, a distance of 118.015 metres to a survey marker;

THENCE North 19 degrees 36 minutes 52 seconds West, a distance of 147.729 metres to a survey marker, said survey marker being the POINT OF BEGINNING.

A tract of land containing an area of 47.4352 hectares more or less.

All distances are horizontal grid distances, combined scale factor 0.99989205 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 Station Number 250001.

Additional materials

APPLICATION



2024-01-31

Jeff Lawrence, Chief Administrative Officer
Town of Kentville

Re: Application in West Kentville (PID 55551774)

Dear Jeff:

On January 22, 2024 Town Council authorized a Plan Amendment application for a portion of PID 55551774. This letter provides additional information for the Town to proceed with its review and analysis.

Description

Brison Developments is applying to make changes to both the MPS and LUB to allow for multi-unit development along the frontage of PID 55551774. This land is currently designated and zoned industrial and requires a change to both the Municipal Planning Strategy and Land Use Bylaw. Brison Developments is seeking planning policy changes that permit approximately four multi-residential buildings in Phase 1 of the subject PID or approximately 300 units.

This is the first phase of a large development that is tentatively called Kentville Crossing. Similar to the Crossing in Windsor, this development is geared towards empty nesters and seniors and will include amenities and open space to create a master-planned residential community. It will include housing at differing densities and price points, parks, trails, new streets and sidewalks and potentially a community centre. It eventually will connect up to the Donald Hitz Connector to provide connectivity for both non-motorized and motorized movement. The developer recognizes the area has areas of steep slope, watercourses and other environmentally sensitive features that will require detailed engineering and planning and will continue to work with the Town to ensure that the Kentville Crossing will be asset to the area.

The initial phase will include four apartment buildings with approximately 300 units, though the number of units will be finalized at a later date. Attached to this email are sample renderings of the apartment building. The remainder of the property is still under design but will include a variety of low and mid-density housing forms. The concept plan has been previously provided to the Town.

The Request

This is a Plan Amendment, which gives Council latitude in how it wishes to deal with this type of development. Brison is seeking amendments for the following:

1. Designation and zone change to Residential (R-4) as generally shown on the map in the

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- previous submission. (shown as Phase 1 on the attached map)
2. The remainder of the PID to be designated Residential and zoned R-5 to demonstrate Council's intention that the future land use of the area is residential. This will allow time to complete more detailed planning on the lands. (shown as the remainder)
 3. Changes to policy to allow for maximum flexibility in submission requires. At this point, Brison is not prepared to provide detailed engineering information on issues such as storm water, infrastructure, road design or parkland. These issues will be dealt with through subdivision if that is the chosen route for the approval.



Discussion

The housing need in Kentville is significant, as outlined in the housing needs assessment completed by the province (provided to the applicant by the Town). For over a year, Brison has been encouraging the Town to put the necessary policies in place to allow for the lands in the west end to be comprehensively planned and developed for residential development. We understand that the Town is seeking external funding to support the secondary planning process. However, the need and market opportunities necessitate that Brison make this application in advance of the more detailed planning process/SPS process.

The subject PID is designated and zoned industrial. The property is within the wellfield protection zones, which is an overlay zone intended to protect the drawdown areas of the wells that provide drinking water to the Town of Kentville. The overlay zones, which are a component

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of the source water protection plan for the drinking water supply, are intended to restrict certain land uses that pose a higher risk to the groundwater. It is generally recognized that residential uses pose a lower risk to the water supply than light or heavy industrial uses. The conversion of this area to residential would not pose any additional risk to the wellfield and may actually be more compatible. We further understand that the Town may be installing a new well, which may impact the specific wellfield zone that applies to this land.

The CWWA emphasizes the importance of safeguarding drinking water sources to ensure the health and wellbeing of communities. Industrial areas often involve various activities that may have the potential to generate harmful substances or pollutants. These can include manufacturing processes, storage of chemicals, or disposal of hazardous materials.

Residential land use is generally considered lower risk to drinking water sources compared to industrial land use. Converting industrial lands to residential use can help minimize potential contaminants that may pose risks to water quality. By converting to residential zoning, the potential risk of contaminants to the water supply can be reduced.

Policy IM-1 states Councils intention to consider MPS amendment. This request responds to the three situations identified in these policies

- a) An adjustment is necessitated due to changing circumstances - The housing crisis requires more units in Kentville and the Town is looking for options to address this situation. In addition, the Town was successful in its application for the Donald Hiltz Collector and is planning to begin construction in the near to medium term.
- b) Additional Information or studies - The Housing Needs Assessment completed by the province has shown a shortfall in required housing over the next few years if the current rate of development and construction continues.
- c) Provincial Policy - The province and the federal government have been clear through its Housing Accelerator Funding announcement and associated strategies that communities will need to establish conditions to support accelerated housing. The province, through the [Our Climate, Our Future: Nova Scotia's Climate Change Plan for Clean Growth](#) and the [Our Homes, Action for Housing](#) both are clear that new strategies must be employed to deal with housing. The [CMHC Housing Supply](#) report also clearly identifies the growing gap of housing and supply in Nova Scotia more generally.

Policy IM-4 may also apply in this situation. IM-4 allows for a change in the future land use designation to that which is adjacent without an amendment to the strategy. In this case, the adjacent designation is Residential. With this policy, there is no requirement to undertake an industrial study for the rezoning. The adjacency policy in IM-4 would simply necessitate the evaluation of the policies in the implementation section.

If staff believe this is a Plan Amendment process, we do not believe the requirements for detailed plans should be applied in this case. If zoning is changed to R-4, then the site plan approval process will require most of that detail. Alternatively, a minor policy change to remove this requirement could also be considered."

The potential economic benefits that the Kentville Crossing can bring to the town are significant.

www.brighterplanning.ca



It can stimulate local job opportunities, attract investment, and generate revenue for local businesses. The increased population will create a demand for services, leading to the growth of local businesses, restaurants, shops, and other supporting industries. The increase in tax revenue is also something that is relevant for consideration. This additional revenue can be used to fund essential services, infrastructure improvements, and community programs that directly benefit all residents of the town.

Other information

Traffic Study - We will provide a draft scope for the Town engineer review and complete traffic study. This will be provided over in February. The Traffic Engineer has begun to gather traffic count information and the turn around time for the traffic study will be fairly quick, once the Town has approved the scope.

Servicing: I understand through the Town engineer that the town has sufficient share of the regional sewer capacity to service the proposed development. According to the Atlantic Canada Wastewater Specifications, industrial uses are more of a load on the sewer system than residential. The main line is a County of Kings asset as is the pumping station and that there is capacity in the trunk lines. Is the Town able to provide any information on the capacity of the pumping station and if upgrades are planned? Detailed plans for servicing and storm water are not appropriate during the Plan amendment stage, however, we recognize the Town engineer may require additional information to comment. We request the level of information that the engineer will require in order to provide comment on the Plan Amendment

Site Plan: My client is finalizing the site plan but it will generally conform to what is submitted. There is no planned commercial space in the buildings but the attached concept will be revised to reflect this change. Stormwater management, landscaping and other related issues are not required at this time and will be determined at time of site plan approval.



Summary

We will work to provide the additional information as quickly as possible so that the expedited timeline can be met. I understand that the MPS requires a great deal of detail for a zoning change but this information is not possible or required to assess if, from a planning perspective, that this area can be redesignated or rezoned.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads 'Chr Fuller'.

Chrystal Fuller, LPP, MCIP
Brighter Community Planning & Consulting

TRAFFIC SCOPING PACKAGE

Traffic Impact Analysis : Kentville : *Park Street Development*

Brisson Developments Ltd plans a residential development on the south side of Park Street west of Acadia Drive as shown on **Figure 1 : Location Proposed Kentville Lands Development**. It is planned that the property will be developed in accordance with the attached **DESIGNPOINT Concept Plan: Kentville Lands** plan CP01 dated Jun 27 2023. The development will consist of 675 residential units:

- 127 R-1 single family units;
- 99 R-2 duplex lots (198 units); and
- 350 apartment units in four buildings (the apartments are in lieu of the commercial facilities shown on plan CP01).
- Immediate access to the site will be via a new street ('Road A' on the plan CP01) which intersects Park Street (Trunk1) to the north of the development. The completion of the Donald E Hiltz connector will provide a second access to the south of the development which will allow traffic to split between the two arterial streets.
- Full build-out is expected:
 - within five years for the apartment units; and
 - within ten years for the single family and duplex units.

The traffic study will be carried out by *GAALCO Traffic Engineering* in accordance with the following:

1. The study area is the intersection of the new street ('Road A') of the development with Park Street.
2. In addition to the expected initial (2024) traffic conditions three horizon years will be analyzed:
 - 2029 - at the expected full build-out of the apartment units;
 - 2034 - at the expected full build-out of the single family and duplex units; and
 - 2039 - five years after the expected full build-out of the entire development.
 Intermediate horizon year(s) may be analyzed depending upon the level of service of the intersection and / or the highway infrastructure required.

3. The analyses of each horizon year will be for two Daily Design Hourly volumes (DHVs):
 - morning (AM);
 - afternoon (PM); and
 - noon hour counts will be obtained to fulfill the Transportation Association of Canada (TAC) traffic control signal warrants.

Turning movement counts will be obtained to ensure representative traffic volumes. The intersection location on Park Street will be counted on a Tuesday, Wednesday, or Thursday during good weather, and the counts expanded to DHVs using weekly adjustment factors based on roadway class derived from the Provincial network of permanent counters provided by Nova Scotia Department of Public Works (DPW).

4. Traffic growth rates will be established for the highways in the study area based on historical traffic counts made available by DPW.
5. Trip generation rates will be obtained from the Institute of Transportation Engineers (ITE) *Trip Generation*. It is expected that 75 percent of the non-apartment residential units will be occupied by senior adults, which would require ITE Land Use Codes:

• Apartments	code 220	100 percent of the units
• R-1 single family detached	code 210	25 percent of the units
• Senior adult detached housing	code 251	75 percent of the units
• R-2 duplex	code 230	25 percent of the units
• Senior adult attached housing	code 252	75 percent of the units

- 5A. However, to ensure that the impact analysis considers the maximum possible generated traffic and the intersections capacity to service it, the Land Use Codes that will be used in the analysis are:
- Apartments code 220 100 percent of the units
 - R-1 single family detached code 210 100 percent of the units
 - R-2 duplex code 230 100 percent of the units
6. Trips generated by the proposed development will be assigned to the intersection of the new street ('Road A') of the development with Park Street and distributed east and west on Park Street in the same proportion as the turning movements at the intersection of Acadia Drive with Park Street which were counted in October 2022.
7. Site traffic assignment will be performed manually with generated trips assigned east and west on Park Street as described in item 6.
8. Analysis of level of service (LOS) will use *Synchro-SimTraffic* computer software.
9. The minimum acceptable level of service (LOS) for each movement at an intersection will be LOS 'D' with a maximum volume to capacity ratio (v/c) of 0.90. Queue lengths will be calculated and included in the report.
10. Transportation demand management techniques are not appropriate for this area.
11. The warrants used for various traffic control devices and auxiliary lanes will be:
- traffic control devices, other than traffic control signals - *TAC Manual of Uniform Traffic Control Devices*;
 - traffic control signals - *TAC Canadian Traffic Signal Warrant Matrix Procedure*;
 - left turn lane analysis- Ontario Department of Highways *Volume Warrants for Left Turn Lanes*;
 - and
 - right turn lane analysis - Ohio Department of Transportation *Right Turn Lane Warrant*.
12. The site design will be reviewed to ensure that there are adequate intersection geometrics, including roadway alignment, proximity of private and public entrances, sight distance, and turning sight distance at any new or reconstructed intersections.



Allan Golding, P.Eng.
GAALCO Traffic Engineering
902 499 4003

February 02 2024

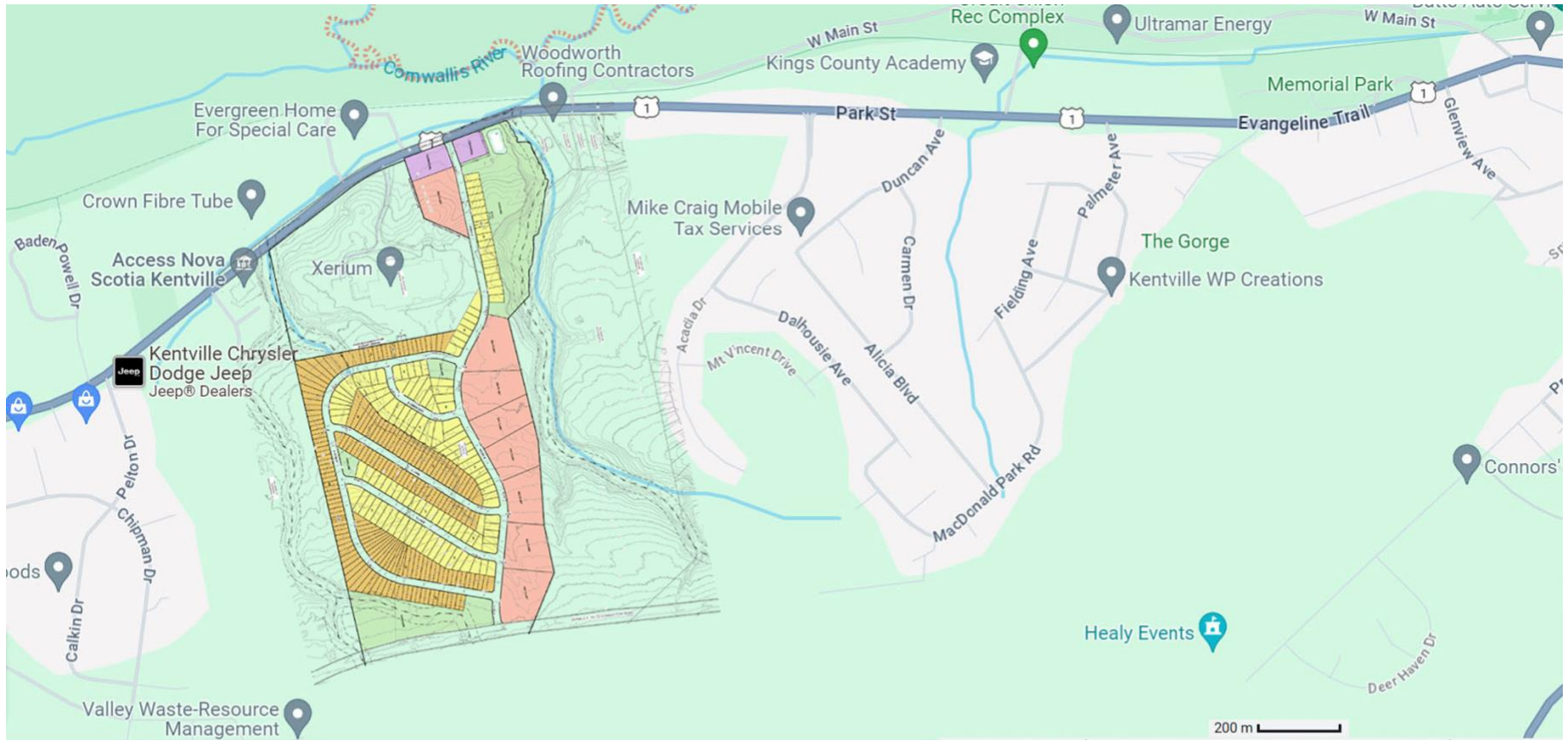
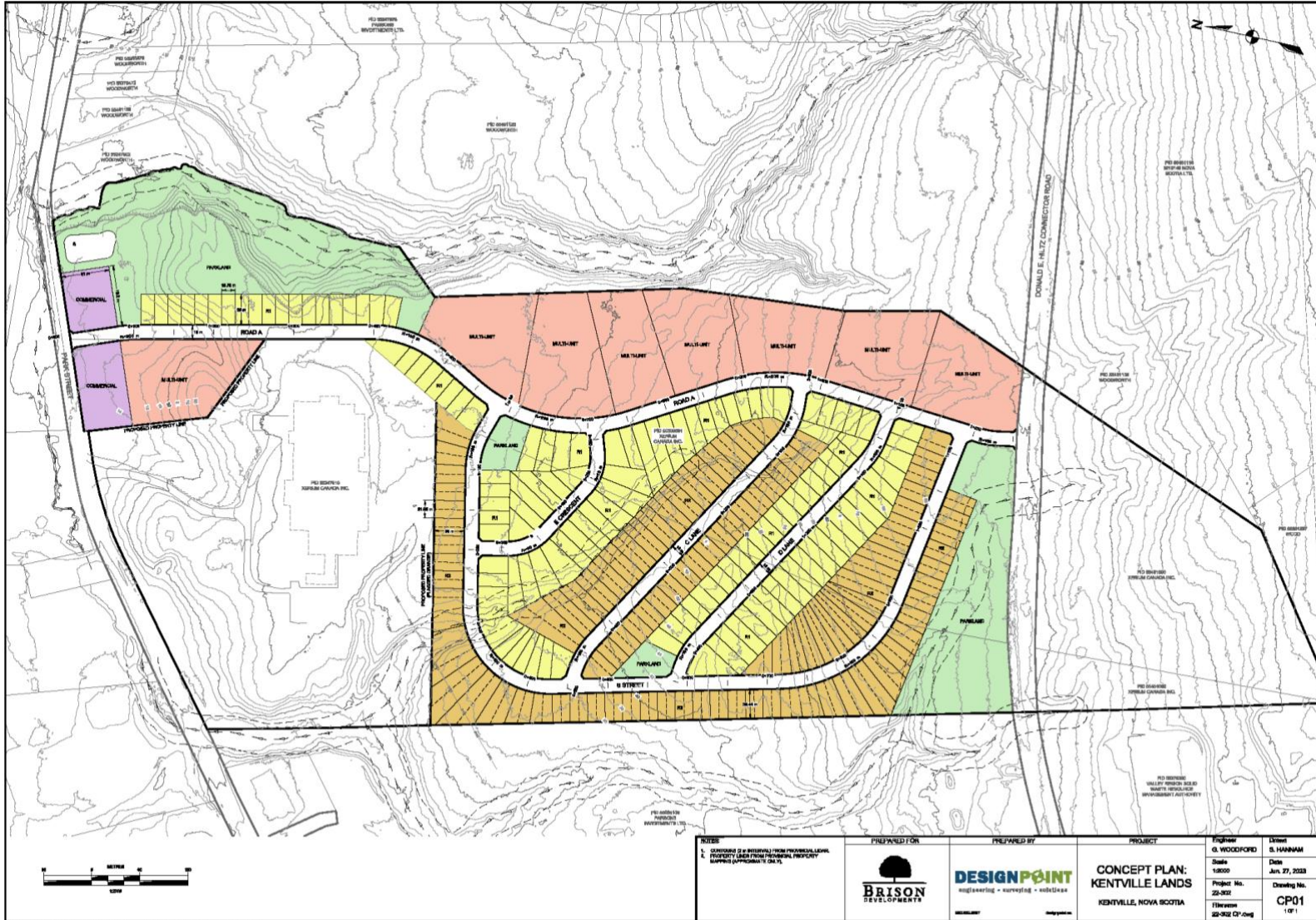


Figure 1 : Location Proposed Kentville Lands Development



NOTES 1. OUTBOUND 50 M BUFFER FROM PROPOSED LAND. 2. PROPERTY LINES FROM PREVIOUS PROPERTY MAPPING APPROXIMATE ONLY.	PREPARED FOR 	PREPARED BY 	PROJECT CONCEPT PLAN: KENTVILLE LANDS KENTVILLE, NOVA SCOTIA	Engineer G. WOODFORD	Licens S. HANNAM
	Scale 1:5000	Date Jun. 27, 2023			
	Project No. 22-002	Drawing No. CP01			
	File name 22-002 CP-01.dwg	1 of 1			
	10'				

ADDITIONAL MPS POLICY REFERENCES

15.10.2 Evaluative Criteria for Development Agreements

Council will evaluate Development Agreement applications using specific evaluation criteria. The full use of the criteria set out below will ensure that the resulting development is in conformity with all policies of this Strategy and will help to ensure that the proposal 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.

Policy IM-11 It shall be the intention of Council when considering a development agreement application 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) compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic, vehicle headlights, and noise;
- d) the adequacy of sewer services, water services, waste management services and stormwater management services;
- e) that the proposal contributes to an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services;
- 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, and adjacent to, or leading to the development;
- i) the potential for the contamination or sedimentation of watercourses or for erosion;
- 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) the financial ability of the Town to absorb any cost related to the development;
- o) that the proposed development would not have a negative impact or effect on natural watercourses, drinking water quality and supply, the Kentville Water Commission System Source Water Protection Area or other natural land features by way of contamination, erosion and sedimentation;
- p) that the proposal is in conformance with the intent of this strategy and with the requirements of Town By-laws and regulations other than the Land Use By-law; and
- q) the financial ability of the Town to absorb any costs relating to the amendment.



PUBLIC PARTICIPATION PROGRAM REPORT

This report summarizes the public participation program hosted by Council Advisory Committee for the application for PID 55551774 from Brighter Communities on behalf of Brison Developments. The program was discussed at a special meeting of Council Advisory Committee on July 25, 2024, at 4:00 pm in Council Chambers.

APPLICATION

The applicant has applied for the following amendments:

1. Request to change the Future Designation from Industrial to Residential for the entire PID, with Phase 1 to be rezoned to a mixture of Residential (R3& R4) as indicated on the map in the planner's report.
2. Seek adjustments to rezoning requirements for initial submission flexibility, with full compliance required during the permit process upon rezoning approval.
3. Propose rezoning the remaining Phase 2 to Residential (R5) as depicted on the map in the planner's report.

