

**REGULAR SESSION OF THE 53rd COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELburne
MUNICIPAL COUNCIL CHAMBERS | 414 WOODLAWN DRIVE
FEBRUARY 25, 2026 | 6:00 PM
AGENDA**

	<u>TIME</u>	<u>PAGES</u>
1. <u>CALL TO ORDER</u>	6:00 pm	
2. <u>APPROVAL OF AGENDA</u>		
a. February 25, 2026		1-2
3. <u>ACCEPTANCE OF MINUTES</u>		
a. February 11, 2026		4-10
4. <u>BUSINESS ARISING</u>		
5. <u>PRESENTATION</u>		
a. Shelburne & Area Chamber of Commerce Funding Request – Charlene Harris, Past President, & Anita Goodfellow, Director	6:00pm	11-18
b. Subdivision By-Law – Chrystal Fuller & Jennifer Nicholls, Brighter Community Planning & Consulting	6:30pm	
6. <u>ECONOMIC & COMMUNITY DEVELOPMENT</u>		
a. Shelburne Events Committee – Terms of Reference Revision* - Robin Smith, Community Development Coordinator		19-23
7. <u>OPERATIONS & PROTECTIVE SERVICES</u>		
a. Subdivision By-Law, First Reading* – Marcia d'Eon, Director of Operations		24-70
b. J Class Roads Cost Sharing Agreement with Province* – Marcia d'Eon, Director of Operations		71-82
c. Tipping Fee Review – Marcia d'Eon, Director of Operations		83-89
8. <u>ADMINISTRATION</u>		
a. Write off AAN00889997* – Warren MacLeod, CAO		90



Naturally Yours

414 Woodlawn Drive, PO Box 280 Shelburne, NS BOT 1WO, Phone: (902) 875-3544 - Fax: (902) 875-1278

TIME PAGES

9. COMMITTEE REPORTS/WARDEN UPDATE

- a. Committee Reports
- b. Warden's Update

10. IN-CAMERA

- a. Legal Advice Eligible for Solicitor – Client Privilege as per MGA Section 22 (2)(g)

11. ADJOURNMENT

Municipality of the District of Shelburne
February 25th, 2026 - Council Meeting
RECOMMENDED MOTIONS

6(a) MOTION: SHELburnE EVENTS COMMITTEE – TERMS OF REFERENCE

Be it resolved that the Council of the Municipality of the District of Shelburne approves the updated Terms of Reference for the Shelburne Events Committee, as presented.

7(a) MOTION: SUBDIVISION BYLAW

Be it resolved that the Council of the Municipality of the District of Shelburne give first reading and forward to the public hearing the attached Subdivision Bylaw, as presented.

7(b) MOTION: J CLASS ROADS COST SHARING AGREEMENT

Be it resolved that the Council of the Municipality of the District of Shelburne authorize the Warden and Chief Administrative Officer to sign Cost Share Agreement No. 2026-019 with NS Department of Public Works for J Class Roads.

8(a) MOTION: WRITE OFF AAN 00889997

Be it resolved that the Council of the Municipality of the District of Shelburne write off the balance of \$557.76 on AAN 00889997 using GL 00-28211-000.

**REGULAR SESSION OF THE 53rd COUNCIL
OF THE
MUNICIPALITY OF THE DISTRICT OF SHELburne
Wednesday, February 11, 2026**

The Regular Session of the 53rd Council of the Municipality of the District of Shelburne was held on Wednesday, February 11, 2026, at 6:00 pm virtually.

THOSE IN ATTENDANCE:

Warden Penny Smith
Deputy Warden Heidi Wagner
Councillor Paula Sutherland
Councillor Sherry Thorburn Irvine
Councillor Ron Coole
Councillor Dale Richardson
Councillor Angie Shand

ALSO IN ATTENDANCE:

Warren MacLeod, CAO
Erin Hartley, Deputy CAO
Marcia d'Eon, Director of Operations
Val Kean, Director of Economic & Community Development
Adam Dedrick, Director of Recreation & Parks
Nicole Blades, Recording Secretary

1. CALL TO ORDER:

The meeting was called to order at 6:00 pm by Warden Smith.

2. SWEARING IN OF COUNCILLOR

a. District 4 – Angie Shand

2(a) On January 27, 2026 Angie Shand was acclaimed in a Special Election for District 4.

Councillor Shand was introduced and asked to read and sign the Oath of Office, witnessed by Warden Smith.

3. APPROVAL OF AGENDA:

a. February 11, 2026

3(a) **MOTION: APPROVAL OF AGENDA – February 11, 2026**

Being duly moved and seconded, be it resolved that the Agenda for February 11, 2026, be approved.

- **MOTION CARRIED**

4. ACCEPTANCE OF MINUTES:

a. January 28, 2026

4(a) The Minutes of January 28, 2026 were accepted as circulated.

5. BUSINESS ARISING:

There was no business arising.

6. PRESENTATION:

a. Sandy Point Lighthouse Group – Zelka Lipovac, President & Linda Harris-Rioux, Fundraising Committee Chair

6(a) Warden Smith welcomed Zelka Lipovac, President, and Linda Harris-Rioux, Fundraising Committee Chair, with the Sandy Point Lighthouse Group.

Ms. Lipovac and Ms. Harris-Rioux presented Council with cost estimates for required maintenance to the Sandy Point Lighthouse and requested financial support to assist in covering these costs.

A discussion was held regarding repair timeline, provincial and federal funding opportunities, lifespan of concrete repairs, and challenges with finding contractors and receiving quotes.

It was noted that the financial request will be included in the upcoming Municipality budget deliberations.

Councillors thanked Ms. Lipovac and Ms. Harris-Rioux for their presentation.

7. ECONOMIC & COMMUNITY DEVELOPMENT:

- a. Tax Exemption for Community Organizations Policy Revision – Val Kean, Director of Economic & Community Development**
- b. Shelburne Visitor Information Center – 2026 Operation Support – Val Kean, Director of Economic & Community Development**
- c. Housing Accelerator Fund Initiative – Housing Design Catalogue – Val Kean, Director of Economic & Community Development**

7(a) Val Kean, Director of Economic and Community Development, presented the Tax Exemption for Community Organizations Policy Revision staff report.

Ms. Kean advised Council that changes are required to the existing policy to ensure it clearly reflects the requirements of the Municipal Government Act and provides better guidance around eligibility, ownership, and accountability.

A discussion was held and clarification was given on exemptions for places of worship, the need to be in good standing to qualify, and the difference between charitable and non-profit organizations.

It was noted that Schedule A will be revised to coincide with the current district boundaries.

MOTION: TAX EXEMPTION FOR COMMUNITY ORGANIZATIONS POLICY REVISION

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve and adopt the revised Policy 10 – Tax Exemptions for Community Organizations, effective April 1, 2026, as presented.

- **MOTION CARRIED**

7(b) Val Kean, Director of Economic and Community Development, presented the Shelburne Visitor Information Center – 2026 Operation Support staff report.

Ms. Kean advised Council of a letter received from the Shelburne & Area Chamber of Commerce requesting funding support for the 2026 operation of the Town of Shelburne Visitor Information Centre (VIC).

A discussion was held regarding the importance of tourism and the VIC to the community, increased responsibility placed on local businesses following the VIC's closure last season, clarification on the reasons the VIC did not operate in the prior year, and consideration for ensuring funding contributions to the Towns of Shelburne and Lockport remain balanced.

It was noted that Councillor Shand declared a conflict of interest on the matter.

MOTION: SHELburne VISITOR INFORMATION CENTRE SUPPORT

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne send a response letter to the Shelburne & Area Chamber of Commerce encouraging their continued work with the Town of Shelburne to support the successful 2026 operation of the Shelburne VIC, and;

THAT the Municipality of the District of Shelburne encourages the Town of Shelburne to apply for VIC operational support to the Municipality's Grants to Organizations program.

- **MOTION CARRIED**

7(c) Val Kean, Director of Economic and Community Development, presented the Housing Accelerator Fund Initiative – Housing Design Catalogue staff report.

The federal government, through the Canada Mortgage and Housing Corporation (CMHC), has created a Housing Design Catalogue to help communities increase housing supply by providing ready to use building designs.

A discussion was held regarding the designs' square footage, promoting requirements to offer the Housing Design Catalogue, green space implementation, and clarification that the initiative is not linked to municipal surplus lands.

MOTION: HOUSING DESIGN CATALOGUE

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve staff to work with Canada Mortgage and Housing Corporation (CMHC) to fulfill the requirements of becoming Local Partner for Housing Design Catalogue, and;

THAT the Municipality of the District of Shelburne approve the waiving of all development and building permit fees associated with as-of-right development projects using any of the seven technical designs provided in the Atlantic region of the Federal Housing Design Catalogue.

- **MOTION CARRIED**

8. RECREATION & PARKS:

- a. Equity & Anti-Racism Advisory Committee – Terms of Reference – Adam Dedrick, Director of Recreation & Parks

8(a) Adam Dedrick, Director of Recreation and Parks, presented the Equity and Anti-Racism Advisory Committee – Terms of Reference staff report.

The Eastern Shelburne County Equity and Anti-Racism Plan is a three-year plan that outlines how the Municipality of Shelburne and Towns of Shelburne and Lockport are going to identify, prevent and remove barriers for people of all backgrounds in our spaces, policies, programs and services.

Under the Community Engagement priority one action item is to establish an Equity and Anti-Racism Advisory Committee, with a Terms of Reference to outline the purpose and role of the committee, terms of membership, and procedures.

A discussion was held regarding the importance of having members with lived experiences on the committee.

MOTION: EQUITY & ANTI-RACISM ADVISORY COMMITTEE – TERMS OF REFERENCE

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne approve the Eastern Shelburne County Equity & Anti-Racism Advisory Committee Terms of Reference.

- **MOTION CARRIED**

9. OPERATIONS & PROTECTIVE SERVICES:

- a. Monthly Building Report – January 2026

9(a) Warden Smith reviewed the Monthly Building Report for January 2026.

10. ADMINISTRATION:

- a. Amalgamation Steering Committee Cost Allocation Recommendation – Verbal Update – Warren MacLeod, CAO

10(a) Warren MacLeod, CAO, provided a verbal update regarding the Amalgamation Steering Committee Cost Allocation Recommendation.

Mr. MacLeod advised Council the Amalgamation Steering Committee would like to submit an application to the Province for funding support in the amalgamation process. It was noted that a letter was also sent to the MLA requesting financial assistance.

A discussion was held regarding the calculation for each unit, future costs, and the importance of provincial support during the process.

MOTION: AMALGAMATION COST ALLOCATION & FUNDING APPLICATION

Being duly moved and seconded, be it resolved that that the Municipality of the District of Shelburne (MODS), Town of Shelburne (TOS) and Town of Lockport (TOL) split any amalgamation costs such that MODS pay 76.24%, TOS pay 17.43% and TOL pay 6.33% of such costs. And furthermore, MODS, TOS & TOL jointly submit an application for Municipal Innovation Program (MIP) funding for a total amount of \$550,000 such that the MIP program cover \$412,500 (75%) and the three units fund \$137,500 (25%) with MODS covering \$104,830, TOS covering \$23,966 and TOL covering \$8,704. And furthermore, the amalgamation committee agree that should the MIP funding application be successful, the committee will not spend any funds until authorization is received from all three councils.

- **MOTION CARRIED**

11. CORRESPONDENCE:

- a. Minister of Justice & Attorney General of Canada Re: Concerns with the Criminal Justice System
- b. Dr. Talia Alenabi Re: An Open Letter of Solidarity with Iranian Canadian Health Care Professionals – For Information Purposes Only

11(a) Warden Smith reviewed the letter from the Minister of Justice and Attorney General of Canada regarding concerns with the criminal justice system.

11(b) Warden Smith reviewed the letter from Dr. Talia Alenabi regarding an open letter of solidarity with Iranian Canadian Health Care Professionals.

12. COMMITTEE REPORTS/WARDEN'S UPDATE:

- a. Committee Reports
- b. Warden's Update

12(a) Councillor Thorburn Irvine noted she attended and provided updates on the following:

- Proclamation Event at the Black Loyalist Heritage Centre
- Amalgamation Workshop with Kevin Latimer
- Amalgamation Steering Committee Meeting

Deputy Warden Wagner noted she attended and provided updates on the following:

- Shelburne County Arena Association Meeting

- Events Committee Meeting

12(b) Warden Smith noted she attended and provided updates on the following:

- February 2 - Proclamation Event at the Black Loyalist Heritage Centre
- February 3 - Amalgamation Workshop with Kevin Latimer
- February 4 - Amalgamation Steering Committee Meeting

Warden Smith noted February 15th is National Flag Day in Canada.

Warden Smith offered condolences and noted that the Municipality's flags will be flown at half mass following the tragic event in British Columbia.

Councillor Richardson noted the success of the Chowder Chowdown Showdown held at the Black Loyalist Heritage Centre on February 8th.

13. IN-CAMERA:

- a. Public Security as per MGA Section 22 (2)(h)
- b. Personnel Matters as per MGA Section 22(2)(c)
- c. Personnel Matters as per MGA Section 22(2)(c)
- d. Legal Advice Eligible for Solicitor – Client Privilege as per MGA Section 22 (2)(g)

MOTION: ENTER “IN-CAMERA”

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne enter “In-Camera” at 7:31 pm.

- **MOTION CARRIED**

MOTION: EXIT “IN-CAMERA”

Being duly moved and seconded, be it resolved that the Council of the Municipality of the District of Shelburne exit “In-Camera” at 9:19 pm.

- **MOTION CARRIED**

13(a) Item was discussed in-camera.

13(b) Item was discussed in-camera.

13(c) Item was discussed in-camera and direction was given to staff.

13(d) Item was discussed in-camera and direction was given to staff.

14. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:20 pm. The next Regular Council meeting will be held on Wednesday, February 25, 2026.

Nicole Blades
Recording Secretary

Penny Smith, Warden

Date

**Erin Hartley, Deputy Chief Administrative
Officer**

DRAFT



Dear Warden & fellow Councilors

February 16, 2026

Thank you for this opportunity to discuss and update you on behalf of the Shelburne Area Chamber of Commerce. We have appreciated the Municipality's continued support for our organization. As you will read in our presentation we continue to work towards Accreditation with the Canadian Accreditation Council.

When we started this process we all knew it would take up to 3 years to organize, compile and apply for the designation. In discussions with staff of the MOS it was our understanding when we first started the process that financial support would be contributed for the 3 year period. The financial contribution was used towards staff to assist in preparation for the application and help the volunteer committee in their efforts of building a strong Chamber.

In an email from Val Kean on March 25th, 2025, she had included a \$15,000.00 contribution in the budget for the 3rd year and Council did attach some criteria for funding. Although Accreditation is not listed in this criteria it was a request from the Municipality for the Chamber to peruse Accreditation.

1. Unification of the 2 Chambers in the county
2. Support from other Municipal Units

In our presentation you will see that although we pursued unification, we have no control over the other Chambers decision not to proceed at this time. We will continue to work with the Barrington Chamber and maybe someday we will be one.

We have been meeting with the Town of Shelburne and have a good relationship with the Town of Lockeport so we feel support is there for the work the Chamber is doing and hope to continue and grow those relationships.

Our challenge now is to hire an Executive Director or an Administrative Assistant to assist the volunteers to continue the work of the Chamber. That is where the funding will be used that we are asking for. With your Economic Development Committee mandate and the GAP study being done we see the Chamber being a supporting partner in the future development. As a third party The Chamber can access possible funding from other sources that the Municipality may not have access to. Working together could prove to be beneficial for us all.

In closing, the Chamber does have a place in our community, I agree it may seem small but every voice counts and as volunteers our heart and soul supports our community's growth and prosperity. Thank you again for your support.

