

Town of Kentville Council Meeting

May 25, 2026, 5:00pm, Kentville Town Hall

1. CALL MEETING TO ORDER AND ROLL CALL

2. APPROVAL OF THE AGENDA

3. APPROVAL OF MINUTES

- (a) Council Meeting, April 27, 2026

4. RECOMMENDATIONS

- (a) Bursary Committee Report
- (b) Bylaw 206 - Heritage (second reading)
- (c) Bylaw 205 - Building (second reading)
- (d) Second Reading - Home-Based Businesses Text Amendments
- (e) Second Reading - Concurrent Construction
- (f) First Reading - Rezoning 172 Main Street from R2 to R3
- (g) Policy 111 - Banners
- (h) Valley Region Solid Waste-Resource Management Authority Guarantee Resolution
- (i) Withdrawal from Capital Reserve for Ineligible GRID Project Costs
- (j) Release of Covenant for Lot 2E, Chipman Drive

5. COUNCIL REPORTS

- (a) Mayor Andrew Zebian
- (b) Deputy Mayor Debra Crowell
- (c) Councillor John Andrew
- (d) Councillor Rob Baker
- (e) Councillor Samantha Hamilton
- (f) Councillor Cathy Maxwell
- (g) Councillor Cate Savage

6. ADJOURNMENT



COUNCIL MEETING

Meeting Minutes: April 27, 2026

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

(1) CALL TO ORDER AND ROLL CALL

Mayor Andrew Zebian called the meeting to order at 5:00 p.m.

PRESENT: Mayor Andrew Zebian
Deputy Mayor Debra Crowell
Councillor John Andrew
Councillor Samantha Hamilton
Councillor Cate Savage
Councillor Cathy Maxwell
Councillor Rob Baker

STAFF: Dave Bell, Director of Engineering and Public Works, Acting CAO
Victoria Martin, Deputy Clerk
Wanda Matthews, Director of Finance
Darren Shupe, Director of Planning and Development

REGRETS: Chris McNeill, Chief Administrative Officer

Mayor Andrew Zebian respectfully acknowledged that Kentville is on the traditional and unceded land of the Mi'kmaq People. The Town honours their deep connection to this land, past, present, and future; and also recognizes and honours the contributions and heritage of African Nova Scotians whose ancestors have shaped and enriched this community for generations.

Mayor Andrew Zebian noted that Director Dave Bell served in the role of Acting CAO this evening due to the CAO's approved leave.

He proclaimed:

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- The week of May 4–10 as Mental Health Week in the Town of Kentville. Residents were encouraged to participate in activities and initiatives that support mental health and well-being across the community. The proclamation recognizes the importance of:
 - Raising awareness of mental health issues
 - Reducing stigma
 - Encouraging open and supportive conversations
- The month of May as Lyme Disease Awareness Month in the Town of Kentville. The designation highlights:
 - Education and prevention
 - Early detection and treatment
 - Ongoing impacts of Lyme disease on individuals and families in the region

Lastly, Mayor Andrew Zebian acknowledged Councillor Savage’s father, Richard Whynot, on the occasion of his 95th birthday. Congratulations and well wishes were extended on behalf of Council.

DECLARATIONS OF CONFLICT OF INTEREST

Councillor Rob Baker declared a conflict of interest with item 4.d – Lions Club of Kentville Lease.

(2) APPROVAL OF THE AGENDA

Item 6.a Municipal Government Act - Section 22(2)(a) – Sale of Municipal Property and 6.b Municipal Government Act - Section 22(2)(d) – Labour Relations were added to closed session.

It was moved by Councillor Cate Savage, seconded by Deputy Mayor Debra Crowell that the agenda of April 27, 2026, be approved as updated.

MOTION CARRIED

(3) APPROVAL OF THE MINUTES

(a) March 23, 2026, Council Meeting Minutes

There being no changes, the minutes were approved.

(b) April 13, 2026, Special Council Meeting Minutes

There being no changes, the minutes were approved.

(4) RECOMMENDATIONS

(a) Bylaw 206 – Heritage (first reading)

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It was moved by Councillor Cate Savage, seconded by Councillor Cathy Maxwell that Council give first reading to Bylaw 206 – Heritage Property.

MOTION CARRIED

(b) Bylaw 205 – Building (first reading)

It was moved by Councillor Cate Savage, seconded by Councillor John Andrew that Council give first reading to Bylaw 205 – Building.

MOTION CARRIED

(c) Reserve Transfer Request

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor Cathy Maxwell that Council approve the recommendation to withdraw \$ 30,278 from the Town of Kentville Capital Reserve to fund capital acquisitions for the year 2025-2026. This withdrawal will have minimal impact on the ending reserve balance, as there are sufficient savings available to offset the excess costs.

MOTION CARRIED

Councillor Rob Baker left his seat at 5:07 pm since he declared a conflict of interest with the next item.

(d) Lions Club of Kentville Lease

It was moved by Councillor Cate Cavage, seconded by Councillor Samantha Hamilton that Council enter into the proposed 5-year lease agreement with Lion's Club of Kentville for PID #55498521 at 78 River Street, Kentville.

MOTION CARRIED

Councillor Rob Baker came back to his seat after the vote.

(e) Business Advisory Committee Terms of Reference

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor Rob Baker that Council approve the draft Terms of Reference for Kentville Business Advisory Committee.

MOTION CARRIED

(f) Nominating Committee Report

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It was moved by Deputy Mayor Debra Crowell, seconded by Councillor Cate Savage that Council approve the appointment of Ashley Hancock to the Planning Advisory Committees effective April 13, 2026, to December 31, 2027.

MOTION CARRIED

(g) Build Nova Scotia Fee Waiving

It was moved by Councillor Cate Savage, seconded by Councillor Cathy Maxwell that Council waive all Town of Kentville building and development fees associated with the development and construction of 30 affordable housing units on Justice Way, Kentville, identified as PID 55256317.

MOTION CARRIED

(h) 2026 Spring Debenture Pre-Approval

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor John Andrew that Council approve the attached resolution for a \$3,080,400 debenture pre-approval, to submit to the Nova Scotia Finance and Treasury Board for Spring 2026.

MOTION CARRIED

(i) Planning Advisory Committee Recommendation – Application Regarding Home-Based Businesses – Text Amendments to Land Use Bylaw

It was moved by Councillor Cate Savage, seconded by Councillor John Andrew that Council give First Reading to an amendment to the Town of Kentville Land Use Bylaw to:

- amend Section 5.1.3(c)(l) to permit private instruction or tutoring in the arts, sciences, or technologies, including classes of up to eight (8) individuals at one time; and
- amend Section 4.2.2(a) by adding (vi) where a Home Based Business involves instruction or client attendance, the Development Officer may require additional off-street parking where warranted.

MOTION CARRIED

(j) Planning Advisory Committee Recommendation – Application Regarding Concurrent Construction – Text Amendments to Municipal Planning Strategy and Land Use Bylaw

Councillor Cate Savage Noted that the amendments had previously been referred to the Town's solicitor for review and asked whether revisions had been made and whether any risks remain, particularly financial risk to the Town.

Response from Director Darren Shupe:

- Yes, the amendments were reviewed by legal counsel and revised accordingly.
- The primary financial risk rests with the developer and their financial backers, not the Town.
- If structures are left incomplete, the Town retains authority to address issues through dangerous or unsightly premises provisions.
- Risks related to partially completed infrastructure would be managed through appropriate securities (e.g., bonding or other financial guarantees) required as part of the approvals.

It was moved by Councillor Cathy Maxwell, seconded by Councillor John Andrew that Council gives First Reading to amendments to the Municipal Planning Strategy and Land Use By-law to permit the issuance of development permits for Non-Occupied Dwellings prior to final subdivision approval, subject to appropriate controls respecting servicing, infrastructure, and occupancy.

MOTION CARRIED

(k) Planning Advisory Committee Recommendation - Reinitiation of Heritage Registration Process for Six Properties

It was moved by Councillor Cate Savage, seconded by Councillor Cathy Maxwell that Council request staff to process the previously considered heritage properties, following adoption of the amended Heritage Property By-law, to ensure full compliance with statutory notice and appeal requirements.

MOTION CARRIED

(l) Planning Advisory Committee Recommendation - Endorsement of Process for Reviewing Amendments Regarding Program-Based Housing and Emergency Shelters

Councillor Cathy Maxwell asked whether up to eight (8) units of program-based housing may proceed without Development Agreement.

Response from Director Darren Shupe:

- Yes. Up to eight units may proceed as-of-right, subject to Site Plan Approval.
- Proposals above eight units would require a Development Agreement.

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Councillor Cathy Maxwell noted that some R3 zones are small, isolated parcels surrounded by lower-density residential zoning. She Expressed concern about siting program-based housing in these areas and raised concern about locating certain forms of program-based housing within residential areas, particularly R3 zones with families and children. She questioned why, if program-based housing poses no concerns, it is not permitted across all residential zones, rather than being concentrated in R3 and sh stated a strong objection to what was described as a potentially disproportionate impact on residents in R3 areas.

Councillor Cate Savage noted similar concerns to those raised by Councillor Cathy Maxwell and clarified that supporting the recommendation tonight does not mean approving the amendments themselves. She emphasized that the vote is to:

- Allow the matter to proceed to public consultation, and
- Gather feedback from residents before PAC makes a final recommendation back to Council.

Councillor John Andrew commented on the broader provincial context around program-based and supportive housing. He acknowledged concerns expressed by families and staff associated with institutional care and noted that not all individuals currently in institutions are suitable for community-based housing. He suggested that evolving public pressure may result in provincial policy reconsideration and supported further public discussion before final decisions are made.

Councillor Cathy Maxwell clarified that she is not opposed to program-based housing in principle. She supported inclusive housing such as supported living for persons with disabilities and reiterated concern about specific types of program-based housing in residential settings with children. She stressed the need for transparency about potential impacts rather than zoning distinctions that may appear arbitrary.

Mayor Andrew Zebian noted that supportive housing encompasses many forms, including care-based housing such as dementia support. He emphasized that tonight's decision is procedural:

- To send the revised policy direction to public participation.
- Then return to PAC for refinement.
- PAC retains discretion to adjust its recommendation to Council following public input.

It was moved by Councillor Rob Baker, seconded by Councillor John Andrew that Council endorse the revised policy direction outlined herein regarding program-based housing and emergency shelters and direct staff to prepare revised amendments to the Municipal Planning Strategy and Land Use By-law, undertake a Public Participation Meeting, and

return the amendments to the Planning Advisory Committee prior to consideration by Council for First Reading.

MOTION CARRIED

(5) COUNCIL REPORTS

Mayor Andrew Zebian noted that Council reports were received as circulated in the agenda package, with the exception of Councillor Baker.

Mayor Andrew Zebian provided the following highlights for the reporting period:

Downtown Public Safety & Well-Being

- Police call volume in the downtown continues to represent approximately 28–34% of total monthly calls.
- In 2024, downtown call volume increased significantly.
- In 2025, approximately 26% of police calls (about 1,086 of 1,886 total calls) were related to unhoused individuals.
- These figures underscore ongoing pressures related to housing insecurity, mental health, and well-being, and the impact on municipal services.
- Expressed hope that the Province of Nova Scotia recognizes the strain these issues place on Kentville and similar municipalities.

Kings Transit

- Kings Transit is in the process of a rebrand, including a new logo.
- Fleet capacity has improved, with 10 operational buses, up from 8.

Regional Recreation Facility

- Work is progressing positively.
- A steering committee has been established with neighbouring municipalities.

Volunteer Recognition

- Acknowledged the recent Volunteer Recognition Event hosted by the Recreation Department.
- Expressed appreciation for volunteers and noted their vital role in making Kentville a strong community.

Councillor Cathy Maxwell referenced her written report included in the agenda package and spoke to ongoing public concerns regarding feeling unsafe downtown, particularly in the evenings. She noted:

- Council does not direct the Police Service.
- Oversight and direction occur through the Police Commission.
- Residents with safety concerns should consider contacting their Police Commissioners.

She asked whether the Police Commission has been discussing residents' concerns regarding downtown safety.

Councillor Samantha Hamilton, Acting Chair of the Police Commission, responded:

- Downtown safety is a standing discussion item at Police Commission meetings.

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- The Commission regularly reviews:
 - Safety concerns
 - Police service actions and responses downtown
- Noted that the Commission is currently in transition following the departure of the Board Chair.
- Committed to providing updates to Council going forward.
- Confirmed that Police Commission meeting minutes are publicly available on the Town website.

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor John Andrew, that, Council move into closed session at 5:28 p.m.

MOTION CARRIED

(6) CLOSED SESSION

- (a) Municipal Government Act - Section 22(2)(a) – Sale of Municipal Property
- (b) Municipal Government Act - Section 22(2)(d) – Labour Relations

RETURN FROM CLOSED SESSION

It was moved by Deputy Mayor Debra Crowell, seconded by Councillor Rob Baker, that the meeting return from closed session at 6:13 p.m.

MOTION CARRIED

(7) ADJOURNMENT

There being no further business, the meeting was adjourned at 6:13 p.m.

Signed by Mayor Zebian

Approval Date

Graduating High School Student Bursaries 2025-2026

Meeting Date: May 25, 2026
Department: Administration

RECOMMENDATION

That Council approve the following Graduating High School Student Bursary recipients for 2026-2027:

Morgan "Syd" West	Nola Folker Hill recipient \$1,500
Lauren McLaughlin	Town of Kentville Bursary \$500
Eden Simpson	Town of Kentville Bursary \$500
Aaron Pulsifer	Town of Kentville Bursary \$500

BACKGROUND

The Bursary Committee reviewed Graduating High School Student Bursary applications on May 6, 2026. Their recommendation is based on the terms of reference of the Bursary Committee and four evaluation criteria: Academic Merit, Leadership and Engagement, Personal Statement, and Application Completion.

BUDGET IMPACT

The 2026-2027 operating budget includes \$3,000 towards bursaries.

COMMUNICATIONS

If approved, the Deputy Clerk will contact recipients to inform them of the amount granted. The department of finance will issue cheques directly to their intended Universities. The Deputy Clerk will coordinate with the Bursary Committee members to attend and present bursary cards to students' graduation ceremonies. The list of recipients will be shared on social media.

Respectfully submitted,

Councillor Rob Baker
Chairperson
Bursary Committee

Title: Proposed Bylaw 206 - Heritage

Meeting Date: May 25, 2026

Department: Administration

RECOMMENDATION

That Council give second reading to Bylaw 206 respecting Heritage.

That proposed Bylaw 206 - Heritage, be amended by deleting the words “make the alteration or carry out the demolition at any time after one (1) year from the date of the application” in Section 8 (g), and replace them with “notwithstanding Section 17 of the Act, make the alteration or carry out the demolition at any time after three (3) years from the date of the application but not more than four (4) years after the date of the application.”

SUMMARY

Town of Kentville gave first reading to a proposed new Heritage Bylaw in April 2026. The province has provided initial feedback and suggested two changes and staff are proposing to accept one of the changes and to make this amendment at second reading.

The other proposed amendment was to delete Section 3(b)(iv), but that authority is well within Council's legal jurisdiction to establish and implement.

LEGISLATION

Section 12(1) of the Heritage Act states that a municipality may by-law establish a municipal registry of heritage property.

BUDGET IMPLICATIONS

The cost of making these changes will be minimal in terms of the bylaw process and eventual newspaper advertising, which can be encompassed without the current operational budget.

COMMUNICATION IMPLICATIONS

If the bylaw is approved, the approved bylaw will be forwarded to the province for approval and then subsequently advertised in a local newspaper noting it is now in effect.

Respectfully submitted,

Chris McNeill
Chief Administrative Officer

Text Amendment to the Heritage Bylaw

Council Advisory Committee Staff Report

Meeting Date: April 13, 2026
Department: Planning and Development
Strategic Priority: Housing and Planning

RECOMMENDATION

THAT the Council Advisory Committee recommend that Council:

Repeal Chapter 110: Heritage Property Bylaw; and give First Reading to Bylaw 204, as amended, and schedule Second Reading.

Purpose

The purpose of this report is to present a revised Heritage Property By-law (Bylaw 204) which modernizes the Town's heritage framework, aligns administrative responsibilities with current governance structures, and clarifies the process for the voluntary registration and management of Municipal Heritage Properties.

Background

The Town of Kentville currently administers heritage properties under Chapter 110: Heritage Property By-law.

Since its adoption, several changes have occurred:

- The establishment of the Planning Advisory Committee (PAC) as the Town's primary advisory body for planning matters;
- A desire to ensure clarity and consistency in heritage processes, particularly around notification and registration; and
- Increased interest in heritage registration, requiring a more streamlined and transparent framework.

The revised Bylaw 204 responds to these changes by restructuring roles, simplifying procedures, and reinforcing the voluntary nature of heritage designation.

Key Changes and Comparison

Governance Structure Shift (HAC → PAC)

Previous (Chapter 110):

- A Heritage Advisory Committee (HAC) was established with defined membership and structure.

Proposed (Bylaw 204):

- Responsibility is assigned to the Planning Advisory Committee (PAC).

Implications:

- Aligns heritage with broader planning functions;
- Streamlines governance by using an existing committee;
- Reduces administrative duplication.

Clarification of Voluntary Designation

New in Bylaw 204:

- Explicit statement that designation is voluntary;
- Owners may decline registration in writing.

Previous By-law:

- Included opportunity to object, but did not clearly frame designation as voluntary.

Implications:

- Improves transparency and public trust;
- Reduces risk of procedural challenges;
- Aligns with best practices in municipal heritage programs.

Enhanced Notice Requirements

Bylaw 204 introduces:

- Clear requirement for Notice of Recommendation at least 30 days prior to registration;
- Expanded notice content including:
 - consequences of registration
 - right to be heard

- 120-day alteration restriction
- explicit opt-out process

Previous By-law:

- Included notice forms and process but was less structured and more form-based.

Implications:

- Addresses prior procedural gaps (timing + clarity);
- Strengthens defensibility of designation decisions;
- Improves consistency in administration.

Simplification of Registration Process

Previous By-law:

- Included multiple forms (Form A, B, C) and detailed procedural steps embedded in the by-law.

