

# Royal Gazette

## Part II Regulations under the Regulations Act

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April 20, 2012

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**In force date of regulations:** As of March 4, 2005\*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

\*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

**N.S. Reg. 73/2012**

Made: March 27, 2012

Filed: March 29, 2012

Interest Rate Paid by Minister of Finance Regulations

Order in Council 2012-89 dated March 27, 2012  
Regulations made by the Governor in Council  
pursuant to Sections 35 and 42 of the *Public Trustee Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated February 29, 2012, and pursuant to Sections 35 and 42 of Chapter 379 of the Revised Statutes of 1989, the *Public Trustee Act*, is pleased to make regulations respecting the amount of interest to be paid to any person entitled to money held by the Minister of Finance under the *Public Trustee Act* in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 27, 2012.

**Schedule "A"**

**Regulations Respecting Interest Rates Paid by [the] Minister of Finance  
made by the Governor in Council under Section 42 of Chapter 279  
of the Revised Statutes of Nova Scotia, 1989,  
the *Public Trustee Act***

**Citation**

1 These regulations may be cited as the *Interest Rate Paid by Minister of Finance Regulations*.

**Definition**

2 In these regulations, "Act" means the *Public Trustee Act*;

**Interest rate**

- 3 (1) The interest rate on money paid by the Minister of Finance under Section 35 of the Act is the Royal Bank of Canada's prime rate less 2% per year.
- (2) Interest paid under Section 35 of the Act is paid on the principal amount from the date the money was received from the Public Trustee by the Minister of Finance to the date of payment.

**N.S. Reg. 74/2012**

Made: March 27, 2012

Filed: March 29, 2012

Proclamation, S. 18, S.N.S. 2010, c. 73

Order in Council 2012-90 dated March 27, 2012  
Proclamation made by the Governor in Council  
pursuant to Section 18 of  
*An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated March 6, 2012, and pursuant to Section 18 of Chapter 73 of the Acts of 2010, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that subsection (2) of Section 15 of

Chapter 73 of the Acts of 2010, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, do come into force on and not before April 20, 2012.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

ELIZABETH THE SECOND, by the Grace of God,  
of the United Kingdom, Canada and Her Other  
Realms and Territories, Queen, Head of the  
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE  
CONCERN,

GREETING:

### A PROCLAMATION

WHEREAS in and by Section 18 of Chapter 73 of the Acts of 2010, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, it is enacted as follows:

- 18** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that subsection (2) of Section 15 of Chapter 73 of the Acts of 2010, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, do come into force on and not before April 20, 2012;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that subsection (2) of Section 15 of Chapter 73 of the Acts of 2010, *An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act*, do come into force on and not before April 20, 2012, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these  
our Letters to be made Patent and the  
Great Seal of Nova Scotia to be  
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour  
the Honourable Mayann E. Francis, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional  
Municipality, this 27th day of March in the year  
of Our Lord two thousand and twelve and in the  
sixty-first year of Our Reign.

BY COMMAND:

sgd: **Ross Landry**  
Provincial Secretary  
Minister of Justice and Attorney General

**N.S. Reg. 75/2012**

Made: March 27, 2012

Filed: March 29, 2012

Proclamation, S. 13, S.N.S. 2011, c. 35

Order in Council 2012-92 dated March 27, 2012

Proclamation made by the Governor in Council

pursuant to Section 13 of the

*Fair Automobile Insurance (2011) Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Insurance Act* dated February 29, 2012, and pursuant to Section 13 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Sections 4, 5 and 9 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, do come into force on and not before April 1, 2012.

PROVINCE OF NOVA SCOTIA

sgd: **Mayann E. Francis**

G/S

ELIZABETH THE SECOND, by the Grace of God,  
of the United Kingdom, Canada and Her Other  
Realms and Territories, Queen, Head of the  
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE  
CONCERN,

GREETING:

**A PROCLAMATION**

WHEREAS in and by Section 13 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, it is enacted as follows:

- 13** This Act, other than Sections 1 to 3 and subsection 7(1), comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Sections 4, 5 and 9 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, do come into force on and not before April 1, 2012;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Sections 4, 5 and 9 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, do come into force on and not before April 1, 2012, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these  
our Letters to be made Patent and the  
Great Seal of Nova Scotia to be  
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour  
the Honourable Mayann E. Francis, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 27th day of March in the year of Our Lord two thousand and twelve and in the sixty-first year of Our Reign.