Sincerely on behalf of the Shelburne Chamber of Commerce Board of Directors



Warden and Council members:

Thank you for this opportunity to present to Council the Shelburne Area Chamber of Commerce (SACC)

The Chamber has been working towards sustainability and credibility. It has been a journey and at times a challenge. Our Chamber wants to thank the Municipality for supporting our journey. This presentation is to update you on our progress and some initiatives that the SACC has encountered and continue to pursue.

Accreditation – Last August (2025) we submitted our application to the Accreditation Council of Canada. The **Canadian Accreditation Council (CAC) has been operating for over 40 years, focusing on the accreditation of various health and human service organizations throughout Canada. It aims to enhance the quality of effectiveness of these organizations by providing a structured framework for evaluation and improvement.**

This application resulted in a 60+ page document being developed for the SACC that encompasses policy and procedures, Board structure and Chamber Board & members responsibilities, Financial responsibilities, strategic planning, just to highlight a few areas. We are aware that there are not that many chambers that are accredited. Only 8 of 91 in Atlantic Canada are accredited! Even Halifax with 1700 members are not. Many of the chambers who rely on funding are volunteer which makes them ineligible. Or just don't have the capacity which makes it unattainable.

We did not hear from our application until late December and were told that our application was not accepted but the Board would be willing to work with us to revise the areas that needed our attention. We would still like to become Accredited and will continue to pursue.

Forming one Shelburne County Chamber – We took the initiative to meet with the Barrington Area Chamber (BACC) Board to discuss joining forces to create a Shelburne County Chamber of Commerce. We had a discussion with Barrington Councilor Eddie Nickerson to discuss the many issues that face our county and the possibility of uniting the 2 Chambers. At the time of our discussions both Boards were having challenges with filling the directors seats, volunteers are continuity hard to secure in many organizations not just the Chambers. When we met with the Board to discuss the fear of one Chamber taking over the other was an issue. Our solution was a Board with interchanging Executive positions so that both areas would be represented common issues facing the Businesses would be the priority but events that were held in each area would still happen. We put the ask out to the BACC but their Board declined a union.

The SACC has had a few challenges over the last 2 years but our Board of Directors has increased in numbers and a sense of interest seems to be emerging. To date there is no President or Vice but we are working towards a full Board for our May 2026 AGM.

Staff - In 2024-2025 our Executive Director Sherry Doane resigned, Sherry was instrumental in preparing the document for the Accreditation process and assisted our Chamber with Administration procedures that were needed. Her decision to resign was from a quality of life, she could retire and enjoy her days....congrats to Her!!! In 2025- 2026 a new hire was done, Tracie Sands was hired. Tracie found the job to be much more than



anticipated, so her employment was short and ended in October 2025. We still had administrative staff, Angie Shand has held the position of Admin Assistant for at least 4 years, we will be losing her soon as well.... she will be joining the MOS. Congrats to her on her position as Councilor.

With the ups and down of Staffing and soon no administrative help it will put more pressure on the volunteers involved. Our volunteers are already at their max, we need a staff person.

Funding is always an issue and although we strive to be more self sufficient it is still a struggle. Membership is an on going initiative and will always be a priority for our funding. The Chamber Group plan is one of the best in Canada, by supporting this plan our Chamber becomes more financially stable.

Just as an example if the Municipality enlisted with the plan you would be supporting the Chamber as well. For each Chamber Group Plan we sign up 4% is earned by the Chamber. It is a win- win opportunity for all.

Recently, a Local representative works directly with us, Jen Goucher, who also lives in the Municipality. We would like to be able to have Jen give the council a comparative report based on your current plan and the Chamber plan to see if this could be a feasible alternative for your staff. Hopefully we can have a meeting with the person who handles your group plan to discuss this possibility.

The following are strong points to support a local Chamber of Commerce and initiatives we are working on:

- **Supports local businesses: Provides networking, training, and resources that help small rural businesses grow and stay competitive.**

The SACC are currently working on a series of specific training opportunities, regular speakers on topics that benefit members, and building the resource page on our web site.

Social Media – The Chamber is moving towards being a better voice for Business & members. We have redesigned our Web site to focus on Business and Opportunities and resources for business. Building networking links that are more directed to services and on going support for businesses so we can offer a one stop area that our businesses can tap into.

- * **Advocates for the community: Gives businesses a collective voice with municipal and provincial governments on issues like infrastructure and funding.**

The SACC have regular monthly meeting with the TOS, MOS and TOL municipal representatives to address concerns and gather information on issues of importance to keep our members informed. Our Coffee drop in sessions for anyone who wants to talk or ask questions have started back again in Lockeport and Shelburne. We also meet with our local MLA to discuss topics of concern that will affect Community Safety, such as the Coastal Protection Action Plan specific areas of concern - Coastal Hazard Map showing Shelburne County's vulnerability RE: rising sea level areas and bridges that could cut our area off. The completion of the 103 highway and Cell phone coverage were topics of concern.



- **Boosts the local economy: Encourages “shop local,” promotes tourism, and helps keep money circulating within the community.**

The SACC is currently working with Municipal government and business to develop a long term plan for the Opening our local Visitor Information Center, an issue that Business feel strongly about needing to be open to strengthen our Tourism industry. We always promote shop local and promote the Provincial Shop Local Program.

- **Builds partnerships: Connects businesses, nonprofits, and government to collaborate on local development projects.**

The SACC connects with local organizations & businesses such as the CBDC, the Economic Growth Development Committee, the Barrington Area Chamber and Nova Scotia Works and local businesses. Recently, on a plan for the VIC and the SC Business awards. Chambers have been recognized by the Province as a support to relay regular information from Provincial departments on Tariffs and CUSMA.

- **Improves visibility and credibility: Promotes member businesses through events, directories, and marketing.**

Our new website highlights a business of the month promoting our members and their contribution to our community. We had a winning float in the Mircle on Dock Street this year, plans for organizing the Local Street Dance in August, working on business tourism brochure for Shelburne and Lockeport, developed the local walking tour brochure for TOS. Also promoting the Beacon App, [Beacon to Shelburne - STQRY Apps Directory](#) that highlights our area. This App should be promoted on all tourism literature and used for tourism marketing. This was a project the Chamber started in 2023 and has many possibilities for development.

I could go on ...but our presentation has a time limit and we want to answer any questions the Council may have.

In closing the Shelburne Area Chamber of Commerce has a place for business in the community. We can work together with Councils & business to strengthen our economic future. We all want what is best for our community and it is not a game of who is in power, who has the most money or even who has the best ideas it is how we bring all those strengths together to form a collective group that empowers our community to be successful.

Present BOARD Members:

Charlene Harris – Past President	Anita Telford- Director	Andrew Locke – Director
Mary Scott – Director	David Chute – Director	Shara Mahaney- Director

Group Insurance Representative: Jen Goucher

What is a Chamber of Commerce?

A Chamber of Commerce is a federation of business, industrial and professional firms and interested individuals working together to enhance the economic health of their community. It is a non-profit mutual benefit corporation of voluntary membership that invests time and money to carry forward programs relevant to members' needs and that affect the orderly growth and development of the community.

It is the **catalytic agency** that brings together all of the forces, both public and private, through which common goals can be resolved.

The mission of the local chamber of commerce is to be an advocate on local affairs in the community. Issues such as taxation, regulation and red tape are prime examples. The chamber also promotes a favourable business climate for our membership and community: to work on issues of community interest and provide business leadership for improvement of the economic, political environment and quality of life. In order to achieve this mission, the chamber must develop the following:

- ☐ a sound organizational structure such as committees for each of the above
- ☐ a meaningful program to engage members for input and expertise
- ☐ responsible leadership from the Board and committees
- ☐ a sound financial basis —a must as any business organization must operate on a sound footing

The Chamber is not a social club but social activities are part of a successful organization. A Chamber is not a charity. Although it is not for profit, the chamber must be profitable or return a surplus each year.

The Chamber of Commerce Idea

The Chamber of Commerce idea is a concept found only where private initiative and free enterprise exist.

The Chamber of Commerce as a wholly volunteer organization except for paid professional staff to assist in carrying out the mission. Chambers have an active role in political affairs but in a clearly non-political way, realizing that problems facing them can best be dealt within the legislative arena and can leverage their power and influence through the factual information and considered opinion they provide. Internally, a chamber organization must keep chamber members motivated to communicate regularly with their legislators.

Cities and towns are what their citizens make them. The Chamber of Commerce is the vehicle through which the community understands that private enterprise is the basis for real growth and that growth benefits all. .

Your Chamber of Commerce

Your chamber is a voluntary group of business and professional people working together to raise business issues with the aim of helping policy makers build a healthy economy and to improve the quality of life in your community.

Chamber members are businesses, organizations and individuals concerned with the economic climate of your community. They have joined together because they know they stand a better chance of getting things done when they speak as one voice.

As it works to improve your community's economy and quality of life, your chamber keeps these broad objectives in mind:

- ☐ to help business prosper and grow
- ☐ to increase job opportunities
- ☐ to contribute to the overall economic stability of the community

- to encourage and promote the private enterprise system of competitive business
- Every year, successful Chambers of Commerce and business associations provide each board member with a notebook featuring most of the following information:

Board Member Agreement

The Board of Directors is the policy making body of the Chamber of Commerce and as such we are the major work force for the Chamber of Commerce.

Our Board Members represent a broad cross-section of the business and professional leadership of the community. Each Director is very important to the Board, so an understanding is in order about each Board Members responsibility upon election. These include:

- 1 . Attendance and participation at an annual Planning Conference to develop goals for the coming year.
2. Attendance at the Annual AGM Event.
3. Attendance at each regular or special Board meeting,
4. Attendance at fifty per cent of all Chamber sponsored events, such as Mixers, Lunch & Learn, General Membership meetings, new member breakfasts and ribbon-cuttings.
5. Attendance at special events to promote the Chamber or municipality.
6. Assisting in Chamber fund-raising activities to include the sale of tickets.
7. Commit yourself to bring into the Chamber a minimum of 2 new members per year.
8. Serve as Vice Chairperson on at least one committee of your choice, or as may be requested by the President. As Vice Chairperson, it will your responsibility to select a Chairperson for the committee. It will your responsibility to keep the Board informed of its progress and goals.
9. Perform such duties as may be requested from time to time by the President and/or Board of Directors.

Become familiar with the Chamber of Commerce policies, procedures and positions so that you can become an informed representative of the Chamber Board and support the organization, its programs and policies and to do all that you can to develop and maintain high standards set by previous Board of Directors.

Please review these items and let us know of your agreement to serve by signing below and returning this to the Chamber office,

2026 - 2027 Board of Directors

Signed:_____

Date: _____

From: Val Kean <Val.Kean@municipalityofshelburne.ca>
Sent: September 18, 2025 3:45 PM
To: Charlene Harris; Warren MacLeod
Subject: RE: Chamber Funding

Hi Char,

We have not yet established or signed an agreement for 2025 funding.

It was my understanding, after your last meeting from Warren, that the Chamber is working on providing information regarding amalgamation with Barrington status, funding partners from other Eastern Shelburne County units and accreditation status – I will then use this information in a staff report to Council for discussion on 2025 funding.

Thanks
Val

From: Charlene Harris <charharris9611@gmail.com>
Sent: September 18, 2025 1:18 PM
To: Val Kean <Val.Kean@municipalityofshelburne.ca>; Warren MacLeod
<Warren.MacLeod@municipalityofshelburne.ca>
Subject: Chamber Funding

CAUTION: This email originated from an external sender.

Good day I was going through my emails to find the agreement for the Chamber 2025.....but could not find it could you please send a copy to me.

Thank you
Charlene
Past President

Charlene Harris

From: Val Kean <Val.Kean@municipalityofshelburne.ca>
Sent: March 25, 2025 8:57 AM
To: Charlene Harris
Cc: Warren MacLeod
Subject: Chamber Support

Hi Charlene,

I wanted to keep you updated on the Municipality's support to the Chamber. I have included our \$15,000 contribution in the Municipality's draft budget however based on direction from Council, like previous years, we do have some criteria that we would like to assurance on:

1. Unification of the Shelburne and Area Chamber with the Barrington Chamber – we feel that this is the most sustainable path forward for our Chamber and are supportive of this amalgamation.
2. Support from other Municipal Units – Given that Municipal business represents only a small percentage of your membership, we would like to have confirmation that other units are supporting the work of the Chamber.

We have a meeting with SACC tomorrow morning, let's discuss then.

Thanks
Val

STAFF REPORT

TO: Warden and Members of Shelburne Municipal Council

FROM: Robin Smith, Community Development Coordinator

APPROVED BY: Val Kean, Director of Economic & Community Development

DATE: February 25th, 2026

SUBJECT: **Approval of Terms of Reference**

PURPOSE

To have approval of the updated Terms of Reference for the Shelburne Events Committee.

RECOMMENDED MOTION

It is recommended to Council,

THAT the Municipality of the District of Shelburne approves the updated Terms of Reference for the Shelburne Events Committee.

BACKGROUND

The Events Committee was initially formed on an informal basis in November 2021 as an ad-hoc group of community members interested in organizing a Christmas celebration in Shelburne. Following the success of the first annual Miracle on Dock Street, the group assumed responsibility for planning Dock Street Days the following year.

The Committee subsequently expressed interest in continuing its work to support the delivery of four signature events in eastern Shelburne County: a spring event, Dock Street Days, the Nova Scotia Pumpkin Regatta, and Miracle on Dock Street.

In April 2023, Council formally adopted the Events Committee as a Committee of Council and approved its Terms of Reference.

DISCUSSION

Since that time, the Committee has reviewed its Terms of Reference and identified several updates as necessary. Key proposed changes include permitting appointments of up to two members of Council from both the Municipality of Shelburne and the Town of

Shelburne, as well as increasing the number of committee members to a maximum of twelve (12).

Given the growth of the Committee's events over the past two years, the Committee believes these changes will better support effective planning and delivery.

BUDGET IMPLICATIONS

None

ATTACHMENTS

Terms of Reference

Municipality of the District of Shelburne
EVENTS COMMITTEE
Terms of Reference

Purpose

The purpose of the Shelburne Events Committee is to coordinate, and execute four signature events for Shelburne: spring event (TBD), Dock St. Days, Shelburne Pumpkin Regatta and Miracle on Dock St.

Authority

The Events Committee has been granted its legal authority to assist the Municipality with the development and planning of major events and by virtue is being delegated this responsibility with Council's approval on May 10, 2023, of this Terms of Reference and thereafter appointing members to the Committee.

Role of Chairperson

The Chairperson is ultimately responsible for organizing, chairing, and facilitating all meetings, ensuring that appropriate research, directions and recommendations are given to the Committee, to efficiently and cost-effectively carry out the event plans.

Role of Vice Chairperson

A Vice Chairperson shall be appointed and act in the place of the Chairperson during absences, unavailability, or conflicts of interest of the Chairperson.

Role of Municipal Staff

The CAO shall designate a staff member(s) to carry out the functions and roles as directed by the Events Committee from time to time and shall act as a staff resource to the Committee. This person shall organize meetings, prepare minutes, agendas and packages, as necessary. The designated staff will ensure accurate recording keeping for all third party agreements vendors and entertainers participating in events.

Membership

Membership on the Committee shall include up to two representatives from the Municipality of the District of Shelburne and Town of Shelburne council and a minimum of 4 members to a maximum of 12 members of public, as needed, duly appointed by Council annually pursuant to Section 27 of the *Municipal Government Act*.

Member applications shall be vetted by the CAO, or designate, and member appointment will be by Council motion.

Where a vacancy occurs on the Committee, the committee shall advertise expressions of interest. The committee will make a recommendation to Council to appoint a person to fill the position as soon as possible.

Reporting Relationship

The Events Committee shall report directly to the Council of the Municipality of the District of Shelburne

and indirectly to the Chief Administrative Officer for operational and administrative support.

Duration of Mandate

The duration of the role of Chairperson and Vice-Chairperson shall be one year. Annually, in January or the next scheduled meeting, an Election of Officers by Committee shall take place appointing a Chairperson and Vice-Chairperson.

