



Planning Advisory/Heritage Committee Meeting

Tuesday, February 3, 2026

6:00 p.m.

Council Chambers

AGENDA

1. Call to order
2. Items added/approval of the agenda
3. Review of minutes, Re:
 - a) January 6, 2026
4. Discussion, Re:
 - a) Subdivision and minimum lot size standards for unserved lots – Staff Report
 - b) Review of approach for consolidating Richmond County's multiple land use planning documents – Staff Report
 - c) Eastern District Planning Commission Dangerous and Unsightly Premises Procedures
5. Correspondence – For information purposes
 - a) Letter from Micah Richardson, Executive Director, Housing Acceleration and Performance, Department of Growth and Development, Re: Amendments to the Nova Scotia Building Code Regulations
6. Review of action items
7. Next meeting date
8. Adjournment

Planning Advisory/Heritage Committee Meeting

January 6, 2025

Location: Council Chambers

Present: Warden Lois Landry, Deputy Warden Amanda Mombourquette, Councillor Brent Sampson, Councillor Brian Marchand, Councillor Shawn Samson, Robbin Cotton, Appointed Member, Robert Wambolt, Appointed Member

Staff Present: Troy MacCulloch, CAO, Shelley David, Municipal Clerk

Also Present: John Bain, Director, Eastern District Planning Commission (EDPC), Sean Donovan, Manager of Inspection Services, EDPC

1. Call to order
Councillor Brent Sampson called the meeting to order at 6:00 p.m.
2. Items Added/Approval of the Agenda
Moved by appointed member Robert Wambolt, seconded by Warden Lois Landry, that the agenda be approved.
Motion carried.
3. Review of Minutes
 - a) November 4, 2025
Moved by Warden Lois Landry, seconded by appointed member Robbin Cotton, that the minutes of the November 4, 2025, Planning Advisory/Heritage Committee meeting be adopted.
Motion carried.
4. Discussion, Re:
 - a) Dangerous and Unsightly Complaint Process/Timeline
Moved by Warden Lois Landry, seconded by Councillor Shawn Samson, that the Planning Advisory/Heritage Committee recommend to Council to direct EDPC staff to review and update their policy on dangerous and unsightly complaint process timelines and response standards; and FURTHER MOVE that Council direct EDPC staff to report to Council twice annually, confirming whether or not any orders exist.
Motion carried.



b) Coastal Protection Support Program

Moved by Warden Lois Landry, seconded by Deputy Warden Amanda Mombourquette, that the Planning Advisory/Heritage Committee recommend to Council to approve, in principle, joining other municipalities in applying for the Coastal Protection Support Program funding for an educational component; and FURTHER MOVE that Council direct EDPC staff to submit a standalone application on behalf of Richmond County if the other municipalities are unable to commit.

Motion carried.

c) Central Richmond Plan Area – RG 2 Zone

Moved by Councillor Brian Marchand, seconded by Warden Lois Landry, that the Planning Advisory Committee recommend to Council to direct EDPC to prepare a staff report reviewing lot sizes in rural areas under all of Richmond County's land use by-laws.

Motion carried.

5. Review of Action Items

For information only.

6. Next meeting date:

February 3, 2026, at 6:00 p.m.

7. Adjournment

There being no further business, the chair adjourned the meeting at 7:05 p.m.

Chairperson

Municipal Clerk

To: **Richmond Planning Advisory Committee**
From: **Planning Staff (EDPC)**
Date: **February 3, 2026**
Reference: **Discussion on Subdivision and Minimum Lot Size Standards for Unserviced Lots.**

Information:

This Memo addresses Council Action Item **#501**.

Presently in Nova Scotia the Department of Environment and Climate Change (NSECC) regulate the minimum lot sizes for newly created lots that have no municipal sewer connection. The Provincial Subdivision Regulations require that the NSECC review subdivision plans that propose the creation of new lots that are outside of Municipal serviced areas.

A typical subdivision that is outside of a serviced area is required to go to the NSECC for their written recommendation, which is based on a Qualified Person's report. The NSECC will not comment on a subdivision plan without receiving the QP report which is usually done by a licensed engineer. The minimum lot size requirements are based on the depth of the permeable soil and the percolation test. The NSECC does not take into consideration the latest OSS system technology when determining lot sizes for proposed new lots being subdivided.

Section 20 of the regulations describes the application of these regulations to lots being subdivided. It states the following:

- 20 These regulations apply to any lot that is shown on a plan or instrument of subdivision that must be submitted to a development officer for approval by a municipality and is in an area that is not serviced by an approved central wastewater collection and treatment system, except for a lot that is:
 - (a) larger than 9000 m² in area and 76 m or more in lot width; and
 - (b) identified on an application for subdivision as not intended for development purposes.

Subdivision review process

- 21 (1) A subdivider who proposes to put a system on their lot must prepare and submit documentation that includes all of the following information to the Department and to a development officer as part of the application process under the *Municipal Government Act*:

Minimum lot requirements for lots being subdivided

22 (1) Except as provided in subsections (3) and (5), a lot that is being subdivided on which a subdivider proposes to install or construct a system that has a maximum daily flow of up to 1500 L per day must meet the minimum lot size requirements set out in the following table:

Depth Permeable Soil (mm)	Lot Area (m2)	Lot Width (m)
0–149	9000 (2.22 acres)	76 (250 feet)
150-299	6800 (1.68 acres)	60 (197 feet)
300-600	4500 (1.11 acres)	53 (174 feet)
601-899	3150 (0.78 acres)	37 (121 feet)
900 and deeper	2700 (0.67 acres)	37 (121 feet)

- (2) Except as provided in subsections (3) and (5), a lot that is being subdivided that is a waterfront lot with permeable soil deeper than 600 mm and on which a subdivider proposes to install or construct a system that has a maximum daily flow of up to 1500 L per day must be at least 3700 m2 in area and have a lot width of at least 45m.
- (3) To prevent an adverse effect, the Department may require a lot that is being subdivided on which a subdivider proposes to install or construct a system that has a maximum daily flow of greater than 1500 L per day to meet lot areas and widths larger than the minimum size requirements set in this Section.
- (4) For a lot that is being subdivided on which a subdivider proposes to install or construct a system, the following minimum requirements must be met:
 - (a) the lot must have enough soils of the type, permeability, depth and area to support the proposed system on the lot;
 - (b) the system must meet the clearance distances required by the Standard.
- (5) The minimum lot size requirements in subsections (1) and (2) do not apply to a lot that a subdivider plans to create by consolidating 2 or more parcels of land in accordance with the *Municipal Government Act*.

In summary, to enable the creation of smaller lots during subdivision based on new technology, NSECC would need to change their regulations and the Province would need to amend the Provincial Subdivision Regulations to reflect these proposed new changes.

New Brunswick and Nova Scotia Regulations

This section is a comparison of the minimum lot size requirements for on-site (septic) sewage systems in Nova Scotia and New Brunswick, based on current provincial regulations:

New Brunswick On-Site Sewage Disposal System Regulations

Under New Brunswick’s Regulations:

- **Default minimum lot size** (for conventional systems):
 - Area: 4,000 m²
 - Width: 54 m
 - Depth: 38 m
- **Variances** may be granted by a district medical health officer if conditions allow (e.g., soil is highly suitable).
- Pre-1976 approved smaller lots (vacant, under 4,000 m²) may receive exemptions to max daily flow up to **1,365 L/day**, provided separation distances are met.
- Non-conventional systems (with pre-treatment) may allow reduced size or separation, with approval by a professional engineer.
- A summary from a local planning commission confirms alignment with the regulation: **minimum area 4,000 m², width 54 m, depth 38 m** for unserviced rural building lots.

Comparison Table:

Feature	Nova Scotia	New Brunswick
Base Lot Area	Depends on soil depth: from 2,700 m ² to 9,000 m ²	Flat minimum: 4,000 m ²
Lot Width	76 m → 37 m (depending on soil depth); waterfront: 45 m	54 m minimum
Lot Depth	Not specified in regulations	38 m minimum
Soil-Dependent Adjustments	Yes – By Soil Depth	Yes – with sewage flow calculations

- **Nova Scotia** offers a more nuanced, soil-specific system. Lots with deeper, permeable soils can be substantially smaller. By contrast, shallow soils require significantly more land.