BY COMMAND:

**sgd: Ross Landry**  
Provincial Secretary  
Minister of Justice and Attorney General

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**N.S. Reg. 76/2012**

Made: March 29, 2012

Filed: March 30, 2012

Proclamation—General Assembly

General Assembly  
Proclamation dated March 29, 2012

PROVINCE OF NOVA SCOTIA

**sgd: Mayann E. Francis**

G/S

ELIZABETH THE SECOND, by the Grace of God,  
of the United Kingdom, Canada and Her Other  
Realms and Territories, Queen, Head of the  
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE  
CONCERN,

G R E E T I N G:

**A PROCLAMATION**

WHEREAS we have been advised by Our Executive Council that it is in the public interest that the Third Session of the Sixty-First General Assembly should be prorogued this 29th day of March, A.D., 2012, and that the Fourth Session of the Sixty-First General Assembly should meet on Thursday, the 29th day of March, A.D., 2012, at two o'clock in the afternoon, for the dispatch of business;

NOW KNOW YE THAT WE, by and with the advice of Our Executive Council, have thought fit to prorogue the Third Session of the Sixty-First General Assembly on the 29th day of March, A.D., 2012, and to summon the said General Assembly and do hereby summon the said General Assembly to meet on Thursday, the 29th day of March, A.D., 2012, at two o'clock in the afternoon, for the dispatch of business, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these  
our Letters to be made Patent and the  
Great Seal of Nova Scotia to be  
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour  
the Honourable Mayann E. Francis, Lieutenant  
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 29th day of March in the year of Our Lord two thousand and twelve and in the sixty-first year of Our Reign.

BY COMMAND:

**Signed: Ross Landry**  
Provincial Secretary  
Minister of Justice and Attorney General

**N.S. Reg. 77/2012**

Made: March 29, 2012

Filed: March 30, 2012

Prescribed Petroleum Products Prices

Order dated March 29, 2012  
made by the Nova Scotia Utility and Review Board  
pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

**Order**

**NSUARB-GAS-W-12-13**

**In the Matter of the *Petroleum Products Pricing Act***

**- and -**

**In the Matter of Prescribing Prices for Petroleum Products  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

**Before:** Peter W. Gurnham, Q.C., Chair

**Order**

**Whereas** the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

**And whereas** the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

**And whereas** the Board revised the retail margin and transportation allowance effective January 6, 2012, in its Decision 2011 NSUARB 181, issued on November 23, 2011;

**And whereas** the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended March 28, 2012, are:

Grade 1 Regular gasoline	86.1¢ per litre
Ultra-low-sulfur diesel oil	86.6¢ per litre

**Now therefore** the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	86.1¢ per litre
Grade 2	89.1¢ per litre

Grade 3	92.1¢ per litre
Ultra-low-sulfur diesel oil	86.6¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 1.4¢ per litre
Ultra-low-sulfur diesel oil:	plus 0.3¢ per litre

And whereas a winter blending adjustment of plus 0.3¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., March 30, 2012.

Dated at Halifax, Nova Scotia, this 29th day of March, 2012.

