

Town of Berwick Council Meeting

May 13, 2025

Town of Berwick Council Chambers

6:30 pm

AGENDA

1. Call to Order

2. Approval of the Agenda

3. Approval of the Minutes

- a. Public Hearing Minutes, April 8, 2025
- b. Council Minutes, April 8, 2025
- c. Special Council Minutes, April 22, 2025

4. Review of Action Items

5. Presentation

- a. Valley Regional Enterprise Network (REN), Emily Boucher, CEO

6. New Business

- a. Municipal Planning Strategy Plan Review, Residential Zoning Direction
- b. RFD017-2025: Deed Transfer Tax Bylaw Repeal & Replace, 1st Reading
- c. RFD018-2025: Asphalt & Paving Services
- d. RFD019-2025: Gravity Sewer Repair, Commercial Street
- e. RFD020-2025: Order to Remedy 109 Marsters Avenue

7. Correspondence

- a. Reprofiling of the Beautification and Streetscaping Program (BSP) and the Community Works Program (CWP), Letter, Honourable John A. Lohr, Minister of Municipal Affairs

8. Mayor's Report

9. In-Camera

- a. Negotiations

10. Adjournment

the
valley REGIONAL
ENTERPRISE
NETWORK



Cultivating Opportunities for Regional Economic Growth

Business Support Programs and Services



Valley Business Expo

Keeping Business Connected

Free Trade Show & Networking

Save the Date!

22nd May, 2025

the valley REGIONAL ENTERPRISE NETWORK

The graphic features a central circular diagram with a person icon in the center, connected to various business-related icons: a truck, a person with a dollar sign, a handshake with a percentage sign, a person pointing at a screen, a person with boxes, and a person with a wrench. The background is blue with a green hill silhouette at the bottom.

BusinessNOW

- Trends
- Business Expo

2025 Business Retention and Expansion Diagnostics

- Preparation and Timeline

Investment Readiness

- Guru Site Selection Tool
- FDI Training

Regional Resilience

- PESTLE-R Analysis

Population Readiness Programs and Services



Upcoming Events:

Middleton: Open Office Hours

All are welcome! (Mayor's Office, Town Hall)
May 8th from 9-10:30am and 1-4pm

Middleton: Employer Info Session

Immigration 101 for Employers (Fire Hall)
May 8th from 10:30am-12pm

Berwick: Coffee & Chat

All are welcome! (Berwick Library)
May 14th from 3-4:30pm

Windsor: Open Office Hours

All are welcome! (Sports Complex)
May 15th from 9-10:30am and 1-4pm

Windsor: Employer Info Session

Immigration 101 for Employers (Sports Complex)
May 15th from 10:30am-12pm

Windsor: Valley Business Expo

All are welcome! (Windsor Legion)
May 22nd from 10am-2pm



Immigration and Settlement Navigation

- Welcome Networks
- Trends

Connector Program

- New Focus on Skilled Trades (Apprenticeship)

Labour Market Insight

- Vicinity Jobs Reports

Sector Development: Tourism



Join us for an
**Annapolis Valley
Tourism Network
Event!**

**Register
Now!**
Free to Attend/Cash
Bar Available

 TUES, JUNE 3  5PM - 7PM  Long Table Social Club

Special announcements from the Nova Scotia Cider Association, Split Rips Sea Zodiac Tours, and Wine Growers Nova Scotia.

the valley
REGIONAL ENTERPRISE NETWORK

Building Capacity of Tourism Operators

- Best Practice Mission (May 12-16)
- Accelerated Market Readiness Program

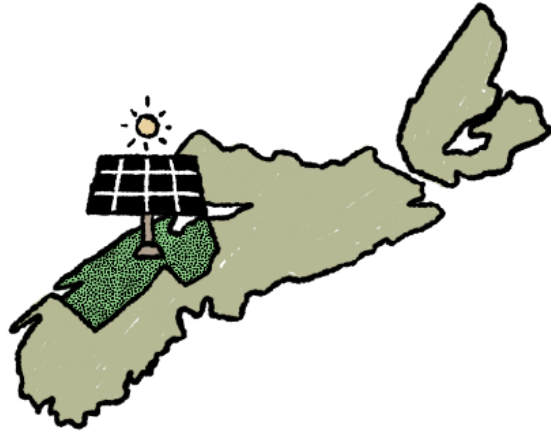
Strengthening the Valley's Regional Tourism Sector

- Annapolis Valley Tourism Network events

Destination Management and Marketing Organization

- Marketing Consultation Process
- 'What We Heard' Report
- Next Steps

Sector Development: Agri-Food Tech Corridor



Entrepreneurial-led Incubator and Pilot Concept

- Working with Local Entrepreneurs
- Specialized Navigation
- Communication and Brand Strategy
- Living Lab Approach

Sign-up for our monthly newsletter to stay up to date on sector development, program updates, and events!



the
valley
REGIONAL ENTERPRISE NETWORK



MEMORANDUM



To: Council
From: Planning Advisory Committee
Date: May 13, 2025
Subject: Municipal Planning Strategy Review, Residential Zoning Direction

The Planning Advisory Committee met on May 6, 2025 to discuss the public engagement meeting regarding residential zoning on April 23, 2025. The PAC considered the feedback from the meeting (attached) and recommended the following to Council for consideration:

PAC recommend that Council direct staff to amend the draft zoning map to include the following Restricted Residential areas:

- ✓ Area A
- ✓ Area B

Staff are seeking direction from Council to complete the Municipal Planning Strategy Review and prepare the draft documents for first reading.

To:	PAC
From:	Brighter Community Planning
Date:	2025-05-07
Re:	Summary of Public Meeting for Plan Review – RR Discussion Paper

Introduction

PAC held a public participation meeting on April 23rd, 2025, to seek public input on the establishment and location of a proposed restricted residential (“Rural Restricted” or “RR”) zone in the new MPS and LUB that Council is seeking to adopt. The purpose of this zone is to create areas that are primarily for single unit dwellings to reinforce and preserve the small-town look and feel of Berwick. This report summarizes the comments from the public meeting, discusses the merits and challenges of the RR zone and provides a summary of the locations identified by the public for the RR zone placement.

To assist PAC in its deliberations, this report also includes an overview of the other proposed residential zones and explanations of what can occur in each so that the place of the RR zone can be considered as part of an overarching approach to providing appropriate locations for a variety of housing types.

Public Participation Meeting

The Public Participation Meeting notes are attached to this report. The meeting occurred in 2 parts. The first half was a formal presentation with a question-and-answer session, and the second half involved breaking into small groups for attendees to work together to identify the potential RR zone locations.

