



## **REQUEST FOR PROPOSALS**

### **Municipal Planning Strategy & Land Use Bylaw Review RFP-MCC-1606**

Municipality of the County of Cumberland  
1395 Blair Lake Road  
Upper Nappan, Nova Scotia  
RR #6 Amherst, N.S. B4H 3Y4

Phone: (902) 667-2313

Fax: (902) 667-1352

Website: [www.cumberlandcounty.ns.ca](http://www.cumberlandcounty.ns.ca)

## Table of Contents

INTRODUCTION .....	3
BACKGROUND .....	3
Planning Documents .....	4
Background Information .....	4
Guiding Principles .....	5
Focus of the Policy Review .....	5
OBJECTIVES.....	6
Scope of Work.....	7
Deliverables.....	9
WORK PLAN .....	9
Proposed Schedule (Estimated Completion) .....	9
AVAILABLE RESOURCES.....	10
PROPOSAL REQUIREMENTS .....	11
PROJECT TEAM .....	11
EVALUATION CRITERIA .....	11
FURTHER INFORMATION.....	12
SUBMISSION OF PROPOSALS .....	12
Closing Date and Time.....	12
Agreement and Contracts .....	12
Timing for Selection.....	12
Other Terms and Conditions .....	12
Dispute Resolution .....	13

**MUNICIPALITY OF CUMBERLAND  
REQUEST FOR PROPOSALS  
Municipal Planning Strategy and Land Use Bylaw Review**

## **INTRODUCTION**

The Municipality of Cumberland is seeking proposals from qualified consultants to complete a comprehensive review and update of the Municipal Planning Strategy and Land Use Bylaw and to provide recommendations for updating and consolidating subdivision bylaws. This will incorporate all secondary plans within the Municipality and the plans for the former Towns of Springhill and Parrsboro into a single cohesive, comprehensive plan.

The purpose of this Request for Proposals (RFP) is to award the work to a successful proponent based on the evaluation of relevant information from respondents with proven experience and knowledge in similar undertakings.

This Request for Proposal defines both the form and content required of the proposal. You are urged to structure your response in accordance with the terms of this RFP. These criteria will determine whether a Proposal is complete, appropriate and competitive. **Proposals that do not conform to these terms and conditions may be given lesser weight than others, or may be rejected.**

This document is not intended to limit the content of Proposals, but rather, to provide a common framework for the Municipality to assess each Proposal in a professional manner in a demonstrably fair process. Proponents may provide unsolicited information if you consider it to be relevant. Proposals may be subject to disclosure under the Province's "freedom of information" legislation. By submitting a Proposal, the Proponent agrees to the appropriate disclosure of the information supplied, subject to the provisions of the governing law. The Municipality will respect the confidentiality of content the proponent clearly identifies as proprietary or confidential.

The Municipality of Cumberland requires a consulting team who will guide us in our goal to maintain and grow Cumberland in a way that reflects our values, aspirations and our desire to live in a prosperous, sustainable fashion. We are looking for a plan that reflects our identity and provides guidance to us on innovative land use policies that reflect economic and environmental sustainability, longevity and fairness. Our land use planning framework needs to reflect our uniqueness. We take the One Nova Scotia call to action seriously, and this review must help us move toward the new future envisioned by this report in a practical, manageable way.

## **BACKGROUND**

The Municipality of Cumberland is a large rural municipality located in the north-central portion of Nova Scotia. It encompasses the geographic boundary of the County of Cumberland, excluding the towns of Amherst and Oxford. Settlement patterns within the Municipality include the former Towns of Springhill (Dissolved April 1, 2015) and Parrsboro (Dissolution scheduled for November 1, 2016) along with two villages (Pugwash and River Hebert). Several settlements serve as small service centres including Advocate, Joggins, Tidnish, Wallace, and Wentworth. Small settlements and rural development are scattered throughout the countryside, with strong cottage development along the Northumberland Strait and to a lesser extent along the Parrsboro shore

and the Wentworth area. There is also a relatively large settlement base in the area surrounding the Town of Amherst.