Sgd: Elaine Wagner  
Clerk of the Board

**Schedule “A”**

**Prices Prescribed for Petroleum Products  
under the *Petroleum Products Pricing Act* and the  
*Petroleum Products Pricing Regulations*  
effective on and after 12:01 a.m. on March 30, 2012**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
<b>Zone 1</b>								
Regular Unleaded	94.0	10.0	15.5	119.5	142.9	145.0	142.9	999.9
Mid-Grade Unleaded	97.0	10.0	15.5	122.5	146.4	148.5	146.4	999.9
Premium Unleaded	100.0	10.0	15.5	125.5	149.8	151.9	149.8	999.9
Ultra-Low-Sulfur Diesel	93.7	4.0	15.4	113.1	135.6	137.7	135.6	999.9
<b>Zone 2</b>								
Regular Unleaded	94.5	10.0	15.5	120.0	143.5	145.6	143.5	999.9
Mid-Grade Unleaded	97.5	10.0	15.5	123.0	147.0	149.0	147.0	999.9
Premium Unleaded	100.5	10.0	15.5	126.0	150.4	152.5	150.4	999.9
Ultra-Low-Sulfur Diesel	94.2	4.0	15.4	113.6	136.2	138.2	136.2	999.9

<b>Zone 3</b>								
Regular Unleaded	94.9	10.0	15.5	120.4	144.0	146.1	144.0	999.9
Mid-Grade Unleaded	97.9	10.0	15.5	123.4	147.4	149.5	147.4	999.9
Premium Unleaded	100.9	10.0	15.5	126.4	150.9	153.0	150.9	999.9
Ultra-Low-Sulfur Diesel	94.6	4.0	15.4	114.0	136.6	138.7	136.6	999.9
<b>Zone 4</b>								
Regular Unleaded	95.0	10.0	15.5	120.5	144.1	146.2	144.1	999.9
Mid-Grade Unleaded	98.0	10.0	15.5	123.5	147.5	149.6	147.5	999.9
Premium Unleaded	101.0	10.0	15.5	126.5	151.0	153.1	151.0	999.9
Ultra-Low-Sulfur Diesel	94.7	4.0	15.4	114.1	136.7	138.8	136.7	999.9
<b>Zone 5</b>								
Regular Unleaded	95.0	10.0	15.5	120.5	144.1	146.2	144.1	999.9
Mid-Grade Unleaded	98.0	10.0	15.5	123.5	147.5	149.6	147.5	999.9
Premium Unleaded	101.0	10.0	15.5	126.5	151.0	153.1	151.0	999.9
Ultra-Low-Sulfur Diesel	94.7	4.0	15.4	114.1	136.7	138.8	136.7	999.9
<b>Zone 6</b>								
Regular Unleaded	95.7	10.0	15.5	121.2	144.9	147.0	144.9	999.9
Mid-Grade Unleaded	98.7	10.0	15.5	124.2	148.4	150.4	148.4	999.9
Premium Unleaded	101.7	10.0	15.5	127.2	151.8	153.9	151.8	999.9
Ultra-Low-Sulfur Diesel	95.4	4.0	15.4	114.8	137.5	139.6	137.5	999.9

**N.S. Reg. 78/2012**

Made: March 30, 2012

Filed: March 30, 2012

## Assessment Appeal Cost Recovery Regulations

Order in Council 2012-100 dated March 30, 2012  
 Regulations made by the Governor in Council  
 pursuant to subsection 179(1) of the *Assessment Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated March 8, 2012, and pursuant to subsection 179(1) of Chapter 23 of the Revised Statutes of Nova Scotia, 1989, the *Assessment Act*, is pleased to make regulations providing for the Nova Scotia Utility and Review Board to recover costs associated with assessment appeals from the Property Valuation Services Corporation, in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2012.

**Schedule "A"**

**Regulations Respecting Assessment Appeal Cost Recovery  
 made by the Governor in Council under subsection 179(1)  
 of Chapter 23 of the Revised Statutes of Nova Scotia, 1989  
 the *Assessment Act***

**Citation**

1 These regulations may be cited as the *Assessment Appeal Cost Recovery Regulations*.



**Definitions**

2 In these regulations,

“Act” means the *Assessment Act*;

“Board” means the Nova Scotia Utility and Review Board;

“PVSC” means the Property Valuation Services Corporation established under the *Property Valuation Services Corporation Act*.