Summary of main points:

- On the whole, people were in favour of maintaining or increasing the amount of RR zoning from what was proposed. However, there were several people who supported reducing or eliminating the RR zone.
- Concerns about the ability of Berwick’s infrastructure to support increased density.
- Question about the use of development agreements and what can occur in each zone.
- Concerns about impact on property values of increases in density

Overview of Berwick Residential Zones

The proposed MPS and LUB establishes four main residential zones for Berwick. The approach is to permit more uses as-of-right and reduce the use of development agreements. To reduce development agreements, the draft MPS and LUB allows for the rezoning from one residential zone to another subject to criteria.

The various zones are structured to achieve the following:

- **Clarify the Intensity ladder** – RR (most restrictive) → R → RMD → RG (most flexible). This

will help residents and Council understand where development can go without

- **Clarify the Approval Pathway**- once a project exceeds the “as-of-right” unit cap, it moves to Site-Plan (smaller jump in density) and then to Development Agreement (major projects).
- **Growth management** - The RG zone is the primary vehicle for meeting future housing targets while preserving and identifying established RR/R areas.

These distinctions let staff scale the review process to the complexity and potential impacts of a proposal, giving Berwick both predictability and flexibility as it grows.

The following chart outlines the zones, the permitted uses and how each use would be regulated.

Zone	Purpose	As-of-Right Uses	Uses by Site-Plan	Uses by Development Agreement
RR - Restricted Residential	Recognize and preserve established single-unit neighbourhoods.	<ul style="list-style-type: none"> • Single-unit detached dwelling • Accessory dwelling unit (1) <ul style="list-style-type: none"> • Short-term rental (in main dwelling) • Small options home 	None	None
R - Residential	Permit low-density neighbourhoods on serviced & un-serviced lots.	<ul style="list-style-type: none"> • All RR uses • Semi-detached & duplex dwellings • Day-care (≤10 children) • Existing transport/truck facilities • Existing land-lease communities • Shared housing (≤10 bedrooms) • Accessory dwelling units (1 per main) 	<ul style="list-style-type: none"> • Expansion of a non-conforming use • Grouped / multiple / townhouse dwellings - ≤4 units 	<ul style="list-style-type: none"> • Expansion or alteration of existing industrial or commercial uses • Expansion or alteration of existing land-lease communities
RMD - Residential Mixed Density	Allow low to medium-density housing forms.	<ul style="list-style-type: none"> • All R uses • Townhouse dwellings - up to 6 units • Multi-unit dwellings - up to 6 units 	<ul style="list-style-type: none"> • Grouped dwellings - 5-9 units 	<ul style="list-style-type: none"> • New 2- or 3-unit dwellings on sub-standard lots
RG - Residential Growth	Accommodate higher-density neighbourhoods in the core & on large parcels.	<ul style="list-style-type: none"> • All R uses • Home-based businesses • Townhouse dwellings - up to 6 units • Multi-unit dwellings - up to 6 units 	<ul style="list-style-type: none"> • New multi-unit dwellings - 7-9 units 	<ul style="list-style-type: none"> • Multi-unit dwellings - 10+ units • Grouped dwellings - >10 units

Rezoning Criteria Summary

Berwick’s neighbourhoods are a patchwork of long-established single-unit areas, emerging medium-density blocks, and undeveloped tracts on the edge of the serviced core; fixed zoning can’t anticipate every shift in housing demand, infrastructure investment or economic opportunity that will arise as the town grows. The ability to rezone—subject to clear criteria—gives Council a flexible tool to guide that growth: it lets smaller lots in transit-served areas “step up” from single-unit to two to four units, allows green-field parcels to transition to higher-density neighbourhoods as sewer capacity expands, and provides a public forum to resolve traffic, servicing and design issues before development proceeds. In short, rezoning keeps the planning framework responsive, ensuring new housing and mixed-use projects can be welcomed where they make sense while protecting the character, infrastructure and environmental quality of existing areas. It also addresses the concern from the public that development agreements are a way of “skirting” the regulations of the zone and allowing inappropriate density in some areas of Town.

The rezoning criteria proposed requires certain intensity of uses to be related to the road network to restrict where higher density occurs. Or to put it another way, the rezoning process encourages higher density uses to go in certain locations and not in others. The current MPS does not provide this sort of guidance and therefore, higher density uses can occur within any residential zone.

The table below includes a summary of the criteria in the draft Planning document for Council to use when considering a rezoning to a higher-intensity residential zone. It is also important to note that any rezoning requires public input, two readings of Council, public notification and an appeal period.

Rezoning Path	Purpose of Higher Zone	Key Uses after Rezoning	Primary Council Criteria
RR to R	Move from restricted single-unit to low-density neighbourhood standards.	See RR & R columns above.	<ul style="list-style-type: none"> • New use must blend with RR character (building form, scale) • No new land-use conflicts (noise, light, odour, etc.) • Street lifecycle/maintenance can absorb extra traffic • Must satisfy general criteria in Policy 5-24
R to RMD	Enable low- to medium-density forms (≤6 units).	See R & RMD columns above.	<ul style="list-style-type: none"> • Walking distance to public transit • ≤100 m to Collector / Major Local Street with sidewalk • Ground-water assessment may be required (protect neighbours’ wells) • Must satisfy general Policy 5-24 criteria
R or RMD to RG	Permit higher-density (≥7 units) in core areas.	Townhouse / multi-unit ≤6 units	<ul style="list-style-type: none"> • Direct access to a transit street & a Collector/Major Local Street • Ground-water assessment to protect

Rezoning Path	Purpose of Higher Zone	Key Uses after Rezoning	Primary Council Criteria
			neighbours • Traffic Impact Statement - safety & Level of service acceptable • Improves walkability / active transportation • Parks & open-space within walking distance • Must satisfy general Policy 5-24 criteria

Discussion of single unit dwelling zones and key questions to consider

From a planning perspective, a mix of housing types supports a more walkable, accessible community. Berwick’s Planning Strategy should consider these quality-of-life factors when evaluating Restrict Residential zoning locations.

Numerically, Berwick is building enough total housing units to meet anticipated population growth (a projected surplus of units over the next decade). However, this does not mean the need is met in terms of housing types or affordability. Much of the existing and new supply under the existing R-1 zoning (which we will refer to as restricted residential for the remainder of this section) is single detached homes, whereas the greatest needs are emerging for more affordable and varied forms of housing (e.g. rentals, smaller units for singles and seniors). Restricted Residential zoning is not well aligned with these needs, because it limits construction to one of the costliest forms of housing. Below are issues that Council may want to consider when identifying the RR zone areas.

