Committee of the Whole
Tuesday, September 5, 2017
8:30 a.m.
Council Chambers, Town Hall
359 Main Street

Agenda

1. Approval of Agenda

2. Approval of Minutes:
   a. Committee of the Whole Minutes, July 4, 2017

3. Conference Update
   a. Federation of Canadian Municipalities (FCM), Deputy Mayor Oldham

4. CAO Report

5. Committee Reports
   a. External
      (1) Valley Waste Resource Management (VWRM)
      (2) Kings Transit Authority (KTA)
      (3) Kings Point-to-Point (KPPT)
      (4) Valley Community Fibre Network (VCFN)
      (5) Annapolis Valley Trails Coalition (AVTC)
      (6) Race Relations and Anti-Discrimination Committee (RRADC)
b. Internal
   (1) Planning Advisory Committee
      i. RFD 049-2017: Lounge Seating
   (2) Environmental Sustainability Committee
   (3) Source Water Protection Advisory Committee

6. **Staff Reports for Discussion**
   a. RFD 053-2017: Culinary Tourism Centre (CTC) Business Plan Funding
      (1) Ian Porter, CTC
   b. RFD 051-2017: Municipal Fees – Updates to Bylaws & Policies
   c. RFD 052-2017: Operating Lines of Credit
   d. RFD 054-2017: MPS Review – Small Scale Commercial

7. **Question Period**
   Procedure: A thirty-minute time period will be provided for members of the public to address Council regarding questions, concerns and/or ideas. Each person will have a maximum of two minutes to address Council with a second two-minute time period provided if there is time remaining within the thirty minute Public Input/Question Period timeframe.

8. **Adjournment to In-Camera Meeting under section 22(2)(e) of the Municipal Government Act.**
   a. Dental Option 1 – Personnel/Contract
   b. IT Services – Contract

9. **Adjournment of In-Camera**

10. **Regular Meeting Reconvened**
11. Motions from In-Camera
   a. RFD 050-2017: IT Services

12. Regular Meeting Adjourned
1) UPDATE

The Federation of Canadian Municipalities (FCM) 2017 Annual Conference and Trade Show was hosted in Ottawa, ON June 1-4, 2017

Deputy Carl Oldham's Conference Report
This conference was very well done with some great speakers. There were three Political Keynotes at different times with PM Justin Trudeau, Elizabeth May and Thomas Mulcair. Elizabeth May was the outstanding speaker of the three.

Scott Bryson invited the FCM attendees from East Hants, West Hants and Kings County to a luncheon at his office on Parliament Hill. It was a 1.5 hour get together with some good open discussion. One topic was talking about immigration challenges in NS and what we can do to make it better for immigrants coming here. It was suggested by Scott Bryson that we should have more luncheon meetings like this back in NS in the valley.

There was a high number of study tours that were offered multiple times over the conference. All the ones that I attended were very educational and well done. The National Capital Region’s Urban Forests Tour totally blew me away with how much green space there is within Ottawa's boundaries.

The Canadian Museum of History (formerly the Museum of Civilization) had an incredible pre-opening of the Canada History Hall in celebration of 150 years.

Workshop Highlights:

President’s Rural Plenary
To recognize Canada’s 150th anniversary of Confederation, FCM President Clark Somerville hosted a discussion with rural leaders from across the country to highlight how their communities have responded to emerging challenges and opportunities in Rural Canada. Responding to questions from delegates and FCM’s president, panellists shared some of their most innovative local solutions to contemporary challenges—including stalled growth, youth-outmigration, aging populations, employer losses and inadequate communications links.

Panellists presented how rural communities are helping to shape the next 150 years of Canada. The panel also shared their perspectives on how we can all work in partnership with the federal government to make real progress in addressing some of the most pressing problems affecting rural communities. Comments from the panellists will help inform the development and launch of FCM’s new report on the next 150 years of Rural Canada, where FCM hopes to highlight the innovative work going on in these five communities and across rural Canada.

The panellists were:
• Diana Rogerson, Councillor, Faro, Yukon
• Martin Harder, Mayor, Winkler, Manitoba
• J. Murray Jones, Councillor, Peterborough County, Ontario
• Jean Fortin, Maire, Baie-Saint-Paul, Quebec
• Mike Savage, Mayor, Halifax Regional Municipality, Nova Scotia

Budget 2017 and 10 Years of Infrastructure Spending
Federal Budget 2017 laid out details of Phase 2 of the government’s long-term plan to invest a new $93 billion over 13 years in infrastructure. FCM called Budget 2017 a “game-changer” for local governments, as it recognized the key role municipal leaders play as nation-builders. The Budget 2017: 10 Years of Infrastructure Spending workshop featured a panel discussion that focused on the gains made for local governments in Budget 2017, what these investments mean for communities across Canada, and some of the key questions and challenges that must be resolved.

Mayor Charlie Clark (Saskatoon, SK) moderated the panel featuring Mayor Karen Oldford (President of Municipalities Newfoundland & Labrador), Councillor Yolaine Kirlew (Sioux Lookout, ON), MP Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development) and Laura DiPaolo, Director General of the Program Operations & Integration Division at Infrastructure Canada. The group took questions from delegates on infrastructure investments before wrapping up with an open Q&A period on the Canada Infrastructure Bank led by Assistant Deputy Minister Glenn Campbell (Canada Infrastructure Bank Transition Office) and Bruce McQuaig, Executive Advisor from the Privy Council Office.

Youth Forum: How Young Elected Officials Are Changing Our Communities
What do the municipalities of Halifax Nova Scotia, Longueuil Québec, Sioux Lookout, Ontario and Saskatoon, Saskatchewan have in common? They are home to truly inspirational young elected municipal councillors Lindell Smith, Xavier Léger, Yolaine Kirkew and Sarina Gersher. This year’s Youth Forum at FCM’s 2017 Annual Conference was moderated by David Coletto, CEO of Abacus Data, and featured over 100 delegates and youth leaders from the Ottawa area, who showed us the political power of the next generation of Canadian municipal leaders.

Four young municipal leaders representing four very different Canadian communities discussed their experiences running for office and why they got involved. Delegates and participants learned how getting youth involved in local government can help bring a new network of people to municipal politics and can help better shape local policy to bring change to their communities.

The Trade Show
This was a fantastic display. I met so many people and discussed many ideas that would be applicable to our town. I would be happy to discuss this further.

My Impression of Ottawa
It is a beautiful city with so much green space and bike space. I stayed an extra day and biked 100+ km throughout Ottawa and Gatineau Park. It was fantastic.

I can answer any questions you may have.
Workshop Presentations included the following:

**Friday, June 2nd**

**Workshop: Save Money – Build for Low Carbon and Climate Resilience**
- The Power of Procurement
- Heidi Nesbitt, Local Practice Architecture and Design
- Pavement Survey

**Workshop: Innovative Solutions to Municipal Economic Challenges**
- Prince George and the Future Forest Industry
- Revitalizing rural economy through innovative solutions
- Forest Products Association of Canada
- Philips Lighting

**Workshop: #FCMInnovation – Making Choices that Matter to Citizens**
- FCM Innovation

**Workshop: Innovative Solutions to Municipal Economic Challenges**
- Municipal Asset Management Program

**Saturday, June 3rd**

**Workshop: As an Elected Official, What is My Role in Stakeholder Engagement**
- Governance Solutions and Best Practices in Stakeholder Engagement

**Workshop: Youth Forum – How Young Elected Officials are Changing our Communities**
- Youth Forum – How Young Elected Officials are Changing our Communities
1) Improving Quality of Life for All

- The RCMP and Town will be hosting a public information session on September 13th aimed at providing information to the public on how the existing RCMP policing model works in Wolfville;
- No Smoking in Public Spaces signs have now been installed in various locations throughout Town;
- The mobile skateboard park equipment was installed in August with positive feedback to date;
- The RFP for the East End Gateway will be issued in September;
- Staff participated in a Welcome Week Risk Assessment exercise with Acadia;
- Staff have worked with Acadia on a video for incoming students;
- The Compliance Officer will maintain regular office hours at the ASU starting in September;
- The Compliance Officer is in the process of meeting with selected landlords to discuss ongoing issues and identify solutions;
- The Town is working with Acadia to develop a comprehensive alcohol strategy for the Town. This is not currently in our Operations Plan but is an integral component of many discussions at the PAC, Town and Gown and RCMP Advisory Committees. A Municipal Alcohol Policy is slated in year 2 of the current Operations Plan, and this would be rolled into this broader discussion. A group of stakeholders held one meeting and are tentatively scheduled to meet again at the end of September to (1) refine the scope of the strategy and (2) determine how/if cannabis should be integrated into this strategy. Further details will be provided to Council as the discussions unfold;
- The parking action plan and project charter will be reconsidered once Council makes a final decision on parking regulations in the downtown as part of the MPS review, which should be at the October Cow.
  - The level of service discussion will be included in the MPS report with updated parking data that staff has collected;
  - Staff will proceed with a review of parking lot leases and existing Town-owned parking lots using CPTED principles. This will provide information on existing parking lots and any potential capital improvements will be considered in future budget discussions;
  - Future study of paid parking such as “pay and display” parking will be considered in the budget process;
- The public piano was installed at Waterfront park. It is getting used by the public;
- The summer concert series “Picnic in the Park” was offered for 8 weeks in Waterfront Park and grew in attendance as the summer progressed;
- The 8-week summer free yoga on Sundays was well received by residents;
- The Wolfville Walkability Project is progressing and material should be ready in September;
- The opening of the Harvest Moon Trail was delayed and planned for September;
- The summer students completed their summer terms. They worked on Canada Day, Mud Creek Days, Canada 150 events, Free Friday at the Rec Center and began preparations for the upcoming afterschool program;
- Afterschool Programming was developed and promoted to past participants. Flyers are ready to be distributed the first week of school to Wolfville, Glooscap and LE Shaw elementary students;
- The first installation of 5 wine themed Adirondack chairs were painted and placed at the VIC. These are intended for use by those traveling on the Magic Wine Bus.
2) **Maximizing Our Infrastructure Investments**

- The Town has signed an amendment to the existing lease with NSPI for the East End Gateway lands;
- Curb work and pipe work on Sunset and Sylvan are completed and paving was completed on August 30th;
- Construction has begun on King Street and is scheduled to be completed by the end of September;
- Reconstruction of the cemetery wall has been completed;
- Water main flushing was completed in August;
- Sewer main flushing is scheduled for three weeks beginning the week of September 11th;
- The tender for a new trackless sidewalk tractor was awarded to Saunders equipment and completes the fleet replacement for this year;
- The tender for Wickwire sidewalk will be advertised in early September;
- Design of the Blomidon Terrace sidewalk is presenting challenges due to the grade of the street. The Director of Public Works continues to work with the design consultants on options but this may result in delaying the project into next fiscal year;
- The Nature Trust Dam project is underway with the collection of field data and hydrotechnical, archeological and biodiversity assessments getting started;
- The LED decorative lights to replace existing features in Robie Tufts and Waterfront Park have been ordered and will be installed in October once delivered;
- Discussions with the Annapolis Valley Regional Library have been ongoing related to undertaking additional work to understand the functional needs for the Wolfville library. This is part of our Operations Plan and will follow up on the presentation the AVRL made to Council in the spring. The tentative date of this work to occur is October;
- Staff continue to work on the Asset Management Plan. Currently we are working to connect GIS data elements to our financial fixed asset ledgers.

3) **Leveraging our Economic Opportunities**

- There are three Public Information Meetings scheduled for September, along with consultation on the RRBB and a Public Participation Meeting;
- In partnership with WBDC, a tour of Wolfville was organized for the Acadia Welcome Team. Close to 60 students were divided into 4 groups and guides took them on a tour of Wolfville highlighting local businesses and town history. Deputy Mayor Carl Oldham welcomed the students prior to the tours. The students received a bag with Town information including information on upcoming festivals and close to 20 businesses supplied information, discount coupons and/or gifts in a bag provided by the Wolfville Magic Wine Bus. These students interact with first year students and the hope is that they will share the knowledge that received on the tour;
- The WBDC offered free one-hour Wolfville walking tours on weekend in July and August. VIC staff promoted these tours and they may continue in September;
- The Business Registry is scheduled to launch this fall;
- The VIC continues to be a busy spot with 3659 visitors in July;
- Lightfoot and Wolfville was added as a wine bus stop and is getting much interest at the VIC;
• Societie de Grand Pre provided interpreters at the VIC on Fridays to offer some local history and promote the show at Grand Pre;
• Visitor maps were produced that listed shops and restaurants. There were very well received by visitors;
• A partnership with the Wolfville Historical Society produced a “Historic Walking Tour” Map of Wolfville that is currently being printed.

4) Operational Updates
• The Town is going to pilot streaming Committee of the Whole and Council meetings on Facebook live. We will stream our first meeting at the October Committee of the Whole;
• We have scheduled an Emergency Management Planning Committee meeting for September 8th to discuss municipal evacuation procedures;
• Draft MOU’s have been circulated to Kings Transit, AVRSB, Kings Point to Point and CJ’s Taxi to support the Town during evacuation operations should they be required;
• Changes and updates to the Town’s Emergency Management Plan will be coming forward to Council in November;
• The RFP for Engineering Services closes on September 7th. To date, 46 RFP documents have been issued to interested firms;
• Three water values were replaced on Highland Avenue;
• The Town has provided a grant of $1000 to the Acadia Community Farm through the Grants to Organizations Policy. This application had been submitted prior to the due date but inadvertently had not been evaluated by staff with the rest of the applications. Upon evaluation, this request met the criteria. Due to savings by not having a Leadership Candidate in the Apple Blossom Festival, staff were able to utilize this offset and provide the grant funding;
• The Environmental Sustainability Committee discussed pursuing the Solar Electricity for Community Buildings Pilot Program and has made a recommendation to Council. Management discussed this and feels that due to the tight program deadline (September 29th) and marginal financial benefit that we do not recommend pursing this at this time. The Director of Public Works is interested in looking at solar options as part of future work on municipal owned buildings;
• The Environmental Sustainability Committee discussed investigating a Solar Wolfville Project and has made a recommendation to Council. Staff would recommend that this be discussed during 2018-19 budget deliberations;
• The Environmental Sustainability Committee has recommended to Council that Valley Waste be approached to develop a joint educational program with regard to plastics and their harm on the environment. Should Council approve this, staff would approach Valley Waste on determine their interest and willingness;
• Staff have completed a business survey on Mud Creek Days and received a 24% response rate. Feedback will be integrated into next year’s planning;
• Staff are meeting with the Historical Society to discuss the proposed naming of Bob Stead Drive and other street naming issues;
• Staff are currently processing 10 planning applications and 4 open Dangerous or Unsightly files;
• Jeremy Banks started as the term planner with Community Development on August 30th;
• The first quarter variance report has been finalized and will be on the Audit Committee agenda on September 15th;
• First quarter water and sewer billings were the lowest in recent memory. Finance and Water Utility staff have been reviewing several issues, not all of which are resolved. At least three accounts (larger water users) will require adjustments to the amounts billed. Further information will be brought to the Audit Committee on September 15th;
• Final 2017/18 Tax Bills have been run and will be out by September 1st with a due date of October 2nd;
• Finance staff are working on setting up an EFT accounts payable process with the bank to ultimately give the Town the option of paying bills electronically. This continue our move towards increased automation in areas such as electronic cash receipts, payroll and electronic purchase order workflow;
• Audit of the VCFN financial records started in early August and should be completed in a few weeks;
• Staff have begun preparations of the draft 2018/19 ten-year CIP to be presented to COW in November;
• The Director of Finance has been nominated by the Valley Region AMA to serve another year on the AMANS Board of Directors;
• The CAO’s within the region of Kings and the broader Valley are have continued to meet over the summer on a variety of topics. Wolfville will host the CAO’s on September 15th to continue these discussions and identify further areas of collaboration and cooperation.
UPDATE
The Valley Region Solid Waste-Resource Management Authority met on August 16, 2017 in keeping with the normal meeting schedule.

2017-18 Budget
All participating partners have approved the 2017-18 revised budget, dated June 29, 2017.

Long-Term Business Plan
The Long-Term Business Plan, as presented by the Municipality of the District of Chester to the Authority on June 21, 2017, was discussed. Discussions resulted in a motion to endorse the revised business model directing staff to review current contract language to ensure conformity with the intent of the business plan revision. The revised business plan will see a fixed $90.00 per-tonne disposal rate for the upcoming 5 years with an overall 20-year average disposal rate anticipated to be in the $76.00 per-tonne range resulting in significant savings in future landfill disposal costs of between $3-$4 million dollars.

The Board passed the motion regarding the long-term business plan unanimously in order to deal with the projected $1.2 million shortfall.

Citizen Representative – Investment Committee
The Valley Region Solid Waste Resource Management Authority is seeking applicants for the position of Citizen Representative on the Investment Committee. The Investment Committee manages a fund earmarked to help with the future cost of replacing the existing infrastructure at the East and West Management Centres. The Citizen Representative would participate in overseeing the Authority’s Investment Portfolio and should have demonstrated knowledge and expertise in portfolio management.

The next meeting of the Valley Region Solid Waste Resource Management Authority will be held on Wednesday, September 20, 2017.
Management Minute

Budget matters

The Valley Region Solid Waste-Resource Management Authority met on August 16, 2017, in keeping with the normal meeting schedule. It was confirmed during the meeting that all participating partners have now approved the 2017-2018 revised budget, dated June 29, 2017. During the meeting the Authority discussed the Long-Term Business Plan as presented by the Municipality of the District of Chester to the Authority on June 21, 2017 and then separately to participating partner CAO’s on July 5, 2017. Discussions resulted in a motion to endorse the revised business model directing staff to review current contract language to ensure conformity with the intent of the business plan revision. The revised business plan will see a fixed $90.00 per-tonne disposal rate for the upcoming 5 years with an overall 20-year average disposal rate anticipated to be in the $76.00 per-tonne range resulting in significant savings in future landfill disposal costs of between $3-$4 million dollars.

Citizen Representative—Investment Committee

The Valley Region Solid Waste-Resource Management Authority is seeking applicants for the position of Citizen Representative on the Investment Committee. The Investment Committee manages a fund earmarked to help with the future cost of replacing the existing infrastructure at the East and West Management Centres. The Citizen Representative would participate in overseeing the Authority’s Investment Portfolio and should have demonstrated knowledge and expertise in portfolio management. The successful incumbent will be eligible to receive a modest annual stipend for serving on the Committee. If you know of anyone who has the required talents and may be willing to serve, please let General Manager Maybee know.
UPCOMING MEETING

The next meeting of the Valley Region Solid Waste-Resource Management Authority will be held in keeping with the normal meeting schedule on **Wednesday, September 20, 2017** beginning at **9:00am** in the Board Room.

PROVINCIAL ACTIVITY REGIONAL CHAIRS AND REGIONAL COORDINATORS

Activity on the provincial level continues with key topics of interest including:

- **Municipal Consensus for EPR**: Regional Chairs and Regional Coordinators continue to work toward developing consensus from municipalities on the implementation of Extended Producer Responsibility (EPR) for packaging and paper. EPR for packaging and paper transfers the responsibility for the management and costs associated with collecting and recycling materials generated in the residential sector. Currently, 80% of Canadians live in jurisdictions that have already legislated EPR for packaging and paper; however, Nova Scotia and other Atlantic provinces have not. Such legislation in Nova Scotia would reduce solid waste management costs for municipalities considerably. In July, 2016, Environment Minister Miller (now Minister Rankin) sent a letter to the Regional Chairs noting their desire to have a demonstrated consensus amongst municipalities—large, small, urban and rural; including support from UNSM for EPR. This was in addition to the efficiency study that is about to get underway looking at how solid waste is managed in the province. An anticipated step in this fiscally beneficial process is for Regional Chairs to ask the UNSM to gauge support for EPR from their members. The Valley Region looks to its two members on the UNSM Executive, Warden Habinski and Mayor Cantwell, for support in helping move this important step forward.

- **Paint Stewardship**: The provincial paint stewardship program operated by Product Care for household paint is up for renewal effective January 1, 2018. NSE has been gathering comments from regions on the successes and challenges municipalities experience with the program. They are using this feedback to determine if changes should be made to the legislation. Unlabeled/unidentifiable/damaged paint containers that are delivered to household hazardous waste depots is a big expense to the Authority as they cannot be recycled through the stewardship program despite an eco-fee being applied when the paint is purchased. The transfer stations receive thousands of cans of paint annually that instead need to be managed through our contracted processor. Most other provinces have stewardship programs for other HHW products with costs covered through industry.

COMMUNICATIONS AND EDUCATION

The process for the Annual Mobius Awards of Excellence is now underway with Divert NS accepting nominations. The awards celebrate and recognize the achievements of innovative Nova Scotians who have helped make our province a leader in waste reduction. Nominations close September 8th with the event scheduled to take place in November. There are several award categories including: Innovator of the Year, Emerging Environmental Leader, Institution of the Year, Large Business of the Year, Small Business of the Year, Hall of Fame, and Community Project of the Year. For more information, please contact Communications Manager, Andrew Garrett. On another note, during the Authority meeting partner members expressed a hearty thank you to Authority team members particularly at the Management Centre and in Bylaw Enforcement for the excellent work being done!

THE LAST RE-SORT REUSE CENTRE

A reminder that the Last Re-Sort Reuse Centre will be moving to the Western Management Centre in Lawrencetown on September 30, 2017. Items that have been being collected at the transfer station in preparation for the event will be offered for sale from 2-4pm on that day. The Last Re-Sort Reuse Centre operating on Saturday mornings in the basement of the administration office continues to prove to be very popular and a great success.

UPCOMING MEETING

The next meeting of the Valley Region Solid Waste-Resource Management Authority will be held in keeping with the normal meeting schedule on **Wednesday, September 20, 2017** beginning at **9:00am** in the Board Room.
UPDATE

The Planning Advisory Committee met on July 19th, 2017.

**Lounge Seating Policy Discussion**

Staff presented a report and recommendations regarding Lounges, which will be forwarded to COTW in September.

The next Planning Advisory Committee meeting will take place on Wednesday, September 20th, 2017. It will be immediately preceded by a Public Participation Meeting beginning at 1:00PM regarding a Plan Amendment application for 185 Main Street (PA 2017-02) that proposes a re-designation and re-zoning of the property from Low Density Residential (R-1A) to Medium Density Residential (R-2/4).
SUMMARY

Lounge Seating Amendments

Council initiated a process to review lounge seating restrictions established in the Municipal Planning Strategy in response to a request from Troy Restaurant to remove the lounge seating limitations. The draft amendments to the Municipal Planning Strategy to remove all restrictions regarding lounge seating is now before Council for consideration. The recommendation from PAC to remove the restrictions was made after receiving a staff report, input from the public at a Public Participation Meeting, a consultation with lounge owners, a jurisdictional review and pop up consultation with residents and visitors.

The draft amendments are attached for consideration.

DRAFT MOTION:

That Council give First Reading to the Municipal Planning Strategy Amendments, as attached to RFD 049-2017 in Appendix A, to remove restrictions on lounge seating, and forward to the October 17, 2017 Town Council meeting for Public Hearing and Second Reading.
1) CAO COMMENTS

The CAO supports the recommendations of staff and PAC. For information, Town staff have also engaged key stakeholders on the development of a comprehensive alcohol strategy for the community. More information on this will be provided to Council in the coming months.

2) LEGISLATIVE AUTHORITY

Part VIII of the Municipal Government Act provides Council the authority to create planning documents and amendment them.

3) RECOMMENDATION

PAC recommends that the restrictions regarding lounge seating be removed from the Municipal Planning Strategy.

4) REFERENCES AND ATTACHMENTS

- Report to PAC – 2017-05-17
- Post PPM report to Council – 2017-07-19 including PPM minutes

5) DISCUSSION

Wil Lang of the Troy Restaurant (and lounge) has expressed interest in amending the development agreement that permits the lounge use at that location. His desire is to increase the number of permitted lounge seats to accommodate events such as weddings, receptions, and festivals. The current development agreement (adopted in 2008) on that location limits lounge seating to 50 seats inside, and 20 seats on a patio.

Such an increase requires an amendment to the policies of the MPS and an amendment to the existing Troy Restaurant development agreement. While this proposal originates from the Troy Restaurant, the nature of amending MPS policy is such that any changes would apply generally to all lounges. Future applications for lounges, or for amendments to the development agreements of existing lounges, would be tested against any new policies adopted as part of this MPS amendment process.

PAC has considered this matter and is making a recommendation to Council to remove restrictions on lounge seating from the Municipal Planning Strategy. This recommendation came after PAC received a staff report and analysis outlining options regarding lounge seating, receiving public comments at a Public Participation Meeting, a pop-up consultation, a post-PPM report and a review of the goals, objectives and policies of the Municipal Planning Strategy. Other options PAC considered in response to the request to increase the number of permitted lounge seats were:

- Maintaining the status quo
Making a change to the policy to allow a different number of permitted lounge seats.

As a result of this analysis, and a recommendation from staff to remove the Lounge Seating restrictions from the MPS, PAC is making a recommendation to Council to give First Reading to amendments that removes the 50 seat limit for indoor lounge seating and the 20 seat lounge limit for patios.

**Related Issues**

During the discussion on the proposed MPS amendments, two additional items were raised that Council may wish to consider:

1. PAC discussed the need for a comprehensive alcohol strategy for Wolfville to address a variety of issues associated with alcohol use and alcohol harm reduction. –
   - **Staff Comments:** The 4 year operating plan currently identifies the development of an alcohol policy for town lands but a comprehensive alcohol strategy would be broader and more encompassing. Staff have begun to explore the development of a comprehensive alcohol strategy with key stakeholders within the community. Further updates on this initiative will be provided to Council as the project progresses.