THE BASICS

1. The Advisory Committee is currently considering a recommendation to Council about whether the town should preserve this piece of land for industrial purposes or prioritize residential uses, especially during a provincial housing crisis.
2. The Committee is also assessing if the requested housing density would be suitable for the proposed lot if they decide to support a change to residential zoning.

ENGAGEMENT

The Planning and Development Staff of the Town of Kentville have established a Public Participation Program, as requested by Council Advisory Committee. This initiative aimed to provide Council with adequate time to review the proposed application before the upcoming municipal election. The application was submitted on January 1, 2024, and the developer has requested an expedited timeline for its consideration.



NEWSPAPER AD

The following Newspaper ad was circulated in the Chronicle Herald for 14 days before the public meeting.



**Public Participation Meeting
Brison Development, Park Street**

A public participation meeting will be held at the Kentville Fire Hall, 463 Main Street, Kentville, Nova Scotia, at 6:00 PM on Thursday August 29th, 2024 to provide an opportunity for the public to comment on or make suggestions to the proposed amendments.

Planning Application: Brison Development has submitted a development application for housing south of Park Street, in the area of Evergreen Home and Xarlum paper products. The proposal outlines two phases- the first near Park Street and the second extending up to the future Donald E. Hiltz Connector Road. This proposal involves the following changes to the Municipal Planning Strategy and Land Use Bylaw:

- Redesignating the entire property from Industrial to Residential.
- Rezoning Phase 1 lands to a mixture of Medium Density Residential (R3) and High Density Residential (R4), with the Phase 2 lands to be rezoned to Large Lot Residential (R5).
- Revisions to zoning requirements to allow for greater development flexibility.

Date/Time: Thursday August 29th, 2024 at 6:00 PM

Location: Kentville Volunteer Fire Hall

For further information, copies of the proposal, and questions about making a submission please contact Carolina Robertson, Planner, at (902) 742-5300 or caroline@colcommunitydesign.ca

August 13, 2024

Jeff Lawrence
Town Clerk
TOWN OF KENTVILLE



NEIGHBOUR NOTIFICATION

The following letter was circulated to neighbours who own property adjacent to the proposed property.



SOCIAL MEDIA POSTING

A post about the proposed planning application and the upcoming public meeting was shared on the Town's Facebook page on August 14th. The post was shared 14 times. The recording of the public meeting was posted on August 30th and, as of now, has not received any likes or shares.



Town of Kentville

Aug 14 · 🌐



Two development applications have been submitted to the Town of Kentville for review and consideration. These will follow a tentative schedule for presentations and meetings, prescribed by Town policy and provincial legislation. For more information please visit the Town's website.

<https://kentville.ca/news/14-08-2024/planning-and-development-public-meetings>

Town of Kentville's posts



Town of Kentville

23h · 🌐



If you missed the public participation meeting last night regarding the proposed rezoning application from Bris... See more



youtube.com

August 29 2024 Planning Participation Meeting, Brison Developments



Like



Send



Share

Date	Event	Matter	Place/Time
29 Aug 2024	Public Participation Meeting (PPM)	Brison – MPS/LUB amendment – land designation and rezoning	Kentville Fire Hall 6:00 – 8:00 pm
3 Sep 2024	PPM	COGS – LUB amendment – rezoning R3 to R4	Kentville Fire Hall 6:00 – 8:00 pm
6 Sep 2024	Special CAC Meeting	First Reading Recommendation Brison COGS	Town Hall Council Chambers 4:00-5:00 pm
9 Sep 2024	Special Meeting of Council	First Reading Recommendation from CAC Brison COGS	Town Hall Council Chambers 5:00 – 6:00 pm
9 Sep 2024	CAC Meeting	Regular scheduled CAC Meeting	Town Hall Council Chambers 6:00 pm
25 Sep 24	Public Hearing	Brison	Kentville Fire Hall 6:00 – 8:00 pm
26 Sep 2024	Public Hearing	COGS	Kentville Fire Hall 6:00 – 8:00 pm
1 Oct 2024	Special Meeting of Council	Second Reading Recommendation from Public Hearing Brison COGS	Town Hall Council Chambers 6:00 – 7:00 pm



TOWN WEBSITE

Following Council’s Public Participation Program Policy, the planner's report on this application was posted on the town’s website, along with information on the tentative schedule, including the date, time, and location of the public meeting.

Planning and Development Public Meetings

Two development applications have been submitted to the Town of Kentville for review and consideration. These will follow this schedule for presentations and meetings, prescribed by Town policy and provincial legislation:

Date	Event	Matter	Place/Time
29 Aug 2024	Public Participation Meeting (PPM)	Brison – MPS/LUB amendment – land designation and rezoning	Kentville Fire Hall 6:00 – 8:00 pm
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26 Sep 2024	Public Hearing	COGS	Kentville Fire Hall 6:00 – 8:00 pm
1 Oct 2024	Special Meeting of Council	Second Reading Recommendation from Public Hearing Brison COGS	Town Hall Council Chambers 6:00 – 7:00 pm

[To see the planning application documents, please follow this link](#)

Public Participation Meetings (PPM) will be held in accordance with TOK Policy G62. There will be presentations from the developer and TOK Planning. The public is invited to the PPM to learn more about the projects and ask questions. Council is also invited but has no specific role. These meetings are focused on information gathering for Council.

After the PPMs, Council will meet in committee (CAC) to make recommendations to Council for First Reading.

If motion for First Reading is passed, then Public Hearings (PH) will be held on September 25 and 26. Members of council must attend the PH to vote on Second Reading on October 1.

Spotlight

1 Min Read

Planning and Development Public Meetings



SIGN ON THE PROPERTY

The proposed development has not yet been communicated through a sign on the property. The staff at the town of Kentville have been working on finding a supplier, developing a consistent design, and ordering a sign for the property. If the application moves forward, a sign will be posted before any public hearing.



PUBLIC MEETING

On August 29th, a public meeting took place at the Town Fire Hall at 6:00 PM. The meeting was well attended, and Brighter Communities presented on behalf of the developer. Many members of Council and crucial town development staff were also present. Thoughtful questions were asked by the public and Council, leading to a respectful debate and providing extensive feedback and thoughts for Council to consider. C + D Community Design took notes to summarize the questions and responses during the meeting, which was also recorded and posted on the Town's website.

An updated presentation and brief on the application were created for the event, providing a less dense version of the information available in the planner's report. These documents have been included in the appendix of this report.

1. If Council were to refuse this application, can it be appealed to the NSUARB?

No, this is an application to amend the Municipal Planning Strategy, provided the Council complies with the processes outlined in the Municipal Government Act. There is no opportunity for appeal.

2. Who pays for the services needed for the proposed development?

Policy MS-20 states that the Developer is responsible for the costs of all 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.

3. Was a traffic study performed? If so, who performed the study? What time of day was the study completed?

A traffic scoping study was completed by a licensed impartial firm hired by the developer. A traffic study is not required at this point in the process.

4. Has construction of the roads already begun? There has been a lot of clearing done on the proposed property.

No, construction of the road is not permitted at this stage. There is no policy prohibiting the clearing and preparation of land.,



5. What are the requirements for stormwater management? A recent storm caused areas in the community to wash out. Could this have been caused by the clearing on the subject property? Can Council require a stormwater management plan and circulate it to the community before approving the application?

If the Council approves the application, any part of the development that requires site plan approval or goes through a Development Agreement will need to meet the requirements of the stormwater management plan. Stormwater management plans have advanced and now include both natural and engineered solutions. They may encompass features such as swales, retention ponds, rain gardens, green roofs, and permeable pavement. Many of these natural elements can be mandated through a Development Agreement.

The Town Engineer expressed the opinion that the majority of the stormwater runoff causing damage during the recent storm likely came from the Industrial Park, rather than from the clearing of the subject property.

Through policy IM-2, the Council may require a stormwater management plan as part of an application to amend the Municipal Planning Strategy. However, without knowing the final design, this requirement may not serve any purpose.

Policy IM-2 It shall be the intention of Council to require the applicant to submit sufficient information and argument in support of any proposed Municipal Planning Strategy amendment.

6. How much industrial land do we have? What percentage of the total industrial designation does the proposed land represent?

The Industrial designation represents 12.3% of the land within the Town, the subject property represents a significant portion of this.



7. This is a large tract of land, has an environmental assessment been done on the property?

As this property contains a water channel and wetland areas, it would be required to go through the Department of Environment. It would be up to their department to decide if and what remediation efforts may be necessary.

The requirement of a stormwater management plan for the final design will be a crucial aspect of whether or not it is approved by the Town's development team.

The property falls within the Town's wellfield protection area. For this reason, Town staff have found the property to only be suitable for light industrial purposes.

8. How will the Council decide on Industrial vs. Residential designation?

This is a complicated question and part of the process. Ultimately, this is unprecedented territory. Council has been provided with a review of similar towns and the amount of industrial land they have designated, as well as an explanation of the benefits of Industrial land to a community. They have also received provincial data on the housing crisis and the province's clear desire to support municipalities in creating planning policies that support diverse housing.

The final decision will be made by Council, using the data received from their staff and the concerns heard from constituents.

9. What is the difference between a Site Plan and a Development Agreement? What are the proposed policies related to the proposed development that would use these tools?

Site Plan Approval is a process carried out by the Town's Development Officer, who uses criteria set by the Council to approve a site plan. Once a site plan is approved, the neighbours are notified and given the opportunity to appeal. If a plan is appealed, the Council may make any decision within the power of the Development Officer.

A Development Agreement is a contract between the Town and the Developer registered on the property. It acts as a mini land use by-law that only applies to the specific property. A Development Agreement must undergo a public hearing and be approved by the Council. It can include various options and controls.



10. Does the Town's sewer system have capacity for a development of this scale?

The Town Engineer has stated that the system is currently undergoing upgrades. Residential usage involves relatively low flow and tight systems. Presently, the town is only utilizing half of its capacity.

Please get in touch with the Town Engineer for any further questions.

11. A member of the public stated that run-off load requirements for light industrial uses to limit the flow into Town services are always possible. There is also the option of partnering with adjacent municipalities to consider shared industrial parks and lands.

12. How much industrial development has the Town seen in previous years?

The town staff is working to gather permit data regarding the number and types of industrial uses that have been permitted in recent years. Additionally, they aim to obtain accounting data on the tax revenue generated from industrial-designated PID numbers.

However, it is challenging to compare the tax revenue potential from large-scale housing developments with the potential from light industrial developments without knowing the scale and size of a development that has not yet been proposed.



13. A member of the public suggested a literature review of past planning documents to understand why the area was designated industrial and why previous decisions had been made.

Staff have had trouble accessing historical data due to turnover. However, the rationale for the industrial cluster designation is clearly outlined in the MPS. Furthermore, planning is forward-looking and typically takes into account recent census data, new context, and the current Council's goals and visions.

Council's Industrial Objectives:

- 1. To promote the Annapolis Valley Regional Industrial Park, as the regions prime location for new industrial uses by developing collaboration networks between municipal units, non-governmental organizations, businesses and citizen groups;*
 - 2. To encourage development of industrial areas by ensuring that adequate infrastructure exists for potential industrial development. The Town may enter into agreements with developers in order to provide such infrastructure;*
 - 3. To facilitate industrial development within the town to diversify our economy and ensure that the employment requirements of Town residents are satisfied within the Town; and*
 - 4. To set aside future industrial lands to satisfy the anticipated industrial requirements for the future.*
14. A member of the public commented that the proposed housing is not "affordable". She shared information about the planning committee's support for the Industrial Designation in this area of the Town. She mentioned that she works with seniors, the target demographic for the development, and expressed concerns that the proposed housing would not be affordable for many. She emphasized that addressing the housing crisis is not the sole responsibility of the Town and Council. Additionally, she was worried about the potential loss of industrial land, which was chosen for its location and separation from residential areas. Once the land is re-designated, it would be very challenging to reclaim.



15. Which Council will be making the final decision on this application?

If the application proceeds as scheduled, a decision will be made on it by October 1st under the new Council.

16. A member of the public stated her opinion that industrial land was very important because it offered jobs and opportunities for the community's younger generation. The person believed that housing for seniors would not contribute as much to the local economy.

17. A member of the public asked if the Council had the ability to rezone only phase 1 to residential and maintain the remainder as Industrial.

The developer did not include this in the original application, but it could be a possibility. While having a residential front on Park Street and land-locked industrial land may not be an ideal solution, it would preserve the land for industrial purposes.



18. If the application is approved and the designation goes to Residential is it possible to change the designation back to industrial to allow for industrial or commercial uses if proposed?

Ultimately, yes. An applicant could apply for a Municipal Planning Strategy amendment to change the land back. However, typically because Municipal Planning Strategies are intended to be future plans of the Council, if a decision was recently made, it is unprecedented for the same Council to change it back.

The proposed amendment includes a list of local commercial uses that would be permitted within the High-Density R4 zone.

5.5.2 Permitted Uses with Conditions

The following uses shall be permitted in the High Density Residential (R4) Zone Subject to the following requirements of this By-Law:

Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-Law

Bed and Breakfast, in accordance with Section 5.1.4 of this By-Law

Inns, in accordance with Section 5.1.5 of this By-Law

Accessory Neighbourhood Commercial Uses with Section 5.1.8 of this By-Law

Local commercial uses shall include the following and be approved as part of the site plan approval process, in accordance with 5.1.12.

Animal Hospital

Automobile Service Station

Bakery

Catering Establishment

Club (Commercial or Private)

Convenience Store

Commercial schools & recreation

Craft Products

Day-Care & Nursery Schools

Dog Grooming

Dry Cleaning

Garden Centres

Golf Courses and Driving Ranges

Small Scale Grocery Stores (Under 3,000 square feet)

Medical Clinics

Restaurant

Small Scale Retail Space (Under 3,000 square feet)



19. A member of the public stated that this was a quick timeline for a decision and recommended slowing down and considering the full implications of the application.

The application was received back in January. The town staff has been working with the developer for nine months. The final report includes extensive data to support the council's decision-making process, which was prepared and ready for the advisory committee well in advance of their June 2024 meeting. As this has been a lengthy process, it is hoped that the decision can be made by the existing council, which has taken part in the information collection and public engagement.

20. A community member suggested that the Council originally designated the land as industrial to create employment opportunities. Is it possible to amend and expand the industrial designation boundaries?

A change to the Industrial Designation boundaries would require an amendment to the Municipal Planning Strategy. This process may be lengthy but is possible. Any adjustment to the boundaries of the Industrial Designated Area would depend on land availability and the willingness of property owners.



APPENDIX

PRESENTATION



PID 55551774

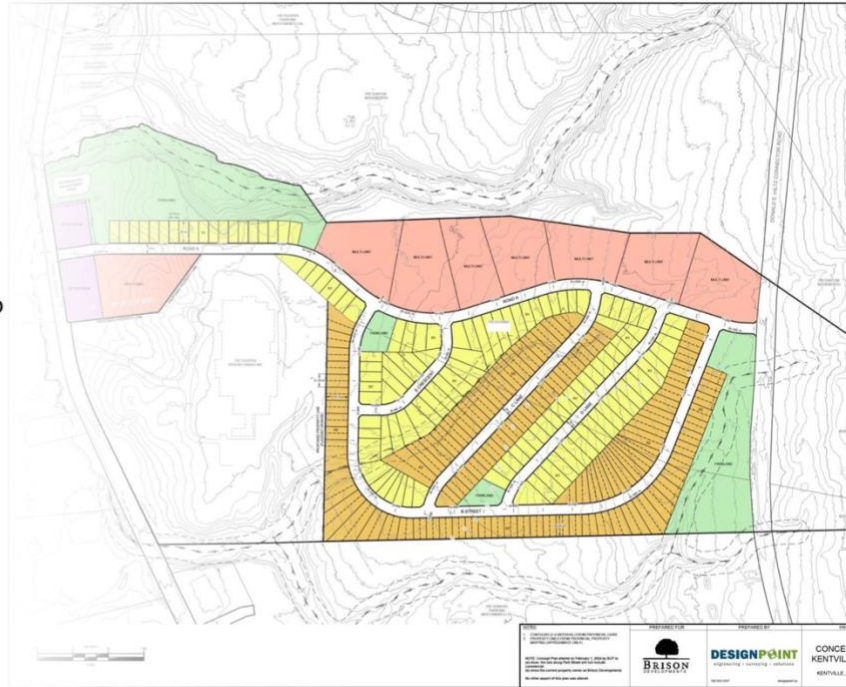
- Large Industrial property off Park Street
- Currently designated and zoned Industrial
- Residential property to the East side
- Part of a cluster of land reserved by Council for Industrial representing 12.3% of land in Town





PROPOSAL

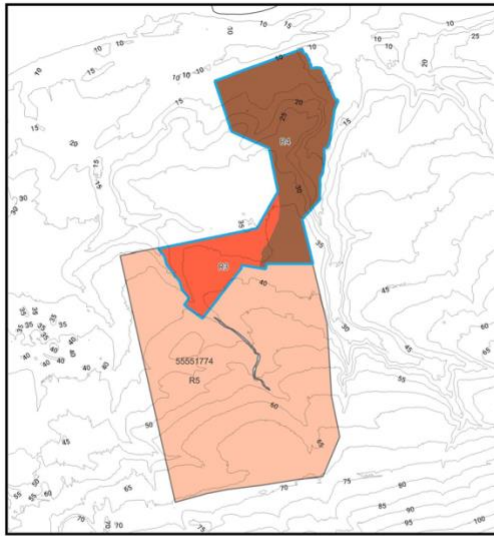
- Two-phase development
- High-density residential
- Designed and targeted to seniors
- The final design will be market-driven
- The plan includes amenities, open spaces, and well-planned community



Request

1. Change the Future Designation from Industrial to Residential
 - Phase 1 to be R3 & R4 Zoning
2. Allow for initial submission flexibility, with full compliance during the permit phase
3. Two Phased Development





PROPOSED ZONING - PID 55551774

— Contours Land Use Zone
Phase 1 R3
R4
R5



Community Impact

If approved:

- An extensive new housing development would be permitted to be considered for construction
- Must go through Site Plan or Development Agreement
- Final Design must include amenity space, retention of existing vegetation and appropriate signage and parking
- Will be evaluated for compatibility with existing residential neighbourhood

5.1.12 Site Plan Criteria for Residential

the location of new structures (or an addition to an existing structure) is located on the lot so as to minimize any adverse impacts on the surrounding neighbourhood, including, but not limited to noise, dust, or lighting;

the location of off-street parking and loading facilities are located and designed as to minimize any adverse impact on the surrounding neighbourhood;

the location, number and width of ingress and egress points are designed to prevent traffic congestion, nuisance and inconvenience in the area and minimize any adverse impact on the surrounding neighbourhood;

the type, location and height of walls, hedges, fences, trees, shrubs, groundcover or other landscaping elements are designed and built so as to protect and minimize any adverse impact on neighbouring properties;

the existing vegetation, where possible and deemed practical, be retained so as to lesson or reduce any adverse impact on abutting properties or the surrounding neighbourhood;

the location of pedestrian walkways, and/or related infrastructure, shall be provided to link public walkways and parking areas to the entrance of the primary building;

the type and location of outdoor lighting is designed to light the structure, driveways and any pedestrian walkways, but shall not directed onto neighbouring properties;

the location of facilities for the storage of solid waste provides for a maximum separation for residential development, public areas, and adjacent properties;

the location of existing easements shall be identified;

the management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;

the type, location, number and size of signs or sign structures do not negatively alter the appearance of the neighbourhood; and

the above listed items are maintained in a manner suitable and complementary to the surrounding neighbourhood.

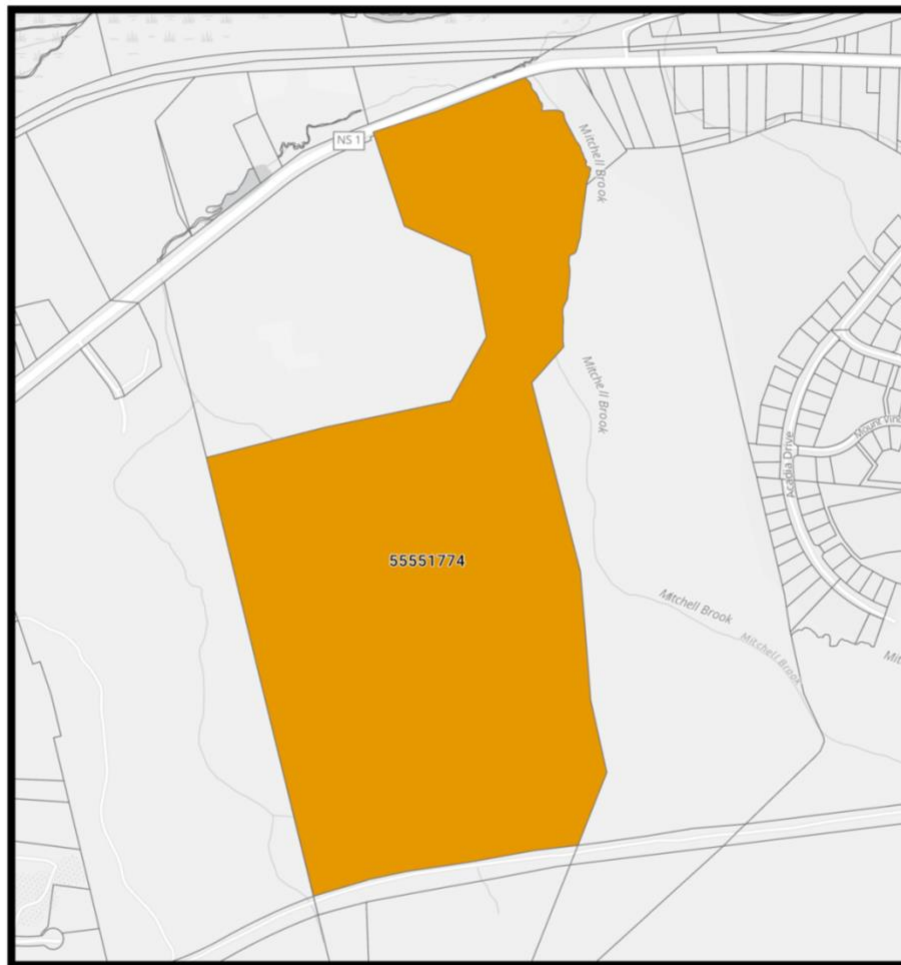





PUBLIC BRIEF

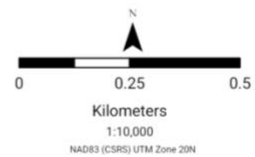


PROPOSED RESIDENTIAL DEVELOPMENT



Proposed Area for Rezoning - PID: 55551774

 From Industrial to Residential





THE LAND

Brison Developments owns PID 55551774, a large tract of land off Park Street within the Town of Kentville. The property is part of a group of land designated and set aside by Council for Industrial purposes. This cluster of industrial land, of which the proposed development is a part, represents 12.3% of the total land within the Town. The piece owned by the Developer is at the East edge of the industrial cluster adjacent to a property intended for residential development.