- **New Brunswick** adopts a more straightforward baseline; every lot must meet a flat threshold unless adjusted via flow calculations, historical status, or advanced systems.
- Both provinces offer flexibility through exemptions, but Nova Scotia incorporates variation directly through soil depth tiers, while New Brunswick leans more on technical and administrative means. A number of the Regional Service Commissions (RSC) and the New Brunswick Provincial Subdivision Regulations require a minimum lot size of 4,000 m² (1acre) with a width of 54 metres and a depth of 38 metres.

Technology and Price:

On-site technologies in Nova Scotia include regulations that incorporate systems such as the selectable sloping sand filter and also include advanced treatment technologies such as the Eljen GSF system and Ecoflo compact biofilter. These new technologies may be used if the installer has been certified by Nova Scotia Environment and Climate Change.

Traditional anaerobic systems are less expensive in Nova Scotia than peat moss or Ecoflo systems. Ecoflo systems in Nova Scotia range from \$22,000 to \$35,000 depending on the difficulty of the site and peat moss systems range from \$16,000 to \$28,000. Whereas a more typical anaerobic system can range from \$3,000 to \$8,000¹.

Given this fact, Staff can understand why NSECC have kept the same minimum lot size standards for lot creation for many years. The creation of small lots that require a more expensive system would create a different economic situation for many Nova Scotians.

¹ Prices listed may not be totally current.

Honourable Timothy Halman
Nova Scotia Department of Environment and Climate Change
Barrington Tower
1894 Barrington Street, Suite 1800
PO Box 442
Halifax, NS B3J 2P8

Re: Minimum Lot Size Standard reduction for On-site Septic Disposal Systems based on newer technology.

Dear Minister Halman,

The Council of the Municipality of the County of Richmond would like to appeal to you to review the provincial regulations for On-site Septic Disposal Systems under *the Environment Act*.

For new lots being created through subdivision the current regulations allow minimum lot sizes to vary from 9,000m² to 2,700 m² depending on the Qualified Person's engineering report based on a soil percolation test.

The Municipality would like to be able to create lots that are smaller than the current size of 2,700m² based on the availability of newer On-site Septic technology, such as Aerobic Treatment Units (ATUs). ATUs produce higher quality effluent on smaller lots. For example, Ecoflo compact biofilter systems require a much smaller drain field area than conventional systems.

For the overall objective of creating subdivisions with smaller lots which will permit the construction of more housing units, the Municipality requests that your Department review the minimum lot size standards in the regulations to allow smaller lots.

Sincerely,

Troy MacCulloch
Chief Administrative Officer

To: **Planning Advisory/Heritage Committee and Richmond Council**

From: **Planning Staff (EDPC)**

Date: **February 3, 2026**

Reference: **Review of approach for consolidating Richmond County’s multiple land use planning documents**

Recommendation

Staff recommend that the Planning Advisory/Heritage Committee receive this report for information purposes and provide directions on any next steps as appropriate.

Background

The purpose of this report is to outline a proposed approach for consolidating Richmond County’s multiple land use planning documents into one land use by-law and municipal planning strategy which will provide a more consistent, clear, and effective framework. This initiative is in response to Council direction and seeks to strengthen planning regulations to better support housing diversity, affordability, and efficient development approval timelines.

Richmond County currently operates within five distinct planning areas, each regulated by its own Municipal Planning Strategy (MPS) and Land Use By-law (LUB). These planning areas include the Plan Richmond, which serves as the central planning document, along with the Central Richmond, Isle Madame, St. Peter’s, and Western Richmond Secondary Plan Areas. Each of these areas has evolved independently over time, resulting in multiple sets of planning policies and regulatory frameworks across the Municipality.

As a consequence, staff administer several MPS–LUB pairs that vary in terminology, policy direction, zoning provisions, and development standards. While these documents were developed to respond to local contexts, the cumulative effect of this fragmented framework has been increasing inconsistency and ambiguity in land use regulation across planning areas. This has led to challenges in policy interpretation, increased administrative complexity for commission staff, and confusion and uncertainty for development applicants and members of the public navigating the approval process.

Over time, these inconsistencies have also contributed to unintended barriers to innovative development approaches, including the provision of diverse and affordable housing options. Recognizing these challenges, Council has directed staff to explore a structured and comprehensive process to review and consolidate the Municipality’s planning documents. The objective of this initiative is to create a more cohesive, consistent, and transparent regulatory system that supports efficient development,

improves clarity for all stakeholders, and better aligns with current housing and community needs.

Analysis

In response to Council's motion regarding the consolidation of Richmond County's planning documents, Staff undertook a detailed review of relevant case studies from other municipalities across Nova Scotia to better understand the typical process, scope, timelines, and resources required for such an initiative. This review confirmed that consolidating land use planning documents can deliver significant benefits, including improved consistency in zoning regulations and development standards across planning areas, reduced ambiguity in policy language and interpretation, and more streamlined development approvals that lower time and cost burdens for applicants. Additionally, a consolidated framework can better support a broader range of housing types, including multi-unit, affordable, and missing-middle housing, while enhancing transparency and accessibility for residents, developers, and decision-makers and ensuring stronger alignment with provincial housing and planning objectives.

Similar projects have been successfully undertaken elsewhere in the province, demonstrating that this approach is both practical and effective. For example, the Municipality of West Hants engaged external planning consultants, including firms such as WSP, to complete a long-range review and consolidation of its planning documents as part of a broader 10-year planning initiative (see attached RFP). Based on these and other comparable municipal projects in Nova Scotia, comprehensive planning document consolidations typically require approximately **two to two and a half years** to complete, with estimated project costs ranging from **\$150,000 to \$250,000**, depending on the scope of work, level of public consultation, and number of planning areas involved. Collectively, these precedents indicate that a structured, consultant-supported approach is a proven and effective method for municipalities with complex and multi-layered planning frameworks (*refer table 1 for more information*).

Proposed Process Overview

Based on best practices and comparable case studies, the consolidation project would generally proceed through the following phases:

Phase 1: Project Initiation and Background Research

- Procurement and engagement of an external planning consultant
- Detailed review of existing MPS and LUB documents across all planning areas
- Policy comparison and identification of inconsistencies, redundancies, and gaps
- Review of relevant provincial legislation, policies, and housing objectives

Phase 2: Planning documents review and land use survey

- Identification of key challenges within the current planning framework
- Assessment of barriers to housing diversity and affordability
- Preparation of an issues and opportunities report

Phase 3: Public and Stakeholder Consultation (Round 1)

- Community engagement sessions across planning areas
- Stakeholder meetings with developers, housing providers, community groups
- Surveys and feedback tools to understand local concerns and priorities
- Summary of consultation findings

Phase 4: Draft Consolidated Planning Framework

- Development of a consolidated or harmonized MPS and LUB structure
- Preparation of draft policy directions and zoning standards
- Alignment with housing, climate, and infrastructure considerations

Phase 5: Public Consultation (Round 2)

- Presentation of draft planning documents to the public
- Collection of feedback on proposed policies and regulations
- Refinement of documents based on community and stakeholder input

Phase 6: Finalization and Council Review

- Incorporation of public and Council feedback
- Preparation of final consolidated planning documents
- Presentation to Council for consideration and adoption
- Statutory public hearings and adoption process, as required under the MGA



The proposed scope of work for the consolidation project would include a comprehensive review of all existing Municipal Planning Strategies and Land Use By-laws currently in effect across Richmond County. This review would focus on harmonizing and improving planning policies, simplifying zoning structures and definitions, and identifying regulations that may unintentionally restrict housing diversity or innovation. The project would also incorporate policies that better support affordable and diverse housing options and ensure alignment with current provincial planning statements, housing initiatives, and legislative requirements. An essential component of the scope would be extensive public and stakeholder engagement throughout the process to inform policy development and ensure community perspectives are reflected. The project would conclude with the preparation of draft and final consolidated planning documents suitable for statutory review, Council consideration, and adoption.

Conclusion:

Richmond County's land use planning framework has evolved incrementally over time and now presents challenges related to consistency, clarity, administrative efficiency, and responsiveness to current housing needs. A comprehensive consolidation of the Municipality's Municipal Planning Strategies and Land Use By-laws represents a significant opportunity to modernize planning regulations, reduce barriers to diverse and affordable housing, and improve development outcomes for residents and applicants alike. While the project would require considerable commitment of staff time for coordination, review, and community engagement, the use of an external consultant is recommended to manage workload, ensure technical rigor, and maintain project timelines. Direction from Council to proceed with a detailed consolidation project will enable staff to put together an RFP and begin this process.