2. Some members of PAC expressed a desire to see more aggressive enforcement of applicable bylaws and laws if the amendments regarding lounge seating proceed. Staff clarified that no change to enforcement is anticipated as result of the planning policy.
   - **Staff Comment:** Staff will continue to actively work with the RCMP and the Liquor Inspector as issues arise.

**6) FINANCIAL IMPLICATIONS**

None.

**7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS**

When considering Municipal Planning Strategy amendments, Council has significantly more latitude in the issues it may consider than when considering a Land Use bylaw amendment or a development agreement proposal. When amending the MPS, Council may create new directions or approaches that will then guide how development agreements are approved, for example. For Council, the Strategic Plan should be a guiding document when considering new policies in the Municipal Planning Strategy. The MPS is a key policy document that enables and actions Council’s Strategic Plan.

There are four relevant strategic directions cited in the Strategic Plan. Council should consider the following questions: *How does the proposed policy change help achieve each direction? Does the policy change help us achieve our community vision?*

The relevant strategic directions are:
REQUEST FOR DECISION 049-2017
Title: Lounge Seating
Date: 2017-09-05
Department: Community Development

- To harmonize the diverse lifestyle choices between all demographics in Wolfville.
- To foster the success of our existing business community.
- To advance Wolfville as a premier destination in Atlantic Canada for culinary and wine experiences.
- To offer a dynamic quality of life grounded in the Town’s leisure, culture and recreation activities.

Sometimes strategic directions seem at odds with each other and Council must weight each of them against the other to determine where the “greater good of Wolfville” lies. The PAC report identified all the planning issues related to lounge seating, but Council should also consider alignment with the Strategic Plan and the principles upon which it is based.

From an economic development perspective, there is much benefit in the removal of lounge seating restrictions so that our existing businesses can meet customer needs. The lounge seating limit is a competitive disadvantage when compared to other similar businesses in the county. As a town that markets itself as a wine and culinary hub, giving our food and alcohol providers maximum flexibility is an obvious benefit.

The “foodie” and beverage culture is real and translates into economic opportunity. For some, going out to a local pub or restaurant is a recreational or cultural activity. For others, a dynamic quality of life is undermined by alcohol misuse and therefore, controls need to be in place to reduce societal harms caused by alcohol consumption.

The strategic direction regarding harmonizing diverse lifestyle choices speaks to the need for everyone to feel welcome in Wolfville and for the town to establish or promote acceptable parameters for community behavior. Council should examine if this change to the MPS assists in the promotion of “harmonizing diverse lifestyle choices”

Council Strategic Principles:

1. **Affordability** – N/A  
2. **Transparency** – The application to change the policies went through an established public process and invited comment from the community. These comments have been forwarded to Council for consideration.  
3. **Community Capacity Building** – N/A  
4. **Discipline to Stay the Course** – Council has determined that culinary and wine is a key economic opportunity for Wolfville.  
5. **United Front** - N/A  
6. **Environmental Sustainability** – N/A

8) COMMUNICATION REQUIREMENTS
If Council proceeds to a public hearing, then the necessary public advertising will occur. If Council does not proceed with the proposed amendments, lounges owners will be contacted and informed of Council’s decision.

9) ALTERNATIVES

1. Not proceed with First Reading of the proposed amendments – This would leave the existing lounge seating restrictions in place.
2. Amend the policy by choosing a different seating capacity number for lounges.
REPORT TO PLANNING ADVISORY COMMITTEE
MPS Amendments – Lounge Uses
Date: 2017-05-17
Department: Community Development

<table>
<thead>
<tr>
<th>APPLICANT</th>
<th>Initiated by Council – March of 2017, in response to a request from the Troy Restaurant</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROPOSAL</td>
<td>To amend the Municipal Planning Strategy to increase the number of lounge seats permitted through the development agreement process</td>
</tr>
<tr>
<td>LOCATION</td>
<td>Various (all lands zoned Central Commercial)</td>
</tr>
<tr>
<td>LOT SIZE</td>
<td>N/A</td>
</tr>
<tr>
<td>DESIGNATION</td>
<td>Central Commercial (CC)</td>
</tr>
<tr>
<td>ZONE</td>
<td>Central Commercial (C-1)</td>
</tr>
<tr>
<td>SURROUNDING USES</td>
<td>N/A</td>
</tr>
<tr>
<td>NEIGHBOUR NOTIFICATION</td>
<td>None to-date, notification would take place if Staff is directed to proceed</td>
</tr>
</tbody>
</table>

1) Proposal
Wil Lang of the Troy Restaurant (and lounge) has expressed interest in amending the development agreement that permits the lounge use at that location. His desire is to increase the number of permitted lounge seats in order to accommodate events such as weddings, receptions, and festivals. The current development agreement (adopted in 2008) on that location limits lounge seating to 50 seats inside, and 20 seats on a patio.

Such an increase would require an amendment to the policies of the MPS and an amendment to the existing Troy Restaurant development agreement. While this proposal originates from the Troy Restaurant, the nature of amending MPS policy is such that any changes would apply generally to all lounges. Future applications for lounges, or for amendments to the development agreements of existing lounges, would be tested against any new policies adopted as part of this MPS amendment process.

Although the MPS is currently undergoing a comprehensive review, the timelines for the review are such that Council has directed Staff to explore these amendments outside of the greater plan review process. Staff expects that any policy changes resulting from this application could be incorporated into the new MPS when it is adopted, in addition to being implemented through the existing MPS in the interim.
2) Staff Recommendation

Staff is aware of the concerns about alcohol overconsumption in Wolfville and nuisances it can cause in terms of noise and property damage. These are challenges that the community must continue to address through a variety of means. However, Staff is of the opinion that seat limits in a development agreement are a blunt tool to address these concerns, and may not be appropriate or effective tool for the task. Staff recommends that the amendment options proceed to a Public Participation Meeting to seek input as per the Town’s Public Participation Program Policy and as required by the Municipal Government Act.

3) Background and Context

3.1 What is a Lounge?

The Town of Wolfville Land Use By-law (LUB) defines a lounge as:

“Lounge means a premise that is licensed under the Nova Scotia Liquor Control Act as a lounge, but does not include a billiards club licensed as a lounge under the Nova Scotia Liquor Control Act.”

Turning to the Nova Scotia Liquor Control Act, Section 48 sets out the different classes of liquor licenses. A lounge license:

“shall permit the sale of liquor by the glass and beer and wine by the open bottle, glass or other container;”

Importantly, Subsection 48(7) of the Act states that:

“A lounge license may be issued only to the holder of an eating establishment license;”

The eating establishment license permits the sale of no more than two drinks of liquor, beer, and wine without a meal. Additional drinks may be served with a meal as long as they do not exceed an amount that would reasonably consumed with a meal.

In summary, a lounge is an optional addition to an existing licensed eating establishment. A lounge allows customers to purchase beer, liquor, and wine without also purchasing a meal.
3.2 Current Planning for Lounges in Wolfville

Wolfville currently only permits lounge uses by development agreement. They are primarily permitted within the Central Commercial (C-1) Zone (see Map 1).

Map 1: Town of Wolfville – Central Commercial (C-1) Zone

Policy 9.2.4 of the MPS states that it is the policy of Council to:

“consider only by development agreement in areas zoned Central Commercial (C-1) proposals for:

- [...] 
- new lounges, additions to, or extensions of established lounges in accordance with policy 9.2.8.”
The referenced policy, 9.2.8, lays out the criteria that Council considers when reviewing a development agreement proposal for lounges. Specifically, Policy 9.2.8 says it is the policy of Council to:

“ensure that the following criteria are met when Council is considering proposals for premises licensed under the Liquor Control Act as lounges or any additions or expansions of existing lounges by development agreement:

a) the proposed use shall not have an adverse effect on any adjacent properties, especially residential; and
b) parking lots and driveways for the use of patrons shall not be located in any minimum required yard that abuts a residential zone; and
c) the hours of operation of the lounge use shall be restricted to a closing hour of 1:00am.
d) adult entertainment will not be permitted.
e) the lounge seating area will be limited to a maximum of 50 indoor seats within the establishment with the opportunity for an additional 20 outdoor seats, for a grand total of 70 seats, 50 inside seats maximum and 20 outdoor seats on a seasonal basis.
f) development is in accordance with policy 18.6.1.”

Policy 18.6.1 outlines the general criteria for considering all development agreement applications. These criteria include reviewing things like traffic, servicing capacity, and the compatibility of the proposed use with neighbouring uses.

### 3.3 Existing Lounges in Wolfville

Wolfville is currently home to six lounges, as shown in Table 1. As required by the Wolfville MPS, five of these lounges are enabled and regulated by development agreements. The Anvil Lounge is an exception because it predates the requirement for lounge development agreements, and is therefore permitted to continue operation as a non-conforming use without a development agreement.

**Table 1: Existing Lounges in Wolfville**

<table>
<thead>
<tr>
<th>Name</th>
<th>Associated Eating Establishment</th>
<th>Address</th>
<th>Lounge Seating Restrictions in DA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Anvil Lounge</td>
<td>Anvil Dining Room</td>
<td>10 Harbourside Dr.</td>
<td>N/A. Lounge is a non-conforming use and has no DA.</td>
</tr>
<tr>
<td>2 Joe’s Food Emporium Lounge</td>
<td>Joe’s Food Emporium Dining Room</td>
<td>434 Main St.</td>
<td>50 lounge seats inside and 20 additional lounge seats on the patio / sidewalk café.</td>
</tr>
<tr>
<td>3 Library Pub</td>
<td>The Coffee Merchant Restaurant</td>
<td>472 Main St.</td>
<td>50 lounge seats.</td>
</tr>
</tbody>
</table>
4) Process and Public Consultation

4.1 Preliminary Consultation

Given the ongoing community concerns about drinking culture in Wolfville, Staff undertook preliminary consultation efforts to help inform this report.

4.1.1 Grapevine Ad
Staff placed an ad in the Grapevine to make residents aware of this application. The ad provides a quick overview of the fact that Council is considering changes to lounge seating requirements, a rough timeline for the process, and an invitation to contact the Town for more information. Given the publishing schedule of the Grapevine, this ad was not placed until the May issue. As a result, Staff have not yet received any questions or feedback as a result of the ad. Staff expects to accommodate any future questions or feedback in the follow-up report to PAC, following the Public Participation Meeting.

4.1.2 Lounge Owners
Staff reached out to representatives from the six existing lounges in Wolfville to make them aware of this proposal to amend the requirements for lounges. At the time of this report, Staff had not yet been able to reach anyone from two of the lounges. However, the four lounge representatives Staff spoke with were generally ambivalent or supportive of the idea of lifting limits on lounge seating.

4.1.3 Pop-Up Booth
Staff hosted a “pop-up” consultation booth on April 28th, from 11:00 am to 2:30 pm. The booth was located outside the post office on Main Street. Approximately 35 people stopped by the pop-up booth to talk about lounge uses. In general, perspectives on drinking and drinking establishments were highly varied and there is no clear consensus within the community. However, a few key themes emerged:

<table>
<thead>
<tr>
<th>No.</th>
<th>Lounge</th>
<th>Restaurant</th>
<th>Address</th>
<th>Seating Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>La Torta Lounge</td>
<td>La Torta Woodfired</td>
<td>117 Front St.</td>
<td>Up to 30 lounge seats or 50% of the total of indoor seats, whichever is less. Up to 10 additional seats on the patio.</td>
</tr>
<tr>
<td>5</td>
<td>Paddy’s Irish Pub</td>
<td>Rosie’s Restaurant</td>
<td>460 Main St.</td>
<td>50 lounge seats inside and 20 additional lounge seats on the patio / sidewalk café.</td>
</tr>
<tr>
<td>6</td>
<td>Troy Lounge</td>
<td>Troy Restaurant</td>
<td>12 Elm Av.</td>
<td>50 lounge seats inside and 20 additional lounge seats on the patio.</td>
</tr>
</tbody>
</table>
• Healthy drinking culture involves moderate drinking in a social setting, often in conjunction with food or events, such as live music
• There is a culture of binge drinking among students—particularly in first and second year—but as students mature and look for more restrained, social opportunities to drink, there are few venues where students can do so in Wolfville
• Other factors, such as the design of the space and the presence of live music, are more important than the number of seats in determining whether a venue contributes to a healthy drinking culture

Detailed notes from the pop-up consultation are attached in Appendix A, along with a graphic recording of the event attached as Appendix B.

4.2 Next Steps
If the Planning Advisory Committee (PAC) decides to move forward with amendments to the MPS, the next step would be a Public Participation Meeting (PPM) in front of PAC to receive input on the amendment options, pursuant to the Town’s Public Participation Program Policy and requirements of the Municipal Government Act, including notification and advertising. The Town website and social media would also be utilized. After a Public Participation meeting, the issue would come back to PAC with the actual recommended amendment(s), if any.

After a recommendation from the PAC, the adoption of amendments to the MPS requires first reading by Council, a Public Hearing, and a final decision by Council at second reading. There is no appeal mechanism for policy adopted in the MPS.

Any amendments to the MPS would not be put into effect on the Troy Restaurant lands until the existing development agreement was amended to reflect any new MPS policies. This could be done in parallel with the MPS amendment process, following the same steps as everything after the Public Participation Meeting.

5) Policy Review and Discussion

5.1 Jurisdictional Survey
In addition to Wolfville, there are 17 communities in Nova Scotia that host public post-secondary institutions, including Nova Scotia Community College campuses and university satellite campuses. The full list is provided in Appendix C.

Fifteen of these communities permit lounges/liquor establishments as-of-right, with no requirement for a development agreement. None of these jurisdictions have as-of-right requirements that are specific to lounges/liquor establishments. i.e. in these jurisdictions, lounges/liquor establishments are subject to
typical zoning requirements (lot size, setbacks, building height, etc.) but do not have other, more restrictive conditions than any other permitted commercial use.

The Town of Yarmouth permits liquor establishments (including lounges) as-of-right in its main commercial zones, but requires a development agreement in its Secondary Commercial (C-3) Zone. This zone is only applied to two small areas of secondary commercial development, adjacent to residential neighbourhoods (similar to Wolfville’s Restricted Commercial (C-2) Zone). The development agreement criteria for this zone do not limit seating, though they do limit the overall size of the liquor establishment to 1,000 square feet.

The Town of Bridgewater is the only one of the 17 jurisdictions that requires development agreements for all lounges, under the catchall term of “liquor establishments”. Bridgewater’s criteria for evaluating liquor establishment development agreements deal primarily and directly with nuisance issues (traffic, noise, visual impact). They also prohibit liquor establishments within 60 metres of a residential zone. However, Bridgewater’s criteria do not focus on seating or other measures of capacity. The full policy with the criteria is attached as Appendix D.

Of all the communities in Nova Scotia, the one most similar to Wolfville in terms of scale and its role as a “university town” is the Town of Antigonish. The Downtown Commercial (C-1) Zone of Antigonish, which is applied to much of the downtown area, permits liquor establishments without a development agreement. Although it is not located in Nova Scotia, the Town of Sackville in New Brunswick also fits a very similar profile as Wolfville, in both terms of population and the role of the university. Sackville’s Mixed Use (MU) Zone, which covers its downtown, permits liquor establishments as-of-right.

5.2 Literature Review
Staff reviewed literature related to alcohol consumption in Wolfville¹, trends in Canada², and strategies for alcohol harm reduction³, ⁴, ⁵.

It is clear from this review that alcohol consumption is a common practice in Nova Scotia, and that alcohol overconsumption has well-defined consequences, both in terms of personal health and in terms of effects on the surrounding community.

¹ In Our Words – What Alcohol Consumption in Wolfville Looks Like. Municipal Alcohol Report. 2011
Current best practices in relation to alcohol harm reduction typically focus on strategies such as:

- Higher drink prices
- Minimum drinking ages
- Limiting alcohol advertising
- Reducing access to alcohol
- Using land use planning tools to guide the location and design (screening, parking, lot size, etc.) of liquor establishments
- Restricting hours of operation
- Training for servers and alcohol salespeople
- Enforcement of liquor laws
- Awareness and programming campaigns aimed at overconsumption

6) Key Issues & Discussion

6.1 Land Use Planning as a Regulatory Tool

Land use planning is carried out through the Municipal Planning Strategy, Land Use By-law, and sometimes development agreements. It is a tool municipalities use primarily for regulating the types of use on a piece of land, and the form of development (buildings, landscaping, etc.) that support those uses. Through this tool, a municipality can minimize the risk of nuisances and incompatibilities between adjacent uses.

In some very limited instances, land use planning tools can be used to regulate the actual operation of a use. The primary example of such a practice is the ability to limit hours of operation of a use through a development agreement. However, using land use as a tool to regulate operations is a limited practice in Nova Scotia for three reasons:

1. the Municipal Government Act is strict about what types of operational controls can be used;
2. municipalities are generally not structured to enforce operational restrictions; and
3. operational restrictions are typically covered by other rules, regulations, or governing bodies (e.g. provincial liquor licensing).

6.2 Land Use Planning for Lounges

Absent a general ability to focus on operational aspects that contribute to nuisance and conflicts between uses, land use planning for lounges must focus on the location and form of lounge developments.

Wolfville already controls the location of lounges by limiting them to the Central Commercial (C-1) Zone.
In terms of form, the current criteria for considering lounges are relatively non-specific, focusing only on the location of parking lots. In lieu of any other the controls, the limit on seating appears to be an attempt to indirectly limit the impact of lounges by keeping their scale controlled. However, this is in many ways a blunt tool for the task. Depending on the activity, atmosphere, and design of the space, a smaller group of people could create as much noise, traffic, and disorder as a larger group. In Staff’s view, the link between a specific number of lounge seats and resulting nuisances is tenuous. Staff is unable to find any best practices or literature that points to a specific threshold for appropriate seating numbers; again, this is likely because such a direct link between numbers of effects is tenuous.

If the Planning Advisory Committee chooses to maintain the existing seating limits, or to change the limit to a different number, Staff is unable to provide any professional direction on whether a number is appropriate or not from a land use point-of-view.

### 6.3 Community Values

Any discussion of specific seating numbers would instead come down to community values. The Planning Advisory Committee, Council, and the community (through a Public Participation Meeting) would need to explore questions such as, “what is the role of lounges in the community’s vision for Wolfville?” and, “what—if any—effect does the number of seats have on that role?”.

Any determination of an appropriate seating number would need to come as a result of these discussions, rather than from any professional planning best practices.

### 6.3 Public Engagement

One of the effects of Wolfville’s current approach to using development agreements for lounge proposals is that municipal development agreement approval is a public process, involving at the minimum a public hearing and then a vote at Council. Through the development agreement process, citizens have the opportunity to express their views on the proposal to Council.

However, it is worth noting that liquor proposals in Nova Scotia are also subject to public consultation from the Province. Specifically, Subsection 49(8) of the *Liquor Control Act* says:

> “The Executive Director shall not grant a tavern license, beverage room license, lounge license or cabaret license unless public consultation has taken place in the form and manner prescribed by the regulations.”

### 6.4 Economic Development

Staff feels it would be a questionable practice to eliminate effective regulations in the name of economic development. However, if a regulation is inefficient in achieving its intended goal, and that regulation is also a hindrance to economic development, then this provides more weight to the idea that the regulation should be reviewed.
Wolfville, over the past number of years, has developed a burgeoning industry as a hub for Nova Scotia’s local food and craft alcohol scene. The Town’s existing Municipal Planning Strategy recognizes this fact; the background to Part 5 (Objectives, page 11) states:

“Commercial development is important to the Town for the long term financial stability and the role that business plays in providing services and amenities that add significantly to the quality of life enjoyed by residents. Wolfville continues to be a destination of choice in the tourism industry, this factor, combined with a burgeoning local wine industry offers excellent economic development opportunities for the future of the town and region.”

The jurisdictional survey conducted by Staff (5.1 of this report) suggests that Wolfville is one of the most stringent jurisdictions, of those surveyed, in relation to the approval of lounge uses. This may be a damper on the hospitality industry in Wolfville, and suggests a need to ensure regulations exist for a purpose, and are effective in achieving that purpose.

6.5 Future Changes
The current request to amend the requirements for lounges arises from an existing lounge, the Troy. As such, this report has focused on the specific issue of lounge seating.

However, through the process of reviewing this proposal, Staff has identified a need to look at the regulation of lounges from a more holistic point-of-view. For example, are there specific locations where prohibiting new lounges would assist in alcohol harm reduction? Are there better tools (e.g. building siting and design requirements) that could—either through development agreements or zoning—provide sharper control over lounge nuisance concerns?

Staff feels the ongoing, comprehensive Municipal Plan Review project is the perfect opportunity to explore these questions in more detail.
7) Options
There are three options that Staff feel should be considered on the issue:

<table>
<thead>
<tr>
<th>Option</th>
<th>Staff Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Maintain the status quo (do not proceed with amendments)</td>
<td>No change would be made to the policies of the MPS. The cap on lounge seating would remain at 50 for indoor seating, and 20 for patio seating.</td>
</tr>
<tr>
<td>2. Amend Policy 9.2.8 to change the number of permitted lounge seats</td>
<td>The number of permitted lounge seats could be changed to any number. Staff would be unable to provide a professional planning opinion on the appropriate number of seats. Rather, this would need to be viewed as an issue of community values, to be explored through a Public Participation Meeting. The Troy Lounge DA would need to be amended before the new MPS policies would have any effect on the site itself; this amendment could be done in parallel with the formal MPS amendment process.</td>
</tr>
<tr>
<td>3. Amend Policy 9.2.8 to remove the specific policy limit on the number of permitted lounge seats</td>
<td>This option brings Wolfville more in line with the large majority of other jurisdictions surveyed. Lounges would continue to be regulated by development agreement, subject to all of the other criteria of Policy 9.2.8 and Policy 18.6.1 (the general development agreement criteria). Council could still, if a situation warranted, include seating limits in any new lounge development agreement by using clause (a) of Policy 9.2.8 as justification: This clause states that Council shall ensure, “the proposed use shall not have an adverse effect on any adjacent properties, especially residential”. However, in such a situation Council would need to determine seating numbers that fulfilled the purpose of not having adverse effects on adjacent properties, rather than receiving specific direction on the seating numbers from MPS policy. The Troy Lounge DA would need to be amended before the new MPS policies would have any effect on the site itself; this amendment could be</td>
</tr>
</tbody>
</table>
8) Review from Other Departments

Any amendments that are considered will be reviewed by other Town departments including Public Works, Fire, and the Traffic Authority. Comments/concerns will be included for Council’s consideration in a supplementary report following the Public Participation meeting.

9) Conclusion

Alcohol, and in particular overconsumption of alcohol, is a societal challenge that is felt strongly in Wolfville. Addressing this challenge will be an ongoing effort, requiring a variety of approaches. However, many of the best practice approaches for addressing alcohol harm are beyond the realm of land use planning; they focus on such things as pricing, enforcement, advertising and awareness. The place where land use planning can play a role is primarily in dictating the appropriate locations for alcohol establishments, limiting hours of operation, and addressing the physical design of liquor establishments to minimize nuisances.

In this context, restricting the number of lounge seats appears to be a blunt tool for the intended outcome. Staff recommends the Planning Advisory Committee moves forward in the process of amending the Municipal Planning Strategy to refine how Wolfville regulates lounge uses.

10) Attachments

1. Appendix A: Notes from the April 28th Pop-up Consultation
2. Appendix B: Graphic Recording of April 28th Pop-up Consultation
3. Appendix C: Approaches to Lounge Regulation in other Jurisdictions
4. Appendix D: Bridgewater Policy CDA-2 (Lounge DA Requirements)
Appendix A: Notes from the April 28th Pop-up Consultation

Passersby were asked to participate in conversations about drinking culture, characteristics of drinking places, and how they feel the number of seats in an establishment influences the outcomes of alcohol consumption. Approximately 35 people provided comments and input. In general, perspectives on drinking and drinking establishments are highly varied and there is no clear consensus within the community. However, a few themes emerged.

Themes

Universally, respondents describe drinking culture in the context of good conversation and a sense of connection with others. Overall, lively pubs are the preference, where patrons can enjoy friendly hospitality and social interaction, as well as music and a casual meal.

Most often drinking culture is described in the context of food and dining. Residents are primarily going out to eat, relax and spend time with friends or family. Folks enjoy the hustle and bustle of Main Street during the evenings, and generally feel it is peaceful. Alcoholic beverage consumption is modest and geared toward enjoyment of flavour. Some respondents indicated that existing food and beverage establishments are very busy and tend to close early.

Concerns were identified about harmful drinking culture among students. Student respondents described how their peers are often drinking to intoxication despite not really even enjoying it. There is a common expectation to consume alcohol quickly, usually in private residences, among first and second year students. This leads to isolated incidences of excess noise and vandalism that have long-lasting negative impacts on the community. Some students felt that drinking tends to become more relaxed in the upper years of classes, but that it is difficult to transition toward moderate consumption because there are very few opportunities or alternative settings for social drinking.