Geographically, Cumberland County is the second largest county in Nova Scotia, and has an area of approximately 4285 km<sup>2</sup> or three quarters the size of neighbouring Prince Edward Island. It is the only entry point when driving to Nova Scotia from New Brunswick and is the only land connection between the province of Nova Scotia and the rest of the country. Consequently, Cumberland County has become known as the “gateway” of Nova Scotia.

The Municipality has a population of 21,363 (2011) residing in approximately 8790 occupied private dwellings. In addition, it is estimated that there are an additional 3400 to 4000 seasonal dwellings although the exact number is hard to quantify.

## **Planning Documents**

Planning documents have evolved erratically over the last two decades in response to a variety of development pressures. Most of the Municipality remains essentially unzoned with few controls. More in depth zoning has been established around most municipal water supplies, as well as the area surrounding the Town of Amherst and the communities of Pugwash and Joggins.

The first Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) were adopted in 1993 with a secondary plan adopted for the area around the Town of Amherst in 2003 and additional secondary plans adopted for Joggins in 2006 and the Village of Pugwash in 2008. While there have been numerous amendments to these documents there has never been a thorough review.

Cumberland adopted a subdivision bylaw in 1974. It was rewritten in 1992 and again in 2008.

On April 1, 2015 the Town of Springhill dissolved and became part of the Municipality of Cumberland. Following dissolution, Springhill’s bylaws remain in effect until new ones are adopted. Springhill’s current MPS/LUB was adopted in 1992 with few subsequent amendments.

On June 15, 2016 the Nova Scotia Utility and Review Board (NSUARB) issued an order to dissolve the Town of Parrsboro (effective November 1, 2016) and have it also join the Municipality of Cumberland. Parrsboro’s bylaws also remain in effect until new ones are adopted.

The latest versions of the MPS & LUB for the Town of Parrsboro were adopted in 2007. Springhill and Parrsboro haven’t adopted subdivision bylaws and follow the provincial subdivision regulations.

## **Background Information**

In addition to the existing planning documents, the Municipality has completed a number of key strategies and studies which will provide guidance for the new Municipal Planning Strategy and Land Use Bylaw. These studies/documents include the following studies:

- Environmental Planning Framework ( A 2011 study by Stantec commissioned to provide recommendations for updating the Land Use Bylaw )
- Integrated Community Sustainability Plan
- Source water protection plans (Parrsboro, Springhill and Tyndal Wellfield (Amherst)
- Pugwash Area Master Plan
- Pugwash Waterfront Development Plan

Additionally, several other documents and initiatives should inform and provide direction to this project. These include the following:

- Heritage Bylaws for Cumberland, Springhill and Parrsboro
- Capital Investment Plan
- Cumberland Economic Development Strategy
- Cumberland Energy Strategy
- Springhill Community Economic Development Plan (pending)
- Parrsboro Community Economic Development Plan (pending)
- CRDA Marketing Strategy
- One Nova Scotia Report, 2014

These studies and background materials form part of this RFP. It is important to keep in mind that many of these documents were created prior to the dissolution of the Towns of Springhill and Parrsboro. The continuing changes to the Municipality limit the relevance of those documents meant to provide policy direction. It will be incumbent upon the successful proponent to work with the steering committee and council to ensure land use policies reflect the vision and goals of the Municipality.

To view the documents listed above click on the link below:

[ftp://exchange.cumberlandcounty.ns.ca/MPS\\_LUB\\_Background\\_Materials](ftp://exchange.cumberlandcounty.ns.ca/MPS_LUB_Background_Materials)

### **Guiding Principles**

The guiding principles speak to how this project will proceed and our approach. Council, staff and others involved in this project are expected to base our actions on these principles:

- The plan review will **build upon recent studies**.
- The **current planning documents and the 2011 Environmental Planning Framework prepared by Stantec will be used as a starting point**. Policies and approaches that are working or seem appropriate will be retained or implemented.
- **Respect** for the diversity of opinion within our community. We will strive to have dialogue on difficult issues in order to come to a conclusion to which we all can adhere.
- **Iterative** –Policies will be revamped and revised based on ongoing feedback and communication with stakeholders.
- **Sustainable** - Our commitment to being economically and environmentally sustainable, following the four pillars of sustainability.
- A **steering committee** will provide oversight and guidance to the project.
- **Shared leadership** in the development of the plan.
- This plan will be **practical and manageable** for the Municipality of Cumberland and the people and businesses who want to live, work and operate here. It is critical that approvals are streamlined as much as possible and that the policies are consistent and clear about what we are trying to achieve with each requirement. The emphasis must be to ensure the compatibility of development while protecting the environment and reducing risks from shoreline erosion, flooding and similar natural hazards. The plan should provide a wide variety of approval methods with applicable controls tailored to circumstances.

### **Focus of the Policy Review**

Council has 6 strategic goals. These goals will guide the review of the MPS, LUB and Subdivision Bylaw. The successful proponent will work closely with the Municipal Planner, and the steering committee to explore and develop strategies to address key themes such as;

#### *1. Municipal Financial Sustainability*

- a. Efficient and appropriate development approval process

(as of right, site plan or development agreement)

- b. Home based business policies that promote wider opportunities for entrepreneurs and foster cottage industries.
- c. Policies to support the Pugwash, Springhill and Parrsboro Development Plans.
- d. Policy and zoning changes to facilitate economic growth
- e. Policies to support Renewable energy development and development of a green industrial park in Springhill.

## *2. Depopulation and Aging Demographics*

- a. Review of residential designations to clarify intent and density, in order to reduce conflicts
- b. Policies that promote the development of a wide variety of seniors housing
- c. Site plan controls for urban areas

## *3. Good Stewardship of our Environment and Resources*

- a. Heritage policies
- b. Review of current architectural controls
- c. Source water protection

## *4. Health and Well Being*

- a. Integration of Active Transportation policies
- b. Open Space Master Plan recommendations

## *5. Citizen Engagement and Public Relations*

- a. Inclusion of public engagement policies and principles
- b. Evaluation criteria and timeline for Plan implementation review
- c. Reporting mechanisms to Council

## *6. Climate Change Mitigation and Adaptation*

- a. Coastal vulnerability to storm surges and rising sea levels.
- b. Inland Flooding

## **OBJECTIVES**

- 1. To review and update the goals and objectives of the Municipal Planning Strategy (MPS).
- 2. To prepare a new MPS to address gaps and problem areas, with particular emphasis on those areas identified in the "Focus of Policy Review" section above.
- 3. To ensure the MPS reflects the various studies undertaken by Council and integrate the findings, where appropriate.
- 4. To integrate innovative new policy directions.
- 5. To create opportunities for residents, businesses, and others to resolve points of conflict and find a shared path forward on key planning issues.
- 6. To reduce bureaucratic hurdles in order to create a positive investment climate and promote development opportunities.
- 7. To ensure that approval processes are clear and easy to understand.
- 8. To create a plain language document that provides clear direction to all.
- 9. To ensure that all enabling regulations (LUB and Subdivision bylaws) fall in line with the MPS.

## Scope of Work

The Municipality of Cumberland is seeking proposals to complete a comprehensive review and update of the Municipal Planning Strategy and Land Use Bylaw. This review will also incorporate those for Springhill and Parrsboro into single cohesive documents that reflect the goals and nature of the evolving Municipality.

