



MUNICIPALITY *of the*  
COUNTY *of* KINGS  
**MUNICIPAL COUNCIL**  
**Tuesday, October 1, 2024**  
**Following Public Hearing**  
**AGENDA**

**Video Recording Times Noted in Red**  
**Video is available [here](#)**

1. Roll Call **32:24**
2. Approval of Agenda **33:50** Page 1
3. Disclosure of Conflict of Interest Issues **None**
4. Approval of Minutes **39:31**
  - a. September 17, 2024 Special Council Page 3
5. Business Arising from Minutes **None**
  - a. September 17, 2024 Special Council Page 3
6. Planning Advisory Committee Recommendations September 10, 2024 **40:16** Page 14
  - a. Planning Document Two Year Review and Housekeeping Amendments
  - b. Land Use By-Law Text Amendment (File #24-05) Page 15
  - c. Next Public Hearing Date
7. Planning & Inspection Services
  - a. Council Appointment of Development Officer **45:40** Page 44
  - b. Council Appointment of Building Officials **47:18** Page 46
8. Administration
  - a. Policy ADMIN-01-008: Time of Council Meetings (adoption) **52:30** Page 48
  - b. Policy ADMIN-01-010: Presentations to Committee of the Whole (adoption) **53:29** Page 49
  - c. Policy ADMIN-01-014: Parental Accommodations for Elected Officials (adoption) **54:09** Page 55
  - d. Policy PRO-10-003: Fire and Emergency Services Providers Registration (adoption) **54:48** Page 58
  - e. Policy FIN-05-018: Community Grants (adoption) **55:28** Page 63
  - f. Policy HR-06-023: Respectful Workplace Policy (adoption) **59:46** Page 79
  - g. Policy FIN-05-028: Budget Management (adoption) **1:00:54** Page 92
  - h. Repeal of Current and Adoption of Revised Planning Policies (adoption) **1:01:46** Page 96
9. Engineering & Public Works
  - a. Tender #24-24: Regional Blower Replacement **1:04:49** Page 122
  - b. Tender #24-31: Supply and Delivery of New Crane Truck **1:10:26** Page 124
10. Financial Services
  - a. Project 24-27: Banking & Investment Services **1:15:25** Page 126
  - b. Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate **1:19:49** Page 128
  - c. Write-off of Deactivated Property Tax Accounts **1:23:21** Page 131

*Agenda continued on next page*



MUNICIPALITY *of the*  
COUNTY *of* KINGS

**MUNICIPAL COUNCIL**  
**Tuesday, October 1, 2024**  
**Following Public Hearing**  
**AGENDA - CONTINUED**

11. Board and Committee Reports **None**
  - a. Committees of Council Page 134
  - b. External Boards and Committees Page 135
12. Other Business
  - a. Aerial Herbicide Spraying **1:34:00**
13. Comments from the Public **1:52:02**
14. Closed Session **2:03:30**
  - a. Approval of Council Closed Session Minutes September 17, 2024
  - b. MGA s. 22 (2) (e) Contract negotiations
  - c. MGA s. 22 (2) (b) Setting a minimum price to be accepted by the municipality at a tax sale
15. Adjournment

Accommodations are available for this meeting: please submit your request at  
[www.countyofkings.ca/accommodationsrequest](http://www.countyofkings.ca/accommodationsrequest).

**THE MUNICIPALITY OF THE COUNTY OF KINGS  
SPECIAL MUNICIPAL COUNCIL  
Tuesday, September 17, 2024  
DRAFT MINUTES**

**Meeting Date and Time**

A special meeting of Municipal Council was held on Tuesday, September 17, 2024 at 12:45 p.m. following a Committee of the Whole meeting in the Council Chambers, Municipal Complex, Coldbrook, Nova Scotia.

**1. Attendance**

All Members of Council were in attendance, with the exception of Councillor Burgess and Councillor Hirtle with notice. Councillor Hirtle arrived at 12:56 p.m.

Deputy Mayor Lutz chaired the meeting.

***Results for Roll Call***

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

Also in attendance were:

- Scott Conrod, Chief Administrative Officer
- Rob Frost, Deputy Chief Administrative Officer
- Greg Barr, Director, Finance & IT
- Brad Carrigan, Director, Engineering & Public Works
- Trish Javorek, Director, Planning & Inspections
- Haley Hutt, Recording Secretary

**Excuse Absence**

**On motion of Councillor Davison and Councillor Allen, that Councillor Burgess and Councillor Hirtle's absence from the September 17, 2024 Special Council meeting be excused.**

**Motion Carried.**

**SC-2024-09-17-092**

***Results***

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

2. [Approval of Agenda](#)

On motion of Mayor Muttart and Councillor Davison, that Municipal Council approve the September 17, 2024 agenda as circulated.

Motion Carried.

SC-2024-09-17-093

**Results**

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

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

The Deputy Mayor declared a conflict of interest with item 7g. Engage Nova Scotia: Nova Scotia Quality of Life Initiative.

4. **Approval of Minutes**

4a. [September 3, 2024 Council](#)

On motion of Councillor Armstrong and Councillor Allen, that the minutes of the September 3, 2024 Council meeting be approved as circulated.

Motion Carried.

SC-2024-09-17-094

**Results**

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

5. **Business Arising from Minutes**

5a. [September 3, 2024 Council](#)

There was no business arising from the September 3, 2024 minutes.

6. **Administration**

6a. [Policy HR-06-019: Non-Union Salary Administration \(adoption\)](#)

Deputy Mayor Lutz presented the Policy as attached to the September 17, 2024 Special Council agenda.

On motion of Councillor Allen and Councillor Davison, that Municipal Council adopt Policy HR-06-19: Non-Union Salary Administration as attached to the September 17, 2024 Special Council agenda.

**Motion Carried.**

**SC-2024-09-17-095**

**Results**

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

7. [Recommendations from Committee of the Whole September 17, 2024](#)

- 7a. **Policy ADMIN-01-008: Time of Council Meetings (notice)** On motion of Councillor Allen and Councillor Davison, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to amend Policy ADMIN-01-008: Time of Council Meetings as detailed in the September 17, 2024 Request for Decision.

**Motion Carried.**

**SC-2024-09-17-096**

**Results**

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

- 7b. **Policy ADMIN-01-010: Presentations to Committee of the Whole (notice)** On motion of Councillor Armstrong and Councillor Granger, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to amend Policy ADMIN-01-010: Presentations to Committee of the Whole as detailed in the September 17, 2024 Request for Decision.

**Motion Carried.**

**SC-2024-09-17-097**

**Results**

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For

District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

7c. **Policy ADMIN-01-014: Parental Accommodations for Elected Officials (notice)**

**On motion of Councillor Harding and Councillor Davison, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to amend Policy ADMIN-01-014: Parental Accommodations for Elected Officials as detailed in the September 17, 2024 Request for Decision.**

**Motion Carried.**

**SC-2024-09-17-098**

**Results**

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

7d. **Policy PRO-10-003: Fire and Emergency Services Providers Registration (notice)**

**On motion of Councillor Armstrong and Councillor Davison, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to amend Policy PRO-10-003: Fire and Emergency Services Providers Registration as detailed in the September 17, 2024 Request for Decision.**

**Motion Carried.**

**SC-2024-09-17-099**

**Results**

For 8  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	-
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

7e. Policy FIN-05-018: Community Grants (notice)

On motion of Councillor Armstrong and Councillor Killam, that Municipal Council give seven days' notice, per s.48(1) *Municipal Government Act*, to amend Policy FIN-05-018: Community Grants as detailed in the September 17, 2024 Request for Decision with the following additional amendments to the Policy:

3.1 Grants may only be awarded to eligible organizations which at the date of application have been registered as any one of the following;

3.3 Applications relating to faith-based organizations are eligible to apply for funding through the Councillor Grants to Organizations or Community Halls Assistance Program with projects or initiatives relating to community space available for public use.

Motion Carried.

SC-2024-09-17-100

Results

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

On motion of Councillor Hirtle and Councillor Harding, that Municipal Council direct the CAO to consider increasing the amount for the Councillor Grants to Organizations from the current allocation to \$,9100 per Councillor in the next budget round.

Motion Carried.

SC-2024-09-17-101

Results

For 8  
Against 1

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	Against
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

7f. Policy HR-06-023: Respectful Workplace Policy (notice)

On motion of Councillor Allen and Councillor Davison, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to repeal Policy HR-06-004: Sexual Harassment and Policy HR-06-005: Workplace Harassment - Discrimination and adopt Policy HR-06-023:

**Respectful Workplace as detailed in the September 17, 2024 Request for Decision.**

**Motion Carried.**

**SC-2024-09-17-102**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

7g. **Engage Nova Scotia: Nova Scotia Quality of Life Initiative**

The Deputy Mayor left her seat and turned the Chair over to Mayor Muttart.

**On motion of Councillor Allen and Councillor Davison, that Municipal Council provide funding to Engage Nova Scotia in the amount of \$25,000, spread over two years beginning in 2025/26, to support the Nova Scotia Quality of Life Initiative.**

**Motion Carried.**

**SC-2024-09-17-103**

**Results**

For 7  
Against 1

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	Against
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	COI
District 8	Kevin Davison	For
District 9	Peter Allen	For

7h. **Release of Funds – Housing Nova Scotia**

The Deputy Mayor returned to her seat and resumed the Chair.

**On motion of Councillor Allen and Mayor Muttart, that Municipal Council approve the release of \$675,002 to Housing Nova Scotia related to contribution amounts withheld from fiscal years 2019/20, 2020/21, 2021/22, and 2022/23, as detailed in the September 17, 2024 Request for Decision.**

**Motion Carried.**

**SC-2024-09-17-104**

**Results**

For 8  
Against 1

District	Name	Results
Mayor	Peter Muttart	For



District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	Against
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

7i. **Policy FIN-05-028: Budget Management (notice)**

**On motion of Councillor Davison and Councillor Allen, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to adopt Policy FIN-05-028: Budget Management, as detailed in the September 17, 2024 Request for Decision.**

**Motion Carried.**

**SC-2024-09-17-105**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

7j. **Repeal of Current and Adoption of Revised Planning Policies (notice)**

**On motion of Councillor Granger and Councillor Allen, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to repeal Planning Policies PLAN-09-001: Planning Policies and PLAN-09-002: Area Advisory Committee and adopt Policies PLAN-09-004: Administration of Planning Matters and PLAN-09-005: Public Participation Program as detailed in the September 17, 2024 Request for Decision.**

**Motion Carried.**

**SC-2024-09-17-106**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

On motion of Councillor Allen and Councillor Harding, that Municipal Council provide seven days' notice, per s.48(1) *Municipal Government Act*, to adopt amendments to Policy PLAN-09-003: Planning Advisory Committee as detailed in the September 17, 2024 Request for Decision.

Motion Carried.

SC-2024-09-17-107

*Results*

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

8. Other Business

Mayor Muttart brought up the topic of the Cellular for Nova Scotia Program and noted that the Municipality of the County of Kings had been left out of the announcement.

On motion of Councillor Granger and Councillor Armstrong, that Municipal Council direct the Mayor to write a letter on their behalf to express the dissatisfaction of Council with the recent cellphone announcement and request justification on why the Municipality was omitted from the Cellular for Nova Scotia Program.

Motion Carried.

SC-2024-09-17-108

*Results*

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

Councillor Armstrong congratulated the Waterville and District Volunteer Fire Department on their 100<sup>th</sup> Anniversary, and the dedication of their memorial for past members.

Councillor Killam spoke to the current issues experienced in Halls Harbour due to the road washout.

On motion of Councillor Killam and Councillor Hirtle, that Municipal Council

direct the Mayor to write a letter to the Provincial Government to urge a quicker rebuild of the road in Halls Harbour.

Motion Carried.

SC-2024-09-17-109

Results

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

9. Comments from the Public

No members of the public were present.

10. Closed Session

On motion of Councillor Armstrong and Councillor Killam, that Council move into closed session in accordance with section 22 (2) (e) *Municipal Government Act*: contract negotiations.

Motion Carried.

SC-2024-09-17-110

Results

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

Council moved into closed session at 12:58 p.m. and returned to public session at 2:09 p.m.

Meadowview Community Solar Garden Authority

On motion of Councillor Killam and Councillor Armstrong, pursuant to section 60 of the Nova Scotia *Municipal Government Act*, that the Mayor and CAO be authorized to execute, and have registered with the Registrar of Joint Stock Companies, an Agreement between the Annapolis Valley First Nation, the Glooscap First Nation, and the Municipality of the County of Kings that establishes a body corporate (“Meadowview Community Solar Garden Authority”) to construct, own, and operate a utility-scale solar photovoltaic electricity generation facility in Meadowview Kings County.

Motion Carried.

SC-2024-09-17-111

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

On motion of Councillor Allen and Councillor Harding, that Municipal Council authorize the Chief Administrative Officer to transfer title to PID 55049035 and any interests held related to the abandoned section of Tupper Road that have been or will be transferred to the Municipality by the Province of Nova Scotia to the Meadowview Community Solar Garden Authority for purposes described in the related September 17, 2024 Request for Decision.

**Motion Carried.**

**SC-2024-09-17-112**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

On motion of Councillor Granger and Councillor Davison, that Municipal Council authorize the Chief Administrative Officer to apply under the Nova Scotia Community Solar Program with the understanding that Municipal Council approval is to be obtained prior to the execution of a Power Purchase Agreement and any related financial guarantees.

**Motion Carried.**

**SC-2024-09-17-113**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For

District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

11. **Adjournment**

There being no further business, the meeting adjourned at 2:14 p.m.

**Motion Carried.**

**SC-2024-09-17-114**

**Results**

For 9  
Against 0

District	Name	Results
Mayor	Peter Muttart	For
District 1	June Granger	For
District 2	Lexie Burgess	-
District 3	Dick Killam	For
District 4	Martha Armstrong	For
District 5	Tim Harding	For
District 6	Joel Hirtle	For
District 7	Emily Lutz	For
District 8	Kevin Davison	For
District 9	Peter Allen	For

**Approved by:**

\_\_\_\_\_  
Emily Lutz  
Deputy Mayor

\_\_\_\_\_  
Haley Hutt  
Recording Secretary

<b>Results Legend</b>	
-	Absent
COI	Conflict of interest
For	A vote in favour
Against	A vote in the negative or any Councillor who fails or refuses to vote and who is required to vote by the preceding subsection, shall be deemed as voting in the negative.



# Committee Recommendations

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<b>COMMITTEE</b>	Planning Advisory Committee
<b>COMMITTEE MEETING DATE</b>	<a href="#">September 10, 2024</a>
<b>COUNCIL MEETING DATE</b>	October 1, 2024

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## RECOMMENDATIONS

a.	Planning Document Two Year Review and Housekeeping Amendments	<b>That Municipal Council give Second Reading to the proposed housekeeping amendments to the text of the Land Use By-law and Municipal Planning Strategy, which are substantively the same (save for minor differences in form) as the draft amendments set out in Appendices A and B of the report dated July 9, 2024.</b>
b.	Land Use By-Law Text Amendment (File #24-05)	<b>That Municipal Council give First Reading to and hold a Public Hearing for the amendment to the text of the Land Use By-law to permit 'existing uses' within the Comprehensive Neighbourhood Development (R5) Zone as described in Appendix B of the report dated September 10, 2024.</b>  <u>Report Attached.</u>
c.	Next Public Hearing	<b>Tuesday, November 5, 2024 at 7:00 p.m.</b>



MUNICIPALITY of the  
COUNTY of KINGS

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

Application to discharge an existing Development Agreement at 1386 Lockhart Mountain Road, Coldbrook (PID 55468383) and to amend the text of the Land Use By-Law to add 'existing uses' as a permitted use under the Comprehensive Neighbourhood Development (R5) Zone.

(File #24-05)

September 10, 2024

Prepared by: Planning and Development Services

<b>Applicant</b>	Paula Newcombe
<b>Land Owner</b>	Sonia Porter-Newcombe
<b>Proposal</b>	Discharge of an existing development agreement and Land Use By-Law text amendment to permit 'existing uses' within the Comprehensive Neighbourhood Development (R5) Zone.
<b>Location</b>	1386 Lockhart Mountain Road (PID 55468383) Coldbrook
<b>Lot Area</b>	83.8 Acres (approximately 34 acres in the R5 Zone)
<b>Designation</b>	Residential and Agricultural
<b>Zone</b>	Residential One and Two (R2) Zone, Residential Mixed Density (R3) Zone, Comprehensive Neighbourhood Development (R5) Zone, Rural Mixed Use (A2) Zone
<b>Surrounding Uses</b>	Residential, Rural residential and Agricultural uses
<b>Neighbour Notification</b>	62 letters were sent to residents within 500 feet of the subject property

## 1. PROPOSAL

Paula Newcombe, on behalf of Sonia Porter-Newcombe, has applied to discharge a Development Agreement registered on a portion of the subject property, 1386 Lockhart Mountain Road (PID 55468383), Coldbrook and to amend the text of the Land Use By-law to permit 'existing uses' under the Comprehensive Neighbourhood Development (R5) Zone. The proposed text amendment would allow for the existing uses on the land (one unit dwelling and personal horse operation) to be permitted without classifying them as non-conforming uses.

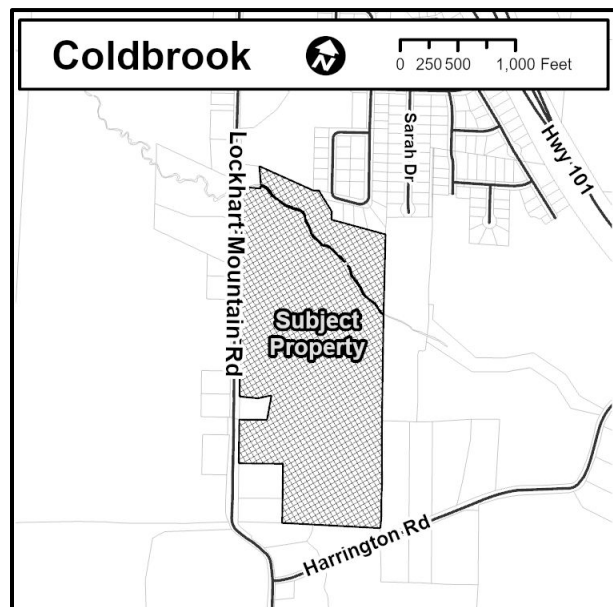


Figure 1: Subject site

## 2. OPTIONS

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

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

## 3. STAFF RECOMMENDATION

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

**The Planning Advisory Committee recommends that Municipal Council give Second Reading for the discharge of the existing Development Agreement as described in Appendix C of the report Dated September 10, 2024.**

**The Planning Advisory Committee recommends that Municipal Council give First Reading to and hold a Public Hearing for the amendment to the text of the Land Use By-Law to permit 'existing uses' within the Comprehensive Neighbourhood Development (R5) Zone as described in Appendix B of the report dated September 10, 2024.**

## 4. BACKGROUND

Two abutting properties, being PID 55468383 (the subject property) and PID 55153431 are both owned by Sonia Porter-Newcombe and, prior to 2004, were one large property of approximately 105 acres in area. Ms. Porter-Newcombe subdivided the property in July of 2004 and created the 83 acre parcel (PID 55468383) on which her residence is located and which is the property that prompted this application. Building permits were secured for a dwelling and a detached garage in the summer of 2004.



Figure 2: Image of the structure over horse arena originally constructed without a permit



As a result of the inspections that are associated with new construction, Municipal Building Inspectors sighted another structure on the subject site, which did not appear to have a valid permit.

At that time the subject property was located in the Residential One and Two Unit (R2) Zone and the Forestry (F1) Zone. The development of a One Unit Dwelling on the site was permitted as-of-right under the R2 Zone.

The PAC report for application 06-16 provides further background around the events which unfolded between the discovery of the dome structure without a valid permit and the application for a development agreement. The 06-16 PAC report can be found in the agenda package from the [June 10, 2008 PAC Meeting](#).

On August 26, 2008 a Development Agreement permitting the use of the land for a personal horse operation was registered with the Kings County Land Registration Office.

On March 5, 2020 By-law 75 was repealed and By-law 106 – Land Use By-Law was introduced. Through this process the site was rezoned to its current zoning which includes the R2, R3, R5 and A2 Zones. The area subject to the Development Agreement is covered by the R2 and R5 Zones, however the portion of the site where the dwelling and the personal horse operation are located is covered by the R5 Zone. The accessway to the dwelling and personal horse operation travels through the area zoned R2.

Ms. Porter-Newcombe would now like to discharge the development agreement to be able to subdivide the land in a manner not currently allowed by the development agreement. The associated proposed text amendment would allow for the retention of the existing dwelling and personal horse operation on the land without classifying them as non-conforming uses, with the potential to require new development agreements in the future.

## **5. SITE INFORMATION**

The site is located on the fringe of the Coldbrook Growth Centre with the southern portion of the site outside of the Growth Centre boundary. The site has an area of 83.8 acres and the property has approximately 2,180 feet of road frontage. Access to the site is from Lockhart Mountain Road.

The site surrounds 1328 Lockhart Mountain Road on three sides, in a horse shoe shape, with road frontage on either side of 1328 Lockhart Mountain Road. The site abuts various residential, agricultural and heavily vegetated sites. Much of the subject site is also heavily vegetated, with the Tupper brook running diagonally through the northern portion of the site. The Kentville Wellfield Overlay also extends into the site from the north east and the boundary of the wellfield overlay cuts directly through the location of the mega dome structure.

Parts of the site are identified as being environmentally sensitive areas due to their slope. The site slopes significantly with an increase in elevation of approximately 100 feet from north to south.

A Nova Scotia Power easement runs through the site from east to west on the Agricultural Designation side of the Coldbrook Growth Centre boundary.

Four different zones have been applied to the site with the R3 zone to the north of Tupper Brook. The R2 zone running Parallel with Lockhart Mountain Road and the R5 taking up the remainder of the land within the growth centre. The land outside of the Coldbrook growth centre is the A2 zone.

While the R5 zone is classified as a Residential Zone and the Future Land Use Map identifies the land as being for residential purposes. There are no as-of-right residential uses permitted on R5 land currently with the intent being that new neighbourhoods are planned at the same time in an organized manner. A text amendment would allow for continued use of a residential property until a development agreement for larger scale neighbourhood development is made and would potentially allow for incorporation of an existing residential use into a larger planned development.

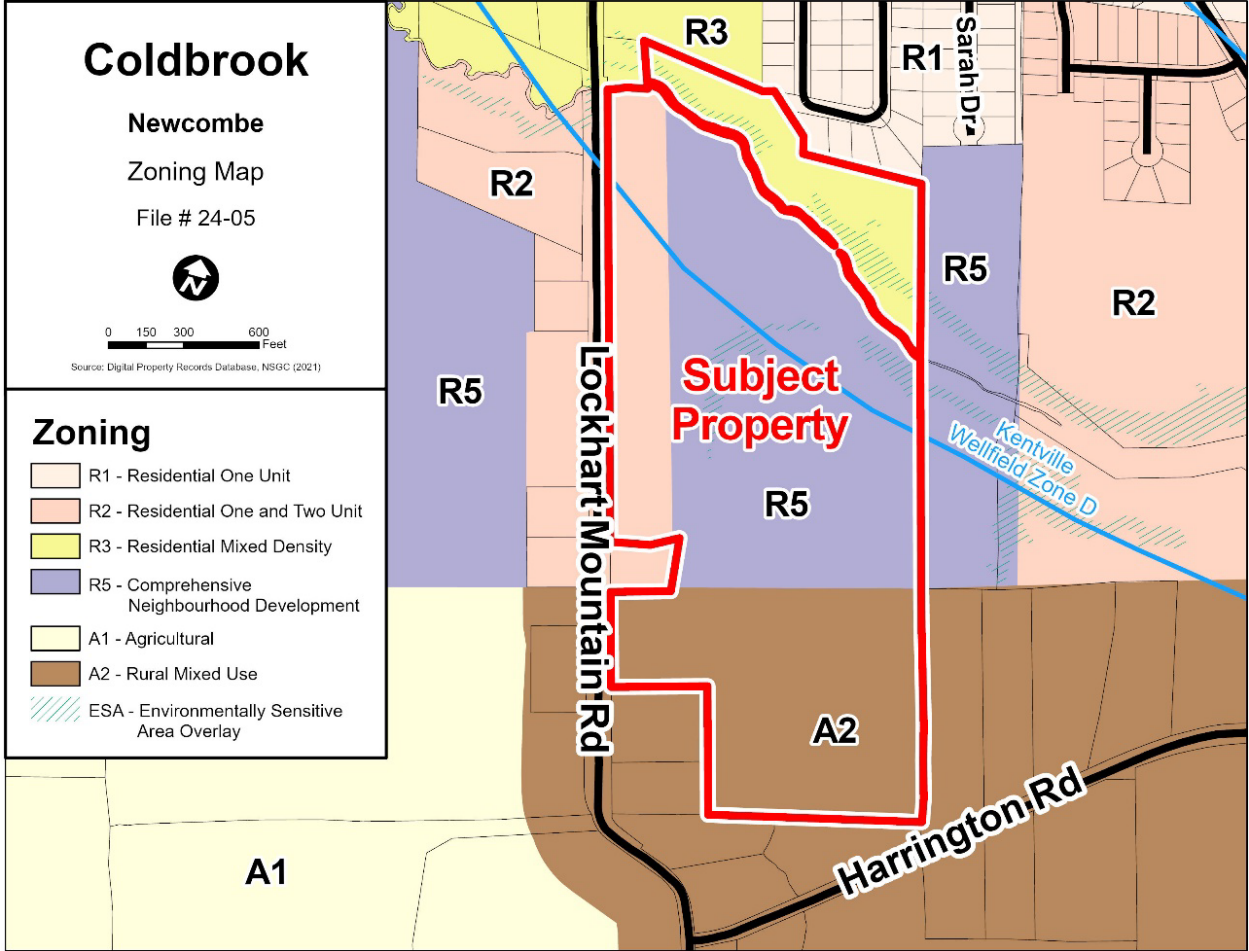


Figure 3: Zoning Maps of the subject site

**6. PUBLIC CONSULTATION**

Under the Planning Policies of the Municipality of the County of Kings (PLAN-09-001), a Public Information Meeting (PIM) was required because the application concerns an amendment to the Land Use By-Law Text. A PIM was held on April 30, 2024, in Council Chambers of the Municipal Building, in Coldbrook. A recording of the slide deck was later uploaded onto the Municipal website after the meeting and has been available for viewing since that time.

A total of 62 property owners within 500 feet of the subject site prompting this amendment were notified of the planning application and the associated meeting via letter in April 2024. An Advertisement was also placed in the April 23, 2024 edition of the Valley Journal Advertiser providing notice of the application and details about the PIM.

The PIM held on April 30, 2024, included presentations on 2 separate applications. The applicant and owner of the site were in attendance, along with 10 other members of the public. A question of clarification was asked but no concerns were raised.

Two emails were received with questions about the application, but no concerns were raised. Two phone messages were received with questions about the application. They raised concern about future development on the site, but no concerns were raised relating to this application.

## 7. POLICY REVIEW

### 7.1 Development Agreement Discharge

Ms. Porter-Newcombe has requested that the Council consider the discharge of the 2008 development agreement made between the Municipality and herself enabling the use of the land for a personal horse operation on a portion of the property. Once the development agreement is discharged the land would be subject to the regulations listed for the Comprehensive Neighbourhood Development (R5) Zone in the Land Use By-Law. This application also proposes a Land Use By-Law text amendment to allow the existing uses to continue under the current R5 Zone, once the development agreement has been discharged.

*Council Shall:*

**Policy 5.3.6** Consider proposals to enter into a development agreement, pursuant to Sections 225 through 230 inclusive of the *Municipal Government Act* on the terms and conditions set forth in this Municipal Planning Strategy, and a development agreement shall:

- c. set terms by which Municipal Council may terminate and discharge an agreement.

No specific terms were included in the Development Agreement regarding the termination procedure for this agreement. Therefore, Staff look for direction in the Municipal Government Act.

Section 229.2 of the Municipal Government Act states that ‘a chief administrative officer may discharge a development agreement, in whole or in part, in accordance with the terms of the agreement or with the concurrence of the property owner.

