



**AGENDA**  
**Town Council Meeting-Council Chambers**  
**September 5th, 2023**  
**6:00 p.m.**

Doc Ref:

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- 1) Call to Order
- 2) Approval of Agenda
- 3) Approval of Minutes from the regular Town Council meeting held on July 17th, 2023.
- 4) Proclamations & Announcements:
  - a) Volunteer of the month.
- 5) Delegations:

Chris Sharpe, Shelburne Historical Society – letter attached
- 6) Correspondence:

**Action:**

**Information:**

  - a) Report on feedback from residents regarding Shakespear House property.
  - b) Nova Scotia Fire Marshall, Amendments to the Nova Scotia Building Code.
  - c) MDS thank you letter re Dock St. Days.
- 7) Council Items:
  - a) Status of 2 *By-Laws*, update
  - b) Grovestine Complex update
  - c) Request to purchase PID 82553371
- 8) Committee Reports:

None
- 9) Staff Reports:
  - a) IT, 'Townsuite' Cloud Hosting, Staff Report
  - b) Capital Projects Update, Finance, Staff Report
  - c) Beautification Grant, Staff Report
  - d) Provision of Water & Sewer Services to MDS, Staff Report
  - e) CAO Update
- 10) New Business:
- 11) Upcoming Meetings/Events:
  - a) Shelburne Whirligig Festival, September 16<sup>th</sup> & 17<sup>th</sup>, Dock St. waterfront
  - b) Next Town Council meeting, Tuesday September 18th, 6pm, Council Chambers
  - c) Cruise Ship 'Vista' September 23<sup>rd</sup>, 7am
- 12) In Camera, 22(2)g Legal advice, 22(2)c Personnel
- 13) Adjournment





**Town of Shelburne**  
**Minutes of the Regular Council Meeting**  
Tuesday July 17th, 2023

**Council Members Present**

Mayor Harold Locke  
Deputy Mayor Ben Nickerson  
Councillor Elizabeth Acker  
Councillor Rick Davis  
Councillor Sheldon Ringer

**Staff Present**

Candy Venning, Executive Coordinator  
Sarah Mattatall, Human Resources

**Call to Order**

Mayor Harold Locke called the Council meeting to order at 6:00pm.

The Town of Shelburne is located on the ancestral and unceded territory of the Mi'kmaq, (Mi'kma'ki), in the District of Kespukwitek, home to Acadia First Nation. We are all Treaty people.

We also acknowledge the histories, contributions, and legacies of the African Nova Scotian people and communities.

**Approval of the Agenda**

**THAT** Council approves the Agenda for July 17th, 2023, with the addition of a Council item re Vendors Permit fees and the addition of a Staff Report from Finance

**Acker-Ringer**

**CARRIED**

**Approval of the Minutes**

**THAT** Council approves the Minutes from the regular Council Meeting held on July 4th, 2023.

**Nickerson - Davis**

**CARRIED**

**Proclamations & Announcements**

a) Emancipation Day, August 1<sup>st</sup>

"On March 24, 2021, the House of Commons voted unanimously to officially designate August 1 Emancipation Day. It marks the actual day in 1834 that the Slavery Abolition Act of 1833 came into effect across the British Empire.

Canadians are not always aware that Black and Indigenous Peoples were once enslaved on the land that is now Canada. Those who fought enslavement were pivotal in shaping our society to be as diverse as it is today."

b) National Peacekeepers Day-August 9th, 2023

"Since 1948, more than 125,000 Canadian peacekeepers have participated in dozens of international efforts all over the world. National Peacekeepers' Day was established in Canada in 2008. It provides an opportunity for Canadians to express the pride and respect they have toward

- personnel of the Canadian Armed Forces, the Royal Canadian Mounted Police, and provincial and municipal police forces, as well as Canadian diplomats and civilians who have worked in support of international peace and security operations.”

c) National Acadian Day, August 15th, 2023

“The Acadian people, pioneers, and builders of the country have celebrated Acadian Day on August 15 since 1881, the year in which the first national Acadian convention was held in Memramcook, New Brunswick. The National Acadian Day Act was passed by the Government of Canada in 2003. National Acadian Day highlights the contribution of Acadians to the Canadian cultural fabric, recognizes their historical presence on the land, and celebrates their cultural specificity in all its diversity.”

**Delegations**

None

**Correspondence**

**Action:**

None

**Information:**

- a) Shelburne Chamber of Commerce letter to Council regarding CAO change and response letter from Council.
- b) Letter regarding request for additional garbage pickup  
Discussion arose that the request had been made by others in the past and the cost was too high with the need for additional contract negotiations & a change across the Municipality. Council is not considering any changes currently.
- c) SRHS Thank you letter.

**THAT** Council receive these letters for information.

**Acker-Ringer**

**CARRIED**

**Council Items**

- a) Request to Department of Public Works for a speed decrease on Highway 103  
Councillor Davis requested that staff reach out to Lockport to endorse a letter regarding the speed decrease due to accidents that have occurred.

**M23-085 THAT** Council ask staff to contact Public Works with a request for a decrease in speed on highway 103 around exit 26, copy to the Municipality and the Town of Lockport.

**Davis-Nickerson**

**CARRIED**

- b) Tri County Planning Initiative – Inter Municipal Agreement

**M23-086 THAT** Council authorize the CAO to sign the IMA on behalf of the Town of Shelburne and that in the event minor modifications are required to be made to the IMA (such that they do not materially impact the intent, governance and budget of the IMA), that the CAO be authorized to make such modifications in agreement with all other participating municipalities.

**Davis – Acker**

**CARRIED**

- c) Motion to waive all vending fees for Dock St. Days  
Councillor Acker mentioned that all our *By-Laws* need revision.

**M23-087 THAT** Council agree to waive all vending fees for festivals and events, including Dock St. Days and Miracle on Dock St. for the year 2023

**Acker-Davis**

**CARRIED**

**Committee Reports**

None

**Staff Reports**

- a) Building Inspection Report

**THAT** Council accepts the Building Inspection Report for July.

**Nickerson-Davis**

**CARRIED**

- b) Staff report re Transfer from Special Capital Reserve.

The Truck came in under budget but we purchased a 5 year warranty, which led to the extra cost.

**M23-088 THAT** Council approve the increase in the 2023/24 Capital Budget from \$35,000.00 to \$37,630.55 from General Special Capital Reserve to General Operating for the purchase of a ½ Ton Truck (used) for the Public Works Department.

**Davis-Acker**

**CARRIED**

**New Business**

Councillor Acker congratulated the Shelburne Special Olympics team who will be representing Nova Scotia at the National upcoming games in Calgary.

Councillor Acker said the various lease agreements within the Town need to be considered and updated, possibly in the fall.