Bylaw 204:

- Moves toward a more principles-based structure:
 - Notice requirements
 - Registry requirements
 - Council decision-making

Implications:

- Reduces rigidity;
- Allows administrative processes to evolve without further amendments;
- Cleaner, more modern legislative style.

Registry and Transparency

Both by-laws maintain:

- Requirement for a Municipal Registry of Heritage Properties;
- Public accessibility.

Bylaw 204 strengthens:

- Clearer articulation of registry contents;
- Linkage to Land Registry filings.

Alteration and Demolition Process

Continuity:

- Council approval still required for:
 - demolition
 - substantial alteration

Refinement in Bylaw 204:

- PAC reviews applications and provides recommendations within defined timelines.

Implications:

- Maintains heritage protection;
- Improves procedural clarity.

Deregistration

Bylaw 204 clarifies:

- Deregistration may be initiated by:
 - the owner; or
 - the Town

Previous By-law:

- Less clearly articulated.

Penalties

Change:

- Updated penalty structure in Bylaw 204:
 - \$500–\$2,000 fine range

Previous By-law:

- Significantly higher penalties (up to \$250,000 for corporations)

Implications:

- Aligns penalties with typical municipal enforcement ranges;
- May warrant policy discussion depending on enforcement intent.

Legislative Context

The proposed Bylaw 204 is adopted pursuant to:

- The Heritage Property Act (Nova Scotia); and
- The Municipal Government Act.

The amendments maintain compliance with provincial requirements, including:

- Notice provisions;
- Right to be heard;
- Registration and deregistration processes.

Discussion

The revised by-law represents a shift toward a more administratively practical and legally robust framework.

Key benefits include:

- Improved procedural clarity (particularly notice requirements);
- Alignment with current governance structures (PAC);
- Reinforcement of voluntary participation, reducing potential conflict; and
- A more flexible and modern by-law structure.

This amendment also addresses prior procedural concerns related to notification timing and process, ensuring that future registrations are conducted in a manner that is both transparent and defensible.

Conclusion

The proposed Bylaw 204 represents a comprehensive update to the Town's heritage framework.

It modernizes governance, improves procedural clarity, and reinforces a voluntary and transparent approach to heritage designation, while maintaining the Town's ability to protect and manage heritage resources.



Town of Kentville Bylaw 206 HERITAGE

BE IT ENACTED by the Council of Town of Kentville under the authority of the *Municipal Government Act*, Statutes of Nova Scotia, 1998, Chapter 18, and *Heritage Property Act*, 1989, Chapter 199, and amendments thereto as follows:

1. SHORT TITLE

This Bylaw shall be known as Bylaw 206 and may be cited as the "Heritage Bylaw".

2. DEFINITIONS

- a. "Act" means the *Heritage Property Act*;
- b. "Committee" means the Planning Advisory Committee established to carry out the provisions of this Bylaw;
- c. "Council" means the Council of the Town of Kentville;
- d. "Municipal Heritage Property" means a building, public-building interior, streetscape, cultural landscape or area registered in the Town of Kentville Registry of Heritage Properties;
- e. "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;
- f. "Registry" means the Municipal Registry of Heritage Property of the Town;
- g. "Town" means the Town of Kentville.

3. PLANNING ADVISORY COMMITTEE

- a. Town of Kentville Planning Advisory Committee shall be designated as the body responsible for implementing provisions of the Heritage Bylaw for Town of Kentville.
- b. The Committee may advise Council respecting:
 - i. the inclusion of buildings, public-building interiors, streetscapes, cultural landscapes, and areas in the Registry;

- ii. an application for permission to substantially alter or demolish a Municipal Heritage Property.
- iii. building and other regulations that affect the attainment of the intent and purpose of the Heritage Property Act;
- iv. an application to substantially alter the external appearance of or demolish a Municipal Heritage Property;
- v. the deregistration of Municipal Heritage Properties;
- vi. financial incentives to Municipal Heritage Properties;
- vii. the amendment of evaluation criteria, guidelines and standards for Municipal Heritage Properties; and
- viii. ensuring the designation of any property under this bylaw is strictly voluntary.

4. REGISTRY

- a. The Town shall establish and maintain a Municipal Registry of Heritage Properties where all prescribed documents relating to the registration of Municipal Heritage Properties pursuant to the Act of this Bylaw shall be filed.
- b. The Registry shall contain information with respect to recommendations, registrations, and deregistration's, recording particulars of documents required to be logged at the Land Registry Office.
- c. The Registry shall be accessible to the public at no charge during regular business hours of the Town.

5. NOTICE OF RECOMMENDATION

- a. The Town shall cause a Notice of Recommendation to be served upon each Registered Owner of a property that is the subject of the recommendation at least thirty (30) days prior to registration of the property in the Municipal Registry of Heritage Properties and shall be in the form designated by the Town.
- b. The notice shall contain:
 - i. a statement that the property described in the notice has been recommended for registration in the Registry;
 - ii. a brief statement of the reason for the recommendation;
 - iii. a summary of the consequences of registration;
 - iv. a statement that no person shall demolish or substantially alter the appearance of the property for one hundred twenty (120) days after the notice is served unless the Town sooner refuses to register the property; and

- v. notification of the right of the Registered Owner to be heard and the date, time and place where they may be heard.
- vi. Inform the owner, while the property has been identified as a potential Municipal Heritage Property, it is voluntary, and the owner has a right to decline. Declining the opportunity is achieved by writing to the Chief Administrative Officer via letter or email.

6. REGISTRATION AND NOTIFICATION

- a. The Town may register a property as a Municipal Heritage Property in accordance with the provisions of the Act and notice of the registration shall include all the information set out in Section 5b. Notice of Registration shall be in the Town designated form.
- b. Notice of Registration shall be:
 - i. served upon each registered owner;
 - ii. deposited with the Land Registry Office;
 - iii. filed in the Municipal Registry of Heritage Property; and
 - iv. no registration shall take place until Council has given the owner of the property an opportunity to be heard and such opportunity shall be given not earlier than three (3) weeks after the service of the notice required.
 - v. The Planning Advisory Committee may receive from a Registered Owner, an application to have a property considered a Municipal Heritage Property.

7. DE-REGISTRATION

- a. The owner(s) of a Municipal Heritage Property may apply to, or the Town on its own motion may, deregister a Municipal Heritage Property.
- b. Notice of Deregistration of a Municipal Heritage Property shall be sent to each registered owner of the Municipal Heritage Property and deposited in the Land Registry.

8. ALTERATION OR DEMOLITION

- a. A Municipal Heritage Property shall not be substantially altered in appearance or demolished without the approval of the Town;
- b. An application for permission to demolish or substantially alter the appearance of a property which is entered in the Municipal Heritage Registry shall be in writing to the Town;
- c. The application shall be reviewed by the Planning Advisory Committee;

- d. Within thirty (30) days after receiving an application the Planning Advisory Committee shall submit a written recommendation to Council respecting the application.
- e. The Town may take up to three (3) months to consider an application.
- f. Council may grant the alteration of demolition permit either with or without conditions or may refuse the permit, and the Town shall advise the applicant of its decision.
- g. Where the Registered Owner of a property that is entered in the Registry has made application for permission to substantially alter the appearance or demolish the property and the permission is not granted, the Registered Owner may, ~~make the alteration or carry out the demolition at any time after one (1) year from the date of the application~~ **notwithstanding Section 17 of the Act, make the alteration or carry out the demolition at any time after three (3) years from the date of the application but not more than four (4) years after the date of the application.**

9. PENALTY

Any person or Corporation who contravenes any provision of this bylaw is punishable on summary conviction by a fine of not less than \$500 and not more than \$2,000, and to imprisonment of not more than thirty (30) days in default of payment thereof.

10. REPEAL

Town of Kentville Heritage Property Bylaw, Chapter 110, approved by Council on the 27th day of January, 2025, including any amendments thereto, is hereby repealed.

CLERK'S ANNOTATION FOR OFFICIAL BYLAW BOOK

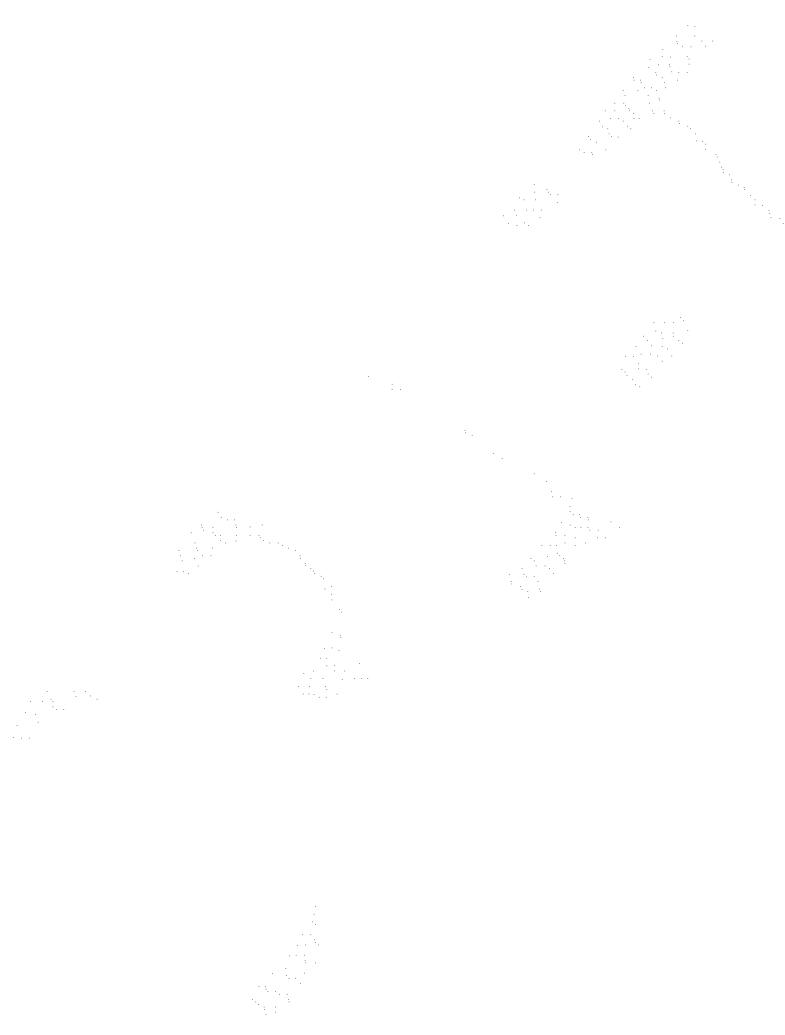
Date of first reading: April 27, 2026
Date of advertisement of Notice of Intent to Consider: April 28, 2026
Date of second reading: May 25, 2026
Date of Approval by Minister:
Date of advertisement of Passage of Bylaw:
Effective Date:

I certify that this Heritage Bylaw was adopted by Council of the Town of Kentville on the 25th day of May, 2026 and published as indicated above.

SIGNED by the Mayor and Clerk this 26th day of May, 2026.

Mayor

Clerk





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.

Town of Kentville, By Law Chapter 1.10: Heritage By-law

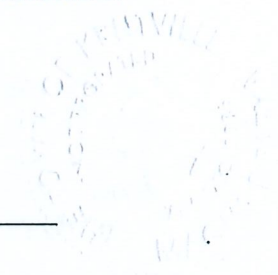
CLERK'S ANNOTATION FOR OFFICIAL BY-LAW BOOK

Date of first reading:	October 1, 2024
Date of advertisement of Notice of Intent to Consider:	January 9, 2025
Date of second reading:	January 27, 2025
Date of advertisement of Passage of By-Law:	February 6, 2025
Date of mailing to Minister a certified copy of By-Law:	January 30, 2025

I certify that this Heritage By-law was adopted by Council and published as indicated above.

Chris Mahall
Clerk

October 27, 2025
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).

Town of Kentville, By Law Chapter 110: Heritage By-law

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?	

Town of Kentville, By Law Chapter 110: Heritage By-law

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?	

Title: Proposed Bylaw 205 - Building

Meeting Date: May 25, 2026

Department: Administration

RECOMMENDATION

That Council give second reading to Bylaw 205 respecting Building.

SUMMARY

Town of Kentville gave first reading to a proposed new Building Bylaw in April 2026. The proposed bylaw has been advertised with no public comments to date and is coming forward now for second and final reading.

LEGISLATION

Section 5(1) of the *Building Code Act* states that the council of a municipality is responsible for the administration and enforcement of this *Act* in the municipality.

BUDGET IMPLICATIONS

The cost of making these changes will be minimal in terms of the bylaw process and eventual newspaper advertising, which can be encompassed without the current operational budget.

COMMUNICATION IMPLICATIONS

If the bylaw is approved, the approved bylaw will be forwarded to the province for filing and then subsequently advertised in a local newspaper noting it is now in effect.

Respectfully submitted,

Chris McNeill
Chief Administrative Officer

Text Amendment to the Building Bylaw

Council Advisory Committee Staff Report

Meeting Date: April 13, 2026
Department: Planning and Development
Strategic Priority: Housing and Planning

RECOMMENDATION

THAT the Council Advisory Committee recommend that Council:

Repeal Chapter 95: Building Bylaw; and give First Reading to an amendment to the Building By-law to require confirmation of water and sewer approvals prior to the issuance of an occupancy permit, as amended, and Schedule Second Reading of the proposed amendment.

Purpose

The purpose of this report is to present an amendment to the Town of Kentville's Building By-law to ensure that occupancy permits are not issued for new structures until all required approvals related to municipal water and sewer connections have been granted by the Department of Engineering and Public Works. This amendment is required to support amendments to the Municipal Planning Strategy and Land Use Bylaw to facilitate concurrent construction and permitting.

Background

Under the current Building By-law, occupancy permits are issued by the Building Official once construction is deemed to comply with the Nova Scotia Building Code and all applicable municipal requirements.

In practice, the coordination between building inspections and municipal servicing approvals (water and sewer connections) occurs administratively. However, the absence of explicit language in the By-law creates a potential gap where occupancy could be granted prior to final confirmation of servicing approvals.

As development activity increases and infrastructure coordination becomes more critical, it is appropriate to formalize this requirement within the By-law.

Discussion

Rationale for Amendment

The proposed amendment is intended to ensure that all new buildings are properly connected to municipal infrastructure prior to occupancy, strengthen coordination between Building Inspection and Engineering and Public Works, reduce risk to the municipality associated with incomplete or unapproved servicing connections, and provide clarity to applicants regarding requirements prior to occupancy.

Water and sewer servicing are fundamental to the safe and functional use of buildings. Formalizing this requirement ensures that no structure is occupied without confirmation that these essential services have been properly installed and approved.

Proposed Amendment

Permits

5.f. The Building Official shall, in the case of the construction of new structures, withhold an occupancy permit until satisfied that approvals relating to sewer and water connections required by the Town of Kentville's Department of Engineering and Public Works have been granted.

Implementation Considerations

The proposed amendment reflects current administrative practice and is not expected to introduce additional burden for applicants who are already required to obtain these approvals.

It formalizes an existing expectation, improves interdepartmental alignment, and provides a clear, enforceable basis for withholding occupancy where servicing approvals are incomplete.

Legislative Context

Municipalities in Nova Scotia are authorized under the Municipal Government Act to adopt and enforce building by-laws respecting the construction, inspection, and occupancy of buildings.

The proposed amendment aligns with the Town's authority to regulate building occupancy and the broader requirement that buildings be safe and suitable for use prior to occupancy.

Financial Implications

There are no direct financial implications associated with this amendment.

Conclusion

The proposed amendment strengthens the Town's Building By-law by ensuring that occupancy permits are only issued once critical municipal servicing approvals are in place.

This change improves clarity, reduces risk, and formalizes current practice, supporting the safe and coordinated development of new structures within the Town of Kentville.



Town of Kentville Bylaw 205 BUILDING

BE IT ENACTED by the Council of Town of Kentville under the authority of the *Municipal Government Act*, Statutes of Nova Scotia, 1998, Chapter 18, and *Building Code Act*, 1989, Chapter 46, and amendments thereto as follows:

1. SHORT TITLE

This Bylaw shall be known as Bylaw 205 and may be cited as the "Building Bylaw".

2. DEFINITIONS

- a. "Act" means the *Building Code Act*;
- b. "Applicant" means
- c. "authority having jurisdiction" has the same meaning as specified in any code adopted under Section 4 of the Nova Scotia Building Code Regulations and includes a building official as designated under Section 46;
- d. "Town" means the Town of Kentville.
- e. "work" means any construction activity regulated by this Bylaw and associated regulations and carried out on or about a construction site or on, in or about a building or part thereof.

3. PERMIT REQUIRED

No person or Corporation shall carry out any work regulated under this Bylaw until such person or Corporation receives an approved and in effect permit for such work issued on behalf of Town of Kentville.

4. APPLICATIONS

- a. A building, footing, occupancy, temporary building and demolition permit shall be in such form and contain such information as may from time to time be required for the proper administration of the bylaw and the Nova Scotia Building Code Act and Regulations.
-

- b. Before a permit is issued, renewed, or amended, an applicant must complete an application form in the prescribed form.
- c. Every application for a permit shall include the information required by the Building Code Act and Regulations.
- d. When an application for a permit, or amendment to a permit, has not been completed in conformance with the requirements of this bylaw within six months after it is filed, the application shall be deemed to have been abandoned.
- e. A permit is valid for 1 year from the date of issue and is renewable.

5. PERMITS

- a. Before issuing a building or demolition permit, renewal or amendment, the authority having jurisdiction shall be satisfied that all applicable requirements of the *Heritage Property Act* and the *Municipal Government Act*, including driveway access, sanitary sewer permit, Land Use Bylaw, Subdivision Bylaw, lot grading plan or a Development Agreement entered into pursuant to the Land Use Bylaw of the Town of Kentville, has been satisfied.
- b. The authority having jurisdiction shall, in the case of the construction of new buildings or structures, withhold a building permit until satisfied that any permit required pursuant to the *Public Highways Act* has been obtained.
- c. Where, in order to expedite work and the approval of a portion of the building is desired, the issuance of a permit for the whole project shall be made for the complete project with complete plans and specifications (covering the portion of the work for which immediate approval is requested) shall be filed.
- d. Should a permit be issued for part of a building, the holder of the permit may proceed, but without any assurance that the permit for the entire building will be granted.
- e. Any permit issued for only part of a building shall be clearly marked as for part only and shall also indicate that a permit for the entire building is not assured.
- f. The building official shall, in the case of the construction of new structures, withhold an occupancy permit until satisfied that approvals

relating to sewer and water connections required by the Town of Kentville's Department of Engineering and Public Works have been granted.