Frequency of Meetings

Meetings of the Events Committee shall be held on such day as the Committee decides at the first meeting of the Committee, with such meetings taking place at the time agreed to by the Committee. Additional meetings may be held, or the above meetings date and times changed, when agreed to by consensus of the Committee.

Quorum Requirements

No decisions may be made at any Events Committee meeting unless at least one elected representative and two community representatives are present.

Agenda, Minutes and Resolutions

Minutes and recommendations of the Events Committee shall be provided to each member of the Committee within a reasonable time after the conclusion of such meeting. The designated Municipal staff member will endeavor to provide each member of the Committee with the agenda and required supporting documentation at least three days prior to every meeting.

Conflict of Interest

It is expected that all members of the Events Committee will adhere to the *Municipal Conflict of Interest Act*, disclosing any pecuniary or indirect pecuniary interest in any matter before the Committee and refraining from taking part in, or trying to influence either before or after the meeting, any directions or decisions respecting such matters. Any breach of this guideline will require the Chairperson to ask Council to remove that member and appoint another member in their stead. If the breach is by the Chairperson, this shall be reported to Council by the Vice Chairperson.

Resources

The Events Committee shall have access to the resources of the appropriate municipal staff as authorized by the Chief Administrative Officer, to undertake the required research it needs in order to make the most appropriate decisions in a timely manner. Requests for resources above the annual budgeted amount for this committee shall be made by the Committee through the Chairperson to Council, on an as needed basis.

Decision Making Process

All decisions of the Events Committee shall be made by majority vote of committee members. Where a

majority is not forthcoming, the vote shall be determined in the negative. The Committee has authority to oversee and facilitate the research and data collection process by requesting such information from the Chief Administrative Officer and his/her staff, Committee members, or other private sector or government sources.

Confidentiality

All meetings of the Events Committee are considered public, except those matters deemed to be private and confidential in nature and subject to Section 22 of the Municipal Government Act. Minutes and subsequent resolutions of such meetings shall be recorded and publicly available upon approval by the Committee. Information and reports of the Committee shall be subject to normal Freedom of Information and Protection of Privacy (FOIPOP) regulations.

Communications

It is expected that all decisions of the Committee will be supported by all members of the committee upon ratification. This does not limit the ability of individual member's from speaking freely with the media, but in all such cases the individual committee member should be clear that it is their personal opinion and not that of the Events Committee.

Reporting

Annually the Committee will provide to Council with a draft budget for approval. Regular updates will be given to Council at any time throughout the year from the Council representative.

Approved by Council: February 25th, 2026



STAFF REPORT

TO: Warden and Members of Council

FROM: Marcia d'Eon, Director of Operations

APPROVED BY: Warren Macleod, CAO

DATE: February 25, 2026

RE: First Reading – Subdivision Bylaw (Compliance with New Land Use Bylaw)

PURPOSE

The purpose of this report is to seek Council's approval to proceed with First Reading of a new Subdivision Bylaw for the Municipality of the District of Shelburne.

The proposed Subdivision Bylaw is required to ensure consistency and compliance with the newly adopted Land Use Bylaw (LUB) and the Municipal Planning Strategy (MPS). The Municipal Government Act (MGA) enables municipalities to adopt a Subdivision Bylaw to regulate the division of land as part of the overall planning framework.

RECOMMENDATION

It is recommended that Council give First Reading to the proposed Subdivision Bylaw for the Municipality of the District of Shelburne and direct staff to schedule a Public Hearing in accordance with the Municipal Government Act.

Be it resolved that the Council of the Municipality of the District of Shelburne give first reading to the attached Subdivision Bylaw, as presented.

BACKGROUND

Council recently adopted a new Land Use Bylaw for the Municipality of the District of Shelburne. The LUB establishes updated zoning, minimum lot area and frontage

requirements, permitted uses, overlay zones (including the Coastal Protection Overlay), and general development standards.

As outlined within the Land Use Bylaw, the MGA enables the Municipality to adopt a Subdivision Bylaw to control the division of land, and together with the MPS and LUB, these documents form the planning framework for the Municipality.

The current Subdivision Bylaw predates the new LUB and does not fully reflect:

- Updated zoning categories (RD, RR, RC, MI, GI, RES, SC);
- Revised minimum lot area and frontage requirements;
- Private road provisions;
- Environmental overlay considerations; and
- Updated administrative and procedural requirements under the MGA.

In order to ensure consistency between planning documents and to properly administer development applications, a new Subdivision Bylaw is required.

DISCUSSION

The proposed Subdivision Bylaw has been prepared to:

1. Ensure all newly created lots comply with the minimum lot area, frontage, and servicing requirements of the applicable zone under the Land Use Bylaw;
2. Clarify requirements for lots fronting on private roads in accordance with updated provisions;
3. Address subdivision within or adjacent to overlay areas such as the Coastal Protection Overlay;
4. Update application, approval, and registration procedures in accordance with the MGA; and
5. Provide clear technical standards for streets, access, services, and lot layout.

The Subdivision Bylaw works in conjunction with the LUB by regulating the creation of lots, while the LUB regulates the use and development of those lots. Alignment between the two documents ensures orderly, efficient, and sustainable development consistent with the intent of the planning framework.

Without adoption of a new Subdivision Bylaw, there is potential for:

- Creation of lots that do not meet updated zoning standards;
- Inconsistency between planning documents; and
- Increased administrative challenges in processing applications.

FINANCIAL IMPLICATIONS

There are no significant financial implications associated with First Reading of the proposed Subdivision Bylaw.

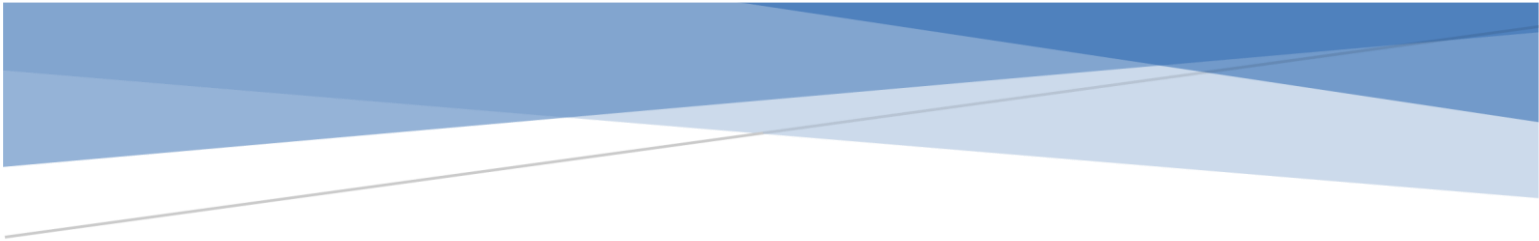
COMMUNICATIONS

If First Reading is approved, the proposed Subdivision Bylaw will proceed to:

- Public notification in accordance with the Municipal Government Act;
- Public Hearing; and
- Consideration of Second Reading by Council.

Attachments

-Subdivision Bylaw



SUBDIVISION BY-LAW

Municipality of District of Shelburne

Final Draft
January 30, 2026

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MUNICIPALITY OF THE DISTRICT OF SHELBURNE SUBDIVISION BYLAW

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1.0 Title

1.1 Citation

- 1.1.1** This By-law may be cited as the “Subdivision By-law” of the Municipality of the District of Shelburne and shall apply to the subdivision of all land within the Municipality of the District of Shelburne, hereinafter referred to as the “Municipality.”
- 1.1.2** This Subdivision By-law may also be cited as the “By-law” when used in a self-referential manner within the text.

2.0 Authority

2.1 Enactment Authority

- 2.1.1** This By-law is enacted by the Council of the Municipality of the District of Shelburne under the provisions of Sections 271–274 of the Municipal Government Act (S.N.S. 1998, c. 18) and is intended to implement Policy 6.1.1 of the Municipal Planning Strategy.

3.0 Administration

3.1 Administration and Delegation

- 3.1.1** This By-law shall be administered by the Development Officer of the Municipality appointed under the authority of the Municipal Government Act and in accordance with Policy 7.2.1 of the Municipal Planning Strategy.
- 3.1.2** In the absence or incapacity of the Development Officer, the Acting Development Officer appointed by Council shall act in the Development Officer's stead.

4.0 Interpretation

4.1 Words

- 4.1.1** In this By-law, the word “shall” is mandatory and not permissive.
- 4.1.2** Words used in the present tense shall include the future.
- 4.1.3** Words used in the singular shall include the plural except where otherwise indicated, and words used in the plural number shall include the singular.
- 4.1.4** All other words shall carry their customary meaning except those defined hereinafter.

4.2 Measurement

- 4.2.1** The metric system of measurement is used throughout this By-law. Imperial measurements are approximate only, for convenience only, and in all cases of conflict between imperial measure and metric measure, the metric measure shall prevail.

4.3 Specifications and Standards

- 4.3.1** The Specifications and Standards referred to throughout this By-law and the accompanying Specifications may be adjusted by the Municipal Engineer in exceptional circumstances and in accordance with accepted engineering practices.

5.0 Definitions

For the purposes of this By-law, all words shall carry their customary meaning except for those defined as follows:

- a) **Act** means the Municipal Government Act, Chapter 18 of the Acts of 1998, and amendments thereto.
- b) **Agreement** means a contract between the subdivider and the Municipality which describes the responsibilities of each party with respect to the subdivision and servicing of land.
- c) **Area of land** means any existing lot or parcel as described by its boundaries.
- d) **Central sanitary sewer system (central sewer)** means a municipally owned wastewater collection system consisting of pipes, conduits, and related appurtenances (including manholes and lift stations), operated by the Municipality of the District of Shelburne, that conveys wastewater to the Municipal lagoon-type wastewater treatment facility serving the Sandy Point / Shipyard service area.
- e) **Central water distribution system (central water)** means an assembly of pipes, conduits, and appurtenances designed to carry and distribute potable water for consumption and fire protection, and which is owned and operated by a municipal water utility. In the Municipality of the District of Shelburne, this refers only to water systems owned and operated by the Town of Shelburne or the Town of Lockeport where a service area or servicing agreement exists.
- f) **Charge area** means an area in which infrastructure charges are to be levied which has been designated by this by-law.
- g) **Council** means the Municipal Council of the Municipality of the District of Shelburne.
- h) **Department of Environment** means the Nova Scotia Department of the Environment and Climate Change.
- i) **Department of Public Works** means the Nova Scotia Department of Public Works.
- j) **Development Officer** means that person appointed by Council pursuant to the Municipal Government Act and having the power and duty to administer this By-law.

- k) **Drainage plan** means a detailed plan of storm water runoff and the courses and channels of it, including floodplains, for one or more parts of an area of drainage for all lands tributary to, or carrying drainage from, land that is proposed to be subdivided.
- l) **Engineer** means the engineer of the Municipality and includes a person acting under the supervision and direction of the engineer.
- m) **Equivalent value** means cash or facilities, services or other value in kind related to parks, playgrounds, and similar public purposes or any combination thereof, determined by the Municipality to be equal to the value of the land required to be transferred to the Municipality for parkland purposes.
- n) **Flag lot** means a lot with a configuration that resembles a fully outstretched flag at the top of a flag pole and where the “pole” portion of the lot consists of a narrow strip of land providing access to a public or private street, road, or highway. The access strip shall have a minimum width of **12.2 metres (40 feet)** in accordance with the Shelburne District Municipal Planning Strategy. A lot with a “foot” at the end of the pole that meets the minimum lot frontage requirement shall also be considered a flag lot (see Figure 1).
- o) **Frontage** means the lot frontage and shall be measured in accordance with the requirements of the Municipality of the District of Shelburne Land Use By-law.
- p) **Infrastructure charge** means a charge levied on a subdivider as a condition of subdivision approval within a charge area for the purpose of recovering capital costs associated with new or expanded infrastructure related to central water, wastewater and storm water systems, streets and intersections, traffic signs, signals and bus bays required to service the charge area, along with any costs associated with land acquisition, surveying, studies and legal services.
- q) **Land Use By-law** means the Municipality of the District of Shelburne Land Use By-law.
- r) **Lot** means any parcel to be created by the filing of a plan of subdivision.
- s) **Manual** means the Municipal Services Specifications Manual of the Municipality of the District of Shelburne, or where no such manual has been adopted, the applicable provincial roadbuilding and servicing standards accepted by the Municipality until such time as a Municipal Services Specifications Manual is established.
- t) **Municipality** means the Municipality of the District of Shelburne.
- u) **Municipal Planning Strategy** means the Municipality of the District of Shelburne Municipal Planning Strategy.
- v) **Private road** means any road which:
 - i. is not public;
 - ii. is shown on an approved plan of subdivision;
 - iii. extends to and has access to a public street; and
 - iv. where not entirely located within the land being subdivided, is secured by an assignable and perpetual easement for right-of-way and access, granted by deed and registered in the Land Registration Office.
- w) **Professional engineer** means a registered member, in good standing, of the Association of Professional Engineers of Nova Scotia who holds appropriate professional liability insurance.

- x) **Proposed lot** means any lot being proposed to be created by a plan, including a remainder lot.
- y) **Province** means His Majesty the King in right of the Province of Nova Scotia.
- z) **Public street** includes any street or road owned and maintained by the Municipality or the province;
and
 - i. municipal public street means any street or road owned and maintained by the Municipality of the District of Shelburne; and
 - ii. provincial public street means any street or road owned and maintained by the Nova Scotia Department of Public Works, excluding designated controlled access highways pursuant to Section 21 of the Public Highways Act.
- aa) **Remainder lot** means a lot for which subdivision approval is not requested or granted but which results from the approval of lots shown on a plan of subdivision.
- bb) **Right-of-way easement** means an easement for right-of-way and access unrestricted in use extending to and having access to a public street, and where not totally located within the area of land proposed to be subdivided, the right-of-way easement shall be assignable and perpetual and clearly granted by deed or easement registered in the Land Registration Office for this Municipality, or declared to exist for the benefit of the land proposed to be subdivided by order of a court of competent jurisdiction, and in either case the easement shall:
 - i. if created or declared to have been created prior to **(effective date of Bylaw)**, have a minimum width of 3 metres (9.84 feet), or
 - ii. if created or declared to have been created on or after **(effective date of Bylaw)**, have a minimum width of 6 metres (19.68 feet).
- cc) **Sanitary sewer** means a pipe or conduit receiving and carrying liquid and water-carried wastes and to which storm, surface or groundwaters are not intentionally admitted.
- dd) **Storm water** system means the courses and channels, including floodplains, which receive, carry and regulate flows in response to rain and snow including overland flows, sub-surface flows, groundwater flows and snow melt.
- ee) **Subdivider** means the owner of the area of land proposed to be subdivided and includes anyone acting with the owner's written consent.
- ff) **Subdivision** means the division of any area of land into two or more parcels and includes a re-subdivision or a consolidation of two or more parcels.
- gg) **Surveyor** means a registered member, in good standing, of the Association of Nova Scotia Land Surveyors.

6.0 General Requirements for Applications

6.1 Application form

- 6.1.1** Any application for approval of a concept, tentative or final plan of subdivision shall be made to the Development Officer in the form specified in Schedule A of this Subdivision By-law.
- 6.1.2** The Development Officer shall comply with all notification, circulation, and approval requirements established under this By-law and the Municipal Government Act.
- 6.1.3** All applications shall include both a hard copy and a digital copy of the plan of subdivision and all supporting documents. Digital submissions shall be provided in PDF format, or in another format acceptable to the Municipality.