Respondents also described the characteristics of a healthy drinking place. A number of factors emerged as being more important than the number of permitted seats:

- Food and non-alcoholic options
- Live music and dancing
- Sense of openness
- Comfortable seating for groups
- Low noise levels
- Good lighting, moderate brightness with atmosphere
Outliers
The following views were expressed by respondents but did not fit neatly within one of the broader themes:

- Drinking is a highly personal decision
- Students are all “drunks” and have a negative impact
- Drinking and driving is a major issue and we should be planning around that
- Wine/beer/cider industry have no benefit
- Wine/beer/cider industry are great stimulants of the economy
- Behaviour of patrons is monitored by the barkeeper and owners and is their responsibility
- Rules that limit social, responsible drinking are outdated and not relevant to the town
- Much more needs to be done to directly address harms to town from student drinking

Lounge Seating Changes
Most respondents were not highly opinionated about changes to lounge seating, either in favour or in opposition. There were however, a number of questions and concerns related to how the Town could continue to ensure that no large-scale drinking places would result in the policy change:

- Would this mean that the Town would have to allow very large establishments, such as a casino?
- Would restaurants and bars want to expand?
- How would the Town prevent things from getting out of hand?
- Would this make it easier or harder to get a spot in a restaurant?
- Why would a business even want to do that?
Appendix B: Graphic Recording of April 28th Pop-up Consultation
## Appendix C: Approaches to Lounge Regulation in other Jurisdictions

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Lounge Approval Process</th>
<th>Zones Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annapolis County – Village of Lawrencetown</td>
<td>As-of-right</td>
<td>General Development (GD) Zone</td>
</tr>
<tr>
<td>Cape Breton RM – Sydney area</td>
<td>As-of-right</td>
<td>Many zones, including urban zones closest to Cape Breton University</td>
</tr>
<tr>
<td>Cumberland County – Springhill</td>
<td>As-of-right</td>
<td>General Commercial (C-1) Zone</td>
</tr>
<tr>
<td>District of Argyle</td>
<td>As-of-right</td>
<td>Most zones, with exception of residential zones</td>
</tr>
<tr>
<td>District of Clare</td>
<td>As-of-right</td>
<td>General Development (GD) Zone</td>
</tr>
<tr>
<td>Halifax RM – Downtown</td>
<td>As-of-right</td>
<td>Downtown Halifax (DH-1) Zone</td>
</tr>
<tr>
<td>Halifax RM – Peninsula</td>
<td>As-of-right</td>
<td>South Barrington Residential/Minor Commercial (RC-4) Zone (zone requires a commercial use in all buildings, which could be a licensed alcohol establishment) General Business (C-2) Zone</td>
</tr>
<tr>
<td>Richmond County – Isle Madam Planning Area</td>
<td>As-of-right</td>
<td>Village Commercial (VC) Zone</td>
</tr>
<tr>
<td>Town of Antigonish</td>
<td>As-of-right</td>
<td>Downtown Commercial (C-1) Zone</td>
</tr>
<tr>
<td>Town of Bridgewater</td>
<td>DA</td>
<td>Historic Downtown Commercial (C1) Zone</td>
</tr>
<tr>
<td>Town of Bridgewater</td>
<td>DA</td>
<td>LaHave Commercial (C2) Zone</td>
</tr>
<tr>
<td>Town of Bridgewater</td>
<td>DA</td>
<td>Urban Commercial (C3) Zone</td>
</tr>
<tr>
<td>Town of Bridgewater</td>
<td>DA</td>
<td>Group Commercial (C4) Zone</td>
</tr>
<tr>
<td>Town of Kentville</td>
<td>As-of-right</td>
<td>Commercial General (C-1) Zone</td>
</tr>
<tr>
<td>Town of Middleton</td>
<td>As-of-right</td>
<td>Business District (BD) Zone</td>
</tr>
<tr>
<td>Town of Middleton</td>
<td>As-of-right</td>
<td>Highway Commercial (HC) Zone</td>
</tr>
<tr>
<td>Town of Port Hawkesbury</td>
<td>As-of-right</td>
<td>Granville Street / Waterfront Development (C2) Zone</td>
</tr>
<tr>
<td>Town of Port Hawkesbury</td>
<td>As-of-right</td>
<td>Commercial Highway (C3) Zone</td>
</tr>
<tr>
<td>Town of Port Hawkesbury</td>
<td>As-of-right</td>
<td>Mixed Use (M1) Zone</td>
</tr>
<tr>
<td>Town of Shelburne</td>
<td>As-of-right</td>
<td>All non-residential zones</td>
</tr>
<tr>
<td>Town of Stellarton</td>
<td>As-of-right</td>
<td>General Industry (M1) Zone</td>
</tr>
<tr>
<td>Location</td>
<td>Type</td>
<td>Zones</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Town of Truro</td>
<td>As-of-right</td>
<td>Downtown Commercial (C1) Zone</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Commercial (C4) Zone</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Adult Entertainment (C5) Zone</td>
</tr>
<tr>
<td>Town of Yarmouth</td>
<td>As-of-right</td>
<td>Downtown Commercial (C-1) Zone</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Commercial (C-2) Zone</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commercial Industrial (CI-4) Zone</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Waterfront Commercial Industrial (WCI-5) Zone</td>
</tr>
<tr>
<td></td>
<td>DA</td>
<td>Secondary Commercial (C-3) Zone</td>
</tr>
<tr>
<td>Town of Sackville, NB</td>
<td>As-of-right</td>
<td>Mixed Use (MU) Zone</td>
</tr>
</tbody>
</table>
Appendix D: Bridgewater Policy CDA-2 (Lounge DA Requirements)

“Policy CDA-2:"

It shall be a policy of Council to ensure that the following criteria are met when Council is considering proposals for premises licensed under the Liquor Control Act as either lounges or beverage rooms and outdoor cafes associated with these facilities or any additions or expansions of such new or established developments by development agreement:

a) The proposed use shall not be within 60m (197ft) of a residential zone;

b) Where Council determines that appropriate measures have been taken to reduce potential conflicts and nuisances the minimum setback for the development may be reduced accordingly;

c) The proposal shall include provision for sound insulation, location requirements for doors, windows, fire exits and any other architectural feature that will reduce the emission of noise or lessen the effect of any other nuisances, provided that these features are not inconsistent with the requirements of the Building Code Act or the Fire Prevention Act;

d) The proposed use shall not result in any undue traffic hazard nor increase traffic flow on residential streets to the extent that local traffic, local on-street residential parking, and on-street pedestrian movement is unduly disrupted or displaced;

e) The proposed use shall not have an unreasonable adverse effect on any adjacent properties, especially residential;

f) The proposed use shall not have a negative effect on nearby residential uses due to the hours of operation;

g) Parking lots and driveways for the use of patrons shall not be located in any minimum required yard that abuts a residential zone;

h) Screening and buffering in the form of vegetation, berming or fencing, shall be provided, where necessary, to screen or buffer structures, storage areas, parking lots, driveways or any other feature of the development that may have a negative impact on nearby uses;

i) In the Historic Downtown (C1) Zone, all new lounges and beverage rooms in new buildings shall adhere to the urban design and architectural control requirements outlined in the Land Use By-law;

j) In the LaHave Commercial (C2) Zone, all new lounges and beverage rooms shall adhere to the urban design and architectural control requirements outlined in the Land Use By-law;

k) All signage shall be reasonably consistent with the requirements of the Land Use By-Law; and

l) Development is in accordance with Policy IM-6.”
1) INTRODUCTION
This report is supplementary to the report presented to the Planning Advisory Committee (PAC) on June 17, 2017 (see Attachment 4). Detailed background is provided in the June 17th report while this report provides a summation of the Public Participation Meeting (PPM), any new or updated information, and a Staff recommendation with proposed amendments.

Staff has considered feedback from the Public and the Planning Advisory Committee; has consulted with other Town departments; and has discussed provincial regulations with officials from the NS Liquor and Gaming Commission in coming to its recommendation.

2) SUPPLEMENTARY INFORMATION
The Planning Advisory Committee hosted a Public Participation Meeting on July 4th, 2017 at the Wolfville Farmers’ Market. The meeting was an open house format, where participants could receive information about lounges provincially and in Wolfville, submit written feedback, and partake in semi-structured discussions. Prior to the Public Participation Meeting, Staff met with Wolfville lounge owners to have a small, focused conversation. Notes from both meetings are attached as Attachment 2 and 3. The minutes of the Public Participation Meeting are draft, and are proposed for approval July 19th, 2017.

Participants in these two meetings made a number of comments that required further research and/or elaboration by Staff. Table 1, below, outlines these comments and the Staff response.

Table 1: Lounge Owners Meeting & Public Participation Meeting Comments and Staff Responses

<table>
<thead>
<tr>
<th>Comments from Meetings</th>
<th>Staff Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Some attendees suggested that instead of modifying the Town’s policies on lounge seating, the Troy Restaurant (or any other lounge wanting to do weddings or other special events) could apply for Special Occasion liquor licenses specific to each special event.</td>
<td>Staff explored this possibility with the Nova Scotia Liquor and Gaming Commission (NSLGC) and confirmed that this approach is not possible. A lounge owner can apply for a Special Occasion license to expand their premises beyond the normal limits for a special event, but cannot use a Special Occasion license to alter the conditions on their regularly-licensed areas (e.g. the Troy patio). An example of the way a Special Occasion license can be used by a lounge owner would be if the lounge was throwing a party for being in business 25 years and was going to use an adjacent parking lot to host the event.</td>
</tr>
<tr>
<td>Some attendees were concerned that without a seating cap, Wolfville would be open to a large,</td>
<td>Under the existing Municipal Planning Strategy, there are other policies and criteria that give</td>
</tr>
</tbody>
</table>
### Lounge Seating

**Date:** July 19th, 2017  
**Department:** Community Development

<table>
<thead>
<tr>
<th>Nightclub-style lounge.</th>
<th>Council the tools to prevent oversized lounges that are inappropriate for the Wolfville context. For example, Clause 9.2.8 (a) states that “the proposed [lounge] use shall not have an adverse effect on any adjacent properties, especially residential”. Further to this, the general criteria in Policy 18.6.1 include clauses that compel Council to consider impacts like noise and traffic. In applying these clauses, Council has Policy 18.6.2 at its disposal. This policy outlines the fact that Council can include a wide range of controls in a development agreement, such as limits on building size and population.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Some attendees were unclear about whether lounge establishments (existing or new) would be required to have a kitchen and serve food.</td>
<td>Yes, a kitchen is required for a lounge license. A lounge license is an add-on to an eating establishment license. In other words, it is only possible to get a lounge license if you already have an existing licensed restaurant. Further to this, lounge licenses require at least 25% of the customer area (the space where customers consume food and drink) to be dedicated to the eating establishment. However, the eating establishment does not need to have the same hours of operation as the associated lounge, and food is not required to be available at the lounge when the eating establishment is closed.</td>
</tr>
<tr>
<td>Some attendees were concerned that removing the seating cap could lead to lounges that have an unacceptable impact on the town, but the impact would only become clear, “after the horse has left the barn”; i.e. there is little ability to control impacts of a lounge once the development agreement has been approved, so it is important to be conservative in any approvals.</td>
<td>The Town is not the only body responsible for regulating and “policing” lounges. The Province is the primary regulatory body for liquor establishments and has the power to enforce on them, even after they have been approved and go into operation. Section 29 of the Liquor License Regulations provides that anyone may request (in writing) the cancelation or modification of any liquor license if the premises are interfering with the quiet enjoyment of neighbouring properties.</td>
</tr>
</tbody>
</table>

### 3) RECOMMENDATION & DISCUSSION OF AMENDMENTS

In the June 17th report, Staff recommended that the Planning Advisory Committee host a Public Participation Meeting to discuss the two different options for amending the Municipal Planning Strategy: changing the numbers for the seating cap, or removing the seating cap altogether. Following
the Public Participation Meeting, Staff specifically recommends the second option (remove the cap altogether).

As discussed in the June 17th report, there is no specific planning rationale for one broadly-applied seating cap over another. In other words, there is no planning rationale to say that a 100-seat cap is more appropriate than a 50-seat cap, a 20-seat cap, or any other seat cap. Setting a specific cap, therefore, would need to be based on community values about preferred lounge size.

Coming out of the Public Participation Meeting there is no clear public consensus about what number of seats would be valued by the community. Many residents and business owners were of the opinion that there should be no specific cap at all. For those attendees who were in favour of the current cap, Staff was of the impression that this support for existing limits was not based on the particular numbers, but rather on the need to have some sort of limit on how large a lounge can be; i.e. having a cap is the important point, not the specific numbers used in the cap.

Absent any consensus on appropriate seating numbers, Staff is not comfortable recommending a particular number. Again, Staff does not see any particular planning rationale for one limit over another. Rather, Staff feels issues of overconsumption and resulting impacts are better dealt with through more appropriate tools, such as the development of a comprehensive alcohol strategy for Wolfville. Such a strategy could move the conversation from trying to address overconsumption as a planning problem, to one of discussing the issues and solutions holistically. An alcohol strategy would, for example, be able to consider drinking culture, operations, pricing, advertising, and programming. As a result, the recommended amendments would delete the specific clause of Policy 9.2.8 that sets an across-the-board limit on lounge seating. All other current policies applicable to lounges (closing hours, no adult entertainment, etc.) would continue to be in effect.

4) PROCESS (UPDATE)

On June 27th, 2017, the Planning Advisory Committee referred this issue to a Public Participation Meeting, which was held on July 4th, 2017. A PPM is a requirement when considering Municipal Planning Strategy amendments pursuant to the Municipal Government Act. The application is now back at the Planning Advisory Committee with this supplementary report and proposed policy amendments. The next step would be First Reading by Council. A Public Hearing would then be required before a decision is made by Council at Second Reading. An amendment to the Municipal Planning Strategy is not subject to appeal.

Existing lounge development agreements are legal contracts and will not automatically be updated to implement the proposed policy. Lounge owners must apply to Council to amend their development agreement if they wish to increase or remove seating caps in line with the proposed policy. Each application would go through Council’s standard planning application process.
5) SUMMARY & CONCLUSIONS

Alcohol (over)consumption is a complex issue in Wolfville that will likely continue to be broadly discussed and tackled through various approaches by Council and residents alike. However, from a planning perspective, Staff feels limits on seating numbers amount to using regulations intended to control land use and built form as a blunt tool to control undesirable behaviors. Such behaviours would better be addressed through a comprehensive alcohol strategy. The following is a summary of the rationale behind the recommendation:

- There is no specific planning rationale to support one across-the-board seating cap over any other.
- There is no community consensus on what an appropriate cap would be.
- Council has other tools in the current Municipal Planning Strategy to prevent overly-large lounges that would be out of scale with the Wolfville context.

As such, Staff recommends that the Planning Advisory Committee forward a positive recommendation to Council to proceed with Municipal Planning Strategy amendments to remove the specific cap on lounge seating.

6) RECOMMENDED MOTION

Staff recommends the Planning Advisory Committee pass the following motion:

The Planning Advisory Committee recommends that Council amend the Municipal Planning Strategy to remove the specific cap on lounge seating, as described in Attachment 1 of the staff report dated July 19th, 2017.

7) ATTACHMENTS

1. Proposed Municipal Planning Strategy Amendments (Resolution)
2. Draft Public Participation Meeting Minutes (July 4th, 2017)
3. Lounge Owners Meeting Notes (July 4th, 2017)
4. June 17th, 2017 Staff Report to PAC
CERTIFIED COPY OF MUNICIPAL PLANNING STRATEGY

AMENDMENTS

I, Dan Stovel, Town Clerk of the Town of Wolfville in the County of Kings, Province of Nova Scotia, do hereby certify this is a true copy of the amendments to the Municipal Planning Strategy adopted by Council of the Town of Wolfville at a meeting duly called and held on the ___ of ________, 201_.

____________________________
Dan Stovel, Town Clerk

This signature is sealed with the Town of Wolfville Corporate Seal.

AMENDMENTS TO THE TOWN OF WOLFVILLE MUNICIPAL PLANNING STRATEGY

Policy 9.2.8 is amended, as shown below in bold and strikeout, by deleting clause (e) and then re-lettering clause (f) as clause (e):

9.2.8 to ensure that the following criteria are met when Council is considering proposals for premises licensed under the Liquor Control Act as lounges or any additions or expansions of existing lounges by development agreement:

(a) the proposed use shall not have an adverse effect on any adjacent properties, especially residential; and

(b) parking lots and driveways for the use of patrons shall not be located in any minimum required yard that abuts a residential zone; and

(c) the hours of operation of the lounge use shall be restricted to a closing hour of 1:00am.

(d) adult entertainment will not be permitted.

(e) the lounge seating area will be limited to a maximum of 50 indoor seats within the establishment with the opportunity for an additional 20 outdoor seats, for a grand total of 70 seats, 50 inside seats maximum and 20 outdoor seats on a seasonal basis.

(f) development is in accordance with policy 18.6.1.
ATTENDING
Deputy Mayor Carl Oldham, Councillor Wendy Donovan, Councillor Jodi MacKay, Melinda Norris, Scott Roberts & Recording Secretary James Collicutt

ALSO ATTENDING
Councillor Mercedes Brian, Councillor Wendy Elliott, CAO Erin Beaudin, Director Chrystal Fuller, Marianne Gates, Planner Doug Parrish, Consultants Ian Watson & Erica Brook (UPLAND) and 16 interested members of the public

Format
The Public Participation Meeting took an “open house” format, where attendees were invited to drop in any time during the open hours. Attendees were able to participate in four different ways:

1) Information panels: The information panels provided details of the proposed Municipal Planning Strategy amendment, the provincial regulatory framework, Wolfville’s current approach to regulating lounges, and a summary of the regulatory approach in other Nova Scotian (and one New Brunswick) communities.

2) Worksheet: Worksheets were provided to gather input about concerns and benefits, and how these factors relate to lounge occupancy. Attendees were invited to post their worksheets on a board so that other attendees could read their responses. There were 19 completed worksheets, all in favour of the proposed amendment.

3) Ask a planner: Planners working on this proposed amendment were present to answer questions, especially about technical matters and the process.

4) Discussion groups: The discussion groups were a semi-structure opportunity for attendees to discuss lounges with other attendees, with notes recorded by planning staff. Participants listed the topics they wanted to discuss, which then informed the direction of the discussions. Approximately 15 people participated in 2 different discussion groups. The discussions were generally deliberative and included points of view both in favor and opposed to the proposed amendment.
What We Heard

The following is a summary of the themes that arose out of the various different ways of participating in the Public Participation Meeting:

**Occupancy and Potential for Excessive Consumption**

Some participants feel there is a clear connection between increased occupancy and increased harm from alcohol, and that more occupancy will continue the normalization of alcohol consumption, in particular excessive consumption and the associated issues of noise and property damage.

Conversely, other participants wondered if increased occupancy may mitigate “table anchoring”. This was described as the act of holding a table for an extended period of time due to scarcity of available lounge seating. Participants felt this can motivate excessive alcohol consumption, rather than mobility between establishments and a more casual overall experience. Some feel that consistently being able to enjoy hospitality without the pressure of crowds would be a positive outcome.

The subtheme around a lack of adequate space in Wolfville also expressed as a need for:

- larger, more appropriate venues for live music
- locations to socialize and congregate in groups
- “classy” establishments that are open later in the evening and offer dancing, targeted at mature people beyond university age

**Economic Development**

A common opinion among participants was that the current regulations are a systematic deterrent to business growth in the hospitality industry. Support for the proposed amendment is connected to:

- increased employment opportunities for young people
- a more desirable climate to establish new business
- parity of regulation with the rest of the province
- promotion of the area as a wine and culinary destination
- longer stays among tourists for hospitality and entertainment

A few participants perceive that food and beverage establishments have been able to survive under the current regulations and ought be able to manage as-is. This is tied to speculation that public resources are being directed toward saving businesses that are not viable.

**House Parties**

House parties were frequently described as a bigger concern in Wolfville than lounges. Some participants view social drinking in proper, regulated establishments to be more orderly and safer than house parties, and feel that increased occupancy could potentially give people an alternative drinking
option, and reduce the need/desire to drink at house parties. Other participants believe that these parties should be dealt with before any lounge seating increase is considered. However, most participants who discussed this topic felt that the house parties and lounge activity are only loosely associated, and increasing lounge seating would have no effect on incidents of unruly behaviour, as these incidents primarily stem from house parties.

**Form and Function of Establishments**

Many concerns about increased occupancy rested in a sense of uncertainty around how an establishment might operate, including the type of entertainment, the ambiance, whether or not food would be served and what that food would be, and the clientele these offerings would attract. There was some frustration among participants about the general inability to clearly foresee and pre-emptively regulate the details of all potential future scenarios related to lounges.

In particular, fears around the emergence of large-scale, night-club-style establishments prompted participants to think about how to prevent this type of development. Some suggested that establishments could obtain special occasion licencing for events on a case-by-case basis.

**Community Well Being**

Some participants—both those in favor and opposed to the amendment—indicated that they have the overall well-being of the community in mind. However, exactly what is meant by “well-being” is ambiguous, and indicates a lack of consensus around what exactly is to the benefit of the community. Opinions are highly varied, and no fundamentally-shared community values and standards around lounge establishments came to the surface.

**Creation of an Alcohol Strategy**

The subject of a comprehensive alcohol strategy was discussed on a number of occasions. Participants generally accepted that the Municipal Planning Strategy is not the best tool for dealing with alcohol related issues, because solutions primarily rest within the realm of culture change and enforcement, not land use issues. Some felt that the proposed amendment should be contingent on a developing and implementing a strategy, while others felt it ought to be initiated in tandem. Some suggested factors to consider in such a strategy include:

- Mandatory smart-serve training for all servers
- Increased noise infraction enforcement
- Increased inspection of establishments to ensure compliance with regulations, especially capacity and not overserving
- Police patrols when bars are closing
- Regulation of alcohol promotion through signage or branded objects
- Higher drink prices, or a minimum pricing standard
- Maintain policy of closing times at 12:00 or 1:00
**Enforcement**

Many participants feel that there is need for increased enforcement of existing regulations. This is primarily expressed as a need for increased police presence, including foot patrols during busy weekends and faster response times in all seasons. There is a fear that increased occupancy will result in an increase of incidents, potentially more than what the police will be able to handle. Noise infraction enforcement was also described as being inadequate.
Lounge Owners Meeting
1.30 to 3.30 PM – Wolfville Farmers’ Market
Municipal Planning Strategy Amendment Proposal
Lounge Seating

Attending

Staff: Director Chrystal Fuller, Doug Parrish, & James Collicutt
Consultants: Ian Watson & Erica Brook (UPLAND)
Lounge Owners: Wil Lang & Daniel Franck (Troy), Joe Rafih (Joe’s & The Anvil), John Fitzgerald (Paddy’s)

Format

The lounge owners meeting was a semi-structured workshop with broad questions to guide discussion on the various aspects of the proposed lounge seating amendments. Each lounge owner was invited to address the questions asked by Staff, with further discussion snowballing from the given answers.

What We Heard

Opinion on the proposed amendment was varied, because it would have different impacts on each of the existing lounges. Some establishments simply cannot physically accommodate more customers, while others have no desire to offer experiences that would take advantage of the proposed amendment.

All owners suggested that incidents of excessive consumption are tied to drinking at private residences, and not from drinks purchased at establishments, indicating that late-night patrons are generally arriving at bars having already consumed alcohol. They also emphasized that compared to private house parties, lounges are regulated, insured and highly monitored, providing a relatively safe and secure environment.

Lounge owners did not universally agree on what constitutes a level playing field when it comes to regulation. Generally, owners feel that incongruity with the standards used elsewhere in the province makes it easier to operate an establishment outside of Wolfville, including right on the Town’s border (within the Municipality of Kings). However, there was disagreement about what is considered a level playing field among lounges within the town, and was a point of ineffective debate that did not generate consensus.

Those not in favour or unaffected by the change felt that recent changes to the Liquor Control Act allowing two drinks without food service is adequate for meeting the needs of seating patrons. However, those who do wish to see the amendment are interested in offering different types of experiences (live music, receptions) that they suggest will make it impractical to monitor this two drink allowance or will involve situations where patrons desire more than two drinks.
The most significant concern related to the proposed amendment is policing, in particular response times. There was some concern that response times are already slow, and that additional occupancy could further affect the ability of police to respond quickly to calls.

Other reasons owners gave for supporting the proposed amendment were:

- a general desire to see progressive and modern public policy in the Town
- a feeling that having multiple layers of regulation (municipal and provincial) is unnecessary and burdensome
- a concern that the current regulations affect summer business in particular because the current limit on patio seating is so low (20 lounge seats), and this is inconsistent with the Town’s desire to be a hub of wine tourism
- special events can help mitigate the thin margins in the restaurant/bar industry, and support a vibrant food and drink scene in Wolfville
CERTIFIED COPY OF MUNICIPAL PLANNING STRATEGY
AMENDMENTS

I, Dan Stovel, Town Clerk of the Town of Wolfville in the County of Kings, Province of Nova Scotia, do hereby certify this is a true copy of the amendments to the Municipal Planning Strategy adopted by Council of the Town of Wolfville at a meeting duly called and held on the ___ of __________, 201_.

____________________________
Dan Stovel, Town Clerk

This signature is sealed with the Town of Wolfville Corporate Seal.

AMENDMENTS TO THE TOWN OF WOLFVILLE MUNICIPAL PLANNING STRATEGY

Policy 9.2.8 is amended, as shown below in bold and strikeout, by deleting clause (e) and then re-lettering clause (f) as clause (e):

9.2.8 to ensure that the following criteria are met when Council is considering proposals for premises licensed under the Liquor Control Act as lounges or any additions or expansions of existing lounges by development agreement:

(a) the proposed use shall not have an adverse effect on any adjacent properties, especially residential; and

(b) parking lots and driveways for the use of patrons shall not be located in any minimum required yard that abuts a residential zone; and

(c) the hours of operation of the lounge use shall be restricted to a closing hour of 1:00am.

(d) adult entertainment will not be permitted.

(e) the lounge seating area will be limited to a maximum of 50 indoor seats within the establishment with the opportunity for an additional 20 outdoor seats, for a grand total of 70 seats, 50 inside seats maximum and 20 outdoor seats on a seasonal basis.

