



**PUBLIC COUNCIL SESSION**

**AGENDA PACKAGE**

**For the meeting of**

Date: Wednesday, January 13, 2021

Time: 6:00 p.m.

Place: Zoom Meeting

# AGENDA PACKAGE

## PUBLIC COUNCIL

Date: January 13, 2021

Time: 6:00 p.m.

ZOOM MEETING

### 1. CALL TO ORDER

1.1 Roll Call

### 2. ADMINISTRATIVE AND PROCEDURAL ISSUES

2.1 Approval of Agenda

2.2 Approval of Minutes  
Approval of the December 16, 2020 Meeting

2.3 Business Arising  
i) December 16, 2020 Council Session

2.4 Delegations/ Presentations/ Petitions  
i) *Cumberland Forestry Advisory Committee*  
Representatives of this Committee will provide an update on their recent activities.

ii) *Cliffs of Fundy Geopark Update, Beth Peterkin*  
Ms. Peterkin will provide an update on the work of the Cliffs of Fundy Geopark Committee.

iii) *N.S. Dept. of Municipal Affairs and Housing*  
Representatives will provide a quick review of Councillors Roles and Responsibilities

2.5 Public Hearings

i) Local Improvement Bylaw  
The Municipality of the County of Cumberland's *Local Improvement By-Law* has been amended to include a third option of monthly payments on the Local Improvement Charge. The draft Bylaw is included in your package.

**Action: Motion to hold Second Reading of the Local Improvement Bylaw at the February 3, 2021 Council session.**

ii) Amendment to Land use Bylaw to rezone PID 25394859, Fort Lawrence Road  
This item was discussed at the previous Council session and today we will hold a public hearing.

**Action: Motion to hold Second Reading at the February 3, 2021 Council session.**

- iii) Amendment to Land Use Bylaw to rezone PID 25508177, 3815 Highway 302, Nappan

This item was discussed at the previous Council session and today a public hearing will be held.

**Action: Motion to approve Second Reading at the February 3, 2021 Council session**

- iv) Development Agreement for PID 25074808, 324 Nappan Road, Upper Nappan

This item was discussed at the previous Council session and today a public hearing will be held.

**Action: Motion to approve Second Reading at the February 3, 2021 Council session**

3. **STRATEGIC PRIORITIES ISSUES**

- 3.1 Financial Sustainability Strategy

This document is included in your Council kit and Council may want to have discussion on the information contained in the document.

**Action: Discussion**

4. **MAJOR ORGANIZATIONAL ITEMS**

- 4.1 Update on 2021/22 Budget Process

Staff have provided a document regarding the timelines for the 2021/22 budget process and are looking for input from Council.

**Action: Discussion**

- 4.2 2021 Assessments

Our Director of Finance has received our 2021 Assessment Roll and has included this for Council's discussion.

**Action: Discussion**

5. **ORGANIZATIONAL POLICY/BYLAWS ITEMS**

- 5.1 Reimbursement Policy for Members of Council and Chief Administrative Officer

Staff have included this amended Policy and a memo containing background information. Staff have amended the Policy to contain the words Mayor and Deputy Mayor and have removed any references to Warden and Deputy Warden.

**Action: Motion to approve amended Reimbursement Policy for Members of Council and Chief Administration Officer.**

5.2 First Reading on amendment to Land Use Bylaw to rezone PID 25365511, 746 Miller Road, Miller Road

On January 4, 2021, Planning and Development staff received an application from Jennifer Langill (the “applicant”) regarding the property at 746 Miller Road, Miller Road - PID 25365511 (the “subject property”).

The subject property is owned by Jennifer and G. Michael Langill and is located along Miller Road, East of Pugwash. The application is for a rezoning to permit the expansion of a garage and workshop closer to the property western boundary.

**Action: Motion to Approve First Reading and hold a public Hearing at the February 17<sup>th</sup>, 2021 meeting**

6. **BUSINESS ISSUES**

6.1 Territorial Acknowledgement

Councillor Houghtaling would like Council to discuss a Territorial Acknowledgement being added as part of our Council session. Staff have provided a sample acknowledgement as part of our information package.

**Action: Discussion and motion to add a Territorial Acknowledgement as part of the Council session**

6.2 Committee Reports

Mayor Scott would like to have discussion on Councillors providing Committee reports from the Committee’s they sit on as a Council representative. Councillors should discuss the format of these reports i.e., verbal or written.

**Action: Discussion and agreement of format of Committee reports**

6.3 Grant Requests

Staff have provided a memo outlining grant request(s).

**Action: Motion to approve grant request(s)**

6.4 “Nova Scotia Starts Here” Campaign

Mayor Scott has been approached by MLA Smith-McCrossin regarding our Municipality participating in a campaign called “Nova Scotia Starts Here”. Mayor Scott is requesting feed back from Council regarding this initiative.

**Action: Discussion and direction to staff**

6.5 Election Financial Statements

Financial statements for the 2020 Election are provided in your package. Staff will be present at our Council session to answer any questions Council may have.

**Action: Discussion, Question and Answer**

6.6 Nominations Committee Housekeeping

There will be a Nominations Committee Meeting for our First meeting in February to ratify citizen appointments to Committees. In the meantime, the Committee has two small changes that it would like Council to ratify:

1. Remove Deputy Warden Redmond from the VON Committee and replace her with Councillor Gould (both have agreed to this)
2. Add Councillor Houghtaling to the Communications Committee

**Action: Motion to ratify the above two changes**

6.7 Extended Producer Responsibility (EPR)

Councillor Houghtaling will give a brief overview of the importance of the Resolution regarding EPR for PPP proposed by NSF. The CJSMA's Solid Waste Manager will also be present to answer questions.

**Action: Discussion and Motion to direct staff to send a letter to the Minister of Environment expressing Councils recommendation that this resolution be implemented.**

6.8 Letter re: Cumberland Recreation Facility

A letter from a County resident was received and is included in your package. This letter is requesting a recreation facility in the County and possibly in conjunction with the Town of Amherst.

**Action: Discussion**

7. **INFORMATION ITEMS**

7.1 2020 Employee Recommended Workplace Designation

The Municipality of the County of Cumberland has been recognized as a 2020 Employee Recommended Workplace. The Employee Recommended Workplace Awards is an award established by The Globe and Mail and Morneau Shepell which recognizes workplaces with proven success in creating a healthy environment and one that supports employee well-being. This award is the only one of its kind that is based entirely on employee feedback. This is the third year that the Municipality has been recognized as an Employee Recommended Workplace.

In addition to this recognition, the Municipality has also been recognized as category winner: Government – Small Organizations. We are proud to say this is the second time the Municipality has been awarded this distinction.

8. **ADJOURNMENT**

In March of 2020, in response to the Covid 19 Pandemic, the Minister of Municipal Affairs and Housing declared that Municipal Councils will not meet in person but will instead hold virtual meetings. Under this order Council of the Municipality of the County of Cumberland held Council video meetings via Zoom. This meeting was also streamed live on Facebook.

## 1. CALL TO ORDER

### 1.1 Roll Call

Mayor Scott called the December 16, 2020 Council session of the Municipality of the County of Cumberland to Order at 6:00 p.m.

Municipal Clerk, Brenda Moore, called the roll with the following members of Council present: Mayor Murray Scott, Councillor Fred Goud; Councillor Rod Gilroy, Councillor Jennifer Houghtaling, Deputy Mayor Kathy Redmond, Councillor Angela McCormick, Councillor Mark Joseph, Councillor Dale Porter, Councillor Carrie Goodwin.

Staff present: Steve Ferguson, Director of Community Development; Andrew MacDonald, Director of Finance; Justin Waugh-Cress, Director of Operations and Public Works; Shelley Hoeg, Communications and Executive Assistant to the CAO; Dannie Sampson, IT; Allie McCormick Manager of Organizational Development & Innovation; Amanda MacLeod, Sustainable Communities Marketing Officer; Will Balser, Junior Planner; Mike Johnson, Regional Emergency Measures Coordinator; and Brenda Moore, Municipal Clerk who recorded the meeting.

Media present in the meeting:

Darrell Cole, Amherst News; Bill Martin, Six Rivers News; and Maurice Rees, Shoreline Journal

## 2. ADMINISTRATIVE AND PROCEDURAL ISSUES

### 2.1 Approval of Agenda

The agenda was approved with the following additions:

#### 4.2 Shinimicas Fire Department

### 2.2 Approval of the Minutes of the December 2, 2020 Swearing in Meeting

**IT WAS MOVED by Councillor Gilroy seconded by Councillor Gould to approve the minutes of the December 2, 2020 Council meeting with the amendment to the motion in 6.7 Dates and times of December and January meetings to read as follows.**

*Dec. 2/20-*

#### 6.7 Dates and times of December and January meetings

*IT WAS MOVED by Deputy Mayor Redmond seconded by Councillor Houghtaling that Council hold the scheduled December 16, 2020 Council meeting, schedule one Council meeting in January 2021 on January 16<sup>th</sup>, and resume the regular meeting schedule on February 3, 2021.*

**No Objections  
MOTION CARRIED**

### 2.3 Business Arising

#### i) December 2, 2020 Council Session.

The action lists were reviewed.

### 2.4 Delegations Presentations Petitions

i. One Wind Services and Katalyst Wind Inc. Mr. Paul Pynn and Ms. Helen Brown were on hand to provide an introduction and status update on a potential wind project on Higgins Mountain. Following the presentation Mr. Pynn and Ms. Browne answered questions from Councillors. Mayor Scott thanked them for their presentation.

#### ii. Staff Recognition of Achievements

CAO, Rennie Bugley spoke to those in attendance about how proud he is of how staff have responded to the challenges of COVID 19 and their dedication and commitment to our organization and the residents of Cumberland County. In particular, we want to take this opportunity to recognize the exemplary actions of two of our employees Mike Johnson and Dannie Samson, for their skills and

experience in their respective fields and in helping to guide the organization through an unprecedented and uncertain period. Two plaques have been prepared and our CAO will ensure they receive them.

Mike Johnson responded to this by saying it is truly a pleasure to work at the Municipality. So many staff chipped in and it was certainly a team effort. None of this would have been possible without the combined efforts of all staff.

### 3. STRATEGIC PRIORITIES ISSUES

There are no strategic priorities for this meeting.

### 4. MAJOR ORGANIZATIONAL ISSUES

#### 4.1 Temporary Borrowing Resolution

Sunset Community Inc. requires a Temporary Borrowing Resolution from the Municipality and a memo from the Director of Finance outlining the background and rationale was included in your meeting material.

**IT WAS MOVED by Deputy Mayor Redmond seconded by Councillor Houghtaling to approve a Temporary Borrowing Resolution for Sunset Community Inc. in the amount of \$482,309.**

#### MUNICIPALITY OF THE COUNTY OF CUMBERLAND TEMPORARY BORROWING RESOLUTION

Amount: \$ 482,309

Purpose: Sunset Community Inc.

**WHEREAS** Section 66 of the Municipal Government Act provides that the Municipality of the County of Cumberland, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

**WHEREAS** the Municipality of the County of Cumberland the has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

**WHEREAS** the Municipality of the County of Cumberland the has determined to borrow the aggregate principal amount of four hundred eighty-two thousand three hundred and nine Dollars (\$ 482,309) for the purposes of Sunset Residential Centre;

#### **BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 66 of the Municipal Government Act, the Municipality of the County of Cumberland borrow a sum or sums not exceeding four hundred eighty-two thousand three hundred and nine Dollars (\$ 482,309) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

**THAT** the sum be borrowed by the issue and sale of debentures of the Municipality of the County of Cumberland to such an amount as the Council deems necessary;

**THAT** the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Town borrow from time to time a sum or sums not exceeding four hundred eighty-two thousand three hundred and nine Dollars (\$ 482,309) in total from any chartered bank or trust company doing business in Nova Scotia;

**THAT** the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

**THAT** the interest payable on the borrowing be paid at a rate to be agreed upon; and

**THAT** the amount borrowed be repaid from the proceeds of the debentures when sold.

**No Objections  
MOTION CARRIED**

#### 4.2 Shinimicas Fire Department

**IT WAS MOVED by Councillor Gilroy seconded by Councillor Gould to authorize the Mayor, the CAO, and the Director of Finance to enter into a Memorandum of Understanding with the Shinimicas Fire Department to construct the fire department and purchase new fire trucks.**

**No Objections  
MOTION CARRIED**

### 5. ORGANIZATIONAL POLICY/BYLAW ISSUES

#### 5.1 First Reading of Amendment to the Land Use By-Law to Rezone PID 25394859 Fort Lawrence Road

**Councillor Gilroy declared a conflict of interest at 7:02 and was disconnected from the meeting by the Executive Assistant.**

**IT WAS MOVED by Councillor Joseph seconded by Councillor Goodwin to approve first reading of the Amendment to the Land Use By-Law to rezone**

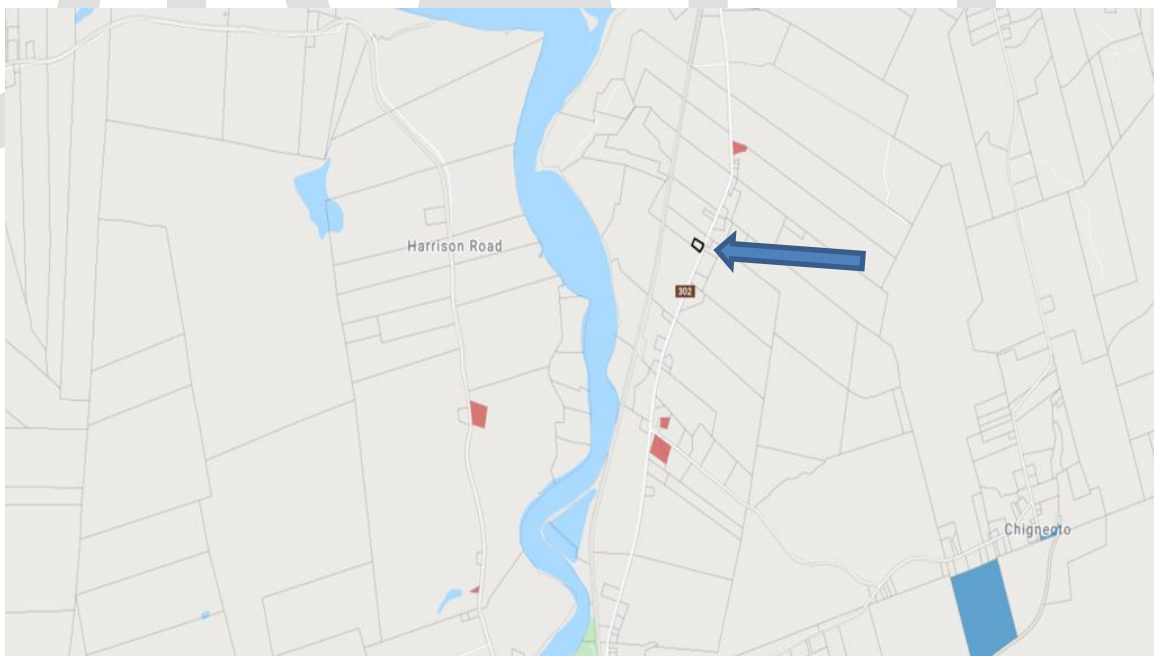
**PID25394859 Fort Lawrence Road from Agriculture to Highway Commercial and to call for a public hearing January 13, 2021 and second reading**



**No Objections  
MOTION CARRIED**

Councillor Gilroy was reconnected to the meeting by the Executive Assistant at 7:10 p.m.

- 5.2 First Reading of an amendment to Land Use Bylaw to rezone PID 25508177, 3815 Highway 302, Nappan  
**IT WAS MOVED** by Deputy Mayor seconded by Councillor Gould to approve First Reading of an amendment to Land Use Bylaw to rezone PID 25508177, 3815 Highway 302, Nappan, from Country Residential to Country Commercial, and to call for a public hearing to be held at the January 13, 2021 council meeting, followed by second reading.



**No Objections  
MOTION CARRIED**

- 5.3 First Reading on Development Agreement for PID 25074808, 324 Nappan Road, Upper Nappan  
**IT WAS MOVED** by Councillor Gould seconded by Councillor Gilroy to approve first reading of a proposed development agreement and give notice of intent to enter into a development agreement for property PID25074808, 324 Nappan Road, Upper Nappan to allow development of a Transportation Services Operation (with limited heavy traffic).



**No Objections  
MOTION CARRIED**

5.4 First Reading of the Draft Local Improvement Bylaw

**IT WAS MOVED by Councillor Goodwin seconded by Councillor Joseph to approve First Reading of the Local Improvement Bylaw.**

Municipality of Cumberland By-Law 20-XX  
Local Improvement By-Law

WHEREAS section 81(1) of the Municipal Government Act provides that a municipality may make by-laws imposing, fixing, and providing methods of enforcing payment for charge for local improvements, and

WHEREAS it is deemed expedient that such a by-law now be enacted:

TITLE AND APPLICATION

1. The By-Law is entitled the "Local Improvement By-Law" and shall apply to the local improvements identified in Schedule "A" of this By-Law, notwithstanding any other by-law of the Municipality that relates to local improvements.

PURPOSE

2. The Purpose of this By-Law is to establish the manner in which the Municipality shall impose, fix, and enforce payment of charges for local improvements. The local portion of capital costs associated with improvements will be funded through area rates or charges to be applied to defined properties that benefit from those improvements. The properties to be rated or charged shall be determined on a project by project basis and be included in, or added to, Schedule "A" of this By-law. The determination of the amount of the local portion of the capital costs, and the method of apportioning those costs between the properties affected, shall remain flexible to reflect the broader community interest in the projects.

DEFINITIONS

3. In this By-Law:
  - (a) "Council" means the Council of the Municipality;
  - (b) "Engineer" means the Municipal employee designated as Municipal Engineer pursuant to the Municipal Government Act;
  - (c) "Local Improvement" means and includes wastewater collection and treatment facilities, water systems, and roads and sidewalks and associated infrastructure installed, improved, constructed, or extended by, or on behalf of, the Municipality;
  - (d) "Municipality" means the Municipality of the County of Cumberland  
"Owner" has the same meaning as in the Municipal Government Act, except where the context requires otherwise;
  - (e) "Property" means a parcel or lot of property or land;

CHARGE IMPOSED

4. Where a local improvement has been carried out by or on behalf of the Municipality in an area identified in Schedule "A" as amended from time to time, a tax is hereby levied upon every owner of real property situated in whole or in part within the identified area, except to the extent that any lot or the owner thereof is totally or partially exempt from tax by the provisions in this By-Law, or the provisions of Schedule "A" of this By-Law.

#### AMOUNT OF CHARGE

5. The amount of tax levied pursuant to section 4 shall be determined in accordance with the provisions of this By-Law and of Schedule "A" of this By-Law and may be calculated based on:
  - (a) a uniform amount for each lot or parcel of land in existence or subsequently created by subdivision;
  - (b) the frontage of the lot on any street;
  - (c) the use of the lot;
  - (d) the area of the lot;
  - (e) the assessed value of property;
  - (f) any combination of two or more such methods outlined above or
  - (g) such other method as Council deems fit.

#### VARIATIONS IN CHARGES

6. The tax levied pursuant to this By-Law may be fixed at different rates for different classes or uses of properties and may be fixed at different rates for different areas or zones.