- **Affordability and Pricing:** The surge in home prices (+95% in three years)¹ and the large portion of residents unable to afford homes or even rents indicate that housing affordability is a serious issue.² Restricted residential zoning alone cannot be blamed for a global market trend, but it does constrain solutions. By preventing higher-density or lower-cost developments in many areas, zoning can contribute to limited supply of affordable units, thereby exacerbating price pressures. In essence, maintaining large areas of Restricted Residential zones could make it harder to introduce more affordable housing into the market, whereas relaxing some Restricted Residential restrictions could help ease pressure by enabling duplexes, townhouses, and apartments that are naturally cheaper per unit.
- **Demographic Mismatch:** The population is older and households are smaller on

¹ Berwick Housing Needs Assessment, 2023 Page 2

² Ibid, Page 3

average, yet Restricted Residential zoning prioritizes family-sized, low-density homes.³ This is increasingly mismatched with who lives in Berwick. Many seniors likely do not need or want the upkeep of a large lot and house, and many singles cannot afford one, yet Restricted Residential zoning offers them few alternatives within the same neighborhoods they may have lived in for years. This raises the issue of whether it is appropriate or fair to maintain zoning that does not accommodate a large portion of the town's own residents. Zoning should serve the community's needs; if nearly 40% of households are singles and a growing number are elderly, then zoning might need to adapt to encourage housing suited for those groups (e.g. garden suites, apartments, co-housing, etc.).

- **Housing Equity:** Restricted Residential zoning by nature excludes multi-unit housing, which can have unintended exclusionary effects. It can keep lower-income individuals and renters out of certain areas, effectively concentrating disadvantage or reinforce negative perceptions of those who live in rental housing. For a small and close-knit community, this may undermine values of inclusivity and equal opportunity. If Berwick values keeping young people, service workers, and seniors in the community, it should re-examine any zoning that forms a barrier to that. Allowing a mix of housing in more areas (sometimes called "gentle density" or "missing middle" housing) can distribute affordable options throughout town rather than isolating them. Many Canadian jurisdictions are moving toward this model, recognizing that pure single-use zoning is outdated in meeting modern housing challenges.
- **Community Character and Benefits of Restricted Residential:** It's important to acknowledge why Restricted Residential zoning exists and what its perceived benefits are. Residents often favor Restricted Residential for preserving the look and feel of neighbourhoods - quiet streets of single-family homes with yards. Such character is part of Berwick's appeal, and any changes should be sensitive to it. Not every street in town needs apartment buildings, and indeed a gradual approach to zoning reform is usually best. Maintaining some Restricted Residential areas may still be viable and useful for those who desire that lifestyle and to protect heritage streetscapes. The question is one of balance and scale.
- **Infrastructure and Growth:** As discussed, sticking strictly to Restricted Residential may not be the most efficient path for growth. Residents also have serious concerns about the ability of the Town to keep pace with its existing infrastructure needs and are concerned what additional growth will do to the already stressed infrastructure in Berwick. Berwick's budget constraints (like any small town) mean it must maximize the value of its infrastructure investments, but growth must consider the ability of Berwick to provide adequate infrastructure (sewer, roads, recreation, stormwater etc). Slightly higher density can improve that value but its important to be mindful of the impacts of density on infrastructure. The move towards growth is within the context of Nova Scotia as a whole

³ Stats Canada data shows that the only age segment that grew between 2016 and 2021 was the 65-84 (up by 9%) while younger cohorts declined or stayed flat.

addressing housing shortages and encouraging development -

If Berwick adopts large areas of Restricted Residential zoning, it risks:

1. not providing the kinds of housing many of its residents now require (affordable, smaller, accessible units),
2. pricing out or pushing out segments of the population, and
3. missing opportunities to broaden its tax base and community vibrancy through welcoming a mix of residents.

The benefits of the RR zone, in limited locations include:

1. Addresses and responds to the community concerns about overdevelopment and potential impacts on infrastructure.
2. Allows Council to assess how the R (Residential) and RR zones evolve, and fine tune as required.
3. Offers the opportunity to determine if Council wishes to explore heritage policies or a Municipal Heritage Registry to protect heritage properties and streetscapes. If Council does not wish to enact a Municipal Heritage Registry, the RR zone may offer some level of protection to older properties within that zone.

It is important to many in the community to integrate limited areas of Restricted Residential zoning into the Town's regulatory structure. Council has already provided direction that Restricted Residential is something that can and should be integrated into the zoning fabric in locations that serve the broader needs of the public. The question remains *how much of the Town should be in this zone and where should these locations be?* The following questions are provided to help guide PAC in its discussion and to recommend to Council where RR zoning should be.

- ✓ **Should undeveloped areas be included in the RR zone?** - If the purpose of this zone is to preserve low density neighbourhoods, then pre-zoning undeveloped areas seems inconsistent with the notion of preservation.
- ✓ **Should traditional/historical areas be zoned RR?** - Berwick does not have heritage policies and there are several locations with larger homes and a lovely streetscape where the RR may serve to preserve these homes and streets. However, sometimes those larger homes are appropriate for redevelopment due to the size or the cost of repair/grades.
- ✓ **Should RR zones be only on local streets?** - These are streets that may dead-end or not be able to accommodate high amounts of traffic. The draft plan identifies a street hierarchy based on how the street functions and limited higher density to those areas.
- ✓ **What is the impact on walkability and community context?**- Areas that are located near parks, schools and commercial areas are natural areas for limited additional density.

- ✓ **Is a non-conforming or downzoning situation being created?** – Some areas already have 2 or more unit on the property which indicates that the area is already accommodating of non-single unit dwellings. The property may also have a higher zone. If properties that already have more than one unit on a lot or that are in a zone that allows more density are downzoned to Restricted Residential, the property loses development rights, and a non-conforming use may be created. This has financial and practical implications

Property Values

One of the main issues identified by the public regarding when proposing missing middle housing form in established single unit neighbourhoods is property values.

The concern is that the values of individual properties will decrease and that homeowners will be negatively impacted. However, this not something typically considered by planners or Council. Planners are guided by provincial legislation that puts the broader public interest ahead of private gain. Neither the Nova Scotia Municipal Government Act nor the Berwick’s Planning Strategy lists “protect individual resale values” as a test for rezonings or development agreements.

The Canadian Institute of Planners’ Code of Professional Conduct reinforces this, requiring practitioners to weigh long-term community need, environmental risk, servicing capacity, and housing supply—not short-term market swings. Independent agencies such as PVSC set assessments annually, so a planning decision in Berwick does not automatically raise or lower anyone’s tax bill.