The discharge of this agreement has been requested by the property owner, therefore Council may consider the discharge of the agreement. Should Council discharge the agreement, the permissions and requirements of the Residential One and Two Unit (R2) Zone and Comprehensive Neighbourhood Development (R5) Zone will apply to the land. The applicant has also applied for a simultaneous Land Use-By-Law Text Amendment to allow for the continued use of the land without classifying the uses as non-conforming uses, with the potential to require additional development agreements again in the future.

## 7.2 Enabling Policy

Policy 5.3.2 of the Municipal Planning Strategy enables this amendment. It allows Council to consider amendments to the text of the Land Use By-Law. It states that,

*Council shall:*

**Policy 5.3.2** amend the text of the Land Use By-Law provided the proposal meets the general criteria for amending the Land Use By-Law set in Section 5.3 Development Agreements and Amending the Land Use By-Law.

Policy 5.3.2 further directs to policy 5.3.7 General Criteria to Consider for all Development Agreements and Land Use By-Law Amendments.

*Council shall:*

**Policy 5.3.7** be satisfied that a proposal to amend the Land Use By-Law or to enter into a Development Agreement:

- a. Is consistent with the intent of his Municipal Planning Strategy, including the Vision statement, relevant goals, objectives and policies, and any applicable goals, objectives and policies contained within a Secondary Plan.

The intent of the Municipal Planning Strategy (MPS) with regard to the Comprehensive Neighbourhood Development (R5) Zone states as follows:

*Council shall*

**Policy 3.1.2** establish the following Residential Zones in the Land Use By-Law:

- d. Comprehensive Neighbourhood Development (R5): lands located in this zone are intended for integrated and comprehensive planning on new large-scale neighbourhoods by development agreement. Additional policies related to this zone are listed in policies 3.1.13 through 3.1.15

Policy 3.1.12 relates to uses allowed within the R5 Zone.

*Council shall*

**Policy 3.1.12** permit within the Comprehensive Neighbourhood Development (R5) Zone a limited amount of as-of-right development that is not expected to prevent future comprehensive development including, but not limited to, forestry uses, agriculture and the limited expansion of existing uses;

The proposed amendment would apply to all lots within the Comprehensive Neighbourhood Development (R5) Zone.

The R5 zone was introduced through the adoption of By-Law 105 (Municipal Planning Strategy 2020) and By-Law 106 (Land Use By-Law). The zone was generally applied to large areas of heavily vegetated land (there are a few exceptions) which would be ideal for future development. There are a small number of existing uses on R5 properties across the Municipality. There are approximately 10 dwellings, some associated with existing agricultural uses, a personal horse operation and a school located on the R5 land throughout the Municipality, with the exception of the Steeple View Drive Development in Port Williams which was developed through a development agreement. The R5 zone already allows for existing Agricultural Uses and Forestry uses. The text amendment proposes to allow all other existing uses as-of-right on all properties in the R5 zone, which in this instance would be the existing dwellings, one personal horse operation and the school. Allowing the existing uses as-of-right would not allow for the proliferation of those uses (i.e. additional dwellings on the land) or any new uses. The amendment would only allow for some expansion of those existing uses (i.e. an addition to a dwelling), in accordance with the regulations of the Land Use By-Law. It is Staff's opinion that permitting the existing uses as-of-right would not ultimately reduce the R5 lands ability to accommodate comprehensive development in the future.

The vision statement for settlement within the Municipality as described in Section 1.1 of the Municipal Planning Strategy indicates a priority to concentrate new commercial and residential development within Growth Centre boundaries, while encouraging efficient service and infrastructure delivery to a diverse range of housing. The goal relating to Growth Centres as set out in Section 2.1 of the Municipal Planning Strategy is to "provide vibrant, complete communities in Growth Centres with municipal servicing, economic development, a high quality of life and distinct character". Objectives in Section 2.1 include "To provide a wide range of urban development and business opportunities supported by cost-effective municipal services; To protect agricultural land and rural character by directing development to clearly defined growth centres".

Policy 2.1.7 states that:

*Council Shall:*

**Policy 2.1.7** permit in each Growth Centre a range of land uses that may include existing agricultural, residential, commercial, and industrial uses.

Both Policy 3.1.12 and Policy 2.1.7 indicate that, existing uses and a certain degree of expansion may be permitted as-of-right with the condition that as-of-right uses should not impact the lands future ability to be comprehensively developed. Staff are of the opinion that the proposed text amendment will not undermine the intent or ability of the zone to perform its function to allow for comprehensively designed and development neighbourhoods within the Growth Centres of the Municipality given the 12 existing uses not already permitted as-of-right are spread across 1953.33 acres of the land.

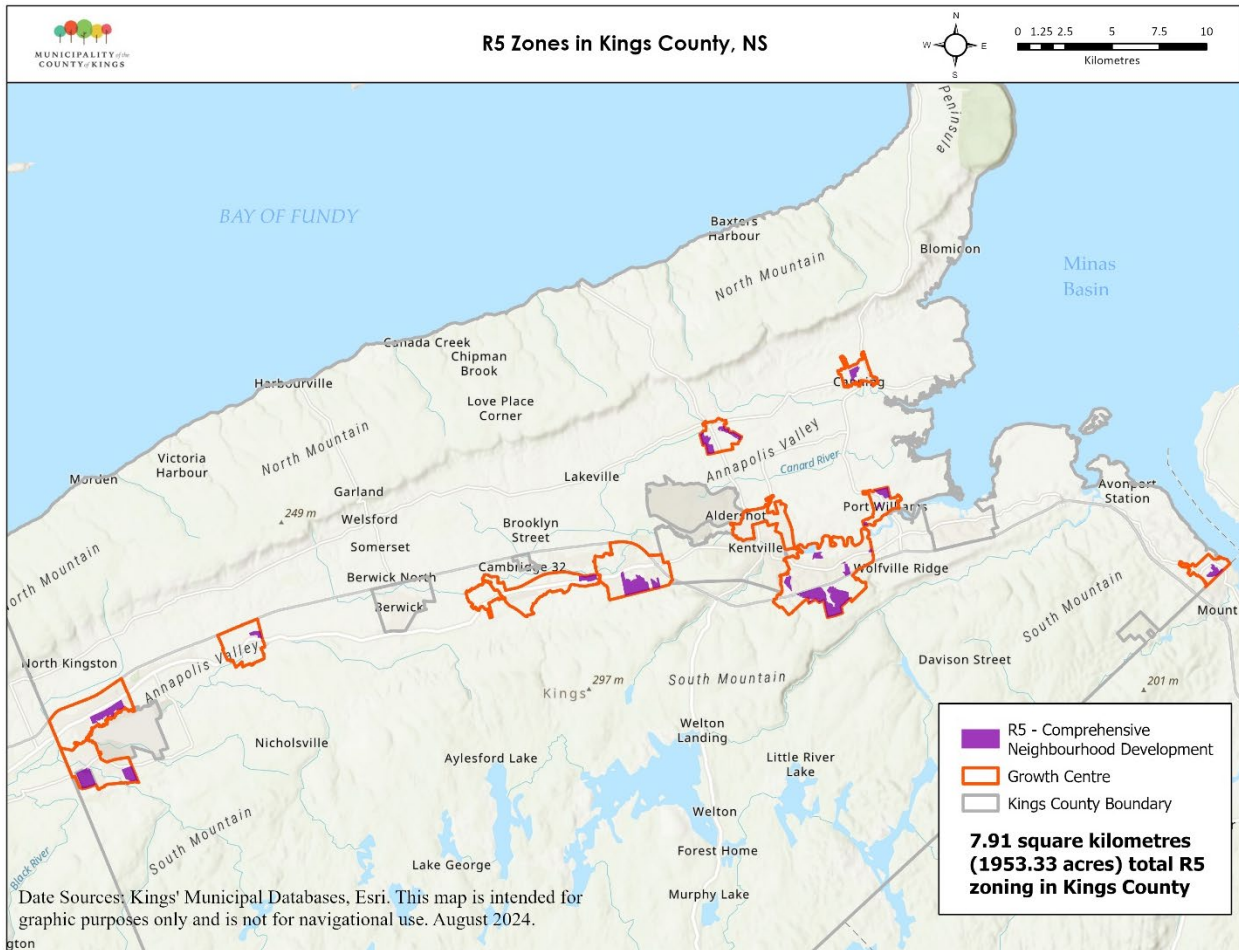


Figure 4: Map of R5 Zoning within the County

The visions, goal and objectives for the Growth Centres of the Municipality indicate an overall intention for these areas are to have a wide range of urban development and business opportunities for economic development, which can efficiently connect to Municipal services and infrastructure and contribute to the vibrant character of the communities. Based on the strategic selection of where the R5 zone was applied there are limited existing uses which are not as-of-right. Staff are of the opinion that the existing uses contribute to the landscape of thriving communities the Municipal Planning Strategy seeks to achieve, while also allowing flexibility in relation to future development on the land.

#### Section 4 – Secondary Plans

As the proposed text amendment will apply to all land zoned R5 across the Municipality no one secondary plan applies specifically. Six of the eleven Growth Centres are subject to secondary plans. The secondary plans focus on new development and larger scale goals for improving and managing their community and recreation assets, stormwater, water supply, agriculture, transport, floodplains, services and infrastructure.

Staff are of the opinion that the proposed text amendment would not conflict with the policies set out in the Secondary Plans for Centreville, Coldbrook, Greenwood, Kingston, New Minas and Port Williams.

*Council shall*

**Policy 5.3.7** be satisfied that a proposal to amend the Land Use By-Law or to enter into a Development Agreement:

- b. Is not in conflict with any Municipal or Provincial programs, By-laws or regulations in effect in the Municipality.

The proposed amendment is not in conflict with any Municipal or Provincial programs, By-laws, or regulations.

- c. Is not premature or inappropriate due to:
  - i. The Municipal or village costs related to the proposal.

Staff do not expect the proposed text amendment to have any financial impact on the Municipality or Villages.

The additional criteria listed within this policy are site-specific and more relevant to specific development/land use by-law map amendment applications and do not apply to this text amendment. A review of this policy is contained within Appendix A to this report.

## **8. CONCLUSION**

Staff have assessed this request for a text amendment to the Land Use By-Law and to discharge a development agreement against the vision, goals, objectives and policies of the MPS and have determined the proposed text amendment and discharge are consistent with the policies of the MPS. As a result, Staff are making a positive recommendation to the Planning Advisory Committee.

## **9. APPENDIXES**

**Appendix A – Section 5.3.7 General Criteria to consider for all Development Agreements and Land Use By-law Amendments**

**Appendix B – Proposed Land Use By-Law Text Amendment (By-Law 106)**

**Appendix C – Development Agreement**

**Appendix A - Section 5.3.7 General Criteria to consider for all Development Agreements and Land Use By-law Amendments**

**Policy 5.3.7**

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

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

<b>Criteria</b>	<b>Comments</b>
<i>a. is consistent with the intent of this Municipal Planning Strategy, including the Vision Statements, relevant goals, objectives and policies, and any applicable goals, objectives and policies contained within a Secondary Plan;</i>	The proposed land use by-law text amendment is consistent with the intent of the Municipal Planning Strategy, and the applicable goals, objectives and policies contained within the Municipal Planning Strategy.
<i>b. is not in conflict with any Municipal or Provincial programs, By-laws, or regulations in effect in the Municipality;</i>	The proposed text amendment is not in conflict with any Municipal or Provincial programs, By-laws, or regulations.
<i>c. that the proposal is not premature or inappropriate due to:</i>	
<i>i. the Municipal or village costs related to the proposal;</i>	The proposal does not involve any development costs to the Municipality.
<i>ii. land use compatibility with surrounding land uses;</i>	No new land uses are proposed.
<i>iii. the adequacy and proximity of school, recreation and other community facilities;</i>	N/A as this is a text amendment
<i>iv. the creation of any excessive traffic hazards or congestion due to road or pedestrian network adequacy within, adjacent to, and leading to the proposal;</i>	N/A as this is a text amendment
<i>v. the adequacy of fire protection services and equipment;</i>	N/A as this is a text amendment
<i>vi. the adequacy of sewer and water services;</i>	N/A as this is a text amendment
<i>vii. the potential for creating flooding or serious drainage problems either within the area of development or nearby areas;</i>	N/A as this is a text amendment
<i>viii. negative impacts on identified wellfields or other groundwater supplies for the area;</i>	N/A as this is a text amendment
<i>ix. pollution, in the area, including but not limited to, soil erosion and siltation of watercourses; or</i>	N/A as this is a text amendment



<p><i>x. negative impacts on lake water quality or nearby wetlands;</i></p>	<p>N/A as this is a text amendment</p>
<p><i>xi. negative impacts on neighbouring farm operations;</i></p>	<p>N/A as this is a text amendment</p>
<p><i>xii. the suitability of the site regarding grades, soils and geological conditions, location of watercourses, marshes, bogs and swamps, and proximity to utility rights-of-way.</i></p>	<p>N/A as this is a text amendment</p>

**Appendix B – Proposed Land Use By-Law Text Amendment (By-Law 106)**

**THE MUNICIPALITY OF THE COUNTY OF KINGS**

**AMENDMENT TO BY-LAW 106  
COUNTY OF KINGS LAND USE BYLAW**

**Land Use Bylaw Text Amendment to permit existing uses as-of-right within the Comprehensive Neighbourhood Development (R5) Zone.**

**BY-LAW 106 Land Use By-law**

1. Amend section 4.7.2.1 of the Land Use By-Law, Permitted Uses within the Comprehensive Neighbourhood Development (R5) Zone, by deleting section 4.7.2.1 and replacing with:

**4.7.2.1 Permitted Uses**

The following uses shall be permitted in the Comprehensive Neighbourhood Development (R5) Zone subject to all applicable requirements of the By-Law, Including Section 14 – General Regulations.

<b>PERMITTED USES</b>	<b>SPECIAL CONDITIONS</b>
Agricultural Uses – Existing	Subject to the setback requirements of the Agricultural (A1) Zone
Forestry Uses	
Existing Uses <sup>1</sup>	

<sup>1</sup> Amended to add Existing Uses, [date], File 24-05

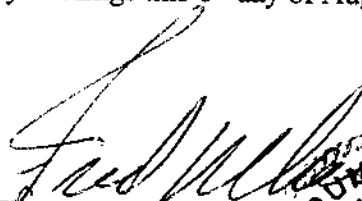


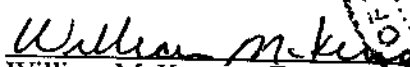
MUNICIPALITY OF THE COUNTY OF KINGS

**“BE IT RESOLVED** that the Municipality of the County of Kings enter into the attached Development Agreement with Sonia Sylvia Porter to permit the expansion of a personal horse operation located at 1386 and 1490 Lockhart Mountain Road pursuant to Policy 2.7.1 Urban Non-Conforming Uses, of Bylaw 56, the Municipal Planning Strategy.

THIS IS TO CERTIFY that the foregoing Agreement was considered and passed by a majority vote of those Councillors present when the vote was taken at the session held on the 5<sup>th</sup> day of August, A.D., 2008 in the Municipal Administration Building, Kentville, Nova Scotia.

GIVEN under the hands of the Warden and Deputy Municipal Clerk and under the corporate seal of the Municipality of the County of Kings this 6<sup>th</sup> day of August 2008.

  
Fred Whalen, Warden

  
William McKenna, Deputy Municipal Clerk



THIS AGREEMENT made this 25<sup>th</sup> day of August, 2008

- BETWEEN:

**SONIA SYLVIA PORTER**, of Coldbrook, Nova Scotia (hereinafter called the "DEVELOPER"),

- OF THE FIRST PART

AND

**MUNICIPALITY OF THE COUNTY OF KINGS**, a body corporate pursuant to the Municipal Government Act, S.N.S., 1998, Chapter 18, as amended, having its chief place of business at Kentville, Kings County, Nova Scotia (hereinafter called the "MUNICIPALITY"),

- OF THE SECOND PART

**WHEREAS** the Developer is the owner of certain lands and premises (hereinafter called the "Property"), which lands are more particularly described in Schedule "A", attached hereto;

**AND WHEREAS** the Developer has requested that the Municipality enter into a Development Agreement (hereinafter called the "Agreement") pursuant to the provisions of Section 225 of the Municipal Government Act, and Policy 2.7.1 of the Municipal Planning Strategy so that the Developer may develop and use the Property in a manner which is not presently provided for within the Land Use Bylaw generally applicable to the particular zone in which the Property is located;

**AND WHEREAS** the Developer's proposed use of the Property is intended for a personal horse operation.

**THEREFORE**, in consideration of the covenants, promises and agreements contained herein, the parties hereto agree as follows:

## **Part 1 Agreement Context**

### **1.1 Schedules**

The following attached schedules shall form a part of this Agreement:

Schedule "A" - Legal Description of Properties  
Schedule "B" - Site Plan

### **1.2 Municipal Planning Strategy and Land Use Bylaw**

(a) *Municipal Planning Strategy* means Bylaw 56 of the Municipality, approved on August 6, 1992, as amended.

- (b) *Land Use Bylaw* means Bylaw 75 of the Municipality, approved on August 6, 1992, as amended.
- (c) *Subdivision Bylaw* means Bylaw 60 of the Municipality, approved on September 5<sup>th</sup>, 1995, as amended.

### **1.3 Definitions**

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

- (a) *Development Envelope* means a portion of the property that shall conform to the detailed site plan in Schedule B.
- (b) *Development Officer* means the Development Officer appointed by the Council of the Municipality.
- (c) *Personal Horse Operation* means buildings and outdoor area used to shelter, raise, feed and ride horses for the private use of the owner of the property, and includes the barns, mega dome, stables, storage areas, paddock and grazing fields.
- (d) *Mega Dome* means a building constructed on the subject property for the purposes of storage and the private horse operation, which may include a riding ring.
- (e) *Paddock* means an area enclosed by fences used for horse riding.

## **Part 2 Development Requirements**

### **2.1 Uses in Development Envelope**

The use of the Development Envelope shall be limited to:

- (a) Personal Horse Operation;
- (b) Existing One or Two Unit Dwelling;
- (c) All uses permitted in the R2 Zone provided they meet the terms of the Land Use Bylaw as amended from time to time; and
- (d) The riding and grazing of horses associated with the Private Horse Operation.

### **2.2 Uses of Property**

The use of the Property shall be limited to:

- (a) The riding and grazing of horses associated with the Private Horse Operation.
- (b) All uses permitted in the R2 Zone provided they meet the terms of the Land Use Bylaw as amended from time to time.

### **2.3 Development Envelope**

The uses within the Development Envelope shall conform to Schedule B.

**2.4 Subdivision**

The area within the Development Envelope may be subdivided from the property into a single separate lot subject to the requirements of the Subdivision Bylaw, but shall not be subdivided or consolidated in any other way.

**2.5 Horse Operation**

- (a) The existing Barn, Mega Dome and Paddock shall be located as shown on the Site Plan. The Barn, Mega Dome and Paddock may be reduced in area but may not be enlarged.
- (b) The existing Barn, Mega Dome and Paddock may be used for any Personal Horse Operation land uses as defined in this Agreement.

**2.6 Existing One or Two Unit Dwelling**

The Developer may renovate, expand or develop accessory structures to the existing one or two unit house shown on the Site Plan, provided any expansion of the building, accessory structures, or change in use conforms to the requirements for the Residential One and Two Unit (R2) Zone contained in the Land Use Bylaw.

**2.7 Vehicle Ingress & Egress**

Vehicle ingress and egress to and from the Property shall be across the driveway and small road as shown on the Site Plan and must be approved by the Nova Scotia Department of Transportation and Infrastructure Renewal prior to use.

**2.8 Driveways**

- (a) The Driveway shall be located as shown on the Site Plan and must be a minimum width of 20 feet and maintained with a stable surface that is treated to prevent the raising of dust or loose particles.

**2.9 Parking**

The Developer shall allocate and reserve a minimum of 3 parking spaces subject to the following requirements:

- (a) The dimension of the parking spaces shall be a minimum of nine (9) feet by eighteen (18) feet.
- (b) The parking lot and spaces shall be developed within 40 feet of the location shown on the Site Plan.
- (c) The parking lot shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles.

**2.10 Outdoor Storage**

Any outdoor storage shall be located a minimum of 25 feet from the boundary of the Development Envelope shown on the Site Plan.

## **2.11 Exterior Lighting**

Any exterior lighting within the Development Envelope shall not be directed upon streets, or neighbouring properties.

## **2.12 Signs**

All signs must meet the requirements of the Land Use Bylaw applicable for the Residential One and Two Unit (R2) Zone.

## **2.13 Additional Requirements**

Unless otherwise stated, all development and land uses on the property shall conform to the Residential One and Two Unit (R2) Zone requirements contained in the Land Use Bylaw.

## **2.14 Appearance of Property**

The Developer shall at all times maintain the lands within the Development Envelope in a neat and presentable condition including the structures, lawns, landscaping, driveways and parking areas and spaces.

# **Part 3 Implementation of the Agreement**

## **3.1 Application for Development and Building Permits**

- (a) Development of the lands within the Development Envelope or any portion thereof shall require applications for Development Permits and Building Permits.
- (b) The Developer is required to seek and secure a Development Permit and Building Permit for the Mega-dome.
- (c) The Developer must comply with the provisions of the Municipal Building Bylaw, including all requirements for Building Permits and compliance with Orders of Building Inspectors.
- (d) The Developer shall submit to the Development Officer in support of any application for a Development Permit and/or a Building Permit, and also to prove continuing compliance with this Agreement upon the request of the Development Officer:
  - (i) Building plans and specifications, which are acceptable to the Development Officer and the Municipal Building Inspector;
  - (ii) Consent for Building and Access to the property from the Department of Transportation and Infrastructure Renewal;
  - (iii) Approvals and valid permits from the Department of Environment; and

- (iv) Any other information the Development Officer deems necessary to determine whether the development conforms with the requirements of this Agreement.

### **3.2 Issuance of Development and Building Permits**

- (a) The Development Officer shall not issue Development Permit(s) for the use of the lands within the Development Envelope and for any construction relating to this Agreement unless such development complies with the terms of this Agreement.
- (b) The decision of the Development Officer as to whether a development meets the terms of this Agreement shall be conclusive.

### **3.3 Site Erosion and Environmental Control**

- (a) During any construction, all exposed soil shall be stabilized immediately so as to effectively control erosion of the soil.
- (b) Adequate measures shall be taken to contain within the site all silt and sediment created during construction.

### **3.4 Commencement of Operation**

No construction or use may be commenced within the Development Envelope until the Municipality has issued any Development Permits, Building Permits and/or occupancy permits that may be required, and the Developer is in complete compliance with this Agreement.

### **3.5 Completion and Expiry Date**

- (a) The Developer shall sign this Agreement within one (1) week of eligibility to execute the Agreement or the unexecuted Agreement shall be null and void.
- (b) The Developer shall apply for a Development Permit/Building Permit for the Development within 1 (one) month of signing this Agreement.
- (c) The Developer shall successfully obtain an occupancy permit for the Mega Dome within 1 (one) year of signing this Agreement.

## **Part 4 Changes and Amendments**

### **4.1 Non-Substantive Amendments to this Agreement**

The Developer shall not vary or change the use of the Property, except as provided for in the Development Agreement, unless a new Development Agreement is entered into with the Municipality or the Development Agreement is amended or discharged.

The Municipality and the Developer agree that all matters in the Development Agreement are substantive matters, which shall not be changed or altered except by amendment to the Development Agreement except as follows. The following matters are not substantive matters and may be changed or altered by policy of Council, and shall not require a Public Hearing:



- (a) Changes to the Site Plan that are necessary to accommodate features that are subject to approval or authorization by other authorities such as, but not limited to, the Nova Scotia Department Transportation and Infrastructure Renewal and the Nova Scotia Department of the Environment.
- (b) Changes to the completion interval specified in section 3.5 (b) of this Agreement.
- (c) Changes to Site Plan required to alter the design and location of the parking lot.

## **Part 5 Compliance**

### **5.1 Subsequent Development**

Any subsequent development not included in this Agreement may only be initiated or carried out upon the entering into of a new or amended Development Agreement with the Municipality.

### **5.2 Compliance with Other Bylaws or Regulations**

Nothing in this agreement shall exempt the Developer or any successor in title from complying with other Bylaws or Regulations in force within the Municipality, including the Building Bylaw, or from obtaining any license, permission, permit authority or approval required hereunder, including any permission required under the Provincial Fire Code, or those of any other authority having jurisdiction.

### **5.3 Observance of the Law**

Subject to the provisions of this Agreement, the Developer shall observe all of the ordinances, bylaws and regulations of the Municipality, Provincial and Federal legislation applicable to the Developer.

### **5.4 Breach of Terms or Conditions**

Upon the breach by the Developer of the terms or conditions of this Agreement, the Municipality may:

- Apply for an injunction or injunction type relief; or
- Prosecute under the Municipal Government Act, Land Use Bylaw or Building Bylaw, and/or Building Code Act;
- Sue for specific performance of any terms or conditions; or
- Sue for breach of contract; or
- Discharge this Agreement; or
- Undertake any remedies permitted by the Municipal Government Act;
- Take no action but by taking no action on any breach or violation shall not bar the Municipality from exercising its rights under the Development Agreement for any other or a subsequent or continuing breach or violation of the same nature; or
- Any combination of the above.

### **5.5 Registration of Agreement**

The Municipality shall record the Development Agreement in the Land Registration Office and/or Registry of Deeds for the County of Kings

## **5.6 Severability of Provisions**

It is agreed that the provisions of this Agreement are severable from one another and that the invalidity or unenforceability of one provision shall not prejudice the validity or enforceability of any other provision.

## **5.7 Interpretations**

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

## **5.8 Ownership and Control**

This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Property until this Agreement is discharged by Council.

Notwithstanding any subdivision approvals granted pursuant to this Agreement or any transfer of any portion of the Property, this Agreement shall continue to apply and bind the Developer, the Property and any portion of the Property and, subject to this Part, the Developer shall continue to be bound by all terms and conditions of this Agreement until discharged by Council.

Upon transfer of title of any portion of the Property, the owner thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the portion of the Property.

## **5.9 Warranties by the Developer**

The Developer warrants as follows:

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

## **5.10 Costs**

The Developer is responsible for all costs associated with this Agreement.

## **5.11 Full Agreement**

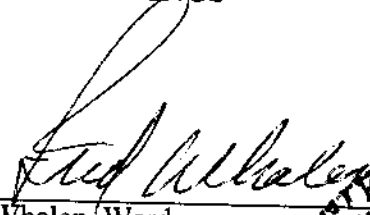
This Agreement constitutes the entire agreement and contract entered into by the Municipality and the Developer. No other agreement or representation, oral or written, shall be binding.

**THIS AGREEMENT** shall enure to the benefit of and be binding upon the parties hereto, their respective agents, successors and assigns.