THE PROPOSAL

The Developer proposes a two-phase development that will provide a mixture of housing styles, depending on market demand at the time of construction, and enhance the property with amenities and parkland, creating a new community.

THE REQUEST

Given Council's intention to develop this land for industrial purposes in the future, the developer is requesting a significant change to residential designation. This decision will profoundly impact the town's housing and economic development landscape.

In addition, Council has a policy requiring Developers to provide significant detail about a development when applying for a change in the type of use permitted on the property. However, this policy is not enforceable and is an additional expense to the Developer.

The development presented to Council while considering a change is only a concept; the developer cannot be required to follow through on the specified design. For this reason, the Developer has asked that Council reconsider this policy, allowing for the flexibility to develop a design that meets market demand at the time of construction rather than at the early stages when considering if the property should be used for industrial or residential.

Finally, the Developer has asked that Council consider the development in two phases. The entire property will be designated for residential development in the future, but the back portion adjacent to the Donald Hiltz Connector will be held until Council can consider and adopt new policies for the future of housing development within the Town of Kentville.

HOW WILL THIS IMPACT THE COMMUNITY?

If Council were to approve all the requests submitted by the Developer, an extensive new housing development would be permitted to be considered for construction on the proposed lot. The final design of this development is not yet known. However, the Developer must go through Site Plan Approval or a Development Agreement as the design is finalized. As part of these applications, the design must be final and meet the requirements of Council, which include indoor and outdoor amenity space, retention of existing vegetation, and appropriate parking and signage. Depending on the tool, the Development Officer or Council will evaluate if the development is compatible with the existing residential neighbourhood following existing policy 5.1.12 Site Plan Criteria for Development in Residential Zones.



5.1.12 SITE PLAN CRITERIA FOR DEVELOPMENT IN RESIDENTIAL ZONES

The following site plan criteria shall apply to all new development that is permitted through the site plan approval process. No development permit shall be issued for development that is inconsistent with these criteria, in addition to all applicable zone standards and other requirements of this Bylaw:

- a) the location of new structures (or an addition to an existing structure) is located on the lot so as to minimize any adverse impacts on the surrounding neighbourhood, including, but not limited to noise, dust, or lighting;
- b) the location of off-street parking and loading facilities are located and designed as to minimize any adverse impact on the surrounding neighbourhood;
- c) the location, number and width of ingress and egress points are designed to prevent traffic congestion, nuisance and inconvenience in the area and minimize any adverse impact on the surrounding neighbourhood;
- d) the type, location and height of walls, hedges, fences, trees, shrubs, groundcover or other landscaping elements are designed and built so as to protect and minimize any adverse impact on neighbouring properties;
- e) the existing vegetation, where possible and deemed practical, be retained so as to lesson or reduce any adverse impact on abutting properties or the surrounding neighbourhood;
- f) the location of pedestrian walkways, and/or related infrastructure, shall be provided to link public walkways and parking areas to the entrance of the primary building;
- g) the type and location of outdoor lighting is designed to light the structure, driveways and any pedestrian walkways, but shall not directed onto neighbouring properties;
- h) the location of facilities for the storage of solid waste provides for a maximum separation for residential development, public areas, and adjacent properties;
- i) the location of existing easements shall be identified;
- j) the management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;
- k) the type, location, number and size of signs or sign structures do not negatively alter the appearance of the neighbourhood; and
- l) the above listed items are maintained in a manner suitable and complementary to the surrounding neighbourhood.



RECENTLY ASKED QUESTIONS FROM THE PUBLIC

Q1. I have a question regarding 4.2.4 of the 2019 MPS and am wondering if you could clarify it for me. 4.2.4 (b) states that Kentville can use a Development Agreement when a non-conforming use of land is changed to another non-conforming use.

Is that why there is a public presentation on Thursday evening regarding the Brison Development's request for a re-zoning?

If the re-zoning application is permitted by Council, the PID will be changed and re-zoned to residential, and no Development Agreement will be needed.

If the public presentation of the re-zoning application is not permitted, does a developer such as Brison ask Council for a development agreement, and the development continues to be permitted but with restrictions put in place by a Development agreement?

A1. Policy 4.2.4 was created for non-conforming uses located in a zone where they are not permitted. An example would be a kennel or dog daycare operating within a residential area. This is not a typical residential use and would be considered existing before adopting Council's residential policies. For this reason, the use is permitted to continue. If the kennel decides to start a new business that is also not for residential use and, therefore, not permitted, the owner would be required to apply to Council for a Development Agreement to be considered before receiving approval.

This policy does not apply to the Brison Application because there is no existing non-conforming building on the property. The property itself is undeveloped and intended for industrial purposes.

However, a site plan or development agreement would be required because of the scale of the development and the intention to develop a variety of densities on the proposed property. This requirement would come from a new policy which is being proposed.

30 It shall be the intention of Council to empower the Development Officer to negotiate a Site Plan Approval, as per Section 231 of the MGA, for the development or re-development of a lot for the following uses:

- a) New structures or additions in a (R3), (R4), (C1), (C2), (C3), (M1), and (CR) Zone, when such developments abuts a Single Unit Dwelling (R1) Zone or a One and Two Unit Dwelling (R2) Zone;*
- b) Day Care Centres to a maximum of 14 persons in the (R1), (R2) and (R3) Zones;*
- c) Multi-Unit Residential Dwellings up to 50 units per acre in the (C1) Zone;*

"D) Multi-unit residential dwellings with six or more units on a single lot located within the Multi-unit Residential (R4) Zone. Developments must comply with amenity requirements for multi-unit residential buildings, as well as subdivision parkland requirements, where applicable. If the developer prefers, the development may proceed through a development agreement in place of site plan approval, per Policy GD-5_d.)"

ADDITIONAL RECCOMENDATION

Request	Staff have requested that the Council Advisory Committee consider an additional amendment to the Medium Density R3 Zone as part of the Brison Application for PID 55551774. This amendment would require site plan approval for any proposed use on a lot above six units, in response to public feedback.
Description	<p>During the public participation meeting for this application, there was significant discussion about the need to manage storm and surface water and the requirement that the associated plans be approved by the Town Engineer. The current proposal suggests that site plan approval should be mandatory within the R4 zone for the construction of six or more units on a lot.</p> <p>To address the public's concerns, staff believe it would be appropriate to include the R3 zoning in the proponent's application. This would require site plan approval for the construction of six or more units on a lot in the Medium-Density R3 zone. This additional amendment would ensure consistency between the Medium-Density and High-Density Zones.</p>
Recommendation	It is recommended that the Council Advisory Committee consider recommending the application to Council for 1st reading, as stated in the planner's report, along with the additional amendments included with this recommendation.
Relevant Policies and Legislation	Public Participation Program Policy G62 Municipal Planning Strategy Land Use By Law
Follow Up Action	<p>The Council Advisory Committee, acting as an advisory committee to Council, is permitted to make any recommendations it deems fit to Council regarding the planning application, based on the planner's report and information received during the public participation program.</p> <p>This Application Requires the Following Steps:</p> <ol style="list-style-type: none"> 1. Additional Amendments to Align the Recommendation (Council Advisory Committee) 2. 1st Reading (Council) 3. Public Hearing (Council) 4. 2nd Reading (Council)

Municipal Planning Strategy Proposed Amendment

Policy GD-5 *It shall be the intention of Council* that the following uses be permitted only by the Development Agreement in accordance with the Municipal Government Act and Policies IM-10 and IM-11:

- a) Mini Home Parks/Land Leased Communities in the Large Lot Residential (R5) Zone;
- b) The change in use of a non-conforming use of land or a non-conforming use in a structure, to another non-conforming use;
- c) The expansion, enlargement or alteration of a non-conforming structure; and
- d) Multi-unit dwelling community constructed on multiple adjoining lots or single lots within the High Density (R4) Zone at the Developers Discretion.

Policy GD-30 *It shall be the intention of Council* to empower the Development Officer to negotiate a Site Plan Approval, as per Section 231 of the MGA, for the development or re-development of a lot for the following uses;

- a) New structures or additions in a (R3), (R4), (C1),(C2), (C3), (M1) and (CR) Zone, when such developments abuts a Single Unit Dwelling (R1) Zone or a One and Two Unit Dwelling (R2) Zone;
- b) Day Care Centres to a maximum of 14 persons in the (R1), (R2) and (R3) Zones;
- c) Multi-Unit Residential Dwellings up to 50 units per acre in the (C1) Zone;
- d) Multi-unit residential dwellings with six or more units on a single lot located within the Medium Density (R3) and High Density (R4) Zones. Developments must comply with amenity requirements for multi-unit residential buildings and subdivision parkland requirements, where applicable. If the Developer prefers, R4 developments may proceed through a development agreement in place of site plan approval, per policy GD-5 d).

Land Use By-Law Amendment

5.4 Medium Density Residential (R3) Zone

5.4.1 Permitted Uses

The following uses shall be permitted as-of-right in the Medium Density Residential (R3) Zone subject to

the requirements of the Bylaw:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Converted Dwellings up to a maximum of 6 units
- Residential Care Facility, Home for Special Care or Group Homes to a maximum of 6 bedrooms devoted to residential care use
- Multi-unit dwellings up to a maximum of ~~8~~ 6 units, including Townhouses

5.4.2 Permitted Uses with Conditions

The following uses shall be permitted in the Medium Density Residential (R3) 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 with Section 5.1.4 of this By-law
- d) Inns, in accordance with Section 5.1.5 of this By-law

5.4.3 Permitted Uses by Site Plan Approval

The following uses shall be permitted by Site Plan Approval subject to the requirements of this Bylaw:

- a) Day Care Centres to a maximum of 14 persons.
- b) Multi-unit dwellings up to 8 units, including Town Houses

5.5 High Density Residential (R4) Zone

5.5.1 Permitted Uses

The following uses shall be permitted as-of-right in the High-Density Residential (R4) Zone subject to the requirements of the Bylaw:

- Single Unit Detached Dwelling
- Two Unit Dwelling
- Day Care Centres and Nursery Schools
- Residential Care Facilities, Home for Special Care or Group Homes
- Multi-Unit Dwellings (under six (6) units)

5.5.2 Permitted Uses with Conditions

a) The following uses shall be permitted in the High Density Residential (R4) Zone subject to the requirements of this By-law:

- I. Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law
- II. Bed and Breakfast, in accordance Section 5.1.4 of this By-law
- III. Inns, in accordance with Section 5.1.5 of this By-law
- IV. Accessory Neighbourhood Commercial Uses in accordance with Section 5.1.8 of this Bylaw.

b) The following uses shall be permitted by Site Plan Approval in compliance with the Municipal Government Act and Policy GD-30 :

- I. Multi-Unit Residential Dwellings of six (6) or more units on a single lot within the Multi-Unit Residential (R4) Zone. If the developer prefers, the development may proceed through a development agreement in place of site plan approval, per 5.5.2 c).

c) Council shall consider entering into a Development Agreement for the following uses, in compliance with the Municipal Government Act and Policies IM-10 and IM-11:

- a. Multi-unit dwelling community constructed on multiple adjoining lots or single lots within the High Density (R4) Zone at the developer's discretion.

DRAFT



TOWN OF KENTVILLE
Public Hearing Meeting
September 25, 2024
Meeting Minutes

Kentville Fire Hall, 463 Main Street, Kentville Nova Scotia

The Kentville Fire Hall was open to the public and the meeting was recorded for YouTube.

Staff in attendance included Chief Administrative Officer Jeff Lawrence, Director of Planning Darren Shupe, Director of Engineering and Public Works David Bell, and Planner Caroline Robertson.

WELCOME AND INTRODUCTON

Mayor Sandra Snow called the Public Participation Meeting to order at 6:00 p.m. and reviewed the agenda for the participation meeting.

PRESENTATION BY PLANNER

Town Planner Caroline Robertson from C+D Consulting described the suggested amendments to the Municipal Planning Strategy including a change from Industrial zoning to Residential zoning.

Presentation Available

PRESENTATION BY APPLICANT

The applicant's consultant, Chrystal Fuller from Brighter Communities, gave a presentation including a background of other Brison developments, land use zoning, wellfield zoning, future housing needs and the vision for the whole community.

Presentation Available

PUBLIC COMMENTS

No written submissions were received.

Council questions:

DRAFT

Question about how development agreements offer Council more authority or powers over a development

Question about the site plan approval process for developments. The Development Officer is an important part of these processes, but their expertise is with the Land Use Bylaw and not with stormwater management, traffic or other issues.

Regarding a secondary plan, can industrial land be designated or rezoned to residential? Yes, this can be started by Council or by a developer request.

Do the amendments to the LUB and MPS apply to this development application? The date of the development permit is the date when the LUB and MPS must be applied.

With a large number of properties such as this, what are the differences between site plan approval and development agreement.

APPLICANT FEEDBACK

Chrystal Fuller, on behalf of the developer, responded to resident comments based on several themes:

Review of aspirational plans, land designation, and future planning for this land. She also talked about the importance of protecting the town's wellfield.

Council questions:

Questions about stormwater management and retention ponds.

Questions about stormwater management process with development agreements compared to site plan approvals.

Question about developing lower section first, and accountability of stormwater management requirements on an incremental basis.

Audience questions:

Cynthia Bush: Concerned about balancing the need for new housing at the expense of existing homes flooding and other issues.

Lloyd Schmidt: Concerns about transparency and accountability.

Garry Randall: Concerns about net zero concept of stormwater management.

Rob Baker: Concerns about the lack of trust between developer and residents.

Brent Platt: Concerns about moving this process too quickly, and concerns from residents.

Sharon Kehoe: Concerns about designating this site as residential not industrial.

Brady Dion: Concerns about damage caused by development.

Public Participation Meeting Minutes, September 25, 2024

Pending Approval

Page 2

DRAFT

Mr. Webster: Concerns about traffic, stormwater management, and burden on incoming council.

Bunny Bennett: Concerns about flooding in other areas such as Condon Avenue. Concerns about infrastructure.

Dennis Kehoe: Concerns about flooding.

Response from Developer, Chrystal Fuller:

The main concern is about stormwater management, and industrial land turning to residential. This has been a two year process for the developer who is taking a long term vision of the neighbourhood. A significant problem for industrial land users is to find staff housing.

ADJOURNMENT

There being no further business to discuss, the public participation meeting adjourned at 8:05pm.

Town of Kentville Planning Department

Re: Public Participation Meeting 08-29-24 Feedback

Attn: Darren Shupe Director of Planning dshupe@kentville.ca

Sept 5, 2024

Questions, comments and concerns regarding the Brison Rezoning Proposal

I attended the Public Participation Meeting for the Brison Proposal at the Fire Hall on Aug 29, 2024 and I was a bit surprised by what seemed to me to be a relatively small turnout for such a rezoning process. As a result of the presentation and discussion that took place, I feel compelled to offer some comments and ask some questions as a relative new comer to the town of Kentville.

I am aware that the past several years may have not been the most harmonious ones in the governance history of the town, with alleged interference by some of the elected officials with staff as well as an increased level of litigation. This history as well as the upcoming elections lead me to be suspicious of the pressing need to make a decision on this rezoning matter prior to the elections; a decision which may create far reaching consequences for the incoming Mayor and Councilors to deal with for years ahead.

I understand that this proposal for rezoning has been the responsibility of a Planning Consultant as opposed to an in-house Planner and support staff due to issues that I am not knowledgeable on. When Darren Shupe introduced us to the process on the 29th he made it clear that it would be the Planning Consultant that would be carrying this proposal to conclusion.

My questions, concerns and comments may not be well organized, I will throw them out as I think of them. I fully appreciate that the proponent, Brison Developments has every right to purchase any property and attempt to make the best use of it for his business purposes.

Firstly, I want to look at the issues that face the overall plan going forward for the lands to the south of the town that are currently undeveloped.

Storm Water

One of the major issues that the town currently is trying to deal with is the storm water management systems required going forward. It is a known fact that all of these southern lands are at elevations above the rest of the town and the supporting highway infrastructure. It is also well known that there are currently serious flooding issues due to unmanaged storm waters that affect the Condon Avenue area, the Davidson property south of the KCA school as well as the area east of Evergreen Home for Special Care, along the Hwy 1. The upstream topography carries high volumes of rainwater and snow melt down the ravine above Condon Ave, down the stream that intersects the Palmetter Subdivision as well as the Mitchell Brook east of the Brison property and the un-named stream that runs north out of the Brison property to the east of Access Nova Scotia.

The Mitchell Brook and the western un-named stream will be the two watersheds most impacted by the proposed residential development. During questioning, David Bell, clarified, if I understood him correctly, that the current stormwater management review and recommendations will only deal with the existing flooding in town, not any additional loading that may result from the high-density residential development on lands that have significant inclusion of steep terrain change included within many of the single dwelling lots.

Has the Planning Consultant given sufficient consideration to ensuring that the proposed development will be able to handle high intensity stormwater events without further overloading the downstream movement of those flows while protecting the properties and roads that will be part of the development? Is Council convinced that the developer will be responsible for managing this risk at his expense?

Land Use

Kentville only has so much land available for all of its uses; residential, commercial, business/industrial park, institutional and recreational. This proposed development will have the potential to increase the town's population by a significant number while reducing the lands available for other uses. The Proponent suggests that the target housing uses are for seniors but I am not convinced that only seniors will be purchasing residential lots in there.

How much of the land that is south of the Donald C. Hiltz Connector Road is available to the town for future use or has it all been gobbled up by developers? What impact may these lands have on the availability of water, sewer and stormwater handling systems in the future and will these needs be factored into any newly constructed systems required for the Brison Development or the construction of the Connector Road?

Has the Planning Consultant given due consideration to the impact of increasing the towns population significantly with an increase of seniors and families with children on the supporting infrastructure? How many more students can KCA absorb without requiring relocation or expansion? How many more seniors can our resources support before we need a replacement or expanded hospital facility, who is going to staff it when we do need it? Where and when do we consider the need for additional Extended Care Facilities as these seniors age and can't look after themselves? Has consideration been given to their care with in the residential development community?

Is there an affordable housing component to this residential development? Current single family new construction homes are selling for 450-550,000 for single level homes in the county with 1300-1600 square feet of floor space; difficult to consider this affordable housing! Is there any provision for convenience store or pharmacy in this sized development to reduce traffic flow or is this even something that should be considered?

Where do we build new recreation facilities with parking space if we remove a significant acreage from the industrial zone that could be used of institutional, recreational and/or business park uses? Renovating the existing arena for an estimated \$20 million with no increase in usability or parking doesn't sound like a realistic investment of town finances to me! Has there been consideration by the Planning Consultant and Council as to where the increased facilities are going to be located when this development is underway, and I don't believe it is the only lands being considered for residential use. If I understand correctly, the existing industrial park is nearly full, so where does the town encourage business to locate that are best suited to a business park with low environmental impact as opposed to manufacturing and food processing facilities with a high environmental impact?

Traffic Flow

Has a proper analysis of the impact of the increased traffic from this sized residential development on the existing traffic infrastructure available? Is the Donald C Hiltz Connector Road going to be able to redirect sufficient traffic away from the town core and out to Hwy 101 connections via Hwy 12? Getting out to Coldbrook or through Town now is bad enough without dumping an additional 200-400 vehicles into the mix!

Decision Making Process

Why is the current Council hell bent on pushing this through before the election? Is it to saddle the incoming team with something they can't fix if it's wrong, I would hope that everyone is more professional and dedicated to what benefits the future prosperity of the town than to pursue that line of thinking! Is the new Planner that has been hired in conjunction with this proposal being approved as presented without handcuffing future needs?

I had asked the question at the Aug 29th meeting if it was possible to approve the front (Hwy 1) portion of the rezoning now and ensure careful deliberation of the town's longer term needs before approving the remainder of it. I was told that this proposal would have to be defeated and the proponent would have to reapply to rezone only the front portion. Chrystal Fuller, the presenter on behalf of the Brison Group, suggested that would impose an element of risk on the Brison Group. For the Town of Kentville to not tread carefully into this project, I would suggest may impose a serious risk to the town going forward without proper critical analysis.