6. PERMIT FEES

No permits shall be issued for an application under this Bylaw until the required fees shown in Schedule "A" of this Bylaw are paid in full.

7. INSPECTIONS

- a. The owner or their agent shall notify the authority having jurisdiction to request required inspections and shall not proceed with construction beyond a stage requiring inspection until such inspection has been completed or otherwise authorized by the authority having jurisdiction.
- b. Inspections shall be requested at the applicable stages of construction as set out in Section 35 of the Nova Scotia Building Code Regulations, as amended from time to time.
- c. The authority having jurisdiction will make reasonable efforts to conduct inspections following notification; however, scheduling shall be subject to operational capacity and inspection demand.

8. DEMOLITION AND DISPOSAL

Any building permit issued in relation to a demolition project shall not be issued unless the application is accompanied by a proposal indicating the method and the proposed site for the disposal of the demolition material.

9. PENALTY

Any person or Corporation who contravenes any provision of this bylaw is punishable on summary conviction by a fine of not less than \$500 and not more than \$2,000, and to imprisonment of not more than thirty (30) days in default of payment thereof.

10. REPEAL

Town of Kentville Building Bylaw, Chapter 95, approved by Council on the 23rd day of February 2015, including any amendments thereto, is hereby repealed.

CLERK'S ANNOTATION FOR OFFICIAL BYLAW BOOK

Date of first reading: April 27, 2026
Date of advertisement of Notice of Intent to Consider: April 28, 2026
Date of second reading: May 25, 2026
Date of Approval by Minister:
Date of advertisement of Passage of Bylaw:
Effective Date:

I certify that this Heritage Bylaw was adopted by Council of the Town of Kentville on the 25th day of May 2026 and published as indicated above.

SIGNED by the Mayor and Clerk this 26th day of May, 2026.

Mayor

Clerk

SCHEDULE "A": Fees for Permits

<p>NEW CONSTRUCTION of, and ADDITIONS to residential buildings, community centers, cottages and churches</p>	<p>\$20 + 11 cents per sq. ft. (Based on all usable floor area of new construction or addition)</p>
<p>NEW CONSTRUCTION of, and ADDITIONS to: commercial, industrial and other buildings not otherwise specified.</p>	<p>\$20 + 15.4 cents per sq. ft. (Based on all usable floor area of new construction or addition)</p>
<p>NEW CONSTRUCTION of, and ADDITIONS to sheds, decks, shell storage buildings, garages, barns and other farm buildings not designed for human occupancy</p>	<p>\$20 + 4.4 cents per sq. ft. (Based on all usable floor area of new construction or addition)</p>
<p>REPAIRS, RENOVATIONS, or ALTERATIONS to all existing buildings</p>	<p>\$20 + \$2.20 per \$1000 of estimated value of construction work</p>
<p>LOCATION or RE-LOCATION of an existing structure or mobile home</p>	<p>\$75</p>
<p>CONSTRUCTION or INSTALLATION of a swimming pool, including required fencing</p>	<p>\$50</p>
<p>DEMOLITION of a building or structure</p>	<p>\$30</p>
<p>RENEWAL or AMENDMENT of an approved permit in force</p>	<p>\$15</p>



TOWN OF KENTVILLE BY-LAW CHAPTER 95 BUILDING

Part 1 - Definitions

All words in this By-Law have the same meaning as in the Building Code Act and the Regulations prescribed pursuant thereto.

PART 2 - APPLICATIONS

- 2.1 A building permit, footing permit, occupancy permit, temporary building permit and demolition permit shall be in such form and contain such information as may from time to time be required for the proper administration of the By-law and the Nova Scotia Building Code Act Regulations.
- 2.2 Before a permit is issued, renewed or amended an applicant must complete an application form.
- 2.3 Every application for a permit shall include the information required by the Building Code Act Regulations.
- 2.4 When an application for a permit, or amendment to a permit, has not been completed in conformance with the requirements of this by-law within six months after it is filed, the application shall be deemed to have been abandoned.
- 2.5 A permit is valid for 1 year from the date of issue and is renewable.

Part 3 - Permits

- 3.1 Before issuing a building permit, or demolition permit, renewal or amendment, the authority having jurisdiction shall be satisfied that all applicable requirements of the Heritage Property Act, and the Municipal Government Act, including driveway access, sanitary sewer permit, Land Use Bylaw, Subdivision Bylaw, lot grading plan or a Development Agreement entered into pursuant to the Land Use By-law of the Town of Kentville, has been satisfied.
- 3.2 The authority having jurisdiction shall, in the case of the construction of new buildings or structures, withhold a building permit until satisfied that any permit required pursuant to the Public Highway Act has been obtained.
- 3.3 Where, in order to expedite work and the approval of a portion of the building is desired, the issuance of a permit for the whole project shall be made for the complete project with complete plans and specifications (covering the portion of the work for which immediate approval is requested) shall be filed.

3.4 Should a permit be issued for part of a building, the holder of the permit may proceed, but without any assurance that the permit for the entire building will be granted.

3.5 Any permit issued for part only of a building shall be clearly marked as for part only, and shall also indicate that a permit for the entire building is not assured.

Part 4 - Permit Fees

4.1 Fees for permits shall be as shown in Schedule "A" of this Bylaw:

Part 5 - Inspections

5.1 The authority having jurisdiction shall be notified on 48 hours verbal notice and given an opportunity to inspect at the stages of construction as outlined under 2.1.1.11 of the Building Code Act, R.S.N.S. 1989, Chapter 46

Part 6 - Demolition and Disposal

6.1 Any building permit issued in relation to a demolition project shall not be issued unless the application is accompanied by a proposal indicating the method and the proposed site for the disposal of the demolition material.

Part 7 - Effective Date

7.1 This by-law will become effective upon the date that the bylaw is passed.

Part 8 – Repeal of Bylaw

Chapter 46 – Building Bylaw of the Town of Kentville and any amendments thereto, shall be hereby repealed.

Clerk's Annotation For Official By-Law Book

Date of first reading:	January 26, 2015
Date of advertisement of Notice of Intent to Consider:	February 3, 2015
Date of second reading:	February 23, 2015
*Date of advertisement of Passage of By-Law:	March 3, 2015
Date of mailing to Minister a certified copy of By-Law:	March 3, 2015
Reformatted:	December 2017

I certify that this Building Bylaw – Chapter 95 was adopted by Council and published as indicated above.



CAO Mark Phillips

*Effective Date of the By-Law unless otherwise specified in the By-Law

SCHEDULE "A": Fees for Permits

NEW CONSTRUCTION of, and ADDITIONS to residential buildings, community centers, cottages and churches	\$20 + 11 cents per sq. ft. (Based on all usable floor area of new construction or addition)
NEW CONSTRUCTION of, and ADDITIONS to: commercial, industrial and other buildings not otherwise specified.	\$20 + 15.4 cents per sq. ft. (Based on all usable floor area of new construction or addition)
NEW CONSTRUCTION of, and ADDITIONS to: sheds, decks, shell storage buildings, garages, barns and other farm buildings not designed for human occupancy	\$20 + 4.4 cents per sq. ft. (Based on all usable floor area of new construction or addition)
REPAIRS, RENOVATIONS or ALTERATIONS to all existing buildings	\$20 + \$2.20 per \$1000 of estimated value of construction work
LOCATION or RE-LOCATION of an existing structure or mobile home	\$75
CONSTRUCTION or INSTALLATION of a Swimming pool, including required fencing	\$50
DEMOLITION of a building or structure	\$30
RENEWAL or AMENDMENT of an approved permit in force	\$15

Text Amendment to the Land Use By-law – Home Based Businesses (Private Instruction)

Meeting Date: May 25, 2026
Department: Planning and Development

RECOMMENDATION

THAT Council gives Second Reading to an amendment to the Town of Kentville Land Use By-law to:

- 1. Amend Section 5.1.3(c)(i) to permit private instruction or tutoring in the arts, sciences or technologies, including classes of up to eight (8) individuals at any one time; and**
- 2. Amend Section 4.2.2(a) by adding: *vi. where a Home Based Business involves instruction or client attendance, the Development Officer may require additional off-street parking where warranted, as outlined in Option 3 of Appendix A.***

Summary

A complete application was received from Catherine Evans of 160 Main Street to amend the Town of Kentville Land Use By-law respecting Home Based Businesses, specifically the provisions related to private instruction.

The current Land Use By-law permits private instruction only on a one-on-one basis. The proposed amendment would allow small group instruction of up to eight (8) participants within a dwelling or accessory building.

The amendment is intended to provide increased flexibility for home-based instructors while maintaining the residential character of neighbourhoods.

Respectfully submitted,

Darren Shupe
Director of Planning and Development

Text Amendment to the Land Use By-law – Home Based Businesses (Private Instruction)

Planning Advisory Committee Staff Report

Meeting Date: April 8, 2026
Department: Planning and Development
Strategic Priority: Housing and Planning

RECOMMENDATION

THAT the Planning Advisory Committee recommend that Council give First Reading to an amendment to the Town of Kentville Land Use By-law to:

- 1. Amend Section 5.1.3(c)(i) to permit private instruction or tutoring in the arts, sciences or technologies, including classes of up to eight (8) individuals at any one time; and**
- 2. Amend Section 4.2.2(a) by adding: “(vi). where a Home Based Business involves instruction or client attendance, the Development Officer may require additional off-street parking where warranted”, as outlined in Option 3 of Appendix A.**

Application Summary

A complete application was received from Catherine Evans of 160 Main Street to amend the Town of Kentville Land Use By-law respecting Home Based Businesses, specifically the provisions related to private instruction.

The current Land Use By-law permits private instruction only on a one-on-one basis. The proposed amendment would allow small group instruction of up to eight (8) participants within a dwelling or accessory building.

The amendment is intended to provide increased flexibility for home-based instructors while maintaining the residential character of neighbourhoods.

Policy and Regulatory Context

Municipal Planning Strategy (MPS)

Section 5.10 – Home Based Occupations of the Municipal Planning Strategy establishes the policy framework for permitting commercial activities within residential dwellings.

A Home Based Occupation is intended to be:

- Clearly secondary to the residential use of the dwelling; and
- Compatible with surrounding residential uses, such that it does not generate significant traffic, noise, or other environmental impacts.

Further, Policy RS-24 states:

“It shall be the intention of Council to permit Home Based Occupations in any residential dwelling subject to regulations set out in the Land Use By-law, including restrictions on the type of business and provisions to ensure the use is secondary to the main residential use.”

The Policy also directs that the Land Use By-law regulate matters such as:

- Floor area
- Number of employees
- Hours of operation
- Parking
- Accessory buildings
- Outdoor storage and signage
- Obnoxious uses

Land Use By-law (LUB)

Section 5.1.2 – General Requirements

Home Based Businesses are permitted in all residential zones, subject to provisions ensuring the use remains subordinate and compatible, including limits on floor area, parking, signage, employees, and nuisance.

Section 5.1.3I(i)

Currently permits:

“private one on one instruction or tutoring in the arts, sciences or technologies”

Section 4.2.2 and Table 4.2 – Parking Requirements

Home Based Businesses are currently required to provide:

“1 off-street parking space in addition to that required for the dwelling unit.”

Consistency with Proposed Amendment

The proposed amendment to permit small group instruction (up to 8 individuals) remains consistent with the intent of the Municipal Planning Strategy.

- The use remains secondary to the dwelling
- Existing provisions regulate scale and compatibility
- The amendment refines an existing permitted use rather than introducing a new one
- Planning staff are satisfied that the amendment aligns with Policy RS-24.

Proposed Amendment

The proposed amendment includes:

- Expanding permitted private instruction to allow small group classes; and
- Considering a range of parking regulation approaches to address potential impacts.

The full amendment text and options are provided in Appendix A.

Discussion

Intent of the Amendment

The amendment reflects evolving practices in home-based instruction, where small group formats are increasingly common.

Compatibility with Residential Areas

Existing Land Use By-law provisions continue to ensure that Home Based Businesses remain subordinate and compatible with residential uses.

Parking Considerations

Public feedback identified parking and on-street congestion as the primary concern associated with permitting group instruction.

In response, a range of options has been developed (Appendix A), from maintaining the current framework to introducing additional regulatory controls.

Staff Recommendation:

Staff recommend Option 2 – Scaled Parking Requirement, which:

- Maintains the existing requirement of 1 additional space for lower-intensity use;
- Introduces a requirement for 2 spaces where more than four (4) participants are present;
- Provides a clear and proportional response to increased demand; and
- Remains simple, predictable, and enforceable.

Scale and Use Interpretation

The amendment represents a modest increase in intensity and remains consistent with the scale of a home-based use.

Enforcement Considerations

The inclusion of a defined participant threshold and corresponding parking requirement improves clarity and enforceability.

Public Participation

A Public Participation Meeting was held on March 26, 2026.

Summary of Input:

- Concerns raised regarding on-site parking and potential on-street congestion

The recommended approach (Option 2) responds directly to this concern.

Correspondence from the applicant was read by staff can be found in Appendix B.

Conclusion

The proposed amendment represents a balanced and targeted refinement to the Land Use By-law.

It supports evolving home-based business practices while:

- Maintaining residential compatibility
- Addressing parking impacts
- Providing clear and enforceable standards

Staff recommend that the amendment proceed to First Reading with Option 2 – Scaled Parking Requirement.

Attachments

Appendix A – Proposed Amendments

Appendix B – Correspondence from Applicant

Appendix A – Consolidated Proposed Land Use By-law Amendments

1. Amendment to Section 5.1.3(c)(i)

“Private instruction or tutoring in the arts, sciences or technologies, including classes of up to eight (8) individuals at any one time.”

2. Parking Regulation Options for Consideration

Option 1 – Status Quo

No amendments to parking provisions.

Option 2 – Scaled Parking Requirement (Recommended by Staff)

Amend Section 5.1.3(c) by adding:

(ii) Notwithstanding Section 5.1.2(d), where private instruction involves more than four (4) participants at any one time, a minimum of two (2) off-street parking spaces, in addition to those required for the dwelling, shall be provided.

Amend Table 4.2 – Parking Requirements:

Home Based Business

- a) 1 space in addition to the space required by the dwelling unit;
- b) Where private instruction involves more than four (4) participants at any one time, 2 spaces in addition to those required for the dwelling unit.

Option 3 – Performance-Based Requirement (Recommended by PAC)

Amend Section 4.2.2(a) by adding:

vi. where a Home Based Business involves instruction or client attendance, the Development Officer may require additional off-street parking where warranted.

Option 4 – Operational Control

Amend Section 5.1.3(c) by adding:

(ii) Private instruction shall be conducted in a manner that does not result in on-street parking congestion or traffic impacts within the surrounding residential area.

Option 5 – Hybrid Approach

Combination of Option 2 and Option 4:

- Scaled parking requirement; and
- Operational control respecting on-street congestion.

Appendix B – Correspondence from Applicant

The Fibre Loft is currently running from a studio in the property's carriage house. The studio is for personal use, designing, as well as virtual classes and one on one tutoring. This is in various Fibre Arts including knitting, crochet, tatting, needle felting, hand and machine sewing.

I would like to expand the business to include group classes for up to 8 people in person. I ran a similar business previously in Bedford and it grew to be a great asset to the area not only teaching great life skills for practicality and fun, but also providing a good social and therapeutic environment for both adults and children.

I believe it would bring these things to Kentville and provide a good community resource. Providing these things from a property that is already owned by us (therefore not huge overheads) means I can keep costs for the classes/courses reasonable and affordable for most people.

There will be no alterations needed to the current property as it is suitable as is.

There would be minimal impact on the neighborhood as far as noise/busyness/traffic as we are already on Main Street and we are able to offer parking on the property for up to 8 cars (not including grassed areas).

Amendments to the Municipal Planning Strategy and Land Use Bylaw Regarding Concurrent Construction

Meeting Date: May 25, 2026
Department: Planning and Development

RECOMMENDATION

THAT Council gives Second Reading to amendments to the Municipal Planning Strategy and Land Use By-law to permit the issuance of development permits for Non-Occupied Dwellings prior to final subdivision approval, subject to appropriate controls respecting servicing, infrastructure, and occupancy

Summary

This report presents proposed amendments to the Municipal Planning Strategy and Land Use By-law to enable concurrent construction and subdivision development through the introduction of Non-Occupied Dwellings, allowing building permits to be issued prior to final subdivision approval. It outlines the evolution of the approach from a more complex, subdivision-driven framework to a simplified policy- and zoning-based model that relies on existing permitting tools and removes the need for new agreements and financial securities.

Respectfully submitted,

Darren Shupe
Director of Planning and Development

Proposed Amendments to the Municipal Planning Strategy and Land Use By-law Concurrent Construction and Permitting (Non-Occupied Dwellings)

Planning Advisory Committee Staff Report

Meeting Date: April 15, 2026
Department: Planning and Development
Strategic Priority: Housing and Planning

RECOMMENDATION

THAT the Planning Advisory Committee recommend that Council give First Reading to amendments to the Municipal Planning Strategy and Land Use By-law to permit the issuance of development permits for Non-Occupied Dwellings prior to final subdivision approval, subject to appropriate controls respecting servicing, infrastructure, and occupancy.

Purpose of Report

The purpose of this report is to present a revised approach to enabling concurrent subdivision and building construction, and to explain how the current proposed amendments differ from the earlier January 2026 proposal. The report outlines the rationale for the revisions and how the updated framework simplifies implementation while maintaining appropriate safeguards.

Background

In January 2026, Council considered a set of amendments intended to allow early construction within subdivisions prior to final approval. These amendments proposed a framework whereby development permits could be issued following tentative subdivision approval, supported by a new subdivision agreement mechanism and associated financial securities.

