



AGENDA

Town of Lunenburg Council Meeting

Tuesday, November 23, 2021 at 6:00 p.m.

Lunenburg Town Hall, 120 Townsend Street

-
1. Call to Order – Mayor Risser
 2. Acknowledgement of Mi'kma'ki the Ancestral and Unceded Territory of the Mi'kmaq People – Mayor Risser
 3. Agenda

Motion: moved and seconded approval of the agenda.

4. October 29, November 5 and 9, 2021 Council Meeting Minutes

Motion: moved and seconded approval of the October 29, November 5 and 9, 2021 Council meeting minutes.

5. Public Hearings, Presentations and Questions (Nil)
6. Correspondence, Petitions and Proclamations Consideration (Nil)
7. Business Arising from the Minutes/Unfinished Business (Nil)
8. Committee Meeting Minutes, Recommendations, Reports and Notices of Motion
 - a. Planning Advisory Committee November 3, 2021 Meeting Minutes - information
9. New Business
 - a. Appointment for 2022 Internal/External Committee Members and Deputy Mayor – draft motions

Motion: moved and seconded to appoint Councillor _____ as the Town of Lunenburg Deputy Mayor, to serve until the second regular meeting of Council in November 2022.

Motion: moved and seconded to that the Council member 2021/22 Internal and External Committee appointment lists (Schedule “A”) be re-appointed, to serve until the second regular meeting of Council in November 2022.

10. Meet in camera

Motion: moved and seconded to meet in camera to consider the following matters pursuant to section 22, Municipal Government Act:

- Lease of Town building at 40 Duke Street; and
- Disposal of Town land adjacent to 267 Pelham Street.

11. Resumption of Council meeting in public session - motion to consider any in camera meeting notices of motion and/or recommendations pursuant to section 22, Municipal Government Act.

12. Adjournment – Mayor Risser

Agenda items awaiting staff reports, etc. for further consideration

<u>Agenda Item</u>	<u>Assigned to</u>	<u>Council Meeting Assigned</u>	<u>Status</u>	<u>Anticipated Return Date</u>
Watershed boundary extension and land management plan with external resources	Public Works	October 13, 2020	Town Engineer will prepare a report for draft Budget 2021/22 consideration	Council Meeting TBA

Please note - live broadcast on Town's YouTube channel; and agenda subject to change.

TOWN OF LUNENBURG COUNCIL MEETING MINUTES

FRIDAY, OCTOBER 29, 2021 AT 5:30 P.M.

LUNENBURG COUNCIL CHAMBER

PRESENT: Mayor Matt Risser
Deputy Mayor Peter Mosher
Councillor Jenni Birtles
Councillor Stephen Ernst
Councillor Ed Halverson (by phone)
Councillor Susan Sanford

ALSO PRESENT: John MacPherson, Q.C.
Bea Renton, Chief Administrative Officer

ABSENT: Councillor Melissa Duggan

1. Call to Order

The Mayor called the meeting to order at 5:33 p.m.

2. Acknowledgement of Mi'kma'ki the Ancestral and Unceded Territory of the Mi'kmaq People

The Mayor recognized Lunenburg's location on the unceded territory of the Mi'kmaq people.

3. Agenda

Motion: moved and seconded approval of the agenda. Motion carried.

4. Council Meeting Minutes Approval (deferred to November 9 Council meeting)

5. Public Hearings, Presentations and Questions (Nil)

6. Correspondence, Petitions and Proclamations Consideration (Nil)

7. Business Arising from the Minutes/Unfinished Business (Nil)

8. Committee Meeting Minutes, Recommendations, Reports and Notices of Motion (Nil)

9. New Business (Nil)

10. Meet in camera

Motion: moved and seconded to meet in camera to consider personnel matters pursuant to section 22, Municipal Government Act. Motion carried.

5:34 p.m. – Council recessed and met in camera.

11. Resumption of Council Meeting in Public Session

There were no recommendations to report in public session.

12. Adjournment

The meeting was adjourned at approximately 7:00 p.m. by the Mayor.

Bea Renton, CAO

TOWN OF LUNENBURG COUNCIL MEETING MINUTES

FRIDAY, NOVEMBER 5, 2021 AT 5:31 P.M.

LUNENBURG COUNCIL CHAMBER

PRESENT: Mayor Matt Risser
Deputy Mayor Peter Mosher
Councillor Jenni Birtles
Councillor Melissa Duggan
Councillor Stephen Ernst
Councillor Ed Halverson
Councillor Susan Sanford

ALSO PRESENT: Bea Renton, Chief Administrative Officer/Clerk
John Zettler, HR Consultant

1. Call to Order

The Mayor called the meeting to order at 5:31 p.m.

2. Acknowledgement of Mi'kma'ki the Ancestral and Unceded Territory of the Mi'kmaq People

The Mayor recognized Lunenburg's location on the unceded territory of the Mi'kmaq people.

3. Agenda

Motion: moved and seconded approval of the agenda. Motion carried.

4. Council Meeting Minutes Approval (deferred to November 9 Council meeting)

5. Public Hearings, Presentations and Questions (Nil)

6. Correspondence, Petitions and Proclamations Consideration (Nil)

7. Business Arising from the Minutes/Unfinished Business (Nil)

8. Committee Meeting Minutes, Recommendations, Reports and Notices of Motion (Nil)

9. New Business (Nil)

10. Meet in camera

Motion: moved and seconded to meet in camera to consider personnel matters pursuant to section 22, Municipal Government Act

5:32 p.m. – Council recessed and met in camera.

11. Resumption of Council meeting in public session

The public portion of the Council meeting resumed at 6:30 p.m. There were no motions to report.

12. Adjournment

The meeting adjourned at 6:31 p.m. approx. by the Mayor.

TOWN OF LUNENBURG COUNCIL MEETING MINUTES

TUESDAY, NOVEMBER 9, 2021 AT 5:30 P.M.

LUNENBURG COUNCIL CHAMBER, 120 TOWNSEND STREET

PRESENT: Mayor Matt Risser
Deputy Mayor Peter Mosher
Councillor Jenni Birtles
Councillor Melissa Duggan
Councillor Stephen Ernst
Councillor Ed Halverson
Councillor Susan Sanford

ALSO PRESENT: Ann Covey, Recording Secretary
Lisa Dagley, Finance Director
Kevin Malloy, Interim Chief Administrative Officer
Heather McCallum, Assistant Municipal Clerk
Bea Renton, Chief Administrative Officer

1. Call to Order

The Mayor called the meeting to order at 6:00 p.m.

He acknowledged that long-time CAO, Bea Renton is retiring as of today, thanking her for many years of dedicated support and service to the Town. Kevin Malloy, who will be sworn in as Interim CAO, was introduced.

2. Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People

The Mayor recognized Lunenburg's location on the unceded territory of the Mi'kmaq people.

3. Agenda

Motion: moved and seconded approval of the agenda with the **addition of consideration of a request to declare November 13 - 20 Trans Awareness Week and November 20 as TDOR (Trans Day of Remembrance) and Raise the Trans Flag. Motion carried.**

4. October 25 and 26, 2021 Council Meeting Minutes

Motion: moved and seconded approval of the October 25 and 26, 2021 Council meeting minutes. Motion carried.

5. Public Hearings, Presentations and Questions

6. Correspondence, Petitions and Proclamations Consideration

- a. Department of Municipal Affairs notice of a one-time additional \$50,000 Town Foundation Grant and notice that the Department is working toward a new Provincial – Municipal Memorandum of Understanding

The Finance Director reviewed the notice (Schedule A).

- b. Request to Declare November 13 - 20 Trans Awareness Week and November 20 as TDOR (Trans Day of Remembrance) and Raise the Trans Flag

Motion: moved and seconded:

Whereas; The Transgender Day of Remembrance known as TDOR is recognized annually on November 20th through vigil and solidarity, this November 20th, 2021 in Lunenburg, Nova Scotia we are raising the Transgender Flag to honour those who are no longer with us and;

Further be it resolved that the Transgender Day of Remembrance, on Saturday, November 20th, 2021, is set aside to memorialize those killed because of transphobia, hatred, and prejudice with respect to their gender identity. Originally organized by Gwendolyn Smith to honour the murder of Rita Hester on November 28th, 1998, the event is held annually to focus awareness on the continued violence perpetrated against transpersons.

According to the Human Rights Campaign, at least 34 transgender or gender non-conforming individuals, the majority of which are Black or from other marginalized communities, have been killed this year alone in North America. Rita Hester's murder — like most anti-transgender murder cases — has yet to be solved.

While the Transgender Day of Remembrance allows us to mourn and offer our respects for those taken too early from our communities, Transgender Awareness Week, the week leading up to Nov. 20th, draws our attention to the difficulties and challenges experienced by those in the Trans community. It is through awareness that we can continue to move forward to create a safer, more accepting, and positive society for all.

We can also use this time to celebrate the progress that is being made in Halifax, Nova Scotia, and Canada to protect and further the rights of everyone, regardless of their gender identity.

Furthermore, we are pleased to acknowledge the recent international successes of Trans people in the attainment of various public offices. Diversity brings strength and resilience to our society and enriches the lives of all.

Day of Remembrance publicly mourns and honours the lives of all Trans people who might otherwise be forgotten. Through vigil, we express love and respect for our people in the face of national indifference and hatred. Day of Remembrance reminds cisgender people that we are their sons, daughters, parents, friends and lovers. Day of Remembrance gives our allies a chance to step forward with us and stand in vigil, memorializing those of us who've died by anti-transgender violence.

With greater awareness and education, we continue moving towards greater acceptance and inclusion for all Trans and gender diverse individuals in our communities.

THEREFORE, BE IT RESOLVED THAT, I Mayor Matt Risser, on behalf of Lunenburg Town Council do hereby proclaim November 20th, 2021 as Transgender Day of Remembrance in the Town of Lunenburg. Motion carried.

7. Business Arising from the Minutes/Unfinished Business

- a. Budget 2021/22 Variance Report to August 31, 2021 – staff information report

The Finance Director presented the report (**Schedule B**) for Council information.

In response to a question the Finance Director said unexpended money can, by motion of Council, be re-allocated to underfunded projects.

8. Committee Meeting Minutes, Recommendations, Reports and Notices of Motion

- a. Budget Request for a \$20,000 Study to Determine Average Housing Rental Rates in Lunenburg

Councillor Halverson gave an overview of the rationale for this study, which is to provide Canadian Mortgage and Housing Corporation with relevant housing rental rates information to support potential housing project funding.

Motion: moved and seconded that \$20,000 be pre-approved in the 2022/23 budget for a study that will provide current information on rental rates in the Town of Lunenburg. Study must include a determined median rental rate as well as the number of long-term and short-term rental units available in the Town (Schedule C). Staff will seek funding for this study.

Motion: moved and seconded to amend the original motion to replace “pre-approved” with “considered”. Councillors Duggan, Halverson, Sanford, Ernst and Mayor Risser voted in the negative. Motion defeated.

The main motion was put and passed. Councillor Mosher voted in the negative.

9. New Business

- a. Harbour View Haven/Lunenburg Home for Special Care Corporation Board Recommendation to appoint Patrick Morris to the Board of Directors – draft motion

Motion: moved and seconded that Patrick Morris be appointed to the Harbour View Haven/Lunenburg Home for Special Care Corporation Board. Motion carried.

- b. Royal Canadian Legion Branch #23 Lunenburg Special Event Permit Application for Remembrance Day Activities and Town In-Kind Support

Motion: moved and seconded to approve the Royal Canadian Legion Branch #23 Lunenburg Special Event Permit Application for Remembrance Day activities and Town in-kind support (Schedule D). Motion carried.

c. Planning Advisory Committee Citizen Vacancy

Motion: moved and seconded to advertise for applicants for a 2021/22 citizen Planning Advisory Committee appointment. And further, to send a letter of appreciation to Derek Kinsmen. Motion carried.

10. Meet in camera

Motion: moved and seconded to meet in camera to consider contract negotiations pursuant to section 22, Municipal Government Act. Motion carried.

Council recessed and met in camera at 6:24 p.m.

11. Resumption of Council meeting in public session - motion to consider any in camera meeting notices of motion and/or recommendations pursuant to section 22, Municipal Government Act

The public portion of the Council meeting resumed at 7:03 p.m. approx.

Motion: moved and seconded that it be recommended in Council public session approval for the Mayor and CAO/Clerk to execute the Shared Service Agreement for a Systems Analyst IT Support staff position with MODC. Motion carried.

Motion: moved and seconded to appoint Kevin Malloy as Interim CAO for the Town of Lunenburg until such time that a permanent CAO can be hired and brought in. Motion carried.

12. Adjournment – Mayor Risser

The meeting was adjourned at 7:12 p.m. approx. by the Mayor.

Kevin Malloy, CAO

PLANNING ADVISORY COMMITTEE MEETING MINUTES

WEDNESDAY, NOVEMBER 3, 2021 AT 6:00 P.M.

PRESENT: Councillor Susan Sanford, Chair
Councillor Stephen Ernst
Councillor Ed Halverson (via Zoom)
Peter Goforth, Citizen Appointment
Mayor Matt Risser, ex officio
Gerry Rolfsen, Citizen Appointment
Colin Whitcomb, Citizen Appointment

ALSO PRESENT: Trevor Hume, Planning Technician
Arthur MacDonald, Heritage Manager/Interim Development Officer
and Planner
Heather McCallum, Assistant Municipal Clerk
Bea Renton, CAO

1. Call to Order

The Chair called the meeting to order at 6:00 p.m. Committee introductions were made.

2. Acknowledgement of Mi'kma'ki the ancestral and unceded territory of the Mi'kmaq People

The Chair recognized Lunenburg's location on the unceded territory of the Mi'kmaq People.

3. Agenda

Motion: moved and seconded to approve the agenda. Motion carried.

4. Approval of minutes

Motion: moved and seconded that the June 2, 2021 meeting minutes be approved. Motion carried.

5. Business Arising from the Minutes/Unfinished Business (Nil)

6. New Business

a. Review of Town of Lunenburg Procedural Policies

- #98 Committees of Council, section 33. Planning Advisory Committee
- #65 Public Participation Program

Committee members reviewed and discussed the applicable Policies (**Schedule A**) in preparation for possible public information meetings and other matters under review.

The Chair advised that Derek Kinsman recently resigned from the Committee. **This vacancy will be advertised for applications which Council will consider for future appointment.**

b. Lunenburg Arms, Richburg LP Management Inc., 94 Pelham Street, Application to Amend Maximum Lot Size Requirements in Lot Zone 1

Mr. MacDonald provided an overview of his staff report (**Schedule A**) for the Committee. He further advised that the applicant's representative, Gordie Kirkpatrick, is in attendance.

