



**TOWN OF LOCKPORT
COUNCIL MEETING
FRIDAY FEBRUARY 13, 2026, AT 1:00 P.M.
AGENDA**

1. Call to order

2. Silence Electronic Devices

3. Approval of Agenda, including additions or deletions

Staff Suggested Motion – That Council approve the agenda for the February 13, 2026, meeting with the following additions/deletions.

4. Conflict of Interest

5. Approval of Minutes

- Regular Council Meeting Minutes January 23, 2026

Staff Suggested Motion – That Council approve the Minutes from the Regular Council Meeting of January 23, 2026.

- Finance Committee Meeting Minutes January 26, 2026 (Page 1 – 4)

Staff Suggested Motion – That Council approve the Minutes from the Finance Committee Meeting of January 26, 2026

6. Business arising from Previous Minutes

There was no business from the previous minutes

7. Community Forum (Open Mic)

- 20 Minutes Maximum
- Each resident is allowed a maximum of five minutes
- The resident is to speak directly to Council
- There will be no interaction by Council at this time
- If questions are posed by residents the question will be recorded to be researched

8. Presentations

There are no presentations scheduled for this meeting

9. Finance

- List of invoices already paid in the amount of \$ 123,923.72 (Page 5 – 6)
- C & D Site Change of Service Model (Page 7 – 9)
- Video Recording of Regular Council Meeting – Notice of Motion (Page 10 – 12)
- Coastal Planning Support Program (Page 13 – 15)

10. Other Business

- Recommendations from VIC Manager (Page 16 – 17)
- The Order of Nova Scotia (Page 18)
- Council Meeting and Procedures Policy Statement (Page 19 – 26)
- Citizen Advisory Committee Governance Review – Notice of Motion (Page 27 – 29)
- Development of Municipal Video Surveillance Policy- Notice of Motion (Page 30 – 49)
- Municipality of the District of Shelburne Draft Subdivision By-Law – Abutting Municipality Notice (Page 50 – 94)

11. Council Reports

- Mayor Derek Amalfa (Page 95)
- Deputy Mayor Craig Hillen (Page 96)
 - o Eastern Shelburne County Accessibility Advisory Committee Draft Minutes, Jan 27, 2026 (Page 97 – 101)
- Councillor Anna Chetwynd (Page 102)
 - o Make Your Move (Page 103 – 104)
- Councillor Candace Malik (Page 105)
 - o Eastern County Shelburne Equity and Anti-Racism Advisory Committee Terms of Reference (Page 106 – 109)
 - o Canada Day Committee Minutes – Jan 20, 2026 (Page 110 – 119)
- Councillor Kevin Chetwynd (Page 120)

12. Correspondence

13. Information Only

- Letter to Tim Houston, Premier of Nova Scotia from Nicholas MacInnis, Warden Municipality of the County of Antigonish (Page 121)

14. Date of next meeting

- February 27, 2026, at 1:00 p.m.

15. “In Camera”

16. Adjournment

**Finance Committee Meeting
January 26, 2026
Agenda**

Present: Mayor Derek Amalfa, Deputy Mayor Craig Hillen, Councillor Anna Chetwynd, Councillor Candace Malik, Councillor Kevin Chetwynd, Town Clerk/Treasurer, June Harding and Recording Secretary Jill Cassibo

1. Call to Order

The meeting was called to order by Mayor Amalfa at 10:00 a.m.

2. Silence of Electronic Devices

All electronic devices were silenced at this time.

3. Review of Budget to Actual entries for 2025/2026 and review of 2026/2027 tax Revenue

Ms. Harding went over the budget to actual report and explained which were revenue accounts and which were expense accounts. Even though an expense account may show that it is over budget, the money could show in a revenue account and it appear to be overbudget (Ex Project accounts that have been running over multiple years). The auditor makes any adjustments that need to be done at the year end when she comes to complete the audit. Accounts such as July 1st revenue that have money left over goes into a deferred account to be brought back after the new fiscal year starts.

Deputy Mayor Hillen asked about what the donations were from the Beach Centre and Ms. Harding explained that that money comes from actual donations plus the 10% the Town gets from the local Artisan's Gift Shop at the Beach Centre, in lieu of rent.

Deputy Mayor Hillen expressed that the budget may be easier to read if it was separated by department rather than accounts and Ms. Harding and Mayor Amalfa will work on making the financial information easier to understand.

Deputy Mayor Hillen also suggested that for the 2027 year, all town assets will need to be audited if Council decides to move forward with amalgamation. The Fire Department is audited by Belliveau Veinotte, but the Medical First Responders are not audited at all.

Councillor Malik thought that streamlining the budget for easier understanding is a good idea. She asked if expenses from the playground were covered by the Playpark Fundraising Committee and Ms. Harding replied that they were, and continue to be covered by the Committee. Councillor Malik also asked what the 2014 Debenture for the Beach Centre was for. Ms. Harding said she would investigate it and get back to her.

4. Capital Budget wish list – Council & Clerk

Mayor Amalfa expressed that the causeway is at the top of his wish list and guessing it would cost approximately \$100,000.00 – \$250,000.00.

Ms. Harding said that we will be needing two new public work trucks in the future for about \$225,000.00 and our Land Use By-Law and Municipal Planning Strategy are dated 1986 and need to be redone.

Deputy Mayor Hillen had

- Parking lot @ Beach Centre for accessibility (paved)
- Wharf repurpose during fishing off-season for recreational boat use and mooring for summer use only. Possible revenue source for the Town and Harbour Authority. Not to interfere with fishing season.
- Buoys painted
- Electrified Causeway Poles- Town beautification with the addition of (7-8) wind resistant lighted lamp decorations with a maritime theme. Additionally, a lighted decoration of the Beach Centre Lobster Trap at Beach Centre for the opening of LFA 33 and Christmas
- Suggestion of a designated public parking lot on town property located in commercial district with a Electric Vehicle charging station

- Roods Head- possible uses and concern with amount of taxpayers money spent over the years and it still remains in a very overgrown state.
- Accessible Public Washrooms- suggested Commissary Marina washroom model currently used in Shelburne as well as support for Marine room use consideration.

Councillor K. Chetwynd sees the need for a new Fire Truck and angle parking along the causeway.

Councillor A. Chetwynd expressed that the streets need to be fixed around Hall and South Streets with a cost of approx..\$250,000.00

- skids of cold patch need to be purchased.
- Councillor A. Chetwynd reminded the committee not to forget the presentation by the Fire Chief regarding a new Fire Truck.
- Additional parking at or near the Beach Centre

Councillor Malik wishes for

- emergency access at Calf Island Rd.
- paving and causeway
- annex building behind school demolished
- Marine Room washroom
- Beautification of Town
- Recreation Centre refreshed
- Real estate acquisition
- Own Police Unit

5. 2026 Spring Municipal Finances Spring Debenture

Council decided to wait until the Fall to see what position we are in to apply for a debenture.

6. Review of Town Asset List

Deputy Mayor Hillen thinks more use of the Medical Centre, as Nova Scotia Health does not cost share any expenses to use it two days a week.

Ms. Harding would like to use more of the upstairs of the Town Hall, Mayor Amalfa stated that the town hall be used as a community/multi purpose hub that is cost effective and includes, development of co working spaces, partner with agencies on strategy to develop entrepreneurship development, and inclusion of additional recreation and social opportunities for residents, to expand the scope of use.

Mayor Amalfa suggested they take the assets and categorize them by importance.

Councillor Malik suggested that Council do another walkabout in the spring to determine the future of some of the town's assets.

Meeting ended at 12:08 p.m.

Next meeting March 23, 2026 at 10:00

Mayor Derek Amalfa

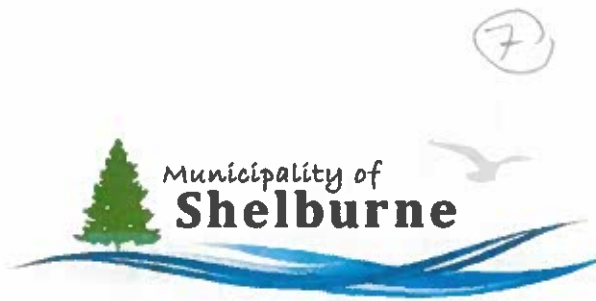
Town Clerk/Treasurer June Harding

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| LIST OF INVOICES ALREADY PAID TO BE PRESENTED AT THE FEBRUARY 13, 2026 MEETING | | |
|---|---|-----------|
| BELL ALIANT | BEACH CENTRE FOR JAN | 153.59 |
| BELL ALIANT | FAX, FIREHALL KITCHEN AND SEWER FOR JAN. | 564.69 |
| CHETWYND, ANNA | SUPPLIES FOR SR. BINGO | 96.65 |
| FUNDY FENCE | SWINGS AND FOUR SEATS | 9,146.22 |
| GREEN DIAMOND | CUTTING EDGES FOR TRUCK | 1694.06 |
| HARDING, JUNE | MILEAGE FOR JANUARY AND LIFE INSURANCE | 62.79 |
| I.B.E.W. | UNION DUES FOR JAN. | 230.91 |
| LYDGATE LOCK STOCK AND BARRELL | DIESEL EXHAUST FLUID X 4 | 139.95 |
| MANULIFE | PENSION FOR JAN. | 1474.24 |
| MARK WILLIAMS EXCAVATING | TRUCKING SALT (TWO TRIPS) | 4513.58 |
| MINISTER OF FINANCE | HAYDEN LAKE WATER UTILITY FOR OCT, NOV AND DEC. MFR BUILDING, TOWN HALL AND FIRE DEPARTMENT | 681.93 |
| MUNICIPALITY OF THE DISTRICT OF SHELBURNE | SHARED SERVICES - Q4 | 41,478.68 |
| NICKERSON, CORY | TWO DESK PLATES, TECH SERVICE FOR DECEMBER | 158.33 |
| NICKERSON, CORY | TWO PLAYPARK RULES SIGN | 150.00 |
| NOVA SCOTIA POWER | FIRE HALL, POINT ST, MEDICAL CENTRE FOR JAN | 2,011.05 |
| NOVA SCOTIA POWER | LIFT STATIONS 6, 8, 9, 10 FOR JAN | 465.26 |
| NOVA SCOTIA POWER | UV SYSTEM FOR JAN | 638.07 |
| NOVA SCOTIA POWER | STREET LIGHTS, PLAYGROUND, TREATMENT PLANT FOR JAN | 3,409.37 |
| NOVA SCOTIA POWER | BOARDWALK FOR JAN | 130.69 |
| NOVA SCOTIA POWER | LIFT STATIONS 1, 2, 5 FOR JAN | 963.83 |
| NOVA SCOTIA POWER | TRANSPORTATION, LIBRARY FOR JAN | 608.57 |

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|--|--|-------------------|
| NOVA SCOTIA POWER | TOWN HALL AND REC. CENTRE POWER FOR JAN | 925.32 |
| NOVA SCOTIA POWER | LIGHTHOUSE STAGE, MFR BUILDING FOR JAN | 671.69 |
| NOVA SCOTIA POWER | LIFT STATIONS 7, 11, 12, AND 13 FOR JAN. | 186.81 |
| NOVA SCOTIA POWER | LLIFT STATION 3 FOR JAN | 48.52 |
| PAYROLL | JAN 10 - JAN 23 | 13,713.70 |
| PAYROLL | JAN 24 - FEB 6 | 14,431.21 |
| R. ZWICKER TRUCK AND TRAILOR REPAIR LTD. | TRAVEL TIME AND WORK ON PUBLIC WORKS TRUCK | 409.26 |
| RBC VISA TOWN CLERK/TREASURER | MOBI MATS, I AM RESPONDING SUBSCRIPTION, SUPPLIES FOR BEACH CENTRE, POST OFFICE FOR CHEQUE FOR MOBI MATS | 4,535.93 |
| TELUS | LIFE AND MEDICAL INSURANCE FOR EMPLOYEE'S FOR JAN. | 1,222.79 |
| TRI-COUNTY REGIONAL CENTRE FOR EDUCATION | MONTHLY EDUCATION TAX FOR FEB. | 11,727.15 |
| WINDSOR SALT | LOAD OF SALT | 1968.68 |
| WORKERS COMPENSATION | MUNICIPAL OPERATIONS ADMINISTRATIONS | 8.37 |
| WORKERS COMPENSATION | OPERATIONS, CONSTRUCTION & MAINTENANCE | 420.83 |
| WOODWORKERS HOME HARDWARE | MATERIAL FOR MURALS AND OLD BANDSTAND | 3468.04 |
| XEROX | LEASE PAYMENT 38 OF 60 FOR JAN | 246.13 |
| XEROX | SERVICE INVOICE | 129.32 |
| XRT FOSS NATIONAL LEASING | GAS FOR TOWN OWNED VEHICLES FOR DEC. | 1037.51 |
| | | |
| | TOTAL | 123,923.72 |
| | | |
| | | |
| | | |
| | | |
| | | |



Naturally Yours

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

January 16, 2026

RE: C&D Site Change of Service Model

Dear June,

Now that the C&D Site will remain open under the new covered bin model, we are required to make site works and purchase covered bins. As indicated in my staff report the potential costs of the upgrades and bin purchase is \$272,500. I am seeking your input on the payment of the costs for this project. As we prepare for the transition and look at our budget for 2026/2027, we are requesting that both the Town of Shelburne and Town of Lockeport discuss their preferred repayment approach for their share of the costs to decide on the best approach for all three parties.

As you are aware based on our Inter Municipal Service Agreement the costs for the C&D Site are shared based on the following breakdown:

| | |
|---------------------------|--------|
| Town of Lockeport | 12.38% |
| Town of Shelburne | 23.69% |
| Municipality of Shelburne | 63.93% |

To support planning and consistent administration across all partners, please advise which of the following options your unit would prefer:

1. Invoice upon completion

Your unit would be invoiced for its share once the work is complete and final project costs are confirmed with payment expected within 30 days.

2. Shared Services Reserve Account

Your units share would be paid from the Shared Services Reserve Account based on the Agreements cost breakdown. The current reserve balance is \$272,460.84.