My vote would be to reject the current proposal and consider a reapplication for the north section so that the other considerations can be made by the staff and elected members who are going to have to live with their decisions.

All the best in your deliberations and I look forward to the discussion on the 25th.

Greg Webster



Proposed Residential Development

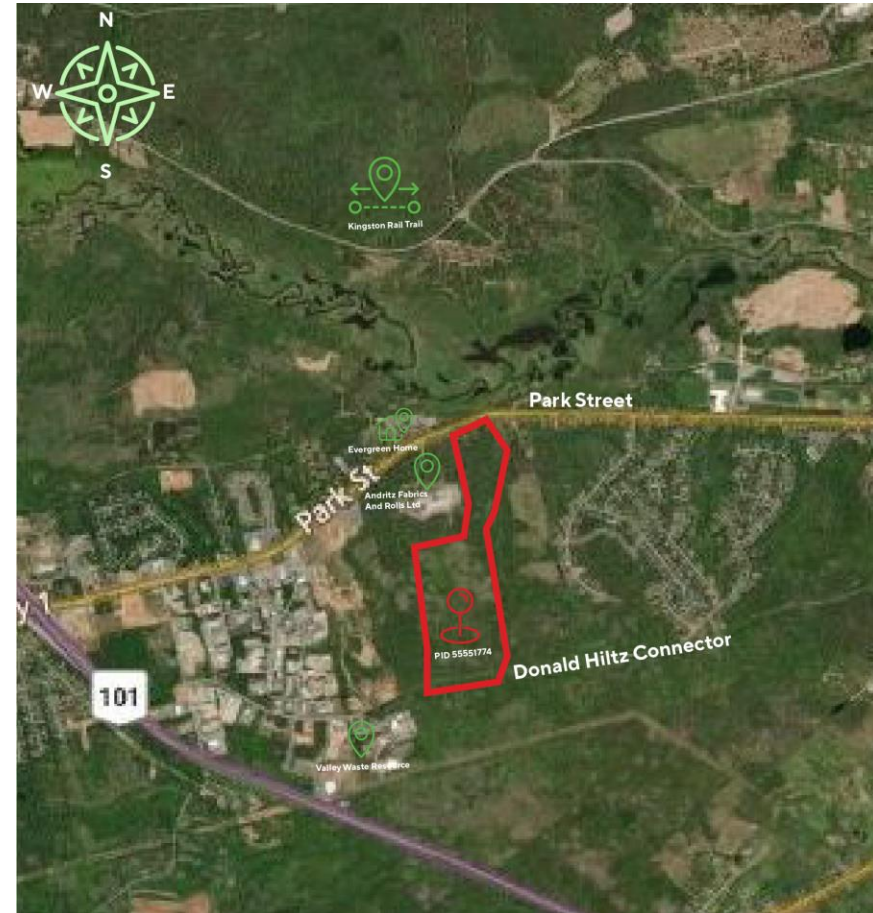
PID 55551774

Applicant: Brighter Communities on Behalf of Brison Developments



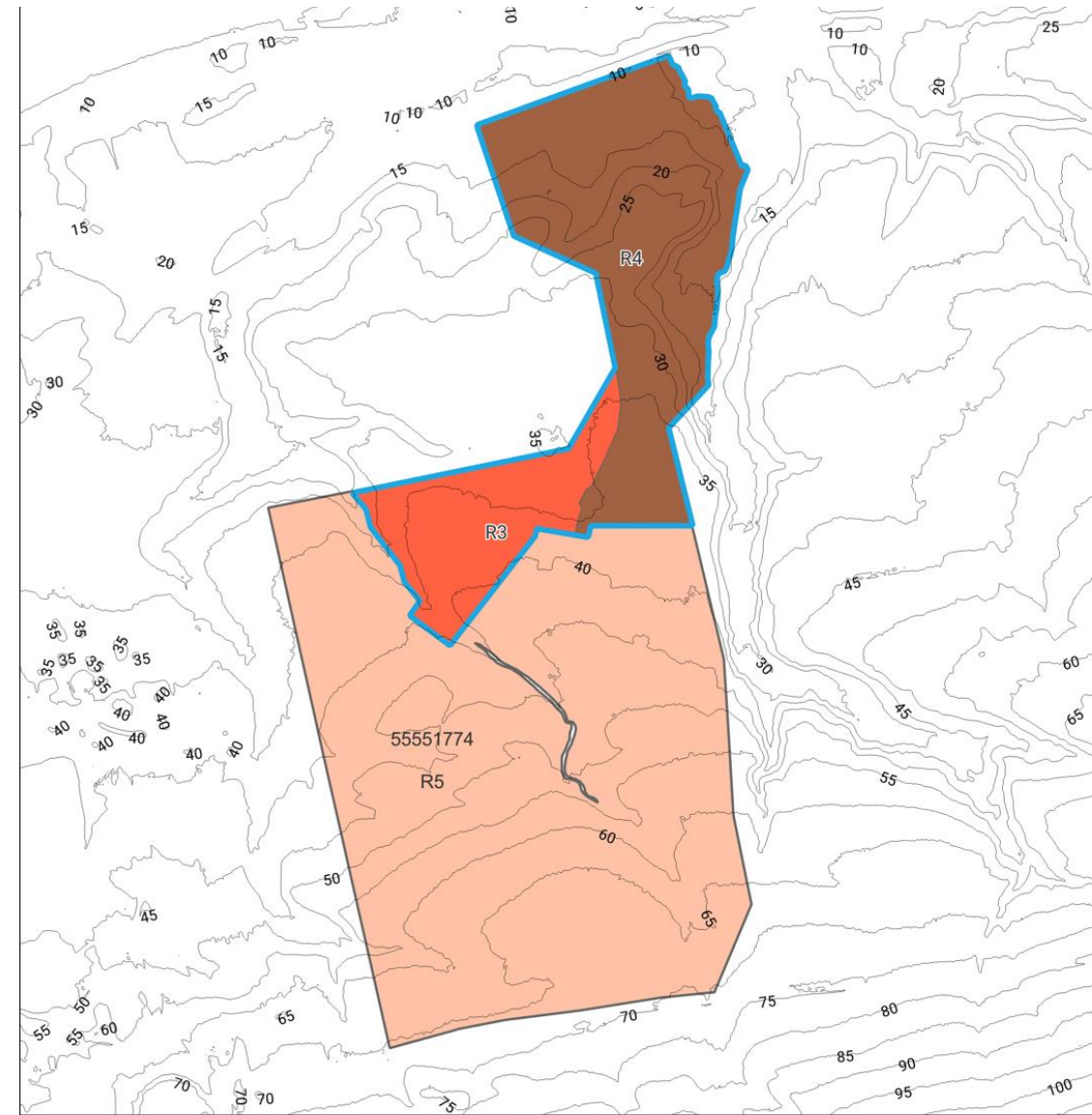
Application Overview

- **Current Designation:** Industrial land on Park Drive, designated by Municipal Planning Strategy.
- **Applicant's Goal:** Develop site for residential use; front portion for immediate development, back portion zoned as High-Density Residential (R5) for future use.
- **Council Approval:** Required to amend Municipal Planning Strategy and Land Use By-Law for residential development.
- **Relevant Policies:**
 - **IM-1:** Allows plan changes due to shifting circumstances.
 - **IM-2:** Empowers Council to demand comprehensive justification for amendments.
 - **IM-4:** Facilitates zoning changes without adjacent property reasoning.
- **Planning Principles:** Balance community needs with economic and environmental considerations, emphasizing mixed-use development.
- **Broader Context:** Addressing housing crisis; assessing land use priorities to balance current needs with future opportunities.

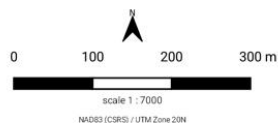
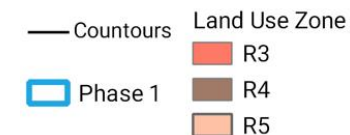


Request

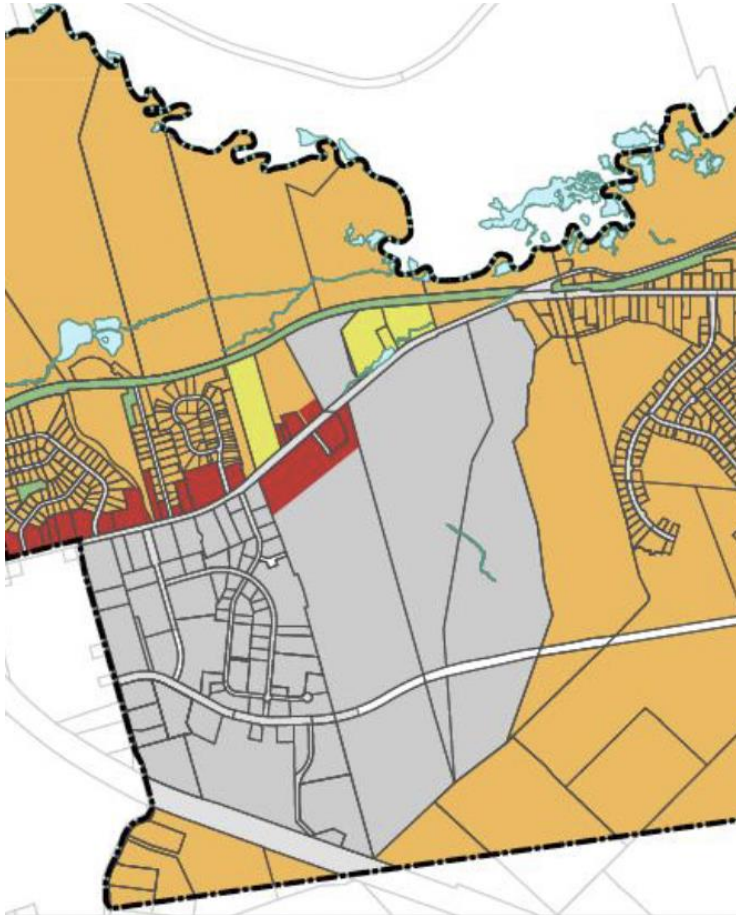
1. Change the Future Designation from Industrial to Residential
 - Phase 1 to be R3 & R4 Zoning
2. Seek adjustments to rezoning requirements to allow for initial submission flexibility, with full compliance during the permit phase (if/upon approval)
3. Propose Rezoning the remaining land to Residential Holding R5



PROPOSED ZONING - PID 55551774



Site Suitability



- Current Designation: Part of Kentville's sole industrial land cluster, remaining largely undeveloped.
- Development Factors: Insufficient services or market demand may hinder industrial growth.
- Land Use Planning: Future Generalized Land Use Map advocates diverse utilization with functional segregation (i.e. segregating and separating industrial from residential)
- Residential vs. Industrial: Rise in residential demand; feasibility of mixed-use development is questionable.
- Well-Field Impact: Limits industrial uses to protect water resources, guided by MPS policy M-4.
- Environmental Considerations: Focus on less disruptive land uses that align with community needs and environmental protection.

Balancing Industrial Land Value and Housing Needs

Housing

- **Significant Shortage:** Nova Scotia faces a substantial housing crisis, with Kentville being notably affected.
- **Demand Drivers:** Economic growth, demographic shifts, and urban migration increase the need for affordable housing.
- **Provincial Initiatives:** Government plans include funding for 222 public housing units and zoning changes to incentivize affordable housing developments.
- **Diverse Needs:** Emphasis on providing various housing options to cater to the community's diverse demographic needs.

Industrial Land

- **Economic Catalyst:** Industrial land is vital for economic development and job creation.
- **Business Attraction:** Designated industrial zones are essential for attracting businesses and fostering investment.
- **Customized Planning:** Land use planning tailored to Kentville's specific economic landscape.
- **Strategic Allocation:** Industrial land comprises 12.3% of Kentville's land, pivotal for sustaining economic growth and supporting local industries.

Storm Water Management

Site Location: PID 55551774 in Kentville's Wellfield protection zone.

Key Focus: Manage stormwater runoff and prevent pollution.

Influencing Factors: Development nature, site layout, landscaping, and paving choices.

Mitigation Features: ideally, a mixture of natural and engineered solutions to mitigate flood risk

Planning Strategy: Prioritize sustainable, cost-effective development using existing infrastructure.

Service Extension: Upgrade sewage and enforce water protection; prevent flooding.

Developer Role: Bear service extension costs, ensuring efficient public fund use and promoting sustainable growth.



Environmental Constraints Overlay

Purpose: Limit development in high-risk areas to mitigate flooding, erosion, and slope failure.

Phase 1 Constraints: Steep Slopes 25% overlay under policy 10.2.

Permitted Uses: Conservation projects, passive recreation, walkways, trails, and public works/utilities.

Implications: Reduces developable area for R4 and R3 zoning, focusing on preserving sensitive land.



Recreation Planning

Resident Influx: Primarily seniors in an unserved area.

Goal: Recreation facilities within 0-1 km walking distance.

Ideal Facilities:

- Walking tracks
- Wide-paved shoulders
- Seating areas
- Social spaces

Inclusive Design: Facilities for all age groups.

Phase 1 & 2:

- **Phase 1:** Natural parkland, focus on conservation.
- **Road A:** Proposed as active transportation route.
- **Phase 2:** Connects small parkland spaces into one larger area.

Goal: Support diverse, active community through strategic recreation planning.



Traffic Study



- **Policy Requirement:** Traffic study mandatory for 100+ peak hour trips (Policy T8).
- **Development Overview:** Phase 1: 675 residential units by Brison Developments Ltd on Park Street.
- **Traffic Scoping Analysis:**
 - Conducted by GAALCO Traffic Engineering.
 - Focus: Intersection of Road A and Park Street.
 - Timeline: 2024-2039, extendable as needed.
- **Methodology:**
 - Adjust traffic counts to DHVs using NS Permanent Counters.
 - Use ITE trip generation rates.
 - Manual trip assignment for Park Street.
- **Performance Measures:**
 - LOS analysis via Synchro-SimTraffic.
 - Minimum LOS 'D' with v/c ratio ≤ 0.90 .
- **Next Steps:** Detailed traffic study needed for the development permit process.
- **Objective:** Ensure efficient traffic management for new development.

Request 1

Background:

- Amendments sought for multi-unit development on industrial land.
- Phase 1: 300 units, potential R3 & R4 zoning, limited design control.
- Aim to connect Park Street to Donald Hiltz Connector with amenities and open spaces.

Policy Review:

- Key Policies: IM-2, GD-1, GD-2, RS-11, RS-12, RS-13.
- Balancing industrial land maintenance vs. housing needs.

Staff Recommendations:

1. Change zoning from industrial to residential.
2. Rezone Phase 1 to a mix of R3 & R4.

Considerations:

- Address stormwater management, recreation needs, industrial-residential screening, parking, and other logistical concerns through future processes.

Objective: Align development with Kentville's growth and housing goals while ensuring sustainable planning.



Request 2



Request:

- Seek flexibility in re-zoning application requirements.

Current Policies:

- IM-7 & IM-8: Require detailed applications but lack enforceability.
- IM-2: Allows Council to request necessary studies for Municipal Planning Strategy Amendments.

Existing Requirements:

- Site plan approval and subdivision are legally binding.

Staff Recommendations:

1. Enhance Policy IM-2 for better decision-making support.
2. Streamline IM-7 & IM-8 to better align with the Municipal Planning Strategy.
3. Strengthen GD-30 and GD-5 for large-scale housing development approvals.
4. Introduce policy for local commercial uses in high-density residential areas.

Objective: Facilitate responsible development while aligning with strategic growth goals.

Request 3

Request for Phase 2:

- Develop the remainder as residential.
- Connect Park Street to Donald Hiltz Connector.
- Request to zone as Large Lot Residential (R5).

R5 Zone:

- Allows limited development until municipal services are available.
 1. **Value Appreciation:** Increase potential land value over time.
 2. **Strategic Planning:** Align with community growth goals.
 3. **Development Control:** Ensure sustainable and beneficial development.

Staff Recommendations:

1. Rezone the remaining portion to R5.
2. Enable extensive development in R5 through a Development Agreement.

Objective: Support strategic future residential development and infrastructure planning.



Public Participation Program

Host: Council Advisory Committee

Date: Special meeting on July 25, 2024, moved to PPP

Purpose:

- Evaluate the application before municipal elections

Public Meeting:

Date & Location: August 29, 2024, at Town Fire Hall

Communication Efforts:

- Newspaper ad in the Chronicle Herald
- Facebook post shared 14 times
- Updates on the Town's website

Key Issues Discussed:

1. Traffic studies and stormwater management concerns
2. Debate over industrial vs. residential designation
3. Addressing public concerns and feedback

Next Steps:

- Council to review recommendations and make decisions based on public input

Objective: Facilitate informed decision-making and address community feedback.



Next Steps

Public Hearing (Now)

- Staff Presentation
- Applicant Presentation
- Public Comments
 1. Registered
 2. Written
 3. Open
- Applicant May Respond (Briefly)

Second Reading (Oct 1)

- Council will consider the application
 - Reports provided by staff
 - Feedback from public
 - Ask any remaining questions
- Decision with Motion
 - Approve application
 - Deny application, OR
 - Request further information from staff

Kentville Crossing

PID 55551774

Brison Developments

Town of Kentville

Public Hearing

September 25th, 2024



Project Overview

- **Kentville Crossing:** a senior's community on 47 hectares of land.
- **Target Market:** empty nester and seniors.
- **Goal:** Provide home options to seniors and meet their diverse housing needs



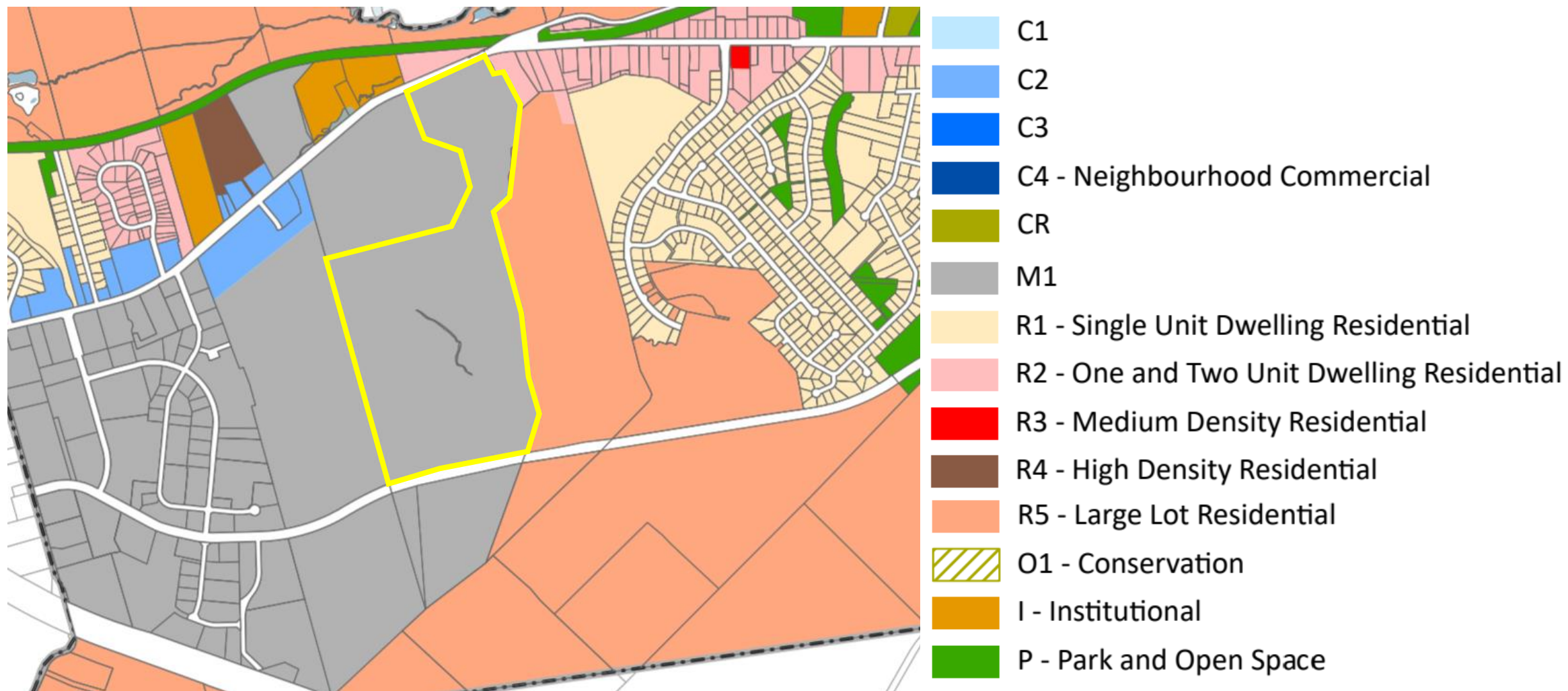


Site Description

PID	55551774
Lot Area	47 hectares / 116 acres
Owner	BRISON DEVELOPMENTS LIMITED
Designation	Industrial
Zone	M1 - Industrial
Sewer & Water	Can be connected to municipal services.
Surrounding	Residential buildings & subdivisions, business park, and a manufacturing plant



