

TOWN OF LUNENBURG  
**COUNCIL MEETING AGENDA**  
Tuesday, September 24, 2024 | 6 pm  
Lunenburg Town Hall – Council Chamber  
120 Townsend Street



**NOTICE:** Council meetings are open to the public and held in Town Hall. **Please use the back entrance at 120 Townsend Street.**

The public can also watch meetings through Zoom. To livestream this meeting starting at 6 pm, use this Zoom link: <https://us06web.zoom.us/j/88956545878>

Meeting recordings are also available on the Town's [YouTube](#) channel.

**1. CALL TO ORDER**

**2. LAND ACKNOWLEDGEMENT**

This meeting takes place in the traditional and ancestral territory of the Mi'kmaq people. We are all Treaty people.

**3. ADDITIONS/ DELETIONS TO AGENDA**

**4. APPROVAL OF AGENDA**

4.1 September 24, 2024 Council Meeting Agenda

**Recommendation: That Council approve the agenda for the September 24, 2024 meeting as presented.**

**5. APPROVAL OF MINUTES**

5.1 September 3, 2024 Committee of the Whole Meeting Minutes

**Recommendation: That Council approve the September 3, 2024 Committee of the Whole meeting minutes as presented.**

5.2 September 10, 2024 Council Meeting Minutes

**Recommendation: That Council approve the September 10, 2024 Council meeting minutes as presented.**

**6. PRESENTATIONS**

**7. PUBLIC INPUT AND QUESTIONS – 20 MINUTES**

- Each person is limited to 3 minutes

- Each person must state their name
- Questions or comments are directed to the Chair
- Comments and questions are limited to items on today's agenda

## **8. CORRESPONDENCE**

*Unless a recommendation has been provided, correspondence items are for information only. Should Council wish to act on something within a correspondence item, a motion of Council must be made.*

8.1 Noise By-law Exemption Request: Guy Fawkes Day Fire Works – *Lunenburg Fire Department*

**Recommendation:** That Council approve a Noise By-law exemption for the Lunenburg Fire Department to accommodate fireworks in celebration of Guy Fawkes Day from the back parking lot of the Lunenburg Fire Station on Saturday, November 2, 2024, between 7:00 p.m. and 8:00 p.m.

8.2 South Shore Housing Action Coalition Presentation Follow-Up

8.3 Amendment Request: Cultural Tourism Working Group Terms of Reference – *Paula Rennie*

8.4 High Liner Foods Day – *Proclamation Request*

**Recommendation:** That Council proclaim December 12, 2024, as High Liner Foods Day in the Town of Lunenburg, in celebration of High Liner Foods' 125th anniversary.

## **9. PUBLIC HEARINGS, PUBLIC INFORMATION MEETINGS AND APPEALS**

## **10. BUSINESS ARISING AND UNFINISHED BUSINESS**

10.1 Council Procedural Policy – *Decision*

**Recommendation:** That Council approve the Council Procedural Policy as presented, repealing and replacing, Policy #96, the Council and Committee Meetings and Proceedings Policy.

## **11. NEW BUSINESS**

11.1 Pelham Street Reconstruction Phase 1 – *Project Deferral*

**Recommendation:** That Council defer the Pelham Street Reconstruction – Phase 1

Project for Capital Year 2024/25.

11.2 Nomination of Prominent Lunenburger: BGen. Sheila Anne Hellstrom

Recommendation: That Council approve the nomination of Sheila Hellstrom as a Prominent Lunenburger per the Recognition of Prominent Lunenburgers Policy.

11.3 Redesignation and Rezoning of Lower Green Street – *MPS and LUB Amendment Application*

Recommendation: That Council approve first reading of the amended Municipal Planning Strategy and Land Use Bylaw to redesignate PID 60052495, PID 60052503 (rear and front portion), PID 60052511, PID 60052529, PID 60734167, PID 60052552, PID 60487857, PID 60052560, PID 60052578, PID 60052586, PID 60052594 to Residential (RES) and rezone them Lower Density Residential (RL).

11.4 Amending the MPS to be consistent with the Old Town Lunenburg Heritage Conservation District Plan and By-law

Recommendation: That Council approve first reading of the amended Municipal Planning Strategy, as presented in Attachment A, to ensure consistency between the Municipal Planning Strategy and the Old Town Lunenburg Heritage Conservation District Plan and By-law.

## **12. NOTICES OF MOTION, INFORMATION REQUESTS AND COUNCILLOR REPORTS**

### **13. MOTION ACTION LIST**

#### **14. IN CAMERA**

- 14.1 Acquisition, sale, lease and security of municipal property
- 14.2 Acquisition, sale, lease and security of municipal property
- 14.3 Personnel matters

Recommendation: That Council move in camera at \_\_\_\_\_ to discuss agenda items 14.1 and 14.2 (Acquisition, sale, lease and security of municipal property) and 14.3 (Personnel matters per the Municipal Government Act).

## **15. ADJOURNMENT**

TOWN OF LUNENBURG  
**COMMITTEE OF THE WHOLE MEETING MINUTES**

September 3, 2024 | 6 pm

Lunenburg Town Hall – Council Chamber and virtually through Zoom



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Present	Mayor Jamie Myra, Deputy Mayor Stephen Ernst, Councillors Peter Mosher and Ed Halverson
Absent	Councillors Melissa Duggan and Jenni Birtles
Also present	Trevor Hume, Planner Kayla Byrne, Municipal Clerk
Call to Order	The meeting was called to order at 6:00 p.m.
Land acknowledgment	It was acknowledged that Lunenburg is located in the unceded territory of the Mi'kmaq people.
Approval of Agenda	Moved by Councillor Mosher, seconded by Councillor Halverson, that Committee of the Whole approve the agenda for the September 3, 2024 meeting as presented.

**Motion carried unanimously**

Cornwallis Street Renaming	Councillor Halverson revisited the topic of renaming Cornwallis Street, citing concerns about the reconciliation process and the decision to select "Queen Street" as the new name. He expressed a desire to reconsider the previous decision and asked for further input from fellow Councillors. After an extensive discussion, Councillor Halverson made a motion to send the issue back to Council for further consideration, specifically proposing the removal of "Queen" from the list of options for the renaming. However, the motion was not seconded, and therefore, no vote took place.
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Council indicated that the renaming of Cornwallis Street to Queen Street, as previously decided in November 2023, will proceed.

Dangerous and Unsightly Premises	Council discussed the creation of a comprehensive Dangerous and Unsightly Premises Bylaw. Staff presented two options: drafting a bylaw that further defines unsightly and dangerous conditions beyond the Municipal Government Act (MGA) or establishing a policy for handling complaints.
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Councillors expressed a desire to see specific height restrictions for grass included, for ambiguous terms like “unsightly” to be more clearly defined in the policy, and for some flexibility for residents naturalizing their yards.

Moved by Councillor Moser, seconded by Deputy Mayor Ernst, that Committee of the Whole direct staff to develop a Dangerous and Unsightly Premises Policy that includes clear grass height restrictions; flexibility for lawn naturalization with appropriate safeguards against hazards; a refined definition of "unsightly"; reasonable compliance timelines, and provisions for the town to take remedial action if needed; and that this policy be presented to Council for consideration at a future meeting.

**Motion carried unanimously**

Adjournment

There being no further business, the September 3, 2024 Committee of the Whole meeting adjourned at 7:03 p.m.

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The minutes were read and approved.

TOWN OF LUNENBURG  
**COUNCIL MEETING MINUTES**

September 10, 2024 | 6 pm

Lunenburg Town Hall – Council Chamber and virtually through Zoom



- Present                    Mayor Jamie Myra, Deputy Mayor Stephen Ernst, Councillors Jenni Birtles, Peter Mosher, Ed Halverson and Melissa Duggan
  
- Also present            Tyson Joyce, Director of Public Works  
Kathleen Rafuse, Town Accountant  
Marc Kiely, Interim Director of Community Development  
Maya Mills, Community Development Staff  
Kayla Byrne, Municipal Clerk  
Darren Romkey, Lunenburg Fire Chief
  
- Call to Order            The meeting was called to order at 6:00 p.m.
  
- Land acknowledgment    It was acknowledged that Lunenburg is located in the unceded territory of the Mi'kmaq people.
  
- Approval of Agenda    Moved by Councillor Mosher, seconded by Councillor Halverson, that Council approve the agenda for the August 13 meeting, 2024 meeting with the following addition:
  - Agenda item 8.5: Vice Admiral (Retired) Peter Cairns Leadership Award Nomination - Letter of Support

**Motion carried unanimously**
  
- Approval of Minutes    Moved by Councillor Duggan, seconded by Deputy Mayor Ernst, that Council approve the August 13, 2024 meeting minutes as presented.
 

**Motion carried unanimously**

Moved by Councillor Mosher, seconded by Deputy Mayor Ernst, that Council approve the August 27, 2024 Committee of the Whole meeting minutes as presented.

**Motion carried unanimously**
  
- Public Input            Alison Strachan recognized the participation of members of the Lunenburg Fire Department in the recent FireFit Championships.
  
- Noise By-law Exemption    Moved by Councillor Duggan, seconded by Councillor Birtles, that Council approve a Noise By-law exemption for the Lunenburg Board of

- Request Trade to accommodate the Oktoberfest event at the Fisheries Museum of the Atlantic parking lot, including concert activities and post-event cleanup, from 11:00 p.m. on October 5, 2024, until 12:00 a.m. on October 6, 2024.  
**Motion carried unanimously**
- Noise By-law Exemption Request Moved by Councillor Birtles, seconded by Deputy Mayor Ernst, that Council approve a Noise By-law exemption to allow a fireworks display for the 21st Annual September Classic wooden boat regatta on September 21, 2024, at 9:00 p.m. at the Lunenburg Harbour.  
**Motion carried unanimously**
- Council requested that this exemption be advertised on the Town’s website and social media pages.
- Funding Request: Town Crier Competition Moved by Councillor Halverson, seconded by Councillor Mosher, that Council approve a total of \$1,167.10 to cover the travel and lodging expenses for Stephen Findlay, Lunenburg’s Town Crier, to attend the Town Crier Competition in Provincetown.  
**Motion carried unanimously**
- Funding Request: Canadian Fallen Fire Fighters Ceremony Moved by Councillor Mosher, seconded by Councillor Halverson, that Council approve the reimbursement of \$1,300 to cover the travel and lodging expenses for Darren Romkey, Fire Chief of the Lunenburg and District Fire Department, for attending the Canadian Fallen Firefighters ceremony in Ottawa on September 6 and 7, 2024.  
**Motion carried unanimously**
- Letter of Support Request Moved by Councillor Halverson, seconded by Deputy Mayor Ernst, that the Mayor provide a letter of support on behalf of the Town of Lunenburg for the nomination of Dr. Colin Ross for the Vice Admiral (Retired) Peter Cairns Leadership Award in recognition of his work on electric vessels at ABCO.  
**Motion carried unanimously**
- Electric Utility Budgets 2024/2025 Moved by Councillor Halverson, seconded by Councillor Mosher, that Council approve the 2024/25 Electric Utility Operating Budget as presented for a total amount of \$7,518,700
- |               |                                  |
|---------------|----------------------------------|
| FOR           | AGAINST                          |
| 5 Councillors | 1 Councillor (Councillor Mosher) |
- Motion carried**

Moved by Councillor Duggan, seconded by Councillor Mosher, that Council approve the 2024/25 Electric Utility Capital Budget as presented for a total amount of \$2,626,000.

**Motion carried unanimously**

Fire Department  
Request for #6  
Tanker  
Replacement

Councillor Birtles declared a conflict of interest and moved to the public gallery.

The Fire Chief provided an update on the fire truck under consideration, a tanker designed mainly for use in rural areas. However, it can also be deployed in town if a water leak affects hydrants.

Moved by Councillor Halverson, seconded by Councillor Mosher, that Council approve the purchase of the #6 Tanker Replacement from Battleshield Industries in the amount of \$754,873 plus net HST for a total of \$787,226 and a contingency of \$10,774 for a total budget of \$798,000.

**Motion carried unanimously**

Councillor Birtles returned to the Council table.

Council Meeting  
Submissions and  
Public Input Policy

Moved by Councillor Halverson, seconded by Deputy Mayor Ernst, that Council give notice to approve the new Council Meeting Submissions and Public Input Policy as presented, repealing and replacing Policy #68, the Public Presentations at Town Council, Committee of the Whole Council and Committee Meetings Policy.

FOR  
1 Councillor (Councillor Halverson)

AGAINST  
5 Councillors

**Motion defeated**

Moved by Councillor Mosher, seconded by Councillor Birtles, that Council refer the draft Council Meeting Submissions and Public Input Policy to the incoming Council for its consideration.

FOR  
5 Councillors

AGAINST  
1 Councillor (Councillor Halverson)

**Motion carried**

Council  
Procedural Policy

Council reviewed the proposed procedural policy and requested the following edits be made before the policy returns for decision:

- Clarifying ambiguous terms in the electronic meeting section;
- Refining the definition of "politically sensitive" in the agenda finalization section;
- Including the deputy mayor in the agenda finalization process;
- Updating the process for addressing agenda items to also include councillor presentations;
- Simplifying the rules of debate by removing the reference to speaking on a matter four times; and
- Revising Appendix B to permit simple majority votes for most secondary motions.

Moved by Councillor Halverson, seconded by Councillor Mosher, that Council give notice to approve the new Council Procedural Policy with the edits as discussed at the Sept.10, 2024 meeting, repealing and replacing, Policy #96, the Council and Committee Meetings and Proceedings Policy.

**Motion carried unanimously**

Sewer Service  
Proposals for Lot  
2A Centennial  
Avenue

Staff presented an information report on ongoing discussions with the property owner of Lot 2A, Centennial Avenue, regarding challenges with sewer servicing. It was highlighted that the submitted proposals lacked sufficient engineering details for proper evaluation and may conflict with the Town's bylaws and policies.

Staff indicated it will work on developing the Sustainable Infrastructure Fund to address infrastructure needs. Communication with the property owner will also continue, with guidance based on existing bylaws and policies. Additionally, Council and staff may review the Street Services Extension Policy and related bylaws to consider potential improvements for development in established areas.

Bandstand  
Restoration

Moved by Councillor Halverson, seconded by Deputy Mayor Ernst, that Council reallocate \$20,000 from the Old Fire Hall Operating Budget and \$20,000 from the Town Hall Operating Budget to the Bandstand Restoration, totalling \$40,000 for Bandstand Restoration Engineering.

**Motion carried unanimously**

Wastewater  
Treatment Plant  
Upgrades and  
Expansion

Staff provided an update on the Wastewater Treatment Plant upgrades and expansion, highlighting that the project design is nearly complete, and the tender process is expected to begin in October 2024, with completion targeted for July 2026.

Councillors expressed concerns about potential risks to funding due to delays. Staff provided reassurance, noting that they are in communication with funding partners and that there may be flexibility in the timeline.

Dares Lake Dam and Spillway Upgrades

Moved by Councillor Mosher, seconded by Deputy Mayor Ernst, that Council defer the Dares Lake Dam and Spillway Upgrades Project for Capital Year 2024/25 with the intention of Staff revising the budget for this item and presenting it within the Water Utility's 2025/26 Capital Budget.

**Motion carried unanimously**

Regional Anti-Racism and Diversity Agreement

Moved by Councillor Duggan, seconded by Deputy Mayor Ernst, that extend the end date of the Lunenburg County Inter-Municipal Regional Anti-Racism and Diversity Agreement to September 30, 2026.

**Motion carried unanimously**

Motion Action List

Council received the motion action list for information.

Adjournment

There being no further business, the September 10, 2024 Council meeting adjourned at 8:15 p.m.

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The minutes were read and approved.

# *Lunenburg & District Fire Department*

*25 Medway Street, P.O. Box 1478  
Lunenburg, Nova Scotia, 634-8343  
Chief Darren Romkey*

*Sept 15, 2024*

*Lunenburg Town Council*

*The Lunenburg Fire Department is requesting a noise By-Law exception to have fire works on Saturday November 2<sup>nd</sup> , from the back parking lot of the station between 7 and 8pm.*

*We have been celebrating Guy Fawkes day on the Saturday nearest to November 5<sup>th</sup> since the passing of active fire fighter David John Lobb.*

*Thank you*

*Darren Romkey  
Fire Chief*



**South Shore Housing Action Coalition**

[sshousingaction@gmail.com](mailto:sshousingaction@gmail.com)

<http://sshac.ca>



[SouthShoreHousingActionCoalition](#)

September 4, 2024

## SSHAC Presentation Follow Up

Dear Mayor Myra and Council,

The South Shore Housing Action Coalition has recently completed presentations to all Municipal Units in Lunenburg and Queens Counties regarding the importance of Non-Market Housing Options in Our Communities. We thank you for your consideration of the information we shared during our presentation to your Municipal Council. Addressing the complex needs of our communities with respect to housing requires ongoing conversation and collaboration among community members, community groups, housing providers and all levels of government.

During our presentations, we were encouraged by the actions our Municipal Units have been, and are currently engaged in, related to addressing housing needs in their communities. It is our hope that you will continue your efforts to learn more about housing needs, opportunities, and to support non-market housing options.

Thank you for your thoughtful questions and comments related to housing during our presentations. Below are additional resources which relate to some of the questions and topics discussed, for your information. Please reach out to us at [sshousingaction@gmail.com](mailto:sshousingaction@gmail.com) if you have questions or would like to discuss anything further.

Sincerely,

*The South Shore Housing Action Coalition*

## Housing Resources

### SSHAC Resources

- *Municipal Housing Toolkit*: [https://sshac.files.wordpress.com/2016/01/grant\\_ross\\_a\\_policy\\_toolkit\\_for\\_lunenburg\\_and\\_queens\\_08\\_12\\_2015.pdf](https://sshac.files.wordpress.com/2016/01/grant_ross_a_policy_toolkit_for_lunenburg_and_queens_08_12_2015.pdf)
- *Evaluating Minimum Housing Standards in Nova Scotia*: <https://sshac.ca/wp-content/uploads/2019/02/evaluating-minimum-housing-standards-in-nova-scotia-1-3834953129-e1723744866795.pdf>
- *Short Term Rental Status Report 2023*: <https://sshac.ca/2023/11/22/2023-short-term-rental-status-report/>
- *Lunenburg and Queens Counties Households, Income & Housing: Census Highlights 2006-2021*: <https://sshac.ca/wp-content/uploads/2024/08/lq-households-income-housing-census-highlights-2006-to-2021.pdf>

### The value and role of non-market housing

- *Canadian Housing Renewal Association*: [Economic Study: The Impact of Community Housing on Productivity](#)
- *Canadian Human Rights Commission*: [What We Heard Report: Non-market housing as a solution to the housing crisis](#)

### Impact of Basic Income on Homelessness/Housing Insecurity

- *Basic Income Coalition Canada*: [Case for Basic Income and Homelessness](#)

### Nova Scotia Housing Agency/Housing Nova Scotia

- *Rent Supplement Program Changes*: <https://news.novascotia.ca/en/2024/08/23/rent-supplement-program-expands-aligns-benefits-rent-paid>
- *Community Housing Capital Fund to Protect Renters*: <https://news.novascotia.ca/en/2024/08/08/province-launches-community-housing-capital-fund-protect-renters>

## Province of Nova Scotia Housing Programs

There are numerous programs for Housing offered by the Province, a summary of what is available and the links for more information are listed below!