#### EXEMPTIONS FROM CHARGES

7. An owner of a property subject to a charge pursuant to Schedule "A" of this By-Law may request that Council grant an exemption from the charge on the grounds the property will not benefit from the Improvement. The only factor that Council may consider with regard to such a request is whether there are physical or legal impediments that will, now and in the future, prevent the improvement from benefitting the property in question. Even if the current owner does not intend to use the Improvement, if it can be used by a future owner, it shall be deemed to benefit the property. A request for an exemption shall be made by filing a written request with the Clerk of the Municipality. The request must include the reasons why the Improvement will not benefit the property. The Clerk shall inform the property owner of the date and approximate time Council will consider the request. The owner or their representative shall be given an opportunity to speak before Council decides whether to grant an exemption. The decision of Council shall be final.

#### APPROVAL OF PROJECTS

8. Council may proceed with a Local Improvement at its own discretion or in response to a petition that receives majority approval. Unless Council provides otherwise in Schedule "A" to this By-Law, majority approval means a positive response from the owners of more than 50% of the lots that would be subject to a charge pursuant to this By-Law, as identified by Municipal staff at the time the petition is being prepared.
9. Council may direct Municipal staff to initiate the petition process with or without a request from property owners that would be affected by a proposed local improvement. Municipal staff are responsible for preparing petition documents which will include a description of the Local Improvement, map of the proposed charge area, the estimated cost assigned to each property, and financing options, if any. The actual petition will be conducted by Municipal Staff who will send this information to owners representing each property by mail. The documents will include a letter explaining the process and will give owners an opportunity to vote YES or NO for the Local Improvement. The package will warn property owners that the figures provided are estimates only, and that the actual amount of the charge may vary from the figures provided. The package will also include a stamped return envelope and shall give owners at least 30 days to respond. In the event information relied upon by Council or staff when preparing or assessing a petition later proves to be wrong, the decision based on such information shall be as valid as if the information were correct.

#### LIEN and COLLECTION OF CHARGES

10.
  - (a) A charge imposed pursuant to this By-Law constitutes a first lien on the subject real property in the same manner and with the same effect as rates and taxes under the Assessment Act.
  - (b) A charge imposed pursuant to this By-Law is collectable in the same manner as rates and taxes and, at the option of the Treasurer, collectable at the same time and by the same proceedings, as rates and taxes.
  - (c) The liens against the real property become effective on the earliest of the date on which the interim charges are imposed or the Engineer files with the Treasurer a certificate that the cost of the improvement has been paid in full.
  - (d) Where a property subject to a lien is subdivided, the amount of the charge plus interest then unpaid shall be apportioned among the new lots according to the method set out for the relevant project in Schedule "A" to this By-Law.

#### INTEREST

11. Interest shall accrue on charges outstanding from the due date forward, at the same rate as for outstanding taxes.

#### INSTALLMENTS

12. If so provided in the relevant portion of Schedule "A" to this By-Law, the amount owing may be paid in equal annual installments, including interest, and the whole balance becomes due and payable without notice or demand in the event of default of payment of an installment.
13. The property owner shall have 30 days from the date their initial notice of amounts owing was mailed, to notify the Treasurer, in writing, whether or not an option to pay by installments has been selected. If the Treasurer does not receive written notification within the time allocated, the owner shall be deemed to have selected the annual installment payment option.

#### REPEAL OF PREVIOUS BY-LAWS

14. The "Local Improvement By-Law" adopted by Council on June 19, 2013 (By-Law 13-01), the "By-Law to amend schedule A of the Local Improvement By-law adopted by Council on September 3, 2014 (By-law 14.01), and the "Local Improvement By-Law" adopted by Council on January 24, 2018 (By-Law 18-01) are hereby repealed.
15. This Local Improvement By-Law replaces all previous Local Improvement By-Laws of the Municipality of the County of Cumberland.
16. All former Local Improvement By-laws of the Municipality are hereby repealed.

#### EFFECTIVE DATE

17. All former Local Improvement By-laws of the former Town of Springhill, former Town of Parrsboro and the Municipality of the County of Cumberland are repealed upon this By-Law coming into effect on the day of publication.

### Schedule "A"

#### 1. MACCAN WATER MAIN EXTENSION

- (a) The project will involve the design and construction of a watermain from the current terminus of the Amherst Water Utility Watermain in Nappan to, and including, the community of Maccan. The project will include portions of Highway 302, the Trider Road and the Mines Road, as well as Riverside Drive, Station Street, Hillside Drive and Rink Street. The "identified area", for the purposes of section 4 of this By-law is comprised of the properties identified by the PIDs listed in subsection (j) below.
- (b) For the purpose of this project and the relevant charges created by this By-Law, "developed property" and "developed properties" mean those properties identified by Council in this Schedule, as properties which are residential, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a potable water supply, and which can reasonably be served by this project.
- (c) Upon completion of the project an equal charge per developed property shall be calculated based on the net cost of the local improvement and the number of developed properties identified in this Schedule at that time. Based on pre-design estimates and currently identified developed properties, the total charge is estimated to be \$2,332.40 per property, but the actual amount of the charge will depend upon a confirmed calculation based on the actual cost of the project and the number of developed properties at the time of completion.
- (d) Property owners shall be given the option of paying the charge, plus interest at 5%, in equal annual payments amortized over 10 years. Each annual payment shall constitute a charge and shall be collectable as provided in this By-Law. Based on pre-design estimates and currently identified developed properties, the annual charge is estimated to be \$302.06 per property for the 10 years, for a total cost of \$3,020.56, but the actual amount of the annual charge will depend upon a confirmed calculation based on the actual cost of the project and the number of developed lots at the time of completion.
- (e) Council shall, from time to time, add properties to this Schedule as developed properties to be charged, if Council determines they have become developed properties which can reasonably be served by this project. Properties added to this Schedule shall be subject to an annual charge in the same amount and on the same terms as the other properties identified in this Schedule would have been subject to if the annual payment option had been selected. This charge shall commence the taxation year following the property's addition to this Schedule and shall continue for the balance of the 10-year period applied to the initial properties identified in this Schedule. For example, if a property is added during the year the fourth annual payment is due, the owner must begin paying the charge the next taxation year and continue for the following four years, paying five charges in total.
- (f) If Council is satisfied a development has been destroyed or removed, and that the property cannot be redeveloped due to reasons beyond the control of the owner (such as the Land Use By-Law or Provincial regulation), the property may be removed from this Schedule. The change shall become effective for the taxation year following Council's decision.

- (g) If a property identified in this Schedule as a developed property is subdivided, Council shall determine which of the new lots shall be identified as developed lots.
- (h) All charges assessed are liens against the property regardless of whether the property is serviced by the local improvement or not.
- (i) Any costs associated with servicing properties beyond the end of the service laterals (generally considered to be where the road right of way ends) are the responsibility of the property owner, and that work must be carried out by the property owner in compliance with Amherst Water Utility Standards.
- (j) The following properties are hereby identified as developed properties for the purpose of this By-Law and Schedule and are subject to the charge created herein:

PID	Civic # and Road- for reference only
25068073	3005 Highway 302
25348202	3009 Highway 302
25348194	3011 Highway 302
25383076	3027 Highway 302
25067976	3031 Highway 302
25067968	3033 Highway 302
25067885	3069 Highway 302
25067950	3070 Highway 302
25067877	3074 Highway 302
25067844	3080 Highway 302
25067869	3083 Highway 302
25067836	3085 Highway 302
25067851	3086 Highway 302
25067828	3088 Highway 302
25067802	3095 & 3097 Highway 302
25067810	3099 Highway 302
25067794	3100 Highway 302
25064247	3106 Highway 302
25064254	3109 Highway 302
25064270	3114 Highway 302
25064288	3119 Highway 302
25064304	3120 Highway 302
25064312	3126 Highway 302
25064320	3129 Highway 302
25064684	3146 Highway 302
25064726	3152 Highway 302
25064742	3162 Highway 302
25064759	3166 Highway 302
25064775	3192 Highway 302
25064791	3194 Highway 302
25064809	3196 Highway 302
25064841	3253 Highway 302
25043043	3267 Highway 302
25064890	3304 Highway 302
25064908	3314 Highway 302
25064916	3324 Highway 302
25064924	3336 Highway 302
25064932	3341 Highway 302
25064940	3344 Highway 302
25367079	3356 Highway 302
25367061	3376 Highway 302
25376534	3389 Highway 302
25064965	3483 Highway 302
25064973	3524 Highway 302
25064981	3550 Highway 302
25065079	3583 Highway 302
25377581	3595 Highway 302
25064296	3611 Highway 302
25065152	3622 Highway 302
25065160	3656 Highway 302
25075094	3664 Highway 302
25065178	3705 Highway 302
25065178	3707 Highway 302
25384397	3713 Highway 302
25065202	3742 Highway 302
25065228	3776 Highway 302
25065210	3793 Highway 302
25065251	3822 Highway 302

25065277	3842	Highway 302
25340381	3856	Highway 302
25337627	3863	Highway 302
25065285	3866	Highway 302
25065335	3868	Highway 302
25065343	3882	Highway 302
25075136	3885	Highway 302
25065350	3902	Highway 302
25065368	3912	Highway 302
25366915	3936	Highway 302
25348244	20	Hillside Dr
25064429	28	Hillside Dr
25064411	30	Hillside Dr
25064437	33	Hillside Dr
25151002	38	Hillside Dr
25374679	44	Hillside Dr
25064361	63	Hillside Dr
25374687	64	Hillside Dr
25064346	69	Hillside Dr
25064338	75	Hillside Dr
25064395	78	Hillside Dr
25064783	81	Hillside Dr
25068099	1	Mines Branch Rd
25068107	5	Mines Branch Rd
25068115	17	Mines Branch Rd
25068123	19	Mines Branch Rd
25068131	21	Mines Branch Rd
25068016	30	Mines Branch Rd
25068149	10	Mines Rd
25477647	24	Mines Rd
25068164	54	Mines Rd
25229519	59	Mines Rd
25068180	64	Mines Rd
25068172	67	Mines Rd
25068198	77	Mines Rd
25358383	95	Mines Rd
25068222	119	Mines Rd
25343948	123	Mines Rd
25043142	133	Mines Rd
25068230	147	Mines Rd
25369828	152	Mines Rd
25067893	15	Rink St
25067901	21	Rink St
25067943	22	Rink St
25067935	30	Rink St
25064619	236	Riverside Dr
25064627	256	Riverside Dr
25064643	268	Riverside Dr
25064502	239	Station St
25064510	245	Station St
25064528	247	Station St
25064536	257	Station St
25064544	259	Station St
25064650	273	Station St
25047838	6	Trider Rd
25065087	7	Trider Rd
25065046	25	Trider Rd
25064601	200	Riverside Drive
25047838	6	Trider Road
25065087	7	Trider Road
25065046	25	Trider Road
25394008	63	Trider Road
25065020	64	Trider Road
25364704	78	Trider Road
25355017	81	Trider Road
25355025	107	Trider Road

## 2. PUGWASH WATER SYSTEM PROJECT

- (a) This Project relates to the design and installation of a Water System intended to serve the Village of Pugwash and some of the surrounding areas of the Municipality. The “area identified” for the purposes of section 4 of this By-Law is comprised of the developed properties that are accessed from the

following highways, streets and roads, between and including the Civic Addresses indicated:

Ash Grove Lane	Entire road
Black Street	Entire road
Blue Heron Way	Entire road
Brickyard Road	Highway 6 to Civic Number 119
Church Street	Entire road
Crowley Road	Civic Numbers 2720 to 2866
Durham Street	Water Street to Highway 6
Freedom Lane	Entire road
Gulf Lane	Entire road
Gulf Shore Road	Church Street to Civic Number 599
Harbour View	Entire road
Highway 6	Civic Numbers 9711 to 11057
Howe Street	Entire road
Irishtown Road	Highway 6 to Civic Number 36
King Street	Entire road
Maple	Entire road
Mill Lane	Entire road
Miller Road	Civic Number 8
Murray Road	Civic Numbers 1139 to 1199, 1276, 1300, 1312, 1374 to 142
New Pugwash Road	Civic Numbers 1 and 49
Pleasure Cove Road	Entire road
Prince Albert Street	Entire road
Pugwash Point Road	Entire road
Pugwash River Road	Civic Numbers 1959 to 1983
Queen Street,	Entire road
Russell Street,	Entire road
Shea Island Road,	Civic 188
Sunset Lane,	Civic Number 140 (Sunset Home)
Victoria Street	Entire road
Walton Street	Entire road
Water Street	Entire road
Willow Lane	Entire road

- (b) In this section “Water System” means a water system consisting of the source, structures, pipes, flushing hydrants, meters, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping, treatment, or distribution of water.
- (c) For the purposes of the Pugwash Water System Project and the relevant tax created by this By-Law, “developed property” and “developed properties” mean those properties which are residential, commercial, institutional or industrial, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a potable water supply, and which can be served by the Project. Properties that have been developed solely for agricultural or forestry purposes, and which do not have a potable water supply, are not “developed properties” for the purposes of this section of this By-Law.
- (d) Upon completion of the Project, an equal tax per developed property, in the amount \$4,054.00 is hereby imposed pursuant to section 4 of this By-Law. Hereinafter this tax is referred to as a “Local Improvement Charge” or “LIC”.
- (e) A list of developed properties to be taxed pursuant to this By-Law shall be developed and maintained by the Engineer. The Engineer will notify by regular mail the owner, or owner’s representative, as identified in the current Tax Roll for the Municipality, of the imposition of the Local Improvement Charge upon completion of the Project. Lack of notification shall not invalidate any LIC imposed. Inclusion by the Engineer on the list of properties to be taxed, in the absence of an exemption or adjustment granted by Council pursuant to section 7, and subsection (f) of section 2 of Schedule “A”, of this By-Law, is conclusive of the validity of the LIC.
- (f) Property owners shall be given the option of paying the LIC, plus interest at 2.98% per annum, in equal annual payments amortized over 10 years. Each annual payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The annual charge shall be in the amount of \$ 461.03. The principal amount of any charge outstanding at any time may be paid without penalty or the accrual of additional interest.

- (g) Any property which becomes a developed property after the imposition of the initial charges pursuant to this By-Law shall be added to the list created pursuant to subsection (c) above, and a charge in the amount of \$4,054 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.
- (h) Any lot created by subdivision within the geographic area served by this project, and approved for any type of development that normally requires a potable water supply, shall be added to the list created pursuant to subsection (e) above, and a charge in the amount of \$4,054 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.

3. PARRSBORO WASTEWATER COLLECTION SYSTEM EXPANSION AND TREATMENT PLANT PROJECT

- (a) This Project relates to the design and installation of a Wastewater System intended to serve the Community of Parrsboro and surrounding areas. The “area identified” for the purposes of section 4 of this By-Law is comprised of the developed properties that are accessed from the following highways, streets and roads, between and including the Civic Addresses indicated:

Western Ave.	Main St. to Civic 2054
Chambers Blvd	Civic 23
Maple Crt.	Entire road
King St.	Main St. to Civic 134 and Civic 189 to Western Ave.
Queen St.	Entire road
Sydney St.	Entire road
Stanley St.	Entire road
Stanley St. Extension	Entire road
Prince St.	Entire road
Victoria St.	Entire road
Howard Ave.	Entire road
Pleasant St.	Entire road
School St.	Entire road
Dominion St.	Entire road
Spring St.	Entire road
Main St.	Civic 18 to Civic 458
Chapel St.	Entire road
Church St.	Entire road
Moore St.	Entire road
Eastern Ave.	Civic 3842 to Main St.
Templar St.	From Eastern Ave. to Civic 79
Jenks Ave.	Entire road
Two Island Rd.	From Main St. to Civic 336
Pier Rd.	Entire Rd.
Eddy St.	From Pier Rd. to Civic 87
Skidmore Ln.	From Pier Rd. to Civic 94

- (b) In this section “Wastewater System” means a wastewater system consisting of the collection system, structures, pipes, pumping stations, plants, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping, or treatment of wastewater.
- (c) For the purposes of the Parrsboro Wastewater Collection System Expansion and Treatment Plant Project and the relevant tax created by this By-Law, “developed property” and “developed properties” mean those properties which are residential, commercial, institutional or industrial, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a sanitary sewer service, and which can be served by the Project. Properties that have been developed solely for agricultural or forestry purposes, and which do not generate wastewater, are not “developed properties” for the purposes of this section of this By-Law.

- (d) Upon completion of the Project, an equal tax per developed property, in the amount \$4,941.00 is hereby imposed pursuant to section 4 of this By-Law. Hereinafter this tax is referred to as a "Local Improvement Charge" or "LIC".
- (e) A list of developed properties to be taxed pursuant to this By-Law shall be developed and maintained by the Engineer. The Engineer will notify by regular mail the owner, or owner's representative, as identified in the current Tax Roll for the Municipality, of the imposition of the Local Improvement Charge upon completion of the Project. Lack of notification shall not invalidate any LIC imposed. Inclusion by the Engineer on the list of properties to be taxed, in the absence of an exemption or adjustment granted by Council pursuant to section 7, and subsection (f) of section 2 of Schedule "A", of this By-Law, is conclusive of the validity of the LIC.
- (f) Property owners shall be given the option of paying the LIC, plus interest at 3.40% per annum:
- i. in equal annual payments amortized over 20 years. Each annual payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The annual charge shall be in the amount of ~~\$345.00~~; or
  - in equal monthly payments amortized over 20 years. Each monthly payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The monthly charge shall be in the amount of ~~\$28.40~~.

The principal amount of any charge outstanding at any time may be paid without penalty or the accrual of additional interest.

- (g) Any property which becomes a developed property after the imposition of the initial charges pursuant to this By-Law shall be added to the list created pursuant to subsection (c) above, and a charge in the amount of \$4,941.00 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.
- (h) Any lot created by subdivision within the geographic area served by this project, and approved for any type of development that normally requires a connection to a wastewater system, shall be added to the list created pursuant to subsection (e) above, and a charge in the amount of \$4,941.00 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.

**No Objections  
MOTION CARRIED**

## **6. BUSINESS ISSUES**

### **6.1 Parrsboro Water Utility - Lead Testing**

The Director of Engineering and Operations, Justin Waugh-Cress brought this item forward to update Council on this issue and assure them we have initiated a plan to respond to the situation. There may be enhancements required to the system in the future. A communication document will be distributed to all residents of Parrsboro.

### **6.2 Tax Collection Report (November 2020)**

Staff provided a memo and supporting documentation outlining tax collection efforts up to November 30, 2020 which were included in the meeting material.

### **6.3 Grant Program - Re-allocation of Funds**

**IT WAS MOVED by Councillor Houghtaling seconded by Councillor Joseph to approve reallocation of \$15,000 to the 2020/2021 Grants Program budget. Funds to come from unbudgeted revenues.**

**No Objections  
MOTION CARRIED**

### **6.4 Grant Request – Shinimicas Community Hall (Northport Sunrise Seniors)**

**IT WAS MOVED by Councillor Gilroy seconded by Deputy Mayor Redmond to approve emergency funding for the Shinimicas Community Hall in the amount of \$2,000 conditional on the receipt of completed approved application, and the renewal of their Joint Stock Registry.**

**No Objections  
MOTION CARRIED**

6.5 Affordable Housing Project

Councillor Houghtaling spoke on this initiative and the research she has done to date. The Mayor suggested, and Council agreed that in the new year Council will revisit this subject to discuss forming a committee to investigate the opportunity of partnering with private industry to provide affordable housing throughout the Municipality.

**7. INFORMATION ITEMS**

7.1 Cumberland Regional Public Libraries Report

This item was for council information.