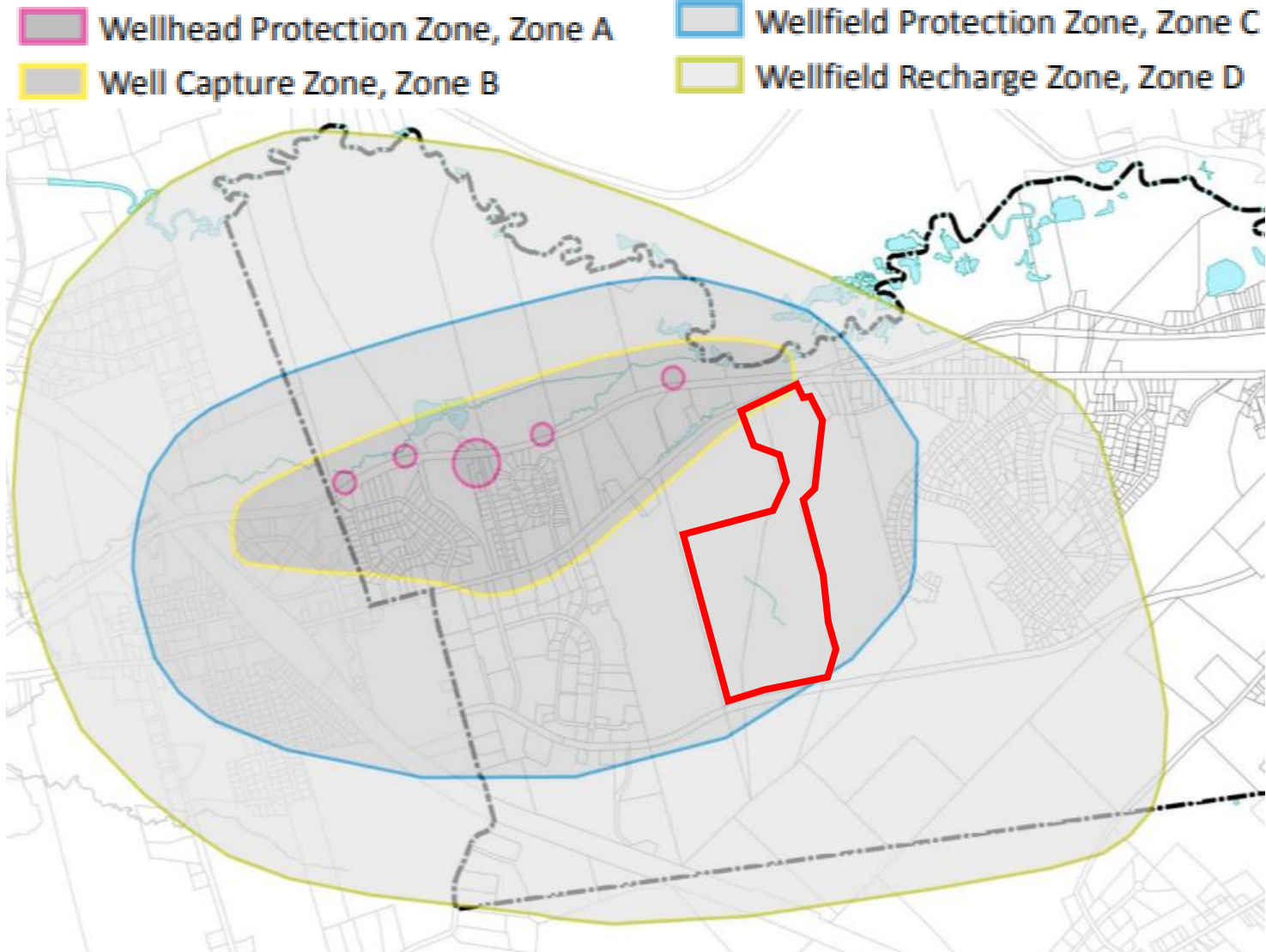
Site Description



Site Description

• Industrial Land:

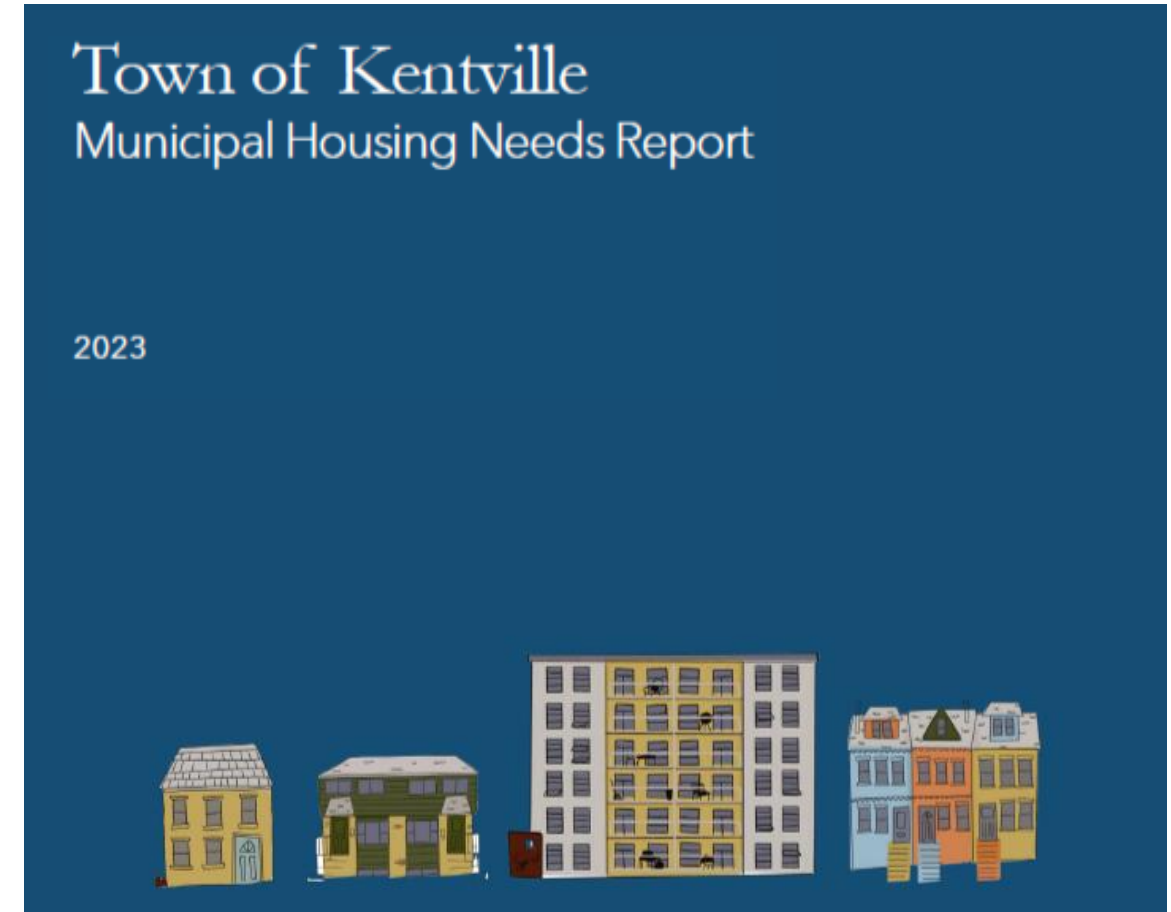
- All industrial lands are within the Wellfield Protection Zones.
- Permitted industrial uses here are limited.
- Non-industrial uses, less risk to the water sources.





Kentville's Housing Need

- By 2027, the municipality will need 385 new units.
- Census 2021 indicates high growth of retiree population.
 - By 2027, nearly half of the anticipated population growth would be seniors above 65.
- High demand for home options suitable for senior population.





Development Vision

- Create a retirement community:
 - Quiet and rich of natural sceneries.
 - Diverse housing options and community amenities.
 - Convenient access to town centre of services.
- Comparable development: The Crossing in Windsor, NS



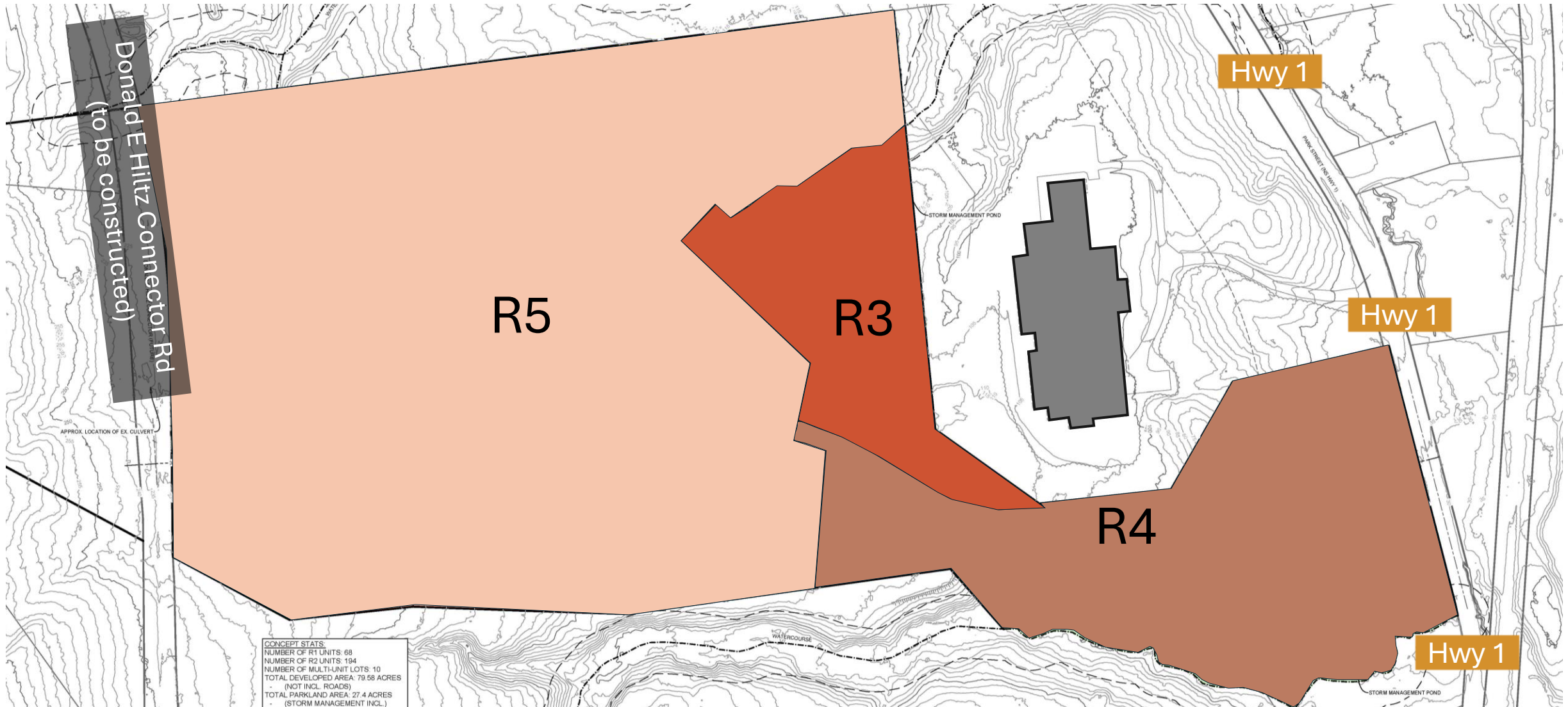


Development Vision

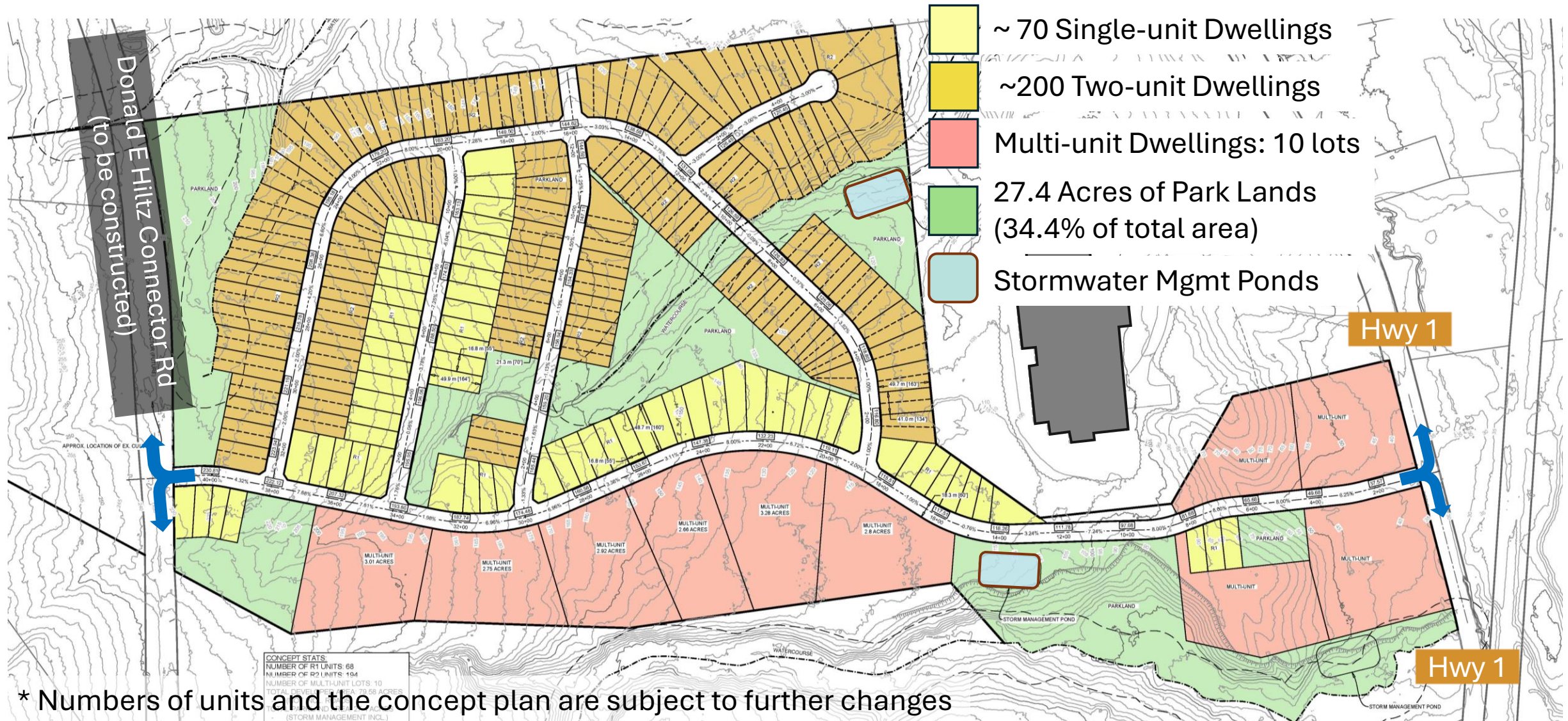
- Diverse Housing Options
 - Detached & Semi-detached Homes
 - Mini Homes
 - Multi-storey Apartment Suites
- Different Unit Sizes
 - 1-, 2- & 3-Bedroom Units
 - For Sale and Rental



Kentville Crossing



Kentville Crossing



* Numbers of units and the concept plan are subject to further changes

The Crossing - Community Vision

Garlands Crossing, Nova Scotia

Legend

- Crossing Community Border
- WH-Windsor Border

Trails

- Existing
- Proposed

Parks

- Existing
- Proposed

Land

- Approved Apartments
- Proposed Apartments
- Existing Low-Density Lots
- Proposed Low-Density Lots
- Proposed Community Centre

0 175 350
m

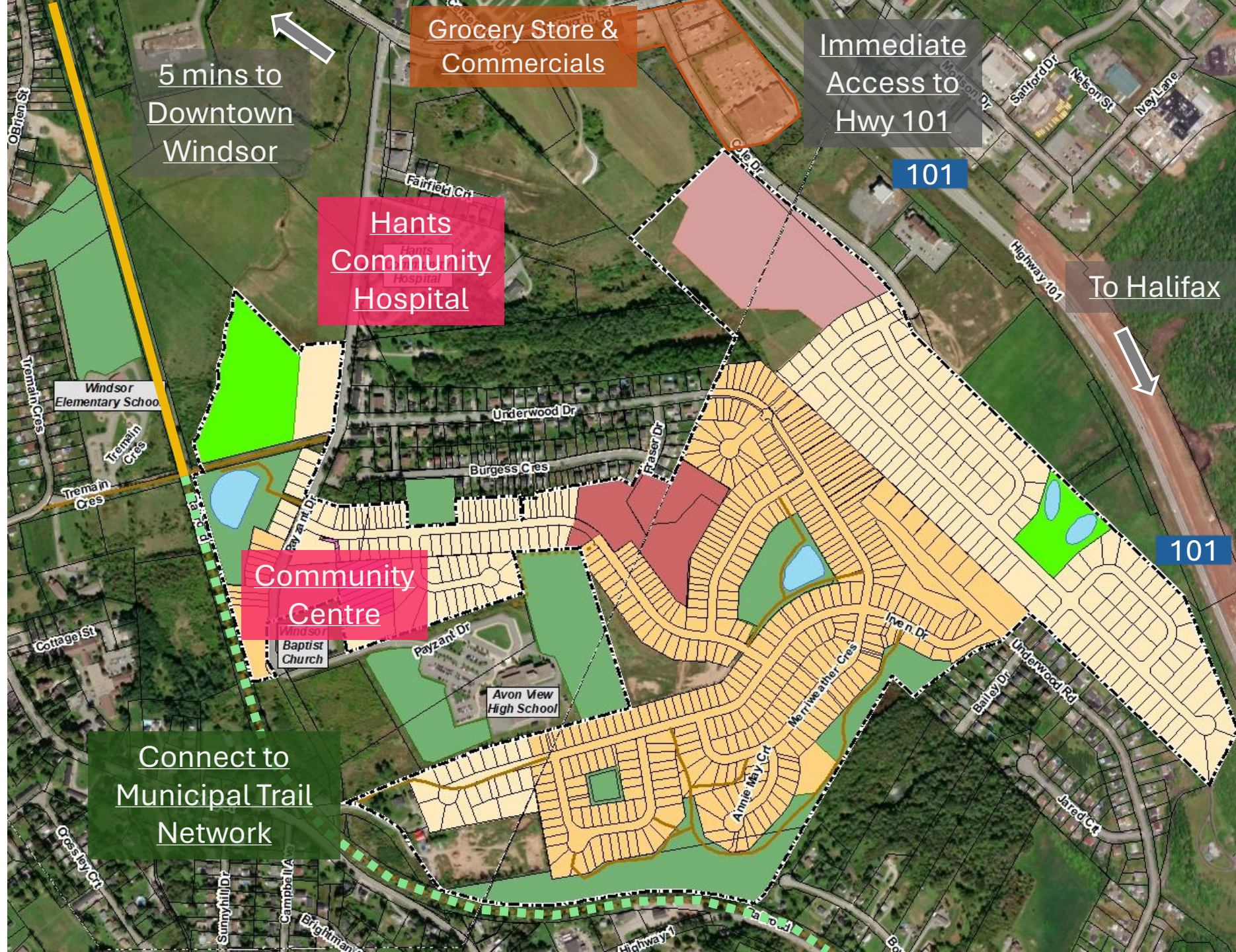
1 cm = 65 meters

Date: 2023-05-17

Drawn By: B. Coll

Version 2.1 Final

Sources: West Hants Open Data, GeoNOVA Open Data



5 mins to
Downtown
Windsor

Grocery Store &
Commercials

Immediate
Access to
Hwy 101

Hants
Community
Hospital

To Halifax

Community
Centre

Connect to
Municipal Trail
Network

101



The Crossing



The Crossing





For any questions, please contact:

Chrystal Fuller, LPP, RPP, MCIP

Brighter Community Planning & Consulting

chrystal@brighterplanning.ca

902-790-0664 (Text or phone)





COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Capital Projects Request

At the September 9, 2024 meeting of Council Advisory Committee, Director Wanda Matthews described upcoming capital projects around recreation and active transportation, and asked Council to consider a capital budget allocation of \$354,400 to support these projects.

Council Advisory Committee recommends

That Council approve the addition to the 2024/25 Capital Investment Plan of \$354,400 with funding sources as detailed in the report.

October 1, 2024

This recommendation is based on discussion and or reports which are attached.



TO: Council

SUBMITTED BY: Wanda Matthews, Director of Finance

DATE: September 9, 2024

SUBJECT: **2024-2025 Request for Additional Capital Funding**

ORIGIN

The Town's Capital Investment Plan (CIP) was presented and approved on March 25, 2024 in the budget amount of \$ 7,726,825 for 2024-2025.

BACKGROUND

The 2024-2025 five (5) year Town of Kentville CIP was generated prior to the completion of all approved 2023-2024 work in progress (WIP) capital expenditures. Capital expenditure/project status was forecasted based on the information available at the time.

DISCUSSION

The progress status of five capital WIPs at year end varied from their anticipated completion date. As a result, these capital WIP were transferred to 2024-2025 as is standard accounting practice. Only completed WIP can be capitalized as tangible capital assets. Capital funding does not automatically follow to the future year in accordance with past practice.

As three (3) projects received Council approvals in prior years, the original budget and source of funding were identified and form part of this request. New capital items requiring funding in addition to the CIP 2024-2025 approved funding are noted below.

Capital Item	Budget Request	Funding Source Recommendation
Previously Approved		
Active Transportation - Miners' Marsh Trail	35,000	\$ 25,666 Green Infrastructure Fund \$ 9,334 Debt
Active transportation – Signs and line painting	39,400	\$ 28,892 Green Infrastructure Fund \$ 10,508 Debt
Tennis Court Wind Screens	10,000	General Capital Reserve
New		
Electric Booster Station ¹	20,000	General Capital Reserve
Police Technology	250,000	Grant – GGVF
Total	354,400	

¹ This capital item was not assigned a budget in 2022-2023 when charges began accumulating. Capital reserves projections, provided at the time of CIP approval, will be reduced by the budget request for this item.