3. Repayment proposal over time

The Municipality pays for the work, and your unit repays the Municipality over time, similar to repayment arrangements used in prior joint projects (brush, scale) over an agreed upon term.

If your unit would like to consider Option 3, please include a brief outline of your proposed repayment plan based on an annual repayment amount.

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We would appreciate receiving your response by January 30th, 2026. Responses can be sent to me directly, or feel free to contact me if you would like to discuss the options before responding.

The Municipality will be forwarding a revised Inter Municipal Service Agreement for signature in the future that will reflect the C&D Site operational changes. This will include a change in the days of operation for the site, reflecting 4 days per week from March to November and 2 days per week December to February. If your council has any input on the preferred days per week, please include this in your feedback.

Thank you in advance for your attention to this matter and for your continued collaboration on this project.

Sincerely,



Marcia d'Eon
Director of Operations
Municipality of Shelburne
902-875-6825
marcia.deon@municipalityofshelburne.ca

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June Harding

From: Marcia d'Eon <marcia.deon@municipalityofshelburne.ca>
Sent: February 3, 2026 8:19 AM
To: June Harding
Subject: RE: Question

June,

You are correct your share would be paid for by the shared service reserve, assuming that all three parties agree to use the reserve in this way.

Thank You,

Marcia d'Eon

Director of Operations
Municipality of the District of Shelburne
414 Woodlawn Drive
Shelburne, NS
BOT 1WO
Phone: 902-875-6825
Marcia.deon@municipalityofshelburne.ca

*** My regular office hours are Tuesday through Friday, 8:00 am – 4:30 pm

From: June Harding <townoflockeport@ns.sympatico.ca>
Sent: February 2, 2026 3:36 PM
To: Marcia d'Eon <marcia.deon@municipalityofshelburne.ca>
Subject: Question

CAUTION: This email originated from an external sender.

Marcia

Just checking to see if I am reading this correctly:

Option # 2 to have a Unit's share paid from the Reserve Account. Does this mean that our share of \$33,735.50 could be almost covered through this reserve account? Our share of 12.38% of 272,460.84 would be 33,730.65. Is this correct?

June Harding
Town of Lockeport
Clerk-Treasurer

Town of Lockeport - Notice of Motion

Title: Video Recording of Regular Council Meeting

Prepared by: Mayor Derek Amalfa

Date: February 2, 2026

Motion: That the Town of Lockeport Council approve the establishment of video recording for Regular Council Meetings, in accordance with Policy L-002: Council Meetings & Procedures, and direct staff to proceed with the pilot recording phase and post recorded meetings to the town's online channel within the approved timelines.

Status: For Information / **For Discussion** / For Decision

Purpose:

This document outlines a structured and phased approach to establishing video recording and livestreaming of Council meetings, in alignment with *Policy L-002: Council Meetings & Procedures*. The objective is to improve public access, transparency, and administrative efficiency while ensuring the process is reliable and manageable for staff.

Background:

Council meetings are currently documented through approved written minutes, which remain the official legal record of Council proceedings. Advances in affordable and accessible technology now allow the Town of Lockeport to supplement minutes with video recordings, improving public understanding of Council discussions and decisions.

A phased approach is proposed to allow the Town to test equipment, workflows, and administrative impacts before full implementation. This ensures that any future livestreaming is introduced in a controlled and sustainable manner.

YouTube is proposed as the hosting platform because it is widely accessible to the public, requires no user account to view content, provides automatic

Town of Lockeport - Notice of Motion

archiving and captioning, and allows the Town to post recordings without maintaining its own video infrastructure. Recordings will also be posted on the Town's website.

Implementation Approach

Phase 1: Recorded Pilot

The first three (3) regular Council meetings will be video recorded but not livestreamed. This phase is intended to confirm that the technology functions as intended, identify any required adjustments, and ensure the process can be supported by staff before moving to livestreaming.

- Meetings will be recorded using a fixed camera and external conference microphone.
- Recordings will be uploaded to the Town's official website & YouTube channel & following each meeting.
- As part of Phase 1, the Town will establish an official Town of Lockeport YouTube channel for the purpose of hosting recording meetings.
- Required equipment to be purchased, installed and tested as part of the pilot phase.

Evaluation Criteria:

- Reliability and ease of use of recording equipment
 - Audio and video quality within the Council Chamber
 - Impact on staff workload and meeting administration
 - Usefulness of automated transcripts in supporting minute-taking
-

Phase 2: Livestreaming and Public Archive

Upon successful completion of the pilot phase:

- Regular Council meetings will be livestreamed on the Town's website & YouTube channel.
- Meetings will be automatically archived and captioned by the platform.
- A local recording will be retained as a backup.

Town of Lockeport - Notice of Motion

Technical Considerations:

Camera: A wide-angle conference room video camera provides full visual context (120°) of the Council Chamber, supports livestreaming, and allows meetings to be recorded without active operation during proceedings.

Estimated Cost: \$180

Microphone: A dedicated conference microphone is recommended to ensure clear audio, reduced echo, and improved transcript accuracy. Built-in laptop or camera microphones are not suitable for group meetings.

Estimated Cost: \$120

Administrative Considerations:

Once established, the video recording system requires minimal staff involvement during meetings. Automated archiving and transcript generation reduce post-meeting handling and can support more efficient preparation of minutes.

Written minutes remain the official legal record of Council. Video recordings and transcripts are supplementary tools provided for public information only.

Summary

This phased approach provides a practical, transparent, and manageable path toward implementing video recording and livestreaming of Council meetings. It supports the intent of Policy L-002 by improving public access and understanding while maintaining clear administrative and legal boundaries.



COUNCIL REPORT - FOR DECISION

| | |
|-----------------------|--|
| Subject: | Coastal Planning Support Program |
| Date: | January 15, 2026 |
| Authority: | NA |
| Council Dates: | January 19, 2026 |
| Prepared by: | Mike Kahn, Director of Planning and Development Services |

Background

Planning for changes along coast, ranging from erosion related issues to sea level rise to increasingly intense storms, can be difficult and is an emerging field of land use planning. With a significant amount of development near the coastline and inland waterways, increasing intense storms and rising sea level, the Town needs to undertake planning along the coastal areas.

This builds on the draft Municipal Planning Strategy (MPS), which include draft policy on coastal and inland flooding:

It shall be the policy of Council, through the Land Use Bylaw, to establish the Coastal Protection and Inland Flood Planning Area Map identifying lands that are subject to additional regulation in the Land Use Bylaw to ensure that people and property are not at risk of coastal and/or inland flooding.

Those additional regulations shall include exemptions and/or relaxations as identified in the Land Use Bylaw.

The regulations that could be considered may have an impact on coastal and inland landowners. As such, staff recommended as part of the MPS process that coastal and inland flooding issues be addressed separately.

As part of the implantation of the draft MPS and LUB, staff were preparing to undertake the work this year, including public engagement to develop coastal protection policies.

Analysis

Coastal Planning Support Program

Nova Scotia Federation of Municipalities (NSFM), has a grant program, the Coastal Planning Support Program, which offers up to \$20,000 per municipality to hire consultants to assist municipalities with:

- Navigating and interpreting coastal and climate data to guide safe development and setbacks from the coast
- Facilitating collaboration, information sharing, and resource connections

- Offering decision-making support on risk management
- Supporting public meetings and engagement
- Developing communication materials
- Addressing public concerns and building community support
- Supporting coordinated implementation across municipalities

Town of Lockeport

There is an opportunity for the Town to work with the Town of Lockeport on developing coastal development policies that could be included in their MPS and LUB, as well as continue conversations on coastal matters and prepare guidance documents to help landowners looking to address coastal issues on their property. Documents answering frequently asked questions and a guide to coastal development could also be shared between the Towns.

The Municipality of District of Shelburne updated its Land Use Bylaw and Municipal Planning Strategy on June 25, 2025 including coastal protections.

Project Outline

Below is draft outline of the proposed work to be completed. It will be refined once a consultant is selected.

- Public engagement – at least one session in each Town
- Policy development, including:
 - Special consideration of policy for heritage buildings in flood areas
 - Consideration of policy alignment potential between Lockeport and Shelburne
 - Develop coastal related amendments to Town of Shelburne’s LUB and MPS
 - Develop future coastal related amendments to Town of Lockeport’s LUB and MPS
- Development of FAQ based on engagement and/or guide to development in coastal areas specific to the Town(s).

The program provides up to \$20,000 per municipality in consultant support, with an additional \$2,000 per municipality where municipalities collaborate, for a total of \$22,000. Other than staff time, there would be no cost to either Town.

Options

| | Pros | Cons |
|--|--|--|
| Apply for grant supports with the Town of Lockeport | <ul style="list-style-type: none"> • Project budget of \$22,000 • Allows public engagement on important issue • Follows on implementation of MPS • Intermunicipal approach | <ul style="list-style-type: none"> • None |
| Apply for grant supports without the Town of Lockeport | <ul style="list-style-type: none"> • Project budget of \$20,000 • Allows public engagement | <ul style="list-style-type: none"> • None |

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| | | |
|-----------------------------|--|---|
| | on important issue • Follows on implementation of MPS | |
| Take no action at this time | • None | • Does not address Coastal and flooding risks |

Recommendation

THAT Council directs staff to apply for the Coastal Planning Support Program to assist in the preparation of coastal protection policy updates to Town bylaws, including public engagement on the proposed changes, and approach the Town of Lockeport about a joint application.

Deadline to
apply
February 11/26

Cabana at Crescent Beach Centre

Current Issues:

- Limited spaces due to the cupboards, countertops and rangehood that are still in place from when it was a canteen
- Current condition would suggest that it is not capable of being a canteen without several renovations

Suggestions for use:

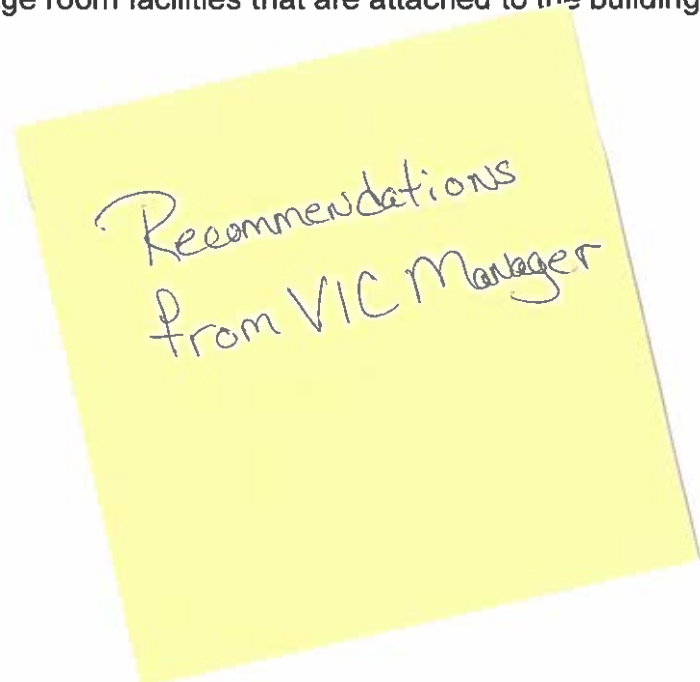
- Storage area for chairs, tables, beach equipment
- Storage for new Mobi Chair for accesibility
- Storage for materials used at The Big Beach Market (BBQ, tables, flags/banners)
- Storage for bicycles (Recreation Committee, Make Your Move)

Recommendations:

- Replace broken window & missing siding
- Remove all the cupboards and countertops
- Remove the rangehood
- Replace the wooden volleyball net posts with something easier to storage and install
- Remove the anything that is of no use anymore (old xmas decorations, broken appliances and electronic, broken display stands, etc)

Future considerations:

- Create better storage solutions
- Renovate the shower & change room facilities that are attached to the building



Baby Barn at Crescent Beach Centre

Current Issues:

- Limited space
- Currently we have items inside from the Little School Museum and Marine Annex that have not been properly stored since 2008

Suggestions for use:

- Storage area Mobi Mats and Roller
- Storage area for Piping Plover signage for the beach

Recommendations:

- Inventory of the current contents
- Remove any unusable items (garbage, bank boxes full of paperwork, etc)
- Remove old furniture
- Display any artifacts in the Beach Centre or Little School Museum
- Move July 1st items (Soap Box Derby ramp and cars) to a different location
- Install the old time bathing suit signage (with the face holes for photo ops)

Future considerations:

- Create better storage solutions

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THE ORDER OF NOVA SCOTIA

2 February 2026
HALIFAX

Mayor Derek Amalfa
Town of Lockeport
PO Box 189
26 North Street
Lockeport, NS B0T 1L0

Your Worship,

In 2026, the Order of Nova Scotia officially celebrates its 25th Anniversary, marking a quarter-century of honoring excellence in Nova Scotia. I have been asked by the Chancellor of the Order of Nova Scotia, His Honour the Honourable Mike Savage, to remind you that nominations to the Order of Nova Scotia may be made up until Thursday, April 30th, 2026.

As a leader in your community, you are in an exceptional position to help recognize the work of exemplary citizens and those who have contributed to the life and vibrancy of our province.

You can download further information about the Order, along with electronic nomination forms via <https://novascotia.ca/iga/order.asp>. Should you require additional information or material, please do not hesitate to contact Ms. Julie Langille, Chief of Protocol at 902-424-4194, or julie.langille@novascotia.ca. You may also contact me directly at 902-424-7050, or christopher.mcreery@novascotia.ca.

The closing date for 2026 nominations is Thursday, April 30th. The Lieutenant Governor and Advisory Council very much appreciate your assistance in this matter.

With all kind regards,

Yours sincerely,

Christopher McCreery, MVO
Secretary of the Order of Nova Scotia



Town of Lockeport Policy Statement

Policy L-002 – Council Meetings & Proceedings

Effective Date: May 9, 2011

Revisions: June 10, 2013 | March 14, 2016 | March 11, 2019 | December 11, 2023 | February 22, 2024 | October 28, 2024 | February 13, 2026

1. Title

This policy is called the “Council Meetings & Proceedings Policy.”