Mr. Kirkpatrick explained that in addition to their plans to add onto the Lunenburg Arms they are intending to construct a four-level structure across the street. The first two levels will have parking for thirty cars and the third and fourth floors will contain thirty suites.

Motion: moved and seconded that PAC direct staff to set a Public Participation Meeting date in order to consider, and if deemed advisable, amend the MPS by inserting the following after "Policy 3-2":

"3.2.4 Lot Zone 1 Maximum Lot Size Waiver by Development Agreement

Though it is the intent to maintain the historical spatial environment by regulating the maximum lot size in Lot Zone 1, there may be times that Council may wish to enable lots to exceed the maximum lot size for the wellbeing of businesses and/or community. Council shall consider such circumstances through the Development Agreement process.

Policy 3-2A: Council shall consider by development agreement proposals the approval of lots that exceed the maximum lot area and/or maximum lot frontage permitted in Lot Zone 1. Council shall only enter into development agreements for such proposals if:

- (a) there is a clear need for the proposed lot exceeding the maximum lot area and/or maximum lot frontage and a clear benefit to the Town and residents of Lunenburg in having the development locate within Lot Zone 1; and
- (b) the proposal is consistent with the general evaluation criteria for development agreements, as set out in Policy 6-19."

Motion carried.

c. Development Agreement Application by Lunenburg Arms Hotel, Richburg LP Management Inc., 94 Pelham Street to Approve Lot Consolidation in Excess of the Maximum Lot Size Requirements in Lot Zone 1

Mr. MacDonald presented a summary of his next related report ([Schedule B](#)).

Motion: moved and seconded that PAC direct staff to set a public participation meeting date in order to consider, and if deemed advisable, enter into a Development Agreement to enable the lot consolidation of the lands of the Lunenburg Arms Hotel (Richburg LP Management Inc.) located at 94 Pelham Street (PID 60061801) and 102 Pelham (PID 60061793) ([Schedule B, Attachment C](#)). Motion carried.

Motion: moved and seconded that PAC direct staff to set a public participation meeting date in order to consider, and if deemed advisable, enter into a Development Agreement to enable the lot consolidation of lands known as PID 60061199 and PID 60061181 ([Schedule B, Attachment D](#)). Motion carried.

7. Next Meeting Dates

The Committee agreed to hold these public participation meetings at one Committee meeting. Mr. MacDonald will schedule this and notify the Committee of same.

8. Adjournment

Motion: moved and seconded to adjourn the meeting. Motion carried.

The Chair adjourned the meeting at 7:02 p.m.

Bea Renton, CAO

Circulated: _____

Document No: 5(a)
Meeting: PAC – November 3, 2021
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File:

MEMORANDUM

TO: TOWN COUNCIL/PLANNING ADVISORY COMMITTEE
FROM: ARTHUR MACDONALD
DATE: OCTOBER 20, 2021
RE: LUNENBURG ARMS APPLICATION TO AMEND MAXIMUM LOT SIZE REQUIREMENTS IN LOT ZONE 1

1. FACTS

A. Background

The owners of the Lunenburg Arms Hotel (Richburg LP Management Inc.) located at 94 Pelham Street would like to consolidate 94 Pelham Street with 102 Pelham Street to enable a 14-suite expansion to the hotel. They would also like to consolidate the lands across the street (surface parking area at the corner of Pelham and Duke Streets) known as PID 60061199 and PID 60061181 to facilitate additional hotel suites and an accessory parking structure. They have made application to amend the maximum lot size as described for Lot Zone 1 in accordance with the Town’s Land Use By-law.

The new planning documents under Project Lunenburg became effective on September 22, 2021. The Municipal Planning Strategy (MPS) and Land Use By-law (LUB) created new Lot Zones to govern lot zone standards for subdivision proposes. The relevant Policy and By-law provisions are attached in **Attachment A**.

The subject properties are in Lot Zone 1 which limits the maximum lot area to 465 m² (5,005 square feet) and the maximum lot frontage to 40 m (131 feet). The proposed lot consolidation of 94 and 102 Pelham Street will create a new lot with 823.5 m² (8864 square feet) and a frontage of 41.57 m (136.38 feet). The consolidation of PID 60061199 and PID 60061181 will create a new lot with 662.2 m² (7,127 square feet) and a frontage of 35.6 m (116.79 feet). The Lot Zoning Map is attached in **Attachment B**.

Note there is a separate application under the Heritage Conservation District (HCD) Plan and By-law to facilitate the demolition of 102 Pelham Street to make room for the hotel’s expansion plans. There is also a separate application under the HCD Plan and By-law to consider the design of the new commercial building with an accessory

parking structure on the proposed consolidated lot (PID 60061199 and PID 60061181).

The planning application may necessitate a two-part process. First, the MPS amendment (development agreement) or alternatively, the LUB amendment (increasing the maximum lot sizes pursuant to Part 5.2.1 of the LUB), is required to be undertaken and become effective. If Council agrees with the recommendation to amend the MPS to enable an increase in the maximum lot size by development agreement, then a second step is required to approve the development agreement. Staff has attempted to lay out the process in **Attachment G**.

B. Proposal

The request is to enable subdivision approval for the proposed lot consolidations. This would require a mechanism where the maximum lot area and lot frontage requirements of the Lot Zone 1 are amended to enable the creation of lots that have 823.5 m² (8864 square feet) and a frontage of 41.57 m (136.38 feet). This may be done by increasing the maximum lot area and maximum lot frontage pursuant to Part 5.2.1 of the Land Use By-law (LUB) (an LUB amendment) or by enabling by Policy through the Municipal Planning Strategy (MPS) Council's consideration through the development agreement process (an MPS amendment).

Lot Zone 1:	Maximum Lot Area	Maximum Lot Frontage
Part 5.2.1 of LUB	465 m ² (5,005 square feet)	40 m (131 feet)
Request	823.5 m ² (8864 square feet)	41.57 m (136.38 feet)

2. ISSUES AND OPTIONS

The development of maximum lot areas and maximum lot frontages is a relatively new planning tool that was not available to municipalities back when the Heritage Conservation District was created and when the last planning review was undertaken. Due to the Outstanding Universal Values (OUV's) of the UNESCO World Heritage Site (WHS), the new MPS and LUB recognized the importance of preserving the traditional lot form and grid pattern of the Charles Morris 1753 Model Town Plan of Lunenburg. The Town was laid out in lots 40 feet wide and 60 feet deep which created a tight knit urban form and layout. Large lot consolidations began to erode this traditional form of development. To preserve or otherwise minimize the effect of large lot consolidations, the new MPS and LUB inserted maximum lot area and maximum lot frontage standards in the LUB (Part 5.2.1 as outlined in **Attachment A**). You may notice that the maximum lot area and maximum lot frontage provisions are only applicable in Lot Zone 1 and no other Lot Zone. Lot Zone 1 encompasses the WHS. Therefore, the decision to expand the maximum lot area and maximum lot frontage pursuant to Part 5.2.1 of the LUB should not be taken lightly.

Amendments to the MPS/LUB as well as development agreement requests are required to be reviewed by Council through Policy 6-19. Staff's review of the evaluation review criteria pursuant to Policy 6-19 is enclosed in **Attachment C**. Please note that this review was undertaken to support Option 2 as laid out below.

Options:

Option 1) To amend the LUB, Part 5.2.1, to increase the maximum lot area and maximum lot frontage as outlined in the following table:

“5.2.1. The subdivision of land within the Town shall comply with Table 1, Lot Subdivision Standards.

Table 1: Lot Subdivision Standards

	LZ1	LZ2	LZ3	LZ4
Minimum Lot Area	110 m ² (1,185 ft ²)	370 m ² (3,983 ft ²)	330 m ² (3,553 ft ²)	37 m ² (399 ft ²)
Maximum Lot Area	825 m ² (8,880 ft ²)	-	-	-
Minimum Lot Frontage	6 m (20 ft)	12 m (40 ft)	12 m (40 ft)	6 m (20 ft)
Maximum Lot Frontage	42 m (137 ft)	-	-	-

The proposed change in maximum lot frontage from 40 m (131 feet) to 42 m (137 feet) is not deemed a significant alteration and is well within the 10% variance enabled by the Municipal Government Act (MGA). However, the change in maximum lot area from 465 m² (5,005 square feet) to 825 m² (8,880 square feet) is deemed a significant change and is well outside the 10% variance enabled by the MGA.

Considering the above, as well as the potential impacts on the urban form of the WHS, it is not recommended at this time to enable a blanket as-of-right increase in the maximum lot area and maximum lot frontage for the entire Lot Zone 1.

Option 2)

To address the request with minimal impact on the MPS and LUB with regards to maintaining the maximum lot area and maximum lot frontage requirements for Lot Zone 1, Council may wish to amend the MPS to enable them to be considered by development agreements. Rather than enabling a blanket as-of-right for the entire Lot Zone 1 (as outlined in Option 1), a development agreement process will enable Council to consider the applications on a case-by-case nature. This is the recommended course of action.

Such a request would require a two-stage process:

- a) First, Council may implement a new policy in the MPS to enable them to consider increasing the maximum lot area and/or maximum lot frontage by development agreement. Once the policy is effective, Council may then entertain a request through the development agreement process. The process to amend the MPS is attached in **Attachment D**.
- b) Second, once the policy is in place, Council may then entertain the request through the development agreement process. The process to enter into a Development Agreement is outlined in **Attachment E**.

Option 3) To refuse the application to amend Part 5.2.1 of the LUB. Reasons for such a refusal shall be provided by Council and is subject to an appeal to the Public Utilities and Review Board. Council may identify such a refusal based on Policy 6-19 (c) (vii) as reviewed and outlined in **Attachment C**. For example, concerns as expressed by Irma Da Sie, Architect as outlined in Attachment H may be used as a rationale to refuse the application.

3. FINANCIAL IMPACT

The applicant has paid the standard application fee to amend the planning documents (\$750) plus a deposit of \$700 to cover the associated advertisement costs. In this case as the proposal is recommended for a two-step process with one application, it is recommended that the Town include the development agreement application fee as part-in-parcel of the \$750 application fee to amend the planning documents.

The Town may incur costs if an appeal is filed with the Public Utilities and Review Board.

4. STRATEGIC PLAN RELEVANCE

The approval of the request is in keeping with the Town's CCP, in particular:

Economic Development: Direction to support economic development.
Urban Design: Direction to enhance residents' and visitors' experience of the built environment.

5. RECOMMENDATION AND DRAFT MOTION

Motion: Moved and seconded that PAC direct staff to set a Public Participation Meeting date to consider, and if deemed advisable, amend the MPS by inserting the following after "Policy 3-2":

"3.2.4 Lot Zone 1 Maximum Lot Size Waiver by Development Agreement

Though it is the intent to maintain the historical spatial environment by regulating the maximum lot size in Lot Zone 1, there may be times that Council may wish to enable lots to exceed the maximum lot size for the wellbeing of businesses and/or community. Council shall consider such circumstances through the Development Agreement process.

Policy 3-2A: Council shall consider by development agreement proposals the approval of lots that exceed the maximum lot area and/or maximum lot frontage permitted in Lot Zone 1. Council shall only enter into development agreements for such proposals if:

(a) there is a clear need for the proposed lot exceeding the maximum lot area and/or maximum lot frontage and a clear benefit to the Town and residents of Lunenburg in having the development locate within Lot Zone 1; and

(b) the proposal is consistent with the general evaluation criteria for development agreements, as set out in Policy 6-19.”

ATTACHMENTS:

- A.** Relevant MPS Policy and Land Use By-law Provision
- B.** Lot Zoning Map
- C.** Evaluation Criteria Policy 6-19 Review
- D.** Application Process to amend MPS
- E.** Application Process to enter Development Agreement
- F.** UNESCO World Heritage Site statements of Outstanding Universal Value (OUV's)
- G.** Planning Application Process
- H.** Written Submission from Irma Da Sie, Architect and Stephen Richards

Acknowledged by:

Bea Renton
Town Manager/Clerk

ATTACHMENT A
Relevant MPS Policy and Land Use By-law Provision

Relevant MPS Policy:

3.2.2 Lot Zones

Lots can vary in area and in dimensions. Lot frontage (the length of the lot line along the road) is typically the key lot dimension that affects community character, as well as the amount of infrastructure required to service each lot. The Land Use By-law contains “lot zones” that establish the standards for lot area and frontage when creating new lots. In this way the character of the various areas of Lunenburg can be reinforced.

Policy 3-1: Council shall, through the Land Use By-law, establish Lot Zones, shown on the Lot Zoning Map of the Land Use By-law, to establish standards for the subdivision of new lots. The Lot Zones shall generally conform to the following scheme:

- (a) Lot Zone 1 is intended to replicate the fine-grained lot pattern of development in and around Old Town. Lot Zone 1 shall contain maximum lot area and maximum lot frontage requirements to prevent large-scale consolidations that would fundamentally change the character of these areas.
- (b) Lot Zone 2 is intended to reflect the larger lots that can be found in New Town.
- (c) Lot Zone 3 is intended to enable relatively small lots in areas of new development in order to enable density and efficient use of services.
- (d) Lot Zone 4 is intended to provide very flexible lot requirements to accommodate sites with atypical development needs.

Relevant Land Use By-law Provision:

5.2. Lot Standards

5.2.1. The subdivision of land within the Town shall comply with Table 1, Lot Subdivision Standards.

Table 2: Lot Subdivision Standards

	LZ1	LZ2	LZ3	LZ4
Minimum Lot Area	110 m ² (1,185 ft ²)	370 m ² (3,983 ft ²)	330 m ² (3,553 ft ²)	37 m ² (399 ft ²)
Maximum Lot Area	465 m ² (5,005 ft ²)	-	-	-
Minimum Lot Frontage	6 m (20 ft)	12 m (40 ft)	12 m (40 ft)	6 m (20 ft)
Maximum Lot Frontage	40 m (131 ft)	-	-	-

ATTACHMENT B - Lot Zoning Map



MAP
Lot Zoning Map

WADSWORTH	LAST UPDATED
B	2021/07/27

SCALE
1:10,000

- L21 Lot Zone 1
- L22 Lot Zone 2
- L23 Lot Zone 3
- L24 Lot Zone 4

ATTACHMENT C
Evaluation Criteria Policy 6-19 Review

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;
The proposal is an amendment to the Municipal Planning Strategy to enable the proposal to proceed through the development agreement process. Once the amendment becomes effective, the proposal would be consistent with the intent of the strategy.
- (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 Town is not obligated to absorb any costs related to the proposal.
 - ii. impacts on existing drinking water supplies, both private and public;
There is adequate public drinking water to support the development consisting of a 14 suite expansion to the Lunenburg Arms as well as the 30 micro-suites and parking structure across the street.
 - 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;
There is adequate central water and sewage services to support the development consisting of a 14-suite expansion to the Lunenburg Arms as well as the 30 micro-suites and parking structure across the street.
 - iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
It is anticipated that the proposed development will not worsen any existing traffic hazards. The development of the additional suites will increase congestion on the road, in particularly when guests are leaving or arriving. However, currently the guests are limited to on-street parking and the use of the surface parking lot. The development of a parking structure will almost double the capacity of the surface parking lot and should help to alleviate some of the increased congestion associated with the hotel's expansion. With regards to cycling, the existing circumstance should remain relatively the same. With regards to the pedestrian network, it is anticipated that

pedestrian traffic between the Hotel and the parking structure across the street will increase. There is an existing crosswalk at the corner of Duke and Pelham to enable the safe passage of clients to and from the hotel to the parking structure. There is an opportunity for businesses to benefit from the increased pedestrian traffic.