**Upcoming Meetings / Events**

- a) Shelburne Street Dance, Saturday July 22nd, 9pm, Water St.
- b) Next Town Council meeting, Tuesday September 5th, 6pm, Council Chambers

**In-Camera**

MGA 22(2)(c) Personnel

**THAT** we move in Camera under MGA 22(2)(c) Personnel.

**Acker - Ringer**

**CARRIED**

**Adjournment**

**THAT** the Regular Town Council Meeting of July 17th be adjourned at 6:23

**Davis**

**CARRIED**

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Mayor

---

Executive Coordinator





**Application  
Request for Delegation/Public Presentation to  
Council/Committees**

Meetings of Shelburne Town Council and Town Committees regularly take place at the Town Office, Council Chambers, 168 Water Street, Shelburne, Nova Scotia. Please call the Town Office to confirm meeting date(s) at 902-875-2991 Ext. 8 or check the Town of Shelburne website at [www.shelburnens.ca](http://www.shelburnens.ca).

No more than two (2) public presentations will be scheduled on the agenda of each Council meeting, each month. Each presentation is limited to fifteen (15) minutes. Presentations are scheduled on a first come, first serve basis.

This form must be returned properly completed and submitted no later than seven (7) calendar days prior to the meeting at which you wish to appear.

Name of Presenter: Christopher Sharpe

Address: 28 Ann Street, Shelburne

Phone: (902) 265-2056 Email: casharpe@mun.ca

Council/Committee you wish to appear before:

- Town Council
- Community Participation & Volunteerism Committee
- Port Committee
- Asset Management Committee
- Shelburne County East RCMP Advisory Board
- Accessibility Committee

Reason(s) you wish to appear before Council/Committee (provide a brief summary of presentation/identify specific requests for funding, if any):

On behalf of the Shelburne Historical Society I wish to  
protest the construction of a new outbuilding behind the  
Shakespear House at 17 George Street

Date of Council/Committee meeting at which you wish to appear: 5 September 2023

Are you representing:

- Yourself
- An Organization/Society/Club (Name): Shelburne Historical Society
- A Business (Name): \_\_\_\_\_
- Other (Please Specify): \_\_\_\_\_

If applicable, please attach a paper or electronic copy of your presentation to this application or submit it no later than the 12:00 p.m., the Wednesday before the Council/Committee meeting. Your presentation will be circulated to Councillors/Committee Members prior to the meeting to provide Council/Committee Members with an opportunity to review your submission.



Note: Failure to provide a paper or electronic copy of your presentation will result in the processing of this request to be delayed or your scheduled presentation postponed until the required information is received.

**Please return the completed form to:**

Robin Smith, Executive Coordinator Town of Shelburne, 168 Water Street, Shelburne, NS,  
[Candy.Venning@shelburnens.ca](mailto:Candy.Venning@shelburnens.ca) (902) 875-2991 ext. 8, Fax: 902-875-3932.

Once you have read the document attached to this form, please confirm you have read and understand the conditions contained therein by signing this form in the space provided below.

I have read the attached document on making public presentations to Shelburne Town Council/Town Committee and understand the conditions under which an opportunity to make a presentation to Council or a Town of Shelburne Committee will be provided.

Signature



**For Office Use Only:**


Date Request Received: AUG. 24<sup>TH</sup> 2023

Approved  Refused

Reason for Refusal: \_\_\_\_\_

Applicant Notified

If Approved, Date of Presentation: SEPT. 5<sup>TH</sup> 2023

Signature of Executive Coordinator/Committee Secretary 



Public Presentation to Shelburne Town Council  
Regarding new construction at 17 George Street

The Town's walking tour brochure notes that the intersection of Water and George Streets is a "corner unique in North America with its four pre-1785 wooden houses." Even allowing for some hyperbole in the description, this corner is a significant part of Shelburne's townscape. The recent construction activity in the rear yard of the Shakespear House at 17 George Street ignores this importance and has a negative impact on the character of the intersection.

The purpose of the project is to "save, renovate and expand [an] accessory building, adding services i.e. plumbing, sewer and electrical" in order to provide a "sleeping cabin and storage".

An Accessory Building is defined in the Shelburne Land Use Bylaw, as a "subordinate building or structure<sup>1</sup> on the same lot as the main building devoted exclusively to an accessory use". An "Accessory use" is defined as "a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main (sic) use of land or building and located on the same lot". If, as rumoured, the new structure may be used as an Airbnb, it cannot reasonably be considered an "accessory use." Furthermore, an accessory building "shall not exceed 15 feet in height (section 9 (1) (f), Part 5, General Provisions for all Zones). It is not obvious that the structure described in the Application and now under construction meets these criteria

Note 1. "Structure means anything that is erected, built, or constructed of parts joined together or any such erection fixed to or supported by the soil. ... A structure shall include buildings ..."

The Shakespear House is a municipally- and provincially-designated heritage building located in the Historic Waterfront (H-W) Zone. Section 56 of the Land Use Bylaw stipulates that "***no development<sup>2</sup> permit shall be issued for a use in a Historic Waterfront (H-W) Zone except in conformity with the following requirements:***

Note 2. "Development" includes any erection, construction, alteration, replacement or relocation of, or addition to, any structure ..."

Minimum lot area	4,200 square feet
Minimum rear yard	20 feet
Minimum side yard	10 feet each side
Maximum lot coverage	35 percent

The lot covers 3,229 square feet – smaller than the minimum requirement in the Zone. Obviously the Shakespear House predates the bylaw by a couple of centuries and is an allowable non-conformity. But the Bylaw precludes the issuance of a building permit for any new development on the site. The Municipal Government Act (MGA) permits the "extension, enlargement, alteration or reconstruction of a nonconforming structure" ... "if it exists" at the time a land-use bylaw is introduced. Section 16 in Part 5 of the Shelburne



Land Use Bylaw makes the same provision. However, if the previously-existing shed was demolished, as I believe was the case, the proposed accessory building is a new development that would not qualify under the exemption clause.

The new building is only 40 inches from the northern boundary of the adjoining property. The H-W Zone requires a rear yard at least 20 feet and side yards of at least 10 feet. Neither the existing building nor the new building conforms to these requirements. An accessory building can be as close as two feet to the lot line (Part 5, Section 9 (1) (d)) but if the new building doesn't qualify as an accessory building, it cannot be so close to the lot line.

Shelburne's Land Use Bylaw (Section 37(A)) and Policy 45A of the Municipal Planning Strategy allow that when a proposed development does not conform to an approved land use bylaw, "the development officer may grant a variance ... for the ground area and height of a structure." However, the MGA, which provides the authority for the granting of a variance (Section 235(1)), stipulates that a variance may not be granted if it violates the intent of the land-use bylaw (Section 235 (3) (a)) and, if a variance has been granted, "the development officer shall give notice in writing of the variance granted to every assessed owner whose property is within the greater of 30 metres and the distance set by the land-use bylaw. Such notice shall (a) describe the variance granted, (b) identify the property where the variance is granted; and (c) set out the right to appeal the decision of the development officer." Property owners are given fourteen days to appeal the decision. (Section 236). A variance must have been approved, since the building is under construction, but adjacent owners were not given the required notice, despite the Provincial requirement that this be done.