2. Purpose and Interpretation

This policy sets the rules for how Council and its committees conduct meetings. It is meant to support, not replace, the rules found in provincial municipal law.

3. Definitions

In this policy:

- Business day – any day the Town Office is open.
- Chair – the person presiding over the meeting.
- Council – the Council of the Town of Lockeport.
- Council Member – includes the Mayor unless stated otherwise.
- Majority – more than half of the members present.
- Staff – includes full time and/or contract employees of the Town of Lockeport, and may also include the Fire Chief, Crew Chief of the Medical First Responders, and Tourism Staff.

4. Application

These rules apply to all meetings of Council, committees, boards, and commissions of the Town of Lockeport.

(a) Code of Conduct

All Council meetings and proceedings shall be conducted in accordance with the Town of Lockeport’s Council Code of Conduct Policy (L-006). Nothing in this policy replaces or overrides the requirements of Policy #L-006, and all Council Members remain responsible for compliance at all times.

5. Regular Meetings

Unless otherwise decided:

- Regular Council meetings are held in the Council Chambers at Town Hall.
- Meetings are held on the second and fourth Friday each month at 1:00 p.m.
- If the meeting day is a holiday, it will take place on the next regular business day unless Council decides otherwise.

6. Changing or Cancelling Meetings

Regular meetings may be rescheduled, moved, or cancelled:

- By a decision of Council made at least three days in advance, or
- By the Town Clerk/Treasurer on behalf of the Mayor, if unforeseen circumstances arise and the Mayor believes most Councillors would agree.

7. Special Meetings

Special meetings may be called:

- By Council decision made at least three days in advance, or
- By the Town Clerk/Treasurer on behalf of the Mayor in unexpected situations, if the Mayor believes most Councillors would support it.

8. Notice to Council Members

Specific notice to Council Members is not required for meetings scheduled in advance under sections 6 or 7. For other meetings, at least three days' notice must be given unless legislation allows less time.

9. How Notice Is Provided

Notice may be given verbally, by phone, or in writing to each Council Member.

10. Contact Information

Within 30 days after being elected or re-elected, each Council Member must give the Clerk/Treasurer:

- A phone number, and/or
- An email for official contact.

Each Council Member will also have a mailbox at Town Hall and is considered to have received any notice within one business day of it being sent.

11. Public Notice

Notices of Council meetings must be posted at Town Hall and on the Town website, showing the date, time, and location, along with the agenda and full meeting package.

(a) Video Recording of Meetings

All Regular and Special Council Meetings held in open session shall be video recorded by the Town. The recording shall be posted to the Town's official online channels within three (3) business days after the meeting ends. The video recording is for public information and does not replace the official minutes of Council.

12. Attendance by Staff

At the fourth-Friday meeting, staff reports are presented. The Clerk/Treasurer also provides a monthly report.

13. Meeting End Time

Both regular monthly meetings will end at 2:30 p.m., with a 5 minute break after 60 minutes. Council may vote to extend to a maximum of an additional 30 minutes.

14. Absence of the Mayor or Deputy Mayor

If the Mayor is absent, the Deputy Mayor will chair the meeting. If both are absent, the Clerk/Treasurer will open the meeting and Council will choose a Chair to preside until the Mayor or Deputy Mayor arrives.

15. Short Breaks or Moving Locations

Council may take short breaks or move the meeting to another place without formally adjourning. Council may also encourage opportunities for standing or movement during longer meetings, including a five-minute movement break for any meeting scheduled to exceed 60 minutes.

16. Meeting Minutes

Minutes of the previous meeting are reviewed at each regular meeting. If no objections are raised, the minutes are approved and signed by the Chair. Any objections must be explained and, if needed, voted on. The Clerk/Treasurer (or designate) keeps minutes that record when members arrive or leave, all motions and votes, and titles of reports or documents presented. Minutes are to be posted on the Town's website within three (3) business days following a meeting.

17. Duties of the Chair

The Chair must open and close meetings, maintain order and decorum, put questions to a vote, announce results, stop rule-breaking discussion, call members to order, allow questions through the Chair, declare meetings dissolved if no quorum after 30 minutes, and adjourn when business is done or time reached.

18. Order of Business

Unless Council agrees otherwise, the order is:

- [a] Call to Order;
- [b] Silence of Electronic Devices;
- [c] Approval of Agenda including additions or deletions;
- [d] Conflict of Interest
- [e] Approval of Minutes of the Previous Meeting;
- [f] Community Forum;
- [g] Presentations;
- [h] Staff & Committee Reports;
- [i] Finance;
- [j] Other Business;
- [k] Council Reports;
- [l] Information;
- [m] Date of Next Meeting;
- [n] In Camera;
- [o] Adjournment.

19. Additions to Agenda

At the start of the meeting, the Chair will ask if any Councillor wishes to add or remove an item from the agenda.

20. Recognition and Speaking Order

The Town of Lockeport will generally follow Robert's Rules of Order for speaking and debate during meetings, except where otherwise provided by this policy or applicable legislation. Councillors must raise their hand and wait to be recognized. When two or more Council Members seek recognition, the Chair shall determine the speaking order.

21. Speaking Time & Discussion

- Council Members may speak up to five (5) minutes at a time when first recognized on a matter, unless Council consents otherwise.
- Following initial comments, Council Members may speak again for up to two (2) minutes for rebuttal, clarification, or response, at the discretion of the Chair.
- The Chair may limit repetitive comments and encourage Council Members to avoid restating points already made.
- The Chair may extend or reduce speaking time where appropriate to ensure fair participation and effective discussion.

22. Conflict of Interest:

Any Council member with a conflict of interest related to motions or actions of Council, as per the Municipal Government Act, subject to the Municipal Conflict of Interest Act, must declare and record this conflict. The Council member in conflict will be excused from participation in the meeting during the time which the topic is under consideration.

23. In-Camera Sessions:

In-camera sessions will occur as per Section 22 1) and 2) of the Municipal Government Act:

(1) Except as otherwise provided in this Section, council meetings and meetings of committees appointed by Council are open to the public.

(2) The council or any committee appointed by the council may meet in closed session to discuss matters relating to:

- a. Acquisition, sale, lease and security of municipal property
- b. Setting a minimum price to be accepted by the municipality at a tax sale
- c. Personnel matters
- d. Labour relations
 - i. Alleged reaches of the municipality code of conduct
 - ii. Code of conduct complaints proceeding to the investigation stage
- e. Contract negotiations
- f. Litigation or potential litigation
- g. Legal advice eligible for solicitor-client privilege
- h. Public security

24. Agenda Preparation

The Clerk/Treasurer prepares the agenda and meeting materials in the order items will be discussed. Agenda will be forwarded to Council and posted online **3 days prior** to the meeting.

Any Items added to the agenda, members must submit a "Notice of Motion" (appendix A) must be received by the office in writing **2 days before** the agenda is circulated.

25. Motions and Voting

The Chair states each motion before debate. Before putting it before a vote, the Chair shall ask, "Is Council ready for the question" and if no Council Member offers to speak, the Chair shall put the question to vote after which no Member shall be permitted to speak upon it. Voting is normally by saying 'yea' or 'nay.' Any Councillor may request a show of hands or, if two request, a recorded vote.

26. Debate and Withdrawal

A motion must be moved and seconded before it shall be open for debate. The motion is read aloud by the Chair or Clerk. The mover may withdraw the motion with the seconder's consent before voting. Every Councillor who wishes to speak has the right to do so once before the vote.

27. Motion to Adjourn

A motion to adjourn is always in order except when someone has the floor, a vote is in progress, or it was the last motion made.

28. Reconsideration

Two Councillors may give notice before adjournment to reconsider a decision at the next meeting. The notice pauses the decision. If reconsideration is not made at the next meeting, the right is lost. The main question cannot be debated during reconsideration. The following matters cannot be reconsidered.

- a) A motion approving the first or second reading of a By-Law enactment, amendment or repeal;
- b) A motion to decide upon a matter which was the subject of statutory hearing by Council.
- c) A matter which has been reconsidered once and;
- d) A vote to reconsider

29. Secret Ballot

If two Councillors request it, the vote may be taken by secret ballot.

30. Points of Order

The Chair or any Councillor may call another to order who violates any established rule of order. The member must stop speaking until the Chair rules. A point of order is not open to debate unless the Chair allows short discussion and no Council Member shall speak more than once.

31. Appeal of the Chair's Decision

Any Councillor may appeal a ruling of the Chair. The Chair then asks, 'Shall the decision of the Chair be sustained?' and Council votes.

32. Conduct and Discipline

Councillors must not use offensive or unparliamentary language or speak outside the parameters of the question in debate. If a member disrupts or disobeys, the Chair may order them to leave. A majority vote confirms the expulsion.

33. Removal of a Council Member

The removal of a Council Member from a meeting is a measure of last resort and may only be used to restore order when a Council Member persists in disruptive behaviour or refuses to comply with the rulings of the Chair.

- a) A Council Member shall not be removed for the purpose of limiting participation, influencing debate, or affecting the outcome of a vote.
- b) Any removal of a Council Member must be based solely on conduct and must follow the procedures set out in this policy.
- c) A majority vote of Council shall be required to sustain the removal of a Council Member from the meeting.

34. Return After Expulsion

A Councillor expelled may be allowed to return later in the same or a future meeting if Council votes to permit it, with or without conditions.

35. Conduct of the Public

Members of the public must remain quiet unless invited to speak, unless given permission. Anyone who disrupts may be ordered to leave. Council may later vote to allow that person to return, with or without conditions.

36. Legal Authority

An order by the Chair for someone to leave is considered a direction under the Protection of Property Act and other applicable laws.

37. Matters Not Covered

If an issue is not covered by this policy or legislation, the Chair will make a ruling based on general parliamentary principles.

38. Suspending the Rules

Council may suspend any rule of order if all members present unanimously agree.

39. Repeal

All previous Council Meetings & Proceedings policies are repealed and replaced by this one.

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Town of Lockeport - Notice of Motion

Title: Policy L-002 Review

Prepared by: Mayor Derek Amalfa

Date: February 2, 2026

Motion: That the Town of Lockeport Council adopt the revised Policy L-002: Council Meetings & Procedures.

Status: For Information / For Discussion / **For Decision**

Purpose:

To update Policy L-002 to support more efficient, organized, and transparent meetings that:

- Encourage thoughtful, focused, and respectful discussion;
- Allow information to be shared before decisions are made;
- Provide Councillors with clear structure and preparation support;
- Strengthen accountability, decision-making, and public confidence;
- Improve public understanding, participation, and trust; and
- Enable more accurate and timely meeting minutes.

Background:

Over the past year, Council has consistently engaged in strong discussion and accomplished substantial work during meetings. However, meetings that run to their full length can be demanding and may limit the attention available for later agenda items.

Specific Updates to Policy L-002 include:

February 3, 2026

- Administrative timelines
 - Confirms timelines related to agendas, minutes, and meeting recordings have been approved in consultation with the Town Clerk.
- Section 4 (a): Code of Conduct Inclusion
 - addition of Code of Conduct reference confirming all Council meetings and procedures are governed by the Town of Lockeport's Code of Conduct (Policy L-006)

Town of Lockeport - Notice of Motion

- **Section 21: Speaking & Discussion Clarification**
 - adds clearer guidance on speaking order, time limits, and rebuttal to support fair, focused and respectful discussion.
- **Section 33: Removal of a Council Member**
 - clarification on ejection of Council Members is a last-resort measure based solely on conduct, and cannot be used to limit participation, influence debate or affect the outcome of a vote.

November 28, 2025

- **Section 11 (a): video recording of Council meetings**
 - Addition to include that all Regular and Special Meetings of Council are recorded via video and uploaded to the official Town website. Note the video recording does not replace the official record of the meeting minutes.
- **Section 13: Meeting limits**
 - Updated to a maximum of 90 minutes with the opportunity for Council to extend by an additional 30 minutes.
- **Section 17: Invitation to Move**
 - Incorporate learnings from “Make Your Move” mandate to support efficient meetings, and the incorporation of simple movement breaks
- **Section 18: Minutes to be posted**
 - Addition of the timelines required to post meeting minutes
- **Section 23: Speaking Rules,**
 - Clearly outline use of Robert’s Rules of Order
 - Addition “Conflict of Interest”
 - Addition “In Camera”
- **Section 25: Agenda Preparation**
 - Establishment of clear deadlines for agenda inclusion and a template to submit a 'Notice of Motion' to Council that promotes consistency, transparency and accountability;
- The policy has been updated into plain, simple language, so the public and all Council members can easily understand the procedure.

Town of Lockeport - Notice of Motion

Title: Citizen Advisory Committee Governance Review

Prepared by: Mayor Derek Amalfa

Date: February 6, 2026

Motion: That Council directs staff to review and update the Town's Citizen Advisory Committee governance framework, including committee mandates, Terms of Reference, and Policy L-004, and to report back to Council with recommended updates for approval.

Status: For Information / For Discussion / **For Decision**

Purpose:

The purpose of this Notice of Motion is to authorize a review of the Town's Citizen Advisory Committee governance framework in order to ensure that committee Terms of Reference and related policies are clear, current, and consistently applied.

This review is intended to support effective committee operation by:

- Clarifying roles, responsibilities, and areas of oversight;
- Strengthening alignment between committees, Council, and administration;
- Ensuring that governance documents reflect current practices and expectations.

Undertaking this work will assist Council in maintaining a transparent, consistent, and sustainable advisory committee structure that supports informed decision-making and effective collaboration across committees.

Background:

Citizen Advisory Committees play an important role in supporting the work of Council by providing advice, community perspective, and subject-matter insight across a range of municipal functions.

Town of Lockeport - Notice of Motion

Over time, changes in community needs, committee composition, and municipal operations can result in inconsistencies between committee mandates, operating practices, and existing governance documents. As the Town of Lockeport continues to evolve, it is appropriate for Council to periodically review and update its committee governance framework to ensure clarity, consistency, and alignment with current practices.