**Recovery of direct and indirect costs of the Board**

- 3 (1) In this Section, “direct and indirect costs” means all the direct and indirect expenses of the Board occurring on and after April 1, 2012, attributable to the Board’s responsibilities in conducting appeals under the Act, as determined by the Board.
- (2) The Board may assess fees against PVSC, at any interval it considers appropriate, for the purpose of recovering direct and indirect costs.
- (3) Fees assessed by the Board under these regulations must be paid by PVSC to the Board.

**N.S. Reg. 79/2012**

Made: March 30, 2012

Filed: March 30, 2012

Governor in Council Education Act Regulations

Order in Council 2012-104 dated March 30, 2012  
Amendment to regulations made by the Governor in Council  
pursuant to Sections 73 and 146 of the *Education Act*

The Governor in Council on the report and recommendation of the Minister of Education dated March 22, 2012, and pursuant to Sections 73 and 146 of Chapter 1 of the Acts of 1995-96, the *Education Act*, is pleased to amend the *Governor in Council Education Act Regulations*, N.S. Reg. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 1997, to provide for the mandatory education tax rate for the 2011-12 fiscal year, as set out in the attached Schedule “A” effective on and after March 30, 2012.

**Schedule “A”**

**Amendment to the *Governor in Council Education Act Regulations*  
made by the Governor in Council  
pursuant to Section 146 of Chapter 1 of the Acts of 1995-96,  
the *Education Act***

Section 2 of Schedule “A” to the *Governor in Council Education Act Regulations*, N.S. Reg. 74/97, made by the Governor in Council by Order in Council 97-405 dated June 24, 2007, is repealed and the following Section substituted:

- 2 (1) For the 2011–12 fiscal year, the general formula grant referred to in clause 8(3)(a) of the regulations is equal to the funding enrolment of the school board multiplied by \$3460.41 less the amount that would be raised by a tax at the rate of 30.434 cents per \$100 of the uniform assessment of the municipalities served by the school board, determined pursuant to the *Municipal Grants Act*.

- (2) For the 2011–12 fiscal year, the rate to be used in determining the minimum municipal contribution pursuant to Section 73 shall be a rate of 30.434 cents per \$100 of the uniform assessment of the municipalities served by the school board, determined pursuant to the *Municipal Grants Act*.

**N.S. Reg. 80/2012**

Made: April 5, 2012

Filed: April 11, 2012

Prescribed Petroleum Products Prices

Order dated April 5, 2012  
made by the Nova Scotia Utility and Review Board  
pursuant to Section 14 of the *Petroleum Products Pricing Act*  
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

**Order****NSUARB-GAS-W-12-14**

**In the Matter of the *Petroleum Products Pricing Act***

- and -

**In the Matter of Prescribing Prices for Petroleum Products  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

**Before:** Roland A. Deveau, Q.C., Acting Vice-Chair**Order**

**Whereas** the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

**And whereas** the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

**And whereas** the Board revised the retail margin and transportation allowance effective January 6, 2012, in its Decision 2011 NSUARB 181, issued on November 23, 2011;

**And whereas** the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended April 4, 2012, are:

Grade 1 Regular gasoline	88.3¢ per litre
Ultra-low-sulfur diesel oil	86.3¢ per litre

**Now therefore** the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	88.3¢ per litre
Grade 2	91.3¢ per litre
Grade 3	94.3¢ per litre
Ultra-low-sulfur diesel oil	86.3¢ per litre

**And now therefore** the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	plus 1.3¢ per litre
Ultra-low-sulfur diesel oil:	nil

**And now therefore** the Board prescribes the prices for petroleum products as set forth in Schedule "A" effective on and after 12:01 a.m., April 6, 2012.