APPENDIX A - Summary of Evaluation Criteria

MUNICIPALITY	CONSULTANT	TIMELINE	BUDGET	DATE	SCOPE	CITATION
West Hants Regional Municipality	WSP	~2 years	\$200-250k	Oct-23	One regional MPS, LUB and SUB (we currently have three of each)	
Municipality of Pictou	UPLAND	~2 years	\$139,180	07-Mar-23	Develop a county-wide municipal planning strategy and land use bylaw	(Municipality of Pictou County, 2023)
EDPC	UPLAND	~3.5 years	\$216,930	Fall 2021	To produce region-wide planning documents	(Government of Nova Scotia, n.d.)
Municipality of Clare	STANTEC	~2 years		Fall 2024	Review and update the MPS and LUB	
Municipality of Cumberland	Dillon and FBM	~1.5 years	\$138,248	Spring 2025	Review and update the MPS and LUB	(Government of Nova Scotia, n.d.)
Town of Yarmouth	UPLAND	~2 years	\$172,213	Winter 2024	Planning Documents and HAF Amendments	(Town of Yarmouth Planning Review, 2024)
Municipality of the County of Annapolis	STANTEC	~3 years	\$118,748	Oct-22	Review and update the MPS and LUB	(Government of Nova Scotia, n.d.)

List of municipalities underwent plan review recently in Nova Scotia



West Hants

something inspiring awaits

REQUEST FOR PROPOSALS

RFQ # WHRMPD23-04 – Consultant Services to Complete Municipal Planning Document Review

Issued: Tuesday, September 12, 2023

Closing: Tuesday, October 24, 2023 at 2:00 p.m.



WEST HANTS REGIONAL MUNICIPALITY

INFORMATION TO PROPONENTS – SECTION 1

Municipality: West Hants Regional Municipality
76 Morison Drive, PO Box 3000
Windsor, Nova Scotia, B0N 2T0

Contact Persons: Sara Poirier
Director of Planning and Development
spoirier@westhants.ca
902-798-8391 ext. 117

1. Tender Submission

- 1.1** This is a two-part submission process. Each part must be submitted in a separate sealed envelope, and each clearly marked as:
- Envelope #1 – Technical Submission (Part 1)
 - Envelope #2 – Financial Submission (Part 2)
- 1.2** Responses may be hand delivered or couriered to West Hants Regional Municipality at the address below; alternatively, responses can be submitted electronically according to the explicit instructions in Section 1.5. All hard copy responses shall also include one electronic copy on a USB drive.
- 1.3** Please keep checking the Nova Scotia Procurement website for potential addendums as they will not be emailed out.
- 1.4** Submit completed Tender documents in sealed envelopes as identified in Section 1.1. with the following additional information:

Tender # WHRMPD23-04

Consultant Services to Complete Municipal Planning Document Review

Closing at 2:00 p.m. local time, Tuesday, October 24, 2023

TO: Sara Poirier
c/o West Hants Regional Municipality



76 Morison Dr, PO Box 3000

Windsor, Nova Scotia, B0N 2T0

1.5 Hard-copy submissions will only be accepted if all the following criteria are met:

- a. One original and two copies (stamped 'copies') of the entire bid document is presented.
- b. One additional copy of the entire bid document is provided on a USB drive that contains one (1) Adobe PDF format file/document (not multiple documents that need to be combined).
- c. All envelopes are labelled in accordance with all of Section 1.
- d. The entire bid package is delivered, and time/date stamped by no later than 2:00pm Atlantic Daylight Time, of the stated closing date.

1.6 Electronic (email) submissions will only be accepted if all the following criteria are met:

- a. The entire bid document is presented and issued in Adobe PDF.
- b. The PDF documents are emailed to Sara Poirier (spoirier@westhants.ca) by no later than 2:00 p.m. Atlantic Time, of the stated closing date.
- c. Both parts should be emailed separately and contain the following:
 - i. A subject line which reads:
Electronic Bid #WHRMPD23-04 RFP – Consultant Services to Complete Municipal Planning Document Review (Part 1 or 2) and
 - ii. "Read Receipt" must be turned on, which will be acknowledged by staff upon opening of the email submissions.

All PDF documents received will remain unopened until 2:15 p.m. on the stated closing date. At which time, they will be opened by municipal staff along with any hard-copy bids received by letter/courier mail.

2 Fuel Adjustment

There is NO fuel adjustment for this tender.

3 Tender Opening

Envelope #1 will be opened on Tuesday, October 24, 2023, starting at 2:15 p.m. at the Municipal Office Council Chambers, 76 Morison Drive, Windsor, Nova Scotia. ****NOTE****



Envelope #2 will only be opened AFTER review of the technical submission and upon an 80% technical component scoring or higher. Proposals with 79.9% or lower on the technical component will have Envelope #2 returned to them un-opened.

4 Document Deposit

None required.

5 Accuracy of Referencing:

Indexing and cross-referencing are for convenience only.

6 Conditions of Tendering

The Proponent is fully responsible for understanding the content requirements of all contract documents in preparation of their proposal.

7 Proponents to Investigate

Proponents will be deemed to have familiarized themselves with existing sites, working conditions, and all other conditions which may affect performance of the contract. No plea of ignorance of such conditions resulting from failure to make all necessary examinations will be accepted as a basis for any claims for extra compensation or an extension of time.

8 Clarification of Addenda

Notify the Municipality not less than five (5) working days before Tender closing of omissions, errors, questions, or ambiguities found in the Contract Documents. If the Municipality considers that correction, explanation, or interpretation is necessary, a written addendum will be issued. All addenda will form part of the Contract Documents.

9 Tender Price

9.1 Price(s) will be in Canadian dollars and include labour, freight, duty, equipment rates and charges in force at the time of award. Clearly identify each item within Tender response. **Prices are not to include HST.**

9.2 These prices are valid for acceptance for at least **90 calendar days** from the date of Tender closing. Should an alternative timeframe be required, please ensure it is clearly stated and highlighted within the proposal.



9.3 The successful Proponent will be issued a Purchase Order following the Municipality's decision to accept the tender offer per the conditions set in the Tender Document.

10 Notices

By submitting a Tender, the Proponent agrees to public disclosure of its contents subject to the provisions of the Municipal Government Act relating to Freedom of Information and Protection of Privacy. Anything submitted in the bid the Proponent considers "personal information" or "confidential information" of a proprietary nature should be marked confidential and will be subject to appropriate consideration under the Municipal Government Act as noted above.

11 Form of Agreement

Form of Agreement is included in Section 3 for information purposes only and need not be completed until after award of contract.

12 Amendment or Withdrawal of Tender

12.1 Tenders may be amended or withdrawn by letter or email, that is verified by registered letter, postmarked prior to the date and time of closing.

12.2 Amendments to individual unit prices is the only acceptable price amendment. Amendments shall not disclose either original or revised total price and should be submitted in a separate, sealed envelope.

12.3 Title the amendment(s) or withdrawal as follows: "Amendment/Withdrawal of Tender for WHRMPD23-04 Consultant Services to Complete Municipal Planning Document Review". Sign and seal as required for Tender and submit at address given for receipt of Tenders prior to time of Tender Closing. Electronic Amendment/Withdrawals shall be submitted to Sara Poirier at spoirier@westhants.ca

13 Informal or Unbalanced Tenders

Tenders which, in the opinion of the Municipality, are considered to be informal or unbalanced, may be rejected.

14 Privilege

14.1 This RFP neither expresses nor implies any obligation on the part of the



Municipality to enter into a contract with any Proponent submitting a proposal(s).