- v. the adequacy of fire protection services and equipment;
There is adequate fire protection services and equipment to service the proposed development.
- vi. the adequacy and proximity of schools and other community facilities;
The proposed development is in the heart of the downtown area. The adequacy and proximity of schools is not a major concern due to the type of use – servicing accommodations for the travelling public. The adequacy and proximity of community facilities are considered adequate.
- vii. impacts on UNESCO World Heritage Site statements of outstanding value;
The UNESCO World Heritage Site statements of Outstanding Universal Value (OUV's) are attached in Attachment F. Under "Authenticity" it states:

"Old Town Lunenburg is authentic in location and setting, forms and designs, materials and substances, and uses and functions. The original British colonial town plan remains evident, including the regular layout of property parcels in a grid pattern with geometrically regular streets, central public spaces, and key community structures, with a functioning waterfront as its focus. In terms of forms and materials, there is a harmony of scale, siting and materials (predominantly wood) throughout the property, and a regional architectural vocabulary that includes the 'Lunenburg bump', an indigenous five-sided dormer. While a continuing vernacular architectural tradition is integral to the property's Outstanding Universal Value, there has been very limited infill in the modern era. Many of the property's historic uses and functions survive."

The OUV'S identifies the importance of the "original British colonial plan ... including the regular layout of property parcels in a grid pattern". The Lunenburg Plan (1753) incorporated all the principles of the model town: geometrically regular streets and blocks; the allocation of public spaces; an allowance for fortifications; and a distinction between urban and non-urban areas. The plan consists of a gridiron of six divisions, which run north from the front harbour and are divided into eight blocks. The blocks in the grid are each subdivided into fourteen building lots with 40 feet of street frontage with a depth of 60 feet. Below is an excerpt from the Heritage Conservation District Plan:

"5.4 Conservation of historic Old Town lot layout and block form.

The urban form, scale and cohesive architectural character of the Old Town is also directly related to its original lot layout, where each block was divided into fourteen 40 ft x 60 ft lots. This rectangular grid, superimposed on the Old Town's hilly topography, resulted in the construction of many houses and buildings of similar scale and orientation, densely built in close proximity to each other, and overlooking each other on sloping sites. The small lots, as well as the town planning conventions of the colonial period, predetermined that buildings would be built close to the street with narrow side yards and small rear yards.

Most blocks in the Old Town have retained their original lot divisions, with anywhere from eight to fourteen buildings (along with attendant outbuildings) situated upon them. Where lot consolidations have occurred, they have most commonly been in combinations of two - either two lots deep, running through from street to street, 40 ft wide x 120 ft deep, or two lots side by side, 80 ft wide x 60 ft deep. There are only a few instances where larger lot consolidations have occurred - the largest having been four lots combined into one 80 ft x 120 ft parcel with one house on it.

Effective conservation of the Old Town's urban form implies that there should be a limitation on the size of lot consolidations in order to limit any propensity or pressure for the construction of large, out-of-scale buildings. However, this is difficult to achieve without significant change to the Planning Act (and the new Municipal Government Act) which enables municipalities only to establish minimum lot sizes, not maximum lot sizes.

Regulation of the maximum size of buildings (rather than lot sizes), however, is permitted under both the Planning Act/Municipal Government Act (through the Municipal Planning Strategy), and the Heritage Property Act (through the heritage conservation district plan and bylaw).

The current Municipal Planning Strategy does not regulate maximum building size except indirectly through criteria for development agreements; nor do the MPS & LUB architectural controls include specific mention of scale, size, bulk or massing as criteria for evaluating proposals. Criteria for building size will therefore be included in the conservation plan and bylaw in order to ensure that new development will be in keeping with existing scale and urban form.”

In this case the proposal is located on a commercial block on one of the three prime commercial streets which include Montague Street, Pelham Street and Lincoln Street. The commercial needs for larger lot sizes derive from their inherent qualities as commercial enterprises are quite different to the needs of smaller residential developments further up the hill. The spatial relationships between commercial and residential properties are recognized as inherently different in the Heritage Conservation District Plan and By-law where the separation distances between the built environment is quite small in the commercial fabric as buildings are placed closer together, whereas there are larger spatial separations in the residential areas. This helps to frame the public realm and provide a tight commercial flavour to the commercial street. The grid patterns are more evident in the residential areas, whereas less so in the commercial areas due to these inherent qualities.

The essential blocks of the model Town Plan, consisting of the street grid pattern, will not be affected. The internal 40 ft. by 60 ft. lot pattern will be affected but many may say that it has already been affected due to the inherent qualities of the commercial layout. Many commercial lots in the commercial areas have already gone beyond the historic 40 ft. by 60 ft. lot delineations. The proposal is to help facilitate the expansion plans of an existing commercial facility catering to the travelling public in the heart of Old Town which helps promote the site to visitors, providing a heightened awareness for the Town's WHS as well as by providing an economic return to help facilitate the maintenance and well-being of the WHS.

This criterion requires Council to review as to whether Council is satisfied the proposal is not premature or inappropriate due to impacts on UNESCO World Heritage Site statements of outstanding universal value (OUV). Both lots (the Lunenburg Arms site as well as the surface parking lot site) already exceed the 40 ft. frontage as noted in the 1753 Model Town Plan. The expansion plans for the hotel will enable them to grow and expand providing life, energy, and economic benefits for the WHS. In staff's opinion, there is a balance that needs to be recognized regarding the positive and negative impacts on the statements of OUV's and the overall health for the WHS. As previously stated, the commercial nature of the site has inherent qualities that reduces such impacts – for example, a similar application in the residential areas would be seen as having more of an impact on the OUV's. In this case it is reasonable for Council to take a position that they are satisfied the proposal is not premature or inappropriate due to impacts on UNESCO WHS statements of outstanding universal value (OUV).

- 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 development will not create or worsen pollution problems in the area nor create any soil erosion and/or siltation of watercourses.
- ix. site-specific climate change risks;
There are no known site-specific climate changes risks associated with the proposed development.
- x. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;
There are no known potentials to create flooding or serious drainage issues.
- xi. impacts on known habitat for species at risk;
There are no known impacts on known habitat for species at risk.
- xii. impacts on the navigability and environment of Lunenburg Harbour;
There are no known impacts on the navigability and/or environment of Lunenburg's Harbour.
- 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 sites do not impose concerns related to the suitability of grades, soil, geological conditions, watercourses, wetlands, and proximity to rights-of-ways.
- xiv. land use conflicts that could place limits on existing operational procedures at existing businesses.
The proposed development is an extension to an existing hotel. The hotel expansion should not create any additional land use conflicts that could place limits on existing operational procedures at existing businesses other than, at times, increased traffic congestion during periods associated with arrivals and departures.

Chart 1 - Planning Documents Approval Process

ATTACHMENT D

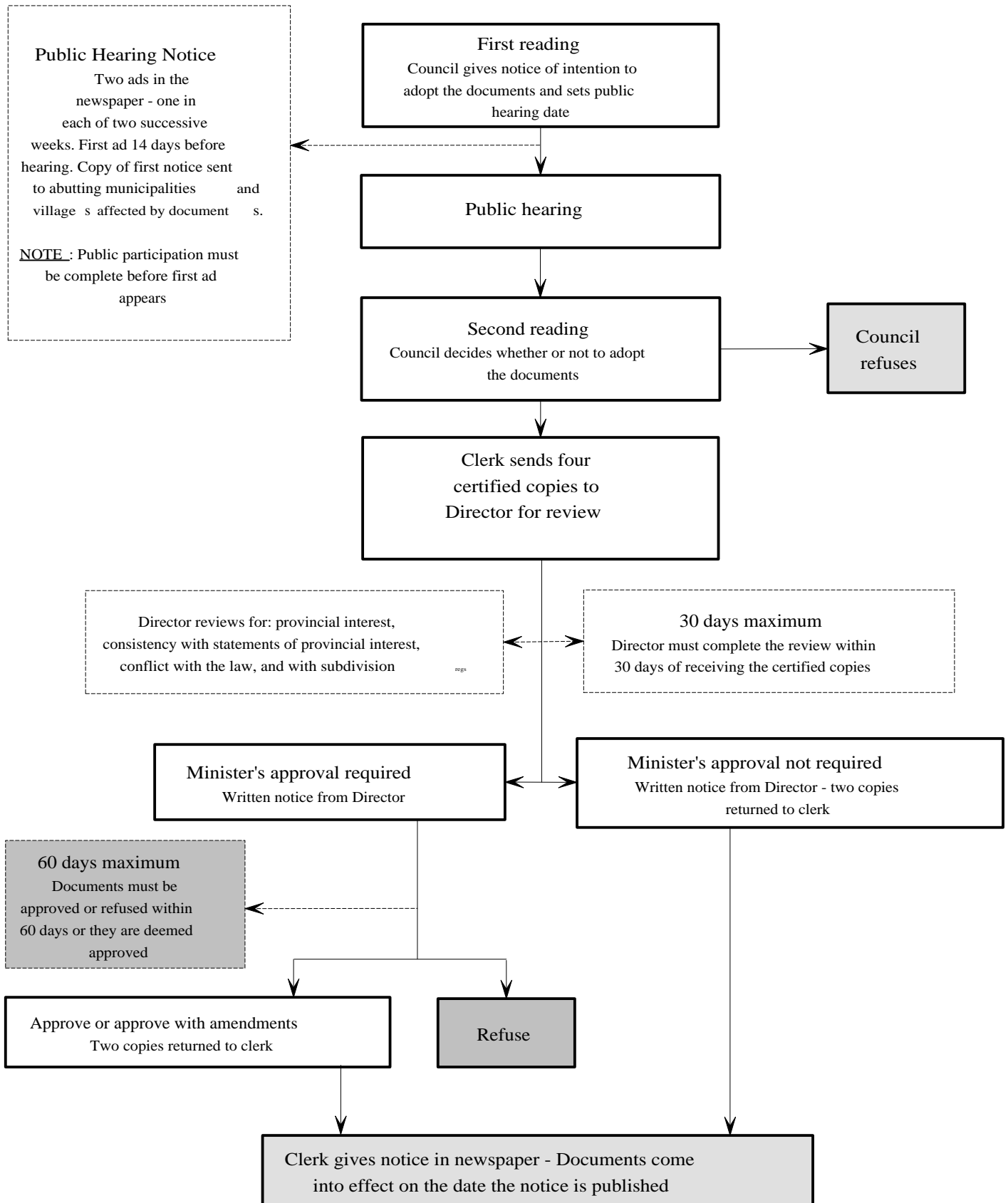
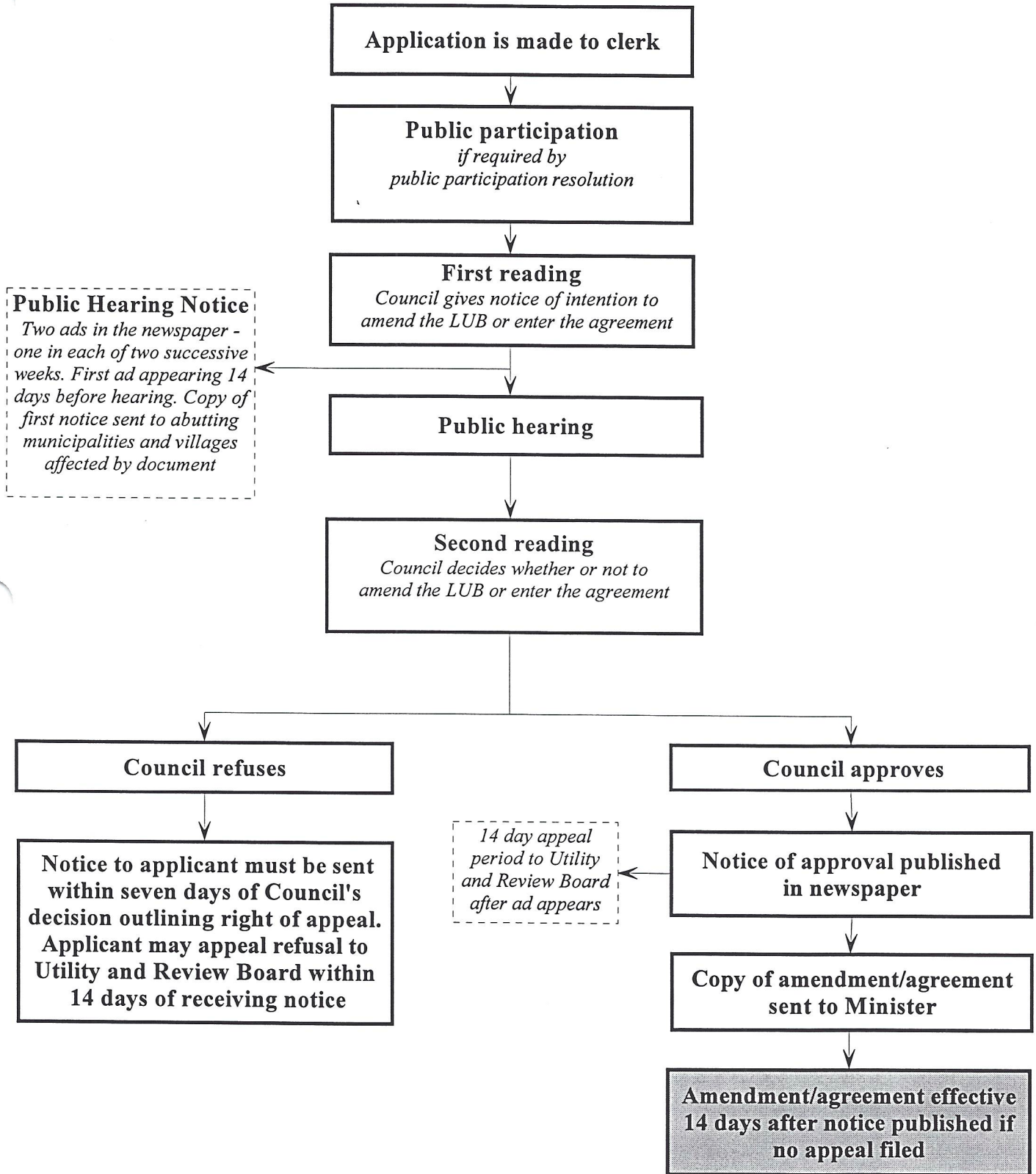


Chart 2 - Land Use Bylaw¹ / Development Agreement Approval Process

ATTACHMENT E



¹ non implementing land use bylaw amendments only
 Shaded boxes indicate that the process has come to an end.
 Source: MGA sections 206, 210 and 230

ATTACHMENT F

Old Town Lunenburg

Lunenburg is the best surviving example of a planned British colonial settlement in North America. Established in 1753, it has retained its original layout and overall appearance, based on a rectangular grid pattern drawn up in the home country. The inhabitants have managed to safeguard the city's identity throughout the centuries by preserving the wooden architecture of the houses, some of which date from the 18th century.