The MGA specifically insulates councils from compensation claims arising solely from the adoption, amendment, or repeal of planning documents—even if those documents limit how a lot may be used. This so that Council can make decisions that benefit the public interest and not individual property interests.

Residents’ concerns are important to planners and Council, so, to better understand this issue Staff undertook research to see if there is any basis for the concern regarding property values. Although the review was not exhaustive, the bulk of the studies reviewed show no negative financial impacts. Where there were reports that did identify some limited, short-term impact, this was often due to specific situational issues, not in situation that are comparable to what Berwick is considering.

Infrastructure Services

Residents have asked whether Berwick can afford the services needed to support a modest bump in housing. Ensuring that infrastructure can support growth is a critical piece of information for Council when establishing planning documents. The Town is already on a steady, pay-as-you-go program of maintaining, monitoring, and upgrading its pipes, roads and treatment plants to accommodate growth.

- The province has already committed \$2.28 million to expand the capacity of Berwick’s wastewater treatment plant, a cost-shared project under the Municipal Capital Growth Program. Construction is scheduled to begin this year and is sized specifically to handle projected housing growth.
- Groundwater studies carried out do not indicate any issues with quality or quantity. However, Berwick plans on doing addition study with pump tests to better understand recharge times.
- Berwick is constantly reviewing its capital plan to determine where road, stormwater upgrades will occur over the next several years.

From an infrastructure perspective, there are several reasons to support gentle density:

- Shorter pipes, lower bills. - CMHC’s national literature review notes that infill and gentle-density housing cost municipalities less per dwelling for water, wastewater and road extensions because the network length per unit drops⁴
- Higher tax efficiency - Adding secondary suites, duplexes and small multiplexes within the existing serviced area spreads operating costs across more ratepayers without triggering a parallel jump in capital spending.
- Built-in climate resilience - Re-using serviced lots keeps growth inside the walkable core, trimming vehicle kilometres travelled and the stormwater footprint compared with greenfield subdivisions.

Berwick’s existing systems—and the funded upgrades already in motion—are able to accommodate the gentle-density levels proposed. By pairing ongoing monitoring of water, sewer and road infrastructure with “pay-as-you-grow” approach, Council can allow incremental housing without saddling future ratepayers with runaway infrastructure bills.

Provincial Statement of Interest and Plan Goals

In the chart at the end of this report (page 13) is an analysis of how the residential zones align with the provincial statements of interest and the goals of this plan.

In general, all zones, including the RR zone, align to some degree with the Statements of Provincial Interest, and the goals of this draft Plan. Where alignment may not occur is if there is too much RR or Residential Growth zoning. A balance among several factors must be struck. Example of these factors include permitting or encouraging growth, providing a variety of housing types, maintaining the qualities of Berwick that are valued by all, infrastructure demands and affordability to both the tax payer and the occupant/owners of the housing unit.

Possible RR areas

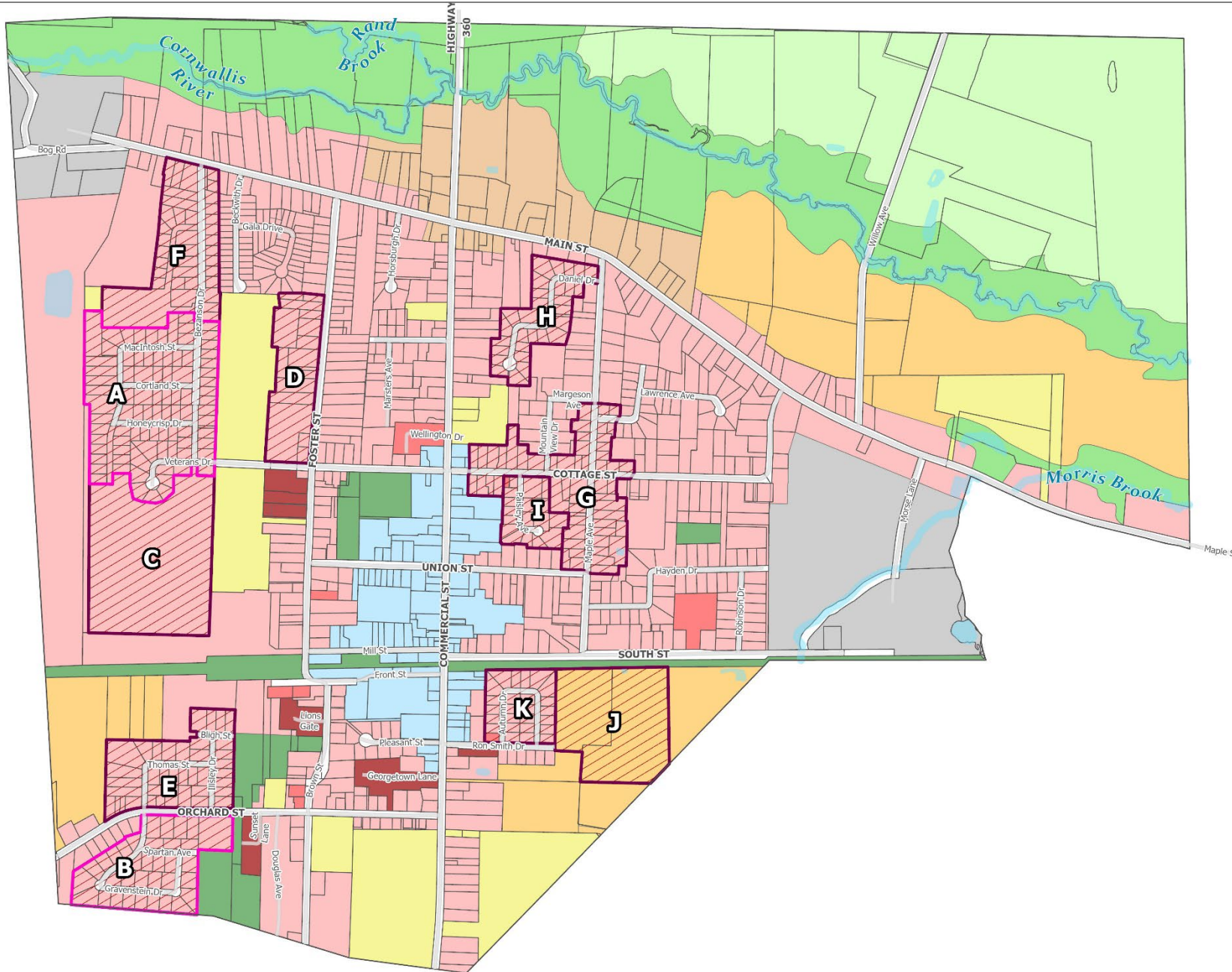
On the map attached are the locations suggested by the public and PAC for RR zones. It is important to note that there was no consensus around these locations and that some people

⁴ https://assets.cmhc-schl.gc.ca/sf/project/archive/research_6/appendix-b---literature-review.pdf



wanted one area, and others wanted it in another or all. Each area is briefly described below. PAC is tasked with making recommendations as to Council for where the RR zones should be.