7.2 Fundy Shore Winter Carnival

This item was for council information.

7.3 Municipal Law Course offered by Dalhousie

The Mayor asked and received consensus to allow Councillor Houghtaling to add this item to the agenda.

**IT WAS MOVED by Deputy Mayor Redmond seconded by Councillor Gould that Councillor Houghtaling be allowed to take the Municipal Law course being offered by Dalhousie, and the cost of the course, \$985 will be paid by the Municipality from the Council Training Budget.**

**No Objections  
MOTION CARRIED**

**8. ADJOURNMENT**

8.1 Adjournment

The meeting was adjourned at 7:54 p.m.

\_\_\_\_\_  
Mayor Murray Scott

\_\_\_\_\_  
Municipal Clerk Brenda Moore

DRAFT

**MUNICIPALITY OF THE COUNTY OF CUMBERLAND**

**ACTION LIST**

**Public Council Meeting**  
**December 16, 2020**

<b><u>Action List from The Wednesday, December 16, 2020</u></b> <b><u>Public Council Meeting</u></b>	<b><u>Responsibility</u></b>	<b><u>Completion</u></b>
1. Complete and distribute Action List.	Rennie	Completed
2. Complete Minutes.	Brenda	Completed
3. Post Minutes to our web site within 24 hours of the Council meeting.	Shelley	Completed
4. Letter of appreciation to Mr. Paul Pynn and Ms. Helen Brown of One Wind Services and Katalyst Wind Inc. for attending the December 16, 2020 Council meeting and presenting information regarding the development of a windfarm on Higgins Mtn.	Rennie	Completed
5. Present the plaques of recognition to Mike Johnson and Dannie Samson.	Rennie	Completed
6. Follow up on Council's approval of the Temporary Borrowing Resolution in the amount of \$482,309 for capital purposes on behalf of the Sunset Community Inc.	Andrew	Completed
7. Follow up on the approval of Council to authorize the Mayor, CAO and Director of Finance to enter into a Memorandum of Understanding regarding the construction of a new Firehall and purchase of trucks.	Rennie Justin Mike C Mayor	
8. Follow up on the approval of First Reading to Amend the LUB to rezone property PID 25394859, Fort Lawrence Road from Agriculture to Highway Commercial.	Will B Brenda	Completed
9. Follow up on the approval of First Reading to Amend the LUB to rezone property PID 25508177, 3815 Hwy 302, Nappan from County Residential to County Commercial.	Will B Brenda	Completed
10. Follow up on the approval of First Reading to enter into a Development Agreement for property PID	Will B Brenda	Completed

25074808, 324 Nappan Road, to allow development of a Transportation Services Operation.		
11. Follow up on the approval of First Reading to amend the Local Improvement Bylaw to permit monthly payments for the Parrsboro Sewer System local improvement changes.	Will B Brenda	Completed
12. Forward a communication to residents of Parrsboro regarding the issue of lead content in the drinking water.	Justin Amanda-Leigh	Completed
13. Follow up on the approval of the allocation of an additional \$15,000 to the grants budget to be funded from unbudgeted revenues (surplus).	Steve Andrew	Completed
14. Follow up on the approval of the grant request from the Shinimicas Community Hall in the amount of \$2,000 conditional upon receipt of a completed approval application and renewal of the Joint Stock Registration.	Melanie Vicki	Completed
15. Include the issue of forming a Committee to investigate the opportunity of partnering with the private sector to provide affordable housing throughout Cumberland County.	Rennie Shelley	
16. Follow up on the approval to permit Councillor Houghtaling to participate in the Dalhousie Municipal Law course at a cost of \$985.	Andrew Shelley	Completed
17. Schedule the next Council meeting for Wednesday, January 13, 2020.	Rennie Shelley	Completed



**MUNICIPALITY OF THE COUNTY OF CUMBERLAND**

**ONGOING ACTION LIST**  
**(Public Council Meetings)**

<b><u>Ongoing Action Lists From Previous Public Council Meetings</u></b>	<b><u>Responsibility</u></b>	<b><u>Completion</u></b>
1. Complete Ongoing Action List.	Rennie	Completed
2. Follow up on the approval to authorize the Mayor and CAO to execute the Easement with Nova Scotia Power on property located at 540 Swallow Road, Wentworth. (December 2, 2020 meeting.	Mayor Rennie Michelle B	

MEMORANDUM

2.5 i)

**TO:** Council  
**FROM:** Brenda and Allie  
**DATE:** January 6, 2021  
**RE:** Public Hearing for Local Improvement By-Law

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**1. Local Improvement By-Law**

The Municipality of the County of Cumberland's *Local Improvement By-Law* has been amended to include the following:

- A third option of monthly payments on the Local Improvement Charge.

Council had first reading of the *Local Improvement By-Law* at the December 16, 2020 Council Meeting. The complete draft *Local Improvement By-Law* is included in the material for the January 13, 2021 Council Meeting for review and discussion.

**ACTION:**

**Council will open the Public Hearing of the *Local Improvement By-Law*. Following the Public Hearing, if Council is in agreement, Council may choose one of the following:**

- 1. Provide more feedback and hold another Public Hearing of the *Local Improvement By-Law* at the February 3, 2021 Council Meeting; or**
- 2. Make a motion to approve second reading of the *Local Improvement By-Law* at the February 3, 2021 Council Meeting.**

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Local Improvement By-Law

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WHEREAS section 81(1) of the Municipal Government Act provides that a municipality may make by-laws imposing, fixing, and providing methods of enforcing payment for charge for local improvements, and WHEREAS it is deemed expedient that such a by-law now be enacted:

TITLE AND APPLICATION

1. The By-Law is entitled the “Local Improvement By-Law” and shall apply to the local improvements identified in Schedule “A” of this By-Law, notwithstanding any other by-law of the Municipality that relates to local improvements.

PURPOSE

2. The Purpose of this By-Law is to establish the manner in which the Municipality shall impose, fix, and enforce payment of charges for local improvements. The local portion of capital costs associated with improvements will be funded through area rates or charges to be applied to defined properties that benefit from those improvements. The properties to be rated or charged shall be determined on a project by project basis and be included in, or added to, Schedule “A” of this By-law. The determination of the amount of the local portion of the capital costs, and the method of apportioning those costs between the properties affected, shall remain flexible to reflect the broader community interest in the projects.

DEFINITIONS

3. In this By-Law:
  - (a) “Council” means the Council of the Municipality;
  - (b) “Engineer” means the Municipal employee designated as Municipal Engineer pursuant to the Municipal Government Act;
  - (c) “Local Improvement” means and includes wastewater collection and treatment facilities, water systems, and roads and sidewalks and associated infrastructure installed, improved, constructed, or extended by, or on behalf of, the Municipality;
  - (d) “Municipality” means the Municipality of the County of Cumberland “Owner” has the same meaning as in the Municipal Government Act, except where the context requires otherwise;
  - (e) “Property” means a parcel or lot of property or land;

#### CHARGE IMPOSED

4. Where a local improvement has been carried out by or on behalf of the Municipality in an area identified in Schedule "A" as amended from time to time, a tax is hereby levied upon every owner of real property situated in whole or in part within the identified area, except to the extent that any lot or the owner thereof is totally or partially exempt from tax by the provisions in this By-Law, or the provisions of Schedule "A" of this By-Law.

#### AMOUNT OF CHARGE

5. The amount of tax levied pursuant to section 4 shall be determined in accordance with the provisions of this By-Law and of Schedule "A" of this By-Law and may be calculated based on:
  - (a) a uniform amount for each lot or parcel of land in existence or subsequently created by subdivision;
  - (b) the frontage of the lot on any street;
  - (c) the use of the lot;
  - (d) the area of the lot;
  - (e) the assessed value of property;
  - (f) any combination of two or more such methods outlined above or
  - (g) such other method as Council deems fit.

#### VARIATIONS IN CHARGES

6. The tax levied pursuant to this By-Law may be fixed at different rates for different classes or uses of properties and may be fixed at different rates for different areas or zones.

#### EXEMPTIONS FROM CHARGES

7. An owner of a property subject to a charge pursuant to Schedule "A" of this By-Law may request that Council grant an exemption from the charge on the grounds the property will not benefit from the Improvement. The only factor that Council may consider with regard to such a request is whether there are physical or legal impediments that will, now and in the future, prevent the improvement from benefitting the property in question. Even if the current owner does not intend to use the Improvement, if it can be used by a future owner, it shall be deemed to benefit the property. A request for an exemption shall be made by filing a written request with the Clerk of the Municipality. The request must include the reasons why the Improvement will not benefit the property. The Clerk shall inform the property owner of the date and approximate time Council will consider the request. The owner or their representative shall be given an opportunity to speak before Council decides whether to grant an exemption. The decision of Council shall be final.

#### APPROVAL OF PROJECTS

8. Council may proceed with a Local Improvement at its own discretion or in response to a petition that receives majority approval. Unless Council provides otherwise in Schedule "A" to this By-Law, majority approval means a positive response from the owners of more than 50% of the lots that would be subject to a charge pursuant to this By-Law, as identified by Municipal staff at the time the petition is being prepared.
9. Council may direct Municipal staff to initiate the petition process with or without a request from property owners that would be affected by a proposed local improvement. Municipal staff are responsible for preparing petition documents which will include a description of the Local Improvement, map of the proposed charge area, the estimated cost assigned to each property, and financing options, if any. The actual petition will be conducted by Municipal Staff who will send this information to owners representing each property by mail. The documents will include a letter explaining the process and will give owners an opportunity to vote YES or NO for the Local Improvement. The package will warn property owners that the figures provided are estimates only, and that the actual amount of the charge may vary from the figures provided. The package will also include a stamped return envelope and shall give owners at least 30 days to respond. In the event information relied upon by Council or staff when preparing or assessing a petition later proves to be wrong, the decision based on such information shall be as valid as if the information were correct.

#### LIEN and COLLECTION OF CHARGES

10.
  - (a) A charge imposed pursuant to this By-Law constitutes a first lien on the subject real property in the same manner and with the same effect as rates and taxes under the Assessment Act.
  - (b) A charge imposed pursuant to this By-Law is collectable in the same manner as rates and taxes and, at the option of the Treasurer, collectable at the same time and by the same proceedings, as rates and taxes.
  - (c) The liens against the real property become effective on the earliest of the date on which the interim charges are imposed or the Engineer files with the Treasurer a certificate that the cost of the improvement has been paid in full.
  - (d) Where a property subject to a lien is subdivided, the amount of the charge plus interest then unpaid shall be apportioned among the new lots according to the method set out for the relevant project in Schedule "A" to this By-Law.

#### INTEREST

11. Interest shall accrue on charges outstanding from the due date forward, at the same rate as for outstanding taxes.

#### INSTALLMENTS

12. If so provided in the relevant portion of Schedule "A" to this By-Law, the amount owing may be paid in equal annual installments, including interest, and the whole balance becomes due and payable without notice or demand in the event of default of payment of an installment.
13. The property owner shall have 30 days from the date their initial notice of amounts owing was mailed, to notify the Treasurer, in writing, whether or not an option to pay by installments has been selected. If the Treasurer does not receive written notification within the time allocated, the owner shall be deemed to have selected the annual installment payment option.

REPEAL OF PREVIOUS BY-LAWS

14. The "Local Improvement By-Law" adopted by Council on June 19, 2013 (By-Law 13-01), the "By-Law to amend schedule A of the Local Improvement By-law adopted by Council on September 3, 2014 (By-law 14.01), and the "Local Improvement By-Law" adopted by Council on January 24, 2018 (By-Law 18-01) are hereby repealed.
15. This Local Improvement By-Law replaces all previous Local Improvement By-Laws of the Municipality of the County of Cumberland.
16. All former Local Improvement By-laws of the Municipality are hereby repealed.

EFFECTIVE DATE

17. All former Local Improvement By-laws of the former Town of Springhill, former Town of Parrsboro and the Municipality of the County of Cumberland are repealed upon this By-Law coming into effect on the day of publication.

**Clerk's Annotation for Official By-Law Book**

Date of first reading: May 6, 2020  
Date of advertisement of Notice of Intent to Consider: August 13, 2020  
Date of Public Hearing: September 9, 2020  
Date of second reading: September 16, 2019  
\*Date of advertisement of Passage of By-Law: September 21, 2020  
Date of mailing to Minister a certified copy of By-Law: September 23, 2020

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

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date

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

## Schedule "A"

### 1. MACCAN WATER MAIN EXTENSION

- (a) The project will involve the design and construction of a watermain from the current terminus of the Amherst Water Utility Watermain in Nappan to, and including, the community of Maccan. The project will include portions of Highway 302, the Trider Road and the Mines Road, as well as Riverside Drive, Station Street, Hillside Drive and Rink Street. The "identified area", for the purposes of section 4 of this By-law is comprised of the properties identified by the PIDs listed in subsection (j) below.
- (b) For the purpose of this project and the relevant charges created by this By-Law, "developed property" and "developed properties" mean those properties identified by Council in this Schedule, as properties which are residential, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a potable water supply, and which can reasonably be served by this project.
- (c) Upon completion of the project an equal charge per developed property shall be calculated based on the net cost of the local improvement and the number of developed properties identified in this Schedule at that time. Based on pre-design estimates and currently identified developed properties, the total charge is estimated to be \$2,332.40 per property, but the actual amount of the charge will depend upon a confirmed calculation based on the actual cost of the project and the number of developed properties at the time of completion.
- (d) Property owners shall be given the option of paying the charge, plus interest at 5%, in equal annual payments amortized over 10 years. Each annual payment shall constitute a charge and shall be collectable as provided in this By-Law. Based on pre-design estimates and currently identified developed properties, the annual charge is estimated to be \$302.06 per property for the 10 years, for a total cost of \$3,020.56, but the actual amount of the annual charge will depend upon a confirmed calculation based on the actual cost of the project and the number of developed lots at the time of completion.
- (e) Council shall, from time to time, add properties to this Schedule as developed properties to be charged, if Council determines they have become developed properties which can reasonably be served by this project. Properties added to this Schedule shall be subject to an annual charge in the same amount and on the same terms as the other properties identified in this Schedule would have been subject to if the annual payment option had been selected. This charge shall commence the taxation year following the property's addition to this Schedule and shall continue for the balance of the 10-year period applied to the initial properties identified in this Schedule. For example, if a property is added during the year the fourth annual payment is due, the owner must begin paying the charge the next taxation year and continue for the following four years, paying five charges in total.

- (f) If Council is satisfied a development has been destroyed or removed, and that the property cannot be redeveloped due to reasons beyond the control of the owner (such as the Land Use By-Law or Provincial regulation), the property may be removed from this Schedule. The change shall become effective for the taxation year following Council's decision.
- (g) If a property identified in this Schedule as a developed property is subdivided, Council shall determine which of the new lots shall be identified as developed lots.
- (h) All charges assessed are liens against the property regardless of whether the property is serviced by the local improvement or not.
- (i) Any costs associated with servicing properties beyond the end of the service laterals (generally considered to be where the road right of way ends) are the responsibility of the property owner, and that work must be carried out by the property owner in compliance with Amherst Water Utility Standards.
- (j) The following properties are hereby identified as developed properties for the purpose of this By-Law and Schedule and are subject to the charge created herein:

<b>PID</b>	<b>Civic # and Road- for reference only</b>
25068073	3005 Highway 302
25348202	3009 Highway 302
25348194	3011 Highway 302
25383076	3027 Highway 302
25067976	3031 Highway 302
25067968	3033 Highway 302
25067885	3069 Highway 302
25067950	3070 Highway 302
25067877	3074 Highway 302
25067844	3080 Highway 302
25067869	3083 Highway 302
25067836	3085 Highway 302
25067851	3086 Highway 302
25067828	3088 Highway 302
25067802	3095 & 3097 Highway 302
25067810	3099 Highway 302
25067794	3100 Highway 302
25064247	3106 Highway 302
25064254	3109 Highway 302
25064270	3114 Highway 302
25064288	3119 Highway 302
25064304	3120 Highway 302
25064312	3126 Highway 302
25064320	3129 Highway 302

25064684	3146	Highway 302
25064726	3152	Highway 302
25064742	3162	Highway 302
25064759	3166	Highway 302
25064775	3192	Highway 302
25064791	3194	Highway 302
25064809	3196	Highway 302
25064841	3253	Highway 302
25043043	3267	Highway 302
25064890	3304	Highway 302
25064908	3314	Highway 302
25064916	3324	Highway 302
25064924	3336	Highway 302
25064932	3341	Highway 302
25064940	3344	Highway 302
25367079	3356	Highway 302
25367061	3376	Highway 302
25376534	3389	Highway 302
25064965	3483	Highway 302
25064973	3524	Highway 302
25064981	3550	Highway 302
25065079	3583	Highway 302
25377581	3595	Highway 302
25064296	3611	Highway 302
25065152	3622	Highway 302
25065160	3656	Highway 302
25075094	3664	Highway 302
25065178	3705	Highway 302
25065178	3707	Highway 302
25384397	3713	Highway 302
25065202	3742	Highway 302
25065228	3776	Highway 302
25065210	3793	Highway 302
25065251	3822	Highway 302
25065277	3842	Highway 302
25340381	3856	Highway 302
25337627	3863	Highway 302
25065285	3866	Highway 302
25065335	3868	Highway 302
25065343	3882	Highway 302
25075136	3885	Highway 302
25065350	3902	Highway 302
25065368	3912	Highway 302
25366915	3936	Highway 302
25348244	20	Hillside Dr
25064429	28	Hillside Dr

25064411	30	Hillside Dr
25064437	33	Hillside Dr
25151002	38	Hillside Dr
25374679	44	Hillside Dr
25064361	63	Hillside Dr
25374687	64	Hillside Dr
25064346	69	Hillside Dr
25064338	75	Hillside Dr
25064395	78	Hillside Dr
25064783	81	Hillside Dr
25068099	1	Mines Branch Rd
25068107	5	Mines Branch Rd
25068115	17	Mines Branch Rd
25068123	19	Mines Branch Rd
25068131	21	Mines Branch Rd
25068016	30	Mines Branch Rd
25068149	10	Mines Rd
25477647	24	Mines Rd
25068164	54	Mines Rd
25229519	59	Mines Rd
25068180	64	Mines Rd
25068172	67	Mines Rd
25068198	77	Mines Rd
25358383	95	Mines Rd
25068222	119	Mines Rd
25343948	123	Mines Rd
25043142	133	Mines Rd
25068230	147	Mines Rd
25369828	152	Mines Rd
25067893	15	Rink St
25067901	21	Rink St
25067943	22	Rink St
25067935	30	Rink St
25064619	236	Riverside Dr
25064627	256	Riverside Dr
25064643	268	Riverside Dr
25064502	239	Station St
25064510	245	Station St
25064528	247	Station St
25064536	257	Station St
25064544	259	Station St
25064650	273	Station St
25047838	6	Trider Rd
25065087	7	Trider Rd
25065046	25	Trider Rd
25064601	200	Riverside Drive

25047838	6 Trider Road
25065087	7 Trider Road
25065046	25 Trider Road
25394008	63 Trider Road
25065020	64 Trider Road
25364704	78 Trider Road
25355017	81 Trider Road
25355025	107 Trider Road

DRAFT

## 2. PUGWASH WATER SYSTEM PROJECT

- (a) This Project relates to the design and installation of a Water System intended to serve the Village of Pugwash and some of the surrounding areas of the Municipality. The “area identified” for the purposes of section 4 of this By-Law is comprised of the developed properties that are accessed from the following highways, streets and roads, between and including the Civic Addresses indicated:

Ash Grove Lane	Entire road
Black Street	Entire road
Blue Heron Way	Entire road
Brickyard Road	Highway 6 to Civic Number 119
Church Street	Entire road
Crowley Road	Civic Numbers 2720 to 2866
Durham Street	Water Street to Highway 6
Freedom Lane	Entire road
Gulf Lane	Entire road
Gulf Shore Road	Church Street to Civic Number 599
Harbour View	Entire road
Highway 6	Civic Numbers 9711 to 11057
Howe Street	Entire road
Irishtown Road	Highway 6 to Civic Number 36
King Street	Entire road
Maple	Entire road
Mill Lane	Entire road
Miller Road	Civic Number 8
Murray Road	Civic Numbers 1139 to 1199, 1276, 1300, 1312, 1374 to 142
New Pugwash Road	Civic Numbers 1 and 49
Pleasure Cove Road	Entire road
Prince Albert Street	Entire road
Pugwash Point Road	Entire road
Pugwash River Road	Civic Numbers 1959 to 1983
Queen Street,	Entire road
Russell Street,	Entire road
Shea Island Road,	Civic 188
Sunset Lane,	Civic Number 140 (Sunset Home)
Victoria Street	Entire road
Walton Street	Entire road
Water Street	Entire road
Willow Lane	Entire road

- (b) In this section “Water System” means a water system consisting of the source, structures, pipes, flushing hydrants, meters, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping, treatment, or distribution of water.
- (c) For the purposes of the Pugwash Water System Project and the relevant tax created by this By-Law, “developed property” and “developed properties” mean those properties which are residential, commercial, institutional or industrial, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a potable water supply, and which can be served by the Project. Properties that have been developed solely for agricultural or forestry purposes, and which do not have a potable water supply, are not “developed properties” for the purposes of this section of this By-Law.
- (d) Upon completion of the Project, an equal tax per developed property, in the amount \$4,054.00 is hereby imposed pursuant to section 4 of this By-Law. Hereinafter this tax is referred to as a “Local Improvement Charge” or “LIC”.
- (e) A list of developed properties to be taxed pursuant to this By-Law shall be developed and maintained by the Engineer. The Engineer will notify by regular mail the owner, or owner’s representative, as identified in the current Tax Roll for the Municipality, of the imposition of the Local Improvement Charge upon completion of the Project. Lack of notification shall not invalidate any LIC imposed. Inclusion by the Engineer on the list of properties to be taxed, in the absence of an exemption or adjustment granted by Council pursuant to section 7, and subsection (f) of section 2 of Schedule “A”, of this By-Law, is conclusive of the validity of the LIC.
- (f) Property owners shall be given the option of paying the LIC, plus interest at 2.98% per annum, in equal annual payments amortized over 10 years. Each annual payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The annual charge shall be in the amount of \$ 461.03. The principal amount of any charge outstanding at any time may be paid without penalty or the accrual of additional interest.
- (g) Any property which becomes a developed property after the imposition of the initial charges pursuant to this By-Law shall be added to the list created pursuant to subsection (c) above, and a charge in the amount of \$4,054 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.
- (h) Any lot created by subdivision within the geographic area served by this project, and approved for any type of development that normally requires a potable water supply,

shall be added to the list created pursuant to subsection (e) above, and a charge in the amount of \$4,054 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.

3. PARRSBORO WASTEWATER COLLECTION SYSTEM EXPANSION AND TREATMENT PLANT PROJECT

- (a) This Project relates to the design and installation of a Wastewater System intended to serve the Community of Parrsboro and surrounding areas. The “area identified” for the purposes of section 4 of this By-Law is comprised of the developed properties that are accessed from the following highways, streets and roads, between and including the Civic Addresses indicated:

Western Ave.	Main St. to Civic 2054
Chambers Blvd	Civic 23
Maple Crt.	Entire road
King St.	Main St. to Civic 134 and Civic 189 to Western Ave.
Queen St.	Entire road
Sydney St.	Entire road
Stanley St.	Entire road
Stanley St. Extension	Entire road
Prince St.	Entire road
Victoria St.	Entire road
Howard Ave.	Entire road
Pleasant St.	Entire road
School St.	Entire road
Dominion St.	Entire road
Spring St.	Entire road
Main St.	Civic 18 to Civic 458
Chapel St.	Entire road
Church St.	Entire road
Moore St.	Entire road
Eastern Ave.	Civic 3842 to Main St.
Templar St.	From Eastern Ave. to Civic 79
Jenks Ave.	Entire road
Two Island Rd.	From Main St. to Civic 336
Pier Rd.	Entire Rd.
Eddy St.	From Pier Rd. to Civic 87
Skidmore Ln.	From Pier Rd. to Civic 94

- (b) In this section “Wastewater System” means a wastewater system consisting of the collection system, structures, pipes, pumping stations, plants, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping, or treatment of wastewater.
- (c) For the purposes of the Parrsboro Wastewater Collection System Expansion and Treatment Plant Project and the relevant tax created by this By-Law, “developed property” and “developed properties” mean those properties which are residential, commercial, institutional or industrial, whether currently occupied or not, or which have been developed for any other purpose which does or would normally have a sanitary sewer service, and which can be served by the Project. Properties that have been developed solely for agricultural or forestry purposes, and which do not generate wastewater, are not “developed properties” for the purposes of this section of this By-Law.
- (d) Upon completion of the Project, an equal tax per developed property, in the amount \$4,941.00 is hereby imposed pursuant to section 4 of this By-Law. Hereinafter this tax is referred to as a “Local Improvement Charge” or “LIC”.
- (e) A list of developed properties to be taxed pursuant to this By-Law shall be developed and maintained by the Engineer. The Engineer will notify by regular mail the owner, or owner’s representative, as identified in the current Tax Roll for the Municipality, of the imposition of the Local Improvement Charge upon completion of the Project. Lack of notification shall not invalidate any LIC imposed. Inclusion by the Engineer on the list of properties to be taxed, in the absence of an exemption or adjustment granted by Council pursuant to section 7, and subsection (f) of section 2 of Schedule “A”, of this By-Law, is conclusive of the validity of the LIC.
- (f) Property owners shall be given the option of paying the LIC, plus interest at 3.40% per annum:
- i. in equal annual payments amortized over 20 years. Each annual payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The annual charge shall be in the amount of \$345.00; or
  - ii. in equal monthly payments amortized over 20 years. Each monthly payment, including interest, shall constitute a charge and be collectable as provided in this By-Law. The monthly charge shall be in the amount of \$28.40.

The principal amount of any charge outstanding at any time may be paid without penalty or the accrual of additional interest.

- (g) Any property which becomes a developed property after the imposition of the initial charges pursuant to this By-Law shall be added to the list created pursuant to subsection (c) above, and a charge in the amount of \$4,941.00 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.
- (h) Any lot created by subdivision within the geographic area served by this project, and approved for any type of development that normally requires a connection to a wastewater system, shall be added to the list created pursuant to subsection (e) above, and a charge in the amount of \$4,941.00 shall be, and is, hereby imposed, and shall be paid and collected in accordance with the provisions of this By-Law, *mutatis mutandis*.

DRAFT

**MEMORANDUM**

2.5 ii)

**TO:** Mayor and Council  
**FROM:** Will Balsler, Junior Planner, Development Officer  
**DATE:** December 16, 2020  
**RE: First Reading on amendment to Land Use Bylaw to rezone PID 25394859, Fort Lawrence Road.**

**Background:** On December 7, 2020, Planning and Development staff received an application from Rajwinder Kaur Atwal, President of Sharp Light Logistics Inc. (the "applicant") regarding the property at PID 25394859, Fort Lawrence Road (the "subject property").

The subject property is owned by Sharp Light Logistics Inc. and is located along Fort Lawrence Road adjacent to the interchange at Exit 1 on the Trans Canada. The application is for a rezoning to permit the development of a Transportation Services Operation – principally a mobile office and parking for their trucks. From the Land Use Bylaw:

***TRANSPORTATION SERVICES***  
*means a building, structure, land, or part thereof used for the purpose of transporting any kind of item or thing by truck or other vehicle, including, but not limited to, loading facilities, storage, and maintenance facilities, but does not include the transport of people.*



**Regulatory and Land Use Context:**

Current Zone: Agriculture

Proposed Zone: Highway Commercial

The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy (MPS). The current Agriculture zoning of the property does not allow Transportation Services.

The neighboring properties are cleared fields and agriculture operations, zoned as Agriculture [AG]. There is a dwelling adjacent to of the property, zoned as Agriculture. A cluster of dwellings some 200 metres North along the Fort Lawrence Road is zoned Country Residential [RCou].

Rezoning the subject property to Highway Commercial would allow the development of a Transportation Services Operation, and is supported by Policy 4-39 of the Municipal Planning Strategy (MPS):

*Policy 4-39: Council shall, in the Land Use By-law, establish the Highway Commercial Zone, intended to permit uses that serve the travelling public and uses that require quick access to major transportation routes. Permitted uses shall include emergency services, and a limited range of commercial services. Zone standards shall be flexible to accommodate the needs of different highway uses, and to recognize that some highway commercial areas have access to central services, while others do not.*

And by MPS Policy 5-35:

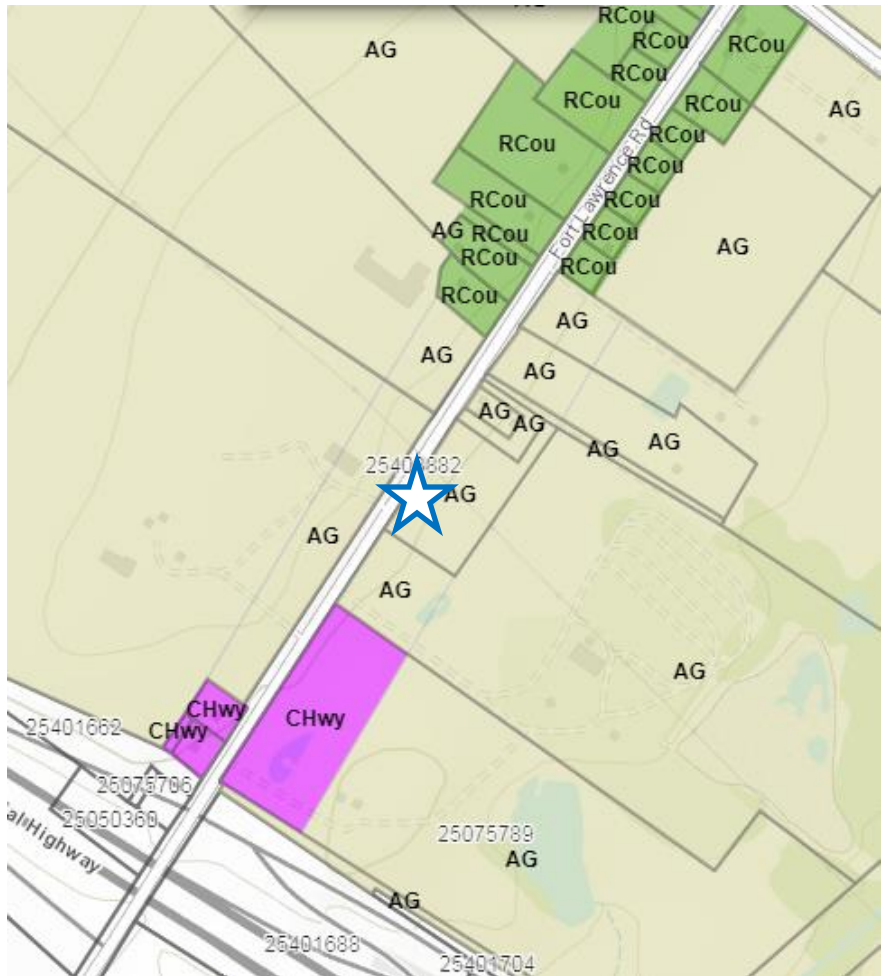
*Policy 5-35: Council shall consider proposals to rezone lands in the Resource Designation to any other zone permitted in that designation. Council shall not approve such a rezoning unless Council is satisfied:*

*(a) if the proposed zone is the Highway Commercial Zone, the lands are located at an interchange of Highway 104;*

**Next Steps:** If the amendment passes first reading, staff will prepare advertisements for the public hearing to be held prior to second reading.

**Recommendation:** Give first reading to the proposed amendments to the Land Use Bylaw and call a public hearing for January 20, followed by a second reading.

**Alternative:** Council can decide to reject the proposed amendment, or request that further information be provided.



## **RZ20-07 Public Hearing Comments**

2.5 ii)

January 13<sup>th</sup>, 2021 Council Session

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As residents of Fort Lawrence and near neighbours of the property being considered for re-zoning on Fort Lawrence Rd, we have concerns. The company requesting, Sharp Light Logistics, appears to be a trucking company. If this is correct, we need much more information about their intended business operation.

In particular, what type of vehicles are expected to be entering and exiting the location and at what volumes and times of day?

This is a quiet community with children present. What safety issues could accompany such a change?

The road has been re-paved recently (2015); what toll may the increase have on that infrastructure?

What about "security lighting"? We treasure our night sky and feel more bright lights can only diminish the quality of our chosen country location.

What environmental impacts might such a business pose for the delicate surrounding marshland? Has Ducks Unlimited been notified?

There are many neighbours who are alarmed at the possibility of this development is a great threat to what we have come to feel is a beautiful and peaceful part of Cumberland County. We urge you to deny this request. It is not a proper location for such an operation.

Cynthia and Hollis McCarthy

1523 Fort Lawrence Road

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Re Fort Lawrence zoning change

This will be a huge hit to our way of life and land use. We are against this change. our property values will suffer and the noise is an issue not to mention the safety of our kids and pets there are no shoulders and the bus makes many stops all up and down the road, a non stop flow of trucks is not OK!

Thank you,

Adam Percy.

---

I am emailing in regards to the proposed change to land use on fort lawrence (right beside the hiway) we are very concerned and against the changes. This is not the area to have trucks. It is a peaceful area and this will be a huge detriment to our way of life.

Jenn Percy

---

I am a resident of beautiful Fort Lawrence Rd and have concerns about the rezoning of the old Gateway park into a commercial property.

There are so many factors that concern me. I am 100% against this re-zoning of this property. Re zoning would impact our day to day life, property values, health, safety and wellbeing. Most of us live here for the fact that its non commercial, quiet and a street less traveled. To rezone to commercial would promote more traffic, pollution,

noise and danger to our peaceful street. It would change our way of life and drive down our property values and disrupt our families, pets, homes and farms. I VOTE NO! To rezoning.

Thanks

Jenn Percy

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I am a concerned resident of Fort Lawrence Road. I do not support the rezoning of the property of the old Gateway camp ground.

I purchased a property on Fort Lawrence to raise my growing family. I chose to raise my family here because of the sense of community, the quietness and safety our little street has. Everyone knows everyone. If you are on Fort Lawrence its because you live here...or your lost. I love that we can ride our bikes and walk our dogs safely down the street. How homes and farms protect and embrace eachother. It's quite and in a word full of go go go its nice to come home to a peaceful place to regroup.

Changing the property to commercial would change the way we live. Increased traffic and noise would not only affect our way of life but also our property values and everything that's appealing to where we live. I bought on fort Lawrence because of the fact that there was no commercial. If you rezone the property it would hinder our ability to live peacefully, walk and ride our bikes and enjoy the tranquility fort Lawrence offers.

There are tones of other options that would offer the space needed for a commercial buisness with the same conveniences and a stones throw away. Why stick it in the middle of paradise and peoples dream homes. Please dont rezone that property! Allow our families to continue to live peacefully and safely.

Thanks,

A concerned resident.

Jenn Percy

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I'm writing you today to express concern around the proposed rezoning in Fort Lawrence - Land Use Bylaw to rezone PID 25394859, My understanding is that it will allow for a new trucking company to begin operations on this property, and in our community.

We are excited to see new companies looking to make this area home. It's important for our economy that we embrace new business, the employment and tax dollars that they bring with many other benefits. My concern is that the members of our community are only now aware of this proposed situation and have not had the time, nor information to properly consider the impacts this could bring -- and address concerns that we have.

My first concern is that Fort Lawrence road is not a wide road, and is not suitable for regular transport truck usage. My wife, and I along with many members of our community actively run,walk, and bicycle along this road with kids and pets. If there are 2 cars, let alone 2 pickup trucks going by at the same time -- it is tight, with transport trucks going by -- there just isn't enough room to consider that safe. The road itself is likely not built strong enough for regular trucks either.

I'm sure the plan would not be for trucks to go down past the driveway of the property....but inevitably there will be people that miss the driveway and need to find a place to turn around and they will need to go down the road -- although there is no good place to turn a transport around on this road. In addition, I feel it's likely some trucks try to go down the back road over to NB whether on purpose or by accident (gps).

My next concern would be the potential for noise 24hrs a day. Without further information, I would be concerned about what noise levels it would bring late in the day, overnight/ early morning. If this is a 24 hrs operation, it would introduce a new element into the community that doesn't exist today.

I feel I likely would have other concerns with more time to digest this scenario as well -- but for now I feel that it is important that there is more conversation and a delay, before a final decision is made

Please take our concerns into consideration , with respect,

Rory & Brenna Faulkner

1522 Fort Lawrence Rd

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Good afternoon,

I am a resident of Fort Lawrence Road and have learned of a possible Trucking Company being built in our neighborhood, should the zoning laws be approved to change.

If this plan were to move forward, I have concerns about the increase in traffic it would cause on this road. The biggest attraction for me to put money into a property out here is the peace and quiet. We have so much wildlife right here in our backyard. I'm sure the trucks going in and out would change that drastically, not to mention changing the value of my property.

Many of our community members enjoy walking up and down this road. Are we prepared to put in a sidewalk to make sure our community members are able to walk safely off the road? We have children on this road as well. Having the added traffic, especially loud trucks, will be a big turn off to the children going out to play and enjoying their quiet backyards, not to mention the grown ups who also enjoy the quiet. Most of us purchased property out here for that exact reason.

There is nothing about our neighborhood that suggests it's "highway commercial" or that it should be changed to "highway commercial." I am against the re-zoning on Fort Lawrence Road.

Thank you

Amy Manzer

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The idea of a trucking company taking up residence on our country road is not a good idea. A business more suitable for the Amherst Industrial park. We already have trucks spilling diesel fuel in our ditches. Please reconsider this application.

Regards: Doug and Sharon MacKeen.

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I am a current resident of Fort Lawrence Road and want to share my view on the proposed rezoning for the purpose of allowing a trucking company to build on our road. I am against the request to rezone Fort Lawrence Road for many reasons.

This peaceful community would like for it to remain calm and peaceful. I have many concerns with the increased traffic it would create. There are many children that live on this road and people who walk this road every day. We also have lots of wildlife around us that would disappear if we had an increase in loud traffic on our road.

This is something that is a massive event that should not be allowed without an extreme review of the impact it will cause! Residents should have a huge say in this and hopefully our emails do not fall on deaf ears.

Thank you for your attention.

Paul Porter

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My name is Monica Chapman and I am a resident of Fort Lawrence. It has come to my attention that a proposed re-zoning of a parcel of property has been requested to allow for a transport and logistic company to operate. I, along with many other residents of Fort Lawrence Rd have major concerns with this development.