6.2 Review by Agencies

- 6.2.1** When the Development Officer is satisfied that an application and a concept, tentative, or final plan of subdivision are complete, the Development Officer shall, where applicable, forward a copy of the plan to the following authorities:
 - a) in areas not served by a central sewer, the Department of the Environment to determine compliance with the On-site Sewage Disposal Systems Regulations, except where the proposed lot
 - i. is greater than 9000 square metres (96,878.4 square feet), has a width of 76 metres (249.3 feet) or more, and the applicant has certified on the application that the proposed lot is not intended for a purpose requiring an on-site sewage disposal system; or
 - ii. contains an on-site sewage disposal system and is being increased in size, provided all other proposed lots shown on the plan meet the requirements listed in subsection 6.2.1 (a)(i);
 - b) in areas located within the central sewer servicing boundary identified in the Municipal Planning Strategy, including the Sandy Point / Shipyard service area, to the authority having jurisdiction over the municipal central sanitary sewer system.
 - c) any authority having jurisdiction for public streets within 500 metres of the boundaries of the proposed lots; and
 - d) any other agency of the province or the municipality which the Development Officer deems necessary.
- 6.2.2** The Development Officer shall forward a copy of the concept plan and any supplementary information to appropriate agencies to evaluate the concept plan in terms of:
 - a) the design's consideration of topography, natural features, coastal conditions, watercourses, and any environmental or physical site constraints or restrictions;

- b) the street layout, private road configuration, pedestrian routes, phasing sequence, and connections with existing and proposed transportation links on a local and regional scale, including consideration of wildfire access requirements where applicable;
- c) the feasibility of servicing the subdivision with applicable services, including on-site water and sewer systems, central sewer service where available, stormwater management, and the potential effect of the development on existing municipal services and on the provision of future municipal services where applicable;
- d) the new or expanded infrastructure which may be required by the subdivision, including roads, drainage, wastewater, or any other municipal or utility infrastructure necessary to support the proposed development;
- e) public open space; and
- f) any proposed community and commercial uses.

6.2.3 Where a plan of subdivision is forwarded to the Department of Environment and Climate Change, the application shall include such information and documentation as may be required by that Department to determine compliance with the On-site Sewage Disposal Systems Regulations.

6.2.4 For a proposed lot that is being divided from an existing area of land that contains an existing on-site sewage disposal system, and is more than 9,000 square metres (96,878.36 square feet) in area with a width of 76 metres (249.34 feet) or more, the lot layout including buildings, driveway, on-site sewage disposal system and well shall be provided.

6.2.5 For a proposed lot 9,000 square metres (96,878.36 square feet) or less in area or with a width of less than 76 metres (249.34 feet) that is being created for a purpose that will not require the construction of an on-site sewage disposal system, the certification section of the application form must be completed.

6.2.6 A plan of subdivision that shows a proposed lot referred to in subsection 6.2.5 shall be forwarded to the Department of Environment for confirmation that the proposed lot does not require an on-site sewage disposal system.

6.3 Report by Agency

6.3.1 Any agency to which the Development Officer forwards the concept or tentative or final plan of Subdivision pursuant to section 6.2 may provide a written report of their assessments and recommendations to the Development Officer.

6.3.2 The Development Officer may not refuse or withhold approval of a plan of subdivision based on the assessment or recommendations made by the Department of Environment, the Department of Public Works or of any other agency of the Province or the Municipality unless the final plan of subdivision is clearly contrary to a law of the Province or regulation made pursuant to a law of the Province,

including any applicable requirements contained in a land use by-law or Subdivision By-law of the Municipality.

6.4 Notification to Subdivider

- 6.4.1** The Development Officer shall notify the Subdivider in writing of the results of the evaluation of the concept or tentative or final plan of Subdivision.
- 6.4.2** The Development Officer shall forward a copy of the approved tentative or final plan of subdivision to the subdivider and the surveyor.
- 6.4.3** The Development Officer shall forward a copy of the approved concept plan to the subdivider.

6.5 Notification of Refusal

- 6.5.1** Where the Development Officer refuses to approve a concept, tentative or final plan of subdivision, the Development Officer shall give notice of the refusal to all agencies which were forwarded a plan pursuant to section 6.2.
- 6.5.2** Where the Development Officer refuses to approve a concept, tentative or final plan of subdivision, the Development Officer shall inform the subdivider of the reasons for the refusal in writing and advise the subdivider of the appeal provisions of Section 284 of the Municipal Government Act.

6.6 Fees

- 6.6.1** The subdivider shall pay:
 - a) the fees required by the Municipality for filing an approved final plan of subdivision, certifying copies of the plan, and registering the notice of approval, as established by the Municipality's Fees Policy or applicable fee by-law. Where the Development Officer refuses to approve a final plan of subdivision, these fees shall be returned to the subdivider; and
 - b) any processing fees set by Council.

7.0 Lot Requirements

7.1 Abut Streets

7.1.1 All lots to be approved on a plan of subdivision shall abut:

- a) a public street; or
- b) a private road which was approved by the Engineer prior to the effective date of this By-law; or
- c) a private road that meets the requirements of Section 8.2 (Private Roads) and the accepted engineering practice provisions of this By-law;

7.1.2 This subsection implements Municipal Planning Strategy Policy 6.1.1.1 respecting lot access, and is intended to be read together with Municipal Planning Strategy Policies 4.2.7 through 4.2.10, which govern the creation and approval of public streets and private roads.

7.1.3 For the purposes of access only, a portion of a “K-class” road may be used, with the permission of the Nova Scotia Department of Public Works and subject to that department’s upgrading requirements, in conjunction with a private road to gain access to a public street.

7.2 Land Use By-law

7.2.1 All lots for which approval is requested and the remainder lot, if any, for which no approval is requested, shall meet the applicable requirements contained in the Land Use By-law, consistent with Municipal Planning Strategy Policy 6.1.1.1.

7.2.2 Subsections 7.1.1. (b), (c), Sections 7.3 (Variance 10%), 7.4 (Island lots), 7.6 (Right-of-way), 7.7 (Encroachments), and 7.8 (Main Building) are inoperative and do not apply unless the Land Use By-law permits development on any lot created pursuant to these sections and the Municipal Planning Strategy provides for both the subdivision and development of such lots.

7.3 Variance (10%), Section 279

7.3.1 Notwithstanding the lot area and frontage requirements of subsection 7.2.1 (Land Use By-law) the Development Officer may approve a maximum of two lots, shown on a plan of subdivision, in

accordance with Section 279 of the Act provided all other requirements of this Subdivision By-law are met. This subsection implements Municipal Planning Strategy Policy 6.1.1.2(3).

- 7.3.2** Subsection 7.3.1 does not apply if the area requirements established by the Department of Environment for the construction or installation of an on-site sewage disposal system are not met.

7.4 Island Lots Created

- 7.4.1** For the purposes of this section, “water frontage” means the distance measured as a straight line between the two points where the side lot lines meet a watercourse, and “area of land” means any lot or parcel as described by its boundaries as they existed on (*effective date of Bylaw*)
- 7.4.2** Notwithstanding Section 7.1 (Abut Streets) and the lot frontage requirements of subsection 7.2.1(Land Use By-law), the Development Officer may approve lots with access solely by water, including island or lakeshore lots, where such lots are intended for seasonal or low-intensity use and where no public road access is reasonably available.
- a) the area of land is located on an island;
 - b) each lot to be approved has 6 metres (19.68 feet) or more water frontage on a navigable waterway;
 - c) the proposed lots are capable of supporting the intended use in compliance with applicable provincial requirements, including on-site sewage disposal, where required.

7.5 Boundary Alteration

- 7.5.1** Notwithstanding Section 7.1 (Abut Public Street), and the lot area and frontage requirements of subsection 7.2.1(Land Use By-law), the Development Officer may approve a subdivision altering the boundaries of two or more areas of land where:
- a) no additional lots are created;
 - b) each resulting lot:
 - I. meets the minimum dimension for lot frontage of the Land Use Bylaw, or
 - II. has not had its frontage, if any, reduced;
 - c) each resulting lot:
 - i. meets the minimum lot area requirements of the Land Use By-law; or
 - ii. has not had its area reduced; and
- 7.5.2** Where the proposed lot is not surveyed, the final plan of subdivision prepared pursuant to subsection 7.5.1 shall:
- a) be certified and stamped by a Nova Scotia Land Surveyor that the boundaries of the parcel or area of land proposed to be added to the existing area of land have been surveyed and shown as a heavy solid line, except the common boundary between the existing areas of land, which is surveyed and certified as being the common boundary and shown as a heavy broken line; and

- b) notwithstanding subsection 16.1.3 (b), other than the new boundaries which have been surveyed pursuant to subsection 7.5.2(a), show the remaining boundaries of the resulting lot for which approval is requested described graphically as a lighter solid line; and
- c) have the following notation, completed and signed by the surveyor, affixed to the plan adjacent to the certification required by the Land Surveyors Act and its regulations:

"**NOTE:** The only boundaries shown on this plan which have been surveyed are the boundaries of _____. The common boundary between the existing areas of land identified by _____ and _____, which is shown by a heavy broken line, is hereby certified as having been the common boundary.

The remaining boundaries of resulting Lot _____ shown on this plan are a graphic representation only and do not represent the accurate shape or position of the lot boundaries which are subject to a field survey."

7.6 Right-of-Way (Lots on)

- 7.6.1** For purposes of this Section, "area of land" means any lot or parcel as described by its boundaries as they existed on *(effective date of Bylaw)* notwithstanding that the area of land has been subdivided subsequent to *(effective date of Bylaw)*, resulting in the creation of additional lots meeting the requirements of Section 7.1 (Abut Streets) and the lot frontage requirements of Subsection 7.2.1(Land Use By-law). contained in the Land Use By-law.
- 7.6.2** One lot that does not meet the requirements of Section 7.1 and the lot frontage requirements of Subsection 7.2.1(Land Use By-law) may be created within an area of land, provided the lot is served by a right-of-way easement as defined in subsection 5(bb), and provided no such lot has already been subdivided within the area of land.
- 7.6.3** Notwithstanding the limitation to one lot contained in subsection 7.6.2, two lots may be created, including any remainder lot, where
- a) the area of land does not abut a public street or private road, provided that each lot is served by a right-of-way easement as defined in subsection 5(bb); or
 - b) the area of land has less than the frontage required by the Land Use By-law.

7.7 Encroachments

- 7.7.1** Notwithstanding the lot area and frontage requirements of subsection 7.2.1 where a development component of a permanent nature such as a structure, driveway, well, or on-site sewage disposal system is encroaching in or upon an immediately adjacent area of land, the Development Officer may approve a plan of subdivision to the extent necessary and practical to remove the encroachment.
- 7.7.2** Where a lot created pursuant to 7.7.1 (directly above) is not surveyed, the provisions of subsection 7.5.2 (Boundary Alteration) shall apply.

7.8 Main Buildings on a lot before *(effective date of Bylaw)*

- 7.8.1** For purposes of subsection 7.8.2, “main building” is a building which is not an accessory building to another building on the area of land.
- 7.8.2** Notwithstanding the lot area and frontage requirements of subsection 7.2.1 (Land Use By-law), where an area of land contains more than one main building built or placed on the land prior to *(effective date of Bylaw)*, the Development Officer may approve a final plan of subdivision creating the same number of lots or fewer as there are main buildings provided that each proposed lot is served by a central sanitary sewer or meets the applicable requirements of the Department of Environment.

7.9 Minimum Lot Width and Depth

- 7.9.1** Lots shall not be subdivided to create a width or depth of less than 6 metres (19.68 feet).

7.10 Rear Lot Lines

- 7.10.1** Wherever possible, the rear lot lines of a series of adjoining lots shall be continuous, not stepped or jogged.

7.11 Side Lot Lines

- 7.11.1** Wherever possible, side lot lines shall be substantially at right angles to a public street or private road, or radial to a curved public street or private road.

7.12 Flag Lots

- 7.12.1** Not more than three irregular shaped flag lots which rely on a shallow “foot” abutting the street to meet the lot frontage requirement shall be created within an area of land.

8.0 Municipal Public Streets and Private Roads

The provisions of this Section implement Municipal Planning Strategy Policies 4.2.7 through 4.2.10, respecting the creation, location, design, and approval of municipal public streets and private roads.

For the purposes of design and construction, roads and streets shall be planned and constructed in accordance with accepted engineering practice, which includes the *Standard Specifications for Highway Construction* and related standards published by the Nova Scotia Road Builders' Association, as amended from time to time, to the satisfaction of the Municipal Engineer.

Where the Municipality has adopted municipal engineering specifications, those specifications shall apply in addition to, or in place of, the Nova Scotia Road Builders' Association standards, as determined by the Municipal Engineer.

8.1 General

- 8.1.1** There shall be not more than four public street or private road approaches, or any combination thereof, in an intersection.
- 8.1.2** Where a public street or private road in an adjoining subdivision abuts the boundaries of a plan of subdivision submitted for approval, a public street or private road in the latter shall, if reasonably feasible, be laid out in prolongation of such public streets or private roads, unless it would be in violation of this By-law.
- 8.1.3** Where an area of land being subdivided abuts a vacant parcel, undeveloped remainder parcel or a parcel with a high likelihood of future infill development, redevelopment or intensification, the street layout of the proposed subdivision must provide for adequate future street and pedestrian connections to adjacent undeveloped or underdeveloped lands.

8.2 Private Roads

Private roads shall only be approved where permitted by the Municipal Planning Strategy and Land Use By-law and shall be evaluated in accordance with Municipal Planning Strategy Policies 4.2.8 through 4.2.10.

- 8.2.1** All proposed roads shall be:
 - a) shown on a final plan of subdivision;
 - b) designed in accordance with **Appendix A – Road Design and Construction Standards** and accepted engineering practice, to the satisfaction of the Municipal Engineer.
 - c) Permitted by the Municipal Planning Strategy or Land Use Bylaw

- 8.2.2** Private roads shall be constructed in accordance with the approved design and the minimum specifications included in Appendix A.
- 8.2.3** The intersection of a private road with a public street shall be approved by the authority having jurisdiction for the public street.
- The right-of-way for a new private road shall have a minimum width of:
- a) 15.24 metres (50 feet), unless a greater width is required by the Municipal Engineer; or
 - b) a lesser width accepted by the Municipal Engineer.
- 8.2.4** Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate from a professional engineer which shows compliance with the design and construction requirements of subsection 8.2.1 and 8.2.2.
- 8.2.5** The specifications referred to in subsection 8.2.1 and 8.2.2. may be waived or varied by the Engineer in accordance with accepted engineering practice.
- 8.2.6** A private road may be approved as a separate lot on a plan of subdivision and is deemed to meet minimum lot area and lot frontage requirements of subsection 7.2.1.
- 8.2.7** Where the boundary of a private road shown on a plan of subdivision is not intended to be a lot boundary, it shall be shown as a lighter solid line or a dashed line.
- 8.2.8** No part of a private road shall be included in the calculation of lot area for the purposes of meeting the lot area requirements of subsection 7.2.1.

8.3 Public Streets

- 8.3.1** No proposal for a new municipal public street shall be considered by the Development Officer unless Council has first approved, in principle, the creation and future municipal ownership of the street. All proposed municipal public streets shall be:
- a) shown on a final plan of subdivision;
 - b) designed in accordance with the accepted engineering practice;
 - c) constructed and paved in accordance with the construction standards of the Nova Scotia Road Builders Association prior to approval of the final plan of subdivision by the Development Officer; and
 - d) approved by the Engineer prior to approval of the final plan of subdivision by the Development Officer.