**Land for Housing** 🏠: Private and community housing developers can apply for provincially owned land to create new housing including affordable rental units - <https://beta.novascotia.ca/apply-land-available-through...>

**Affordable Housing Development Program** 🏠: Private and community housing developers can apply for forgivable loans to fund the construction of new housing or conversion of non-residential buildings - <https://beta.novascotia.ca/apply-funding-create...>

**Secondary and Backyard Suite Incentive Program** 🏠: Homeowners can apply for a loan to build a secondary or backyard suite on the property of their primary residence - <https://beta.novascotia.ca/apply-funding-build-secondary...>

**Home Repair and Accessibility Programs** 🏠: Various programs are available to fund emergency home repairs and renovations or modifications required to make homes safer and more accessible due to advancing age or disability - <https://housing.novascotia.ca/programs-and-services>

**Shelter Enhancement Program** 🏠: This program provides funding to improve existing or acquire and build new shelters for women, children and youth who have experienced family violence - <https://housing.novascotia.ca/programs/shelter-enhancement>

**Community Housing Acquisition Program** 🏠: Community housing providers can apply for a loan to help buy existing multi-unit residential properties for non-market housing - <https://beta.novascotia.ca/apply-loan-buy-multi-unit...>

**Community Housing Infrastructure and Repair Program** 🏠: Community housing providers can apply for forgivable loans to fund capital repairs on residential buildings. Learn more here:

- **Community Housing Operating Support Program** 🏠: This program provides short-term operating subsidies for community housing providers - <https://beta.novascotia.ca/apply-funding-community...>  
This program provides short-term operating subsidies for community housing providers - <https://beta.novascotia.ca/apply-operating-subsidies...>

**Housing Affordability** 🏠: Canada-Nova Scotia Targeted Housing Benefit: Homeowners and renters can apply for a monthly supplement to help with the cost of their housing costs or rent - <https://beta.novascotia.ca/.../canada-nova-scotia...>

**Down Payment Assistance Program** 🏠: First time homebuyers in Nova Scotia can apply for an interest-free loan to help with the down payment - <https://beta.novascotia.ca/apply-loan-help-down-payment...>

**Public Housing (Operated by the Nova Scotia Provincial Housing Agency)** 🏠: Public Housing provides safe, affordable, government-owned housing to low-income Nova Scotians - <https://nspha.ca/>

### *Other Initiatives*

- **Happipad** 🏠: Happipad is an online home-sharing platform which connects homeowners with extra rooms to renters looking for a safe and affordable accommodation. The service is free for Nova Scotian homeowners and renters - <https://happipad.com/nova-scotia/>

- **Meds Housing** 🏠: Meds Housing connects medical professionals with landlords so they can find suitable housing near their workplaces. Nova Scotian landlords can list for free by contacting the Investment Property Owners Association of Nova Scotia - <https://www.medshousing.com/en/medical-housing/?noPays=1...>
- **Community Housing Growth Fund** 🏠: This fund provides financial resources to support non-profit and co-operative housing across Nova Scotia to aid in increasing their supply of affordable housing - <https://centre.support/grants/community-housing-growth-fund/>

You can learn more about housing programs and resources provided and supported by the Department of Municipal Affairs and Housing here: [beta.novascotia.ca/government/municipal-affairs-and-housing](https://beta.novascotia.ca/government/municipal-affairs-and-housing)

**From:** [Paula Rennie](#)  
**To:** [Kayla Byrne](#); [Hilary Grant](#); [Jamie Myra](#); [ED Halverson](#); [Jenni Birtles](#); [Stephen Ernst](#); [Peter Mosher](#); [Melissa Duggan](#).  
**Date:** September 6, 2024 2:57:05 PM

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CAUTION: THIS IS AN EXTERNAL MAIL

Hello Kayla,

I hope this isn't too late to go on the agenda for the Council meeting on Tuesday, but if it is, could it be added to the next agenda?

I would like to request Council's consideration of amending the Terms of Reference for the Cultural Tourism Working Group to stipulate that their meetings, which are open to the public, be recorded, as are all council and committee meetings open to the public.

I wear hearing aids and often find it difficult to understand what people are saying, particularly those whose backs are to the gallery. As a result, I listen to the recordings for discussion I have not been able to hear.

Reasonable accommodation for disability, which covers hearing impairment, is enshrined in the Canada Charter of Rights and Freedoms, which grants equality rights to all persons without discrimination on the basis of a disability. Further, the Nova Scotia *Accessibility Act* states its purpose as, among other aims:

*The purpose of this Act is to*

*(a) achieve accessibility by preventing and removing barriers that disable people with respect to*

*(i) the delivery and receipt of goods and services,*

*(ii) **information and communication,***

*(iii) public transportation and transportation infrastructure,*

*(iv) employment,*

*(v) the built environment,*

*(vi) education, and*

*(vii) a prescribed activity or undertaking.*

I look forward to an amicable resolution of this problem, given the Town's resolve to provide an environment that is accessible to all.

Sincerely,

Paula Rennie

## Lunenburg Council Brief

### High Liner Foods 125<sup>th</sup> Anniversary

- For 125 years, High Liner Foods has been “Reimagining seafood” and providing quality, delicious, and convenient meals to nourish families across North America. The Company’s history is rich and deeply rooted in Atlantic Canada.
- The company’s head office and original facility remain based in Lunenburg, with another office in Halifax, employing hundreds of employees across Nova Scotia. High Liner Foods has additional offices and facilities around the world.
- High Liner Foods has a long-standing commitment to supporting the communities in which they operate. Over the last eight years, High Liner has been supporting Feed Nova Scotia through their annual donation matching campaign. To date they have raised over \$1million in financial support for the organization. High Liner has also provided Feed Nova Scotia with over 290,000Kg of product, or more than \$2.5 million worth of food to help advance the community support provided by Feed Nova Scotia’s 140 food banks, shelters and meal programs.
- High Liner provides support to many other organizations including local food drives and food banks, Sport Nova Scotia, We Care and The Grocery Foundation and more.
- Since 2021, High Liner’s Day of Nourishment events provide corporate office employees with organized community service opportunities to take pause from the workday and use their paid volunteer hours to support local organizations.
- High Liner Foods also has a rich history. On December 12, 1899, eleven shareholders, including seven members of Lunenburg’s Smith family, founded W.C. Smith and Company Limited.
- The company’s mission was to provision Lunenburg’s 200 fishing vessel fleet with every conceivable supply, from cooking spices to fishing lines and bait tubs.
- Soon after, they launched their own fleet, which by 1920 numbered 20 schooners. At its 25<sup>th</sup> anniversary, the company was the East Coast’s largest exporter of saltfish and turned its sights on the fresh fish trade.
- In 1926, Lunenburg Sea Products Limited opened as a cold storage and fresh fish plant, marking an important turning point in the company’s history. In that same year, "High Liner" was chosen as the name of the fresh fish business, which today lives on as one of Canada’s most successful retail food brands.
- Facing challenges and adversity along the way, as all companies do, the company continued to reimagine itself, expanding its operations to the US and abroad and transformed to become a recognized and respected value-added processor and seller of seafood within the global seafood industry.

- For 125 years High Liner Foods has navigated challenging waters and never wavered on their commitment to meet consumer needs with excellence, while always staying humble and supportive of the communities that have helped us along the way.

**Subject:** Council Procedural Policy – *Notice*  
**From:** Kayla Byrne, Municipal Clerk  
**Date:** August 27, 2024 – *COTW*  
Sept. 10, 2024 – *Notice*  
Sept. 24, 2024 – *Decision*



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## Recommendation

That Council approve the Council Procedural Policy as presented, repealing and replacing, Policy #96, the Council and Committee Meetings and Proceedings Policy.

## Alternatives

- Approve the policy with amendments. *Please note that Council can still approve a policy while directing amendments to be made in the final document.*
- Defer this item or refer it back to Committee of the Whole for further discussion
- Not make any changes to the current policy

## Background

The Municipal Government Act (MGA) allows councils to create policies that guide how they operate. Municipalities usually choose from four options for their Rules of Order: adopting Bourinot's or Robert's Rules of Order, creating their own, or using a combination of these. Whatever option is chosen must follow the MGA, ensuring no conflict with the Act.

At the August 27 Committee of the Whole (COTW) meeting, staff requested that the outgoing Council review the Council and Committee Meetings and Proceedings Policy to identify any areas needing clarification or gaps within the current policy.

At the September 10 Council meeting, Council provided notice of this policy and requested the following amendments be made before it returned for a decision:

- Clarifying ambiguous terms in the electronic meeting section;
- Refining the definition of "politically sensitive" in the agenda finalization section;
- Including the deputy mayor in the agenda finalization process;
- Updating the process for addressing agenda items to also include councillor presentations;
- Simplifying the rules of debate by removing the reference to speaking on a matter four times; and
- Revising Appendix B to permit simple majority votes for most secondary motions.

These changes have been made and are highlighted in yellow.

## **Discussion**

A detailed summary of the proposed policy is as follows:

### **1. Definitions**

The policy provides detailed definitions for terms relevant to Council procedures, such as Additional Meetings, Closed Sessions, Main Motion, Friendly Amendments, and Public Hearings.

### **2. Application and Interpretation**

This section outlines the policy's application to all Council, Committee of the Whole, and Council Committee meetings. If the Municipal Government Act (MGA) or this policy does not cover a matter, Robert's Rules of Order Newly Revised are used.

### **3. Organization of Council**

Organizational Meetings: Held annually in October (or November in election years) to determine Council appointments, meeting schedules, and review of procedural policies.

Inaugural Meeting: Following a municipal election, the Mayor and Councillors take their oaths of office.

### **4. Meetings**

- Regular Meetings: Held on dates set at the Organizational Meeting.
- Additional and Special Meetings: Additional meetings can be scheduled to handle detailed business or lengthy discussions, while Special Meetings address urgent or time-sensitive matters.
- Meeting Duration and Livestreaming: Meetings are limited to three hours unless extended by motion, and all meetings are livestreamed.

### **5. Committee of the Whole**

Council Members meet informally to discuss and explore issues in detail. The Committee does not make binding decisions, only recommendations or referrals back to regular Council meetings.

### **6. Closed Sessions**

Certain discussions may occur in closed sessions, but no binding decisions can be made. Closed session items must be justified by provisions of the MGA, and Council can invite third parties as needed.

### **7. Public Hearings**

Required for new bylaws or amendments, public hearings follow a structured format where anyone affected by a matter can speak. Further public input is restricted once the hearing is closed, but new hearings may be scheduled under special circumstances.

## **8. Bylaws**

Bylaws undergo two readings before adoption, with opportunities for amendments between readings. Failed bylaws can be reintroduced with similar terms at a future meeting.

## **9. Policies**

Policies must be presented to Council for notice before adoption. Significant amendments require a new notice period, and policies are considered abandoned if not adopted within two years of notice.

## **10. Agendas & Minutes**

The agenda follows a standardized structure (Appendix A) and is finalized at least six days prior to a meeting. Minutes are recorded for all Council and Committee meetings and are formally approved at the following meeting. Council receives the agenda package six days in advance, while the public receives it five days before the meeting.

## **11. Motions**

This section outlines various types of motions, including main motions, friendly amendments, and procedural motions. Rules for reconsidering, amending, or rescinding motions are clearly defined, along with guidelines for notice of motions and voting.

## **12. Debate and Speaking Procedures**

Council Members are limited to 10 minutes of speaking time per motion and may speak again after others have contributed. Points of order or privilege are mechanisms to address procedural or personal issues during debate.

## **13. Voting**

Council Members must vote on all matters unless they declare a conflict of interest. The policy also allows for the division of motions into separate votes if needed.

## **14. Disclosure of Pecuniary Interest**

Members must disclose any pecuniary interest (financial stake) in matters before the Council, abstain from discussions, and refrain from voting on those matters.

## **15. Electronic Meetings and Virtual Participation**

Council can conduct electronic meetings in situations where in-person attendance is impractical. Members are allowed to attend meetings remotely under specific conditions, such as illness.

## **Relevant Legislation**

Municipal Government Act

## **Financial**

There is no additional cost to approve or implement this policy.

**Communications**

If approved, this policy will be published on the Town's website.

**Attachments**

Current Council and Committee Meetings and Proceedings Policy

## **Council Procedural Policy**

### **POLICY STATEMENT**

The Town of Lunenburg is committed to ensuring that all Council and Committee meetings are conducted consistently, transparently, and in full compliance with legislative requirements. This policy supports orderly and effective decision-making processes that uphold the Town’s governance standards.

### **POLICY PURPOSE**

The purpose of this policy is to establish a clear and structured framework for conducting Council and Committee meetings.

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**PART 1: DEFINITIONS**

“Additional Meeting” refers to a meeting scheduled to address regular business that could not be completed during a regular meeting, often due to the need for more discussion or a full agenda. It can also be used for detailed presentations, such as budget reviews or public consultations on significant projects.

“Agenda List” refers to the structured order of items to be addressed during a Council or Committee meeting, as outlined in Schedule A of this policy.

“Closed Session” refers to a private portion of a Council or Committee meeting where confidential matters are discussed, as permitted by the Municipal Government Act.

“Committee of the Whole” refers to a meeting format where all Council Members convene for informal discussion on various topics.

“Council Committees” refer to the Town of Lunenburg’s internal advisory committees of Council.

“Emergency Meetings” are for urgent situations requiring immediate decisions to protect public safety, respond to a crisis, or prevent serious harm to the community.

“Friendly amendment” is a minor change or adjustment to the wording of a motion proposed during a meeting and accepted by the original mover without requiring a formal vote. This type of amendment is typically made with the general consent of the Council and does not alter the intent or substance of the motion.

“Leave of Council” refers to the permission granted by a majority of Council Members to allow an action that would otherwise not be permitted under standard procedures.

“Main Motion” is the primary proposal presented by a Council Member during a meeting to bring a specific issue, policy, or action to the floor for discussion and decision. A Main Motion introduces a topic for consideration, unlike a Secondary Motion, which addresses procedural aspects or modifies the handling of the Main Motion.

“Meeting Calendar” refers to the official schedule that outlines the dates, times, and locations of all regular Council meetings.

“Municipal Clerk” is the Town of Lunenburg staff person designated by the CAO to fulfill the duties and responsibilities of the clerk as outlined in the Municipal Government Act.

“Non-binding Motion” is a motion that allows Council to express an opinion or position on an issue without creating a legal obligation. These motions often direct staff to bring back a report or provide further information, but they do not require immediate action.

“Notice of Motion” refers to an advance notice given by a Council Member to introduce a motion at a future meeting.

“Point of Order” is a motion raised by a Council member to call attention to violating the rules or procedures governing the meeting.

“Point of Personal Privilege” is a motion raised by a Council member to address an issue that affects their rights, comfort, or integrity during the meeting. This could involve physical environment (e.g., temperature, noise), personal safety, or correcting a misrepresentation.

“Public Hearing” refers to a formal process held during a regular or special Council meeting where Council considers public input on specific matters, such as proposed bylaws or other significant issues.

“Procedural Motion” refers to a motion that deals with the organization and management of the meeting rather than the substantive issues being debated. It is typically used to control the meeting's process, such as determining the order of business, ending debate, or postponing a discussion.

“Reconsider” refers to a motion to bring a previously approved or defeated motion back to Council for a new debate and vote.

“Recorder” is the individual designated to document the attendance and proceedings of a meeting.

“Refer” refers to a motion to direct a matter to a committee, staff, or another body for further consideration or action, with the expectation that it will return to Council with additional input or recommendations.

“Regular Council Meetings” are scheduled, recurring meetings where Council conducts routine business, discusses agenda items, and makes decisions. These meetings are open to the public and are scheduled as part of the Council's meeting calendar per the Organizational Meeting.

“Rescind” refers to a motion to nullify a previously adopted motion, effectively reversing a prior decision.

“Secondary Motion” refers to a procedural motion related to the handling of the main motion or meeting conduct, such as amendments or points of order.

“Special Meeting” refers to a meeting called to address urgent, time-sensitive, or specific issues requiring immediate attention and that cannot wait until the next regular meeting.

“Urgent matters” are issues that require immediate attention or action by the Council and cannot be reasonably deferred to a future meeting without causing significant harm or delay to the Town’s operations, legal standing, or public safety.

“Waiver of Notice” refers to a motion that allows an item to be considered at the current meeting without prior notice, requiring a majority vote, except for policies or bylaws.

## **PART 2: APPLICATION AND INTERPRETATION**

This policy applies to all meetings of Council, Committee of the Whole and Council Committees.

If the Municipal Government Act or this policy does not cover a matter or definition, Council will refer to *Robert’s Rules of Order Newly Revised*.

The rules for Council procedures are prioritized as follows:

- a) The Municipal Government Act;
- b) Other provincial legislation;
- c) This policy;
- d) *Robert’s Rules of Order Newly Revised*.

### **2.2 Compliance with the Municipal Government Act**

Council will comply with all provisions of the Municipal Government Act. If any part of this policy contradicts the Act, the Act will take precedence.

### **2.3 Suspension of Rules**

Council may temporarily suspend any part of this policy for a specific meeting if all Council members unanimously agree. However, rules required by the Municipal Government Act or other provincial legislation cannot be suspended. Before any suspension, Council will consult with the Municipal Clerk to confirm that the proposed suspension adheres to all legislative requirements.

## **PART 3: ORGANIZATION OF COUNCIL**

### **3.1 Organizational Meetings**

Council will hold an Organizational Meeting each October. In an election year, this meeting will held in November.

At this meeting, Council will:

- Establish the position and term or schedule of the Deputy Mayor.
- Set the dates, times, and locations for regular Council Meetings.
- Appoint Council members to Council Committees and representatives to inter-municipal and external boards and committees.
- Review its procedural policy, except at the organizational meeting following a regularly scheduled municipal election.
- Address any other business listed on the Organizational Meeting agenda.

### **3.2 Inaugural and Oath of Office Meeting**

The first meeting following a regularly scheduled municipal election is called the Inaugural Meeting. The only matter of business at this meeting is for the Mayor and each Councillor to take the prescribed oath of office. This Inaugural Meeting may be combined with Council's swearing-in ceremony.

In the event of a special municipal election, the newly elected Mayor or Councillor must take the prescribed oath of office as the first order of business at the next Council meeting following the election.

## **PART 4: MEETINGS**

Council will hold regular meetings on the dates established at the Organizational Meeting. A regular meeting scheduled on a statutory holiday will be rescheduled to the next business day.

The Mayor serves as the Chair of all Council meetings. If the Mayor is absent, the Deputy Mayor will assume the role of Chair. In the absence of both the Mayor and Deputy Mayor, the

Councillors present will select one among them to chair the meeting before the start of the meeting.

Unless otherwise approved by Council, all Council meetings, public hearings, Council committee meetings, and Committee of the Whole meetings will be held in Council Chambers at the Town Hall for the Town of Lunenburg.

Council and Committee meeting dates, along with any changes, must be coordinated with the input of the Municipal Clerk to avoid conflicts and ensure proper public notification.

The Chair may cancel a scheduled meeting, in consultation with the Municipal Clerk, if the deadline for agenda submissions has passed and there is no time-sensitive business to address.