I moved to Fort Lawrence for the tight knit, quiet community that is was known for. I have two children and this community was close to town for their schooling but gave me access to the country setting I wanted. I bought my home in 2017, and completed a fair amount of improvements to the property over the past 3 1/2 years. I have wonderful neighbors and love that I can see the town lights but also see many of our residents walking or jogging the road daily. I often see wildlife around my property such as deer, foxes , hawks and eagles, along with the cows in the back pastures. I am closer to the start of Fort Lawrence Road and while I do get some highway noise it has not been that bad overall. I fear that this will all change for our community if a trucking company is allowed to develop here. This road is all residential or agricultural zoned property, with the exception of the parcel across from my home. I have nothing against these neighbors as they are great but I would not want to see any further development as this would be devastating to my property value, I fear I would not get my investment back out of it. This is on top of the additional noise it will bring, traffic, lights, and the impact to the wildlife. Our daily walkers would be at a greater risk if trucks were now commuting our road, as well as our children and pets. Allowing this one company is just the start of ruining our community. We have a beautiful Tourist Bureau and Beaubassin center which is very welcoming to the visitors of Nova Scotia who will now see transport trucks intercepting the entrances. We are what new visitors see first entering our province, and now we want them to see commercial traffic? Is this the impression we want to give tourist? That we are a commercially developed space.

There are better options just as close to the highway for this company, multiple properties along LaPlanche St, or along highway 2, entering Amherst may be more suitable. I beg of you to reconsider allowing this development to move forward.

Best Regards,

Monica Chapman

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We are residents of this road and have been for 40 years. It is a residential / agricultural community and we do not want Highway commercial on this road. Traffic, noise, safety are all concerns with commercial development.

LaPlanche Street has commercial zones to be developed. That is where a Transportation Service Operation should be. We are against the rezoning and want the road to stay as a residential community and agricultural community.

Jennifer and Bernie Brennan, 1601 Fort Lawrence Road

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I am writing to voice my concerns about the proposed land use re-zoning of PID 25394859 Fort Lawrence Rd, from Agriculture to Highway Commercial. I am a resident of Fort Lawrence and believe that introducing a transportation company, or any other highway commercial business, would bring increased traffic, lighting, and noise to an otherwise quiet, rural area of Cumberland County. There have recently been many young families relocating to the area, and I am concerned that the increase in traffic would increase the danger of our road, on which cars already frequently exceed the speed limit. In addition, there are many commercially zoned properties located on Laplanche St., which is a more appropriate area for this type of commercial business and is located a

similar distance to the highway as the proposed Fort Lawrence property. In summary, I do not support this land use by-law rezoning.

Thank you,

Sarah McWade

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It has come to my attention that there is an upcoming public hearing re the rezoning of a parcel of land on the Fort Lawrence Road from agricultural to commercial. As a resident of Fort Lawrence I have a number of concerns about this. Fort Lawrence has been a farming community for hundreds of years and it still boasts several working farms, managed farmlands and delicate ecosystems.

Farmers use the Fort Lawrence Road to transport they goods and move their equipment. There are many people that walk the road for leisure and many small children that play in the area. I would be concerned about the increase in traffic, noise and pollution in this area, should it be rezoned to commercial.

Yours truly,

Kimberly Davison

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I am emailing in regards to the proposed by-law changes in Fort Lawrence. As a resident of Fort Lawrence, I am against this change. I moved to Fort Lawrence last fall to be close to the services Amherst has to offer but to be far enough away that I can enjoy the nature and the beauty that Fort Lawrence has to offer.

With having a transportation services operation put in place in our community I imagine that we would begin to experience heavy traffic and lots of noise, and polluted air- the exact reasons why I moved out of Amherst. Below are just some of the many reasons why I am against this By-law change.

1. our wildlife (our wildlife would be affected by the air pollution, sounds, and heavier traffic that a transportation service operation would bring). Do you know how magical it is to wake up with wild bunnies in your yard? To see the wonder in kids eyes when they see deer running through the back yard? This is something that could all go away if this service were to be put in place.
2. our agriculture and farm land that would be destroyed and contaminated by putting in such a service
3. Lastly but most importantly our children. Currently our children feel safe to be out in our community and to be outside enjoying the beautiful nature that Fort Lawrence Road has to offer without having to worry about being hit by a vehicle and without having to put up with the roar of heavy vehicles and heavy machinery,

By having a transportation service put in place on Fort Lawrence road I feel that the things we love most about living here are going to be ruined by what a transportation service operation would bring to our community.

Sincerely,

Jen Cameron, concerned Fort Lawrence Resident.

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I have just learned about the rezoning agenda for the Fort Lawrence area. I am not in favor of this change. I have lived in this area for approx 20 years. I have watched some older families move and younger families move into a safe area to raise their families. At anytime you can see people on the road walking, running, kids biking and playing safely. There has to be more details provided to public in this area before any such decision is made.

Thank you

Lawrence (Laurie) Stevens.

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I am writing to you about the concerns of the rezoning that is happening in Fort Lawrence. I am not for the rezoning to bring in this trucking company. I just bought a house with my girlfriend out on Mount Whatley Rd and plan on starting a family in our home. We moved out to Fort Lawrence to be close to Amherst but not live in town because that's our dream spot and the spot we would like to raise our family.

Another reason is because we love the farm land! It's a spot where many have lived for years and years and all they do is farm and that is how they make their living. That to me is just amazing and I love the impact all these people have to the town. Also the community fort Lawrence has is absolutely amazing. Someone is always there to lend a hand if need even if you don't really know them. In the year I have lived in Fort Lawrence, I have never felt as safe as I do now.

On top of all of that, we have an amazing marsh with so much amazing wildlife! By making fort Lawrence a commercial space and bringing this trucking company in, that will put it in danger and I don't want that to change. Also is there really a need to bring the trucking company in and build here when not even 5 mins away there is plenty of businesses and open spaces to build there. Why not do it there.

In conclusion, Fort Lawrence has become my home, where I feel safe, where I would like to raise a family and not have to worry. It's where if I wanted to start a farm I could. It's a place that I have dreamed about living. I just don't want that all to change because of one company that can just build 5 mins down the road. I know I'm not the only one that feels this way as I have talked to many others in our community.

Thank you,

Dustin Brine

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I would like to submit my concerns about the proposal to rezone the fort lawrence gateway location from agricultural to commercial.

I moved to fort lawrence from Ontario with my young family specifically because the nature of the fort lawrence road being such that it is a quiet, rural, farming community that is near the town of Amherst and near the highway to access moncton (I work in Amherst, and my husband works in Moncton). We have a young family that is soon to grow, and it was a very important factor to have a quiet, safe, country experience to raise our children. We are also pet owners, and walk the fort lawrence road daily with our dogs and children in their strollers.

It causes me great concern to hear that the county is considering a proposal to change the very nature of this community and what it represents and means to the people who live here. I'm concerned about the amount of traffic, noise, and size of the commercial vehicles that have the potential to affect our road and the safety of our citizens. If this proposal were to be considered and approved, it would negatively affect the quality of life for myself, my family and the community. While I am not opposed to development that would ultimately provide employment opportunities, this location seems so misplaced. I am most certainly opposed to development at this location that is situated well enough into the community to pose a number of negative social and environment effects (noise, public safety, quality of life, loss of use and enjoyment, and other environmental factors that I'm not educated enough on, but do worry about I.e affect to watershed and sensitive species, etc).

I do hope you will consider my comments and those of my community members with great care, and come to the decision to leave our community agricultural.

Many thanks,

Tanya Trenholm

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Just today it was brought to the attention of Fort Lawrence residents that county council will be considering a rezoning of one the parcels of land on our road. The creation of a commercial land use would absolutely not follow the wishes of this communities residents. We have choosen to live and raise our families here because of the beauty and peacefulness afforded us by this little slice of country heaven. Opening the road up to highway service industries would increase traffic thereby adversely affecting road conditions and safety. I myself walk past that property most weekdays on my way to work and in the evenings while walking my dog. I do not want to deal with highway trucks, increased noise and light pollution that rezoning would subject us to.

It is particularly difficult to understand why this is even being considered when Laplanch has several unoccupied commercial properties that would make a much more logical location for a business venture like the one proposed.

Please hear my vote of opposition to this proposed rezoning

Thank you

Roy Taylor, 1885 Fort Lawrence Rd

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I would like to raise my concerns over the proposed bylaw zone change. Being affected by the gov decision to cut off la planche st to incoming traffic. I am against the proposal.

I am concerned for safety in that area for residents and family members. Fort Lawrence Rd is a quiet residential community and should be treated as such and not an industrial site. It is where families walk jog bike a d enjoy their rural setting. I say we keep it that way.

Thank you for your support on this issue

Margaret Beal

---

As residents of Fort Lawrence with a young family, we are against the rezoning.

We relocated to Fort Lawrence to be away from town traffic, lights, noise, to have safe roads to walk and cycle with our kids, to enjoy the wildlife, etc. We love our quiet country life, please don't take it away by rezoning.

I would also like to add that the Ft Lawrence Rd is a very narrow road with narrow shoulders and there are many joggers, walkers, cyclists and families with young kids like ourselves that just wouldn't be safe on their own road any more if this rezoning is approved.

Please keep Ft Lawrence safe!!!

Concerned residents,

Cynthia Boutilier & Harry Noiles

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My name is Alec Fisher, myself and my wife-to-be are fairly new residents of Fort Lawrence, being there just 3 years now. We purchased our home in this area to raise a family and enjoy the peace and quiet of the country, but still very close to town as I am a Volunteer Firefighter in Amherst. The Fort Lawrence neighborhood is one like no other, I couldn't be happier to live anywhere but where I do.

We are a very tight-knit community who all share a love for the quiet county living. I have learned today there is a proposed change for an old camp ground property almost directly across the street from me, with plans of putting a Trucking & Logistics company in its place. This is very concerning to me from many aspects, and as much as I would love to see the space cleaned up, I am 100% percent against this type of change. Not only will it affect our quiet country neighborhood with increased sound, lighting and traffic, disrupt many wildlife (I see Deer, Coyotes, Bald Eagles, Foxes and much more daily), it will drive property values down the drain. Having just bought my property 3 years ago, I have invested a tremendous amount of money to make my property presentable and well maintained .

If this plan does go forward I am very scared that I won't even get back what I have into this property, not to mention lose the very reason we moved out here, to enjoy the quiet country life. There are many commercial properties in the area that would be a perfect fit for this type of business including many vacant properties on Laplanche Street already zoned for commercial use.

Alec Fisher

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I am writing in regards to the proposed rezoning for Fort Lawrence Road. I am absolutely against this rezoning. I'm sure I'm not alone in saying I specifically chose to purchase a home here for the peace and quiet; to live in the country, not a commercial area.

This proposition has me very concerned. Over the last several years, Fort Lawrence has had a lot of young families move in, myself and my husband included. The potential change in zoning would have me worried about children, pedestrians and pets I've already lost one dog from traffic. Noise, lighting, decreased property value, wild life, tourism and preserving historic sites are just some other concerns off the top of my head.

I urge you from the bottom of my heart, to reconsider this rezoning, or at least a postponing to give our community more time to be properly informed.

Best Regards,

Christina Allen

---

I hope you are well. I am contacting you regarding the proposed rezoning from agricultural to commercial land in fort Lawrence. I am opposed to this re-zoning.

I have only recently moved to the county this spring to work at the Amherst hospital and bought a home in Fort Lawrence this summer. We choose this location in significant part for the peaceful, friendly and safe environment. In the last six months the neighbours are regularly outside. Children, including my own (1, 4 yrs) play in the front yards, ride bikes and walk on the road, and cars drive slowly. My parents and many others walk, bike and run along Fort Lawrence road and Mount Whatley road.

I worry that approving this rezoning will lead to increased traffic to the neighbourhood, decrease road safety, and significantly increase noise. This is of serious detriment to an otherwise lovely, peaceful, residential rural street.

Sincerely,

Rachael Loepky

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**MEMORANDUM**

**TO:** Mayor and Council  
**FROM:** Will Balsler, Junior Planner, Development Officer  
**DATE:** December 16, 2020  
**RE: First Reading on amendment to Land Use Bylaw to rezone PID 25508177, 3815 Highway 302, Nappan**

2.5 iii)

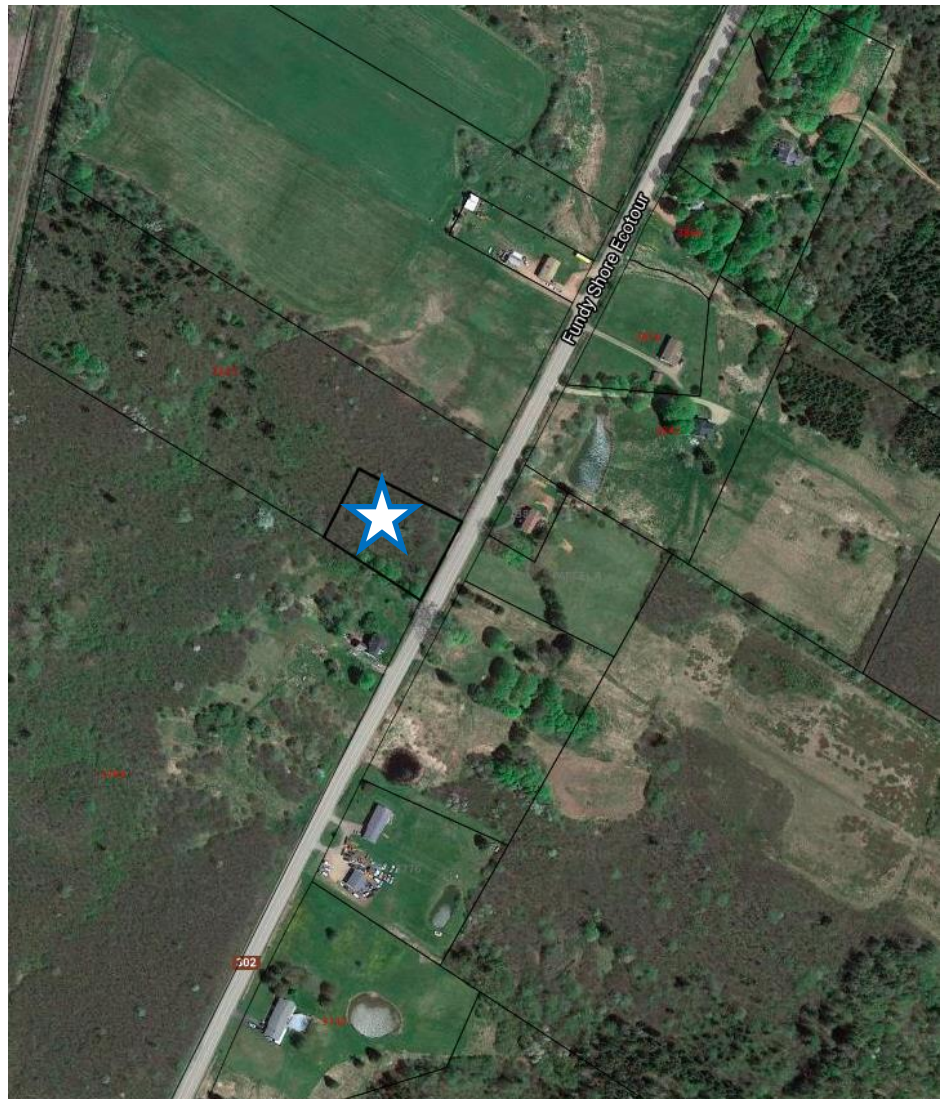
**Background:** On November 12, 2020, Planning and Development staff received an application from Gordon Mitchel (the "applicant") regarding the property at 3815 Highway 302, Nappan - PID 25508177 (the "subject property").

The subject property is owned by Gordon Mitchell and is located along Highway 302, before Maccan. The application is for a rezoning to permit the development of a Light Manufacturing Operation Under 500m<sup>2</sup>, in a 40'x80' welding shop.

From the Land Use Bylaw:

*MANUFACTURING means the production and/or packaging of goods and/or materials, including processed food and/or drink not intended for immediate consumption.*

*MANUFACTURING, LIGHT means manufacturing where the use is conducted entirely within an enclosed building and the use is not obnoxious.*



**Regulatory and Land Use Context:**

Current Zone: Country Residential

Proposed Zone: Country Commercial

The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy (MPS). The current Country Residential zoning of the property does not allow Light Manufacturing – Under 500m<sup>2</sup>.

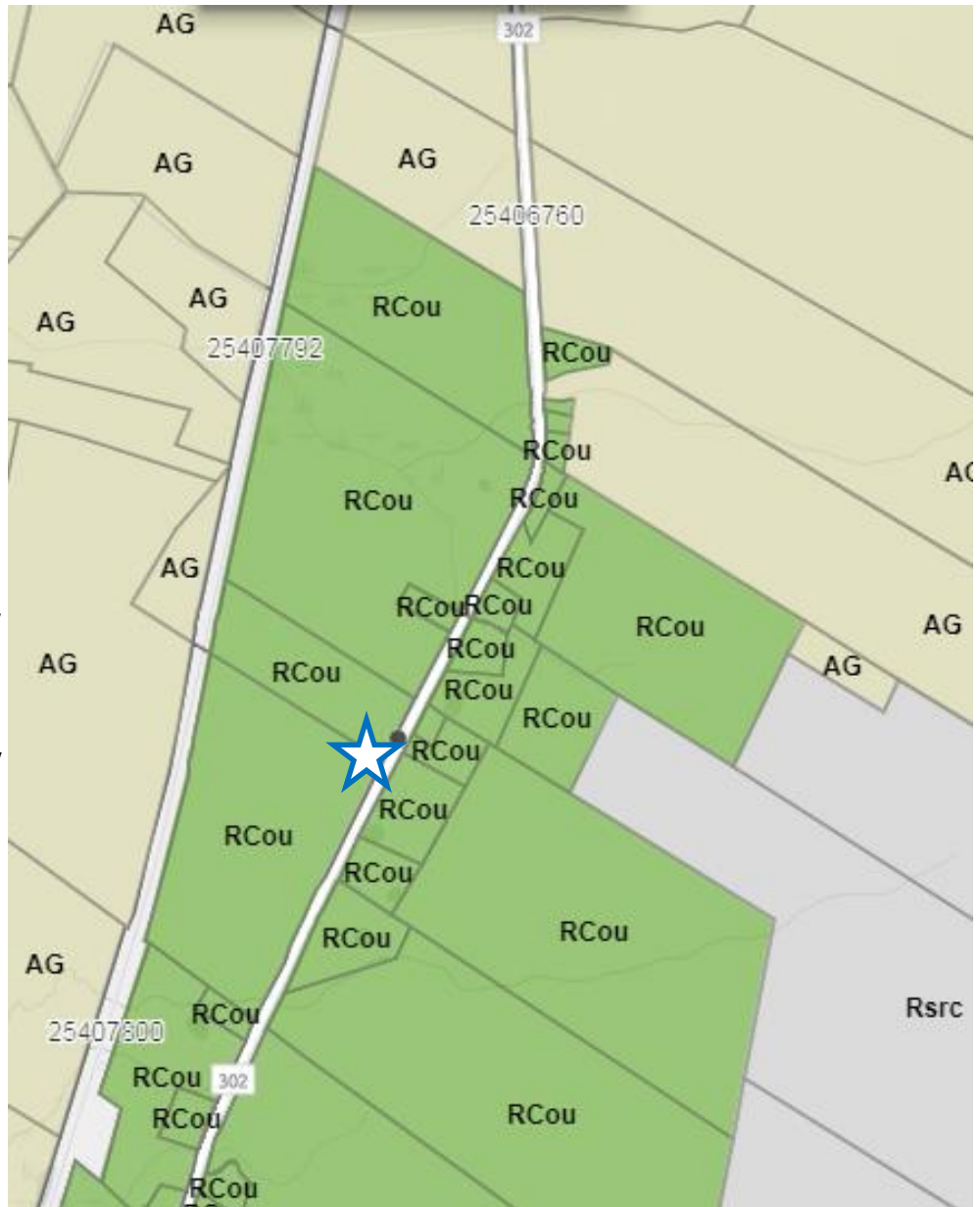
The neighboring properties are mixed forested lots and cleared fields, zoned as Agriculture [AG] and Country Residential [RCou]. There are several dwellings located around the property all zoned as Country Residential [RCou].