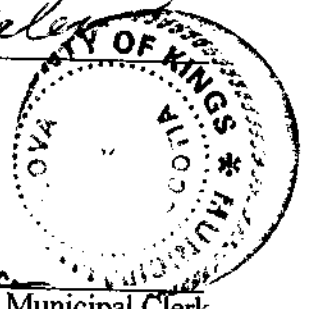
**IN WITNESS WHEREOF** this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND ATTESTED to be the proper signing officers of the Municipality of the County of Kings, duly authorized in that behalf, in the presence of:

**MUNICIPALITY OF THE  
COUNTY OF KINGS**



Fred Whalen, Warden



Heather J. Lightfoot  
Witness

William McKenna  
William McKenna, Deputy Municipal Clerk

SIGNED, SEALED AND DELIVERED  
In the presence of:

**SONIA SYLVIA PORTER**

Antonia L. Barker  
Witness

Sonia Sylvia Porter  
Sonia Sylvia Porter

## Schedule "A"

### Legal Description of Properties

ALL that certain lot, piece or parcel of land situate on the south side of Highway No.1 and on the east side of Lockhart Mountain Road at Coldbrook in the County of Kings in the Province of Nova Scotia, more particularly bounded and described as follows:

BEGINNING at a survey marker found at the northwest corner of Lot A (See Plan filed as P - 6016 and see PID 55153423) on the east bound limit of Lockhart Mountain Road;

THENCE North 16 degrees 10 minutes 00 seconds West following the aforesaid east bound limit of Lockhart Mountain Road a distance of 55.33 feet to a point;

THENCE North 14 degrees 44 minutes 00 seconds West continuing along the aforesaid east bound limit of Lockhart Mountain Road a distance of 126.88 feet to a point marking a jog in the road boundary;

THENCE South 75 degrees 16 minutes 16 seconds West a distance of 8.02 feet to a point also on the east bound limit of Lockhart Mountain Road;

THENCE Northerly following the aforesaid east bound limit of Lockhart Mountain Road a calculated distance of 1,448 feet, more or less, to a survey marker found at the southwest corner of Lot 1-97 (see Plan filed at P-11,326A and see PID 55385041);

THENCE North 85 degrees 01 minutes 37 seconds East a distance of 132.00 Feet following the south bound of Lot 1-97 to its southeast corner;

THENCE North 13 degrees 46 minutes 31 seconds West a distance of 300.00 feet following the east bound of Lot 1-97 (lands of Roysons Flooring & Woodworking Limited) to a survey marker found at the northeast corner of Lot 1-97 located on the south bound limit of Highway No. 1;

THENCE easterly a calculated distance of 360 feet, more or less, following the aforesaid south bound limit of Highway No. 1 to a survey marker found at the northwest corner of Lot VCL-1-99A (see Plan filed at P-11949 and see PID 55439293);

THENCE South 14 degrees 58 minutes 00 seconds East a distance of 300.77 Feet following the west bound of said Lot VCL-1-99A to a survey marker found at its southwest corner;

THENCE North 79 degrees 18 minutes 23 seconds East a distance of 149.64 feet following a portion of the south bound of said Lot VCL-1-99A to a survey marker found at the northwest corner of Lot 60 of Pine Wood Estates Subdivision Phase I (see Plan filed at P-6391 and see PID 55151674);

THENCE South 14 degrees 58 minutes 00 seconds East a distance of 673.35 feet following the west bounds of Lot 60, Lot 59, west end of Meghan Drive, Lot 58, Lot 57, Lot 56, Lot 55 and Lot 54 of Pine Wood Estates Subdivision Phase I, or to the northwest corner of Lot 53A of the said Subdivision (see Plan filed at P-11703 and see PID 55434534), being lands of Kelly Martin Affleck and Linda Darlene Affleck;

THENCE South 04 degrees 53 minutes 28 seconds East a distance of 71.76 feet following the west bound of Lot 53A to a survey marker found at its southwest corner;

THENCE South 82 degrees 52 minutes 12 seconds East a distance of 148.47 feet following the south bound of Lot 53A to its southeast corner marking a corner turn in the west bound of Newcombe Boulevard;

THENCE South 69 degrees 15 minutes 30 seconds East a distance of 235.24 feet following the southwest bound limit of Newcombe Boulevard to the northwest corner of an Open Space Lot owned by the Municipality of the County of Kings as part of the development of Pine Wood Estates Subdivision (See PID 55151997);

THENCE South 14 degrees 58 minutes 00 seconds East a distance of 308.00 feet following the west bound of the Open Space Lot to its southwest corner on the north bound limit of Edith Drive;

THENCE South 75 degrees 02 minutes 00 seconds West a distance of 316.00 feet following the north bound limit of Edith Drive and then following the north bound of Lot 33 of Pine Wood Estates Subdivision to the northwest corner of Lot 33, being lands of Sonia Sylvia Porter (see PID 55152300);

THENCE South 14 degrees 58 minutes 00 seconds East a distance of 550.00 feet following the west bound of Lots 33, 32, 31, 30, 29 and 28 of Pine Wood Estates Subdivision, to the southwest corner of said Lot 28 being lands of Jean Guy Dube (see PID 55152219);

THENCE North 81 degrees 40 minutes 10 seconds West a calculated distance of 528.37 feet following the north bound of other lands of Sonia Sylvia Porter (believed to contain 85 acres more or less) or to the northeast corner of aforesaid Lot A as depicted on the Plan filed in the Kings County Registry of Deeds under Plan File P-6016 (PID 55153423);

THENCE South 80 degrees 14 minutes 45 seconds West a distance of 165.78 feet following the north bound of said Lot A to the place of BEGINNING.

CONTAINING an area of Thirty (30) acres, more or less.

BEING AND INTENDED TO BE the northern portion of lands said to contain 150 acres, more or less, as conveyed to Roy F. Newcombe and Sonia S. Newcombe, his wife, as Joint Tenants, by Warranty Deed dated September 29th, 1976 and recorded on that same date in the Kings County Registry of Deeds in Book 407 at Page 123 as Document No. 8129.

AND ALSO BEING AND INTENDED TO BE the northern portion of those lands described as Lot No.1 in a Quit Claim Deed dated January 17th, 1999 and recorded on January 26th, 1999 in the Kings County Registry of Deeds in Book 1174 at Page 198 as Document No. 351 whereby Roy F. Newcombe conveyed to his spouse Sonia Sylvia Porter (formerly Sonia Sylvia Newcombe) his one-half undivided interest in the said lands.

SUBJECT HOWEVER to a Drainage Easement granted by Sonia Sylvia Porter to Municipality of the County of Kings dated October 16th, 2002 and recorded on October 29th, 2002 in the Registry in Book 1351 at Page 663 as Document No. 7973.

THE ABOVE BEING AND INTENDED TO BE Parcel No. 1 conveyed by Sonia Sylvia Porter (formerly known as Sonia Sylvia Newcombe) to Sonia Sylvia Porter by Warranty Deed dated July 12th, 2004 and recorded on July 15th, 2004 in the Kings County Land Information Office in Book 1434 at Page 293 as Document No. 75883679.

SAVING AND EXCEPTING Lot 1 as shown on plan no. 82263204 registered at the Kings County Land Registration Office.

**Parcel #2**

ALL that certain lot, piece or parcel of land situate, lying and being on the east side of Lockhart Mountain Road at Coldbrook in the County of Kings in the Province of Nova Scotia, more particularly bounded and described as follows:

BEGINNING at a survey marker found on the east bound limit of Lockhart Mountain Road marking the southwest corner of Lot A as depicted on a Plan filed in the Kings County Registry of Deeds (hereinafter referred to as the Registry) under Plan File No. P-6016, being lands now or formerly of Joseph Daniel Pierre Cote;

THENCE Easterly a distance of 57.675 meters following the south bound of said Lot A to a survey marker found at its southeast corner;

THENCE Northerly a distance of 57.775 meters following the east bound of said Lot A to a survey marker found at its northeast corner and being on the south bound of other lands of Sonia Sylvia Porter having an area of approximately 30 acres;

THENCE South 81 degrees 40 minutes 10 seconds East a calculated distance of 528.37 feet following the south bound of the aforesaid 30 acre parcel of Sonia Sylvia Porter to a survey marker found at the southwest corner of Lot 28 of Pine Wood Estates Subdivision Phase I, being lands now or formerly of Jean Guy Dube;

THENCE Easterly following the south bound of said Lot 28 until it reaches a northwest corner of Pinewood Avenue;

THENCE Southeasterly following a west bound limit of Pinewood Avenue and then following the west side of Lot 27 of the Subdivision to a point;

THENCE Southerly continuing along the west bound of Lot 27 of the Subdivision to its southwest corner;

THENCE Easterly following the south bounds of Lots 27, 26, 25 and 24 of the Subdivision to a southeast corner of Lot 24 and being on the west bound of lands formerly of William Hiltz, and now or formerly of Gregory Murray Hiltz;

THENCE Southerly following the west bound of said lands now of Gregory Hiltz to the southwest corner of the Hiltz property, being also the northwest corner of lands now or formerly of Ralph J. Sanford and Erdeena Sanford;

THENCE continuing southerly along the west bound of the Sanford lands to the northeast corner of lands of Nova Scotia Farm Loan Board, occupied by Jan Van Der Heide;

THENCE Westerly following the north bound of said lot and also following the north bound of a parcel owned by Hilbrent Van Der Heide et al to its point of intersection with the east bound of Parcel A, lands now or formerly of Robert and Brenda Arenburg;

THENCE Northerly following the said east bound of the Arenburg property to its northeast corner, being also the southeast corner of lands now or formerly of Donald and Joann Urquhart;

THENCE Westerly following the north bound of said lands of Urquhart to its northwest corner on the aforesaid East bound limit of Lockhart Mountain Road;

THENCE Northerly following the various courses of the aforesaid east bound limit of Lockhart Mountain Road and crossing the brook to the place of BEGINNING.

CONTAINING an area estimated to be eighty-five (85) acres, more or less.

THE ABOVE BEING AND INTENDED TO BE the same lands described as Parcel No. 2 in a Warranty Deed granted by Sonia Sylvia Porter (formerly known as Sonia Sylvia Newcombe) to Sonia Sylvia Porter dated July 12, 2004 and recorded on July 15, 2004 in the Kings County Land Registration Office as Document No. 75883679.

#### BURDEN NO. 1

SUBJECT HOWEVER to a Power Line Easement granted to The Avon River Power Company, Limited (now Nova Scotia Power Inc.) by John Henry McInnes et al dated in 1938 and recorded on July 5, 1938 in the Registry in Book 159 at Page 497, running in an east-west direction through the parcel, and having a width of 66 feet. There is no known recorded survey plan of this power line transmission right-of-way. The full text of this 1938 Easement appears in the aforesaid document recorded in Book 159 at Page 497.

#### BURDEN NO. 2

SUBJECT HOWEVER to an additional Power Line Easement granted by the heirs-at-law of J. H. McInnes to The Avon River Power Company Limited (now Nova Scotia Power Inc.) dated in 1951 and recorded on December 17, 1951 in the Registry in Book 181 at Page 8. This second power line easement runs parallel to and contiguous to the south bound of the 1938 power line easement, providing the utility with a total easement width of 132 feet when both Easements are taken into consideration. There is no known survey plan of either of the 66 foot wide easements recorded in the Kings County Land Registration Office. The full text of this 1951 Easement may be ascertained by reference to the document recorded in Book 181 at Page 8.

#### BURDEN NO. 3

SUBJECT HOWEVER to a Grant of Easement from Sonia S. Porter to Nova Scotia Power Inc. dated August 16, 2003 and recorded on August 28, 2003 in the Kings County Land Registration Office in Book 1397 at Page 980 as Document No. 5732. This Grant of Easement provides for the erection of a power line leading southeasterly from Lockhart Mountain Road and then

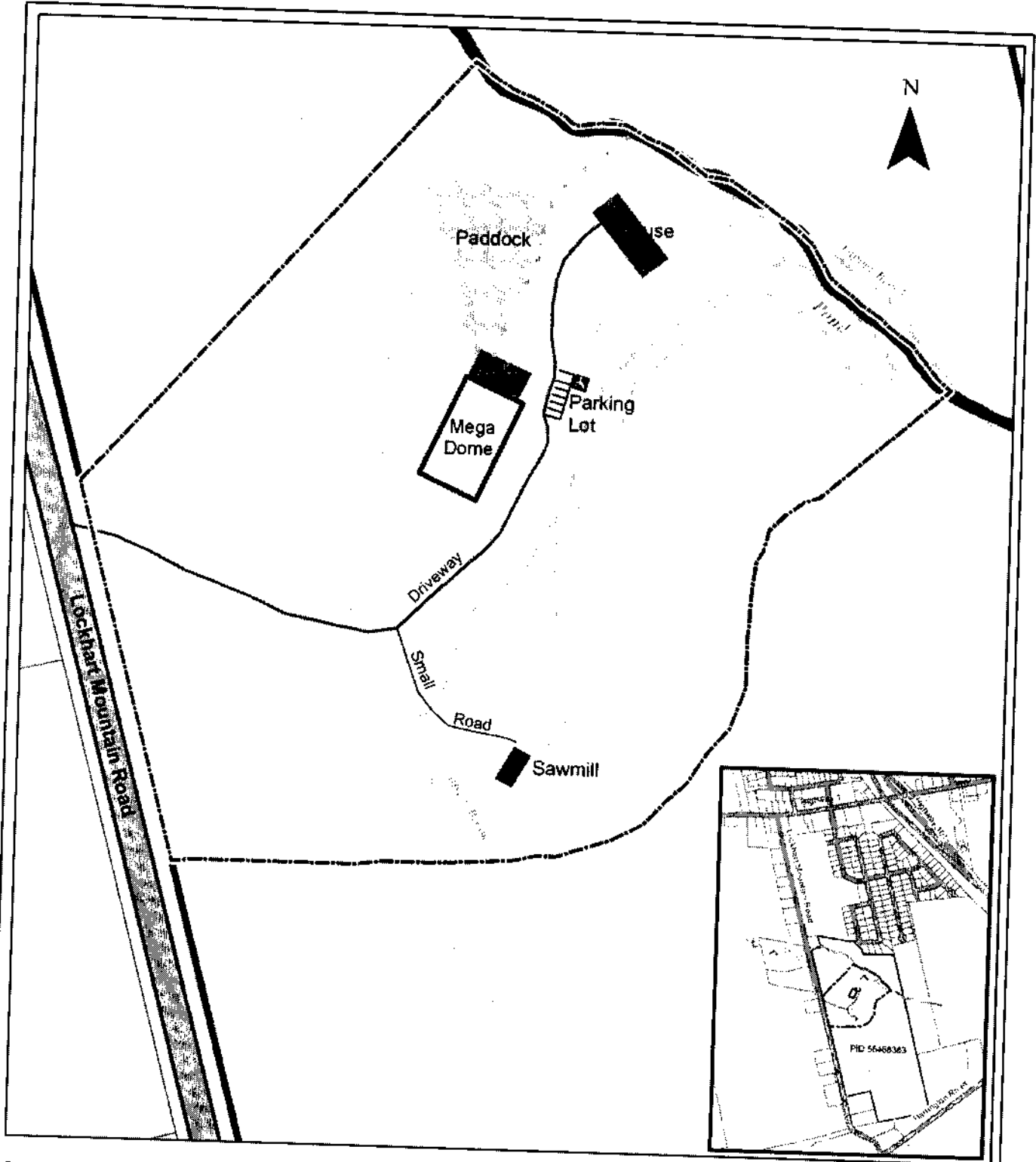
turning and running northeasterly to the general area of a residence and barn known as Civic No. 1386 Lockhart Mountain Road. This is a standard Grant of Easement to the power utility to enable a power line to be erected from the main line running north and south along Lockhart Mountain Road to a particular residential development east of the Road. The full text of the Easement may be viewed by reference to the said document recorded in Book 1397 at Page 980.

#### MGA COMPLIANCE STATEMENT

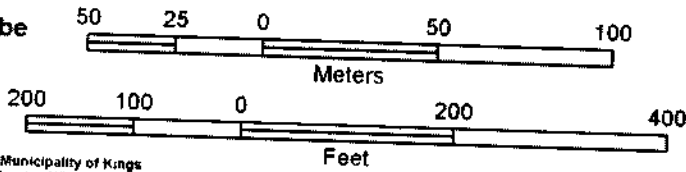
The parcel is exempt from the requirement for subdivision approval under the Municipal Government Act because the creation of this parcel (and the adjoining 30 acre more or less parcel to the North also owned by Sonia Sylvia Porter) was exempted pursuant to Subsection 268 (2)(a) of the Municipal Government Act as established by the Affidavit of Sonia Sylvia Porter and in particular Paragraph 5 thereof as contained in the Warranty Deed to Sonia Sylvia Porter recorded on July 15, 2004 as Document No. 75883679.



Schedule 'B' - Site Plan



Site Plan  
 Sonia Porter-Newcombe  
 Coldbrook  
 File# 06-16  
 PID 55468383



- Parking lot
- Small Road
- Driveway
- Fence
- Trail
- Site
- Other Properties
- Development Envelope

Source:  
 Digital Zoning & Civic Address File 2007, Municipality of Kings  
 Digital Property Management Unit Files, Service NS & Municipal Relations - June, 2007  
 This map is a graphical representation of property and zoning boundaries.  
 It is not a survey and is not intended to be used to calculate exact dimensions or area.

**AFFIDAVIT OF CLERK, MUNICIPALITY OF THE COUNTY OF KINGS**

I, William McKennan of Kentville, Kings County, Nova Scotia make oath and swear that:

1. I am the Deputy Clerk of the Municipality of the County of Kings (the "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the *Municipal Government Act*, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality 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 or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the *Income Tax Act* (Canada).

SWORN TO at Kentville, in Kings County, )  
Nova Scotia, on Aug 8, 2008 (date), )  
before me: )

Heather J. Lightfoot (signature) )

HEATHER JO LIGHTFOOT (name) )  
A COMMISSIONER OF THE SUPREME )  
COURT OF NOVA SCOTIA )

William McKennan (signature)  
William McKennan, Deputy Clerk

I CERTIFY that on this date William McKennan personally came before me and swore under oath the foregoing Affidavit.

Heather J. Lightfoot (signature)  
HEATHER JO LIGHTFOOT (name)  
A COMMISSIONER OF THE SUPREME  
COURT OF NOVA SCOTIA

**INDIVIDUAL AFFIDAVIT OF STATUS: NO SPOUSE**

I, Sonia Sylvia Porter (legal name), of 1386 Lockhart Mtn. Rd. (civic address), make oath and swear that:

1. I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I am nineteen years of age or older and am resident in Canada for the purposes of the *Income Tax Act* (Canada).
3. I acknowledge that I executed the attached Instrument under seal on the date of this Affidavit, and this acknowledgment 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 or recording the Instrument.
4. For the purpose of this affidavit, "spouse" means an individual who:
  - (a) is married to another individual;
  - (b) is married to another individual by marriage that is voidable and has not been voided by a declaration of nullity;
  - (c) has gone through a form of marriage with an individual, in good faith, that is void and they are cohabitating or have cohabitated within the preceding year; or
  - (d) is a party to a registered domestic-partner declaration made in accordance with section 53 of the *Vital Statistics Act*, R.S.N.S. 1989, c.494, as amended, but does not include an individual who becomes a former domestic partner pursuant to subsection 55(1) of the *Act*.
5. For the purposes of this affidavit, "matrimonial home" means the dwelling and real property occupied by a person and that person's spouse as their family residence and in which either or both of them have a property interest other than a leasehold interest.
6. I am not a spouse at the time of making the disposition or encumbrance in the attached Instrument and, with respect to the property disposed of or encumbered by the attached Instrument, I do not have:
  - (a) a former domestic partner with the rights contemplated by section 55 of the *Vital Statistics Act*; nor
  - (b) a former spouse with rights pursuant to the *Matrimonial Property Act*, R.S.N.S. 1989, c.275, as amended.

SWORN TO at Kentville (town), )  
 in King's County, Nova Scotia on )  
August 25, 2008 (date), before me: )  
Cynthia L. Barker (signature) )  
CYNTHIA L BARKER (name) )

Sonia Sylvia Porter (signature)  
Sonia Sylvia Porter (name)

A COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA)

I CERTIFY that on this date Sonia Sylvia Porter (name) personally came before me and swore under oath the foregoing Affidavit.

Cynthia L. Barker (signature)  
CYNTHIA L BARKER (name)  
 A COMMISSIONER OF THE SUPREME  
 COURT OF NOVA SCOTIA

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<b>TO</b>	Municipal Council
<b>PREPARED BY</b>	Laura Mosher, Manager, Planning and Development Services
<b>MEETING DATE</b>	October 1, 2024
<b>SUBJECT</b>	Council Appointment of Development Officer

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## ORIGIN

- Section 243 (1) Nova Scotia *Municipal Government Act*

## RECOMMENDATION

That Municipal Council appoint **Kimberly Crewe** as a Development Officer for the Municipality of the County of Kings as required under Section 243(1) of the Nova Scotia *Municipal Government Act* while employed with the Municipality.

## INTENT

The Nova Scotia *Municipal Government Act (Act)* requires a municipality to appoint a Development Officer to administer development controls on behalf of Council. These controls include such things but are not limited to the subdivision by-law, the provincial subdivision regulations, granting or refusing development permits, site plan approval and variances. This appointment allows a Development Officer to administer and enforce the *Act*, and applicable Regulations and By-laws in the Municipality.

## DISCUSSION

The *Act* under Part IX S.191(d) defines **Development Officer** as “*the person or persons appointed by council to administer a land use or subdivision by-law*”. Further, Section 243(1) of the *Act* states “a Council shall appoint a development officer to administer its land-use by-law and subdivision by-law”.

The Municipality of the County of Kings has two Development Officer positions, one of which was filled by Kimberly Crewe in August 2024. Ms. Crewe has been performing all the duties of a Development Officer since that time up to the point that documents are signed. At this time, staff are requesting that Ms. Crewe be appointed as a Development Officer to enable her to fulfill the duties of her position.

## FINANCIAL IMPLICATIONS

- Within the departmental salary budget

## STRATEGIC PLAN ALIGNMENT

	Strong Communities	
	Environmental Stewardship	
	Economic Development	
	Good Governance	
	Financial Sustainability	
✓	Other	Requirement of <i>Municipal Government Act</i>

# Request for Decision

## ALTERNATIVES

- No alternative as this is a requirement of *the Act*.

## IMPLEMENTATION

- Appointment approval

## ENGAGEMENT

- None required

## APPENDICES

- None

## APPROVALS

Patricia Javorek, Director, Planning and Inspections

September 23, 2024

Scott Conrod, Chief Administrative Officer

September 25, 2024

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<b>TO</b>	Municipal Council
<b>PREPARED BY</b>	Terry Brown, Manager, Inspection & Enforcement
<b>MEETING DATE</b>	October 1, 2024
<b>SUBJECT</b>	Council Appointment of Building Officials

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## ORIGIN

- Two Assistant Building Official Positions created under [2023/24 budget](#)
- [Nova Scotia Building Code Regulations](#) requires Building Official Level 1 Qualification to perform building inspections

## RECOMMENDATION

That Municipal Council hereby appoint **Neal McGill and Liam Konings** as Building Officials for the Municipality of the County of Kings as required under Section 5 (2) of the *Nova Scotia Building Code Act* while employed with the Municipality.

## INTENT

The Province of Nova Scotia has adopted the *Nova Scotia Building Code Act (Act)* which references the National Building Code of Canada. By adopting the *Act*, the Province requires each Municipal Council to be responsible for the appointment of Building Officials as set out in Section 5 of the *Act*. This appointment allows for each Building Official to administer and enforce the *Act*, Regulations and Building Code in their area of jurisdiction.

## DISCUSSION

The Municipality continues to see a steady increase in permit applications, permits issued, inspections, and investigations of complaints. We anticipate that the trend will also continue in the future for the Municipality, as well as the Towns of Kentville and Berwick, with whom we provide the service of building inspection.

The Municipality of the County of Kings has a total of three (3) Building Official positions, one of which is staffed by a full-time employee and the other two positions are currently vacant. As part of our succession planning, two Assistant Building Official positions were approved and created as part of the 2023/24 budget year. These positions were created to assist the Municipality with recruitment by hiring candidates and training them to become Qualified Building Officials. Recently, both Assistant Building Officials completed the required educational component of the training process and have received confirmation of approval from the Nova Scotia Building Code Training & Certification Board of their Level 1 Qualification. As Qualified Level 1 Building Officials, they will be able to assist with the workload by reviewing files, conducting investigations, issuing permits and conducting the necessary building inspections. This will further assist with customer service and limiting delays in permit processing.

Section 5 (2) of the *Nova Scotia Building Code Act* states:

A Building Official or Building Officials shall be appointed by each Council to administer and enforce this *Act* in the Municipality.

## FINANCIAL IMPLICATIONS

- N/A

## STRATEGIC PLAN ALIGNMENT

	Strong Communities	
	Environmental Stewardship	
	Economic Development	
✓	Good Governance	Supports Core Program
	Financial Sustainability	
	Other	

## ALTERNATIVES

- No alternatives as this is a requirement of the Act.

## IMPLEMENTATION

- Appointment Approval

## ENGAGEMENT

- No engagement necessary

## APPENDICES

- None

## APPROVALS

Patricia Javorek, Director, Planning and Inspections

September 25, 2024

Scott Conrod, Chief Administrative Officer

September 25, 2024



Municipality of the County of Kings

Time of Council Meetings

<b>Policy Category</b>	Administration	<b>Most Recent Amendment</b>	February 1, 2022
<b>First Council Approval</b>	April 5, 2005	<b>Future Review Date</b>	September 2028

**1. Purpose**

This Policy establishes the date, hour, and place at which the regular meetings of the Council of the Municipality of the County of Kings are held.

**2. Scope**

This Policy applies to all regular Council meetings of the Municipality of the County of Kings.

This Policy does not apply to any Special or Emergency meetings of Council, nor the meetings of Council’s Committees.

**3. Policy Statements**

3.1 Regular meetings of Council shall occur on the second Tuesday of each month, commencing at 6:00 p.m. local time, and be held in Council Chambers, unless the meeting is to be held virtually in accordance with s.19A(1) Municipal Government Act and Policy ADMIN-01-022 Virtual Meetings. ~~otherwise permitted by resolution or Policy of Council.~~

3.2 Council will endeavour to adjourn meetings by 9:00 p.m.

3.3 Notice for all meetings of Council shall be in accordance with provisions of the *Municipal Government Act*.

3.4 Council may recess at the discretion of the Chair and in consultation with Members of Council present at the meeting.

**4. Responsibilities**

4.1 Council will:

- 4.1.1 ensure the Municipality has a Policy for the date, hour, and place of Council meetings; and
- 4.1.2 review and amend this Policy as required.

4.2 The Chief Administrative Officer will:

- 4.2.1 implement and administer this Policy; and
- 4.2.2 identify and propose revisions to this Policy.

**5. Amendments**

Date	Amendments
February 2022	Policy migrated to new template; Policy statements updated.
September 2024	<u>Amended to include virtual meetings.</u>





Municipality of the County of Kings

Presentations to Committee of the Whole

<b>Policy Category</b>	Administration	<b>Most Recent Amendment</b>	Council Meeting Date
<b>First Council Approval</b>	June 5, 2012	<b>Future Review Date</b>	+ 4 Years

1. Purpose

To establish guidelines for presentations to Committee of the Whole meetings.

2. Scope

This Policy governs presentations from local or regional community organizations, professional associations, not-for-profit organizations, delegations, federal or provincial government agencies, and municipal partners. Exceptions may arise, if deemed appropriate by the Chief Administrative Officer (CAO) and Mayor.

For the purposes of this Policy, comments from individual members of the public are not considered presentations and are governed by Policy ADMIN-01-003: Comments from the Public.

3. Definitions

3.1 **Chief Administrative Officer (CAO):** means the Chief Administrative Officer of the Municipality of the County of Kings, whose duties and responsibilities are set out in the *Municipal Government Act*, 1998, c. 18, s. 1;

3.2 **Electronic Copy:** digital versions of information, such as PowerPoint, Canva, Google Slides, Impress, or Keynote, produced on a computer and saved to a Flash drive or attached to an email. Also, a paper document that has been scanned and converted to a computer file, typically Microsoft Word or Adobe PDF.

3.3 **Flash Drive:** a small electronic device containing flash memory that is used for storing data or transferring it to or from a computer, digital camera, etc. Also known as a Jumpdrive, Thumbdrive or USB Drive;

3.4 **Hard Copy:** a printed version on paper of data held in a computer;

3.5 **Municipal Clerk:** means the Municipal Clerk of the Municipality of the County of Kings, whose duties and responsibilities are set out in the *Municipal Government Act*, 1998, c. 18, s. 1.

4. Policy Statements

4.1 To ensure that the regular business of Committee of the Whole may be conducted, the agenda is limited to a maximum of three presentations per meeting.