#### **4.2 Additional Meetings**

Council may schedule additional meetings beyond regular meetings when there is a need for more discussion on specific issues that cannot be accommodated within the regular meeting schedule. These additional meetings are not as urgent as special meetings but are necessary when the volume of regularly scheduled business exceeds the time available during regular Council meetings.

To formally arrange an additional meeting, a Council member should make a procedural motion during a regular meeting, proposing the specific date, time, and purpose of the additional meeting. Once the motion is seconded and approved by the majority, the Municipal Clerk will update the meeting schedule and ensure proper public notification is provided.

If it is not possible to arrange an additional meeting during a regular Council meeting, all Council Members may be polled by phone or email to reach a consensus on the date and time. Once agreed upon, the Municipal Clerk will update the schedule and notify the public accordingly.

#### **4.3 Special Meetings**

A special Council meeting is a meeting outside the regular meeting schedule to address urgent or specific matters requiring the Council's immediate attention. Special meetings can be called under the following circumstances:

- **By the Mayor:** The Mayor, in consultation with the CAO and Municipal Clerk, may call a special Council meeting whenever necessary. This might occur when an urgent issue arises that cannot wait until the next regular meeting, such as a critical decision on a time-sensitive matter.
- **By request of Council Members:** If a majority of Council Members believe a special meeting is necessary, they can submit a written request to the Mayor, outlining the specific purpose of the meeting. Upon receiving this request, the Mayor is required to call a special Council meeting within 14 days.

Special meetings are convened to address a specific issue or set of issues. The notice for the meeting must clearly describe the purpose to ensure that Council Members and the public are aware of the focus of the meeting.

Council Members must be notified at least three days before the special meeting. The Municipal Clerk must provide at least two days' public notice.

Only the issues specified in the notice of the special meeting can be discussed and decided upon. No new business may be introduced unless directly related to the purpose outlined in the meeting notice.

#### **4.4 Providing Notice of Meetings**

Council meetings listed on the adopted Meeting Calendar from the Organizational Meeting will be advertised on the Town's website. Additional notices will be posted on the Town's website and social media pages once the meeting agendas are published online five days in advance of the meeting.

For emergency meetings, the Mayor can call a meeting with whatever notice is possible.

#### **4.5 Meeting Duration**

Council and Committee meetings are limited to a maximum duration of three hours. If the meeting reaches this time limit and additional time is required to complete the agenda, a motion to extend the meeting must be made and approved by a majority of members present. This motion to extend is considered a secondary motion and must specify the additional time allotted for the meeting. If the motion to extend is not approved, the meeting will adjourn, and any remaining agenda items will be carried over to the next scheduled meeting.

#### **4.6 Livestreaming and Recording of Council Meetings**

All Council meetings held in Council Chambers will be livestreamed. These meetings will be broadcast to the public, and recordings will be available on the municipality's YouTube channel indefinitely.

If technical difficulties prevent the livestream from being enabled or if livestreaming is otherwise not possible, the meeting will continue as scheduled without interruption.

#### **4.7 Quorum**

A quorum is a majority of Council members, meaning more than 50% of all members must be present for the meeting to proceed.

If a quorum is present at the scheduled start time, the Chair will call the meeting to order.

If a quorum is not achieved within 15 minutes of the scheduled start time, the Recorder will record the names of those present, and the meeting will be adjourned and rescheduled.

If a quorum is lost during a meeting, the meeting will be recessed. The meeting will be considered adjourned if a quorum is not restored within 15 minutes.

#### **4.8 Adjourning the Meeting**

The Chair may adjourn the meeting without a motion if all scheduled business has been completed.

In cases where there is disagreement or where the meeting is being adjourned before all business is concluded, a motion to adjourn is required.

### **PART 5: COMMITTEE OF THE WHOLE**

The Committee of the Whole includes all members of Council. It serves as a forum for in-depth discussion, question-asking, and detailed exploration of issues before making decisions at a regular Council meeting.

Council may appoint a Council Member or the Deputy Mayor to serve as the Chair of the Committee of the Whole. If no appointment is made, the Mayor will assume the role of Chair.

The Mayor, in consultation with the Municipal Clerk, may call a Committee of the Whole meeting as needed.

When staff identify items for consideration under the Committee of the Whole, in line with this policy, the topic will initially be presented as part of a regular Council agenda without a staff report. However, if staff deem it relevant, they may choose to prepare a report. During the regular meeting, staff will provide either a verbal update or present the report, explaining why the item is being proposed for discussion at a Committee of the Whole meeting. Council will then decide through a motion whether to refer the item to a Committee of the Whole meeting.

Council Members can also request that an item be referred to the Committee of the Whole during the "Council Reports" or "Items for Consideration at a Committee of the Whole" sections of a regular Council meeting.

Council may refer any item from a regular meeting to a Committee of the Whole for further discussion. The Committee of the Whole may consider a wide range of matters, including but not limited to:

- Operating and capital budgets
- Audit matters
- Development matters
- Strategic planning
- Legislative reform

- Policy and by-law formulation

The Committee of the Whole is limited to making two types of motions:

1. Referring matters back to a regular Council meeting for Council's consideration.
2. Directing staff to prepare reports for future consideration at a Council meeting or for further discussion at a Committee of the Whole meeting.

## **5.2 Process Committee of the Whole**

During the Committee of the Whole meeting, Council Members can engage in open discussion without the formal structure of a regular Council meeting. Members can ask questions, raise concerns, and thoroughly discuss the details of each agenda item.

No binding decisions are made during a Committee of the Whole meeting. The primary goal is to explore the issues fully and gather information that will inform later decisions at a regular Council meeting.

Council Members are encouraged to speak multiple times during the discussion, provided all Members have had an opportunity to contribute.

The Chair is responsible for:

- Ensuring that all Members have an equal opportunity to speak.
- Making sure that Members take turns speaking and that the conversation flows in an organized manner.
- The Chair may also participate in the discussion and ask questions without relinquishing chairing duties.

Once the discussion is complete, the Committee of the Whole can refer items back to a regular Council meeting for a formal decision. This referral is done through a motion outlining the recommendations or next steps.

## **PART 6: CLOSED SESSIONS**

All Council and Council Committee meetings must be open to the public. However, a portion of a meeting may be closed to the public when necessary, but only to discuss matters that fall under the exceptions to disclosure outlined in the Municipal Government Act.

Before entering a closed session, Council or the Committee must pass a motion during the public meeting. This motion must cite the specific sections of the Municipal Government Act that justify the closed session.

Staff, legal counsel, and hired contractors or consultants may attend a closed session if their involvement is relevant without needing a formal invitation. Council or the Committee may allow other third parties to attend if their presence relates to the discussion, but this must be approved by a vote during a closed session before the invitation is sent.

Remote participation in closed sessions must comply with the rules outlined in this policy's "Participation from Remote Locations" section.

In consultation with the CAO and/or at the request of Council, the Municipal Clerk or their designate may prepare agenda packages and keep notes of discussions during closed sessions to assist Council in their deliberations. These notes should capture key discussion points, decisions, and any actions that need to be taken, ensuring that Council Members clearly understand the matters discussed. However, formal agenda packages and the adoption of formal minutes are not required for closed sessions.

Except when done by the Municipal Clerk or their designate for note-taking or record retention purposes, sharing, copying, printing, photographing, saving, or otherwise recording closed session information is strictly prohibited.

## **6.2 Decision-Making in Closed Sessions**

In accordance with the Municipal Government Act, Council and Committees must not make binding decisions during closed sessions. The only motions that can be made in a closed session are:

- A motion to revert back to public session,
- A motion to extend the meeting when required,
- A motion to direct staff for further investigation or preparation of a report.

Within a closed session, Council can also direct staff to take specific actions such as:

- Gather additional information or data on a topic discussed.
- Conduct further research or analysis.
- Prepare a draft policy or bylaw for future consideration.
- Consult with external experts or legal counsel.
- Develop potential options or recommendations for Council's review.
- Negotiate contracts.

## **6.3 Making Motions Following a Closed Session**

Council should only make motions after reverting back to a public meeting if there isn't enough time to include the matter in a staff report for the next regular Council meeting. The preferred

approach is to bring the issue back to a regular Council meeting with a staff report, ensuring transparency and giving the public notice of potential decisions.

Motions made immediately following a closed session should only occur if immediate action is required and cannot be delayed until the next regular meeting.

## **PART 7: PUBLIC HEARINGS**

Public Hearings will comply with all requirements outlined in the Municipal Government Act. In addition to these mandated requirements, Council will hold public hearings for any new bylaws or amendments to existing bylaws.

Beyond legislative obligations, Council may also choose to hold public hearings for other significant matters through a motion of Council.

Public hearings must be conducted during a regular, additional or special Council meeting.

During a public hearing, Council:

- Must hear from anyone who claims to be affected by the proposed bylaw, amendment, or matter and who has adhered to the participation procedures established by Council.
  
- May also hear from others who wish to speak at Council's discretion.

The public hearing for any proposed bylaw, amendment or matter must occur before the second reading of the bylaw or before Council makes a decision on the matter for which the public hearing is being held.

### **7.2 Procedures for Public Hearings**

1. The Chair opens the public hearing.
2. Staff introduces the bylaw, amendment, or matter under consideration.
3. If an applicant is involved and has coordinated with staff, they may present together. If not, the applicant may present independently for up to 10 minutes following staff's introduction.
4. Council may ask questions of both staff and the applicant, if applicable.
5. The Chair invites members of the public to speak on the bylaw, amendment or matter.
6. Each speaker has five minutes to present.
7. No presentation should exceed the allotted time unless:
  - The Chair extends the time at their discretion.
  - Council votes by resolution to extend the time.

8. If requested by a Council Member, a vote may be held to approve any extension granted by the Chair.
9. Council may ask questions of public speakers.
10. Council may ask additional questions of staff based on the public's input.
11. The Chair closes the public hearing.

If multiple public hearings are on the agenda, the Chair must close one hearing before opening the next.

All matters related to the same topic can be addressed in a single public hearing.

Once a public hearing is officially closed, Council will not accept any further public submissions or comments specifically regarding passing a bylaw, passing a bylaw amendment, or the specific motion related to the item for which the public hearing was held. However, the public may still provide input or request amendments to the bylaw or related issues after it has been passed or provide input on related matters if the item has been defeated.

Council will only accept additional public submissions under the following exceptional circumstances related to the specific item for which the public hearing was held:

- **New Information:** If significant new information, unavailable during the original public hearing, comes to light and could materially impact Council's decision, Council may, by majority vote, choose to schedule a new public hearing to allow for further public input.
- **Legal Requirements:** If legal advice or a court ruling requires further public consultation on the matter, Council will schedule a new public hearing to comply with such directives.
- **Council Motion:** If, by a majority vote, Council determines that further public input is necessary to make an informed decision, they may resolve to schedule a new public hearing at a future meeting.

In all cases where Council decides to allow further public input, a new public hearing will be scheduled. Appropriate notice must be provided to the public, and the same procedures for public participation will apply.

### **7.3 Voting After a Public Hearing**

Members who were absent for the entire public hearing are not allowed to vote on the matter.

Members who missed part of the public hearing may choose to abstain from voting.

## **PART 8: BYLAWS**

All proposed bylaws must have a clear title that reflects their purpose.

Council Members must be given the opportunity to review the entire proposed bylaw before any meeting where the first or second reading is being considered.

## **8.2 Bylaw Readings**

Before the first reading, Council may debate the content of the proposed bylaw.

A proposed bylaw is formally introduced at a Council meeting through a motion for the first reading.

After the first reading, any Council Member may move for the second reading, following the requirements of the Municipal Government Act.

A bylaw is passed after it receives two distinct and separate readings at two separate meetings, per the Municipal Government Act.

## **8.3 Amendments to a Proposed Bylaw**

After the first reading and before the second (final) reading, Council can propose and consider amendments to the bylaw.

Once all amendments are addressed, Council will vote on the second (final) reading of the amended bylaw.

After a bylaw is passed in the second reading, it can only be changed or repealed by another bylaw or bylaw amendment that follows the same process.

## **8.4 Bylaw Readings and Rescission**

If the second reading of a proposed bylaw fails, the first reading is automatically nullified.

If a proposed bylaw does not receive a second reading within two years of the first reading, the first reading is nullified, and the bylaw is considered abandoned.

The failure of a proposed bylaw does not prevent a new bylaw with similar terms from being introduced in the future.

## **PART 9: POLICIES**

As required by the Municipal Government Act, all policies must be presented to Council for notice before adoption. Council may give notice of a policy and simultaneously direct staff to incorporate suggested amendments without delaying the notice. The policy, including any amendments, will then be brought back for a final decision at a future Council meeting.

### **9.2 Significant Amendments to Proposed Policies**

If the proposed amendments significantly alter the original intent or core provisions of the policy, such as changes to the policy's objectives, scope, or fundamental principles, the revised policy must be brought back to Council for a new notice period before it can proceed to final adoption.

### **9.3 Policy Adoption Process**

A policy is adopted after it receives Council approval following the notice period. Once adopted, the policy becomes effective immediately unless otherwise specified within the policy itself.

### **9.4 Policy Abandonment**

If a proposed policy is not adopted within two years of the notice being given, the notice is considered abandoned and nullified. However, the abandonment of the policy does not prevent a new policy with similar terms from being introduced in the future.

### **9.5 Rescinding or Amending Adopted Policies**

Once a policy is adopted, it can only be changed or repealed through a Council motion. Any proposal to rescind or amend an existing policy must follow the same notice and adoption procedures outlined in this section.

## **PART 10: AGENDAS & MINUTES**

Items on Council agendas must follow the Agenda List outlined in Schedule "A" of this policy. Council can change the established standing agenda items through a motion without requiring an amendment to this policy. The Municipal Clerk may make occasional adjustments to the Agenda List to accommodate non-standard items that may arise.

The CAO, in consultation with the Municipal Clerk, will determine agenda items based on the following:

- Directions provided during Council meetings.
- Agenda item requests submitted in accordance with Council's policies and bylaws.
- Operational needs identified by staff.
- Any relevant legislative requirements that need to be addressed.
- Notices of motions and requests received from Council members.

The Mayor in collaboration with the CAO and the Municipal Clerk, may adjust the draft agenda before it is finalized, guided by the following considerations:

- Legal or Legislative Concerns: Items that may present legal issues or do not comply with legislative requirements can be removed after consulting with legal counsel or relevant authorities.
- Redundant Items: Items that have already been addressed or are repetitive may be removed.

- Operational Necessity: Items may be deferred if they require additional information or preparation. This decision will be made in consultation with the CAO and the Municipal Clerk, with a plan for when the item will be presented to Council.
- Political Sensitivity: If an item is considered politically sensitive under these conditions, the Mayor and/or Deputy Mayor may suggest deferring it. This decision must be made in consultation with other Council Members to ensure consensus and a timeline or conditions for reintroducing the item must be established at the time of deferral.

Political sensitivity refers to situations where discussing or making decisions on an item at a given time could cause significant controversy, divisiveness, or public unrest or where external factors (such as pending legislation, elections, or ongoing negotiations) could affect the Council's ability to make an informed decision. Examples of politically sensitive items include:

- Issues likely to polarize public opinion or create heightened tension within the community.
  - Items related to legal matters, negotiations, or governmental actions that are not yet finalized.
  - Topics that could be significantly impacted by upcoming elections or major political events.
  - Decisions requiring more public consultation or stakeholder engagement.
- Extensive Meeting Agenda: If the draft agenda is particularly lengthy and some items are not urgent, they may be deferred to a future meeting. This decision will be made in consultation with the CAO and the Municipal Clerk, and a plan will be established for when these items will be presented to Council.

In all cases, if an item from the draft agenda is removed, the proposed item and why it was removed must be shared with all Council Members.

An agenda is considered finalized once the Mayor and Deputy Mayor have reviewed the draft agenda. This finalization must occur at least six days before the scheduled meeting to ensure that Council Members receive their agenda at least six days in advance.

At all stages of the agenda review and adjustment process, the Deputy Mayor will be consulted to assist in finalizing the agenda. If the Deputy Mayor is unavailable or cannot be reached in time to finalize the agenda, the Mayor will proceed with finalizing the agenda alone. Alternatively, if the Mayor is unavailable, the responsibility to finalize the agenda will fall solely to the Deputy Mayor.

## **10.2 Agenda Submission Deadlines**

Council Members can submit a notice of motion or request to add a discussion item to the agenda by contacting the Municipal Clerk at least eight days before the agenda is finalized. These submissions are limited to notices of motion or discussion topics. Any requested agenda item requiring a staff report must be directed by Council through a motion.

When a Council Member submits a notice of motion, the Municipal Clerk will ensure the motion is clear, properly formatted, and meets procedural requirements.

If the agenda submission deadline falls on a statutory holiday, it will be extended to the next business day.

## **10.3 Motion Action List**

The Motion Action List is included in every regular agenda package and tracks motions passed by Council that need follow-up. It provides the status and updates on each motion to ensure accountability and transparency. This list helps prevent motions from being overlooked, keeping Council and Staff informed of ongoing and pending actions.

## **10.4 Provision of Agendas**

The Municipal Clerk or their designate will send Council agendas to Members electronically at least six days before a meeting. Twenty-four hours after Council receives the agenda, it will be published on the Town's website and shared on social media for public access.

## **10.5 Confirming the Agenda Order / Changes to a Finalized Agenda**

Once the agenda has been finalized and distributed to Council, it cannot be changed prior to the meeting. Any amendments to the agenda must be proposed and approved by a majority vote during the agenda approval process at the start of the Council meeting.

## **10.6 Additions and Deletions to Agenda**

Additions to the agenda at the start of a Council or Council Committee meeting should be minimized and reserved for urgent matters. An urgent matter is defined as an issue requiring immediate action or attention that cannot be reasonably deferred to a future meeting without risking significant harm or delay to the Town's operations, legal standing, or public safety.

A Council Member may propose a motion to add urgent business to the agenda at the start of the meeting, either during the additions and deletions section or through the agenda approval process. However, the item can only be added if a majority of Council votes in favour. The Chair will consult with the CAO or lead committee staff to determine if the item qualifies as urgent.

If time permits, and the Council Member becomes aware of the urgent matter after the agenda has been finalized and published but in advance of a Council meeting, they should submit the proposed urgent matter to the CAO and Municipal Clerk. The CAO and Municipal Clerk will make

every effort to distribute any related materials before the meeting; however, the finalized and published agenda will not be altered.

If Council plans to make a decision on an item added at the start of the meeting, it must first pass a motion to waive the notice of motion requirement. The Council Member proposing the waiver must clearly explain the reason for urgency, and the waiver must be approved by a majority vote of Council before the item can be discussed.

At the start of the meeting, before approving the agenda, Council may also make a motion to remove any agenda items by a majority vote.

### **10.7 Process for Addressing Agenda Items**

The process for addressing each agenda item where a motion is recommended will be as follows:

1. Introduction/Presentation by Staff or Council Member: If an item was requested by a Council Member, that Member will introduce or present the item.
2. Questions from Council Members to Staff or Council Member (when applicable)
3. Informal Discussion among Members
4. Formal Motion
5. Formal Discussion/Debate
6. Vote

For information reports, requests for direction, or other reports where a motion may not be recommended, this process will be followed as closely as appropriate, except the steps for a formal motion and vote, which may not apply.