Outstanding Universal Value

Brief synthesis

Old Town Lunenburg is the best surviving example of a planned British colonial settlement in North America. Established in 1753, it has retained its original layout and overall appearance, based on a rectangular grid pattern drawn up in the home country. The inhabitants have safeguarded the town's identity throughout the centuries by preserving the wooden architecture of the houses and public buildings, some of which date from the 18th century and constitute an excellent example of a sustained vernacular architectural tradition. Its economic basis has traditionally been the offshore Atlantic fishery, the future of which is highly questionable at the present time.

Criterion (iv): Old Town Lunenburg is a well-preserved example of 18th century British colonial urban planning, which has undergone no significant changes since its foundation, and which largely continues to fulfil the economic and social purposes for which it was designed. Of special importance is its diversified and well-preserved vernacular architectural tradition, which spans over 250 years.

Criterion (v): Old Town Lunenburg is an excellent example of an urban community and culture designed for and based on the offshore Atlantic fishery which is undergoing irreversible change and is evolving in a form that cannot yet be fully defined.

Integrity

Within the boundaries of the 33 ha property are located all the elements necessary to express the Outstanding Universal Value of Old Town Lunenburg. The property encompasses the intact original town plan in its entirety, missing only the fortifications that surrounded the town in its early years, but of which there are no surviving above-ground remains. Its boundaries adequately ensure the complete representation of the features and processes that convey the property's significance, and there is a 48.72 ha buffer zone. The property does not suffer unduly from adverse effects of development and/or neglect.

Authenticity

Old Town Lunenburg is authentic in location and setting, forms and designs, materials and substances, and uses and functions. The original British colonial town plan remains evident, including the regular layout of property parcels in a grid pattern with geometrically regular streets, central public spaces, and key community structures, with a functioning waterfront as its focus. In terms of forms and materials, there is a harmony of scale, siting and materials (predominantly wood) throughout the property, and a regional architectural vocabulary that includes the 'Lunenburg bump', an indigenous five-sided dormer. While a continuing vernacular architectural tradition is integral to the property's Outstanding Universal Value, there has been very limited infill in the modern era. Many of the property's historic uses and functions survive.

Most of the recent changes to the property are renovations to specific buildings, some of which have better conveyed the heritage value of Old Town Lunenburg than others. Due to long-term economic circumstances, there are also ongoing pressures on property owners in terms of rising property values, maintenance costs, and the challenges of retaining historical accuracy in restoration planning.

Protection and management requirements

Old Town Lunenburg, which is almost entirely in private ownership, is commemorated by the Government of Canada as a National Historic Site (1991) and protected under two key pieces of provincial legislation, the *Municipal Government Act* (1998) and the *Heritage Property Act* (1989), which enable the municipality to create, respectively, land-use and heritage bylaws. In this context, the municipality adopted the *Heritage Conservation District Plan, Bylaw and Guidelines* in 2000 (consolidated in 2001). In order to better manage the community as a World Heritage property and ensure the continuing protection of the town's heritage resources, the Town of Lunenburg Heritage Sustainability Strategy (2010) has been developed to guide its development, including the identification of heritage, culture and tourism prospects that may produce economic opportunities for the community.

Sustaining the Outstanding Universal Value of the property over time will require managing, to the degree possible, ongoing pressures on property owners related to rising property values, maintenance costs, and the challenges of retaining historical accuracy in restoration planning. It will also require developing and implementing mechanisms to encourage building renovations that fully respect the heritage value of Old Town Lunenburg. Special attention will be given over the long term to monitoring and taking appropriate actions related to a number of factors in and near the property. Specifically, these include the potential impacts of climate change, and the impacts of tourism and visitation.

ATTACHMENT G
Planning Application Process

Planning Application Process	
Step One:	
1.1 PAC meeting to approve advertisement for Public Participation Meeting for MPS or LUB amendment.	November 3, 2021
1.2 PAC holds Public Participation Meeting for MPS or LUB amendment.	November 17, 2021*
1.3 Recommendation to Council to approve First Reading and advertise for a Public Hearing.	December 7, 2021*
1.4 Council holds Public Hearing and votes.	January 25, 2022*
1.5 If Council votes positive package of amendments forwarded to Province for review.	January 31, 2022*
1.6 If Province advises they are okay, advertisement is placed and the amendment becomes effective the date of the advertisement. (No appeal)	Date unknown
Step Two:	
2.1 PAC meeting to approve advertisement for Public Participation Meeting for Development Agreement (if MPS amendment is chosen)	Date unknown
2.2 PAC holds Public Participation Meeting for Development Agreement.	Date unknown
2.3 Recommendation to Council to approve First Reading and advertise for a Public Hearing.	Date unknown
2.4 Council holds Public Hearing and votes.	Date unknown
2.5 If Council votes positive package of amendments forwarded to Province for review.	Date unknown
2.6 If Province advises they are okay, advertisement is placed and with rights to appeal.	Date unknown
2.7 Once appeal period has elapsed, Development Agreement can then be filed at the Land Registration Office (LRO).	Date unknown
2.8 Once registered at LRO, subdivision plan consolidating the lots may be approved and filed at LRO.	Date unknown

* Dates are approximate.

The Public Participation Meeting (Step 1.2) may be combined with Public Participation Meeting (Step 2.2) to speed up the process. However, Council cannot approve the Development Agreement until such time as the amendment to the MPS becomes effective.

ATTACHMENT H

October 11, 2021

Irma Da Sie, Architect & Stephen Richards
106 Pelham, PO Box 196
Lunenburg, NS BOJ 2C0

Town Of Lunenburg
Mayor & Council Members
Heritage Advisory Committee Members
Planning Advisory Committee Members

119 Cumberland Street
P.O. Box 129
Lunenburg, NS BOJ 2C0

Re: Demolition of 102 Pelham Street

To all concerned,

As the direct neighbour of The Lunenburg Arms Hotel, we are writing this letter to voice our objection to the demolition of 102 Pelham Street requested by Richmond LP Management Inc., as well as to object to the consolidation of the lands with 90/94 Pelham Street.

This little building is part of the UNESCO World Heritage Site & is in the Old Town Historic District and that alone makes it worthy of protection.

We strongly believe that demolition is no way beneficial to anyone residing or visiting Lunenburg and only serves to whittle away at the fabric of our UNESCO town. It is important to safeguard each individual asset, no matter how small, to preserve the value of heritage tourism that is so crucial to Lunenburg's economic well-being.

We also suggest that the application for development be focussed on the vacant lot owned by the hotel at the corner of Pelham & Duke Streets, which is a wonderful opportunity for the creation of thoughtful & innovative integration of a new building in the historic context, as well as providing the capacity to add the additional suites required for economic sustainability. In a real estate listing in which the Lunenburg Arms went up for sale in 2014, it boasts, "Across the street are two lots ... that provide...(an) opportunity to build up to an additional 35 annex rooms."

Photos #1 & #2, attached, show a historical view looking east on Pelham Street confirming that this little building has played a role, historically, in the social fabric of the town.

On the right of the bird's eye view photo #1, you can see the edge of the old Dolphin Tavern (now the main structure of the Lunenburg Arms Hotel) preserved in shape & style to its original self.

It is unfortunate that the two buildings to the east of the Tavern were demolished by the then owner of the Tavern. The Lunenburg Arms now sits where these buildings once were. Note the way these two old buildings descend in height from the Tavern, acknowledging that the street slopes to the east, thereby creating a sensitive rhythm of scale & proportion.

Photo #2 shows a more detailed in view of 102 Pelham (right) authenticating its presence as a tobacconist in the early 1900's. There is no reason to believe that this building is not the one depicted in the map of 1890, showing a structure with the same shape & height as it is today, yet simply reduced in length.

As discussed with the former owner of 102 Pelham, it is built with timber construction in the style of the local vernacular tradition of the time, an important characteristic of the UNESCO designation. The fact that alterations to the facade have been allowed to occur over the years in no way diminishes its importance to the fabric of the streetscape.

The second defining characteristic, as outlined in UNESCO's description of Old Town Lunenburg, claims of the town's authenticity;

"The original British colonial town plan remains evident, including the regular layout of property parcels in a grid pattern with geometrically regular streets..."

The assignment of lots by the random drawing of playing cards is a well documented & fascinating historical account of Lunenburg's history. Some of the lots have already been consolidated due to past developments, thereby highlighting the importance of preserving what is left to keep Lunenburg's character as "authentic" as possible.

Also, allowing an expansion to the Lunenburg Arms Hotel in no way guarantees its financial success in what is a struggle for most of the hotels & inns already trying to survive in such a seasonal industry. This unique little property could, one day perhaps, be sold off separately & restored as a small commercial undertaking that would truly be a valuable addition to the fabric of the street.

And what if the Lunenburg Arms is "unsustainable in its current form"? Could not the building be repurposed into long term housing? Would this be a bad thing?

Review of the 94 Pelham Street Expansion Design: Attachment D

Mr. MacDonald states that "the expansion design is considered to be in conformance with the Design Guidelines of the Heritage Conservation District By-law", yet we strongly believe that this is not the case.

Compatibility with the style, scale & material of the existing building:

"The scale is similar to the western end..."

The existing western end wall of the building is at a height of approx. **28'-6"** measured from its grade level at Pelham street with the gable roof pitch angling eastward away from the side, whereas the eastern end wall of the new addition measures approx. **39'-6"** with a gable end wall reaching a height of approx. **53'-4"** at its peak measured from its grade level at Pelham street. The soffit is approx. **4'-9"** higher on the new extension than the main building. The design does not take into account the sloping nature of the street which drops approx. **6'-9"** on the length of the properties. All of this contributes visually to a much higher structure than that of the western end & would be totally out of scale with its surroundings.

Size, massing & proportions:

"New buildings shall not exceed 4,200 sq. ft."

"As the building is broken into masses that provides the appearance of a multitude of buildings."

"The proposed size, massing...are deemed in keeping with the intent of the design guidelines."

The design guidelines specifies that new buildings be under 4,200 sf. The fact that the existing building is already over these guidelines should be pause for reflection, yet justifying the expansion by finding one suitable clause (under 25% expansion area) is disconcerting.

Section 3 of the guidelines stresses the importance that buildings not be too large or bulky for their context. Allowing expansion to an already massive structure to be almost 7,000 sf in no way satisfies the intent of the by-law.

"Massive buildings under single roof forms can appear visually dominant in the small scale varied context of the Old Town." (3.3 of the guidelines)

As viewed from the south, the waterfront or across the harbour, (the iconic Lunenburg Town photo), the current building has the appearance of one massive form under one roof with dormers applied. This new extension only amplifies the size of its massive form and makes no attempt to break it up or **"to have an additive form with varied rooflines..." (3.3 of the guidelines)**. The hotel is already a dominant feature of the town & looms over the 2 & 3 storey heritage buildings below. Allowing the addition of 20% of its mass would be offensive & would be a serious fail to the protection of the charm of the Heritage Old Town. (see photo #3 & #4)

Facade Design should...have a rhythm along the street:

As viewed from one of the most prominent intersections of town, the corner of King & Pelham, the existing Lunenburg Arms does have the appearance of varied roof forms, & its current setbacks create a rather interesting streetscape. Its current design plays off rather sympathetically with the form of 102 Pelham. (photo #5)

Yet, when compared to the proposed view (photo #6), the addition of an overpowering "4th element" will only obscure the rhythm pattern of the street and does not reinforce it at all.

Compatibility with the character of the streetscape:

"The 3 ½ storey addition is considered compatible with the character of the street"

Additions shall be designed "in a manner which is compatible with the ... character of the immediate neighbourhood." (7.2 of the guidelines)

"Maximum height restrictions of 35 ft." (3.2 of the guidelines)

All the buildings in the immediate neighbourhood are 2 or 3 storeys maximum. Our 3 storey building at 104/106 Pelham has a height of **31'-6"** from the average grade to the very peak of the gambrel. The hotel's new extension will have a peak height of aprox. **53'-6"** from the average grade. It will have the appearance of a high 4 storey structure & if the upper suites are similar to the existing building, they may even have an additional mezzanine level within the roof space (mezzanine levels of the existing upper floor suites are omitted on the plans). This new addition will have the appearance of being the equivalent of 2 storeys higher than the neighbouring building & other buildings in the vicinity, not to mention being way over the maximum 35 ft allowable height.

Off-set from Main facade:

“Additions... should be offset from the main facade...to visually distinguish the addition from the main facade” . (7.5 of the guidelines)

Height should not exceed original structure:

“An addition should be visually subordinate to the original structure and distinguishable from it...” (7.6 of the guidelines)

The analysis put forward in the above 2 items addresses only the Pelham street facade & does not address the more visually prominent South facade. The addition as viewed from the south is such that it is designed as a continuation of the existing building. There is no set-back, nor any height variation that distinguishes it from the original structure. Consequently, the design, form & height of the new addition is not in keeping with the intent of the design guidelines.

In conclusion, it is our position that this demolition permit, as well as the demand for the consolidation of lands, be denied as it does not, in any way, contribute positively to the needs of the town. It does not respect the Heritage Conservation District Plan’s Design Guidelines nor satisfy its intent. It does not respect the newly drafted Comprehensive Community Plan which calls for a focus for the continued preservation & enhancement of the Old Town core. It is an insult to all of the residents & businesses of the Town that have been required to developed their properties in compliance with the current zoning by-laws.

Given that a perfectly acceptable alternative solution is available by developing their vacant properties, the argument that demolition is the only solution for economic sustainability seems misguided.

Respectfully yours,

The image shows two handwritten signatures in blue ink. The top signature is 'Irma Dasie' and the bottom signature is 'Stephen Richards'. Both are written in a cursive, flowing style.