(f)(e) development is in accordance with policy 18.6.1.
UPDATE
The Environmental Sustainability Committee met on July 10, 2017

Committee Work Plan

- **Solar Electricity for Community Buildings Pilot Program**
  - The Solar for Community Buildings Program enables eligible community groups and organizations to generate solar photovoltaic (PV) electricity on their roofs or properties and sell it to their utility under a 20-year contract
  - This is a pilot program run by the Nova Scotia Department of Energy
  - Eligible groups and organizations are invited to submit an application for review. Within the application, the organization is to propose the price at which they want to sell the electricity generated back to the utility
  - This is a competitive process. An independent procurement administrator reviews all applications, but only those with the most competitive price per kWh will be accepted
  - Director Public Works indicated that the concern was that with a competitive bid process, there would not be the staff time to put together a bid, therefore there would likely be the need for a consultant to be hired – not in the current budget plan

- **Single-Use Plastic Bags**
  - In looking to reduce the number of plastic bags that end up in the environment, there is the option of either an outright ban on all single-use plastic bags, or a cost applied to use of each bag
  - It was identified that there needs to be two general campaigns
    - A general educational campaign, and
    - Engagement campaign surrounding the development of a municipal Bylaw
  - There needs to be a broader discussion with the Business community, specifically the Wolfville Business Development Corporation (WBDC)

- **Fluorescent Light Disposal**
  - To close the issue, Director Public Works highlighted that the Town does have a program in place for the disposal of residential fluorescent lights

- **Ecology Action Centre Workshop – Sea-Level Rising**
  - Janet Eaton has written to Samantha Page, Ecology Action Centre Coastal Adaptation Coordinator, to determine as to whether or not a Workshop can be developed for Wolfville, but has not yet received a response
New Business:

- Cittaslow Criteria
  - Discussed the issue of how the efforts of the Environmental Sustainability Committee can increase the Town’s ranking within Cittaslow
  - Proposed that the Community Group that worked on the Cittaslow designation be invited to the next Environmental Sustainability Committee meeting to further discuss the Town’s designation

- Electric Car Charging Station
  - There have been municipal discussions with regard to the installation of an electric car charging station but it is not on this year’s work plan.
  - Any future Town installation of an electric car charging station will be discussed with Acadia University to combine efforts

Motions from ESC Meeting, July 10, 2017:

IT WAS REGULARLY MOVED AND SECONDED THAT THE ENVIRONMENTAL SUSTAINABILITY COMMITTEE RECOMMEND THE FOLLOWING MOTION TO COMMITTEE OF THE WHOLE: THAT COUNCIL ENCOURAGE STAFF TO PURSUE THE SOLAR ELECTRICITY FOR COMMUNITY BUILDINGS PILOT PROGRAM PROJECT

CARRIED

IT WAS REGULARLY MOVED AND SECONDED THAT THE ENVIRONMENTAL SUSTAINABILITY COMMITTEE RECOMMEND THE FOLLOWING MOTION TO COMMITTEE OF THE WHOLE: THAT COUNCIL DIRECT STAFF TO INVESTIGATE A SOLAR WOLFVILLE BE PUT ON THE TOWN’S FUTURE WORKPLAN

CARRIED

IT WAS REGULARLY MOVED AND SECONDED THAT THE ENVIRONMENTAL SUSTAINABILITY COMMITTEE RECOMMEND THE FOLLOWING MOTION TO COMMITTEE OF THE WHOLE: THAT COUNCIL APPROACH VALLEY WASTE TO DEVELOP A JOINT EDUCATIONAL PROGRAM WITH REGARD TO THE PROBLEM WITH PLASTICS AND THEIR HARM ON THE ENVIRONMENT

CARRIED

The next regularly scheduled meeting of the Environmental Sustainability Committee is September 11, 2017.
1) UPDATE

The Source Water Protection Advisory Committee met on Thursday, July 27, 2017.

Areas highlighted were:

1) Committee membership changes were approved by Council, March 21, 2017. Town of Wolfville staff will work toward finding 1- Member at Large from Kings County to complete the membership.

2) Staff reviewed the most recent updates to the Contingency plan, that included: Hazard Materials Spills, addition of the map of wells and water courses, Vandalism and Turbidity Analysis.

3) Potential Source of Contamination Table updates reviewed.

4) Contamination Table continued to be updated

The next regularly scheduled meeting is October 19, 2017.
SUMMARY

In January, 2016, The Town of Wolfville provided $10,000 in funding to the Culinary Tourism Centre Limited to assist with the development a business plan for the Culinary Tourism Centre (CTC). As of August 2017, the CTC has not yet started the process to develop this business plan and the funds remained unused. According to the information provided by the CTC, it is unclear if the business plan will be finished within this fiscal year.

Given the information provided by the CTC, staff are recommending that a clear deadline to complete the business plan and use the funds be established or the funds be returned to the Town.

DRAFT MOTION:

That Council establish a deadline of March 31, 2018 to spend the $10,000 provided by the Town of Wolfville to complete a business plan for the CTC. If the business plan is not completed by March 31, 2018, the $10,000 must be returned to the Town of Wolfville no later than April 15, 2018.
1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

Council, through its budgeting process, has the authority to allocate grants according to its established criteria.

3) STAFF RECOMMENDATION

That Council establish a deadline of March 31, 2018 to spend the $10,000 provided by the Town of Wolfville to complete a business plan for the CTC. If the business plan is not completed by March 31, 2018, the $10,000 must be returned to the Town of Wolfville no later than April 15, 2018.

4) REFERENCES AND ATTACHMENTS

1. CTC Financial Statement
2. RFD 028-2015 Strategic Economic Partnership Fund

5) DISCUSSION

Issue

In, 2015 The Town provided funding assistance with the development of a business plan for a culinary tourist centre. The funding has not been used to date. Staff want to ensure that the funding is used as Council intended within an acceptable timeframe and has prepared this report for Council’s consideration.

Background

Spring 2015

In spring 2015 the Wolfville Business Development Corporation (WBDC) commissioned a feasibility study for a Culinary Tourism Centre (CTC). The WBDC believed that a CTC would support and capitalize on the existing culinary and wine assets by attracting leisure tourism visitors to the East Kings and West Hants areas of Nova Scotia and promote the area’s culinary tourism assets. The feasibility study concluded that developing the CTC concept further was desirable given its strategic fit with the One Nova Scotia report objective to double the province’s gross tourism revenues by 2024.

The CTC may include the following elements:
• A tasting room for local wines, craft beers and spirits.
• A commercial kitchen for preparation of local food to accompany the beverage tastings.
• A retail section to sell locally produced artisanal food products, including wine, craft beer and spirits.
• Touring info about how to find food and beverage producers in the area and advise on visitation opportunities.
• A pickup and drop off point for culinary tourism tours in the area.
• A event rental space for fundraising dinners that benefit local community organizations.
• A culinary education and activity location for cooking classes and other related learning opportunities.
• A rental commercial kitchen production facility for caterers and artisanal food producers.
• An administrative and operating headquarters for events such as the annual Devour! The Food Film Fest and the Wolfville Magic Winery Bus.

The feasibility study made several recommendations. The two main priorities of the study were to establish a non-profit organization and to complete a business plan for the project. The WBDC accepted the recommendations in the report and began facilitating the formation of a not-for-profit CTC corporation and pursuing funding to complete a business plan.

**December 2015**

In December 2015, the WBDC requested funding of $10,000 from The Town of Wolfville to create a comprehensive business plan for the CTC that would:

• confirm the appropriate business model
• determine project financing requirements and prepare three to five-year financial projections, including a capital/infrastructure plan
• describe and mitigate risks
• identify stakeholders/partners and define their relationship to the CTC
• conduct research to identify best practices from similar centers, elsewhere
• confirm an appropriate location for the CTC and evaluate leasing and lease-hold improvements required to fulfill the business plan
• produce center conceptual drawings
• describe and cost a marketing plan to support the introduction and operation of the CTC business plan
• provide a governance plan for the development and management of the CTC

The WBDC estimated a business plan would cost between $20-25K and planning to seek funding from all three levels of government.

The Town of Wolfville contributed $10,000 to this project as a reflection of its interest in having the CTC based in Wolfville and in recognition of the potential economic benefits to Wolfville and its residents. The CTC intended to use the Town’s contribution as leverage in other funding applications to other levels of government and agencies. The CTC, once other funding was
secured, planned to complete the Business Plan by April 30, 2016 to enable implementation beginning July 1, 2016.

Council funded the CTC businesses plan from a one-year funding program called the Strategic Economic Partnership Development fund. (See RFD 028-2015). This fund was designed to support economic initiatives and Council established criteria to guide the disbursement of a total of $20,000 that remained in the Grants To Organization budget line in the 2015-16 fiscal year. The criteria used to guide the funding were as follows:

- Supports the culinary and wine industry.
- Significant tourism and visitor attraction potential, which can be demonstrated and documented.
- Directly supports our existing business sector.
- Builds on successful initiatives supported by the WBDC.
- Initiative has significant partnerships or other sources of funding and has demonstrated a financial need.
- One-time events will not be funded, but rather long-term, sustained activities will be supported.
- Helps to keep Wolfville “on the map” locally, provincially and nationally. Supports the Downtown Vision.

Council provided $10,000 in funding to the CTC as per the following motion

RFD 001-2016 CULINARY TOURISM CENTRE (CTC) PROJECT REQUEST FOR FUNDING 25-01-16 IT WAS REGULARLY MOVED AND SECONDED THAT COUNCIL PROVIDE A $10,000 GRANT FROM THE STRATEGIC ECONOMIC DEVELOPMENT PARTNERSHIP FUND TO THE CULINARY TOURISM CENTRE (CTC) WITH THE FOLLOWING CONDITIONS:

i. THE CTC NON-PROFIT WITH A FUNCTIONING BOARD IS ESTABLISHED BY MARCH 31, 2016. NO FUNDS WILL BE DISBURSED UNLESS THIS CONDITION IS MET; AND
ii. ADDITIONAL FUNDING SOURCES TO COMPLETE THE BUSINESS CASE CAN BE SECURED.

Upon confirmation of incorporation, the Town provided the 10K of funding with the expectation that the business case would be complete by July of 2016, as indicated by the CTC representatives. Since providing the funding, staff have followed up repeatedly to seek confirmation of the completion of the business plan.

**Status of the CTC**

The CTC’s registration with the Registry of Joint Stocks is up to date and there is a board composed of the following people:
Update from CTC

Staff contacted the CTC board in August 2017 and received the follow information:

- The CTC board determined that the dates initially proposed to complete the business plan were too aggressive and that for the past year developing relationships with key partners was a more important ingredient for success and sustainability of the proposed project.
- The CTC met in August 2017 and determined the following tasks to complete:
  - Drafting of an Memorandum of Understanding with the CTC, Acadia University and Nova Scotia Community College has commenced with sign-off expected by October 15th.
  - After the MOU is signed, a more in-depth visioning session will be conducted with the partners which will also identify key operational roles.
  - Acadia has confirmed that its innovation pavilion will have a focus on the agriculture agri-food and beverage sectors.
  - After the MOU is signed, an RFP for an engineering assessment of the DeWolfe Building will be issued with the aim to have a report completed by year's end. (Note: The DeWolfe Building has been identified as a potential location for the CTC.)
  - NSCC will explore funding to support engineering assessment.
➢ Valley REN will be engaged to seek support for the engineering assessment.
➢ ACOA will be briefed on the project concept.
➢ Next meeting – September 2017

• The $10,000 contributed by the Town of Wolfville remains in a CTC Royal Bank account. Since deposit of the Town’s grant, there have been monthly bank fee disbursements and the annual registration fee to NSRJSC leaving a balance of $9,731.63 as of August 2017.
• The CTC is currently unable to confirm a target date for the business plan completion. The project partners are focused on signing memorandums of understanding first, followed by an engineering assessment of the DeWolfe Building.
• The CTC plans on leveraging the $10,000 from Wolfville to secure funding from Provincial and Federal sources once they are ready to proceed with a business plan.

Summary
In hindsight, it appears that the CTC requested funding from the Town prematurely. The board of the CTC continues to move the project ahead but at a much slower pace than expected when the CTC Board was formed in January 2016. The Wolfville contribution remains an important asset to the CTC that will be critical when it is ready to secure funding from other partners. This contribution continues to demonstrate the importance the Town of Wolfville places on the project and the confidence the Town has regarding the future success of the CTC.

This project has potential to provide significant positive economic development and therefore it is a benefit to continue to provide support. However, there is concern over the $10,000 contribution to the CTC for the development of a business plan remaining unused for 20 months while the amount continues to decrease to cover basic administrative costs such as bank fees and Registry of Joint Stocks yearly fees.

6) FINANCIAL IMPLICATIONS

The $10,000 was issued directly to the CTC on March 31, 2016. Although the motion to approve the disbursement was made in January 2016 by Council, staff was working to confirm that the stipulations of Council had been met. These included:

• Establish a CTC non-profit entity with a functioning Board by March 31, 2016
• Additional funding sources to complete the business case be secured

On March 29, 2016, the CTC provided confirmation of its incorporation, names of the original four board members and banking institution.

The payment to the CTC was recorded as a Grant to Organization expense in fiscal 2015/16. Any change in financial impact to the Town would only occur if the funds are returned to the Town. If this occurs
the amount returned would likely be recorded as a revenue in the 2017/18 fiscal year as the conditions for return (as noted in the report above) will have been realized by March 31, 2018.

Council might want to consider at a future date, if it appears likely that the funds would be returned to the Town, whether it wants to set the $10,000 aside in an operating reserve to be brought back out to pay the CTC if new timeline requirements are established. The funds could also simply go the general bottom line surplus/(deficit) for the fiscal 2017/18 year and the CTC could reapply for a grant under Council’s Grants to Organization policy.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

The CTC project supports Council’s desire, as expressed in its approved Strategic Plan:

- To advance Wolfville as a premier destination in Atlantic Canada for culinary and wine experiences.
- To offer a dynamic quality of life grounded in the Town’s leisure, culture and recreational activities.
- To foster the success of existing business community.

Staff believe that a CTC could be a flagship economic development initiative that could promote Wolfville as the place to be for wine and culinary. The CTC also aligns well with many recent Acadia initiatives regarding wine. It builds on the national and international reputation developed by Devour! and Wolfville.

The CTC would support and promote our existing businesses and may assist with shoulder season business sustainability. Our food and beverage sector often identify that the winter months are a difficult time to attract customers and retain staff, and the CTC could help create a year-round culinary and food climate.

Council Strategic Principles:

1. Affordability: These funds could be used for other purposes until the CTC is ready to develop a business plan.
2. Transparency: The funding was provided to the CTC to complete a business plan within certain timeline. The work has not been completed as indicated and the conditions of the funding has not been met.
3. Community Capacity Building: This contribution supports a community group that would promote and build on our existing community assets.
4. Discipline to Stay the Course: NA
5. United Front: NA
6. **Environmental Sustainability**: NA

8) **COMMUNICATION REQUIREMENTS**

The WBDC and CTC will be notified of Council’s decision.

9) **ALTERNATIVES**

1. Council ask the CTC to return the $10,000 by September 30, 2017 and encourage it to re-request funding when ready to complete the business plan.
Business Account Statement

July 7, 2017 to August 7, 2017

Account number: 07703 100-711-1

How to reach us:
Please contact your RBC Banking representative or call
1-800-Royal®-2-0
(1-800-769-2520)
www.rbcrayalbank.com/business

Account Summary for this Period

RBC Business Essentials ® Variable Pricing Account
Royal Bank of Canada
457 MAIN ST, WOLFEVILLE, NS B4P 1E1

Opening balance on July 7, 2017 $9,740.63
Total deposits & credits ($) + 0.00
Total cheques & debits ($) - 9.00
Closing balance on August 7, 2017 = $9,731.63

Account Activity Details

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Cheques &amp; Debits ($)</th>
<th>Deposits &amp; Credits ($)</th>
<th>Balance ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening balance</td>
<td></td>
<td></td>
<td></td>
<td>9,740.63</td>
</tr>
<tr>
<td>01 Aug</td>
<td>Paper statement with images fee</td>
<td>1 @ 3.00</td>
<td></td>
<td>9,733.63</td>
</tr>
<tr>
<td></td>
<td>Minimum monthly fee</td>
<td></td>
<td>6.00</td>
<td>9,731.63</td>
</tr>
<tr>
<td></td>
<td>Closing balance</td>
<td></td>
<td></td>
<td>9,731.63</td>
</tr>
</tbody>
</table>

Account fees: $9.00
Important Account Information

RBC Business Advisors are available 24 hours a day, 7 days a week

Our team of business advisors are available whenever you need them.

Call us at 1-800-769-2520 for:

- Business account transaction information
- Credit and debit card processing solutions
- Your nearest ATM or Night Deposit location
- Help with your personal banking needs
- And more

Please check this Account Statement without delay and advise us of any error or omission within 45 days of the statement date. An image included on this Account Statement does not indicate that a cheque has been successfully processed as of the statement date. Please retain this statement for your records. Additional copies will be subject to a nominal fee.

Registered trademarks of Royal Bank of Canada
Royal Bank of Canada GST Registration Number: 1185524495.
1) COMMENT / RECOMMENDATION – CAO
The CAO supports the recommendations of staff. It is critical that the $20,000 retained by the Town from the Business Development Area Rate be utilized to support key economic development initiatives within the Town.

2) RECOMMENDATION
Staff recommend that Council forward the draft criteria for the Strategic Economic Development Partnership Fund to Council for approval.

If Council wishes to make significant changes to the criteria that COW direct staff to make changes as per the feedback of Council and bring the updated criteria to a future COW for consideration.

3) DRAFT MOTION
That Council adopt the draft criteria that would apply only to the 2015-2016 fiscal year for the grants totalling $20,000 and that staff review any existing proposals and bring recommendations for disbursement of the funds to a subsequent COW meeting.

4) REFERENCES
- Community Partnership Program
- Economic Action Plan
- Council Strategic Plan
- Downtown Development Plan
- WBDC draft budget

5) PURPOSE OF REPORT
The purpose of this report is to provide Council with draft criteria for the allocation and disbursement of $20,000 of grant monies. The criteria enclosed are for discussion purposes and staff are seeking feedback on the criteria.
6) DISCUSSION

The Community Partnership Program (CPP) was established by policy of Council to support programs, facilities and events that benefit the Town of Wolfville. However, the Town received a number of requests that fall outside of the CPP funding guidelines which Council has expressed an interest in supporting. In the 2015/16 Operating Budget there is a $20,000 increase to grants to organizations that was intended to support activities previously supported by the WBDC; however, no policy exists to guide the disbursement of these funds. This report outlines potential guidelines for Council consideration.

The intention of the CPP program is to support economic and community development in the Town of Wolfville. Council has expressed a strong desire to promote Wolfville as a destination and hub of cultural and economic activity. With this in mind, it would seem appropriate to focus the dollars not specifically allocated to the CPP program on initiatives or programs that would provide significant economic development possibilities for the town.

The total amount for disbursement is $20,000 and as such staff believe that instead of many smaller grants that a few larger amounts to fewer organizations would be beneficial. The intention with this budget is to get the maximum “bang for the buck” and staff is purposing to call this one-time program the “Strategic Economic Development Partnership Fund.”

Proposed criteria:

- Supports the culinary and wine industry.
- Significant tourism and visitor attraction potential, which can be demonstrated and documented.
- Directly supports our existing business sector.
- Builds on successful initiatives supported by the WBDC.
- Initiative has significant partnerships or other sources of funding and has demonstrated a financial need.
- One-time events will not be funded, but rather long-term, sustained activities will be supported.
- Helps to keep Wolfville “on the map” locally, provincially and nationally. Supports the Downtown Vision.

Summary of requests received to date:

- Annapolis Valley Chamber of Commerce – The request is to support the 2015 Tourism Marketing Plan.
- Kings Volunteer Resource Centre – To support the work of the KVRC, which is focused on supporting and attracting volunteers.
- Kings Senior Safety – To support the work of this organization that focuses on seniors abuse prevention.
• Culinary Epicentre Project – A project to create a food and wine hub in the region. The project is currently undertaking a feasibility assessment which should be completed in the fall. Although staff have not received a specific ask in relation to this project, we anticipate that one may be received, depending on the results of the feasibility assessment.

• Devour! The Food Film Fest – Devour has asked for an additional $5,000 in funding and would like to come to Council to make a presentation.

**Draft criteria**

To assist Council in its evaluation of the draft criteria proposed by staff, the projects of which staff are aware that are seeking funding or may seek funding are shown below. This is not a comprehensive list, but is shown only to demonstrate what kinds of projects would fit the criteria. Many of these projects are existing requests in to Council.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Total request</th>
<th>Multi- year</th>
<th>Supports Tourism</th>
<th>Supports Business Sector</th>
<th>Supports culinary and wine</th>
<th>WBDC</th>
<th>Financial need</th>
</tr>
</thead>
<tbody>
<tr>
<td>AVCC – Tourism ad</td>
<td>$6,000</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
</tr>
<tr>
<td>Volunteer Resource Centre (Council has received a presentation)</td>
<td>$2,000</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
</tr>
<tr>
<td>Seniors Organization (Council received a presentation)</td>
<td>$3,600</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
</tr>
<tr>
<td>Culinary Epicentre Project– no request yet we anticipate one. (presentation pending)</td>
<td>No specifics</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
</tr>
<tr>
<td>Devour (presentation pending)</td>
<td>$5,000</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
</tr>
<tr>
<td>Masters Curling (no formal ask but letter from MOK)</td>
<td>No specifics</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>🟢</td>
<td>???</td>
</tr>
</tbody>
</table>

**Process**

At this time, staff are not recommending establishing a formal application process and timeline for this fund as there have already been several requests for funding that are not covered by the CPP. Using the draft criteria, Devour and the AVCC tourism project would be eligible for funding, leaving approximately half the fund to deal with any other requests that arise throughout the year.
Council would approval all grant allocations through motion and applicants under this fund would make a presentation to Council before any granting of funds.

7) POLICY CONSIDERATIONS

CPP Policy

The CPP policy provides guidance as the type of projects Council wishes to support, particularly in policy 1, 2 and 3 stated below.

1. The Town will consider providing limited financial assistance to non-profit organizations and registered charities that are providing recreational and cultural services to residents, and/or visitors to the Town of Wolfville through the Community Partnership Program.

2. The Town will consider providing limited financial assistance to support major cultural events or festivals that have the potential to bring significant direct or indirect economic, social, health or community benefits to Wolfville through the Community Partnership Program. Local community events may also be considered for limited financial assistance.

3. The Town will consider providing limited financial assistance to facility operators whose facilities are available for use by the community.

Downtown Development Plan

The Downtown Development Plan established the following goal for Wolfville. There are a number of specific recommendations in the plan, but this vision captures best the feeling that Council wishes to have in Wolfville. Staff recommend that potential funding help achieve this vision.

Vision for Downtown Wolfville

- Alive... Inviting... Connected...

Our Downtown welcomes everyone. Streets are filled with busy shops, cafes, lively entertainment and thriving businesses. You can feel the energy and see the innovation and creativity everywhere.

Our spectacular waterfront, downtown neighbourhoods and parks are connected by trails and walkways for easy movement and enjoyment.

Downtown is where it's happening – fun and discovery, anytime of the year.
The Economic Action Plan


Economic Action Plan Goals

The two established goals for the economic action plan are:

1. To enhance the foundation so business can be successful and residents can find the opportunities they are looking for within their town.

2. To establish Wolfville as the premier food and wine destination of the Atlantic Provinces.

8) OPTIONS

1. Use the existing CPP criteria to guide the disbursement of the funds. – The funds could be disbursed according to the existing criteria. This would mean that Devour and the AVCC would not be funded/receive additional funding.

2. Develop other criteria – Staff are recommending that Council establish criteria as outlined in this report. These criteria would apply only to these funds in this budget year. If Council so wishes, the establishment of this funding source could be referred to the 2016/2017 budget deliberations. Staff are also in the process of revamping the CPP program and the draft criteria proposed in this report would only apply to this year; however, these criteria may be incorporated into the revised CPP program.

9) BUDGET CONSIDERATIONS

Total budget is $20,000

10) COMMUNICATIONS REQUIREMENTS

Staff would communicate with organizations that would be eligible for this fund any criteria adopted by Council. Any organization that Council does not fund would receive a personal call to explain the process and inform them that the CPP program is under review, thereby potentially changing the eligibility requirements.

In addition, it will be important to communicate to any successful submissions under this fund that this is a one-time only program.
11) REFERENCES TO COUNCIL STRATEGIC PLAN
These funding criteria support Strategic Directions #2, #3 and #4 of Council’s Strategic Plan.

Strategic Directions
1. Well Maintained and Sustainable Public Infrastructure
2. A Diverse, Prosperous, and Sustainable Local Economy
3. A Growing Population Encompassing all Ages and Stages who Live in Safe, Attractive, Cohesive, Neighbourhoods
4. A Robust Active Living and Cultural Community
5. Efficient and Effective Leadership from a Committed and Responsive Executive and Administrative Team

12) SUMMARY
See “discussion”.
SUMMARY

Municipal Fees – Updates to Bylaws & Policies

Town Council approved the Municipal Fees Policy 140-015 at the July 17, 2017 Town Council meeting. As this Policy provides a consolidated listing of all Municipal Fees collected for the Town of Wolfville, all Bylaws & Policies that indicate a fee required updating to reference Policy 140-015.

DRAFT MOTIONS:

That Council give First Reading to the amended Town Bylaws identified in RFD 051-2017, and forward to the October 17, 2017 Town Council meeting for Second Reading:

- Chapter 03 – Town Seal Bylaw
- Chapter 40 – Taxi Bylaw
- Chapter 65 – Building Bylaw
- Chapter 67 – Deed Transfer Tax Bylaw
- Chapter 91 – Subdivision Bylaw
- Chapter 99 – Vending Bylaw

That Council approve the amended Policy 610-003, Sidewalk Café Policy
1) CAO COMMENTS

The CAO supports the recommendation of staff.