### **10.8 Minutes**

The Municipal Clerk is the official record keeper responsible for verifying and maintaining the minutes of all Council meetings. In consultation with the CAO, other staff may be assigned to record minutes.

Minutes will be taken for all Council and Committee meetings, documenting all resolutions, decisions, and proceedings. Meeting minutes will include:

- The type, place, date, and time of the meeting.
- The names of all Council members, staff, and presenters in attendance.
- The times of any late arrivals or early departures of voting Members.
- The substantive decisions made and actions taken.

- The results of votes on all motions, including the names of members voting in the minority.
- The times the meeting entered and exited a closed session.

The minutes of each Council meeting will be presented to Council for approval at the next regular meeting.

The draft minutes of each Committee meeting will be posted on the Town's website and circulated to all committee members within one week after the meeting. These minutes will then be presented for approval at the next committee meeting.

Minutes from Committee of the Whole meetings will be treated like regular Council minutes and presented to Council for approval at the next regular meeting.

## **PART 11: MOTIONS**

### **11.1 Main Motions**

Unless otherwise specified by this policy, or if a notice of motion has been waived, all main draft motions must be provided in writing to Council Members and the public as part of the meeting agenda. Non-binding or procedural motions do not require notice or a waiver of notice.

During the meeting, Council may modify the wording of a proposed motion through discussion and amendments. Even if the wording is changed from the original draft, notice of the decision is still considered to have been given, as Council and the public were informed that the matter would be debated and decided based on the agenda package.

The Municipal Clerk, at their discretion, may suggest administrative edits to motions and amendments. These edits:

1. Will not change the intention of the motion.
2. May include grammatical and typographical corrections.
3. Will maintain or clarify the original intent of the motion.
4. Can occur during or after the meeting. If after the meeting, these changes will be confirmed by Council through approval of the minutes at a subsequent meeting.

All draft motions presented to Council or Committees must be concise, clear, and thoughtfully consider any previously adopted directions to minimize potential conflicts. However, Council retains the authority to change or override past decisions through new motions, provided these overrides or changes adhere to the procedures outlined in the Motions Section of this policy.

### **11.2 If a Motion is Not Seconded**

If a motion is not seconded after being moved by a Council Member, it will not proceed to the formal discussion/ debate process or a vote. The Chair will declare that the motion has failed due to the lack of a seconder, and the meeting will move on to the next agenda item. The motion is effectively dropped and will not be recorded as a formal motion in the minutes.

### **11.3 Friendly Amendments**

Once the debate on a main motion has begun, the Council Member who moved the motion may, with general consent, make minor changes to its wording or agree to minor changes proposed by another Council Member. This is known as a "Friendly Amendment".

### **11.4 Amendments to a Motion**

Any Council Member may propose an amendment to a motion that has already been moved, seconded, and is under debate. Unlike a "friendly amendment," which involves minor changes agreed upon by general consent, this type of amendment is used when the proposed changes are more substantial or when there is disagreement about the changes. An amendment to a motion requires both a mover and a seconder before it can proceed to debate and a vote.

The sequence for handling amendments is as follows:

1. **Move and Second the Amendment:** A Council Member proposes an amendment to the main motion under debate, and another Member seconds it to bring the amendment forward for discussion.
2. **Debate the Amendment:** The debate focuses solely on the specific changes proposed in the amendment. The original motion is not discussed until the amendment is resolved.
3. **Vote on the Amendment:** After the debate on the amendment, Council will vote on it. If the amendment passes, the original motion is modified to include the approved changes.
4. **Return to the Original Motion (As Amended):** Once the amendment is resolved, Council will resume debate on the original motion, now incorporating any approved amendments.
5. **Final Vote on the Main Motion:** After any further debate, if needed, Council will take a final vote on the main motion, as amended.

Only one amendment to the main motion may be considered and voted on at a time. Additional amendments can be proposed and will be handled in the same sequence after each previous amendment is resolved.

### **11.5 Withdrawal of a Motion**

Once a motion has been moved and seconded, only the Council Member who moved it can withdraw the motion. The Council Member must request to withdraw the motion, and the withdrawal must be approved by either general consent or a majority vote of Council.

If no Council Member objects, the Chair may allow the motion to be withdrawn without a formal vote. However, if any Council Member objects, the Chair will call for a formal vote, requiring a majority to approve the withdrawal.

If the motion is withdrawn, it is no longer considered, and Council moves on to the next agenda item. If the withdrawal is not approved, the motion remains on the floor and will proceed to debate and a vote as originally proposed.

### **11.6 Stating the Motion**

Before a vote, the Chair or the Municipal Clerk must restate the motion to ensure that all Council Members and the public fully understand what is being voted on.

### **11.7 Questions During Debate**

Council Members may ask questions during the debate to clarify the motion or issues being discussed. All questions should be directed through the Chair and addressed to the appropriate person.

Staff should provide their best professional judgment on the issues. Council Members should avoid debating with staff or asking argumentative questions.

### **11.8 Secondary Motions**

Secondary motions are used to manage the main motion or address the conduct of the meeting. They include:

- Subsidiary motions (such as amendments or referrals)
- Privileged motions (such as a point of personal privilege to address a Council member's rights, comfort, or integrity during the meeting)
- Incidental motions (such as points of order)

These motions take precedence over the main motion and must be resolved before the main motion can proceed. Secondary motions are introduced, debated, and voted on in the order they are raised, with the most recent motion being addressed first.

Unless specified otherwise in this policy, secondary motions do not require a notice of motion. They are made during the meeting to address immediate procedural needs and are handled as they arise.

Common secondary motions not covered in detail in this policy can be found in Appendix B, which serves as a guide for Council Members during meetings.

### **11.9 Motion to Reconsider an Approved or Defeated Motion**

Council may make a motion to reconsider a previously approved or defeated motion under the following conditions:

- A motion to reconsider does not require prior notice. It can be introduced at the same meeting where the original motion was decided or at the next regular Council meeting.
- The motion to reconsider must be made by a Council Member who voted in favour of the original motion if it was approved or against it if it was defeated.
- A motion to reconsider requires a majority vote of the Council Members present to proceed.
- If the motion to reconsider is approved, the original motion is reopened for debate and may be amended, affirmed, rescinded, or re-voted.

A motion to reconsider cannot be applied to actions that have already been carried out due to the original motion or where legal or contractual obligations have been incurred.

### **11.10 Motion to Amend a Previously Adopted Motion**

Council may amend a previously adopted motion under the following conditions:

- Any Council Member can propose a motion to amend a previously adopted motion. This allows the Council to modify, add to, or remove parts of the original motion.
- Unless the amendment is urgent, notice of intent to amend should be given in advance, following the standard notice of motion procedures.
- A motion to amend a previously adopted motion requires a majority vote of the Council Members present to proceed.
- If the motion to amend is approved, the debate will focus on the proposed changes, not on re-discussing the entire original motion.

An amendment cannot be used to reverse actions that have already been taken based on the original motion or where legal or contractual obligations have been incurred.

### **11.11 Motion to Rescind a Previously Adopted Motion**

Council may consider rescinding a previously adopted motion under the following conditions:

- Any Council Member can propose a motion to rescind, allowing the Council to nullify a previously approved motion.

- Unless the matter is urgent, notice of intent to rescind should be given in advance, following the standard notice of motion procedures.
- A motion to rescind requires a majority vote of the Council Members present to proceed.
- If the motion to rescind is approved, the debate will center on whether to nullify the original motion, focusing on the reasons for and consequences of rescinding it.

A motion to rescind cannot be applied to actions that have already been carried out based on the original motion or where legal or contractual obligations have been incurred.

### **11.12 Chair's Ability to Make Motions**

The Chair may make motions if they relinquish the chair to the Deputy Mayor. If the Deputy Mayor is unavailable, the Chair may appoint another Council Member to act as Chair while they make a motion.

### **11.13 Notice of Motion**

A Council Member who wishes to introduce a motion must submit a notice of motion in writing to the Municipal Clerk at least eight days before the meeting they want the item to be discussed. If the notice is received within this timeframe, it will be included on the Council's agenda under the notice of motion section, with the requesting Councillor's name attached. Alternatively, the Member may present the notice of motion verbally during the notice of motion portion of a Council meeting. The Municipal Clerk will then add the motion to the agenda for the next meeting or whichever meeting the Council Member requests.

Staff will not prepare a report for a notice of motion. Work on the matter will begin only after Council has passed a motion approving the request.

### **11.14 Waiving a Notice of Motion**

Council may waive the requirement for a notice of motion in certain circumstances, allowing an item to be considered at the current meeting without the usual advance notice. A majority vote of the Council Members present and voting is required for the waiver, except for Policy and Bylaw matters, which cannot be waived.

Conditions for Waiver:

- **Urgent Matters:** Council may vote to waive the notice of motion if a matter is deemed urgent and requires immediate action—defined as an issue that cannot reasonably be deferred without causing significant harm or delay to the Town's operations, legal standing, or public safety.
- **General Correspondence Requests:** If a request is made within general correspondence and no recommendation has been proposed by staff because it does not align with

existing policy, practice, or bylaw, Council may vote to waive the notice of motion requirement to consider the request at that meeting.

Before waiving a notice of motion, Council must confirm with the Municipal Clerk that doing so does not contravene any legislation or other Council policies.

## **PART 12: Debate and Speaking Procedures**

### **12.1 Speaking limits**

Council Members may speak for up to 10 minutes on any matter or motion under discussion, referred to as "the question." Each Council Member can only speak once on a question until all other Members who wish to speak have had their turn; after that, a second round of discussion may be permitted.

### **12.2 Rules of Debate**

After staff present a report or information on a matter, the Chair will open the floor for Council Members to ask questions directly to staff. This is followed by an informal discussion among Council Members.

Once the informal discussion and questions have concluded, the Chair will request a formal motion from Council.

After a motion has been made and seconded, the Chair will open the floor for formal discussion and debate on the motion. Council Members may speak only after being recognized by the Chair, who will indicate when it is their turn.

When recognized, a Council Member must direct their questions or comments to the Chair and focus solely on the matter under consideration. The Chair will recognize Council Members in the order they indicate their desire to speak.

When a Council Member is speaking, others may not interrupt except to raise a point of personal privilege or point of order.

Any Council Member may request that the question or motion under discussion be read at any time during the debate, as long as it does not interrupt another speaker.

A Council Member may speak only once on a question until all other Members have had an opportunity to speak on the matter. The Chair will speak last, after all other Members have contributed or been given the opportunity to contribute. **No Member may speak on the same question more than four times without Council's approval.**

A Council Member may speak to the same question or in reply for no longer than 10 minutes without Council's permission.

Council Members must limit their questions and comments to those directly related to the matter under discussion.

Once the Chair has called for a vote, no Council Member may speak on the question or make any other motion until after the vote is taken and the result is declared.

### **12.3 Points of Order and Points of Privilege (Secondary Motions)**

A Council Member may raise a point of order, a secondary motion, during a meeting if they believe the rules of procedure are being violated. This must be done immediately after the perceived breach occurs.

A Council Member may also raise a point of privilege, another secondary motion, if they feel their rights, privileges, or integrity—or those of the Council as a whole—are being infringed upon. Points of privilege can include issues like the comfort of the meeting environment or a personal attack on a Member's character.

When raising a point of order or privilege, the Council Member must be recognized by the Chair and clearly state the issue.

The Chair must then immediately rule on the point of order or privilege. The Chair may uphold, dismiss, or take other appropriate action to address the issue.

If a Council Member disagrees with the Chair's ruling, they may appeal it. This appeal, also a secondary motion, must be seconded and will be put to a vote by the Council. The Council's decision on the appeal is final.

A point of order or privilege may interrupt a speaker, but it should not be used to engage in debate or unnecessarily delay the meeting. The Chair will ensure the meeting remains orderly and respectful.

## **PART 13: VOTING**

Every voting Member present at a meeting of Council or a Council Committee must vote on every matter put to a vote unless a Member declares a Pecuniary Interest or abstains due to absence from a public hearing. If a Member refuses to vote for any other reason, their refusal will be recorded as a negative vote.

A motion will be carried out when a majority of Members at the meeting vote in favour of it.

If a motion cannot be voted on due to a loss of quorum, the matter will be postponed to the next meeting as unfinished business.

Voting Members must be present in their designated seat in Council Chambers or attending via remote access with their video turned on when the Chair calls for the vote to begin.

Voting Members must submit their vote verbally or by a show of hands at the call of the Chair.

The Chair must declare the result of the vote immediately after it is concluded.

### **13.2 Voting Results**

If there is any doubt about the results of a vote, the Chair may immediately call for a revote to clarify the outcome. Additionally, the Recorder may request that the vote be clarified to ensure accurate recording.

A motion is declared defeated if it does not receive the required number of votes or if the vote is tied.

### **13.3 Division of a Motion**

A Member may request, or the Chair may direct, that a motion be divided and voted on separately. This can only occur if each part of the divided motion is complete and independent, meaning it can be acted upon or decided without requiring the other parts to be valid or effective. Each divided portion must represent a distinct decision or action that does not depend on the approval or rejection of the other portions.

## **PART 14: DISCLOSURE OF PECUNIARY INTEREST**

Each Council or Committee member is responsible for identifying and disclosing any Pecuniary Interest in any item or matter before the Council or Committee, as defined by the Municipal Conflict of Interest Act.

When a Member has a direct or indirect pecuniary interest in any matter under consideration at a Council or Committee meeting and is present at the meeting, they must:

- Disclose the interest and its general nature before any discussion begins.
- Leave their seat and sit in the gallery for the discussion on the matter.
- Not participate in the discussion or vote on the matter.
- Refrain from attempting to influence the voting on the matter before, during, or after the meeting.

If the meeting is not open to the public, the Member must leave the meeting during the discussion and comply with the other requirements listed above.

## **PART 15: ELECTRONIC MEETINGS AND VIRTUAL PARTICIPATION**

### **15.1 Electronic meetings**

Council and Council Committee meetings may be conducted entirely by electronic means under the following conditions:

- Electronic meetings may be conducted when in-person attendance is impractical or impossible due to circumstances such as emergencies, public health concerns, inclement

weather, or other situations where physical presence would pose a risk. ~~or significant inconvenience.~~

- At least two days before the meeting, the public must be notified of how the meeting will be conducted and how to access it. This notice must include clear instructions on how to join the meeting electronically and any technical requirements needed.
- The electronic platform used for the meeting must allow the public to see and hear the meeting in real-time.
- The electronic platform must enable all meeting participants, including Council Members and staff, to see and hear each other throughout the meeting. This ensures effective communication and the smooth conduct of the meeting.
- All additional requirements established by relevant regulations must be adhered to, ensuring that electronic meetings are conducted legally and effectively.

The Mayor, or Deputy Mayor in their absence, has the authority to decide if a meeting will be conducted electronically, provided it aligns with this policy. The CAO and Municipal Clerk should be consulted ahead of this decision being made to address any logistical arrangements.

Solely electronic meetings will adhere to this policy for all other procedural rules.

### **15.2 Participation from Remote Locations**

In-person attendance at Council and Council Committee meetings is required whenever possible. Council Members may not attend more than three consecutive meetings remotely unless they have received approval from Council.

Members participating in a meeting via remote access are considered present at the meeting.

Remote participation is allowed only under the following conditions:

- The Member is in a location outside of Lunenburg County.
- The Member is unable to attend in person due to illness, medical reasons, family medical matters, or ~~personal~~ obligations such as unforeseen travel or emergencies.

Any Member planning to attend a meeting via remote access must:

- Notify the Chair or Municipal Clerk in advance.
- Specify which meeting they will attend remotely.

When a Council Member participates remotely, all individuals present in Council Chambers must be able to see and hear the remote attendee clearly throughout the meeting. If a Member

attending remotely is not visible and audible at the time of a vote, their vote will not be counted, and the minutes will reflect their non-participation in that vote.

Members may participate in closed sessions via remote access under the following conditions:

- The Member must be in a secure and private location.
- The Municipal Clerk or their designate will provide instructions and access links for remote participation. The Member must attempt to reconnect if the connection is lost during the meeting.

### **15.3 Technical Difficulties**

If the connection for an electronic meeting is lost, a recess of up to 15 minutes will be called to allow time to restore the connection. If the connection cannot be re-established within this 15-minute period, the meeting will be adjourned, and any remaining business will be moved to a subsequent meeting.

If an individual participant experiences connection difficulties, they must make every effort to reconnect. If unable to reconnect, if possible, they should notify the Chair or relevant staff immediately. Unless Council decides to call a brief recess, the meeting will continue without the participant, and their absence will be noted in the minutes.

## **PART 16: ROLES AND CONDUCT**

All Council Members, including the Mayor, Deputy Mayor, and other Members, are expected to fulfill their roles in accordance with this policy and adhere to any established Code of Conduct.

### **16.2 The Chair**

The Mayor chairs Council meetings, ensuring they are conducted orderly and fairly.

The Chair is responsible for maintaining order, ruling on procedural questions, and ensuring that all Members who wish to speak have the opportunity to do so.

If the Chair wants to make a motion, they must temporarily relinquish chairing duties to the Deputy Mayor or another appointed Council Member for the discussion and decision on that motion.

The Chair will speak last in any debate after all other Council Members have had the opportunity to contribute.

### **16.3 The Deputy Mayor**

The Deputy Mayor serves as Chair in the Mayor's absence, taking on all the responsibilities and duties of the Mayor during meetings.

If both the Mayor and Deputy Mayor are unavailable, the available Council Members will appoint a Councillor to act as Chair.

#### **16.4 Council Members**

Council Members must direct their questions and comments through the Chair and remain relevant to the topic under discussion.

A Council Member may speak only after being recognized by the Chair and must not interrupt another speaker except to raise a point of order or privilege.

#### **16.5 Enforcement of Rules**

The Chair is responsible for enforcing the rules of procedure during meetings. If a Member violates these rules, the Chair may interrupt the Member, explain the violation, and cite the relevant rule.

If the Member continues to breach the rules, the Chair may call a recess or invite a motion for the Member's removal from the meeting.

If a motion to remove a Member passes, the Chair will direct the Member to leave the meeting.

### **PART 17: ANNUAL REVIEW OF PROCEDURAL POLICY**

This policy will be reviewed annually during the Organizational Meeting to ensure it remains current and effective. However, this review will not take place at the Organizational Meeting immediately following a regularly scheduled municipal election.

## **Appendix A: Agenda List Order**

1. CALL TO ORDER
2. LAND ACKNOWLEDGEMENT
3. ADDITIONS/ DELETIONS TO AGENDA
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
6. PRESENTATIONS
7. PUBLIC INPUT AND QUESTIONS – 20 MINUTES
8. CORRESPONDENCE FOR ACTION OR INFORMATION
9. PUBLIC HEARINGS, PUBLIC INFORMATION MEETINGS, AND APPEALS
10. BUSINESS ARISING AND UNFINISHED BUSINESS
11. NEW BUSINESS
12. NOTICES OF MOTION, INFORMATION REQUESTS, AND COUNCILLOR REPORTS
13. ITEMS FOR CONSIDERATION AT COMMITTEE OF THE WHOLE
14. MOTION ACTION LIST
15. CLOSED SESSION
16. ADJOURNMENT

## Appendix B: Secondary Motions

### Definitions

"Not debatable" refers to a type of motion that cannot be discussed or argued by the members of a meeting before a vote is taken. Once a "not debatable" motion is made, the meeting proceeds directly to a vote without any discussion on the motion itself. This is usually applied to procedural motions that need quick resolution.