Block	Description	No. of lots	Area of Block (acres)	Developed	Recommended By	No. of Lots Down Zoned	Current zone of proposed downzoned lots	Non-conforming uses created
A	Subdivision west of KMCC	88	35.9	Yes	April PAC 2025	0		0
B	Spartan & Gravenstein Drive	40	18.0	Yes	April PAC 2025	0		0
C	Subdivision west of District School	1	31.0	No	April 23rd PPM 2025	0		0
D	West of Foster Street	15	12.7	Yes	April 23rd PPM 2025	0		2
E	Thomas St	38	17.2	Yes	April 23rd PPM 2025	6	R2	0
F	Bezanson Dr & Main St	37	19.7	Yes	April 23rd PPM 2025	0		0
G	Cottage St & Maple Ave	55	22.5	Yes	April 23rd PPM 2025	0		0
H	Daniel Drive	31	11.3	Yes	April 23rd PPM 2025	0		0
I	Paisley Ave	18	6.5	Yes	April 23rd PPM 2025	2	R2,R3	2
J	Ron Smith Dr	2	20.3	No	April 23rd PPM 2025	2	RCCD	0
K	Ron Smith Dr	26	8.73	Yes	April 23rd PPM 2025	0		0



TOWN OF berwick

Potential RR Zones

Scale: 1 : 9,400

0 125 250 M

Legend

- Berwick Boundary
- ▭ Proposed RR Zones PAC
- ▭ Proposed RR Zones PPM

Proposed Land Use Zones

- Light Green: Agriculture (A1)
- Light Blue: Commercial General (C1)
- Grey: Commercial/Industrial Enterprise (C2)
- Light Green: Conservation (OS2)
- Orange: Gateway Mixed Use (GMU1)
- Yellow: Institutional (I1)
- Dark Green: Recreation and Open Space (OS1)
- Pink: Residential (R)
- Red: Residential Mixed density (RMD)
- Dark Red: Residential Growth (RG)
- Orange: Residential Comprehensive Development District (RCDD)

Data Source: The map data derived from NSTDB, NSPRD and NSCAF database, Town of Berwick, is Crown copyright 2024, Province of Nova Scotia. Used by permission of Service Nova Scotia & Municipal Relations License. All rights reserved.
Coordinate System: NAD 1983 CSRS UTM Zone 20N
Prepared by Brighter Community Planning and Consulting
Updated on: 2025-04-30

Disclaimer: This map is for informational and discussion purposes only. The zoning boundaries and designations shown are proposed and subject to change based on public input, further analysis, and formal approval by the Municipality. No rights, entitlements, or guarantees are conferred by this map. Final zoning decisions will be made through the official public hearing and adoption process.

brighter
community
PLANNING & CONSULTING

Draft Motion:

PAC recommends that Council give First Reading to the draft Land Use Bylaw and Municipal Planning Strategy attached. PAC further recommends the areas listed below as shown on the map be zoned RR and that the draft LUB Zoning map be changed to reflect this recommendation.

- ✓ Area A
- ✓ Area B
- ✓ Other areas

Alignment Matrix – Residential Zones vs. Vision, Plan Goals & Provincial SPI

Residential Zone	Vision Statement Alignment	SPI - overall fit	Goal 1 Environment	Goal 2 Housing Range	Goal 3 Responsible Growth	Goal 4 Economic Viability
Restricted Residential (RR)	ⓘ Preserves small-town character & sense of belonging, but limited inclusivity/housing diversity.	✓ Ground-water protection strong; limited density hinders SPI-Housing & SPI-Infrastructure.	✓ Generous lots & setbacks protect wells/re-charge.	ⓘ ADUs & small-options homes add some choice; still single-detached dominant but appropriate zone in limited locations	✗ Low (~4 u/ha) density under-utilises sewer,	ⓘ Stable assessment; high per-capita service cost.
Residential (R)	✓ Supports 'vibrant and inclusive' vision with varied low-density forms and ADUs.	✓ Balanced densities; sewer lots meet SPI-Infrastructure.	✓ Allows gardens, moderate lot sizes.	✓ Mix of 1-2-unit dwellings + ADUs.	✓ ~10 u/ha average; some fringe car-oriented.	✓ Project good tax yield vs cost; incremental infill.
Mixed-Density Residential (RMD)	✓ Advances inclusive, age-friendly community through townhouses & small apartments.	✓ Meets SPI: efficient sewer use, housing supply.	✓ Lower lot coverage cap; landscaped setbacks.	✓ Townhouses & ≤6-unit buildings broaden tenure.	✓ Medium density supports walkability.	✓ Higher assessment/ha supports infrastructure lifecycle.
Growth Residential (RG)	ⓘ Helps 'prosperous town' vision with higher-density infill & attainable units. Too much may impact small town feel	✓ Aligns with SPI-Housing & Infrastructure.	✓ Includes provisions for ground water assessment	✓ 7-plus-unit & grouped dwellings expand supply.	✓ Compact form near transit corridors.	✓ Strong fiscal performance; supports retail.
Residential Comprehensive Development District (RCDD)	✓ Embeds sustainability, mixed housing & amenities—mirrors Vision for innovative, high-quality neighbourhoods.	✓ DA can embed all SPI safeguards.	✓ Master-plan protects slopes, buffers.	✓ Mix of forms + 10 % open-space.	✓ Phasing & new collectors = orderly growth.	✓ Detailed planning allows for cost efficient development

REQUEST FOR DECISION

RFD017-2025: Deed Transfer Tax Bylaw, Repeal and Replace



To: Council
From: Administration
Date: May 13, 2025
Subject: Deed Transfer Tax Bylaw, Repeal and Replace

References/Attachments

- Draft Deed Transfer Tax Bylaw, Chapter 121

Legislation

- Section 102 of the *Municipal Government Act*

Recommendation

That Council give first reading to repeal and replace the Town of Berwick's Deed Transfer Tax Bylaw, Chapter 121 to change the rate from 1% to 1.25%.