The intent of the original proposal was to reduce delays in housing delivery by allowing construction to proceed concurrently with subdivision servicing, while ensuring that occupancy could not occur until all municipal requirements were satisfied.

Following further review by staff, including consideration of implementation, administration, and alignment with existing municipal regulations, a revised approach has been developed.

Overview of Original (January) Approach

The January proposal introduced a subdivision-driven framework for early construction. This included the creation of a new section within the Subdivision By-law to regulate construction prior to final approval.

Under this approach, developers would be required to enter into a Tentative Agreement for Early Construction and Servicing with the Town. The agreement would establish construction sequencing, servicing milestones, and inspection requirements. In addition, financial securities would be required on a per-unit basis to ensure site stabilization and completion of servicing in the event that subdivision approval was not finalized.

Development permits for what were defined as “Non-Occupied Dwellings” could be issued during the tentative subdivision stage, with occupancy explicitly prohibited until all subdivision and servicing requirements were satisfied.

While this framework provided a high degree of control, it relied heavily on new subdivision processes, agreements, and securities.

Overview of Revised (March) Approach

The revised amendments shift the regulatory framework away from the Subdivision By-law and instead rely on policy direction within the Municipal Planning Strategy and controls within the Land Use By-law.

The revised approach introduces Municipal Planning Strategy policies that explicitly recognize concurrent subdivision and construction as an acceptable form of development sequencing. These policies establish that development permits and building permits for Non-Occupied Dwellings may be issued prior to final subdivision approval, provided that appropriate controls are in place.

Within the Land Use By-law, these controls are implemented through provisions respecting frontage on future streets, minimum building separation, and the requirement for a development permit for change of use prior to occupancy.

Under this approach, a Non-Occupied Dwelling is defined as a structure that may be constructed but not occupied. Occupancy is strictly prohibited until final subdivision approval has been granted, the plan registered, municipal services installed and accepted, and all applicable permits issued.

This revised framework eliminates the need for a new subdivision agreement structure and associated securities, while maintaining clear controls over when construction may occur and when occupancy is permitted.

Key Differences Between Approaches

The primary difference between the January and March proposals is the regulatory mechanism used to enable early construction.

The original approach relied on the Subdivision By-law to regulate both lot creation and construction sequencing, introducing new agreements and securities to manage risk. In contrast, the revised approach separates these functions by maintaining the Subdivision By-law's role in lot creation and servicing, while using the Municipal Planning Strategy and Land Use By-law to regulate construction and occupancy.

The revised approach also simplifies administration by removing the need for additional agreements and financial securities, and instead relying on existing municipal tools, including development permits, building permits, and occupancy controls.

Importantly, both approaches maintain the same fundamental safeguard: that occupancy cannot occur until subdivision approval and servicing requirements are fully satisfied.

Rationale for Revision

The amendments were revised to improve clarity, reduce administrative complexity, and better align with the structure and intent of municipal planning legislation.

The original approach introduced overlap between the Subdivision By-law and Land Use By-law, resulting in a more complex regulatory framework. The revised approach clarifies the distinct roles of each instrument, with subdivision regulations governing lot creation and servicing, and land use regulations governing construction and use.

In addition, staff determined that the use of financial securities specific to early construction was not necessary, as existing legislative tools provide sufficient authority to address incomplete or unsafe development conditions.

The revised approach therefore achieves the same objective—facilitating earlier construction—through a more streamlined and legally coherent framework.

Implications

The proposed amendments will enable residential construction to begin earlier in the development process, which may assist in reducing delays in housing delivery.

At the same time, the amendments maintain appropriate safeguards to ensure that infrastructure, servicing, and public safety are not compromised. Occupancy will remain prohibited until all municipal requirements have been met.

The revised framework is expected to be more straightforward to administer for staff, and more transparent for developers and the public.

Conclusion

The revised amendments represent a refinement of the original proposal, maintaining the objective of enabling concurrent construction while simplifying the regulatory approach.

By shifting the framework from a subdivision-based system to a policy- and zoning-based system, the Town is able to facilitate housing development more efficiently while preserving necessary oversight and controls.

Appendix A – Proposed Revisions

MPS

5.14 – Permitting of Non-Occupied Dwellings and Construction Sequencing

Council recognizes that the sequencing of subdivision approval, servicing installation, and vertical construction can create delays in housing delivery where physical construction could reasonably proceed in advance of final plan registration.

It is the intent of Council to permit the issuance of development permits and building permits for Non-Occupied Dwellings (NODs) in the Single Unit Dwelling (R1) and One and Two Unit Dwelling (R2) zones prior to final subdivision approval and registration, provided that such permission does not compromise infrastructure standards, servicing requirements, public safety, or municipal oversight.

This process is intended solely to facilitate construction sequencing and shall not be interpreted as creating a lawful residential use or a relaxation of subdivision, servicing, or occupancy requirements.

Occupancy of any NOD constructed under this process shall remain prohibited until final subdivision approval has been granted, the plan registered, all applicable municipal approvals have been obtained, and a change of use development permit has been issued.

Policy RS-28

It shall be the intention of Council to recognize that subdivision approval and vertical construction may proceed concurrently and in phases, if required. Council shall permit issuance of development and building permits for NODs in the Single Unit Dwelling (R1) and One and Two Unit Dwelling (R2) zones prior to final subdivision approval and plan registration, where appropriate controls are in place. These controls shall be implemented through provisions in the Land Use By-law and Building By-law by:

- a) requiring tentative subdivision approval
- b) requiring frontage on future streets,
- c) requiring minimum building separation, and
- d) controlling occupancy permit issuance.

Policy RS-29

It shall be the intention of Council to recognize that the issuance of a development permit for a NOD prior to final subdivision approval shall not:

- a) constitute lawful establishment of a dwelling use;
- b) waive subdivision requirements; or
- c) permit occupancy.

Policy RS-30

It shall be the intention of Council to ensure that occupancy is not permitted prior to the final plan of subdivision. Occupancy shall remain prohibited until final subdivision approval has been granted, the plan is registered, all required municipal approvals issued, and a change of use development permit from a NOD to a single-unit detached dwelling or a two-unit dwelling has been issued.

Policy RS-31

It shall be the intention of Council to permit the change in use of a NOD to a single-unit detached dwelling or a two-unit dwelling once:

- a) Final Plan of Subdivision approval has been granted; and
- b) Required municipal services are installed, approved, and operational

Policy GD-9

4.2.7 One Main Building on a Lot

The general intent of the Municipal Planning Strategy is to limit one main building on a lot with accessory buildings and structures. In certain instances, however, more than one main building may be necessary to accommodate certain types of development. For example, industrial uses may require several main buildings; or multiple residential buildings within a high density residential development.

Policy GD-9

It shall be the intention of Council to allow more than one main building on a lot for the following zones:

- a) General Commercial (C1);
- b) Highway Commercial (C2);
- c) Industrial (M1);
- d) Medium Density Residential Dwelling (R3);
- e) High Density Residential Dwelling (R4);

Policy GD-9a

It shall be the intention of Council to allow more than one main building on a lot in the R1 and R2 zones subject to Policies RS-28 to RS-31.

LUB

Part 1 Definitions (proposed definition)

Non-Occupied Dwelling means a single unit detached dwelling or a two-unit dwelling that is not occupied.

4.1.14 Frontage on a Street

- a) No development permit shall be issued for a use on a lot unless the lot abuts a public street or otherwise has legal access as per Section 4.1.11.
- b) Notwithstanding 4.1.14(a), development permits for Non-Occupied Dwellings on a lot abutting a future street may be issued provided a tentative plan of subdivision is approved by the Development Officer and all other applicable sections of this By- law are met.

4.1.19 One Main Building on a Lot

More than one main building may be permitted on a lot within the:

- a) General Commercial (C1) Zone;
- b) Highway Commercial (C2) Zone;
- c) Industrial (M) Zone;
- d) Medium Density Residential (R3) Zone;
- e) High Density Residential (R4) Zone;
- f) Single Unit Dwelling (R1) Zone; and
- g) One and Two Unit Dwelling Residential (R2) Zone.

All above zones are subject to the following requirements:

- i. Except as otherwise provided herein, the minimum distance between main buildings on the same lot shall be 20 ft (6.10 m), or one-half the height of the highest abutting wall, whichever is greater.
- ii. Notwithstanding subsection (i), more than one NOD may be permitted in the Single Unit Dwelling (R1), One and Two Unit Dwelling (R2), Medium Density Residential (R3), and High Density Residential (R4) Zones, subject to Section 4.1.14(b), provided that the minimum distance between buildings on the same lot shall be 8 ft (2.4 m).

5.1.14 Change of Use from Non-Occupied Dwelling to a Dwelling

A Development Permit for Change of Use from Non-Occupied Dwelling to Single Unit Detached Dwelling or Two Unit Dwelling shall be obtained before occupancy.

Issuance of a Development Permit authorizing the Change of Use shall require confirmation that:

- a) the requirements of Policy RS-31 of the Municipal Planning Strategy have been satisfied; and
- b) all other Land Use By-law regulations have been met.

5.2.2 Permitted Uses with Conditions

- c) Non-Occupied Dwellings subject to 4.1.14.

5.3.2 Permitted Uses with Conditions

- h) Non-Occupied Dwellings subject to 4.1.14.

5.4.2 Permitted Uses with Conditions

- e) Non-Occupied Dwellings subject to 4.1.14.

5.5.2 Permitted Uses with Conditions

- a) (v) Non-Occupied Dwellings subject to 4.1.14.

Building By-law

4.6 The building official shall, in the case of the construction of new structures, withhold an occupancy permit until satisfied that approvals relating to sewer and water connections required by the Town of Kentville's Department of Engineering and Public Works have been granted.

Appendix B- January Staff Report

Concurrent Construction and Permitting – Proposed Amendments to Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw

Meeting Date: January 26, 2026
Department: Planning and Development
Strategic Priority: Housing and Planning

FOR RECOMMENDATION

RECOMMENDATION

THAT Council:

give First Reading to the proposed Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw amendments permitting issuance of development permits within subdivisions under a Servicing Agreement, and that Council direct staff to schedule a Public Hearing prior to Second Reading.

BACKGROUND

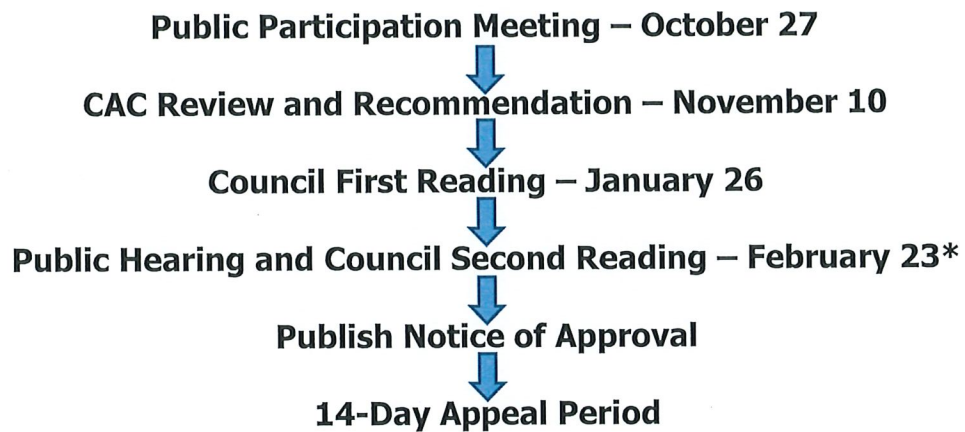
Following the recommendation of the Council Advisory Committee on November 10, 2025, Staff reviewed and confirmed the process, policy, and regulations with the Town Solicitor, Town Public Works, and Building Officials. Through these discussions, staff have suggested additional amendments to the Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw to facilitate the proposal (Appendices A-C).

These amendments will require changes to the Chapter 95 - Building Bylaw.

RECOMMENDATION

THAT Council give First Reading to the proposed Municipal Planning Strategy, Land Use Bylaw, and Subdivision Bylaw amendments permitting issuance of development permits within subdivisions under a Servicing Agreement, and that Council direct staff to schedule a Public Hearing prior to Second Reading.

NEXT STEPS



*anticipated dates; final dates set by Council

Respectfully submitted,

**Darren Shupe, Director of Planning and Development
Town of Kentville**

Attachments:

- Appendix A – Municipal Planning Strategy Amendments
- Appendix B - Land Use By-law Amendments
- Appendix C – Subdivision Bylaw Amendments

APPENDIX A – DRAFT MUNICIPAL PLANNING STRATEGY AMENDMENTS

4.2.7 One Main Building on a Lot

The general intent of the Municipal Planning Strategy is to limit one main building on a lot with accessory buildings and structures. In certain instances, however, more than one main building may be necessary to accommodate certain types of development. For example, industrial uses may require several main buildings; or multiple residential buildings within a high-density residential development.

Policy GD-9 It shall be the intention of Council to allow more than one main building on a lot for the following zones:

- a) General Commercial (C1);
- b) Highway Commercial (C2);
- c) Industrial (M1);
- d) Medium Density Residential Dwelling (R3); **and**
- e) High Density Residential Dwelling (R4);
- f) **Single Unit Dwelling (R1); and**
- g) **One and Two Unit Dwelling (R2).**

APPENDIX B – DRAFT LAND USE BY-LAW (LUB) AMENDMENTS

Part 1 Definitions (proposed definition)

Non-Occupied Dwelling means a single unit dwelling or a two unit dwelling that is not connected to sewer and water services.

Section 3.7 – Concurrent Construction (New Clause)

3.7.1 Conditional Permitting within Tentatively Approved Subdivisions

Notwithstanding any other provision of this By-law, the Development Officer may issue a development permit for construction of a structure on a proposed lot within a subdivision that has received Tentative Approval, provided that:

- a) a Tentative Agreement for Early Construction and Servicing, as required under Section 5C of the Subdivision By-law, has been executed between the Developer and the Town;
 - b) financial securities acceptable to the Town have been provided to the Town in accordance with the Subdivision By-law; and
 - c) all other applicable requirements of this By-law, the Subdivision By-law, and the Building Code Act are met.
- a) Issuance of a development permit during tentative subdivision approval does not guarantee final approval of the aforementioned plan of subdivision.

3.7.2 Limitations of Issuance of Non-Occupied Dwelling Development Permits

The number of development permits eligible for approval, and the conditions under which the development permits may be issued, shall be governed by:

- a) the Tentative Agreement executed for the development; and
- b) the requirements set out in Subdivision By-law Section 5C – Early Construction Following Tentative Subdivision Approval.

3.7.3 Occupancy Restrictions

Nothing in this section permits occupancy of the Non-Occupied Dwelling constructed prior to satisfaction of all conditions in:

- a) the Tentative Agreement;
- b) Subdivision By-law; and
- c) issuance of a Development Permit for a Non-Occupied Dwelling.

3.7.4 Authority Not Limited

Nothing in this section limits the Town's ability to impose additional conditions on any construction of a structure that is conditionally permitted through:

- a) the subdivision approval process,
- b) phasing approvals,
- c) engineering approvals, or
- d) any other applicable municipal instrument or approval.

3.7.5 Withholding or Suspension of Development Permits

Where servicing is not progressing in accordance with approved engineering plans or the Tentative Agreement, or where required security has not been maintained, the Development Officer shall:

- (a) refuse to issue additional development permits for Non-Occupied Dwellings;
- (b) suspend any development permits already issued; or
- (c) require additional security as a condition of continuing construction.

3.7.6 Occupancy of a Non-Occupied Dwelling

Only once a final plan of subdivision is approved, the Development Officer may issue a Development Permit for Change of Use from the Non-Occupied Dwelling to the appropriate permitted use.

4.1.19 One Main Building on a Lot

More than one main building may be permitted on a lot within the:

- a) General Commercial (C1) Zone;
- b) Highway Commercial (C2) Zone;
- c) Industrial (M) Zone;
- d) Medium Density Residential (R3) Zone;
- e) High Density Residential (R4) Zone subject to the following requirement:

The minimum distance between the buildings shall be 20 ft (6.10 m), or one-half the height of the highest abutting wall, whichever is greater.

Notwithstanding anything in this bylaw, more than one Non-Occupied Dwelling may be permitted in the Single Unit Dwelling (R1) zone and One and Two Unit Dwelling (R2) zone subject to Section 3.7, and any other zoning regulation.

5.2 Single Unit Dwelling (R1) Zone

5.2.2 Permitted Uses with Conditions

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

- a) Ancillary Dwelling Units subject to Section 5.1.1 of this By-law
- b) Home Based Businesses, in accordance with Section 5.1.2 and 5.1.3 of this By-law
- c) Non-Occupied Dwellings subject to Section 3.7 of this By-law

5.3 One and Two Unit Dwelling (R2) Zone

5.3.2 Permitted Uses with Conditions

The following uses shall be permitted in the One and Two Unit Dwelling (R2) 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.
- e) Converted dwellings subject to 5.1.11 of this By-law
- f) Public and Private Schools subject to 5.1.13 of this By-law
- g) Non-Occupied Dwellings subject to Section 3.7 of this By-law

5.4 Medium Density Residential (R3) Zone

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
- e) Non-Occupied Dwellings subject to Section 3.7 of this By-law

5.5 High Density Residential (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

a) 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. 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)
- v. Non-Occupied Dwellings subject to Section 3.7 of this By-law

5.6 Large Lot Residential (R5) Zone

5.6.2 Permitted Uses with Conditions

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

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

- d) Special Events, in accordance with Section 5.1.7 of this By-law
- e) Non-Occupied Dwellings subject to Section 3.7 of this By-law

APPENDIX C – DRAFT SUBDIVISION BYLAW AMENDMENTS

1. Addition of New Section 5C – Early Construction Following Tentative Subdivision Approval

The Subdivision By-law is amended by inserting the following new section immediately after existing Section 5B:

C. Early Construction Following Tentative Subdivision Approval

5.14 Purpose

The purpose of this Section is to establish the conditions under which construction of any structure may occur on proposed lots after Tentative Approval but before the completion and acceptance of all Primary and Secondary Services, and to ensure that no structure is occupied until all required servicing and life-safety infrastructure is complete.