"Chair Rules" refers to the authority of the meeting's Chairperson to make decisions or rulings on procedural matters during the meeting. These rulings may include decisions on points of order, procedural motions, or any other issue that requires interpretation of the rules of procedure. The Chair's ruling is typically final unless successfully appealed by Council Members.

"Majority against the ruling" means that more than half of the voting members must disagree with the Chair's decision in order to overturn it. If the majority votes against the ruling, the Chair's decision is overturned; if not, the ruling stands.

"Negative vote only" means that a motion can only be reconsidered or brought back for discussion if the vote on it was negative (i.e., the motion was originally defeated).

Motion	Function	Rules of Debate	Vote	Eligibility for Reconsideration
Lay on the Table or Set Aside Temporarily	To temporarily pause discussion on a pending main motion during the meeting.	Not debatable, Not amendable	Majority to pass	No
Previous Question (Close Debate)	To close debate and immediately vote on the motion.	Not debatable, Not amendable	<del>2/3 to pass</del> Majority to pass	Only before the vote is taken.  Once voting starts, it's too late to request to close the debate.
Limit/Extend Time for Debate	To set a time limit or extend the time limit for debate.	Not debatable, Amendable	Majority to pass	Yes

Postpone to a Certain Date/Time	To postpone consideration of a motion to a later date/time in the same or another meeting.	Debatable, Amendable	Majority to pass	Yes
Refer to Committee / Staff	To send the motion to a committee or staff further consideration.	Debatable, Amendable	Majority to pass	Yes
Amend	To change the wording of a motion before voting on it.	Debatable, Amendable	Majority to pass	Yes
Postpone Indefinitely	To effectively kill the main motion for the current Council Term.	Debatable Not amendable	Majority to pass	If the motion was passed originally, it can be brought back for reconsideration.
Amend/Rescind a Previous Decision	To amend or rescind a previous decision made by the Council.	Debatable, Amendable	<del>2/3 to pass</del> Majority to pass	Yes
Question of Privilege	To address matters affecting the rights and privileges of the members.	Not debatable, Not amendable	Chair rules	No
Point of Order	To alert the Chair that a rule of procedure has been violated during the meeting, prompting the Chair to	Not debatable, Not amendable	Chair rules	No

	address and correct the breach.			
Appeal	To challenge a ruling made by the Chair.	Not debatable, Not amendable	Majority against the ruling	No
Divide a Motion	To divide a multi-part motion into separate motions.	Not debatable, Amendable	Majority to pass	No
Withdraw a Motion	To withdraw a motion from consideration.	Not debatable, Not amendable	Majority to pass	Negative vote only

**Subject:** Pelham Street Reconstruction Phase 1 – Project Deferral  
**From:** Tyson Joyce, Director of Public Works  
**Date:** September 13, 2024

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## Recommendation

That Council defer the Pelham Street Reconstruction – Phase 1 Project for Capital Year 2024/25.

## Alternatives

- That Council increase the Pelham Street Reconstruction – Phase 1 Budget to \$622,000 with \$350,000 funding from Gas Tax and \$272,000 funding from debt; and that Council award the Pelham Street Reconstruction – Phase 1 work to Dexter Construction for the amount of \$503,900 + HST with funding from Gas Tax and debt.
- Defer making a decision at this time.

## Background

The Pelham Street Reconstruction – Phase 1 Project aims to improve the condition of a much-travelled and key artery for Lunenburg. Originally it was planned to perform the work from King Street up to Hopson Street, but concerns over the size of the scope and potential budget overruns required us to phase the work. While the design was completed from King to Hopson, this year's Project construction scope was reduced to cover Pelham Street from King Street up to and including the Prince Street intersection.

The scope of work for the Project includes:

- Removal of the existing road structure and replacement with gravels (400mm Type 2 & 150mm of Type 1) and asphalt (50mm Type B-HF & 40mm Type C-HF) – approximately 788m<sup>2</sup> of roadway;
- Removal of the existing combined sewer system and replacement with a new 200mm diameter main and manholes – approximately 98m of pipe and 3 manholes;
- Storm separation from the existing combined sewer system at the Prince Street intersection – approximately 39m of pipe, 4 catchbasins and 1 manhole.

The amount approved in the 2024/25 Town Capital Budget for the Pelham Street Reconstruction Project is \$350,000, including net HST. This budget includes the Consultant's Tendering and Construction Support and the performance of the civil work by the Contractor.

## Discussion

The Tender for the civil work associated with the Pelham St Reconstruction – Phase 1 closed on August 27 and has a validity period for acceptance of ninety (90) days from tender closing.

Tender Results (all tender awards over \$100,000 must be approved by Council)

Company	Tender Price (excluding HST)
Atlantic Snow Ice Management	\$813,718.97
Dexter Construction	\$503,900.00
I.T.S Construction	\$615,049.00

Although we received three (3) Tender submissions, it is possible that the timing of issue and the existing workload for Contractors pushed prices higher than expected across the board. We did receive a Class A estimate from our Consultant that was much closer to our budgeted value for the scope.

Pelham Street remains a high-volume route for east-to-west travel through the Town, and this section of Pelham has a particularly steep hill above it on the north side and uses sheet flow to transport surface water to catch basins. A combination of these items has likely contributed to the significant deterioration (refer to attached photographs). Despite the level of deterioration, the road surface is expected to be maintained as is for the near future.

As part of their scope, the Consultant assessed the existing condition and long-term viability of the combined sewer main on Pelham Street. This is a combination of 200mm and 300mm diameter clay pipe and brick manholes. With the age of this infrastructure, it was considered necessary to include its replacement within the scope of the Project before investing in the road surface replacement.

## Strategic Plan Relevance

Capital Construction Projects are part of the Servicing and Facilities Strategic Direction of the Town's Comprehensive Community Plan; a town where the long-term infrastructure needs of the community are met through strategic management and incremental, well-phased upgrades that are financially sustainable.

## Financial

The amount approved in the 2024/25 Town Capital Budget for the Pelham Street Reconstruction – Phase 1 Project is \$350,000 (including net HST) with all the funding from Gas Tax.

From the Civil Work Tendering, the Project Budget for the Project is estimated as:

Item	Cost including Net HST
Engineering	\$35,000
Tender for Civil Work	\$530,000
Contingency	\$57,000
<b>Revised Budget</b>	<b>\$622,000</b>

If Council still wishes to proceed with the the Project, an additional \$272,000 would be required to be financed with debt. With the Town's commitment to the Wastewater Treatment Plant Expansion and Upgrades Project, Staff have prioritized not utilizing debt in case of any cost overruns on that Project.

If Council chooses to defer the project at this time, Council may consider including the Pelham Street Reconstruction – Phase 1 Project as part of the 2025/26 Capital Budget or future budgets.

**Attachment**

Photographs of the existing condition of Pelham Street between King Street and Prince Street.



History of rare mineral deposits exposed  
illustrates an unparalleled earth science. What  
small mining district completely unique to Earth?  
OUT NEW JERSEY'S MINING HERITAGE AT...  
.com

NO PARKING



**Subject:** Nomination of Prominent Lunenburger: BGen. Sheila Anne Hellstrom

**From:** Community Development

**Date:** September 24, 2024



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### **Recommendations**

That Council approve the nomination of Sheila Hellstrom as a Prominent Lunenburger per the Recognition of Prominent Lunenburgers Policy.

### **Alternatives**

- Deny nomination
- Defer the nomination pending further review

### **Background**

As per the [Recognition of Prominent Lunenburgers Policy](#), nominations can be submitted by a person, group, or government agency to recognize individuals, organizations, or small groups who have distinguished themselves through achievements recognizable beyond the community to be outstanding and have lived in the Town of Lunenburg for at least some portion of their life.

On February 9, 2024, Murray Roy Barkhouse submitted an application to the Town of Lunenburg to recognize BGen. Sheila Anne Hellstrom as a Prominent Lunenburger. (See Attachment)

At its September 9, 2024 meeting, the Heritage Advisory Committee made a recommendation that Council approve the nomination of Sheila Hellstrom as a Prominent Lunenburger.

### **Discussion**

Under the Policy, the nominated individual meets the core criteria for eligibility.

Accompanying background information is included in the attachment by the applicant to support the Committee's evaluation.

As outlined in the policy, the Town will commemorate each Prominent Lunenburger with a dedicated page on the Town's website, as well as through any other method approved by Council. The Town may also hold a ceremony to officially recognize the Prominent Lunenburger or Lunenburgers. If approved, staff will add Brigadier General Sheila Hellstrom to the [Prominent Lunenburgers](#) webpage. However, any additional actions will require direction from Council and a designated funding allocation.

### **Attachments**

Attachment: Application – Bgen. Sheila Hellstrom



2. When did the nominee live in Lunenburg (for an individual please note date of birth and date of death) or when was the organization, small group, or team associated with the Town?

born 15 Jan 1935 died 7 Dec 2020

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Sheila lived in Lunenburg 1935 until 1952 when she went to university.

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3. Please provide a brief outline of the nominee's accomplishments for which you feel recognition should be given. Please refer to the list of points below to consider when completing this section.

- Was the nominee important for one event or for a number of events or life long achievement?
- Was the nominee of local, provincial, national and/or international importance?
- Was the nominee a member or representative of a prominent association or business?
- Has any other recognition been given to the nominee?
- Has prominence or recognition been brought to the Town by the nominee's achievements?

1. Sheila was the first woman to attain the rank of Brigadier General in the RCAF

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2. Sheila was the first woman to graduate from Canadian Forces College, Kingston ON

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3. Sheila was highly respected and won many distinguished awards in the military.

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4. Sheila worked tirelessly for female recruitment in the Canadian military

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5. Sheila was a delegate to NATO and worked in Europe

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6. The Lunenburg Branch 23 of the Royal Canadian Legion was renamed to honour her achievements in the Canadian military 7 Nov 2022

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(A detailed nomination essay is included with this application)

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4. If recognized, do you have photos and other documents that can be made available to the Town for display purposes?

Yes                       No

If yes, please describe the items:

Letter from Lieutenant General Meinzinger to Murray R. Barkhouse 16 Dec. 2020

---

Letter from Beth Swarbrigg of Mount Allison University to family of S.H. Oct 2021

---

Funeral Book for Sheila Hellstrom family from Hillcrest Cemetery Lunenburg 16 Oct 2021

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Photographs 8 x 10 of Sheila in uniform and another at the tiller of Curlew

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Personal photo album of Sheila's life from childhood to burial

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Sheila's photo album of her life and travels 1994-1997

---

A photo of Sheila with her mother when she received her law degree.

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9 February 2024

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Date

*MR Barkhouse*

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Signature

NOMINATION OF BGEN SHEILA  
ANN HELLSTROM FOR  
RECOGNITION OF PROMINENT  
LUNENBURGERS

I am nominating BGen Sheila Ann Hellstrom for her recognition as a prominent citizen of Lunenburg because she was the first woman to achieve the rank of Brigadier General in the Canadian Armed Forces (1987). Sheila was the first woman to graduate from the Army Staff College in Kingston and one of the first women to graduate from the Command Staff College in Toronto.

I am nominating her because she was born, educated, and proud to be a citizen and ancestor of the original settlers of Lunenburg. She achieved her fame nationally as Brigadier General in the Canadian Armed Forces, and internationally for her work in NATO, but she never forgot her hometown Lunenburg. Before she died, she told me that she wanted her remains to be shared with the military cemetery in Beechwood, Ottawa, and her family grave site in Hillcrest. In her will she made substantial bequests to the Lunenburg Academy, the Maritime Opera Conservatory, and her church, Zion Evangelical Lutheran Church. In a ceremony 7 November 2022, the Royal Canadian Legion, Branch 23, changed the name of their charter to Royal Canadian Legion BGen Sheila A. Hellstrom Branch 23. A monument, donated by the Gerhardt family, was placed beside the front door of the legion, to commemorate her accomplishments. April 1, 2024, marks 100 years of service for the Royal Canadian Air Force as a distinct military element. It would be particularly meaningful for Sheila to be recognized as a prominent citizen of Lunenburg, and it could be added as an official RCAF commemoration event.

Sheila was born in Lunenburg, Nova Scotia, on January 15, 1935, as the only child of Albinus Hellstrom and Dorothy Hellstrom nee Zinck. Her father, Al, came to Lunenburg in the late 1920's from Aland, Finland, as he was working on a transport ship. For years he worked as a handy man for National Sea Products, and, built up his reputation as a man who could fix anything. He was well known for his craftsmanship in decorating the National Sea Products float for the Fisheries Exhibition Parade every year. Al Hellstrom married Dorothy Zinck on November 16, 1933, in Zion Evangelical Lutheran Church. Dorothy's mother was Naomi S. Cook born 18 July 1884 and her father was John Stannage Zinck, born 10 August 1873.

Dorothy and Al took up residence on Tannery Road across from what later became known as Camp Norway. During the war 1939-45, Al and Dorothy would

NOMINATION OF BGEN SHEILA  
ANNEHELLSTROM FOR  
RECOGNITION OF PROMINENT  
LUNENBURGERS

invite the Norwegian sailors into their home for visits and meals. Sheila was only a child, but she was fascinated by listening to the foreigners speak a strange language that was understood only by her father. Sheila later stated in an interview that these childhood experiences influenced her later decision to join the Canadian military. Al and Dorothy were both strong Lutherans, and Sheila was baptized in Zion, attended Sunday School, and was confirmed. She went to school in the Lunenburg County Academy and showed promise as an academic, leading her classes. She became involved in school activities, and in her graduating year, 1953: treasurer of the South Shore Student's Society, played basketball, joined the drama group, and sang in the choral group. She also became co-editor of THE SEAGULL, the student yearbook. Her strong Lunenburg heritage from her mother's side were illuminated in her yearbook essays: "The Great Decision," "First Things in Lunenburg," and "Along the South Shore by Bicycle in Lunenburg." In "The Great Decision," Sheila described how her ancestors decided to leave their homeland in Germany and come to the New World across the Atlantic. In another essay, "First Things in Lunenburg," Sheila wrote about what happened to the German settlers after they arrived in Halifax in 1750; how 14 transports and one sloop transported 1,453 settlers, 92 soldiers, and 66 rangers arrived in Lunenburg. Then in detail, Sheila described how the town of Lunenburg developed into "one of the most advanced towns in Nova Scotia." "Along the South Shore by Bicycle," is a delightful essay describing the beautiful scenery of the South Shore. In these three yearbook essays, Sheila demonstrates her love and understanding of the heritage and beauty of her hometown, Lunenburg. Understanding all these things, I, Murray Barkhouse, nominate BGen Sheila Anne Hellstrom to be a prominent citizen of the Town of Lunenburg.

# Sheila A. Hellstrom

**Sheila Anne Hellstrom** CD (January 15, 1935 – December 7, 2020) was a Canadian Forces officer who became the first woman in the regular force to achieve the rank of brigadier-general in 1987, as well as being the first woman to graduate from Canadian Forces College.<sup>[1]</sup>

## Early life and education

Hellstrom was born in Lunenburg, Nova Scotia in 1935.<sup>[2]</sup> Her father was Albinus Hellstrom, and her mother was Dorothy Hellstrom née Zinck.<sup>[3]</sup> She was baptized in Zion Evangelical Lutheran Church (ref. Pastor Rick Pryce Zion Church records) and attended Lunenburg County Academy, graduating in 1953.<sup>[4]</sup> Hellstrom received her entire schooling at the Academy and during most of the years, led her classes.<sup>[4]</sup> In an interview with *Esprit de Corps* magazine, she said that she became interested in the military after hearing stories told by Norwegian sailors who visited the family home from Camp Norway during WW2. Years later, in 1954, when she was 19 years of age, Hellstrom enrolled in the Royal Canadian Air Force (RCAF) University Reserve Training Plan.<sup>[5][6]</sup> In 1956, she graduated from Mount Allison University with a bachelor of science (B.Sc.), majoring in Biology with a minor in Chemistry.<sup>[6][7][8]</sup>

## Military career

After graduating, she was promoted to flying officer and served as a station services officer in RCAF Station Gimli, Manitoba. In 1962, she was promoted to flight lieutenant. Hellstrom had a number of postings between 1959 and 1969, serving as a personnel administrations officer in Toronto, Montreal, St. Hubert, North Bay, and Ottawa.

From 1973 to 1974, she attended the Canadian Forces Staff College in Toronto. In 1976, Hellstrom was promoted to lieutenant colonel and worked as a delegate to the Committee on Women in the NATO forces.<sup>[6]</sup>

Promoted to colonel in 1983, she became the director of women personnel.<sup>[6]</sup> When the Department of National Defence's Charter Task Force attempted to challenge the equity provisions of the Canadian Charter of Rights and Freedoms, Hellstrom was appointed in 1985 as the acting director-general conditions of service. In 1986, Hellstrom served as the advisor for the Administration Branch until posted to National Defence College Kingston.