POLICY IMPLICATIONS

None



BUDGET IMPLICATION

Council’s previously approved capital expenditures and the grant funded police project captured in 2024-2025 have no new impact on reserves or debt.

The remaining new capital expenditures (heat pump and electric booster station) will require funding from reserves; however, with a grant of \$1730 received for the Rec Hub heat pump the balance required is \$25,270. The 2024-2025 opening reserve balance exceeded the projected value and is sufficient to support this additional expenditure.

Approved CIP 2024-2025	7,726,825
June Council Approvals	
Move plow truck from 2026	130,000
Move Street Sweeper to 2026	(450,000)
Rec Hub Heat Pump	7,000
<hr/>	
Subtotal	(313,000)
<hr/>	
Additional budget request	354,400
<hr/>	
Revised CIP 2024-2025	7,768,225
<hr/>	

ATTACHMENTS

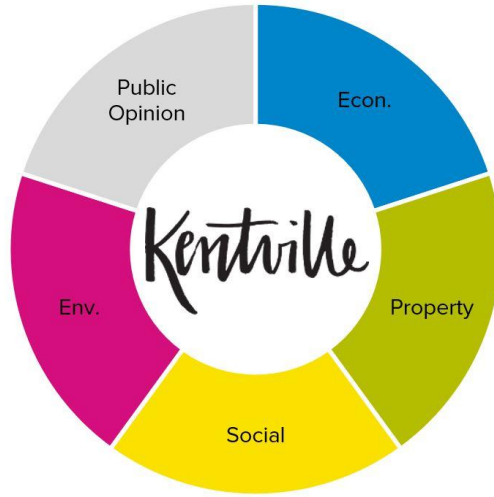
None

RECOMMENDATION

It is recommended that the Council Advisory Committee approve a capital budget addition of \$354,400 to be funded by:

- A withdrawal of \$10,000 from the Town of Kentville general capital reserves for previously approved capital expenditures.
- A withdrawal of \$20,000 from the Town of Kentville general capital reserves for a previously unapproved capital expenditures.
- Grants of \$304,558 from GIF and GGVF
- Debt of \$19,842 for a previously approved partially grant funded capital expenditures.

Town of Kentville Decision Wheel:





COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Public Participation Policy Amendment

At the September 9, 2024 meeting of Council Advisory Committee, Deputy Clerk Jennifer West reviewed that with the amendments to the Municipal Planning Strategy in February of 2024, there were also new procedures for contacting neighbouring municipalities. These are reflected in the revised MPS and the policy amendment here also reflects this new process.

Council Advisory Committee recommends

That Council amend Policy G62 Public Participation – Planning to meet current Provincial requirements for notice to residents in abutting municipal boundaries.

October 1, 2024

This recommendation is based on discussion and or reports which are attached.

TO: Mayor Snow and Members of Council

SUBMITTED BY: Jeffrey Lawrence, CAO

DATE: September 9, 2024

SUBJECT: Amendment to Policy Statement G62,
Public Participation Policy (Planning)

ORIGIN

During the February 26th 2024 meeting of Town Council, Council approved second reading of changes to the Municipal Planning Strategy proposed by the consulting Planner firm C+D Consulting. Part of this recommendation included a policy change for the public participation in cases where a property is near or abutting the municipal boundary to the County of Kings.

BACKGROUND

Policy Statement G62 outlines the process of a public information meeting and advertisements when there is a proposed change to the Municipal Planning Strategy or the Land Use Bylaw. The policy was made in 2012 however recent changes to the provincial Municipal Government Act around planning issues indicated that notification of adjacent municipalities should be included in this kind of policy.

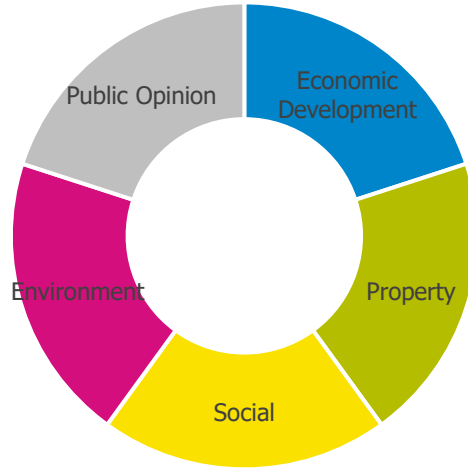
ATTACHMENTS

Proposed Policy Statement G62 Public Participation Policy (Planning)

RECOMMENDATION

That Council approve the suggested changes to Policy Statement G62 Public Participation Policy as per recommendations from staff and provincial legislation.

Town of Kentville Balanced Decision Making





Town of Kentville Policy Statement G62 Public Participation Policy (Planning)

1.0 Purpose

2.0 Definitions

“Planning document(s)”

- A municipal planning strategy and a land use bylaw to carry out the municipal planning strategy;
- An amendment to a municipal planning strategy and land use bylaw; amendment to carry out the municipal planning strategy amendment, and
- A subdivision bylaw and an amendment to it

3.0 Scope

4.0 Procedures

For any new Municipal Planning Strategy and concurrent Land Use Bylaw approvals, or amendment thereto; or any new Subdivision Bylaw, or amendment thereto, one 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, the first ad to appear at least fourteen (14) clear days prior to the meeting.

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 the Municipality of Kings Council.

A notice of the meeting will be posted at the Town Hall on or before the date of the first newspaper advertisement of the meeting.

The meeting shall be open to all members of the public and may include a staff presentation, open house or workshop style gathering and shall allow the public to ask staff or Councilors, if present, questions and to make a presentation to staff of no more than 10 minutes.

Town of Kentville, Policy G62: Public Participation Policy

The purpose of the public participation meeting shall be to provide an opportunity for the public to comment on, make suggestions to, discuss and receive information with respect to the adoption or amendment to a planning document.

Information respecting the proposed amendments will be made available to the general public at the Town Hall. This information will include such things as; staff reports, drafts of the proposed amendment ((s) and the submissions made by the applicant.

5.0 Additional Documents

6.0 Policy Revision History

Date Created: May 28, 2012

Revision: October 1, 2024. Consulting with adjacent municipalities.



COUNCIL ADVISORY COMMITTEE

Recommendation to Council

Council Remuneration

At the September 9, 2024 meeting of Council Advisory Committee, Strategic Initiative Coordinator Alisha Christie reviewed the proposed Council remuneration for the 2024-2028 Mayor and Council.

Council Advisory Committee recommends

That Council approve the attached amendments to Policy G5 Council Remuneration schedule A.

October 1, 2024

This recommendation is based on discussion and or reports which are attached.



TO: Council Advisory Committee

SUBMITTED BY: Alisha Christie

DATE: 09-09-2024

SUBJECT: Council Remuneration Rate Review

ORIGIN

In 1999, Kentville Town Council created Policy G5: Council Remunerations and Benefits to ensure that the Council members receive adequate and appropriate remunerations for conducting Mayor and Councillor duties. The policy states that prior to a new Council term, the sitting Council will review the a market analysis of remunerations to make an informed decision about setting the subsequent remuneration for the upcoming Council term. This process is uniform across municipalities. Policy G5 is attached for review.

BACKGROUND

Every four (4) years, the Council will review the remuneration and benefits policy to establish the rates for any new or recurring Mayor and council members.

DISCUSSION

Staff have conducted a Market Analysis of remuneration and benefits from municipal jurisdictions across the province, see appendix A. At this stage, Council can decide the direction moving forward and make recommendations to adjust the remunerations and benefits if the sitting Council wishes to do so.

BUDGET IMPLICATION

Council’s decision can result in budget implications if the Council wishes to make adjustments.

POLICY IMPLICATIONS

There are no policy implications—this process is per Policy G5: Council Remunerations and Benefits.

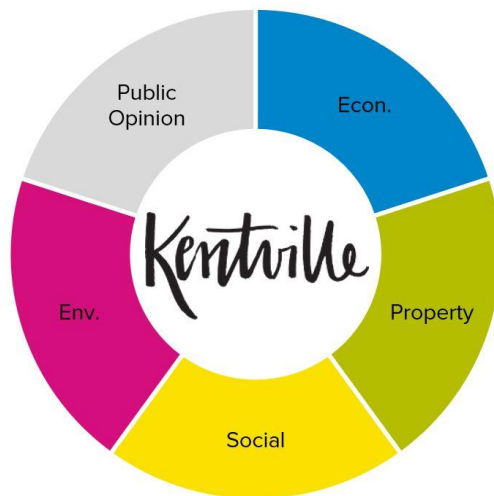
ATTACHMENTS

Schedule A

Council Remuneration 2024/2025

Municipality	Population 2021	Mayors/Warden Remuneration	Dep. Mayor – Warden Remuneration	Councillor Remuneration
Towns				
Amherst	9,548	\$41,178	\$27,723	\$25,050
Berwick	2,455	\$22,844	\$11,736	\$10,678
Bridgewater	8,790	\$84,825	TBD	\$33,967
New Glasgow	34,397	N/A	N/A	N/A
Port Hawkesbury	3,214	N/A	N/A	N/A
Truro	12,954	\$53,255	\$33,383	\$29,660
Wolfville	5,057	\$45,642	\$28,833	\$25,916
Counties				
Kings County	62,914	\$95,150	\$62,875	\$53,285
Windsor West Hants	25,023	\$60,502	31,906	\$30,251
Kentville	6,630	\$53,583	31,825	\$29,074

Town of Kentville Decision Wheel:



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Councillor Paula Huntley

Date: September 2024

Date of Last Council Meeting Attended: July 29 /2024

Date of Last Council Advisory Meeting Attended: Sept 9/24

COMMITTEE MEETING ATTENDANCE AND SYNOPSIS

Date	Committee	Synopsis
Aug 14/24	NSFM Board Meeting	Info discussed- approval of minutes, by law info, meeting quorum, code of conduct, year end change & office space.
Aug 14/24	Special council meeting	In-camera
Aug 20/24	Special Kings REMO REMAC	In-camera
Sept 18/24	NSFM Meeting	Municipal Autonomy Advisory Committee
Sept 19/24	Divert NS	Board meeting

TOWN OF KENTVILLE EVENT ATTENDANCE AND SYNOPSIS

Date	Event/Conference	Synopsis
Aug 2/24	Painting at Lions Hall	Volunteer
Aug 10/24	Research Station Tour	Very informative and individual sessions on weather patterns for Kentville & climate change very interesting. Great turn out from the community.
Aug 24/24	Anglican church breakfast	
Aug 24/24	Multicultural event	Music, food and a good turnout. This is an event that has gained so much exposure and is needed for Kentville as it shows our Diversity.



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Sept 8/24	Kings County Family Resource center	Love Literacy event
Sept 18/24	AVCC event	Valleys Best Chamber Awards -
Sept 21/24	Oak Grove Cemetery Walk	
Sept 21/24	Kentville Legion	Open house week
Sept 22/24	Community Connects	Diversity & Inclusion meet

MISC EVENTS

Date	Synopsis
Aug 1/24	Action 8 Summary meeting -Coastal Protection info gathered for the consultant being hired.
Aug 6/24	Age friendly communities' partners -Your health NS App reviewed
Aug 6/24	Met coordinator for NSCC's Women Unlimited women in trades program
Aug 6/24	Met with Sofia Munoz (Kentville's Climate Coordinator) about getting Kentville its Bird Friendly town designation through Nature Canada.
Aug 6/24	Met with Ducks unlimited & Rotary reps to talk about how to help Miners Marsh and our Swallows with nesting boxes but also what are their plans moving forward.
Aug 7/24	Social Invite to meet MP Anita Anand held at Mainstreet station. I was a Q&A and approx. 50 people attended.
Aug 18/24	Community Corn Boil Social invite

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Aug 23/24	14Wing Greenwood change of Command.
Aug 27/24	Tour of the Tiny Meadows open arms pallet community
Aug 29/24	Public Participation meeting – Brison developments
Sept 3/24	Public Participation Meeting – COGS Development
Sept 5/24	Bird Teams meeting 2
Sept 5/24	Elected only climate caucus meet- methane mitigation, climate crisis & Communities.
Sept 10/24	Valley Business Hub coffee chat with business owners
Sept 10/24	Valley Women’s Business Network Meeting
Sept 12/24	Meeting with Board member Lorenzo Caterini on the Annapolis Valley Mountain Biking Association and the economic impact for our community.
Sept 13/24	Virtual chat: Moving & settling in the valley held by Immigrations coordinator Kathleen Novelia with Valley REN team.
Sept 15/24	Terry Fox Run held in Wolfville – so nice to see so many Kentville residents participating in this important cause.
Sept 16 & Sept 17	ICD -Rotman Governance Essentials Program supported by RBC Foundation.
Sept 24/24	Met with Susan Tilley -Russell from TIANS (Tourism Industry Association)
Sept 25/24	Public Hearing re: Brison Developments

EXPENSES



COUNCILOR REPORT
KENTVILLE TOWN COUNCIL

This month	Year to Date

Name: Cathy Maxwell

Date: September 30, 2024

Date of Last Council Meeting Attended: Sept 25/24 Special Council Meeting

Date of Last Council Advisory Meeting Attended: Sept 9/24

Date of Last Governance Session Attended:

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
July 25/24	Special Council Meeting	Look at ReZoning Proposals
July 29/24	Regular Council Meeting	
Aug 14/24	Special Council Meeting	Land
Aug 21/24	Special Council Meeting	Land
Aug 29/24	Public Participation Meeting	Brison
Sept 3/24	Public Participation Meeting	Cogs
Sept 6/24	First Reading	Brison
Sept 9/24	First Reading Recommendation	Brison
Sept 16/24	Inclusion and Access Advisory Committee	See write up
Sept 19/24	Annapolis Valley Trails	See write up

Town of Kentville Event Attendance and Synopsis

Date	Event	Synopsis
July 27/24	Kentville Marlins Swim Meet	Another successful swim meet. The organization of this event is fantastic. Many teams were in attendance with lots of swimmers swimming personal bests

		and enjoying themselves. Thanks to all the volunteers that make this such a wonderful event.
Aug 23/24	End of Summer Celebration	Well attended event at Oakdene Park and thanks to all those involved in making this event the success it is.
Aug 24/24	Multi Cultural Festival	Fantastic event! Each year there are more and more participants! Thanks to all involved in this celebration!
Aug 27/24	Tiny Meadows Opening	I was very impressed with the tiny shelters and the entire set up and organization. So glad there will be warm places for our homeless population this winter.

COMMITTEE MEETING SYNOPSIS – COMPLETED BY COMMITTEE REPRESENTATIVE ONLY

Detail	Synopsis		
Committee Name		Meeting Date:	
Inclusion and Access Advisory	<ul style="list-style-type: none"> - Welcomed new members - The new draft accessibility plan received feedback from several accessibility organizations and they were supportive of the proposed plan. Feedback was also received from the province about our plan. The province asked that we include more evaluation metrics and show progress on the goals from our first accessibility plan. We reviewed the DRAFT that 		September 16/24

	<p>includes original goals, progress, new goals, and evaluation of the new goals.</p> <p>We will be sending this new plan onto Council.</p>		
<p>Annapolis Valley Trails</p>	<ul style="list-style-type: none"> - More discussion on where the organization will go considering limited Provincial Funding. - Reviewed the MOU Objectives for the Coalition (2018) <ol style="list-style-type: none"> 1. Enhance the development of a trail system serving Kings Co, Annapolis Co, and Digby <p>** At present the trail runs from Grand Pre to Annapolis Royal</p> <ol style="list-style-type: none"> 2. Facilitate hiring a trail coordinator and staff <p>** This was done, however the trail coordinator has just retired</p> <p>Discussion also took place around the question – Should we get a full-time, part-time trail coordinator OR fold and start a new organization. This discussion continues.</p> <p>AGM – Oct 24</p>		<p>September 19/24</p>

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Deputy Mayor Cate Savage

Date: September 26th

Date of Last Council Meeting Attended: Special council meeting September 9th

Date of Last Council Advisory Meeting Attended: September 9th

COMMITTEE MEETING ATTENDANCE AND SYNOPSIS

	Committee	Synopsis
August 6 th	KBC	Board meeting – see minutes attached
August 14 th	Special Meeting of Council	Land expropriation
August 20 th	REMO	Meeting – TEAMS – see minutes
August 21 st	In camera meeting of council	Land matters – Robinson
August 29 th	PP Meeting	Brison Development
September 3 rd	PP Meeting	COGS
September 6 th	Special Meeting council	1 st reading for Brison – passed
September 9 th	Special Meeting council	Brison and Cogs
September 10 th	KBC	See minutes
September 11 th	IAC	Investment holdings \$13.7MM Asset allocation split between cash and equities / cad equity / American equity / foreign equity / Balanced income CAD 5.68% against YTD portfolio 6.73% money weighted

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

September 25 th	Public Hearing Brison	
September 16 th	In camera	Robinson Property

TOWN OF KENTVILLE EVENT ATTENDANCE AND SYNOPSIS

	Event/Conference	Synopsis
August 7 th	Kody Blois	Evening with Anita Anand – President of Treasury Board and Minister of Transit
August 24 th	Multicultural Festival	FANTASTIC – such an important event for Kentville – it showcases our inclusive community
August 27 th	Tiny Meadows Shelter Opening	Exhibition Street – County Kings – An amazing community within a community – recent update – 7 citizens reside there and the entry program is both comprehensive and inclusive
September 22 nd	Community connects	Diversity and Inclusion – candidates forum
September 18 th	Valleys Best AVCC	Great evening in celebrating Valley’s Best Business – congratulations to all the businesses

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

MISC EVENTS

Date	Synopsis

EXPENSES

This month	Year to Date
NIL	See website



Kentville Business COMMUNITY

KBC Board of Directors Meeting

Wednesday July 16, 2024

Board Room at 401 Main Street

4:00pm – 6:00pm

Minutes

Present: Andrew White, Jordan Banyan, Julie Ogilvie, Paul Dixon, Gary Morse, Brett Bashaw, Juli MacHattie, Darryl Pike, Juli MacHattie

Virtual: Lindsay Young

Regrets: Cait Savage

Meeting Opening

- Call to order – Andrew White called the meeting to order at 4:17pm.
- Approval of Agenda – Paul Dixon moved, and Gary Morse seconded the motion to approve the agenda. Motion carried.
- Approval of June 12, 2024 Board Meeting Minutes – Julie Ogilvie moved, and Gary Morse seconded. Motion carried.
- Business Arising from Minutes: none.

President's Report

- We had a flood in town. We asked businesses if there was any impact, and the only one we know about is the curling club. It seems most businesses were ok.
 - Taco Centric's HVAC system was affected by the water.

Committee Reports:

Treasurer Report

- No new financial statements - Ryan has been on vacation.
- Bank meeting tomorrow at 3pm to try to make the switch to RBC

Façade Program Committee Report

- Phinney's and Artie Chisolm has applied for the Façade program grant
- Façade committee will meet again before the next meeting.

Promotions Committee Report

- Mural Festival July 19-21
 - Set up a table to pass out \$5 KBC bucks for anyone who takes a pic of a mural and tags the town



Kentville Business COMMUNITY

- We weren't able to secure people to be in the booth to give out KBC dollars
- There was an open call made for volunteers to be at the booth.
- Kentville Happy Community could be asked if they could help out.
- KBC Bucks spreadsheet is being updated with the serial number
- The website project - update on timeline.
 - Should be able to go live next week.
 - We want to tap into the available listings that are being updated on the Valley REN to include in our website.
 - #wearekentville page that live updates with all posts automatically

Events Committee Report

- Devil's Half Acre feedback survey: (16 respondents from a list of 46 downtown retailers)
 - 25% positive
 - 31% neutral
 - 6% negative
 - 25% said they saw an increase in sales, 50% said they lost sales due to the event.
 - 81% said they did not run a special promotion during the event.
 - It would be great to create a business package for the event to pass out to businesses (apply to all events)
 - Include expected demographic of event-goers
 - Ideas for capturing those people and increase sales
 - Be ready for the survey at the end to provide feedback
 - Lindsay Young advocated for keeping the square open longer and thinks that will be possible next year.
 - DHA committee could potentially wave vendor fees for local businesses who want to be set up in the square
- Get the list of businesses from Andrew to upload into MailChimp to update the tags
- Mural Festival
 - Logo usage - email from Jaime Peerless asking us to discontinue using the logo in future years since it was her design.
 - Let's get confirmation of any materials that Jaime feels are hers so we can remove them and create new branding for the festival.
 - Valley Stove & Cycle mural - the artist is now saying that they are not going to complete the mural and we are scrambling to see if we can find another artist for the wall space.
 - Jordan will go back to the artist list and see if we can find another artist who is willing to take the spot for the remaining budget.
 - We wanted to have 3 vendors set up in Centre Square
 - We have 2 vendors confirmed
 - Ross creek - face painting
 - Valley Pride - kids can paint on large canvases



Kentville Business COMMUNITY

- Musicians will be singing + DJ
- Parks & Rec will have some games there too
- Food for artists:
 - Paddy's is giving all artists \$50
 - ME is giving one meal voucher
 - TAN is giving coffee

Connections Committee Report

- No report this month.

Executive Director Report

- We have received 8 applications for the [Communications Coordinator](#) position
 - Andrew and Julie can help with the hiring process.
 - We should ask for an outline of the structure so we can understand what goes into the process and what we can expect to receive in return.