- 4.2 Each presentation is allotted 20 minutes in total; 10 minutes for the presenter to present and 10 minutes for questioning from Committee of the Whole. Exceptions may arise, if deemed appropriate by the CAO and Mayor when the presentation is scheduled.
- 4.3 Presentations made at the request of Committee of the Whole or staff may be allotted more time on a case-by-case basis.
- 4.4 The content and form of presentations should be designed to meet any or all of the following goals:
- updating Committee of the Whole on local community initiatives, projects, budgets, or operations;
  - raising Committee of the Whole's awareness or support of new community-based organizations or agencies; and/or
  - celebrating achievements of volunteer-based agencies or not-for-profits which have social, cultural, economic, or environmental well-being in their mandate.
- 4.5 As a rule, Committee of the Whole will refer presentations to staff for a report if the presentation deals with a request from the Municipality for expenditure of funds, grant applications, or other action on the part of the Municipality.
- 4.6 Any persons requiring accommodation are asked to contact staff at the Municipality of the County of Kings.
- 4.7 In exceptional circumstances, a virtual presentation may be permitted. Any persons wishing to present by virtual means must advise the Municipal Clerk with at least 24 hours' notice to provide for technical set up per ADMIN-01-022: Virtual Meetings Policy.
- 4.8 If more than one person appears representing a group or association in relation to a particular item, Committee of the Whole may:
- require a designated spokesperson to speak on behalf of the group or association so appearing, or
  - allow more than one presenter, with the groups understanding that the presentation is still limited to 10 minutes.
- 4.9 The CAO may refuse to schedule a presentation if the person requesting the opportunity to make a presentation to Committee of the Whole has made a presentation on the same subject matter on at least two other occasions within the six-month period immediately prior to the request. When reviewing the request, the CAO shall consider whether there have been any significant developments in the subject matter since the person's last appearance or whether the presenter has demonstrated new information to provide to Committee of the Whole.
- 4.10 Committee of the Whole has the authority to prevent a person from starting or continuing a presentation if the conduct of the presenter is or could be considered abusive, intimidating, harassing or disrespectful to Committee of the Whole, staff, or any third party.

4.11 Committee of the Whole, under exceptional circumstances, has the authority to waive any or all of the provisions of this Policy to allow or to receive a presentation from a member of the public present at a Committee of the Whole meeting.

## Presentation Requirements

4.12 Presenters must submit a brief summary using the report template attached to this Policy.

4.12.1 The summary must include the following:

- Indication as to who will be presenting to Committee of the Whole and on what matter they wish to present;
- information on the organization being represented;
- a summary of what will be discussed; and
- information on any requests.

## Procedure

4.13 A properly completed Request for a Presentation to Committee of the Whole Form containing a summary of the presentation must be received by the Municipal Clerk a minimum of two weeks prior to the meeting. If it is not received on time, the presentation will not be placed on the agenda.

4.14 The Chief Administrative Officer or designate shall review all requests for presentations and determine at which meeting the presentation can be made.

4.15 Prior to placing a presentation on a Committee of the Whole agenda, the Chair of the meeting shall approve the adding of the presentation to the agenda.

4.16 The Municipal Clerk will inform the group that they are on the agenda for the upcoming meeting at least five days in advance of the meeting.

4.17 A Hard Copy or Electronic Copy of the presentation must be submitted to the Municipal Clerk by 4:30 p.m. the Friday before the meeting and must meet any provided criteria for accessibility under section 4.6 of this Policy.

4.18 Presentations on Flash/USB Drives and CDs cannot be introduced and used at the time of the meeting.

4.19 If a presenter has additional information they would like to share with Committee of the Whole after their presentation, they shall forward the information to the Municipal Clerk, and the information will be distributed to Committee of the Whole via e-mail if deemed appropriate.

## **Responsibilities**

5.1 Municipal Council will:

- 5.1.1 ensure the Municipality has a current and comprehensive Policy for Presentations to Committee of the Whole; and
- 5.1.2 review and amend this Policy as required.

5.2 The Mayor will:

- 5.2.1 Identify necessary revisions to this Policy in collaboration with the CAO; and

5.2.2 approve each presentation before it is added to the agenda in collaboration with the CAO.

5.3 The Chief Administrative Officer will:

5.3.1 implement this Policy; and

5.3.2 identify and propose revisions to this Policy.

5.4 The Municipal Clerk will:

5.4.1 receive all presentations;

5.4.2 add presentations to the Committee of the Whole agenda, once approved by the CAO and Mayor; and

5.4.3 keep record of all presentations.

**5. Amendments**

Date	Amendments
August 16, 2016	
2024	Migration to new template. Addition of definitions, and procedure. Provisions for denying requests and discontinuing presentations due to the presenter behaving in an abusive, intimidating, or disrespectful manner.



MUNICIPALITY *of the*  
COUNTY *of* KINGS

**MUNICIPALITY OF THE COUNTY OF KINGS**

**Guidelines to Presentations to Committee of the Whole**

**Date and Time:**

The Committee of the Whole meets on the third Tuesday of every month. Presentations are scheduled based on how many requests have been received and whether any are time sensitive.

Meetings start at 9:00 a.m. and presentations are normally scheduled between 9:00 and 11:00 a.m. Please note the scheduled times may vary. If you wish to lock in the time of your presentation (e.g., in case you expect people to attend at the scheduled time to hear the presentation), please specify this at the time of booking.

Presenters have 10 minutes to present and 10 minutes for questioning from Councillors.

**Please keep presentations to a maximum of 10 minutes unless otherwise approved.**

**Presenters Must Submit a Brief Summary:**

- Please complete the form on page 2 and return it to the contact person below.
- The summary must include information on the organization being represented, a summary of what will be discussed, and information on any requests.
- The summary must be received by the requested deadline prior to presenters' date/time being confirmed. Presenters will be notified of the deadline when their presentation request is received. If the summary is not received, presenters cannot be scheduled on the agenda.

**If Presenters Have Electronic Aids (PowerPoint etc.):**

- The electronic presentation must be e-mailed to the contact person below no later than 4:30 p.m. on the Friday before the scheduled presentation.
- Presentations on flash drives and CDs cannot be used.
- Once submitted, last-minute changes to the presentation cannot be made without sufficient notice.

**Please Submit Presentation Materials and Presentation Form to:**

Janny Postema, Municipal Clerk  
Municipality of the County of Kings  
Tel. (902) 690-6275  
Fax (902) 678-9279  
[jpostema@countyofkings.ca](mailto:jpostema@countyofkings.ca)

Presentation to Committee of the Whole

**Subject:**

**Organization:**

**Name of Presenter(s):**

**Date:**

---

**Organization:**

*(Who) Summary of the organization you will represent:*

**Discussion:**

*(What) Brief summary of the topic you wish to discuss:*

**Request:**

*(Why) Please indicate the purpose of the presentation - is your organization requesting a commitment? (funding, letter of support, etc.) Or providing the presentation for information?*



Municipality of the County of Kings

Parental Accommodations for Elected Officials

<b>Policy Category</b>	Administration	<b>Most Recent Amendment</b>	Council Meeting Date
<b>First Council Approval</b>	July 3, 2018	<b>Future Review Date</b>	+ 4 Years

1. Purpose

To set out the Municipality of the County of Kings' supports for Council members taking leave for pregnancy, birth, ~~or~~ adoption, or loss of pregnancy, and ~~is committed~~ its commitment to supporting accommodating elected officials ~~them~~ during that time. ~~This Policy establishes the entitlements members of Council have relative to Parental Accommodations, work in a family supportive environment, and a permitted leave for up to one year.~~

2. Scope

This Policy applies to all Council members of the Municipality of the County of Kings who are undertaking ~~a Parental Accommodations,~~ as defined in s. 3(aya) Municipal Government Act (MGA) for pregnancy, birth of child, or adoption of a child.

3. Definitions

~~Definitions of terms used in the policy as required for clarity or interpretation; listed in alphabetical order.~~

3.1 **Parental Accommodation:** means a leave of absence by a Council Member due to pregnancy, birth of child, adoption of a child or loss of pregnancy.

4. Policy Statements

4.1 This Policy establishes the Parental Accommodation entitlements for m ~~Members of Council have relative to Parental Accommodations, to work within a family-supportive~~ supportive environment, and a permitted leave for up to one year.

Family-Friendly Workplace

4.12 The Municipality shall take measures to be a family-friendly workplace for all members of Council. Without limitation, this will include:

- Promoting and ensuring a workplace culture that supports and encourages families;
- Supporting balance and respecting boundaries between work and family;
- Promoting and providing spaces for breastfeeding;
- Providing space for family care including changing stations in washrooms;
- Embracing parents bringing their infants to Council and Municipal Committee meetings;

- Making flexible working arrangements for families at all stages; and
- Advocating for and accommodating the needs of all families.

## Principle of Non-Penalty

4.23 Any member of Council taking a Parental Accommodation shall not be penalized in any way for their absence from Council or Committee meetings. Without limitation, this includes deductions for missed meetings, salary decreases, any other financial penalty, or exclusions from Council events.

## Notice of Leave

4.34 Any Council member planning a Parental Accommodation shall endeavour to provide two weeks' notice of any leave to the Mayor and Municipal Clerk.

## Compensation and Additional Benefits

4.45 While on a Parental Accommodation, any member of Council shall continue to receive remuneration as prescribed in Policy FIN-05-002: Council and Committee Remuneration Policy and any benefits they have opted to receive. That is, any benefits or deductions the member of Council was receiving prior to their Parental Accommodation shall continue while on a Parental Accommodation.

## Length of Leave

4.6 Any member of Council may take up to 52 consecutive weeks of leave during a pregnancy or leave within a year of a birth or adoption.

4.66 Per s.17(4)(a) *Municipal Government Act*, a Mayor or Councillor who is absent for 52 or fewer consecutive weeks due to Parental Accommodation during a pregnancy or leave commenced within a year of a birth or adoption may not be disqualified to serve as Mayor or Councillor.

4.7 In the case of a pregnancy loss experienced by a member of Council or their spouse or partner after the 19th week of pregnancy, it shall be the intention of Council to provide a leave of up to 17 weeks. In these cases, leave shall be considered a Parental Accommodation as set out in Section 4.3 of this Policy.

4.8 A Parental Accommodation permitted by this Policy may not extend beyond the member's term in office.

## Determining Responsibilities While on Leave

4.79 The member of Council going on leave is entitled to determine their level of involvement during parental leave. This may include attendance at some Council or Committee meetings, responding to calls or emails, and meeting with constituents.

4.810 The member of Council is encouraged to submit a signed written commitment to the Mayor and Chief Administrative Officer (CAO) that includes:

- (1) the processes that will be implemented to ensure that the member of Council's constituents remain represented during Parental Accommodation leave, which may include another member of Council providing coverage or any other process that the member of Council taking leave determined appropriate; and



(2) The duties that the member of Council intends to continue to perform during all or part of the ~~parental~~Parental accommodation~~Accommodation~~ leave.

4.911 A member of Council may revise their written commitment during Parental Accommodation leave by submitting a revised written commitment to the Mayor and CAO.

Interim Representation and Continued Service on Committees

4.1012 Interim representation on committees shall be arranged prior to Parental Accommodation beginning. The Council member going on leave will determine the need for interim representation on Committees to which they have been appointed. If necessary, the Nominating Committee may assist in arranging interim representation on Committees.

4.1113 The Council member(s) providing interim representation for the member of Council on leave shall also sign the written commitment per section ~~3.84.10~~ to confirm their acceptance of responsibilities on behalf of the member taking leave.

4.1214 Per s.25(1)(a) *Municipal Government Act*, any member of Council who goes on Parental Accommodation may not be removed as a member of committees, commissions, and boards.

Leave for Pregnancy Loss

~~4.13 In the case of a pregnancy loss experienced by a member of Council after the 19th week of pregnancy, it shall be the intention of Council to provide a leave of up to 17 weeks.~~

~~In these cases, leave shall be considered a Parental Accommodation as set out in Section 3.2 of this Policy.~~

**5. Responsibilities**

5.1 Council will:

- 5.1.1 ensure the Municipality has a current and comprehensive Policy for Parental Accommodations;
- 5.1.2 provide for parental supports for elected officials in a way that is consistent with the *Municipal Government Act* and this Policy, including accepting additional responsibilities if needed; and
- 5.1.3 review and amend this Policy as required.

5.2 The Chief Administrative Officer will:

- 5.2.1 implement this Policy; and
- 5.2.2 identify and propose revisions to this Policy.

**6. Amendments**

Date	Amendments
<u>2024</u>	<u>Migration to new template. Addition of provision that Parental Leave may not extend beyond the term of office.</u>



Municipality of the County of Kings

Fire and Emergency Services Providers Registration

<b>Policy Category</b>	Protective Services	<b>Most Recent Amendment</b>	Council Meeting Date
<b>First Council Approval</b>	November 3, 2015	<b>Future Amendment Date</b>	+ 4 Years

1. Purpose

The *Municipal Government Act* (MGA) establishes a registration process for Fire Departments and Emergency Services Providers. The purpose of the registry is to ensure the Municipality knows who is providing Fire and Emergency Services, what Fire and Emergency Services are available in the Municipality, and the provider meets the minimum standard of competency as stated in this policy and is in compliance with Section 294(4) of the MGA.

2. Scope

This Policy applies to all fire service and emergency services providers which operate or intend to operate within the Municipality.

3. Definitions

- 3.1 **Fire Department:** means an incorporated body that provides fire services and that may, at its option, provide one or more other emergency services, and includes a fire or emergency services department of a municipality, village, fire protection district or other body corporate.
- 3.2 **Fire and Emergency Services:** means the provision of emergency services, including fire services, emergency medical services, search and rescue, water rescue and assistance and protection for people and property in the event of disasters including, but not limited to, floods, hurricanes, motor vehicle accidents and chemical spills.
- 3.3 **Fiscal Year:** means the fiscal year of the Municipality of the County of Kings, which commences April 1 and concludes March 31 of the following calendar year.
- 3.4 **Society:** means a Society incorporated under the *Societies Act, R.S., c. 435, s. 1.*

4. Policy Statements

- 4.1 The Municipality may grant or lend money to a registered Fire Department or Emergency Services Provider for operating and capital purposes or provide a loan guarantee.
- 4.2 Criteria  
Every Fire Department and Emergency Services Provider must register with the Municipality for which it provides services on an annual basis. The registration of Fire and Emergency Services provided within the Municipality shall be administered through the Office of the CAO by the Manager of Inspection & Enforcement Division.
- 4.3 Registration Process  
To provide Fire and Emergency Services within the Municipality and to receive funding for that service, each Fiscal Year a Fire Department or Emergency Services Provider shall complete the Registration Form provided by the Municipality and included in this Policy.
- 4.4 Registration
  - 4.4.1 Registration does not make a Fire Department or Emergency Services Provider an agent of the Municipality.

- 4.4.2 The Municipality shall register an applicant in accordance with the conditions established s. 294 according to but not limited by the following criteria:
- 4.4.1.1 It is a body corporate, being a registered Society under the *Societies Act*, registered in good standing with annual fees paid in full or is under ownership of an incorporated Town or Village Commission;
  - 4.4.1.2 The Municipality is satisfied that the Fire Department **or Emergency Services Provider** is capable of providing the services it offers to provide;
  - 4.4.1.3 The Fire Department **or Emergency Services Provider** carries the minimum liability insurance as prescribed by the Municipality;
  - 4.4.1.4 The Municipality does not itself provide the same service or the service is not already provided by another entity;
  - 4.4.1.5 A Fire Department or **Emergency Services provider** provides the Municipality with a list of specific emergency services it will endeavour to provide and the area in which the services will be provided; and
  - 4.4.1.6 **A registered Fire Department or Emergency Services Provider is not a municipal enterprise pursuant to the *Finance Act*. 1998.**
- 4.5 Registration Termination and Term
- 4.5.1 Registration continues in force until withdrawn by the Municipality for cause or on written request by the Fire Department **or Emergency Services Provider** issued to the Municipality a minimum of 12 months prior to its intended termination of services.
- 4.6 Evaluation
- 4.6.1 **Evaluation of Services by the Fire and Emergency Services Provider**  
Each applicant must declare, on the Registration Form provided, the type and level of service it is capable of providing. The Fire Department shall rate its ability and competency according to the following types of service listed on the Registration Form:
- 4.6.1.1 Structural or Defensive Fire Attack;
  - 4.6.1.2 Medical First Responder (registered level of response) or Medical Assistance only;
  - 4.6.1.3 Competency attained through education and training to the level of either Technician, Operations, or Awareness for the following specialty emergency services:
    - 4.6.1.3.1 Vehicle Rescue
    - 4.6.1.3.2 Water Rescue
    - 4.6.1.3.3 Ice Rescue
    - 4.6.1.3.4 Building Collapse (*Urban Search and Rescue*)
    - 4.6.1.3.5 Rope Rescue (*High Angle*)
    - 4.6.1.3.6 Hazardous Material
- 4.6.2 **Evaluation of Fire and Emergency Service by the Municipality**  
**The Municipality evaluates the types and level of services it may register by the standard set out in *NFPA 1500: Standard on Fire Department Occupational Safety, Health, and Wellness Program*. It is the source document used to create a registration process and provides the Municipality with a common standard to evaluate the submission.**
- 4.6.2.1 The purpose of the registry and evaluation is to spell out the specific parameters of services to be provided and allows a Fire Department **or Emergency Services Provider** to plan, staff, equip, train, and deploy members to perform these duties. It also provides the governing bodies with an account of the costs of services and allows it to select those services they can afford to provide. Likewise, the governing body should identify the services it cannot afford to provide and that it cannot register the department to deliver.
- 4.6.2.2 The Municipality accepts ***NFPA 1500: Standard on Fire Department Occupational Safety, Health, and Wellness Program*** as the basis upon which each Fire Department meets an industry standard of safety, and plans, equips,

trains, and provides Fire and Emergency Services, and how the Municipality determines funding.

**4.6.3 Evaluation Criteria**

The Municipality evaluation shall be based upon the guidelines established by the *Fire & Emergency Service Guide* as follows:

- 4.6.3.1 The Fire Department or Emergency Services Provider can establish limits on the level of services they provide.
- 4.6.3.2 The Fire Department or Emergency Services Provider has the equipment to perform the services they wish to provide.
- 4.6.3.3 Fire Department members meet or exceed the competency requirements including experience to master basic firefighting skills so they can safely perform all of the services they wish to register with the Municipality. The level of education, training, and experience shall be:
  - 4.6.3.3.1 NFPA 1001: NFPA 1001 Level I-II Firefighter Training Program Certificate of Completion based upon an accredited curriculum;
  - 4.6.3.3.2 Medical First Responder: MFR Registration with the Department of Health;
  - 4.6.3.3.3 Medical Assistance: Standard First Aid;
  - 4.6.3.3.4 Vehicle, Ice, & Water Rescue: NFPA 1670: Standard on Operations and Training for Technical Search and Rescue;
  - 4.6.3.3.5 Hazardous Materials: NFPA 472 Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents.
- 4.6.3.4 The Municipality shall be satisfied that members from all ranks and positions are capable of providing the services offered based upon education, training, and experience as established by the Fire Services Association of Nova Scotia.
- 4.6.3.5 The Municipality’s evaluation shall be satisfied that the services offered are needed based upon a risk management analysis completed by the Municipality and the Municipality can reasonably afford the services listed by each Fire and Emergency Service provider.
- 4.6.3.6 To assist in the evaluation, the terminology and complete description of competency are described in the *Municipal Government Act; Guide Respecting Fire and Emergency Services, March 1999 - Appendix “B”* and those terminologies and descriptions shall apply and form an integral part of this Policy.
- 4.6.3.7 Attached to this Policy is the registration form to be used by all Fire Departments.

**5. Responsibilities**

- 5.1 Council will:
  - 5.1.1 Ensure the Municipality has a current and comprehensive Policy for registering Fire Departments and Emergency Services Providers; and
  - 5.1.2 Review, amend and adopt changes to this Policy as required.
- 5.2 The Chief Administrative Officer or designate will:
  - 5.2.1 Implement and administer this Policy; and
  - 5.2.2 Review and identify necessary revisions to the policy.

**5. Amendments**

Date	Amendments
2024	Migration to new template, addition of definitions, requirement for “annual” registration instead of “on a regular basis,” and attached Registration Form amended to specify a mandatory minimum amount of liability insurance required of the Fire and Emergency Services Departments as required by the Municipality.

Registration Form
Fire Department or Emergency Services Provider

General Information - PART "A"

Municipal Unit Municipality of the County of Kings

Fire Department/ Emergency Service Address

Incorporated Body: (Under Societies Act) (Registered Name) Date Registered

Registry of Joint Stock Companies Service of Nova Scotia Identification #:

Insurance: (Minimum \$5M) Liability Value \$ Name of Insurance Provider

Communities Protected: According to Fire District boundaries and generally described herein:

Services Registering to Provide - PART "B"

Fire and Emergencies for which the service provider has the education, training, experience, and equipment in place to safely provide - CHECK APPROPRIATE BOX:

Structure Fires: Offensive # Level 1 Firefighter Trained Defensive N/A

Medical Emergency: Registered First Responder # Registered EHS Response Level Medical Assistance # Trained Basic First Aid N/A

Awareness Operations Technician N/A
Vehicle Rescue (MVA's): Number Trained
Water Rescue Number Trained Number Trained

**Services Registering to Provide - PART "B" (cont'd)**

	Awareness	Operations	Technician	N/A
<b>Ice Rescue</b>	<input type="checkbox"/>	<input type="checkbox"/> _____ <input type="checkbox"/> <i>Number Trained</i>	<input type="checkbox"/> _____ <input type="checkbox"/> <i>Number Trained</i>	<input type="checkbox"/>
<b>Hazardous Materials</b>	<input type="checkbox"/>	<input type="checkbox"/> _____ <input type="checkbox"/> <i>Number Trained</i>	<input type="checkbox"/> _____ <input type="checkbox"/> <i>Number Trained</i>	<input type="checkbox"/>
<b>Structural Collapse</b>	<input type="checkbox"/>	<input type="checkbox"/> _____ <input type="checkbox"/> <i>Number Trained</i>	<input type="checkbox"/> _____ <input type="checkbox"/> <i>Number Trained</i>	<input type="checkbox"/>
<b>Power Lines, Electrical Fires</b>	<input type="checkbox"/>	<input type="checkbox"/> _____ <input type="checkbox"/> <i>Number Trained</i>	<input type="checkbox"/> _____ <input type="checkbox"/> <i>Number Trained</i>	<input type="checkbox"/>
<b>Woods &amp; Wildland Fires</b>	<input type="checkbox"/> _____ <i>Level 1 Firefighter Wildland Trained only</i>	<input type="checkbox"/> _____ <input type="checkbox"/> <i># DNR Courses</i>	<input type="checkbox"/> _____ <input type="checkbox"/> <i># DNR Courses</i>	<input type="checkbox"/>
<b>Ground Search and Rescue</b>	_____ <i>Number of Volunteers</i>			

**Add a Separate Sheet to this Registration Form if Necessary.**

**Submitted by Fire Department or Town - PART "C"**

Fire Chief \_\_\_\_\_   
*(Incorporated Body) (Print Name) Date*

**OR** \_\_\_\_\_   
*(Signature)*

Town or Village Representative \_\_\_\_\_   
*(Town/Village Owned Fire Department) (Print Name & Title) Date*

\_\_\_\_\_   
*(Signature)*

**Received for Municipal Evaluation - PART "D"**

Municipality of the County of Kings \_\_\_\_\_   
*(Print Name & Title)*

\_\_\_\_\_   
*(Signature) Date*



**Municipality of the County of Kings**

**Community Grants**

<b>Policy Category</b>	Finance	<b>Most Recent Amendment</b>	
<b>First Council Approval</b>	January 2, 2018	<b>Future Review Date</b>	+ 4 Years

**1. Purpose**

The Municipality of the County of Kings (Municipality) believes in supporting the work of non-profit community organizations providing programs, infrastructure, services, and events that align with the Municipality’s Strategic Plan.

This Policy establishes the structure of the grant programs and a framework for application, review, awarding, and claiming of grants. This Policy:

- creates an efficient and equitable process for administration of grants;
- establishes eligibility and accountability criteria for grants.
- standardizes applications and reporting requirements for applicants to reduce inherent risks and administrative burdens; and
- establishes transparent guidelines for the evaluation of applications and awarding of grants that respects limited resources.

**2. Scope**

This Policy applies to all grant programs as identified in the schedules of this Policy.

**3. Policy Statements**

General Statements

3.1 Grants may only be awarded to eligible organizations which **at the date of application have been are registered for a minimum of twelve (12) months as** any one of the following:

- Any non-profit club, association, society, or organization registered and in good standing with the Nova Scotia Registry of Joint Stocks;
- Registered Canadian charities and Legions;
- Towns, Villages, and First Nations governments within the County of Kings; or
- A school within the County of Kings affiliated with the Annapolis Valley Regional Centre for Education or Conseil scolaire acadien provincial.

Documentation to confirm this information may be required as requested.

3.2 **The Municipality does not provide financial support for any application promoting or supporting any political organizations.**

3.3 **Applications relating to faith-based organizations are only eligible to apply for funding through the Councillor Grants to Organizations or Community Hall Assistance Program with projects or initiatives relating to accessible community space available for public use.**

- 3.4 Grants will be awarded in a manner that is consistent with the Municipality’s Strategic Plan, Accessibility Plan, and Strategy for Belonging, and the purpose of each grant program. Administration of this process will be consistent and transparent.
  - 3.5 Subject to financial commitments and considerations, Council and the Chief Administrative Officer (CAO) will consider grant applications annually.
  - 3.6 The Municipality shall provide community grants through the following programs:
    - Park, Playground, and Trail Assistance
    - Graduation Event Assistance
    - Community Recreation Programming Assistance
    - Community Festivals and Special Events
    - Councillor Grants to Organizations
    - Community Hall Assistance
    - Kings Vision
  - 3.7 Organizations may apply to Community Grants Programs through one of the following options:
    - 3.7.1 Any one grant program; OR
    - 3.7.2 Community Festivals and Special Events and any one of:
      - Community Hall Assistance,
      - Kings Vision,
      - Park, Playground & Trail Assistance,
      - Community Recreation Programming Assistance, OR
    - 3.7.3 Community Recreation Programming Assistance and any one of:
      - Community Hall Assistance,
      - Kings Vision,
      - Park, Playground & Trail Assistance,
      - Community Festivals and Special Events.
- Graduation Event Assistance is only available to the five applicable high schools and does not prevent these schools from applying for another grant per this policy.
- 3.8 Schedules of all grant programs subject to this Policy will be posted on the Municipality’s website and shall include an overview of the program, eligibility criteria, application deadlines, application forms, submission requirements, and scoring criteria.
  - 3.9 A report of grant recipients shall be published to the Municipality’s website by May 1 each year and include all grant recipients from the previous fiscal year and the amount of each grant.
  - 3.10 Ineligible applications and a list of recipients that have failed to submit the necessary accountability reports by the required deadline will be provided to the CAO.



- 3.11 The CAO will administer the following grants: Park, Playground, and Trail Assistance, Graduation Event Assistance, Community Recreation Programming Assistance, Community Festivals and Special Events, and Community Hall Assistance.

Council will administer Councillor Grants to Organizations and Kings Vision Grants.

- 3.12 The CAO will provide an annual report to Council of which organizations have received grants, and for what amount.

- 3.13 The Municipality is not to be considered the primary source of funding for any program, service, event, or initiative. Further specifics are set out in each grant description.

- 3.14 The Municipality provides funding for specific eligible programs, services, events, or infrastructure. It does not contribute to general fundraising endeavours.

- 3.15 The Municipality is committed to working towards accessibility for all people within the Municipality of the County of Kings. Therefore, by 2030, if the program, service, event, or initiative is not deemed accessible per the current prescribed public-sector standards, the Municipality will not provide funding support.

- 3.16 Grant funding for professional fees will be capped at 25% (twenty five percent) of the total combined professional fees to a maximum of \$10,000, e.g. legal, accounting, engineering, planning or grant-writing.

## Applications

- 3.17 The level of detail required from an applicant will be relative to the requested amount and value-for-money considerations.

- 3.18 Applications & Administration – Applications will be standardized and capture:
- Information about the applicant;
  - The amount of the request;
  - Details of the project or program;
  - Details of how applicants meet eligibility requirements;
  - How the grant would help fulfil program objectives;
  - Financial condition of the applicant, including financial need and fiscal sustainability; and
  - Expected impact of the grant.

Additional information may be required to determine eligibility.

Submission of an application does not guarantee funding.

- 3.19 Excluding the Graduation Event Assistance program, the detail of financial information required from applicants will be proportionate to the amount of the request.
- Requests for \$7,500 or less must provide a report of the organization's financial operations and position and proposed budget/income statement.
  - Requests for more than \$7,500 must provide current balance sheet and proposed budget/income statement.

- 3.20 Applications must be submitted on the appropriate form with all required information by the deadline. It is solely the responsibility of applicants to submit a complete application. Where a deadline falls on a weekend or holiday, applications are due at the close of business on the first business day following the deadline.

Failure to submit a complete application by the deadline will exclude the application from consideration. Application deadlines will be held firm.

- 3.21 Redirection of Applications – The CAO reserves the right to redirect any application to a more suitable program than the program to which the organization applied.