Brigadier-General  
**Sheila Hellstrom**

CD



<b>Born</b>	January 15, 1935 <u>Lunenburg</u> , <u>Nova Scotia</u>
<b>Died</b>	7 December 2020 (aged 85) <u>Ottawa</u> , <u>Ontario</u>
<b>Allegiance</b>	<span><span><span></span></span><span> </span></span> Canada
<b>Service/branch</b>	<span><span><span></span></span><span> </span></span> Air Command <sup>[a]</sup>
<b>Years of service</b>	1954–1990
<b>Rank</b>	<span><span><span></span></span></span> Brigadier-general
<b>Awards</b>	<u>Canadian Forces' Decoration</u> Honorary Doctor of Laws (LL.D), <u>Mount Allison University</u>
<b>Alma mater</b>	<u>Mount Allison University</u> , B.Sc. (1956)

3. "Obituaries". *Halifax Chronicle Herald*. 4 July 2000.
4. "The Sea Gull: Lunenburg Academy Yearbook 1953" (<https://irp-cdn.multiscreensite.com/31712816/files/uploaded/1953.pdf>) (PDF). pp. 4, 144, 123, 137.
5. "Canada Names Its First Woman General" (<https://apnews.com/f8819971d4427fee8ed9810208f6e258>). *The Associated Press*. 27 January 1987. Retrieved 13 May 2014.
6. "HELLSTROM, Sheila, BGen (Ret'd) CD, PAdm | CFLA" (<https://www.cfla-alfc.org/lastpost/hellstrom-sheila-bgen-ret-d-cd-padm/>). Retrieved 2021-03-22.
7. Crawford, Blair. "Sheila Hellstrom (1935-2020): Canada's first female general was a trailblazer for women in the military" (<https://ottawacitizen.com/news/local-news/sheila-hellstrom-1935-2020-canadas-first-female-general-was-a-trailblazer-for-women-in-the-military>). *Ottawa Citizen*. Retrieved 17 December 2020.
8. "Colonel from Ottawa named Canada's first woman general" (<https://news.google.com/news/papers?nid=2194&dat=19870127&id=8tYyAAAAIBAJ&sjid=kO8FAAAAIBA&pg=6419,2937095>). *Ottawa Citizen*. 27 January 1987. Retrieved 13 May 2014.
9. "Get your top stories in one quick scan | CBC News" (<https://www.cbc.ca/news/morning-brief-january-27-2021-1.5887681>). *CBC News*. Retrieved 1 February 2021.
10. "Col. Tammy Harris takes over as first woman commander of CFB Borden" ([https://www.thestar.com/news/canada/2012/07/05/col\\_tammy\\_harris\\_takes\\_over\\_as\\_first\\_woman\\_commander\\_of\\_cfb\\_borden.html](https://www.thestar.com/news/canada/2012/07/05/col_tammy_harris_takes_over_as_first_woman_commander_of_cfb_borden.html)). *thestar.com*. 2012-07-05. Retrieved 2021-03-19.
11. Canada, Veterans Affairs (2021-01-26). "Brigadier-General Sheila Hellstrom - Veterans Affairs Canada" (<https://www.veterans.gc.ca/eng/art-hub/sheila-hellstrom>). *www.veterans.gc.ca*. Retrieved 2021-03-23.
12. "Mount Allison University | Honorary degree recipients 20th century" ([https://www.mta.ca/Community/Governance\\_and\\_admin/Governance/Board\\_of\\_Regents/Board\\_committees/Honorary\\_degrees/Honorary\\_degree\\_recipients\\_20th\\_century/Honorary\\_degree\\_recipients\\_20th\\_century/](https://www.mta.ca/Community/Governance_and_admin/Governance/Board_of_Regents/Board_committees/Honorary_degrees/Honorary_degree_recipients_20th_century/Honorary_degree_recipients_20th_century/)). *www.mta.ca*. Retrieved 2021-03-22.
13. email from Hellstrom to Barkhouse received December 5, 2000 at 6:21 pm
14. email Bryan Brown to Barkhouse and Akerstrom, received Feb 9, 2021

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Retrieved from "[https://en.wikipedia.org/w/index.php?title=Sheila\\_A.\\_Hellstrom&oldid=1186869495](https://en.wikipedia.org/w/index.php?title=Sheila_A._Hellstrom&oldid=1186869495)"

On January 27, 1987, Hellstrom was the first woman in the regular force to achieve the rank of brigadier-general, taking on the role of director-general for personnel.<sup>[8][9][10]</sup> In March 1988, Hellstrom appeared as a guest on the CBC gameshow Front Page Challenge.<sup>[11]</sup> For a two year period, from 1987 to 1989, Hellstrom was chair of the Committee on Women in the NATO Forces. Throughout her career, Hellstrom worked for the recruitment and integration of women into the Canadian Forces.

#### Awards:

- Canadian Forces Decoration, 2nd Clasp
- Special Service Medal, NATO bar
- Woman of the Year, Zonta Club of Charlottetown (1988)
- Ottawa Police Services Board Community Service Award (1993)
- Queen's Golden Jubilee Medal (2002)
- Commissionaires Long Service Medal and Clasp (2011)

#### Honorary degree

Location	Date	School	Degree
 New Brunswick	1989	<u>Mount Allison University</u>	<u>Doctor of Laws (LL.D)</u> <sup>[12]</sup>

#### Retirement

In 1990 Hellstrom retired from the regular forces and transferred to the supplementary reserve. She lived in Ottawa and continued to work with the military, as a consultant on gender integration.<sup>[6]</sup> She served as a chair of the Board of Governors of the Ottawa Division Canadian Corps of Commissionaires and worked as a member of the Ottawa Police Services Board as an advisor on women in police services, race relations, and employment equity. She also worked with the minister of national defense's monitoring committee on change within the Department of National Defense and the Canadian Forces, restructuring of the Land Force Reserve, Canadian Forces professional development, education and leadership (refer to her awards above). She was an active member of the Canadian Nordic Society,<sup>[5][6]</sup> and was a hockey and opera fan,<sup>[11]</sup> attending many opera performances in Europe, the United States and Canada.<sup>[5]</sup> On Saturday December 5, 2000 from 1:00 pm until 5:00 pm, shortly before she died in her Ottawa home, Hellstrom listened to a four-hour presentation on CBC of Prokoviev's opera War and Peace.<sup>[13]</sup> On December 7, 2020, Hellstrom died in Ottawa.<sup>[2]</sup> Her burial took place in Beechwood Cemetery, Ottawa.<sup>[14]</sup>

#### Notes

- a. Known as **Royal Canadian Air Force** until 1968

#### References

1. "Military Leaders" (<http://www.famouscanadianwomen.com/famous%20firsts/military%20leaders.htm>). Famous Canadian Women Famous Firsts. Retrieved 13 May 2014.
2. "Sheila Hellstrom (1935-2020): Canada's first female general was a trailblazer for women in the military" (<https://ottawacitizen.com/news/local-news/sheila-hellstrom-1935-2020-canadas-first-female-general-was-a-trailblazer-for-women-in-the-military>). *ottawacitizen*. Retrieved 2021-03-19.

**Subject:** MPS and LUB Amendment Application: Redesignation and Rezoning of Lower Green Street

**From:** Community Development

**Date:** September 24 2024



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### **Recommendation**

That Council approve first reading of the amended Municipal Planning Strategy and Land Use Bylaw to redesignate PID 60052495, PID 60052503 (rear and front portion), PID 60052511, PID 60052529, PID 60734167, PID 60052552, PID 60487857, PID 60052560, PID 60052578, PID 60052586, PID 60052594 to Residential (RES) and rezone them Lower Density Residential (RL).

### **Alternatives**

- Refuse the application of the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB).
- Not include 2-4 Tannery Road (PID 60052578) and 3 Green Street (PID 60052560) in the proposed grouping for redesignation and rezoning to Lower Density Residential (RL).
- Defer a decision.

### **Background**

On October 24, 2023, Council received a request that residential properties on Green Street be rezoned from Residential (R) to General Commercial (CG) under the 2021 Land Use By-law and be reverted to their previous status of residential zoning.

On February 27, 2024 Staff brought forward this proposal to Council for guidance and approval to proceed with the required MPS and LUB amendments. Approval to proceed was granted, resulting in a public participation meeting held by the Planning Advisory Committee (PAC) March 25, 2024. PAC recommended that Council adopt the amendments but to also include two additional lots, located at 4 Tannery Road (PID 60052578) and 3 Green Street (PID 60052560).

This recommendation was reaffirmed at the most recent PAC meeting held August 21, 2024 where the amendments were brought forward a second time to ensure compliance under the newly developed Planning Public Participation Policy.

### **Discussion**

The property owners with confirmed interest in the requested MPS/LUB amendment are:

- PID 60052503, PID 60052495 - 27 Green Street
- PID 60052511 - 23 Green Street
- PID 60052529 and PID 60734167 - 21 Green Street
- PID 60052552 and PID 60487857- 11 Green Street
- PID 60052586 - 6 Tannery Road
- PID 60052594 - 8 Tannery Road

Three property owners within the noted area wish to maintain their General Commercial (CG) Use zoning:

- PID 60052487 – 45 Victoria Road
- PID 60052560 – 3 Green Street; and
- PID 60052578 – 2-4 Tannery Road

The applicant has expressed concern that the current General Commercial Zoning will cause the loss of the historic residential flavour of their neighbourhood, noting that this area has always been residential and includes heritage homes built between 1887 and 1923. They argue that commercial enterprise on Green Street could lower property values, negatively impact the neighbourhood's aesthetics and disrupt residents enjoying their homes, especially seniors (see Attachment A).

## **Staff Analysis**

### General Considerations in the Current Planning Context

Council approved a Comprehensive Community Plan (CCP) in 2020 that designates Victoria Road coming into Town following Falkland Street to Lincoln Street as “Main Street Mixed Use” (Community Structure Tomorrow Map Page 20). This was to encourage this corridor’s development into a mixed-use commercial-residential zone. In 2021, lands along Victoria Road near Green Street and Falkland Street were rezoned from Residential (R) to General Commercial (CG) Use under a new Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB). Tannery and Green Street were also included in the CG Use Zone because otherwise, they would have been a very small strip of residential properties surrounded by commercial, industrial, and institutional zoning. General Commercial Use (GC) zoning of these properties may contribute to developing the mixed-use commercial-residential corridor.

Policy 4.1 (e) of the MPS provides context to the development of the General Commercial (CG) Use Zone as outlined below:

*Policy 4-1:* Council shall, through the Land Use By-law, establish Use Zones, shown on the Use Zoning Map of the Land Use By-law, to establish the uses permitted in

different areas of Lunenburg. The Use Zones shall generally conform to the following scheme:

- (e) The General Commercial Use (CG) Zone is intended to accommodate the traditional mixing of uses found in Old Town Lunenburg, including a wide range of commercial uses, institutional uses, and residential uses; however, auto-oriented commercial uses, such as gas stations and auto repair, shall not be permitted.

Staff note that granting individual rezoning requests can create a patchwork of zoning designations because it encourages a piecemeal approach to development, driven by individual property owners' interests rather than a holistic strategy considering the broader community impact. This fragmented approach can result in a lack of cohesive land use planning, with adjacent parcels governed by different regulations, making it difficult to implement consistent and coherent policies. Zoning fragmentation can hinder the efficient provision of public services, requiring resources to be allocated based on a shifting landscape of zoning designations. To mitigate these challenges, a careful balance must be struck between accommodating property owner requests and maintaining a cohesive urban planning framework.

#### Application-focused Considerations

Rezoning a historic residential street from General Commercial Use (CG) to Residential (R) could potentially impact:

- Preservation of Historic Character: Residential zoning may help preserve the historic character of the neighbourhood by preventing commercial development that could alter the architectural and aesthetic qualities or 'feel' of the area. However, it would not guarantee any architectural preservation of the streetscape, only its continued residential use.
- Community Cohesion: Residential zones often have a sense of community and neighbourhood cohesion, as they typically have fewer residents and lower traffic levels.
- Reduced Noise and Traffic: Converting to residential zoning may result in reduced noise and traffic levels, contributing to a more peaceful and tranquil living environment.
- Economic Impact: Rezoning to Residential may limit potential economic opportunities for the community, such as local businesses and commercial developments that could contribute to the local economy.
- Loss of Mixed-Use Benefits: Mixed residential-commercial zoning allows for a diverse range of land uses, fostering a more dynamic and vibrant community. It can also decrease the walkability of communities by limiting convenient access to commercial

services. Rezoning to Residential would result in the loss of these mixed-use benefits on these specific lots.

Staff note there is no clear empirical indication of how the use of zoning impacts property values. Some studies suggest that low-density residential areas may experience higher property values, which could be beneficial for homeowners in the rezoned areas. On the other hand, a wider range of use options can be seen as an advantage to buyers and increase property values. An assessment of the effect of rezoning on property values is beyond Staff expertise.

Staff recommended that PAC consider in their recommendation to Council amending the MPS and LUB because, historically, the lower Green Street area has been residential with a row of historic homes that enhances the residential streetscape and history of the area. The Lower Density Residential Use Zone may help minimize potential impacts from commercial development for residents, such as increased traffic.

Considerations for inclusion of 45 Victoria Rd., 3 Green St., and 2-4 Tannery Rd. properties in the proposed amendment:

In their recommendation to PAC, staff considered the question of including or omitting the lots at 45 Victoria Road, 2-4 Tannery Road and 3 Green Street from the proposed rezoning to Lower Density Residential (RL) as these homes also have a role to play in preserving the street's residential flavour. These are the lots whose owners indicated a wish to retain the current designation and zoning status.

- 45 Victoria Road is situated at the corner of Victoria Road and Green Street. Other properties along and across Victoria Road will remain in a 'commercial' use zone (the Commercial General (CG) Use Zone (across) and the Commercial Mixed Use (CM) Use Zone (down the road towards Tim Horton's). From this perspective, the retention of this particular property in the General Commercial (CG) zone is considered compatible with the existing zoning within the general area.

On August 21, 2024 PAC reaffirmed that their original recommendation made March 25, 2024 proceed to Council, that is, that this property retain its CG designation and CM use zoning.

- 3 Green Street and 2-4 Tannery Road are located at the intersection of Green Street, Tannery Road, and Falkland Street near West Nova Fuels. From this perspective, Staff consider the retention of these properties in the General Commercial (CG) zone as compatible with the existing zoning within the general area, particularly across Tannery Road and along Falkland Street. However, good planning practice would suggest that Council consider a rezoning to "residential" as the properties are part of the historic

residential streetscape of Green Street, which would avoid what could be considered a non-contiguous 'spot zoning'.

On August 21, 2024 PAC reaffirmed that their original recommendation made March 25, 2024 proceed to Council, that is, to include these properties in the amendment.

### **Proposed Amendments**

Proposed amendments to the MPS are outlined in Attachment E and proposed amendments to the LUB are outlined in Attachment F.

The proposal requires an amendment to the MPS to redesignate lands under the Future Land Use Map, as well as an amendment to the LUB to rezone the lands pursuant to the Use Zone Map. Two of the properties are split pursuant to the Future Land Use Designation and one of the properties is split pursuant to the Use Zone Map. It is recommended that these splits be removed so that each lot is in one (1) designation and one (1) Use Zone. The proposed amendments will accomplish this.

Policy 4-2 (Attachment B) of the MPS outlines which Land Use Zones are enabled under which Land Use Designations. The recommended redesignation and rezoning are consistent with Policy 4-2.

Policy 6-22 (Attachment C) enables Council to amend the MPS, including the Future Land Use Map when a proposed LUB map amendment conflicts with the MPS and there are valid reasons for the LUB amendment. Most of the lands along Lower Green Street (with the exception of 45 Victoria Road/ and adjacent PID 60052495) are currently located in the Downtown Commercial (DOWN) designation, and as such, a proposed rezoning to residential would be contrary to Policy 4-2 as the Downtown Commercial Land Use Designation does not permit residential Use Zones. Therefore, it is necessary to amend the Future Land Use Map (MPS) to enable the rezoning to residential to occur.

Policy 6-10 and Policy 6-11 of the MPS enables Council to consider an amendment to the Use Zoning Map, Schedule C, of the Land Use By-law (LUB) if the proposed amendment is consistent with this MPS and meets the general evaluation criteria for amending the LUB, as set out in Policy 6-19. Policy 6-10, 6-11 and 6-19 are reviewed in Attachment D.

Any amendment to the LUB should be evaluated pursuant to the Statements of Provincial Interest. The proposed amendments are considered not to be contrary to any Provincial Interest Statements as shown in Attachment G. Attachment G also reviews the amendments with regards to the Lunenburg County Accessibility Plan.

As mentioned, the Comprehensive Community Plan (CCP) identified Victoria Road coming into Town following Falkland Street to Lincoln Street as "Main Street Mixed-Use" area on the Community Structure Tomorrow Map (Page 20 of the CCP). The intent was to encourage the

development of this corridor as a mixed-use commercial-residential zone. The proposed redesignation and rezoning of the subject lands will not change this intent. The Victoria Road, Falkland Street and Lincoln Street approaches will retain this “Main Street Mixed-Use” flavour and no amendment to the CCP is deemed necessary at this time.

### **Strategic Plan Relevance**

- *Community Structure*: Direction regarding how the town will be structured and how land will be used.
- *Heritage*: Direction to protect and enhance existing heritage assets and to support a wider cultural narrative.

### **Relevant Legislation**

The Municipal Government Act (MGA) outlines the required process for amendments to the Land Use By-law.

### **Financial**

There are no direct financial impacts to the Town.

### **Attachments**

- A. Applicant’s Submission
- B. MPS Policy 4-2
- C. MPS Policy 6-22
- D. Evaluation against MPS Policy 6-10, 6-11 and 6-19
- E. Amendments to the MPS – Future Land Use Map
- F. Amendments to the LUB – Use Zone Map
- G. Review of Provincial Interest Statements and Lunenburg Accessibility Plan

ATTACHMENT A

6 November 2023

Mr. Arthur MacDonald  
Director of Community Development  
Town of Lunenburg  
119 Cumberland Street  
P.O. Box 129  
Lunenburg, Nova Scotia B0J 2C0

Dear Mr. MacDonald:

Thank you for your email of 30 October inviting my parents and their neighbours to request rezoning of the lower part of Green Street and for waiving the fee for such application.

As I and my neighbours have pointed out to you in email correspondence, this portion of the street had been zoned as Residential for decades. It is not, nor has it ever been, a commercial area. It is an intact residential streetscape of heritage homes built between 1887 and 1923. My brothers and I were the 4<sup>th</sup> generation of our family to live in our home.

These long-term homeowners have always taken great pride in their properties and this is reflected in how well the residential streetscape is maintained. This area of Green Street serves as a backdrop to the park, keeps a sense of neighbourhood feel to the park and its activities, and is also the "first taste" of heritage properties for the many numbers of visitors who arrive in Lunenburg via the Bridgewater and Blockhouse entrances to the Town. A commercial enterprise on that section of the street would destroy the aesthetic integrity of that area.

The change in zoning was done without proper consultation of the long-time residents of the area and they had no knowledge of, or input into the process. In fact, it was a surprise to them and their adult children to learn that their neighbourhood had been rezoned as General Commercial. Furthermore, the decision to rezone this neighbourhood could have very negative repercussions for the inhabitants of the area. A commercial enterprise on that part of the street has the potential to lower property values for the adjacent homes. Additionally, the establishment of a commercial enterprise in that area would almost certainly disrupt the quiet enjoyment of their homes for these citizens, most of whom are in their twilight years.

Please find attached signed applications for municipal planning amendment completed by the homeowners involved.

Yours truly, 

## Town of Lunenburg Planning Application for a Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name	Name
Company Name	Company Name
Mailing Address <i>BOJ 200 LUNENBURG N.S.</i>	Mailing Address <i>BOJ 200 LUNENBURG N.S.</i>
Email	Email
Phone	Phone
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application.

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address	<input type="checkbox"/> Copy of Deed  <input type="checkbox"/> Survey Plan or Equivalent  <input type="checkbox"/> A Letter Explaining the Proposal  <input type="checkbox"/> Application and Advertising Fees \$ 1,539.30 (\$839.30 + \$700.00)
PID #	
Present Use of Property <i>Residence (private)</i>	
Proposed Use of Property <i>Private Residence</i>	

### EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*WE ARE REQUESTING THAT THE ZONING FOR THIS PROPERTY BE CHANGED BACK TO RESIDENTIAL FROM COMMERCIAL*

By submitting this application I affirm that the facts set forth are true and complete.

Name (printed): \_\_\_\_\_ Signature: \_\_\_\_\_ Date: *NOV. 5 2023*

OFFICE USE ONLY: Type of Application:

Date received:

# Town of Lunenburg Planning Application for a Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name	Name
Company Name	Company Name
Mailing Address	Mailing Address
Email	E
Phone	P
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application.

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address	<input type="checkbox"/> Copy of Deed <input type="checkbox"/> Survey Plan or Equivalent <input type="checkbox"/> A Letter Explaining the Proposal <input type="checkbox"/> Application and Advertising Fees \$ 1,539.30 (\$839.30 + \$700.00)
PID #	
Present Use of Property <i>private Residence</i>	
Proposed Use of Property <i>private Residence</i>	

### EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*Please see attached letter by*

By submitting this application I affirm that the facts set forth are true and complete.