Any lot in the H-W Zone is also subject to additional "Special Requirements":

57 (1) In addition to all other requirements, where a new development or redevelopment is proposed on a lot, any part of which is visually related to an existing historically significant building, designated pursuant to the Heritage Property Act, the major architectural features of the proposed development or redevelopment shall be similar to one of the buildings to which it is visually related with respect to

- (a) roof shape
- (b) window, porch and door style
- (c) window area to wall area ratio
- (d) building length to width ration, and
- (e) exterior cladding

(2) For the purposes of this Section, visually related shall mean within 100 feet of a designated building ....

The new building is well within 100 feet of a designated building so these requirements must be met. Without a rendering of the proposed building it cannot be determined if they will be, but the Town is obliged by its Land Use Bylaw to ensure that they are.



As a provincially-designated heritage property the Shakespear House is subject to the provisions of the Heritage Property Act (Chapter 199, Revised Statutes 1989 as amended). The act stipulates that “building includes the land and structures appurtenant thereto ... .” and an application for permission to substantially alter<sup>3</sup> the exterior appearance of a provincial heritage property shall be made in writing to the Minister” (Section 11 (2)). No such permission was requested.

Note 3. A “substantial alteration” is defined as “any action that affects or alters the character-defining elements of a property. ... Character-defining elements means the materials, forms, location, spatial configuration, uses and cultural associations or meanings that contribute to heritage value and that must be sustained in order to preserve heritage value.”

The Heritage Property Act permits the establishment of a municipal registry of heritage property. Shelburne has such a registry. When one exists the Act requires the establishment of a heritage advisory committee which is empowered to “advise the municipality respecting, among other things, “an application to substantially alter ... a municipal heritage property.” The Act doesn’t require that the committee be asked to provide advice, but it is a reasonable assumption that it should be in a case like this one. It was not.

The new building in the rear yard of 17 George Street violates several of the building standards that apply to all properties in Shelburne’s Heritage Waterfront Zone. Allowing this building to remain will send a clear message that the regulations governing development in the Historic Waterfront Zone are meaningless. Surely this cannot be the intention of the Town Council.

Given the number and importance of the regulations in the Provincial MGA and the town’s Land Use Bylaw that are violated by this building, the Shelburne Historical Society requests that an immediate stop work order be issued, that the application for a development permit be re-examined and cancelled if the concerns outlined in this presentation are validated. Given the time-sensitive nature of the project we ask that Council consider the matter at this meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher Sharpe". The signature is written in a cursive, flowing style.

Chris Sharpe  
President,  
Shelburne Historical Society.





**Town of Shelburne**  
**Staff report to Council**  
**Sept 5th, 2023,**

**Development Building Permits – Shakespear House**

**General Overview**

To update Council on the project being undertaken by the owner of the Shakespear House property, 17 George St.

**Background**

Over the past month, the Town office and Council members have received a range of concerns related to the replacement of a shed with a new building adjacent to the Shakespear House.

E-mails and/or letters were received from Willa Magee, Louise Lindsay, Linda McNicol, Rick Davis, Mary Lou Acton and Chris Sharpe.

Also, I received several calls from other residents. E-mails and/or letters were forwarded to our Development Officer, Andrew Goreham, for his consideration. I have attached an E-mail from Don Leggett which was received while proofreading this report.

The owner of the property has been notified that the topic of the new build will be on the agenda of the September 5<sup>th</sup> Council meeting.

Listed below are the range of concerns outlined via communications from residents;

- 1) Similar features with homes within 100 feet
- 2) Sliders and a second-floor door.
- 3) Patio doors
- 4) Outside cladding
- 5) Pitch of the roof
- 6) Setbacks
- 7) Window style
- 8) Footprint
- 9) 36 % Ratio between house and new build structure footprints versus square footage of property

- 10) Impact of Town right-of-way on square footage calculation
- 11) Window to wall ratio in new build
- 12) Building length to width ratio
- 13) Impact on future filming locations
- 14) Crawlspace underneath
- 15) No sewer line dug
- 16) Chris Sharpe's letter and
- 17) Discrepancy between the final structure and its use and the original development permit

A number of residents wanted the Town to suspend the construction work until concerns were addressed.

### **Recommendations**

Town Council reactivate the Heritage Advisory Committee.

Don Leggett <Leggett12@outlook.com>

Tue 8/29/2023 11:24 AM

To:

- Rick Davis <Rick.Davis@shelburnens.ca>

I have issues with the apparent lack of enforcement of existing by-laws which impacts neighbourhood properties, as a professional licensed property appraiser I feel the current construction will result in depreciated values for other dwellings in the area, we no longer have the appeal of the existing structures being all pre 1800 buildings now that a commercial structure has been placed on one of the properties. The potential parking issues that may become apparent. The current property owner has made enquiries to NSPC to have the two black locust trees removed under the reasoning that they are not safe even though they have survived hurricanes, multiple storms etc, the more likely reasoning is to afford views of the harbour from the second level proposed balcony. The neighbouring properties will have individuals sitting on the proposed balcony looking down into their back yards creating reduced security and privacy issues. I trust some of these issues I'm raising may have been overlooked by others voicing concerns and I appreciate the opportunity to present them to you as I have been informed that no additional speakers are being allowed for the meeting on the 5th.

Thank you

Don & Liz Leggett  
113 Water Street

Document #	D23-167
Rec'd by	C.V.
Date	AUG. 30. 23
COPIES TO:	
Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	<input type="checkbox"/>
	<input type="checkbox"/>





Nova Scotia Office of the Fire Marshal  
Department of Municipal Affairs  
250 Baker Dr, Entrance C, Suite 210  
Dartmouth, NS, B2W 6L4  
PO Box 231, Halifax Central  
Halifax, NS, B3J 2M4  
902 - 424 - 5721 | fax: 902 - 424 - 3239

Document #	D23-168
Rec'd by	C.V
Date	AUG 15/23
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Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	

August 10, 2023

Municipal Clerks

**Re: Amendments to the Nova Scotia Building Code Regulations**

I am writing to give you formal notice of amendments pursuant to the Building Code Act, R.S. N.S. 1989, Chapter 46 which will come into effect on or about January 1, 2024.

The proposed amendments are required to adopt the 2020 National Building Code, National Plumbing Code and National Energy Code for Buildings which will take effect on January 1, 2024.