New Business:

- Discussion happening in the Kentville Business Members Facebook group about wanting to change the WeAreKentville hashtag.
 - We will incorporate this into our strategic planning this year and run a proper renaming campaign to include the town.
- We need to be talking to the businesses about the sidewalk project
 - Prepping the businesses for the upcoming construction.
 - The CAO has been putting a lot of pressure on the construction company to give as much notice as possible to the business owners.
 - Trees will be planted in the holes eventually.
- There is interest from Cat Hershfeld (lawyer) to join the KBC board.
 - Darryl Pike met with her to answer some preliminary questions and she would like to come to our next meeting in September
 - Julie will meet with Kay Bosch about her application as well.

Old Business

- None

Meeting Closing

- Comments & Announcements:
- Next meeting date:
 - SOCIAL: August 13, 2024 at TACOcentric, starting at 4:00
- Adjournment – Gary Morris motioned to adjourn at 5:32pm.



KBC Board of Directors Meeting

Wednesday Aug 6, 2024

Board Room at 401 Main Street

4:00pm – 6:00pm

Minutes

Present: Andrew White, Julie Ogilvie, Paul Dixon, Gary Morse, Brett Bashaw, Darryl Pike, Juli MacHattie, Lindsay Young, Cait Savage

Regrets: Juli MacHattie

Meeting Opening

- Call to order – Andrew White called the meeting to order at 4:08pm.
- Approval of Agenda – Paul Dixon moved, and Gary Morse seconded the motion to approve the agenda. Motion carried.
- There were no minutes from the last meeting shared, we will save the approval for the next meeting.
- Business Arising from Minutes: none.

President's Report

- Last Monday we let Jordan go.
 - He took it as well as expected. He seemed surprised, but that seemed to be aligned with what we've felt
- We need to restrike the hiring committee to start the process of hiring again.
 - On the committee: Gary Morse, Lindsay Young, Paul Dixon, Andrew White.
 - We will try to have a decision by September 1st.
 - What we need to do:
 - Put up a job posting - should be out by Friday
 - Facebook posting
 - Paid ad in the Valley Wire or Grapevine - Local
 - Put it out our socials
 - Nicole Robinson (Tourism faculty at NSCC) would be willing to help us in crafting the job description and suggest some names for the position.
 - Genevieve has committed to helping us out in the interim, but we need to negotiate the rate
 - We'd like to offer her a lump-sum payment of \$2500 to \$3000 for the
 - Genevieve has taken care of all outstanding invoices for the mural committee.
 - Darryl made a motion to hire Genevieve for temporary support during the month of August, and whatever hours she is able to offer during



Kentville Business COMMUNITY

September for a rate of \$3000 until the end of September. Paul Seconded. Motion passed.

- Andrew will discuss with Genevieve how we came to this decision.
- Add to newsletter: Message from the President that we are currently without an ED, but that we have a friendly face helping us out in the interim and that we are eager to find the right person for this role. If you know anyone, please share the posting.
- Julie has submitted a proposal for the ED position that will be considered with other applicants
- Harvest Festival (mostly town executed. Doug helped to cross-promote)
- Mural Festival followup:
 - The mural on the Taco Centric wall is unfinished
 - The town would be willing to pay for the rental of scaffolding if needed
 - Paul has a sprayer and could help with the top part
 - All parties have been paid.
 - Mural map needs to be completed.
- We have 3 people who have applied to join the board.
 - We will invite them all to our September meeting (September 10, 2024)
 - Plus, we'd like to invite Ineego (apologies for the spelling, I can't find his name) from iGot Skate to see if he might be interested as well.
- We learned about the meet & greet that Sugar House Ceramics hosted. Brett shared:
 - The overall mood was very constructive and positive.
 - Discussion about KBC: they were really perplexed that a person who didn't live here was the ED.
 - They were feeling hurt by his performance.
 - We'd like to know why they didn't reach out to us.
 - Brett feels that they didn't know how to reach out to us. (They did not know that Jordan had been terminated at this point)
 - Parking and public washrooms have been tabled until the next meeting. Lindsay will bring an update on washrooms, sidewalks & parking.

Committee Reports:

Treasurer Report

- Paul Dixon is the only one on the Revenue Canada account.
 - Genevieve and Paul are working on it

Façade Program Committee Report

- We wrote 2 cheques: Harvest Wealth Management and Valley Gate Vineyard
- Phinney's has been approved. Lindsay Young wants it noted that she feels we have now set a precedent that we will help with new builds and we may face backlash.



Kentville Business COMMUNITY

- You're supposed to apply for your facade money before you start the work. It's arguable that Phinney's started construction before the application.

Promotions Committee Report

- Website is ready to launch within the next couple of days
 - In my opinion, it is still lacking info, but I'll be tackling that over the next couple of weeks (and ongoing).
 - Need to transfer our domain to WIX - need to ensure our email addresses continue to work
 - I also recommend switching to Gmail at this time so we can put our Drive together with the emails.
 - Max \$500 to get help from a developer. Julie will handle the switch over to the new site.
- Julie Ogilvie put a motion on the table to have approval to spend up to \$500 to transfer the website domain and open a Google Workspace account to house our Drive. Darryl Pike seconded. Motion carried.

Events Committee Report

- No report

Connections Committee Report

- No report this month.

Executive Director Report

- No report

New Business:

- Fire & Ice logo will need to be replaced (was Jaime's)

Old Business

- None

Meeting Closing

- Comments & Announcements:
- Next meeting date:
 - September 10, 2024
- Adjournment – Darryl Pike motioned to adjourn at 6:00pm.



Municipality of the County of Kings

- Mayor Peter Muttart
- Councillor Dick Killam
- CAO Scott Conrod
- Deputy CAO Rob Frost

Town of Kentville

- Deputy Mayor Cate Savage (virtual)
- Councillor Paula Huntley
- CAO Jeff Lawrence

Town of Berwick

- Councillor Derrick Jamieson
- CAO Jen Boyd, Town of Berwick

Town of Wolfville

- Councillor Jennifer Ingham
- Councillor Jodi MacKay (virtual)
- CAO Glenn Horne

ALSO ATTENDING

- Dan Stovel, Kings County REMC

ABSENT WITH REGRETS

- Mayor Don Clarke, Town of Berwick

Agenda Item

Discussion and Decisions

1. Call to Order

Chair, Deputy Mayor Cate Savage, called the August 20th Special Kings REMO REMAC Meeting to order at 10:00 am

2. Approval of Agenda

MOTION: IT WAS REGULARLY MOVED AND SECONDED THAT THE AUGUST 20, 2024, SPECIAL KINGS REMO REMAC MEETING AGENDA BE APPROVED AS CIRCULATED

CARRIED

3. Approval of Minutes

a. July 3, 2024

MOTION: IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE KINGS REMO REMAC MEETING OF JULY 3, 2024, BE APPROVED AS CIRCULATED

CARRIED

4. Adjournment to In-Camera

MOTION: IT WAS REGULARLY MOVED AND SECONDED THAT THE AUGUST 20, 2024, SPECIAL REMAC MEETING BE ADJOURNED TO IN-CAMERA UNDER THE MUNICIPAL GOVERNMENT ACT SECTION 22(2)(h) – PUBLIC SAFETY

CARRIED

5. Adjournment of In-Camera Meeting, Special Kings REMO REMAC meeting reconvenes

MOTION: IT WAS REGULARLY MOVED AND SECONDED THAT THE IN-CAMERA MEETING ADJOURN AND THE SPECIAL KINGS REMO REMAC MEETING RECONVENE

CARRIED



Agenda Item

Discussion and Decisions

6. New Business

a. Kings REMO SOP002 – Resource Coordination

- The Kings REMO SOP002 for Resource Coordination was developed to establish a standardized procedure for Kings County Agency Representatives to request resources from the Kings Regional Emergency Management Organization (Kings REMO)
- Agency resource requests are to be submitted through Valley Communications with the following information:
 - Agency requesting resources;
 - Contact information (telephone number);
 - Resource Kind;
 - Resource Type;
 - Resource Quantity (i.e., 50 sandbags, 1 pallet of water);
 - Location for delivery of resource; and
 - Any other pertinent information regarding the safe delivery of the resource (i.e., road conditions in the vicinity of the delivery point).

MOTION: IT WAS REGULARLY MOVED AND SECONDED THAT THE KINGS REMO REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE APPROVE KINGS REMO SOP002-RESOURCE COORDINATION, DATED AUGUST 20, 2024

CARRIED

ACTION: Kings REMO REMC is to distribute the Kings REMO SOP002 – Resource Coordination to Kings County Fire Departments, First Responder Agencies, and Valley Communications.

b. Kings REMO SOP001 – Alert Ready Amendment

Reference: Minister’s Lohr’s Letter to Mayors & Wardens, 2024-07-16
As outlined in the reference, the issuing authority for Alert Ready Messages has been delegated to Kings County CAOs.

- “NSEMO is eliminating any internal interaction with the alert and making the process more direct. There will be no wording checks, no content checks and no potential to slow down the issuance. Ultimately, this means that the municipality will make the decision, contact the Shubenacadie base and the base will simply move the alert to the Pelmorex platform and from there it will be sent out.”
- Kings REMO SOP001 has been amended to reflect this change for Alert Ready issuing authority in Kings County.
- The SOP was also amended to reflect the requirement of sending out an Alert Ready cancellation message when there is no longer an imminent threat to life.



Agenda Item

Discussion and Decisions

MOTION: IT WAS REGULARLY MOVED AND SECONDED THAT THE KINGS REMO REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE APPROVE THE AMENDMENT TO THE KINGS REMO SOP001-ALERT READY, DATED AUGUST 20, 2024

CARRIED

ACTION: Kings REMO REMC is to distribute the Kings REMO SOP001 – Alert Ready to Kings County Fire Departments, First Responder Agencies, and Valley Communications.

**c. RFD001-2024
Alert Ready
Issuing Authority**

Reference: Minister’s Lohr’s Letter to Mayors & Wardens, 2024-07-16
Additional amendments to the Alert Ready message process in Nova Scotia announced by Minister Lohr:

- “...requesting that the RCMP review their internal policies and update/remove any internal policy that restricts their use of the alert ready system and instead ask that they proactively expand their use of the system to include any public safety situations they may be aware of (for example, flooding risks).”
- “We are also expanding access to the alert system to include all municipal police forces, fire services and other first responders.”
 - The goal is to have more access to the alert system
 - NSEMO will be reaching out to these organizations to schedule training
- “...our EMO team and I will begin to more aggressively issue alerts, even when the municipality has not requested one. This is a policy change in that the absence of a timely municipal response, the Province will proceed with issuing the alert using the validated information available to them.”

MOTION: IT WAS REGULARLY MOVED AND SECONDED THAT THE KINGS REMO REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE DIRECT STAFF (CAOs/REMC) TO DRAFT A LETTER IN RESPONSE TO MINISTER LOHR’S LETTER DATED JULY 16, 2024, BY SEPTEMBER 13, 2024

CARRIED

**7. Roundtable
Discussion**

Councillor Huntley, Town of Kentville

- There are some areas of Kentville that continually see flooding. How do we increase community awareness regarding 72 hour emergency preparedness?
REMC – Kings REMO hosting quarterly Basic Emergency Management Courses. In addition to targeting volunteers who



-
- | Agenda Item | Discussion and Decisions |
|------------------------|---|
| | support the Kings County Comfort Centres, REMC will look to open up this course for general members of the public to increase emergency preparedness awareness. |
| 8. Next Meeting | <ul style="list-style-type: none">• The next regularly scheduled meeting of the Kings REMO Regional Emergency Management Advisory Committee is scheduled for Monday, January 20, 2025<ul style="list-style-type: none">○ No meeting scheduled for October 2024 due to Municipal Elections |
| 9. Adjournment | MOTION: IT WAS REGULARLY MOVED AND SECONDED THAT THE AUGUST 20TH SPECIAL MEETING OF THE REGIONAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE BE ADJOURNED AT 11:15 AM
CARRIED |

Approved at the January 20, 2025, Regional Emergency Management Advisory Committee Meeting

As recorded by Dan Stovel, Regional Emergency Management Coordinator (REMC)

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Name: Councilor Andrew Zebian

Date: September 21/24

Date of Last Council Meeting Attended: July 29th/24

Date of Last Council Advisory Meeting Attended: September 9th/24

COMMITTEE MEETING ATTENDANCE AND SYNOPSIS

Date	Committee	Synopsis
August 14/24	Special Meeting of Council – in camera	Discuss/vote on expropriation of Mr. Ron Cousin’s property.
August 29/24	Brison – Public Participation Meeting	Brison – MPS/LUB amendment – land designation and rezoning Meeting at the fire hall to discuss rezoning Park Street Property. It was well attended.
Sept 3/24	COGS – Public Participation Meeting.	COGS – LUB amendment – rezoning R3 to R4
Sept 6/24	Special CAC	First Reading Recommendation - Brison
Sept 9/24	Special CAC	First Reading Recommendation from CAC - Brison - COGS
Sept 9/24	Regular CAC meeting	Public Hearing
Sept 25/24	Brison	
September 18/24	Heritage Committee	Committee was presented Heritage Draft bylaw- the Committee would like it presented to Council.

TOWN OF KENTVILLE EVENT ATTENDANCE AND SYNOPSIS



COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Date	Event/Conference	Synopsis
Aug 24/25	Multicultural Fair	Another stellar fair Downtown. Great to see so many out and about and coming to Kentville! Thanks to all of those involved in making this a huge success..again!
Citizen Engagement	Throughout August/September, I have had many citizens reach out regarding a multitude of issues. Many regarding developments, stormwater management and future plans for the Town.	

MISC EVENTS

Date	Synopsis
August 1/24	Attended the nomination for Councillor Yorke, NDP Candidate.
August 3/24	Stopped by the Kentville Lions Club with my daughter Dalia. We helped them paint some of the exterior.
August 24/24	Multicultural Fair Another stellar fair Downtown. Great to see so many out and about and coming to Kentville! Thanks to all of those involved in making this a huge success..again!
August 27/24	I visited the Tiny Meadows Shelter project on Exhibition Street. They provided a tour of the site, showing the amenities.
Sept 2/24	Attended the Annapolis Valley Labour Council picnic in Kentville. It was a fun filled day. I had many great conversations with the folks who attended.
Sept 7/24	I attended the Kentville Lions Club Breakfast and helped them serve. This is such a great place to go and connect with the community.

COUNCILOR REPORT

KENTVILLE TOWN COUNCIL

Sept 20/24	I was honoured to be asked by the Kentville Wildcats to throw the opening pitch in their game.
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EXPENSES

This month	Year to Date
36.49 cell phone	\$182.49

Councilor Report

Kentville Town Council

Name: Sandra Snow

Date: 01 October 2024

Date of Last Council Meeting Attended: 29 July 2024

Date of Last Council Advisory Meeting Attended: 9 September 2024

Committee Meeting Attendance and Synopsis

Date	Committee	Synopsis
23 Jul 24	Special Meeting of Council	In camera – Land and legal
25 Jul 24	Special Meeting of Council	Ryans Park: Appeals to the Amended Site Plan Approval Rezoning Application: Travis Mills Rezoning Application: Brison Developments Policy Amendment Recommendations
29 Jul 24	Special Meeting of Council	In camera – legal pending actions update
29 Jul 24	Council Meeting	Property Assessed Clean Energy Rural Tax Rate Curb and Sidewalk Bylaw Ryans Park Appeal Notification
31 Jul 24	NSFM Audit Committee Meeting	Policy review and budget update for rental agreement
14 Aug 24	NSFM Board Meeting	Quarterly board meeting
14 Aug 24	Special Meeting of Council	In camera - expropriation
19 Aug 24	NSFM Nominations Committee	Policy review and prepare details for NSFM board nomination process, specifically in an election year.
21 Aug 24	Special Meeting of Council	In camera - legal
29 Aug 24	NSFM Conference Planning Committee	Agenda Review and set-up for various conversation tables and table leaders
29 Aug 24	Public Participation	Public Participation held at the Kentville Volunteer Fire Dept for the Brison Project

Councilor Report

Kentville Town Council

3 Sep 24	Public Participation	Public Participation held at the Kentville Volunteer Fire Dept for the COGS Project
4 Sep 24	Tourism Update	Conversation with the VREN contractor on Valley/Kentville tourism.
6 Sep 24	NSFM Board Meeting	Quarterly board meeting
6 Sep 24	Special CAC Meeting	Meeting held to review public participation results and make first reading approval to council
9 Sep 24	NSFM Executive Meeting	Monthly meeting to review action items and prepare for board meeting
9 Sep 24	Special Council Meeting	First Reading of Kentville Crossing
9 Sep 24	CAC Meeting	Capital Funding Request Public participation Policy Amendments Council Remunerations Minimum Stds Bylaw Housing Accelerator Arena Public Meeting to present report
10 Sep 24	NSFM Audit Committee Meeting	Risk analysis
11 Sep 24	Investment Advisory Committee	Portfolio analysis Value at 31 Aug: \$13,823,531
16 Sep 24	Special Meeting of Council	In camera
18 Sep 24	NSFM Municipal Infrastructure Committee	Update on recommendations to the Board
25 Sep 24	Public Hearing	Public Hearing held at the Kentville Volunteer Fire Dept for the Brison Project

Conference Attendance and Synopsis

Date	Conference	Synopsis
11 Sep 24	NSP presentation to NSFM members	On-line discussion with Nova Scotia Power on provision of services

Misc Events

Date	Synopsis
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Councilor Report

Kentville Town Council

30 Jul 24	Research on migration to Maritimes. Dr. Katie Mazer Environmental and Sustainability Studies and Women's and Gender Studies at Acadia University.
1 Aug 24	NDP candidate for Kings North – Councillor Gillian Yorke accepts the nomination
7 Aug 24	An Evening with MP Kody Blois and the Hon. Anita Anand
21 Aug 24	Lunch with NSFM CEO
22 Aug 24	Lunch with Louis Coutinho and CAO Lawrence
23 Aug 24	Wing Commander - Change of Command Parade at 14 Wing
28 Aug 24	Visit to Tiny Meadows site
7 Sep 24	Minor Baseball Day in Kentville
11 Sep 24	DWD LCol Keith Fugger at 14 Wing
13 Sep 24	Greeting for Atlantic Minor Baseball Championship
15 Sep 24	Battle of Britain Parade – 14 Wing Greenwood



October 1, 2024

RE: Inclusion and Access Advisory Committee

Deputy Clerk
Jennifer West
354 Main Street
Kentville, NS
B4N 1K6

902-679-2503
jwest@kentville.ca

As stated in Policy Statement G57 “Committees of Council”, Council has the right to appoint citizens to each committee, based on the required skills and experience needed. For the Kentville Inclusion and Access Committee, after recruitment for members through social media and on the website, two residents with first voice on accessibility issues have volunteered to sit on this committee. The committee feel that they have the skills, interests and experience around inclusion and accessibility to be productive members of this committee.

Staff recommend that Council appoint Kait Bowser and Stephen Weiss to be voting members on the Inclusion and Access Advisory Committee.

Jennifer West
Town of Kentville



TO: Council

SUBMITTED BY: Darren Shupe, Director of Planning and Development

DATE: October 1, 2024

SUBJECT: Appointment of Development Officer

ORIGIN

The Nova Scotia Utility and Review Board issued its decision on the appeal of Council’s decision refusing to approve a rezoning application for PID 55247761. The Board decided that the appeal is allowed and directed Council to approve the rezoning application.

BACKGROUND

Raleigh King of C+D Community Design was appointed Development Officer on January 29, 2024, to act as a temporary replacement for Kirsten Duncan during her maternity leave. We received notice on Wednesday, September 18, 2024, that Raleigh was no longer able to continue in his position. To maintain development officer services, Ben Croll would need to be appointed immediately as there are no other development officers on staff at present.

Ben Croll started on September 16, 2024, in his position of Development Coordinator in part to transition into the development officer role as well as receiving planning and development applications and providing GIS support.

POLICY IMPLICATIONS

MGA Section 243(1) requires Council to appoint a development officer to administer its land use By-law and subdivision by-law.

BUDGET IMPLICATION

None

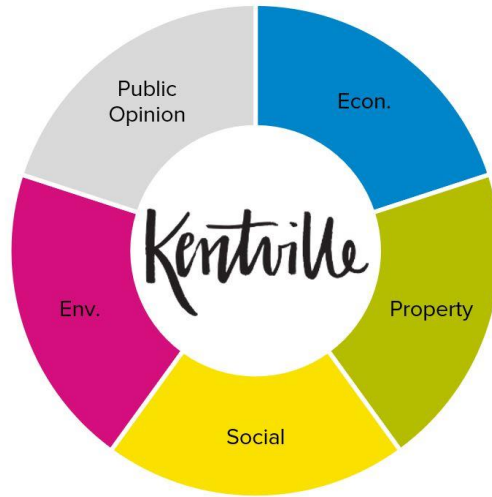
ATTACHMENTS

None

RECOMMENDATION

That Council remove Raleigh King as the Development Officer for the Town of Kentville and appoint Ben Croll as the Development Officer effective immediately.

Town of Kentville Decision Wheel:



TO: Council

SUBMITTED BY: CAO Jeff Lawrence

DATE: October 1, 2024

SUBJECT: Proposed Heritage Property Bylaw

ORIGIN

The Heritage Committee was created to explore and develop a draft Heritage Properties Bylaw for the town of Kentville in March 2023. Over the past year the committee has researched bylaws from other municipalities and has created a draft that could be used to protect heritage buildings and properties in Kentville.