Name (printed) \_\_\_\_\_ Signature: \_\_\_\_\_ Date: *5 Nov. 2023*

OFFICE USE ONLY: Type of Application:

Date received:

*5 Nov. 2023*

## Town of Lunenburg Planning Application for a Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name	Name
Company Name	Company Name
Mailing Address	Mailing Address
Email	Email
Phone	Phone
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application.

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address	<input type="checkbox"/> Copy of Deed <input type="checkbox"/> Survey Plan or Equivalent <input type="checkbox"/> A Letter Explaining the Proposal <input type="checkbox"/> Application and Advertising Fees \$ 1,539.30 (\$839.30 + \$700.00)
PID #	
Present Use of Property <i>Residential</i>	
Proposed Use of Property <i>Residential</i>	

### EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*Please see attached letter*

By submitting this application I affirm that the facts set forth are true and complete.

Name (printed) \_\_\_\_\_ Signature: \_\_\_\_\_ Date: *6 Nov 2023*

OFFICE USE ONLY: Type of Application:

Date received:

*6 Nov 2023*

# Town of Lunenburg Planning Application for a Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name	Name
Company Name	Company Name
Mailing Address	Mailing Address
Email	Email
Phone	Phone
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application.

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address	<input type="checkbox"/> Copy of Deed <input type="checkbox"/> Survey Plan or Equivalent <input type="checkbox"/> A Letter Explaining the Proposal <input type="checkbox"/> Application and Advertising Fees \$ 1,539.30 (\$839.30 + \$700.00)
PID #	
Present Use of Property <i>private garden</i>	
Proposed Use of Property <i>private garden</i>	

### EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*Please see attached letter*

By submitting this application I affirm that the facts set forth are true and complete.

Name (printed)	Signature:	Date: <i>6 Nov 2023</i>
----------------	------------	-------------------------

OFFICE USE ONLY: Type of Application:

Date received:

*6 Nov 2023*

## **Attachment B**

### **Town of Lunenburg Municipal Planning Strategy - Policy 4-2**

**Policy 4-2:** Council shall establish, on the Future Land Use Map, a series of Land Use Designations to guide the evolution of Use Zone placement over time. The Designations and the Use Zones permitted for consideration in each Designation are as follows:

(a) The Residential Land Use Designation permits:

- Lower Density Residential Use (RL) Zone
- Medium Density Residential Use (RM) Zone
- Higher Density Residential Use (RH) Zone
- Rural Use (RUR) Zone
- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

(b) The Main Street Land Use Designation permits:

- Commercial Mixed Use (CM) Zone
- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

(c) Downtown Commercial Land Use Designation permits:

- General Commercial Use (CG) Zone
- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

(d) Waterfront Designation permits:

- Waterfront Use (W) Zone
- Marine Industrial Use (MM) Zone
- Parks and Recreation Use (PR) Zone

(e) Industrial Designation permits:

- Industrial Use (M) Zone
- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

Parks and Institutional Designation permits:

- Institutional Use (INS) Zone
- Parks and Recreation Use (PR) Zone

## Attachment C

### Town of Lunenburg Municipal Planning Strategy Policy 6-22

#### 6.6.2 Municipal Planning Strategy Amendments

This Municipal Planning Strategy may be amended from time to time; it is not necessary to wait for a formal review. The amendment process involves such things as public participation, notification of the adjacent municipality and the Provincial Director of Planning, newspaper notices of the intention to amend, a public hearing, and review by the Province. The specific process is set out in the *Municipal Government Act*. Council may initiate an amendment arising from an internally-identified need, or from a request from a member of the public. However, Council is under no obligation to approve a Plan amendment unless the current Plan conflicts with the *Municipal Government Act*.

**Policy 6-22:** Council shall consider an amendment to this Municipal Planning Strategy, including as necessary Schedule 'A', the Future Land Use Map, when:

- (a) any policy intent is to be changed;
- a proposed amendment to the maps or text of the Land Use By-law or Subdivision By-law is in conflict with this Plan and there are valid reasons for the amendment;
- incorporation of a detailed secondary area strategy into this Plan is desired; or
- this Municipal Planning Strategy is found to be inconsistent with the *Municipal Government Act* or the Statements of Provincial Interest.

Note: The proposed map amendment to the Use Zone map of the LUB would have been in conflict with the MPS without an amendment to the Future Land Use Map of the MPS. Therefore, the proposed amendment to the MPS is in keeping with Policy 6-22(b) of the MPS.

## **Attachment D**

### **Evaluation against Town of Lunenburg Municipal Planning Strategy Policy 6-10, 6-11 and 6-19**

#### **6.3.3 Amending the Text and Use Zoning Map of the Land Use By-law**

Council recognizes it cannot foresee all possible types of development that might be acceptable in the Town in general, or on a specific piece of land. As such, there will be times when the Land Use By-law needs to be amended to accommodate a new development trend or specific development proposal.

Council also recognizes that it is possible to inadvertently make mapping errors in preparing the maps that accompanying this Plan and the Land Use By-law. Such errors may be in conflict with the policies in this Plan. Where such errors are discovered, Council may consider correcting them through amendments to the Use Zoning Map of the Land Use By-law.

**Policy 6-10:** Council shall consider amendments to the Use Zoning Map of the Land Use By-law when the proposed map amendment is not specifically prohibited within this Plan and at least one of the following three conditions is true:

- (a) the proposed Use Zone is enabled by this Plan for use within the same Future Land Use Map designation;
- (b) a non-conforming use appears to have been created by an inadvertent administrative oversight in the Municipal Planning Strategy and Land Use By-law preparation process, resulting in a property being zoned inconsistent with stated policies in this Plan; or
- (c) notwithstanding the Use Zones permitted within a Future Land Use designation, the land to be rezoned is under 1,000 square metres in area and is abutting a Future Land Use Map designation that permits the proposed Use Zone. For clarity, land that abuts a right-of-way, such as a street, is considered to be abutting the designation on the other side of the right-of-way.

*Evaluation:* Once the amendment to the Future Land Use Map of the MPS becomes effective (and the amendments may run concurrently) the proposed Use Zone will be enabled by this Plan in keeping with Policy 6-10(a). The proposed MPS amendment to the Future Land Use Map is in keeping with Policy 6-22(b).

**Policy 6-11:** Council shall not amend the Use Zoning Map of the Land Use By-law unless Council is satisfied that:

- (a) the proposal is consistent with the description of the Use Zone in Policy 4-1 and any specific policies, if any, directing where it is appropriate to place the proposed Use Zone; and
- (b) the proposed Use Zone and the uses it permits meet the general criteria for amending the Land Use By-law, set out in Policy 6-19.

*Evaluation:* Once the Future Land Use Map of the MPS is amended the proposed Use Zones would be considered consistent with the description of the Use Zone in Policy 4-2. In addition, the proposed rezoning meet the general criteria for amending the Land Use By-law, set out in Policy 6-19 as reviewed below:

### 6.5.1 Amending the Land Use By-law & Entering into Development Agreements

Amendments to the Land Use By-law and the entering into of development agreements are processes that require careful thought. As such, Council has established a set of general criteria to consider when evaluating all Land Use By-law amendments and development agreement proposals.

**Policy 6-19:** Council shall not amend the Land Use By-law or enter into a development agreement unless Council is satisfied the proposal:

- (a) is consistent with the intent of this Municipal Planning Strategy;  
Please note that an amendment to the MPS is required. The proposal will be considered consistent with the intent of the MPS once the Future Land Use Map has been amended. Once amended the proposed rezoning will be considered to be consistent with the intent of the MPS, in particular Policy 4-2.
- (b) does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality;  
The proposal does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality.
- (c) is not premature or inappropriate due to:
  - i. the ability of the Town to absorb public costs related to the proposal;  
The proposal is not considered premature or inappropriate due to the ability of the Town to absorb public costs related to the proposal. No public costs are anticipated with the proposed amendments.
  - ii. impacts on existing drinking water supplies, both private and public;  
The proposal is not premature or inappropriate due to impacts on existing drinking water supplies, both private and public. No new development proposals are anticipated at this time.

- iii. the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;  
The proposal is not premature or inappropriate due to the adequacy of central water and sewage services. There is a 375mm water line and a 200mm sewer line available along this section of Green Street. No new development proposals are anticipated at this time.
- iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;  
The proposal is not premature or inappropriate due to the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal. The proposed redesignation and rezoning are considered a less intensive use of land and will have less of an impact than development proposals permitted as-of-right under the current General Commercial (CG) Use Zone.
- v. the adequacy of fire protection services and equipment;  
There is a 375mm water line available along this section of Green Street. The proposal is not premature or inappropriate due to the adequacy of fire protection services and equipment.
- vi. the adequacy and proximity of schools and other community facilities;  
The area is adjacent to the Bluenose Academy and the Town Recreational Complex. The proposal is not premature or inappropriate due to the adequacy and proximity of schools and other community facilities.
- vii. impacts on UNESCO World Heritage Site statements of outstanding value;  
The development is in New Town, a significant distance away from Old Town Lunenburg WHS. In this regard the amendments will not have, or impose, any impact on the WHS or its Statements of Outstanding Universal Values (OUV's).
- viii. the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;  
The proposed redesignation and rezoning will not cause any new, or worsening of any known, pollution problems.
- ix. site-specific climate change risks;  
The proposed redesignation and rezoning will not cause or increase any known site-specific climate change risks. The dwellings are existing, and no development is being contemplated at this time.
- x. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;

The proposed redesignation and rezoning will not cause any known flooding or drainage issues. The site is located outside of the Flood Risk Area shown on the Flood Risk Area Map, Schedule E, of the Land Use By-law. The dwellings are existing, and no development is being contemplated at this time.

- xi. impacts on known habitat for species at risk;  
The proposed redesignation and rezoning will not have any impact on known habitat.
  
- xii. impacts on the navigability and environment of Lunenburg Harbour;  
The proposed redesignation and rezoning will not have any impact on navigation or have any impact on Lunenburg's Harbour. The dwellings are existing, and no development is being contemplated at this time.
  
- xiii. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way; and  
The proposal is not premature or inappropriate due to the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way. The dwellings are existing, and no development is being contemplated at this time.
  
- xiv. land use conflicts that could place limits on existing operational procedures at existing businesses.  
The proposal is not premature or inappropriate due to land use conflicts that could place limits on existing operational procedures at existing businesses. The proposed redesignation and rezoning are considered a type of "downzoning" from "commercial" to "residential". As of a result, the proposal should have less land use conflicts. In addition, the dwellings are existing, and no development is being contemplated at this time.

## Attachment E

### Amendments to Municipal Planning Strategy – Future Land Use Map, Schedule “A”

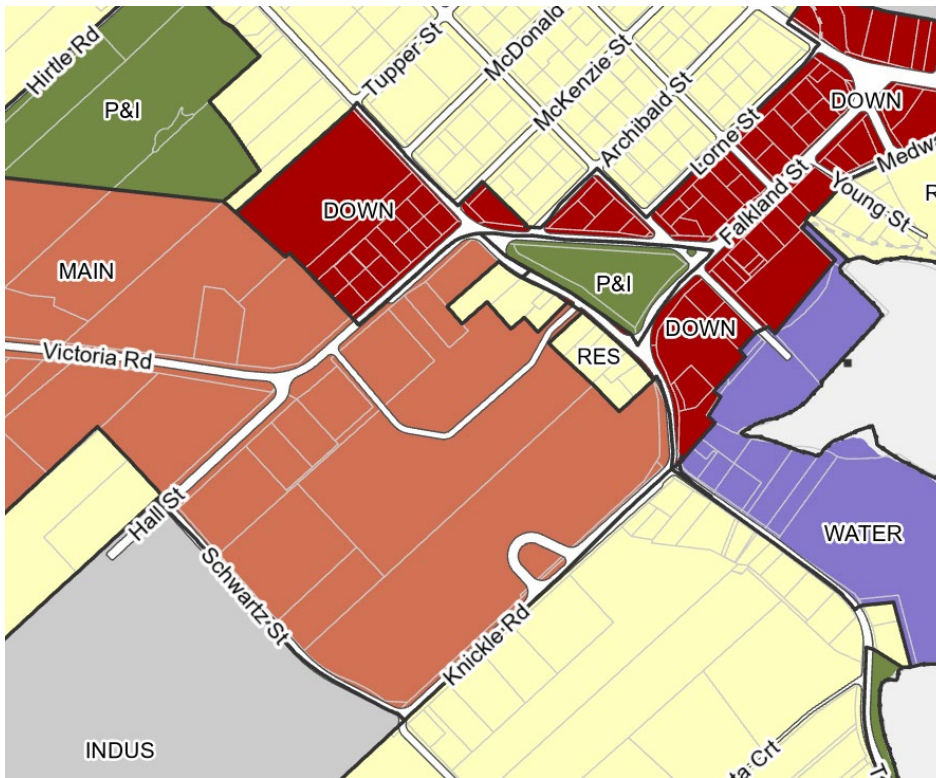
- 1) An amendment to the Municipal Planning Strategy, in particular the Future Land Use Map, Schedule “A”, thereby redesignating the lands as per table and maps shown below:

Property:	Application:
PID 60052495 – 27 Green Street (Vacant lot)	Redesignate from Main Street (MAIN) to Residential (RES).
PID 60052503 – 27 Green Street (Rear portion of the lot)	Redesignate from Main Street (MAIN) to Residential (RES).
PID 60052503 – 27 Green Street (Front portion of the lot)	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052511 – 23 Green Street	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052529 – 21 Green Street	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60734167 – 21 Green Street (Vacant lot)	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052552 - 11 Green Street	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60487857 – 11 Green Street (vacant lot)	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052560 – 3 Green Street	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052578 – 2-4 Tannery Road	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052586 – 6 Tannery Road	Redesignate from Downtown Commercial (DOWN) to Residential (RES).
PID 60052594 – 8 Tannery Road	Redesignate from Downtown Commercial (DOWN) to Residential (RES).

**Existing Future Land Use Map, Schedule "A":**



**Proposed Future Land Use Map, Schedule "A":**



# ATTACHMENT "E" - Amendments to MPS - Future Land Use Map, Schedule "A"

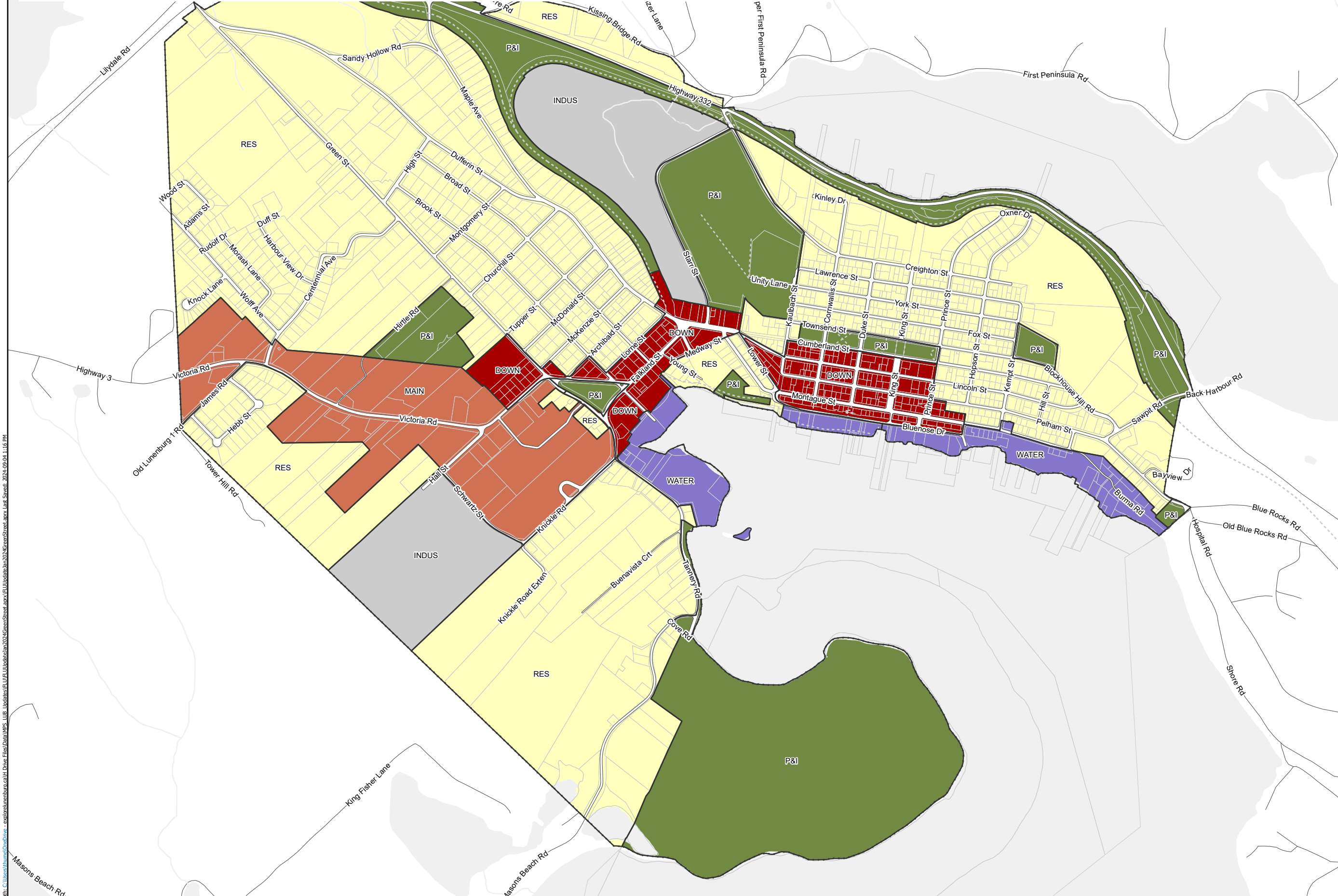


## MAP Future Land Use

SCHEDULE	LAST UPDATED
A	2024-01-15

NORTH	SCALE
	1:10,000

LEGEND	
	RES Residential
	MAIN Main Street
	DOWN Downtown Commercial
	WATER Waterfront
	INDUS Industrial
	P&I Parks and Institutional



Path: C:\Users\lunenburg\OneDrive - Lunenburg\Documents\GIS\MapData\MPS - amendments\MPS - Future Land Use Map - Schedule A - 2024-01-15.mxd  
 Date: 2024-01-15 11:16 AM

## Attachment F

### Amendments to Land Use By-law – Use Zone Map, Schedule “C”

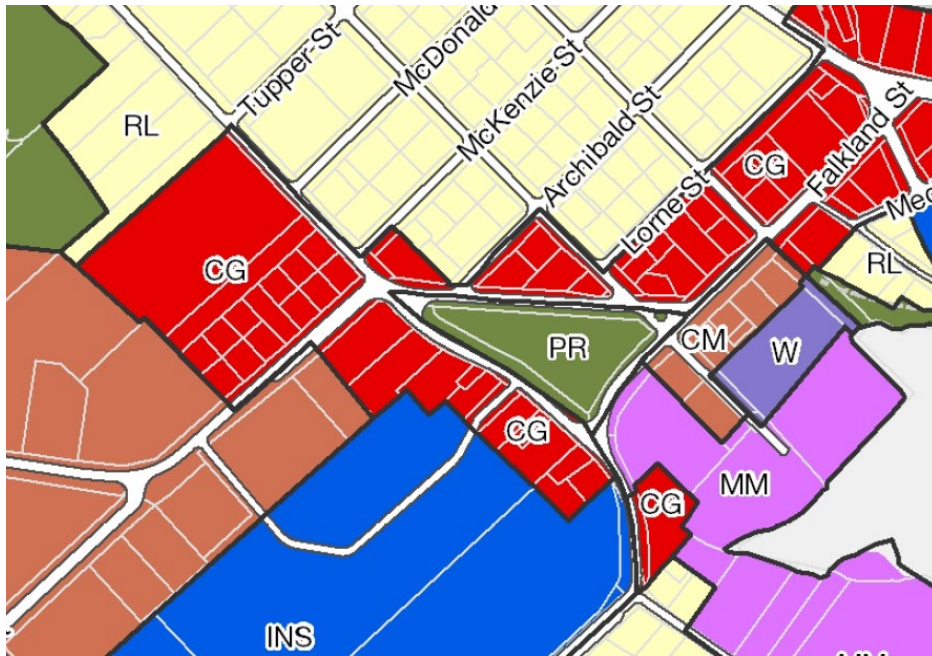
- 1) An amendment to the Land Use By-law, in particular the Use Zoning Map, Schedule “C”, thereby rezoning the lands as per table and maps shown below:

Property:	Application:
PID 60052495 – 27 Green Street (Vacant lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052503 – 27 Green Street (Rear portion of the lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052503 – 27 Green Street (Front portion of the lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052511 – 23 Green Street	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052529 – 21 Green Street	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60734167 – 21 Green Street (Vacant lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052552 - 11 Green Street	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60487857 – 11 Green Street (vacant lot)	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052560 – 3 Green Street	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052578 – 2-4 Tannery Road	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.
PID 60052586 – 6 Tannery Road	Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.