Eligibility

- 3.22 Additional eligibility may be established in the schedules attached to and forming part of this Policy.

- 3.23 If an organization is registered with the Nova Scotia Registry of Joint Stocks or the Canada Revenue Agency (as a registered Canadian charity), it must be in good standing.

- 3.24 Any organization applying for funding must be in good standing with the Municipality of the County of Kings, e.g., no outstanding property taxes, sewer rates, water rates, or other fees.

- 3.25 For capital projects of \$5,000 or less, the applicant must have authority to manage the site through ownership, an easement, or right-of-way for use of the land for at least 10 years.

For capital projects over \$5,000, the applicant must have the authority to manage the site through ownership, an easement, or right-of-way for at least 10 years, with at least three years of the lease remaining or a renewal clause in the current lease.

For maintenance projects, the organization must demonstrate authority to manage the site for the year in which they are applying.

Eligible Funding

- 3.26 Grants are restricted to the annual budgets established by Council and any related documents.

- 3.27 With the exception of Councillor Grants to Organizations, the Municipality shall not be the sole source of funding for a project.

- 3.28 The Municipality may fund a maximum of 50% of any project, excluding Councillor Grants to Organizations.

- 3.29 In-kind goods or services may count for up to 50% of the applicant’s contributions, provided in-kind contributions are valued at or below fair market value. Without limitation, the remaining 50% of the applicant’s share of the total project cost must be made in cash from any source.

- 3.30 Awards will not exceed the amount requested.
- 3.31 Particular programs may limit eligibility for repeat funding.
- 3.32 Grants will not be awarded if projects previously funded have not been completed or if accountability requirements have not been met.
- 3.33 Retroactive funding is not available for any projects underway, i.e., only expenses incurred after an application has been submitted are eligible for funding.
- 3.34 Multiple year funding awards require approval of Council and are subject to an annual submission of budget and deliverables for approval. In rendering a decision on a multi-year request, Council shall consider:
  - s.88(4) MGA - Requirements for Ministerial approval, and
  - Potential impact on subsequent fiscal years or future Councils.

### Application Evaluation

- 3.35 The following evaluation criteria will be applied when reviewing grant applications:
  - Budget Considerations: Accuracy, level of detail for planned expenses and income, efforts toward fundraising and securing other funding, reasonability, and financial viability of the project and applicant organization.
  - Community Impact: Project reach and capacity, extent that it addresses a community need, availability for public access, added value to residents, degree of cooperation and collaboration between community groups, and contribution of volunteers.
  - Organizational & Project Effectiveness: Sustainability and viability of the organization and project, efficient use of resources, legacy of the project and applicant organization.
  - The initiative aligns with the Strategic Plan of the Municipality; and
  - The program, event, facility, or project is intended for use by the general public without the requirement of membership or affiliation, with the exception of the Councillor Grants to Organizations.

### Grant Awarding Process

- 3.36 Terms and conditions may apply to any award, including limiting repeat funding for the same project. Successful applicants may be required to execute a contribution agreement prior to receiving any funds.
- 3.37 Funds will not be disbursed until the applicant has provided proof of **secured funding** and compliance with any prerequisite conditions.
- 3.38 Awards of \$7,500 or less will be disbursed in full when approved.
- 3.39 Awards of more than \$7,500 will be disbursed 80% when approved and any prerequisite conditions are met. The final 20% will be provided after fulfilling accountability requirements and will be adjusted to reflect the actual revenues and expenditures to the maximum allowable funding limit of the program; or where applicable the percentage identified in the funding agreement.

In instances where the Municipality has advanced funds in excess of the percent of the project agreed to be funded when award was made, recipients will be invoiced for the difference. Failure to pay the invoice will render the organization ineligible for future funding until such time that payment is received.

- 3.40 Recipients that do not meet accountability requirements will be required to return monies advanced by the Municipality.
- 3.41 Recipients will be required to acknowledge the Municipality's contributions and provide proof as requested.

#### Accountability

- 3.42 Dates for project deliverables will be set out in the award letter issued to successful applicants. No subsequent applications will be considered until all previously awarded grants have been completed and no deliverables are outstanding.
- 3.43 By March 15th of the year following the completion of the project or initiative, all funding recipients must submit appropriate records on the use of Municipal funds to demonstrate that funding was used for the intended purpose. These records are as follows:
- Awards of \$7,500 or less - Applicants are required to submit a summary of how the funds were used.
  - Awards of more than \$7,500 and less than \$30,000 - Statement of actual project financing, Statement of Certified Expenses and payment signed by the Treasurer is required.
  - Awards between \$30,000 and \$50,000 - statement of actual project financing and a Statement of Certified Expenses and payment signed by the Treasurer; and proof of acceptance by the organization's Board (financial statements signed by the Chair of the Board and one other member) is required.
  - Awards for more than \$50,000 will require Statement of actual project financing, and a Statement of Certified Expenses and payment signed by the Treasurer; and a review engagement undertaken by a licensed Chartered Professional Accountant.
  - For awards of \$7,500, where applicable, a copy of a Certificate of Substantial Completion is required, as per the *Builders' Lien Act*.

Note: Only non-recoverable HST amounts (net of amounts paid and collected, or the 50% HST expended if the organization is registered as a Public Service Body) will be considered eligible expenses. The applicant must declare if they are registered for HST. More information on HST registration can be found at <https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/gst-hst-businesses/when-register-charge.html>.

Failure to submit accountability reports by the required deadline will result in remaining funds being withheld and render the organization ineligible for future program applications until such time that the necessary reports are received. Grants will be revoked should there be a misappropriation of funds or misrepresentation by the receiving organization.

- 3.44 In the case of single year grant, a grant must be spent on the sole purpose for which it was awarded within 12 months of awarding.

If grants have not been fully expended within the 12 months following the award, a written status update to the Municipality must be provided to evaluate continued viability. The decision shall solely rest with the Municipality regarding carrying forward the approved amount for disbursement in a subsequent fiscal year. At no point shall funding be carried forward for more than 24 months after award. During the term of an extension, the grant recipient is ineligible to apply for additional funding.

**4. Responsibilities**

4.1 Council will:

- 4.1.1 ensure the Municipality has a current and comprehensive policy on grants for non-profit organizations;
- 4.1.2 identify an amount to be budgeted for community grants to non-profit organizations;
- 4.1.3 allocate grants consistent with this Policy for the betterment of the entire Municipality; and
- 4.1.4 promote awareness of grant opportunities.

4.2 The Chief Administrative Officer will:

- 4.2.1 implement this Policy;
- 4.2.2 identify and propose revisions to this Policy; and
- 4.2.3 promote awareness of grant opportunities.

**5. Amendments**

Date	Amendments
March 23, 2022	Operational assistance in <i>Community Halls Assistance Program</i> increased.
December 6, 2022	Reformatting, modify specific grant program deadlines and maximum funding available, adjust amounts in relation to disbursement and accountability and other minor edits to ease existing administrative burden for both the grant applicants and the Municipality.
September 17, 2024	Addition of general policy statements, addition of Graduation Event Assistance program and removal of the Youth Travel Assistance program.

**SCHEDULE A: GRANT PROGRAMS**

Included in this Schedule are program descriptions for the following grants:

- Community Festivals and Special Events
- Community Hall Assistance
- Community Recreation Programming Assistance
- Councillor Grants to Organizations
- Graduation Event Assistance Program
- Kings Vision
- Park, Playground, and Trail Assistance

Each schedule outlines the specific requirements for each grant.

## Community Festivals and Special Events

To build pride and celebrate communities by showcasing achievements, culture and heritage, or to commemorate milestone anniversaries, the Festivals and Special Events Grant assists community organizations with the costs of festivals, fairs, or special events marking civic or national holidays, and other noteworthy events.

To be eligible, the event must be open to, and designed to serve the residents of the County, and recognize the unique character of communities across the County. **Preference will be given to events within the Municipality of the County of Kings boundary, and those with no admission fee.**

### Maximum Assistance Available

Grants are determined by the expected attendance and duration of the in-person event.

Major Event (expected attendance of 5,000 or more for the duration of an event that happens over multiple consecutive days).	Up to \$2,000 per day to a maximum of \$10,000 for the entire event. Eligible days must have at least four hours of programming provided or endorsed by the host organization.
Festivals, fairs or special events	Up to 25% of estimated costs to a maximum of \$1,000 per day and \$2,000 for the entire event

### Additional Eligibility Requirements

***Please review the general eligibility statements listed in the Community Grants Policy.***

In addition, events must be open for people of all ages and abilities.

### Application Deadline

Applications are due beginning **April 1**.

On April 1 all applications received will be reviewed and considered for funding; should any funds remain after this date, applications will continue to be accepted until the program end date of March 31 of each year, or until such time as the budget has been fully expended.

***Note: Sporting events, tournaments, or training camps are not eligible for this grant.***

## Community Hall Assistance

To assist with capital repairs and renovations of halls, the Community Hall Assistance program contributes to the ongoing preservation of halls that are available for community use. Priority for funding is given to those projects that are directly related or attached to the hall structure and address structural safety and integrity.

### Maximum Assistance Available

Capital Project, Renovation, or Upgrade: Up to 50% of costs to a maximum of **\$5,000**

If the Renovation or Upgrade is to enhance accessibility: Up to an additional **\$2,500**

Operational Assistance Up to 50% of total annual operating costs to a maximum of \$1,000

Applicants are eligible for both Capital and Operational funding; however, finances reserved for a Capital project cannot be included in the total operating costs. Separate itemized budgets for operating and capital requests must be included with the application.

Capital is defined as an item with an acquisition cost of \$2,500 or more with an estimated useful life over five years including, but not limited to, such items as structure, apparatus, and building renovations.

A "Community Hall" is defined as a general meeting space for gatherings outside of faith-based worship or education.

- If your space does not qualify under this definition, please see the Councillor Grants to Organizations page.
- Applications relating to faith-based organizations are only eligible to apply for funding through the Councillor Grants to Organizations or Community Hall Assistance program with projects or initiatives relating to accessible community space available for public use.

For accessibility upgrades in excess of \$50,000, applicants should apply to the Kings Vision Grant Program.

### Additional Eligibility Requirements

*Please review the general eligibility statements listed in the Community Grants Policy.*

In addition:

- The community hall must be open to the public.
- The applicant must have authority to manage the property through ownership or a long-term lease of at least 10 years.
- Halls must provide proof of current fire insurance.
- Confirmation by the Municipal Fire Inspector that the Hall is compliant with the *Fire Safety Act*.
- For work where a building permit may be required, proof of permit is required before any funds will be released. Any unpaid funds from the Municipality will not be released until all permits from the Municipality are closed.



## Application Deadline

Applications are due no later than **May 1** each year.

## Emergency Funding

Unanticipated events that cause damage and threaten use of a hall or that pose a risk to personal safety may qualify for emergency funding, subject to budgetary availability. Please contact the Municipality for more information.

Community Recreation Programming Assistance

This fund assists community organizations providing recreation programming, to individuals within the County of Kings.

Programming costs, part-time staffing or program equipment are permitted expenses. Funds may also be directed at new or established programming, leadership, leisure activities, or group education.

Maximum Assistance Available      Up to 100% of net program cost (expense less revenue) per program to a maximum of 50% of the total program cost.  
Maximum grant of \$10,000 to any one organization.

Additional Eligibility Requirements

*Please review the general eligibility statements listed in the Community Grants Policy.*

Application Deadline

Applications are due no later than **May 1** each year.

**Note: Tournaments, competitions, or regional events are not eligible for funding.**

## Councillor Grants to Organizations

Councillors may support requests from community organizations that are not otherwise eligible to receive funding from the Municipality through another grant program. Councillors allocate funds directly to organizations to provide modest support of community initiatives.

Disbursement of these funds is solely at the discretion of individual Councillors, but payments are issued to the recipient by the Municipality.

### Maximum Assistance Available

Any one project

Maximum of \$7,500

Councillors equally share a budget that is determined annually during budget deliberations. Each member of Council determines the amount of support they wish to provide to any one organization. At their discretion, Councillors may select one or more project from any District to receive funding.

### Additional Eligibility Requirements

*Please review the general eligibility statements listed in the Community Grants Policy.*

- Organizations that have received funding from any other another program under the Community Grants Policy are ineligible to receive funding under the Councillor Grants to Organizations fund.

### Application Deadline

Applications are due no later than **June 1** each year.

## Graduation Event Assistance Program

To celebrate the achievements of graduating students at each of the five (5) high schools located within the County by assisting with the costs of graduation events. Funds may be used toward events for graduates such as Safe Grad, Prom, Prom Parade, etc. No other funding for graduation related events will be awarded through any alternative grant program. The Municipality supports participation in Safe Grad activities and initiatives that aim to eliminate accidents and incidents by promoting safe practices among graduates and avoid dangerous situations with alcohol and drugs.

### Maximum Assistance Available

Up to \$1,000 for each of the five high schools in Kings County.

### Additional Eligibility Requirements

*Please review the general eligibility statements listed in the Community Grants Policy.*

Applications will only be accepted from the following high schools in Kings County:

- Northeast Kings Education Centre
- Central Kings
- École Rose Des Vents
- Horton High School; and
- West Kings District High School.

### Application Deadline

On **May 1** all applications received will be reviewed and considered for funding.

## Kings Vision Grants

Vision grants contribute to the Municipality's vision of being a community of communities where all people belong. This grant assists organizations undertaking major capital projects that align with one of the five Key Strategic Priorities of the Municipality's Strategic Plan: Strong Communities, Environmental Stewardship, Economic Development, Good Governance, and Financial Sustainability.

### Maximum Assistance Available

Any one initiative 50% of the cost of a single project with a minimum request of \$25,000.

### Additional Eligibility Requirements

*Please review the general eligibility statements listed in the Community Grants Policy.*

- Projects must be ready to commence within two years of the application date.
- Kings Vision Grants are not awarded for operational costs.
- Organizations awarded a Kings Vision Grant are ineligible to apply to this program for 12 months following the completion of a project.

### Application Deadline

Applications are due no later than **April 1** each year.

## Park, Playground, and Trail Assistance

This fund supports the maintenance of active living infrastructure and capital projects under \$50,000. These grants support communities through well-maintained public parks, playgrounds, trails, and assets to improve opportunities and promote active living. Funding is to support capital aspects of development and/or expansion, and maintenance, excluding the purchase of land for future development.

### Maximum Assistance Available

Community Parks & Playgrounds:	Capital	50% of costs to a maximum of \$7,500 per park or playground
Community Parks & Playground:	Maintenance	50% of costs to a maximum of \$7,500 per park or playground.
Trails:	Capital	50% of costs to a maximum of \$25,000
Trails:	Maintenance	50% of costs to a maximum of \$20,000

Funding for trail development or expansion is capped at \$600 (six hundred) per kilometre of trail.

'Capital' is defined as an item with an acquisition cost of \$2,500 or more with an estimated useful life over five years including, but not limited to, such items as structure, apparatus, and building renovations.

Resurfacing of an existing trail qualifies as maintenance.

### Additional Eligibility Requirements

*Please review the general eligibility statements listed in the Community Grants Policy.*

In addition:

- Where the trail involves Crown land, the applicant must have a Letter of Authority from the appropriate jurisdiction having authority.
- Proof of liability insurance for at least \$2,000,000. If applicable, this insurance must also name the Municipality as an additional insured.

### Application Deadline

Applications are due no later than **April 1** each year. Where a deadline falls on a weekend or holiday, applications are due at the close of business on the first business day following the deadline.

### Emergency Funding

Unanticipated events that cause damage and threaten use of the trail or park or that pose a risk to personal safety may qualify for emergency funding, subject to budgetary availability. Please contact the Municipality for more information.

**The development of new parks, playgrounds and trails are considered Strong Communities based capital projects. Projects valued at or above \$50,000 will be directed to the Kings Vision Grants Program.**



Municipality of the County of Kings

Respectful Workplace Policy

<b>Policy Category</b>	Human Resources	<b>Most Recent Amendment</b>	N/A
<b>First Council Approval</b>	Council Meeting Date	<b>Future Review Date</b>	+ 4 years

1. Purpose

The Municipality of the County of Kings is committed to providing a safe and respectful Workplace in which the dignity of every individual is respected. A respectful Workplace is one that is free of inappropriate behaviour, where Employees are entitled to be free of Discrimination, Harassment and Abuse.

2. Scope:

This Policy applies to all Employees of the Municipality of the County of Kings.

3. Definitions

- 3.1 **Abuse:** deliberate interactions in which one person behaves in a cruel, violent, demeaning or invasive manner toward another person. It may be a one-time incident, or reoccurring and shall include:
  - **Emotional Abuse** – includes but is not limited to, non-physical behaviours that are meant to control, frighten, or isolate an individual and may present as threats, manipulation, humiliation, intimidation, dismissiveness, hazing, habitual scapegoating that impact an individual’s self-esteem
  - **Physical Abuse** – includes, but is not limited to pushing, shoving, slapping, kicking, shaking, punching, hitting, spitting, pinching, pulling hair, choking, throwing things, and using, or threatening to use a weapon.
  - **Psychological Abuse** – includes, but is not limited to chronic, regular, and deliberate use of words and non-physical actions used with the intent of manipulating, frightening, distorting or confusing a person’s thoughts through intimidation, coercion, gaslighting, infantilization, isolation, manipulations and control.
  - **Sexual Abuse** – includes, but is not limited to any touching, fondling, petting, leering, or unwanted sexual contact of any form including attempts at unwanted sexual contact.

3.2 **Bad Faith Complaint:** occurs when an Employee intentionally misleads the Employer (for the purpose of this policy the Employer refers to the Municipality of the County of Kings) by knowingly withholding relevant information or providing false information in support of a Complaint and includes situations where the Employee proceeds with or continues with an allegation when the Employee has no honest or sincere belief that a violation of this Policy has occurred.

- 3.3 **Complainant:** Refers to the Employee or Employees making a Complaint under this Policy. The Complainant could be the target or an observer who has made a third-party Complaint.
  
- 3.4 **Complaint:** An allegation submitted regarding a breach of this Policy.
  
- 3.5 **Discrimination –** A form of Harassment where a person makes a distinction, whether intentional or not, based on a protected characteristic, as set out in the *Nova Scotia Human Rights Act*. These protected characteristics are Age, Race, Colour, Religion, Creed, Ethic, national or aboriginal origin, Sex (Pregnancy and pay equity), Sexual Orientation, Physical Disability, Mental Disability, Family Status, Marital Status, Source of Income, Irrational fear of contracting an illness or disease, Association with protected groups or individuals, Political belief, affiliation or activity, gender identity, gender expression.
  
- 3.6 **Employee:** Refers to any individual employed by the Municipality of the County of Kings, including unionized, non-unionized, full-time, part-time, casual, independent contractors, student interns, volunteers, term or temporary positions.
  
- 3.7 **Harassment:** Harassment occurs when a person or persons engage in a course of vexatious conduct or comment that is known or ought reasonably to be known to be unwelcome. Harassment can use verbal or non-verbal means to create offensive behaviour. Examples include offensive graffiti, printed materials, notes, letters, e-mails, social media messages displaying or distributing offensive materials including personal or stereotypical derogatory pictures, jokes or cartoons that portray a person’s personal or Physical attribute in a negative or humiliating manner. Types of Harassment can include, but are not limited to:
  - **Verbal Harassment –** any offensive course of comments directed at or used in reference to an Employee that could reasonably undermine the reputation of the Employee or cause emotional harm to the Employee. Examples include, but are not limited to insults, name-calling, threats, slurs, crude or degrading comments, images, written materials, innuendoes, and negative stereotyping. An Employee may be subject to Verbal Harassment even when the comments are directed to third parties.
  - **Bullying –** A form of Harassment that typically presents as a repeated, targeted pattern of behaviour that is intended to cause fear, intimidation, humiliation, distress, or other forms of harm. The impact may be physically or psychologically damaging to a person’s body, feelings, self-esteem, reputation, or property. Bullying may be obvious, subtle, direct, or in-direct and can occur in person, in writing, or using technology such as social media, or text messaging.
  - **Exclusion –** Shunning or ostracism of an individual or group of individuals and can include no longer communicating with them, denying, or ignoring their presence, and purposefully omitting them from decisions or work-related events without valid reason.
  - **Poisoned Work Environment –** Inappropriate conduct that is frequent and results in a hostile or offensive Workplace. The conduct may not be directed at anyone but results in an uncomfortable environment that negatively affects the well-being and productivity of team members. Poisoned Work Environment can result from, but is not limited to offensive graffiti, sexual, racial or religious insults or jokes, abusive treatment of other Employees, intimidating actions like



yelling, slamming doors, or throwing objects, regular use of profanities or abusive language, or malicious gossip.

- **Racial Harassment** – Racial Harassment is any offensive behaviour based on the grounds of race, colour, citizenship, place or origin, ancestry, ethnic background, or creed and can include, but is not limited to derogatory comments, jokes, insulting depictions, or criticizing or being intolerant to racial differences in appearance or customs.
- **Microaggressions** are commonplace, subtle, often unintentional, forms of prejudice. Microaggressions may demean a person’s race, gender, sexual orientation, heritage, age, or ability, for example. Microaggression can be disguised as a compliment but conveys disparaging messages to people because they belong – or are perceived to belong – to a certain group.
- **Sexual Harassment** means any vexatious sexual conduct or a course of comment that is known or ought reasonably to be known as unwelcome, and may include but is not limited to:
  - a sexual solicitation or advance made to an individual by another individual where the other individual is in a position to confer a benefit on, or deny a benefit to, the individual to whom the solicitation or advance is made, where the individual who makes the solicitation or advance knows or ought reasonably to know that it is unwelcome, or
  - a reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or advance.
- **Sexual and Gender-Based Harassment** are forms of Harassment can include:
  - Gender-related comments about a person’s physical characteristics or mannerisms;
  - Paternalism based on gender which a person feels undermines their self-respect or position of responsibility;
  - Unwelcome physical contact;
  - Suggestive or offensive remarks or innuendoes about members of a specific gender;
  - Propositions of physical intimacy;
  - Gender-related Verbal Abuse, threats or taunting;
  - Leering or inappropriate staring;
  - Bragging about sexual prowess or questions or discussions about sexual activities;
  - Offensive jokes or comments of a sexual nature;
  - Rough and vulgar humour or language related to gender;
  - Demands for dates or sexual favours.

3.8 **Investigation:** The process by which the Chief Administrative Officer will appoint an Investigator to gather and analyze information surrounding a Complaint under this Policy and arrive at a conclusion based on the information provided.

3.9 **Investigator:** The individual or individuals appointed to conduct a thorough and impartial examination of any Complaint brought forward under this Policy. The Investigator will be appointed by the Chief Administrative Office to be an impartial Investigator. The Investigator may be internal or external to the organization. In the event the Complaint is regarding the CAO the Mayor shall appoint an Investigator from outside of the organization.

- 3.10 **Respondent:** The Employee or Employees alleged to have engaged in Discrimination, Harassment and Abuse in the Workplace.
- 3.11 **Retaliation:** Unjustified actions or threats of repercussions against the Complainant. Examples of Retaliation can include, but are not limited to; unfair work assignments, denial of leave or training opportunities, Exclusion, undermining a person’s reputation, victim blaming, or threats and intimidation.
- 3.12 **Restorative Process:** A resolution process that strives to reduce harm and restore relationships by allowing those directly impacted and those who can affect the outcome to work in a transparent and good faith manner to jointly create a forward focused plan.
- 3.13 **Workplace:** For this Policy, Workplace is defined as any place where the business of the Municipality of the County of Kings is being carried out, including but not limited to:
  - All offices, premises and locations that are used by Employees of the Municipality of the County of Kings
  - All premises and locations where the business of the Municipality of the County of Kings is being conducted, including off-site meetings.
  - All locations and situations including business travel, conferences, and work-related social gatherings.

**4. Policy Statements**

- 4.1 The Municipality of the County of Kings employs a zero-tolerance approach to any form of Workplace Discrimination, Harassment and Abuse and is dedicated to ensuring that any allegations of Discrimination, Harassment and Abuse are addressed and that any person bringing a forward Complaint feels safe to do so without fear of Retaliation or reprisal.
- 4.2 If an Employee experiences Discrimination, Harassment or Abuse they are encouraged to keep a written record of the date, time, details of the conduct, and witnesses, if any. They should submit this record to their supervisor who will take appropriate action to maintain a safe environment.
- 4.3 Through the implementation of this Policy the Municipality of the County of Kings aims to:
  - Promote a work environment that is free from all forms of Discrimination, Harassment and Abuse.
  - Inform Employees of the behaviours that are defined as Discrimination, Harassment and Abuse.
  - Communicate the rights and responsibilities of all Employees in the reporting of, and prevention of Workplace Discrimination, Harassment and Abuse.
  - Establish a resolution process that allows the Complainant some choice and discretion in the Complaint process.
  - Ensure that all allegations of Workplace Discrimination, Harassment and Abuse are taken seriously and provide procedures for timely and effective resolutions of allegations.
  - Ensure confidentiality through the Complaint resolution process, unless required by law.
  - Provide remedial, corrective, or disciplinary measures in response to the behaviour to ensure the on-going safety and well-being of Employees.

Policy Directives:

- 4.4 As an Employee of the Municipality of the County of Kings:
  - 4.4.1 All Employees are expected to be respectful in the Workplace.
  - 4.4.2 All Employees are prohibited from participating in any form of Discrimination, Harassment and Abuse.
  - 4.4.3 All Employees shall read and be familiar with this Policy to confirm their understanding of the expectations arising under this Policy.

Actions Not Considered Harassment:

- 4.5 While each Complaint will be assessed on its own merits the following examples of normal Workplace functioning and interactions would usually not be considered as Harassment:
  - Welcome, mutually consensual relationships, friendships or social invitations that do not involve inappropriate behaviours, intimidation, explicit or implicit threat of Retaliation, or misuse of power.
  - Direction of Employees, including supervising, managing, and giving appropriate and legitimate performance feedback.
  - Bona fide qualifications or occupational requirements established by the Municipality of the County of Kings.

Reporting Procedures:

- 4.6 Any Employee who is experiencing Workplace Discrimination, Harassment and Abuse is encouraged to make their concern known without fear of Retaliation or reprisal.
  - 4.6.1 Informal Resolution:

If the individual experiencing Discrimination, Harassment and Abuse feels safe doing so, they may inform the Respondent that the behaviour is unwelcome, and they want them to stop. The Complainant may do this in person or in writing, ensuring the letter to the Respondent is dated, and a copy is retained for their own records. If the individual experiencing Workplace Discrimination, Harassment and Abuse wishes to address the concern themselves, they should also inform a Manager at the Municipality of the County of Kings that they intend to address it. The Manager, being made aware of the Complaint, shall schedule a follow-up with the Employee to ensure the behaviour has ceased.
  - 4.6.2 Informal Resolution with Support of Manager:

If the individual experiencing Discrimination, Harassment and Abuse feels unsafe or unable to address the concern with the Respondent directly they are encouraged to speak to their Manager. If the Manager is the person engaging in behaviour, the Complainant should report to their Director, or Human Resources for support in communicating their concerns to the Respondent. It is then the responsibility of the Manager/Director or designate to ensure that the Employees' concerns are addressed and documented with the Respondent.
  - 4.6.3 Formal Complaint:

If the informal resolution is unsuccessful, not appropriate, or proving to be ineffective, a formal Complaint may be filed. To file a formal Complaint:

    - 4.6.3.1 Employee, with support of a Manager, may complete the Respectful Workplace Complaint Form.

- 4.6.3.2 File the Complaint with your Manager/Director and/or the Chief Administrative Officer.
- 4.6.3.3 Cooperate with the Investigator(s) assigned to the Complaint.

### Formal Investigation into allegations of Discrimination, Harassment and Abuse

- 4.7 Upon receiving a formal Complaint, the Chief Administrative Officer with the support of Human Resources will be assigned an Investigator who will be responsible for overseeing an Investigation into the concern. This Investigation can include but is not limited to:
- Informing, in writing, the Respondent that a Complaint has been brought forward.
  - Determining whether alternative working arrangements need to be made.
  - If health and safety concerns are present, the Employer may choose to suspend the Respondent pending Investigation.
  - Interviewing the Complainant, the Respondent, and any witnesses to the events.
  - Recommending appropriate remedies or corrective action.
- 4.8 Both the Complainant and the Respondent have the right to have a support person present during the interview process.
- 4.9 Once the Investigator has completed all required interviews and determined the course of action moving forward, they will be responsible for compiling a report that shall be submitted to both the Complainant and the Respondent within 10 business days.