- 14.2** The Municipality reserves the right to reject all or any proposals, cancel, and/or re-tender in the event of a bid process over the Council approved budget amount, and/or to not necessarily accept the lowest proposal. The Municipality may accept any proposal or any portion of any proposal that may be considered in the best interests of the Municipality, in its sole and absolute discretion. The Municipality also reserves the right in its sole and absolute discretion to waive any formality, informality, or technicality in any proposal. This includes the right to accept a proposal that is not strictly compliant with the instructions in the RFP document.
- 14.3** The Municipality reserves the right to negotiate, after the RFP Closing Date, with any Proponent to finalize service arrangements in the best interests of the Municipality.
- 14.4** The Municipality shall not be bound by trade or custom in dealing with and/or evaluating the responses to the RFP. The Municipality reserves the right to interpret any and all aspects of this RFP as may be most favorable to the Municipality.
- 14.5** Without limiting the generality of this section and for certainty, by submission of a proposal in response to this RFP, each Proponent represents and shall be deemed to accept and agree to the following conditions:
- a) Proponents will be solely and fully responsible for all costs associated with the development, preparation, transmittal, and submission of any proposal or material in response to this RFP, including without limitation the costs of any in-person presentation of proposals, regardless of the locations which the Municipality may require, and all costs incurred by a Proponent during the selection process and any negotiations.
 - b) Each Proponent waives any claim against the Municipality for any compensation of any kind whatsoever as a result of its participation in or providing a response to this RFP process, including without limitation any claim for costs of proposal preparation or participation in negotiations, or for loss of anticipated profits, whether based in contract including fundamental breach, tort, equity, breach of any duty, including, but not limited to breach of the duty of fairness, breach of any obligation not to accept non-compliant



proposals or any other cause of action whatsoever.

- 14.7** In submitting a proposal, the Proponent has accepted the reservation of rights as set out herein and agrees to be bound by same.

15 Late Tenders

Late Tenders will be returned, unopened to the Tenderer.

16 Rights and Remedies

- 16.1** The duties and obligations imposed by the Contract Documents and the rights and remedies available there under shall be in addition to and not a limitation of any duties, obligations, rights, and remedies otherwise imposed or available by law.

- 16.2** No action or failure to act by the Municipality or Proponent shall constitute a waiver of any right or duty afforded any of them under the Contract, nor shall any action, or failure to act, constitute an approval of any acquiescence in any breach there under, except as may be specifically agreed in writing.

17 Proponent's Indemnification

- 17.1** The Proponent agrees to indemnify and save the Municipality harmless against all claims, suits, demands, damages, expenses, disbursement and costs on a Solicitor and Client basis which the Municipality may incur because of any act or omission by the Proponent. The Proponent acknowledges that it is not an employee of the Municipality but is an independent contractor.

- 17.2** The Proponent agrees to defend, indemnify, and save harmless the Municipality from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever arising out of or related to the Proponent's status with WCB. This indemnity shall be in addition to and not in lieu of any proof of WCB status and compliance to be provided by the Proponent in accordance with this contract and shall survive this contract.

18 General Specifications

- 18.1** Any attempt by the Proponent or any of its employees, agents, contractors, or representatives to contact members of Municipal Council or Municipal staff not identified in this clause may lead to disqualification.



-
- 18.2** Only one (1) company can be listed, per tender, no subcontractors, except as being listed as backup.
 - 18.3** The Proponent must carry out operations in accordance with the Motor Vehicle Act, Occupational Health and Safety Act, and any other applicable statute required by law.
 - 18.4** Safety shall be the sole responsibility of the Proponent engaged in the work. The Proponent acknowledges that the Municipality assumes no responsibility for third party claims arising out of the acts or omissions of the Proponent engaged in the work.
 - 18.5** By submitting a Tender, the Proponent agrees to public disclosure of its contents subject to the provisions of the Municipal Government Act relating to Freedom of Information and Protection of Privacy. Anything submitted in the Bid the Proponent considers “personal information” or “confidential information” of a proprietary nature should be marked confidential and will be subject to appropriate consideration under the Municipal Government Act as noted above.
 - 18.6** Non-compliance with the terms of this tender document, such as lateness, incomplete or unsatisfactory work will be considered sufficient grounds for immediate termination of the contract.

***** End of Section 1 *****



FORM OF TENDER – SECTION 2

19 Salutation

19.1 West Hants Regional Municipality

76 Morison Drive, PO Box 3000

Windsor, Nova Scotia B0N 2T0

19.2 Consultant Services to Complete Municipal Planning Document Review

West Hants Regional Municipality

From: _____

20 Proponent Declares

20.1 That this Tender is made without collusion or fraud.

20.2 That they have carefully examined the proposed work; familiarized themselves with local conditions; carefully examined the Contract Documents and Addendums and taken all the foregoing into consideration in preparation of the Tender.

21 Proponent Agrees

21.1 To enter into a contract to supply all labour, material, services, and equipment to complete the work as described and specified herein for the prices stated in the Bid Sheet.

21.2 That this Tender is valid for acceptance for at least 90 calendar days from the time of Tender closing.

21.3 That the Contract Documents include:

- Information to Proponents
- Form of Tender
- Form of Agreement (for information only)
- Conditions and Requirements
- Supporting Documents
- Proposal Evaluation



Request for Proposals
Consultant Services to Complete Municipal Planning Document Review

WHRMPD23-04
Issued: September 12, 2023

Name of Firm

Address

Telephone/email address

Signature

Name & Title (Printed)

Witness

Name & Title (Printed)

***** End of Section 2 *****



FORM OF AGREEMENT – SECTION 3

This Agreement made on the _____ day of _____, 2023.

BY AND BETWEEN:

West Hants Regional Municipality
hereinafter called the “Municipality”

-and-

hereinafter called the “Proponent”

WITNESSES that the parties agree as follows:

24 The Work

The Proponent shall:

- 24.1** Perform the work required by the Contract Documents in the Standing Offer.
- 24.2** Do and fulfill everything indicated by this Agreement; and
- 24.3** Commence the work as directed by the Municipality.

25 Contract Documents

The following is an exact list of the Contract Documents referred to in this Agreement. This list is subject to subsequent amendment in accordance with the provision of the Contract Documents.

- Information to Proponents
- Form of Tender
- Form of Agreement (for information only)
- Conditions and Requirements
- Supporting Documents
- Proposal Evaluation
- Addenda (if any)



26 Contract Price

The Contract Price is: See Form of Tender, Bid Sheet and in Envelope #2.

27 Payment

27.1 The Municipality shall pay the Contractor in Canadian Funds for the performance of the Contract.

27.2 The total payment shall be the Contract Price as defined in Contract Price (Form of Tender and Bid Sheet) of this Agreement, plus applicable Harmonized Sales Tax (HST).

28 Right and Remedies

28.1 The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights, and remedies otherwise imposed or available by law.

28.2 No action or failure to act by the Municipality or Proponent shall constitute a waiver of any right or duty afforded any of them under the Contract, nor shall any action or failure to act constitute an approval of any acquiescence in any breach there under, except as may be specifically agreed in writing.

29 Security

None Required.

30 Receipt of and Addresses of Notice

Communications in writing between the parties or between them and the Municipality shall be considered to have been received by the addressee on the date of delivery if delivered by hand to the individual, or to a member or the firm, or to an officer of the corporation for whom they are intended, or if sent by post or by registered mail, to have been delivered within five (5) working days of the date of the mailing, dispatch when addressed as follows:

The Municipality at: West Hants Regional Municipality
76 Morison Dr, PO Box 3000
Windsor, Nova Scotia B0N 2T0

The Proponent at: _____



31 Proponent’s Indemnification

The Proponent agrees to indemnify and save the Municipality harmless against all claims, suits, demands, damages, expenses, disbursement and costs on a Solicitor and Client basis which the Municipality may incur because of any act or omission by the Proponent. The Contractor acknowledges that it is not an employee of the Municipality but is an independent contractor.

The Proponent agrees to defend, indemnify, and save harmless the Municipality from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever arising out of or related to the Proponent’s status with the Worker’s Compensation Board of Nova Scotia. This indemnity shall be in addition to and not in lieu of any proof of Worker’s Compensation Board of Nova Scotia status and compliance to be provided by the Proponent in accordance with this Contract and shall survive this Contract.

32 Succession

The previously mentioned Contract Documents are to be read into and form part of the Agreement and the whole shall constitute the Contract between the parties and subject to law and the provisions of the contract documents shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, legal representative, successors, and assigns.

33 Signatures

IN WITNESS WHEREOF the parties hereto have executed this Agreement under their respective corporate seals and by the hands of the proper officers thereunto duly authorized.