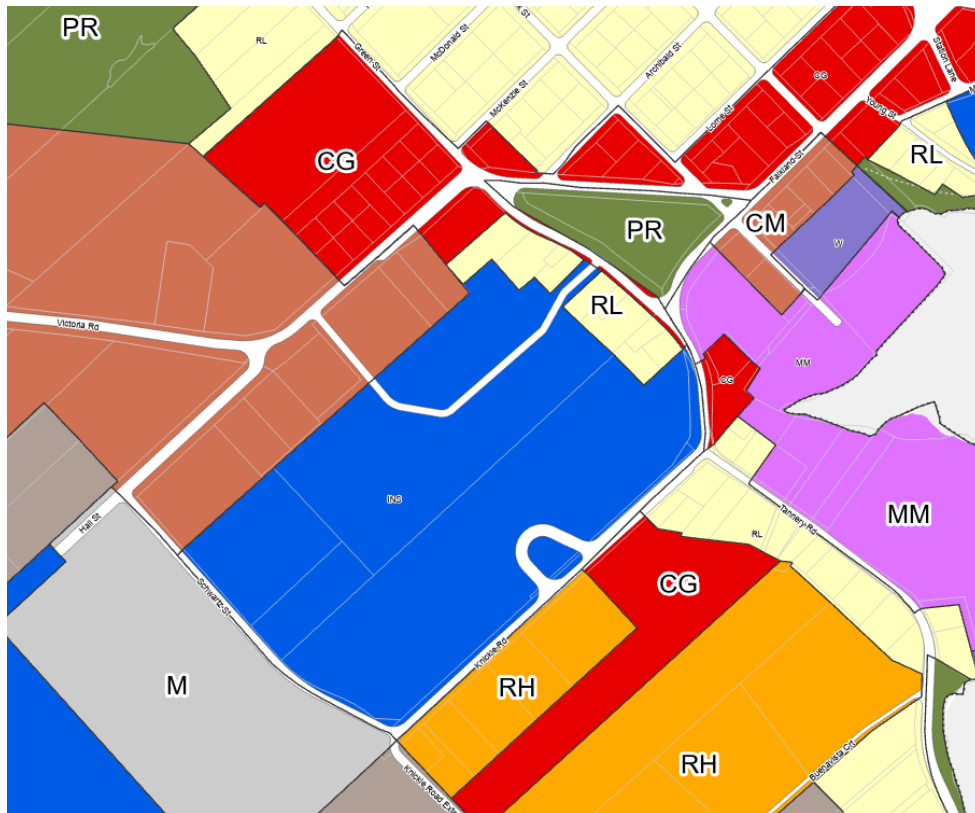
PID 60052594 – 8 Tannery Road

Rezone from General Commercial (CG) Use Zone to Lower Density Residential (RL) Use Zone.

**Existing Use Zoning Map, Schedule "C":**



**Proposed Use Zoning Map, Schedule "C":**





**Attachment G**

**Review of Provincial Interest Statements and Lunenburg County Accessibility Plan**

<b>Provincial Interest Statements</b>	
<p>Statement 1: Drinking Water</p> <p>Goal: To protect the quality of drinking water within municipal water supply watersheds.</p>	<p>The proposed redesignation and rezoning of the subject lands will not affect Provincial Interest Statement 1. The quality of Dares Lake Watershed will not be affected by the proposed amendments.</p>
<p>Statement 2: Flood Risk Areas</p> <p>GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.</p>	<p>The proposed redesignation and rezoning will not have a direct impact on the Flood Risk Areas as identified on the Flood Risk Area Map, Schedule E, of the Land Use By-law and will not affect Provincial Interest Statement 2. The lands are located outside of the Flood Risk Area as identified on the Flood Risk Area Map.</p>
<p>Statement 3: Agricultural Land</p> <p>GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.</p>	<p>The proposed redesignation and rezoning of the subject lands will not affect Provincial Interest Statement 3.</p>
<p>Statement 4: Infrastructure</p> <p>GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.</p>	<p>The proposed redesignation and rezoning will not affect Provincial Interest Statement 4. The redesignation and rezoning to “residential” is considered a less intensified use of land and should have less of an impact on Town infrastructure, with regards to water supply and wastewater disposal.</p>
<p>Statement 5: Housing</p> <p>GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.</p>	<p>The proposed redesignation and rezoning are intended to reflect the existing uses and the “residential” flavour of this historic streetscape. Though one could argue that by removing the existing designation and zoning you are removing the possibility for the market to dictate the potential number of dwellings, as the General Commercial (CG) Use Zone permits unlimited number of dwellings. However, the proposed redesignation and rezoning will not affect any existing planned residential expansions. No development is being contemplated at this</p>

	<p>time. Each lot in the Lower Density Residential (RL) Use Zone may development up to three (3) dwellings per lot (two (2) main dwellings and one (1) accessory dwelling). The intensification of dwelling units in this area may still occur. In light of the above, the proposed redesignation and rezoning is considered to be not contrary to Provincial Statement 5.</p>

Review amendment through an accessible lens	
<p>Review amendment with a focus on equity, diversity, and inclusion.</p>	<p>This amendment is a redesignation and rezoning of the use of land and will not negatively impact issues pertaining to equity, diversity, and inclusion. One could argue that addressing the needs and wishes of the community to revert back to “residential” zoning provides a sense of fairness and inclusion in their ability to be heard and respected by Council and the community.</p>

**Subject:** Amending the MPS to be consistent with the Old Town Lunenburg Heritage Conservation District Plan and By-law

**From:** Department of Community Development

**Date:** September 24, 2024



---

### **Recommendation**

That Council approve first reading to the amended Municipal Planning Strategy, as presented in Attachment A, to ensure consistency between the Municipal Planning Strategy and the Old Town Lunenburg Heritage Conservation District Plan and By-law.

### **Alternatives**

- Refuse the application of the proposed amendments to the Municipal Planning Strategy (MPS)
- Defer a decision

### **Background**

On September 13, 2013, the Town's Heritage Advisory Committee recommended the adoption of a new Old Town Lunenburg Heritage Conservation District Plan and By-law. On February 27, 2024, the Council approved the second reading of the HCD Plan and By-law.

Following Council's adoption, Staff sent the new Plan and By-law to the Province for review. A provincial senior planner and Coordinator of the province's Heritage Property Program recommended amending the Town's Municipal Planning Strategy to reconcile it with the new Old Town Lunenburg Heritage Conservation District Plan and By-law. Staff consider this a housekeeping amendment to ensure consistency across the Town's plans and by-laws.

The Planning Advisory Committee received an information memo on the proposed amendments July 31, 2024. At the August 21, 2024 meeting, a recommendation to Council was made that they amend the MPS following attachment A to make the MPS consistent with the Old Town Lunenburg Heritage Conservation District Plan and By-Law.

### **Discussion**

#### **The Current Planning Context**

Sections 2.2.2 and 2.2.5 of the 2021 MPS are dedicated to 'A Working Waterfront' and 'Living Heritage.' These Sections do not need to be updated as they align with the new Old Town Lunenburg Heritage Conservation District Plan and By-law.

Section 5.3.1 of the MPS Section needs to be amended for the new Old Town Lunenburg Heritage Conservation District Plan and Bylaw to come into effect.

It states: *“In 2021 Council initiated a project to review the Heritage Conservation District Plan and By-law and Architectural Control Areas. However, this process is not yet complete at the time of adoption for this Municipal Planning Strategy and the associated Land Use By-law. As a result, this Municipal Planning Strategy continues without changing the approach contained within the 1996 Municipal Planning Strategy until such time as the review project is complete and this Plan is amended as necessary.”*

Section 5.3.2 states *“Establishment of a heritage conservation district comprised of the Old Town National Historic District & World Heritage Site and adjacent historic areas, with architectural controls implemented through the policies and design guidelines of the conservation plan and bylaw. Architectural controls in the heritage conservation district will apply to demolition of any pre-1940 building; the design of new buildings, including outbuildings; the alteration of any existing building, regardless of age; the design of fences and signs, and the placement and screening of utility structures.”*

The accompanying MPS policy is:

*Policy 5-4: Council shall, through the Land Use By-law and pending completion of the project to review heritage and architectural controls, establish a Heritage Conservation District and Architectural Control Areas consistent with the 1996 Municipal Planning Strategy, as amended.*

Now that a new Old Town Lunenburg Heritage Conservation District Plan and By-law has been adopted, this language should be updated.

### **Proposed Amendment**

The proposed amendment updates the Municipal Planning Strategy so it remains aligned with the Town’s planning context, namely the adoption of a new Old Town Lunenburg Heritage Conservation District Plan and By-law.

First, it removes references to ongoing and upcoming work now that this work is complete. It also updates Policy 5-4 so it uses the same language as Policy 47 in the Old Town Lunenburg Heritage Conservation District Plan and By-law.

*Policy 47: It is Council's policy to align this Plan and By-law with the Town of Lunenburg's Municipal Planning Strategy and Land Use By-law to ensure the conservation of Old Town Lunenburg Heritage Conservation District.*

Staff feel the proposed amendments are administrative in that they do not materially change the intention of the Town’s Municipal Planning Strategy. The intent remains to conserve Old Town Lunenburg National Historic Site and Old Town Lunenburg World Heritage Site.

### **Strategic Plan Relevance**

- *Community Structure*: Direction regarding how the town will be structured and how land will be used.

- *Heritage*: Direction to protect and enhance existing heritage assets and to support a wider cultural narrative.

### **Relevant Legislation**

The Municipal Government Act (MGA) outlines the required process for amendments to the Municipal Planning Strategy.

### **Financial**

There is no direct financial impact to the Town because of the proposed amendments other than advertising costs.

### **Communications**

In accordance with the Town's Planning Public Participation Policy, this meeting was advertised 14 days in advance in the newspaper, on the Town's website, and on social media. The advertisement was also shared with the Municipality of the District of Lunenburg. A public hearing will be held following receipt of the Planning Advisory Committee's recommendation.

### **Attachments**

- A. Proposed Amendment to Municipal Planning Strategy
- B. MPS Policy 6-22
- C. Review of Provincial Interest Statements and Lunenburg Accessibility Plan

## Attachment A

### Proposed Amendment to Municipal Planning Strategy

Amend Section 5.3.1 to read *"In 2021 Council initiated a project to review the Heritage Conservation District Plan and By-law and Architectural Control Areas. However, this process is not yet complete at the time of adoption for this Municipal Planning Strategy and the associated Land Use By-law. As a result, this Municipal Planning Strategy continues without changing the approach contained within the 1996 Municipal Planning Strategy until such time as the review project is complete and this Plan is amended as necessary."*

Section 5.3.2 states *"Establishment of a Heritage Conservation District comprised of the Old Town National Historic District & World Heritage Site and adjacent historic areas, with architectural controls implemented through the policies and design guidelines of the conservation plan and bylaw. Architectural controls in the heritage conservation district will apply to demolition of any pre 1940 building; the design of new buildings, including outbuildings; the alteration of any existing building, regardless of age; the design of fences and signs, and the placement and screening of utility structures."*

The accompanying policy is:

Policy 5-4: *Council shall, through the Land Use By-law and pending completion of the project to review heritage and architectural controls, establish a Heritage Conservation District and Architectural Control Areas consistent with the 1996 Municipal Planning Strategy, as amended.*

*align the Municipal Planning Strategy and Land Use By-law with the Old Town Lunenburg Heritage Conservation District Plan and By-law to ensure the conservation of Old Town Lunenburg Heritage Conservation District.*

**Attachment B**  
**Municipal Planning Strategy Policy 6-22**

**6.6.2 Municipal Planning Strategy Amendments**

This Municipal Planning Strategy may be amended from time to time; it is not necessary to wait for a formal review. The amendment process involves such things as public participation, notification of the adjacent municipality and the Provincial Director of Planning, newspaper notices of the intention to amend, a public hearing, and review by the Province. The specific process is set out in the *Municipal Government Act*. Council may initiate an amendment arising from an internally-identified need, or from a request from a member of the public. However, Council is under no obligation to approve a Plan amendment unless the current Plan conflicts with the *Municipal Government Act*.

**Policy 6-22:** Council shall consider an amendment to this Municipal Planning Strategy, including as necessary Schedule 'A', the Future Land Use Map, when:

- (a) any policy intent is to be changed;
- (b) a proposed amendment to the maps or text of the Land Use By-law or Subdivision By-law is in conflict with this Plan and there are valid reasons for the amendment;
- (c) incorporation of a detailed secondary area strategy into this Plan is desired; or
- (d) this Municipal Planning Strategy is found to be inconsistent with the *Municipal Government Act* or the Statements of Provincial Interest.

Staff Comments

The Municipal Planning Strategy can be amended occasionally, and Council may initiate an amendment arising from an internally identified need. The proposed amendment will follow the process outlined in the Municipal Government Act and the Town's Planning Public Participation Policy. The proposed is an amendment to create alignment across the Town's planning and heritage policies.

## Attachment C

### Review of Provincial Interest Statements and Lunenburg County Accessibility Plan

Provincial Interest Statements	
Statement 1: Drinking Water	
Goal: To protect the quality of drinking water within municipal water supply watersheds.	The proposed MPS amendment will not affect Provincial Interest Statement 1. The quality of Dares Lake Watershed will not be affected by the proposed amendments.
Statement 2: Flood Risk Areas	
GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.	The proposed MPS amendment will not affect Flood Risk Areas as identified on the Flood Risk Area Map, Schedule E, of the Land Use By-law and will not affect Provincial Interest Statement 2.
Statement 3: Agricultural Land	
GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.	The proposed MPS amendment will not affect Provincial Interest Statement 3.
Statement 4: Infrastructure	
GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.	The proposed MPS amendment will not affect Provincial Interest Statement 4.
Statement 5: Housing	
GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.	The proposed MPS amendment will not affect Provincial Interest Statement 5.

Review amendment through an accessible lens	
Review amendment with a focus on equity, diversity, and inclusion.	
	This amendment will not negatively impact issues pertaining to equity, diversity, and inclusion.

**MOTION ACTION LIST**

TITLE	REQUESTED DATE	COUNCIL MOTION OR DESCRIPTION	RESPONSIBLE	TARGET DATE	STATUS & UPDATES
Community Grants Policy Amendment	Sept. 26, 2023	Amend the Community Grants Program Policy to add criteria for Lunenburg students needing extra funds for provincial or national recreational or cultural activities, allocating \$2,000 from the Community Grants Fund exclusively for qualifying student applicants.	Director of Finance / Recreation Manager	TBD	
Lunenburg RV Park and Campground Benefits	Sept. 26, 2023	CAO will seek detailed financial and community benefit reports from the Lunenburg Board of Trade about the Lunenburg RV Park and Campground.	CAO	To be completed after Economic Impact Study	
Marketing Levy By-law	Feb. 27, 2024	Bring forward a draft Marketing Levy By-law for first reading.	Community Development	TBD	
Short Term Housing Report	April 9, 2024	Prepare a comprehensive report on the Town's responsibilities and options concerning short-term housing. This report should address potential taxing and zoning options and an evaluation of both positive and negative impacts of short-term housing within TOL.	Community Development	To be completed after Economic Impact Study	
Sustainable Infrastructure Fund	April 23, 2024	Revise the Street Extension Policy and create a Sustainable Infrastructure Fund in 2024/25.	Community Development	Fall 2024	
NSUARB application to amend Regulation 5.14	April 23, 2024	Amend Electric Utility Regulations to include energy storage alongside renewable low-impact generators, limited to devices with a capacity of 27kW or less.	Finance	TBD	
Canada Housing Infrastructure Fund	April 23, 2024	Review the Canada Housing Infrastructure Fund for financing the next phase of the Town's stormwater/wastewater separation. If it aligns with the fund's criteria, submit an application.	Finance & Public Works	TBD	

Streets By-law Review	May 14, 2024	Review all by-laws and policies governing Town streets, including street rights-of-way, and prepare a report for Council.	Multi-departmental	Upon completion of Traffic and Parking Study	
Pest Control Measures	May 28, 2024	Draft regulations mandating pest control measures for all building demolitions within the Town of Lunenburg.	Community Development	TBD	
Municipal Archive	May 28, 2024	Explore the creation of a Municipal Archive.	Community Development/ Municipal Clerk	TBD	
Paid Parking Infrastructure	May 28, 2024	Prepare a report on paid parking infrastructure, which accepts various payment options for consideration in conjunction with the 2025/26 budget deliberations.	Multi-departmental	Upon completion of Traffic and Parking Study	
Property Standards/ Dangerous and Unsightly Policy	June 25, 2024 Sept. 3 COTW	Create a comprehensive property/ dangerous and unsightly by-law that also includes lawn standards, following the presentation of vegetation standards by-law to allow for lawn naturalization.  Sept. 3 direction: Develop a Dangerous and Unsightly Premises Policy that includes clear grass height restrictions; flexibility for lawn naturalization with appropriate safeguards against hazards; a refined definition of "unsightly"; reasonable compliance timelines, and provisions for the town to take remedial action if needed.	Municipal Clerk	Fall/Winter 2024	Council provided further direction on what they would like included in this policy at the Sept. 3 COTW
LUB Amendments: Main Street Form Zone	Aug. 13, 2024	Prepare a report with recommendations for revising the Land-Use By-law's Main Street Form Zone requirements, with the aim of encouraging more varied development within this zone	Community Development	TBD	
Public Submissions Policy	Sept. 10, 2024	Refer the draft Council Meeting Submissions and Public Input Policy to the incoming Council for its consideration.	Municipal Clerk	Fall/Winter 2024	