Irma Da Sie, Architect & Stephen Richards
irma.dasie@gmail.com
(902) 298-1556



PHOTO #1 - Early 1900's view of Pelham looking East

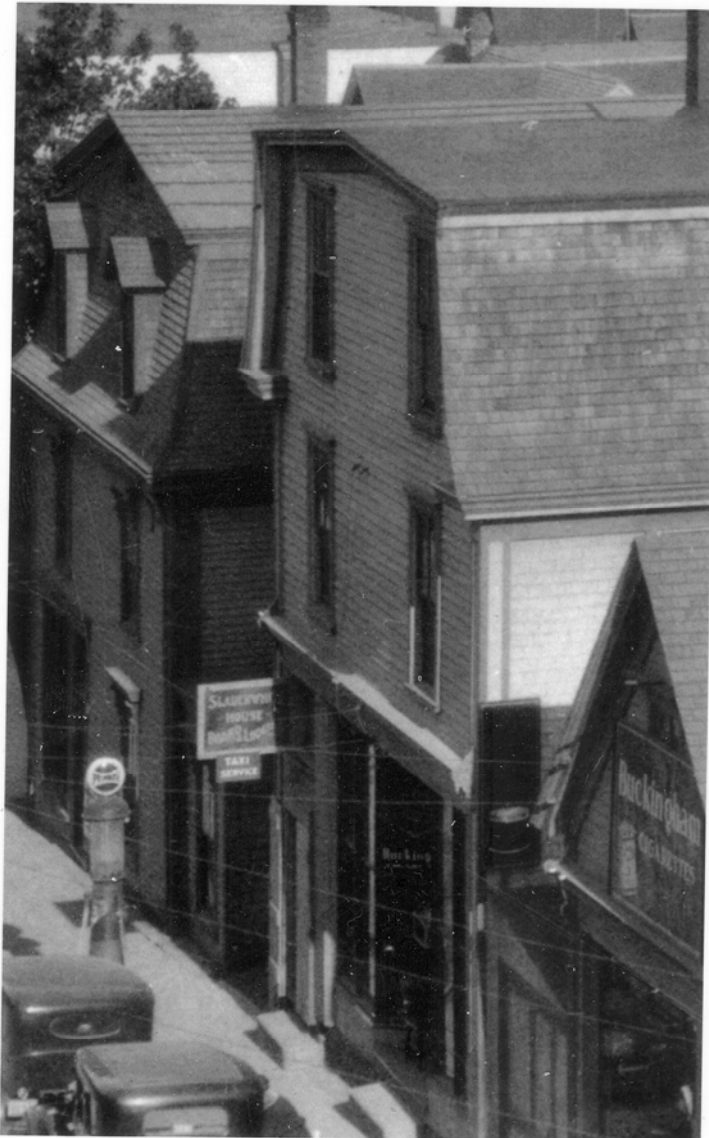


PHOTO #2

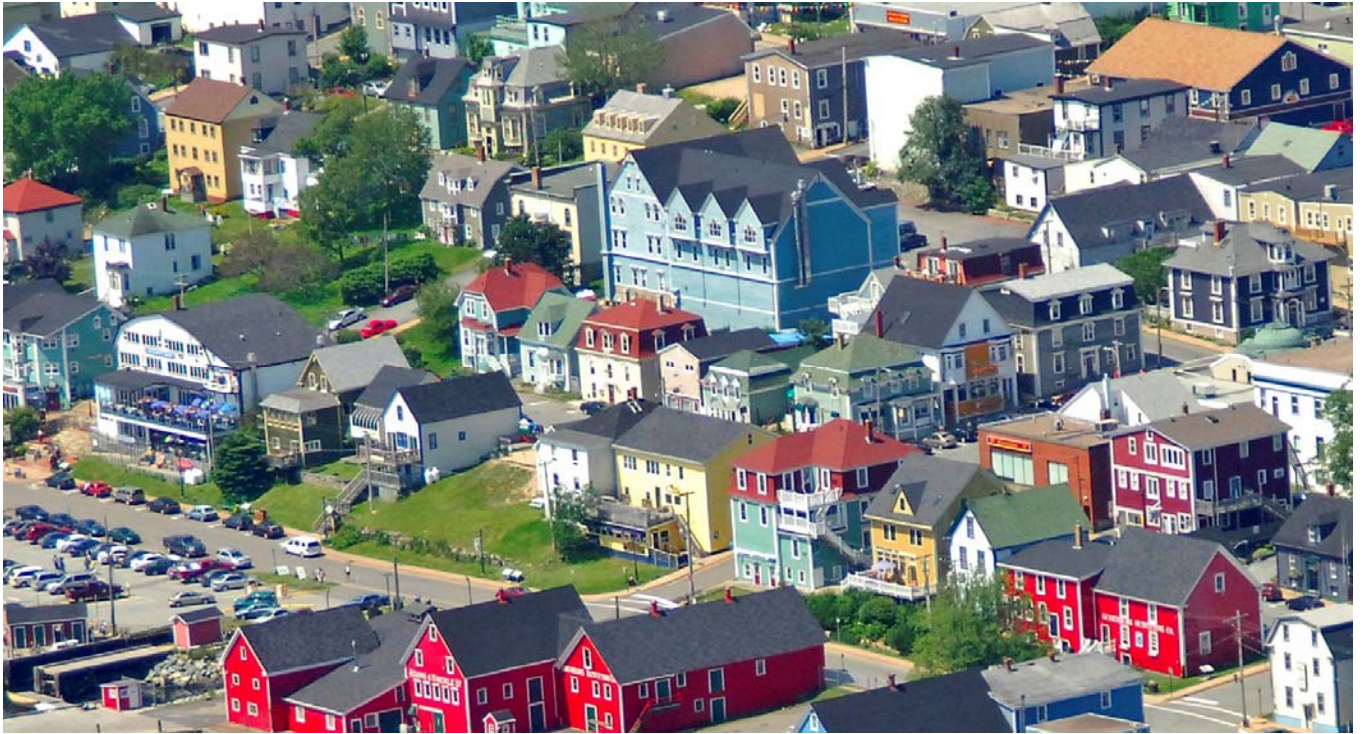


PHOTO #3 - Current view of the Lunenburg Arms Hotel looming over the neighbouring 2 & 3 storey structures



PHOTO #4 - Lunenburg Town view from the Harbour



PHOTO #5 - Current view from the corner of King St. & Pelham



PHOTO #6 - View showing the massing of the proposed addition

Attachment C
Proposed Development Agreement for Lot Consolidation of 94 Pelham Street
(PID 60061801) and 102 Pelham (PID 60061793)

THIS DEVELOPMENT AGREEMENT made this ____ day of _____, A.D., 2022.

BETWEEN:

RICHBURG LP MANAGEMENT INC.

(a body corporate, incorporated pursuant to the laws of the Province of Nova Scotia,
hereinafter called the "Developer")

OF THE FIRST PART

- and -

THE TOWN OF LUNENBURG,

(a body corporate pursuant to the *Municipal Government Act*, S.N.S., 1998, Chapter 18, as amended,
having its chief place of business at Lunenburg, Lunenburg County, Nova Scotia, an incorporated Town
hereinafter called the "Town")

OF THE SECOND PART

WHEREAS the Developer has agreed to enter into this Agreement with the Town pursuant to Section 225 of the *Municipal Government Act*, S.N.S., 1998, Chapter 18, as amended, and Policy 3-2A of the Municipal Planning Strategy; and

WHEREAS the Developer is the owner of certain lands and premises (hereinafter called the "Property 1" which lands are more particularly described in Schedule A attached hereto and which are known as 94 Pelham Street and Property Identification (PID) Number 60061801; and

WHEREAS the Developer is the owner of certain lands and premises (hereinafter called the "Property 2" which lands are more particularly described in Schedule B attached hereto and which are known as 102 Pelham Street and Property Identification (PID) Number 60061793; and

WHEREAS the Developer has made application to the Town for subdivision approval in order to consolidate Property 1 with Property 2; and

WHEREAS Policy 3-2A of the Town's Municipal Planning Strategy implemented on September 22, 2021, A.D., and amendments thereto enables the Town to enter into a Development Agreement to enable subdivision approval for lot consolidations that exceed the Maximum Lot Area and Maximum Lot Frontage as prescribed in the Land Use By-law; and

WHEREAS the Town by resolution of Town Council passed at a meeting on ____ day of ____, 2022, approved this Development Agreement;

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of \$1.00 now paid by the Developer to the Town, the receipt of which is hereby acknowledged, the parties here to mutually covenant and agree to the Lot Consolidation of Property 1 with Property 2 subject to the following terms and conditions:

1. Subdivision Approval

1.1 The Developer hereby agrees to submit a Subdivision Plan for the lot consolidation of Property 1 and Property 2 as shown in Schedule C in conformance to the Town's Subdivision By-law by no later than December 31, 2025.

1.2 The Town shall here by approve the Subdivision Plan for the lot consolidation of Property 1 and Property 2 provided the newly created Lot does not exceed 825 m² (8880.2 square feet) in area and provided all other requirements of the Land Use By-law and Subdivision By-law are adhered to.

1.3 The Town shall here by approve the Subdivision Plan for the lot consolidation of Property 1 and Property 2 provided the newly created Lot does not exceed 42 m (137.8 feet) in street frontage and provided all other requirements of the Land Use By-law and Subdivision By-law are adhered to.

2. Amendments and Discharge

2.1 Any amendments to this Agreement which are substantive shall be made subject and pursuant to requirements set forth in the *Municipal Government Act, S.N.S., 1998, Chapter 18*, as amended and shall require a public hearing.

2.2 Any and all amendments to this Agreement shall be substantive.

2.3 Notwithstanding Section 2.2 of this Agreement, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council at the request of the Developer without a public hearing.

2.4 Notwithstanding Section 2.2 and 2.3, Council may discharge this Agreement without the consent of the Developer if the developer fails to submit a Subdivision Plan in accordance with the Town's Subdivision By-law for approval by December 31, 2025. This discharge shall be defined as not substantive under the meaning of the *Municipal Government Act, S.N.S., 1998, Chapter 18*, as amended and shall not require a public hearing.

3. Signing of Development Agreement

3.1 The Developer shall sign this Agreement within sixty (60) days from the date the appeal period lapses or all appeals have been abandoned or disposed of or the Development Agreement has been affirmed by the Nova Scotia Utility and Review Board or the unexecuted Agreement shall be null and void.

4. Warranties by Developer

4.1 The Developer warrants as follows:

- (a) The Developer has good title in fee simple to the Lands or good beneficial title subject to a normal financing encumbrance, or is the sole holder of a Registered Interest in the Lands. No other entity has an interest in the Lands which would require their signature on this Development Agreement to validly bind the Lands or the Developer has obtained the approval of every other entity which has an interest in the Lands whose authorization is required for the Developer to sign the Development Agreement to validly bind the Lands.
- (b) The Developer has taken all steps necessary to, and it has full authority to, enter this Development Agreement.

5. Compliance with other By-laws and Regulations

5.1 Nothing in this Agreement shall exempt the Property Owner from complying with Federal, Provincial and Town laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Town license, permission, permit, authority or approval required thereunder.

5.2 The Town does not make any representations to the Property Owner about the suitability of the Property for the development proposed by this Agreement. The Property owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the development.

5.3 The Property Owner is responsible for all costs associated with recording this Agreement in the Registry of Deeds or Land Registration Office, as applicable.

5.4 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.5 Where the context requires, the singular shall include the plural, and the masculine gender shall include the feminine and neutral genders.

6. Provisions of Land Use By-law

6.1 Any provisions or regulations not set out or specifically mentioned in this Agreement shall be governed by the provisions of the Town's Land Use By-law, implemented on September 22, 2021 and any amendments thereto.

7. Breach of Terms or Conditions

7.1 Upon the breach by the Developer of the terms or conditions of this Agreement, the Town may undertake any remedies permitted by the *Municipal Government Act*, S.N.S., 1998, Chapter 18, as amended.

8. Termination of Agreement

8.1 That this Agreement shall be in effect until discharged by resolution of the Council of the Town in accordance with the relevant statutes; whereupon the Land Use By-law shall apply to the lands.

8.2 That the Council of the Town retains the option of discharging this development agreement should any fact provided to the Town by the Developer or its agents constitutes a material misrepresentation of the facts upon which this Agreement is based.

8.3 That the Council of the Town may discharge this Agreement if the Developer breaches any terms of the Agreement.

THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, their respective agents, successors and assigns.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto and is effective as of the day and year first above written.

SIGNED, SEALED AND ATTESTED to be the proper signing officers of the Town of Lunenburg, duly authorized in that behalf, in the presence of: **TOWN OF LUNENBURG**

Witness

Matt Risser, Mayor

Witness

Bea Renton, Town Clerk

SIGNED, SEALED AND DELIVERED
In the presence of:

DEVELOPER

Witness

RICHBURG LP MANAGEMENT INC.

**PROVINCE OF NOVA SCOTIA
LUNENBURG COUNTY**

ON THIS _____ day of _____, 2021, before me, the subscriber personally came and appeared _____, a subscribing witness to the annexed Indemnity, who having been by me duly sworn, made oath and said that _____ one of the parties thereto, signed, sealed and delivered the same in their presence.

**A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA**

**PROVINCE OF NOVA SCOTIA
LUNENBURG COUNTY**

I CERTIFY that on this _____ day of _____, 2021, one of the parties mentioned in the foregoing and annexed Indemnity, signed, and executed the said Indemnity in my presence and I have signed as witness to such execution.

**A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA**

Schedule A – Property 1 Description

PID 60061801

MUNICIPALITY/COUNTY: Town of Lunenburg, Lunenburg County

REGISTRATION COUNTY: Lunenburg

LOCATION: Pelham Street

DESIGNATION OF PARCEL ON PLAN: Lot 4

TITLE OF PLAN: Plan Showing Consolidation of Lot 1, Lot 2 & Lot 3 to create Lot 4, Property of GMT Software Systems Ltd., 90 Pelham Street, Town of Lunenburg, Lunenburg County, Nova Scotia

REGISTRATION DATE OF PLAN: June 11, 1999

REGISTRATION REFERENCE OF PLAN: Plan No. 11165

TOGETHER WITH the Grantors right to continue the encroachment of the building and any land occupied by the said building as it may extend over the land to the west hereof, as referenced in the Statutory Declaration in Book 261 at Page 1079 and in Deed in Book 488 at Page 102.

TOGETHER WITH the benefit of the Utility Easement running over a 10 foot strip of land from the above described Lot 4 to Montague Street, over lands now or formerly owned by CIBC Mortgage Corporation, as defined and described in the Grant of Utility Easement in Book 355 at Page 766 and shown on the above referenced plan of Lot 4.

SUBJECT TO a Right of Way for the benefit of Lands at 102 Pelham Street, formerly owned by Vera Louise Levy, being shown on the above referenced plan, and also on Plan No. 75788969, and further defined and described in the Deed in Book 138 at Page 450 and further defined by the Right of Way Agreement in Book 956 at Page 399.