SIGNED, SEALED AND DELIVERED in the presence of:

MUNICIPALITY

PROPONENT

WEST HANTS REGIONAL

MUNICIPALITY

PROPONENT NAME



SIGNATURE

NAME & TITLE (printed)

SIGNATURE

NAME & TITLE (printed)

SIGNATURE

NAME & TITLE (printed)

SIGNATURE

NAME & TITLE (printed)

Where either the Municipality or Proponent calls for proof of authority to execute this document, proof of such authority in the form of a certified copy of a resolution naming the person or persons in question as authorized to sign the Agreement for and on behalf of the corporation partnership, parties to this Agreement, should be attached.

*****End of Section 3*****



CONDITIONS AND REQUIREMENTS – SECTION 4

- 34** All work is to conform to the Occupational Health and Safety Act.
- 35** All work is to be performed in a workmanlike manner according to standard procedures.
- 36** Invoices shall indicate H.S.T. with appropriate registration number, indicated as a separate item.
- 37** The Tenderers agree to comply with all legislation in effect from time to time, including any Federal, Provincial and Municipal legislation, regulations, or By-laws, which are applicable to the operations of the contractor respecting this Contract.
- 38** Should there be any questions regarding the interpretation of this Contract, the Municipality's interpretation shall govern.
- 39** The Tenderer shall at their expense remedy all deficiencies performed or provided under this contract for a period of one (1) year after date of acceptance by the Municipality, or as specified in Tender.
- 40** The Tenderer shall warranty all material produced by them, or incurred under this contract, for a period of one (1) year, after date of acceptance by Municipality.

*****End of Section 4*****



SPECIFICATIONS – SECTION 5

41 Municipal Introduction

West Hants Regional Municipality (WHRM) is a centrally located, thriving, and growing collection of communities. With a travel time of only 35 minutes to the Provincial capital of Halifax, the Stanfield Airport, and the centre of the Annapolis Valley, it is an ideal location to live, work, and grow. WHRM is bordered by the Municipalities of East Hants to the east, Halifax to the south, Chester to the south-west and Kings to the north-west.

Its population of 19,500 residents, residing on 1,253.11 square kilometres is dispersed among the former Towns of Windsor and Hantsport, and the former Municipality of the District of West Hants. This includes growth centres and rural expanses resulting in a population density of 15.56 persons per square kilometre. Growth centres are served by municipal water and/or sewer.

WHRM is one of several municipalities whose history and present lifestyle are affected by the highest tides in the Minas basin, predominately by the Avon River system. With an average of 287 days a year of sunshine, it is the ideal place to ensure outdoor activities such as hockey, hiking, golfing, biking, skiing, and boating. The climate supports various agricultural activities which in turn support wineries, craft breweries, giant pumpkins, retail, landscaping and plant operations, sheep farming, and commercially grown land-based Atlantic salmon.

Whether a resident, business, or visitor, there is something for everyone in every season. Embracing our natural environment, you will find interspersed rolling hills, treescapes, vineyards, and water views, not to mention unique cultures within our diverse communities and the warmth of genuine connections. A region that truly says, “Welcome! Let your adventures, exploration, and fun carry you away.” – *something inspiring awaits*.

42 Planning Context

All the areas of the Municipality are planned. The first land use regulations were in place in Windsor and a portion of West Hants in 1976; by 1994 regulations were in place throughout the former Municipal units.

The Town of Hantsport dissolved into the Municipality of West Hants in 2015, but the community of Hantsport still has its own planning documents. The Town of Windsor



consolidated with the Municipality of West Hants in 2020, but the community of Windsor and the former Municipality of West Hants still have their own planning documents. This Plan Review includes creating a Regional Municipal Planning Strategy, Land Use By-law, and Subdivision By-law from the Hantsport, Windsor and West Hants planning documents. This may include Secondary Plans for specific areas.

The current planning documents were last reviewed in totality in 2005 (Windsor), 2008 (West Hants) and in 2010 (Hantsport). The planning documents have undergone a number of amendments since then. With all of the documents being over 10 years old, a thorough review of all the policies and regulations is required.

43 Progress to Date

In 2016, the Municipality of the District of West Hants Council and the Planning and Development Department initiated the process of reviewing the Municipal Planning Strategy (MPS), Land Use By-law (LUB) and Subdivision By-law (SUB) for the Municipality of West Hants and the former Town of Hantsport.

In April 2020, the Municipality of the District of West Hants and Town of Windsor consolidated to form West Hants Regional Municipality. Planning and Development Department staff included the Windsor planning documents in the review at that time.

The following material has been prepared in support of the plan review:

- Existing Land Use Survey mapping 2018
- Background Studies (sometimes used or referred to as discussion papers)
 - Population: Historic, Current, Projection
 - Land: Geology, Flood Risk and Climate Change, Dykelands and Aboiteau, Wildlife Habitats, Watercourses, Challenges and Opportunities
 - Agriculture: Current Agriculture Land in WH, Agriculture Development in WH, Agriculture in NS, Trends in Agriculture Development, New Opportunities in Agriculture, Agriculture Land Protections
 - Built Heritage and Culture: Ancestors, Industry, Local Heritage Societies, Heritage Properties
 - Economic development: Business and industries in Annapolis Valley, Economic indicators, Development activity, Trends in Commercial



Development, Accommodation and Tourism

- Community Health and Services: Community Health, Health Services, Recreation Facilities, Schools, Challenges and Opportunities
- Infrastructure: Water, Sanitary Sewer Service, Solid Waste Management and Recycling, Emissions, Power, Transportation, Challenges and Opportunities
- Housing: Housing trends, Development Activity, Nova Scotia Health Authority, Provincial and National Housing Initiatives, Housing Options
- Industrial and Resource Development: Industrial Development in WH, Trends in Resource and Industrial Development, New Opportunities, Regeneration, Reclamation and Remediation
- Public Engagement Meetings: What We Heard reports documenting the 15 public engagement sessions and 2 youth engagement sessions between October 2018 and January 2020 (Windsor 2022).
- Direct comparison of the three existing sets of documents
- General policies/some regulations (including definitions) accepted by the Planning and Heritage Advisory Committee (PAC/HAC) for inclusion in the draft MPS and LUB

A copy of the Municipal Planning Strategies, Land Use By-laws and Subdivision By-laws can be found on the Municipal website <https://www.westhants.ca/planning-documents.html>

Additional description of work to date on the plan review can be found on the <https://www.westhants.ca/west-hants-plan-review.html>

44 Scope

WHRM is seeking services from qualified planning professionals to review the existing planning documents from Hantsport, Windsor and West Hants to create a Regional Municipal Planning Strategy, Land Use By-law and Subdivision By-law which may include Secondary Plans for specific areas. The review ensures the planning documents evolve and respond to the current environmental, social, and economic climate, and meet the current needs of the residents of the Regional Municipality.



It will be necessary for the successful proponent to work closely with the Municipal staff to ensure that the revised planning documents reflect the vision and goals of WHRM. The PAC/HAC will oversee the MPS, LUB and SUB review.

The proponent is expected to:

- Meet with the West Hants Planning and Development Department upon award of the contract to develop a better understanding of the issues and objectives for the Municipal Planning Document Review, confirm the proposed work plan and deliverables, and establish lines of communication and areas of responsibility between the Proponent and WHRM. These meetings will help establish the project milestones and timelines.
- A minimum of eight (8) meetings throughout the project will be scheduled with Planning and Development Department staff to enable West Hants to review progress updates with the Proponent. Additional meetings during the project will be held at the discretion of West Hants;
- Review existing MPS, LUB and SUB, and provide comments and recommendation for modernization of each document based on best practices. Identify bold, innovative policy options and regulations;
- Identify areas where Secondary Plans may be required;
- Create a schedule for by-law approval process;
- Create baseline vision statement, goals and objectives (i.e., guiding principles) for Regional documents, review these with the PAC/HAC in a workshop format for acceptance. More than one evening meeting may be needed;
- Develop and implement the public engagement plan required by the Public Participation Program Policy for round two of public engagement based on the following:
 - discuss the earlier-developed goals and objectives, topic areas from background reports and What We Heard report;
 - discuss accepted vision statement, goals and objectives (i.e., guiding principles) for Regional documents;
 - when available, discuss the revised MPS, LUB, and SUB with the public;
 - create accessible, graphic information bulletins in both paper and digital



formats which should be available to the public in multiple forums;

- prepare detailed notes on any public meetings held by the Proponent;
 - ensure all material is available on WHRM website (i.e., slide decks from public and PAC/HAC meetings, graphic information bulletins and material illustrating goals & objectives)
 - present public engagement findings to PAC/HAC;
 - create a public communication strategy as to how the process will be communicated to the public for maximum awareness and transparency of process to the general public.
- Review and draft updates to the MPS, LUB and SUB using WHRM branding and in plain language to provide clear direction to all users. These documents are to reflect community needs and address the unique circumstances of WHRM and incorporate background information collected during round one and two of public engagement. They will be submitted to staff for review and feedback prior to presentation to the PAC/HAC;
 - Be responsible for all mapping requirements of the project and all resulting GIS ArcMap .shp files and map products shall become the property of the Municipality at the conclusion of the project. The Municipality will provide topographic layers, as well as other data as needed by the Proponent for the project, from the Municipality's GIS files;
 - Be responsible for all project management tasks. While WHRM staff plan to be closely involved with the development of the Regional planning documents, existing work commitments preclude staff from spending substantial time conducting research, writing documents, or scheduling and/or managing meetings. It is imperative that the Proponent be able to dedicate the resources necessary to conduct these tasks and to manage the project independently.