- Develop a comprehensive public consultation process to ensure meaningful feedback from residents, business owners, and seasonal residents (to be approved by steering committee).
- Project brand and communications strategy for project (to be approved by steering committee).
- Review and update the existing Municipal Planning Strategies and Land Use Bylaws for Municipality of Cumberland and integrate those of Springhill and Parrsboro.
- Ensure the Municipal Planning Strategy is consistent with other municipal policies related to the future well-being of the Municipality and support Council's priorities and goals.
- Review the future residential, commercial, industrial and institutional needs and revise the Municipal Planning Strategy, Land Use Bylaw and mapping accordingly.
- Identify policies to assist in linking growth in development of all uses to the provision of necessary infrastructure to responsibly accommodate growth with regard to sustainability
- Integrate and improve current policies relating to environmental challenges including adaption to projected impacts of climate change. More specifically policies must address the following issues at a minimum:
  - Rising Sea level and increased storm surges along Northumberland Strait.
  - Rising Sea level and potential flooding of the Chignecto Isthmus.
  - Potential Storm surge damage along Bay of Fundy.
  - Inland flooding
  - Water quality
- Work closely with the Municipal Planner and Steering Committee to explore and develop strategies to address key area themes such as;
  - Affordable Housing
  - Healthy Living
  - Historic Property Preservation
  - Economic Development
  - Agriculture
  - Immigration Potential
  - Aging Population
  - Retention of Young Families
  - Natural Heritage Preservation
  - Water quality (Blair Lake & Mattatall Lake).
- Ensure conformity with Provincial legislation, regulation and plans and integrate applicable Provincial planning policy into the updated Municipal Planning Strategy.
- Prepare a new Municipal Planning Strategy and Land Use Bylaw and provide all necessary documentation required by the Municipality for the approval and enactment of the new policies. This includes presentation of policies to council and the public and all revisions necessary for ministerial approval.
- Review current subdivision bylaws and related policies and make recommendations for updating them to compliment the updated Municipal Planning Strategy and Land Use Bylaw.

- Periodic presentations to Council and the Steering Committee at public meetings on findings/work completed
- All work is to be completed by May 2018 or earlier if possible.

## Deliverables

1. A comprehensive public consultation process in cooperation with steering committee.
2. Project brand and communications strategy for project (to be approved by steering committee).
3. A revised and consolidated Municipal Planning Strategy (MPS).
4. A revised and consolidated Land Use Bylaw (LUB),
5. Recommendations for revising the Subdivision bylaw and related policies.
6. Public presentation of drafts to Council and all revisions necessary for adoption and ministerial approval. The proponent shall provide a minimum of three draft presentations to council.
7. All reports and documents including the LUB, MPS and subdivision bylaw recommendations are to be provided in Word and PDF formats,
8. All maps and datasets collected are to be provided in ArcGIS platform, and
9. Any Graphics developed as part of this project shall be provided in an appropriate format suitable to municipal staff.

## WORK PLAN

The successful proponent may alter and add to this work plan in order to ensure the best possible product and adequate public consultation. Creativity and innovation in the work plan are encouraged and expected. In particular, the successful proponent must pay special attention to engagement tools and processes for the “Complicated issues” were residents will have diverse and passionate points of view. The successful proponent must be adept in identifying and dealing with these issues so that this process does not create additional and unnecessary community conflict or delays.

We also encourage the successful proponent to use a variety of engagement platforms, including on-line consultation tools. Consultation and engagement strategies that are not focused and tailored to a particular purpose will be scored poorly. It is important that the successful proponent justify and explain how the engagement tools used will further the community understanding and buy-in.

The approach must also pay attention to the established timeline. The draft MPS and LUB and recommended changes to the Subdivision Bylaw must be submitted for review by October, 2017.

During early stages of this project, the Municipality will also be working with consultants on Economic Development Plans for Springhill and Parrsboro as well as the Pugwash Waterfront Development Project. It is expected that the consultants will work together to achieve compatibility, depending on the schedule of the processes. We plan to develop an active transportation strategy within the next year and any recommendations from that report should be integrated in the draft MPS, LUB and Subdivision Bylaw recommendations.