Rezoning the subject property to Country Commercial [CCou] would allow the development of a Light Manufacturing Operation, and is supported by Municipal Planning Strategy Policy 5-29(b):

*Policy 5-29: Council shall establish the following zones in the Land Use By-law:*

*(b) The Country Commercial Zone, intended to permit lower density residential development and a limited range of local commercial service uses on unserviced lots in rural communities. Zone standards shall reflect the denser nature of these communities compared to surrounding areas, but also the need for onsite water and wastewater services.*

**Next Steps:** If the amendment passes first reading, staff will prepare advertisements for the public hearing to be held prior to second reading.



**Recommendation: Give first reading to the proposed amendments to the Land Use Bylaw and call a public hearing for January 20, followed by a second reading.**

**Alternative:** Council can decide to reject the proposed amendment, or request that further information be provided.

**MEMORANDUM**

**TO:** Mayor and Council  
**FROM:** Will Balsler, Junior Planner, Development Officer  
**DATE:** December 16, 2020  
**RE: First Reading on Development Agreement for PID 25074808, 324 Nappan Road, Upper Nappan**

2.5 iv)

**Background:** On August 12, 2020, Planning and Development staff received an application from Tim Rose (the "applicant"), owner of Rose's Mobile 1 Enterprises LTD. (RM1 Enterprises) regarding the property at 324 Nappan Road, Upper Nappan - PID 25074808 (the "subject property").

The subject property is owned by Rose's Mobile 1 Enterprises LTD. and is located on the corner of the Nappan Road and Stillman Road. The application is for a development agreement to permit the development of a Transportation Services Operation (with limited heavy traffic). From the Land Use Bylaw:

***TRANSPORTATION SERVICES*** means a building, structure, land, or part thereof used for the purpose of transporting any kind of item or thing by truck or other vehicle, including, but not limited to, loading facilities, storage, and maintenance facilities, but does not include the transport of people.

**Regulatory and Land Use Context:**

Current Zone: Agriculture

The subject property is designated as Resource on Schedule A of the Municipal Planning Strategy (MPS). The current Agriculture zoning of the property does not allow Transportation Services.

A majority of the neighboring properties are forested or cleared fields. There are dwellings located around the property, one directly across Nappan Road, another at the end of Stillman Road, one on the eastern side of Stillman Road, along with a cluster of dwellings some 350m East along the Nappan Road. There is a large agricultural operation to the Southwest, at the corner of Nappan Road and Lower Porter Road, shown as a blue circle on the attached map.

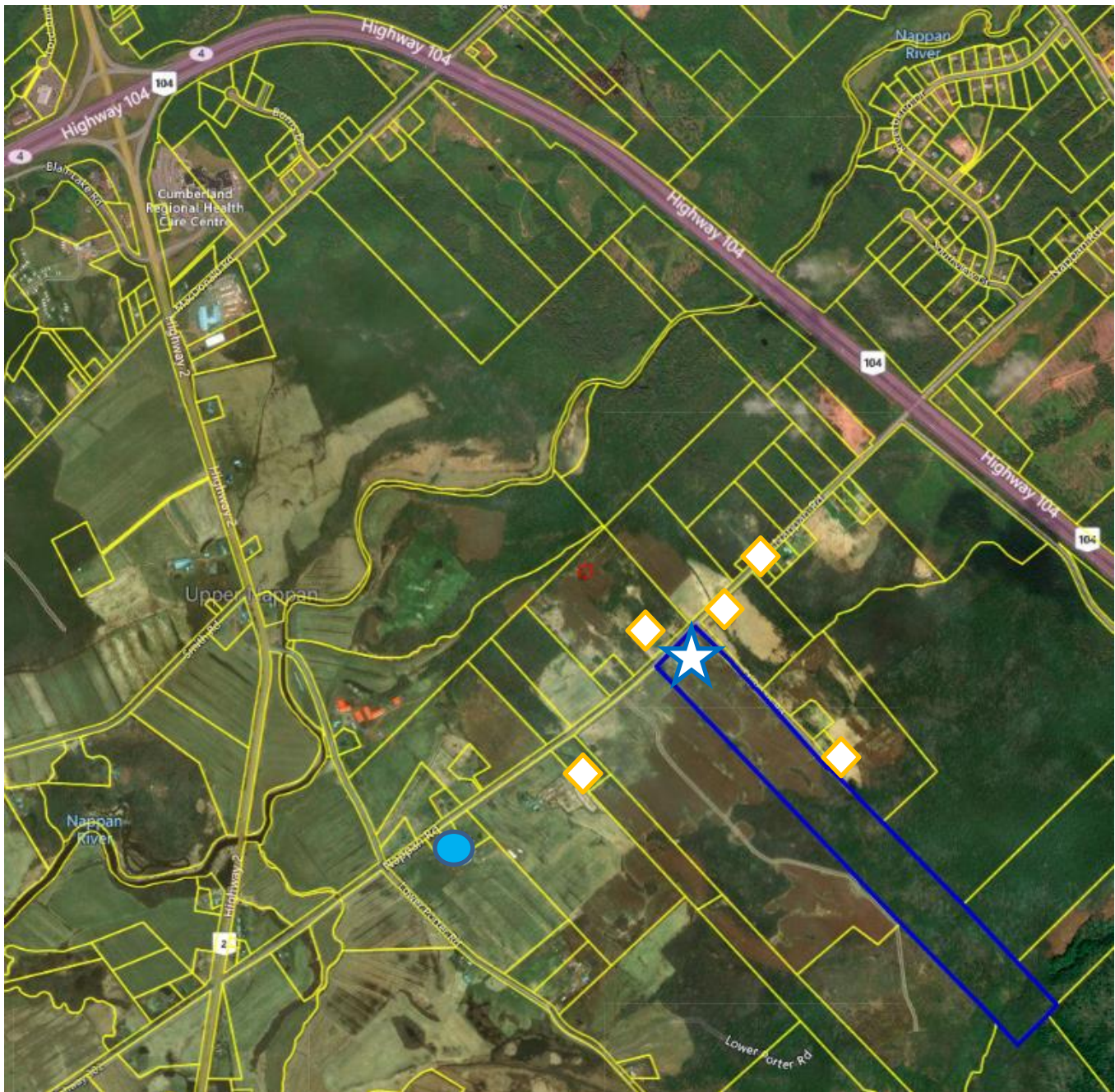
*MPS Policy 6-16: Council may enter into a development agreement for a specific proposal in lieu of amending the map of the Land Use By-law to accommodate that proposal. Council shall not approve the development agreement unless Council is satisfied that:*

*(a) a zone exists that could accommodate the proposal and the placement of that zone on the proposed site would meet the requirements for amending the map of the Land Use By-law set out in Policy 6-10; and*

*(b) the proposal is consistent with the general criteria set out in Policy 6-19.*

In regards to section (a) of MPS Policy 6-16 above, the Rural Industrial zone permits the development of Transportation Services and is within the Resource Designation. Staff are recommending a Development Agreement as opposed to a Rezoning as the Rural Industrial zone allows other far more intensive uses that are not compatible with the surrounding area.

Satellite Imagery for context:  represents dwellings



**Next Steps:** If the Development Agreement passes first reading, staff will prepare advertisements for the public hearing to be held prior to second reading and place a Notice on the property to further advise the community of the upcoming hearing. Staff will also finalize a draft agreement to be presented at the Public Hearing.

**Recommendation:** Give notice of intention to enter an agreement and call a public hearing for January 20, followed by a second reading.

**Alternative:** Council can decide to reject the proposed amendment, or request that further information be provided

**The Municipality of the County of Cumberland**  
**Financial Sustainability Strategy**  
**(July, 2018)**

## Contents

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## APPENDICES

### Appendix 1 – Core Best Practices

- (i) Appropriate Minimum Level of Operating Reserve and Accumulated Surplus
- (ii) Multi – Year Capital Planning
- (iii) Debt Management Policy
- (iv) Audit Committees
- (v) Documentation of Accounting Policies and Procedures
- (vi) Financial Forecasting: Budget Preparation & Cash Flow Forecasting

### Appendix 2 – Audit and Financial Sustainability Committee Terms of Reference

### Appendix 3 – 2018/2019 Financial Position/Financial Health Analysis Memo to Council Dated May 29, 2018

### Appendix 4 – Municipal Report – Municipal Profile and Financial Condition Indicators Results

### Appendix 5 – Developing an Action Plan for Further Analysis Regarding the Financial Condition Indicators

### Appendix 6 – A Model Action Plan to Improve and Enhance the Financial Condition Indicators

**MEMORANDUM**

**TO:** Director of Finance Andrew MacDonald, Warden Gillis, Deputy Warden VanVulpen, Council, Audit Committee

**FROM:** Rennie Bugley, Chief Administrative Officer

**DATE:** Monday, June 25, 2018

**RE:** Financial Sustainability Strategy

---

I met with representatives of Municipal Affairs on Friday, June 15, 2018 during the AMA Spring Workshop to discuss the Financial Sustainability Strategic Priority and Plan (May 29, 2018) to review the logic and completeness and to determine their willingness to assist us in a research, analysis, and data collection or provision manner.

I propose that the following be uses as a template to partner and cooperate with both the Municipal Finance Corporation and the Department of Municipal Affairs to complete the work requirements and the tasks to complete a Financial Sustainability Plan on or before the target date of December 31, 2018.

**FINANCIAL SUSTAINABILITY – A HISTORICAL PERSPECTIVE**

The History of Strategic Planning goes back to 2007 to 2010 with the Municipality Council approved its first Strategic Plan in 2010. That plan included the following 5 Strategic Issues

1. How does Council best provide good governance?
2. What services should be provided by Council and how are they to be funded?
3. How can Council foster economic development?
4. How can Council communicate effectively with the public in a two way manner?
5. Is Council prepared for and does it have a plan for significant changes in service delivery?

Each of the Strategic Issues had a number of objectives and a list of actions to achieve the objectives and a list of actions to achieve the objectives. There was a total of 32 objectives included in the Plan.

There was no specific Financial Sustainability Strategic Priority, but the topic of finance and financial health was included to varying degrees in objectives #2, 3, and 6.

It is a fair comment that the 2010 Strategic Plan was as much operational in nature as it was strategic

Through 2010 to 2014, a number of actions in the Strategic Plan were implemented. In 2013, a review of the signature plan was done the result being a revised Mission Statement and the identification of six organizational Strategic Priorities, those being:

1. How can we foster citizen engagement and improve public relations?
2. What can we do to maintain and increase our population and balance our population?
3. How can we ensure the future financial sustainability of the Municipality and services it provides?
4. What can we do to improve the health and enhance the well being of our citizens?
5. What do we need to do to adapt to the effects of climate change?
6. What policies can we put in place and what actions can we take to be good stewards of our environment and natural resources?

A positive outcome of this review was the approval of a strategic priority specific to financial sustainability. As well, these 6 priorities are truly strategic in nature.

The most recent development regarding Financial Sustainability is Council's approval for the responsibility for this priority. At its October 4, 2017 Council meeting, the Terms of Reference of the Audit and Financial Sustainability Committee were approved. The duties and responsibilities of this Committee include the following:

- Preparation of Multi-Year Projections, Operating and Capital Budgets, Tax Rates, Reserve funds, and Debt Issue to assist Council in determining its future financial position.
- Analyze user fees, municipal indicators (Revenue, Expenditure, Operating Position, Debt and Capital) and the use of the Debt Affordability Model to provide recommendations to Council to improve the Municipality's financial health.
- Review financial policies and provide recommendations to Council to ensure the principles, standards, and value for money is being achieved.
- Review the Municipal Finance Corporation's best practices and determine the applicability to the Municipality and provide recommendations regarding implementation.

The majority of the analysis and reports included in the May 29, 2018 report to Council regarding financial position/financial health are squarely within the mandate of the Audit and Financial Sustainability Committee.

IT IS RECOMMENDED that the Audit and Financial Sustainability Committee have a significant leadership responsibility in the development of a Financial Sustainability Strategy.

The Financial Sustainability Plan has been reorganized into 3 sections. Those of Current Financial Position, Organizational Analysis – Financial Perspectives and Financial Health and Sustainability – 2019/2020 to 2029/2030.

### CURRENT FINANCIAL POSITION

Municipal staff will work with Municipal Finance Corporation staff and Municipal Affairs staff to compare actual financial results to the results projected by the Debt Affordability Models prepared at the time of dissolution. Analysis and comparisons will be prepared to significant assumptions and revenue and expenses including but not limited to tax rates, area rates, deficit amortization, debt payments, CPI increases, salaries and wages, capital from revenue, transfers to reserves, transfers from reserves, assessment and revenue growth, Federal Payments In Lieu and other significant variances.

An analysis will be prepared to summarize the expenses that are included in the overall general tax rate and will include the expenses of the of the former County of Cumberland, Town of Springhill, and Town of Parrsboro. An analysis will also be prepared that indicates the revenues contributed by each of the 13 Districts. The expense analysis will be compared to the approved Tax Structure Policy that was developed, presented and approved prior to dissolution.

The objectives of the Current Financial Analysis is to determine where actual results varied significantly from provided results and the reasons for these variances. It is intended for understanding, providing information to improve future projections, decision making and communications.

A historical revenue and expense trend analysis will be completed to help Council understand its current financial position and the impact on the future financial position. A key aspect of this trend analysis will include “new” revenues and expenses in the last number of years. Examples include renewable energy asset revenues, energy program expenses, and community development program expenses.

This last part will reinforce the fact that Council is responsible and accountable for the overall financial well being of the Municipality.

## ORGANIZATION ANALYSIS – FINANCIAL PERSPECTIVES

The next step in the Financial Sustainability Strategy Priority is to undertake the necessary analysis that will provide the basis for Council to be in a strong financial healthy position for the long term. These analyses include the following:

### **SWOT Analysis**

Council needs to revisit, refresh and re-commit to its Mission Statement and its' Strategic Priorities. It is anticipated that Council will agree to this project this fall.

To identify issues that need to be addressed in the development of the Financial Sustainability Strategic Priority, Councils needs to consider the assessment of its internal and external environments, i.e. its Strengths, Weaknesses, Opportunities, and Threats that are specific to Financial Sustainability. Examples of SWOT's include our assessment base, potential loss of equalization grant, renewable energy asset development, implementation of a marketing levy, etc.

### **Program and Services Review**

It has been recommended to Council that we undertake a Program and Services Review. This review should be completed from a Strategic Priorities perspective as depicted in the following chart.



Using this approach, Council will consider the importance of each Strategic Priority and why and how each program and service supports and contributes to positive outcomes for Council. This is a different approach than a cost cutting exercise.

During the 2018/2019 budget deliberations, there was discussion regarding specific programs and services and the potential for significant cost savings. There are also a number of 2018/2019 projects and initiatives that may significantly reduce costs.

These programs and services include but are not limited to the following:

<b><u>Program/Service</u></b>	<b><u>Potential Cost Savings</u></b>
1. Closure of Transfer Stations	\$250, 000 to \$300,000
2. LED Streetlights	\$200,000
3. Reduction In Capital From Revenue	\$200,000
4. Governance Review	\$125,000
5. Succession, Planning / Municipal	\$200,000
6. Grants to Organization	TBD
7. Fire Protection Services	TBD
8. Other	TBD
<b>Total</b>	<u><u>\$975,000 to \$1,025,000</u></u>

### **Tax Structure Policy**

Council has not reviewed its tax structure policy in a number of years. A review of Council's policy will include discussions and decisions regarding the following specific topics.

1. Funding the Costs of Programs and Service via General Rate vs. Area Rate
2. A Review of the Springhill Area Rate
3. A Review of the Parrsboro Area Rate
4. A Review of all Area Rates
5. Minimum Tax
6. Capital from Revenue vs. Capital from Area Rates
7. Marketing Levy
8. A Comparison to other Rural Municipality's Tax Structure Policies

The information provided from the Current Financial Position analysis and the Organizational Analysis – Financial Perspectives will assist Council in decisions that will ensure that Cumberland is financially sustainable and healthy will into the future.

This step in the Financial Sustainability Strategy is critical in that it sets out Council's plan to achieve financial health and sustainability. The previous sections will provide information pertinent to the strategy questions of "Where Are We" and "How Did We Get Here". This section will help Council on the strategy questions of "Where Do We Need To Be" and "How Are We Going To Get There".

Council must be aware that no strategy or plan is perfect, failproof or 100% accurate. It is based on the best information available at a specific point in time, assumptions and estimates, and can be impacted in a significant manner by factors outside the control or authority of the Municipality. However, the development of a Financial Sustainability Strategy is one of the hallmarks of good governance and an important organizational development and management tool.

The specific actions required in the development of a Financial Health and Sustainability Strategy include the following specifics.

#### **Implementation of Financial Best Practices**

Financial best practices have the objective of supporting the financial health and sustainability of municipalities. Best practices are considerate of the present and the future health of municipalities.

The Municipal Finance Corporation and the Association of Municipal Administrators of Nova Scotia have developed financial management best practices for consideration by Nova Scotia municipalities. Of these 32 best practices, there are 7 that are considered to be "core" and high priority. Given the objective of these best practices, it is very important to include discussion, development and inclusion of these best practices in the Financial Sustainability Strategy.

The 7 Core Best Practices include the following topics.

1. Appropriate Minimum Level of Operating Reserves and Accumulated Surplus
2. Multi-Year Capital Planning
3. Debt Management Policy
4. Audit Committee
5. Documentation of Accounting Policies and Procedures
6. Financial Forecasting
7. Purchasing Policy

One of the actions required in this Section is the completion of a 10 year Debt Affordability Model (financial projections/financial forecasting). The Best Practices of Appropriate

Minimum Level of Operating Reserves and Accumulated Surplus, Multi-Year Capital Planning and Capital Spending and Reserve Funds, and the Purchasing Policy should be included in the Financial Forecasts in such a manner that includes the \$ amounts required, the method of funding, forecasted accumulated balances, and the impact on forecasted tax rates. This has the potential to provide significant challenges to Council.

### **Financial Condition Indicators**

The Department of Municipal Affairs, the Nova Scotia Federation of Municipalities, and the Association of Municipal Administrators of Nova Scotia have developed 13 Financial Condition Indicators. These indicators include the following:

1. Reliance on Government Transfers (G)
2. Deficits in the Last 5 Years (R)
3. Liquidity (Y)
4. Combined Reserve (Y)
5. Uncollected Taxes (Y)
6. 5 Year Budget Accuracy (Y)
7. Operating Reserves (Y)
8. Debt Service (G)
9. O/S Operating Debt (G)
10. Undepreciated Assets (G)
11. Reliance on a Single Business (G)
12. 3 Year Change in Tax Base (G)
13. Residential Tax Effect (G)

The FCI's are color coded to indicate risk level with green (G) being low risk, yellow (Y) being moderate risk and red (R) being high risk.