Recent committee work has highlighted the importance of clearly defined roles, responsibilities, and areas of oversight, as well as consistent operating standards across all Citizen Advisory Committees. Clear governance structures help committees function effectively, reduce duplication of effort, support collaboration, and ensure that advisory work is aligned with Council's decision-making role.

The Town currently operates under Policy L-004 (Citizen Advisory Committees Policy), along with individual committee Terms of Reference. A review of these documents will support Council's objective of maintaining a modern, transparent, and sustainable governance framework that is clear for committee members, staff, Council, and the public

Approach

If approved, the governance review would be undertaken using a phased and consistent approach, as outlined below:

Phase 1 – Committee Mandate & Governance Framework

Staff will develop a standardized Committee Mandate and Governance framework to clearly define committee purpose, mandate, areas of oversight, roles, and responsibilities. This framework will be applied consistently across Citizen Advisory Committees to support clarity of scope and effective collaboration.

Phase 2 – Committee Terms of Reference Alignment

Staff will review and update Citizen Advisory Committee Terms of Reference using consistent language, structure, and governance standards aligned with the Committee Mandate and Governance framework.

Phase 3 – Policy Review (L-004)

Staff will review Policy L-004 (Citizen Advisory Committees Policy) to ensure alignment with updated committee governance documents, including roles,

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authority, conduct expectations, and reporting relationships.

Phase 4 – Council Review and Approval

Draft governance documents will be shared with applicable Citizen Advisory Committees for review and comment, and will be brought forward to Council for consideration and approval.

This approach is intended to support consistent governance standards across all Citizen Advisory Committees, while allowing individual committees to operate effectively within clearly defined roles and responsibilities.

Town of Lockeport - Notice of Motion

Title: Development of Municipal Video Surveillance Policy

Prepared by: Mayor Derek Amalfa

Date: February 9, 2026

Motion: THAT Council direct staff to prepare a draft Video Surveillance Policy for the Town of Lockeport, informed by the Video Surveillance Guidelines and Policy Template issued by the Office of the Information and Privacy Commissioner of Nova Scotia, for review and consideration by Council;

AND THAT the draft policy be presented to Council at a future meeting for discussion and potential adoption.

Status: For Information / **For Discussion** / For Decision

Purpose:

The purpose of this Notice of Motion is to initiate the development and adoption of a formal Video Surveillance Policy for the Town of Lockeport to ensure compliance with provincial access-to-information and privacy requirements, and to align the Town's existing use of security cameras with recognized best practices for Nova Scotia municipalities.

The adoption of a formal policy will provide clear governance, accountability, and transparency around the collection, use, retention, and disclosure of video recordings that may contain personal information, consistent with guidance issued by the ***Office of the Information and Privacy Commissioner of Nova Scotia***.

Background:

The Town of Lockeport currently operates several video cameras throughout the community for security and asset-protection purposes, including in public or municipal spaces where members of the public may reasonably be present.

While the use of video surveillance can serve legitimate objectives, such as deterring vandalism, enhancing safety, and protecting municipal infrastructure,

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it also involves the collection of personal information, as individuals may be identifiable in recorded footage.

Municipalities in Nova Scotia are considered public bodies for the purposes of access-to-information and privacy legislation. As such, they are expected to manage personal information, including video recordings, in a manner that is lawful, transparent, accountable, and limited to what is reasonably necessary for a defined purpose.

The *Office of the Information and Privacy Commissioner of Nova Scotia* has issued Video Surveillance Guidelines and a Policy Template intended specifically for public bodies, including municipalities. These guidelines emphasize that where video surveillance is used, public bodies should:

- clearly document the purpose and necessity of surveillance;
- limit collection to what is reasonable and proportionate;
- define who may access, use, and disclose video recordings;
- establish retention and disposal practices; and
- provide transparency to the public, including information on how individuals may request access to recordings involving them.

At present, the Town does not have a formally adopted video surveillance policy. While the existence of cameras alone is not uncommon, the absence of a written policy creates potential governance, legal, and reputational risk, particularly in the event of a public complaint, access request, or privacy inquiry.

Recommended Next Steps:

- **Staff Review & Customization**
Staff review the OIPC template and adapt it to reflect:
 - the Town's actual camera locations and purposes,
 - current operational practices, and
 - the scale and capacity of the municipality.
- **Policy Drafting**
Prepare a draft policy that:
 - clearly defines acceptable use,
 - limits surveillance to stated purposes,
 - outlines retention and access controls, and

Town of Lockeport - Notice of Motion

- identifies a designated privacy contact.
- **Council Review**
Present the draft policy to Council for review, discussion, and any requested revisions.
- **Adoption & Implementation**
Upon Council approval:
 - formally adopt the policy,
 - align signage and internal procedures with the policy, and
 - ensure staff awareness of responsibilities.

Additional Reading / Reference Materials

The following documents are provided for Council's information and reference. Both have been published by the *Office of the Information and Privacy Commissioner of Nova Scotia* and are intended to support public bodies, including municipalities, in the responsible and lawful use of video surveillance systems.

The **Video Surveillance Guidelines** outline the privacy principles, legal considerations, and best practices that apply when public bodies collect personal information through video recording, including expectations related to necessity, transparency, accountability, and ensuring surveillance is used only where reasonably necessary and limited to its intended purpose.

The **Video Surveillance Policy Template** provides a practical framework that municipalities may adapt to their local context to document how video surveillance is governed, operated, and monitored in compliance with provincial privacy requirements.



Video Surveillance Guidelines

Office of the Information and Privacy Commissioner of Nova Scotia



Forward

The Office of the Information and Privacy Commissioner for Nova Scotia (OIPC) has a public education mandate under the *Privacy Review Officer Act*. In combination with the *Video Surveillance Policy Template* this document is intended to provide public bodies and municipalities with the information necessary to ensure that any use of video surveillance is in compliance with their privacy obligations set out in the *Freedom of Information and Protection of Privacy Act (FOIPOP)* and the *Municipal Government Act (MGA)*.

Acknowledgments

The Office of the Information and Privacy Commissioner for Nova Scotia gratefully acknowledges that this guidance document is based in part on the work of:

- Office of the Information and Privacy Commissioner for Ontario, *Guidelines for the Use of Video Surveillance, October 2015* https://www.ipc.on.ca/wp-content/uploads/Resources/2015_Guidelines_Surveillance.pdf
- Office of the Information and Privacy Commissioner for British Columbia, *Guide to using overt video surveillance, December 2016* <https://www.oipc.bc.ca/guidance-documents/2006>
- Office of the Information and Privacy Commissioner for Newfoundland and Labrador, *OIPC Guidelines for Video Surveillance by Public Bodies in Newfoundland and Labrador, June 26, 2016* <http://www.oipc.nl.ca/pdfs/GuidelinesForVideoSurveillance.pdf>.
- Office of the Saskatchewan Information and Privacy Commissioner, *Video Surveillance Guidelines for Public Bodies, March 2016* <http://www.oipc.sk.ca/Resources/2016-2017/Video%20Surveillance%20Guidelines.pdf>
- Privacy Commissioner of New Zealand, *Privacy and CCTV: A guide to the Privacy Act for businesses, agencies and organizations, October 2009* <https://www.privacy.org.nz/assets/Files/Brochures-and-pamphlets-and-pubs/Privacy-and-CCTV-A-guide-October-2009.pdf>

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1. Is the video surveillance demonstrably necessary to meet a specific need?
2. Is there a less privacy invasive way of achieving the same end?
3. Is the video surveillance likely to be effective in meeting the identified need?
4. Is the loss of privacy created by the surveillance proportional to the need?

Step 2: Have a clear plan that complies with privacy laws

1. Develop a business plan
2. Conduct a privacy impact assessment
3. Consult with stakeholders
4. Develop a video surveillance policy
5. Train staff on the use of the video surveillance system

Step 3: Implement best practices for design and installation of the video surveillance system

1. Limit the time your surveillance is active
2. Avoid unintended subjects
3. Use adequate signage to notify the public
4. Transmit and store any recorded images securely
5. Destroy recorded images when they are no longer needed
6. Limit access to recorded images to authorized individuals
7. Open access to your video surveillance policy
8. Consider right of access

Step 4: Review and evaluate the use of video surveillance

Additional resources

Appendix A: Video Surveillance Compliance Checklist

Introduction

The purpose of this document is to assist public bodies and municipalities in Nova Scotia in deciding whether collection of personal information by means of video surveillance is both lawful and justifiable and if so, what privacy protection measures must be considered. The guidelines can be used to evaluate an existing video surveillance program or to determine whether and how to implement a new video surveillance program. Use the Video Surveillance Compliance Checklist at Appendix A to assess an existing video surveillance program against these guidelines and for ongoing review of new systems.

These guidelines do not apply to covert surveillance, or surveillance when used as a case-specific investigation tool for law enforcement purposes where there is a statutory authority or authority of a search warrant to conduct the surveillance.

Video surveillance, or CCTV (closed-circuit television) as it is sometimes known, refers to any video surveillance technology (video cameras, still frame cameras, digital cameras and time-lapse cameras) that enables continuous or periodic recording (videotapes, photographs or digital images), viewing, or monitoring of public areas.

Video surveillance is common place in Nova Scotia. For example, in 2016 an informal survey of municipalities revealed that almost 70% of municipalities in Nova Scotia use some form of video surveillance.¹ None of the municipalities who reported employing video surveillance had conducted a privacy impact assessment of the surveillance before implementing it.

Public bodies and municipalities may have legitimate operational purposes for using CCTV systems, but cameras do not just capture particular incidents of crime, they also record the daily activities of anyone passing within view of the camera. Despite many international studies on the subject there is no clear consensus whether surveillance systems deter crime.²

FOIPOP & MGA: The Privacy Rules

The collection, use and disclosure of personal information by public bodies and municipalities in Nova Scotia is governed by rules set out in the *Freedom of Information and Protection of Privacy Act (FOIPOP)* and the *Municipal Government Act, Part XX (MGA)*. The privacy rules in these two laws are virtually identical. Public bodies and municipalities cannot collect, use or disclose any personal information unless specifically authorized under these laws. Video surveillance collects personal information in the form of images of individuals participating in various activities from walking down a street to spray painting your front door with graffiti.

¹ The OIPC conducted a voluntary survey of 53 municipalities, districts, regions and towns in Nova Scotia in August 2016. Of the 53, 25 responded to the survey and 68% reported having video surveillance cameras. The average number of cameras reported was 8.25.

² The Office of the Information and Privacy Commissioner for Newfoundland and Labrador conducted a literature review prior to producing its video surveillance guidelines, *OIPC Guidelines for Video Surveillance by Public Bodies in Newfoundland and Labrador* in June 2015. This observation is based on that office's guideline at p. 2.

Step 1: Decide whether video surveillance is right for you

Before you decide to implement video surveillance, outline your proposal and then subject it to the following preliminary analysis by answering four questions:

1. Is the video surveillance demonstrably necessary to meet a specific need?
2. Is there a less privacy invasive way of achieving the same end?
3. Is the video surveillance likely to be effective in meeting that need?
4. Is the loss of privacy created by the surveillance proportional to the need?

1. Is the video surveillance demonstrably necessary to meet a specific need?

Begin by identifying the exact problem you want to solve. The need you identify must be pressing and substantial, of sufficient importance to warrant overriding the right of innocent individuals to be free from surveillance in a public place. Accordingly, concrete evidence of the problem to be addressed is necessary. This should include real evidence of the risks, dangers, crime rates, etc. Specific and verifiable reports of incidents of crime, public safety concerns or other compelling circumstances are needed, not just anecdotal evidence or speculation.

If you are evaluating an existing video surveillance program, identify the original purpose for the surveillance program. Then review the history of the use of the surveillance to see when, if ever, the surveillance has been used to address the identified problem. How many times since implementation has this occurred? Also look to see if the identified problem has ceased to occur and/or continues to occur but outside of the video surveillance area or despite the video surveillance.

Remember you are trying to establish if the surveillance is demonstrably necessary to meet a specific need. Once you have clear evidence of a need, consider how exactly the video surveillance is demonstrably necessary to meet the need. To evaluate the demonstrable need, list all of the other strategies you have tried to address the need. Identify why these strategies have not worked. Then describe exactly how video surveillance is necessary to address the specific need.

2. Is there a less privacy invasive way of achieving the same end?

Explain what less privacy invasive methods you have already tried to meet the identified need. Sometimes if the problem is vandalism for example, brighter lights, a change in the security guard's routine or better signage may be all that's necessary to reduce the problem. Sometimes even a change in façade can significantly reduce vandalism in the form of graffiti. For example, many cities have found that murals serve as a major deterrent to graffiti. Before implementing video surveillance you must document all of the less privacy invasive efforts that were attempted and the results of those strategies.

If you have an existing video surveillance system, consider testing a less privacy invasive alternative to video surveillance to see if it can achieve the same end.

3. Is the video surveillance likely to be effective in meeting that need?

If you have concluded that the surveillance is demonstrably necessary to meet a specific need, evaluate next whether video surveillance is likely to be effective in meeting that need. So, for example, if your identified need is to prevent crime in a certain area, how will video surveillance actually prevent crime? Certainly your implementation plan will have to call for live viewing of the surveillance, otherwise prevention cannot occur.

If you are evaluating an existing video surveillance program then you should have clear evidence of whether or not the video surveillance has been effective in meeting the identified need. Check historical records for the use of the video surveillance and compare it against the original identified problem. If necessary, conduct an investigation into the current scope of the originally identified problem. Does it still exist? Has your investigation determined that video surveillance had any effect at all on the problem? What evidence do you have to support your findings? If you conclude that video surveillance has been effective in meeting the identified need, which cameras, exactly, were effective in addressing the problem?