5.15 Tentative Agreement Required

Where an applicant proposes to commence construction of a structure prior to final approval of the proposed subdivision, the applicant shall enter into a Tentative Agreement for Early Construction and Servicing with the Town.

The Tentative Agreement shall include terms respecting:

- a) construction sequencing and permitted early works;
- b) required servicing milestones;

- c) security to be provided pursuant to subsection 5.16;
- d) restoration obligations;
- e) inspection and certification requirements; and
- f) occupancy restrictions pursuant to Chapter 95 - Building Bylaw.

5.16 Site Stabilization Security for Early Construction

- a) In addition to any security required elsewhere in this By-law, the Town shall require the
- b) applicant to provide security in order to:
 - i. restore the site if final approval of the subdivision application is not granted;
 - ii. undertake emergency servicing works; or
 - iii. remedy any default under the Tentative Agreement.
- c) The value of Security shall be \$5,000 per non-occupied dwelling, in a form deemed satisfactory to the Town.
- d) Site Stabilization Security shall be released once the proposed subdivision obtains final approval.

5.17 Application to Phased Subdivisions

For multi-phase subdivisions, the requirements of this Section apply to each phase individually. Security and servicing milestones may be imposed on a per-phase basis.

Rezoning 172 Main Street (PID 55290803) from One and Two Unit Dwelling (R2) Zone to Medium Density Residential (R3) Zone

Meeting Date: May 25, 2026
Department: Planning and Development

RECOMMENDATION

THAT Council gives First Reading to Rezone 172 Main Street (PID 55290803) from One and Two Unit (R2) to Medium Density (R3) and direct the Chief Administrative Officer to schedule a Public Hearing.

Summary

A complete application was received from Brighter Community Planning and Consulting on behalf of the property owner to rezone the subject property so that the property may be marketed for a future medium-density project. There is no specific design project accompanying this application.

Respectfully submitted,

Darren Shupe
Director of Planning and Development

Recommendation for the Amendment of the Land Use Bylaw Regarding the Rezoning (Map Amendment) of 172 Main Street (PID 55290803)

Staff Report

Meeting Date: May 13, 2026
Department: Planning and Development

FOR RECOMMENDATION

RECOMMENDATION

THAT Council Advisory Committee:

Recommends to Council to give First Reading to the proposed map amendments to the Land Use Bylaw to rezone 172 Main Street (PID 55290803) from the One and Two Unit Dwelling (R2) Zone to the Medium Density Residential (R3) and direct staff to schedule a Public Hearing.

BACKGROUND

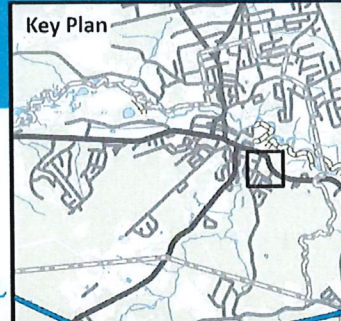
Brighter Community Planning and Consulting has applied on behalf of the property owners to rezone 172 Main Street (PID 55290803) from the One- & Two-Unit Dwelling (R2) zone to a Medium Density Residential (R3) zone so that the site may be marketed for a future medium-density residential property. (Figure 1)

The property is designated Residential in a primarily residential neighbourhood apart from several Institutional-designated properties further southeast (Oak Grove Cemetery, Agricultural Research Station) (Figure 2).

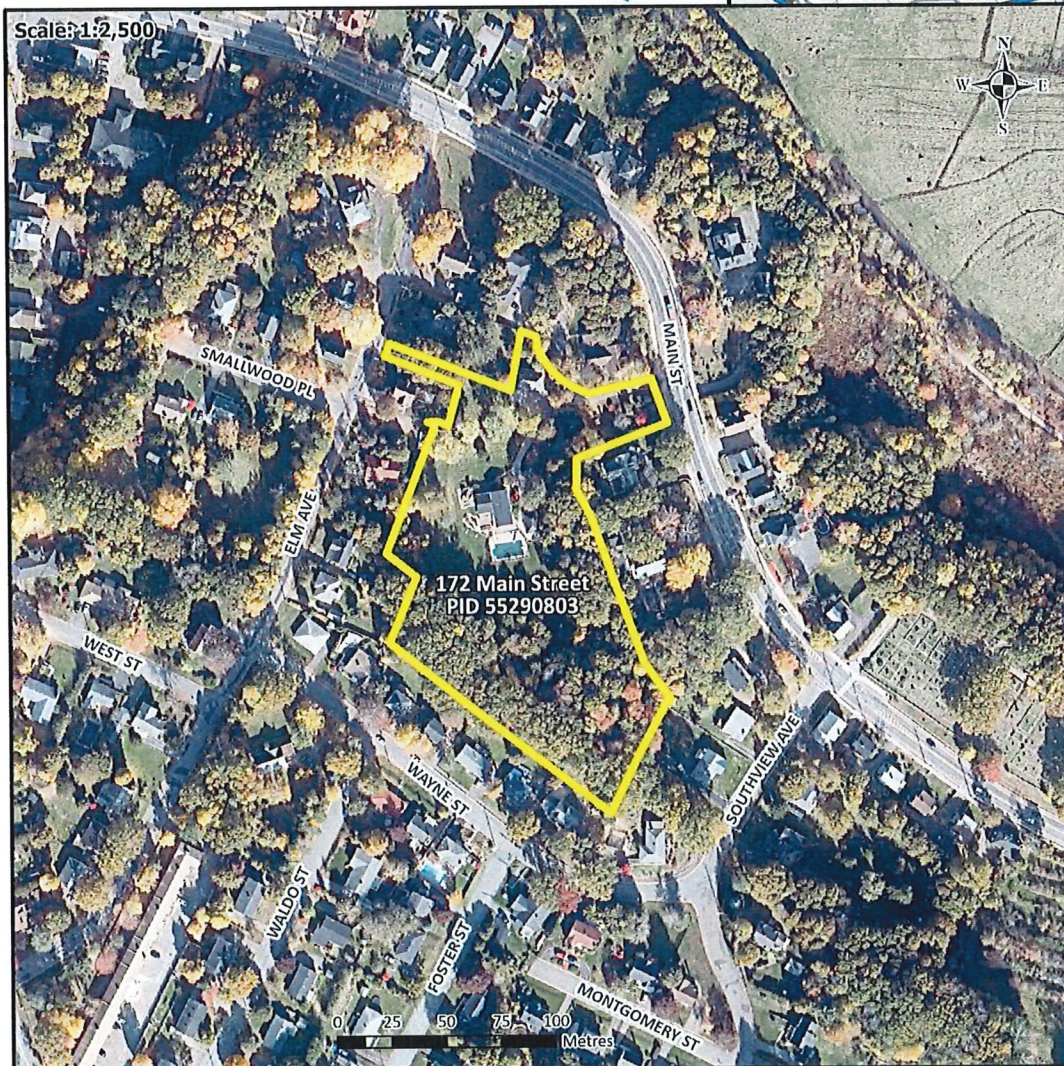
Adjacent properties are primarily zoned R2 and R3 on the east side and Single-Unit Dwelling (R1) on the east and south sides (Figure 3).

Aerial Imagery Map 172 Main Street, PID 55290803

 172 Main Street



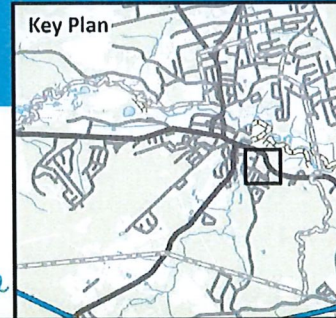
Kentville



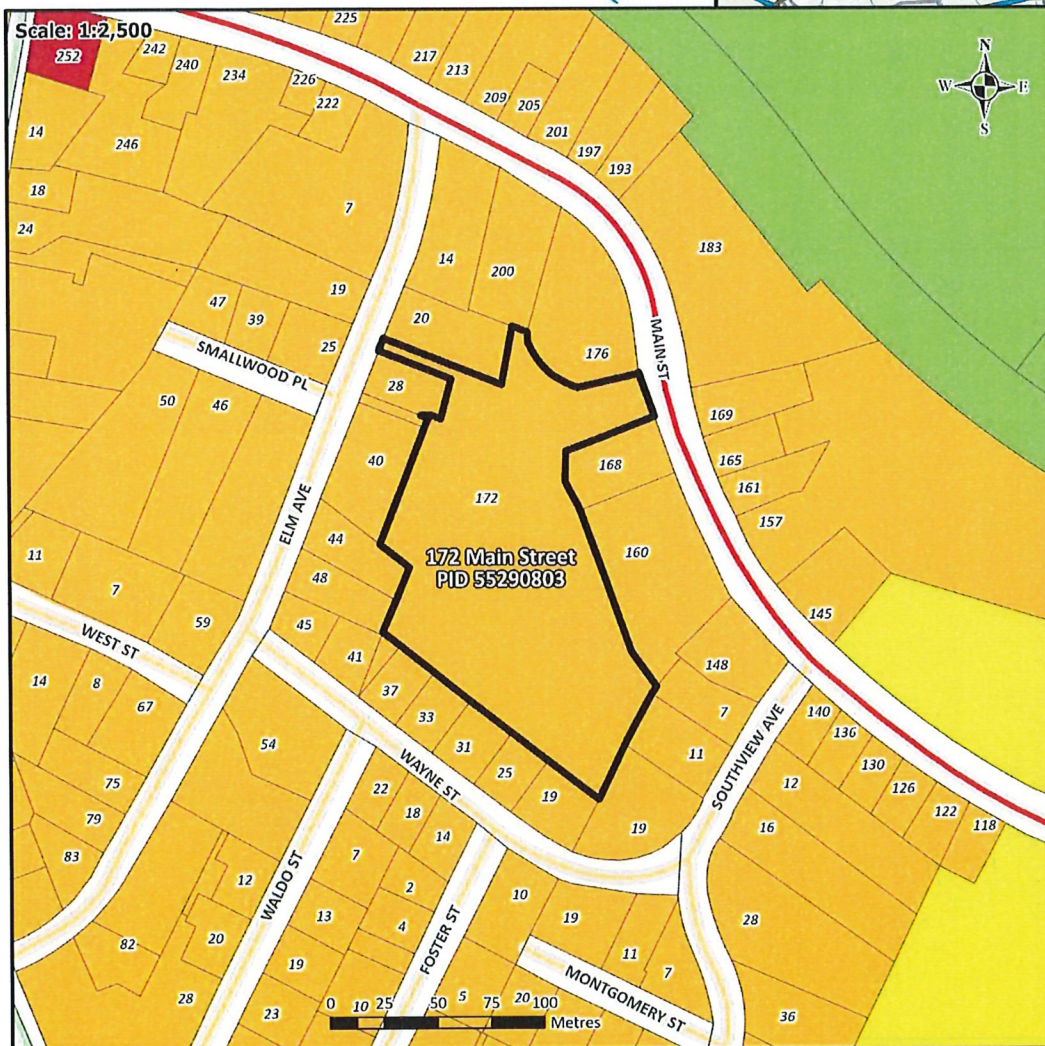
This map is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Any interpretation of this map must be confirmed with the Municipality in which the property is situated. To receive further clarification about the use of this Planning Document, inquiries may be made to the Town of Kentville's Planning and Development Department, Property Services, Nova Scotia Property Records Database (NSPRD), Components of the Nova Scotia Geomatics Centre (NSGC), Service Nova Scotia and Municipal Relations, 160 Willow Street, Amherst, Nova Scotia, Canada.

Figure 1: Area Context Map

General Future Land Use Map 172 Main Street, PID 55290803



- | | | |
|-----------------|-----------------------------|------------------------------------|
| 172 Main Street | Road Classifications | Generalized Future Land Use |
| Property Lines | Major Collector | Commercial |
| | Collector Highway | Parks and Open Space |
| | Local Street | Residential |
| | | Institutional |

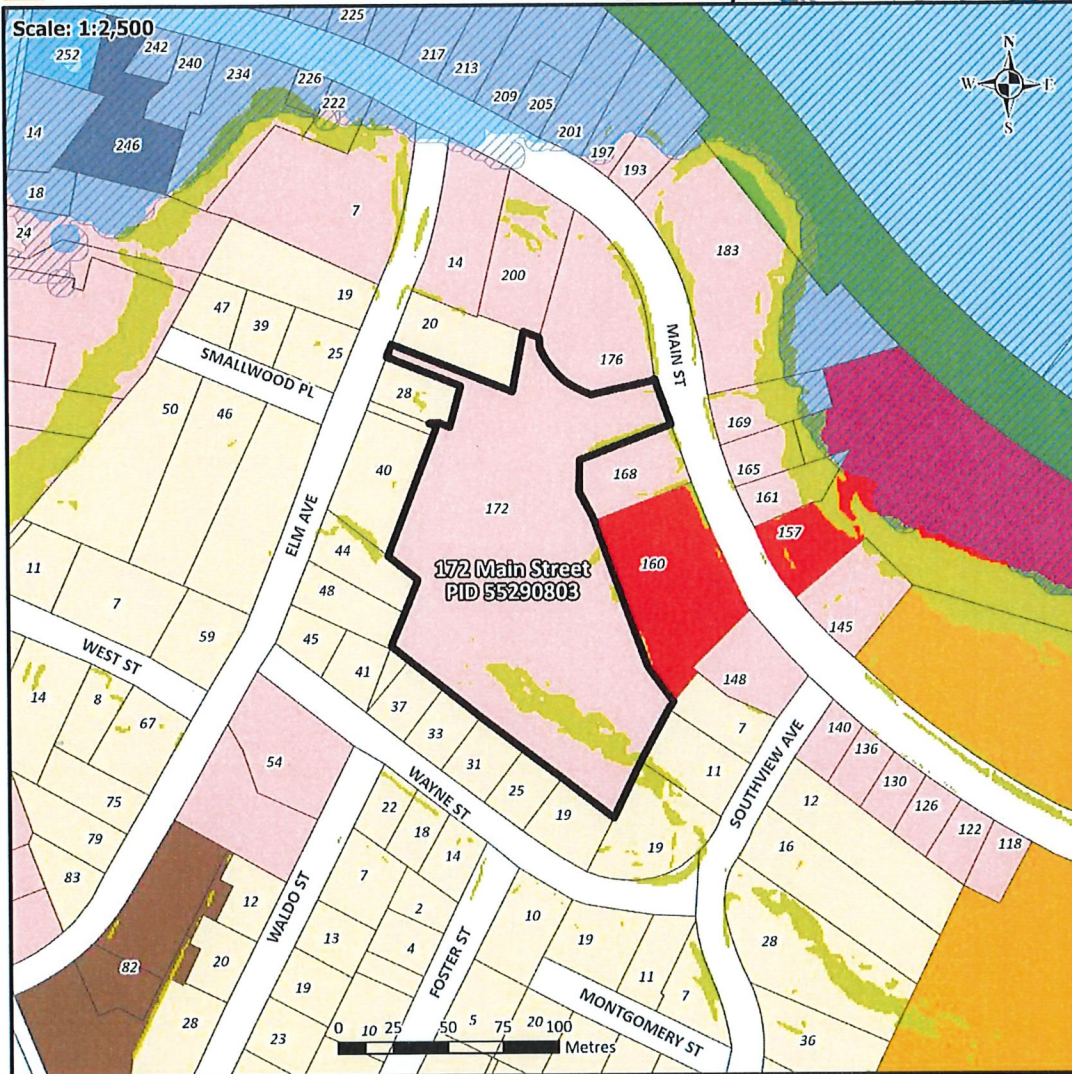
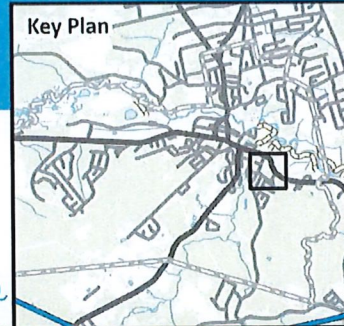


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Property Source: Nova Scotia Property Records Database (NSPRD); Copiers of the Nova Scotia Geomatics Centre (NSGC); Service Nova Scotia and Municipal Relations, 160 Willow Street, Annapolis, Nova Scotia.

Figure 2: Land Use Designation Map

Zoning Map 172 Main Street, PID 55290803

- | | | | |
|--|---------------------------------------|--|------------------------------|
| | C1 - General Commercial | | P - Park and Open Space |
| | R1 - Single Unit Dwelling Residential | | FW - Floodway Overlay |
| | R2 - One and Two Unit Dwelling Res | | FF - Floodway Fringe Overlay |
| | R3 - Medium Density Residential | | Slope >25% |
| | R4 - High Density Residential | | 172 Main Street |
| | O1 - Conservation | | Property Lines |
| | I - Institutional | | |



This map is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Any interpretation of this map must be confirmed with the Municipality in which the property is situated. For more information about the use of this Planning Document queries may be made to the Town of Kentville's Planning and Development Department. Property Source: Nova Scotia Property Records Database (NSPRD). Copyrights of the Nova Scotia Geomatics Centre (NSGC). Service Nova Scotia and Municipal Relations, 160 Wilms Street, Amherst, Nova Scotia.

Figure 3: Zoning Map

POLICY ANALYSIS

Municipal Planning Strategy

General Development

MPS Section 3.2.2 Housing/Residential states that:

The housing objectives of this Strategy strive to facilitate a mix of quality housing types which reflect the diversified needs, income levels, ages and lifestyles of Town residents. A further objective of this strategy is to achieve a greater proportion of the regional housing market within the Town. The policies will address issues such as affordability, quality design, alternative housing needs and density in all residential areas while maintaining the character of existing residential neighborhoods within the town.

The proposed rezoning is to facilitate alternative housing needs.

Policy GD-4 (c) supports compact development as being a means to create efficient additional density with existing infrastructure:

Policy GD-4 *It shall be the intention of Council* to ensure that growth and development within the Town is efficient and cost effective by:

- a) Limiting development in un-serviced areas of the Town;
- b) Concentrating new development in adequately serviced and properly planned areas; and
- c) Encouraging and facilitating infill development on underutilized and existing undersized lots within the built up area of Town.