The proposed amendments have been vetted by the Nova Scotia Building Advisory Committee which is comprised of members representing the private sector building community such as the Nova Scotia Association of Architects, Engineers Nova Scotia, the Nova Scotia Home & Building Designers Association, the Canadian Home Builders – Nova Scotia, the Construction Association of Nova Scotia and the Interior Designers of Nova Scotia. The committee includes representatives from interested public bodies such as the Accessibility Advisory Board and appointments made by the Minister and regulatory bodies such as the Nova Scotia Building Officials Association and the Office of the Fire Marshal.

The representatives had an opportunity to review the proposed amendments and agreed that they should move forward.

Please find enclosed three copies of the proposed amendments to the Regulations and a copy of the notice to be published in the press in Nova Scotia.

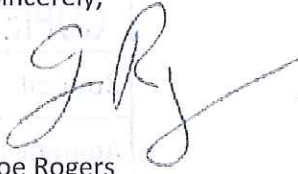
The Building Code Act requires that the proposed amendments be circulated to each municipality and be made available to the public. You are being asked to make a copy of the attached documents available at your offices for the period of August 14 to September 29, 2023.

Written comments on the proposed amendments to the regulations are welcome and should be forwarded on or before September 29, 2023 to:

Joe Rogers  
Building Code Coordinator  
Office of the Fire Marshal  
P.O. Box 231  
Halifax Central  
Halifax, Nova Scotia B3J 2M4

If there are any questions arise, I will address them and can be reached at (902) 424-5721 or [joe.rogers@novascotia.ca](mailto:joe.rogers@novascotia.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'JR', with a long horizontal stroke extending to the right.

Joe Rogers

Building Code Coordinator

## Building Code Regulations

NOTICE is hereby given that amendments to the *Nova Scotia Building Code Regulations* (the Building Code) made pursuant to the *Building Code Act*, chapter 46, R.S.N.S., 1989 are anticipated to be prescribed by the Minister of Municipal Affairs and Housing to come into effect throughout the Province of Nova Scotia on or after January 1, 2024.

The proposed amendments are required to adopt the 2020 National Building Code, National Plumbing Code and National Energy Code for Buildings.

Written comments on the proposed amendments to the Nova Scotia Building Code Regulations are welcome on or before September 29, 2023, should be forwarded to:

Joe Rogers  
Building Code Coordinator  
Office of the Fire Marshal  
P.O. Box 231, Halifax Central  
Halifax, Nova Scotia B3J 2M4  
OFM@novascotia.ca

Copies of the proposed amendments to the regulations are available for inspection online at  [<website address to be added>](mailto:website address to be added) , at offices of Municipal Clerks or Building Departments. Copies are available from the Department of Municipal Affairs and Housing at the above address or by phoning (902) 424-5721.

NS logo

Honourable John Lohr,  
Minister of Municipal Affairs and Housing





Document #	D23-169
Rec'd by	C.V.
Date	AUG-21-23
COPIES TO:	
Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	<input type="checkbox"/>

August 17, 2023

Town of Shelburne  
PO Box 670  
Shelburne, NS  
B0T 1W0

Dear Town of Shelburne Council & Staff;

**Re: Dock St. Days Support**

On behalf of the Municipality of the District of Shelburne and the Shelburne Events Committee, I would like to thank you for your contribution of \$5000 towards Dock St. Days this year. As well, thank you to your public works staff for their work in placing out barricades and ensuring the electrical huts were in working order.

We appreciate your support and look forward to further events in the community.

Yours truly,

Robin Smith  
Community Development Coordinator  
Municipality of Shelburne





**Town of Shelburne  
Staff report to Council  
Sept 5th, 2023,  
Two *By-Law* Amendment Process**

**General Overview**

To Clarify with Council the dates for a 2<sup>nd</sup> reading of the amendments regarding two separate *By-Laws*.

- a) “Feeding Waterfowl & Pigeons *By-Law*” and
- b) Proposed “Road Trails Designation *By-Law*”

**Background**

At the regular Council meeting on June 19<sup>th</sup> 2023, a First Reading of two separate *By-Law* amendments occurred.

- 1) M23-075 Council gives first reading of the “Feeding Waterfowl and Pigeons *By-Law*” with suggested amendments including the name to “Feeding Deer, Waterfowl and Pigeons *By-Law*”. Moved by Councillor Ringer, seconded by Deputy Mayor Nickerson; and
- 2) M23-081 THAT Council gives first reading to the proposed Road Trails Designation *By-Law* which designates all of Falls Lane, Water Street south from Falls Lane to King Street, and all of King Street as a road trail within the meaning of Section 5 of the Road Trails Act. Moved by Councillor Davis and seconded by Councillor Ringer.

A date for a Second Reading of each of those *By-Law* Amendments should be determined.

A copy of the documentation from the Council package of June 19<sup>th</sup> 2023, related to each of the *By-Laws* is attached.

**Recommendations**

- a) The “Feeding Deer, Waterfowl and Pigeons *By-Law*” amendment be addressed at the September 18<sup>th</sup>, 2023, Council Meeting for Second Reading.

b) The proposed Town of Shelburne Road Trails Designation be moved to the September 18<sup>th</sup>, 2023, Council meeting for Second Reading.

However, if Council wants to consider making the public even more aware of the Road Trails Designation *By-Law*, they could refer the *By-Law* to the October 21<sup>st</sup>, 2023, Town Council meeting, with the Staff Report being an agenda item for the September 18<sup>th</sup> meeting.



## TOWN OF SHELBURNE

BYLAW

### FEEDING WATERFOWL AND PIGEONS BY-LAW

**THIS BY-LAW SHALL REPEAL AND SUPERCEDE ANY AND ALL PREVIOUS REGULATIONS AND/OR BY-LAWS HELD BY THE TOWN OF SHELBURNE REGARDING THE FEEDING OF WATERFOWL AND PIGEONS.**

#### Short Title

1. This By-Law shall be cited as "**Feeding Waterfowl and Pigeons By-Law**".

#### Interpretation

2. In this By-Law unless the context otherwise indicates:
  - (a) "**Waterfowl**" means any species of Anatidae, birds that are adapted through evolution for swimming and/or floating on the water surface, and diving, including ducks, geese and swan.
  - (b) "**Pigeons**" means any bird of the species Columbidae, which includes all pigeon and dove species.
  - (c) "**Feed**" means the provision of any edible item(s) to waterfowl or pigeon. This includes feeding which induces waterfowl or pigeon to return, stay, relocate or group in above average numbers to a location, or causes delay or interruption to migration by providing nourishment.
  - (d) "**Town Staff**" means the CAO, By-Law Enforcement Officer, Special Constable or any person appointed by the CAO to act on behalf of the Town for the purposes of this By-Law;
  - (e) "**Town**" means the Town of Shelburne, Nova Scotia.

#### Regulations

3. It will be an offence against this By-Law to:
  - a) Feed waterfowl or pigeons at any public location located within the Town of Shelburne; including waterfront, park, pond and rivers, brooks and lake areas. Excepting such locations as specifically exempted by motion of Council (shown on attached Schedule).