48 Deliverables

The Proponent will be responsible for providing all necessary materials including drafts of the chapters and other material for review by staff and the PAC/HAC. All materials should be provided to staff in electronic format at least one week in advance of the scheduled meeting. All documents become the property of WHRM.



- Draft products: Three paper copies of each product. In addition, all draft products must be submitted as an electronic copy in Word and Adobe PDF (300 dpi). The draft documents shall be provided in 8.5 x 11 portrait format, in colour.
- Final products: Three paper copies of each product. In addition, all final products (including reports, designs, maps, drawings, and plans) must be submitted as an electronic copy in Microsoft Word and Adobe PDF (300 dpi). The final documents shall be provided in 8.5 x 11 portrait format, in colour.
- Deliver presentations of the draft revised MPS, LUB, and SUB to the public, staff, the PAC/HAC and Council when necessary.
- All maps and datasets are to be provided in ArcGIS (.shp file) format.
- All designs, drawings, and plans must be submitted in the original software that they were created as well as JPEG format.
- Pictures and photographs must be dated and captioned with the location and brief description of the activity being documented. Electronic data for all pictures and photographs must be submitted in JPEG format.

49 Requirements

All Proponents must be familiar with and adhere to the Municipal Government Act regulations for planning documents and the requirements of the Department of Municipal Affairs and Housing. It is the goal of the Municipality to ensure continuity and consistency between all Municipal planning documents, by-laws and policies. The successful proponent must clearly show support for this goal in their proposal.

WHRM will require qualified finalists to provide the following:

- a presentation to staff. The Municipality will notify the finalists of the time, duration, date and location.
- a detailed description of the work plan including the proposed approach to the review and public engagement including how the Proponent will employ a number of approaches to reach a broad cross-section of people and use a variety of methods.
- a full description of the proposed schedule along with the identification of key milestones. The Proponent is to demonstrate how and when the final draft of the MPS, LUB and SUB are to be completed. Proposals must be detailed enough to



demonstrate how the Proponent’s expertise, staff and resources best meet the needs of the Municipality as described in this RFP.

- demonstrate qualifications and experience in the area of land use planning. The proposal shall include a list of all persons who will be assigned work pursuant to this RFP (including sub-contractors) as well as their resumes showing qualifications, educational background, training and experience. At least one member of the team should be a Member with the Canadian Institute of Planners (MCIP). Back-up personnel should be identified to support principal staff during absence or staff turnover.
- a list of three references to support the submitted proposal.
- a budget, including the cost for each task and lump sum cost for the entire project.

50 Proposed Timeline

The start date to the project will be December 4, 2023 and expected to be completed by December 2, 2024. The Proponents must detail how the project can be achieved within this time frame.

51 RFP Proponent Checklist

Please ensure the following points have been addressed and are checked off to confirm compliance to the requirements:

- Read and understand the scope of the RFP
- Proposals are clearly separated into two envelopes and marked with name and address of the Proponent and RFP number on the outside of the envelope.

Selection Criteria

Price Criteria

- | | |
|--|--|
| <ul style="list-style-type: none"> • Work plan (w/ Gantt Chart) • Schedule • Resumes & Qualifications • Certifications • References | <ul style="list-style-type: none"> • Bid Sheet • Fee Structure • Budget • Payment Schedule |
|--|--|

- A copy of the Proponent’s Letter of Good Standing from the NSCSA, WCB Safety Certifying Partner, or CFCSA (as outlined in Section 5.0).



-
- [] A copy of the Proponent's Certificate of Good Standing from the Workers Compensation Board of Nova Scotia (as outlined in Section 5.0).
 - [] A list of the key personnel who will be working on the Municipal Planning Document Review, their individual experience and what their role will be. A list of sub-contractors, including their company and staff experience specifically related to their role should be provided (if applicable).
 - [] The qualifications, ability, and past experience of the company with similar projects, including three (3) references with contact information (please include current phone numbers) from similar projects the proponent(s) have completed within the last 5 years. The projects included in this list should have been completed by the team identified in this proposal.
 - [] A table or Gantt Chart showing the timeline of different components of Municipal Planning Document Review (i.e. the sequence of completion and the amount of time for each component, meetings to present and review progress).
 - [] A fee structure and the upper limits of the total cost. This fee structure must include an outline of fees for at least the following:
 - a. Sub-contractors;
 - b. All disbursements.
 - [] A detailed budget and payment schedule including additional expenses for the entire project.
 - [] All proposals are to be received by WHRM at 76 Morison Drive in Windsor or via email by 2:00 p.m. on the closing date indicated in Section 1.0. Late proposals will not be accepted and may be returned unopened.
 - [] Any questions should be directed to Sara Poirier, Director of Planning and Development at spoirier@westhants.ca. Questions and responses will be circulated to all Proponents.

***** End of Section 5 *****



SUPPORTING DOCUMENTS – SECTION 6

- A. West Hants Regional Municipality's Procurement and Tendering Policy RCOFN-003.00)

***** End of Section 6 *****



PROPOSAL EVALUATION – SECTION 7

The following is used as a guide/template for those evaluating proposals and may be revised as necessary to accommodate any specific Request for Proposals.

Company Name: _____

Evaluators Name: _____

	Criteria	Ranking	Total Available Points	Score	Comments
PART 1	Evidence of the proponent's general ability to fulfill the services required as outlined in this RFP.	15	Significant evidence of ability	15	
		10	Average evidence of ability		
		5	Little evidence of ability		
		0	No evidence/not addressed in proposal		
	Has provided and met the required certifications	5	All certifications are current and provided	5	
		2.5	Some certifications are current and present		
		0	Not addressed in proposal		
Proposed methodology to initiate and complete the project	15	Extremely detailed and very realistic	15		
	10	Good detail and realistic			



Request for Proposals
 Consultant Services to Complete Municipal Planning Document Review

WHRMPD23-04
 Issued: September 12, 2023

		5	Little detail and somewhat realistic			
		0	Not realistic/not addressed in proposal			
<p>Demonstrated ability to provide a good quality, cost effective final project within the proposed budget. Proponents are requested to provide examples of similar projects within the proposed budget range. Product quality, creativity, ability to meet community need, and ability for the Municipality to gain the best value for expenditures committed are the key factors of this criteria.</p>	15	Quality examples included and demonstrate clear ability to meet the West Hants needs	15			
	10	Examples provided and demonstrate an understanding of the needs of the Regional Municipality				
	5	Examples don't align with proposed project and have limited description of ability to meet the needs of the Regional Municipality				
	0	Not addressed in proposal				
<p>Ability to provide alternatives, options, and flexibility should anticipated additional resources become available.</p>	5	Alternatives provided	5			
	0	Not addressed in proposal				
<p>Qualifications and positive experiences of the proponent's principle staff that will be assigned to this project. Evidence of corporate support and structure and description of associated proponents / companies if applicable.</p>	5	Qualifications and evidence provided	5			
	0	Not addressed in proposal				
<p>Proponents are requested to provide three (3) references from similar sized/types of projects completed within the previous five years.</p>	5	Positive references provided	5			
	0	No references or unsatisfactory references provided				
<p>Proposed timelines (including a Gantt Chart or</p>	5	Realistic timeline and strategy	5			



Request for Proposals
 Consultant Services to Complete Municipal Planning Document Review

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	table) with an anticipated completion date. Provide strategies and indication of how timelines will be met.	2.5	Timeline with unrealistic or no strategy			
		0	Not addressed in proposal			
	Overall clarity and quality of the proposal.	5	Extremely clear, concise, and thorough	5		
		2.5	Somewhat clear descriptions			
		0	Vague and unclear descriptions			
	Level of effort.				5	
Locally based (NS) firms may be given preference if selection criteria values of all proposals are within 5%.						
PART 2	COST/PRICE EVALUATION SHEET				20	
	$\left(\frac{\text{Lowest Bid}}{\text{Bidder's Price}} \right) \times \text{Price Weighting (\#points)}$					
Total Score				100		

*** End of Section 7 ***



Eastern District Planning Commission

Dangerous and Unsightly Premises Procedures

1.0 PURPOSE:

To establish a procedure for processing Dangerous or Unsightly Premises complaints and violations, in accordance with the *Municipal Government Act*.