- 8.3.2** The specifications referred to in subsections 8.3.1 (b) and (c) may be waived or varied by the Engineer in accordance with accepted engineering practice.
- 8.3.3** The minimum right-of-way for a municipal public street is 20 metres unless Council, on Engineer's recommendation, accepts a lesser width.
- 8.3.4** Where a proposed municipal public street intersects a provincial public street, that intersection shall be approved by the Department of Public Works.
- 8.3.5** A proposed lot which abuts a public street shall have adequate stopping sight distance approved by the authority having jurisdiction for the public street which will be accessed.
- 8.3.6** Where a plan of subdivision shows a proposed lot abutting an existing public street, the Department of Public Works. or the Municipality, as the case may be, shall verify that the street is a public street.
- 8.3.7** A right-of-way access to adjacent property must be provided and conveyed to the Municipality. Where practical, these accesses shall be no greater than 400 metres (1,312 feet) apart, except where this requirement would prejudice the proper subdivision of the land proposed to be subdivided or the adjacent land.
- 8.3.8** Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate from a professional engineer which certifies that the public street has been constructed in compliance with the design and construction requirements of subsections 8.3.1 (b) and (c).
- 8.3.9** The subdivider shall be responsible for the following:
- a) arranging for complete testing of the installation of a street at various stages as required by the Manual; and
 - b) giving reasonable notice to the Engineer of the proposed test date, site, and time; and
 - c) allowing the Engineer to inspect the installation at any stage or to verify or confirm any required test.
- 8.3.10** As an alternative to the complete construction and acceptance of a municipal public street as required by subsections 8.3.1 to 8.3.9 and 12.3, the subdivider may, before approval of the final plan is given, enter into a written agreement with the Municipality in accordance with subsection 12.1, and post a performance surety in accordance with subsection 12.2.

9.0 Water Supply System

9.1 Central Water Supply Systems

9.1.1 Where lots are proposed to be connected to an existing public water system, including systems owned and operated by another municipality or water utility, the subdivider shall, prior to approval of the final plan of subdivision by the Development Officer:

- a) construct a water system including mains and laterals to the boundary of the proposed lots and connect to the public water system, where such connection is permitted by the authority having jurisdiction; and
- b) ensure that all water systems required by subsection 9.1.1(a) are designed by a Professional Engineer in accordance with accepted engineering practice and applicable provincial standards.

9.2 Accepted Engineering Practice

9.2.1 The specifications referred to in subsections 9.1.1 (b) herein may be waived or varied by the Engineer in accordance with accepted engineering practice.

9.3 Engineer's certificate of compliance

9.3.1 Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate to the Development Officer from a professional engineer which certifies that the developer has complied with the design and construction requirements of subsections 9.1.1 (b) and section 9.2.

9.4 Testing of Services

9.4.1 The Subdivider shall be responsible for the following:

- a) arranging for all required testing of water system components at the stages specified by the Municipal Engineer; and
- b) giving reasonable notice to the Engineer of the proposed test date, site, and time; and
- c) allowing the Engineer to inspect the installation at any stage or to verify or confirm any required test.

9.5 Alternative to complete construction

9.5.1 As an alternative to the complete construction and acceptance requirements for water system, as contained in subsections 9.1, 9.2, 9.3, 9.4 and 12.3, the subdivider may, before endorsement of approval of the final plan is given, enter into a written agreement with the Municipality as provided for in subsection 12.1, and post a performance surety as provided for in subsection 12.2

10.0 Sewer Systems

10.1 Central Sanitary Sewer Systems

10.1.1 Where a new public street is proposed within an area identified as being within the municipal servicing boundary in the Municipal Planning Strategy Policy 5.3.7, the subdivider shall, prior to approval of the final plan of subdivision by the Development Officer:

- a) construct a sanitary sewer system including collectors and laterals to the boundary of the proposed lots and connect to the existing central sanitary sewer system;
- b) all sanitary sewer systems required by subsections 10.1.1 (a) shall be designed by a Professional Engineer in accordance with accepted engineering practice and all applicable provincial standards.

10.2 Accepted Engineering Practice

10.2.1 The specifications referred to in subsections 10.1.1 (b) herein may be waived or varied by the Engineer in accordance with accepted engineering practice.

10.3 Engineer's certificate of compliance

10.3.1 Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate to the Development Officer from a professional engineer which certifies that the developer has complied with the design and construction requirements of subsections 10.1.1 (b) and section 10.2.

10.4 Testing of Services

10.4.1 The Subdivider shall be responsible for the following:

- a) arranging all required testing of the sanitary sewer system at the stages specified by the Municipal Engineer; and
- b) giving reasonable notice to the Engineer of the proposed test date, site, and time; and
- c) allowing the Engineer to inspect the installation at any stage or to verify or confirm any required test.

10.5 Alternative to complete construction

10.5.1 As an alternative to the complete construction and acceptance requirements for sewer system, as contained in subsections 10.1.1, 10.2, 10.3, 10.4 and 12.3, the subdivider may, before endorsement of approval of the final plan is given, enter into a written agreement with the Municipality as provided for in subsection 12.1, and post a performance surety as provided for in subsection 12.2.

11.0 Storm Water Drainage System

The stormwater management requirements of this Section implement Municipal Planning Strategy Policies 5.3.5 and 5.3.6 respecting drainage, erosion control, and protection of downstream properties.

11.1 Storm water drainage system design and installation requirements

11.1.1 A stormwater management plan shall be required only where a subdivision involves the construction or extension of a public street or private road, or where the Municipal Engineer determines that stormwater impacts require mitigation.

11.1.2 The subdivider shall install a storm water system in conformance with a drainage plan, properly designed by a professional engineer, to remove any surface drainage that may enter the area being subdivided or be generated within the proposed subdivision, and to adequately dispose of the waters so as not to negatively affect any downstream properties

11.1.3 The stormwater management plan shall be prepared and stamped by a Professional Engineer. The plan and all associated stormwater works shall comply with accepted engineering practice, applicable provincial and federal requirements, and shall be subject to review by Nova Scotia Environment and Climate Change and by the Municipality.

11.1.4 Where approval is being sought for five (5) or more lots, including four lots and a remainder, the Subdivider shall provide a storm water management plan for the entire area of land to be subdivided.

11.2 Contents of Stormwater Management Plan (As required)

11.2.1 The subdivider shall install a storm water system in conformance with a drainage plan, properly designed by a professional engineer, to remove any surface drainage that may enter the area being subdivided or be generated within the proposed subdivision, and to adequately dispose of the waters so as not to negatively affect any downstream properties.

a) a drainage plan showing existing and proposed drainage patterns;

- b) a grading plan showing the conveyance of runoff to a stable outlet or established drainage course;
- c) stormwater calculations based on the full development of the site;
- d) proposed measures to prevent increased peak runoff flows to downstream properties;
- e) measures to preserve existing natural watercourses and minimize erosion;
- f) identification of any off-site impacts and required mitigation; and
- g) any other information required by the Engineer.

11.2.2 The storm water management plan shall be prepared and stamped by a Professional Engineer and may be subject to review by Nova Scotia Environment and Climate Change and the Municipality.

11.3 Accepted Engineering Practice

11.3.1 The specifications referred to in subsection 11.1.2 and subsection 11.2.1 herein may be waived or varied by the Engineer in accordance with accepted engineering practice.

11.4 Engineer's certificate of compliance

11.4.1 Prior to approval of the final plan of subdivision by the Development Officer, the subdivider shall provide a certificate to the Development Officer from a professional engineer which certifies that the developer has complied with the design and construction requirements of sections 11.1 and 11.2.

11.5 Testing of Services

11.5.1 The Subdivider shall be responsible for the following:

- a) arranging for all required testing of stormwater drainage components at stages specified by the Municipal Engineer; and
- b) giving reasonable notice to the Engineer of the proposed test date, site, and time; and
- c) allowing the Engineer to inspect the installation at any stage or to verify or confirm any required test.

11.6 Alternative to complete construction

11.6.1 As an alternative to the complete construction and acceptance requirements for storm water drainage systems, as contained in Subsections 11.1, 11.2, 11.3 , 11.4 and 12.3, the subdivider may, before endorsement of approval of the final plan is given, enter into a written agreement with the Municipality as provided for in subsection 12.1, and post a performance surety as provided for in subsection 12.2.

12.0 Construction of Services

12.1 Servicing Agreement

12.1.1 Where an agreement is entered into between the subdivider and the Municipality pursuant to subsections 8.3.10, 9.5, 10.5 and 11.6, the agreement shall contain provisions satisfactory to the Municipality with respect to any or all of the following:

- a) the time within which any construction of streets and services shall be commenced and completed;
- b) the phasing of any construction of streets and services;
- c) the acceptance of any streets and services by the Municipality;
- d) the provision and acceptance of easements and rights-of-way; and
- e) any other matter related to the requirements of this By-law and the Municipal Planning Strategy and Land Use By-law relative to the subdivision and servicing of land.

12.2 Performance Surety

12.2.1 Where a subdivider proposes to complete construction of any streets, sewer, or water services after receiving approval of any final plan of subdivision, the following shall be required:

- a) the subdivider shall post a performance surety, satisfactory to the Municipality, in the amount of one hundred twenty five percent (125%) of the estimated cost to complete the streets and services;
- b) the subdivider shall submit to the Development Officer for approval an estimate of costs, prepared by a Professional Engineer to complete the construction of the streets and services and the Development Officer may revise the estimate if it is, in the opinion of the Municipal Engineer, inadequate, and the decision of the Municipal Engineer shall be final. Such estimates shall include all construction related costs including but not limited to professional engineering contract management and site supervision and inspection of all construction and work;
- c) the performance surety shall be posted before approval of any final plan of subdivision is given by the Development Officer;
- d) the performance surety shall be in favour of the Municipality and may be in the form of cash, certified cheque or letter of credit, or bond issued by a bank, surety, or guarantee company licensed by the Province of Nova Scotia and conditional on the execution and completion of the agreement in accordance with terms of the agreement and the requirements of this By-law and shall not be subject to cancellation, termination, or expiration during the period of time for completion of the work;
- e) where the performance surety is paid in cash or by certified cheque, the cheque will be cashed and all monies paid in cash will be held by the Municipality and returned without interest to the subdivider upon completion of the work;

- f) where the Engineer determines that the work is substantially complete, the Municipality may, in its sole discretion, return a portion of the performance surety, less any amount held back for deficiencies, prior to complete construction by the subdivider and acceptance by the Municipality; and
- g) where construction of the proposed streets and services does not commence within twelve (12) months of the date of approval of the final plan of subdivision and according to the approved time schedule, the subdivider shall forfeit the performance surety.

12.3 Acceptance Requirements

12.3.1 Within thirty (30) days following completion of any public streets and services and prior to acceptance by the Municipality of any streets and services, the subdivider shall:

- a) post a maintenance bond or guarantee, satisfactory to the Municipality, in an amount equal to ten percent (10%) of the actual cost of construction of the streets and services, in a form acceptable to the Municipality, as determined by the Municipal Engineer using accepted engineering practice
- b) provide the reproducible record drawings of engineering design showing all the actual constructed systems including sanitary sewers, water systems, and storm drainage;
- c) provide “as built” reproducible engineering design drawings in paper and digital formats for the street including plan and profile of streets drawn to the required scale and certified by a professional engineer;
- d) provide the results of all test reports, and all operating and procedural manuals for each central water or central sewer system, demonstrating that the required streets and systems have been constructed and are operating according to the standards set out in this By-law and Municipal engineering requirements;
- e) provide four (4) copies of the final plan of subdivision showing the municipal public streets and all drainage rights-of-way outlined in red, road reserves outlined in yellow, and easements outlined in green;
- f) provide deeds, easements, or bills of sale to the Municipality, free of encumbrances, for streets, rights-of-way, easements, and services. All conveyances of real property and easements shall be by warranty deed or warranty easement, conveyances of services shall be by warranty bill of sale, and the subdivider shall provide to the Municipality from his or her legal counsel a solicitor’s certificate of title certifying that all property conveyed is free from all encumbrances. In the event that the conveyance is not free from encumbrances, an unqualified undertaking from the subdivider’s solicitor to release the encumbrances may be accepted by the Municipality;
- g) pay all document registration and other costs associated with the requirements of this section; and
- h) all completed forms required under the Land Registration Act to record documents at the Land Registration Office

13.0 Public Open Space

The public open space dedication requirements of this Section implement Municipal Planning Strategy Policy 6.1.1 and the parkland dedication provisions of the Municipal Government Act.

13.1 Dedication Required

- 13.1.1** Prior to approval of a final plan of subdivision, the subdivider shall provide to the Municipality a cash contribution in lieu of land dedication equal to five percent (5%) of the market value of the lots to be approved, as determined by the Property Valuation Services Corporation or its successor, exclusive of streets, easements, and any remainder lands.
- 13.1.2** Funds collected pursuant to this Section shall be used by the Municipality for the acquisition, improvement, operation, or maintenance of parks, playgrounds, trails, or other public open-space or recreational purposes.
- 13.1.3** Council may waive or reduce the cash-in-lieu requirement where it determines that the subdivision does not generate additional recreational demand or where an alternative contribution provides equivalent community benefit.

13.2 No Open Space Fees Required

- 13.2.1** Section 13.1 regarding the provision of open space shall not apply:
- a) to the consolidation or re-subdivision of land where no additional lots are created; or
 - b) to a subdivision that does not create additional development potential, as determined by the Development Officer, including boundary adjustments made solely to resolve encroachments or clarify title; or
 - c) to a subdivision that creates a single additional lot containing an existing dwelling, where the subdivision does not increase the overall number of dwelling units permitted on the remainder of the lands under the Land Use By-law.

14.0 Concept Plans of Subdivision

14.1 Concept Plan Requirements

14.1.1 Where an area of land is being subdivided in phases or will contain new public streets, a subdivider shall submit to the Development Officer six (6) copies and one (1) digital copy of a concept plan of the entire area of land, unless additional copies are requested by the Development Officer.”

14.1.2 Concept plans shall be at a scale sufficient for clarity of all particulars of the plan and shall show the following:

- a) the words “Concept Plan” located in the title block, along with an estimated lot yield figure, based on the requirements of the Land Use By-law and the Department of the Environment, as applicable;
- b) name of the property owner(s) and names of all abutting land owners;
- c) the unique parcel identifier (PID) for all areas of land being subdivided;
- d) the proposed internal street system with connections to existing streets;
- e) the location of all watercourses and wetlands within and adjacent to the area of land, any prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the provision or layout of central sanitary sewer systems, storm water systems, central water distribution systems, or public streets and private roads;
- f) the proposed location of public open space;
- g) the location of existing development, if any;
- h) the location of any municipal service boundary;
- i) the proposed subdivision phasing sequence;
- j) the north point;
- k) contours at 5 metre (16.40 foot) intervals; and
- l) any other information the Development Officer deems necessary to determine if the subdivision meets with municipal standards and accepted engineering practice as determined by the Engineer.

14.1.3 The concept plan shall be accompanied by a traffic impact study, prepared by a qualified traffic or transportation engineer registered with the Association of Professional Engineers of Nova Scotia in accordance with the Department of Public Works’ Guide for the Preparation of Traffic Impact Studies.

14.1.4 Approval of a concept plan lapses if a complete application for tentative or final subdivision plan approval is not received within two (2) years of the date of approval of the concept plan.

14.1.5 Where a concept plan is required under this By-law:

- a) no tentative or final plan of subdivision shall be approved that is inconsistent with the approved concept plan.

14.2 Concept Plan Procedure

14.2.1 The procedure for processing Concept plans of subdivision is contained in Section 6: General Requirements for Applications.

14.2.2 The following information shall be stamped or written and completed by the Development Officer on any concept plan which is approved:

- a) "This concept plan is approved. Such approval lapses if a tentative or final subdivision plan is not submitted for approval within two years of the date of approval of the concept plan."
- b) the date of the approval of the concept plan; and
- c) "This concept plan shall not be filed in the Land Registration Office as no subdivision takes effect until a final plan of subdivision is approved by the Development Officer and filed in the Land Registration Office"

15.0 Tentative Plans of Subdivision

15.1 Tentative Plan Requirements

15.1.1 A person proposing to subdivide an area of land may submit to the Development Officer ten (8) copies and one (1) digital copy of a tentative plan for the proposed subdivision meeting the requirements of subsection 15.1.2 , 15.1.3 and 15.1.4 of this By-law.

15.1.2 Tentative plans of subdivision submitted to the Development Officer shall be:

- a) drawn to a scale or scales sufficient for clarity of all particulars on the tentative plan of subdivision;
- b) based on a description of the area of land to be subdivided, preferably but not necessarily as surveyed; and
- c) folded to approximately 20x30 cm (8x12 in.) with the face of the folded print being the title block which is located in the lower right-hand corner of the tentative plan of subdivision.