**4. By-Law Enforcement and Penalties**

Any person found to be in violation of the provisions of this By-Law may be found guilty of an offence and be liable on summary conviction to a penalty and may be liable for the corresponding fines laid in the Information. Each day that a person violates any provision of this By-law is considered a separate offence.

**By-Law Enforcement**

- 5. It shall be the duty of any By-Law Enforcement Officer and of any Special Constable appointed for the Town of Shelburne under the Nova Scotia Police Act, to report all violations of this By-Law and to enforce them under the Municipal Government Act, Section 505.

THIS IS TO CERTIFY that the By-Law of which the foregoing is a true copy and was duly passed at duly called meeting of the Council of the Town of Shelburne, held on the      day of      , 2015.

GIVEN under the hand of the Clerk and the corporate seal of the said Town this      day of      , 2015.

\_\_\_\_\_  
Mayor, Karen Mattatall

\_\_\_\_\_  
Town Clerk, Lauren Race

**4. By-Law Enforcement and Penalties**

Any person found to be in violation of the provisions of this By-Law may be found guilty of an offence and be liable on summary conviction to a penalty and may be liable for the corresponding fines laid in the Information. Each day that a person violates any provision of this By-law is considered a separate offence.

**By-Law Enforcement**

5. It shall be the duty of any By-Law Enforcement Officer and of any Special Constable appointed for the Town of Shelburne under the Nova Scotia Police Act, to report all violations of this By-Law and to enforce them under the Municipal Government Act, Section 505.

THIS IS TO CERTIFY that the By-Law of which the foregoing is a true copy and was duly passed at duly called meeting of the Council of the Town of Shelburne, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

GIVEN under the hand of the Clerk and the corporate seal of the said Town this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor, Karen Mattatall

\_\_\_\_\_  
Town Clerk, Lauren Race



**Proposed Amendments to the Town of Shelburne *Feeding Waterfowl and Pigeons By-Law***

Change the By-Law name to: *Feeding Deer, Waterfowl and Pigeons By-Law*

Change the short title in Part 1 to "This By-Law shall be cited as "**Feeding Deer, Waterfowl and Pigeons By-Law**".

Add the following interpretation in Part 2 to include:

(f) "**Deer**" means any species of Cervidae, hoofed ruminant mammals such as white tail, mule and any other deer.

Change the following regulation in Part 3 to say:

(a) "Feed deer, waterfowl or pigeons anywhere within Town limits. Exceptions will be specifically exempted by motion of Council."





**Town of Shelburne**  
**Staff Report to Town Council**  
**Permitting OHV on Town Roadways**  
**19 June 2023**

Document #	M23-A156
Rec'd by	CV
Date	JUNE 19/23
COPIES TO:	
Council	✓
Agenda	✓
Committee	

**BACKGROUND**

In October of 2018, the Province of Nova Scotia launched a pilot project in 7 communities in Nova Scotia. The Town of Shelburne Council did 'put their hand up' to be part of project but a complication in phase 1 was the requirement for the province to own the road they piloted. Council learned of the benefits and successes of other communities and agreed that they would like to be considered in the next phase. Council's previous motion M23-058 asked that a letter was sent to the Honorable Kim Masland encouraging the province of Nova Scotia consider the recommendations as summarized the Group ATN Consulting Inc's report (*Nova Scotia Off-Highway Vehicle Pilot Project Evaluation Executive Summary*).

On 12 April 2023, the *Road Trails Act* received Royal Assent allowing municipalities to permit off-highway vehicle use in locations they choose as long as they follow the safety criteria developed by the province. The new legislation established a set of rules around off-highway vehicle operations and allows riders better trail connections. It relates to all-terrain vehicles, multipurpose off-highway utility vehicles and recreational off-highway vehicles.

**CONSIDERATIONS**

Staff have identified the following advantages and disadvantages to allowing off road vehicles access to public streets in the Town of Shelburne.

Advantages

- Off-Highway Vehicle riding has seen a huge increase in vehicle sales, and it is expected the Canadian market will grow by 8.21% during the 2021-26 period. It is a growing sector of outdoor tourism with organizations arranging rides and events, which offer social and recreational opportunities for their members.
- According to a study published by the American College of Sports Medicine, OHV/ATV riding is a moderate intensity recreational activity, particularly for the upper body. The report suggests that driving an ATV is like many other recreational activities, such as golf, rock climbing and skiing.
- Allowing OHV/ATV riders access to gas stations, grocery stores and restaurants will enable our commercial businesses to take advantage of the economic benefits that come with this outdoor tourism. A Canadian economic impact study reported that in Ontario, residents spent as much as \$975 million on activities related to the ownership and operation of ATVs in 2015.

Disadvantages

- By-Law Enforcement Officers cannot enforce moving violations of all-terrain vehicles. They have no authority under either the *Motor Vehicle Act* or the *Off-Road Vehicle Act* to enforce registration, use of helmets, insurance requirements, mechanical fitness of the vehicle, speeding and impaired driving. RCMP or Off-Road Vehicle Enforcement officers would be required to enforce these laws. The RCMP and Department of Natural Resources and Renewables (DNRR) have confirmed with us that it would be their responsibility to enforce any moving violations, as they currently do. Our concern is the

difficulty they will have in patrolling and catching any of these violations, especially with priority issues that already demand a great deal of their time.

- The only violation the By-law Enforcement Officer will be able to enforce is staying on the designated trails within the community.
- There will be concerns with noise, safety and the environment from some residents, especially those who live along the designated routes.
- Associated costs for a public education.
- There may be liability issues for the Town as well. Do we have the resources to manage any extra maintenance the roads would need? What would our liability be if there were any obstructions that forced a rider into the path of a regular vehicle?

When taking into consideration these advantages and disadvantages, it should be noted that the existing OHV/ATV riders who currently break the law and ride on public streets, after hours, speed, drive impaired, etc. will continue to exhibit this behaviour whether a by-law is enacted or not. If Council should decide to go ahead with the First Reading of the by-law, staff should work with the Shelburne County ATV Association to create and promote a Public Education program to ensure residents are aware of the *Road Trails Act*.

#### **FINANCIAL IMPLICATIONS**

The cost of a public campaign to ensure all residents are aware of the by-law. In addition, if Council does not rescind this by-law after a one-year "trail" period, in future years they could see an increase in road maintenance to keep these designated OHV/ATV lanes in good condition.

#### **OPTIONS**

Council has two options before them:

1) Review the proposed Town of Shelburne *Road Trails Designation By-Law* (appendix A), that establishes ATV routes along specific public roads within town limits and applies the provincial *Road Trail Act's* restrictions such as a reduced speed limit, driving on the extreme right of the roadway, helmets, etc.

2) Keep the current trail/road access as is and prohibit the use of Off Highway Vehicles on public roadways.