4. Is the loss of privacy created by the surveillance proportional to the need?

Once you have concrete, objective evidence that video surveillance is likely effective in meeting the need you have identified then move on to examine whether or not the loss of privacy created by the surveillance is proportional to the need. For example, if windows are repeatedly broken at a local community center, placing video surveillance at all community centers would be out of proportion to the identified need. So too would placing cameras inside of the centre if the only identified problem is windows from the outside. Likewise, if the vandalism only happens at night, collection of video images during the day would not be proportional to the identified need.

Reassess your video surveillance plan to reduce the scope so that any surveillance is clearly focused only on the problem identified. Strategies that limit periods of day for surveillance are better than always-on surveillance. Limit the number of cameras and have them only in locations where there is clear evidence of a problem identified as the rationale for CCTV. Reducing the scope of the surveillance and keeping it sharply focused on the identified problem will help to make the surveillance proportional to the need.

Conclusion

If you are able to answer "yes" to questions 1, 3, and 4 and "no" to question 2, then proceed with step 2. If you cannot then video surveillance is not the solution to the problem. Cameras already in existence that do not satisfy this four-part test should be turned off.

Step 2: Have a clear plan that complies with privacy laws

1. Develop a business plan

Develop a business plan for the CCTV system setting out:

- The purpose of the system.
- The outcome(s) that you expect.
- The type of technology and equipment that will be used.
- How the system will be operated.

If you already have a video surveillance system in place, conduct an audit of the system including all of the elements above plus a description of the system as it is currently used – number of cameras, hours of operation, scope of view, access to records, list of staff (by position) who currently have access to the recordings, types of disclosures currently permitted, types of uses currently permitted and retention periods.

Ensure that there is a named individual responsible for the operation of the video surveillance system.

2. Conduct a privacy impact assessment

Using the privacy impact assessment (PIA) templates available on the OIPC website, conduct a complete privacy impact assessment of the proposed or current video surveillance business plan: <https://oipc.novascotia.ca>.

By conducting a PIA you will ensure that the project is in compliance with Nova Scotia's privacy laws. The PIA will also assist you in identifying privacy risks and mitigation strategies and will ensure that you have a plan in place to mitigate those risks.

Adjust your business plan to ensure that the project addresses any privacy impacts identified through the PIA process.

At least once every two years review your privacy impact assessment to ensure that any new or emerging privacy risks have been identified and mitigated.

3. Consult with stakeholders

Before implementing video surveillance, public bodies and municipalities should determine if consultations should occur with relevant stakeholders and representatives of those potentially impacted to ensure the need of video surveillance is debated and to determine if there will be public support for the practice.

For instance, if you have employees who will be filmed by the cameras, you should definitely discuss this with them. Explaining the purpose for the CCTV and getting your staff on-side will make the system more effective. Also, talking to others can give you excellent information – such as indicating whether CCTV might cause you problems that you had not thought about.

Depending on the size of your system and the reasons for installing it, it maybe also be useful to consult with:

- citizens,
- public interest groups,
- local community groups,

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- other businesses,
- other agencies similar to your own that use CCTV,
- security specialists,
- the police,
- the Information and Privacy Commissioner.

Adjust your business plan to ensure that the project addresses any privacy impacts identified through the consultation process.

4. Develop a video surveillance policy

Your video surveillance policy is the tool you will use to make clear to employees and citizens how and when video surveillance will be used. The policy should, among other things, explain the rationale and purpose of the surveillance; when and how monitoring and/or recording will be in effect; how recordings will be used; retention periods; procedures for secure disposal of the recordings; and a process to follow if there is an unauthorized disclosure. Use the video surveillance policy template available on the OIPC website to guide you in the development of your policy: <https://oipc.novascotia.ca>.

5. Train staff on the use of the video surveillance system

Educating your employees on their roles and responsibilities, as defined in the policies and procedures you have developed, is an essential step to achieving an effective and compliant video surveillance program. How are employees to know what their individual duties and responsibilities are if they are not adequately trained on them? If employees are not aware of their roles and responsibilities, your institution may be at a greater risk of having a privacy breach. Accordingly, it is important that employees are trained to ensure that they understand the authorized and unauthorized uses of video surveillance and their duties and responsibilities under *FOIPOP* or the *MGA* with respect to your organization's video surveillance program.

Step 3: Implement best practices for design and installation of the video surveillance system

1. Limit the time your surveillance is active

Cameras that are live for certain times of the day or night are preferable to those that are turned on 24/7. Only monitor or record during the time period that meets your specific purpose. For instance, if you have experienced break-ins after hours, only use your cameras when the office is closed so you are not capturing images of employees and citizens.

2. Avoid unintended subjects

One of the unexpected consequences of video surveillance is that cameras can easily capture images of people who are not targets, which would not be authorized under *FOIPOP* or *MGA*.

- Position cameras to reduce unauthorized image capture. For example, a security camera should not capture images of passersby on the street.
- Avoid areas where people have a heightened expectation of privacy, such as change rooms, washrooms, or into windows.

3. Use adequate signage to notify the public

Post a clear, understandable notice about the use of cameras before citizens enter the premises and at the entrances to different areas within your property that are under surveillance (e.g.: parking lot). Notification is respectful of citizens' privacy rights and gives individuals the option not to enter. The sign should indicate plainly which area is under video surveillance and for what purpose, for example: "This property is monitored by video surveillance for theft prevention." It should also state the legal authority for collection of personal information via video surveillance and provide contact information for someone in your organization if individuals have questions about the surveillance.

4. Transmit and store any recorded images securely

Ensure that video surveillance images are securely transmitted. Surveillance equipment should be stored under lock and key to protect your employees, guests, customers, clients and your organization from the risks of a privacy breach. Don't remove images from your premises and always follow a strict storage protocol.

5. Destroy recorded images when they are no longer needed

Prepare a retention and destruction schedule to specify the length of time that surveillance records will be kept. We recommend a maximum of 30 days unless the record is used to make a decision that directly affects an individual – then the record must be kept for one year.³ Decide when and how records will be destroyed. Safely and securely destroy recorded images when they are no longer required for business purposes. Document the destruction in your logs.

6. Limit access to recorded images to authorized individuals

Your video surveillance policy should identify who is authorized to access the recordings. You should only review the recorded images to investigate a significant security or safety incident, such as when you have reported a crime to the police. Make sure that the right training is provided to your operators on an ongoing basis, so that they know their obligations under all relevant legislation. Minimize the number of individuals who have access to the system, monitoring, or recordings. All access to video records should be logged.

³ In accordance with s. 24(4) of *FOIPOP* and s. 483(4) of *MGA*.

Any disclosure of video surveillance recordings outside your organization should be authorized by the applicable privacy law and documented.

7. Open access to your video surveillance policy

Consider making your written surveillance policy available to the public. Citizens will appreciate your transparency and gain a better understanding of the purposes of the surveillance.

8. Consider right of access

Anyone whose image is captured by your surveillance video has the right to access their own personal images, so you must be prepared to provide a copy of the relevant surveillance recording upon request. When disclosing recordings, use masking technology to ensure that identifying information about other individuals on the recording is not revealed contrary to *FOIPOP* or the *MGA*.

Step 4: Review and evaluate the use of video surveillance

Periodically re-evaluate your need for video surveillance. Organizational needs change. An area that was once prone to high rates of criminal activity may, through development or other external factors, transform into a low crime area. Further, new, less intrusive means of achieving the same goals may become available. Accordingly, it is important that the necessity of your organization's video surveillance program regularly be considered to determine whether it is still justified in accordance with the requirements of *FOIPOP* or the *MGA*.

Conduct regular privacy training to ensure that all staff are aware of the policies and procedures with respect to the use of video surveillance.

Collect statistics about your CCTV system to allow you to assess its strengths and weaknesses. After a year of operation and at regular intervals afterwards, evaluate the operation of the system. Consider the original problem it was intended to address. How many times did the CCTV system actually address the problem? In addition, conduct an audit of the roles, responsibilities and practices of your organization's video surveillance program regularly to ensure that they comply with your policies and procedures.

Additional resources

The Office of the Information and Privacy Commissioner can provide comments on draft privacy impact assessments and video surveillance business plans. We can assist in identifying privacy risks and mitigation strategies. Our contact information is available on our website at: <https://oipc.novascotia.ca>.

Appendix A: Video Surveillance Compliance Checklist

The following checklist will help to ensure that an existing video surveillance program is in compliance with best practices as described in this guideline.

| Guideline | Actions and practices | Date checked | By |
|-----------|---|--------------|----|
| Step 2.1 | Responsibility: There is a named individual who is responsible for the operation of the system. | | |
| Step 2.2 | PIA: There is a completed privacy impact assessment. All mitigation steps have been completed. | | |
| Step 2.2 | PIA Review: The PIA has been reviewed in the last two years to ensure that any new or emerging risks have been identified and mitigated. | | |
| Step 2.4 | Policy: The video surveillance policy is complete, approved and up to date. | | |
| Step 2.5 | Training: All staff, including new staff, have received training on the proper use of the video surveillance system and have been provided with the video surveillance policy. | | |
| Step 3.1 | Limit time of day: Cameras are only operating during times they are needed to address identified problems. | | |
| Step 3.2 | Unintended subjects: Cameras are focused specifically on problem areas. Cameras do not capture unintended or unauthorized images. | | |
| Step 3.3 | Adequate signage: There are video surveillance notification signs near every video camera. All signs include an explanation for the purpose of the surveillance, legal authority for collection and contact information. | | |
| Step 3.4 | Security: Video surveillance images are transmitted and stored securely. | | |
| Step 3.5 | Limited retention: Video images are only retained for the approved retention periods. | | |
| Step 3.6 | Limited access: Only approved individuals have access to video surveillance images. Access logs are regularly checked to ensure all accesses to images are authorized. | | |
| Step 4 | Regular review: The system is regularly reviewed to ensure it is working properly. | | |

Notice to Users

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Video Surveillance Policy Template

Office of the Information and Privacy Commissioner



Forward

The Office of the Information and Privacy Commissioner for Nova Scotia (OIPC) has a public education mandate under the *Privacy Review Officer Act*. In combination with our recently updated *Guidelines for the Use of Video Surveillance in Nova Scotia* this document is intended to provide public bodies and municipalities with the information necessary to ensure that any use of video surveillance is in compliance with their privacy obligations set out in the *Freedom of Information and Protection of Privacy Act (FOIPOP)* and the *Municipal Government Act (MGA)*.

Acknowledgments

The Office of the Information and Privacy Commissioner for Nova Scotia gratefully acknowledges that this guidance document is based in part on the work of:

- Office of the Information and Privacy Commissioner for Ontario, *Guidelines for the Use of Video Surveillance, October 2015* [https://www.ipc.on.ca/wp-content/uploads/Resources/2015 Guidelines Surveillance.pdf](https://www.ipc.on.ca/wp-content/uploads/Resources/2015%20Guidelines%20Surveillance.pdf)
- Office of the Information and Privacy Commissioner for British Columbia, *Guide to using overt video surveillance, December 2016* <https://www.oipc.bc.ca/guidance-documents/2006>
- Office of the Information and Privacy Commissioner for Newfoundland and Labrador, *OIPC Guidelines for Video Surveillance by Public Bodies in Newfoundland and Labrador, June 26, 2016* <http://www.oipc.nl.ca/pdfs/GuidelinesForVideoSurveillance.pdf>.
- Office of the Saskatchewan Information and Privacy Commissioner, *Video Surveillance Guidelines for Public Bodies, March 2016* <http://www.oipc.sk.ca/Resources/2016-2017/Video%20Surveillance%20Guidelines.pdf>
- Privacy Commissioner of New Zealand, *Privacy and CCTV: A guide to the Privacy Act for businesses, agencies and organizations, October 2009* <https://www.privacy.org.nz/assets/Files/Brochures-and-pamphlets-and-pubs/Privacy-and-CCTV-A-guide-October-2009.pdf>

Introduction

Public bodies and municipalities in Nova Scotia are responsible for ensuring the safety of individuals and the security of the equipment and property within the scope of the services they provide. One tool used by many public bodies and municipalities to help them fulfill this obligation is video surveillance.

While video surveillance may help to increase the safety of individuals and the security of assets, it also introduces risks to the privacy of individuals whose personal information may be collected, used and disclosed as a result of the technology. The risk to privacy is particularly acute because video surveillance may, and often does, capture the personal information of law-abiding individuals going about their everyday activities. In view of the broad scope of personal information collected, special care must be taken when considering whether and how to use this technology.

Preliminary Steps

The *Guidelines for the Use of Video Surveillance in Nova Scotia* provide an explanation of the necessary considerations and steps to take before implementing video surveillance. It is available on our website at: <https://oipc.novascotia.ca>.

Policy Template

The *Guidelines for the Use of Video Surveillance in Nova Scotia* explain that one of the key documents you must complete before switching on your video surveillance system is a video surveillance policy. This policy will ensure that you have communicated the exact purposes and all of the rules regarding the collection, use, disclosure of personal information via video surveillance and the security of your video surveillance system.

A video surveillance policy should include the following sections:

1. Purpose
2. Collection
3. Notification
4. Use
5. Disclosure
6. Security
7. Retention
8. Access to Information Requests
9. Contact Information

1. Purpose

Describe the purposes for which video surveillance may be used by the public body or municipality. Include a detailed rationale for surveillance. Explain your rationale in a way that both staff and citizens will understand. Ensure that the purposes listed here are authorized under the *Freedom of Information and Protection of Privacy Act (FOIPOP)* or the *Municipal Government Act (MGA)*. You will determine this by first completing a privacy impact assessment.¹

¹ The Office of the Information and Privacy Commissioner has published privacy impact assessment templates on our website at: <https://oipc.novascotia.ca>.

2. Collection

You should clearly state what personal information you intend to collect and what information you will not collect.

Identify the types of personal information that may be collected as part of the authorized video surveillance. For example, is the intention to only collect information of customers or citizens, or will the personal information of employees or service providers be collected as well?

Clearly describe the physical areas/locations where collection of personal information through video surveillance is authorized. State the limits on the location and field of vision of the equipment including the rationale and purpose of the specific locations of equipment and fields of vision selected.

Specify here prohibitions on the use of video surveillance in such areas as change rooms, washrooms, neighbouring properties including cameras pointed through neighbouring windows, etc.