### Complaints Pertaining to the Chief Administrative Office:

- 4.10 If the Complaint, either formal or informal is concerning the Chief Administrative Officer the Complainant shall address their concern to the Mayor, who will be responsible for initiating Informal Resolution or Investigation or a Formal Resolution if deemed necessary.

### Substantiated Complaints and Corrective Actions:

- 4.11 If it is deemed by the Investigator that the Complaint is valid, disciplinary action shall occur. For unionized Employees, corrective action will follow disciplinary measures in the Collective Agreement. Corrective Action can include, but is not limited to:
- Verbal Reprimand
  - Written Reprimand
  - Suspension
  - Anti-Harassment training
  - Restorative Process
  - Dismissal

### Criminal Conduct:

- 4.12 If there are reasonable grounds to believe that the Respondent has committed an offence under the *Criminal Code* or provincial legislation the Investigator will discuss with the Complainant, the possibility of making a report to the relevant authorities.

### Unsubstantiated Complaints and Corrective Actions:

- 4.13 An unproven allegation does not mean that Discrimination, Harassment and Abuse did not occur or that there was a deliberate false allegation. It means that there is insufficient evidence to proceed or that the Investigation has not established a violation of the Policy.
- 4.14 The lack of intention to discriminate is no defense to an allegation of Discrimination. The focus is placed on the impact of the alleged behaviour and whether the Respondent's actions had a negative or discriminatory effect on the Complainant.
- 4.14.1 The right to appeal: Should the Complainant be unsatisfied with the decision; they may appeal to the Chief Administrative Officer within five (5) business days of receiving the final report. The appeal shall:
- Be submitted in writing.
  - Reference the date and nature of the original formal Complaint.
  - Include a copy of the findings.
  - Include the reason for the appeal.
- 4.15 If an appeal is received by the Investigator(s) they shall make a good faith effort to consider the appeal using the information included in the appeal and the above-listed Investigation process.
- 4.16 All Complainants maintain the right, throughout the Complaint process to:
- Contact the Nova Scotia Human Rights Commission.
  - Contact their own legal counsel at their expense.
  - Report the Complaint to the police where there is an indication that a criminal offense was committed.
  - Contact their union representative or file a grievance.

#### Bad Faith Complaints:

- 4.17 Should an Investigation result in clear evidence that a Complaint was made to intentionally mislead the employer and that there was no honest or sincere belief that a violation of this Policy occurred on behalf of the Complainant disciplinary action may occur. A Complaint that is unfounded due to insufficient evidence is not considered a Bad Faith Complaint and will not result in disciplinary action.

#### Failure to Report:

- 4.18 Should a member of Management be made aware of an allegation of Discrimination, Harassment and Abuse and fail to take appropriate action, that individual may be subject to disciplinary action.

#### Documents and Records:

- 4.19 After an Investigation is complete all related notes, reports, and documents developed by the Investigator or person(s) conducting the Investigation will be kept secure and separate from the Employee's personnel file.
- 4.20 In cases where it is determined that a breach of policy occurred, the Investigation report can be referenced in the disciplinary outcomes and placed on the Respondent's personnel file. Placing and retaining the records on the Respondents personnel file must comply with any applicable collective agreements. Documentation procedures may be made available should an allegation be moved to civil or criminal proceedings.

Confidentiality:

4.21 Given the seriousness and sensitivity of Discrimination, Harassment and Abuse allegations, confidentiality is required in the processing and resolution of Complaints. Complainants, Respondents, Witnesses, Managers, and Supervisors who are aware of the Complaint may not share confidential information related to the Complaint except when seeking advice from legitimate sources such as union representatives, Employee & Family Assistance Programs, Counselors, Legal Counsel or similar. Confidentiality will be maintained by the Investigators unless there are reasonable grounds to believe that the Respondent has committed an offence under the *Criminal Code* or as otherwise required by law.

**Responsibilities:**

- 5.1 Municipal Council will:
  - 5.1.1 Ensure that the Municipality of the County of Kings has in place a Respectful Workplace Policy addressing issues of Workplace Discrimination, Harassment and Abuse.
  - 5.1.2 Review, amend, and adopt changes to the Respectful Workplace Policy as required.
  
- 5.2 The Chief Administrative Officer will:
  - 5.2.1 Review the Respectful Workplace Policy periodically to ensure its effectiveness.
  - 5.2.2 Review recommended changes to the Respectful Workplace Policy from the Manager of Human Resources.
  - 5.2.3 Assign an appropriate Investigator for any allegation of Workplace Discrimination, Harassment or Abuse.
  
- 5.3 Human Resources will:
  - 5.3.1 Evaluate the effectiveness of this Policy.
  - 5.3.2 Educate Employees about Workplace Discrimination, Harassment and Abuse during the orientation process.
  - 5.3.3 Support Manager and staff inquiries regarding the Respectful Workplace Policy.
  
- 5.4 Directors and Managers will:
  - 5.4.1 Ensure Employees have access to the Respectful Workplace Policy and can attend internal training programs.
  - 5.4.2 Ensure to create and maintain an environment free from offensive or abusive behaviour.
  - 5.4.3 Set a good example by maintaining a high standard of conduct in all dealings with others.
  - 5.4.4 Take action to protect Employees from harassing, violent, or abusive behaviour.
  - 5.4.5 Maintain confidentiality.
  
- 5.5 Employees will:
  - 5.5.1 Familiarize themselves with the Respectful Workplace Policy.
  - 5.5.2 Treat all Employees with respect and dignity
  - 5.5.3 Report instances of Discrimination, Harassment, or Abuse
  - 5.5.4 Co-operate fully with the investigator(s) appointed under this Policy.
  
- 5.6 Complainants will:
  - 5.6.1 Participate in the Complaint process without fear of Reprisal or Retaliation.

5.6.2 Access support through the Employee Assistance Program if required.

5.7 Respondents will:

5.7.1 Cooperate and participate in all stages of the resolution process.

5.7.2 Maintain confidentiality.

5.7.3 Not retaliate in any way against the Complainant, witnesses or any other person involved in the Complaint.

5.8 Witnesses will

5.8.1 Cooperate and participate in the Complaint process including providing any known information about the alleged incident.

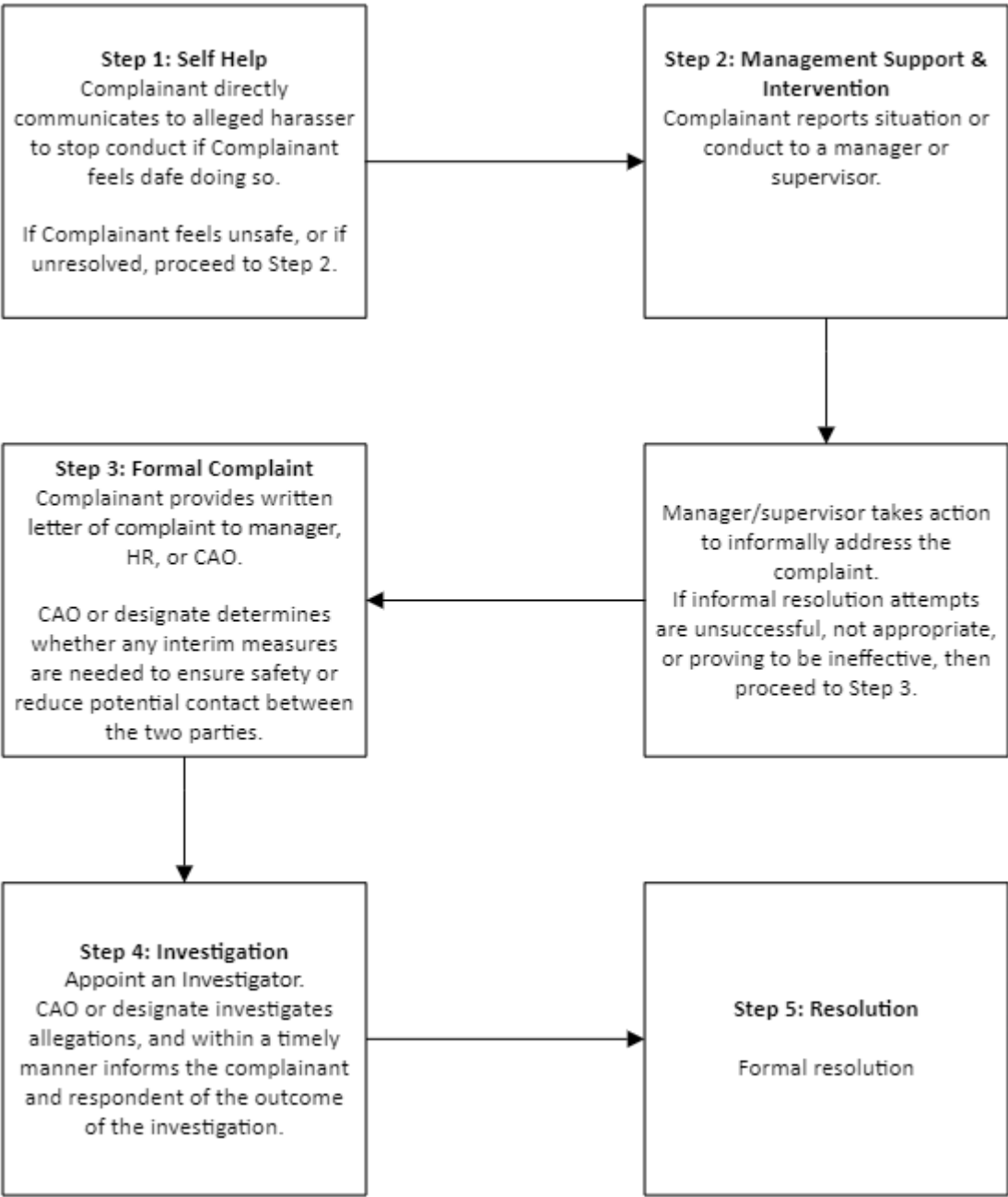
5.8.2 Maintain confidentiality.

5.8.3 Report any reprisal resulting from participation in the Complaint process.

**6. Amendments**

Date	Amendments
September 2024	New Policy combining HR-06-004 and HR-06-005. Addition of language required by the insurance carrier.

APPENDIX A:  
COMPLAINT PROCESS





**APPENDIX B:  
RESPECTFUL WORKPLACE COMPLAINT FORM**

If you believe you have experienced or witnessed Workplace Discrimination, Harassment or Abuse, please complete this form and forward it to your manager, and Human Resources Representative.

The decision to file a formal Respectful Workplace Complaint is a serious one; Complaints should be undertaken with great care. All information regarding a Complaint is to be treated as confidential and disclosed on a need-to-know basis, only.

**SECTION A: Complainant Information**

COMPLAINANT NAME:

COMPLAINANT PHONE NUMBER:

COMPLAINANT E-MAIL:

POSITION/TITLE:

DEPARTMENT:

MANAGER:

**SECTION B: Respondent Information**

RESPONDENT NAME:

POSITION/TITLE:

DEPARTMENT:

MANAGER:

**PLEASE SELECT ONE OF THE FOLLOWING:**

The Respondent is my Direct Supervisor

**YES**                       **NO**

**SECTION C: COMPLAINT INFORMATION**

What form of Abuse are you alleging to have experienced and/or witnessed from the Respondent?

Abuse

Harassment

(Abuse includes Emotional, Psychological, Physical Abuse, Sexual Abuse. Harassment includes Bullying, Exclusion, Racial Harassment, Verbal Harassment, Discrimination, Microaggressions, or Sexual/Gender-based Harassment)

**Please list any individuals who have been closely involved in the complaint including:**

- 1. Persons experiencing the alleged behaviour
- 2. Witnesses to alleged behaviours
- 3. Managers, Supervisors, or Union Representatives
- 4. Others

**What is the current state of the behaviour?**

Escalating

On-Going

One-time occurrence

Behaviour has ceased but is still causing negative impacts to the Complainant

**Please provide specific details regarding the incidents(s) of offensive behaviours including available dates, locations, and nature of incidents.**

**The Information in this complaint is true to the best of my knowledge. I understand the information provided will be used and shared by the appointed Investigator as required by law and the Respectful Workplace Policy.**

**Complainant Signature**

**Date:**



Municipality of the County of Kings

Budget Management

<b>Policy Category</b>	Finance & IT	<b>Most Recent Amendment</b>	NA
<b>First Council Approval</b>	TBD	<b>Future Review Date</b>	Approval + 4 years

1. Purpose

This Policy sets out how the Municipality of the County of Kings (the “Municipality”) fulfills the obligations of the Nova Scotia *Municipal Government Act* as it relates to application of the annual Operating Budget and Capital Budget. This policy establishes the parameters related to budget over-expenditures and budget re-allocations.

2. Scope

This Policy applies to all revenue, expenditure, and budget related activity for all departments and utilities of the Municipality, including but not limited to, budget development, approval, and maintenance for the Municipality’s:

- General Operating Budget;
- General Capital Budget;
- Water Utility Operating Budget;
- Water Utility Capital Budget;
- Regional Sewer Operating Budget;
- Regional Sewer Capital Budget;
- Operating Reserve Budget; and
- Capital Reserve Budget.

3. Definitions

3.1 **Capital Budget:** The Council approved annual Capital and Project Budget, consisting of various Project Justification Sheets that detail project descriptions, project need, budget carryover, financing sources, budgeted cost, and other project information. The Capital Budget is inclusive of any Supplementary Spending Approval resolutions of Council throughout the fiscal year, despite the fact that Supplementary Spending Approvals are not reflected in budget documents.

3.2 **Expenditure Function:** Refers to the purpose of expenditures. Grouping expenditures by function is useful for understanding the resources consumed in delivering programs and/or services in the fiscal year. The Municipality’s primary functional categories are: general government services, protective services, transportation services, environmental health services, public health and welfare, environmental and community development services, and recreational and cultural services.

3.3 **Expenditure Nature:** Refers to the types of expenditures. Grouping expenditure by nature is useful for understanding the methods by which programs and/or services are delivered

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during the fiscal year. The Municipality primarily groups expenditures by the following natures: contributions to provincial services; inter-municipal service agreements; salaries, wages, benefits; materials, supplies, utilities; purchased services; special projects; fire protection funding; grants; debt & transfers.

- 3.4 **Material:** Something is considered material if it influences an individual's assessment of accountability or the decisions that they make. An item, transaction, or event may not be individually material, but when combined with other items, transactions, or events of a similar nature and substance, may collectively be material.

Materiality is judged in relation to the reasonable prospect of the item's significance in making assessments and judgments by an individual and should be considered from both qualitative and quantitative perspectives.

Evaluating if something is material is a judgment that must be made within the relevant set of circumstances and is an entity-specific consideration based on the nature and/or magnitude of an item, transaction, or event in the context of the operations of the Municipality.

- 3.5 **Non-discretionary:** Transactions that the Municipality has no control over, are mandatory and are necessary to protect the Municipality's legal interests, to satisfy legal obligations, or involve a situation where failure to act could reasonably be expected to compromise Municipal confidentiality, cause economic disruption, or would otherwise be contrary to the public interest.
- 3.6 **Operating Budget:** The Council approved annual Operating Budget. The Operating Budget is inclusive of any Supplementary Spending Approval resolutions of Council throughout the fiscal year, despite the fact that Supplementary Spending Approvals are not reflected in budget documents.
- 3.7 **Quarterly Accountability Reports:** Reports presented to the Audit & Finance Committee and recommended as information to Council. These reports include the quarterly operating accountability report and quarterly capital accountability report.
- 3.8 **Supplementary Spending Approval:** Also commonly referred to as a Supplementary Budget. Incremental budget approvals made by resolution of Council following initial approval of the Operating Budget and Capital Budget. Budget documents and the annual consolidated financial statements reflect original budgets approved by Council and are not updated to reflect Supplementary Spending Approvals.

#### 4. Policy Statements

- 4.1 The Municipality is committed to: fostering taxpayer and other stakeholder confidence by preparing budgets in an open, consistent and transparent manner; complying with the Nova Scotia *Municipal Government Act* and other applicable laws, regulations, and policies of Municipal Council; using practical application of budget management tools to ensure municipal operations function in an efficient and effective manner; and being transparent and accountable for expenditure and budget related decision making.

## Operating Budgets

- 4.2 The annual Operating Budget represents a large collection of best estimates and assumptions for required expenditures and offsetting revenues throughout the course of a fiscal year. Budget variances, including over-expenditures, should be expected due to unanticipated events or outcomes that are inconsistent with original estimates and assumptions. The Chief Administrative Officer (CAO) may approve all Non-discretionary Operating Budget over-expenditures.
- 4.3 In addition to the authority to approve Non-discretionary over-expenditures, and subject to section 4.4, the CAO may also approve budget over-expenditures for each Expenditure Nature grouping up to a maximum of 10% of the current Operating Budget of that grouping. The CAO has the authority to expend these funds for any purpose that the Municipality has authority to spend but shall not create new programs or services that would be considered Material or that would commit the Municipality to a Material financial obligation beyond the current fiscal year.
- 4.4 Budget over-expenditures approved under section 4.3 shall not trigger an overall budget deficit. The day-to-day budget surplus/deficit position shall be evaluated based on the most recent Quarterly Accountability Report adjusted for any CAO approvals that were not factored into the Quarterly Accountability Report. In the absence of a Quarterly Accountability Report the budget surplus/deficit position shall be based on the best estimate of the CAO.
- 4.5 Operating Budget over-expenditures may be financed through any combination of: Operating Reserves (subject to the provisions of Policy FIN-05-017 Reserve), confirmed third-party contributions, and Operating Budget reallocations pursuant to section 4.6 of this Policy.
- 4.6 The CAO may approve budget reallocations between any general ledger accounts contained in the Operating Budget, and these reallocations should be in keeping with the intent of the Operating Budget.
- 4.6.1 A reallocation that is in keeping with the intent of the Operating Budget would be between general ledger accounts of the same nature, within the same functional category, and/or within the same department, and would not adversely impact the level of service for any existing municipal service or fundamentally change the intended outcomes or activities inherent to the Operating Budget.

## Capital Budget

- 4.7 The CAO may approve Capital Budget over-expenditures up to the lessor of 10% of budgeted project cost and \$10,000.
- 4.8 In addition to the authority provided in section 4.7 of this Policy, the CAO may approve over-expenditures of the Capital Budget, on a project-by-project basis, up to 15% on a unit price contract where the over-expenditure relates to a necessary, unanticipated, or clearly advisable increase in the number of units.
- 4.9 The CAO shall not have the authority to approve Capital Budget over-expenditures related to a Material change in scope of the related project.

4.10 Capital Budget over-expenditures may be financed through any combination of: Operating Reserves, applicable Capital Reserves, and confirmed third-party contributions. Utilization of Operating and Capital Reserves is subject to the provisions of Policy FIN-05-017 Reserve.

Over-expenditure in Emergency Situations

4.11 The Municipality's Procurement Policy contains the provisions related to Emergency Purchases and Expenditures in Emergency Situations. The authorities contained in the Procurement Policy are considered to be above and beyond the authorities established within this Policy.

Reporting

4.12 Budget variances shall be reported to Council through Quarterly Accountability Reports presented to the Audit & Finance Committee.

4.13 Quarterly Accountability Reports shall quantify budget variances on an aggregate basis and include similarly aggregated information and commentary on any budget over-expenditures.

4.14 Quarterly Accountability Reports shall include information and commentary on a case-by-case basis for Capital Budget over-expenditures approved in accordance with sections 4.7 and 4.8 of this Policy.

**5. Responsibilities**

5.1 Council shall:

- 5.1.1 ensure the Municipality has a current and comprehensive Policy for Budget Management; and
- 5.1.2 review and amend this Policy as required.

5.2 The Chief Administrative Officer shall:

- 5.2.1 implement this Policy;
- 5.2.2 identify and propose revisions to this Policy; and
- 5.2.3 at their discretion delegate any or all authority under this Policy to any employee of the Municipality.

**6. Amendments**

Date	Amendments



MUNICIPALITY OF THE COUNTY OF KINGS  
Planning Policies

**Creation Date:** October 4, 2011  
**Approval Date:** November 1, 2011  
**Revision Date:** October 25, 2012  
April 1, 2014

**Policy Category:** Planning  
**Next Review Date:** As necessary  
**Replaces:** See Section 5, p.1

**1. Objective:**

The purpose of the policy is to combine the various motions, policies and procedures approved by Council in the past, regarding planning, into clear, finite and easily accessible policies and procedures.

**2. Applicability:**

The policy is intended to apply to all planning processes and procedures. Included in this policy document are:

- Policies and procedures for public information meetings, public participation meetings and public hearings regarding planning matters
- Municipality of the County of Kings Public Participation Program
- Administrative policies and procedures for all planning matters
- Consideration of requests to amend the Municipal Planning Strategy
- Municipal Planning Strategy amendment process

**3. Definitions:**

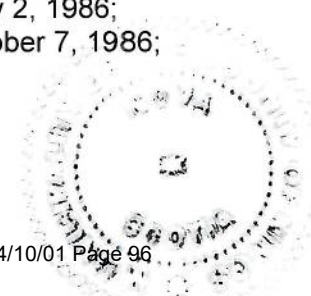
Definitions of the terms used may be found in the Municipal Government Act.

**4. Related Policies:**

Policy for Fees: Approved May 1, 2007, amended April 19, 2011  
By-law # 40: Rezoning Application Fee By-law: August 5, 1975  
Motion re: Fees for Village Commission requests, August 22, 1995  
Procedures regarding development application fees: approved October 1, 1996  
Policy - Presentations: Approved May 20, 2008

**5. Replaces:**

Policy of Council regarding who can make application for rezoning, approved 1976;  
Motion of Council regarding notification of the District Councillor, approved July 2, 1986;  
Guidelines for open space proposals for multi-unit development approved October 7, 1986;  
Public Hearing and Public Participation motion approved September 4, 1990;  
Policy regarding Public Hearing date and times approved February 2, 1993;  
Requests for MPS amendments procedures approved October 1, 1996;



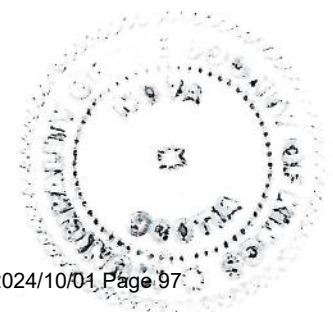




**MUNICIPALITY OF THE COUNTY OF KINGS**

**Planning Policies**

Public Notification for Public Hearings, approved February 2, 1999;  
Policy – Planning Process, approved August 1, 2000;  
Procedure Regarding Public Information Meetings, approved January 2, 2001;  
Procedure Regarding Public Information Meetings, dated November 5, 2004;  
Public Hearing and Public Participation motion approved January 4, 2005;  
Requests for MPS amendments procedures approved June 7, 2005 and amended July 5, 2005;  
Motion of Council regarding materials to be brought to Council, August 2, 2005;  
Motion of Council regarding the re-scheduling of non-controversial public meetings, August 2, 2005;  
Public Hearing Procedure, revised July 7, 2008;  
Motion of Council regarding re-applying, August 5, 2008; and  
Public Hearing and Public Participation motion approved February 2, 2010





**MUNICIPALITY OF THE COUNTY OF KINGS**

**Planning Policies**

**POLICIES AND PROCEDURES  
FOR PUBLIC INFORMATION MEETINGS, PUBLIC PARTICIPATION MEETINGS AND  
PUBLIC HEARINGS REGARDING PLANNING MATTERS**

The following Rules and Procedures apply to all Public Information Meetings, Public Participation Meetings and Public Hearings regarding planning matters held by a District Councillor, an Area Advisory Committee, Planning Advisory Committee or Council.

PLEASE NOTE that the intention of these meetings is to obtain and clarify information rather than debate the merit of a planning matter.

**GENERAL POLICIES**

**Written Submissions**

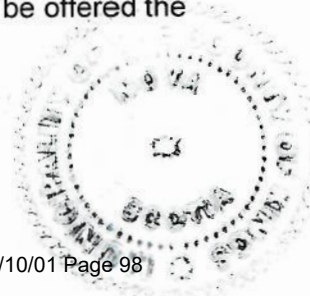
- written submissions for a public meeting including a hearing shall be circulated to the responsible Committee and Council and shall be available to the public but shall not be read into the record
- written submissions shall be provided to the staff person responsible for the file before 12:00 noon on the business day immediately preceding the public meeting
- submissions may be read by the author or his/her agent
- people may both submit a written presentation and speak on a subject
- multi-media presentations must be provided to the staff person responsible for the file at least 2 business days prior to the public meeting

**Scheduling and Adjournment**

- no new information shall be received by Councillors once a Public Hearing has been completed
- if there is not sufficient time to hear all speakers, a Public Hearing or public meeting shall be adjourned to a date and time set during the original meeting or hearing. Since appropriate notice of the meeting or Public Hearing was given, submissions will **not** be heard from those not present at the original meeting. The purpose of any extension is only to complete the presentations by those at the original meeting.

**General Rules**

- each speaker is to state his or her name and community of residence
- members of Council may ask questions of clarification of each speaker
- all questions are to be addressed to the Chair
- people may both submit a written presentation and speak on a subject
- individuals who have personally contacted the Municipal Clerk regarding a Public Hearing, or the staff responsible regarding any other meeting (by phone, e-mail or in person) to be put on the speakers list will be placed on the "priority speakers list"; all others will also be offered the opportunity to speak.



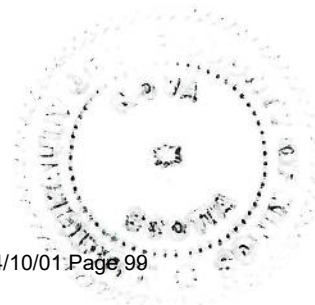


**MUNICIPALITY OF THE COUNTY OF KINGS**

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**PROCEDURES**

1. **Meeting/ Public Hearing Opened by the Chair**
  - outlines agenda
  - notes general rules of conduct
  - notes that the purpose of a Public Information Meeting or Public Participation Meeting is to gather information OR
  - that a Public Hearing is to hear presentations that bear on whether or not Council should approve a proposal
  - notes that all presentations will be taken into account when making a recommendation or decision
2. **Overview by Planner**
  - overview of proposed change or agreement including statutory requirements
3. **Presentation by Applicant**
  - applicant given opportunity to make presentation with a maximum length of 10 minutes unless extended by the agreement of Council or the Committee.
4. **Comments and Questions by the Public**
  - comments and questions to be addressed to the Chair
  - speakers will be limited to one presentation unless called upon by the Chair for further comment. The maximum time of each presentation shall be ten (10) minutes unless extended by the agreement of Council or the Committee, and each speaker shall be allowed the same amount of time.
5. **Comments and Questions by Committee or Council members**
  - comments and questions to be addressed to the Chair
  - questions of clarification of may be addressed through the Chair to the applicant, staff or those making submissions
6. **Closing Remarks by Chair**
  - notes remainder of process







**MUNICIPALITY OF THE COUNTY OF KINGS**  
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**PUBLIC PARTICIPATION PROGRAM**

WHEREAS Section 204 of the *Municipal Government Act* requires Council to adopt a public participation program before undertaking the preparation of planning documents;

BE IT RESOLVED that the public participation program for the Municipal Planning Strategy review approved by Council January 4, 2005 be rescinded and replaced with the following:

**Part 1: All Amendments to the Municipal Planning Strategy and New Minas Sector Plan**

Council resolves to seek the views of the public and to encourage public participation regarding amendments to the Municipal Planning Strategy and New Minas Sector Plan, including implementing amendments to the Land Use Bylaw and Subdivision Bylaw by:

1. making the proposed amendments and associated staff report available to the public; and
2. requiring the Planning Advisory Committee to hold one or more public participation meetings to explain the proposed amendments and receive comments from the public; and
3. placing a notice of the public participation meeting in a local newspaper at least one week prior to the meeting date. The notice shall describe the matter being considered and the time and place of the meeting.
4. Following the public participation meeting, the Planning Advisory Committee may make changes to the proposed amendments before forwarding the proposed amendments on to Council, provided the purpose of the proposed amendments are not significantly altered. The Planning Advisory Committee, however, must repeat Part 1 of this Public Participation Program if major changes are made to the proposed amendments that fundamentally alter the purpose of the proposed amendments reviewed by the public at the public participation meeting. The decision about whether a significant alteration is made to the proposed amendments shall rest with Planning Advisory Committee, which shall consider the goal of seeking the opinions of the public prior to forwarding the proposed amendments to Council for consideration.