#### **RECOMMENDATION FROM STAFF**

Staff recommends that Council allows First Reading of the proposed *Road Trails Designation By-Law* as the increased traffic would be a benefit to the local economy and increases recreational options for Town citizens as well. Please be sure to review the designated streets in section 3 that allows all three entry-exit points of Town. Should Council wish to proceed with the by-law, Staff would recommend that Council reconsiders it at the end of a one-year period to determine if the merits outweigh the issues. If the latter, Council can rescind the by-law.

Respectfully Submitted,

Lewis Chetwynd  
Special Constable,  
By-Law Enforcement

**Appendix A**  
**Proposed Town of Shelburne *Road Trails Designation By-Law***

**WHEREAS** the *Road Trails Act, SNS 2023, c.4* permits the Town of Shelburne by By-Law to designate a highway or part of a highway as a road trail.

**Short Title**

1. This By-Law shall be cited as the "*Road Trails Designation By-Law*".

**Definition**

2. In this By-Law:

- (a) "**Highway**" means a public highway, street, lane, road, alley, park, beach, or place, including the bridges thereon and private property that is designated to be and is accessible to the general public for the operation of a motor vehicle; and
- (b) "**Road Trail**" means the shoulder and travelled portion of a highway designated under this By-Law, but does not include a ditch.

**Designation**

3. The Town hereby designates all of Ohio Road, Falls Lane, Water Street (south from Falls Lane to King Street), Hammond Street (from King Street south), and all of King Street, as a Road Trail within the meaning of Section 5 of the *Road Trails Act*.





**Town of Shelburne**  
**Staff report to Council**  
**Sept 5th, 2023,**  
**Roger Grovestine Recreation Complex Report**

**General Overview**

To provide Council with a 'shopping list' of items for repairs along with a discussion of an approach to upgrade the Tennis / Pickleball courts and the ballfield.

**Background**

A site visit was made by Jerry Locke to the Roger Grovestine Recreation Complex, and he documented a 'shopping list' of items for repair, including notes on his observations. The document prepared by him had been circulated to Council members for information.

I have received calls regarding the Tennis courts and the public has expressed concern about the condition of the ballfield. Our Public Works supervisor, Will Butler, and I made a site visit several weeks ago and noted items for repair. Prior to receiving Mr. Locke's report, \$5000 had been allocated from the 2023/24 budget for the Complex.

Mr. Butler and I discussed the following approach;

- 1) Pursue Recreation funding from the Province to carry out the upgrades to the Complex as noted in Mr. Locke's notes plus resurface the courts and upgrade the playing field. The cost sharing by the Town would have to come from the 2024/25 budget.
- 2) Delay any structural improvements to 2024/25 unless it couldn't be deferred.
- 3) Only carry out short-term fixes to 'buy time' until a comprehensive upgrade to the Complex could be accomplished through Recreation funding.

**Recommendations**

- a) Liaison be made with the regional recreation coordinator to secure funding to carry out comprehensive upgrades to the facilities.
- b) Utilize the currently budgeted \$5000 to carry out 'have to do now' fixes prior to winter and defer the balance to next year's budget.



Document #	
D23-170	
Rec'd by C.V.	
Date AUG. 25/23	
COPIES TO:	
Council	✓
Agenda	✓
Committee	

**Ken Smith**

**From:** Paul Khangura <paul.khangura13@gmail.com>  
**Sent:** August 15, 2023 2:19 PM  
**To:** Ken Smith  
**Subject:** Possible Mega Development Project at PID 82553371

CAUTION: This email originated from an external sender.

Hi Ken,

Further to our phone conversation this afternoon. This is my written request to inquire about acquiring this 2.2 acres parcel of land that the Town of Shelburne owns. We are hoping that the council will be able to approve this in a similar way as they approved the 10 acres parcel diagonally across from the Tim Hortons at the corner of HWY 103 and Ohio Road.

Our team would write a detailed proposal to develop this land which will enhance the image of the harbour front area and increase the tax revenues immensely. It could be multi-storey high-end waterfront condominiums or a brand name hotel with a restaurant and other amenities. We will consult/work with the town leaders and the different levels of the governments to make this an anchor building site which will spin-off a lot more development in the town.

I look forward to getting the green light from the council to acquire this land at the assessed &/or reasonable market value based on a successful proposal from our team.

Best Regards,

Paul Khangura  
905-317-5300





**Town of Shelburne**  
 Staff Report to Council – TownSuite Cloud Hosting  
 September 5, 2023

Document # D23-171	
Rec'd by C.V.	
Date AUG 22/23	
<b>COPIES TO:</b>	
Council	✓
Agenda	✓
Committee	

**General Overview:**

The purpose of this report is to inform Council on changes to Townsuite Server Hosting that are necessary.

**Background:**

Presently TownSuite Server Hosting is with Municipal Joint Services Board Lunenburg Region (MJSBLR) who also supplies the Town of Shelburne IT services. The MJSBLR is no longer providing Cloud Hosting services to outside clients but will continue to provide IT services at this time. The Town of Shelburne has reached out to Townsuite to provide Cloud Hosting and they have provided a proposal to the Town of Shelburne.

**Analysis:**

To address the above, staff recommend the following-

- Implement TownSuite Cloud Service to access TownSuite remotely. TownSuite Cloud provides clients with a secure hosted environment which can be utilized to house all TownSuite Municipal Software applications. It is a managed service in partnership with a Canadian based network of a certified facility.
- Meets CRA requirement for storage of personal customer records.

**Financial Analysis:**

In summary, if the above measures were implemented the following is the estimated additional costs for 2023/24 and onwards.

- Additional Annual net expense 2023/24 is \$2,628 but will be prorated monthly until March 31<sup>st</sup> for this fiscal year (example- if change occurs in late December 2023 the prorated net cost for 2023/24 is estimated between \$650 and \$700).
- Going forward the total annual amount will be invoiced with yearly increases applied in accordance with the average Canadian inflationary rate as reported by the Bank of Canada.

**Strategic Plan Links:**

Shelburne Town Council Strategic Plan 2017/2021 – Objective 4.2 Achieving Organizational Effectiveness (Internal Process Improvements)

**Recommendations:**

**THAT** Council approve the proposed changes to Server hosting from MJSBL to TownSuite.

Respectfully submitted,

Jane Crowell, Manager Finance



**Town of Shelburne**  
 Staff Report to Council  
 September 5, 2023  
 2023/24 Capital Projects Update

Document #	
D23-172	
Rec'd by	
C.V.	
Date	
AUG 24/23	
COPIES TO:	
Council	<input checked="" type="checkbox"/>
Agenda	<input checked="" type="checkbox"/>
Committee	<input type="checkbox"/>
	<input type="checkbox"/>

**General Overview:**

To update Council on the progress of 2023/24 Capital Projects.