Specify limitations on collection such as time of day, limits on location, field of vision, limits on any special capabilities of the system such as sound, zoom, facial recognition or night vision features.

3. Notification

Nova Scotia's access and privacy laws do not require that public bodies and municipalities provide notification when information is collected directly from citizens as it is with video surveillance. However, best privacy practice requires that proper notification be given to individuals. Such an approach respects the right of individuals to choose whether or not they wish to be subject to video surveillance. From a practical perspective, if the rationale for the surveillance is that the presence of video surveillance reduces the chance of illegal activity clear and prominent notifications are necessary. How can video surveillance reduce the chance of illegal activity if citizens are unaware of the surveillance?

In the policy you should describe the requirements for notification including the number of signs, locations and information to be included on authorized notices. Ideally, include a template notification sign in the appendix to your policy. See the OIPC guidelines for further details on the best practice content of video surveillance notifications.

4. Use

List all of the authorized uses of the video surveillance data. Clearly state any limitations on use. Generally speaking, best practice is to limit the use of the information to only those purposes for which it was originally collected. Any secondary use of the information must be subject to careful evaluation of the authority under *FOIPOP* or the *MGA*. For example, video surveillance conducted for security purposes cannot be used to monitor employee attendance or to monitor employee compliance with dress codes.

5. Disclosure

List all anticipated and authorized disclosures of personal information from the video surveillance data. This should include disclosures that are likely to occur based on experience. For example, if the purpose for the collection of the data is security, it is reasonable to anticipate that the public body or municipality may need to disclose video surveillance data to police as authorized under 27(1) of *FOIPOP* and s. 485(2)(1) of the *MGA*.

In addition, depending on the nature of the video surveillance undertaken, it may be reasonable to anticipate that a law enforcement agency may make a request for disclosure of video surveillance data through the use of a warrant (as authorized under s. 27(e) of *FOIPOP* and s. 485(2)(e) of the *MGA*).

Specify here the process the public body or municipality will use if it receives a request for disclosure of video surveillance data. Typically the process should include:

- identification of who within your organization is authorized to disclose the data,
- a requirement that the requester put his or her request in writing stating the authority he or she claims for the disclosure,
- a requirement that all disclosures be documented by including a copy of the request,
- a log of the information disclosed, and
- a clear identification of the authority for the disclosure under *FOIPOP* or the *MGA*.

If the disclosure is at the public body's initiative, the policy should require that the public body clearly identify its authority for disclosing the data without request to another organization.

6. Security

FOIPOP and the *MGA* both require that personal information be protected using reasonable security arrangements. The security section of the policy should describe, in general terms, the security arrangements for the video surveillance system and data. Such arrangements fall into four categories:

(a) Administrative security:

- Describe the process to follow if there is an unauthorized disclosure of images.

(b) Physical security:

- Set standards for locks, passcodes etc. for the servers and stored images. If monitors are used, ensure that monitors are installed in a secure area and viewable only by authorized employees. If images are available online, ensure that only authorized users can access the images and that such access is automatically logged by the system.

(c) Technical security:

- Describe in general terms the technical security required. For example, whether the data will be encrypted, and what the requirements are for regular security updates, patches, etc.
- If the system you have purchased uses wifi technology you must carefully evaluate the security of this function. Wireless transmissions like CCTV (closed-circuit television) broadcasts are inherently subject to interference and interception, especially when they use publicly available frequency bands. CCTV signals are generally not encrypted or secured and may easily be captured by others with an appropriately tuned receiver. As there are only a limited number of transmission channels, the chances of inadvertent interception are high.²

² As explained by the Office of the Information and Privacy Commissioner for Newfoundland in its guidance, *OIPC Guidelines for Video Surveillance by Public Bodies in Newfoundland and Labrador*, June 26, 2016 at p. 13.

(d) Personnel security:

- Designate the persons in the organization (described by position in the policy) who are authorized to operate the system and those who are authorized to view the data.
- Set out requirements for regular appropriate and ongoing training to operators to make certain they understand their obligations under privacy law and this video surveillance policy.

7. Retention

Video surveillance records create a number of risks for organizations. First, they are a collection of sensitive personal information that could be subject to a privacy breach. The more data you have, the more data that could be subject to unauthorized use or disclosure. Second, individuals have the right to request access to their personal information, including video surveillance. In order to disclose the information, public bodies and municipalities will have to purchase software that allows them to sever out images of other individuals if disclosure of those images would be an unreasonable invasion of personal privacy. This is an additional cost to organizations.

8. Access to Information and Correction Requests

Under *FOIPOP* and the *MGA* individuals are entitled to access copies of records containing their own personal information. Since "record" includes information "stored by graphic, electronic, mechanical or other means"³ public bodies and municipalities must be prepared to provide copies of video surveillance data upon request. However, in order to do so, the public body may need to mask the images of third parties where the disclosure of these images would result in an unreasonable invasion of a third party's personal privacy. The policy should describe procedures for responding to access requests including how the public body or municipality will ensure that third party images are appropriately protected.

9. Contact information

Ensure that your policy includes contact information for your chief privacy officer or privacy lead. This person must be knowledgeable about the privacy implications of the video surveillance program.

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<https://oipc.novascotia.ca>

³ See s. 3(1)(k) of *FOIPOP* and s. 461(h) of the *MGA*.

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June Harding

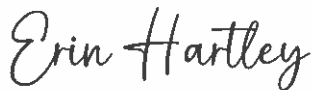
From: Erin Hartley <Erin.Hartley@municipalityofshelburne.ca>
Sent: February 4, 2026 12:48 PM
To: Joyce Young
Subject: FW: MDS Draft Subdivision Bylaw - Abutting Municipalities Notice
Attachments: draft subdivision bylaw final draft Feb 2026.pdf

Good Afternoon,

Under section 204A of the Municipal Government Act, the Municipality of Shelburne is providing notice to the Clerk's of abutting municipalities that Municipal Council is formally considering amendments to our Subdivision Bylaw. The Municipality will be holding first reading on February 25, 2026, at its Council meeting. Subject to Council approval, we would likely be looking at public hearing and second reading on March 25, 2026, at the Council meeting, with submission to the Province shortly thereafter.

A copy of the draft Subdivision Bylaw is attached for your information. Any formal comments received in writing from abutting municipalities will be considered at the Council meeting on February 25th prior to first reading.

Thank you,
Erin



Erin Hartley
Deputy CAO
Municipality of the District of Shelburne
414 Woodlawn Drive
PO Box 280
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B0T1W0
(902)875-3544 ext. 226
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*** My regular office hours are Tuesday through Friday, 8:00 am – 4:30 pm

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SUBDIVISION BY-LAW

Municipality of District of Shelburne

Final Draft
January 30, 2026

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.

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- 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.

MUNICIPALITY OF THE DISTRICT OF SHELBURNE SUBDIVISION BYLAW

- 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;

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- 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,

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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

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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

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- 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

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- 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.

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- 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;

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- 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;

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- 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;

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- 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

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- (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.

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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,

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- 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

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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.

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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.

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- 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.

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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 |

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| 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 . |

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Schedule "A" – Application for Subdivision Approval

| | | | |
|--|---|---|--|
| SUBDIVISION AREA: Municipality of District of Shelburne | | APPLICATION TYPE: <input type="checkbox"/> Preliminary <input type="checkbox"/> Tentative <input type="checkbox"/> Concept <input type="checkbox"/> 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: <input type="checkbox"/> OWNER <input type="checkbox"/> APPLICANT <input type="checkbox"/> OTHER (specify) | | | |
| NAME: | MAILING ADDRESS: | TELEPHONE NUMBER: | |
| WATER SERVICES: Existing Proposed Central System <input type="checkbox"/> <input type="checkbox"/> Drilled Well <input type="checkbox"/> <input type="checkbox"/> Dug Well <input type="checkbox"/> <input type="checkbox"/> Other: _____ | SEWER SERVICES: Existing Proposed Central System <input type="checkbox"/> <input type="checkbox"/> On-site <input type="checkbox"/> <input type="checkbox"/> Other: _____ | ACCESS: Existing Proposed Public Road <input type="checkbox"/> <input type="checkbox"/> Private Road <input type="checkbox"/> <input type="checkbox"/> Right of Way <input type="checkbox"/> <input type="checkbox"/> Other: _____ | |
| Has the property been tested by a qualified person for the installation of an on-site sewage disposal system? Yes <input type="checkbox"/> No <input type="checkbox"/> | | | |
| If yes, please specify name of qualified person _____ | | | |

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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 | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | Public Works Department | | Affidavit of Family Gifting attached |
| | Assessment | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | Registration Fee | | Previous Subdivision Approval |
| | 5% Open Space Fee | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | LIMS | | Previous Plan Number: |
| | GIS Technician | | Zone: |
| | Municipal Finance Department | | PID: |
| | Canada Post | | |

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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)

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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

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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.

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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 | | |
| | | | | | | | | |
| | | | | | | | | |

Council Status Report: Jan 2026*Mayor Derek Amalfa***Meetings Attended:**

| <i>Date</i> | <i>Committee</i> |
|-------------|--|
| Jan 5 | Myra Media- Website Review |
| Jan 5 | Recreation Committee |
| Jan 5 | Clean Foundation |
| Jan 8 | REMAC Meeting |
| Jan 9 | Town of Lockeport Regular Council |
| Jan 12 | Sou West Nova Transit Board Meeting |
| Jan 16 | Recreation / Heritage Committee Discussion |
| Jan 18 | Legion Breakfast |
| Jan 19 | Recreation Committee |
| Jan 21 | Shelburne County Leadership Meeting |
| Jan 22 | TOL / TOS MPS Discussion |
| Jan 22 | Interpretive Sign Committee |
| Jan 23 | Town of Lockeport Regular Council |
| Jan 26 | Clean Foundation Regular Check In |
| Jan 29 | Shelburne County Climate Action Committee |
| Jan 30 | Town of Lockeport Finance Committee |

January 2025 Reports Town of Lockeport

C. Hillen, Deputy Mayor

01/05/2026- TDAP- Digital Walkthrough Myra Media

01/08/2026- REMAC- regrets

01/09/2026- Regular Council meeting

01/13/2026- Attended event at Cotters Ocean Seafoods with Pierre Pollivere

01/13/2026- Heritage & Tourism Committee meeting (HTC)

01/15/2026- RCMP Community Advisory Committee (Lockeport)

01/16/2026- Special Meeting re: Heritage & Tourism & Recreation Committee

01/20/2026- Lockeport Lobster Sea Catch Festival Working group meeting

01/22/2026- Interpretive Sign Sub-Committee meeting

01/23/2026- Regular Council meeting

01/26/2026- Lockeport Financial meeting

01/27/2026- Eastern Shelburne Accessibility Advisory Committee meeting

Private attendance

01/18/2026- Lockeport Legion Branch 80 breakfast

Eastern Shelburne County Accessibility Advisory Committee
Meeting Minutes
January 27, 2026
Municipality of Shelburne

In attendance: Craig Hillen, Eric Macintosh, Therese Cruz, Ron Coole, Michelle Vacon, Adam Dedrick

Regrets: Holly Perry, Catherine Jones, Jessie Dyer, Wanda Buchanan

Called to Order – Meeting was called to order at 2:35pm.

Agenda Approval – Duly moved and seconded. Motion carried.

Minutes of Previous Meeting – Duly moved and seconded. Motion carried.

Update: 2025-2026 Implementation Plan

Municipality of Shelburne:

1. A workplan for accessibility improvements at municipal assets and remaining accessibility audits of outdoor spaces will be included in the municipal strategic plan facility assessment.
2. Discussions will be held with Robin Smith at MDS about doing a video for the Community Conversations series and will include reps from all three units.
3. SWNT was utilized for the events Dock Street Days, Pumkin Regatta and Miracle on Dock Street to provide a shuttle from the Town Fire Hall to the event site. As well they took passengers for a drive through prior to the start of the event Miracle on Dock Street.

4. For the events, they plan to look at options for sensory hours and spaces at the events for 2026.
5. The Municipality uses Microsoft Teams for online meetings and there is an option for attendees to use Closed Captions and this is the same for any videos they post on YouTube. They are going to look into how to provide a visual source for recordings of council meetings as only the audio recording is currently posted.

Town of Lockeport:

1. A public accessibility ramp has been installed at Crescent Beach. A hippocampe has been purchased to be available at the beach in 2026.
2. Sidewalk that required repairs to increase accessibility has been done.
3. New playground installed that will also include accessible swings.
4. Looking at installing a new public washroom in the area around the playground. Currently looking at options for existing buildings to utilize.
5. Considering paving the parking lot at the Beach Centre to make it more accessible and to provide a continuous path from vehicles to the centre.
6. Current council meetings are not accessible but looking at ways to address this moving forward.

Town of Shelburne:

1. There were some repairs required for the sidewalk in Falls Lane that have been addressed.
2. The Town office elevator had some issues with its operation and ease of use which are being addressed.

3. An accessible parking space has been added at the Roger Grovestine's Complex.
4. Looking at including accessibility features into plans for the upgrades at Graham's Park.

2026-2027 Implementation Plan – To be covered at the next meeting.

Equity & Anti Racism Plan Update – The plan has been approved by all three units and is now ready for implementation. An advisory committee is to be established and the first thing to be done is the development of a terms of reference (ToR). It is intended to have the ToR approved in February and advertising for public members in March with the committee holding its first meeting in April.

AAC Committee membership – The Municipality of Shelburne and Town of Lockeport still need more public members. Craig knew of a few individuals that he can approach and will look at making a post again. It was also encouraged for Councillors to inquire with their Councils to see if any other Councillors knew of possible interested members of the public.

Other Business – None at this time.

2026-2027 meetings – The meeting schedule will be April, July, October and January. The plan is to go for the last Tuesday of the month but that may be different for July being that it is the summer so that date can be determined at the April meeting.

Updates – Updates were provided under agenda item 2026-2027 Implementation Plan.