**Part 2: Comprehensive Review of the Municipal Planning Strategy or New Minas Sector Plan**

Council resolves to seek the views of the public and to encourage public participation regarding any comprehensive review of the Kings County Municipal Planning Strategy, New Minas Sector Plan and any implementing bylaws by:

1. at a minimum, fulfilling the requirements of Part 1 above, and
2. developing and implementing a public engagement plan to further inform and receive comments from the public. The contents of the public engagement plan are at the discretion of Council and may involve one or more approaches, including but not limited to sub-committees, public meetings, open houses, focus groups, questionnaires, newsletters and interviews.

**Part 3: Development Agreements and Amendments to the Kings County or New Minas Land Use Bylaw**

Council resolves to encourage public participation regarding development agreements and Land Use Bylaw amendments by adopting procedures for informing the public of a proposal and when appropriate,



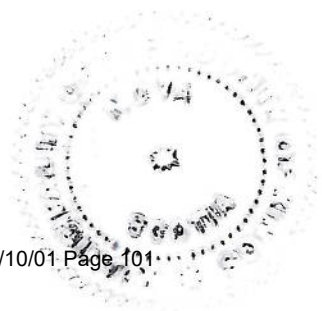
**MUNICIPALITY OF THE COUNTY OF KINGS**

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holding one or more public meetings to inform the public and receive comments from the public about the proposal.

**Part 4: Discretion of Council**

From time-to-time Council may choose to review a discrete component of the Municipal Planning Strategy or New Minas Sector Plan. Where it is not clear whether Part 1 or Part 2 of the Public Participation program applies, the decision to follow Part 1 or Part 2 of this Public Participation Program shall be at the discretion of Council.







**MUNICIPALITY OF THE COUNTY OF KINGS  
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**ADMINISTRATIVE POLICIES AND PROCEDURES FOR ALL PLANNING MATTERS**

The Municipality of the County of Kings resolves to ensure the opportunity for public involvement in all procedures related to planning matters by adopting the following policies and procedures as the policies and procedures which regulate planning matters in the Municipality of the County of Kings.

The processes listed are the minimum processes. Council may hold additional meetings or disperse or solicit information in any additional manner it determines.

**Closing Files**

Once any request to amend a planning document or enter into or amend a development agreement has been received, these procedures will apply:

- if a request has been received and the file is inactive for five (5) months, a letter shall be sent by certified mail or equivalent advising the applicant that he/she has thirty (30) days to request that the file remain open an additional six (6) months.
- if no written request is received within the specified thirty (30) days, the file shall be closed.
- if a written request is received within the specified thirty (30) days and the application is not completed within six (6) months the file shall be closed.
- the file shall not be closed if required studies or consultation requested by the Municipality result in the application not being complete within the specified time period.

**Minor MPS Amendments**

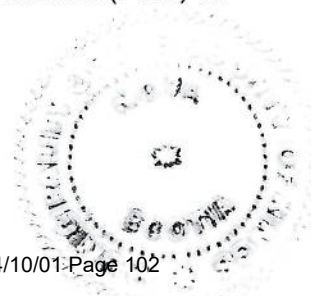
Staff may bring forward minor amendments to the MPS within a report regarding a requested LUB amendment if such amendment provides for a more reasonable or effective LUB amendment. The process for amending the MPS would then be followed, with no additional charges or requirements being placed on the applicant.

**Repeat Applications**

Once a decision regarding an amendment, a development agreement or an amendment to a development agreement has been made by Council, the application shall not be further considered by Council for a period of one year from the date of Council's decision unless the substance of the application is significantly different.

**Alterations to Proposed Development Agreements**

Changes to a proposed development agreement may be made by Council at initial consideration with the consent of the applicant, recognizing that the final decision will not occur until after the public hearing. Council's resolution shall set out the timeframe within which the applicant's consent must be forthcoming and whether the development agreement goes to a Public Hearing if consent is not forthcoming or if the development agreement is to return to the Planning Advisory Committee (PAC) for additional consideration.





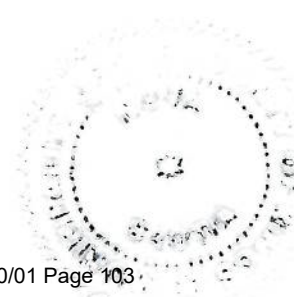
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**Public Information Meetings**

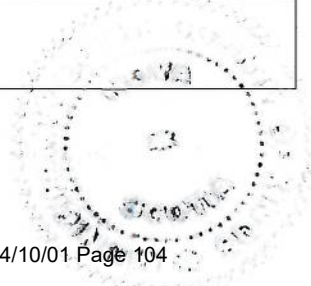
A Public Information Meeting will be held only for:

- construction or relocation of a new building or buildings by development agreement or an amendment to a development agreement; and
- expansion of a building by more than 50% of the mass of the building by development agreement; and
- development of a new use by development agreement; and
- Land Use Bylaw map amendments for any area of land greater than one (1) acre in area; and
- all Land Use Bylaw text amendments





	<b>DEVELOPMENT AGREEMENT or SUBSTANTIVE AMENDMENT TO A DEVELOPMENT AGREEMENT</b>	<b>LAND USE BYLAW MAP AMENDMENT</b>	<b>LAND USE BYLAW TEXT AMENDMENT</b>	<b>NON SUBSTANTIVE AMENDMENT to a DEVELOPMENT AGREEMENT</b>	<b>DISCHARGE of a DEVELOPMENT AGREEMENT</b>
1	applicant discusses with planner	applicant discusses with planner	applicant discusses with planner	applicant discusses with planner	applicant discusses with planner
2	application submitted with the signature or written authorization of the landowner	application submitted with the signature or written authorization of the landowner	application submitted with the signature or written authorization of a landowner	application submitted with the signature or written authorization of the landowner	application submitted with the signature or written authorization of the landowner
3	District Councillor notified	District Councillor notified	District Councillor notified	District Councillor notified	District Councillor notified
4	Staff determines whether a PIM is required by this policy and determines location, date and time in consultation with the District Councillor.	Staff determines whether a PIM is required by this policy and determines location, date and time in consultation with the District Councillor.	Staff determines whether a PIM is required by this policy and determines location, date and time in consultation with the District Councillor.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5	if a PIM is required, a PIM presentation is prepared by staff. The presentation sets out background and request (no recommendation made by staff).	if a PIM is required, a PIM presentation is prepared by staff. The presentation sets out background and request (no recommendation made by staff).	if a PIM is required, a PIM presentation is prepared by staff. The presentation sets out background and request (no recommendation made by staff).	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6	notice sent by staff to owners located within 500' of the property for which the development agreement or amendment has been requested, advising of either PIM or of the application received.	notice sent by staff to owners located within 500' of the property for which the amendment has been requested, advising of either PIM or of the application received.	notice sent by staff to owners located within 500' of the property for which the amendment has been requested, advising of PIM.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7	if a PIM is required by this policy, PIM ad placed on County website and in a local paper	if a PIM is required by this policy ,PIM ad placed on County website and in a local paper	if a PIM is required by this policy, PIM ad placed on County website and in a local paper	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8	if a PIM is required by this policy, PIM held by District Councillor	if a PIM is required by this policy, PIM held by District Councillor	if a PIM is required by this policy, PIM held by District Councillor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9	where there is an Area Advisory Committee (AAC), staff prepares a report to the AAC, including the information gathered at the PIM and a draft agreement.	where there is an Area Advisory Committee (AAC), staff prepares a report to the AAC, including the information gathered at the PIM and a draft agreement.	where there is an Area Advisory Committee (AAC), staff prepares a report to the AAC, including the information gathered at the PIM and a draft agreement.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10	AAC considers report and makes a recommendation to the Planning Advisory Committee (PAC)	AAC considers report and makes a recommendation to the Planning Advisory Committee (PAC)	AAC considers report and makes a recommendation to the Planning Advisory Committee (PAC)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
11	in areas with no AAC, staff prepares a report to PAC including the information gathered at the PIM and the draft agreement.	in areas with no AAC, staff prepares a report to PAC including the information gathered at the PIM and the draft amendment.	in areas with no AAC, staff prepares a report to PAC including the information gathered at the PIM and the draft amendment .	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
12	PAC considers either staff or staff and AAC recommendations and makes a recommendation to Council.	PAC considers either staff or staff and AAC recommendations and makes a recommendation to Council.	PAC considers either staff or staff and AAC recommendations and makes a recommendation to Council.	PAC considers either staff or staff and AAC recommendations and makes a recommendation to Council.	<input checked="" type="checkbox"/>
13	Initial Consideration by Council	First Reading by Council	First Reading by Council	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
14	staff prepares report for Public Hearing	staff prepares report for Public Hearing	staff prepares report for Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
15	Public Hearing notice sent to owners located within 500' of the property for which the agreement has been requested.	Public Hearing notice sent to owners located within 500' of the property for which the amendment has been requested.	Public Hearing notice sent to owners located within 500' of the property for which the amendment has been requested.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
16	ad placed in local paper	ad placed in local paper	ad placed in local paper	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
17	Public Hearing held by Council	Public Hearing held by Council	Public Hearing held by Council	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
18	Council holds Final Consideration and makes decision	Council holds Second Reading and makes decision	Council holds Second Reading and makes decision	Council considers recommendation and makes decision	Council considers staff report and recommendation and makes decision
19	14 day appeal period follows applicant notification or advertisement of decision	14 day appeal period follows applicant notification or advertisement of decision	14 day appeal period follows applicant notification or advertisement of decision	14 day appeal period follows applicant notification or advertisement of decision	(no appeal)







MUNICIPALITY OF THE COUNTY OF KINGS  
Planning Policies

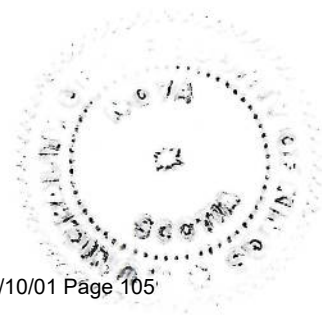
CONSIDERATION OF REQUESTS TO AMEND THE MUNICIPAL PLANNING STRATEGY

Semi-Annual Work Plan

Note: At any time, an Area Advisory Committee, the Planning Advisory Committee, Council or staff may request that the Work Plan be amended to give priority to an urgent planning issue that cannot await the next semi-annual review of the Work Plan.

proponent discusses proposal with planner
proponent makes written request to the Planning Advisory Committee to amend the MPS or New Minas Sector Plan
requests received on or before March 1 <sup>st</sup> will be considered at the spring review of the semi-annual work plan. Requests received after March 1 <sup>st</sup> will be considered at the fall review of the semi-annual work plan.
twice a year, planning staff prepare brief Context Reports for each proposal
at the first meeting, coinciding with Council's review of the budget (spring review), and at the meeting approximately six (6) months from the approval of the budget (fall review) the Planning Advisory Committee considers all requests together with all other current and proposed planning projects within the semi-annual work plan. All proponents who have made a written request for an MPS amendment are invited to address the Planning Advisory Committee before it recommends a work plan to Council.
The Planning Advisory Committee makes a recommendation to Council on the contents and priority of items on the work plan
Council determines the work plan

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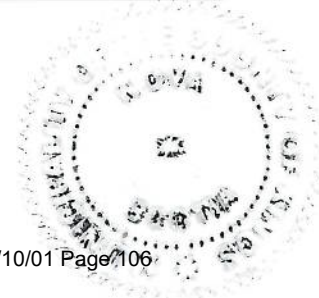
**MUNICIPALITY OF THE COUNTY OF KINGS  
Planning Policies**

**MUNICIPAL PLANNING STRATEGY AMENDMENT PROCESS**

Note: the following contains the **minimum** public process. Council may determine that more public engagement is required.

<b>TEXT &amp; MAP AMENDMENTS</b>	
OPPORTUNITY FOR COUNCIL TO REQUIRE ADDITIONAL PUBLIC ENGAGEMENT: MEETINGS/WORKSHOPS (ANY TYPE) FOR ENTIRE COUNTY OR SPECIFIC AREA; QUESTIONNAIRE(S); ETC.	
<p><u>in areas with an Area Advisory Committee (AAC)</u> staff prepares a report to the AAC, including options and a recommendation</p>	<p><u>in areas with no AAC</u>, staff prepares a report to the Planning Advisory Committee (PAC), including options and a recommendation</p>
<p>AAC considers report and makes a recommendation to the Planning Advisory Committee (PAC)</p>	
<p>PAC considers options and either staff or AAC recommendation</p>	
<p>PAC directs that amendments be drafted and holds a Public Participation Meeting, or in the case where amendments are already drafted, holds a Public Participation Meeting. If PAC recommends that no amendment be draft, then its recommendation is forwarded directly to Council.</p>	
<p>Staff prepares Public Participation Meeting report, which includes draft amendments. Report is available to Council, PAC, AAC and the public on or before the date of the first advertisement of the Public Participation Meeting</p>	
<p>where the proposal amendments pertains to a specific site, notice to owners located within 500' of the site is sent by staff, advising of the Public Participation Meeting</p>	
<p>Public Participation Meeting held by PAC</p>	
<p>PAC makes a recommendation to Council</p>	
<p>First Reading by Council</p>	
<p>staff prepares report for Public Hearing</p>	
<p>where the proposal amendments pertains to a specific site, notice to owners located within 500' of the site is sent by staff, advising of the Public Hearing</p>	
<p>ad placed in local paper</p>	
<p>Public Hearing held by Council</p>	
<p>Council holds Second Reading and makes decision</p>	
<p>no appeal: review by SNSMR</p>	
<p>notice placed in paper after notice received by SNSMR</p>	

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MUNICIPALITY OF THE COUNTY OF KINGS

Area Advisory Committee Policy

**Creation Date:** August 28, 2012  
**Approval Date:** October 26, 2012  
**Revision Date:** April 1, 2014  
November 1, 2016  
May 5, 2020

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

**1. Objective:**

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

**2. Applicability:**

The Policy applies to:

- The Centreville Area Advisory Committee
- The Kingston Area Advisory Committee
- The Port Williams Area Advisory Committee

**3. Definitions:**

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

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MUNICIPALITY OF THE COUNTY OF KINGS

Area Advisory Committee Policy

4. Area Advisory Committees

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

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

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

5. Membership

- 5.1 Duration of Terms
  - a. Responsible Organization Members – One (1) year terms
  - b. Citizen Members – Two (2) year terms
  - c. Council Members – No term limits
  
- 5.2 There are no limits to the number of times that a Responsible Organization member or citizen member may be re-appointed to an Area Advisory Committee

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**MUNICIPALITY OF THE COUNTY OF KINGS**

**Area Advisory Committee Policy**

5.3 Vacant positions shall be filled as soon as reasonably possible for the remainder of the unexpired term. An exception may be made when a position becomes vacant less than six (6) months from the scheduled end of the members term.

**6. Responsibilities:**

6.1 **Council will:**

a. Appoint members of the Area Advisory Committees by resolution.

6.2 **Planning Advisory Committee will**

a. Receive and consider all Area Advisory Committee recommendations

6.2 **The Area Advisory Committees will:**

- a. Review and provide recommendations to the Planning Advisory Committee with respect to all Land Use Bylaw map and text amendment, development agreement and amending development agreement applications located within the Committee's Applicable Area.
- b. Advise the Planning Advisory Committee concerning periodic changes to the Municipal Planning Strategy and any other matters of planning concern.
- c. Where specifically requested, seek the opinions of the residents within the Committee's Applicable Area regarding planning issues.
- d. Follow the policies and procedures contained in Council's Planning Process Policy, PLAN-09-001
- e. Take minutes at each of its Area Advisory Committee meetings. These minutes shall be made available to the Municipality and public.
- f. Provide meeting space for each of its Area Advisory Committee meetings.
- g. Meet as required.

6.3 **The Responsible Organizations will**

a. Recruit and recommend its citizen and Responsible Organization members to the Planning Advisory Committee.

6.4 **Planning Services will:**

- a. Schedule Area Advisory Committee meetings, as required.
- b. Present planning reports to the Area Advisory Committees, as required.

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**MUNICIPALITY OF THE COUNTY OF KINGS**

**Area Advisory Committee Policy**

- c. Provide support for service and project priorities as directed by Council or at the discretion of the Manager of Planning Services

**7. Procedures**

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

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**Municipality of the County of Kings**

**Planning Advisory Committee Policy**

<b>Policy Category</b>	Planning & Inspection Services	<b>Most Recent Amendment</b>	October 19, 2021
<b>First Council Approval</b>	April 1, 2014	<b>Future Review Date</b>	September 2024

**1. Purpose**

This Policy establishes the structure, mandate, duties, and responsibilities of the Planning Advisory Committee. The Planning Advisory Committee (Committee), enabled by s.200(1) *Municipal Government Act*, is an advisory Committee of Council and shall make recommendations to Council on all land use planning matters, including the preparation or amendment of planning documents. Further, the Committee shall be appointed as the Heritage Advisory Committee as enabled by By-law 80, *Heritage Property By-law* and be bound by Policy PLAN-09-001, *Planning Policies*.

**2. Scope**

The Policy applies to the Planning Advisory Committee, Council, and Planning Services.

**3. Definitions:**

3.1 Planning Services: means the municipal service area responsible for all land use planning matters.

**4. Policy Statements**

4.1 Membership

4.1.1 The Planning Advisory Committee shall have eight members and be composed of:  
4.1.1.1 Five Members of Council;

4.1.1.2 Three citizen appointees who are residents of the Municipality of the County of Kings. Citizen appointees may reside in any region of the Municipality.

One of the three citizen appointees shall be a young adult between the ages of 18 and 25, inclusive, at the time of appointment. Should Council not receive any applications for citizen members who meet the age requirements, Council may appoint an applicant older than 25 years of age.

In appointing citizen members, Council shall consider opportunities to address and redress historic exclusion of underrepresented communities. Council shall also consider appointees representing a diversity of experiences.

4.1.2 Duration of Terms

Members of Council appointed to the Committee shall serve one-year terms and be eligible for reappointment at the end of their term. Citizen appointees to the Committee shall each serve two-year terms.

4.1.4 Any citizen appointee who ceases to be a resident of the Municipality shall cease to be a member of the Committee.

- 4.1.5 Remuneration of Committee members shall be as established in Policy FIN-05-002: Council and Committee Remuneration.
- 4.2 Committee Administration & Duties
  - 4.2.1 The Committee shall be governed in accordance with By-law 102: Committees Governance.
  - 4.2.2 Four members, at least three of whom are Members of Council, shall constitute a quorum.
  - 4.2.3 The election of a Chair and Vice-Chair from amongst the Members of Council shall take place at the first meeting following Council's appointment of members for the forthcoming year.
  - 4.2.4 The Chair shall preside at all meetings; in their absence, the Vice-Chair or a Member of Council appointed at the meeting shall preside.
  - 4.2.5 The Chair shall have a right to vote on all questions before the Committee. In the event of a tie, the question voted on shall be deemed to be determined in the negative and a motion of non-support will be forwarded to Municipal Council at Council's next regularly scheduled meeting
  - 4.2.6 Special meetings may be called on 48 hours' notice by the Chair and must be called if requested by three or more members of the Committee.
  - 4.2.7 With the exception of matters specified in s.203 *Municipal Government Act*, all meetings shall be open to the public.
  - 4.2.8 Where specifically requested by Council by policy or otherwise, the Committee shall undertake community engagement efforts related to planning issues.
  - 4.2.9 Planning Services shall provide and present planning reports and recommendations to the Committee, as required.
  - 4.2.10 The Committee shall receive and consider all Area Advisory Committee recommendations.
  - 4.2.11 Presentations made by the public to the Committee shall follow the requirements of By-law 64, *Meeting and Procedure By-law*.
  - 4.2.12 Any Member of Council not appointed to the Committee who attends a Committee meeting shall be permitted to speak for up to five minutes on any planning matter located in their Electoral District prior to the Committee voting on the matter.
  - 4.2.13 Neither the Committee nor any member thereof shall have the power to pledge the credit of the Municipality, or to authorize an expenditure on behalf of the Municipality, in connection with any matter whatsoever.

## 5. Responsibilities

- 5.1 Council will:
  - 5.1.1 Ensure the Municipality has a current and comprehensive policy for a planning advisory committee to advise on the preparation or amendment of planning documents and reviewing of planning matters generally;
  - 5.1.2 Appoint members of the Planning Advisory Committee by resolution;
  - 5.1.3 Receive and consider all Planning Advisory Committee recommendations;



- 5.1.4 Determine service and project priorities for the Municipality and the Planning Advisory Committee in collaboration with the Chief Administrative Officer; and
- 5.1.2 Review and amend this Policy as required;
- 5.2 The Chief Administrative Officer or designate will:
  - 5.2.1 Implement and administer this Policy;
  - 5.2.2 Determine service and project priorities for Planning Services and the Planning Advisory Committee in collaboration with Council;
  - 5.2.2 Ensure staff are advised of this Policy; and
  - 5.2.3 Identify and propose revisions to this Policy.

**6. Amendments**

Date	Amendments
April 2014	Replaces PAC By-law #55
May 2014	
July 5, 2016	Addition of ability to appoint alternates from Council.
October 19, 2021	Policy migrated to new template; Membership updated.



**Municipality of the County of Kings**

**Administration of Planning Matters**

Policy Category	Department Name	Most Recent Amendment	Council Meeting Date
First Council Approval	Council Meeting Date	Future Review Date	Month Year

**1. Purpose**

The Administration of Planning Matters will outline the process followed by Municipal Staff to review and present planning applications and projects to Council for approval.

The Municipality recognizes the need to outline the minimum process to be followed in addressing planning matters in an efficient manner that incorporates opportunities for public input in the process.

**2. Scope**

This policy applies to all Staff and consultants engaged in planning activities as described in Part VIII *Municipal Government Act*.

**3. Definitions**

3.1 **Authority Having Jurisdiction:** the governmental body responsible for enforcing regulations, approving associated documents and issuing permits over a given subject matter.

3.2 **Subject Matter Expert:** an individual or organization that has accumulated significant knowledge in a given field or subject as to be authorized to make decisions or determinations related to their field. They may be recognized by a professional organization.

**4. Policy Statements**

**Land Use By-law Amendments and Development Agreements**

- 4.1 Complete application
  - 4.1.1 All requests for amendments to the Land Use By-law, Development Agreements and substantive amendments to Development Agreements shall be processed upon receipt of a complete application consisting of:
    - 4.1.1.1 a completed application form;
    - 4.1.1.2 the associated application fee, as described in Policy FIN-05-003: Fees;
    - 4.1.1.3 a description of the proposed development;
    - 4.1.1.4 a preliminary site sketch of the proposed development, if relevant;
  - 4.1.2 Additional plans, studies, reports or materials necessary for the review of the application may be identified by Staff at a later date.

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## 4.2 Public Information Meetings

4.2.1 Upon receipt of a complete application, Staff shall determine if a Public Information Meeting is required. A Public Information Meeting is required for:

4.2.1.1 All applications to enter into a new Development Agreement or a substantive amendment to an existing Development Agreement;

4.2.1.2 Amendments to the text of the Land Use By-law;

4.2.1.3 Amendments to a map of the Land Use By-law for any area of land greater than one acre in size;

4.2.2 Public Information Meetings shall follow the procedures outlined in Policy PLAN-09-005, being the Municipality's Public Participation Program Policy.

## 4.3 Review and Approval Process

4.3.1 Applications for Development Agreements, substantive amendments to Development Agreements, or amendments to the Land Use By-law, shall be reviewed by Staff in accordance with the steps outlined in Schedule A to this policy.

4.3.2 Staff reviews shall be summarized in a Staff Report intended to assist Planning Advisory Committee in making a recommendation to Council. All Staff reports shall contain the following:

- a description of the proposed development intended to be enabled by the application;
- a background of the subject property and the application as it relates thereto;
- a summary of public engagement activities including the concerns or support raised by the public;
- a summary of consultation with internal and external authorities having jurisdiction over other matters, agencies and organizations in response to concerns raised by the public or policy direction;
- a discussion of the policies contained in By-law 105: Municipal Planning Strategy applicable to the proposal and the consistency of the proposal with these policies;
- summaries of any reports or studies requested by Municipal Staff or other Authorities Having Jurisdiction and prepared by third party Subject Matter Experts; and,
- a recommendation to Planning Advisory Committee based on the consistency with the applicable policies of By-law 105: Municipal Planning Strategy.

## 4.4 Amendments to a Proposed Development Agreement

4.4.1 Council may make amendments to a *proposed* Development Agreement at Initial or Final Consideration with the consent of the applicant. Council's resolution shall set out the timeframe within which the applicant's consent is received per the following:

4.4.2 Amendments to proposed Development Agreements that represent minor changes in form shall:

4.4.2.1 proceed to Public Hearing if made prior to the Public Hearing;

4.4.2.2 proceed to decision if made following the Public Hearing;

4.4.3 Amendments to proposed Development Agreements that would relate to matters identified in the proposed development agreement as non-substantive shall:

- 4.4.3.1 proceed to Public Hearing if made prior to the Public Hearing. An amended version of the draft Development Agreement shall be attached to the Public Hearing report with a memorandum attached outlining the amendment to the proposed Development Agreement;
- 4.4.3.2 require an additional Public Hearing if made following the Public Hearing. An amended version of the draft Development Agreement shall be attached to the Public Hearing report with a memorandum attached outlining the amendment to the proposed Development Agreement;
- 4.4.4 Amendments to the proposed Development Agreement that relate to matters identified in the proposed development agreement as substantive shall:
  - 4.4.4.1 proceed to Public Hearing at Council's discretion if amendments are made prior to a Public Hearing. An amended version of the draft Development Agreement shall be attached to the Public Hearing report with a memorandum outlining the amendment to the proposed Development Agreement;
  - 4.4.4.2 return to Council for initial consideration if made following a Public Hearing;
- 4.5 Development Agreement – Non-substantive Amendments
  - 4.5.1 Where an *approved* Development Agreement identifies matters as non-substantive, such amendments to the Development Agreement may be approved by the Development Officer;
  - 4.5.2 The Planner assigned to the file shall prepare a memorandum to accompany the non-substantive amendment document and submit these to the Development Officer for review and decision;
  - ~~4.5.3 Upon the approval of non-substantive amendments by the Development Officer, notice of the approval shall be placed on the Municipal website for a minimum of 14 days setting out the right of appeal.~~
- 4.6 Development Agreement Discharge
  - 3.6.1 Upon request for the discharge of a Development Agreement by the owner of a property subject to a Development Agreement Staff shall:
    - 3.6.1.1 forward the request to the Chief Administrative Officer for determination;
  - 3.6.2 forward the required paperwork to legal counsel to discharge the Development Agreement from title.

### **Municipal Planning Strategy Amendments**

- 4.7 Proponents shall make requests to amend the Municipal Planning Strategy to Municipal Staff in writing;
  - 4.7.1 Staff shall prepare a brief context report for each request to be presented to Municipal Council and shall contain the following:
    - 4.7.1.1 A description of the proposal and any associated background information;
    - 4.7.1.2 The rationale for the amendment in relation to the proposal;
    - 4.7.1.3 An outline of potential approaches to processing the proposal;
    - 4.7.1.4 An outline of resources necessary and budgetary considerations for each approach, if available;
    - 4.7.1.5 A preliminary timeline for each approach;

- 4.7.1.6 A discussion on the merits of each approach;
- 4.7.1.7 A recommendation for the preferred approach;
- 4.7.2 Municipal Council shall review the report and make a decision related to the preferred approach or send the request back to Staff for additional information;
- 4.7.3 Council shall direct the Chief Administrative Officer to include the proposal and preferred approach as a Planning Project.