**Dated** at Halifax, Nova Scotia, this 5th day of April, 2012.

Sgd: *Nancy McNeil*  
Clerk of the Board

### Schedule "A"

**Prices Prescribed for Petroleum Products  
under the *Petroleum Products Pricing Act* and the  
*Petroleum Products Pricing Regulations*  
effective on and after 12:01 a.m. on April 6, 2012**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
<b>Zone 1</b>								
Regular Unleaded	96.1	10.0	15.5	121.6	145.4	147.4	145.4	999.9
Mid-Grade Unleaded	99.1	10.0	15.5	124.6	148.8	150.9	148.8	999.9
Premium Unleaded	102.1	10.0	15.5	127.6	152.3	154.3	152.3	999.9
Ultra-Low-Sulfur Diesel	92.8	4.0	15.4	112.2	134.6	136.6	134.6	999.9
<b>Zone 2</b>								
Regular Unleaded	96.6	10.0	15.5	122.1	145.9	148.0	145.9	999.9
Mid-Grade Unleaded	99.6	10.0	15.5	125.1	149.4	151.5	149.4	999.9
Premium Unleaded	102.6	10.0	15.5	128.1	152.8	154.9	152.8	999.9
Ultra-Low-Sulfur Diesel	93.3	4.0	15.4	112.7	135.1	137.2	135.1	999.9
<b>Zone 3</b>								
Regular Unleaded	97.0	10.0	15.5	122.5	146.4	148.5	146.4	999.9
Mid-Grade Unleaded	100.0	10.0	15.5	125.5	149.8	151.9	149.8	999.9
Premium Unleaded	103.0	10.0	15.5	128.5	153.3	155.4	153.3	999.9
Ultra-Low-Sulfur Diesel	93.7	4.0	15.4	113.1	135.6	137.7	135.6	999.9
<b>Zone 4</b>								
Regular Unleaded	97.1	10.0	15.5	122.6	146.5	148.6	146.5	999.9
Mid-Grade Unleaded	100.1	10.0	15.5	125.6	150.0	152.0	150.0	999.9
Premium Unleaded	103.1	10.0	15.5	128.6	153.4	155.5	153.4	999.9
Ultra-Low-Sulfur Diesel	93.8	4.0	15.4	113.2	135.7	137.8	135.7	999.9
<b>Zone 5</b>								
Regular Unleaded	97.1	10.0	15.5	122.6	146.5	148.6	146.5	999.9
Mid-Grade Unleaded	100.1	10.0	15.5	125.6	150.0	152.0	150.0	999.9
Premium Unleaded	103.1	10.0	15.5	128.6	153.4	155.5	153.4	999.9
Ultra-Low-Sulfur Diesel	93.8	4.0	15.4	113.2	135.7	137.8	135.7	999.9

<b>Zone 6</b>								
Regular Unleaded	97.8	10.0	15.5	123.3	147.3	149.4	147.3	999.9
Mid-Grade Unleaded	100.8	10.0	15.5	126.3	150.8	152.8	150.8	999.9
Premium Unleaded	103.8	10.0	15.5	129.3	154.2	156.3	154.2	999.9
Ultra-Low-Sulfur Diesel	94.5	4.0	15.4	113.9	136.5	138.6	136.5	999.9

**N.S. Reg. 81/2012**

Made: April 4, 2012

Filed: April 11, 2012

Determination of boundary between Town of Bridgetown  
and Municipality of the County of Annapolis

Order dated April 4, 2012  
made by the Nova Scotia Utility and Review Board  
pursuant to Section 357 of the *Municipal Government Act*

**Decision and Order**

**NSUARB-MB-11-04**  
**2012 NSUARB 35**

**Nova Scotia Utility and Review Board****In the Matter of the *Municipal Government Act***

- and -

**In the matter of an application** by the **Town of Bridgetown** and the **Municipality of the County of Annapolis** for a change in their mutual boundary

**Before:** Wayne D. Cochrane, Q.C.

**Decision and Order**

**Whereas** the Town of Bridgetown and the Municipality of the County of Annapolis applied to the Nova Scotia Utility and Review Board on November 21, 2011, for a change in their mutual boundary;

**And whereas** Notice of the Proposed Change to the Town and Municipal Boundary was advertised in the *Chronicle Herald* and the *Annapolis County Spectator* on Thursday, December 8, 2011; and the advertisement invited objectors to advise the Board of their objections;

**And whereas** proof of the advertising has been provided to the Board;

**And whereas** the Board received no objections to the application, within thirty (30) days after the first advertisement;