## Proposed Schedule (Estimated Completion)

### A. Project Initiation (**September, 2016**)

- Contract Award
- Setting up website presence
- Branding of project

- Engaging partners

#### B. Study **(September 2016 – February, 2017)**

- Community profiles and statistical information
- Review studies and reports
- Summary report of key issues and possible directions
- Identification of gaps
- Land Use study

#### C. Citizen Engagement **(September 2016 - February, 2017)**

- Community Engagement
- Identification of “complicated issues” for more in-depth consultation such as:
  - a) Shoreline buffers & minimum lot sizes
  - b) Home Based Businesses/Small businesses
  - c) Wind energy development
  - d) Springhill Geothermal development
  - e) Architectural controls in Pugwash, Springhill & Parrsboro
  - f) Improving the entrance to Amherst from the New Brunswick border.
  - g) Other issues that arise during preliminary consultation
- For “complicated issues” additional consultation may be warranted during the policy development phase
- Additional engagement may be necessary to ensure that seasonal residents have meaningful opportunity for input.

#### D. Council Engagement **(November 2016 – January 2017)**

- Explain the planning process and project to Council
- Confirm overarching goals and priorities
- Confirm timelines

#### E. Drafting/Policy Development **(December 2016 – March 2017)**

- In conjunction with senior management and Steering Committee, successful proponent drafts MPS, LUB and Subdivision bylaw recommendations
- Presentation to Council (December)
- take the draft prepared out to the community for refinement and further consultation.

#### F. Final Presentation & Approvals **( October –December 2017)**

- Share community input with council and Community Development Department
- Make final revisions
- Present MPS & LUB to council & public for first and second readings
- Provide recommendations on changes to subdivision bylaw to Municipal Planner and Director of Public Works

## **AVAILABLE RESOURCES**

The Municipality will provide the following to the successful proponent as part of this project;

- All relevant GIS files.
- Use and support of the “Cumberland” website.
- All background studies we have available.

## PROPOSAL REQUIREMENTS

All proposals submitted should include, as a minimum, the following:

- A summary of the successful proponent's knowledge and experience of municipal planning and Plan Reviews;
- A detailed work plan of the planned approach;
- A work plan identifying key steps and corresponding timeframes (building on the process noted above);
- A communications strategy for the project;
- The names, background and knowledge of the successful proponent(s) who will be involved in the project;
- **The fees and expenses associated with the proposal in a separate envelope labeled "fee structure."** This must include a detailed breakdown of roles, tasks, hours allocated and hourly rate of each team member and a lump sum fee for any additional public meetings or council presentations requested by steering committee.
- Project team structure and Project Manager; and
- The names and contact information of three references to support the submitted proposal.

## PROJECT TEAM

The project team is expected to be enthusiastic and talented. Your previous work experience should demonstrate your innovation, knowledge of rural municipalities and small towns, design principles, environmental planning, creativity and a solid understanding of municipal land use planning. Your submission should also show experience and knowledge of conflict resolution, facilitation and community engagement techniques. On-line engagement is of particular interest but attention must also be paid to others in our community and region that more standard consultation techniques often miss.

The team must also demonstrate experience and knowledge in developing architectural controls and guidelines.

The proposed project team shall not be changed without prior written approval of the steering committee.

## EVALUATION CRITERIA

All proposals will be evaluated first on technical and quality criteria, then price. Any proposal that does not receive at least a 75% on the technical and quality criteria will be automatically disqualified and the price envelope will be returned unopened.

Work plan	30%
Timeline	5%
Project team experience	20%
Project understanding and innovation	20%
<b>Total</b>	<b>75%</b>
<b>Value for money</b>	<b>25%</b>

## **FURTHER INFORMATION**

Inquiries regarding this request for proposals can be directed to:

Nelson Bezanson, Municipal Planner  
Phone: 902-667-3304  
Email: nbezanson@cumberlandcounty.ns.ca

Inquiries made and responses given may be recorded and may be distributed to all other Proponents as Addenda. No responses shall be binding on the Municipality unless made in writing. All inquiries regarding the interpretation of these Terms and Conditions, Procurement Policy or Procedures must be made to the Municipality.