SUBJECT TO the Restrictive Covenant defined in the Deed in Book 300 at page 973.

*** Municipal Government Act, Part IX Compliance ***

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

Registration District: LUNENBURG COUNTY

Registration Year: 1999

Plan or Document Number: 11165

Schedule B – Property 2 Description

PID 60061793

MUNICIPALITY/COUNTY: Town of Lunenburg, Lunenburg County

REGISTRATION COUNTY: Lunenburg

LOCATION: Pelham Street

DESIGNATION OF PARCEL ON PLAN: Property of Donald Cedric Levy & Dianne Johnson

TITLE OF PLAN: Plan Showing Survey of Property of Donald Cedric Levy & Dianne Johnson, Property of Mary Elizabeth Jordan and Property of Kathryn Ann White at 102 Pelham Street, 106 Pelham Street and 103 Montague Street, respectively, Town of Lunenburg, Lunenburg County, Nova Scotia

REGISTRATION DATE OF PLAN: August 25, 2005

REGISTRATION REFERENCE OF PLAN: Plan No. 82833733

TOGETHER WITH the Grantors right, title and interest in the building and any land occupied by the said building as extends over the land hereinbefore described as referenced in the Deed in Book 732 at Page 764.

TOGETHER WITH the Right of Way over the existing driveway located along the western boundary of the land hereinbefore described, as shown on the aforementioned plan and further shown on Plan No. 75788969, and as referenced in the Deed in Book 120 at Page 534 and further defined and described in the Right of Way Agreement in Book 956 at Page 399.




*** Municipal Government Act, Part IX Compliance ***

Not Subject To:

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.



SCHEDULE C Site Plan

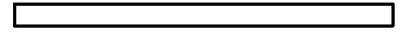
-  Proposed Consolidation
-  Edge of Pavement
-  Parcels

North



1:500

25



Metres

Duke St

Lincoln St

Pelham St

Montague St

PID: 60061801
Property 1

PID: 60061793
Property 2

Attachment D
Proposed Development Agreement for Lot Consolidation of
PID 60061199 and PID 60061181

THIS DEVELOPMENT AGREEMENT made this ____ day of _____, A.D., 2022.

BETWEEN:

RICHBURG LP MANAGEMENT INC.

(a body corporate, incorporated pursuant to the laws of the Province of Nova Scotia,
hereinafter called the “Developer”)

OF THE FIRST PART

- and -

THE TOWN OF LUNENBURG,

(a body corporate pursuant to the *Municipal Government Act*, S.N.S., 1998, Chapter 18, as amended,
having its chief place of business at Lunenburg, Lunenburg County, Nova Scotia, an incorporated Town
hereinafter called the “Town”)

OF THE SECOND PART

WHEREAS the Developer has agreed to enter into this Agreement with the Town pursuant to Section 225 of the *Municipal Government Act*, S.N.S., 1998, Chapter 18, as amended, and Policy 3-2A of the *Municipal Planning Strategy*; and

WHEREAS the Developer is the owner of certain lands and premises (hereinafter called the “Property 1” which lands are more particularly described in Schedule A attached hereto and which are known as Property Identification (PID) Number 60061199; and

WHEREAS the Developer is the owner of certain lands and premises (hereinafter called the “Property 2” which lands are more particularly described in Schedule B attached hereto and which are known as Property Identification (PID) Number 60061181; and

WHEREAS the Developer has made application to the Town for subdivision approval in order to consolidate Property 1 with Property 2; and

WHEREAS Policy 3-2A of the Town’s *Municipal Planning Strategy* implemented on September 22, 2021, A.D., and amendments thereto enables the Town to enter into a Development Agreement to enable subdivision approval for lot consolidations that exceed the Maximum Lot Area and Maximum Lot Frontage as prescribed in the *Land Use By-law*; and

WHEREAS the Town by resolution of Town Council passed at a meeting on _____ day of _____, 2022, approved this Development Agreement;

NOW THIS AGREEMENT WITNESSETH that in consideration of the sum of \$1.00 now paid by the Developer to the Town, the receipt of which is hereby acknowledged, the parties here to mutually covenant and agree to the Lot Consolidation of Property 1 with Property 2 subject to the following terms and conditions:

1. Subdivision Approval

1.1 The Developer hereby agrees to submit a Subdivision Plan for the lot consolidation of Property 1 and Property 2 as shown in Schedule C in conformance to the Town's Subdivision By-law by no later than December 31, 2025.

1.2 The Town shall here by approve the Subdivision Plan for the lot consolidation of Property 1 and Property 2 provided the newly created Lot does not exceed 825 m² (8880.2 square feet) in area and provided all other requirements of the Land Use By-law and Subdivision By-law are adhered to.

1.3 The Town shall here by approve the Subdivision Plan for the lot consolidation of Property 1 and Property 2 provided the newly created Lot does not exceed 42 m (137.8 feet) in street frontage and provided all other requirements of the Land Use By-law and Subdivision By-law are adhered to.

2. Amendments and Discharge

2.1 Any amendments to this Agreement which are substantive shall be made subject and pursuant to requirements set forth in the *Municipal Government Act, S.N.S., 1998, Chapter 18*, as amended and shall require a public hearing.

2.2 Any and all amendments to this Agreement shall be substantive.

2.3 Notwithstanding Section 2.2 of this Agreement, discharge of this Agreement is not a substantive matter and this Agreement may be discharged by Council at the request of the Developer without a public hearing.

2.4 Notwithstanding Section 2.2 and 2.3, Council may discharge this Agreement without the consent of the Developer if the developer fails to submit a Subdivision Plan in accordance with the Town's Subdivision By-law for approval by December 31, 2025. This discharge shall be defined as not substantive under the meaning of the *Municipal Government Act, S.N.S., 1998, Chapter 18*, as amended and shall not require a public hearing.

3. Signing of Development Agreement

3.1 The Developer shall sign this Agreement within sixty (60) days from the date the appeal period lapses or all appeals have been abandoned or disposed of or the Development Agreement has been affirmed by the Nova Scotia Utility and Review Board or the unexecuted Agreement shall be null and void.

4. Warranties by Developer

4.1 The Developer warrants as follows:

- (a) The Developer has good title in fee simple to the Lands or good beneficial title subject to a normal financing encumbrance, or is the sole holder of a Registered Interest in the Lands. No other entity has an interest in the Lands which would require their signature on this Development Agreement to validly bind the Lands or the Developer has obtained the approval of every other entity which has an interest in the Lands whose authorization is required for the Developer to sign the Development Agreement to validly bind the Lands.
- (b) The Developer has taken all steps necessary to, and it has full authority to, enter this Development Agreement.

5. Compliance with other By-laws and Regulations

5.1 Nothing in this Agreement shall exempt the Property Owner from complying with Federal, Provincial and Town laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Town license, permission, permit, authority or approval required thereunder.

5.2 The Town does not make any representations to the Property Owner about the suitability of the Property for the development proposed by this Agreement. The Property owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the development.

5.3 The Property Owner is responsible for all costs associated with recording this Agreement in the Registry of Deeds or Land Registration Office, as applicable.

5.4 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

5.5 Where the context requires, the singular shall include the plural, and the masculine gender shall include the feminine and neutral genders.

6. Provisions of Land Use By-law

6.1 Any provisions or regulations not set out or specifically mentioned in this Agreement shall be governed by the provisions of the Town's Land Use By-law, implemented on September 22, 2021 and any amendments thereto.

7. Breach of Terms or Conditions

7.1 Upon the breach by the Developer of the terms or conditions of this Agreement, the Town may undertake any remedies permitted by the *Municipal Government Act*, S.N.S., 1998, Chapter 18, as amended.

8. Termination of Agreement

8.1 That this Agreement shall be in effect until discharged by resolution of the Council of the Town in accordance with the relevant statutes; whereupon the Land Use By-law shall apply to the lands.

8.2 That the Council of the Town retains the option of discharging this development agreement should any fact provided to the Town by the Developer or its agents constitutes a material misrepresentation of the facts upon which this Agreement is based.

8.3 That the Council of the Town may discharge this Agreement if the Developer breaches any terms of the Agreement.

THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, their respective agents, successors and assigns.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto and is effective as of the day and year first above written.

SIGNED, SEALED AND ATTESTED to be the proper signing officers of the Town of Lunenburg, duly authorized in that behalf, in the presence of: **TOWN OF LUNENBURG**

Witness

Matt Risser, Mayor

Witness

Bea Renton, Town Clerk

SIGNED, SEALED AND DELIVERED
In the presence of:

DEVELOPER

Witness

RICHBURG LP MANAGEMENT INC.

**PROVINCE OF NOVA SCOTIA
LUNENBURG COUNTY**

ON THIS _____ day of _____, 2021, before me, the subscriber personally came and appeared _____, a subscribing witness to the annexed Indemnity, who having been by me duly sworn, made oath and said that _____ one of the parties thereto, signed, sealed and delivered the same in their presence.

A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

**PROVINCE OF NOVA SCOTIA
LUNENBURG COUNTY**

I CERTIFY that on this _____ day of _____, 2021, one of the parties mentioned in the foregoing and annexed Indemnity, signed, and executed the said Indemnity in my presence and I have signed as witness to such execution.

A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

Schedule A – Property 1 Description

PID# 60061199

ALL those two certain lots of land situate in the Town Plot of Lunenburg, being lots numbered 1 and 2 in Block "B" in Moreau Division of the Town Plot of Lunenburg, measuring on Pelham Street a frontage of eighty feet (80), more or less, and sixty feet (60) on Duke Street and being the same land conveyed from Bluenose Motors Limited to Ronald Beatty by Deed dated the 24th day of November, 1966 and recorded in the Office of the Registrar of Deeds at Bridgewater, N.S., in Book 136 at page 2 under number 4.

This land was conveyed by Ronald Beatty, et ux, to Dolphin Tavern Limited by Deed dated April 1, 1970 and registered in the Registry of Deeds at Bridgewater, N.S., on April 23 1970 in Book 141 at page 110 under number 168.

BEING AND INTENDED to be the same property conveyed by Dolphin Tavern Limited to Lunenburg Dinner Theatre Company Limited by deed dated August 2, 1994 and recorded at the Office of the Registrar of Deeds at Bridgewater, N.S., on August 6, 1994 in Book 570, Page 910, under No. 5849.

*** Municipal Government Act, Part IX Compliance ***

Not Subject To:

The parcel was created by a subdivision that predates subdivision control or planning legislation or by-laws in the municipality and therefore no subdivision approval was required for creation of this parcel.

Schedule B – Property 2 Description

PID# 60061181

All that certain lot of land situate in the Town of Lunenburg, in the County of Lunenburg and Province of Nova Scotia, shown as 'Remaining Property of Weldon Allen, Remaining Area = 1935 Sq. Ft' on a plan of subdivision prepared by Lester W. Berrigan, N.S.L.S. No. 409, dated September 18, 1992 and filed at the Registry of Deeds Office, Bridgewater on October 14, 1992 as plan number 9125, described as follows:

Beginning at a survey marker on the northern boundary of Pelham Street and at the southeast corner of property of Stellar Investments Inc., formerly of William Patrick Towndrow;

Thence North 07 degrees 19 minutes 23 seconds East along the property of Stellar Investments Inc. , for a distance of 59.56 feet, more or less, to a survey marker on the Southwest corner of property now or formerly of Himmelman's Jewelers Limited, formerly J. Nelson Dibbin and G. Annette Dibbin;

Thence in a northwesterly direction, along the southern boundary of the property of Himmelman's Jewelers Limited, for a distance of 32.5 feet, more or less, to the northeastern corner of property of Atcan Hotels Inc.;

Thence South along the property of Atcan Hotels Inc., sixty feet, more or less, to a stake on the Southwest corner of the property of Atcan Hotels Inc. and the north boundary of Pelham Street;




Thence in an southeasterly direction along the north boundary of Pelham Street for a distance of 32.5 feet, more or less, to the survey marker at the place of beginning.

MGA Compliance Statement:

The parcel complies with the subdivision provisions of Part IX of the Municipal Government Act.



SCHEDULE C Site Plan

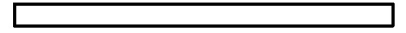
-  Proposed Consolidation
-  Edge of Pavement
-  Parcels

North



1:500

25



Metres

Duke St

Lincoln St

PID: 60061199
Property 1

PID: 60061181
Property 2

Pelham St

Montague St

2020/2021 TOWN OF LUNENBURG EXTERNAL APPOINTMENTS

COMMON LANDS

Deputy Mayor Mosher (Town of Lunenburg Council appointment)
Rachel Bailey (Town of Lunenburg Council appointment)
Councillor Chasidy Veinotte (Municipality of the District of Lunenburg Council Appointment)
Eric Walters (Municipality of the District of Lunenburg Council Appointment)
_____ (NS Supreme Court Justice) Peter Tanner?

(Membership is comprised of two Town of Lunenburg residents annually appointed by the Lunenburg Town Council; plus two residents of the Municipality of the District of Lunenburg east of the Town of Lunenburg appointed annually by Municipality of the District of Lunenburg Council; and one “selected by a County Court Judge of District #2” or NS Supreme Court Justice per Town Solicitor).

CULTURAL PLAN IMPLEMENTATION GROUP

Deputy Mayor Peter Mosher

LUNENBURG ACADEMY FOUNDATION

Councillor Stephen Ernst

LUNENBURG COUNTY SENIOR SAFETY ADVISORY PARTNERSHIP

Councillor Jenni Birtles

LUNENBURG FISHERMEN’S MEMORIAL SOCIETY

Mayor Matt Risser
Deputy Mayor Peter Mosher
Members of the Fishermen’s Memorial Society Memorial Tribute Society Sub-Committee

LUNENBURG COUNTY JOINT ACCESSIBILITY COMMITTEE

Councillor Susan Sanford
Councillor Melissa Duggan (alternate)

Lunenburg County Accessibility Advisory Committee Terms of Reference

1.0 PURPOSE

The Lunenburg County Accessibility Advisory Committee’s (AAC) role is to assist the five municipal units (the Districts of Chester and Lunenburg and the Towns of Bridgewater, Lunenburg and Mahone Bay) in Lunenburg County develop an Accessibility Plan in accordance with “An Act Respecting Accessibility in Nova Scotia, 2017 (The Act). The AAC provides advice to the five municipal councils on identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping the five municipalities become barrier-free communities and ensuring the obligations under the Act are met.

2.0 SCOPE

These Terms of Reference are applicable to all members appointed to the Lunenburg County Accessibility Advisory Committee (ACC).