**It is hereby ordered** pursuant to Section 357 of the *Municipal Government Act* that the Board confirms the change to the mutual boundary between the Town of Bridgetown and the Municipality of the County of Annapolis by adding the following area to the Municipality of the County of Annapolis:

**Beginning** where the northern boundary of the Town of Bridgetown intersects the western boundary of lands of Alexander David Beviss (PID: 05278221), being the eastern boundary of lands of Russell and James Ward;

**Thence** south 23 degrees 20 minutes 48 seconds east along lands of Beviss, Bowater Mersey, Her Majesty the Queen (formerly Canadian National Railway) and Stephen and Jean Clayton to the north side of Highway 1 (Granville Street) a total distance of 568 feet, more or less;

**Thence** westerly following the northerly sideline of Highway 1, 878 feet more or less to the original west boundary of the Town of Bridgetown;

**Thence** north 22 degrees 10 minutes 35 seconds west along lands of Ruth Joudrey (formerly of Canadian National Railways) 115.41 feet;

**Thence** north 23 degrees 49 minutes 35 seconds west along lands of Russell and James Ward 171.28 feet to an iron pipe located at the original northwest corner of the Town of Bridgetown;

**Thence** north 67 degrees 23 minutes 50 seconds east along other lands of Russell and James Ward 826.13 feet to the Place of Beginning.

**Containing** seven and three quarters of an acre or thereabouts.

**It is further ordered** that the amended mutual boundary for the Town's western boundary is described in Schedule "A" attached hereto and forming part of this Order.

**Dated** at Halifax, Nova Scotia this 4th day of April, 2012.

Sgd. *Elaine Wagner*  
Clerk of the Board

#### **Schedule "A"**

The Town of Bridgetown western boundary is described as follows:

**All** that certain portion of the common boundary between the Municipality of the County of Annapolis and the Town of Bridgetown, situated in Annapolis County, Province of Nova Scotia, more particularly bounded and described as follows:

**Beginning** at a point on the west boundary of lands now or formerly of Alexander David Beviss and the east boundary of lands now or formerly of Russell Scott Ward and James Russell Ward;

**Thence** South 23 degrees 20 minutes 48 seconds East 416.62 feet along the west boundary of lands now or formerly of Alexander David Beviss and the west boundary of lands now or formerly of Bowaters Mersey Paper Company Limited to a calculated point;

**Thence** South 22 degrees 13 minutes 50 seconds East 100.02 feet along the west boundary of lands now or formerly of Her Majesty the Queen in Right of the Province of Nova Scotia to a calculated point;

**Thence** South 20 degrees 51 minutes 44 seconds East 59.64 feet along the west boundary of lands now or formerly of C. Stephen Clayton and Jean B. Clayton to a survey marker;

**Thence** South 89 degrees 02 minutes 20 seconds West 667.83 feet along the north boundary of Trunk No. 1 to a calculated point;

**Thence** westerly along the north boundary of Trunk No. 1 following a curve to the left of radius 653.72 feet an arc distance of 40.36 feet to a calculated point, said calculated point being South 87 degrees 16 minutes 12 seconds West 40.36 feet from the aforesaid calculated point;

**Thence** westerly along the north boundary of Trunk No. 1 following a curve to the left of radius 1145.46 feet and arc distance of 170.31 feet to a calculated point, said calculated point being South 77 degrees 23 minutes 56 seconds West 170.15 feet from the aforesaid calculated point;

**Thence** South 22 degrees 10 minutes 35 seconds East 66.30 feet crossing ~~Trunk~~ [Trunk] No. 1 to a survey marker on the south boundary of Trunk No. 1;

**Thence** southerly along the west boundary of lands now or formerly of Russell Scott Ward and James Russell Ward to the Annapolis River.

**Being and intended to be** a portion of the common boundary between the Municipality of the County of Annapolis and the Town of Bridgetown, a portion of which is shown on a Plan of Survey certified by Derik R. DeWolfe, NSLS, dated December 23, 2009, Plan No. 2009-229P-A and filed at the Registry of Deeds for Annapolis County as Plan No. 99974116.