Date of next meeting – April 28, 2026, 2:30pm in Lockeport.

Public Question Period – No members of the public were in attendance.

Adjournment – Meeting was adjourned at 3:22pm.

DRAFT

101

Graig Hillen
Adam Dedrick
+8 others

A couple minor changes Adam to reflect the minutes. These are specific to Lockeport.

Can we add where the Hippocampe was mentioned that we also purchased MOBI mats.

We also made repairs to the sidewalks.

We are not looking at putting a public washroom by the playground but we are looking into the feasibility of creating an accessible public washroom at other locations ie Marine room

Council meetings are accessible to the public but in removing additional barriers we are exploring introducing audio visual recordings of council meetings.

Thanks

Craig
Adam Dedrick<Adam.Dedrick@municipalityofshelburne.ca>
You
+8 others
Thanks for clarifying Craig. I will make those changes.

Adam Dedrick
Director of Recreation & Parks
902-875-3544 ext 225
Adam.Dedrick@municipalityofshelburne.ca
414 Woodlawn Drive
P.O. Box 280
Shelburne NS
B0T 1W0

Office hours: Monday to Thursday, 8:00am-4:30pm

From: Craig Hillen <craighillenlockeport@gmail.com>

Sent: January 28, 2026 3:47 PM

To: Adam Dedrick <Adam.Dedrick@municipalityofshelburne.ca>

Cc: hollyperry@supportinginclusion.ca; macintoshe@macintoshe.com; wanda_buchanan@hotmail.com;

Ron Coole <Ron.Coole@municipalityofshelburne.ca>; Jessie Dyer <Jessie.Dyer@shelburnens.ca>;

Catherine Jones <cjones.is@rogers.com>; Therese Cruz <therese.cruz@shelburnens.ca>; Michelle Vacon <michellevacon@gmail.com>

Subject: Re: Accessibility Advisory Committee Meeting Minutes

CAUTION: This email originated from an external sender.

Michelle Vacon
Thu 2026-01-29 11:14 AM

JAN 2026 Meeting/Events/ Tasks
Councillor A Chetwynd

- Jan 05 - MYM Suggestions with Town Staff (June's Office)
- Jan 05 - Website Review (Council Chambers)
- Jan 05 - REC/MYM Committee (Council Chambers)
- Jan 08 - Dismantle Light Display (Seacaps Park)
- Jan 09- Regular Council (Council Chambers)a
- Jan 10- Work at Playground/ Mats (Seacaps Park)
- Jan 12- Sr Bingo (Rec Center)
- Jan 14- Playground Finance with June (Council Chambers)
- Jan 15- Mobie Mats arrived Assisted Public Works (Seacaps Park and Crescent Beach Center)
- Jan 15- RCMP Advisory Committee (Council Chambers)
- Jan 16- REC/HTC Meeting (Council Chambers)
- Jan 19- Special REC/MYM Meeting (Council Chambers)
- Jan 20- Communities on the Move (online)
- Jan 21- MPAL (MODS)
- Jan 23- Regular Council (Council Chambers)
- Jan 24- MYM Free Skate (Shelburne Arena)
- Jan 29- Communities on the Move (online)
- Jan 30- Met with Eastern Fence (Seacaps Park)
- Jan 30- Finance/Budget Meeting (Council Chambers)
- Jan 30- Swings arrived Coordinated Storage (Seacaps Park)

103)

Memo

To: Lockeport Town Council
From: Connie Lamm, MYML Navigator
Re: MYML Lending Library
Date: February 9, 2026

MYML has some funds remaining for the 2025-2026 budget year. The recreation committee has approved funding for a recreation lending library. This will also fulfill an important requirement for our end of year budget report to the province (Elaine). The items approved are listed below:

| Lending library | number | unit price | total |
|--------------------------|--------|------------|------------|
| under desk exercise bike | 4 | \$70.00 | \$319.20 |
| standing desk lift | 4 | \$90.00 | \$410.40 |
| Walking pad/treadmill | 1 | \$400.00 | \$456.00 |
| MYML reflective vest | 28 | \$14.00 | \$446.88 |
| | | | |
| | | | |
| | | | |
| | | total | \$1,632.48 |
| | | | |

The MYML reflective walking/working/biking vest would also address the MYM swag requirement. These would be used for lending but also as prizes for future activities. As the 2025-2026 budget year end has now been moved up to the end of February, I would like approval to order these items.

104)

Memo

To: Lockeport Town Council

From: Connie Lamm, MYML Navigator

Re: repair of Trestle Trail Loop trail along Brighton Road behind guard rail

Date: February 9th, 2026

The recreation committee has recently approved MYML funds for the 2026-2027 budget year for repair of the Trestle Trail Loop trail along Brighton Road behind the guard rail. Below is the estimate from Mark Williams. We are only looking to do the first bullet point. The total, with HST, will be \$17,613.00. As the new budget needs to be established by the end of February, I would like the council to vote on this item. More items will be discussed closer to the end of February.

MARK A WILLIAMS EXCAVATING

27 Haydens Road
Jordan Falls, NS
B0T 1J0
Cell 902-875-6107
markwilliamsexcavating@gmail.com

Jan 14, 2026

Re: Lockeport Loop

Hi June,

Provided below is the estimate for upgrades to the Lockeport loop walking trail:

- Supply and level 192 cubic yds of type 1 gravel to do approx. 1550ft of the walking loop starting at the guard rail to Hank Roy property. The estimated cost of this work \$ 15450.00 plus HST
- Upgrade walking trail from beach corner wooden walkway approx. 180ft remove posts ,widen and gravel walkway and stabilize bank. Estimated cost of this work \$6840.00 plus HST

If you have any questions, please feel free to call me.

Sincerely,



Mark Williams

Councillor Malik January 2026 report

5th - Town website zoom meeting

9th - Regular Council meeting

20th - July 1st/Canada Day committee meeting

23rd - Regular Council meeting

30th - Finance meeting

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June Harding

From: Candace Malik <candacemaliklockeport@gmail.com>
Sent: February 5, 2026 3:49 PM
To: June Harding
Subject: EAR Report for 13th agenda
Attachments: EAR Advisory Committee ToR-1.docx; Report_EARCommitteeTermsofReference.pdf

June, please add this as an agenda item for approval for the meeting on the 13th.

Attached are the report and TOR for approval.

Please note that as per section 3.4 all EOIs will be sent to the Nominating Committee which will consist of Mayors/Wardens from the three units.

Regarding the selection of public members, based on section 3.1 and 3.2 the first priority will be to have representation of the various equity-deserving groups then the second priority where they are from (which unit). So as long as we have one community member for each unit that should be fine.

Timeline:

Feb 13 – TOL Council approves terms of reference

Feb 24-March 22 – Advertising period (4 weeks)

March 23-27 – Nominating Committee meets to review submissions

April 10 – TOL Council appoints members

Late April – First Committee meeting (orientation, etc.)

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Councillor
Candace Malik

Eastern Shelburne County Equity & Anti-Racism Advisory Committee

Terms of Reference

1. Purpose

The Eastern Shelburne County Equity & Anti-Racism Advisory Committee (“the Committee”) provides advice to the three Councils (“the Councils”) representing the Municipality of the District of Shelburne, Town of Shelburne and Town of Lockeport on identifying, preventing, and eliminating discrimination (based on race, religion, national origin, ethnicity, gender, gender identity, gender expression, disability, or sexual orientation) in Municipal/Town services. The Committee plays a pivotal role in helping the Municipality/Towns become more inclusive service providers in accordance with Nova Scotia’s Dismantling Racism & Hate Act.

2. Role

- 2.1. Advise the Councils on the implementation and effectiveness of the Equity & Anti-Racism Plan.
- 2.2. Advise and make recommendations about strategies designed to achieve the objectives of the Equity & Anti-Racism Plan.
- 2.3. Advise the Councils on the impact of municipal services, policies, and procedures on the public as it relates to equity and anti-racism.
- 2.4. Assist in monitoring compliance with federal and provincial government directives and regulations.
- 2.5. Provide input and advice to the Councils with respect to updating the Equity & Anti-Racism Plan every three years.

3. Membership

- 3.1. The Committee aims to have the greatest possible representation from a diverse array of voices and equity deserving groups:
 - 3.1.1. Community members with lived experience in discrimination based on race, religion, national origin, ethnicity, gender, gender identity, gender expression, disability, or sexual orientation
 - 3.1.2. Community members from different geographical areas of the Municipality/Towns
- 3.2. The Committee shall consist of nine (9) voting members who serve without pay, except for associated expenses; six (6) community members and three (3) Council members. Each Council will appoint their own Council member representative. The six (6) community members are to be appointed by all three (3) municipal units. Additional community members may be appointed.
- 3.3. Expressions of Interest for the appointment of community representatives to the Committee shall be invited by public advertisement.
- 3.4. All Expressions of Interest will be sent to the Nominating Committee. This Committee will be comprised of the Mayors/Wardens of the three (3) municipal units or their designate. The Nominating Committee will send a recommendation to all three (3) Councils concerning the appointment of the community members.
- 3.5. Community members of the Committee shall be appointed for a term of two (2) years.

- 3.6. Council member appointments shall be for two (2) year terms.
- 3.7. If a community member vacates the Committee for any reason at any time before that member's term would normally expire, the Councils shall appoint promptly a new member to the Committee to hold office for the unexpired term.
- 3.8. If a Council member vacates the Committee for any reason at any time before that Council member's term would normally expire, the Council that the member represents shall appoint promptly a new Council member to the Committee to hold office for the unexpired term.
- 3.9. Any member of the Committee is eligible for reappointment.
- 3.10. Any member of the Committee, who is absent from three (3) consecutive meetings of the Committee, forfeits office, unless the absence is caused by illness or authorized by resolution of the Committee and noted in the Committee minutes. Any member who forfeits office is eligible for reappointments following the remainder of the unexpired term.
- 3.11. The Chair and Vice-Chair will be appointed annually by the Committee.

4. Rules of Engagement

- 4.1. The Committee shall meet at least quarterly, or as needed to fulfill its duties.
- 4.2. Committee meetings will be called by the Chair as required to fulfill the duties outlined. Meetings of the Committee shall be open to the public and advertised no less than one week in advance.
- 4.3. A majority of the appointed voting members of the Committee constitutes a quorum.
- 4.4. The Committee may receive presentations from the public upon the approval of the Chair.
- 4.5. The Committee may establish Working Groups to explore specific issues related to the Equity & Anti-Racism Plan and/or other responsibilities. Members of the Working Group may consist of additional members of the community. A member of the Committee shall chair the Working Group.

5. Staff Resources

- 5.1. The Committee will be supported by municipal staff and consulting resources as required.
- 5.2. Staff appointed by the Councils will attend meetings as a resource to the Committee.
- 5.3. The Municipality/Towns will provide administrative support services to the Committee to aid in agenda preparation, minute taking, and other administrative duties as required.

6. Policy Review

- 6.1. These Terms of Reference will be reviewed by the Municipality/Towns at least every four years from the effective/amended date.

EQUITY AND ANTIRACISM REPORT

To: Council

From: Candace Malik, Councillor TOL

Date: February 13, 2026

Subject: Equity & Anti-Racism Advisory Committee Terms of Reference

Origin

The Eastern Shelburne County Equity & Anti-Racism Plan requires the establishment of an advisory committee, and the first step is to develop a terms of reference.

Recommendation

THAT, Council of the Municipality of the District of Shelburne approve the Eastern Shelburne County Equity & Anti-Racism Advisory Committee Terms of Reference.

Background

The Eastern Shelburne County Equity & Anti-Racism Plan is a three year plan (2025-2028) that outlines how the Municipality of the District of Shelburne, Town of Shelburne, and Town of Lockeport are going to identify, prevent and remove barriers for people of all backgrounds in our spaces, policies, programs and services. It will make sure that every person will be respected and treated fairly, no matter their race, gender, sexual orientation, abilities and more. It is a requirement to update the plan every three years. The plan has four Priority Areas that include Community Engagement, Inclusive Policies, Leadership Commitment and Accountability, and Education and Training. Each has specific action items.

Discussion

Under the Community Engagement priority one action item is to establish an Equity and Anti-Racism Advisory Committee made up of people from equity-deserving groups and organizations. The committee will be a committee of council and will be made up of council representatives from each of the three units and members of the public.

The main purpose of the advisory committee is to advise the three councils on the implementation and effectiveness of the Equity & Anti-Racism Plan and to provide oversight and accountability. The Terms of Reference outlines the purpose and role of the committee, terms of membership, and procedures. As per the terms of reference, the committee will aim to have representation from a diverse array of voices and equity deserving groups. Expressions of Interest for the appointment of community members to the Committee shall be invited by public advertisement with members being appointed by the three councils. Each council will appoint their own council member representative.

Attachments

-Eastern Shelburne County Equity & Anti-Racism Plan Terms of Reference

Lockeport and Area Canada Day Celebration Committee

Lockeport N.S.

Tuesday, January 20, 2026

Present were: Emily Swim in the Chair, Ellen Suttle, and Candace Malik.

Regrets: Kevin Chetwynd, Nancy Williams

Minutes: The minutes of the meeting of November 7, 2025 as circulated were approved on motion by Ellen Suttle and seconded by Candace Malik. Motion carried.

Finances: No report.

Old Business:

Letter to Lockeport Town Council – Emily will resubmit a letter to the Town of Lockeport requesting a meeting on February 6th to address various items pertaining to July 1st activities such as site preparations ie. Barricades, garbage cans, garage disposal, fencing, pavilion walls, tents. Also to be addressed would be street closures i.e. RCMP monitoring street closures.

It was felt that perhaps a check list could be produced to guarantee that all parties know what needs to be completed, who needs to complete the task and in what time frame.

We will as Council to request RCMP presence to monitor street closure for road safety, attend the flag raising, children's parade and the grand street parade

Celebrate Canada – Emily sent this application on November 13, 2025.

Schedule for Facebook – The July 1, 2026 schedule has been shared on Facebook but has not had anybody reach out to organize any further events.