## **SUBMISSION OF PROPOSALS**

Submissions clearly marked "Municipal Planning Strategy & Land Use Bylaw Review" may be submitted in a sealed envelope by mail to:

Nelson Bezanson, Municipal Planner  
Municipality of Cumberland  
1395 Blair Lake Road  
RR #6 Amherst, NS B4H 3Y4

All proposals shall be no longer than fifteen (15) pages excluding any appendices. One original and four (4) copies plus one electronic copy must be provided.

### **Closing Date and Time**

Proposals must be received no later than 3:00 pm, August 15th, 2016 at the Upper Nappan Service Centre: 1395 Blair Lake Road, Upper Nappan, N.S. B4H 3Y4  
**Late proposals will not be accepted and will be returned unopened.**

Proposals must be submitted duly signed by an authorized person. Proposals will be opened in public at the Upper Nappan Service Centre, 1395 Blair Lake Road, Upper Nappan, commencing at 3:15 p.m. August 15th, 2016. The opening of proposals at that time is to publicly record receipt of all proposals. Details of the submissions will not be publicly disclosed at that time.

### **Agreement and Contracts**

The terms and conditions of the proposal submitted by the proponent are to remain firm and irrevocable from the proposed closing date for 90 days thereafter, and, if you receive our letter of acceptance, become part of the contract with the Municipality.

### **Timing for Selection**

It is anticipated that the successful proposal will be selected within 90 days of closing. Notice shall be sent to all other proponents notifying them that their proposals have not been selected.

### **Other Terms and Conditions**

Submission of a Proposal indicates acceptance by the Proponent of all of the conditions contained in this RFP unless otherwise clearly and specifically noted in the Proposal submitted.

Any proposals submitted by e-mail, facsimile or telephone will not be accepted under any circumstances.

All costs associated with the presentation of the proposal and any supplemental information shall be borne solely by the proponent, and shall not be passed to the Municipality under any circumstances.

The Municipality reserves the right without prejudice,

- to accept any Proposal;
- to reject any or all Proposals;
- to not accept the lowest priced Proposal if in the best interest of the Municipality;
- to accept any Proposal that it considers to be in the best interest of the Municipality;
- to waive formality, informality or technicality in any Proposal;
- to reject any proposal that it feels incapable of providing the necessary resources to perform the work in a satisfactory manner;
- to request clarification of information submitted; and
- to request additional information if required.

Proponents may be required to demonstrate financial stability, ability to provide the services being acquired, and/or regulatory agency approval or registration as needed or to otherwise clarify the Proponent's capability to satisfy the RFP requirements. Proposal acceptance is subject to the approval of Municipal Council.

Proponents must be prepared to include in the contract for services any oral or written representations, undertakings or guarantees that are made prior to the final agreement, including the entire response to this RFP, or parts thereof.

Proposals not completed in permanent, unalterable form of print will be rejected. The County of Cumberland shall pay no fee to any firm for the preparation and delivery of its Proposal in response to the Municipality's Request for Proposals. The Municipality will not be responsible for any costs, expenses, losses, damages or liability incurred by the Proponent as a result of, or arising out of, the submission of any proposal or due to the Municipality not accepting or rejecting the proposal. The Municipality reserves the right to retain all proposals submitted and to use any ideas contained in any Proposal regardless of whether that proposal is selected.

In case of any disputes over the completeness, accuracy and/or interpretation of this RFP, the versions of such documents held by the Municipality will be considered correct. Information, offers, commitments or instruction obtained by any source other than the Municipality will not be binding on the Municipality.

### **Dispute Resolution**

If a dispute arises out of, or in connection with this RFP or subsequent Contract, the parties agree to meet to pursue resolution through negotiation or other appropriate dispute resolution process before resorting to litigation.

All information exchanged during this meeting or any subsequent dispute resolution process, shall be regarded as "without prejudice" communications for the purpose of settlement negotiations and shall be treated as confidential by the parties and their representatives, unless otherwise required by law. However, evidence that is independently admissible or discoverable shall not be rendered inadmissible or non-discoverable by virtue of its use during the dispute resolution process.