2.0 DEFINITION:

2.1 **Dangerous or Unsightly:** For the purposes of this procedure, the definition of “Dangerous or Unsightly” will be the same as that contained in the *Municipal Government Act*, currently Section 3, definition (r).

2.2 A **Repeat Offender** is defined as the owner of a property for which the Municipality has received a valid second complaint within 365 days of the previous valid complaint.

3.0 DELEGATION:

Council delegates its authority to act on dangerous or unsightly properties to the Administrator, except the authority to order demolition.

4.0 COMPLAINTS:

4.1 Complaints shall be received in a written format, using EDPC Complaint Form from the Dangerous or Unsightly Premises Policy. Each complaint must include the complainant’s name and contact information. The complaint must be signed by complainant. Anonymous complaints will not be investigated.

4.2 Notwithstanding 4.1 above, where there is an alleged dangerous condition where public safety requires immediate action, the administrator may immediately commence an investigation without receipt of a written signed complaint form.

4.3 Further, notwithstanding 4.1 above where there has been a previous complaint relative to the property and the complainant is alleging a renewed deterioration of a file closed within the last 365 days, the administrator will commence an investigation without requiring a second written complaint.

4.4 Complaints shall contain specific information, including the address of property where the complaint exists, the date that the dangerous or unsightly condition existed and what specifically the complainant believes is causing the dangerous or unsightly condition.

4.5 All complaints shall be submitted to the Administrator.

4.6 Complaints shall be considered confidential but are subject to Part XX of the *Municipal Government Act*, Freedom of Information Protection of Privacy.

5.0 INVESTIGATION:

5.1 After receiving a written (4.1); or an alleged immediate action (4.2), or a closed file (4.3) complaint, an initial site inspection will be conducted by the administrator.

5.2 Once an initial site inspection is conducted, the Administrator will determine whether the property is dangerous or unsightly. The Administrator may take photographs and video recordings of the property as necessary to document its condition.

5.3 If the Administrator determines that the property is not dangerous or unsightly, no action will be taken, no file will be opened and the complainant will be so informed.

5.4 If the Administrator determines that a dangerous or unsightly condition requires immediate action in order to protect public safety, the Administrator may take action to prevent damage or may remove the dangerous structure or condition immediately in accordance with Section 350 of the *Municipal Government Act*.

5.5 If the Administrator determines that the property is dangerous or unsightly, and where immediate action is deemed unnecessary, the Administrator shall open a file and advise the property owner of what is required to remedy the unsightly or dangerous condition within a reasonable time frame dependent on the extent of work to be done, inclement weather or other restrictions.

6.0 CONSIDERATIONS – DANGEROUS PREMISES

6.1 In determining whether enforcement action is warranted for a dangerous premise the Administrator in addition to the definition of “Dangerous or Unsightly” as included in the *Municipal Government Act* shall consider factors that include but are not limited to:

- i. Possible collapse of a structure or debris pile
- ii. Fire, particularly risk of fire spreading to other structures
- iii. Risk of debris falling or blowing off of a structure or debris pile
- iv. Possibility of entrapment or entanglement (Open and Accessible)
- v. Unsightly in relationship to neighboring properties.

6.2 In considering these risk factors the Administrator shall also consider the proximity to a street and occupied property and whether a risk acts as an allurements to children or other persons.

7.0 CONSIDERATIONS – UNSIGHTLY PREMISES

- 7.1 In determining whether enforcement action is warranted for an unsightly premise the Administrator shall consider the definition of “Dangerous or Unsightly” as included in the *Municipal Government Act*.
- 7.2 In considering these risk factors the Administrator shall also consider if the property has been the subject of previous complaints within the last twelve (12) months.

8.0 ACTIONS:

8.1 The Administrator may use any of the following types of actions to gain compliance from property owners that have a property that has been deemed dangerous or unsightly. The goal in deciding what action to take should always be to gain compliance by working with the property owner to ensure the situation is taken care of in an expedited fashion.

- i. An **initial contact** will be made by phone or in person (where possible). This will be to inform the owner of the condition on the property that has caused it to be deemed a dangerous or unsightly premise. The goal of this initial contact is to establish contact with the owner and work towards resolving the issue at hand, through voluntary compliance.

Where direct contact cannot be made, in addition to posting notices in a conspicuous place on the property, all notices will be sent via registered mail to the address listed in the Property Registry through the Property Online database.

- ii. **Clean-up Order** can be issued to a property owner when a property is deemed dangerous and or unsightly due to the condition and materials located on the property. A Clean-up Order shall be posted in a conspicuous place at the location of the dangerous or unsightly premise; as well, the owner will be sent a copy of the Order or it may be served upon the owner direct. The Order will outline the specific conditions that have caused the property to be deemed dangerous or unsightly. The Order shall also specify the requirement to rectify the dangerous or unsightly condition and a date that the work must be performed by (7 Days – 14 Days – 30 Days). It will also explain that failure to comply with the Order may result in work being completed through tender and billed to the property owner.

The order will also set out the property owner’s right to appeal.

- iii. **Proposed Order to Demolish** shall be posted in a conspicuous place at the location of the Dangerous or Unsightly Premise and as well the owner will be sent a copy of the Proposed Order or it may be served upon the owner direct. The proposed order to demolish shall specify what must be demolished and give the owner not less than seven days’ notice specifying the date, time and place of the Council

meeting at which the demolition order will be considered and that the owner will be given the opportunity to appear and be heard before any order is made.

- iv. **Demolition Order** shall be posted in a conspicuous place at the location of the Dangerous or Unsightly Premise and as well the owner will be sent a copy of the Order or it may be served upon the owner direct. The Order shall also specify what must be demolished and a date by which the work must be performed (typically 30 Days). It will also explain in the order that failure to comply with the Order may result in the work being completed through tender and billed to the property owner.
- v. **Immediate Action** may be taken where public safety is at stake. The Administrator may immediately take the necessary action to prevent danger or may remove the dangerous structure or condition.
- vi. **Summary Offence Ticket (SOT)** may be used in combination with any of the above actions, but should be mainly used for repeat offenders, failure to comply with an Order and situations where the property owner will not cooperate.

9.0 HEARINGS:

9.1 Decisions of the Administrator with respect to clean-up orders may be appealed to Municipal Council as per the as per the Dangerous or Unsightly Premises provisions of the *Municipal Government Act* and the Municipality's Dangerous or Unsightly Premises Policy. The procedure for the hearing is as follows:

- i. The Administrator will summarize their report;
- ii. Councillors may ask questions of the Administrator;
- iii. The owner or representative may address Council;
- iv. Councillors may ask questions of the owner or representative;
- v. Upon motion Council will uphold, vary or overturn the order of the Administrator;
- vi. Where Council varies or overturns the order of the administrator, council shall provide reasons to be recorded in the minutes of the council meeting.

9.2 Recommendations of the Administrator with respect to proposed orders to demolish will be heard by Municipal Council as per the Dangerous or Unsightly Premises provisions of the *Municipal Government Act*. The procedure for the hearing is as follows:

- i. The Administrator will summarize their report;
- ii. Councillors may ask questions of the Administrator;
- iii. The owner or representative may address Council;
- iv. Councillors may ask questions of the owner or representative;

- v. Upon motion, Council will accept, vary or overturn the recommendation of the Administrator;
- vii. Where Council accepts the recommendation of the administrator, Council shall order the owner to remedy the condition by demolition specifying in the order what is required to be done and the time by which the work is to be completed.