**File Administration**

- 4.8 Repeat Applications
  - 4.8.1 Once a decision regarding an amendment, a Development Agreement or an amendment to a Development Agreement has been made by Council, the declined application shall not be further considered by Council for a period of one year from the date of Council's decision unless:
    - 4.8.1.1 the substance of the application is significantly different; and/or
    - 4.8.1.2 the relevant policies of the Municipal Planning Strategy have been amended since the initial application.
- 4.9 Closing Files
  - 4.9.1 Once a complete application to amend the Land Use By-law or enter into or amend a Development Agreement has been received, these procedures will apply:
    - 4.9.1.1 if a request has been received and the file is inactive for five (5) months, a letter shall be sent by Canada Post or electronic mail to the applicant that they have thirty (30) days to request that the file remain open an additional six (6) months;
    - 4.9.1.2 if no written request is received within the specified thirty (30) days, the file shall be closed.
    - 4.9.1.3 if a written request is received within the specified thirty (30) days and the application is not completed within six (6) months the file shall be closed.
  - 4.2.2 The file shall not be closed if required studies or consultation requested by the Municipality result in the application not being complete within the specified time period.

**5. Responsibilities**

- 5.1 Council shall:
  - 5.1.1 ensure the Municipality has a current and comprehensive Policy for planning applications; and
  - 5.1.2 review and amend this Policy as required.
- 5.2 The Chief Administrative Officer shall:
  - 5.2.1 implement this Policy; and
  - 5.2.2 identify and propose revisions to this Policy.

Date	Amendments



Municipality of the County of Kings

Public Participation Program

<b>Policy Category</b>	Planning	<b>Most Recent Amendment</b>	Council Meeting Date
<b>First Council Approval</b>	Council Meeting Date	<b>Future Review Date</b>	+ 4 Years

1. Purpose

This Policy, in accordance with s. 204 *Municipal Government Act*, demonstrates Council’s commitment to public participation processes that foster a culture of meaningful engagement by exceeding the requirements of *The Municipal Government Act* throughout the Municipality and establishes administrative policies for all Public Meetings for planning matters.

2. Scope

This policy applies to all Public Meetings conducted for planning matters within the Municipality of the County of Kings.

3. Definitions

- 3.1 Planner: Municipal staff person, firm or individual retained by the Municipality, responsible for processing applications related to planning matters
- 3.2 Public Hearing: a statutory Public Meeting hosted by Municipal Council in accordance with section 206 *Municipal Government Act*.
- 3.3 Public Information Meeting: a non-statutory Public Meeting hosted by the Municipal Councillor for the district or the Chair of Planning Advisory Committee. This meeting is held early in the application process and is intended to present the proposal and applicable policies of By-law 105: Municipal Planning Strategy. The public has an opportunity to provide comments and feedback on the proposal. A summary of comments raised by the public shall be provided in the Staff report to Planning Advisory Committee. No formal minutes shall be taken.
- 3.4 Public Meeting: any meeting attended by members of the general public with regard to a planning matter including Public Information Meetings, Public Participation Meetings and Public Hearings.
- 3.5 Public Participation Meeting: a statutory meeting hosted by Planning Advisory Committee when approving amendments to By-law 105: Municipal Planning Strategy.
- 3.6 Village: as defined in Part XVIII *Municipal Government Act*.

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## 4. Policy Statements

### General Rules

- 4.1 Members of the public may submit written submissions and speak on a subject at a Public Meeting.
- 4.2 Members of the public may request to be put on the registered sequential list of speakers in advance of a Public Meeting by contacting the staff member responsible for the Public Information Meeting or Public Participation Meeting. The Municipal Clerk is the contact person for Public Hearings.
- 4.3 Members of the Committee or Council may ask questions of clarification of each speaker, the applicant, or Staff as necessary.
- 4.4 All questions from members of Council or members of the public are to be addressed to the Chair.
- 4.5 Members of the public are to state their name and community of residence.
- 4.6 Speakers shall be limited to one presentation unless called upon by the Chair for further comment.
- 4.7 Each speaker shall have five (5) minutes to make their presentation, unless extended by the agreement of Council or the Committee.

### Written Submissions

- 4.8 Members of the public shall have the opportunity to provide a written submission in advance of a Public Meeting either instead of, or in addition to, verbal comments.
- 4.9 Written submissions must be received by 12:00 noon on the day preceding the Public Meeting.
- 4.10 Written submissions shall be circulated to the members of the responsible Committee or Council.
- 4.11 Written submissions shall not be read into the record.
- 4.12 Notwithstanding 4.13 above, the author of the written submission may be read by the author or their agent.

### Visual Presentations

- 4.13 Members of the public are permitted to make a visual presentation, such as PowerPoint, provided they are received no later than noon on the day preceding the Public Meeting.

### Notice

- 4.14 Municipal Staff shall notify the following groups of a Public Meeting related to an application to enter into a development agreement, Land Use By-law map amendment or Municipal Planning Strategy amendment that is related to a specific property or area:
  - Property owners within 500 feet of the subject property, where applicable;
  - The Clerk/Treasurer of any village or municipality within five kilometres of the subject property;
  - Members of the public;
- 4.15 The Clerk/Treasurer of any village or abutting municipality shall be notified of any application to amend the Land Use By-law, development agreement or any amendment to the Municipal Planning Strategy where:
  - The application includes a subject property or properties within five kilometres of the Village boundary; or
  - The application seeks to amend the text of the Land Use By-law and or the Municipal Planning Strategy;
- 4.16 Notice shall be provided through the following ways:

- By letter mail a minimum of one week prior to the meeting to property owners within the notification area
  - By email a minimum of one week prior to the Public Meeting to adjacent villages and municipalities;
  - Posting on the Municipal website a minimum of two (2) weeks prior to the Public Meeting;
  - Installation of a sign on the subject property advising of the receipt of a planning application; or
  - Such other method permitted by Provincial regulation.
- 4.17 Staff may expand the notification area to include additional addresses that may extend beyond a 500 foot radius from the subject property.

### Procedures for Public Meetings

- 4.18 All Public Meetings shall follow the following procedures:
- 4.18.1 The Public Meeting shall be opened by the Chair. The Chair shall:
    - 4.16.1.1 outline the agenda;
    - 4.16.1.2 outline the general rules of conduct;
    - 4.16.1.3 outline the purpose of the meeting; and
  - 4.18.2 An overview of the proposal and relevant planning policies shall be presented by the Planner assigned to the file;
  - 4.18.3 The applicant shall be given the opportunity to make a presentation with a maximum length of ten (10) minutes unless extended by agreement of the Chair;
  - 4.18.4 Members of the public shall be given an opportunity to provide comments and feedback; and
  - 4.18.5 Subject to 4.20 of this policy, once all members of the public have had an opportunity to speak, the Chair shall adjourn the meeting.

### Public Hearings

- 4.19 No new information shall be received by Councillors once a Public Hearing has been completed. When practical, Final Consideration/Second Reading should occur at a meeting of Council immediately following the Public Hearing.
- 4.20 If there is not sufficient time to hear all speakers, a date and time for continuation of the Public Hearing shall be set.
- 4.21 As the purpose of any extension is to complete the presentations from the original meeting, new submissions shall not be heard from those not present at the original Public Hearing. A list of those members of the public wishing to speak shall be recorded by the Clerk.
- 4.22 Staff shall be provided an opportunity to comment on presentations from the public prior to the adjournment of the Public Hearing.

### Public Participation Program

- 4.23 The procedure for processing amendments to the Municipal Planning Strategy shall include a Public Participation Program approved by Council in accordance with section 204 *Municipal Government Act*.
- 4.24 At a minimum, Public Participation Programs shall require the Planning Advisory Committee to hold one or more Public Participation Meetings prior to making a recommendation to Council.
- 4.24.1 Public Participation Meetings shall follow notification requirements outlined in 4.16;



- 4.24.2 Proposed amendments and any staff reports shall be available to the public on the Municipal website; and
- 4.25 Following the Public Participation Meeting, the Planning Advisory Committee may edit the proposed amendments before forwarding them to Council, provided the purpose of the proposed amendments are not significantly altered.
- 4.26 If the Planning Advisory Committee makes substantive amendments to the nature of the proposed amendments, there will be an additional Public Participation Meeting held prior to any recommendation to Council.

**5. Responsibilities**

- 5.1 Council will:
  - 5.1.1 ensure the Municipality has a current and comprehensive Policy governing Public Meetings for planning matters; and
  - 5.1.2 review and amend this Policy as required.
  
- 5.2 The Chief Administrative Officer will:
  - 5.2.1 implement this Policy; and
  - 5.2.2 identify and propose revisions to this Policy.

**6. Amendments**

Date	Amendments
Month Year	

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<b>TO</b>	Municipal Council
<b>PREPARED BY</b>	Michael Edgar, Environmental Services Manager Kristy Taylor, Procurement Officer
<b>MEETING DATE</b>	October 1, 2024
<b>SUBJECT</b>	Tender #24-24: Regional Blower Replacement

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**ORIGIN**

- [2024/25 Capital Budget - Project # 23-4404](#)

**RECOMMENDATION**

That Municipal Council award Tender #24-24: Regional Blower Replacement for a total of \$263,843.58 including provisional items and non-recoverable HST to TNE Global Inc. as described in the Request for Decision dated October 1, 2024.

**INTENT**

For Council to award Tender #24-24: Regional Blower Replacement to the top-scoring proponent identified as TNE Global Inc.

**DISCUSSION**

Additional blowers are required at the Regional Sewage Treatment Plant to ensure sufficient backup air supply for the aeration process within Cell 1 & Cell 2.

This project was included in the 2024/2025 approved capital budget.

This Tender was released on July 11, 2024 and closed on August 8, 2024. Six (6) submissions were received. They were reviewed for compliance and scored. Scoring was based upon a combination of price, equipment proposed, experience and anticipated delivery dates.

TNE Global Inc. received the highest score based on the scoring matrix outlined in the Request for Proposal.

**FINANCIAL IMPLICATIONS**

- Total approved project budget = \$395,000.00
- GL Account # 23-3-354-124
- Capital Project # 23-4404

**STRATEGIC PLAN ALIGNMENT**

	Strong Communities	
	Environmental Stewardship	
	Economic Development	
	Good Governance	
	Financial Sustainability	

# Request for Decision

✓	Other	Continuous general operations
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## ALTERNATIVES

- There are no recommended alternatives.

## IMPLEMENTATION

- Award Tender to successful Bidder.
- Contract and Purchase Order signed and issued to successful Proponent.

## ENGAGEMENT

- This project was publicly tendered through the Municipal and Nova Scotia Procurement websites.

## APPENDICES

- None

## APPROVALS

Brad Carrigan, Director, Engineering & Public Works	September 23, 2024
Scott Conrod, Chief Administrative Officer	September 25, 2024

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**TO** Municipal Council  
**PREPARED BY** Jeremy Sharpe, Manager of Public Works  
**MEETING DATE** October 1, 2024  
**SUBJECT** Tender #24-31: Supply and Delivery of New Crane Truck

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**ORIGIN**

- [2024-2025 Capital Budget – Project # 23-3403](#)

**RECOMMENDATION**

That Municipal Council award tender #24-31: Supply and Delivery of New Crane Truck in the amount of \$218,580.33 including applicable non-rebated HST to Bruce Leasing Limited as described in the Request for Decision dated October 1, 2024.

**INTENT**

For Council to award the Tender for the supply and delivery of one (1) new 1.5 Tonne Crane Truck as outlined in the 2024/25 Budget.

**DISCUSSION**

Public Works had identified the requirement for two new half tonne trucks in addition to the existing fleet, as well as the requirement for one (1) new 1-1.5-tonne Crane Truck as a fleet replacement for Truck 24 (1.5-tonne Crane Truck) in the 2024/25 Capital Budget. The half tonne trucks were tendered under a separate Tender event, as the Crane Truck package required custom specifications.

The single Bidder for Event #24-31 has submitted a compliant Tender for a Ford F550 1.5-tonne Truck Chassis upfitted with a 11’ Voth Service Body, 3200-lb Stellar Service Crane, Hydraulic Outriggers, on-board mounted Generator and Compressor, Racks and Safety Lighting, all which meet the requirements stated by the Public Works department.

**FINANCIAL IMPLICATIONS**

- Total budget for this vehicle in the 2024/25 fiscal year budget is \$350,000.
- This purchase is being funded from GL#21-3-382-901 Municipal Fleet.

**STRATEGIC PLAN ALIGNMENT**

	Strong Communities	
	Environmental Stewardship	
	Economic Development	
	Good Governance	
	Financial Sustainability	
✓	Other	Continuous general operations

**ALTERNATIVES**

- There are no recommended alternatives.

# Request for Decision

## IMPLEMENTATION

- Award Tender to successful Bidder.
- Purchase Order Created and issued to successful Bidder.

## ENGAGEMENT

- This project was publicly tendered through the Municipal and Nova Scotia Procurement websites.

## APPENDICES

- None

## APPROVALS

Brad Carrigan, Director, Engineering & Public Works

September 19, 2024

Scott Conrod, Chief Administrative Officer

September 25, 2024

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<b>TO</b>	Municipal Council
<b>PREPARED BY</b>	Scott MacKay, Manager of Revenue Kristy Taylor, Procurement Specialist
<b>MEETING DATE</b>	October 1, 2024
<b>SUBJECT</b>	Project 24-27: Banking & Investment Services

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## ORIGIN

- First introduction to Municipal Council

## RECOMMENDATION

That Municipal Council direct the CAO to execute an agreement for the provision of primary financial services with the Bank of Nova Scotia for a five-year period commencing November 1, 2024, as described in the October 1, 2024 Request for Decision.

## INTENT

To provide Municipal Council the necessary information to make an informed decision regarding Municipal Banking & Investment Services.

## DISCUSSION

Municipal staff released a Non-Binding Request for Proposals (NRFP) on August 14, 2024 for banking and investment management services commencing on November 1, 2024, and ending on October 31, 2029. The NRFP closed on September 12, 2024 with a total of three (3) submissions.

Submissions were evaluated and scored per the solicitation documents with a strong focus not only on interest rates and service fees, but also customer service, transition and implementation services.

The Bank of Nova Scotia (BNS) submitted the highest scoring proposal and is being recommended for award.

## FINANCIAL IMPLICATIONS

As part of the recommended proposal, BNS offered the Municipality an enhanced deposit rate of an additional .17% from its current rate, which will have a positive financial impact for the Municipality.

## STRATEGIC PLAN ALIGNMENT

	Strong Communities	
	Environmental Stewardship	
	Economic Development	
	Good Governance	
✓	Financial Sustainability	Adherence to Municipal Procurement Policy for the periodic tendering of financial services
	Other	

## ALTERNATIVES

# Request for Decision

- No alternatives are recommended.

## IMPLEMENTATION

- Council to award banking services to successful proponent.
- The recommended proponent is the incumbent financial services provider for the Municipality, so the transition process is not a consideration.

## ENGAGEMENT

- This project was publicly tendered through the Municipality and Nova Scotia Procurement websites.

## APPENDICES

- None

## APPROVALS

Greg Barr, Director of Finance & IT

September 23, 2024

Scott Conrod, Chief Administrative Officer

September 25, 2024

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<b>TO</b>	Municipal Council
<b>PREPARED BY</b>	Kevin Wheaton, BBA, Financial Analyst
<b>MEETING DATE</b>	October 1, 2024
<b>SUBJECT</b>	Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

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**ORIGIN**

- [March 20, 2024 Special Council – Approval of 2024/25 Operating & Capital Budgets](#)
- [March 20, 2024 Special Council – Approval of Temporary Borrowing Resolution](#)

**RECOMMENDATION**

That Municipal Council approve the Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate as detailed in Appendix A attached to the October 1, 2024 Request for Decision.

**INTENT**

For Council to approve the Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate. Nova Scotia Municipal Finance (NSMF) requires submission of this document, along with a commitment letter, when requesting participation in a specific debenture issuance.

**DISCUSSION**

NSMF issues debentures twice annually, once in the spring and once in the fall. A Resolution for Pre-Approval of Debenture Issuance is the document that Council submits to the NSMF, along with a commitment letter requesting participation in a specific debenture issuance.

The Resolution for Pre-approval of Debenture Issuance, as detailed in Appendix A, will enable the borrowing of \$4,700,000 through the NSMF Fall 2024 debenture issuance. This borrowing will help fund the Regional STP Aeration and Desludging project (#17-4401). The Temporary Borrowing Resolution approved by Council on March 20, 2024 includes \$5,072,824 of planned borrowing for Regional Sewer projects, of which \$4,700,000 is to be utilized with the Fall 2024 debenture issuance.

The issuance of debenture debt as set out in this Request for Decision forms part of the approved funding plans for these projects and is included within the 2024/25 approved Municipal budgets.

**FINANCIAL IMPLICATIONS**

- Approval of the Resolution for Pre-Approval of Debenture Issuance (Appendix A) is required to enable borrowing through NSMF in the amount of \$4,700,000 to provide funding for the Regional STP Aeration and Desludging project (#17-4401).

**STRATEGIC PLAN ALIGNMENT**

	Strong Communities	
	Environmental Stewardship	
	Economic Development	
	Good Governance	



	Financial Sustainability	
✓	Other	Aligns with requirements of the Nova Scotia Department of Municipal Affairs and Housing, and Nova Scotia Municipal Finance, for participation in the debenture issuance.

## ALTERNATIVES

- There are no recommended alternatives.

## IMPLEMENTATION

- The approved Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate (Appendix A) will be submitted to Nova Scotia Municipal Finance.

## ENGAGEMENT

- No specific engagement initiatives were undertaken in relation to the Debenture Pre-Approval Resolution beyond the deliberations associated with the current year budget.

## APPENDICES

- Appendix A: Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate.

## APPROVALS

Mike Livingstone, Manager of Financial Reporting	September 23, 2024
Greg Barr, Director of Finance and IT	September 23, 2024
Scott Conrod, Chief Administrative Officer	September 25, 2024

Name of Unit: Municipality of the County of Kings

**Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate**

**WHEREAS** clause 66 (1) of the Municipal Government Act (the "Act") provides that a municipality may borrow to carry out an authority to expend funds for capital purposes conferred by the Act or another Act of the Legislature;

**AND WHEREAS** clause 91(1)(a) of the Act provides that where a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs and Housing (the "Minister"), that the sum shall be borrowed by the issue and sale of debentures, in one sum or by installments, as determined by the council;

**AND WHEREAS** clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

**AND WHEREAS** clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Finance Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

**AND WHEREAS** the resolution of council to borrow for was approved by the municipal council on March 20, 2024.  
(council's TBR approval date)

**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 91 of the *Municipal Government Act*, the

\_\_\_\_\_  
Municipality of the County of Kings  
(Name of Unit)

borrow by the issue and sale of debentures a sum or sums not exceeding \$4,700,000 , for a period not to exceed 20 years, subject to the approval of the Minister;

**THAT** the sum be borrowed by the issue and sale of debentures of the

\_\_\_\_\_  
Municipality of the County of Kings  
(Name of Unit)

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 6.5%;

**THAT** the debenture be arranged with the Province of Nova Scotia with interest to be paid semi-annually and principal payments made annually;

**THAT** this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

**For Province use only:**  
TBR #: \_\_\_\_\_  
Minister  
signed: \_\_\_\_\_

**THIS IS TO CERTIFY** that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the  
Municipality of the County of Kings

\_\_\_\_\_  
(Name of Unit)

held on the 1st day of October, 2024

**GIVEN** under the hands of the Mayor/Warden and the Clerk of the  
Municipality of the County of Kings

\_\_\_\_\_  
(Name of Unit)

this 1st day of October, 2024

\_\_\_\_\_  
Mayor/Warden

\_\_\_\_\_  
Clerk

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<b>TO</b>	Municipal Council
<b>PREPARED BY</b>	Scott MacKay, Manager of Revenue
<b>MEETING DATE</b>	October 1, 2024
<b>SUBJECT</b>	Write-off of Deactivated Property Tax Accounts

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## ORIGIN

- First introduction to Municipal Council

## RECOMMENDATIONS

That Municipal Council approve the write-off of the outstanding property tax accounts listed in Appendix A of the October 1, 2024 Request for Decision, debiting GL 01-4-451-100 Allowance for Doubtful Accounts for the total amount of \$7,472.00.

## INTENT

For Municipal Council to consider the write-off of deactivated property tax accounts contained in Appendix A of the Request for Decision.

## DISCUSSION

Property Valuation Services Corporation (PVSC) provides the Municipality with an up-to-date assessment roll on an annual basis. Various year-over-year changes are made to property tax accounts including, but not limited to, ownership, valuation and assessment classification. Every year there are property tax accounts which are deactivated by PVSC and are therefore no longer taxable. In rare cases, some of these property tax accounts have outstanding balances which staff are not able to collect.

The most common cause of deactivations is the abandonment or movement of mobile homes to locations outside of the Municipality. Deactivations by PVSC can often take some time before they are reflected on the Municipality's assessment roll. During that time, taxes, rates and interest charges continue to be levied against these properties.

The ten properties listed in Appendix A of this Request for Decision are discarded or relocated mobile homes with a total outstanding tax account balance of \$7,472.00, for which staff is requesting a full write-off. Staff sought a legal opinion regarding avenues to collect the outstanding debts, including adding these amounts to the accounts of the properties upon which the mobiles were located. However, the legal opinion concluded that the Municipality would not be able to transfer the responsibility for outstanding taxes to the property owner since the *Assessment Act* allows for mobile homes to be taxed separately from the land on which they rest and that s. 133(2) of the *Municipal Government Act* specifically states that taxes levied in respect of a mobile home are a first lien upon the mobile home, not the property.

Properties such as those in Appendix A are an ongoing challenge for the Municipality, but staff continue to work with PVSC to identify such properties on an ongoing basis in an effort to minimize impact. Staff have also made PVSC aware that the removal of such accounts needs to be completed on a more expedient basis.

# Request for Decision

## FINANCIAL IMPLICATIONS

- Debit GL 01-4-451-100 Allowance for Doubtful Accounts - \$7,472.00 for properties contained in Appendix A

## STRATEGIC PLAN ALIGNMENT

	Strong Communities	
	Environmental Stewardship	
	Economic Development	
	Good Governance	
	Financial Sustainability	
✓	Other	Periodic review of deactivated and uncollectable property tax accounts

## ALTERNATIVES

- No alternatives are being provided.

## IMPLEMENTATION

- Staff will debit GL 01-4-451-100 for properties contained in Appendix A, close these accounts, and remove them from future tax billings.

## ENGAGEMENT

- No public engagement was undertaken with respect to this Request for Decision.

## APPENDICES

- Appendix A: Deactivated Property Tax Accounts with Balances Owing

## APPROVALS

Greg Barr, Director of Finance & IT

September 23, 2024

Scott Conrod, Chief Administrative Officer

September 26, 2024

**APPENDIX A – DEACTIVATED PROPERTY TAX ACCOUNTS WITH BALANCES OWING**

Assessment Account Number	Description	Estimated Balance Owing (October 2024)	Last Payment
04018044	Mobile Home	\$1,867.39	Dec 2015
05135303	Mobile Home	\$827.48	Dec 2015
06188265	Mobile Home	\$1,160.22	Dec 2015
08063567	Mobile Home	\$1,150.13	Dec 2015
06005632	Mobile Home	\$221.55	Sept 2017
00847976	Mobile Home	\$544.67	May 2020
00244953	Mobile Home	\$861.41	Sept 2018
03306003	Mobile Home	\$223.15	Sept 2016
10344689	Mobile Home	\$412.30	April 2016
01743023	Mobile Home	\$203.70	May 2020
<b>TOTAL</b>		<b>\$7,472.00</b>	

### Committee of Council Reports – October 1, 2024

<b>Board/Committee</b>	<b>Chair/Reporting Councillor/ Members</b>	<b>Date Last/Next Meeting</b>	<b>Report</b>
Asset Management Committee	Dick Killam, Joel Hirtle (Chair), Peter Allen	February 6, 2024 Next: March 5, April 2, September 3, 2024	Verbal report provided May 2, 2023
Audit & Finance Committee	Peter Muttart, Emily Lutz, Martha Armstrong (Chair), Kevin Davison	February 9, 2024 Next: May 28, September 9, (Sept 24 TBD)	Recommendations provided May 7, 2024
Centreville Area Advisory Committee	Lexie Burgess, Dick Killam	May 5, 2021 Next: TBD	Written report provided June 1, 2021
Diversity Kings County	June Granger (Vice-Chair), Lexie Burgess (Chair)	September 11, 2024 Next: April 3, July 3, Sept. 11, 2024	Verbal report provided September 17, 2024
Fences Arbitration Committee	Peter Allen - Alternate	No meetings	
Fire Services Advisory Committee	June Granger (Reporting Councillor), Lexie Burgess, Tim Harding	June 20, 2024 Next: December 5, 2024	Verbal report provided June 4, 2024
Greenwood Water Utility Source Water Protection Committee	Tim Harding (Chair)	November 16, 2023 Next: TBD	Written report provided November 1, 2022
Joint Accessibility Advisory Committee	Lexie Burgess	September 11, 2024 Next: December 11 <sup>th</sup> , 2024	Verbal report provided September 17, 2024
Kingston Area Advisory Committee	Martha Armstrong	No recent meetings	Written report provided October 6, 2020
Lake Monitoring Committee	Tim Harding Alternate - Emily Lutz	July 22, 2020 Next: TBD	
Nominating Committee	Martha Armstrong (Chair), Joel Hirtle (Vice-Chair), Peter Muttart, Peter Allen	August 13, 2024 Next: TBD	Recommendations provided September 3, 2024
Planning Advisory Committee	June Granger (Vice-Chair), Dick Killam, Martha Armstrong (Chair), Peter Allen, Kevin Davison	September 10, 2024 Next: October 8, 2024	Recommendations provided September 3, 2024
Police Advisory Board	June Granger, Joel Hirtle, Tim Harding (Chair), Dick Killam (Vice-Chair), Peter Allen	May 15, 2024 Next: December 18, 2024	Verbal report provided May 21, 2024
Port Williams Area Advisory Committee	June Granger	No recent meetings	
Regional Sewer Committee	Joel Hirtle (Chair) Alternate - Kevin Davison	February 1 & 22, 2024 Next: April 25, 2024	Recommendation provided August 15, 2023
Sandy Court Source Water Protection Committee	Martha Armstrong	March 18, 2021 Next: March 24, 2022	

### External Board and Committee Reports – October 1, 2024

Board/Committee	Reporting Councillor	Last / Next Meeting	Report
Annapolis Valley Regional Library Board	Emily Lutz Alternate - Lexie Burgess	September 2023	Verbal report provided October 3, 2023
Annapolis Valley Trails Coalition Board	Emily Lutz Alternate - Joel Hirtle	August 2024	Verbal report provided September 3, 2024
Canning Source Water Protection Committee	June Granger	No recent meetings?	
Kentville Joint Fire Services Committee	Lexie Burgess, Dick Killam, Peter Allen	September 21, 2023 Next: March 21, 2024	Verbal report provided October 3, 2023
Kentville Water Commission	Lexie Burgess	February 2, 2022 Next: April 6, 2022	Written report provided February 15, 2022
Kings Regional Rehabilitation Centre Board	Dick Killam, Tim Harding, Joel Hirtle, Kevin Davison	November 2023 Next: December 2023	Verbal report provided December 5, 2023
<a href="#">Kings Regional Emergency Management Advisory Committee</a>	Peter Muttart Dick Killam	August 20, 2024 Next: January 20, 2025	Written report provided September 3, 2024
Landscape of Grand Pré Inc. Member	Peter Allen Alternate: Vacant		
Landscape of Grand Pré Inc. Board	Emily Lutz	September 2024	Verbal report provided September 3, 2024
New Minas Source Water Protection Committee	Kevin Davison Alternate: Emily Lutz	January 16, 2022 Next: Feb. 16, 2022	Verbal report provided April 5, 2022
Port Williams Source Water Protection Committee	June Granger	March 5, 2024 Next: TBD	Verbal report provided March 5, 2024
Regional Recreation Facility Feasibility Study Working Group	Peter Muttart	November 1, 2021 Next: Dec. 6, 2021	Verbal report provided at November 2, 2021 Council
Valley Community Fibre Network (Authority) Board	Joel Hirtle	October 31, 2022 Next: TBD	Verbal report provided November 1, 2021
Valley Regional Enterprise Network Liaison & Oversight Committee	Martha Armstrong	Next: October 2, 2024	Verbal report provided April 4, 2023
Western Regional Housing Authority Board	Citizen Member only		
Wolfville Source Water Protection Advisory Committee	Peter Allen	January 13, 2021 Next: April 14, 2021	Written report provided January 19, 2021