The Municipal Indicators Committee has also developed complementary documents to the Municipal Report, those documents being a Model Action Plan to Improve and Enhance the Financial Condition Indicators and a Guide to Developing an Action Plan.

It is recommended that the Financial Sustainability Strategy forecast all 13 Financial Condition Indicators on a revolving 5 year time horizon and an action plan the objective of which is 13 green indicators.

### **Financial Forecasting (Debt Affordability Model)**

The Municipal Finance Corporation has developed a Financial Forecasting tool for municipalities fondly referred to as the Debt Affordability Model. This tool is in fact one of the 7 core financial Management Best Practices.

This is the same tool that was used as part of the dissolution process to forecast revenues, expenses, reserve fund transfers to/from and balances, and tax rates.

In order for Council to determine “where we want to be “and” how are we going to get there” in terms of financial health and sustainability, financial forecasts should be completed for the next 10 fiscal years. These forecasts should be revised annually.

These forecasts should include the implementation of the relevant Best Practices and achieving and maintaining 13 green Financial Condition Indicators.

# Municipality of Cumberland

2021 Taxable Property  
Assessments

# Taxable Assessment Year to Year Comparison

## Change Highlights

- \$12.5 million in new residential construction representing half of annual increase (\$22.2 million in 2020)
- \$3.4 million in new commercial construction (\$1.7 million in 2020) Taxable Commercial Assessment is reduced by \$2.53 million for qualifying seasonal businesses. (\$1.55 million in 2020)

### 2021 Taxable Assessments Year to Year Comparison By Assessment Type

<b>Assessment Type</b>	<b>2021 Taxable</b>	<b>2020 Taxable</b>	<b>Change in Value</b>	<b>Percentage Change</b>
Residential/Resource	1,381,626,100	1,357,099,500	24,526,600	1.81%
Commercial	111,897,575	111,349,225	548,350	0.49%
	<u>1,493,523,675</u>	<u>1,468,448,725</u>	<u>25,074,950</u>	<u>1.71%</u>

# Tax Levy Comparison Based on 2020 Tax Rates

## Impact on Tax Levy

- \$307,111 increase in tax levy based on current general tax rates. (\$137,205 in 2020)
- 84% of total tax levy is generated by residential taxes.

### Tax Levy Comparison Using 2020 Base Tax Rates

Assessment Type	Tax Rates	2021 Levy	2020 Levy	Change in Value	Percentage Change
Residential/Resource	1.19	16,441,351	16,149,484	291,867	1.81%
Commerical	2.78	3,110,753	3,095,508	15,244	0.49%
		<u>19,552,103</u>	<u>19,244,993</u>	<u>307,111</u>	<u>1.60%</u>

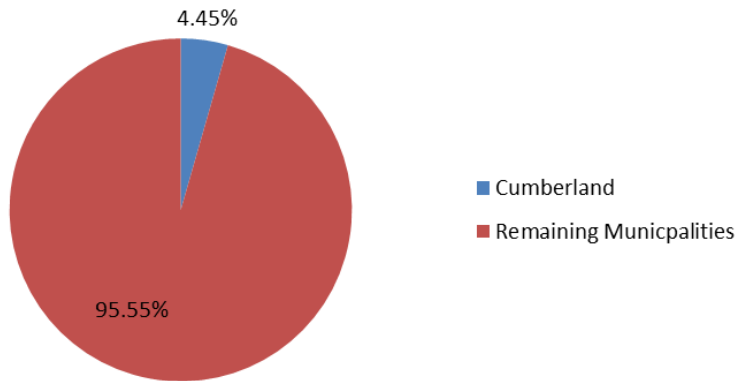
# Capped Assessments

Market Value	1,573,874,300
Cap Reduction	<u>(192,248,200)</u>
Taxable Value	<u><u>1,381,626,100</u></u>

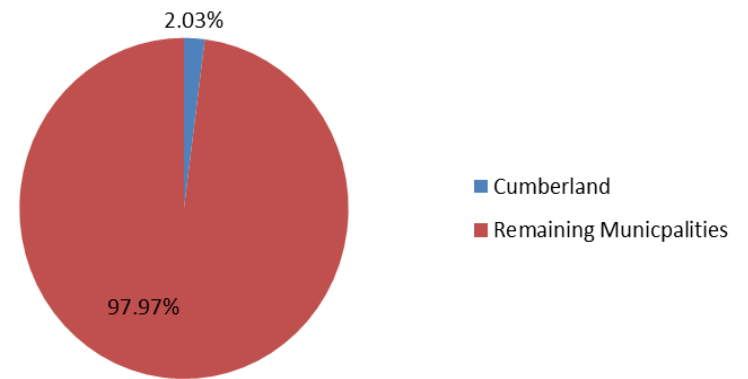
Number of Capped Accounts	14,132
Cap % (Based on Change in CPINS)	0.3%

- If Cap lifted a residential tax rate of \$1.04/\$100 would raise the same amount of taxes as our current rate of \$1.19/\$100.
- This would result in an increase tax burden on capped properties in areas experiencing higher market growth, such as waterfront.
- Tax burden would decrease for properties in lower market value growth areas and properties not currently eligible for cap. (new sales, foreign owned)

### Number of Accounts in NS



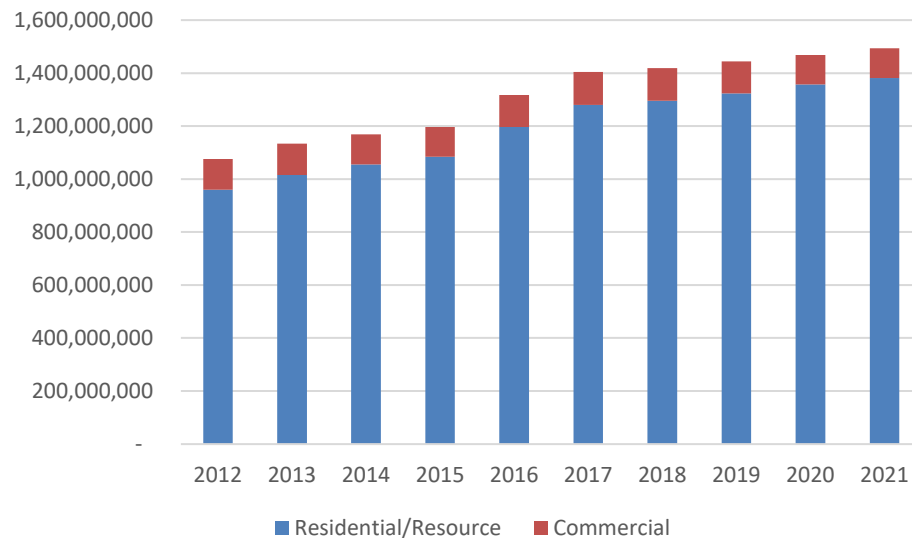
### Total Assessment in NS



## Cumberland Relative to Provincial Totals

- Cumberland has 4.45% of accounts in the Province but only 2.03% assessed value.
- Cumberland's commercial assessments represent only 7.5% of total taxable assessments compared to 23% for the Province as a whole.

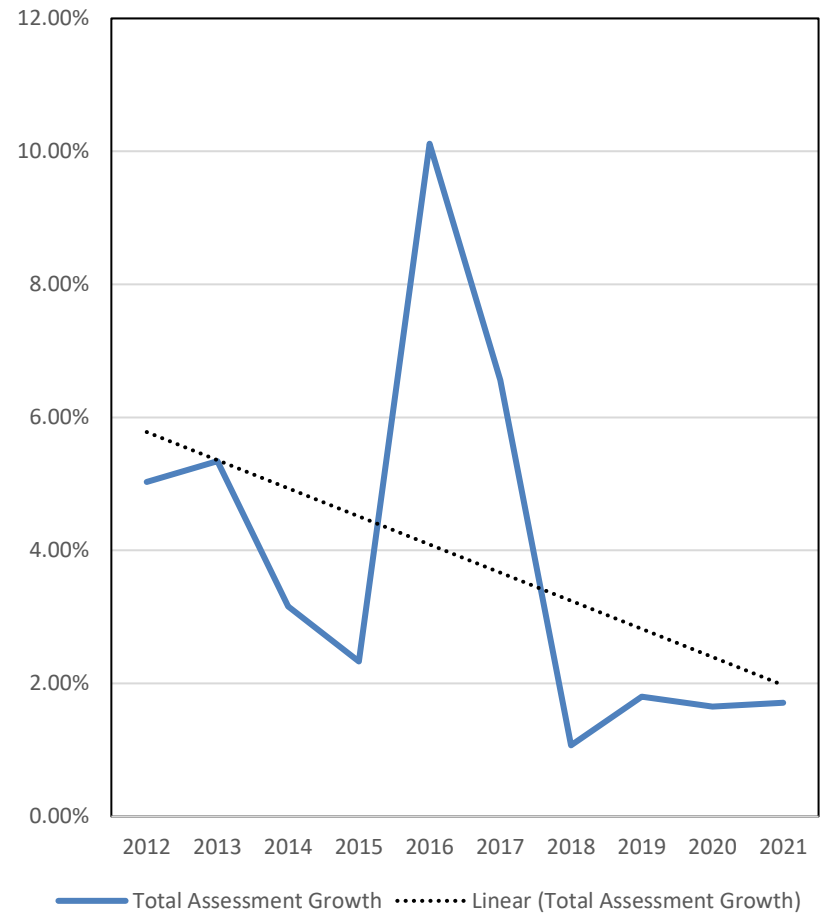
# Taxable Assessments Ten Year Summary



- Residential assessments have grown by 44% over past 10 years
- Commercial has decreased by 3%
- In 2012 commercial assessments were 11% of total taxable assessment and accounted for 23% of our total tax revenue.
- In 2021 this has fallen to 7.5% of total assessment and 16% of total tax revenue.

# Ten Year Taxable Assessment Annual Growth

- Annual assessment growth has been decreasing over past ten years.
- 2012 to 2014 annual assessment increases averaged 4.5% per year
- 2019 to 2021 annual average increase was 1.7%
- Spikes in 2016 and 2017 represent the addition of Springhill and Parrsboro.



## REPORT TO COUNCIL

**TO:** Mayor Scott and Members of Council

**FROM:** Andrew MacDonald  
Director of Finance

5.1

**DATE:** January 4, 2021

**RE:** Reimbursement Policy for Members of Council and Chief Administrative Officer

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### **Background**

Attached is a copy of the Reimbursement Policy for Members of Council and Chief Administrative Officer. This policy is based on a model policy developed by the Department of Municipal Affairs and contains the necessary requirements to be compliant with the Financial Reporting and Accounting Manual.

This Policy ensures the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses incurred by Council members and the CAO in relation to business of the Municipality.

Section 38 of the policy requires that by the January 31st immediately following a regular election held under the Municipal Elections Act, Council shall review this Policy and, following a motion by Council, either re-adopt the Policy or amend the Policy and adopt the Policy as amended.

### **Proposed Changes**

The only changes included in the attached policy are to include Mayor in section 4 under positions and to replace Warden and Deputy Warden with Mayor and Deputy Mayor.

Staff will review this policy with Council in further detail at the January Council meeting to determine if Council wishes to make any additional changes.

### **Recommendation**

Motion to give notice to Council Members of Intent to consider the Reimbursement Policy for Members of Council and Chief Administrative at the February 3, 2021 Council meeting.

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Municipality of Cumberland Policy 20-01  
Reimbursement Policy for Members of Council  
and Chief Administrative Officer

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**Title**

1. This Policy is entitled the “Reimbursement Policy for Members of Council and Chief Administrative Officer”.

**Policy Statement**

2. This Policy ensures the appropriate use of municipal funds through the establishment of uniform standards and procedures respecting reimbursement of expenses incurred by Council members and the CAO in relation to business of the Municipality.

**Definitions**

3. In this Policy, unless the context otherwise requires:
  - 1) “CAO” means the Chief Administrative Officer;
  - 2) “CAO designate” means an employee of the Municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*; and
  - 3) “Municipality” means the Municipality of the County of Cumberland.

**Signing Authority**

4. The following are the Signing Authorities for the positions referred to, and shall be responsible for administering the policy with respect to the individuals in those positions:

Position	Signing Authority
Council Members and Mayor	CAO or designate AND Audit Committee Chair or Vice-Chair
CAO	Warden Mayor or designate AND Audit Committee Chair or Vice-Chair

5. A Signing Authority may designate a second signing authority. The designation of a secondary signing authority shall be in writing and shall state the name and position of the designate.
6. A Signing Authority is prohibited from authorizing expenses incurred on their own behalf.

## Individual Responsibilities

7. Everyone who incurs an expense in relation to municipal business is responsible for:
  - 1) Familiarizing themselves and complying with the provisions of this Policy;
  - 2) By April 1 each year signing an acknowledgement document certifying that they have reviewed this policy and sought all clarifications necessary for a complete understanding of its provisions and their responsibilities pursuant to it. Failure to sign this acknowledgement document annually will disqualify the individual from claiming expenses for reimbursement under this policy until the document has been signed for that year;
  - 3) Completing and submitting expense claims with necessary supporting documentation;
  - 4) Exercising reasonable diligence and care in incurring expenses prudently and responsibly; and
  - 5) With respect to travel, cancelling reservations as required, safeguarding travel advances and funds provided, and considering alternatives to travel such as teleconferencing and video conferencing.

## Permitted Expenses

8. Subject to and in accordance with this Policy, the following expenses incurred by a member of Council or the CAO are eligible for reimbursement:
  - 1) Authorized travel within Nova Scotia, including transportation, accommodation, and meal costs;
  - 2) Pre-approved out-of-province travel, including transportation, accommodation, and meal costs; and
  - 3) Pre-approved training or continuing education costs.

## Authorized Travel

9. Council members shall be reimbursed for the reasonable expenses incurred for attending:
  - 1) Meetings, conferences, or workshops at which the Council member's attendance is authorized or requested by Council;
  - 2) Any Council or Committee of Council meeting;
  - 3) A meeting of any Board, Commission or other organization to which the Council member has been appointed by Council, except that no reimbursement shall be provided by the Municipality if the Council member is entitled to reimbursement of expenses directly from the applicable organization;
  - 4) If the ~~Warden~~ Mayor or Deputy ~~Warden~~ Mayor are invited to attend a function, meeting or conference on behalf of the Municipality, and if reimbursable expenses are less than \$500, pre-approval by Council will not be required.
  - 5) If a Council member attends a function, meeting or conference on behalf of the Municipality, and if reimbursable expenses are less than \$500, pre-approval by Council will not be required if:
    - a) At the request of the ~~Warden~~ Mayor or Deputy ~~Warden~~ Mayor to attend on their behalf;
    - b) At the request of the ~~Warden~~ Mayor or Deputy ~~Warden~~ Mayor to attend as a Council member who has a special interest in, or connection with the subject of the meeting or conference or because of special knowledge and experience of the

- Council member relative to the subject of the meeting or conference; and
- 6) At a training or continuing education event in accordance with the provisions of this Policy concerning Council member training and education.
10. The CAO shall be reimbursed for the reasonable expenses pursuant to the CAO's employment agreement.

### **Out-of-Province Travel Authorization**

11. All requests for out-of-province travel shall be made in writing and shall contain the following information:
  - 1) The purpose and duration of the trip;
  - 2) The location(s) to be visited;
  - 3) The dates and times of arrival and departure;
  - 4) Any pre-paid transportation, meals, and accommodation; and
  - 5) Any other anticipated expenses.
12. All requests for out-of-province travel by Council members shall be reviewed by the CAO and ~~Warden~~ Mayor, who shall consider the necessity for travel based on information provided.
13. When two or more out-of-province travel requests are made by Council members for the same purpose, Council shall determine the appropriate number of persons necessary to represent the Municipality.
14. All requests for out-of-province travel by the CAO shall be reviewed by the ~~Warden~~ Mayor, who shall follow the same guidelines established for Council members.
15. If a request for out-of-province travel is approved, and the Claimant pays all or some of the expenses for travel, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this Policy.

### **Training and Professional Development**

16. If the Municipality has established a training and education budget expense item, a member of Council or the CAO may apply to the applicable Signing Authority in advance for approval to incur expenses out of this budget for training or professional development, provided that:
  - 1) The request is made in writing, and includes an estimate of all costs that will be incurred, including the course or enrolment fee and all required transportation, accommodation, and meals;
  - 2) The training or education course, meeting or conference, is related to municipal government;
  - 3) The course, meeting or conference is completed prior to the next municipal election date;
  - 4) the budget for Council member and CAO training and education for the year has not been exhausted and would not be exceeded by authorizing the request;
  - 5) the Council member and CAO shall reimburse the Municipality for the cost of all or, alternatively the pro-rated cost of a portion, of any enrollment fees in the event of failure to attend all, or alternatively some, of the event without reasonable justification;

and

- 6) A brief written summary is provided by the Claimant describing the nature and benefits of the training and education at the time of submitting an expense claim for reimbursement. If both applicable Signing Authorities approve an application to incur expenses in relation to training or education, and the Claimant (not the Municipality) pays all or some of the pre-approved expenses, the Claimant will be eligible for reimbursement of those expenses after submitting an expense claim in accordance with this Policy.

### **Per Diem Meal Allowances**

17. For each day or part day that a Council member is travelling outside the Municipality for an authorized purpose, a Council member may claim a meal allowance for each meal for which a cost was incurred. Meals provided free of charge or included in registration fees paid directly by the Municipality are ineligible. The per diem meal allowance for Council members shall be the same as that for staff: \$20 for breakfast, \$20 for lunch, and \$35 for supper. This allowance includes gratuities and taxes. For purposes of this section, the Municipality will not pay breakfast allowance to Council members leaving home after 6:00 am or supper allowance to a Council member arriving home before 6:00 pm. Receipts are required for all meal expenses. Amounts reimbursed will be the lesser of the applicable meal allowance or cost shown on receipt.
18. If on any given day the Council member is attending more than one meeting within the Municipality, and the cost of paying kilometrage for the Council member to go home for a meal and return for a meeting being held later that same day is greater than the meal allowance, a Council member may claim a \$20.00 meal allowance. Receipts are required for all meal expenses.
19. Claimants whose religious beliefs or medical requirements prohibit them from consuming certain foods should be aware that appropriate meals can normally be obtained from caterers, provided that adequate notice of special requirement is given. Should these special dietary requirements negate the ability to participate in a meal that is provided free of cost, and as a result the Claimant must pay for a meal, the Claimant shall be paid a meal allowance for that meal.

### **Kilometrage**

20. The kilometrage allowance reimbursed for Council members using personal vehicles for travel shall be at the rate stipulated from time to time by the Province of Nova Scotia as the maximum. Where several Council members or the CAO attend the same meeting, conference or function, each shall make reasonable efforts to share a vehicle.

### **Vehicle Rentals**

21. The cost of rental of a vehicle shall be a reimbursable expense in instances where:
  - 1) Reasonable ground transportation services such as public transit, taxis, or hotel shuttles are unavailable; or
  - 2) Two or more Council members or the CAO are travelling together, and it is more

economical than the combined costs of other reasonable ground transportation.

23. Compact, economical vehicles must be used unless three or more persons are travelling together, the bulk or weight of goods being transported necessitates a larger vehicle, or a compact, economical vehicle is unavailable.