15.9.2.1 Rezoning Application Requirements

Policy IM-7 provides a set of three conditions under which a rezoning application can be considered (in addition to it not being specifically prohibited in the Plan):

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.

The proposed rezoning, from One and Two Unit Residential (R2) zone to Medium Density Residential (R3) zone, satisfies Policy IM-7 (a) in that they are both within the Residential designation. The proposed zoning change is also not specifically prohibited in the MPS. This allows the proposed map amendment to be considered.

15.9.2.2 Evaluative Criteria for Rezoning's

Policy IM-9 *It shall be the intention of Council, therefore, to take into account the other potential development scenarios that may be permitted as a result of a proposed zone change when evaluating a rezoning application.*

Rezoning from R2 to R3 represents a moderate increase in density (permitting buildings of up to 8-units) and a more efficient use of existing Town infrastructure. The lot dimensions are such that a future development proposal could allow multiple 8-unit buildings.

Land Use Bylaw

The Subject Property meets the minimum lot area and frontage requirements for the R3 zone.

Public Participation Review

A Public Participation Meeting was held on May 5, 2026 to provide residents with the opportunity to comment on the proposed planning amendments. The meeting included a staff presentation outlining the purpose of the amendments, the relevant policy context, and the anticipated impacts on development patterns. Approximately 22 people attended the meeting. The following key questions, comments, and discussions emerged from the session:

Questions and Responses

Question: Would Program-Based Housing (PBH) be permitted on the subject property if rezoned?

Response: Staff advised that an amendment is currently underway to permit PBH within the R3 Zone. Should both that amendment and this proposed rezoning receive Council approval, PBH would become a permitted use on the subject property.

Question: Could staff elaborate on the reference to “underutilized areas” within the applicable policy?

Response: Staff explained that the subject property is four acres in size and currently contains a single-unit dwelling. From both a land-use and municipal servicing perspective, the property has the capacity to accommodate additional development, thereby allowing for more efficient use of the land.

Question: Will a decision be made during the Public Hearing?

Response: Staff clarified that no decision would be made at the Public Hearing. Council’s decision will occur at Second Reading following the Public Hearing. The purpose of the Public Hearing is to provide an additional opportunity for public input.

Question: How much of the subject property is considered developable?

Response: Staff noted that certain areas of the property contain steep slopes, which will most likely limit development potential. However, without a formal site plan or development proposal, it is not possible to determine the exact developable area.

Question: Given that there are two access points to the property, which would serve as the primary access?

Response: Staff advised that the primary access would be from Main Street, with the Elm Street access potentially serving as emergency access, if required.

Question: What is considered adequate buffering?

Response: Staff reviewed the specific buffering requirements and criteria that would be assessed through the Site Plan Approval process.

Question: What is Site Plan Approval, and can decisions be appealed?

Response: Staff provided an overview of the Site Plan Approval process, including examples of the criteria established under the Land Use Bylaw. Staff further explained that decisions related to Site Plan Approval may be appealed and outlined the applicable appeal process.

Question: In general, how many applications are approved?

Response: Staff explained that applications are reviewed for compliance with the Town’s policies and Land Use Bylaw requirements. Where an application is compliant, approval is likely; however, final approval rests with Council.

Question: Is this rezoning part of a broader municipal vision, such as a Neighbourhood Plan?

Response: Staff advised that there is currently no active Neighbourhood Plan. However, the Town is presently undertaking a Plan Review, which will consider the broader vision and long-term goals for the Town.

Question: Will Parks and Recreation be involved in this process?

Response: Staff noted that rezoning applications do not require involvement from Parks and Recreation, though consultation may occur, if deemed necessary.

Question: How long has the property been zoned R2?

Response: Staff advised that the property was rezoned from R1 to R2 as part of the 2019 Plan Review.

Question: Is there policy language related to preserving neighbourhood character?

Response: Staff acknowledged that the current planning documents contain some conflicting language regarding neighbourhood preservation and housing growth objectives. While the R1 Zone has limited upzoning potential through existing policy, there is limited language relating to other residential zones.

Question: Would a shadow analysis be required for future development?

Response: Staff explained that, through the Site Plan Approval process, the Development Officer has the authority to require a shadow analysis where appropriate.

Question: Are there height restrictions for development on the property?

Response: Staff advised that there are currently no height restrictions in the Town of Kentville. Recent development in Ryan's Park, which includes an eight-storey building, has been guided by fire servicing capabilities.

Question: Is the subject property adequately serviced for R3 development?

Response: Staff noted that the property is currently serviced for a single unit dwelling. Any future development proposal would require review to ensure that adequate municipal servicing is provided.

Question: Could a cul-de-sac be constructed on the property?

Response: Staff indicated that it is unlikely a roadway meeting municipal specifications could be constructed on the property.

Question: Could the property be subdivided?

Response: Staff advised that subdivision would not be feasible, as each lot is required

to have a minimum frontage of 50 feet, and the subject property contains less than 100 feet of frontage.

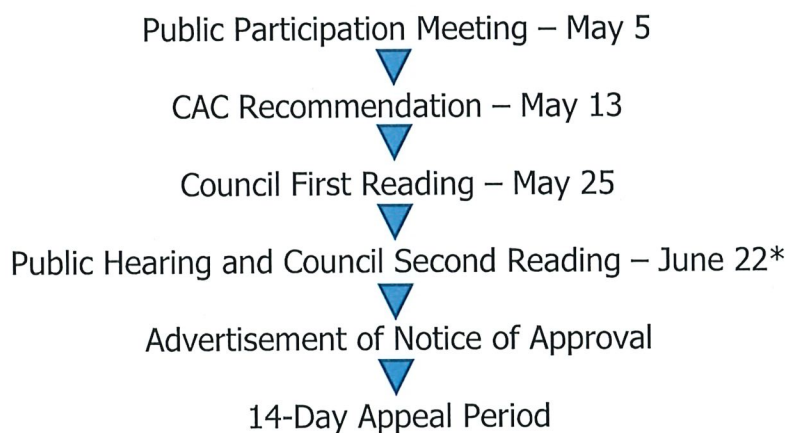
Public Comments

- Concerns were expressed that rezoning the property, combined with its size, could result in future development that may attract an unwanted demographic.
- Concerns were raised regarding the potential removal of existing vegetation and the possible impacts on stormwater runoff.
- Concerns were expressed that future development may be incompatible with the existing single unit dwellings within the surrounding neighbourhood.
- Several members of the public requested that their opposition to the proposed rezoning be recorded.

General Discussion

- General discussion occurred regarding the historical access route to the property from Elm Street, including its previous use and current function.

Next Steps



*Anticipated dates; final dates set by Council

Legislative Authority

Municipal Government Act (MGA) - Section 210
Town of Kentville Municipal Planning Strategy (MPS) – Policies IM-7; ; IM-9; GD-4

STAFF REPORT



Respectfully submitted,

Darren Shupe, Director of Planning and Development
Town of Kentville

Title: Policy 111 - Banners

Meeting Date: May 25, 2026
Department: Administration

RECOMMENDATION

That Council approve Policy 111 - Banners

SUMMARY

Town of Kentville presently has a policy related to the placement of banners on Town light poles. Policy G44 provides the terms and conditions related to the approval process for banners. A member of a local community group has requested permission to place some banners on Town owned light poles but their request is currently contrary Policy G44. A review of this policy has now taken place and changes are being proposed.

Policy 111 was introduced at Council Advisory Committee publicly on May 11, 2026, and is being recommended now for Council approval.

LEGISLATION

Section 47 (1) of the *Municipal Government Act* states that council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

BACKGROUND

Town of Kentville has dozens of decorative light poles that have traditionally been used in an auxiliary way to hang flower baskets or town marketing and promotional banners. Some of these poles have appropriate hardware installed for flowers and banners and others do not.

The current policy only allows for town banners and with very limited opportunities, community banners under strict conditions. One of the conditions is that no banner can be hanged that depicts any specific person. With the advent of many communities hanging banners to recognize veterans, such a practice is not currently permitted on town-owned poles. Community groups are free to request this opportunity on Nova Scotia Power owned poles as they are outside the scope of town authority.

Staff are recommending an updated banner policy that could provide for more opportunities for community groups to use these designated light poles.

IMPACT ON STRATEGIC PRIORITIES

One of the key strategic priorities of Kentville is to place more focus and resources on becoming a more accessible and inclusive community. By removing barriers to promoting and supporting different persons and community events, as well as more partnerships and cooperation with community groups and community partners, this updated policy provides more opportunities for community recognition and collaboration.

IMPORTANT DATES OR BENCHMARKS

Upon approval of the proposed policy, the policy will be shared and posted on our website, along with a link to the application. Applications will be processed and reviewed as received by staff.

POLICY IMPLICATIONS

Clear and effective policies allow for better decision making, saving time and resources, and can lead to more efficient decision making and timely decisions with fewer delays. It is felt that updating this policy with a new up-to-date policy will allow the Town to simplify its processes and reduce time spent on policy conflicts.

BUDGET IMPLICATIONS

There are no financial implications with the proposed changes.

COMMUNICATION IMPLICATIONS

Staff will ensure this policy is placed on the Town's website and available for ease of access should any community group inquire.

Respectfully submitted,

Chris McNeill
Chief Administrative Officer



Policy 111 BANNERS

1. Policy Purpose

The purpose of this policy is to provide terms and conditions for the community placement of banners on decorative light poles owned by Town of Kentville.

2. Policy Goal

The goal of this policy is to allow for the promotion and celebration of events, people, commemorations, or special community recognitions through the placement of large banners on Town-owned light poles and the responsibilities for applicants.

3. Definitions

- a. "Council" means council of the Town of Kentville.
- b. "Designated Light Pole" means only those decorative light poles owned by Town of Kentville.
- c. "Ineligible Banners" are banners that are political, union, or religious in nature or tone, promote ideologies of intolerance or civil disobedience, or represent ideas or beliefs that are contrary to those of the Town of Kentville.
- d. "Town" shall mean Town of Kentville.

4. Legislation

Section 47 (1) of the *Municipal Government Act* states that council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

5. Designation of Pole Banners Authorized to be Placed on Town Owned Light Poles

- a. Where a Town-owned designated light pole exists in Kentville, and where the Town does not already have a banner on the pole, or have plans to place a banner on that pole during certain times, incorporated non-profit organizations may make application to the Town to place single

banners on one or more requested poles, subject to the terms and conditions of this policy.

- b. Where two banners may be placed on one Town-owned designated light pole side by side, this application may be approved in whole or in part.
- c. Only those poles with current banner hanging hardware may be used, unless the applicant supplies and installs, at its own costs, additional hardware upon which banners may be hanged. Such new hardware, the standards of which must be approved by the Town, shall be removed with the applicants' banners or the hardware will become the property of the Town.

6. Supply, Placement, and Removal of Banners

- a. Applicants must note on their application what designated light poles that they wish to place banners on, and the dates of banner placement and removal.
- b. All banners to be hanged by an applicant must be supplied and hanged by the applicant without any costs to the Town for purchase, placement, or removal including the supply of necessary hanging hardware to affix one or more banners to designated light poles.
- c. The placement of each banner by the applicant must be done so in accordance with Nova Scotia occupational health and safety regulations, and any applicable traffic safety requirements.
- d. The applicant must provide a sample banner to the Town with its application for inspection to ensure it meets with quality and image standards.
- e. Should any banner be required to be removed, and the applicant fails to remove it in the time required by the Town, the Town may remove the banner or banners and charge the costs to the applicant. If this Town removal is required, the applicant shall not be eligible to place any banners on designated light poles in the future.

7. Application

- a. Eligible community organizations may apply to have community banners placed on Town-owned decorative light poles for periods of up to four weeks, all days consecutively, by submitting a request in writing on the applicable form, not more than six months prior, or less than two months prior to, the requested first banner placement date.

- b. Should any banner approved under this policy be hanged that is not the same material and type that was supplied as the approved sample, the Town may require that some or all banners be immediately removed.

8. Banner Request Review

- a. After receipt of a request from an established community organization to hang a banner or banners on designated light poles, staff will review the application within thirty (30) days to ensure it meets the requirements set out in this policy.
- b. If the application does not meet the requirements noted in this policy, the applicant shall be notified of such.
- c. If the application meets the requirements of this policy, the applicant will be notified and required to provide the Town with notification they are ready to be installed at least fourteen (14) days prior to the day the banner or banners are to be placed on the designated light pole or poles, along with a copy of their insurance policy showing the Town as an additional insured.
- d. No Ineligible Banners shall be permitted to be placed on any designated light pole.
- e. The decision regarding whether a banner is an Ineligible Banner shall rest with the Chief Administrative Officer and not be subject to appeal.

9. Repeal

Policy G44, Banner Advertising Policy, approved on the 17th day of January 2017, is hereby repealed.

Seven Day Notice of Policy: May 11, 2026

Council Approval:

In Effect:

This is to certify that Policy 111, Banners, was approved by Town Council on the
th day of , 2026

Mayor

Clerk

Schedule "A"

APPLICATION FOR PERMISSION TO HANG A COMMUNITY BANNER(S)

Applicants Name: _____

Organization Representing: _____

Applicants Civic and Mailing Address: _____

Applicants Phone: _____

Applicants E-mail: _____

Community Banner to be Flown _____

Dates Requested to be Hanged: _____

Location, Picture of Banner, and Number of Poles Requested: _____

(Please indicate civic number adjacent to pole(s) and number of poles and include a map)

I acknowledge that I have read and understand Policy 111, Banners, and meet all requirements and submit this application understanding my responsibility.

Signature

Date



TOWN OF KENTVILLE POLICY STATEMENT G44 BANNER ADVERTISING POLICY

1.0 PURPOSE

The purpose of this policy is to provide a fair and consistent process for handling applications to the Town, requesting the installation of advertising or other banners, on Town-owned or controlled property or across Town streets.

2.0 DEFINITIONS

The purpose for which the banner installation is proposed, shall have significance to, and provide benefit to, the Town of Kentville and its citizens.

3.0 SCOPE

The banner shall not:

- represent illegal activities,
- promote hate,
- single any group or person out by direct reference or indirect reference or exclusion,
- be a political advertisement;
- cause, abet or stimulate civil disorder;
- be commercial in nature (commercial banners will be dealt with strictly by the sign by-law and will, if permitted, be subject to financial charge);
- use obscene text or graphics, or
- be otherwise inappropriate in the opinion of the Town acting reasonably;
- represent or infer that the Town is a sponsor or proponent of the content or representation of the banner.

4.0 PROCEDURES

The applicant shall:

1. Submit a request to the Town of Kentville, in writing, outlining the nature of the agency/organization and/or the event being promoted, and the period of time for which the banner shall be erected;
2. Identify a contact person, address and phone number for this agency/organization;
3. Upon notice of approval by the Town, arrange installation of the banner, paying any associated costs;
4. Remove the banner within one week following the event;
5. Provide proof of insurance, indemnifying the Town from any liability whatsoever, flowing from the fact of installation of the banner;

Town of Kentville, Policy G44: Banner Advertising

6. If required by the Town, place a disclaimer on the banner prepared by the Town and submitted to the Applicant for that purpose.

The Town of Kentville shall:

1. Review the written application and determine if the request conforms to the criteria of this policy and other policies and by-laws;
2. Notify the applicant of its decision as to whether or not the banner conforms to this policy;
3. Require, in its discretion, a deposit against the cost of damage or removal of the banner.
4. Remove and dispose of any banners which have not been removed, as and when required of the applicant by the Town;

The Town of Kentville shall accept no responsibility for any damage to, or loss of, any banner during the time it is being displayed;

5.0 ASSOCIATED DOCUMENTS

6.0 POLICY REVISION HISTORY

Date Created: September 12, 2007
Revisions: January 2017. Reformatted.



CAO Mark Phillips

Title: Valley Region Solid Waste-Resource Management Authority
Guarantee Resolution

Meeting Date: May 25, 2026
Department: FINANCE

RECOMMENDATION

That Council approve a guarantee resolution of \$193,446 for Valley Region Solid Waste-Resource Management regarding the 2026-27 fiscal year capital budget.

SUMMARY

The Valley Region Solid Waste-Resource Management Authority (Valley Waste) has approved a borrowing resolution that requires a guarantee resolution from each of its municipal partners.

BACKGROUND

The Temporary Borrowing Resolution (TBR) corresponds with Council's previously approved capital budget for Valley Waste, which amounts to \$2,425,000 and includes proposed debt funding of \$2,400,000. Each municipal partner in Valley Waste must pass a guarantee resolution for borrowing, calculated using a specified percentage based on population and uniform assessment. For the Town of Kentville, this estimated percentage is 8.06%.

The Valley Waste Temporary Borrowing Resolution (TBR) has been set at \$2,400,000, with the Town's portion amounting to \$193,446.

BUDGET IMPLICATIONS

There are no budget implications beyond the previously approved 2026-27 capital budget for this municipal partner.

Respectfully Submitted,

Wanda Matthews, Director of Finance
Town of Kentville.

ATTACHMENTS :

Municipal Partner Guarantee Resolution and Budget Information

**VALLEY REGION SOLID WASTE-RESOURCE MANAGEMENT AUTHORITY
MUNICIPAL PARTNER GUARANTEE RESOLUTION
COUNCIL OF
Town of Kentville**

Guarantee Share Amount: \$ 193,446 Purpose: Capital Projects - capital budget 2026-2027

WHEREAS the Valley Region Solid Waste-Resource Management Authority (hereinafter referred to as the Authority) was incorporated on October 1, 2001 pursuant to Section 60 of the Municipal Government Act;

WHEREAS the Authority has determined to borrow the aggregate principal amount of one hundred ninety three thousand four hundred forty six Dollars (\$ 193,446) for purpose of Capital Projects - capital budget 2026-2027 ;

WHEREAS the Authority has requested the Council of the Town of Kentville a municipality that executed the instrument of incorporation of the Authority, to guarantee said borrowing; and,

WHEREAS pursuant to Section 88 of the Municipal Government Act, no guarantee of a borrowing by a municipality shall have effect unless the Minister of Municipal Affairs has approved of the proposed borrowing or debenture and of the proposed guarantee;

BE IT THEREFORE RESOLVED

THAT the Council of the Town of Kentville does hereby approve the borrowing of the aggregate principal amount of one hundred ninety three thousand four hundred forty six Dollars (\$ 193,446) for the purpose set out above;

THAT subject to the approval of the Minister of Municipal Affairs of the borrowing by the Authority and the approval of the Minister of Municipal Affairs of the guarantee, the Council unconditionally guarantee repayment of one hundred ninety three thousand four hundred forty six Dollars (\$ 193,446) for the purpose set out above; and

THAT upon the issue of the debentures, the Mayor/Warden and Chief Administrative Officer of the Municipality do sign the guarantee attached to each of the debentures and affix thereto the corporate seal of the Municipality.