3.0 REFERENCES

3.1 Bill No. 59 – Accessibility Act, Chapter 2 of the Acts of 2017

4.0 DEFINITIONS

4.1 **Barrier** means anything that hinders or challenges the full and effective participation in society of persons with disabilities including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

- 4.2 **Council(s)** means the Councils for the Districts of Chester and Lunenburg and the Towns of Bridgewater, Lunenburg and Mahone Bay.
- 4.3 **Disability** includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability (long-term conditions that are characterized by periods of good health interrupted by periods of illness or disability); that, in interaction with a barrier, hinders an individual's full and effective participation in society.

5.0 **POLICY**

5.1 **Membership**

- 5.1.1 The Committee shall consist of ten (10) voting members who serve without pay, except for associated expenses. Five (5) community members and five (5) Council members. Each Council will appoint their own Council member representative. The five (5) community representatives are to be appointed by all five (5) municipal units.
- 5.1.2 Applications for the community members will be sent to the Lunenburg County Accessibility Nominating Committee. This Committee will be comprised of the Mayors/Wardens of the five municipal units **or their designate**. The Nominating Committee will send a recommendation to all five councils concerning the appointment of the community members.
- 5.1.3 Councils shall appoint each of the five (5) community representatives' members as follows: Two members (2) to a three (3) year term; two members (2) to a two (2) year term; and one-member (1) to a one (1) year term. Once a member has completed their term all new terms will be for three (3) years.
- 5.1.4 Councils shall appoint a Council representative and an alternate from each of their respective municipal units. Council members' terms will be for two years.
- 5.1.5 At least one half of the members (community and council representatives) of the AAC must be persons with disabilities or representatives from organizations representing persons with disabilities.
- 5.1.6 If a community member vacates the Committee for any reason at any time before that member's term would normally expire, the Councils shall appoint promptly a new member to the Committee to hold office for the unexpired term.
- 5.1.7 If a Council member vacates the Committee for any reason at any time before that Council member's term would normally expire, the Council that the member represents shall appoint promptly a new Council member to the Committee to hold office for the unexpired term.
- 5.1.8 Applications for the appointment of community representatives to the Committee shall be invited by public advertisement.
- 5.1.9 The Chair and Vice-Chair will be appointed annually by the Committee.

5.2 **Qualifications**

- 5.2.1 Any member of the Committee is eligible for reappointment.
- 5.2.2 Any member of the Committee, who is absent from three (3) consecutive meetings of the Committee, forfeits office, unless the absence is caused by illness or authorized by resolution of the Committee and noted in the Committee minutes. Any member who forfeits office is eligible for reappointments following the remainder of the unexpired term.

5.3 **Mandate of Responsibilities**

The Committee has the following responsibilities:

- 5.3.1 Advise the five Councils in the preparation, implementation and effectiveness of an Accessibility Plan. In accordance with the Act, the Plan must include:
- a. A report on measures the five (5) municipal units have taken and intend to take to identify, remove and prevent barriers;
 - b. Information on procedures the five (5) municipal units have in place to assess the following for their effect on accessibility for persons with disabilities:
 - i. Any of its existing and proposed policies, programs, practices and services, and
 - ii. Any existing and proposed enactments or bylaws it will be administering; and
 - c. Any other prescribed information.
- 5.3.2 Advise all five (5) Councils on opportunities to promote the full participation of persons with disabilities, in accordance with the Act;
- 5.3.3 Identify and advise on the accessibility of existing and proposed municipal services and facilities;
- 5.3.4 Advise and make recommendations about strategies designed to achieve the objectives of the five (5) municipal units Accessibility Plan;
- 5.3.5 Receive and review information directed to it by all five (5) municipal Councils and their committees, and to make recommendations as requested;
- 5.3.6 Monitor federal and provincial government directives and regulations; and
- 5.3.7 Host public consultations related to accessibility
- 5.3.8 Provide input and advice to all five (5) councils with respect to updating the Accessibility Plan every three years.
- 5.3.9 Provide an annual budget for the five (5) Councils consideration in order for the Committee to carry out their mandate.

5.4 **Rules of Engagement:**

- 5.4.1 Committee meetings will be called by the Chair as required to fulfill the duties outlined. Meetings of the ACC shall be open to the public and advertised no less than one week in advance.
- 5.4.2 A majority of the appointed voting members of the Committee constitutes a quorum.
- 5.4.3 Subject to the principles set out in the **Municipal Conflict of Interest Act**, all committee members present including the person presiding shall vote on a question.

- 5.4.4 Subject to section 22 of the **Municipal Government Act**, meetings of the committee are open to the public
- 5.4.5 The Committee may receive presentations from the public upon the approval of the Chair.
- 5.4.6 The Committee may establish Working Groups to explore specific issues related to the Accessibility Plan and/or other responsibilities. Members of the Working Group may consist of additional members of the community. A member of the AAC shall chair the Working Group.

5.5 STAFF RESOURCES

- 5.5.1 The Committee will be supported by municipal staff and consulting resources as required.
- 5.5.2 Staff appointed by the five (5) municipal units will attend meetings as a resource to the Committee.
- 5.5.3 The Municipalities will provide administrative support services to the Committee to aid in agenda preparation, minute taking, and other administrative duties as required.

6.0 POLICY REVIEW

- 6.1 These Terms of Reference will be reviewed by each of the five (5) Councils at least every four years from the effective/amended date.

LUNENBURG HOME FOR SPECIAL CARE CORPORATION / HARBOUR VIEW HAVEN

Councillor Jenni Birtles
Jenise Brouse
John Donaldson
Diane Johnson
Jackie Moore
Virginia Uhlman
Ellen Wathen

LUNENBURG WATERFRONT ASSOCIATION

Mayor Matt Risser

REGION 6 SOLID WASTE MANAGEMENT COMMITTEE

Councillor Ed Halverson
Mayor Matt Risser (alternate)

REGIONAL EMERGENCY MANAGEMENT ORGANIZATION (REMO)

Mayor Matt Risser
Deputy Mayor Peter Mosher
Alternate - Councillor Susan Sanford

SOUTH SHORE HOUSING ACTION COALITION

Councillor Melissa Duggan

SOUTH SHORE REGIONAL LIBRARY BOARD

Councillor Jenni Birtles

Section 10 of the Libraries Act = 1 x member of Council or public for a period as determined by the Council making the appointments.

WESTERN REGIONAL HOUSING AUTHORITY

Helen Lanthier (to March 31, 2022)

Section 22(1) of the Housing Act - The Governor in Council may constitute a body corporate to be a regional housing authority, prescribe its membership and manner of appointment.

2020/21 TOWN OF LUNENBURG COUNCIL APPOINTMENTS

ANTI-RACISM SPECIAL COMMITTEE

Councillor Melissa Duggan, Chair
Deputy Mayor Peter Mosher
Jerin Kottakkal
Rebecca Fisk
Saundra Vernon
Stephen Labrador, Acadia First Nation Appointee
April Hiltz, Native Council of Nova Scotia

Ex-officio:

- Margie Knickle
- Piotr Luczak
- Megan Meldrum
- Yvonne Mosely
- Mayor Matt Risser

Advisors:

- Chavasse Bain, African NS Affairs
- Cynthia Dorrington, Black Loyalist Heritage Centre
- Tammy Hamlin, Town of Truro
- Jessika Hepburn, BIPOC South Shore
- Mohammad Mousa, Social, Human Sciences & Youth, CC UNESCO (Ottawa)
- Celeste Sulliman, Treaty Education, NS Office of Aboriginal Affairs

Staff:

- Kelly Cunningham, Recreation Director Arthur MacDonald, Heritage Manager
- Heather McCallum, Assistant Municipal Clerk (Recording Secretary)

Terms of Reference (approved by Council January 26, 2021)

Purpose/Objective

The Town of Lunenburg is committed to supporting equity, diversity, inclusion and dignity of all people. To this end, Lunenburg Town Council has established an Anti-Racism Special Committee with particular emphasis on anti-Black and Indigenous racism.

The Special Committee may make recommended amendments to revise their Terms of Reference to Town Council for approval throughout their term.

Responsibilities of the Special Committee

1. Develop a Municipal Action Plan for Ending Racism and Discrimination with emphasis on (but not limited to) anti-Black and Indigenous racism, including:
 - a) Identify ways and means to eliminate barriers to employment, policies, procedures and practices that may negatively impact the BIPOC (Black/ Indigenous/People of Colour) members of our community;
 - b) Strive to achieve suitable representation of designated and underrepresented groups, with particular attention to African Nova Scotian and Indigenous people, in the Town of Lunenburg's Committees, workplace, activities and services;
 - c) Strive to showcase the rich cultural heritage of all peoples on the Town of Lunenburg's literature, plaques, interpretive panels, street naming policy, events, website and other media/communication platforms with particular attention to African Nova Scotian and Indigenous histories.
 - d) Make recommendations on how implementation and ongoing monitoring through an inclusivity, diversity, and anti-racism lens can be achieved in the Town of Lunenburg government and services.
2. Review and consider the Town becoming a member of the Canadian Commission for UNESCO's Coalition of Inclusive Municipalities and make a recommendation to Council accordingly.

Membership of the Special Committee

The Special Committee will be established by the Town issuing invitations to appropriate stakeholders and experts from the BIPOC (Black/Indigenous/People of Colour) community from the Town of Lunenburg where possible, and the wider community where necessary. All members must be appointed to the Anti-Racism Special Committee by Lunenburg Town Council.

The Special Committee shall be comprised of eight (8) voting Special Committee members including:

- a) Two Town Councillors (one of which shall Chair)
- b) Two citizens at large who have knowledge or expertise in African Nova Scotian or Indigenous affairs (who may or may not live within the Town);
- c) Two representatives from the African Nova Scotian community (who may or may not live within the Town); and
- d) Two representative from the Indigenous community, one of which shall be a representative from Acadia First Nations (who may or may not live within the Town).

Other Special Committee non-voting participants:

- The Special Committee may invite external non-voting participants and/or advisors who represent key partner organizations and/or who bring expertise in relevant areas to advise the Special Committee as required.
- Town staff shall be assigned to support the Special Committee (recording secretary and/or general advisory services)

Meeting Proceedings

1. The rules of procedure for the Special Committee shall be governed by the Town's "Council and Committee Meetings and Proceedings Policy".
2. All Minutes of the Special Committee will be open to the public, unless the matter to be discussed qualifies for in camera pursuant to the Municipal Government Act.
3. The Special Committee will report progress updates to the Town Council at intervals determined by the Special Committee and Council.
4. Meeting dates and frequency to be determined by the Special Committee upon their first meeting. Due to the ongoing COVID-19 pandemic, meetings will take place online over Zoom. When the easing of the pandemic allows for in-person meetings, these may take place at Town Hall with remote access available via Zoom for those whose location makes in-person attendance challenging.
5. A quorum of the Special Committee shall consist of five voting members.
6. Citizen members of the Special Committee (i.e., those not representing an organization) shall serve in a volunteer capacity and are entitled to the Committee of Council member annual honorarium of \$225.
7. The mandate of the Anti-Racism Special Committee will expire upon the completion of the Municipal Action Plan for Ending Racism and Discrimination report, and upon Council making a final decision regarding its adoption. It is anticipated that the work of the Special Committee will take approximately a year, depending on availability of the members.

AUDIT COMMITTEE

Councillor Ed Halverson, Chair
Mayor Matt Risser
Deputy Mayor Peter Mosher
Councillor Jenni Birtles
Councillor Melissa Duggan
Councillor Stephen Ernst
Councillor Susan Sanford
Jamie Green, Citizen Representative

Audit Committee (Committees of Council Policy excerpt)

Section 9 of Committees of Council Procedural Policy – The Chair of the Audit Committee shall not be a Town signing authority for banking or cheque signing purposes.

20. The responsibilities of the Audit Committee are to:
 - a. conduct a detailed review of the Town financial statements with the Town Auditor;
 - b. evaluate internal control systems and management letter with the Town Auditor;
 - c. conduct a review of the conduct and adequacy of the audit;
 - d. consider such matters arising out of the audit as may appear to the Audit Committee to require investigation;
 - e. review other matters as may be determined by Council to be the duties of the Audit Committee and any other matters; and
 - f. take such other action not inconsistent with this Policy that the Committee reasonably deems necessary to carry out its mandate in accordance with Town Policies and Bylaws and the Municipal Government Act.
21. The Audit Committee shall be comprised of all members of Council and a minimum of one resident at large appointment who is not a member of Council or staff. Resident appointees shall possess knowledge and understanding of financial and investment matters as evidenced in their Committee application form.
22. Council shall advertise for resident Audit Committee applications before December 31 every two years. The resident Committee member(s) shall be selected by Council as noted herein with the exception that this shall be a two year appointment.
23. The CAO, Finance Director and Accountant shall be non-voting members of the Audit Committee. Through the CAO the Committee may request additional members of the Town's senior management staff to attend Committee meetings.

24. The Audit Committee Chair shall be a member of Council bi-annually appointed by Council as set out in section 9. The Committee Chair will make periodic reports to Council on matters relating to the Committee's work progress.
25. The Audit Committee shall meet at least twice per year as called by the Chair in consultation with Town staff to receive and review the completed Town audit with the Town Auditor and to carry out its additional Municipal Government Act duties.

COMMITTEE OF THE WHOLE

Mayor Matt Risser, Chair
 Deputy Mayor Peter Mosher, Alternate Chair
 Councillor Jenni Birtles
 Councillor Melissa Duggan
 Councillor Stephen Ernst
 Councillor Ed Halverson
 Councillor Susan Sanford

26. The responsibilities of the Committee of the Whole are to:
 - a. discuss, consider, advise and make recommendations to Council for approval concerning the affairs of the Town in advance of Council making decisions or taking actions on such matters, except where the Mayor and CAO have determined that consideration by Committee of the Whole is unnecessary or inadvisable including the following matters which will normally be dealt with by Council without first being considered by the Committee of the Whole for its recommendations:
 - i. first and second readings of a Bylaw enactment, amendment or repeal; and
 - ii. matters which are the subject of statutory hearing by Council;
 - b. review and revise draft Town Bylaws and Policies and amendments thereto making recommendations to Council regarding same;
 - c. review and revise draft Strategic and annual corporate plans and make recommendations to Council regarding same;
 - d. review and revise the Town draft budget for the next fiscal year and make recommendations to Council regarding same;
 - e. receive reports and related presentations of a complex nature requiring strategic, budget, and/or policy consideration for recommendation to Council;
 - f. discuss, consider, advise and make recommendations on any other matters which may be referred to it by Council;
 - g. take such steps not inconsistent with this Policy that this Committee deems necessary to carry out its mandate; and
 - h. meet in camera where appropriate to fulfill its responsibilities in accordance with the Municipal Government Act.
27. The Chair of the Committee of the Whole is the Mayor and in their absence the Deputy Mayor.
28. The Committee of the Whole consists of all Council members and membership on the Committee automatically extends to Council members without the necessity of formal appointment by Council and automatically terminates when the person is no longer a Council member.
29. Items may be added to the Committee of the Whole agenda by Council members making prior requests to the Mayor and CAO who will review the requests and determine if it should be included in the next Committee of the Whole meeting agenda or referred elsewhere.
30. In addition to scheduled Committee of the Whole meetings, a Council member may move that Council recess and move into Committee of the Whole for informal consideration of any item on the Council agenda and rise and report back to Council. Such motion shall be determined by a majority vote of Council members present and voting.