2) LEGISLATIVE AUTHORITY

Section 49(1)(c) of the Municipal Government Act enables Council to set and amend the fees to be paid for:

i. licenses issued pursuant to a by-law of the municipality,
ii. an inspection required or conducted pursuant to a by-law of the municipality or an enactment,
iii. permits, applications and approvals required to be obtained from the municipality or an employee of the municipality pursuant to a by-law of the municipality or an enactment,
iv. and expenses charged for the impoundment of animals

3) STAFF RECOMMENDATION

Staff recommends that Council approve the amended Bylaws and Policies outlined in RFD 051-2017

4) REFERENCES AND ATTACHMENTS

a. Municipal Government Act
b. Municipal Fees Policy 140-015
c. 03 Town Seal Bylaw
d. 40 Taxi Bylaw
e. 65 Building Bylaw
f. 67 Deed Transfer Tax Bylaw
g. 91 Subdivision Bylaw
h. 99 Vending Bylaw
i. 610-003 Sidewalk Café Fee Policy

5) DISCUSSION

Town Council approved the Municipal Fees Policy 140-015 at the July 17, 2017 Town Council meeting. As this Policy provides a consolidated listing of all Municipal Fees collected for the Town of Wolfville, all Bylaws & Policies that indicate a fee now require updating to reference Policy 140-015.

The following Bylaws and Policy require amendments to reference the Municipal Fees Policy.

- 03 Town Seal Bylaw
- 40 Taxi Bylaw
- 65 Building Bylaw
• 67 Deed Transfer Tax Bylaw
• 91 Subdivision Bylaw
• 99 Vending Bylaw
• 610-003 Sidewalk Café Fee Policy

All amendments will be approved through their appropriate legislative processes beginning in September. Amendments in the attached Bylaws and Policies are highlighted in yellow.

6) FINANCIAL IMPLICATIONS

N/A

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

The Municipal Fees Policy was identified as a project in the Town’s 2017/18 Operational Plan. It is not directly related to the goals of the strategic plan; however, it will improve the Town’s administrative processes.

8) COMMUNICATION REQUIREMENTS

N/A

9) ALTERNATIVES

As Town Council has already approved Policy 140-015, there is no alternative to moving forward with the approval of each amended Bylaw and Policy.
1. Title

This bylaw shall be known as bylaw 03 and may be cited as the Town Seal Bylaw.

2. References
   2.1 Nova Scotia Municipal Government Act (NS MGA)
   2.2 Policy 140-015, Municipal Fees Policy

3. Definitions

   3.1 In this Bylaw:

      (1) ‘Clerk’ is the Town Clerk for the Town of Wolfville

      (2) ‘Mayor’ is the Mayor of the Town of Wolfville

4. Bylaw:

   4.1 The Common seal of the Town, made of metal and having engraved thereon the words “Town of Wolfville Incorporated A. D. 1893” surrounding the figure of an apple tree is and shall continue to be the corporate seal of the Town.

   4.2 The seal shall be kept by the Town Clerk.

   4.3 It shall be used when authorized by any statute of any by-law of the Town or by direction or resolution of the Council.

   4.4 It shall be affixed to every agreement, contract, deed, lease, or other document to which the Town is party, and which, in order to bind the Town requires to be authenticated by the seal.

   4.5 The Mayor or Clerk shall affix the seal to every such agreement, contract, deed, lease or other document which shall also be signed by the Mayor or Clerk.
4.6 The following form may be used when any document is to be so authenticated:

In Witness Whereof the common seal of the said Town of Wolfville attested by the signatures of the undersigned, the Mayor and Town Clerk thereof, hath been hereto affixed this day ______ of ___________, A.D. 20____ or this day of ____________ in the year of Our Lord Two Thousand ________

(Seal)

_________________________
Mayor

_________________________
Town Clerk

4.7 The Mayor or Clerk may affix the seal to any certificate or document at the request of the person desiring it.

4.8 The person requiring the Town Seal to be affixed to any certificate or document for the purpose of authentication or otherwise shall pay to the Town the fees outlined in Policy 140-015.

5. Repeal Section:

Chapter 03, Town of Wolfville Town Seal Bylaw (undated) is repealed upon publication of this Bylaw under Section 169(2) of the Municipal Government Act.
Town of Wolfville
Bylaw Ch03
Town Seal Bylaw

Clerk’s Annotation for Official Bylaw Book

Date of first reading: 2017-09-19
Date of advertisement of Notice of Intent to Consider: _________________
Date of second reading: _________________
Date of advertisement of Passage of By-law: _________________
Date of mailing to Minister a certified copy of By-law: _________________

I certify that this Town Seal Bylaw 03-- was adopted by Council and published as indicated above.

_________________________  ______________________
Dan S. Stovel, Town Clerk  Date
1. Title

This bylaw shall be known as bylaw 40 and may be cited as the Taxi Bylaw.

2. References

2.1 Nova Scotia Municipal Government Act (NS MGA)

2.2 Policy 140-015, Municipal Fees Policy

3. Definitions

3.1 In this Bylaw:

(1) "Authorized Insurer" means an insurance company lawfully authorized or permitted to carry on its business in Nova Scotia.

(2) "Driver" means a person, to whom a Taxi Driver's License has been issued, driving or having the care and control of a taxi.

(3) "Licensing Authority" means the Chief of Police of the Town of Wolfville or a person appointed by the Town Council to act on behalf of the Chief of Police for the purposes of this Bylaw.

(4) "Motor Vehicle" means a vehicle as defined below, which is propelled or driven otherwise than by muscular power.

(5) "Owner" means the owner of a taxi.

(6) "Proof of Financial Responsibility" means the production of a written certificate of an authorized insurer that it has issued, to or for the benefit of the person named in the certificate, a motor vehicle liability policy which, at the date of the certificate, is in full force and effect, and which certifies insurance coverage required by this bylaw, or such other proof as the Licensing Authority may require.

(7) "Taxi" means a motor vehicle with four doors which is a sedan, station wagon, van or limousine, or an accessible taxi cab as defined in the Motor Vehicle Act used to transport passengers or goods for compensation, but does not include either a motor vehicle owned or operated by a public utility as defined in the Public Utilities Act, or a motor carrier required to be licensed under the Motor Carrier Act.

(8) "Taxi Stand" means off street parking for a taxi or taxis within the Town.

(9) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting a motorized wheel chair and devices moved by human power or used exclusively upon stationary rails or tracks.
4. Bylaw:

4.1 Taxi Owner's License

(a) Every owner who operates a taxi or permits it to be operated in Town, shall have a Taxi Owner's License issued by the Licensing Authority for that Taxi.

(b) Every applicant for a Taxi Owner's License shall submit an application in the form recommended by the Licensing Authority to the Licensing Authority with the following:

1) Full name and address of the Owner/Applicant;

2) Registration number of the Taxi;

3) Year, make, model and description of the Taxi;

4) A valid Nova Scotia Registry of Motor Vehicles Safety Inspection Report for the Taxi, issued not more than sixty (60) days prior to the application;

5) Location of the Taxi Stand for the Taxi;

6) A complete list of all taxis that Owner operates under the provisions of this Bylaw;

7) Proof of Financial Responsibility certifying:
   
   (i). Public liability coverage of not less than Two Million Dollars ($2,000,000);
   
   (ii). Passenger hazard coverage;
   
   (iii). Accident benefits and uninsured motorist coverage as required by the Motor Vehicle Act and any other applicable Provincial Statute.
   
   (iv). Endorsement 6A entitled, Permission to Carry Passenger for Compensation, or such comparable form approved by the Insurance Bureau of Canada;

8) Payment of the Taxi Owner's License Fee;

9) Evidence of a valid Nova Scotia Motor Vehicle Permit registered in the name of the Applicant for the Taxi sought to be licensed.

(c) The Licensing Authority may issue a Taxi Owner's License:

1) To an Applicant who has submitted a complete application;

2) Applicable to one Taxi only, without limitation on the number of Taxi Owner's Licenses for separate Taxis which may be issued to any owner.

(d) The Owner shall display conspicuously the Taxi Owner's License on the inside of the door post or on the rear portion of the front seat of the Taxi for which it is issued.
(e) The holder of a Taxi Owner’s License who acquires or disposes of a Taxi operating under the provisions of this Bylaw shall immediately report on that to the Licensing Authority.

(f) A Taxi Owner's License is not transferable.

(g) The holder of a Taxi Owner's License wishing to discontinue the use of one Taxi and to begin using another, must submit a new Application for a Taxi Owner's License but need not repay the fee for the same licensing year.

(h) The holder of a Taxi Owner's License shall keep the Taxi clean and in a sanitary condition and in good repair at all times.

(i) The holder of a Taxi Owner's License shall cause to have permanently displayed on the exterior of the Taxi so licensed a sign bearing the word TAXI. The sign shall be lighted after dark and shall be clearly visible at all times from a distance of at least two hundred (200) feet.

4.2 Taxi Driver’s License

(a) Every person who operates a Taxi in the Town shall have a Taxi Driver's License issued by the Licensing Authority.

(b) Every operator shall display conspicuously the Taxi Driver’s License with the Taxi Owner’s License on the inside door post or on the rear portion of the front seat of the Taxi while the Taxi is being operated.

(c) Every applicant for a Taxi Driver's License shall submit an application in the form recommended by the Licensing Authority to the Licensing Authority with the following:

1) Full address of the Applicant and full name and other names by which the Applicant has been known in the past;

2) Two (2) copies of a recent photograph of the Applicant, one and one-half inches square in size, which shall not be retouched; one to be filed with the application and the other to be fixed to the license if and when granted;

3) True and full disclosure of any conviction under:

   (i). The Criminal Code of Canada;
   (ii). The former Narcotic Control Act and the former provisions of the Food and Drugs Act, or either of them, for trafficking or for possession for the purpose of trafficking;
   (iii). The Controlled Drugs and Substances Act, for trafficking or possession for the purpose of trafficking;
   (iv). The Liquor Control Act;
(v). The Young Offenders Act for an indictable offence within the last five years.

4) A copy of a valid Nova Scotia Driver's License issued to the Applicant under the Motor Vehicle Act, which allows operation of a taxi;

5) The Applicant's Abstract of Driving Record from the Registry of Motor Vehicles dated not more than thirty (30) days prior to the date of the Application;

6) The name of the holder of a Taxi Owner's License for whom the applicant will be driving;

7) Medical Certificate stating that the Applicant is physically and mentally fit to operate a taxi, issued not more than sixty (60) days prior to the date of the Application;

8) A copy of the Applicant's Birth Certificate;

9) Two written non-family character references for the Applicant;

10) Payment of the Taxi Driver's License fee as outlined in Policy 140-015.

(d) The Licensing Authority shall decline to issue a Taxi Driver's License to an Applicant judged by the Licensing Authority, to be not a fit and proper person to hold such a license on the basis of the information provided by the Applicant in the Application.

(e) If the Licensing Authority declines to issue a Taxi Driver's License, the Applicant may appeal that decision of the Licensing Authority to the Town Council at its next regular meeting.

(f) Every Operator shall be neat and clean at all times.

4.3 General Conditions

(a) All Taxi Owner's Licenses and Taxi Driver's Licenses expire on 31 March of each year.

(b) No holder of a Taxi Owner's License shall allow the Taxi for which that license is issued to be operated by a person without a Taxi Driver's License.

(c) The Licensing Authority may issue a license for part of a year. The License Fee shall be prorated accordingly.

(d) While transporting a passenger in a Taxi, no Operator shall smoke, except with the consent of the passenger.

(e) While in control of a Taxi, every Operator shall behave in an orderly manner at all times and shall not use abusive or insulting language.
(f) Upon satisfying the Licensing Authority that a Taxi Owner’s License or a Taxi Driver’s License has been lost, stolen or destroyed, and upon payment of the prescribed fee, the holder of the License may obtain a replacement license from the Licensing Authority.

(g) If the Licensing Authority has reason to believe that it is in the public interest to cancel any license under this Bylaw, the Licensing Authority shall provide to the License Holder written notice of:

1) the proposed cancellation;

2) the reasons for the proposed cancellation;

3) at least two working days, notice of the date, time and place, for a hearing with the Licensing Authority to hear the reasons for the proposed cancellation and to respond to those reasons.

The notice shall be served personally or by regular mail to the address given in the License Application or a current address provided by the License Holder.

(h) If the Licensing Authority proposes to cancel a Taxi Driver’s License, the notice required above shall be provided also to the holder of the applicable Taxi Owner’s License.

(i) If the Licensing Authority is satisfied after the hearing, or the non-appearance by the License Holder at the hearing, that it is in the public interest to do so, the Licensing Authority may cancel the license. The Licensing Authority shall provide written notice of cancellation of license to the license holder. The cancellation shall be effective at midnight on the second full day after the day of personal service of the notice of cancellation, or the fourth full day after mailing the notice of cancellation to the license holder. If the notice of cancellation applies to a Taxi Driver’s License, the Licensing Authority shall also give Notice of cancellation to the applicable holder of the Taxi Owner’s License.

(j) Any person whose license has been cancelled under this Section may appeal the decision of the Licensing Authority to the Town Council at its next regular meeting.

(k) Every holder of a Taxi Owner’s License shall file with the Licensing Authority the current fee schedule in use for each applicable Taxi. The holder of the Taxi Owner’s License shall display or cause to be displayed conspicuously the fee schedule on the rear of the driver’s seat of the Taxi.

(l) No Operator shall charge a fare higher than set out in the fee schedule filed with the Licensing Authority and displayed in the Taxi.

(m) Every holder of a Taxi Owner’s License shall have a Taxi Stand in the Town large enough to accommodate all the Taxis licensed to that Owner.
4.4 Condition of Vehicle and Inspection

(a) No owner or operator shall operate or permit to be operated any Taxi that does not meet the following standards of repair and cleanliness:

1) The body shall not be damaged or unsightly, the exterior shall be clean and in good repair;

2) The interior shall be clean and sanitary and shall not contain any refuse;

3) The upholstery shall be clean, free from holes, cuts, tears and shall not show excessive wear;

4) The side windows which are intended to open and close shall be in good repair and in good working order;

5) The Taxi shall be equipped with front and back bumpers, both of which shall be securely mounted;

6) No portion of the exterior shall be bent or broken and nothing shall protrude as to be a hazard to persons or vehicles;

7) No fender, grill, hubcap or bumper of a taxi shall be removed or missing;

8) Every door and trunk lid shall close securely;

9) All door handles and catches shall be in good working order;

10) Every seat shall be equipped with a seat belt which shall be securely mounted and shall maintain its position and its adjustments; and

11) The Taxi shall have an interior dome light which shall be in good working order and which shall operate when any of the doors is opened or the light switch turned on.

(b) At a reasonable time and on reasonable notice by the Licensing Authority, every Owner or Operator shall submit the Taxi identified for examination by the Licensing Authority. Neither the Owner nor the Operator shall at any time prevent or hinder the Licensing Authority from entering the vehicle for inspection. The Licensing Authority shall record the condition of the vehicle so inspected in a Taxi Inspection Report.

If a Taxi fails to satisfy the condition requirements set out in Section 4.4(a), the Licensing Authority may order the Owner or Operator of that Taxi to cease operation until the deficiencies described in the Taxi Inspection Report are corrected to the satisfaction of the Licensing Authority. Neither the Owner nor the Operator shall put that Taxi back into service until it has been reapproved for operation by the Licensing Authority.
(c) The holder of a Taxi Owner's License for a Taxi which has been involved in an accident or a collision, not later than three o'clock of the afternoon of the following weekday, shall notify the Licensing Authority, who shall inspect the Taxi under Section 4.4(b).

(d) Every Owner shall file with the Licensing Authority the name and address of each Operator in the Owner's employ and shall notify the Licensing Authority within seven (7) days of any new hiring, dismissal, or other change in employment of such Operator.

4.5 Offences and Penalties

Any person who violates any of the provisions of this Bylaw shall be guilty of an offence and shall be liable for the first offence to a penalty of not less than fifteen dollars ($15) and in default of payment, to imprisonment for a term of not more than fifteen (15) days; for the second offence to a penalty of not less than twenty-five dollars ($25) and in default of payment to imprisonment for a term of not less than thirty (30) days nor more than sixty (60) days; for a third offence or any subsequent offence to a penalty of not less than fifty dollars ($50) and in default of payment, to imprisonment for a term of not less than thirty (30) days or more than sixty (60) days or both.

4.6 Fees

The Fees payable for licenses are outlined in Policy 140-015, Municipal Fees Policy.

4.7 Summary Conviction

The levying and payments of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fee, charge or cost for which they are liable under the provisions of this Bylaw.

4.8 Restrictions

(a) This Bylaw does not apply to a person transporting for hire passengers or goods brought into the Town from outside the Town.

(b) This Bylaw does not apply to a person transporting for hire passengers or goods taken on within the Town to be discharged or unloaded outside the Town.

(c) Between the hours of 8:00 a.m. and 10:00 p.m. no Taxi shall be parked or left standing on any highway or street in the Town for a period longer than ten (10) minutes or for the purpose of soliciting business or passengers, unless in a taxi stand or in a parking space provided as a "Taxi Only Parking" space. The Traffic Authority may designate, from time to time, parking spaces as "Taxi Only Parking".
5. **Repeal Section:**

Chapter 40, Town of Wolfville Taxi Bylaw passed by Town Council on September 20, 1999 is repealed upon publication of this Bylaw under Section 169(2) of the Municipal Government Act.

---

**Clerk's Annotation for Official Bylaw Book**

Date of first reading: 2017-09-19

Date of advertisement of Notice of Intent to Consider: __________________________

Date of second reading: __________________________

Date of advertisement of Passage of By-law: __________________________

Date of mailing to Minister a certified copy of By-law: __________________________

I certify that this **Taxi Bylaw 40**-- was adopted by Council and published as indicated above.

______________________________________  __________________________
Dan S. Stovel, Town Clerk  Date
1. **Title**

This bylaw shall be known as bylaw 65 and may be cited as the Building Bylaw.

2. **References**

2.1 Nova Scotia Municipal Government Act (NS MGA)

2.2 Policy 140-015, Municipal Fees Policy

3. **Definitions**

3.1 All words in this Bylaw have the same meaning as in the Building Code Act and the Regulations prescribed pursuant thereto.

4. **Bylaw:**

4.1 **Permits**

1) A building permit or building and development permit, footing permit, occupancy permit and demolition permit shall be in such form and contain such information as may from time to time be required for the proper administration of this bylaw and the Provincial Building Code regulations.

2) Before a permit is issued, an applicant must complete an application form.

3) Every application for a permit shall:

   a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made,

   b) describe the land on which the work is to be done by a description that will readily identify and locate the building lot, and should where possible include both civic number and subdivision lot number,

   c) include plans and specifications as required by the Building Code and show the occupancy of all parts of the building,

   d) state the valuation and square footage of the proposed work and be accompanied by the required fee, and

   e) state the names, addresses and telephone numbers of the owner, architect, professional engineer or other designer and constructor.
4) When an application for a permit has not been completed in conformance with the requirements of this bylaw within six months after it is filed, the application shall be deemed to have been abandoned.

5) A permit is valid for 1 year from the date of issue and is renewable.

6) An occupancy permit may be issued, subject to compliance with provisions to safeguard persons in or about the premises, to allow the occupancy of a building or part thereof for the accepted use prior to commencement or completion of the construction.

7) Before issuing a building permit, a complete application shall be filed with the authority having jurisdiction.

8) Before issuing a building permit, the authority having jurisdiction shall be satisfied that a development permit has been issued or a development agreement entered into pursuant to the Land use Bylaw of the Town of Wolfville.

9) The authority having jurisdiction may, in the case of the construction of new buildings or structures, withhold a building permit until satisfied that any permit required pursuant to the Public Highways Act has been obtained.

10) A permit for a temporary building:
   a) shall state the date after which the conditions under which the permit is no longer valid,
   b) may be extended in writing,
   c) shall be posted on the building.

11) (a) Where in order to expedite work, approval of a portion of the building is desired prior to the issuance of a permit for the whole project, application shall be made for the complete project and complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed.

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

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

4.2 Permit Fees

Fees for permits are outlined in Policy 140-015, Municipal Fees Policy.
4.3 Inspections

1) The authority having jurisdiction shall be notified on 48 hours verbal notice and given an opportunity to inspect at the following stages of construction:

a) the foundation before backfilling;

b) when the roof is tight;

c) when the outside is finished and rough plumbing, electrical wiring and insulation are installed;

d) when the interior and exterior are complete.

*If Council has determined that it is inappropriate to require the land owner to hook lip to the Town’s system the following will apply:*

4.4 Sewage Disposal Systems

An application for a building permit for a new building to be served by an on-site sewage disposal system shall be accompanied by an application for an on-site sewage disposal system permit to be issued by the Nova Scotia Department of the Environment and no building permit shall be issued for the building until the Building Inspector has in his possession a valid on-site sewage disposal system permit for the lot in question

4.5 Demolition and Disposal

Any building permit issued in relation to a demolition project shall not be issued unless the application is accompanied by a proposal indicating the method and the proposed site for the disposal of the demolition material and such proposal shall be in accordance with the requirements of all applicable federal, provincial and municipal laws

5. Repeal Section:

Chapter 65, Town of Wolfville Building Bylaw passed by Town Council on August 18, 1997 is repealed upon publication of this Bylaw under Section 169(2) of the Municipal Government Act.
Clerk's Annotation for Official Bylaw Book

Date of first reading: 2017-09-19

Date of advertisement of Notice of Intent to Consider: 

Date of second reading: 

Date of advertisement of Passage of By-law: 

Date of mailing to Minister a certified copy of By-law: 

I certify that this Building Bylaw 65 was adopted by Council and published as indicated above.

_____________________________  _________________________
Dan S. Stovel, Town Clerk  Date
1. **Title**

This bylaw shall be known as bylaw 67 and may be cited as the Deed Transfer Tax Bylaw.

2. **References**

   2.1 Nova Scotia Municipal Government Act (NS MGA)

   2.2 Policy 140-015, Municipal Fees Policy

3. **Definitions**

   3.1 In this Bylaw:

      (1) ‘**Clerk**’ is the Town Clerk for the Town of Wolfville

      (2) ‘**Mayor**’ is the Mayor of the Town of Wolfville

4. **Bylaw:**

   4.1 The Municipal Government Act, Sections 102 to 110 inclusive, apply to the Town of Wolfville.

   4.2 The rate of the deed transfer tax is outlined in Policy 140-015, Municipal Fees Policy.

   4.3 As per Section 169 of the Municipal Government Act, the Bylaw will have the force of law upon the publication of a notice in a newspaper circulating in the municipality stating the object of the Bylaw and the place where it may be read.

5. **Repeal Section:**

   Chapter 67, Town of Wolfville Deed Transfer Tax Bylaw passed by Town Council on May 20, 2003 is repealed upon publication of this Bylaw under Section 169(2) of the Municipal Government Act.
# Clerk’s Annotation for Official Bylaw Book

<table>
<thead>
<tr>
<th>Date of first reading:</th>
<th>2017-09-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of advertisement of Notice of Intent to Consider:</td>
<td>________________</td>
</tr>
<tr>
<td>Date of second reading:</td>
<td>________________</td>
</tr>
<tr>
<td>Date of advertisement of Passage of By-law:</td>
<td>________________</td>
</tr>
<tr>
<td>Date of mailing to Minister a certified copy of By-law:</td>
<td>________________</td>
</tr>
</tbody>
</table>

I certify that this **Deed Transfer Tax Bylaw 67** was adopted by Council and published as indicated above.

______________  _______________
Dan S. Stovel, Town Clerk          Date
1. **Title**

This bylaw shall be known as bylaw 91 and may be cited as the Subdivision Bylaw.

2. **References**

2.1 Nova Scotia Municipal Government Act (NS MGA)

2.2 Policies of the Town of Wolfville that are pertinent to the Bylaw

3. **Definitions**

3.1 In this Bylaw:

   (1) ‘Development’ means development as defined in the Planning Act, SNS 1969 Chapter 16 Section (1).

   (2) ‘Development Officer’ means the development officer for the Town of Wolfville.

   (3) ‘Subdivision’ means any subdivision as defined in the Planning Act, SNS 1969 Chapter 16 Section (1).

   (4) ‘Subdivider’ means any owner or developer of land, who is engaged in the creation of a subdivision or a development.

   (5) ‘Town’ means the Town of Wolfville.

   (6) ‘Useable land’ means land meeting the following criteria:

       • minimum frontage on a Public Street of 20 metres
       • minimum area of 1000 square metres
       • maximum slope of 5% land must be free of wet or swampy areas or areas covered by water

4. **Bylaw:**

1. Every subdivider shall, at the time subdivision approval of a plan of subdivision is granted by the development officer, convey to the Town usable land for park, playground and similar public purposes equal to ten per cent (10%) of the area shown on the final plan of the subdivision, exclusive of streets, roads, walkways and the residue to land owned by subdivider. Provided, however, that this requirement shall not apply to any subdivision or portion thereof, that is a consolidation of two or more parcels or changes the boundary lines of any parcels and which does not result in the creation of any additional parcels. The Development Officer may accept land other than land meeting the definition of useable land where:

   • the land offered is adjacent to parkland or open space owned by the Municipality of a minimum area of 500 square metres;
• the land offered has unique physical, cultural or historical characteristics which are of value for parks, playgrounds or similar public purposes.

2. Failing mutual agreement between the Town and the subdivider, on the location of the lands to be conveyed to the Town pursuant to Clause (2) above, the subdivider shall, in lieu of conveying the said land, pay to the Town a sum of money equal to ten percent (10%) of the assessed value of the new lots created in the final plan of subdivision excluding streets, roads and the residue of land owned by the subdivider.