### **Limits on Reimbursable Expenses**

Notwithstanding any other provision of this Policy, the following limits shall apply to reimbursement of expenses:

- 1) A Claimant shall only be reimbursed for the costs that they have incurred;
- 2) The expenses of a Council member for political activity associated with election or re-election is not reimbursable by the Municipality.
- 3) Airplane travel shall be booked by municipal staff or shall only be reimbursed at the lowest rate which would have been available if municipal staff had booked the airfare;
- 4) Hotel accommodations shall not exceed the cost of a standard room, double occupancy, except when hotel accommodation has been booked by municipal staff for out-of-province hotels. Hotel upgrades shall be at the personal expense of the Claimant unless there are ergonomic necessities attributable to physical requirements including, but not limited to, wheelchair accessibility;
- 5) If a Council member chooses to take their personal vehicle in lieu of airplane travel, reimbursement will be based on the lesser of the lowest airfare rate which would have been available had the flight been booked by municipal staff or the kilometrage reimbursement pursuant to section 20;
- 6) Reimbursement for meals shall not exceed the per diem meal amounts set out in this Policy, except in the case of out-of-province travel, in which event Council may authorize reimbursement of meal expenses to a comparable standard;
- 7) Fees, deposits, interest, and surcharges incurred on a personal credit card shall not be reimbursed;
- 8) When personal and municipal travel is combined, only documented expenses directly related to the Municipality's portion are reimbursable. Extended travel time and related expenses are the traveler's own expense;
- 9) Reimbursement shall not be provided for loss of personal effects; for medical and hospital treatment; for purchase of luggage, clothing, and other personal equipment; or for personal services such as shoeshines, valet services, dry-cleaning, laundry, haircuts, and other personal services.
- 10) Hotel accommodations shall be booked by municipal staff;
- 11) Hotel services including room service and video rentals shall not be charged to the room;
- 12) Reimbursement of one personal long-distance phone call, to a maximum of \$15 shall be permitted for each night of overnight travel;
- 13) The cost of any alcoholic beverages shall not be reimbursed;
- 14) A Council member shall not be reimbursed to travel to meetings within the Municipality with constituents, individual electors, and complainants. The expenses incurred in the discharge of these duties are deemed to be included in the Council member's remuneration.

## **Expense Claims**

24. Authorized expense claims must be submitted on the form provided by the Municipality and shall be signed by the Claimant.
25. Receipts or other satisfactory documentary proof must be submitted with the reimbursement claim for all expenses except:
  - 1) bridge and highway tolls; and
  - 2) claims for personal vehicle kilometrage.
26. Expenses incurred by a Council member or the CAO on behalf of another individual are not eligible for reimbursement.
27. No expense claim shall be paid unless the claim is first approved for payment by the Signing Authorities who have authority to approve the claim. Before approving an expense claim, a Signing Authority must ensure that:
  - 1) The claim is consistent with this Policy;
  - 2) The expenses claimed were necessarily incurred in the performance of municipal business;
  - 3) Appropriate receipts are provided to support the claim, and the claim documentation is appropriately filed;
  - 4) All calculations are correct; and
28. In considering an expense claim for payment, a Signing Authority may request additional explanations, documentations, or justification from the Claimant, and may refuse to approve any claim or expense that the Signing Authority decides is unreasonable or not in compliance with this Policy.
29. The use of petty cash to pay an expense claim is prohibited.
30. If a form requires adjustments, the form will be returned to the Claimant and must be re-authorized prior to reimbursement.

## **Timeframe**

31. Expense claims shall be submitted at a minimum on monthly basis.
32. Expenses must be submitted and charged to the year in which they occurred. Expenses cannot be carried forward to future years.
33. Claimants who charge for goods and services in a fiscal year must have received the goods or services from the vendor in that fiscal year.

### Fraud, Misuse, or Misappropriation of Municipal Funds

34. Fraudulent irregularly, misuse, or misappropriation of municipal funds may result in disciplinary action up to and including termination of employment.
35. Suspicious activity and potential misuse of funds must be reported as per this Policy.

### Municipal Reporting Requirements

36. Pursuant to section 65A of the *Municipal Government Act*, the CAO shall ensure that the Municipality does the following:
  - 1) Within 90 days of the end of each fiscal quarter, prepares and posts an expense report on the Municipality's website for the ~~Warden~~ Mayor, CAO (including an employee of the Municipality delegated any of the responsibilities or powers of the CAO pursuant to subsection 29(b) of the *Municipal Government Act*) and each member of Council on their expenses regarding the following:
    - a) Travel and travel related expenses, including transportation, accommodation, and incidentals;
    - b) Meals; and
    - c) Training and professional development.
  - 2) By September 30<sup>th</sup> of each year, prepares and files with the Minister of Municipal Affairs an annual summary report that summarizes the expense reports for the preceding fiscal year, that is compliant with the requirements of the Department of Municipal Affairs and the requirements set out in the province's Financial Reporting and Accounting Manual.

### Review Requirements

37. The Audit Committee shall review the expense annual summary report by October 31<sup>st</sup> of each year.
38. By the January 31<sup>st</sup> immediately following a regular election held under the *Municipal Elections Act*, Council shall review this Policy and, following a motion by Council, either re-adopt the Policy or amend the Policy and adopt the Policy as amended.
39. This Policy is effective upon adoption and replaces any previous Reimbursement for Members of Council Policies.

<u>Clerk's Annotation for Official Policy Book</u>	
Date of Notice to Council Members of Intent to consider (7 days minimum): _____	
Date of Passage of Current Policy: _____	
<i>I certify that this Reimbursement for Members of Council and Chief Administrative Officer Policy was adopted by Council as indicated above.</i>	
_____ Municipal Clerk	_____ Date

## 6.1

*I would like to acknowledge that we are in the ancestral and traditional lands of the Mi'kmaq people. HRM acknowledges the Peace & Friendship treaties have been signed in this Territory and recognizes that we are all Treaty People.*

**MEMORANDUM**

**6.3**

**TO:** Staff & Council  
**FROM:** Melanie Prendergast  
**DATE:** December 23, 2020  
**RE:** Grant Request for Council Review

Organization	Project	Request	Staff Recommends
<p><b>Southampton Community Centre</b></p>	<p>The Centre, which is a venue for family functions and a designated comfort centre, is seeking funds to help with the cost of a roof replacement.</p> <p>They normally have three major functions a year that bring in approximately \$6000 to \$7000, but they could only hold one modified one this year due to COVID.</p> <p>The total roof replacement cost was \$6900. They plan to contribute \$3450 and are seeking assistance for the other half.</p>	<p><b>\$3450</b></p>	<p><b>\$3450</b></p> <p><b>*Pending renewal of Joint Stock Registry.</b></p>

**Municipality of Cumberland**  
**Election Expenditures**  
**as of November 30, 2020**

6.5

	<b>Actual</b>	<b>Annual Budget</b>	<b>\$ Variance</b>	<b>% Variance</b>
6000 Wages/Salaries	37,710.00	53,300.00	15,590.00	29%
6010 CPP	668.31	1,617.00	948.69	59%
6012 Employment Insurance	188.83	836.14	647.31	77%
6017 Workers' Compensation	614.47	752.22	137.75	18%
<b>Salaries And Benefits</b>	<b>39,181.61</b>	<b>56,505.36</b>	<b>17,323.75</b>	<b>31%</b>
6030 Travel	2,041.58	8,500.00	6,458.42	76%
<b>Travel And Professional Development</b>	<b>2,041.58</b>	<b>8,500.00</b>	<b>6,458.42</b>	<b>76%</b>
6050 Office Supplies	4,281.22	2,675.00	- 1,606.22	-60%
6130 Computer Hardware	-	10,000.00	10,000.00	100%
6140 Computer Software	36,304.95	39,824.00	3,519.05	9%
7070 Building/Facility Rental	-	14,400.00	14,400.00	100%
<b>Material, Goods And Supplies</b>	<b>40,586.17</b>	<b>66,899.00</b>	<b>26,312.83</b>	<b>39%</b>
6080 Advertising	3,474.45	10,000.00	6,525.55	65%
<b>Advertising And Promotion</b>	<b>3,474.45</b>	<b>10,000.00</b>	<b>6,525.55</b>	<b>65%</b>
<b>Total</b>	<b>85,283.81</b>	<b>141,904.36</b>	<b>56,620.55</b>	<b>40%</b>

**Resolution 2****Extended Producer Responsibility for Printed Paper and Packaging (EPR for PPP) (passed in 2018, retained in 2019)**

**WHEREAS** municipalities have been abiding by the Solid Waste-Resource Management Regulations since 1995; and

**WHEREAS** these regulations hold municipalities solely accountable for proper separation of blue bag materials; and

**WHEREAS** municipalities must manage the risk of rising costs and fluctuating commodity markets for blue bag materials; and

**WHEREAS** municipalities' residential recycling programs cost over \$25 million per year and are paid for primarily by municipal taxpayers; and

**WHEREAS** 80% of Canadian consumers live in areas where producers fund PPP programs by incorporating program costs into their national product pricing; and

**WHEREAS** Nova Scotia consumers are already paying the national product prices that support PPP programs in other provinces, but receive none of the benefits because Nova Scotia has no EPR program; and

**WHEREAS** NSFAM has developed a proposed model for EPR for PPP in cooperation with municipalities and businesses; and

**WHEREAS** EPR for PPP would significantly decrease both costs and risks associated with municipal curbside recycling programs;

**THEREFORE, BE IT RESOLVED** that NSFAM request the Province develop legislation and regulations in support of a full EPR for PPP model as proposed by NSFAM in consultation with municipalities and businesses; and

**FURTHER BE IT RESOLVED** that the province provide a transition program to assist those municipalities who are left with redundant facilities.

## **Issue Identification:**

Nova Scotian municipalities spend more than \$25 million a year to collect and process blue bag materials, printed paper and packaging (PPP). Coordinated PPP recycling programs exist in many other provinces, but not in Nova Scotia. In other provinces, these programs are funded by the companies that produce PPP, who incorporate the costs of the recycling programs into their national product pricing. This approach is known as extended producer responsibility (EPR).

Because producers build these costs into their national product pricing, Nova Scotia consumers are already paying for the costs of the PPP programs operating in other provinces. But Nova Scotian consumers and municipalities don't receive any benefit for these costs because Nova Scotia has no PPP program. Implementing an EPR program to recycle PPP materials here in Nova Scotia will help to harmonize costs with other provincial EPR programs, and additionally generate a financial benefit of up to \$16 million per year.

## **Background:**

EPR is a regulatory tool designed to drive industry to be financially and environmentally responsible for the end-of-life management of the materials they put into the marketplace. A full EPR model (also known as FPR, for Full Producer Responsibility) for Nova Scotians will build on the progress that has been made in recycling in Nova Scotia over the past 20 years and will harmonize with existing EPR programs across Canada. An EPR for PPP program for Nova Scotia will save Nova Scotian municipalities millions.

Nova Scotia does have a few stewardship programs in place for products such as paint, tires and some electronics. There is also a diversion credit system for beverage container deposits which provides a stream of funding for municipalities which should be maintained. In these specific cases, these programs are paid for by the consumer at the point of sale through the collection of environmental handling fees. The dairy industry also operates an EPR-style program for the recycling of some (though not all) of their containers.

However, the bulk of Nova Scotian recycling programs and services are funded through a combination of municipal taxes and/or the payment of tipping fees. In large part, these are collected through residential, commercial, and industrial property taxes. In the

current system, municipalities typically have very little control over the costs associated with processing and marketing recyclable materials. In recent years, exposure to fluctuations in market conditions for plastic bags and plastic film has caused a noticeable strain on the Nova Scotian recycling system and Nova Scotian municipalities.

EPR was a priority resolution in 2018, and NSFAM has been busy at work pursuing this issue. The Province asked NSFAM to consult Nova Scotian businesses on the EPR proposal supported by the 2018 resolution developed in collaboration with the Solid Waste Chairs. NSFAM and municipal solid waste staff throughout Nova Scotia received responses for a month and a half, with the submission deadline set at March 15<sup>th</sup>, 2019.

The results of the consultation were collated and added to the EPR proposal produced by the Solid Waste Management Regional Chairs Committee Priorities Working Group. The Priorities Working Group met several times between March and May to develop drafts of the proposal, with the final product being presented to the Regional Chairs on May 16<sup>th</sup>, 2019, where it was approved for submission to Nova Scotia Environment.

The 88-page proposal was delivered to Minister Wilson on June 5<sup>th</sup>, 2019. The proposal was also sent to all NSFAM members, and a CBC story by Michael Gorman covered the release. A spokesperson for the Minister of Environment has stated that the Minister will hold off on making any statements about the EPR proposal until an efficiency study on solid waste management in Nova Scotia is complete and submitted.

Nova Scotian municipalities spent more than a year participating in an efficiency study of the solid waste and recycling system. The study included analysis of what the financial and process-based benefits of EPR might look like in Nova Scotia, and it offers numerous well-reasoned recommendations for improving the efficiency of Nova Scotia's solid waste management system. This report went public on September 23<sup>rd</sup>, 2019.

### **Impact on Municipalities:**

Not only are plastics causing irreparable damage to our environment, they are also burdening the budgets of every municipality that is stuck trying to deal with them. With dwindling markets for plastic film, some of Nova Scotia's municipalities are forced to stockpile plastics in warehouses and rented semi-truck trailers. It's costing

municipalities millions each year; money that could be better spent on paving roads and building/fixing much needed infrastructure.

Solid waste management services continue to be one of the most expensive line items for any Nova Scotian municipality. The total cost of these services for Nova Scotian municipalities in 2017, even after considering revenues from tipping fees and the sale of recyclables, exceeded \$91 million. At a cost of approximately \$94 per capita, Nova Scotian residents are roughly on par with citizens in other provinces for solid waste management costs. However, British Columbia, Saskatchewan, Manitoba, Ontario and Quebec have a form of fiscal relief we do not have: EPR.

There are several grants and programs that assist with the costs of solid waste management in Nova Scotia. In total, this assistance has averaged approximately \$8 million over the past decade. However, in 2017, due to fluctuations in the market price of recyclables and increased return rates, this amount dropped to just over \$6 million. And over this same period, expenses facing municipalities have continued to climb at a pace nearly tripling the overall cost of living, as measured by the consumer price index (CPI).<sup>1</sup>

	2005	2015	% Change
Garbage and Collection Costs (all NS)	\$ 70,115,488	\$ 109,403,443	56.03%
CPI - Canada, All-items (2002 = 100)	107	126.6	18.32%
CPI - Nova Scotia, All-items (2002 = 100)	108.2	129.3	19.50%

**Proposed Action:**

NSFM has had a busy year pursuing the EPR resolution. Although 80% of Canadians already live in provinces with EPR, this year we saw the Prime Minister of Canada’s office (PMO) express support to bring the rest of Canada’s provinces online with EPR. The Canadian Council of Ministers of Environment (CCME) also met in Halifax this year, and they announced that EPR is their number one priority action, with the CCME aiming to facilitate consistent EPR programs for plastics across Canada by December 2020. With the EPR proposal and efficiency study both in Minister Wilson’s hands,

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<sup>1</sup> These data are collected from the 2005 and 2015 Annual Reports of Municipal Statistics published by Service Nova Scotia and Municipal Relations (2005) and the Nova Scotia Department of Municipal Affairs (2015).

NSFM recommends that staff continue to work on the 2018 resolution supporting a full EPR program in Nova Scotia as detailed below.

- The EPR program should use existing infrastructure and human resources
- Municipalities would have right of first refusal for collection and education
- The program would maintain or improve upon the current level of curbside service
- The program would apply to residential PPP materials
- Time must be allowed for planning and transition
- A transition program would be provided by the Province for municipalities with redundant facilities
- Most small businesses would be exempt, including those:
  - With revenue under \$2 million
  - Supplying less than 1 ton of PPP to Nova Scotia residents annually
  - With a single storefront in NS and who are not supplied by (or operated as part of) a franchise
  - Producing newspapers (except flyers) and registered charities
- The program would be harmonized with other Canadian EPR programs
- Monitoring and compliance must be in place to ensure a level playing field for businesses
- Moving to an industry-led model may have implications for municipalities who have invested in infrastructure to deal with waste from printed paper and packaging. Assistance in transitioning to the industry-led model should be made available.

**From:** [Michael J. Leblanc](#)  
**To:** [Fred Gould](#); [Rod Gilroy](#); [Jennifer Houghtaling](#); [Kathy Redmond](#); [Angela McCormick](#); [Mark Joseph](#); [Dale Porter](#); [Carrie Goodwin](#); [Murray Scott](#)  
**Cc:** [Shelley Hoeg](#)  
**Subject:** Recreation Facility & Tourism  
**Date:** December 31, 2020 1:55:49 PM

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Hello County Council

I am writing you today with concerns about our youth. People often joke about the covid 15, 15 pounds put on since the start of the pandemic. Well joking aside, it is true, and it is very apparent in elementary school aged children.

I truly feel our health system could see the effects of the lack of physical activity in children aged 12 and under in years to come. We need to do something NOW. Kids love to play but with neighbors living farther away from one another and households having less children it is hard for kids to play in groups outside. We need more organized activities!

As a physical education specialist I feel it is my responsibility to make 2021 great for our youth in Cumberland.

About 8 months ago, county council passed a motion that they would pursue the need for a recreation facility in the county. I feel this is badly needed. After this motion was passed, I believe nothing was ever done with this!

I am asking again for county council to approach the town of Amherst and look into the creation of a county facility.

With the school gymnasiums being shut down for 8 months it has come very apparent that we need this facility. Our future needs a facility.

It would also benefit the small businesses in the county.

What we all forget is the economic impact we could make with another recreation director and a new recreation facility. Imagine having soccer tournaments in the winter, filling hotels every weekend in the town. As of right now, there are only two sell outs of hotels the entire year in our county. Those two dates are the Blue Nose hockey tournament in November. Tamara Porter has this information and I am sure she would be happy to share this.

What currently happens in the world of basketball and hockey is that teams usually host a tournament or two during the season. However many times there are multiple teams having tournaments on the same weekend causing hotel issues and then the next weekend there is nothing for tournaments in town.

This new recreation director could meet with all user groups and schedule this across the county so that every weekend the hotels are jammed.

Forget bringing tours buses to Cumberland...this is where the focus needs to be.

I want to thank you for reading my concerns and hope to hear from you in the coming year. I would be more than happy to sit and discuss this in person.

I look forward to hearing from you all.

Mike LeBlanc  
Physical Education Specialist  
Cumberland North Academy

**MEMORANDUM**

**TO:** All Staff & Council  
**FROM:** Rennie Bugley  
**DATE:** January 11, 2021  
**RE:** 2020 Employee Recommended Workplace Designation

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**7.1**

The Municipality of the County of Cumberland has been recognized as a 2020 Employee Recommended Workplace. The Employee Recommended Workplace Awards is an award established by The Globe and Mail and Morneau Shepell which recognizes workplaces with proven success in creating a healthy environment and one that supports employee well-being. This award is the only one of its kind that is based entirely on employee feedback. This is the third year that the Municipality has been recognized as an Employee Recommended Workplace.

In addition to this recognition, the Municipality has also been recognized as category winner: Government – Small Organizations. We are proud to say this is the second time the Municipality has been awarded this distinction.

To receive this designation, all staff at the Municipality were asked to participate in a survey by Morneau Shepell and answer questions about the Municipality's priorities and values concerning the health and wellbeing of our staff. After a detailed review of employee feedback, it was confirmed that the Municipality qualified for this prominent designation.

With this designation, the Municipality can now use the Employee Recommended Workplace badge of distinction on our website, job postings, marketing, and public relations materials. The trophy is currently being proudly displayed in the office of the CAO.