15.1.3 Tentative plans of subdivision shall show the following:

- a) the words "Plan of Subdivision" located in the title block;
- b) the words "Tentative Plan" located above the title block;
- c) a clear space for stamping being a minimum of 225 square centimetres (36 square inches) with a minimum width of 8 centimetres (3 inches);
- d) the name of the subdivision, if any, and the name of the owner of the area of land;
- e) if applicable, the book and page number of the deed to the area of land as recorded in the name of the owner in the Land Registration Office for this Municipality;
- f) the unique Parcel Identifier (PID) of all areas of land being subdivided;
- g) the civic number of main buildings on the area of land being subdivided;

- h) the names of all owners or the identifiers of all properties abutting the proposed subdivision;
- i) a location map, drawn to a scale not smaller than 1:50,000 (such scale to be shown on the map), preferably with the same orientation as the area of land and, if possible, showing the location of the closest community to the area of land proposed to be subdivided;
- j) the shape, dimensions, and area of the proposed lots;
- k) each proposed lot identified by a number, except in cases where a parcel is being added to or subtracted from an existing area of land, in which case the parcel shall be identified by a letter and the new lot identified by the existing area of land identifier, where applicable, and the letter;
- l) no duplication of lot identifiers;
- m) the boundaries of proposed lots shown by solid lines, and the vanishing boundaries of existing areas of land being resubdivided, consolidated, or both, shown as broken lines;
- n) the location of existing buildings within 10 metres (32.81 feet) of a property boundary;
- o) the location of existing and proposed public streets and private roads;
- p) the name of existing and proposed public streets (and the public street number) and private roads, as issued pursuant to the civic addressing system;
- q) the width and location of railroads and railway rights-of way;
- r) the general location of watercourses, wetlands, or prominent rock formations;
- s) the width, location, and nature of any easements on or affecting the area of land proposed to be subdivided;
- t) where applicable, a notation stating the lots are serviced by a central sewer and/or water system;
- u) the north point;
- v) the scale to which the plan of subdivision is drawn;
- w) the date on which the plan of subdivision was drawn and the date of any revisions; and
- x) any other information which the Development Officer deems necessary to determine whether or not the plan of subdivision conforms to this By-law.

15.1.4 Where the tentative plan of subdivision is forwarded to the Department of Environment, the plan shall meet the requirements of subsections shall meet the requirements of subsections 6.2.3, 6.2.4 and 6.2.5 the proposed on-site sewage disposal system, selected or designed shall be identified.

15.1.5 In addition to meeting the requirements of subsection 15.1.2, 15.1.3 and 15.1.4, where the proposed lots front on a proposed public street or proposed private road, a tentative plan of subdivision shall:

- a) show a boundary survey of the area of land proposed to be subdivided, excluding the remainder lot, certified and stamped by a Nova Scotia Land Surveyor in the manner required by the Land Surveyors Act and its regulations;
- b) be accompanied by four (4) copies and a digital copy of a plan showing
 - (i) contours at 2 metre (6.56 foot) intervals, and drainage patterns;
 - (ii) the width and location of proposed public streets and private roads, and their intersection with existing public streets; and

- (iii) the location of existing and proposed central sewer and water systems and proposed connections thereto; and
- c) be accompanied by four (4) copies and a digital copy of centerline profiles of proposed public streets or private roads;
- d) be accompanied by four (4) copies and a digital copy of a storm drainage plan applying acceptable engineering practices for the proper removal of surface drainage from the proposed subdivision and in compliance with subsection 11.1;
- e) be accompanied by any other information which the Development Officer deems necessary to determine whether the plans referred to in subsections 15.1.5 (b), (c), and (d) conform to this By-law.
- f) Where plans or drawings or centerline profiles are prepared by or under the supervision of a professional engineer, they shall be signed and sealed by the professional engineer in accordance with the Engineering Profession Act.

15.2 Tentative Plan Procedure

15.2.1 The procedure for processing tentative plans of subdivision is contained in Section 6: General Requirements for Applications.

15.2.2 The following information shall be stamped or written and completed by the Development Officer on any tentative plan of subdivision which is approved together with any other information, including conditions, necessary for the tentative plan to proceed to the final plan stage:

- a) "This tentative plan of subdivision is approved for Lots _____. Such approval lapses if the lots are not shown on a final plan of subdivision approved within two years of the date of the approval of the tentative plan.";
- b) the date of the approval of the tentative plan; and
- c) "This tentative plan of subdivision shall not be filed in the Land Registration Office as no subdivision takes effect until a final plan of subdivision is approved by the Development Officer and filed in the Land Registration Office."

16.0 Final Plans of Subdivision

16.1 Final Plan Requirements

- 16.1.1** A subdivider proposing to subdivide an area of land shall submit an application in the form specified in Schedule “A” of this By-law together with six (6) copies and one (1) digital copy of the final plan of subdivision meeting the requirements of subsection 16.1.3 and 16.1.4 of this By-law to the Development Officer for approval.
- 16.1.2** A final plan of subdivision submitted for approval shall be accompanied by any security or bonds required to be posted under this By-law.
- 16.1.3** Final plans of subdivision submitted to the Development Officer shall be:
- a) drawn to a scale or scales sufficient for clarity of all particulars of the final plan of subdivision;
 - b) certified and stamped by a Nova Scotia Land Surveyor that the lots for which approval is requested and any proposed street and road have been surveyed in the manner required by the Land Surveyors Act and its regulations, except for a final plan of subdivision prepared pursuant to subsection 7.5.2 of this By-law; and
 - c) folded to approximately 20 x 30 centimetres (8 x 12 inches) with the face of the folded print being the title block which is located in the lower right-hand corner of the final plan of subdivision.
- 16.1.4** Final plans of subdivision shall meet the requirements of subsections 15.1.3, 15.1.4 and 15.1.5, except that:
- a) subsection 15.2.3 (b) does not apply;
 - b) proposed streets and roads shall be surveyed; and
 - c) the geographical and mathematical location of all buildings within 3 metres (9.8 ft) of a proposed boundary shall be shown.
 - d) For a proposed lot that will have access to a provincial public highway, the final plan of subdivision may be accompanied by or show stopping sight distances information in the form specified in Schedule “E” completed by a Nova Scotia Land Surveyor or the authority having jurisdiction.

16.2 Final Plan Procedure

- 16.2.1** The procedure for processing final plans of subdivision is contained in Section 6: General Requirements for Applications.

16.2.2 Before approving a final plan of subdivision that adds or consolidates parcels or areas of land in different ownerships, the Development Officer shall be provided with:

- a) the executed deeds suitable for registering to effect the addition or consolidation;
- b) the fees for registering the deeds;
- c) the affidavit of value including particulars of any exemption, if any, pursuant to Part V of the Act;
- d) where applicable, the deed transfer tax; and
- e) all completed forms required under the Land Registration Act to record documents at the Land Registration Office

16.2.3 A final plan of subdivision showing lots to be approved under circumstances described in subsection 287(3) of the Act by special note on the plan shall

- a) identify such lots;
- b) state the names of the grantor and the grantee of such lots; and
- c) state the date, book and page number of the conveyance of such lots as recorded in the Land Registration Office

16.2.4 The following information shall be stamped or written and completed by the Development Officer on any final plan of subdivision which is approved:

- a) "This final plan of subdivision is approved for Lots _____";
- b) where applicable,
 - i. "_____ (is,are) suitable for the
(lot(s) approved and/or remainder)
construction or installation of an on-site sewage disposal system for
_____ and any conditions
(proposed use)
which apply are contained in a report dated _____ and available from the
Department of the Environment.", or
 - ii. "IMPORTANT NOTICE
_____ (has, have) been created for a
(lot(s) approved and/or remainder)
purpose which does not require an on-site sewage disposal system and will not be eligible for a
permit to install a system unless the requirements of the Department of the Environment are
met."; or
 - iii. _____ (is,are) served by an existing
(lot(s) approved and/or remainder)
on-site system and should a replacement system become necessary in future, approval of the
replacement system from the Department of the Environment is required".
- (c) where applicable,

- i. a notation stating that access to the public street as shown has been approved for the lots created by this final plan and any conditions which apply are listed on the plan or are contained in a report dated _____, available from the authority having jurisdiction for public streets;
- ii. where a lot which abuts a public street does not have an approved access point along the street, a notation stating that direct access to the street is not permitted; and
- iii. where there are private roads which are not to be owned and maintained by the Department of Public Works or the Municipality, the words “The following private roads are not owned or maintained by the Department of Public Works or the Municipality and are not entitled to any provincial or municipal services including grading, ditching, snow plowing, gravelling, school busing, and garbage collection:

_____”.

16.2.5 Within seven days of approving the plan, the Development Officer shall forward to the Land Registration Office:

- a) five (5) approved copies of the final plan of subdivision and a notice of approval in the form specified in Schedule “B” of this By-law; and
- b) if applicable, the items required by subsection 16.2.2 of this By-law.

17.0 Repeal of a Plan of Subdivision

17.1 Repeal of any or all lots approved application

17.1.1 Where a plan of subdivision has been approved, the approval may be repealed for any or all the lots created by the plan of subdivision.

17.1.2 Any person requesting the appeal of a plan of subdivision shall submit to the Development Officer an application in the form specified in Schedule “C”.

17.2 Notification and Approval

17.2.1 The notification and approval provisions of the Act which apply to the approval of a plan of subdivision shall also apply to a repeal.

17.2.2 Notwithstanding Subsection 17.2.1, the notification and approval provisions of the Act do not apply to a repeal respecting a plan of subdivision to consolidate two or more parcels for which no deed to effect

the consolidation has been registered in the Land Registration Office, provided that the applicant certifies that to the applicant's knowledge no deed to effect the consolidation exists.

17.3 Application to review agencies

17.3.1 When the Development Officer is satisfied that an application for repeal is complete, the Development Officer may forward a copy to any agency who provided an assessment or recommendations on the original plan of subdivision.

17.4 Buildings on subject lands

17.4.1 Where buildings have been erected on the subject lands after the date of the subdivision approval sought to be repealed, no repeal shall be granted which would cause these buildings to be in violation of any building code regulations, land use by-law, or sewage disposal regulations unless the violation can be rectified by the approval of a new plan of subdivision filed at the Land Registration Office on the same day as the repeal is filed.

17.5 Sections do not apply

17.5.1 Sections 6 to 16 inclusive of this By-law do not apply to the repeal of a plan of subdivision.

17.6 Repeal to Land Registration Office, Copy to subdivider and review agencies

17.6.1 The Development Officer shall forward to the Land Registration Office the repeal in the form specified in Schedule "D".

17.6.2 The Development Officer shall forward a copy of the repeal referred to in subsection 17.6.1 to:

- a) the subdivider; and
- b) any agency who provided an assessment or recommendations on the original plan of subdivision.

17.7 Fees

17.7.1 At the time of application for the repeal of a subdivision, the subdivider shall submit to the Development Officer:

- a) the fees contained in the Costs and Fees Act, and its regulations for registering a repeal of a plan of subdivision; and
- b) the processing fee set by the Council.

17.7.2 Where the Development Officer refuses to repeal a subdivision, the Development Officer shall return the fees referred to in subsection 17.7.1 (a) to the subdivider.

17.8 Notice of Refusal to review agencies

17.8.1 Where the Development Officer refuses to repeal a plan of subdivision, the Development Officer shall give notice of the refusal to the subdivider and to all agencies which were forwarded the application for repeal pursuant to subsection 17.2.2.

18.0 Instruments of Subdivision

18.1 General

18.1.1 In accordance with the Municipal Government Act and the Provincial Subdivision Regulations, a subdivider may, in limited circumstances, apply to subdivide land by an Instrument of Subdivision rather than by a Tentative or Final Plan of Subdivision.

18.1.2 n Instrument of Subdivision is intended for occasional, simple rural lot creation and boundary adjustments in the Rural Resource (RR) Zone only, and shall not be used as a substitute for a plan of subdivision where a more detailed review is required.

18.2 Condition of Use

18.2.1 A subdivider may apply for subdivision by instrument only where the following conditions are met:

- a) The land is located within the Rural Resource (RR) Zone and is outside any municipal water or wastewater servicing boundary identified in the Municipal Planning Strategy.
- b) Each lot created by instrument shall:
 - i. has a minimum area of 5 acres (20,234 m²);
 - ii. be capable of containing a 76-metre diameter circle within the boundaries; and
 - iii. meet the minimum width requirements for on-site sewage disposal as determined by the Department of Environment.
- c) Each lot created shall front on an existing public street or an existing private road that meets section 8.2 of this By-law. No new roads may be created or extended through an instrument;
- d) No more than three (3) new lots may be created from any area of land that existed on the effective date of this By-law using the instrument process, whether through a single instrument or multiple instruments.
- e) All lots must be capable of supporting an on-site sewage disposal system unless they are specifically being increased in size and the remainder lot meets all applicable requirements.

- f) The Development Officer may refuse an instrument where the location, topography, wetlands, coastal features, or access conditions require a more detailed engineering review.

18.3 Submission Requirements

18.3.1 An Instrument of Subdivision shall:

- a) be prepared, signed, and sealed by a Nova Scotia Land Surveyor;
- b) include a location map, key dimensions, frontage, access point, and any easements;
- c) identify any existing development within 10 metres of proposed boundaries;
- d) be accompanied by any documentation required by the Department of Environment for on-site sewage approval.

18.3.2 The Development Officer may request additional information where necessary to determine compliance with this By-law.

18.4 Approval and Filing

18.4.1 The Development Officer may approve an Instrument of Subdivision only where the criteria of subsection 18.2.1 and 18.3.1 are satisfied.

18.4.2 Following approval, the instrument shall be filed in the Land Registration Office in accordance with the Municipal Government Act.

19.0 Effective Date

19.1 Effective Date

19.1.1 This Subdivision By-law comes into effect on the date it is approved by Council and advertised in accordance with the Municipal Government Act.

Appendix “A” – Road Design and Construction Standards

GENERAL DESIGN REQUIREMENTS

Requirement	Standard
Professional design	All new roads must be designed by a Professional Engineer.
Purpose	Roads must provide safe access, emergency vehicle passage, adequate drainage, and integrate with existing networks.
Required drawings	Plan & profile, cross-sections, drainage design, culvert sizing, materials, grades, sight distances.
Applicable standards	Accepted engineering practice & provincial standards apply unless varied by the Municipal Engineer.

RIGHT-OF-WAY WIDTHS

Road Type	Minimum Right-of-Way	Notes
Private Road	20 m	A reduced width may be approved under Section 8.2.1.

ROADWAY GEOMETRY

Element	Standard	Notes
Maximum grade	12% (private road)	Shall allow safe passage year-round.
Vertical curves	Must satisfy DPW stopping sight distance	Sight distance must meet Schedule E.

PRIVATE ROADS

Component	Minimum Standard
Travelled way	6.0 m
Shoulders	0.5 m

Component	Minimum Standard
Drainage	Ditches unless engineered alternative
Surface	Gravel or asphalt, must support emergency vehicles

INTERSECTIONS & ACCESS

Requirement	Standard
Maximum roads per intersection	4 roads (public + private combined).
Intersection spacing	≥ 100 m unless Engineer approves a lesser distance.
Provincial highway intersections	Must be approved by NSPW.
Stopping sight distance	Must meet Schedule E .