**Background:**

- **Sidewalks-Falls Lane (Budget \$100,000)** – In Progress, estimate received for Falls Lane is coming under the budget allocated, therefore Public Works is widening the scope to include parts of Harriett and Dock St to alleviate fall/trip hazards and to make these areas more accessible.
- **Public Works ½ Ton truck (Used) (Budget \$37,631)** – Completed with a final net cost of \$37,630.56.
- **Culvert Rehabilitation-John & Elliott St (Budget \$20,000)** – Incomplete, not started but hope to be completed by end of September.
- **Elevator/Chair Lift – 162 Mowatt St (Budget \$75,000)** – In Progress, estimates and quotes are being sought out for power supply, location, and installation costs.
- **Garage Roof-162 Mowatt St (Budget \$15,000)** – Completed with a final net cost of \$5,412.44.
- **Grovestine’s Ballfield-Resurfaced/Drainage (Budget \$5,000)** – Incomplete, not able to achieve any major improvements due to low budget. Will concentrate on applying for a grant for the fiscal 2024/25 to increase budget to allow for improvements to the entire Grovestine Complex.
- **Building Upgrades/Renovations- 162 Mowatt St (Budget \$75,000)** – In Progress, estimates and quotes are being sought out for HVAC, heating, painting, etc. costs.
- **Decommission Landfill (Multi Year Project, 2023/24 Budget \$234,434)** – In progress, initial groundwork and research is being done and Council will receive a full report when all information has been received and reviewed by consultant firm. Projected Town of Shelburne expense is \$117,217 with 50% funding from Province Nova Scotia Provincial Capital Assistance Program (PCAP)
- **Beautification Project – Downtown Core (Budget \$24,000)** – In Progress, portions of project have been accomplished, a more detailed update will be given to Council later after staff have met to go over the project details. Projected Town of Shelburne expense is \$12,000 with 50% funding from Province Nova Scotia Beautification/Streetscaping Program.
- **Planning Strategy & Asset Management Consulting (Budget \$25,000)** – Incomplete, not started but hope to be completed by March 31, 2024.
- **Water Laterals (Budget \$5,000)** – Only used if needed on an annual basis.
- **Water Meters (Budget \$6,000)** – Used \$4,152.39 to date.
- **Water Turbidity Meter (Budget \$10,000)** – Requested by previous Water Plant Operator, to be used if needed.
- **Water Lagoons-Drying Bed (Budget \$114,186)** – Completed with a final net cost of \$114,186.06.

- **Water Lagoons – Paving (Budget \$60,000)** – In progress, RFP process to be completed.
- **Wastewater Lift Station Upgrade-Arthur Street (Budget \$72,000)** – In progress, RFT completed. To be started in November 2023 and completed in February 2024
- **Wastewater Treatment 2 Aeration pumps (Budget \$15,000)** – Incomplete
- **Upgrade Transformer Dock St Lift Station (Budget \$5,000)** – Waiting on Electrical company to come and install.
- **Wastewater Lift Station Pump Replacement (Budget \$25,000)** – Only used if needed on an annual basis.
- **Wastewater Main Rehabilitation – Prince & Clements Sts (Budget \$10,000)** – If necessary for new development in area
- **Shelburne Marine Terminal Berlin Wall Rehabilitation (Multi Year Project, 2023/24 Budget \$40,000)** – In process getting estimates to see if annual budget is adequate to commence project. Will report to Council of findings if project does not happen this fiscal year.

**Recommendation:**

**THAT** Council accept the report on updates to the 2023/24 Capital Projects as presented.

Respectfully submitted,  
Jane Crowell, Finance Manager



**Town of Shelburne**  
Staff Report to Council  
September 5, 2023  
**Beautification Project**

**General Overview:**

To update Council on Beautification Project, and to receive approval from Council for Project scope and funding.

**Background:**

Council approved the Beautification project for \$20,000 (with 50% Provincially funded) to be added to the 2023/24 Capital budget with \$5,000 from the existing General Operating budget plus \$5,000 from Sustainable Services Growth Fund (SSGF). The Provincial Beautification and Streetscaping program approved a grant of \$24,000 with 50% funding, which leaves the Town's portion at \$12,000.

The following is a breakdown of the project-

**Landscape (Shrubs & Trees, Annuals etc.)- Budget \$4,578.00 with \$2,289.00 coming from the General Operating Tree Mtc & Planting budget line.** The scope of this item includes trees, assorted perennials and annuals for planters, sod, hanging baskets, mulch, and delivery fees. Trees have been purchased and Candy Venning to speak on locations and to receive Councils' approval.

**Paint/Assorted Items- Budget \$8,202 with \$4,101 to come from General Operating Budget.** The scope of this item includes Street Painting, Visitor Information Centre and street bench painting, purchase of 6-barrel planters and 3 three stream garbage barrels, new message centre, signage, and banners. Candy Venning to speak on project and to receive Council's approval.

**Contracted Labour/Professional Services – Budget \$11,220 with \$5,610 coming from Sustainable Services Growth Fund possibly for active transportation and accessibility portions.** The scope of this item includes stonework labour for planters, concrete work for intersections at Water & King St to increase accessibility and active transportation. Also, wooden boardwalk inside Visitor Information Centre to be replaced with concrete to increase accessibility and active transportation. Candy Venning to speak on project and to receive Council's approval.

**Financial:**

Due to the fact the original project has been approved by the Beautification and Streetscaping Provincial Program at \$24,000 with 50% funding coming from the Town of Shelburne and Council has approved the project at \$20,000 with \$10,000 being funding by the Town of Shelburne, some items may not get accomplished.

Council may wish to stay with the budget of \$20,000 with \$10,000 coming from the Town of Shelburne or increase the budget to \$24,000 with \$12,000 coming from the Town of Shelburne.

With regards to the Town's portion of funding being \$5,000 from General Operating budget and \$5,000 from the SSGF funds, staff is suggesting the following –

**Budget \$20,000 with \$10,000 coming from the Town as follows:**

**Landscape** - \$2,000 from General Operating Tree Mtc & Planting budget line.

**Paint/Assorted Items**- \$3,000 from General Operating Reserve

**Contracted Labour/Professional Services** - \$5,000 from Sustainable Services Growth Fund (SSGF) to be used for intersections King and Water Streets, and the boardwalk within the Visitor Information Centre to increase accessibility and active transportation.

**Budget \$24,000 with \$12,000 coming from the Town as follows:**

**Landscape** - \$2,289 from General Operating Tree Mtc & Planting budget line.

**Paint/Assorted Items** - \$4,101 from General Operating Reserve

**Contracted Labour/Professional Services** - \$5,610 from Sustainable Services Growth Fund (SSGF) to be used for intersections King and Water Streets, and the boardwalk within the Visitor Information Centre to increase accessibility and active transportation.