3. All public streets proposed on a plan of subdivision shall be constructed by the subdivider to a "Paved Street Standard" as specified on the Town of Wolfville Typical Road Cross Section dated April 1986 attached hereto as Schedule "A" together with such additional standards and specifications as may be required by the Development Officer in his sole discretion, in particular circumstances and shall include an underground storm drainage system. All costs for street and storm sewer construction shall be borne by the subdivider.

4. The subdivider shall provide all lots approved on a final plan of subdivision with municipal water and sewer services to the property line to the minimum stands and specifications as specified in the Town of Wolfville Minimum Standards attached hereto as Schedule "B" together with such additional standards and specifications as may be required by the Development Officer in his sole discretion in particular circumstances.

5. Turning circles of at least twenty meters (20m) in radius shall be provided on all cul-de-sacs. Temporary turning circles of the same radius as indicated above shall be provided on any dead-end street intended for extension at a future date. No turning circle shall terminate at an adjacent road.

6. Before approval is endorsed on the final plan of subdivision, the Development Officer shall have received joint approval of the water, sanitary sewer, and storm drainage systems from the Department of Health and the Department of the Environment.

7. (1) The subdivider satisfy the requirements to provide streets and services under this By-law by one of the following:

(a) By written agreement with the Town, the Subdivider shall agree to install the required services and construct the public streets before approval is endorsed on the final plan of subdivision, or

(b) By written agreement with the Town, the Subdivider shall agree to install the required services and construct the public streets after approval is endorsed on the final plan of subdivision and shall deposit with the Clerk, before such endorsement

   (i). cash, or
   (ii). a certified cheque, or
   (iii). a bond, or
   (iv). a first mortgage on a lot (or lots) approved in the plan of subdivision, or
(v). an irrevocable letter of credit from a chartered bank, or
(vi). other security, approved by Council, in an amount of 150% or the estimated
installation costs of the required services, such estimates to be approved by the
Development Officer. The value of a lot (or lots) used for security, per section b.
(vii). shall be determined by the assessed value of the lot (or lots) by the Nova Scotia
Provincial Assessment Office.

8. (1) An agreement entered into between the Town and the subdivider under Section 4.7 shall
be executed in duplicate, signed by the Mayor and the Clerk on behalf of the Town, and by the
subdivider and shall be given to the Clerk and the subdivider before approval is endorsed on
the final plan of subdivision.

   (2) The agreement shall contain terms with respect to:

   (a) commencement and completion dates for the construction and installation of services and
       public streets,

   (b) such phasing as may be agreed upon by the subdivider and the Town,

   (c) the terms and conditions of any bond or other security posted with the Town,

   (d) the provision and acceptance of easements and rights-of-way associated with the
       services,

       and

   (e) any other matter required by the provisions of this by-law.

9. In addition to Section 4.8, the subdivider shall:

   (a) arrange and pay for engineering design specifications for the services in accordance with
       the specifications of the Town for such services;

   (b) arrange for complete testing of the systems, and shall advise the Town Engineer of
       proposed test dates, sites and times;

   (c) allow the Town to inspect the construction and installation at any stage;

   (d) following completion of the sanitary sewer and water systems and the construction of all
       public streets, convey the services free of encumbrances from the subdivider to the Town,
       at no cost to the Town.

10. In addition to Sections 4.8 and 4.9, where the subdivider posts a bond or other security with
    the Town, the following conditions shall be met:

    (a) The bond or other security shall be made in favour of the Town, conditioned on the
        execution and completion of the agreement in accordance with its terms and the terms
of this by-law, and shall not be subject to cancellation, termination, or expiration during the period of time for completion of the services;

(b) Where installation of the services and construction of the public streets are not completed in accordance with all of the terms of the agreement with the Town and of this by-law, the subdivider shall forfeit forthwith to the Town the cash or certified cheque deposit, the bond, or the other security.

11. After construction and installation of the required services and before they are accepted by the Town, the subdivider shall:

(a) provide the "as built" reproducible engineering drawings for all services stamped by a Professional Engineer, and

(b) provide all operating and procedural manuals for each water or sanitary sewer system, and

(c) provide the results of all required test reports of the systems demonstrating that the required systems have been constructed and are operating according to the standards of the agreement and this by-law, and

(d) provide all easements and rights-of-way associated with the services, and

(e) post a maintenance bond acceptable to the Council made in favour of the Town in an amount equal to 10% of the actual costs of construction and installation of services, such bond to posted for one (1) year.

12. The deed to any proposed public street shown on a final plan of subdivision shall be accepted by the Town free of encumbrances before approval is endorsed on the final plan of subdivision by the Development Officer.

13. A development permit shall not be issued with respect to the land to be developed or redeveloped, until a subdivider has complied with the aforesaid provisions in this bylaw, or has entered into an agreement satisfactory to the Town, with respect thereto.

14. An applicant for a subdivision approval shall pay a fee to the Town of Wolfville for approval of said subdivision based on the fees outlined in Policy 140-015, Municipal Fees Policy.

5. Repeal Section:

Chapter 91, Town of Wolfville Subdivision Bylaw passed by Town Council on March 18, 1991 is repealed upon publication of this Bylaw under Section 169(2) of the Municipal Government Act.
TOWN OF WOLFVILLE

MINIMUM STANDARDS

SEWER DEPARTMENT

SANITARY SEWER PIPE  shall be L. E. Shaw Ltd. non-reinforced concrete pipe extra strength ASTM C145 or polyvinyl chloride SDR 35 or approved equal.

SANITARY SEWER MANHOLES  shall be 42 inch precast manholes with steps as manufactured by L. E. Shaw Ltd. or approved equal. Each manhole shall have at least one tapered section and one top section to take a 24 inch diameter manhole cover and frame.

SANITARY MANHOLE COVER  shall be Industrial Marine Products Type R-10, 24 inch frame and cover or approved equal and shall be set so that the cover is flush with the finish grade.

STORM SEWER PIPE  shall be 12 gauge corrugated metal with paved invert and asphalt coating.

STORM SEWER CATCH BASINS  shall be 12 gauge corrugated metal, asphalt coated with at least 460 mm (18 inches) sump poured in place concrete bottom and top. Top shall have an opening to accommodate a 24 inch frame and grating.

STORM SEWER CATCH BASIN GRATING  shall be Industrial Marine Products Type $401 catch basin frame and cover or approved equal.
TOWN OF WOLFVILLE

MINIMUM STANDARDS

The following standards are the minimum which will be acceptable to the Town of Wolfville. The Town reserves the right to increase these standards in special cases where circumstances warrant.

WATER DEPARTMENT

DISTRIBUTION MAINS

shall be ductile iron, cement lined with Tighton Joint or approved equal. Bury shall be not less than 1.5 metres (5 feet).

VALVES

4 inch and larger shall be AWWA iron body, bronze mounted, double disc, mechanical joint gate valves arranged to open when turned counter clockwise and fitted with a 50 mm (2 inch) square operating nut.

VALVE BOXES

Each buried valve shall be fitted with a valve box equal to Mueller A-759 of sufficient length to permit the box cover to extend 150 mm (6 inches) above the finished grade. Boxes shall be set with the top flush with the finish grade.

PIPE FITTINGS

shall be AWWA 250 psi mechanical joint type and shall be cement lined.

HYDRANTS

shall be McAvity H67 with 2-2½ inch hose nozzles, N. S. Standard Fire Thread, one 4 inch pumper nozzle Wolfville Standard Fire Thread. They shall have at least 1.5 metres (5 feet) bury and shall open when turned counter clockwise. A gate valve shall be fitted between each hydrant and main.
Clerk’s Annotation for Official Bylaw Book

Date of first reading: 2017-09-19

Date of advertisement of Notice of Intent to Consider: ________________

Date of second reading: ________________

Date of advertisement of Passage of By-law: ________________

Date of mailing to Minister a certified copy of By-law: ________________

I certify that this Subdivision Bylaw 91 was adopted by Council and published as indicated above.

__________________________________________  ______________________
Dan S. Stovel, Town Clerk                      Date
Subdivision Regulations

1. Tentative Plan Applications

1) Persons proposing to subdivide property shall submit five (5) copies of tentative plans of the proposed subdivision to the development officer for approval. Where the plan of subdivision divides land into four lots or less, and where no roads and no water and sewer services are required to be constructed, the Development Officer may waive the requirement that tentative plans be submitted.

2) The development Officer or the Clerk, pursuant to Section 49 (3) of the Planning Act, shall approve the tentative plans or notify in writing the person submitting the tentative plan of any objectionable features.

3) Tentative plans submitted must be drawn to a scale of not smaller than 10 metres to 1 centimetre, may be based on deed description of the property to be subdivided, preferably but not necessarily as surveyed, shall be accompanied by a location or key map of a scale not less than 1:50,000 and shall show the following:

   (a) Name of the subdivision and names and addresses of the subdivider, and the surveyor or engineer.
   (b) Name and address of owner if he is not the subdivider or the applicant.
   (c) Name of owners of all abutting properties and existing uses of the properties.
   (d) Area in square metres of proposed subdivided site and existing use, and any existing buildings.
   (e) Proposed number, size, shape and area of lots and blocks.
   (f) Each lot number for identification.
   (g) Proposed use of each block and lot.
   (h) Proposed width, grade and location of existing and proposed streets; intersections and turning circles.
   (i) Availability and nature of water supply.
   (j) Existing and proposed sewage facilities.
   (k) Location of existing streets, highways, railroads and utility lines and access to existing streets and highways.
   (l) Contours at one metre (1m) intervals as may be necessary to determine grade of roads and drainage patterns.
   (m) Areas which may be required to be reserved or dedicated for public purposes under policy 3 iv of the Municipal Development Plan and provided in the Planning Act 49 (8) (e) (i) and
   (n) North point, scale and date.
   (o) Lakes, streams, water courses, swamps, rocky areas, wooded areas, areas subject to flooding or other natural features which might affect the layout or the provision of services to the area where the subdivision is located.
4) (1) When the Development Officer or the Clerk, as the case may be, is satisfied that a tentative plan contains the information required by Section 3, he shall forward a copy of the Plan to the following for their comments and recommendations:

(a) Town Engineer

(b) Chairman of Park and Tree Commission

(c) Fire Marshall for the Town of Wolfville

(d) Traffic Authority

(2) No approval of a tentative or final plan of subdivision may be refused or withheld as a result of comments or recommendations made under subsection (1) unless the plan is clearly contrary to a law or regulation of the Province of Nova Scotia, the regional plan, or to a bylaw of the Town.

2. Approval of Final Plans

1) A final plan of subdivision submitted for approval shall be accompanied by:

(a) a request in writing from the owners of the land shown on such final plan for the approval of the subdivision, and

(b) a statement signed by the applicant that he is the owner or duly appointed agent of the owner of the land to be subdivided, and

(c) If and to the extent that a subdivision by law requires a written agreement duly executed by the owner of the property, that he will meet all the requirements of the property, that he will meet all the requirements of the zoning bylaw, will construct all streets shown on the said plan, and will, where municipal sewer and water services are available, lay water and sewer mains in such streets, all according to the appropriate specifications relating thereto, and within five (5) days after having been so requested, will convey the facilities and any land reserved for public purposes to the Town, and

(d) any security or bonds required to be posted under the subdivision bylaw and proof of having met the requirements of the subdivision bylaw.

2) Five (5) copies of a final plan of subdivision must be submitted for approval. The requirements in Section 4.15 (3) and the following additional information shall be shown on any final plans of subdivision:

(a) name and address of applicant;
(b) the boundaries of the property surveyed, with accurate distances and bearings as determined by survey in the field, under the Nova Scotia Co-ordinate Survey System if possible;

(c) the length and bearings of the boundary lines of all lots, streets, rights-of-way and easements as laid out, length or arc., degrees and points of curvature, radii and tangent bearings in the case of curved lines;

(d) the width of all streets and rights-of-way;

(e) the accurate location of one or more permanent monuments;

(f) the proposed lot numbers, and street names;

(g) contours for road grades and drainage;

(h) any reservations, private or otherwise;

(i) location of streets, houses and buildings on adjoining properties;

(j) North Point (True or Magnetic) scale and date;

(k) building lines, being lines showing the position of a building in relation to the official street line;

(l) location of sewers, watermains, storm drainage facilities, culverts, pipe sizes, direction of flow and other utilities, all of which may be indicated on a separate map or diagram.

3) Such final plans of subdivision shall also:

(a) have a clear space of binding margin of at least two and one-half centimetres (2.5cm) in width;

(b) conform to the requirements for registration in the Registry of Deeds Office;

(c) be certified by a Nova Scotia Land Surveyor in the manner required by the Registry Act and any other Act in force at the time of application for approval of subdivision.

4) Where a final plan has been approved but the requirements of Section 49(5) of the Planning Act or of the subdivision bylaw of the Town have not been met, the Development Officer or the Clerk, as the case may be:

(a) shall notify in writing the applicant that his plan has been approved subject to such requirements, and
(b) give the required notices, under Section 49 (6) of the Planning Act, of such approval.

5) When the requirements of Section 49 (5) of the Planning Act, subdivision regulations and the subdivision bylaw of the Town are met, approval of a final plan of subdivision shall be endorsed by the Development Officer or Clerk, as the case may be, on one copy of the final plan and this shall be returned to the applicant.

6) No plan of subdivision shall be approved where the lot sizes of all lots shown on the plan do not meet the requirements of the zoning Bylaw.

7) No subdivision shall be approved which does not conform with the regional development plan.

8) Where these subdivision regulations are in conflict with the regulations or requirements of any provincial department pertaining to construction, land use, safety of persons or property and of the Municipal Development Plan, Zoning Bylaw, Building Code and any related Bylaw of the Town of Wolfville, the higher or more stringent requirements shall prevail.

9) No plan of subdivision shall be approved if any of the lots shown therein do not front upon or about a public street.

10) Any street or road, whether a new street or road, or an extension of any existing street or road, must have a right-of-way of at least sixteen metres, for local streets and twenty-five metres for an Arterial Street designated by the Zoning Bylaw for the Town of Wolfville.

11) Street grades measured for at least thirty-two metres (32M) shall be provided as follows:

<table>
<thead>
<tr>
<th>Street Grade for</th>
<th>Arterial</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum</td>
<td>5.0%</td>
<td>10.0%</td>
</tr>
<tr>
<td>Minimum</td>
<td>0.5%</td>
<td>0.5%</td>
</tr>
</tbody>
</table>

12) The maximum grade of any intersection approach measured along a distance of at least thirty-two metres (32M) from the centre of the street intersection shall be two percent (2%).

13) Street intersections shall not have a grade greater than set out in paragraph 12. No intersection shall be located on or near a sharp road curve or below the crest of a hill.

14) There shall be no more than four street approaches in an intersection.

15) Streets shall not run perpendicularly to slope gradients where steep grades may result. Streets shall also be designed to facilitate drainage.

16) Turning circles of at least twenty-metres (20M) in radius shall be provided on all cul-de-sacs. Temporary turning circles of the same radius as indicated above shall be provided on
17) Maximum use shall be made of loop streets where the primary function of such streets is to provide access to individual lots and to discourage through traffic. A cul-de-sac may be used to develop odd shaped parcels and shall be properly oriented to facilitate drainage. The use of cul-de-sac, however, shall be discouraged where street maintenance or provision of services becomes hampered.

18) (1) Continuous street frontage between street intersections shall not exceed four hundred metres (400M). This distance however, may be increased up to maximum of five hundred metres (500M) if a public pedestrian walkway is provided near the mid-point giving direct access to an adjacent road or community facility.

(2) The maximum length of a cul-de-sac shall be one hundred metres (100M) to the entrance of the turning circle, or one hundred fifty metres (150M) to the entrance of the turning circle where a pathway is provided that is:

(a) A minimum of six metres (6M) of continuous width;

(b) Designed and constructed to accommodate the passage of pedestrians and emergency vehicles; and,

(c) Connected to an adjacent street

(3) All pedestrian walkways as specified in subsection (1) shall have a right-of-way of at least three metres (3M) in width, and shall have a walkway of at least one hundred and seventy-five centimetres (175 cm) in width which shall be composed of a dust-free surface; either gravel or paved materials.

19) Daylighting or sight triangles shall be provided on all corner lots in accordance with the requirements of the Zoning Bylaw.

20) All streets shall intersect at right angles or as near to right angles as possible. However, at no time shall this angle of intersection be less than seventy-five degrees (75 degrees) or more than one hundred and five degrees (105 degrees).

21) "T" or three-legged intersections shall be employed wherever possible provided that the overall continuity of the street system is not lessened. At no time, however, shall there be more than four (4) approaches at an intersection.

22) Intersections of local streets on the same or opposite side of a local street shall not be closer than sixty metres (60M) measured between the two closest right-of-way lines.

23) The minimum distance between intersections on the same or opposite sides of an arterial street shall be two hundred and fifty metres (250M). This distance may be lowered to one
hundred and fifty(150M) where satisfying the above requirements would make the subdivision of land impossible provided, however, that every effort has been made to connect to other streets and the permission of the relevant provincial or Town departments has been obtained.

24) Reverse frontage lots may be used in order to provide separation from major traffic arteries. Each reverse frontage lot shall have only one access and shall not have direct access to an arterial street.

25) Side lot lines shall be as near to right angles to street lines as possible and shall be radial to a curved line. The rear lot lines of a series of adjoining lots shall be a continuous straight or veered line and not stepped or jogged.

26) Blocks shall be of sufficient depth to accommodate two tiers of lots except in the case of reverse frontage lots or where prohibited by the size, shape, topographical conditions or other inherent physical conditions of property.

27) Corner lots shall have a frontage width at least ten percent (10%) greater than the minimum required frontage width of adjoining interior lots.

28) Approval may be given to the subdivision of land into lots all or some of which do not meet the requirements for lots in the Zoning Bylaw if:

   (a) any undersized lot is added to and becomes part of another lot which meets the lot requirements of the Zoning Bylaw and which appears on a registered plan or deed, and if
   (b) the remaining parcel or parcels meet the lot requirements of the Zoning Bylaw.

29) The subdivider shall not prejudice the proper subdivision of adjoining lands and if such adjoining land is or may be suitable for subdivision the subdivider may be required to make provision for projection of streets into adjacent areas.

30) An application to amend or repeal a plan of subdivision shall be in accordance with Section 50 of the Planning Act and shall satisfy the requirements of these regulations concerning approvals of final plans of subdivision. In addition, such application shall refer to the subdivision as originally approved, and such reference shall include the file number of the earlier subdivision plan filed at the Office of the Registry of Deeds for the County of Kings.
BE IT ENACTED by the Council of the Town of Wolfville, under the authority of Sections 172 and 173 of the Municipal Government Act, 1998, c. 18, s. 1., as amended.

1.0 TITLE

This Bylaw shall be known as Bylaw 99 and may be cited as the ‘Vending Bylaw’.

2.0 BACKGROUND

Whereas Section 173 of the Municipal Government Act enables a municipality to regulate vending by enacting a bylaw; and

Whereas Council for the Town of Wolfville is enacting this by-law to ensure a fair and transparent process to permit vending within the Town of Wolfville.

3.0 DEFINITIONS

In this Bylaw:

1) **Busking** means providing entertainment in a public place, not for a set fee, but with the expectation that members of the public will make a donation for the entertainment.

2) **Community Group** means a group or organisation that works to carry out activities that will benefit a particular group and/or the Town as a whole.

3) **Council** means the elected Municipal Council for the Town of Wolfville.

4) **Crosswalk** means that portion of a roadway ordinarily included within the prolongation or connection of curb lines or the edge of a roadway and property lines at intersections or any portion of a roadway clearly indicated for pedestrian crossings by lines or other markings on the road surface.

5) **Development Officer** means the Development Officer(s) as appointed by the Town of Wolfville.

6) **Marketing Area** shall be as defined in the Town of Wolfville Streets By-law.

7) **Mobile Canteen** means a motorized vehicle used for the display, preparation or sale of food or beverages by a mobile vendor.

8) **Not-for-Profit** means an organization operated on a cost-recovery basis and not seeking profit.

9) **Peddling** means to travel about selling wares door-to-door.

10) **Permit** means a Vending Permit issued pursuant to this By-Law.
11) **Public Place** means roadways, sidewalks, parks and trails, cemeteries and to not restrict the generality hereof, all lands, structures and facilities own by or leased to the Town, including the grounds, parking lot and any adjacent sidewalk to such lands, structures or facilities.

12) **Private Property** means any real property within the Town of Wolfville not owned by the Town, Province of Nova Scotia, or Government of Canada.

13) **Roadway** means that portion of a public right of way between the regularly established curb lines or that part improved and intended to be used for vehicular travel.

14) **Sidewalk** means that portion of a public right of way between the curb line and adjacent property line or any part of the roadway especially set aside for pedestrian travel and separated from the roadway;

15) **Special Event** means a time specific event defined in Appendix 1 to this by-law and may be amended by Council resolution from time-to-time.

16) **Stand or Mobile Stand** means any table, showcase, bench, rack, pushcart, wagon or wheeled vehicle or device that can be moved without the assistance of a motor and is used for the display, storage, transportation or sale of food, beverages or other merchandise by a mobile vendor. This includes pedal stands and outdoor sales of art or handcrafted goods and prepared or unprepared food.

17) **Town** means the Town of Wolfville.

18) **Vehicle** means any vehicle required to be licensed and registered pursuant to the *Motor Vehicle Act* of Nova Scotia as well as any vehicle propelled by human power, whether required to be licensed or not.

19) **Vend or Vending** means the sale and offering for sale of food, beverages or other merchandise or services from outside of an enclosed building, in a public place or on private property in the Town of Wolfville but, for greater clarity, does not include busking, peddling, yard sales or other permitted sales of goods and services in accordance with other applicable Legislation and Town By-laws.

20) **Vendor** means an owner, agent, operator or employee of a vending business, including mobile vendors.

21) **Yard Sale** means an occasional sale of personal property held at the home of the seller in a residential area. May also be referred to as a garage sale.

4.0 **GENERAL REQUIREMENTS**

4.1 **Permit Required to Vend**

   No person shall vend in the Town without a permit, except as where specifically exempted by this by-law.
4.2 Vending Categories and Limitations

In accordance with, and subject to, the provisions of this bylaw, Vending Permits may be obtained for Vending in the following categories:

<table>
<thead>
<tr>
<th>Category</th>
<th>Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Mobile Canteens</td>
<td>• Permitted in a Public Place during Special Events subject to a Vending Permit; or&lt;br&gt;• Permitted on Private Property subject to a Vending Permit.</td>
</tr>
<tr>
<td>b) Stands or Mobile Stands</td>
<td>• Permitted in a Public Place during Special Events subject to a Vending Permit; or&lt;br&gt;• Permitted on Private Property subject to a Vending Permit.</td>
</tr>
<tr>
<td>c) Fundraising events for not-for-profit and community groups</td>
<td>• May be permitted anytime in a Public Place or on Private Property subject to a Vending Permit.</td>
</tr>
</tbody>
</table>

4.3 Conditions Applicable to Vending Generally

No Vendor shall:

a) Vend in an obstructive manner which could include, but not be limited to:
   i. the restricting of the ingress or egress of the abutting property owner or tenant;
   ii. increasing traffic congestion or delay;
   iii. constituting a hazard to traffic, life or property; or
   iv. obstructing adequate access to fire, police, or sanitation vehicles;

b) install more than one (1) portable sign. The portable sign shall be placed within 3.5 metres of the vendor location and shall be no more than 1 metre in height and not more than 0.6 metres in width; must be of stable design; and surfaces and finishes must be well maintained;

c) allow any item relating to the operation of the vending business to lean against or hang from any building or other structure without the owner's permission;

d) vend between 11:00 p.m. and 8:00 a.m. in any location;

e) leave the vending location unattended in a public place or on private property;

f) vend unless solid waste, including recycling facilities are provided immediately adjacent to the vending operation. The facilities shall be emptied on a regular basis to prevent overflow and spillage. No vendor shall dispose of solid waste contrary to methods prescribed in the Town’s Valley Region Solid Waste Resource Management By-law;

g) dump any trash, refuse, fat or any other food substance into the municipal sewer system;

h) sound or permit the sounding of any device which produces a loud noise, or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention of the public or cry his/her wares to the disturbance of the public;
i) vend with any type of lighting that is directed toward, or in any way negatively impacting, 
neighbouring property owners; and

j) sell anything other than which he/she is licensed to vend as established in a Vending Permit.

4.4 Vending on Private Property
When Vending on Private Property the Vendor shall:
   a) Only be eligible to vend on appropriately zoned commercial properties in the Land Use By-law;

   b) be subject to a Vending Permit and relevant provisions of the Land Use By-law, Streets By-law 
and other applicable legislation and Town By-laws; and

   c) the property owner shall provide in writing their consent to the Vending Permit application.

5.0 EXEMPTIONS

5.1 Vending Permit Not Required
   A Vending Permit is not required for the following activities subject to other relevant legislation or 
   Town By-laws:

   a) Busking in Public Places subject to the guidelines listed in Appendix 2 to this By-law;

   b) Peddling; and

   c) Yard Sales.

5.2 Wolfville Farmer’s Market Vending
   This by-law does not apply to the Vendors of the Wolfville Farmer’s Market when operating at 
   official Wolfville Farmer’s Market Events in and around the Wolfville Farmer’s Market building at 26 
   Elm Avenue (PID #55279327).

5.2 Vending by Abutting Business
   Nothing in this by-law shall prohibit the sale of goods, including food and beverages, regulated by 
   this by-law on the sidewalk or other area in front of his/her place of business by any person who 
   operates a commercial business from a permanent location in accordance with other applicable 
   legislation and Town By-laws including but not limited to the Sidewalk Café By-law, Streets By-law, 
   and Land Use By-law.