COMPREHENSIVE COMMUNITY PLAN STEERING TEAM

Councillor Susan Sanford, Chair
 Deputy Mayor Peter Mosher
 Councillor Stephen Ernst
 Peter Goforth, Qualified Expert
 Gerry Rolfsen, Qualified Expert
 Cheryl Lamerson, Citizen Representative
 Bill Rice, Citizen Representative

Approved by Council 11 September 2018, amended 23 October 2018, amended 24 November 2020

COMPREHENSIVE COMMUNITY PLAN PROJECT

Terms of Reference ("ToR") for the
 Comprehensive Community Plan Project Steering Team ("Steering Team")

1.0 DEFINITIONS

In these ToR,

"Council" means the Council of the Town of Lunenburg.

"Comprehensive Community Plan" is a community-specific, inclusive and holistic planning process that covers all aspects of the community, and enables it to plan its development and lay out its vision and high-level goals for the long term.

"Comprehensive Community Plan Project" includes the generation of a Comprehensive Community Plan as well as an updated Municipal Planning Strategy, Land Use By-law, Heritage Conservation District Plan and By-law, and Subdivision By-law as supporting documents.

"Comprehensive Community Plan Steering Team" means an advisory group tasked by Council to be the governing body of the Comprehensive Community Plan Project and will provide strategic leadership and governance oversight.

2.0 TITLE

The advisory group to Council shall be named the Comprehensive Community Plan Project Steering Team (Steering Team).

3.0 PURPOSE

The purpose of the Comprehensive Community Plan Project Steering Team (Steering Team) is to monitor the quality of Comprehensive Community Plan and updated Municipal Planning Strategy, Land Use By-law, Heritage Conservation District Plan and By-law, and Subdivision By-law as they develop; provide support, guidance, and oversight of the process; and ensure that the scope of work is adhered to and milestones met in accordance with the Request for Proposals (RFP), attached as Appendix 1.1., or in accordance with an amended consulting services agreement.

4.0 RESPONSIBILITIES

4.1 The responsibilities of the Steering Team will be to:

- a. monitor the quality of Comprehensive Community Plan, Municipal Planning Strategy and Land Use By-law, Heritage Conservation District Plan and By-law, and Subdivision By-law as they develop;
- b. provide support, guidance, and oversight of the Comprehensive Community Plan process and its progress;
- c. provide oversight of the Municipal Planning Strategy and Land Use By-law, Heritage Conservation District Plan and By-law, and Subdivision By-law processes and their progress;
- d. ensure that the scope of work is adhered to and milestones met;
- e. provide regular updates to Council;
- f. based on delegated authority, make decisions that are in accordance with the terms of the RFP;
- g. provide advice and recommendations to Council on any substantive changes to the scope of work and/or terms of the RFP; and
- h. provide a recommendation to Council relating to the approval of the Comprehensive Community Plan.

4.2 The Steering Team may consult with Town of Lunenburg staff, Council, or stakeholders, as necessary.

4.3 The Steering Team may seek outside expertise, as necessary.

4.4 The Steering Team may establish rules of procedure that are necessary for the performance of its responsibilities.

5.0 MEMBERSHIP

5.1 Voting members of the Steering Team shall include:

- i. Chair, Town Councillor #1, as appointed by Council
- ii. Town Councillor #2, as appointed by Council
- iii. Town Councillor #3, as appointed by Council
- iv. Citizen Representative #1, as appointed by Council
- v. Citizen Representative #2, as appointed by Council
- vi. Qualified Expert #1, as appointed by Council
- vii. Qualified Expert #2, as appointed by Council
- viii. Qualified Expert #3, as appointed by Council

5.2 Non-voting, ex-officio members shall include:

- i. Project Manager/Manager of Planning and Development
- ii. Heritage Manager
- iii. Town Engineer
- iv. Staff representative of the Municipality of the District of Lunenburg
- v. Representative of a Provincial organization or crown corporation (e.g. Develop Nova Scotia, Municipal Affairs)

5.3 There shall be a maximum of eight (8) voting members. 5.4 Council may appoint new members to join the Steering Team and amend the ToR accordingly.

5.4 Council may appoint new members to join the Steering Team and amend the ToR accordingly.

5.5 Resource people may be invited to attend the meetings upon request from the Chair on behalf of the Steering Team to provide advice and assistance, as necessary.

5.6 Citizen representatives shall have expertise in project management, community engagement, programming and policy, rural and urban planning, asset management, or other area of expertise deemed beneficial by Council in providing oversight of the plan process.

5.7 Qualified experts shall have expertise in project management, community engagement, programming and policy, rural and urban planning, asset management, or other area of expertise deemed beneficial by Council in providing oversight of the plan process. Town citizens who meet the criteria shall be given preference in the selection process.

6.0 CHAIRPERSON

6.1 The Chair of the Steering Team shall be a Town Councillor and appointed by Council.

6.2 The Chair shall provide information on the progress of the Steering Committee as well as bring forward its recommendations to Council.

6.3 The Chair shall preside over all Steering Team meetings. The Chair will ensure that the meetings are conducted in a cordial and respectful manner and that matters are discussed in accordance with the meeting agenda.

6.4 The Chair shall set meeting dates and approve the agenda.

6.5 The Chair shall be the spokesperson for the Steering Committee.

7.0 MEETINGS

7.1 Meetings shall be held once a month.

7.2 Special or extraordinary meetings shall be called by the Chair, when necessary.

7.3 Quorum shall consist of fifty percent (50%) of the members plus one (1). 7.4 Record of meetings will be recorded in the form of notes by the Town of Lunenburg staff. At each meeting, the previous notes will be reviewed by members.

7.5 The Steering Team meetings are open to members of the public.

8.0 AMENDMENTS

The Terms of Reference may be amended by Council.

9.0 CONFLICT OF INTEREST

The Steering Team members have an obligation to disclose any conflicts of interest relative to the matters under discussion.

10.0 TERM

The Steering Team shall be in effect until dissolved by Council or upon completion of the Comprehensive Community Plan Project.

DEPUTY MAYOR

Deputy Mayor Peter Mosher

November 12, 2020 Council motion appointing the Deputy Mayor for a one year term approximately to the next Council election.

January 22, 2013 Council motion - all future Deputy Mayors shall be **annually** elected by Council and shall no longer be limited to a one year term.

Town of Lunenburg Role & Responsibilities of the Deputy Mayor (approved by Council motion December 9, 2014):

The Deputy Mayor shall

- ▶ As per MGA section 16 (5) act in the absence or inability of the mayor or in the event of the office of mayor being vacant
- ▶ Act as and perform the duties of the Mayor in the Mayor's temporary absence as per MGA section 15
 - 1) preside at all meetings of Council
 - 3) a) monitor the administration and government of the municipality b) communicate such information and recommend such measures to the Council as will improve the finances, administration and government of the municipality.
- ▶ Attend civic and community events as a representative of the Town as may be required and requested by the Mayor
- ▶ Accompany the Mayor or attend on behalf of the Mayor, meetings dealing with inter-municipal relations and matters concerning regional cooperation or of regional or provincial or national significance.
- ▶ Assist the Mayor in planning for and working with Council through a process of CAO support and evaluation.
- ▶ Preside over some meetings, as may be mutually agreed, such as Committee of the Whole (COW) meetings.

HERITAGE ADVISORY COMMITTEE

Councillor Stephen Ernst, Chair
Councillor Jenni Birtles
Oliver Osmond, Lunenburg Heritage Society Representative
Nathalie Irving, Lunenburg Heritage Society Representative
E. Patricia MacDonald, Citizen Representative
Virginia Stephen, Citizen Representative

Heritage Advisory Committee (Committees of Council Policy excerpt)

29. The responsibilities of the Heritage Advisory Committee are to:
- a. carry out their duties described in the Town's Heritage Property Bylaw and Provincial Heritage Property Act;
 - b. advise Town Council respecting:
 - i. the inclusion of buildings, streetscapes and areas in the Town Registry of Heritage Property;
 - ii. an application for permission to alter substantially or demolish a Town Heritage Property;
 - iii. building or other regulations that affect the attainment of the intent and purpose of the Town Heritage Property Bylaw and Heritage Property Act; and
 - iv. any other matters conducive to the effect of carrying out the intent and purpose of the Town Heritage Property Bylaw and Heritage Property Act.
30. The Heritage Advisory Committee is comprised of six members all of whom shall be residents of the Town and appointed by Council for a two year term. Two members of the Committee shall be members of Council, two shall be members of the Lunenburg Heritage Society or individuals who have otherwise demonstrated active interest in the preservation of buildings of historic significance, and two members of the Committee shall be appointed at large.

LUNENBURG WAR MEMORIAL COMMUNITY CENTRE/RECREATION COMMITTEE

Councillor Ed Halverson, Chair
Councillor Melissa Duggan
Councillor Jenni Birtles
Councillor Chasidy Veinotte, MODL
Debbie Dauphinee, Citizen Representative
Kimberly Hanlon, Citizen Representative
Kristi Tibbo, Citizen Representative

Recreation Committee (Committees of Council Policy excerpt)

35. The responsibilities of the Recreation Committee are to:
- a. advise Council on matters affecting the development and maintenance of Town recreational facilities including but not limited to the Lunenburg War Memorial Community Centre Auditorium and Arena, programs and services;
 - b. encourage healthy and active lifestyles for residents and visitors; and
 - c. provide Council with input on the development of policies, plans and budget development related to community recreation opportunities including active transportation initiatives.
36. The Recreation Committee is comprised of four members of Council, three residents who are appointed for two year terms, and one Municipality of the District of Lunenburg ("Municipality") Council member appointed to serve by their Council in relation to relevant Municipality matters.

ACTIVE TRANSPORTATION (LWMCC) SUB-COMMITTEE

Councillor Jenni Birtles, Chair
Sam Battaglia and Kaitlyn Harris, Coastal Action representative
Debbie Dauphinee, representative from Recreation Committee
Anna Haanstra (or alternate TBA), Regional Physical Activity Consultant, Dept. of Health and Wellness
Louise Hopper, Health Promotor, Public Health Services, NS Health Authority
_____, Department of Communities, Culture and Heritage, Provincial South Shore Regional Physical Activity Consultant representative
Scott McInnis, Bluenose Academy School Advisory Council representative
Stefan Sopher, Citizen appointment
_____, Citizen appointment
_____, Citizen appointment

Motion: moved by Councillor Dauphinee, seconded by Councillor Croft that Lunenburg Town Council form an Active Transportation Sub-Committee with the sole mandate of considering and recommending issues related to AT. This to be made up of representatives from the Recreation Committee, Council, residents, school (youth) and the Town Engineer. Motion carried. (Council motion October 25, 2011)

Terms of reference approved by Lunenburg Town Council January 26, 2016 and amended by Lunenburg Town Council October 23, 2018:

Active Transportation Sub-Committee Terms of Reference

The Town of Lunenburg Active Transportation Committee (ATSC) will function as a sub-committee and report to the Lunenburg War Memorial Community Centre Committee (LWMCCC).

The mandate of the ATSC is as follows:

1. The promotion of healthy lifestyles in the Town of Lunenburg.
2. Encouragement for residents to use non-motorized modes of transportation whenever possible in their daily lives.
3. Periodically review and update the existing Active Transportation Strategic Plan as adopted by the Town Council on November 15, 2013.
4. Recommend to Town Council capital projects within the Town of Lunenburg which will improve infrastructure to facilitate safe routes for active transportation to and from work, school, businesses, parks, playgrounds and trails.

ATSC structure

The ATSC should consist of the following:

1. A member of the Lunenburg Town Council who shall act as Committee Chair
2. The Town Recreation Director
3. The Town Engineer
4. A representative from the Bluenose Coastal Action Foundation
5. A representative from the LWMCCC
6. A representative from the Nova Scotia Health Authority
7. A representative from the Department of Communities, Culture and Heritage. The Provincial South Shore Regional Physical Activity Consultant.
8. A representative from the Bluenose Academy which may include a member of the School Advisory Committee
9. Three citizen appointees

ATSC Meetings

The ATSC will meet on the fourth Wednesday of every third month (May, August, November and February) at 12:00 p.m. An agenda will be circulated the Friday before, five days in advance of the meeting. Minutes shall be kept and circulated within three days following the meeting.

PLANNING ADVISORY COMMITTEE

Councillor Susan Sanford, Chair
Councillor Stephen Ernst
Councillor Ed Halverson
Peter Goforth, Citizen appointment
Derek Kinsmen, Citizen appointment
Gerry Rolfsen, Citizen appointment
Colin Whitcomb, Citizen appointment

Planning Advisory Committee (Committees of Council Policy excerpt)

31. The responsibilities of the Planning Advisory Committee are to:
 - a. carry out the Planning Advisory Committee duties set out in the NS Municipal Government Act;
 - b. advise Council respecting the preparation and amendment of planning documents and general planning matters; and
 - c. conduct a review of and proposed amendments to the Town's Municipal Planning Strategy, Land Use By-law and Subdivision
 - d. By-law and other relevant planning matters.

32. The Planning Advisory Committee is comprised of at least four residents appointed for two year terms and three Council members as determined by Council.

PROTECTIVE SERVICES COMMITTEE

Deputy Mayor Peter Mosher, Chair
Councillor Ed Halverson
Councillor Susan Sanford
Councillor Melissa Duggan
Brian Keizer, Districts 1 & 2 Fire Commission
David Afford, Districts 1 & 2 Fire Commission
David Baugil, Districts 1 & 2 Fire Commission

Protective Services Committee (Committees of Council Policy excerpt)

33. The Protective Services Committee responsibilities are to advise Council regarding:
- a. oversight of the volunteer firefighting force and their training, buildings and equipment, fire alarm systems, fire investigations and prevention, water supply and hydrants; and
 - b. Fire Protection Services budget matters.
34. The Protective Services Committee is comprised of four Council members including the Chair. For the purpose of fire protection matters relating to the Municipality of the District of Lunenburg Fire Districts 1 and 2 Commission ("Commission") only, the Commission may appoint three Commission members to be additional voting members of the Committee for the purpose of fire protection matters related to the Commission.

NEWCOMERS WELCOME GROUP

Jane Theman
Letisha McFall
Christina Pottie
Lori Nickerson