**Recommendation:**

**THAT** Council maintain the Beautification project budget at \$20,000 with \$10,000 funded by \$2,000 from General Operating Budget, \$3,000 from General Operating Reserve and \$5,000 from Sustainable Services Growth Fund (SSGF).

or

**THAT** Council approve the Beautification project budget at \$24,000 with \$12,000 funded by \$2,289 from General Operating Budget, \$4,101 from General Operating Reserve and \$5,610 from Sustainable Services Growth Fund (SSGF).

Respectfully Submitted,  
Jane Crowell, Finance Manager



**Town of Shelburne**  
**Staff report to Council**  
**Sept 5th, 2023,**  
**Provision of Water & Sewer Services to MDS**

**General Overview**

Direction was received from Town Council, at an In-Camera meeting held on August 3<sup>rd</sup>, 2023 to the Interim CAO to respond to the letter dated July 25th, 2023, from Ms. Val Kean to deny the request for access to sewer and water services to the eastern portion of 414 Woodlawn Drive and to PID 80111818 on Spa Road.

(See attached staff report along with the written request from Ms. Kean)

**Background**

Subsequently, at the request of Warden Penny Smith a meeting was held on August 16th, 2023 with Mayor Harold Locke, Deputy Mayor Ben Nickerson, Deputy Warden Dale Richardson, CAO Warren MacLeod and Ms. Val Kean, Director of Economic and Community Development of MDS and Interim CAO Ken Smith of the Town. The Town representatives reviewed the challenges of extending the water and sewer services to a neighbouring municipality which had led to their denial of the request.

The purpose of this topic being placed on the September 5<sup>th</sup> agenda was twofold:

- 1) Ratify Council's in-camera direction in the form of a motion; and
- 2) Place the staff report on a public Council meeting as intermunicipal negotiations didn't evolve from the August 5th, in-camera, meeting.





**Town of Shelburne**  
**Staff report to Council**  
**August 3, 2023, In-Camera Meeting**  
**Provision of Water & Sewer Services to MDS**

**General Overview**

To obtain direction from Council in response to the letter dated July 25th, 2023 from Ms. Val Kean, Director of Economic and Community Development Municipality of the District of Shelburne. (MDS)

**Background**

The MDS is interested in developing property on parcels of land around their new Municipal building. As a result of a portion of this property being one of three potential site locations for the proposed new nursing home, replacing the current Roseway Manor, the municipality and the developer would likely require sanitary and water services.

Prior to this letter I met with both Ms. Kean and the CAO for MDS and discussed the requirement for a written request to Town Council.

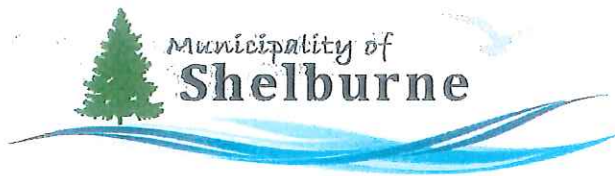
Also, prior to this letter and tonight's In-Camera meeting, staff discussed the following considerations on the topic of provision of water and sanitary services to a private developer in a neighbouring municipal unit:

- 1) Both the water and the sewer rates are subsidized by the taxpayer in the Town. Even though the rates equate to the operational expenses, a significant portion of the capital costs are financed by the Gas Tax, and the tax rate. These sources of revenue could be used by other capital projects.
- 2) MDS receives the tax revenue from the development and only a portion is expensed. (I.E. Education)
- 3) Condition of old water pipes (I.E. Commission St.) which places a strain on our operating expenses.
- 4) Potential operating issues with lengthy lines and "dead ends" disproportionately impacting expenses and staff time.

### Options

- 1) Council can approve the provision of water and sewer services.
- 2) Council can deny the request or
- 3) Council can agree to the provision of these services subject to a satisfactory inter-municipal agreement.

Both options 1) and 2) are timely. Option 3) provides the base for collaboration for the area in the future and recognizing the financial challenges that face a Town dealing with expensive infrastructure. However, this option would likely rule out any location in MDS as a site for the proposed nursing home.



Naturally Yours

136 Hammond Street, PO Box 280 Shelburne, NS BOT 1W0, Phone: (902) 875-3544 - Fax: (902) 875-1278

---

July 25, 2023

Ken Smith, Interim CAO  
Town of Shelburne  
PO Box 670  
Shelburne, NS  
BOT 1W0

Dear Mr. Smith,

Can you confirm the property, located at 414 Woodlawn Drive, has access to Town of Shelburne sewer and water services to the eastern portion of the property, should the Municipality subdivide this parcel? Also, further to that, can you confirm that services are also available to PID 80111818, on Spa Road?

The Municipality is looking for confirmation of this service capacity as soon as possible, as we explore time sensitive economic and housing development within the Municipality.

Sincerely,

*Val Kean*

Val Kean  
Director of Economic & Community Development  
Municipality of the District of Shelburne



Back to Search Results

Map Actions

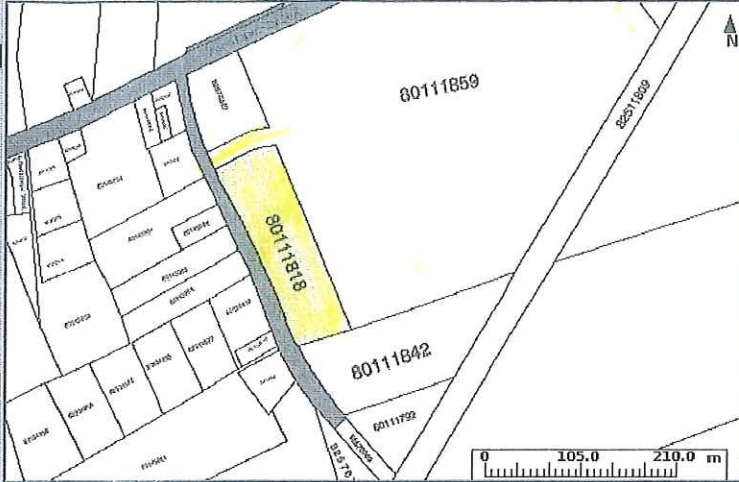
- Point Select
- Pan
- Zoom In
- Zoom Out
- Zoom Box
- Monument Select
- Clear Selection
- Center Selection

Map Layers

- Properties
- LR Parcel Shading
- Topo
- Monuments
- Place Names
- Refresh Map

Map Controls

- NS Overview
- Locator Map
- Print Map



Lat: 43-46-00.1 Long: 65-17-48W Scale: 5191 Zoom: 2

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Location:  Search

1 Property found

PID: **80111818** Details  
 AAN: **01820869**  
 Value: \$13,700 (2023 RESOURCE EXEMPT)  
 Address: SPA ROAD  
 JORDAN BRANCH  
 County: SHELburne COUNTY  
 Owner: MUNICIPALITY OF THE DISTRICT OF SHELburne  
 LR: LAND REGISTRATION

Property Online version 2.0

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 Compression: Off