Background

Under the *Municipal Government Act* (MGA) municipalities may elect to enact a deed transfer tax bylaw, with a percentage not exceeding 1.5% applied to the transfer of a deed, or sale of a property. The Town enacted a deed transfer tax bylaw in 1998, including an amendment in 2013. The current deed transfer tax is 1%.

Through budget deliberations, Council discussed increasing the amount of the deed transfer tax. On April 22, Council directed staff to draft an amendment to increase the current rate of 1% to 1.25% for first reading consideration.

A review of the bylaw identified a significant portion was a repeat of the MGA. Where applicable, it is best to reference the MGA, rather than repeat it in a bylaw. Staff have pared down the bylaw to include necessary information only with reference to the MGA. Due to the significant amendment, the Town's solicitor has recommended that the bylaw be repealed and replaced rather than amended.

Financial Implications

Deed Transfer Tax revenue is often hard to predict because it is based on the number of property transactions in a given year and their value. However, if the value remained the same as the previous year, the increased rate would produce an additional .25% in revenue.

**REQUEST FOR DECISION
RFD017-2025: Deed Transfer Tax
Bylaw, Repeal and Replace**



Priority Alignment

Check Applicable	Strategic Priority Area	Comments
x	Economic	
	Environmental	
	Social	
	Cultural	

Alternatives

Council may approve a different a deed transfer tax of up to 1.5% or repeal the bylaw altogether.

Community Engagement/Communication

The bylaw will be advertised in the paper at least 14-days prior to second reading.

CAO Comments

I support the recommendation.

CAO Initials: JB

Target Decision Date: May 13, 2025

TOWN OF BERWICK BYLAW
CHAPTER 121

DEED TRANSFER TAX

- 1.0 This Bylaw is known as and may be cited as the "Deed Transfer Tax Bylaw".
- 2.0 Under the authority of Section 102 of the Municipal Government Act of Nova Scotia, 1999, the Council of the Town of Berwick determines that a Deed Transfer Tax shall apply in the Town of Berwick.
- 3.0 The rate of the deed transfer tax in the Town of Berwick shall be one point two five percent (1.25%) of the value of the property transferred.
- 4.0 The Registrar of Deeds shall be the agent and collector of the deed transfer tax for the Town of Berwick in accordance with the agreement to that effect between the Town of Berwick and the Minister of Service Nova Scotia and Municipal Affairs and Housing.
- 5.0 The Town of Berwick Deed Transfer Tax bylaw amended on July 9, 2013, is hereby repealed.

CERTIFICATION

I, Jennifer Boyd, Town Clerk/CAO for the Town of Berwick, do hereby certify that the bylaw, of which the foregoing is a true copy, was duly passed at a called meeting of the Town Council of the Town of Berwick held on the --- day of -----, 2025.

GIVEN under the hand of the Town Clerk/CAO and the corporate seal of the Town of Berwick this --- day of ---, 2025.

Jennifer Boyd
Town Clerk/CAO

Bylaw Adoption:

Date of First Reading: May 13, 2025

Publication of Notice of Intent:

Date of 2nd Reading & Passing:

Date of Publication of Notice of Passing:

REQUEST FOR DECISION
RFD018-2025: Asphalt & Paving
Services



To: Council
From: Director of Public Works
Date: 13 May 2025
Subject: Asphalt & Paving Services

References/Attachments

- RFP #BER2025-002 Asphalt & Paving Services.
- RFP Bid Responses (3)

Recommendation

That council award the work scope as outlined in BER2025-002 Asphalt & Paving Services to Howard Little Excavating Ltd for the anticipated contract amount of \$225,000.00.

Background

The Town of Berwick issued RFP BER2025-002 on 24 April 2025 seeking bids from qualified proponents for general asphalt & paving services.

The RFP closed on 8 May 2025 and three (3) tender responses were received. All requirements within the RFP were fulfilled in all submissions.

Quotes received contain pricing that can be considered an approximate increase of 16% on average in comparison to pricing from last fiscal year, relative to a reasonable work scope.

The recommendation is to award the work to the lowest bidder relative to a reasonable work scope.

2025	Unit	Dexters		Valley		HLE	
		Cost per UOM	\$\$	Cost per UOM	\$\$	Cost per UOM	\$\$
Assume 70 m of curb replacement	70 m	\$ 190.00	\$ 13,300.00	\$ 160.00	\$ 11,200.00	\$ 150.00	\$ 10,500.00
Assume 25 m of sidewalk hand overlay	9 MT	\$ 455.00	\$ 4,095.00	\$ 380.00	\$ 3,420.00	\$ 350.00	\$ 3,150.00
Assume 250 m of sidewalk spreader overlay	90 MT	\$ 350.00	\$ 31,500.00	\$ 315.00	\$ 28,350.00	\$ 300.00	\$ 27,000.00
Assume 600 m of Large Milling (2m)	2400 m2	\$ 10.50	\$ 25,200.00	\$ 30.00	\$ 72,000.00	\$ 14.00	\$ 33,600.00
Assume 600 m of Mechanical Spreader Patching	432 MT	\$ 255.00	\$ 110,160.00	\$ 270.00	\$ 116,640.00	\$ 230.00	\$ 99,360.00
Assume 300 m of Cut & Patch Asphalt	108 MT	\$ 475.00	\$ 51,300.00	\$ 475.00	\$ 51,300.00	\$ 450.00	\$ 48,600.00
			\$ 235,555.00		\$ 282,910.00		\$ 222,210.00

REQUEST FOR DECISION

RFD018-2025: Asphalt & Paving Services



A summary of pricing and RFP requirements is included as an appendix to this recommendation.

Financial Implications

This work is within the budget amount included in the approved operating budget.

Priority Alignment

Check Applicable	Strategic Priority Area	Comments
X	Economic	
X	Environmental	
	Social	
	Cultural	

Alternatives

N/A

Community Engagement/Communication

N/A

CAO Comments

I support the staff recommendation.