Schedule "A" – Application for Subdivision Approval

SUBDIVISION AREA: Municipality of District of Shelburne		APPLICATION TYPE: ☐ Preliminary ☐ Concept ☐ Tentative ☐ Final	
NAME OF SUBDIVISION:		APPROVAL REQUESTED FOR LOT #'s:	
LOCATION:		NO. AND TYPE OF EXISTING BUILDINGS:	
PRESENT USE OF SITE:		PROPOSED USE OF SITE:	
SIZE OF PARCEL TO BE APPROVED:		SIZE OF REMAINING PARCEL:	
PROPERTY OWNER(S):	MAILING ADDRESS:	PHONE:	
APPLICANT:	MAILING ADDRESS:	PHONE:	
CORRESPONDENCE AND PLANS SHOULD BE SENT TO: ☐ OWNER ☐ APPLICANT ☐ OTHER (specify)			
NAME:	MAILING ADDRESS:	TELEPHONE NUMBER:	
WATER SERVICES: Existing Proposed Central System ☐ ☐ Drilled Well ☐ ☐ Dug Well ☐ ☐ Other: _____	SEWER SERVICES: Existing Proposed Central System ☐ ☐ On-site ☐ ☐ Other: _____	ACCESS: Existing Proposed Public Road ☐ ☐ Private Road ☐ ☐ Right of Way ☐ ☐ Other: _____	
Has the property been tested by a qualified person for the installation of an on-site sewage disposal system? Yes ☐ No ☐			
If yes, please specify name of qualified person _____			

MUNICIPALITY OF THE DISTRICT OF SHELBURNE SUBDIVISION BYLAW

CERTIFICATION - ON-SITE NOT REQUIRED (unserviced areas)

I certify that _____ (is, are) being subdivided for a purpose (_____
(Lot(s) being approved and/or remainder lot)

(Specify purpose)

which will not require the installation of an on-site sewage disposal system.

SIGNATURE: _____

Declaration: **I CERTIFY THAT I AM THE OWNER OR AM ACTING WITH THE OWNERS WRITTEN CONSENT.**

Signature of Applicant(s): _____ Date: _____

SPACE BELOW FOR OFFICE USE ONLY

Plan Received:		Application Complete:		Plans Approved:	
Plans Reviewed By:				Land Registry Use	
Sent		Received		S/D Plan#	
	Department of Transportation			Voluntary Registration	
	Department of Environment			☐ Yes ☐ No	
	Public Works Department			Affidavit of Family Gifting attached	
	Assessment			☐ Yes ☐ No	
	Registration Fee			Previous Subdivision Approval	
	5% Open Space Fee			☐ Yes ☐ No	
	LIMS			Previous Plan Number:	
	GIS Technician			Zone:	
	Municipal Finance Department			PID:	
	Canada Post				

Schedule “B” – Notice of Approval

**NOTICE OF APPROVAL
IN ACCORDANCE WITH SECTION 285(1)(3) OF
THE *MUNICIPAL GOVERNMENT ACT***

Name of Owner(s): _____

Name of Subdivision: _____

Location: _____

Date of Approval: _____ For: _____

Surveyor: _____ Date of Plan: _____

Dated this _____ day of _____, _____.

Development Officer

Plan of subdivision filed in the Registry of Deeds as Plan # _____

Dated this _____ day of _____, _____.

This plan of subdivision also contains information regarding the lots approved on the plan with respect to one or more of the following:

1. The lot’s eligibility for on-site sewage disposal systems.
2. The availability of central sewer and/or central water systems.
3. Information indicating whether or not the lots abut a public street or highway.

Schedule "C" – Application for Repeal of a Subdivision

Plan of Subdivision ☐

File Number: _____

APPLICANT INFORMATION

Name of Land Owner(s): _____ Phone: _____

Address of Land Owner(s): _____ Postal Code: _____

Documents to be returned to: _____

Correspondence to be directed to _____

INFORMATION ON THE SUBDIVISION SOUGHT TO BE REPEALED

Name of applicant for subdivision approval: _____

Location : _____ Municipality: _____

The subdivision was approved on the _____ day of _____,

and is filed in the Registry of Deeds at _____ in the Municipality of

_____ the County of _____ As # _____

Lot(s) # _____ was/were approved and

repeal is sought for approval of Lot(s) # _____

☐ Registration fee submitted.

CERTIFICATION OF FACTS (Reasons For Repeal)
(If more space is required, attach additional sheet)

OWNER'S CERTIFICATE

I certify that the information in this application is true and complete, that I am applying for repeal of this subdivision with full knowledge and consent of all persons with legal interest, including mortgagees, in the lands affected by the repeal and that these persons have co-signed this application.

Signature of owner/agent

Date

Co-Signer

Date

Schedule "D" – Repeal of a Subdivision

Plan of Subdivision ☐

Name of Owner(s): _____

Name of Subdivision: _____

Location: _____

Date of Approval of the Subdivision: _____

Being Registration #: _____ at the Registry of Deeds.

THIS SUBDIVISION IS REPEALED

Entire Plan ☐ or Only Lots #: _____

Dated at _____ in the _____, Province of Nova

Scotia, this _____ day of _____, _____.

Development Officer

Please note: Any lots or parcel created by this repeal may not be eligible for development.

Schedule “E” – Stopping Sight Distances

STOPPING SIGHT DISTANCES								
Lot No.	Distance From Lot Corner Left/Right	Speed Zone	Left		Right		Pass Or Fail	Comment
			Grade	Distance	Grade	Distance		

STAFF REPORT

To: Municipal Council
From: Marcia d'Eon, Director of Operations
Approved by: Warren Macleod, CAO
Date: February 25, 2026
Subject: **J Class Roads Cost Sharing Agreement with Province**

ORIGIN

Expiration of current Agreement.

RECOMMENDATION

Be it resolved that the Council of the Municipality of the District of Shelburne authorize the Warden and Chief Administrative Officer to sign Cost Share Agreement No. 2026-019 with NS Department of Public Works for J Class Roads.

BACKGROUND

J Class roads are roads owned by the Province but fall under a cost-sharing agreement between the Nova Scotia Department of Public Works and municipalities. Outside of general maintenance, the Municipality is required to provide 50% of the project's funding.

DISCUSSION

The current three-year agreement for the paving of subdivision streets expires March 31, 2027.

Attached is a copy of the new three-year agreement to be entered into with the Minister of Public Works to continue this program. The deadline for submission of the signed agreement is on or before July 3, 2026.

The document covers the terms of the agreement in general but will not list any specific subdivision roads that are to be paved.

For each of the three years covered by the agreement, the Municipality will be asked to submit a prioritized list of roads for the next fiscal year by October 31st. The Minister will return a letter advising of the approved roads for that fiscal year. Once the Municipality agrees to the approved list, it will become part of the agreement.

The Department requests that the Municipality return the attached agreement, whether we currently intend to submit subdivision roads for the program in the future or not. Signing the agreement in no way commits the Municipality to the cost-sharing of the paving of any subdivision roads unless an approved list is accepted in any fiscal year of the agreement. However, not having a signed agreement on file will prevent the Municipality from requesting any subdivision paving under this program for the next three fiscal years.

ATTACHMENTS

Cost Share Agreement No. 2026-019

Resolution of Council Template



Public Works

COST SHARING AGREEMENT NO. 2026-019

THIS COST SHARING AGREEMENT ON THE PAVING OF SUBDIVISION (J-CLASS) STREETS (this “Agreement”) is effective as of the ____ day of _____, 2026 (the “Effective Date”).

BETWEEN:

HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF NOVA SCOTIA, as represented by the Minister of Public Works (the “Province”)

-and-

MUNICIPALITY OF THE DISTRICT OF SHELBURNE, a municipal corporation incorporated pursuant to the *Municipal Government Act.*, S.N.S. 1998, c. 18 (the “Municipality”)

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BACKGROUND:

1. Section 308 of the *Municipal Government Act*, S.N.S. 1998, c. 18 (the “**Act**”), provides that all streets in a municipality are vested absolutely in the municipality. Section 307 of the Act provides that this does not include streets that are vested in His Majesty in Right of the Province.
2. The parties agree that it is in the best interests of the public to cooperate with each other on the construction, improvement, alteration, repair, cleaning and clearing of Village and Subdivision Streets (as hereinafter defined).
3. By Order in Council dated May 12, 1988, the Province’s Executive Council approved a paving and cost-sharing program for these Village and Subdivision Streets.
4. The *Provincial-Municipal Service Exchange Agreement(s)* (collectively, the “**Service Exchange Agreement**”) specify that cost-sharing on Village and Subdivision Streets is to be apportioned between the Province and the participating municipalities on a uniform 50-50% basis.
5. This Agreement outlines the parties’ joint understandings, commitments, and terms and conditions associated with the paving and cost-sharing of Village and Subdivision Streets, all in accordance with the Service Exchange Agreement, the *Public Highways Act*, R.S.N.S. 1989, c. 371 and the *Municipal Government Act*, S.N.S. 1998, c. 18.

AGREEMENT:

In consideration of the mutual covenants and agreements in this Agreement, the receipt and sufficiency of which are acknowledged by the parties, and subject to the terms and conditions of this Agreement, the parties, intending to be bound, agree as follows:

1. **Definitions.** In this Agreement, unless something in the subject matter or context is inconsistent therewith, the following terms have the meanings set forth below:
 - (a) “*Additional Work*” has the meaning given to it under Section 5 (*Additional Works*).
 - (b) “*Agreement*” means this Agreement.
 - (c) “*Business Day*” means any day other than a Saturday, Sunday or a holiday as defined in the *Interpretation Act*, R.S.N.S. 1989, c. 235.
 - (d) “*Confidential Information*” has the meaning given to it in Section 15 (*Confidentiality*).
 - (e) “*Cost Estimate*” has the meaning given to it in Subsection 3.3.
 - (f) “*Fiscal Year*” means the 12-month period beginning on April 1 and ending on March 31.
 - (g) “*Force Majeure Event*” has the meaning given to it in Section 16 (*Force Majeure*).
 - (h) “*Notice of Acceptance*” has the meaning given to it in Subsection 3.4.
 - (i) “*Paving*” means: (i) the work of grading, gravelling, culvert repair and required upgrading of Village and Subdivision Streets to meet industry-standard specifications; (ii) paving, repaving, or double chip sealing of Village and Subdivision Streets; and (iii) pre-engineering, design, on-site engineering supervision and inspection, and incidental services that are required from the edge of the roadway to the limit of the right of way. For greater certainty, “*Paving*” does not include feasibility studies, construction, reconstruction, relocation, repairs, or adjustments of sidewalks, water lines, fire hydrants, sanitary sewers, sanitary sewer manholes, catch basins, water valves, utility poles, street lighting or similar work on infrastructure that accompanies a Village and Subdivision Street.
 - (j) “*Village and Subdivision Street(s)*” means streets located in the Municipality that are: (i) constructed prior to April 1, 1995; and (ii) under the administration and control of the Province.
2. **Term of Agreement.** This Agreement shall be effective from the Effective Date to the earlier of: (i) the date on which the Service Exchange Agreement expires or is terminated; or (ii) March 31, 2030. This Agreement applies to Fiscal Years 2027-28, 2028-29 and 2029-30.
3. **Designation and Acceptance of Streets.**
 - 3.1 In order to have the Paving of one or more Village and Subdivision Streets cost-shared under this Agreement for a Fiscal Year, the Municipality must first provide the Province with advance notice of its intention to participate in the Province’s Paving program. This notice must be provided to the Province on or before October 31 of each year (commencing in the year prior to the first Fiscal Year to which this Agreement applies).

- 3.2 If the Municipality provides notice to the Province in accordance with Subsection 3.1, then the Municipality shall, at the same time, submit a list of the Village and Subdivision Streets it proposes be considered by the Province for Paving (the “**Road Submission List**”).
 - 3.3 After receiving the Road Submission List, the Province shall review the Road Submission List and notify the Municipality of: (i) the Village and Subdivision Streets that the Province accepts for Paving; and (ii) the anticipated costs for such Paving (the “**Cost Estimate**”).
 - 3.4 After receiving the Cost Estimate (but in no event later than twenty 20 Business Days from the date of its receipt), the Municipality shall notify the Province whether it accepts the Province’s list of approved Village and Subdivision Streets and the related Cost Estimate for Paving such streets (the “**Notice of Acceptance**”).
 - 3.5 If the Municipality does not provide a notice to the Province under Subsection 3.1 or a Notice of Acceptance under Subsection 3.4 by the specified times, the Municipality will be deemed to have elected not to participate in the Province’s paving and cost-sharing program for the Fiscal Year in question.
 - 3.6 After receipt of the Municipality’s Notice of Acceptance, the Province shall perform the Paving and any Additional Work that may be required for the identified Village and Subdivision Streets. As between the parties, the Province shall be responsible for all construction oversight and management of work required for Paving and any Additional Works.
4. **Payment of Construction Costs.** The Municipality shall pay: (i) fifty percent (50%) of the costs related to Paving performed by the Province, plus applicable taxes; and (ii) one hundred percent (100%) of the costs related to any Additional Work performed by the Province, plus applicable taxes. These payments must be made within sixty (60) days of the Municipality’s receipt of the Province’s applicable invoice(s).
 5. **Additional Works.** If the Paving of a Village and Subdivision Street requires that the Province adjust manholes, catch basins, or water valves, then the Province shall perform such adjustments as part of the subject street’s Paving (“**Additional Work**”). Additional Work will be performed at the Municipality’s full cost, in accordance with Section 4 (*Payment of Construction Costs*). The Municipality will be invoiced by the Province at the standard unit price for the required Additional Work, and the Municipality shall pay the Province promptly (and in no event later than sixty (60) days) after its receipt of any such invoice).
 6. **Work May be Subcontracted.** The Province may conduct a competitive tendering process for the selection of one or more contractors capable of completing the Paving and any Additional Work contemplated by this Agreement, in accordance with the Province’s *Procurement Policy*.
 7. **Costs Over Estimate.** Where the Province conducts a tendering process pursuant to Section 6 (*Work May be Subcontracted*), and the total approved tender price exceeds the Province’s Cost Estimate by more than ten percent (10%), then the Province shall, before awarding a contract for Paving and any Additional Work, and subject to any confidentiality requirements outlined in its tender documents and the proponent’s bid submission, provide the Municipality with the details

of the successful bid, including all details pertaining to the proponent's pricing submission. The Municipality shall, within ten (10) Business Days of receipt of such bid details, provide the Province with written acknowledgment of its consent to the Province awarding the tender, which consent will not be unreasonably withheld. If the Municipality reasonably withholds its consent to the award of the tender, then the subject Paving or Additional Work will not proceed.

8. **Cost Overruns.** Subject to Section 7 (*Costs Over Estimate*), the Municipality shall pay for any cost overruns associated with the Paving of the Village and Subdivision Streets or any Additional Work. Cost overruns (if any) will be reflected on the Province's invoice(s) to the Municipality.
9. **Appropriation of Future Funds.** Notwithstanding anything else contained in this Agreement, in the event this Agreement extends into a Fiscal Year subsequent to its execution, continuation of this Agreement is conditional upon an appropriation of sufficient monies under the *Finance Act* (Nova Scotia) to enable the Province to make the payments committed to the Municipality. In the event that sufficient monies are not available as a result of: (i) non-appropriation for the Fiscal Year in which payment becomes due; and (ii) the payment being neither charged nor chargeable to an appropriation for a previous Fiscal Year, the Province may terminate this Agreement, without any further liability, cost or penalty whatsoever, upon giving thirty (30) days' notice to the Municipality. Termination will become effective on the date of the beginning of the first Fiscal Year for which funds have not been appropriated.
10. **Permits and Approvals.** The Municipality shall obtain all material permits, approvals, authorizations and consents that may be required in order for the Province to perform its duties and obligations under this Agreement. The Municipality acknowledges and agrees that the Province shall not be obligated to perform any Paving or any other duty until such permits, approvals, authorizations and consents are obtained. For greater certainty, this includes any leases to or licences over land that may be required to perform Paving of the Village and Subdivision Streets.
11. **Indemnification by the Municipality.** The Municipality agrees to indemnify and save harmless the Province and its officers, employees and agents from all liabilities, fines, suits, claims, demands and actions, of any kind and nature for which the Province or its officers, employees or agents shall or may become liable or suffer by reason of any breach, violation or non-performance by the Municipality of any covenant, term or provision hereof or by reason of any death or injury of any person or any damage or destruction of any property resulting from any act, neglect or default on the part of the Municipality or any of its servants, employees, agents, invitees or licensees whatsoever.
12. **Release from Liability.** The Municipality hereby releases the Province from any claim that may arise from construction delays or cost overruns in relation to the Paving of Village and Subdivision Streets.
13. **Disclaimer of Consequential or Indirect Damages.** Neither party will be liable to the other for any special, incidental, punitive, indirect or consequential damages arising out of or in connection with this Agreement, including lost revenue or lost profits, even if foreseeable or if a party has been advised of the possibility of such damages, and regardless of the basis on which a party is entitled to claim (including fundamental breach, negligence, misrepresentation, or other contract

or tort claim).