10.0 COST RECOVERY:

All costs incurred are required to be recovered from the property owner. In order to ensure that this occurs, all invoices for any and all work carried out by a third party must be copied to the Municipal Director of Finance.

11.0 CLOSING A FILE:

- 11.1 Prior to closing a file, the Director or Manager with the Commission will 'sign off' that a property has been brought into compliance.
- 11.2 Once a file on a property is deemed 'closed', pictures of the entire property will once again be taken and kept in the property file.
- 11.3 Once a property is brought into compliance the Administrator will send a letter indicating such to the property owner and Municipal CAO.

This 'Dangerous or Unsightly Premises Procedures' was adopted by the Board of the Eastern District Planning Commission **November 23, 2023.**

January 19, 2026

To: Municipal Clerks and Chief Administrative Officers

Re: Amendments to the Nova Scotia Building Code Regulations

I am writing to give you formal notice of proposed amendments to the Nova Scotia Building Code Regulations pursuant to the *Building Code Act*, R.S. N.S. 1989, Chapter 46 which will come into effect on or about April 1, 2026.

The proposed amendments to the remove the requirement for smoke dampers in ventilation ducts penetrating zero-rated fire separations between resident sleeping rooms and corridors, where those rooms are located within a single fire compartment; and remove the requirement for self-closing devices on resident room doors in provincially licensed long-term care facilities.

The amendments are intended to maintain resident safety while reducing unnecessary cost and operational barriers, recognizing that long-term care facilities are fully sprinklered, that doors to resident rooms are not positively latched under the current Code, and that resident safety is supported through continuous staffing, licensing requirements, and operational oversight comparable to hospital settings.

Please find enclosed a copy of the proposed amendments to the Regulations. This will be advertised in the Royal Gazette Part 1 in Nova Scotia.

The *Building Code Act* requires that the proposed amendments be circulated to each municipality and be made available to the public. Copies of the regulations are available on our website: <https://novascotia.ca/building-code-regulations-public-notice/>

Written comments on the proposed amendments to the regulations are welcome and should be forwarded via email on or before March 6 2026, at:

buildingcodes@novascotia.ca

Please note that recent amendments to the *Building Code Act* created the ability to notify municipalities electronically via email rather than mail. This method will be continue to be used going forward.

Sincerely,

Micah Richardson
Executive Director,
Housing Acceleration and Performance

Schedule “A”

Amendment to the *Nova Scotia Building Code Regulations* made by the Minister of Housing under Section 4 of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act*

The *Nova Scotia Building Code Regulations*, N.S. Reg. 198/2024, made by order of the Minister of Municipal Affairs and Housing dated September 20, 2024, are amended by adding the following Sections immediately after Section 69:

Article 3.1.8.9. (Smoke Dampers Waived) amended

69A Sentence 3.1.8.9.(1) (Part 3 of Division B) of the *National Building Code* is amended by

- (a) striking out “or” at the end of Clause (b);
- (b) striking out the period at the end of Clause (c) and substituting “, or”; and
- (c) adding the following Clause immediately after Clause (c):
 - d) that penetrate a vertical *fire separation* not required to have a *fire-resistance rating* by Sentence 3.3.3.5.(8), provided that the *fire separation* is located within a *fire compartment* required by Sentence 3.3.3.5.(2).

Article 3.1.8.13. (Self-closing Devices) amended

69B Sentence 3.1.8.13.(2) (Part 3 of Division B) of the *National Building Code* is amended by

- (a) striking out “or” at the end of Clause (c);
- (b) adding “, or” after the period at the end of Clause (d); and
- (c) adding the following Clause immediately after Clause (d):
 - e) a residents’ sleeping room and a corridor serving the residents’ sleeping room in a *care occupancy* that is licenced as a residential

care facility under the *Homes for Special Care Act*, provided that the room and corridor are within a *fire compartment* that complies with the requirements of Article 3.3.3.5.

Planning Advisory/Heritage Committee Action Items List

Council Ref. #	Action Item	Date	Responsible	Time Frame	Status	Date Completed / Notes
501	Lot size restrictions and technology for on-site sewage for unserved areas/ that Council accept the recommendation of the Planning Advisory/Heritage Committee and have staff investigate lot size restrictions and technology for on-site sewage to allow more flexibility in the creation of lots in unserved areas for the purposes of advocacy and to spur housing development.	03-25-2025	EDPC Staff		In Progress	09--2025 - Discussed at PAC, has been assigned to EDPC staff to follow up with a report. Will be presented at the Feb 2026 meeting.
511	Planning new areas to have two-lane roadways with turning areas suitable for fire apparatus and provisions for water supply planning/ that Council accept the recommendation of the Planning Advisory/Heritage Committee and have staff investigate specific private road standards for the subdivision bylaw that takes into account serviced/unserved areas, number of lots, and the process for making roads public, based on best practices across the province.	03-25-2025	EDPC Staff	On-going	In Progress	09-2025 - Discussed at PAC this week and remains at that table for further exploration and discussion.
616	PAC Review of Action Items/ that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct staff to implement a standing agenda item titled "Review of Action Items"	09-23-2025	Municipal Clerk		Complete	10--2025
617	Nova Scotia Department of Agriculture's municipal survey/ that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct the Director of EDPC to participate in the Municipal Survey on Agriculture in Planning.	09-23-2025	Municipal Clerk		Complete	09-2025
637	Permitting practices for standalone buildings/ that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct staff to prepare a report on how to provide more consistency and less ambiguity for accessory buildings across the County.	10-28-2025	EDPC Staff		Complete	11-2025
638	Report on how to consolidate Rich.Co. Land Use By-laws/ that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct staff to prepare a report outlining the process, scope, timeline, and resources required to overhaul and consolidate Richmond County's Land Use By-laws, with the goal of improving consistency, reducing ambiguity, and removing barriers to diverse and affordable housing development.	10-28-2025	EDPC Staff	To be presented in advance of budget discussions (Feb 2026)	In Progress	
639	Zoning Areas/ that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct staff to update the zoning areas for Evanston, Isle Madame, and St. Peter's to allow a minimum of 4 units as of right.	10-28-2025	EDPC Staff		Complete	11-2025
654	Accessory Buildings in Front: 1st Motion: /that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct EDPC staff to remove anything that doesn't permit an accessory or any structure to be built in the front yard, maintaining the current setback, in the Plan Richmond, Plan Isle Madame, Plan St. Peter's, and Plan West Richmond. 2nd Motion: that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct EDPC staff to prepare amending pages to remove section 6.3(3)(c) from the Central Richmond Land Use By-law, and subsequently that staff report back on statements to remove anything that doesn't permit an accessory or any structure to be built in the front yard, maintaining the current setback, in the Central Richmond Plan.	11-25-2025	EDPC Staff		Partially Complete	2nd motion: Complete
679	Eastern District Planning Commission (EDPC) process and timelines for handling dangerous and unsightly complaints/ that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct EDPC staff to review and update their policy on dangerous and unsightly complaint process timelines and response standards; and FURTHER MOVE that Council direct EDPC staff to report to Council twice annually, confirming whether or not any orders exist.	01-27-2026	EDPC		In Progress	

680	Coastal Protection Support Program /that Council accept the recommendation of the Planning Advisory/Heritage Committee and approve, in principle, joining other municipalities in applying for the Coastal Protection Support Program funding for an educational component; and FURTHER MOVE that Council direct EDPC staff to submit a standalone application on behalf of Richmond County if the other municipalities are unable to commit.	01-27-2026	EDPC	Application deadline is Feb. 11, 2026	In Progress	01-2026 MOCR has joined other municipalities; the application is in progress.
681	Central Richmond Plan Area – RG 2 Zone /that Council accept the recommendation of the Planning Advisory/Heritage Committee and direct EDPC to prepare a staff report reviewing lot sizes in rural areas under all of Richmond County's land use by-laws.	01-27-2026	EDPC		In Progress	

OTHER

Ref. #	Item	Date	Responsible	Time Frame	Status	Date Completed / Notes
1	Private Ways	09-02-2025	EDPC Staff		In Progress	In Camera Item