Emily will contact Kelley Penney re. Little Miss Lockeport Pageant.

Emily and Candace will organize two July 1st activity engagements a month.

Canada Day Raffle – Candace will follow up with the The Lockeport Elementary School Play Pad Committee at the February SAC meeting to ensure they are still interested in selling the Canada Day Raffle tickets. The following businesses will be approached regarding donations of gift certificates for prizes for the Canada Day Raffle:

\$500.00

\$300.00



\$100.00

Shelburne Woodworkers – Deluxe Gas BBQ

The Bayman – Pizza and Garlic Fingers

Ocean Escape Cottages – Off Season Weekend Pass

Cory Huskison – Golf Pass

Boxing Rock – 2 flights

Dirt to Dishes – Pottery Class

Daniel Kahn – Roseway River Cottages

Lockeport Campground and Cottages – two night cottage stay

Abby MacKenzie – Massage

Lucy's Cottage

Lockeport Town Market – 4 pack sausages

It was decided not to approach the following businesses this year for donations that had been previously mentioned - Boulder Cove Cottages, District 33, Albert's, Oak Island Resort, "Glow" Tickets, Libby Williams, Tattoo Artist

Emily will draft a letter asking for donations from the above list.

New Business:

Municipality of the District of Shelburne Grant – This application was completed and Emily will forward this to June to be submitted.

Games for Carnival – Because the theme for this year's carnival is World Cup Soccer Carnival and a lot of supplies are disappearing from various outlets, a wish list was put together to order supplies. The Carnival Games will be Soccer Goal Kick, Soccer Dart Game with thrown in ball instead of dart and Soccer Skee Ball. Ellen will ask Cory about the skee ball game.

It was felt that the rest of the games would be handled by Charlie's Treasure Chest.

Robertson's Candy – Emily will write a letter to Robertson's Candy asking for donations to our festival since the theme is Candyland.

There being no further business, Candace Malik moved to adjourn the meeting at 8:20 p.m.

Next meeting – February 17, 2026 at 6:00 p.m.

Respectfully submitted,

Ellen Suttle

July 1st Celebration Events - 2026

June 21 - Indigenous Day - Shon as guest presenter. Candace Malik organizing

June 27 – Multicultural Share Fair - Show case the culture of Italy Emily (Ellen) organizing

June 28 – Seaman’s Memorial Service - Pastor Tim Garron

Little Miss Lockeport Pageant – Kelly Penney

June 29 - Afternoon Social – Nancy Williams organizing

July 1st – Annual craft fair

Strawberry Festival – (community group)?

Annual grease pole

Flag Raising Ceremony & Cake

Carnival in the Park

Children’s Parade

‘Little Mac’s” Antique Car Parade

Grand Street Parade

Pie Eating Contest

Awards Ceremony & Raffle Draws

Beans and Brown Bread Supper (Community group)??

Family Dance Party & Free Glow Stuff

Mini Fireworks Display

Street Closure & Parking Requests for Canada Day Celebrations 2026

The July 1st committee is requesting the following street closure for the Canada Day Celebrations for 2026:

The section of Hall Street between Beech Street and Spruce Street. We would like this section closed from the start of the celebrations on July 1st until the end of the Awards Ceremonies on the same day.

We are also requesting the temporary closures of the streets that fall along the traditional parade route while the Grand Street Parade is taking place.

The July 1st committee is requesting the following parking restrictions for the Canada Day Celebrations for 2026:

We are requesting the section of Beech Street between Hall Street and Howe Street and the section of Howe Street from the end of Beech Street to the start of Spruce Street be off limits for street parking as to not impede the Grand Street Parade.

2026 Lockeport & Area July 1st Celebrations Risk Management Measures:

In large part, the events that are planned to take place in 2026 are much the same as those which took place in 2025. The vast majority of the activities take place outside and for the events taking place inside they will be at the Crescent Beach Centre or Lockeport Fire Hall which both are equipped with accessible entrances and washroom facilities.

In the following text "the Committee" refers to the Canada Day Committee for the Town of Lockeport. Listed below are the specific risk management provisions that have been put in place for 2026 events.

First Aid Stations – For each event planned by the Committee, there will be a first aid station at the event in case anyone should be injured. For less active events, the station will consist of a first aid kit with a person on hand who is trained in standard first aid procedures. For more active events, specially including the Grease Pole and Awards Ceremony, the Lockeport & Area Medical First Responders will be on hand to deal with first aid issues.

Supervision – For each event planned by the Committee, there will be a number of supervisors on hand. This number will vary according to the number of people expected to attend the specific event and will include Canada Day Committee members and volunteers.

Grease Pole – This particular event will be held at a wharf over water, and therefore we are taking extra precautions to avoid problems. At all times during the event, there will be a safety boat in the water, near the wharf, a qualified lifeguard with lifesaving equipment on hand on the wharf as well as a member from the Lockeport & Area Medical First Responders will be on hand to deal with first aid issues.. The event has been scheduled to take place when the tide is high so that contestants have a minimal distance to fall before hitting the water. All of these measures are to ensure maximum safety for both participants and spectators.

Outdoor Concerts & Awards – These events attract a relatively large group of people. These features include a suitable fire extinguisher on hand in the stage area and the Lockeport & Area Medical First Responders located in the same building if any medical issues should arise. The Committee will be engaging the assistance of volunteer security personnel on site.

Parades – The Committee has identified several traffic issues associated with the parade route. In the case of each parade, a lead vehicle will be designated to ensure a clear path for those who follow. The Committee will be engaging the assistance of volunteer traffic management personnel as well as a security company to provide traffic control at the main intersection into town. Personnel will be easily identifiable by use of neon safety vests and shall be engaged in maintaining restricted traffic areas and parking control along public streets. Any one that will be

part of the Grand Street Parade will be requested to not throw candy from their vehicles, if wishing to pass out candy will have to do so with the assistance of a parade walker.

Children's Carnival - The Committee have hired Yarmouth Big Bounce to bring two types of bounce castles and, new for 2026, are bungee jumper stations. Yarmouth Big Bounce will be providing the Committee with attendants to supervise the games and a Certificate of Insurance as proof of liability coverage for the equipment involved.

Street Closures - During the day of the celebrations we will be asking for street closures on a section of Hall Street, Spruce Street, Howe Street and Beech Street to increase safety around the lineup for the Children's Parade as well as increase the pedestrian space around Seacaps Park where the bulk of the events take place during the day. We also limit the traffic flow that is able to enter the Town at the intersection of Locke and Hall Street during the Antique Car and Grand Street parade route and will be requesting the services of a security company or volunteer fire department to take care of this.

Parking - Parking during the celebrations will take place in designated spots about town as outlined in our program to not impede the Grand Street Parade and Street Closures.

Fireworks - The annual fireworks display takes place in the soccer field with spectators viewing the display from various locations along the causeway. Our display consists of non-commercial fireworks therefore the range and height is not as great as commercial fireworks and reduces any associated risks. Hired personnel equipped with safety gear set off the fireworks. During this time our Canada Day committee and volunteers are located at all the entrances to the soccer field and along the boardwalk to ensure attendees remain a safe distance away from the display. Locking devices are installed on the soccer field gates entrances to ensure unauthorized personnel from entering the area.

July 1 st Celebration Events - 2026

Sunday, June 21

National Indigenous People's Day

Saturday, June 27

Multicultural Share Fair - Showcasing the culture of Italy

Sunday, June 28

Seaman's Memorial Service - Pastor Tim Garron

Little Miss Lockeport Pageant - Kelly Penney

Monday, June 29

Afternoon Social at the Fire Hall

Wednesday, July 1

Annual craft fair

Strawberry Festival - (community group organizing)

Annual Grease Pole

Flag Raising Ceremony & Cupcakes

World Cup Soccer Carnival in the Park

Yarmouth Big Bounce - Bounce Castles & Bungee Jumper Stations

Children's Parade

'Little Mac's' Antique Car Parade

Grand Street Parade - 'Candyland'

Pie Eating Contest

Awards Ceremony & Raffle Draws

Family Dance Party with Free Glow Stuff

Mini Fireworks Display

Timeline for July 1st Celebrations - Preparation for Events

The following is a list of the items we are requesting that the Town Staff, Public Works staff & Town Council help organize to help with Canada Day Celebrations. We have also included a timeline of when we would like the specific items to ensure efficiency when setting up for the Celebrations.

Public Works Staff

1. Walls in Pavilion - by Friday, June 26th
2. Move Bleachers under Pavilion - by Friday, June 26th
3. Garbage Bins around Seacaps Park & Town - by Friday, June 26th
4. Garbage Disposal - ensure the wooden garbage box by Green Room is emptied by Tuesday, June 30th so that it can be used for garbage the day of celebrations
5. Big Tent - by Tuesday, June 30th
6. Yellow Fencing (12) - for carnival under pavilion - Monday, June 29th
7. Barricades - bring out to locations for street closures by June 30th

Facilities

1. Use of Fire Hall for the Annual Craft Sale and Afternoon Social - Friday, June 26th - Thursday, July 2nd. We would like a set of keys for these dates
2. Stage & Green Room for Little Miss Lockeport Pageant and Day of Celebrations
3. Soccer Field & Ball Field - Wednesday, July 1st
4. Ball Field Canteen - Wednesday, July 1st. We would like keys to this facility

Council

1. Street Closures & Parking Restrictions - section of Hall, Beech & Howe Streets & parade route
2. Council Request to RCMP by June 1st - this is for the RCMP attendance during the Flag Raising Ceremony & Children's Parade
3. Request for Mayor to attend the Flag Raising Ceremony & Awards Ceremony

Office

1. Garage Bins - order extra from the Municipality by June 1st
2. Barricades - order extra from Municipality by June 1st - we will need 10-12 barricades in total

Lockeport Canada Day Budget - Year: 2026

| Expense Item | Planned Events - Items | Budgeted Cost | Actual Cost |
|---|--|---------------|-------------|
| Administration | Printing/Photocopying | \$100 | |
| Consultant & Professional Fees | Honoraria for events | \$500 | |
| Promotion & Communication | Advertising, outreach & signage | \$500 | |
| | Photographer | \$500 | |
| | Printing & Mailing - Event Schedule | \$2500 | |
| Hospitality | Traditional Food - Indigenous | \$250 | |
| | Traditional Food - Multicultural | \$250 | |
| | Refreshments - Seniors Social | \$1000 | |
| | Cupcakes - Opening Ceremony | \$350 | |
| Event Planning | Security | \$1000 | |
| | Life Guards - Grease Pole | \$600 | |
| | Cleaning Services - Bathrooms/facilities | \$500 | |
| | Flag Raising | \$50 | |
| | Awards Ceremony | \$1000 | |
| Entertainment | Family Game Night | \$1000 | |
| | Indigenous Day | \$250 | |
| | Multicultural Day | \$250 | |
| | Seaman's Memorial | \$100 | |
| | Seniors Social | \$500 | |
| | Grease Pole | \$1000 | |
| | Children's Carnival | \$3000 | |

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| | | | |
|-----------------------|---|-----------------|-------------------------------|
| | Yarmouth Big Bounce - Bounce Castles & Bungee Jumpers | \$4500 | \$984.10 deposit already paid |
| | Parades (x3) - Children's, Antique, Grand Street, Mersey Band | \$2400 | |
| | Pie Eating Contest | \$200 | |
| | Family Glow Party | \$500 | |
| | Fireworks | \$5000 | |
| Other | Sound/Production Costs | \$1500 | |
| | Decorations/Plates, Napkins & Utensils | \$500 | |
| TOTAL AMOUNT = | | \$29,300 | |

Councillor Chetwynd's Meetings and events

Jan 09 - Regular Council

Jan 10- Assisted playground group lay mats, move picnic tables, and tidy after construction at the park.

Jan 23- Regular Council

Jan 24- Attended the MYM Free Skate

Jan 30- Finance Budget Meeting

Jan 30- Assisted Councillor A Chetwynd unload and store new swing set.

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**MUNICIPALITY OF THE COUNTY OF
ANTIGONISH**

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January 22, 2026

The Honourable Tim Houston
Premier of Nova Scotia
Office of the Premier
7th Floor, One Government Place
1700 Granville Street
Halifax, NS B3J 1X5

Dear Premier Houston,

RE: Nova Scotia Power Rate Application for 2026/2027

At our recent meeting of Municipal Council, a discussion was put forward and a motion made to reach out to express concerns with respect to the General Rate Application (GRA) filing for 2026-2027 customer rates by Nova Scotia Power (NSP), currently under review at the Nova Scotia Energy Board. Specifically, the concerns raised were regarding the proposed increases in residential energy rates, proposed at 3.8% in 2026 and 4.1% in 2027 for residential customers. With the proposed rate increases for other customer classes being lowered or reduced, the optics of this proposed rate change is that the residents of our communities are shouldering the bulk of the operating and capital cost increases of this corporation.

This past year's cybersecurity incident at NSP, which exposed the sensitive information of hundreds of thousands of their customers, shook the trust that many of our residents have in this corporation. Combined with the billing difficulties that resulted from this incident, where residents were questioning estimates and finding it difficult to get answers when contacting customer service, there is a hesitancy from those around our table in believing that residential customers who were hit hardest in the 2025 disruptions should bear the highest percentage of rate increases. Through discussion amongst our council, there was a suggestion to ask for a five-year rate freeze for NSP customers, and even a call for the exploration of how this utility could return to public ownership to ensure that residents are put ahead of profits.

Having reviewed the GRA made by NSP late last year, I can appreciate that, like with utilities provided by our municipality, the operating and capital costs have risen significantly over the past few years due to tariffs, inflation, and several other factors. I also appreciate that NSP opted to maintain their current ROE at 9% to consider its customers, instead of increasing it as recommended in the studies done to support their GRA. However, I encourage the regulatory board and those that have the ability to have input in a decision on this application to consider whether there is a better way to distribute the proposed rate increases across the customer classes so that it does not appear that our residents, as domestic class customers of NSP, are bearing the brunt of the changes put forward.

Sincerely,



Nicholas MacInnis
Warden