BACKGROUND

Municipalities have agency to create a bylaw to manage and protect significant heritage properties in the town. The Municipal Government Act gives municipalities the power to create municipal heritage bylaws as long as they do not contravene other parts of the MGA. Some municipalities have bylaws which allow towns and counties to register significant properties, and these are legislated by municipal bylaws. Provincially registered heritage properties are legislated by the Heritage Property Act.

DISCUSSION

Kentville's Heritage Committee started reviewing the MGA and other municipal heritage bylaws in April 2023. The committee met every two months to discuss how properties would be identified and registered, how property owners would be notified, the rights of property owners to accept or decline designation, and the enforcement of the proposed bylaw. The committee is now bringing this proposed bylaw to Council for review and approval of First Reading.

BUDGET IMPLICATION

There are no budget implications at this time.

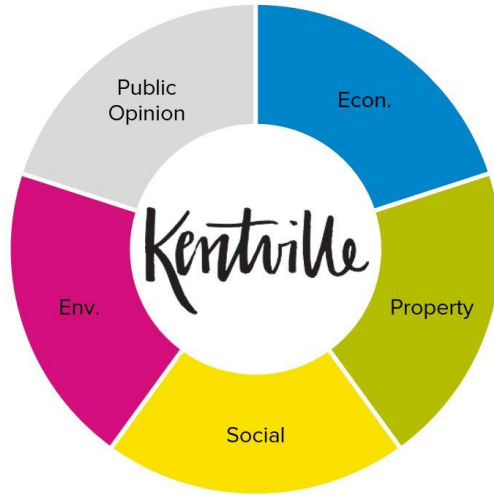
ATTACHMENTS

Draft Heritage Property Bylaw

RECOMMENDATION

That Council give First Reading to the attached Heritage Property Bylaw.

Town of Kentville Decision Wheel:





TOWN OF KENTVILLE BY-LAW

CHAPTER 110

HERITAGE PROPERTY BY-LAW

1.0 Title and Definitions

- 1.1 This By-law is made pursuant to the Heritage Property Act, R.S.N.S. 1989, Chapter 199 as amended from time to time, hereinafter referred to as the "Act", and shall be known and may be cited as the "Heritage Property By-law"
- 1.2 This By-law shall be administered in accordance with the Heritage Property Act, R.S.N.S. 1989.
- 1.3 In this By-law:
 - (a) "Act" means the Nova Scotia Heritage Property Act;
 - (b) "Area" includes such physical features as cemeteries, historical gardens, statues, monuments and any other structures within Town that are deemed to have proven historical significance.
 - (c) "Council" means the Town of Kentville Council
 - (d) "Committee" means the Heritage Advisory Committee established pursuant to this By-law.
 - (e) "Town " means the Town of Kentville.
 - (f) "Town Heritage Property" means a building (ex; Main Street Station), public-building interior, streetscape, cultural landscape, or area registered in the Town of Kentville Registry of Heritage Property.
 - (g) "Registered Owner" means an owner of land whose interest in the land is defined and whose name is specified in an instrument in the Land Registry Office, and includes a person assessed with respect to the occupancy of the land.
 - (h) "Registry" means the Town's Registry of Heritage Property.
 - (i) "Substantial Alteration" means any action that affects or alters the character-defining elements of a property.

2.0 Registry

- 2.1 The Town shall establish and maintain a Town's Registry of Heritage Property where all prescribed documents relating to the registration of Town Heritage Property pursuant to the Act or this By-law shall be filed.
- 2.2 The Registry shall contain information with respect to recommendations, registrations and deregistration's, recording particulars of documents required to be lodged at the Land Registry Offices, and true copies of all notices required by the Act.
- 2.3 The Registry shall be accessible to the public at no charge during regular business hours of the Town.

3.0 Heritage Advisory Committee

- 3.1 A Committee shall be established to discuss and recommend the process of inviting a building, public interior, streetscape, cultural landscape or other item to be registered as a Town Heritage Property.
- 3.2 The Committee shall be a Committee of Council and shall follow the Town of Kentville Committees of Council Policy Statement 57.
- 3.3 The Committee shall include 3 voting members from the community and 2 voting members of Council. A staff representative from the Planning and Development Department and the Chief Administrative Officer and may include other staff support.
- 3.4 The Committee may advise Council respecting:
 - (a) the inclusion of buildings, public-building interiors, streetscapes, cultural landscapes or areas in the Town's Heritage Property Registry;
 - (b) an application for permission to substantially alter or demolish a Town Heritage Property.
 - (c) the preparation, amendment, revision or repeal of a Heritage Conservation Plan and Heritage Conservation By-law.
 - (d) the administration of Heritage Conservation Districts pursuant to the provisions of the Act.
 - (e) an application for a certificate that is required by this Act or the referral of a Heritage Conservation Plan and Heritage Conservation By-law to Council for a public hearing; and
 - (f) any other matters conducive to the effective carrying out of the intent and purpose of this By-law and the Act.

4.0 Registration and Notification

- 4.1 Registration of an Area with Town of Kentville Heritage Property designation may be associated with financial incentives for the property owner, and a plaque given to the owner with the intent of posting it on the Area.
- 4.2 Process to Register: There are two ways the process may be commenced to register a structure as historical:
 - (a) The Committee can recommend Areas for Heritage Designation by completing Form A. Upon recommendation, the owner shall be sent a letter with the Notice of Recommendation to explain the designation. The owner will be given the option to approve or object to the designation.
 - (b) Any owner of an Area can ask the Town to register a structure by completing Form B and submitting it to Town Hall.

CLERK'S ANNOTATION FOR OFFICIAL BY-LAW BOOK

Date of first reading:

Date of advertisement of Notice of Intent to Consider:

Date of second reading:

*Date of advertisement of Passage of By-Law:

Date of mailing to Minister a certified copy of By-Law:

I certify that this Heritage By-law was adopted by Council and published as indicated above.

Clerk

Date

FORM A

Notice Of Recommendation by the Town

To Register as a Town Heritage Property

The land and building located at

(address, location, legal description or other identification of property)

has been recommended for registration in the Town of Kentville Registry of Heritage Property.

This proposed registration should be regarded as an indication that this particular property is of special value to the Town. The reasons for this proposed registration are:

(describe reasons for recommendation, e.g. age of property; architectural significance; association with persons, places and events of historical significance; status as important landmark; or other consideration)

The Heritage Property By-law provides that the Town will work with the owner of a property that is registered as a Town Heritage Property where as

- (a) the property shall not be substantially altered in appearance or be demolished without the approval of the Town Council.
- (b) an application for permission to substantially alter the appearance or to demolish a property may be made to the CAO.
- (c) the Heritage Advisory Committee shall be given an opportunity to comment on any application.
- (d) the Town Council may grant or refuse permission or attach conditions.
- (e) penalties for violation of the By-law are a maximum fine of \$10,000.00 and in default of payment thereof to imprisonment for a term not exceeding six months for individuals and \$250,000.00 for corporations.
- (f) a copy of this notice has been recorded at the Land Registry Office.

The Heritage Property Act provides that no person shall substantially alter the exterior appearance of or demolish a building, public-building interior, streetscape, cultural landscape or area for 120 days after service of this notice upon you, unless the Council sooner refuses to register the property.

Please take notice that you have the right to be heard concerning the recommended registration, and you shall be heard by Council, on

_____ (date) at _____ (time).

You have the right to approve this designation, or decline this designation. You may make submissions at the hearing orally or in writing, and any written submission by you may be presented at any time prior to the hearing.

FORM B
Request by a Property Owner
To Register as a Town Heritage Property

Under the Heritage Property By-law,

_____ (name of owner) in The Town of Kentville would like to
submit _____ (name of the property)
located at _____ (brief description and address) for
registration in the Town's Registry of Heritage Property.

_____ (submit name) recommended this property for
registration for the following reasons: (describe reasons for recommendation)

Signature of Owner: _____ Date: _____

FORM C

Notice Of Registration of a Heritage Property

To:

You are hereby notified that:

1. The land and building located at (address, location, legal description or other identification of property) has been registered in the Town of Kentville Registry of Heritage Property by the Council under the Heritage Property Act on _____, 20____.

2. The effect of registration in the Town Registry of Heritage Property is that no demolition or substantial alteration in exterior appearance of the property may be undertaken from the date of registration without the approval of Council.

DATED this ____ day of _____, 20____.

(SEAL)

Clerk

Checklist – Determining Heritage Value

Heritage value is the aesthetic, historic, scientific, cultural, social, or spiritual importance or significance for past, present, or future generations. It is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings.

Age	
1. Is the property comparatively old in the context of the community	
2. Does the property reflect a particular historical period or event?	
3. Is the property similar in age to surrounding buildings and therefore contributes to the continuity of the streetscape or heritage district?	
Architect/Builder	
1. Was the property designed and/or built by a locally, provincially or nationally renowned architect?	
2. Did the property's architect/designer make a significant contribution to the community or province?	
Historic Associations	
1. Was the property owned or resided in by a person who is significant to the community or province?	
2. Did a significant person visit or stay there?	
3. Was the property used by a significant person?	
4. Did a significant event occur at the property?	
5. Is the property related to a significant event? (Significant historic events frequently include WW1, WW2, Indigenous occupation, Acadian Occupation, Loyalists etc)	
Architectural Style	
1. Is the property an outstanding example of a specific architectural style?	
2. Is the property an uncommon/rare or unique architectural style for the town or province?	
3. Does the architectural style contribute to the streetscape or town?	

Construction Method	
1. Is the property a good or excellent example of a method of construction?	
2. Is the construction uncommon/rare or unique method for the town/province?	
3. Does the construction method reveal important details about the builders?	
4. Has the building maintained its integrity, without substantial alterations or renovations?	
5. Is the craftsmanship particularly impressive or unique?	



October 1, 2024

CAO Jeff Lawrence
354 Main Street
Kentville, NS
B4N 1K6

RE: Town of Kentville Legal Reporting

In December 2023, Council requested that staff provide regular reporting of legal costs and cases to Council.

Staff plan to share reporting on legal matters, where appropriate, two months after the end of each fiscal quarter. For the first quarter, April to June, inputs were complete in July and the finance department review ended in August.

Some reporting of legal information will occur in a closed session of Council.

Jennifer West
Deputy Clerk

902-599-2501
jlawrence@kentville.ca

Town of Kentville
Legal fees
2024-2025 Fiscal Year
As at June 30, 2024

Category by Legal Matter	Economic Development					
	Administration	Police	Planning	General	Legal Registration	Engineering Public Works
Contracts					1,264	
General Governance	326					
Legal Counsel	3,194			39		158
Litigation	2,008	554				
Regulatory Compliance	530	357	2,523			
Litigation Costs		357				
Grand Total	6,058	911	2,523	39	1,264	158



Memo

To: Jeff Lawrence, CAO

From: Dave Bell, Director of Engineering & Public Works

Wanda Matthews, Director of Finance

Date: September 9, 2024

Re: **SANITARY SEWER AREA SERVICE OPERATING BUDGET- 2024-2025**

SANITARY SEWER AREA SERVICE OPERATING BUDGET

Revenue: \$1,742,500

Total Revenue increased \$251,600 and assumes an approved rate increase of 10% this year as well as sewer charges anticipated at just over 2% due to population growth. It also includes a \$175,000 transfer from operating reserves to balance the budget.

Expenditures: \$1,742,500

Overall expenditures increased \$251,600 (16.9%) over last year.

Administration

This sector increased \$217,920 over last year. A \$260,820 transfer to the Depreciation Reserve, an increase of \$185,820 over last year is the primary increase to this Administration expenditures.

With the addition of a project engineer, allocations to the Sanitary Sewer Area Service from the Town have increased in dollar value; however, the allocation percentage of administration remained the same. This impacts all areas noted below.

Domestic Sewer Maintenance

This segment has decreased by \$12,000 (15.7%) to more closely match the 5-year average.

Pumping Stations

Pumping stations increased \$9,700 (14.6%) and are due to:

Decrease in wage adjustment (\$2,000)

Increase in insurance premium (\$3,280)

Increase in Operations (\$19,900)

Decrease in Maintenance (\$4,200)

Treatment and Disposal

This section records our share of the jointly funded sewer treatment plant and transmission lines owned by the Municipality of the County of Kings (MCK) and is budgeted at \$1,031,200 this year based on the already approved MCK Regional Sewer Budget. This budgeted amount is a \$135,770 (15.1%) increase over last year, but last year's actuals were \$9,487 more than this year's budgeted amount due primarily to the substantial number of breaks in the sewer forcemain from the Justice Centre to Eaves Hollow, currently being replaced as a Capital Investment Project.

Fiscal Services

This sector increases \$29,400 (34.3%) in this budget.

This is primarily due to increased principal & interest charges on long-term debt repayment.

The Sanitary Sewer Area Service budget is balanced with support from operating reserves in 2024/25.

Sanitary Sewer Area Service Reserve Information

	March 31, 2024	Net Deposits/ (Withdrawals)	Projected March 31, 2025
Operating	395,721	(175,000)	220,721
Capital	94,651	(0)	94,651
Depreciation	123,460	(16,180)	107,280
Total	613,832	(191,180)	422,652

RECOMMENDATIONS:

We recommend to Council that it approve the balanced Sanitary Sewer Area Service Operating Budget as presented for the year 2024-2025 fiscal year.



**TOWN OF KENTVILLE
SANITARY SEWER AREA SERVICE
2024-2025 OPERATING BUDGET**

	2023-2024 ACTUAL	2023/2024 BUDGET	2024/2025 BUDGET	2025/2026 BUDGET
REVENUE				
148-42-100 Sewer Charges	\$ 1,353,931	\$ 1,386,200	\$ 1,559,100	\$ 1,573,700
148-42-150 Interest on overdue accounts	6,045	4,000	6,000	6,000
148-42-190 Permit- Sewer connections	2,375	2,000	2,400	2,500
148-42-175 Transfer from Operating Reserve	98,700	98,700	175,000	178,500
Total Revenue	1,461,051	1,490,900	1,742,500	1,760,700
EXPENDITURES				
Administration				
148-42-211 Administrative salaries	105,061	106,100	137,700	143,200
148-42-231 Legal	1,473	400	1,500	1,500
148-42-232 Audit	2,390	2,700	2,800	2,900
148-42-250 Stationary & office supplies	3,263	3,000	3,300	3,500
148-42-260 Common service charge	30,000	30,000	30,000	30,000
148-42-282 Vehicle expense	619	1,000	1,000	1,000
148-42-284 Other collection expense	-	100	100	100
148-42-285 Lease of equipment	1,254	1,500	1,500	1,500
148-42-286 Interest on customers' deposits	73	100	100	100
148-42-287 Professional studies	-	6,000	5,000	-
148-42-288 Dues and fees	235	500	500	500
148-42-289 Training	-	1,000	1,000	1,000
148-42-887 Depreciation Reserve	75,000	75,000	260,820	202,667
	219,368	227,400	445,320	387,967
Domestic Sewer Maintenance				
148-42-311 Wages	26,980	34,000	34,000	42,400
148-42-380 Materials and supplies	8,903	26,000	16,000	17,600
148-42-390 Material and supplies- laterals	8,903	16,000	14,000	15,400
	44,786	76,000	64,000	75,400
Pumping Stations				
148-42-411 Wages	13,165	16,000	14,000	14,600
148-42-442 Insurance	17,667	17,300	20,580	21,000
148-42-466 Operations	46,358	26,500	46,400	47,400
148-42-480 Maintenance	5,746	10,000	5,800	6,000
	82,936	69,800	86,780	89,000
Treatment & Disposal				
148-42-581 Agreement-Co. of Kings	1,040,687	1,031,900	1,031,200	1,072,500
Fiscal Services				
148-42-881 Interest on temporary borrowing	1,730	1,800	1,800	1,800
148-42-882 Interest	16,128	16,200	22,600	25,233
148-42-884 Principal	66,100	66,100	89,100	107,100
148-42-886 Discount	1,636	1,700	1,700	1,700
	85,594	85,800	115,200	135,833
Total Expenses	1,473,371	1,490,900	1,742,500	1,760,700
Excess Revenue (Expenditures)	\$ (12,320)	\$ -	\$ -	\$ -



Memo

To: Jeff Lawrence, CAO
From: Dave Bell, Director of Engineering & Public Works
Wanda Matthews, Director of Finance
Date: September 9, 2024
Re: **SANITARY SEWER AREA SERVICE CAPITAL BUDGET - 2024-2025**

SANITARY SEWER AREA SERVICE CAPITAL BUDGET

The Area Service is seeking capital funding for four projects in 2024/2025 in the amount of **\$277,000**.

Projects

- **Elm Avenue Sewer Main & Lateral Replacement** (South Section): \$162,000 (Complete)
- **Crescent Avenue Pumping Station Upgrade** – \$75,000
- **Kentville Business Park** – Sanitary Sewer Lateral Installation – \$20,000
- **Lift Station Upgrades** – \$20,000

Funding

- **\$277,000** from Sanitary Sewer Depreciation Reserve.

Future years are ratified in principle

RECOMMENDATION

We recommend to Council that it approve the Sanitary Sewer Area Service Capital Budget in the amount of \$277,000 along with its funding sources for the year 2024-2025.



**TOWN OF KENTVILLE
SANITARY SEWER AREA SERVICE
CAPITAL INVESTMENT PLAN
YEARS 2024-2025 TO 2028-2029**

	2024-2025 BUDGET	2025-2026 BUDGET	2026-2027 BUDGET	2027-2028 BUDGET	2028-2029 BUDGET
PROJECTS					
Business Park laterals	20,000				
Pumps	20,000				
Crescent Ave pumping station upgrade	75,000				
Elm Street	162,000	338,000			
Southview/Lavinia			500,000		
Cornwallis Street				500,000	
Various Streets					562,500
TOTAL CAPITAL INVESTMENT	\$ 277,000	\$ 338,000	\$ 500,000	\$ 500,000	\$ 562,500
FUNDING					
OUTSIDE SOURCES					
	-	-	-	-	-
INTERNAL SOURCES					
Sanitary Sewer Capital Reserves					
General capital reserve					
Depreciation reserve	277,000	338,000	200,000	200,000	200,000
Subtotal	277,000	338,000	200,000	200,000	200,000
BORROWING					
	-	-	300,000	300,000	362,500
Total Funding Sources	\$ 277,000	\$ 338,000	\$ 500,000	\$ 500,000	\$ 562,500

Memo

To: Jeff Lawrence
From: Wanda Matthews, Director of Finance
Date: September 27, 2024
Re: **Temporary Borrowing Resolution-Town of Kentville Capital 2024-2025**

BACKGROUND

The Department of Municipal Affairs and Housing requires a temporary borrowing resolution be approved by the Council for all planned capital expenditures to be financed through debt. After Council's authorization, the resolution and supporting schedule is submitted to the Minister, Department of Municipal Affairs and Housing for ministerial consent. Upon the Town's receipt of Ministerial consent short term financing can be utilized, as required, to support capital acquisitions for the Town of Kentville General Capital Fund.

The Town's Capital Investment Plan for 2024-2025 predicted borrowing of \$1,695,897; however, the street sweeper expenditure, partially funded by borrowing, was moved to the following fiscal year resulting in a reduced borrowing requirement.

RECOMMENDATION

I recommend to Council that it approves obtaining temporary borrowing for the amount noted below and the related resolution.

ISSUE	PURPOSE	AMOUNT
TBR 2024-2025	Various capital projects	\$1,381,000

MUNICIPAL COUNCIL OF THE
Kentville
TEMPORARY BORROWING RESOLUTION

Amount: \$ 1,381,000

Capital Projects: Detailed in Schedule "A"

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the _____
Town of Kentville _____, subject to the approval of the Minister
of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the _____ Town of Kentville _____ has
adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are
so authorized to expend funds for capital purposes as identified in their capital budget; and

WHEREAS the specific amounts and descriptions of the projects are contained in Schedule "A" (attached);

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the
_____ Town of Kentville _____ borrow a sum or sums not exceeding
_____ one million three hundred eighty one thousand dollars _____ Dollars (\$ 1,381,000) for the
purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the
_____ Town of Kentville _____ to such an amount as the Council
deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act
and that a sum or sums not exceeding _____ one million three hundred eighty one thousand dollars _____
Dollars (\$ 1,381,000) in total be borrowed from time to time from any chartered bank or trust company
doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of approval
of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read
and duly passed at a meeting of the Council of the
_____ Town of Kentville _____

held on the ____ day of _____, 2024

GIVEN under the hands of the Clerk and under the seal of the Council of the
_____ Town of Kentville _____

this ____ day of _____, 2024

Clerk

**MUNICIPAL COUNCIL OF THE
Kentville
TEMPORARY BORROWING RESOLUTION**

Amount: \$ 1,381,000

Capital Projects: Detailed in Schedule "A"

**SCHEDULE "A"
CAPITAL PROJECTS**

		<u>Estimates \$</u>
Heading / Category: Police		
Item	Building	25,000
Item		
Item		
Item		
Heading Sub Total:		25,000
Heading / Category: Transportation		
Item	Green Infrastructure - trails & sidewalks	459,000
Item	ICIP- DE Hiltz Connector- Storm & Access Road Construction	847,000
Item		
Item		
Heading Sub Total:		1,306,000
Heading / Category: Parks & Recreation		
Item	Facilities	50,000
Item		
Item		
Item		
Heading Sub Total:		50,000
Heading / Category:		
Item		
Item		
Item		
Item		
Heading Sub Total:		0
Heading / Category:		
Item		
Item		
Item		
Item		
Heading Sub Total:		0
Heading / Category:		
Item		
Item		
Item		
Item		
Heading Sub Total:		0
TOTAL REQUEST CONTAINED WITHIN THIS RESOLUTION		1,381,000