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 _____, 2026.

GIVEN under the hands of the Clerk and under the seal of the Municipality this ____ day of _____, 2026.

Clerk

**Valley Region Solid Waste-Resource Management Authority
Capital Budget and Projections
Budget 2026-2027**

Debenture	2,400,000
Equipment Reserves	25,000
Operating Bank Account	-
Infrastructure Reserve	-

Item Description	Replacement Timeline	Finance Term	Funding Source Projection & Budget	Budget 2026-2027
Dodge 1500 Reg Cab 4x4 W/Lift Gate	10	5	Debenture	85,000
Dodge 2500 Reg Cab 4x4	10	5	Debenture	95,000
Truck Salter (8ft)		5	Equipment Reserves	12,000
Warehouse		20	Debenture	750,000
EMC Painting to Match Expansion		5	Debenture	80,000
EMC Camera Upgrades		5	Debenture	40,000
Sprinkler System/Fire Rover (12K Pond Design, 225k Viking)		5	Debenture	100,000
Cardboard Baler Upgrade		5	Debenture	250,000
WMC Transfer Station Expansion (Design Build)		20	Debenture	1,000,000
Loader Forks			Equipment Reserves	13,000
Total Annual Capital Requested				2,425,000

Withdrawal – Town Capital Reserve

Meeting Date: **May 25, 2026**
 Department: **FINANCE**

RECOMMENDATION

That Council authorize the withdrawal of \$23,641 from the Town of Kentville Capital Reserve to fund ineligible costs associated with the GRID-funded South Main Street Sidewalk and Storm Sewer Replacement project for the 2025–2026 fiscal year

SUMMARY

The 2025–2026 Town Capital Budget includes temporary borrowing authority for debt-funded capital acquisitions. Temporary financing is available through a \$1.5 million line of credit and a \$2.5 million consolidated overdraft. Historically, the debt-funded portion of capital projects was financed through the line of credit until debentures were issued. However, because no ICIP funding was received until February 2026 (\$3 million), the Town relied heavily on the overdraft to finance capital expenditures for much of the year. In accordance with FRAM, a proportional share of the interest on the consolidated balance was allocated to capital projects.

BACKGROUND AND DISCUSSION

For 2025–2026, approved temporary borrowing resolutions totaled \$3,780,850 for Town projects and \$416,050 for Water projects. Although claims were submitted regularly, payments related to the Donald E. Hiltz project were not received until February 2026. As a result, the Town relied on its \$1.5 million line of credit and its \$2.5 million overdraft facility for much of the year.

The treatment of overdraft interest and interest revenue was confirmed through a review of the Financial Reporting and Accounting Manual. Interest incurred during construction is assigned to capital projects, while interest earned by reserve funds remains in the applicable reserve fund and interest charged/earned on operating and capital bank balances is assigned to the applicable fund. After the 2025-2026 debt issue, additional overdraft interest and interest revenue were allocated proportionally across concentration accounts, with a portion assigned to capital and then to individual projects. Reserve funding is therefore required to cover the interest assigned to the GRID project, as interest costs are not eligible under this grant.

Due to these budget variances and changes in finance and accounting treatment, Council authorization is requested to withdraw reserve funds to cover the amount not included in the debenture issue.

BUDGET IMPLICATIONS - RESERVES

Department	Project	Approved Budget	Costs	Ineligible Cost
Public Works	South Main Street Sidewalk and Storm Sewer Replacement Project	\$1,330,850	\$1,275,839	\$ 23,641

Interest earned – Capital Reserve	\$85,757
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TOWN OF KENTVILLE

Mayor's Report

Council Meeting: May 2026

Reporting Period: April 20th – May 18th, 2026

During this reporting period, I attended meetings, community events, and regional engagements on behalf of the Town of Kentville.

April 21st, 2026 – Provincial Engagement

Met with Minister Lohr and Deputy Mayor Crowell to discuss ongoing challenges in Downtown Kentville, including community safety and coordination of supports.

April 22nd, 2026 – Planning Advisory Committee Meeting

The Planning Advisory Committee reviewed several planning and policy amendments, including:

- Home-based business text amendments to the Land Use Bylaw
 - Concurrent construction text amendments to the Municipal Planning Strategy and Land Use Bylaw
 - Program-based housing amendments to the Municipal Planning Strategy and Land Use Bylaw
 - Heritage Bylaw amendment review and process discussion
 - Provincial Statements of Interest review related to housing and flood mapping considerations
 - Standing updates on heritage planning and municipal plan review work
-

April 22nd, 2026 – Special IMSA Meeting (Valley Waste)

Attended a special IMSA meeting regarding a Valley Waste Resource Management matter related to the pre-approval of a debenture borrowing resolution to meet provincial deadlines for capital projects.

April 24th, 2026 – Kentville Home Show

Attended the Kentville Home Show and connected with local businesses, vendors, contractors, and community members participating in the event.

April 25th, 2026 – Kentville Volunteer Awards

Attended the Kentville Volunteer Awards at the Kentville Fire Hall. The event, hosted by Recreation staff, celebrated the dedication and contributions of volunteers throughout the community.

April 27th, 2026 – Council Meeting Highlights

Held a Council meeting where Council considered and approved several recommendations, including:

- Bylaw 206 – Heritage (first reading)
 - Bylaw 205 – Building (first reading)
 - Reserve transfer request
 - Lions Club of Kentville lease agreement
 - Business Advisory Committee Terms of Reference
 - Nominating Committee report
 - Build Nova Scotia fee waiving request
 - 2026 spring debenture pre-approval
 - Planning Advisory Committee recommendations regarding land use, housing, and heritage amendments
-

April 27th, 2026 – Provincial Advocacy Discussion

Spoke with MLA Becky Druhan regarding the closure of the John Howard Society drop-in centre in Bridgewater and broader impacts on vulnerable populations and regional service delivery.

April 28th, 2026 – Workers' Day of Mourning Ceremony

Attended the ceremony at the monument in Kentville honouring workers who have lost their lives in the workplace. Delivered remarks recognizing workplace safety and remembrance.

April 28th, 2026 – Administrative Meeting

Met with Acting CAO Dave Bell regarding a labour-related matter.

April 29th, 2026 – Visitor Information Centre

Attended the Visitor Information Centre to assist with promotional social media content supporting a special event and grand opening activities.

May 5th, 2026 – Public Participation Meeting

Held a Public Participation Meeting regarding a rezoning application for 172 Main Street, providing an opportunity for public input.

May 7th, 2026 – School Engagement (KCA Grade 7)

Joined Community & Economic Development Coordinator Lindsay Young at KCA School to speak with Grade 7 students about municipal politics. Students asked thoughtful questions and were provided Kentville promotional materials. A historic Town minute book from 1904 was also shared.

May 8th, 2026 – Visitor Information Centre Grand Opening

Attended the Visitor Information Centre BBQ and grand opening event with Councillor Maxwell, celebrating the revitalization of the facility as a community hub.

May 9th, 2026 – Heritage Centre Yard Sale

Attended the Kentville Heritage Centre yard sale with Deputy Mayor Crowell, supporting local heritage.

May 11th, 2026 – Council Advisory Committee (CAC) Meeting

Departmental reports were presented.

New Business included:

- Policy 111 – Banners
- Valley Region Solid Waste-Resource Management Authority guarantee resolution

Engineering & Public Works Highlights

Council also received updates from Engineering and Public Works, including:

- Installation of a new automatic water flusher on Alicia Boulevard to improve water quality and reduce service calls
- Ongoing spring and summer roadwork program including paving, patching, and line painting
- Mitchell Brook culvert replacement project moving toward July–August construction
- Active Transportation sidewalk project advancing through tender review
- Successful \$1M total provincial road resurfacing funding (including West Park Street and Aberdeen Street sections)
- 2026 patch paving program awarded with work beginning after the May long weekend

Prior to this meeting also featured presentations to Community Investment Program recipients and was well attended by community organizations.

May 12th, 2026 – Department of Justice Meeting

Met with representative from the Department of Justice.

May 13th, 2026 – Planning Advisory Committee Meeting

The Committee considered:

- 172 Main Street rezoning – map amendments to the Land Use Bylaw
- Heritage Bylaw – review of heritage property map and plaque program
- Municipal Plan Review – Provincial Statements of Interest, including flood mapping introduction

May 15th, 2026 – Provincial Engagement (Opportunities and Social Development)

Met with the Department of Opportunities and Social Development to discuss Downtown Kentville concerns, including service pressures and community safety. Chief Marty Smith participated to provide policing context and updates.



Andrew Zebian

Mayor, Town of Kentville

azebian@kentville.ca

Debra Crowell Deputy Mayor May 2026

Highlights:

- ✓ Presentation of Grants
- ✓ Open House Kentville Historical Society
- ✓ Apple Blossom Festival Events

Committee and Commission Appointments:

Kings Point to Point

Agenda:

Discussion items:

Kentville Water Commission

Agenda:

Finance and Audit Committee- May 6, 2026

Agenda: Nomination of Chair & Vice Chair, Audit planning, Information on new standards

Decisions: Chair- DM Crowell, Vice Chair- Councillor Andrew, Reviewed last audit's (24-25) Internal Controls letter and Management's response, Audit planning for 25/26 Audit, Auditor brought new standards to the Committee's attention affecting the Town's audit procedures ending March 31, 2027 onward. Next meeting- week of July 13, 2026.

Nomination Committee

Agenda:

Decisions:

Regional Recreation Steering Committee

Agenda:

Decisions:

Meetings & Events:

Meeting: May 5, 2026- Public Participation meeting- Rezone 172 Main
Meeting: May 6, 2026- Audit Committee meeting- audit planning
Event: May 9, 2026- Re-opening of Kentville Historical Society

COUNCIL REPORT



- Event: May 11, 2026- Grant check presentations
- Meeting: May 11, 2026- Council Advisory Committee
- Meeting: May 20, 2026- Town Hall accessibility – by Zoom
- Meeting: May 21, 2026- Public Participation meeting- Program-based housing
- Meeting: May 25, 2026- Council
- Event: May 27-June 1, 2026- Apple Blossom Festival

John Andrew

May 19, 2026

Highlights:

Conversations and questions continue regarding homelessness and downtown safety. The Kings Homelessness Committee is progressing well and additional meetings and communications further suggest a capacity to confront some of the issues we face without Kentville becoming an ever-increasing regional draw for people in crisis.

Our busy season of Summer events has begun – be sure to get out and enjoy.

Committee and Commission Appointments:

It is an honour to have been chosen as Chair for the important review and updating being done by our Planning Advisory Committee. As community needs evolve and we ready for growth, we want to ensure development fits with our strategic priorities.

Police Commission is a gratifying opportunity to support the men and women who have increasingly been called upon to deal with calls associated with mental health issues and a more visible street culture. KPS has an essential role to play in navigating these challenges and working to assure a safe a thriving downtown.

Events and Meetings:

- Board of Police Commissioners: Thursday, April 30
- Public Participation Meeting: Tuesday, May 5
- Audit Planning Committee: Wednesday, May 6
- Kings County Homelessness Committee: Monday, May 11
- Cheque Presentations to community orgs/CAC: Monday, May 11
- Investment Advisory Committee: Wednesday, May 13
- Coffee with a Cop: Wednesday, May 13
- Planning Advisory Committee: Wednesday, May 13
- Board of Police Commissioners: Friday, May 15
- Holi Festival: Saturday, May 16
- Kings Homelessness Committees: Tuesday, May 21
- Police Commission: Thursday, May 21
- Public Participation re Program-based Housing, Thursday, May 21

Rob Baker, Councilor **May 25, 2026**

Highlights:

1. New committees to prepare for and participate in. Appointed to the Investment Committee, Bursary Committee and the Finance and Audit Committee earlier in the year.
2. Registered for Dalhousie University's – Certificate in Governance and Administration

Committee and Commission Appointments:

April 27 – Council Meeting

May 5 – Rezoning Meeting – R2 to R3, 172 Main Street – attended by the applicant / resident and many of neighbours of the property.

May 6 – Bursary Committee – We met to select this year's recipients of the Town of Kentville High School Graduate Bursaries. Two to receive \$500 and one \$1500 Nola Folker Hill Bursary for a female identifying student who will be pursuing studies in sciences / medicine.

May 6 – Audit Committee - After much preparation of the 5 modules for new Audit Committee Members, I was ready for the meeting which included discussion about the preparation of the audit of the Town's finances for the last fiscal year and when it will be completed by the contracted external auditor.

May 8 – Registered for Dalhousie University's – Certificate in Governance and Administration

Learning Outcomes:

- gain an appreciation of the main challenges facing local governments today;
- understand the pressures of growth and change, and the impact of these pressures on traditional municipal systems;
- learn about the sources of Canadian law and explain how they interrelate;
- identify the unique challenges facing municipalities in enforcing their bylaws;
- understand municipal governance structures and procedures;
- recognize the roles and responsibilities of corporate officers, directors, managers, and supervisors within the local government context; and
- identify both opportunities and challenges within the corporate local government environment.

I anticipate using the training/conference allowance budgeted for me as a Councillor to cover most of the course fees. As such I don't expect to attend many NSFM events.

May 11 – Council Advisory Committee

May 13 – Investment Committee – While I’m one of the newest members of the committee, I see my role as ensuring that the Town’s investments adhere to the Investment Policy and when needed, direction is provided to the Investment Advisory when he has provided his recommendations.

May 13 – Farmers’ Market Opening Day

May 13 – Coffee with a Cop – KPS

May 18 – Councillor Report to Deputy Clerk Martin



Selfie with a Cop

Upcoming

May 21 – Police Commission

May 25 – Council Meeting

May 28 – Dal U Course: Local Government

May 29, 30, 31 – Apple Blossom Weekend

June 3 to 8 – Travel to Edmonton to participate in the Federation of Canadian Municipalities annual Conference and Trade Show.

June 8 – Council Advisory Committee

The spring brings renewal of roads, fresh paint, flowers and the Annapolis Valley Apple Blossom Festival – such a wonderful time in Kentville! I am looking forward to lots of learning opportunities these next months.

Samantha Hamilton, Councillor

April 22, 2026 – May 19, 2026

Highlights:

This report covers the period from April 22 to May 19, 2026. It has been a busy month, with continued work on governance, policing, budgeting, and community engagement. Much of the focus over the past several weeks has been on the ongoing work of the Board of Police Commission, including the Police Chief review process and governance planning. Following the resignation of Chair Paula Huntley, I assumed the role of Interim Chair of the Board of Police Commission. I thank Paula for her service to the Board and the community.

This period also included community events, provincial budget discussions, meetings with residents, and ongoing collaboration with Council, staff, and stakeholders. Personally, I had a brief scheduling gap this month, which provided an opportunity to reconnect with several residents and continue important conversations in the community.

Committee and Commission Appointments:

Board of Police Commission – April 22, April 30

- Participated in a working group meeting focused on developing and organizing governance and review documents for the Police Chief evaluation process.
- The Mayor indicated that Council wished to know the working group members. The members are Paula Huntley, Penny Hart, and myself.
- A special meeting was held to finalize the Police Chief review paperwork and supporting documents.
- The final summary report will be available to Council after June 18, 2026.

King's Water Commission–Meeting cancelled

Annapolis Valley Regional Library–May 2

- Attended a full-day meeting from 9:00–15:30 focused on the current challenges facing the library system, including ongoing funding concerns and operational deficits.
- Discussions covered the impacts of reduced provincial funding and the importance of maintaining sustainable library services in our region.

Nominating Committee–No meetings

REMAC (Regional Emergency Management Advisory Committee) – Meeting rescheduled

Meetings:

Council Meeting – April 27

Meeting with CAO – May 6

- Met with the CAO to discuss the Police Chief review process, Board of Police Commission matters, and general Council-related topics.

Council Advisory Committee (CAC) – May 11

Events:

Volunteer Awards – Kentville Fire Department – April 25

- Attended the Volunteer Awards ceremony recognizing the dedication and contributions of volunteers within our community.

Kentville Home Show – April 26

- Attended the Home Show at the Kentville Arena and enjoyed connecting with local businesses, organizations, and residents.

John Lohr Budget Breakfast – May 8

- Attended the provincial budget breakfast with Minister John Lohr, which included a discussion on current provincial budget considerations and impacts to municipalities and regional services.

Women's Expo – May 9

- Attended the Women's Expo, highlighting local businesses, entrepreneurship, and community engagement.

Coffee with a Cop – Wheelhouse – May 13

- Attended Coffee with a Cop at the Wheelhouse alongside all members of the Board of Police Commissioners. The turnout was noticeably larger than the previous session, which was encouraging. Thank you to the many councillors who attended, as most members of Council were present.

Training and Development:

Registered for the Certificate in Governance and Administration program.

- The first of four courses, Local Government, begins on May 22, 2026. This program is intended to help navigate government processes, strengthen understanding of municipal authority, improve the efficiency of service delivery, and effectively support the needs of Council and the community. I look forward to continuing professional development and strengthening governance knowledge to support both Council and Board responsibilities.

Closing Remarks:

This reporting period has been full of important governance work, community engagement, and continued collaboration. Much of the recent focus has involved the Board of Police Commission, including governance structure, strategic planning, and the Police Chief review process. I remain committed to transparency, thoughtful leadership, and ongoing communication as we continue this important work. I am also looking forward to attending the upcoming Federation of Canadian Municipalities (FCM) Conference in Edmonton. Travel expenses for this event have been submitted and will be included together in the next report for clarity and consistency. As always, please feel free to reach out with any questions, concerns, or feedback.