CAO Initials: JB

Target Decision Date: 13 May 2025

REQUEST FOR DECISION

RFD018-2025: Asphalt & Paving Services



Appendix

			Dexter	Valley Paving	HLE
	UOM	EST QTY	UNIT PRICE	UNIT PRICE	UNIT PRICE
Planer Patch 50mm / Small Milling					
<i>Includes mechanical removal of existing, hauling to the PW Yard, cleaning work area, tack coat, supply, spreading, and compacting of hot mix asphalt.</i>	m ²	TBD	\$ 75.00	\$ 109.00	\$115.00
Pavement Planing / Large Milling					
0.6m x 50mm thickness	m ²	TBD	\$ 27.00	\$ 45.00	\$ 27.00
2.0m x 50mm thickness	m ²	TBD	\$ 10.50	\$ 30.00	\$ 14.00
<i>Includes mechanical removal of existing asphalt surface, hauling to PW Yard, cleaning surface of all loose material.</i>					
Cut & Patch Asphalt (75mm to 100mm thickness)					
<i>Includes vertical saw cut full depth, excavation and removal of materials to required depth, hauling to PW Yard, supply and placement of Type 1 gravel is required, tack coat of existing asphalt edges, supply, placement, and compaction of hot mix asphalt.</i>	MT	TBD	\$475.00	\$ 475.00	\$450.00
Mechanical Spreader Patching (no milling)					
<i>Includes cleaning of work area, tack coat, supply, spreading by mechanical spreader, compaction of hot mix asphalt.</i>	MT	TBD	\$255.00	\$ 270.00	\$230.00
Asphalt Hand Patching (no milling)					
<i>Includes cleaning surface, tack coat, supply, placement, and compaction of hot mix asphalt.</i>	MT	TBD	\$505.00	\$ 456.00	\$450.00
Asphalt Curb					
<i>Includes supply, placement, and finishing of hot mix asphalt curb on existing asphalt base.</i>	m	15-30m	\$190.00	\$ 160.00	\$150.00
Asphalt Sidewalk Hand Overlay					
<i>Includes cleaning, supply, placement, and compaction of hot mix asphalt on existing asphalt or concrete sidewalks (no removal of existing asphalt required).</i>	MT	TBD	\$455.00	\$ 380.00	\$350.00
Asphalt Sidewalk Spreader Overlay					
<i>Includes cleaning, supply, placement, and compaction of hot mix asphalt on existing asphalt or concrete sidewalks (no removal of existing asphalt required).</i>	MT	TBD	\$350.00	\$ 315.00	\$300.00
Placement of Gravel					
<i>Includes placement of 150mm Type 1 gravel, fine grading, compaction.</i>	m ²	TBD	\$ 63.00	\$ 23.25	\$ 12.00
Asphalt Removal, Roads					
<i>Includes excavating and removal to PW Yard.</i>	m ³	TBD	\$ 27.00	\$1,110.00	\$108.00
Asphalt Removal, Sidewalks					
<i>Includes excavating and removal to PW Yard.</i>	m ³	TBD	\$ 30.00	\$1,215.00	\$120.00
Corporate Profile included?			Yes	Yes	Yes
List of Equipment			Yes	Yes	Yes
Proof of WCB			Yes	Yes	Yes
Commercial General Liability, \$3M?			Yes	Yes	Yes
2 relevant work references?			Yes	Yes	Yes

REQUEST FOR DECISION

RFD019-2025: Gravity Sewer Repair, Commercial Street



To: Council
From: Director of Public Works
Date: 13 May 2025
Subject: Collapsed Gravity Sewer Line on Commercial Street

References/Attachments

- CCTV Footage, dated 7 October 2024 (*Union St inter - Wilsons_d11e3274-5edc-464c-b4c1-2261fa631b610910a08e-9a58-4919-a95a-1a7e3326e02f*)
- RFD037-2024: Gravity Sewer Repair, Commercial Street, dated 8 October 2024.
- CCTV Footage, dated 18 February 2025 (Line 1 MH in Front of Civic No 211 To MH corner of Union Street)
- Proposal / Quote for Work, Howard Little Excavating Ltd, dated 21 April, 2025.

Recommendation

That Council approve the transfer of \$64,000 from the General Operating Reserve to the Sewer Operating Reserve.

That Council approve the scope of work received from Howard Little Excavating Ltd on 21 April 2025, with a price to complete of \$109,930.00 excluding applicable taxes and funded by \$100,000 from Capital out of Sewer Revenue and \$14,170 for from the Sewer Operating Reserve.

Background

7 October, 2024 - While performing vector flushing operations along Commercial Street (west side, north of Union Street), a section of 8in non-reinforced concrete pipe was determined to be unpassable in either direction with the flushing nozzle. Refer to figure 1.

The CCTV camera was ran in the line, which found visual evidence of a collapsed pipe. Refer to the figures 2 and 3.

Following an onsite discussion with the employee supporting flushing operations and the CCTV operator, The Director of Public Works spoke with a local commercial property owner (e.g. the property directly upstream of the impacted section of gravity line) who stated that they had been having issues with slow drains and sewer backups. After working with a local plumber to have their sewer lateral inspected and a portion replaced, their problems were not resolved.

Howard Little Excavating was called and assessed the site for the purpose of providing a quote for the replacement of the pipe using a conventional trenching approach. The

REQUEST FOR DECISION

RFD019-2025: Gravity Sewer Repair, Commercial Street



contractor did not submit a formal quotation due to the high cost anticipated (e.g. accounting for trenching, traffic control, asphalt, concrete), and recommended that we look at alternate methods for remediation.

8 October, 2024 - Council approval was obtained for the use of approximately \$100,000 (pre-HST) of operating reserves for payment of invoices associated with emergency repairs to a collapsed 8in non-reinforced concrete gravity sewer line (e.g. the gravity sewer line in question) in the 2024/25 fiscal year.

Remainder of 2024 calendar year – Two companies that offer inflatable resin patching were contacted; MacVac declined to bid based on the condition of the pipe, and Eastern Trenchless wanted to re-camera the line before bidding.

February 2025 – Eastern Trenchless re-assessed the line and based on the condition of the pipe, declined to bid on an inflatable resin patch repair.

March 2025 – Director of Public Works reached out to Evangeline Excavation to assess the possibility of repair using a pull-through or push-through operation with thick-wall HDPE piping. After several phone calls and 2 site visits, it was determined that the repair could be completed with this technology, however Evangeline Excavation recommended that we work with a different excavation company for the trenching and road restoration work. Howard Little Excavating was contacted again; videos were reviewed, and a site visit was conducted with both companies.

22 April, 2025 – Director of Public Works received a formal quotation from Howard Little Excavating to perform the repair, with Evangeline Excavation as a sub-contractor, for \$109,930.00 plus HST. The quotation was reviewed with Town Engineer, Tim Bouter, who felt the quote was reasonably priced and recommended that we proceed with the work.

The work should still be considered emergency repairs, even though it took a longer time than anticipated to find a reasonable construction method.

REQUEST FOR DECISION
RFD019-2025: Gravity Sewer
Repair, Commercial Street



Figure 1: Approximate location (red line) of the unpassable section of 8in gravity sewer line on Commercial St. For reference, the Commercial St / Union St intersection is shown. The section of unpassable line is approximately 45m (147 ft) in length.