6.0 ADMINISTRATION

6.1 Not Transferable or Assignable
   A Vending Permit issued under this By-law is not transferable or assignable.
6.2 Display of Vending Permit

A Vending Permit issued under this By-law shall be conspicuously displayed so as to be clearly visible from the street at all times during which goods or services are being offered for sale pursuant to this by-law.

6.3 Use of Application Form

All Vending Permits or amendments to Vending Permits shall be made by application to the Development Officer on the application form included as Appendix 3 to this by-law.

6.4 Required Application Information

Every application for a Vending Permit or amendment to a Vending Permit shall contain the following information:

a) The specific location (site plan may be required) and timeframe where vending will occur;

b) the owner’s name and contact information and provincial motor vehicle registration number and description by make, model, and year of any vehicles to be used by the applicant as a mobile canteen;

c) confirmation that the applicant will only operate or allow the operation of a mobile canteen in accordance with all requirements of NS Agriculture and Fisheries (Food Safety) requirements, the Health Protection Act, Motor Vehicle Act and other applicable legislation;

d) a description of the foods and beverages or other merchandise to be sold;

e) proof of insurance (Automobile liability and General Liability inclusive of bodily injury and property damage);

f) description of how power will be provided and any relevant inspections;

g) a description of any planned signage and its location;

h) photographs of the stand, mobile canteen or other vending operation;

i) description of commissary location, restrooms, and sanitary facilities (if applicable);

j) any stand or mobile canteen that uses a fuel fired appliance for the preparation or warming of food or drinks shall provide proof of inspection by the Fire Inspector prior to issuance of a Vending Permit; and

k) any stand or mobile canteen equipped with a fuel fired appliance shall be equipped with a minimum of a 2A10BC rated fire extinguisher or suitable alternative as directed by the Office of
the Fire Marshal. A photograph of fire extinguisher shall be provided prior to the issuance of a Vending Permit.

6.5 Vending of Certain Goods or Services Not Permitted
A Vending Permit shall not be issued for any food, beverages or other merchandise or services that are regulated by federal or provincial statutes or regulations, unless the Vendor can establish to the satisfaction of the Development Officer that the Vendor is in compliance with applicable federal or provincial statutes or regulations. Continued compliance with the applicable federal or provincial statutes or regulations shall be a condition of every Vending Permit issued by the Development Officer.

6.6 Separate, Numbered Vending Permit
Subject to the provisions of this By-Law, the Development Officer shall issue a separate, numbered Vending Permit containing terms and conditions consistent with this By-Law and the permit application for each category listed in this By-law.

6.7 Record of Vending Applications
The Development Officer shall keep a record of Vending applications and permits issued.

6.8 Vending Permit Effect and Length
A Vending Permit shall remain in effect for the period stated thereon. Permits may be issued for varying lengths with corresponding fees as outlined in this By-law. All Vending Permits shall expire within 1 year of issuance.

6.9 Vending Permit Fees
The fees payable for a Vending Permit shall be those listed in Policy 140-015 (Municipal Fees Policy), as amended by resolution of Council from time-to-time.

6.10 Refusal, Amendments, Suspension and Appeals
a) The Development Officer may refuse to issue, amend, revoke or suspend a Vending Permit for breach of this or any other By-Law upon written notice to an applicant or permit holder.

b) Any person who has been refused a Vending Permit or whose Permit has been revoked, amended or suspended by the Development Officer shall receive notification in writing stating the reasons and may appeal such decision to Council:

i. Such appeal shall be in writing and be filed with the Town Clerk within fifteen (15) calendar days of such refusal, amendment, suspension or revocation and shall clearly state the grounds for appeal.
ii. The Council shall hear such appeal at such time and place as it determines and may confirm such refusal, amendment, suspension or revocation by the Development Officer or may direct the Development Officer to issue or reinstate the Vending Permit. The Council in hearing such appeal shall make its decision in accordance with this By-law and other applicable legislation and Town Bylaws.

iii. If Council directs the Development Officer to issue or reinstate a Vending Permit, the Development Officer shall do so forthwith.

7.0 PENALTY

Any person who contravenes any provision of this By-Law is punishable on summary conviction by a fine of not less than $200 and not more than $1,000.

8.0 SEVERABILITY

A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part, and does not affect the enforceability of the remainder of the Bylaw.

9.0 FORCE AND EFFECT

This By-law is to come into force and take effect on the date of its enactment, replacing the May 23, 2016 version of the Bylaw.
**Clerk’s Annotation for Official Bylaw Book**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of first reading:</td>
<td>2017-09-19</td>
</tr>
<tr>
<td>Date of advertisement of Notice of Intent to Consider:</td>
<td></td>
</tr>
<tr>
<td>Date of second reading:</td>
<td></td>
</tr>
<tr>
<td>Date of advertisement of Passage of Bylaw:</td>
<td></td>
</tr>
<tr>
<td>Date of mailing to Minister a certified copy of Bylaw:</td>
<td></td>
</tr>
</tbody>
</table>

I certify that this **VENDING BYLAW # 99** was adopted by Council and published as indicated above.

__________________________________________  _______________________
Dan S. Stovel, Town Clerk  Date
APPENDIX 1 – Town of Wolfville Vending Bylaw “Special Events”

The following are considered “Special Events” pursuant to this by-law:

1) Devour! The Food Film Festival
2) Wolfville Mud Creek Days
3) Valley Harvest Marathon
4) Deep Roots Music Festival
APPENDIX 2 – Town of Wolfville Busking Guidelines

The Town of Wolfville believes busking adds to the vibrancy of the town. When busking in a Public Place, please keep in mind:

- Our Public Places are open for family-friendly entertainment.
- Spaces are available in Public Places on a first come, first serve basis.
- Be respectful of nearby businesses and residents in terms of your noise levels.
- Be respectful of pedestrian flow and safety by keeping corridors clear.
- Donations can be accepted but should not be expected from audience members.
- Certain Public Places may not be available for busking from time-to-time. At the discretion of a Town By-Law Officer, you may be directed to another area.
APPENDIX 3 – Vending Permit Application Form

Vending Permit Application
Please complete in FULL and return to:
Town of Wolfville - Community Development
230 Dyke Road | Wolfville (NS) B4P 1A2
Tel: 902-542-3728 Fax: 902-542-5066

Special Event
☐ Vending from Private Property ☐ Vending from Public Property
Start Date: ____________________ End Date: ____________________

VENDING TYPE
☐ Mobile Canoe ☐ Stand or Mobile Stand ☐ Fundraising, Not-for-Profit, or Community Group

CONTACT INFORMATION
Applicant: ____________________
Home Address: ____________________
Business Address: ____________________
Telephone Number: ____________________ Mobile Number: ____________________
Fax Number: ____________________ Email: ____________________

Vehicle Registration #: ____________________ Make: ____________________ Model: ____________________ Year: ____________________

PRIVATE PROPERTY OWNER, if Applicable, requires the owner’s signature as consent to use proposed vending location

Property Owner: ____________________ Mobile Number: ____________________
Address: ____________________
Telephone Number: ____________________
Email: ____________________

Signature: ____________________

REQUIREMENTS (Please complete the checklist below and submit information with this application)

☐ Site Plan ☐ Letter of Permission (if not property owner)
☐ Copy of Valid Food Safety Permit ☐ Proof of Valid Driver’s License
☐ Proof of Insurance ☐ Photograph of Vehicle or Stand
☐ Proof of Fire Inspection ☐ Installed Minimum Rated 2A10BC Fire Extinguisher

Description of Commensurate Location, Restrooms, and Sanitary Facilities:

Description of How Power will be Provided to the Location:

Description of Food or Beverage or Merchandise sold:

Description of any Planned Signage and its location:

Development Officer:

THIS SECTION IS FOR OFFICE USE ONLY

Application No: ____________________ PERMIT Fee: ____________________ ISSUED: ____________________
Zoning: ____________________otto: ____________________
 NFS: ____________________
 ☐ Approved ☐ Declined

Appendix 3 Page 2 of 2
ADDENDUM

DECLARATION

I DO HEREBY DECLARE:

1. THAT I AM THE AUTHORIZED AGENT OF THE OWNER/ THE OWNER NAMED IN THE APPLICATION FOR A PERMIT, HERETO ATTACHED.

2. THAT ANY INFORMATION SUBMITTED AND/OR STATEMENTS HEREBIN CONTAINED IN THIS APPLICATION ARE TRUE AND MADE WITH A FULL KNOWLEDGE OF THE CIRCUMSTANCES CONNECTED WITH THE SAME.

3. THE APPLICANT/LICENSE HOLDER SHALL BE FAMILIAR WITH AND ABIDE BY ALL VENDING REGULATIONS IN ACCORDANCE WITH BYLAW 99 AND ANY OTHER BYLAWS THAT ARE ASSOCIATED WITH BYLAW 99.

4. THAT I KNOW OF NO REASON WHY THIS PERMIT SHOULD NOT BE GRANTED TO ME IN THE PURSUITANCE OF THIS APPLICATION, AND MAKING THIS DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE, AND I HEREBY MAKE APPLICATION FOR THIS PERMIT.

Signature of Applicant: ________________________________ Date: ____________________
1.0 Purpose
This Policy is intended to establish rates for installation of Sidewalk Cafés in Wolfville’s C-1 Zone. The Policy will be managed through permit by the Department of Planning Services.

2.0 Scope
This Policy is applicable for all establishments in the Town of Wolfville that seek to set up sidewalk cafes.

3.0 References
3.1 Nova Scotia Municipal Government Act (MGA)
3.2 Policy 140-015, Municipal Fees Policy

4.0 Definitions
4.1 Sidewalk Café” means a group of tables and chairs, and other accessories belonging to an Owner, situated and maintained upon a public sidewalk for the use and consumption of food and beverages sold to the public, from or in, the Owner’s adjoining indoor food and beverage establishment.

5.0 Policy
5.1 Rental Fees:
There shall be a rental charge for the use of sidewalk and street payable to the Town of Wolfville, at the rate outlined in Policy 140-015, Municipal Fees Policy for a term not exceeding May 1 to October 31.

5.2 Rental Fee calculation:
The rental fee shall be calculated by measuring the total area of the sidewalk in front of the building (building edge to inside curb edge) to be used for the café and multiplying this measurement (calculated in square feet or metres) by the rental rate ($1.00 per 0.0929 sq. metres or per 1 square foot) to generate the annual rental charge.

_________________________________________________________________________
CAO Date
SUMMARY

Annual Operating Line of Credit

All organizations require a stable cash flow in order to meet expenditure obligations on a timely basis, be that supplier payments or payroll. Timing of cash flow receipts does not always match the timing of required payments. The approval of annual operating lines of credit provides flexibility for staff to carry out the approved budget plans of Council in an effective and efficient manner.

DRAFT MOTION:

That Council approves the following lines of credit with the Bank of Montreal, effective October 1, 2017 to September 30, 2018:

1. Town Operating Fund, bank account $400,000 maximum credit
2. Water Utility Operating Fund, bank account $150,000 maximum credit
3. Corporate Credit Cards $ 50,000 maximum credit (all cards combined)
1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

MGA Section 84.

3) STAFF RECOMMENDATION

That Council approve the recommended lines of credit to help ensure timely financial obligations throughout the next year.

4) REFERENCES AND ATTACHMENTS

- Bank Credit Card Policy # 140-002

5) DISCUSSION

This RFD is intended to provide Council with information to assist in the annual decision to establish lines of credit for the Town’s operating fund bank accounts and corporate credit cards. Capital credit funding requirements have previously been approved by Council by way of Temporary Borrowing Resolutions.

*The Town’s operating lines of credit are renewed with the Bank of Montreal once a year,* with the current agreement expiring at the end of September. Given the Town’s positive financial results over the past number of years, this decision could be considered a housekeeping matter required to keep our agreement with the Bank of Montreal up to date. *Much of what follows is information included in RFD’s over the last few years.*

Section 84 of the Municipal Government Act (MGA) allows municipalities to utilize temporary borrowings to cover current expenditures. This recognizes the fact that municipal cash receipts do not always mirror the timing of expenditure payments.

The amount to which temporary borrowings are required depends on a municipality’s unrestricted working capital and its regular cash flow requirements.

- It has been a number of years since the Town experienced any timing issues with cash flow, and when they had occurred they tended to be in April and May, prior to the due date of interim tax bills. The annual agreement with the bank (Oct to following Sept) covers this period of time.

- In March 2012, a number of bank accounts were consolidated at the Bank of Montreal. As noted previously, this move assists the Town in avoiding the need for temporary loans from the bank. Appropriate accounting ensures each fund records the interest income earned every
year. To date this continues to work well for the Town. The last overdraft position for the two operating accounts (Town General and Water Operating) was a number of years ago:

- Town general account required $270,700 in temporary borrowings in April & May 2011.
- In November 2010 the Water Utility required temporary borrowings of $123,900.

- No temporary borrowings were required by either the Town or Water Utility Operating Funds since May 2011 (noted above).
- In addition, years with surplus results have helped eliminate the Town’s reliance on short term borrowings.
- The potential still exists for the need to utilize short term borrowings, although the likelihood is low.
- The recommended credit limits (operating lines of credit) have been unchanged for at least 8 years, i.e. no increase recommended. Effectively the approved borrowing limit is a lower percentage of the annual budget spending.
- The bank requires an approved resolution in order to facilitate any temporary borrowings.

With regard to the limit required for the Town credit cards, the maximum overall credit was reduced a couple of years ago from $100,000 down to $50,000. This coincided with changes to the Credit Card Policy (140-002) which reduced the number of cards from maximum of 20 down to 3. The suggested limit has been set at a level that would provide flexibility if required during the fiscal year. There have been no issues during the past twelve months with the limit of $50,000. Note the Town Policy has a per-card limit of $5,000, unless otherwise required and temporarily increased by the Director of Financial Services.

Each year there have been occasions where the Director of Financial Services has had to temporarily increase an individual card limit. This usually occurs around the time that conference registrations occur. Over the last year there were a couple of times where the limit was increased on a card between the statement date and due date of payment, as the card was nearing its $5,000 limit. Ultimately the Town stayed within its limit on each monthly statement.

Another rationale for maintaining the $50,000 upper limit is in the case of unexpected need that can arise from an emergency situation. Although not part of day to day spending, if there is a circumstance that occurs, the need can be immediate.

6) FINANCIAL IMPLICATIONS

No direct impacts as the Town’s spending is covered by the approved budget each year. Use of Operating lines and/or credit cards involves a method of payment, not any additional level of spending than Council has previously authorized.
7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

This report comes before COW/Council to ensure the Town is meeting its obligation of accountability and openness/transparency to the public.

8) COMMUNICATION REQUIREMENTS

The lines of credit are a matter of routine operations; therefore the only communication required is with the Bank of Montreal to ensure renewed credit facilities are in place before October 1, 2017.

9) ALTERNATIVES

Council could make the decision not to authorize any operating lines of credit for the next year, or to authorize only the line of credit related to the credit cards.

These options have not been recommended for the following reasons;

- The use of operating lines of credit are an established business practice to allow for temporary shortfalls in cash flow.
- A temporary need for a line of credit would typically occur in a timeframe that does not necessarily coincide effectively with a Council meeting. If no line of credit approved, payment of bills/payroll could be held up while awaiting a Council meeting to get the necessary authorization to borrow.
SUMMARY

MPS Review – Supplementary Report on Small-Scale Commercial

This RFD report provides a detailed overview of the ‘small scale commercial’ aspect of our ongoing Municipal Planning Strategy (MPS) review. This report addresses the July 18, 2017 motion from Council:

Direct Staff to provide options for small scale commercial on higher order streets, including specific criteria to limit adverse impacts.

Other supplemental MPS reports on the issues of parking requirements and building height are anticipated to be brought forward to the October 2017 Committee of the Whole meeting.

As part of the ongoing review of the Town’s planning documents, Parts 3 and 4 of the Municipal Planning Strategy (Draft 2) were reviewed by the Planning Advisory Committee (PAC) and Council during a full-day workshop on June 29, 2017. Parts 3 and 4 are arguably the most important parts of the MPS as they establish policies, regulations, and guidelines pertaining to our Residential Neighbourhoods and the Core Area (Commercial and Neighbourhood). The full-day workshop ended with the PAC making recommendations on to Council for changes to the draft documents presented by Staff. On July 18, 2017 Council reviewed the PAC recommendations and directed Staff to bring back 3 supplementary reports – this being the first.

This report takes a broader view of the July 18, 2017 motion to identify the disconnect between strategic directions and policy discussions to-date; provides detailed information on our current tiered system of ‘business-friendly’ land use; and options on an amended approach moving forward.

DRAFT MOTION:

That Council direct staff to integrate the tiered approach outlined in Attachment 2 of RFD 054-2017 into the ongoing MPS review.
CAO COMMENTS

The CAO concurs with the recommendation of Staff.

1) LEGISLATIVE AUTHORITY

The Municipal Government Act (Part 8) provides Council the authority to enact planning policy/regulations.

2) STAFF RECOMMENDATION

That Council direct staff to integrate the tiered approach outlined in Attachment 2 into the ongoing MPS review draft documents.

3) ATTACHMENTS AND REFERENCES

1. Existing Tiered Commercial Land Use Approach (attached)
2. Proposed Tiered Commercial Land Use Approach (attached)
3. July 18, 2017 Council Meeting Summary
5. Other Background Materials (e.g. Phase I, Consultations and What We Heard Report, Housing Symposium Papers, etc)
6. 2017-2021 Council Strategic Plan (integrates other Town Plans/Studies)

4) PROBLEM / ISSUE

This report will address 3 issues in the context of planning for economic development and the July 18, 2017 motion from Council pertaining to ‘small-scale commercial.’

1. Disconnect with Strategic Directions and Community Priorities
   There is a disconnect between Council’s Strategic Plan (2017-2021), the Community Priorities of the MPS (from Part 2) and how these translate into actual land use policy and regulations. Given that the MPS is a critical tool to enable the strategic priorities of Council, it is important to “walk the talk”.

2. Complicated Layers of Regulation
   How to move forward from the complicated layers of land use regulation that currently exist (see Attachment 1) to create a “business ready environment for future expansion and attraction opportunities” and to “advance Wolfville as a premier destination for culinary and wine experiences” (to name a few of the Town’s aspirational strategic directions).
3. Overall Understanding
To ensure Council has an understanding of the current policy and regulatory framework so the discussion can focus on how to best move forward to align with Council’s Strategic Directions.

5) DISCUSSION

Issue #1 – Disconnect between Strategic Directions, Community Priorities and Policy directions

When considering Municipal Planning Strategy amendments, Council has significant latitude in the issues it may consider. Council may create new directions or approaches (e.g. zones, land uses) that will then guide how development takes shape on the ground. For Council, the Strategic Plan should be a guiding document when considering new policies in the Municipal Planning Strategy as it is a key policy document that can enable and action the Strategic Plan.

Relevant strategic directions to the ‘small-scale commercial’ aspect of our MPS (and economic development generally) have been included below in Table 1 to illustrate the disconnect between the strategic directions and our current policy and the draft policy directions of the new MPS to-date. Council should consider the following questions: How do proposed policy changes help achieve each direction? Does the policy change help us achieve our community vision? Keep in mind that sometimes strategic directions seem at odds with each other and Council must weigh each of them against the other to determine where the “greater good for Wolfville” lies – or what is in the public interest.

Table 1 – Council Strategic Directions and Small-Scale Commercial

<table>
<thead>
<tr>
<th>Principles</th>
<th>Strategic Direction: Leveraging our Economic Opportunities</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Affordability</td>
<td>1. To advance Wolfville as a premier destination in Atlantic Canada for culinary and wine experiences.</td>
</tr>
<tr>
<td>2. Transparency</td>
<td>2. To create a business ready environment for future expansion and attraction opportunities.</td>
</tr>
<tr>
<td>3. Community Capacity Building</td>
<td>3. To foster the success of our existing business community.</td>
</tr>
<tr>
<td>4. Discipline to Stay the Course</td>
<td></td>
</tr>
<tr>
<td>5. United Front</td>
<td></td>
</tr>
<tr>
<td>6. Environmental Sustainability</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Strategic Direction: Improving Quality of Life for All</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. To foster economic independence, inclusion and dignity through more affordable and diverse housing options.</td>
</tr>
<tr>
<td>2. To harmonize the diverse lifestyle choices between all demographics in Wolfville.</td>
</tr>
</tbody>
</table>

Part 2 (Draft 2) of the MPS has now been reviewed by PAC/Council and Staff are proceeding with policy development based on the Community Priorities (Economic Prosperity, Placemaking, Social Equity, and Environmental Sustainability) and Priority Actions that are grounded in Council’s Strategic Plan. Part 2 of the MPS is meant to outline broad “Community Priorities” and associated “Priority Actions” are meant to be brought to life through the actual policy and regulations of the MPS and regulatory documents.
Council needs to ask: How do these proposed policy changes help achieve each priority action? Does the policy change help us achieve our Shared Future?

Our Shared Future, Relevant Community Priorities and associated Priority Actions related to the ‘small-scale commercial’ issue have been included here (Table 2) for Council’s consideration.

Table 2— MPS Shared Future, Community Priorities and Priority Actions

<table>
<thead>
<tr>
<th>Relevant Community Priorities</th>
<th>Relevant Priority Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ECONOMIC PROSPERITY</strong></td>
<td>To encourage growth and manage land use with sustainability and resilience in mind.</td>
</tr>
<tr>
<td></td>
<td>To ensure a vibrant local economy by supporting economic development, creative entrepreneurship, and home based business opportunities that further the Town’s position as a regional cultural, tourism and educational centre.</td>
</tr>
<tr>
<td></td>
<td>To enhance and strengthen the Core Area as the focal point of commercial and community activity.</td>
</tr>
<tr>
<td><strong>PLACEMAKING</strong></td>
<td>To create mixed, compact neighbourhoods to maximize our infrastructure and promote community health.</td>
</tr>
<tr>
<td></td>
<td>To ensure a full range of housing options for Wolfville residents of all ages and incomes.</td>
</tr>
<tr>
<td></td>
<td>To respect and strengthen existing neighbourhood character and to work toward housing forms that encourage connectivity.</td>
</tr>
<tr>
<td></td>
<td>To encourage quality, inclusive urban design and to preserve and enhance our architectural and cultural heritage assets.</td>
</tr>
<tr>
<td><strong>SOCIAL EQUITY</strong></td>
<td>To make land use processes understandable, transparent and efficient.</td>
</tr>
<tr>
<td></td>
<td>To ensure an inclusive community through bold leadership, community education and inclusive engagement in the development and implementation of land use planning policy.</td>
</tr>
</tbody>
</table>
Issue #2 – Complicated Layers of Regulation

Attachment 1 to this report outlines (in detail) the current tiered policy and regulatory framework related to commercial/business land uses and zones in the Town. The current policy and regulations are not aligned with the Strategic Directions and Community Priorities outlined in Tables 1 and 2 – particularly related to creating a “business-ready environment”. The current tiered system is outlined here in Figure 1:

Figure 1: Current Tiered System of Commercial Land Use

A summary of Attachment 1 and the current policy and regulatory framework around business land uses is as follows:

- Approval tracks (mostly Development Agreements) do not provide certainty to the development community and are difficult to navigate for entrepreneurs.
- The C-2 zone has not been effective in creating live-work housing and business opportunity.
- The Special commercial zone is spot zoning of established uses.
- Local commercial uses (e.g. a convenience store) are not actually enabled other than in new subdivisions (RCDD zone) or through the Special Commercial zones recognition of established uses.
- Some land uses that have been defined as “Institutional” (of a limited nature) are actually commercial businesses.

Through the ongoing MPS review, Staff have endeavored to streamline the existing policy framework and have brought forward an amended tiered system of business-friendly land use and zoning as outlined in Figure 2 and detailed in Attachment 2:

Figure 2: Proposed Tiered System of Commercial Land Use

A summary of Figure 2/Attachment 2 is as follows:
• The proposed changes use the language and tiered system of the existing policy but strive to be more flexible, enabling and ‘business ready.’
• The proposed framework recognizes that not all areas of the Town are the same (or why have zoning?) so different categories and uses are created to take advantage of opportunities and to address context-sensitive challenges.
• The Neighbourhood Business Use, Neighbourhood Commercial Zone, and the Main Street/Tourist Commercial Zones have been introduced (highlighted in the graphic above) while the other uses and zones remain mostly the same.
• Some Institutional Uses are proposed to be re-classified as Commercial.

If you have read through all of Attachment 1 and 2 you may still be confused given the number of uses, zones and nuanced regulations – is this what we want? Will this achieve the Strategic Directions and Community Priorities outlined in Issue #1? A more streamlined approach could also be considered but would involve additional work by Staff and would likely involve additional “change management” with the community. This is not recommended by Staff given where we are right now but an example of a more streamlined approach is shown in Figure 3. This type of approach would be typical in other small towns.

Figure 3: Example of more streamlined approach (would require additional analysis)

LOW      Land Use Intensity      HIGH

Home Occupation Use  Neighbourhood Business Zone and/or Use  Tourist/Main St Commercial Zone  Core Commercial Zone

Issue #3 – Overall Understanding

It is important for Council to understand the current policy and regulatory framework outlined in Attachment 1 and the proposed policy direction moving forward - outlined in Attachment 2. Previous discussions have not delved into the details of this area given the broad scope of the MPS review but as we take an in-depth look at particular issues through these follow-up reports, Staff will look to outline the actual details so a shared understanding can be achieved and better policy development produced.

Small-Scale Commercial Motion from Council (July 18, 2017)

The following motion was passed at the July 18, 2017 Council meeting:

Direct Staff to provide options for small scale commercial on higher order streets, including specific criteria to limit adverse impacts.
This motion was passed based on concerns around specific uses that were included in the Neighbourhood Business Use and also because there was a lack of understanding regarding the various commercial/business uses and zones that exist currently. Attachment 1 attempts to provide a detailed overview of the existing policy context while Attachment 2 proposes an amended approach.