14. **Construction Warranty.** The Province shall obtain a contractual warranty under its contract with the contractor(s) for the Work. This warranty will be in accordance with the requirements under the *Standard Specification – Highway Construction and Maintenance*. The Province makes no other warranties whatsoever with respect to the Work, express or implied, including warranties of merchantability and warranties of fitness. The Municipality acknowledges that all such warranties are disclaimed by the Province.
15. **Confidentiality.** The Municipality acknowledges and agrees that all Confidential Information will be received in the strictest confidence and will be held and used only in accordance with and subject to the terms of this Agreement. The Municipality shall retain such information in confidence and shall treat such information with a degree of care no less than the degree of care that the Municipality employs for the protection of its own information of a similar nature. “**Confidential Information**” means any and all information identified as confidential or marked as confidential Information by the Province or is clearly recognizable as confidential information to a prudent person with no special knowledge of the Province’s business, that has or will come into the possession or knowledge of the Municipality, or to which the Municipality has access in connection with or as a result of this Agreement. “Confidential Information” does not include information that is: (a) publicly available when it is received by or becomes known to the Municipality; (b) is already known to the Municipality at the time of its disclosure to the Municipality and is not known by the Municipality to be the subject of an obligation of confidence of any kind; (c) independently developed or obtained by the Municipality; or (d) received by the Municipality in good faith without an obligation of confidence of any kind from a third party who the Municipality had reason to believe was lawfully in possession of such information free of any obligation of confidence of any kind.
16. **Force Majeure.** No party is responsible for a failure to fulfil its obligations under this Agreement or for delay in doing so if such failure or delay is due to a Force Majeure Event. If either party is prevented from or delayed in performing any of its obligations under this Agreement because of a Force Majeure Event, then the party claiming the Force Majeure Event shall promptly notify the other party which outlines the particulars of the Force Majeure Event including details of the nature of the event, its expected duration and the obligations under this Agreement that will be affected by the Force Majeure Event. A “**Force Majeure Event**” means the occurrence of one or more of the following events or any other event that is beyond the reasonable control of a party, and that interferes with, delays or prevents performance of the obligations of a party under the Agreement, provided that the nonperforming party is without fault in causing or failing to prevent such occurrence: (a) catastrophic weather conditions or other elements of nature or acts of God; (b) acts of war (declared or undeclared), acts of terrorism, insurrection, riots, civil disorders, rebellion or sabotage; and (c) other events which the parties expressly agree in writing as constituting a “Force Majeure Event”.
17. **Interpretation.** In this Agreement, unless something in the subject matter or context is inconsistent therewith, words importing the singular number include the plural and *vice versa*; words importing a gender include the masculine, feminine and neutral genders; and words importing persons include individuals, partnerships, companies, associations, trusts, government agencies and any other form of organization or entity whatsoever.

18. **Governing Laws.** This Agreement will be governed by and construed in accordance with the laws of the Province of Nova Scotia.
19. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties hereto with regard to the subject matter hereof and supersedes all prior agreements, understandings, representations or warranties, negotiations and discussions, whether oral or written, among the parties hereto with respect thereto, entered into prior to the date hereof, which are hereby terminated.
20. **Amendments.** No amendment of this Agreement will be binding unless in writing and signed by all the parties hereto.
21. **Waiver.** No waiver by any party hereto of any breach of any of the provisions of this Agreement will take effect or be binding upon such party unless in writing and signed by such party. Unless otherwise provided therein, such waiver will not limit or affect the rights of such party with respect to any other breach.
22. **Severability.** If any provision of this Agreement is held by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provision will be deemed to be severed from this Agreement and the remaining provisions will nevertheless remain in full force and effect.
23. **Further Assurances.** The parties agree to execute and deliver all such further documents and instruments and do, or cause to be done, all such acts and things as either party may reasonably consider necessary to evidence the intent and meaning of this Agreement.
24. **Counterparts; Electronic Execution.** This Agreement may be executed in several counterparts, each of which will be an original and all of which will constitute one and the same instrument. The parties agree that signatures transmitted, received and reproduced via electronic transmission, email or electronic signatures will be treated for all purposes of this Agreement as original signatures and will be deemed valid, binding and enforceable by and against all parties.
25. **Notices.** All notices, demands or other communications to be given in connection with this Agreement will be in writing and will be given by personal delivery, registered mail or by electronic means of communication addressed to the recipient as follows:

(a) to the Municipality at

Warren MacLeod
Chief Administrative Officer
414 Woodlawn Drive
PO Box 280
Shelburne, NS B0T 1W0
Tel (902) 875-3544
Email: warren.macleod@municipalityofshelburne.ca

- (b) to the Province at
Laura Cunningham
Capital Program Administration Officer
Johnston Building, 1672 Granville St.
P.O. Box 186
Halifax, NS B3J 2N2
Tel: (902) 424-0897
Email: laura.cunningham@novascotia.ca
- (c) or, to such other address, individual or electronic communication number as may be designated by notice given by either party to the other in accordance herewith. Any demand, notice or other communication given by personal delivery will be conclusively deemed to be given on the day of actual delivery thereof and, if given by registered mail, on the fifth (5th) Business Day following the deposit thereof in the mail and if given by electronic communication, on the day of transmittal thereof if given during normal business hours of the recipient and on the Business Day during which such normal business hours next occur if not given during such hours on any day. If the party giving any demand, notice or other communication knows or ought reasonable to know of any difficulties with the postal system which might affect the delivery of mail, any such demand, notice or communication will not be mailed but will be given by personal delivery or by electronic communication.

[signature page follows]

IN WITNESS WHEREOF the Province has hereunto subscribed its hand and affixed its seal and the Municipality has set and affixed its corporate seal authenticated by the signatures of the Warden and the witness hereunto duly authorized.

SIGNED, SEALED and DELIVERED in the presence of:

His Majesty the King in Right of the Province of Nova Scotia, as represented by the Minister of Public Works

Witness

Fred Tilley, Minister of Public Works

Date (Day-Month-Year)

Municipality of the District of Shelburne

Witness

Penny Smith, Warden

Witness

Resolution of Council Designate



Provincial Seal



Municipal Seal

Resolution of Council

Cost Share Agreement No. 2026-019

The following Resolution was passed at a meeting of the Council of the Municipality of the District of Shelburne on the _____ day of _____ A.D., 2026.

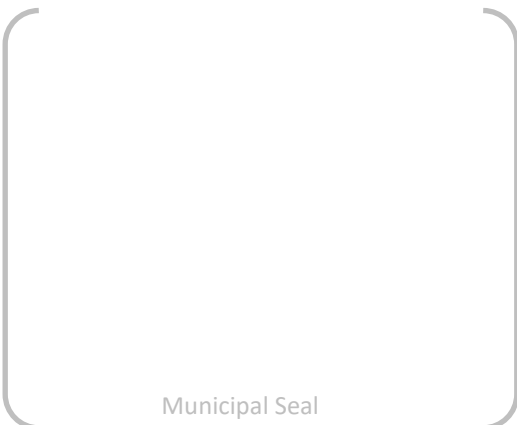
Moved by: _____

Seconded by: _____

“That the Warden and _____ be authorized to sign Cost Share Agreement No. 2026-019”

Motion Carried.

I certify that the above Resolution was passed at the duly called meeting of the Municipality of the District of Shelburne Council on _____ A.D., 2026.



Signature

Name (Print)

Title

**STAFF REPORT**

TO: Municipal Council

FROM: Danyelle Smith, Waste Diversion Officer

APPROVED BY: Marcia d'Eon, Director of Operations

DATE: February 25, 2026

SUBJECT: Tipping Fee Review and Recommendations for Increase

Origin

Council approved the transition to a new operational model that allows the Construction and Demolition (C&D) Transfer Station to remain open using roll-off containers, with materials transferred to an approved disposal facility. As part of this operational change, it was requested that a fees review be undertaken.

Background

Tipping fees at the Resource Management and Recovery Facility (RMRF) were last revised on August 24, 2024. Historically, the facility has operated at an annual operating deficit.

While the decision to operate using a revised operating model allows the C&D site to remain open, it does not eliminate the operational deficit.

Discussion

A review of current tipping fees at facilities throughout the province indicates that the C&D sites existing rates are below the provincial average. As indicated in prior reports on our facility, we operate a transfer station which means that we are paying to handle the waste, truck the waste and then to dispose of it. We currently dispose of the waste at the facility in the Region of Queens. On average our current cost to dispose of materials from our site is \$83.50 per tonne yet we are only charging residents on average \$80.00 per tonne.

The proposed tipping fee increases, along with the introduction of a minimum site access fee, are intended to better align user fees with actual operating costs and to help reduce the annual operating deficit of this facility.

Tipping Fee Details (By Material)

Unsorted Construction & Demolition Waste

(including drywall, roofing shingles, clean wood, and other C&D materials)

- Current fee: \$80/MT
- Provincial average: \$120.67/MT
- Maximum provincial rate: \$150.50/MT
- Disposal cost at Queens Landfill facility: \$83.50/MT (plus transportation costs)

Treated Wood

- Current fee: \$100/MT
- Provincial average: \$127.08/MT
- Maximum provincial rate: \$195/MT
- Disposal cost at Queens Landfill facility: \$145.82/MT

Scrap Metal / Lobster Traps

- Current fee: \$5 flat rate
- Provincial range: \$0–\$102.50/MT

While the Municipality receives revenue from baled metal, this revenue fluctuates based on market conditions. In addition, staff incur costs associated with managing on-site storage and periodically relocating material due to space constraints.

Items Requiring CFC (Refrigerant) Removal

(including refrigerators, freezers, air conditioners, and dehumidifiers)

- Current fee: \$5 per unit
- Provincial Average: \$42.86 per unit
- Contractor cost to remove refrigerant: \$17–\$19 per unit

To encourage proper disposal and reduce illegal dumping, a flat-rate fee model is recommended.

Rope

- Current fee: \$5 flat rate
- Disposal costs at other facilities range from \$62.62–\$83.50/MT plus trucking costs.

The current fee does not reflect the true cost of managing this material.

Leaf and Yard Waste

- Provincial average: \$77.14/MT
- Provincial maximum: \$102.50/MT

This material must be transported off-site, and NSE stockpiling guidelines require regular transfer.

Minimum Site Access Fee

- Current minimum charge: \$5.00

Recommend an increase to this fee.

An increase in this fee better reflects the costs associated with operating the site and managing small loads.

Other Considerations

Staff recommend that Commercial and Non-Resident user fees be adjusted proportionally to reflect increases in Residential user fees.

Fee Structure Options for Council Consideration

Option 1 – Moderate Increase with Flat-Rate Model

Material	Resident	Commercial	Non-Resident
Treated Wood*	\$130/MT	\$140/MT	\$150/MT
Mixed C&D*	\$121/MT	\$131/MT	\$151/MT
Leaf & Yard Waste*	\$67/MT	\$77/MT	\$87/MT
Scrap Metal*	Flat \$10	Flat \$10	Flat \$10
Rope	Flat \$10	Flat \$10	Flat \$10
Items with Freon	\$20/unit	\$20/unit	\$20/unit

* \$10 minimum site access fee

This option:

- Increases all site usage fees
- Establishes consistent flat rates for specific materials
- Introduces a clear fee for freon-containing items

Option 2 – Cost-Recovery Focused Model

Material	Resident	Commercial	Non-Resident
Treated Wood*	\$130/MT	\$140/MT	\$150/MT
Mixed C&D*	\$135/MT	\$145/MT	\$155/MT
Leaf & Yard Waste*	\$70/MT	\$80/MT	\$90/MT
Scrap Metal*	\$50/MT	\$50/MT	\$50/MT
Rope	Flat \$10	Flat \$10	Flat \$10
Items with Freon	\$20/unit	\$20/unit	\$20/unit

* \$10 minimum site access fee

This option:

- Aligns fees more closely with operating costs
- Establishes clear charges for freon removal
- Introduces a minimum site access fee
- Supports financial sustainability

Option 3 – Cost Recovery / Upper Provincial Range

Material	Resident	Commercial	Non-Resident
Treated Wood*	\$195/MT	\$205/MT	\$215/MT
Mixed C&D*	\$135/MT	\$145/MT	\$155/MT
Leaf & Yard Waste*	\$102/MT	\$112/MT	\$122/MT
Scrap Metal*	\$102/MT	\$112/MT	\$122/MT
Rope	Flat \$10	Flat \$10	Flat \$10
Items with Freon	\$20/unit	\$20/unit	\$20/unit

* \$10 minimum site access fee

This option:

- Sets fees at or near the provincial maximum
- Achieves the highest level of cost recovery
- May impact user behaviour and site utilization

MOTION:

Be it resolved that the Municipality of the District of Shelburne approve option _____ to increase/establish new tipping fees at the RMRF site, effective April 1, 2026.

BUDGET CONSIDERATIONS:

Any decision to increase the tipping fees would result in an increase in the tipping fees GL#00-19300-000.

ATTACHMENTS

Provincial Tipping Fee Chart
C&D Site Current Tipping Fee Chart

Current Fees at the RMRF

Material	Residential User	Commercial User	Non-Resident, Residential User
Clean Wood	\$80/mt	\$90/mt	\$100/mt
Treated Wood	\$100	\$130/mt	\$140/mt
Mixed C&D (Landfill Items)	\$80/mt	\$90/mt	\$100/mt
Shingles	\$80/mt	\$90/mt	\$100/mt
Drywall	\$80/mt	\$90/mt	\$100/mt
Brush, Leaf and Yard Waste	\$40/mt	\$60/mt	\$70/mt
Scrap Metal	\$5.00 – Flat Rate	\$5.00 – Flat Rate	\$5.00 – Flat Rate
Wire Lobster Traps	\$5.00 – Flat Rate	\$5.00 – Flat Rate	\$5.00 – Flat Rate
Rope	\$5.00 – Flat Rate	\$5.00 – Flat Rate	\$5.00 – Flat Rate



STAFF REPORT

To: Council

From: Michelle Williams, Director of Finance

Approved by: Warren MacLeod, Chief Administrative Officer

Date: February 25, 2026

Subject: **Write off AAN00889997**

ORIGIN

AAN00889997 now belongs to the Province of Nova Scotia, remaining balance to be written off.

RECOMMENDATION

THAT the Council of the Municipality of the District of Shelburne write off the balance of \$557.76 on AAN00889997 using GL 00-28211-000.

DISCUSSION

This property was owned by Clyde River Busy Bee Club, the club was dissolved and was struck off the Registry of Joint Stocks on May 21st, 2021, it was subsequently escheated to the Province of Nova Scotia. The ownership of the property was not updated to the Nova Scotia Land Registry until February 2026, as a result, we continued to send tax bills to the Clyde River Busy Bee Club. The property was in a tax sale position in fiscal 2025/2026 and our solicitor advised to remove the property from the tax sale as the Province of Nova Scotia was in the process of assuming the property. As a result, the taxes on the property fell into arrears. The property is now listed as exempt from taxes as it is owned by the Province of Nova Scotia; the current arrears and interest need to be written off.

BUDGET IMPLICAITONS

The total amount of \$557.76 will be taken from Valuation Allowance GL#00-28211-000 which has a budget of \$5,000; all of it is available.