REQUEST FOR DECISION
RFD019-2025: Gravity Sewer
Repair, Commercial Street

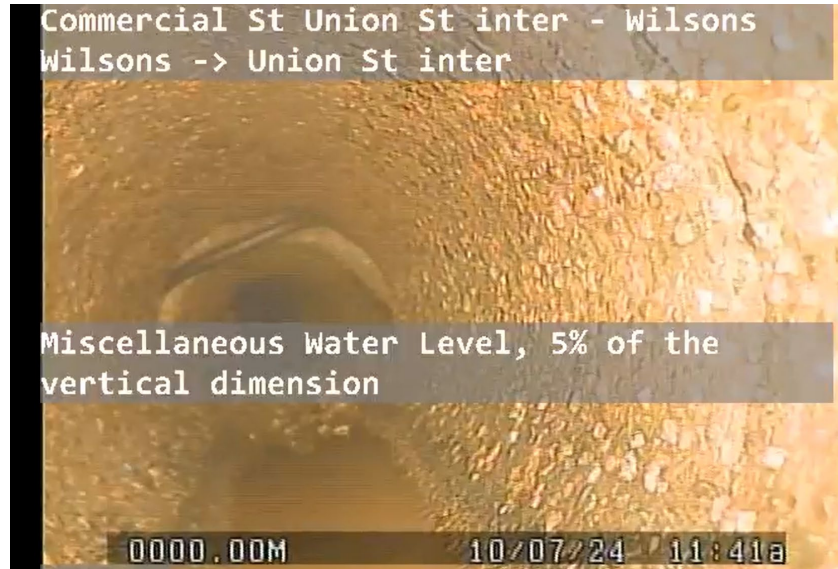


Figure 2: CCTV screen shot (Oct 2024) of the 8in non-reinforced concrete pipe. In the foreground, the circular inner wall of the pipe is visible.



Figure 3: CCTV screen shot (Oct 2024) with the camera stationed ~2.4 m forward of the previous screen shot. Sections of the pipe are missing at the 3:00 and 9:00 quadrants of the pipe; concrete debris is visible in the water level.



Figure 4: CCTV screen shot (Feb 2025) with the camera stationed ~8.1 m forward of the Wilson's Pharmacy northernmost driveway. Sections of the pipe are circumferentially missing.

REQUEST FOR DECISION

RFD019-2025: Gravity Sewer Repair, Commercial Street



Financial Implications

During the year-end for 2023-24 approximately \$100,000 of the surplus which the auditor automatically transferred to the Town's Operating Reserve relates to Sewer operations. Approximately \$36,000 was used within fiscal 24-25 to fund the unbudgeted purchase of \$27,000 for UV lights for the WWTP and \$9,000 for scoping lines relating to the capital design phases for our street replacements. The balance of \$64,000 should be transferred to the Sewer Operating Reserve, and a motion has been included within the staff's recommendation.

Council approved the carry-forward project in the 2025/26 capital budget.

Priority Alignment

Check Applicable	Strategic Priority Area	Comments
X	Economic	
X	Environmental	
X	Social	
	Cultural	

Alternatives

There are no recommended alternatives.

Community Engagement/Communication

N/A

CAO Comments

The CAO approved alternative procurement for this work based on due diligence by the Director of Public Works in relation to the initial emergency request to obtain multiple quotes. The subcontractor is the only local company capable of completing the work with limited excavation.

CAO Initials: JB

Target Decision Date: 13 May 2025

MAYOR'S REPORT

FROM April 22 TO May 13

Date	Lead	Purpose
April 22	Kings REMO	Regular board meeting
April 22	Media interview on budget	Jen and I met with Jason Malloy article appeared in the May 2 CH
April 22	Bridge meeting with DoT and Dexters	Town staff and Fire group met on site and reviewed items
April 23	AREA board strategic planning session	Met in Enfield with the board to complete Strat plan discussion
April 23	Public Meeting on MPS review	Good turnout on RR zones for the MPS
April 24	Audit Committee	Met with the new audit team from Doanne Grant Thornton
April 29	Hall of Fame	Regular meeting
April 30	AREA Board meeting	Virtual board meeting
May 1	Greg Hubbert, Dorothy Miller and Bonnah Carey, Krista	Met to discuss how to get feedback from those that are

		underserved and tend not to participate
May 6	AREA members meeting with the Minister of Energy	Mayors and CEOs of MB, Antigonish and Berwick met with staff to discuss issues with regulator and options for improvement
May 6	PAC meeting	Recommended status quo on RR zones
May 10	Berwick Fire Dept	Mother's Day annual Banquet
May 12	BEC	
May 13	Eden Valley Check In	
May 13	Council	



NOVA SCOTIA
Municipal Affairs
Office of the Minister

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902 424-5550 Fax 902 424-0581 • novascotia.ca

April 23, 2025

Dear Mayors, Wardens and Chairs:

Re: Reprofiting of the Beautification and Streetscaping Program (BSP) and the
Community Works Program (CWP)

In recent years, the Department of Municipal Affairs has been supporting municipalities with historic investments that are helping to build strong, prosperous communities. On this point, there is always more work to do, and we are excited to keep building on this momentum.

We are pleased to announce that the department has added an additional \$1 million to the Provincial Capital Assistance Program (PCAP), for the 2025-26 program year, and on a go-forward basis. This increase in funding is the result of sunsetting two annual programs we have offered previously: the Beautification and Streetscaping Program and the Community Works Program.

In our review of these programs, and in consideration of our provincial priorities for housing, growth, and affordability, it was clear that these funds could have a greater impact on municipalities through the PCAP. We need to ensure municipalities have systems and services in place that are foundational to their growth and sustainability. That is why we are focused on delivering the greatest impact possible with programs that help municipalities to make strategic, intentional use of the provincial and federal funding opportunities available. The reprofiling of these programs will increase the PCAP budget from \$690,000 to \$1.69 million, increasing the Province's support in the preliminary stages of infrastructure projects.

We will continue to work with our municipalities to ensure that the programs we are offering are the ones that meet their most critical needs. As always, we are grateful for your collaboration in working to strengthen and grow our communities, and we welcome your feedback on how we can deliver programs that will maximize impact for our municipalities and for Nova Scotians.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John A. Lohr'.

Honourable John A. Lohr
Minister of Municipal Affairs

c: Chief Administrative Officers
Juanita Spencer, Chief Executive Officer, NSFM
David Campell, Executive Director, AMANS