The Neighbourhood Business land use and the Main Street/Tourist Commercial zone are the main changes proposed (see Attachment 2). Staff are seeking direction from Council on these:

**Neighbourhood Business Use**

This use is meant to build upon the previous C-2 – Restricted Commercial zone and there are options Council should consider when reflecting on the merits of this land use category. Although Staff is recommending the approach outlined in Attachment 2, other options are outlined here.

<table>
<thead>
<tr>
<th>Neighbourhood Business Option</th>
<th>Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Do not proceed with this land use and keep with status quo (including C-2 zone)</td>
<td>The current tiered system can be maintained and new uses or zones would not be introduced.</td>
</tr>
<tr>
<td>2. Limit the use to the former C-2 zone and Higher-Order Streets only (Highland, Gaspereau, Main)</td>
<td>This would only allow the use on Highland, Gaspereau and Main Street.</td>
</tr>
<tr>
<td>3. Proceed with the Neighbourhood Business provisions outlined in Attachment 2</td>
<td>Have been updated to address concerns from PAC/Council. Presented is essentially a “Home Occupation 2.0” with the uses of concern removed (Bakery, Café). Other uses that could have been carried over from the C-2 zone (e.g. financial institutions, C-1 uses by DA) have not been included given intensity and concern around uses.</td>
</tr>
<tr>
<td>4. Introduce a more permissive approach that includes retail and a wider range of uses or another approach completely.</td>
<td>Approval tracks (as-of-right, site plan, or development agreement) or the uses proposed could be adjusted from those outlined in Attachment 2.</td>
</tr>
</tbody>
</table>

**Main Street/Tourist Commercial**

A conservative approach has been taken on introducing this new zone. The existing uses would be recognized (e.g. Inns with Special Commercial Zoning now) and new proposals would have to go through a rezoning process with Council. A rezoning process would be perceived - by some - as not being business friendly (it is costly, time consuming, etc); however, a rezoning is often less cumbersome than a development agreement where far more detail is being discussed. A more permissive approach may be to create a Land Use (like the Neighbourhood Business) that could encompass desirable uses and this could be enabled subject to certain conditions, through site plan approval or an as-of-right process.
Given the impact potential uses could have on the existing residential neighbourhoods, Staff feel it may be prudent to proceed with the rezoning process to enable this zone and uses on a property. Staff have proposed draft uses and regulations for this zone (see Attachment 2) but if Council is supportive of this zone generally, work can be done on fine tuning the uses and regulations to mitigate negative impacts.

Higher Order Streets

Land Use Planning often uses a street hierarchy as a basis to organize land uses. “Higher Order” streets - Main Street, and Collector streets such as Gaspereau and Highland in Wolfville would have wider street widths and more capacity to handle a more intensive land use. On internal or “local” streets it may be more difficult to accommodate more intense land use activity (e.g. parking, unit density, traffic, etc). The existing MPS includes a “future transportation map” that establishes our current street hierarchy. A revised street hierarchy is also included in the draft MPS documents.

What is a ‘Business-Ready’ Environment?

A business-ready environment has commercial space available, has a perceived lack of “red tape” to open a new business (including timely processing of applications), has established as-of-right business uses where the municipality has done public consultation in advance and knows what is permitted where, has infrastructure and does land use planning to support business growth.

The proposed policy directions have attempted to create a ‘Business-Ready’ environment by:

- Creating opportunities for commercial space given our lack of supply.
- Moving away from Development Agreements to Site Plan Approval (less “red tape”) and as-of-right processes. This will involve getting the policy and regulations right – so Council and the Community are comfortable.
  - Our Economic Development Manager needs a clear path to effectively bring on new investment, residents, vitality and tax base.
- Leveraging our niche/small scale retail, tourism, and walkable downtown by expanding opportunities close to the Core.
- Leveraging our advantage and partnership with Acadia:
  - University as innovation hub and providing more space for business incubation and student retention; and
  - Students as unique and captive market for new business.

Mixed Use - The Core Neighbourhood Area

This area has been delineated and given a separate designation because it was recognized that this area is different than other parts of Town. Given the unique opportunities and challenges in this area, the Core Neighbourhood Designation is meant to work together with the Core Commercial designation to form the heart of our town – the Core – where the two designations would support each other. This is
one of the only areas in Town with real potential to move beyond the suburban development pattern that is prevalent in most of our Town (and other areas in this region). A single use zoning approach, particularly in this area, is not consistent with the aspirations of our current plan or the directions of the draft MPS.

The Core Neighbourhood Area has an opportunity - over time - to become a more compact, diverse, walkable and connected neighbourhood given its proximity to the downtown and other characteristics. Right now, the neighbourhood is mostly missing “diversity”. Like many other areas of Town, from a land use perspective, it has become a mono-culture (single use) of mostly rentals. By enabling a wider range of uses (beyond just rental conversions), a more diverse demographic, set of uses and additional eyes on the street may emerge. The map below (Figure 4) provides context highlighting the Core Neighbourhood (blue), Core Commercial (red), the University, Residential areas, and the bits of variation we have in our neighbourhoods (e.g. Inns, Convenience stores, daycares, etc). The map also outlines (dashed line) the R-1 zone and undeveloped land that from a neighbourhood business perspective are not really part of the equation.

Figure 4 – Neighbourhood Business Context Map
6) FINANCIAL IMPLICATIONS

The Commercial Tax indicator for Wolfville is at 7.9% where it should be closer to 20% according to the Municipal Indicators from the Province. This has led to more reliance placed on residential taxation. It is acknowledged that these numbers may be skewed in Wolfville given the presence of Acadia but it is important to consider these indicators in the context of land use planning decisions given the commercial assessment impacts on long-term viability/financial sustainability. Figure 5 outlines the trend in commercial taxation in the Town from 2011-12 and provides the average from other Town’s and the Provincial benchmark:

Figure 5 – Municipal Commercial Assessment %.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

See Discussion Section.

8) COMMUNICATION REQUIREMENTS

Once direction has been received on the 3 supplemental reports being brought forward, Staff will be posting the updated draft MPS sections reviewed to-date to the website and moving forward with other segments. A revised project timeline will be formulated once the supplemental reports (this being the first of three) have been wrapped up and policy directions integrated.

9) OPTIONS

1. That Council direct Staff to proceed with the tiered approach outlined in Attachment 2, with specific changes.
2. That Council direct Staff to further simplify the overall approach and bring back this approach to a future meeting.
ATTACHMENT 1 – Existing Policy Context

Our current (2008) and previous Municipal Planning Strategies have looked to encourage economic development through the use of land use planning by providing the opportunity for a property to be used for a ‘commercial’ use depending on the property’s location, associated designation and zone. In the downtown (Core Commercial area), properties are zoned and ready for a wide range of commercial land use (see Section 9.2 of the current MPS) while in residential areas, opportunities for ‘small scale commercial’, accessory to the primary residential use, exist as well. It is important to outline the existing policy context so the proposed changes can be better understood. The Town’s current planning documents provide a tiered system of ‘commercial’ opportunities as follows:

Attachment 1 – Existing Tiered Business/Commercial Land Use Approach

<table>
<thead>
<tr>
<th>Existing MPS (2008) ‘Small Scale Commercial’ Opportunities</th>
<th>Explanation</th>
</tr>
</thead>
</table>
| 1. Personal Offices                                        | Permitted anywhere in the Town (any zone – including R-1) as-of-right. The current definition and regulations are included here from the Land Use By-law:  

**Personal Office** means a home office where no clients visit, without signage and in which no assistants are employed within the residence.  

5.9 **Personal Offices Permitted**  

Nothing in this By-law shall prevent the use of any dwelling unit or building accessory to a dwelling unit in any residential zone for personal office purposes.  

Attachment 2 outlines the draft policy direction for personal offices moving forward (no change proposed). |
| 2. Home Occupations                                       | Permitted in all residential zones, save and except the R-1 zone. The current definition and regulations are as follows:  

**Home Occupation** means the accessory use of a dwelling for gainful employment involving the production, sale, or provision of goods and services on a small scale. |
5.1 Home Occupations

In any residential zone or designation, except the Single Unit Dwelling (R-1) zone, any dwelling unit or a building accessory to a dwelling unit may be used for a home occupation provided that all of the following requirements are met:

(a) no more than 3 people, including the owner(s) are employed by the business;

(b) the business shall be located wholly within the dwelling unit or a building accessory to a dwelling unit;

(c) the business use shall fall within one of the following types of uses:
   - catering establishments
   - craft workshops
   - tailoring and dressmaking shops
   - personal service shops
   - offices
   - studios

(d) the dwelling is occupied as a residence by the home occupation owner and the external appearance of the dwelling is not changed by the non-residential use;

(e) no more than 50 square metres is devoted to the non-residential use;

(f) the use does not emit noise, smoke, odour, dust, toxic fumes, or light that would be a nuisance or is uncustomary in a residential neighbourhood;

(g) one off-street customer parking space, other than those required for the dwelling, is provided for the home occupation use;

(h) no advertising other than a business identification plate or sign which has a maximum sign area of 0.5 square metres and which is a facial wall sign or projecting sign attached to the main building or the accessory building or a ground sign;

(i) no open storage or outdoor display;

(j) no more than one commercial vehicle related to the home occupation use may be kept upon or operated from the lot.

Office (Business, Professional or Government) means a room or rooms where business may be transacted or service performed or consultation given, including but not limited to physicians, surgeons, dentists, lawyers, architects, engineers, accountants, real estate agents, insurance agents, massage therapists, photographers, optometrists, chiropractors, eye specialists and similar uses, and may include retail sales or dispensing of goods associated with and incidental to the main use.

Personal Service Shop means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and includes but is not limited to barber shops, hairdressing shops, shoe repair, tanning salons, aesthetician shops and electrolysis shops but excludes any manufacturing or fabrication of goods for sale.

Craft Workshop means a building or part of a building where craft products are produced and offered for sale, and where craft instruction may be offered.

Catering Establishment means a building where food is prepared for distribution and consumption outside the premises and does not include a restaurant or drive-in restaurant.

Studio means a building or part thereof used as a workroom for the study, execution or instruction of any fine or commercial art or craft, including photography, music, visual arts, and commercial design.

Home Occupation uses are proposed to continue to be permitted (see Attachment 2).

3. Bed and Breakfasts and Inns

Permitted in the R-1A, R-2/4, R-2/HD, RCDD, C-2 and C-4 zones. The current definitions and regulations are as follows:

Bed & Breakfast means a dwelling in which there is a resident owner or manager who provides overnight accommodation for the travelling public and is licensed by the Province of Nova Scotia, for this purpose.
### 5.2 Bed & Breakfast Establishments

Bed & Breakfast uses will be permitted within the R-1A, R-2/4, R-2HD, RCDD, C-2 and C-4 zones provided that:

(a) there shall be an owner or manager resident in the building; and

(b) in addition to the normal parking requirements for the dwelling, one parking space shall be provided for each bedroom used for rental purposes; and

(c) required parking shall be a minimum of 3 metres from any side or rear yard property line;

(d) additions made to the building shall use similar roof styles, windows and siding materials as the existing structure;

(e) one on site business identification sign shall be permitted. The sign may be a ground sign or facial wall sign with a maximum sign area of 0.8 metres;

(f) no more than 3 rental rooms are permitted;

(g) no more than one dormitory room with an occupant load of four persons.

Inn means a building or part of a building which provides accommodation for the travelling public for financial remuneration and may include a dining room which is open to guests and the general public but shall not include entertainment facilities or a lounge.

### 8.7.4 to ensure the following criteria are met when council is considering proposals in areas zoned Low Density Residential (R-1A) or designated Medium Density Residential (MDR), High Density Residential (HDR), and Comprehensive Development District (CDD) designations for Bed & Breakfasts in excess of 3 guestrooms and inns by development agreement:

(a) the proposed use is located within a designated Architectural Control Area;

(b) development is in accordance with policies 12.1.4, 12.1.5, and 18.6.1.

See Attachment 2 for proposed policy directions on these uses.

### 4. Local Commercial Use

Existing ‘local commercial’ uses are recognized through the C-4 Special Commercial zoning category as site-specific uses (Convenience Store, Laundromat, etc) – essentially spot zoning for longstanding uses. The RCDD zone enables the consideration of local commercial uses by Development Agreement as well. ‘Local commercial’ is not enabled in any other zone. Council could consider a rezoning of a property to the Special Commercial zone to enable a local commercial use but the existing provisions are limiting for anything that is not existing. The special commercial zone was created to recognize existing uses but limits anything new.

**Local Commercial Use** means a convenience store, laundromat, farm market or small scale commercial use aimed at a local neighbourhood clientele.

### 5. Institutional Uses (of a limited nature)

The current MPS provides the opportunity, through a Development Agreement process, for a property owner to apply to use a residential property in the R-1A, R-2/4, and R-HD zones for “Institutional” purposes, subject to specific criteria, as follows:

In the R-1A, R-2/4, and R-HD zones:
Policy 8.7.1 states:

8.7.1 to ensure the following criteria are met when Council is considering proposals for limited institutional developments by development agreement:

(a) Institutional uses to be considered shall be limited to:
   - private schools
   - daycare facilities
   - medical clinics
   - churches and church halls
   - nursing homes
   - private non-profit clubs
   - residential care facilities for 5 or more people

(b) adequate screening and buffering of parking areas is provided;

(c) the proposal provides safe access and egress to the lot for the intended use;

(d) development is in accordance with policy 18.6.1

Institutional Uses are currently defined in the Land Use By-law as:

Institutional Use means the use of land, or building by an incorporated body or society for promoting a particular purpose or for providing a service, including but not limited to hospitals, schools, nursing homes, homes for special care, residential care facilities, community centres, government buildings, and private non-profit clubs.

This definition is further articulated through the uses listed in policy 8.7.1 above. Given this, an Institutional Use can be proposed in the R-1/A, R-2/4, and R-HD zones – a substantial portion of the Town’s residential area.

Given the current definition of an Institutional Use, Staff has been working to better articulate this type of use through the ongoing MPS review (see Table 2 below for a proposed definition).

A good example of this is the definition of Medical Clinics.

Medical Clinic means a building used wholly for the medical, dental, surgical, or therapeutic treatment of human beings and includes pharmacies, medical equipment suppliers, health care offices and other professional and commercial uses related to medical care, but does not include a hospital.

From Staff’s perspective, most of the ‘Medical Clinic’ uses are commercial businesses and should be classified as such. An actual Institutional Use
would be the hospital (Eastern Kings Memorial Community Health Centre on Earnscliffe Avenue being the main Wolfville example). Medical equipment suppliers, offices (which can be done through other means such as home occupations), pharmacies, and other medical services like a botox clinic or other specialized medical service would also be classified as commercial uses. Other relevant definitions, some with similar implications, include:

- **Daycare Facility** means a place where four or more persons are cared for on a temporary daily basis without overnight accommodation, but does not include a school.

- **Nursing Home** means a building wherein nursing care, room and board are provided to individuals incapacitated in some manner for medical reasons, but does not include a hospital.

- **Residential Care Facility** means a single unit dwelling in which accommodation, together with nursing and personal care is provided or is available, for no more than four persons who live as a single housekeeping unit. There shall be a resident manager at such a facility. These facilities in a general institutional zone may provide care for five or more persons.

- **Private Club** means a building or part of a building used as a meeting place for members of an organization and may include a lodge, a fraternity or sorority house and a labour union hall.

No definition of ‘Private School’ but one does exist for non-commercial:

- **Non-Commercial School** means a public or private academic, religious, or philanthropic school not conducted for monetary gain.

6. **C-2 Restricted Commercial Zoning**

The C-2 “Restricted Commercial” zone has been a long-standing zoning category intended to create a live-work area in close proximity to Main Street while maintaining the residential nature of the area. The context map below shows the existing C-2 Restricted Commercial Zone.

![Existing C-2 Restricted Commercial zone](image)

Section 9.3 of the MPS and Part 13 of the Land Use By-law outline the relevant provisions for this zone. The following uses are currently permitted in this zone as-of-right: financial institutions, business, professional and governments offices, daycare facilities, Home
Occupations, BnBs, and Residential Care facilities. Institutional uses and C-1 uses can also be considered by Development Agreement. Relevant definitions include:

**Financial Institution** means any chartered bank, trust company, credit union, or similar business.

**Office (Business, Professional or Government)** means a room or rooms where business may be transacted a service performed or consultation given, including but not limited to physicians, surgeons, dentists, lawyers, architects, engineers, accountants, real estate agents, insurance agents, massage therapists, photographers, optometrists, chiropractors, eye specialists and similar uses, and may include retail sales or dispensing of goods associated with and incidental to the main use.

This zone has been a focus of discussion throughout our plan review process and an issue paper was presented to PAC with the following motion passed:

<table>
<thead>
<tr>
<th>August 25th, 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>CARRIED</td>
</tr>
</tbody>
</table>

It was regularly moved and seconded that PAC supports that properties located on Summer Street and Linden Avenue that are currently zoned C-2 are to be rezoned to a low density residential zone, designated to the Core Neighbourhood area of Town, and contain intensified home based business policy. Properties located on Gaspereau Avenue that are currently zoned C-2 are to be rezoned to C-1 and designated to the Core Commercial Area of Wolfville.

As per the above motion, the properties located on Gaspereau Avenue are proposed to be reclassified to the C-1 zone and the ‘Neighbourhood Business’ use (introduced in Draft 2 of the MPS) was meant to try and pick up on the C-2 zone’s live-work intent and be the ‘intensified home based business’ included in the above motion. Neighbourhood Business and the C-2 zone are further discussed in Attachment 2.

7. **C-4 Special Commercial Zoning**

Created to recognize long standing local commercial and tourist commercial uses in primarily residential areas. These uses are the Roselawn Cottages (32 Main St.), Kenny Farm stand (121 Main St.), Blomidon Inn (185 Main St.), Preston and Associates (260 Main St), Funeral Home (568 Main St.), Victoria’s Historic Inn (600 Main St.), Tattingstone Inn (620 Main St.), and the Convenience Store, Laundromat and other uses at Skyway Dr. and Highland Ave.

Section 9.5 of our current MPS and Part 15 of the Land Use By-law outline the provisions relevant to the Special Commercial Zone. The explanation of “Local Commercial” use (above in this Attachment) also provides context.

**Central Commercial (C-1) and**

These are the zoning categories for the majority of our “Core Commercial” area where a range of commercial uses are permitted subject to certain conditions.
Industrial/Commercial (C-3) | These commercial land uses are not the focus of this report but are included to show the entirety of our tiered system of land uses that contribute to economic development and commercial tax base.

## ATTACHMENT 2: Policy Directions Moving Forward

Starting from the existing policy and regulatory framework, the ongoing MPS review has looked to clarify the existing provisions and expand economic development opportunities based on:

- Council’s Strategic Plan and its focus on Economic Development and Managed Growth
- The Community Priorities of the MPS and their focus on Economic Development, Placemaking, and Social Equity relevant to small-scale commercial.
- A recognition that not all areas of Town are the same – different areas present unique opportunities and challenges. For example, our draft MPS documents have designated the Core Neighbourhood as a unique area given its proximity to the downtown.

### Attachment 2 – Proposed Tiered Business/Commercial Land Use Approach

<table>
<thead>
<tr>
<th>Proposed Small-Scale Commercial (ongoing MPS review)</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Office (Land Use)</td>
<td>This has been an ongoing topic of discussion throughout our review process. A motion from PAC to allow limited client visitations was not moved forward from Council and therefore Personal Offices would be permitted in any Residential zone, including R-1, subject to:</td>
</tr>
<tr>
<td></td>
<td>1. No permitted client visitations or other traffic or parking activity associated with this office.</td>
</tr>
<tr>
<td></td>
<td>2. No permitted business signage.</td>
</tr>
<tr>
<td></td>
<td>3. No permitted assistants or employees at the location of the personal office.</td>
</tr>
</tbody>
</table>

Discussions on personal offices to-date have been framed around the R-1 zone and concerns from residents on limiting further land use activity on properties (mostly a “slippery slope” argument where any further land use activity is perceived as negative).

Although a use such as piano lessons has been used in the discussions on ‘personal office’, our existing definitions clearly place piano lessons under the...
<table>
<thead>
<tr>
<th>Home Occupation (Land Use)</th>
<th>No change proposed from existing – see Attachment 1.</th>
</tr>
</thead>
</table>
| Neighbourhood Business (Land Use) | This use is a change from the status-quo and was developed after the PAC motion of August 25, 2016 (included in Attachment 1). Concern around this use is the reason for this report. Options on this use are presented in the body of this report.  
This use was introduced to replace the existing C-2 zone with the intention of creating additional live-work opportunities close to the Core Commercial area and to provide an additional land use opportunity in the Core Neighbourhood with the intention of contributing to a healthier mix of uses in this area. At the June 29th PAC/Council workshop the draft documents proposed this use to be enabled anywhere in the Core Neighbourhood Area or on Main Street within 300m of the Core Area boundary (extending to Orchard Avenue in the east end and not having any impact to the West given the University lands).  
This new use is meant to be a “Home Occupation 2.0” but similar in nature where a business is accessory to the home or in other words, the business should fit in a residential area and not create undue hardship on the neighbourhood. The key differences between a Neighbourhood Business Use and a Home Occupation are:  
1. The business owner would not have to live on-site.  
2. More floor space (than a home occupation) can be used for the business - up to 85 m² or 914 ft².  
3. Additional uses could be enabled, beyond home occupation uses, but have not been given concerns.  
4. Additional (1-2) employees permitted.  
5. An additional on-site parking stall is permitted - up to 2.  
Draft provisions for this use are as follows:  
1. Location shall be within the Core Neighbourhood Area or on Main Street within 300m of the Core Area boundary;  
2. A proposed Neighbourhood Business Use shall be subject to Site Plan Approval on Collector Streets (Highland, Gaspereau), the north side of Summer Street (former C-2 zone) and on Main Street within 300m of the Core Area Boundary (to Orchard Avenue).  
3. A proposed Neighbourhood Business Use shall only be considered by Development Agreement on any other Street in the Core Neighbourhood area. |
4. Uses shall be limited to the following (with or without a retail component):
   - Any use permitted as a Home Occupation
     - Catering Establishment
     - Craft Workshops
     - Personal Service Shop
     - Business or Professional Office
     - Studios
   - Commercial school
   - Daycare Facilities
   - Residential Care Facilities

5. Not more than 2 parking stalls shall be provided on-site for the business component.

6. Not more than 40 percent of the total floor area is devoted to the non-residential use to a maximum of 85 square metres (914 square feet).

7. No more than 3 people, not including the owner(s) are employed by the business to a maximum of 5 people including the owner(s).

8. The business shall be located wholly within the dwelling unit or a building accessory to a dwelling unit.

9. The external appearance of the dwelling and accessory uses shall be clearly that of a primarily residential use.

10. The use does not emit noise, smoke, odour, dust, toxic fumes, or light that would be a nuisance or is uncustomary in a residential neighbourhood.

11. No advertising other than a business identification plate or sign which has a maximum sign area of 0.8 square metres and which is a facial wall sign or projecting sign attached to the main building or the accessory building or a ground sign.

12. No outdoor storage or outdoor display shall be permitted.

13. Not more than one commercial vehicle related to the home occupation use may be kept upon or operated from the lot.

Staff are seeking direction on this use with considerations presented earlier on moving forward.

| BnBs and Inns | No change proposed for BnBs although Provincial licensing changes, particularly around AirBnB and/or other Home Share business models may warrant future changes to our approach. |
No change proposed to Inns or larger BnBs (beyond 3 rooms) other than moving to a site plan approval approach, depending on the designation and zone where the use is proposed. In the proposed C-4 zone, this type of use would be encouraged. Should we make it easier or encourage this type of use elsewhere?

**Institutional Uses (of a limited nature)**

It is proposed that the existing Institutional Uses that are commercial in nature be recognized and zoned as such. New Institutional uses could be proposed through a rezoning process with Council. The definition of institutional is proposed to be amended as follows:

*Institutional* means a Public or religious use such as a church, public or non-commercial school, hospital, or government owned building, structure or land used for public purposes.

**Neighbourhood Commercial (C-2) Zone**

This is a new zone that is being introduced. “Local Commercial” has existed as a land use, primarily in the existing Special Commercial zone to recognize long-standing uses (e.g. convenience store on Skyway Drive). These existing uses would continue to be recognized and land owners could apply for a rezoning of their property to enable a new Neighbourhood Commercial Use, subject to criteria to limit adverse impacts.

New Neighbourhood Commercial Uses would be subject to a rezoning process and be subject to:

1. Not considered in the R-1 zone;
2. Only properties on Main Street or a Collector Street considered; and
3. Subject to rezoning criteria (to be included in ‘Implementation’ section of documents) and approval of Council.

**Main Street/Tourist Commercial (C-4)**

This proposed zone is meant to replace the “Special Commercial” zone that exists currently. The zone would be limited to along Main Street and these properties (along Main Street only) would be eligible for a rezoning to this zone, subject to specific criteria:

- Minimum lot size
- Adjacency and buffering requirements
- Noise, smell, odour considerations
- Parking, loading and egress considerations

Uses enabled in this zone would be focused on our wine, culinary, craft beer/cider as well as other complementary uses (e.g. Accommodation).

Staff are seeking direction on this new zone given it is a change from the status quo and there has not been much discussion to-date on its merits. What uses do we want to encourage or enable along Main Street?

**Core Commercial (C-1); Core Commercial – Large Format (C-3)**

These are the zoning categories for the majority of our “Core Commercial” area where a range of commercial uses are permitted subject to certain conditions.
| and Future Commercial (C-F) | These commercial land uses are not the focus of this report but are included to ensure the full spectrum of commercial uses are considered. |