Respectfully submitted, Councillor Samantha Hamilton

NAME AND TITLE – Cathy Maxwell **COUNCIL MEETING DATE – May 19/26**

Highlights:

Committee and Commission Appointments:

Committee 1: Planning Advisory Committee April 22/26

Key Agenda Items/ Discussions and Decisions: Looked at text amendments to the LUB concerning, Home Based Business, Concurrent construction and Program Based Housing. We also reviewed amendments to the Heritage Bylaw and planned to discuss the 5 Statements of Provincial Interests to review.

Committee 2: Kings County Homelessness Advisory Committee May 11/26

Key Agenda Items/ Discussions and Decisions: Paul Dixon gave a presentation on how homelessness, mental health and addictions in town are affecting our downtown businesses. We set up the 4 committees we will use to delve into the areas of concern expressed by residents at the Public Meeting. Those areas are: Community Integration, Mental Health and Addiction, Housing and Communication.

Committee 3: Planning Advisory Committee May 13/26

Key Agenda Items/ Discussions and Decisions: - Looked at the Future Development Growth Model for the Town. This will come to the public for review in the fall. Also reviewed the rezoning information for 172 Main Street.

Events and Meetings:

April 22/26 Planning Advisory Committee
April 25 – Kentville Volunteer Awards
April 27/26 – Council Meeting
April 28/26 – Day Of Mourning Ceremony
May 9/26 – Opening Of VIC and New Vision BBQ
May 9/26 – Opening of Heritage Center
May 11/26 – Kings County Homelessness Advisory Committee
May 11/26 – CAC
May 13/26 – Planning Advisory Committee
May 16/26 – Oakdene Park Spring Fling

Cate Savage – Councillor Savage

Highlights:

Last Council Meeting – April 27th

Last CAC – May 11th

Committee and Commission Appointments:

Committee 1:

IAC Investment Advisory Committee

May 13th

Minutes for the May 13th have not yet been ratified – will attach in next months report ...

April 8th minutes are attached

There has been broad earnings across all markets.

2026-2028 – the forecast is set to be 17% (near triple earnings) across all sectors.

A large part of these earnings is AI.

Our YTD money weighted net is 4.326 against the balanced CAD of 2.64%

Committee 2:

PAC – Planning Advisory Committee May 13th

Plan review – Review of assumptions on growth – re housing
New Business:

172 Main Street Rezoning – map amendments to LUB

Heritage Bylaw – review of heritage property map

Plan review – Provincial Statement of Interest – introduction to flood mapping

Committee 3: Bursary

May 6th – Meeting – approve minutes from Feb 24th / Evaluation of all bursary applications / evaluation of Nola Folker Hill bursary / We received just north of 20 submissions – I will leave the rest of the report for Chair Baker

Committee 4: REMO

Next meeting in July 2026

Events and Meetings:

April 22nd – Discussion on MGA 69B – Post Disaster – New Builds – Infrastructure Committee – NSFM

April 25th – Home Show and Volunteer Awards – Fire Hall – Congratulations to all the community members

May 4th – Rotary Charter Night

May 5th – PPM – proposed amendments to rezone 172 Main Street

May 8th – AVCC Maritime Express – John Lohr – Budget Briefing

May 14th – Kody Blois – PW Community Center – update from Feds

Training and Development:

None for this past month

Title: Sale of Lot 2E, Chipman Drive, Kentville Industrial Park

Meeting Date: May 25, 2026

Department: Administration

RECOMMENDATION

That Council release Quick Save Fuels Ltd. from its requirement to re-sell PID55539050 to Town of Kentville according to the covenants contained in the Warranty Deed of May 6, 2023, understanding that the property is to be conveyed to JEJK Holding Ltd. for a similar purpose.

BACKGROUND

In May 2023, Town of Kentville sold a vacant piece of land in the Kentville Industrial Park to Quick Save Fuels of Lower Sackville for the intended purpose of constructing a 1000 square foot building on the property along with a large parking area and landscaped grass areas. The sale price was \$25,000.

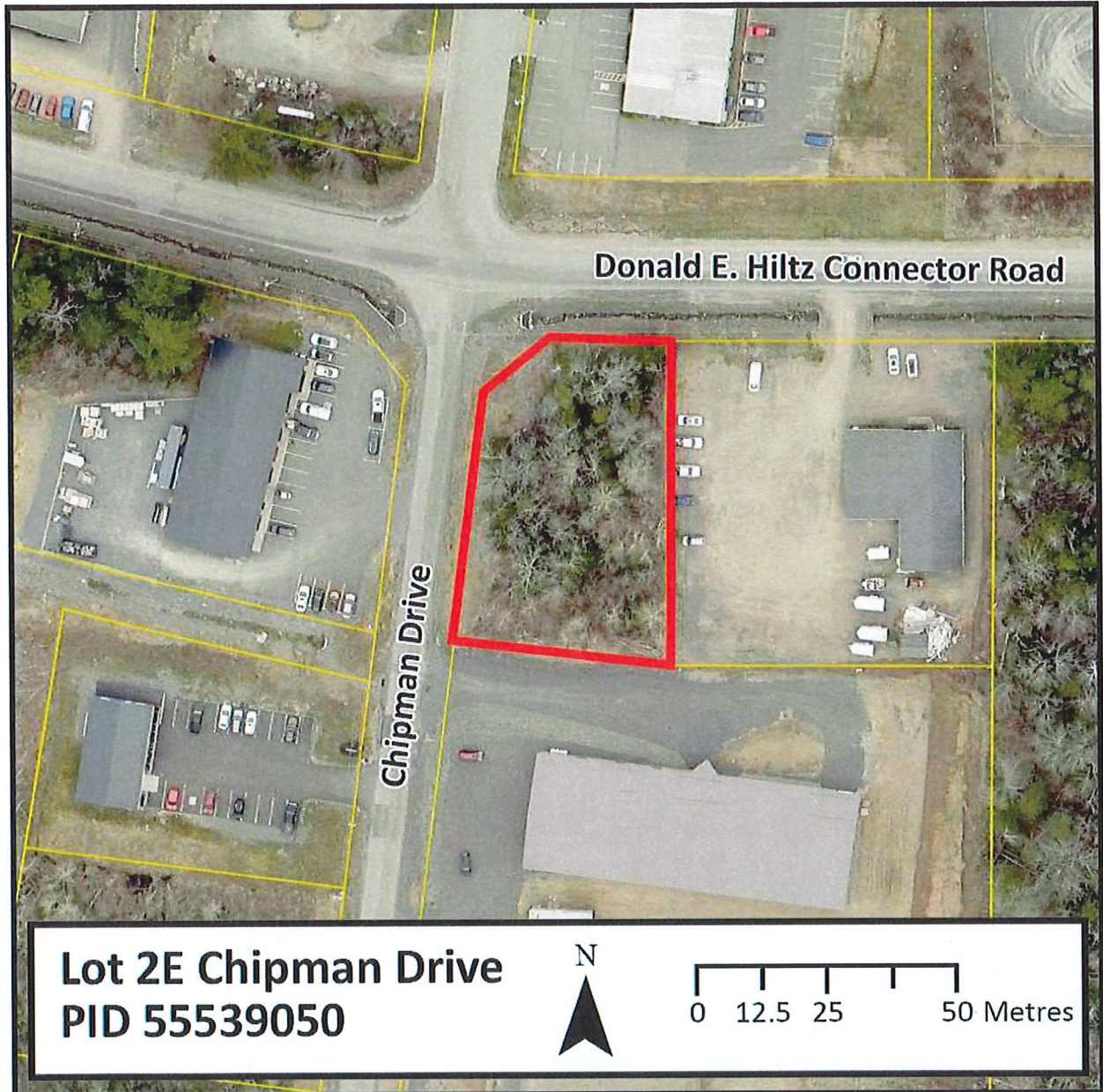
Within the deed conveyance was a restrictive covenant that should the building not be constructed within 2 years, then the property is to be re-conveyed back to Town of Kentville for the original purchase price at the buyer's expense.

Over the past six months, staff have been working with the purchaser to either develop the property or re-convey it back to the Town. Because the purchaser has noted that they have invested about \$25,000 in the property clearing and grubbing it, they wished to develop it or re-sell to another third party.

DISCUSSION

Town of Kentville has now received a request form Quick Save Fuels to re-sell the property and a signed purchase and sale agreement from JEJK Holding Ltd (White Rock Mechanical) to purchase the property. White Rock owns the property adjacent to it across the street and other properties in the area.

The intent of the sale from the Town was to see the vacant lot developed and put into industrial use and be subject to property taxation.



The property is currently Zoned M1 (Industrial) which allows for the following as-of-right uses:

- Animal Hospitals and Shelters
- Automobile Repair
- Breweries, Distilleries, Wineries and Accessory Brewpubs and Restaurants
- Building Supply and Equipment Depots
- Business and Professional Offices
- Construction Industries
- Animal Kennels
- Automobile Sales and Rentals
- Bulk Storage
- Concrete Plant
- Day Care Centres

- Distribution Centres
- Funeral Homes
- Gyms and Fitness Centres
- Manufacturing, Processing and Assembly
- Offices
- Open Storage and Display of Goods, excluding Scrap Materials
- Recreational Vehicle Sales and Service
- Research and Development Facilities
- Retail
- Transport and Trucking
- Wholesale Uses
- Equipment Sales and Rentals
- Garden and Nursery Sales and Supplies
- Industrial Equipment Sales and Service
- Moving and Storage Depots
- Personal Service Shops
- Recycling Depots
- Restaurants
- Service Industries
- Warehouse Establishments
- Existing Residential Uses

LEGISLATION

Section 50(5)(b) of the *Municipal Government Act* states that a municipality may sell property at market value when the property is no longer required for the purposes of the municipality.

NEXT STEPS

If Council agrees with this transfer sale, then approval from Council must take place to waive the restrictive covenant in the current deed. If not, then Council must request that staff enforce the provisions of the current agreement and notify the current owner to either begin construction within the next 60 days or the Town will initiate legal action to have the property returned to it for \$25,000.

COMMUNICATIONS

The current owner will be notified of this decision, and a basic communication note will need to be developed and shared with our council highlights explaining the legal issues involved here and what decision has been made.

Respectfully submitted,

Chris McNeill
Chief Administrative Officer

THIS WARRANTY DEED made this 6th day May, 2021

BETWEEN:

TOWN OF KENTVILLE, a Municipal Body Corporate, of Kentville, in the
County of Kings and Province of Nova Scotia,

hereinafter called the "GRANTOR"

OF THE ONE PART;

- AND -

QUICK SAVE FUELS LTD., a body corporate,

hereinafter called the "GRANTEE"

OF THE SECOND PART;

WITNESSETH that for and in consideration of the sum of ONE DOLLAR (\$1.00) paid by the Grantee to the Grantor the Grantor conveys to the Grantee, the lands described in Schedule "A" to this Warranty Deed **SUBJECT TO** the Restrictive Covenants of Kentville Business Park contained in Schedule "B" attached hereto;

THE GRANTOR covenants with the Grantee that the Grantee shall have quiet enjoyment of the lands, that the Grantor has a good title in fee simple to the lands and the right to convey them as hereby conveyed, that they are free from encumbrances and that the said Grantor will procure such further assurances as may be reasonably required.

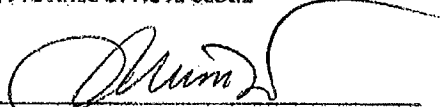
THIS WARRANTY DEED shall be read with all changes of number and gender as necessary.

AFFIDAVIT OF CHIEF ADMINISTRATIVE OFFICER, TOWN OF KENTVILLE

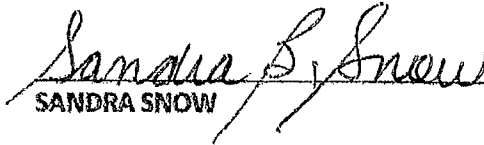
I, **SANDRA SNOW**, of Kentville, Kings County, Nova Scotia make oath and swear that:

1. I am the Mayor of the Town of Kentville (the "Town") and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Town is a body corporate pursuant to the *Municipal Government Act*, S.N.S. 1988, c.18, as amended.
3. By Policy adopted on July 23, 2012, Town Council authorized the Chief Administrative Officer to sign a deed to which the Town is a party on behalf of the Town instead of the Clerk.
4. I acknowledge that the Town executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the *Municipal Government Act*, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the *Registry Act*, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the *Land Registration Act*, S.N.S. 2001, c.6, as amended, for the purpose of registering the Instrument.
5. The Town is resident in Canada for the purposes of the *Income Tax Act* (Canada).

I CERTIFY that on this date the Deponent)
came before me, made oath and swore the)
foregoing Affidavit. I FURTHER CERTIFY)
that the Deponent executed the Instrument)
in my presence and that I signed the Instrument)
as witness to such execution.)
CERTIFIED this 6th day of May, 2021)
At Kentville in the County of Kings)
and Province of Nova Scotia)


A Barrister/Commissioner of The Supreme)
Court of Nova Scotia)




SANDRA SNOW

Schedule "A"

PID 55539050

Parcel Description

Registration County: KINGS COUNTY
Street/Place Name: CHIPMAN DRIVE /KENTVILLE
Title of Plan: PLAN OF S/D PARCEL CD-1 CHIPMAN DR PARCEL SA-1 LYONS DR LOT 2C LOT 2D & LOT 2E S/D OF LAND OF THE TOWN OF KENTVILLE CHIPMAN DR
Designation of Parcel on Plan: LOT 2E
Registration Number of Plan: 115645484
Registration Date of Plan: 2019-12-17 12:40:52

SUBJECT TO AN EASEMENT/RIGHT OF WAY as registered at the Land Registration Office for the County of Kings on September 27, 2018 as Document Number 113323670 and as depicted on a Plan of Survey registered December 17, 2019 as Plan Number 115645484.

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

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act
Registration District: KINGS COUNTY
Registration Year: 2019
Plan or Document Number: 115645484

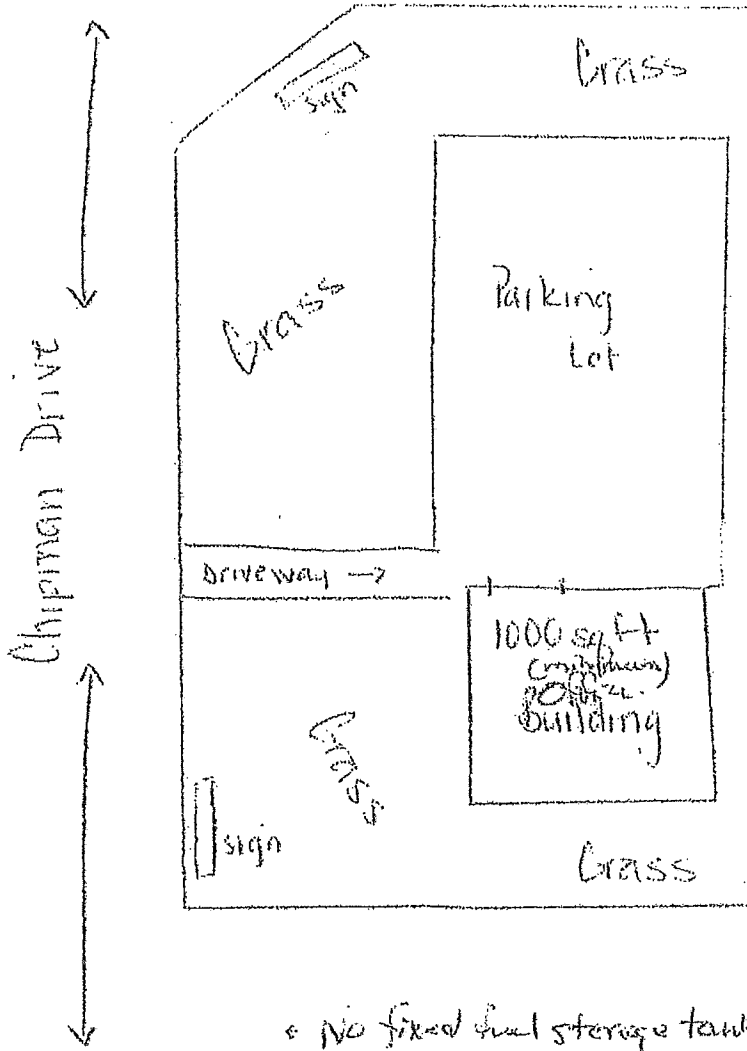
SCHEDULE B
Kentville Business Park
Protective Covenants

With the intention that the burden of these covenants shall run with the land, the Grantor Town of Kentville and Grantee do hereby covenant and agree with each other and as to the Grantee with the owner or owners from time to time of the other lands in this Business Park to which the benefit and burden of the following stipulations, regulations and provisions are attached (including those lands known on February 15, 2021 as PIDs 55539050, 55539043, 55535314, 55539399, 55539381, 55539753, 55539761) and their/his/her or its respective representatives, successors and assigns to observe, confirm and comply with the following covenants, namely:

1. The Grantee covenants and agrees to complete the development as described in the plans and specifications shown in Schedule "Z" attached hereto on the land within 24 months of the date of the attached deed unless previous written authorization is received from the Grantor. The development shall include office or retail space, as approved by the Grantor. If the development is not completed as described and within this period, the Grantee shall re-convey the lands to the Grantor Town of Kentville at the original selling price without interest, at the sole cost of the Grantee.
2. All buildings and structures erected on the land shall be maintained in good order and repair at all times.
3. No driveway, parking or loading area shall be used on the land unless such driveway, parking and loading area is in a proper state of repair, and no driveway, parking or loading area shall be constructed, maintained or used on the land unless it has as a minimum a bituminous topping surface placed by the Grantee within one year of the substantial completion of construction of any building or structure on the land.
4. Those portions of the land between buildings and the front and side lot lines which are not covered by structures, parking areas, loading areas, or driveways will be landscaped. All landscaping shall commence as soon as construction is complete and weather permits, but in no event beyond one year from substantial completion of the building or structure. Grassed areas, trees, shrubbery and gardens shall be kept neat and orderly in appearance and shall be maintained in a healthy condition at all times.

Section E "Z"

Lot 2 E



* No fixed fuel storage tanks on property